



LAWRENCE P. MAGLIOZZI
EXECUTIVE DIRECTOR

Angela M. Smith
Deputy Director

AREA PLAN COMMISSION OF ST. JOSEPH COUNTY, IN

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

September 8, 2016

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

RE: 331 W. Wayne Street

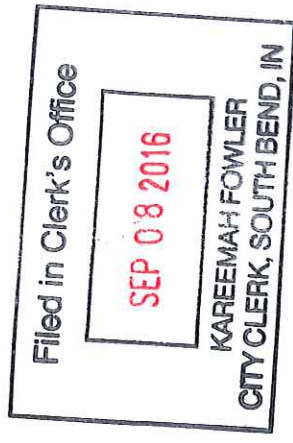
Dear Council Members:

Enclosed is an Ordinance for the proposed Zone Map Amendment at the above referenced location. Please include the attached Ordinance on the Council agenda for first reading at your September 12, 2016 Council meeting, and set it for public hearing at your October 24, 2016. Council meeting. The petition is tentatively scheduled for public hearing at the October 18, 2016 Area Plan Commission meeting. The recommendation of the Area Plan Commission will be forwarded to your office by noon on the day following the public hearing.

If you have any questions, please feel free to contact our office.

Sincerely,

Angela M. Smith
Deputy Director



CC: Kathy Cekanski-Farrand

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE ZONING ORDINANCE AND REQUESTING A SPECIAL EXCEPTION FOR PROPERTY LOCATED AT 331 W. WAYNE, COUNCILMANIC DISTRICT NO. 2 IN THE CITY OF SOUTH BEND, INDIANA

STATEMENT OF PURPOSE AND INTENT

To rezone the property for a brewery and restaurant.

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

SECTION 1. Ordinance No. 9495-04, is amended, which ordinance is commonly known as the Zoning Ordinance of the City of South Bend, Indiana, be and the same hereby is amended in order that the zoning classification of the following described real estate in the City of South Bend, St. Joseph County, State of Indiana:

Lot A of Vails Subdivision First Replat

be and the same is hereby established as CBD Central Business District.

SECTION II. That a Special Exception Use for *manufacturing retailer* in the *CBD Central Business District* is hereby granted subject to a site development plan hereby attached and made a part of this Ordinance and which site plan contains and lists all conditions, if any, of approval.

SECTION III. This ordinance shall be in full force and effect from and after its passage by the Common Council, approval by the Mayor, and legal publication.

Attest:

City Clerk

Member of the Common Council

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

City Clerk

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

Mayor, City of South Bend, Indiana

... READING
PUBLIC HEARING
3rd READING
NOT APPROVED
REFERRED
PASSED

Filed in Clerk's Office
SEP 08 2016
KAREEMAH FOWLER
CITY CLERK, SOUTH BEND, IN

PETITION FOR ZONE MAP AMENDMENT

City of South Bend, Indiana

I (we) the undersigned make application to the City of South Bend Common Council to amend the zoning ordinance as herein requested.

- 1) The property sought to be rezoned is located at:
Parcel Key No. 018-3012-044003
Commonly known as 331 W. Wayne St., South Bend, Indiana
- 2) The property Tax Key Number(s) is/are: *Parcel Key No. 018-3012-044003*
- 3) Legal Descriptions: *Commonly known as 331 W. Wayne St., South Bend, Indiana*
- 4) Total Site Area: *2.33*
- 5) Name and address of property owner(s) of the petition site:
Chris Gerard
12804 Sandy Ct.
Granger, Indiana 46530
574-315-4257
chris@barehandsbrewery.com

Name and address of additional property owners, if applicable:

- 6) Name and address of contingent purchaser(s), if applicable:

Name
Address
City, State Zip Code
Phone number with Area Code
E-Mail Address

Name and address of additional property owners, if applicable:

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

From: **GB General Business District** Additional zoning district, if applicable

To: **CBD Central Business District**

- 8) This rezoning is requested to allow the following use(s): *Brewery/Restarant*

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

- 1) *List each variance being requested. Contact Commission Staff if you need assistance with wording.*

- 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: *Insert text*

(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: *We plan to make the builing better*

Filed in Clerk's Office

SEP 07 2016

KAREEMAH FOWLER

CITY CLERK, SOUTH BEND, IN

(c) The strict application of the terms of this Ordinance would result in practical difficulties in the use of the property: *Insert text*

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

- 1) A detailed description and purpose of the Special Exception Use(s) being requested: *Manufacturing/retail*
- 2) A statement on how each of the following standards for the granting of a Special Exception Use is met:
 - (a) The proposed *use* will not be injurious to the public health, safety, comfort, community moral standards, convenience or general welfare: *It will be similar to other busniess*
 - (b) The proposed *use* will not injure or adversely affect the *use* of the adjacent area or property values therein: *We are going to fix up vacant property*
 - (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: *We plan to fit our design to work with the area*
 - (d) The proposed use is compatible with the recommendations of the City of South Bend Comprehensive Plan. *Reuse of an abandoned building*

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

CONTACT PERSON:

*Chris Gerard
12804 Sandy Ct
Granger In 46530
574-315-4257
chris@barehandsbrewery.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 PLAN COMMISSION AND COMMON COUNCIL AND TO ANSWER ANY AND ALL QUESTIONS THEREON.

Signature(s) of all property owner(s), or signature of Attorney for all property owner(s):

