



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, March 15, 2021 - 4:00

P.M.

Virtual

PUBLIC HEARING: <https://tinyurl.com/sbplancommission>

A. REZONINGS

1. **Location:** 600 NILES AVE PC#0042-21
Petitioner: BEACON HEALTH SYSTEM INC
Requested Action:
Rezoning: From NC Neighborhood Center to U1 Urban Neighborhood 1

B. MAJOR SUBDIVISIONS

1. **Name:** RENEWABLE ENERGY DRIVE SUBDIVISION - PC#0038-21
Location: SOUTHEAST CORNER OF CALVERT ST AND RENEWABLE RD
2. **Name:** FIELDSTONE CENTRE SECOND MAJOR SUBDIVISION - PC#0039-21
Location: THE WEST SIDE OF SR 931 HWY APPROXIMATELY 2,200' SOUTH OF KERN
3. **Name:** EDDY STREET COMMONS PHASE III 2ND MAJOR SUBDIVISION PC#0040-21
Location: SOUTHEAST CORNER OF FRANCES ST AND HOWARD ST

C. TEXT AMENDMENTS – None for consideration

D. DEVELOPMENT PLANS – None for consideration

ITEMS NOT REQUIRING A PUBLIC HEARING:

A. MINOR SUBDIVISIONS – None for consideration

B. FINDINGS OF FACT – None for consideration

C. UPDATES FROM STAFF

D. MINUTES – February 15th, 2021

E. ADJOURNMENT

Property Information

Location: 600 NILES AVE
Owner: BEACON HEALTH SYSTEM INC

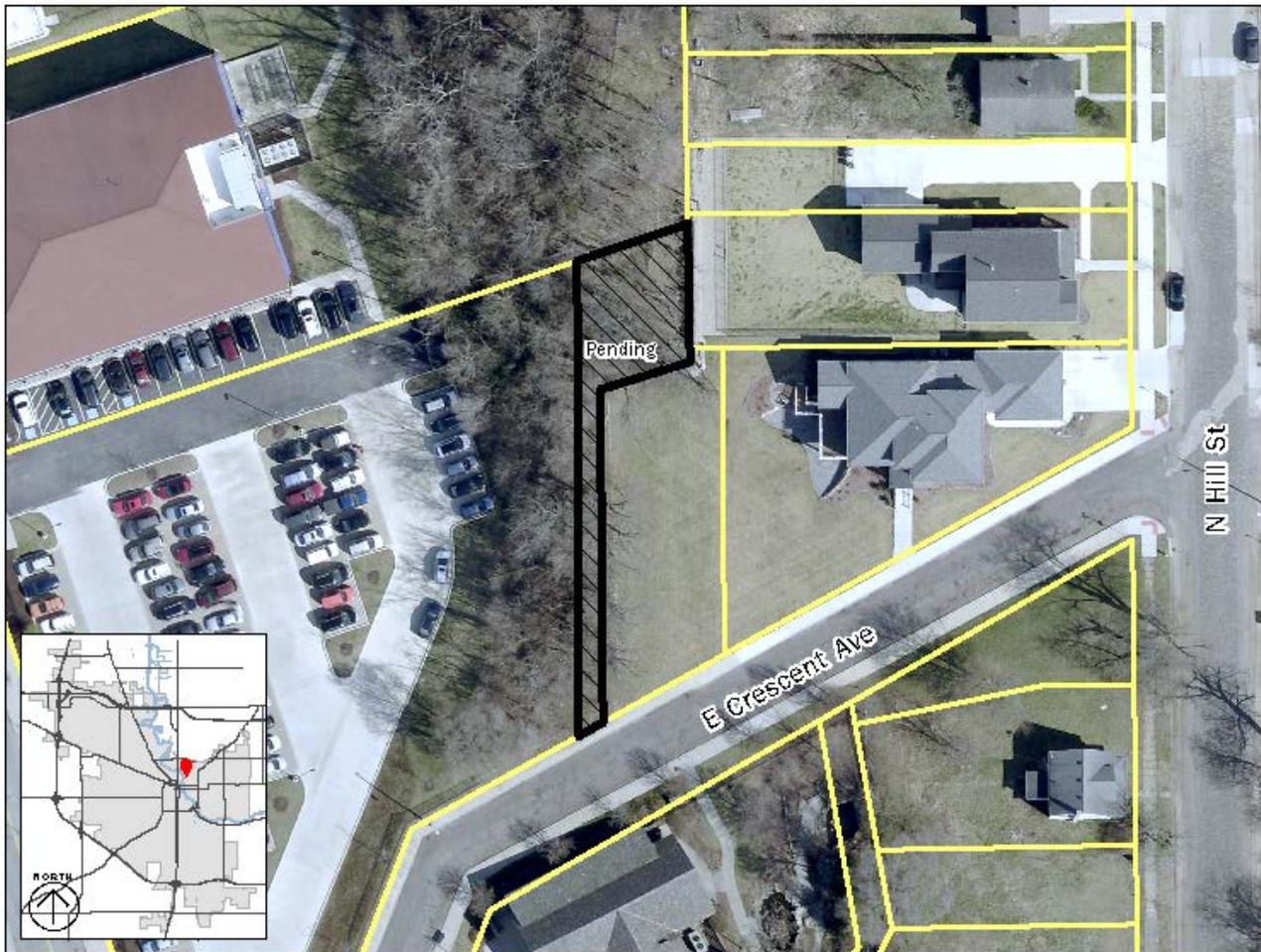
Requested Action

Rezone from NC Neighborhood Center to U1 Urban Neighborhood 1

Project Summary

The rezoning request is to downzone a portion of the property to U1 for the purpose of selling the land to an adjacent owner to increase their backyard area for a possible pool and open space.

Location Map



Recommendation

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 the completion of a subdivision for this lot.

Site & Context

Land Uses and Zoning:

- On site: On site is heavily wooded land with a large elevation grade change from east to west. The rest of the parcel not being rezoned is a parking lot.
- North: To the north is a medical office building zoned NC Neighborhood Center.
- East: To the east is a single family home zoned U1 Urban Neighborhood 1.
- South: To the south across Crescent Ave. is an office building zoned NC Neighborhood Center.
- West: To the west across Niles Ave is the former Madison Center and a restaurant zoned DT Downtown.

District Intent:

The U1 District is established to provide for, promote, and maintain urban neighborhoods located in core and outlying areas of the City.

Site Plan Description:

There has not been a specific site plan submitted for the proposal. The current project is to subdivide the property and sell the newly created U1 District parcel to the neighboring owner to add to the backyard space.

Zoning and Land Use History and Trends:

The immediate area and neighborhoods have a diverse history of different types of land uses. Along Niles Avenue, closer to downtown, are commercial uses. Further north along Niles and east along Crescent Ave the neighborhood transitions into primarily single family housing.

Traffic and Transportation Considerations:

Crescent Avenue has two lanes with on street parking.

Agency Comments

Agency Comments:

There are no engineering comments at this time. Any improvements to the site will be reviewed under Commercial Plan Review.

Staff Comments:

While a down zoning from a mixed use district to a primarily single family district is not preferred, in this case it should not inhibit any future development to the neighborhood. The property being rezoned has no frontage along Niles Avenue and is a small portion of a larger parcel, which serves as the commercial corridor for the area. Expanding U1 Urban Neighborhood One along Crescent Avenue should not provide any hardship while also not limiting any future development opportunities along Niles Avenue.

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 is consistent with the City Plan, South Bend Comprehensive Plan (2006), Objective LU 2: Encourage a compatible mix of land uses in the community.

Land Use Plan:

The future land use plan identifies this area as Medium Density Residential.

Plan Implementation/Other Plans:

There are no specialized plans for this area.

2. Current Conditions and Character:

The existing neighborhood east of Niles Avenue is a dense urban single-family neighborhood. The houses date from the early 1900s with a number of new infill housing properties constructed in the past decade. The properties along Niles Avenue and further south have been mixed use in nature and now consist of commercial buildings and parking lots.

3. Most Desirable Use:

Due to the unique challenges of the topography of the site, the most desirable use for the parcel would be one that supports the single family neighborhood to the east while preserving the possibility for new development along Niles Avenue.

4. Conservation of Property Values:

The current proposal does not call for any new major development on the site with the natural limitations of the land limiting future use. The rezoning should not impact the use or value of surrounding properties in the area.

5. Responsible Development and Growth:

It is responsible development and growth to allow for the extension of the existing U1 Urban Neighborhood One District.

Analysis & Recommendation

Commitments: There are no proposed commitments at this time.

Analysis: Rezoning the site to U1 Urban Neighborhood One will allow for the increased use of residential development along Crescent Avenue without inhibiting more intense development along Niles Avenue.

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 the completion of a subdivision for this lot.

Property Information

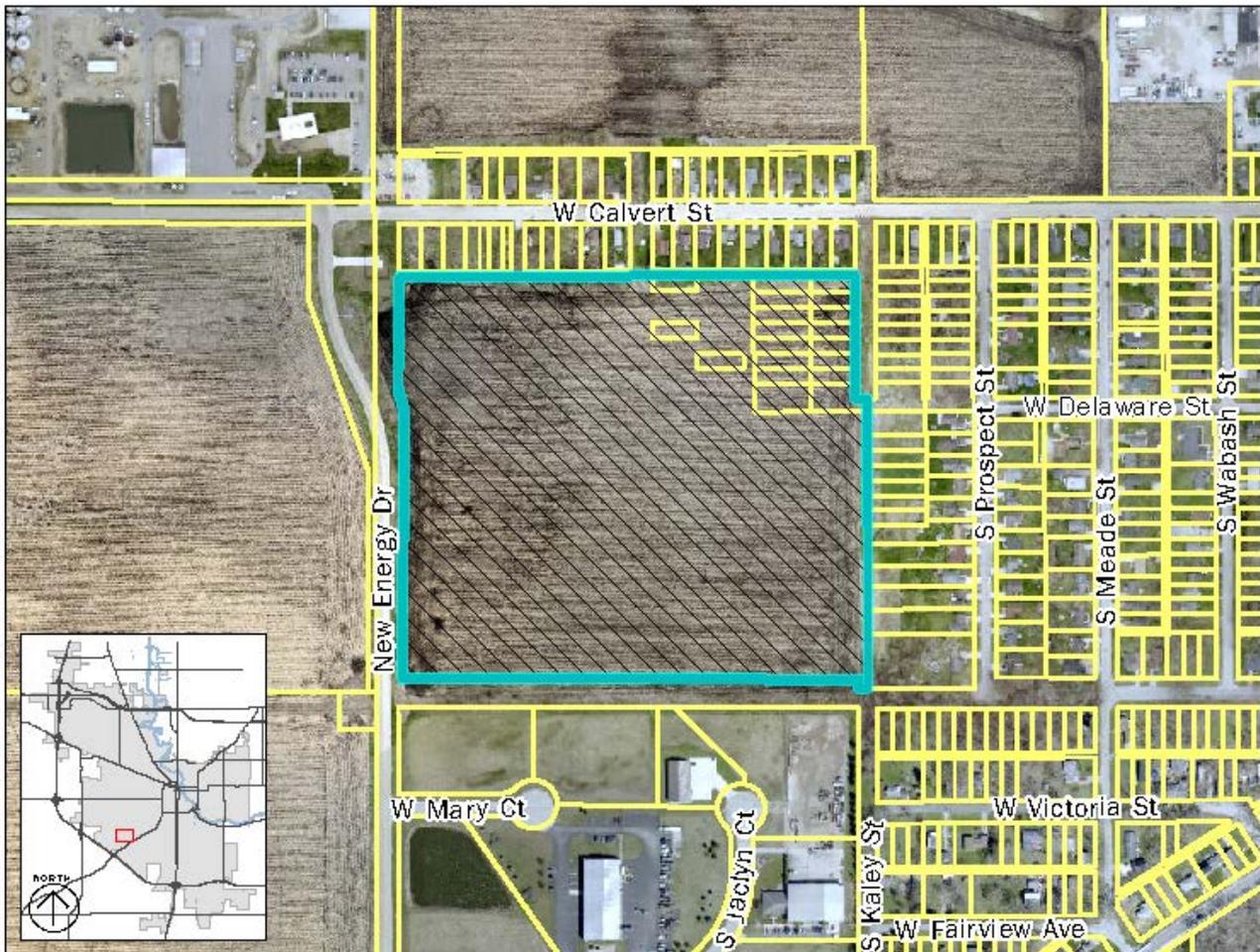
Subdivision Name: **RENEWABLE ENERGY DRIVE MAJOR SUBDIVISION**

Location: This Major Primary subdivision is located SOUTHEAST Corner of Calvert St and Renewable Rd, City of South Bend.

Requested Action

The total area of the subdivision is 32.23 acres and will consist of 2 building lots.

Location Map



Recommendation

Staff Recommendation: The Staff has reviewed this subdivision and finds that if the waivers are granted and 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) Execution of a Utility Extension agreement and associated easements.

Project Details

Environmental Data:	A check of the Agency's maps indicates that no environmental hazard areas or wetlands are present.
Drainage:	No drainage plan was provided. Site specific drainage for the site will be handled during Commercial Plan Review.
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:	Municipal sewer is currently available to the site. However, municipal water will need to be extended. The proposed water main is very close to the property line; an easement will likely be needed to allow for appropriate separation from the existing sanitary sewer and to allow space for maintenance. The existing pavement for Renewable Road does not align with the dedicated right-of-way. This may need to be addressed prior to finalizing access to Lot 1. Because of the curve of the road and existing utilities, a sight distance study will be needed to appropriately determine the location of access to Lot 1.

Recommendation

Staff Comments: The applicant's surveyor, on behalf of the applicant, requests the following waiver: 1) Section 21-11.02(e)(2) On sites greater than 5 acres or providing 50 dwelling units, a minimum of 10 percent of the project area shall be designated as public accessible civic or open space.

Staff Recommendation: The Staff has reviewed this subdivision and finds that if the waivers are granted and 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) Execution of a Utility Extension agreement and associated easements.

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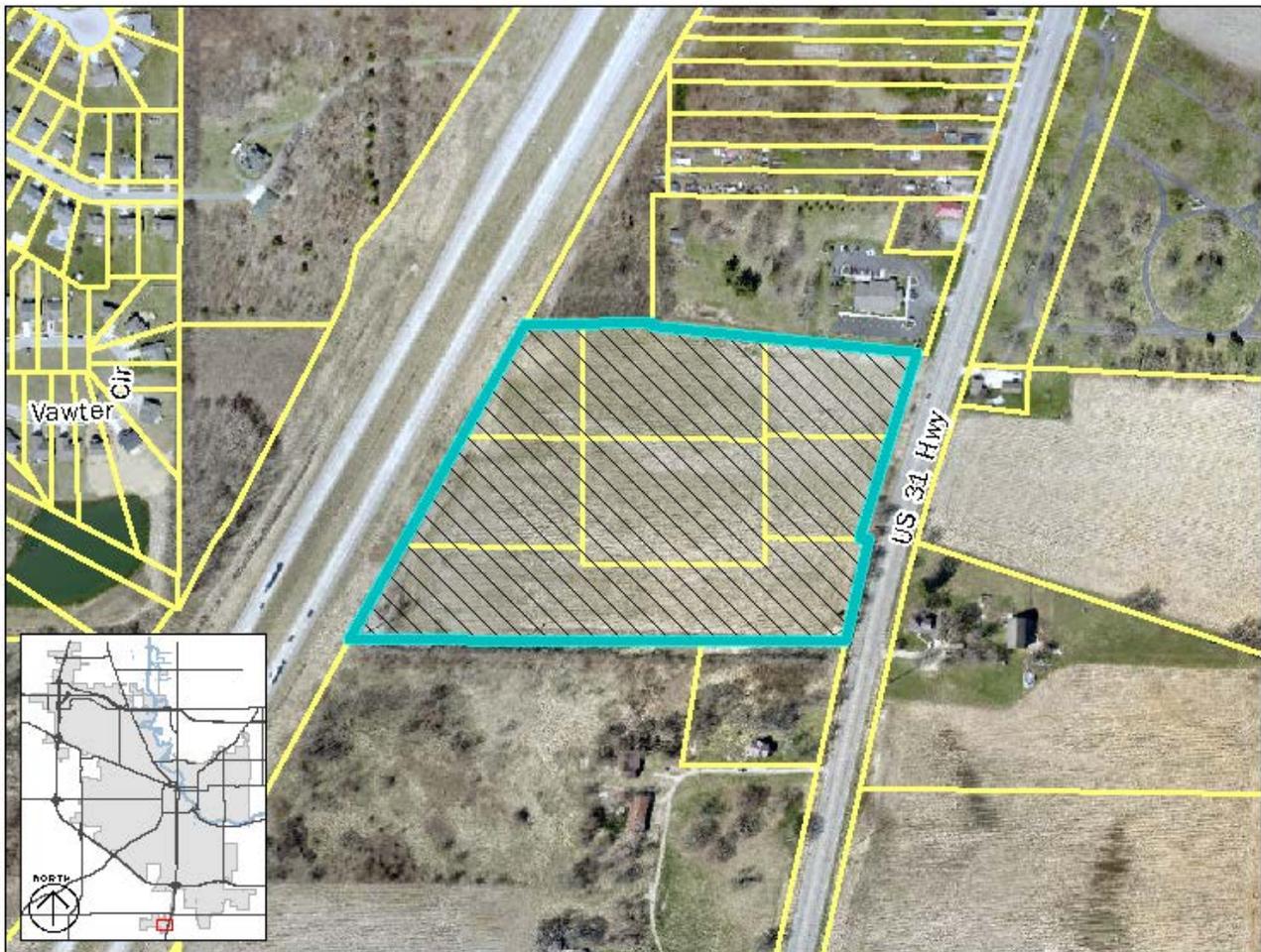
Subdivision Name: **FIELDSTONE CENTRE SECOND MAJOR SUBDIVISION**

Location: This Major Primary subdivision is located THE WEST SIDE OF SR 931 HWY APPROXIMATELY 2,200' SOUTH OF KERN , City of South Bend.

Requested Action

The total area of the subdivision is 18.78 acres and will consist of 9 building lots.

Location Map



Recommendation

Staff Recommendation: The Staff has reviewed this subdivision and finds that if the waivers are granted and 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) Execution of a Utility Extension Agreement; and 2) A utility master plan approved by City Engineering

Project Details

- Environmental Data:** A check of the Agency's maps indicates that no environmental hazard areas or wetlands are present.
- Drainage:** The drainage plan has been accepted by Engineering. Site specific drainage will be handled during Commercial Plan Review.
- 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:** City Engineering notes the following is required: easements, utility extension agreement, and utility master plan

Recommendation

Staff Comments: The applicant surveyor, on behalf of the applicant, requests the following waivers: 1) Section 21-11.02(c)(2) Every lot shall abut on a public street. 2) Section 21-11.02(e)(2) On sites greater than 5 acres or providing 50 dwelling units, a minimum of 10 percent of the project area shall be designated as public accessible civic or open space.

Staff Recommendation: The Staff has reviewed this subdivision and finds that if the waivers are granted and 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) Execution of a Utility Extension Agreement; and 2) A utility master plan approved by City Engineering

Property Information

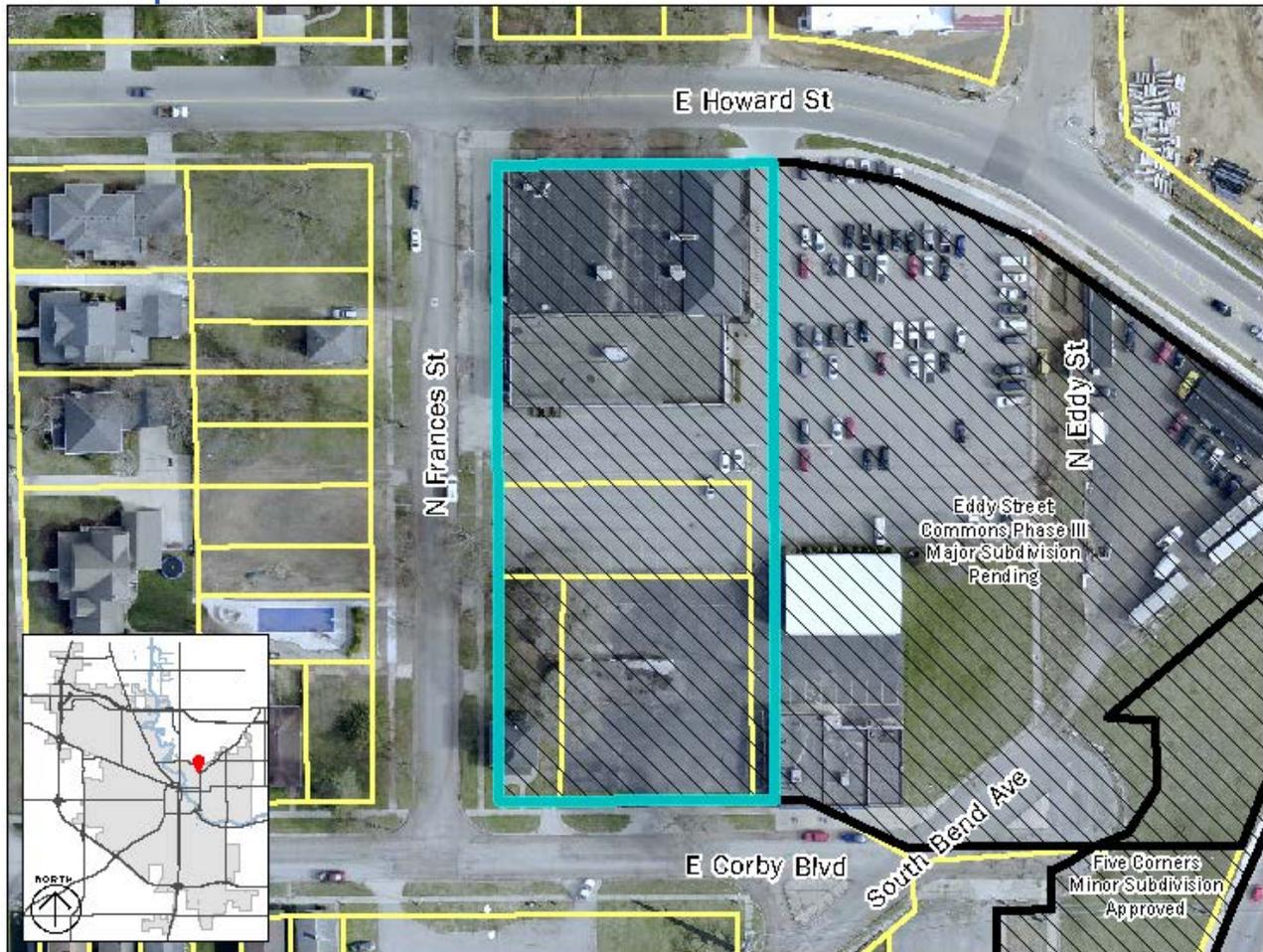
Subdivision Name: **EDDY STREET COMMONS PHASE III 2ND MAJOR SUBDIVISION**

Location: This Major Primary subdivision is located SOUTHEAST CORNER OF FRANCES ST AND HOWARD ST, City of South Bend.

Requested Action

The total area of the subdivision is 1.79 acres and will consist of 28 building lots.

Location Map



Recommendation

Staff Recommendation: The Staff has reviewed this subdivision and finds that if the waivers are granted and 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) Execution of a Utility Extension Agreement and associated easements; 2) Vacation of the portion of Frances Street included in the plat; and 3) Adding the vacation ordinance number to the plat.

Project Details

Environmental Data:	A check of the Agency's maps indicates that no environmental hazard areas or wetlands are present.
Drainage:	No drainage plan was provided. Drainage for the site will be addressed at the time of 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:	A petition to vacate the eastern portion of Francis Street is in process.

Recommendation

Staff Comments: The applicant surveyor, on behalf of the applicant, requests the following waivers: 21-11.02(c)(2) Every lot shall abut on a public street.

Staff Recommendation: The Staff has reviewed this subdivision and finds that if the waivers are granted and 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) Execution of a Utility Extension Agreement and associated easements; 2) Vacation of the portion of Frances Street included in the plat; and 3) Adding the vacation ordinance number to the plat.