



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, December 21, 2020 - 4:00 P.M.

<https://tinyurl.com/sbplancommission>

PUBLIC HEARING:

- A. REZONINGS – None for consideration
- B. MAJOR SUBDIVISIONS – None for consideration
- C. TEXT AMENDMENTS
 - 1 **Petitioner:** South Bend Plan Commission PC#0033-20
Requested Action:
An Ordinance Amending Chapter 21 of the South Bend Municipal Code to correct typographical errors and adds clarifying language.
 - 2 **Petitioner:** South Bend Plan Commission PC#0034-20
Requested Action:
An ordinance mending Chapter 21 of the South Bend Municipal Code to reformat the NNZO Northeast Neighborhood Zoning Overlay section to follow the organization and terminology of the overall zoning ordinance.
 - 3 **Petitioner:** South Bend Plan Commission PC#0035-20
Requested Action:
An ordinance amending Chapter 21 of the South Bend Municipal Code to remove parking minimums from all zoning districts in the Zoning Ordinance.
- D. DEVELOPMENT PLANS – None for consideration

ITEMS NOT REQUIRING A PUBLIC HEARING:

- A. MINOR SUBDIVISIONS
 - 1. **Name:** Rask Minor Subdivision PC#0031-20
Location: between Niles Avenue and Stanfield Street, approximately 65' north of Corby Boulevard
 - 2. **Name:** Fellows Street Family & Children's Center Minor Subdivision PC#0032-20
Location: the southeast corner of Sample Street and Fellows Street
- B. FINDINGS OF FACT
- C. UPDATES FROM STAFF
- D. MINUTES
- E. ADJOURNMENT

Requested Action

Rezone from Amending Chapter 21 of the South Bend Municipal Code to correct typographical errors and adds clarifying language. to

Project Summary

Ordinance Sections	Item	Proposed Change
21-02.02, 21-02.03(b)	Building Coverage	Clarifies building coverage definition by including items under a roof and excluding pools
21-02.03(b)	Contextual Front Setback	Adds labels to indicate building frontage is not included in setback measurement
21-02.03(d)	Ancillary Dwelling Height Allowance	Adds labels to accessory buildings diagram to clarify application of height allowance provision
21-02.03(d), 21-03.03(f), 21-03.04(f), 21-03.05(f), 21-03.06(f), 21-03.07(f), 21-03.08(f)	Facade within Setback Zone	Moves façade within setback zone provisions from Building Form section to Building Placement section
21-03.07(g), 21-03.08(g)	Frontage Types in NC and DT	Permits porch and stoop frontage types in NC and DT districts
21-04.03(i), 21-04.04(i)	Foundation Landscape in C and I	Adds missing footnote language on foundation landscape waiver in C and I districts
21-04.04(e)	I Building Height	Adds "in height" to clarify how taller buildings in I district should be set back
21-04.04(g)	I Windows	Removes language concerning VLT/VLR of windows in I district
21-06.01(k)	Drive-Through Location	Clarifies that drive-through facilities cannot be placed anywhere in front of a front/corner facade (exclusion not limited to just established front/corner yard)
21-06.01(k)	Canopy Materials	Requires drive-through and gas station canopies to be neutral colored and have masonry columns
21-06.01(k)	Gas Pump / Canopy Location	Clarifies that in a NC or DT district, gas pumps and canopies shall not be located in an established front or corner yard
21-06.02(f)	Carports	Revises carport placement rules to make them similar to garage placement rules
21-06.02(f)	Outdoor Storage	Eliminates redundant provision that outdoor storage not be visible from a public street
21-07.01(c)	Sidewalks & Walkways	Requires zoning administrator to agree to waive sidewalk requirement; clarifies desired placement of walkway connection from building to public sidewalk; corrects use of sidewalk/walkway terminology
21-08.01(g)	Awnings and Canopies	Applies awning height clearance rules to canopies; clarifies permitted awning materials
21-08.02(i)	Apartment Houses	Raises maximum width of an apartment house building type from 48' to 60' in S2, U3, UF, NC, and DT districts

21-09.01(o)	Parking Drive Landscape	Clarifies that parking drive landscaping requirements for townhouse building type only apply when driveway is at least 18' long
21-09.02(a)	Fence or Wall Reconstruction	Requires that any reconstruction of a fence or wall meet zoning ordinance standards; currently, standards only apply if at least half of the fence or wall is being replaced
21-09.02(c)	Fence or Wall Height Measurement	Clarifies that height of fence or wall is to be measured from the elevation of the natural, not artificial, grade
21-09.03(b)	Retention	Prohibits above-ground retention in U1, U2, U3, and UF districts

Analysis & Recommendation

Analysis: The proposed ordinance will help clarify the regulations and development standards required under the zoning ordinance.

Recommendation: Based on the information available prior to the public hearing, the staff recommends the Plan Commission send the text amendment ordinance to the Common Council with a favorable recommendation.

Zoning Ordinance Amendments

Last updated November 17, 2020

Typographical and consistency errors are corrected in the following sections:
21-07.02, 21-08.02(l), 21-11.02(e), 21-13.02

Ordinance Sections	Item	Proposed Change	Rationale
21-02.02, 21-02.03(b)	Building Coverage	Clarifies building coverage definition by including items under a roof and excluding pools	Improves user understanding by creating consistency and more clearly stating rule
21-02.03(d)	Ancillary Dwelling Height Allowance	Adds labels to accessory buildings diagram to clarify application of height allowance provision	Improves user understanding by more clearly showing existing rule
21-02.03(d), 21-03.03(f), 21-03.04(f), 21-03.05(f), 21-03.06(f), 21-03.07(f), 21-03.08(f)	Facade within Setback Zone	Moves façade within setback zone provisions from Building Form section to Building Placement section	Improves ease of use by moving existing rule into more intuitive location
21-03.07(g), 21-03.08(g)	Frontage Types in NC and DT	Permits porch and stoop frontage types in NC and DT districts	Allows commonly applied frontage types to be used on associated permitted building types in these districts
21-04.03(i), 21-04.04(i)	Foundation Landscape in C and I	Adds missing footnote language on foundation landscape waiver in C and I districts	Adds missing provision that was intended for these districts
21-04.04(e)	I Building Height	Adds "in height" to clarify how taller buildings in I district should be set back	Improves user understanding by more clearly stating existing rule
21-04.04(g)	I Windows	Removes language concerning VLT/VLR of windows in I district	As I district has no minimum transparency requirement, language is unnecessary
21-06.01(k)	Drive-Through Location	Clarifies that drive-through facilities cannot be placed anywhere in front of a front/corner facade (exclusion not limited to just established front/corner yard)	More clearly states rule to meet its intent
21-06.01(k)	Canopy Materials	Requires drive-through and gas station canopies to be neutral colored and have masonry columns	Creates higher quality of design for canopies
21-06.02(f)	Carports	Revises carport placement rules to make them similar to garage placement rules	Creates consistency between garage and carport placement rules
21-06.02(f)	Outdoor Storage	Eliminates redundant provision that outdoor storage not be visible from a public street	Improves clarity by removing redundant provision
21-07.01(c)	Sidewalks & Walkways	Requires zoning administrator to agree to waive sidewalk requirement; clarifies desired placement of walkway connection from building to public sidewalk; corrects use of sidewalk/walkway terminology	Improves user understanding by more clearly stating existing rules
21-08.01(g)	Awnings and Canopies	Applies awning height clearance rules to canopies; clarifies permitted awning materials	Improves user understanding by more clearly stating existing rules
21-08.02(i)	Apartment Houses	Raises maximum width of an apartment house building type from 48' to 60' in S2, U3, UF, NC, and DT districts	Allows larger scale apartment houses in districts where other large-scale residential structures are allowed
21-09.01(o)	Parking Drive Landscape	Clarifies that parking drive landscaping requirements for townhouse building type only apply when driveway is at least 18' long	Improves user understanding by more clearly stating existing rule
21-09.02(a)	Fence or Wall Reconstruction	Requires that any reconstruction of a fence or wall meet zoning ordinance standards; currently, standards only apply if at least half of the fence or wall is being replaced	Encourages nonconforming fences and walls to be brought up to present standards when reconstructed
21-09.02(c)	Fence or Wall Height Measurement	Clarifies that height of fence or wall is to be measured from the elevation of the natural, not artificial, grade	Improves user understanding by more clearly stating existing rule
21-09.03(b)	Retention	Prohibits above-ground retention in U1, U2, U3, and UF districts	Encourages higher and better use of land in all urban districts

ORDINANCE NO. _____

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND,
INDIANA, AMENDING CHAPTER 21 OF THE SOUTH BEND MUNICIPAL CODE
TO MAKE MISCELLANEOUS TECHNICAL CHANGES FOR CLARIFICATION AND
CONSISTENCY AND TO CORRECT TYPOGRAPHICAL ERRORS IN VARIOUS
ARTICLES

STATEMENT OF PURPOSE AND INTENT

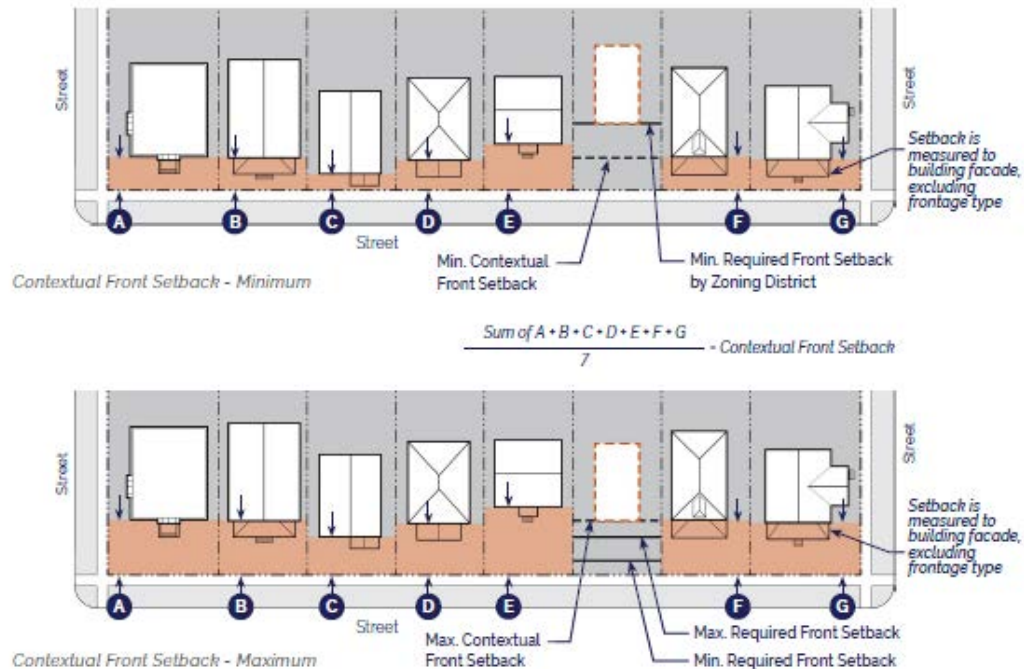
The Common Council of the City of South Bend, Indiana, adopted a new zoning ordinance for the City of South Bend that went into effect on January 1, 2020. Since its adoption in November 2019, use of the Ordinance has identified a few standards that need further clarification, correction, or revision. Changes to these standards will support a more vibrant, resilient community while improving the ease of use of the zoning ordinance.

NOW, THEREFORE, be it ordained by the Common Council of the City of South Bend, Indiana, as follows:

SECTION I. Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 2 Definitions & Measurements, Section 21-02.02 Definitions is hereby amended as follows:

Building Coverage. The total ground area within the lot or project covered by the primary structure plus any accessory structures ~~(including decks over 30" above grade, above ground pools, in ground pools, garages, carports, storage sheds, or any under roof areas), excluding driveways, walkways, fences, grade level decks and patios, and walls not attached in any way to~~ with a roof.

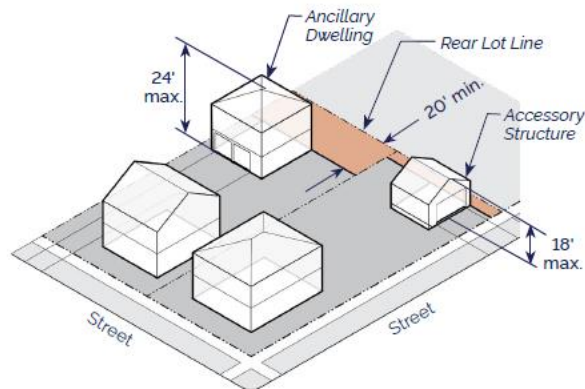
SECTION II. Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 2 Definitions & Measurements, Section 21-02.03 Measurements, subsection (b) Building Placement, Contextual Front Setback diagrams are hereby deleted and replaced with new Contextual Front Setback diagrams as follows:



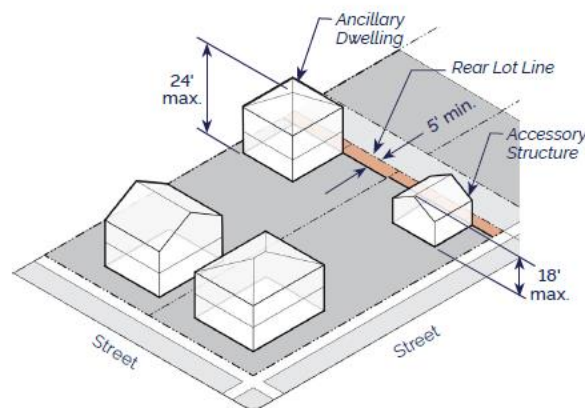
SECTION III. Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 2 Definitions & Measurements, Section 21-02.03 Measurements, subsection (b) Building Placement is hereby amended as follows:

- (4)(5) Building Coverage.** Building coverage is measured by dividing the total area of building footprints for all primary and accessory structures by the total lot area. ~~Decks over 30 inches above grade, aboveground or in-ground pools, garages, storage sheds, or any roofed areas count toward building coverage.~~ Driveways, walkways, fences, ~~grade level~~ decks/patios less than 30" above grade, above-ground or in-ground pools, and walls not attached in any way to a roof do not count toward building coverage.

SECTION IV. Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 2 Definitions & Measurements, Section 21-02.03 Measurements, subsection (d) Building Form, Ancillary Dwelling Height Allowance diagrams are hereby deleted and replaced with new Ancillary Dwelling Height Allowance diagrams as follows:



Ancillary Dwelling Height Allowance - No Alley



Ancillary Dwelling Height Allowance - Alley

SECTION V. Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 2 Definitions & Measurements, Section 21-02.03 Measurements, subsection (d) Building Form, is hereby amended by removing the Façade within Setback Zone provisions at Section 21-02.03(d)(4) and inserting them at Section 21-02.03(b)(4).

SECTION VI. Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 3 Standard Districts, Section 21-03.03 U1 Urban Neighborhood 1, Section 21-03.04 U2 Urban Neighborhood 2, Section 21-03.05 U3 Urban Neighborhood 3, Section 21-03.06 UF Urban Neighborhood Flex, Section 21-03.07 NC Neighborhood Center, and Section 21-03.08 DT Downtown, are hereby amended by removing the Façade within Setback Zone provisions within subsection (f) Building Form and inserting them in subsection (d) Building Placement and by deleting the Setback Zone shading and label from the diagram at (f) Building Form.

SECTION VII. Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 3 Standard Districts, Section 21-03.07 NC Neighborhood Center, subsection (g) Building Components, and Section 21-03.08 DT Downtown, subsection (g) Building Components are hereby amended as follows:

Allowed Building Frontage Types

Porch	21-08.03(c)
Stoop	21-08.03(d)
Gallery	21-08.03(e)
Forecourt	21-08.03(f)
Storefront	21-08.03(g)
Terrace	21-08.03(h)

SECTION VIII. Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 4 Special Districts, Section 21-04.03 C Commercial, subsection (i) Landscape, and Section 21-04.04 I Industrial, subsection (i) Landscape are hereby amended as follows:

³ The Zoning Administrator may waive the requirement for foundation landscape if a building is located more than 50' from the street.

SECTION IX. Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 4 Special Districts, Section 21-04.04 I Industrial, subsection (e) Building Form is hereby amended as follows:

¹ The setback for any portion of a building or structure ~~which~~ that is ~~in excess of~~ over 35' in height shall be increased by 1' for each foot of height above 35'.

SECTION X. Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 4 Special Districts, Section 21-04.04 I Industrial, subsection (g) Building Standards is hereby amended as follows:

~~Windows and doors on a ground floor front/corner façade shall have clear, transparent glass that has a min. VLT of 50% and a max. VLR of 25%.~~

SECTION XI. Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 6 Uses, Section 21-06.01 Principal Uses, subsection (k) Retail & Services is hereby amended as follows:

(7) Drive-Through Facility

(A) Standards:

- (ii) No portion of a drive-through facility lane shall not be located in an established front or corner yard in any district between the front facade and front lot line or the corner facade and corner lot line.
- (x) A drive-through canopy shall utilize materials and colors be consistent in design and materials with the primary building, shall be neutral colored, and shall have masonry support columns.

(11) Gas Station

(A) Standards:

- (i) Gasoline dispensers and pump island canopies shall not be located within any minimum required setback. In a NC or DT district, gasoline dispensers and pump island canopies shall not be located in an established front or corner yard.
- (vi) A gas station canopy shall utilize materials and colors be consistent in design and materials with the primary building, shall be neutral colored, and shall have masonry support columns.

SECTION XII. Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 6 Uses, Section 21-06.02 Accessory Uses and Structures, subsection (f) Accessory Use Definitions and Standards is hereby amended as follows:

(3) Carport

A covered structure that provides protection to motor vehicles from the elements with at least one side open to the weather.

(A) Standards:

- ~~(A)(i)~~ A carport shall comply with all garage standards found at Section 21-08.01(g)(11), except a carport in a S1 district shall not be located in an established front or corner yard minimum

required building setbacks but may encroach into a required rear setback up to within 5 feet of the rear lot line.

~~(B) — If a carport faces a primary or secondary street, the carport shall be set back a minimum of 5 feet behind the front or corner building facade, except within a S1 and S2 district the carport may be located equal to or behind the primary front or corner facade.~~

~~(C) — The total capacity of a garage, garages, or carports, in combination, whether attached or detached, shall not exceed 4 cars.~~

(25) Storage, Outdoor

(A) Standards:

~~(iv) — Except in I district, outdoor storage shall not be visible from a public street.~~

~~(v)~~(iv)

SECTION XIII. Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 7 Access & Parking, Section 21-07.01 Pedestrian Access, subsection (c) Sidewalks is hereby amended as follows:

(c) Sidewalks & Walkways

~~(2)~~(1) Sidewalks shall be installed along any street frontage per the latest standards adopted by the Board of Public Works. The City Engineer and Zoning Administrator may waive this requirement when sidewalks are not warranted or feasible.

~~(1)~~(2) Sidewalks Walkways shall be provided to connect all main entrances and all publicly accessible uses to parking, adjacent public rights-of-way, and transit stops and stations. Such pedestrian connections should be placed to avoid passing through parking areas and interior access drives to the greatest extent possible. Routing of walkways through parking lot landscape islands is encouraged.

~~(4)~~(3) Sidewalks Walkways providing cross-access between abutting lots are encouraged.

~~(3)~~(4) Sidewalks and walkways shall consist of accessible, easily discernible, and ADA-compliant walkways routes.

SECTION XIV. Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 7 Access & Parking, Section 21-07.02 Bicycle Access & Parking, Table 21-07A: Required Bicycle Parking is hereby amended as follows:

Retail & Services Service

SECTION XV. Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 8 Building Standards, Section 21-08.01 Building Standards, subsection (g) Building Components is hereby amended as follows:

(2) Awning or Canopy.

- (E) The bottom edge of the awning or canopy shall have a minimum clear height over a sidewalk or walkway of 8 feet or 15 feet over a driveway.
- (F) An awning shall be made of a durable, weather resistant material, such as cloth, canvas, canvas-like material, acrylic fabrics, nylon, ~~vinyl-coated fabric~~, or metal. Awnings shall not be made of vinyl.

(H) Awnings shall not be internally or back lit.

~~(H)~~(I)

SECTION XVI. Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 8 Building Standards, Section 21-08.02 Building Types, subsection (i) Building Type: Apartment House is hereby amended as follows:

(3) Building Type Standards

Building Dimensions

Building Width	48' max.
<u>U2 District</u>	<u>48' max.</u>
<u>All other districts</u>	<u>60' max.</u>

SECTION XVII. Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 8 Building Standards, Section 21-08.02 Building Types, subsection (l) Building Type: Mid-Rise/Tower is hereby amended as follows:

(2) Zoning Districts Allowed

The Mid-Rise/Tower building type is permitted in the following districts:

■ ~~NC~~ ■ DT

SECTION XVIII. Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 9 Site Development, Section 21-09.01 Landscape, subsection (o) Parking Lot Landscape is hereby amended as follows:

(A)(2) Parking Lot Screening.

- ~~(i)(A)~~
- ~~(ii)(B)~~
- ~~(iii)(C)~~

(B)(3) Parking Drive Landscape. ~~For townhouse development, individual driveways leading to attached garages that serve individual dwelling units shall provide a landscape strip a minimum 4 foot wide by 18 foot deep between access drives.~~ For the townhouse building type, individual driveways that are 18 feet long or more and lead to attached garages serving individual dwelling units shall provide a landscape strip at least 4 feet wide between driveways.

(C)(4) Parking Lot Landscape Islands.

- ~~(i)(A)~~
- ~~(ii)(B)~~
- ~~(iii)(C)~~
- ~~(iv)(D)~~
- ~~(v)(E)~~
- ~~(vi)(F)~~
- ~~(vii)(G)~~
- ~~(viii)(H)~~

SECTION XIX. Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 9 Site Development, Section 21-09.02 Fences & Walls, subsection (a) Applicability is hereby amended as follows:

The construction of a new fence or wall, or reconstruction ~~of at least 50 percent~~ of an existing fence or wall, shall comply with the standards of this section.

SECTION XX. Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 9 Site Development, Section 21-09.02 Fences & Walls, subsection (c) Height is hereby amended as follows:

The height of all fences and walls is measured from the average natural ground level within 2 feet of the base of the fence or wall. An additional 1 foot of height is allowed, above the maximum permitted height, for posts, columns, or light fixtures.

SECTION XXI. Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 9 Site Development, Section 21-09.03 Stormwater, subsection (b) Above Ground Retention is hereby amended as follows:

- (1) Above ground retention is ~~prohibited~~ shall not be located in a U1, U2, U3, UF, NC₁, or DT district, or within an Airport Approach Surface as determined by the Federal Aviation Administration.

SECTION XXII. Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 11 Neighborhood & Subdivision Design, Section 21-11.02 Subdivision of Land, subsection (e) Open Space is hereby amended as follows:

- (1) If a subdivision abuts or is located within 500 feet of any portion of a public trail, a direct linkage from the subdivision to such public trail shall be provided.

SECTION XXIII. Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 13 Nonconformities & Enforcement, Section 21-13.02 Enforcement is hereby amended as follows:

- ~~(a)~~(g) **Remedies or Penalties for Violation**
- ~~(b)~~(h) **Fines**

SECTION XXIV. This Ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor.

Member of the Common Council

Attest:

City Clerk

Presented by me to the Mayor of the City of South Bend, Indiana on the _____ day
of _____, 2020, at _____ o'clock _____. m.

City Clerk

Approved and signed by me on the _____ day of _____, 2020, at
_____ o'clock _____. m.

Mayor, City of South Bend, Indiana

Requested Action

An ordinance mending Chapter 21 of the South Bend Municipal Code to reformat the NNZO Northeast Neighborhood Zoning Overlay section to follow the organization and terminology of the overall zoning ordinance.

Project Summary

The Northeast Neighborhood Zoning Overlay regulations that were found in the previous zoning ordinance were largely carried forward to the new ordinance. Changes to the overlay section now will improve ease of use by reorganizing it to match the structure of the base zoning ordinance, by creating consistency in terminology with the base zoning ordinance, and by removing provisions that are largely redundant to those in the base zoning ordinance.

Additional changes:

Since the ordinance was drafted, further conversations with the NNZO have resulted in the following changes:

- Clarification of decorative fence within the NNZO to better clarify that privacy fences greater than 5' shall include a decorative element that is not solid in nature.
- Modification of signs in commercial districts to align the standard with the underlying district, provided no single sign exceeds 100 square feet.

The final wording and format of the ordinance will be reviewed by the Plan Commission at the public hearing.

Analysis & Recommendation

Analysis: The proposed ordinance will help provide consistency between the NNZO Northeast Neighborhood Zoning Overlay and the overall zoning ordinance. This consistency will help both developers and staff better enforce zoning provisions while reducing redundancies.

Recommendation: Based on the information available prior to the public hearing, the staff recommends the Plan Commission send the text amendment ordinance to the Common Council with a favorable recommendation.

ORDINANCE NO. _____

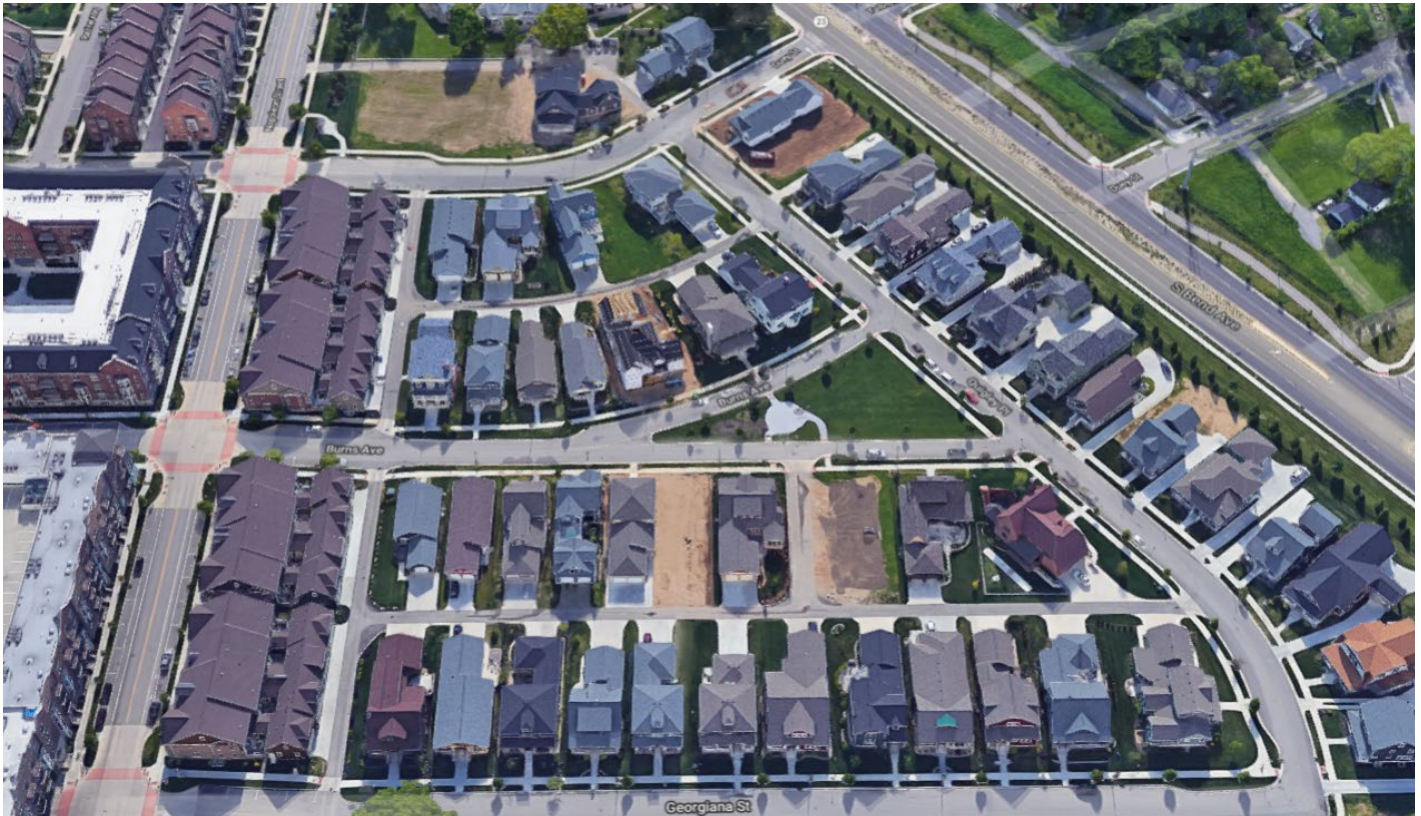
AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND,
INDIANA, AMENDING CHAPTER 21 OF THE SOUTH BEND MUNICIPAL CODE
TO REFORMAT AND CLARIFY THE
NNZO NORTHEAST NEIGHBORHOOD ZONING OVERLAY

STATEMENT OF PURPOSE AND INTENT

The Common Council of the City of South Bend, Indiana, adopted a new zoning ordinance for the City of South Bend that went into effect on January 1, 2020. The Northeast Neighborhood Zoning Overlay regulations that were found in the previous zoning ordinance were largely carried forward to the new ordinance. Changes to the overlay section now will improve ease of use by reorganizing it to match the structure of the base zoning ordinance, by creating consistency in terminology with the base zoning ordinance, and by removing provisions that are largely redundant to those in the base zoning ordinance.

NOW, THEREFORE, be it ordained by the Common Council of the City of South Bend, Indiana, as follows:

SECTION I. Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 5 Overlay Districts, Section 21-05.02 NNZO Northeast Neighborhood Zoning Overlay is hereby deleted and replaced with a new Section 21-05.02 as follows:



Section 21-05.02: NNZO Northeast Neighborhood Zoning Overlay

(a) Intent

The NNZO District is established to accomplish the following purposes:

- (1) To establish a comprehensive design approach for the NNZO;
- (2) To encourage high-quality design of new buildings and site development that preserves and enhances the character of a traditional neighborhood;
- (3) To create a strong, unique neighborhood identity;
- (4) To provide a range of design options to address future development opportunities; and,
- (5) To instill and enforce the sense of "pride of place" among residents, businesses, and property owners.

(b) Applicability

Notwithstanding any provision elsewhere in the South Bend Zoning Ordinance to the contrary, all new development within the NNZO shall be subject to the regulations of this section.

- (1) **New Development.** The regulations contained in this NNZO shall be applicable to all new construction on real property located within the area designated as the Northeast Neighborhood Zoning Overlay District on the Zoning Map for the City of South Bend. In order to assure the compatibility of new development within the NNZO area with that of the surrounding community, any new building, structure, or sign within the NNZO shall be subject to the regulations contained in this overlay.
- (2) **Renovations and Expansion of Existing Buildings.** Renovations or expansions of existing buildings, structures, or signs are not subject to the regulations of this NNZO but shall be subject to all applicable regulations of the underlying zoning district.

(c) Relationship to the Zoning Ordinance

The NNZO provides more comprehensive standards for this area. All development shall meet the standards of this NNZO and the underlying zoning district. In the case of conflict between the provisions of this NNZO and other provisions of this zoning ordinance, the more restrictive provision shall prevail.

(d) Uses**(1) Accessory Uses**

- (A) Trash Containers. Residential trash containers shall not be stored in an established front or corner yard.

(e) Access & Parking

- (1) If an alley is not present, off-street parking areas for corner lots shall have access from the secondary street.
- (2) All off-street parking areas, except for residential buildings with 4 or fewer units, shall be located in an established rear yard.
- (3) Where alleys are used as a means for two-way access to and from off-street parking areas for a nonresidential use, the width of such alleys shall be at least 18 feet wide.

(f) Building Standards**(1) Building Design**

- (A) The front or corner facades of a building shall have a maximum facade transparency of 75 percent for the ground floor and 40 percent for upper floors.
- (B) Door and window shapes shall be primarily rectangular (oriented vertically), or square. Horizontally oriented windows with vertical divisions may be used when consistent with the building's architectural style and character. Round, hexagon, and octagonal shaped windows shall only be used as accents.
- (C) If a parapet is more than 4 feet in height above the roof line, it shall be of a uniform height all the way around the roof.

- (D) All residential buildings shall use an identifiable architectural style or combination of styles that incorporate elements and details that remain consistent with that style. Modern Style building facades are prohibited.

- (E) All sides of any freestanding single-user retail & service building shall include four-sided design (i.e., be designed and detailed with each facade having the same level with similar materials and details).

(2) Building Materials

- (A) Roofs, if sloped, shall be clad in cedar wood shake, fiberglass shingles, asphalt shingles, real or synthetic slate shingles, clay tile, prefinished pre-stamped metal shingles, or solar shingles or tiles. Prefinished metal standing seam roofing may be used for accent roofing, such as above window projections and open-air porches, stoops, and overhangs.
- (B) Bright colors shall not be used as a primary building color but may be used for subtle trim accents in amounts not to exceed 10 percent of the facade area.
- (C) Window-mounted air conditioning units and wall or in-wall mounted air conditioning condensing equipment shall not be placed on facades facing a street, open space, or walkway.
- (D) Security devices such as solid metal security gates, metal roll-down windows, coiling shutters, and link/grill systems shall not be installed on front or corner facades, except where such devices are at least 50 percent transparent and located wholly behind a window or door, when viewed from the street or open space.
- (E) On residential building facades, cinder/concrete block, metal, plywood, and unfinished pre-cast or poured-in-place concrete shall not be used. However, concrete or concrete masonry is permitted on basement foundation walls between the ground floor sill plate and grade.

OVERLAY DISTRICTS

21-05.02

NNZO Northeast Neighborhood Zoning Overlay

Identifiable Architectural Styles of the Northeast Neighborhood



American Foursquare Style



Modern Style



Colonial Revival Style



Prairie Style



Craftsman Style



Tudor Style

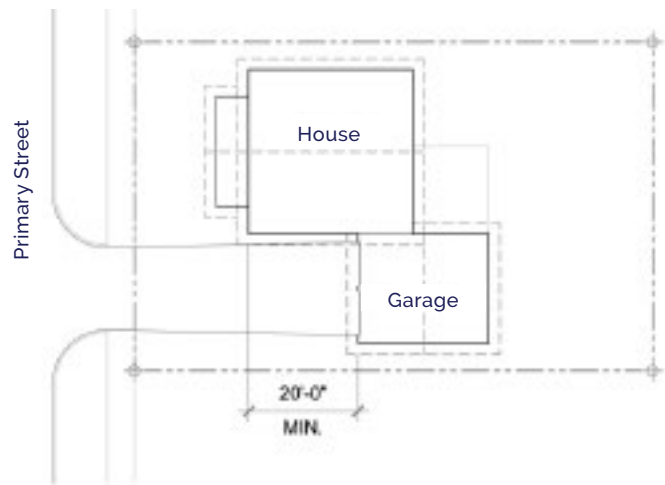
- (F) On commercial and mixed-use facades visible from streets, sidewalks, and parking areas, no more than 10 percent of the facade shall be comprised of one or a combination of the following materials: stucco, smooth/textured synthetic plaster, wood trim, metal, decorative block, "renaissance stone," exterior insulation and finish systems (E.I.F.S.), unfinished pre-cast concrete panels, and poured-in-place concrete.
- (G) On commercial and mixed-use facades, window frames shall be constructed of painted or clad wood or metal.
- (H) On commercial and mixed-use facades, vents, gutters, downspouts, flashings, electrical conduits, and other similar elements shall be painted to match the adjacent surface unless being used expressly as an accent material.

(3) Facade Articulation

- (A) All commercial and mixed-use buildings, regardless of zoning district, shall be developed to the facade articulation standards of the NC District per the provisions of [Section 21-08.01\(f\)](#).

(4) Building Components

- (A) Garage
 - i. In a S1, U1, or U2 district, the total capacity of a garage, garages, or carports, in combination, whether attached or detached, shall not exceed 2 vehicles.
 - ii. When an alley is present, garage doors shall not face the primary or secondary street. When an alley is not present, garages on a corner lot shall not face a primary street. When an alley is not present and the garage door on an attached garage faces a primary street, the garage door shall be set back a minimum of 20 feet behind the front building facade. When present, no more than one double or two single garage doors shall face any primary or secondary street; however, no garages for a multi-unit dwelling shall face a primary street.

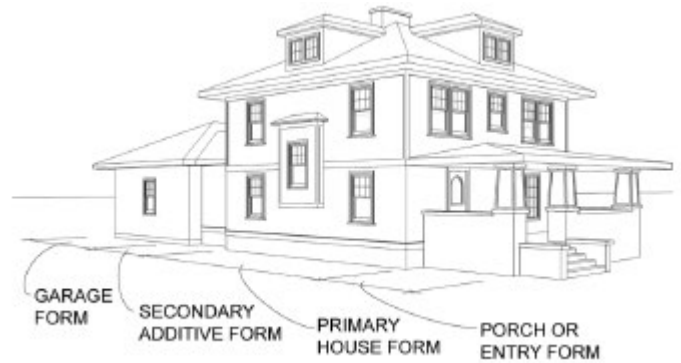


Garage Location

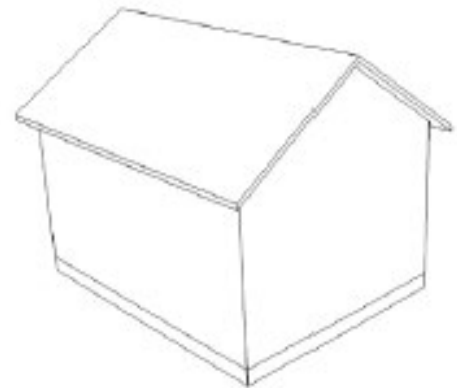
- iii. Specific to Townhouse Building Type. If oriented with garage doors facing a private drive, an attached garage for a townhouse shall have a setback (apron) of either 5 feet or not less than 18 feet from the drive, sufficient to accommodate the parking of an automobile without blocking the drive.
- iv. Garages shall incorporate roof types that match the roof type of the primary building. Where appropriate to the design, dormers may be included.

(5) Building Types

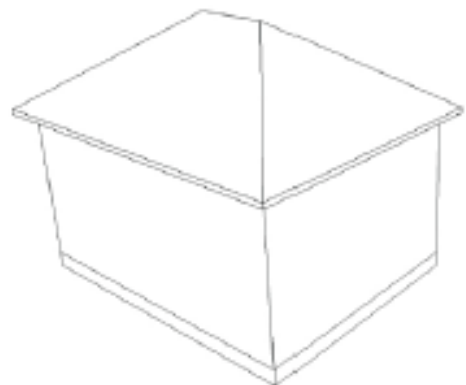
- (A) Carriage House, Detached House, Cottage Court, or Duplex
 - i. Roof type shall be gabled or hipped. Flat roof forms may only be used for building frontage types and on the secondary additive form.
- (B) Townhouse
 - i. Roof type shall be gabled or hipped. Flat roof forms may only be used for building frontage types.
 - ii. Units along a street at the end of a row of townhouses oriented to an open space shall have a frontage type oriented to the street.
- (C) Apartment House or Stacked Flats
 - i. Roof type shall be gabled, hipped, or flat.
 - ii. Main entrances shall be prominently located on the front facade.
- (D) Shop or Mid-Rise/Tower
 - i. Roofs shall be hipped, gabled, or flat with a parapet.



Building Forms



Gabled Roof



Hipped Roof

(6) Building Frontage Types**(A) Porch**

- i. A porch shall cover a minimum of 50 percent of the primary house form.

(B) Stoop

- i. A stoop shall cover a min. of 30 percent of the primary house form.

(C) Forecourt

- i. A building with a forecourt frontage type shall additionally have a porch, stoop, or gallery frontage type on its ends facing a primary street.

*Porch**Stoop***(g) Site Development****(1) Landscape, Fences, & Walls**

- (A) When a masonry wall is used as part of a Type 1 Buffer, the wall shall incorporate the same or complementary materials and detailing as adjacent buildings and streetscape.
- (B) Walls shall be consistent with the house's architectural style and character.
- (C) On commercial and mixed-use properties, wood and chain-link fencing shall be prohibited.
- (D) For attached dwelling units, if fencing is provided in the front yard, such fencing shall be of a single, unified design for all units within a project.

(h) Signs

- (1) The following regulations shall apply to signs in a NC district:
 - (A) Building signs shall be limited to one sign per building, being either a parapet mounted wall sign not to exceed 40 square feet in area or a projecting sign not to exceed 80 square feet in area. In addition, each tenant/use within a building shall be allowed one wall sign per street frontage of tenant/use limited to either a fascia mounted lower level sign not to exceed 12 square feet in area per sign or a suspended sign not to exceed 12 square feet in area per sign.

(i) Neighborhood & Subdivision Design

- (1) **Maximum Lot Width.** The maximum lot width of lots for residential buildings with 4 or fewer units shall not exceed 70 feet.

SECTION II. This Ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor.

Member of the Common Council

Attest:

City Clerk

Presented by me to the Mayor of the City of South Bend, Indiana on the _____ day
of _____, 2020, at _____ o'clock _____. m.

City Clerk

Approved and signed by me on the _____ day of _____, 2020, at
_____ o'clock _____. m.

Mayor, City of South Bend, Indiana

Requested Action

Amending Chapter 21 of the South Bend Municipal Code to remove parking minimums from all zoning districts in the Zoning Ordinance.

Project Summary

For more than fifty years, the South Bend zoning ordinance has required minimum levels of off-street parking to be provided for nearly all locations and uses. However, the ordinance's calculation of required off-street parking has proved unreliable and has led to an oversupply of parking areas in the city.

On oversupply of off-street parking lots has several negative consequences. Among them, excessive off-street parking supports an auto-oriented form of development, with its attendant negative effects on the environment and the safety of people traveling on foot or bicycle. Physical separation of uses by parking lots harms urban character and leads to less vibrant neighborhoods. The inability to provide the required off-street parking handicaps the ability to re-use existing buildings for another purpose, thus hampering the City's economic resiliency and discouraging investment in neighborhoods. Unneeded off-street parking is a low-value use of land, limiting the community's tax base potential. Finally, the high cost of developing off-street parking is passed along to consumers in higher prices for housing and for goods and services.

Eliminating minimum off-street parking requirements supports a market-based approach to off-street parking that will supply only the needed number of spaces, including by encouraging parking to be shared among neighboring properties. Recognizing the importance of this approach, the City of South Bend has taken steps in recent years toward eliminating minimum off-street parking requirements. In 2017, minimum off-street parking requirements were eliminated from the city's traditional business districts, matching the longstanding exemption for downtown. In 2018, the required parking counts for specified uses were reduced or eliminated, and credits toward the off-street parking requirement were made available through several means. With the revised zoning ordinance that took effect on January 1, 2020, six of the City's twelve zoning districts have no minimum parking requirements. Given the City's positive experience in eliminating those regulations, off-street parking minimums should be removed from the remaining six zoning districts where it is required.

Analysis & Recommendation

Analysis: Eliminating parking minimums in the six zoning districts where they still exist will help remove unnecessary regulations and costs on small-scale developers while allowing developers to establish the amount of parking they feel is necessary for their project to succeed. The city has not seen negative consequences of eliminating minimums in the current districts which do not have parking minimums. The proposed ordinance retains design standards for parking if parking is provided by the developer thus ensuring safe and attractive parking facilities that are constructed.

Recommendation: Based on the information available prior to the public hearing, the staff recommends the Plan Commission send the text amendment ordinance to the Common Council with a favorable recommendation.

ORDINANCE NO. _____

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND,
INDIANA, AMENDING CHAPTER 21 OF THE SOUTH BEND MUNICIPAL CODE TO
REVISE PARKING AND ACCESS STANDARDS

STATEMENT OF PURPOSE AND INTENT

For more than fifty years, the South Bend zoning ordinance has required minimum levels of off-street parking to be provided for nearly all locations and uses. However, the ordinance's calculation of required off-street parking has proved unreliable and has led to an oversupply of parking areas in the city.

On oversupply of off-street parking lots has several negative consequences. Among them, excessive off-street parking supports an auto-oriented form of development, with its attendant negative effects on the environment and the safety of people traveling on foot or bicycle. Physical separation of uses by parking lots harms urban character and leads to less vibrant neighborhoods. The inability to provide the required off-street parking handicaps the ability to re-use existing buildings for another purpose, thus hampering the City's economic resiliency and discouraging investment in neighborhoods. Unneeded off-street parking is a low-value use of land, limiting the community's tax base potential. Finally, the high cost of developing off-street parking is passed along to consumers in higher prices for housing and for goods and services.

Eliminating minimum off-street parking requirements supports a market-based approach to off-street parking that will supply only the needed number of spaces, including by encouraging parking to be shared among neighboring properties. Recognizing the importance of this approach, the City of South Bend has taken steps in recent years toward eliminating minimum off-street parking requirements. In 2017, minimum off-street parking requirements were eliminated from the city's traditional business districts, matching the longstanding exemption for downtown. In 2018, the required parking counts for specified uses were reduced or eliminated, and credits toward the off-street parking requirement were made available through several means. With the revised zoning ordinance that took effect on January 1, 2020, six of the City's twelve zoning districts have no minimum parking requirements. Given the City's positive experience in eliminating those regulations, off-street parking minimums should be removed from the remaining six zoning districts where it is required.

NOW, THEREFORE, be it ordained by the Common Council of the City of South Bend, Indiana, as follows:

SECTION I. Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 2 Definitions & Measurements, Section 21-02.03 Measurements, subsection (c) Access and Parking is hereby amended as follows:

(c) Access and Parking

These regulations allow for parking that supports the function of abutting land uses while preserving the character of neighborhoods, ~~ensuring that parking lots not only maintain but also enhance land values.~~

- (1) **Required Spaces.** Indicates the minimum required number of on-site parking spaces ~~provided on-site, if any,~~ based on the land use or combination of land uses on an individual lot.

SECTION II. Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 3 Standard Districts, Section 21-03.01 S1 Suburban Neighborhood 1, subsection (e) Access & Parking: Required Spaces; Section 21-03.02 S2 Suburban Neighborhood 2, subsection (e) Access & Parking: Required Spaces; Section 21-03.03 U1 Urban Neighborhood 1, subsection (e) Access & Parking: Required Spaces; Section 21-03.04 U2 Urban Neighborhood 2, subsection (e) Access & Parking: Required Spaces; Section 21-03.05 U3 Urban Neighborhood 3, subsection (e) Access & Parking: Required Spaces; Section 21-03.06 UF Urban Neighborhood Flex, subsection (e) Access & Parking: Required Spaces; Section 21-03.07 NC Neighborhood Center, subsection (e) Access & Parking: Required Spaces; and Section 21-03.08 DT Downtown, subsection (e) Access & Parking: Required Spaces are hereby deleted and replaced with a new subsection (e) Access & Parking: Required Spaces as follows:

Required Spaces

Off-street parking areas are not required for any use. Any off-street parking areas provided, even though not required, shall be developed in compliance with the standards set forth in Section 21-07.03.

SECTION III. Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 4 Special Districts, Section 21-04.01 OS Open Space, subsection (d) Access & Parking: Required Spaces; Section 21-04.02 U University, subsection (d) Access & Parking: Required Spaces; Section 21-04.03 C Commercial, subsection (d) Access & Parking: Required Spaces; and Section 21-04.04 I Industrial, subsection (d) Access & Parking: Required Spaces are hereby deleted and replaced with a new subsection (d) Access & Parking: Required Spaces as follows:

Required Spaces

Off-street parking areas are not required for any use. Any off-street parking areas provided, even though not required, shall be developed in compliance with the standards set forth in Section 21-07.03.

SECTION IV. Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 7 Access & Parking, Section 21-07.03 Vehicle Access & Parking is hereby deleted and replaced with a new Section 21-07.03 as follows:

Section 21-07.03: Vehicle Access & Parking

(a) Intent

This section is intended to assure that the design and construction of any motor vehicle parking areas meet minimum design standards necessary to promote efficient circulation.

(b) Applicability

Off-street parking spaces are not required for any use. However, any new off-street vehicle parking area provided shall be developed in accordance with the regulations of this section and the development standards of the applicable district of this Ordinance.

(c) Location of Vehicle Parking Areas

Off-street parking areas shall be located as specified in the applicable district.

(d) Off-Street Vehicle Parking Area Access

- (1) All off-street parking shall have direct access to a public right-of-way through an alley, driveway, or permanent access easement.
- (2) Whenever practical, if an alley is present and open to traffic, all vehicular access should take place from the alley. When an alley is not present, access to corner lots from a secondary street is preferable to access from a primary street.
- (3) The number and width of curb cuts shall be the minimum needed to provide reasonable access to the site. Curb cuts shall meet the standards of the Board of Public Works.
- (4) Where applicable, curb cuts should be placed to maximize the number of on-street parking spaces.
- (5) Shared driveways between abutting properties are encouraged provided that an access easement exists between all property owners.

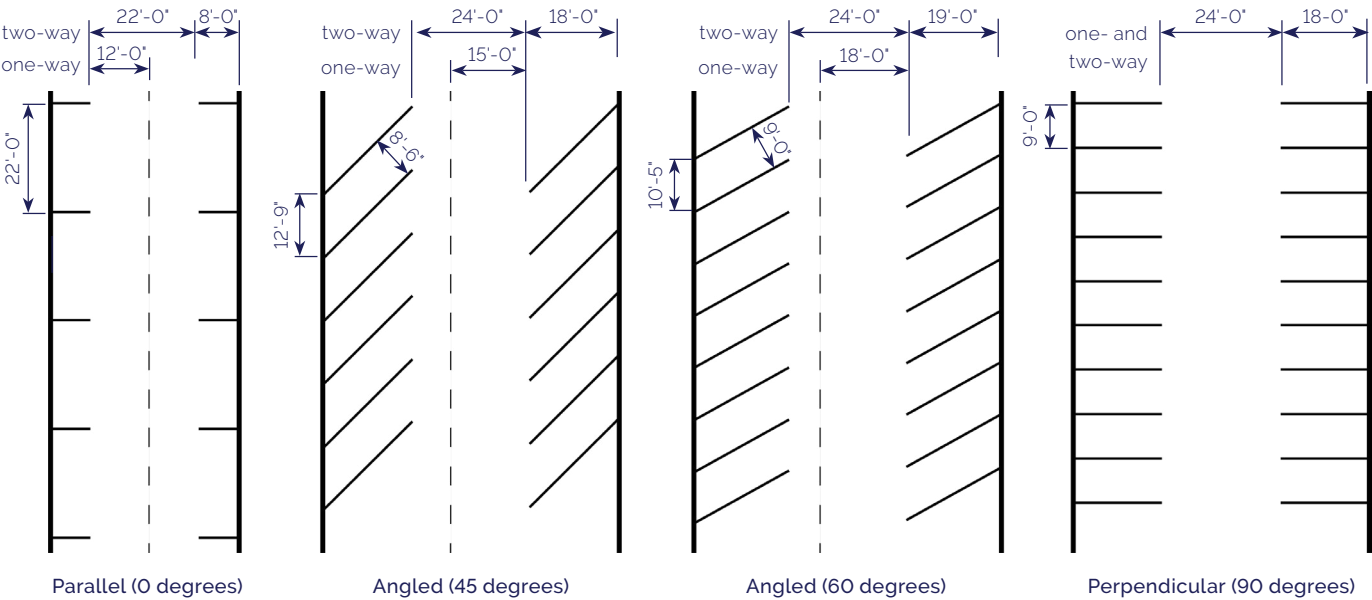
(e) Design and Construction of Off-Street Vehicle Parking Areas

The design and construction of all off-street parking areas shall be in compliance with the stricter of the regulations contained in this section or the minimum specifications prescribed by the Board of Public Works and in conformity with the Americans with Disabilities Act (ADA).

- (1) **Parking Area Layout.** The layout of all off-street parking areas shall be in compliance with [Table 21-07B](#) or the most recent version in the Architectural Graphic Standards for a Level of Service "A" or "B." An alley adjacent to the lot may be used to meet the requirement for drive aisle width.
- (2) **Landscape of Off-Street Parking Areas.** The landscape of all off-street parking areas with 4 or more spaces shall comply with the regulations contained in [Section 21-09.01\(o\)](#).
- (3) **Delineation of Off-Street Parking Areas.** All off-street parking areas with 4 or more spaces, excluding driveways, shall be:
 - (A) Identified by painted lines (minimum 4 inches in width), raised curbs, or other means to indicated individual spaces; and,
 - (B) Provided with a raised curb, wheel stops, or other devices to ensure that motor vehicles do not encroach beyond the off-street parking area or into a required setback.
- (4) **Surface of Off-Street Parking Areas.** Off-street parking areas and any driveway, interior access driveway, or interior access drive to and from such off-street parking areas shall be hard surfaced with asphalt, concrete, pervious pavement, pavers, or other material to provide a durable, dust-free surface, which meets or exceeds the minimum specifications prescribed by the Board of Public Works, provided, however, a temporary or seasonal use permitted by the district in which such temporary or seasonal use is located may use an unimproved or gravel surface for the duration of the temporary or seasonal use. If a temporary gravel surface is provided, such gravel shall be removed and the off-street parking area shall be returned to its prior condition immediately upon cessation of the temporary or seasonal use.

Table 21-07B: Parking Lot Design

Space Angle	Space Width	Parking Row Depth	Curb Width	Drive Aisle Width: One-Way	Drive Aisle Width: Two-Way
Parallel (0°)	8'	8'	22'	12'	22'
45°	8'-6"	18'	12'-9"	15'	24'
60°	9'	19'	10'-5"	18'	24'
Perpendicular (90°)	9'	18'	9'	24'	24'



(f) Required Parking for the Disabled

Every off-street vehicle parking area and parking garage available to the public shall have parking spaces reserved for the use of physically disabled persons as specified in [Table 21-07C](#) or as required by the latest federal ADA Accessibility Guidelines.

Table 21-07C: Minimum ADA Parking Spaces

Total Parking Spaces Provided	Minimum Number of ADA Parking Spaces
1 - 25	1
26 - 50	2
51 - 75	3
76 - 100	4
101 - 150	5
151 - 200	6
201 - 300	7
301 - 400	8
401 - 500	9
501 - 1000	2% of the total number of off-street vehicle parking spaces.
1001 and over	20, plus 1 for each 100 off-street vehicle parking spaces over 1000

- (1) Facilities which provide medical care and other services to persons with mobility impairments shall provide ADA Parking Spaces as follows:

- (A) Outpatient units and facilities. 10 percent of the total number of off-street vehicle parking spaces provided; and,
- (B) Units and facilities that specialize in treatment services for persons with mobility impairments. 20 percent of the total number of off-street vehicle parking spaces provided.

(g) Parking Structures

Parking structures shall be designed per the following standards.

- (1) In a NC or DT district, any parking structure fronting and within 50 feet of a public street shall be designed so that at least 75 percent of the linear width of the ground floor front and corner facades, measured from building corner to building corner and excluding pedestrian and vehicular entries,

is comprised of commercial tenant spaces. Each commercial tenant space shall have a minimum depth of 15 feet measured from the front or corner facade.

- (2) Parking structures shall be considered buildings, not parking, for the purpose of determining setbacks.

(h) Parking of Vehicles – General

- (1) Unless otherwise provided for in this Ordinance, the parking of motor vehicles on a lot without a primary building is prohibited.
- (2) Vehicles parked on a lot shall be related to the principal use of the lot or a use allowed in that district.
- (3) Except as otherwise provided in the applicable district, vehicles shall not be parked in an established front or corner yard. Parking areas serving a 1 or 2 unit dwelling shall be exempt from this requirement, provided that vehicles can be parked without blocking the sidewalk or any public way.

(i) Commercial and Recreational Vehicles

- (1) **Large Vehicles.** No tractor, trailer, tractor-trailer combination, or vehicle (including but not limited to a tow truck, dump truck, flatbed truck, semi-trailer, and the like) equal to or in excess of one and one half (1 ½) tons capacity, or which has a bed more than 8 feet long, may not be parked overnight on any land or premises except in a OS, U, C, or I district. However, the foregoing shall not apply to school buses used for the transportation of school children to and from school or to and from a school sponsored activity.
- (2) **Parking, Storing, Maintaining, or Keeping of Any Recreational Vehicle or Recreational Trailer.** Parked or stored recreational vehicles shall not be occupied or used for living, sleeping, or human habitation. Notwithstanding any provision in this Ordinance to the contrary, no recreational vehicle or recreational trailer shall be parked, stored, maintained or kept on any lot in a S1, S2, U1, U2, U3, or UF district unless in compliance with the following:

- (A) Recreational vehicles or recreational trailers may be parked or stored:
 - i. Inside an accessory building or garage; or
 - ii. Outside in such a manner that no part of the recreational vehicle shall project into any minimum required front, corner, or side setback for a primary building or any minimum required rear setback for an accessory building.
- (B) Not more than a total of two recreational vehicles or recreational trailers shall be permitted to be parked or stored in the open on the same lot at any one time.

SECTION V. This Ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor.

Member of the Common Council

Attest:

City Clerk

Presented by me to the Mayor of the City of South Bend, Indiana on the _____ day
of _____, 2020, at _____ o'clock _____. m.

City Clerk

Approved and signed by me on the _____ day of _____, 2020, at
_____ o'clock _____. m.

Mayor, City of South Bend, Indiana

Property Information

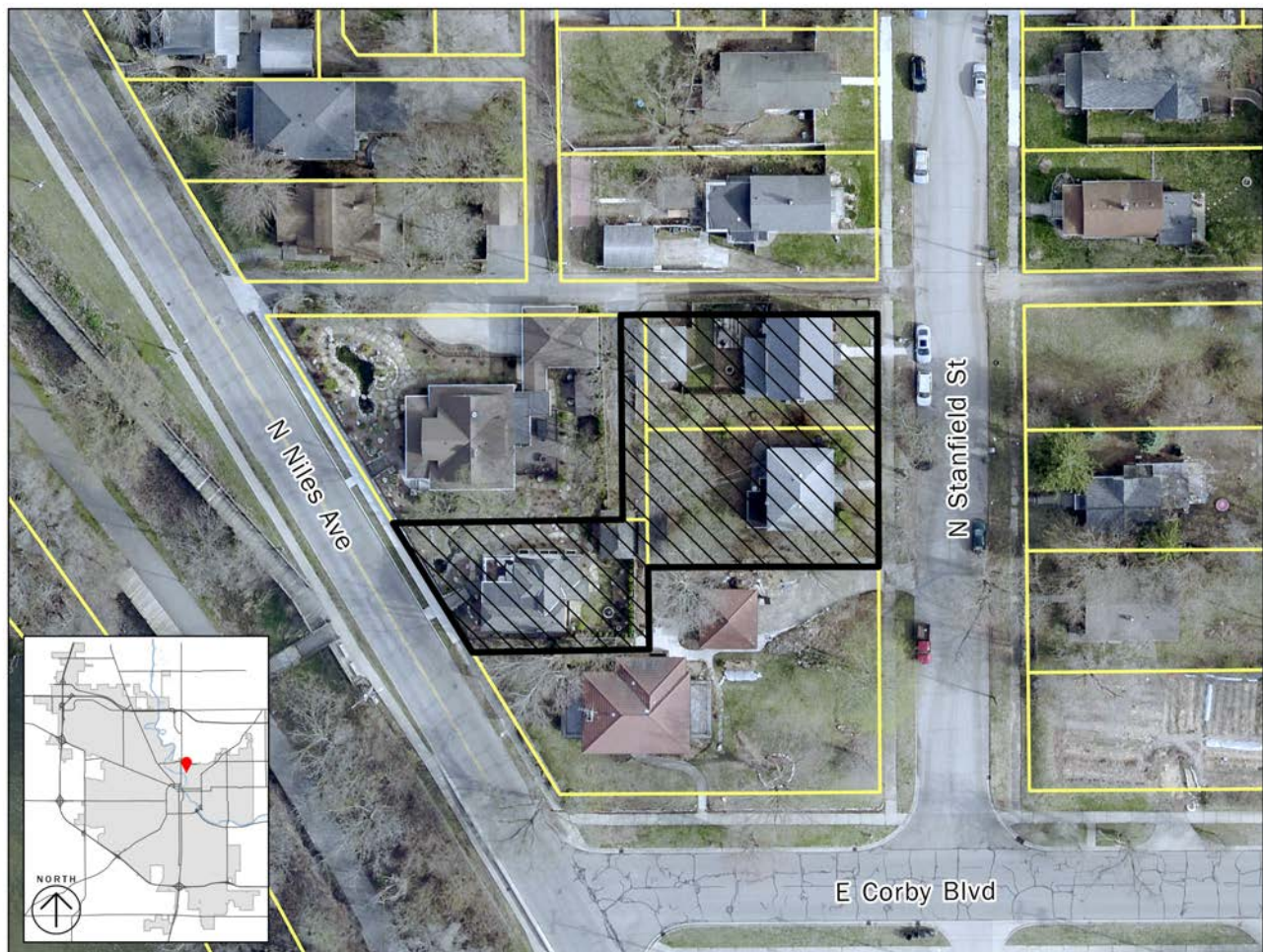
Subdivision Name: **Rask Minor Subdivision**

Location: This Minor Primary subdivision is located between Niles Avenue and Stanfield Street, approximately 65' north of Corby Boulevard

Requested Action

The total area of the subdivision is 0.35 acres and will consist of 2 building lots.

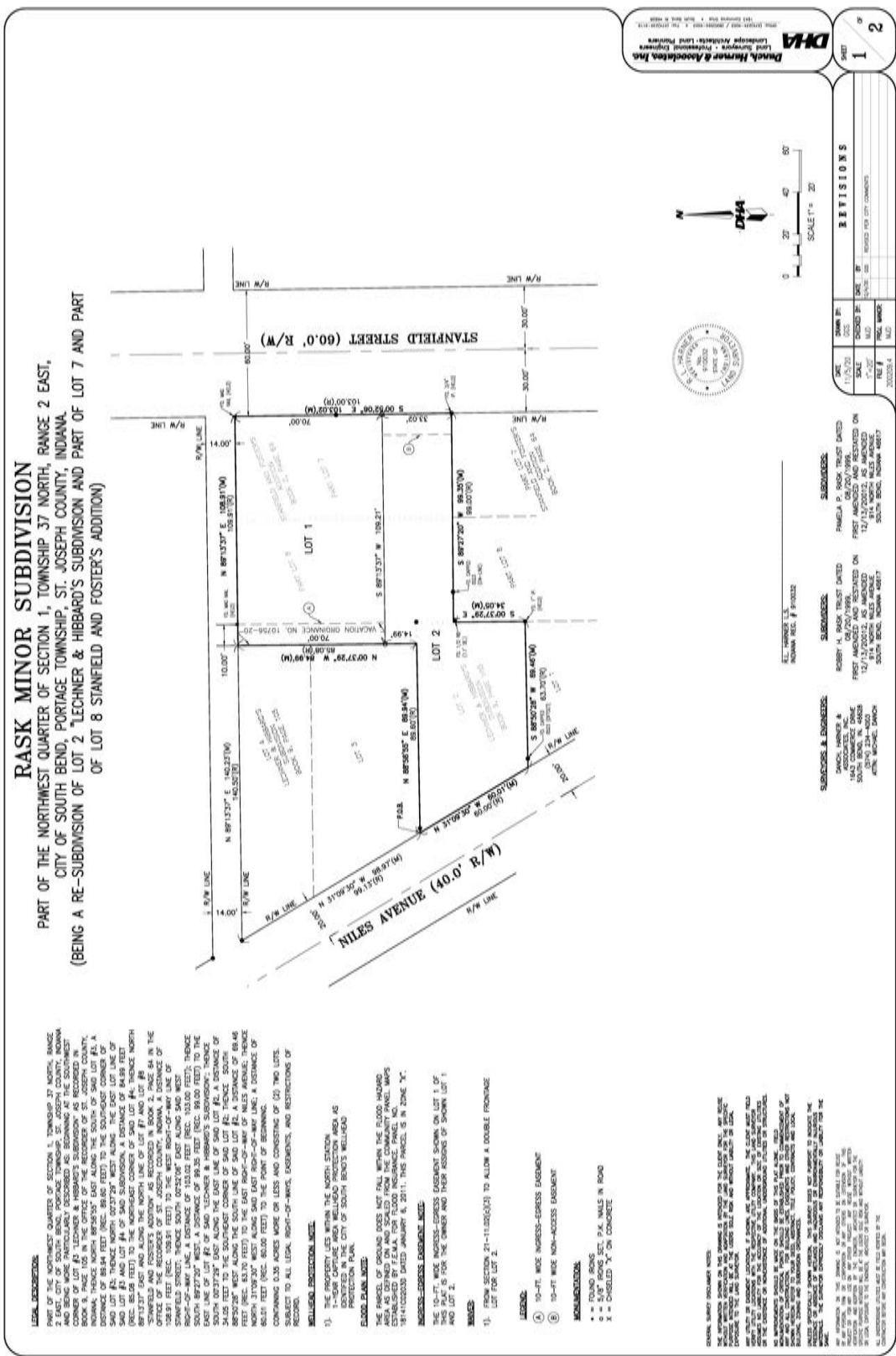
Location Map



Recommendation

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) The demolition of the existing homes along Stanfield. 2) The joining or demolition of at least 1 of the existing accessory structures on Lot 2.

Proposed Plat



Proposed Plat

RASK MINOR SUBDIVISION

PART OF THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 37 NORTH, RANGE 2 EAST,
CITY OF SOUTH BEND, PORTAGE TOWNSHIP, ST. JOSEPH COUNTY, INDIANA.
(BEING A RE-SUBDIVISION OF LOT 2, LECHNER & HIBBARD'S SUBDIVISION AND PART OF LOT 7 AND PART
OF LOT 8 STANFIELD AND FOSTER'S ADDITION)

OWNER'S CERTIFICATE

I, ROBERT H. RASK, TRUSTEE OF THE LAND DESCRIBED IN THE PLAT
HEREIN, AND "Said" and "I" HAVE CAUSED THE SAME TO BE SURVEYED AND SUBDIVIDED AS INDICATED HEREON,
UNDER THE STYLE AND TITLE THEREIN INDICATED, DATED THIS 12TH DAY OF NOVEMBER, 2020.

ROBERT H. RASK TRUST DATED 06/20/1999,
FIRST AMENDED AND RESTATED ON 12/13/20012,
914 NORTH NILES AVENUE
SOUTH BEND, INDIANA 46817

ROBERT H. RASK, CO-TRUSTEE OF THE
PAMELA P. RASK TRUST DATED 06/20/1999,
FIRST AMENDED AND RESTATED ON 12/13/20012,
AS AMENDED

PAMELA P. RASK, CO-TRUSTEE OF THE
PAMELA P. RASK TRUST DATED 06/20/1999,
FIRST AMENDED AND RESTATED ON 12/13/20012,
AS AMENDED

WITNESSES

STATE OF INDIANA)
COUNTY OF ST. JOSEPH) SS:
BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR SAID COUNTY AND STATE, DID PERSONALLY
APPEAR THE ABOVE NAMED PERSONNEL, AND (S) SEPARATELY AND SEVERALLY ACKNOWLEDGED THE
FOLLOWING INSTRUMENT AS HIS (THEIR) VOLUNTARY ACT AND DEED FOR THE PURPOSES HEREON
EXPRESSED: WITNESS MY HAND AND NOTARIAL SEAL THIS 2ND DAY OF NOVEMBER, 2020.

MY COMMISSION EXPIRES NOVEMBER 12, 2022

MICHAEL J. SWICH
NOTARY PUBLIC
RESIDENT OF ST. JOSEPH, INDIANA

OWNER'S CERTIFICATE

WE, THE UNDERSIGNED, OWNERS OF THE REAL ESTATE SHOWN AND DESCRIBED
HEREIN, HAVE CAUSED THE SAME TO BE SURVEYED AND SUBDIVIDED AS INDICATED HEREON,
UNDER THE STYLE AND TITLE THEREIN INDICATED, DATED THIS 12TH DAY OF NOVEMBER, 2020.

ALL STREETS, RIGHTS-OF-WAY, ALLEYS, FUTURE MONUMENTS, EASEMENTS, AND PUBLIC OPEN SPACES SHOWN AND
DESCRIBED IN THE PLAT HEREON, SHALL BE CONVEYED TO THE CITY OF SOUTH BEND, INDIANA, FOR THE
USE OF THE CITY OF SOUTH BEND, INDIANA, FOR THE PURPOSES OF THE CITY OF SOUTH BEND, INDIANA, THE
SUBDIVISION SHALL BE KNOWN AND DESIGNATED AS:

ALL STREETS, RIGHTS-OF-WAY, ALLEYS, FUTURE MONUMENTS, EASEMENTS, AND PUBLIC OPEN SPACES SHOWN AND
DESCRIBED IN THE PLAT HEREON, SHALL BE CONVEYED TO THE CITY OF SOUTH BEND, INDIANA, FOR THE
USE OF THE CITY OF SOUTH BEND, INDIANA, FOR THE PURPOSES OF THE CITY OF SOUTH BEND, INDIANA, THE
SUBDIVISION SHALL BE KNOWN AND DESIGNATED AS:

WITNESSES

STATE OF INDIANA)
COUNTY OF ST. JOSEPH) SS:
BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON 12/13/2020, PERSONALLY APPEARED
THE ABOVE NAMED WITNESSES TO THE FOLLOWING INSTRUMENT, BEING BY ME DULY SHOWN, DO DEPOSE AND SAY
THAT, AS THE KNOWN ROBERT H. RASK AND PAMELA P. RASK, DO BE THE INDIVIDUALS DECLARED IN AND WHO EXECUTED THE
FOLLOWING INSTRUMENT AS HIS (THEIR) VOLUNTARY ACT AND DEED FOR THE PURPOSES HEREON EXPRESSED, THE
SAME, AND THAT SAID WITNESSES AT THE SAME TIME SUBSCRIBED HIS/HER NAME AS A WITNESS THEREIN.

WITNESS MY HAND AND NOTARIAL SEAL THIS 2ND DAY OF NOVEMBER, 2020.

MY COMMISSION EXPIRES NOVEMBER 12, 2022

REVISIONS

DATE	REVISION	BY
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	3	SS
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Project Details

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

Recommendation

Staff Comments: The petitioner is requesting the following waiver: 1.) From Section 21-11.02(c)(3) To allow a double frontage lot for Lot 2.

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) The demolition of the existing homes along Stanfield. 2) The joining or demolition of at least 1 of the existing accessory structures on Lot 2.

Property Information

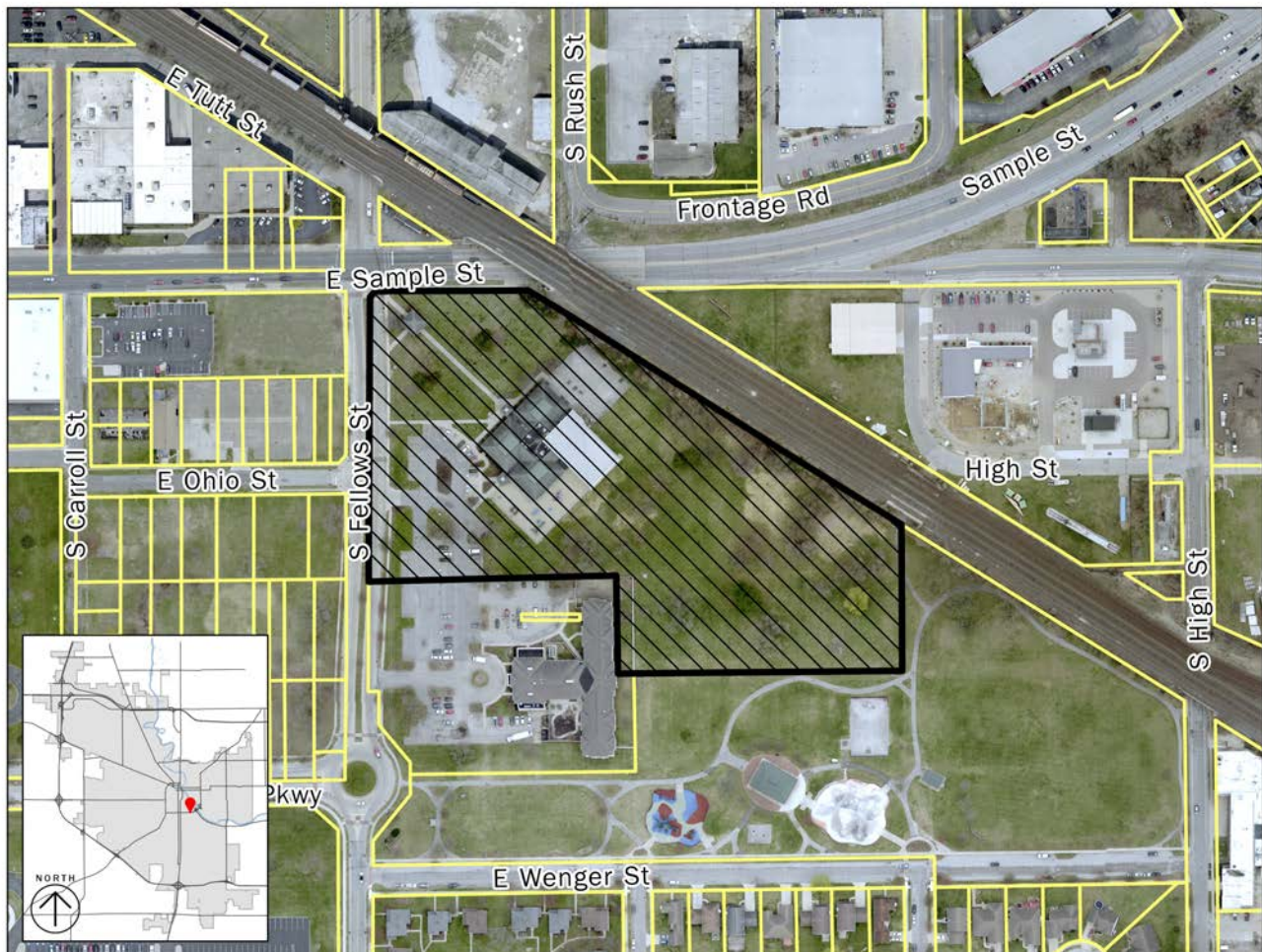
Subdivision Name: **Fellows Street Family & Children's Center Minor Subdivision**

Location: This Minor Primary subdivision is located the southeast corner of Sample Street and Fellows Street

Requested Action

The total area of the subdivision is 3.87 acres and will consist of 2 building lots.

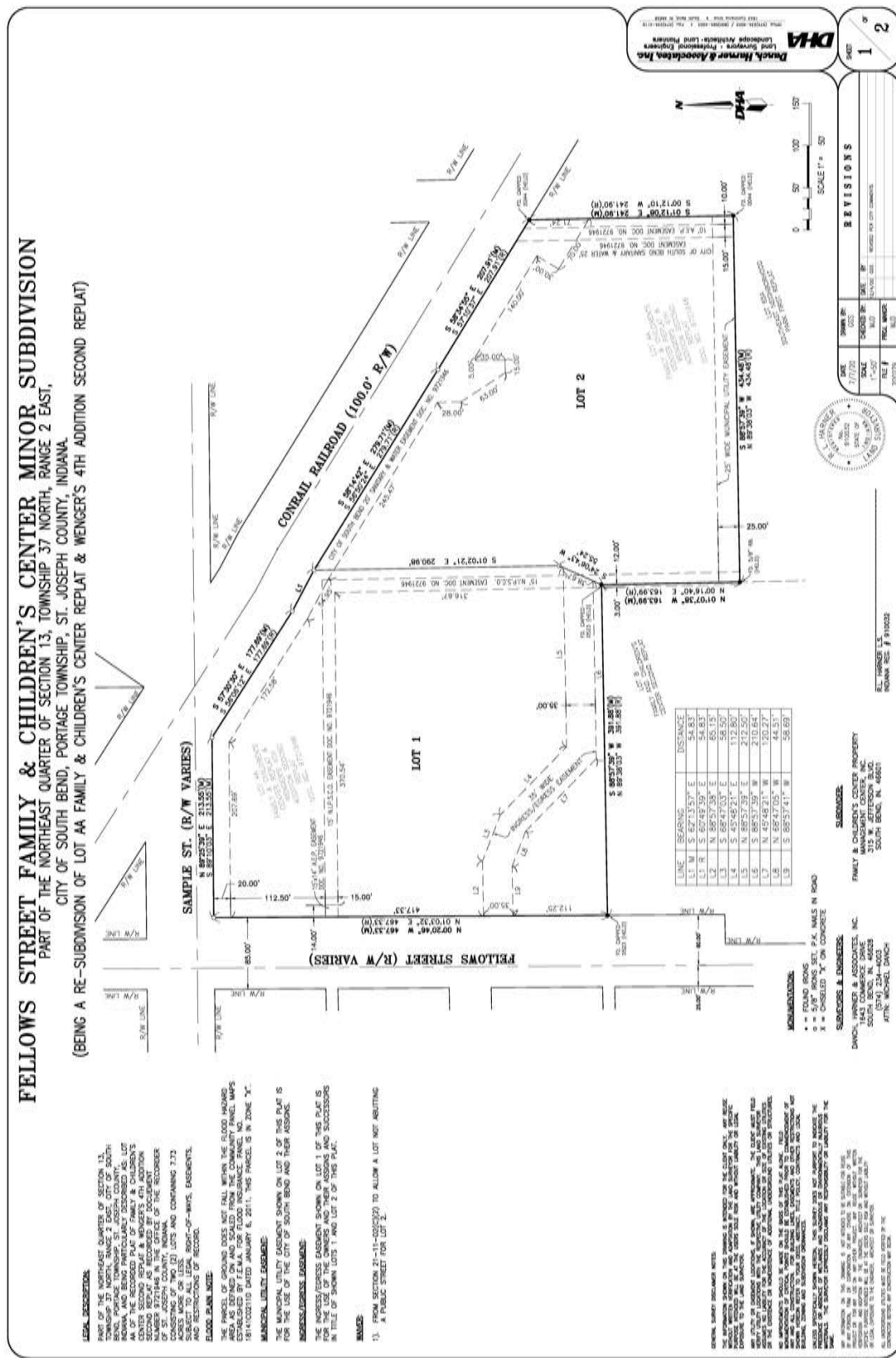
Location Map



Recommendation

Staff Recommendation: The Staff has reviewed this subdivision and finds that if the waivers are granted, 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.

Proposed Plat



Proposed Plat

[illegible]

Project Details

Environmental Data: A check of the Agency's maps indicates that no environmental hazard areas or wetlands are present.

Rights-Of-Way: The rights-of-way are correct as shown.

Utilities: The site will be served by Municipal Water and Municipal Sewer.

Agency Comments: All agency concerns have been rectified.

Recommendation

Staff Comments: The petitioner is seeking the following waiver: 1.) From Section 21-11-02(c)(2) To allow a lot not abutting a public street for Lot 2.

Staff Recommendation: The Staff has reviewed this subdivision and finds that if the waivers are granted, 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.