

MARCH 8, 2011

**PLAN COMMISSION
CITY OF MISHAWAKA, INDIANA**

A regular meeting of the Mishawaka Plan Commission was held Tuesday, March 8, 2011, at 7:15 p.m. in the Council Chambers, City Hall, 600 East Third Street, Mishawaka, Indiana. Commission members attending: Matt Lentsch, Ross Deal, Ross Portolese, Murray Winn, Don McCampbell, and Edward Salyer. Absent: Gary West, Carol Sergeant, and Rosemary Klaer. In addition to members of the public, the following were also in attendance: David Bent, Ken Prince, Greg Shearon, Peg Strantz, Kari Myers, and Joe Dits of the South Bend Tribune.

Murray Winn explained the Rules of Procedure.

The Minutes of the January 11, 2011, meeting, were approved as distributed.

Conflict of Interest was not declared.

PUBLIC HEARING:

REPLAT #11-01 A request submitted by Garatoni Holdings, Limited Partnership V, seeking approval of the Second Replat of Healthquest – Grape Road Minor Subdivision. *Continued from the January 11, 2011 meeting.*

Jeff Ballard, Danch, Harner, and Associates, 1643 Commerce Dr., South Bend, appeared on behalf of the Applicants. He said the area of the replat is land on Grape Road, north of the Lexus dealership.

Mr. Ballard said there is an ingress/egress easement between lots 3AA and 4AA (shown on the overhead) which will connect the Buffalo Wild Wings drive with the Tanglewood Trace drive and the purpose of the replat is to name the easement as "Tanglewood Lane."

Matt Lentsch asked if the road currently existed. Mr. Ballard said yes, they are just naming it.

Ross Portolese asked if it was a private road. Mr. Ballard said yes.

Don McCampbell asked if the drive will go all the way through. Mr. Ballard said it will connect with the existing Tanglewood Trace.

Murray Winn closed the Public Hearing on Replat #11-01.

Staff Recommendation

The Planning Department recommends that the Petitioner's request for preliminary and final replat approval of the Second Replat of Healthquest-Grape Rd Minor subdivision be approved. This recommendation is based on the fact that the Plat meets all the requirements of Section 133-107 (Preliminary Replat) & Section 133-110 (Final Replat).

MOTION: Matt Lentsch moved to approve Replat #11-01. Edward Salyer seconded; motion carried with a vote of 6-0.

REPLAT #11-03 A request submitted by the City of Mishawaka Redevelopment Commission seeking approval of the two (2) lot Wells and Sixth Replat.

Ken Prince, City Planner, appeared on behalf of the Redevelopment Commission. He said this area is located at Sixth and Wells Street and the City acquired the four blighted properties and demolished the buildings. He indicated at one time there had been over 20 apartments on these lots and the plan is to construct two new single family homes and in order to create two lots from the four lots, this replat is necessary.

Mr. Prince said earlier this evening, the Board of Zoning Appeals approved a variance for reduced front yard setback for a home that will be built by Habitat for Humanity of St. Joseph County. He said that there could have been three houses built on the lots, but two homes provided a more attractive option.

Mr. Lentsch asked if the City would eliminate the apartments. Mr. Prince said the land has been cleared and is currently vacant.

Mr. Portolese asked if the four lots were being divided into two lots. Mr. Prince said yes.

Ross Deal asked if Habitat was going to build both houses. Mr. Prince said he was unsure at this time.

Mr. Winn closed the Public Hearing on Replat #11-03.

Staff Recommendation

The Planning Department recommends that the Petitioners' request for preliminary and final Replat approval of the Wells and Sixth Replat be approved. This recommendation is based on the fact that the Plat meets all the requirements of Section 133-107 (Preliminary Replat) & Section 133-110 (Final Replat).

MOTION: Don McCampbell moved to approve Replat #11-03. Edward Salyer seconded; motion carried with a vote of 6-0.

REPLAT #11-04 A request submitted by S & D Realty II, LLC, William Rensberger, Stanley & Kimberly Franczek, Kenneth & Heather Kelley, Christopher & Kelly Craft seeking approval of the six (6) lot Estates East and Barrington 2nd Replat.

Terry Lang, Lang, Feeney & Associates, 715 S. Michigan Street, South Bend, appeared on behalf of the Petitioners. He said there are six lots that surround a pond that is essentially a retention easement and the lots are being reconfigured to extend each to the water's edge to have frontage on the water. Mr. Lang said also they can easily maintain the property.

Mr. Winn closed the Public Hearing on Replat #11-04.

Staff Recommendation

The Planning Department recommends that the Petitioners' request for preliminary and final Replat approval of the Estates East at Barrington 2nd Replat be approved. This recommendation is based on the fact that the Plat meets all the requirements of Section 133-107 (Preliminary Replat) & Section 133-110 (Final Replat).

MOTION: Don McCampbell moved to approve Replat #11-04. Matt Lentsch seconded; motion carried with a vote of 6-0.

PETITION #11-05 A request submitted by the City of Mishawaka Redevelopment Commission to rezone **550-552 W. Sixth Street, 548 W. Sixth Street, 546 W. Sixth Street, and 422 South Wells Street** to R-1 Single Family Residential District.

Ken Prince, City Planner, appeared on behalf of the Redevelopment Commission. He said this is the same property as Replat #11-03 and the properties are zoned commercial and industrial and need to be rezoned to R-1 to allow the new homes to be built on the properties.

Mr. Winn closed the Public Hearing on Petition #11-05.

Staff Recommendation

The Planning Department recommends approval of Petition 11-05 to rezone the northeast corner Wells Street & 6th Street from R-2 Two-Family Residential, C-1 General Commercial, and I-1 Light Industrial District to R-1 Single Family Residential District. This recommendation is based upon the following findings of fact:

- 1. The property's proximity to R-1 Single Family Residential District zoned properties would be compatible to the area and provide a strong sense of single family residential;*
- 2. Use and value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner because given the context of its location, its relationship to surrounding properties, and the potential of development of a duplex and/or industrial use , staff feels that the most desirable use for this property is single-family use;*
- 3. Because the parcel is located within a residential neighborhood and consists of a small lot size that is not sufficient for industrial development, the rezoning to R-1 Single-Family Residential is a desirable use for this property;*
- 4. As opposed to the range of potential two-family residential and industrial development that could occur with its current zoning, rezoning this property to the R-1 Single-family Residential classification will have a favorable and stabilizing impact on the neighborhood, conserving property values in the immediate and surrounding residential neighborhood'*
- 5. The proposed R-1 Single Family Residential zoning is consistent with the existing prominent residential neighborhood and with the 2000 Comprehensive Plan which identifies the area for low density residential use.*

MOTION: Ross Portolese moved to forward Petition #11-05 to the Common Council with a favorable recommendation. Ross Deal seconded; motion carried with a vote of 6-0.

REPLAT #11-06 A request submitted by LaFree Properties, L.L.C. seeking approval of the two (2) lot Bremen Highway Replat.

Daryl Knip, Abonmarche Consultants, 750 Lincolnway East, South Bend, appeared on behalf of the property owner. He said their request was to move the lot lines a bit to encompass all of the improvements on one lot and leaving one lot undeveloped.

Mr. Deal asked what the reason was for doing this. Mr. Knip said they are trying to clean this property up and this process actually started four years ago but was never completed. He said by moving the property line to include the parking and having the two buildings on one site would make it more marketable.

Rick Finney, 16150 Elmwood Ave., asked if there were plans to building anything on the vacant lot. Mr. Knip said no, not at this time.

Mr. Winn closed the Public Hearing on Replat #11-06.

Staff Recommendation

The Planning Department recommends that the Petitioners' request for preliminary and final Replat approval of the Bremen Highway Replat be approved. This recommendation is based on the fact that the Plat meets all the requirements of Section 133-107 (Preliminary Replat) & Section 133-110 (Final Replat).

MOTION: Matt Lentsch moved to approve Replat #11-06. Ross Portolese seconded; motion carried with a vote of 6-0.

ADJOURNMENT: 7:35 p.m.

Kenneth B. Prince, City Planner

Kari Myers, Administrative Planner