

## **BUILDING-PLANNING DEPARTMENT**

### **Overview**

The Building - Planning Department is responsible for overseeing all aspects of city planning and private construction within the City of Mishawaka. This department also serves in a limited capacity to support the Community Development Department. On a daily basis, the department is responsible for the issuance of permits for virtually all construction including new residential, commercial, and industrial construction. The Department also evaluates and approves smaller projects such as the modification of signs, fences, sheds, decks, and garages. Although separate departments, the Building and Planning Departments work together to efficiently provide the best possible service for our City.

## **BUILDING DEPARTMENT**

*Brock Hundt, Commissioner*

Throughout the City of Mishawaka, citizens can depend on the surrounding structures to provide various forms of safety, from structural integrity, to accessibility, fire suppression, and smoke alarms. This is the work of the Building Department.

The public need for protection from fire, collapse, wiring malfunction, and general deterioration underscores the need for modern building codes and their enforcement. These building codes are for both

residential and commercial structures. Residential Building codes reinforce the safety of Mishawaka families by reducing spread of fires and disease, conserving energy, and ensuring future home buyers the assurance of safe and secure home. Commercial building codes provide many of the same services on a larger scale to protect all who enter businesses in the community.

### ***...the Building Department completed 2,354 inspections***

However, building codes alone do not reduce construction risks and dangers. The Building Department must enforce the codes with builders, owners, and tenants. Most of this is done through the inspection process. In 2010, the Building Department completed 2,354 inspections, which is 4 -7 inspections per day, per inspector, spending 40-60 minutes apiece.

Other Building Department duties include reviewing building design drawings and meeting with contractors, owners, and tenants to interpret code requirements. Because the construction industry declined again in 2010, we are taking the extra time to become more knowledgeable about the ever-changing codes and train all inspectors to better serve the community. Last year,



***Code of conduct The Building Department enforces building codes***

twelve seminars were attended by inspectors, and two new certifications were obtained in our department. This will save travel time and costs of the inspection process. Both of these advancements will allow us to send one inspector to a given site, rather than two or three.

The Building Department's permit software now has an online inspection program, where the permit can be monitored by "pass" and "fail" statuses. This is a great service for permit holders who keep detailed records of inspections and of corrections needed. The cost for permits increased as of January 1, 2010, which was necessary to ensure building code enforcement. Residential permits were only increased by a \$10.00 minimum, whereas the commercial permits saw more change. 2011 will be the first year that commercial building permits have their own fee schedule. This will not only help the Building Department financially, but will also generate needed revenue when the economy improves and construction activity increases.

The safety and welfare of the public are of the utmost importance to the Building Department, and we aim to ensure that the citizens of Mishawaka are protected by various safeguards. Our department will continue to increase efficiency, knowledge, and accessibility in the coming year. 2011 should provide more residential and commercial construction projects. In order to make this hope a reality, the cooperation of the entire city of Mishawaka will be required as the Building Department continues its superior level of service and safety.

*...safety and welfare of the public are of the utmost importance*

## **Building – Planning Department**

*Ken Prince, City Planner*

### **Responsibilities and Duties**

- Responsible for working with developers who have an interest in developing project in and or adjacent to the City. Responsible for working with developers in the design of site plans to insure that they are consistent with the City's ordinances, goals, objectives, and policies.
- Responsible for issuing and tracking all building permits, including electric permits, plumbing permits, HVAC permits, and other miscellaneous permits. In addition, all Adult Care Homes are inspected yearly.
- Provide information to the public on matters relating to zoning, rezoning, annexation, vacations of public right-of-way, subdivision regulations, sign control, historic buildings, and obtaining building permits.
- Work with the Metropolitan Planning Organization (Michiana Area Council of Governments- MACOG). The City Planner serves as a member of the Transportation Technical Advisory Committee, on transportation projects, including the alternative forms of transportation.
- The Department is responsible for the preparation and adoption of long range planning projects. Projects include various elements of the Comprehensive Plan including: land use, housing, historic preservation, transportation, capital improvements, annexation, and parks and recreation.

- Responsible for administering the issuance of Improvement Location Permits for construction within the City including evaluating construction projects relative to the National Flood Insurance Program (NFIP).
- Responsible for the day to day administration of the zoning ordinance. The zoning administrator is responsible for interpreting City codes and ordinances related to development. The Department enforces the zoning and sign ordinances of the City including issuing citations and stop work orders.
- Responsible for preparing fiscal plans associated with both voluntary and involuntary annexations. Fiscal Plans require coordination with all applicable Departments including utilities, police, fire, emergency medical, engineering, parks, and finance.
- Responsible for the on-going coordination with the Information Technology Department on the implementation and continual maintenance of the City's Geographic Information System (GIS)
- Required to prepare revisions and updates to land use codes and ordinances. Responsible for preparing Historic Preservation Districts including ordinances, maps, preservation guidelines and standards.
- Responsible for preparing budgets, work program, and annual report for the Department. Each year requires the evaluation of the previous year, the identification of development trends, identification of future projects, and funding allocation.

### **Building and Development Activity**

Although the worst economic downturn since the great depression was estimated to hit bottom in the middle of 2009, in 2010 the City of Mishawaka (and northern Indiana in general) continued to grow, but even at a slower pace than 2009. The City issued permits worth just less than 43 million dollars in 2010 compared to an estimated \$53 million dollars in 2009. Between 2005 and 2008, even excluding the St. Joseph Regional Medical Center project, the City had averaged close to 100 million dollars in construction every year. \$43 million dollars is the lowest valued construction that has occurred in the City in the past ten years.

Although the City is reaping the benefits of long-term strategic decision making, such as the relocation of the hospital, the poor housing market, saturated retail market, and the lingering effects of the national economic recession continue to be a drag on the quantities of new construction.

### **Planning and Building Permits**

#### Residential- 8.9 Million Dollars in Estimated Construction Costs

- 22- New single family detached homes
- 540- Residential Alterations/Additions
- 17- Garage/Carport Additions
- 13- Accessory buildings
- 1- Pool

#### Commercial/Industrial- 33.9 Million Dollars in Estimated Construction Costs

- 9 new commercial buildings
- 114 Alterations/Additions

## **Development Constructed**

Similar to 2009, the decrease the City has experienced in permit activity in 2010 was also reflected in the overall amount and value of construction. In 2010, the total number of new projects also decreased. In addition, there was yet another decrease in new residential construction.

- For the third year in a row, no multi-family building permits were issued for new buildings in 2010.
- A total of 22 new single family permits were issued in 2010. This is down from the 32 new single family permits that were issued in 2009, and 46 new single family permits in 2008. This is significantly down from the 112 permits issued in 2007 and representative of the national recession and problems in the housing market.
- A total of 9 new commercial buildings were constructed in 2010. Only 8 new commercial buildings were started in 2009 and 13 new commercial buildings were started in 2008. For reference and comparison, prior to the downturn in the economy, 24 permits were issued for new commercial buildings in 2007.

## **Annexations**

The City continues to grow in a slow and orderly fashion. Four voluntary annexations occurred adding area to the City in 2010. The City grew by just under one half of one percent (52.71 Acres or .082 square miles). For perspective, if this growth occurred every year, the geographic area of the City would double in just over 200 years. 2010 Annexations included:

- 1) Approximately 43.36 acres of land located at the northeast corner of Fir Road and Cleveland Road was annexed into the City of Mishawaka. This parcel of land was formally the Bobick's Golf Center and driving range. The petition to annex into the City was filed by the property owners, 1<sup>st</sup> Source Bank, Mary Spillane, and Mary & Apos LLC. The property was zoned to S-2 Planned Unit Development to allow for a mixed commercial and residential development. No specific user or development was proposed at the time of annexation. The preliminary plan for the PUD was concept in nature showing only block areas for development with the intended internal circulation and intended uses. However, much more detailed plans will be submitted at a later date as individual parcels are developed.
- 2) Olen D. Bixler (Deceased), Evelyn Bixler, and Gina Bixler filed a petition for annexation of property located at 54050 Fir Rd. The annexation was approved for the 1.62 acre parcel of land, which included the adjacent Fir Road right-of-way. The property currently consists of a single-family residential home. However, the property was zoned to C-1 General Commercial. The establishment of the C-1 General Commercial zoning classification will enable to property to be marketed for it highest and best use, given its presence at the Fir Road and Douglas Road intersection.
- 3) Approximately 2.4 acres was annexed into the City of Mishawaka petitioned by SEC Investments. The annexation consisted of an approximate 0.5 acres of vacant land located southeast of the Douglas Road and Fir Road intersection, just north of 54050 Fir Road. The remainder of acreage annexed consisted of the Douglas Road and Fir Road

right-of-ways. The property was zoned to C-1 General Commercial. Although, the 0.5 acre of development land would likely not allow for any substantial commercial development, if additional adjacent property could be acquired, uses such as a sit down restaurant, bank, professional office, drug store, and other uses would be appropriate for this high profile intersection.

- 4) Douglas Road Associates LLC requested annexation for 5.33 acres of land located at the northwest corner of Douglas Road and Fir Road. An original request to zone the property to C-10 Filling Station was filed by Douglas Road Associates LLC in order to establish a filling station and convenience store on this property. However due to concerns regarding the fuel tanks and their close proximity to Juday Creek, the request for C-10 zoning was withdrawn and a request to zone the property to C-1 General Commercial was made and approved by the City of Mishawaka Common Council. At the time of annexation, no specific user or development was proposed.

### **Commercial Growth**

Similar to 2009, in 2010 the overbuilt retail areas on the north side of the City combined with the lingering effects of the recession continued to contribute to a buyers market and left property owners cutting deals to fill tenant space. With the downturn in the economy and buyers market, it appears that there will continue to be large retail vacancy rates and deals to be had in the coming years. This will also be a time where centers may take the opportunity to reinvest to lure new tenants. Over the next few years, we anticipate that the City will continue to see the transformation of longstanding retail centers as a result of competition, it is likely that the City will continue to see a decrease in the quantity of new retail construction in the coming years and potentially increased vacancies while the market sorts itself out.

*...we anticipate that the City will continue to see the transformation of longstanding retail centers as a result of competition...*

Despite the downturn in construction there were a number of positives to be highlighted from 2010 including:

- Increased Commercial construction on the South Side of the City-  
In 2010 a freestanding subway restaurant and Tractor Supply retail facility were constructed adjacent to Walgreens at the intersection of Bremen Highway and Ireland Road. This construction in hard times is a significant indicator of the interest in this corridor and Mishawaka in general.



*Tractor Supply Co. Ireland Road*



*Subway Restaurant- Bremen Highway*

- Reinvestment in Mishawaka

One indicator we use to judge how we are doing as a City are the organizations and facilities that have an opportunity to move or relocate, but instead choose to remain and invest in Mishawaka, two of the most notable from 2010 include:

St. Joseph County Humane Society-

The Humane Society constructed a replacement facility at their existing Grape Road location in 2010. This state of the art facility represents the best of Michiana with the donated time and services that went into making this happen. Although they originally were looking to build a new facility out of the City, we feel that our citizens have better access and service as a result of their decision to remain here in the City.



*St. Joseph County Humane Society- Grape Road*

Basney Honda-

Over the last few years Basney Honda has worked to acquire adjacent property to their existing facility at the intersection of Grape and Edison Roads. In 2010, Basney started

construction on a multi-million dollar remodel and expansion of this existing dealership. This improvement is expected to be complete in 2011. We look forward to this facility being a presence in the community for decades to come.



- New Restaurants-

New restaurants are always a point of interest, and 2010 did not disappoint. Three major/anchor restaurants entered the Mishawaka Market in 2010. These include: the Corndance Tavern at 4725 North Grape Road which significantly remodeled the short lived Texas Land and Cattle restaurant space, the Tilted Kilt located at 1032 University Drive at the City Plaza shopping center near the Ruth's Chris Steakhouse, and Flat Top Grill located at the University Park Mall in a space that had been vacant for a few years.



*Corndance Tavern- Grape Road*



*FlatTop Grill- University Park Mall*

### **Medical Related Construction**

In 2010, we were excited to see the continued construction of new medical uses and offices that have occurred since the opening of the St. Joseph Regional Medical Center in 2009. The hospital has profoundly changed the landscape of the City, not just with its massive physical presence, but also with its economic influence on our City's continued growth and prosperity.

The City continues to extend utilities and construct roadways to open up more property for medical related construction. The investment in the hospital continues to pay off. In 2010, the former Dr. Del Pilar Building was remodeled and enlarged to accommodate Cancer Care Partners. The former University Commons Shopping Center was purchased and is currently being remodeled to house a series of medical users including Allied Physicians. In this case, by revamping a half vacant existing shopping center, the change in use had the added benefit of relocating many of the remaining tenants to what was vacant retail space in the Main Street/Grape Road corridors. Other significant Medical related openings occurred in 2010 including Michiana Hematology Oncology and the Douglas Road Nursing and Rehabilitation.



*Allied Physicians Remodel- SR 23*



*Cancer Care Partners- Day Road*

**Residential Construction**

As noted, residential construction in the City was significantly lower than at any other time over the past decade. For the third year in a row no multi-family building permits were issued for new buildings in 2010. Only 22 new single family home permits were issued in 2010. This was a drop from the 32 new single family home permits that were issued in 2009. A total of 46 were constructed in 2008. For reference, 112 new homes were constructed in 2007. In addition to the lingering effects of the recession, the housing industry continues to suffer from the foreclosure/banking crisis and the homes that have remained on the market for an extended period of time. What is significant is that 22 homes is only about one fifth of what our average had been prior to the financial/housing crisis.

New Single Family Home Construction by year:

2010-	22 Homes	2005-	147 Homes
2009-	32 Homes	2004-	163 Homes
2008-	46 Homes	2003-	121 Homes
2007-	112 Homes	2002-	118 Homes
2006-	95 Homes	2001-	108 Homes

**Public Works Projects**

The City is committed to serving the Mishawaka community through its support of various public works projects designed to enhance citizens’ quality of life. During 2010, the Planning

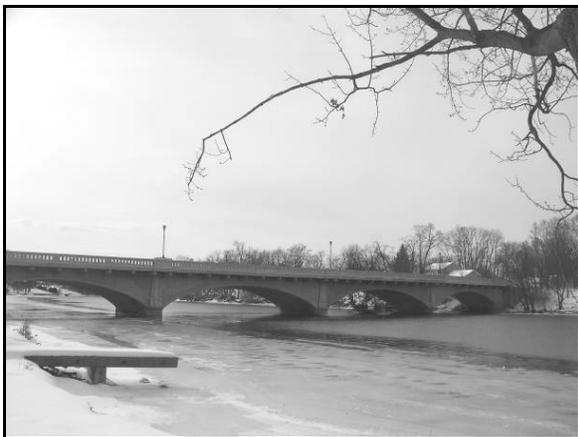
Department was responsible for directing private firms and other City departments on several significant public works projects.

### **Mishawaka Riverwalk**

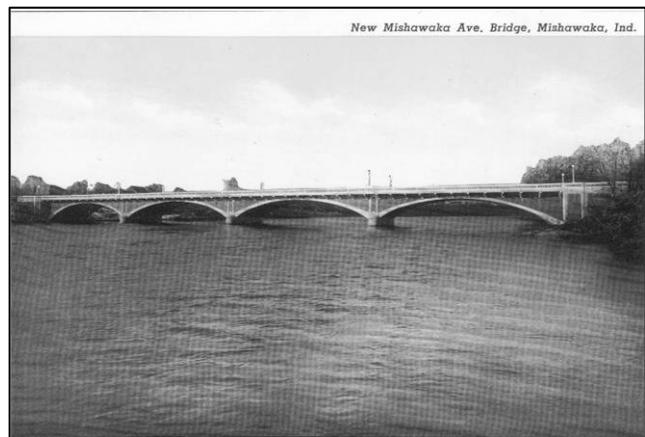
The Mishawaka Riverwalk continues to be the cornerstone for many of the City's redevelopment efforts. It connects neighborhoods and parks by taking advantage of the City's greatest natural resource: the St. Joseph River. The Mishawaka Riverwalk also adds value to existing homes and neighborhoods, and will undoubtedly be a source of pride for Mishawaka's citizens for generations to come.

### ***The Mishawaka Riverwalk also adds value to existing homes and neighborhoods...***

The most recent construction of the riverwalk is the "Merrifield/Crawford Park Connector". This project was constructed as part of the restoration and widening of the Mishawaka Avenue Bridge and includes a connective tunnel underneath Mishawaka Avenue between Merrifield Park and the Riverwalk. The cost of the project was approximately 1.8 million dollars, and was awarded to Walsh Construction in the fall of 2009. Although the exact amount is yet to be determined, the vast majority, almost 100%, of the construction costs will be paid for through Federal Grants and not local money. This is possible only due to the City's partnership on this project with the Michiana Area Council of Governments (MACOG). The increased funding for this project was made possible because other projects in the region that were allocated funds through MACOG that were then not able to be accomplished within the allocated time and funding cycle.



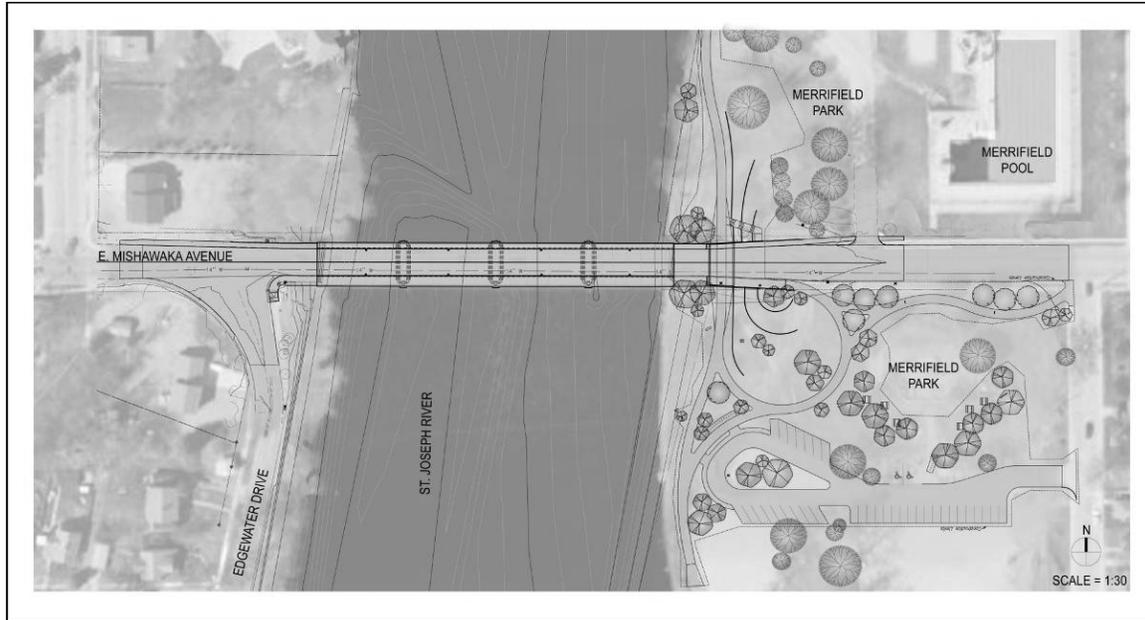
*Mishawaka Ave. Bridge- January 2011*



*Mishawaka Ave. Bridge- Circa 1930's*

The Merrifield/Crawford Park Connector included a tunnel and wing walls extending the abutment of the bridge. The primary function of the connector portion of the Riverwalk provides a grade separation between Merrifield and Crawford Parks underneath the Mishawaka Avenue Bridge. This section not only connects the two parks, but by utilizing existing asphalt pavement and park access drives, it indirectly adds approximately 3,400 linear feet to the existing Riverwalk system. This phase also included a connection from the Mishawaka Avenue Bridge to the intersection of Niles Avenue. An entry node that includes ornamental paving and gateway piers has also been included in this location. A bike parking area has been provided adjacent to

*Plan View of the Mishawaka Riverwalk  
Merrifield/Crawford Park Connector Project*



the reconfigured Crawford Park vehicle parking lot. The parking lot adjacent to the splash pad was modified to provide additional parking and a more appropriate turnaround for vehicles. Along the river, the project connects to the existing asphalt access road on the north side of Mishawaka Avenue in Merrifield Park just south of the boat launch.

Throughout the past two years, significant and meaningful intergovernmental cooperation between the City, the St. Joseph County Engineer and MACOG has resulted in the MACOG Policy Board's approval of the use in CMAQ funding for the project. The City, as approved by the Redevelopment Commission and Board of Public Works and Safety has entered into a reciprocal funding agreement with St. Joseph County. The Bridge restoration and riverwalk portions of the project are almost complete. Some of the finishing elements and cleanup work are expected to be completed in the spring of 2011.



**Tunnel vision** *Mishawaka Avenue riverwalk tunnel*

## **Guaranteed Energy Savings Contract**

One of the projects undertaken by the City Planning Department included the administration of a Guaranteed Energy Savings Contract. In the summer of 2010, the City entered into a Guaranteed Energy Savings Contract with Energy Systems Group (ESG) with offices in Indianapolis Indiana. The basic premise of Guaranteed Energy Savings Contract is that the savings generated by performing the improvement can go directly into funding the improvement. By State Law, to finance a project in part due to the energy savings received, requires that the provider be “qualified” as identified by IC 36-1-12.5-3. The City conducted a Request for Qualifications (RFQ) process and received two qualified submissions, both firms with offices in Indianapolis.

*...savings generated by performing the improvement can go directly into funding the improvement*

ESG performed a detailed analysis of virtually every facility. Specifically, they analyzed the efficiency of equipment, age, condition, and existing utility consumption. Once the analysis was complete, the City then chose the improvements to be undertaken based on the energy saved, cost, and payback. Another factor considered was if there were existing problems or deficiencies that needed attention. Ultimately, the project included improvements to 19 separate buildings/facilities for both the Civil City and Mishawaka Utilities. The base cost excluding financing was \$1,585,252. The energy savings that is guaranteed is \$128,040 per year. The two largest expenditures are for the Police Station (\$481,505) and City Hall (\$467,494). These two buildings, which included extensive HVAC and control improvements, represent approximately 60% of the overall project costs.

Overall, the simple return on investment (excluding financing costs) is 12.38 years. The federal stimulus (EECDBG funds) reduced the direct return on the investment to 10.67 years. The remaining funding for the project was provided by a revenue bond through the Mishawaka Bond Bank in the amount of \$1,366,252.00 at an interest rate of 2.1%. This entity, created by the City with the funds received from the MTBE lawsuit settlement, was able to fund the project at an interest rate which was substantially lower than the open market which is was over 4% when the funding was provided. This funding mechanism saved the City tens of thousands of dollars in interest costs. As proposed, the revenue bond will be paid for by a variety of funding sources over the next five years.



**City Hall** *New High Efficiency Boiler*



**Council Chambers** *High Efficiency Lighting*

### **Grant Requests for Hybrid Cars/CMAQ Funding**

The City Planning Department continued to administer the grant submissions to obtain additional hybrid vehicles through the use of Federal CMAQ funds. In 2010, the City received Federal CMAQ funds that paid for roughly 90% of the cost of seven hybrid vehicles. The success of this program through our partnership with MACOG, combined with the overall decrease in capital funds continues to make this program attractive. Based on an average of 8,000 miles per year per vehicle and an increase in efficiency from 20 mpg to 30mpg, each vehicle will save over 130 gallons of gasoline a year. Unfortunately, the City received the news that this program has been modified by INDOT based on some questionable use of funds in other areas of the state. These modifications will likely make the program no longer cost effective and will result in its elimination in 2011.

### **Prickett Marina Park Off-Leash Dog Run**

In 2010, the City Planning Department was responsible for coordinating improvements to Prickett Marina park to create an off-leash dog run. In October of 2010, the City opened it's first off-leash dog run in Margaret Prickett Marina Park, which is on the south side of Jefferson Boulevard between Wyland Marine and Bodine State Fish Hatchery, across from the AM General Assembly Plant. Since opening, the run has been well received and has drawn a lot of activity, even in inclement weather. The installation of this run represents both an ideal transformation and needed evolution of our parks to meet the changing recreation needs of the City.

The run was an area of the Marina that was seldom used, predominantly for overflow parking during fishing tournaments. Since the run was created in an existing park, the only significant improvements required of the City were to create additional parking spaces and to add approximately 1,000 lineal feet of fencing. Other concrete work, the extension of water lines, and the new roof on the restroom were performed by the City Central Services Department to keep construction costs to a minimum.

In the United States, the first dog park is widely credited to Berkeley, California which opened a park in 1979. According to Wikipedia, since that time more than 600 parks have been created across the country. The City of Mishawaka had numerous requests over the past few years for a place where dogs can be taken to run off-leash. In August of 2010, the City Park and Recreation Board approved the plans for the off-leash dog run at Prickett Marina Park.

The American Kennel Club states that some of the positive benefits of an off-leash park are that they:

- Allow dogs to exercise and socialize safely.
- Promote responsible dog ownership.
- Provide an outlet for dog owners to socialize.
- Make for a better community by promoting public health and safety.

In creating the run, the City took care to follow guidelines posted by the American Kennel Club. The run includes:

- Four acres of both lawn and wooded run area for the dogs.
- The run is entirely surrounded by a chain link fence, and is at least 5 feet in height.

- A double gated entry has been provided for leash up and to keep dogs from escaping, as well as, to facilitate wheelchair access.
- A covered garbage can and waste bag station has been installed. Owners are required to bag and dispose of their dog's waste.
- Shade trees, benches, a watering station, and a scattering of worn out fire hydrants have been recycled for "alternate duty" all have been added to the run as new amenities.

The run is free to the public, but all dogs must be properly licensed per the City of Mishawaka Municipal Code, inoculated and healthy. In addition, dogs showing aggression towards people or other animals should not be brought to the run. The run is open from dawn to dusk everyday the park is open, and will be closed a few weekends every year for when the area is needed for overflow boat parking during tournaments.



### **Hillis Hans Park Improvements**

In 2010, the Planning Department was charged with developing a master improvement plan for Hillis Hans Park to address both on-going neighborhood issues and updating a park that hadn't had significant upgrades in decades. In general, the direction of the Park Board was to:

- Update park amenities, replace older dated equipment.
- Make the park more usable and accessible
- Provide equipment and activity areas reflective of current times and how the park is currently used
- Emphasize "ease of maintenance" improvements, knowing the City has fewer resources to operate and maintain parks
- Review adjacent neighborhood streets and infrastructure for needed improvements

The Concept plans were approved by the Park Board in the fall of 2010. The Planning Department administered the preparation of construction documents by our consulting firm Lehman and Lehman of Mishawaka. The plans include the construction of a small two-tiered roof pavilion to become the focal point of the space. Significant upgrades of equipment, signage, installation of walks, and reconstruction of the deteriorated basketball courts were all included in the project. The project was bid in December of 2010, and awarded to the low bidder LL Geans Construction of Mishawaka. Through the funding provided by the South Side Tax Increment Financing District as approved by the City Redevelopment Commission, the total cost for the



from meeting this requirement, a separate plan had to be prepared and presented to the Common Council.

The plan prepared was the culmination and summary of a series of City initiatives and is intended to provide general direction on City priorities and investment in the immediate future and next few years. It specifically includes many of the projects we are currently working on and very intentionally includes the Mishawaka River Center Apartments. Although all the elements in the plan have been reviewed, discussed, assembled, and critiqued in different forums before different entities, the plan consolidated these into one document that is intended to meet the requirement of the application process.

### **Park Capital Improvement Planning/Draft Mary Gibbard Park Neighborhood Plan**

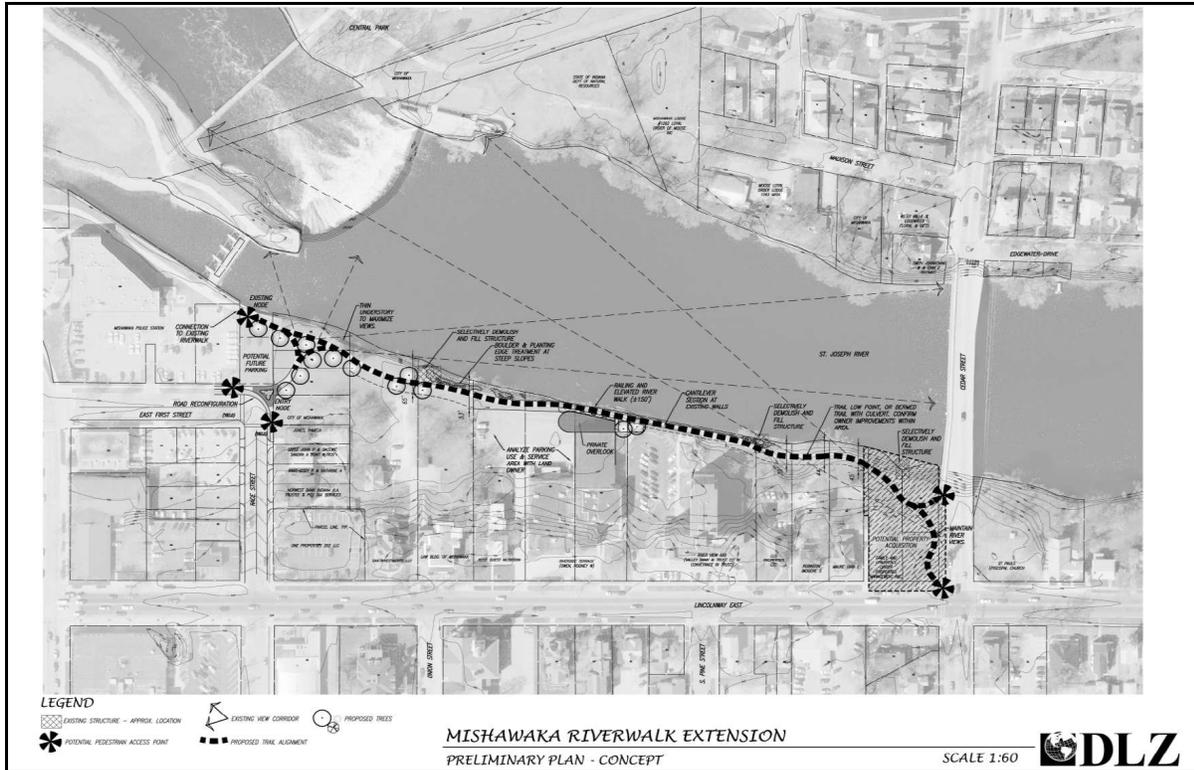
In the summer of 2010, the Planning Department became involved in proactively trying to develop an internal Park Capital Improvement Plan based on assessing needs, utilizing the capabilities of the newly formed Central Services Department, and receiving input from the Park Department and Park Board as part of their long range planning processes.

Park Capital Improvement Planning has been “catch as catch can” for years now based on the shrinking budget and layoffs. Many Parks are in need of updating and improvements. The list of capital needs greatly exceeded potential funding. As a result, \$200,000 in “Seed” funds was requested as part of the 2011 CEDIT Budget. This funding was approved by the Common Council as part of the budget process.

One of the specific needs identified by the Administration was the conversion of the Mary Gibbard Pool to a splash pad. \$100,000 was requested as part of the CEDIT plan to address this conversion. The Council requested a public meeting process and recommendation from the Park Board prior to considering the request. This process occurred and resulted in a recommendation from the Park Board to convert the Pool into a splash pad as part of a larger master improvement plan. The Common Council pulled the CEDIT funding and requested additional discussion before potentially considering re-allocating funds.

At the direction of the Park Board, and to help facilitate discussion and move the process forward, the Planning Department created and presented a draft master Neighborhood and Park Redevelopment Plan at the end of 2010. If implemented, would likely take over ten years as funding would be made available. The vision is to make the biggest possible neighborhood impact. It would likely include additional property acquisition, the construction of new streets, and dispose of surplus, minimally used park land. The end result would be a defensible neighborhood park in the “round”. By design, the park would not have inaccessible areas that are prone to vandalism. In addition, the acquisition of additional property would minimize conflicts between park uses and neighbors. To be implemented, the Plan would ultimately rely on multiple funding sources. This draft plan and the pool will likely continue to be evaluated in 2011 by the Administration, Common Council, and Park Board.





*Mishawaka Riverwalk- Race Street to Cedar Street Connection Concept Plan*

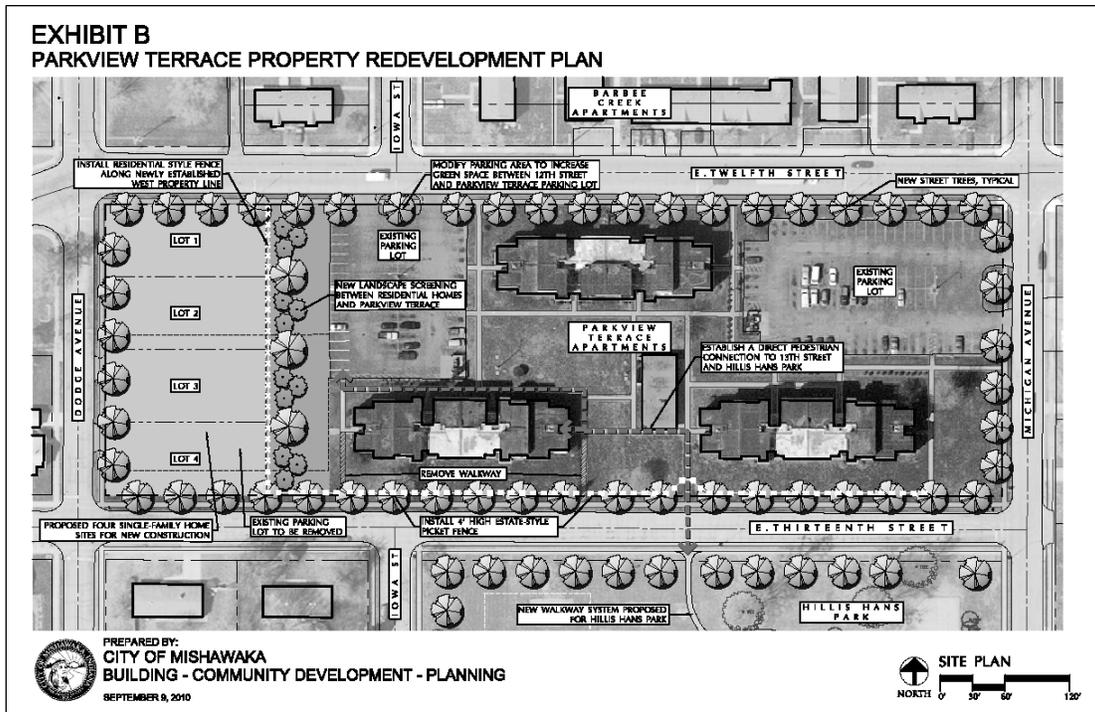
**Hillis Hans Park/Parkview Terrace Development Agreement/Plan**

In 2010, the City Planning Department was responsible for preparing a local redevelopment plan titled: “Development Agreement and Neighborhood Development and Stabilization Plan, Hillis Hans Park Neighborhood”. This plan was formally approved and ratified on September 27<sup>th</sup>, 2010 by the City of Mishawaka Redevelopment Commission.

The plan was brought before and approved by the City of Mishawaka Redevelopment Commission because of its authority as a local government entity established under the Redevelopment of Cities and Towns Act of 1953, as amended, being I.C. 36-7-14-1, et seq. The Commission has the power and duty to investigate, study, and develop areas within the corporate boundaries of the City of Mishawaka that the Commission has determined to be stagnant or deteriorating in order to encourage economic development and redevelopment. The Commission is an independent non-political entity that is able to commit funds, purchase and develop or redevelop property within the City.

The development and stabilization plan for the Hillis Hans Park Neighborhood is the culmination of a number of City initiatives, public meetings, and input. Most recently, on May 10<sup>th</sup> of 2010, the City Park and Recreation Board held a public meeting to obtain input on proposed improvements with Hillis Hans Park. Over 100 invitations were sent to neighborhood residents and the meeting was attended by close to 50 people. The meeting included discussions on crime and neighborhood relation issues, including issues with Parkview Terrace Apartment residents.

In 2010, during the forum provided for privilege of the floor public comments at the City Common Council meetings, questions were asked regarding what was being done to address parking problems and trespassing issues in the neighborhood. On Tuesday August 3<sup>rd</sup>, as part of America's Night Out, the City conducted a public forum where neighbors were invited to share thoughts on park plans and neighborhood stabilization issues. The meeting was facilitated by the Mayor and the City of Mishawaka Police Department. At the same time, the City was contacted by Evergreen Real Estate on the possibility of jointly creating a plan to address the issues and concerns for the neighborhood.



*Proposed improvements to be undertaken by the owner's of the Parkview Terrace Apartments*

With this input, the Planning Department was charged with creating a plan that could be implemented with specific and measurable action items that could positively impact the neighborhood. The process included following steps:

1. A specific set of geographic boundaries were selected
2. A series of goals and policies were drafted
3. A master improvement plan was created for Hillis Hans Park
4. A redevelopment plan concept was created for the Parkview Terrace Apartment Property
5. A cost estimate was prepared for the proposed improvements to Hillis Hans Park
6. An analysis of funding sources and projects was performed, to determine feasibility of using South Side Tax Increment Finance Funds
7. A letter of agreement was obtained with our single family housing partner, Habitat for Humanity of St. Joseph County
8. Obligations of the Developer were identified
9. Obligations of the City were identified

10. a public meeting was held for public comment and to adopt the plan
11. The Redevelopment Commission then voted to adopt the plan (September 27<sup>th</sup>, 2010)
12. The plan was then approved by the Parkview Terrace Apartment Owners

As a result of this planning process, the City is hopeful that the Owner's of the Parkview Terrace property will be able to receive tax credit or other funding to implement the proposed improvements that were mutually agreed to as part of the process.

## **2010 Activity of Commissions and Boards**

### **Planning Commission**

A total of 44 petitions were filed before the Planning Commission in 2010. This is less than the 60 petitions that were filed before the Planning Commission in 2009. For comparison, 70 were filed in 2008, and 104 were filed in 2007. This is another statistic indicative of the downturn in the economy and how our local residential markets have been severely hampered by national economics. Petitions included 16 rezoning/annexation requests, 22 final site plans, and 6 Plats/Re-plats. The following people served on the 2010 Planning Commission:

<i>Murray Winn</i>	<i>President</i>
<i>Matthew Lentsch</i>	<i>Vice President</i>
<i>Edward Salyer</i>	<i>Member (BPW&amp;S)</i>
<i>Gary West</i>	<i>Member (City Engineer)</i>
<i>Ross Portolese</i>	<i>Member (Parks &amp; Rec Bd.)</i>
<i>Carol Sergeant</i>	<i>Member</i>
<i>Don McCampbell</i>	<i>Member</i>
<i>Rosemary Klaer</i>	<i>Member</i>
<i>Ross Deal</i>	<i>Member (Council Rep.)</i>

### **Board of Zoning Appeals**

The Board of Zoning Appeals heard a total of 51 appeals in 2010. This total is slightly lower than the 56 appeals heard in 2009. The following people served on the 2010 Board of Zoning Appeals:

<i>Don McCampbell</i>	<i>Chairman</i>
<i>James Trippel</i>	<i>Vice Chairman</i>
<i>Rosemary Klaer</i>	<i>Member</i>
<i>Charles Krueger</i>	<i>Member</i>
<i>Ross Portolese</i>	<i>Member</i>

### **City of Mishawaka Historic Preservation Commission**

The City of Mishawaka Historic Preservation Commission was established in January of 1991. The Historic Preservation Commission consists of nine (9) voting members and no more than five (5) advisory members who are appointed by the Mayor and City Council. The following people served on the 2010 Historic Preservation Commission:

<i>John Gleissner</i>	<i>Chairman (Council Representative)</i>
<i>Dave Schmidt</i>	<i>Vice-Chairman</i>
<i>Richard Barnette</i>	<i>Member</i>
<i>David Eisen</i>	<i>Member</i>
<i>Michael Bultinck</i>	<i>Member</i>
<i>Tony Obringer</i>	<i>Member</i>
<i>Cynthia Harington</i>	<i>Member (retired 2010)</i>
<i>Judy Gray</i>	<i>Member</i>
<i>David Vollrath</i>	<i>Member</i>
<i>Cliff Zenor</i>	<i>Member (promoted from advisory 2010)</i>
<i>William Gering</i>	<i>Advisory Member</i>

### **Historic Preservation Continuing Education & Outreach**

- In the Spring of 2010 Commission members planted flower beds at the Ball Band Monument
- Designated 417 Edgewater Drive, the Smith-Kuharic House, a Local Landmark
- Placed signs in yards of property owners who wanted to celebrate Historic Preservation Month in May
- Toured the Mishawaka Furniture/First Mishawaka High School, an “Outstanding” rated building at 402 Lincolnway East
- Held the Historic Preservation Commission 1<sup>st</sup> Annual Award Ceremony during the September 7th City Council meeting.
- Presented historic Mishawaka program to various Council District groups and organizations.
- Submitted CLG Annual Report to the National Park Service
- Through fundraising efforts of the Commission one cast bronze plaque is in the process of being delivered for the Smith-Kuharic House.

### **Zoning Enforcement and Administration**

Another responsibility of the Planning Department is the need to enforce our ordinances and respond to violations and complaints in a speedy and considerate manner.

In addition to countless phone calls, and personal contact with those in violation, the Department sent out about 200 residential and commercial letters addressing land use concerns, notices of violation and citation warnings. Welcome letters, with sign code information, were mailed to new businesses opening in Mishawaka.

Forty-nine (49) citations were mailed to those who repeatedly violated the ordinance or disregarded letters.

## **Economic Development**

The Planning Department is also responsible for organizing and implementing programs and initiatives aimed at retaining local businesses and assisting them to grow and benefit the greater community. In 2010, the City continued to build and extend infrastructure to not only improve existing businesses and neighborhoods, but also to make more area available for development over time, particularly near and north of the Hospital on Fir Road. Although the current economic climate warrants investments in retaining businesses and promoting future growth, the Administration had requested funding to continue the City's longstanding relationship with Project Future, the recognized countywide economic development agency. However, funding was pulled back by the Common Council pending further discussion. It is yet to be determined if this beneficial relationship will be continued in 2011.

*...retaining local businesses and assisting them to grow and benefit the greater community*



View of the Saint Joseph Regional Medical Center, from the recently opened Michiana Hematology Oncology Facility

## **Tax Abatements**

The City Planning Department is responsible for reviewing and administering the tax abatement program of the City. This includes performing annual compliance reviews and presenting applicable information to the Mishawaka Common Council.

The City of Mishawaka awards tax abatements on commercial real estate and personal property taxes to corporations involved in new capital investments and facility expansions that will further the economic development of the Mishawaka community. In 2010, no abatements were submitted or considered by the City. The last abatement approved by the City was a three year

tax abatement was granted for Douglas Road Nursing Homes; Long Term Care Investments LLC. The abatement was for the construction of a 1-story, 70,000 square foot, 120 bed nursing home on the north side of Douglas Road immediately across from the WSBT studios. This facility was opened in 2010.

Since 1986, the City has approved a total of 47 tax abatements for 32 different companies. Currently there are 8 active abatements in the City including the following companies: AM General Byrkit facility, Damon Products, Patrick Industries, Jamil Packaging (2 abatements), Nyloncraft, BD Development LLC (St. Joseph Hospital Medical Office Building), Long Term Care Investments LLC.