



AREA PLAN COMMISSION OF ST. JOSEPH COUNTY, IN

LAWRENCE P. MAGLIOZZI
EXECUTIVE DIRECTOR

Angela M. Smith
Deputy Director

227 W. JEFFERSON BLVD., ROOM 1140 COUNTY-CITY BUILDING, SOUTH BEND, INDIANA 46601 (574) 235-9571

Wednesday, August 17, 2016

The Honorable Council of the City of South Bend
4th Floor, County-City Building
South Bend, IN 46601

RE: A proposed ordinance of St. Joseph County Airport Authority to zone from A: Agricultural District (County) and M: Manufacturing Industrial District (County) to LI Light Industrial District (City), property located at 22965, 24632, 24650, and 24700 US 20; 54270 Pine Road; and a tract of land adjacent to and east of 54270 Pine Road, City of South Bend - APC# 2788-16.

Dear Council Members:

I hereby Certify that the above referenced ordinance of St. Joseph County Airport Authority was legally advertised on August 4, 2016 and that the Area Plan Commission at its public hearing on August 16, 2016 took the following action:

Upon a motion by Oliver Davis, being seconded by Phil Sutton and unanimously carried, a proposed ordinance of St. Joseph County Airport Authority to zone from A: Agricultural District and M: Manufacturing Industrial District to LI Light Industrial District, property located at 22965, 24632, 24650, and 24700 US 20; 54270 Pine Road; and a tract of land adjacent to and east of 54270 Pine Road, City of South Bend, is sent to the Common Council with a FAVORABLE recommendation subject to the following Written Commitments: 1) 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. Rezoning this site to LI Light industrial will allow for the development of uses that are compatible with Airport operations with access to major transportation routes nearby.

PLEASE NOTE that the Ordinance has been amended by the petitioner and is different than that used for the Common Council's first reading. The amended Ordinance was legally advertised and heard by the Area Plan Commission.

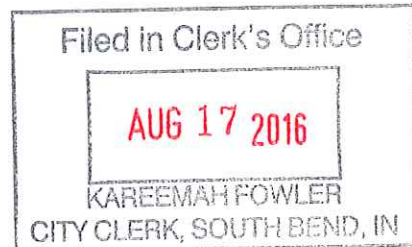
The deliberations of the Area Plan Commission and points considered in arriving at the above decision are shown in the minutes of the public hearing, and will be forwarded to you at a later date to be made a part of this report.

Sincerely,

Lawrence P. Magliozzi

Attachment

CC: St. Joseph County Airport Authority





AREA PLAN COMMISSION OF ST. JOSEPH COUNTY, IN

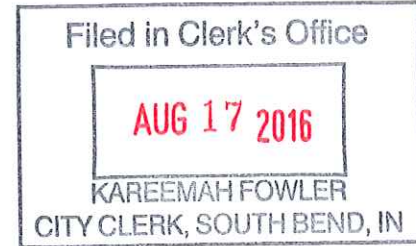
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227 W. JEFFERSON BLVD., ROOM 1140 COUNTY-CITY BUILDING, SOUTH BEND, INDIANA 46601 (574) 235-9571

August 17, 2016

South Bend Common Council
4th Floor, County-City Building
South Bend, IN 46601



RE: Bill # 35-16
Rezoning: APC# 2788-16 - 22965, 24632, 24650, and 24700 US 20; 54270 Pine Road; and a tract of land adjacent to and east of 54270 Pine Road

Dear Council Members:

The Area Plan Commission held a public hearing on August 16, 2016 for the above reference petition. This petition is set for public hearing before the Common Council on Monday, September 12, 2016.

Ordinance & Petition Amendments:

The following changes have been made to the above referenced petition:

Ordinance:

- 1.) The Township was changed to German.
- 2.) The property addresses were updated.
- 3.) The legal description was updated and corrected.
- 4.) Section II was added to reflect the Written Commitment.

Petition:

- 1.) The property addresses were updated.
- 2.) The legal description was updated and corrected.

A Copy of the revised Ordinance is attached.

Public Hearing Summary:

There were 2 people that spoke in opposition to the proposed rezoning.

- Rosemary Bell was concerned about what type of industry would be on the site. She stated the plans for the site have changed so many times and nothing has been developed. Also, she commented that Pine Road is not designed for heavy traffic.
- Tom Kosel expressed the same concerns as Rosemary. He also stated that he is opposed to a truck terminal being built on the site.

If you have any further questions, please feel free to contact me at (574) 235-9571.

Sincerely,

A handwritten signature in cursive script that reads "Keith Chapman". The signature is written in black ink and is positioned above the typed name.

Keith Chapman, Planner

CC: Kathleen Cekanski-Farrand

ORDINANCE NO. _____

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, ANNEXING TO AND BRINGING WITHIN THE CITY LIMITS OF SOUTH BEND, INDIANA, AND AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED IN GERMAN TOWNSHIP, CONTIGUOUS THEREWITH; COUNCILMANIC DISTRICT NO. 1, FOR 22965, 24632, 24650, AND 24700 US 20; 54270 PINE ROAD; AND A TRACT OF LAND ADJACENT TO AND EAST OF 54270 PINE ROAD, SOUTH BEND, INDIANA

STATEMENT OF PURPOSE AND INTENT

PETITIONER SEEKING TO ANNEX AND REZONE PROPERTY FOR FUTURE INDUSTRIAL USES.

NOW THEREFORE BE IT ORDAINED by the Common Council of the City of South Bend, Indiana as follows:

SECTION 1. That the following described real estate situated in St. Joseph County, Indiana, being contiguous by more than one-eighth (1/8) of its aggregate external boundaries with the present boundaries of the City of South Bend, Indiana, shall be and hereby is annexed to and brought within the City of South Bend:

PART OF THE SOUTHWEST QUARTER OF SECTION 30 AND THE NORTH HALF OF SECTION 31, TOWNSHIP 38 NORTH, RANGE 2 EAST, GERMAN TOWNSHIP, ST. JOSEPH COUNTY, INDIANA, BEING MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 31; THENCE SOUTH 00°06'11" WEST ALONG THE WEST LINE OF SAID SECTION, 1089.99 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89°42'25" EAST, 588.56 FEET (REC. NORTH 90°00'00" EAST, 588.77 FEET) THENCE NORTH 00°24'48" EAST, 355.17 FEET (REC. NORTH 00°00'00" EAST, 357.32 FEET) TO THE SOUTHWEST CORNER OF LOT 1 OF THE RECORDED PLAT OF KELLER AND HALL MINOR SUBDIVISION AS RECORDED IN THE OFFICE OF THE RECORDER OF ST. JOSEPH COUNTY INDIANA; THENCE SOUTH 89°58'26" EAST ALONG THE SOUTH LINE OF SAID LOT 1, 553.41 FEET (REC. SOUTH 89°47'33" EAST, 553.56 FEET) TO THE SOUTHEAST CORNER OF SAID LOT 1; THENCE NORTH 01°42'52" WEST, 457.16 FEET TO THE NORTHWEST CORNER OF LOT 2A OF THE RECORDED PLAT OF CASCINO MINOR SUBDIVISION AS RECORDED BY DOCUMENT NUMBER 9125343; THENCE ALONG SAID LOT 2A FOR THE NEXT FOUR (4) COURSES, NORTH 89°26'08" EAST, 353.28 FEET (REC. NORTH 89°27'57" EAST, 351.36 FEET), AND NORTH 02°09'38" WEST, 129.92 FEET (REC. NORTH 02°07'49" WEST, 129.92 FEET), AND NORTH 54°49'19" WEST, 313.42

FEET (REC. NORTH 54°47'30" WEST, 313.42 FEET), AND NORTH 28°33'11" EAST, 27.89 FEET (REC. NORTH 28°35'00" EAST, 27.8 FEET) TO THE SOUTHERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 20; THENCE NORTH 00°00'00" EAST, 285 FEET MORE OR LESS TO THE NORTH RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY 20; THENCE SOUTH 55°25'02" EAST, ALONG SAID NORTH LINE, 660 FEET MORE OR LESS TO THE PRESENT CITY OF SOUTH BEND CORPORATE LIMIT LINE; THENCE SOUTH 28°33'11" WEST, 180 FEET ALONG SAID LINE TO THE SOUTH RIGHT-OF-WAY LINE OF U.S. HIGHWAY 20; THENCE ALONG SAID SOUTH LINE, SOUTH 55°25'02" EAST, 300 FEET MORE OR LESS TO A POINT OF INTERSECTION WITH THE WEST RIGHT-OF-WAY LINE OF THE U.S. 20 BY-PASS (A.K.A. ST. JOSEPH VALLEY PARKWAY); THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE FOR THE NEXT EIGHT (8) COURSES; SOUTH 38°08'20" EAST, 139.58 FEET, AND SOUTH 28°56'12" EAST, 935.25 FEET, AND SOUTH 01°44'02" EAST, 55.85 FEET (REC. SOUTH 00°00'00" EAST, 48.00 FEET) TO A POINT ON THE NORTH LINE OF THE SOUTH 1/2, OF THE NORTHWEST QUARTER OF SAID SECTION 31, AND SOUTH 89°53'51" EAST ALONG SAID NORTH LINE, 14.92 FEET, AND NORTH 01°36'33" WEST, 14.68 FEET, AND SOUTH 29°41'47" EAST, 653.16 FEET (REC. SOUTH 33°00'50" EAST, 675.32 FEET) AND SOUTH 09°41'15" EAST, 409.58 FEET (REC. SOUTH 08°47'10" EAST, 409.58 FEET), AND SOUTH 04°05'20" EAST, 376.16 FEET (REC. SOUTH 03°11'15" EAST, 376.16 FEET) TO THE EAST AND WEST QUARTER LINE OF SAID SECTION 31; THENCE NORTH 89°46'55" WEST, 381.54 FEET (REC. NORTH 89°46'55" WEST, 427.96 FEET TO THE CENTER OF SAID SECTION AS MONUMENTED, ALSO BEING THE SOUTHEAST CORNER OF LOT 3 OF THE RECORDED PLAT OF R.M. LYNCH MINOR SUBDIVISION AS RECORDED BY DOCUMENT NUMBER 8800527 IN THE OFFICE OF THE RECORDER OF ST. JOSEPH COUNTY, INDIANA; THENCE NORTH 01°36'33" WEST ALONG THE NORTH AND SOUTH QUARTER LINE OF SAID SECTION 31, AND THE EAST LINE OF SAID LOT 3, 949.65 FEET TO THE NORTHEAST CORNER OF SAID LOT 3; THENCE NORTH 89°49'54" WEST ALONG THE NORTH LINE OF SAID LOT 3, AND ITS WESTERLY EXTENTION, 2535.42 FEET (REC. NORTH 89°56'27" WEST) TO THE WEST RIGHT-OF-WAY LINE OF PINE ROAD; THENCE NORTH 00°06'11" EAST, ALONG SAID WEST LINE, 616.06 FEET; NORTH 89°42'25" EAST, 30 FEET MORE OR LESS TO THE POINT OF BEGINNING.

CONTAINING 71.73 ACRES MORE OR LESS.

SUBJECT TO LEGAL RIGHT-OF-WAYS, EASEMENTS, AND RESTRICTIONS OF RECORD.

SECTION II.

This ordinance is and shall be subject to commitments as provided by Chapter 21-09.02(d) Commitments.

SECTION III. That the boundaries of the City of South Bend, Indiana, shall be and are hereby declared to be extended so as to include the real estate of the above described parcel as part of the City of South Bend, Indiana.

SECTION IV. Ordinance No. 9495-04, as amended which ordinance is commonly known as the Zoning Ordinance of the City of South Bend, Indiana, be and the same hereby is amended in order that the zoning classification of the above described real

estate, with the exception of all adjacent right-of-ways, in the City of South Bend, St. Joseph County, Indiana be and the same is hereby established as LI LIGHT INDUSTRIAL DISTRICT, provided, however, that the required established, and stated procedures for review of such zoning classification by the Area Plan Commission have been fully satisfied.

SECTION V. This Ordinance shall be in full force and effect 30 days from and after its passage by the Common Council, approval by the Mayor, legal publication, and full execution of any conditions or Commitments placed upon the approval.

Member of the Common Council

Attest:

City Clerk

Presented by me to the Mayor of the City of South Bend, Indiana on the _____ day of _____, 2_____, at _____ o'clock _____. m.

City Clerk

Approved and signed by me on the _____ day of _____, 2_____, at _____ o'clock _____. m.

Mayor, City of South Bend, Indiana

1st READING
PUBLIC HEARING
3rd READING
NOT APPROVED
REFERRED
PASSED

Filed in Clerk's Office
AUG 17 2016
KAREEMAH FOWLER
CITY CLERK, SOUTH BEND, IN

Staff Report

8/5/2016

APC # 2788-16
Owner: St. Joseph County Airport Authority Attn: Kerianne Kirby
Location: 22965, 24632, 24650, and 24700 US 20; 54270 Pine Road; and a tract of land adjacent to and east of 54270 Pine Road
Jurisdiction: City of South Bend
Public Hearing Date: 8/16/2016

Requested Action:

The petitioner is requesting a zone change from A: Agricultural District (County) and M: Manufacturing Industrial District (County) to LI Light Industrial District (City).

Land Uses and Zoning:

- On site: On site are single family homes and vacant land zoned R: Single Family District (County) and M: Manufacturing Industrial District (County).
- North: To the north are businesses and single family homes zoned R: Single Family District (County) and M: Manufacturing Industrial District (County).
- East: To the east of the St. Joseph Valley Parkway is the Airport Zoned LI Light Industrial (City) and single family homes and vacant land zoned R: Single Family District (County) and M: Manufacturing Industrial District (County).
- South: To the south is A.M.T., Inc. zoned M: Manufacturing Industrial District (County).
- West: To the west are single family homes and vacant land zoned R: Single Family District (County).

District Uses and Development Standards:

The LI Light Industrial District is established to provide for development of office/warehouse, warehouse/distribution, wholesale, assembly and manufacturing or processing facilities which are clean, quiet, free of hazardous or objectionable elements such as noise, odor, dust, smoke, or glare. Permitted uses in this district tend to generate heavy traffic, require extensive community facilities, and may require limited amounts of outdoor storage. The LI District is also intended to function as a transitional district between the more intense general industrial districts and other less intense districts.

Site Plan Description:

The site plan consists of 7 lots, totaling 68.08 acres. There is no development shown on the site plan at this time. All of the development standards for LI Light Industrial will apply to the site.

Zoning and Land Use History And Trends:

The properties zoned A: Agricultural were rezoned in 1972. The remainder of the property has been zoned manufacturing since prior to 1972.

Traffic and Transportation Considerations:

Pine Road has two lanes. The portion of US 20 adjacent to the site has 4 lanes with a divided median.

Utilities:

There are no utilities proposed at this time.

Agency Comments:

The County Engineer commented that Pine Road is a No Truck Route, so depending on the exact land use, some improvements to Pine Road may be needed. INDOT commented that a drive permit will be required for accessing U.S. 20.

Commitments:

The staff is proposing a written commitment as follows: 1) 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.

Criteria to be considered in reviewing rezoning requests, per IC 36-7-4-603:

1. Comprehensive Plan:

Policy Plan:

The petition is consistent with City Plan, South Bend Comprehensive Plan (November 2006), Objective LU 6.1: Promote orderly and planned growth that expands outward from current city limits.

Land Use Plan:

The future land use map identifies this area as light industrial.

Plan Implementation/Other Plans:

There are no other plans in effect for this area.

2. Current Conditions and Character:

The properties along U.S. 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.

3. Most Desirable Use:

The most desirable use for this district is one that buffers the negative externalities of the Airport from the adjacent properties.

4. Conservation of Property Values:

With proper site layout and buffering, neighboring residential and agricultural property should not be adversely affected.

5. Responsible Development And Growth:

It is responsible development and growth to allow the development of industrial uses along major transportation routes.

Staff Comments:

The anticipated effective date of the annexation is October 30, 2016.

Recommendation:

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, subject to the written commitment.

Analysis:

Rezoning this site to LI Light industrial will allow for the development of uses that are compatible with Airport operations with access to major transportation routes nearby.

REZONING
#2788-16

Filed in Clerk's Office
AUG 17 2016
KAREMAH FOWLER
CITY CLERK SOUTH BEND

Olive

St Joseph Valley

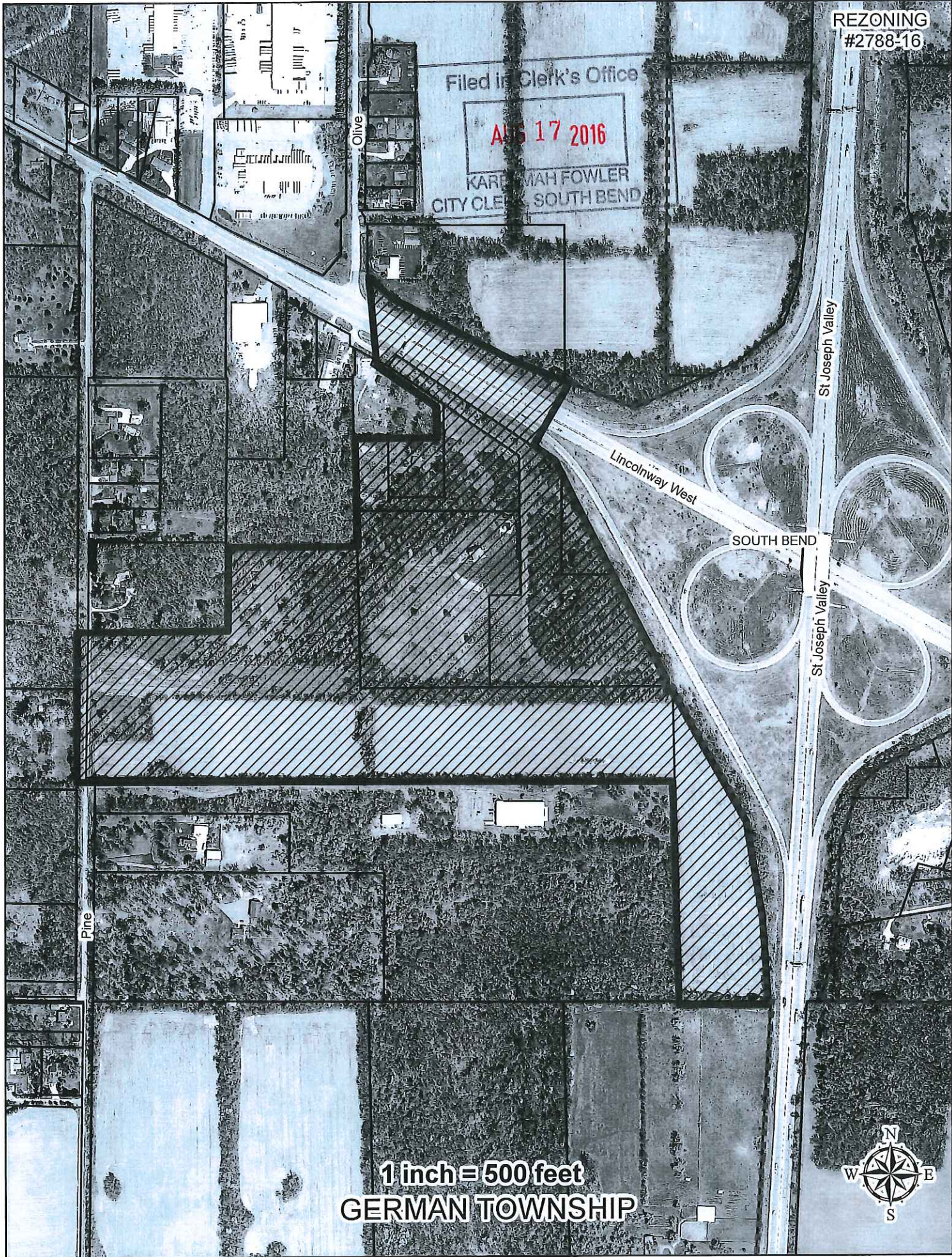
Lincolnway West

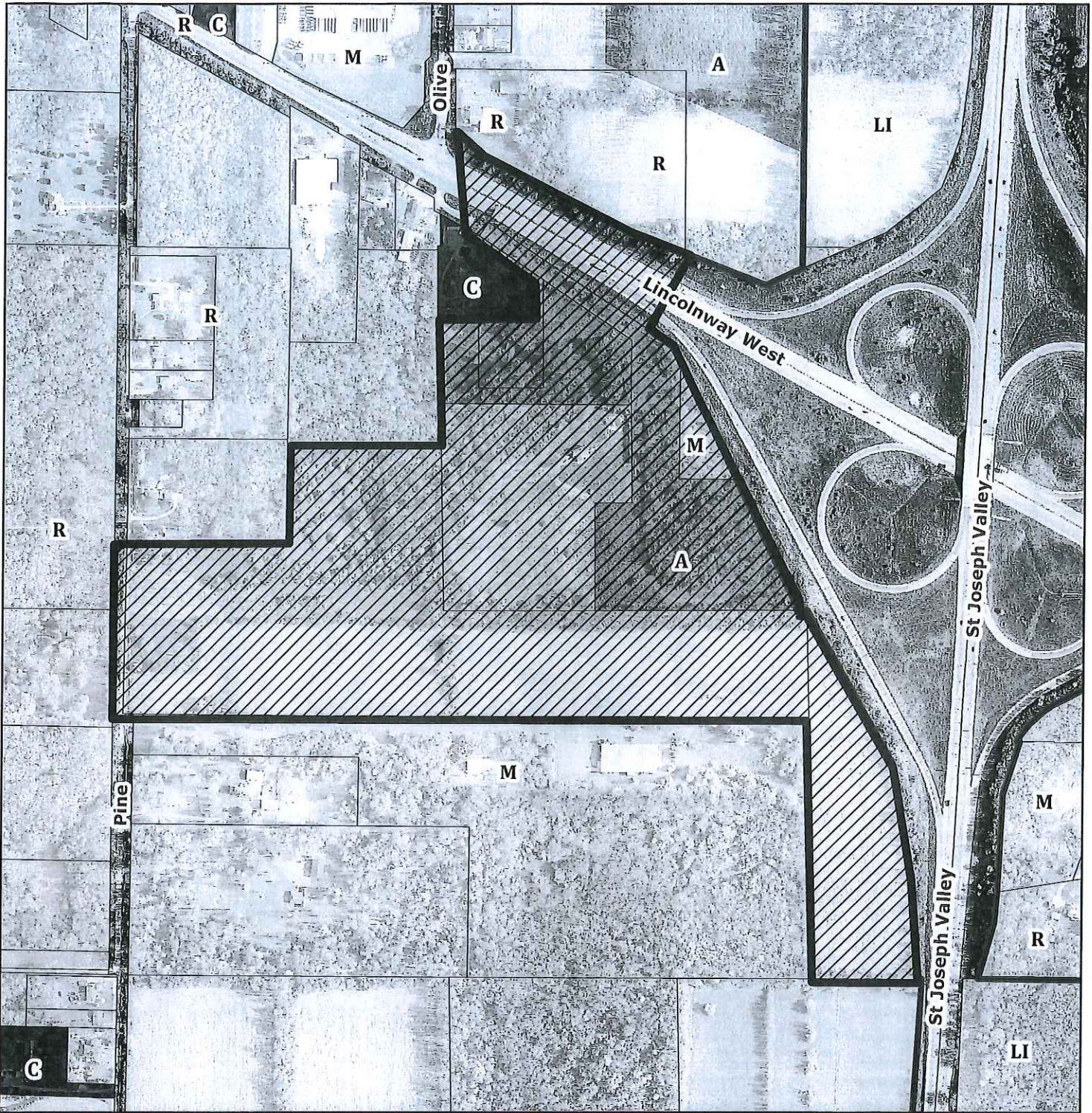
SOUTH BEND

St Joseph Valley

Pine






1 inch = 500 feet
GERMAN TOWNSHIP



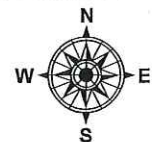


**Rezoning from: ST. JOSEPH COUNTY
"A" AGRICULTURAL DISTRICT & "M" MANUFACTURING INDUSTRIAL DISTRICT
to CITY OF SOUTH BEND "LI" LIGHT INDUSTRIAL DISTRICT**

MASTER ZONING KEY

-  COUNTY "A" AGRICULTURAL DISTRICT
-  COUNTY "R" SINGLE FAMILY DISTRICT
-  COUNTY "C" COMMERCIAL DISTRICT
-  COUNTY "M" MANUFACTURING INDUSTRIAL DISTRICT
-  SOUTH BEND "LI" LIGHT INDUSTRIAL DISTRICT

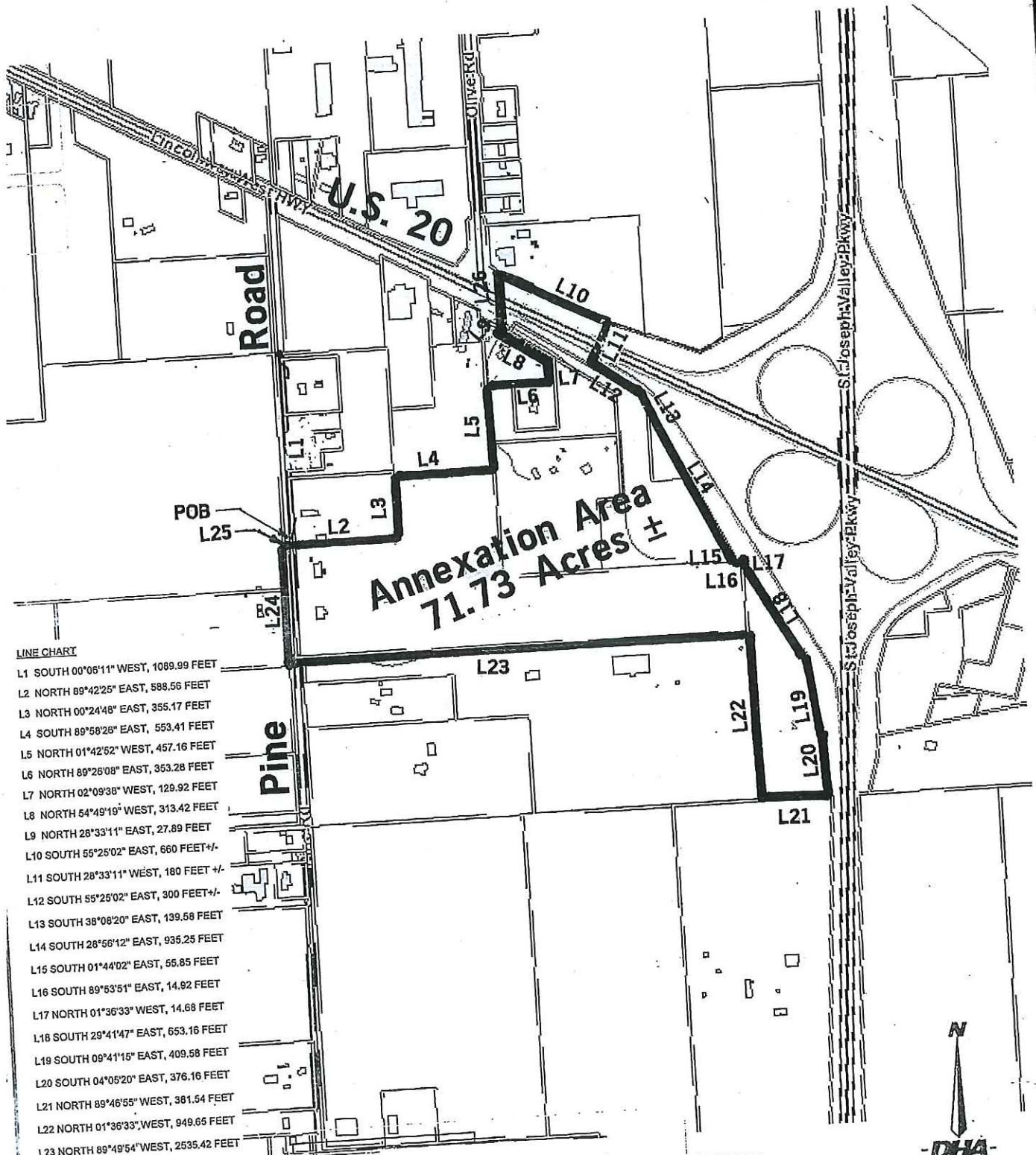
Filed in Clerk's Office
AUG 17 2016
KAREEMAH FOWLER
CITY CLERK, SOUTH BEND, IN



1 inch = 500 feet

APC # 2788-16

ANNEXATION DIAGRAM



Annexation Area
71.73 Acres ±

LINE CHART

- L1 SOUTH 00°06'11" WEST, 1089.99 FEET
- L2 NORTH 89°42'25" EAST, 588.56 FEET
- L3 NORTH 00°24'48" EAST, 355.17 FEET
- L4 SOUTH 89°58'28" EAST, 553.41 FEET
- L5 NORTH 01°42'52" WEST, 457.16 FEET
- L6 NORTH 89°26'08" EAST, 353.28 FEET
- L7 NORTH 02°09'38" WEST, 129.92 FEET
- L8 NORTH 54°49'19" WEST, 313.42 FEET
- L9 NORTH 28°33'11" EAST, 27.89 FEET
- L10 SOUTH 55°25'02" EAST, 660 FEET +/-
- L11 SOUTH 28°33'11" WEST, 180 FEET +/-
- L12 SOUTH 55°25'02" EAST, 300 FEET +/-
- L13 SOUTH 38°08'20" EAST, 439.58 FEET
- L14 SOUTH 28°56'12" EAST, 935.25 FEET
- L15 SOUTH 01°44'02" EAST, 55.85 FEET
- L16 SOUTH 89°53'51" EAST, 14.92 FEET
- L17 NORTH 01°36'33" WEST, 14.68 FEET
- L18 SOUTH 29°41'47" EAST, 653.16 FEET
- L19 SOUTH 09°41'15" EAST, 409.58 FEET
- L20 SOUTH 04°05'20" EAST, 376.16 FEET
- L21 NORTH 89°46'55" WEST, 381.54 FEET
- L22 NORTH 01°36'33" WEST, 949.65 FEET
- L23 NORTH 89°49'54" WEST, 2535.42 FEET
- L24 NORTH 00°06'11" EAST 616.05 FEET
- L25 NORTH 89°42'25" EAST, 30 FEET +/-
- L26 NORTH 00°00'00" EAST, 285 FEET +/-

Filed in Clerk's Office
AUG 17 2016
 KAREEMAH FOWLER
 CITY CLERK, SOUTH BEND, IN

FILED
 JUL 27 2016
 AREA PLAN COMMISSION
 APPLICATION NO. 2788-16



SCALE 1"=800'
 REVISED 7-26-16