

**JANUARY 13, 2015**

**PLAN COMMISSION  
CITY OF MISHAWAKA, INDIANA**

A regular meeting of the Mishawaka Plan Commission was held Tuesday, January 13, 2015, 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, Victor Kasznia, and Kathleen White Gadacz. Absent: Don McCampbell. In addition to members of the public, the following were in attendance: David Bent, Ken Prince, Greg Shearon, Christa Hill, 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. Matt Lentsch motion carried with a vote of 8-0.

**MOTION:** Nick Troiola moved to nominate Matt Lentsch as Vice-President. Dale "Woody" Emmons seconded; motion carried with a vote of 8-0.

**MOTION:** Gary West moved to adopt the 2015 Rules of Procedure, 2015 meeting calendar, and fee schedule. Nick Troiola seconded; motion carried with a vote of 8-0.

**MOTION:** Ross Portolese moved to reappoint the Planning Staff for 2015. Dale "Woody" Emmons seconded; motion carried with a vote of 8-0.

**MOTION:** Matt Lentsch moved to appoint Ross Portolese to the Board of Zoning Appeals. Matt Lentsch seconded; motion carried with a vote of 8-0.

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Mr. Winn welcomed Kathleen White Gadacz to the Plan Commission.

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Mr. Winn explained the Rules of Procedure.

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The Minutes of the November 12, 2014, meeting, were approved as distributed.

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Conflict of Interest was not declared.

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**PUBLIC HEARING:**

**PETITION #15-01**

A petition submitted by Thomas E. and Patricia L. Benford, and Mathew and Sherianne Johnson requesting to rezone **140 West Marion Street, 144 West Marion Street, 148 West Marion Street, and 150 West Marion Street** from I-2 Heavy Industrial District to R-1 Single Family Residential District.

Patricia Benford, 144 W. Marion Street, presented the Petition. She said she and her husband and Mr. and Mrs. Johnson wish to rezone their properties to R-1 Single Family Residential. She said her mother passed away and they cannot proceed with the sale of 150 W. Marion Street until it has been rezoned. Mrs. Benford said they are also the only homes left in the area zoned Industrial and thought it best to rezone now as well.

Mr. Lentsch asked if they were single family homes. Mrs. Benford said yes.

Mr. Portolese asked which of these properties the vacant lot is. Mrs. Benford said 140 W. Marion Street and they own the lot.

Mr. Winn closed the Public Hearing.

**Staff Recommendation**

The Planning Department recommends **approval** of Petition #15-01 to rezone 140 W. Marion Street, 144 W. Marion Street, 148 W. Marion Street, and 150 W. Marion Street from I-2 Heavy Industrial District to R-1 Single Family Residential District. This recommendation is based upon the following findings of fact:

1. *There are some industrial zonings in the neighborhood, but the neighborhood surrounding the property to the south, and east are used as single family dwellings, and their historic use as a single family dwellings would be compatible to the area;*
2. *Use and value of the area adjacent to the properties included in the rezoning will not be affected in a substantially adverse manner because given the context of their location, their relationship to surrounding residential properties, and the potential of development as an industrial project, staff feels that the most desirable use for these properties is their historical single-family use;*
3. *Because the parcels area located in an area of residential uses, the rezoning to R-1 Single-Family Residential is a desirable use for these properties;*
4. *As opposed to the range of potential industrial development that could occur with the current zoning, rezoning these properties 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 industrial use, however, the Plan calls for low density residential immediately to the south and to the east, and their historic use as single family homes is compatible and consistent with the historic residential uses in the area.*

**MOTION:** Matt Lentsch moved to forward Petition #15-01 to the Common Council with a favorable recommendation. Dale “Woody” Emmons seconded; motion carried with a vote of 8-0.

**REPLAT #15-02** A request submitted by Pyramid Properties, Inc. and PKB Realty II, Inc. seeking approval of the First Replat of Pyramid Subdivision of Lot A, Lighthouse Minor Subdivision.

Petitioner requested this item be continued to the February 10, 2015, meeting. Motion carried.

Mr. Prince said it was asked at the last meeting about starting a Comprehensive Plan Amendment. He said he’s not prepared to do that at this meeting, but please look at appointments to committees for next month’s meeting so we can move forward on this in the future.

**ADJOURNMENT:** 7:10 p.m.

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Kenneth B. Prince, City Planner

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Kari Myers, Administrative Planner