

DECEMBER 11, 2018

**PLAN COMMISSION
CITY OF MISHAWAKA, INDIANA**

The regular meeting of the Mishawaka Plan Commission was held Tuesday, December 11, 2018, at 7:00 p.m. in the Council Chambers, City Hall, 600 East Third Street, Mishawaka, Indiana. Commission members attending Chris Jamrose, Matt Lentsch, Dale "Woody" Emmons, Don McCampbell, Nick Troiola, Chris Tordi, and Dale Freeman. Absent: Murray Winn and Kathleen White-Gadacz. In addition to members of the public, the following were also in attendance: Ken Prince, Derek Spier, Christa Hill, and Kari Myers.

Don McCampbell moved to adopt the 2019 Rules of Procedure, 2019 meeting calendar, and fee schedule. Mr. Freeman seconded; motion carried with a vote of 7-0.

Mr. Lentsch explained the Rules of Procedure.

The Minutes of the November 13, 2018, meeting, were approved as presented.

Conflict of Interest was not declared.

PUBLIC HEARING:

PETITION #18-31 A petition submitted by FHS Investments, LLC, requesting to annex and zone property located at **53013 Fir Road** to C-6 Linear Office Commercial District.

No one appeared to present the petition. The Commission unanimously approved continuing the Petition to January, 2019.

PETITION #18-32 A petition submitted by John Coussens and Cressy Land Investments LLC requesting to amend the Coussens SE Main and Douglas Planned Unit Development to allow a commercial office, multi-family housing project, and a reduction in number of required parking spaces.

Mike Huber, Abonmarche Consultants, 750 Lincolnway East, South Bend, appeared on behalf of the Petitioners. He said they are seeking to amend the southern end of the PUD and add 1.63 acres of C-1 and amend the uses permitted in the southern 10 acres to allow development of an apartment complex. Mr. Huber said the 1.63 acre piece of property will keep the C-1 zoning which is consistent with adjacent uses and the apartments are complementary to the adjacent uses.

Mr. Huber said the project will consist of five buildings with studio and one bedroom apartments. As they mentioned, they are seeking to reduce parking from 1.5 spaces to 1.2 spaces per unit. Mr. Huber said they have learned they calculate parking spaces based on bedrooms. They are providing spaces for each bedroom, plus extra for visitors. Mr. Huber said they are going to adequately contain all parking and keep majority under the building.

Mr. Huber said the client's business model is unique to the area and they think the design and style will match with the hospital's design. He said the developer has been in contact with the hospital as they are looking to be a primary draw for employee living. He also said this brings a number of benefits to the community and a significant development to this side of the City.

Mr. Huber said they have been in contact with both engineering and planning departments and they are looking at what else is going on in the corridor for connectivity. He said they are also looking at how all properties are developed in conjunction with each other and have connectivity with each other and good flow.

Gary Warfell, Principal, Bingham, MA, said they have worked the past few years on a portfolio geared toward good quality residences adjacent to medical centers. He said the market needs show they are expanding quite a bit and have identified target markets, Indiana being one of them. Mr. Warfell said the idea is that the millennial set as a generation geared toward amenity-based products and convenience and that takes them into a direction where they are providing good quality residences and places near hospitals. He said they have looked at this for quite some time and have met with the hospital folks and explained the concept and model and they are supportive. Mr. Warfell said they will continue to refine the product and there's still a lot of land and they are discussing some commercial ideas. He said they have been able to secure the frontage along Edison Lakes Parkway and they intend to make the commercial parcel to the west in their agreement and have secured access from it. They will also have a secondary means of access short-term through the triangle parcel and would like to connect their parcel with the hospital and retail to improve efficiency. Long-term they expect to take north to Douglas when the master plan has been developed for the rest of the property.

Mr. McCampbell said it's unique in that it's only studio and one bedroom and asked if that was the norm. Mr. Warfell said they have about 21 projects in various stages and in all markets they are gearing toward young, single people entering the medical field. He said there is a movement where doctors travel to hospitals and instead of staying in a hotel, they can provide a lower cost option. The idea being to provide better options for hospital employees.

Mr. Lentsch closed the Public Hearing on Petition #18-32.

Staff Recommendation

*Staff recommends **approval** of Petition 18-32 to expand the boundary and amend a part of the Coussens-Golden Corral PUD to allow for the development of a 400 unit multifamily residential apartment complex, and permit a reduction in the required number of parking spaces.*

This recommendation includes the following amended conditions, with changes from the original approved conditions in italics.

Uses:

1. *Permitted uses for all property in the original PUD shall be limited to those uses identified in the C-1 (General Commercial) and C-2 (Shopping Center Commercial) zoning districts based on City of Mishawaka Zoning classification defined and in effect on the date of approval by the Mishawaka Common Council.*

2. *Permitted uses on the south 10 acres of the original PUD shall be expanded to include R-3 Multifamily Residential uses.*
3. *Permitted uses on the area adjacent to the Edison Lakes Parkway including all or a portion of Lot 1 of Portillo's Main Street Minor Subdivision shall be limited to those uses identified in the C-1 (General Commercial) zoning district.*
4. *Outside sale display for loose items shall be prohibited unless specifically approved by the Planning Commission as part of a final planned unit development site plan submission.*
5. *Off-premise signs/billboards shall be prohibited.*

Traffic Impact:

1. *Phasing of improvements, including the proposed internal collector drive (proposed street) shall be as determined by the City Director of Engineering.*
2. *The number and or type of curb cuts on any City Street and the internal access drive/street shall be as determined appropriate by the City Director of Engineering. Improvements shall take place consistent with an approved master plan as required herein.*

Internal Road/Sidewalk connections:

1. *Private vehicular connections between this property and adjacent properties shall be required, the location and number of connections required shall be determined as part of future planned unit development site plan submissions. Applicable private road connections shall be dedicated within easements as part of the each subsequent final planned unit development site plan. Actual construction shall occur concurrent with the development of the adjacent property or as directed by the City, whichever comes first. Modifications to the location of the easement /drive may be approved by the Planning Commission as part of any final planned unit development site plan approval. The applicant shall meet with the adjacent property owners to coordinate the exact connection locations between properties. The exact location of these connection points shall be subject to review and approval by the City.*
2. *A minimum of two access points are required for the proposed multifamily residential apartment complex.*
3. *Sidewalks connecting the apartments and the hospital sites shall be constructed by the developer. A pedestrian access/sidewalk plan shall be submitted and approved by the City Director of Engineering.*

Stormwater Run-off/Utilities/Infrastructure:

1. *The applicant/developer shall prepare a master plan to identify and provide for appropriate access and utility extensions. All improvements shall be subject to the review and approval of the City Director of Engineering.*

2. *The type of stormwater facilities proposed on the site shall be limited/restricted as directed by the City Director of Engineering. The 75' Drainage Easement on the east side of the property shall remain vegetated. Any proposed encroachment into this easement shall require compensatory improvements to the vegetation and or ditch as may be directed by the City Director of Engineering, subject to the review and approval of the St. Joseph County Drainage Board.*
3. *All costs associated with the extension of utilities, road improvements, or other infrastructure shall be the responsibility of the applicant/developer. Extension of utilities shall occur in a location and size as directed by the City Director of Engineering.*

Lighting:

1. *All site lighting shall be limited to 25 feet in height. 90-degree cut-off fixtures shall be required for both pole and wall mounted fixtures.*
2. *A lighting plan shall be submitted with each subsequent planned unit development plan submission.*
3. *Ornamental fixtures matching the current City standard may be utilized in addition or instead of the lighting noted above.*

Signage:

1. *Standard Mishawaka On-Premise Sign Standards shall be varied to allow for a hierarchy of signage (given the large site) and to otherwise further the intent of this chapter as follows. No more than three freestanding site signs shall be located along Douglas Road, regardless of the number of lots proposed. All freestanding signs shall otherwise be designed as per the applicable City requirements:*
 - a. *Each outlot/development parcel may be permitted one freestanding sign. These signs shall be limited to 8' in height and contain a display area of no more than 60 square feet. Each shall include a masonry base (to match the architecture of the building) no less than 3' in height. No more than 1/3 of the display area for each sign may be utilized as an electronic reader board. All freestanding signs shall be separated from each other by a minimum of 150 lineal feet.*
 - b. *One multi-tenant sign shall be permitted along Douglas Road (separate from the two outlots shown with Douglas Road Frontage). This sign shall be exclusively for properties that do not have a freestanding sign on Douglas Road. If constructed, this sign shall be constructed in a center landscape median within the proposed entry drive, or otherwise separated and made to be distinctly separate from the outlot signage located along Douglas Road. This sign shall be limited to 12' in height and contain a display area of no more than 60 square feet. No more than 1/3 of the display area for each sign may be utilized as an electronic reader board. The sign shall include a masonry base no less than 5' in height. All freestanding signs shall be separated from each other by a minimum of 150 lineal feet.*

2. *Temporary banners, flush mounted to a building shall be limited to one per building/use, and shall not exceed 80 square feet. These banners shall also be subject to any future more restrictive regulation that may be passed by the City.*
3. *General façade and directional signage standards shall be submitted concurrently with the first final planned unit development plan submission. Limits on the height of letters/signage for façade signs shall be reviewed and evaluated by the Planning Commission at that time.*
4. *The parcels located along Edison Lakes Parkway and Holy Cross Parkway shall be permitted two (2) signs. One (1) for the outlot/development parcel and one (1) for the apartment site subject to the 1.a. requirements above.*
5. *An internal directional signage plan for the apartment site shall be submitted subject to Staff approval. Signs shall be not directly visible from the public right-of-way and shall be subject to the height and size requirement per 1.a above.*

Building Limitations/Architecture:

1. *All proposed buildings shall be constructed of 100% approved materials as identified within Section 105.76 of the City of Mishawaka Municipal code as amended, except that hardi-board maybe used as an accent material, not to exceed 1/3 of the area of any single building face. Materials and colors shall be varied to provide architectural interest.*
2. *For all development parcels- there shall be a minimum building setback of 75' from all public right-of-way and private collector drives. A minimum side building setback of 10' shall be provided along lot/property lines. A minimum 25' building setback shall be provided from internal non-public access drives. A minimum 25' rear yard building setback shall be provided. A minimum 25' building setback from the Indiana Toll Road right-of-way shall be provided.*
3. *The maximum building height for the site shall be 48', except for hotel uses that shall be permitted to construct a maximum of four stories not to exceed 70' in height.*
4. *The maximum building height for the proposed apartment complex shall be limited to five (5) stories.*

Parking/Landscaping:

1. *The number of parking spaces required for the proposed apartment complex shall be provided at a rate of 1.2 spaces per apartment unit.*
2. *A minimum pavement setback of 5' in width shall be provided between internal lots/development parcels. A minimum 25' pavement setback shall be provided along all public right-of-way and private internal collector roadways. A minimum 10' pavement setback/green area shall be provided from internal non-public access drives and proposed parking/building areas.*

3. *For large shopping areas where shopping carts are utilized, cart corrals shall be provided. Corral's shall be identified and removed from total number of parking spaces provided. Curbed landscape islands shall be provided to break up large pavement areas as determined by the Planning Commission as part of the review of any planned unit development site plan.*
4. *Earth mounding shall be provided along public road right-of-way, between parking areas and public streets. A minimum 25-foot green buffer area shall be required along all public road right-of-way and internal collector drives. Each individual outlot within all development parcels shall comply with the landscape requirements of the C-1 General Commercial zoning district. All side property lines within 100' of Main Street right-of-way shall comply with the front yard landscaping standards identified within the C-1 General Commercial zoning district.*
4. *Sidewalks and utilities may be provided within required 25' green landscaped areas. If sidewalks and utilities are located within the required 25-foot green area, a minimum utility/sidewalk free area of 10 feet in width shall be required for planting.*
5. *Phasing of required landscaping shall be reviewed as part of every final planned unit development plan submission.*
6. *All loading docks, dumpsters, and mechanical equipment shall be screened from view. Dumpsters shall be screened by a wall matching the building materials of the principle building. Dumpster locations shall be located away from any roads behind principle buildings and located away from public right-of-way and internal collector drives.*

Phasing:

1. *The phasing and development of infrastructure for the development shall be reviewed and approved by the Planning Commission concurrently with the first planned unit development site plan submission. Future modifications and requirements may be placed by the Planning Commission concurrent with each subsequent planned unit development site plan submission to provide for the interconnectivity of roads and other related infrastructure.*

MOTION: Dale Freeman moved to forward Petition #18-32 to the Common Council with a favorable recommendation. Chris Tordi seconded; motion carried with a vote of 7-0.

PLAT #18-33 A request submitted by EVF Grape Road, LLC, seeking approval of the one (1) lot Sour Grapes Subdivision.

Chris McCrea, 902 S 325 E, Warsaw, IN, he said they are looking to sell off the building and are creating the lot.

Mr. Lentsch closed the Public Hearing on Plat #18-33.

Staff Recommendation

The Staff recommends approval of Appeal #18-43 as submitted for the Grape and Day Center located at the southeast corner of Grape and Day Roads. The recommendation is based upon the following Findings of Fact:

- 1. Approval will not be injurious to the public health, safety, morals and general welfare of the community because nothing is physically changing on the site.
- 2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner because the shopping center will function in the same way, but will have separate ownership of the buildings and associated parking lots.
- 3. Strict application of the terms of this chapter will result in practical difficulties in the use of the property because the Zoning Ordinance requires that individual properties and developments be separated by pavement setbacks and landscape buffers. The Ordinance does not allow the flexibility for separate properties to function as an integral unit.

MOTION: Don McCampbell moved to approve Plat #18-33. Dale "Woody" Emmons seconded; motion carried with a vote of 7-0.

Mr. Prince shared the Statement of Intent about the Design Review Ordinance. He said they want a quality downtown and the issue is not creating a standard, but one of quality. We didn't want to crush someone's dream of a design as long as it met high quality of design and that's why the waiver project. He said you don't need to provide hardship, just meet the intent. Mr. Prince said the idea is to give the developer flexibility. He said on numerous occasions there have been times to vary that standard. Sometimes it's for cost and all that comes into play based on circumstances. Mr. Prince said in a nutshell, the variance process is hardship; design waiver is one of creativity and high quality.

DESIGN REVIEW:
DR #18-08

A request submitted by Downtown Mishawaka FC, LLC, seeking a waiver from the Mishawaka Design Review Ordinance Section 105-174 Signage Size Limitations at 235 Ironworks Avenue (The Mill at Ironworks Plaza), Mishawaka, Indiana.

Derek Newman, Flaherty & Collins, Indianapolis, said they are seeking a design waiver for signage limitation. He said the sign will be 13' 6" and the intent with the location is for vehicular and pedestrian viewing. He said they are still working on the final design and will be cohesive with the previously approved roof sign.

Mr. Tordi asked if the name "Ironworks" been wiped off the outside for advertising. Mr. Newman said originally it was on the construction drawings and after looking at the overall scale of the roof sign, they felt "The Mill" is more appropriately scaled for the building. He said the overall branding is still "The Mill at Ironworks."

Staff Recommendation

The Plan Staff recommends approval of Design Review Waiver #18-08 for The Mill @ Ironworks to install a 13'6" high by 2'6" wide blade sign.

MOTION: Chris Tordi moved to approve Design Review #18-08. Don McCampbell seconded; motion carried with a vote of 7-0.

ADJOURNMENT: 7:29 p.m.

Kenneth B. Prince, City Planner

Kari Myers, Administrative Planner