

Building and Planning Department

Brock Hundt, Building Commissioner

Kenneth B. Prince, ASLA, AICP, City Planner

Overview

The Building and Planning Departments are 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. The Planning Department also serves a lead function relative to economic development initiatives and services. On a daily basis, the department is responsible for the issuance of permits for virtually all new construction including residential, commercial and industrial. 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 to our City.

Responsibilities and duties include:

- Work with developers who have an interest in developing projects in, or adjacent to the City. This includes working with developers in the design of site plans to ensure that they are consistent with the City's ordinances, goals, objectives and policies.
- Issue and track 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, the Michiana Area Council of Governments (MACOG). The City Planner serves as a member of the Transportation Technical Advisory Committee on transportation projects, including alternative forms of transportation.
- 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.
- Administer the issuance of Improvement Location Permits for construction within the City, including evaluating construction projects relative to the National Flood Insurance Program (NFIP).
- 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.
- Preparation of 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.
- Coordination with the Information Technology Department on the implementation and continual maintenance of the City's Geographic Information System (GIS).

- Prepare revisions and updates to land use codes and ordinances. Responsible for preparing Historic Preservation Districts including ordinances, maps, preservation guidelines and standards.
- Prepare budgets, work program and annual report for the Department. Annual evaluation of the previous year, identification of development trends, identification of future projects and funding allocation.
- Work with industry and businesses on tax abatement requests and compliance reporting. Makes recommendations to the Mayor, Redevelopment Commission and Common Council concerning economic development issues.
- Provide staff support to the City Redevelopment Commission including the drafting of development agreements with other public and private entities. Review and prepare amendments to Tax Increment Financing Districts.

Building Department

Whether we are in our homes, workplaces, schools, or places of entertainment, we rely on the safety of the structures that surround us. This underscores the importance of modern building codes and their enforcement. The structural integrity of a building, the means of egress, fire suppression systems, smoke alarms, safe electrical wiring, proper sanitation, safe heating and the energy efficiency of buildings are ensured by building code requirements.

Residential building codes are for the personal safety of your family and guests invited into your home and to ensure the economic well-being of the community by reducing the potential for spread of fire and disease, the conservation of energy and to protect future home purchasers who deserve reasonable assurance that the home they buy will be safe and secure.

Commercial building codes help to provide safe means of egress, structural integrity, reduced risk of the spreading of fire or disease and provide safety to all public who enter a commercial building. Most aspects of building construction, whether electrical, HVAC, plumbing, fire suppression or structural integrity represent a potential hazard to building occupants and users. Building codes provide safeguards to help reduce those risks. Although no code can completely eliminate risk, reducing risk to an acceptable level is the goal of building codes. The Building Department helps to ensure codes are followed and to help the builder, owner or tenant meet code requirements. Most of this is done through the inspection process.

In 2016, the Building Department conducted 2,755 inspections. This is 722 inspections more than the 2,033 inspections that occurred in 2015. Each inspector conducts 4 to 7 inspections per work. Approximately 40 to 60 minutes are spent per inspection. Other building department duties include review of building design drawings and meetings with contractors, owners and tenants to explain and help with building code interpretation and enforcement.

The building department has become more knowledgeable in the evolving building code. All inspectors have been trained to become combination inspectors, better serving the community and the public.

By enforcing building code requirements, the buildings and homes in the City of Mishawaka will be structurally and mechanically sound. The building department will continue to become more efficient in the inspection process, as well as more knowledgeable and accessible for our clients.

Building and Development Activity

In 2016, the construction industry continued to grow in activity over recent years. One of the few areas that dropped was the construction on new single family homes. In 2016, there were 36 new homes constructed in the city compared to 47 in 2015. As indicated in previous reports, this is still significantly lower than the number of starts that occurred prior to 2007. The current limited population growth combined with a greater demand for apartments continue to be the largest influences on new single family residential construction.

New commercial building activity remained strong. In 2016, commercial permits were issued with an estimated construction cost of \$86.2 million, \$29.2 million more than occurred in 2015. By the numbers, 13 new commercial building permits were pulled for new free standing buildings in 2016 compared to 12 in 2015. The single largest permit was for the new Veteran's care facility being constructed on Trinity Drive with a \$32. million estimated construction cost.

The City of Mishawaka continued to grow and in 2016 the City issued permits with a total estimated construction cost of 98.4 Million. For comparison, the City issued permits worth \$85.2 million in 2015. This represents a 15% increase in estimated value between 2015 and 2016. Since 2013 the City has had three straight years of double digit percentage growth from year to year. Coming off the recession there was a 14.4 million dollar increase between 2013 and 2014 (27%). Between 2014 and 2015 there was a 17.4 million dollar increase (20%). Since 2013, the City has had growth in estimated new construction values of greater than 15% and \$14 million per year. The City continues to show significant improvement and the market appears to be stable and growing again.

Although the City continues to reap the benefits of long-term strategic decision making such as the relocation of the hospital; the long-term forecast in construction is difficult to project given the continued soft single family housing market and the limited population growth in the region.

Fortunately for the City, a few significant projects have already been announced for 2017 including the proposed Flaherty & Collins mixed use project downtown and the Watermark Apartments located off Fir Road south of the Toll Road.



Another significant development that still has a great deal of potential is the Grandview Planned Unit Development. The project was conceived by and is being built by local developer, Great Lakes Capital. In 2016, they constructed 8-million dollars worth of apartments. The commercial portion of the development is expected to follow in the coming years.

In 2015, the City approved plans for and made financial commitments including 10-year tax abatement for Bayer Healthcare to headquarter their North American Distribution logistics center in Mishawaka. Construction was anticipated to occur in 2016 but has been delayed at the corporate level based on other obligations. The good news is that they have purchased the property and still intend to proceed in the coming years. This project will retain hundreds of white collar positions, while allowing room for expansion of the operations over time.

2016 Planning and Building Permits

A summary of the 2016 permit activity is as follows:

Residential

\$8.3 million in estimated construction costs (\$6.5 million decrease from 2015)

- 36- new single family homes
- 474- residential alterations/additions

Multi-Family

\$8.0 million in estimated construction costs (\$5.4 million decrease from 2015)

- 11 new buildings/units (11 in 2015)

Commercial / Industrial

\$86.2 million in estimated construction costs (\$29.2 million more than 2015)

- 13- new commercial buildings
- 159- alterations/additions

New Single Family Home Construction by Year:	
2016	36 Homes
2015	47 Homes
2014	43 Homes
2013	39 Homes
2012	28 Homes
2011	22 Homes
2010	22 Homes
2009	32 Homes
2008	46 Homes
2007	112 Homes
2006	95 Homes
2005	147 Homes
2004	163 Homes
2003	121 Homes

Annexations

The City continues to grow in a steady and orderly fashion. There were 3 voluntary annexations, adding 33.69 acres in area to the City in 2016. This represents an increase of .053 square miles. In comparison, the City grew by 29.85 acres in 2015. The existing area within the City limits, according to our Geographic Information System, is now 17.99 square miles.

2016 Annexations included:

1. **Mike's Auto Salvage – 1718 & 1732 E. McKinley Avenue.**
0.62 acres annexed and zoned C-4 Automobile Oriented Commercial for an existing auto salvage operation
2. **The Reserve at Watermark PUD – 53555 Fir Road**
30.1 acres annexed and zoned S-2 Planned Unit Development for a proposed 390-unit residential apartment complex (later reduced to 290 units)
3. **Cole Townhomes (future name TBD) – 15057 & 15151 Cleveland Road**
2.97 acres annexed and zoned R-3 Multiple Family Residential to allow for a 29-unit multi-family residential town home development

Downtown Development

Barak River Rock

In late summer of 2016, the "River Rock" mixed-use project opened. The project was conceived by the Barak Group for the west $\frac{3}{4}$ of the block bordered by Mishawaka Avenue, Main Street, Elizabeth Street and Grove Street. The project contains 72 apartments and first floor commercial space fronting Mishawaka Avenue. Our understanding is at the end of the year approximately 90% of the apartments had been rented with the developer only providing a few incentives to lessees. This project has really confirmed the demand for market rate apartments in downtown Mishawaka. The commercial space remains vacant.



Barak Iron Rock / River Forge

Barak River Rock development agreement was approved through the Redevelopment Commission, the Barak Group was given an option to develop several of the remaining former Uniroyal properties on the south side of the river. Within the development agreement, a specific

amount of time was given for the Barak group to bring forward a proposal for the properties. In June of 2015, the Barak Group brought forward proposals for the properties they had requested options on. The proposals include two residential condominium towers, a small standalone café, a mixed-use apartment building with lower level commercial and a boutique hotel. The developer was given a time extension on the options that required certain items be submitted to the Redevelopment Commission by December of 2016. The developer was able to keep the option on the hotel site, but was unable to continue the option on the proposed condominium and café site. As such the City looks forward to working with Barak on the development of the hotel site and will investigate other interest and options for what had been proposed as condominiums.

Regional Cities Initiative/Flaherty and Collins

In 2015 the State of Indiana, led by former Governor, now Vice President Mike Pence, proposed an initiative to help thwart the on-going brain drain occurring in the State of Indiana. Specifically, the pattern has been that a disproportionate number of Indiana's college graduates end up leaving the state to find work or pursue a career in cities such as Chicago and other large metropolitan areas. They are leaving not just to find work matching their education, but they are leaving for a specific quality of life. In the Regional Cities Initiative, the State program formed a competition for regions of the State to develop plans to fund projects that will help combat this trend. Ultimately, the North Central Region, which includes the City of Mishawaka, was awarded one of the \$42 million awards.

Mishawaka only submitted one project for the initiative working with Indianapolis Developer Flaherty and Collins. Part of the formula for funding projects in the Regional Cities Initiative required that a minimum of 60% of the funds come from private investment and 20% from local government, in order to receive up to a 20% match in state funding. Flaherty and Collins is proposing to build a new 233-unit high amenity mixed-use apartment building on the site of the former Uniroyal Complex south of Beutter Park.



In 2016, the Regional Development Authority awarded the project just over 5 million dollars of the regional cities funding. This was less than the close to 8 million dollars that had been requested. As such, the City and Flaherty and Collins had to modify the project to make the project work financially. Among other items, the amount of parking was reduced for the project, including a reduction in the number of public parking spaces proposed. Public parking was reduced from 150 spaces to 79 spaces within the proposed parking garage.

The Developer and City are currently finalizing the Development Agreement for the project and the developer hopes to break ground in the summer of 2017.

Public Works Projects

The City is committed to serving the Mishawaka community through its support of various public works projects designed to enhance our citizen's quality of life. During 2016, the Planning Department was responsible for directing private firms and assisting other City departments on several significant public works projects.

Mishawaka Riverwalk



Plan View of the proposed Riverwalk extension through Merrifield Park

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.

In 2016, the City continued to plan for future expansions of the Riverwalk. The City continues to work with MACOG to obtain Federal Transportation Enhancement (TE) funds to extend the Riverwalk through Merrifield Park. In 2016, the City finalized construction drawings and continued to respond to an appeal submitted by property owners located on the north side of the river who are concerned about the impact proposed park improvements might have on their property. In 2016, the permits were re-applied for since the permits lapsed due to the extensive time involved working with the property owners. INDOT bid the project in early 2017 but was required to reject all bids because the bids exceeded engineers

estimate for the project. In working with MACOG, both the City and MACOG were able to identify the additional funds necessary to allow the project to move forward. The project is still estimated to be built and completed by the end of 2017.

The project itself includes the relocation of the existing access drive, the construction of the Riverwalk, creation of a more formal boat launch, new parking and restroom replacement. Once completed, this section will extend the walk from the “Merrifield/Crawford Park Connector” to the intersection of Prospect and Indiana Avenue.

Battell Community Center Renovation

In 2015, the Planning Department managed the completion of plans, specifications and bidding of the Battell Community Center Renovation. The project was awarded to Ziolkowski Construction of South Bend at the end of 2015 and was substantially completed in the summer of 2016. The total renovation cost exceeded 3 million dollars.

The building had many deficiencies that were corrected as part of the project, the largest being its existing heating and cooling system. Prior to this project, the building was heated and cooled by electric unit heaters and window air conditioners in every room, leading to annual electric costs upwards of \$60,000. Other improvements included improving accessibility for the disabled, replacing the existing aluminum windows with more architecturally appropriate and energy efficient ones, creating additional restrooms, upgrading the auditorium balcony and improving class and meeting rooms.



One major goal of the renovation was to keep and enhance the look and historical feel of the building, much like was done for the Main Junior High Apartments. Improvements included repairing the maple floors and installing period correct lighting, ceilings and finishing flooring to regain the feel and look of the 1920’s version of the building that had been lost over the years.

Other renovations included restoring windows to the gym, creating a vehicular drop off with a covered canopy, making a small building addition for a formal lobby, relocating and improving the fitness room, expanding the park office and providing an additional dance room.

The heart of the Battell Center is its auditorium, which also benefited from the renovations. By addressing code issues and reopening the balcony, approximately 100 additional seats are now available in the auditorium. The project included providing a retractable screen and projector to transform the space into a movie theater for special events and new programming.

Battell Park- Rosemary’s Garden

In 2015, the planning Department led the effort to develop an updated master plan for Battell Park. In 2016, the City contracted with DLZ to develop plans to create Rosemary’s Garden. Former Plan Commission Member and Board of Zoning Appeals member Rosemary Klaer left the City just over \$40,000 on her passing with the intent to make to make a park improvement. In reviewing the City needs and what would make sense to accomplish, the decision was to build a passive overlook space on the east end of Battell Park, overlooking the cable-stayed Riverwalk bridge and downtown. The space will include a custom bench swing and is intended to be constructed in 2017.



View of the future home of Rosemary’s Garden at the east end of Battell Park

2016 Activity of Commissions and Boards

Plan Commission

A total of 60 50 petitions were filed before the Plan Commission in 2016. This is 10 more than filed in 2015. Although the activity is steady and improving, it is still significantly lower than the peak of 104 petitions filed in 2007. The private sector activity was higher in 2016 than 2015. Petitions for 2016 included 22 rezoning/annexation requests, 27 final site plans and 11 Plats/Re-plats.

The following people served on the 2016 Plan Commission:

Murray Winn	President	
Matthew Lentsch	Vice President	
Victor Kasznia	Member	BPWS (Partial Year)
Dale Freeman	Member	BPWS (Partial Year)
Gary West	Member	City Engineer
Ross Portolese	Member	Park and Recreation Board
Nick Troiola	Member	
Don McCampbell	Member	
Kathy White Gadacz	Member	
Dale (Woody) Emmons	Member	

Board of Zoning Appeals

The Board of Zoning Appeals heard a total of 50 appeals in 2015. This is slightly more than the 45 appeals heard in 2014. Although an increase over 2014, the activity of the Board has historically varied and is not directly correlative with construction trends. The following people served on the 2015 Board of Zoning Appeals:

Don McCampbell	Chairman
Charles Trippel	Vice Chairman
Ross Portolese	Member
Charles Krueger	Member
Marcia Wells	Member

City of Mishawaka Historic Preservation Commission

The Planning Department serves as the staff for the City of Mishawaka Historic Preservation Commission. The Historic Preservation Commission, established in 1991, is charged with preserving and promoting the historical past of Mishawaka. The Commission, a nine-member appointed board, is responsible for the designation of local single and multiple site historic districts, the nomination of sites to the National Register of Historic Places and the promotion of local historic preservation related activities and events. As of January 2017, the Historic Preservation Commission (HPC) consisted of:

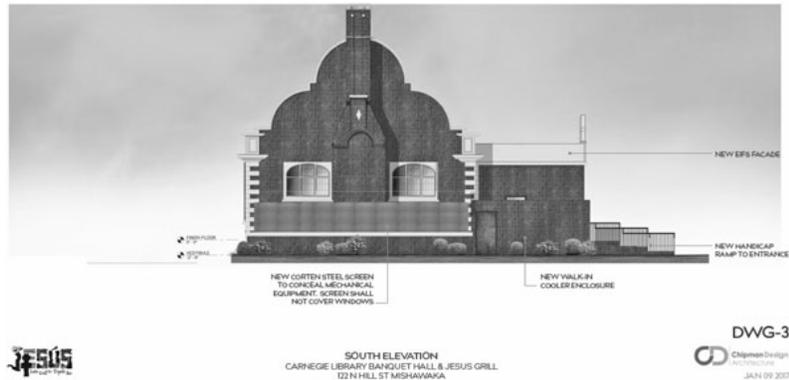
Members:	Advisory Members:
Doug Merritt, Chair	Alan Grzeskowiak
David Eisen, Vice Chair	Shirley McAlister
Mike Bultinck	Thomas Morris
Terry DeMaegd	Jason Stoller
Judy Gray	Cliff Zenor
Jennifer Johns	
Nancy Seidler	
Faye Sullivan	
Kate Voelker (Common Council)	

An overview of the 2016 activities of the Mishawaka Historic Preservation Commission and accomplishments are as follows:

Approved four Certificates of Appropriateness for:

- a building addition, connecting the garage to the house at 128 N Brook Avenue in the Riviera Place District;
- the City of Mishawaka to repair damaged rock wall in Battell Park;
- adding handicap ramps to the relocated Daniel Ward House; and

- several renovations to convert the Carnegie Library at 112 N Hill Street into a restaurant and banquet hall.



Castle Manor has certain historical character to maintain, although it has not been designated as a landmark. After researching the original look of the building, the HPC provided the City and their consultants guidance relating to a color scheme and preserving the historic look while thinking about energy efficiency.

In May of 2016 the Commission distributed approximately 75 yard signs, featuring the new logo, to promote awareness of historic properties and the value they bring to the community.

At the May 16, 2016 meeting of the Mishawaka Common Council, as a thank-you to the partners who breathed new life into Main Junior High, a cherished old building, we presented framed sections of the former school's gymnasium floor. Those partners were Mayor Dave Wood, City Planner Ken Prince, Kil Architecture and Planning, Ziolkowski Construction and the Mishawaka Housing Authority. Additional gym floor sections were presented to groups who pledged to display floor sections as a way to teach our neighbors and children about the importance of our architectural heritage. They included the Heritage Center of the Mishawaka-Penn-Harris Public Library, the Hannah Lindahl Children's Museum and the Boy Scouts of America – LaSalle Council.

As part of outreach to the community, several members marched in the Mishawaka Memorial Day Parade in downtown Mishawaka. The Mishawaka Historic Preservation Commission also exhibited at the Mishawaka Heritage Festival and was featured in an ABC57 news clip.

For the past six months, the Mishawaka Historic Preservation Commission has been working with Indiana Landmarks and residents of the Normain Heights subdivision to establish a Conservation District. A Conservation District only requires review of new construction, demolition, or moving a primary structure.

Please refer to the 2016 Certified Local Government Report for a full accounting of the activities of the Historic Preservation Commission during the past year. A copy of this report will be available for review at the Department of Community Development and Planning upon completion.

Zoning Enforcement and Administration

Another responsibility of the Planning Department is the enforcement of our ordinances and responding 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 followed up by sending out 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.

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 2015, the City continued to work with the St. Joseph County Chamber of Commerce to better clarify roles and responsibilities to help respond to State leads and responses to requests. The Chamber serves as the Lead Economic Development Organization (L.E.D.O. for St. Joseph County). In 2016, the Department continued to actively participate in the process for Regional Cities of Northern Indiana.

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.

Only one tax abatement was submitted and approved in 2016, for Patrick Industries. Patrick Industries took over the larger of the former Affinia buildings on 12th street for specialized wood working and countertop fabrication.

Since 1986, the City has approved a total of 56 tax abatements for 38 different companies. Currently there are 9 active abatements in the City including the following companies: BD Development LLC (St. Joseph Hospital Medical Office Building), Long Term Care Investments LLC, North American Composites (NAC), WellPet LLC, Barak River Rock, Dearborn Crane, Barak Ironrock Condominium, the Barak Ironrock Café and Patrick Industries.