

**DECEMBER 11, 2012**  
**PLAN COMMISSION**  
**CITY OF MISHAWAKA, INDIANA**

A regular meeting of the Mishawaka Plan Commission was held Tuesday, December 11, 2012, at 7:00 p.m. in the council Chambers, City Hall, 600 East Third Street, Mishawaka, Indiana. Commission members attending: Matt Lentsch, Dale "Woody" Emmons, Ross Portolese, Murray Winn, Don McCampbell, Carol Sergeant, and Rosemary Klaer. Absent: Gary West and Edward Salyer.

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Murray Winn explained the Rules of Procedure.

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The Minutes of the November 13, 2012, meeting, were approved as distributed.

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Conflict of Interest was not declared.

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**PUBLIC HEARING:**

**PETITION #12-26** A petition submitted by Wilson Handres to rezone **608 East Mishawaka Avenue** from C-1 General Commercial District to R-1 Single Family District.

Wilson Handres, 608 E. Mishawaka Avenue, presented the Petition. He said he needs to rezone the property in order to refinance the house. He said the bank is giving him problems because of its commercial zoning. Mr. Handres said he has lived in the home for 11 years.

Mr. Winn asked if it was an apartment. Mr. Handres said no, it was a house.

Mr. Lentsch asked if he will continue to live there. Mr. Handres said yes.

Mr. Emmons asked if it was just needed to refinance. Mr. Handres said yes.

Mr. Winn closed the Public Hearing on Petition #12-26.

**Staff Recommendation**

*The Planning Department recommends **approval** of Petition 12-26 to rezone 608 East Mishawaka Avenue from C-1 General Commercial District to R-1 Single Family Residential District. This recommendation is based upon the following findings of fact:*

- 1. There are multiple zonings along the Mishawaka Avenue/Cedar Street corridor and many of the structures are residential in use. This property's proximity to the long established St. Michael's area to the north, and its historic use as a single family dwelling would be compatible to the area;*
- 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 a commercial 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 will allow the property owner to refinance the home and make improvements as he desires; and,*
5. *The City's Comprehensive Plan calls for general commercial but the rezoning is not inconsistent with the residential uses in the area.*

**MOTION:** Matt Lentsch moved to forward Petition #12-26 to the Common Council with a favorable recommendation. Rosemary Klaer seconded; motion carried with a vote of 7-0.

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**DESIGN REVIEW:  
DR #12-10**

A request submitted by One Properties 202 LLC requesting a Waiver from the Mishawaka Design Review Ordinance 105-170 Exterior Signage Colors, 105-173 Projecting Signage Clearance, and 105-174 Signage Size Limitations for **202 Lincolnway East**.

Scott Franko, US Sign Crafters, 216 Lincolnway East, Osceola, appeared on behalf PNC Bank. He said PNC Bank would like to brand their west elevation. Mr. Franko said they have a freestanding sign, but it is obscured from viewing from this direction. They also have a small sign over the doorway.

Mr. Franko said the logo would be 24" and reddish-orange in color that is discouraged by the Design Review Ordinance. He said PNC Bank would like to stick with their corporate standards and use their typical corporate branding. Mr. Franko said it would be in scale and in color with other signs on the property.

Mr. Emmons asked if the sign was for the west elevation only. Mr. Franko said yes, and overall it isn't that large of a sign.

Mr. Winn closed the Public Hearing on Design Review #12-10.

**Staff Recommendation**

*The Plan Staff recommends approval of Design Review Waiver 12-10 for PNC Bank signage located at 202 Lincolnway East.*

**MOTION:** Carol Sergeant moved to approve Design Review #12-10. Ross Portolese seconded; motion carried with a vote of 7-0.

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**NEW BUSINESS:**

Ken Prince said he received a letter from Carol Sergeant indicating she would not be returning next year and he said her 15 years of service needs to be acknowledged.

Mayor Dave Wood said he wanted to take the opportunity to thank Carol for serving the citizens of Mishawaka very well and wished her well in her retirement. He thanked her for her 15 years of service to three mayors and is an example for all to follow. Mayor Wood said he served with Carol for three years on the Plan Commission and will personally miss her as will the citizens of Mishawaka.

Carol Sergeant said it has been a sheer pleasure to be part of this group of people. She said she has enjoyed it and met a lot of wonderful people.

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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