

ORDINANCE NO. 27-25

BEING AN ORDINANCE TO AMEND
THE CITY OF MUNCIE
COMPREHESIVE ZONING ORDINANCE
FROM THE R-5 RESIDENCE ZONE
TO THE BC CENTRAL BUSINESS ZONE
ON PREMISES LOCATED AT
718 N. WALNUT ST., MUNCIE, INDIANA

WHEREAS, the State enabling act for planning and zoning empowers the City Council of Muncie, Indiana to adopt a Comprehensive Zoning Ordinance and also provides for amendments to the said Ordinance as the need arises; and

WHEREAS, the Common Council of the City of Muncie, Indiana has given reasonable regard to the Comprehensive Plan; current conditions and the character of current structures and uses in each district; the most desirable use for which land in each is adapted; the conservation of property values throughout the jurisdiction; and responsible growth and development.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF MUNCIE, INDIANA, as follows:

Section 1. That the City of Muncie Comprehensive Zoning Ordinance, heretofore adopted on the 5th day of November, 1973, be amended, changed and supplemented so as to include in the **CB Central Business Zone** the following described real estate located in the City of Muncie, Indiana to wit:

718 N. WALNUT ST., MUNCIE, INDIANA

Section 2. That all buildings or uses permitted and placed upon described real estate shall fully conform with all the provisions of the City of Muncie Comprehensive Zoning Ordinance and shall have obtained all the proper permits.

Section 3. That this Ordinance shall be in full force and effect from and after its passage by the Common Council and its approval by the Mayor of the City of Muncie, Indiana, and such publication as may be required by law.

FILED

AUG 21 2025

**Belinda Munson
MUNCIE CITY CLERK**

	YEAS	NAYS	ABSTAIN	ABSENT
Dale Basham				
Jerry Dishman				
Brandon Garrett				
Jeff Green				
Sara Gullion				
William McIntosh Sr.				
Harold Mason Jr.				
Nora Powell				
Ro Selvey				

Passed by the Common Council of the City of Muncie, Indiana, this _____ day of _____, 2025.

President of the Common Council
City of Muncie, Indiana

Presented by me to the Mayor for his approval this _____ day of _____, 2025.

Belinda Munson, City Clerk
City of Muncie, Indiana


The above ordinance approved (vetoed) by me this _____ day of _____, 2025.

Dan Ridenour, Mayor of the City of Muncie,
Indiana

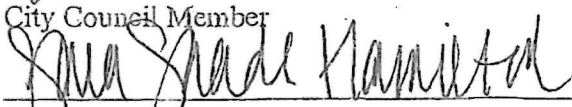
ATTEST:

Belinda Munson, City Clerk of Muncie, Indiana

This ordinance is proposed by:



City Council Member



Corporate Counsel

This ordinance is approved in form by:

**REPORT TO THE COMMON COUNCIL OF
THE CITY OF MUNCIE, INDIANA**

August 7, 2025

To the Honorable:

Common Council of the City of Muncie, Indiana

Dear Council Members:

The Delaware-Muncie Metropolitan Plan Commission hereby submits to you the following report on the application of: CRU Properties, LLC, 1314 S. Brotherton St, Muncie, IN, such applicant petitioning the Commission to rezone the real estate as described in the application, generally located at: 718 N Walnut St, Muncie, IN from zone classification: R-5 Residence Zone to zone classification: CB Central Business Zone.

WHEREAS, the Commission has given reasonable regard to the Comprehensive Plan, current conditions and the character of current structures and uses in each district, the most desirable use for which the land in each district is adapted, the conservation of property values throughout the jurisdiction and responsible growth and development; and

NOW, THEREFORE, the Delaware-Muncie Metropolitan Plan Commission hereby **FAVORABLY RECOMMENDS (7-0)** the application for rezoning.

**DELAWARE-MUNCIE METROPOLITAN
PLAN COMMISSION**

BY:



Chris Smith, President



Kylene Swackhamer, Secretary

EXCERPT FROM THE AUGUST 7, 2025

CASE ANALYSIS FROM THE

DELAWARE-MUNCIE METROPOLITAN PLAN COMMISSION

MPC 15-25Z CRU Properties LLC

Description & Location: 718 N Walnut St, Muncie, IN Center Township

Parcel: 11-10-154-006-000

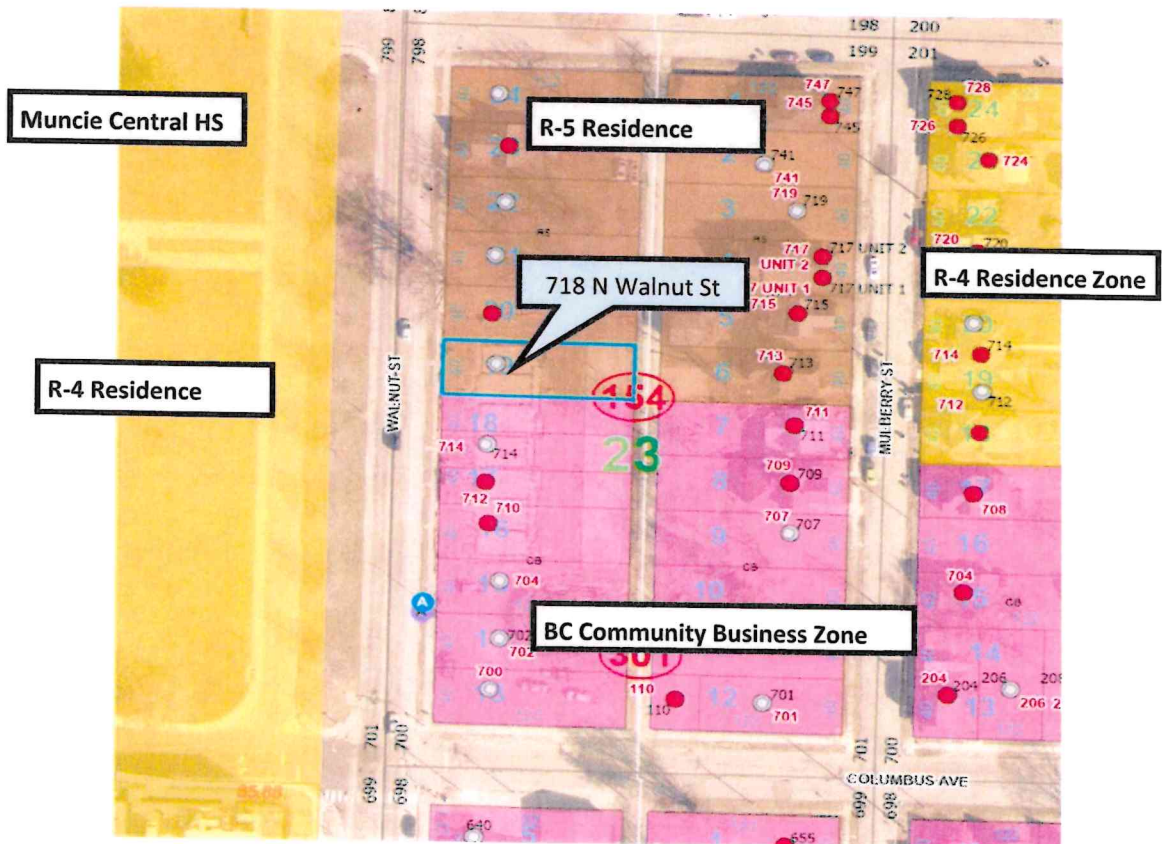
Streets: N Walnut St is platted with a 80' ROW and is classified as a Secondary Arterial Road according to the Thoroughfare Plan Map.

Land Use: This parcel, along with the four lots to the south of it, are currently being developed as new townhouses.

Zoning: The current zoning of this property is R-5 Residence Zone. The surrounding areas consist of R-4 and R-5 Residence Zones and CB Community Business Zones.

Request: The request is to change zoning of this property from R-5 Residence Zone to CB Central Business Zone.

Additional Information: This parcel, along with the four lots directly to the south currently under construction, are needing to be replatted to define the new property lines for new townhouses. To do this, they must all be consistent in zoning classification. The other lots are currently zoned CB Community Business. Applicant states there are no other variances foreseen at this time.



**DELAWARE-MUNCIE METROPOLITAN PLAN COMMISSION
PROPOSED ZONING CHANGE APPLICATION**

Jurisdiction: (Check One)

Submitted: 7/15/2025

☐ Delaware County

Case No.: MPC 15-252

☒ City of Muncie

(1) Applicant: CRU Properties LLC

Address: 1314 S Brotheton St Phone: 765-520-1532
Muncie, IN 47302

(2) Record of Applicant's Ownership:

A. ☒ By Deed:
Deed Book No. & Page No.: 2024R0563
Date of Deed: 04/22/2024

B. ☐ By Recorded Contract:
Misc. Book No. & Page No.: _____
Date of Contract: _____

C. ☐ By Unrecorded Contract:
Date of Contract: _____
Name of Contract Seller: _____
Book No. & Page No. Of Deed in Seller's Name: _____

(3) Legal Description of Property for which rezoning is requested: (From the Deed or Abstract).
See attached Exhibit A

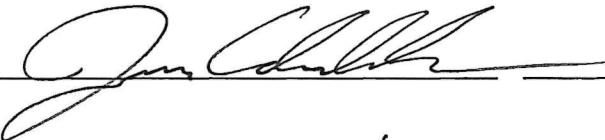
(4) Common Address of Property Involved:
718 N Walnut St
Muncie, IN 47305

(5) Proposed zoning change: (Give exact zone classification.)
From the Residential Zone 5 (R-5) Zone
To the Central Business (CB) Zone

- (6) Intent and Purpose of Proposed Change: (Specify use contemplated on property.)
Currently under construction for new owner-occupied townhouses.
- (7) Will the Owner develop the property for the use specified in Item 6 or does owner intend to sell property for the purpose specified.
Yes, currently under construction for new owner-occupied townhouses.
- (8) State how the proposed change will not adversely affect the surrounding area.
We need to change zoning to relocate zone borders, the new parcels will be split zone after re-platting.
- (9) Will certain variances be requested if the proposed zoning change is granted?
(If yes, list the variances)
No additional variances requested.
- (10) Has the applicant provided stamped, addressed envelopes to send notices of this rezoning to all the property owners within 300 feet? Yes
Has the applicant discussed this rezoning with those owners personally? No
(If answer is yes, give their attitudes toward the rezoning.)
See attached letter from McKinley Neighborhood Association.
- (11) Are there any restrictions, easements, and/or covenants governing the property prohibiting its use for the purpose specified in this application?
(If answer is yes, attach copy of it and/or explain.)
No

AFFIDAVIT

(I or We) Jonathan Chambless, Co-Owner CRU Properties LLC being duly sworn, depose and say that I/We am/are the owner(s)/contract owner(s) and contract seller(s) of property involved in this application and that the foregoing signatures, statements, and answers herein contained and the information herewith submitted are in all respects true and correct to the best of my/our knowledge and belief.

SIGNATURES: 

Subscribed and sworn to before me this 15th day of JULY, 20 25


Notary Public



Robin K Smith, Notary Public
Randolph County, State of Indiana
Commission No: NP0753458
My Commission Expires 12/20/2031

12-20-2031
My Commission Expires

Resident of Randolph County

State of Indiana

DO NOT WRITE IN THIS SPACE

The foregoing application has been inspected by me and was submitted to the Delaware-Muncie Metropolitan Plan Commission Office in accordance with all the formal requirements. If properly advertised by the applicant, this application will be heard by the Plan Commission in Public hearing on the 7 day of August, 20 25.

Signed 

Date 7/25/2025

DULY ENTERED FOR TAXATION
TRANSFER FEES \$ 50.00
Apr 22 2024 - ER

Eric C. [Signature]
DELAWARE COUNTY AUDITOR

2024R05623
JAN SMOOT
DELAWARE COUNTY RECORDER
RECORDED ON
04/22/2024 09:54 AM
REC FEE 25.00
PAGES: 3
RECORDED AS PRESENTED

File No: 20240513

Parcel Numbers: 18-11-10-154-010.000-003; 18-11-10-154-009.000-003; 18-11-10-154-008.000-003;
18-11-10-154-007.000-003; 18-11-10-154-006.000-003

QUIT CLAIM DEED

This Indenture Witnesseth, That Delaware Advancement Corporation, an Indiana nonprofit corporation, (Grantor), Quit Claims and Releases to CRU Properties LLC, an Indiana limited liability company, (Grantee) for the sum of One & 00/100 Dollar (\$1.00) and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the following described real estate in Delaware County, in the State of Indiana:

See attached Exhibit "A",

commonly known as 710, 712, 714, 716 and 718 N. Walnut St., Muncie, IN 47305.

Subject To real estate taxes, not yet due and payable, any and all covenants, easements, assessments, agreements, and restrictions of record.

The undersigned person executing this deed on behalf of Grantor represents and certifies that she has been fully empowered to execute and deliver this warranty deed; that Grantor has full capacity to convey the real estate described herein; and that all necessary action for the making of such conveyance has been taken and done.

In Witness Whereof, Grantor has executed this deed this 8th day of April, 2024.

Delaware Advancement Corporation, an Indiana
nonprofit corporation

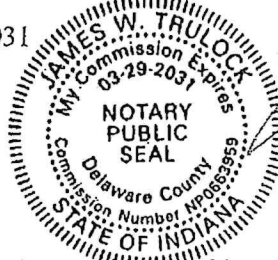
By: *Elizabeth Rowray*
Elizabeth Rowray, President

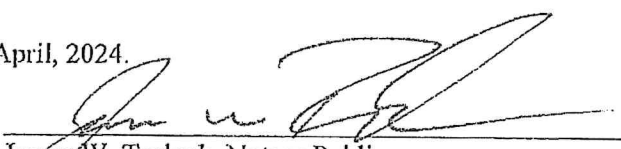
STATE OF INDIANA, COUNTY OF DELAWARE) SS: ACKNOWLEDGMENT

Before me, a Notary Public in and for the said County and State, personally appeared Elizabeth Rowray, President of Delaware Advancement Corporation, an Indiana nonprofit corporation, who acknowledged the execution of the foregoing Deed for and on behalf of said Grantor, and who, having been duly sworn, stated that any representations therein contained are true

Witness my hand and Notarial Seal this 8th day of April, 2024.

My Commission Expires: 3/29/2031




James W. Trulock, Notary Public
County of Residence: Delaware

Send tax bills to and Grantee's street or rural route address is 1314 S. Brotherton St., Muncie, IN 47302.

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. James W. Trulock

This instrument prepared by: James W. Trulock, Attorney at Law.

Exhibit A: Legal Descriptions of Parcels

Lot Sixteen (16) (710 N Walnut St. Muncie, IN 47305) in Block Twenty-three (23) in Whitely Land Company's Second Addition to the City of Muncie, Delaware County, Indiana.
20240515

Twenty-six and two thirds ($26 \frac{2}{3}$) feet of equal width off of the entire south side of Lot Number Seventeen (17) in Block Number Twenty-three (23) in Whitely Land Company's Second Addition to the City of Muncie, Indiana. (712 N Walnut St. Muncie, IN 47305)

20240517

A strip of ground $13 \frac{1}{3}$ feet in width and of equal width throughout its entire length off the entire north side of Lot Number 17, and a strip of ground $13 \frac{1}{3}$ feet in width and of equal width throughout its entire length of the entire south side of Lot Numbered 18, all in Block Numbered 23 in the Whitely Land Company's Second Addition to the City of Muncie, Indiana. (714 N Walnut St. Muncie, IN 47305)

20240518

A strip of ground $26 \frac{2}{3}$ feet in width and of equal width throughout entire length off the entire North side of Lot Numbered 18 in Block Numbered 23 in the Whitely Land Company's Second Addition to the City of Muncie, Indiana. (716 N Walnut St. Muncie, IN 47305)

Lot Nineteen (19) (718 N Walnut St. Muncie, IN 47305) in Block Numbered 23 in the Whitely Land Company's Second Addition to the City of Muncie, Indiana. 20240519

MCKINLEY Live Learn NEIGHBORHOOD ASSOCIATION INC.

627 N. Elm Street , Muncie , Indiana 47305

To: Jonathan Chambless

CRU Construction

315 E. Columbus , Suite 201

Muncie, Indiana 47305

Date: July 1, 2025

Thank you for meeting with us on Monday and discussing your town homes development on N. Walnut Street. Your project is consistent with the revitalization efforts for the McKinley Neighborhood and we look forward to continued collaboration.

The McKinley Neighborhood Association is in support of the zoning change on two parcels in the 700 block of North Walnut.



Bruce Rector, President



Rachael Robertson, Vice President

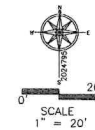
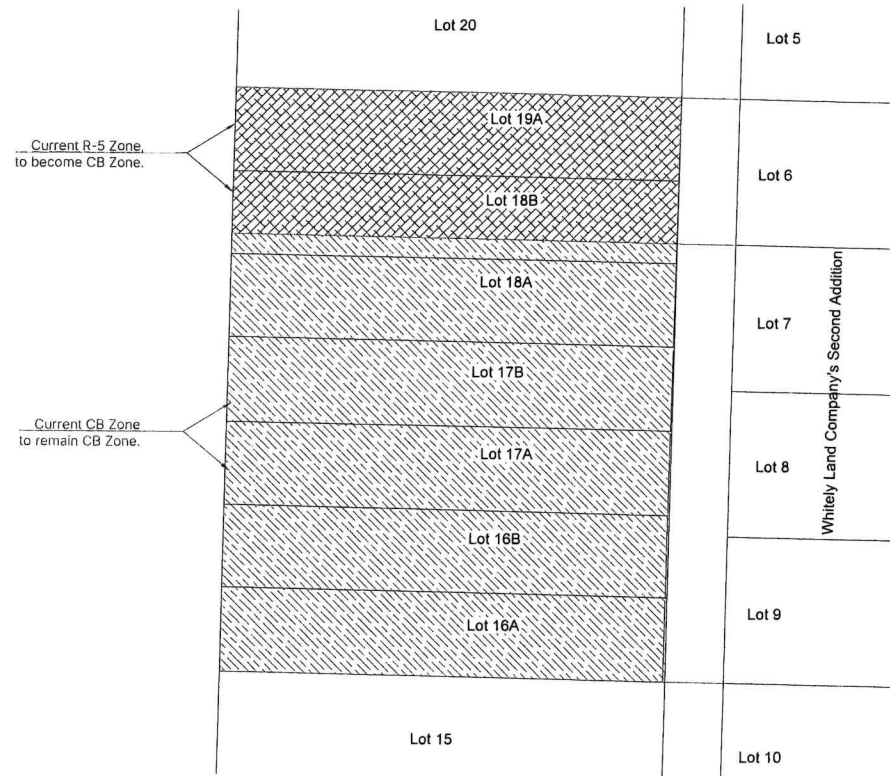
A Replat of Lots 16, 17, 18, and 19 in Block 23 in Whitely Land Company's Second Addition

DELAWARE COUNTY, INDIANA
A SUBDIVISION
IN THE HACKLEY RESERVE,
SECTION 10, TOWNSHIP 20 NORTH, RANGE 10 EAST,
CENTER TOWNSHIP, DELAWARE COUNTY
FINAL PLAT

RECEIVED

MPL III 15 2025
15-252
DELAWARE-MUNCIE
METROPOLITAN PLAN COMMISSION

Purpose: to Replat lots 16-19 to fit
party-wall of Townhomes constructed.



Sheet 1 of 2

I affirm, under the penalties for perjury, that I have
taken reasonable care to reduce each Social Security
number in this document, unless required by law.
Haldon L. Ashton
This Instrument Prepared by: Haldon L. Ashton

Date: 05/21/25

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