



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

AGENDA

Monday, May 15, 2023 - 4:00 P.M.
County-City Building
Fourth-Floor Council Chambers
www.tinyurl.com/southbendplancommission

PUBLIC HEARING:

A. REZONINGS

1. **Location:** 1301 & 1305 ELWOOD AVE PC#0145-23
Petitioner: PEAK INVESTMENT & ASSET MANAGEMENT LLC
Requested Action:
Rezoning: From U1 Urban Neighborhood 1 to NC Neighborhood Center

B. MAJOR SUBDIVISIONS

1. **Name:** LINDENWOOD ACRES MAJOR SUBDIVISION PC#0140-23
Location: the vacant land on the east and west sides of N Lindenwood Drive E
between W Lindenwood Drive South and Auten Road

C. TEXT AMENDMENTS – None for consideration

D. DEVELOPMENT PLANS – None for consideration

ITEMS NOT REQUIRING A PUBLIC HEARING:

A. MINOR SUBDIVISIONS

1. **Name:** VISION REALTY'S TAYLOR STREET MINOR SUBDIVISION
PC#0144-23
Location: West Side of S Taylor St. Approx. 55' North of W Wayne St.

B. FINDINGS OF FACT – None for consideration

C. MINUTES – April 17, 2023

D. UPDATES FROM STAFF

E. ADJOURNMENT

NOTICE FOR HEARING AND SIGN IMPAIRED PERSONS

Auxiliary Aid or other services may be available upon request at no charge. Please give reasonable advance request when possible.

Property Information

Location: 1301 & 1305 ELWOOD AVE
Owner: PEAK INVESTMENT & ASSET MANAGEMENT LLC

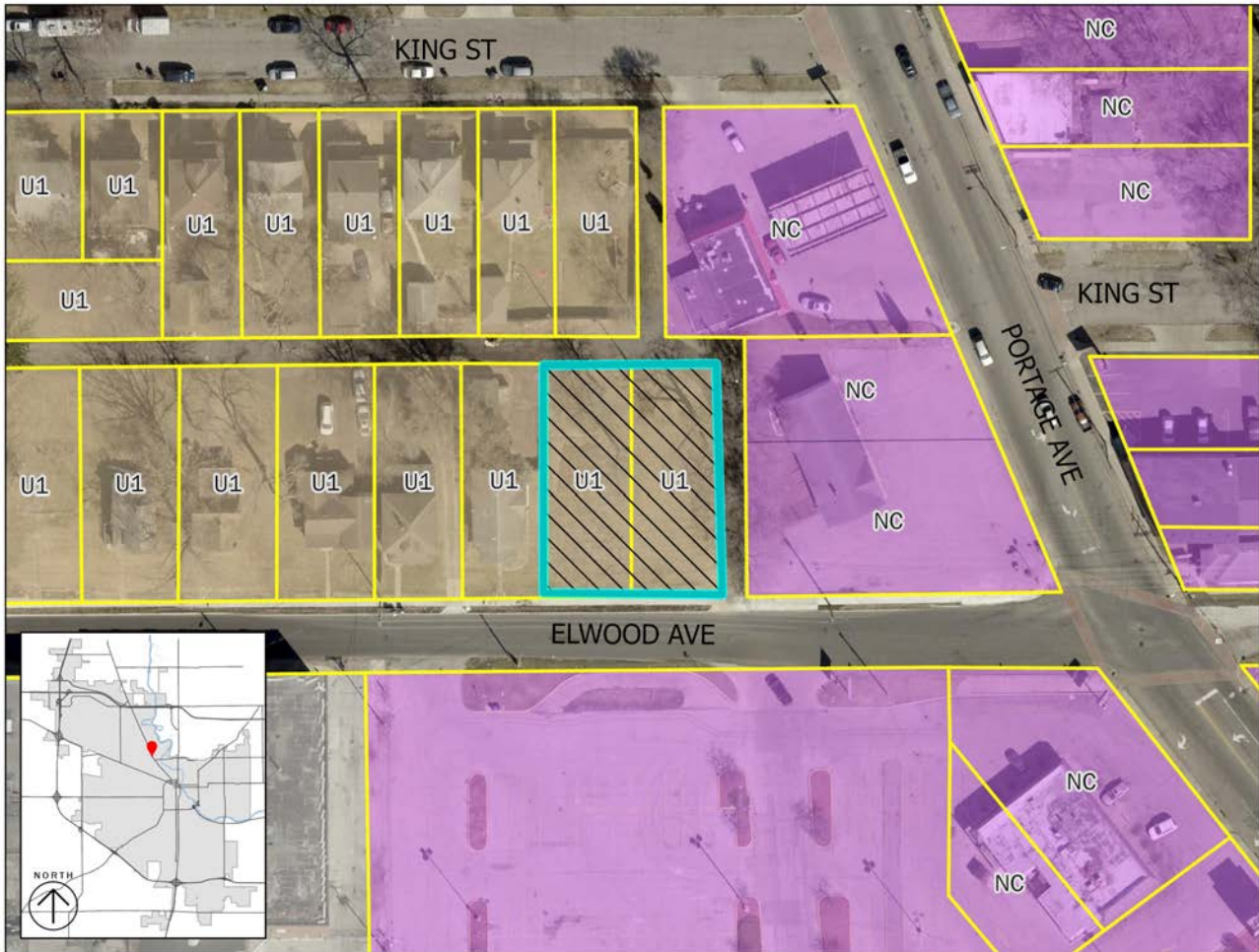
Requested Action

Rezone from U1 Urban Neighborhood 1 to NC Neighborhood Center

Project Summary

Rezone the property from U1 Urban Neighborhood 1 to NC Neighborhood Center to allow for a mixed use commercial development.

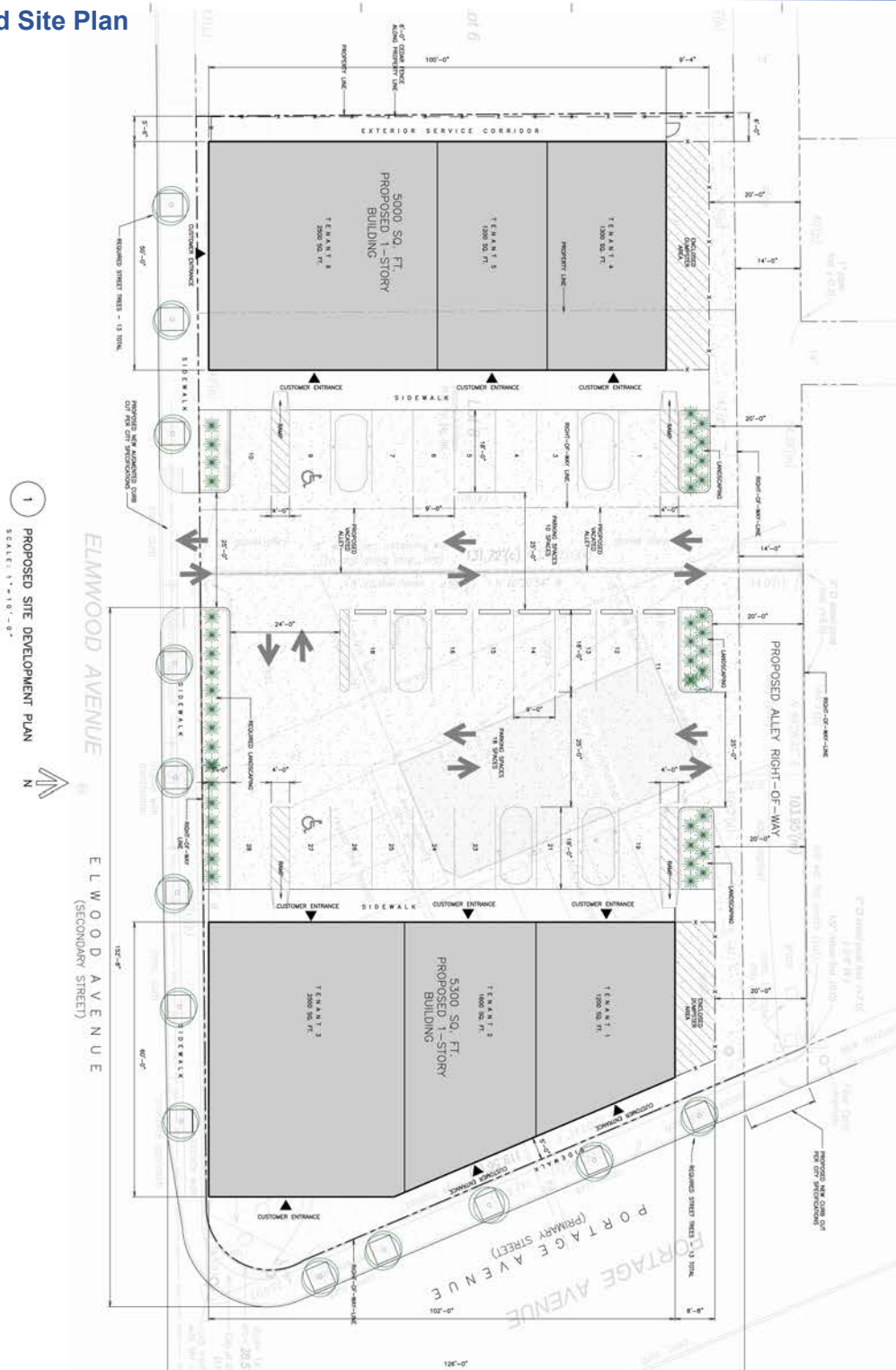
Location Map



Recommendation

Staff Recommendation: Based on the information provided prior to the public hearing, the Staff recommends the Commission send the rezoning to the Common Council with a favorable recommendation.

Proposed Site Plan



1 PROPOSED SITE DEVELOPMENT PLAN
SCALE: 1"=10'-0"

S1	SHEET NAME	PROPOSED SITE DEVELOPMENT PLAN	NEIGHBORHOOD SHOPPING CENTER PEAK INVESTMENT AND ASSET MANAGEMENT, LLC PROJECT LOCATION: NW CORNER OF PORTAGE AND ELMWOOD AVENUE SOUTH BEND, INDIANA	PUZZELLO ARCHITECTURE PRACTICE 3601 S. WOODLAND STREET, SUITE 200, ROANOK, INDIANA 46785 731.704.7183 info@puzzello.com www.puzzello.com
	DRAWING ISSUE DATE	17 APRIL 2023		
PROJECT NUMBER	2159	CERTIFICATION		
DATE	3/27/23			
DESIGNED BY	P. PUZZELLO			
CHECKED BY	J. PUZZELLO			
REVISIONS				

Site & Context

Land Uses and Zoning:

On site: On site are two (2) vacant residential lots under common ownership with petitioner's property to the east.

North: To the north, a vacant lot zoned U1 Urban Neighborhood 1, and a gas station/convenience store zoned NC Neighborhood Center.

East: To the east, a vacant commercial building zoned NC Neighborhood Center.

South: To the south, across Elwood Avenue, is the Elwood Shopping Center zoned NC Neighborhood Center.

West: To the west is a single family home zoned U1 Urban Neighborhood 1.

District Intent:

The NC District is established to promote higher intensity, urban neighborhood centers, typically located near the intersection of major streets, in core and outlying areas of the City that are well connected to surrounding neighborhoods.

Site Plan Description:

The proposed site plan includes two (2) multi-tenant commercial buildings with the associated parking and drives. The site plan incorporates the site to the east into the development. The development will need to meet the development standards of the District.

Zoning and Land Use History and Trends:

Built in the late 1960's, Elwood Shopping Center was home to CVS/pharmacy and Martins Supermarket. Both have since closed these locations. In the past decade, the neighborhood area has seen a decline in available retail/food options. Recently there has been a reinvestment in the area with the clean up of the former Drewrys site, investment in a community center on King Street, and other improvements to nearby vacant or underutilized parcels.

Traffic and Transportation Considerations:

Elwood Avenue is a two lane street with no on-street parking. Portage Avenue is a two lane street with available on-street parking.

Agency Comments

Agency Comments: The site plan incorporates the appropriate modifications required for development.

If an alternate plan is submitted, it will need to meet all the development standards for the site.

Staff Comments:

Commercial activity along the lot may be beneficial to the surrounding neighborhood if developed in a manner compatible with the other small scale commercial properties nearby.

Criteria for Decision Making

Rezoning

Per State Law, the Plan Commission and Common Council shall pay reasonable regard to:

1. Comprehensive Plan:

Policy Plan:

The petition with City Plan, South Bend Comprehensive Plan (2006), Objective LU 2.2 Pursue a mix of land uses along major corridors and other locations identified on the Future Land Use Map.

Land Use Plan:

The future land use plan identifies this area as commercial and medium density residential.

Plan Implementation/Other Plans:

There are no other plans for the area.

2. Current Conditions and Character:

The current character of the area is a mix of small scale commercial and low density residential uses.

3. Most Desirable Use:

The most desirable use of the property is one that allows for a mix of commercial uses in a manner that is sympathetic to the residential uses nearby.

4. Conservation of Property Values:

With proper buffering and design, the proposed development should not have a significant impact on surrounding property values. Developing a new commercial project on currently vacant unproductive land will help continue the growth and value of the surrounding neighborhood.

5. Responsible Development and Growth:

With the close proximity to a large commercial node, it is reasonable development and growth to allow for the commercial development close to a major thoroughfare.

Analysis & Recommendation

Commitments: There are no commitments proposed at this time.

Analysis: Rezoning these properties to NC Neighborhood Center and the subsequent development into a commercial center will bring much needed options for goods and services to local residents and could further encourage commercial development at this intersection.

Recommendation: Based on the information provided prior to the public hearing, the Staff recommends the Commission send the rezoning to the Common Council with a favorable recommendation.

Property Information

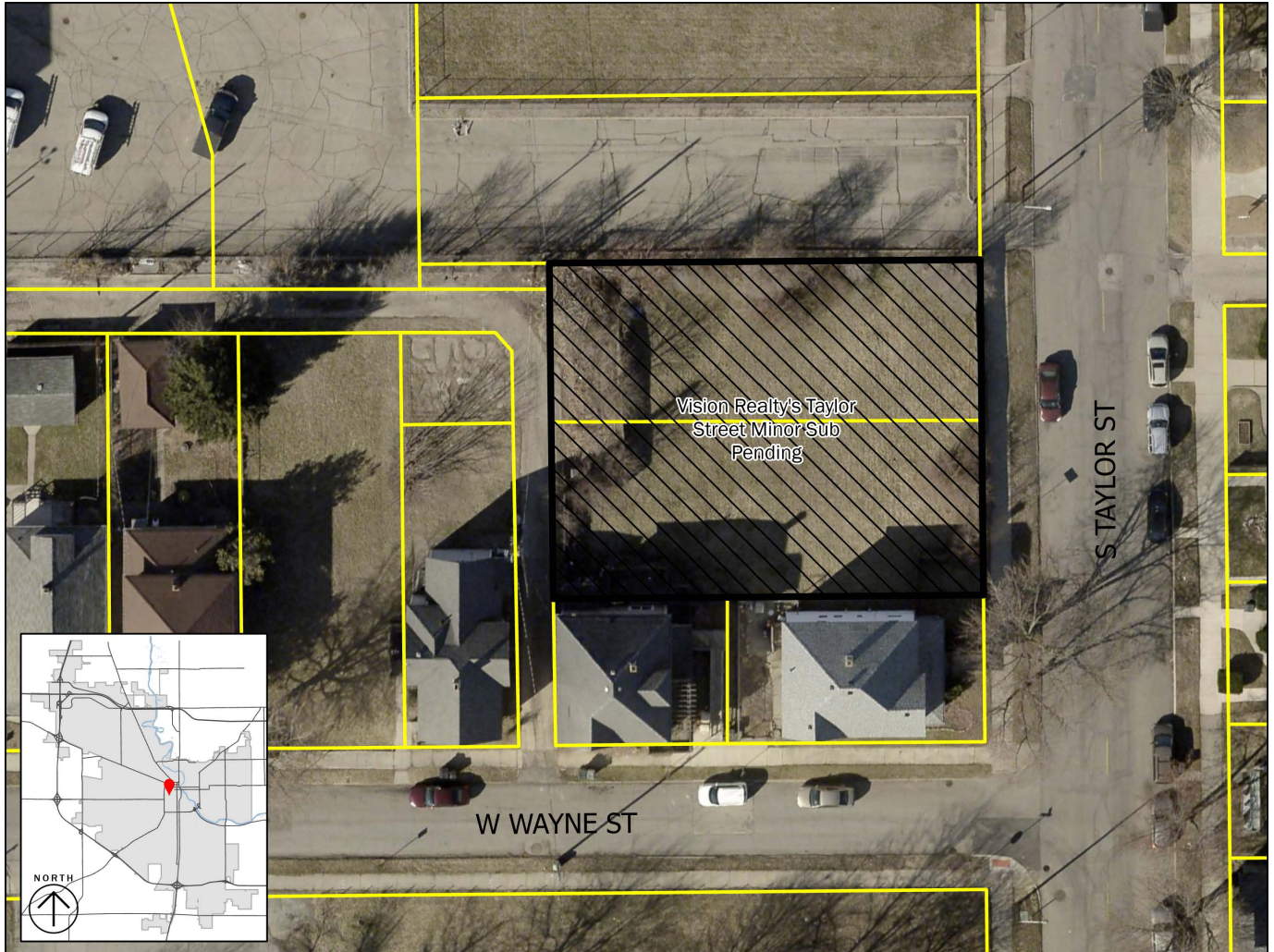
Subdivision Name: **VISION REALTY'S TAYLOR STREET MINOR SUBDIVISION**

Location: West Side of S Taylor St. Approx. 55' North of W Wayne St.

Requested Action

The total area of the subdivision is 0.24 acres and will consist of 2 building lots.

Location Map



Recommendation

Staff Recommendation: The Staff has reviewed this subdivision and finds that if the conditions are met 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, subject to the following: 1) Fixing note 9 to read "Each lot shall be..."

Proposed Plat

VISION REALTY'S TAYLOR STREET MINOR SUBDIVISION

PART OF THE NORTHEAST QUARTER OF SECTION 14, TOWNSHIP 37 NORTH, RANGE 2 EAST, CITY OF SOUTH BEND, PORTAGE TOWNSHIP, ST. JOSEPH COUNTY, INDIANA.

CERTIFICATE OF APPROVAL PURSUANT TO INDIANA CODE SECTION 36-4-4, THE UNDERSIGNED CERTIFY THAT THE COMMISSION HAS CONSIDERED AND GRANTED SECONDARY APPROVAL BY THE SOUTH BEND PLAN COMMISSION FOR THE PROPOSED PLAT AND THAT THE COMMISSION'S REVIEW IS LIMITED TO THE STANDARDS SET FORTH IN THE CITY OF SOUTH BEND SUBDIVISION CONTROL ORDINANCE.

ANGELA E. SMITH SECRETARY OF THE COMMISSION

LEGAL DESCRIPTION PART OF NORTHEAST QUARTER OF SECTION 14, TOWNSHIP 37 NORTH, RANGE 2 EAST, CITY OF SOUTH BEND, PORTAGE TOWNSHIP, ST. JOSEPH COUNTY, INDIANA, BEING THAT 2.14 ACRES PARCELS, SEPARATED BY AN INTERSECTION, LANA AND BEING THAT 2.14 ACRES PARCELS, SEPARATED BY AN INTERSECTION, LANA AND BEING THAT 2.14 ACRES PARCELS, SEPARATED BY AN INTERSECTION, LANA...

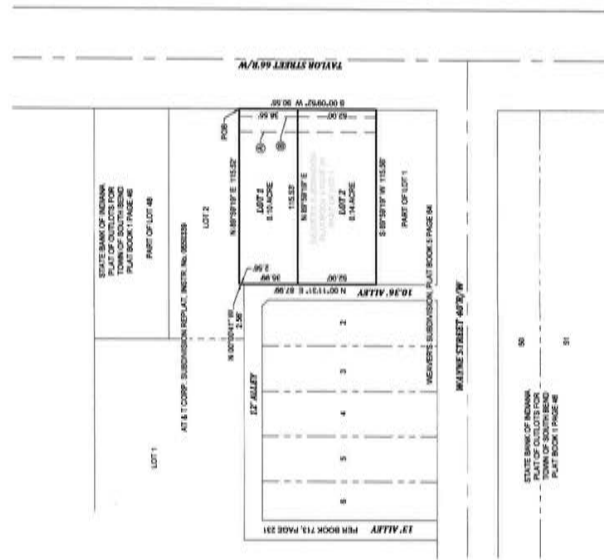
OWNER'S CERTIFICATION THE UNDERSIGNED, VISION REALTY INTL, LLC IS THE OWNER OF THE LAND DESCRIBED IN THE PLAT HEREIN AND HAVE CAUSED THE PLAT HEREIN TO BE PREPARED AND FILED WITH THE COUNTY CLERK AND APPROVED THEREIN SET FORTH AND DO NOT HEREBY ACKNOWLEDGE AND ADOPT THE PLAT UNDER THE TITLE AND TITLE THEREON INDICATED.

- NOTES 1. ALL EASEMENTS THAT ARE INDICATED ON DOCUMENTATION PROVIDED BY THE SUBMITTER SHALL REMAIN IN FULL FORCE AND EFFECT UNLESS OTHERWISE INDICATED. 2. BUILDING SETBACKS SHALL CONFORM TO THE APPLICABLE PROVISIONS OF THE CITY OF SOUTH BEND ZONING ORDINANCE...

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STATE OF INDIANA COUNTY OF ST. JOSEPH I, JESSIE M. BARNETT, COUNTY CLERK DO HEREBY CERTIFY THAT THIS PLAT WAS FILED FOR RECORD IN MY OFFICE ON APRIL 20, 2023.

NOTAR PUBLIC CERTIFICATION I, JESSIE M. BARNETT, AM A PROFESSIONAL NOTAR PUBLIC LICENSED IN THE STATE OF INDIANA AND HAVE PERSONALLY OBSERVED THE SIGNATURES OF THE PARTIES TO THIS INSTRUMENT AND HAVE CAUSED THIS INSTRUMENT TO BE RECORDED IN MY OFFICE ON APRIL 20, 2023.



WRIGHTMAN TITLE WORKSHEET, 1 of 1, including title insurance information and recording details.

Project Details

Environmental Data:	A check of the Agency's maps indicates that no environmental hazard areas or wetlands are present.
Drainage:	A drainage plan will be required at the time of commercial development.
Rights-Of-Way:	The rights-of-way are correct as shown.
Utilities:	The site will be served by Municipal Water and Municipal Sewer.
Agency Comments:	Curb and sidewalk will need to be replaced if it is in poor condition or if it does not meet current City standard. Access shall be provided from the alley.

Recommendation

Staff Recommendation: The Staff has reviewed this subdivision and finds that if the conditions are met 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, subject to the following: 1) Fixing note 9 to read "Each lot shall be..."