

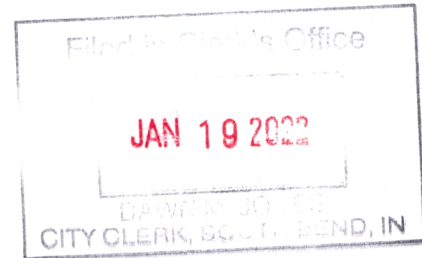


## City of South Bend PLAN COMMISSION

County-City Building  
227 W. Jefferson Blvd. 14005  
South Bend, IN 46601  
(574) 235-7627  
[www.southbendin.gov/zoning](http://www.southbendin.gov/zoning)

Wednesday, January 19, 2022

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



Re: Bill#141-21 - A proposed ordinance of FIVE CORNERS LLC to zone from U1 Urban Neighborhood 1 to NC Neighborhood Center, property located at EAST SIDE OF SOUTH BEND AVE BETWEEN CORBY BLVD AND CAMPEAU ST, City of South Bend - PC# 0082-22

Dear Council Members:

I hereby Certify that the above referenced ordinance of FIVE CORNERS LLC was legally advertised on January 8, 2022 and that the South Bend Plan Commission at its public hearing on January 18, 2022 took the following action:

Upon a motion by John Martinez, being seconded by Jason Piontek and unanimously carried, a proposed ordinance of FIVE CORNERS LLC to zone from U1 Urban Neighborhood 1 to NC Neighborhood Center, property located at EAST SIDE OF SOUTH BEND AVE BETWEEN CORBY BLVD AND CAMPEAU ST, City of South Bend, is sent to the Common Council with a FAVORABLE recommendation.

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 cursive script that reads 'Angela M. Smith'.

Angela M. Smith  
Zoning Administrator

Attachment

CC: FIVE CORNERS LLC  
Emily Spaulding

---

**Tim Corcoran**  
Planning Director

**Angela Smith**  
Zoning Administrator

**Scott Ford**  
Commission President



### Property Information

Location: EAST SIDE OF SOUTH BEND AVE BETWEEN CORBY BLVD AND CAMPEAU ST  
Owner: FIVE CORNERS LLC

### Requested Action

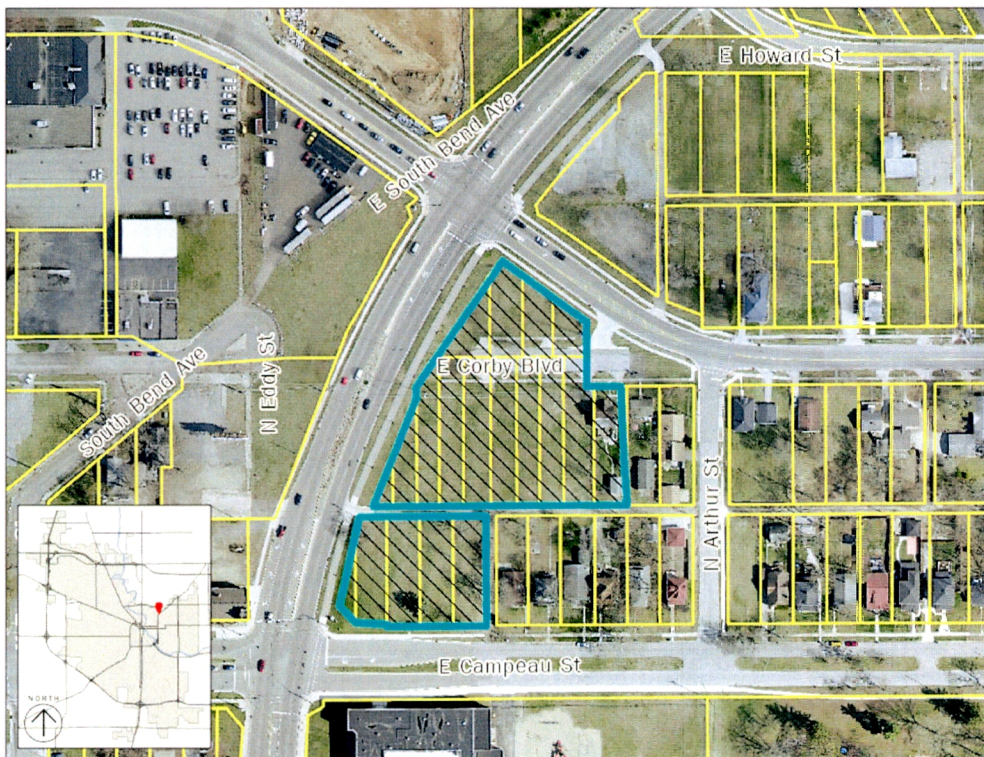
Rezone from U1 Urban Neighborhood 1 to NC Neighborhood Center

Variance(s): 1) From the 120' maximum building length to 253' on the north and 270' on the west  
2) From the 5' minimum side setback to 3' along the east/west alley; 3) From the requirement that all off-street parking areas be located in the established rear yard; 4) From the 12' maximum corner setback to 250'; 5) From the minimum 75% of a podium building with ground-floor parking lot to be comprised of occupied liner space to 45%; 6) From the 40' minimum setback for the portion of a building in excess of 40' or 3 stories when adjacent to a U1 District to 14'

### Project Summary

The proposed project includes construction of approximately 103 apartment units and a commercial space housed in two buildings located on the southeast corner of SR23 and Corby St. in South Bend.

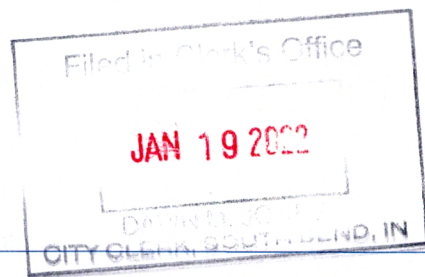
### Location Map



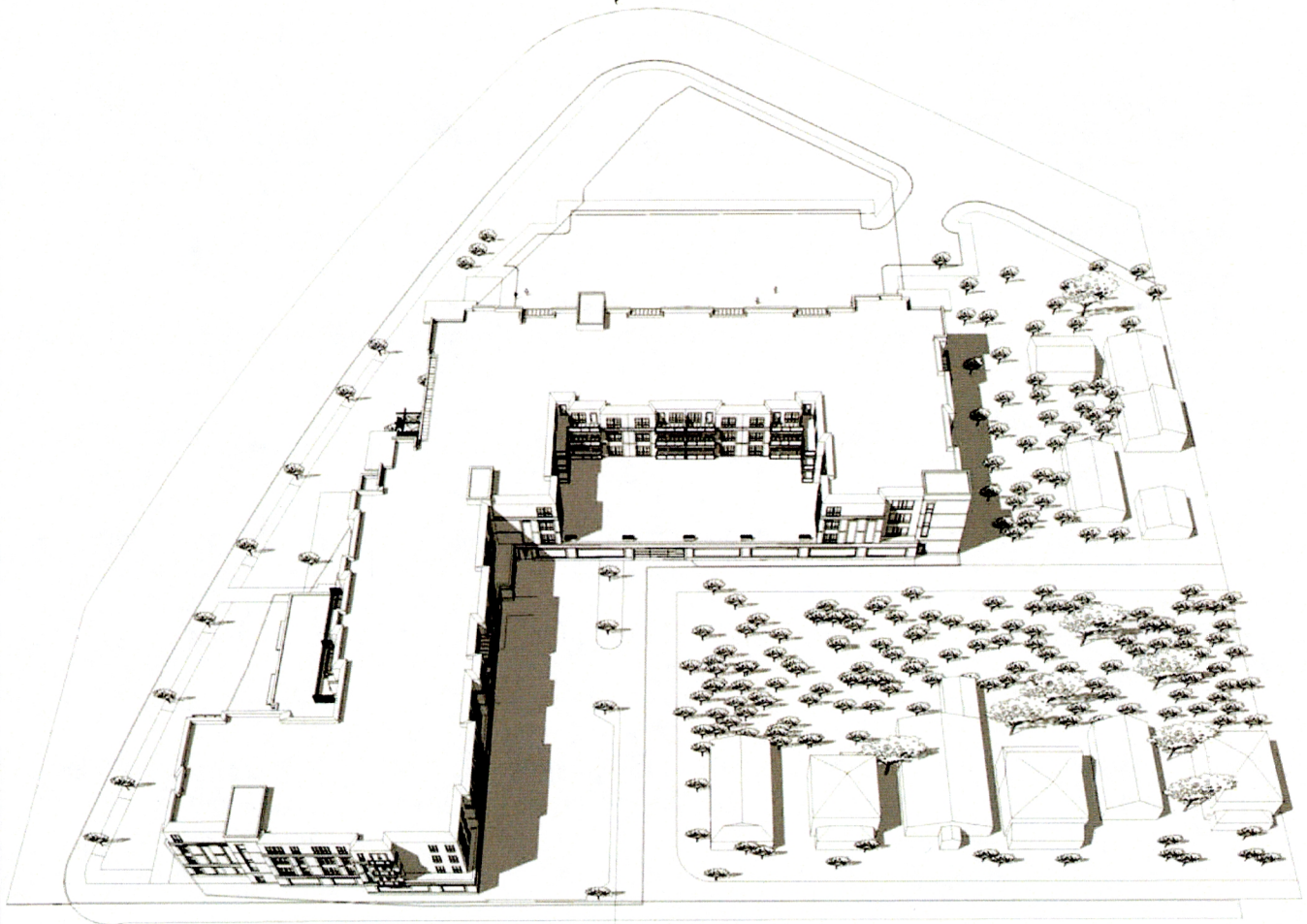
### Recommendation

**Staff Recommendation:** Based on information provided prior to the public hearing, the Staff recommends that the Commission sends the rezoning to the Common Council with a favorable recommendation. The staff recommends that the Commission approve the variances subject to the following: 1) parking areas shall be a minimum of 5' behind the building line; and 2) the podium parking structure along Campeau be designed in such a way that at least 75% of the frontage appears to be occupied space.





Proposed Site Plan





## Site & Context

### Land Uses and Zoning:

- On site: On site currently are multiple vacant lots zoned U1 Urban Neighborhood 1.
- North: To the north are vacant lots zoned NC Neighborhood Center. Across E. Corby Blvd is a mixed use building zoned NC Neighborhood Center
- East: To the east are single-family homes zoned U1 Urban Neighborhood 1.
- South: To the south, across E Campeau, is the former Perley Primary School zoned U1 Urban Neighborhood 1 District.
- West: To the west, across State Road 23, is the First AME ZION Church zoned U1 Urban Neighborhood 1 and commercial properties zoned NC Neighborhood Center.

### District Intent:

The NC District is established to promote higher intensity, urban neighborhood centers, typically located near the intersection of major streets, in core and outlying areas of the City that are well connected to surrounding neighborhoods.

### Site Plan Description:

The site plan shows the construction of a four story apartment building with 103 units. The parking is handled in a mix of surface lots under a podium structure and open-air surface lots. The ground floor will be a mix of residential and non-residential uses. The larger development incorporates the existing NC Neighborhood Center properties to the north, shown as a future restaurant.

### Zoning and Land Use History and Trends:

The property in question, and the surrounding neighborhood, have seen significant changes in the past two decades. The construction of Eddy Street Commons and other investment in the Northeast Neighborhood has spurred a demand for more housing units in the area. Despite this recent growth, the neighborhood still has less residents than it did in 1990. The 2020 Census shows the neighborhood has lost 32% of its 1970 population. With the recent demand in housing, formerly vacant lots have been developed reversing five decades of population decline.

The specific property in question was dramatically affected by the Indiana Department of Transportation widening and reworking of State Road 23 and the former "Five Corners" intersection, which saw widening of Eddy Street and rerouting of local streets. This has left this specific property with many lots that not longer have property street frontage and no longer are suitable for single family development. While the street network has been drastically changed, many of the former right-of-ways still contain significant utility infrastructure.

### Traffic and Transportation Considerations:

Eddy Street is a divided four lane state highway with limited access and no on-street parking. Corby Blvd is a two lane road with on street parking. Campeau is a separated three lane road with a left turn lane and no on-street parking.

## Agency Comments

### Agency Comments:

- There are no engineering comments at this time.
- There were no engineering comments at this time.

### Staff Comments:



With the removal of the former "Five Corners" intersection due to the rerouting of State Road 23 and surrounding roads, it has left a number of properties with no property street frontage which greatly limits the ability to build new single family homes on the site. A rezoning to allow for a mixed use or multi-family development will help insure the currently vacant property will become active and productive again.

## Criteria for Decision Making

### Rezoning

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

**1. Comprehensive Plan:**

**Policy Plan:**

The petition is consistent with the City Plan, South Bend Comprehensive Plan (2006), Objective H 1: Ensure that an adequate supply of housing is available to meet the needs, preferences, and financial capabilities of households now and in the future.

**Land Use Plan:**

The Future Land Use Plan identifies this area for Medium Density Residential, which would allow for a range of residential housing types. The Future Land Use Plan also identifies the area as a Regional Commercial Node.

**Plan Implementation/Other Plans:**

There is currently an ongoing neighborhood planning process underway which anticipates this area being mixed-use, in line with the Neighborhood Center District.

**2. Current Conditions and Character:**

The existing neighborhood was a dense urban single-family neighborhood with retail uses along the state route. The Indiana Department of Transportation rerouted and expanded S.R. 23 in the early 2010's, which eliminated the former five corners intersection. This required the demolition of a number of homes and changed traffic patterns of the area.

**3. Most Desirable Use:**

The most desirable use is for the currently large vacant and unused space to be developed at a scale appropriate for the intensity and size of the site and intersections.

**4. Conservation of Property Values:**

Developing a new residential and commercial project on currently vacant unproductive land will help continue the growth and value of the surrounding neighborhood.

**5. Responsible Development and Growth:**

It is responsible development and growth to allow for the continued growth in the Northeast Neighborhood while concentrating large projects along major corridors. Adding additional population to the neighborhood should help encourage more commercial activity nearby.

### Variance(s)

**The petitioner is seeking the following variance(s):**

- 1) From the 120' maximum building length to 253' on the north and 270' on the west
- 2) From the 5' minimum side setback to 3' along the east/west alley
- 3) From the requirement that all off-street parking areas be located in the established rear yard
- 4) From the 12' maximum corner setback to 250'
- 5) From the minimum 75% of a podium building with ground-floor parking lot to be comprised of occupied liner space to 45%



6) From the 40' minimum setback for the portion of a building in excess of 40' or 3 stories when adjacent to a U1 District to 14'

**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.**

Approval of the variances should not be injurious to the public health, safety, morals and general welfare of the community. The property is located along a heavily trafficked state highway appropriate for the size and length of the proposed building. Design considerations have been taken into account to meet the intent of the zoning ordinance for each of the variances.

**(2) The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.**

The use and value of the areas adjacent to the property should not be affected in a substantially adverse manner. None of the variances proposed should negatively impact the surrounding properties. Development of the currently vacant property should help the use and value of surrounding properties.

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

The site geometry, constrained access, and existing major utilities through the site create practical difficulties for the property. The width of the street, as well as the volume of traffic along the corridor, increases the difficulties of developing the site.

The parking variance is unique to the NNZO. With multiple street frontages, it is difficult to locate parking in location that would exclusively be behind the building. The maximum setback variance is only required until the second commercial building to the north is built. The side setback variance was intended to protect neighboring buildings, ensuring adequate room between buildings for maintenance, but the side on this property is an alley. The practical difficulty for the setback of the 4th story is a matter of timing. The current planning process is showing this area as a higher intensity use which wouldn't require the building to step down.

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

The proposed development is consistent with the intent of the NC District and the Zoning Ordinance. The building was designed to meet the intent of all zoning standards, even though the site geometry and strict application of the Ordinance necessitates several variances.

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

The shape of the property and the width of the adjacent right of way was not created by the current or previous owner.

## Analysis & Recommendation

**Commitments:** There are no written commitments proposed.

**Analysis:** The Northeast Neighborhood has seen significant investment and growth over the past decade. This investment has produced a significant demand and interest in more housing units. The State's rerouting of State Road 23 lead to the property in question being no longer suitable for single family housing as the majority of lots lack true street frontage. Large utility easements



in the area also contribute to building difficulties. The site sits at a highly trafficked intersection that is becoming a neighborhood node for the area. The rezoning to Neighborhood Center will allow for multi-family and commercial, which will help provide needed housing units to the area and redevelop a currently vacant and non-productive property.

**Recommendation:** Based on information provided prior to the public hearing, the Staff recommends that the Commission sends the rezoning to the Common Council with a favorable recommendation. The staff recommends that the Commission approve the variances subject to the following: 1) parking areas shall be a minimum of 5' behind the building line; and 2) the podium parking structure along Campeau be designed in such a way that at least 75% of the frontage appears to be occupied space.

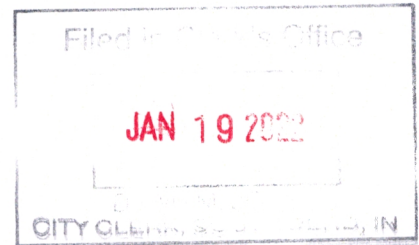






# City of South Bend PLAN COMMISSION

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[www.southbendin.gov/zoning](http://www.southbendin.gov/zoning)



January 19, 2022

FIVE CORNERS LLC  
814 Marietta  
South Bend, IN, 46601

Dear Petitioner:

The South Bend Plan Commission at its public hearing on January 18, 2022 considered a petition for property located at EAST SIDE OF SOUTH BEND AVE BETWEEN CORBY BLVD AND CAMPEAU ST – (PC#0082-22). The Commission took the following action:

Upon a motion by John Martinez, being seconded by Jason Piontek and unanimously carried, a proposed ordinance of FIVE CORNERS LLC to zone from U1 Urban Neighborhood 1 to NC Neighborhood Center, property located at EAST SIDE OF SOUTH BEND AVE BETWEEN CORBY BLVD AND CAMPEAU ST, City of South Bend, is sent to the Common Council with a FAVORABLE recommendation.

The Commission took the following action on the variances:

- |                 |   |
|-----------------|---|
| <b>APPROVED</b> | 1) From the 120' maximum building length to 253' on the north and 270' on the west  |
| <b>APPROVED</b> | 2) From the 5' minimum side setback to 3' along the east/west alley   |
| <b>APPROVED</b> | 3) From the requirement that all off-street parking areas be located in the established rear yard                                 |
| <b>APPROVED</b> | 4) From the 12' maximum corner setback to 250'  |
| <b>APPROVED</b> | 5) From the minimum 75% of a podium building with ground-floor parking lot to be comprised of occupied liner space to 45%         |
| <b>APPROVED</b> | 6) From the 40' minimum setback for the portion of a building in excess of 40' or 3 stories when adjacent to a U1 District to 14' |

**CONDITION TO APPROVAL:** 1) parking areas shall be a minimum of 5' behind the building line; and 2) the podium parking structure along Campeau be designed in such a way that at least 75% of the frontage appears to be occupied space.

The **approved** variances are **subject to the rezoning being approved by the Common Council.**

An approved development variance shall expire after 1 year unless an application for permit, subdivision, or other governmental approval is filed. The Findings of Fact will be ratified by the

Tim Corcoran  
Planning Director

Angela Smith  
Zoning Administrator

Scott Ford  
Commission President

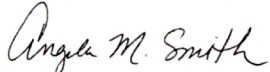
City of South Bend **PLAN COMMISSION**

South Bend Plan Commission at its next regularly scheduled meeting.

The South Bend Common Council will hear your petition and take final action on the request at their next available meeting. Please contact the City Clerk's Office to confirm the date and time of your hearing.

If you have any questions, please call our office at (574) 235-7627.

Sincerely,

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

Angela M. Smith  
Zoning Administrator

CC: Emily Spaulding





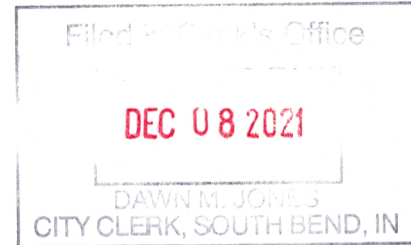
## City of South Bend PLAN COMMISSION

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12.7.21

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

RE: SE Corner SR23 & Corby  
PC#82-22



Dear Committee Chair Hamann:

Enclosed is an Ordinance for the proposed Zone Map Amendment at the above referenced location. Also included is the application submitted by the petitioner.

Please include the attached Ordinance on the Council agenda for first reading at your December 13, 2021 Council meeting, and set it for public hearing at your January 24th 2021 Council meeting. The petition is tentatively scheduled for public hearing at the January 17th, 2021 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:

The proposed project includes construction of approximately 103 apartment units housed in two buildings located on the southeast corner of SR23 and Corby Street in South Bend.

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

Sincerely,

Joseph Molnar  
Zoning Specialist

CC: Bob Palmer

---

**Tim Corcoran**  
Planning Director

**Angela Smith**  
Zoning Administrator

**Daniel Brewer**  
Commission President

City of South Bend  
PLAN COMMISSION

Filed in Clerk's Office

DEC 08 2021

Petition for Rezoning or Combined Public Hearing

CITY CLERK, SOUTH BEND, IN

Property Information

Tax Key Number: Please see attached.

Address: Please see below.

Owner: Holladay Properties

Legal Description:

Please see attached.

Addresses: 1105, 1111, 1115, 1117, 1118, 1120, 1121 Campeau St and 1116, 1124, 1125, 1128, 1132, 1133, 1134, 1135, 1136, 1137, 1140 Corby Blvd

Project Summary

The proposed project includes construction of approximately 103 apartment units housed in two buildings located on the southeast corner of SR23 and Corby Street in South Bend.

Requested Action

Application includes (check all that apply)

☒ Rezoning

Current District: U1 Urban Neighborhood 1

Additional Districts, if applicable

Proposed District: NC Neighborhood Center

Additional Districts, if applicable

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

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

☐ Subdivision – complete and attach subdivision application

☐ Special Exception – complete and attach Criteria for Decision Making

Use requested: \_\_\_\_\_

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

Variance(s) requested: \_\_\_\_\_

Required Documents

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



## Contact information

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

Name: Five Corners, LLC

Address: 814 Marietta Street  
South Bend, IN 46601

Name: Emily M. Spaulding

Address: 1140 Corby Blvd  
South Bend, IN 46617

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

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

### Contact Person:

Name: Robert Nichols, Abonmarche Consultants

Address: 315 W. Jefferson Blvd.  
South Bend, IN 46602

Phone Number: 5743289701

E-mail: rnichols@abonmarche.com

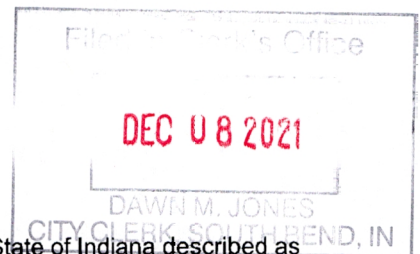
**By signing this petition, the Petitioner/Property Owners of the above described Real Estate acknowledge they are responsible for understanding and complying with the South Bend Zoning Ordinance and any other ordinance governing the property. Failure of staff to notify the petitioner of a requirement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

Emily M. Spaulding \_\_\_\_\_

Anne Hayes, Five Corners \_\_\_\_\_



## LEGAL DESCRIPTION

The land referred to in this Search Report is located in the County of Saint Joseph, State of Indiana described as follows:

### Parcel I:

Tri pc beg 5' N of Southeast cor Lot 259 St Park Place 3rd Add cont 0.028 Ac +/- 12/13 Split# 2160 03-31-2011

Commonly Known as: 1105 Campeau Street, South Bend, IN 46617

State ID: 71-09-06-301-017.000-026 / 018-5087-3098

### Parcel II:

Lot 260 Park Place 3rd Add Ex pt sold for street Cont 0.1438 Ac +/- split 2158 03-31-2011 12/13

Commonly Known as: 1111 Campeau Street, South Bend, IN 46617

State ID: 71-09-06-301-018.000-026 / 018-5087-3099

### Parcel III:

Lot 261 Ex 5 ft S End For St Park Place 3rd Add

Commonly Known as: 1115 Campeau Street, South Bend, IN 46617

State ID: 71-09-06-301-019.000-026 / 018-5087-3100

### Parcel IV:

Lot 7 Geo Feldmans Sub Pt of Park Place 3rd Add & Adj Prop Ex N Pt sold for Street 13/14 Cause #71D04-1109-PL-00223

Commonly Known as: 1116 Corby Boulevard, South Bend, IN 46617

State ID: 71-09-06-301-005.000-026 / 018-5087-3086

### Parcel V:

Lot 262 Ex 5' S End for St Park Place 3rd Add

Commonly Known as: 1117 Campeau, South Bend, IN 46617

State ID: 71-09-06-301-020.000-026 / 018-5087-3101

### Parcel VI:

Lot 6 Geo Feldmans Sub Pt Park Place 3rd Add & Adj Prop incl VAC Street 19/20 Vac Ord #10554-17 1/8/2018

Commonly Known as: 1118 Campeau, South Bend, IN 46617

State ID: 71-09-06-301-006.000-026 / 018-5087-3087

### Parcel VII:

Lot 5 Geo Feldmans Sub of Pt Park 3rd Add & Adj Prop Incl Vac Street 19/20 Vac Ord #10554-17 1/8/2018

Commonly Known as: 1120 Campeau, South Bend, IN 46617



State ID: 71-09-06-301-007.000-026/018-5087-3088

**Parcel VIII:**

Lot 263 Ex 5' S End For St Park Place 3rd Add

Commonly Known as: 1121 Campeau, South Bend, IN 46617

State ID: 71-09-06-301-021.000-026/018-5087-3102

**Parcel IX:**

Lot 4 & W 1/2 Vac Alley E & Adj Geo Feldmans Sub Pt of Park Place 3rd Add & Adj Prop Incl Vac Street 19/20 Vac Ord #10554-17 1/8/2018

Commonly Known as: 1124 Corby Boulevard, South Bend, IN 46617

State ID: 71-09-06-301-008.000-026/018-5087-3089

**Parcel X:**

Tri Pc Beg 10' N of Nwcor Lot 8 Bergans Replat of Lots 2 3 4 Litstenbergers Add Incl Vac Alley and Street 19/20 Vac ord #10554-17 1/8/2018 11/12 #2159 03-31-2011

Commonly Known as: 1125 Corby Boulevard, South Bend, IN 46617

State ID: 71-09-06-156-025.000-026/018-5094-3322

**Parcel XI:**

Lot 3 7 E 1/2 of Vac Alley W & Adj Geo Feldmans Sub Pt of Park Place 3rd Addition & Adj Prop Incl Vac Street 19/20 Vac Ord #10554-17 1/8/2018

Commonly Known as: 1128 Corby Boulevard, South Bend, IN 46616

State ID: 71-09-06-301-009.000-026/018-5087-3090

**Parcel XII:**

Lot 3 Geo Feldmans Sub Pt Park Place 3 rd Add & Adj Prop Incl Vac Street 19/20 Vac Ord #10554-17 1/8/2018

Commonly Known as: 1132 Corby Boulevard, South Bend, IN 46616

State ID: 71-09-06-301-010.000-026/018-5087-3091

**Parcel XIII:**

Lot 9 Bergans Replat of Lots 2 3 4 of Listenbergers Add Ex Pt Sold for Street Incl Vac Alley and Street 19/20 Vac Ord #10554-17 1/8/2018 12/13 Split 3326 05-17-11

Commonly Known as: 1133 Corby Boulevard, South Bend, IN 46615

State ID: 71-09-06-156-026.000-026/018-5094-3323

**Parcel XIV:**

Lot 1 Geo Feldmans Sub Pt of Park Place 3rd Add Adj Prop Incl Vac Street 19/20 Vac Ord #10554-17 1/8/2018  
Commonly Known as: 1134 Corby Street, South Bend, IN 46617

State ID: 71-09-06-301-011.000-026/018-5087-3092

**Parcel XV:**

Lot 108 Bergans Repl Lots 2 3 & 4 Listenbergers Add Ex Pt Sold for Street Incl Vac Alley and Street 19/20 Vac Ord #10554-17 1/8/2018 12/13 split 5512 08-16-11

Commonly Known as: 1135 Corby Boulevard, South Bend, IN 46601

State ID: 71-09-06-156-027.000-026/018-5094-3324

**Parcel XVI:**

Lot 321 Park Place 3rd Add Incl Vac Street 19/20 Vac Ord #10554-17 1/8/2018

Commonly Known as: 1136 Corby Boulevard, South Bend, IN 46617

State ID: 71-09-06-301-012.000-026/018-5087-3093

**Parcel XVII:**

Lot 11 Bergan's Replat of Lots 2-3-4 of Listenbergers Add Ex Pt Sold for Street Incl Vac Alley and Street 19/20 Vac Ord #10554-17 1/8/2018 12/13 Split 5564 08-17-11

Commonly Known as: 1137 Corby Boulevard, South Bend, IN 46617

State ID: 71-09-06-156-028.000-026/018-5094-3325

**Parcel XVIII:**

Lot 320 Park Place 3rd Add

Commonly Known as: 1140 Corby Boulevard, South Bend, IN 46617

State ID: 71-09-06-301-013.000-026 / 018-5087-3094



Electrical Office

DEC 08 2021

DAWN H. JONES  
CITY CLERK, SOUTH BEND, IN

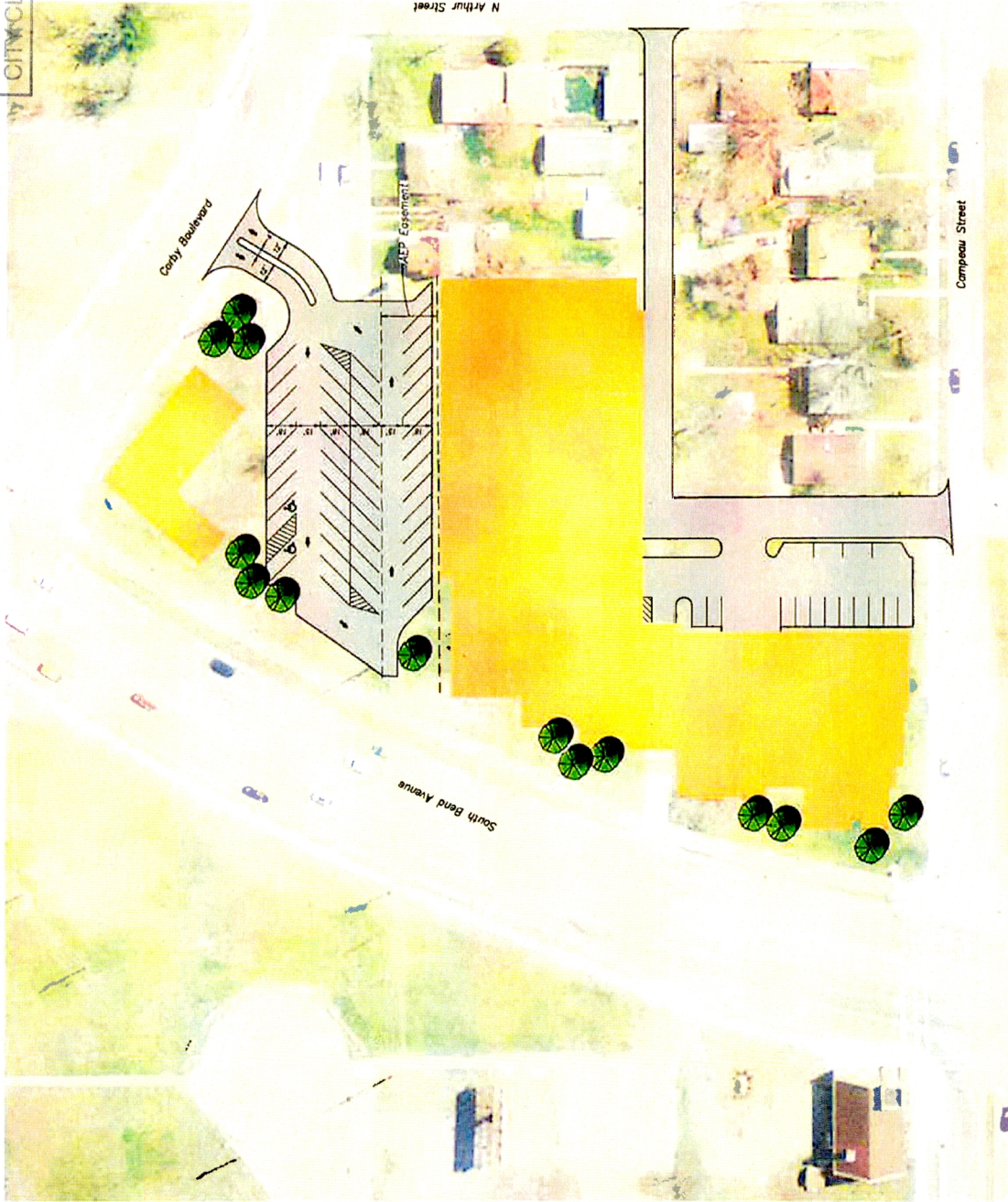
**ABONMARCHÉ**  
1111 N. W. 10th St., Suite 100  
South Bend, IN 46703  
Phone: (574) 298-1111  
Fax: (574) 298-1112  
www.abonmarche.com

FIVE CORNERS  
MULTI-FAMILY PROJECT  
SOUTH BEND, INDIANA

CONCEPTUAL LAYOUT

DATE: 12/07/2021  
DRAWN BY: DJM  
CHECKED BY: DJM  
SCALE: 1" = 40'  
SHEET: 21-1378

21-1378  
1 of 1



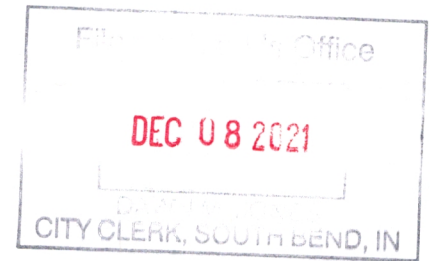






BILL NO.

ORDINANCE NO. \_\_\_\_\_



**AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED 1105, 1111, 1115, 1117, 1118, 1120, 1121 CAMPEAU ST AND 1116, 1124, 1125, 1128, 1132, 1133, 1134, 1135, 1136, 1137, 1140 CORBY BLVD, COUNCILMANIC DISTRICT NO. 4 IN THE CITY OF SOUTH BEND, INDIANA**

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**STATEMENT OF PURPOSE AND INTENT**

The proposed project includes construction of approximately 103 apartment units housed in two buildings located on the southeast corner of SR23 and Corby Street in South Bend.

---

Petitioners desire to rezone the property from U1 Urban Neighborhood 1 District to NC Neighborhood Center District.

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

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

Tri pc beg 5' N of Southeast car Lot 259 St Park Place 3rd Add cont 0.028 Ac+/-12/13 Split# 2160 03-31-2011 ; Lot 260 Park Place 3rd Add Ex pt sold for street Cont 0.1438 Ac+/- split 2158 03-31-2011 12/13 ; Lot 261 Ex 5 ft S End For St Park Place 3rd Add ; Lot 7 Geo Feldmans Sub Pt of Park Place 3rd Add & Adj Prop Ex N Pt sold for Street 13/14 Cause #71D04-1109- PL-00223 ; Lot 262 Ex 5' S End for St Park Place 3rd Add ; Lot 6 Geo Feldmans Sub Pt Park Place 3rd Add & Adj Prop incl VAC Street 19/20 Vac Ord #10554-17 1/8/2018 ; Lot 5 Geo Feldmans Sub of Pt Park 3rd Add & Adj Prop Incl Vac Street 19/20 Vac Ord #10554-17 1/8/2018 ; Lot 263 Ex 5' S End For St Park Place 3rd Add ; Lot 4 & W 1/2 Vac Alley E & Adj Geo Feldmans Sub Pt of Park Place 3rd Add & Adj Prop Incl Vac Street 19/20 Vac Ord #10554-17 1/8/2018 ; Tri Pc Beg 10' N of Nwcor Lot 8 Bergans Replat of Lots 2 3 4 Litstenbergers Add Incl Vac Alley and Street 19/20 Vac ord #10554-17 1/8/2018 11/12 #2159 03-31-2011 ; Lot 3 7 E 1/2 of Vac Alley W & Adj Geo Feldmans Sub Pt of Park Place 3rd Addition & Adj Prop Incl Vac Street 19/20 Vac Ord #10554-17 1/8/2018 ; Lot 3 Geo Feldmans Sub Pt Park Place 3rd Add & Adj Prop Incl Vac Street 19/20 Vac Ord #10554-17 1/8/2018 ; Lot 9 Bergans Replat of Lots 2 3 4 of

Listenbergers Add Ex Pt Sold for Street Incl Vac Alley and Street 19/20 Vac Ord #10554-17 1/8/2018 12/13 Split 3326 05-17-11 ; Lot 1 Geo Feldmans Sub Pt of Park Place 3rd Add Adj Prop Incl Vac Street 19/20 Vac Ord #10554-17 1/8/2018 Commonly Known as: 1134 Corby Street, South Bend, IN 46617 ; Lot 108 Bergans Repl Lots 2 3 & 4  
Listenbergers Add Ex Pt Sold for Street Incl Vac Alley and Street 19/20 Vac Ord #10554-17 1/8/2018 12/13 split 5512 08-16-11 ; Lot 321 Park Place 3rd Add Incl Vac Street 19/20 Vac Ord #10554-17 1/8/2018 ; Lot 11 Bergan's Replat of Lots 2-3-4 of Listenbergers Add Ex Pt Sold for Street Incl Vac Alley and Street 19/20 Vac Ord #10554-17 1/8/2018 12/13 Split 5564 08-17-11 ; Lot 320 Park Place 3rd Add

**Parcel Numbers:**

State ID: 71-09-06-301-017.000-026 / 018-5087-3098  
State ID: 71-09-06-301-018.000-026 / 018-5087-3099  
State ID: 71-09-06-301-019.000-026 / 018-5087-3100  
State ID: 71-09-06-301-005.000-026 / 018-5087-3086  
State ID: 71-09-06-301-020.000-026 / 018-5087-3101  
State ID: 71-09-06-301-006.000-026 / 018-5087-3087  
State ID: 71-09-06-301-007.000-026/018-5087-3088  
State ID: 71-09-06-301-021.000-026/018-5087-3102  
State ID: 71-09-06-301-008.000-026/018-5087-3089  
State ID: 71-09-06-156-025.000-026/018-5094-3322  
State ID: 71-09-06-301-009.000-026/018-5087-3090  
State ID: 71-09-06-301-010.000-026/018-5087-3091  
State ID: 71-09-06-156-026.000-026/018-5094-3323  
State ID: 71-09-06-301-011.000-026/018-5087-3092  
State ID: 71-09-06-156-027.000-026/018-5094-3324  
State ID: 71-09-06-301-012.000-026/018-5087-3093  
State ID: 71-09-06-156-028.000-026/018-5094-3325  
State ID: 71-09-06-301-013.000-026 / 018-5087-3094

be and the same is hereby established as NC Neighborhood Center District

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

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

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Karen White, 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 \_\_\_\_\_, 2022, at \_\_\_\_\_ o'clock \_\_\_\_ . m.

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

Approved and signed by me on the \_\_\_\_\_ day of \_\_\_\_\_, 2022, at \_\_\_\_ o'clock \_\_\_\_ .m.

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