



City of South Bend

PLAN COMMISSION

County-City Building
227 W. Jefferson Blvd. 1400S
South Bend, IN 46601
(574) 235-7627
www.southbendin.gov/zoning

MINUTES

August 15, 2022
4:00 p.m.

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

MEMBERS PRESENT:

Kara Boyles
Kyle Copelin
Scott Ford
John Martinez
Sheila Niezgodski
Jason Piontek
Caitlin Stevens

MEMBERS ABSENT:

Dr. Dave Varner

ALSO PRESENT:

Angela Smith
Rachel Boyles
Kate Bolze
Jenna Throw
Tom Panowicz

PUBLIC HEARING - 4:00 P.M.

A. REZONINGS:

1. A proposed ordinance of FOX REAL ESTATE LLP to zone from S1 Suburban Neighborhood 1 to C Commercial, property located at 4427 BROOKTON DR and 1335 IRELAND RD, City of South Bend - PC# 0105-22. *(Audio Position: 2:25)*

STAFF REPORT

The staff report was presented by Angela Smith.

Analysis: Rezoning this property to C Commercial could have a substantial negative impact on the adjacent residential neighborhood. Since the neighborhood was developed in the early 1950's, the area has undergone a significant change. What was developed as a small neighborhood commercial area to the west in the 1960's has grown to a large regional commercial node. Allowing the commercial zoning to further encroach into the neighborhood will likely destabilize the existing neighborhood and increase pressure for additional commercial development along Ireland Road.

Staff Recommendation: Based on the information available to the public hearing, the staff recommends the Commission send the petition to the Common Council with an unfavorable recommendation. If approved by the Council, the staff recommends the Commission encourage the Council to impose the suggested written commitments to lessen the impact on the neighborhood.

PETITIONER

Steven Studer, Krieg Devault Law Firm, 4104 Edison Lakes Parkway, Suite 100,
Mishawaka, IN 46544

SOUTH BEND **PLAN COMMISSION**

Jeff Shafer, Abonmarche, 315 W Jefferson, South Bend, IN
Michael Tadevich, Developer, no address provided

INTERESTED PARTIES

Karol Romero, 1304 Catherwood, South Bend, IN – in opposition
Carlisha Buchanan, 1353 Oakdale, South Bend, IN – in opposition

PUBLIC COMMENT

Dave Szlanfucht, 5717 Grape Rd, Mishawaka, IN – in favor

After due consideration, the following action was taken:

Upon a motion by Kyle Copelin, being seconded by Jason Piontek and unanimously carried, a proposed ordinance of FOX REAL ESTATE LLP to zone from S1 Suburban Neighborhood 1 to C Commercial, property located at 4427 BROOKTON DR and 1335 IRELAND RD, City of South Bend, is sent to the Common Council with an UNFAVORABLE recommendation and if approved by the Common Council recommend the Common Council include written commitments as suggested by staff.

2. A combined public hearing on a proposed ordinance of STEPHEN J & JOAN E EDDY AS TRUSTEES OF STEPHEN J EDDY LIVING TRUST & RES LIFE EST to zone from U1 Urban Neighborhood 1 to U2 Urban Neighborhood 2 and seeking a Special Exception to allow legal non conforming use of a dwelling, 3 units, property located at 232 LAPORTE AVE, City of South Bend - PC# 0109-22. *(Audio Position: 53:42)*

STAFF REPORT

The staff report was presented by Angela Smith.

Analysis: Rezoning the site to U2 Urban Neighborhood 2 District will allow for the structure to continue to be used as a multi-unit dwelling, which will provide increased housing options while not drastically changing the established character of the neighborhood.

Staff Recommendation: Based on information available prior to the public hearing, the staff recommends the Plan Commission send the rezoning petition to the Common Council with a favorable recommendation, subject to acquiring a Certificate of Rental Safety from Code Enforcement.

PETITIONER

Steven J. Eddy, 23600 Roosevelt Rd, South Bend, IN

INTERESTED PARTIES

There was no one from the public to speak.

PUBLIC COMMENT

There was no one from the public to speak.

After due consideration, the following action was taken:

Upon a motion by Jason Piontek, being seconded by Caitlin Stevens and unanimously carried, a proposed ordinance of STEPHEN J & JOAN E EDDY AS TRUSTEES OF STEPHEN J EDDY LIVING TRUST & RES LIFE EST to zone from U1 Urban Neighborhood 1 to U2 Urban Neighborhood 2, property located at 232 LAPORTE AVE, City of South Bend, is sent to the Common Council with a FAVORABLE recommendation.

Upon a motion by Jason Piontek, being seconded by Caitlin Stevens and unanimously carried, a Special Exception for to allow a conversion to add one or more dwelling units to the existing structure property located at 232 LAPORTE AVE, City of South Bend, is sent to the Common Council with a FAVORABLE recommendation.

B. MAJOR SUBDIVISIONS - None for consideration

C. TEXT AMENDMENTS - None for consideration

D. DEVELOPMENT PLANS

1. A RESOLUTION OF THE PLAN COMMISSION OF THE CITY OF SOUTH BEND, INDIANA, APPROVING AND ADOPTING THE NORTHEAST NEIGHBORHOOD PLAN – PC # 107-22 *(Audio Position: 58:46)*

Upon a motion by Kyle Copelin, being seconded by John Martinez and unanimously carried, the RESOLUTION OF THE PLAN COMMISSION OF THE CITY OF SOUTH BEND, INDIANA, APPROVING AND ADOPTING THE NORTHEAST NEIGHBORHOOD PLAN, was tabled.

2. A RESOLUTION OF THE PLAN COMMISSION OF THE CITY OF SOUTH BEND, INDIANA, APPROVING AND ADOPTING THE KENNEDY PARK NEIGHBORHOOD PLAN – PC # 110-22 *(Audio Position: 59:08)*

Upon a motion by Kyle Copelin, being seconded by John Martinez and unanimously carried, the RESOLUTION OF THE PLAN COMMISSION OF THE CITY OF SOUTH BEND, INDIANA, APPROVING AND ADOPTING THE KENNEDY PARK NEIGHBORHOOD PLAN, was tabled.

ITEMS NOT REQUIRING A PUBLIC HEARING

A. MINOR SUBDIVISIONS:

1. GATES IRELAND ROAD EAST MINOR SUBDIVISION – PC# 0097-22

(Audio Position: 59:34)

STAFF REPORT

The staff report was presented by Rachel Boyles.

Staff Recommendation: The Staff has reviewed this subdivision and finds it complies with the requirements for Primary Approval as specified by the South Bend Subdivision Control Ordinance. The Staff therefore recommends that this subdivision be granted Primary Approval.

After due consideration, the following action was taken:

Upon a motion by Kyle Copelin, being seconded by John Martinez and unanimously carried, the Plan Commission finds the evidence adduced at this Plan Commission Hearing supports each element of the Staff Report, and GATES IRELAND ROAD EAST MINOR SUBDIVISION Subdivision therefore complies with the City of South Bend Subdivision Control Ordinance and is granted Primary Approval.

2. KERRIGAN'S ST. LOUIS BOULEVARD MINOR SUBDIVISION – PC# 0104-22

(Audio Position: 1:00:29)

STAFF REPORT

The staff report was presented by Rachel Boyles.

Staff Recommendation: The Staff has reviewed this subdivision and finds it complies with the requirements for Primary Approval as specified by the South Bend Subdivision Control Ordinance. The Staff therefore recommends that this subdivision be granted Primary Approval.

After due consideration, the following action was taken:

Upon a motion by Jason Piontek, being seconded by Kyle Copelin and unanimously carried, the Plan Commission finds the evidence adduced at this Plan Commission Hearing supports each element of the Staff Report, and KERRIGAN'S ST. LOUIS BOULEVARD MINOR SUBDIVISION Subdivision therefore complies with the City of South Bend Subdivision Control Ordinance and is granted Primary Approval.

3. PENNY HILL HOMES MINOR SUBDIVISION – PC# 0106-22

(Audio Position: 1:01:25)

STAFF REPORT

The staff report was presented by Rachel Boyles.

Staff Recommendation: The Staff has reviewed this subdivision and finds it complies with the requirements for Primary Approval as specified by the South Bend Subdivision Control Ordinance. The Staff therefore recommends that this subdivision be granted Primary Approval.

After due consideration, the following action was taken:

Upon a motion by Kyle Copelin, being seconded by Kara Boyles and unanimously carried, the Plan Commission finds the evidence adduced at this Plan Commission Hearing supports each element of the Staff Report, and PENNY HILL HOMES MINOR SUBDIVISION Subdivision therefore complies with the City of South Bend Subdivision Control Ordinance and is granted Primary Approval.

B. DEVELOPMENT PLANS

1. RATIFY CHANGES TO THE NEAR WEST SIDE PLAN DOCUMENT

(Audio Position: 1:02:29)

Upon a motion by Kara Boyles, being seconded by Kyle Copelin and unanimously carried, the changes to the Near West Side Plan document are ratified.

B. FINDINGS OF FACT

1. PC# 0102-22 – PROPERTY BOUND BY MCCARTNEY ST., KESSLER BLVD., AND KING ST. EXCEPT 1416 AND 1428 KESSLER

(Audio Position: 1:03:46)

Upon a motion by Kyle Copelin, being seconded by Caitlin Stevens and unanimously carried, the findings of fact for PC# 0102-22 were approved.

C. UPDATES FROM STAFF

D. MINUTES – June 21, 2022

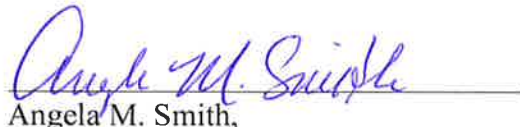
(Audio Position: 1:05:04)

Upon a motion by Jason Piontek, being seconded by Kara Boyles and unanimously carried, the minutes from the June 21, 2022 Plan Commission meeting were approved

5. ADJOURNMENT – 5:05 PM



Scott Ford,
President



Angela M. Smith,
Secretary of the Commission