



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 21, 2022 - 4:00 P.M.

County-City Building

Fourth-Floor Council Chambers

www.tinyurl.com/southbendplancommission

PUBLIC HEARING:

A. REZONINGS

Location: 2413 PRAIRIE AVE

PC#0091-22

Petitioner: HOMELAND VILLIAGE LLC

Requested Action:

Rezoning: From S1 Suburban Neighborhood 1 to C Commercial

B. MAJOR SUBDIVISIONS - None for consideration

C. TEXT AMENDMENTS - None for consideration

D. DEVELOPMENT PLANS – None for consideration

E. COMBINED HEARING FOR MINOR SUBDIVISION

1. **Name:** QUEEN AND PORTAGE MINOR SUBDIVISION

PC#0090-22

Location: 1520 Portage Ave

Requested Action:

Variance(s): 1) from the minimum 60' lot depth to Lot A a minimum of 30' and Lot B a minimum of 47'; 2) from the required 5' minimum side/rear setback to 0'

Minor Subdivision: QUEEN AND PORTAGE MINOR SUBDIVISION

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 21, 2022

E. ADJOURNMENT

Property Information

Location: 2413 PRAIRIE AVE
Owner: HOMELAND VILLIAGE LLC

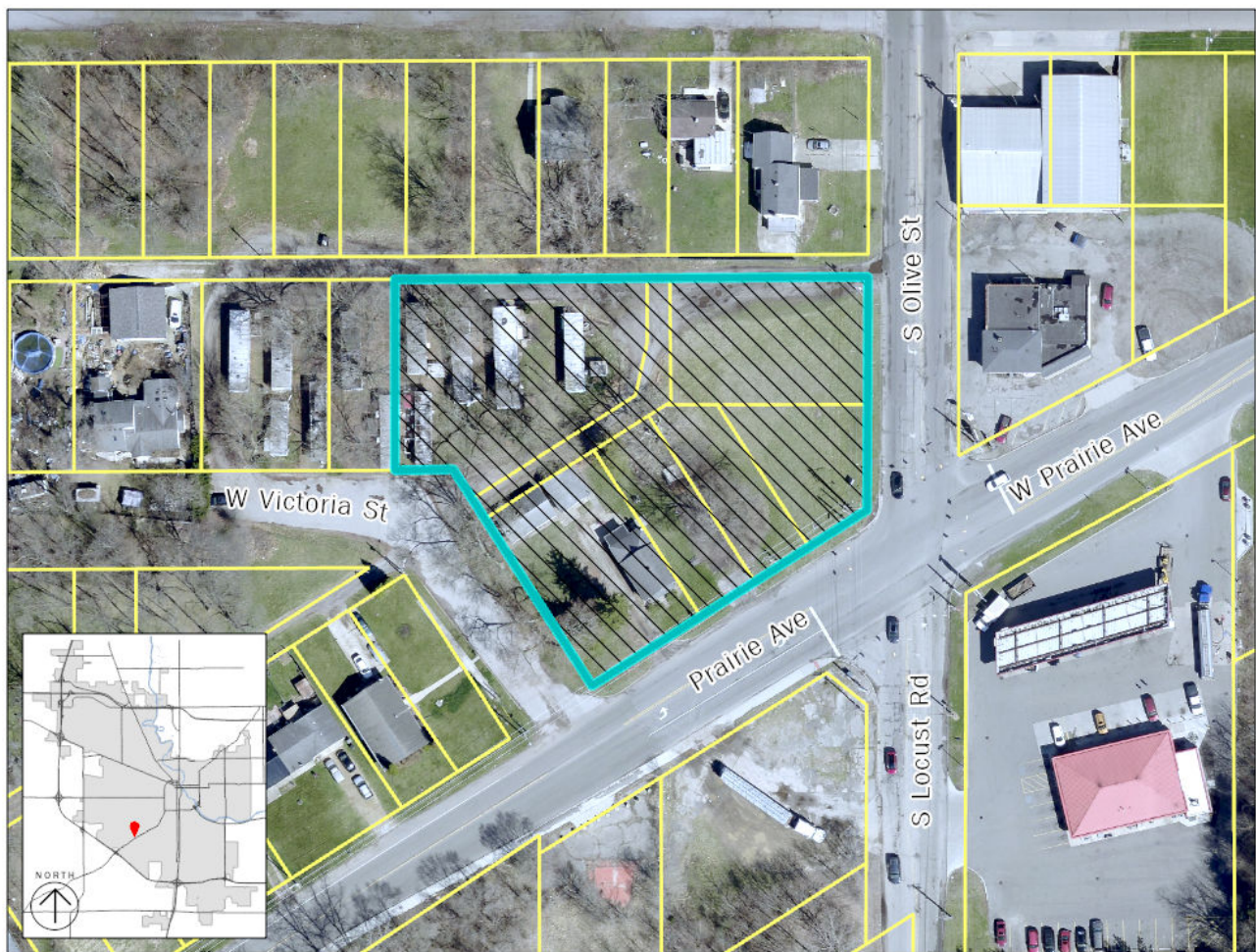
Requested Action

Rezone from S1 Suburban Neighborhood 1 to C Commercial

Project Summary

The project will consist of the rezoning of six lots from S1 Suburban Neighborhood 1 to C Commercial for the establishment of a Convenience Store / Filling Station.

Location Map



Recommendation

Staff Recommendation: Based on the 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.

Proposed Site Plan

ABONMARCHÉ
 Landscape Architecture
 1721 21st Ave
 South Bend, IN 46708
 Phone: 574-233-9000
 Fax: 574-233-9001
 Website: www.abonmarche.com

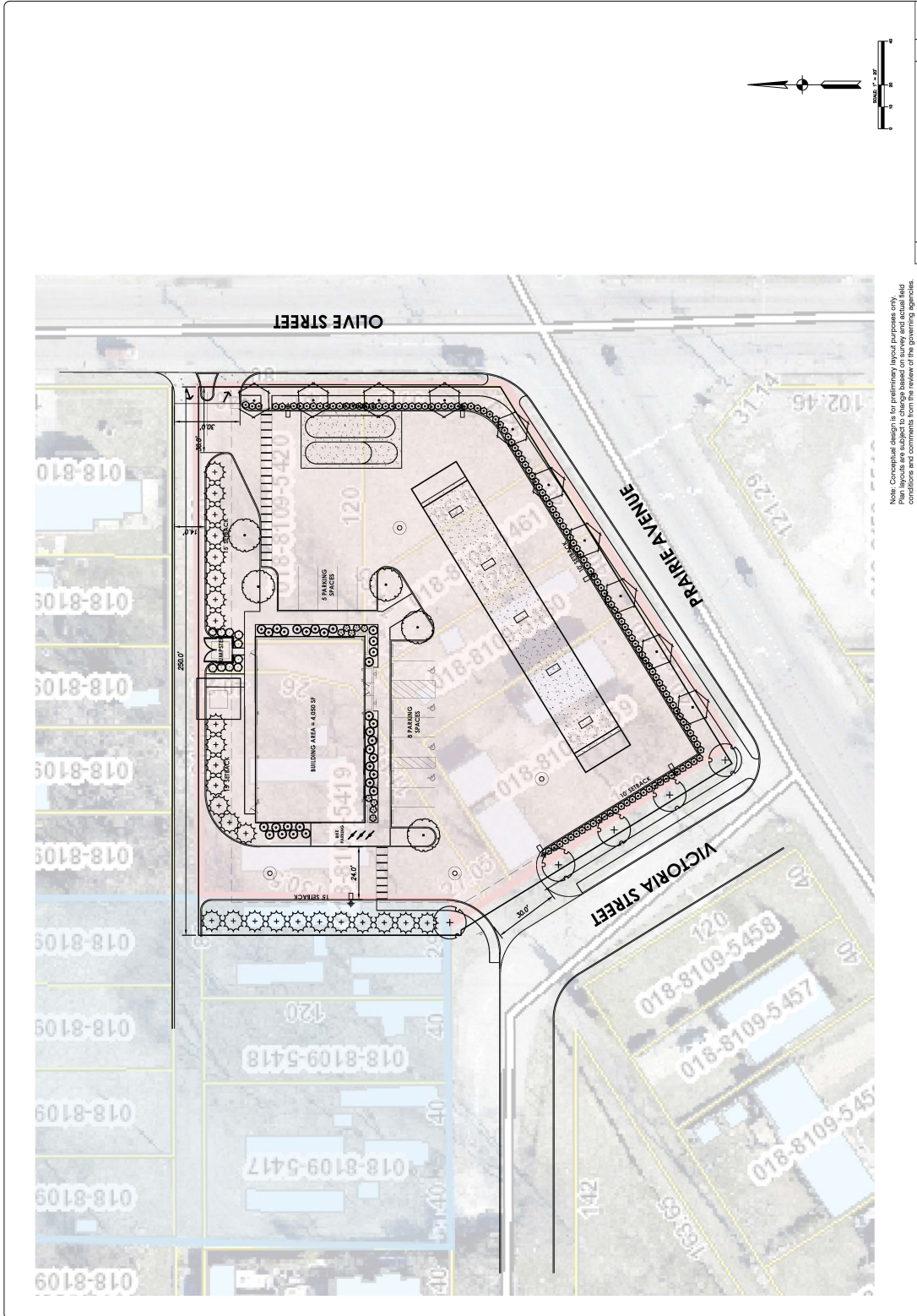
**OLIVE & PRAIRIE
 "C" STORE**
 SOUTH BEND, INDIANA

CONCEPT PLAN

PROJECT NO: 21-2287
 SHEET TITLE: CONCEPT PLAN
 DATE: 3/07/2022

SCALE: 1" = 20'
 DATE: 3/07/2022

21-2287
 1 of 1



Site & Context

Land Uses and Zoning:

- On site: On site is currently a single dwelling unit and multiple vacant lots.
- North: To the north, across an alley, are single unit dwellings zoned S1 Suburban Neighborhood 1.
- East: To the east, across Olive Street, is a restaurant zoned NC Neighborhood Center.
- South: To the south, across Prairie Ave, is a vacant lot zoned C Commercial.
- West: To the west, across Victoria Street, is a single unit dwelling zoned S1 Suburban Neighborhood 1.

District Intent:

The C District is established to provide a location for medium- to high-intensity commercial uses that are auto-oriented, typically located along major corridors at the fringe of the City or as small groupings located outside of neighborhood centers.

Site Plan Description:

The site plan shows the construction of a new gas station and convenience store located in the northwestern portion of the site with the gas canopies along Prairie Avenue. The site plan demonstrates the vacation of the alley which currently runs through the property.

Zoning and Land Use History and Trends:

The far south western portion of the city was developed slowly during the middle of the 20th Century with small suburban ranch homes and small scale commercial along Prairie. With the construction and expansion of the Four Winds Casino in the past decade, there has been an increase in small commercial activity along Prairie.

Traffic and Transportation Considerations:

Prairie avenue is a two lane State-Highway with no on-street parking. Olive Street is a two lane street with no on-street parking. Victoria Street is rural in nature and will require being upgraded to current engineering standards.

Agency Comments

Agency Comments:

Victoria Street will need to be improved to commercial standards for the full width of the road and the depth of the lot. The access point will be limited to a right-in-right-out turning movement. A traffic impact study or other information may be needed prior to the approval of any construction plans.

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. While staff does not normally support the demolition of residential structures for commercial growth, this home faces a highly traveled State highway across from commercially zoned properties. Ensuring the property does not encroach into an established residential neighborhood is critical.

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 low density residential.

Plan Implementation/Other Plans:

The neighborhood and City Planning Staff are in an ongoing planning process for the greater Rum Village Neighborhood. The planning process has identified the desire for an increased commercial presence along Prairie Avenue if well designed and integrated into the surrounding areas.

2. Current Conditions and Character:

The current character of the area is small scale suburban commercial properties and small single family homes.

3. Most Desirable Use:

The most desirable use for the land would be commercial uses which fit into the small scale suburban character of the surrounding area.

4. Conservation of Property Values:

With proper buffering and design, the proposed development should not have significant impact on surrounding property values.

5. Responsible Development and Growth:

It is responsible development and growth to allow for the limited commercial development close to a major thoroughfare.

Analysis & Recommendation

Commitments: There are no commitments proposed at this time.

Analysis: Rezoning the property to C Commercial will allow for commercial growth along Prairie Avenue. The intersection of two major corridors – Olive and Prairie – make this a logical node for commercial activity. Provided the site meets all the proper buffering and improvements required for commercial development, the impact should be minimized as much as possible. Ensuring the property does not encroach into an established residential neighborhood is critical. In recent planning process (fall of 2021), the neighborhood has indicated a desire for commercial uses that are compatible with the surrounding neighborhood without negatively impacting property values.

Recommendation: Based on the 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.

Property Information

Subdivision Name: **QUEEN AND PORTAGE MINOR SUBDIVISION**

Location: This Minor Primary subdivision is located 1520 Portage Ave

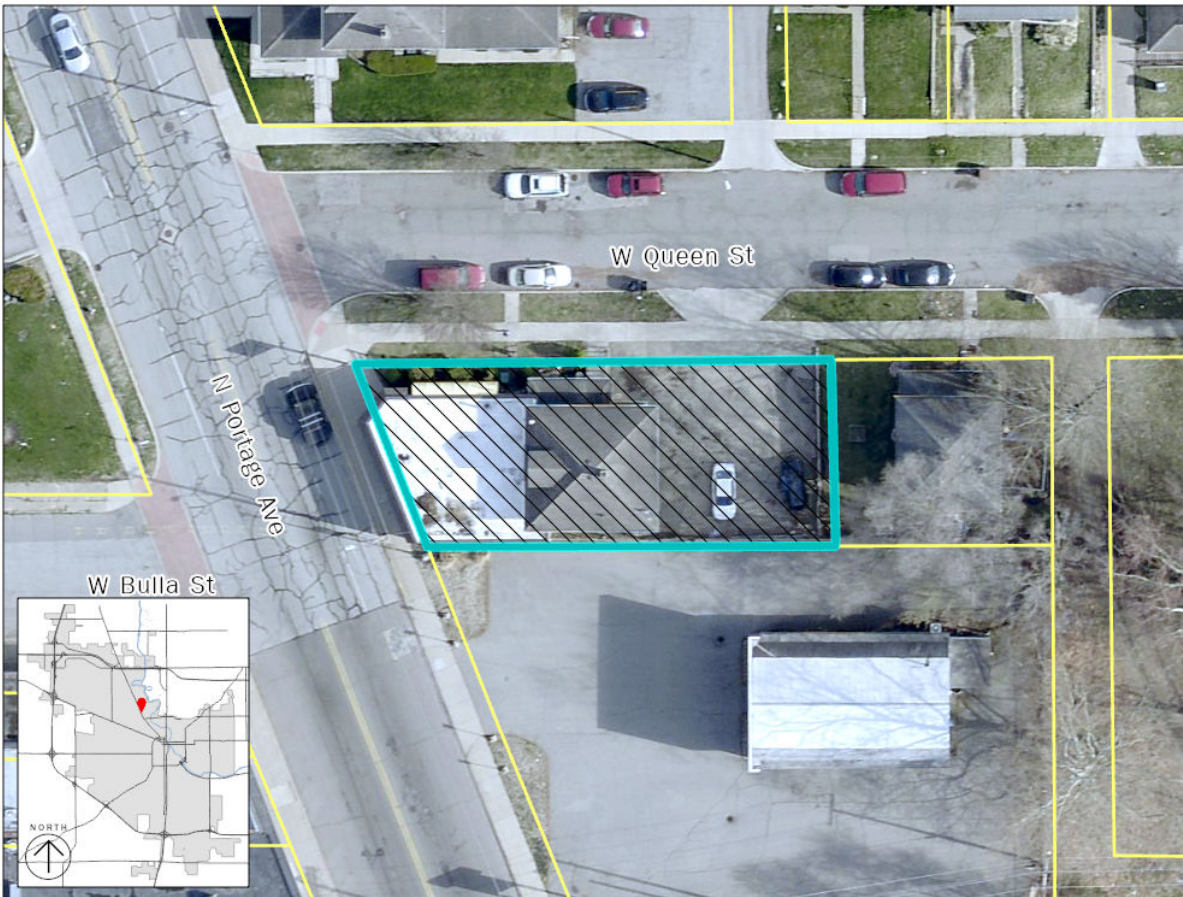
Requested Action

Variances:

- 1) From the 60' minimum lot depth to 30' for Lot A and 47' for Lot B; and
- 2) From the 5' minimum side/rear setback to 0'

Subdivision: The total area of the subdivision is 0.12 acres and will consist of 2 building lots.

Location Map



Recommendation

Staff Recommendation: Based on the information available prior to the public hearing, the staff recommends the Commission approve the variances as presented. 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) Separating the utility connections for each lot.

Project Details

Environmental Data:	A check of the Agency's maps indicates that no environmental hazard areas or wetlands are present.
Drainage:	Site drainage will be addressed during development 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:	Engineering notes the commercial storefront and residential unit are connected and have one shared utility connection. If the lots are separated, they will need to have separate utility connections.

Variance(s)

The petitioner is seeking the following variance(s):

1. From the 60' minimum lot depth to 30' for Lot A and 47' for Lot B; and
2. From the 5' minimum side/rear setback to 0'

State statutes and the Zoning Ordinance require that certain standards must be met before a variance can be approved. The standards and their justifications are as follows:

(1) The approval will not be injurious to the public health, safety, morals and general welfare of the community.

Approval of the variances should not be injurious to the public health, safety, morals and general welfare of the community. The variances are due to the creation of the new subdivision. The depth of the lot already exists as well as the zero setback between the two buildings.

(2) The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.

The use and value of the adjacent are should not be affected in a substantially adverse manner. The buildings already exist and the petitioner proposes no changes to the buildings.

(3) The strict application of the terms of this Chapter would result in practical difficulties in the use of the property.

Strict application of the zoning ordinance would result in practical difficulties by not allowing for the subdivision of the two buildings to take place.

(4) The variance granted is the minimum necessary.

The variances requested are the minimum necessary to allow for the subdivision to be approved.

(5) The variance granted does not correct a hardship caused by a former or current owner of the property.

The property was legally established under single ownership and control. While the practical difficulty is being created by the desire to separate the buildings for

separate ownership, it is a reasonable request to avoid demolition of the structures on the lot.

Recommendation

Staff Recommendation:

Based on the information available prior to the public hearing, the staff recommends the Commission approve the variances as presented.

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) Separating the utility connections for each lot.