

**APRIL 9, 2019**

**PLAN COMMISSION  
CITY OF MISHAWAKA**

The regular meeting of the Mishawaka Plan Commission was held Tuesday, April 9, 2019, at 7:00 p.m. in the Council Chambers, City Hall, 600 East Third Street, Mishawaka, Indiana. Commission members attending: Murray Winn, Dale "Woody" Emmons, Chris Niedbalski, Matt Lentsch, Nick Troiola, Chris Tordi, Dale Freeman, and Kathleen White-Gadacz. Absent: Chris Jamrose. In addition to members of the public, the following were also in attendance: David Bent, Ken Prince, Derek Spier, Christa Hill, and Kari Myers.

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Mr. Lentsch explained the Rules of Procedure.

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The Minutes of the March 12, 2019, meeting, were approved as distributed.

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Conflict of Interest was not declared.

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**PUBLIC HEARING:**

**PETITION #19-04** A petition submitted by KISO INC. requesting to rezone **1211 West Sixth Street** from C-1 General Commercial District to R-2 Two-Family Residential District.

No one appeared to present the Petition. The Commission voted unanimously to continue the item to the May 14, 2019, meeting.

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**PETITION #19-05** A petition submitted by Marc Campbell requesting to rezone **215 and 217 South Elder Street** from R-1 Single Family Residential District to I-1 Light Industrial District.

Terry Lang, Lang Feeney & Associates, 715 S. Michigan Street, South Bend, appeared on behalf of the Petitioner. He said the property is located on Elder Street right at the railroad tracks and the north parcel is zoned I-1 and the south parcel R-1.

Mr. Lang said Mr. Campbell has been able to purchase the residential property and desires to rezone and have a mini storage project on site and a preliminary site plan has been included. He said the house may be used as an office for the facility, but will know further on.

Mr. Lang said the property is adjacent to the railroad tracks, the property across the streets is Abe's Plumbing and also Mr. Campbell's property and he'll be able to keep in close contact with it.

Mr. Lentsch closed the Public Hearing on Petition #19-05.

**Staff Recommendation**

Staff recommends in **favor** of rezoning Petition 19-05 to rezone approximately 1.9 acres located at 915 & 917 S. Elder Street from R-1 Single-Family Residential to I-1 Light Industrial to allow for the construction of a mini self-storage facility. This recommendation is based on the following findings of fact:

1. *Existing Conditions* – The subject property consists of two parcels with the south parcel including a single-family house and detached garage, and the north parcel being vacant. Adjacent land uses include a plumbing contractor to the east zoned heavy industrial, low density single-family properties to the south, vacant property zoned heavy industrial to the west, and an active rail line to the north.
2. *Character of Buildings* – The character of the buildings in the area are industrial to the east, and single-family residential to the south and to the north across the railroad tracks and E. 3<sup>rd</sup> Street.
3. *The most desirable/highest and best use* – Because of the parcel's location adjacent to existing low-density residential uses and an industrial (contractor) use, and a vacant property zoned for heavy industrial use, the most desirable use for the property is either continued use as single-family residential or an industrial use.
4. *Conservation of property values* – The proposed rezoning should not be injurious to property values in the area since it is compatible with the existing adjacent uses. Additionally, the site shall comply with all screening and landscaping requirements along property lines that are contiguous to residentially zoned properties.
5. *Comprehensive Plan* – The 2000 Mishawaka Comprehensive Plan, created in 1990, recommended medium density residential use within this property. However, the proposed land use is consistent with the existing adjacent industrial use and vacant property zoned for heavy industrial use.

**MOTION:** Dale Freeman moved to forward Petition #19-05 to the Common Council with a favorable recommendation. Nick Troiola seconded; motion carried with a vote of 8-0.

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**DESIGN REVIEW:**

**DR #19-02**

A request submitted by Manny Maleken requesting a waiver from the Mishawaka Design Review Ordinance Section 105-174 Signage Size Limitations for **318 Union Street**.

Brad Morris, US Signcrafters, 216 Lincolnway West, Osceola, appeared on behalf of Hop Station. He said they have 2 letters in the sign that are larger than allowed by the Design Review Ordinance and would like a waiver for 24" letter height for "H" and "S". Mr. Morris also said that Oliva's across the street also has larger letters.

Mr. Emmons asked why the letters have to be larger when we have guidelines; why can't you make them fit. Mr. Morris said he offered to reduce the height of the 2 letters, but the owner's felt the letters fit the scale of the sign better.

Mr. Prince said this is an important characteristic. The guidelines say no letter should be over 18", and all letters in the sign are less than 18" with the exception of the "H" and "S". He said when you think of the overall sign, they are trying to be artistic and only increasing

the height of 2 letters; the rest of the letters are less. Mr. Prince also said the overall sign is less than what is allowed. We have the standards as a guideline, but want people to be creative and encourage a waiver when creative, but not to abandon the guidelines.

Mr. Morris also stated the site is located at the end of a dead end street.

Mr. Troiola asked if the sign will be flush-mounted. Mr. Morris said yes.

Mr. Emmons asked if the overall length of the sign was within the guidelines. Mr. Morris said yes.

Mr. Emmons asked if the height was also within the guidelines. Mr. Morris said yes.

Mr. Prince said the sign is under 8' in length when they could have a 20' long sign by the ordinance.

Mr. Lentsch closed the Public Hearing on Design Review #19-02.

Mr. Lentsch said the guidelines are meant to provide guidance and it's meant for the Commission to make exceptions when appropriate.

**Staff Recommendation**

*The Plan Staff recommends approval of Design Review Waiver #19-02 for U.S. Signcrafters/Hop Station to install the sign as submitted.*

**MOTION:** Nick Troiola moved to approve Design Review #19-02. Murray Winn seconded; motion carried with a vote of 7-1 (Emmons).

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**ADJOURNMENT:** 7:12 p.m.

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Kenneth B. Prince, City Planner

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Kari Myers, Administrative Planner