



# OFFICE OF THE CITY CLERK

## BIANCA L. TIRADO, CITY CLERK

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### ZONING & ANNEXATION

MAY 12, 2025, 5:10 P.M.

Committee Members Present:

Dr. Oliver Davis, Karen L. White, Troy Warner, Stacey Odom,

Committee Members Absent:

Rachel Tomas Morgan, Henry Davis Jr.

Other Council Members Present:

Canneth Lee, Sharon McBride\*, Shiela Niezgodski\*, Sherry Bolden-Simpson

Others Present:

Bianca L. Tirado, Matthew Neal, Margaret Gotsch, Bob Palmer

Presenters:

David Njoroge, Skip Morrell, Timothy Staub

Agenda:

Bill No. 19-25 - Special Exception at 906, 912, 914, and 918 Dubail Avenue and 1703, 1705, and 1711 Dale Avenue

Bill No. 24-25 - Special Exception at 1702 Western Avenue

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?dbid=0&mediaid=395499>

Committee Chair Dr. Oliver Davis called to order the Zoning and Annexation Committee meeting at 5:10 P.M.

**Bill No. 19-25 - Special Exception at 906, 912, 914, and 918 Dubail Avenue and 1703, 1705, and 1711 Dale Avenue**

Committee Chair Dr. Oliver Davis adjured the petitioner(s).

Skip Morrell, Principal Development Planner, with offices on the 14<sup>th</sup> floor of the County-City Building, South Bend, IN 46601, stated that Bill No. 19-25 requests a special exception to allow

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Matthew Neal  
DEPUTY CITY CLERK

Margaret Gotsch  
DIRECTOR OF SPECIAL PROJECTS

EXCELLENCE | ACCOUNTABILITY | INNOVATION | INCLUSION | EMPOWERMENT

455 County-City Building | 227 W. Jefferson Blvd. | South Bend, Indiana 46601 | p. 574.235.9221 | f. 574.235.9173 | [www.southbendin.gov](http://www.southbendin.gov)



construction of duplexes and single-family homes on currently vacant lots along Dubail Avenue and Dale Avenue, which will be zoned as Urban (U1). This project comes with a favorable recommendation from the Board of Zoning and Appeals and is consistent with the South Bend comprehensive plan objective H1.1.

David Njoroge, 3131 Springbrook Drive, South Bend, IN 46614, expressed his enthusiasm and excitement about bringing this project to South Bend and to the area within District 3. David Njoroge also mentioned he is familiar with the area and is currently working on two (2) other units in the same neighborhood.

Committee Chair Dr. Davis asked how the two (2) units are progressing.

David Njoroge stated the other units are doing well and they are currently hanging drywall in one (1) of the units.

Committee Member Troy Warner asked what the timeline looks like and which unit they will start with.

David Njoroge stated they hope to start with 1711 Dale Avenue this summer.

Committee Member Karen L. White thanked the presenter.

David Njoroge stated that his timing worked out well.

President Canneth Lee asked if each unit must have their own sewage tap.

David Njoroge answered by saying each unit must have their own tap.

Council Member Sherry Bolden-Simpson asked David Njoroge to spell his last name.

David Njoroge spelled his last name stating that the N in Njoroge is silent.

Council Member Sharon McBride expressed her excitement and thanks.

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

Committee Member Warner moved to send Bill No. 19-25 to the Full Council with a favorable recommendation, which was seconded by Committee Member White and carried by a vote of four (4) ayes.

Committee Chair Dr. Oliver Davis - <i>Aye</i>	Committee Vice Chair Rachel Tomas Morgan – <i>Absent</i>
Committee Member Troy Warner - <i>Aye</i>	Committee Member Karen L. White – <i>Aye</i>
Citizen Member Stacey Odom - <i>Aye</i>	Citizen Member Henry Davis Jr. - <i>Absent</i>

### **Bill No. 24-25 - Special Exception at 1702 Western Avenue**

Committee Chair Dr. Oliver Davis adjured the petitioner(s).



Timothy Staub, Zoning Specialist, with offices on the 14<sup>th</sup> floor of the County-City Building, South Bend, IN 46601, requests a special exception to allow restaurant use in an Urban Flex (UF) zone for a new Mexican American ice cream shop to be located at 1702 Western Avenue, South Bend, IN 46619. This site is currently vacant and adjacent to a Boost Mobile store and is consistent with the South Bend comprehensive plan objective LU 2.2. The Board of Zoning and Appeals sends this petition to the Common Council with a favorable recommendation, with the condition that all improvements to bring the building and site up to zoning compliance are completed within six (6) months of approval.

Committee Member White asked what type of restaurant.

Timothy Staub stated the restaurant will be an ice cream shop.

Council Member Bolden-Simpson asked if the zone next to and behind the building is residential.

Timothy Staub stated that the properties behind the building are zoned residential.

Citizen Member Stacey Odom asked why the owners only have six (6) months to complete the improvements and does that pertain to the interior and exterior improvements.

Timothy Staub stated that is a standard whenever they are just conditioning the special exception and only pertains to the exterior with a primary focus on the landscaping.

Committee Member White asked if someone from the Zoning Office will be checking to ensure the work has been completed.

Timothy Staub stated that they verify the work has been completed.

Council Member Shiela Niezgodski asked if both businesses were sold and a new business moved in, would the special exception transfer or would the new business require different approval.

Skip Morrell explained that the Boost Mobile store on the right side of the building received a special exception for retail space which would include general retail and convenience stores, however, tobacco or vape shops, as an example, would require different approval.

Robert Masters, attorney for A&M Wireless, Inc., with offices at 350 Columbia Street, South Bend, IN 46601, and personal residence 1906 East Madison Street, South Bend, IN 46617, stated that the request is intended to allow an ice cream shop to be developed in the same building in which Amarpreet "Jesse" Singh operates a Boost Mobile cell phone store. In addition, he is working with the Building Department to create a surface parking lot to improve the area.

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

Committee Member White moved to send Bill No. 24-25 to the Full Council with a favorable recommendation, which was seconded by Committee Member White and carried by a vote of four (4) ayes.





Committee Chair Dr. Oliver Davis - <i>Aye</i>	Committee Vice Chair Rachel Tomas Morgan – <i>Absent</i>
Committee Member Troy Warner - <i>Aye</i>	Committee Member Karen L. White – <i>Aye</i>
Citizen Member Stacey Odom - <i>Aye</i>	Citizen Member Henry Davis Jr. - <i>Absent</i>

With no further business, Committee Chair Dr. Oliver Davis adjourned the Zoning and Annexation Committee meeting at 6:56 P.M.

Respectfully Submitted,

Dr. Oliver Davis, Committee Chair

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