

**RESOLUTION NO. 2020-09-14-a**

**RESOLUTION OF THE OLIVE TOWNSHIP BOARD REGARDING THE INDIANA ENTERPRISE CENTER**

**WHEREAS**, Olive Township (the "Township") recognizes that industrial development has occurred within the Core Development Area ("Core Area") of the Indiana Enterprise Center ("IEC") and that additional industrial and commercial growth is likely to occur in that area due to the presence of utilities, infrastructure and conditions which are favorable to development; and

**WHEREAS**, while growth and development are important for the Township, the Town of New Carlisle (the "Town"), St. Joseph County and the larger region, development must be done in a responsible and planned manner that allows for proper protections for the area through zoning and design controls, proper protections for existing neighboring property owners through landscaping, buffering and proper setback, and proper protections for the environment, especially the aquifer and the Kankakee River; and

**WHEREAS**, the Township is concerned about the expanse of the geographic area of the IEC. the Township seeks to define the boundaries of the Core Area, minimizing the industrial and commercial uses allowable within the Core Area to achieve responsible, planned and orderly growth; and

**WHEREAS**, the Township desires to amend the IEC Area Management Plan as described in this Resolution by working with the St. Joseph County Board of Commissioners (the "Commissioners"), the St. Joseph County Redevelopment Commission (the "Commission"), and the Town Council of New Carlisle to consider the needs and concerns of each municipality and its citizenry and create a memorandum of understanding to that effect.

**NOW, THEREFORE, BE IT RESOLVED** by the Township as follows:

**Section 1.** The Township requests the rezoning petition submitted by the Sebasty family (Bill 34-20) for the 640 acres south of State Road 2 be withdrawn. The Sebasty owned property that fronts on Edison Road and Early Road within the IEC Core can be refiled for zoning consideration at an appropriate time for potential development as determined by the Commission for industrial or appropriate commercial uses as agreed upon by the Commissioners, the Commission, the Township, and the Town without remonstrance from the Township.

**Section 2.** The boundaries of the IEC Core Development Area will be clearly identified in the IEC Area Management Plan as shown in the attached exhibit. New industrial growth will be targeted to occur within the boundary area. It should be noted that the Navistar Proving Grounds, Carris Reels, and industrial businesses that are on the east side of Smilax Road are considered part of the IEC but are not considered to be located within the Core Area. Rezoning requests for industrial or appropriate commercial uses as agreed upon by the Commissioners, the Commission, the Township, and the Town will be supported by all parties within the Core Area as the boundaries are generally consistent with the industrial growth and industrial reserve areas identified in the 2002 St. Joseph County Comprehensive Plan.

**Section 3.** The St. Joseph County Zoning Code and the Town of New Carlisle Zoning Code identify a number of permitted uses, special exception uses, and controlled uses in the zoning classifications applicable to the Core Area. The Township resolves to work with the Commissioners, the Commission, and the Town to minimize and define uses that are deemed as encouraged and acceptable commercial and industrial uses for future development in the Core Area. When applicable, this list of uses will be included with rezoning requests as written commitments to the St. Joseph County Council or the Town of New Carlisle Town Council, as applicable, for their consideration during the rezoning process.

**Section 4.** The Township and the Town have requested a buffer zone on the western edge of the Core Area be established. The Niespodziany Ditch and the Wooten Ditch, wetland and environmentally sensitive area, dramatic elevation changes, and protected woods and forested areas presently serve as a buffer between the Town and the industrial area. As such, the Niespodzany Ditch, from its connection point within the Wooten Ditch, to the point at which it crosses under the Norfolk-Southern Railroad tracks, should not be moved to preserve this buffer corridor.

**Section 5.** Design Guidelines and Standards shall be developed for the Core Area. These standards should be developed to supplement the language in the St. Joseph County Zoning Code and the Town of New Carlisle Zoning Code and address buffer zones and setbacks, green space requirements and development practices, landscaping that includes natural and native plantings, dark sky sensitive lighting, signage, drainage, integration of pedestrian paths and trails, and other sustainable features to differentiate the Core Area from other industrial areas in the County. The Design Guidelines and Standards should be followed in the planning of future development for the Core Area.

**Section 6.** The Township will not remonstrate against development within the Core that complies with the Design Guidelines and Standards and allowable commercial and industrial use types conceived of in this resolution and which will be committed to writing in a future memorandum of understanding.

**Section 7.** The Commission and the Commissioners shall work with the Town to determine the applicability of the use of funds from the New Carlisle Economic Development Area Tax Increment Finance (“TIF”) district to aid and assist in the development and expansion of a new water treatment facility being considered for construction by the Town. This new water treatment plant would replace the existing facility located at 31061 Edison Road. As part of the development of the new water treatment facility, the Town would establish a Water Capital Improvement Fund.

**Section 8.** St. Joseph County shall initiate the process of creating a new Countywide Comprehensive Plan, or a revision of the 2002 Comprehensive Plan, beginning this calendar year. The Commissioners and the staff of the Area Plan Commission will provide more direct, meaningful and on-going communication to the Township and the Town regarding the progress of the development or revision of the 2002 Comprehensive Plan. When applicable, the

Commission and the Commissioners will provide the Township and Town information about new economic development opportunities for the Core Area or in the County.

**Section 9.** Prior to the completion of a new Comprehensive Plan, or a revision of the 2002 Comprehensive Plan, there exists the potential that a new development project might be proposed for a site that exists outside the Core Area. In those instances, the County will follow the standard procedure for rezoning through the Area Plan Commission. The Township and the Town reserve the right to remonstrate against any property development outside the Core Area.

**Section 10.** Upon the adoption of a memorandum of understanding, the Commission will adjust the IEC Area Management Plan to reflect the agreed upon changes contained within the memorandum of understanding. Furthermore, a signed copy of the memorandum of understanding will be included as an Exhibit in the Appendix of the IEC Area Management Plan. Furthermore, the Commission will modify its marketing materials for the IEC to reflect the agreed upon changes within the memorandum of understanding.

**Section 11.** The Town will work to finalize a comprehensive plan for the Town of New Carlisle by third quarter 2021.

**Section 12.** This Resolution shall be in full force and effect upon its approval and adoption by the Commission.

ADOPTED THE 12 DAY OF OCTOBER 2020

<u>Aye</u>	<u>May</u>	OLIVE TOWNSHIP BOARD
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>TA Keen</u> Tom Keen, President
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>Carol Hesch</u> Carol Hesch, Member
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Susan Bradford</u> Susan Bradford, Member

Attest: Will Miller  
Will Miller, Trustee



## Phillips-Waters / SJC RDC Pending Rezoning Map

**Legend**

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|---|---|--|
| <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 15px; height: 10px; border: 1px solid black; margin-right: 5px;"></span> PENDING REZONINGS</li> <li><span style="display: inline-block; width: 15px; height: 10px; border: 1px solid black; margin-right: 5px;"></span> APPROVED "I" INDUSTRIAL ZONING</li> <li><span style="display: inline-block; width: 15px; height: 10px; border: 1px solid black; margin-right: 5px;"></span> CORE DEVELOPMENT AREA</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: black; margin-right: 5px;"></span> COUNTY "A" AGRICULTURAL DISTRICT</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: black; margin-right: 5px;"></span> COUNTY "R" SINGLE FAMILY DISTRICT</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: black; margin-right: 5px;"></span> COUNTY "R-2" MULTI-FAMILY DISTRICT</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: black; margin-right: 5px;"></span> COUNTY "OB" OFFICE/BUFFER DISTRICT</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: black; margin-right: 5px;"></span> COUNTY "O" OFFICE DISTRICT</li> </ul> | <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: black; margin-right: 5px;"></span> COUNTY "B" BUSINESS DISTRICT</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: black; margin-right: 5px;"></span> COUNTY "C" COMMERCIAL DISTRICT</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: black; margin-right: 5px;"></span> COUNTY "I" INDUSTRIAL DISTRICT</li> <li><span style="display: inline-block; width: 15px; height: 10px; border: 1px solid black; border-radius: 50%; margin-right: 5px;"></span> COUNTY "PUD" PLANNED UNIT DEVELOPMENT</li> <li><span style="display: inline-block; width: 15px; height: 10px; border: 1px solid black; border-radius: 50%; margin-right: 5px;"></span> COUNTY "U" UNIVERSITY DISTRICT</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: black; margin-right: 5px;"></span> NEW CARLISLE "R1" SINGLE FAMILY</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: black; margin-right: 5px;"></span> NEW CARLISLE "R2" SINGLE FAMILY &amp; TWO FAMILY</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: black; margin-right: 5px;"></span> NEW CARLISLE "MF" MULTIFAMILY</li> </ul> | <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: black; margin-right: 5px;"></span> NEW CARLISLE "OB" OFFICE BUFFER</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: black; margin-right: 5px;"></span> NEW CARLISLE "LB" LOCAL BUSINESS</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: black; margin-right: 5px;"></span> NEW CARLISLE "CB" COMMUNITY BUSINESS</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: black; margin-right: 5px;"></span> NEW CARLISLE "TC" TOWN CENTER</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: black; margin-right: 5px;"></span> NEW CARLISLE "LI" LIGHT INDUSTRIAL</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: black; margin-right: 5px;"></span> NEW CARLISLE "GI" GENERAL INDUSTRIAL</li> </ul> |
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**ST. JOSEPH COUNTY**  
PLANNING & GROWTH

Date: September 2020  
Source: SJC GIS Department  
Department of Infrastructure,  
Planning & Growth

**WRITTEN COMMITMENT IN SUPPORT OF ADOPTION OF BILL NO. 57-20 APPROVING REZONING FROM AGRICULTURAL TO INDUSTRIAL OF CERTAIN PROPERTY IDENTIFIED THEREIN.**

Petitioners, St. Joseph County Redevelopment Commission, pursuant to Indiana Code 36-7-4-1015, hereby commit to the following conditions in support of their petition for rezoning from Agricultural to Industrial of the following property in St. Joseph County, Indiana:

56458 WILLOW ROAD, 31917 STATE ROAD 2, and 56340 WILLOW ROAD (hereafter, "the Property")

The conditions are as follows:

If the property is rezoned to Industrial, it shall NOT be used for the following purposes:

1. Mining operations;
2. Metal and metal scrap shredder operations;
3. Junkyard operations;
4. Slaughterhouse operations;
5. Sewage treatment plant;
6. Sanitary landfill.

Following adoption of Bill 57-20 as an Ordinance, and prior to transfer of ownership of the Property, Petitioners will record covenants with respect to the Property prohibiting the uses identified above.

\_\_\_\_\_  
St. Joseph County Redevelopment Commission

\_\_\_\_\_  
Date

**WRITTEN COMMITMENT IN SUPPORT OF ADOPTION OF BILL NO. 49-20 APPROVING REZONING FROM AGRICULTURAL TO INDUSTRIAL OF CERTAIN PROPERTY IDENTIFIED THEREIN.**

Petitioners, Kimberli Phillips and Valeri Waters, pursuant to Indiana Code 36-7-4-1015, hereby commit to the following conditions in support of their petition for rezoning from Agricultural to Industrial of the following property in St. Joseph County, Indiana:

VACANT LAND IN THE SOUTHWEST QUADRANT OF LARRISON BOULEVARD AND EDISON ROAD (hereafter, "the Property")

The conditions are as follows:

If the property is rezoned to Industrial, it shall NOT be used for the following purposes:

1. Mining operations;
2. Metal and metal scrap shredder operations;
3. Junkyard operations;
4. Slaughterhouse operations;
5. Sewage treatment plant;
6. Sanitary landfill.

Following adoption of Bill 49-20 as an Ordinance, and prior to transfer of ownership of the Property, Petitioners will record covenants with respect to the Property prohibiting the uses identified above.

\_\_\_\_\_  
Kimberli Phillips

\_\_\_\_\_  
Date

\_\_\_\_\_  
Valeri Waters

\_\_\_\_\_  
Date