

**THE PLAT COMMITTEE OF
THE AREA PLAN COMMISSION OF
ST. JOSEPH COUNTY, INDIANA**

MINUTES

January 16, 2020
8:30 a.m.

Commission Office, Room 1140
County-City Building, South Bend, IN

MEMBERS PRESENT:

John R. McNamara
Mark Espich
Sky Medors
Dave Cherrone

MEMBERS ABSENT:

Chuck Bulot
Jessica Clark, P.E.

ALSO PRESENT:

Shawn Klein
Lawrence P. Magliozzi
Ryan Fellows
Samantha Keultjes

SUBDIVISIONS REQUIRING A PUBLIC HEARING

1. MAJOR SUBDIVISIONS - PRIMARY APPROVAL:

None for consideration at this time.

SUBDIVISIONS NOT REQUIRING A PUBLIC HEARING

1. MAJOR SUBDIVISIONS - SECONDARY APPROVAL:

A. Lafayette Falls Phase IV, Section Two

7007-18-F

SHAWN KLEIN: This Major Secondary subdivision is located at the intersection of Stadium Drive and Slater Drive, City of South Bend. This subdivision will consist of 74 building . The total area is 25.23 acres. This property is zoned R- Single Family District. A check of the Agency's maps indicates that no environmental hazard areas or wetlands are present. The rights-of-way are correct as shown. The Staff has reviewed this subdivision and recommends that it be withdrawn, per the surveyor's request. Secondary approval of Major Subdivisions within the City of South Bend must now be granted by the Staff of the Plan Commission of the City of South Bend in accordance with the new South Bend Subdivision Control Ordinance.

After due consideration, the following action was taken:

Upon a motion by Sky Medors, being seconded by Dave Cherrone and
unanimously carried, Lafayette Falls Phase IV, Section Two Subdivision is
withdrawn.

2. MINOR PLATS:

A. U.S. 31 Industrial Park 2nd Minor

6600-13-M

SHAWN KLEIN: This Minor Primary subdivision is located on the east side of Dylan Drive approximately 1,000 feet north of Brick Road, City of South Bend. This subdivision will consist of 2 building lots and 1 outlot. The total area for this subdivision is 28.32 acres. This property is zoned "LI" Light Industrial District. A check of the Agency's maps indicates that no environmental hazard areas or wetlands are present. This property is not located in a floodplain. The rights-of-way are correct as shown. The County Surveyor and City Engineer recommend approval. This subdivision went through Technical Review on February 7, 2013. This subdivision will be served by municipal water and sewer. This subdivision has been tabled three times due to the items of non-conformance not being addressed. The Staff has reviewed this Subdivision and recommends that it be withdrawn, per the surveyor's request, as Primary approval of subdivisions in the City of South Bend must now be granted by the Plan Commission of the City of South Bend in accordance with the new South Bend Subdivision Control Ordinance.

After due consideration, the following action was taken:

Upon a motion by Sky Medors, being seconded by Dave Cherrone and unanimously carried, U.S. 31 Industrial Park 2nd Minor Subdivision is withdrawn.

B. Foundation Drive Minor

7101-19-M

SHAWN KLEIN: This Minor Primary subdivision is located northwest of the intersection of Boland Avenue and Foundation Drive, City of South Bend. This subdivision will consist of 1 building lot and 1 outlot. The total area is 42.39 acres. A check of the Agency's maps indicates that no environmental hazard areas or wetlands are present. The rights-of-way are correct as shown. The Staff has reviewed this Subdivision and recommends that it be withdrawn, per the surveyor's request, as Primary approval of subdivisions in the City of South Bend must now be granted by the Plan Commission of the City of South Bend in accordance with the new South Bend Subdivision Control Ordinance.

After due consideration, the following action was taken:

Upon a motion by Sky Medors, being seconded by Dave Cherrone and unanimously carried, Foundation Drive Minor Subdivision is withdrawn.

SHAWN KLEIN: This Minor Primary subdivision is located on the east side of Beech Road approximately 2000' north of Osborne Road, St. Joseph County. This subdivision will consist of 1 building lot. The total area is 1 acre. A check of the Agency's maps indicates that no environmental hazard areas or wetlands are present. The rights-of-way are correct as shown. The County Surveyor and County Engineer recommend approval. The County Health Department issued a deficiency on October 16, 2019, stating that the lot is unsuitable for a septic system without drainage, and that drainage had not been indicated. The County Health Department now recommends approval, but stipulate that Lot 1 will not be buildable until an easement is recorded on the abutting property to provide necessary septic drainage. A legally binding easement cannot be recorded until Lot 1 and the property containing the proposed easement are owned by different parties. Documentation of a recorded easement will be required to obtain a septic permit. This subdivision was tabled by the Plat Committee on October 17, November 7, and November 21, 2019, to allow the surveyor time to address the Health Department deficiency. The registered land surveyor, on behalf of the applicant, requests the following waivers: 1) from Section 153.021(F) to not have a frontage street or reverse frontage with a minimum five foot non-access easement along the arterial street and 2) from Section 153.025(M) to allow for one 20' opening across the 5' non-access easement for future access onto Beech Road. On August 14, 2019, the Area Board of Zoning Appeals granted the following variances: 1) from the required 20 acres to 1 acre, and 2) from the required lot width of 200' to 150'.

The Staff has reviewed this Subdivision and finds that if the waivers are granted, it complies with the requirements for Primary Approval as specified by the St. Joseph County Subdivision Control Ordinance. The Staff therefore recommends that this Subdivision be granted Primary Approval.

After due consideration, the following action was taken:

Upon a motion by Sky Medors, being seconded by Dave Cherrone and unanimously carried, the waivers from 1) from Section 153.021(F) to not have a frontage street or reverse frontage with a minimum five foot non-access easement along the arterial street and 2) from Section 153.025(M) to allow for one 20' opening across the 5' non-access easement for future access onto Beech Road were approved.

Upon a motion by Sky Medors, being seconded by Dave Cherrone and unanimously carried, the Plat Committee finds the evidence adduced at this Plat Committee Hearing supports each element of the Staff Report, and Zahner's Beech Road Minor Subdivision Subdivision therefore complies with the St. Joseph County Subdivision Control Ordinance and is granted Primary Approval.

D. Andrews' McKinley Highway Minor

7125-19-M

SHAWN KLEIN: This Minor Primary subdivision is located northeast of the intersection of McKinley Highway and Buckeye Road, St. Joseph County. This subdivision will consist of 2 building lots. The total area is 8.66 acres. A check of the Agency's maps indicates that no environmental hazard areas or wetlands are present. The rights-of-way are correct as shown. The County Surveyor and County Engineer recommend approval. The County Health Department issued a deficiency on December 31, 2019, stating that the proposed use of the commercial building on Lot 2 has not been stated, the septic tank location for Lot 1 has not been indicated, the proposed well locations do not meet setback standards listed in County Code 52, and the required setbacks between wells and septic systems have not been met. A revised deficiency was issued by the Health Department on January 10, 2020, stating that the septic tank location for Lot 1 has not been indicated and the required setbacks between septic and well have not been met. The registered land surveyor, on behalf of the applicant, requests the following waivers: 1) from Section 153.021(F) to not have a frontage street or reverse frontage with a minimum five foot non-access easement along the arterial street, and 2) from Section 153.025(M) to allow for two 15' openings across the 5' non-access easement for continued access onto McKinley Highway for Lot 1 and one 52' opening across the 5' non-access easement for continued access onto access onto McKinley Highway for Lot 2. On November 13, 2019, the Area Board of Zoning Appeals granted the following variance: 1) from the minimum required side setback for parking of 5' to 2.5' for Lot 2.

The Staff has reviewed this Subdivision and recommends that it be tabled until the February 6, 2020 Plat Committee meeting to allow time for the Health Department deficiency to be addressed.

After due consideration, the following action was taken:

Upon a motion by Sky Medors, being seconded by Mark Espich and unanimously carried, Andrews' McKinley Highway Minor Subdivision is tabled to the February 6, 2020 Plat Committee meeting to allow time for the Health Department deficiency to be addressed.

E. Waters' US 20 Minor

7127-19-M

SHAWN KLEIN: This Minor Primary subdivision is located on the north side of US Highway 20 approximately 1215' east of Spruce Road, St. Joseph County. This subdivision will consist of 1 building lot. The total area is 1.039 acres. A check of the Agency's maps indicates that no environmental hazard areas or wetlands are present. The rights-of-way are correct as shown. The County Surveyor and County Engineer

recommend approval. The County Health Department issued a deficiency on January 10, 2020, as the existing septic field and proposed reserve septic area had not been shown. The registered land surveyor, on behalf of the applicant, requests the following waivers: 1) from Section 153.021(F) to not have a frontage street or reverse frontage with a minimum five foot non-access easement along the arterial street, and 2) from Section 153.025(M) to allow for two 20' openings across the 5' non-access easement for continued access onto US Highway 20 for Lot 1. On January 8, 2020, the Area Board of Zoning Appeals granted the following variances: 1) from the minimum required lot area of 20 acres to 1.039 for Lot 1, 2) from the minimum required frontage and lot width of 200' to 137' for Lot 1, and 3) from the minimum required side setback of 30' to 24'.

The Staff has reviewed this Subdivision and recommends that it be tabled until the Plat Committee meeting of February 6, 2020, to allow time for the Health Department deficiency to be addressed.

After due consideration, the following action was taken:

Upon a motion by Sky Medors, being seconded by Mark Espich and unanimously carried, Waters' US 20 Minor Subdivision is tabled to the February 6, 2020 Plat Committee meeting to allow time for the Health Department deficiency to be addressed.

F. Glon's Grant Road Minor

7128-19-M

SHAWN KLEIN: This Minor Primary subdivision is located on the south side of Grant Road approximately 1300' east of Snowberry Road, St. Joseph County. This subdivision will consist of 1 building lot and 1 outlot. The total area is 19.25 acres. A check of the Agency's maps indicates that no environmental hazard areas or wetlands are present. The rights-of-way are correct as shown. The County Surveyor and County Engineer recommend approval of this subdivision. The County Health Department issued a deficiency on January 10, 2020, as the current septic system intersects the proposed front lot line into the proposed right-of-way. Septic systems must be setback a minimum of 5' from all lot lines. The County Engineer has since agreed to a 30' right-of-way for Grant Road adjacent to Lot 1 which will allow the existing septic system to meet the 5' lot line setback. The registered land surveyor, on behalf of the applicant, requests the following waivers: 1) from Section 153.021(F) to not have a frontage street or reverse frontage with a minimum five foot non-access easement along the arterial street, and 2) from Section 153.025(M) to allow for two 20' opening across the 5' non-access easement for continued access onto Grant Road for Lot 1 and one 20' opening across the 5' non-access easement for future access onto Outlot A. On January 8, 2020, the Area Board of Zoning Appeals granted the following variances: 1) from the minimum required lot area of 20 acres to 1.194 acres for Lot 1, and 2) from the minimum required lot area of 20 acres to 18.056 for Outlot A.

The Staff has reviewed this Subdivision and finds that if the waivers are granted, it complies with the requirements for Primary Approval as specified by the St. Joseph County Subdivision Control Ordinance. The Staff therefore recommends that this Subdivision be granted Primary Approval.

After due consideration, the following action was taken:

Upon a motion by Sky Medors, being seconded by Dave Cherrone and unanimously carried, the waivers from 1) from Section 153.021(F) to not have a frontage street or reverse frontage with a minimum five foot non-access easement along the arterial street, and 2) from Section 153.025(M) to allow for two 20' opening across the 5' non-access easement for continued access onto Grant Road for Lot 1 and one 20' opening across the 5' non-access easement for future access onto Outlot A were approved.

Upon a motion by Sky Medors, being seconded by Dave Cherrone and unanimously carried, the Plat Committee finds the evidence adduced at this Plat Committee Hearing supports each element of the Staff Report, and Glon's Grant Road Minor Subdivision therefore complies with the St. Joseph County Subdivision Control Ordinance and is granted Primary Approval.

3. REPLATS:

A. Halstead Hickory Road 1st Replat 6955-17-R

SHAWN KLEIN: This Replat Primary subdivision is located on the east side of Hickory Road approximately 100 feet north of Springwood Drive, St. Joseph County. This replat will consist of 2 lots being replatted to 2 lots. The total area for this replat is 7.13 acres. A check of the Agency's maps indicates that no environmental hazard areas or wetlands are present. The rights-of-way are correct as shown. The County Surveyor and County Health Department recommend approval. The County Engineer recommends approval subject to revising the classification of Hickory Road to arterial. This subdivision was tabled at the December 21, 2017 and January 4, 2018 Plat Committee meetings. The registered land surveyor, on behalf of the applicant, requests the following waivers: 1) from Section 153.025(M) to allow for one 20' opening across the 5' non-access easement for continued access onto Hickory Road for Lot B, and one 20' opening for future access onto Hickory Road for Lot A and 2) from Section 153.021(F) to not have a frontage street or reverse frontage with a minimum five foot non-access easement along the arterial street. The Staff has reviewed this Subdivision and recommends that it be tabled until the Plat Committee meeting on February 6, 2020, to provide time to correct the non-conformance items communicated on December 20, 2019, and revise the classification of Hickory Road.

After due consideration, the following action was taken:

Upon a motion by Sky Medors, being seconded by Dave Cherrone and unanimously carried, Halstead Hickory Road 1st Replat Subdivision is tabled to the February 6, 2020 Plat Committee meeting to provide time to correct the non-conformance items communicated on December 20, 2019, and revise the classification of Hickory Road. .

B. Shamrock Hills First Addition & Auten Road Major Subdivision First Replat 7126-19-R

SHAWN KLEIN: This Primary Replat is located northeast of the intersection Auten Road and Villager Parkway and east of St. Patrick's Court, St. Joseph County. This replat will consist of 2 lots being replatted to 1 lot and 1 outlot. The total area for this replat is 3.63 acres. A check of the Agency's maps indicates that no environmental hazard areas or wetlands are present. The rights-of-way are correct as shown. The County Surveyor, County Engineer, and County Health Department recommend approval. The Staff has reviewed this Subdivision and finds it complies with the requirements for Primary Approval as specified by the St. Joseph County Subdivision Control Ordinance. The Staff therefore recommends that this Subdivision be granted Primary Approval.

After due consideration, the following action was taken:

Upon a motion by Sky Medors, being seconded by Dave Cherrone and unanimously carried, the Plat Committee finds the evidence adduced at this Plat Committee Hearing supports each element of the Staff Report, and Shamrock Hills First Addition & Auten Road Major Subdivision First Replat Subdivision therefore complies with the St. Joseph County Subdivision Control Ordinance and is granted Primary Approval.

4. TYPE II CORRECTIVE PLATS:

None for consideration at this time.

5. MINUTES:

A. Approval of the minutes of the Plat Committee meeting of January 2, 2020.

Upon a motion by Sky Medors, being seconded by Mark Espich and unanimously carried, the minutes of the Plat Committee meeting of January 2, 2020 were approved.

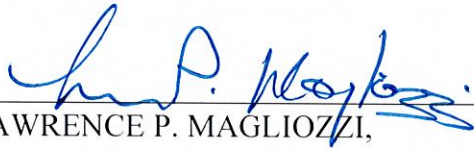
6. ADJOURNMENT:

Upon a motion by Sky Medors, being seconded by Mark Espich and unanimously carried, the January 16, 2020 Plat Committee meeting adjourned at 8:33 a.m.

RESPECTFULLY SUBMITTED,


JOHN R. MCNAMARA,
CHAIRMAN OF THE COMMITTEE

ATTEST:


LAWRENCE P. MAGLIOZZI,
SECRETARY OF THE COMMITTEE