

REGULAR MEETING OF THE MISHAWAKA COMMON COUNCIL
February 5, 2018

Be it remembered that the Common Council of the City of Mishawaka, Indiana met in the Council Chambers of the Mishawaka City Hall on Monday February 05, 2018, at 7:00 p.m. The meeting was called to order by President Mammolenti all were asked to stand for the Pledge of Allegiance with a moment of silence for two young Mishawaka individuals Tyler Allman and Anthony Eddy.



Roll Call.

Present: Mrs. Voelker, Mr. Tanner, Mr. Mammolenti, Mr. Banicki, Mr. Emmons, Mr. Bellovich, Mr. Canarecci, Mr. Deal.

Absent: Mr. Compton.

The minutes from the January 15, 2018 meeting were approved as received from the City Clerk's Office.

Clerk Block read a letter from the City Plan Commission and Board of Zoning Appeals regarding recommendations from their January 9, 2018 meeting.

Appeal No. 2018-02 Use Variance to allow Car Repair/Body & Paint Shop
and Beauty Shop in I-1 Light Industrial – 1200 W. Sixth St.

Appeal No. 2018-07 Use Variance to allow expansion of JP'S complete
Auto Care in I-1 light Industrial – 1802 W Sixth St.

Petition No. 2018-05 PUD Amendment to allow Microblading – 6910 N.
Main Unit 21 & 22

Clerk Block read the following proposed ordinance by title and opened the public hearing.

PROPOSED ORDINANCE NO. 2018-02

**AN ORDINANCE AMENDING CHAPTER 137, OF THE MUNICIPAL
CODE OF THE CITY OF MISHAWAKA, INDIANA, AS FROM TIME TO TIME
AMENDED, COMMONLY KNOWN AS "THE ZONING ORDINANCE OF 1966" OF
THE CITY OF MISHAWAKA, INDIANA.**

(Rezone from C-7 to C-9 Auto Sales 3825 LWE)
(Assigned to the Land Use Planning Committee)

Mr. Tanner reported the Land Use Planning Committee recommended this proposed ordinance should be adopted and moved for acceptance of same upon a second by Mr. Banicki motion carried.

Greg Shearon, Danch Harner & Associates represented petitioners. He said the petitioners were requesting approval for rezone of property at 3805 Lincoln Way East. Mr. Shearon continued to say the property was a drive-in restaurant for several years but was now vacant. He went on to discuss the petitioners plan to run an auto sales business. Mr. Shearon mentioned there were several auto sales in the area.

Mrs. Voelker said she seen a similar drive-in restaurant rezoned to auto sales on McKinley. She asked were there residence next door to the property, if so were they notified. Mr. Shearon replied yes, they were notified.

Mr. Tanner asked was this property Korbelli's Restaurant and was the property large enough for auto sales. Mr. Shearon replied yes, they were also going before the Board of Zoning to request a feet reduction in the pavement set back along the right-of-way to give more space for the vehicles along Ray Street and Lincoln Way East.

Mr. Mammolenti asked how many cars would be on the lot. Mr. Shearon said 15 to 20 cars.

Mrs. Voelker asked would they keep the existing building. Mr. Shearon said yes.

Mr. Canarecci asked would there be a service repair shop. Mr. Sharon answered no, it was not allowed in C-9 zoning, sales only.

Mr. Tanner expressed he was sorry to see Korbelli's go.

Questioned was called for at 7:09 P.M. for **PROPOSED ORDINANCE NO. 2018-02**  
Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 9). **Yes:** Mrs. Voelker, Mr. Compton, Mr. Tanner, Mr. Mammolenti, Mr. Banicki, Mr. Emmons, Mr. Bellovich, Mr. Canarecci, Mr. Deal. Thus, it becomes **ORDINANCE NO. 5610**

PROPOSED ORDINANCE NO. 2018-03

AN ORDINANCE AMENDING CHAPTER 137, OF THE MUNICIPAL CODE OF THE CITY OF MISHAWAKA, INDIANA, AS FROM TIME TO TIME AMENDED, COMMONLY KNOWN AS "THE ZONING ORDINANCE OF 1966" OF THE CITY OF MISHAWAKA, INDIANA.

(Assigned to the Land Use Planning Committee)

Mr. Banicki reported the Land Use Planning Committee recommended this proposed ordinance should be adopted and moved for acceptance of same upon a second by Mr. Canarecci motion carried.

Brian McMorrow, Abonmarche Consultants spoke on the behalf of Gumwood Acquisitions LLC who owned the property known as Grandview located on the NW corner of Gumwood and Cleveland. Mr. McMorrow went on to say they appeared back in 2014 to for a Planned Unit Development for a full buildout for this property. He said they have returned to amend a portion

of the Grandview PUD to allow phase II to be higher end rentals instead of senior care that was previously approved. Mr. McMorrow explained Phase I of the 200 apartment rental units was made available and was completely occupied within a year. He said the market has shown the need for the high-end apartments, so the petitioners would like to add higher end rental units on Phase II of the property in place of the assisted living and nursing home facility. Mr. McMorrow mentioned efforts were made to negotiate with that type of land use over the last couple of years, no deals came forward. He said they felt it was best to continue the residential character and begin to introduce some retail and commercial on the ground floor of the building that would be closest to Gumwood.

Mrs. Voelker questioned the height and use of fiber cement of the building compared to the existing building. She also questioned the throat stacking of cars. Mr. McMorrow said the phase I building was three stories, they plan to add an additional story to the building just behind the building on Gumwood to give a cascade affect. He continued to say it would be consistent with other commercial development on Heritage Square and Toscana Park. Mr. McMorrow went on to say he did not believe they used fiber cement on the existing building but the use for the type of cement was becoming more common. He added they were at the beginning of the design phase, part of the build would be cement and the buildings would be comparable in color compared to the existing building but still be visually different. Mr. McMorrow explained the throat stacking was the main drive aisles into the properties from its various access points. He said they were proposing the written provision be essentially equal to what they built in phase I; they felt it was adequate given the traffic flow in and out of the property. Mr. McMorrow continued to say they would continue to use the entrance by the clubhouse and the second entrance would be at the signalize intersection on Gumwood on the south end. He mentioned they were going to eliminate a planned interim connection which would reduce the number of curb cuts to make it safer to travel on Gumwood.

Mr. Tanner mentioned concerns of pedestrians crossing on Gumwood. He asked was there any collaboration to coordinate pedestrians crossing along the corridor. Mr. McMorrow replied absolutely, they would be extending the walkway from Granger and they felt having pedestrian crossing at the signaled intersection on Gumwood would make it easier and safer to cross.

Question was called for at 7:17 P.M. for **PROPOSED ORDINANCE NO. 2018-03**  **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 9). **Yes:** Mrs. Voelker, Mr. Compton, Mr. Tanner, Mr. Mammolenti, Mr. Banicki, Mr. Emmons, Mr. Bellovich, Mr. Canarecci, Mr. Deal. Thus, it becomes **ORDINANCE NO. 5611**

NEW BUSINESS

Mr. Emmons announced the First District Neighborhood Meeting would be February 15, 2018 at St. Bavo's School at 7:00 P.M. The speaker would be Phil Blasko, Superintendent of Parks speaking on plans for the new Mary Gibbard Park. Mr. Emmons also mentioned there would not be a neighborhood meeting in March, they would continue in April.

Mr. Tanner announced, "The Oaks" Neighborhood Meeting would February 13, 2018 at Albright United Methodist Church at 6:00 P.M. He said meetings would be every other month on the second Tuesday of the month. Speakers were to be announced at a later date.

Mr. Deal and Mr. Mammolenti stated the Twin Branch Neighborhood Meeting would be February 21, 2018 at 7:00 P.M. The speaker would be Dean Huppert, Mishawaka Athletic Director.

ADJOURNMENT 7:26 P.M.

Deborah S. Block /s/
Deborah S. Block, IAMC, MMC, City Clerk

Matt Mammolenti /s/
Matt Mammolenti, President