



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 17, 2022
4:00 p.m.

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

MEMBERS PRESENT:

Kyle Copelin
Scott Ford
John Martinez
Sheila Niezgodski
Jason Piontek
Dr. Dave Varner
Frank Fotia

MEMBERS ABSENT:

Kara Boyles
Caitlin Stevens

ALSO PRESENT:

Angela Smith
Kate Bolze
Michael Schmidt

PUBLIC HEARING – 3:58 P.M.

A. REZONINGS:

1. A combined public hearing on a proposed ordinance of RIVER CITY REAL ESTATE LLC to zone from NC Neighborhood Center to U3 Urban Neighborhood 3 and seeking the following variance(s): 1) From the 5' minimum side setback for parking to 0', property located at 300 ST LOUIS BLVD, City of South Bend - PC# 0112-22.

(Audio Position: 2:37)

STAFF REPORT

The staff report was presented by Angela Smith.

Analysis: Rezoning the site to U3 Urban Neighborhood 3 will allow for continued residential growth in the neighborhood while not drastically changing the established character.

Staff Recommendation: Based on the information available prior to the public hearing, the staff recommends the Commission approve the variance as presented. The staff recommends the Commission forward the rezoning to the Common Council with a favorable recommendation.

PETITIONER

Jeff Schaffer with Abonmarch, 315 W Jefferson, South Bend, IN 46601 represented the petitioner

INTERESTED PARTIES

There was no one from the public to speak.

SOUTH BEND **PLAN COMMISSION**

PUBLIC COMMENT

There was no one from the public to speak.

ACTION

After due consideration, the following action was taken:

Upon a motion by Jason Piontek, being seconded by John Martinez and unanimously carried, a proposed ordinance of RIVER CITY REAL ESTATE LLC to zone from NC Neighborhood Center to U3 Urban Neighborhood 3, property located at 300 ST LOUIS BLVD, City of South Bend, is sent to the Common Council with a FAVORABLE recommendation.

Upon a motion by Kyle Copelin, being seconded by Sheila Niezgodski and unanimously carried, the variance(s) 1) From the 5' minimum side setback for parking to 0' property located at 300 ST LOUIS BLVD, City of South Bend, was approved.

B. MAJOR SUBDIVISIONS:

1. Youth Service Bureau Major Subdivision – PC# 0108-22 *(Audio Position: 6:40)*

STAFF REPORT

The staff report was presented by Angela Smith.

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) updating the waiver notes to reflect waivers shown above and including the approval date; 2) removing owner signatures and deed of dedication from the primary plat; 3) providing a cross access easement showing continued access from the dead-end streets or providing the appropriate turnaround and required by Engineering

PETITIONER

Robert Nicols with Abonmarch, 315 W Jefferson, South Bend, IN 46601 represented the petitioner

INTERESTED PARTIES

Lawrence Ault, 3414 Brighton Place, South Bend, IN 46615 spoke in opposition

PUBLIC COMMENT

Tim Corcoran, Director of Planning, City of South Bend, 227 W Jefferson St, 1400S, South Bend, IN 46601 spoke in favor

John Monczunski, Preston Drive, South Bend, IN 46615 spoke in opposition

John Irmiter, 534 Preston Drive, South Bend, IN 46615 spoke in opposition

ACTION

After due consideration, the following action was taken:

Kyle Coplin recused himself from this action.

SOUTH BEND PLAN COMMISSION

Upon a motion by Dr. Dave Varner, being seconded by Jason Piontek and unanimously carried, the waivers from 1) Section 21-11.03(b) Block Standards; Section 21-11.02(d)(1) Required Improvements, more specifically from the following sections of the Construction Standards & Specifications: 2-2.10 Intersection should be spaced no closer than 300' between centerlines'; 2.2.11 Residential approaches are not allowed within 50' of an intersection for Lots 19 and 26; and 2-2.14 Cul-de-sacs are required at the termination of dead-end streets. were approved.

Upon a motion by Sheila Niezgodski, being seconded by John Martinez and unanimously carried, the variance(s) 1) From the required 15' maximum corner setback for Lots 3 and 27; 2) From the required 65% minimum building placement within the setback zoned to 20% for Lot 3; 3) From the maximum 5,000 sq.ft. for a non-civic use in UF to 23,150 sq.ft. for Lot 3 and 4) From the required Building Type in accordance with 21-08.02 for Lot 3 property located at 3313 McKinley Highway, City of South Bend, were approved.

Upon a motion by Jason Piontek, being seconded by Frank Fotia and unanimously carried, the Plan Commission finds the evidence adduced at this Plan Commission Hearing supports each element of the Staff Report, and Youth Service Bureau Major Subdivision therefore complies with the City of South Bend Subdivision Control Ordinance and is granted Primary Approval, subject to the following: 1) updating the waiver notes to reflect waivers shown above and including the approval date; 2) removing owner signatures and deed of dedication from the primary plat; 3) providing a cross access easement showing continued access from the dead-end streets or providing the appropriate turnaround and required by Engineering

C. TEXT AMENDMENTS - None for consideration

D. DEVELOPMENT PLANS – None for consideration

ITEMS NOT REQUIRING A PUBLIC HEARING

A. MINOR SUBDIVISIONS:

1. THE POINTE AT RIVER WALK MINOR SUBDIVISION – PC# 0112-22

(Audio Position: 39:05)

STAFF REPORT

The staff report was presented by Angela Smith.

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.

ACTION

After due consideration, the following action was taken:

SOUTH BEND **PLAN COMMISSION**

Upon a motion by Dr. Dave Varner, being seconded by Jason Piontek and unanimously carried, the Plan Commission finds the evidence adduced at this Plan Commission Hearing supports each element of the Staff Report, and THE POINTE AT RIVER WALK MINOR SUBDIVISION Subdivision therefore complies with the City of South Bend Subdivision Control Ordinance and is granted Primary Approval.

2. PATTON'S TWYCKENHAM MINOR SUBDIVISION – PC# 0117-22

(Audio Position: 39:57)

STAFF REPORT

The staff report was presented by Angela Smith.

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.

ACTION

After due consideration, the following action was taken:

Upon a motion by Dr. Dave Varner, being seconded by Frank Fotia and unanimously carried, the Plan Commission finds the evidence adduced at this Plan Commission Hearing supports each element of the Staff Report, and PATTON'S TWYCKENHAM MINOR SUBDIVISION Subdivision therefore complies with the City of South Bend Subdivision Control Ordinance and is granted Primary Approval, subject to the following: 1) Specify what is located in the Public Utility Easement.

3. EDDY STREET COMMONS SECTION II SECOND MINOR SUBDIVISION – PC# 0119-22

(Audio Position: 41:12)

STAFF REPORT

The staff report was presented by Angela Smith.

Staff Recommendation: The Staff has reviewed this subdivision and finds that if the conditions are met it complies with the requirements for Secondary Approval as specified by the South Bend Subdivision Control Ordinance. The Staff therefore recommends that this subdivision be granted Secondary Approval, subject to the following: 1) Provide a Municipal Water Easement

ACTION

After due consideration, the following action was taken:

Upon a motion by Frank Fotia, being seconded by John Martinez and unanimously carried, the Plan Commission finds the evidence adduced at this Plan Commission Hearing supports each element of the Staff Report, and EDDY STREET COMMONS SECTION II SECOND MINOR SUBDIVISION Subdivision therefore complies with the City of South Bend Subdivision Control Ordinance and is granted Secondary Approval, subject to the following: 1) Provide a Municipal Water Easement

SOUTH BEND PLAN COMMISSION

B. FINDINGS OF FACT – September 19, 2022

PC#0078-21 – 2701 LINCOLNWAY WEST

Upon a motion by Kyle Coplin, being seconded by Sheila Niezgodski, with Frank Fotia abstaining and being unanimously carried by vote, the findings of fact for PC#0078-21 were approved

C. UPDATES FROM STAFF

Welcome the newest member to the Plan Commission, Frank Fotia.

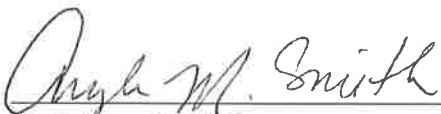
D. MINUTES – September 19, 2022

Upon a motion by Jason Piontek, being seconded by John Martinez, with Frank Fotia abstaining and being unanimously carried by vote, the minutes from the September 19, 2022 Plan Commission meeting were approved.

5. ADJOURNMENT – 4:44PM



Sheila Niezgodski,
Vice President



Angela M. Smith,
Secretary of the Commission