



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

June 22, 2022

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

RE: 4427 Brookton and 1335 Ireland
PC# 0105-22

Dear Ms. Hamman:

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 June 27, 2022 Council meeting, and set it for public hearing at your July 25, 2022 Council meeting. The petition is tentatively scheduled for public hearing at the July 18, 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 Wednesday following the public hearing.

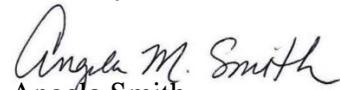
The petitioner provided the following to describe the proposed project:

Petitioners desire to rezone the property from S1 Suburban Neighborhood 1 to C Commercial District to build an automotive repair business.

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 Smith
Zoning Administrator

CC: Bob Palmer

City of South Bend
PLAN COMMISSION

Property Information

Tax Key Number: 023-1004-0312 & 023-1004-0313

Address: 1335 East Ireland Road & 4427 South Brookton Drive

Owner: Fox Real Estate LLP

Legal Description:

Lots 245 and 246 Revised Plat of Broadmoor Section 3

Project Summary

Rezone the subject property from S1 Suburban Neighborhood 1 to C Commercial.

Requested Action

Application includes (check all that apply)

Rezoning

Current District: S1 Suburban Neighborhood 1

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: _____

Required Documents:

Completed Application (including Contact Information)

Site Plan drawn to scale

Filing Fee

Additional documents as noted above

Property owner(s) of the petition site:

Name: Fox Real Estate LLP

Address: 5717 Grape Road
Mishawaka, IN 46545

Name: _____

Address: _____

Name: _____

Address: _____

Contact Person:

Name: Jeffrey Schaffer, Abonmarche

Address: 315 West Jefferson Boulevard
South Bend, IN 46601

Phone Number: (574) 232-8700

E-mail: jschaffer@abonmarche.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:

Fox Real Estate LLP _____
[Signature] 6-16-22 _____

I. Comprehensive Plan

City of South Bend Comprehensive Plan (City Plan, 2004)

This application is supported by the City of South Bend Comprehensive Plan.

- A. The Future Land Use Map (Page 19, Map 3.1) designates the area around Ireland Road, east of Miami Street, as a "Regional Commercial Node". That node is located directly adjacent to and overlaps the land designated as "Low Density Residential". This would suggest that the boundary between those land uses is not fixed and can be varied as needed to respond to the on-going development of the area.

The subject property is located within this overlap and is part of the "Regional Commercial Node".

- B. The map of Areas with Commercial and Corridor Plans (Page 25, Map 3.3) denotes that the properties on both sides of Ireland Road, from Lafayette Street and Brookton Drive, are located within the "South Gateway Corridor". According to the Plan, "Corridors are historically areas in a community where most of the commercial activity began and flourished. Preserving and enhancing the commercial and mixed-use character of a corridor is often the major goal of corridor plans." (Page 26)

The subject property is located within the "South Gateway Corridor".

- C. The City Plan further states the following:

1. "Commercial activity is primarily concentrated along the major arterial streets." (Page 20)

Ireland Road is major arterial street.

2. "The Erskine Hills Shopping District (Ireland Road, South Bend) and University Park Mall area (Grape Road, Mishawaka) serve as regional, commercial nodes or centers." (Page 20)

The subject property is located within the Erskine Hills Shopping District, directly adjacent to high volume, high turnover commercial uses.

3. Under Smart Growth Principles, "Strengthen and direct development toward existing built-up areas and infrastructure." (Page 22)

The subject property is located adjacent to an existing large commercial development complex.

- D. Finally, the proposed development of the subject property complies with Policy LU 2.4, "Provide buffer spaces between noncompatible land uses." (Page 31)

The nature of the proposed development of the subject property is a buffer between non-compatible uses, as follows:

- 1. The activities will occur on the south side of the building, along Ireland Road. The building itself and the landscaping and fencing along the north side of the building will serve as a buffer from those activities to the residential land uses.***
- 2. The proposed land use does not generate the type of traffic that is generated by adjacent high-volume land uses, such as high-turnover restaurants and gasoline stations. This land use will be a low-impact development use and very low-volume traffic generator.***
- 3. The proposed land use is also limited in nature and does not operate in the evenings, overnight, or weekends.***

II. Other Planning Documents

City of South Bend South Gateway Commercial Corridor Plan (1998)

This application is supported by the City of South Gateway Commercial Corridor Plan.

- A. The "South Destination Commercial Sector", as mapped (Page 32) includes properties on both sides of Ireland Road, from Lafayette Street to Brookton Drive.

The subject property is located within the "South Destination Commercial Sector".

- B. The South Gateway Commercial Corridor was intended for commercial uses. It states the following, "To succeed, the South Gateway needs to recruit additional businesses that are compatible with the area's strengths and weaknesses". (Page 41)

The proposed development of the subject property will bring a new and compatible business to the South Gateway Commercial Corridor.

City of South Bend South Side Development Area Plan (2019)

This application is supported by the City of South Bend South Side Development Area Plan.

- A. Goal / Objective 1 states, in part, "Facilitate the creation of development sites" and "Promote projects that best maximize the assessed valuation of the property".

The proposed development of the subject property would do both. It is very unlikely that a residential dwelling will be constructed in the future on the corner of Brookton Drive and Ireland Road.

- B. Goal / Objective 5 states, in part, "Stimulate the creation, retention, and expansion of business, particularly in expanding and export industries.

The proposed development of the subject property will bring a new business to the South Side Development Area. The increase in valuation of the subject property will support other opportunities within the South Side Development Area.

III. Other Considerations

The rezoning of the subject property should be considered based on the Comprehensive Plan (as discussed above) and other planning documents, but should also be based on the following:

A. Current conditions and the character of current structures and uses in each district

As discussed above, the subject property is located within the "Regional Commercial Node" and the "South Destination Commercial Sector".

B. The most desirable use for which the land in each district is adapted

It is unlikely that the subject property will be further developed in a residential manner. The construction of a new residential dwelling at the corner of Brookton Drive and Ireland Road would place a new residence on a high-volume street adjacent to a high-volume commercial land use.

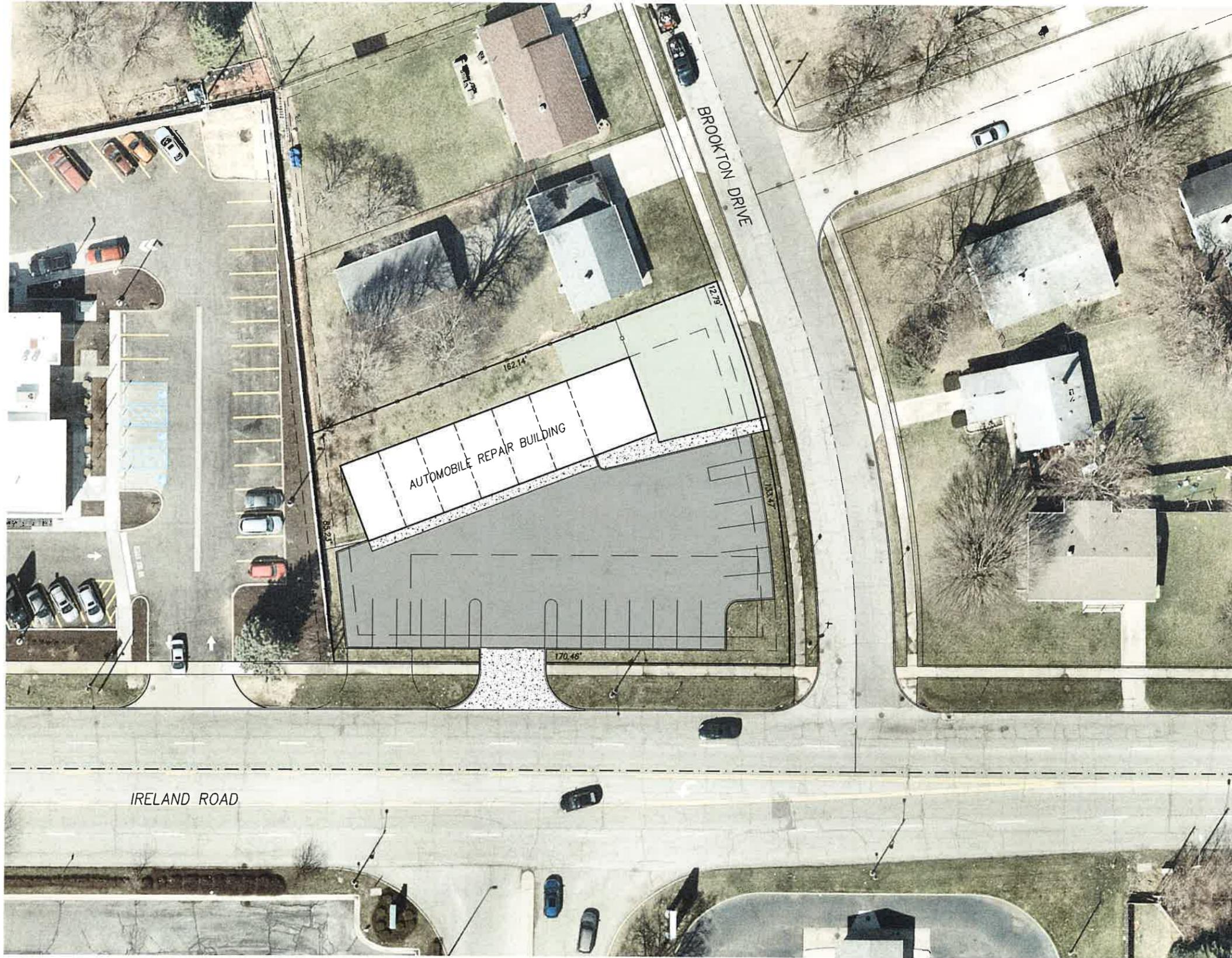
C. The conservation of property values through the jurisdiction

The nature of the proposed development of the subject property is a buffer between non-compatible uses, as follows:

- 1. The activities will occur on the south side of the building, along Ireland Road. The building itself and the landscaping and fencing along the north side of the building will serve as a buffer from those activities to the residential land uses.***
- 2. The proposed land use does not generate the type of traffic that is generated by adjacent high-volume land uses, such as high-turnover restaurants and gasoline stations. This land use will be a low-impact development use and very low-volume traffic generator.***
- 3. The proposed land use is also limited in nature and does not operate in the evenings, overnight, or weekends.***

D. Responsible growth and development

The proposed development of the subject property should be located on a major arterial street, and Ireland Road is such a street.



LOTS 245 AND 246 REVISED PLAT
 OF BROADMOOR THIRD SECTION
 19,530 SF | 0.45 ACRES

PROJECT:

SHEET TITLE:

DRAWN BY:
JDS

DESIGNED BY:
JDS

PM REVIEW:
MJH

QA/QC REVIEW:
MJH

DATE:
10/01/2021

SEAL:

SIGNATURE:

DATE:

SCALE:
 HORZ: 1" = 20'
 VERT:

ACI JOB #
21-1830

SHEET NO.