



## STAFF REPORT

### CITY OF COLUMBUS PLAN COMMISSION (February 14, 2024 Meeting)

<b>Docket No. / Project Title:</b>	ANX-2024-002 (JOLI Development)
<b>Staff:</b>	Andres M. Nieto
<b>Applicant(s):</b>	JOLI Development (Joseph W. Conner), Joshua Aciukewicz, and Lentell Properties, LLC (John Whittington)
<b>Property Size:</b>	+/- 289.44 Acres
<b>Current Zoning:</b>	AP (Agriculture: Preferred) CC (Commercial: Community)
<b>Location:</b>	To the southeast of the current Columbus city limits along State Street/State Road 46 beginning at approximately Fairview Drive and extending to County Road 250 East, in Columbus Township.

#### Background Summary:

The applicants have indicated that the proposed annexation is for the purpose of long-term future residential development of their properties, which include approximately 64 acres. The remaining acreage has been included in the annexation petition to satisfy Indiana law requirements for the contiguity of the annexation area with the existing city limits. The proposed annexation includes two property owners, Clifty Creek Farm, LLC and Mark Rediker, who are not petitioners.

#### Key Issue Summary:

The following key issue(s) should be resolved through the consideration of this application: Is this property a logical and appropriate addition to the City of Columbus.

#### Preliminary Staff Recommendation:

Favorable recommendation to the City Council.

#### Plan Commission Options:

In reviewing a request for annexation 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 request to the City Council with no recommendation, or (4) continue the review to the next Plan Commission meeting. The City Council makes all final decisions regarding annexation applications.

#### Considerations / Decision Criteria:

Indiana law requires that, 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 18% 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.

<b>Current Property Information:</b>	
<b>Existing Land Use:</b>	Agriculture
<b>Existing Site Features:</b>	Woods, Clifty Creek, A Single-Family Home (Farm Dwelling)
<b>Flood Hazards:</b>	Floodway, 100-year floodway fringe, 500-year floodway fringe.
<b>Special Circumstances:</b> (Airport Hazard Area, Wellfield Protection Area, etc.)	N/A
<b>Vehicle Access:</b>	State Street / State Road 46 (Principle Arterial, Residential / Commercial, Suburban / Rural) 250 East (Collector, Residential, Rural) 100 South (Collector, Residential, Rural)

<b>Surrounding Zoning and Land Use:</b>		
	<b>Zoning:</b>	<b>Land Use:</b>
<b>North:</b>	I1 (Industrial: Light) CC (Commercial: Community) P (Public/Semi-Public Facilities) AP (Agriculture: Preferred)	Agriculture, Storage facility, Single-family residential, Clifty Park
<b>South:</b>	AP (Agriculture: Preferred)	Agriculture
<b>East:</b>	AP (Agriculture: Preferred)	Agriculture, Single-family residential

<b>West:</b>	I2 (Industrial: General) CC (Commercial: Community) RS4 (Residential: Single-family 4)	Single-family residential (Wehmeier Addition), MacAllister Rentals.
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<b>Interdepartmental Review:</b>	
<b>City Engineering:</b>	No response.
<b>City Utilities:</b>	City Utilities can provide sanitary sewer service to the area proposed for annexation in the same manner as provided to similar properties within the City limits. We will work with the developers to determine the best way to serve the area for short- and long-term growth.
<b>Parks Department:</b>	Parks has no issues as of now with the properties being undeveloped/agriculture for the short-term.  Long-term, when there is residential development, we would have comments.
<b>Police Department:</b>	No response.
<b>Fire Department:</b>	CFD will be able to provide fire protection for these properties through our automatic/mutual aid agreements with the surrounding township fire departments. The length of the driveway to the (Rediker) home will require us to utilize long hose lays and possibly dump tanks to supply sufficient water for a working structure fire. The apparatus requirements can be included in our dispatch notes to ensure the dispatchers send the proper equipment in the event of an emergency at this location.
<b>Public Works Department:</b>	Looking as if this property were to be developed it would require us to reroute our Sanitation routes and possibly add a new route as this area is isolated from the existing route. Sanitation routes are not just trash collection; we have multiple collections on a single day for residents including curbside recycling, brush collection, yard waste collection, and bulky collections.  This annexation added along with multiple other recent annexations and additional neighborhoods would require additional manpower to continue offering quality service as expected.  Initial budget impact – Increased tonnage for trash and recycle collections, additional toter purchase would need to be considered as well (potentially of up to 3 toters per resident depending on services selected), fuel, and equipment maintenance.  Street Department will see an impact regarding snow removal and road repairs. Biggest impact is slower response time trying to cover more area with same amount of staff and equipment.
<b>Animal Care Services:</b>	No response.

<b>Human Rights Department:</b>	No response.
<b>City Administration:</b>	No response.
<b>Eastern Bartholomew Water Corporation:</b>	EBWC would be able to meet the necessary requirements for fire protection, keeping in mind that we are not a “fire rated” system.

**Comprehensive Plan Consideration(s):**

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

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

1. **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.*
2. **POLICY A-2-13:** Encourage growth to take place at a rate that enables the city to maintain the high quality of public services.  
*Growth that is too rapid would outpace the city’s ability to provide services such as police, fire, and trash pick-up, and it would strain facilities such as schools and parks.*
3. **POLICY A-4-3:** Prevent urban sprawl.  
*Sprawling development patterns waste land and cost tax dollars. Development should be compact and orderly.*
4. **POLICY A-4-6:** Encourage wise use of infrastructure dollars.  
*There are limited public resources for construction or improvement of streets, sewer systems, water systems, drainage systems, and other similar facilities. These expenditures are affected by the pattern of development, and costs should be considered in conjunction with development proposals.*
5. **POLICY A-4-7:** Require new development to take place in an orderly fashion to facilitate efficient provision of services at reasonable cost.  
*Public services, such as police and fire protection, school busing, trash pick-up, road maintenance, and snow removal all cost more when development is scattered rather than compact.*
6. **GOAL D-1:** Develop new housing where adequate public services can be provided economically.
7. **POLICY D-1-1:** Promote orderly housing expansion in locations where the city’s infrastructure and services have the capacity to accommodate growth. *New neighborhoods should have adequate infrastructure and services. Road networks should be safe, there should be adequate sewage disposal and a safe drinking water supply, there should be adequate police and fire protection and trash pick-up. The city should guide new development to areas where these services will be available at reasonable cost.*
8. **POLICY D-1-2:** Use road and utility expansion to control direction growth. *Development tends to follow infrastructure such as streets and utilities. The city should use its investments in this infrastructure to direct growth in accordance with an overall plan.*
9. **POLICY D-1-3:** Encourage development adjacent to already developed areas. *Compact development contiguous to already developed areas is the most economical and convenient urban form, and the city should encourage that type of development.*

Portions of the annexation area are located in the East Columbus character area. The following Planning Principle(s) apply to this application:

1. Encourage new housing development.
2. Because the agricultural area is in the likely path of future development, conversion of farmland to nonfarm uses should be considered as utilities and other infrastructure become available. Such land should be annexed to Columbus before any developments takes place.

Portions of the annexation area are located in the Eastern Rural character area. The following Planning Principle(s) apply to this application:

1. Agriculture should continue to be the dominant use in the area.
2. All non-farm related development relying on septic systems should be prohibited.
3. Residential development should be permitted only in areas contiguous to existing developed areas and should be annexed to the City of Columbus wherever possible. Strip residential development should be prohibited.

The western portion of the annexation area (west of Clifty Creek) was included in the State Street Corridor Plan Element's study area. The Plan calls for future retail-commercial development, "especially as residential neighborhoods revitalize and new housing is built in and around the corridor". It adds "new retail development often locates in areas with certain residential densities and demographic make-up" and "as the residential population around State Street grows over time, new retail will likely become more viable".

### **Planning Consideration(s):**

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

1. The applicants have indicated that the proposed annexation is for the purpose of long-term future residential development of their properties, which include approximately 64 acres.
2. The majority of the property in the proposed annexation area is zoned AP (Agriculture: Preferred). Approximately 5.3 acres located at the northwest corner of State Street and County Road 250 East is zoned CC (Commercial: Community).
3. This annexation will include approximately 3,780 feet of State Street (3/4 mile), 1,000 feet of County Road 100 South (1/5 mile), and 2,640 feet of County Road 250 East (1/2 mile). A total of 1.4 miles of additional roads will be added to the City as an immediate result of the annexation.
4. The proposed annexation would result in 7 properties becoming surrounded by Columbus city limits while remaining unincorporated. The Planning Department has contacted these property owners by mail inviting their participation in the annexation.
5. The proposed annexation represents a unique opportunity to extend the city limits across the Clifty Creek floodplain and expand opportunities for long-term City growth.
6. Future residential development along the State Street Corridor will in-directly support re-investment in the State Street corridor by adding additional residents / consumers to the area.
7. The properties adjacent on the east side of the City of Columbus corporate limits are partially or completely located in the Clifty Creek floodway and floodplain – this includes the properties owned by the non-petitioners Clifty Creek Farms, LLC and Mark Rediker. Any development or land-altering activity is prohibited in the floodway by the zoning ordinance.
8. The property included in this annexation request is currently used almost exclusively as agriculture – the only exception is a vacant lot along State Street. The only home in the annexation area is the farm dwelling located on the Rediker property.
9. The Columbus Strategic Growth Study, completed by the Planning Department in 2017, looked to provide analysis and recommendations regarding the City's long-term growth. The non-floodplain properties included in this annexation area are primarily identifies as Tier 2 growth areas, with few or minor constraints to long-term growth. Water and sewer service were identified then as the primary constraints. Both Columbus City Utilities (sewer service) and Eastern Bartholomew Water Corporation (water service) have indicated that the annexation area can now be adequately served.

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**City of Columbus - Bartholomew County Planning Department**  
**Petition for Annexation into the City of Columbus, Indiana**

Submit the petition by e-mail to [planning@columbus.in.gov](mailto:planning@columbus.in.gov). If questions, please call: 812.376.2550.  
Submittal instructions available at <https://www.columbus.in.gov/planning/applications-forms/>.

**To be Completed by the Planning Department**

Petition Received on (date): 1/10/24 by (initials): JAM

Docket No.: ANX-2024-002 Current Zoning District: AP

Township: Columbus

Total Annexation Area (including adjacent right-of-way, etc.): +/-289.44

**Annexation Reasons:**

Explain the reason(s) for the proposed this annexation.

Annexation is requested to allow the potential for the properties to be developed for residential subdivisions

**Annexation Area Parcel Number(s):**

Please list below the numbers of all parcels proposed to be included in the annexation (Sample: 03-95-25-120-002.600-005).

**Columbus Property Tax Rate Exemption:** Indiana Code Section 36-4-3-4.1 allows the City to exempt from its additional tax rate after annexation any property that is assessed as agricultural land at the time of annexation for so long as it retains that agricultural assessment. Please check the box  below following any parcel number for with this exemption is sought.

<u>03-96-33-000-001.700-004</u> <input checked="" type="checkbox"/>	<u>03-96-29-000-000.500-004</u> <input checked="" type="checkbox"/>
<u>03-96-33-000-001.900-004</u> <input checked="" type="checkbox"/>	<u>03-96-32-000-000.100-004</u> <input checked="" type="checkbox"/>
<u>03-96-33-000-001.000-004</u> <input checked="" type="checkbox"/>	_____ <input type="checkbox"/>
<u>03-96-33-000-001.600-004</u> <input checked="" type="checkbox"/>	_____ <input type="checkbox"/>
<u>03-96-32-000-000.200-004</u> <input checked="" type="checkbox"/>	_____ <input type="checkbox"/>

Copy of Deeds Attached

*A legal description is required for all annexation requests; please attach a deed for every property to be included in the annexation area.*

**Representative / Notification Information (if applicable):**

*The surveyor, attorney, land developer, or other person authorized to act on behalf of the property owner(s) and to whom all correspondence regarding the petition should be directed (if none, please indicate "none" for the Representative Person's Name below).*

Representative Person's Name: Joseph W. Conner

Representative's Company Name: JOLI Development

Mailing Address: 4511 E. Base Rd Columbus IN 47201  
(number) (street) (city) (state) (zip)

Phone No.: 812-343-5488 E-mail Address: jceye2020@comcast.net

**All correspondance will be by e-mail unless another method has been agreed upon by the Planning Department.**

**Property Owner # 1 Information & Signature:**

*The owner DOES NOT include a tenant or contract buyer.*

Property Owner Name: JOLI Development

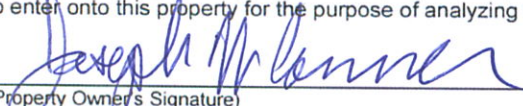
Property Owner Contact Person Name (if applicable): Joseph Conner

Mailing Address: 4511 E. Base Rd. Columbus IN 47201  
(number) (street) (city) (state) (zip)

Phone No.: 812-343-5488 E-mail Address: jceye2020@comcast.net

**All correspondance will be by e-mail unless another method has been agreed upon by the Planning Department.**

The information included in and with this petition is completely true and correct to the best of my knowledge and belief. I authorize the filing of this petition for the parcels in my ownership listed on page 1 and will allow the Planning Department staff to enter onto this property for the purpose of analyzing this request.

  
(Property Owner's Signature)

1/6/2024  
(Date)

Joseph W. Conner  
(Property Owner's Printed Name)

Signer's Ownership Role or Representation:

*If the person signing as the property owner is not specifically listed as such in the records of Bartholomew County, please indicate their relationship to that officially listed person, role in that corporation or entity, etc. below.*

Joseph W. Conner is a signing member of JOLI Development  
(Signer's Ownership Role or Representation)

**Property Owner # 2 Information & Signature:**

*The owner DOES NOT include a tenant or contract buyer.*

Property Owner Name: Joshua Aciukewicz

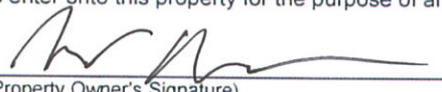
Property Owner Contact Person Name (if applicable): Joshua Aciukewicz

Mailing Address: 4123 N. Riverside Dr. Columbus IN 47201  
(number) (street) (city) (state) (zip)

Phone No.: 507-574-8997 E-mail Address: josh.aciukewicz@outlook.com

**All correspondance will be by e-mail unless another method has been agreed upon by the Planning Department.**

The information included in and with this petition is completely true and correct to the best of my knowledge and belief. I authorize the filing of this petition for the parcels in my ownership listed on page 1 +and will allow the Planning Department staff to enter onto this property for the purpose of analyzing this request.

  
(Property Owner's Signature)

1/6/2024  
(Date)

Joshua Aciukewicz  
(Property Owner's Printed Name)

Signer's Ownership Role or Representation:

*If the person signing as the property owner is not specifically listed as such in the records of Bartholomew County, please indicate their relationship to that officially listed person, role in that corporation or entity, etc. below.*

\_\_\_\_\_  
(Signer's Ownership Role or Representation)



**Property Owner # 3 Information & Signature:**

*The owner DOES NOT include a tenant or contract buyer.*

Property Owner Name: Lentell Properties, LLC

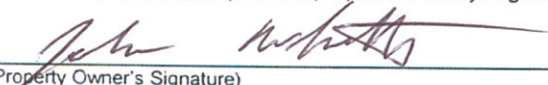
Property Owner Contact Person Name (if applicable): John Whittington

Mailing Address: 15200 E. 200 S. Columbus IN 47203  
(number) (street) (city) (state) (zip)

Phone No.: 317-727-9582 E-mail Address: whitt22@aol.com

**All correspondence will be by e-mail unless another method has been agreed upon by the Planning Department.**

The information included in and with this petition is completely true and correct to the best of my knowledge and belief. I authorize the filing of this petition for the parcels in my ownership listed on page 1 and will allow the Planning Department staff to enter onto this property for the purpose of analyzing this request.

  
(Property Owner's Signature)

1/8/2024  
(Date)

John Whittington  
(Property Owner's Printed Name)

Signer's Ownership Role or Representation:

*If the person signing as the property owner is not specifically listed as such in the records of Bartholomew County, please indicate their relationship to that officially listed person, role in that corporation or entity, etc. below.*

 owner Lentell Properties, LLC.  
(Signer's Ownership Role or Representation)

**Property Owner # 4 Information & Signature:**

*The owner DOES NOT include a tenant or contract buyer.*

Property Owner Name: Mark Rediker

Property Owner Contact Person Name (if applicable): \_\_\_\_\_

Mailing Address: 3244 Nugent Blvd. Columbus IN 47203  
(number) (street) (city) (state) (zip)

Phone No.: \_\_\_\_\_ E-mail Address: \_\_\_\_\_

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\_\_\_\_\_  
(Property Owner's Signature)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Property Owner's Printed Name)

Signer's Ownership Role or Representation:

*If the person signing as the property owner is not specifically listed as such in the records of Bartholomew County, please indicate their relationship to that officially listed person, role in that corporation or entity, etc. below.*

\_\_\_\_\_  
(Signer's Ownership Role or Representation)

**Property Owner # 5 Information & Signature:**

*The owner DOES NOT include a tenant or contract buyer.*

Property Owner Name: Clifty Creek Farm.LLC

Property Owner Contact Person Name (if applicable): \_\_\_\_\_

Mailing Address: 3735 E. State Street Columbus IN 47201  
(number) (street) (city) (state) (zip)

Phone No.: \_\_\_\_\_ E-mail Address: \_\_\_\_\_

**All correspondance will be by e-mail unless another method has been agreed upon by the Planning Department.**

The information included in and with this petition is completely true and correct to the best of my knowledge and belief. I authorize the filing of this petition for the parcels in my ownership listed on page 1 and will allow the Planning Department staff to enter onto this property for the purpose of analyzing this request.

\_\_\_\_\_  
(Property Owner's Signature)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Property Owner's Printed Name)

Signer's Ownership Role or Representation:

*If the person signing as the property owner is not specifically listed as such in the records of Bartholomew County, please indicate their relationship to that officially listed person, role in that corporation or entity, etc. below.*

\_\_\_\_\_  
(Signer's Ownership Role or Representation)

**Property Owner # 6 Information & Signature:**

*The owner DOES NOT include a tenant or contract buyer.*

Property Owner Name: Clifty Creek Farm, LLC

Property Owner Contact Person Name (if applicable): \_\_\_\_\_

Mailing Address: 3735 E. State Street Columbus IN 47201  
(number) (street) (city) (state) (zip)

Phone No.: \_\_\_\_\_ E-mail Address: \_\_\_\_\_

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The information included in and with this petition is completely true and correct to the best of my knowledge and belief. I authorize the filing of this petition for the parcels in my ownership listed on page 1 +and will allow the Planning Department staff to enter onto this property for the purpose of analyzing this request.

\_\_\_\_\_  
(Property Owner's Signature)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Property Owner's Printed Name)

Signer's Ownership Role or Representation:

*If the person signing as the property owner is not specifically listed as such in the records of Bartholomew County, please indicate their relationship to that officially listed person, role in that corporation or entity, etc. below.*

\_\_\_\_\_  
(Signer's Ownership Role or Representation)

**Property Owner # 7 Information & Signature:**

*The owner DOES NOT include a tenant or contract buyer.*

Property Owner Name: Clifty Creek Farm, LLC

Property Owner Contact Person Name (if applicable): \_\_\_\_\_

Mailing Address: 3735 E. State Street Columbus IN 47201  
(number) (street) (city) (state) (zip)

Phone No.: \_\_\_\_\_ E-mail Address: \_\_\_\_\_

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\_\_\_\_\_  
(Property Owner's Signature)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Property Owner's Printed Name)

Signer's Ownership Role or Representation:

*If the person signing as the property owner is not specifically listed as such in the records of Bartholomew County, please indicate their relationship to that officially listed person, role in that corporation or entity, etc. below.*

\_\_\_\_\_  
(Signer's Ownership Role or Representation)

**Property Owner # \_\_\_\_\_ Information & Signature:**

*The owner DOES NOT include a tenant or contract buyer.*

Property Owner Name: \_\_\_\_\_

Property Owner Contact Person Name (if applicable): \_\_\_\_\_

Mailing Address: \_\_\_\_\_  
(number) (street) (city) (state) (zip)

Phone No.: \_\_\_\_\_ E-mail Address: \_\_\_\_\_

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\_\_\_\_\_  
(Property Owner's Signature)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Property Owner's Printed Name)

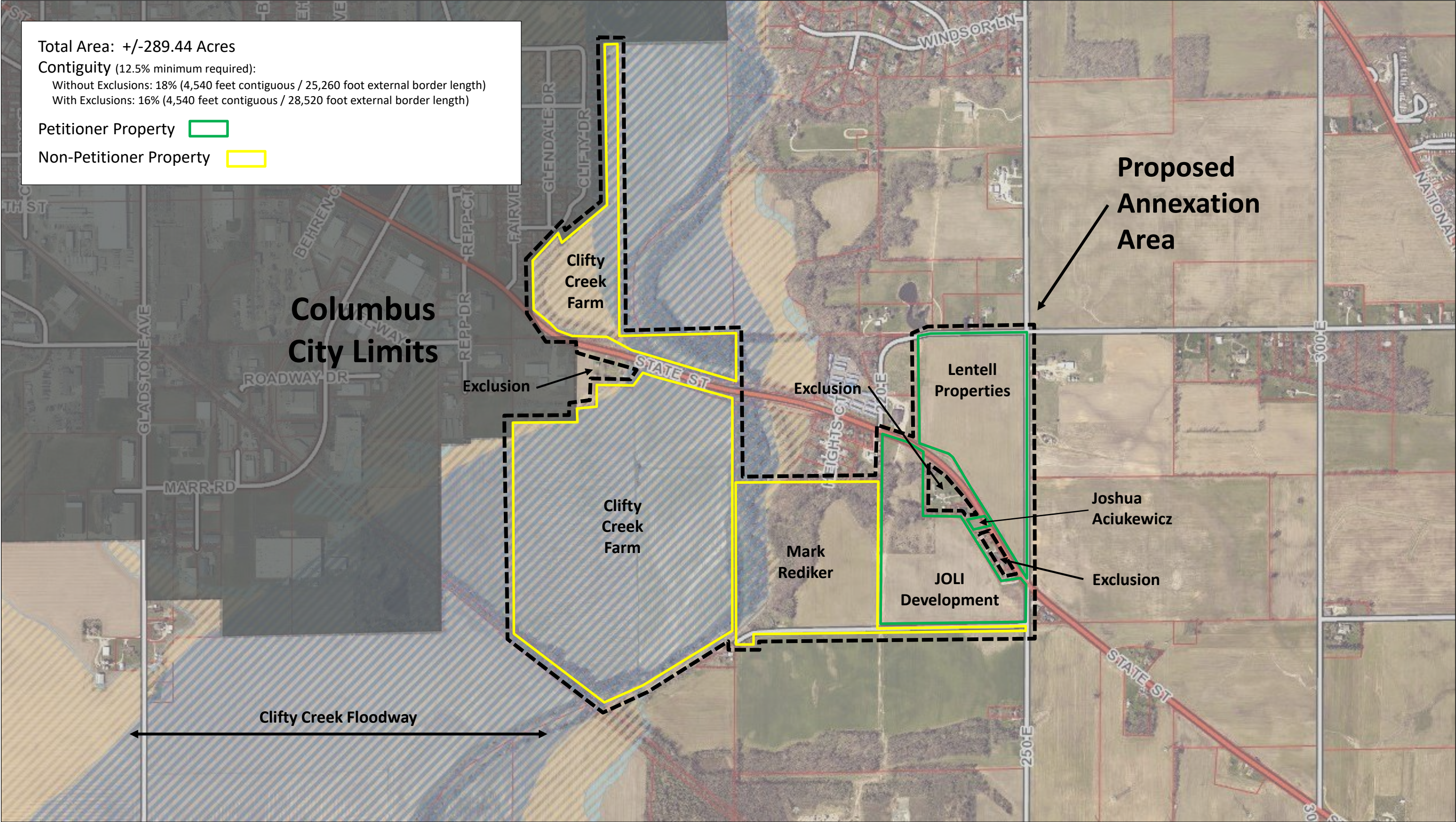
Signer's Ownership Role or Representation:

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\_\_\_\_\_  
(Signer's Ownership Role or Representation)

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# JOLI Development Annexation (ANX-2024-002): Overview



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# JOLI Development Annexation (ANX-2024-002): Included Right-of-Way

