



OFFICE OF THE CITY CLERK

BIANCA L. TIRADO, CITY CLERK

ZONING & ANNEXATION

MARCH 11, 2024 4:45 P.M.

Committee Members Present:

Dr. Oliver Davis, Ophelia Gooden-Rodgers,
Sheila Niezgodski, Karen L. White

Committee Members Absent:

None

Other Council Present:

Canneth Lee, Rachel Tomas Morgan, Sherry
Bolden-Simpson

Others Present:

Bianca L. Tirado, Elivet Quijada-Navarro,
Danica Kulemeka, Matthew Neal, Bob
Palmer

Presenter(s):

Angela Smith, Skip Morrell

Agenda:

Substitute Bill No. 02-24 – 711 Leland Ave
Rezoning

Bill No. 11-24 – Special Exception for
Professional Offices in S1 Neighborhood 1
District 737 Beale St.

Please note the attached link for the meeting recording:

<http://docs.southbendin.gov/WebLink/browse.aspx?dbid=0&mediaid=381054>

Committee Chair Dr. Oliver Davis called to order the Zoning & Annexation Committee meeting at 4:53 p.m.

***Substitute Bill No. 02-24* – 711 Leland Ave Rezoning**

Skip Morrell, Zoning Specialist, with offices on the 14th floor of the County-City Building, stated that *Bill No. 02-24* seeks to rezone the parcel located at 711 Leland Avenue from U2 to UF, and seeks a special exception to allow for retail, service, and restaurant. *Bill No. 02-24* comes from the Planning Commission with a favorable recommendation.

Angela Smith, Danc, Harner, and Associates, 1643 Commerce Drive, South Bend IN 46628, states that the petitioner also owns the No. Six (6) Scratch Kitchen restaurant. The vision for this location is to convert the ground floor of the house into a small breakfast place. The petitioner is currently

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Danica Kulemeka
CHIEF DEPUTY / CHIEF OF STAFF

Elivet Quijada-Navarro
DEPUTY / DIRECTOR OF POLICY

Matthew Neal
DIRECTOR OF SPECIAL PROJECTS

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working with an architect and the Historic Preservation Commission to make sure their design is sensitive to the area and that the exterior remains.

Councilmember Sherry Bolden-Simpson asked how many members of the surrounding community were asked about this project.

Angela Smith stated that there was information given to the Near Northwest Neighborhood and that information was also posted on their Facebook page. The owners also have had information posted at their restaurant, and there have been casual conversations throughout the area.

Councilmember Bolden-Simpson requested more information regarding the retail aspect of the proposal.

Angela Smith stated that the petitioners had not yet decided on the exact products they would want to sell, but that it would be along the lines of deli sandwiches or other deli products.

Councilmember Canneth Lee stated that the No. Six (6) restaurant is looking to expand into the breakfast market and utilizing the ground floor of this parcel would allow them to do so.

Angela Smith stated that the hours for this new breakfast place would be early, and therefore complimentary to the No. Six (6) restaurant.

Councilmember Canneth Lee asked if the petitioner planned to keep the upstairs residential.

Angela Smith answered yes.

Committee Chair Dr. Davis asked if the rezoning gets passed will the Historic Preservation Commission need to approve the changes being made.

Angela Smith stated that the any alterations to the exterior would have to be approved by the Historic Preservation Commission.

Committee Chair Dr. Davis opened the public hearing.

Harry Simpson, member of Saint Paul Bethel Missionary Baptist Church, 2630 Prast Boulevard, South Bend IN 46628, stated a concern regarding where the petitioner expects their customers to park.

Pastor Gilbert C. Washington, 135 North Hawthorne Drive, South Bend IN 46617, stated that he had not yet had a full conversation regarding this project, stated a concern regarding parking, and stated a concern on whether alcohol would be sold.

Angela Smith stated that the petitioner has not applied for a liquor license and that there cannot be any tobacco or alcohol sold without Council approval of a special exception. The petitioner intends to sell deli products as well as breakfast items like jams. The City has no minimum parking standards and the plan for this property is for it to be a walk-up restaurant in the neighborhood. There is also parking available at the No. Six (6) restaurant location, and because the hours for the new business are different than those of the No. Six (6) restaurant there should not be any concern about a lack of parking spaces.



Committee Member Karen L. White stated that it would be beneficial for there to be a conversation between Pastor Gilbert C. Washington and the petitioner.

Committee Member Sheila Niezgodski requested information regarding the anticipated occupancy amount.

Angela Smith stated that the petitioners haven't finished a design for the location yet, but the size of the building would naturally restrict it from holding very many people.

Councilmember Lee stated that the idea for this location is to be part of a walking area, and not bring a large amount of traffic. Councilmember Lee asked if the petitioner is online.

Angela Smith stated that the petitioner is not online, but that she would be happy to talk to Pastor Washington. Angela Smith stated that they have tried contacting Saint Paul Bethel Baptist Church but had not received an answer or a call back. Angela Smith stated that she had thought there was an understanding regarding parking but is happy to speak with Pastor Washington.

Committee Chair Dr. Davis stated that at the South Bend Area Planning meeting he had suggested the petitioner speak with Pastor Washington and recommends taking more time before putting Bill No. 02-24 in front of the Full Council.

Committee Member Niezgodski asked if there would be a way for Pastor Washington and the petitioner to have a conversation before the 7:00pm meeting.

Angela Smith stated that she could answer many of Pastor Washington's questions.

Councilmember Bolden-Simpson stated that there are unknown aspects within this project, especially regarding parking, so it would be best to wait and allow for further conversations.

Councilmember Lee stated that Angela Smith was hired to help answer questions and represent the petitioner if Pastor Washington wanted to speak with her.

Angela Smith stated that she can work to set up a meeting with the petitioner.

Committee Chair Dr. Davis stated that Bill No. 02-24 should not be pushed to the Full Council before a meeting with Pastor Washington occurs.

Councilmember Lee clarified that he was not pushing to rush Bill No. 02-24, rather he was informing the Committee and Pastor Washington that if they had questions, Angela Smith would be able to answer them.

Angela Smith stated that if Pastor Washington could make time to meet within the next two weeks the petitioner could still make their deadlines.

Committee Vice Chair Ophelia Gooden-Rodgers stated that the petitioner and Pastor Washington should have a meeting.

Committee Vice Chair Gooden-Rodgers motioned to table Bill No. 24-05 until March 25, 2024, which was seconded by Committee Member Niezgodski and carried by a vote of four (4) ayes.



Committee Chair Dr. Oliver Davis - <i>Aye</i>	Committee Vice Chair Ophelia Gooden-Rodgers – <i>Aye</i>
Committee Member Karen L. White - <i>Aye</i>	Committee Member Sheila Niezgodski – <i>Aye</i>

Bill No. 11-24 – Special Exception for Professional Offices in S1 Neighborhood 1 District 737 Beale St.

Skip Morrell, zoning specialist, with offices on the 14th floor of the County-City Building, stated that Bill No. 11-24 requests a use variance to allow for offices inside the building located at 737 Beale Street. The property is currently owned by the South Bend School Corporation, and they plan to demolish the southwest portion of the property and convert the rest from a school building to a new administration office. Bill No. 11-24 comes with a favorable recommendation from the Board of Zoning Appeals.

Chuck Lehman, Lehmen & Lehman, 510 Lincolnway East, Mishawaka IN 46544, stated that he is representing the South Bend School Corporation and welcomes any questions.

Committee Chair Dr. Davis noted for the record that he is an employee of the South Bend School Corporation.

Committee Chair Dr. Davis held the public hearing and no members of the public spoke.

Committee Member White motioned to send Bill No. 24-06 to the Committee of the Whole with a favorable recommendation, which was seconded by Committee Vice Chair Gooden-Rodgers and carried by a vote of four (4) ayes.

Committee Chair Dr. Oliver Davis - <i>Aye</i>	Committee Vice Chair Ophelia Gooden-Rodgers – <i>Aye</i>
Committee Member Karen L. White - <i>Aye</i>	Committee Member Sheila Niezgodski – <i>Aye</i>

Committee Chair Dr. Davis adjourned the Zoning & Annexation Committee meeting at 5:26 p.m.

Respectfully Submitted,


Dr. Oliver Davis, Committee Chair

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