



# 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)

## AGENDA

**Monday, August 17, 2020 - 4:00 P.M.**

County-City Building  
Fourth-Floor Council Chambers

### PUBLIC HEARING:

#### A. REZONINGS

1. **Location:** 1206 MEADE ST and 1214 MEADE ST PC#0021-20  
**Petitioner:** FIDELIS PROPERTIES LLC  
**Requested Action:**  
**Rezoning:** From U1 Urban Neighborhood 1 to U2 Urban Neighborhood 2

#### 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. **Name:** FOUNDATION COURT FIRST MINOR SUBDIVISION PC#0005-20  
**Location:** North side of Foundation Court at the eastern terminus
2. **Name:** MOREAU COURT MINOR SUBDIVISION PC#0019-20  
**Location:** West side of Moreau Court approximately 750' south of Nimtz Parkway
3. **Name:** NEAR NORTHWEST NEIGHBORHOOD 2ND MINOR SUBDIVISION PC#0020-20  
**Location:** North of California Ave. approximately 33' East of Allen St.

#### B. FINDINGS OF FACT – None for consideration

#### C. UPDATES FROM STAFF

#### D. MINUTES – July 20, 2020

#### E. ADJOURNMENT

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**Property Information**

Location: 1206 MEADE ST and 1214 MEADE ST  
Owner: FIDELIS PROPERTIES LLC

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**Requested Action**

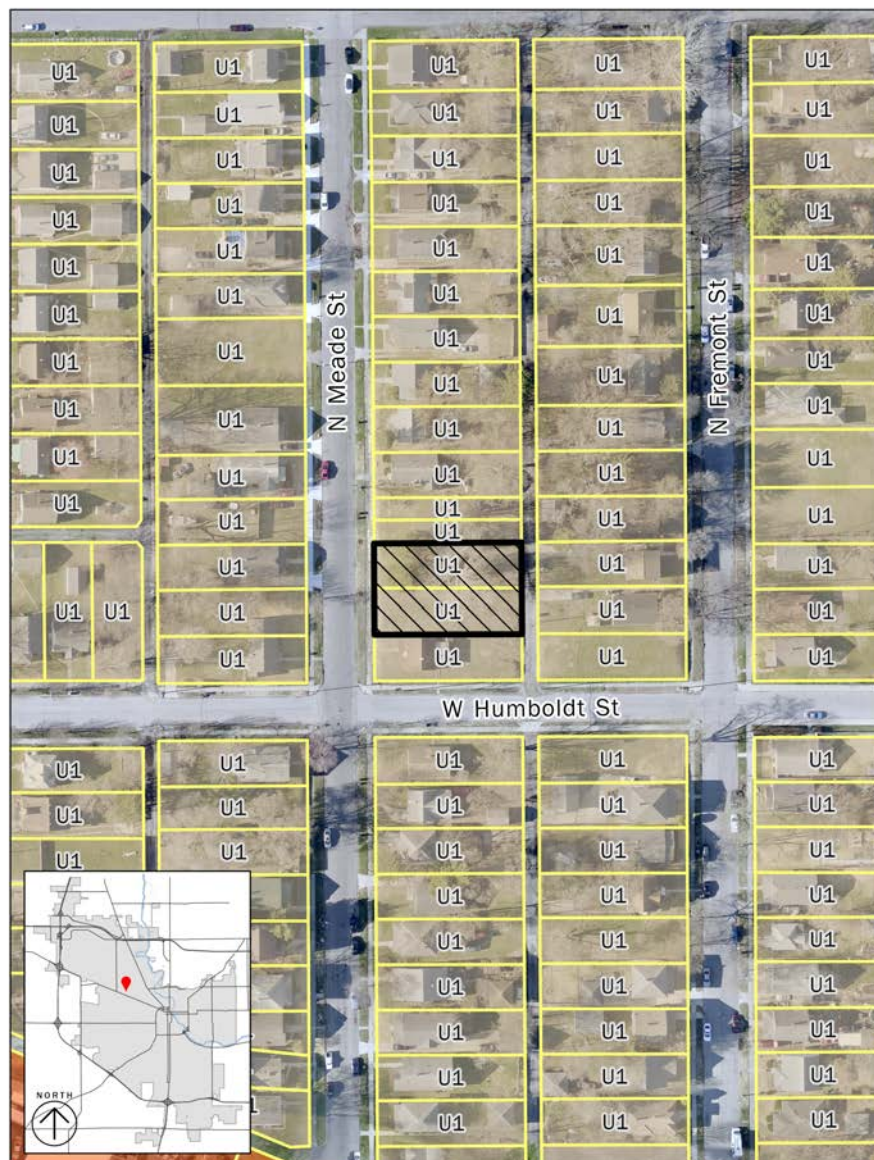
Rezone from U1 Urban Neighborhood 1 to U2 Urban Neighborhood 2

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**Project Summary**

Develop two fourplexes, one on each lot.

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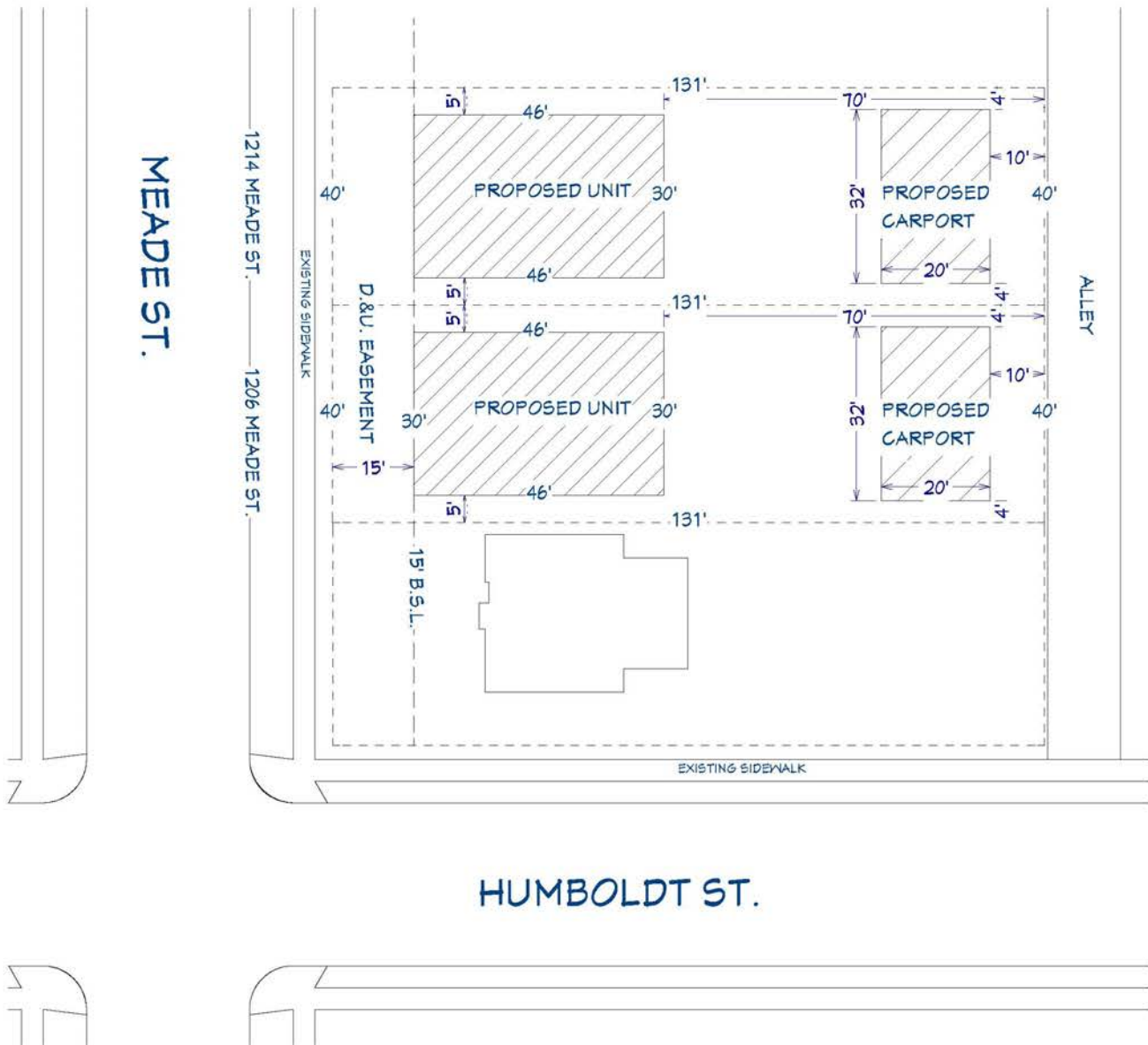
**Location Map**

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**Recommendation**

**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.

Proposed Site Plan



## Site & Context

### Land Uses and Zoning:

On site: Both lots are currently vacant.  
 North: To the north is a vacant lot zoned U1 Urban Neighborhood 1  
 East: To the east are one unit dwellings zoned U1 Urban Neighborhood 1  
 South: To the south is a one unit dwelling zoned U1 Urban Neighborhood 1  
 West: To the west, across Meade Street, are one unit dwellings zoned U1 Urban Neighborhood 1

### District Intent:

The U2 District is established to provide for, promote, and maintain the development of diverse housing types in urban neighborhoods located near neighborhood centers in core and outlying areas of the City.

### Site Plan Description:

The site plan shows the construction of two fourplexes, one on each vacant lot with parking accessed off of the rear alley.

### Zoning and Land Use History and Trends:

The neighborhood was largely established in the 1920s as an walkable urban single family neighborhood consisting of single family homes accessed by the rear alleys. Through the last few decades houses, have been demolished, resulting in scattered vacant lots.

### Traffic and Transportation Considerations:

Meade Street is two lanes with on-street parking.

## Agency Comments

### Agency Comments:

There were no engineering comments at this time.

### Staff Comments:

Zoning of properties to U2 Urban Neighborhood 2 allows for the creation of more diverse and affordable housing types. With proper design, these housing types blend well with the character and scale of existing urban neighborhoods. With its location in a fairly walkable urban neighborhood that is close to a major corridor and its businesses, to transit, and to a school, this property is suited for U2 zoning.

## Criteria for Decision Making

### Rezoning

**Per State Law, the Plan Commission and Common Council shall pay reasonable regard to:**

#### 1. Comprehensive Plan:

##### Policy Plan:

The petition is consistent with the City Plan, South Bend Comprehensive Plan (2006), Objective H 1: Ensure that an adequate supply of housing is available to meet the needs, preferences, and financial capabilities of households now and in the future.

##### Land Use Plan:

The Future Land Use Plan identifies this area for Medium Density Residential, which would allow for a range of neighborhood - scaled residential housing types.

**Plan Implementation/Other Plans:**

The West Side Main Streets Plan (2014) encourages infill development on vacant lots in the neighborhoods along Lincoln Way West.

**2. Current Conditions and Character:**

The existing neighborhood was a dense urban single-family neighborhood. Over time, the demolition of homes has resulted in an increased number of vacant lots. Most of the homes in the neighborhood date from the 1920s.

**3. Most Desirable Use:**

The most desirable use, at this time, is a range of medium density residential housing types that will seamlessly fit the established character of the neighborhood.

**4. Conservation of Property Values:**

If constructed in a manner consistent with the existing detached house building types, the gentle density added by the U2 District should not impact the use or value of surrounding properties in the area. Allowing new development on vacant lots should improve the overall value of the neighborhood.

**5. Responsible Development and Growth:**

It is responsible development and growth to allow for a variety of housing options within this urban neighborhood.

## Analysis & Recommendation

**Commitments:** There are no commitments proposed at this time.

**Analysis:** Rezoning the site to U2 Urban Neighborhood 2 will allow for residential growth and increased housing options in the neighborhood while not drastically changing the established character.

**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.



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**Property Information**

Subdivision Name: **FOUNDATION COURT FIRST MINOR SUBDIVISION**

Location: North side of Foundation Court at the eastern terminus

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**Requested Action**

The total area of the subdivision is 6.26 acres and will consist of 2 building lots.

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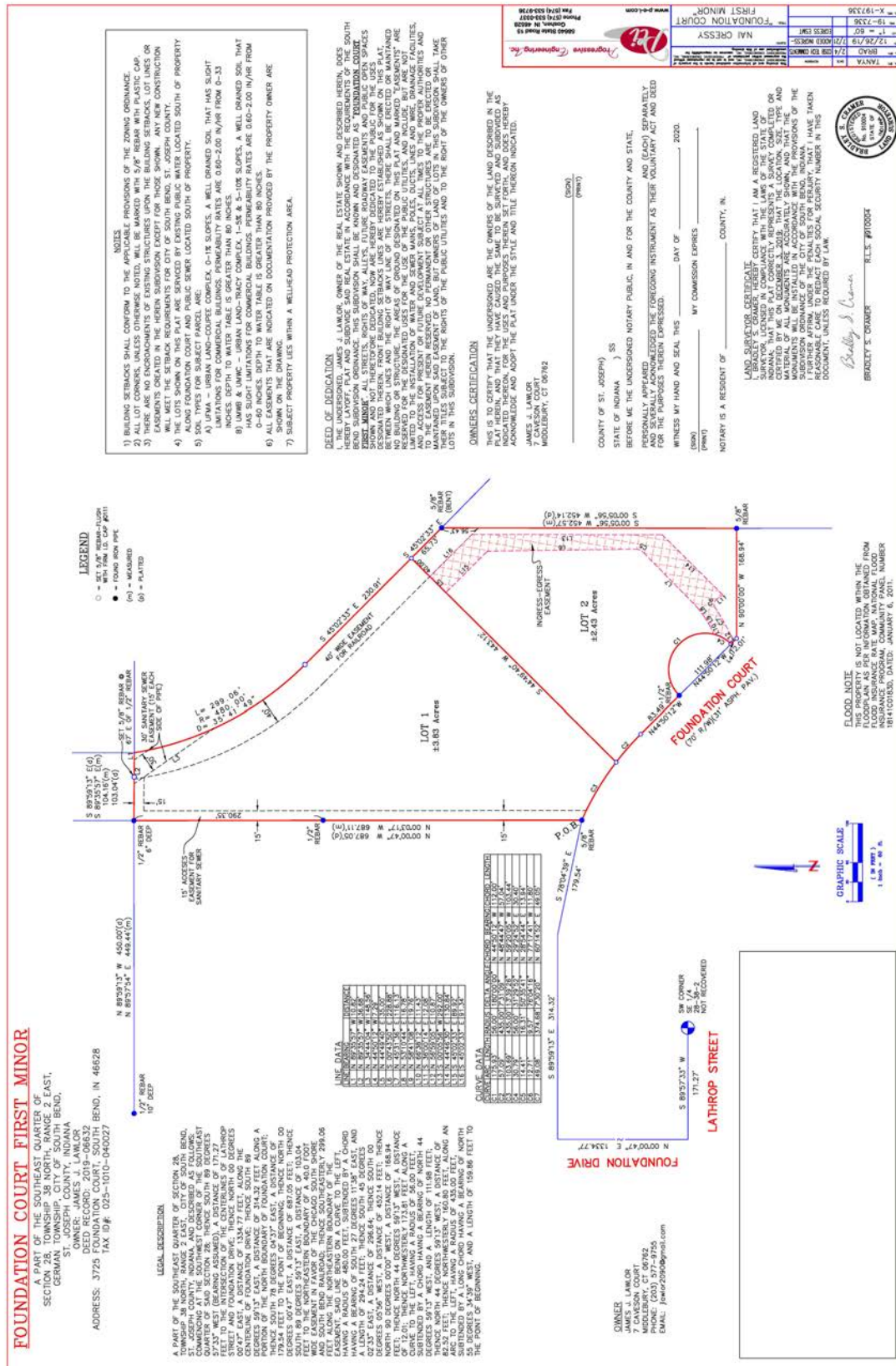
**Location Map**

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**Recommendation**

**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 a 20' municipal easement for existing public sewer; 2) showing 15' access easement from Foundation Court to the municipal sewer easement

## Proposed Plat



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**Project Details**

<b>Environmental Data:</b>	A check of the Agency's maps indicates that no environmental hazard areas or wetlands are present.
<b>Drainage:</b>	All drainage shall be retained on site and approved by the City Engineer at the time of development.
<b>Rights-Of-Way:</b>	The rights-of-way are correct as shown.
<b>Utilities:</b>	The site will be served by Municipal Water and Municipal Sewer.
<b>Agency Comments:</b>	Easement for existing sanitary sewer needed on north property line. Approve subject to municipal easement for existing public sewer (20' easement centered over existing sanitary) and access easement (15' access easement) from Foundation Court to the municipal sewer easement.

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**Recommendation**

**Staff Comments:** There are no additional comments at this time.

**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 a 20' municipal easement for existing public sewer; 2) showing 15' access easement from Foundation Court to the municipal sewer easement



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**Property Information**

Subdivision Name: **Moreau Court Minor Subdivision**

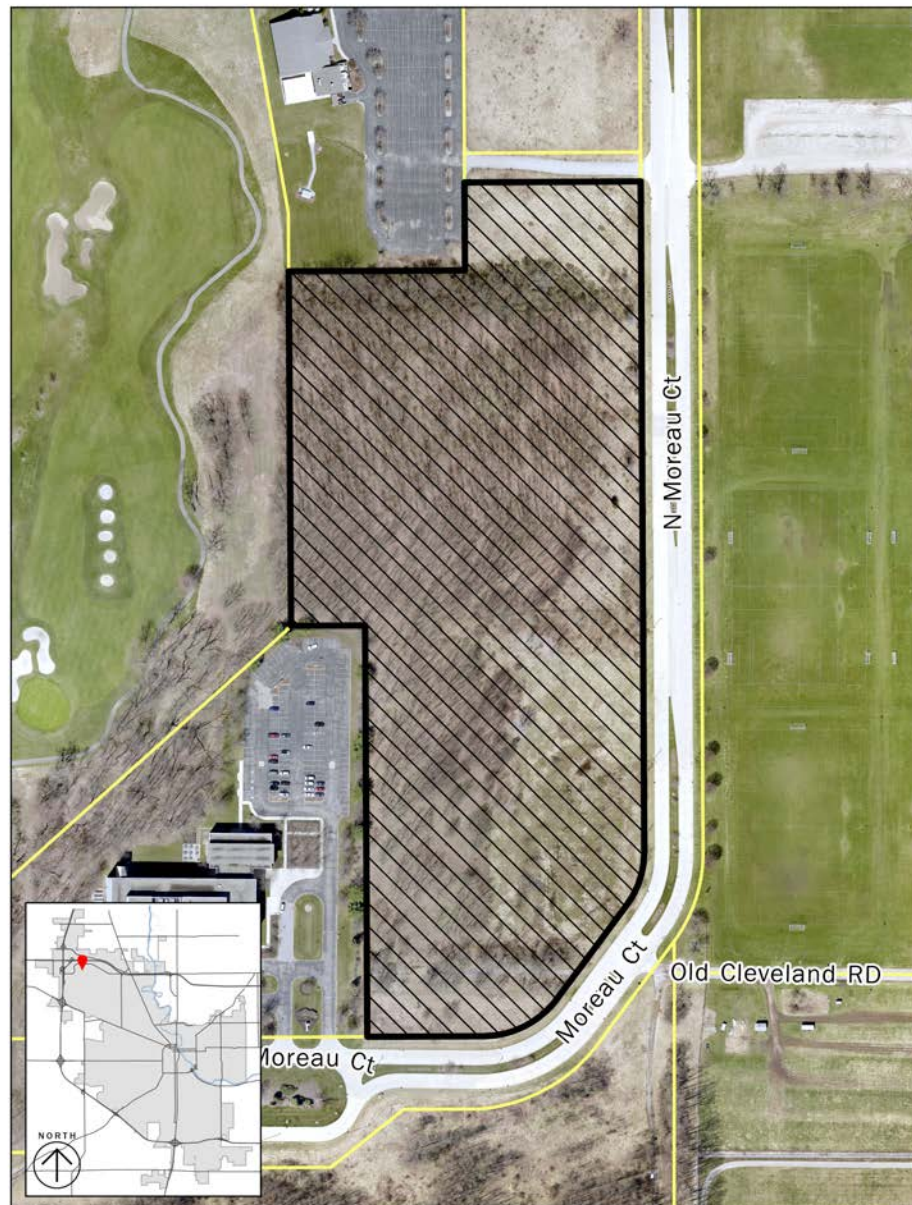
Location: West side of Moreau Court approximately 750' south of Nimtz Parkway

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**Requested Action**

The total area of the subdivision is acres and will consist of 2 building lots.

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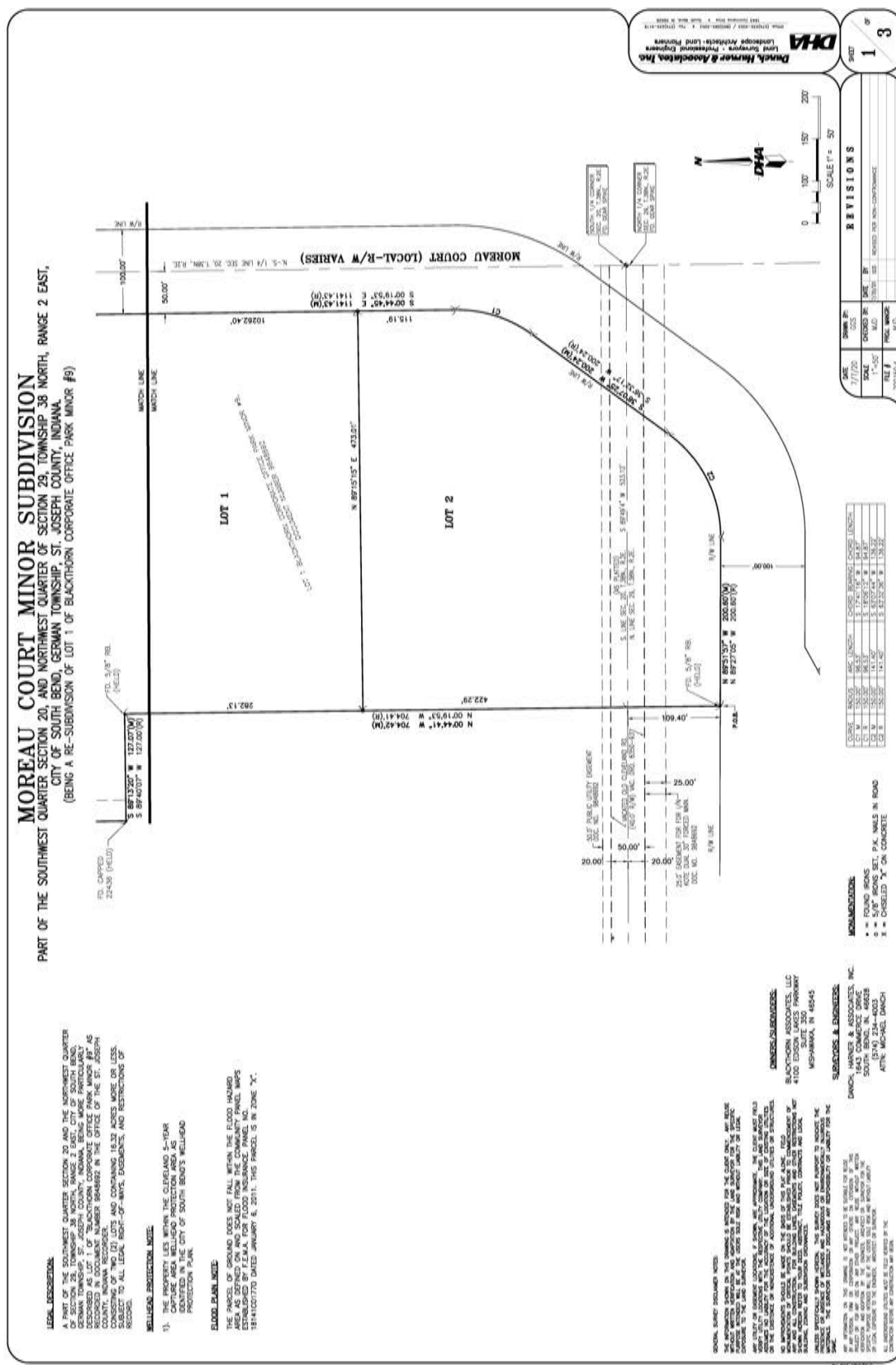
**Location Map**

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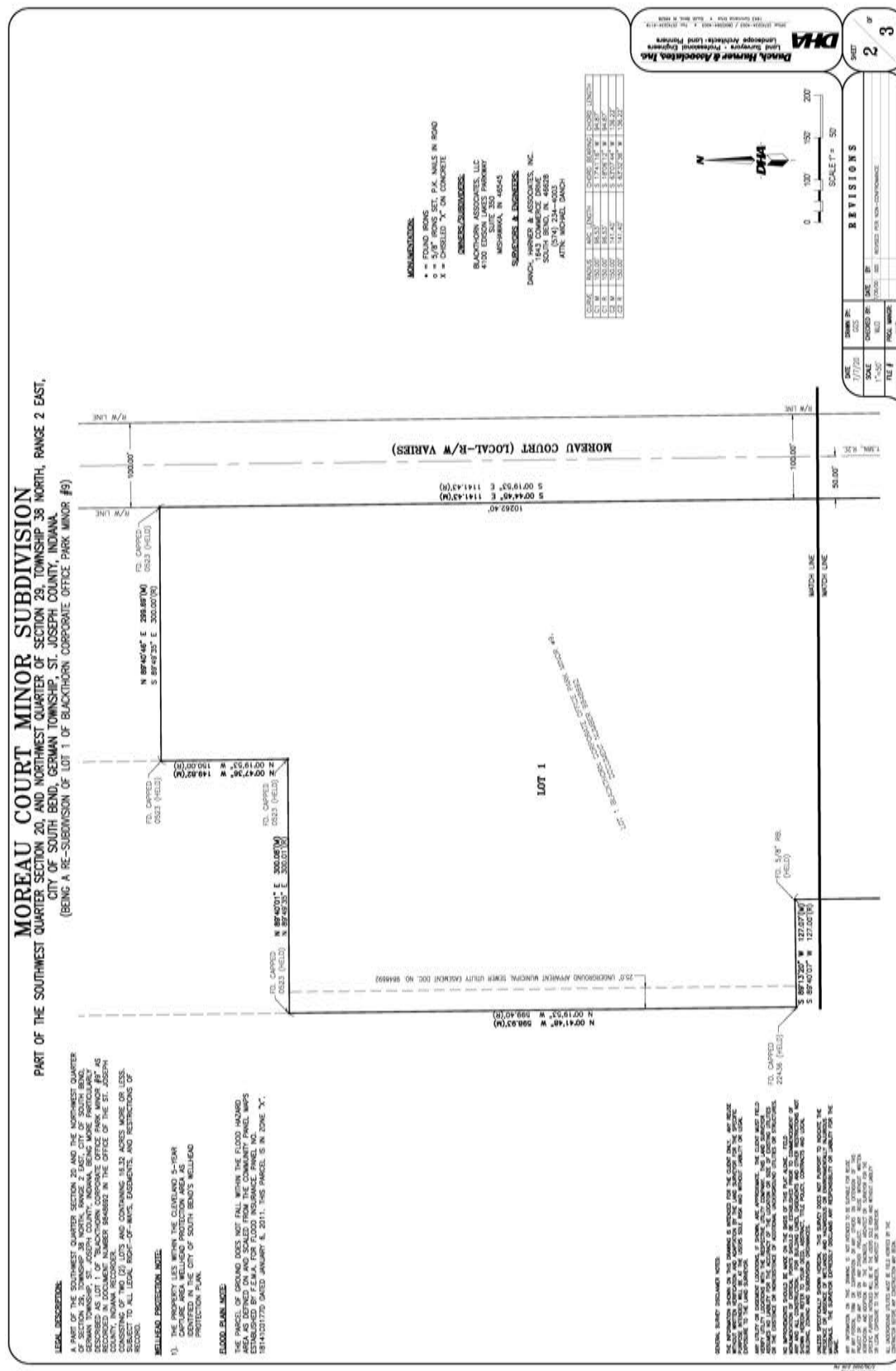
**Recommendation**

**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.

## Proposed Plat



## Proposed Plat



## Proposed Plat

[illegible]



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**Project Details**

<b>Environmental Data:</b>	A check of the Agency's maps indicates that no environmental hazard areas or wetlands are present.
<b>Drainage:</b>	A drainage plan has been waved.
<b>Rights-Of-Way:</b>	The rights-of-way are correct as shown.
<b>Utilities:</b>	The site will be served by Municipal Water and Municipal Sewer.
<b>Agency Comments:</b>	There are no additional agency comments at this time.

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**Recommendation**

**Staff Comments:** There are no additional staff comments at this time.

**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.

### Property Information

Subdivision Name: **NEAR NORTHWEST NEIGHBORHOOD 2ND MINOR SUBDIVISION**

Location: North side of California Ave approximately 33' East of Allen Street

### Requested Action

The total area of the subdivision is acres and will consist of 2 building lots.

### Location Map

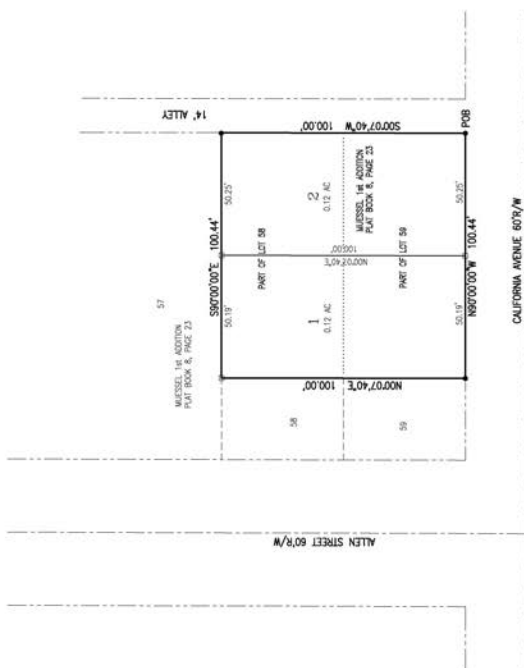


### Recommendation

**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.

NEAR NORTHWEST NEIGHBORHOOD  
2nd MINOR SUBDIVISION

BEING A RE SUBDIVISION OF PART OF LOT 58 AND LOT 59 OF MUESELLS 1st ADDITION.  
PART OF THE NORTHWEST QUARTER OF SECTION 2, TOWNSHIP 37 NORTH, RANGE 2 EAST,  
CITY OF SOUTH BEND, PORTAGE TOWNSHIP, ST. JOSEPH COUNTY, INDIANA.

[illegible]

**NOTES**

1. ALL EASEMENTS THAT ARE INDICATED ON DOCUMENTATION PROVIDED BY THE PROPERTY OWNER ARE SHOWN ON THE DRAWING.

2. BUILDING SETBACKS SHALL CONFORM TO THE APPLICABLE PROVISIONS OF THE ZONING ORDINANCE.

3. THERE ARE NO ENCROACHMENTS UPON EXISTING BUILDING SETBACK LINES AND/OR EASEMENTS.

**SURVEYOR'S CERTIFICATION**  
TERENCE O. LANC, HEREBY CERTIFY THAT I AM A PROFESSIONAL SURVEYOR, LICENSED IN COMPLIANCE WITH THE LAWS OF THE STATE OF INDIANA. THAT THIS PLAN CORRECTLY REPRESENTS THE SURVEY COMPLETED AND CERTIFIED BY ME ON JULY 7, 2020. THAT THE LOCATION, SIZE, TYPE AND MATERIAL OF ALL MONUMENTS ARE ACCURATELY SHOWN, AND THAT THE MONUMENTS WILL BE INSTALLED IN ACCORDANCE WITH THE PROVISIONS OF THE SUBDIVISION ORDINANCE OF ST. JOSEPH COUNTY, INDIANA. FURTHER, I AFFIRM, UNDER THE PENALTIES FOR PERJURY, THAT I HAVE TAKEN CARE TO REDACT EACH SOCIAL SECURITY NUMBER IN THIS DOCUMENT, UNLESS REQUIRED BY LAW.

[illegible]

**OWNERS CERTIFICATION**

THIS IS TO CERTIFY THAT THE UNDERSIGNED, JACOB J. FARMLEE AND NEAR NORTHWEST NIGHBORHOOD, INC. ARE THE OWNERS OF THE LAND DESCRIBED IN THE PLAT HEREIN AND HAVE CAUSED THE SAME TO BE SURVEYED AND SUBDIVIDED AS INDICATED THEREIN FOR THE PURPOSES AND PURPOSES THEREIN SET FORTH, AND DO HEREBY ACKNOWLEDGE AND ADOPT THE SAME AS THE TRUE AND CORRECT DESCRIPTION OF THE LAND HEREIN DESCRIBED, AND THAT UNDER THE STYLE AND TITLE THEREIN INDICATED.

NEAR NORTHWEST NEIGHBORHOOD, INC.  
KATHY SCHULTZ, EXECUTIVE DIRECTOR  
1007 PORTAGE AVENUE  
SOUTH BEND, INDIANA 46616

JACOB J. FARMELT  
7043 CALIFORNIA AVENUE  
SOUTH BEND, INDIANA 46816

BEFORE ME, the undersigned Notary Public, in and for said County and State,  
personally appeared JACOB J. PAMELLE and NEAR NORTHWEST NEIGHBORHOOD, INC., BY  
EMILY SAUTER, EXECUTIVE DIRECTOR AND EACH SEPARATELY AND SEVERALLY ACKNOWLEDGE  
THE EXECUTION OF THE FOREGOING INSTRUMENT AS THEIR VOLUNTARY ACT AND DEED FOR  
THE PURPOSE THEREIN SET FORTH.


WITNESS MY HAND AND NOTARY SEAL THIS \_\_\_\_ DAY OF AUGUST, 2020

JOANNA R. SIMON, NOTARY PUBLIC  
NOTARY IS A RESIDENT OF ST. JOSEPH COUNTY, INDIANA.  
EXECUTED AND DELIVERED IN MY PRESENCE:

\_\_\_\_\_  
(WITNESS SIGNATURE)  
\_\_\_\_\_  
(WITNESS'S PRINTED NAME)

STATE OF INDIANA  
COUNTY OF ST. JOSEPH  
SS:[illegible]

CONNIE R. SMON, NOTARY PUBLIC  
MY COMMISSION EXPIRES: AUGUST 29, 2020  
NOTARY IS A RESIDENT OF ST. JOSEPH COUNTY, INDIANA



Long, Feeney & Associates, Inc.  
715 S. Michigan Street  
South Bend, Indiana 46601  
Phone (317) 333-1945

Land Surveyors • Soil Scientists

<p>Size 1" = 20'</p> <p>Date 1-2-72</p> <p>Drawn 8-1-72</p>	<p>Sheet 35</p> <p>Job Avenue Road Improvement</p> <p>REV 18 PLAN CORR</p> <p>Job No. 135-72</p>
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LE5340 5/8" IRON REBAR SET WITH LANG  
FENEY S309 S0623 CAP  
● IRON FOUNO

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**Project Details**

<b>Environmental Data:</b>	A check of the Agency's maps indicates that no environmental hazard areas or wetlands are present.
<b>Drainage:</b>	Need for drainage plan has been waived.
<b>Rights-Of-Way:</b>	The rights-of-way are correct as shown.
<b>Utilities:</b>	The site will be served by Municipal Water and Municipal Sewer.
<b>Agency Comments:</b>	There are no additional agency comments at this time.

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**Recommendation**

**Staff Comments:** There are no additional staff comments at this time.

**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.