

**ALLEN COUNTY PLAN COMMISSION
MONTHLY BUSINESS SESSION MINUTES
FEBRUARY 16, 2023**

(The following reflects a synopsis of the Allen County Plan Commission's monthly public hearing. Actual tape recordings of the proceedings before the Plan Commission are available upon request.)

The Allen County Plan Commission convened on February 16, 2023 immediately following the Public Hearing, in Room 035 of Citizens Square. Attendance of the Commission members was as follows:

	Membership Status	Present	Absent
President Susie Hoot	Citizen Member	X	
Vice President David Bailey	Citizen Member	X	
Commissioner Nelson Peters	Allen County Commissioner		X
Commissioner Adam Day	Citizen Member		X
Commissioner Steve Moore	Citizen Member	X	
Commissioner Paul Lagemann	Allen County Councilperson	X	
Commissioner John Henry	Township Trustees' Representative	X	
Commissioner Mike Fruchey	Allen County Surveyor	X	
Commissioner James Wolff	Agricultural Extension Agent	X	

Staff members present were Ben Roussel, Executive Director; Michelle Wood, RLA, Senior Land Use Planner; Jacob Rose, Principal Land Use Planner; Nathan Schall, Principal Land Use Planner; Karen Couture, Associate Land Use Planner; and Cathy Stone, Office and Finance Manager. Also present were Legal Counsel for the Commission Robert Eherenman; and Brian Sechler of the Allen County Highway Department.

Confirming a quorum, Ms. Hoot called the meeting to order at 1:29 p.m. and the Commission acted on the following items (not necessarily in the order presented).

ADMINISTRATIVE AGENDA

1. Review of the January Minutes, Findings of Fact and Conditions of Approval

Mr. Henry motioned to approve the minutes as presented. Mr. Lagemann seconded and the motion passed unanimously.

PUBLIC HEARING AGENDA

PROPOSAL: Rezoning Petition REZ-2022-0069 and Primary Plat PP-2022-0039 – Creekside Crossing
APPLICANT: Mark Heller
REQUEST: To rezone property from A1/Agriculture to R3/Multiple Family Residential to allow a 123 single-family and townhouse plat.
LOCATION: 1500 block of W Shoaff Road, 500 feet east of its intersection with SR 3 (Section 8 of Perry Township)

Following discussion, Mr. Wolff moved the Commission recommend DO PASS for Rezoning Petition 2022-0069 – Creekside Crossing. Mr. Bailey seconded the motion and it was unanimously approved.

Mr. Wolff motioned to APPROVE Primary Plat PP-2022-0039 – Creekside Crossing. Mr. Lagemann seconded and the motion passed unanimously.

OTHER BUSINESS

1. Infrastructure Completion Agreement Releases
 - a. Homestead Place, Section III
 - b. Rolling Oaks, Section III
 - c. Marcella, Section I
 - d. Grantham
 - e. Weatherstone, Section I

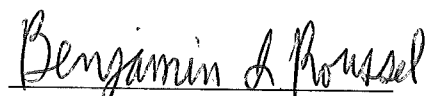
Following discussion motions were taken for each individual location. All motions were made by Mr. Bailey, seconded by Mr. Wolff, and all were unanimously approved.

ADJOURNMENT

Next Public Hearing: March 16, 2023 at 1:00 p.m. in Room 35
Citizens Square 200 East Berry Street, Fort Wayne, Indiana

Next Business Meeting: March 16, 2023, at 1:00 p.m. in Room 30
Citizens Square 200 East Berry Street, Fort Wayne, Indiana

There being no further business, the meeting adjourned at 1:41 p.m.



Benjamin J. Roussel
Executive Director, Department of Planning
Secretary, Allen County Plan Commission

ALLEN COUNTY PLAN COMMISSION • FINDINGS OF FACT

Rezoning Petition REZ-2022-0069

APPLICANT: Mark Heller
REQUEST: To rezone property from A1/Agriculture to R3/Multiple Family Residential to allow a 123 single-family and townhouse plat.
LOCATION: 1500 block of W Shoaff Road, 500 feet east of its intersection with SR 3 (Section 8 of Perry Township)
LAND AREA: 46.805 acres
PRESENT ZONING: A1/Agriculture
PROPOSED ZONING: R3/Multiple-Family Residential
PROPOSED WATER: Huntertown
PROPOSED SEWER: Huntertown

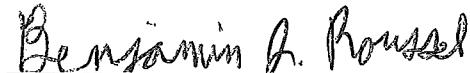
In preparing and considering proposals for rezoning, I.C. 36-7-4-603 states that the Plan Commission and legislative body shall pay reasonable regard to:

- (1) the comprehensive plan;
- (2) current conditions and the character of current structures and uses in each district;
- (3) the most desirable use for which the land in each district is adapted;
- (4) the conservation of property values throughout the jurisdiction; and
- (5) responsible development and growth.

The Plan Commission recommends that Rezoning Petition REZ-2022-0069 be returned to the Allen County Board of Commissioners with a recommendation of "Do Pass" after considering the following:

1. Approval of the rezoning request will be in substantial compliance with the Allen County Comprehensive Plan, and should not establish an undesirable precedent in the area. The proposed rezoning is compatible with existing R1 zoning to the east of the proposed development. The proposed rezone will provide continuity to the pattern of ongoing residential development.
2. Approval of the request will not have an adverse impact on the current conditions in the area, or the character of current structures and uses in the area. The associated plat is consistent with adjacent residential subdivisions to the east.
3. Approval is consistent with the preservation of property values in the area. The proposed land use is consistent with the adjacent development and follows the pattern of recently approved subdivisions by the Commission.
4. Approval is consistent with responsible development and growth principles based on existing uses and infrastructure in the area. Adequate review will confirm that the proposed plat will have minimal impact on existing conditions. Growth is adjacent to and consistent with existing development, and utilities are available to the site.

These findings approved by the Allen County Plan Commission on February 16, 2023.


Benjamin J. Roussel
Executive Director
Secretary to the Commission

ALLEN COUNTY PLAN COMMISSION • FINDINGS OF FACT

Primary Plat PP-2022-0039 – Creekside Crossing

APPLICANT: Mark Heller
REQUEST: To allow a 123 single-family and townhouse plat.
LOCATION: 1500 block of W Shoaff Road, 500 feet east of its intersection with SR 3
(Section 8 of Perry Township)
LAND AREA: 46.805 acres
PRESENT ZONING: A1/Agriculture
PROPOSED ZONING: R3/Multiple-Family Residential
PROPOSED WATER: Huntertown
PROPOSED SEWER: Huntertown

Pursuant to I.C. 36-7-4-702 Subdivision control; primary approval of plat; standards of ordinance; requisites; compliance: Sec. 702. (a) states that “In determining whether to grant primary approval of a plat, the plan commission shall determine if the plat or subdivision qualifies for primary approval under the standards prescribed by the subdivision control ordinance.”

Pursuant to I.C. 36-7-4-702 (b), the Allen County Zoning Ordinance sets forth the standards by which the commission determines whether a plat qualifies for primary approval, including but not limited to:

- (1) minimum width, depth, and area of the lots in the subdivision;
- (2) public way widths, grades, curves, and the coordination of subdivision public ways with current and planned public ways; and
- (3) the extension of water, sewer and other municipal services.

The Plan Commission finds that the Primary Plat of Creekside Crossing meets the specific development standards as set forth in Allen County Zoning Ordinance 3-4-4:

- (1) A.C.C. 3-4-4-4 Access
- (2) A.C.C. 3-4-4-5 Airport Overlay Districts
- (3) A.C.C. 3-4-4-7 Easements
- (4) A.C.C. 3-4-4-8 Floodplain
- (5) A.C.C. 3-4-4-9 Landscape Standards
- (6) A.C.C. 3-4-4-11 Natural Site Features
- (7) A.C.C. 3-4-4-13 Parking
- (8) A.C.C. 3-4-4-14 Pedestrian Circulation
- (9) A.C.C. 3-4-4-15 Residential impact mitigation
- (10) A.C.C. 3-4-4-16 Sanitary Sewer
- (11) A.C.C. 3-4-4-17 Signs
- (12) A.C.C. 3-4-4-18 Site Lighting
- (13) A.C.C. 3-4-4-19 Storm Drainage
- (14) A.C.C. 3-4-4-20 Street Lighting
- (15) A.C.C. 3-4-4-21 Vehicle Circulation and Streets
- (16) A.C.C. 3-4-4-22 Water
- (17) A.C.C. 3-4-4-23 Zoning District Standards

Pursuant to I.C. 36-7-4-707 and A.C.C. 3-3-3-6(c)(2)(C), the Plan Commission shall make written findings and a decision granting approval to the plat. Pursuant to Allen County Zoning Ordinance

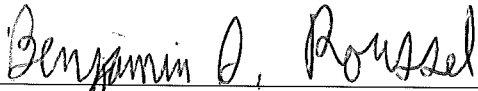
Subdivision Control 3-3-3-6(c)(2)(A), the Commission may place conditions on the approval of a primary

plat that are reasonably necessary to satisfy the development requirements specified in the Allen County Zoning Ordinance in 3-4-4.

Based on the Findings of Fact, the Plan Commission approves the Primary Plat of Creekside Crossing , subject to the following conditions:

1. Approval of REZ-2022-0069 will be received from the Allen County Board of Commissioners.
2. Approval will be received from all reviewing agencies.
3. Subdivision identification signs require an Improvement Location Permit. Internal section subdivisions signs will be installed within common area. The secondary plat shall include common areas sufficient to meet clear visions triangles and setbacks to accommodate subsection subdivision signs.
4. All lots shall meet the zoning ordinance requirements for lot size, width and building line standards.
5. Lots located along a substantial amount of common area, as defined by the zoning ordinance, shall be allowed a 15-foot rear yard.
6. Final restrictive covenants will be submitted with the secondary plat for staff review and approval. The covenants will include the provision for reduced rear yard setbacks along the common areas subject to staff review and approval. If access is provided to a metes and bounds property through common area, the restrictive covenants will provide further detail.
7. Addresses will be assigned to this development by DPS staff. Street names will be reviewed and approved by Staff and E-911/Sheriff's Communications. Contact DPS Staff to request addresses and final street name approvals prior to submittal of the first secondary plat and development plan.
8. All proposed rights of way and infrastructure will be extended to the farthest boundary limits of the deeded property proposed for this development. Withholding strips of property that block street and other infrastructure extensions into adjacent properties is prohibited. It is the intent of this requirement to assure that no parcel of real estate is left as a "gap" between the land being platted and adjoining parcels of real estate. To that end, it is the responsibility of the developer, *prior to recordation of the plat*, to provide staff with a certificate of survey performed under IAC Title 865, including the surveyor's report, covering all areas being proposed for development. The document shall indicate ownership of all parcels abutting, adjoining, and contiguous to the proposed development area. Any gaps or overlaps in title shall be clearly illustrated by the surveyor certifying the document.
9. Sidewalks will be installed within the street right-of-way in front of all lots in the addition and along the development frontage on all surrounding, existing public rights-of-way.
10. This approval by the Commission shall be valid for a period of twenty-four (24) months from the date of the approval. If secondary approval of the plat is not obtained within that twenty-four (24) month period, the primary approval of this subdivision shall be null and void, unless an extension is obtained pursuant to A.C.C. 3-3-3-6(c)(2)(E).
11. Neither the Plan Commission nor its staff can enforce private agreements made between the applicant and other parties.
12. The secondary plat will be reviewed by the Executive Committee.
13. Enough evidence was provided to not provide interconnection to the north, divided by a regulated drain.

These findings approved by the Allen County Plan Commission on February 16, 2023.



Benjamin J. Roussel
Executive Director
Secretary to the Commission