



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

AGENDA

Monday, October 19, 2020 - 4:00 P.M.
County-City Building
Fourth-Floor Council Chambers

PUBLIC HEARING:

A. REZONINGS

- 1 **Location:** 1813 LINCOLN WAY WEST PC#0030-20
Petitioner: LE ENTERPRISES LLC
Requested Action:
Rezoning: From U3 Urban Neighborhood 3 to UF Urban Neighborhood Flex

- 2 **Location:** 2036, 2046, and 2112 SOUTH BEND AVE PC#0022-20
Petitioner: GL LOEBACH LLC, COACHES, LLC, and TERRY S. MACDONALD
Requested Action:
Rezoning: From NC Neighborhood Center to C Commercial
Variance(s): 1) From the 37 minimum required vehicle parking spaces to 7

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 – None for consideration

B. FINDINGS OF FACT – None for consideration

C. UPDATES FROM STAFF

D. MINUTES

E. ADJOURNMENT

Property Information

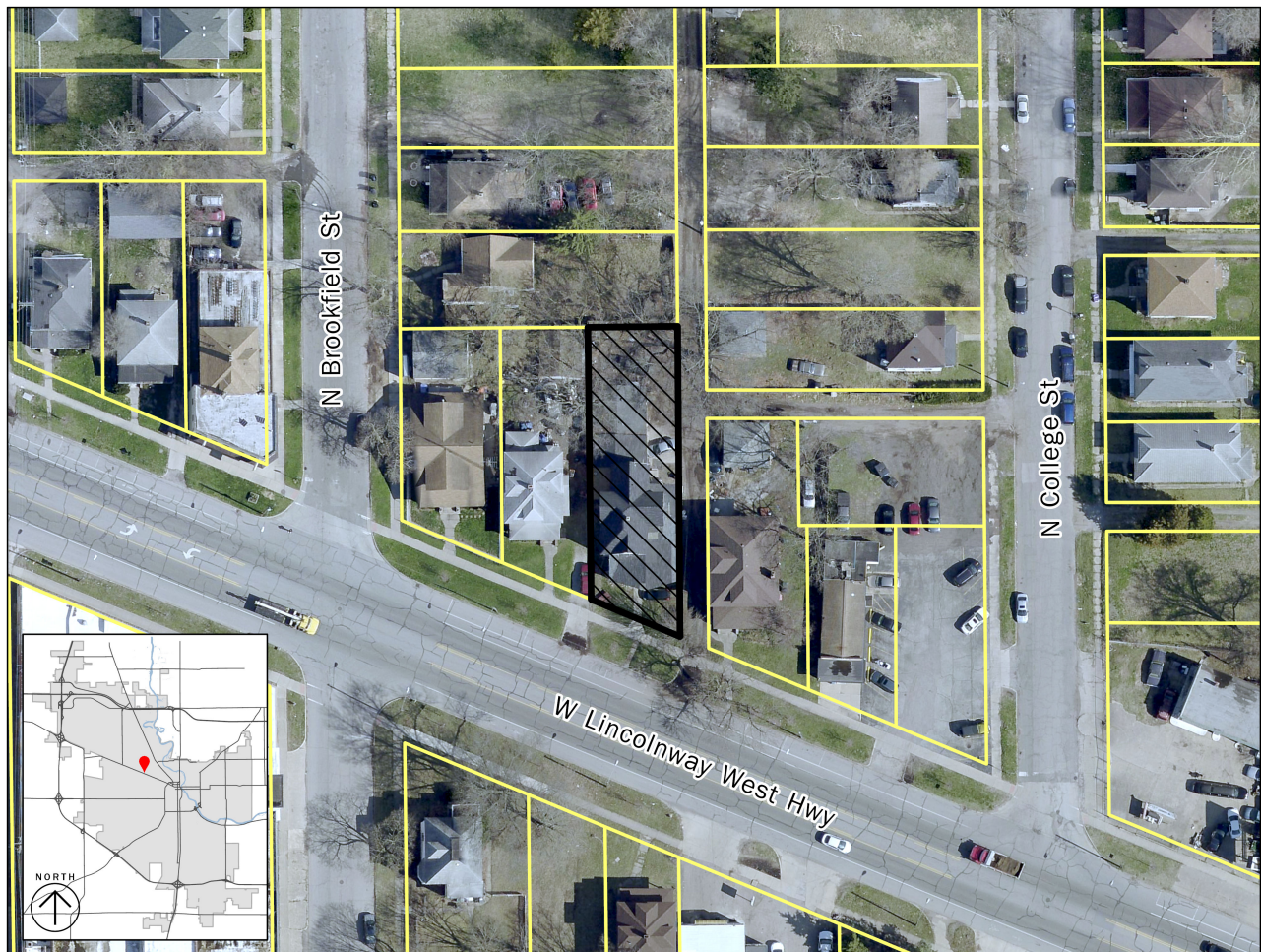
Location: 1813 LINCOLN WAY WEST
Owner: LE ENTERPRISES LLC

Requested Action

Rezone from U3 Urban Neighborhood 3 to UF Urban Neighborhood Flex

Project Summary

Convert the property to mixed use to allow for two residential units plus a lease space for a beautician/barbers & personal care professionals on the ground floor.

Location Map

Recommendation

Staff Recommendation: Based on information available prior to the public hearing, the staff recommends the rezoning petition be sent to the Common Council with a favorable recommendation.

Proposed Site Plan



Site & Context

Land Uses and Zoning:

On site: On site is a multi-unit dwelling.

North: To the north is a single-family home zoned U1 Urban Neighborhood 1.

East: To the east, across the alley, is a single-family home zoned NC Neighborhood Center.

South: To the south, across Lincoln Way West, is a single-family home zoned U3 Urban Neighborhood 3.

West: To the west is a single-family home zoned U3 Urban Neighborhood 3.

District Intent:

The UF District is established to enhance and support a full range of housing types and small-scale commercial uses found outside neighborhood centers in core and outlying areas of the City.

Site Plan Description:

There are currently no plans to change the layout of the site. There will only be internal renovations at this time.

Zoning and Land Use History and Trends:

Lincoln Way West is a primary corridor through the north and western portions of the city, flanked by medium density residential development to the north and south. On the corridor directly are small to medium scale commercial activities with stretches of medium density residential. Some residential structures have been converted to office or retail uses, either partially or completely. While this site constructed as a single family home, a store front was added to the building at some point prior to it being converted to a multi-unit dwelling.

Traffic and Transportation Considerations:

Lincoln Way West is a three-lane street with on-street parking, bike lane, and sidewalk.

Agency Comments

Agency Comments:

There are no additional agency comments at this time.

There are no comments from the Engineering Department.

Staff Comments:

This site is a prime example of a property that meets the goals of the UF Urban Neighborhood Flex district by integrating small-scale commercial uses with medium residential densities.

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 West Side Main Streets (2014) plan recommends commercial development be focused into the nodes. The petition is consistent with the recommendation as it is located within the Wilber node identified in the plan.

Land Use Plan:

The future land use plan identifies this area as a mixed use node.

Plan Implementation/Other Plans:

The petition is consistent with City Plan, South Bend Comprehensive Plan (2006), Objective ED2: Retail existing businesses and recruit new ones to the city.

2. Current Conditions and Character:

The current character of the area is a mix of low-to medium density residential and small-scale commercial uses.

3. Most Desirable Use:

The most desirable use for the property would be medium density residential along with small-scale commercial uses to serve area residents.

4. Conservation of Property Values:

Urban Neighborhood Flex District is established to enhance and support a full range of housing and small-scale commercial uses. The addition of small-scale commercial uses within a commercial node should not have an adverse impact on the use or value of adjacent properties.

5. Responsible Development and Growth:

It is responsible growth and development to allow for small-scale commercial uses within designated nodes along the Lincoln Way West corridor.

Analysis & Recommendation

Commitments: There are no commitments proposed.

Analysis: Rezoning the property to UF Urban Neighborhood Flex will allow for a space previously converted for commercial use to be rehabilitated to serve area residents within a commercial node along a major corridor. The property is at the fringe of node. The UF District serves as a good transition from the more intense Neighborhood Center properties at the core of the node and the residential properties to the west.

Recommendation: Based on information available prior to the public hearing, the staff recommends the rezoning petition be sent to the Common Council with a favorable recommendation.

Property Information

Location: 2036, 2046, and 2112 SOUTH BEND AVE

Owner: GL LOEBACH LLC, COACHES, LLC, and TERRY S. MACDONALD

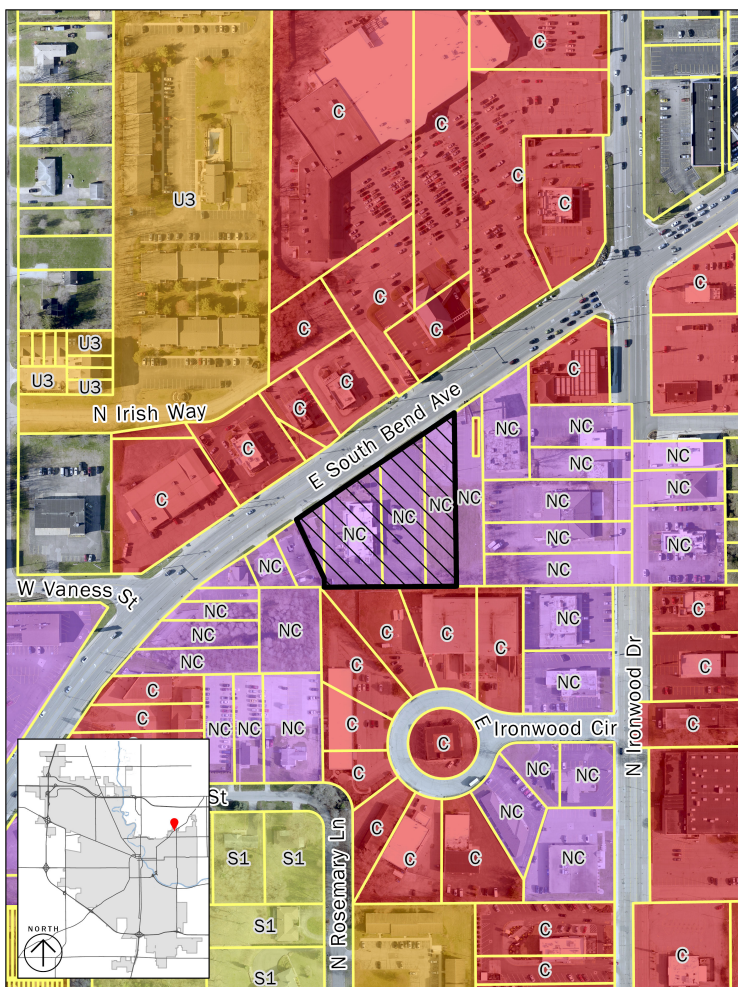
Requested Action

Rezone from NC Neighborhood Center to C Commercial

Variance(s): 1) From the 37 minimum required vehicle parking spaces to 7

Project Summary

To allow for a vehicular carwash facility with indoor and outdoor self vacuum uses.

Location Map

Recommendation

Staff Recommendation: Based on information available prior to the public hearing, the staff recommends the rezoning petition be sent to the Common Council with a favorable recommendation, subject to designing the drive-through location to maximize stacking. The staff recommends the Commission approve of the variance.

Proposed Site Plan

REZONING PRELIMINARY SITE PLAN
PART OF THE SOUTHEAST QUARTER OF SECTION 31, TOWNSHIP 38 NORTH, RANGE 3 EAST,
CITY OF SOUTH BEND, CLAY TOWNSHIP, ST. JOSEPH COUNTY, INDIANA.



AERIAL PHOTOGRAPHY/LOCATION MAP

[illegible]

SOUTH \$0'00.00" WEST, 278.40' FEET) TO THE POINT OF BEGINNING.
CONTAINING 1.78 ACRES MORE OR LESS.
SUBJECT TO ALL LEGAL RIGHT-OF-WAYS, EASEMENTS, AND RESTRICTIONS OF RECORD.

TABULATED SITE DATA:

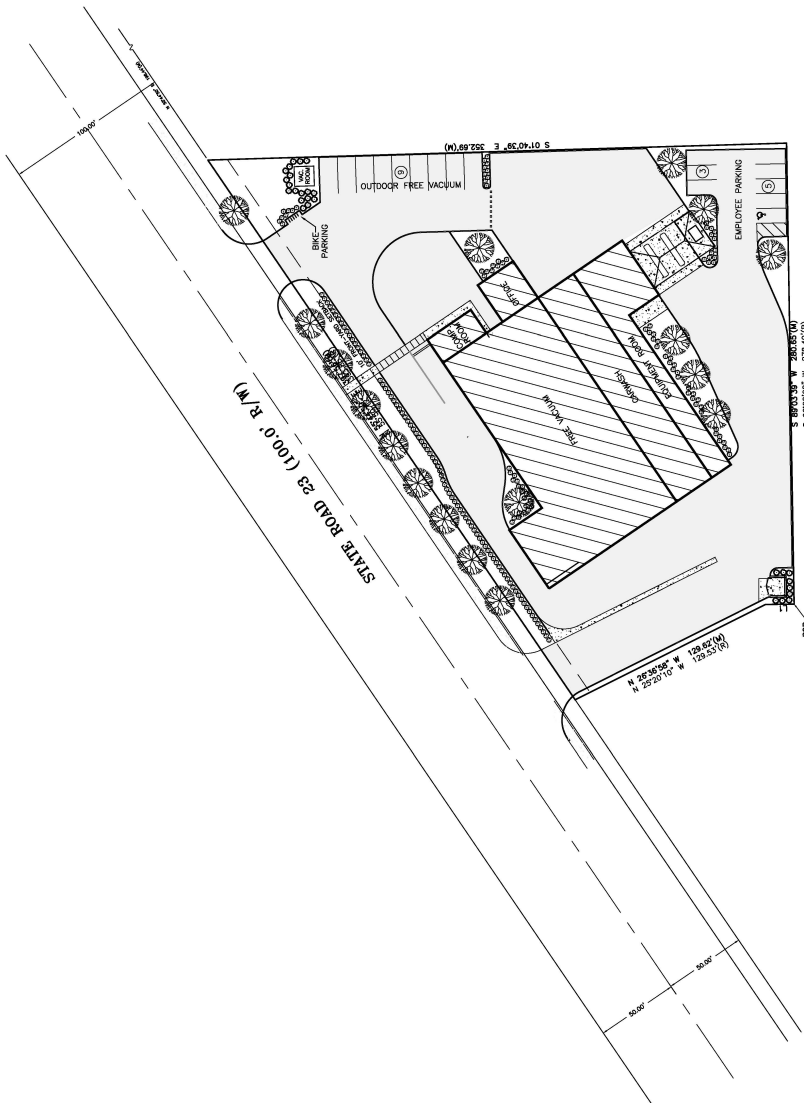
- | | 17th FLOOR | |
|---|---|---------------|
| 1. SITE ADDRESS | 17th FLOOR | |
| 2. EXISTING ZONING | NC - NEIGHBORHOOD CENTER | |
| 3. PROPOSED ZONING | C - COMMERCIAL | |
| 4. PROPOSED USE | CARWASH FACILITY | |
| 5. PROPOSED LAND COVERAGE | 50.1% | % OF SITE |
| 6. ASPHALT PAVEMENT | 44.00% | 57.18 |
| 7. DRIVEWAY | 10.00% | 12.86 |
| 8. OPEN SPACE | 4.00% | 5.18 |
| | TOTAL | 77.13% 100.00 |
| 9. PARKING DATA | | |
| a. TOTAL NUMBER OF VEHICLES SPACES REQUIRED AT (1) 2400/1000 S.F. OF GROSS FLOOR AREA | 24 | |
| b. TOTAL NUMBER OF PARKING SPACES PROVIDED | 24 | |
| 10. ALL SPECIFIC REQUIREMENTS TO BE PROVIDED BY THE PLANNING SYSTEM | SEE PERMITS SECTION FOR SOUTH BEACH ENGINEERING STANDARDS | |
| 11. THE PROPERTY IS TO BE SERVED BY PUBLIC WATER & SEWER SYSTEM | | |
| 12. LANDSCAPING TO CONFORM WITH CITY OF SOUTH BEACH ZONING ORDINANCE | | |
| 13. BUILDING HEIGHT 5' 6" MAXIMUM | | |

REZONING REQUEST:

1. TO REZONE PROPERTY FROM "NC-NEIGHBORHOOD CENTER" TO "C-COMMERCIAL" TO ALLOW FOR A VEHICULAR CARWASH FACILITY WITH INDOOR AND OUTDOOR SELF VACUUM USES.

VARIANCE REQUEST:

1. FROM THE 38 MINIMUM REQUIRED VEHICLE PARKING SPACES TO 8 SPACES.



LINE	BEARING	DISTANCE
L1 M	N 02°45'58" W	17.50'

SURVEYORS & ENGINEERS:
FRANCK, HARNER & ASSOCIATES, INC.
1843 COMMERCE DRIVE
SOUTH BEND, IN. 46628
(574) 234-4003
ATTN: MICHAEL DANICH

DATE 10/18/20	DRAWN BY: GGS	REVISIONS			
SCALE 1" = 30'	CHECKED BY: MJD	DATE 10/9/20	BY GGS	REASON REVISED PRELIMINARY SITE PLAN	
	PRG. MGR: MJD				
	FILE # 200101				

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Site & Context

Land Uses and Zoning:

- On site: On site consists of multiple lots including a vacant lot, restaurant building, and a small office building.
- North: To the north, across South Bend Ave, are drive-through restaurants zoned C Commercial.
- East: To the east are commercial properties zoned NC Neighborhood Center.
- South: To the south are commercial properties zoned C Commercial.
- West: To the west is a retail store zoned NC Neighborhood Center.

District Intent:

The C District is established to provide a location for medium- to high-intensity commercial uses that are auto-oriented, typically located along major corridors at the fringe of the City or as small groupings located outside of neighborhood centers.

Site Plan Description:

The site plan shows a car wash with associated drive-throughs for the car wash and indoor vacuum area. Outdoor vacuums are shown on the east side of the property. A small office is included in the building with employee parking at the rear of the site.

Zoning and Land Use History and Trends:

Properties along this portion of South Bend Avenue are a mix of NC Neighborhood Center and C Commercial Districts. Auto-oriented commercial is primarily focused on the north side of the street with several drive-through restaurants, a bank, and other auto-oriented uses. The south side of the street is primarily NC Neighborhood Center with C Commercial properties scattered throughout.

Traffic and Transportation Considerations:

South Bend Avenue is a part of State Road 23 with four travel lanes and a center turn lane.

Agency Comments

Agency Comments:

The most recent site plan is still under review by the Engineering Department.

Staff Comments:

This section of State Road 23 is a heavily traveled corridor. Traffic can be a significant concern and careful attention should be paid to the access location and design. While the ordinance only requires stacking that is 3 car lengths, the proposed use will require significantly more room to accommodate traffic. The stacking for the drive-through should be located in such a manner to maximize the stacking lanes. To protect pedestrians, the sidewalk should be redesigned to allow for a tree lawn between the street and the sidewalk. The request for a reduction in parking is consistent with the type of access and reflective of the actual needs for the use.

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 ED2: Retain existing businesses and recruit new ones to the city.

Land Use Plan:

The future land use plan identifies this area as Commercial.

Plan Implementation/Other Plans:

There are no specialized plans for this area.

2. Current Conditions and Character:

Currently the character of this section of South Bend Avenue is primarily auto-orientated commercial uses.

3. Most Desirable Use:

The most desirable use for the property would be a commercial use designed to minimize impact on pedestrian traffic.

4. Conservation of Property Values:

Because this is an existing commercial corridor, the use and value of adjacent properties should not be adversely affected.

5. Responsible Development and Growth:

It is responsible development and growth to allow for a new business to reinvest into property along South Bend Avenue in a manner that is complimentary to the existing businesses.

Variance(s)

The petitioner is seeking the following variance(s):

- 1) From the 37 minimum required vehicle parking spaces to 7

State statutes and the Zoning Ordinance require that certain standards must be met before a variance can be approved. The standards and their justifications are as follows:

(1) The approval will not be injurious to the public health, safety, morals and general welfare of the community.

Minimizing the amount of hard surface parking on the site should not impact the health, safety, or general welfare of the community.

(2) The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.

Because the reduction in parking will not impact demand on adjacent properties, the use and value of adjacent properties should not be adversely impacted.

(3) The strict application of the terms of this Chapter would result in practical difficulties in the use of the property.

Strict application of the ordinance would create a large unused parking lot, creating excessive pavement and limiting the ability of the site to be fully developed.

(4) The variance granted is the minimum necessary.

The variance granted is the minimum necessary to provide the necessary parking for the use.

(5) The variance granted does not correct a hardship caused by a former or current owner of the property.

The minimum required parking standards are based on averages for the use. The difference between the required parking and demand for this particular use is not a hardship caused by the current or former owner of the property.

Analysis & Recommendation

Commitments: There are no commitments proposed at this time.

Analysis: Rezoning the site to C Commercial will allow for the redevelopment of an area along a major corridor into the City. This site's location on a heavily traveled State highway near the intersection with Ironwood support the request for a more auto-oriented land use.

Recommendation: Based on information available prior to the public hearing, the staff recommends the rezoning petition be sent to the Common Council with a favorable recommendation, subject to designing the carwash drive-through location to maximize stacking. The staff recommends the Commission approve of the variance.