



# 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

June 20, 2023  
4:00 p.m.

Commissioner's Conference Room, 7<sup>th</sup> Floor  
County-City Building, South Bend, IN

#### MEMBERS PRESENT:

Kara Boyles  
Scott Ford  
Francisco Fotia  
Sheila Niezgodski  
Jason Piontek  
Caitlin Stevens

#### MEMBERS ABSENT:

Kyle Copelin  
John Martinez

#### ALSO PRESENT:

Angela Smith  
Kari Myers  
Tom Panowicz  
Kate Bolze

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

*Due to technical difficulties the recording did not start when the meeting did at 4:00 PM, but did start before roll was called.*

#### A. REZONINGS:

- 1. A proposed ordinance of PEAK INVESTMENT & ASSET MANAGEMENT LLC to zone from U1 Urban Neighborhood 1 to NC Neighborhood Center, property located at 1301 & 1305 ELWOOD AVE, City of South Bend - PC# 0145-23.**

*(Audio Position: 01:01)*

#### STAFF REPORT

The staff report was presented by Angela Smith.

Analysis: Rezoning these properties to NC Neighborhood Center will allow for the expansion of goods and services to the area. Since the property is bound by NC Neighborhood Center to the north, east, and south the rezoning should not have significant impacts on the use and value of the adjacent properties.

Staff Recommendation: Based on the information provided prior to the public hearing, the Staff recommends the Commission send the rezoning to the Common Council with a favorable recommendation.

#### PETITIONER

Pravcen Gulati, Peak Investment and Asset Management LLC, 5199 Gardenia Ct, West Lafayette, IN 47906 presented in person.

#### INTERESTED PARTIES

There was no one from the public to speak.

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### PUBLIC COMMENT

There was no one from the public to speak.

### ACTION

After due consideration, the following action was taken:

Upon a motion by Francisco Fotia, being seconded by Kara Boyles and unanimously carried, a proposed ordinance of PEAK INVESTMENT & ASSET MANAGEMENT LLC to zone from U1 Urban Neighborhood 1 to NC Neighborhood Center, property located at 1301 & 1305 ELWOOD AVE, City of South Bend, is sent to the Common Council with a FAVORABLE recommendation.

- 2. A combined public hearing on a proposed ordinance of YAW AURORA to zone from U3 Urban Neighborhood 3 to NC Neighborhood Center and seeking a Special Use to allow Major Auto Repair, and seeking the following variance(s): 1) to allow parking in the established front yard; 2) from the required 60% transparency to the existing transparency, property located at 1333 LINCOLNWAY, City of South Bend - PC# 0152-23.**

*(Audio Position: 09:22)*

### STAFF REPORT

The staff report was presented by Angela Smith.

Analysis: While the Comprehensive Plan does not support the rezoning request, the redevelopment of the site for residential is hindered by the fact that it was formerly a gas station. Rezoning the site to NC Neighborhood Center will allow for a variety of neighborhood oriented retail uses. The Special Exception will allow for the continued use of the property for vehicle repair or service. The variances are the minimum necessary to allow the building to be reused in its current location. The site will need to meet the current standards for access, landscaping, and building design.

Staff Recommendation: Based on the information available prior to the public hearing, the Staff recommends to Commission send the Rezoning and Special Exception to the Common Council with a favorable recommendation. The Staff recommends the Commission approve the variances as requested.

### PETITIONER

Keith Giden, Jr., 1121 Goodland Ave, South Bend, IN 46628 presented in person.

### INTERESTED PARTIES

There was no one from the public to speak.

### PUBLIC COMMENT

Irene Britt, 1317 W Van Buren St, spoke in favor of the petition.

ACTION

After due consideration, the following actions were taken:

Upon a motion by Jason Piontek, being seconded by Caitlin Stevens and unanimously carried, a proposed ordinance of YAW AURORA to zone from U3 Urban Neighborhood 3 to NC Neighborhood Center, property located at 1333 LINCOLNWAY, City of South Bend, is sent to the Common Council with a FAVORABLE recommendation.

Upon a motion by Jason Piontek, being seconded by Caitlin Stevens and unanimously carried, a Special Use for Major Auto Repair property located at 1333 LINCOLNWAY, City of South Bend, is sent to the Common Council with a FAVORABLE recommendation.

Upon a motion by Jason Piontek, being seconded by Caitlin Stevens and unanimously carried, the variances: 1) to allow parking in the established front yard; 2) from the required 60% transparency to the existing transparency, property located at 1333 LINCOLNWAY, City of South Bend, were approved.

**3-13. Request to combine the proposed ordinances of the CIVIL CITY OF SOUTH BEND and DEPARTMENT OF REDEVELOPMENT CITY OF SOUTH BEND to rezone multiple properties into one hearing with separate motions and votes to occur for each proposed ordinance.**

*(Audio Position: 21:09)*

ACTION

After due consideration, the following action was taken:

Upon a motion by Jason Piontek, being seconded by Kara Boyles and unanimously carried, the proposed ordinances of the CIVIL CITY OF SOUTH BEND and the DEPARTMENT OF REDEVELOPMENT CITY OF SOUTH BEND to rezone multiple properties will be heard as one hearing with separate motions and votes for each proposed ordinance.

**3-13. Combined hearing for the proposed ordinances of the CIVIL CITY OF SOUTH BEND and DEPARTMENT OF REDEVELOPMENT CITY OF SOUTH BEND to rezone multiple properties.**

*(Audio Position: 22:01)*

STAFF REPORT

The staff report was presented by Angela Smith.

Analysis: Rezoning the sites will allow for residential growth and increased housing options in the neighborhood while not drastically changing the established character.

Staff Recommendation: Based on information available prior to the public hearing, the Staff recommends the Plan Commission send the rezoning petitions to the Common Council with a favorable recommendation

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PETITIONER

Joe Molnar, Property Development Manager, City of South, 14<sup>th</sup> floor, County City Building, South Bend, IN presented in person.

Todd Jensen, VP of Development, KCG Companies, 9311 N meridian St, Suite 100, Indianapolis, IN 46260 presented virtually

INTERESTED PARTIES

Bill Harman, 1201 S Main St, South Bend, IN appeared in person and voiced questions and concerns regarding the proposed ordinance to rezone 1202 Lafayette Blvd.

PUBLIC COMMENT

There was no one from the public to speak.

- 3. A proposed ordinance of CIVIL CITY OF SOUTH BEND to zone from U1 Urban Neighborhood 1 to U2 Urban Neighborhood 2, property located at 735 and 737 CLEVELAND AVE, City of South Bend - PC# 0153-23.**

*(Audio Position: 58:15)*

ACTION

After due consideration, the following action was taken:

Upon a motion by Kara Boyles, being seconded by Francisco Fotia and unanimously carried, a proposed ordinance of CIVIL CITY OF SOUTH BEND to zone from U1 Urban Neighborhood 1 to U2 Urban Neighborhood 2, property located at 735 and 737 CLEVELAND AVE, City of South Bend, is sent to the Common Council with a FAVORABLE recommendation.

- 4. A proposed ordinance of CIVIL CITY OF SOUTH BEND to zone from U1 Urban Neighborhood 1 to U2 Urban Neighborhood 2, property located at 752 CLEVELAND AVE and 1216 and 1218 VAN BUREN ST, City of South Bend - PC# 0154-23.**

*(Audio Position: 58:29)*

ACTION

After due consideration, the following action was taken:

Upon a motion by Kara Boyles, being seconded by Francisco Fotia and unanimously carried, a proposed ordinance of CIVIL CITY OF SOUTH BEND to zone from U1 Urban Neighborhood 1 to U2 Urban Neighborhood 2, property located at 752 CLEVELAND AVE and 1216 and 1218 VAN BUREN ST, City of South Bend, is sent to the Common Council with a FAVORABLE recommendation.

- 5. A proposed ordinance of CIVIL CITY OF SOUTH BEND to zone from U1 Urban Neighborhood 1 to U2 Urban Neighborhood 2, property located at 809 and 813 CLEVELAND AVE, City of South Bend - PC# 0155-23.**

*(Audio Position: 58:45)*

ACTION

After due consideration, the following action was taken:

Upon a motion by Kara Boyles, being seconded by Francisco Fotia and unanimously carried, a proposed ordinance of CIVIL CITY OF SOUTH BEND to zone from U1 Urban Neighborhood 1 to U2 Urban Neighborhood 2, property located at 809 and 813 CLEVELAND AVE, City of South Bend, is sent to the Common Council with a FAVORABLE recommendation.

- 6. A proposed ordinance of CIVIL CITY OF SOUTH BEND to zone from U1 Urban Neighborhood 1 to U2 Urban Neighborhood 2, property located at 1215 and 1217 VAN BUREN ST, City of South Bend - PC# 0156-23.**

*(Audio Position: 58:59)*

ACTION

After due consideration, the following action was taken:

Upon a motion by Kara Boyles, being seconded by Francisco Fotia and unanimously carried, a proposed ordinance of CIVIL CITY OF SOUTH BEND to zone from U1 Urban Neighborhood 1 to U2 Urban Neighborhood 2, property located at 1215 and 1217 VAN BUREN ST, City of South Bend, is sent to the Common Council with a FAVORABLE recommendation.

- 7. A proposed ordinance of CIVIL CITY OF SOUTH BEND to zone from U1 Urban Neighborhood 1 to U2 Urban Neighborhood 2, property located at 901 BLAINE AVE and 905 BLAINE AVE, City of South Bend - PC# 0157-23.**

*(Audio Position: 59:11)*

ACTION

After due consideration, the following action was taken:

Upon a motion by Kara Boyles, being seconded by Francisco Fotia and unanimously carried, a proposed ordinance of CIVIL CITY OF SOUTH BEND to zone from U1 Urban Neighborhood 1 to U2 Urban Neighborhood 2, property located at 901 and 905 BLAINE AVE, City of South Bend, is sent to the Common Council with a FAVORABLE recommendation.

- 8. A proposed ordinance of CIVIL CITY OF SOUTH BEND to zone from U1 Urban Neighborhood 1 to U2 Urban Neighborhood 2, property located at 909 and 911 SHERMAN AVE, City of South Bend - PC# 0158-23.**

*(Audio Position: 59:24)*

ACTION

After due consideration, the following action was taken:

Upon a motion by Kara Boyles, being seconded by Francisco Fotia and unanimously carried, a proposed ordinance of CIVIL CITY OF SOUTH BEND to zone from U1 Urban Neighborhood 1 to U2 Urban Neighborhood 2, property located at 909 and 911 SHERMAN AVE, City of South Bend, is sent to the Common Council with a FAVORABLE recommendation.

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- 9. A proposed ordinance of CIVIL CITY OF SOUTH BEND to zone from U1 Urban Neighborhood 1 to U2 Urban Neighborhood 2, property located at 906 and 910 LAWNSDALE AVE, City of South Bend - PC# 0159-23.**

*(Audio Position: 59:35)*

ACTION

After due consideration, the following action was taken:

Upon a motion by Kara Boyles, being seconded by Francisco Fotia and unanimously carried, a proposed ordinance of CIVIL CITY OF SOUTH BEND to zone from U1 Urban Neighborhood 1 to U2 Urban Neighborhood 2, property located at 906 and 910 LAWNSDALE AVE, City of South Bend, is sent to the Common Council with a FAVORABLE recommendation.

- 10. A proposed ordinance of CIVIL CITY OF SOUTH BEND to zone from U1 Urban Neighborhood 1 to U2 Urban Neighborhood 2, property located at 816 and 822 LAWNSDALE AVE, City of South Bend - PC# 0160-23.**

*(Audio Position: 59:46)*

ACTION

After due consideration, the following action was taken:

Upon a motion by Kara Boyles, being seconded by Francisco Fotia and unanimously carried, a proposed ordinance of CIVIL CITY OF SOUTH BEND to zone from U1 Urban Neighborhood 1 to U2 Urban Neighborhood 2, property located at 816 and 822 LAWNSDALE AVE, City of South Bend, is sent to the Common Council with a FAVORABLE recommendation.

- 11. A proposed ordinance of CIVIL CITY OF SOUTH BEND to zone from U1 Urban Neighborhood 1 to U2 Urban Neighborhood 2, property located at 744 and 746 CLEVELAND AVE, City of South Bend - PC# 0161-23.**

*(Audio Position: 59:57)*

ACTION

After due consideration, the following action was taken:

Upon a motion by Kara Boyles, being seconded by Francisco Fotia and unanimously carried, a proposed ordinance of CIVIL CITY OF SOUTH BEND to zone from U1 Urban Neighborhood 1 to U2 Urban Neighborhood 2, property located at 744 and 746 CLEVELAND AVE, City of South Bend, is sent to the Common Council with a FAVORABLE recommendation.

- 12. A proposed ordinance of DEPARTMENT OF REDEVELOPMENT CITY OF SOUTH BEND to zone from I Industrial to U3 Urban Neighborhood 3, property located at 1004 FRANKLIN ST, City of South Bend - PC# 0162-23.**

*(Audio Position: 1:00:09)*

ACTION

After due consideration, the following action was taken:

Upon a motion by Kara Boyles, being seconded by Francisco Fotia and carried, a proposed ordinance of DEPARTMENT OF REDEVELOPMENT CITY OF SOUTH BEND to zone from I Industrial to U3 Urban Neighborhood 3, property located at 1004 FRANKLIN ST, City of South Bend, is sent to the Common Council with a FAVORABLE recommendation.

- 13. A proposed ordinance of DEPARTMENT OF REDEVELOPMENT CITY OF SOUTH BEND to zone from I Industrial to U3 Urban Neighborhood 3, property located at 1202 LAFAYETTE BLVD, City of South Bend - PC# 0163-23.**

*(Audio Position: 1:00:29)*

ACTION

After due consideration, the following action was taken:

Upon a motion by Kara Boyles, being seconded by Caitlin Stevens and carried, a proposed ordinance of DEPARTMENT OF REDEVELOPMENT CITY OF SOUTH BEND to zone from I Industrial to U3 Urban Neighborhood 3, property located at 1202 LAFAYETTE BLVD, 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

**ITEMS NOT REQUIRING A PUBLIC HEARING**

A. MINOR SUBDIVISIONS:

- 1. VISION REALTY'S TAYLOR STREET MINOR SUBDIVISION – PC# 0144-23**

*(Audio Position: 1:01:29)*

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 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) Fixing note 9 to read "Each lot shall be..."

ACTION

After due consideration, the following action was taken:

Upon a motion by Francisco Fotia, being seconded by Kara Boyles and unanimously carried, the Plan Commission finds the evidence adduced at this

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Plan Commission Hearing supports each element of the Staff Report, and VISION REALTY'S TAYLOR STREET MINOR SUBDIVISION Subdivision therefore complies with the City of South Bend Subdivision Control Ordinance and is granted Primary Approval, subject to the following: 1) Fixing note 9 to read "Each lot shall be..."

### **2. FIVE CORNERS II MINOR SUBDIVISION – PC# 0146-23**

*(Audio Position: 1:02:42)*

#### 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 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) Showing the vacation ordinance numbers on the plat

#### ACTION

After due consideration, the following action was taken:

Upon a motion by Francisco Fotia, 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 FIVE CORNERS II MINOR SUBDIVISION Subdivision therefore complies with the City of South Bend Subdivision Control Ordinance and is granted Primary Approval, subject to the following: 1) Showing the vacation ordinance numbers on the plat

### **3. H.G. BAUSE CENTRE - PHASE 4 – PC# 0149-231**

*(Audio Position: 1:03:34)*

#### 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 Approval as specified by the South Bend Subdivision Control Ordinance. The Staff therefore recommends that this subdivision be granted Approval.

#### ACTION

After due consideration, the following action was taken:

Upon a motion by Francisco Fotia, 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 H.G. BAUSE CENTRE - PHASE 4 Subdivision therefore complies with the City of South Bend Subdivision Control Ordinance and is granted Primary Approval.



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B. FINDINGS OF FACT – None for Consideration

C. MINUTES – April 17, 2023

*(Audio Position: 1:04:31)*

Upon a motion by Jason Piontek, being seconded by Francisco Fotia and unanimously carried, the minutes from the April 17, 2023 Plan Commission meeting were approved.

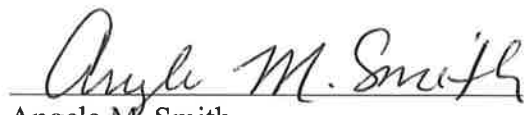
D. UPDATES FROM STAFF

E. ADJOURNMENT – 5:09 pm



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Scott Ford,  
President



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Angela M. Smith,  
Secretary of the Commission