



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

February 20, 2023
4:00 p.m.

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

MEMBERS PRESENT:

Kyle Copelin - Virtual
Scott Ford
Francisco Fotia - Virtual
John Martinez
Sheila Niezgodski
Jason Piontek
Caitlin Stevens

MEMBERS ABSENT:

Kara Boyles

ALSO PRESENT:

Angela Smith
Rachel Boyles
Kate Bolze
Tom Panowicz

PUBLIC HEARING - 4:00 pm

A. REZONINGS:

1. **A proposed ordinance of DAVID A NUFER LLC to zone from U3 Urban Neighborhood 3 and NC Neighborhood Center to NC Neighborhood Center and U3 Urban Neighborhood 3, property located at 407, 409 and 411 MARION ST, City of South Bend - PC# 0137-23.**
(Audio Position: 03:11)

STAFF REPORT

The staff report was presented by Angela Smith.

Analysis: Rezoning the parcels to NC Neighborhood Center and U3 Urban Neighborhood 3 will allow for the zoning districts to be better aligned with the proposed small-scale commercial building along the thoroughfare and the residential development focused on a residential street. This will add a additional services and housing types to a growing neighborhood.

Staff Recommendation: Based on information provided prior to the public hearing, the Staff recommends the Commission send the Rezoning to the Common Council with a favorable recommendation, subject to subdividing the lots to match the established zoning districts.

PETITIONER

Mike Danch, Danch Harner & Associates, 1643 Commerce Dr, South Bend, IN 46628 presented in person.

SOUTH BEND **PLAN COMMISSION**

INTERESTED PARTIES

Gabriel Radle, 407 W Navarre St, South Bend, IN 46616 emailed and appeared in person to speak in opposition of the petition.

Victor Myers, 336 W Navarre St, South Bend, IN 46616 appeared in person to speak in opposition of the petition.

Peter Wallace, 417 W Navarre St, South Bend, IN 46616 appeared in person to speak in opposition of the petition.

Daniel Chapman, 330 W Navarre St, South Bend, IN 46616 appeared in person to speak in opposition of the petition.

Steve Thomas, 326 W Navarre St, South Bend, IN 46616 appeared virtually to speak in opposition of the petition.

PUBLIC COMMENT

Cole Hay, 841 Park Ave, South Bend, IN 46616 appeared in person to speak in opposition of the petition.

Joan Downs Krostenko, 849 Forest Ave, South Bend, IN 46616 emailed and appeared in person to speak in opposition of the petition.

Liz Dube, 1059 Riverside Dr, South Bend IN 46616 emailed in opposition of the petition.

PETITIONER REBUTTAL

Mike Danch

Dave Nufer, owner Burton's Laundry, 2409 E Mishawaka Ave, South Bend, IN, 46615 presented in person.

ACTION

After due consideration, the following action was taken:

Upon a motion by Sheila Niezgodski, being seconded by John Martinez and unanimously carried, a proposed ordinance of DAVID A NUFER LLC to zone from U3 Urban Neighborhood 3 and NC Neighborhood Center to NC Neighborhood Center and U3 Urban Neighborhood 3, property located at 407, 409 and 411 MARION ST, 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

ITEMS NOT REQUIRING A PUBLIC HEARING

A. MINOR SUBDIVISIONS:

1. **CEDAR STREET AND NOTRE DAME AVENUE MINOR SUBDIVISION – PC# 0133-23** *(Audio Position: 39:44)*

SOUTH BEND **PLAN COMMISSION**

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) Provide the REA-Reciprocal Easement Agreement

ACTION

After due consideration, the following action was taken:

Upon a motion by Caitlin Stevens, being seconded by Sheila Niezgodski and Kyle Copelin recusing himself, the Plan Commission finds the evidence adduced at this Plan Commission Hearing supports each element of the Staff Report, and CEDAR STREET AND NOTRE DAME 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) Provide the REA-Reciprocal Easement Agreement

2. CENTENNIAL AMERICAN MINOR SUBDIVISION – PC# 0134-23

(Audio Position: 41:44)

STAFF REPORT

The staff report was presented by Rachel Boyles.

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) Provide descriptions for all easements including what is located in them; 2) Label the drainage easement along the South property line.; 3) Identify what the 10' non-access easement is along the North property line; 4) Provide clarity regarding Public Utility Easement access required to service lot 2; and 5) Provide a water and sewer agreement for how Lot 2 will be serviced.

ACTION

After due consideration, the following action was taken:

Upon a motion by Jason Piontek, being seconded by Caitlin Stevens and unanimously carried, the waivers from Section 21-11.02(c)(2): Every lot shall abut onto a public street were approved.

Upon a motion by Jason Piontek, 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 CENTENNIAL AMERICAN MINOR SUBDIVISION Subdivision therefore

SOUTH BEND PLAN COMMISSION

complies with the City of South Bend Subdivision Control Ordinance and is granted Primary Approval, subject to the following: 1) Providing a Utility Master Plan and 2) Sewer and Water Agreement

B. FINDINGS OF FACT - None for consideration

C. MINUTES – January 17, 2023

(Audio Position: 45:25)


Upon a motion by Jason Piontek, being seconded by John Martinez and unanimously carried by vote, the minutes from the January 17, 2023 Plan Commission meeting were approved.

D. UPDATES FROM STAFF

E. ADJOURNMENT – 4:46 pm



Scott Ford,
President



Angela M. Smith,
Secretary of the Commission