

AGENDA

Monday, June 3, 2019

**Meetings of Standing Committees
Council Conference Room
6:45 P.M.**

**REGULAR MEETING OF THE MISHAWAKA COMMON COUNCIL
COUNCIL CHAMBERS/CITY HALL
7:00 P.M.**

- 1. Call to Order**
- 2. Pledge of Allegiance**
- 3. Roll Call**
- 4. Approval of the Minutes of the Previous Regular Meeting**

May 20, 2019

5. Petitions, Communications, Remonstrance and Memorials

Appeal No. 2019-23 Use Variance to permit Micro-blading &/or Permanent Makeup - 6501 N Grape Rd Suite 1205A

Appeal No. 2019-26 Use Variance to allow a 4 day Recreational Vehicle RV Sales Event - 6501 N Grape Rd Suite 334

Petition No 2019-07 PUD Amendment to allow Microblading/Semi Permanent Makeup - 6910 N Main St Units 25 & 26

Petition No. 2019-08 Grandview PUD Amendment's - W side of North Gumwood Rd South by W Cleveland Rd (SR23) and the East by Centennial Place Shopping Plaza

- 6. Report of Special Committee**
- 7. Ordinances on First Reading**
- 8. Resolutions**
- 9. Ordinances on Second Reading**

P.O. NO. 2019-13 Additional Funds Police \$16,063.00, Public Safety \$4,300.00(Assigned to Budget and Finance Committee)

P.O. NO. 2019-14 Transferring Funds MVH Fund \$694,000.00, CEDIT \$694,000.00, LR&S \$394,000.00(Assigned to Budget and Finance Committee)

P.O. NO. 2019-15 Rezone from C-1 to R-2 Res 1211 W Sixth St (Assigned to Land Use Planning Committee)

P.O. NO. 2019-16 PUD Amendment Addition of Property for Parking & Stormwater Management for Proposed Multi-family Housing Development-North of the Edison Lakes Parkway & Holy Cross Parkway Intersection (Assigned to Land Use Planning Committee)

- 10. Privilege of the Floor - Non-Agenda Items**
- 11. Unfinished Business**
- 12. New Business**
- 13. Adjournment**

At this time I know of no other business to come before the Council.

Deborah S. Block, IAMC, MMC, City Clerk

The City of Mishawaka acknowledges its responsibility to comply with the Americans with Disabilities Act of 1990. In order to assist individuals with disabilities who require special services (i.e. sign interpretative services, alternative audio/visual devices, and amanuenses) for participation in or access to City sponsored public programs, services and/or meetings, the City requests that individuals make requests for these services forty-eight (48) hours ahead of the scheduled program, service and/or meeting. To make arrangements, contact Geoffrey Spiess, ADA Coordinator, at (574) 258-1615.

REGULAR MEETING OF THE MISHAWAKA COMMON COUNCIL
May 20, 2019

Be it remembered that the Common Council of the City of Mishawaka, Indiana met in the Council Chambers of the Mishawaka City Hall on Monday May 20, 2019, at 7:00 p.m. The meeting was called to order by President Dale “Woody” Emmons all were asked to stand for the Pledge of Allegiance.



Roll Call.

Present: Mrs. Voelker, Mr. Tanner, Mr. Mammolenti, Mr. Banicki, Mrs. Petko Reisdorf, Mr. Bellovich, Mr. Emmons.

Absent: Mr. Compton, Mr. Hixenbaugh.

Minutes for the Regular Meeting of May 08, 2019 were approved as received from the Clerk’s Office.

Clerk Block read letters from the Board of Zoning Appeals and the City Plan Commission regarding their recommendations from their May 14, 2019 meeting.

APPEAL #19-13

An appeal submitted by the Humane Society of St. Joseph County requesting a Use Variance for **2506 Grape Road** to permit a 175’ monopole communication broadcasting tower (cell tower).

The Board, with a vote of 4-0, recommended approval subject to the following conditions:

- 1) The monopole tower shall not exceed more than 180-feet in height (does not include height of attached lighting rod).
- 2) An opaque fence of no higher than 8-foot will be allowed around the base of the tower and equipment building.
- 3) An Administrative Site Plan shall be submitted for the property. The site plan shall be consistent with the schematic site plan submitted.
- 4) A double row of evergreens shall be planted between Grape Road and the fenced compound and shown on the Administrative site plan.
- 5) The entire access drive shall be paved. This includes the approximately 10’ between the existing paved drive and the leased compound area. The access shall utilize an existing curb cut of the Humane society. A storm water management system shall be provided for all new impervious surface area.
- 6) The monopole tower shall not be located any closer to Grape Road than the existing Humane Society main building to the north. This will require the tower be offset on the east side of the proposed compound area.

PETITION #19-04 A petition submitted by KISO INC. requesting to rezone **1211 West Sixth Street** from C-1 General Commercial District to R-2 Two-Family Residential District.

The Commission, with a vote of 8-0, recommended approval.

PETITION #19-06 A petition submitted by John Coussens and Cressy Land Investment LLC requesting to amend the Coussens-Golden Corral PUD for addition of property for parking and stormwater management for proposed multi-family housing development.

The Commission, with a vote of 8-0, recommended approval subject to the attached

Clerk Block read the following proposed ordinance by title, assigned to a committee and set for public hearing at the next meeting.

PROPOSED ORDINANCE NO. 2019-13

**AN ORDINANCE DECLARING AN EMERGENCY AND
DETERMINING THE EXPENDITURE OF ADDITIONAL
FUNDS FOR THE YEAR ENDING DECEMBER 31, 2019**

(Add. Funds – Police Dept. \$16,063/ Public Safety \$4,300)

(Assigned to the Budget and Finance Committee)

PROPOSED ORDINANCE NO. 2019-14

**AN ORDINANCE DECLARING AN EMERGENCY AND
TRANSFERRING AND REAPPROPRIATING FUNDS
WITHIN THE BUDGET ADOPTED FOR THE
CALENDAR YEAR ENDING DECEMBER 31, 2019**

(Trans Funds MVH -CEDIT \$694,000 / Local Road & Street \$394,000)

(Assigned to the Budget and Finance Committee)

PROPSOED ORDINANCE NO. 2019-15

**AN ORDINANCE AMENDING CHAPTER 137, OF THE MUNICIPAL
CODE OF THE CITY OF MISHAWAKA, INDIANA, AS FROM TIME TO TIME
AMENDED, COMMONLY KNOWN AS “THE ZONING ORDINANCE OF 1966” OF
THE CITY OF MISHAWAKA, INDIANA.**

(Rez C-1 to R-2 1211 W. 6th Street)

(Assigned to the Land Use Planning Committee)

PROPOSED ORDINANCE NO. 2019-16

**AN ORDINANCE AMENDING CHAPTER 137, OF THE MUNICIPAL
CODE OF THE CITY OF MISHAWAKA, INDIANA, AS FROM TIME TO TIME
AMENDED, COMMONLY KNOWN AS “THE ZONING ORDINANCE OF 1966” OF
THE CITY OF MISHAWAKA, INDIANA.**

(PUD Amd N. of Edison Lakes Pkwy & Holy Cross Pkwy Intersection)
(Assigned to the Land Use Planning Committee)

Clerk Block read Resolution 2019-15 IN its entirety and was opened for public hearing.

RESOLUTION NO. 2019-15

National Safe Boating Week

Timothy Bishop, Local Commander for the Local Coast Guard Auxiliary said they have been in Mishawaka since 1985, they started in New Buffalo Michigan in 1980. He continued to say the National Organization had 26,000 members. Mr. Bishop said their purpose was to support the active duty coast guards by working with the boating public by promoting boating safety. He said this proclamation was a part of that effort. Mr. Bishop thanked the council for taking the time to recognize their efforts.

Question was called for at 7:10 P.M. for **RESOLUTION NO. 2019-15**  **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 7). **Yes:** Mrs. Voelker, Mr. Tanner, Mr. Mammolenti, Mr. Banicki, Mrs. Petko Reisdorf, Mr. Bellovich, Mr. Emmons.

Clerk Block read the following resolution by title and was opened for public hearing.

RESOLUTION NO. 2019-16

**A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF
MISHAWAKA, INDIANA, APPROVING A PETITION OF THE MISHAWAKA BOARD
OF ZONING APPEALS FOR THE PROPERTY LOCATED AT:**

2506 Grape Road, Mishawaka, Indiana

Anthony Fitz, Mastec Network Solutions spoke on behalf of AT&T. He said they were requesting approval for the permanent construction of a new telecommunications facility at 2506 Grape Road. He went on to say AT&T was proposing to construct a 175' foot monopole with 40x50 fencing ground compound. Mr. Fitz continued to say the tower would be able to accommodate an additional three antennas. He thanked the Planning staff and the Board of Zoning Appeals for their recommendation for approval. Mr. Fitz said they read the staff report and they agreed to all conditions. He mentioned they worked closely with the Planning Department to find a suitable location for the tower. Mr. Fitz expressed they felt the proposed site would benefit the surrounding residence and businesses with the availability of the new state of the art wireless network. He continued to say this would also benefit the Humane Society by creating revenue stream and help with gaps in the area.

Mrs. Voelker asked what Mr. Fitz meant by using the term “new network.” Mr. Fitz explained AT&T had a gap in coverage in the proposed area for AT&T users. He continued to say they would provide a state-of-the-art coverage in the area.

Mr. Tanner questioned the determination for the height for the proposed pole. Mr. Fitz explained it did not require lighting.

Mr. Mammolenti questioned the number of towers located in Mishawaka. Mr. Fitz said currently they did not have any towers in the Mishawaka. He said they could have co-located on towers, but they were too far out of the area. Mr. Fitz said they had towers in the South Bend area.

Question was called for at 7:18 P.M. for **RESOLUTION NO 2019-16**  **Vote: Motion carried by unanimous roll call vote (summary: Yes = 7). Yes: Mrs. Voelker, Mr. Tanner, Mr. Mammolenti, Mr. Banicki, Mrs. Petko Reisdorf, Mr. Bellovich, Mr. Emmons.**

Clerk Block read the following proposed ordinances by title and were opened for public hearing.

PROPOSED ORDINANCE NO. 2019-12

AN ORDINANCE ANNEXING CONTIGUOUS TERRITORY TO THE CITY OF MISHAWAKA, INDIANA, AND PROVIDING ZONING CLASSIFICATION THEREFORE

(Correction to Ordinance No. 5594 Annex of 16839 Douglas Rd. by Scrivener’s Error)
(Assigned to the Land Use Planning Committee)

Mr. Tanner reported the Land Use Planning Committee recommended this proposed ordinance should be presented to the council as a whole. This is signed by the entire committee upon a second by Mr. Banicki motion carried.

Ken Prince, City Planner explained this property was proposed by the NRP Group for Senior Apartments by Douglas Road by the Uniroyal Pond on the northside of the road. He continued to say the apartments have not yet been constructed, they applied for tax credits they have not yet received. Mr. Prince said in their hurry to put the application together, they worked with NRP to put the legal description together, but they failed to put the correct legal description in the ordinance properly. He said this would fix the error, it would not change the property at all.

Question was called for at 7:21 P.M. for **PROPOSED ORDINANCE 2019-12**  **Vote: Motion carried by unanimous roll call vote (summary: Yes = 7). Yes: Mrs. Voelker, Mr. Tanner, Mr. Mammolenti, Mr. Banicki, Mrs. Petko Reisdorf, Mr. Bellovich, Mr. Emmons.** Thus, it becomes **ORDINANCE NO. 5656**

NEW BUSINESS

Mr. Tanner announced the Summer Concert Series would begin June 03, 2019 in the Mishawaka Parks.

Mr. Mammolenti thanked the Mayor, the Administration, Captain Reppert and the Police Department for their outstanding Police Memorial last week. He expressed it was great to see officers remembered.

Mr. Emmons announced the Mishawaka Memorial Day Parade would be Monday at 9:30AM.

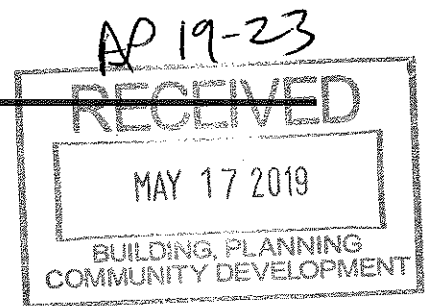
ADJOURNMENT 7:24 P.M.

Deborah S. Block /s/
Deborah S. Block, IAMC, MMC, City Clerk

Dale "Woody" Emmons /s/
Dale "Woody" Emmons, President

DATE: May 15, 2019

TO: Board of Zoning Appeals
City of Mishawaka, Indiana



The undersigned appellant respectfully shows the Board:

1. I, **Joe Gravitt, President, Spaceman Ventures LLC**, am the owner of the following described real estate located within the City of Mishawaka, Clay Township, St. Joseph County, State of Indiana, to- wit:

Sola Salon Studios, University Park Mall 6501 N Grape Road Unit 1205A Mishawaka, IN 46545

2. The above-described real estate presently has a zoning classification of C-2 District under the Zoning Ordinance of the City of Mishawaka.
3. Appellant presently occupies (*or proposes to occupy*) the above-described property in the following manner: Studio Salon Suites, 6501 N Grape Road Unit 1205A, Mishawaka IN 46545 renting to Cosmetologists, Estheticians, Barbers, Massage Therapists, Nail Technicians, Beauty Industry.
4. Appellant desires to rent studio space to Salon Professionals who provide micro blading and/or permanent makeup.
5. The Zoning Ordinance of the City of Mishawaka requires (*Explain ordinance requirements and note Section Number of the Ordinance.*)
6. Explain why strict adherence to the Ordinance requirements would create an unusual hardship.
7. Answer the following necessary questions for a **USE VARIANCE**:

- (1) Will approval be injurious to the public health, safety, morals or general welfare of the community?

No. The proposed use in an expansion of services already provided within an existing salon and Will not be injurious to the public health, safety, comfort, community moral standards, convenience or general welfare.

- (2) Will the use and value of the area adjacent to the property included in the variance be affected in a substantially adverse manner?

No. The proposed use is part of an existing studio salon and should not adversely affect adjacent use or property values.

- (3) Does the need for the variance arise from some condition peculiar to the property involved?

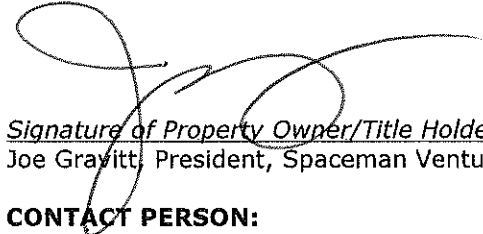
Yes. To develop quality business areas to meet the retail and service needs of the area, provide business opportunity for salon professionals in St. Joseph County.

- (4) Does strict application of the terms of this chapter constitute an unnecessary hardship if applied to the property for which the variance is sought?

Yes - it limits professional licensed salon professionals from practicing the art of microblading thus limiting their income; as well as prevents clients from receiving these requested services at an all service studio salon concept. This fairly new procedure has been placed under tattooing which really does not fit the service. There is ongoing conversation within the beauty industry to classify it under cosmetology's umbrella because of who provides the service. Sola Salons has invested a substantial amount into the build out of the facility to insure that the requested variance is consistent with the spirit, purpose, and intent of the any current ordinance.

- (5) Will approval interfere substantially with the Mishawaka 2000 Comprehensive Plan?
- No.*

WHEREFORE, Appellant prays and respectfully requests a hearing on this appeal and that after such hearing, the Board grant the requested variance.



Signature of Property Owner/Title Holder

Joe Gravitt, President, Spaceman Ventures LLC

Second Property Owner/Title Holder

CONTACT PERSON:

Name: Joe Gravitt, Spaceman Ventures LLC, dba Sola Salon Studios

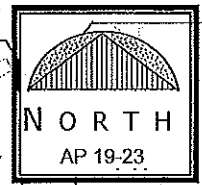
Address: 9102 N Meridian Street Ste 555 Indianapolis IN 46260

Day Phone Number: 317.721.9395

Fax Number:

Email: joe_solasalons@icloud.com

W CLEVELAND RD



SR 23

GRAPE RD

AP 19-23

CLOVIS ST

INDIANA TOLL RD
INDIANA TOLL RD

Location Map

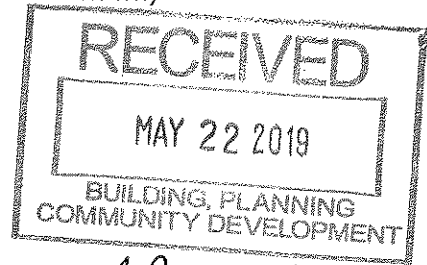
APPEAL 19-23

JOE GRAVITT, SPACEMAN
VENTURES LLC DBA SOLA SALON
STUDIOS (TENANT) & UNIVERSITY
PARK MALL LLC (OWNERS)

6501 N. GRAPE ROAD, SUITE 1205A

USE VARIANCE TO PERMIT MICRO-
BLADING &/OR PERMANENT MAKEUP

2. Will the use and value of the area adjacent to the property included in the variance be affected in a substantially adverse manner? *Explain your reason why*
3. Will strict application of the terms of the On-Premise Sign Standards Ordinance result in practical difficulties in the use of the property? *Explain your reason why*



THIS IS NOT A FILL-IN FORM, BUT A SAMPLE APPEAL TO BE USED AS A GUIDE WHEN PREPARING YOUR APPEAL

DATE: 5/21/2019

TO: Board of Zoning Appeals
City of Mishawaka, Indiana

The undersigned appellant respectfully shows the Board:

1. I, **University Park Mall LLC**, am the owner of the following described real estate located within the City of Mishawaka, Penn Township, St. Joseph County, State of Indiana, to-wit:

Irreg. Tract Between State Rd 23 & Grape Road & Between Toll Road & Cleveland Rd sec 28-38-3e 39.022 Acres More Or Less.

2. The above-described real estate presently has a zoning classification of **Commercial (C-2)** District under the Zoning Ordinance of the City of Mishawaka.
3. Appellant presently occupies (*or proposes to occupy*) the above-described property in the following manner: **Temporary 4 day RV show located in the North JCpenney Lot. See Exhibit A for proposed location.**
4. Appellant desires to (*Explain what is proposed that violates the Ordinance.*) **Hold a temporary, four-day RV sales show in the North portion of the JC Penney parking area from June 27 to 30. A variance is necessary because C-2 zoning does not permit RV/vehicle sales**
5. The Zoning Ordinance of the City of Mishawaka requires (*Explain ordinance requirements and note Section Number of the Ordinance.*) **A use variance be submitted by property owner and be heard by the Board of Zoning Appeals.**
6. Explain why strict adherence to the Ordinance requirements would create an unusual hardship.
No. By definition this will not result in any unnecessary hardships to the property. These shows provide positive synergy to the businesses that operate within the mall as well as the surrounding businesses on Cleveland and Grape Road.
7. Answer the following necessary questions for a **USE VARIANCE**:
 - (1) Will approval be injurious to the public health, safety, morals or general welfare of the community? **YES OR NO and explain your reason why.**

No. This is a request for a temporary use-variance to host University Park Mall's second annual RV-Show in the North portion of the JCPenney parking lot. This is a temporary 4 day show beginning June 27th, 2019 and ending Sunday, June 30th.

- (2) Will the use and value of the area adjacent to the property included in the variance be affected in a substantially adverse manner? *YES OR NO and explain your reason why.*

No. It is our expectation that this event will have no negative impact on neighboring business. The four day event will drive traffic to the area to the benefit of surrounding businesses. The RV Show will have no site line obstructions to any neighboring parcel.

- (3) Does the need for the variance arise from some condition peculiar to the property involved? *YES OR NO and explain your reason why.*

No. University Park Mall is strategically located with great visibility to Grape Road, Cleveland Road, State-Road 23, & Toll Road 80. On Mall Media/Advertising and University Park Mall social media pages help co-promote the show.

- (4) Does strict application of the terms of this chapter constitute an unnecessary hardship if applied to the property for which the variance is sought? *YES OR NO and explain your reason why.*

No. By definition this will not result in any unnecessary hardships to the property. These shows provide positive synergy to the businesses that operate within the mall as well as the surrounding businesses on Cleveland and Grape Road.

- (5) Will approval interfere substantially with the Mishawaka 2000 Comprehensive Plan? *YES OR NO and explain your reason why.*

No. This request is in accordance with the Mishawaka 2000 Comprehensive Plan. This is a temporary 4 day show including multiple RV dealers and drives traffic from neighboring counties.

WHEREFORE, Appellant prays and respectfully requests a hearing on this appeal and that after such hearing, the Board grant the requested variance.

Signature of Property Owner/Title Holder

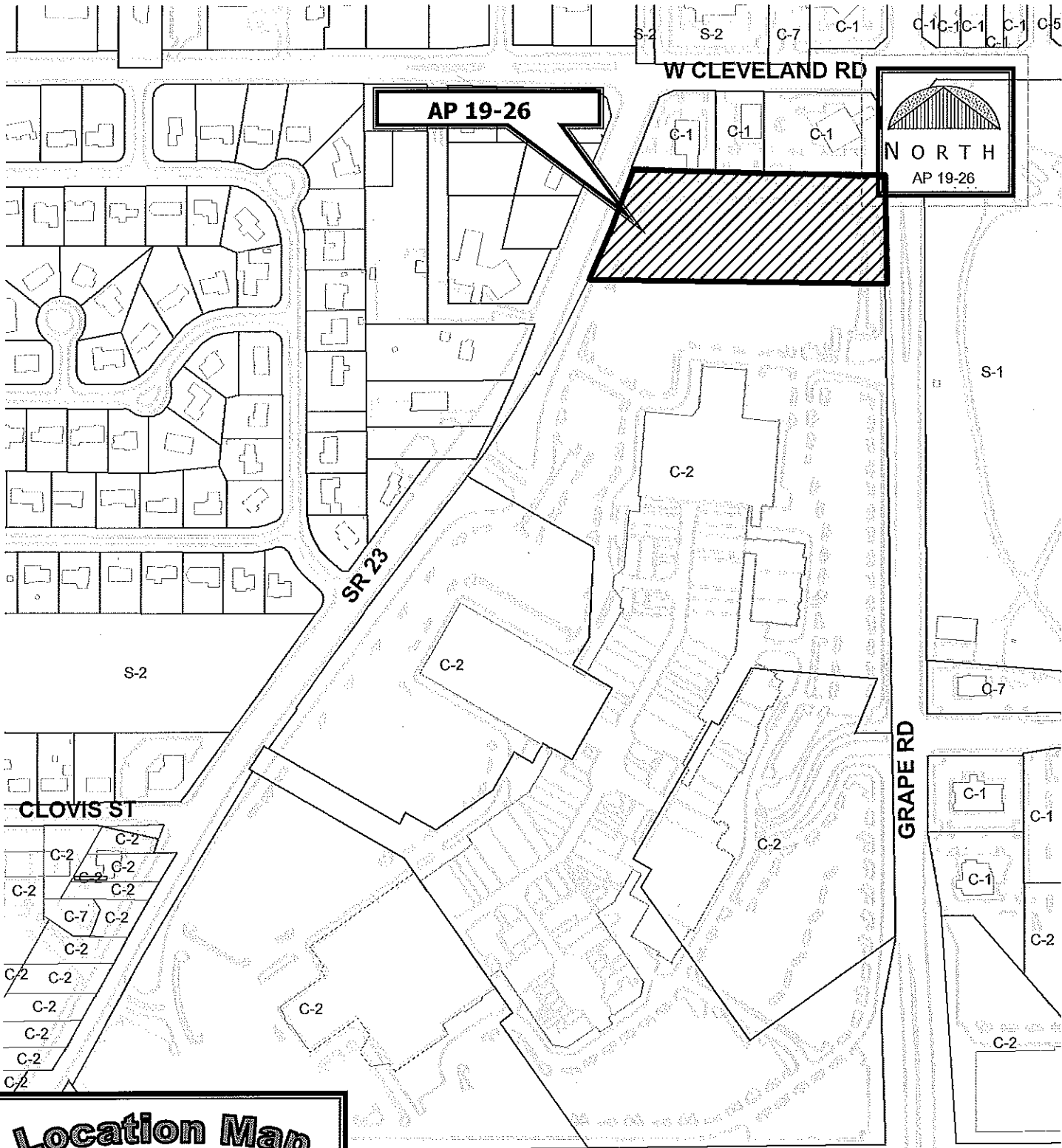


Second Property Owner/Title Holder

Print Name Here

CONTACT PERSON:

Name: Wes Mehr, General Manager
Address: 6501 N. Grape Road Suite 334 Mishawaka, IN 46545
Day Phone Number: 574.271.5531
Fax Number: 574.272.5924
Email: Wes.Mehr@simon.com



Location Map

APPEAL 19-26

UNIVERSITY PARK MALL LLC
(OWNER)

6501 N. GRAPE ROAD, SUITE 334

USE VARIANCE TO ALLOW A 4-DAY
RECREATIONAL VEHICLE (RV)
SALES EVENTS

University Gardens Office Park
6910 North Main Street
Granger, Indiana 46530

May 21, 2019

Honorable Members of the Common Council
City of Mishawaka, Indiana
And Mishawaka City Plan Commission
City of Mishawaka, Indiana

RE: PETITION OF PUD AMENDMENT

The undersigned, Thomas J. Herrman, respectfully show they are the owners of the following described real estate located in the City of Mishawaka, County of St. Joseph, State of Indiana, to-wit:

University Gardens, Inc,
6910 N Main Street
Building 25 & 26
Granger, IN 46530

Petitioner(s) own one hundred (100%) percent of the above described parcel of land which carries a zoning classification S-2 Planned Unit Development specifically for leased commercial space/office use.

Legal Description of land:

UNIT 25 UNIVERSITY GARDEN OFFICE PARK
PARCEL NUMBER: 71-04-27-102-027.000-036 / 030-1001-000430
PROPERTY ADDRESS: 6910 N GUMWOOD UNIT 25, GRANGER, IN 46530

UNIT 26 UNIVERSITY GARDENS OFFICE PARK
PARCEL NUMBER: 71-04-27-102-028.000-036 / 030-1001-000431
6910 N GUMWOOD RD, GRANGER, IN 46530

Petitioner(s) desire said real estate to be amended to allow for Inside Out Salon and Wellness Spa, LLC. To use the space for MICROBLADING/SEMI-PERMANENT MAKEUP applications.

Wherefore, the petitioner(s) pray and respectfully request that the Common Council of the City of Mishawaka refer this matter to the Mishawaka City Plan Commission and that after that hearing, an appropriate ordinance be enacted amending the PUD of the above described parcels of land located in the City of Mishawaka.

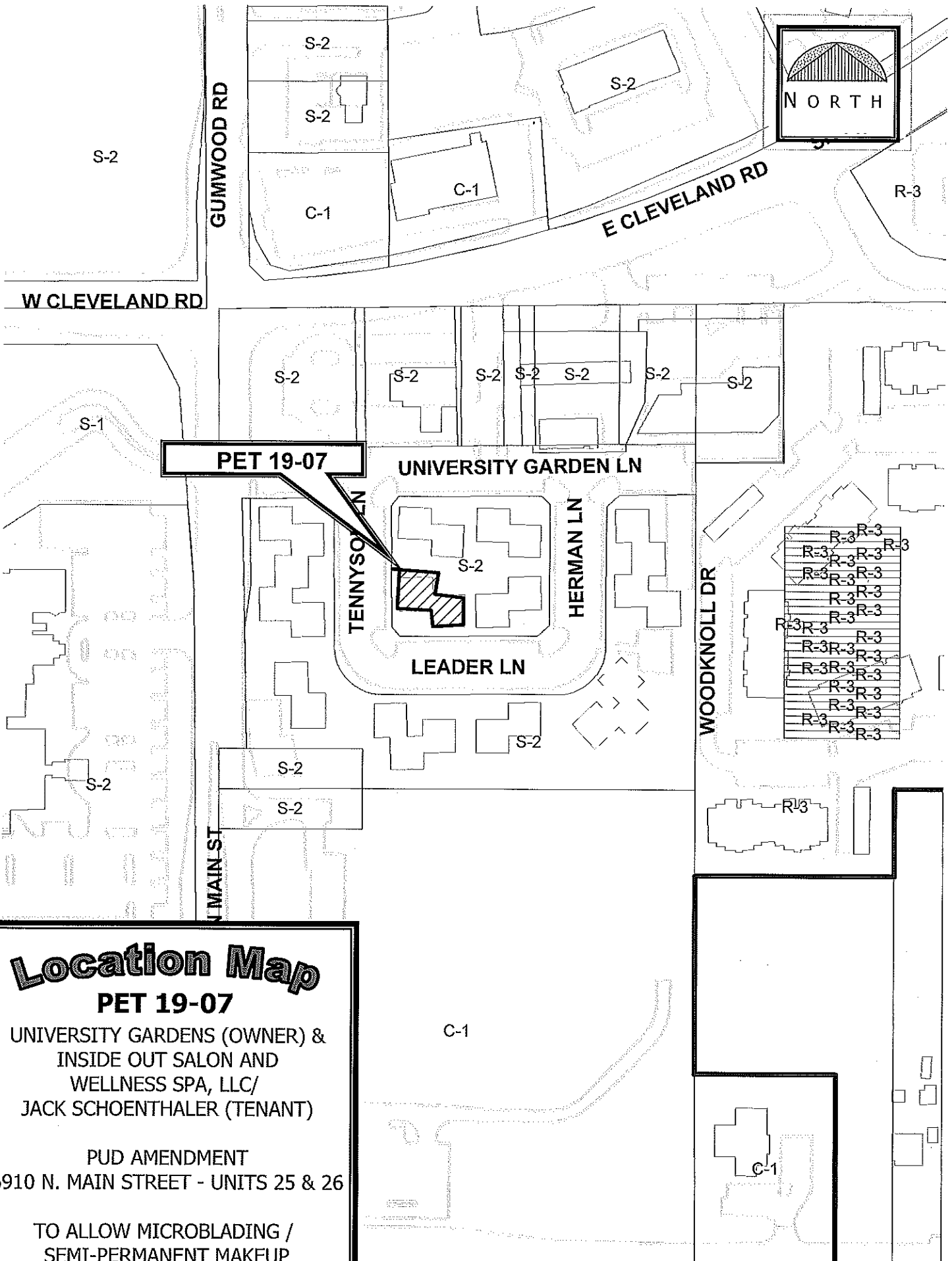
Respectfully,


Thomas J. Herrman, Owner

Contact:
Jennifer Herrman
574-274-2524
jherrman@hgservices.com

JACK SCHOENTHALER
Cell 574-250-3089
jschoenthaler7277@yahoo.com

Let 19-07



MAY 30 2019

CITY CLERK
MISHAWAKA, IN

May 22, 2019

Mr. Kenneth B. Prince, ASLA, AICP, City Planner
City of Mishawaka
600 East Third Street
Mishawaka, IN 46544



RE: **Gumwood Acquisitions, LLC**
Petition for PUD Zoning Amendment

Dear Mr. Prince:

On behalf of the current property owner, Gumwood Acquisitions, LLC, we are submitting for your review and processing a petition to amend the PUD which was approved in 2014 (Ordinance No. 5434) and subsequently amended in 2015 (Ordinance No. 5509) and in 2018 (Ordinance No. 5611).

The properties included in the approved PUD have tax identification numbers of 029-2017-037008, 029-2017-037022, 029-2017-037023, 029-2017-037024, and 029-2017-037025. The tract is bounded to the north by Phase One of GrandView, to the east by Gumwood Road, to the south by Cleveland Road (SR 23) and to the ~~west~~ ^{EAST} by the Centennial Place shopping plaza.

We are respectfully requesting that the PUD be amended as follows:

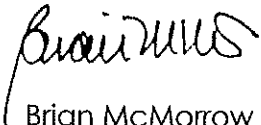
- Permission to include as a permitted use, "Outdoor storage and display" (because this use is expressly prohibited in the current PUD ordinance);
- Permission to "preserve existing vegetation in the 35'-wide buffer along the west property lines abutting existing residential property" in lieu of constructing "a 2'-high earth mounding planted with evergreen trees, minimum 8' height, spaced 10' to 12' max along with a 6' minimum height opaque fence" as required in the current GrandView PUD ordinance;
- Permission to construct treated lumber opaque fence, 14' high, to screen the proposed outdoor storage and display areas; and
- Permission to provide a driveway access throat having a length of approximately 100' to allow for a cross access with the adjacent Centennial Place commercial center, should there be mutual consent by and between property owners.

This mixed-use development will continue to include construction of public and private roadways and utilities, and a drainage detention system to provide storage for storm water runoff as it is released at a rate into existing drainage facilities.

If you have any questions or require additional information, please do not hesitate to contact our office at (574) 314-1022.

Sincerely,

Abonmarche Consultants, Inc.



Brian McMorrow
Senior Project Manager

CC: Ryan Rans, Gumwood Acquisitions, LLC
Kristen Sawdon, Great Lakes Capital, LLC
Thomas O'Neill, Menard, Inc.
Daryl S. Knip, Abonmarche Consultants, Inc.



DATE: May 22, 2019

TO THE: Honorable Members of the Common Council
City of Mishawaka, Indiana &
Mishawaka City Plan Commission
City of Mishawaka, Indiana



RE: **PETITION FOR PUD ZONING AMENDMENT**

The undersigned, Gumwood Acquisitions, LLC respectfully show that they are the owner of the following described real estate which was the subject of a PUD established by Ordinance No. 5434 on January 21, 2014, amended on December 7, 2015 by Ordinance No. 5509, and amended again on February 5, 2018 by Ordinance No. 5611 and located in the County of St. Joseph, State of Indiana, to-wit:

LOT 2 AND A PART OF LOT 1 IN GUMWOOD ROAD DEVELOPMENT P.U.D. SUBDIVISION, RECORDED AS INSTRUMENT NUMBER 1518561 IN THE RECORDER'S OFFICE OF ST. JOSEPH COUNTY, INDIANA AND ALSO BEING A PART OF THE SOUTHEAST QUARTER OF SECTION 21, TOWNSHIP 38 NORTH, RANGE 3 EAST, CITY OF MISHAWAKA, CLAY TOWNSHIP, ST. JOSEPH COUNTY, INDIANA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 2, THENCE NORTH 00°30'31" WEST ALONG THE WEST LINE OF SAID LOT 2 EXTENDED, 912.90 FEET; THENCE NORTH 89°27'41" EAST, 782.68 FEET TO A POINT ON THE WESTERLY LINE OF SAID LOT 2; THENCE NORTH 00°28'12" WEST ALONG THE WEST LINE OF SAID LOT 2, 562.65 FEET; THENCE NORTH 68°36'22" EAST, 327.80 FEET; THENCE SOUTH 21°40'35" EAST, 37.48 FEET; THENCE NORTH 89°46'50" EAST, 171.07 FEET TO A POINT ON THE EAST LINE OF SAID LOT 1; THENCE SOUTH 00°31'05" EAST ALONG THE EAST LINE OF SAID LOTS 1 AND 2, 1531.34 FEET; THENCE SOUTH 44°28'18" WEST, 35.36 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID LOT 2; THENCE SOUTH 89°27'41" WEST ALONG THE SOUTH LINE OF SAID LOT 2, 1249.18 FEET TO THE POINT OF BEGINNING, SAID PARCEL CONTAINING 33.80 ACRES, MORE OR LESS, AND SUBJECT TO EASEMENTS, COVENANTS, AND RIGHT OF WAY OF RECORD.

Petitioner owns One Hundred (100%) percent of the above described land, excluding the right-of-way of Cleveland Road, and is located within a part of the east half of Section 21, Township 38 North, Range 3 East, Harris Township, St. Joseph County, and that the Petitioner desires the same to be annexed to the City of Mishawaka, Indiana, with an "S-2" Planned Unit Development District zoning classification desired. Petitioner further states they intend to utilize said land for a mixed-use multi-family residential and commercial development.

Accompanying this petition is a drawing, to scale, showing the above-described parcel of real estate.

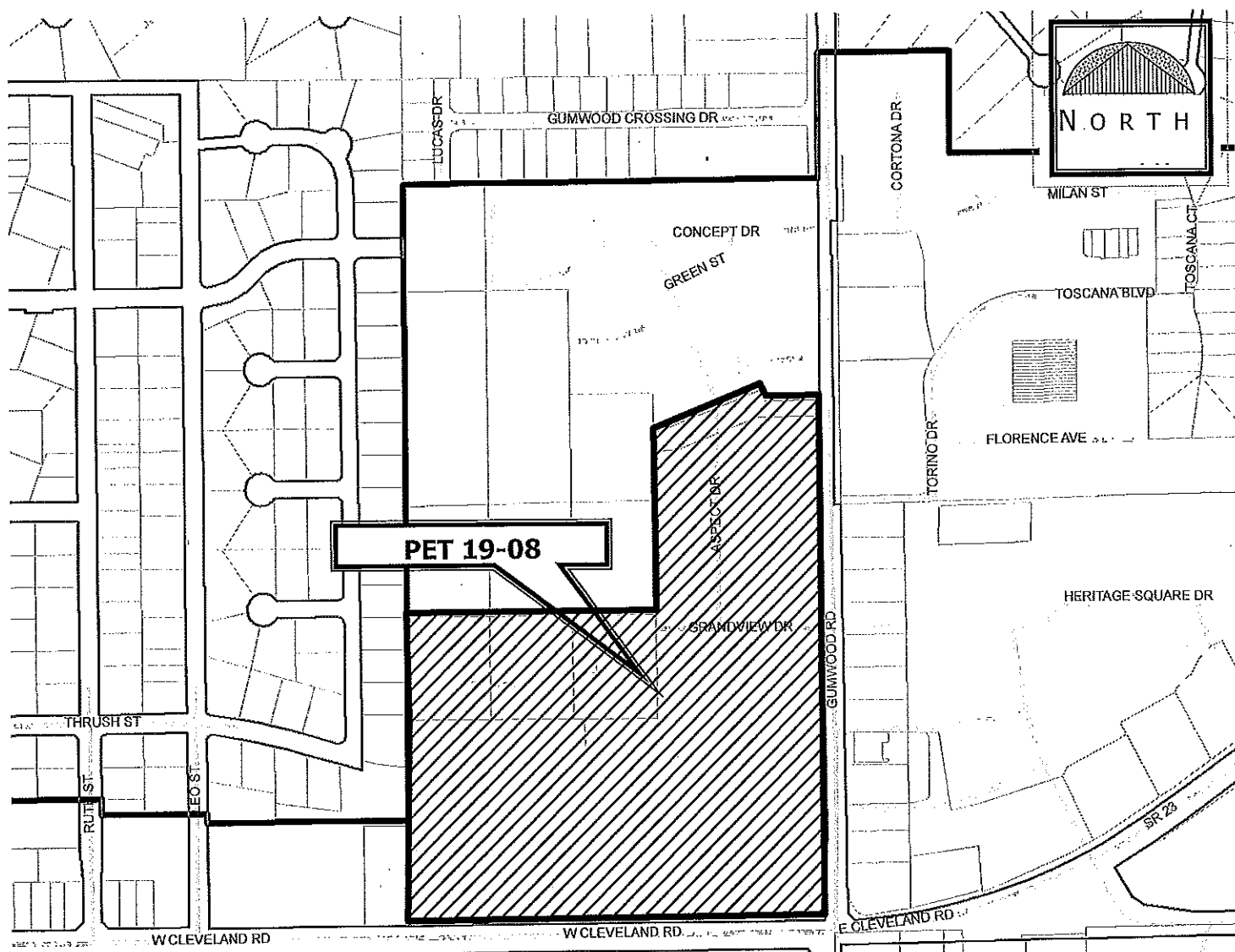
For: Gumwood Acquisitions, LLC

Ryan Rans
Ryan Rans, Managing Partner

Date: 5/21/2019

CONTACT PERSON:

Brian McMorro
Abonmarche Consultants, Inc.
750 Lincoln Way East
South Bend, Indiana 46601
(574) 314-1022
bmcmorrow@abonmarche.com



Location Map

PET 19-08

GRANDVIEW PUD AMENDMENT

- *INCLUDE "OUTSIDE STORAGE AND DISPLAY" AS A USE
- *PRESERVE EXISTING VEGETATION IN LIEU OF LANDSCAPING REQUIREMENTS
- *CONSTRUCT 14' HIGH OPAQUE FENCE TO SCREEN OUTSIDE STORAGE AND DISPLAY AREA
- *PROVIDE DRIVEWAY ACCESS THROAT LENGTH OF 100' TO PROPERTY TO WEST

MAY 15 2019

CITY CLERK
MISHAWAKA, IN

1st Reading 5-20-19 PROPOSED ORDINANCE NO. 2019-13

2nd Reading

Passed

Failed

Continued To

ORDINANCE NO. _____

AN ORDINANCE DECLARING AN EMERGENCY AND
DETERMINING THE EXPENDITURE OF ADDITIONAL
FUNDS FOR THE YEAR ENDING DECEMBER 31, 2019

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF MISHAWAKA
INDIANA, THAT:

Section 1. An emergency exists which requires the appropriation of additional
funds for the fiscal year ending December 31, 2019 in addition to that set out in detail in the
published budget.

Section 2. There is hereby appropriated from the General Fund of the City of
Mishawaka the sum of \$16,063.00 for assignment as follows:

General

Police Department

Capital Outlays

101-20-445-08

Police Equipment

\$16,063.00

Section 3. There is hereby appropriated from the Public Safety Fund of the City of
Mishawaka the sum of \$4,300.00 for assignment as follows:

Public Safety

Capital Outlays

430-50-445-08

Police Equipment

\$ 4,300.00

Section 4. This Ordinance shall be in full force and effect from and after its
passage, signing and attestation.

PASSED BY THE COMMON COUNCIL of the City of Mishawaka, Indiana

On this _____ day of _____, 2019 at _____ o'clock, _____. M.

Dale "Woody" Emmons, Presiding Officer

ATTEST:

Deborah S. Block, IAMC, MMC, City Clerk

PRESENTED BY ME to the Mayor of the City of Mishawaka, Indiana

on this _____ day of _____, 2019 at _____ o'clock, _____. M.

Deborah S. Block, IAMC, MMC, City Clerk

APPROVED BY ME this _____ day of _____, 2019 at
_____ o'clock, _____. M.

David A. Wood, Mayor



CITY OF MISHAWAKA



Police Department
200 North Church Street
Mishawaka, IN 46544

David A. Wood, Mayor
Kenneth L. Witkowski, Chief

May 20, 2019

RECEIVED
DEBORAH S. BLOCK, MMC

MAY 15 2019

Mishawaka Common Council
Mayor David Wood

CITY CLERK
MISHAWAKA, IN

Re: Appropriation of Additional Funds - Ordinance #

Dear Mr. President and Honorable Council Members:

The Mishawaka Police Department would like to purchase a 4 x 4 Mule cart for police patrol and a 2 x 2 CAPS cart. The quotes for these carts are \$15,443.58. We wish to use the funds from insurance proceeds from totaled police vehicles that were damaged in 2018 for the purchase of these carts.

4 x 4 Mule Cart - \$8,276.57

2 x 2 CAPS Cart - \$7,167.01

\$15,443.58

We would also like to use additional funds from insurance proceeds of \$4,919.42 from this year to purchase gun holsters.

I am asking of the Council to approve the appropriations of the additional funds so that the MPD can purchase these carts and gun holsters.

Respectfully,

Kenneth L. Witkowski
Chief of Police

KLW:cd

Emergency 911
Front Desk 574-258-1678
Investigative Division 574-258-1684
Records Division 574-258-1681

Chief 574-258-1683
Uniform Chief 574-258-1688
Traffic Division 574-259-2966
Fax 574-258-1690

MAY 16 2019

CITY CLERK
MISHAWAKA, IN

1st Reading 5-20-19 PROPOSED ORDINANCE NO. 2019-14

2nd Reading ORDINANCE NO. _____

Passed

Failed

Continued To

AN ORDINANCE DECLARING AN EMERGENCY AND
TRANSFERRING AND REAPPROPRIATING FUNDS
WITHIN THE BUDGET ADOPTED FOR THE
CALENDAR YEAR ENDING DECEMBER 31, 2019

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF MISHAWAKA,
INDIANA, THAT:

Section 1. An emergency exists which requires the transfer of funds within the
Motor Vehicle Highway, CEDIT, and Local Road and Street funds for the budgets adopted
for the fiscal year ending December 31, 2019.

Section 2. There is hereby transferred and reappropriated the sum of
\$1,782,000.00 as follows:

Motor Vehicle Highway Fund

From: Supplies

201-50-422-02	Gas, Oil, etc.	\$100,000.00
201-50-423-03	Equip/Parts, Supplies	\$100,000.00

Other Services and Charges

201-50-431-09	Health Screenings/Vaccines	\$ 5,000.00
201-50-434-90	Insurance Premiums/Deductibles	\$150,000.00
201-50-435-01	MU Charges	\$135,000.00
201-50-435-02	NIPSCO	\$ 54,000.00
201-50-436-01	Building/Equipment Repair	\$150,000.00
	Total	\$694,000.00

To: Capital Outlays

201-50-442-01	Street Repair	\$694,000.00
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CEDIT

From: Supplies

430-50-423-01	Street material/dust control	\$ 54,000.00
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Capital Outlays

430-50-442-01	Paving	\$300,000.00
430-50-442-04	Sidewalk and Curb Program	\$100,000.00
430-50-445-02	MVH Equipment	<u>\$240,000.00</u>
		\$694,000.00

To: Supplies

430-50-422-02	Gas, Oil, etc.	\$100,000.00
430-50-423-03	Equip/Parts, Supplies	\$100,000.00

Other Services and Charges

430-50-431-09	Health Screenings/Vaccines	\$ 5,000.00
430-50-434-90	Insurance Premiums/Deductibles	\$150,000.00
430-50-435-01	MU Charges	\$135,000.00
430-50-435-02	NIPSCO	\$ 54,000.00
430-50-436-01	Building/Equipment Repair	<u>\$150,000.00</u>
	Total	\$694,000.00

Local Road and Street

From: Capital Outlays

202-50-442-01	Street Repair/Summer Street	\$394,000.00
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To: Supplies

202-50-423-01	Street material/dust control	\$ 54,000.00
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Capital Outlays

202-50-442-04	Sidewalk and Curb Program	\$100,000.00
202-50-445-02	MVH Equipment	<u>\$240,000.00</u>
		\$394,000.00

Section 3. This ordinance shall be in full force and effect from and after its passage, signing and attestation.

PASSED BY THE COMMON COUNCIL of the City of Mishawaka, Indiana, on this

_____ day of _____, 2019 at _____ o'clock, _____.M.

Dale "Woody" Emmons, Presiding Officer

ATTEST:

Deborah S. Block, IAMC, MMC, City Clerk

PRESENTED BY ME to the Mayor this _____ day of _____, 2019 at
_____ o'clock, _____.M.

Deborah S. Block, IAMC, MMC, City Clerk

APPROVED BY ME this _____ day of _____, 2019 at _____ o'clock,
_____.M.

David A. Wood, Mayor

MAY 16 2019

CITY CLERK
MISHAWAKA, IN



CITY OF MISHAWAKA

DAVID A. WOOD, MAYOR

DEPARTMENT OF FINANCE
Rebecca S. Miller, Controller
Kurtis D. Vardaman, Deputy Controller

Date: May 16, 2019

To: Honorable Members of the Common Council

From: Rebecca Miller

Re: **Transfer of Motor Vehicle Highway (MVH), Local Road and Street (LRS), and County Economic Development Income Tax (CEDIT) funds to meet the requirements of the new sub fund, MVH Restricted (MVHR)**

For first reading on May 20th, I have a transfer to meet the 50% MVH revenue requirement to be used for Construction, Reconstruction, and Preservation (CRP) of our streets.

Our current MVH budget is two thirds personal services. With new revenue earmarked for street projects 50% of the funding must have correlating expenses paid from the MVH funds. Currently we use the LRS and CEDIT funds for the bulk of our street paving.

With CEDIT having the use of any legal expense and LRS having a broader definition than MVH for street repair, I am transferring between these funds to meet this requirement.

Our current estimate for 50% of MVH revenue is \$994,000. This is the total that will be in the MVH budgets, funds 201 and new sub fund 203.

Please contact me with any questions.

c: David A. Wood – Mayor
Tim Ryan – Street Commissioner
Christine Jamrose – Director of Engineering/City Engineer

MAY 16 2019

1st Reading 5-20-19
2nd Reading
Passed
Failed
Continued To

PETITION 19-04

CITY OF MISHAWAKA, INDIANA

CITY CLERK
MISHAWAKA, IN

PROPOSED ORDINANCE NO. 2019-15

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 137, OF THE MUNICIPAL CODE OF THE CITY OF MISHAWAKA, INDIANA, AS FROM TIME TO TIME AMENDED, COMMONLY KNOWN AS "THE ZONING ORDINANCE OF 1966" OF THE CITY OF MISHAWAKA, INDIANA.

WHEREAS, the Plan Commission of the City of Mishawaka, Indiana, has recommended the reclassification of the zoning as herein set forth of the real estate hereinafter described.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, that:

Section 1. Chapter 137, of the Municipal Code of the City of Mishawaka, commonly known as "The Zoning Ordinance of 1966", be, and the same is hereby amended as follows:

The following described real estate in the City of Mishawaka, Penn Township, St. Joseph County, State of Indiana, to-wit:

LOT NUMBERED FIFTY-EIGHT (58) AS SHOWN ON THE RECORDED PLAT OF MANOKA PLACE, AN ADDITION TO THE CITY OF MISHAWAKA, RECORDED IN PLAT BOOK 9, PAGE 1 IN THE OFFICE OF THE RECORDER OF SAINT JOSEPH COUNTY, INDIANA

COMMON ADDRESS: 1211 West Sixth Street

which real estate is now classified as C-1 General Commercial District shall hereafter be within and a part of that District known as R-2 Two-Family Residential District designated in "The Zoning Ordinance of 1966" as amended.

Section 2. The Common Council of the City of Mishawaka, Indiana, hereby finds that:

1. There are few commercial uses near the property, and the surrounding neighborhood is residential in nature and maintaining its historic use as a residential property would be compatible to 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, and the potential of development as a commercial project, staff feels that the most desirable use for this property is a two-family use;

Proposed Ordinance No: 2019-15

Ordinance No: _____

3. Because the parcel is located in an area of residential uses, the rezoning to R-2 Two-Family Residential is a desirable use for this property;
4. As opposed to the range of potential commercial development that could occur with its current zoning, rezoning this property to the R-2 Two-family Residential classification will have a favorable and stabilizing impact on the neighborhood, conserving property values in the immediate and surrounding residential neighborhood; and,
5. The City's Comprehensive Plan calls for low density residential and its potential use as a residential property is compatible and consistent with the historic residential uses in the area.

Section 3. This Ordinance shall be in full force and effect from and after its passage, due attestation and legal publication.

PASSED by the Common Council of the City of Mishawaka, Indiana, this _____ day of _____, 2019, at _____ o'clock _____.M.

Presiding Officer

ATTEST:

Deborah S. Block, IAMC, MMC, City Clerk

PRESENTED by me to the Mayor this _____ day of _____, 2019, at _____ o'clock _____.M.

Deborah S. Block, IAMC, MMC, City Clerk

APPROVED by me this _____ day of _____, 2019, at _____ o'clock _____.M.

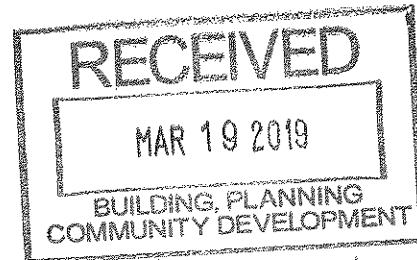
David A. Wood, Mayor

RECEIVED
DEBORAH S. BLOCK, MMC

March 11th, 2019

MAR 27 2019

CITY CLERK
MISHAWAKA, IN



Ref 19-04

Honorable Members of the
Common Council,
City of Mishawaka, Indiana
and
Mishawaka City Plan Commission
City of Mishawaka, Indiana.

RE: PETITION TO REZONE - Parcel ID 71-09-16-310-011.000-023

The undersigned KISO INC. respectfully show they are the owners of the following described real estate located in the City of Mishawaka, County of St. Joseph, State of Indiana, to-wit

Parcel ID 71-09-16-310-011.000-023; LOT NUMBERED FIFTY-EIGHT (58) AS SHOWN ON THE RECORDED PLAT OF MANOKA PLACE, AN ADDITION TO THE CITY OF MISHAWAKA, RECORDED IN PLAT BOOK 9, PAGE 1 IN THE OFFICE OF THE RECORDER OF SAINT JOSEPH COUNTY, INDIANA currently located at 1211 WEST 6TH ST., MISHAWAKA, IN 46544.

Petitioners own one hundred percent (100%) of the above described parcel of land which carries a zoning classification of C. Said property is currently vacant.

Petitioner(s) desire said real estate to be rezoned to R-2 District. Petition(s) further state that they intend to utilize said land for multifamily housing.

Wherefore the petitioner(s) pray and respectfully request that the Common Council of the City of Mishawaka refer this matter to the Mishawaka City Plan Commission and that after hearing, an appropriate ordinance be enacted rezoning the above described parcel of land located in the City of Mishawaka.


KISO, INC.
Property Owner.

CONTACT PERSON:

Name: Ruth Sila

Address: 10994 Fairview Ave., Osceola IN 46561

Phone Number: 404-731-8391

Email: rksila@gmail.com



RECEIVED
DEBORAH S. BLOCK, MMC

1st Reading 5-20-19
2nd Reading
Passed
Failed
Continued To

PETITION 19-06

MAY 16 2019

CITY OF MISHAWAKA, INDIANA

CITY CLERK
MISHAWAKA, IN

PROPOSED ORDINANCE NO. 2019-16

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 137, OF THE MUNICIPAL CODE OF THE CITY OF MISHAWAKA, INDIANA, AS FROM TIME TO TIME AMENDED, COMMONLY KNOWN AS "THE ZONING ORDINANCE OF 1966" OF THE CITY OF MISHAWAKA, INDIANA.

WHEREAS, the Plan Commission of the City of Mishawaka, Indiana, has recommended the reclassification of the zoning as herein set forth of the real estate hereinafter described.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, that:

Section 1. Chapter 137, of the Municipal Code of the City of Mishawaka, commonly known as "The Zoning Ordinance of 1966", be, and the same is hereby amended as follows:

The following described real estate in the City of Mishawaka, Clay Township, St. Joseph County, State of Indiana, to-wit:

Part of the Northeast Quarter (NE ¼) of Section 33, Township 38 North, Range 3 East, situated in Clay Township, St. Joseph County, State of Indiana, being more particularly described as follows:

Commencing at an iron pipe marking the Southeast Quarter of the Northeast Quarter (NE ¼) of said Section 33; thence North 00 18' 40" West along the East line of the Northeast Quarter (NE ¼) of said Section 33 a distance of 239.20 feet to a point in the centerline of Juday Creek; thence continuing North 00 18' 40" West along the East line of the Northeast Quarter (NE ¼) of said Section 33 a distance of 420.24 feet to the place of beginning of this description; thence North 89 57' 13" West parallel with the South line of the Northeast Quarter (NE ¼) of the Southeast Quarter (SE ¼) of the Northeast Quarter (NE ¼) of said Section 33 a distance of 195.85 feet to a point of curvature of a tangent curve; thence Southwesterly along a curve to the left, said curve having a radius of 290.00 feet, an arc length of 72.89 feet and being subtended by a long chord having a bearing of South 82 50' 44" West and a length of 72.70 feet to a point of tangency; thence South 75 38' 41" West a distance of 51.51 feet to a point of curvature of a tangent curve; thence southwesterly along a curve to the left, said curve having a radius of 185.43 feet, and an arc length of 84.88 feet and being subtended by a long chord having a bearing of 62 31' 54" West and a length of 84.14 feet to a point of compound curvature; thence southwesterly along a curve to the left said curve having a radius of 302.00 feet, an arc length of 73.98 feet and being subtended by a long chord having a bearing of South 42 24' 03" West and a length of 73.80 feet; thence South 35 22' 58" West a distance of 9.13 feet to a point on the Northerly right-of-way line of Edison Lakes Parkway; thence North 55 58' 48" West along the Northerly right-

Proposed Ordinance No: 2019-16

Ordinance No: _____

of-way line of Edison Lakes Parkway a distance of 2.06 feet; thence North 61° 51' 37" West along the Northerly right-of-way line of Edison Lakes Parkway a distance of 206.29 feet; thence Northwestwardly along a curve to the left, said curve having a radius of 2008.26 feet, an arc length of 35.91 feet and being subtended by a long chord having a bearing of North 62° 31' 50" West and a length of 35.91 feet to a point on the West line of the Southeast Quarter (SE ¼) of the Southeast Quarter (SE ¼) of the Northeast Quarter (NE ¼) of said Section 33; thence North 00° 14' 01" West along the West line of the Southeast Quarter (SE ¼) of the Southeast Quarter (SE ¼) of the Northeast Quarter (NE ¼) of said Section 33 a distance of 12.94 feet to a rebar marking the Southwest Corner of the Northeast Quarter (NE ¼) of the Southeast Quarter (SE ¼) of the Northeast Quarter (NE ¼) of said Section 33; thence South 89° 57' 13" East along the South line of the Northeast Quarter (NE ¼) of the Southeast Quarter (SE ¼) of the Northeast Quarter (NE ¼) of said Section 33 a distance of 663.09 feet to an iron pipe marking the Southeast Corner of the Northeast Quarter (NE ¼) of the Southeast Quarter (SE ¼) of the Northeast Quarter (NE ¼) of said Section 33; thence South 00° 18' 40" East along the East line of the Northeast Quarter (NE ¼) of said Section 33 a distance of 5.00 feet to the place of beginning of this description.

Parcel 2

A PARCEL OF LAND BEING A PART OF THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 38 NORTH, RANGE 3 EAST, CLAY TOWNSHIP, ST. JOSEPH COUNTY, INDIANA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID QUARTER SECTION; THENCE NORTH 00°40'39" WEST ALONG THE EAST LINE OF SAID QUARTER SECTION, 627.38 FEET TO THE POINT OF BEGINNING, ALSO BEING A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF HOLY CROSS PARKWAY; THENCE THE NEXT (3) THREE COURSES ALONG THE NORTHERLY AND NORTHWESTERLY RIGHT-OF-WAY LINE OF HOLY CROSS PARKWAY; (1) THENCE SOUTH 89°09'31" WEST, 70.43 FEET TO A POINT OF CURVE TO THE LEFT, HAVING A RADIUS OF 465.00 FEET, SUBTENDED BY A CHORD LENGTH OF 320.19 FEET, BEARING SOUTH 69°00'52" WEST; (2) THENCE SOUTHWESTERLY ALONG SAID CURVE, 326.88 FEET; (3) THENCE SOUTH 85°58'37" WEST, 37.60 FEET TO A POINT ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF EDISON LAKES PARKWAY; THENCE NORTH 56°39'42" WEST ALONG THE NORTHEASTERLY RIGHT-OF-WAY LINE OF EDISON LAKES PARKWAY, 47.45 FEET; THENCE NORTH 35°01'08" EAST, 7.98 FEET TO A POINT OF CURVE TO THE RIGHT, HAVING A RADIUS OF 302.00 FEET, SUBTENDED BY A CHORD LENGTH OF 73.80 FEET, BEARING NORTH 42°02'13" EAST; THENCE NORTHEASTERLY ALONG SAID CURVE, 73.98 FEET TO A POINT OF CURVE TO THE RIGHT, HAVING A RADIUS OF 185.43 FEET, SUBTENDED BY A CHORD LENGTH OF 84.14 FEET, BEARING NORTH 62°10'04" EAST; THENCE NORTHEASTERLY ALONG SAID CURVE, 84.88 FEET; THENCE NORTH 75°16'51" EAST, 51.51 FEET TO A POINT OF CURVE TO THE RIGHT, HAVING A RADIUS OF 290.00 FEET, SUBTENDED BY A CHORD LENGTH OF 72.70 FEET, BEARING NORTH 82°28'54" EAST; THENCE NORTHEASTERLY ALONG SAID CURVE, 72.89 FEET; THENCE NORTH 89°40'57" EAST, 195.85 FEET TO A POINT ON THE EAST LINE OF SAID QUARTER SECTION; THENCE SOUTH 00°40'39" EAST ALONG SAID EAST LINE, 32.06 FEET TO THE POINT OF BEGINNING; SAID PARCEL CONTAINING 0.58 ACRES, MORE OR LESS, AND SUBJECT TO EASEMENTS, COVENANTS, AND RIGHT OF WAY OF RECORD.

COMMON ADDRESS: North of Edison Lakes Parkway and Holy Cross Parkway Intersection

Proposed Ordinance No: 2019-16

Ordinance No: _____

which real estate is now classified as S-2 Planned Unit Development District shall hereafter be amended to expand the boundary and amend a part of the Coussens-Golden Corral Planned Unit Development to allow for the development of a 368 unit multi-family residential apartment complex subject to the attached conditions.

Section 2. The Common Council of the City of Mishawaka, Indiana, hereby finds that:

1. Existing Conditions - The subject property, located east of N. Main Street and north of Edison Lakes Parkway, is undeveloped land currently zoned for hospital with medical buildings and a helipad. North Main Street is a highly travelled corridor with an average annual daily traffic count of nearly 33,000 vehicles per counts taken in 2015. Adjacent land uses include vacant agricultural land to the north proposed for development as a multi-family residential apartment complex, the St. Joseph Health System Mishawaka Medical Center to the east, Vibra Hospital currently under construction and vacant commercial land to the south, and vacant land approved for commercial uses to the west.
2. Character of Buildings in Area - The area is predominantly commercial and medical-related uses. The character of many of the buildings in vicinity of this site are high quality commercial.
3. The most desirable/highest and best use - Because of the parcels' location and the significant commercial development on the north side of the City, serving as a regional area of commerce, combined with the proximity of Main Street, makes the most desirable use for the property a heavy mix of intensive commercial, professional office and service, and multifamily residential uses.
4. Conservation of property values - The proposed zoning will not be injurious to property values in the surrounding area, because the vast majority of adjacent property is commercial.
5. Comprehensive Plan - This property has been guided as medium density residential as part of the City's 2000 Comprehensive Plan.

Section 3. This Ordinance shall be in full force and effect from and after its passage, due attestation and legal publication.

PASSED by the Common Council of the City of Mishawaka, Indiana, this _____ day of _____, 2019, at _____ o'clock ____ M.

Presiding Officer

Proposed Ordinance No: 2019-16

Ordinance No: _____

ATTEST:

Deborah S. Block, IAMC, MMC, City Clerk

PRESENTED by me to the Mayor this _____ day of _____,
2019, at _____ o'clock _____.M.

Deborah S. Block, IAMC, MMC, City Clerk

APPROVED by me this _____ day of _____, 2019, at
_____ o'clock _____.M.

David A. Wood, Mayor

PETITION #19-06
Coussens-Golden Corral PUD Amendment
Conditions of Approval
(Changes from original approved conditions in italics)

Uses:

1. Permitted uses for all property in the original PUD (*Ordinance 5348*) and *expanded 1.5 acre area included in this amendment* shall be limited to those uses identified in the C-1 (General Commercial) and C-2 (Shopping Center Commercial) zoning districts based on City of Mishawaka Zoning classification defined and in effect on the date of approval by the Mishawaka Common Council.
2. Permitted uses on the south 10 acres of the original PUD *and expanded 1.5 acre area included in this amendment* shall be expanded to include R-3 Multifamily Residential uses.
3. Permitted uses on the area adjacent to the Edison Lakes Parkway including all or a portion of Lot 1 of Portillo's Main Street Minor Subdivision shall be limited to those uses identified in the C-1 (General Commercial) zoning district.
4. Outside sale display for loose items shall be prohibited unless specifically approved by the Planning Commission as part of a final planned unit development site plan submission.
5. Off-premise signs/billboards shall be prohibited.

Traffic Impact:

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

Internal Road/Sidewalk connections:

1. Private vehicular connections between this property and adjacent properties shall be required, the location and number of connections required shall be determined as part of future planned unit development site plan submissions. Applicable private road connections shall be dedicated within easements as part of the each subsequent final planned unit development site plan. Actual construction shall occur concurrent with the development of the adjacent property or as directed by the City, whichever comes first. Modifications to the location of the easement /drive may be approved by the Planning Commission as part of any final planned unit development site plan approval. The applicant shall meet with the adjacent property owners to coordinate the

exact connection locations between properties. The exact location of these connection points shall be subject to review and approval by the City.

2. A minimum of two access points are required for the proposed multifamily residential apartment complex.
3. Sidewalks connecting the apartments and the hospital sites shall be constructed by the developer. A pedestrian access/sidewalk plan shall be submitted and approved by the City Director of Engineering.

Stormwater Run-off/Utilities/Infrastructure:

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

Lighting:

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

Signage:

1. Standard Mishawaka On-Premise Sign Standards shall be varied to allow for a hierarchy of signage (given the large site) and to otherwise further the intent of this chapter as follows. No more than three freestanding site signs shall be located along Douglas Road, regardless of the number of lots proposed. All freestanding signs shall otherwise be designed as per the applicable City requirements:

- a. Each outlot/development parcel may be permitted one freestanding sign. These signs shall be limited to 8' in height and contain a display area of no more than 60 square feet. Each shall include a masonry base (to match the architecture of the building) no less than 3' in height. No more than 1/3 of the display area for each sign may be utilized as an electronic reader board. All freestanding signs shall be separated from each other by a minimum of 150 lineal feet.
 - b. One multi-tenant sign shall be permitted along Douglas Road (separate from the two outlots shown with Douglas Road Frontage). This sign shall be exclusively for properties that do not have a freestanding sign on Douglas Road. If constructed, this sign shall be constructed in a center landscape median within the proposed entry drive, or otherwise separated and made to be distinctly separate from the outlot signage located along Douglas Road. This sign shall be limited to 12' in height and contain a display area of no more than 60 square feet. No more than 1/3 of the display area for each sign may be utilized as an electronic reader board. The sign shall include a masonry base no less than 5' in height. All freestanding signs shall be separated from each other by a minimum of 150 lineal feet.
2. Temporary banners, flush mounted to a building shall be limited to one per building/use, and shall not exceed 80 square feet. These banners shall also be subject to any future more restrictive regulation that may be passed by the City.
 3. General façade and directional signage standards shall be submitted concurrently with the first final planned unit development plan submission. Limits on the height of letters/signage for façade signs shall be reviewed and evaluated by the Planning Commission at that time.
 4. The parcels located along Edison Lakes Parkway and Holy Cross Parkway shall be permitted two (2) signs. One (1) for the outlot/development parcel and one (1) for the apartment site subject to the 1.a. requirements above.
 5. An internal directional signage plan for the apartment site shall be submitted subject to Staff approval. Signs shall be not directly visible from the public right-of-way and shall be subject to the height and size requirement per 1.a above.

Building Limitations/Architecture:

1. All proposed buildings shall be constructed of 100% approved materials as identified within Section 105.76 of the City of Mishawaka Municipal code as amended, except that hardi-board maybe used as an accent material, not to exceed 1/3 of the area of any single building face. Materials and colors shall be varied to provide architectural interest.

2. For all development parcels- there shall be a minimum building setback of 75' from all public right-of-way and private collector drives. A minimum side building setback of 10' shall be provided along lot/property lines. A minimum 25' building setback shall be provided from internal non-public access drives. A minimum 25' rear yard building setback shall be provided. A minimum 25' building setback from the Indiana Toll Road right-of-way shall be provided.
3. The maximum building height for the site shall be 48', except for hotel uses that shall be permitted to construct a maximum of four stories not to exceed 70' in height.
4. The maximum building height for the proposed apartment complex shall be limited to five (5) stories.

Parking/Landscaping:

1. The number of parking spaces required for the proposed apartment complex shall be provided at a rate of 1.2 spaces per apartment unit.
2. A minimum pavement setback of 5' in width shall be provided between internal lots/development parcels. A minimum 25' pavement setback shall be provided along all public right-of-way and private internal collector roadways. A minimum 10' pavement setback/green area shall be provided from internal non-public access drives and proposed parking/building areas.
3. For large shopping areas where shopping carts are utilized, cart corrals shall be provided. Corral's shall be identified and removed from total number of parking spaces provided. Curbed landscape islands shall be provided to break up large pavement areas as determined by the Planning Commission as part of the review of any planned unit development site plan.
4. Earth mounding shall be provided along public road right-of-way, between parking areas and public streets. A minimum 25-foot green buffer area shall be required along all public road right-of-way and internal collector drives. Each individual outlot within all development parcels shall comply with the landscape requirements of the C-1 General Commercial zoning district. All side property lines within 100' of Main Street right-of-way shall comply with the front yard landscaping standards identified within the C-1 General Commercial zoning district.
5. 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.

6. Phasing of required landscaping shall be reviewed as part of every final planned unit development plan submission.
7. 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:

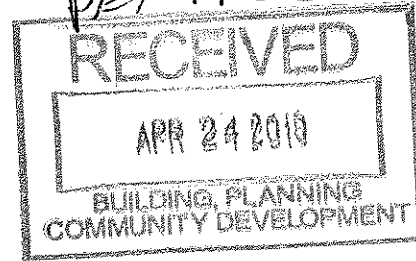
1. The phasing and development of infrastructure for the development shall be reviewed and approved by the Planning Commission concurrently with the first planned unit development site plan submission. Future modifications and requirements may be placed by the Planning Commission concurrent with each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

RECEIVED
DEBORAH S. BLOCK, MMC

MAY 01 2019

CITY CLERK
MISHAWAKA, IN

April 24, 2019



Honorable Members of the Common Council
City of Mishawaka, Indiana
and
Mishawaka City Plan Commission
City of Mishawaka, Indiana

RE: PETITION FOR PUD AMENDMENT

The undersigned John Coussens and Cressy Land Investments LLC respectfully show they are the owners of the following described real estate located in the City of Mishawaka, County of St. Joseph, State of Indiana, to-wit:

PARCEL 1

SEE ATTACHED EXHIBIT A FOR REVISED LEGAL

NORTHWEST CORNER OF EDISON LAKES PARKWAY AND PROPOSED CONNECTOR ROAD ENTERING NEW CAMPUS

PARCEL 6, MARBACH, BRADY & WEAVER ALTA LAND TITLE SURVEY, JOB 35-02, DRAWING A-22500, REVISED 8/7/02

LEGAL DESCRIPTION

PART OF THE NORTHEAST QUARTER (NE ¼) OF SECTION 33, TOWNSHIP 38 NORTH, RANGE 3 EAST, SITUATED IN CLAY TOWNSHIP, ST. JOSEPH COUNTY, STATE OF INDIANA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN IRON PIPE MARKING THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (NE ¼) OF SAID SECTION 33; THENCE NORTH 00 18' 40" WEST ALONG THE EAST LINE OF THE NORTHEAST QUARTER (NE ¼) OF SAID SECTION 33 A DISTANCE OF 239.20 FEET TO A POINT IN THE CENTERLINE OF JUDAY CREEK; THENCE CONTINUING NORTH 00 18' 40" WEST ALONG THE EAST LINE OF THE NORTHEAST QUARTER (NE ¼) OF SAID SECTION 33 A DISTANCE OF 420.24 FEET TO THE PLACE OF BEGINNING OF THIS DESCRIPTION; THENCE NORTH 89 57' 13" WEST PARALLEL WITH THE SOUTH LINE OF THE NORTHEAST QUARTER (NE ¼) OF THE SOUTHEAST QUARTER (SE ¼) OF THE NORTHEAST QUARTER (NE ¼) OF SAID SECTION 33 A DISTANCE OF 195.85 FEET TO A POINT OF CURVATURE OF A TANGENT CURVE; THENCE SOUTHWESTERLY ALONG A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 290.00 FEET, AN ARC LENGTH OF 72.89 FEET AND BEING SUBTENDED BY A LONG CHORD HAVING A BEARING OF SOUTH 82 50' 44" WEST AND A LENGTH OF 72.70 FEET TO A POINT OF TANGENCY; THENCE SOUTH 75 38' 41" WEST A DISTANCE OF 51.51 FEET TO A POINT OF CURVATURE OF A TANGENT CURVE; THENCE SOUTHWESTERLY ALONG A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 185.43 FEET, AND AN ARC LENGTH OF 84.88 FEET AND BEING SUBTENDED BY A LONG CHORD HAVING A BEARING OF 62 31' 54" WEST AND A LENGTH OF 84.14 FEET TO A POINT OF COMPOUND CURVATURE; THENCE SOUTHWESTERLY ALONG A CURVE TO THE LEFT SAID CURVE HAVING A RADIUS OF 302.00 FEET, AN ARC LENGTH OF 73.98 FEET AND BEING SUBTENDED BY A LONG CHORD HAVING A BEARING OF SOUTH 42 24' 03" WEST AND A LENGTH OF 73.80 FEET; THENCE SOUTH 35 22' 58" WEST A DISTANCE OF 9.13 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF EDISON

LAKES PARKWAY; THENCE NORTH 55°58'48" WEST ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF EDISON LAKES PARKWAY A DISTANCE OF 206.29 FEET; THENCE NORTHWESTWARDLY ALONG A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 2008.26 FEET, AN ARC LENGTH OF 35.91 FEET AND BEING SUBTENDED BY A LONG CHORD HAVING A BEARING OF NORTH 62°31'50" WEST AND A LENGTH OF 35.91 FEET TO A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER (SE ¼) OF THE SOUTHEAST QUARTER (SE ¼) OF THE NORTHEAST QUARTER (NE ¼) OF SAID SECTION 33; THENCE NORTH 00°14'01" WEST ALONG THE WEST LINE OF THE SOUTHEAST QUARTER (SE ¼) OF THE SOUTHEAST QUARTER (SE ¼) OF THE NORTHEAST QUARTER (NE ¼) OF SAID SECTION 33; THENCE SOUTH 89°57'13" EAST ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER (NE ¼) OF THE SOUTHEAST QUARTER (SE ¼) OF THE NORTHEAST QUARTER (NE ¼) OF SAID SECTION 33; THENCE SOUTH 00°18'40" EAST ALONG THE EAST LINE OF THE NORTHEAST QUARTER (NE ¼) OF SAID SECTION 33 A DISTANCE OF 5.00 FEET TO THE PLACE OF BEGINNING OF THIS DESCRIPTION

AND

Parcel 2

A PARCEL OF LAND BEING A PART OF THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 38 NORTH, RANGE 3 EAST, CLAY TOWNSHIP, ST. JOSEPH COUNTY, INDIANA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID QUARTER SECTION; THENCE NORTH 00°40'39" WEST ALONG THE EAST LINE OF SAID QUARTER SECTION, 627.38 FEET TO THE POINT OF BEGINNING, ALSO BEING A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF HOLY CROSS PARKWAY; THENCE THE NEXT (3) THREE COURSES ALONG THE NORTHERLY AND NORTHWESTERLY RIGHT-OF-WAY LINE OF HOLY CROSS PARKWAY; (1) THENCE SOUTH 89°09'31" WEST, 70.43 FEET TO A POINT OF CURVE TO THE LEFT, HAVING A RADIUS OF 465.00 FEET, SUBTENDED BY A CHORD LENGTH OF 320.19 FEET, BEARING SOUTH 69°00'52" WEST; (2) THENCE SOUTHWESTERLY ALONG SAID CURVE, 326.88 FEET; (3) THENCE SOUTH 85°58'37" WEST, 37.60 FEET TO A POINT ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF EDISON LAKES PARKWAY; THENCE NORTH 56°39'42" WEST ALONG THE NORTHEASTERLY RIGHT-OF-WAY LINE OF EDISON LAKES PARKWAY, 47.45 FEET; THENCE NORTH 35°01'08" EAST, 7.98 FEET TO A POINT OF CURVE TO THE RIGHT, HAVING A RADIUS OF 302.00 FEET, SUBTENDED BY A CHORD LENGTH OF 73.80 FEET, BEARING NORTH 42°02'13" EAST; THENCE NORTHEASTERLY ALONG SAID CURVE, 73.98 FEET TO A POINT OF CURVE TO THE RIGHT, HAVING A RADIUS OF 185.43 FEET, SUBTENDED BY A CHORD LENGTH OF 84.14 FEET, BEARING NORTH 62°10'04" EAST; THENCE NORTHEASTERLY ALONG SAID CURVE, 84.88 FEET; THENCE NORTH 75°16'51" EAST, 51.51 FEET TO A POINT OF CURVE TO THE RIGHT, HAVING A RADIUS OF 290.00 FEET, SUBTENDED BY A CHORD LENGTH OF 72.70 FEET, BEARING NORTH 82°28'54" EAST; THENCE NORTHEASTERLY ALONG SAID CURVE, 72.89 FEET; THENCE NORTH 89°40'57" EAST, 195.85 FEET TO A POINT ON THE EAST LINE OF SAID QUARTER SECTION; THENCE SOUTH 00°40'39" EAST ALONG SAID EAST LINE, 32.06 FEET TO THE POINT OF BEGINNING; SAID PARCEL CONTAINING 0.58 ACRES, MORE OR LESS, AND SUBJECT TO EASEMENTS, COVENANTS, AND RIGHT OF WAY OF RECORD.

COMMON ADDRESSSES: *North of the Edison Lakes Parkway and Holy Cross Parkway Intersection*

Exhibit A - **PARCEL 1**

Northwest Corner of Edison Lakes Parkway and Proposed Connector Road Entering New Campus
Parcel 6, Marbach, Brady & Weaver ALTA Land Title Survey, Job 35-02, Drawing A-22500, revised 8/7/02

Legal Description

Part of the Northeast Quarter (NE $\frac{1}{4}$) of Section 33, Township 38 North, Range 3 East, situated in Clay Township, St. Joseph County, State of Indiana, being more particularly described as follows:

Commencing at an iron pipe marking the Southeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$) of said Section 33; thence North 00 18' 40" West along the East line of the Northeast Quarter (NE $\frac{1}{4}$) of said Section 33 a distance of 239.20 feet to a point in the centerline of Juday Creek; thence continuing North 00 18' 40" West along the East line of the Northeast Quarter (NE $\frac{1}{4}$) of said Section 33 a distance of 420.24 feet to the place of beginning of this description; thence North 89 57' 13" West parallel with the South line of the Northeast Quarter (NE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of said Section 33 a distance of 195.85 feet to a point of curvature of a tangent curve; thence Southwesterly along a curve to the left, said curve having a radius of 290.00 feet, an arc length of 72.89 feet and being subtended by a long chord having a bearing of South 82 50' 44" West and a length of 72.70 feet to a point of tangency; thence South 75 38' 41" West a distance of 51.51 feet to a point of curvature of a tangent curve; thence southwesterly along a curve to the left, said curve having a radius of 185.43 feet, and an arc length of 84.88 feet and being subtended by a long chord having a bearing of 62 31' 54" West and a length of 84.14 feet to a point of compound curvature; thence southwesterly along a curve to the left said curve having a radius of 302.00 feet, an arc length of 73.98 feet and being subtended by a long chord having a bearing of South 42 24' 03" West and a length of 73.80 feet; thence South 35 22' 58" West a distance of 9.13 feet to a point on the Northerly right-of-way line of Edison Lakes Parkway; thence North 55 58' 48" West along the Northerly right-of-way line of Edison Lakes Parkway a distance of 2.06 feet; thence North 61 51' 37" West along the Northerly right-of-way line of Edison Lakes Parkway a distance of 206.29 feet; thence Northwestwardly along a curve to the left, said curve having a radius of 2008.26 feet, an arc length of 35.91 feet and being subtended by a long chord having a bearing of North 62 31' 50" West and a length of 35.91 feet to a point on the West line of the Southeast Quarter (SE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of said Section 33; thence North 00 14' 01" West along the West line of the Southeast Quarter (SE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of said Section 33 a distance of 12.94 feet to a rebar marking the Southwest Corner of the Northeast Quarter (NE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of said Section 33; thence South 89 57' 13" East along the South line of the Northeast Quarter (NE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of said Section 33 a distance of 663.09 feet to an iron pipe marking the Southeast Corner of the Northeast Quarter (NE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of said Section 33; thence South 00 18' 40" East along the East line of the Northeast Quarter (NE $\frac{1}{4}$) of said Section 33 a distance of 5.00 feet to the place of beginning of this description

Petitioner(s) own one hundred (100%) percent of the above described parcels which carry zoning classifications of S-2 Planned Unit Development specifically for
A hospital with medical buildings and a helipad.. Said parcels are currently vacant.
Petitioner(s) desire said real estate to be amended to allow for:

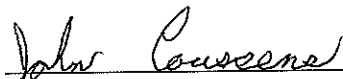
1. *Expansion of the Coussens-Golden Corral PUD, as approved per Ordinance 5348 and amended per Ordinance 5646, to include the property as described above. The property is owned by Cressy Land Investments and zoned S-2 PUD. Saxon Partners, the contingent developer of a proposed multi-family housing project, is acquiring the above described property which is adjacent to the southern boundary of the existing Coussens-Golden Corral PUD. The parcel(s) is currently zoned S-2 PUD, and are part of the St. Joseph Medical Edison Lakes PUD approved as Ordinance #5035 and #5222. The parcel(s) will allow for parking to accommodate the Multi-family Housing development, and be a part of the overall storm water management plan for the site.*

As such, we are requesting that the parcels be released from the existing St. Joseph Medical Edison Lakes PUD Ordinance regulations, and be incorporated into the Coussens-Golden Corral PUD, as amended under ordinance #5646.

Accompanying this petition is a drawing, to scale, showing the above described parcel of real estate, and showing the proposed location and size of the proposed building structures.

Petitioners further agree to the remaining standards and conditions as they exist in the current PUD Ordinance #5646.

Wherefore, the petitioner(s) pray and respectfully request that the Common Council of the City of Mishawaka refer this matter to the Mishawaka City Plan Commission and that after hearing, an appropriate ordinance be enacted amending the PUD of the above described parcel of land located in the City of Mishawaka.


Signed _____

John Coussens

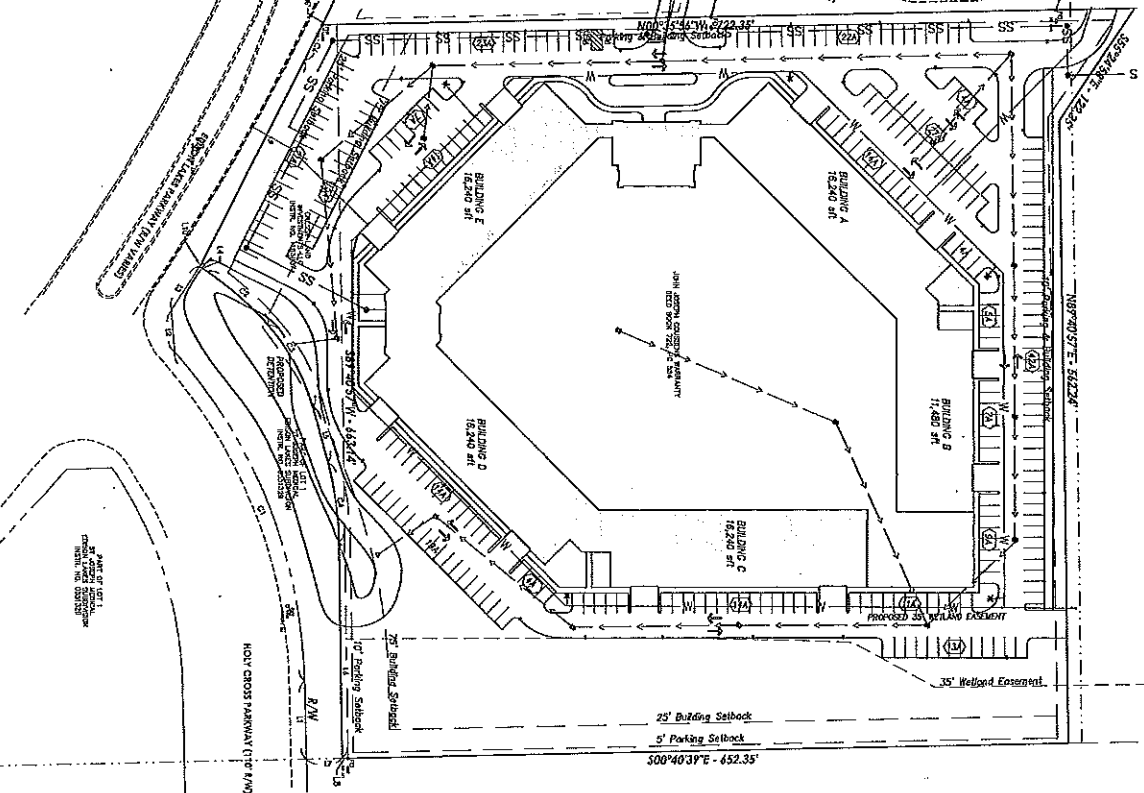

Signed _____

George Cressy
Cressy Land Investments LLC

CONTACT PERSON:

Name: Mike Huber, Abonmarche Consultants
Address 750 Lincoln Way East, South Bend, IN 46601
Phone Number/ Fax 574.347.4610
Email mhuber@abonmarche.com

ONE DATA TABLE				ONE DATA TABLE				
LINE /	BEARING	LENGTH	LINE /	BEARING	LENGTH	LINE /	BEARING	
1	S 89°50'37"E	122.28'	16	S 89°50'37"E	122.28'	31	S 89°50'37"E	122.28'
2	S 89°50'37"E	122.28'	17	S 89°50'37"E	122.28'	32	S 89°50'37"E	122.28'
3	S 89°50'37"E	122.28'	18	S 89°50'37"E	122.28'	33	S 89°50'37"E	122.28'
4	S 89°50'37"E	122.28'	19	S 89°50'37"E	122.28'	34	S 89°50'37"E	122.28'
5	S 89°50'37"E	122.28'	20	S 89°50'37"E	122.28'	35	S 89°50'37"E	122.28'
6	S 89°50'37"E	122.28'	21	S 89°50'37"E	122.28'	36	S 89°50'37"E	122.28'
7	S 89°50'37"E	122.28'	22	S 89°50'37"E	122.28'	37	S 89°50'37"E	122.28'
8	S 89°50'37"E	122.28'	23	S 89°50'37"E	122.28'	38	S 89°50'37"E	122.28'
9	S 89°50'37"E	122.28'	24	S 89°50'37"E	122.28'	39	S 89°50'37"E	122.28'
10	S 89°50'37"E	122.28'	25	S 89°50'37"E	122.28'	40	S 89°50'37"E	122.28'
11	S 89°50'37"E	122.28'	26	S 89°50'37"E	122.28'	41	S 89°50'37"E	122.28'
12	S 89°50'37"E	122.28'	27	S 89°50'37"E	122.28'	42	S 89°50'37"E	122.28'
13	S 89°50'37"E	122.28'	28	S 89°50'37"E	122.28'	43	S 89°50'37"E	122.28'
14	S 89°50'37"E	122.28'	29	S 89°50'37"E	122.28'	44	S 89°50'37"E	122.28'
15	S 89°50'37"E	122.28'	30	S 89°50'37"E	122.28'	45	S 89°50'37"E	122.28'



- GENERAL NOTES**
1. Current zoning: City of Mishawaka S2 Plz. Zoning
 2. Existing lot line: Vacant / Proposed lot line: R-2 Residential
 3. Front building setback is accordance with Administrative Boundary Adjustment (ABA) and zoning ordinance. Setback is measured from the City of Mishawaka S2 zoning ordinance.
 4. The building will be serviced by City of Mishawaka municipal water and sewer.
 5. Landscaping, grading, and site work is to be in accordance with the zoning ordinance and the approved site plan.
 6. Storm water will be collected and treated by the City of Mishawaka in an existing retention basin which is existing easement that is jointly managed with the adjacent property owner to the south.

NO.	DESCRIPTION	DATE
1	18-1761	11/15/2018

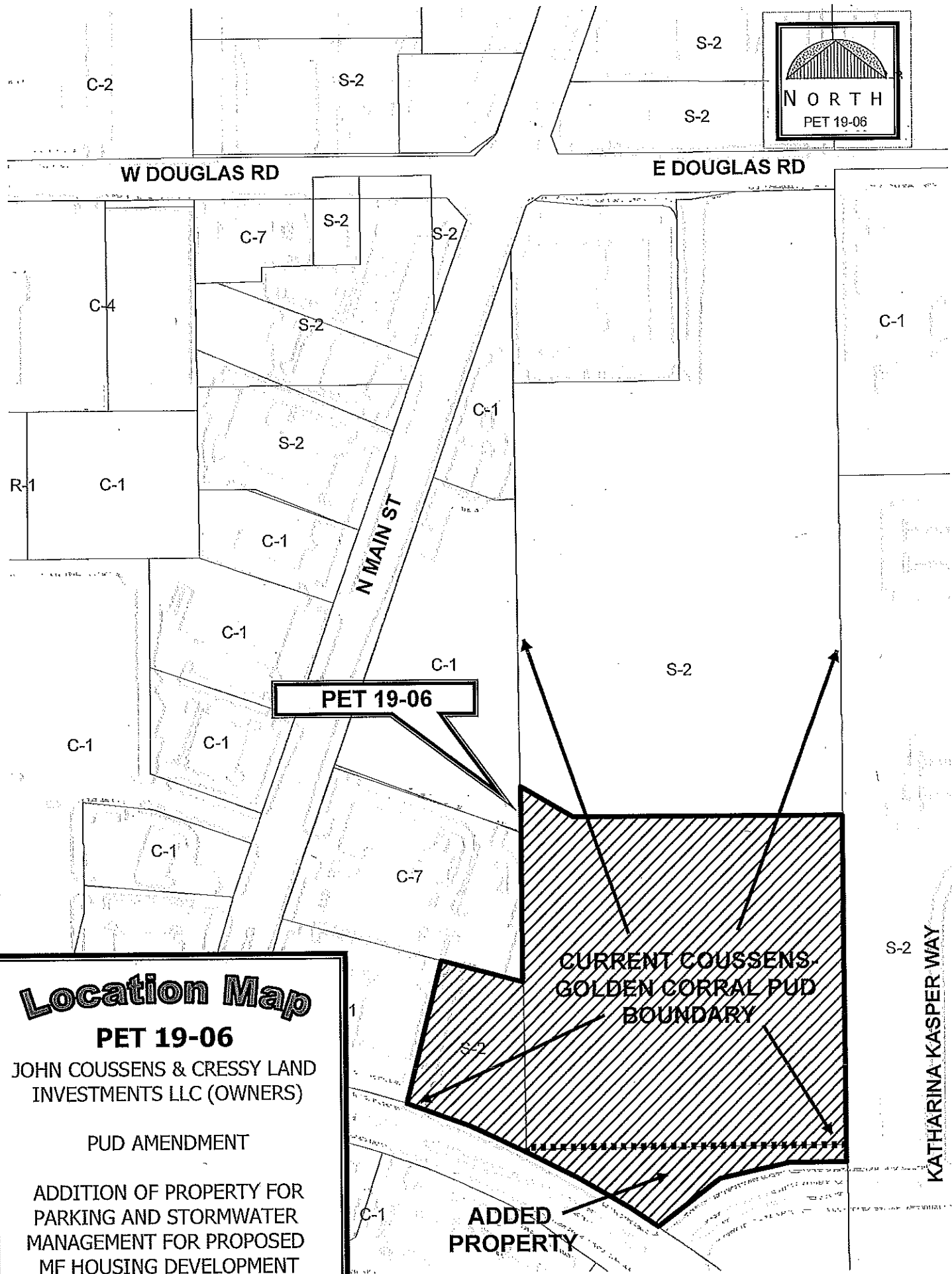
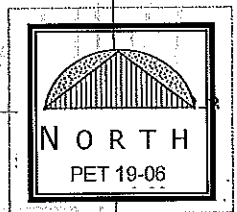
SITE PLAN
PLANNED UNIT DEVELOPMENT
AMENDMENT

SAXON PARTNERS, LLC
SAXON RESIDENCES AT EDISON LAKES
MISHAWAKA, INDIANA

ABONMARCHÉ
12011 Prosser Road
South Bend, IN 46601
765.425.1500
abonmarche.com

6054 Oak
South Bend, IN 46601
765.425.1500
abonmarche.com

6054 Oak
South Bend, IN 46601
765.425.1500
abonmarche.com



Location Map

PET 19-06

JOHN COUSSENS & CRESSY LAND INVESTMENTS LLC (OWNERS)

PUD AMENDMENT

ADDITION OF PROPERTY FOR PARKING AND STORMWATER MANAGEMENT FOR PROPOSED MF HOUSING DEVELOPMENT

CURRENT COUSSENS GOLDEN CORRAL PUD BOUNDARY

ADDED PROPERTY

KATHARINA KASPER WAY