



# OFFICE OF THE CITY CLERK

## DAWN M. JONES, CITY CLERK

### MEMORANDUM

**TO:** MEMBERS OF THE COMMON COUNCIL  
**FROM:** DAWN M. JONES, CITY CLERK  
**DATE:** THURSDAY, JANUARY 5, 2023  
**SUBJECT:** COMMITTEE MEETING NOTICE

---

The following Common Council Committee Meetings have been scheduled for **Monday, January 9, 2023:**  
Council Chambers  
4th Floor County-City Building  
227 W. Jefferson Blvd.  
South Bend, IN 46601

The Council Chambers will be Open to the Public or Members of the Public May Attend this Meeting Virtually via Microsoft Teams Meeting app here: <https://tinyurl.com/01092023CC>.

**3:30 P.M. PUBLIC WORKS & PROPERTY VACATION** **CHAIRPERSON, NIEZGODSKI**

1. Presentation About improving the Alley Vacation Process in Advance of a Future Ordinance Request to the Common Council

**4:00 P.M. ZONING & ANNEXATION** **CHAIRPERSON, HAMANN**

1. Bill No. - [71-22](#) - An Ordinance Approving a Petition of the Advisory Board of Zoning Appeals for Property located at 1502 Miami St. Councilmanic District No. 3 in the City of South Bend, Indiana
2. Bill No. - [74-22](#) - An Ordinance Amending the Zoning Ordinance for Property Located 505 Ireland Rd., 4412 Fellows St., and Fellows St., Councilmanic Dist. 5

3. Bill No. - [79-22](#) - An Ordinance Approving a Special Exception for Property Located at 7468 and 7686 Vorden Parkway

Council Vice-President Sheila Niezgodski has called an **Informal Meeting** of the Council which will commence immediately after the adjournment of the Zoning and Annexation Committee Meeting.

**INFORMAL MEETING OF THE COMMON COUNCIL**

**VICE-PRESIDENT, NIEZGODSKI**

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

cc: Mayor James Mueller  
Committee Meeting  
List Media

**NOTICE FOR HEARING AND SIGHT-IMPAIRED PERSONS**

Auxiliary Aid or Other Services may be Available upon Request at No Charge.

Please give a Reasonable Advance Request when Possible



# South Bend Common Council

---

## Meeting Agenda

Monday, January 9, 2023

7:00 PM

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/01092023SBCC>

1. **INVOCATION** - Pastor John Ward, Kingdom Impact Ministries
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **REPORT FROM SUB-COMMITTEE ON MINUTES**  
  
SEPTEMBER 12, 2022, SEPTEMBER 26, 2022  
OCTOBER 10, 2022, OCTOBER 24, 2022  
NOVEMBER 14, 2022, NOVEMBER 28, 2022  
DECEMBER 12, 2022
5. **SPECIAL BUSINESS**
6. **REPORTS FROM CITY OFFICES**
7. **COMMITTEE OF THE WHOLE**  
BILL NO.

[52-22](#) PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, TO VACATE THE FOLLOWING DESCRIBED PROPERTY: THE SOUTHEAST HALF, 120 FEET, OF THE ALLEY EXTENDING BETWEEN GOOD PLACE AND BLYLER PLACE ROUGHLY PARALLEL TO RIVERSIDE DRIVE IN THE CITY OF SOUTH BEND AREA COMMONLY KNOWN AS THE KELLER PARK NEIGHBORHOOD.

[69-22](#) PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, APPROVING A PETITION OF THE ADVISORY BOARD OF ZONING APPEALS FOR THE PROPERTY LOCATED AT 1405 PORTAGE AVE. COUNCILMANIC DISTRICT NO. 1 IN THE CITY OF SOUTH BEND, INDIANA

[71-22](#) PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, APPROVING A PETITION OF THE ADVISORY BOARD OF ZONING APPEALS FOR THE PROPERTY LOCATED AT 1502 MIAMI ST. COUNCILMANIC DISTRICT NO. 3 IN THE CITY OF SOUTH BEND, INDIANA

[74-22](#) PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED 505 IRELAND RD., 4412 FELLOWS ST., AND 4422 FELLOWS ST., COUNCILMANIC DISTRICT NO. 5 IN THE CITY OF SOUTH BEND, INDIANA

[79-22](#) PUBLIC HEARING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, APPROVING A PETITION OF THE ADVISORY BOARD OF ZONING APPEALS FOR PROPERTY LOCATED AT 7468 AND 7686 VORDEN PARKWAY. COUNCILMANIC DISTRICT NO. 1 IN THE CITY OF SOUTH BEND, INDIANA

8. **RISE AND REPORT**
9. **REGULAR MEETING RECONVENED**
10. **BILLS ON THIRD READING**  
BILL NO.

- 52-22 THIRD READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, VACATE THE FOLLOWING DESCRIBED PROPERTY: THE SOUTHEAST HALF, 120 FEET, OF THE ALLEY EXTENDING BETWEEN GOOD PLACE AND BLYLER PLACE ROUGHLY PARALLEL TO RIVERSIDE DRIVE IN THE CITY OF SOUTH BEND AREA COMMONLY KNOWN AS THE KELLER PARK NEIGHBORHOOD.
- 63-22 THIRD READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, ANNEXING TO AND BRINGING WITHIN THE CITY LIMITS OF SOUTH BEND, INDIANA, AND AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED IN GERMAN TOWNSHIP, CONTIGUOUS THEREWITH; COUNCILMANIC DISTRICT NO. 1, FOR 21275 CLEVELAND ROAD, SOUTH BEND, INDIANA (**THIRD READING ONLY**)
- 69-22 THIRD READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, APPROVING A PETITION OF THE ADVISORY BOARD OF ZONING APPEALS FOR THE PROPERTY LOCATED AT 1405 PORTAGE AVE. COUNCILMANIC DISTRICT NO. 1 IN THE CITY OF SOUTH BEND, INDIANA
- 71-22 THIRD READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, APPROVING A PETITION OF THE ADVISORY BOARD OF ZONING APPEALS FOR THE PROPERTY LOCATED AT 1502 MIAMI ST. COUNCILMANIC DISTRICT NO. 3 IN THE CITY OF SOUTH BEND, INDIANA
- 74-22 THIRD READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED 505 IRELAND RD., 4412 FELLOWS ST., AND 4422 FELLOWS ST., COUNCILMANIC DISTRICT NO. 5 IN THE CITY OF SOUTH BEND, INDIANA
- 79-22 THIRD READING ON AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, APPROVING A PETITION OF THE ADVISORY BOARD OF ZONING APPEALS FOR PROPERTY LOCATED AT 7468 AND 7686 VORDEN PARKWAY. COUNCILMANIC DISTRICT NO. 1 IN THE CITY OF SOUTH BEND, INDIANA

11. RESOLUTIONS  
BILL NO.
12. BILLS OF FIRST READING  
BILL NO.
13. UNFINISHED BUSINESS
14. NEW BUSINESS
15. PRIVILEGE OF THE FLOOR
16. ADJOURNMENT

**NOTICE FOR HEARING AND SIGHT IMPAIRED PERSONS:**

Auxiliary aid or other services are available upon request at no charge.

Please give reasonable advance request if and when possible.

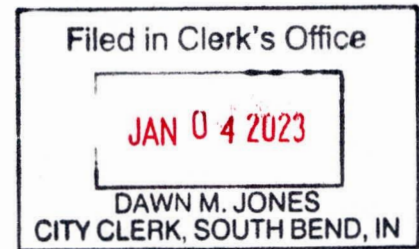
# BILL NO. 71-22

## City of South Bend BOARD OF ZONING APPEALS

County-City Building  
227 W. Jefferson Blvd. 1400S  
South Bend, IN 46601  
(574) 235-7627

January 4, 2023

Common Council of South Bend  
227 W. Jefferson Blvd, 4<sup>th</sup> Floor  
South Bend, IN 46601



Re: Bill# 71-22: The petition of SHARK INVESTMENTS LLC seeking a Special Exception for minor vehicle service in the NC Neighborhood Center for property located at 1502 MIAMI RD.

Dear Council Members:

I hereby Certify that the above referenced petition of SHARK INVESTMENTS LLC was legally advertised on November 25, 2022 and that the South Bend Board of Zoning Appeals at its public hearing on January 3, 2023 took the following action:

Upon a motion by Mark Burrell, being seconded by Kaine Kancuzewski and unanimously carried, a petition by SHARK INVESTMENTS LLC seeking a Special Exception for minor vehicle service for property located at 1502 MIAMI RD, City of South Bend, is sent to the Common Council with a **favorable recommendation**, and will issue written Findings of Fact.

The staff comments related to this petition are attached. The Findings of Fact will be adopted at the next South Bend Board of Zoning Appeals meeting. Minutes of the public hearing are available in our office and will be posted on our website once approved.

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

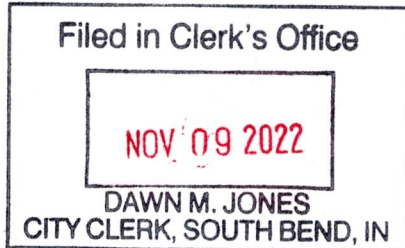
Sincerely,

A handwritten signature in black ink that reads "Angela M. Smith".

Angela M. Smith  
Zoning Administrator

Attachment

CC: SHARK INVESTMENTS LLC  
Harry Ortega & Luz A Matule



**BILL NO. 71-22**

**ORDINANCE NO. 10907-22**

**AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, APPROVING A PETITION OF THE ADVISORY BOARD OF ZONING APPEALS FOR THE PROPERTY LOCATED AT 1502 MIAMI ST. COUNCILMANIC DISTRICT NO. 3 IN THE CITY OF SOUTH BEND, INDIANA**

---

**STATEMENT OF PURPOSE AND INTENT**

**Request a Special Exception to allow for the property to operate an automotive carwash and detailing shop**

---

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

**SECTION I.** The Common Council has provided notice of the hearing on the Petition from the Advisory Board of Zoning Appeals pursuant to Indiana Code Section 5-14-1.5-5, requesting that a Special Exception be granted for property located at:

1502 Miami St. 018-7081-2943

In order to permit Vehicle Service, Minor

**SECTION II.** Following a presentation by the Petitioner, and after proper public hearing, the Common Council hereby approves the petition of the Advisory Board of Zoning Appeals, a copy of which is on file in the Office of the City Clerk.

**SECTION III.** The Common Council of the City of South Bend, Indiana, hereby finds that:

1. The proposed use will not be injurious to the public health, safety, comfort, community moral standards, convenience, or general welfare;
2. The proposed use will not injure or adversely affect the use of adjacent area of property values therein;
3. The proposed use will be consistent with the character of the district in which it is located, and the land uses authorized therein;
4. The proposed use is compatible with the recommendations of the City of South Bend Comprehensive Plan;



**SECTION IV.** Approval is subject to the Petitioner complying with the reasonable conditions, if any, established by the Advisory Board of Zoning Appeals which are on file in the Office of the City Clerk.

**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, and legal publication, and full execution of any conditions or Commitments placed upon the approval.

\_\_\_\_\_  
Sharon McBride, Council President  
South Bend Common Council

Attest:

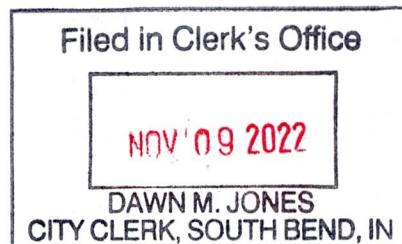
\_\_\_\_\_  
Dawn M. Jones, City Clerk  
Office of the City Clerk

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 \_\_\_\_\_, 2023, at \_\_\_\_\_ o'clock \_\_\_\_ m.

\_\_\_\_\_  
Dawn M. Jones, City Clerk  
Office of the City Clerk

Approved and signed by me on the \_\_\_\_\_ day of \_\_\_\_\_, 2023, at \_\_\_\_ o'clock \_\_\_\_ m.

\_\_\_\_\_  
James Mueller, Mayor  
City of South Bend, Indiana



**Property Information**

Location: 1502 MIAMI RD  
Owner: SHARK INVESTMENTS LLC

**Project Summary**

Allow a car detailing/carwash

**Requested Action**

Special Exception: Minor Vehicle Service

**Site Location**



**Staff Recommendation**

Staff recommends the Board send the Special Exception to the Common Council with a favorable recommendation.

Proposed Site Plan



### Criteria for Decision Making: Special Exception

**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, comfort, community moral standards, convenience or general welfare. The building has been designed for automotive services for several decades. All the vehicle service activities occur within the fully enclosed building. There are not hazardous materials being used or fumes created by this particular automotive service.

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

Since all the vehicle service activities occur with the fully enclosed building, approval of the Special Exception should not injure or adversely affect the use of the adjacent area.

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

The Neighborhood Center Zoning District encourages pedestrian orientated development. The use of Minor Vehicle Service is an Special Exception in the district for instances such as this where the original intent of the building was for an automotive repair shop. Activation of the building in a manner that is sympathetic to the surrounding neighborhood is consistent with the character of the district.

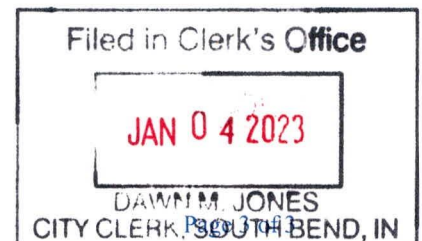
**(4) The proposed use is compatible with the recommendations of the Comprehensive Plan.**

The petition is consistent with City Plan (2006) Objective ED1: Stimulate the rehabilitation and adaptive reuse of property in the City.

### Analysis & Recommendation

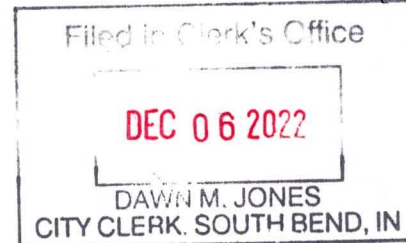
**Analysis:** Granting the Special Exception will allow for the reuse of a building that was originally built for automotive purposes. Although the Neighborhood Center Zoning District outlines pedestrian orientated development, the use of Minor Vehicle Service is an allowed Special Exception in the district for such instances. With some minor landscaping improvements, the building can be reactivated in a way that works well with the surrounding area.

**Staff Recommendation:** Staff recommends the Board send the Special Exception to the Common Council with a favorable recommendation.



City of South Bend  
**BOARD OF ZONING APPEALS**

County-City Building  
227 W. Jefferson Blvd. 1400S  
South Bend, IN 46601  
(574) 235-7627



December 6, 2022

Common Council of South Bend  
227 W. Jefferson Blvd, 4<sup>th</sup> Floor  
South Bend, IN 46601

Re: Bill# 71-22: The petition of SHARK INVESTMENTS LLC seeking a Special Exception for minor vehicle service in the NC Neighborhood Center for property located at 1502 MIAMI RD.

Dear Council Members:

I hereby Certify that the above referenced petition of SHARK INVESTMENTS LLC was legally advertised on November 25, 2022 and that the South Bend Board of Zoning Appeals at its public hearing on December 5, 2022 took the following action:

Upon a motion by Caitlin Stevens, being seconded by Mark Burrell and unanimously carried, a petition by SHARK INVESTMENTS LLC seeking a Special Exception for minor vehicle service for property located at 1502 MIAMI RD, City of South Bend is **tabled** due to a lack of petitioner in attendance.

The petition is scheduled to be heard at the next regularly scheduled meeting of the BZA on January 3, 2023. If the petitioner fails to appear at that meeting, the matter will be dismissed.

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

Sincerely,

A handwritten signature in cursive script that reads "Angela M. Smith".

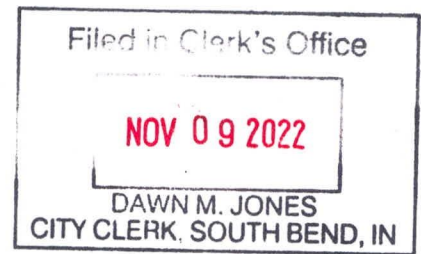
Angela M. Smith  
Zoning Administrator

Attachment

CC: SHARK INVESTMENTS LLC  
Harry Ortega & Luz A Matule

# City of South Bend

## BOARD OF ZONING APPEALS



November 9, 2022

Honorable Lori Hamann  
4th Floor, County-City Building  
South Bend, IN 46601

RE: Special Exception at 1502 Miami St.

Dear Committee Chair Hamann:

Enclosed is an Ordinance for the proposed Special Exception at the above referenced location. Please include the attached Ordinance on the Council agenda for **first reading** at your **November 14th, 2022**, Council meeting and set it for public hearing at your **December 12th, 2022**, Council meeting. The petition is tentatively scheduled for public hearing at the December 5, 2022, South Bend Board of Zoning Appeals meeting. The staff report and recommendation of the South Bend Board of Zoning Appeals will be forwarded to the Office of the City Clerk by noon on the Wednesday following the public hearing.

The petitioner provided the following to describe the proposed project:

*Request a Special Exception to allow for the property to operate an automotive carwash and detailing shop.*

The full petition is attached for your reference. Changes may occur between the filing and the public hearing. Any substantial changes will be identified at the Council meeting.

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

Sincerely,

Rachel Boyles  
Zoning Specialist

CC: Bob Palmer

City of South Bend  
**BOARD OF ZONING APPEALS**

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

**Petition for Variance - Special Exception**

**Property Information**

Tax Key Number: \_\_\_\_\_

Address: ~~158 Madelle Island Rd Medford~~ 1502 South Miami st <sup>South bend</sup> <sub>IN 46613</sub>

Owner: Luz A Matute

Zoning: Choose the current district

**Project Summary:**

**Requested Action**

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

Use requested: Vehicle Service, minor

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

Variance(s) requested:



**Required Documents**

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

**PAID**

SEP 15 2022

Per VRB

## 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:

it will be used as a Car wash /  
Detail place

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

It will be run as a business  
washing vehicles

(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:

It will be up to code Clean, grass  
trimmed, Clean outside and inside and  
well maintained.

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

It will be a thrive<sup>own</sup> business in the  
town provide excellence service to the community  
with cleaning.



## 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:

(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:

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

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

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

**Contact Information**

**Property owner(s) of the petition site:**

Name: Luz A Matute  
Address: 156 Middle Island RD Medford Ny 11763

Name: \_\_\_\_\_  
Address: \_\_\_\_\_

Name: \_\_\_\_\_  
Address: \_\_\_\_\_

**Contact Person:**

Name: Harry Ortega  
Address: 156 Middle Island RD Medford Ny 11763

Phone Number: 631-949-2381

E-mail: Harry01997@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:

Luz A Matute \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

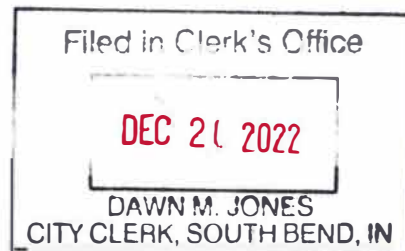
\_\_\_\_\_

# BILL NO. 74-22



## City of South Bend PLAN COMMISSION

County-City Building  
227 W. Jefferson Blvd. 1400S  
South Bend, IN 46601  
(574) 235-7627  
[www.southbendin.gov/zoning](http://www.southbendin.gov/zoning)



Tuesday, December 20, 2022

South Bend Common Council  
227 W. Jefferson Blvd., 4<sup>th</sup> Floor  
South Bend, IN 46601

Re: Bill#74-22 - A proposed ordinance of IRELAND GREENS TRUCKING CO LLC to zone from UF Urban Neighborhood Flex and S1 Suburban Neighborhood 1 to C Commercial, property located at 505 IRELAND RD 4412 AND 4422 FELLOWS ST, City of South Bend - PC# 0127-22

Dear Council Members:

I hereby Certify that the above referenced ordinance of IRELAND GREENS TRUCKING CO LLC was legally advertised on December 9, 2022 and that the South Bend Plan Commission at its public hearing on December 19, 2022 took the following action:

Upon a motion by Kyle Copelin, being seconded by Kara Boyles and unanimously carried, a proposed ordinance of IRELAND GREENS TRUCKING CO LLC to zone from UF Urban Neighborhood Flex and S1 Suburban Neighborhood 1 to C Commercial, property located at 505 IRELAND RD 4412 AND 4422 FELLOWS ST, City of South Bend, is sent to the Common Council with a FAVORABLE recommendation, subject to the following commitments: 1) all buildings shall have a hipped or gabled roof; and 2) no drive-through shall be permitted.

The staff report is attached. The deliberations of the Plan Commission and points considered in arriving at the above decision are shown in the minutes of the public hearing, Minutes of the public hearing are available in our office and will be posted on our website once approved.

Sincerely,

A handwritten signature in black ink that reads "Angela M. Smith".

Angela M. Smith  
Zoning Administrator

Attachment

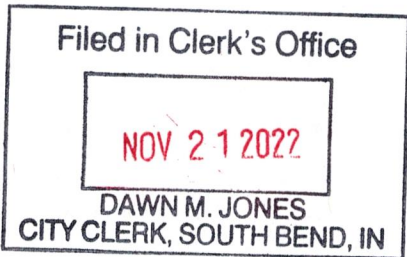
CC: IRELAND GREENS TRUCKING CO LLC  
Bob Palmer  
Four Iron Investments LLC  
Mark Macheca

---

**Tim Corcoran**  
Planning Director

**Angela Smith**  
Zoning Administrator

**Scott Ford**  
Commission President



**BILL NO. 74-22**

**ORDINANCE NO. 10908-22**

**AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED 505 IRELAND RD., 4412 FELLOWS ST., AND 4422 FELLOWS ST., COUNCILMANIC DISTRICT NO. 5 IN THE CITY OF SOUTH BEND, INDIANA**

---

**STATEMENT OF PURPOSE AND INTENT**

Petitioners desire to rezone the property from UF Urban Neighborhood Flex and S1 Suburban Neighborhood 1 to C Commercial to allow for expansion of the office building.

---

**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:

Lot 1, Lot 2 and the southern 40' of Lot 3 of Huffman's 1<sup>st</sup> Addition

be and the same is hereby established as C Commercial

**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.

---

Sharon McBride, Council President  
South Bend Common Council

---

Dawn M. Jones, 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 \_\_\_\_\_, 2023, at \_\_\_\_\_ o'clock \_\_\_\_ m.

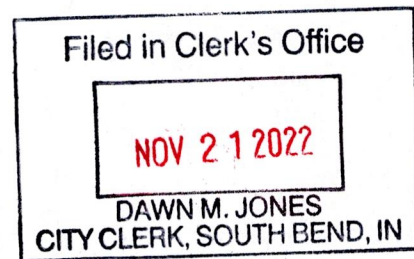
---

Dawn M. Jones, City Clerk  
Office of the City Clerk

Approved and signed by me on the \_\_\_\_\_ day of \_\_\_\_\_, 2023, at \_\_\_\_ o'clock \_\_\_\_ m.

---

James Mueller, Mayor  
City of South Bend, Indiana



**Property Information**

Location: 505 IRELAND RD and 4422 FELLOWS ST and 4412 FELLOWS ST  
Owner: IRELAND GREENS TRUCKING CO LLC

**Requested Action**

Rezone from UF Urban Neighborhood Flex and S1 Suburban Neighborhood 1 to C Commercial

**Project Summary**

Create a contiguous parcel with appropriate commercial zoning (C) to allow for the expansion of the existing one-story office building.

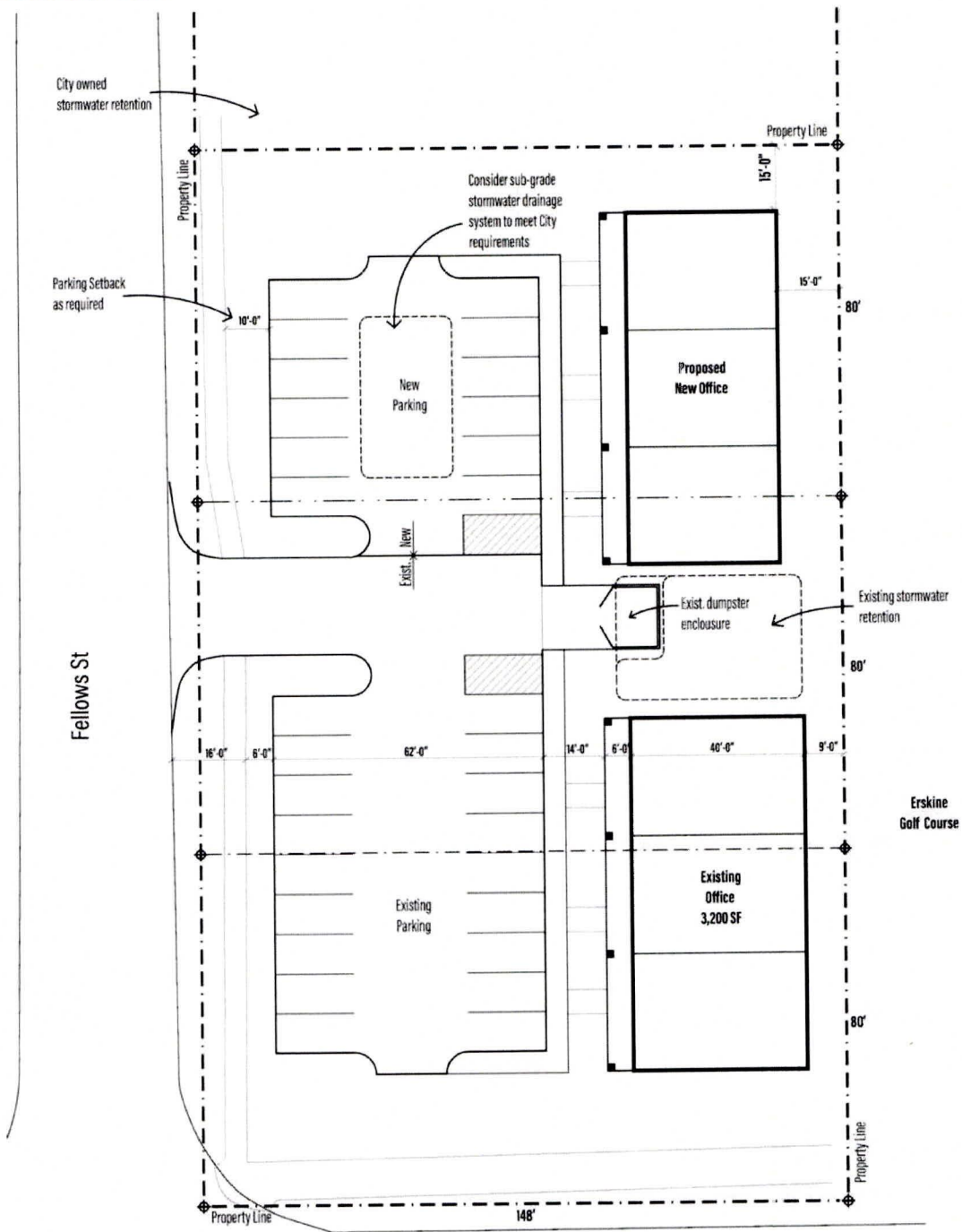
**Location Map**



**Recommendation**

**Staff Recommendation:** Based on information available prior to the public hearing, the Staff recommends the Plan Commission send the rezoning petition to the Common Council with a favorable recommendation, subject to the following commitments: 1) all buildings shall have a hipped or gabled roof; and 2) drive-through facilities shall not be permitted.

### Proposed Site Plan



E Ireland Rd

### Site Plan



## Site & Context

### Land Uses and Zoning:

- On site: An office building with associated parking and a residential dwelling.
- North: A City owned drainage lot zoned S1 Suburban Neighborhood 1
- East: A golf course zoned OS Open Space
- South: Across E. Ireland Rd., a dental clinic and residential dwelling zoned UF Urban Neighborhood Flex
- West: Across Fellows St, a multi tenant retail space zoned C Commercial

### District Intent:

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

### Site Plan Description:

The proposed site plan shows the construction of a one story office building in a similar style as the existing one story office building. The plan includes maintaining the existing commercial access and expanding the site to the north where the single unit dwelling is currently location. Additional parking is proposed on site as well.

### Zoning and Land Use History and Trends:

At the time the Erskine Golf Course was built in 1925, this was still a rural, undeveloped area on the outer edge of the City. In the 1950's, residential growth around the golf course began. Shortly there after commercial nodes at Ireland and Michigan and Ireland and Miami intersections began to develop. It wasn't until the mid-1970's that the commercial growth began to expand from Michigan Street toward the golf course. This property remained residential until it was rezoned in 2005. The current office building was built around 2010.

### Traffic and Transportation Considerations:

Ireland Road is a 4 lane thoroughfare. Fellows Street is a two lane residential street expanding to three for a left turn lane at the intersection. Ireland and Fellows is a signalized intersection.

## Agency Comments

### Agency Comments:

Venue Parks and Arts notes that the proposed development may be at risk of stray golf balls and that the owner assumes all responsibility in the development at this location. There are no other agency comments at this time. Agencies will fully review the development at the time of site development.

### Staff Comments:

While the staff does not encourage the removal of viable single-unit dwellings for the purpose of commercial expansion, these parcels are isolated by the City retention pond to the north and the golf course to the east. This will prevent further sprawl into the neighborhood and serve as a good buffer between the residential to the north and Ireland to the south. While development in a UF Urban Flex style is preferred, the desire by the petitioner to replicate the existing development and take advantage of the views of the golf course have created the C Commercial style development requested. Special attention should be made to ensure the development has a more residential character, similar to other properties in the area, and does not impeded on the use and enjoyment of the golf course. By limiting uses that include a drive-through and requiring a more residential roof type, the impact of the full extent of C Commercial Uses can be minimized.



## 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 conflicts with the goal of the Miami Hills Neighborhood Plan (2020) to support the protection and maintenance of a range of housing types, but the plan was primarily residential in focus. identifies this area as a potential area for intersection improvements, including improved pedestrian crossings.

**Land Use Plan:**

The Future Land Use Plan identifies the existing commercial property as both commercial and medium intensity residential.

**Plan Implementation/Other Plans:**

The petition is consistent with city's comprehensive plan, City Plan (2006) (Objective ED2) Retain existing businesses and recruit new ones to the city. Allowing the rezoning of the site will allow for the expansion and retention of a current business in the city. The Future Land Use Plan identifies this area as Park & Open Space, however, the City has no intention at this moment to acquire these lots and the lots across the street are identified as Commercial.

**2. Current Conditions and Character:**

Ireland Road is a mix of commercial and residential with two intense commercial nodes at the intersections of Ireland with Miami and Michigan. There has been a lot of redevelopment of commercial properties within this area in the past year.

**3. Most Desirable Use:**

The most desirable use of the property is one that allows for a mix of commercial uses in a manner that is sympathetic to the residential uses nearby.

**4. Conservation of Property Values:**

While we do not encourage demolition of residential dwellings, in this instance, this property is bound by a municipal drainage lot to the north and a public golf course to the east so the commercial use will be isolated from the surrounding neighborhood. It should not have significant impacts on the use and value of the adjacent properties.

**5. Responsible Development and Growth:**

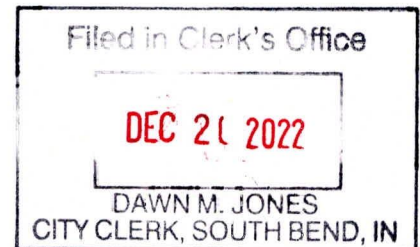
It is responsible development to allow for the expansion of an existing business that will be isolated from the current neighborhood.

## Analysis & Recommendation

**Commitments:** The staff recommends the following commitments: 1) all buildings shall have a hipped or gabled roof; and 2) no drive-through shall be permitted.

**Analysis:** Rezoning these properties to C Commercial will allow for the expansion of services to the area. Since the property is bound by a municipal drainage lot to the north and a public golf course to the east, the impact of the commercial use will be buffered from the surrounding neighborhood. It should not have significant impacts on the use and value of the adjacent properties.

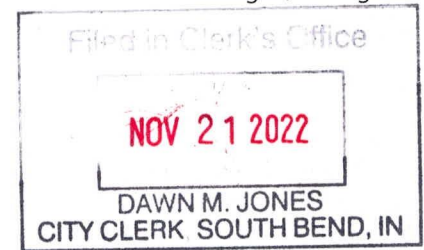
**Recommendation:** Based on information available prior to the public hearing, the Staff recommends the Plan Commission send the rezoning petition to the Common Council with a favorable recommendation, subject to the following commitments: 1) all buildings shall have a hipped or gabled roof; and 2) drive-through facilities shall not be permitted.





# City of South Bend PLAN COMMISSION

County-City Building  
227 W. Jefferson Blvd. 1400S  
South Bend, IN 46601  
(574) 235-7627  
[www.southbendin.gov/zoning](http://www.southbendin.gov/zoning)



November 21, 2022

Honorable Committee Chair Hamann  
4<sup>th</sup> Floor, County-City Building  
South Bend, IN 46601

RE: 505 Ireland Rd., 4412 S Fellows St., and 4422 Fellows St. – PC#0127-22

Dear Committee Chair Hamann:

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 November 28<sup>th</sup>, 2022, Council meeting, and set it for public hearing at your January 9<sup>th</sup>, 2023, Council meeting. The petition is tentatively scheduled for public hearing at the December 19<sup>th</sup>, 2022, 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:

Create a contiguous parcel with appropriate commercial zoning to allow for the expansion of the existing one-story office building.

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

Sincerely,

A handwritten signature in black ink that reads "Rachel Boyles".

Rachel Boyles  
Zoning Specialist

CC: Bob Palmer

---

**Tim Corcoran**  
Planning Director

**Angela Smith**  
Zoning Administrator

**Scott Ford**  
Commission President

City of South Bend  
PLAN COMMISSION

Filed in Clerk's Office  
NOV 21 2022  
DAWN M. JONES  
CITY CLERK, SOUTH BEND, IN

**Petition for Rezoning or Combined Public Hearing**

**Property Information**

Tax Key Number: 018-7204-7509, 018-7204-7510 / 018-7204-7511

Address: 505 E Ireland St. Suite 300 / 4412 S Fellows St., South Bend, IN 46614

Owner: Ireland Greens Trucking Co. LLC / Four Iron Investments LLC

**Legal Description:**

018-7204-7509: S 80' Lot1, Huffman S 1st  
018-7204-7510: S 60' Lot 2 & N 20' Lot 1 Huffman S 1st Add  
018-7204-7511: S 40' Lot 3 & N 40' Huffman S 1st Add

**Project Summary**

Create a contiguous parcel with appropriate commercial zoning (C) to allow for the expansion of the existing one-story office building.

**Requested Action**

Application includes (check all that apply)

Rezoning

Current District: UF Urban Flex

S1 Suburban Neighborhood 1

Proposed District C Commercial

*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: Ireland Greens Trucking Co. LLC

Address: 505 E Ireland Road, Suite 300  
South Bend, IN 46614

City Clerk's Office  
NOV 21 2022  
DAWN M. JONES  
CITY CLERK, SOUTH BEND, IN

Name: Four Iron Investments LLC

Address: 4412 S. Fellows Street  
South Bend, IN 46614

Name: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

**Contact Person:**

Name: Mark Macheca

Address: 4102 Meghan Beeler Court  
South Bend, IN 46628

Phone Number: (574) 243-3255 ext. 239

E-mail: mmachea@business-furnishings.net

**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:

 \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

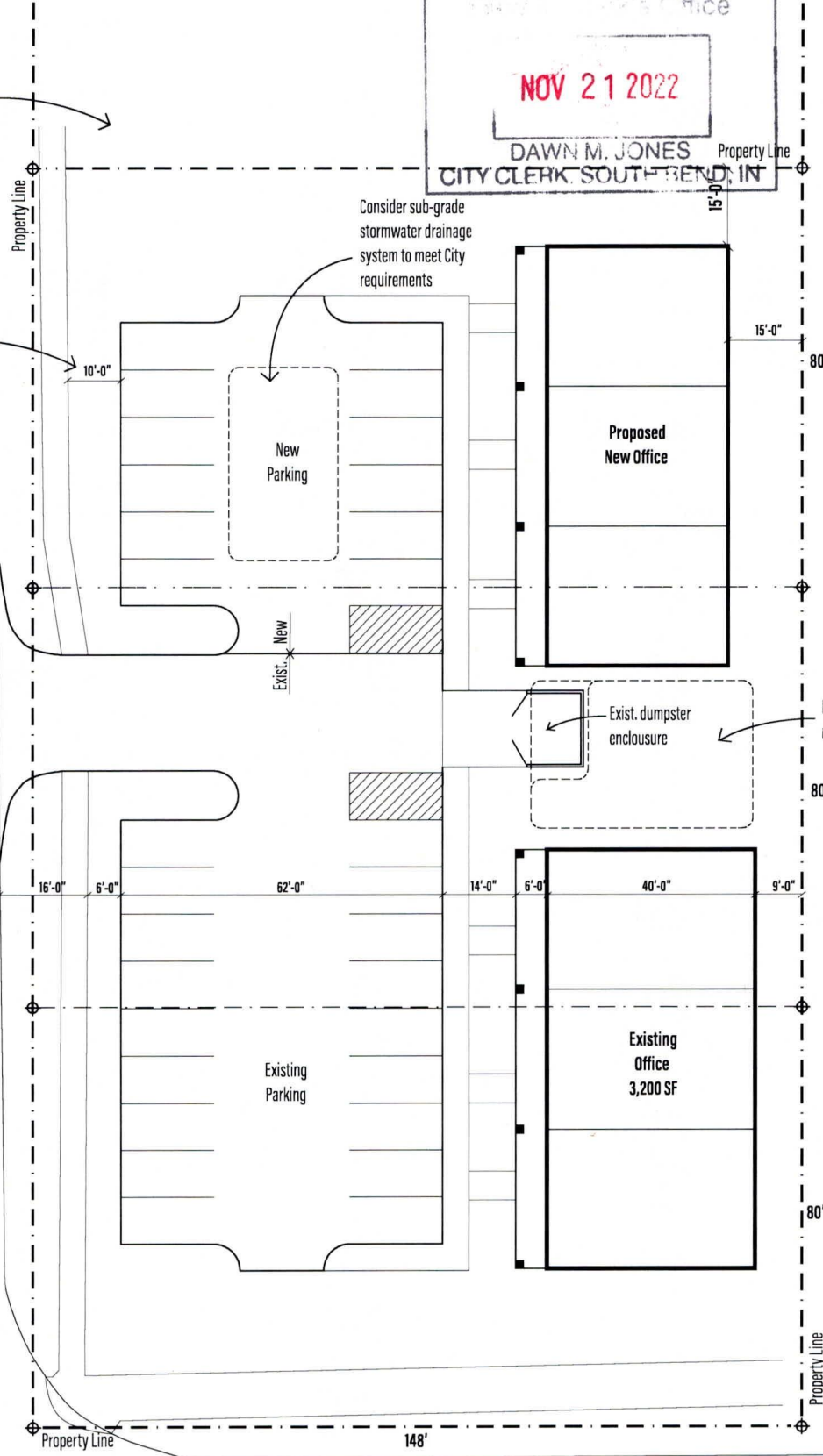
City owned  
stormwater retention

Parking Setback  
as required

NOV 21 2022  
DAWN M. JONES  
CITY CLERK, SOUTH BEND, IN

Consider sub-grade  
stormwater drainage  
system to meet City  
requirements

Fellows St



Existing stormwater  
retention

Proposed  
New Office

Exist. New

Exist. dumpster  
enclosure

Existing  
Parking

Existing  
Office  
3,200 SF

Erskine  
Golf Course

E Ireland Rd

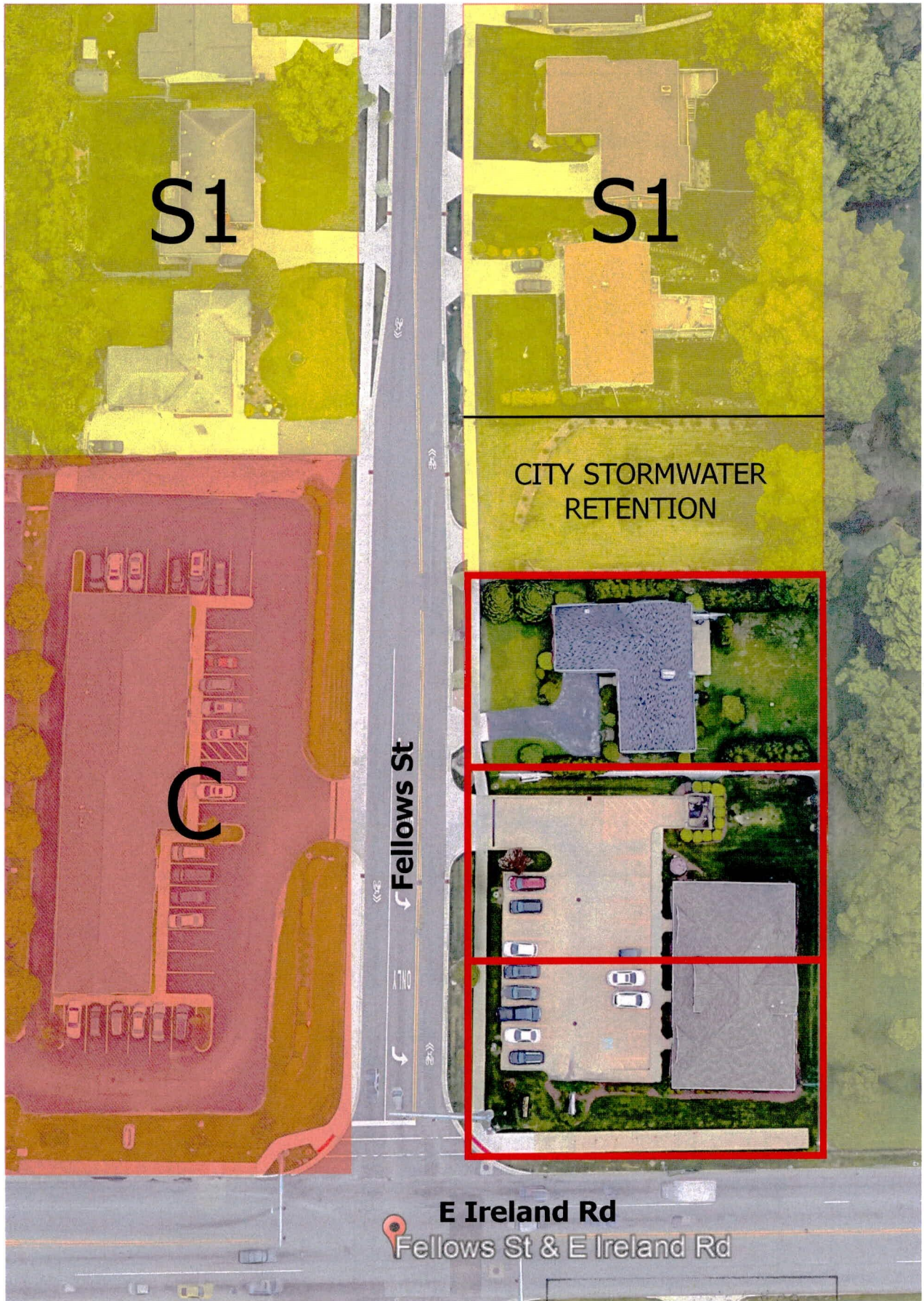
# Site Plan

**ALLIANCE**  
ARCHITECTS

929 Lincolnway East, Suite 200 | South Bend, Indiana 46601



Scale: 1" = 20'  
Ireland Greens  
18.Nov.2022



S1

S1

CITY STORMWATER  
RETENTION

C

Fellows St

E Ireland Rd

Fellows St & E Ireland Rd

**ALLIANCE**  
ARCHITECTS  
929 Lincolnway East, Suite 200 | South Bend, Indiana 46601

Surrounding Site Zoning Context **NOV 21 2022**



Scale: NTS

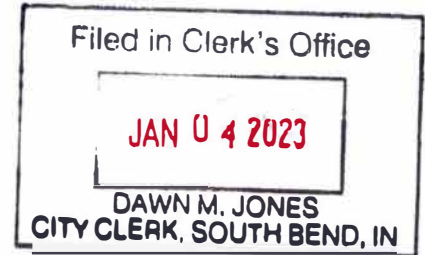
DAWN M. JONES  
CITY CLERK, SOUTH BEND, IN  
18 Nov. 2022

Ireland Greens

# BILL NO. 79-22

## City of South Bend BOARD OF ZONING APPEALS

County-City Building  
227 W. Jefferson Blvd. 1400S  
South Bend, IN 46601  
(574) 235-7627



January 4, 2023

Common Council of South Bend  
227 W. Jefferson Blvd, 4<sup>th</sup> Floor  
South Bend, IN 46601

Re: Bill# 79-22: The petition of 7468 VORDEN PARKWAY LLC seeking a Special Exception for Heavy Industrial in the I Industrial for property located at 7468 AND 7686 VORDEN PKWY.

Dear Council Members:

I hereby Certify that the above referenced petition of 7468 VORDEN PARKWAY LLC was legally advertised on December 24, 2022 and that the South Bend Board of Zoning Appeals at its public hearing on January 3, 2023 took the following action:

Upon a motion by Kaine Kanczuzewski, being seconded by Mark Burrell and unanimously carried, a petition by 7468 VORDEN PARKWAY LLC seeking a Special Exception for Heavy Industrial for property located at 7468 AND 7686 VORDEN PKWY, City of South Bend, is sent to the Common Council with a **favorable recommendation**, and will issue written Findings of Fact.

The staff comments related to this petition are attached. The Findings of Fact will be adopted at the next South Bend Board of Zoning Appeals meeting. Minutes of the public hearing are available in our office and will be posted on our website once approved.

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

Sincerely,

A handwritten signature in black ink that reads "Angela M. Smith".

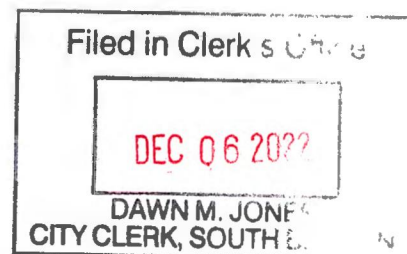
Angela M. Smith  
Zoning Administrator

Attachment

CC: 7468 VORDEN PARKWAY LLC  
George Lepeniotis



**BILL NO. 79-22**  
**ORDINANCE NO. 10913-22**



**AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, APPROVING A PETITION OF THE ADVISORY BOARD OF ZONING APPEALS FOR THE PROPERTY LOCATED AT 7468 AND 7686 VORDEN PARKWAY. COUNCILMANIC DISTRICT NO. 1 IN THE CITY OF SOUTH BEND, INDIANA**

---

**STATEMENT OF PURPOSE AND INTENT**

**Request a Special Exception to allow for a warehouse and distribution facility for a chemical distributor.**

---

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

**SECTION I.** The Common Council has provided notice of the hearing on the Petition from the Advisory Board of Zoning Appeals pursuant to Indiana Code Section 5-14-1.5-5, requesting that a Special Exception be granted for property located at:

7468 and 7686 Vorden Parkway – 031-1036-059011 and 031-1036-059010

In order to permit Heavy Industrial Use

**SECTION II.** Following a presentation by the Petitioner, and after proper public hearing, the Common Council hereby approves the petition of the Advisory Board of Zoning Appeals, a copy of which is on file in the Office of the City Clerk.

**SECTION III.** The Common Council of the City of South Bend, Indiana, hereby finds that:

1. The proposed use will not be injurious to the public health, safety, comfort, community moral standards, convenience, or general welfare;
2. The proposed use will not injure or adversely affect the use of adjacent area of property values therein;
3. The proposed use will be consistent with the character of the district in which it is located, and the land uses authorized therein;

4. The proposed use is compatible with the recommendations of the City of South Bend Comprehensive Plan;

**SECTION IV.** Approval is subject to the Petitioner complying with the reasonable conditions, if any, established by the Advisory Board of Zoning Appeals which are on file in the Office of the City Clerk.

**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, and legal publication, and full execution of any conditions or Commitments placed upon the approval.

\_\_\_\_\_  
Sharon McBride, Council President  
South Bend Common Council

Attest:

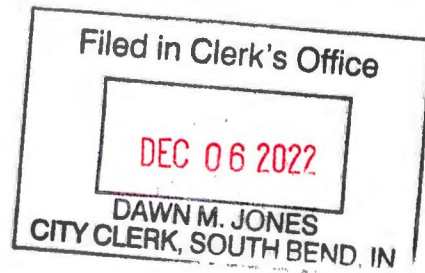
\_\_\_\_\_  
Dawn M. Jones, City Clerk  
Office of the City Clerk

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 \_\_\_\_\_, 2023, at \_\_\_\_\_ o'clock \_\_\_\_ .m.

\_\_\_\_\_  
Dawn M. Jones, City Clerk  
Office of the City Clerk

Approved and signed by me on the \_\_\_\_\_ day of \_\_\_\_\_, 2023, at \_\_\_\_ o'clock \_\_\_\_ .m.

\_\_\_\_\_  
James Mueller, Mayor  
City of South Bend, Indiana



**Property Information**

Location: 7468 AND 7686 VORDEN PKWY  
Owner: 7468 VORDEN PARKWAY LLC

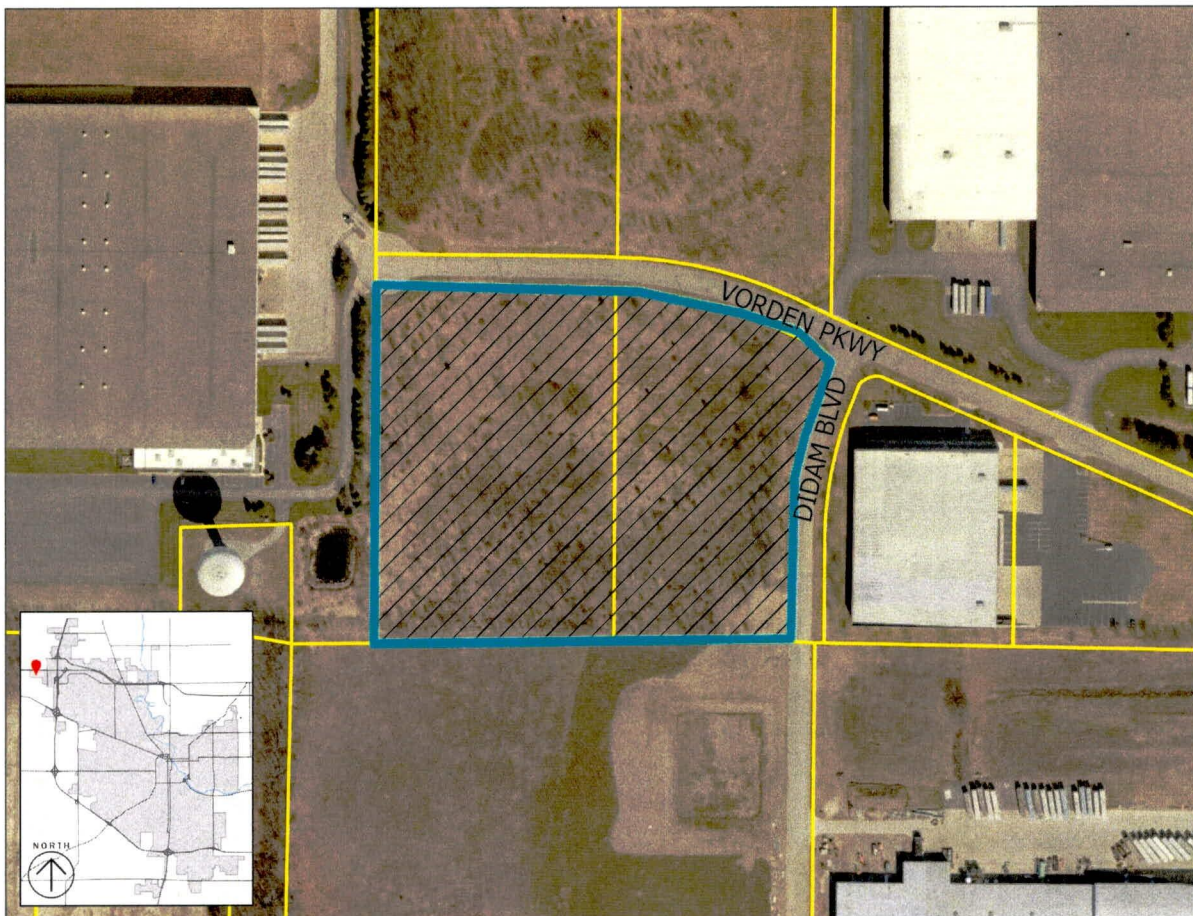
**Project Summary**

Construction of a 94,000+ sq. ft. warehouse and distribution facility for Coast Southwest, a full-service, chemical distributor. The facility will accommodate future expansion in phases up to 200,000 sq. ft. to potentially include space for research, development, and manufacturing.

**Requested Action**

Special Exception: Heavy Industrial

**Site Location**



**Staff Recommendation**

Based on the information provided prior to the public hearing, the Staff recommends the Board send the Special Exception to the Common Council with a favorable recommendation.

### Proposed Site Plan

**HOLLADAY PROPERTIES**  
www.holladayproperties.com

6370 AmeriPlex Dr., Suite 110  
Portage, Indiana 46368

**PROJECT NAME:** NEW BUILDING DEVELOPMENT  
7468 & 7686 VORDEN PARKWAY SOUTH BEND, IN

**DATE:** 12/05/2022  
**DESIGNER:** LAS

**SHEET TITLE:** PRELIMINARY SITE PLAN  
**SHEET NO.:** X-1

**SITE DATA:**

- SITE AREA: 77,110.58 ACRES
- OFFICE AREA: 43,200SF
- WAREHOUSE: 43,000SF
- PRELIM. ± 3.39 AC-Ft Volume

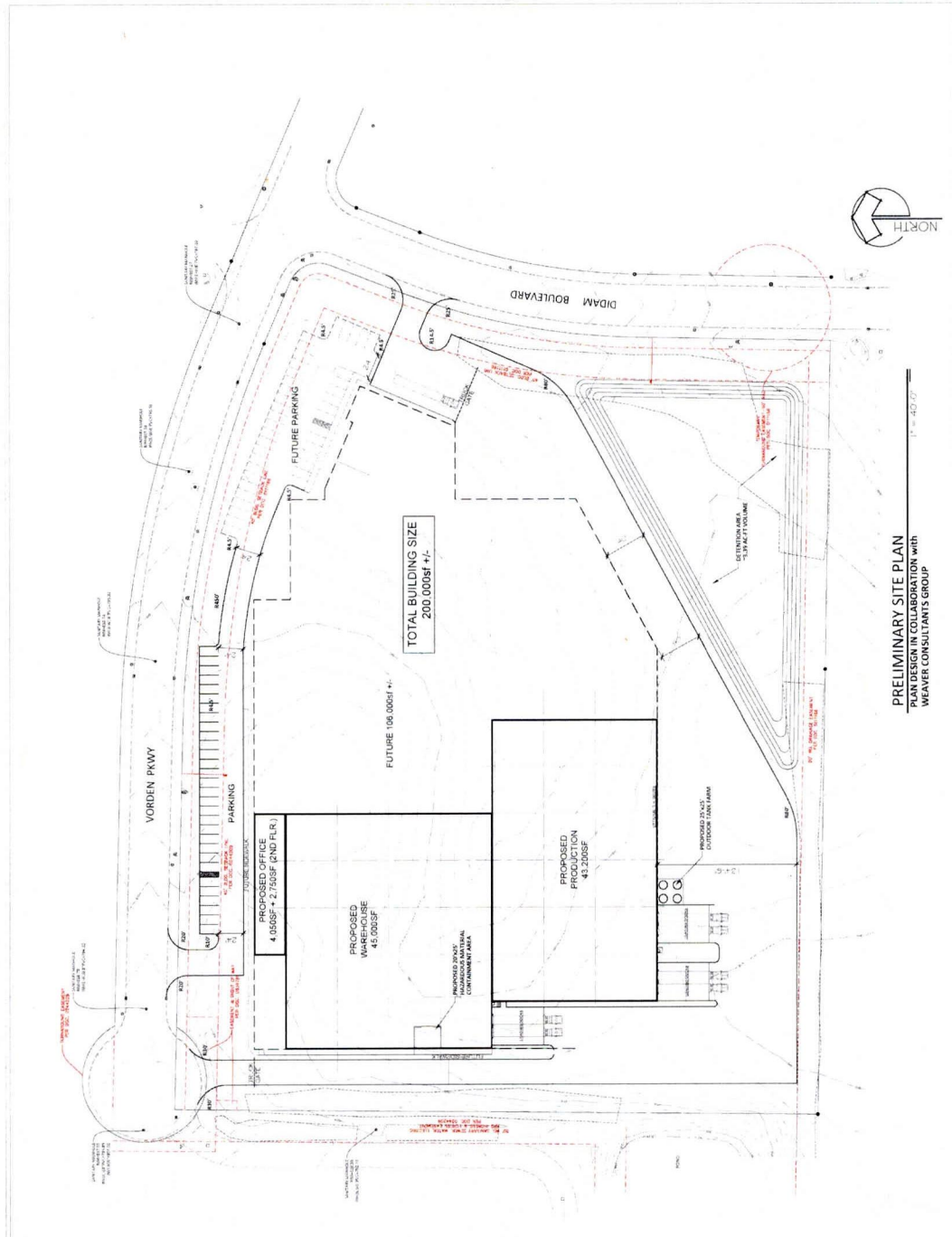
**BUILDING HEIGHT:**

- OFFICE AREA: 2-STORY
- WAREHOUSE: 25'-30' CLEAR

**INITIAL BUILDING SIZE:**

- WAREHOUSE: 43,000SF
- PRODUCTION: 43,200SF
- OFFICE (L&P): 4,000SF
- OFFICE (R&P): 4,000SF
- OFFICE (S&P): 4,000SF
- OFFICE (T&P): 4,000SF
- TOTAL BUILDING: 95,000SF

**TOTAL FUTURE AREA:**  
UP TO 200,000SF +/- SHOWN



### Criteria for Decision Making: Special Exception

**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 is in an area comprised exclusively of industrial uses. A heavy industrial use should not be injurious to the public health, safety, comfort, community moral standards, convenience or general welfare.

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

The property is located in an area that is exclusively industrially zoned and the proposed heavy industrial use is located in the established rear yard. The proposed heavy industrial uses should not adversely affect the use or value of surrounding properties.

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

The proposed use of heavy industry is consistent with the character of the district in which it is located and the surrounding land uses.

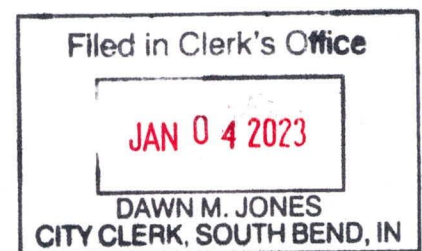
**(4) The proposed use is compatible with the recommendations of the Comprehensive Plan.**

The petition is consistent with City Plan (2006) (Objective ED2) Retain existing businesses and recruit new ones to the city. Allowing heavy industry use on this site will allow for the addition of a business in the city in an appropriately located area.

### Analysis & Recommendation

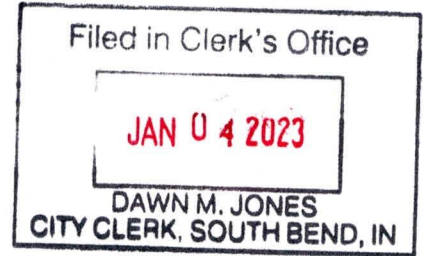
**Analysis:** The proposed use is located in an industrial park. This is a suitable location for heavy industrial uses which should not negatively impact the broader community and should help recruit a new business to the city.

**Staff Recommendation:** Based on the information provided prior to the public hearing, the Staff recommends the Board send the Special Exception to the Common Council with a favorable recommendation.



City of South Bend  
**BOARD OF ZONING APPEALS**

County-City Building  
227 W. Jefferson Blvd. 1400S  
South Bend, IN 46601  
(574) 235-7627



January 4, 2023

Common Council of South Bend  
227 W. Jefferson Blvd, 4<sup>th</sup> Floor  
South Bend, IN 46601

Re: Bill# 79-22: The petition of 7468 VORDEN PARKWAY LLC seeking a Special Exception for Heavy Industrial in the I Industrial for property located at 7468 AND 7686 VORDEN PKWY.

Dear Council Members:

I hereby Certify that the above referenced petition of 7468 VORDEN PARKWAY LLC was legally advertised on December 24, 2022 and that the South Bend Board of Zoning Appeals at its public hearing on January 3, 2023 took the following action:

Upon a motion by Kaine Kanczuzewski, being seconded by Mark Burrell and unanimously carried, a petition by 7468 VORDEN PARKWAY LLC seeking a Special Exception for Heavy Industrial for property located at 7468 AND 7686 VORDEN PKWY, City of South Bend, is sent to the Common Council with a **favorable recommendation**, and will issue written Findings of Fact.

The staff comments related to this petition are attached. The Findings of Fact will be adopted at the next South Bend Board of Zoning Appeals meeting. Minutes of the public hearing are available in our office and will be posted on our website once approved.

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

Sincerely,

Angela M. Smith  
Zoning Administrator

Attachment

CC: 7468 VORDEN PARKWAY LLC  
George Lepeniotis

**Property Information**

Location: 7468 AND 7686 VORDEN PKWY  
Owner: 7468 VORDEN PARKWAY LLC

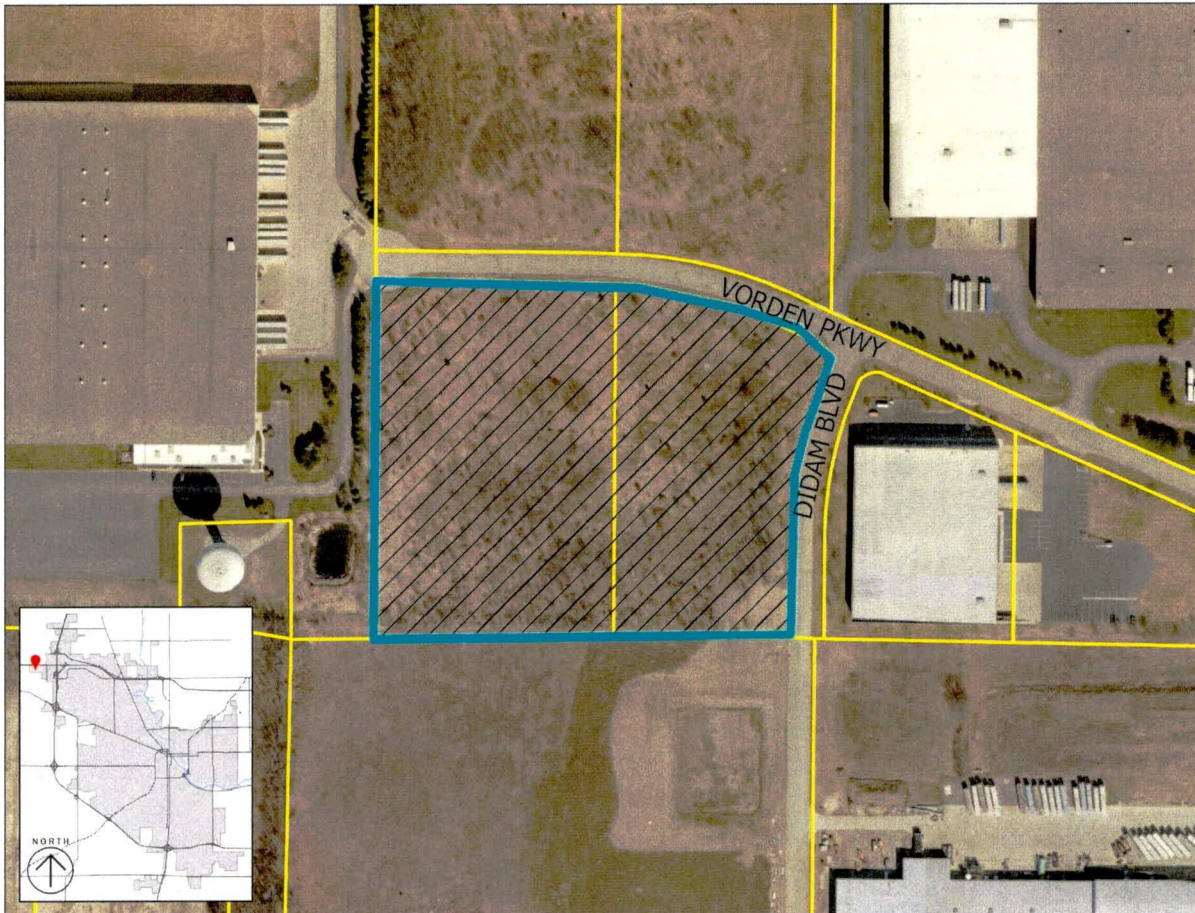
**Project Summary**

Construction of a 94,000+ sq. ft. warehouse and distribution facility for Coast Southwest, a full-service, chemical distributor. The facility will accommodate future expansion in phases up to 200,000 sq. ft. to potentially include space for research, development, and manufacturing.

**Requested Action**

Special Exception: Heavy Industrial

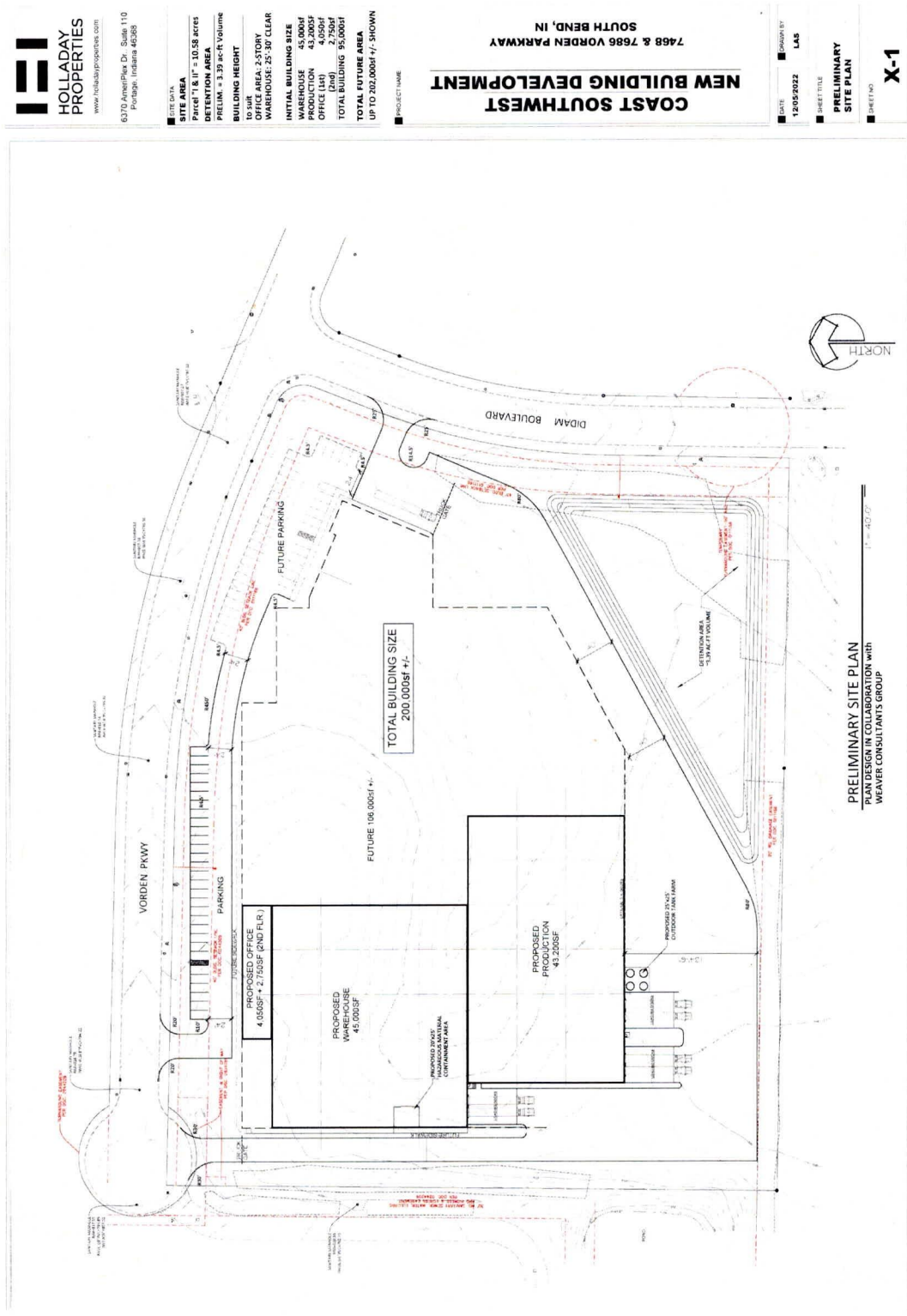
**Site Location**



**Staff Recommendation**

Based on the information provided prior to the public hearing, the Staff recommends the Board send the Special Exception to the Common Council with a favorable recommendation.

Proposed Site Plan



**HOLLADAY PROPERTIES**  
 www.holladayproperties.com  
 6370 ArrowPlex Dr. Suite 110  
 Fort Wayne, Indiana 46835

**SITE DATA**  
 SITE AREA: Parcel 1 & 11" = 10.58 acres  
 DETENTION AREA: 1.000000  
 FUTURE DETENTION VOLUME: 3.22 ac-ft Volume  
**BUILDING HEIGHT**  
 OFFICE AREA: 2-STORY  
 WAREHOUSE: 25'-30' CLEAR  
**INITIAL BUILDING SIZE**  
 WAREHOUSE: 43,000sf  
 PRODUCTION: 43,200sf  
 OFFICE (1st): 4,000sf  
 OFFICE (2nd): 2,750sf  
**TOTAL BUILDING SIZE**  
 TOTAL FUTURE AREA: UP TO 200,000sf +/- SHOWN

**COAST SOUTHWEST  
 NEW BUILDING DEVELOPMENT**  
 7488 & 7686 VORDEN PARKWAY  
 SOUTH BEND, IN

**PROJECT INFO**  
 DATE: 12/05/2022  
 DRAWN BY: LAS  
 SHEET TITLE: PRELIMINARY SITE PLAN  
 SHEET NO: X-1

PRELIMINARY SITE PLAN  
 PLAN DESIGN IN COLLABORATION WITH  
 WEAVER CONSULTANTS GROUP



### Criteria for Decision Making: Special Exception

**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 is in an area comprised exclusively of industrial uses. A heavy industrial use should not be injurious to the public health, safety, comfort, community moral standards, convenience or general welfare.

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

The property is located in an area that is exclusively industrially zoned and the proposed heavy industrial use is located in the established rear yard. The proposed heavy industrial uses should not adversely affect the use or value of surrounding properties.

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

The proposed use of heavy industry is consistent with the character of the district in which it is located and the surrounding land uses.

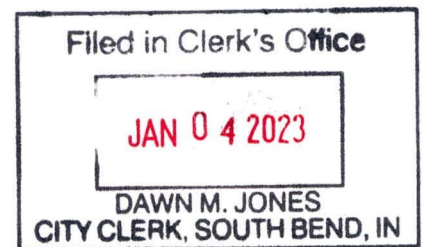
**(4) The proposed use is compatible with the recommendations of the Comprehensive Plan.**

The petition is consistent with City Plan (2006) (Objective ED2) Retain existing businesses and recruit new ones to the city. Allowing heavy industry use on this site will allow for the addition of a business in the city in an appropriately located area.

### Analysis & Recommendation

**Analysis:** The proposed use is located in an industrial park. This is a suitable location for heavy industrial uses which should not negatively impact the broader community and should help recruit a new business to the city.

**Staff Recommendation:** Based on the information provided prior to the public hearing, the Staff recommends the Board send the Special Exception to the Common Council with a favorable recommendation.



# City of South Bend

## BOARD OF ZONING APPEALS

December 6, 2022

Honorable Lori Hamann  
4th Floor, County-City Building  
South Bend, IN 46601

RE: Special Exception at 7468 and 7686 Vorden Parkway

Dear Committee Chair Hamann:

Enclosed is an Ordinance for the proposed Special Exception Use at the above referenced location. Please include the attached Ordinance on the Council agenda for **first reading** at your **December 12th, 2022**, Council meeting and set it for public hearing at your **January 9, 2023**, Council meeting. The petition is tentatively scheduled for public hearing at the January 3, 2023, South Bend Board of Zoning Appeals meeting. The staff report and recommendation of the South Bend Board of Zoning Appeals will be forwarded to the Office of the City Clerk by noon on the Wednesday following the public hearing.

The petitioner provided the following to describe the proposed project:

*Construction of a 94,000+ SF warehouse and distribution facility for Coast Southwest, a full-service, chemical distributor. The facility will accommodate future expansion in phases up to 200,000 SF to potentially include space for research, development, and manufacturing.*

The full petition is attached for your reference. Changes may occur between the filing and the public hearing. Any substantial changes will be identified at the Council meeting.

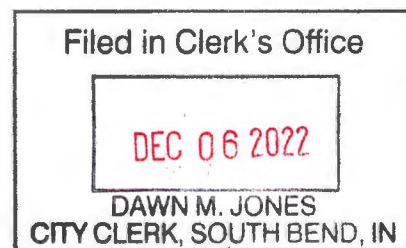
If you have any questions, please feel free to contact our office.

Sincerely,



Angela M. Smith  
Zoning Administrator

CC: Bob Palmer



City of South Bend  
**BOARD OF ZONING APPEALS**

Filed in Clerk's Office  
DEC 06 2022  
DAWN M. JONES  
CITY CLERK, SOUTH BEND, IN

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

**Petition for Variance - Special Exception**

**Property Information**

Tax Key Number: 031-1036-059011 & 031-1036-059010

Address: 7468 and 7686 Vorden Parkway, South Bend, Indiana 46628

Owner: 7468 Vorden Parkway, LLC

Zoning: I Industrial



**Project Summary:**

Construction of a 94,000+ SF warehouse and distribution facility for Coast Southwest, a full-service, chemical distributor. The facility will accommodate future expansion in phases up to 200,000 SF to potentially include space for research, development, and manufacturing.

**Requested Action**

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

Use requested: Industrial, Heavy (21-06.01(g)(2))

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

Variance(s) requested:

**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:**

The proposed use, including potential future expansion aligns with the current zoning and other existing industrial facilities in and around the parcel. The facility may house and process hazardous material in an area specifically designed and built for such activities. In addition the development, construction and operation of the entire facility will abide by all applicable local, state and federal regulations related to materials storage, handling, waste and containment. The facility will NOT produce significant external impacts detectable beyond the lot lines of the property.

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

The proposed use, including potential future expansion aligns with the current zoning and uses and would be consistent with the character and use of other existing industrial facilities in and around the parcel. The proposed development is within the Blackthorne West Industrial Park, currently home to the Tire Rack, General Metal and Stamping, Maxi-Blast, DSM Food Specialties, as well as a significant number of warehouse and distribution centers.

**(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:**

See response to #2 above.

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

The Blackthorne West Industrial Park was envisioned and developed as part of the City's Comprehensive Plan going back to the 1990's and has been included in each new amendment thereto.

**Contact Information**

**Property owner(s) of the petition site:**

Name: 7468 Vorden Parkway, LLC

Address: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

**Contact Person:**

Name: George Lepeniotis

Address: 4101 Edison Lakes Parkway  
Mishawaka, Indiana 46545

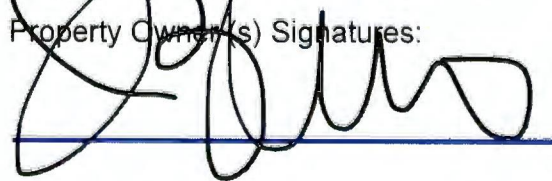
Phone Number: 574-485-2008

E-mail: glepeniotis@kdlegal.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.**

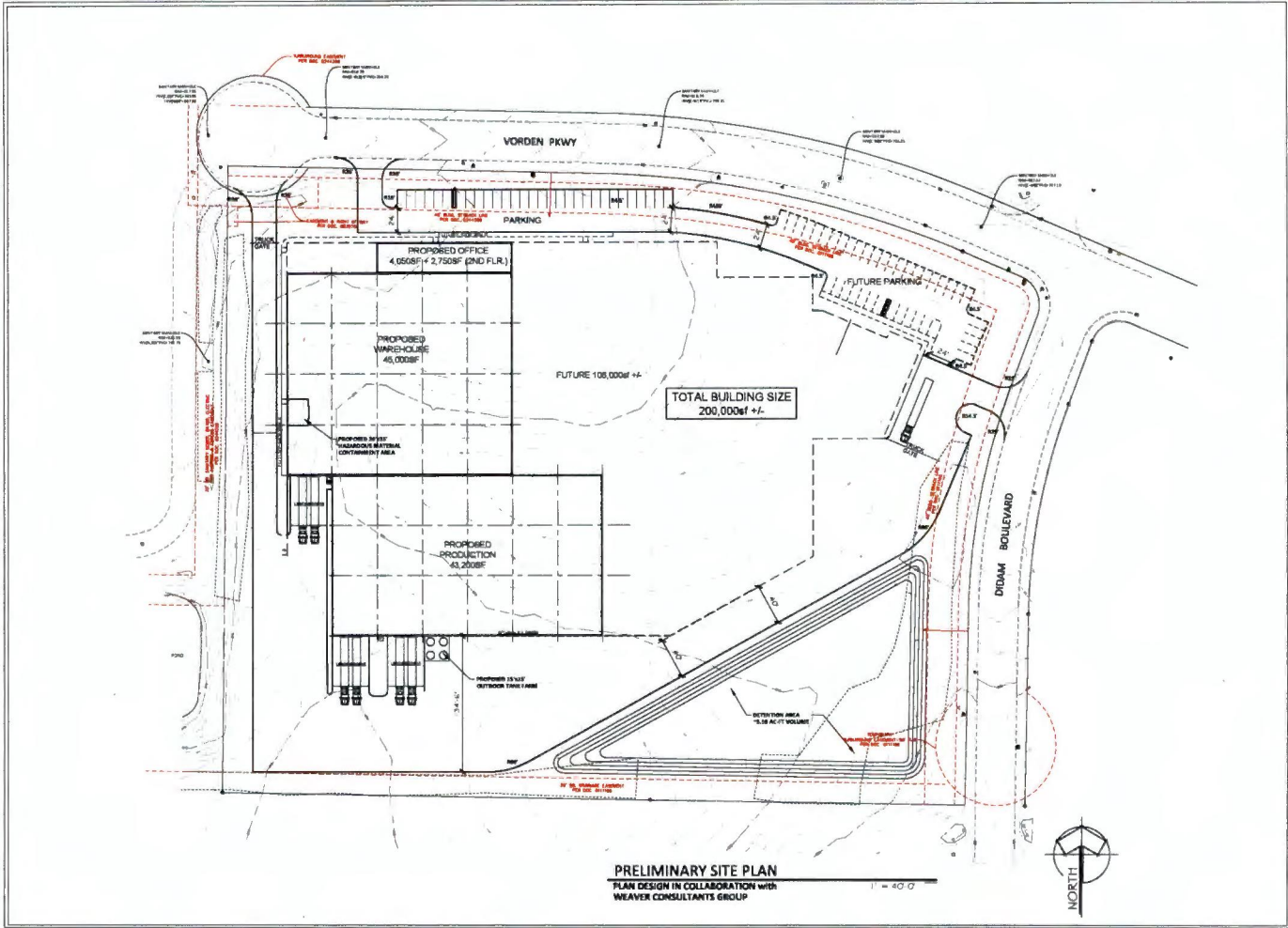
Property Owner(s) Signatures:



\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



6370 AmeriFlex Dr., Suite 110  
Portage, Indiana 46368

**SITE DATA**

**PARCEL AREA**  
Parcel 1 & 11 = 10.58 acres

**RETENTION AREA**  
PRELIM. = 3.39 ac-ft Volume

**BUILDING HEIGHT**  
to MIT: OFFICE AREA: 2-STORY  
WAREHOUSE: 25'-30" CLEAR

**INITIAL BUILDING SEES**  
WAREHOUSE 45,000sf  
PRODUCTION 40,000sf  
OFFICE (1st) 4,000sf  
OFFICE (2nd) 2,750sf  
TOTAL BUILDING 85,000sf

**TOTAL FUTURE AREA**  
UP TO 202,000sf +/- SHOWN

**PROJECT NAME**

**COAST SOUTHWEST  
NEW BUILDING DEVELOPMENT**

7488 & 7686 VORDEN PARKWAY  
SOUTH BEND, IN

**DATE**  
12/08/2023

**CREATED BY**  
LAM

**SHEET TITLE**  
PRELIMINARY  
SITE PLAN

**SHEET NO.**  
**X-1**

**PRELIMINARY SITE PLAN**  
PLAN DESIGN IN COLLABORATION WITH  
WEAVER CONSULTANTS GROUP



Filed in Clerk's Office

DEC 06 2022

DAWN M. JONES  
CITY CLERK, SOUTH BEND, IN

# BILL NO. 52-22

1316 COUNTY-CITY BUILDING  
227 W. JEFFERSON BOULEVARD  
SOUTH BEND, INDIANA 46601-1830



PHONE 574/235-9251  
FAX 574/235-9171

CITY OF SOUTH BEND JAMES MUELLER, MAYOR  
**BOARD OF PUBLIC WORKS**

December 14, 2021

Filed in Clerk's Office

SEP 09 2022

DAWN M. JONES  
CITY CLERK, SOUTH BEND, IN

Mr. Christopher Boardman  
1015 Good Place  
South Bend, IN 46616  
[Irishcb222@hotmail.com](mailto:Irishcb222@hotmail.com)

RE: Alley/Street Vacation – 1015 Good Place (Preliminary Review)

Dear Mr. Boardman:

At its December 14, 2021 meeting, the Board of Public Works reviewed comments by the Engineering Division, Community Investment, Fire Department, Police Department. The following comments and recommendations were submitted:

Per IC 36-7-3-13, the vacation would not hinder the growth or orderly development of the unit or neighborhood in which it is located or to which it is contiguous. The vacation would make access to the lands of the aggrieved person by means of public way difficult or inconvenient. The vacation would not hinder the public's access to a church, school or other public building or place. The vacation would hinder the use of a public right of way by the neighborhood in which it is located or to which it is contiguous.

Therefore, the Board of Public Works submitted an **unfavorable** recommendation for the vacation of this alley. If you still wish to pursue this alley vacation, please bring this BPW Recommendation Packet to the City Clerk's Office, located on the 4<sup>th</sup> floor of the County-City Building. Alley/Street vacations require a presentation to the Common Council, approval of an ordinance, and certification of the ordinance from the Mayor. The property then must be recorded with the Recorder's Office to ensure that your 50% ownership of the property is appropriately transferred to your name. If you have any questions about how the alley vacation will affect your property taxes, please contact the Auditor's Office.

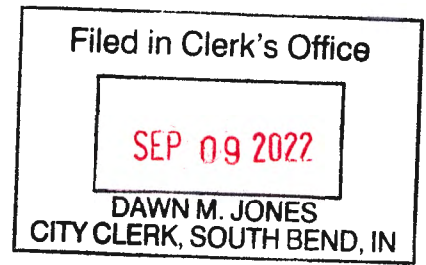
If you have any further questions, please call this office at (574) 235-9251.

Sincerely,

/s/ Laura Henslev/Acting

Clerk





BILL NO. 52-22

ORDINANCE NO. 10887-22

AN ORDINANCE TO VACATE THE FOLLOWING DESCRIBED PROPERTY:

**THE SOUTHEAST HALF, 120 FEET, OF THE ALLEY EXTENDING BETWEEN GOOD PLACE AND BLYLER PLACE ROUGHLY PARALLEL TO RIVERSIDE DRIVE IN THE CITY OF SOUTH BEND AREA COMMONLY KNOWN AS THE KELLER PARK NEIGHBORHOOD.**

---

STATEMENT OF PURPOSE AND INTENT

---

Pursuant to Indiana Code Section 36-7-3-12, the Common Council is charged with the authority to hear all petitions to vacate public ways or public places within the City. The following Ordinance vacates the above described public property.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, as follows:

SECTION I. The Common Council of the City of South Bend having held a Public Hearing on the petition to vacate the following property:

**The alley extending 14 foot wide northeast, and 120 feet long from Good Place and ending at the current rear property line, including the 5 foot triangle alley section at the rear north corner of LOT 48 BOULEVARD PARK, PARCEL NUMBER: 71-03-35-180-015.000-026 commonly known as 1015 Good Place. (The current 1015 Good Place description is: E 16 FT LOT 47 & ALL OF LOT 48 BOULEVARD PARK)**

hereby determines that it is desirable to vacate said property.

SECTION II. The City of South Bend hereby reserves the rights and easements of all utilities and the Municipal City of South Bend, Indiana, to construct and maintain any facilities, including, but not limited to, the following: electric, telephone, gas, water, sewer, surface water control structures and ditches, within the vacated right-of-way, unless such rights are released by the individual utilities.

SECTION III. The following property may be injuriously or beneficially affected by such vacating:

**There are four properties abutting the alley at issue and all four owners are in favor of the vacation of the alley and request that the vacated alley be ceded entirely to become part of the of the current 1015 Good Place property with the current legal description of:  
Owner: Christopher Boardman. E 16 FT LOT 47 & ALL OF LOT 48 BOULEVARD PARK.  
PARCEL NUMBER: 71-03-35-180-015.000-026.**

**The three properties abutting the other side of the alley at issue are:**

**DAVID M AND VICKIE L LOUGHLIN  
2017 RIVERSIDE DR  
SOUTH BEND, IN 46616-1948  
Lot 49 Boulevard Park Add  
PARCEL NUMBER: 71-03-35-180-005.000-026**

**CALVIN & ELIZABETH LEWIS  
2021 N RIVERSIDE DR  
SOUTH BEND, IN 46616-1948  
Lot 50 Replat of Boulevard Park Add  
PARCEL NUMBER: 71-03-35-180-004.000-026**

**JIANBO LIU  
2025 RIVERSIDE DR  
SOUTH BEND, IN 46616-1948  
Lot 51 Replat of Boulevard Park Add  
PARCEL NUMBER: 71-03-35-180-003.000-026**

**Section IV. The purpose of the vacation of the real property is to allow the current owner of 1015 Good Place, Christopher Boardman, to pave the current alleyway to rectify the current ongoing mud ruts and overgrown grass and weeds and allow for the potential construction of a garage at the rear of his property, thereby greatly improving the appearance of the alleyway and raising the tax base for the larger 1015 Good Place lot. The above other outlined three properties abutting the alley will have access rights to use the newly paved alley to their benefit. In addition, the greatly improved appearance and use rights of the paved alley will increase the property value and appearance of all the abutting properties and the neighborhood in general. The remainder of the alley will allow through traffic to all but the four adjacent property owners who agree to and endorse this Bill.**

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.

\_\_\_\_\_  
Sharon L. McBride, Council President  
South Bend Common Council

Attest:

\_\_\_\_\_  
Dawn M. Jones, 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 \_\_\_\_\_, 2023, at \_\_\_\_\_ o'clock \_\_\_\_ . m.

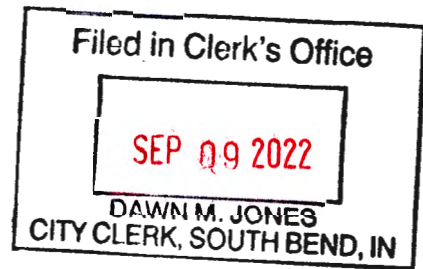
---

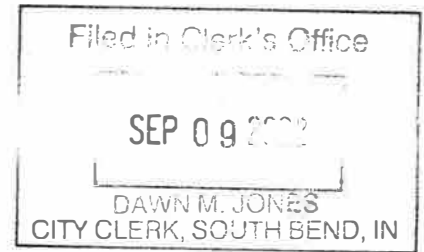
Dawn M. Jones, City Clerk  
Office of the City Clerk

Approved and signed by me on the \_\_\_\_\_ day of \_\_\_\_\_, 2023, at \_\_\_ o'clock  
\_\_\_\_.m.

---

James Mueller, Mayor  
City of South Bend, Indiana





**INTEROFFICE MEMORANDUM  
BOARD OF PUBLIC WORKS**

**DATE:** November 22, 2021

**TO:** Zach Hurst, Public Works  
Chris Dressel, Community Investment  
Gerard Ellis, Fire Department  
Brad Rohrscheib, Police Department

**FROM:** Laura Hensley, Acting Clerk (lhensley@southbendin.gov)

**SUBJECT:** REQUEST FOR RECOMMENDATIONS – ALLEY VACATION

**APPLICANT:** Christopher Boardman  
**LOCATION:** 1015 Good Place

**PLEASE INSERT YOUR RECOMMENDATIONS IN THE APPROPRIATE FIELD BELOW, BASED ON THE FOLLOWING I.C. 36-7-3-13 CRITERIA:**

1. The vacation would/would not hinder the growth or orderly development of the unit or neighborhood in which it is located or to which it is contiguous.
2. The vacation would/would not make access to the lands of the aggrieved person by means of public way difficult or inconvenient.
3. The vacation would/would not hinder the public's access to a church, school or other public building or place.
4. The vacation would/would not hinder the use of a public right-of-way by the neighborhood in which it is located or to which it is contiguous.

**PUBLIC WORKS: Unfavorable – would hinder access**

**COMMUNITY INVESTMENT: Unfavorable**

1. The vacation would not hinder the growth or orderly development of the unit or neighborhood in which it is located or to which it is contiguous.
2. The vacation **would** make access to the lands of the aggrieved person by means of public way difficult or inconvenient.
3. The vacation would not hinder the public's access to a church, school or other public building or place.
4. The vacation **would** hinder the use of a public right-of-way by the neighborhood in which it is located or to which it is contiguous.

**FIRE: Favorable**

**POLICE: Favorable Recommendation**



**STREET/ALLEY VACATION APPLICATION**  
 City of South Bend - Board of Public Works  
 227 W. Jefferson Boulevard, Ste. 1316  
 South Bend, IN 46601

Filed in Clerk's Office  
 SEP 09 2021  
 DAWN M. JONES  
 CITY CLERK, SOUTH BEND, IN

Date: 11/22/2021 Phone #: 617-312-2211  
 Name: CHRISTOPHER BOARDMAN Email: IRISHCB222@hotmail.com

Property Address: 1015 GOOD PLACE, SOUTH BEND, IN, 46616  
 Applicant property information:  Residential  Commercial  Industrial

Describe the general alley location with boundaries (Ex: Church Pl, between E. Colfax Ave & E. LaSalle Ave):

GOOD PLACE BETWEEN GOOD PLACE + BLYLER PLACE +  
CULVER PLACE SOUTH BEND, IN, 46616

- Is your property adjacent to the alley of interest?  Yes  No
- Do you own all adjacent properties to the alley of interest?  Yes  No
- Does the existing alley provide garage access to other property owners?  Yes  No
- Does the alley receive daily traffic excluding your own use?  Yes  No
- Would the vacation hinder public access to any of the following: a church, school, or any other public building or place?  Yes  No

Reason for street/alley vacation and proposed use:  
THE ALLEY IS NEVER USED. MY NEIGHBORS + I WOULD LIKE TO ACQUIRE THE ALLEY AS PART OF OUR PROPERTIES FOR UPGRADE + BETTER CURB + LANDSCAPING. WE ARE ONLY INTERESTED IN 1/2 OF THE ALLEY FROM GOOD PLACE TO CULVER PLACE ALLEY.

A map MUST be provided highlighting the area you would like to vacate with this application.  
 N/S Alley between Riverside + Culver Place from Good place to First OFFICE USE ONLY: E/W Alley part way through to Blyler

Board Recommendation:  Yes  No

CITY OF SOUTH BEND, INDIANA  
 BOARD OF PUBLIC WORKS

Elizabeth A. Maradik, President  
[Signature]  
 Gary A. Gilot, Member  
[Signature]  
 Joseph R. Molnar, Member

[Signature]  
 Jordan V. Gathers, Member  
[Signature]  
 Murray L. Miller, Member  
[Signature]  
 Attest: Clerk  
 Date: December 14, 2021



Filed in Clerk's Office  
 SEP 09 2022  
 DAWN M. JONES  
 CITY CLERK, SOUTH BEND, IN

**OFFICE OF THE CITY CLERK**  
 DAWN M. JONES, CITY CLERK

**PETITION TO VACATE PUBLIC RIGHTS-OF-WAY  
 (STREETS/ALLEY)**

DATE: 9-9-2022

To the Common Council of the City of South Bend, Indiana. I (we), the undersigned property owner(s), petition you to vacate:

1. THE ALLEY DESCRIBED AS:

Southeast half, 120 feet, of the alley extending between Good Place and Blyler Place roughly parallel to Riverside Drive in the City of South Bend area commonly known as the Keller Park Neighborhood.

2. THE STREET DESCRIBED AS:

\_\_\_\_\_  
 \_\_\_\_\_

Abutting Property Owner(s) Signatures:

Name (print):	Signature	Address	Lot Number
Christopher Boadman		1015 Good Place	48
1.			
David Loughlin		2017 Riverside Drive	49
2.			
3.			

INTEGRITY | SERVICE | ACCESSIBILITY

BIANCA L. TIRADO  
 CHIEF DEPUTY/DIRECTOR OF OPERATIONS

RODGER J. PINTO  
 DEPUTY/DIRECTOR OF POLICY

GABRIEL N. MUREI  
 ORDINANCE VIOLATION CLERK

EXCELLENCE | ACCOUNTABILITY | INNOVATION | INCLUSION | EMPOWERMENT

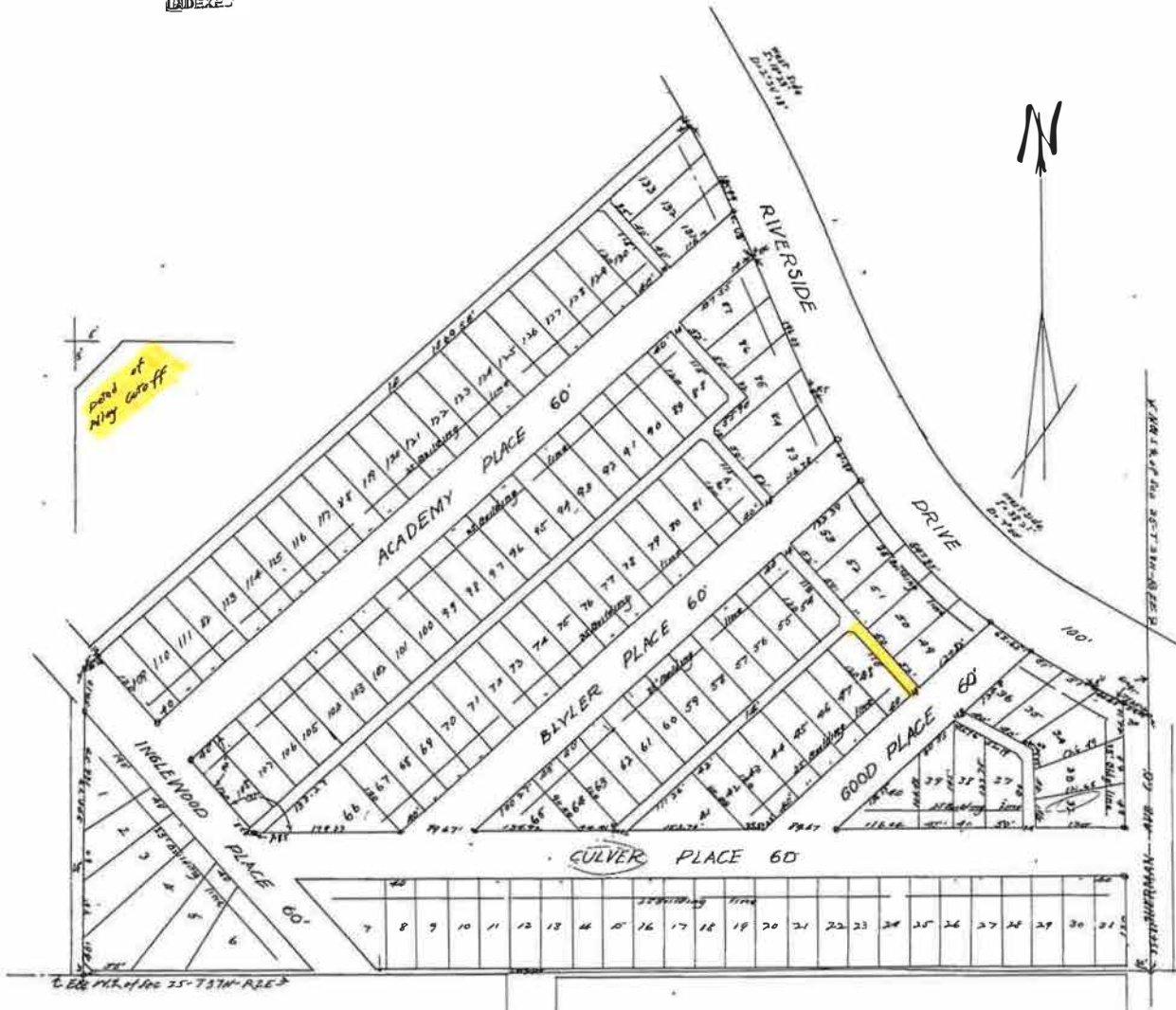
455 County-City Building | 227 W. Jefferson Blvd. | South Bend, Indiana 46601 | p 574.235.9221 | f 574.235.9173 | www.southbendin.gov

# PLAT OF BOULEVARD PARK

SOUTH BEND, INDIANA  
Scale 1" = 100' Jan 1930

Filed in Clerk's Office  
**SEP 09 1930**  
DAWN M. JONES  
CITY CLERK, SOUTH BEND, IN

INDEXED



NOTE: Omission of 1/4 in shown below the line

### PLAT OF BOULEVARD PARK

The annexed plat is a plat of Boulevard Park, an addition to the City of South Bend, Indiana and comprises the track of land described as follows. Beginning at the southwest corner of the northwest 1/4 of Sec 35 T10N R2E, thence north along the east line of the northwest 1/4 of said Sec 35 a distance of 334.88' to the south line of Riverside Drive, thence north 684' west along the southwestern line of Riverside Drive a distance of 2235 feet; thence on a 74' curve to the right along the south westerly line of Riverside Drive a distance of 547.05 feet; thence on a tangent still along the south westerly line of Riverside Drive a distance of 1645 feet; thence on a 2°30'18" curve to the left still along the south westerly line of Riverside Drive a distance of 185.99 feet to the south easterly line of the 1/2 alley east of Woodlawn Blvd., thence south westerly along the south easterly line of the 1/2 foot alley east of Kessler Blvd. to the intersection of the southeast ealy line of the alley east of Woodlawn Blvd. and the east line of the 1/2 foot alley east of Kessler Blvd. thence south along the east line of the alley east of Kessler Blvd. a distance of 125.25 feet; thence east along the south line of the northwest 1/4 of said Sec. 35 a distance of 125.25 feet to the place. The plot contains 133 lots numbered from 1 to 133 inclusive.

The size of the lots and the width of the streets and alleys is marked on the plat in feet and decimals of feet. The streets and alleys are hereby dedicated to the public for use as public highways only.

STATE OF INDIANA } ss:  
COUNTY OF ST JOSEPH }

UNION TRUST COMPANY  
C. J. Jackson *president*  
Edgar L. Kelsey *secretary*



Personally appeared before me, a notary public in and for said State and County, C. J. Jackson president and Edgar L. Kelsey Secretary of the Union Trust Company and as known to me the execution of the foregoing plat, and as known to me and natural seal this 2nd day of March 1930.

My Commission expires Nov 18, 1933.

THELMA G. WYNEGAR  
Notary Public

DULY ENTERED FOR TAXATION  
Mar 4 1930  
Fred P. Conroy  
Auditor  
St Joseph Co, Indiana

APPROVED  
Board of Works  
Mar 4 1930  
H. E. Dyer  
John R. Smay  
Ralph H. Koss



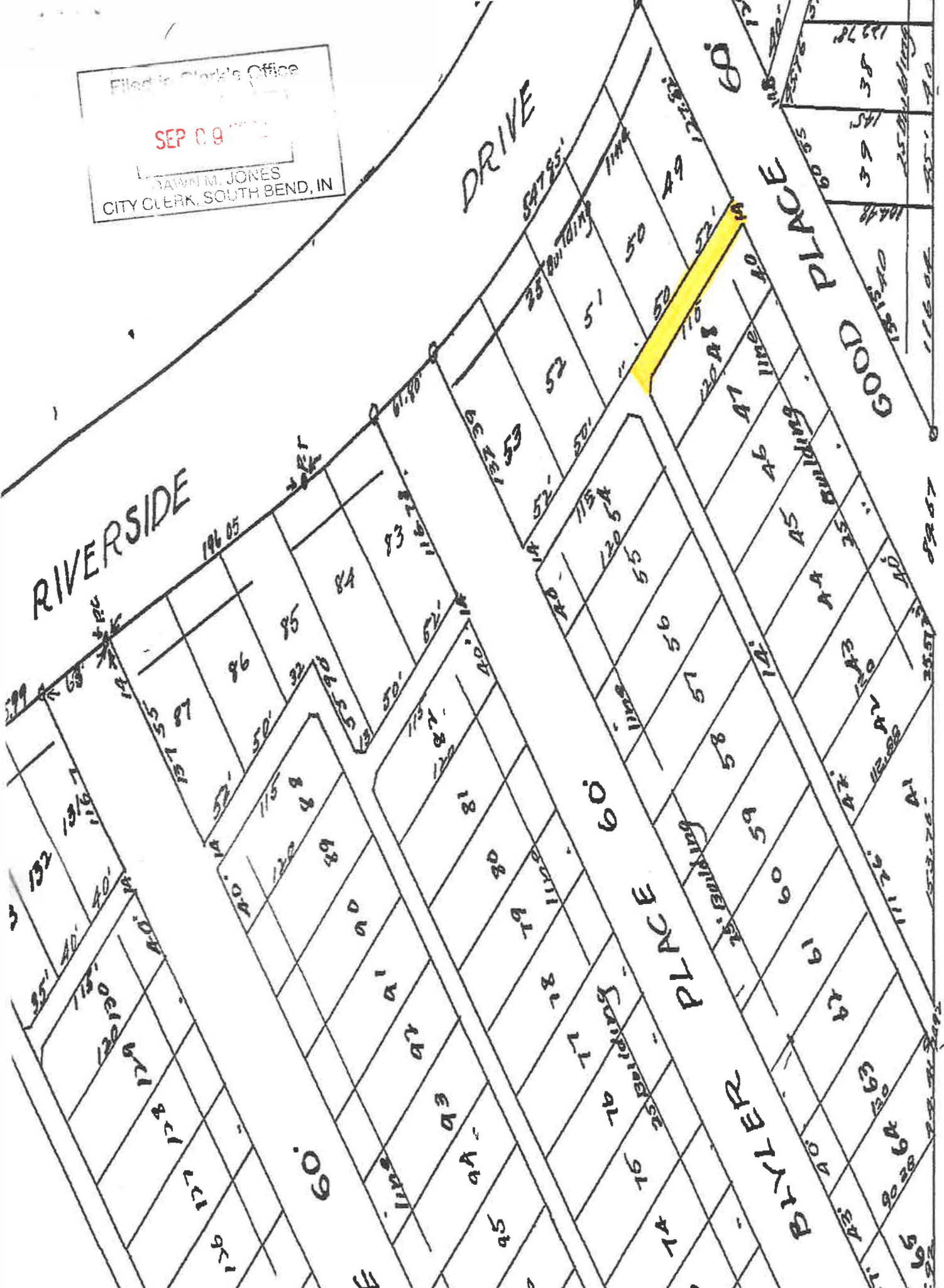
Recorded March 4 1930 at 3:10 o'clock P.M.  
HOWARD KELLER

CHAS. W. COLE, CIVIL ENGINEER-213 CHRISTMAN BLDG. SOUTH BEND, INDIANA

Filed in Clerk's Office

SEP 09 1972

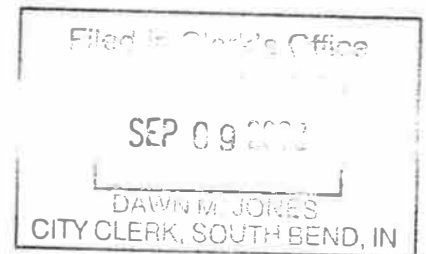
DAWN M. JONES  
CITY CLERK, SOUTH BEND, IN



CULVER PLACE 60'



TO: City of South Bend, IN, St. Joseph County  
FROM: BOARDMAN, LOUGHLIN, LEWIS & LIU  
DATE: July 9, 2022  
RE: Alley Ceding



Please accept this memorandum of understanding and agreement between the homeowners listed below as the owners of homes adjacent to both sides of the southeast half of the alley extending between Blyler Place and Good Place roughly parallel to Riverside Drive in the City of South Bend area commonly known as the Keller Park Neighborhood. The terminus ends of the ceded alley would be at Good Place and ending at the current rear property line of PARCEL NUMBER: 71-03-35-180-015.000-026 commonly known as 1015 Good Place. Please note Exhibit A. This proposal is intended to be permanently legally binding for the current and future homeowners of the four properties listed below.

The objective and intent are to permanently close the above referenced alley and cede the alley to Christopher Boardman to become part of PARCEL NUMBER: 71-03-35-180-015.000-026 commonly known as 1015 Good Place subject to the following conditions. The three alley adjacent property homeowners will have permanent easement right of way to use the alley to access their property as will all utility providers who will also have the right to install and maintain any utility poles, lines, pipes, etcetera in the ceded area as may be required. The alley's gravel-based service will, within two years of the date of this document, be replaced with pavement or concrete. The new pavement or concrete will be level with the current alley driveway on PARCEL NUMBER: 71-03-35-180-004.000-026 commonly known as 2021 N. Riverside Drive and the new pavement or concrete will be sloped to drain toward Good Place. All building codes and setback requirements will be adhered to along the new property lines of PARCEL NUMBER: 71-03-35-180-015.000-026 commonly known as 1015 Good Place. All cost associated with this matter will be the responsibility of Christopher Boardman.

It is understood by all four property owners listed below that it is the intent of Christopher Boardman to build a garage at the rear of his property which may in part set on the referenced ceded alley property. All four parties listed below are in favor of the above outlined proposal for their common good and without any financial exchange.

It should be noted that since the City of South Bend has ceased trash and yard waist pickup in the city's alleys and therefore this proposal would have no effect in the city's waste pickup, however would make it much easier for the four involved property owners to move their trash bins to the street for pickup. The city has also stopped maintaining this alley and again the proposed outlined change would greatly improve the appearance of the section of alley involved and the respective property values. The remaining properties adjacent to this alley system will not be impacted by through access to the rear of their properties as the northwest half of the alley extending between Blyler Place and Good Place would remain unchanged and open and intersect with the open alley at the rear of the homes on Good Place and Blyler Place. In fact, there is utility pole blocking any potential traffic from turning from the Blyler Place and Good Place alley to the alley requesting to be ceded. Again, please note Exhibit A as well as the attached photographs. This proposal is not unprecedented in the city nor in the Keller Park area as the alley two blocks north of the alley at issue, from Riverside Drive to Inglewood Place at the rear of the homes on Academy Place and Woodlawn Blvd has been abandoned by the City of South Bend and is impassable by vehicles.

SEP 09 2022

DAWNIA JONES  
CITY CLERK, SOUTH BEND, IN

*Chris Boardman*

CHRISTOPHER BOARDMAN  
1015 GOOD PL  
SOUTH BEND, IN 46616-1943  
E 16 FT LOT 47 & ALL OF LOT 48 Boulevard Park  
PARCEL NUMBER: 71-03-35-180-015.000-026

*David M and Vickie L Loughlin*

DAVID M AND VICKIE L LOUGHLIN  
2017 RIVERSIDE DR  
SOUTH BEND, IN 46616-1948  
Lot 49 Lot 49 Boulevard Park Add  
PARCEL NUMBER: 71-03-35-180-005.000-026

*Elizabeth Lewis*



CALVIN & ELIZABETH LEWIS  
2021 N RIVERSIDE DR  
SOUTH BEND, IN 46616-1948  
Lot 50 Replat of Boulevard Park Add  
PARCEL NUMBER: 71-03-35-180-004.000-026

*Jianbo Liu*

JIANBO LIU  
2025 RIVERSIDE DR  
SOUTH BEND, IN 46616-1948  
Lot 51 Replat of Boulevard Park Add  
PARCEL NUMBER: 71-03-35-180-003.000-026



Exhibit A

-  Through alley remains open
-  Closed alley to be ceded to 1015 Good Place

Filed in Clerk's Office  
**SEP 09 2021**  
DAWN M. JONES  
CITY CLERK, SOUTH BEND, IN

**davevicki@comcast.net**

---

**From:** davevicki@comcast.net  
**Sent:** Thursday, July 14, 2022 2:34 PM  
**To:** 'Laura Hensley'; 'Chris Boardman'  
**Subject:** RE: City of South Bend Board of Public Works  
**Attachments:** Boardman Alley Cede.docx; Alley Cede Memo Signatures.pdf; Exhibit A Alley.pdf; Alley Varance Cede Photo #1.pdf; Alley Varance Cede Photo #2.pdf

Laura and Chris, attached are copies of the original documents that I will be hand delivering to you Laura this afternoon.

Given the fullest endorsement of all four property owners for the vacation and ceding of the alley at issue to Christopher Boardman per the attached submitted memorandum and attachments and the continued unchanged traffic pattern in the alley system at the rear of the homes of Riverside Drive from Good Place to Blyler Place as well as the unchanged alley at the rear of the homes between Good Place and Blyler Place there should be no issues that the vacation would make access to the lands of the aggrieved person by means of public way difficult or inconvenient, nor that the vacation would hinder the use of a public right-of-way by the neighborhood in which it is located or to which it is contiguous.

On the behalf of the Keller Park Neighborhood neighbors with homes adjacent to the alley at issue, thank you for all of your efforts in this request and please contact me if I may provide any further assistance on Chris Boardman's behalf in his absence.

Thanks, Dave

David M. Loughlin  
2017 Riverside Drive  
South Bend, IN 46616  
574-234-6927 H  
574-220-9536 C  
[davevicki@comcast.net](mailto:davevicki@comcast.net)

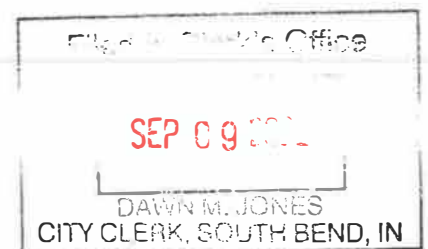
---

**From:** Laura Hensley <[lhensley@southbendin.gov](mailto:lhensley@southbendin.gov)>  
**Sent:** Monday, July 11, 2022 8:16 AM  
**To:** Chris Boardman <[irishcb222@hotmail.com](mailto:irishcb222@hotmail.com)>  
**Cc:** davevicki@comcast.net  
**Subject:** RE: City of South Bend Board of Public Works

Good morning, Chris,  
We are here Monday-Friday 8:00 a.m. to 4:30 p.m. You can drop it off or email if that is easier. Hope you're having a good Monday!

---

**From:** Chris Boardman <[irishcb222@hotmail.com](mailto:irishcb222@hotmail.com)>  
**Sent:** Monday, July 11, 2022 7:28 AM  
**To:** Laura Hensley <[lhensley@southbendin.gov](mailto:lhensley@southbendin.gov)>  
**Cc:** [davevicki@comcast.net](mailto:davevicki@comcast.net)  
**Subject:** Re: City of South Bend Board of Public Works



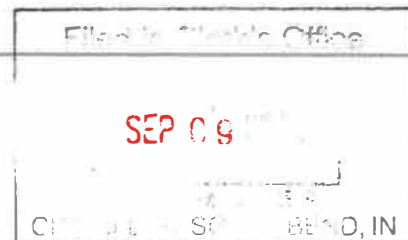
Good morning Laura,

We had spoken in person back in April in your office regarding my alley vacation request and with the assistance of my neighbor Dave Loughlin (whom was present with me when we met you) we have collected the additional information per your direction. Since I do not live in South Bend full time, Dave has agreed to assist in delivering the paperwork. Please let us know when would be a good time to stop by with the paperwork and maybe answering a few more questions. I really appreciate all your help and if there is anything you need please do not hesitate to call me at 617-312-2211.

Thank you,  
Chris

---

**From:** Laura Hensley <[lhensley@southbendin.gov](mailto:lhensley@southbendin.gov)>  
**Sent:** Tuesday, December 14, 2021 12:48 PM  
**To:** [Irishcb222@hotmail.com](mailto:Irishcb222@hotmail.com) <[Irishcb222@hotmail.com](mailto:Irishcb222@hotmail.com)>  
**Subject:** City of South Bend Board of Public Works



Hello,

Attached you will find a letter and signed documents pertaining to the December 14, 2021, City of South Bend Board of Public Works Meeting. Please read the letter attached. **\*\*There may be extra documents attached to the file, this is for your records only.\*\***

Hope you have a wonderful day!



**Laura Hensley**

Administrative Assistant  
Department of Public Works  
(574) 235-5927  
[lhensley@southbendin.gov](mailto:lhensley@southbendin.gov)  
City of South Bend  
227 W. Jefferson Blvd., Ste. 1316  
South Bend, IN 46601

**Excellence | Accountability | Innovation | Inclusion | Empowerment**

**IMPORTANT NOTICE!** This E-Mail transmission and any accompanying attachments may contain confidential information intended only for the use of the individual or entity named above. Any dissemination, distribution, copying or action taken in reliance on the contents of this E-Mail by anyone other than the intended recipient is strictly prohibited and is not intended to, in anyway, waive privilege or confidentiality. If you have received this E-Mail in error please immediately delete it and notify sender at the above E-Mail address. Please note that incoming e-mails are not routinely screened for response deadlines, and as such, please notify the sender separately by fax of any message containing deadlines. In addition, E-Mail information cannot be guaranteed to be secure or error-free as information could be intercepted, corrupted, lost, destroyed, arrive late or incomplete, or contain virus. Therefore, the sender does not accept liability for any errors or omissions in the contents of this message which arise as a consequence of E-Mail transmission. If verification is required, please request a hard-copy version.

**IMPORTANT NOTICE!** This E-Mail transmission and any accompanying attachments may contain confidential information intended only for the use of the individual or entity named above. Any dissemination, distribution, copying or action taken in reliance on the contents of this E-Mail by anyone other than the intended recipient is strictly prohibited and is not intended to, in anyway, waive privilege or confidentiality. If you have received this E-Mail in error please immediately delete it and notify sender at the above E-Mail address. Please note that incoming e-mails are not routinely screened for response deadlines, and as such, please notify the sender separately by fax of any message

containing deadlines. In addition, E-Mail information cannot be guaranteed to be secure or error-free as information could be intercepted, corrupted, lost, destroyed, arrive late or incomplete, or contain virus. Therefore, the sender does not accept liability for any errors or omissions in the contents of this message which arise as a consequence of E-Mail transmission. If verification is required, please request a hard-copy version.

Filed in Clerk's Office  
SEP 09 2002  
DAWN M. JONES  
CITY CLERK, SOUTH BEND, IN



018-2138-5148  
2041

018-2138-5149  
1111

018-2138-5147  
1111

018-2138-5146  
1123  
1144

018-2138-5162  
2033

018-2138-5163  
2029

018-2138-5164  
2025

018-2138-5161  
1114

018-2138-5160  
1122

018-2138-5173  
2021

018-2138-5174  
2017

018-2138-5158  
1126

018-2138-5157  
1130

018-2138-5172  
1013

018-2139-5210  
2009

018-2138-5155  
1130

018-2138-5170  
1025

018-2139-5205  
2005

018-2138-5169  
1027

W GOOD PL

018-2138-5167  
1031

018-2139-5207  
1073

018-2139-5209  
1015

018-2138-5165  
1109

018-2138-5166  
1039

018-2139-5206  
1031

W CULVER PL

018-2138-5191

018-2138-5194



Looking northwest from Good Place to alley at issue and Blyler Place in background. 1015 Good Place on left in photo and 2017 Riverside Drive on right in the photo.



Looking northwest from the alley at issue with the end of the vacation/ceding to stop at the end of the chain-link fence at the rear of 1015 Good Place on the left in the photo and 2025 Riverside Drive on the right in the photo. Note the utility pole in the alley easement preventing turns in alleyway from or onto the section of alley requested to be vacated.

SEP 09 2022  
 DAWN M. JONES  
 CITY CLERK, SOUTH BEND, IN





Looking southeast in alley at issue toward Good Place with 1015 Good Place on right in photo behind utility pole in alley easement. Note right turn traffic pattern to alley behind homes on Good Place and Blyler Place which would remain open if alley at were closed.



Looking south in alley at issue toward 1015 Good Place and utility pole in alley easement preventing turns in alleyway from or onto the section of alley at issue.

Filed in Clerk's Office  
 SEP 08 2022  
 DAWN R. JONES  
 CITY CLERK, SOUTH BEND, IN

MARGO B LOVEING  
1015 Culver Pl  
South Bend IN 46616

7022 0410 0001 3219 3117

JIANBO LIU  
2025 Riverside Dr  
South Bend IN 46616

7022 0410 0001 3219 3049

2005 RIVERSIDE DR LAND TRUST  
115 1/2 N Main St  
South Bend IN 46601

7022 0410 0001 3219 3025

JANET MORRIS  
1126 Blyler Pl  
South Bend IN 46616

7022 0410 0001 3219 3124

DAVID M AND VICKIE L LOUGHLIN  
2017 Riverside Dr  
South Bend IN 46616

7022 0410 0001 3219 3056

DAVID A VANWANZEELE  
116 Mansfield C  
Boca Raton FL 33434

7022 0410 0001 3219 3018

JENNIFER TOMAINO  
6131 Fairway Ave  
Dallas TX 75227

7022 0410 0001 3219 2592

VINCE J BARLETTO  
1019 Culver Place  
South Bend IN 46616

7022 0410 0001 3219 3063

CALVIN & ELIZABETH LEWIS  
2021 N Riverside Dr  
South Bend IN 46616

7022 0410 0001 3219 3001

KIM CARTAINO & RYAN JTWROS  
39 Illex Dr  
Newbury Park CA 91320

7022 0410 0001 3219 2608

AUSTIN & SARAH LOVEING  
1023 Culver Pl  
South Bend IN 46616

7022 0410 0001 3219 3070

RONALD E ALT  
1114 Blyler Place  
South Bend IN 46616

7022 0410 0001 3219 2646

MARK MAKOWSKI  
PO Box 11262  
South Bend IN 46634

7022 0410 0001 3219 2547

DEBRA S SPETH  
222 E Walter St  
South Bend IN 46614

7022 0410 0001 3219 3087

DAVID M GILBERT & MEAGAN E DRONE  
2029 Riverside Dr  
South Bend IN 46616

7022 0410 0001 3219 2998

RUSSELL R MICINSKI  
1130 Blyler Place  
South Bend IN 46616

7022 0410 0001 3219 2554

BRYAN E EYER  
2001 Riverside Dr  
South Bend IN 46616

7022 0410 0001 3219 3094

STACIE PRIEBE  
2033 Riverside Dr  
South Bend IN 46616

7022 0410 0001 3219 2981

CHRISTOPHER BOARDMAN  
1015 Good Pl  
South Bend IN 46616

7022 0410 0001 3219 2561

TROPIC LIFE INVESTMENTS LLC  
1727 Elsie St  
Green Cove Springs FL 32043

7022 0410 0001 3219 3032

Filed in Clerk's Office

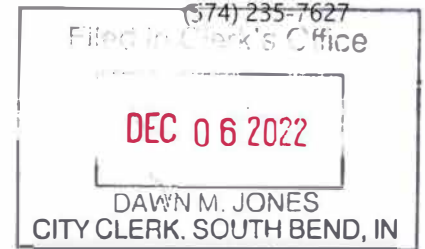
SEP 09 2022

DAVID M JONES  
CITY CLERK, SOUTH BEND, IN

# BILL NO. 69-22

## City of South Bend BOARD OF ZONING APPEALS

County-City Building  
227 W. Jefferson Blvd. 1400S  
South Bend, IN 46601



December 6, 2022

Common Council of South Bend  
227 W. Jefferson Blvd, 4<sup>th</sup> Floor  
South Bend, IN 46601

Re: Bill# 69-22: The petition of PEAK INVESTMENT & ASSET MANAGEMENT LLC seeking a Special Exception for Tobacco/Hookah/Vaping in the NC Neighborhood Center for property located at 1405 PORTAGE AVE.

Dear Council Members:

I hereby Certify that the above referenced petition of PEAK INVESTMENT & ASSET MANAGEMENT LLC was legally advertised on November 25, 2022 and that the South Bend Board of Zoning Appeals at its public hearing on December 5, 2022 took the following action:

Upon a motion by Kyle Copelin, being seconded by Mark Burrell and unanimously carried, a petition by PEAK INVESTMENT & ASSET MANAGEMENT LLC seeking a Special Exception for Tobacco/Hookah/Vaping for property located at 1405 PORTAGE AVE, City of South Bend, is sent to the Common Council with a **favorable** recommendation, and will issue written Findings of Fact.

The staff comments related to this petition are attached. The Findings of Fact will be adopted at the next South Bend Board of Zoning Appeals meeting. Minutes of the public hearing are available in our office and will be posted on our website once approved.

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

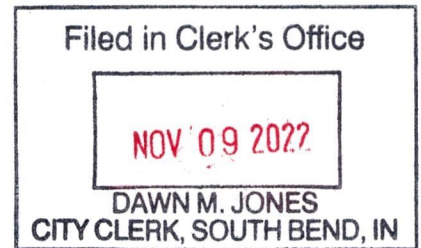
Sincerely,

Angela M. Smith  
Zoning Administrator

Attachment

CC: PEAK INVESTMENT & ASSET MANAGEMENT LLC

**BILL NO. 69-22**  
**ORDINANCE NO. 10904-22**



**AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND,  
INDIANA, APPROVING A PETITION OF THE ADVISORY BOARD OF ZONING  
APPEALS FOR THE PROPERTY LOCATED AT 1405 PORTAGE AVE.  
COUNCILMANIC DISTRICT NO. 1 IN THE CITY OF SOUTH BEND, INDIANA**

---

**STATEMENT OF PURPOSE AND INTENT**

**Request a Special Exception to allow for the property to operate a tobacco/hookah/vape shop.**

---

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

**SECTION I.** The Common Council has provided notice of the hearing on the Petition from the Advisory Board of Zoning Appeals pursuant to Indiana Code Section 5-14-1.5-5, requesting that a Special Exception be granted for property located at:

1405 Portage Ave. 018-2182-6831

In order to permit Tobacco/Hookah/Vaping

**SECTION II.** Following a presentation by the Petitioner, and after proper public hearing, the Common Council hereby approves the petition of the Advisory Board of Zoning Appeals, a copy of which is on file in the Office of the City Clerk.

**SECTION III.** The Common Council of the City of South Bend, Indiana, hereby finds that:

1. The proposed use will not be injurious to the public health, safety, comfort, community moral standards, convenience, or general welfare;
2. The proposed use will not injure or adversely affect the use of adjacent area of property values therein;
3. The proposed use will be consistent with the character of the district in which it is located, and the land uses authorized therein;
4. The proposed use is compatible with the recommendations of the City of South Bend Comprehensive Plan;

**SECTION IV.** Approval is subject to the Petitioner complying with the reasonable conditions, if any, established by the Advisory Board of Zoning Appeals which are on file in the Office of the City Clerk.

**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, and legal publication, and full execution of any conditions or Commitments placed upon the approval.

\_\_\_\_\_  
Sharon McBride, Council President  
South Bend Common Council

Attest:

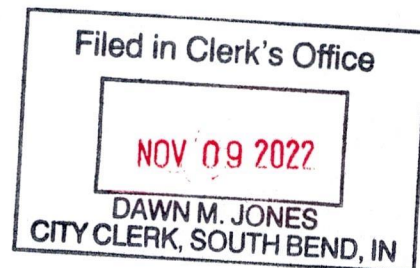
\_\_\_\_\_  
Dawn M. Jones, City Clerk  
Office of the City Clerk

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 \_\_\_\_\_, 2023, at \_\_\_\_\_ o'clock \_\_\_\_ m.

\_\_\_\_\_  
Dawn M. Jones, City Clerk  
Office of the City Clerk

Approved and signed by me on the \_\_\_\_\_ day of \_\_\_\_\_, 2023, at \_\_\_\_ o'clock \_\_\_\_ .m.

\_\_\_\_\_  
James Mueller, Mayor  
City of South Bend, Indiana



**Property Information**

Location: 1405 PORTAGE AVE  
Owner: PEAK INVESTMENT & ASSET MANAGEMENT LLC

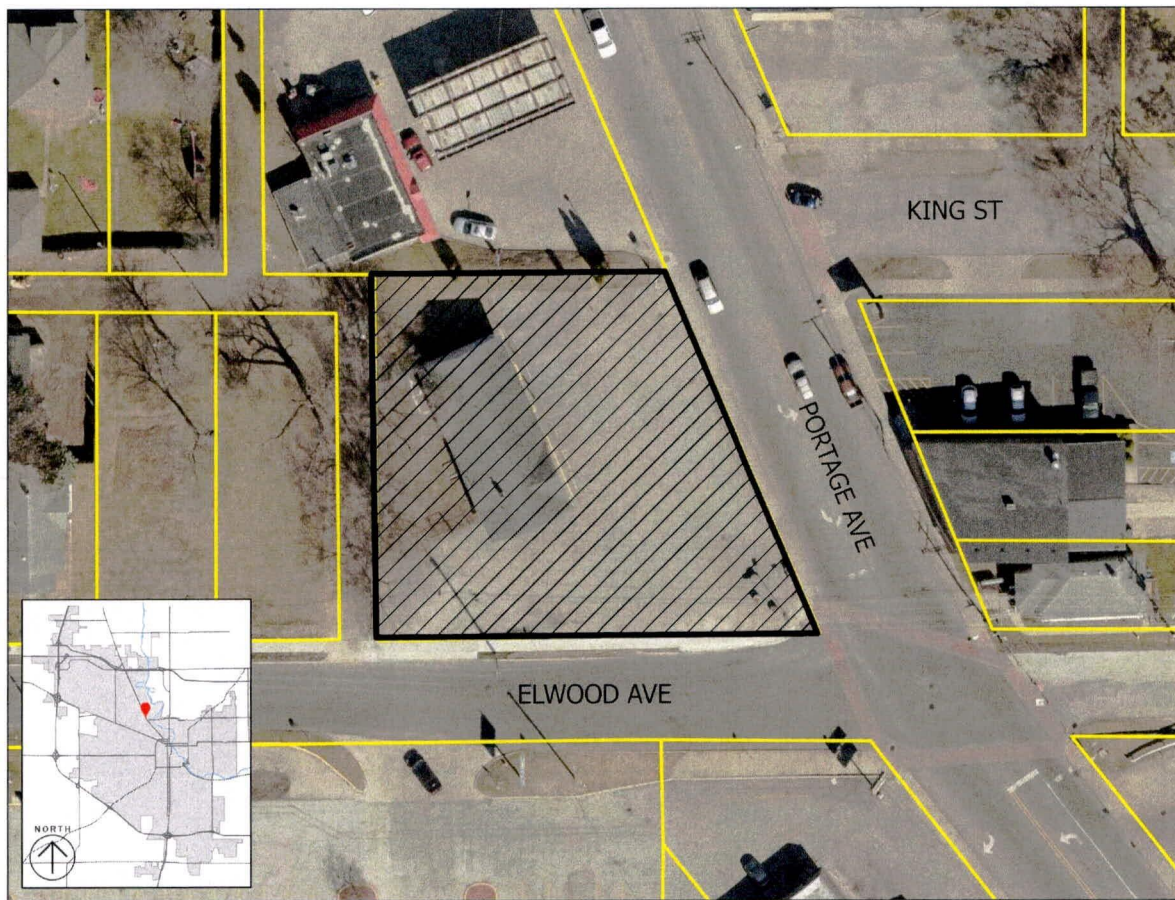
**Project Summary**

To open a tobacco/hookah/vaping shop at the existing 1 story building

**Requested Action**

Special Exception: Tobacco/Hookah/Vaping  
Variance(s): 1) To allow for parking in the establish front yard  
2) From the 60% minimum transparency to none

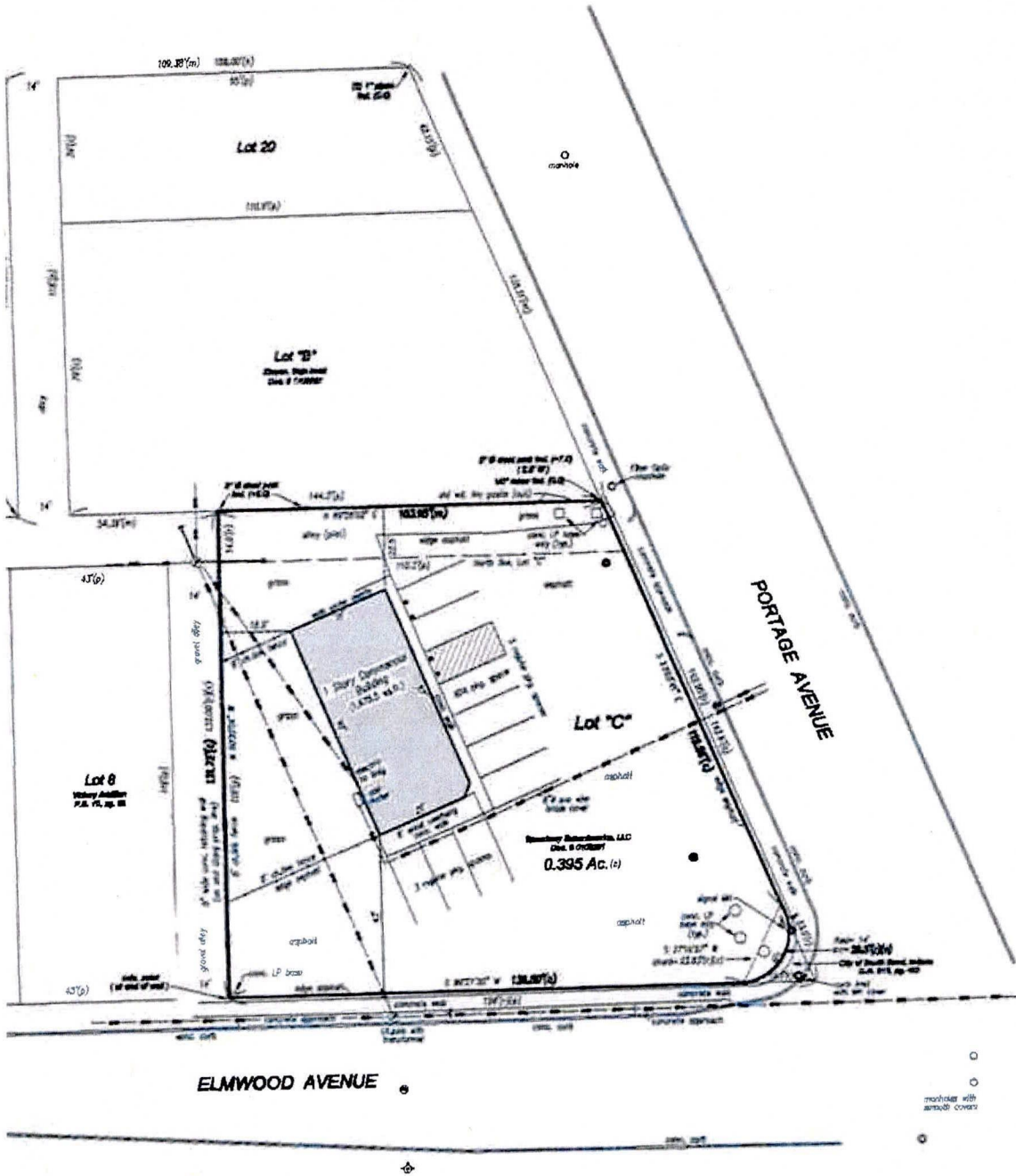
**Site Location**



**Staff Recommendation**

Based on the information provided prior to the public hearing, the Staff recommends the Board send the petition to the Common Council with a favorable recommendation. The Staff recommends the Board approve variance #1 for parking in the established front yard, subject to meeting current development standards for off street parking and removing any excess pavement. The Staff recommends the Board deny variance #2.

Proposed Site Plan



### Criteria for Decision Making: Special Exception

**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;**

Provided the site is brought up to the current development standards of the Ordinance, the proposed use should not be injurious to the public health, safety, or general welfare of the community. This portion of Portage Ave. has a mix of commercial and residential uses. With the commercial uses lining the corridor.

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

The proposed use should not injure or adversely affect the use of the adjacent area or property values. With proper buffering and design, the proposed development should not have significant impact on surrounding residential property values. The developme

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

The proposed use will be consistent with the character of the district. The corridor has a mix of commercial uses and this use will be consistent in the development standards of the district.

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

The petition, with City Plan, South Bend Comprehensive Plan (2006). Objective LU 2.2 Pursue a mix of land uses along major corridors and other locations identified on the Future Land Use Map.

### Criteria for Decision Making: Variance(s)

**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**

Since this is located in a commercial node, approval of the parking variances should not be injurious to the public health, safety, or general welfare of the community. The variance for reduction of transparency can have a negative impact on the safety of the community as it does not allow for visibility into the store and reduces visibility of the street.

**(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**

Approving the variance for minimum transparency could negative affect property values. Buildings without windows often look abandoned an can contribute to the perception of



blight in the area. With proper buffering, the variance for parking in the front yard should not adversely affect surrounding properties.

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

Strict application of the Zoning Ordinance would require the building to be demolished and relocated in order to allow access and parking in a different configuration. The window cavities appear to still be in place, which should eliminate any practical difficulty from reestablishing the proper transparency on the building.

**(4) The variance granted is the minimum necessary**

Provided the parking area is configured to meet current design standards and any excess pavement is removed, the variance should be the minimum necessary to allow for operation of the site. The variance requested for the transparency is not the minimum necessary since the windows can easily be reinstalled.

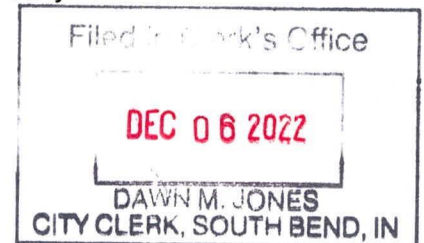
**(5) The variance does not correct a hardship cause by a former or current owner of the property**

The building was developed prior to standards that promoted street activation and pedestrian scaled design. The hardship for the building location was not created by the owner. The building, however, was designed with a large amount of windows that would meet or exceed the current Ordinance. They have been covered over time by previous owners and could easily be restored to meet the intent of the district.

**Analysis & Recommendation**

**Analysis:** With proper buffering and design, the proposed development should not have significant impact on surrounding residential property values. The development standards of the NC Neighborhood Center district should be applied to the property to help mitigate any impact on the surrounding neighborhood. This property is located at a commercial node along Portage Avenue.

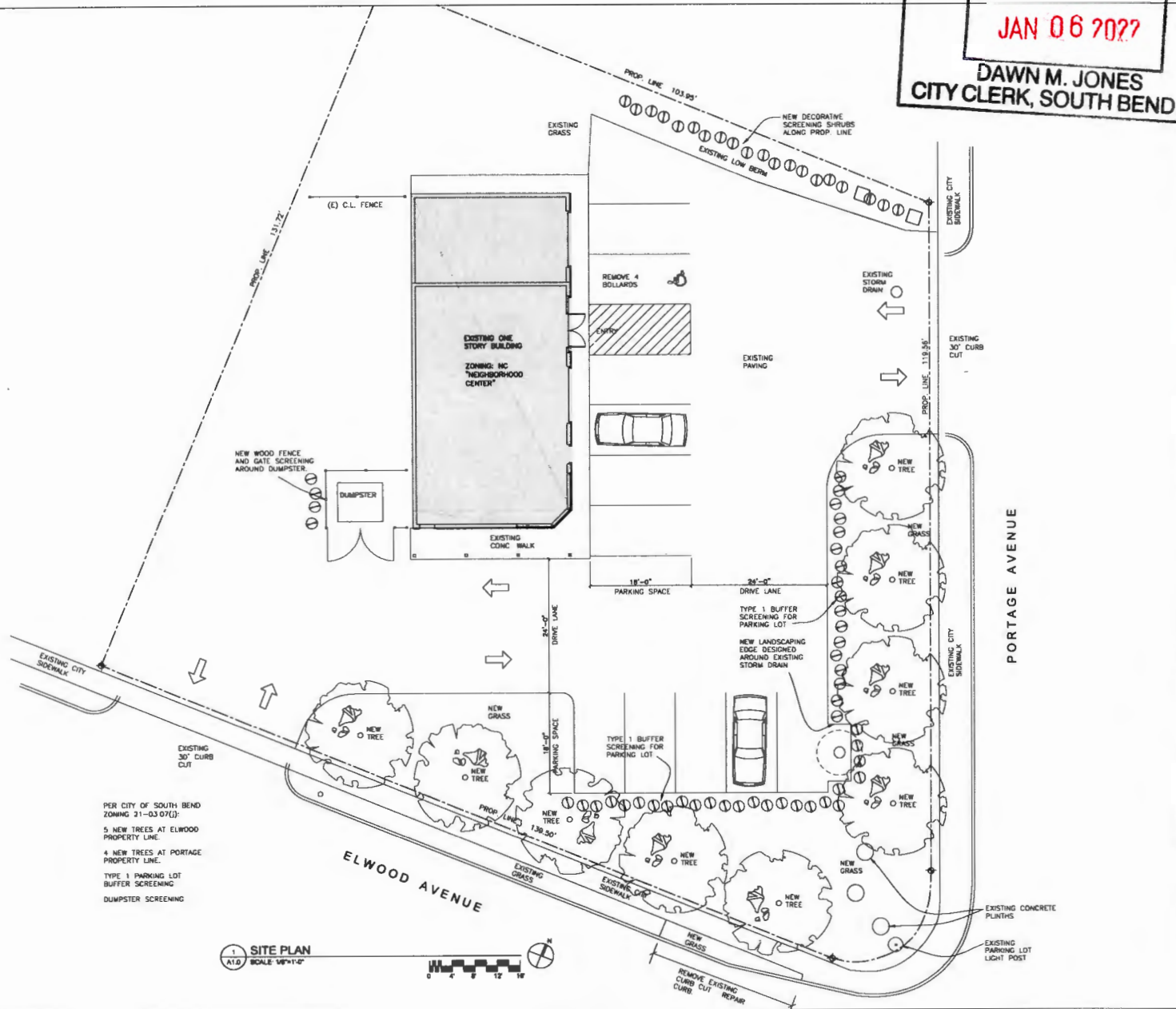
**Staff Recommendation:** Based on the information provided prior to the public hearing, the Staff recommends the Board send the petition to the Common Council with a favorable recommendation. The Staff recommends the Board approve variance #1 for parking in the established front yard, subject to meeting current development standards for off street parking and removing any excess pavement. The Staff recommends the Board deny variance #2.



Filed in Clerk's Office

JAN 06 2027

DAWN M. JONES  
CITY CLERK, SOUTH BEND, IN



PER CITY OF SOUTH BEND  
ZONING 21-03.07(I):  
5 NEW TREES AT ELWOOD  
PROPERTY LINE.  
4 NEW TREES AT PORTAGE  
PROPERTY LINE.  
TYPE 1 PARKING LOT  
BUFFER SCREENING  
DUMPSTER SCREENING

1 SITE PLAN  
SCALE: 1/8"=1'-0"



PEAK INVESTMENT & ASSET MGMT LLC  
1505 PORTAGE AVENUE  
SOUTH BEND, IN 46616

REVISIONS

NO.	DATE	DESCRIPTION

City of South Bend  
Facade Grant

Date: JAN. 5, 2023  
Job Number:  
Drafting:  
Approval: P.O.L.

Schematic Design

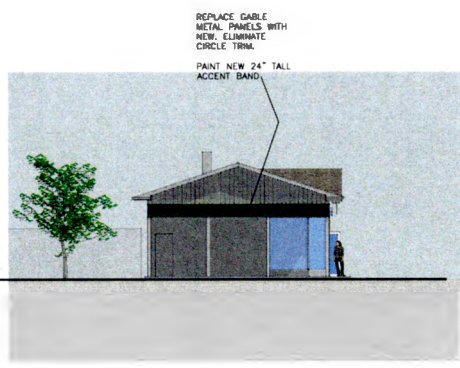
Sheet Number  
A1.0

Filed in Clerk's Office  
**JAN 05 2022**  
 DAWN M. JONES  
 CITY CLERK, SOUTH BEND, IN

PLEASE CONTACT CITY OF SOUTH BEND ZONING AT (574)245-8022 OR ZONING@SOUTHBENDIN.GOV FOR QUESTIONS OR MORE INFORMATION ON ZONING & SIGNAGE COMPLIANCE.  
 IMPORTANT NOTE: THESE DRAWINGS ARE CONCEPTUAL SCHEMATICS AND ARE NOT SUITABLE FOR CONSTRUCTION. OWNER AND/OR CONTRACTOR IS RESPONSIBLE FOR ALL ADDITIONAL REQUIRED DESIGN DEVELOPMENT, STRUCTURAL DESIGN, VERIFICATION THAT ALL WORK COMPLIES WITH THE BUILDING CODE, AND COORDINATION WITH SITE CONDITIONS.

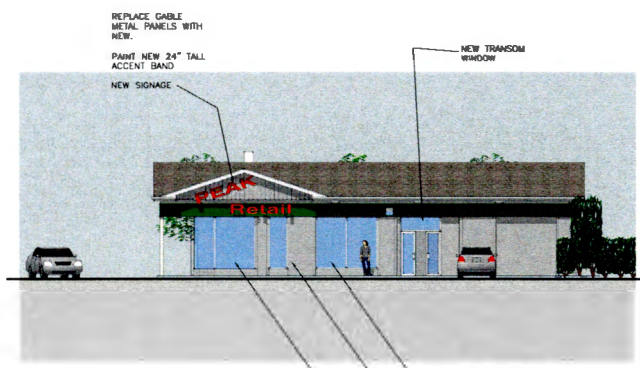


1 SCHEMATIC VIEW  
 SCALE: 1/8"=1'-0"



2 SOUTH ELEVATION  
 SCALE: 1/8"=1'-0"

REPLACE GABLE METAL PANELS WITH NEW, ELIMINATE CIRCLE TRIM.  
 PAINT NEW 24" TALL ACCENT BAND.



3 FRONT ELEVATION  
 SCALE: 1/8"=1'-0"

REPLACE GABLE METAL PANELS WITH NEW.  
 PAINT NEW 24" TALL ACCENT BAND.  
 NEW SIGNAGE.  
 NEW TRANSOM WINDOW.  
 NEW WINDOWS IN EXISTING ROUGH OPENINGS.

PEAK INVESTMENT & ASSET MGMT LLC  
 1505 PORTAGE AVENUE  
 SOUTH BEND, IN 46616

REVISIONS

City of South Bend  
 Facade Grant

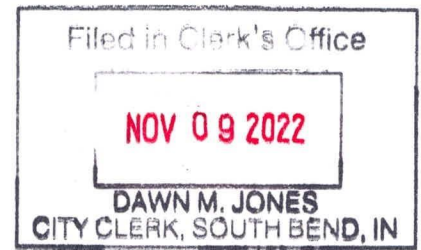
Date: JAN 5, 2022  
 Job Number:  
 Drawing:  
 Approver: PDK

Conceptual Design

Sheet Number:  
**A2.0**

# City of South Bend

## BOARD OF ZONING APPEALS



November 9, 2022

Honorable Lori Hamann  
4th Floor, County-City Building  
South Bend, IN 46601

RE: Special Exception at 1405 Portage Ave

Dear Committee Chair Hamann:

Enclosed is an Ordinance for the proposed Special Exception Use at the above referenced location. Please include the attached Ordinance on the Council agenda for **first reading** at your **November 14th, 2022**, Council meeting and set it for public hearing at your **December 12th, 2022**, Council meeting. The petition is tentatively scheduled for public hearing at the December 5, 2022, South Bend Board of Zoning Appeals meeting. The staff report and recommendation of the South Bend Board of Zoning Appeals will be forwarded to the Office of the City Clerk by noon on the Wednesday following the public hearing.

The petitioner provided the following to describe the proposed project:

*Request a Special Exception to allow for the property to operate a tobacco/hookah/vape shop.*

The full petition is attached for your reference. Changes may occur between the filing and the public hearing. Any substantial changes will be identified at the Council meeting.

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

Sincerely,

Rachel Boyles  
Zoning Specialist

CC: Bob Palmer

City of South Bend  
**BOARD OF ZONING APPEALS**

227 W. Jefferson - Suite 1400S  
South Bend, IN 46601  
zoning@southbendin.gov  
RECEIVED NOV 07 2022

**Petition for Variance - Special Exception**

**Property Information**

Tax Key Number: 71-03-35-360-020.000-026

Address: 1405 Portage Avenue, South Bend, INDIANA 46616

Owner: Peak Investment and asset Management, LLC

Zoning: NC Neighborhood Center

**Project Summary:**

To open a Tobacco /hookah/Vaping shop , at the existing 1 story building 1675.5 sq ft (Survey enclosed)

**Requested Action**

Special Exception/ Use Variance – *complete and attach Criteria for Decision Making*  
Use requested: 21-06.01(k)(20)

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

Variance(s) requested:

- 1.) To allow for parking in the established front yard.
- 2.) From the 60% minimum transparency to none

Filed in Clerk's Office  
**NOV 09 2022**  
DAWN M. JONES  
CITY CLERK, SOUTH BEND, IN

**Required Documents**

Completed Application (including Criteria for Decision Making and Contact Information)

Site Plan drawn to scale

Filing Fee

\$400

**PAID**

NOV 07 2022

Per KB  
\$400

## 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:**

Vaping products are battery operated devices that heat an e-liquid or e-juice. The heated e-liquids are available in different flavours mixed in a glycerol and propylene glycol solution that contain varying levels of nicotine. Vaping is less harmful than smoking. People trying to quit smoking using e-cigarettes have a higher quit rate than normal nicotine replacement therapy. Hookahs are waterpipes that are used to smoke specially made tobacco mixtures through a water-filled chamber. A user then inhales the smoke through a tube and mouthpiece. Hookah users often perceive it to be less harmful than smoking cigarettes.

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

We recently acquired this property from Speedway, LLC a known corporation. The facility has been closed for many years. In fact, new business will help in enhancing the property value of nearby properties. Besides this it will generate more revenue for the state and county and will create 2 to 3 jobs for local community. Legislatures of the State of Indiana approve this kind of business with proper licensing.

**(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:**

The proposed use will do more good than harm. The proposed use will help the community to quit smoking and create a better health environment.

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

NC neighborhood center provides provision of special exception for use of Tobacco/Hookah and vaping shops. This clearly indicates that proposed use is compatible with recommendations of the Comprehensive plan . .



## Contact Information

### Property owner(s) of the petition site:

Name: Praveen K Gulati - Peak Investment and Asset Management, LLC

Address: 5199 Gardenia Court  
West Lafayette, Indiana 47906

Name: Ellora Gulati- Peak Investment and Asset Management, LLC

Address: 5199 Gardenia Court  
West Lafayette, Indiana 47906

Name: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

### Contact Person:

Name: Praveen K Gulati

Address: 5199 Gardenia Court  
West Lafayette, Indiana 47906

Phone Number: 765-412-0756

E-mail: praveeng217@gmail.com

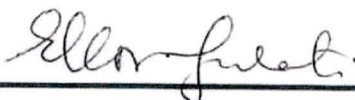
**By signing this petition, the Petitioner/Property Owners of the above described Real Estate acknowledge they are responsible for understanding and complying with the South Bend Zoning Ordinance and any other ordinance governing the property. Failure of staff to notify the petitioner of a requirement 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:



PRAVEEN K. GULATI



ELLORA GULATI



**Surveyor's Report**

**ADMINISTRATIVE REVIEW**  
 This report and the accompanying survey plat have been prepared in accordance with Title 36E, Article 1, Part 12, Sec. 1-12 and all amendments thereto of the Indiana Administrative Code, which constitute the minimum standards for the practice of land surveying in Indiana.

Measurements were made with a total station with a 2" plus 5mm per station accuracy. All measurements were made with a total station with a 2" plus 5mm per station accuracy. All measurements were made with a total station with a 2" plus 5mm per station accuracy.

The purpose for this survey is to determine the boundaries of the real estate described herein.

**PROPERTY OF LOCATION**  
 The three and corners for this survey were established on the survey drawing and are described herein on the plat of Henry Adams and Clarence Adams (79202) and David Howard #77, page 421.

The accuracy of the lines and corners found or established by this survey are as follows:

(A) **Accuracy and number of reference monuments:**  
 Reference monuments were established and measured on the survey drawing. The accuracy of the lines and corners found or established by this survey are as follows: (A) Accuracy and number of reference monuments: Reference monuments were established and measured on the survey drawing. The accuracy of the lines and corners found or established by this survey are as follows: (A) Accuracy and number of reference monuments: Reference monuments were established and measured on the survey drawing. The accuracy of the lines and corners found or established by this survey are as follows:

(B) **Distance or dimension lines:**  
 No accuracy was required to make measurements of dimension lines. All 2" lines were measured with a total station and all other lines were measured with a total station.

(C) **Clarity or suitability of the record description and of adjacent descriptions:**  
 No accuracy was required to make measurements of dimension lines. All 2" lines were measured with a total station and all other lines were measured with a total station.

(D) **The survey plat under the jurisdiction of a "Suburban" survey:**  
 The accuracy of the lines and corners found or established by this survey are as follows: (A) Accuracy and number of reference monuments: Reference monuments were established and measured on the survey drawing. The accuracy of the lines and corners found or established by this survey are as follows: (A) Accuracy and number of reference monuments: Reference monuments were established and measured on the survey drawing. The accuracy of the lines and corners found or established by this survey are as follows:

**Title Commitment Information**

THE PROPERTY HEREON DESCRIBED IS THE SAME AS THE PROPERTY PROPERTY AS DESCRIBED IN THE COMMITMENT FOR TITLE ADVISANCE BY STEWART TITLE SUMMARY COMPANY, FILE NO. 210833032, WITH AN EFFECTIVE DATE OF APPROX. 2/2022.

**Schedule B - Part Two Items**

A. **Encroachments, setbacks and restrictions, if any, as set forth in plat recorded in the Book 10, page 26 of the St. Joseph County, Indiana Recorder's Office.**  
 SURVEYOR'S NOTE: AFFECTS SUBJECT PARCELS.

**Statement of Encroachments**

AN 8" WIDE CONCRETE RETAINING WALL RUNS ON AND ALONG THE WEST PROPERTY LINE OF SAID REAL ESTATE AS SHOWN ON SURVEY DRAWING.

**Flood Statement**

AS SHOWN ON THE MAP FROM MAP NUMBER 178500000 FOR ST. JOSEPH COUNTY, INDIANA, DATED JANUARY 6, 2011, THE REAL ESTATE SPECIFICALLY DESCRIBED HEREON APPEARS TO BE IN ZONE "X" AND IS NOT A SPECIAL FLOOD HAZARD AREA.

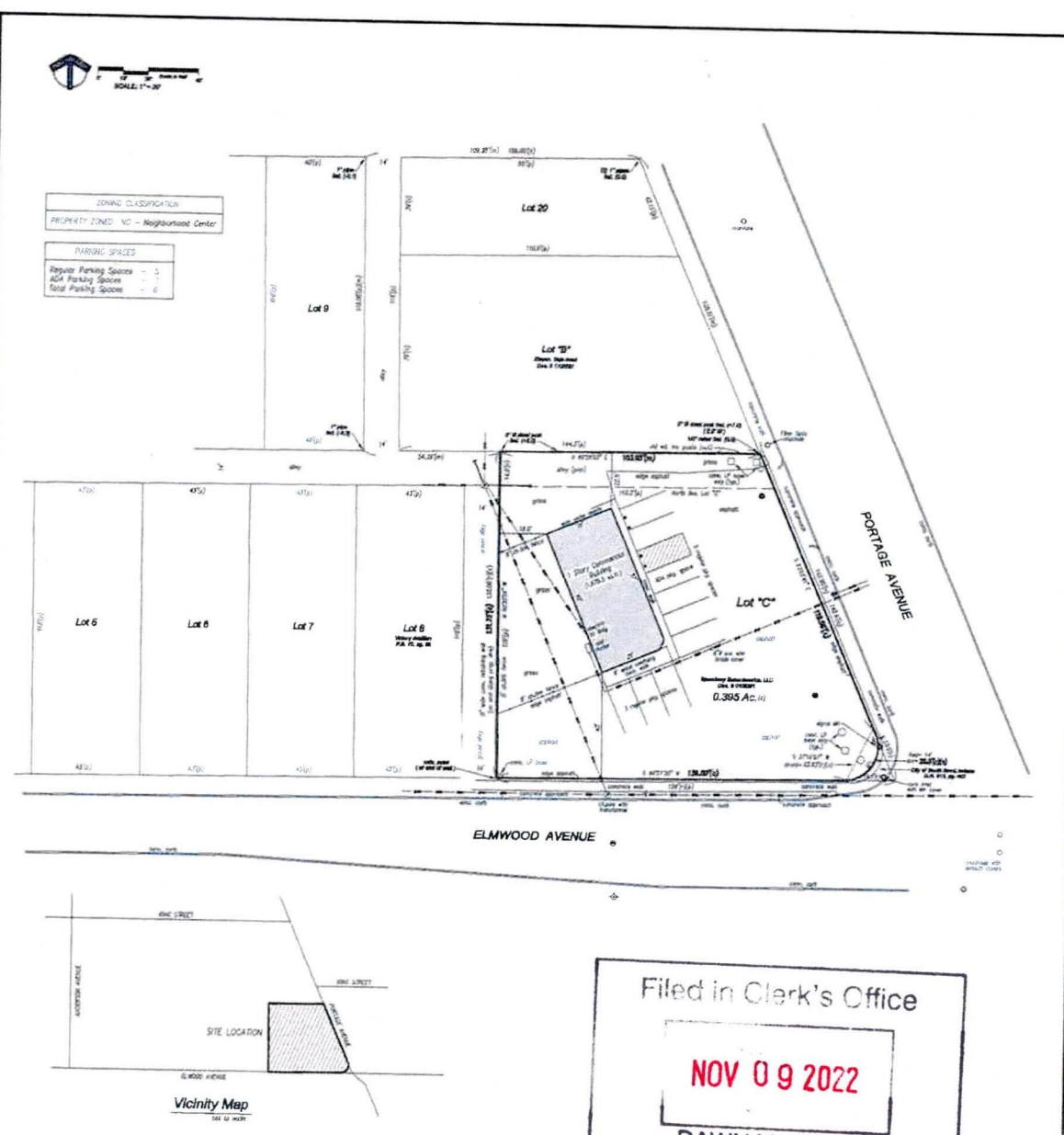
**Bearing Basis**

BEARINGS SHOWN HEREON ARE BASED ON GEOCENTRIC STATE PLANE COORDINATE SYSTEM (NAD83) 2011, INDIANA EAST ZONE.

**Legend**

○ UTILITY POLE  
 ○ UTILITY POLE WITH LAMP  
 ○ LIGHT POLE  
 ○ DRIVEWAY UTILITY LAMP  
 ○ SETBACK  
 ○ MARKER  
 ○ CURB INLET  
 ○ CATCH BASIN  
 ○ SIGN  
 ○ BOLLARD  
 ○ PERMANENT  
 ○ WATER MARK  
 ○ SURVEY MONUMENT  
 ○ SURVEY MARK

■ UNIMPROVED  
 ■ IMPROVED  
 ■ UNDEVELOPED  
 ■ PLATTED



**Description**

**LEGAL DESCRIPTION - Doc. # 0102221**  
 A parcel of land in the Southwest Quarter of Section 35, in Township 36 North, Range 2 East, Indiana, is described as follows, to-wit:  
 Beginning at the intersection of the West line of Portage Avenue in the City of South Bend, Indiana, with the North line of Elmwood Avenue in said City of South Bend, along the North line of said Elmwood Avenue, a distance of 120 feet, thence North a distance of 132 feet, more or less, to the South line of a tract of land conveyed by Charles Adams, et al. to Lake Kase by Warranty Deed recorded May 27, 1912 in said record 547 in page 288 in the Office of the Recorder of St. Joseph County, Indiana, thence East along the South line of said Lake Kase tract to the West line of said Portage Avenue, a distance of 142.00 feet, more or less, to the point of beginning.

**LEGAL DESCRIPTION - David Howard #77, page 421**  
 A part of Lot "C" of the Plat of Homestead Tracts Acquired to the City of South Bend, Indiana, as recorded in the Office of the Recorder of St. Joseph County, Indiana, described for the following as follows, to-wit:  
 Beginning at the Southeast corner of said Lot "C", thence Northwesterly along the West line of said Lot "C", 23 feet, thence in a curve to the right having a radius of 14 feet and an angle of 78.3 feet and a short leg of 13.83 feet to a point on the South line of Lot "C", 10.2 feet West of the point of beginning; thence East 78.3 feet to the point of beginning.

**General Notes**

- THIS SURVEY REFLECTS AERIAL PHOTOGRAPHS OF UTILITIES AND INFORMATION AVAILABLE FROM UTILITY COMPANIES AT THE TIME OF SURVEY. THE SURVEYOR MAKES NO WARRANTY THAT ANY UNDERGROUND UTILITIES SHOWN ON THESE COPIES ARE IN THE AREA. IN THE EVENT OF ANY DISCREPANCY BETWEEN THE AERIAL PHOTOGRAPHS AND THE INFORMATION AVAILABLE TO THE SURVEYOR, THE SURVEYOR SHALL BE RESPONSIBLE FOR THE INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PERSONALLY LOCATED UNDERGROUND UTILITIES.
- ALL EASEMENTS, RIGHTS OF CONVEYANCE, AND OTHER INTERESTS LOCATED ELSEWHERE HEREON, RELATIVE TO UTILITIES, APPROPRIATIONS, EASEMENTS, RIGHTS OF WAY, EASEMENTS, EASEMENTS, EASEMENTS, AND ENCROACHMENTS ARE SHOWN ONLY FOR ADJACENT PARCELS, UNLESS OTHERWISE INDICATED.
- THE SURVEYOR HAS REVIEWED THE SURVEY RECORDS AND OTHER RECORDS OF THIS AREA AS SET FORTH IN SECTION 17 OF THE CITY ALPHABETIC SURVEY RECORDS.
- THE SUBJECT PROPERTY AND ADJACENT ADRESSES TO PORTAGE AVENUE AND ALSO ADJACENT DISCREPANT PUBLIC RIGHTS OF CONVEYANCE.
- THERE IS NO EVIDENCE OF CONVEYANCE OR SURVEY PROPERTY.
- THERE IS NO OBSERVABLE EVIDENCE OF EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS WITHIN RECENT YEARS.
- THERE IS NO OBSERVABLE EVIDENCE OF SITE USE AS A BOLD WHITE MARK, BUMP OR SURVEY MARK.
- THE PARCELS CONTAINED IN THE LEGAL DESCRIPTION ARE CONTIGUOUS WITHOUT ANY GAPS, GAPS OR OVERLAPping UNLESS OTHERWISE SPECIFICALLY DESCRIBED HEREON.
- CONING INFORMATION NOT PROVIDED TO THE SURVEYOR BY THE TITLE INSURANCE AND BUILDING INSURANCE FUNDATION FOR THE TREATMENT OF THE BUILDING DATA.
- NO APPLICABLE CHANGES IN STREET FRONT OF ANY LINES OTHER COMPARED OR PROPOSED AND AVAILABLE FROM THE QUANTIFIABLE INFORMATION NO OBSERVABLE EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS.
- NOT BEING WITHIN THE SIGNATURE AND SIGN OF A STATE OF INDIANA REGISTERED LAND SURVEYOR APPROVED TO ON OR BEFORE THE DATE THIS SURVEY WAS MADE AS PROVIDED WITHOUT THE WRITTEN CONSENT OF THE RESEARCH BUREAU REGISTERED AND SURVEYOR.
- NO ATTEMPT WAS MADE TO DETERMINE METEOROLOGICAL OR OTHER ENVIRONMENTAL ISSUES, UNLESS OTHERWISE NOTED.

**Surveyor's Certificate**

TO: SPEEDWAY SURVIVANCE, LLC, PRAVEEN GULATI, PEAK INVESTMENT AND ASSET MANAGEMENT, LLC, STEWART TITLE SURVEY COMPANY

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARDS DETAIL REQUIREMENTS FOR ALPHABETIC LAND TITLE SURVEYS, JOINTLY DEVELOPED AND ADOPTED BY ALA AND INDIANA, AND INCLUDES ITEMS 1, 2, 3, 4, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, AND 19 OF TABLE A THEREOF.

THE FIELD WORK WAS COMPLETED ON JUNE 6, 2022.

DATE: JUNE 6, 2022

REGISTERED SURVEYOR: TIMOTHY C. GOULOFF, LS  
 REGISTERED LAND SURVEYOR NO. 2000077

I declare under the penalties of perjury that I am the author of the above and certify that I am duly qualified to practice as a land surveyor in the State of Indiana.

REVISION DATE COMMENT  
 1 6-23-22 additional utility locations

**ALTA / NSPS Land Title Survey**  
 Property Address:  
 1405 Portage Avenue, South Bend, IN 46628

**GOULOFF - JORDAN SURVEYING AND DESIGN, INC.**  
 1183 BIGHAMWAY FORT WAYNE, IN 46802  
 PH (260) 424-5362 FAX (260) 424-4916

JOB NO.: 20220190  
 Drawn by: MJC  
 Checked by: TCG  
 Sheet: 1 of 1

Filed in Clerk's Office

NOV 09 2022

DAWN M. JONES  
 CITY CLERK, SOUTH BEND, IN

# BILL NO. 63-22

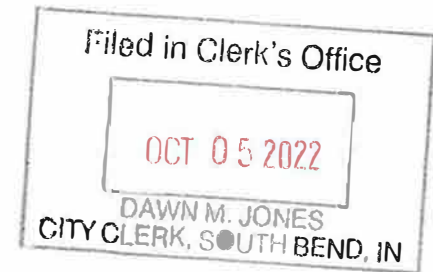


## City of South Bend PLAN COMMISSION

County-City Building  
227 W. Jefferson Blvd. 1400S  
South Bend, IN 46601  
(574) 235-7627  
[www.southbendin.gov/zoning](http://www.southbendin.gov/zoning)

October 5, 2022

Honorable Committee Chair Hamann  
4<sup>th</sup> Floor, County-City Building  
South Bend, IN 46601



RE: 21275 Cleveland Rd PC#116-22

Dear Committee Chair Hamann:

Enclosed is an Ordinance for the proposed Annexation and Zone Map Amendment at the above referenced location. Please include the attached Ordinance on the Council agenda for first reading at your October 10, 2022, Council meeting and set it for second reading on December 12<sup>th</sup>, 2022 and third reading on January 9<sup>th</sup>, 2023 Council meetings. The petition is tentatively scheduled for public hearing at the November 21, 2022, 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:

To annex into the City of South Bend and rezone to C Commercial for an express car wash.

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

Sincerely,

Rachel Boyles  
Zoning Specialist

CC: Bob Palmer

---

**Tim Corcoran**  
Planning Director

**Angela Smith**  
Zoning Administrator

**Scott Ford**  
Commission President

OCT 05 2022

DAWN M. JONES  
CITY CLERK, SOUTH BEND, IN

**BILL NO. 63-22**

**ORDINANCE NO. 10898-22**

**AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, ANNEXING TO AND BRINGING WITHIN THE CITY LIMITS OF SOUTH BEND, INDIANA, AND AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED IN GERMAN TOWNSHIP, CONTIGUOUS THEREWITH; COUNCILMANIC DISTRICT NO. 1, FOR 21275 CLEVELAND ROAD, SOUTH BEND, INDIANA**

---

**STATEMENT OF PURPOSE AND INTENT**

Petitioners desire to annex and rezone 21275 Cleveland Rd from OB: Office/Buffer District in Unincorporated St. Joseph County to C Commercial District in South Bend.

---

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

**SECTION I.** That the following described real estate is situated in St. Joseph County, Indiana, being contiguous by more than one-eighth (1/8) of its aggregate external boundaries with the present boundaries of the City of South Bend, Indiana, shall be and hereby is annexed to and brought within the City of South Bend:

Part of the West Half of the Southeast Quarter of Section 22, Township 38 North, Range 2 East, German Township, St. Joseph County, Indiana, being more particularly described as follows:

Starting at the Southwest corner of the Southeast Quarter of Section 22, Township 38 North, Range 2 East; thence East 940 feet; thence North 40 feet to the Southwest Corner of Lot 91 in the Proposed Plat of Lilac Acres Subdivision to the Point of Beginning; thence North 318 feet along the West Line of Said Lot 91 to the Northwest Corner of Said Lot 91; thence East 380 feet to the Northwest Corner of Lot 95 in the Proposed Plat of Lilac Acres Subdivision; thence South 318 feet along the West Line of Said Lot 95, also being the East Right-of-Way Line of Shellbark Avenue, to the Southwest Corner of Said Lot 95; thence West 380 feet along the North Right-Of-Way Line of Cleveland Road to the Point of Beginning. Containing 2.77 acres, more or less.

**SECTION II.** That the boundaries of the City of South Bend, Indiana, shall be and are hereby declared to be extended so as to include the real estate of the above-described parcel as part of the City of South bend, Indiana.

**SECTION III.** Ordinance No. 10689-19, as amended, 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 above described real estate, with the exception of all adjacent rights-of-way, in the City of South Bend, St. Joseph County, State of Indiana be and the same is hereby established as C Commercial District.

**SECTION IV.** This Ordinance shall be in full force and effect 30 days from and after its passage by the Common Council, approval by the Mayor, and legal publication.

\_\_\_\_\_  
Sharon McBride, Council President  
South Bend Common Council

Attest:

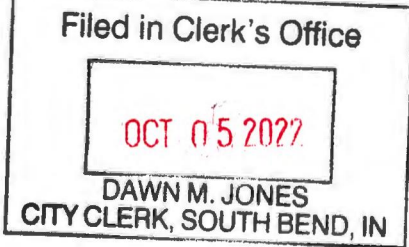
\_\_\_\_\_  
Dawn M. Jones, City Clerk  
Office of the City Clerk

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 \_\_\_\_\_, 2023, at \_\_\_\_\_ o'clock \_\_\_\_ . m.

\_\_\_\_\_  
Dawn M. Jones, City Clerk  
Office of the City Clerk

Approved and signed by me on the \_\_\_\_\_ day of \_\_\_\_\_, 2023, at \_\_\_\_ o'clock \_\_\_\_ .m.

\_\_\_\_\_  
James Mueller, Mayor  
City of South Bend, Indiana



# City of South Bend

## PLAN COMMISSION

### Petition for Rezoning or Combined Public Hearing

#### Property Information

Tax Key Number: 05-13-428-019-002, 05-13-428-020-002, 05-13-428-21-002, 05-13-428-022

Address: 21275 Cleveland Road

Owner: J. Patrick McGann

#### Legal Description:

Part of the West Half of the Southeast Quarter of Section 22, Township 38 North, Range 2 East described as follows: Beginning at a point 940 feet East of the Southwest corner of the Southeast Quarter of Section 22, Township 38 North, Range 2 East; thence North 358 feet; thence East 320 feet; thence South 358 feet; thence West 320 feet to the place of beginning, the same being Lots Numbered Ninety-one (91), Ninety-two (92), Ninety-three (93), and Ninety-four (94) in the Proposed Plat of Lilac Acres Subdivision

#### Project Summary

To establish an express auto spa with vacuums utilizing a conveyor belt system, state-of-the-art equipment with muffled vacuum operation and stealth dryer system with a vast reduction in decibel sounds. THIS REQUEST INCLUDES ANNEXATION INTO THE CITY OF SOUTH BEND.

#### Requested Action

Application includes (check all that apply)

Rezoning

Current District: Choose the current district

Additional Districts, if applicable

Proposed District C Commercial

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:

Variance of location of Refuse housed in brick encasement with vacuum system

#### 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: J Patrick McGann  
Address: 21275 Cleveland Road

Name: Car Wash Pro Designers  
Address: 6400 N. Northwest Highway Suite 4  
Chicago, Illinois 60631

Name: \_\_\_\_\_  
Address: \_\_\_\_\_


### Contact Person:

Name: Alan M Jacob, General Counsel Car Wash Pro Designers  
Address: 6400 N. Northwest Highway, Suite 4  
Chicago, Illinois 60631  
Phone Number: (847)852-0021  
E-mail: alan.j@carwashprodesigners.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.**

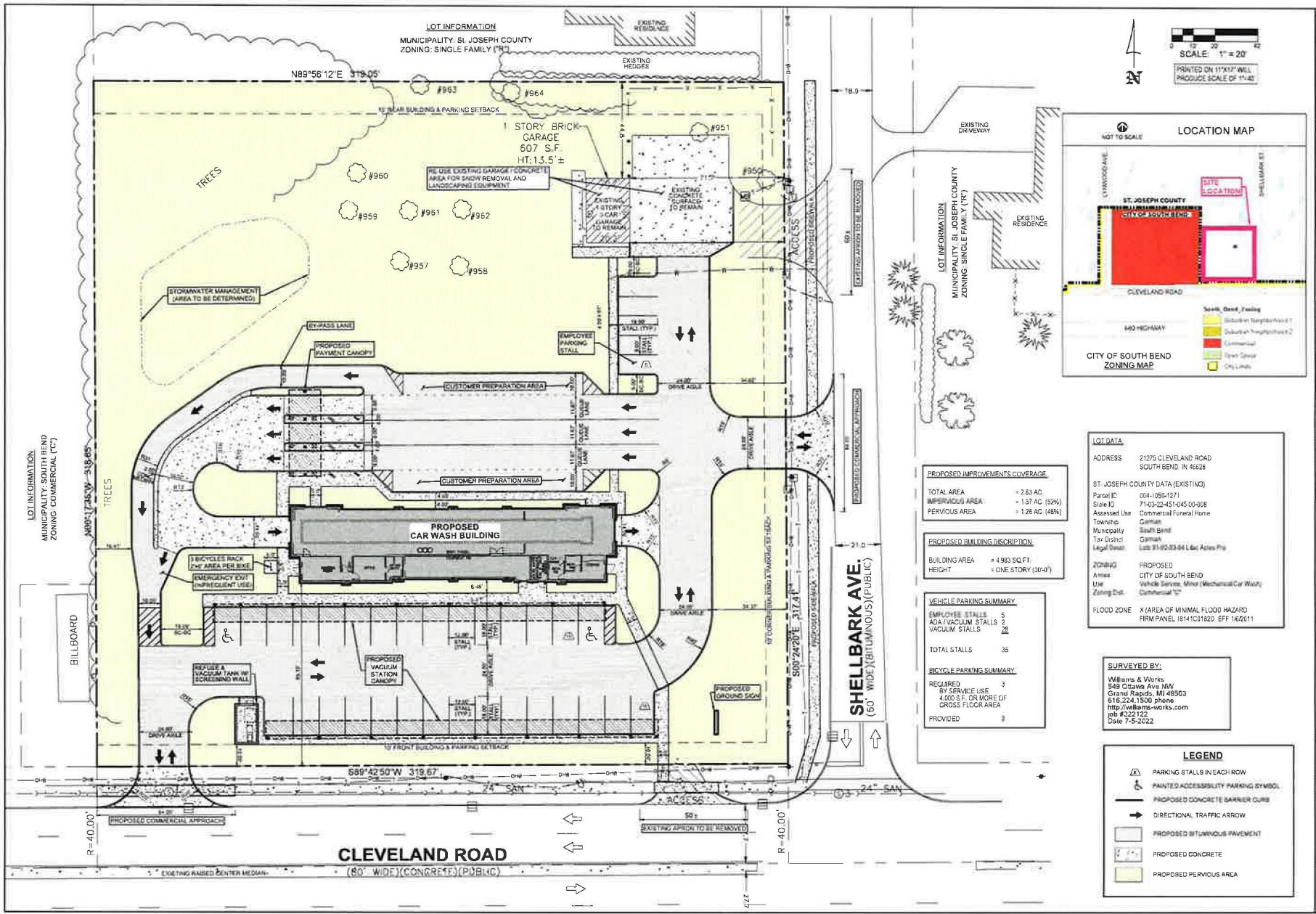
Property Owner (s) Signatures:

  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

LEGAL DESCRIPTION FOR ANNEXATION  
21275 CLEVELAND

Part of the West Half of the Southeast Quarter of Section 22, Township 38 North, Range 2 East described as follows: Beginning at a point 940 feet East of the Southwest corner of the Southeast Quarter of Section 22, Township 38 North, Range 2 East; thence North 358 feet; thence East 320 feet; thence South 358 feet; thence West 320 feet to the place of beginning, the same being Lots Numbered Ninety-one (91), Ninety-two (92), Ninety-three (93), and Ninety-four (94) in the Proposed Plat of Lilac Acres Subdivision. THIS SHALL INCLUDE THE ENTIRE SHELLBARK RIGHT-OF-WAY ADJACENT TO THE PROPERTY. The total property area size of the annexation is 2.33 acres.



**LOT DATA**

ADDRESS: 21275 CLEVELAND ROAD  
SOUTH BEND, IN 46228

ST. JOSEPH COUNTY DATA (EXISTING)

Parcel ID: 004-059-1271  
 Site ID: 71-03-25-31-045-00-008  
 Assessed Use: Commercial/Funeral Home  
 Township: German  
 Municipality: South Bend  
 Tax District: German  
 Legal Desc: Lots 91-92-93-94 L&C Acres P/B

ZONING: PROPOSED  
 CITY OF SOUTH BEND  
 Use: Vehicle Service, Wash (Mechanical Car Wash)  
 Zoning Dist.: Commercial "C"

FLOOD ZONE: X AREA OF MINIMAL FLOOD HAZARD  
 FIRM PANEL: 18141C0182D EFF: 1/6/2011

**PROPOSED IMPROVEMENTS COVERAGE**

TOTAL AREA = 283 AC  
 IMPERVIOUS AREA = 137 AC (52%)  
 PERVIOUS AREA = 128 AC (48%)

**PROPOSED BUILDING DISCRPTION**

BUILDING AREA = 4,863 SQ. FT.  
 HEIGHT = ONE STORY (30'-0")

**VEHICLE PARKING SUMMARY**

EMPLOYEE STALLS: 5  
 ADA/VACUUM STALLS: 2  
 VACUUM STALLS: 28  
 TOTAL STALLS: 35

**BICYCLE PARKING SUMMARY**

REQUIRED BY SERVICE USE: 3  
 4,600 S.F. OR MORE OF GROSS FLOOR AREA  
 PROVIDED: 3

**SURVEYED BY:**  
 Williams & Works  
 548 Ottawa Ave NW  
 Grand Rapids, MI 49503  
 616.224.1500 phone  
 http://williams-works.com  
 Job # 22212  
 Date 7-5-2022

**LEGEND**

- PAINTED ACCESSIBILITY PARKING SYMBOL
- PROPOSED CONCRETE BARRIER CURB
- DIRECTIONAL TRAFFIC ARROW
- PROPOSED BITUMINOUS PAVEMENT
- PROPOSED CONCRETE
- PROPOSED PERVIOUS AREA

**CAR WASH**  
 PROLOGUE CONSULTING

**TERRA**  
 CONSULTING

600 Bussie Highway  
 Park Ridge, IL 60068  
 Phone: 847.988-5401

NO.	DESCRIPTION	DATE
1	Plan Zoning comments	11.03.23
2	Plan Zoning comments	10.03.23

**SITE IMPROVEMENTS**

FOR

**CAR WASH FACILITY**

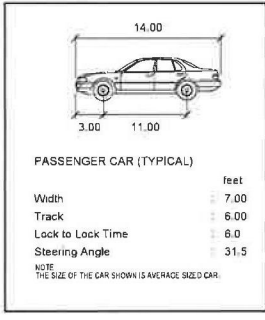
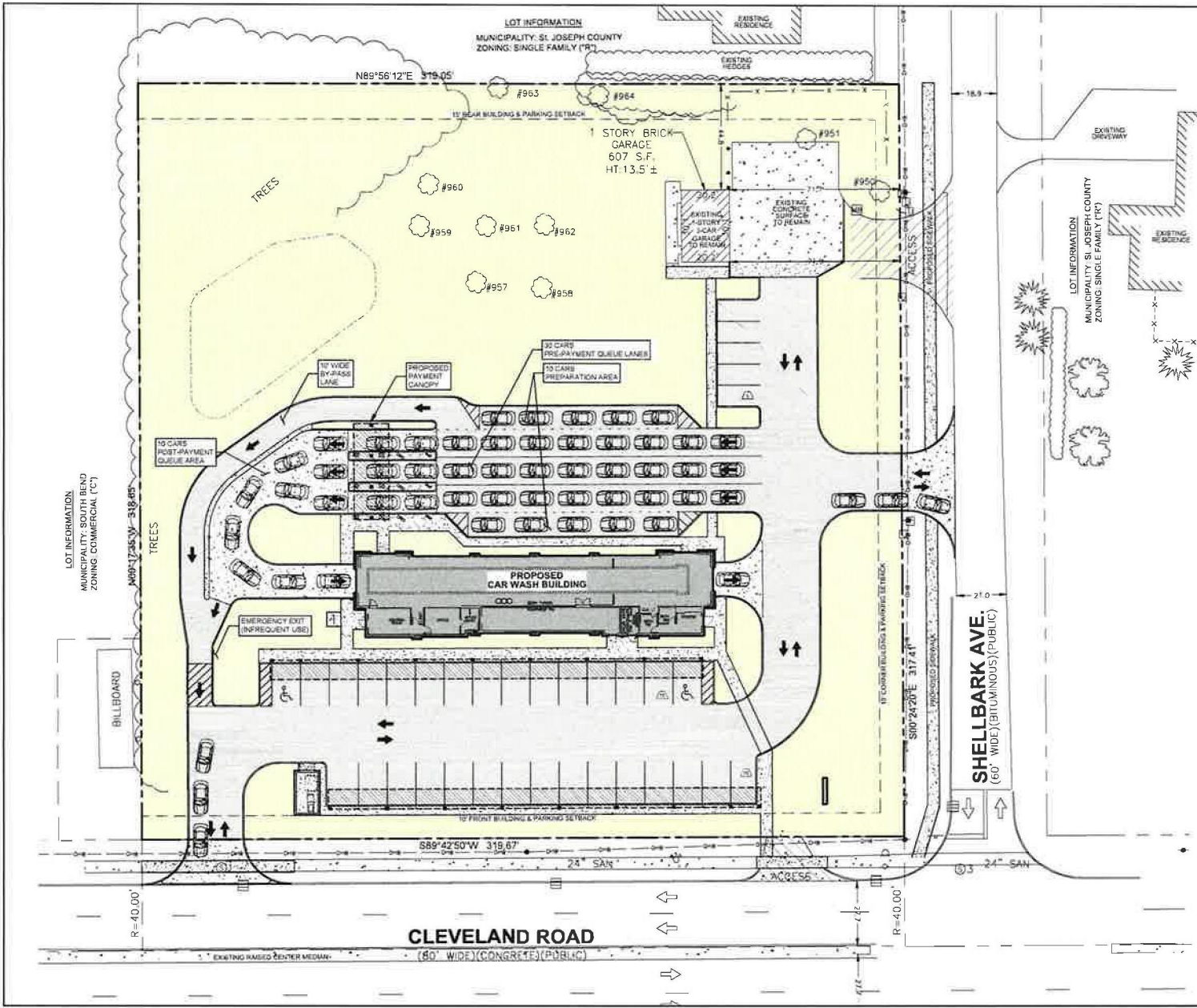
21275 CLEVELAND ROAD  
 SOUTH BEND, IN 46228

DESIGNED BY: W.A.S.  
 DRAWN BY: W.A.S.  
 DATE: 06/20/2022  
 PROJECT #: 18111

**SITE EXHIBIT**

SHEET NUMBER: **1** OF 4





PREPARED BY:  
**TERRA CONSULTING INC.**  
 6000 Bessie Highway  
 Park Ridge, IL 60068  
 Phone: 847/896-6401

NO.	REVISION	DATE
1	Pre-Zoning comments	1/16/23
2	Pre-Zoning comments	1/16/23

**SITE IMPROVEMENTS**

FOR

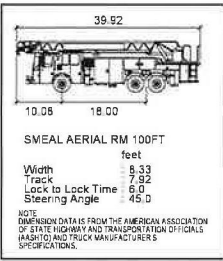
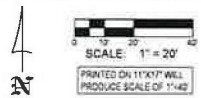
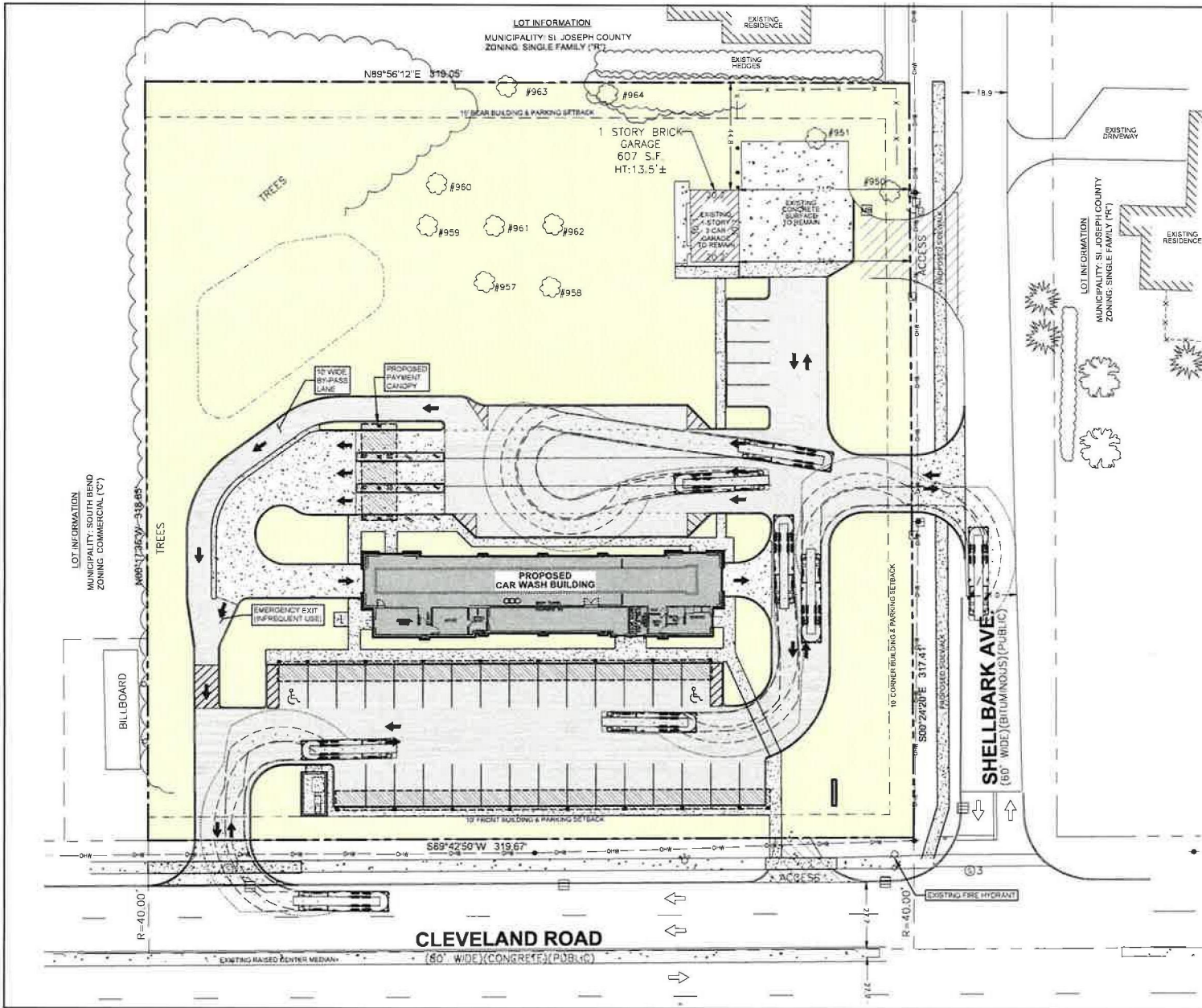
**CAR WASH FACILITY**

21275 CLEVELAND ROAD  
 SOUTH BEND, IN 46625

DESIGNED BY: S.A.S.  
 DRAWN BY: S.A.S.  
 DATE: 09/20/22  
 PROJECT #: 1901

**CAR QUEUE LINE EXHIBIT**





NO.	DESCRIPTION	DATE
1	Pre-Zoning comments	7-10-23
2	Post-Zoning comments	8-01-23

**SITE IMPROVEMENTS**

FOR  
**CAR WASH FACILITY**

21275 CLEVELAND ROAD  
SOUTH BEND, IN 46601

DESIGNED BY:	R.A.C.
DRAWN BY:	R.A.C.
SCALE:	AS SHOWN
PROJECT #:	1881

**FIRE TRUCK TURNING EXHIBIT**

PROPOSAL FOR

**NEW AUTOMATED  
CARWASH FACILITY**

LOCATED AT:


**21275 Cleveland Rd  
South Bend IN**

COLOR RENDERINGS &  
SIGN SUBMITTAL





2237  
07/01/22  
Z-1

 AERIAL VIEW LOOKING NORTHWEST  
SCALE: 1/2" = 1'-0"

**NERI**  
ARCHITECTS  
8400 N NORTHWEST HWY  
SUITE 4  
CHICAGO, IL 60631  
TEL 847 825 9400



2237  
07/01/22  
Z-2

1  
2-2 VIEW LOOKING NORTHEAST  
SCALE: 1/2" = 1'-0"

**NERI**  
ARCHITECTS  
8400 N. NORTHWEST HWY. SUITE 4  
CHICAGO, IL 60631  
TEL: 847.826.8400



2237  
07/01/22  
Z-3

1  
Z-3 VIEW LOOKING NORTHWEST  
SCALE: 1/2" = 1'-0"

**NERI**  
ARCHITECTS  
8400 N. NORTHWEST HWY. SUITE 4  
CHICAGO, IL 60631  
TEL: 847.226.8400



2237  
07/01/22  
Z-4

1  
2-4  
VIEW LOOKING SOUTHEAST  
SCALE: 1/2" = 1'-0"

**NERI**  
ARCHITECTS  
8400 N. NORTHWEST HWY.  
SUITE 2  
CHICAGO, IL 60631  
TEL 847 825 9400



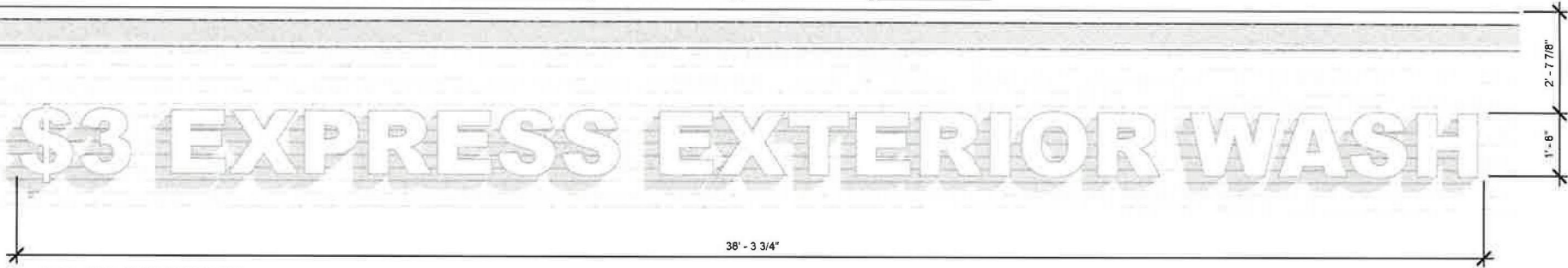


2237  
07/01/22  
Z-5

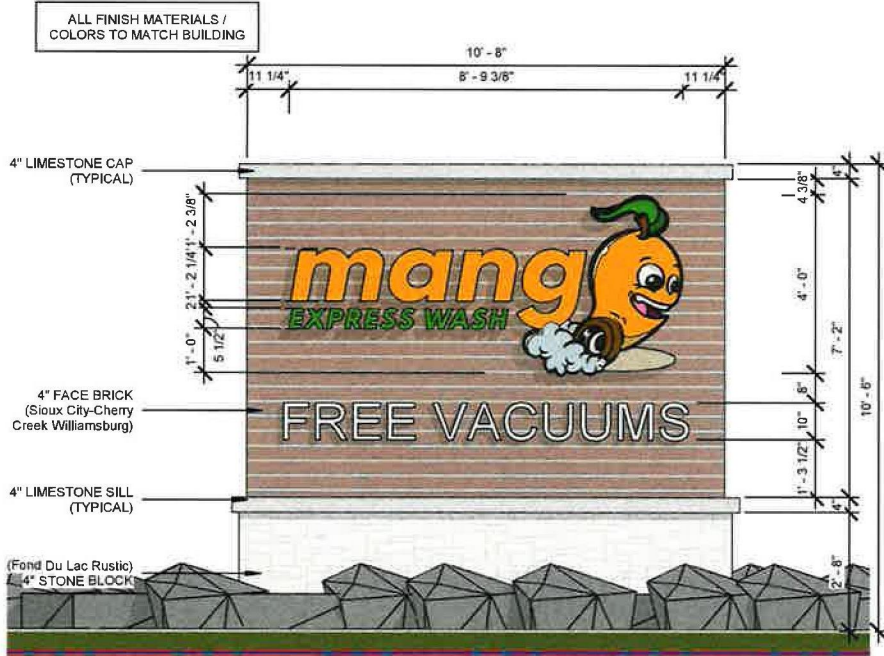
1 VIEW LOOKING SOUTHWEST  
Z-5 SCALE: 1/2" = 1'-0"

**NERI**  
ARCHITECTS  
8450 N. NORTHWEST HWY. SUITE 4  
CHICAGO, IL 60631  
TEL: 847.225.5400

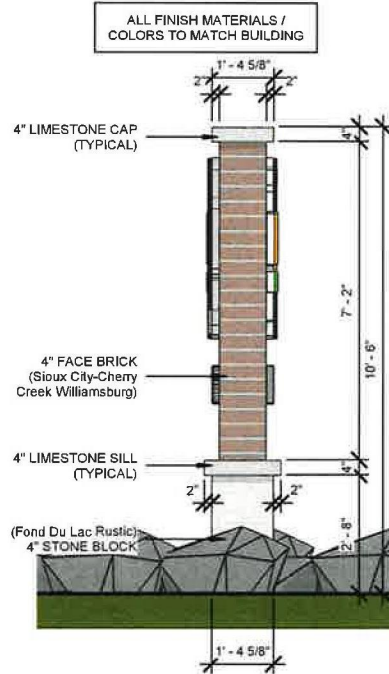
**SIGN #2 - "CHANNEL LETTERS" LOCATED ON BOTH SIDES OF BUILDING**



**3 S3 BUILDING SIGN**  
SCALE: 3/8" = 1'-0"



**1 MONUMENT SIGN East Face**  
SCALE: 3/8" = 1'-0"



**2 MONUMENT SIGN Side Elevation**  
SCALE: 3/8" = 1'-0"



**4 BUILDING SIGN (Over Tunnel Doors)**  
SCALE: 3/8" = 1'-0"

DAWN M. JONES  
 CITY CLERK, SOUTH BEND, IN  
 OCT 0, 2022

2237  
07/01/22  
Z-9

