

**SEPTEMBER 11, 2018**

**PLAN COMMISSION  
CITY OF MISHAWAKA, INDIANA**

The regular meeting of the Mishawaka Plan Commission was held Tuesday, September 11, 2018, at 7:00 p.m. in the Council Chambers, City Hall, 600 East Third Street, Mishawaka, Indiana. Commission members attending: Chris Jamrose, Dale "Woody" Emmons, Don McCampbell, Murray Winn, Nick Troiola, Chris Tordi, Dale Freeman, and Kathleen White-Gadacz. Absent: Matt Lentsch. In addition to members of the public, the following were also in attendance: David Bent, Ken Prince, Derek Spier, Christa Hill, and Kari Myers.

---

Mr. Winn explained the Rules of Procedure.

---

The Minutes of the August 14, 2018, meeting, were approved as distributed.

---

Mr. Tordi declared a Conflict of Interest on Petition #18-21. No other Conflicts of Interest were declared.

---

**PUBLIC HEARING:**

**PETITION #18-21** A petition submitted by Garatoni Holdings LP V requesting to rezone **4405 and 4415 Grape Road** from C-1 General Commercial District to C-4 Automobile Oriented Commercial District. *Continued from the August 14, 2018, meeting. Petitioner requests continuance to October 9, 2018, meeting.*

Dale Freeman moved to continue Petition #18-21 to October meeting. Nick Troiola seconded; motion carried.

---

**PETITION #18-22** A request submitted by SLP Properties, LLC, requesting to annex and zone 55960 Clover Road, rear 181.5' of 55946 Clover Road, and rear 90.75' of 1828 East McKinley Avenue to I-1 Light Industrial District.

Terry Lang, Lang Feeney & Associates, 715 S. Michigan Street, South Bend, appeared on behalf of the Petitioners. He said SLP Properties is known as Hose Assemblies and two years ago they petitioned to expand the building and that has done them well and now they are bursting at the seams and are again looking to expand.

Mr. Lang said they currently lease space in Edwardsburg and have been able to purchase properties adjacent and want to put a building there. He said he doesn't know a lot about the building, but wanted to start the annexation and rezoning the properties.

Mr. Lang said the property on McKinley has a house on it and they own the property behind it. He said the homes will be coming down at some point. They need a lot of work to be rentable for the short time they would be needed and would tear down as soon as possible. Mr. Lang said they have approached the property owner to the east to tie into the existing building and they are not interested in selling at this time. However, he said the owner is

looking to proceed with what land he does own. He said annexing and zoning the property will allow Hose Assemblies to keep materials logistically where they are needed.

Mr. Tordi asked about the expansion timeline. Mr. Lang said as soon as the property is annexed, they may start immediately and they'll start work on plans as soon as this happens. He said they want to get footings in the ground this fall so they can work on construction during the winter.

Mr. Winn closed the Public Hearing on Petition #18-22.

### **Staff Recommendation**

*Staff recommends in favor of Petition 18-22 to annex and establish zoning to the I-1 Light Industrial District for the northern part of 1828 E. McKinley Avenue, the eastern part of 55946 Clover Road, and the western part of the 55960 Clover Road; and to rezone the southern part of 1828 E. McKinley Avenue from R-1 Single Family Residential to I-1 Light Industrial to allow for the construction of a warehouse/storage building.*

*This recommendation is based upon the following Findings of Fact:*

- 1. Existing Conditions - The subject parcels are located adjacent to industrial, commercial, and residential zoned properties with the area to be annexed and rezoned consisting of two existing single-family houses and vacant land. Adjacent land uses include single-family residential to north, single-family residential and an automobile service shop to the west, single-family residential to the south, and single-family residential and industrial to the east.*
- 2. Character of Buildings in Area - The character of the buildings located adjacent to and in the surrounding area are commercial, light industrial, and residential. The structures located to the east of the property to be annexed and zoned include a single-family house and industrial building.*
- 3. The most desirable/highest and best use – Because of the existing I-1 Light Industrial zoning and recent expansion of the adjacent industrial use to the east, the most desirable use for the property is the continuation of the existing light industrial use.*
- 4. Conservation of property values - The proposed zoning will not be injurious to property values in the surrounding area because the light industrial use is consistent with those located within the surrounding area. Furthermore, the required screening will protect those residential properties that are located adjacent to the property to be annexed and rezoned.*
- 5. Comprehensive Plan – The Comprehensive Plan, created in 1990, guided general commercial within this area. However, industrial uses were identified adjacent to the east of the property and the expansion of the existing I-1 Light Industrial use is consistent with the Comprehensive Plan.*

**MOTION:** Nick Troiola moved to forward Petition #18-22 to the Common Council with a favorable recommendation. Chris Tordi seconded; motion carried with a vote of 8-0.

---

**REPLAT #18-23** A request submitted by United Federal Credit Union seeking approval of the two (2) lot "Toscana Park P.U.D. Phase IV" subdivision.

Brian McMorrow, Abonmarche Consultants, 750 Lincolnway East, South Bend, appeared on behalf of the applicant. He said the southerly 1.2 acre lot is to be developed. He also said no new public streets are being proposed. There is an easement along the easterly side that will be amended to allow Torino Drive to be extended from the north.

Mr. Winn closed the Public Hearing on Replat #18-23.

**Staff Recommendation**

*The Planning Department recommends **approval** of the Preliminary and Final Replat for "Toscana Park P.U.D. Phase IV" pending minor revisions to the plat. A revised plat must be submitted prior to being recorded. This recommendation is based upon the fact that the replat meets all of the requirements of Section 133-107 (Preliminary Replat) and Section 133-110 (Final Replat) of the City of Mishawaka Subdivision Control Ordinance.*

**MOTION:** Kathleen White Gadacz moved to approve Replat #18-23. Dale "Woody" Emmons seconded; motion carried with a vote of 8-0.

---

**DESIGN REVIEW:**

**DR #18-04** A request submitted by Nickolivia LLC, requesting a waiver from the Mishawaka Design Review Ordinance Sections 105-76 Architectural Materials and Section 105-77 Architectural Color/Texture to permit a galvanized steel storage building at 122 North Hill Street.

Drew Sachau on behalf of Nickolivia, LLC, said they are requesting a 10' X 16' storage shed in the rear of the building and will not impede any street or easements. He said they are looking to use this material based on the historical basis of the building and to please the historical society. Mr. Sachau said they are trying to keep with the industrial feel being carried through the interior of the building.

Mr. Sachau said the shed is required for the storage of operating materials mainly for the catering business, tables, chairs, chef coats, and such. He said the building size and development and the space they had was limited and storage is also very limited and feel it's necessary for business.

Mr. Emmons said you have a beautiful building and why would you want to put up a metal storage shed that will get ugly as it ages. Mr. Sachau said as far as it being galvanized, it will not rust and they would love to do something if the HPC would approve and this was what was presented to them as their option. He said staff has recommended approval and it was their suggestion.

Mr. Emmons thought they should have something nicer in the back and then you go and stick up a metal shed. Mr. Sachau said they have a temporary option; a PODS container.

Mr. Emmons said they should have a more stable storage option. He said from experience, the galvanized sheds don't last and are not that sturdy.

Mr. Sachau asked Mr. Emmons if he had a different solution. Mr. Prince said staff gave them this direction as they had need for temporary storage. He said the building has served many uses and this is to be used for a specific storage and they asked what they

could do. He said what Lowe's stocks is totally inappropriate. Mr. Prince also said this area was originally slated for dumpster space. We have to get on the opposite side of the power lines. We would never approve this in front of the building, but in the rear is appropriate. He said there are quaint buildings at Lowes, but would not match the character of the building. In terms of the industrial character, it is in keeping with the style they have chosen to decorate.

Mr. Emmons asked if the dumpster area will be gated. Mr. Prince said they actually had it in the alley and we're working with the owners to allow an enclosure on that property. They want to minimize area they are taking and not gotten to the point where they can build the dumpster.

Mr. Emmons asked if the building will be enclosed. Mr. Prince said there is an alcove where it will sit.

Mr. Tordi asked if the HPC would let you put up a fence. Mr. Sachau said the HPC has been very particular in what they have done to the building. Mr. Prince said this was up for a Certificate of Appropriateness, but the owner didn't show up at their last meeting. A crucial issue was to minimize the changes to the exterior of the building.

Mr. Winn closed the Public Hearing on Design Review #18-04.

**Staff Recommendation**

*The Plan Staff recommends approval of Design Review Waiver #18-04 for Jesus Latin Grill and Tequila Bar to install a storage shed south of the building.*

**MOTION:** Mr. McCampbell moved to approve Design Review #18-04. Nick Troiola seconded; motion carried with a vote of 7-1 (Emmons).

---

**DR #18-05**

A request submitted by Hanei Developments, LLC requesting a waiver from the Mishawaka Design Review Ordinance Section 105-76 Architectural Materials to allow less than required 2/3 use of masonry/brick material on building façade at vacant property on Hickory Road north of 1030 West Edison Road.

Cullen Stanger, Ancon Construction, 2146 Elkhart, Road, Goshen, appeared on behalf of Hanei Developments, requesting for less than 2/3 of masonry required on the east, south, and north building elevations. He said the building elevations show an east façade with a masonry coverage of 39% instead of the required 66.7%. Full height metal panels are being proposed on the portion of the building on which a future expansion is anticipated. Masonry block, if located on this portion of the building, would be removed when the addition is constructed. The south and north façades will have a masonry coverage of 60.3% instead of the required 66.7%. This is due to maintaining a consistent 16' block height around building which will provide a cleaner appearance than stepping the block to match the slope of the roof and reduces the possibility of water leaks when block is trimmed out. The west façade facing Hickory Road will have a masonry coverage of 66.7% with the metal panels comprising the remaining 33.3%.

Mr. Winn closed the Public Hearing on Design Review #18-05.

**Staff Recommendation**

*Staff recommends approval of Design Review Waiver 18-05 to allow less than the required two-thirds (2/3), or 66.7%, of the east, north, and south building façade consisting of appropriate architectural materials. The combination and percentages of the proposed materials are reasonably consistent with the intent of the commercial design requirements. The Plan Commission has approved similar waiver requests for other commercial/retail buildings to allow for design flexibility and to encourage a diverse rather than uniform appearance.*

**MOTION:** Nick Troiola moved to approve Design Review #18-05. Don McCampbell seconded; motion carried with a vote of 8-0.

---

**SITE PLAN:  
SP #18-F**

A request submitted by United Federal Credit Union seeking final site plan approval of a 2,595 sqft credit union in Toscana Park, Granger.

Brian McMorrow, Abonmarche Consultants, 750 Lincolnway East, South Bend, appeared on behalf of United Federal Credit Union. He said if anyone attending the ribbon-cutting ceremony at the new location on Main Street, the materials and look of that building will be the same, but will be about half the size. Mr. McMorrow said the significant difference is there’s a community room at the other branch, but same in all other respects; lots of offices to conduct business, same type of facility. He said there are a few more parking spaces than needed so they can have human-to-human interaction.

Mr. McMorrow said they have received comments from Planning and Engineering and there are some housekeeping items to fix. He said they will accept Planning’s recommendation to build the sidewalk to improve pedestrian access on the west side for Grandview and Heritage Square. He also said they will take a closer look at landscaping along Gumwood and it may be sufficient, but will double check and get back to Planning on that.

**Staff Recommendation**

*Provided revised plans are submitted addressing the Planning and Engineering Department review comments, Staff recommends that the final site plan for the proposed 2,595 sq. ft. United Federal Credit Union with a potential future 740 sq. ft. addition be **approved**. This recommendation is based upon the site plan meeting all the requirements of Section 137-35 regarding Final Site Plan Approval.*

**MOTION:** Dale Freeman moved to approve Site Plan #18-F. Chris Tordi seconded; motion carried with a vote of 8-0.

---

**ADJOURNMENT:** 7:30 p.m.

---

Kenneth B. Prince, City Planner

---

Kari Myers, Administrative Planner