

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

MINUTES

September 20, 2022
3:30 p.m.

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

MEMBERS PRESENT:

Adam DeVon
Brittini Gendron
Robert Hawley
James D. Moffitt
Dr. Jerry Thacker
Tom England

MEMBERS ABSENT:

John R. McNamara, P.E., L.S.
Elizabeth J. McCombs

ALSO PRESENT:

Abby Wiles
Kylie Abrams
Carl Brown-Grimm
Shawn Klein
Shelley Marker
Brandie Ecker, Council

(Audio Position: 0:00:08:01)

Adam DeVon: Called the meeting to order at 3:30 p.m. We had a request from the petitioner on Bittersweet Road property to table theirs to the October meeting. If you are here for the Bittersweet Road petition, which is APC#2984-22, that is tabled to the October 18, 2022, Area Plan Commission meeting.

1. REZONINGS:

- 1 A proposed ordinance of R & R PROPERTY LLC to zone from R: Single Family District and C: Commercial District (site plan specific) to C: Commercial District (not site plan specific), property located at 26395 STATE ROAD 2 HWY and 56450 QUINCE RD, St. Joseph County - APC# 2982-22.

(Audio position: 0:04:17.2)

Kylie Abrams: The petitioner is requesting to rezone the existing split zoned property from single family and commercial site plan restricted to commercial and to rezone the parcel to the north from single family to commercial. The current use is a gas station and convenience store with a storage shed and a single-family home to the east of the store on the same parcel. And a single family home to the north on a separate parcel which can be seen here on the zoomed in zoning map. This rezoning will allow for the proposed expansion of the gas station. The single-family homes will be demolished along with the accessory structures and the fence along with the drainage basin. The site was previously expanded and rezoned subject to a final site plan in November of 2000 for additional parking and storage. To the north are two single family homes zoned R: Single Family District, to the east is the single-family home to be demolished zoned R: Single Family District, and beyond that another single family home zoned R: Single Family. To the south are two properties containing single family homes zoned R: Single Family and to the

west are two single family homes with accessory structures that are both split zoned C: Commercial and R: Single Family.

Here is the final site plan the property was subject to in the 2000 rezoning. This is looking north on Quince Road (referring to the slid show) and south on Quince Road. Looking west on State Road 2 and east. This is the existing gas station and the existing storage shed to the north. This is the existing home on the same parcel as the gas station to the east. This is the existing home on a separate parcel to the north. This is the home also split zoned C: Commercial and R: Single Family across from Quince Road to the west.

This is the provided site plan from the petitioner. The site plan shows the proposed expansion with the new asphalt parking where the existing single-family homes, fences, drainage basin and storage pole barn are to be demolished, and an additional diesel fuel canopy which is 20' in height is proposed with additional semi parking spaces to the north and west.

The site plan also shows two ingress and egress accesses along both Quince Road and State Road 2. Staff has received several letters of remonstrance in regards to these access points due to safety and traffic concerns. The County Engineer has indicated that they will require one access point along Quince Road and will require it to be the improved northern access shown here. The access points along State Road 2 will be reviewed and ultimately approved or denied by the State of Indiana (INDOT).

On to the state criteria, based on the information available prior to this public hearing the staff recommends that this petition be sent to County Council with a favorable recommendation. The expansion of the existing commercial use represents responsible growth and redevelopment. The expansion and improvements are also supported by the 2002 Comprehensive Plan Goal Two: Encourage the economic development of the county and the municipalities, and especially by Goal Two, Objective C develop quality business areas to meet the retail and service needs of the planning area.

In addition to any new or reconfigured accesses on Quince needing approval from the County Engineer and any new or reconfigured accesses on State Road 2 needing approval from INDOT, this project would require commercial plan review and be required to meet all requirements from other reviewing departments including engineering, building and fire.

PETITIONER

(Audio position: 0:08:47.8)

Debra Hughes, Surveying and Mapping I am the civil engineer working with the owners on this project. I prepared the site plan before you. We appreciate the favorable staff recommendation for the rezoning. As was stated in the staff report, both of the parcels in question are partially zoned commercial and partially residential. If you will please show the zoning map? The home that is to the north is partially C: Commerical and partially R: Residential. The parcel on State

Road 2 is also partially C: Commercial and partially R: Residential. The main purpose of this petition is to request that the properties be all C: Commercial and eliminate the split zoning. A change in land use is the main focus of this proposal.

As the staff report says, this in line with the Comprehensive Plan for the development of existing facilities. The owners have a successful business here and would like to expand it and provide truck fuel through diesel canopy and also better circulation through the site. This property has been a convenience store with gas station for over 20 years. The zoned map amendment would make as I said both properties all C: Commercial zoned. This zone change would allow the owner to make their expansions to build their business and the services they provide to the community.

The owner also plans to add electric vehicle charging stations, which is shown on the site plan. That is something that is not currently available in the area. Those would be right here along the building. There are four existing parking spaces that would be used for the electric vehicle charging stations. That is certainly a new market for them.

Both of the former residences would be demolished as part of this project. The one that is on the parcel already and the one to the north on Quince Road that was recently purchased by the owners.

We do have to go through commercial plan review with the Building Department and that would include all the drainage, zoning, fire, building department reviews. That was submitted on Friday, and we have started that process. We are not requesting any planning or design variances as part of this plan; we do plan to meet all the county requirements including the buffer zone Type 2 landscaping.

The proposed plan includes a new access to Quince Road. I don't know if the visual has a full site plan without the background clipping? If you go to the previous one—this driveway is actually lined up with the median opening with State Road 2 and perhaps the site plan you have that was given to you as part of the project would show that. Right now any vehicle that wants to turn left into this station has to turn from the left lane of State Road 2 without any left turn lane and then they have to make a U-turn around the median opening into the current driveway. Part of this project would be to add a left turn lane on State Road 2 for east bound traffic so they can safely pull out of the lane to make a left turn and continue through the median opening straight into the station without having to make a U-turn to go back. Part of this project is what can we do to improve safety at this intersection? Everyone knows that there have been many accidents here. The owners have a front row seat to these accidents and they are interested in safety for their customers and employees just as much as I am as a civil engineer as much as the county planning offices.

What can we do to improve things? The State Road 2 access has to be reviewed by the Indiana Department of Transportation. We have made an application to them. I spoke to the state traffic

engineer this afternoon and we are going to be meeting with them to discuss access and what is the best way to improve the safety of this intersection. They are open to talking to us about what we can do with this project to improve things.

The Quince Road access will be through the County Engineering. I have talked with Sky Medors, County Engineer, about this as well. The staff report says he will allow one driveway. Whether it is the north, south, or something in between we would like to work out with him. We would like to let that not be part of this decision but that you allow us to ability to work with him to determine the best and safest option for access. The owner is willing to assist the county in developing a left-turn lane for southbound Quince. The owner has property on both sides and would be willing to donate the right-of-way that would be necessary. There is an opportunity again to improve the safety of the intersection here if this zoning change is allowed.

The existing building would not be changed. It was said in the staff report that they are going to be expanding the gas station. The building itself is not going to change; it will remain just like it is. The existing fuel canopy will remain just like it is. The purpose of the project is to add the diesel canopy here and the pavement that goes up and around to provide better circulation.

The petition also includes a new pylon sign which will be located out here (referring to the slides). The existing sign is closer to the intersection. The site is on a septic and well system. That would not change. The existing septic system would continue to serve the station, as I said that is not being expanded in anyway. The existing well would provide water supply. There is no sanitary sewer or water available.

The representatives of the owners are here with me, and we would be happy to help address any questions you might have. Thank you for considering this petition.

IN FAVOR

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

REMONSTRANCE

(Audio position: 0:17:40.1)

Dan Caruso, 305 Compton Street, New Carlisle, IN: Unlike the commission I don't find anything responsible about this development and growth. I see tragedy there including a former neighbor of mine, Judy Richmond from Rolling Prairie, who was killed at that intersection. Numerous other people have been killed and injured at that intersection. There is a 50 mph zone through that intersection for people trying to beat that light and first part of July somebody was t-boned pulling through the light to turn off of Quince east on State Road 2. They pulled out when they thought the light was turning green and the person coming the other way didn't want to slow down from 50 mph and there was a heck of a crash there. They are endless and like the petitioner said they have seen them. I think it is very irresponsible to go on with any kind of change at that

intersection right now before we straighten out what is causing all the accidents. The 50 mph both directions and then as you go west you want to keep going 50 because a quarter mile down the road it goes to 60. You don't want to decelerate if you don't have to and everybody coming from the east tries to beat that light (some but most people) when it is a change cycle. There needs to be a change to that intersection not to attract truck traffic. It is speculation. State Road 2 has been designated as a truck route in and out of the IEC area and with this proposed battery plant is going to generate 150-200 semis per day. Because for some reason redevelopment has moved away from the rail that was going to service the area and now, they have moved on to semis. It is going to bring people into that area. Not even just for that purpose but now there will be a fueling station there to attract trucks that normally would not come into the area. Now you are going to bring this into this area that is already is just a hot mess.

My suggestion would be I don't know if it could be done on a state road turn it into a four way stop. That way there is no intersection to jump. You know you have to stop at that intersection. Will it cause back up? Tough luck, use another route. To throw this kind of fire into that mix before you put out the first fire is not responsible and does not promote safe growth. Thank you.

(Audio position: 0:20:55.1)

Keith Zielinski, 56720 Windsor Ave: [I live] the next block over. Like the gentleman prior to me said, this is arguably the most dangerous intersection in St. Joseph County and has been for a number of years. Instead of trying to do things to mitigate the danger and the slow the trucks and vehicles down. I go on a walk on that street by my house and I see it all the time. A semi-trailer can't stop and blows the horn a few times and keeps on going through. When you stop there for a red light and the light turns green, you better look left and better look left again. I might add you can't even see left a lot of the times because trucks park on the side of the road. They run in to get snacks and things from the convenience store. Now you can't even see around the corner to see if anything is going to blow that light. That is incredibly dangerous. There are a lot of young drivers out there. They are going to have to come up with something for that intersection. I don't have anything against the business myself other than that this is not the place for it. You need to fix what is there first before you can move on with something else.

(Audio position: 0:22:346)

Adam DeMeyer, 56818 Pear Road: I've lived in that area for 45 years and I grew up on Quince; now live on Pear. I have seen accidents and the biggest thing we are here for is the safety of it. I go to that store all the time. The traffic volume, and I don't know if any of you are familiar with it, it is very bad. Coming home from work between 4:30-5:30 to the west you can't see that light because of the setting sun. If it is red, green, or yellow you really can't tell. If you do 50 mph on State Road 2, hang on because you will be blown off the road. Coming from the west heading east traveling in the morning when the sun is coming up, you can't tell if it is red, green, or yellow. From a business standpoint this makes perfect sense; I would want to do it to. From a safety standpoint, I just think it is a bad idea. Thank you.

(Audio position: 0:24:05.2)

Joseph Bokon, 26726 State Road 2: Approximately a ¼ mile west of the store, second house west of Pear Road. Coming home Monday afternoon after taking my wife to the doctor, we almost got rear ended just trying to turn into our driveway. People blow the light. They don't stop. They don't go 50 mph. It's nearly impossible for us to get into our driveway. There is no deceleration lane off of State Road 2 past Pear Road. I have to stop in order to turn my vehicle into a narrow cross over to get to my driveway. It is nearly impossible. They don't pay attention; they can care less.

My concern is also the semi compression breaks. It is 24/7 there on those compression breaks. There is no highway in the northern part of the Indiana that requires compression breaks. Those were designed for the hills out west to save the breaks on the trucks. From my house up to the store is uphill and they do not need to engage their compression brakes. If they are doing that, they are going to fast. Like I said, it is 24/7. Three o'clock yesterday morning some idiot had woke us up with his compression brakes. They apply the breaks just to the west of my driveway and they run them up all the way up to the light. They change gears until practically stopped. The increase in truck traffic and the noise, it is absolutely atrocious not worth living there anymore. Thank you.

(Audio position: 026:24.2)

Kenneth Chlebowski, 26249 State Road 2: I am about five houses east of that gas station on the same side. I've lived there all my life so the four points I like to tell you about today is there is already probably 200 or more semis that come past that area down State Road 2 already. They do that because they get off the US 20 bypass and cut State Road 2 to hit 94 instead of having to go up to the tollroad and catch 94. It saves them probably ½ hour or 40 minutes and don't have to pay any tolls. That is why all the semi-trucks cut through there. It got bad when the toll road got sold and things changed. Of those 200 or more semis that come past our house we fought for a long time to get no compression brakes signs put up and they are up east or west of Quince Road they are there because of that noise. Now I am 65' off the highway and I have sat on the front porch with a decibel meter. When the semis that come by with probably a broken or modified brake and they hit that brake it registered (65 feet off the highway) between 100-125 DB. Now that is a nuisance for a residential area that has two or three dozen nice houses out there. If the rezoning goes through, that will increase trifold probably. So for those reasons there I think it is a bad idea to increase the semi traffic down State Road 2 for what they are proposing to do. Thank you.

(Audio position: 0:28.20.8)

Philip Badger, 26303 State Road 2: Approximately two residences east of the gas station. As many have pointed out today about the speed limit in the area, it isn't very well enforced. It is difficult to pull in and out of drive as well. In reading through what we received in the mail, we do understand that this is a site plan that is being submitted for rezoning purposes only. The site plan as it stands does pose some problems. We use the paved area as an egress and ingress for our driveway. That would be the pass-through area that will eventually become an entrance for semi traffic. A couple of other things I notice is the diesel canopy that is being proposed in the site plan is to accommodate semi-truck traffic. That would be large rigs or 18 wheelers if you will. Those vehicles, if they do use the State Road 2 as an ingress, they will then be using Quince Road as an egress, and I don't see anything in the current site plan to address the traffic concerns of that type of traffic on the county road. That would be north of the current intersection. That is a concern also. Now with everything that is being said, we know that this is a preliminary plan and perhaps this is an opportunity to address some of the other issues about the traffic fatalities and such. We might be able to do something here. As somebody else had mentioned, the elevation of that intersection as it ties in with afternoon traffic between 4 and 5:30 is a factor with the sun actually being behind those traffic signals. If the elevation could be changed along with some other considerations, this could actually end up being a good proposal. But we would like to see more thought given to the traffic and the speed limit considerations and the ingress and egress on both State Road 2 and Quince Road. Thank you.

(Audio position: 0:31:24.6)

Roy Dekker, 26752 State Road 2, South Bend: I live about ¼ mile west of the intersection in question. In regards to the zoning change, my wife and myself are against it. We believe this would make the area more dangerous as several others have noted due to the increased traffic with all the accidents that have happened over the years. Little by little, they have made some changes out there, but nothing seems to have helped so we definitely need to address that. A lot of semis speed through this area. As mentioned, it is a 50 mph zone, but rarely do they go as slow as 50 mph. I also have problems turning in because I live on the south side of State Road 2 heading west and trying to turn into our driveway. A lot of times I've had to go down to the next cut across because I have almost been rear ended by people. I start way ahead of time tapping my brakes putting on the turn signal, watching my mirror. If you are not really watching, you can end up getting run over.

I believe there is also going to be increased noise pollution due to the increase in trucks as they mentioned with the compression brakes that are being used, even though it is not allowed in that area. The speed limit and the engine compression brake ordinance are being enforced. Sometimes pictures on our walls shake from all the trucks going by. They put rumble strips right in front of our house a few years ago and that seems to only create more noise and has not slowed anyone down. We moved into this area about 16 years ago. We wanted a more rural setting. We enjoy living out there, but the traffic has increased a lot. The noise has also gone up because of that. We really don't want more congestion out there. We have a nice residential area

out there. If we can quiet things down and keep things safer, that would be a great benefit. I also believe that doing this would decrease our property values due to increased noise. If I was looking to buy this house nowadays, I wouldn't even think about it after sitting in the driveway for two minutes with all the traffic going by. Thank you for hearing me.

(Audio position: 033:58.4)

Clem Litka, 56720 Quince Road: I first would like to start off by thanking Raj and his family for what they have done in our community since 1979. They have made some changes and they have been for the better. One thing that everybody keeps telling you, and I don't know how many of you have ever been through that intersection, but we have obviously seen many tragedies. It is like a funnel and everybody is forcing their way through this funnel, and you cannot ask the police to monitor it 24/7 which is the only alternative. One thing we need to look at as a commission is if you would take your grandchild or child through there at 8:00 in the morning. That is when I travel through there. We have school buses, we have semis, we have people on the phone and contrary to what anybody says we all know it is a bad intersection. But you are going to have to figure out the solution before you authorize the improvement. The reason why I say that is I've driven truck and I see roundabouts all around Bittersweet and putting them up at SR6 and SR2 all over. We have to come up with a solution that is responsible. We have to come up with a solution that is going to take this tragedy that has happen since 1979. I don't have the facts on how many people were killed there. And you are sitting here thinking everybody is talking about the tragedies but when you walk up and see four semis that have been hit in the back and the cab is completely ripped off and that specific driver can't even tell if it is a man or woman. Let me tell you right now, it is a bad intersection.

Now take the time and give some thought to a roundabout. Take the time and give some thought to what you would do as a responsible parent letting your 16-year-old drive to school whether they are going to New Prairie, South Bend St. Joe, or South Bend Washington. Would you feel comfortable letting your child approach this intersection to and from school with the increased amount of traffic that is going to come through here? Now again I am going to re-emphasize I really like what Raj and his family have done for the community. It is now in your hands to fix the solution, get a solution to fix this tragedy-stricken area. I'm sure there will be people in there that will come up with the facts I don't have the facts on how many, but I have been there since 1979 and I would give you my word that is not pleasant. If you are weeding in your garden and you hear the screech and an explosion, you don't want to walk out there no more to find out who died. I don't know how many of you have been through that area and maybe you have or maybe you haven't, but I will give you my word it is bad. So fix the problem and then maybe give some consideration to authorizing the project. Thank you.

(Audio position: 0:37:3.2)

Debra Durall, 21677 Auten Road, South Bend, IN: Thank you for your work today and thank you for hearing us.

I live on Auten Road, so that is very far north of this site. Auten Road is not a highway but a lot of the things that I am hearing people say about living in and near this intersection are happening in other places in our county and a lot of what the people are doing to prevent from being rear ended are the things that people that live on Auten Road are also doing. So I can truly understand that this is a serious problem. My concern is from a zoning perspective. How do you continue to zone industry and commercial sites that continue to expand into residential and rural areas? I know this is a hot topic and there is a lot of discussion on both sides of this, but this is a perfect example. I think one person brought up the air pollution. I've been in a semi-truck from time to time going across the country with my brother and I know they do not turn these engines off when they stop the truck for the large part. So not only are we looking at the noise pollution and the danger on the roads and that kind of thing, but we are also looking at the increased air pollution in a residential area. If these people do not have quarter mile driveways off of the road, their quality of life and their property values are being greatly affected by what we are doing with transportation as the traffic continues to increase and the industry requiring a large vehicle continues to increase. We need to start taking a look from a zoning perspective at what do we do where people actually live. Thank you.

(Audio position: 0:40:01.8)

Ally Olson, 1739 E Jefferson, Mishawaka, IN: I work at 52200 Quince Road for an organization called Reins of Life. We service children with disabilities working towards physical, cognitive, social behavioral goals. Weekly we have about 200 participants coming to the barn with their families. That does not include the 100's of volunteers that are helping feed our horses as well as volunteering in the class to help the children reach their goals, as well as interns and a lot of the interns and volunteers are high school aged students that are coming and getting their hours for school. It is part of our communication to our interns and volunteers and families about the dangers of this intersection. I personally know that when you are turning right, north on Quince from SR 2, you do have to use that shoulder area because people behind you will not pay attention and there is a fear of getting rear ended there. We ask students and their families and volunteers to pause and take another look at that intersection to make sure traffic is not trying to come through that red light. Because it does happen, and it has happened numerous times in front of me.

I am thankful for a convenience store and gas station right there that I can get gas before I drive 30 minutes to go home, especially in the winter. I do think improvements do need to happen before we make a dangerous situation more dangerous. We have a K-12 school program at the barn so we have special education classes, behavioral support classes, life skill classes coming to the barn throughout the week and that is steadily increasing every year with more classes coming getting bused to the barn.

Thank you for your consideration and I know that there is such a focus on you. I recognize some faces that have attended my games when I was at high school here, so thank you for your consideration and keeping our youth and community safe.

(Audio position: 0:42:23.6)

Al DeMeyer, 56775 Quince Road, South Bend, IN: I've lived out there for 70 years and it has changed. All I can do is echo what everybody has said. That the intersection is very dangerous. That needs to be fixed in my opinion before it this goes through. Nothing against the guys, like my son said they know what type of cigarettes I smoke. They are good people and they don't want to see the accidents either. That needs to be taken care of first. Thank you.

(Audio position: 0:43:05.1)

Judith Rubleske, 515 S. Main Street, South Bend, IN: Everybody has listed many reasons. I am concerned about quality of life for the residents. Air pollution and safety is always primary. This is a speculative arrangement. Fix the intersection first and then maybe work on progress for transportation of goods. Maybe we need to relook at rail instead of more semis? Once the semis get into South Bend, we are getting more sink holes because of water mains breaking. That happened about a two weeks ago on Sample Street. A lot of those semis carry extremely heavy loads our streets are not designed to handle. It is quality of life all around but not just for human life and residents, but we all need the air to be clean too. If you have ever been to Elwood that is a semi nightmare. I don't want us to go in that direction. I've been to Elwood in Illinois, and it will really open your eyes. When semis rule the road, there is no quality of life for any life. Thank you and I appreciate your attention and appreciate everyone that spoke.

(Audio position: 0:45:25.8)

Joe Bokon, 26726 SR2, South Bend, IN: I would very much like to invite anyone of you on the panel to sit in my backyard with me on my swing and I will provide the beverage of your choice. I want you to listen to these obnoxious semis. Please take my invitation.

(Audio position: 0:45:59.2)

Marc Anela, 1301 N Michigan Street, South Bend, IN: I want to reiterate that the young people of South Bend do not want diesel traffic. We do not want diesel pollution and we are not interested in the economic gain of few people. We do appreciate the small business that is there and how it serves the community, but we do not see how increased diesel traffic and increased diesel pollution will help anybody in South Bend. Please consider all of our health going forward, thank you.

(Audio position: 0:47:07.8)

Mary Countryman, 52959 Timothy Road, New Carlisle, IN: I would like to speak against this expansion. While I think it is great there is a small business there, there is too much of a mess. Too many accidents, too many lives and I've almost been rear ended at that intersection before and had to pull off to the side or else I would have been hit.

The whole intersection is a mess I don't have the answer, but something needs to be improved before you add to it. Adding the semis, the diesel and it is just inviting more semis and anybody that lives along Highway 2 or off of Highway 2. Parents of school kids will tell you trying to get the kids to and from school is a nightmare. Trying to cross Highway 2 is a nightmare and they said that is only going to make it worse by adding and encouraging more semis to use that road. It needs to be fixed. I don't think it needs to be expanded, it needs to be fixed. The solution is not clear, but it needs to be fixed before it gets any worse. Anybody that votes for this I hope they are up for attending funerals and visiting people in the hospital because if you vote for it, that's what is going to happen and make it worse. Thank you.

Adam DeVon: For those that are speaking online we ask that you please turn your video on as well when you are speaking.

The public portion of the hearing is now closed. The petitioner may have the time to rebut.

(Audio position: 0:49:31.5)

Debra Hughes, Surveying and Mapping: Thank you very much and to everyone who spoke. What I heard loud and clear is that this is an unsafe intersection. If this petition doesn't happen, if we are not here today, none of that is going to change. There is still going to be semis on the road and still using this route. None of that is going to change. The project would provide an opportunity to improve things. Otherwise, it is a state highway. They have lots of priorities. This may not be one of their top priorities. Here you have an owner who is willing to invest private money and public improvements to make the intersection better. That is what we have to offer is an opportunity to improve things. The traffic is not anything we have any control over. The opportunity to improve things and make it safer, that is something we are offering. The trucks that do pull off by the side of the road, this would provide them a place to pull in and park to get them off the road.

Truck traffic is going to be what it is and you can't control that, but there is an opportunity to make an improvement here. The rezoning and land use change would be the first step in the process. We would be happy to address any questions the board might have.

(Audio position: 0:51:13.3)

Abby Wiles: It was brought to my attention in my conversations today with our Economic Development and Engineering staff that INDOT is looking to make some improvements along this corridor. A major project from the bypass to 20, including new pavement, drainage, and

other improvements. Ultimately it is INDOT’s highway and they have jurisdiction over what improvements are made at the intersection.

Adam DeVon: I do agree. Obviously we have heard “there needs to be improvements, there needs to be improvements.” Being in the industry and seeing how things work, things are not generally going to improve just to improve the way departments work. State, local all the communities that work. You have mutiple jurisdictions here at the intersection. It does take projects like this to bring light of things that are issues and what can be done to improve the issues. I do agree with Debra that things like this will bring INDOT’s attention. They have to improve this and that is a major obstacle. These are not easy tasks to happen but these are things that INDOT and the county and all these department heads will need to discuss and agree on. To be able to move this forward otherwise it will not move forward.

Abby Wiles: Adam, just to clarify for everyone today. I know we have some folks that have been to APC hearings before and we might have some new people. You all are sending a recommendation to the County Council, then it will go to committee and then to them for final public hearing. You can do favorable, unfavorable or a no recommendation vote.

(Audio position: 0:53.58.2)

Robert Hawley: First of all, I would like to thank all the people that showed up and came before us today. This tugs at my heart. I was born and raised here in South Bend and I know the area real well. I drove it the other day and I was amazed at the traffic. I was coming back from LaPorte and like you said, cars and trucks. We got to move forward, somehow we need to move forward, and if we don’t move forward it is going to be the same it is right now. With that being said, I would like to make a motion that we vote in favor of the petition that is presented before us today.

After due consideration, the following action was taken:

Upon a motion by Robert Hawley, being seconded by Tom England and unanimously carried 6-0, a proposed ordinance of R & R PROPERTY LLC to zone from R: Single Family District and C: Commercial District (site plan specific) to C: Commercial District (not site plan specific), property located at 26395 STATE ROAD 2 HWY and 56450 QUINCE RD, St. Joseph County, is sent to the County Council with a FAVORABLE recommendation. Rezoning is supported by the Comprehensive Plan for South Bend and St. Joseph County, Indiana (2002), Goal 2: Encourage the economic development of the County and its municipalities. Especially supported by Goal 2, Objective C: Develop quality business areas to meet the retail and service needs of the planning area.

Adam DeVon	Aye	Robert Hawley	Aye
James Moffitt	Aye	Dr Jerry Thacker	Aye
Tom England	Aye	Brittni Gendron	Aye

- 2 A proposed ordinance of BASHOR HOME OF THE UNITED METHODIST CHURCH INC to zone from R: Single Family District to I: Industrial District, property located at 55401 Bittersweet, unaddressed abutting parcel to the east, and 3 +/- acre abutting triangular parcel to the south, St. Joseph County - APC# 2984-22.

(Audio Position: 0:55:57.3)

Adam DeVon: Item number two, APC 2984-22 has been tabled by the petitioner and will be read at the October meeting for anyone else who did not hear that announcement in the beginning.

ITEMS NOT REQUIRING A PUBLIC HEARING

1. Miscellaneous:

- None

2. Executive Director's Report:

(Audio position: 0:56:27.8)

Abby Wiles: Working groups for the Comprehensive Plan continue “thank you for everyone” who is volunteering on that effort.

We presented the IEC draft overlay to you last month. It is not in your packets this month. We held it back another month because we are going to bring forward multiple ordinances related to that petition and we needed to ensure proper legal notice requirements are met and to give staff additional time to review. We anticipate putting that on your agenda at a future date. It is not dead, it is just on pause while we work through the legal requirements for the petition.

Adam DeVon: Anything with the Comprehensive Plan?

Abby Wiles: Just that the Working Groups are continuing. Thank you Adam for your volunteering with Housing, Brittini and Emily volunteering with Quality of Life and Farmland Preservation.

3. Minutes:

(Audio position: 0:57:40.0)

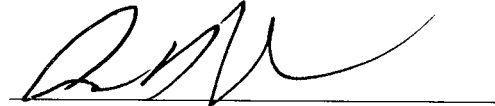
Upon a motion by Dr Jerry Thacker, being seconded by Robert Hawley and unanimously carried 6-0, to approve the minutes from August 16, 2022, Area Plan Commission meeting.

Adam DeVon	Aye	Robert Hawley	Aye
James Moffitt	Aye	Dr Jerry Thacker	Aye
Tom England	Aye	Brittini Gendron	Aye


4. Adjournment:

Upon a motion by Tom England, being seconded by Dr Jerry Thacker and unanimously carried 6-0, to adjourn the Area Plan Commission meeting at 4:38 p.m.

Adam DeVon	Aye	Robert Hawley	Aye
James Moffitt	Aye	Dr Jerry Thacker	Aye
Tom England	Aye	Brittni Gendron	Aye



Adam DeVon,
President of the Commission



Abby Wiles,
Secretary of the Commission