

**AUGUST 13, 2013**

**PLAN COMMISSION  
CITY OF MISHAWAKA, INDIANA**

A regular meeting of the Mishawaka Plan Commission was held Tuesday, August 13, 2013, at 7:00 p.m. in the Council Chambers, City Hill, 600 East Third Street, Mishawaka, Indiana. Commission members attending: Gary West, Matt Lentsch, Dale "Woody" Emmons, Ross Portolese, Murray Winn, Don McCampbell, Nick Troiola, Edward Salyer, and Rosemary Klaer. In addition to members of the public, the following were also in attendance: David Bent, Greg Shearon, and Kari Myers.

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Murray Winn explained the Rules of Procedure.

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The Minutes of the July 9, 2013, meeting, were approved as distributed.

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Conflict of Interest was not declared.

**PUBLIC HEARING:  
PETITION #13-30**

A petition submitted by the City of Mishawaka to vacate public right of way(s) being: 1) the second east-west alley south of Stanley Street running from Sarah Street West approximately 151 feet; and 2) first north-south alley south of Stanley Street and West of Sarah Street running North from an existing east-west alley for approximately 120 feet to an existing east-west alley.

Greg Shearon, Senior Planner, City of Mishawaka, presented the Petition. He said this is was an alley vacation that should have been included last month, but was overlooked.

Mr. West said the properties were both platted alleys, but located in lawn areas. He said there is the possibility of selling the property to the adjacent owners and Redevelopment has been mowing these properties. Mr. West said it's easier to identify those that aren't used as alleys or access to trying to put back on the tax rolls.

Mr. Winn closed the Public Hearing on Petition #13-30.

**Staff Recommendation**

*Staff recommends in favor of Petition 13-30 to vacate public right of way being the second east-west alley south of Stanley Street running from Sarah Street West approximately 151 feet and the first north-south alley south of Stanley Street and West of Sarah Street running North from an existing east-west alley for approximately 120 feet to an existing east-west alley. This recommendation is based on the following findings of fact:*

- 1) *The vacation will not hinder the growth or orderly development of the neighborhood. The vacation will allow for improved growth and orderly development of the neighborhood.*
- 2) *The vacation of the established right-of-way will not make access to any adjacent property difficult or inconvenient.*
- 3) *The alley does not provide access to any church, school, public building or place and thus will not hinder the public's access to any of the aforementioned destination;*
- 4) *The proposed vacation will not hinder the use of any public way, utility or place.*
- 5) *This petition is not in specific conflict with the goals, objectives, and policies of the Comprehensive Plan.*

**MOTION:** Rosemary Klaer moved to forward Petition #13-30 to the Common Council with a favorable recommendation. Dale "Woody" Emmons seconded; motion carried with a vote of 9-0.

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**PETITION #13-31** A petition submitted by Garrison Holladay Heritage Square Delaware, LLC, requesting to amend the Heritage Square Planned Unit Development to revise the approved preliminary site plan and its associated conditions to allow for a hotel use and to amend the approved sign program.

Brad Mosness, Abonmarche Consultants, 750 Lincolnway East, South Bend, appeared on behalf of the Petitioners. Also in attendance was Manette Tepe of Holladay Properties.

Mr. Mosness said the hotel will be a new 101 room Hampton Inn & Suites with 4 stories and will be located adjacent to Martin's Supermarket on the west side and at the back of the Heritage Square development.

Mr. Mosness said the first step is to amend the Planned Unit Development to allow the use in the new location with an overall height of 59', rear yard setback of 20', parking modifications, and to allow for signage on Gumwood Road and SR 23 to provide additional identification for the hotel.

Manette Tepe, Holladay Properties, 227 S. Main Street, South Bend, said they have been working on this project for about five years. She said it's been well-publicized, but has not come to fruition due to market conditions.

Ms. Tepe said they submitted an application for Hampton Inn about a year and a half ago and they were awarded a franchise and are now in the planning stage. She said lending financing is nearly secure and they hope to break ground in the fall and be open at this time next year.

**Opposition**

The resident at 15731 SR 23 said she wasn't opposed to the project, but was inquiring if Gumwood would be widened at some point in the future.

Gary West said the City has preliminary plans to widen to five lanes from SR 23 north to Toscana Park, which is the City limit. He said they don't have the right of way on the west side of Gumwood and are working on it. He said we have the funds and have made provisions for utilities and should be fairly quick if we can get the right-of-way.

Mr. West said the County is working on two projects; a roundabout at Adams and Gumwood, and a roundabout at Brick and Gumwood and will move traffic out of the corridor during construction, so it will be at least a year.

Mr. Winn closed the Public Hearing on Petition #13-31.

**Staff Recommendation:**

*Staff recommends in favor of amending the Heritage Square PUD to allow for a hotel located within the internal non-outlot portion of the PUD with the following amended PUD developmental standards/conditions:*

- 1. The maximum building height for the hotel shall be limited to 59-feet.*
- 2. The rear building setback for the hotel, adjacent to Toscana Park, may be 20-feet*
- 3. The total number of parking spaces may be reduced to 4.1 parking spaces per 1000 sqft of building area for the internal non-outlot portion of the development including the hotel, and 4.9 spaces per 1000 sqft of existing building area when providing 1 parking space per hotel room and 1 parking space per hotel employee.*
- 4. An additional free-standing monument sign may be installed along Gumwood Road as submitted with the petition.*

5. *An additional directional sign may be located along State Road 23 as submitted with the petition.*
6. *An electronic reader board may be installed within the existing Heritage Square monument sign located along State Road 23 as submitted with the petition.*

*This recommendation is based upon the following findings of fact:*

1. *Existing Conditions-* The proposal is in keeping with the existing area by maintaining commercial uses.
2. *Character of Buildings in Area-* The character of the buildings located in the Heritage Square PUD is commercial. The proposed facility will be commercial in nature.
3. *The most desirable/highest and best use-* Due to the presence of the commercial activity in the surrounding area, the most desirable/highest use is the proposed commercial use.
4. *Conservation of property values-* The proposed zoning will not be injurious to property values in the surrounding area, because the proposed use is compatible with the surrounding commercial area.
5. *Comprehensive Plan-* This area was not identified within The Comprehensive Plan. However, the proposed is consistent with the commercial development of the area.

**MOTION:** Ross Portolese moved to forward Petition #13-31 to the Common Council with a favorable recommendation subject to the conditions of approval. Mr. West seconded; motion carried with a vote of 9-0.

**DESIGN REVIEW:**

**DR #13-08**

A request submitted by Jordan Motors Inc. requesting a waiver from the Mishawaka City Design Review Ordinance Section 105-76 Architectural Materials and Section 105-77 Architectural Color/Texture for 609 East Jefferson Boulevard, Mishawaka, Indiana.

Dean Bergaman, MPA Architects, 218 S. Frances Street, South Bend, appeared on behalf of Jordan Motors. He said they are requesting permission for Ford's corporate branding. He said there is one small change from what was originally submitted. He said they want the grey panel that is just a little darker; it isn't a significant change.

Mr. Winn closed the Public Hearing on Design Review #13-08.

**Staff Recommendation**

*It is the Staff's opinion that the proposed façade material/color is appropriate. The building is located within an area consisting of several industrial type uses. The Design Review Ordinance requirement for the utilization of appropriate architectural materials was specifically designed for concentrated areas of commercial development. The Design Review material requirements are intended to provide a common palette to accomplish some form of cohesiveness amongst various commercial developments. The fact that this property is located within a more industrial area and not within a concentrated commercial area substantiates consideration of the approval of this Design Waiver.*

*In addition, the City has seen several of these types of requests involving car dealerships and the corporate architectural standards that are placed on their building. Although the staff many times has concerns about and disagree with some of these corporation standards, we also realize the limitations that it puts on the local dealer and have in the past recommended approval.*

**MOTION:** Edward Salyer moved to approve Design Review #13-08. Don McCampbell seconded; motion carried with a vote of 9-0.

**SITE PLAN:**

**SP #13-E**

A request submitted by All Secure Self-Storage for a self-storage facility to be located behind Movies 14 on Edison Road.

Tim McCollough, McCollough Scholten Construction, 2112 Aeroplex Drive, Elkhart, presented the request for site plan approval. He said All Secure Self-Storage is proposing to develop land north of Movies 14 which is currently a wooded lot. He said there will be three storage buildings with an attached office and a two-story climate-controlled building in the interior of the site. Mr. McCollough said there is a similar two-story storage building on Turner's Drive just off of Ironwood.

Mr. Emmons asked if the site will be fenced in. Mr. McCollough said the buildings around the perimeter will act as a fence along with a block wall and retention area. He said he isn't sure about the south portion of the property.

Mr. Emmons asked if the drive will accommodate a semi-truck. Mr. McCollough said yes.

Mr. Emmons asked about building lighting. Mr. McCollough said there will be wall packs on the buildings and proposed parking lot lighting strictly for entry down the main drive.

**Staff Recommendation**

*Staff recommends that the request for final site plan approval for the Cinema Storage All-Secure facility be approved. This recommendation is based on the fact that the site plan meets all the requirements of Section 137-35 Final Site Plan Approval.*

**MOTION:** Matt Lentsch moved to approve Site Plan #13-E. Don McCampbell seconded; motion carried with a vote of 9-0.

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**ADJOURNMENT:** 7:21 p.m.

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Greg Shearon, Senior Planner

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Kari Myers, Administrative Planner