

STATE OF INDIANA

BEFORE THE BOARD OF COMMISSIONERS OF CLARK COUNTY

ORDINANCE NO. 27-2026

**AN ORDINANCE ESTABLISHING THE
BORDEN BUSINESS PARK(BBP) PLANNED UNIT DEVELOPMENT DISTRICT**

WHEREAS, Borden Business Park LLC, an Indiana limited liability company is the record owner of property described as Parcel "C" in instrument #200914029 in the office of the Clark County Recorder (Parcel Nos. 10-16-00-300-203.000-036, 10-16-00-300-433.000-036 and 10-16-00-200-050.000-036), and the legal description of which property is more particularly described in Exhibit A attached hereto (the "Property"); and,

WHEREAS, Borden Business Park LLC, filed a petition with the Clark County Plan Commission seeking to establish a portion of the Property as a planned unit development district pursuant to the provisions of Ind. Code § 36-7-4-1505(b); and,

WHEREAS, the Clark County Plan Commission conducted a public hearing on the petition on September 9, 2026, at which time it received comments and evidenced from all interested persons, and following the close of which it passed a motion by majority of its membership present to forward the petition to this Board of Commissioners of Clark County, Indiana (the "Board"), with a favorable recommendation as set forth in Plan Commission Resolution 2026-17 (see the said Resolution attached hereto as Exhibit F); and,

WHEREAS, the Board now adopts this Ordinance for the approval of the favorable recommendation of the Clark County Plan Commission by establishing the Borden Business Park (BBP) Planned Unit Development District for the Property.

NOW, THEREFORE, BE IT ORDAINED by this Board as follows.

1. **Establishment of Planned Unit Development District.** The BBP Planned Unit Development District is hereby established for the Property described in the attached Exhibit A (the "PUD District").
2. **Permitted Uses and Development Standards.** The permitted uses and general development standards in the PUD District are set forth in the attached Exhibit B.
3. **Written PUD Description.** The approved supporting description applicable to the use and development within the PUD District are set forth in the attached Exhibit C.
4. **Site Plan.** The approved site plan for development within the PUD District is set forth in the attached Exhibit D.

5. **Paved Area Usage.** The permitted usage of existing paved areas is set forth in the attached **Exhibit E.**

6. **Plan Documentation and Supporting Information to Be Submitted for an Improvement Location Permit.** Any Person, persons, firms, or corporations who shall make application for an Improvement Location Permit ("ILP") to develop real property in the PUD District created by this PUD District Ordinance shall, at the time of making such application, furnish the Administrator with an application for an ILP, and such other supporting information listed below:

- a. A detailed site plan,
- b. Construction drawings for all structures included within the application;
- c. Copy of the recorded deed for the real estate to be developed;

An applicant may submit an application for an ILP for all or a portion of the real estate included in the PUD District. The application shall specifically designate which part or portion of the real estate the ILP will encompass. If an ILP is granted for less than all of the Development Plan or Real Estate, which is the PUD District, no improvements, or structures may be constructed which are not specifically included in the ILP.

7. **Limitations and Miscellaneous Items.**

a. When interpreting and applying the provisions of this PUD District Ordinance, the provisions shall be held to be the minimum requirements for the promotion of the public health, safety, comfort, morals, convenience, and general welfare of the residents of Clark County, Indiana.

b. Subdivision of land. The division of land within this PUD District into additional parcels shall require amendment of the PUD District.

c. Approval of modifications to permitted uses or development requirements within the PUD District shall be delegated to the Plan Commission and may only be approved after a public hearing pursuant to the provisions of Ind. Code § 36-7-4-1511(b).

8. **Effective Date.** This Ordinance shall be in full force and effect upon its passage by majority vote of the entirety of the membership of this Board.

This Ordinance adopted by majority vote of the Board of Commissioners of Clark County, Indiana, taken during a duly noticed and convened public meeting held on September 24, 2026.

So Ordained this 24 day of September, 2026.

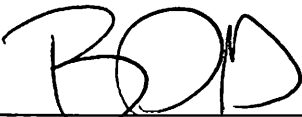
Members voting "NO":

Bryan Glover, Commissioner

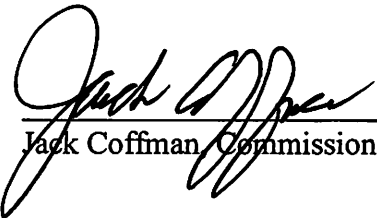
Jack Coffman, Commissioner

David Decker, Commissioner

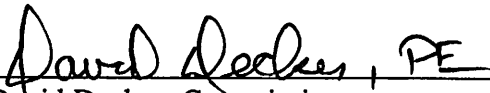
Members voting "YES":



Bryan Glover, Commissioner



Jack Coffman, Commissioner



David Decker, Commissioner

Attested by:



Danny Yost, Clark County Auditor

EXHIBIT A

(BBP PUD)(1 page)

LAND DESCRIPTION

KIMBALL - PARCEL "C" - 14.27 ACRES

BEING A 14.27 ACRE PARCEL OF LAND, BEING 8.01 ACRES IN SECTION 2, TOWNSHIP 1 SOUTH, RANGE 5 EAST AND 6.26 ACRES IN SECTION 3, TOWNSHIP 1 SOUTH, RANGE 5 EAST, WOOD TOWNSHIP, CLARK COUNTY, INDIANA. SAME BEING PART OF THOSE SAME LANDS AS CONVEYED TO BORDEN CABINET CORPORATION AS DESCRIBED IN THE FOLLOWING DEED RECORDS: DEED BOOK 245, PAGE 133, DEED BOOK 245, PAGE 134, DEED RECORD 141, INSTRUMENT 313, DEED BOOK 126, PAGE 456 AND DEED RECORD 165, INSTRUMENT 69, SAME BEING BOUNDED AS FOLLOWS:

COMMENCING AT AN EXISTING 1 INCH IRON PIN AT THE CENTERLINE OF THE RAILROAD AND THE INTERSECTION OF THE SECTION LINE, THENCE ALONG SAID SECTION LINE, SOUTH 00°33'17" EAST A DISTANCE OF 32.07 FEET TO A POINT ON THE RIGHT OF WAY OF THE RAILROAD, BEING THE TRUE PLACE OF BEGINNING; THENCE ALONG THE RAILROAD RIGHT OF WAY, SOUTH 69°50'14" EAST A DISTANCE OF 611.65 FEET TO AN EXISTING REBAR; THENCE SOUTH 00°35'14" EAST, PASSING AN EXISTING REBAR AT 771.92 FEET, FOR A TOTAL DISTANCE OF 833.94 FEET TO A POINT IN THE CENTER OF MUDDY FORK CREEK; THENCE ALONG SAID CREEK, NORTH 53°55'14" WEST A DISTANCE OF 33.60 FEET TO A POINT; THENCE LEAVING SAID CREEK, THE FOLLOWING CALLS ALONG THE NORTH RIGHT OF WAY OF STATE ROAD 60 AS DESCRIBED IN DEED RECORD 25, INSTRUMENT 12353, NORTH 37°51'59" WEST A DISTANCE OF 362.20 FEET TO A RIGHT OF WAY MARKER; THENCE NORTH 39°21'29" WEST A DISTANCE OF 102.60 FEET TO A RIGHT OF WAY MARKER; THENCE NORTH 44°02'59" WEST A DISTANCE OF 103.31 FEET TO A POINT; THENCE NORTH 45°14'49" WEST A DISTANCE OF 103.05 FEET TO A POINT; THENCE NORTH 51°17'34" WEST A DISTANCE OF 103.01 FEET TO A RIGHT OF WAY MARKER; THENCE ALONG A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 1682.02 FEET AND A CHORD WHICH BEARS NORTH 53°28'28" WEST A DISTANCE OF 469.77 FEET TO A MAG NAIL; THENCE NORTH 63°56'03" WEST A DISTANCE OF 144.50 FEET TO A MAG NAIL; THENCE NORTH 68°55'55" WEST A DISTANCE OF 114.88 FEET TO A MAG NAIL; THENCE NORTH 67°22'28" EAST A DISTANCE OF 293.91 FEET TO A STONE AT THE SOUTHWEST CORNER OF LOT #14; THENCE LEAVING SAID RIGHT OF WAY, ALONG THE EAST RIGHT OF WAY OF WALNUT STREET, A 49.5 FOOT RIGHT OF WAY AND ALONG THE WEST LINE OF LOT #14 AND LOT #13, NORTH 24°10'05" EAST A DISTANCE OF 282.04 FEET TO A MAG NAIL AT THE NORTHWEST CORNER OF SAID LOT #13; THENCE ALONG THE SOUTH RIGHT OF WAY OF THE RAILROAD, SOUTH 69°50'06" EAST A DISTANCE OF 799.50 FEET TO A POINT ON THE SECTION LINE; THENCE NORTH 00°35'14" WEST A DISTANCE OF 3.21 FEET TO THE PLACE OF BEGINNING.

SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

EXHIBIT B
(BBP PUD)(3 pages)

Borden Business Park Planned Unit Development District

Section 1-Permitted uses- All commercial and light industrial uses not prohibited in section 2. Outdoor storage of finished products, merchandise and manufactured products available for sale (retail or wholesale) by a tenant of the building is permitted without the need of an enclosed area and may also be visible from the roadways.

Section 2- Prohibited uses- Storage of damaged or inoperable vehicles or parts outside of a building. Storage of shipping containers, Storage of construction equipment, storage semi-trailers and vehicles not owned or leased by a tenant or customer of Borden Business Park. Outdoor storage of construction materials, pipes, cables etc.

Section 3-Dimensional standards-

Signs- permanent signage within the PUD shall include the following in addition to the existing freestanding sign with electronic variable message approved under a variance by the Board of Zoning appeals. ILP require unless note below.

PERMANENT SIGNS:	
Permitted Types	• Awning • Changeable Copy • Electronic • Informational • Marker • Monument • Pole • Projecting • Wall • Wayfinding • Window
Size	• Maximum of one thousand 1000 sq ft cumulative area for all signs, but no single sign shall be more than one hundred 100 sq ft.
Quantity	• Maximum of six (6) free-standing signs (includes sign approved by variance).
Height	• Maximum of twenty (20) feet
Placement	• Not located within the sight triangle • May not extend over a property line or right-of-way provided: • If property is adjacent to an INDOT right-of-way, placement must also comply with all applicable INDOT regulations. • Awning, Projecting, Wall, and Window: Must be placed on primary structure
Additional Standards	• Awning, Projecting, Wall, and Window: EVMS or EVMS components are not permitted • Monument: Must include a minimum of at least one (1) foot of supporting base • Projecting: • Lowest point of sign shall be no less than eight and one half (8.5) feet above grade level except for the supporting building, structure, or column. • Sign shall not extend more than four (4) feet beyond its supporting structure. • Internal illumination only • Window: No ILP is required if not illuminated and less than fifty percent (50%) of window area

Billboard. One billboard shall be permitted provided the following standards are met. An ILP is required.

EXHIBIT B (BBP PUD)(page 2)

BILLBOARD	
INDOT/FHWA Regulations & Permitting	If property is located on a "Control Route" or within an "Adjacent Area" as defined by INDOT, billboards must also comply with all applicable INDOT and/or FHWA regulations. A permit from INDOT shall be required, and in addition an ILP from Clark County shall also be required. The more restrictive regulations of INDOT/FHWA and this UDO shall apply.
Size	- Maximum size of 200 sq ft - The following shall be considered one sign: - A double-faced display whose two (2) faces are not more than ten (10) feet apart - A back-to-back whose two faces are not more than fifteen (15) feet apart - A V-type display whose three (3) faces are not more than fifteen (15) feet apart
Quantity	Maximum of one (1) within PUD.
Height	Maximum of sixty (60) feet
Illumination	No illumination permitted.
Duration & Registration	The owner or lessee of the sign shall annually register the sign with the Administrator within forty-five (45) days of each annual anniversary date and pay a maintenance inspection fee of \$300.00 annually. The Administrator shall reissue an ILP annually upon such registration and after physical inspection of the sign, which confirms the sign is functional and in good and safe repair. If the inspection reveals that the sign is not functional, that the structure is not in repair or safe or if the owner or lessee has not registered the sign, then the Administrator shall order registration, maintenance, or removal appropriate.
Placement	- Must comply with INDOT/FHWA Regulations & Permitting (see above). - Minimum of fifty (50) feet from the nearest edge of any right-of-way or property line. - Maximum of 200 ft from east property line.
Maintenance & Removal	- When the product, person, business, or service that is advertised on the billboard is abandoned or altered, the display must be removed or altered within sixty (60) days to depict an existing product, person, business, or service. The owner and tenant of the land are equally responsible for removal or alteration of the sign. - A billboard is considered not functional when any of the following conditions exist: - Its essential elements are no longer readable; - It is materially obstructed from view; - A condition of substantial disrepair exists; or - The Administrator has the right of entry to inspect billboards to determine whether they are functional. If the Administrator determines that a display is not functional, he/she shall send written notice to the owner of the display to remove, alter, or repair the display or the area of undeveloped property on which the display is located. If the owner does not comply within sixty (60) days, the Administrator shall order removal of the sign at the owner's expense.
Additional Standards	An ILP is required in addition to written consent from the owners or lessor of the premises on which the display is located. Electronic variable messaging prohibited

Structures- The minimum setback for structures from a property line or right-of-way shall be the same as the outer walls of the existing enclosed structure(s)(established setback). All buildings may be replaced provided such replacement does not extend beyond the established setback and be no more than two stories. Structure height is limited to 40 ft. ILP required.

Additions- permitted additions outside of established building lines include 1) open loading docks/ramps, stairs and landings, 2) awnings and similar open projections attached to building

EXHIBIT B (BBP PUD) (page 3)

(no ground support) that extend not more than 5 ft. from the building face, and 3). Propane tanks and structures necessary to house utilities to serve tenants of the building provided no such addition shall extend closer than 10 ft. of a property line or right-of-way. ILP required.

Parking- In no case shall the more than 4 acres of existing paved area be made unavailable for parking.

Outdoor lighting- existing outdoor lighting may remain in place and shall not be mounted more than 20 ft above grade.

Fencing- Open fencing such as chain-link ore woven wire is permitted provided adequate sight distance at entrances and roadway intersections is maintained as determined by INDOT or the County Engineer. An ILP shall be required for fencing.

Landscaping- N/A

EXHIBIT C (BBP PUD) (1 page)

PUD REZONING APPLICATION NARRATIVE

Property: Borden Business Park

Historical Primary Address: 555 E. Water Street, Borden, Indiana

Current Addresses: 100 Kimball Dr. Borden, IN 47106. The facility is currently comprised of more than 30 individual addresses, as identified on the building and address map submitted with the application.

Property Owner/Applicant: Borden Business Park LLC

County: Clark County, Indiana

Existing Zoning: M-1 (Light Industrial) and R-2 (Residential)

Requested Zoning: Planned Unit Development (PUD)

Property Size: Approximately 14.03 acres

Number of Parcels: 3

Existing Building Area: Approximately 351,901 square feet

Nature of the Application

Borden Business Park LLC is requesting approval to rezone approximately 14.03 acres comprising the existing Borden Business Park from its current M-1 (Light Industrial) and R-2 (Residential) zoning classifications to a Planned Unit Development (PUD).

The property has historically been identified primarily as 555 E. Water Street in Borden, Indiana. Due to the size of the facility and its division into multiple tenant and business spaces, the property is now comprised of more than 30 individual addresses. A map identifying the building, property, and associated addresses is included with the application.

The property consists of three parcels containing an approximately 351,901-square-foot commercial and industrial facility. The original facility dates to approximately 1962, with additional sections constructed over time through approximately 1984. The facility was historically operated by **Borden Cabinet Corporation** and was later operated by **Kimball International, Inc.** as a furniture manufacturing facility. Manufacturing operations continued at the property for several decades until the facility ceased operations in 2009. Following the closure of the manufacturing operation, the property was purchased by **Richard Koetter, owner of Borden Business Park LLC**, with the intent of repurposing and maintaining the existing facility for continued commercial and industrial use. Since its acquisition, the former single-user manufacturing facility has been transitioned into Borden Business Park, a multi-tenant commercial and industrial facility accommodating a variety of manufacturing, warehousing, service, retail, and other business uses. Note that Jon Reid, Senior Code Official of the Fire & Building Safety Division, and Jason Stanley, Clark County Building Commissioner, have completed a walkthrough of the facility and determined it has been properly converted for multi-tenant use. This history demonstrates that the property has maintained a predominantly industrial and commercial character for more than six decades, despite portions of the underlying property retaining an R-2 residential zoning classification.

The purpose of the PUD request is to establish a unified and appropriate zoning framework for an existing commercial and industrial facility that has developed and operated at this location for more than six decades.

The requested PUD would resolve this legacy zoning condition and establish a single, cohesive zoning framework that reflects the existing use of the property while providing appropriate standards for its continued operation, occupancy, and leasing.

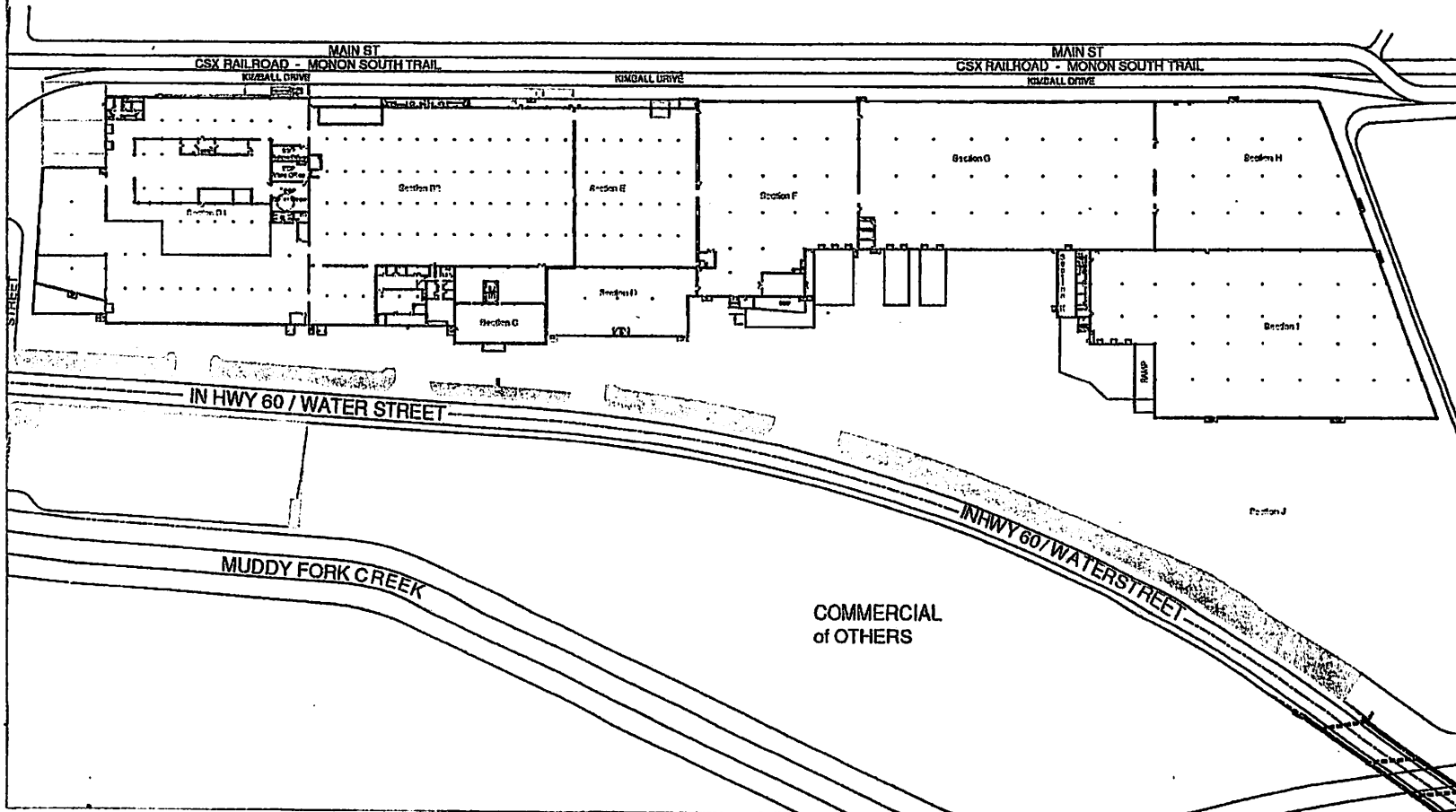
BORDEN BUSINESS PARK LLC
555 East Water St. (Hwy 60)
Borden, Indiana 47106

Project _____
Date _____
Person _____

WORKSHEET - Bldg

10/31/2025 9:47:30 AM

EXHIBIT D (BBP PUD) (1 page)



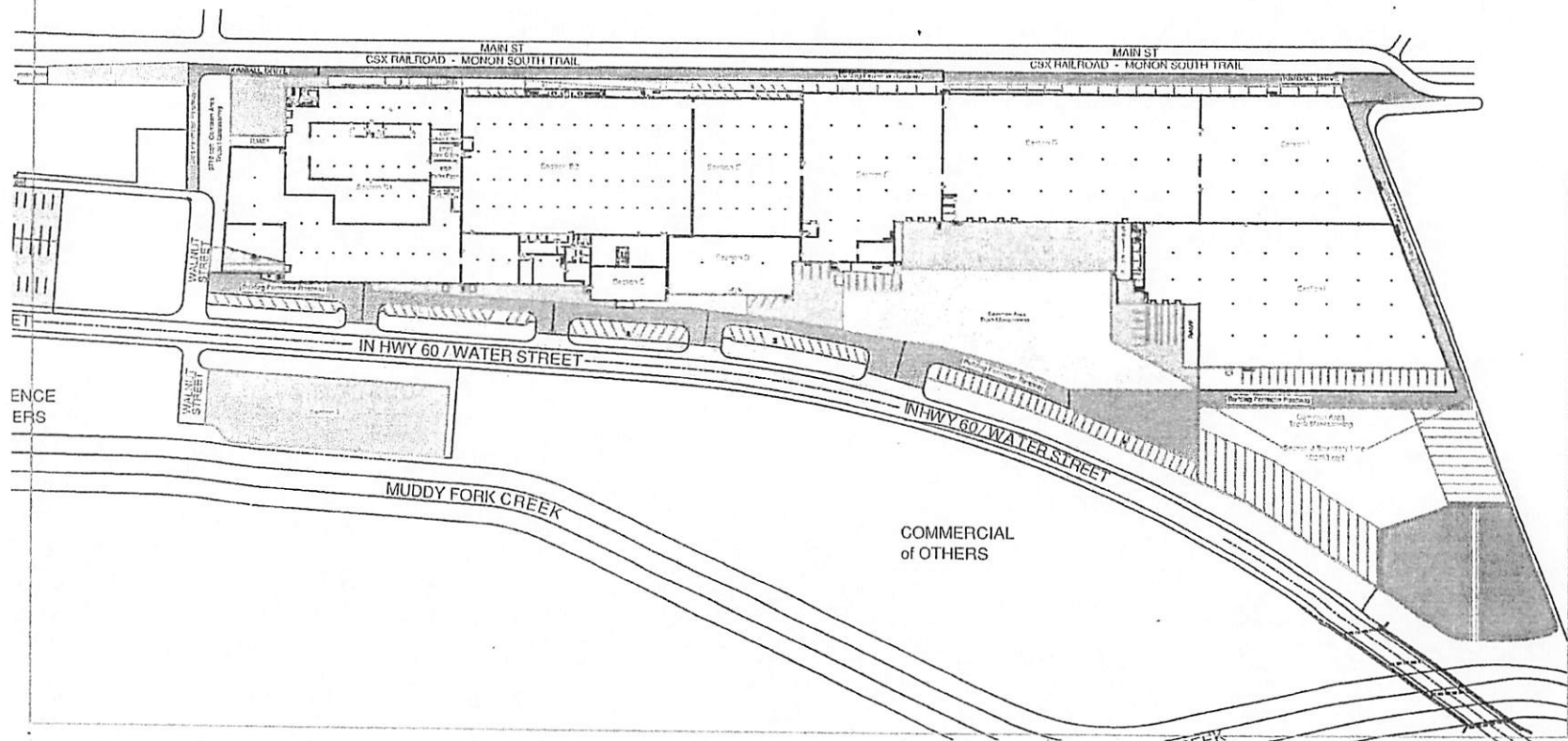
PUD Paved Area Usage

CURRENT USAGE: SUBJECT TO CHANGE BASED ON BORDEN BUSINESS PARK'S NEEDS.

TOTAL PROPERTY AREA 610104 sqft, 14.006 acres
 TOTAL BUILDING AREA 351901 sqft, 8.08 acres
 OUTSIDE HARD SURFACE 259203 sqft, 5.926 acres
 PARKING AREA & ACCESS 210250 sqft, 4.82 acres
 TRUCK MANEUVERING 47953 sqft, 1.1 acres

-  BUILDING PERIMETER ROADWAY
-  EXCLUSIVE AREA
-  COMMON AREA TRUCK MANEUVERING
-  COMMON AREA PARKING

EXHIBIT E (B8P PUD) (1 page)



BY THE CLARK COUNTY PLAN COMMISSION

RESOLUTION 2026-17

WHEREAS, the Clark County Plan Commission met on September 9, 2026, and heard the Docket No. PC26-27, Borden Business Park LLC, 555 E Water St Borden, IN, a request for a zone map amendment to create a Planned Unit Development (PUD District) for of Parcels 10-16-00-200-050.000-036, 10-16-00-300-433.000-036, and 10-16-00-300-203.000-036 ;

WHEREAS, the Plan Commission heard the presentation of the Petitioner(s) and the objections, comments, remonstrations, and other relevant information presented by those in attendance at the hearing, if any:

NOW, THEREFORE, BE IT RESOLVED by the Plan Commission as follows, after giving reasonable regard to the factors set forth in I.C. 36-7-4-603 and I.C. 36-7-4-1500:

1. The Petition to rezone the real estate described in Exhibit A, PUD district with development standards described in Exhibit B, development description Exhibit C, Site plan Exhibit D and Paved area usage Plan Exhibit E was heard after notice to interested persons was properly given in accordance with the ordinance and Indiana Law;

2. The Plan Commission heard and received the relevant evidence presented and deliberated on such evidence in a public meeting; and

3. The Plan Commission recommends to the Board of Commissioners of Clark County with a 6 - 0 vote as follows:

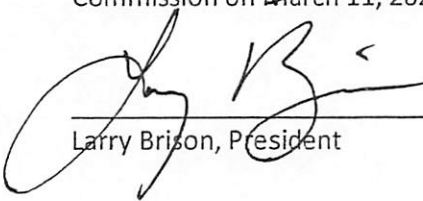
X FAVORABLE RECOMMENDATION: The real estate described in Exhibit A should be changed to a PUD District.

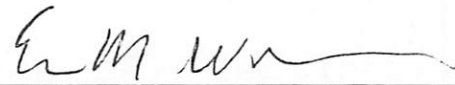
____ UNFAVORABLE RECOMMENDATION: The real estate described in Exhibit A should NOT be changed to a PUD District.

____ NO RECOMMENDATION: The Plan Commission sends the rezoning petition to the Clark County Commissioners WITHOUT A RECOMMENDATION.

____ CONDITIONS: The Plan Commission sends the rezoning petition to the Clark County Commissioners WITH CONDITIONS TO INCLUDE:

I hereby certify that this is a true and correct copy of the Resolution passed by the Clark County Plan Commission on ~~March 11, 2026~~ September 9, 2026


Larry Brison, President


Eric M. Wise Executive Director

