

**APRIL 14, 2015**

**PLAN COMMISSION  
CITY OF MISHAWAKA, INDIANA**

A regular meeting of the Mishawaka Plan Commission was held Tuesday, April 14, 2015, at 7:00 p.m. in the Council Chambers, City Hall, 600 East Third Street, Mishawaka, Indiana. Commission members attending: Gary West, Dale "Woody" Emmons, Ross Portolese, Murray Winn, Don McCampbell, Nick Troiola, Victor Kasznia, and Kathy White-Gadacz. Absent: Matt Lentsch. 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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Mr. Winn explained the Rules of Procedure.

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The Minutes of the March 10, 2015, meeting, were approved as distributed.

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Conflict of Interest was not declared

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**PUBLIC HEARING:**

**PLAT #15-09**

A request submitted by Marc Campbell requesting approval of the two (2) lot Campbell's Elder Street Minor Sub.

Terry Lang, Lang, Feeney & Associates, 715 S. Michigan Street, South Bend, presented the request. He said the two parcels being platted are existing. One lot is in the city and the other in the county with the property line running thru the middle. Mr. Lang said the request is to reconfigure the property lines.

Mr. Lang said this property was annexed a month or so ago and platting the property is the final process so each building has its own parcel.

Mr. Winn closed the Public Hearing on Plat #15-09.

**Staff Recommendation**

*Provided the aforementioned items are addressed, the Planning Department recommends approval of the Preliminary and Final Plat for the Campbell's Elder Street Minor Subdivision because it meets the requirements identified within the City of Mishawaka Zoning Subdivision Control Ordinances.*

**MOTION:**

Ross Portolese moved to approve Plat #15-09. Dale "Woody" Emmons seconded; motion carried with a vote of 8-0.

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**REPLAT #15-10**

A request submitted by Saint Pius X Catholic Church requesting approval of the two (2) lot Fourth Replat of Healthquest-Grape Road Minor Subdivision.

Jeff Ballard, Danch, Harner & Associates, 1643 Commerce Drive, South Bend, presented the request on behalf of St. Pius. He said earlier this year the Petitioner received approval to

install a 195' cell tower that will be 600' west of Grape Road and be accessed thru an access drive. Mr. Ballard said the replat will create a lot for the tower and will be ½ acre and will consist of the tower and equipment. The remaining area, lot 5A will remain vacant.

Mr. West asked if the tower would be in close proximity to any buildings. Mr. Ballard said it doesn't appear to be real close. The existing buildings are to the north of the tower.

Mr. Winn closed the Public Hearing on Replat #15-10.

**Staff Recommendation**

*The Planning Department recommends approval of the Preliminary and Final Replat for Fourth Replat of Healthquest-Grape Road Minor Subdivision. This recommendation is based on the fact that the Replat meets all the requirements of Section 158.50 – Section 158.60 (Subdivision Replats).*

**MOTION:** Nick Troiola moved to approve Replat #15-10. Don McCampbell seconded; motion carried with a vote of 8-0.

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**PLAT #15-11** A request submitted by AJP Properties, LLC, requesting approval of the three (3) lot "The Sanctuary" subdivision.

Brad Mosness, Abonmarche Consultants, 750 Lincolnway East, South Bend, appeared on behalf of the Petitioner. He said Joe Dunfee of AJP Properties was also in attendance.

Mr. Mosness said they are requesting approval of the three lot subdivision. He said Mr. Dunfee has worked with the City to provide land for the future city trail on the south side of the property.

Mr. Winn closed the Public Hearing on Plat #15-11.

**Staff Recommendation**

*Provided the aforementioned items are addressed, the Planning Department recommends approval of the Preliminary and Final Plat for the Sanctuary Subdivision because it meets the requirements identified within the City of Mishawaka Zoning Subdivision Control Ordinances.*

**MOTION:** Ross Portolese moved to approve Plat #15-11. Victor Kasznia seconded; motion carried with a vote of 8-0.

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**DESIGN REVIEW:**

**DR #15-02** A request submitted by ANF Real Estate requesting a waiver from the Mishawaka City Design Review Ordinance Section 105-175 Signage Quantity for 201 Lincolnway West, Mishawaka, Indiana.

Jerry Frost, Frost Engineering, 201 Lincolnway Way West, owner of the building and said they are requesting two signs each for two tenants at this location.

Mr. Emmons said it appears the lettering is quite large. Mr. Frost said the background is a black/bronze which matches the windows with white lettering.

Mr. Prince said it's hard to tell the size from the graphic. He said the letters are actually quite small and insignificant relative to the size.

Mr. Emmons asked what the signs were made of. Mr. Frost said a durable weather plastic with stainless steel fastenings.

Mr. Winn closed the Public Hearing on Design Review #15-02.

**Staff Recommendation**

*The Planning Staff recommends approval of Design Review Waiver #15-02 for 201 Lincolnway West to install the four (4) requested signs as submitted. Staff feels that given the small size of the signs, the requested sign package is appropriate for the use and size of the building.*

**MOTION:** Victor Kasznia moved to approve Design Review #15-02. Kathleen White-Gadacz seconded; motion carried with a vote of 8-0.

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**SITE PLAN:  
SP #15-A**

A request from Black Gold Ventures LLC requesting Final Site Plan approval for a 4,654 sqft gas station/convenience store to be located at the **northwest corner of Jefferson Boulevard and Byrkit Avenue**. *Continued from the March 10, 2015, meeting.*

Phil Troyer, P.A. Troyer, Inc., 1510 W. Ludwig Road, Ft. Wayne, IN, appeared on behalf of Black Gold Ventures. He said also in attendance is Trout Moser, Bluffton, IN.

Mr. Troyer said this piece of property within the plat has been set aside for the purpose of a convenience store. He said there has also been additional right-of-way set aside along Byrkit and Jefferson. Mr. Troyer said they'll use the existing infrastructure and provide 2 new traffic cuts and will also serve the adjacent property. Mr. Troyer added that they are not involved in developing the rest of the property, but will coordinate with their developer for access.

Mr. Troyer said they are providing significant landscaping including shade trees, shrubbery and have accommodated stormwater control. The basin is located at the northwest part of the property and it will hold water from their facility and can be expanded as additional properties are developed.

Mr. Troyer said because there is fuel on this site, they have a propriety structure so fuel cannot escape into the stormwater. The site will have 4 fuel pumps, convenience store and attached Subway. They also intend to sell pizza, subs, and all kinds of hot foods and should be quite a destination.

Mr. Troyer said the building will be masonry block, split and smooth, in 2 color combinations; tan and brown combination of synthetic stone and 2 colors of stain will be used on the block. The tan and beige will coordinate with the stone. The roof will be an architectural metal in a terra cotta color; they're staying away from the reds and blues.

Mr. Troyer said the site will have state-of-the-art LED lighting to reduce light spillage onto the street. There will be some indirect lighting mounted on the building which will wash down the building and not project out. They want to keep the site safe, but not garish.

Mr. Portolese asked when construction will begin. Mr. Troyer said they are anxious to get started; perhaps within 30 days.

Mr. Emmons asked about the construction timeline. Mr. Troyer said the build will take about 3 months.

**Staff Recommendation**

*Provided a revised site plan is submitted and reviewed, Staff recommends that the request for final site plan for a fueling station/convenience store at the Highland Marketplace PUD located at the northwest corner of Jefferson Blvd and Byrkit avenue. This recommendation is based on the fact that the site plan meets all the requirements of Section 137-35 Final Site Plan Approval.*

**MOTION:** Ross Portolese moved to approve Site Plan 15-A. Don McCampbell seconded; motion carried with a vote of 8-0.

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**NEW BUSINESS:**

Brett Parks, Not Just a Garden Center, 1502 Union Street, said if possible, he would like to get preliminary approval if possible on some renovations at his business. He’s getting ready for an upcoming open house, and had planned on installing slate blue siding, clay for gable with white trim. Mr. Parks said he’s gotten permit to install roofing and siding.

Mr. Emmons said he’s done a good job incorporating the colors.

Mr. Parks said he would come back to the Commission for formal design review, but wants everything ready for the open house.

The Commission took an informal vote and everyone approved.

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

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Kenneth B. Prince, City Planner

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Kari Myers, Administrative Planner