



OFFICE OF THE CITY CLERK

BIANCA L. TIRADO, CITY CLERK

ZONING & ANNEXATION

AUGUST 26, 2024 4:30 P.M.

Committee Members Present:

Dr. Oliver Davis, Karen White, Ophelia Gooden Rodgers, Stacey Odom, Sheila Niezgodski

Committee Members Absent:

Jorden Giger

Others Present:

Bianca L. Tirado, Matthew Neal, Samuel Turck, Bob Palmer, Canneth Lee, Troy Warner, Rachel Tomas Morgan

Presenter(s):

Skip Morrell,

Agenda:

Bill No. 36-24 – Amending Zoning Ordinance for Property Located at 5101 Nimitz Parkway

Bill No. 31-24 – Amending Zoning Ordinance for Property Located at 17023 Hepler Street: *(SUBSTITUTE)*

Bill No. 24-27 – Resolution Adopting a Written Fiscal Plan and Establishing a Policy for the Provision of Services to the Fox Creek Annexation Area in Clay Township

Members marked with an asterisk (*) are in virtual attendance.

Please note the attached link for the meeting recording:

<https://docs.southbendin.gov/WebLink/browse.aspx?mediaid=382881&dbid=0>

Committee Chair Dr. Oliver Davis called to order the Zoning & Annexation Committee meeting at 4:30 p.m.

Bill No. 36-24 – Amending Zoning Ordinance for Property Located at 5101 Nimitz Parkway

Skip Morrell, Principal Development Planner with offices on the 14th floor of the County-City Building presented Bill No. 36-24. The owner is Service Area No. 4 LLC. This location was a State

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~~Elivel Quijada-Navarro~~
CHIEF DEPUTY CITY CLERK

Matthew Neal
DEPUTY / DIRECTOR OF POLICY

Samuel Turck
DIRECTOR OF SPECIAL OF PROJECTS

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Police property until it was sold in 2021. It is currently not zoned as it was built in 1960 before the zoning ordinance was established. The owners are seeking to have it zoned industrial (I).

Terry Lang, Professional Surveyor with Wightman, 1402 Mishawaka Avenue, South Bend IN 46615 is representing the petitioners. Terry Lang stated that the properties on either side of the property are also zoned I.

Committee Chair Dr. Davis held the public hearing and nobody spoke.

Councilmember Canneth Lee thanked the petitioners for their investment in the first (1st) district.

Committee Member Karen White motioned to send Substitute Bill No. 36-24 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 five (5) ayes and one (1) Committee Member absent.

Committee Chair Dr. Oliver Davis - <i>Aye</i>	Committee Vice Chair Ophelia Gooden Rodgers – <i>Aye</i>
Committee Member Sheila Niezgodski - <i>Aye</i>	Committee Member Karen White - <i>Aye</i>
Citizen Member Stacy Odom - <i>Aye</i>	Citizen Member Jordan Giger - <i>Absent</i>

Substitute Bill No. 31-24 – Amending Zoning Ordinance for Property Located at 17023 Hepler Street

Committee Member Sheila Niezgodski motioned to accept Substitute Bill No. 31-24 which was seconded by Committee Member White and carried via a vote by voice.

Skip Morrell, Principal Development Planner with offices on the 14th floor of the County-City Building presented Substitute Bill No. 31-24. The owner is Fox Creek LLC. The purpose of this Bill is to annex the property into the City and rezone it from Single Family (R-1) to Urban Neighborhood Two (U2). The project will include forty-two (42) plots divided into thirty-eight (38) duplexes, three (3) single family homes, and one (1) common area on the northern half of the property. There was a single family home on the southern end of the property from 1951 to 2022 when it was demolished. This property will be connected to the City’s utilities.

Committee Chair Dr. Davis asked if this rezoning and annexation is passed will it be given a City address.

Skip Morrell answered yes.

Steve Staszewski, Pre-Design & Construction Operations at Abonmarche Consultants with offices at 315 W Jefferson Blvd, South Bend IN 46601 represents the petitioners. This plan will maintain the flood plane to the east of the property.

Committee Chair Dr. Davis asked what is the advantage of annexing with the City instead of another municipality.

Steve Staszewski stated the water and sewer services. If it was in the County the entire development would have to be well water and septic tanks.

Councilmember Lee asked about the price point of these homes.



Steve Smith, Owner of Irish Realty with offices at 3566 Douglas Road, South Bend IN 46635 stated that the homes will cost in the mid two hundred thousand (\$250,000) range.

Committee Chair Dr. Davis asked if there is an age limit to own these homes.

Steve Smith answered there is not but they are expecting the majority of the homes to be bought by senior citizens.

Committee Chair Dr. Davis asked if pets will be allowed on these properties.

Steve Smith stated yes.

Councilmember Troy Warner asked if the price of construction is going down due to interest rates and lumber prices going down.

Steve Smith answered that interest rates are sitting around six point two five percent (6.25%), but prices are unlikely to go down dramatically. Steve Smith stated that you may see a five percent (5%) reduction in cost.

Councilmember Warner asked when the neighborhood to the west in the City was built.

Skip Morrell stated that he does not know.

Councilmember Warner stated that it was built in the mid 1980s and it has not been repaved. Councilmember Warner stated that he has been trying to get that neighborhood on the paving list, and if they are going to add another development of that area increasing traffic that would increase the need for repaving.

Councilmember Rachel Tomas Morgan thanked the owners for addressing the flood plane and how they will maintain it.

Committee Member White asked when construction will start.

Steve Smith stated construction will start within six (6) months.

Committee Chair Dr. Davis held the public hearing and nobody spoke.

Committee Member White motioned to send Substitute Bill No. 31-24 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 five (5) ayes and one (1) Committee Member absent.

Committee Chair Dr. Oliver Davis - <i>Aye</i>	Committee Vice Chair Ophelia Gooden Rodgers – <i>Aye</i>
Committee Member Sheila Niezgodski - <i>Aye</i>	Committee Member Karen White - <i>Aye</i>
Citizen Member Stacy Odom - <i>Aye</i>	Citizen Member Jordan Giger - <i>Absent</i>

Bill No. 24-27 – Resolution Adopting a Written Fiscal Plan and Establishing a Policy for the Provision of Services to the Fox Creek Annexation Area in Clay Township

Michael Divito, Community Investment with offices on the 14th floor of the County-City building presented Bill No. 24-27 which is the fiscal plan for the development of 17023 Hepler Street. This



includes dedicating what emergency services will have jurisdiction over this property, and the utilities being run to the property. The annexation area will be added to the fourth (4th) councilmanic district.

Terry Lang, Professional Surveyor with Wightman, 1402 Mishawaka Avenue, South Bend IN 46615 spoke in support of Bill No. 24-27. The tax revenue will be substantial as this was a vacant property and there will be forty-one (41) homes.

Committee Chair Dr. Davis held the public hearing and nobody spoke.

Committee Vice Chair Gooden Rodgers motioned to send Substitute Bill No. 31-24 to the Committee of the Whole with a favorable recommendation, which was seconded by Committee Member Niezgodski and carried by a vote of five (5) ayes and one (1) Committee Member absent.

Committee Chair Dr. Oliver Davis - <i>Aye</i>	Committee Vice Chair Ophelia Gooden Rodgers – <i>Aye</i>
Committee Member Sheila Niezgodski - <i>Aye</i>	Committee Member Karen White - <i>Aye</i>
Citizen Member Stacy Odom - <i>Aye</i>	Citizen Member Jordan Giger - <i>Absent</i>

With no further business, Committee Chair Davis adjourned the Personnel & Finance Committee meeting at 4:57 p.m.

Respectfully Submitted,

Dr. Oliver Davis, Committee Chair

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