



# OFFICE OF THE CITY CLERK

DAWN M. JONES, CITY CLERK

## ZONING AND ANNEXATION

OCTOBER 23, 2023, 4:00 P.M.

Committee Members Present: Lori Hamann, Karen I. White, Sheila Niezgodski  
Committee Members Absent: Henry Davis Jr, James Snodgrass  
Others Present: Dawn Jones, Victoria Trujillo, Bob Palmer, Rachel Tomas Morgan, Bianca Tirado\*, Canneth Lee\*  
Presenters: Michael DeVito, Principal Planner, South Bend Department of Community Investment  
Agenda: Bill No. 23-63 — Resolution Adopting a Fiscal Plan for the Airport-Moss Annexation Area  
Bill No. 50-23 — A Zoning Ordinance for Property Located at 23114 Lincolnway West

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=376353>

In the absence of quorum, Committee Member Sheila Niezgodski called a recess until 6:30 p.m. until the quorum was available.

Committee Chair Lori Hamann reconvened the Zoning and Annexation Committee meeting at 6:30 p.m.

Michael DeVito, Principal Planner, South Bend Department of Community Investment with offices on the fourteenth (14<sup>th</sup>) floor of this building requested to combine the hearing on Bill No. 23-63 and Bill No. 50-23 for the purpose of public hearing as they were on related items.

Committee Member Niezgodski motioned to combine the hearing on Bill No. 23-63 and Bill No. 50-23, which was seconded by Committee Member White and carried.

**Bill No. 23-63 — Resolution Adopting a Fiscal Plan for the Airport-Moss Annexation Area and Bill No. 50-23 — A Zoning Ordinance for Property Located at 23114 Lincolnway West**

Michael DeVito stated that the bills were for a proposed annexation and rezoning near old Lincolnway West and Moss Road.

Amani Morrell, Zoning Specialist with offices on the fourteenth (14<sup>th</sup>) floor of this building stated that the property was located at 23-114 U.S. twenty (20) Highway, south of South Bend Airport, and is currently zoned Commercial (C) in the St. Joseph County - unincorporated. The proposal of

rezoning the property to Industrial (I) and annexing it into the city. The proposals have a favorable staff recommendation by the Plan Commission.

Michael DeVito stated that the fiscal plan proposes a car wash and detailing facility for car rental businesses at the airport, which would not be open to the public. Currently, capital improvements for this project have not been planned by the city but water and sewer facilities are available along Old Lincolnway West. The annexation proposes adding short sections of Old Lincoln Way West and Moss Road to the city. The airport Moss annexation area will be added to the first (1) District of the Common Council and served by Police Beat twenty-four (24), Fire Station four (4), Emergency Medic four (4), and Neighborhood Services and Enforcement Area five (5).

Committee Chair Hamann requested the exact area referenced in Section four (4) of Bill No. 23-63, which stated that the sidewalk should be provided along public streets and if the city would bear the expense.

Micheal DeVito responded that the developer would bear the expense of the sidewalks based on the circumstances but could request a waiver from the requirement.

Committee Chair Hamann requested clarification on the administrative services clause on page nine (9) of Bill No. 23-63, which stated that the City of South Bend provides a wide range of services, which would include the Mayor's Office, Legal Department, and Venue, Parks, and Arts, but the costs for such services have not been calculated.

Micheal DeVito responded that the fiscal cost to the city was estimated to be negligible and was therefore not calculated.

Committee Member White asked if the rezoning would be for a single car rental service or several.

Bob Heiden with Jones Peter Fenske, 325 South Lafayette Avenue, who are responsible for site design and coordination with the airport authority for this project, responded that the intent was to provide the airport authority with ownership of a car wash facility, which could be used for all car rental businesses on airport property. Service bays, car wash, and fueling could be done onsite and then taken to the parking lot directly north of Old Lincolnway to be picked up by the next user.

Committee Member Niezgodski asked if a chambered system would be used to collect water runoff from the car wash.

Bob Heiden responded that water runoff from the car wash would flow into a combined sewer system but not a recirculating system.

Committee Member Niezgodski requested the rationale behind providing a favorable recommendation from the Plan Commission Bill No. 50-23 but not with both variances; the bike rack was requested to be retained but the sidewalk was not to be retained.

Bob Heiden responded that the bike racks were requested to be retained as they would be accessed by staff working at the car rentals due to restricted vehicular access. The sidewalk was not requested to be retained as the property would eventually be vacated as it would belong to the

airport and would be impractical to have sidewalks. There currently are sidewalks near the property under review but not on the property itself. The variance had already been decided through the Plan Commission process.

Committee Chair Hamann held the public hearing, and nobody spoke.

Committee Member White motioned to forward Bill *No. 23-63* to the Full Council with a favorable recommendation, which was seconded by Committee Member Niezgodski and carried by a vote of three (3) ayes, with two (2) committee members absent.

Committee Chair Lori Hamann - Aye	Committee Member Sheila Niezgodski - Aye
Committee Member Karen White - Aye	Committee Vice-Chair Henry Davis Jr. - Absent
Citizen Member James Snodgrass - Absent	

Committee Member Niezgodski motioned to forward Bill *No. 50-23* to the Full Council with a favorable recommendation, which was seconded by Committee Member White and carried by a vote of three (3) ayes, with two (2) committee members absent.

Committee Chair Lori Hamann - Aye	Committee Member Sheila Niezgodski - Aye
Committee Member Karen White - Aye	Committee Vice-Chair Henry Davis Jr. - Absent
Citizen Member James Snodgrass - Absent	

With no further business, Committee Chair Hamann adjourned the Zoning and Annexation Committee meeting at 6:44 p.m.

Respectfully Submitted,

Lori Hamann, Committee Chair

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