

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

MINUTES

Tuesday, July 17, 2018
3:30 p.m.

4th Floor, Council Chambers
County-City Building, South Bend, IN

MEMBERS PRESENT: Dan Brewer, Oliver Davis, John DeLee, Martin Madigan, Elizabeth Maradik, Matthew Peterson, John Leszczynski, Dr. Jerry Thacker

MEMBERS ABSENT: Debra Davis, Adam DeVon, Robert Hawley, John R. McNamara, Jordan Richardson

ALSO PRESENT: Larry Magliozzi, Angela Smith, Jordan Wyatt, Jennifer Parcell, Staff;

PUBLIC HEARING - 3:30 P.M.

1. REZONINGS:

- A. A proposed ordinance of Cooreman Real Estate Group, Inc. to zone from LB Local Business District to SF1 Single Family & Two Family District, property located at 4546, 4566 & 4612 North Lake Blackthorn Drive, City of South Bend - APC# 2870-18.
(*Audio Position 2:36*)

JORDAN WYATT: The petitioner is requesting a zone change from LB Local Business District to SF1 Single Family & Two Family District. On site are three vacant parcels. To the north are single-family homes zoned SF1 Single Family & Two Family District. To the east is the St. Joseph Valley Parkway. To the south are vacant parcels zoned LB Local Business District. To the west, across Lake Blackthorn Drive, are single-family homes zoned SF1 Single Family & Two Family District. The SF1 District is established to protect, promote and maintain the development of single family dwellings and two family dwellings as well as to provide for limited public and institutional uses that are compatible with an urban residential neighborhood. The availability of public facilities (e.g., public water, public sanitary sewer, storm sewer, natural gas, electricity, telephone, etc.) is required for development within this district. There is no proposed site plan for development at this time. Future development will need to adhere to development standards for the appropriate district. The parcels in this petition were rezoned to LB Local Business District in 2004. The property to the southwest was rezoned to C: Commercial District (St. Joseph County) in 2003. Lake Blackthorn Drive is a two lane road. The site will be served by municipal water and sewer. The Department of Community Investment provides a favorable recommendation. The petitioner is not proposing any written commitments. The petition is consistent with City Plan, South Bend Comprehensive Plan (November 2006), Objective H 1: Ensure that an adequate supply of housing is available to meet the needs, preferences and financial capabilities of households now and in the future. The Future Land Use Map identifies this area for low density residential growth. There are no other plans in effect for this area. This area has developed as a neighborhood of single-family homes. The most desirable use for the property is single-family homes. Rezoning to SF1 Single Family & Two Family District would not affect the property values of the surrounding single-family homes. It is responsible development and growth to rezone the parcels to SF1 Single Family & Two Family District. The staff has no additional comments at this time. Based on information available prior to the public hearing the staff recommends this rezoning petition be sent to the Common Council with a favorable recommendation. Rezoning the site to SF1 Single Family and Two Family will correspond with the rest of the surrounding properties.

JEFF BALLARD of Danch Harner & Associates with offices located at 1643 Commerce Drive, South Bend, presented on behalf of the petitioner.

IN FAVOR

There was no one present to speak in favor of this petition.

REMONSTRANCE

There was no one present to speak in remonstrance of this petition.

After due consideration, the following action was taken:

Upon a motion by John DeLee, being seconded by Oliver Davis and unanimously carried, a proposed ordinance of Cooreman Real Estate Group, Inc. to zone from LB Local Business District to SF1 Single Family & Two Family District, property located at 4546, 4566 & 4612 North Lake Blackthorn Drive, City of South Bend, is sent to the Common Council with a FAVORABLE recommendation. Rezoning the site to SF1 Single Family and Two Family will correspond with the rest of the surrounding properties.

- B. A proposed ordinance of SBCC Development Corp. to zone from C: Commercial District, M: Manufacturing Industrial District (County) and LI Light Industrial District (City), to PUD Planned Unit Development District (City), property located at 24632, 24650, 24700 U.S. Highway 20 and 54270 Pine Road, City of South Bend - APC# 2871-18. (*Audio Position 8:21*)

JORDAN WYATT: The petitioner is requesting a zone change from C: Commercial District (St. Joseph County), M: Manufacturing Industrial District (St. Joseph County) and LI Light Industrial District (City) to PUD Planned Unit Development District (City) On site are businesses and vacant land zoned LI Light Industrial District (City), C: Commercial District and M: Manufacturing District (St. Joseph County). To the north, across US Highway 20, is a church zoned R: Single Family District (St. Joseph County) and a distribution center zoned M: Manufacturing District (St. Joseph County). To the east, across the interchange of US Highway 20 and the St. Joseph Valley Parkway, is the South Bend International Airport zoned LI Light Industrial District (South Bend). To the south is a business zoned M: Manufacturing District (St. Joseph County). To the west is a business zoned M: Manufacturing District (St. Joseph County) and single-family homes zoned R: Single Family District (St. Joseph County). The Planned Unit Development (PUD) District is intended to: establish a compatible and efficient mix of land uses and open space; ensure compatibility with the Comprehensive Plan, surrounding developments and future development needs; establish a creative approach in building design through architectural compatibility with adjacent buildings, general neighborhood design or by creating a unique style; achieve flexibility and provide incentives for development that will sustain a wider range of choice in satisfying the changing needs of the community; and provide for any individual land or combination of land uses not otherwise specified elsewhere in this Ordinance. The PUD District is not intended for the development of residential subdivisions, Permitted Uses, or Special Exception Uses which are provided for within any district of this Ordinance. The PUD will have two main districts: Core District and Agricultural District. The Core District is intended to have the characteristics of an old-world village. Some of the uses in this district include a chocolate factory, dinosaur museum, restaurants, retail, hotels, fuel station and farmers market. The Agricultural

District is intended to highlight the natural and agricultural amenities of the property. Some of the uses in this district include orchards/vineyards, buffalo paddock, petting barn, restaurants and other agricultural uses. Access points are shown on the frontage with Lincolnway and Pine Road. Development within 200' of the road frontage must be landscaped in compliance with the CB Community Business landscaping regulations. A proposed sign plan including a Bypass sign, main entrance sign, secondary access sign and provisions for wall and roof signs is included. A portion of the petitioned property was rezoned to LI Light Industrial District and annexed into South Bend in 2016. One of the parcels included in this petition was rezoned to C: Commercial District (St. Joseph County) in 1996. US Highway 20 expands from two to four lanes and intersects with the St. Joseph Valley Parkway adjacent to the site. Primary access will be from US Highway 20. Secondary access would be provided from Pine Road which is two lanes. The site will be served by municipal water and sewer. County Engineering anticipates that INDOT will require a traffic impact study that will help guide transportation improvements for US Highway 20. This would help the City and County as well in evaluating necessary road/intersection improvements. INDOT considerations will be needed at a future date. County Engineering also anticipates recommending Pine Road improvements to accommodate the future projected traffic. City Engineering stated they have a consultant to help survey and design the sewer extension to the project. They also noted that per INDOT policy, the portioner will have to pay for the new intersection and any improvements with the access point on US Highway 20. City Engineering also requested more detailed plans for their continued review of the site. The Department of Community Investment offers a favorable recommendation. There is an existing written commitment on the property, stating the following: Upon filing of an Improvement Location Permit for the development of any portion of the Airport Authority Annexation Area, a Pine Road Improvement Plan must be submitted by the developer(s) of the Area. Such Improvement Plan must include a traffic analysis, an engineering study of the condition of Pine Road, a cost analysis of required improvements or reconstruction and any other information requested by both the St. Joseph County Board of Commissioners, the South Bend Board of Public Works and the Indiana Department of Transportation. At a minimum, the Improvement Plan must address the area of Pine Road from U.S. 20 on the North to Edison Road on the South and the intersection of Pine Road and U.S. 20. Any improvements or reconstruction required will be at the cost of the developer(s), or as otherwise negotiated by the respective governmental entities. The petition is consistent with City Plan, South Bend Comprehensive Plan (2006), Objective 6.1: Promote orderly and planned growth that expands outward from current city limits; and Objective ED 9: Increase the amount of revenue generated from tourism. The Future Land Use Plan identifies this area for light industrial development. There are no other plans in effect for this area. The properties along US Highway 20 near the intersection with the St. Joseph Valley Parkway have developed as manufacturing and commercial uses. The properties along Pine Road are rural residential. The most desirable use for the property would be one that is harmonious with the surrounding mix of industrial, commercial and residential properties. With proper buffering and screening, the neighboring residential properties should not be adversely affected. It is responsible development and growth to develop large areas of interest close to major intersections and near transportation connections such as the South Bend International Airport and South Shore Line. The staff has no additional comments at this time. Based on information available prior to the public hearing, the staff recommends that the rezoning petition be sent to the Common Council with a favorable recommendation. Utilizing a Planned Unit Development will allow for a large mixed-use project that will be a major point of interest and increase the amount of tourists coming to the City of South Bend. Locating this project near a major road, air and rail connection will help serve the visitors to the site by providing multiple modes of transportation. The PUD ordinance includes 5 amendments: 1) Parking and interior access drives will have a 15' setback from the property line in the Core District; 2) Include a

50' setback from the public right-of-way in the Agricultural District; 3) Add item "C" under the Administrative section, "This site is subject to written commitments as recorded in the St. Joseph County Recorders Office, Document #1701542;" 4) Add item "D" under the Administrative section, "Final site plans will require review by the South Bend International Airport" and 5) Add the current uses on the site: storage and minor automobile repair without outdoor operations or storage, to the permitted uses of the PUD ordinance.

BRIAN MCMORROW of Abonmarche Consultants with offices located at 715 Lincolnway East, presented on behalf of the petitioner.

MARK TARNER the owner of South Bend Chocolate, resides at 1502 E. LaSalle spoke.

MATT VANSDEST of Ancon Construction with offices located at 2146 Elkhart Road, Goshen, IN spoke.

IN FAVOR

There was no one present to speak in favor of this petition.

REMONSTRANCE

There was no one present to speak in remonstrance of this petition.

After due consideration, the following action was taken:

Upon a motion by John Leszczynski, being seconded by Oliver Davis and unanimously carried, a proposed ordinance of SBCC Development Corp. to zone from C: Commercial District, M: Manufacturing Industrial District (County) and LI Light Industrial District (City) to PUD Planned Unit Development District (City), property located at 24632, 24650, 24700 U.S. Highway 20 and 54270 Pine Road, City of South Bend, is sent to the Common Council with a FAVORABLE Recommendation AS AMENDED. Utilizing a Planned Unit Development will allow for a large mixed-use project that will be a major point of interest and increase the amount of tourists coming to the City of South Bend. Locating this project near a major road, air and rail connection will help serve the visitors to the site by providing multiple modes of transportation.

ITEMS NOT REQUIRING A PUBLIC HEARING

1. Miscellaneous:

There were no items up for consideration at this time.

2. Executive Director's Report: (*Audio Position 32:09*)

3. Minutes and Expenditures: (*Audio Position 48:33*)

A. Approval of the minutes from the June 19, 2018 meeting of the Area Plan Commission.

After due consideration, the following action was taken:

Upon a motion by John DeLee being seconded by Oliver Davis and unanimously carried, the minutes from the June 19, 2018 meeting of the Area Plan Commission were approved.

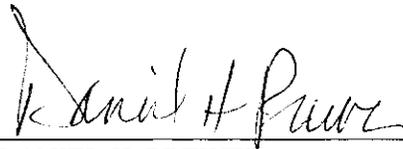
B. Approval of the expenditures from June 19 – July 17, 2018.

Carothers Printing - \$32.60; Dept. of Public Works (Gas) - \$42.12; Office Three Sixty - \$60.15; \$182.99; Mishawaka Enterprise (Legals) - \$70.77; \$17.46

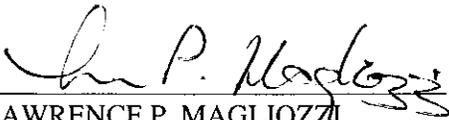
After due consideration, the following action was taken:

Upon a motion by John DeLee, being seconded by Oliver Davis and unanimously carried, the expenditures from June 19 – July 17, 2018 were approved.

4. Adjournment: 4:16 p.m.



DANIEL H. BREWER,
PRESIDENT OF THE COMMISSION



LAWRENCE P. MAGLIOZZI,
SECRETARY OF THE COMMISSION