

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

MINUTES

Tuesday, May 17, 2016
3:30 p.m.

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

MEMBERS PRESENT:

Daniel Brewer, Adam DeVon,
John DeLee,
Matthew Peterson, Robert Hawley, John
R. McNamara, Elizabeth Maradik, Gerry
Phipps, Deborah Davis, Phil Sutton, Dr. Jerry
Thacker

MEMBERS ABSENT:

Steve Vojtko, Jordan Richardson,
Oliver Davis, Karen Iovino

ALSO PRESENT:

Larry Magliozzi, Angela Smith, Matthew
Chappuies, Keith Chapman, Jennifer S. Parcell, Staff,
Mitch Heppenheimer, Counsel

PUBLIC HEARING - 3:30 P.M.

1. REZONINGS:

- A. A combined public hearing on a proposed ordinance of Janice Kimbrough to zone from SF2 Single Family & Two Family District to MU Mixed Use District, and seeking the following variance(s): 1) from the required landscaping of required perimeter landscaping yards to none 2) from the required off-street parking area screening to none; and 3) from the required hard surface paving to gravel, property located at 2724 Lincolnway West, City of South Bend - APC# 2777-16.

MATTHEW CHAPPUIES: The petitioner is requesting a zone change from SF2 Single Family & Two Family District to MU Mixed Use District and seeking 3 variances from the development standards. On site is a single family home and detached garage. To the north across Lincolnway West are single family homes zoned SF2 Single Family & Two Family District and vacant lots zoned CB Community Business District. To the east is a funeral home zoned LB Local Business District. To the south is a single family home zoned SF2 Single Family & Two Family District. To the west are single family homes zoned SF2 Single Family & Two Family District. The MU Mixed Use District is established to promote the development of a dense urban village environment. The regulations are intended to encourage all the elements of a traditional urban village, including: storefront retail; professional offices; and, dwelling units located either in townhouse developments or in the upper stories of mixed-use buildings. The development standards in this district are designed to: encourage a pedestrian oriented design throughout the district; and, maintain an appropriate pedestrian scale, massing and relationship between buildings and structures within the district. The site plan shows the existing home being used as the main commercial building with the existing garage being used for parking or storage. Paving is proposed in the front yard between the house and the sidewalk. The existing driveway would be extended to the rear of the property, where 9 parking spaces are provided. No landscaping is proposed on site. This property has been zoned residential since prior to the current zoning ordinance. There have been no rezonings within 1000' of this property since 1978. Lincolnway West has two lanes and a center turn lane with on street parking. This site is

served by municipal sewer and water. County Surveyor finds no issues. The Department of Community Investment and City Engineer recommend denial. The petitioner is not proposing any written commitments. The petition is not consistent with the West Side Main Streets Plan (2015) "It is equally important to ensure that development does not creep into the zones that are, and should be, predominately residential between the nodes. Where current uses are consistent with policy, the existing zoning should be enforced and changes of zoning to individual parcels should not be permitted." The future land use map identifies this area as residential. No other plans exist for this area. Lincolnway West between Goodland Avenue and Fremont Street is predominantly residential, with the presence of a few existing, long-standing businesses. Many of the single family homes along this street have maintained their original historic appearance. The most desirable use for this property is residential. Surrounding residential property values may be impacted by commercial activity at this site. It is not responsible development and growth to allow this property to be converted to a commercial site. This is a combined public hearing procedure, which includes a rezoning and 3 variances from the development standards. The Commission will forward the rezoning to the Common Council with or without a recommendation and either approve or deny the variances. Based on information available prior to the public hearing the staff recommends that this rezoning petition be sent to the Common Council with an unfavorable recommendation. The staff recommends denial of the variances. This site is not suitable for commercial development. The comprehensive plan strongly discourages commercial activity outside of the designated nodes along Lincolnway West. Due to its location, small lot size, and the fact that there are multiple residential properties abutting it, this site should remain residential.

GERRY PHIPPS: What is the purpose of that paving in the front?

MATTHEW CHAPPUIES: From what I understand the petitioner would like to have donation blocks to be put on the property. I can let the petitioner explain a little more.

JANICE KIMBROUGH: I am the owner of the property located at 2724 Lincolnway West. What I am proposing to do is I own a printing, marketing, and publishing business and I would like to move my printing business into the facility there. They currently have this zoned as a residential zoning and in order for me to operate my business I need it to be changed to a mixed use zoning. The main two reasons that I need it is that I would be allowed to have signage with the mixed use on the front yard similar to what Kuert Concrete signage is located along Lincolnway. Also, I anticipate applying for the matching grant for the improvements. The house is going to need quite a bit of improvements that actually the matching grant would be available. You can't even apply if you're zoned under residential use. The location is right next to Palmer Funeral Home. The Minority Health Clinic is right there on the corner of Eclipse and Lincolnway. Popeye's Chicken is over there. There are several locations that are a business type setting as well as Kuert Concrete at one time looked like it was a house. I don't understand why they are saying on April 15, the City Engineer said they were denying it because I don't match up to the Master Plan and I am confused with why that particular site, with all the business going up and down Lincolnway, why couldn't I have a printing, publishing, marketing company there. Then also on April 18, Michael Divita denied the recommendation as well and stated that I don't appear to make any residential use. But the residential use would not allow me to apply for the matching grant. So, I plan on actually improving the property and I brought some photos from the existing landscape that is there that we had to clean out. I am hoping that they would send a favorable recommendation for me to change from residential use to mixed use because I don't feel the answers that they are giving me say the reason I can't. I don't understand it. When they are saying to put the business in the node. Right in the area, when you go up and down Lincolnway, there are businesses and residential mixed in together all up and down that whole stretch. As far as the variances go, there are already 22 trees in the backyard.

They wanted me to add in 22 evergreen trees. Six evergreen trees on the south and 7 shade trees on the north. This is already what I am cleaning up. There is plenty greenery already there. As far as the parking for the gravel, I think the gravel would be fine right now to put back there instead of a hard surface parking lot. It is going to take \$125,000 to repair the roof and do the different things that needs to be done to the site. I would rather use the money to try to start enhancing and improving the site that would bring the value of the whole neighborhood up because it has been vacant for quite a while.

ROBERT HAWLEY: Do you own the property now?

JANICE KIMBROUGH: Yes I do.

ROBERT HAWLEY: You have title to it?

JANICE KIMBROUGH: Yes I do.

ROBERT HAWLEY: It is sitting there vacant?

JANICE KIMBROUGH: It is sitting there vacant and it has been vacant for quite a while. It almost looked abandoned. I have been over there diligently working trying to get it cleaned up and back operable. I think that the residents that are over there would appreciate me being there because I would be a good fit for the location and we will enhance it and I think it would be a lot better than just being a residential home.

JOHN DELEE: Is your primary purpose to renovate the house and make it look better or to run a business from there?

JANICE KIMBROUGH: My primary purpose is to actually do both. I want to make the site much, much better, but I also want to operate my printing, publishing, marketing company as well. It is not like I will have a Family Dollar where I would just have a whole bunch of traffic coming and going. It shouldn't really disturb the couple residents that are located near my facility. With Palmer's Funeral Home being right next door, I don't understand why they are denying it.

JOHN DELEE: How many employees do you have?

JANICE KIMBROUGH: Just myself.

ROBERT HAWLEY: How long have you been in business and what is the name of your business?

JANICE KIMBROUGH: I have been in business since 1987. My business name is Blessed Gospel Magazine. I produce a magazine that showcases a lot of the churches from the South Bend area. We do South Bend, Mishawaka, Elkhart and Granger. I do several printing things for other companies as well. I think there are a few people that will share in favor of me that is right from the area.

GERRY PHIPPS: Can you explain what you are doing with the front yard? You are showing it as being paved, but not parking.

JANICE KIMBROUGH: With the front yard? We are going to replace that (pointing to the powerpoint) with gravel. They wanted me to put a hard surface parking lot right here (pointing to the powerpoint) as you go up the hill. We will do some type of brick with some landscape improvement there. Right here (pointing to the powerpoint) is where we want to put the gravel.

ADAM DEVON: That is for the parking?

JANICE KIMBROUGH: Right, that is for parking.

JOHN MCNAMARA: It says donation blocks, what is that?

JANICE KIMBROUGH: Basically, is just like 4 X 8 donation type bricks for the very front part.

JOHN MCNAMARA: I know where it is going. What is it for?

JANICE KIMBROUGH: Excuse me, you mean the donation bricks?

JOHN MCNAMARA: Yes.

JANICE KIMBROUGH: It will be for the landscape improvement to the property.

JOHN MCNAMARA: What are donation blocks? What does that mean?

JANICE KIMBROUGH: I guess immediately we won't be doing that project but maybe down the road.. Ever since my son passed away I sort of wanted to do something in memory of my son (when he was 23 was killed in a motorcycle accident). I came up with the concept of doing a marketing pitch for maybe donation bricks in the front. It won't be like the whole yard just the front of the building there. It wouldn't affect the neighborhood at all.

JOHN MCNAMARA: You need to get into politics.

JANICE KIMBROUGH: I am into politics.

JOHN MCNAMARA: I don't understand what donation blocks are.

JANICE KIMBROUGH: You don't understand what donation blocks are?

JOHN MCNAMARA: No.

JANICE KIMBROUGH: Donation blocks are a 4 X 8 brick. It might say in loving memory of Travis Odom. That is what it is. I don't know what getting into politics...

JOHN MCNAMARA: What would the donations be?

JANICE KIMBROUGH: What will the donations be?

JOHN MCNAMARA: Never mind.

MITCH HEPPENHIMER: Where does the money go? Someone buys a brick in memory of your son, who collects the money and where does it go?

JANICE KIMBROUGH: If I am here asking for a mixed use zone to utilize my printing company and my marketing business, I don't feel that I should have to explain to you what I charge. I do printing and publishing and I don't think what I am charging and who gets the money should have any variance at all on the fact that I am trying to get a mixed use zone.

JOHN MCNAMARA: Fair enough.

ELIZABETH MARADIK: Variances are usually granted because there is a practical difficulty with the property. What is the practical difficulty with the property which is a result in your requesting these three variances?

JANICE KIMBROUGH: As far as the practical differences, I don't see where we cause any harm or any danger to the community for me to be able to use a gravel type of foundation for the parking lot. Right now I want to utilize monies to enhance the property. The hardship for me would be financially, trying to use money for doing the parking lot now and putting in 22 trees when I already have 22 trees.

IN FAVOR

KARL NICHOLS: I am the Executive Director of Community Wellness Partners which is located at 2806 Lincolnway West. Just two properties west of the property in question. I am in support of her moving her business there. Currently it is vacant and the improvements that she has made already have just made it a lot less abandoned looking. It is never good to have abandoned properties near your business. We have already had issues with broken windows at my business. To our immediate west our neighbor is currently an empty home and it just sold. Someone will be moving in there, therefore eliminating abandoned properties. I have been located there for three years I have known Janice and her business, so it would be good for the businesses there to have access to a printing company so they don't have to go to Staples way on the south side or to Insty Prints, which is not affordable for many companies along Lincolnway.

DARNELL O'NEIL: I reside at 2730 Lincolnway West. I have no problem with her moving her printing company there. That house has been vacant for three years. I have no problem with her moving her business there. I went to the Lincolnway meeting when they first started this and they said they were trying to attract businesses. This is very doable. You have Palmer, then you have her house, then you have my house, then Community Wellness Partners. I don't know why they turned her down. That will help the neighborhood. You need to consider what she wants because it is actually not too much.

MAE JONES: I reside at 2618 Lincolnway West. I am in favor of this rezoning. We have an issue with a different property right straight across in front of us, Rags Custom. They are a junk yard. I have known Janice for quite a while and I have been to her business. It is very nice.

REMONSTRANCE

MICHAEL DIVITA: I am a planner with the City of South Bend's Department of Community Investment, with offices on the 14th floor of this building. I manage the City's revitalization efforts along the Lincolnway West corridor. I am here to oppose this rezoning for office and retail uses. As noted in the Staff report, the proposed rezoning is inconsistent with the land use plan contained within the West Side Main Streets Plan, which is the comprehensive plan element for Lincolnway. Because dispersed retail causes a weak retail environment, a key strategy for the plan for Lincolnway is concentrating commercial uses at key intersections, or nodes, which builds on the street's traditional land use pattern. The plan designates this property as part of a residential area falling between the mixed-use nodes at Lincolnway-Bendix and Lincolnway-Olive. Conversion of this property to a commercial use could lead to a further oversupply of commercial spaces along the corridor, in turn creating greater commercial

vacancy at the nodes and further diluting the opportunity for them to become pedestrian-friendly and vibrant places. While a handful of nearby properties have commercial zoning, the area is predominately residential. Several of those commercially zoned properties between the nodes are vacant, and none are used for retail use. This property falls within one of the strongest residential areas on the west side, part of a stretch of large, attractive homes – many of them brick – with gracious yards. Improvements can be made and the property occupied regardless of the zoning. Given the surrounding stable housing, the property owner should find an adequate market for maintaining a residential use here.

PROFESSOR THOMAS HUDAK: I reside at 2805 Humbolt Street. I am not speaking necessarily in opposition, but I am bringing concerns from the neighborhood. On the corner of Eclipse and Humbolt, Eclipse and Kaley all within this area, the concern with those residents in those areas is the variances. What will this particular business look like? As Ms. Jones pointed out the real problem there is the old DC Auto right across the street from the proposed business. There is not a happy feeling about another business appearing in that area. At the same time people are willing to give it a chance depending what the business would look like when it was set up. I assume we are talking about the variances here.

REBUTTAL

JANICE KIMBROUGH: I would like to rebut Mr. Michael Divita who is the Director for the Urban Enterprise Association. He is the person I need to submit a proposal to for the matching grant reimbursement program. If they want to welcome businesses coming into the area, why do they feel that that one would not be acceptable, or how does he feel that it would not be a good fit for that neighborhood? I also hope that the board would consider a favorable recommendation, to the Council. It would make things a lot easier if it had a favorable recommendation even though they think it would not be a good fit.

LARRY MAGLIOZZI: Your petition indicates that the use would be for business activities used for Blessed Gospel Magazine. There is no mention in the petition of a print shop. What exactly are you doing in the building?

JANICE KIMBROUGH: I do printing and marketing. I would be doing marketing and printing. I publish a magazine and I do bulletin printing for other churches and places like that.

LARRY MAGLIOZZI: What do you print and how do you print?

JANICE KIMBROUGH: I print from computer to machine. We have copiers, paper cutters, printing presses.

LARRY MAGLIOZZI: So the machines you use are pretty much large scale, high speed copiers.

JANICE KIMBROUGH: Yes.

LARRY MAGLIOZZI: Not like a desktop?

JANICE KIMBROUGH: I actually had large printing presses back in the day. I sold a couple of them to Quality Printers. It would be like a Xerox 650 equipment and it goes straight from computer to machine.

LARRY MAGLIOZZI: We have an issue. The Mixed Use District does not allow for a print shop of any form. Mixed use allows office activities. Answering phones, doing payroll, things like that.

JANICE KIMBROUGH: I don't want a zoning for that.

LARRY MAGLIOZZI: We are not the Zoning Administrator here. That would have to a determination

by Chuck Bulot the Zoning Administrator. What you are describing to me, I would say this a print shop and it is not permitted in the Mixed Use District. You have to go to a higher zoning classification.

JANICE KIMBROUGH: What classification would that be?

LARRY MAGLIOZZI: LB Local Business.

JANICE KIMBROUGH: When I contacted Mr. Chappuies this is what he said to me. I don't know why he wouldn't have recommended that to me. I don't want to be a zoning that is going to put me in a box that says you can only do this or that because I am in printing and do publishing. That is the first I have heard of that.

LARRY MAGLIOZZI: We usually react to the petition that is submitted to us regardless of what was said in the office because we don't know if you changed your mind or anything else. What you are describing to me is a print shop in my opinion. This is the wrong district. What would have to happen for her to proceed with her desire to make this a print shop and other uses is to re-advertise this as an LB request instead of an MU request, send out notices again, and come back next month.

JANICE KIMBROUGH: They are just making a recommendation for or against it to go to the Council, is that correct?

DAN BREWER: That is correct. The Area Plan Commission just makes a recommendation.

JANICE KIMBROUGH: Will I be allowed to make my presentation to the Council in June?

DAN BREWER: You would be allowed, however you would be well advised to petition the proper zoning classification. Apparently what you are describing as your business doesn't fit into the Mixed Use District, rather it should be in the LB Local Business District.

JANICE KIMBROUGH: Would the monies that I have already paid transfer to this process or would doing it again make me have to go back and pay the same things all over again?

LARRY MAGLIOZZI: We were conferring here with our attorney. Definitely we can't act on this petition today. It would be either an amendment to the petition that we would consider, we may have to withdraw and resubmit. I would like to check with the council attorney to make sure that is ok with her. In either case, I think in the circumstance, I don't think she would have to submit a new payment. We would just essentially convert that same payment into the same petition. She would not be financially obligated. We just have to figure out the proper mechanism to get it back on the agenda for next month.

JOHN DELEE: You would have to come back next month.

LARRY MAGLIOZZI: Yes. We can't act on this today for what she wants to use it for. She can go forward if she wants, but she can't use it as a print shop. Delaying it a month would be my recommendation so we would could come back with the proper zoning category. I am not sure this would change the circumstances, but at least we would have the right category to act on.

DAN BREWER: Is that satisfactory to you Ms. Kimbrough to amend or refile for next month?

JANICE KIMBROUGH: Yes. If they amended it could I go to Council on the Monday? I need to go and get an opportunity to speak on it. Or do I have to wait and put everything on hold?

DAN BREWER: You have to wait till we act on it on June 21. If you went to the Council on Monday, you probably won't get on the agenda because it is an invalid petition.

JANICE KIMBROUGH: Ok. So it would be better just to table it and wait?

DAN BREWER: It would be better to table it and do it properly. It will come before us again and we will have a recommendation then. You will still have an opportunity to take it to the South Bend Common Council.

JANICE KIMBROUGH: Ok.

After due consideration, the following action was taken:

Upon a motion by John DeLee, being seconded by Robert Hawley and unanimously carried, a proposed ordinance of Janice Kimbrough to zone from SF2 Single Family & Two Family District to MU Mixed Use District, property located at 2724 Lincolnway West, City of South Bend, is TABLED until the June 21, 2016 meeting of the Area Plan Commission.

- B. A proposed ordinance initiated by the Town of North Liberty, Indiana to zone from R: Single Family District (County) and from R-8 Low Density Residential District (Town of North Liberty) to LI Limited Industrial District (Town of North Liberty), property located at 29383 State Road 4, Town of North Liberty - APC# 2778-16.

KEITH CHAPMAN: The petitioner is requesting a zone change from R: Single Family District and R-8 Low Density Residential District to LI Limited Industrial District. On site is a wastewater treatment facility zoned R-8 Low Density Residential District (North Liberty) and vacant land zoned R: Single Family District (County). To the north is vacant land zoned R: Single Family District (County). To the east is vacant land zoned R: Single Family District (County). To the south is a condominium complex zoned R-12 Medium Density Residential District (North Liberty). To the west is a single family residence zoned R: Single Family District (County). The LI - Limited Industrial District is established to provide certain automobile related uses, building materials, business services, light manufacturing, warehousing and wholesaling, and accessory uses. It is the intent that the uses permitted in this district could be safely and suitably located in proximity to residential and commercial zoning districts. No site plan is required for petitions initiated by the Town Council. The site will need to meet the development standards of the LI Limited Industrial District. The condominium complex to the south was rezoned to Medium Density Residential in 1978. State Road 4 has two lanes. The property is served by municipal water and sewer. There are no agency comments. The petitioner is not proposing any written commitments. The petition is consistent with the Town of North Liberty Comprehensive plan (November, 2014); Policy 5.3(E): Maintain or improve the Town's services to its residents and businesses. The future land use map identifies this area as institutional and parks. There are no other plans in effect for this area. Center Street (State Road 4), has developed as Low Density Residential and Medium Density residential. The most desirable use of land is one that can provide services to the Town of North Liberty. Since this site is already the wastewater treatment facility, surrounding properties should not be adversely impacted by the zoning change. It is responsible development and growth to allow this property to develop for a use that will serve the residents of the town. The anticipated effective date of the annexation is July 9, 2016. Based on information available prior to the public hearing the, staff recommends this petition be sent to the Town Council with a favorable recommendation. Rezoning this property will allow for the expansion of municipal services to the Town of North Liberty residents and businesses.

DAN BREWER: Was that the presentation from the petitioner?

LARRY MAGLIOZZI: That would be it. Matthew Peterson is the representative of the Town. Usually we have someone from the Town or Town Board to indicate that they are in favor.

MATTHEW PETERSON: I am in favor of the petition.

GERRY PHIPPS: The plan is just to use this for expansion of the Wastewater Plat or some other municipal services building?.

MATTHEW PETERSON: Right.

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 Robert Hawley and unanimously carried, a proposed ordinance of Town of North Liberty to zone from R: Single Family District and R-8 Low Density Residential District to LI Limited Industrial District, property located at 29383 State Road 4, Town of North Liberty, is sent to the Common Council with a FAVORABLE recommendation. Rezoning this property will allow for the expansion of municipal services to the Town of North Liberty residents and businesses.

- C. A combined public hearing on a proposed ordinance of Acquisition Group, LLC and to zone from LI Light Industrial District to CB Community Business District and seeking a Special Use to allow a golf course, and seeking the following two variance(s): 1) From the maximum allowable 50' building height to 80' 2) From the required 9 interior parking area landscape islands to none., property located at 6100 Nimitz Parkway, City of South Bend - APC# 2779-16.

KEITH CHAPMAN: The petitioner is requesting a zone change from LI Light Industrial District to CB Community Business District. On site is a golf course zoned LI Light Industrial District. To the north across F.J. Nimitz Parkway are two vacant lots and an office building zoned O Office District. To the east is the Blackthorn Golf Course Clubhouse zoned O Office District. To the south is the airport zoned LI Light Industrial. To the west across the U.S. 31 bypass is farmland zoned LI Light Industrial. The CB - Community Business District is established to provide a location for high volume and high intensity commercial uses. Activities in this district are often large space users which may include limited amounts of outdoor sales or outdoor operations. Developments within the CB District shall be coordinated to facilitate vehicular and pedestrian access from nearby residential districts. This site consists of two proposed lots, totaling 10.65 acres. A 74,575 square foot hotel is proposed for one of the lots. The second lot will continue to be used as a golf course. The proposed parking lot will consist of 126 spaces with no landscape islands shown. The site plan proposes an 80', 6 story hotel with 120 guest rooms. This property has been zoned industrial since 1980. Nimitz Parkway has four lanes. This site will be served by municipal sewer and water. The County Surveyor and the Department of Community Investment recommend approval. The City

Engineer recommends approval and commented that the access drive and its approach on Nimtz Parkway are on INDOT right-of-way. It is recommended that the applicant work to resolve any potential issues that might arise from INDOT's perspective. The staff is requesting written commitments that the following uses, as specified in the Declaration of Protective Covenants & Restrictions of the Blackthorn Corporate Park, shall be prohibited: 1) noxious, toxic or corrosive fumes, gases, or discharges; 2) smoke or offensive odors; 3) ground conditions which will produce dust; 4) noise and/or vibration; 5) intense glare or heat; 6) outdoor storage of any type; 7) drive-up facilities of any type; 8) convenience stores and gas stations, or any type of automotive service; 9) adult uses, as defined by the South Bend Municipal Code; and 10) outdoor advertising signs, commonly referred to as billboards. This petition is consistent with City Plan, South Bend Comprehensive Plan (November, 2006); Policy F 9.9: Increase the amount of revenue generated from tourism. The future land use map identifies this area as parks & open spaces. There are no other plans in effect for this area. Currently, the Blackthorn Industrial Park has a mix of office and industrial uses, as well as a golf course. The most desirable use for this property is one that promotes economic sustainability for the area and can fully utilize the nearby interstate access. Based on the existing office and industrial nature of the area, surrounding property values should not be adversely affected by any uses permitted within the CB Commercial Business zoning district provided the development is consistent with the character established by the Blackthorn Corporate Office Park. Constructing a hotel in an area that has a mixture of office and industrial uses is responsible growth. This is a combined public hearing procedure, which includes a rezoning, a Special Exception Use, and two variances from the development standards. The Commission will forward the rezoning and the Special Exception Use to the Council with or without a recommendation and either approve or deny the variances. Based on information available prior to the public hearing, staff recommends this rezoning and special exception use petition be sent to the Common Council with a favorable recommendation subject to the written commitments. Staff recommends the variance for building height be approved, but recommends denial of the variance request for the parking area landscape islands. This rezoning will allow for the need to provide commercial development that supports the uses within the Blackthorn Corporate Office Park to be fulfilled. Adequate screening and low lying topography will reduce the impact on the surrounding properties, limiting the effect of the hotel's height.

DAN BREWER: You realize we are rezoning the Blarney Hole?

ANGELA SMITH: That is what the special exception is for.

DAN BREWER: Ah.

GERRY PHIPPS: This may be a question for the petitioner, but is there an explanation why there are two lots and why the land included is so much larger than what is needed for the hotel?
I am assuming there are plans for a second building here.

KEITH CHAPMAN: We will let the petitioner speak to that.

BRIAN MCMORROW: I am with Abonmarche Consultants. Offices located at 715 Lincolnway East. It is their intention to subdivide about ten and a half acres of the Blackthorn Golf Course, the most northerly and westerly corner of the property as it abuts Nimtz Parkway and St. Joseph Parkway. The intention is to develop a part of this ten and a half acres for a hotel. It would sit (pointing to the powerpoint) on the most westerly half of that ten and a half acres. The proposal is to situate the hotel on just the land that is deeded for the hotel and facilitate the financing for it. The hotel itself was sited to

take advantage of the natural topography. There is a slope in the golf course there. We are going to place the hotel right on it. The intention was to conceal the parking behind it so it was not visible to anyone teeing off at the first hole. It also sits well behind all the existing mature vegetation, so that parking wouldn't be visible from a passersby on either of the State Roads as well. The other property right now is to simply be reconfigured as the Blarney Hole or an amenity for the hotel in some sort of golf use. It is a peculiarity, I guess, in the way the Zoning Ordinance is written that under the light industrial zone today a golf course is permitted, but under the community business district that we are seeking to change it to it is only allowed as a special exception. So, because we are going to continue use of that second lot as the Blarney Hole or practice hole we are seeking approval as a special exception. Another peculiarity in the code is that the light industrial district allows for buildings to be as high as 85 feet where under the community business district a building can only be 50 feet high. In working with an architect, we believe that we can deliver a six-story hotel and bring it in at 80 feet. We made an application to the FAA as well and they are evaluating the height that we are proposing as part of our application. There is a companion petition for a Minor Subdivision that is going to be heard later this week. So this would be the first step to try to redevelop a portion of the Blackthorn Golf Course for a hotel.

GERRY PHIPPS: You are not rezoning the whole golf course. You are subdividing the two lots, one of which you are getting a special approval to make it a golf course like it is now. It seems like the future intention is that this separate lot would possibly be used for another building.

BRIAN MCMORROW: I think the operative word there is possibly. We have no intention to develop it right now. We recognize the written commitments that were made part of the staff report. I reviewed them with my client and we would be willing to comply or commit to those restrictions on future development.

DAN BREWER: Those being the noxious fumes, smoke and intensive odors....

BRIAN MCMORROW: There were nine or ten items listed there that are consistent with the Blackthorn Corporate Park standards. We believe that what we are proposing is not only going to be a significant amenity for the golf course and certainly for the Blackthorn Corporate Park to the existing users that are there and may even attract some other users.

DAN BREWER: There is a recommendation for the denial regarding the parking and landscape islands.

BRIAN MCMORROW: Using the exhibit that is on the screen right now, we are proposing to construct all the parking that is necessary for the hotel in a pretty compact area that is concealed from both golfers and passersby. If we interjected the landscape island, the footprint of the parking gets bigger. We thought a balance to preserve the existing vegetation was a better end result than inserting those landscape islands.

DAN BREWER: Is that the staff's understanding?

ANGELA SMITH: There is opportunity within the footprint that they have shown to actually include landscape islands. You will see it is at the end of the bay. There would be an area here (pointing to the powerpoint) there would be opportunities here (pointing to the powerpoint) so maybe a reduction of the islands would be appropriate but it is not necessary to eliminate the islands in order to keep compact nature of the parking layout.

BRIAN MCMORROW: We would be happy to amend the petition and work with staff.

DAN BREWER: Thank you.

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.

GERRY PHIPPS: For the conditions you recommended part of the rezoning.

ANGELA SMITH: We would recommend that they be sent with the written commitments.

DAN BREWER: Petitioner is ok with them?

BRIAN MCMORROW: We are happy to abide by them.

After due consideration, the following action was taken:

Upon a motion by John DeLee, being seconded by Robert Hawley and unanimously carried, a proposed ordinance of Acquisition Group, LLC to zone from LI Light Industrial District to CB Community Business District, property located at 6100 Nimitz Parkway, City of South Bend, is sent to the Common Council with a FAVORABLE recommendation subject to Written Commitments that the following uses, as specified in the Declaration of Protective Covenants & Restrictions of the Blackthorn Corporate Park, shall be prohibited: 1) noxious, toxic or corrosive fumes, gases, or discharges; 2) smoke or offensive odors; 3) ground conditions which will produce dust; 4) noise and/or vibration; 5) intense glare or heat; 6) outdoor storage of any type; 7) drive-up facilities of any type; 8) convenience stores and gas stations, or any type of automotive service; 9) adult uses, as defined by the South Bend Municipal Code; and 10) outdoor advertising signs, commonly referred to as billboards. This rezoning will allow for the need to provide commercial development that supports the uses within the Blackthorn Corporate Office Park to be fulfilled. Adequate screening and low lying topography will reduce the impact on the surrounding properties, limiting the effect of the hotel's height.

Upon a motion by John DeLee being seconded by Phil Sutton and unanimously carried, the variance from the maximum allowable 50' building height to 80' is approved. The variance from the required 9 interior parking area landscape islands to none was denied.

Upon a motion by John DeLee being seconded by Robert Hawley and unanimously carried, the Special Exception Use to allow for a golf course was sent to the Common Council with a FAVORABLE recommendation.

- D. A combined public hearing on a proposed ordinance of Tom E. Kelsey to zone from A: Agricultural District to A: Agricultural District and C: Commercial District, and seeking the following variance(s): 1) from the required minimum lot area of 20 acres and 600' lot frontage for a lot in an Agricultural District to 1.5 acres and 175' lot frontage 2) from the

required landscaping of required side and rear yards to none 3) from the required foundation landscaping to none, 4) from the minimum 28 required off-street parking spaces to 3 spaces, property located at 13988 Cleveland Road, St. Joseph County - APC# 2780-16.

DAN BREWER: We have a request to table this petition to the June 21, 2016 meeting of the Area Plan Commission.

After due consideration, the following action was taken:

Upon a motion by Robert Hawley, being seconded by John DeLee and unanimously carried, a proposed ordinance of Tom E. Kelsey to zone from A: Agricultural District to A: Agricultural District and C: Commercial District, and seeking the following variance(s): 1) from the required minimum lot area of 20 acres and 600' lot frontage for a lot in an Agricultural District to 1.5 acres and 175' lot frontage 2) from the required landscaping of required side and rear yards to none 3) from the required foundation landscaping to none, 4) from the minimum 28 required off-street parking spaces to 3 spaces, property located at 13988 Cleveland Road, St. Joseph County was tabled until the June 21, 2016 meeting of the Area Plan Commission.

- E. A combined public hearing on a proposed ordinance of Historic Landmarks Foundation of Indiana, Inc. to zone from MF1 Urban Corridor Multifamily District to MU Mixed Use District, and seeking the following variance(s): 1) from the required minimum 30 parking spaces to 13; 2) from the required minimum parking stall depth of 20' to 18'; 3) from the required minimum drive aisle width of 24' to 22'; 4) from the maximum allowable 40' building height to 46'; and 5) from the required landscaping of required perimeter yards to none, property located at 803 W. Washington Street, City of South Bend - APC# 2781-16.

MATTHEW CHAPPUIES: The petitioner is requesting a zone change from MF1 Urban Corridor Multifamily District to MU Mixed Use District and seeking 5 variances from the development standards. On site is a home and detached carriage house. To the north are single family homes zoned SF2 Single Family & Two Family District. To the east across Dr. Martin Luther King, Jr. Street are single family homes zoned SF2 Single Family & Two Family District. To the south across Washington Street is the Oliver Mansion and the Center for History zoned O Office District. To the west is an insurance office zoned OB Office Buffer District. The MU Mixed Use District is established to promote the development of a dense urban village environment. The regulations are intended to encourage all the elements of a traditional urban village, including: storefront retail; professional offices; and, dwelling units located either in townhouse developments or in the upper stories of mixed-use buildings. The development standards in this district are designed to: encourage a pedestrian oriented design throughout the district; and, maintain an appropriate pedestrian scale, massing and relationship between buildings and structures within the district. The site plan shows a parking lot on the north side of the house with a new access from Dr. Martin Luther King, Jr. Street. The existing access and paving along Washington Street would be removed and replaced with green space. The existing house and detached carriage house are undergoing renovation, with plans to convert the space for a mixture of uses including residential, office, and meeting or gallery space. The West Washington-Chapin Neighborhood has developed primarily as a residential area. Many of the historic homes have been renovated and are single family owner-occupied. Several business office can be found throughout the area and have developed in a manner that has relatively low impact on the surrounding residential uses. Washington Street and Dr. Martin Luther King, Jr. Street have two lanes. This site is served by municipal sewer and water. County Surveyor recommends approval. The Department of Community Investment recommends approval and recommends that the petitioner install a bike rack and limit the number of residential units on site. City Engineering

is requesting a traffic study be done for the new curb cut along Dr. Martin Luther King, Jr. Street. The Historic Preservation Commission recommends approval. The petitioner is not proposing any written commitments. This petition is consistent with City Plan, South Bend Comprehensive Plan (November 2006). Objective UD 2.1: Provide incentives to preserve historic buildings in the city; and H 2.1: Provide incentives to renovate and repair older and historic homes. The future land use map identifies this area as residential and mixed-use. No other plans exist for this area. This area has developed as residential, with some low-impact commercial uses. The most desirable use is one that will best preserve and maintain the residential character of the building and of the neighborhood. Surrounding property values should not be adversely affected by the conversion of this site allow for limited commercial and residential uses. It is responsible development and growth to allow this historic site to be rehabilitated and developed as a multi-family and office building. This is a combined public hearing procedure, which includes a rezoning and 5 variances from the development standards. The Commission will forward the rezoning to the Common Council with or without a recommendation and either approve or deny the variances. 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. Staff recommends approval of the variances, subject to providing perimeter landscaping along the east and south lot lines. Rezoning to the MU Mixed Use District will allow for the adaptive reuse of this former single family mansion while maintaining the historic character of the structure.

We received five letters in support of this rezoning, (copies were given to you at the beginning of the meeting).

GREG KIL: I am with Kil Architecture and Planning. Offices located at 1126 Lincolnway East. As staff has indicated we have a building that presently has parking on the south end of the lot. The corner condition is basically a flush curb cut with access right off of the corner. It is not safe. Indiana Landmarks proposed reuse of the building is to a mixed use, primarily office with a small area on the first floor for meeting and event space. That would be occasional use, as we understand. Above the carriage house is an apartment. The total parking requirements as per strict interpretation of the ordinance is 30, but that would only be when there would be heavier use when the event space would be used. We do believe that the day-to-day use for the parking that is proposed would be accommodated. Strict interpretation of accommodating the parking on the site would require us to keep the parking lot on the south side, which we don't believe is safe. We think creating that as greenspace is an improvement to the neighborhood. The other note is that Indiana Landmarks has a long track record in working in rehabbing existing buildings. In this case, it would be their offices located in a portion of the property, making office space available for other tenants. The practical difficulties as the staff mentioned regarding the lot and parking stalls is still practical based upon our experience in civil engineering, we are only talking a small reduction in a few areas. The condition of the screening on the east side of the lot would certainly be acceptable. We do show on our site plan. Even though the request calls for a variance from a that required per ordinance, to none the site plan's intent would be the proposed landscaping. We know engineering indicated concerns about access to and from and we would make sure site lines would be maintained for vehicles entering and exiting that lot to the north side.

TODD ZEIGER: I am the Director of the Northern Indiana office for Indiana Landmarks. Office located at 402 W. Washington. It is a very challenging site, a very large building and we are trying to accommodate a variety of needs. A couple of highlights, the house has been used as a multiple rental property since the 1940's. We have lost count of how many apartments were in there, sometimes 12-14 units. Pretty much the entire site is paved at this time and our goals to soften that up in the front. The two entrances on West Washington, one which is shared with our neighbor to the west, are very

dangerous to get in and out of no matter what the use is. One is right on the corner. It is very difficult to figure out which traffic light you are supposed to get out and not. The one next to Mr. Bognar to our west is a shared entrance. It is also very narrow. It is just a very difficult entrance and exit. We are proposing to move that entrance to Martin Luther King Drive off of the side there and then create our parking in the rear and screen it in the rear from the neighborhood opposed as to now where it is all out in front. From when the apartments were there. Our goal is to mitigate that and to hide that parking in the rear. We are a little limited because we can't move either of the buildings. The History Museum has some additional parking that they have agreed to let us use on an occasional basis if we need it just down the street. They have a parking lot on the west side that is used on occasion for them and if we need to is available to us too. As Greg mentioned, I will just reiterate, we do plan to landscape, you have it in your packet. There is a large fence and then we would like to landscape along that west side. Finally, in between the carriage house there is a large screening brick wall that runs along the north property line. It is about 46 inches high. When it is done it is an existing brick wall. We are building it high to shield that south edge as well for screening.

DAN BREWER: The staff recommended approval of the variances subject to providing perimeter landscaping along the east and south lot lines. Is that the landscaping that you were talking about?

TODD ZEIGER: Yes. We have that shown on the east and south lot lines. I was just mentioning we are planning to do additional. It is a little bit of a juggle as Greg mentioned. We have to work on engineering with some site lines and we don't want to set up a situation where we have people exiting, we want to screen the parking and the drive so we make sure it is low enough that we don't create a hindrance for folks coming or going from that proposed new drive. Our existing office is at 402 W. Washington and we have done a very nice landscaping job to screen our parking and it would be our intent to hold that standard high in this location as well.

IN FAVOR

DEB PARCELL: I am with the Historic Preservation Commission of South Bend and St. Joseph County. Office located at 125 S. Lafayette. I just wanted to come and speak in support of rezoning for 803 W. Washington Currently that property is in the process of Local Historic Landmark designation with our office. Part of that is based on the significance that it has historically played and the architectural, which I think is unquestionable. Part of it is based on the suitability per preservation and its educational value. We believe what Indiana Landmarks is proposing to do with this through the mixed use, using it for gallery space, for office space and, for meeting space is going to allow them to achieve those two things preservation and also using it as an educational facility. We believe there is going to be adequate parking because things don't happen concurrently there as a general rule, so we don't see a problem with that. We see it mixing in well with the other uses in that neighborhood. We support the rezoning at 803 W. Washington because we believe it is beneficial to the property and to the neighborhood.

ROBERT HAWLEY: Just a point of interest, when was that building built?

TODD ZEIGER: It was built in 1886 give or take a couple of years.

ANDREW UDJAK: I reside at 121 Chapin Street. I did not receive a notice on this rezoning because Copshaholm absorbs the 300 plus feet from my home. I am the first home just south of Copshaholm. In principal I do very much support the rezoning on this particular building, primarily because it's been a

long time coming and I very much applaud Indiana Landmarks' efforts into the massive renovation that they have started here. This is not going to be a cheap prospect for them. I am guessing they are going to be in the hundreds of thousands of dollars on the exterior before anything happens in the interior. I do have a couple of concerns and they have to do with the variances through. Some of them Todd may have just answered here. This is a really challenging site, it is banked towards Martin Luther King Boulevard. You have to be creative as Mr. Kil said in terms of trying to fit in the parking spaces. It is just flat out not much real estate there to work with there. As Todd said you can't move the home, you can't move the carriage house. I am concerned as are our neighbors that are on my side of the street. I live on the west side of the street. Most of us, me being the lone exception, do not have driveways or do not have garages. So we are forced to park on the street. My next door neighbor has four people in the home, they have four cars. I have more than one vehicle. I have kids who come and go and there is parking on both sides of the street right there. Off the intersection there you cannot park on the east side of Chapin because the lane narrows down, so the parking is all on the west side. It has been stated, as Todd said, in terms of if they do the curb cut on Martin Luther King line of site. I don't know if I can even pass this around but, pulling out of my driveway today just a few minutes ago I took a picture of line of sight from my driveway. You can't see the intersection. It is very difficult to pull out. I realize that this is a common issue in many parts of the City. My concern is spill over parking. I don't think Landmarks is going to be a bad steward of this property at all. My concern would be if at some point it would be sold, it would fall to someone else's hands that there be some adequate up front concrete way of dealing with it. If they have an agreement with the History Museum, that's great. These are public streets so you can't prevent people from parking there. I have been there with events at the History Center and the Studebaker Museum where you flat out can't park until the event is over. It is an issue there. I am concerned a little bit about the use of residential development within the property. I know that is not really within the plans as detailed right now, but again with a future owner. The previous owner, Mr. Freidline, as Todd said had 15 – 18 different units. He had 2 in the basement I believe and 2 units in the first level of the carriage house. I don't know that it limits the number of units. I certainly know there is a square footage limitation per individual that you have to have. Perhaps it would be appropriate for the petitioner to maybe commit to a maximum amount of residential units that would be ever developed on this property going forward so we don't have an ongoing problem like we did before. The City spent a lot of money to acquire this property and it was a problem property for a long time. I think what is happening is great. I would love to see it work. I hope it is successful, but I don't think we need it to turn into what it was before. I understand there is some kind of letter in the file for the occasional use of their parking because they do have a drive on the west side of the mansion with offset parking and it is from Washington Street all the way back to the back parking lot. That would be a nice area for them, because they rarely have parking that occurs there during the day. If that could become a permanent site for overflow parking I think that would help the neighborhood immensely. Also from a safety standpoint given that Chapin is a snow route. Just to reiterate if some commitment could be made at reducing or keeping the ceiling on residential units that could be developed, I think that would be helpful. The perimeter has been asked to be reduced to zero my only question would be whether the site as indicated up here would be the actual intentions of the petitioner to develop the proper site to go with the proper grain of the neighborhood. I welcome the development on the whole and I hope it works out.

REMONSTRANCE

PHILLIP BLAIN: I reside at 739 W. Washington Street. I am a neighbor directly east of this property. My concern is generally that the plan is good. I would speak in favor of the recommendation, but currently without seeing point of perspectives, seeing light details, seeing hours of operation and other concerns may or may not have or if it is in place, so that this can't be let's say having a BBQ at 11:00 or 12:00 at night. I am concerned about the number of occupancies for the residents that may be there. I

think it is a good plan, I just think that a neighborhood needs to be informed. I think that Kil Architecture can do a rendition of what it is going to look like from point of perspective. It is my understanding that the Director of the Area Plan Commission is currently here. How long have you been in that position?

LARRY MAGLIOZZI: In this position, since 2012.

PHILLIP BLAIN: I petitioned, or wanted to petition, to have my property zoned to mixed use roughly 10-15 years ago. There was a standing objection to it that may have gone written or unwritten. The prior Director John Byorni said they would never go through with favorable for me to rezone as a mixed use. Having worked with Area Plan several years ago, prior to him I believe Bob Sante was Executive Director. He would not speak in favor of a mixed use either. I just put the seed in because I am probably going to petition my property as a mixed use. I am asking for this decision to be postponed until a committee and the neighbors that are most directly affected get some sort of digital or photo showing the perspective from street and then we can address issues in regards to lighting. I don't know if I have failed to mention, but my family has had roots on that property for almost 100 years. The City and its bright idea decided to put a free way through there. If you want it to go back to a neighborhood we need to take the light and make it a stop light or as a blinking light which should not cost the city much. Perhaps putting in stop signs so there is a not a race track. It is an extremely dangerous intersection. I have yet, in my 25 years of living there to see an accident when the lights have gone out. There have been multiple times when those lights went out. It used to go out on at least once a month. They have now rectified that. Once you do that, you reduce the noise traffic, reduce speeds and it is a more neighborhood atmosphere. Currently at this point without any further information, and speaking on behalf of other neighbors who are directly affected. The one just north directly behind me unfortunately was not able to be here has his same concerns as mine as far as the entrance, because now they are going to put a parking lot there onsite. I would imagine you would have lighting in the parking lot? Without having a clear plan, I don't believe we get the reality of what is going on on this corner because at one point the city destroyed the neighborhood by putting it in. I don't want to second guess your decision, but a point of perspective from hole one at Blackthorn with an 80-foot wall, I can't wait to see how that is going to work out. I love the course.

REBUTTAL

GREG KIL: From the technical end, right now we have not detailed any exterior site lighting, but if any site lighting is required typically our engineering would require cut off lighting so that the photo metrics would be on the site and not overflow off the site. Again, as Todd indicated, I think the intent for the site development is that it is more neighborhood focused and soften to the landscaping. Balancing the pragmatic need of sight lines and visibility of to and from the parking lot is a primary issue.

TODD ZEIGER: We are certainly fine to get a written commitment from the History Museum for that shared lot. They are totally in agreement to do that with us. They have 25 spaces plus along that edge that they are glad to let us use. They are also in favor of us creating some parking in front of their place on Washington Street. It is currently no parking but only in front of the gardens, not in front of the house itself. So we have some ability to lessen the potential of impacting Mr. Udajk's space on Chapin Street because we are really trying to push that down towards the History Museum's lot and that space in front of the gardens which is more appropriate we think. We can't guarantee a couple of folks won't park on Chapin/ That is already parking space there. I respect his concerns. We have had some events there. We generally have security or folks there to help guide folks to park. Our experience has been, our volunteers will park on Chapin to start and make people go down West Washington Street. Then we

guide them to the West Washington lot onto the History Museum. We try to control that with some staffing or volunteers. I'm Glad to talk to Mr. Udjak at length further about that. I respect his concerns about those. As far as residential units, it is not our intention to operate this as an apartment house. As we mentioned it is a mixed use development, primarily office, meeting space, and places for educational workshops. We do have an apartment in the carriage house that we would like to continue to operate potentially. We would be glad to enter into a commitment for no more than 3 residential units on site. I think that is the maximum that we would see. Potentially two in the house and one in the carriage house. Really our vision is mostly for office space. Hopefully that would address his concerns for residential. As far as lighting Greg mentioned we don't call for a grand parking lot lighting on those locations. The place that we are calling for parking is already paved. We are just simply going a little further east to get out toward Chapin Street. That whole site is basically concrete right now. We are adding a little bit to the east side of the lot. We are trying to move the entrance down to the side because it is addressing concerns about safety. We are pretty earnest in relocating that entry. I would be glad to meet with Mr. Blaine. I will say that I did meet with the Near Westside Neighborhood Association a couple weeks ago and made a presentation with them that was widely circulated. Our plans were made available and I answered all the questions that were there at that time. On a side note, I think we too would like to see a four-way stop to slow traffic down there tremendously.

After due consideration, the following action was taken:

Upon a motion by John DeLee, being seconded by John McNamara and unanimously carried, a proposed ordinance of Historic Landmarks Foundation of Indiana, Inc. to zone from MF1 Urban Corridor Multifamily District to MU Mixed Use District, property located at 803 W. Washington Street, City of South Bend, is sent to the Common Council with a FAVORABLE recommendation. Rezoning to the MU Mixed Use District will allow for the adaptive reuse of this former single family mansion while maintaining the historic character of the structure.

Upon a motion by John DeLee being seconded by John McNamara an unanimously carried, the following variance(s): 1) from the required minimum 30 parking spaces to 13; 2) from the required minimum parking stall depth of 20' to 18'; 3) from the required minimum drive aisle width of 24' to 22' ;4) from the maximum allowable 40' building height to 46'; and 5) from the required landscaping of required perimeter yards to none, property located at 803 W. Washington Street, City of South Bend were approved subject to providing perimeter landscaping along the east and south lot lines and the rezoning being approved by the Common Council.

ITEMS NOT REQUIRING A PUBLIC HEARING

1. Miscellaneous:

- A. Findings of Fact for granting Variances for property located at 424, 426 430 Cushing Street and 726, 736 Lincolnway West, City of South Bend – APC #2776-16

LARRY MAGLIOZZI: This is the Family Dollar from last month.

After due consideration, the following action was taken:

Upon a motion by John McNamara, being seconded by Phil Sutton and unanimously carried, the Findings of Fact for granting Variances for property located at 424, 426 430 Cushing Street and 726, 736 Lincolnway West, City of South Bend were approved.

2. Executive Director's Report:

LARRY MAGLIOZZI: We are going to begin working with the Town of North Liberty on revising their Zoning Ordinance and eventually we will come back to you and request to initiate it or the Town may do that themselves. That will probably not be until late fall, early spring.

As some of you know, we have gotten the marching orders from the County Commissioners for our 2017 budget a mandated 3% cut to our budget. We are starting to deal with that. We have a rough plan in place. We have to get that in by June 20, which is before the next Plan Commission meeting. Our approach is that this is going to be a multi-year budgetary process.

3. Minutes and Expenditures:

A. Approval of the minutes from the April 19, 2016 meeting of the Area Plan Commission.

After due consideration, the following action was taken:

Upon a motion by John McNamara, being seconded by Robert Hawley and unanimously carried, the minutes from the April 19, 2016 meeting of the Area Plan Commission were approved.

B. Approval of the expenditures from April 20, 2016 through May 17, 2016.

Department of Public Works - \$30.42; Mishawaka Enterprise \$12.52, \$33.09; Office 360 \$246.97.

After due consideration the following action was taken:

Upon a motion by John McNamara, being seconded by Robert Hawley and unanimously carried, the expenditures from April 20, 2016 through May 17, 2016 were approved.

4. Adjournment: 5:00 p.m.

DANIEL H. BREWER
PRESIDENT OF THE COMMISSION

LAWRENCE P. MAGLIOZZI
SECRETARY OF THE COMMISSION