



# 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](http://www.southbendin.gov/zoning)

## MINUTES

September 19, 2022  
4:00 p.m.

Council Chambers, 4th Floor  
County-City Building, South Bend, IN  
[www.tinyurl.com/southbendplancommission](http://www.tinyurl.com/southbendplancommission)

### MEMBERS PRESENT:

Kara Boyles  
Kyle Copelin  
Scott Ford  
Sheila Niezgodski  
Jason Piontek  
Caitlin Stevens  
Dr. Dave Varner

### MEMBERS ABSENT:

John Martinez

### ALSO PRESENT:

Angela Smith  
Rachel Boyles  
Kate Bolze  
Tom Panowicz

### PUBLIC HEARING - 4:00 P.M.

#### A. REZONINGS:

1. A combined public hearing on a proposed ordinance of HIMMAT SINGH LLC to zone from U1 Urban Neighborhood 1 to NC Neighborhood Center and seeking a Special Use to allow Gas Station, property located at 2701 LINCOLNWAY WEST, City of South Bend - PC# 0078-21. *(Audio Position: 02:45)*

### STAFF REPORT

The staff report was presented by Angela Smith.

**Analysis:** Rezoning the property to NC Neighborhood Center is not consistent with the Comprehensive Plan for the area. The proposed use of a gas station could adversely affect the use of the adjacent areas by further reinforcing the auto-centric nature of Lincoln Way West. There has been renewed interest, both from local neighborhood planning efforts and City initiatives, in restoring the pedestrian orientated nature of Lincoln Way West. Allowing the use of this property to a gas station would further degrade that progress.

**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 an unfavorable recommendation. The Staff recommends the Board send the Special Exception to the Common Council with an unfavorable recommendation.

### PETITIONER

## SOUTH BEND **PLAN COMMISSION**

Alex Bowman, Attorney with Krieg Devault LLP, 4101 Edison Lakes Parkway, Mishawaka, Indiana 46545 served as petitioner. A handout was provided to the Commission

### INTERESTED PARTIES

Marilyn Gachaw, Lincoln Bendix Park Neighborhood Association Representative, 2514 Kenwood, South Bend, Indiana spoke in favor of the petition.

Mae Jones, 2618 Lincolnway West, South Bend, Indiana spoke in opposition of the petition.

### PUBLIC COMMENT

One letter was received in favor of the petition.

One letter was received in opposition to the petition

### ACTION

After due consideration, the following actions were taken:

Upon a motion by Dr. Dave Varner, being seconded by Kyle Copelin and unanimously carried, a proposed ordinance of HIMMAT SINGH LLC to zone from U1 Urban Neighborhood 1 to NC Neighborhood Center, property located at 2701 LINCOLNWAY WEST, City of South Bend, is sent to the Common Council with an UNFAVORABLE recommendation.

Upon a motion by Dr. Dave Varner, being seconded by Kyle Copelin and unanimously carried, a Special Use for Gas Station property located at 2701 LINCOLNWAY WEST, City of South Bend, is sent to the Common Council with an UNFAVORABLE recommendation.

2. A combined public hearing on a proposed ordinance of MEMORIAL HEALTH SYSTEMS INC to zone from UF Urban Neighborhood Flex to C Commercial and seeking the following variance(s): 1) from the 40% transparency on the north, east, and south to 0%; 2) to allow a dumpster to be located in the established corner yard; 3) to allow a drive through in the established corner yard, property located at 1345 MICHIGAN ST, City of South Bend - PC# 0114-22. *(Audio Position: 50:03)*

### ACTION

After due consideration, the following action was taken:

Upon a motion by Kyle Copelin, being seconded by Jason Piontek and unanimously carried, a proposed ordinance of MEMORIAL HEALTH SYSTEMS INC to zone from UF Urban Neighborhood Flex to C Commercial and seeking the following variance(s): 1) from the 40% transparency on the north, east, and south to 0%; 2) to allow a dumpster to be located in the established corner yard; 3) to allow a drive through in the established

**SOUTH BEND PLAN COMMISSION**

corner yard, property located at 1345 MICHIGAN ST, City of South Bend is  
WITHDRAWN.

B. MAJOR SUBDIVISIONS - None for consideration

C. TEXT AMENDMENTS - None for consideration

D. DEVELOPMENT PLANS

A combined presentation was given on the three proposed Neighborhood Plan Resolutions.

*(Audio Position: 50:27)*

STAFF REPORT

The staff report was presented by Tim Corcoran.

Staff Recommendation: Based on the information available prior to the public hearing, the Staff recommends the commission approve the resolutions.

PETITIONER

Tim Corcoran, Planning Director, City of South Bend, 227 W Jefferson Blvd, Ste 1400S, South Bend, Indiana 46601 represented the petitioner.

1. A Resolution of the Plan Commission of the City of South Bend, Indiana, Approving and Adopting the Northeast Neighborhood Plan - PC# 0107-22.

INTERESTED PARTIES

Bill Stenta, 1020 E Colfax Ave, South Bend, Indiana appeared vitually and spoke in favor of the resolution.

One letter was received in favor of the resolution.

PUBLIC COMMENT

There was no one from the public to speak.

ACTION

After due consideration, the following action was taken:

Upon a motion by Kyle Copelin, being seconded by Kara Boyles and unanimously carried, a proposed ordinance of to zone from to , property located at NORTHEAST NEIGHBORHOOD PLAN, City of South Bend, is sent to the Common Council with a FAVORABLE recommendation.

2. A Resolution of the Plan Commission of the City of South Bend, Indiana, Approving and Adopting the KENNEDY PARK Neighborhood Plan - PC# 0110-22.

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INTERESTED PARTIES

There was no one from the public to speak.

PUBLIC COMMENT

There was no one from the public to speak.

ACTION

After due consideration, the following action was taken:

Upon a motion by Kyle Copelin, being seconded by Dr. Dave Varner and unanimously carried, a proposed ordinance of to zone from to , property located at Kennedy Park Neighborhood Plan, City of South Bend, is sent to the Common Council with a FAVORABLE recommendation.

3. A Resolution of the Plan Commission of the City of South Bend, Indiana, Approving and Adopting the RUM VILLAGE Neighborhood Plan - PC# 0111-22.

INTERESTED PARTIES

One letter was received in favor of the resolution.

PUBLIC COMMENT

There was no one from the public to speak.

ACTION

After due consideration, the following action was taken:

Upon a motion by Kyle Copelin, being seconded by Jason Piontek and unanimously carried, a proposed ordinance of to zone from to , property located at Rum Village Neighborhood Plan, City of South Bend, is sent to the Common Council with a FAVORABLE recommendation.

ITEMS NOT REQUIRING A PUBLIC HEARING

A. MINOR SUBDIVISIONS:

1. CORBY MANOR MINOR SUBDIVISION – PC# 0113-22 (Audio Position: 1:27:01)

STAFF REPORT

The staff report was presented by Rachel Boyles.

Staff Recommendation: The Staff has reviewed this subdivision and finds 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.

**SOUTH BEND PLAN COMMISSION**

**ACTION**

After due consideration, the following action was taken:

Upon a motion by Kara Boyles, being seconded by Sheila Niezgodski and unanimously carried, the Plan Commission finds the evidence adduced at this Plan Commission Hearing supports each element of the Staff Report, and CORBY MANOR MINOR SUBDIVISION Subdivision therefore complies with the City of South Bend Subdivision Control Ordinance and is granted Primary Approval.

B. FINDINGS OF FACT - None for consideration

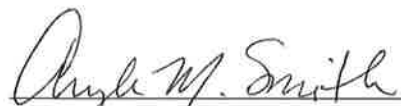
C. UPDATES FROM STAFF

D. MINUTES – August 15, 2022

Upon a motion by Jason Piontek, being seconded by Caitlin Stevens and unanimously carried by vote, the minutes from the August 15, 2022 Plan Commission meeting were approved.

5. ADJOURNMENT – 5:31 pm

  
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Scott Ford,  
President

  
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Angela M. Smith,  
Secretary of the Commission