



AREA PLAN COMMISSION OF ST. JOSEPH COUNTY, IN

LAWRENCE P. MAGLIOZZI
EXECUTIVE DIRECTOR

Angela M. Smith
Deputy Director

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

June 8, 2016

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

RE: Rezoning for 314 & 318 St. Peter St., 401 Notre Dame Ave., and 325 Frances St.

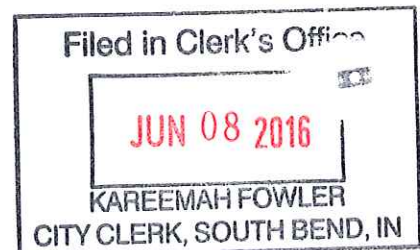
Dear Council Members:

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 June 13, 2016 Council meeting, and set it for public hearing at your July 25, 2016 Council meeting. The petition is tentatively scheduled for public hearing at the July 19, 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,

Matthew P. Chappuies,
Planner



CC: Kathy Cekanski-Farrand

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED AT 314 & 318 ST. PETER STREET, 401 NOTRE DAME AVENUE, AND 325 FRANCES STREET, COUNCILMANIC DISTRICT NO. 4 IN THE CITY OF SOUTH BEND, INDIANA

STATEMENT OF PURPOSE AND INTENT

Petitioner seeks rezoning to a) allow for the construction of new multi-family dwellings adjacent to properties currently zoned MF1 Urban Corridor Multifamily District on St. Peter Street; to b) allow for the construction of new multi-family dwellings on Frances Street as a transition between SF2 Single Family & Two Family District and MU Mixed Use District on Frances Street, and to c) allow for single family dwellings along Notre Dame Avenue adjacent to a portion of the block already zoned SF2 Single Family & Two Family District.

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

SECTION I. 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:

A PART OF THE EAST HALF {E 1/2} OF THE NORTHEAST QUARTER {NE 1/4} AND PART OF THE EAST HALF {E 1/2} OF THE SOUTHEAST QUARTER {SE 1/4} OF SECTION 12, TOWNSHIP 37 NORTH, RANGE 2 EAST, PORTAGE TOWNSHIP, ST. JOSEPH COUNTY, INDIANA, IN ACCORDANCE WITH TITLE IAC: 865 OF THE STATE OF INDIANA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Parcel 1:

COMMENCING AT THE NORTHEAST CORNER OF LOT 342, OF SAMUEL L. COTIRELL'S SUBDIVISION, MONUMENTED BY A FOUND 1" IRON PIPE; THENCE SOUTH 00° 16'15" EAST, ALONG THE WEST RIGHT OF WAY OF NOTRE DAME AVENUE {66' RIGHT OF WAY}, A DISTANCE OF 132.25 FEET, TO A FOUND REBAR WITH CAP MONUMENTING THE NORTHEAST CORNER OF LOT 344 IN SAID COTIRELL'S SUBDIVISION. THENCE SOUTH 89°4 1 '52" WEST ALONG THE NORTH LINE OF SAID LOT 344 TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE SOUTH 00°16'15" EAST, PARALLEL WITH THE WEST LINE OF SOUTH NOTRE DAME AVENUE ,A DISTANCE OF 168.00 FEET TO A POINT; THENCE SOUTH 89°4 1 '52" WEST, PARALLEL WITH THE NORTH LINE OF THE

AFOREMENTIONED LOT 344, A DISTANCE OF 212.85 FEET, TO THE EAST RIGHT OF WAY OF ST. PETERS STREET; THENCE NORTH 00° 16'43" WEST, ALONG SAID EAST RIGHT OF WAY, A DISTANCE OF 168.00 FEET TO THE NORTHWEST CORNER OF LOT 338 IN SAID COTIRELL'S SUBDIVISION; THENCE NORTH 89°41'52" EAST, ALONG THE NORTH LINE OF SAID LOT 338 AND LOT 344, A DISTANCE OF 212.87 FEET TO THE AFOREMENTIONED POINT OF BEGINNING.

AND

Parcel 2A:

COMMENCING AT THE NORTHEAST CORNER, OF LOT 3, OF "WAYNE STREET PLAZA MINOR SUBDIVISION, AS SAID SUBDIVISION IS DESCRIBED IN INSTRUMENT NUMBER 0314133 AND RECORDED IN THE OFFICE OF THE RECORDER OF ST. JOSEPH COUNTY; MONUMENTED BY A FOUND REBAR WITH CAP "PALM"; THENCE SOUTH 00°13'51" EAST, ALONG THE WEST RIGHT OF WAY OF FRANCES STREET (66 FOOT RIGHT OF WAY), A DISTANCE OF 102.50 FEET, TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE SOUTH 00°13'51" EAST, A DISTANCE OF 179.87 FEET TO A POINT; THENCE SOUTH 89°46'09" WEST, A DISTANCE OF 59.50 FEET TO A POINT; THENCE NORTH 00°13'51" WEST, A DISTANCE OF 59.85 FEET TO A POINT; THENCE NORTH 86°51'19" WEST, A DISTANCE OF 148.80 FEET TO A POINT; THENCE NORTH 00°16'15" WEST, A DISTANCE OF 110.71 FEET TO A POINT; THENCE NORTH 89°37'04" EAST, A DISTANCE OF 208.12 FEET TO A POINT; TO THE AFOREMENTIONED POINT OF BEGINNING.

AND

Parcel 3:

COMMENCING AT THE NORTHEAST CORNER, OF LOT 3, OF "WAYNE STREET PLAZA MINOR SUBDIVISION, AS SAID SUBDIVISION IS DESCRIBED IN INSTRUMENT NUMBER 0314133 AND RECORDED IN THE OFFICE OF THE RECORDER OF ST. JOSEPH COUNTY; MONUMENTED BY A FOUND REBAR WITH CAP "PALM"; THENCE SOUTH 00°13'51" EAST, ALONG THE WEST RIGHT OF WAY OF FRANCES STREET (66 FOOT RIGHT OF WAY), A DISTANCE OF 384.86 FEET, TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE SOUTH 00°13'51" EAST, A DISTANCE OF 183.05 FEET TO A POINT; THENCE SOUTH 89°40'41" WEST, A DISTANCE OF 207.87 FEET TO A POINT; THENCE NORTH 00°16'15" WEST, A DISTANCE OF 252.00 FEET TO A POINT; THENCE SOUTH 86°51'19" EAST, A DISTANCE OF 148.80 FEET TO A POINT; THENCE SOUTH 00°13'51" EAST, A DISTANCE OF 59.85 FEET TO A POINT; THENCE NORTH 89°46'09" EAST, A DISTANCE OF 59.50 FEET TO THE AFOREMENTIONED POINT OF BEGINNING.

ABOVE DESCRIBED PARCEL TO BE KNOWN AS LOTS 2 AND PART OF LOTS 46 AND 47 OF "RIVER WALK SUBDIVISION" CONTAINING: 2.55 ACRES OF LAND,

MORE OR LESS, AND SUBJECT TO ALL EASEMENTS, RESTRICTIONS, AND RIGHT OF WAYS OF RECORD.

be and the same is hereby established as MF1 Urban Corridor Multifamily District.

SECTION II. 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:

A PART OF THE EAST HALF (E1/2) OF THE NORTHEAST QUARTER (NE 1/4) AND PART OF THE EAST HALF (E 1 /2) OF THE SOUTHEAST QUARTER (SE 1 /4) OF SECTION 12, TOWNSHIP 37 NORTH, RANGE 2 EAST, PORTAGE TOWNSHIP, ST. JOSEPH COUNTY, INDIANA, IN ACCORDANCE WITH TITLE IAC: 865 OF THE STATE OF INDIANA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Parcel 2B:

COMMENCING AT THE NORTHEAST CORNER, OF LOT 3, OF "WAYNE STREET PLAZA MINOR SUBDIVISION, AS SAID SUBDIVISION IS DESCRIBED IN INSTRUMENT NUMBER 0314133 AND RECORDED IN THE OFFICE OF THE RECORDER OF ST. JOSEPH COUNTY: MONUMENTED BY A FOUND REBAR WITH CAP "PALM"; THENCE SOUTH 00°13'51" EAST, ALONG THE WEST RIGHT OF WAY OF FRANCES STREET (66 FOOT RIGHT OF WAY), A DISTANCE OF 102.50 FEET, TO A REBAR WITH CAP "PALM" MONUMENTING THE SOUTHEAST CORNER OF SAID LOT 3; THENCE SOUTH 89°40'59" WEST ALONG THE SOUTH LINE OF SAID LOT 3, A DISTANCE OF 171.60 FEET TO A FOUND MAG NAIL WITH TAG "PALM" MONUMENTING THE SOUTHWEST CORNER OF SAID LOT 3, BEING A POINT ON THE EAST LINE OF LOT 2 OF SAID "WAYNE STREET PLAZA MINOR SUBDIVISION"; THENCE SOUTH 00° 01' 28" EAST A DISTANCE OF 102.68 FEET TO THE SOUTHEAST CORNER OF SAID LOT 2, MONUMENTED BY A FOUND REBAR "FIRM 0044"; THENCE SOUTH 89°37'04" WEST, ALONG THE SOUTH LINE OF SAID LOT 2, A DISTANCE OF 36.15 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE SOUTH 00° 16'15" EAST, A DISTANCE OF 110.71 FEET TO A POINT; THENCE NORTH 86°51'19" WEST, A DISTANCE OF 136.24 FEET TO A POINT IN THE EAST RIGHT OF WAY OF NOTRE DAME AVENUE; THENCE NORTH 00°16'15" WEST, ALONG THE EAST RIGHT OF WAY LINE OF NOTRE DAME AVENUE, A DISTANCE OF 102.33 FEET TO THE SOUTHWEST CORNER OF SAID LOT 2; THENCE NORTH 89°37'04" EAST, ALONG THE SOUTH LINE OF SAID LOT 2, A DISTANCE OF 136.00 FEET TO THE AFOREMENTIONED POINT OF BEGINNING.

ABOVE DESCRIBED PARCEL TO BE KNOWN AS LOT 22 AND PART OF LOT 23 OF "RIVER WALK SUBDIVISION" CONTAINING: 0.33 ACRES OF LAND, MORE OR LESS, AND SUBJECT TO ALL EASEMENTS, RESTRICTIONS, AND RIGHT OF WAYS OF RECORD.

be and the same is hereby established as SF2 Single Family & Two Family District.

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.

Member of the Common Council

Attest:

City Clerk

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

1st READING
PUBLIC HEARING
3rd READING
NOT APPROVED
REFERRED
PASSED

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