

Building and Planning Department

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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. On a daily basis, the department is responsible for the issuance of permits for virtually all construction including new 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 for our City.

Responsibilities and Duties

- 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 insure that they are consistent with the City's ordinances, goals, objectives, and policies.
- Issues and tracks 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.
- 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.
- Administers 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.
- 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.
- Coordinates with the Information Technology Department on the implementation and continual maintenance of the City's Geographic Information System (GIS).
 - Prepares 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.

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 to 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 its users. Building codes provide safeguards to help reduce those risks. Although no code can completely eliminate all risk, reducing the risk to an acceptable level is why building codes exist. 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 2012, the building department conducted 1,586 inspections, or approximately 3 to 6 inspections per work day; per inspector. Approximately 40 to 60 minutes are spent per inspection. Other building department duties include plan review of building design drawings, and meetings with contractors, owners, and tenants to explain and help with building code interpretation and enforcement.

In 2012 the construction industry gained some modest momentum over previous years. The building department has become more knowledgeable in the ever-changing building

code world. All inspectors have been trained to become combination inspectors, better serving the community and the public.

Continuing education is very important to the Building Department. In the last three years, approximately 45 days of educational seminars were attended by one or more inspectors. The Building Department's permit software has an online inspection program. A permit may be reviewed online to see which inspections have been completed, and which ones have passed or failed. This is a great way for permit holders to access detailed records of inspections and of corrections needed. The safety and welfare of the public is of the highest importance to the Building Department and the City of Mishawaka.

By enforcing building code requirements, the buildings and homes in the City of Mishawaka will be structural 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 2012, the 28 new housing starts were an increase of 6 over 2011. Although this is a modest increase, this is still significantly lower than the number of starts that occurred prior to 2007. The saturated market and current lack of population growth have had the biggest influence on residential construction.

- A total of 28 new single family permits were issued in 2012. This is slightly higher than the 22 new homes constructed in both 2011 and 2010. It is down from the 32 constructed in 2009, and down from 47 in 2008.
- 10 new commercial buildings started constructed in 2012. This is a significant increase compared to the 4 new commercial buildings that were started in 2011. By comparison, 9 were started in 2010, and 8 in 2009.

As indicated in the last few years, the worst economic downturn since the great depression was estimated to have hit bottom in the middle of 2009, since then the City of

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Mishawaka, and northern Indiana in general continued to grow, but at a very slow pace. In 2012, the City issued permits with an estimated construction value of just under \$52 million. This is higher than the \$43 million in 2011. In comparison, between 2005 and 2008, even excluding the St. Joseph Regional

Medical Center project, the City had averaged close to \$100 million in construction every year. The good news is that 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 continued poor housing market, saturated retail market, and the lingering effects of the national economic recession continue to depress the quantity of new construction.

2012 Planning and Building Permits

A summary of the 2012 permit activity is as follows:

Residential- \$6.9 million in estimated construction costs

- 28- new single family homes
- 420- residential alterations/additions
- 17- garages/carports additions
- 16- accessory buildings
- 3- pools

Multi-Family- \$10.0 million in estimated construction costs

- 82 Units

Commercial/industrial- \$34.7 million in estimated construction costs

- 10- new commercial buildings
- 128- alterations/additions

New Single Family Home Construction by year:

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. Three voluntary annexations occurred adding area to the City in 2012. The City grew by 308 acres or .481 square miles. This represents a growth in area of about 2.8%. Although significant in terms of area, the vast majority of these annexations were vacant farmland that will be developed over the next few decades. The existing city limits comprise an area of 17.81 square miles. Annexations in 2012 included:

1. Northwest corner of Capital Avenue and Toll Road

The City of Mishawaka approved the annexation and zoning of 28.29 acres located northwest of Capital Avenue and the Toll Road. The property was zoned to S-2 Planned Unit Development to allow for general commercial development. The property is currently owned by Memorial/Beacon Health.

2. Southeast Main Street and Douglas Road

29.5 acres of land located southeast of Main Street and Douglas Road was annexed into the City of Mishawaka. The property was zoned to S-2 Planned Unit development to allow for general commercial and shopping center commercial development. The first portion of this property was developed in 2012 as a Golden Corral Restaurant.

3. Northeast Fir Road and Douglas Road

(3) separate annexations totaling 249.8 acres were annexed into the City of Mishawaka. The properties annexed are located just east and north of Fir Road and Douglas Road. The entire 249.8 acres was zoned to S-2 Planned Unit Development to allow for a variety of commercial and residential uses. This is the Penn family farm. Adjacent to Juday Creek Golf Course, the development of this property is likely a few years away.

Commercial Growth

Similar to the past two years, 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. Unlike the previous two years, the City did see new commercial building activity pick up in 2012, including the construction of ten new commercial buildings. New buildings of interest that started construction in 2012 include the Center for Hospice Campus Administrative Office Building, Panda Express Restaurant, Cheddar's Restaurant, Golden Corral Restaurant, the Da Vita Dialysis Center, a new multi-tenant building at Heritage Square, and Physicians Immediate Care Center.



Da Vita Dialysis Center as of January 2013, Located on Trinity Place

Over the next few years, we anticipate that City will continue to see the transformation of longstanding retail centers as a result of competition, as well as, scattered new-site construction.

Another positive to be highlighted from 2012 includes the continued reinvestment in previously vacated retail space, including the remodel of the former Borders Books and Music into a Whole Foods Supermarket.



Whole Foods Market Remodel, Corner of Grape Road and Day Road

Some long planned reinvestment also took place in 2012. The former Charlie's Convenience Store was acquired and demolished by INDOT as part of the Capital Avenue SR 331 project. A replacement facility was started near the intersection of 12th and Capital Avenue.



Charlie's Convenience Center, under construction at 12th Street and Capital Avenue

In 2012, significant investment took place in and around Historic Downtown Mishawaka. Downtown space was renovated and occupied in 2012. The former Beanery coffee shop was transformed into Stevie's Unique Treats. The former Noble Romans Pizza was transformed into Zing Japanese Fusion restaurant.



Stevie's Unique Treats



Zing Japanese Fusion

The Ironworks Commercial Building located at the intersection of Ironworks Drive and Mill Street, adjacent to Robert C. Beutter Riverfront Park received its first tenants after years of vacancy. Umbaugh Financial Consultants and Afdent Family Dentistry both leased office space in 2012.



Ironworks Commercial Building, 2nd and 3rd floors leased in 2012

The largest change in the downtown in 2012 was the start of the new Center for Hospice Campus, located immediately east of Central Park. The total quantity of new construction proposed by the Center for Hospice is approximately 40,000 square feet. The plan is to first develop the administrative portion of the campus, with the remaining structures being built as funding becomes available over time. The administrative portion of the campus is expected to be completed in the summer of 2013.



Center for Hospice Care Administrative Building Construction, December 2012

Public Works Projects

The City is committed to serving the Mishawaka community through its support of various public works projects designed to enhance citizen's quality of life. During 2012, 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.



Plan View of the proposed Riverwalk extension through Merrifield Park

In 2012 the City continued to plan for the future expansions of the Riverwalk. In January of 2012 the City has applied through MACOG for \$1.1 million in Federal Transportation Enhancement (TE) funds to extend the Riverwalk through Merrifield Park. In December of 2012 the City completed an application for CMAQ funds for the same project.

The project itself includes the relocation of the existing access drive, the construction of the Riverwalk, creating a more formal boat launch, parking, and restroom upgrades. Once completed, this section will extend the walk from the “Merrifield/Crawford Park Connector” to the intersection of Prospect and Indiana Avenue. The City acquired and demolished 1004 and 1008 Prospect Avenue in 2012 specifically to allow for the widening of this intersection and to provide for a future suitable connection to the adjacent neighborhoods. Given the process required to receive Federal funds, it will take several years to receive funding, bid, and construct the Merrifield phase of the Riverwalk.

The City continues to work on the design and property acquisition required to extend the Riverwalk to Cedar Street. As part of the agreement with Center for Hospice, the Riverwalk will be extended from Central Park through to Madison Street in 2013. As part of that extension, the City is also working with the Indiana Department of Natural Resources to improve the access and appearance of the fish ladder located adjacent to the overflow dam. As part of the renovation, a sculpture “Circle of Life” by sculptor Robert Kuntz will be placed on the deck area adjacent to the ladder.

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Rendering of the proposed “Circle of Life” sculpture to be erected in 2013

On the south side of the river, the City continues to work with DLZ on the design of future Riverwalk and acquisition of property between Race Street and Cedar Street.

Mishawaka Main Junior High Apartments

Upon the resignation of the former Redevelopment Director in 2011, the management and oversight of this project was undertaken by the Planning Department. Following over a year of bidding and construction, the occupancy permit was issued in December of 2012, signifying that tenants can now occupy the building. The total construction cost for the project was \$7.6 Million. A more detailed description of the project has been included in the Community Development Annual Report.

Riverwalk Security Camera Project

In 2012, the Planning Department worked on plans and specifications for a camera and call box system that will place 27 surveillance cameras and a handful of call boxes along the Riverwalk. The project is expected to be bid and constructed in 2013.

Park Master Planning

The Planning Department continues to provide input on the renovation of a number of Park facilities, including Central Park and Merrifield Park. The Park Department is currently performing an analysis of all facilities, evaluating where activities are best located, as well as capital improvement needs.

2012 Activity of Commissions and Boards

Plan Commission

A total of 48 petitions were filed before the Plan Commission in 2012. This is an increase over the 33 petitions that were filed in 2011, but still significantly lower than the peak of 104 petitions filed in 2007. This is another statistic indicative of the still sluggish economy and how our local markets have been depressed by national economics. Petitions included 14 rezoning/annexation requests, 23 final site plans, and 11 Plats/Re-plats. The following people served on the 2012 Plan Commission:

Murray Winn	President
Matthew Lentsch	Vice President
Edward Salyer	Member (BPW&S)
Gary West	Member (City Engineer)
Ross Portolese	Member (Parks & Rec Bd.)
Carol Sergeant	Member
Don McCampbell	Member
Rosemary Klaer	Member
Dale (Woody) Emmons	Member (Council Rep.)

Board of Zoning Appeals

The Board of Zoning Appeals heard a total of 45 appeals in 2012. This total is slightly higher than the 41 appeals heard in 2011. The following people served on the 2012 Board of Zoning Appeals:

Don McCampbell	Chairman
James Trippel	Vice Chairman
Rosemary Klaer	Member
Charles Krueger	Member
Ross Portolese	Member

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 currently serve on the Historic Preservation Commission:

Cliff Zenor	Chairman
Judy Gray	Vice Chairman
Marcia McClure	Member (Council Representative)
Richard Barnette	Member
David Eisen	Member
Michael Bultinck	Member
Tony Obringer	Member
David Vollrath	Member
John Gleissner	Member

The Planning Department serves as the staff for the City of Mishawaka Historic Preservation Commission. The Historic Preservation Commission 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.

An overview of the 2012 activities and accomplishments are as follows:

- The HPC placed yard signs on local properties as a community education event and to celebrate National Historic Preservation Month.
- The HPC weeded and planted flowers in the garden areas of the Ball Band Monument Park.
- The HPC continued to pursue the installation of local historic plaques on properties that have been designated Landmark Status to promote community awareness.

- The HPC gave preservation awards to six recipients: Adaptive Reuse Award to Dr. Glenn Wheat (900 LWW), Service Award to Becky Emmons, Preservation Award to Greg Kuharic (417 Edgewater Dr.), Heritage Home Awards to Mary Lou Morin (522 Calhoun) and Forrest Dale & Imogene Morris (544 W Seventh), and Restoration Award to Doc Pierce's Restaurant (120 N. Main).
- The HPC was an advocate for the conversion of the former Main Junior High/Mishawaka Furniture building at 402 Lincolnway West into senior apartments.
- The HPC is preserving approximately seventy-five 11-inch by 14-inch sections of the former Main Junior High gym floor that will be cleaned and framed and offered for sale as a fundraiser for the Commission.
- The HPC co-sponsored two educational workshops at the Mishawaka downtown library with Indiana Landmarks and the South Bend - St. Joseph County Historic Preservation Commission titled House Detectives and Historic House Styles: Identifying Your Home's Architecture and Era. The events were well attended by homeowners from Mishawaka and surrounding towns.
- Commission members continued to make public presentations to community groups to create awareness of Historic Preservation.

Please refer to the 2012 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 is available for review at the Department of Community Development and Planning.

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 sent out 180 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-one 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 2012, 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, particularly near and north of the Hospital on Fir Road. Of

note, the county-wide economic development organization, with the dissolution of Project Future in 2011, was assumed by the St. Joseph County Chamber of Commerce. As 2013 unfolds, the City anticipates having discussions with the Chamber, the regional economic development entity CPEG, and other Cities including South Bend on how best to pursue regional economic development.

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 2012, one abatement was applied for and approved by the City.

Specifically, North American Composites (NAC) received a three-year abatement for the rehabilitation of the vacant building located at 1460 East 12th Street. NAC is new to the region and is a national distributor of composites raw materials based in Lino Lakes, MN. NAC serves manufacturers in marine, cast polymer, corrosion, construction, consumer and related composites industries.



North American Composites, 12th Street Facility

NAC received the abatement for making \$597,500 worth of improvements to the building, and personal property improvements of \$648,500 for equipment. The total estimated investment was \$1,246,000. North American Composites does not intend to perform any manufacturing in this facility, using it as a sales and distribution facility only.

NAC brought 10 new positions to the City with an annual payroll estimated at \$750,000. The payroll is significant and attractive because of the higher-wage sales and management positions that are housed at this facility. As identified in the application, the proposed hourly wage rates range between \$14 and \$48 per hour, excluding benefits and overtime.

Since 1986, the City has approved a total of 49 tax abatements for 33 different companies. Currently there are 5 active abatements in the City including the following companies: Jamil Packaging, Nyloncraft, BD Development LLC (St. Joseph Hospital Medical Office Building), Long Term Care Investments LLC, and North American Composites (NAC).