

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

MINUTES

January 20, 2022
8:30 a.m.

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

MEMBERS PRESENT:

John R. McNamara, P.E., L.S.
Sky Medors, P.E.
Mark Espich
Randy James
Dave Cherrone

ALSO PRESENT:

Abby Wiles
Ryan D. Fellows
Shawn Klein
Shelley Marker

ELECTION OF OFFICERS

(Audio Position: 0:00:15.5)

1. ELECTION OF OFFICERS

Upon a motion by Sky Medors, being seconded by Dave Cherrone and unanimously carried, John McNamara, P.E., L.S. was elected as Chairman.

Upon a motion by Randy James, being seconded by Dave Cherrone and unanimously carried, Sky Medors, P.E. was elected as Vice-Chairman.

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:

None for consideration at this time.

2. MINOR PLATS:

(Audio Position: 0:01:30.9)

A. AHEPA 100 Generations Drive Minor

7270-21-M

SHAWN KLEIN: This Minor Primary subdivision is located on the west side of Generations Drive approximately 850' west of Carmichael Drive, St. Joseph County. This subdivision will consist of 2 building lots. The total area is 21.01 acres. According to the FEMA Flood Insurance Rate Map, a portion of Lot 2 lies within Zone AE Special Flood Hazard Area. Additionally, according to the National Wetlands Inventory, Freshwater Emergent Wetland and Freshwater Forest/Shrub Wetland are present on Lot 2. The wetlands and flood zone will be shown on the

plat prior to approval. The rights-of-way are correct as shown. The County Surveyor recommends approval. The County Engineer recommends tabling the subdivision, stating that justification (such as a hydraulic analysis) must be provided for the proposed reduction of the retention easement area for the existing stormwater basin. South Bend Engineering has no concerns related to this subdivision. The County Health Department continues to review this subdivision.

On June 9, 2021, the Area Board of Zoning Appeals granted a variance from Section 154.122 (F)(1), the maximum gross density for multifamily dwellings in the R-2 Residential District of 12 dwelling units per acre, to allow 20.5 units per acre. The Staff has reviewed this Subdivision and recommends that it be tabled indefinitely, per the surveyor's request, to provide time to assess the drainage implications of the proposed new assisted living care facility to be placed on Lot 1 and seek approval of a reconfigured retention basin easement from the County Engineer and County Surveyor.

After due consideration, the following action was taken:

Upon a motion by Sky Medors, P.E., being seconded by Randy James and unanimously carried, AHEPA 100 Generations Drive Minor Subdivision is tabled indefinitely per the surveyor's request to provide time to assess the drainage implications of the proposed new residential facility to be placed on Lot 1 and seek approval of a reconfigured retention basin easement with the County Engineer and County Surveyor.

B. Freymuth Adams Road Minor Subdivision

7271-21-M

SHAWN KLEIN: This Minor Primary subdivision is located on the south side of Adams Road approximately 2700' west of Portage Road, St. Joseph County. This subdivision will consist of 1 building lot. The total area is 7.16 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 continues to review this subdivision. The Professional Land Surveyor, on behalf of the applicant, request the following waiver: From Section 153.135 (H) to allow one 20' opening across the 5' non-access easement for continued access onto Adams Road for Lot 1. If the waivers are granted and the Health Department recommends approval, Staff recommends that this Subdivision be granted Primary Approval.

After due consideration, the following action was taken:

Upon a motion by Brett Davis, being seconded by Randy James and unanimously carried, the waivers from Section 153.135 (H) to allow one 20' opening across the 5' non-access easement for continued access onto Adams Road for Lot 1 were approved.

Upon a motion by Brett Davis, being seconded by Randy James and unanimously carried, the Plat Committee finds the evidence adduced at this Plat Committee Hearing supports each element of the Staff Report, and Freymuth Adams Road Minor Subdivision therefore complies with the St. Joseph County Subdivision Control Ordinance and is

granted Primary Approval, subject to the following: submittal of a septic inspection for the existing system on Lot 1

C. Sauer Osborne Road Minor

7272-21-M

SHAWN KLEIN: This Minor subdivision is located on the north side of Osborne Road approximately 1800' east of US 31 and along US 31 approximately 1200' north of Osborne Road, St. Joseph County. This subdivision will consist of 2 building lots and 1 outlot. The total area is 155.86 acres. According to the Indiana Department of Natural Resources Best Available Data, a portion of Lot 1 and Outlot A fall within the Approximate Flood Fringe. This area has been delineated on the plat. 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 4, 2022, which states that as there is no septic system on file for the dwelling on proposed Lot 2, and therefore a septic inspection for this system must be submitted. The Professional Land Surveyor, on behalf of the applicant, requests the following waivers: 1) From Section 154.135 (H) to allow for one 20' opening across the 5' non-access easement for continued access onto Osborne Road for Lot 1, one 20' opening across the 5' non-access easement for continued access onto Osborne Road for Lot 2, and one 30' opening across the 5' non-access easement for future access onto Osborne Road for Outlot A, 2) From Filing Requirement (C)(9) to only show contour information on Lot 1 and Lot 2, and 3) From Filing Requirement (C)(6) to only show soil information on Lot 1 and Lot 2. This subdivision was tabled by the Plat Committee on January 20, 2022, to provide time for the deficiencies communicated by the County Engineer, Health Department, and the non-conformance memo issued by Area Plan Commission staff to be addressed. Revisions to the plat requested by the County Engineer and Area Plan Commission staff have since been completed. The Health Department continues to review recent submittals. If the waivers are granted and the Health Department recommends approval, Staff therefore recommends that this Subdivision be tabled to the Plat Committee meeting on February 03, 2022.

Sky Medors: Motion to table.

Randy James: Second.

Terry Lang: Can I comment first? There was a request for revisions to drawings that were submitted to the Health Department and to the Planning Commission at the last minute yesterday and those were emailed in. We've given Brett and Shawn both copies of the amendments so we would like to have this heard if possible.

Sky Medors: Have you had a chance to look at the items that were emailed in yesterday at...

Brett Davis: I received mine at 8:13 a.m. and I have not had time to review it.

Shawn Klein: We should be set up well for February 03, 2022 and recommend that we table it until February 03, 2022.

After due consideration, the following action was taken:

Upon a motion by Sky Medors, P.E., being seconded by Brett Davis and unanimously carried 5-0, Sauer Osborne Road Minor Subdivision is tabled to the February 03, 2022, Plat Committee meeting to provide time for the Health Department to review the recently submitted revisions.

D. Horrall Fir Road Minor

7273-21-M

SHAWN KLEIN: This Minor Primary subdivision is located at the southeast corner of Fir Road and Jackson Road, St. Joseph County. This subdivision will consist of 2 building lots. The total area is 1.88 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 recommends approval. The County Engineer recommends approval, subject to showing the 20' opening for future access onto Fir Road for Lot 2 at the southern end of the lot. The County Health Department issued a deficiency on January 4, 2022, stating that the existing system information for Lot 1 is incomplete, and that a schematic from 1994 shows an old system valve. The deficiency further states that the seasonal high water table on Lot 2 is as shallow as 3" below grade, and that therefore septic systems will require drains and an outlet which must be shown on the same lot or in a dedicated easement off-lot. The Health Department further provides that the current septic layouts are for 3 bedroom homes, and that the site may be restricted to 3 bedrooms if larger systems and their associated drains cannot be provided. The Professional Land Surveyor, on behalf of the applicant, requests the following waiver: 1) From Section 153.135 (H) to allow one 20' opening across the 5' non-access easement for continued access onto Fir Road for Lot 1, one 20' opening across the 5' non-access easement for continued access onto Jackson Road for Lot 1, and one 20' opening across the 5' non-access easement for future access onto Fir Road for Lot 2. The subdivision was tabled by the Plat Committee on January 20, 2022, to provide time for the deficiencies communicated by the County Engineer, Health Department, and the non-conformance memo issued by Area Plan Commission staff to be addressed. The County Engineer and Area Plan Commission issues have since been addressed. If the waivers are granted and the Health Department recommends approval, staff recommends that this subdivision be approved. Otherwise, staff recommends that this subdivision be tabled to February 03, 2022, to provide time for the Health Department deficiency to be addressed.

After due consideration, the following action was taken:

Upon a motion by Brett Davis, being seconded by Dave Cherrone and unanimously carried 5-0, Horrall Fir Road Minor Subdivision is tabled to the February 03, 2022 Plat Committee meeting to provide time for the deficiencies communicated by the Health Department to be addressed.

3. REPLATS:

None for consideration at this time.

4. MINUTES:

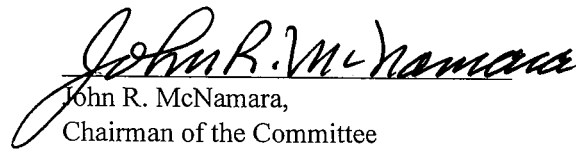
A. Approval of the minutes from the January 06, 2022 Plat Committee meeting:

Upon a motion by Brett Davis, being seconded by Sky Medars, P.E., and unanimously carried 5-0, the minutes from the January 06, 2022 Plat Committee were approved.


6. ADJOURNMENT:

Upon a motion by Brett Davis, being seconded by Sky Medors, P.E. and unanimously carried, the January 20, 2022 Plat Committee meeting adjourned at 8:33 a.m.

RESPECTFULLY SUBMITTED,


John R. McNamara,
Chairman of the Committee

ATTEST: <


Abby Wiles,
Secretary of the Committee