

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

MINUTES

September 15, 2020
3:30 p.m.

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

MEMBERS PRESENT:

Dan Caruso
Adam DeVon
John R. McNamara, P.E., L.S.
Rachel Rawls
Dr. Jerry Thacker
Elizabeth McCombs

MEMBERS ABSENT:

Robert Hawley
Jason Lambright
Kirk Youell

ALSO PRESENT:

Abby Wiles
Ryan D. Fellows
Shawn Klein
Mitch Heppenheimer, Counsel
Samantha Keultjes

PUBLIC HEARING - 3:30 P.M.

1. REZONINGS:

1. A proposed ordinance of Kimberli Phillips to zone from A: Agricultural District to I: Industrial District, property located at 30750 EDISON RD, St. Joseph County - APC# 2934-20. *(Audio Position: 3:30)*

Upon a motion by Elizabeth McCombs, being seconded by Rachel Rawls and unanimously carried, a proposed ordinance of Kimberli Phillips to zone from A: Agricultural District to I: Industrial District, property located at 30750 EDISON RD, St. Joseph County is TABLED.

2. A proposed ordinance of ST JOSEPH COUNTY DEPARTMENT OF REDEVELOPMENT to zone from A: Agricultural District to I: Industrial District, property located at 56458 WILLOW RD and 31917 STATE ROAD 2 HWY and 56340 WILLOW RD, St. Joseph County - APC# 2938-20. *(Audio Position: 4:30)*

Upon a motion by John R. McNamara, P.E., L.S., being seconded by Dan Caruso and unanimously carried, a proposed ordinance of ST JOSEPH COUNTY DEPARTMENT OF REDEVELOPMENT to zone from A: Agricultural District to I: Industrial District, property located at 56458 WILLOW RD and 31917 STATE ROAD 2 HWY and 56340 WILLOW RD, St. Joseph County is TABLED.

3. A proposed ordinance of DRAGONFLY PROPERTIES LLC to zone from R: Single Family District to O: Office District, property located at 14042 STATE ROAD 23 HWY and 14018 STATE ROAD 23 HWY, St. Joseph County - APC# 2939-20. *(Audio Position: 6:00)*

RYAN D. FELLOWS: The petitioner is requesting a zone change from R: Single Family District to O: Office District. Onsite are two single-family homes (on separate parcels). Immediately north is a vacant lot zoned R: Single-Family. Clay Fire Station 24 is located at the northeast corner of the intersection of SR 23 and Elm Rd, also zoned R: Single Family District. To the east are single-family homes zoned R: Single Family District. To the south are vacant lots owned by the petitioner zoned R: Single Family District. Immediately west and adjacent is a single-family home zoned R: Single-Family. Goddard School of Granger is located west and to the north of SR 23. The intent of the O: Office District is to provide specific areas where only certain limited offices and businesses may be developed. Since the district excludes retail and commercial uses, and requires extensive screening and landscaping of permitted uses and associated parking areas, it may serve as a buffer between residential areas and commercial developments. The O: Office District is expressly intended to be limited to the area in association with commercial areas, and the intersection of certain arterial streets, where a gradual transition from residential uses should occur, with other arterial and collector streets. O: Office uses and buildings shall be compatible in architectural type and style with adjacent residential uses and structures. The site plan submitted, for rezoning purposes only, shows the existing structures. The existing structures do not meet the required setbacks. As noted on the site plan, all future construction must meet the required setbacks. The SR 23 corridor has historically been single-family residential. After SR 23 was upgraded to a five-lane highway, several properties were rezoned to O: Office District in this area. Clay Fire Harris Township Fire Station and the Goddard School of Granger are newly built land uses in the immediate area, establishing a more commercial-like character. State Road 23 is a five-lane highway, including a center turn lane. It is classified as a minor arterial. It provides adequate vehicle capacity. Existing well and septic systems. None. The petitioner is not proposing any written commitments. The petition is consistent with the Comprehensive Plan for South Bend and Saint Joseph County Indiana (2002), Goal 2, Objective B: "Locate employment uses in such a manner that conflicts with residential land uses are minimized." The future land use map identifies the area as residential. No other plans have been adopted for this area. SR 23 has predominately been a residential corridor; however, the expansion of the road has encouraged more intense development along the corridor. Several properties have been rezoned to a district that allows for office or commercial uses nearby within the last few years. The most desirable use of this property is to take advantage of the high traffic capacity of SR 23 and one that limits the impact on surrounding residential properties. With proper landscaping screening, surrounding property values should not be adversely affected. The O: Office District allows limited offices and businesses; it is responsible to allow such a use at an intersection along a major corridor. Based on the information available prior to the public hearing, the staff recommends sending this rezoning to the County Council with a favorable recommendation. This rezoning will allow this property to serve as a more suitable for its location and provide a buffer between a highly-traveled five-lane highway and the residential properties around it.

PETITIONER

TERRY LANG, of Lang, Feeny & Associates, Inc., with offices located at 715 S Michigan St., South Bend, IN presented on behalf of the petitioner.

IN FAVOR

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

REMONSTRANCE

There was one person present to speak in remonstrance of this petition. She was:

Judith Rubleske, residing at 515 S Main St., South Bend, IN

REBUTTAL

TERRY LANG, of Lang, Feeny & Associates, Inc., with offices located at 715 S Michigan St., South Bend, IN presented the rebuttal on behalf of the petitioner.

After due consideration, the following action was taken:

Upon a motion by John R. McNamara, P.E., L.S., being seconded by Elizabeth McCombs and unanimously carried, a proposed ordinance of DRAGONFLY PROPERTIES LLC to zone from R: Single Family District to O: Office District, property located at 14042 STATE ROAD 23 HWY and 14018 STATE ROAD 23 HWY, St. Joseph County, is sent to the County Council with a FAVORABLE recommendation. This rezoning will allow this property to serve as a more suitable for its location and provide a buffer between a highly-traveled five-lane highway and the residential properties around it.

2. TEXT AMENDMENTS:

1. A proposed ordinance initiated by the APC to add campgrounds as a special use in the A: Agricultural District in the Zoning Ordinance, St. Joseph County - APC# 2940-20.
(Audio Position: 16:25)

RYAN D. FELLOWS: An Ordinance initiated by the Area Plan Commission of St. Joseph County amending Title XV, Chapter 154: Land Usage of St. Joseph County Code by amending Section 154.091 to amend A: Agricultural District to add Campgrounds (Seasonal) as a Special Use. This Ordinance is consistent with the Comprehensive Plan for South Bend and St. Joseph County, Indiana (2002), Goal 2, Objective B: Locate

employment uses in such a manner that conflicts with residential land uses are minimized; and Goal 2, Objective C: Develop quality business areas to meet the retail and service needs of the planning area.

This Ordinance proposes to restore "Campgrounds (Seasonal)" as a Special Use in the A: Agricultural District after an earlier text amendment had the unintended consequence of eliminating it from the list. Based on the information available prior to the public hearing, the staff recommends sending this Ordinance to the County Council with a favorable recommendation. This Ordinance will restore "Campgrounds (Seasonal)" as a Special Use in the A: Agricultural District after an earlier text amendment had the unintended consequence of eliminating it from the list.

After due consideration, the following action was taken:

Upon a motion by Dan Caruso, being seconded by Elizabeth McCombs and unanimously carried, a proposed ordinance initiated by the APC to add campgrounds as a special use in the A: Agricultural District in the Zoning Ordinance, St. Joseph County, is sent to the County Council with a FAVORABLE recommendation. This Ordinance will restore "Campgrounds (Seasonal)" as a Special Use in the A: Agricultural District after an earlier text amendment had the unintended consequence of eliminating it from the list.

ITEMS NOT REQUIRING A PUBLIC HEARING

1. Miscellaneous:

None at this time.

2. Executive Director's Report:

(Audio Position: 19:20)

Abby Wiles presented the Executive Director's Report, including the following updates:

1. New Member

Welcome Elizabeth McCombs, President of Roseland's Town Council, who is filling the vacancy for the Council on Town Affairs position (Towns of Roseland & Lakeville)

2. Town Meetings

In the process of contacting each town the APC serves to schedule individual meetings with key contacts from each community

3. Zoning Violation Enforcement Process Update

Working with the Constituent Services Manager to develop a formal process for handling zoning violation complaints

4. Comprehensive Plan Update

Staff is beginning to review sample Request for Proposals (RFPs) to develop a draft roadmap for the Comprehensive Plan planning process (timeline, budgetm etc.)

5. AARP Network of Age-Friendly States and Communities
Participating in the steering committee for this effort

3. Minutes:

- A Approval of the August 18, 2020 Area Plan Commission Minutes (*Audio Position: 22:55*)

Upon a motion by John McNamara, P.E., L.S., being seconded by Dan Caruso and unanimously carried, the August 18, 2020 Area Plan Commission Meeting Minutes were approved.

4. Adjournment:

Upon a motion by John McNamara, P.E., L.S., being seconded by Dan Caruso and unanimously carried, the September 15, 2020 Area Plan Commission Meeting adjourned at 3:52 p.m.



Adam DeVon,
President of the Commission



Abby Wiles,
Secretary of the Commission