

**APRIL 12, 2011**

**PLAN COMMISSION  
CITY OF MISHAWAKA, INDIANA**

A regular meeting of the Mishawaka Plan Commission was held Tuesday, April 12, 2011, 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, Don McCampbell, Carol Sergeant, Edward Salyer, and Rosemary Klaer. In addition to members of the public, the following were also in attendance: Ken Prince, Greg Shearon, Peg Strantz, and Kari Myers.

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Murray Winn explained the Rules of Procedure.

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The Minutes of the March 8, 2011, meeting, were approved as distributed.

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Conflict of Interest was declared.

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Mr. Winn asked for a moment of silence for David Norris, former City Planner, who passed away suddenly over the weekend.

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**PUBLIC HEARING:**

**PETITION #11-07** A petition has been submitted on behalf of Anna M. Zirille, by Daniel Bilancio, Personal Representative, to rezone **1111 Division Street** from I-1 Light Industrial District to R-1 Single Family Residential District.

Daniel Bilancio, 2337 Normandy Drive, Mishawaka, personal representative of the property owner presented the request. He said while in the process of selling the home, they discovered the property was zoned I-1 Light Industrial and the purchaser is unable to secure financing. Mr. Bilancio indicated the home would be owner-occupied and not a rental.

Ross Portolese asked if the rezoning was required because the property is zoned industrial. Mr. Bilancio said yes, his mother lived there 60 years and she probably didn't realize it was zoned industrial.

**In favor**

Antonia Bilancio, 727 W. Lawrence Street, Mishawaka, said she is the listing agent for the home and Anna Zirille was her aunt. She indicated the purchaser; Charles Keen, Sr. was in attendance this evening to answer any questions.

Charles Keen, Sr., 1111 Division Street, said he and his son purchased the home together and discovered this unexpected problem with the zoning. He said he has been living in the home and is hoping to have the property rezoned to residential.

Carol Sergeant asked Mr. Keen if he would continue to live in the home. Mr. Keen said yes, it is going to be his home and he doesn't intend to resell it.

Mr. Winn closed the Public Hearing on Petition #11-07.

### **Staff Recommendation**

*The Planning Department recommends **approval** of Petition 11-07 to rezone 1111 Division Street from I-1 Light Industrial District to R-1 Single Family Residential District. This recommendation is based upon the following findings of fact:*

- 1. There are I-1 Light Industrial zonings to the west along the railroad tracks, but the neighborhood surrounding the property and to the south of the property used as single family dwellings;*
- 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 as an industrial project, staff feels that the most desirable use for this property is its historical single-family use;*
- 3. Because the parcel is located in an area of residential properties, the rezoning to R-1 Single-Family Residential is a desirable use for this property;*
- 4. As opposed to the range of potential 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; and,*
- 5. The City's Comprehensive Plan calls for low density residential so the rezoning is consistent with the historic residential uses in the area.*

**MOTION:** Matt Lentsch moved to forward Petition #11-07 to the Common Council with a favorable recommendation. Don McCampbell seconded; motion carried with a vote of 9-0.

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### **SITE PLAN:**

#### **SP #11-A**

A request submitted by Wellpet, LLC, for final site plan approval for a 67,946 sqft addition located at **1121 W. 11<sup>th</sup> Street**.

Mike Danch, Danch, Harner & Associates, 1643 Commerce Drive, South Bend, appeared on behalf of Wellpet. He said several buildings will be demolished to make room for the 68,000 sqft, one story, building addition.

Mr. Danch said the truck docks will be located along the front side of the addition with access from 11<sup>th</sup> Street.

Mr. Danch said he has been working with engineering on site details and this \$5-\$6 million dollar expansion will allow them to stay in Mishawaka. He also indicated Wellpet will add employees due to this expansion.

Ross Deal said the staff report requested a revised site plan. Mr. Danch said most of the concerns have been addressed and they are making corrections to the French drain.

Rosemary Klaer asked if 44 parking spaces would be adequate for 100 employees. Mr. Danch said that's over a three shift period during the day and the maximum is 25 during the day and tapers off after that.

**Staff Recommendation**

*Provided a revised site plan is submitted addressing the outstanding items, the Planning Department recommends approval of Site Plan 11-A for a 67946 square foot building addition to Wellpet because it meets the requirements of Sec. 137-35 Final Site Plan Approval.*

**MOTION:** Ross Portolese moved to approve Site Plan #11-A. Ross Deal seconded; motion carried with a vote of 9-0.

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**ADJOURNMENT:** 7:11 p.m.

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Kenneth B. Prince, City Planner

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Kari Myers, Administrative Planner