

NOVEMBER 12, 2019

PLAN COMMISSION  
CITY OF MISHAWAKA

The regular meeting of the Mishawaka Plan Commission was held Tuesday, November 12, 2019, at 7:00 p.m. in the Council Chambers, City Hall, 600 East Third Street, Mishawaka, Indiana. Commission members attending: Chris Jamrose, Murray Winn, Dale "Woody" Emmons, Chris Niedbalski, Matt Lentsch, Nick Troiola, Chris Tordi, Dale Freeman, and Kathleen White Gadacz. In addition to members of the public, the following were also in attendance: 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 October 8, 2019, meeting, were approved as distributed.

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Conflict of Interest was not declared.

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**PUBLIC HEARING:**

**PLAT #19-03** A request submitted by Tony Rucano seeking approval of the three (3) lot Rucano Grape Road Minor Subdivision.

Greg Shearon, Danch, Harner & Associates, 1643 Commerce Drive, South Bend, appeared on behalf of the petitioner. He said there is currently one house on the property and they would like to make into 3 separate lots which will be for single family homes on those lots.

Mr. Shearon said they have dedicated right-of-way and also have given notice to owner they have to hook up to sewer and water when plat is done.

Mr. Lentsch closed the Public Hearing on Plat #19-03.

**Staff Recommendation**

*The Planning Department recommends **approval** of the Preliminary and Final Plat for the "Rucano Grape Road Minor Subdivision". An executed plat must be submitted prior to being recorded. This recommendation is based upon the fact that the subdivision plat meets all of the requirements of Section 133-73 / Preliminary Plat and Section 133-76 / Final Plat of the City of Mishawaka Subdivision Control Ordinance.*

**MOTION:** Dale Freeman moved to approve Plat #19-03. Nick Troiola seconded; motion carried with a vote of 9-0.

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**REPLAT #19-04** A request submitted by SCM 10X Mishawaka I LLC seeking approval of the three (3) lot Main Street Commons subdivision.

Mike Huber Abonmarche Consultants, 750 Lincolnway East, South Bend, appeared on behalf of the petitioner. He said they have been before the Commission before for a single development with multiple buildings. He said the tenant of the building wants to own the land and in order to do so will subdivide into 3 lots. Mr. Huber said the BZA approved developmental variances earlier this evening for landscaping and setbacks.

Mr. Winn asked if there will be a common drive on the east side that will go all the way to Edison Lakes Parkway. Mr. Huber said yes there will be cross-access.

Mr. Winn asked Mr. Prince if it is possible to request a stop sign for each of these going into each lot. He said it's surprising there is no stop sign either way. Mr. Prince said we can reach out. He said Portillo's is set up one way for now and said we don't have the ability to go onto private property to do that, but can reach out to them.

Mr. Lentsch closed the Public Hearing on Replat #19-04.

### **Staff Recommendation**

*Planning Staff recommends approval of the Preliminary and Final Replat for the Main Street Commons Subdivision pending submittal of revised and executed plat for recordation. This recommendation is based upon the fact that the subdivision meets all of the requirements of Section 133-107 / Preliminary Plat and Section 133-110 / Final Plat of the City of Mishawaka Subdivision Control Ordinance.*

**MOTION:** Mr. Winn moved to approve Replat #19-04. Chris Niedbalski seconded; motion carried with a vote of 9-0.

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**PETITION #19-16** A request submitted by Kevin Leach requesting to rezone **2228 Lincolnway West** from C-1 General Commercial District to R-1 Single Family Residential District. *Staff is recommending continuance to December 10, 2019, meeting.*

The Commission unanimously approved continuing the item to December 10, 2019, public hearing.

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### **DESIGN REVIEW:**

**DR #19-10** A request submitted by Holson Capital Group LLC requesting a waiver from the Mishawaka City Design Review Ordinance Section 105-171 Signage Form for **114 Lincolnway East (Prized Pig)** to allow a 4' X 6' sign on the back deck of the building.

James Izza said the sign started by a 4' X 8' sign. When they put it up in front of the building, it wasn't put up property and it could have fallen. It took 4-5 guys to get it down. He tried to get a permit and found it needed a waiver.

Mr. Izza said the sign is now a 4' X 6' sign with LED lighting and lexan face. He said he can put on the back wall or on a pole, but went with the most logical thought of what it should be and didn't want to put more holes in the building.

Mr. Emmons said there is consideration of a proposed 4' X 8' sign and staff recommendation is totally different.

Mr. Emmons said it's bulky and out of place.

Mr. Lentsch asked Mr. Prince about staff recommendation. Mr. Prince said the sign went up without a permit and they are asking approval of the 4' X 6' sign. he said staff felt it was bulky and out of place relative to downtown and should be modified. Mr. Prince said he modified the drawing and clearly they can do other things, but staff felt the 4' X 6' sign is out of place. It could potentially be placed on the building, but not sure where.

Mr. Lentsch asked if they would have issues cutting down the size of the sign. Mr. Izza said modifying the sign would make it two signs and they would have to charge the customer. They would prefer to keep the frame and faces cut to fit.

Mr. Emmons asked Mr. Prince was the Commission is voting on; the proposed sign or staff recommendation. Mr. Prince said the proposed sign unless amended by the applicant.

Mr. Lentsch asked if it was on the back of the building. Mr. Izza said it's on the back of the deck and the smoker is also on the deck which is built into the frame of the building and only faces the alley.

Mr. Emmons said he knows what you want, but he thinks its out of character and doesn't fit in with the facility or the neighborhood, especially being illuminated. He said staff's recommendation is far more fitting and if you had followed procedure you wouldn't be in this position.

Mr. Lentsch closed the Public Hearing on Design Review #19-10.

**Staff Recommendation**

*The Plan Staff recommends the logo and phone number be cut out of the sign to remove excess white area. This will make the sign look integral to the deck and not an addition.*

**MOTION:** Nick Troiola moved to approve Design Review #19-10. Kathleen White-Gadacz seconded; motion failed with a vote of 4-5 (Jamrose, Winn, Emmons, Niedbalski, Tordi).

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**DR #19-11**

A request submitted by The Foundation for the Center for Hospice and Palliative Care, Inc. requesting a waiver from the Mishawaka City Design Review Ordinance Section 105-174 Signage Size Limitations and Section 105-176 Signage Clutter at **501 Comfort Place** to allow oversize signage on new Ernestine M. Raclin House (519 Comfort Place) and multiple internal campus directory signs.

Richard Johnson, Burkhart Signs, 1247 Mishawaka Avenue, South Bend, and Mike Wargo, COO for Center for Hospice, 501 Comfort Place, presented the request for design review waiver.

Mr. Johnson said when Hospice first came to Mishawaka in 2013 they started as a single building with plans for expansion. Now they have 3 separate buildings with parking areas and there's a need to get everyone flowing around.

Mr. Johnson said they have a need for directional signage and those signs will exceed the 40 character limitation. They will consider the architecture and not just put up reflective street signs.

Mr. Johnson said relative to the Rachlin building they are exceeding both the 20' length limit as well as a few characters over 18" in height. He said in print, the building name (Ernestine M. Rachlin) adds to the sign clutter, but it's the most important building on the site with it being the 12-bed hospice building. Mr. Johnson said the name needs to be displayed and it's architecturally correct to the building.

Mike Wargo said this project has grown over time and the last building should be opening shortly. He said one of the challenges they have is directing traffic as people enter the campus and trying to figure out where to go. He said the signs will look attractive and they have given a lot of thought to the signs directing folks onto the site, Central Park and Cedar Street. Mr. Wargo said it's been a painstaking process and he hopes you'll agree with them.

Mr. Lentsch closed the Public Hearing on Design Review #19-11.

**Staff Recommendation**

*The Plan Staff recommends approval of Design Review 19-11 as the signage helps directs traffic round an over 4-acre campus.*

**MOTION:** Chris Tordi moved to approve Design Review #19-11. Murray Winn seconded; motion carried with a vote of 9-0.

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**DR# 19-12**

A requested submitted by F&C Mishawaka Development, LLC requesting a waiver from the Mishawaka City Design Review Ordinance Section 105-174 Signage Size

Limitations to allow a building sign with 30" letter height at **235 Ironworks Avenue.**

Kimmie Seely, 235 Ironworks Ave, said she is asking for a taller "K" and "L" in her signage which are taller than the 18". She said they are set back from the road and the sign would be virtually unreadable with letter height less than that.

Mr. Emmons said looking at the sign it appears to be 2 different sign types. Mr. Prince said what is being shown is Ms. Seely's proposed sign next to what code would allow.

Mr. Emmons asked where the sign faced. Mr. Prince said all commercial faces Mill Street.

Mr. Emmons said it was his understanding that the commercial side would be different facades. Mr. Prince said no, commercial was always meant to be one coherent façade. He said residential is varied, but commercial was always meant to be as this.

Mr. Letsch closed the Public Hearing on Design Review #19-12.

**Staff Recommendation**

*The Plan Staff recommends approval of Design Review 19-12 for Kalon Salon in Suite B as the first tenant. A comprehensive sign package shall be submitted before additional signs are permitted.*

**MOTION:** Kathleen White-Gadacz moved to approve Design Review #19-12. Nick Troiola seconded; motion carried with a vote of 9-0.

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**ADJOURNMENT:** 7:35 p.m.

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Kenneth B. Prince, City Planner

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Kari Myers, Administrative Planner