

FEBRUARY 9, 2010

**PLAN COMMISSION
CITY OF MISHAWAKA, INDIANA**

A regular meeting of the Mishawaka Plan Commission was held Tuesday, February 9, 2010, at 7:00 p.m. in the Council Chambers, City Hall, 600 East Third Street, Mishawaka, Indiana. Commission members attending: Gary West, Matt Lentsch, Ross Deal, Ross Portolese, Murray Winn, Carol Sergeant, Edward Salyer, and Rosemary Klaer. Absent: Don McCampbell. In addition to members of the public, the following were also in attendance: John Gourley, Ken Prince, Greg Shearon, Peg Strantz, and Kari Myers.

Murray Winn turned the meeting over to Ken Prince, City Planner, for the election of officers.

ELECTION OF OFFICERS:

MOTION: Matt Lentsch moved to nominate Murray Winn as President. Ross Portolese seconded the motion. The motion passed with a vote of 7-0.

MOTION: Carol Sergeant moved to nominate Don McCampbell as Vice-President. Edward Salyer seconded the motion. The motion passed with a vote of 8-0.

MOTION: Ross Portolese moved to reappoint the Planning Staff for 2010. Matt Lentsch seconded the motion. The motion passed with a vote of 8-0.

MOTION: Gary West moved to adopt the 2010 Rules of Procedure. Rosemary Klaer seconded the motion. The motion passed with a vote of 8-0.

MOTION: Rosemary Klaer moved to adopt the 2010 Fee Schedule. Carol Sergeant seconded the motion. The motion passed with a vote of 8-0.

Murray Winn explained the Rules of Procedure.

The Minutes of the December 8, 2009, meeting were approved as distributed.

Conflict of Interest was not declared.

PUBLIC HEARING:

DESIGN REVIEW:

DR #10-01

A request submitted by Jimi Enterprises/Jimi Partnership requesting a Design Review Waiver from Sec 105-77 Architectural Color and Texture for **3820 Grape Road**, to utilize prototypical Honda Company building colors.

Brett Konarski, Wightman Petrie, 412 S. Lafayette Blvd., South Bend, represented Basney Honda. He said Basney plans to demolish the existing two buildings on the property and build a new two-story building. They are requesting a waiver for the building colors which will be a combination of white and off white with blue accents. He said the white color of the EIFS does not comply with the standards. Mr. Konarski said the colors are required by Honda Corporation; they want to

keep the appearance of their dealerships consistent and if they were to deviate from those colors, it could be a deal breaker for Honda.

Matt Lentsch asked when the project would begin. Mr. Konarski said perhaps March or April.

Murray Winn closed the Public Hearing on DR #10-01.

Staff Recommendation

The City typically stays clear of approving buildings that are white in nature, due to that fact that they stand out more than surrounding buildings and potential for glare from the sun. The specific color selection in the Design Review Ordinance was created to create a sense of unity amongst the various commercial buildings. With this as a concern, the Planning staff approached and met the petitioner to discuss potential options. The petitioner indicated that Honda Corporation is very specific in the style of buildings they construct and want to keep consistency throughout all their buildings and that a potential variance from Honda's architectural standards could be a deal breaker for this proposed project.

The City has seen several of these types of requests involving car dealerships and the corporate architectural standards that are placed on their building. Although the staff many times has concerns about and disagree with some of these corporation standards, we also realize the limitations that it puts on the local dealer and have in the past recommended approval provided other ordinance standards such as landscaping along the frontage is adhered to.

MOTION: Matt Lentsch moved to approve DR #10-01. Rosemary Klaer seconded; motion passed with a vote of 8-0.

SITE PLANS:

SP #10-A

A request submitted by Taco Bell of America, Inc. for final site plan approval of a new 2,855 SF restaurant (demolition of existing and new construction) located at **536 W. McKinley Avenue**.

Todd Huntington, GPD Associates, 520 S. Main St., Akron, OH, represented Taco Bell. He said Taco Bell plans to demolish their existing restaurant on McKinley that is old and build a new upgraded facility. He said the layout will be very similar to their existing location.

Mr. Huntington said the Board of Zoning Appeals granted a variance request earlier this evening for a reduction of parking spaces from 45 to 31 and a variance to permit three signs to extend above the parapet roof.

Mr. Huntington said he has worked with staff and they have offered comments and they have addressed those comments and will be adding some additional landscaping to the site plan. There are some minor adjustments needed to the site plan in order to comply with the requests.

Mr. Huntington said they also need to comply with the new stormwater ordinance and all stormwater will be contained on site up to the 100 year storm. There needs to be sufficient open or green space at the north end of the property and along the left side of the building. The majority of the existing site is impervious and now they are complying with the setback requirements. The entrance to the property from McKinley will remain the same.

Gary West asked if the Board of Zoning Appeals approved their variances tonight. Mr. Huntington said yes. He also said they need state approval for the building plans and hope to start construction in April.

Staff Recommendation

Provided a revised site plan is submitted addressing the outstanding items, the Planning Department recommends approval of Site Plan 10-A for a new Taco Bell restaurant because it meets the requirements of Sec. 137-35 Final Site Plan Approval regarding Final Site Plan Approval.

MOTION: Rosemary Klaer moved to approve SP #10-A. Edward Salyer seconded; motion passed with a vote of 8-0.

SP #10-B A request submitted by Jimi Enterprises/Jimi Partnership for final site plan approval of a new 34,459 SF two-story Basney Honda building (demolition of existing and new construction) located at **3820 Grape Road**.

Brett Konarski, Wightman Petrie, 412 S. Lafayette Blvd., South Bend, represented Basney Honda. He said the project consists of demolition of the existing two buildings on the property and construction of a new two-story Honda dealership with expanded parking on the adjacent parcel to the east. The project will utilize the existing water and sewer taps off of Edison Road. Stormwater retention will be handled with a French Drain underground system as the soil is sandy and allows for quick percolation into the soil.

Mr. Konarski said several variances were approved by the Board of Zoning Appeals earlier this evening and they are in the process of addressing comments from the Planning and Engineering Departments. He said Planning requested additional landscaping and Engineering wanted to make sure car carriers would not be unloaded on either Grape or Edison Roads; they must be unloaded on site. Mr. Konarski also said that grease and oil interceptors will be shown on the revised plans.

Mr. Lentsch asked if they agreed with all of the recommendations. Mr. Konarski said yes.

Gary West asked if the entire building would be two-story or just a portion of it. Mr. Konarski said the second story would be overlooking the showroom area.

Staff Recommendation

Provided that the variances are granted and a revised site plan is submitted addressing the outstanding items, the Planning Department recommends approval of Site Plan 10-B for a new Honda dealership facility because it meets the requirements of Sec. 137-35 Final Site Plan Approval regarding Final Site Plan Approval.

MOTION: Ross Portolese moved to approve SP #10-B. Rosemary Klaer seconded; motion passed with a vote of 8-0.

NEW BUSINESS: Ken Prince reminded everyone that Mayor Rea will be delivering the State of the City address on Monday, February 15 after the Common Council meeting.

ADJOURNMENT: 7:22 p.m.

Kenneth B. Prince, City Planner

Kari Myers, Administrative Planner