



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, September 15, 2025 - 4:00 P.M.

County-City Building
Fourth-Floor Council Chambers

<https://tinyurl.com/sbplancommission-2025>

Meeting Recordings – <https://tinyurl.com/Plan-Commission2025>

PUBLIC HEARING:

A. REZONINGS

- 1 **Location:** 54528 WILLIS AVE and 54638 WILLIS AVE and 54606 WILLIS AVE and 54570 WILLIS AVE and 54550 WILLIS AVE and 54528 WILLIS AVE and 54610 WILLIS AVE and 54650 WILLIS AVE
PC#0268-25

Petitioner: TREMATERRA FAMILY LAND HOLDINGS INC

Requested Action:

Rezoning: From R Single Family District (County) to U3 Urban Neighborhood 3

Variance(s): From the 4 story maximum building height to 5 stories (21-03.05(f)); From the maximum building width for a stacked flats building type of 120' to 282' (21-08.02(j)(3)); From the Maximum Building Height of 55' to 59' (21-03.05(f))

- 2 **Location:** 431 DUNDEE ST PC#0269-25

Petitioner: STEFAN BORYSIK

Requested Action:

Rezoning: From U1 Urban Neighborhood 1 to U2 Urban Neighborhood 2
Special Use: Dwelling, Multi-unit (21-06.01(j)(5))

B. MAJOR SUBDIVISIONS

- 1 **Name:** Lafayette Falls Major Subdivision PC#0279-25
Location: South of Lafayette Falls Phase IV, Section 2

C. TEXT AMENDMENTS - None for consideration

ITEMS NOT REQUIRING A PUBLIC HEARING:

A. MINOR SUBDIVISIONS

- 1 **Name:** RDC Old Cleveland Road Minor Subdivision PC#0280-25
Location: S/W Corner of Old Cleveland Road and Nimtz Parkway
- 2 **Name:** Portage Prairie Business Park - Phase 3 Minor Subd PC#0277-25
Location: East of US 31 at MI/IN State Line



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- B. FINDINGS OF FACT - August 18, 2025
- C. UPDATES FROM STAFF
- D. MINUTES - August 18, 2025
- E. ADJOURNMENT

Commissioner	Appointing Agency	Term Start	Term End
Dr. Oliver Davis	Council Appointee		Until appointed
John Martinez	Venues, Parks and Arts Appointee		Until reappointed
Sarah Barber	City Engineer Appointee		Until reappointed
Scott Ford	Bureau of Public Works Appointee		Until reappointed
Francisco Fotia	Mayoral Appointee	1/1/2022	1/1/2026
Caitlin Stevens	Mayoral Appointee	1/1/2024	12/31/2027
Tyler Gillean	Mayoral Appointee (Non-Democrat)	1/1/2024	12/31/2027
Maureen Miller	Mayoral Appointee	9/1/2024	12/31/2025

NOTICE FOR HEARING AND SIGN IMPAIRED PERSONS

Auxiliary Aid or other services may be available upon request at no charge. Please give reasonable advance request when possible.

Property Information

Location: 54528 WILLIS AVE and 54638 WILLIS AVE and 54606 WILLIS AVE and 54570 WILLIS AVE and 54550 WILLIS AVE and 54528 WILLIS AVE and 54610 WILLIS AVE and 54650 WILLIS AVE
 Owner: TREMATERRA FAMILY LAND HOLDINGS INC

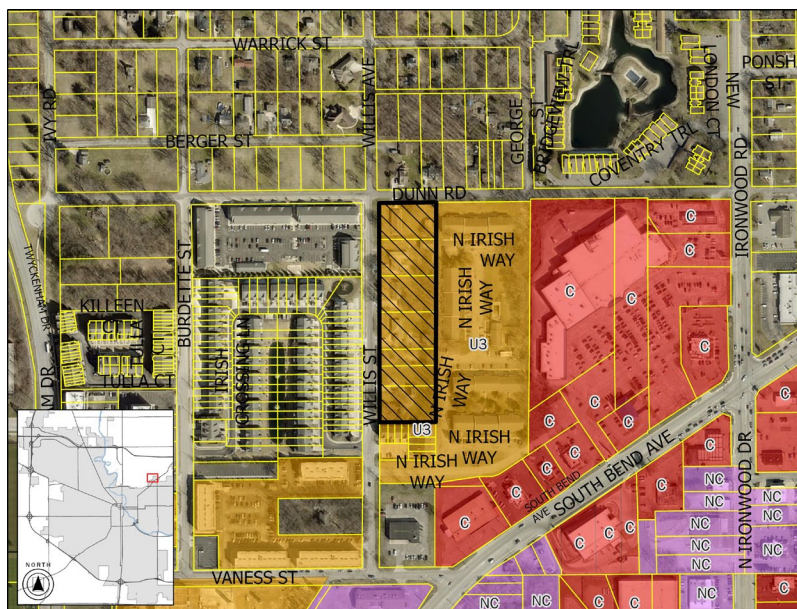
Requested Action

- Rezone from R Single Family District (County) to U3 Urban Neighborhood 3
- Variance(s):
 - From the 4-story maximum building height to 5 stories (21-03.05(f))
 - From the maximum building width for a stacked flats building type of 120' to 282' (21-08.02(j)(3))
 - From the Maximum Building Height of 55' to 59' (21-03.05(f))

Project Summary

The Petitioners are requesting to annex and rezone the property to develop multi-story buildings having a maximum height of five stories. Access to the site would be from Dunn Road and Willis Avenue and the proposed buildings would face both public streets. A fifth floor on each building would take advantage of views towards the Notre Dame campus.

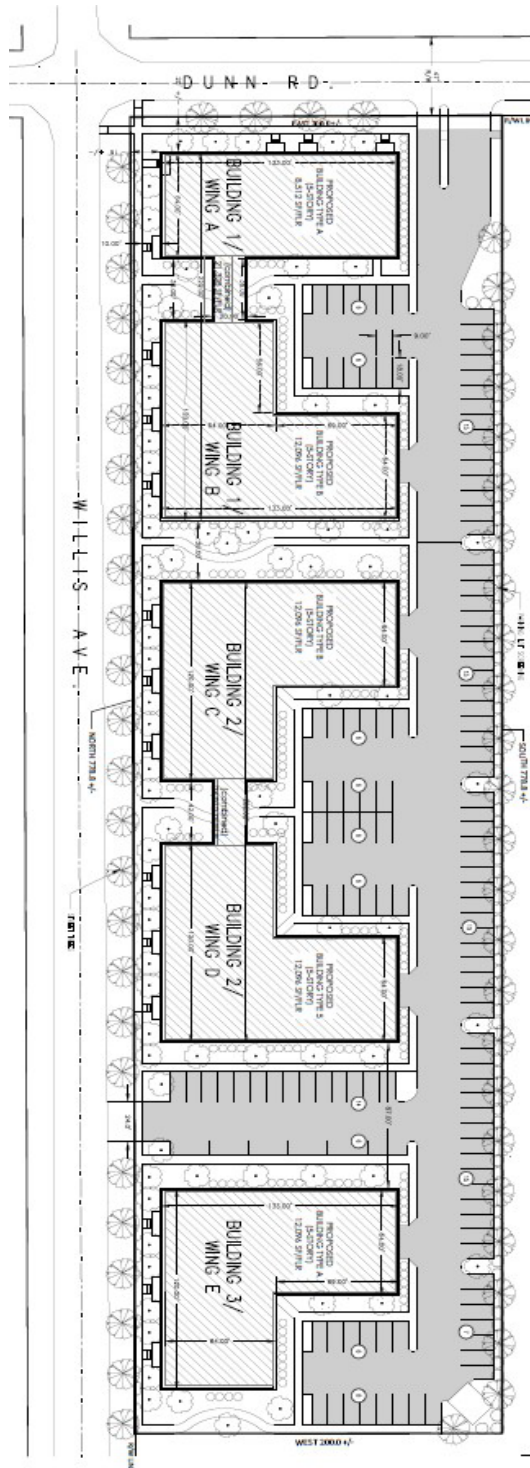
Location Map



Recommendation

Staff Recommendation: Based on information available prior to the public hearing, the staff recommends the Plan Commission approve the building width variance, deny the height/story variances as presented and send the annexation/rezoning petition to the Common Council with a favorable recommendation.

Proposed Site Plan



PRELIMINARY SITE PLAN
 A PART OF THE SOUTHEAST QUARTER, SECTION 31, TOWNSHIP 38 N, RANGE 3 E,
 CLAY TOWNSHIP, ST JOSEPH COUNTY, INDIANA.



Site & Context

Land Uses and Zoning:

On site: 5 one-unit dwellings
North: 2 one-unit dwellings zoned R Single Family District (County)
East: Multiunit dwellings zoned Urban Neighborhood 3 (U3)
South: Multiunit dwellings zoned Urban Neighborhood 3 (U3)
West: Multiunit dwellings zoned R-2 Multi-Family District (County) and Planned Unit Development (County)

District Intent:

The U3 District is established to provide for, promote, and maintain the development of a full range of housing types located near neighborhood centers and along major streets in urban neighborhoods in core and outlying areas of the City.

Site Plan Description:

The site will feature 3 stacked flats buildings facing Willis Avenue with a parking lot in the rear

Zoning and Land Use History and Trends:

The existing one-unit dwellings were developed in the 1960s. Similar multiunit residential development has occurred around this parcel over the past 20 years.

Traffic and Transportation Considerations:

At this site, Willis Street is about 22' wide with one lane of traffic in either direction. There is no sidewalk on the development side of the street, but there is a sidewalk across the street at the townhouse development. Dunn Road is about 20' wide with one lane of traffic in either direction. It has no sidewalks.

Agency Comments

Agency Comments:

The street will need to be brought up to current City Standards, including curb, sidewalk, and storm sewer.

Stormwater from the street will need to go into the on-site stormwater storage system since there is no City storm network nearby to connect into. Sanitary sewer will need to be extended. The sanitary pump stations currently do not have the capacity to take on more flow. The developer will need to cover the cost of pump station upgrades. The water main may need to be upsized. It is currently only 6". The current City Standard for water main is a minimum of 8". The developer will need to evaluate the capacity of the existing 6" main to determine whether it is adequate to take on the additional demand from the development.

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:

Objective LU 6.1 Promote orderly and planned growth that expands outward from current city limits.

Objective LU 7.2 Require the annexation of contiguous property being serviced with City utilities, where legally feasible, to provide for future uses as identified in the Future Land Use Map.

Land Use Plan:

The comprehensive plan's future land use map identifies this area for low- to medium-density residential use.

Plan Implementation/Other Plans:

None

2. Current Conditions and Character:

The surrounding area is mostly detached houses, townhomes, and multiunit stacked flats. There are auto-oriented commercial uses along State Road 23 to the east and the University of Notre Dame is to the west.

3. Most Desirable Use:

The most desirable use is medium-density residential.

4. Conservation of Property Values:

Developing a new residential project on property that is one-unit dwellings near the University of Notre Dame will contribute to the growth and value of the surrounding properties.

5. Responsible Development and Growth:

It is responsible to allow multi-unit development near the University of Notre Dame where there is high housing demand.

Variance(s)

The petitioner is seeking the following variance(s):

- From the 4 story maximum building height to 5 stories (21-03.05(f))
- From the maximum building width for a stacked flats building type of 120' to 282' (21-08.02(j)(3))
- From the Maximum Building Height of 55' to 59' (21-03.05(f))

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.

The approval of these variances should not be injurious to the public health, safety, morals, and general welfare of the community. The building is similar to structures that have been developed and are under development nearby.

(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.

The use and value of the area adjacent to the property included in the variance should not be affected in a substantially adverse manner. The height and building width should not have these

negative impacts on the adjacent properties

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

A strict application the ordinance would not allow for the building in its current design, although the buildings receiving the variance read as two separate and zoning compliant structures and meet the intent of the ordinance. There is no practical difficulty in building to only four stories and 55.' New construction nearby has been able to stay within the 55' height limit in its development with just four stories of residential space.

(4) The variance granted is the minimum necessary.

The height/story variances are not the minimum necessary. The height maximum for this district is 4 stories and 55' and the project can be developed at that scale. Of nearby projects of the same scale, none have fifth-floor residential space, and only Varsity View exceeds the 55', as the first floor had to be taller to fit a fire truck underneath the primary structure to provide rear access. The building width is the minimum necessary as the buildings will read as separate structures with a combination of elevated hallways setback from the street facing facades and multiple entrances from the street.

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

The need to exceed the 55' height limit is caused by the owner's design. The district's height standards have been maintained by other developments within the neighborhood. The variance for the building width does not correct a hardship caused by a former or current owner of the property.

Analysis & Recommendation

Commitments: No commitments are proposed.

Analysis: Annexing and zoning this property U3 will permit the further activation of this area where there is high demand for housing.

Recommendation: Based on information available prior to the public hearing, the staff recommends the Plan Commission approve the building width variance, deny the height/story variances as presented and send the annexation/rezoning petition to the Common Council with a favorable recommendation.

Property Information

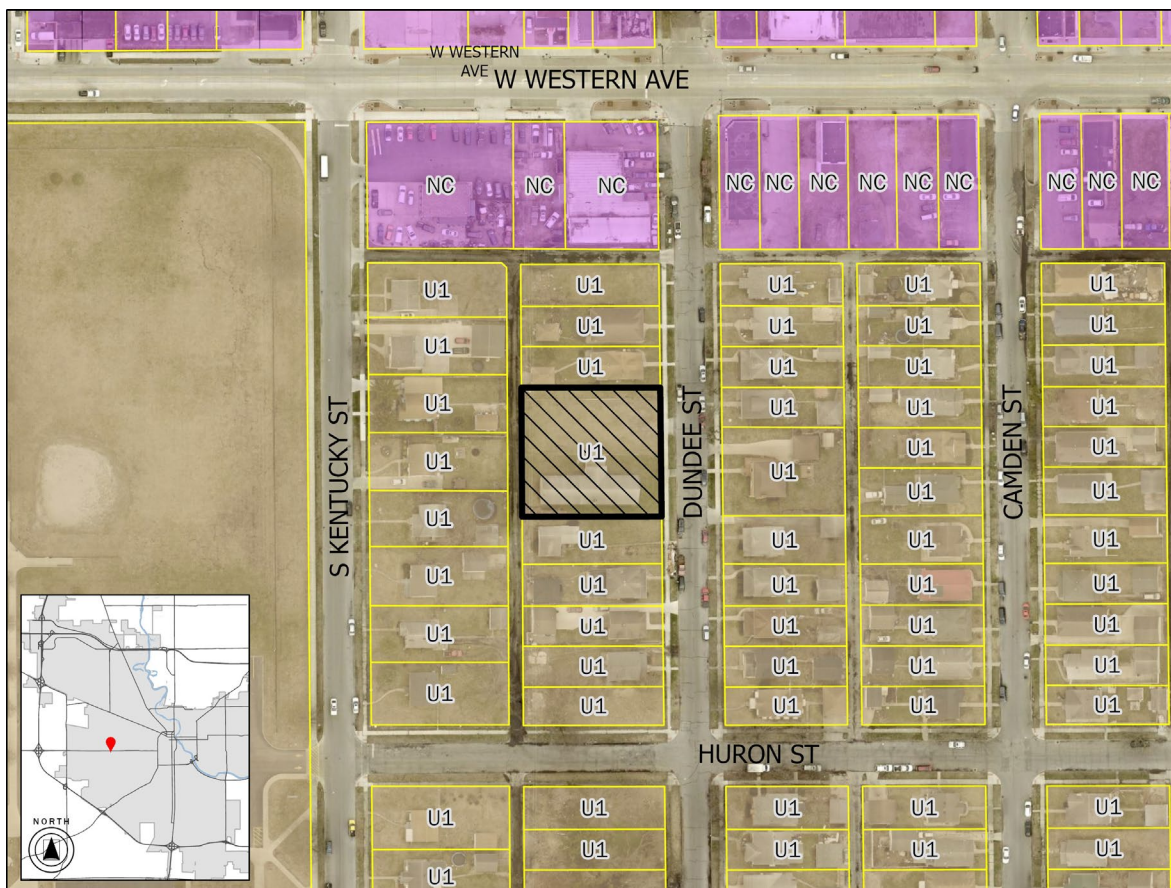
Location: 431 DUNDEE ST
Owner: STEFAN BORYSIK

Requested Action

- Rezone from U1 Urban Neighborhood 1 to U2 Urban Neighborhood 2
 - Special Exception: Dwelling, Multi-unit (21-06.01(j)(5))
-

Project Summary

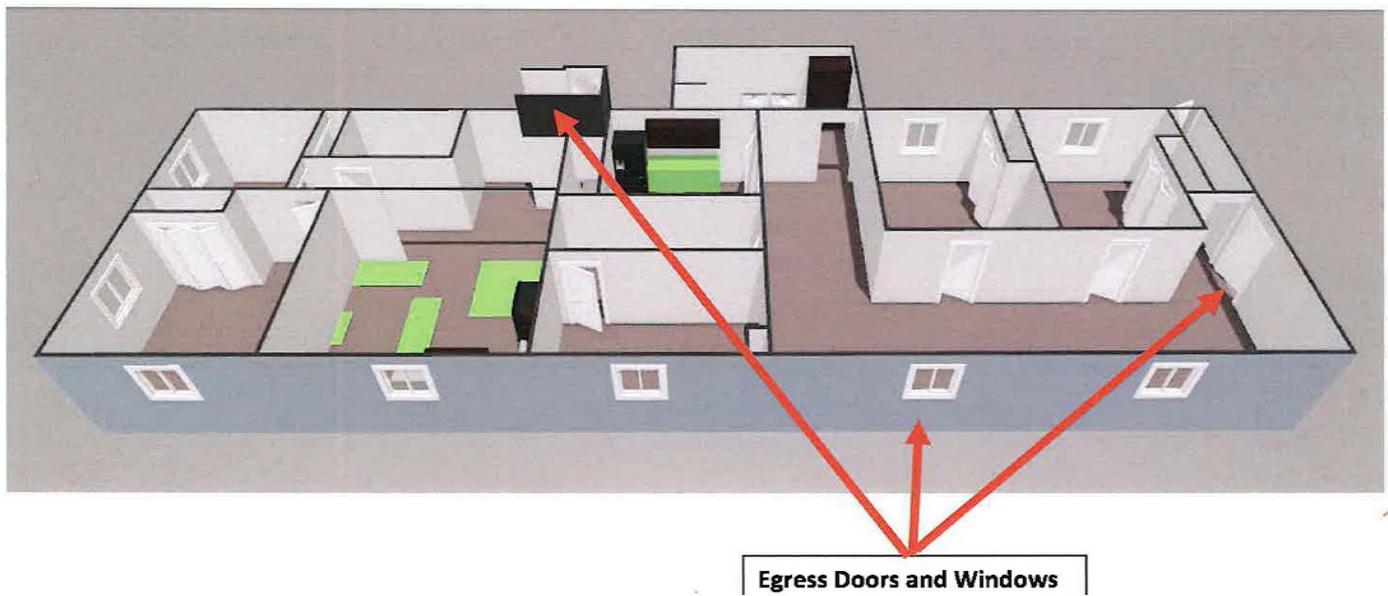
Renovating the existing structure to permit a 4 unit multifamily development.

Location Map

Recommendation

Staff Recommendation: Based on information available prior to the public hearing, the staff recommends the Plan Commission send the rezoning and special exception petitions to the Common Council with an unfavorable recommendation.

Proposed Site Plan



Site & Context

Land Uses and Zoning:

On site: Convert an existing vacant building into multi-unit (4 unit) residential dwelling.

North: A single-unit dwelling zoned U1 Urban Neighborhood 1

East: Single-unit dwellings zoned Urban Neighborhood (U1)

South: A single-unit dwelling zoned Urban Neighborhood 1 (U1)

West: Single-unit dwellings zoned Urban Neighborhood 1 (U1)

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:

Conversion to fourplex. Half the lot was used as a parking lot stemming from past use as a church.

Zoning and Land Use History and Trends:

Parcel used as a place of worship dating back to 1931. Western Avenue is a half-block north and Harrison Elementary School is a block to the west.

Traffic and Transportation Considerations:

To the east is Dundee Street, two-way street with on-street parking. A public alley is to the west of property.

Agency Comments

Agency Comments:

No additional comments at this time.

Criteria for Decision Making

Rezoning

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

1. Comprehensive Plan:

Policy Plan:

This application is inconsistent with the South Bend City Plan (2006) Objective H.4 Ensure well-designed, infill housing on vacant land in the city's neighborhood.

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:

There are no other plans for this area.

2. Current Conditions and Character:

Dundee Street is made up of detached homes within the U1 District. This project would be similar in use and scale.

3. Most Desirable Use:

The most desirable use for this property within the current zone is low to medium density residential housing that will fit the established character of the neighborhood.

4. Conservation of Property Values:

Revitalizing this currently vacant duplex to a renovated fourplex should contribute to the growth and value of the surrounding properties.

5. Responsible Development and Growth:

Responsible development of this property would be the continuity of housing with densities permitted in U2.

Special Exception

The petitioner is seeking a Special Use to allow:

Dwelling, Multi-unit (21-06.01(j)(5))

A Special Use may only be granted upon making a written determination, based upon the evidence presented at a public hearing, that:

(1) The proposed use will not be injurious to the public health, safety, comfort, community moral standards, convenience or general welfare;

The proposed use should not be injurious to the public health, safety, morals or general welfare of the community. The general welfare and stability of the community could benefit from the increased variety of housing types. Approval of the Special Exception should not affect the general welfare of the community, as the residence would add rental housing units to the neighborhood and use a building the had sat vacant for several years.

(2) The proposed use will not injure or adversely affect the use of the adjacent area or property values therein;

Allowing conversion of the existing single unit residential dwelling should not injure or adversely affect the use or value of the adjacent area or property values, provided the current residential character is maintained. Property values would be adversely affected if the project does not meet the district and building standards in the City's Zoning Ordinance.

(3) The proposed use will be consistent with the character of the district in which it is located and the land uses authorized therein;

This four-unit dwelling will be consistent with the character of the district and neighborhood in both use and style of construction.

(4) The proposed use is compatible with the recommendations of the Comprehensive Plan.

The petition is consistent with the City Plan, South Bend Comprehensive Plan (2006) Objective H1.1: Encourage residential developments to contain a mix of housing types, densities, price ranges, and amenities.

Analysis & Recommendation

Commitments: No commitments are proposed

Analysis: Rezoning this property would not be consistent with the City Plan to provide well-designed housing on vacant spaces. As this project features a former church, it must resemble the residential nature of the neighborhood before becoming a residential use. The designs provided at the time of this report do not meet the standards set forth in the zoning ordinance. Special exceptions for converting existing structures into multi-unit dwellings in Urban Neighborhood 2 are required to encourage property owners to use good building design and to bring existing structures into compliance with the zoning code. The designs provided do not fulfill that compliance.

Recommendation: Based on information available prior to the public hearing, the staff recommends the Plan Commission send the rezoning and special exception petitions to the Common Council with an unfavorable recommendation.

Property Information

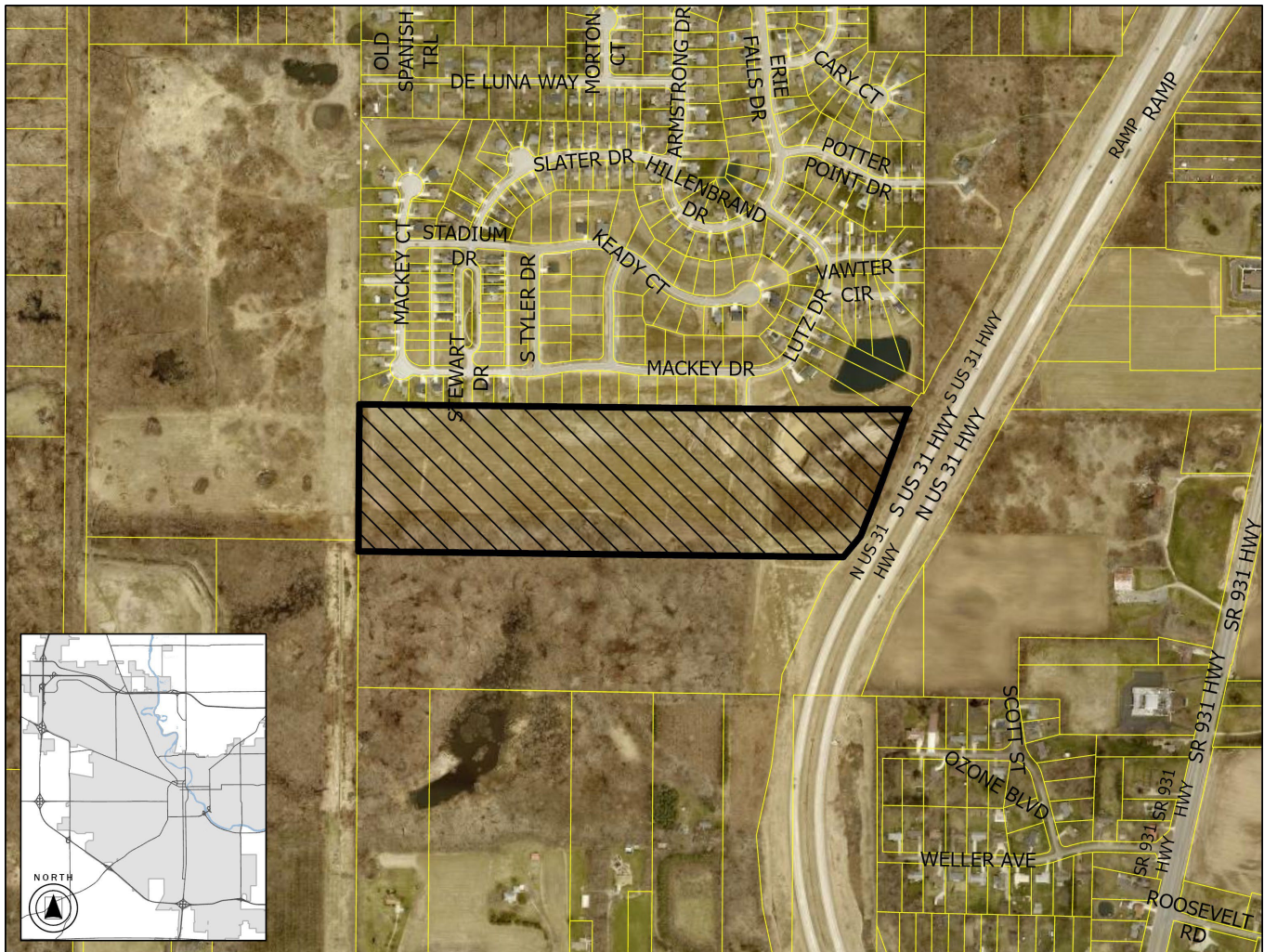
Subdivision Name: **Lafayette Falls Major Subdivision**

Location: South of Lafayette Falls Phase IV, Section 2

Requested Action

The total area of the subdivision is 40.89 acres and will consist of 109 building lots.

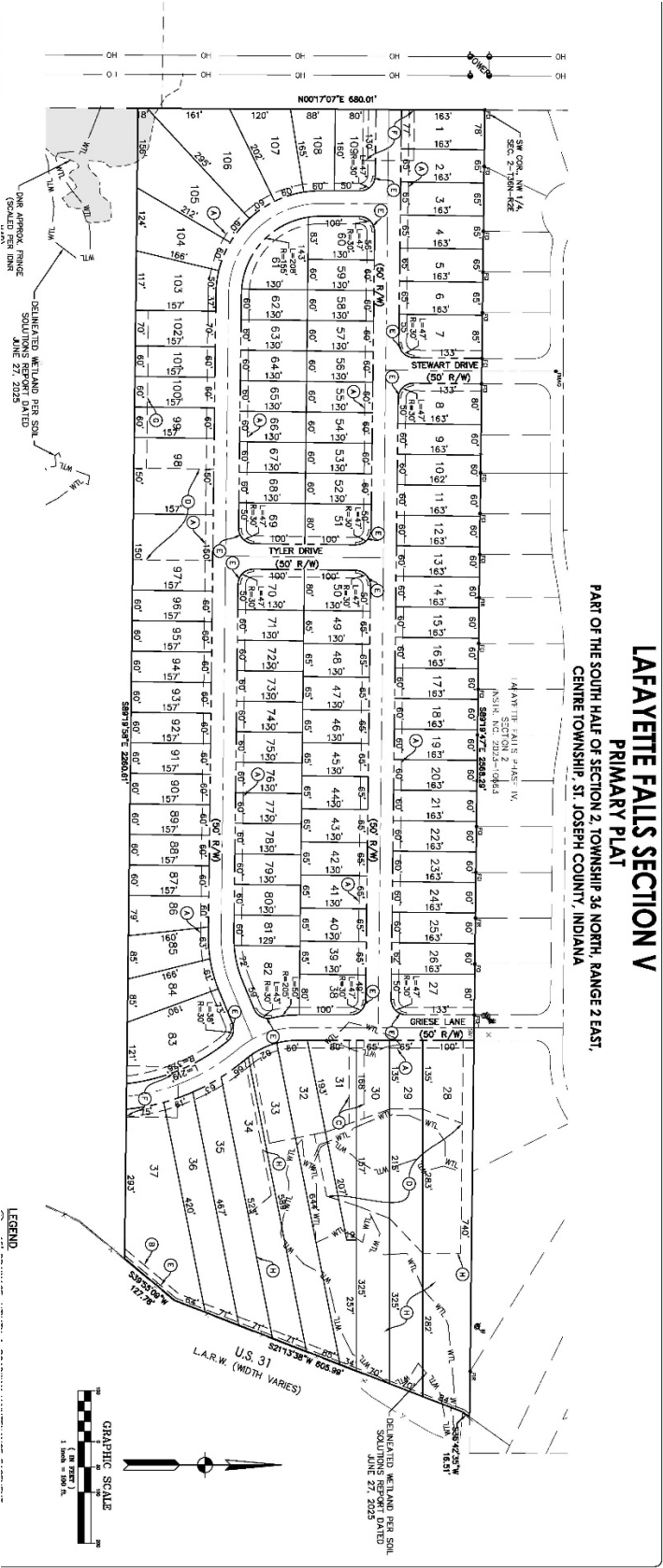
Location Map



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.

Proposed Site Plan



Project Details

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

Drainage:

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:

Engineering will need to review a complete construction plan set, including an access plan and drainage plans. Curb and sidewalk will need to be installed throughout the development, including curb ramps at intersections.

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.

Property Information

Subdivision Name: **RDC Old Cleveland Road Minor Subdivision**

Location: S/W Corner of Old Cleveland Road and NimtZ Parkway

Requested Action

The total area of the subdivision is 15.21 acres and will consist of 3 building lots.

Location Map



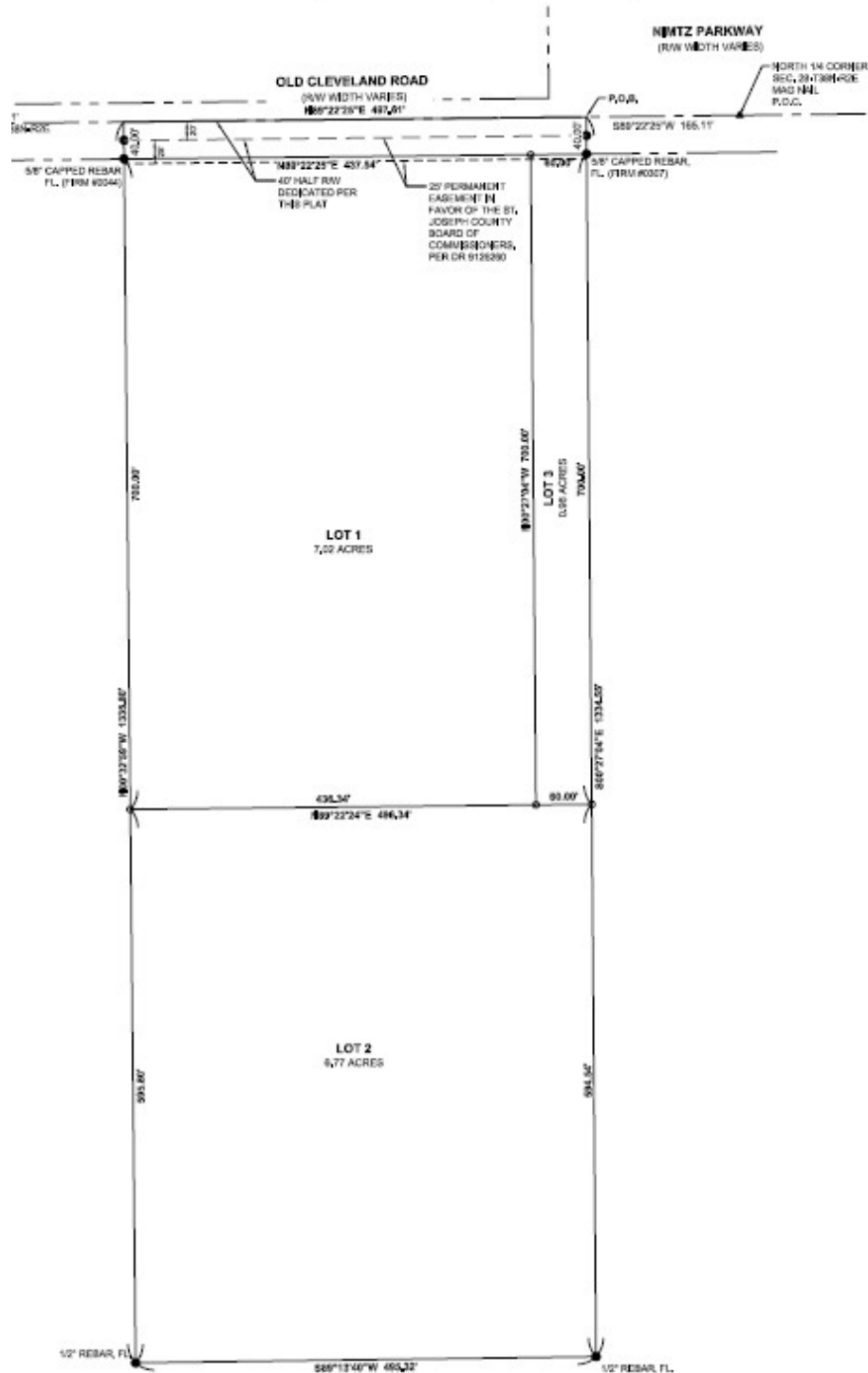
Recommendation

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 and associated waiver be granted Approval subject to indicating “South Bend Subdivision Control Ordinance” in the Deed of Dedication and indicating the locations of any wells or septic on the site.

Proposed Plat

RDC OLD CLEVELAND ROAD MINOR SUBDIVISION

A PART OF THE NORTHWEST QUARTER OF SECTION 28 TOWNSHIP 38 NORTH, RANGE 2 EAST,
GERMAN TOWNSHIP, CITY OF SOUTH BEND, ST. JOSEPH COUNTY, INDIANA



Project Details

Environmental Data:	A check of the Agency's maps indicates that no environmental hazard areas or wetlands are present.
Drainage:	
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:	Indicate "South Bend Subdivision Control Ordinance" in the Deed of Dedication and indicate the locations of any wells or septic on the site

Recommendation

Staff Comments: Waiver from 21-11.02(c)(2) Every lot shall abut on a public street

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 and associated waiver be granted Approval subject to indicating "South Bend Subdivision Control Ordinance" in the Deed of Dedication and indicating the locations of any wells or septic on the site.

Property Information

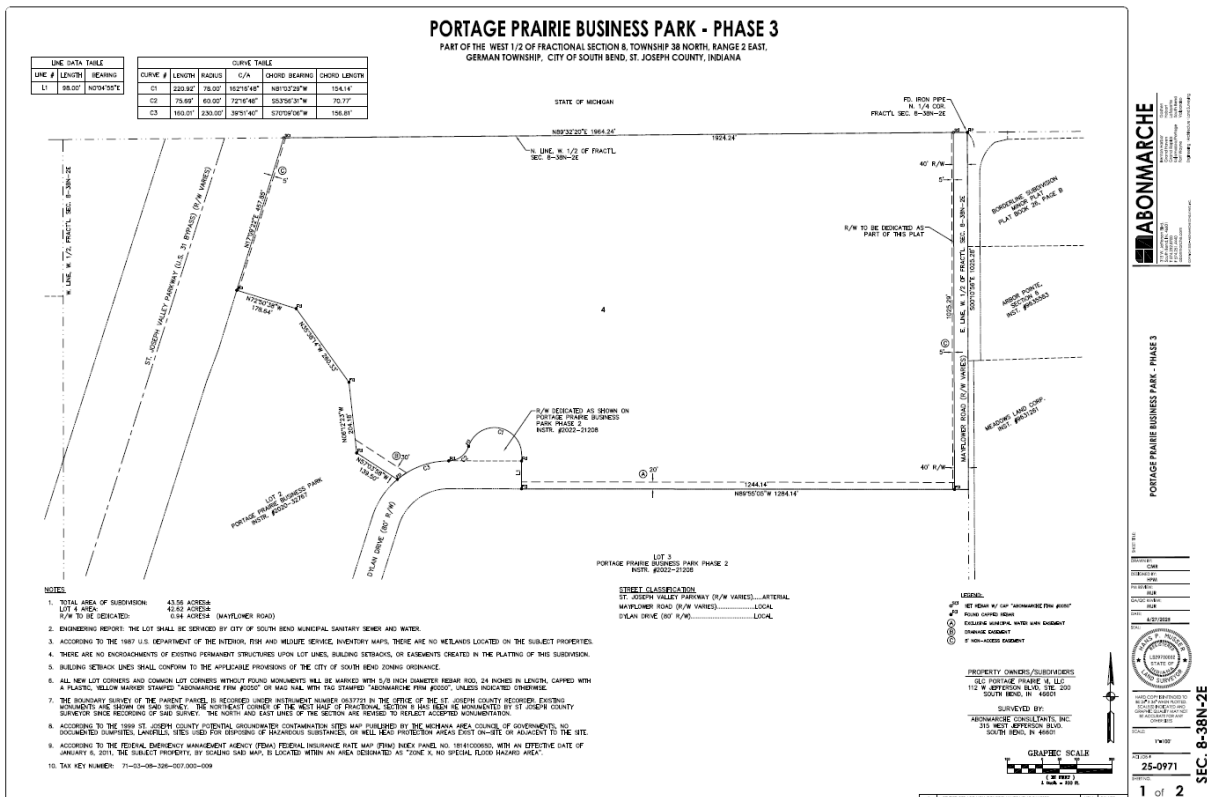
Subdivision Name: **Portage Prairie Business Park - Phase 3 Minor**

Location: East of US 31 at MI/IN State Line

Requested Action

The total area of the subdivision is 43.56 acres and will consist of 1 building lot.

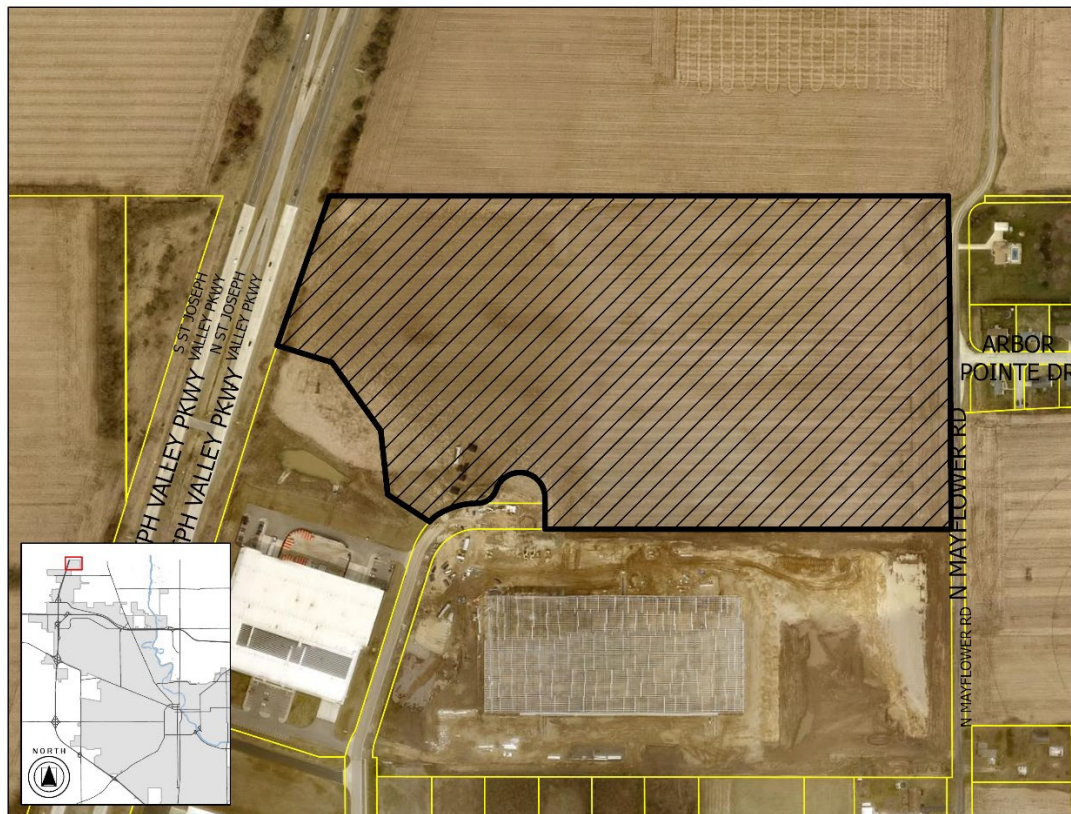
Location Map



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.

Proposed Plat



Project Details

Environmental Data:

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

Drainage:

An updated drainage plan will be required to include Lot 4.

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:

Engineering - ROW will need to be dedicated for a permanent turnaround. ROW will need to be dedicated for Mayflower. Regarding the access plan, plans will need to be provided showing the full extent of the road extension and permanent turnaround on Dylan Dr. Site access plans for Lot 4 will also need to be reviewed. Curbs and sidewalk will need to be installed for the remainder of the road extension. Exclusive Municipal Water Main Easement needs to be added for the water main loop. Add non-access easement along US-31. Sewer extension will need to be completed for the remainder of the road extension. Water main will need to be looped. Master plan for utilities will need to be updated to reflect the

current plans for the road extension and Lot 4. Dedicated Improvements Agreement will need to be updated. SDCs are required.

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.