

**JANUARY 8, 2013**

**PLAN COMMISSION  
CITY OF MISHAWAKA, INDIANA**

A regular meeting of the Mishawaka Plan Commission was held Tuesday, January 8, 2013, at 7:00 p.m. in the Council Chambers, City Hall, 600 East Third Street, Mishawaka, Indiana. Commission members attending: Gary West, Matt Lentsch, Dale "Woody" Emmons, Ross Portolese, Murray Winn, Nick Troiola, Edward Salyer, and Rosemary Klaer. Absent: Don McCampbell. In addition to members of the public, the following were also in attendance: David Bent, Ken Prince, Greg Shearon, Peg Strantz, and Kari Myers.

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Murray Winn turned the meeting over to Ken Prince, City Planner, for the election of officers.

**ELECTION OF OFFICERS:**

**MOTION:** Ross Portolese moved to nominate Murray Winn as President. Gary West seconded; motion carried with a vote of 7-1 (*Wynn*).

**MOTION:** Ross Portolese moved to nominate Matt Lentsch as Vice-President. Gary West seconded; motion carried with a vote of 7-0.

**MOTION:** Gary West moved to reappoint the Planning Staff for 2013. Matt Lentsch seconded; motion carried with a vote of 8-0.

**MOTION:** Ross Portolese moved to adopt the 2013 Rules of Procedure. Gary West seconded; motion carried with a vote of 8-0.

**MOTION:** Matt Lentsch moved to approve the 2013 Fee Schedule and 2013 Meeting Calendar. Edward Salyer seconded; motion carried with a vote of 8-0.

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Murray Winn explained the Rules of Procedure.

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The Minutes of the December 11, 2012, meeting, were approved as distributed.

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Conflict of Interest was not declared.

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**PLAT #13-01** A request submitted by McKinley Town & Country Shopping Centre, LP seeking approval of the one (1) lot Firestone at McKinley Town & Country Shopping Center Subdivision.

Brad Mosness, Abonmarche Consultants, 750 Lincolnway East, South Bend, appeared on behalf of the Petitioner. He said earlier this evening the Board of Zoning Appeals approved the necessary Developmental Variances resulting from the replat.

Mr. Mosness said the owner is creating a separate tax parcel in order to refinance debt. There are no improvements nor change of ownership planned.

Mr. Winn closed the Public Hearing on Plat #13-01.

**Staff Recommendation**

*The Planning Department recommends approval of the Preliminary and Final Plat for the Firestone Town & Country Shopping Center because the request is only associated with financing, and not related to improvements or the updating of the property. Furthermore, with the required variances, the plat meets the requirements identified within the City of Mishawaka Zoning Subdivision Control Ordinances.*

**MOTION:** Rosemary Klaer moved to approve Plat #13-01. Edward Salyer seconded; motion carried with a vote of 8-0.

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**DESIGN REVIEW:**

**DR #13-01**

A request submitted by TGM Properties, LLC, requesting a waiver from the Mishawaka Design Review Ordinance Section 105-174 Signage Size Limitations, Section 105-175 Signage Quantity, and Section 105-176 Signage Clutter at **113 South Main Street**.

Lynn Nemeth, Sign-A-Rama, 3310 Hickory Road, Mishawaka, appeared on behalf of the business owner. She asked for the Commission’s approval of the waiver.

Mr. Emmons asked what the waiver was for. Ms. Nemeth said it’s her understanding that the overall height of “Stevie’s Unique Treats” exceeds the limit.

Mr. Winn said another staff comment indicated there were 2 more characters on the sign than the Ordinance allows.

Mr. Emmons asked Ms. Nemeth what she was going to do to correct the situation. Mr. Prince said staff has not asked for any corrections. He said part of the Design Review Ordinance allows for the ability to ask for a waiver. Mr. Prince said the sign is appropriate for the building, but exceeds the allowed number of characters hence the reason for the waiver request.

Mr. Winn closed the Public Hearing on Design Review #13-01.

**Staff Recommendation**

*The Plan Staff recommends approval of Design Review Waiver 13-01 for Not Your Usual Bakery & Café and Stevie’s Unique Treats at 111 So. Main to allow:*

- *The 30” height of the Stevie’s with Butterfly symbol.*
- *Forty-two (42) characters*
- *Two individual building signs on the canopy*

**MOTION:** Matt Lentsch moved to approve Design Review #13-01. Dale “Woody” Emmons seconded; motion carried with a vote of 8-0.

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**DR #13-02**

A request submitted by TGM Properties, LLC, requesting a waiver from the Mishawaka Design Review Ordinance Section 105-176 Signage Clutter at **115 South Main Street**.

Lynn Nemeth, Sign-A-Rama, 3310 Hickory Road, Mishawaka, appeared on behalf of the business owner. She said this is the other half of the building shared by the bakery. She said the sign has 4 more characters than allowed by the Ordinance and the ARKOS Design exceeds 18" in height.

Mr. Winn closed the Public Hearing on Design Review #13-02.

**Staff Recommendation**

*The Plan Staff recommends approval of Design Review Waiver 13-02 for Arkos Design at 115 So. Main to allow:*

- *The 26" height of the Arkos Design figure/symbol*
- *The 44 character count*

**MOTION:** Gary West moved to approve Design Review #13-02. Dale "Woody" Emmons seconded; motion carried with a vote of 8-0.

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**ADJOURNMENT:** 7:15 p.m.

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Kenneth B. Prince, City Planner

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Kari Myers, Administrative Planner