



OFFICE OF THE CITY CLERK

BIANCA L. TIRADO, CITY CLERK

ZONING & ANNEXATION

JULY 14, 2025, 4:30 P.M.

Committee Members Present:

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

Committee Members Absent:

Henry Davis Jr.

Other Council Members Present:

Canneth Lee, Sherry Bolden-Simpson

Others Present:

Bianca L. Tirado, Jasmine Jackson,
Matthew Neal, Margaret Gotsch, Lari'onna
Green, Bob Palmer

Presenters:

Timothy Staub, Mark Dellostritto, Myra
Reid, Joshua Caneff

Agenda:

Bill No. 29-25 - Amending the Zoning
Ordinance for Property Located at 1144 and
1148 Sorin Street

Bill No. 30-25 - Special Exception at 1114
Mayflower Road

Bill No. 31-25 - Amending the Zoning
Ordinance for Property Located at 314
West Chippewa Avenue

Bill No. 32-25 - Amending the Zoning
Ordinance for Property Located at 1037
West Colfax Avenue (Substitute)

Bill No. 39-25 - Special Exception at 1039
Lincoln Way Wes: (Substitute)

Bill No. 40-25 - Special Exception at 1527
South Michigan Street

INTEGRITY | SERVICE | ACCESSIBILITY

Jasmine Jackson
CHIEF DEPUTY CITY CLERK / CHIEF OF STAFF

Matthew Neal
DEPUTY CITY CLERK / DIRECTOR OF POLICY

Margaret Gotsch
DIRECTOR OF SPECIAL PROJECTS

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Bill No. 41-25 - Special Exception at 1024
West Thomas Street

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=396899>

Committee Chair Dr. Oliver Davis called to order the Zoning and Annexation Committee meeting at 4:42 P.M.

Bill No. 29-25 - Amending the Zoning Ordinance for Property Located at 1144 and 1148 Sorin Street

Bill No. 29-25 was withdrawn.

Bill No. 30-25 - Special Exception at 1114 Mayflower Road

Mark Dellostritto, Zoning Specialist, with offices on the fourteenth (14th) floor of the County-City Building, South Bend, IN 46601, stated that Bill No. 30-25 requests a special exception for property located at 1114 Mayflower Road for use as a Pre-K, Primary, and Secondary School. The property contains a building that previously served as a daycare starting in 2012 and is consistent with the South Bend Comprehensive Plan.

Committee Chair Dr. Davis adjured the presenter.

Tim Staub, Zoning Specialist, with offices on the fourteenth (14th) floor of the County-City Building, South Bend, IN 46601, stated that the presenter communicated they were in route but the representative from Rhedi Management, Inc., was unable to attend the Committee Meeting.

Committee Member Troy Warner moved to send Bill No. 30-25 to the Full Council with no recommendation, which was seconded by Committee Member Karen L. White and carried by a vote of five (5) ayes with one (1) Citizen Member absent.

Committee Chair Dr. Oliver Davis - <i>Aye</i>	Committee Vice Chair Rachel Tomas Morgan – <i>Aye</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. 31-25 - Amending the Zoning Ordinance for Property Located at 314 West Chippewa Avenue

Tim Staub, Zoning Specialist, with offices on the fourteenth (14th) floor of the County-City Building, South Bend, IN 46601, stated that Bill No. 31-25 requests to amend the zoning ordinance for property located at 314 West Chippewa Avenue from Commercial (C) to Suburban Neighborhood 2 (S2). The site is currently a vacant lot, and the proposal is consistent with the South Bend Comprehensive Plan. The petitioner is Birge and Held (B&H), and they seek to construct a three-story (3) apartment with a common space and parking lot.

Tim Staub stated that the presenter communicated they were in route but the representative from B&H was unable to attend the Committee Meeting.



Committee Member Warner moved to send Bill No. 31-25 to the Full Council with no recommendation, which was seconded by Committee Vice Chair Rachel Tomas Morgan and carried by a vote of five (5) ayes with one (1) Citizen Member absent.

Committee Chair Dr. Oliver Davis - <i>Aye</i>	Committee Vice Chair Rachel Tomas Morgan – <i>Aye</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. 32-25 - Amending the Zoning Ordinance for Property Located at 1037 West Colfax Avenue (Substitute)

Committee Vice Chair Tomas Morgan moved to hear substitute Bill No. 32-25, which was seconded by Committee Member Warner and carried by a vote of five (5) ayes with one (1) Citizen Member absent.

Committee Chair Dr. Oliver Davis - <i>Aye</i>	Committee Vice Chair Rachel Tomas Morgan – <i>Aye</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>

Tim Staub, Zoning Specialist, with offices on the fourteenth (14th) floor of the County-City Building, South Bend, IN 46601, stated that Substitute Bill No. 32-25 requests to rezone a vacant property located at 1037 Colfax Avenue from Urban Neighborhood One (U1) to Urban Neighborhood Flex (UF). The petitioner is Miatt Properties LLC, and they seek to convert the existing vacant home into office space.

Committee Member White asked why staff had originally given an unfavorable recommendation.

Tim Staub stated that staff originally gave an unfavorable recommendation due to the petition not meeting the city plan to ensure adequate supply of housing. When the petition was brought before the Plan Commission, the petition was found to have a low impact on the neighborhood and the petition was found favorable with written commitments restricting the lots development potential.

Committee Chair Dr. Davis asked Tim Corcoran to verify why the Plan Commission changed their recommendation.

Tim Corcoran, Director of Planning, with offices on the fourteenth (14th) floor of the County-City Building, South Bend, IN 46601, stated that they were able to mitigate some of the concerns regarding rezoning from Urban Neighborhood One (U1) to Urban Neighborhood Flex (UF) through the written negotiations and proposed written statements.

Committee Member White mentioned the large number of written commitments.

Committee Vice Chair Tomas Morgan stated that she had questions and wanted to wait for the presenter.



Myra Reid, Miatt Properties LLC, 1822 East Fox Street, South Bend, IN 46613, stated that Miatt Properties LLC requests to rezone a vacant property located at 1037 Colfax Avenue from Urban Neighborhood One (U1) to Urban Neighborhood Flex (UF). This property has been vacant for four (4) years and has been occupied by unauthorized people, people without housing, and wild animals who have damaged the property. Myra Reid seeks to convert the existing vacant home into office space. Myra Reid stated that the property will remain the same, ensuring that the property will be maintained and the business signage will be sophisticated.

Committee Chair Dr. Davis asked why Myra Reid is interested in this particular property.

Myra Reid stated that the old home has character, and she sees the potential.

Committee Member Sherry Bolden Simpson asked to see a photo of the property.

Myra Reid showed a photo of the property.

Committee Vice Chair Tomas Morgan asked to hear more about the potential office space.

Myra Reid stated that the office space could be utilized by lawyers, doctors, accountants, mediators, and therapists.

Council Vice President Tomas Morgan asked the petitioner if the offices would be lived in on the property.

Myra Reid stated that no one would be living on the property.

Council Vice President Tomas Morgan asked the petitioner if there had been a discussion with the Plan Commission related to signage and the size of the sign.

Myra Reid stated that the business signage will be sophisticated and in line with Urban Neighborhood One (U1).

Council Vice President Tomas Morgan spoke on behalf of neighboring residents that expressed concern with Substitute Bill No. 32-25.

Committee Chair Dr. Davis asked to see a photo of the back of the property.

Myra Reid showed a photo of the back of the property.

Council Vice President Tomas Morgan expressed concern about Substitute Bill No. 32-25.

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

Committee Member White thanked the presenter and expressed appreciation and confidence that Myra Reid will honor the written commitments.

Committee Member White moved to send Substitute Bill No. 32-25 to the Full Council with a favorable recommendation, which was seconded by Committee Member Warner, and carried by a vote of four (4) ayes and one (1) nay with one (1) Citizen Member Absent.



Committee Chair Dr. Oliver Davis - <i>Aye</i>	Committee Vice Chair Rachel Tomas Morgan – <i>Aye</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. 39-25 - Special Exception at 1039 Lincoln Way West (Substitute)

Committee Member Warner moved to hear substitute Bill No. 39-25, which was seconded by Committee Member White and carried via a vote by voice.

Tim Staub, Zoning Specialist, with offices on the fourteenth (14th) floor of the County-City Building, South Bend, IN 46601, stated that while writing the ordinance there was a clerical error and the address was changed to read 1039 Lincoln Way West. Tim Staub stated that Bill No. 39-25 requests a special exception for property located at 1039 Lincoln Way West, South Bend, IN 46616, for use as vehicle rentals or vehicle sales. The property was formerly a Dairy King and Supermarket, and the neighborhood plan calls for the property to be storefront retail. Vehicle rentals or vehicle sales would not be under this guideline. Bill No. 39-25 comes to the Council with an unfavorable recommendation.

Fares Farhan, Tea Rose Lane, Mishawaka, IN 46544, stated that his family has owned the property for fifteen (15) years and ten (10) years ago the Supermarket was shut down. Fares Farhan stated that his family is trying to bring life back to the building and is requesting the special exception for the property to be used as a U-Haul rental center.

Committee Chair Dr. Davis asked if the property would be like the U-Haul Rental Center (UHRC) off Western Avenue.

Fares Farhan stated no that they did not want as many vehicles utilizing the property.

Committee Member White asked the presenter would be willing to have the office space utilized without the vehicles.

Fares Farhan stated that UHRC would need a place to park the vehicles.

Council President Lee thanked the presenter for their investment and expressed concern about the appearance of the property having multiple rental vehicles parked.

Fares Farhan stated that they have been maintaining the property and would continue to do so.

Committee Member Warner asked staff to explain in more detail about the issue with the alley.

Tim Staub highlighted the two (2) parcels involved and indicated that the two (2) options would be a public right of way without Public Works or vacating the alley way.

Council Member Sherry Bolden-Simpson expressed appreciation for the presenter wanting to bring life back to the neighborhood and expressed concern in regard to the possibility of vehicle sales. Council Member Bolden-Simpson asked if UHRC was the only entity that expressed interest in the property.



Fares Farhan stated other companies expressed interest in the property but UHRC was the only reputable company that expressed interest.

Council Member Bolden-Simpson mentioned leaving the property vacant as something for Council Members to think about.

Committee Chair Dr. Davis asked the staff if the South Bend Area Plan Commission works with written commitments.

Tim Staub stated that the current use was an ice cream shop and now is being looked at for UHRC.

Committee Chair Dr. Davis asked if having the ice cream shop apart of the neighborhood plan or was something else envisioned.

Tim Corcoran stated that the area plans and neighborhood plans were revised to be consistent with the present zoning ordinance. In the process of revising the zoning ordinance, all property owners were contacted.

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

Committee Member Warner moved to send Substitute Bill No. 39-25 to the Full Council with a unfavorable recommendation, which was seconded by Committee Vice Chair Tomas Morgan, and carried by a vote of four (4) ayes and one (1) nay.

Committee Chair Dr. Oliver Davis - <i>Aye</i>	Committee Vice Chair Rachel Tomas Morgan – <i>Aye</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. 40-25 - Special Exception at 1527 South Michigan Street

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

Tim Staub, Zoning Specialist, with offices on the fourteenth (14th) floor of the County-City Building, South Bend, IN 46601, stated that Bill No. 40-25 requests a special exception for property located at 1527 South Michigan Street for the use of Vehicle Service, Minor. The site was previously occupied by an automobile dealership. Staff recommended unfavorable due to the proposed use not being compatible with the recommendations of the 2015 Southeast Neighborhood Plan which called for dense commercial use at the Michigan and Indiana intersection. The Board of Zoning Appeals reviewed the staff's recommendation and found the site was developed for Vehicle Service, Minor and the special exception was warranted and a favorable recommendation was provided.

Fares Farhan, Tea Rose Lane, Mishawaka, IN 46544, stated that his family has been maintaining and repairing the property located at 1527 South Michigan Street and requests a special exception for the use of Vehicle Service, Minor.



Committee Chair Dr. Davis asked if there were any zoning constraints because the property had been vacant.

Tim Staub stated if the property had a different use, it would require a special exception to the zoning requirements.

Dr. Davis asked if this was the reason that the Board of Zoning Appeals approved this request.

Tim Staub stated that it was not necessarily the case but more with the context on how to assess the structure and the proposed use as Vehicle Service, Minor.

Committee Member White asked how many similar businesses are on Michigan Street.

Tim Staub stated that he did not know the exact number but there are several similar establishments.

Tim Corcoran stated that the reason that the Board of Zoning Appeals had denied previous requests but had approved this request is because the property had prior use as an automotive service center and the current request was consistent with that prior use.

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

Committee Member Warner moved to send Bill No. 40-25 to the Full Council with no recommendation, which was seconded by Committee Member White and carried by a vote of five (5) ayes with one (1) Citizen Member absent.

Committee Chair Dr. Oliver Davis - <i>Aye</i>	Committee Vice Chair Rachel Tomas Morgan – <i>Aye</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. 41-25 - Special Exception at 1024 West Thomas Street

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

Mark Dellostritto, Zoning Specialist, with offices on the fourteenth (14th) floor of the County-City Building, South Bend, IN 46601, stated that Bill No. 41-25 requests a special exception for the property located at 1024 Thomas Street, South Bend, IN 46601, to permit a school serving students in grades six (6) through twelve (12). The property was previously used for a Catholic School and Day Care and is fitting for the existing structure and is consistent with the Near West Side Neighborhood Plan

Joshua Caneff, Director of Admissions at Trinity School at Greenlawn, 1024 Thomas Street, South Bend, IN 46601, stated that Trinity School is grateful for this new chapter and is looking forward to moving into the near West Side neighborhood.

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



Council Member Bolden-Simpson asked what neighborhood would they reach out to for students to attend Trinity School.

Joshua Caneff stated that they would be reaching out to students within driving distance.

Committee Member White moved to send Bill No. 41-25 to the Full Council with a favorable recommendation, which was seconded by Committee Vice Chair Tomas Morgan carried by a vote of five (5) ayes.

Committee Chair Dr. Oliver Davis - <i>Aye</i>	Committee Vice Chair Rachel Tomas Morgan – <i>Aye</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 6:03 P.M.

Respectfully Submitted,

Dr. Oliver Davis, Committee Chair

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