



OFFICE OF THE CITY CLERK

DAWN M. JONES, CITY CLERK

ZONING AND ANNEXATION

JUNE 12, 2023, 4:10 P.M.

Committee Members Present: Lori Hamann, Karen White, Committee Member
Sheila Niezgodski, James Snodgrass

Committee Members Absent: Henry Davis Jr.

Others Present: Dawn Jones, Victoria Trujillo, Bob Palmer, Justin
LePla

Presenters: Angela Smith, Mike Danch, Caleb Bauer, Joe
Molnar

Agenda: Bill No. 23-23 – A Zoning Ordinance for a Special
Exception for Property Located at 3003 Lincoln Way
West, District No. 2

Bill No. 24-23 – A Zoning Ordinance for a Special
Exception for Property Located at 1127, 1131 and
1135 West Western Avenue, District No. 2

Bill No. 25-23 – A Zoning Ordinance for a Special
Exception for Property Located at 1436 Bowman
Street, District No. 3

Bill No. 26-23 – A Zoning Ordinance for a Special
Exception for Property Located at 2402 South
Twyckenham Drive, District No. 5

Low Income Housing Tax Credit Presentation

Members marked with an asterisk (*) are present digitally

Please note the attached link for the meeting recording:

<https://docs.southbendin.gov/WebLink/browse.aspx?dbid=0&mediaid=369527>

Committee Chair Lori Hamann called to order the Zoning and Annexation Committee meeting at 4:10 p.m.

Bill No. 23-23 – A Zoning Ordinance for a Special Exception for Property Located at 3003 Lincoln Way West, District No. 2

It was requested that Bill No. 23-23 be tabled until August 14, 2023, as the application will not be heard by the Board of Zoning Appeals until August 7, 2023. The address under consideration is 3003 Lincoln Way West.

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Committee Member Sheila Niezgodski motioned to table Bill No. 23-23 until the meeting on August 14, 2023, as requested by the petitioner, seconded by Committee Member Karen L. White and carried by a vote of four (4) ayes, with one (1) committee member absent.

Committee Chair Lori K. Hamann – <i>Aye</i>	Committee Member Karen L. White – <i>Aye</i>
Committee Vice-Chair Henry Davis Jr – <i>Absent</i>	Committee Member Sheila Niezgodski – <i>Aye</i>
Citizen Member James Snodgrass – <i>Aye</i>	

Bill No. 24-23 – A Zoning Ordinance for a Special Exception for Property Located at 1127, 1131 and 1135 West Western Avenue, District No. 2

It was requested that Bill No. 24-23 be tabled until the June 26, 2023, Zoning and Annexation Committee meeting.

Committee Member Karen White motioned to table Bill No. 24-23 until the meeting on August 14, 2023, as requested by the petitioner, seconded by Committee Chair Hamann and carried by a vote of four (4) ayes, with one (1) committee member absent.

Committee Chair Lori K. Hamann – <i>Aye</i>	Committee Member Karen L. White – <i>Aye</i>
Committee Vice-Chair Henry Davis Jr – <i>Absent</i>	Committee Member Sheila Niezgodski – <i>Aye</i>
Citizen Member James Snodgrass – <i>Aye</i>	

Bill No. 25-23 – A Zoning Ordinance for a Special Exception for Property Located at 1436 Bowman Street, District No. 3

It was requested that Bill No. 25-23 be tabled until the June 26, 2023, Zoning and Annexation Committee meeting.

Committee Chair Hamann noted that the June 26, 2023, Zoning and Annexation Committee meeting already has a full agenda. Angela Smith advised that she will contact the petitioners of Bill Nos. 24-23 and 25-23 to inquire if they are amenable to pushing their applications forward to a meeting date beyond June 26, 2023.

Committee Member Karen White motioned to table Bill No. 25-23 until the meeting on June 16, 2023, as requested by the petitioner, seconded by Committee Member Niezgodski and carried by a vote of four (4) ayes, with one (1) committee member absent.

Committee Chair Lori K. Hamann – <i>Aye</i>	Committee Member Karen L. White – <i>Aye</i>
Committee Vice-Chair Henry Davis Jr – <i>Absent</i>	Committee Member Sheila Niezgodski – <i>Aye</i>
Citizen Member James Snodgrass – <i>Aye</i>	

Bill No. 26-23 – A Zoning Ordinance for a Special Exception for Property Located at 2402 South Twyckenham Drive, District No. 5

Bill No. 26-23 is a special exception request for the fire station located at 2402 South Twyckenham Drive. The fire department would like to make investments to upgrade the facility. Given the age of the building a special exception may not be necessary; however, it was decided to proceed with the process to ensure proper documentation of the matter. The special exception is regarding use of the fire station on this property, which comes to the Committee with a favorable recommendation from the Board of Zoning Appeals. It was noted that other variances related to the property have already been heard and approved by the Board of Zoning Appeals. The budget for the project is just over \$3 million and the anticipated timeline for completion is one year.

Committee Chair Lori Hamann inquired if the current fire station would be operational during the construction period.

Mike Danch advised service from the site will not be possible as the existing building will be razed; however, neighboring fire stations will be available to respond to fire emergencies in the area.

Committee Member Karen White asked if this fire station is the oldest and last to be updated.

Mike Danch replied that it is one of the oldest fire stations in the city; however, there are a few other dated fire stations still to be modernized.

The floor was opened to public comments. There were none.

Committee Member Karen White motioned to table Bill No. 26-23 until the meeting on May 22, 2023, as requested by the petitioner, seconded by Committee Chair Hamann and carried by a vote of four (4) ayes, with one (1) committee member absent.

Committee Chair Lori K. Hamann – <i>Aye</i>	Committee Member Karen L. White – <i>Aye</i>
Committee Vice-Chair Henry Davis Jr – <i>Absent</i>	Committee Member Sheila Niezgodski – <i>Aye</i>
Citizen Member James Snodgrass – <i>Aye</i>	

Low-Income Housing Tax Credit Presentation

Caleb Bauer, Director of Community Investment, provided an informational presentation about the low-income housing tax credit (LIHTC), which is Federal government program to encourage the private development of low-income housing, and the two LIHTC applicants that South Bend is currently supporting, Advantix Development Corporation and KCG Development. The Department of Community Investment is committed to ensuring applicants maximize the 10% local government support threshold so that South Bend has a better chance of benefiting from the LIHTC program; this is typically achieved via tax abatements, waiving system development charges, the redevelopment commission’s approval for use of tax increment financing funds and providing city-owned property at less than the market rate.



Joe Molnar, Property Development Manager, advised of upcoming City Council action items associated with the Advantix and KCG LIHTC applications. Both proposals require some rezoning approvals, to be reviewed at the June 26, 2023, Council meeting, as well as tax abatements approvals, which will be considered at the June 26, 2023, and July 10, 2023, Council meetings. Advantix and KCG Development will have representatives in attendance at the June 26, 2023, Council meeting. The purchase agreements for these projects will be confirmed by July 2023; the LIHTC applications must be submitted by the end of July 2023, with scoring outcomes to be announced in November 2023. It was noted that if the LIHTC applications are unsuccessful, the purchase agreements will be null, and void and the city would retain ownership of the involved sites.

Councilmember Lee noted he attended the community information meeting held in the Near Northwest Neighborhood (NNN) and stated that area residents asked good questions and the Advantix Development Corporation representatives provided useful responses. He highlighted the benefits of replenishing the housing stock and offering affordable housing, including rent to own opportunities, for citizens.

Council Member Eli Wax inquired if any rezoning approvals would stand even if the LIHTC applications were unsuccessful.

Joe Molnar noted that typically any rezoning changes hold for at least two years to give developer applicants a second chance to apply for the LIHTC if they are unsuccessful on with their first submission. It was also noted that the city could always petition to revert the rezoning in the future if the applicants were unsuccessful and if necessary.

Citizen Member James Snodgrass asked if the Federal funding for low-income housing is on an upward or downward trend.

Caleb Bauer replied that LIHTC funding has increased only slightly in the last few years. The Build Back Better Bill would have significantly increased low-income tax credits in the country; however, it was not passed. The state government recently instituted a new tax credit, which when paired with an existing non-competitive 4.5% low-income tax credit, may increase state level applications.

Committee Chair Lori Hamann asked about the leasing model for the projects.

Caleb Bauer clarified that the Advantix project will use a lease to own model. A significant percentage of the rental payments over the 15 years of the tax credit contract will accrue as equity in the home, thereby lowering the purchase price of the house that would be offered to the resident at the end of the 15 years.

Committee Chair Lori Hamann asked if once the 15 years of the tax credit contract is over, the affordable rental rates would be retained.

Caleb Bauer advised that the offering of affordable rental rates would not be required of the developer owner after the 15-year tax credit contract is complete. However, he noted that in the past developers have often opted to start accepting housing choice vouchers towards monthly rent, thereby maintaining affordability.



Caleb Bauer noted that rezoning letters were sent to area residents the week of June 12, 2023, and stated that if Council Members receive questions, they are welcome to refer them to his department for follow up.

With no further business, Committee Chair Lori Hamann adjourned the Zoning and Annexation Committee meeting at 4:45 p.m.

Respectfully Submitted,

Lori Hamann, Committee Chair

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