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Luann G. Welmer, Clerk-Treasurer

CITY COUNCIL MEETING
CITY HALL
WEDNESDAY, MAY 7, 2014
6:00 O'CLOCK P.M.

I. Meeting Called to Order

A. Opening Prayer
B. Pledge of Allegiance
C. Roll Call
D. Acceptance of Minutes

II. Unfinished Business Requiring Council Action

A. Second reading of an Ordinance entitled "ORDINANCE NO.___, 2014, AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF COLUMBUS, INDIANA, REZONING THE SUBJECT PROPERTY FROM "CN" (COMMERCIAL: NEIGHBORHOOD CENTER) TO "CD" (COMMERCIAL: DOWNTOWN CENTER)." (Cummins Health Facility Rezoning) Jeff Bergman

III. New Business Requiring Council Action

A. Reading of a Resolution entitled "RESOLUTION NO.____, 2014, A RESOLUTION APPROVING A DEDUCTION FOR TAX ABATEMENT IN A PREVIOUSLY DESIGNATED ECONOMIC REVITALIZATION AREA PURSUANT TO INDIANA CODE 6-1.1-12.1, ET. SEQ. AND AUTHORIZING THE MAYOR TO EXECUTE THE STATEMENT OF BENEFITS FORM." (Nagakura Engineering Works Co., Inc.) Clark Greiner

B. Reading of a Resolution entitled "RESOLUTION NO.____, 2014, A RESOLUTION APPROVING A DEDUCTION FOR TAX ABATEMENT IN A PREVIOUSLY DESIGNATED ECONOMIC REVITALIZATION AREA PURSUANT TO INDIANA CODE 6-1.1-12.1, ET. SEQ. AND AUTHORIZING THE MAYOR TO EXECUTE THE STATEMENT OF BENEFITS FORM." (Toyota Industrial Equipment Manufacturing, Inc.) Clark Greiner

City Hall • 123 Washington Street • Columbus, Indiana 47201 • lwelmer@columbus.in.gov
812-376-2510 • Fax: 812-376-2651

C. Reading of a Resolution entitled "RESOLUTION NO.____, 2014, A RESOLUTION APPROVING A DEDUCTION FOR TAX ABATEMENT IN A PREVIOUSLY DESIGNATED ECONOMIC REVITALIZATION AREA PURSUANT TO INDIANA CODE 6-1.1-12.1, ET. SEQ. AND AUTHORIZING THE MAYOR TO EXECUTE THE STATEMENT OF BENEFITS FORM." (Force Holdings, LLC) Clark Greiner

D. First reading of an Ordinance entitled "ORDINANCE NO.___, 2014, AN ORDINANCE ANNEXING AND DECLARING CERTAIN TERRITORY TO BE A PART OF THE CITY OF COLUMBUS, INDIANA." (Redwood Acquisition Annexation) Jeff Bergman

E. First reading of an Ordinance entitled "ORDINANCE NO.___, 2014, AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF COLUMBUS, INDIANA, REZONING THE SUBJECT PROPERTY FROM "AP" (AGRICULTURE: PREFERRED) TO "RMc" (RESIDENTIAL: MULTI-FAMILY WITH COMMITMENTS)." (Redwood Acquisition Rezoning) Jeff Bergman

F. First reading of an Ordinance entitled "ORDINANCE NO.___, 2014, AN ORDINANCE AMENDING THE SHADOW CREEK FARMS PRELIMINARY PLANNED UNIT DEVELOPMENT (PUD) PLAN." (Shadow Creek Farms Preliminary PUD Modification) Jeff Bergman

G. First reading of an Ordinance entitled "ORDINANCE NO.___, 2014, AN ORDINANCE ANNEXING AND DECLARING CERTAIN TERRITORY TO BE A PART OF THE CITY OF COLUMBUS, INDIANA." (Joel Spoon / Stonehaven Annexation) Jeff Bergman

H. First reading of an Ordinance entitled "ORDINANCE NO.___, 2014, AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF COLUMBUS, INDIANA, REZONING THE SUBJECT PROPERTY FROM "AP" (AGRICULTURE: PREFERRED) TO "RS3" (RESIDENTIAL: SINGLE-FAMILY 3)." (Joel Spoon / Stonehaven Rezoning) Jeff Bergman

I. Reading of a Resolution entitled "RESOLUTION NO.____, 2014, A RESOLUTION TO AUTHORIZE THE CITY OF COLUMBUS REDEVELOPMENT COMMISSION TO EXPEND FUNDS IN EXCESS OF $500,000 FOR ROAD RECONSTRUCTION IN WOODSIDE INDUSTRIAL PARK." Elizabeth Fizel

J. First reading of an Ordinance entitled "ORDINANCE NO.___, 2014, AN ORDINANCE AMENDING ORDINANCE NO. 3, 2014 ENTITLED 2014 SALARY ORDINANCE." Mayor Brown

IV. Other Business

A. Standing Committee and Liaison Reports

B. Discussion Item: Emergency Operations Center – Console Upgrade, Matt Caldwell

C. The next regular meeting is scheduled for **Tuesday, May 20, 2014, 6:00 p.m. in City Hall.**

D. Adjournment

City of Columbus – Bartholomew County
Planning Department

123 Washington Street
Columbus, Indiana 47201
Phone: (812) 376-2550
Fax: (812) 376-2643

MEMORANDUM

TO: Columbus City Council Members

FROM: Jeff Bergman, AICP
on behalf of the Columbus Plan Commission

DATE: April 29, 2014

RE: *PUD-14-03 (Shadow Creek Farms Preliminary PUD Modification)*

At its April 9, 2014 meeting, the Columbus Plan Commission reviewed the above referenced application and forwarded it to the City Council with a favorable recommendation by a vote of 9 in favor and 0 opposed.

Beazer Homes of Indiana, the current developer of the Shadow Creek Farms subdivision, is requesting a series of changes to the originally approved Planned Unit Development requirements. Please recall that a Planned Unit Development (PUD) is a process provided by the Zoning Ordinance through which a developer and the Plan Commission and City Council negotiate a specific set of development standards and other parameters that replace the typical City zoning requirements for that location. The Shadow Creek Farms Preliminary PUD was approved by the City Council in 1999 and has been modified on several occasions since then. The Preliminary PUD documents, sometimes referred to as the "concept plan" provide overall guidance for the development. Final PUD, or "detailed plans", for the development are finalized between the Plan Commission and the developer as each section of lots is developed. All Final PUD Plans must comply with the approved Preliminary PUD.

Beazer is currently requesting that an area of Shadow Creek Farms previously designated for "neighborhood commercial" use be changed to a common area for the use as a pond and open space. Beazer is also requesting a series of changes to the stipulations that were placed on the development as part of its original approval. It is the view of the Planning Department that these stipulations were added to the PUD to address what at the time where unknowns of a development of this size. The concerns they represents do not seem to have materialized and, in fact, the items in question have not been in practice for many years, if ever. Beazer proposes to delete stipulations related to the following:

1. limitations on order and pace of development,
2. the neighborhood commercial area,
3. bus stops,
4. construction traffic interference with Southside School,
5. homeowner's association annual financial statements and reports,
6. annual meetings with neighboring property owners, and
7. an ombudsman to address complaints regarding the development.

No members of the public spoke at the Plan commission public hearing on this request.

The following items of information are attached to this memo for your consideration:

1. the proposed ordinance approving the Preliminary PUD Plan modification,
2. the resolution certifying the action of the Plan Commission,
3. a copy of the staff report for the April 9, 2014 Plan Commission meeting,

4. a copy of the proposed Shadow Creek Farms Phasing Plan map indicating the commercial area to be changed, and
5. annotated text of the proposed Shadow Creek Farms Statement of Conditions indicating the provisions to be deleted.

Please feel free to contact me if you have any questions regarding this matter.

ORDINANCE NO.: _____, 2014

AN ORDINANCE AMENDING THE SHADOW CREEK FARMS PRELIMINARY PLANNED UNIT DEVELOPMENT (PUD) PLAN

To be known as the: Shadow Creek Farms Preliminary PUD Modification (neighborhood commercial area and statement of conditions) Plan Commission Case No.: PUD-14-03

WHEREAS, the Shadow Creek Farms Preliminary PUD Plan was established by the Columbus Common Council on November 16, 1999 through Ordinance 28,1999 and has been amended periodically as needed; and

WHEREAS, this modification to the Preliminary PUD was requested by Beazer Homes of Indiana LLP which is the developer of Shadow Creek Farms and the owner of the remaining undeveloped property at this location; and

WHEREAS, the Columbus Plan Commission did, on April 9, 2014, hold a legally advertised public hearing on said request and has certified a favorable recommendation to the Common Council; and

WHEREAS, the Common Council of the City of Columbus, Indiana has considered the criteria contained in Section 5.3(D)(3) of the Columbus & Bartholomew County Zoning Ordinance.

NOW THEREFORE BE IT ORDAINED by the Common Council of the City of Columbus, Indiana, as follows:

SECTION 1: Shadow Creek Farms Preliminary PUD Plan Modified

The Shadow Creek Farms Preliminary PUD Plan modifications regarding neighborhood commercial services and the statement of conditions is approved as described below:

1. The Phasing Plan Map is amended to exclude the "neighborhood commercial area" and include that same land as common area in Section 6a instead (with the previous Section 6 being divided into Sections 6a and 6b).

2. The Statement of Conditions document is amended as follows:

   a. The last four sentences of Condition #2 (regarding development phasing) are deleted, with the resulting final sentence of that condition being "The developer agrees that no more than 150 building permits for single-family homes in the Project shall be issued in any one calendar year."

   b. Condition #7 (regarding the neighborhood commercial area) is deleted in its entirety.

   c. The last sentence of the first paragraph of Condition #12 is deleted.

   d. The second paragraph of Condition #13 (regarding bus stops) is deleted.

   e. Condition #15 (regarding construction traffic) is deleted in its entirety.

   f. The last sentence of Condition #29 (regarding homeowners association annual reports) is deleted.

   g. Condition #30 (regarding an annual meeting) is deleted in its entirety.

   h. Condition #31 (regarding the ombudsman and documentation updates) is deleted in its entirety.

i. The remaining conditions are renumbered as appropriate.

SECTION 2: Repealer

All ordinances or parts thereof in conflict with this ordinance shall be repealed to the extent of such conflict.

SECTION 3: Severability

If any provision, or the application of any provision, of this ordinance is held unconstitutional or invalid the remainder of the ordinance, or the application of such provision to other circumstances, shall be unaffected.

SECTION 4: Effective Date

This ordinance shall be effective upon and after the date and time of its adoption, as provided in Indiana law.

ADOPTED, by the Common Council of the City of Columbus, Indiana, this _____ day of _____, 2014 at _____ o'clock ____.m., by a vote of _____ ayes and _____nays.

_____
Presiding Officer

ATTEST:

_____
Luann Welmer
Clerk-Treasurer of the City of Columbus, Indiana

Presented to me, the Mayor of Columbus, Indiana, the _____ day of _____, 2014 at _____ o'clock ____.m.

_____
Kristen Brown
Mayor of the City of Columbus, Indiana

RESOLUTION: PUD-14-03

of the City of Columbus, Indiana Plan Commission

regarding
Case number PUD-14-03
[Shadow Creek Farms Preliminary PUD Plan Modification
(neighborhood commercial area and statement of conditions)],
a proposal to modify the Shadow Creek Farms Preliminary Planned Unit Development

WHEREAS, the Plan Commission has received the application referenced above from Beazer Homes of Indiana LLP; and

WHEREAS, the applicant represents all parties and property owners involved in the request; and

WHEREAS, the Plan Commission did, on April 9, 2014, hold a public hearing consistent with the applicable requirements of Indiana law, the Columbus & Bartholomew County Zoning Ordinance, and the Plan Commission Rules of Procedure; and

WHEREAS, the Plan Commission did pay reasonable regard to the criteria contained in Section 5.3(D)(3) of the Columbus & Bartholomew County Zoning Ordinance; and

WHEREAS, the Plan Commission recognizes that its action on this matter represents a recommendation to the Common Council of the City of Columbus, Indiana, which will be responsible for final action on the request.

NOW THEREFORE BE IT RESOLVED, by the Plan Commission of the City of Columbus, Indiana, as follows:

1) The request to modify the Shadow Creek Farms Preliminary PUD Plan as described below is forwarded to the Common Council with a favorable recommendation:

   a) The Phasing Plan Map is amended to exclude the "neighborhood commercial area" and include that same land as common area in Section 6a instead (with the previous Section 6 being divided into Sections 6a and 6b).

   b) The Statement of Conditions document is amended as follows:

      i. The last four sentences of Condition #2 (regarding development phasing) are deleted, with the resulting final sentence of that condition being "The developer agrees that no more than 150 building permits for single-family homes in the Project shall be issued in any one calendar year."

      ii. Condition #7 (regarding the neighborhood commercial area) is deleted in its entirety.

      iii. The last sentence of the first paragraph of Condition #12 is deleted.

      iv. The second paragraph of Condition #13 (regarding bus stops) is deleted.

      v. Condition #15 (regarding construction traffic) is deleted in its entirety.

      vi. The last sentence of Condition #29 (regarding homeowners association annual reports) is deleted.

      vii. Condition #30 (regarding an annual meeting) is deleted in its entirety.

      viii. Condition #31 (regarding the ombudsman and documentation updates) is deleted in its entirety.

      ix. The remaining conditions are renumbered as appropriate.

2) This resolution shall serve as the certification required for such Preliminary PUD modifications by Columbus & Bartholomew County Zoning Ordinance Section 5.3(D)(5).

ADOPTED BY THE COLUMBUS, INDIANA PLAN COMMISSION THIS 9th DAY OF APRIL, 2014 BY A VOTE OF 9 IN FAVOR AND 0 OPPOSED.

_____
Roger Lang, President

ATTEST:

_____
David L. Fisher, Secretary

City of Columbus – Bartholomew County
Planning Department

123 Washington Street
Columbus, Indiana 47201
Phone: (812) 376-2550
Fax: (812) 376-2643

STAFF REPORT

CITY OF COLUMBUS PLAN COMMISSION
(April, 2014 Meeting)

Docket No. / Project Title:	PUD-14-03 (Shadow Creek Farms Preliminary PUD, Neighborhood Commercial Area, Statement of Conditions)
Staff:	Melissa Begley
Applicant:	Beazer Homes
Property Size:	322.214 Acres
Current Zoning:	PUD (Planned Unit Development)
Location:	South of County Road 200 South between County Roads 225 West and 150 West, in the City of Columbus

Background Summary:
The proposal is an amendment to the Preliminary PUD Plan for Shadow Creek Farms. The Preliminary PUD Plan for Shadow Creek Farms was approved in 1999 (PUD-99-2) for a subdivision of 886 residential lots, a 6 acre tract for neighborhood business and 110 acres of open space. At this time, residential Sections 1, 2, 3, 4 and 5 have been completed and structures have been built on all of the lots. Sections 7A and 7B are currently being developed with only a few lots remaining. The Preliminary and Final Plats for Sections 8 and 9 have been approved. Sections 6, 10 and 11 have not been developed at this time.

The applicant would like to amend the PUD to remove the neighborhood business uses as shown on the Phasing Plan and allow the area to be used for a common area with a detention pond. They would like to modify the Statement of Conditions document and remove provisions related to annual meetings, construction traffic, development phasing, and annual reports. The applicant is also requesting a final determination on road improvements as prescribed by the Statement of Conditions document.

Key Issue Summary:
The following key issue(s) should be resolved through the consideration of this application:
1. Is the removal of the commercial area and changing it to a common area with a detention pond acceptable? Is commercial development viable at this location?
2. Are the conditions included in the Shadow Creek Farms Statement of Conditions still relevant and appropriate for this development?
3. Should the developer be responsible for the road improvements listed in the Statement of Conditions document?

Preliminary Staff Recommendation:
Favorable Recommendation to the City Council.

The staff recommends that road improvements be made to the Shadow Creek Farms frontage along 150 West in accordance with the Subdivision Control Ordinance standards and waive all other road improvements as stated in the Statement of Conditions Document.

Plan Commission Options:

In reviewing a request for a *Preliminary PUD* the Plan Commission may (1) forward a favorable recommendation to the City Council, (2) forward an unfavorable recommendation to the City Council, (3) forward the application to City Council with no recommendation, or (4) continue the review to a future Plan Commission meeting. The Plan Commission may attach conditions to any recommendation which are to become written commitments of the applicant. The City Council makes all final decisions regarding *Preliminary PUD* applications.

Decision Criteria:

The Shadow Creek Farms Planned Unit Development was initially approved in 1999 under the procedures specified by the Zoning Ordinance at that time. A different PUD procedure was established with the replacement of the Zoning Ordinance in 2008. Under the original approval procedure the property was rezoned to PUD at the time the City Council approved the preliminary PUD. Current Zoning Ordinance Section 5.1(E) establishes the intent of the Zoning Ordinance for pre-2008 PUDs to follow the procedures in place at the time of their original adoption. Therefore, the Plan Commission and City Council should pay reasonable regard to the following when considering this Preliminary PUD modification (a rezoning).

The Comprehensive Plan.
Preliminary Staff Comments: The future land use plan identifies Shadow Creek Farms as residential and the site is currently surrounded by residential. The Comprehensive Plan also encourages adequate green space in new developments. The Comprehensive Plan does not address items such as construction traffic and annual meetings as identified in the Statement of Conditions document, but does encourage orderly growth by planning and providing an arterial street network paid for from public and private sources in a fair and equitable manner.

The current conditions and the character of current structures and uses in each district.
Preliminary Staff Comments: The commercial area is currently undeveloped and is located along a minor arterial road. The tract is located within the Shadow Creek Farms subdivision but is physically separated by Opossum Creek. Large lot residential and farm fields are located to the east of the tract.

The most desirable use for which the land in each district is adapted.
Preliminary Staff Comments: The commercial area is currently permitted for a variety of commercial uses but is also located adjacent to residential uses. The open space would serve as a transition to the surrounding lower density single family residential. The items proposed to be deleted from the Statement of Conditions were required by the Plan Commission and City Council at the time Shadow Creek Farms was originally approved. They were intended to address concerns about the scale and pace of construction in this large development. These concerns did not materialize.

The conservation of property values throughout the jurisdiction of the City of Columbus.
Preliminary Staff Comments: The property values would not be affected. The commercial area tract is currently undeveloped and other than the construction of a pond, will remain as open space. The items proposed to be deleted from the Statement of Conditions were required by the Plan Commission and City Council at the time Shadow Creek Farms was originally approved. They were intended to address concerns about the scale and pace of construction in this large development. These concerns did not materialize.

Responsible growth and development.
Preliminary Staff Comments: The commercial area is located within the City limits of Columbus and has adequate access to existing streets and infrastructure. The subject property is located along a minor arterial street which would provide adequate vehicular ingress and egress to and from the property. There is abundant open space within Shadow Creek Farms. This site will provide a buffer to the adjacent properties. The items proposed to be deleted from the Statement of Conditions were required by the Plan Commission and City Council at the time Shadow Creek Farms was originally

approved. They were intended to address concerns about the scale and pace of construction in this large development. These concerns did not materialize.

Current Property Information:	
Land Use:	Single family residential/Undeveloped ground
Site Features:	Undeveloped sections of Shadow Creek Farms, single family homes, detention ponds, common area
Flood Hazards:	Floodway, 100 year flood fringe along Denois Creek
Special Circumstances: **(Airport Hazard Area, Wellfield Protection Area, etc.)**	The subdivision is located in the Wellfield Protection Area
Vehicle Access:	County Road 200 South (Minor Arterial, Residential, Suburban) and County Road 150 West (Minor Arterial, Residential, Suburban)

Surrounding Zoning and Land Use:		
	Zoning:	**Land Use:**
North:	RS2 (Residential: Single Family 2) RS3 (Residential: Single Family 3)	Wildflower Estates, Agriculture farm fields, large lot single family residential
South:	AP (Agriculture: Preferred)	Agriculture farm fields
East:	AP (Agriculture: Preferred) RS2 (Residential: Single Family 2)	Agriculture farm fields, large lot single family residential
West:	AP (Agriculture: Preferred)	Agriculture farm fields, large lot single family residential

Interdepartmental Review:	
City Engineering:	To be provided at the public hearing.

History of this Location:

The relevant history of this property includes the following: Shadow Creek Farms is an ongoing development, originally approved in 1999 (PUD-99-02), consisting of 11 residential sections, a 33 acre park, and a 6 acre tract set aside for neighborhood business use. At this time, Sections 1, 2, 3, 4 and 5 have been completed and structures have been built on all of the lots. Sections 7A and 7B are currently being developed, with only a few lots remaining. The Preliminary and Final Plats for Sections 8 and 9 have been approved. Sections 6, 10 and 11 have not been developed at this time. No steps beyond the original Preliminary PUD approval have been taken with regard to the commercial portion of the development.

Comprehensive Plan Consideration(s):

The Future Land Use Map indicates the future use of this property as residential.

The following Comprehensive Plan goals and policies apply to this application:

1. **POLICY A-2-18**: Maintain and enhance neighborhood-scale business areas, with special attention to the unique character of each area. *Neighborhoods can be enhanced by convenient shopping areas, provided that these are of a type, size and design consistent with their surroundings.*
2. **POLICY C-1-2**: Require adequate greenspace in new developments. When reservation of green space is impractical because of the size of the development or other factors related to the land, provide other methods for the developer to meet this goal. These mechanisms could include payment in lieu of park land dedication or enhancement of and/or connection to exiting parks.
3. **POLICY C-1-9**: Designate park areas as passive, active, or restricted. Passive and active uses would include human use of the areas. Restricted use would protect wildlife corridors, natural habitats, wetlands, and unique vegetation. The parks system should include both passive and active recreation at convenient location throughout the community.
4. **POLICY E-3-1**: Allow the free market and private investment decisions to govern the quantity of each type of business and the variety of goods and services available, within the framework of an overall land use plan.
5. **POLICY F-1-4**: Encourage orderly growth by planning and providing an arterial street network paid for from public and private sources in a fair and equitable manner.
6. **POLICY F-4-2**: Costs for street improvements necessitated by new development should be borne in a fair and equitable manner by the developer, not by the community as a whole. New development should not substantially diminish the level of service currently enjoyed by local residents.

This property is located in the Western Hills character area. The following planning principles apply to this application: Encourage neighborhood business centers in convenient locations as new residential areas are developed.

Planning Consideration(s):

The following general site considerations, planning concepts, and other facts should be considered in the review of this application:

1. The applicant has stated that they would like to alter the Preliminary PUD Plan to remove the commercial area and make it common area with a detention pond.
2. In the Preliminary PUD Plan, this area is identified as providing neighborhood services. The types of uses permitted in this area are those permitted under the former B-1 Neighborhood Business District, including:
    - business service uses, including banks and financial institutions;
    - clothing service uses, including dry cleaning and laundry receiving stations, laundromats, dressmaking, millinery, tailoring and shoe repair shops;
    - equipment service uses, including electrical and household appliance stores, radio, television, video, computer, and music sales, rental and repair; sporting goods and hardware stores;
    - food service uses, including grocery and convenience stores, meat and fish markets, delicatessens, restaurants, coffee shops, eating places and bakeries;
    - personal service uses, including beauty and barber shops, camera and photographic shops and optician shops;
    - professional offices, including medical and dental clinics;
    - retail service uses, including drugstores, variety stores, book and stationery stores, newsstands, candy and ice cream stores, florist, gift, antique, art, music, toy and hobby shops, paint and wallpaper stores, aerobics, exercise and dance studios, jewelry and leather stores;
    - special service uses, including children's homes, day care centers, training and education centers, kindergartens, nursing homes and neighborhood social centers;

- general business offices, including agency, insurance, association, communication, travel and health offices or studios;
- utility installations, and facilities;
- accessory uses, which are incidental to, maintained on the same lot and commonly associated with the operation of a permitted use; temporary uses; and other uses comparable and compatible to those set forth above.
- Excluded from the approved uses are package liquor stores or drive-through facilities (other than banking facilities).

3. The Preliminary National Flood Insurance Program Flood Insurance Rate Maps, created in 2011, show a significant portion of Shadow Creek Farms being in the 100 year floodway fringe. In order to build houses in the 100 year flood fringe, the houses will need to be elevated 2 feet above the base flood elevation. Beazer Homes has indicated that they are proactively working to elevate the impacted lots above the preliminary flood elevation to prevent future homeowners from needing to purchase flood insurance. The purpose of the proposed pond is not for stormwater detention but for fill dirt to elevate building pads.
4. Of the total 6.174 acre commercial area a significant portion of the site is in the floodway and the 100 year flood fringe, leaving approximately 2.6 acres of developable land.
5. The nearest commercial development, Columbus Crossing, is located 3.4 miles from Shadow Creek Farms.
6. Not including the open space in sections 6 and 10, the existing open space within Shadow Creek Farms equals approximately 110 acres or approximately 34 percent of the total property. Changing the commercial area to common area will add to this overall total. This results in a significant amount of open space to be maintained by the Shadow Creek Farms Homeowner's Association. Maintenance costs, including mowing, operating the clubhouse, maintaining the athletic fields and the detention ponds will be borne by the homeowners thorough annual association dues. Given that Shadow Creek Farms is designed as a more affordable housing option for the City of Columbus, these maintenance costs could be significant to the individual homeowners.
7. In reviewing the Shadow Creek Farms Preliminary PUD Statement of Conditions it was determined that some portions of the document are out of date or otherwise in need of review and possible revision. The following lists the relevant conditions:
    a. Statement of Condition #2 states that "No phase of development may be commenced until the previous phase in completed". It is presumed there was concern that development would happen so quickly that older sections wouldn't be completed as new sections were being built and that lots would be left vacant. To date, Sections 1, 2, 3, 4 and 5 have been completed and structures have been built on all of the lots. Sections 7A and 7B are currently being developed, with the streets and infrastructure in place with only but a few lots still available. The Preliminary Plats and Final Plats for Sections 8 and 9 have been approved. Sections 6, 10 and 11 have not been developed at this time. It is staff's observation that the sections have progressed very systematically and that older sections do not have any vacant lots.
    b. Statement of Condition #7 discusses the neighborhood services. With this application, the applicant wishes to eliminate the neighborhood commercial area and change it to common area.
    c. Statement of Condition #13, in part, refers to bus stop designations for both the school system and Columbus Transit. Typically the school bus stops change from year to year as their ridership changes and permanent bus stops may not be useful. Columbus Transit does not serve the west side of town and if a bus stop were identified would not be utilized.
    d. Statement of Condition #15 refers to construction traffic. This condition requires the developer to coordinate with the school system regarding bus traffic and construction traffic and to report the arrangements to the Planning Department. Staff has not received any complaints from the Bartholomew Consolidated School Corporation regarding a conflict with school busses and construction traffic from Shadow Creek Farms.
    e. Statement of Condition #29 requires, in part, an annual report to be provided to the Planning Department regarding annual financial statements, a list of officers and directors

and annual minutes. This is the typical function of a Homeowners Association and generally does not require oversight from the Planning Department.

f. Statement of Condition #30 requires an annual meeting of the Shadow Creek property owners and surrounding property owners to discuss the anticipated construction schedule and any comments or complaints. A report of the meeting is then to be provided to the Planning Department. It was perceived that the Shadow Creek Farms development would create significant concern to neighboring properties. In the recent past, this does not seem to be a significant problem and any problems have been resolved through the developer.

g. Statement of Condition #31 requires the developer to make available an ombudsman to the lot owners and the neighboring properties to help resolve complaints regarding the new homes or the development. To date, we are not aware of any complaints that have not been resolved through the developer. The developer has staff in place to help address concerns from the Shadow Creek Farms property owners and neighboring property owners.

8. The Statement of Conditions document identifies requirements to be completed by the developer. #12 includes items for road improvements and specifically states that the items are to be completed if the Plan Commission finds that the improvements are needed. The following table identifies these roads.

Road Improvements	**Previous Decision**
200 S (From 225 W to SR 11)	Not determined
150 W (From 200 S to Deaver Rd)	Not determined
½ of Deaver Road (From 150 W to SR 11)	To be completed with Section 11
225 W	As traffic warrants determined by Plan Commission

As the largest subdivision in Columbus, it was a concern at the time that the development would significantly impact the surrounding county roads, particularly with the volume of cars being added by the neighborhood residents and the subsequent wear and tear to the roads. The subdivision is over halfway complete and many of the roads, particularly 200 South, have experienced an increase in traffic, but not all can be attributed to Shadow Creek Farms. The recent improvements to 200 South from 150 West to State Road 11 has made a positive improvement to that section of roadway. Since the development is over halfway complete, the improvements need to be decided and the timeline for completion of those projects needs to be determined.

In 2006, the Plan Commission discussed these road improvements and determined the following:

- Improvements to the intersection of County Roads 150 West and 200 South shall be made with Section 5 (Preliminary PUD Condition 12, Near Site Traffic Improvements).
- The developer shall pay the costs of improvements to one-half of Deaver Road from County Road 150 West to State Road 11 with Section 11 (Preliminary PUD Condition 12, Near Site Traffic Improvements).
- Improvements to County Road 225 West shall be completed if and when traffic generated by the development necessitates such improvements (Preliminary PUD Condition 12, Near Site Traffic Improvements).

9. This proposed revision of the Preliminary PUD Plan will require Beazer to appropriately update all text and maps associated with the commercial area to reflect its new use as a common area and to have the revised Preliminary PUD Plan with updated Statement of Conditions recorded.

Conformed Copy of Conditions
Amended on November 1, 2005

STATEMENT OF CONDITIONS

Proposed Deletions Shown as ~~Strikethrough~~ Text

CONDITIONS CONCERNING THE USE OR DEVELOPMENT OF REAL ESTATE MADE IN CONNECTION WITH A REZONING OF PROPERTY UNDER CHAPTER 17.22, PLANNED UNIT DEVELOPMENT DISTRICT

The owner of real estate located in Bartholomew County, Indiana, which is described in attached Exhibit A (the "Real Estate"), set forth the following CONDITIONS concerning the use and development of the Real Estate:

Owners: Crossmann Communities Partnership/Beazer Homes

Petitioners: Crossman Communities Partnership/Beazer Homes

Developers: Crossmann Communities Partnership/Beazer Homes

Project: Shadow Creek Farms

Petition No.: PUD-99-2

Real Estate: See attached Exhibit A

Statement of CONDITIONS:

1. APPROVAL OF PRELIMINARY PLANNED UNIT DEVELOPMENT. The Real Estate shall be developed in accordance with chapter 17.22 of the Columbus Zoning Ordinance, PD Planned Unit Development District. The Development shall be a planned unit development community, primarily residential in nature, consisting of approximately 313 acres. The Real Estate shall be developed substantially in accordance with the Preliminary Planned Unit Development plan approved and adopted by the Common Council of the City of Columbus in the above-referenced cause number. Before any development takes place on the Real Estate, Crossmann Communities Partnership/Beazer Homes shall prepare and submit to the Columbus City Plan Commission for its approval a detailed site plan specifying the exact location, composition and general engineering features of all lots, drainage, sewage, water supply facilities, recreational facilities, site perimeter treatment and other pertinent site development features, including general locations and features of proposed buildings, and the design, general location and dimensions (total structure and copy area) of all signs. Such detailed site plans shall be consistent with the approved Preliminary Planned Unit Development, and shall be submitted for each phase of the development.

2. PHASING OF DEVELOPMENT. The Developer will develop the Real Estate in phases. Before submitting a detailed site plan to the Plan Commission, the developer will prepare a detailed phasing plan indicating the order of development, the property involved in each phase, the density of each phase, the number of housing units in each phase, the public and private improvements to be included in each phase, the relationship of each phase (including the improvements therein) to the overall project, and the relationship of each phase to the Comprehensive Plan. The developer agrees that no more than 150 building permits for single-family homes in the Project shall be issued in any one calendar year. ~~No phase of the development may be commenced until the previous phase is completed. For purposes of this project, completed means that all private improvements shown on the approved plans shall be completed, and all public improvements, with the exception of sidewalks, have been accepted by the city. All public sidewalks shall either be completed or have their installation assured by a financial guarantee meeting the requirements of the Columbus Subdivision control Ordinance, the Columbus City Engineer, and the Columbus Board of Public Works & Safety. For purposes of the project, "commenced" means the granting of secondary approval to the subdivision plat for the relevant phase. (Amended by Ordinance No. 27-2005 on November 1, 2005.~~

3. COORDINATION OF PHASING WITH DRAINAGE PLANS. Phasing of the development will be coordinated with the drainage plans in a manner so as to retain flexibility in future planning, and will be subject to the regulatory jurisdiction of the Drainage Board. Prior to the approval of a detailed site plan with respect to any phase of the Development, Crossmann/Beazer will obtain a full geotechnical report for the applicable section of the development in connection with the preparation of drainage plans, and will obtain City Engineer and Drainage Board approval of all drainage plans. Each phase of the Project will include sufficient stormwater retention facilities to fully support that entire phase (or more) of the Development. Developer agrees to comply with the conditions set forth in the letter from the Bartholomew County Surveyor's Office dated July 26, 1999, a copy of which is attached hereto as Exhibit B, as those conditions may be amended from time-to-time by the Drainage Board pending final Drainage Board approval. The Developer shall design and pay for such off-site drainage improvements as the Plan Commission deems necessary for adequate drainage of shadow Creek Farms and for preventing additional drainage problems for other property in the watershed. In the exercise of this responsibility, the Commission shall incorporate any requirements of the Bartholomew County Drainage Board relating to the regulated drains and shall consider any other recommendations of the Drainage Board.

4. LOT AREAS AND DENSITY. A maximum of 939 residential lots will be developed in Shadow Creek Farms. This development will include a variety of housing types and prices, in accordance with the policies of the Goals and Policies Element of the Columbus Comprehensive Plan. This variety will be accomplished by the following:

   a) Varying the densities within the development. This variation shall be great enough to create a clear difference in neighborhood character. The Columbus Plan Commission shall determine whether the variation is sufficient to comply with the Goals and Policies element of the Columbus comprehensive Plan.
   b) Incorporating design guidelines to ensure visual variety, housing diversity, and conservation of property values both within the development and within the general area. These design guidelines must be acceptable to the Columbus Plan Commission.

5. DEDICATED OPEN SPACES. Crossmann/Beazer commits to dedicate to public use a 31 acre park along the western boundary of the property. The 31 acre park will be developed by Crossmann Communities Partnership/Beazer Homes to include an access drive, parking areas and soccer fields, which development will be accomplished working in cooperation with the Columbus City Parks Department in the design and installation of park facilities. Crossmann/Beazer will develop and maintain the park as a private facility or common area for the residents of the Development until such time as it is accepted by the City as a public property. In the event the City declines to accept the park as public property, Crossmann/Beazer will designate with 31 acre park area as a perpetual outdoor recreational amenity for the Development project, and the long-term ownership and maintenance of the area will be transferred to the Homeowner's Association for the Project, together with other common area improvements, at the appropriate phase of the Development.

   The Development also includes generous areas (presently planned for approximately 18 acres, more or less) of east-west open space and trail corridor generally following the PSI utility easement, including an amenity area for neighborhood improvements to include, without limitation, by way of example, a swimming pool, court games, bathhouse and clubhouse facility, as well as an approximately 8 acre passive recreation/preservation area along Denios Creek. Following the development of these areas, long-term ownership and maintenance of these areas will be transferred to the Homeowners Association, together with other common area improvements, at the appropriate phase of the Development.

Approximately 3 acres of buffer area in the northwest portion of the Project has been designated by Crossmann/Beazer as a natural buffer, to include an earthen berm of approximately 4 feet in height, with plantings. This 3 acre area will not be subtracted from the 31-acre park, but will be in addition to the park area. Landscaping will be installed, and this 3 acre buffer area will be conveyed to the adjoining property owner to act as a permanent natural buffer, pursuant to an agreement between Crossmann/Beazer and the adjoining property owner. Developer agrees that this three acre area will not be part of the Planned Unit Development rezoning, but is included in the concept plan solely for purposes of illustration and these Conditions regarding buffering.

6. OPEN SPACE DEVELOPMENT – PARK DEDICATION. The construction of park facilities and the offer of dedication of the 31-acre park area to the public will be made prior to or upon completion of 200 units within the Development. The Developer will work in cooperation with the Columbus City Parks Department in the design and installation of park facilities. A complete site plan for the park shall be submitted to the Plan Commission staff and approved as part of the final plan for phase I or phase II of the Project.

~~7. NEIGHBORHOOD SERVICES. Crossmann Communities Partnership/Beazer proposes approximately 4 acres, more or less, to be developed as commercial properties, with uses compatible with those uses which are permitted under the B-1 Neighborhood Business District of the Columbus Zoning Ordinance, including the following B-1 and other uses; business service uses, including banks and financial institutions; clothing service uses, including dry cleaning and laundry receiving stations, laundromats, dressmaking, millinery, tailoring and shoe repair shops; equipment service uses, including electrical and household appliance stores, radio, television, video, computer, and music sales, rental and repair; sporting goods and hardware stores; food service uses, including grocery and convenience stores, meat and fish markets, delicatessens, restaurants, coffee shops, eating places and bakeries; personal service uses, including beauty and barber shops, camera and photographic shops and optician shops; professional offices, including medical and dental clinics; retail service uses, including drugstores, variety stores, book and stationery stores, newsstands, candy and ice cream stores, florist, gift, antique, art, music, toy and hobby shops, paint and wallpaper stores, aerobics, exercise and dance studios, jewelry and leather stores; special service uses, including children's homes, day care centers, training and education centers, kindergartens, nursing homes and neighborhood social centers; general business offices, including agency, insurance, association, communication, travel and health offices or studios; utility installations, and facilities; accessory uses, which are incidental to, maintained on the same lot and commonly associated with the operation of a permitted use; temporary uses; and other uses comparable and compatible to those set forth above, and also residential uses to the extent integrated with the residences in the~~

~~remainder of the planned unit development. Crossman/Beazer commits further to specifically exclude any package liquor stores or drive-through facilities (other than banking facilities).~~

~~The total floor area of the improvements within this section of the planned unit development would comply with the development standards of Chapter 17.26 (B-1 Neighborhood Business District) of the Columbus Zoning Ordinance. Accordingly, total floor area of the buildings shall not exceed 60% of the lot areas within this section. Uses within the section may be developed as separate lots, or as an integrated center, in accordance with future detailed site plan approval. All references to "industrial" uses within the Developer's application are hereby deleted and of no force or effect.~~

~~The hours of operation of uses located within this area shall be subject to approval by the Columbus Plan Commission as part of the detailed site plan for this area.~~

8. PERMANENT SIGNS. All permanent signage of Crossmann Communities Partnership/Beazer at the Development shall be substantially in accordance with the conceptual sign program illustrations, elevations and descriptions submitted with the Developer's application and file-dated June 30, 1999. The Developer retains the right to make artistic changes, name changes, and design changes in on-site permanent signage. The Developer hereby agrees that the combination of materials, quality, sampling of combination landscaping and signage shall be substantially in conformance with the foregoing conceptual illustrations, elevations and descriptions for signage. Additional permanent signs will be installed within the Project to identify sections of the Project, amenity areas, and the like. Developer anticipates needing up to 14 or more such interior signs. A complete, acceptable sign plan shall be submitted for review and approval with the final Planned Unit Development plan including, without limitations, dimensions (total structure and copy area) and sign locations.

9. OFF-SITE SIGNS. All off-site signage within the zoning jurisdiction of the City of Columbus will comply in all respects with the provisions of the Columbus Zoning Ordinance regulating such signs unless an appropriate variance or exception has been duly issued and approved by the proper City Agency.

10. TEMPORARY AND ADVERTISING SIGNS. Temporary signs and advertising signs at the Development will be substantially in conformance with the signage program submitted for approval by Crossmann Communities Partnership/Beazer with this

application and file-dated June 30, 1999. The typical marketing signs will be substantially in accordance with the foregoing temporary marketing sign illustrations. Changes, additions or modifications, to the temporary and advertising signage program at the Development, will be proposed to the Plan Commission staff for approval or, at the request of the staff, to the Columbus City Plan Commission through the detailed site plan approval process, or otherwise, under the continuing jurisdiction for detailed site plan approval by the Columbus City Plan Commission.

11. OFF-SITE TRAFFIC IMPROVEMENTS. The Developer will use all commercially reasonable efforts working with the State of Indiana Department of Transportation to expedite the completion of permanent intersection improvements for the intersection of State Road 11 and County Road 200 South, and in regard, the Developer hereby agrees that it shall not be entitled to apply for or obtain any building permits for single-family residences within the project until such time as the permanent intersection improvements at State Road 11 and County Road 200 South are completed and open to the public for ordinary traffic. However, after needed rights-of-way are acquired for the intersection, the Developer shall be able to apply for and obtain model home building permits (no more than 4) and temporary improvement location permits for mobile sales offices and trailers of the Developer prior to such completion.

12. NEAR SITE TRAFFIC IMPROVEMENTS. The developer will improve, or cause the improvement, of the intersection of County Road 200 South and County Road 150 West, substantially in accordance with proposed intersection geometrics submitted with the Developer's Preliminary Planned Unit Development plan file-dated August 9, 1999, including turn lanes for traffic moving from 150 West to 200 South, and a passing blister along 200 South, and including, without limitation, the posting of financial assurances by the Developer such as, without limitation, posting bonds, other sureties and in all respects in compliance with the requirements for the construction of public improvements projects. ~~The Developer will help facilitate improvements to the street on the western boundary of the Project currently designated CR 225 West, if and when traffic generated by the Development necessitates such improvements.~~

    In addition, the developer shall be responsible for the following improvements if the Plan Commission finds that the need for such improvements is reasonably related to the development of Shadow Creek Farms.

    a) The developer shall design and pay the costs of improvements to CR 200 South from CR 225 West to SR 11. The design of these improvements shall be consistent with the requirements of the Subdivision Control Ordinance.

b) The developer shall design and pay the costs of improvements to CR 150 West from CR 200 South to Deaver Road. The design of these improvements shall be consistent with the requirements of the Subdivision Control Ordinance.
c) The developer shall pay the cost of improvements to one-half the right-of-way of Deaver Road from CR 150 West to SR 11, provided that the City of Columbus and/or Bartholomew County agrees to pay for the improvements to the other half of the right-of-way.
d) The developer will design, pay for, and construct improvements to CR 225 West. The design of these improvements shall be consistent with the requirements of the Subdivision Control Ordinance.

13. ONSITE TRAFFIC IMPROVEMENTS. The developer at each point of entry to the Development, to include two entrances on County Road 200 South and one entrance on County Road 150 West, will improve, or cause the improvement, of the applicable access drive and County Road substantially in accordance with the proposed driveway geometrics submitted with Developer's Preliminary Planned Unit Development plan and file dated August 9, 1999, including, without limitation, the posting of financial assurances by the Developer such as, without limitation, posting bonds, other sureties and in all respects in compliance with the requirements for construction of public improvement projects.

~~The developer shall designate bus stops, with the number and locations to be approved by the Plan Commission, and shall provide an enlarged sidewalk or gathering area to accommodate persons waiting at each stop. The location of these bus stops shall be coordinated with the City of Columbus Transit Division and with the Bartholomew County School Corporation.~~

14. TRAFFIC CIRCULATION WITHIN THE DEVELOPMENT. The Development will include a street extending from County Road 200 South to County Road 150 West. This street will be developed as a collector road. The collector road will be constructed using traffic calming techniques, including pavement which in general will be approximately 28 feet in width, using vertical curbs instead of roll curbs, using 5 foot wide sidewalks (rather than 4 foot wide as in other portions of the Project), and having no curb cuts except as approved by the City for the amenity area, or other common areas or improvements within the Project or otherwise approved by the City. The collector road will not have driveways having direct access to it. The right-of-way for the collector road will be designed between 50 and 60 feet wide, subject to the detailed site plan approval process, and except where boulevards, turn lanes, or the like require otherwise. The collector road will otherwise be constructed to substantially comply with all City of Columbus standards for collector roads.

Four-foot wide concrete sidewalks shall be provided along only one side of a portion of Shadow Creek Boulevard and an eight-foot wide asphalt path along only one side of a portion of Shadow Creek Boulevard and in other areas as indicated on the attached plan (Amended by PUD-MM-03-02, March 5, 2003).

Local streets within the Development will be designed and constructed utilizing traffic calming techniques such as reduced street width, and will include where feasible sidewalks and green strips approximately four feet in width along either side of the road pavement. Parking on the majority of local roads will be restricted to one side of the road only.

In conjunction with each preliminary subdivision plat, the developer shall designate a construction entrance. The location of this entrance must be acceptable o the Plan Commission.

~~15. CONSTRUCTION TRAFFIC. No construction traffic, truck traffic, or service traffic associated with the development of Shadow Creek Farms shall conflict with pupil drop-off or pick-up at Southside School or other schools in the immediate vicinity of Shadow Creek Farms. The developer shall coordinate this traffic with the Bartholomew Consolidated School Corporation and shall report to the planning staff the arrangements made to prevent these traffic conflicts.~~

16. DOUBLE-FRONAGE LOT TREATMENTS. Double-frontage lots along County Road 200 South, County Road 150 West and the collector road through the Development will require enhanced landscaping treatments. Crossman Communities Partnership/Beazer will address such treatment in detail in each detailed site plan for each phase of the Development to be submitted to the Plan Commission for approval. Double-frontage lots cannot be eliminated, but will minimized through a combination of cul-de-sacs, buffers and open space integration. The developer commits to provide design-related solutions including such measures. The Developer commits hat such measures will include at the non-access side of a double-frontage lot, a building setback, right-of-way, or other buffer of at least ten feet greater than the rear yard setback for lots which do not have a double-frontage.

An additional ten-foot setback on the non-access side of double-frontage lots on Shadow Creek Boulevard shall not be required. Landscaping on these lots shall be accordance with the plan filed with this application. (Amended by PUD-MM-02-09, October 23, 2002.)

17. BUFFERS TO NEIGHBORING PROPERTIES. To minimize the impact of the Development on neighboring properties the Developer proposes to preserve existing vegetation to the extent feasible, use minimum four-feet mounding of earth in combination with deciduous and evergreen trees, to create a natural buffer between the Development and neighboring properties, to be no less than 30 feet in width along the boundary of all properties presently occupied by residential structures. These buffers will consist of larger open spaces along certain portions of the Development including, for illustration, the 31-acre park to be preserved along the western boundary of the Development, the 3-acre natural buffer to be created and conveyed to the northwest adjoining property owner, and the 8-acre open space to be preserved along the southern portion of the Development in the vicinity of Denios Creek. The Developer reserves the right to use expanded buffers in other areas as needed or desired. Existing properties of landowners located along CR 200 South whose properties are surrounded by the Project to the south but are not within the Development shall be offered the option of connecting to the Development by drives to local roads within the Development.

18. PEDESTRIAN TRAILS. In addition to 4-foot sidewalks to be utilized along local streets, the Development will include a pedestrian trail system for residents of the community. This trail will be designed using an approximately 6 foot wide asphalt or hard surface path, in combination with existing and planned open space elements and outdoor recreation facilities. The pedestrian trails will be designed to minimize interaction between pedestrian and vehicular traffic. The proposed approximate location of elements of the pedestrian trail system will be determined during the detailed site plan approval process for each phase of the Development. The Developer commits to install sidewalk for pedestrian traffic from the Development to the nearby Southside Elementary School.

19. MINIMUM SETBACK REQUIREMENTS. The minimum front, side and rear-yard setbacks will be specified in the detailed site plan approval process for each phase of the Development, but will be based upon an integrated plan for entire Project, subject to review and approval by the Columbus City Plan Commission. While the creative and flexible land use approach under the Planned Unit Development District Zoning Ordinance will require variations in setbacks, it is anticipated that each section of the Development will have minimum setback requirements appropriate for the size and nature of residential units within such section of the Development. The Developer will have the right to request reduced setbacks for front, side and/or rear yards to less than the R-2 requirements.

20. WESTERN ACCESS TO COUNTY ROAD 200 SOUTH. The western access to the Development from County Road 200 South will be located no less than approximately 120 feet west of the property line of property (excluded from the Project) presently owned by Max and Bonnie Boas. No less than thirty feet of that distance will be developed as a buffer zone pursuant to the above Condition regarding buffers.

21. MUNICIPAL WATER LINES. The Developer will pay the cost of bringing water lines into the development from the sources of municipal water supply.

22. FIRE HYDRANTS. The Developer will pay the cost of installing fire hydrants within the Development in accordance with all applicable laws and ordinances, and will pay the cost of water line extensions as required for fire hydrants.

23. SANITARY SEWER LINES. The Developer will pay the cost of connecting to, and extending throughout the Development, all municipal sanitary sewer lines.

24. STREET LIGHTS. The developer will pay the cost of installing all street lights required pursuant to City of Columbus lighting requirements and codes.

25. NO PRIVATE UTILITY, ANNEXATION. The Developer will withdraw the petition currently pending as Cause No. 41207 before the Indiana Utility Regulatory Commission for a private sewer certificate of territorial authority upon the adoption of the annexation ordinance. The annexation of the property will not be effective until the developer has provided revised preliminary PUD documents containing all changes to the PUD requested herein.

26. CONSTRUCTION EROSION CONTROL. Throughout the construction of the Development, the Developer will implement erosion control measures designed to minimize soil erosion pursuant to all federal, state and local laws, regulations and ordinances governing erosion control during construction.

27. TIME HORIZON SCHEDULE FOR DEVELOPMENT. The Developer commits to proceed with development activities upon the Real Estate pursuant to the Preliminary Planned Unit Development plan as approved by the Plan Commission with all commercially reasonable diligence, so as to make available a steady, well–planned stream of affordable, quality housing. Necessary infrastructure will be developed to support all growth within the Project. The Developer estimates that development will occur at the rate of approximately 100 lots per year following approval by the Columbus City Plan Commission of the first detailed site plan for the initial phase of development. The size

and scope of development will cause the pace of development to vary over time, and the length of time between approvals of detailed site plans for each phase of the Development may extend beyond 2 years. Accordingly, model courts and model homes may remain as models for the earlier of five years or the completion of build-out, and Developer will appropriately maintain same. To alleviate the potential for model home visits and traffic detracting from adjacent lot owners, Developer will allow the lots adjacent to any longer term model homes to remain vacant until such Time as the Developer prepares to sell the model. Lighting for each model home shall be designed and placed so as not to cast a glare on neighboring homes.

28. NO BASEMENTS IN RESIDENTIAL UNITS; FLOODPLAINS. Developer commits that no residential units within the Development will be constructed without basements. No improvements for occupancy will be constructed within any area constituting a 100 year floodplain unless and until the area has been elevated above the floodplain level and an appropriate letter of map revision or conditional letter of map revision has been issued permitting same. All fill activities will be performed in accordance with applicable laws and regulations.

29. HOMEOWNERS ASSOCIATION FORMATION, OPERATIONS. The Developer will provide to the Plan Commission copies of all articles of incorporation, bylaws and declarations of covenants and restrictions for the homeowners association for the Project promptly upon formation, and the association will provide copies of all amendments thereto. ~~The association will further provide each year to the Plan Commission an annual report, an annual financial statement, a list of the officers and directors, and annual minutes and other materials reasonably requested by the Plan Commission.~~

~~30. ANNUAL MEETING. During construction, the developer will organize an annual meeting and invite all of the lot owners within Shadow Creek Farms development and all owners of neighboring property within 1000 feet of the property bounded by CR 200 S, CR 150 W, CR 225 W and Denios Creek. Within 10 days after the meeting, the developer shall provide to the planning staff a report reviewing the status of the project, the anticipated construction schedule for the next year, and any comments or complaints offered by those invited to the meeting. Property owners not able to attend may submit written comments to be incorporated into the report. Based upon this report and any other relevant information available to the developer and the city, either the developer or the city may request additions or changes to the conditions. The final decision regarding conditions requested by the Developer shall rest with the Common Council after recommendation from the Plan Commission.~~

~~31. OMBUDSMAN. The developer will include with the final detailed PUD for each phase a mechanism acceptable to the Plan Commission for establishing and paying for an ombudsman to mediate complaints regarding the housing units or the development. The ombudsman will be available to lot owners within the subdivision and to neighboring property owners within 1000 feet of the property bounded by CR 200 S, CR 150 W, CR 225 W, and Denios Creek.~~

~~Sheet L-102 Labeled "Preliminary Land Plan Concept" and all other drawings and documents included as part of the submission shall be amended to reflect the planned development ordinance adopted by the Common Council including the amendments listed herein. The layout shall be amended such that the most dense portion of the development is centrally located within Shadow Creek Farms development, is surrounded by the other portions of Shadow Creek Farms, and reflects sensitivity to the existing adjacent houses. The development design shall be acceptable to the Columbus Plan Commission.~~

These conditions shall run with the land and be binding on the Owners, the Developer, subsequent owners of the Real Estate and other persons acquiring an interest therein.

The Conditions contained in this instrument shall be effective upon the adoption of rezoning petition #PUD-99-2 by the Columbus City Common Council changing the zoning classification of the real estate from R-2 zoning classification to the DP Planned Unit Development District zoning classification and shall continue in effect for as long as the above-described parcel of Real Estate remains zoned to the PD Planned Unit Development District zoning classification or until such other time as they may be modified, rescinded or released upon a decision by the Columbus City Plan Commission and/or Columbus City Common Council in accordance with law.

These conditions may be enforced by the Columbus Plan Commission.

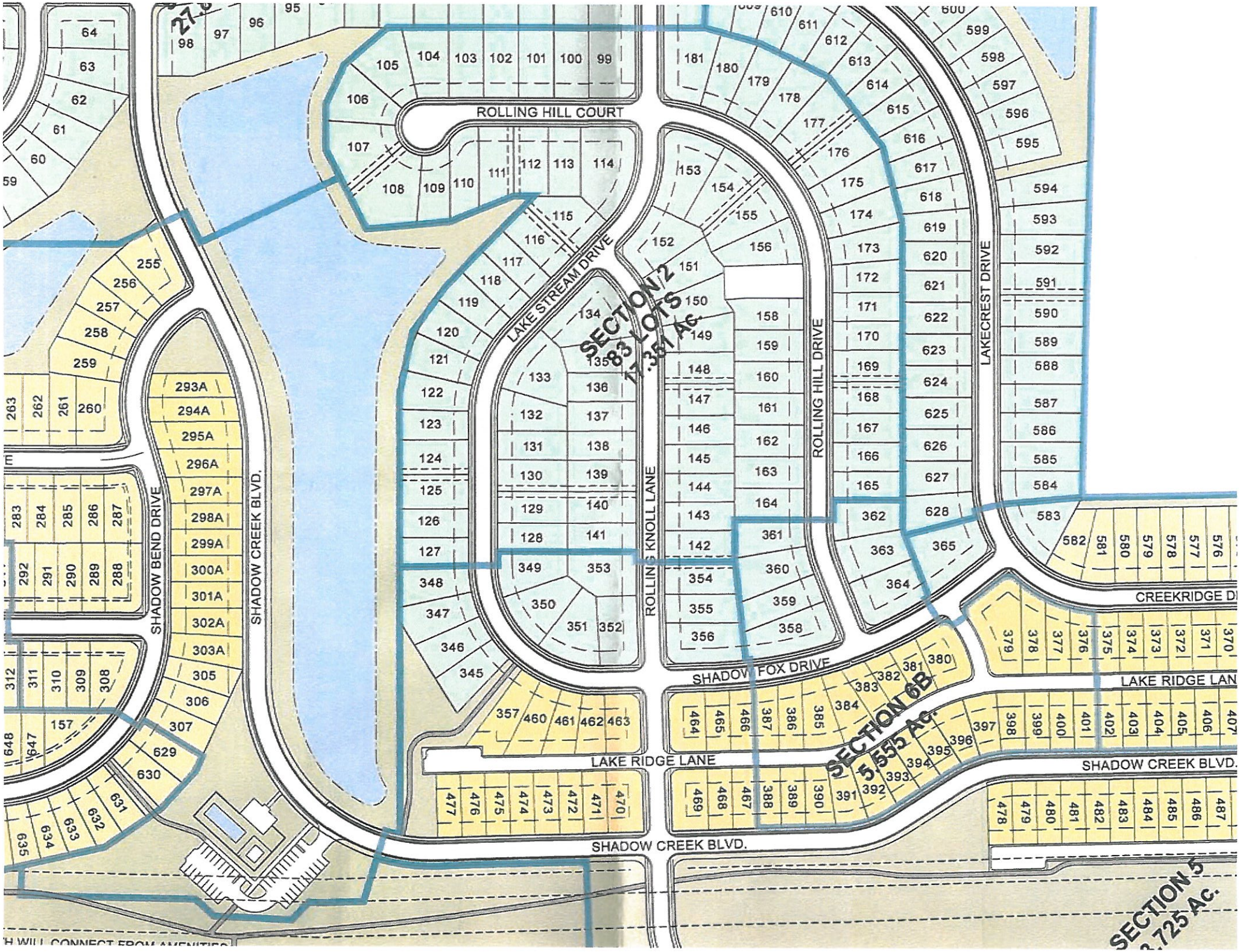
The undersigned hereby authorizes the Columbus City Plan Commission to annex these Conditions to any ordinance constituting final approval of petition #PUD-99-2.

OWNER/PETITIONER/DEVELOPER

Signature_____

Printed Steve Cook, Vice President Land Acquisition and Land Development, Indianapolis Division

Date_____


ROLLING HILL COURT
LAKE STREAM DRIVE
SECTION 2
83 LOTS
17.351 Ac.
ROLLING KNOLL LANE
ROLLING HILL DRIVE
LAKECREST DRIVE
SHADOW BEND DRIVE
SHADOW CREEK BLVD.
SHADOW FOX DRIVE
CREEKRIDGE DR
LAKE RIDGE LANE
SECTION 6B
5.555 Ac.
SHADOW CREEK BLVD.
SECTION 5

City of Columbus – Bartholomew County
Planning Department

123 Washington Street
Columbus, Indiana 47201
Phone: (812) 376-2550
Fax: (812) 376-2643

MEMORANDUM

TO: Columbus City Council Members

FROM: Jeff Bergman, AICP
on behalf of the Columbus Plan Commission

DATE: April 29, 2014

RE: *ANX-14-02 (Joel Spoon / Stonehaven Annexation)*
RZ-14-04 (Joel Spoon / Stonehaven Rezoning)

At its April 9, 2014 meeting, the Columbus Plan Commission reviewed the above referenced applications (an annexation and a rezoning request involving the same property) and forwarded both to the City Council with favorable recommendations. The Plan Commission vote on each request was 8 in favor and 0 opposed.

Joel Spoon is proposing that an approximately 13.46 acre property adjacent to the City limits and generally located at the northwest corner of Goeller Road and County Road 350 West be annexed to the City. The applicant is also asking that the property be rezoned from AP (Agriculture: Preferred) to RS3 (Residential: Single-family 3) for the purpose of developing a subdivision of approximately 25 single-family homes. The annexation area is a total of approximately 13.65 acres and includes the 13.46 property (which includes not previously dedicated half right-of-way along Goeller Road and 350 West) and approximately 0.19 acres of right-of-way representing the east half of County Road 350 West along the subject property's frontage.

The annexation request qualifies as a "voluntary annexation" and is subject to the requirements of IC 36-4-3-5.1. Based on the requirements of the Indiana Code for the annexation request the schedule for the consideration of both of these items will be as follows:

1. Annexation Ordinance Public Hearing / Rezoning First Reading:
   May 7, 2014 Council Meeting
2. Adoption of Annexation Fiscal Plan Resolution and Ordinance / Rezoning Second Reading:
   June 3, 2014 Council Meeting
3. 30-day Annexation Waiting Period
   Ends on approximately July 5, 2014

Several owners of neighboring property located along County Road 350 West spoke on these requests at the April 9 Plan Commission meeting. They described 350 West as a narrow, hilly and heavily traveled road and were concerned about the additional traffic this new development would create and the safety of its 350 West entrance. They indicated that speeding was a frequent problem on this road. Those who spoke noted that 350 West is used by residents of the City's west side to access State Road 46 by car and by residents of the Westwood Pines Apartments to access the Tipton Lakes walking trails by foot and bike. They also had concerns about the confusion that might result from 350 West being partially in the City and partially in the County's jurisdiction. The Plan Commission noted that the developer would be responsible for widening and improving the new subdivision's 350 West frontage as part of their development. The Plan Commission also noted that the incremental improvement of streets and

annexation of road segments was a typical part of the development process. The Plan Commission also asked the Planning Department staff to convey the residents' concerns about 350 West to the appropriate County officials.

These annexation and rezoning requests are two completely separate actions and should be voted on as such by the City Council. The supporting materials for these requests have been combined for the sake of efficiency. The following items of information are attached to this memo for your consideration:

1. the proposed ordinance approving the annexation,
2. the annexation fiscal plan,
3. the resolution certifying the action of the Plan Commission on the annexation,
4. the proposed ordinance approving the rezoning,
5. the resolution certifying the action of the Plan Commission on the rezoning,
6. a copy of the Planning Department staff report provided for the April 9 Plan Commission meeting,
7. a location map showing the site in relation to the current City limits and surrounding zoning, and
8. a conceptual plan of the proposed development provided by the applicant.

Please feel free to contact me if you have any questions regarding this matter.

ORDINANCE NO.: _____, 2014

AN ORDINANCE ANNEXING AND DECLARING CERTAIN TERRITORY TO BE A PART OF THE CITY OF COLUMBUS, INDIANA

To be known as the: Joel Spoon / Stonehaven Annexation
Plan Commission Case No.: ANX-14-02

WHEREAS, a petition has been filed by Joel Spoon for the annexation of the property described by Section 1 below; and

WHEREAS, the petitioners represent 100% of the owners of the property subject to the request, which lies outside of, but adequately contiguous to the City of Columbus; and

WHEREAS, the Columbus Plan Commission has, on April 9, 2014, reviewed the request for annexation and forwarded a favorable recommendation to the Common Council; and

WHEREAS, the Common Council of the City of Columbus, Indiana has paid reasonable regard to the requirements of the Indiana Code and the adopted annexation policies of the City of Columbus.

NOW THEREFORE BE IT ORDAINED by the Common Council of the City of Columbus, Indiana, as follows:

SECTION 1: Property Annexed

The following described property, including a total of +/- 13.65 acres, is annexed to and declared to be part of the City of Columbus, Indiana:

A PART OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER AND A PART OF THE NORTHEAST QUARTER OF SOUTHWEST QUARTER OF SECTION 28. TOWNSHIP 9 NORTH, RANGE 5 EAST LYING IN COLUMBUS TOWNSHIP, BARTHOLOMEW COUNTY, INDIANA AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 28, THENCE SOUTH 00'50'48" EAST (ASSUMED BEARING) ALONG THE EAST LINE OF SAID QUARTER QUARTER AND COUNTY ROAD 350 WEST A DISTANCE OF 664.79 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89'49'26" WEST A DISTANCE OF 973.23 FEET; THENCE SOUTH 00'28'08" EAST A DISTANCE OF 923.71 FEET TO THE CENTER OF GOELLER ROAD; THENCE NORTH 65'45'25" EAST ALONG SAID ROAD A DISTANCE OF 54.64 FEET TO THE SOUTHWEST CORNER OF LOT 1 IN "GRAHAM ADMINISTRATIVE SUBDIVISION" RECORDED IN PLAT BOOK "R", PAGE 255C; THENCE NORTH 00'28'08" WEST ALONG THE WEST LINE OF SAID LOT 1 A DISTANCE OF 427.52 FEET TO THE NORTHWEST CORNER OF SAID LOT; THENCE NORTH 85'24'12" EAST ALONG THE NORTH LINE OF SAID LOT A DISTANCE OF 928.18 FEET TO EAST LINE OF THE SOUTHEAST QUARTER OF NORTHWEST QUARTER OF SAID SECTION 28, AND COUNTY ROAD 350 WEST; THENCE NORTH 00'50'48" WEST ALONG SAID EAST LINE AND ROAD A DISTANCE OF 396.41 FEET TO THE POINT OF BEGINNING, CONTAINING 10.28 ACRES, MORE OR LESS AND SUBJECT TO ALL APPLICABLE EASEMENTS AND RIGHTS OF WAY.

ALSO:

A PART OF LOT 1 OF THE GRAHAM ADMINISTRATIVE: SUBDIVISION AS RECORDED IN PLAT BOOK "R", PAGE 255C, AND AS INSTRUMENT NUMBER 2011-5344, In THE OFFICE OF THE RECORDER OF BARTHOLOMEW COUNTY, INDIANA AND DESCRIBED AS FOLLOWS:

COM\MENCING AT THE NORTHEAST CORNER OF SAID LOT 1; THENCE SOUTH 85'24'12" WEST (ASSUMED BEARING) ALONG THE NORTH LINE OF SAID LOT 1 DISTANCE OF 403.20 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 85'24'12" WEST A DISTANCE OF 380.67 FEET TO THE NORTHWEST CORNER OF SAID LOT; THENCE SOUTH 00'28'08" EAST ALONG THE WEST LINE OF SAID LOT A DISTANCE OF 427.52 FEET TO THE SOUTHWEST CORNER OF SAID LOT;

THENCE NORTH 65'45'25" EAST ALONG THE SOUTH LINE OF SAID LOT (AND ALONG GOELLER ROAD) A DISTANCE OF 130.73 FEET; THENCE NORTH 69'16'07" EAST A DISTANCE OF 160.71 FEET TO THE PC OF A CURVE TO THE RIGHT; THENCE ALONG SAID CURVE AN ARC DISTANCE OF 113.69 FEET TO THE PT THEREOF (SAID CURVE HAVING A RADIUS OF 1892.84 FEET, A CHORD BEARING OF NORTH 73"32'43" EAST AND A CHORD DISTANCE OF 113.67 FEET); THENCE NORTH 00'28'08" WEST A DISTANCE OF 315.26 FEET TO THE POINT OF BEGINNING, CONTAINING 3.18 ACRES MORE OR LESS AND SUBJECT TO ALL APPLICABLE EASEMENTS AND RIGHTS OF WAY.

ALSO:

ALL PORTIONS OF THE RIGHT-OF-WAY OF GOELLER ROAD AND COUNTY ROUD 350 WEST ADJACENT TO THE ABOVE DESCRIBED PROPERTY.

SECTION 2: Common Council District

Upon the effective date of this ordinance the property described by Section 1 shall be included in the 2nd Councilmanic District of the City of Columbus, Indiana. The property may, at some future time, be placed in a different Councilmanic District or Districts in accordance with redistricting completed in accordance with Indiana law.

SECTION 3: Repealer

All ordinances or parts thereof in conflict with this ordinance shall be repealed to the extent of such conflict.

SECTION 4: Severability

If any provision, or the application of any provision, of this ordinance is held unconstitutional or invalid the remainder of the ordinance, or the application of such provision to other circumstances, shall be unaffected.

SECTION 5: Effective Date

This ordinance shall be effective after publication of its adoption, as provided in Indiana law.

ADOPTED, by the Common Council of the City of Columbus, Indiana, this _____ day of _____, 2014, at _____ o'clock ____.m., by a vote of _____ ayes and _____nays.

_____
Presiding Officer

ATTEST:

_____
Luann Welmer
Clerk-Treasurer of the City of Columbus, Indiana

Presented to me, the Mayor of Columbus, Indiana, the _____ day of _____, 2014, at _____ o'clock ____.m.

_____
Kristen Brown
Mayor of the City of Columbus, Indiana

ANNEXATION FISCAL PLAN

For Plan Commission Case No.: ANX-14-02
To be known as: "Stonehaven"

Introduction:
This Annexation Fiscal Plan, which is required by Indiana annexation law (IC 36-4-3-3.1), summarizes how the subject property meets the requirements for annexation. The Annexation Fiscal Plan also provides basic data regarding the area and describes the manner in which City of Columbus services will be extended to the subject property upon annexation.

This Annexation Fiscal Plan recognizes that the City of Columbus is a complex combination of land uses and developments, which together provide a complete community. Each land use (residential, commercial, industrial, etc.) directly results in specific receipts and costs for the City. These receipts and costs are typically calculated based on number of residents, land area, etc. However, each land use also indirectly supports the development of complimentarily land uses, which also affect receipts and costs. For example, residential development promotes commercial development; and job growth promotes home construction. Therefore, the assignment of specific costs and receipts to specific developments are conceptual and intended for estimating purposes only.

Basic Property Information:
Following is a summary of subject property physical data:

Location: The northwest corner of the intersection of Goeller Road and County Road 350 West (Columbus Township).

Size: +/- 13.65 acres (0.021 square miles) including approximately 13.46 acres of developable property and approximately 0.19 acres of public right-of-way.

Zoning: AP (Agriculture: Preferred District)

Zoning (Proposed): RS3 (Residential: Single-Family 3)

Land Use: Current – Agriculture / Projected – Single-Family Residential

Population: Current - 0 / Projected – between 60 and 161 [based on the U.S. Census Bureau's 2012 statistic of 2.4 for average 'Persons per Household' in the City of Columbus and the proposed density (25 units) and maximum density allowed (67 units) on the 13.46 acre development site]

City Council District: The property will be assigned initially to City Council District #2.

Legal Requirements & Columbus Annexation Policy:
Indiana law (IC 36-4-3-1.5) requires that, to be eligible for annexation, the external boundary of the subject property must be at least 1/8 (12.5%) contiguous with the boundary of the City (the property involved in this annexation is 12.6% contiguous with the boundary of the City).

Indiana law further defines three types of annexations: involuntary, voluntary, and super-voluntary. This annexation qualifies as a super-voluntary annexation (IC 36-4-3-5.1), in which 100% of the owners of land in the territory sought to be annexed have signed the annexation petition.

In 1990 the Columbus City Council adopted the following policies for annexation:

1. Subdivisions which are contiguous to the City should be a part of the City.
2. Land contiguous to the City zoned for commercial or industrial purposes should be annexed to the City before it is developed.
3. Land contiguous to the City used for commercial or industrial purposes should be a part of the City.
4. Undeveloped land required to complement the annexation of developed land and which helps provided the ability to manage growth should be a part of the City.
5. Neighborhoods which are socially, culturally, and economically tied to the City should be a part of the City.
6. The pattern of City boundaries should promote efficient provision of services by the City, the County, and other agencies.
7. Contiguous lands needed for orderly growth and implementation of the City's Comprehensive Plan should be a part of the City.
8. Contiguous lands which are likely to be developed in the relatively near future should be a part of the City.
9. Contiguous lands having the potential for health or safety problems or environmental degradation should be a part of the City and provided with City services.
10. Contiguous properties which, if annexed, would serve to equalize the tax burden for City residents should be a part of the City.

Property Tax Receipts Estimate & Methodology:

The annexation of the subject property will result in receipts to the City of Columbus through a combination of property taxes; state fund distributions, user fees, and other similar sources. This Fiscal Plan recognizes the presence of all income sources, as well as the complexity of calculating specific receipts. An estimate of property tax receipts is provided by comparing the anticipated development on the subject property with similar development within the City of Columbus. It is recognized that the estimated tax receipts represents a broadening of the City's tax base and not a direct increase in revenue due to the maximum tax levy imposed by the State of Indiana and other related factors. The estimated tax receipts are intended to provide basic information by which the general fiscal impact of the proposed annexation may be evaluated. The current property tax information for the subject property is summarized below:

Current Net Assessed Property Value (NAV): $11,800

Current City Tax Rate (2013 payable 2014): $1.1311 per $100 of NAV.

City of Columbus Tax Receipts in Year 1: The City of Columbus receipts for the first year after annexation based on the current land use will be $133.47

The estimated tax receipts at build-out are calculated by comparing the anticipated development on the subject property with the NAV per acre of similar existing locations. A review of the NAV of the single-family residential properties in the Tipton Lakes and Terrace Lake Road areas in Columbus reveals an average NAV of $927,328 per acre for similarly developed properties. Assuming that approximately 20% of the subject property will be devoted to streets and other non-taxable infrastructure, a total of 10.77 acres could be developed. The estimated property tax considerations at build-out are summarized below:

Build-out Net Assessed Property Value (NAV): $9,987,323

Assumed Future City Tax Rate: $1.1311 per $100 of NAV.

City of Columbus Tax Receipts at Build-out: $112,967

Cost of Services Methodology:
The capital services within the annexation area were evaluated to determine what, if any, new infrastructure is needed to provide services to the subject property in the same manner as those services are provided to other similar areas within the City's corporate boundaries. No capital expenditures were identified as necessary for this annexation. The subject property is currently provided with the same capital services as other agricultural uses within the City of Columbus. The installation of streets, utilities, and other infrastructure will be completed by the developer at the time the property is converted from agricultural to residential use, consistent with the policies of the City.

Non-capital services, which are delivered to the subject property without requiring installation of capital infrastructure, were assessed through consultation with the Department Head responsible for each service. Some services are already available to the subject property, and others have yet to be initiated. In each case, the services will be provided to the subject property immediately upon annexation in a manner equivalent in standard and scope to the services being provided to other areas within the City's corporate boundaries.

Provision of Services:
The descriptions of the City services to be provided and an estimate of cost (as calculated by each Department Head) are provided below in the form of a summary table. Following is a narrative for each service type.

1. Police: The services provided by the City of Columbus Police Department include the prevention of crime, the detection and apprehension of criminal offenders, assistance for those who are in danger of physical harm, resolution of conflicts, and the creation and maintenance of a feeling of security in the community. The Police Department is also involved in legal work and the protection of constitutional rights. Lastly, the Police Department performs traffic control, promotes civil order, and provides technical assistance to the public in the area of crime prevention.

   The Police Department states there will be little or no impact to the department with the annexation of this property.

2. Fire: The Fire Department services include fire protection and medical emergency assistance. The services also include fire suppression, emergency response, fire prevention, fire inspection, and public education in the area of fire safety.

   The Fire Department reports no cost for the extension of non-capital services to the subject property.

3. Sanitation / Streets / Public Transportation: The City Services Department provides refuse collection, compost, and brush clipping services. The Department also provides for the maintenance of streets at a level that ensures transportation safety and efficiency. The services provided include snow removal, street cleaning, and general maintenance. This Department provides for public transportation through the ColumBUS system. Finally, the Department provides for the maintenance of storm water drainage facilities.

   No comment has been provided on this annexation by the City Services Department. However, the City Engineer's office states that there will be 396 feet of frontage on County Road 350 West and 346 feet of frontage on Goeller Road and that represent a 0.05% increase in the City's street inventory. The estimated cost for street maintenance, sign replacement, and snow removal can be prorated based upon the City's current budget amounts for those items. No new street lights are anticipated at this time. Overlay cost for the existing streets would be approximately $12,000 at today's prices; which calculates to an approximate annual cost of $1,300 based on a 3% interest rate and an 8 year overlay cycle.

4. Sanitary Sewer / Public Water: Columbus City Utilities provides sanitary sewer and public water services, including the installation and maintenance of treatment facilities and service mains.

   City Utilities applies a "four year revenue" rule when deciding how much ratepayer investment to make in any water or sewer extension. The Department estimates the gross revenue that would result from any proposed extension and will invest up to that amount in the extension of services. The party requesting the extension may make up the difference between the investment and the actual cost of the facilities. However, if the Utility Service Board determines that it is in the overall good for the City of Columbus to extend services, then the "four year rule" is set aside. These projects typically include significant job creation or other large-scale economic development benefits to the community.

   City Utilities reports that there is public sewer and water available to this property.

5. Parks & Recreation: The Parks Department provides for the establishment, programming, and maintenance of park facilities throughout the City. The Department also provides for the scheduling and facilitation of recreational activities and other related events.

   No comment has been provided on this annexation indicating no cost for the extension of non-capital services to the subject property.

6. Animal Care Services: The Columbus Animal Care Department provides care, shelter, and the humane euthanization of domestic animals. They also provide regular patrol, complaint investigation, and animal emergency services.

   No comment has been provided on this annexation indicating no cost for the extension of non-capital services to the subject property.

Service Type	Capital Costs	Annual Non-Capital Costs
Police	$0	$0
Fire / Medic	$0	$0
Sanitation, Streets, & Public Transit	$0	$1,300
Sanitary Sewer & Public Water	$0	$0
Parks & Recreation	$0	$0
Animal Care & Control	$0	$0
Administrative Services	$0	$0

7. Administrative Services: The Administrative functions of the City include those provided by the Planning Department, Airport Board, Department of Community Development, City Engineer, Human Rights Commission, Mayor's Office, Personnel Department, and City Attorney. These departments provide for the general operation and organization of City government.

   No comment has been provided on this annexation indicating no cost for the extension of non-capital services to the subject property.

8. CAMPO (Columbus Area Metropolitan Planning Organization): CAMPO is responsible for the continuing, cooperative and comprehensive transportation planning process for the Columbus Metropolitan Planning Area.

   No comment has been provided on this annexation indicating no cost for the extension of non-capital services to the subject property.

Methods of Financing Services & Timing:
It is anticipated that the appropriate non-capital City services will be provided within existing and future city budgets, and that there will be little or no additional cost to the city as a result of the annexation. All capital and non-capital services are available to the subject property immediately in the same manner in which they are provided to other, similar areas within the City of Columbus.

RESOLUTION: ANX-14-02

of the City of Columbus, Indiana Plan Commission

regarding
Case number ANX-14-02 (Joel Spoon / Stonehaven),
a proposal to annex +/-13.65 acres to the City of Columbus

WHEREAS, the Plan Commission has received the application referenced above from Joel Spoon, with the permission of Beth Quick; and

WHEREAS, the applicant(s) represent 100% of the property owners involved in the annexation request, which meets the requirements of IC 36-4-3-5.1 for voluntary annexation, and

WHEREAS, the Plan Commission did, on April 9, 2014, review the annexation request; and

WHEREAS, the Plan Commission did pay reasonable regard to the requirements of the Indiana Code and the adopted annexation policies of the City of Columbus; and

WHEREAS, the Plan Commission recognizes that its action on this matter represents a recommendation to the Common Council of the City of Columbus, Indiana, which will be responsible for final action on the request.

NOW THEREFORE BE IT RESOLVED, by the Plan Commission of the City of Columbus, Indiana, as follows:

The annexation of the property subject to the application (approximately 13.65 acres located generally on the northwest corner of the intersection of Goeller Road and County Road 350 West) is forwarded to the Common Council with a favorable recommendation.

ADOPTED BY THE COLUMBUS, INDIANA PLAN COMMISSION THIS 9th DAY OF APRIL, 2014 BY A VOTE OF 8 IN FAVOR AND 0 OPPOSED.

_____
Roger Lang, President

ATTEST:

_____
David L. Fisher, Secretary

Prepared by the City of Columbus - Bartholomew County Planning Department
Jeffrey R. Bergman, AICP #014602 – Planning Director

ORDINANCE NO.: _____, 2014

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF COLUMBUS, INDIANA, REZONING THE SUBJECT PROPERTY FROM "AP" (AGRICULTURE: PREFERRED) TO "RS3" (RESIDENTIAL: SINGLE-FAMILY 3)

To be known as the: Joel Spoon / Stonehaven Rezoning
Plan Commission Case No.: RZ-14-04

WHEREAS, this rezoning was requested by Joel Spoon and includes the consent of all owners of the subject property; and

WHEREAS, the Columbus Plan Commission did, on April 9, 2014, hold a legally advertised public hearing on said request and has certified a favorable recommendation to the Common Council; and

WHEREAS, the Common Council of the City of Columbus, Indiana has considered the criteria contained in Section 12.6(G) of the Columbus & Bartholomew County Zoning Ordinance.

NOW THEREFORE BE IT ORDAINED by the Common Council of the City of Columbus, Indiana, as follows:

SECTION 1: Official Zoning Map

The zoning classification of the following described real estate, which is in the zoning jurisdiction of the City of Columbus, Indiana, shall be changed from "AP" (Agriculture: Preferred) to "RS3" (Residential: Single-family 3):

A PART OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER AND A PART OF THE NORTHEAST QUARTER OF SOUTHWEST QUARTER OF SECTION 28. TOWNSHIP 9 NORTH, RANGE 5 EAST LYING IN COLUMBUS TOWNSHIP, BARTHOLOMEW COUNTY, INDIANA AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 28, THENCE SOUTH 00'50'48" EAST (ASSUMED BEARING) ALONG THE EAST LINE OF SAID QUARTER QUARTER AND COUNTY ROAD 350 WEST A DISTANCE OF 664.79 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89'49'26" WEST A DISTANCE OF 973.23 FEET; THENCE SOUTH 00'28'08" EAST A DISTANCE OF 923.71 FEET TO THE CENTER OF GOELLER ROAD; THENCE NORTH 65'45'25" EAST ALONG SAID ROAD A DISTANCE OF 54.64 FEET TO THE SOUTHWEST CORNER OF LOT 1 IN "GRAHAM ADMINISTRATIVE SUBDIVISION" RECORDED IN PLAT BOOK "R", PAGE 255C; THENCE NORTH 00'28'08" WEST ALONG THE WEST LINE OF SAID LOT 1 A DISTANCE OF 427.52 FEET TO THE NORTHWEST CORNER OF SAID LOT; THENCE NORTH 85'24'12" EAST ALONG THE NORTH LINE OF SAID LOT A DISTANCE OF 928.18 FEET TO EAST LINE OF THE SOUTHEAST QUARTER OF NORTHWEST QUARTER OF SAID SECTION 28, AND COUNTY ROAD 350 WEST; THENCE NORTH 00'50'48" WEST ALONG SAID EAST LINE AND ROAD A DISTANCE OF 396.41 FEET TO THE POINT OF BEGINNING, CONTAINING 10.28 ACRES, MORE OR LESS AND SUBJECT TO ALL APPLICABLE EASEMENTS AND RIGHTS OF WAY.

ALSO:

A PART OF LOT 1 OF THE GRAHAM ADMINISTRATIVE: SUBDIVISION AS RECORDED IN PLAT BOOK "R", PAGE 255C, AND AS INSTRUMENT NUMBER 2011-5344, In THE OFFICE OF THE RECORDER OF BARTHOLOMEW COUNTY, INDIANA AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 1; THENCE SOUTH 85'24'12" WEST (ASSUMED BEARING) ALONG THE NORTH LINE OF SAID LOT 1 DISTANCE OF 403.20 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 85'24'12" WEST A DISTANCE OF 380.67 FEET TO THE NORTHWEST CORNER OF SAID LOT; THENCE SOUTH 00'28'08" EAST ALONG THE WEST

LINE OF SAID LOT A DISTANCE OF 427.52 FEET TO THE SOUTHWEST CORNER OF SAID LOT; THENCE NORTH 65'45'25" EAST ALONG THE SOUTH LINE OF SAID LOT (AND ALONG GOELLER ROAD) A DISTANCE OF 130.73 FEET; THENCE NORTH 69'16'07" EAST A DISTANCE OF 160.71 FEET TO THE PC OF A CURVE TO THE RIGHT; THENCE ALONG SAID CURVE AN ARC DISTANCE OF 113.69 FEET TO THE PT THEREOF (SAID CURVE HAVING A RADIUS OF 1892.84 FEET, A CHORD BEARING OF NORTH 73"32'43" EAST AND A CHORD DISTANCE OF 113.67 FEET); THENCE NORTH 00'28'08" WEST A DISTANCE OF 315.26 FEET TO THE POINT OF BEGINNING, CONTAINING 3.18 ACRES MORE OR LESS AND SUBJECT TO ALL APPLICABLE EASEMENTS AND RIGHTS OF WAY.

CONTIANING 13.46 ACRES, MORE OR LESS.

SECTION 2: Commitment(s)

No commitments are attached to this rezoning.

SECTION 3: Repealer

All ordinances or parts thereof in conflict with this ordinance shall be repealed to the extent of such conflict.

SECTION 4: Severability

If any provision, or the application of any provision, of this ordinance is held unconstitutional or invalid the remainder of the ordinance, or the application of such provision to other circumstances, shall be unaffected.

SECTION 5: Effective Date

After its adoption, this ordinance shall be effective upon and after the date and time that companion ordinance ___, 2014 annexing the subject property to the City of Columbus is filed and recorded.

ADOPTED, by the Common Council of the City of Columbus, Indiana, this _____ day of _____, 2014 at _____ o'clock ____.m., by a vote of _____ ayes and _____nays.

_____
Presiding Officer

ATTEST:

_____
Luann Welmer
Clerk-Treasurer of the City of Columbus, Indiana

Presented to me, the Mayor of Columbus, Indiana, the _____ day of _____, 2014 at _____ o'clock ____.m.

_____
Kristen Brown
Mayor of the City of Columbus, Indiana

RESOLUTION: RZ-14-04

of the City of Columbus, Indiana Plan Commission

regarding
Case number RZ-14-04
(Joel Spoon / Stonehaven Rezoning),
a proposal to rezone +/-13.46 acres from
AP (Agriculture: Preferred) to RS3 (Residential: Single-family 3)

WHEREAS, the Plan Commission has received the application referenced above from Joel Spoon; and

WHEREAS, the applicant(s) represent 100% of the property owners involved in the rezoning request, which meets the requirements of IC 36-7-4-602(c); and

WHEREAS, the Plan Commission did, on April 9, 2014, hold a public hearing consistent with the applicable requirements of Indiana law, the Columbus & Bartholomew County Zoning Ordinance, and the Plan Commission Rules of Procedure; and

WHEREAS, the Plan Commission did pay reasonable regard to the criteria contained in Section 12.6(G) of the Columbus & Bartholomew County Zoning Ordinance; and

WHEREAS, the Plan Commission recognizes that its action on this matter represents a recommendation to the Common Council of the City of Columbus, Indiana, which will be responsible for final action on the request.

NOW THEREFORE BE IT RESOLVED, by the Plan Commission of the City of Columbus, Indiana, as follows:

1) The rezoning of the property subject to the application (approximately 13.46 acres located generally at the northwest corner of the intersection of Goeller Road and County Road 350 West) is forwarded to the Common Council with a favorable recommendation.

2) This resolution shall serve as the certification required for such ordinance amendments (re-zonings) by IC 36-7-4-605.

ADOPTED BY THE COLUMBUS, INDIANA PLAN COMMISSION THIS 9th DAY OF APRIL, 2014 BY A VOTE OF 8 IN FAVOR AND 0 OPPOSED.

_____
Roger Lang, President

ATTEST:

_____
David L. Fisher, Secretary

City of Columbus – Bartholomew County
Planning Department

123 Washington Street
Columbus, Indiana 47201
Phone: (812) 376-2550
Fax: (812) 376-2643

STAFF REPORT

CITY OF COLUMBUS PLAN COMMISSION
(April 9, 2014 Meeting)

Docket No. / Project Title:	ANX-14-02 & RZ-14-04 (Stonehaven)
Staff:	Thom Weintraut
Applicant:	Joel Spoon
Property Size:	13.46 Acres
Current Zoning:	AP (Agriculture: Preferred)
Proposed Zoning:	RS3 (Residential: Single-Family 3)
Location:	Northwest corner of the intersection of Goeller Road and County Road 350 West in Columbus Township.

Background Summary:
The applicant has indicated that the proposed annexation and re-zoning is for the purpose of developing a single-family residential subdivision consisting of 25 lots.

Key Issue Summary:
The following key issue(s) should be resolved through the consideration of this application:
1. Is the property a logical and appropriate addition to the City of Columbus?
2. Is RS3 (Residential: Single-Family 3) zoning district appropriate for this area?

Preliminary Staff Recommendation (Annexation):
Favorable recommendation to the City Council. The property is 14.8% contiguous to the City of Columbus and therefore meets the minimum requirement of being 12.5% contiguous as defined by IC 36-4-3-1.5. The location of the property will facilitate efficient provision of city services.

Preliminary Staff Recommendation (Re-zoning):
Favorable recommendation to the City Council.

Plan Commission Options:
Annexation and re-zoning are two separate requests and should be decided separately. In reviewing requests for *annexation & re-zoning* the Plan Commission may (1) forward a favorable recommendation on both or either to the City Council, (2) forward an unfavorable recommendation on both or either to the City Council, (3) forward both or either to City Council with no recommendation, or (4) continue the review to the next Plan Commission meeting. The Plan Commission may recommend conditions or commitments be attached to the *re-zoning* request. The City Council makes all final decisions regarding *annexation & re-zoning* applications.

Considerations / Decision Criteria (Annexation):
Indiana law requires to be eligible for annexation, the external boundary of the area must be at least 12.5% contiguous with the boundary of the City (the property involved in this annexation is 14.8% contiguous with the boundary of the City). In 1990 the City Council adopted the following policies for annexation:

1. Subdivisions which are contiguous to the City should be a part of the City.
2. Land contiguous to the City zoned for commercial or industrial purposes should be annexed to the City before it is developed.
3. Land contiguous to the City used for commercial or industrial purposes should be a part of the City.
4. Undeveloped land required to complement the annexation of developed land and which helps provided the ability to manage growth should be a part of the City.
5. Neighborhoods which are socially, culturally, and economically tied to the City should be a part of the City.
6. The pattern of City boundaries should promote efficient provision of services by the City, the County, and other agencies.
7. Contiguous lands needed for orderly growth and implementation of the City's Comprehensive Plan should be a part of the City.
8. Contiguous lands which are likely to be developed in the relatively near future should be a part of the City.
9. Contiguous lands having the potential for health or safety problems or environmental degradation should be a part of the City and provided with City services.
10. Contiguous properties which, if annexed, would serve to equalize the tax burden for City residents should be a part of the City.

Decision Criteria (Re-Zoning):

Indiana law and the Columbus Zoning Ordinance require the Plan Commission and City Council pay reasonable regard to the following when considering a re-zoning:

The Comprehensive Plan.
Preliminary Staff Comments: The Comprehensive Plan identifies the future land use for this area as residential. The property is adjacent to residential use which is consistent with the Comprehensive Plan's encouragement of orderly growth where city services can readily be provided. The property is located less than 1/2 of a mile from State Road 46 / Jonathan Moore Pike which provides access to commercial goods and services nearby such as Westhill Shopping Center and development around the I-65 and Jonathan Moore Pike interchange. In addition, there is a sidepath on the south side of Goeller Road which provides a connection to the People Trail located at the intersection of Goeller Boulevard and Jonathan Moore Pike. The site is also approximately 1/2 mile from Oakbrook Park to the west and Harrison Park to the southeast.

The current conditions and the character of current structures and uses in each district.
Preliminary Staff Comments: The site is located adjacent to the north of Tipton Lakes, an area consisting of single-family residential homes on similar sized lots. To the north and east of the subject property, the surrounding development is larger lot residential development, to the west there are large parcels of property with single-family dwellings and woodlands, and further to the west approximately 1/2 mile is the Oakbrook Park and subdivision which are part of the City of Columbus. The proposed development should be consistent with the surrounding structures and character.

The most desirable use for which the land in each district is adapted.
Preliminary Staff Comments: The Comprehensive Plan identifies residential for the use the property and surrounding area. The property is located near good and services, a park, recreation facilities, and adjacent to both an arterial and collector streets and, therefore, appropriate to higher density residential development.

The conservation of property values throughout the jurisdiction of the City of Columbus.
Preliminary Staff Comments: The property values throughout the City of Columbus should not be impacted in a negative way if the zoning were approved. The proposed development is in character with the surrounding properties and is within an area where single-family residential use is dominant and therefore surrounding properties values should not be impacted.

Responsible growth and development.
Preliminary Staff Comments: The property is in a predominately single-family residential area. This parcel is in an area surrounded by the City of Columbus on the east, south, and west and, therefore, is an ideal parcel for development. There are city services readily available and the infrastructure in place to support residential development and thereby reflects responsible growth and development.

Current Property Information:	
Existing Land Use:	Agriculture/pasture.
Existing Site Features:	The site is primarily open grassland with medium dense woodland on the northwest portion of the property and a few individual red cedar trees on the southeast portion. There is a small stream that runs across the southwest edge of the property.
Flood Hazards:	There are no mapped flood hazards on the property.
Special Circumstances: **(Airport Hazard Area, Wellfield Protection Area, etc.)**	None.
Vehicle Access:	The property has access to Goeller Road (Residential, Suburban Minor Arterial) and County Road 350 West (Residential, Suburban, Collector). There is a new local street (Stonehaven Lane) proposed as part of the subdivision.

Surrounding Zoning and Land Use:		
	Zoning:	**Land Use:**
North:	AG (Agriculture: Preferred)	Single-family residential
South:	RS3 (Residential: Single-Family 3)	Single-family residential and North Lake at Tipton Lakes.
East:	AG (Agriculture: Preferred)	Single-family residential Mt. Pleasant Christian Church
West:	AG (Agriculture: Preferred)	Single-family residential

Zoning District Summary (Existing / Proposed):		
	Existing Zoning: AG	**Proposed Zoning: RS3**
Zoning District Intent:	This AP, Agriculture Preferred zoning district is intended to provide an area suitable for agriculture and agriculture-related uses. This district is further intended to preserve the viability of agricultural operations, and limit non-agricultural development in areas with minimal, incompatible infrastructure. Residential development in this zoning district is intended to be limited. In no instance shall this zoning district be considered a large-lot residential zone. This district is further intended to protect the use and value of both agricultural and non-agricultural property within the community.	The RS3, Single-Family Residential zoning district is intended to provide areas for moderate to high density single-family residences in areas with compatible infrastructure and services. Development in the zoning district should generally be served by sewer and water utilities. Such development should also provide residents with convenient access to Collector and Arterial streets, parks and open space, employment, and convenience goods. In the jurisdiction of the City of Columbus this district is intended for use only within the City limits.
Permitted Uses:	• Farm (General) • Single-Family Dwelling • Nature Preserve / Conservation Area	• Single-family dwellings • Nature preserve / conservation area.
Water and Sewer Service:	Not Required	Required
Lot and/or Density Requirements:	**Minimum Lot Area:** 1 acre or as required to provide two viable septic system sites **Maximum Lot Coverage:** Agricultural Structures: None Non-Agricultural Structures: 35%	**Maximum Gross Density:** 5 Dwelling Units per Acre **Minimum Lot Area:** 7200 Sq. ft. **Minimum Lot Width:** 60 feet **Minimum Lot Frontage** 35 feet **Maximum Lot Coverage:** 40%

Setbacks Required: Front setbacks are determined by the Thoroughfare Plan Classification of the adjacent street and are the same regardless of zoning.	**Side and Rear Yard Setback:** Agricultural Structure: 30 feet Primary Structure: 30 feet* Accessory Structure: 15 feet* *5 feet on lots of 2 acres or less where the applicable side or rear lot line adjoins a property of 2 acres or less **Front Yard Setback (for Carr Hill Road, a Collector Street):** Collector Street: 25 feet	**Side Yard Setback:** Primary Structure: 5 feet Accessory Structure: 5 feet **Rear Yard Setback:** Primary Structure: 5 feet Accessory Structure: 5 feet **Front Yard Setback:** Goeller Road (Minor Arterial): 50 feet County Road 350 West (Collector) 15 feet* Stonehave Lane (Local) 10 feet* *25 feet for any garage with a vehicle entrance facing the Street.
Height Restrictions:	**Primary Structure:** Agricultural Structure: None Primary Structure: 40 feet **Accessory Structure:** 35 feet	**Primary Structure:** 40 feet **Accessory Structure:** 25 feet or the height of the primary structure on the property, whichever is less.
Floor Area Requirements:	**Minimum Living Area per Dwelling:** 1,000 square feet	**Minimum Living Area per Dwelling:** 1,000 square feet
Signs:	**Wall Signs:** Not permitted **Freestanding Signs:** Not permitted	**Wall Signs:** Not permitted **Freestanding Signs:** Freestanding signs are not permitted for multi-family residential developments. Instead, these developments are permitted to install two Development Entry Signs per public street access point. Each Development Entry Sign can have a maximum area of 32 square feet and a maximum overall height of 6 feet.

Interdepartmental Review:	
City Engineering:	The site has 396' of frontage on County Road 350 W, and 346' of frontage on Goeller Road, totally 742'. Goeller is an existing residential arterial street, and 350 W is an existing residential collector street. Both sections of roadway join county roads at each end. Both roads are substandard in width and do not have curbs. 742' represents a 0.0539% increase in the City's street inventory. Estimated cost for street maintenance, sign replacement, and snow removal can be prorated based on the City's current budget amounts for those items. No new street lights are anticipated at this time. Overlay cost for existing streets would be approximately $12,000 at today's prices; which calculates to an approximate annual cost of $1,300, based on a 3% interest rate and a 8 year overlay cycle.
City Utilities:	Water is available along the south side of Goeller Road and sewer crosses the property on the Northwest Corner.
Parks Department:	No comments received.
Community Development:	No concerns.
MPO:	No comments received.
Police Department:	No concerns.
Fire Department:	There are no issues with the requested annexation or rezoning.

Comprehensive Plan Consideration(s):

The Future Land Use Map indicates the future use of this property as residential.

The following Comprehensive Plan goal(s) and/or policy(ies) apply to this application:

1. **POLICY A-2-3:** Ensure that development takes place in a manner which allows for preservation of farmland, open space, and significant natural features whenever possible and desirable.
2. **POLICY A-2-6:** The City Council should consider annexation proposals on a case-by-case basis within the laws of the State of Indiana and the city's adopted annexation policies. *Annexation increases taxes and increases the pressure for development. Because of requirements of Indiana law, it is sometimes necessary for the city to annex farmland in order to provide for orderly growth, but the city's annexation policies should discourage annexation of farmland except when necessary.*
3. **POLICY A-2-11:** Encourage all new development to be in scale (height, area, mass, setback, etc.) with its surroundings, determined on a neighborhood-by-neighborhood basis.
4. **POLICY A-2-13:** Encourage growth to take place at a rate that enables the city to maintain the high quality of public services.
5. **GOAL A-4:** Promote wise and efficient use of limited resources and nonrenewable resources, including but not limited to capital and land.
6. **POLICY A-4-2:** Encourage infill development, and/or use of vacant parcels for projects such as parks or other amenities which complement the neighborhoods in which they are located.

7. **POLICY A-4-7:** Require new development to take place in an orderly fashion to facilitate efficient provision of services at reasonable cost.
8. **GOAL D-**1: Develop new housing where adequate public services can be provided economically.
9. **POLICY D-1-1:** Promote orderly housing expansion in location where the city's infrastructure and services have capacity to accommodate the growth.
10. **POLICY D-1-3:** Encourage development adjacent to already developed areas.

This property is located in the Western Hills character area. The following Planning Principle(s) apply to this application:

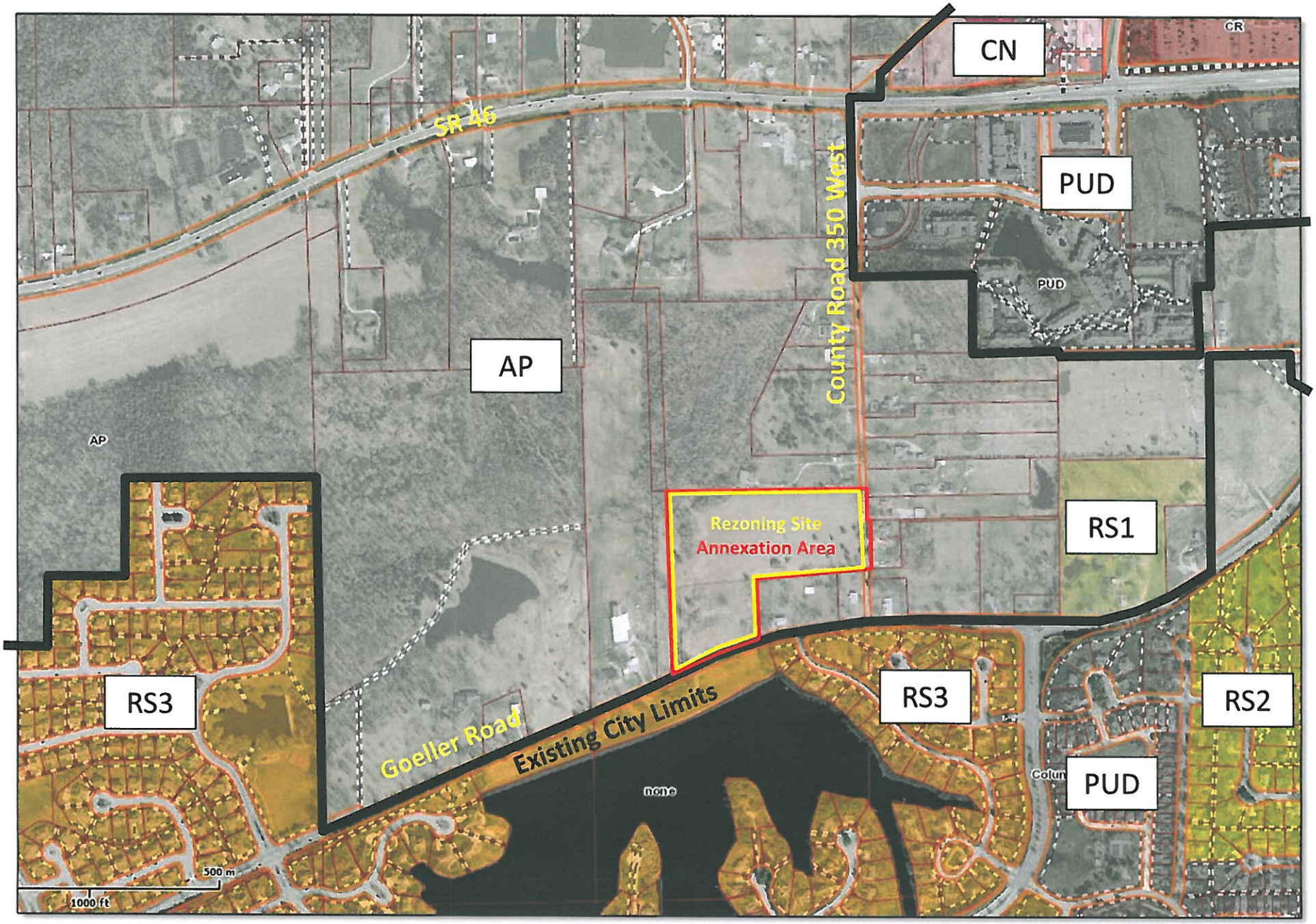
1. Encourage all development to be linked to bicycle and pedestrian systems.
2. Prohibit further non-farm development using septic systems.

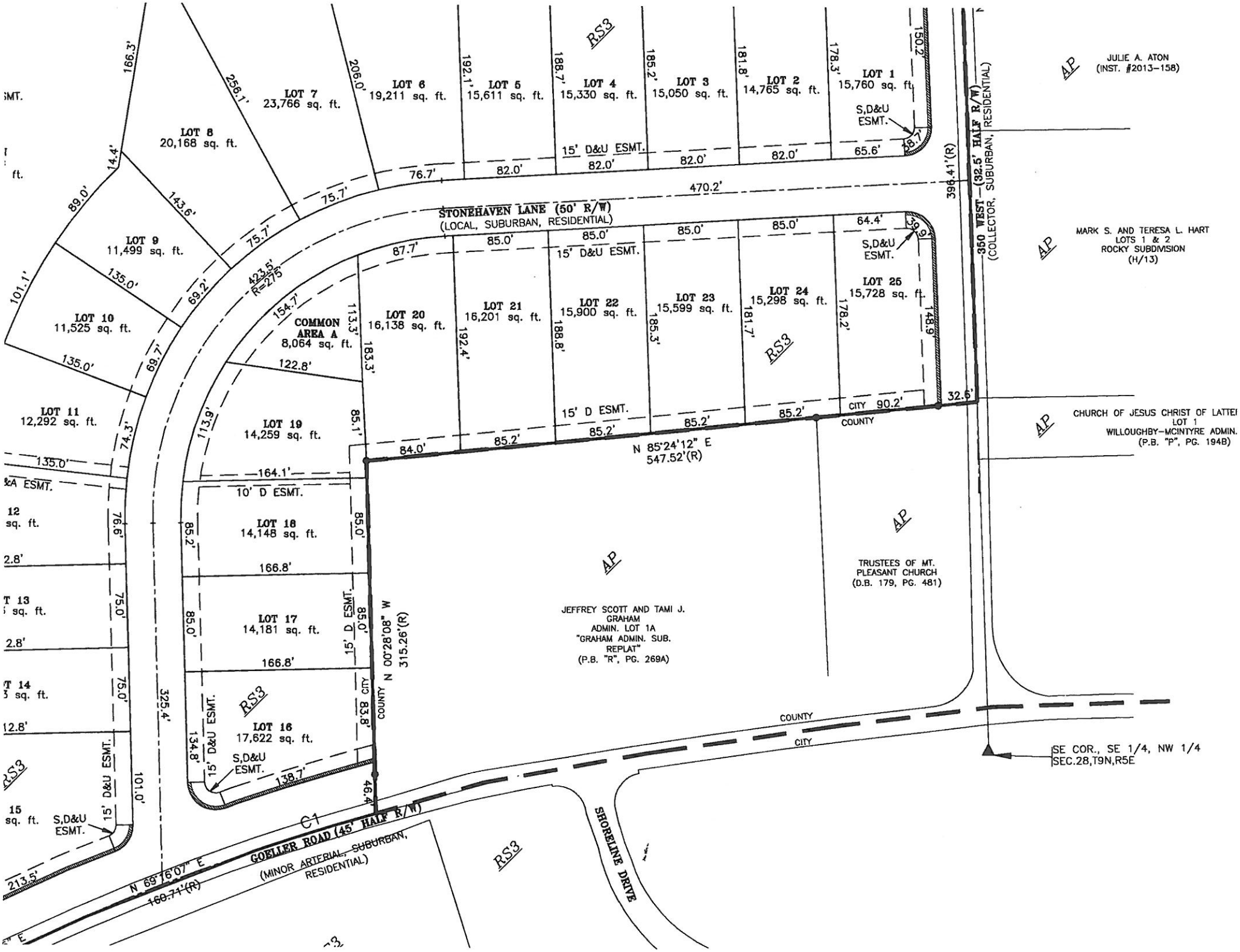
Planning Consideration(s):

The following general site considerations, planning concepts, and other facts should be considered in the review of this application:

1. This parcel is located approximately 1/2 mile east and west of the current corporate boundaries of the City of Columbus in an area that currently creates a gap in the city limits. This site is an appropriate for infill development and an opportunity for orderly expansion of the City into that gap.
2. The petitioner is requesting approval of a major subdivision (PP-14-02) in conjunction with the request for annexation and rezoning.
3. The RS3 Zoning District allows for a density of 5 units per acre. The property to the south of the subject property is zoned RS3, but the average density is 2 units per acres. The proposed subdivision at the site of the rezoning shows a similar average density of 2 units per acre.
4. The surrounding area is primarily single-family residential and wooded. The proposal would not impact agricultural uses.
5. The site has water available along the south side of Goeller Road and sanitary sewer available on the northwest corner of the property.
6. The site is located at the intersection of a Goeller Road, a Minor Arterial, and County Road 350 West, a Collector Street, thereby providing suitable connection for the development to the greater network of streets and highways.
7. Westhill Shopping Center is located 3/4 of a mile to the north of the development and provides a wide selection of goods and services and the site is just west of the Interstate 65 / State Road 46 interchange area where there are also a wide variety of retail and service selections.
8. The proposed development has access to a sidepath along the south side of Goeller Road which provides a connection to Oakbrook Park, 1/2 mile to the west of the site, and to Harrison Park, 1/2 mile to the east of the site. The sidepath also connects to the People Trail at the Intersection of Goeller Boulevard and Jonathan Moore Pike providing a bicycle and pedestrian connection to Westhill Shopping Center, the I-65 interchange retail and restaurant services, and a further connection to the Downtown, Mill Race Park and destinations further to the east.

Property Location & Surrounding Zoning





JULIE A. ATON
(INST. #2013-158)
MARK S. AND TERESA L. HART
LOTS 1 & 2
ROCKY SUBDIVISION
(H/13)
CHURCH OF JESUS CHRIST OF LATTE
LOT 1
WILLOUGHBY-MCINTYRE ADMIN.
(P.B. "P", PG. 194B)
TRUSTEES OF MT.
PLEASANT CHURCH
(D.B. 179, PG. 481)
JEFFREY SCOTT AND TAMI J.
GRAHAM
ADMIN. LOT 1A
"GRAHAM ADMIN. SUB.
REPLAT"
(P.B. "R", PG. 269A)
350 WEST (32.5' HALF R/W)
(COLLECTOR, SUBURBAN, RESIDENTIAL)
STONEHAVEN LANE (50' R/W)
(LOCAL, SUBURBAN, RESIDENTIAL)
GOELLER ROAD (45' HALF R/W)
(MINOR ARTERIAL, SUBURBAN,
RESIDENTIAL)
SHORELINE DRIVE
SE COR., SE 1/4, NW 1/4
SEC.28,T9N,R5E
N 85°24'12" E
547.52'(R)
N 00°28'08" W
315.26'(R)
N 69°16'07" E
160.71'(R)
LOT 1
15,760 sq. ft.
LOT 2
14,765 sq. ft.
LOT 3
15,050 sq. ft.
LOT 4
15,330 sq. ft.
LOT 5
15,611 sq. ft.
LOT 6
19,211 sq. ft.
LOT 7
23,766 sq. ft.
LOT 8
20,168 sq. ft.
LOT 9
11,499 sq. ft.
LOT 10
11,525 sq. ft.
LOT 11
12,292 sq. ft.
LOT 16
17,622 sq. ft.
LOT 17
14,181 sq. ft.
LOT 18
14,148 sq. ft.
LOT 19
14,259 sq. ft.
LOT 20
16,138 sq. ft.
LOT 21
16,201 sq. ft.
LOT 22
15,900 sq. ft.
LOT 23
15,599 sq. ft.
LOT 24
15,298 sq. ft.
LOT 25
15,728 sq. ft.
COMMON
AREA A
8,064 sq. ft.
15' D&U ESMT.
15' D ESMT.
10' D ESMT.
S,D&U
ESMT.
CITY
COUNTY
RS3
AP
C1
470.2'
423.5'
R=275'
396.41'(R)
325.4'

RESOLUTION NO. _____, 2014

A RESOLUTION TO AUTHORIZE THE CITY OF COLUMBUS REDEVELOPMENT COMMISSION TO EXPEND FUNDS IN EXCESS OF $500,000 FOR ROAD RECONTRUCTION IN WOODSIDE INDUSTRIAL PARK

WHEREAS, the City of Columbus Department of Redevelopment, more commonly known as the City of Columbus Redevelopment Commission (the "Commission") created the Central TIF District which includes the Woodside Industrial Parks and the roads and roadways therein;

WHEREAS, the Commission identified the need to reconstruct certain roads and roadways within the Woodside Industrial Park (the "Project") which would be funded through TIF;

WHEREAS, the Commission has determined that the Project is for the benefit of commerce, economic interest and development, social interest and public utility for the City of Columbus and the Central TIF District;

WHEREAS, the Commission solicited bids for the Project with the assistance of the City's Engineering Department and City Engineer;

WHEREAS, the Commission is recommending that the bid be awarded to Milestone Contractors, LP in the amount of $1,430,887.00 with an additional contingency amount not to exceed $286,117.40 totaling a project cost not to exceed of $1,717,004.40 (see Commission Resolution 4-2014 attached hereto as Exhibit "A");

WHEREAS, pursuant to Columbus Municipal Code Section 2.88.20, any proposed expenditure by the Commission in excess of $500,000 is subject to City of Columbus Common Council approval; and

WHEREAS, the Commission has asserted that sufficient TIF funding exists to cover the total expenditure of the Project.

NOW THEREFORE BE IT RESOLVED BY THE COLUMBUS COMMON COUNCIL THAT the expenditure in an amount not to exceed $1,717,004.40 for road and roadway reconstruction within the Woodside Industrial Park by the City of Columbus Redevelopment Commission is hereby approved.

ADOPTED BY THE COMMON COUNCIL OF COLUMBUS, INDIANA, on this the _____ day of _____, 2014, by a vote of _____ ayes and _____ nays.

_____

Kristen S. Brown, Mayor
Presiding Officer of the Common Council

ATTEST:

_____
Luann Welmer
Clerk of the Common Council

Presented by me to the Mayor of Columbus, Indiana, this _____ day of _____, 2014 at _____ o'clock _____.M.

_____
Luann Welmer
Clerk-Treasurer

Approved and signed by me this _____ day of _____, 2014, at _____ o'clock ____.M.

_____
Kristen S. Brown
Mayor of the City of Columbus, Indiana

RESOLUTION NO: 4 -2014

RESOLUTION OF THE COLUMBUS REDEVELOPMENT COMMISSION TO RECONSTRUCT ROADS IN WOODSIDE INDUSTRIAL PARK

Comes now the City of Columbus Department of Redevelopment, more commonly known as the City of Columbus Redevelopment Commission, and for this Resolution, says as follows:

WHEREAS, Indiana Code §36-7-14-1 *et seq.* provides that a community may establish a Department of Redevelopment to be controlled by a Redevelopment Commission; and

WHEREAS, the City of Columbus, through its Common Council, did on August 19, 2003 create the City of Columbus Department of Redevelopment and the City of Columbus Redevelopment Commission ("Redevelopment Commission") by way of Ordinance Number 25, 2003; and

WHEREAS, the Redevelopment Commission did create a TIF district for what has become commonly known as the Woodside Industrial Park consisting of certain roads and roadways;

WHEREAS on March 17, 2014 pursuant to Resolution No. 3-2014 the Redevelopment Commission did determine that a project was necessary to reconstruct the following roads in the Woodside Industrial Park: International Drive, International Court, Old Lane, Interlake Drive, Barker Drive, Inwood Drive, Norcross Drive and West 175.

WHEREAS on the Redevelopment Commission determined that it would fund the cost of said reconstruction project pursuant to Ind. Code § 36-7-14-39(b)(2)(G).

WHEREAS Elizabeth Fizel, Engineer for the City of Columbus, prepared the necessary bid documents and submitted them for consideration to various contractors.

WHEREAS on April 14, 2014 the Redevelopment Commission, in special session, did receive two bids for said reconstruction project; the bids were opened in a public meeting and handed off to Ms. Fizel for consideration.

NOW, THEREFORE, BE IT RESOLVED:

1. The City of Columbus Redevelopment Commission having heard from the City of Columbus Engineer, Elizabeth Fizel finds and concludes that of the bids received for the reconstruction project of International Drive, International Court, Old Lane, Interlake Drive, Barker Drive, Inwood Drive, Norcross Drive and West 175 in the Woodside Industrial Park that the bid should be awarded to: Milestone Contractors, LP for the amount of $1,430,887.00.

2. The Redevelopment Commission does agree to fund said project and also a contingency amount not to exceed twenty percent (20%) of the total bid price or the sum of $286,117.40.

3. Said funding is made available pursuant to Ind. Code § 36-7-14-39(b)(2)(G).

4. Further, the cost of this project exceeds the sum of $500,000 as set for in the Redevelopment Enabling Ordinance Number 25, 2003 and therefore approval by the Common Council of the City of Columbus is required.

5. The Redevelopment Commission does therefore recommend to the Common Council of the City of Columbus that this reconstruction project should be approved for the benefit of commerce, economic interest and development, social interest and public utility of the City of Columbus.

6. Further, the Redevelopment Commission does hereby recommend that the City of Columbus through its Board of Public Works and Safety enter into a contract with the above named contractor for reconstruction of said roads in an amount not to exceed the sum set forth above.

Adopted this __21st__day of April, 2014.

Kristen Brown, President

~~Sarah Cannon~~, Vice-President
FRANK JEROME

Dave Wright, Secretary

ORDINANCE NO. ___, 2014
AMENDED FROM ORDINANCE NO. 18, 2013
2014 SALARY ORDINANCE

AN ORDINANCE FIXING SALARIES AND WAGES OF OFFICERS AND EMPLOYEES OF THE CITY OF COLUMBUS, INDIANA FOR CALENDAR YEAR 2014.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF COLUMBUS, INDIANA:

SECTION I - SALARIED

That, and from after the first day of January, 2014, the following salaried employees of the City of Columbus, Indiana shall receive no more than the amount listed below the column named "MAXIMUM." The "Entry" column is entered as a guideline for suggested beginning salary.

	SALARY ENTRY	SALARY MAXIMUM
ANIMAL CARE SERVICES CENTER		
Animal Care Services General Manager	$ 35,363	$ 50,519
Animal Care Services Enforcement Manager	$ 32,149	$ 45,927
Animal Care Services Officer (3)	$ 25,819	$ 36,884
AVIATION		
Manager	$ 53,063	$ 75,804
Assistant Manager	$ 44,083	$ 62,975
Office Supervisor	$ 25,148	$ 35,925
Maintenance Manager	$ 38,468	$ 54,954
BOARD OF WORKS		
Citizens Members(4)	$ 1,817	$ 2,595
CITY GARAGE DEPARTMENT		
MVH:		
Director City Garage	$ 45,988	$ 65,697
MVH Foreman	$ 30,323	$ 43,318
Sanitation:		
Sanitation Foreman	$ 30,323	$ 43,318
Office Administrator	$ 25,936	$ 37,052
Secretary	$ 24,847	$ 35,495
Traffic:		
Foreman	$ 30,323	$ 43,318
CITY HALL/FACILITIES		
Building Supervisor	$ 35,525	$ 50,750
CLERK-TREASURER		
Administrative Assistant	$ 23,994	$ 34,277
Chief Deputy Clerk Treasurer	$ 38,925	$ 55,607
Accts Payable/Receivable	$ 28,434	$ 40,620
Payroll and Benefits Manager	$ 32,792	$ 46,845
Deputy Clerk Treasurer	$ 29,551	$ 42,215
COMMUNITY DEVELOPMENT		
Director	$ 49,505	$ 70,722
Communications and Program Coordinator	$ 32,892	$ 46,989
Secretary	$ 24,846	$ 35,494
ENGINEERING		
City Engineer	$ 56,263	$ 80,376
Assistant Engineer	$ 45,759	$ 65,370
Senior Engineering Technician	$ 37,804	$ 54,006
Engineering Technicians (3)	$ 27,875	$ 39,822

FIRE DEPARTMENT				
Master Mechanic (Civilian)	$ 32,052	$ 45,788		
Chief & Director of Emergency Management	$ 56,263	$ 80,376		
Deputy Chief (2)	$ 39,306	$ 56,152		
Battalion Chiefs (4)	$ 38,056	$ 54,365		
Investigator/Inspectors (2)	$ 36,717	$ 52,453		
Public Information Officer (1)	$ 36,717	$ 52,453		
Captains (6)	$ 36,717	$ 52,453		
Training Officer	$ 36,717	$ 52,453		
Lieutenants (18)	$ 35,542	$ 50,774		
Firefighters (60)	$ 31,088	$ 44,412		
Administrative Asst / Fire Systems Operator	$ 24,850	$ 35,500		
Chief's Secretary / Records Clerk	$ 24,850	$ 35,500		
HUMAN RESOURCES				
Director of Human Resources	$ 49,505	$ 70,722		
Benefits Coordinator	$ 26,685	$ 38,121		
HUMAN RIGHTS				
Director	$ 49,505	$ 70,722		
Deputy Director	$ 32,040	$ 45,771		
Secretary	$ 24,846	$ 35,494		
INFORMATION SERVICES				
Asst Manager of Information Services	$ 38,516	$ 55,023		
Technician	$ 30,300	$ 43,285		
LEGAL DEPARTMENT				
City Attorney	$ 56,263	$ 80,376		
MAYOR'S OFFICE				
Executive Secretary	$ 28,486	$ 40,694		
METROPOLITAN PLANNING				
Manager	$ 43,903	$ 62,719		
OPERATIONS AND FINANCE				
Director of Operations and Finance	$ 53,709	$ 76,727		
Financial Analyst / Purchasing Manager	$ 29,988	$ 42,840		
Technical Operations Resource	$ 28,618	$ 40,883		
PARK AND RECREATION				
Director of Parks & Recreation	~~$0~~	~~$0~~	$58,878	$84,111
Director of Business Services	$ 47,583	$ 67,975		
Administrative Assistant	$ 31,760	$ 45,371		
Park Maintenance Manager	$ 39,057	$ 55,795		
Director of Sports Program and Athletic Facilities	$ 44,083	$ 62,975		
Accounts Payable Specialist	$ 24,846	$ 35,494		
Sports Coordinator	$ 28,618	$ 40,883		
Secretary - Park Operations	$ 24,846	$ 35,494		
Customer Service Specialist	$ 24,846	$ 35,494		
Payroll/HR Specialist	$ 24,846	$ 35,494		
Project & Resource Development Director	$ 39,057	$ 55,795		
Recreation/CGC Program Manager	$ 36,934	$ 52,763		
Marketing Coordinator	~~$ 79,471~~	~~$ 79,471~~	$28,618	$40,883
Aquatics Director	$ 37,080	$ 52,971		
The Commons Manager	$ 39,057	$ 55,795		
The Commons Administrative Asst	$ 24,846	$ 35,494		

Receptionist/Lead Secretary CGC/FFY....	$ 24,846	$ 35,494
Hamilton Center Secretary.....	$ 24,846	$ 35,494
Hamilton Center Manager.....	$ 28,547	$ 40,782
POLICE PARKING METER OFFICE		
Administrative Specialist Supervisor	$ 24,954	$ 35,648
Meter Attendants (1)	$ 22,168	$ 31,668
PLANNING DEPARTMENT		
Director	$ 56,245	$ 80,350
Assistant Director	$ 46,015	$ 65,735
Senior Planner(2).....	$ 36,842	$ 52,632
Associate Planners (2)	$ 29,763	$ 42,518
Office Administrator	$ 26,331	$ 37,615
Enforcement Coordinator	$ 32,155	$ 45,936
POLICE DEPARTMENT		
Chief	$ 47,037	$ 67,195
Deputy Chief (1).....	$ 42,760	$ 61,086
Captains (2)	$ 40,724	$ 58,177
Public Safety Public Information Officer	$ 38,785	$ 55,407
Lieutenants (7)	$ 38,785	$ 55,407
Sergeants (13)	$ 36,938	$ 52,768
Patrol Officers (55)	$ 32,120	$ 45,886
Mechanic	$ 28,994	$ 41,420
Secretary - Chief	$ 26,088	$ 37,269
Administrative Specialist (4)	$ 23,994	$ 34,277
REDEVELOPMENT		
Director of Redevelopment	$ 49,505	$ 70,722
TRANSIT		
Coordinator	$ 30,323	$ 43,318
Operations Asst	$ 25,936	$ 37,052
TECHNOLOGY ADVISORY COMMITTEE		
Community Information Technology Executive....	$ 50,222	$ 71,746

SECTION II - HOURLY

That, and from after the First day of January, 2014, the following hourly employees of the City of Columbus, Indiana shall receive no more than the rate listed below the column named "MAXIMUM." The "ENTRY" column is entered as a guideline for a suggested beginning salary.

	ENTRY	MAXIMUM
ANIMAL CARE SERVICES CENTER		
Kennell Assistant	$ 10.30	$ 14.72
Part Time Kennel Assistants (2)	$ 7.25	$ 10.00
AVIATION		
Maintenance Laborer (2)	$ 11.75	$ 16.79
Part Time Laborers (4)	$ 8.09	$ 11.55
Maintenance Intern - Seasonal (2)	$ 7.79	$ 11.13
Administrative Intern - Seasonal (1)	$ 7.79	$ 11.13
CITY GARAGE DEPARTMENT		
MVH:		
Operators (5)	$ 13.10	$ 18.71
Drivers (5)	$ 12.47	$ 17.82
Drivers/Skilled Trade (6)	$ 12.82	$ 18.32

Sanitation:				
Operator (4)	$	13.10	$	18.71
Drivers (16)	$	12.47	$	17.82
Part Time Driver (5)	$	10.16	$	14.51
Shop and Garage:				
Mechanic	$	15.19	$	21.70
Mechanic's Assistant	$	13.10	$	18.71
Driver	$	12.47	$	17.82
Traffic:				
Drivers (4)	$	12.47	$	17.82
CITY HALL/FACILITIES				
Building and Grounds Maintenance (2)	$	11.24	$	16.05
Custodian (2)	$	10.59	$	15.13
COMMUNITY DEVELOPMENT				
Special Events Coordinator	$	9.63	$	13.75
PARK AND RECREATION - Full Time				
Athletic Facilities Assistant Team Leader	$	13.06	$	18.66
Assistant Head Custodian FFY	$	13.06	$	18.66
Mechanic (1)	$	15.62	$	22.31
Assistant Mechanic	$	13.06	$	18.66
Maintenance Supervisor	$	17.06	$	24.37
General Operator	$	13.06	$	18.65
Head Custodian	$	13.98	$	19.97
Assistant Team Leader - Grounds (2)	$	13.06	$	18.66
Head Custodian FFY	$	13.98	$	19.97
Team Leader - Grounds	$	13.98	$	19.97
Athletic Facilities Supervisor	$	15.60	$	22.28
Athletic Facilities Laborer (2)	$	10.60	$	15.14
Team Leader	$	13.98	$	19.97
Laborer - Maintenance and Grounds (6)	$	10.60	$	15.14
Assistant Team Leader	$	13.06	$	18.66
Donner Custodian	$	10.60	$	15.14
Custodian - FFY (4)	$	10.60	$	15.14
PARK AND RECREATION - Part Time & Seasonal				
Park Patrol (6)	$	11.02	$	15.74
Part Time Maintenance & Grounds Laborer (11)	$	7.79	$	11.13
Office Worker (3)	$	8.97	$	12.81
Landscape Mgmt. Interns (4)	$	7.79	$	11.13
Recreation Staff Member (50)	$	10.98	$	15.69
Donner Night Supervisor (8)	$	7.53	$	10.75
Donner Pool Guards (35)	$	9.68	$	13.83
Donner Center Part Time Custodian	$	7.79	$	11.13
Donner Pool Staff Member (50)	$	15.46	$	22.08
Custodian - FFY	$	7.79	$	11.13
Secretary Park OPS	$	11.94	$	17.06
PARK AND RECREATION - NON REVERTING				
The Commons Maintenance Team Leader	$	13.98	$	19.97
The Commons Maintenance Asst. Team Leader.	$	13.06	$	18.66
The Commons Maintenance Labor (4)	$	10.60	$	15.14
Hamilton Center Operations Manager	$	13.06	$	18.65
Hamilton Center Staff Member (PT) (35)	$	15.92	$	22.74
Customer Service Specialist	$	7.25	$	9.95
Athletic Facilities Laborer (FT) (2)	$	10.59	$	15.13
Recreation Leaders (25)	$	10.98	$	15.68
Gymnastics Staff Members (20)	$	13.53	$	19.33
Sports Staff Members (50)	$	14.97	$	21.39
Concession/Batting Cage Attendents (PT) (12)	$	9.41	$	13.44
PLANNING DEPARTMENT				
Office Assistant	$	9.63	$	13.76

TRANSIT

Bus Driver (15)	$ 12.47	$ 17.82
Mechanic	$ 15.19	$ 21.70
On-Call Driver (9)	$ 12.47	$ 17.82
Part-time Administrative (3)	$ 8.97	$ 12.81

SECTION III - OTHER PAYMENTS

The Following Maximum Expenditures shall be allowed in compliance with provisions of the City Personnel Policy as currently in force.

ANIMAL CARE SERVICES CENTER

Overtime	$ 4,668
Faithful Service	$ 1,200

AVIATION

Overtime	$ 5,000

CITY GARAGE DEPARTMENT

MVH:	
Overtime	$ 82,836
Faithful Service	$ 7,500
Sanitation:	
Overtime	$ 79,823
Faithful Service	$ 1,200
Shop and Garage:	
Overtime	$ 13,042
Traffic:	
Overtime	$ 20,994
Faithful Service	$ 1,200

CITY HALL/FACILITIES

Overtime	$ 4,152
Faithful Service	$ 3,000

ENGINEERING

Faithful Service Pay	$ 2,400

FIRE DEPARTMENT

Scheduled Overtime	$ 166,472
Unscheduled Overtime	$ 145,529
Longevity (Per Policy)	$ 436,000
Additional Service (Per Policy)	$ 7,200
Holidays (Per Policy)	$ 176,095
Uniforms ($900 Per Person)	$ 84,894
College Credit (Per Policy)	$ 63,900
Hazmat Certification Pay	$ 28,500
EMS Certification Pay	$ 72,000
Military Service Pay	$ 12,000

HUMAN RIGHTS

Overtime	$ 482

PARK AND RECREATION

Overtime	$ 30,000
Faithful Service Pay	$ 6,100

POLICE DEPARTMENT

Faithful Service	$ 3,600
Overtime	$ 164,536

Longevity (Per Policy)	$ 219,568
Detective Incentive Pay (Per policy).....	$ 20,400
Uniforms ($900 Per Officer)	$ 72,900
College Credit & Military Pay (Per Policy)	$ 186,450
Shift Differential (5% & 10%)	$ 138,800
Total Per Diem for School Guards ..... (max $33.12 Per Guard Per Day)	$ 124,610
Uniforms ($500 Per Parking Attendant)	$ 500
Specialty Pay - Total:	$ 78,000
$1,000 per year: K-9, SWAT, Water Rescue, Bomb Technicial $500 per year: FTO, Accident Reconstructionist, Polygraph Examiner, Negotiator, CSI, ILEA Instructor, Breath Test Operator, Bike Patrol, Drug Recognition Expert, Translator, D.A.R.E. Instructor, Honor Guard	

TRANSIT DEPARTMENT

Overtime	$ 37,244
Faithful Service.....	$ 3,900

PASSED BY THE COMMON COUNCIL OF THE CITY OF COLUMBUS, INDIANA on this the _____ day of _____, 2014, by vote of ____ ayes and ____ nays.

_____
Presiding Officer of the Common Council
of Columbus, Indiana

ATTEST:

_____
Clerk of the Common Council of Columbus, Indiana

Presented by me to the Mayor of Columbus, Indiana, this _____ day of _____, 2014, at _____ o'clock, __.M.

_____
Clerk-Treasurer of the City of
Columbus, Indiana

Approved and signed by me this _____ day of _____, 2014, at _____ o'clock ____.M.

_____
Mayor of the City of Columbus, Indiana

Proposed Changes:

Parks:

*Return Director Salary to original amount (increase from $0/$0 to $58,878/$84,111)

*Return Marketing Coordinator Salary to original amount
(decrease from $79,471/$79,471 to $28,618/$40,883)