



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

October 18, 2021
4:00 p.m.

Council Chambers, 4th Floor
County-City Building, South Bend, IN
www.tinyurl.com/southbendplancommission

MEMBERS PRESENT:

Kyle Copelin
Scott Ford
John Martinez
Sheila Niezgodski
Dr. Dave Varner

MEMBERS ABSENT:

Kara Boyles
Jason Piontek
Caitlin Stevens

ALSO PRESENT:

Angela Smith
Joseph Molnar
Rachel Boyles
Jenna Throw

PUBLIC HEARING - 4:00 P.M.

A. REZONINGS:

Upon a motion by Kyle Copelin, being seconded by Dr. Dave Varner and unanimously carried, the public hearing was reopened for the petition.

1. A combined public hearing on a proposed ordinance of INDIANA MICHIGAN POWER COMPANY to zone from NC Neighborhood Center to I Industrial and seeking the following variance(s): 1) from the required durable dust free surface for outdoor storage to gravel, property located at the southwest corner of Adams Road and St. Joseph Valley Parkway, City of South Bend - PC# 0070-21. *(Audio Position: 5:45)*

STAFF REPORT

The staff report was presented by Angela Smith.

Analysis: While the NC Neighborhood Center District is the mostly closely related district the the original uses of the PUD, it is not well suited for this area. The NC District is typically pedestrian-orientated in scale and well connected to surrounding residential neighborhoods. The site will most likely never meet those characteristics, and the mixed use development originally proposed will likely never occur.

As a public utility regulation by the IURC, the AEP substation is permitted by right in any district. The zoning ordinance cannot restrict the location of the proposed substation and utility lines. Allowing the site be zoned to the I Industrial District will better suit the use and provide additional protections for adjacent property owners through increased buffering.

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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.

PETITIONER

Jesse Lee and Robert Maiorana, 1 Riverside Plaza Columbus, OH 43215, served as the petitioners.

INTERESTED PARTIES

Wendy Wolfe, 51130 Orange Rd South Bend, IN 46628, spoke against this petition.
Kathie Bieschke, 24440 Adams Road South Bend, IN 46628, spoke against this petition.
Debbie Green, 51268 Righter Lane South Bend, IN 46628, spoke against this petition.
Dominic Casinee, 51394 Righter Lane South Bend, IN 46628, spoke against this petition.
David Troup, 51210 Orange Rd South Bend, IN 46628, spoke against this petition.

PUBLIC COMMENT

There was no one to speak on this petition.

REBUTTAL

Jesse Lee and Robert Maiorana provided a rebuttal.

After due consideration, the following action was taken:

A motion by Dr. Dave Varner, being seconded by Kyle Copelin to send the petition to the Common Council with a FAVORABLE recommendation, subject to a written commitment that the western buffer shown on the site plan presented of approximately 275' to the fence and 350' to the building remain in place with no buildings located within that buffer area failed to carry due to lack of majority vote.

The Commission had additional discussion related to the Written Commitments.

Upon a motion by Dr. Dave Varner, being seconded by Kyle Copelin and unanimously carried, a proposed ordinance of INDIANA MICHIGAN POWER COMPANY to zone from NC Neighborhood Center to I Industrial, property located at southwest corner of Adams Road and St. Joseph Valley Parkway, City of South Bend, is sent to the Common Council with a FAVORABLE recommendation, subject to a written commitment that the western buffer shown on the site plan presented of approximately 275' to the fence and 350' to the building remain in place with no buildings located within that buffer area.

Upon a motion by Kyle Copelin, being seconded by John Martinez and unanimously carried, the variance(s) 1) from the required durable dust free surface for outdoor storage to gravel property located at southwest corner of Adams Road and St. Joseph Valley Parkway, City of South Bend, was approved.

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B. MAJOR SUBDIVISIONS - None for consideration

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 - September 20, 2021


(Audio Position: 1:36:47)

Upon a motion by Dr. Dave Varner, being seconded by Kyle Copelin and unanimously carried by vote the minutes from the September 20, 2021 Plan Commission meeting were approved.

5. ADJOURNMENT – 5:40 p.m.



Scott Ford,
President



Angela M. Smith,
Secretary of the Commission