

JUNE 12, 2012

**PLAN COMMISSION
CITY OF MISHAWAKA, INDIANA**

A regular meeting of the Mishawaka Plan Commission was held Tuesday, June 12, 2012, at 7:00 p.m. in the Council Chambers, City Hall, 600 East Third Street, Mishawaka, Indiana. Commission members attending: Gary West, Dale "Woody" Emmons, Murray Winn, Don McCampbell, Edward Salyer, and Rosemary Klaer. Absent: Matt Lentsch, Ross Portolese, and Carol Sergeant. In addition to members of the public, the following were also in attendance: David Bent, Ken Prince, Greg Shearon, Peg Strantz, and Kari Myers.

Murray Winn explained the Rules of Procedure.

The Minutes of the May 9, 2012, meeting were approved as distributed.

Conflict of Interest was not declared.

PUBLIC HEARING:

PLAT #12-08

A request submitted by Meijer Distribution, Inc., seeking approval of the one (1) lot subdivision of Meijer Outlet "A". *Continued from the May 9, 2012 meeting.*

Jason Stucker, Klover Architects, 10955 Lowell Ave, Overland Park, KS, appeared on behalf of the petitioner. He said Meijer is requesting to carve out a portion of the Meijer parking lot for a Panda Express restaurant with drive-thru.

Woody Emmons asked if he could give them an idea of what is being planned. Mr. Stucker said the restaurant will be just under 2,500 sqft with 37 parking spaces, landscape buffers on the south and west will be maintained.

Mr. Winn asked if there will be a new entrance. Mr. Stucker said no, they will be using the existing entrances. He also said that there will be new landscaping along Grape Road and will replace some dead-looking landscaping on Edison Lakes Parkway.

Mr. Winn closed the Public Hearing on Plat #12-08.

Staff Recommendation

The Planning Department recommends approval of the Preliminary Plat and Final Plat Meijer Outlot "A" (Plat #121-08) because it meets the requirements identified within the City of Mishawaka Zoning Subdivision Control Ordinances.

MOTION: Rosemary Klaer moved to approve Plat #12-08. Edward Salyer seconded; motion carried with a vote of 6-0.

PETITION #12-11 A petition submitted by Direct Line Communications to rezone **312 East Eleventh Street and property east of 312 East Eleventh Street** from R-1 Single Family Residential District to C-1 General Commercial District.

Bill Pemberton, 1333 Patriot Ct., Mishawaka, President of Direct Line Communications presented the Petition. He said this property is located adjacent to their building on Union Street and purchased it when it became available for sale. He said they have had significant parking problems and it made sense to purchase the property in case they needed to expand their parking in the future.

Mr. Pemberton said the home was distressed so they demolished it, the garage was left standing and grass was planted. He said the intent short term is to leave as is. A gentleman utilizes the garage for his crafts and the planning staff said that a C-1 zoning was required to run electric to the garage. Mr. Pemberton said the land is there if they needed to expand their parking.

Opposition

Brian Fry, 522 Alabama, said he owns 313 E. 10th Street which is across the alley. He said he isn't against the parking lot, but he was against the C-1 zoning; it gives the property owner a blank check to do as he pleases.

Mr. Emmons said his objection was what could happen down the road; he isn't thrilled about the parking lot and lost taxes from the home. He said he could live with the parking lot, but why change to C-1. Mr. Prince said it's required because of the way the property was purchased and a garage isn't allowed on the property. He said it was needed to combine with a commercial business to run electric to the garage. Mr. Prince said yes, a commercial business could be built on the property, but the existing garage would need to be torn down to provide the required parking.

Ms. Fisher, 306 E. 12th Street, said they didn't oppose the parking if that's all that's going to be there. If the building ever burned down, could apartments be built there? Mr. Prince said no, not in C-1, which is General Commercial zoning. It could potentially be a restaurant, but would require a market for that. He said there could be a bar or liquor store built there and he could also do that with the existing building.

Mr. Emmons said there are four businesses in the strip building and if it burned down, theoretically it would be hard to rebuild one business without rebuilding the rest of the building.

Rebuttal

Mr. Pemberton said he has owned the building for approximately 8 years. He also owned 10 acres in Granger which he sold and moved his business headquarters to this facility at that time. This office is utilized as an administrative office for all of his 12 Midwest offices and is strictly a corporate headquarters. Mr. Pemberton said prior to the purchase of the property on McKinley his electrical division was also in this building. He said when he purchased the property his intent was to have the ability to expand the parking lot.

Mr. Pemberton said he was told by planning that he needed to rezone the lot to commercial in order to run electric to the garage and intends to leave it grassy. He also said he can't do anything with the property without coming back and getting the necessary approvals for it. Mr. Prince said it would be administrative site plan approval which is not a public hearing. And the City would do everything they could to make sure they are not imposing themselves unduly on the neighborhood.

Mr. Pemberton said he wants to be a good neighbor. He bought this building eight years ago and fixed it up. The building on McKinley was a code enforcement nightmare, but now has made it a jewel.

Mr. Emmons asked what happens when the man using the garage passes away. Mr. Pemberton said the building will be used for record storage. He rents it on a month-to-month basis and he's not tied to a long term lease. He said when he's unable to do his crafts anymore, he can back out.

Mr. Pemberton said he bought the distressed home and if he hadn't purchased it, it probably would have been another rent house and another problem for the neighborhood.

Mr. Winn closed the Public Hearing on Petition #12-11.

Staff Recommendation

The Planning Department recommends approval of Petition 12-11 to rezone property located along the 300 block of East 11th Street from R-1 Single Family Residential to C-1 General Commercial. This recommendation is based upon the following findings of fact:

- 1. Given the property's close proximity to the existing commercial property located at the corner of 11th Street and Union Street, the C-1 zoning would be compatible with this commercial property.*
- 2. Use and value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner because given the context of its location, its relationship to surrounding properties, and the presence of the existing commercial property, staff feels that the most desirable use for this property is the C-1 General Commercial use. Furthermore, appropriate screening measure will be implemented between adjacent residential properties when the property is developed.*
- 3. Because the parcel is located adjacent to commercial property, the C-1 zoning classification would be compatible or desirable. The rezoning to C-1 zoning is a desirable use for this property;*
- 4. C-1 General Commercial classification will have a favorable and stabilizing impact on the neighborhood, conserving property values in the immediate and surrounding neighborhood by continuing an existing use within the area. Furthermore, rezoning will allow the development of additional off-street parking for the adjacent commercial property and reduce and/or eliminate parking on 11th Street.*
- 5. The proposed C-1 General Commercial zoning is consistent with the City's Comprehensive Plan which indicated general commercial uses along this stretch of Union Street and at the intersection of Union Street and East 11th Street. The proposed use is consistent with the adjacent commercial property owned by the petitioner.*

MOTION: Don McCampbell moved to forward Petition #12-11 to the Common Council with a favorable recommendation. Gary West seconded; motion carried with a vote of 5-1 (Emmons).

PETITION #12-12 A petition submitted by Meijer Distribution, Inc., to rezone the **northeast corner of Grape Road and Edison Lakes Parkway** from C-1 General Commercial District to C-7 Automobile Oriented Restaurant Commercial District.

Jason Stucker, Klover Architects, 10955 Lowell Ave, Overland Park, KS, appeared on behalf of the petitioner. He said they are requesting the parcel be rezoned from C-1 to C-7 to allow the Panda Express with drive-thru. He said staff finds it not to be detrimental to the area and

other restaurants in the area have drive-thrus which is a large portion of Panda Express' business.

Mr. Emmons asked if Panda Express was a buffet. Mr. Stucker said no.

Mr. McCampbell asked if the location inside the mall would remain open. Mr. Stucker said the intent is to keep it open.

Mr. Winn closed the Public Hearing on Petition #12-12.

Staff Recommendation

The Planning Department recommends approval of Petition 12-12 to rezone property located at the northeast corner of Grape Road and Edison Lakes Parkway from C-1 General Commercial to C-7 Automobile Oriented Restaurant Commercial. This recommendation is based upon the following findings of fact:

- 1. Given the property's close proximity to commercially zoned property, the C-7 zoning would be compatible with the surrounding commercial properties and the existing restaurant uses in the area.*
- 2. Use and value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner because given the context of its location, its relationship to surrounding properties, staff feels that the most desirable use for this property is the C-7 Automobile Oriented Restaurant Commercial*
- 3. Because the parcel is located adjacent to commercial properties and along heavily traveled corridors, the C-7 zoning classification would be compatible and is a desirable use for this property;*
- 4. C-7 zoning classification will have a favorable and stabilizing impact on the neighborhood, conserving property values in the immediate and surrounding commercial area by further expanding commercial development in the area.*
- 5. The proposed C-7 Automobile Oriented Restaurant Commercial zoning is consistent with the City's Comprehensive Plan which indicated general commercial uses along Grape Road.*

MOTION: Don McCampbell moved to forward Petition #12-12 to the Common Council with a favorable recommendation. Edward Salyer seconded; motion carried with a vote of 6-0.

PETITION #12-13 A petition submitted by John Joseph Coussens requesting to annex and zone the **southeast corner of Main Street and Douglas Road** to S-2 Planned Unit Development.

Daryl Knip, Abonmarche Consultants, 750 Lincolnway East, South Bend, appeared on behalf of the land owner. He said they are requesting to annex approximately 29 acres and zone S-2 Planned Unit Development to allow for C-1 and C-2 uses and establish developmental standards. Mr. Tony Magaldi, a resident, wants to bring Golden Corral to the area. He said he's hoping to bring 130 new jobs to the city and a boatload of taxes to the City as well. He said Mr. Magaldi has researched this concept for 18 months and will be family-friendly and more than just your standard Golden Corral.

Mr. Emmons asked if he owned the location in Kokomo and would it be similar to that one. Mr. Magaldi said this is a newer standard and will be a sleeker design.

Mr. Prince said that prior to tonight they had a meeting and have had further discussions on the extensive conditions. He said the only issue that has changed is the parking/landscaping where staff initially recommended a 25' green buffer along all public road ROW and they are now recommending that be changed to 20'. Mr. Prince said it matches the minimum distance of Cheddar's which ranges from 20' to 30'. He also said they have agreed to keep a greater green space at Main and Douglas, should the commission vote to approve the request.

Mr. Knip said on the building material they are ok. Mr. Prince said the EIFS material is within the permitted percentage.

Mr. Knip said on the rear they are only at 25% approved material and the rest is in line with what they have been discussing.

Mr. Prince said in a normal situation staff would ask for evergreen planting in the rear and he said that provision be provided to minimize the impact; evergreens should be along the back side to act as buffer. The front of the building is oriented to Main Street and the rear of the building will be oriented toward the collector street.

Mr. Prince said at this point they are merely annexing the property and details would be discussed with future site plan submissions.

Mr. Winn closed the Public Hearing on Petition #12-13.

Staff Recommendation

Uses:

1. *Permitted uses 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. *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.*
3. *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 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.

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.*

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.*

Parking/Landscaping:

1. *A minimum pavement setback of 5' in width shall be provided between internal lots/development parcels. A minimum 20' 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.*
2. *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.*
3. *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 outlet 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: Woody Emmons moved to forward Petition #12-13 to the Common Council with a favorable recommendation. Don McCampbell seconded; motion carried with a vote of 6-0.

DESIGN REVIEW:

DR #12-04

A request submitted by Jerry L. Brandenburg and Roger A. Finney requesting a requesting a waiver from the Mishawaka City Design Review Ordinance Section 105-169 Exterior Signage Materials, Section 105-170 Exterior Signage Colors, Section 105-171 Signage Form, and Section 105-178 Signage Style Considerations. *Petitioner has requested this item be withdrawn.*

The Commission unanimously approved the withdrawal of the item.

SITE PLAN:

SP #12-C

A request submitted by Panda Express for final site plan approval for an 2,448 sqft restaurant with drive-thru to be located at the northeast corner of Grape Road and Edison Lakes Parkway.

Jason Stucker, Klover Architects, 10955 Lowell Ave, Overland Park, KS, appeared on behalf of Panda Express. Mr. Stucker showed color renderings of the building elevations and said the building will be their standard prototype with brick and stone with only EIFS along the top. He said the existing landscape buffer will be maintained and also new trees added.

Mr. Winn asked about the traffic pattern. Mr. Stucker said traffic will enter from the north, not the main thoroughfare, creating a sort of two-way street, adding an island, and will be able to accommodate 8 cars in stacking lane for drive-thru.

Mr. Winn said it looks like they would exit from the parking onto Edison Lakes Parkway and where would drive-thru cars stack. Mr. Stucker said there could be at least 8 cars in the stacking lane and worse case scenario would be they curve around back up into the parking lot.

Ms. Klaer asked how soon construction would begin. Mr. Stucker said they could start as soon as they get approval. He said production documents are 95% complete and are shooting for mid-July ground breaking as soon as they are approved by state and St. Joseph County Health Department. Mr. Stucker said there is typically a 3 month construction time.

Staff Recommendation

The Planning Department recommends that the Petitioner's request for final site plan for Panda Express be approved. This recommendation is based on the fact that the site plan meets all the requirements of Section 137-35 Final Site Plan Approval.

MOTION: Rosemary Klaer moved to approve Site Plan #12-C. Edward Salyer seconded; motion carried with a vote of 6-0.

SP #12-D

A request submitted by Charlie's Convenience Store for final site plan approval for a 6,162 sqft gas station/convenience store and car wash to be located at the southwest corner of 12th and Capital Streets.

Pat Brown, SiteScapes, 1003 Lincolnway West, appeared on behalf of the petitioner. He said this is a replacement of the convenience store that had been located on the northeast corner of 12th and Capital.

Mr. Brown said this plan is the same from the PUD site plan that was submitted a few months ago for the 1st Source ATM. He said this is Lot 2 and they will share a common driveway and will have a convenience store with Subway located inside, an automatic car wash and may add self-service bays at a future date. Mr. Brown also said there will be five (5) pump islands located under a canopy.

Staff Recommendation

Planning Department recommends that the Petitioner's request for final PUD site plan for Charlie's Convenience Store be approved. This recommendation is based on the fact that the site plan meets all the requirements of Section 137-35 Final Site Plan Approval.

MOTION: Gary West moved to approve Site Plan #12-D. Don McCampbell seconded; motion carried with a vote of 6-0.

SP #12-E

A request submitted by Afdent Dental Lab for final site plan approval to construct a new 8,519 sqft dental lab facility at 533 W. Douglas Road.

Jeff Ballard, Danch, Harner & Associates, 1643 Commerce Drive, South Bend, appeared on behalf of Afdent Dental Lab. He said Afdent's main dentistry building is to the west and is 40' X 80' and houses dental lab and parking is tight. He said there is a retention basin behind the lab and there are drainage issues.

Mr. Ballard said when making these improvements they'll also be making site improvements. These improvements will also benefit Batteries Plus by redoing the back parking lot.

Mr. Ballard said they propose to use the existing 40' X 80' building and expand 20' to the north with a 2 story expansion. The façade on all sides will be improved; the building will be gutted and remodeled. He said the parking will be redone all around the building, drainage will be put under the parking lot and parking spaces will be added to accommodate the expansion.

Mr. West said he thought there were still significant deficiencies and didn't think revised plans had been submitted to his office. Mr. Ballard said there were a few things that Chris Jamrose wanted them to do.

Mr. West said it was his understanding there were more issues and he thought this item was going to be continued due to those deficiencies. Mr. Ballard said he thought all had been worked out by Mr. Danch and Ms. Jamrose.

Mr. Prince read the comments and said if Engineering wasn't comfortable with the plans then the item should be continued. Mr. West said he didn't think it wasn't anything that couldn't be resolved. Mr. Prince said it's procedure that if the changes are just dotting "i's" and crossing "t's" then we approve it.

Mr. Ballard said he thought Ms. Jamrose and Mr. Danch had communicated this afternoon and the items Mr. Prince listed were minor.

Mr. Prince asked when construction was due to begin and if this item could be continued. Mr. Ballard said any continuance could affect the construction timeline.

Mr. Prince asked if they had received State release on the project. Mr. Ballard said he didn't think so, but their intention was to go ahead with the final site plan approval.

Mr. West apologized to Mr. Ballard because he said he didn't get into it in any great detail. Mr. Ballard said they weren't aware of any groundwater issues. Mr. West said the groundwater basin was going to be put underground and that was his concern and he wanted to make sure groundwater wasn't running off onto adjacent properties, but he doesn't want to delay any development.

Mr. Prince said Planning wouldn't issue a permit if all issues weren't addressed. Mr. West said he withdrew his objection.

Staff Recommendation

Provided a plan is submitted addressing the aforementioned items, the Planning Department recommends that the Petitioner's request for final site plan for Afdent Dentistry be approved. This recommendation is based on the fact that the site plan meets all the requirements of Section 137-35 Final Site Plan Approval.

MOTION: Woody Emmons moved to approve Site Plan #12-E. Rosemary Klaer seconded; motion carried with a vote of 6-0.

SP #12-F

A request submitted by Center for Hospice for final site plan approval for Campus Development including a waiver of Design Review Ordinance for use of architectural metal and surface parking.

Chris Chockley, Wightman Petrie, 412 S. Lafayette, South Bend, appeared on behalf of Center for Hospice. Mr. Chockley said there are several projects going on concurrently with Hospice. A new road will come off of Cedar Street and connect into Central Park.

Mr. Chockley said the Hospice Campus is 4 ½ acres and they are seeking approval of Phase 1. Phase 1 consists of 2 buildings. There will be a parking lot to the north of the campus with 98 spaces. The building to the north (as shown on the overhead) is the Life Transition Center. The area to the west is a plaza to have art therapy with seating areas and large group areas. Also, there will be a walkway through the campus.

Mr. Chockley said they are working with Lawson-Fisher Associates to create a transition of sites between the Hospice campus and Riverwalk. He also said they are working with Lawson-Fisher relative to the Central Park portion of the project. There will also be replatting of several properties.

Mr. Emmons asked what school district is this located in. Mr. Prince said School City of Mishawaka.

Brad Sechrist, Helman Sechrist Architecture, Elkhart, said part of the site plan approval is waiver of architectural materials. He described an area around the top of mini ribbed material, mocha color, and also a significant area of cultured stone. Mr. Sechrist said the truss members are a natural wood, cedar. He said they understand the ordinance requirements but this building is more contemporary, streamlined.

Mr. Emmons asked how much will these buildings vary from our standards. Mr. Prince said when the ordinance was drafted in 1999 it envisioned downtown. He said they didn't want a Dollar General type of metal building with a little brick, but mostly steel. Mr. Prince said Hospice is trying to create a campus, college like building using metal as an architectural accent to the building, but not as a cost saving measure. When the ordinance was drafted, they didn't envision some would use metal in a creative way. He said this is an appropriate context and Hospice wanted a high quality building along the Riverwalk.

Staff Recommendation

Planning Department recommends that the Petitioner's request for the first phase of an executive office and care facility, including a waiver of the design review ordinance for use of architectural metal and surface parking be approved. This recommendation is based on the fact that the site plan meets all the requirements of Section 137-35 Final Site Plan Approval and is otherwise consistent with the intent of the Design Review Ordinance.

MOTION: Edward Salyer moved to approve Site Plan #12-F. Rosemary Klaer seconded; motion carried with a vote of 6-0.

ADJOURNMENT: 8:08 p.m.

Kenneth B. Prince, City Planner

Kari Myers, Administrative Planner