

RESOLUTION NO. 2020-19

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YORKTOWN APPROVING THE ORDER OF THE YORKTOWN PLAN COMMISSION

WHEREAS, the Yorktown ("Town") Redevelopment Commission ("Commission") adopted a declaratory resolution on September 9, 2002 as amended on December 14, 2016 (collectively, as amended, "Downtown Declaratory Resolution"), establishing the Yorktown Economic Development Area No. 1 ("Downtown EDA") and an allocation area ("Downtown Allocation Area") in accordance with IC 36-7-14-39 for the purpose of capturing property taxes generated from the incremental assessed value of real property located in the Downtown Allocation Area and approving the economic development plan for the Downtown Allocation Area (as amended, "Downtown Plan"), which Downtown Plan contained specific recommendations for economic development in the Downtown EDA;

WHEREAS, the Downtown Declaratory Resolution was confirmed by a confirmatory resolution adopted on November 1, 2002 ("Downtown Confirmatory Resolution" and, collectively with Declaratory Resolution No. 1, the "Downtown Area Resolution");

WHEREAS, the Commission adopted a declaratory resolution on February 12, 2007 ("600/332 Declaratory Resolution"), establishing the Yorktown Economic Development Area No. 2 ("600/332 EDA"), and establishing the 600/332 Allocation Area ("600/332 Allocation Area") in accordance with IC 36-7-14-39 for the purpose of capturing property taxes generated from the incremental assessed value of real property located in the 600/332 Allocation Area and approving the economic development plan for the 600/332 EDA ("600/332 Plan"), which 600/332 Plan contained specific recommendations for economic development in the 600/332 EDA;

WHEREAS, the Downtown Area Resolution and the 600/332 Area Resolution are hereinafter collectively referred to as the "Original Area Resolutions;"

WHEREAS, the Downtown Plan and the 600/332 Plan are hereinafter collectively referred to as the "Original Plan;"

WHEREAS, on October 14, 2020 the Commission adopted an amending declaratory resolution ("Amending Declaratory Resolution") to: (i) amend the Downtown Allocation Area to remove the parcels set forth on Exhibit B attached thereto from the Downtown Allocation Area (collectively, "Parcels"); (ii) designate the Parcels as the Rebar Allocation Area; and (iii) amend the Original Plan to include the construction of a mixed-use building or buildings to include market rate apartments, "Class A" residential amenities, commercial space, "live/work" studios, co-working office suites and conference rooms and parking, together with all necessary appurtenances, related improvements and equipment in the Original Plan (collectively, "2020 Consolidated Plan");

WHEREAS, the Yorktown Plan Commission ("Plan Commission") adopted an order on October 14, 2020 finding that the amendment to the Original Area Resolutions conforms to the comprehensive plan of development for the Town; and

WHEREAS, the Act requires approval of the action of the Plan Commission by the Town Council of the Town prior to the Commission holding a public hearing on the amendment;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF YORKTOWN, INDIANA, THAT:

Section 1. The action of the Plan Commission on October 14, 2020 is hereby in all respects approved by the Town Council.

Section 2. The Clerk-Treasurer is hereby directed to file a copy of the Amending Declaratory Resolution and the approving Order of the Plan Commission with the permanent minutes of this meeting.

Section 3. This resolution shall be effective from and after its passage.

PASSED AND ADOPTED by the Town Council of the Town of Yorktown, Indiana, this 19th day of October, 2020, by a vote of _____ ayes and _____ nays.

TOWN COUNCIL OF THE TOWN OF
YORKTOWN, INDIANA

Presiding Officer

ATTEST:

Clerk-Treasurer