



OFFICE OF THE CITY CLERK

BIANCA L. TIRADO, CITY CLERK

MEMORANDUM

TO: MEMBERS OF THE COMMON COUNCIL
FROM: BIANCA L. TIRADO, CITY CLERK
DATE: THURSDAY, MAY 22, 2025
SUBJECT: COMMITTEE MEETING NOTICE

The following Common Council Committee Meetings have been scheduled for **Wednesday, May 28, 2025:**

Council Chambers
4th Floor County-City Building
227 W. Jefferson Blvd.
South Bend, IN 46601

The Council Chambers will be Open to the Public. Members of the Public may Attend this Meeting Virtually via Microsoft Teams Meeting app here: <https://tinyurl.com/052825CC>

5:00 P.M. **COMMUNITY INVESTMENT** **CHAIRPERSON, WARNER**

1. [Bill No. 25-27](#) - Resolution to Approve the Issuance of a Scrap Metal / Junk Dealers / Recycling Operation License for Alternative Two (2) LLC (*Substitute*)

5:15 P.M. **COMMUNITY RELATIONS** **CHAIRPERSON, GOODEN-RODGERS**

1. [Bill No. 25-31](#) - Appointing Dr. Dé Bryant to a One (1) Year Term as a Member of the Community Police Review Board

5:25 P.M. **PUBLIC WORKS & PROPERTY VACATION** **CHAIRPERSON, NIEZGODSKI**

1. Discussion – Proposed Revisions to the Building Department Ordinance

Council President Canneth Lee has called an **Informal Meeting** of the Council which will commence immediately after the adjournment of the Public Works & Property Vacation Committee Meeting.

INFORMAL MEETING OF THE COMMON COUNCIL **PRESIDENT, C. LEE**

1. Discussion of Council Agenda
2. Update and Announcements
3. Adjournment

cc: Mayor James Mueller
Committee Meeting List

INTEGRITY | SERVICE | ACCESSIBILITY

Matthew Neal
DEPUTY CITY CLERK / DIRECTOR OF POLICY

Margaret Gotsch
DIRECTOR OF SPECIAL PROJECTS

EXCELLENCE | ACCOUNTABILITY | INNOVATION | INCLUSION | EMPOWERMENT

455 County-City Building | 227 W. Jefferson Blvd. | South Bend, Indiana 46601 | p. 574.235.9221 | f. 574.235.9173 | www.southbendin.gov



Media

NOTICE FOR HEARING AND SIGHT IMPAIRED PERSONS
Auxiliary Aid or Other Services may be Available upon Request at No Charge.
Please give Reasonable Advance Request when Possible



SOUTH BEND COMMON COUNCIL

MEETING AGENDA

Wednesday, May 28, 2025
7:00 P.M.

The South Bend Common Council meeting will be open to the public at the Council Chambers on the 4th floor of the County-City Building, 227 W. Jefferson Blvd., South Bend, IN 46601
or available by way of a virtual meeting using the Microsoft Teams Meeting App. Public access to the meeting can be granted by this Microsoft Teams Link:

<https://tinyurl.com/SBCC052825>

1. **INVOCATION**

PASTOR DANIEL CHO | FIRST PRESBYTERIAN CHURCH

2. **PLEDGE TO THE FLAG**

3. **ROLL CALL**

4. **REPORT FROM THE SUB-COMMITTEE ON MINUTES**

MAY 12, 2025

5. **SPECIAL BUSINESS**

6. **REPORTS FROM CITY OFFICES**

7. **COMMITTEE OF THE WHOLE**

TIME: _____

8. **BILLS ON THIRD READING**

TIME: _____

9. **RESOLUTIONS**

BILL NO.

25-27 A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, APPROVING THE ISSUANCE OF SCRAP METAL/JUNK DEALERS/RECYCLING OPERATIONS LICENSE FOR CALENDAR YEAR

2025 PURSUANT TO SECTION 4-51 OF THE SOUTH BEND MUNICIPAL
CODE (SUBSTITUTE)

[25-31](#) A RESOLUTION OF THE SOUTH BEND COMMON COUNCIL APPOINTING
DR. DÉ BRYANT TO A ONE YEAR TERM AS A MEMBER OF THE
COMMUNITY POLICE REVIEW BOARD

10. **BILLS ON FIRST READING**
BILL NO.

[31-25](#) FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF
THE CITY OF SOUTH BEND, INDIANA, AMENDING THE ZONING
ORDINANCE FOR PROPERTY LOCATED 314 WEST CHIPPEWA AVENUE
COUNCILMANIC DISTRICT NO. 5 IN THE CITY OF SOUTH BEND,
INDIANA

[32-25](#) FIRST READING ON AN ORDINANCE OF THE COMMON COUNCIL OF
THE CITY OF SOUTH BEND, INDIANA, AMENDING THE ZONING
ORDINANCE FOR PROPERTY LOCATED 1037 WEST COLFAX AVENUE
COUNCILMANIC DISTRICT NO. 2 IN THE CITY OF SOUTH BEND,
INDIANA

11. **UNFINISHED BUSINESS**

12. **NEW BUSINESS**

13. **PRIVILEGE OF THE FLOOR**

14. **ADJOURNMENT**

TIME: _____

Notice for Hearing and Sight Impaired Persons
Auxiliary Aid Or Other Services Are Available Upon Request At No Charge.
Please Give Reasonable Advance Request When Possible.

In the interest of providing greater public access and to promote greater transparency, the South Bend Common Council agenda has been translated into Spanish. All agendas are available online from the Council's website, and also in paper format in the Office of the City Clerk, 4th Floor County-City Building. Reasonable efforts have been taken to provide an accurate translation of the text of the agenda, however, the officiate is the English version. Any discrepancies which may be created in the translation are not binding. Such translations do not create any right or benefit, substantive or procedural, enforceable at law or equity by a party against the Common Council or the City of South Bend, Indiana.



2025 COMMON COUNCIL STANDING COMMITTEES (Rev. 04-28-2025)

COMMUNITY INVESTMENT COMMITTEE

Oversees the various activities of the Department of Community Investment. This Committee reviews all real and personal tax abatement requests and works closely with the Business Development Team.

Troy Warner, Chairperson
Karen L. White, Vice-Chairperson
Ophelia Gooden-Rodgers, Member

Sherry Bolden-Simpson, Member
Thomas Gryp, *Citizen Member*
Kaine Kanczuzewski, *Citizen Member*

COMMUNITY RELATIONS COMMITTEE

Oversees the various activities of the Engagement and Economic Empowerment, Neighborhood Development, and Community Resources Teams within the City's Department of CI and is charged with facilitating partnerships and ongoing communications with other public and private entities operating within the City.

Ophelia Gooden-Rodgers, Chairperson
Karen L. White, Vice-Chairperson
Alice Marie Pickens, *Citizen Member*

Sheila Niezgodski, Member
Sherry Bolden-Simpson, Member
Citizen Member

COUNCIL RULES COMMITTEE

Oversees the regulations governing the overall operation of the Common Council, as well as all matters of public trust. Its duties are set forth in detail in Section 2-10.1 of the *South Bend Municipal Code*.

Canneth Lee, Member
Rachel Tomas Morgan, Member

Troy Warner, Member

HEALTH AND PUBLIC SAFETY COMMITTEE

Oversees the various activities performed by the Fire and Police Departments, EMS, Department of Code Enforcement, ordinance violations, and related health and public safety matters.

Rachel Tomas Morgan, Chairperson
Troy Warner, Vice-Chairperson
Sheila Niezgodski, Member
Citizen Member

Sharon McBride, Member
Dr. Oliver Davis, Member
Savino Rivera Jr., *Citizen Member*

INFORMATION AND TECHNOLOGY COMMITTEE- Innovation

Oversees the various activities of the City's Department of Innovation, which includes the Divisions of Information Technology and 311 so that the City of South Bend remains competitive and on the cutting edge of developments in this area. Reviewing and proposing upgrades to computer systems and web sites, developing availability and access to GIS data and related technologies are just some of its many activities.

Rachel Tomas Morgan, Chairperson
Sherry Bolden-Simpson, Vice-Chairperson
Citizen Member

Sharon McBride, Member
Dr. Oliver Davis, Member
Citizen Member

PARC COMMITTEE- Venues, Parks, and Arts (Parks, Recreation, Cultural Arts & Entertainment)

Oversees the various activities of the Century Center, College Football Hall of Fame, Four Winds Stadium, Morris Performing Arts Center, Studebaker National Museum, South Bend Regional Museum of Art, Potawatomi Zoo, My SB Trails, DTSB relations, and the many recreational and leisure activities offered by the Department of Venues Parks and Arts.



Sharon L. McBride, Chairperson
Karen L. White, Vice- Chairperson
Citizen Member

Ophelia Gooden-Rogers, Member
Troy Warner, Member
Citizen Member

PERSONNEL AND FINANCE COMMITTEE

Oversees the activities performed by the Department of Administration and Finance, and reviews all proposed salaries, budgets, appropriations, and other fiscal matters, as well as personnel policies, health benefits and related matters.

Sheila Niezgodski, Chairperson
Karen L. White, Vice-Chairperson
Citizen Member

Dr. Oliver Davis, Member
Rachel Tomas Morgan, Member
Citizen Member

PUBLIC WORKS AND PROPERTY VACATION COMMITTEE

Oversees the various activities performed by the Building Department, the Department of Public Works and related public works and property vacation issues.

Sheila Niezgodski, Chairperson
Ophelia Gooden-Rodgers, Vice-Chairperson
Carl Littrell, *Citizen Member*

Dr. Oliver Davis, Member
Troy Warner, Member
Jason Piontek, *Citizen Member*

RESIDENTIAL NEIGHBORHOODS COMMITTEE

Oversees the various activities and issues related to neighborhood development and enhancement.

Karen L. White, Chairperson
Sheila Niezgodski, Vice-Chairperson
Gabriel Murei, *Citizen Member*

Ophelia Gooden-Rodgers, Member
Sharon McBride, Member
Citizen Member

UTILITIES COMMITTEE

Oversees the activities of all enterprise entities including but not limited to the Bureau of Waterworks, Bureau of Sewers, and all related matters.

Sherry Bolden-Simpson, Chairperson
Dr. Oliver Davis, Vice-Chairperson
Firdia Johnson, *Citizen Member*

Sheila Niezgodski, Member
Ophelia Gooden-Rodgers, Member
Joseph Mayer, *Citizen Member*

ZONING AND ANNEXATION COMMITTEE

Oversees the activities related to the Board of Zoning Appeals, recommendations from the Area Plan Commission and the Historic Preservation Commission, as well as all related matters addressing annexation and zoning.

Dr. Oliver Davis, Chairperson
Rachel Tomas Morgan, Vice-Chairperson
Henry Davis Jr., *Citizen Member*

Troy Warner, Member
Karen L. White, Member
Stacey Odom, *Citizen Member*

SUB-COMMITTEE ON MINUTES

Reviews the minutes prepared by the Office of the City Clerk of the regular, special, and informal meetings of the Common Council and makes a recommendation on their approval/modification to the Council.

Troy Warner, Member

Sherry Bolden-Simpson, Member



2025 COMMON COUNCIL STANDING COMMITTEES (Rev.03-10-2025)

CANNETH LEE, 1ST District Council Member

President

Council Rules Committee, Member

OPHELIA GOODEN-RODGERS, 2ND District Council Member

Community Relations Committee, Chairperson

Public Works & Property Vacation Committee, Vice-Chairperson

Community Investment Committee, Member

PARC Committee, Member

Residential Neighborhoods Committee, Member

Utilities Committee, Member

SHARON L. MCBRIDE, 3RD District Council Member

PARC Committee, Chairperson

Residential Neighborhoods Committee, Member

Health & Public Safety Committee, Member

Information & Technology Committee, Member

TROY WARNER, 4TH District Council Member

Chairperson, Committee of the Whole

Community Investment Committee, Chairperson

Health and Public Safety, Vice-Chairperson

Council Rules Committee, Member

Public Works & Property Vacation, Member

PARC Committee, Member

Sub-Committee on the Minutes, Member

Zoning & Annexation Committee, Member

SHERRY BOLDEN-SIMPSON, 5TH District Council Member

Utilities Committee, Chairperson

Community Relations Committee, Member

Information & Technology, Vice-Chairperson

Community Investment Committee, Member

Sub-Committee on Minutes, Member

SHEILA NIEZGODSKI, 6TH District Council Member

Personnel & Finance Committee, Chairperson

Public Works & Property Vacation, Chairperson

Health & Public Safety Committee, Member

Residential Neighborhoods Committee, Vice-Chairperson

Community Relations Committee, Member

Utilities Committee, Member

DR. OLIVER DAVIS, AT LARGE Council Member

Zoning & Annexation Committee, Chairperson

Public Works & Property Vacation Committee, Member

Utilities Committee, Vice-Chairperson

Information & Technology Committee, Member

Personnel & Finance Committee, Member

Health & Public Safety Committee, Member

RACHEL TOMAS MORGAN, AT LARGE Council Member

Vice-President

Health & Public Safety Committee, Chairperson

Personnel & Finance Committee, Member

Information & Technology Committee, Chairperson

Zoning & Annexation Committee, Vice-Chairperson

Council Rules Committee, Member

KAREN L. WHITE, AT LARGE Council Member

Residential Neighborhoods Committee, Chairperson

Personnel & Finance Committee, Vice-Chairperson

Community Investment Committee, Vice-Chairperson

Zoning & Annexation Committee, Member

Community Relations Committee, Vice-Chairperson

PARC Committee, Vice-Chairperson

Substitute Bill 25-27



City of South Bend
Community Investment

Filed in Clerk's Office

MAY 21 2025

Bianca Tirado
City Clerk, South Bend, IN

May 21, 2025

South Bend Common Council
City of South Bend
227 W. Jefferson Blvd.
South Bend, IN 46601

RE: SUBSTITUTE BILL: Resolution to approve the issuance of a Scrap Metal/ Junk Dealers/ Recycling Operation License pursuant to Section 4-51 of the South Bend Municipal Code.

Dear Honorable Council Members:

On May 12, 2025, the Common Council tabled Bill No. 25-27 due to concerns that were not addressed. The bill is not changing, but I am submitting additional materials and information to address the concerns that were raised during said meeting.

A renewal application for the operation of Scrap Metal/ Junk Dealers/ Recycling Operations has been received. In accordance with the procedure for the renewal of city business licenses this application was submitted to the Police Department, Fire Inspection Bureau, Neighborhood Resources, and the Zoning Department for their review and recommendation.

The following property was inspected and received favorable recommendations regarding fire, code, and environmental compliance, also for proper maintenance of the premises, and the height and condition of the fence.

Alternative Two LLC – 700 W. Chippewa Ave.

SBPD PROCESS – Investigates each applicant and makes a recommendation as to whether the license should be granted. SBPD considers the criminal history, if any, and the likelihood that granting the license will endanger the health, safety, or welfare of the public.

- Ensure applicants do not have any warrants or wants with SBPD.
- Verify the applicant is not involved in any criminal investigations.
- Applicants must electronically report to SBPD on a daily basis. Businesses that obtain items through legal purchases such as an auction and then sell through their business are not required to report and the non-reporting status is considered compliant.
- Video Surveillance required.

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South Bend, IN 46601

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(574) 233-0311 outside City limits

Email: 311@southbendin.gov

Website: Southbendin.gov



SBPD found nothing considerable to warrant that the application be denied. As a result, SBPD recommends that the license be issued.

CODE – Determines whether such premises are fit & proper for the maintenance & operation of such a business.

- Fencing is in good condition; verified by Code & Zoning.
- Is there litter or debris around the exterior part of the business.
- Are there improperly parked vehicles.
- Are there any environmental issues.

SBFD - Determines whether such premises are fit & proper for the maintenance & operation of such a business.

- Ensure there are no combustible materials, and all inflammable materials must not be stored on premises.
- Storerooms & garages must be free from rubbish, waste materials, old rags & paper.
- Oil, gasoline, oily waste and other greasy material must be stored in metal waste cans.
- Proper number of fire extinguishers must be in close proximity to areas within such scrap or junkyards...wherein trash, metal or other waste materials may be burned, & keep & maintain therein an unobstructed fire truck lane of at least 10 feet in width into such yard from the main entrance.
- Ensure waste oil containers are double lined or have secondary containment with some sort of berm around the tanks to keep them from being hit by vehicles.
- If hot work (welding or cutting) is being done on the premises it must be set up away from the oil storage area & other combustibles.

ZONING – Verifies the use of the property is allowed. The property is considered Legal Non-Conforming.

ENVIRONMENT – Verifies through IDEM's Virtual File Cabinet (VFC) and the Environmental Protection Agency (EPA) that the property does not have active notices of violation.

All reviewing agencies found the property to be compliant and recommend the license be issued.

Because the applicant has met all the requirements of the ordinance, the attached resolution is respectfully submitted for your consideration.

Sincerely,

Michelle Adams
Business License Administrator

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MAY 21 2025

Bianca Tirado
City Clerk, South Bend, IN

SUBSTITUTE BILL NO. 25-27
RESOLUTION NO. _____

A RESOLUTION OF THE COMMON COUNCIL OF THE
CITY OF SOUTH BEND, INDIANA, APPROVING THE ISSUANCE OF
SCRAP METAL/JUNK DEALERS/RECYCLING OPERATIONS LICENSE
FOR CALENDAR YEAR 2025 PURSUANT TO SECTION 4-51 OF THE
SOUTH BEND MUNICIPAL CODE

WHEREAS, Section 4-51 of the South Bend Municipal Code sets forth the regulations addressing the licensing of scrap metal dealers, junk dealers, and recycling operations; and

WHEREAS, on May 6, 2025, the Business License Administrator provided written notice to the City Clerk that the following business:

Alternative Two LLC – 700 W. Chippewa Ave.

has been approved for Scrap Metal Dealer, Junk Dealer, and/or Recycling Operations License for the year 2025; and

WHEREAS, the license application for the above-referenced business received favorable recommendations from Neighborhood Resources, Zoning Department, Police Department, and the Fire Prevention Bureau.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of South Bend, Indiana, as follows:

SECTION I. The license application for the following business:

Alternative Two LLC – 700 W. Chippewa Ave.

Is approved in conformity with South Bend Municipal Code Section 4-51 and based upon the satisfactory review and inspection of the property by Neighborhood Resources, Zoning Department, Police Department, and the Fire Prevention Bureau as evidenced by the Business License Administrator's communication to the City Clerk dated May 6, 2025.

SECTION II. This Resolution shall be in full force and effect from and after its adoption by the Common Council and approved by the Mayor.

Canneth J. Lee, Council President
South Bend Common Council

Attest:

Bianca L. Tirado, City Clerk
Office of the City Clerk

Presented by me, the undersigned Clerk of the City of South Bend, to the Mayor of the City of South Bend, Indiana on the ____ day of _____, 2025, at _____ o'clock __.m.

Bianca L. Tirado, City Clerk
Office of the City Clerk

Approved and signed by me on the _____ day of _____, 2025, at ____ o'clock ____ .m.

James Mueller, Mayor
City of South Bend, Indiana

State of Indiana
Office of the Secretary of State

Certificate of Organization
of

ALTERNATIVE TWO LLC

Filed in Clerk's Office

MAY 21 2025

Bianca Tirado
City Clerk, South Bend, IN

I, DIEGO MORALES, Secretary of State, hereby certify that Articles of Organization of the above Domestic Limited Liability Company have been presented to me at my office, accompanied by the fees prescribed by law and that the documentation presented conforms to law as prescribed by the provisions of the Indiana Code.

NOW, THEREFORE, with this document I certify that said transaction will become effective Tuesday, May 13, 2025.



In Witness Whereof, I have caused to be affixed my signature and the seal of the State of Indiana, at the City of Indianapolis, May 14, 2025.

Diego Morales

DIEGO MORALES
SECRETARY OF STATE

202505131891151 / 10835761

To ensure the certificate's validity, go to <https://bsd.sos.in.gov/PublicBusinessSearch>

ARTICLES OF ORGANIZATION

Formed pursuant to the provisions of the Indiana Code.

ARTICLE I - NAME AND PRINCIPAL OFFICE ADDRESS

BUSINESS ID 202505131891151
BUSINESS TYPE Domestic Limited Liability Company
BUSINESS NAME ALTERNATIVE TWO LLC
PRINCIPAL OFFICE ADDRESS 700 West Chippewa Ave, South Bend, IN, 46614, USA

ARTICLE II - REGISTERED OFFICE AND ADDRESS

REGISTERED AGENT TYPE Individual
NAME Kenneth Schumacher
ADDRESS 700 West Chippewa Ave, South Bend, IN, 46614, USA
SERVICE OF PROCESS EMAIL mashelle00@yahoo.com

I acknowledge that the Service of Process email provided above is the email address at which electronic service of process may be accepted.

ARTICLE III - PERIOD OF DURATION AND EFFECTIVE DATE

PERIOD OF DURATION Perpetual
EFFECTIVE DATE 05/13/2025
EFFECTIVE TIME 07:07AM

ARTICLE IV - GOVERNING PERSON INFORMATION

TITLE Member
NAME Kenneth Douglas Schumacher
ADDRESS 700 West Chippewa Ave, 700 West Chippewa Ave, South Bend, IN, 46614, USA

MANAGEMENT INFORMATION

THE LLC WILL BE MANAGED BY MANAGER(S) Yes

APPROVED AND FILED
DIEGO MORALES
INDIANA SECRETARY OF STATE
05/14/2025 10:12 AM

SIGNATURE

THE SIGNATOR(S) REPRESENTS THAT THE REGISTERED AGENT NAMED IN THE APPLICATION HAS CONSENTED TO THE APPOINTMENT OF REGISTERED AGENT.

THE UNDERSIGNED, DESIRING TO FORM A LIMITED LIABILITY COMPANY PURSUANT TO THE PROVISIONS OF THE INDIANA BUSINESS FLEXIBILITY ACT EXECUTES THESE ARTICLES OF ORGANIZATION.

IN WITNESS WHEREOF, THE UNDERSIGNED HEREBY VERIFIES, SUBJECT TO THE PENALTIES OF PERJURY, THAT THE STATEMENTS CONTAINED HEREIN ARE TRUE, THIS DAY **May 13, 2025**.

THE UNDERSIGNED ACKNOWLEDGES THAT A PERSON COMMITS A CLASS A MISDEMEANOR BY SIGNING A DOCUMENT THAT THE PERSON KNOWS IS FALSE IN A MATERIAL RESPECT WITH THE INTENT THAT THE DOCUMENT BE DELIVERED TO THE SECRETARY OF STATE FOR FILING.

SIGNATURE

Kenneth Schumacher

TITLE

Member

Business ID : 202505131891151

Filing No : 10835761



City of South Bend
Community Investment

Filed in Clerk's Office

MAY 06 2025

Bianca Tirado
City Clerk, South Bend, IN

May 6, 2025

South Bend Common Council
City of South Bend
227 W. Jefferson Blvd.
South Bend, IN 46601

RE: Resolution to approve the issuance of a Scrap Metal/ Junk Dealers/ Recycling Operation License pursuant to Section 4-51 of the South Bend Municipal Code.

Dear Honorable Council Members:

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The following property was inspected and received favorable recommendations regarding fire, code, and environmental compliance, also for proper maintenance of the premises, and the height and condition of the fence.

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SBPD PROCESS – Investigates each applicant and makes a recommendation as to whether the license should be granted. SBPD considers the criminal history, if any, and the likelihood that granting the license will endanger the health, safety, or welfare of the public.

- Ensure applicant does not have any warrants or wants with SBPD.
- Verify the applicant is not involved in any criminal investigations.
- Applicants must electronic report to SBPD on a daily basis.
- Video Surveillance required.

SBPD found nothing considerable to warrant that the application be denied. As a result, SBPD recommends that the license be issued.

CODE – Determines whether such premises are fit & proper for the maintenance & operation of such a business.

- Fencing is in good condition; verified by Code & Zoning.
- Is there litter or debris around the exterior part of the business.

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Website: Southbendin.gov



- Are there improperly parked vehicles.
- Are there any environmental issues.

SBFD - Determines whether such premises are fit & proper for the maintenance & operation of such a business.

- Ensure there are no combustible materials, and all inflammable materials must not be stored on premises.
- Storerooms & garages must be free from rubbish, waste materials, old rags & paper.
- Oil, gasoline, oily waste and other greasy material must be stored in metal waste cans.
- Proper number of fire extinguishers must be in close proximity to areas within such scrap or junkyards...wherein trash, metal or other waste materials may be burned, & keep & maintain therein an unobstructed fire truck lane of at least 10 feet in width into such yard from the main entrance.
- Ensure waste oil containers are double lined or have secondary containment with some sort of berm around the tanks to keep them from being hit by vehicles.
- If hot work (welding or cutting) is being done on the premises it must be set up away from the oil storage area & other combustibles.

ZONING – Verifies the use of the property is allowed. Each property is considered a legal nonconforming use.

ENVIRONMENT – None of the properties have active notices of violation.

All reviewing agencies found the property to be compliant and recommends the license be issued.

Because the applicant has met all the requirements of the ordinance, the attached resolution is respectfully submitted for your consideration.

Sincerely,

Michelle Adams
Business License Administrator

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MAY 06 2025

Bianca Tirado
City Clerk, South Bend, IN

BILL NO. 25-27
RESOLUTION NO. _____

**A RESOLUTION OF THE COMMON COUNCIL OF THE
CITY OF SOUTH BEND, INDIANA, APPROVING THE ISSUANCE OF
SCRAP METAL/JUNK DEALERS/RECYCLING OPERATIONS LICENSE
FOR CALENDAR YEAR 2025 PURSUANT TO SECTION 4-51 OF THE
SOUTH BEND MUNICIPAL CODE**

WHEREAS, Section 4-51 of the South Bend Municipal Code sets forth the regulations addressing the licensing of scrap metal dealers, junk dealers, and recycling operations; and

WHEREAS, on May 6, 2025, the Business License Administrator provided written notice to the City Clerk that the following business:

Alternative Two LLC – 700 W. Chippewa Ave.

has been approved for Scrap Metal Dealer, Junk Dealer, and/or Recycling Operations License for the year 2025; and

WHEREAS, the license application for the above-referenced business received favorable recommendations from Neighborhood Resources, Zoning Department, Police Department, and the Fire Prevention Bureau.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of South Bend, Indiana, as follows:

SECTION I. The license application for the following business:

Alternative Two LLC – 700 W. Chippewa Ave.

Is approved in conformity with South Bend Municipal Code Section 4-51 and based upon the satisfactory review and inspection of the property by Neighborhood Resources, Zoning Department, Police Department, and the Fire Prevention Bureau as evidenced by the Business License Administrator's communication to the City Clerk dated May 6, 2025.

SECTION II. This Resolution shall be in full force and effect from and after its adoption by the Common Council and approved by the Mayor.

Canneth J. Lee, Council President
South Bend Common Council

Attest:

Bianca L. Tirado, City Clerk
Office of the City Clerk

Presented by me, the undersigned Clerk of the City of South Bend, to the Mayor of the City of South Bend, Indiana on the ____ day of _____, 2025, at _____ o'clock __.m.

Bianca L. Tirado, City Clerk
Office of the City Clerk

Approved and signed by me on the _____ day of _____, 2025, at ____ o'clock ____m.

James Mueller, Mayor
City of South Bend, Indiana

CK 5833 \$5.00

LICENSE APPLICATION FOR – **SCRAP METAL DEALERS/JUNK DEALERS/RECYCLING OPERATIONS**

Filed in Clerk's Office

CITY OF SOUTH BEND, INDIANA
MUNICIPAL CODE SECTION – 4-51

MAY 06 2025

Bianca Tirado
City Clerk, South Bend, IN

I. APPLICATION TYPE Check One: New _____ Renewal X

A. Scrap Metal Dealer _____ Junk Dealer _____ Recycling Operation _____

II. BUSINESS DATA

A. Business Name: Alternative Two LLC

B. Business Address: 700 W. Chippewa Ave
City: South Bend State: IN Zip: 46614

C. Mailing Address (If different from above): _____
City: _____ State: _____ Zip: _____

D. Business Telephone Number: 574-299-0559

E. Business Fax Number: 574-299-0323

F. E-Mail Address: mashelle00@yahoo.com

G. Zoning of Proposed Business Location: Industrial

H. How long has the business been in continuous operation: 18 yrs

I. Lot Size of Premises: 15 Acres

J. Type of Fencing Used: Square Farm Fencing

K. Is the Property Owned or Leased by the Applicant: Owned

1. Name of Owner if Property is Leased: _____

2. Business Address of Owner: 700 W. Chippewa Ave South Bend

Please Continue to Page 2 (back of sheet)

Fee - \$250.00 46614

For Office Use Only	
Application Filed <u>FEB 03 2025</u>	Fire Dept. Approval <u>APR 24 2025</u>
Application Fee Paid <u>FEB 03 2025</u>	Zoning Dept. Approval <u>FEB 06 2025</u>
Sent to Dept. <u>FEB 03 2025</u>	Code Enforcement <u>FEB 17 2025</u>
Police Dept. Records Approval <u>FEB 10 2025</u>	Police Dept. Crime Prev. Approval _____
Common Council Approval _____	Code Enforcement _____
License Number <u>SCR2025-007</u>	License Fee Paid _____
Not Approved _____	
Reason _____	

**LICENSE APPLICATION FOR – SCRAP METAL DEALERS/JUNK DEALERS/RECYCLING
OPERATIONS**

**CITY OF SOUTH BEND, INDIANA
MUNICIPAL CODE SECTION – 4-51**

III. PERSONAL DATA

A. Applicant's Legal Name: Alternative Two LLC / Ken Schumaacher
B. Residential Address: 700 W. Chippewa Ave.
City: South Bend State: IN Zip: 46614
C. Residential Telephone Number: 574-299-0559
D. Cellphone Number: 989 621 4687
E. [REDACTED]
G. [REDACTED]
I. Position with Business managing member

IV. INCLUDE, WITH APPLICATION, A SITE PLAN OF THE FACILITY SHOWING PROPERTY LINES, BUILDINGS, PARKING SPACES, LOADING DOCKS, FUEL STORAGE, AND LANDSCAPING.

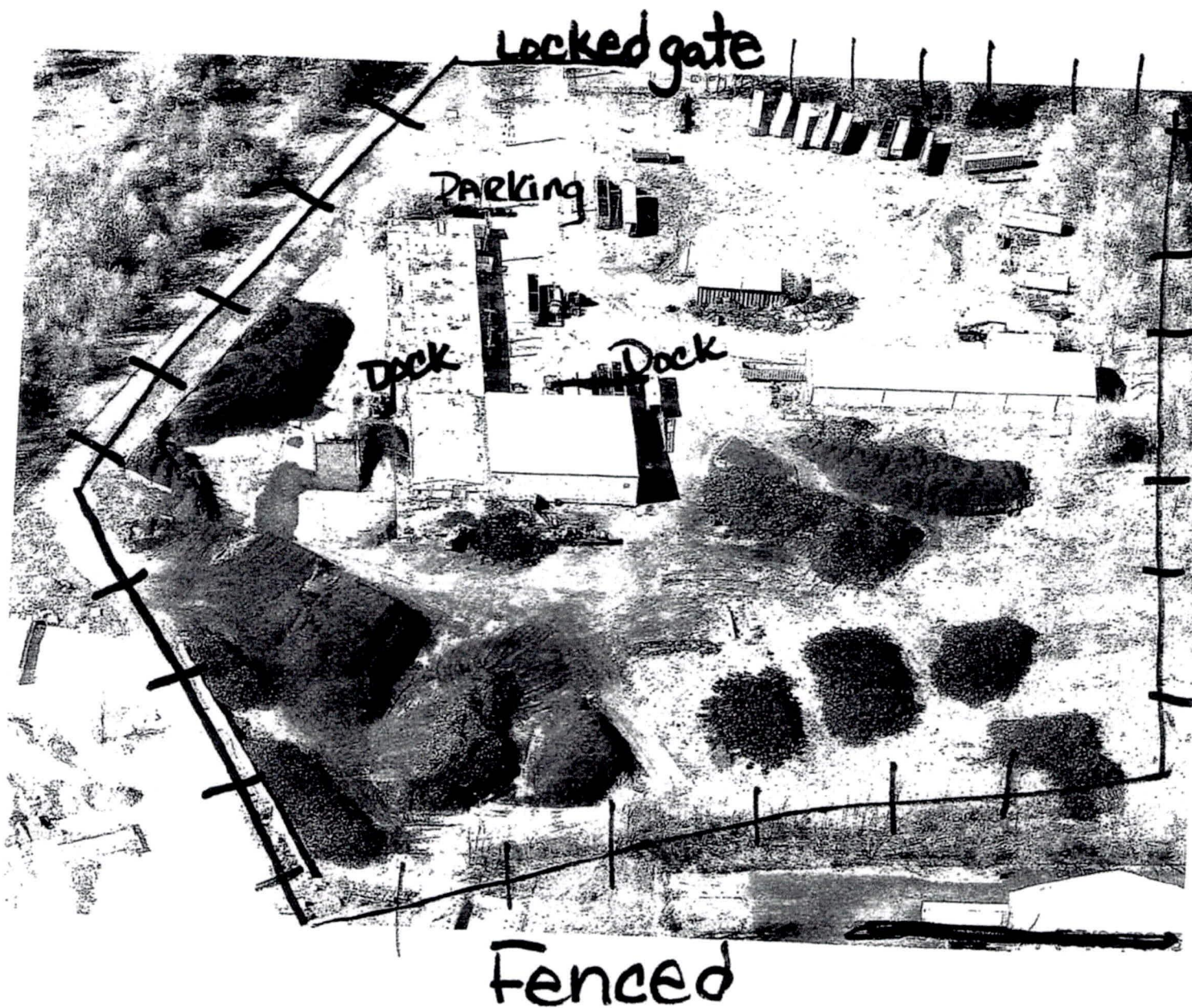
V. INCLUDE \$5.00 PROCESSING FEE WITH APPLICATION

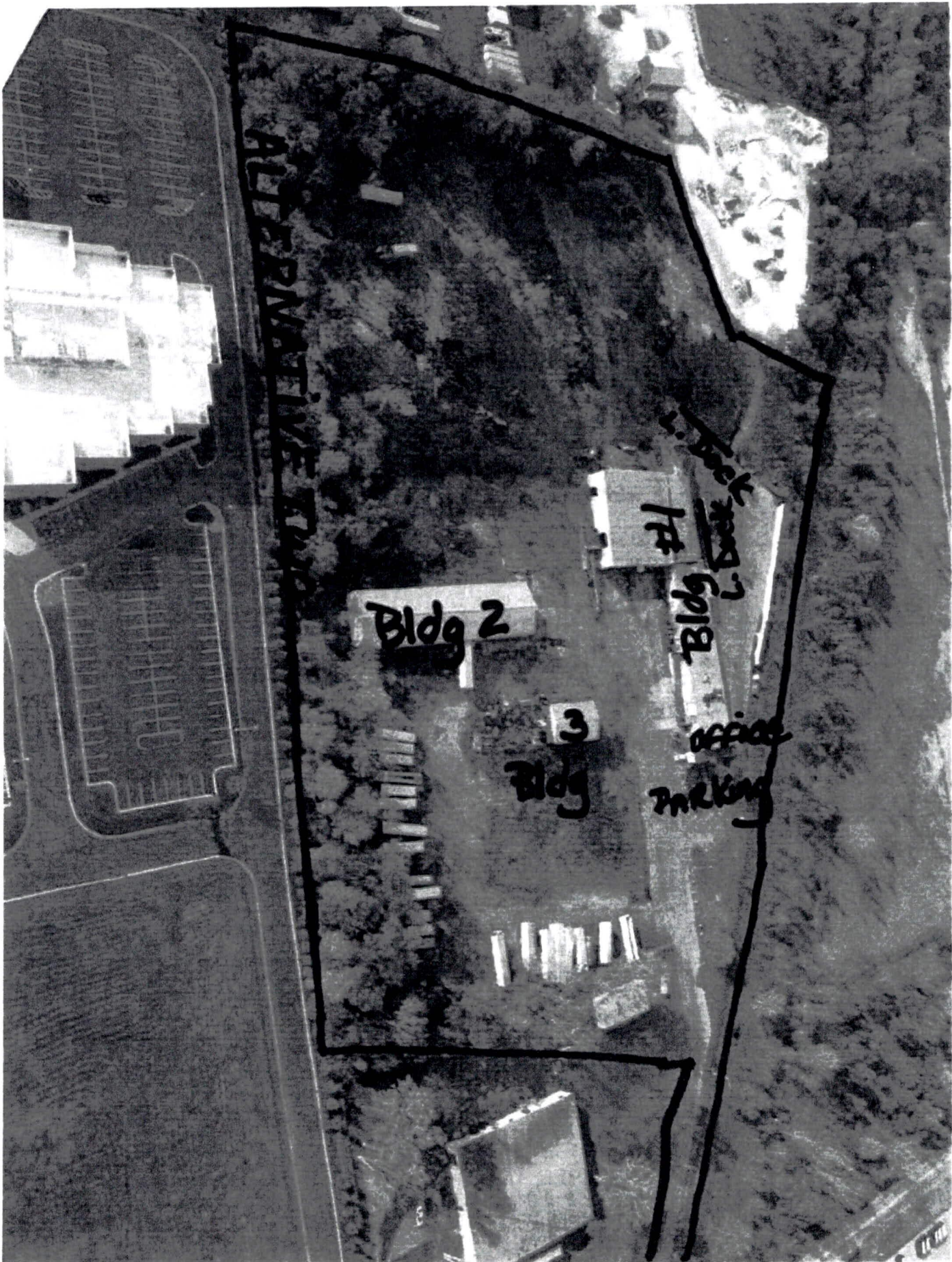
VI. AFFIRMATION

I, hereby, certify and affirm that all of the information I have given in this application is true and accurate to the best of my knowledge. I further certify and affirm that I have in no way attempted to mislead the City in this application by omitting facts known to me. I have read and understand the regulations of the Scrap Metal Dealer/Junk Dealer/Recycling Operation/Transfer Station license found in the City of South Bend Municipal Code, Section 4-51.

Ken Schumaacher
Signature

1/21/2025
Date





700 W. Chippewa

Michelle Adams

From: Kari Myers
Sent: Wednesday, February 5, 2025 4:30 PM
To: Michelle Adams
Subject: RE: Scrap Metal Dealer App.

Michelle -

Alternative Two – 700 W. Chippewa Ave. – The property located at 700 W. Chippewa Ave. is zoned I Industrial and a Scrap Metal Dealer use is not allowed by right in this district, however, the current use has been in continuous operation prior to the adoption of our current Zoning Ordinance and is therefore considered legal non-conforming. Any outdoor storage of material needs to remain below the fence line.

Let me know if you have any questions.



Kari Myers

Zoning Specialist

Department of Community Investment
227 W. Jefferson Blvd., Suite 1400 S.
South Bend, IN 46601
(574)235-5932
www.southbendin.gov/zoning

We deliver services that empower everyone to thrive.

Excellence | Accountability | Innovation | Inclusion | Empowerment

From: Michelle Adams <madams@southbendin.gov>
Sent: Wednesday, February 5, 2025 3:53 PM
To: Kari Myers <kmyers@southbendin.gov>
Subject: Scrap Metal Dealer App.

Good afternoon Kari,

RE: Alternative Two – 700 W. Chippewa Ave.

Attached is a Scrap Metal Dealer renewal application for your review and recommendation.

Thank You,



Michelle Adams

City of South Bend
Business License Administrator
Department of Community Investment
227 W. Jefferson Blvd., Suite 1400 S.
South Bend, IN 46601
(574)235-5912

Michelle Adams

From: Jim Wood
Sent: Thursday, February 13, 2025 12:13 PM
To: Michelle Adams
Subject: Alternative Two 700 Chippewa

Michelle,
This one is good to go.
Thanks,
Jim

Sent from the iPad of Jim Wood
Chief Inspector
Neighborhood Services and Enforcement
City of South Bend

SCRAP YARD INSPECTION FORM

Municipal Code Sec. 4-51(L) Operation & Maintenance Rules & Regulations

DATE: 2-13-25

BUSINESS NAME: Alternative Tires

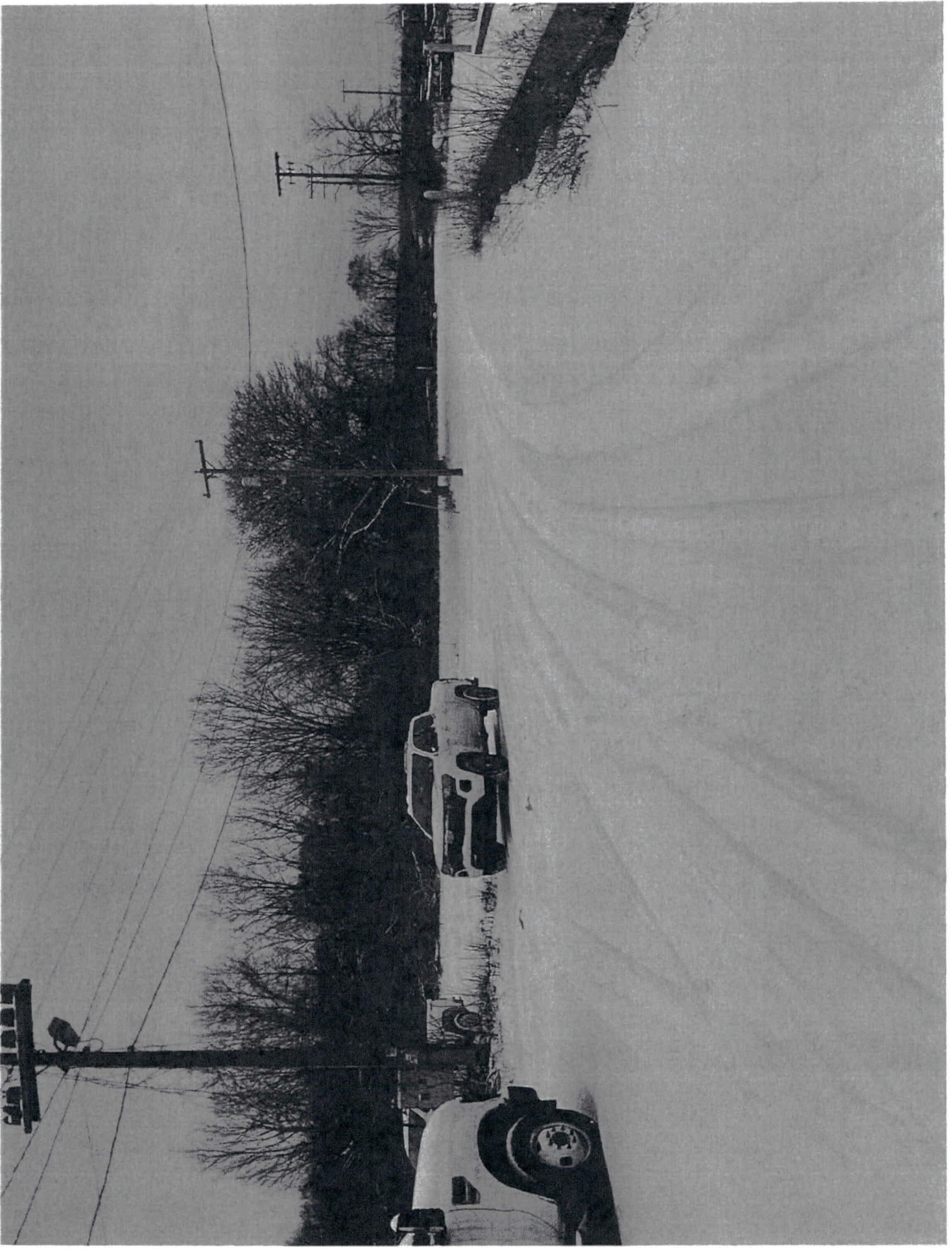
BUSINESS ADDRESS: 700 Chippewa

1. Is the establishment operating: No
☒ Yes
2. Is opaque fencing in good condition: No
☒ Yes
3. Is chain link fencing in good condition: No
☒ Yes
4. Is there litter or debris around exterior part of the business: ☒ No
☐ Yes
5. Is there any outdoor storage between the building & the street: ☒ No
☐ Yes
6. Are there waste tires that have the potential to harbor insects, rodents, fleas, ticks, or other animals that can carry disease to humans: ☒ No
☐ Yes
7. Is there any evidence of rodents: ☒ No
☐ Yes
8. Is the property within 1,000 feet of a residence or other business: ☒ No
☐ Yes
9. Are there working utilities: ☒ No
☐ Yes
10. Are there any nuisance violations that were cited: ☒ No
☐ Yes

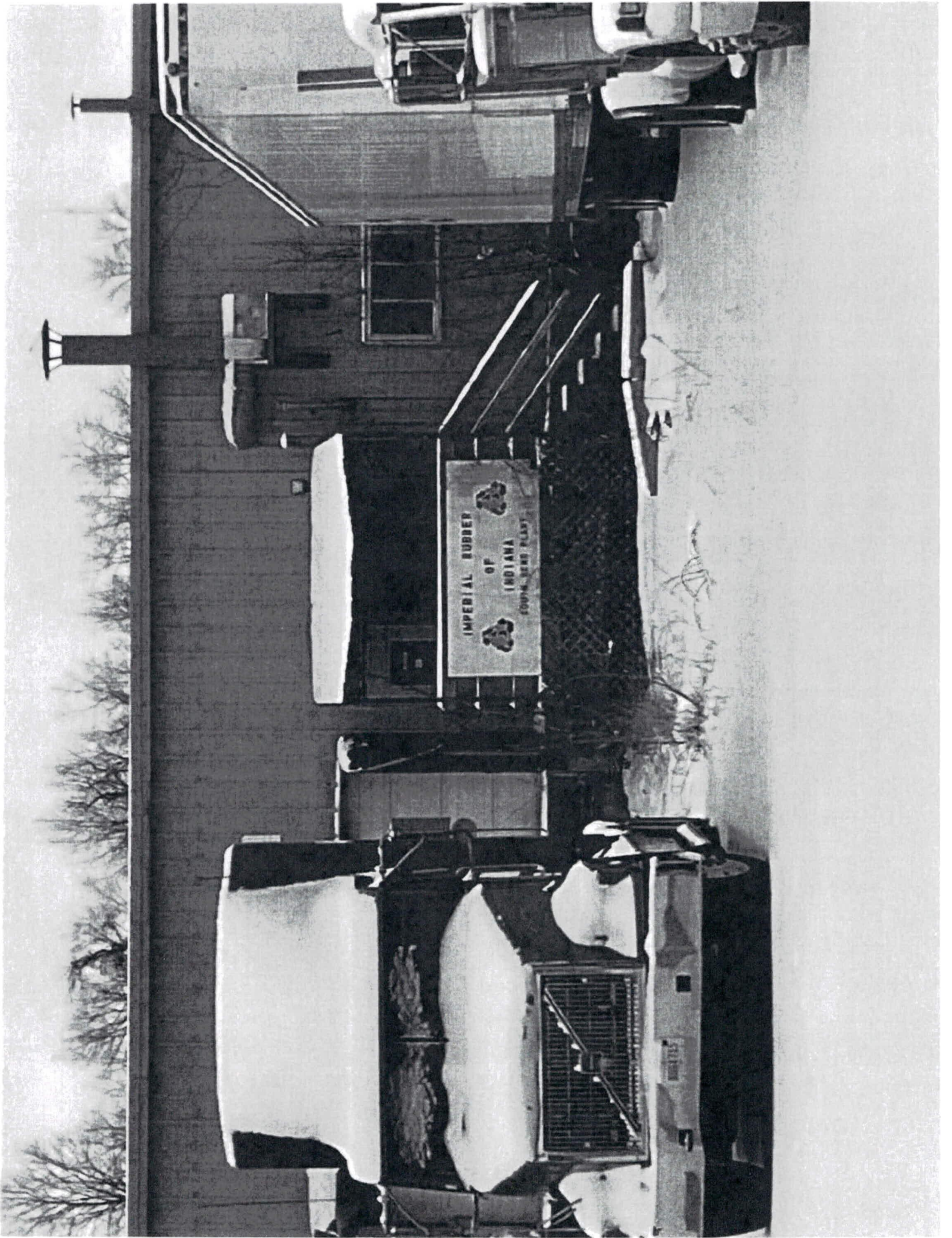
If yes, the citation was given for:

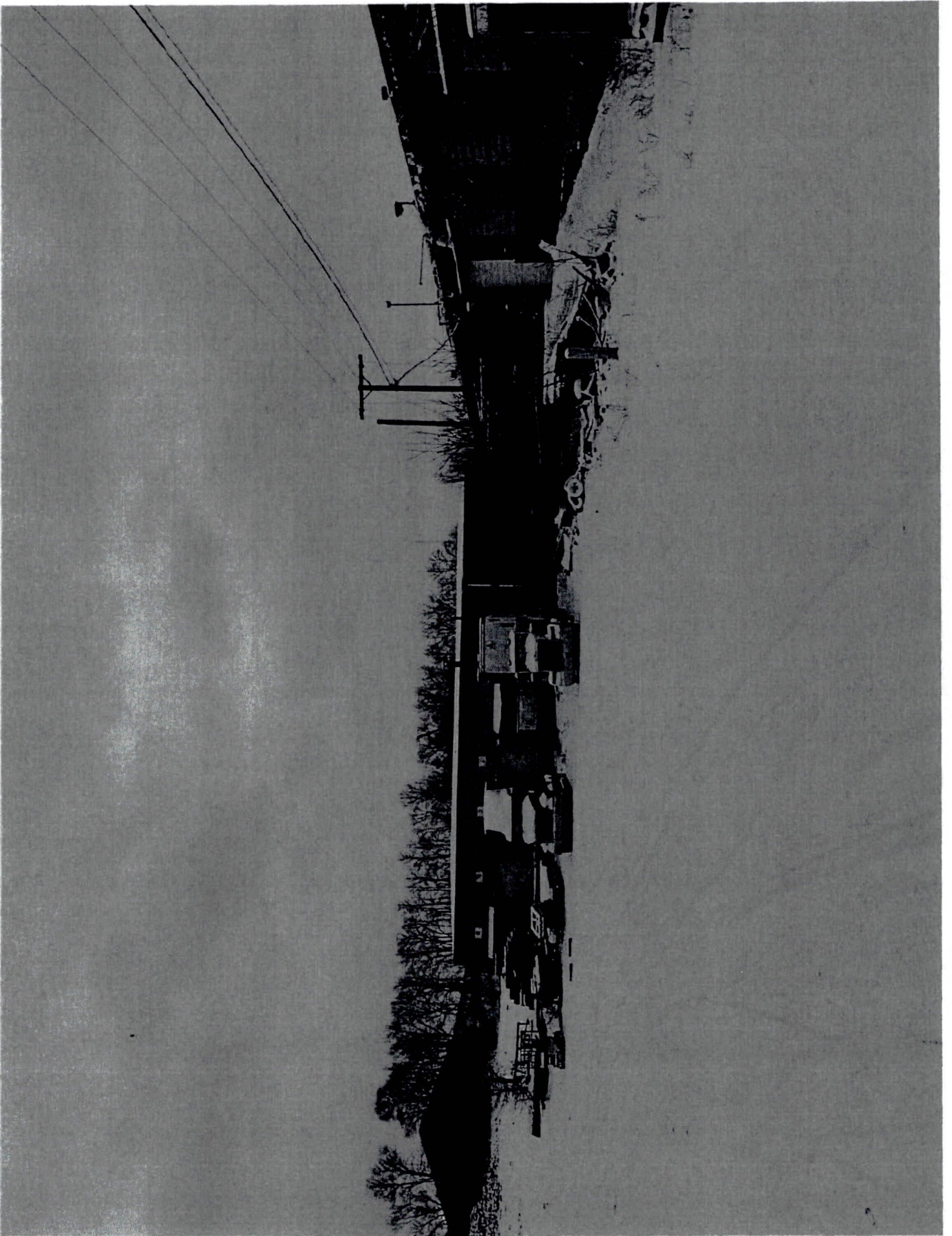
General Comments: Tire recycler. Operation not visible from Chippewa, just structures.

Inspector: _____ confirms the premises is fit and proper for the maintenance and operation of such a business.









POLICE DEPARTMENT

SCRAP YARD INVESTIGATION FORM

DATE: 02/10/25

BUSINESS NAME: Alternative Two LLC

BUSINESS ADDRESS: 700 W. Chippewa

APPLICANT NAME: Kenneth Schumacher

1. Pursuant to Sec. 4-51(e)(2) of the South Bend Municipal Code, the SBPD considered the criminal history of the applicant, if any, and the likelihood that granting the license will endanger the health, safety or welfare of the public. A report of the investigation and a copy of the traffic and police record of the applicant, if any, and the recommendation of the Police Department shall be attached to the application and forwarded to the Business License Administrator.

Comments: Nothing of concern

2. Pursuant to Sec. 4-51(f) SBPD Property Nuisance Officer verified compliance with all noise regulations set forth in Sec. 13-82 of the South Bend Municipal Code.

Comments: No calls for service reference loud noise regulations

3. Pursuant to Sec. 4-51(q) SBPD verified there is video surveillance monitoring all business transactions (if applicable).

4. Pursuant to Sec. 4-51(k)(1) SBPD Records Division verified the applicant is maintaining a physical sales report of scrap metal and/or valuable metals. Each dealer or operator must keep and preserve data on or through an electronic or computer data system database daily for the preceding 24-hour period of all purchases of any scrap metal and valuable metal items, unless exempted by ordinance. Such information shall be sent via electronic forms of transmission to the SBPD using the Records Management System, Leads Online. (if applicable)

Comments: This business is not registered with leads online.

Currently registered as a non-reporting business status: Only
receives non-reportable items

After reviewing Police records for the applicant and business address, the SBPD recommends the license be (circle one) granted / denied.

Joseph Cole 02/10/25

Officers Name and Title

eso

Permit

Applicant Name = alternative

Status	Permit Number
ISSUED	700 W. Chippewa
ISSUED	700 W. Chippewa
ISSUED	700 W. Chippewa
ISSUED	700 W. Chippewa

Permit

Done

ISSUED

700 W. Chippewa Ave.

[Print](#) • [Download](#) • [Email](#) • [Email Log](#) • [Revoke](#) • [Renew](#)
[View ISO Properties Record](#)

Permit Type Scrap Metal License

Applicant Alternative 2 LLC

Location 700 W chippewa ST
South Bend IN 46614
County: St. Joseph

Contacts --

Application Filed 02/04/2025

Effective 04/23/2025

Expiration 04/23/2026

Authorized 04/23/2025

Authorized By Jeff Yoder

Issued 04/23/2025

Issued By Jeff Yoder

Fee --

Checklists 1 Passed, 0 Failed, 0 Not Applicable
[View Checklists](#)

Notes SCR2025-007 Exp. Jan. 31st Please inspect within 10-days.

Attachments 700 W Chippewa Ave Alternative Two_Redacted.pdf
[View](#)





South Bend Fire Department

Inspection Report

Alternative 2 LLC - 700 W Chippewa AVE, BLDG Alternative 2, South Bend IN 46614-3712

1222 S. Michigan St.

INSPECTION DETAILS

Inspection Date 04/17/2025	Inspection Type Scrap Metal Dealers/Junk Dealers/Recycling	REINSPECTION	Inspection Number 7234-R4
Lead Inspector Jeff Yoder	Shift N/A	Station Station 5	Unit N/A
Other Inspectors N/A			

SUMMARY OF INSPECTION

✓ 0 ✓ 1 ⊗ 0
Passed codes Resolved violations Failed codes

NEXT STEPS

Please direct questions about your inspection to:

Jeff Yoder
jyoder@southbendin.gov

Reinspection Date

04/17/2026

FEE

Invoice Date N/A	Inspection Fee	Date Paid	Amount Paid
Invoice Number N/A	Check Number N/A	Transaction Number N/A	

GENERAL NOTES

Jeff Yoder - 04/01/2025 @ 15:05

Waiting on Rob from Kropp fire protection services to inspect new valve.

SIGNATURES

Contact signature

Inspector signature

Ken Schumacher

04/17/2025

Jeff Yoder

04/17/2025

CHECKLISTS

Reinspection

Status	Code	Description
Resolved ✓	901.6	Fire detection, alarm, and extinguishing systems, mechanical smoke exhaust systems, and smoke and heat vents shall be maintained in an operative condition at all times, and shall be
		Location: Riser Comments: Replace water flow indicator valve

CELEBRATED CALIFORNIA AIR AIR

[illegible]

Michelle Adams

From: Skip Morrell
Sent: Wednesday, March 5, 2025 12:45 PM
To: Sarah Schaefer; Elizabeth Maradik; Abby Wiles; Jim Wood; Kenisha L. Wells; Michelle Adams; Erik Glavich; Kari Myers; Michael Divita; Tim Corcoran
Cc: Caleb Bauer
Subject: Re: Follow-up from business license compliance meeting
Attachments: Scrap Metal Review - Zoning Compliance.pdf; Buffer Types.pdf

Hi all,

Jim and I visited scrap the metal sites to observe fencing.

Along many property lines a buffer would not be required by zoning since the lots abut other I Industrial sites. Where a buffer would be required, fencing was legal non-conforming in every case and would require an upgrade (adding shrubs, trees, or made solid) to meet current standards. I put together a visual document to show what the zoning ordinance would require at each site and current conditions. I've also attached the page from the ZO that calls out various buffer types.

Best,



Skip Morrell
Principal Development Planner

City of South Bend
Department of Community Investment - Zoning

amorrell@southbendin.gov
(574) 235-7625

From: Sarah Schaefer <sschaefer@southbendin.gov>
Sent: Tuesday, February 25, 2025 5:18 PM
To: Elizabeth Maradik <emaradik@southbendin.gov>; Abby Wiles <awiles@sjcindiana.gov>; Jim Wood <jwood@southbendin.gov>; Kenisha L. Wells <kwells@southbendin.gov>; Michelle Adams <madams@southbendin.gov>; Erik Glavich <eglavich@southbendin.gov>; Skip Morrell <amorrell@southbendin.gov>; Kari Myers <kmyers@southbendin.gov>; Michael Divita <mdivita@southbendin.gov>; Tim Corcoran <tcorcora@southbendin.gov>
Cc: Caleb Bauer <cbauer@southbendin.gov>
Subject: Follow-up from business license compliance meeting

Thank you for meeting today to discuss compliance and enforcement for business licenses. Here are the follow-up items we discussed:



Bill 25-31
City of South Bend
Common Council

441 County-City Building • 227 W. Jefferson Blvd
South Bend, Indiana 46601

Canneth Lee
President

Rachel Tomas Morgan
Vice President

Troy Warner
Chairperson, Committee
of the Whole

Canneth Lee
First District

Ophelia Gooden-Rodgers
Second District

Sharon L. McBride
Third District

Troy Warner
Fourth District

Sherry Bolden-Simpson
Fifth District

Sheila Niezgodski
Sixth District

Dr. Oliver Davis
At Large

Rachel Tomas Morgan
At Large

Karen L. White
At Large

South Bend Common Council

Attn: Council Member Gooden-Rodgers

4th Floor, County-City Building

South Bend, IN 46601

**RE: A RESOLUTION OF THE SOUTH BEND COMMON COUNCIL
APPOINTING DR. DÉ BRYANT TO A ONE YEAR TERM AS A
MEMBER OF THE COMMUNITY POLICE REVIEW BOARD**

Dear Chairperson Gooden-Rodgers:

As you know, there is currently a vacancy on the Community Police Review Board. This proposed resolution appoints Dr. Dé Bryant to fill this vacancy with a one-year term. Dr. Bryant was nominated by Dr. Davis.

Please file this proposed resolution and place it on the agenda for the Community Relations Committee meeting for May 28, 2025, and the full Council meeting later that evening.

Thank you for your consideration.

Sincerely yours,

Canneth Lee, President

South Bend Common Council

May 20, 2025

Filed in Clerk's Office

MAY 20 2025

**Bianca Tirado
City Clerk, South Bend, IN**



BILL NO. 25-31

MAY 20 2025

RESOLUTION NO. _____

Bianca Tirado
City Clerk, South Bend, IN

A RESOLUTION OF THE SOUTH BEND COMMON COUNCIL APPOINTING DR. DÉ BRYANT TO A ONE YEAR TERM AS A MEMBER OF THE COMMUNITY POLICE REVIEW BOARD

WHEREAS, Section 2-12.1.13(a)(2) of the South Bend Municipal Code addressing the Community Police Review Board provides: **The initial Review Board shall be composed of three (3) Members appointed to a one (1) year term; three (3) Members appointed to a two (2) year term; and three (3) Members appointed to a three (3) year term; and**

WHEREAS, there is currently a vacancy among the members of the Review Board.

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the City of South Bend appoints Dr. Dé Bryant, nominated by Dr. Oliver Davis, to a one-year term as a member of the Community Police Review Board.

Canneth J. Lee, Council President
South Bend Common Council

Attest:

Bianca L. Tirado, City Clerk
Office of the City Clerk

Presented by me, the undersigned Clerk of the City of South Bend, to the Mayor of the City of South Bend, Indiana on the ____ day of _____, 2025, at _____ o'clock __.m.

Bianca L. Tirado, City Clerk
Office of the City Clerk

Approved and signed by me on the _____ day of _____, 2025, at ____ o'clock ____m.

James Mueller, Mayor
City of South Bend, Indiana

Bill 31-25



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

May 21, 2025

Honorable Committee Chair Davis
4th Floor, County-City Building
South Bend, IN 46601

RE: 314 W Chippewa – PC#0271-25

Dear Committee Chair Davis:

Enclosed is an Ordinance for the proposed Zone Map Amendment at the above referenced location. Please include the attached Ordinance on the Council agenda for first reading at your May 28, 2025, Council meeting, and set it for public hearing at your June 23, 2025, Council meeting. The petition is tentatively scheduled for public hearing at the June 16, 2025, South Bend Plan Commission meeting. The recommendation of the South Bend Plan Commission will be forwarded to the Office of the City Clerk by noon on the day following the public hearing.

The petitioner provided the following to describe the proposed project:

Change zoning of the parcel from Commercial (C) District to Suburban Neighborhood 2 (S2) District

If you have any questions, please feel free to contact our office.

Sincerely,

Tim Staub
Zoning Specialist

CC: Bob Palmer

Filed in Clerk's Office

MAY 21 2025

Bianca Tirado
City Clerk, South Bend, IN

Tim Corcoran
Planning Director

Tim Corcoran
Interim Zoning Administrator

Scott Ford
Commission President

BILL NO. 31-25

MAY 21 2025

ORDINANCE NO. _____

Bianca Tirado
City Clerk, South Bend, IN

**AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND,
INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED 314
W CHIPPEWA AVE COUNCILMANIC DISTRICT NO. 5 IN THE CITY OF SOUTH
BEND, INDIANA**

STATEMENT OF PURPOSE AND INTENT

Petitioners desire to rezone the property from Commercial (C) District to Suburban
Neighborhood 2 (S2) District.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of South Bend,
Indiana, as follows:

SECTION I. Ordinance No. 10689-19, which ordinance is commonly known as the
Zoning Ordinance of the City of South Bend, Indiana, be and the same hereby amended in order
that the zoning classification of the following described real estate in the City of South Bend, St.
Joseph County, State of Indiana:

KERASOTES THEATRES MINOR SUBDIVISION LOT 1

be and the same is hereby established as Suburban Neighborhood 2 (S2) District

SECTION II. This ordinance is and shall be subject to commitments as provided by
Chapter 21-12.07(f)(7) Commitments, if applicable.

SECTION III. This Ordinance shall be in full force and effect from and after its passage
by the Common Council and approval by the mayor, and legal publication, and full execution of
any conditions or Commitments placed upon the approval.

Canneth J. Lee, Council President
South Bend Common Council

Attest:

Bianca L. Tirado, City Clerk
Office of the City Clerk

Presented by me, the undersigned Clerk of the City of South Bend, to the Mayor of the City of South Bend, Indiana on the ____ day of _____, 2025, at _____ o'clock .m.

Bianca L. Tirado, City Clerk
Office of the City Clerk

Approved and signed by me on the _____ day of _____, 2025, at ____ o'clock ____ .m.

James Mueller, Mayor
City of South Bend, Indiana

City of South Bend

PLAN COMMISSION

227 W. Jefferson - Suite 1400S
South Bend, IN 46601
zoning@southbendin.gov

Petition for Rezoning or Combined Public Hearing

Property Information

Tax Key Number: 71-08-26-200-004.000-002

Address: W Chippewa Ave, South Bend, IN 46614

Owner: Sycamore Land Company, LLC

Legal Description:

Lot Numbered One (1) as shown on the recorded plat of Kerasotes Theatres minor subdivision recorded June 24, 1997 as document 9724832, in the office of the Recorder of St. Joseph County, Indiana.

Project Summary

The proposed project is a 180-unit multifamily project across 5, 36-unit buildings and a clubhouse. The 5 residential buildings will be 3-story walk ups. The site will feature above ground retention.

Requested Action

Application includes (check all that apply)

☒ Rezoning

Current District: C Commercial

Additional Districts, if applicable

Proposed District S2 Suburban Neighborhood 2

Additional Districts, if applicable

The Plan Commission and Council will consider the following in the review of a rezoning petition:

- (1) The comprehensive Plan;
- (2) Current conditions and the character of the current structures and uses in each district;
- (3) The most desirable use for which the land in each district is adapted;
- (4) The conservation of property values throughout the jurisdiction; and
- (5) Responsible development and growth.

Filed in Clerk's Office

☐ Subdivision – complete and attach subdivision application

☐ Special Exception – complete and attach Criteria for Decision Making

Use requested:

MAY 21 2025
Bianca Tirado
City Clerk, South Bend, IN

☐ Variance(s) - List variances below, complete and attach Criteria for Decision Making

Variance(s) requested:

Height Requirement

Required Documents

- ☒ Completed Application (including Contact Information)
- ☒ Site Plan drawn to scale
- ☒ Filing Fee
- ☒ Additional documents as noted above

Contact information

Property owner(s) of the petition site:

Name: Sycamore Land Company, LLC

Address: 7901 4th St N, Ste 5032
Saint Petersburg, FL 33702

Name: _____

Address: _____

Name: _____

Address: _____

Contact Person:

Name: Cole R. Caress

Address: 8902 N Meridian St
Indianapolis, IN 46260

Phone Number: (317) 590-3616

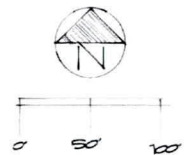
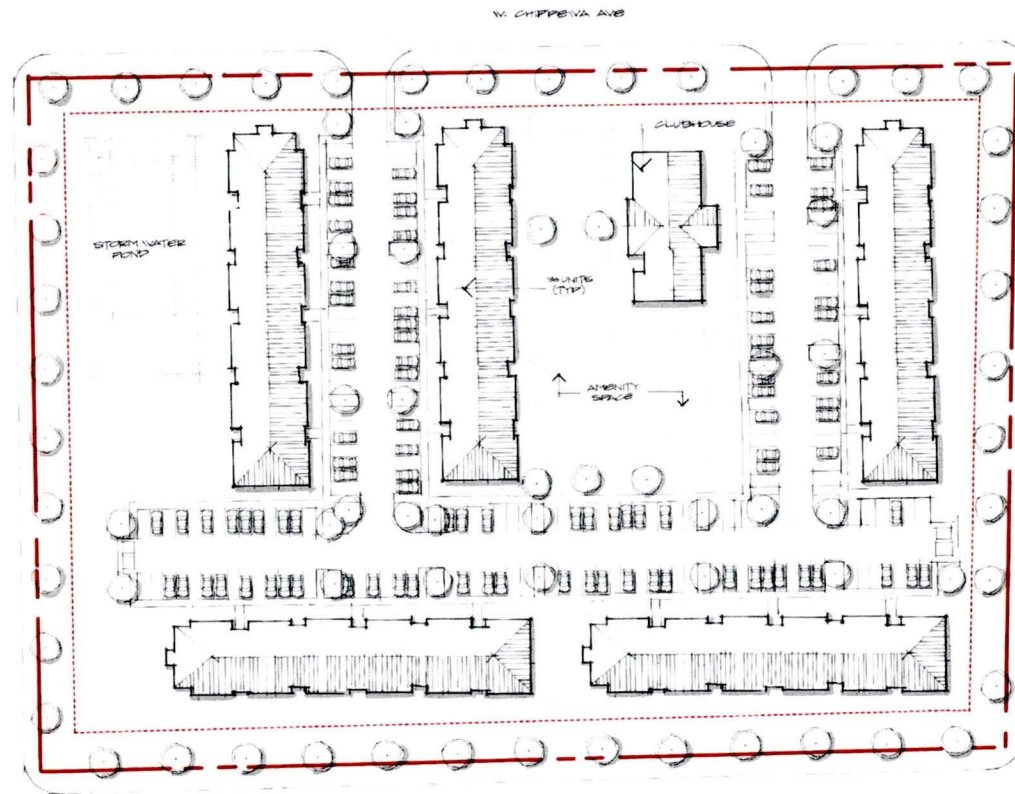
E-mail: ccaress@birgeandheld.com

By signing this petition, the Petitioner/Property Owners of the above described Real Estate acknowledge they are responsible for understanding and complying with the South Bend Zoning Ordinance and any other ordinance governing the property. Failure of staff to notify the petitioner of a requirement does not imply approval or waiver from anything contained within the ordinance.

The undersigned authorizes the contact person listed above to represent this petition before the South Bend Plan Commission and Common Council and to answer any and all questions related to this petition.

Property Owner (s) Signatures:

Signed by:
Jared Goldfarb
4E5CAB5565D6414



City of South Bend

BOARD OF ZONING APPEALS

Petition for Variance - Special Exception

Property Information

Tax Key Number: 71-08-26-200-004.000-002

Address: W Chippewa Ave, South Bend, IN 46614

Owner: Sycamore Land Company, LLC

Zoning: S2 Suburban Neighborhood 2

Project Summary:

The proposed project is a 180-unit multifamily project across 5, 36-unit buildings and a clubhouse. The 5 residential buildings will be 3-story walk ups. The site will also feature above ground retention.

Requested Action

☐ Special Exception – *complete and attach Criteria for Decision Making*

Use requested: _____

☒ Variance(s) - *List variances below, complete and attach Criteria for Decision Making*

Variance(s) requested:

Developer is requesting a variance to the height requirement of 40'-0" per S2 zoning regulations. For a 3-story building of this type the typical height of the roof bearing is approximately 31'-0". Based on the Zoning definition (vertical distance from the average finished grade adjacent to the front of the building to the highest point of the building) at a 6:12 roof pitch the highest peak would be 46'-0".

Developer is requesting a variance to increase the requirement by 6'-0".

Required Documents

- ☒ Completed Application (including Criteria for Decision Making and Contact Information)
- ☒ Site Plan drawn to scale
- ☒ Filing Fee

Criteria for Decision Making

Special Exception - *if applicable*

A Special Exception may only be granted upon making a written determination, based upon the evidence presented at a public hearing. Please address how the project meets the following criteria.

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

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

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

(4) The proposed use is compatible with the recommendations of the Comprehensive Plan, because:

Criteria for Decision Making

Variance(s) - if applicable

State statutes and the Zoning Ordinance require that certain standards must be met before a variance can be approved. Please address how the project meets the following criteria:

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

The zoning requirements allow for a 3-story building, so the variance request will not be outside the intent for the use of the property, it will give the building the necessary height to allow for a standard roof pitch of 6:12.

(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 variance is asking for a minimal amount of height increase to allow for a steeper roof slope which will produce a more attractive building massing.

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

The strict application would result in a shallower roof pitch or flat roof which would add more waterproofing concerns and a less attractive building form.

(4) The variance granted is the minimum necessary, because:

In effort to provide a unit count that aligns with the demand of the area and the economic goal of the developer, the orientation requirement requested by the ordinance causes hardship for this subject property.

(5) The variance does not correct a hardship caused by a former or current owner of the property, because:

The variance will not correct a hardship because the land is vacant.

Contact Information

Property owner(s) of the petition site:

Name: Sycamore Land Company, LLC

Address: 7901 4th St N, Ste 5032

Saint Petersburg, FL 33702

Name:

Address:

Name:

Address:

Contact Person:

Name: Cole R. Caress

Address: 8902 N Meridian St

Indianapolis, IN 46260

Phone Number: (317) 590-3616

E-mail: ccaress@birgeandheld.com

By signing this petition, the Petitioner/Property Owners of the above described Real Estate acknowledge they are responsible for understanding and complying with the South Bend Zoning Ordinance and any other ordinance governing the property. Failure of staff to notify the petitioner of a requirement does not imply approval or waiver from anything contained within the ordinance.

The undersigned authorizes the contact person listed above to represent this petition before the South Bend Plan Commission and Common Council and to answer any and all questions related to this petition.

Property Owner (s) Signatures:

Signed by:

Jared Goldfarb

Bill 32-25



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

May 21, 2025

Honorable Committee Chair Davis
4th Floor, County-City Building
South Bend, IN 46601

RE: 1037 Colfax Ave – PC#0272-25

Filed in Clerk's Office

MAY 21 2025

**Bianca Tirado
City Clerk, South Bend, IN**

Dear Committee Chair Davis:

Enclosed is an Ordinance for the proposed Zone Map Amendment at the above referenced location. Please include the attached Ordinance on the Council agenda for first reading at your May 28, 2025, Council meeting, and set it for public hearing at your June 23, 2025, Council meeting. The petition is tentatively scheduled for public hearing at the June 16, 2025, South Bend Plan Commission meeting. The recommendation of the South Bend Plan Commission will be forwarded to the Office of the City Clerk by noon on the day following the public hearing.

The petitioner provided the following to describe the proposed project:

Change the parcels zoning from Urban Neighborhood 1 (U1) to Urban Neighborhood Flex (UF)

If you have any questions, please feel free to contact our office.

Sincerely,

Tim Staub
Zoning Specialist

CC: Bob Palmer

Tim Corcoran
Planning Director

Tim Corcoran
Interim Zoning Administrator

Scott Ford
Commission President

BILL NO. 32-25

MAY 21 2025

ORDINANCE NO. _____

Bianca Tirado
City Clerk, South Bend, IN

**AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND,
INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED
1037 W COLFAX AVENUE COUNCILMANIC DISTRICT NO. 2 IN THE CITY OF
SOUTH BEND, INDIANA**

STATEMENT OF PURPOSE AND INTENT

Petitioners desire to rezone the property from Urban Neighborhood 1 (U1) District to Urban Neighborhood Flex (UF) District

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of South Bend, Indiana, as follows:

SECTION I. Ordinance No. 10689-19, which ordinance is commonly known as the Zoning Ordinance of the City of South Bend, Indiana, be and the same hereby amended in order that the zoning classification of the following described real estate in the City of South Bend, St. Joseph County, State of Indiana:

EX RR LOT 50 ROCKAFELLERS 2ND ADD

be and the same is hereby established as Urban Neighborhood Flex (UF) District

SECTION II. This ordinance is and shall be subject to commitments as provided by Chapter 21-12.07(f)(7) Commitments, if applicable.

SECTION III. This Ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the mayor, and legal publication, and full execution of any conditions or Commitments placed upon the approval.

Canneth J. Lee, Council President
South Bend Common Council

Attest:

Bianca L. Tirado, City Clerk
Office of the City Clerk

Presented by me, the undersigned Clerk of the City of South Bend, to the Mayor of the City of South Bend, Indiana on the ____ day of _____, 2025, at _____ o'clock __.m.

Bianca L. Tirado, City Clerk
Office of the City Clerk

Approved and signed by me on the _____ day of _____, 2025, at ____ o'clock ____m.

James Mueller, Mayor
City of South Bend, Indiana

City of South Bend
PLAN COMMISSION

MAY 21 2025

Bianca Tirado
City Clerk, South Bend, IN

227 W. Jefferson - Suite 1400S
South Bend, IN 46601
zoning@southbendin.gov

Petition for Rezoning or Combined Public Hearing

Property Information

Tax Key Number: 71-08-11-133-007.000-026

Address: 1037 W Colfax Avenue, South Bend, IN 46616

Owner: Miatt Properties LLC

Legal Description:

Beginning at a point on the East line of said Lot Numbered 50, 138 feet North of the Southeast corner of said Lot; thence South 138 feet to the said Southeast corner of said Lot; thence West to the Southwest corner of said Lot; thence North on said West line of said Lot, 99 feet; thence Northeasterly to the point of beginning.

Project Summary

To re-purpose long-term vacant house to a small-scale office space



Requested Action

Application includes (check all that apply)

☒ Rezoning

Current District: U1 Urban Neighborhood 1

Proposed District: UF Urban Flex



Additional Districts, if applicable



Additional Districts, if applicable

The Plan Commission and Council will consider the following in the review of a rezoning petition:

- (1) The comprehensive Plan;
- (2) Current conditions and the character of the current structures and uses in each district;
- (3) The most desirable use for which the land in each district is adapted;
- (4) The conservation of property values throughout the jurisdiction; and
- (5) Responsible development and growth.

☐ Subdivision – complete and attach subdivision application

☐ Special Exception – complete and attach Criteria for Decision Making

Use requested: _____

☐ Variance(s) - List variances below, complete and attach Criteria for Decision Making

Variance(s) requested: _____

Required Documents

- ☒ Completed Application (including Contact Information)
- ☒ Site Plan drawn to scale
- ☒ Filing Fee
- ☐ Additional documents as noted above

Contact information

Property owner(s) of the petition site:

Name: Miatt Properties LLC

Address: 1822 E Fox Street
South Bend, IN 46613

Name: _____

Address: _____

Name: _____

Address: _____

Contact Person:

Name: Myra Reid

Address: 1822 E Fox Street
South Bend, IN 46613

Phone Number: 574.229.9446

E-mail: miattproperties@gmail.com

By signing this petition, the Petitioner/Property Owners of the above described Real Estate acknowledge they are responsible for understanding and complying with the South Bend Zoning Ordinance and any other ordinance governing the property. Failure of staff to notify the petitioner of a requirement does not imply approval or waiver from anything contained within the ordinance.

The undersigned authorizes the contact person listed above to represent this petition before the South Bend Plan Commission and Common Council and to answer any and all questions related to this petition.

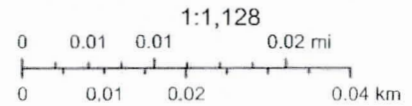
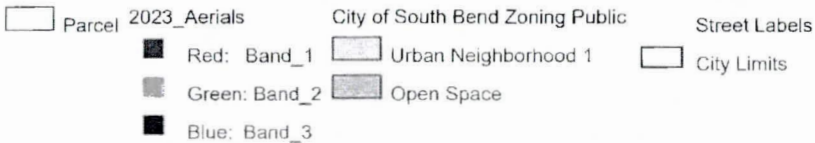
Property Owner (s) Signatures:

Myra Reid Digitally signed by Myra Reid
Date: 2025.05.19 10:28:02
-04'00'

Site Plan - 1037 W Colfax Ave



5/19/2025, 1:56:27 AM



Esri Community Maps Contributors, University of Notre Dame, St Joseph County GIS, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin,

City of South Bend - Department of Community Investment

This map is to be used for reference only and does not constitute an official survey of property lines. This map should be used for planning purposes only. Please contact the Department of Community Investment for more information (574) 245-6022