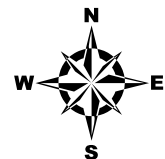



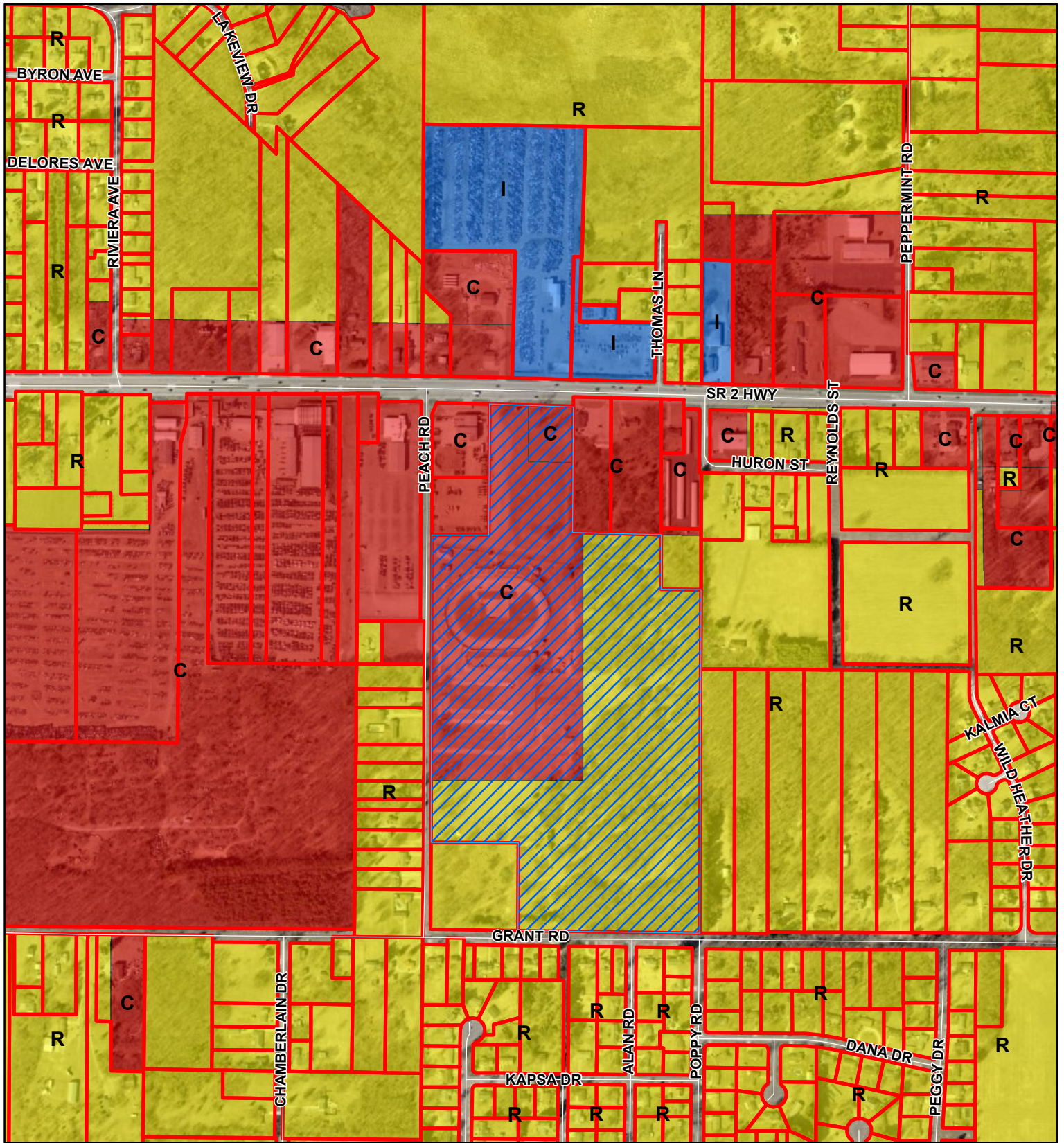
Rezoning From ST. JOSEPH COUNTY
C: COMMERCIAL DISTRICT and R: SINGLE FAMILY RESIDENTIAL DISTRICT
to
C: COMMERCIAL DISTRICT
and
SPECIAL USE for a proposed Auto Auction Yard







 Proposed Rezoning and Special Use

APC # 3050-24

1 inch = 500 feet



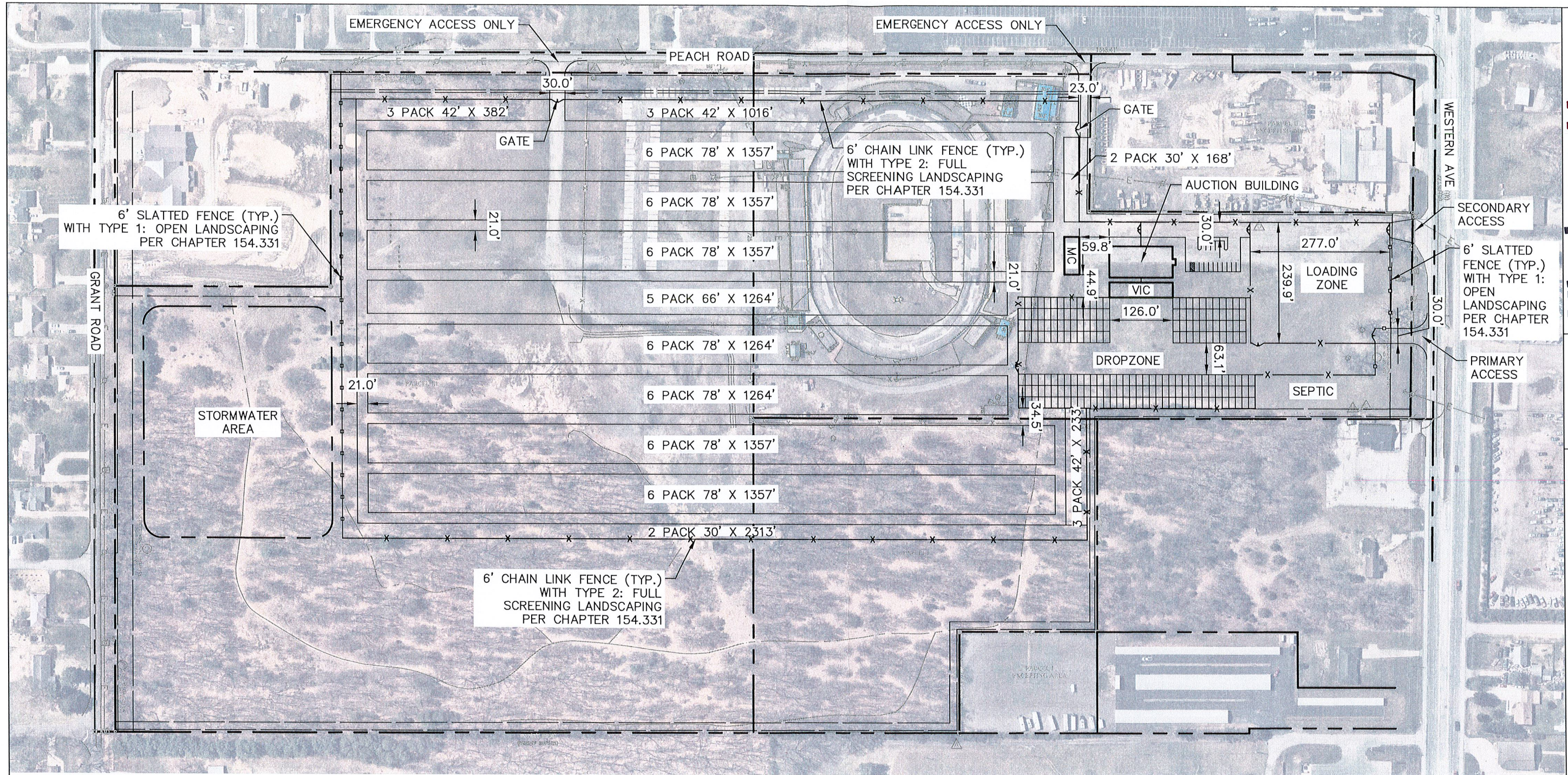
Rezoning From ST. JOSEPH COUNTY
C: COMMERCIAL DISTRICT and R: SINGLE FAMILY RESIDENTIAL DISTRICT
to
C: COMMERCIAL DISTRICT
and SPECIAL USE for a proposed Auto Auction Yard

-  Proposed Rezoning and Special Use
-  COUNTY "C" COMMERCIAL DISTRICT
-  COUNTY "I" INDUSTRIAL DISTRICT
-  COUNTY "R" SINGLE FAMILY DISTRICT

APC # 3050-24

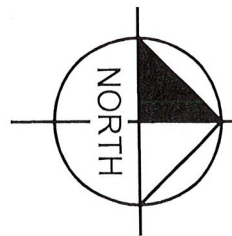
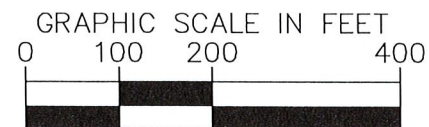


1 inch = 650 feet



CONCEPT SUMMARY

SITE SUMMARY	
SITE AREA	= 58.81 ACRES
USABLE AREA	= ±34.9 ACRES
OPERATING AREA	= ±28.9 ACRES
PARKING SUMMARY	
TOTAL STANDARD STALLS (EXCLUDES PARKING)	= 6260 STALLS
ASSOCIATE STALLS	= 16 STALLS
DROPZONE STALLS	= 208 STALLS



-FILED-
AUG 19 2024
 AREA PLAN COMMISSION
 Application # **3050-24**

PETITION FOR ZONE MAP AMENDMENT
Unincorporated St. Joseph County

I (we) the undersigned make application to the St. Joseph County Council to amend the zoning ordinance as herein requested.

- 1) The property sought to be rezoned is located at:
25698 IN-2, South Bend, IN 46619
- 2) The property Tax Key Number(s) is/are: *State ID: 71-07-12-376-001.000-029*
- 3) Legal Description: *Lot 2 Peach Road Fire Station Minor 22/23 NP #3906 12/31/2021*
- 4) Total Site Area: *Approximately 34 acres.*
- 5) Name and address of property owner(s) of the petition site:
*South Bend Speedway LLC
22085 Riley Road
Lakeville, IN 46536
Phone number with Area Code
E-Mail Address*

Name and address of additional property owners, if applicable:

- 6) Name and address of contingent purchaser(s), if applicable:
*Insurance Auto Auctions Corp.
Two Westbrook Corporate Center, 10th Floor
Westchester, IL 60154
708-384-4960
dean.stermer@IAAI.com*

Name and address of additional property owners, if applicable:

- 7) It is desired and requested that this property be rezoned:

From: **R SINGLE FAMILY DISTRICT** Additional zoning district, if applicable

To: **C COMMERCIAL DISTRICT**

- 8) This rezoning is requested to allow the following use(s): *Auto Auction and Holdong Yard, through a separate request for a special use permit, submitted contemporaneously with this application.*

- 9) Provide a brief and descriptive narrative of the proposed project:

The proposed project is the redevelopment of the South Bend Motor Speedway site, a portion of which is already zoned Commerical, for the purpose of an auto auction and holding yard, which will not include any vehicle disassembly.

IF VARIANCE(S) ARE BEING REQUESTED (if not, please skip to next section):

1) *A Separate Application for a Variance and Special Use permit has been submitted contemporaneously with this application.*

- 2) A statement on how each of the following standards for the granting of variances is met:

(a) The approval will not be injurious to the public health, safety, morals and general welfare of the community:



- (b) The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner; and:
- (c) The strict application of the terms of this Ordinance would result in practical difficulties in the use of the property:

IF A SPECIAL USE IS BEING REQUESTED, (if not, please skip to next section):

1) The Special Use(s) being requested: *A Separate Application for a Variance and Special Use permit has been submitted contemporaneously with this application.*

2) A statement on how each of the following standards for the granting of a Special Use is met:

- (a) The proposed use will not be injurious to the public health, safety, comfort, community moral standards, convenience or general welfare:
- (b) The proposed use will not injure or adversely affect the use of the adjacent area or property values therein:
- (c) The proposed use will be consistent with the character of the district in which it is located and the land uses authorized therein; and:
- (d) The proposed use is compatible with the recommendations of the Comprehensive Plan.

* In the case of a Special Use, the petitioner shall be held to the representations made on the Preliminary Site Plan included with this petition.

CONTACT PERSON:

*Richard Nussbaum
210 S. Michigan, 5th Floor
South Bend, IN 46601
574-234-3000
Dickn@sni-law.com*

-FILED-
AUG 19 2024
AREA PLAN COMMISSION
Application # *3051-24*

BY SIGNING THIS PETITION, THE PETITIONERS/PROPERTY OWNERS OF THE ABOVE-DESCRIBED REAL ESTATE AUTHORIZE THAT THE CONTACT PERSON LISTED ABOVE MAY REPRESENT THIS PETITION BEFORE THE AREA PLAN COMMISSION AND COUNTY COUNCIL AND TO ANSWER ANY AND ALL QUESTIONS THEREON.

Signature(s) of all property owner(s):

Dean Stermer DEAN STERMER FROM IAA (BUYER)

ST. JOSEPH COUNTY (UNINCORPORATED)
PETITION FOR VARIANCE and/or SPECIAL USE

PROPERTY INFORMATION:

The property Tax Key Number(s) is/are: *State ID: 71-07-12-376-001.000-029*

The property address:

25698 IN-2, South Bend, IN 46619



If the application only includes a portion of the property listed above, provide the Legal Description for the petition area and the total site area: *Lot 2 Peach Road Fire Station Minor 22/23 NP #3906 12/31/2021*

VARIANCE INFORMATION:

List each variance being requested. The variance request must specifically list the requirement and the desired request (e.g. From the required [enter requirement] to [enter request going to]) Additional examples can be found on our website. Please contact the Staff if you need assistance.

- 1) *Variance from Section 154.070(C)(2)(a)(1)(a) to allow a 6' fence.*
- 2) A statement on how each of the following standards for the granting of variances is met:
 - (a) The approval will not be injurious to the public health, safety, morals and general welfare of the community: *The requested variance will not be injurious to public health, safety morals and general welfare of the community. Granting the variance will contribute to the community by bringing a productive use to property currently being unused, including additional workforce, in a manner consistent with existing neighboring uses. The variance sought, to permit a front yard fence height of 6-feet was specifically requested through input from County staff and helps maintain consistency with existing uses along this section of Highway 2. In addition, the fence will provide screening and will not affect the vision of drivers.*
 - (b) The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner; and: *The requested variance will not affect the adjacent property in a substantially adverse manner. The variance impacts only the property to the north, which is zoned Industrial and Commercial. The variance provides for consistent fencing and screening along the Highway 2 frontage among existing uses which will not affect adjacent property values.*
 - (c) The strict application of the terms of this Ordinance would result in practical difficulties in the use of the property: *The strict application of the zoning ordinance would result in practical difficulties to the extent the fence height variance was a specific request by County staff to maintain consistency and to screen the property from Highway 2. In addition, the use of the fence helps provide security and privacy.*

SPECIAL USE INFORMATION (if the petition does not include a Special Use, please skip to next section):

- 1) The Special Use(s) being requested : *Petitioner is requesting a Special Use permit for an auto wrecking yard in a Commercial Zone.*
- 2) A statement on how each of the following standards for the granting of a Special Use is met:
 - (a) The proposed use will not be injurious to the public health, safety, comfort, community moral standards, convenience or general welfare: *Granting the special use would not be injurious to the public health, safety, morals and general welfare of the community. The Section 154.181(B) provides that Automobile Wrecking Yard is a special use within a Commercial District. As with Petitioner's existing location to the north, Petitioner does not anticipate any disassembly of vehicles will take place at this site. However, the*

granting of a special use for "Automobile Wrecking Yard" is consistent with existing uses in the area and will include screening requirements for outdoor storage in an Industrial District.

- (b) The proposed *use* will not injure or adversely affect the *use* of the adjacent area or property values therein: *The use and value of the area adjacent to the property will not be adversely affected. The property to the north is zoned Industrial and Commercial; the property to the south is zoned Residential; the property to the east and west is a combination of Commercial and Residential zoning. The current permitted use of the property is a vehicle racetrack, including grandstand seating pursuant to a special use permit. The proposed use is consistent with existing uses in the area, including the petitioner's own existing facility immediately to the north across Highway 2. In addition, where the subject site is adjacent to residential areas, the petitioner will include a natural buffer area.*
- (c) The proposed *use* will be consistent with the character of the *district* in which it is located and the land uses authorized therein; and: *The character of the land within this area includes land zoned industrial and commercial, and is comprised of uses that includes that Petitioner's own existing facility, as well as auto scrap yards Veldman's Auto Parts and Auto Parts City, as well as the construction equipment supplier, MacAllister Machinery.*
- (d) The proposed use is compatible with the recommendations of the Comprehensive Plan. *The County is in the process of developing an updated Comprehensive Plan. Petitioner has no reason to believe the Special Use and variance will be inconsistent with any County Comprehensive Plan.*
- * In the case of a Special Use, the petitioner shall be held to the representations made on the Preliminary Site Plan included with this petition.



PROJECT INFORMATION:

Provide a brief and descriptive narrative of the proposed project:

The proposed project is the redevelopment of the South Bend Motor Speedway site for the purpose of an auto auction and holding yard, which will not include any vehicle disassembly.

PETITIONER INFORMATION:

Name and address of property owner(s) of the petition site:

*South Bend Speedway LLC
22085 Riley Road
Lakeville, IN 46536
Phone
E-Mail Address*

Name and address of additional property owners, if applicable:

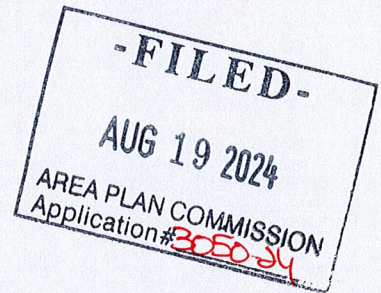
Name and address of petitioner(s), if different than the petitioner):

*Insurance Auto Auctions Corp.
Two Westbrook Corporate Center, 10th Floor
Westchester, IL 60154
708-384-4960
dean.stermer@IAAI.com*

Name and address of additional property owners, if applicable:

CONTACT PERSON:

*Richard Nussbaum
210 S. Michigan, 5th Floor
South Bend, IN 46601
574-234-3000
Dickn@sni-law.com*



BY SIGNING THIS PETITION, THE PETITIONERS/PROPERTY OWNERS OF THE ABOVE-DESCRIBED REAL ESTATE AUTHORIZE THAT THE CONTACT PERSON LISTED ABOVE MAY REPRESENT THIS PETITION BEFORE THE AREA BOARD OF ZONING APPEALS AND COUNTY COUNCIL AND TO ANSWER ANY AND ALL QUESTIONS RELATED TO THIS PETITION.

Signature(s) of all property owner(s):

Dean Stermer DEAN STERMER FROM IAA (BUYER)