



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

November 21, 2022
4:00 p.m.

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

MEMBERS PRESENT:

Kara Boyles
Kyle Copelin
Francisco Fotia
Sheila Niezgodski
Jason Piontek
Caitlin Stevens
Dr. Dave Varner
Francisco Fotia

MEMBERS ABSENT:

Scott Ford
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 J PATRICK MCGANN to zone from OB Office Buffer District (St. Joseph County) to C Commercial and seeking the following variance(s): 1) To allow accessory structures in the established front yard, property located at 21275 CLEVELAND RD, City of South Bend - PC# 0116-22. (*Audio Position: 02:55*)

STAFF REPORT

The staff report was presented by Angela Smith.

Analysis: The area along Cleveland Road is commercial/business in nature and will adequately support the development of further commercial businesses. Cleveland Road is a major thoroughfare which supports the type of traffic associated with this type of commercial development. The required landscaping and buffer yard should buffer the adjacent residential area to the north.

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

Alan Jacob, 6400 N Northwest Highway, Chicago, IL.

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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 Jason Piontek, being seconded by Francisco Fotia and unanimously carried, a proposed ordinance of J PATRICK MCGANN to zone from OB Office Buffer District (St. Joseph County) to C Commercial, property located at 21275 CLEVELAND RD, City of South Bend, is sent to the Common Council with a FAVORABLE recommendation.

Upon a motion by Francisco Fotia, being seconded by Kyle Copelin and unanimously carried, the variance 1) To allow accessory structures in the established front yard property located at 21275 CLEVELAND RD, City of South Bend, was approved.

2. A proposed ordinance of LINDA DAMARIS TINOCO to zone from U1 Urban Neighborhood 1 to UF Urban Neighborhood Flex, property located at 613 WARREN ST, City of South Bend - PC# 0121-22. *(Audio Position: 11:50)*

STAFF REPORT

The staff report was presented by Angela Smith.

Analysis: Rezoning the site to UF Urban Neighborhood Flex will allow for the continued use as a work-live residential building allowing for neighborhood scale service to the surrounding area.

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

Linda Tinoco, 613 Warren St, South Bend, IN with Michelle acting as Spanish translator.

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:

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Upon a motion by Kyle Copelin, being seconded by Caitlin Stevens and unanimously carried, a proposed ordinance of LINDA DAMARIS TINOCO to zone from U1 Urban Neighborhood 1 to UF Urban Neighborhood Flex, property located at 613 WARREN ST, City of South Bend, is sent to the Common Council with a FAVORABLE recommendation.

3. A proposed ordinance of SEVEN DIAMONDS LLC to zone from U3 Urban Neighborhood 3 and S2 Suburban Neighborhood 2 to S1 Suburban Neighborhood 1, property located at THE VACANT LAND ON THE EAST AND WEST SIDES OF N LINDENWOOD DRIVE E BETWEEN W LINDENWOOD DRIVE SOUTH AND AUTEN ROAD, City of South Bend - PC# 0124-22. *(Audio Position: 21:01)*

STAFF REPORT

The staff report was presented by Angela Smith.

Analysis: Rezoning the site to S1 Suburban Neighborhood 1 District will allow the area to be developed with low density residential that will contribute to the mix of housing options originally anticipated and offer a greater variety of housing choice in the area.

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

Mike West, Green Development Ventures, 2186 E Center Ave, Portage, MI.

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 Jason Piontek and unanimously carried, a proposed ordinance of SEVEN DIAMONDS LLC to zone from U3 Urban Neighborhood 3 and S2 Suburban Neighborhood 2 to S1 Suburban Neighborhood 1, property located at THE VACANT LAND ON THE EAST AND WEST SIDES OF N LINDENWOOD DRIVE E BETWEEN W LINDENWOOD DRIVE SOUTH AND AUTEN ROAD, City of South Bend, is sent to the Common Council with a FAVORABLE recommendation.

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4. A proposed ordinance of DEPARTMENT OF REDEVELOPMENT CITY OF SOUTH BEND and 1044 TRUST and to zone from I Industrial to U3 Urban Neighborhood 3, property located at 1036 LINCOLNWAY and 1044 LINCOLNWAY, City of South Bend - PC# 0126-22. *(Audio Position: 31:20)*

STAFF REPORT

The staff report was presented by Angela Smith.

Analysis: Rezoning the properties to U3 Urban Neighborhood 3 will allow for the adaptive reuse of a vacant parcel and legalize zoning for the adjacent home. Lincoln Way East has long served as a key arterial road from Downtown South Bend to Mishawaka and further east. This highly trafficked corridor has long held a residential character with industrial and commercial properties scattered throughout. Approving the Rezoning will allow for a greater possibility of development that best fits the character of this neighborhood.

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

Joseph Molnar, Property Development Manager, City of South Bend, 227 W Jefferson Blvd, Ste 1400S, South Bend, IN.

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 Jason Piontek, being seconded by Kyle Copelin and unanimously carried, a proposed ordinance of DEPARTMENT OF REDEVELOPMENT CITY OF SOUTH BEND and 1044 TRUST to zone from I Industrial to U3 Urban Neighborhood 3, property located at 1036 and 1044 LINCOLN WAY EAST, City of South Bend, is sent to the Common Council with a FAVORABLE recommendation.

B. MAJOR SUBDIVISIONS - None for consideration

C. TEXT AMENDMENTS - None for consideration

D. DEVELOPMENT PLANS - None for consideration

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ITEMS NOT REQUIRING A PUBLIC HEARING

A. MINOR SUBDIVISIONS:

- 1 DUBAIL AVENUE MINOR SUBDIVISION – PC# 0123-22 (Audio Position: 42:59)

STAFF REPORT

The staff report was presented by Rachel Boyles.

Staff Recommendation: 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) Adding a 2" x 2" space in the upper right corner for the recording stamp

ACTION

After due consideration, the following action was taken:

Upon a motion by Francisco Fotia, being seconded by Dr. Dave Varner and unanimously carried, the Plan Commission finds the evidence adduced at this Plan Commission Hearing supports each element of the Staff Report, and DUBAIL AVENUE MINOR SUBDIVISION Subdivision therefore complies with the City of South Bend Subdivision Control Ordinance and is granted Primary Approval, subject to the following: 1) Adding a 2" x 2" space in the upper right corner for the recording stamp

- 2 SOUTH BEND CHOCOLATE COMPANY MINOR SUBDIVISION – PC# 0125-22 (Audio Position: 44:24)

STAFF REPORT

The staff report was presented by Rachel Boyles.

Staff Recommendation: 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) Resolving the issue of the one unit dwelling on the property.

ACTION

After due consideration, the following action was taken:

Upon a motion by Jason Piontek, being seconded by Dr. Dave Varner and unanimously carried, the Plan Commission finds the evidence adduced at this Plan Commission Hearing supports each element of the Staff Report, and SOUTH BEND CHOCOLATE COMPANY MINOR SUBDIVISION Subdivision therefore complies with the City of

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South Bend Subdivision Control Ordinance and is granted Primary Approval, subject to the following: 1) Resolving the issue of the one unit dwelling on the property.

B. FINDINGS OF FACT – October 17, 2022

PC#0112-22 – 1340 E Colfax Ave

Upon a motion by Frank Fotia, being seconded by Dave Varner, and unanimously carried by vote, the findings of fact for PC#0112-22 were approved.

PC #0108-22 – 3313 McKinley Highway (Youth Service Bureau Major Subdivision)

Upon a motion by Dave Varner, being seconded by Frank Fotia, and unanimously carried by vote, the findings of fact for PC#0108-22 were approved.

C. UPDATES FROM STAFF

2023 Calendar


D. MINUTES – October 17, 2022

Upon a motion by Frank Fotia, being seconded by Kara Bowles, and unanimously carried by vote the minutes from the October 17, 2022 Plan Commission meeting were approved.

5. ADJOURNMENT – 4:49pm



Scott Ford,
President



Angela M. Smith,
Secretary of the Commission