AGENDA
April 22, 2024

Meetings of Standing Committees
Council Conference Room
5:45PM

REGULAR MEETING OF THE MISHAWAKA COMMON COUNCIL
COUNCIL CHAMBERS/CITY HALL
6:00PM

WebEx Telephone Number:1-408-418-9388
Meeting Number (access code): 2340 157 7859
Meeting password: efEmd3aSy96

Livestream #1:
https://mishawaka.in.gov/government/elected-appointed-officials/common-council/

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https://www.facebook.com/cityofmishawaka/

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Dial: 23401577859@mishawaka.webex.com

1. Call to Order

2. Pledge of Allegiance

3. Roll Call

4. Approval of the Minutes of the Regular Meeting of April 08, 2024

5. Petitions, Communications, Remonstrance and Memorial

A letter from the Board of Zoning Appeals regarding their recommendations from their April 9, 2024, meeting.

A letter from the City Plan Commission regarding their recommendations from the April 9, 2024 meeting.

6. Report of Special Committee

7. Ordinances on First Reading

P.O. No. 2024-08	Rezone from C-1 General Commercial to C-10 Filling Station Commercial for proposed Casey's Convenience Store & Gas Station - SE corner of Douglas & Fir Rd. (**Petitioner requesting second reading to be held on May 20th**)
P.O. No. 2024-09	Rezone from R-1 Single Family Residential to C-1 General Commercial for a Restaurant with Drive- Thru (Jimmy Johns)- 415 Bittersweet Rd.
P.O. No. 2024-10	Amending the Traffic Code to add All-Way Stop at Various Intersections

8. Resolutions

R2024-04	Fiscal Plan for the annexation of Bremen Hwy & Dragoon Trail
R2024-05	Fiscal Plan for the annexation of NW corner of Cleveland Road and Capital Avenue
R2024-06	Fiscal Plan for the annexation of 16963 W. Douglas Road

R2024-07	Use Variance to allow a Food Truck in the Parking Lot of Pilo's Body Shop – 1017 E. Jefferson Blvd.
R2024-08	Use Variance to allow Duplex in R-1 Single Family Residential- 311 Taylor St.
R2024-09	Use Variance to allow for a Restaurant with Drive-Thru (Jimmy Johns) in C-1 General Commercial District – 415 Bittersweet Rd.

9. Ordinances on Second Reading

P.O. No. 2024-05	Annex 1.5 Acres (crosshatch) & Establish Zoning as S-2 PUD & Amend existing Douglas Common PUD to allow for storage units – 16963 Douglas Rd & Adjacent property (Assigned to Land Use Planning Committee) **VOTE ONLY**
P.O. No. 2024-06	Annex 30.64 Acres & Establish Zoning as S-2 PUD – NW corner Capital Ave. & Cleveland Rd. (Assigned to Land Use Planning Committee**)** **VOTE ONLY**
P.O. No. 2024-07	Annex & Zone to S-2 PUD for Residential Subdivision – SE corner of Bremen Hwy & Dragoon Tr. (Assigned to Land Use Planning Committee) **VOTE ONLY**

10. Privilege of the Floor – Non-Agenda Items

11. Unfinished Business

R2024-03	Tax Abatement Compliance Report 2024 **Reconsideration for Amendment**

12. New Business

13. Adjournment –

This meeting will be aired via live stream:

An archived version of the livestream video can be viewed on the city of Mishawaka's Facebook and YouTube pages,

https://www.facebook.com/cityofmishawaka/ and **www.youtube.com/@cityofmishawaka635** and on the Michiana Access TV Facebook page, **https://www.facebook.com/MichianaAccessTV**

If technology is needed to present, please advise the Clerk's Office by 4:00pm the Friday before the meeting by emailing: dblock@mishawaka.in.gov or calling 574-258-1616.

Download Council Packet Link:

https://mishawaka.in.gov/government/elected-appointed-.;/officials/common-council/council-agendas-minutes/

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

Deborah S. Block, IAMC, CMO, 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 Susan Kile, ADA Coordinator, at (574) 258-1615.

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SCAN ME

REGULAR MEETING OF THE MISHAWAKA COMMON COUNCIL

April 8, 2024

Be it remembered that the Common Council of the City of Mishawaka, Indiana met in the Council Chambers of the New Mishawaka City Hall and via telephone on Monday, April 8, 2024, at 6:00PM. The meeting was called to order by Council President Gregg Hixenbaugh. All were asked to stand for the Pledge of Allegiance, followed by a moment of silence in memory of former Mishawaka Fire Chief and Board of Public Works member Dale Freeman as well as former Mishawaka Police Officer and County Councilman Bob McCahill. Mr. Hixenbaugh stated their condolences go out to the families of both gentlemen.

Members attending virtually do so by WebEx. Public that attends can participate by WebEx or observe meetings by YouTube or Facebook live. The Council meetings are also streamed live on Michiana Access on Comcast/AT&T U-verse Channel 99.

Clerk Block called the roll.

Present: Mrs. Hazen (P), Mrs. Voelker (P), Mr. Carroll (P), Mr. Banicki (P), Mr. Emmons (P), Ms. Hahn (P), Mr. Mammolenti (P), Mr. Violi (P), Mr. Hixenbaugh (P)
P: Present E: Electronically Participating A: Absent

Minutes for the Regular Meeting on March 18, 2024, were approved as received from the Clerk's Office.

Clerk Block read the following appeals and petitions by title.

Appeal No. 2024-05	Use Variance to allow a Food Truck in the Parking Lot of Pilo's Body Shop – 1017 E. Jefferson Blvd.
Appeal No. 2024-07	Use Variance to allow Duplex in R-1 Single Family Residential – 311 Taylor St.
Appeal No. 2024-08	Use Variance to allow for a Restaurant with Drive-Thru (Jimmy Johns) in C-1 General Commercial District – 415 Bittersweet Rd.
Petition No. 2024-05	Rezone from C-1 general Commercial to C-10 Filling Station Commercial for proposed Casey's Convenience Store & Gas Station – SE corner of Douglas & Fir Rd.
Petition No. 2024-06	Rezone from R-1 Single Family Residential to C-1 General Commercial for a Restaurant with Drive-Thru (Jimmy Johns) – 415 Bittersweet Rd.

Presentment of Redevelopment Commission Activities Report for 2023 – No Action Required

Mr. Hixenbaugh stated the record would reflect that the Council received the report.

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

RESOLUTION R2024-03

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, APPROVING A REPORT OF COMPLIANCE WITH STATEMENT OF BENEFITS FOR CERTAIN PROPERTY OWNERS
Tax Abatement Compliance Report 2024

Clerk Block read the list of the property owners involved in **RESOLUTION R2024-03**:

- **Lippert Components Manufacturing Inc. (Building Expansion)**
- **Lippert Components Manufacturing Inc. (New Racking/Logistics Distribution Equipment)**
- **Front Street LLC (The Avalon – Mixed Use Building)**
- **Helios Hydraulics Americas LLC (Building Expansion)**
- **Helios Hydraulics Americas LLC (New Manufacturing Equipment)**

Derek Spier, City Planner for City of Mishawaka, spoke in favor of **RESOLUTION R2024-03**. Mr. Spier stated this was the annual tax abatement compliance reports for 2024 and also a request to withdraw the previously approved abatement for the Barak Group LLC. Mr. Spier stated the property owners who had applied for and been granted a tax abatement for real or personal property must file a report with the Council and the St. Joseph County Auditor's Office reporting the extent of compliance with the goals set forth when they received their abatement. Mr. Spier stated there were currently 4 projects with 6 active abatements in the city, with 5 requiring reporting for 2024 and one of the active abatements that did not require reporting was for Steelhead Apartments as they were requesting the abatement be withdrawn. Mr. Spier stated all 3 of the projects with 5 active abatements did require reporting and were being worked toward their expectations of their compliance. Mr. Spier stated since 2023, they had one abatement that had expired, that one being WellPet. Mr. Spier stated the compliance forms for real and personal property were due to the County Auditor's Office on May 15th of each year and the first abatement was for Lippert Components that required reporting for expansion and new equipment. Mr. Spier stated they received both real and personal property in 2017 for renovation improvement of the former AM General warehousing facility. Mr. Spier stated the proposed real estate improvements included in this abatement were originally estimated at $7.4 million and had all been completed. Mr. Spier stated actual real estate investment that was filed on the CF1 was over $13 million and personal property improvements included in this abatement were estimated at $1.6 million and actual property investment through the CF1 was over $9.5 million. Mr. Spier

stated since the abatement was approved for 10 years, annual reporting would be required through 2028. Mr. Spier stated when the abatement was filed, they 247 employees with an additional 200 to be added and at present, there were 423 employees and total payroll was listed at nearly $19 million which was more than the $10.3 million when the abatement was approved but slightly less than the near $22 million listed in 2023. Mr. Spier stated the next abatement was for Front Street LLC, which was the Avalon project. Mr. Spier stated this was for real property improvement and was approved in October of 2022 for a mixed-use building with construction beginning in November of 2022 and was still ongoing. Mr. Spier stated construction was anticipated to be complete at the end of April of the current year. Mr. Spier stated the final abatement was for Helios Hydraulics Americas LLC and it was for real and personal property improvements, and it was improved in October of 2022 and included a building expansion and new manufacturing equipment. Mr. Spier stated the real property improvements included $4.8 million with a building addition, expanded parking areas and other improvements. Mr. Spier stated construction began in December of 2022 and was ongoing and was expected to be complete in 2026. Mr. Spier stated actual real estate investment at the end of 2023 was $3.7 million with construction progress equaling another $5.5 million. Mr. Spier stated personal property improvements included $11.5 million for new equipment and actual personal property investment by the end of 20234 was $14 million with construction progress being another $300,000. Mr. Spier stated when the abatement was filed, the total existing employment was listed at 139 with an additional 73 jobs to be added over the life of the project and by the end of 2023, the company added an additional 58 employees. Mr. Spier stated total payroll was listed at $11 million, more than the $10.2 million listed when they got the abatement. Mr. Spier stated he would be happy to answer any questions.

Mr. Hixenbaugh thanked Mr. Spier for the work that went into putting the report together.

Question was called for at 6:11PM for **RESOLUTION R2024-03 Motion passed by unanimous roll call vote (summary: Yes = 9).**
Yes: Mrs. Hazen, Mrs. Voelker, Mr. Carroll, Mr. Banicki, Mr. Emmons, Ms. Hahn, Mr. Mammolenti, Mr. Violi, Mr. Hixenbaugh. The resolution passed 9-0.

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

PROPOSED ORDINANCE NO. 2024-04

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 THE CITY OF MISHAWAKA, INDIANA
PUD amendment for reduced building & parking setbacks for interior lot lines – Lot 1 & 2 of the Enclave at Grandview Minor Subdivision

Mr. Mammolenti reported the Committee of Land Use Planning recommended this proposed ordinance should be adopted. Upon a second by Mr. Banicki, the motion carried.

Rich Deal, General Counsel at Great Lakes Capital, spoke in favor of **PROPOSED ORDINANCE 2024-04**. Mr. Deal stated he was pleased to join Daryl Knip of Abonmarche and his team that evening who helped on the civil side of this project and other aspects. Mr. Deal stated the request before the Council that evening was an amendment to the PUD which would accommodate a joint building project that involved multi-family connected with a hotel. Mr. Deal stated the full Council had been aware of and supportive of the project in the past in other aspects, but they were proposing to take the Block 200 area, a TIF area, and subdivide the lot into 2 lots with one on which the hotel would be developed and one on which the multi-family would be developed and the buildings would be connected, therefore they were requesting approval for a variance in the PUD that allowed 0 line setback for the buildings to be connected. Mr. Deal stated he would greatly appreciate their consideration and was happy to answer any questions.

Ms. Hahn asked if he stated the hotel and the residential would be connected. Mr. Deal stated yes and that this would be a mixed-use project involving 246 apartment units that were wrapped around a parking garage and connected to the building was the 125-room hotel, so the buildings would share a common wall and they were going to have the lot line directly where the common wall was. Ms. Hahn wanted to know if there was going to be pass-through. Mr. Deal stated there was very limited pass-throughs, more for fire related items between the two but the idea was that this would provide some flexibility on the ability to finance the hotel development with certain financing and the multi-family development financing.

Question was called for at 6:16PM for **PROPOSED ORDINANCE NO. 2024-04 Motion passed by unanimous roll call vote (summary: Yes = 9).**
Yes: Mrs. Hazen, Mrs. Voelker, Mr. Carroll, Mr. Banicki, Mr. Emmons, Ms. Hahn, Mr. Mammolenti, Mr. Violi, Mr. Hixenbaugh. The resolution passed 9-0, thus it became **ORDINANCE NO 5883**.

PROPOSED ORDINANCE NO. 2024-05

AN ORDINANCE ANNEXING CONTIGUOUS TERRITORY TO THE CITY OF MISHAWAKA, INDIANA AND PROVIDING ZONING CLASSIFICATION THEREFORE
Annex 1.5 Acres (crosshatch) & Establish Zoning as S-2 PUD & Amend existing Douglas Common PUD to allow for storage units – 1693 Douglas Rd & Adjacent property
Public Hearing – No Vote

John Piraccini, 633 Windy Cove Court, spoke in favor of **PROPOSED ORDINANCE NO. 2024-05**. Mr. Piraccini stated they had a favorable recommendation from the Planning Commission and the staff and had a lengthy meeting that had some remonstration with neighbors

to the northwest and to the east and he thought the Council Attorney and City Attorney could verify that there was no legal problem here whatsoever. Mr. Piraccini stated this was not a residential neighborhood and never had been and this had been zoned commercial, multi-family office for numerous years and to the east, there were warehouses in the back. Mr. Piraccini stated at the conclusion of the aforementioned meeting, he stayed with neighbors from the Cherokee Drive area to the northwest to try to answer some questions, mainly to agree to disagree and they got the comments that the city's growth was pushing up against county and this happened all the time. Mr. Piraccini stated they tried to appease the neighbors with the city's requirements with buffers and things like that. Mr. Piraccini stated Ray Powell from U-Haul would be doing a presentation on the phases of the project and how it folded into the land. Mr. Piraccini stated that one of the neighbors had reached out to Mr. Banicki, as this was his district and he met with him as well as meeting with a group of neighbors with Ray Powell. Mr. Piraccini stated there were about 30 people at that meeting with one third of the people living there with another third renting there and the final third doing an Air BnB type of deal. Mr. Piraccini provided the Council with a couple of handouts pertaining to the site. Mr. Piraccini stated with the project when looking on the business side of things, they were paying about $2,000 a year in property taxes for vacant land and U-Haul was going to do probably $6 million initially, as Ray would verify. Mr. Piraccini stated he did get some response from the neighbors at North Douglas, and some said they did not want apartments, and this had been for sale for about 30 years. Mr. Piraccini stated this seemed to be a natural fit for the site on Douglas with the road widened and the close proximity to Notre Dame and Grape Road in the Mishawaka-Main Street area. Mr. Piraccini stated U-Haul was privately owned and they had been great to work with and he did tell the neighbors that he could guarantee that they would have a representative to respond to if they had an issue. Mr. Piraccini stated Ray was in this region and there would be somebody in an office on Grape Road.

Mrs. Voelker asked Mr. Piraccini for clarification if the property as shown on the handout that needed to be rezoned was the small square and the property line was to the east of the easement and if that was correct. Mr. Piraccini stated the orange was his property line and to the east of that was the easement that was actually running on the adjacent property.

Mr. Hixenbaugh asked with regard to the self-storage facilities that were located to the east of the condominium development, how long those had been in place. Mr. Piraccini stated those were built in 1991 and the condos were built after that. Mr. Hixenbaugh asked for clarification if the condos were constructed after the self-storage facilities. Mr. Piraccini stated yes, but they sold the land to them at the time in 1990 or 1991.

Ray Powell, 17324 Brookwood Drive in Lowell, Indiana, spoke in favor of **PROPOSED ORDINANCE NO. 2024-05** and was representing the U-Haul company. Mr. Powell stated they were a family-owned company and they had been in existence for almost 80 years and the entire time they had been family-owned and would continue to be. Mr. Powell stated they were looking to expand within the community of Mishawaka, and they were there that evening to talk about the properties at 16963 Douglas Road and the annexation there on the southeast corner. Mr.

Powell stated they were looking at building a 31,588 square foot building on the very southwest corner of the property and there was a sister building that was going to be 16,800 square feet that would be in the southwest portion of the property. Mr. Powell stated there were some secondary phases that were to the back, but pretty much all of the property that was going to be utilized in the primary build was going to be up there right on Douglas Road. Mr. Powell stated total investment on the site was somewhere between $17 million and $18 million between the property and the building itself. Mr. Powell stated it was going to consist of a total of three fours on the southwest side for a total of 95,000 square feet. Mr. Powell stated their intentions currently were the two primary buildings in the southwest and southeast corner right up next to Douglas. Mr. Powell stated they did not have anything on the books yet for their secondary phase and the rest of the property would remain intact as they saw it currently. Mr. Powell showed a photo of what the buildings would look like in his PowerPoint presentation. Mr. |Powell stated they were more than willing to work with anything the city had or any kind of architectural guidelines or anything like that. Mr. Powell stated they have used different looks and different aesthetics on the buildings, and they would do that again to make them fit whatever it was that the city of Mishawaka would like. Mr. Powell showed examples of the buildings they have developed in other areas. Mr. Powell stated something that had been brought up a couple of times were the security features they had to offer, and they would have 24-hour monitoring with an off-site facility monitoring the building 24 hours a day and they would also have a full staff on-site from 7AM to 7PM Monday through Thursday, 7AM to 8PM on Friday, 7AM to 7PM Saturday and 9AM to 5PM on Sunday. Mr. Powell stated they would monitor everything internally and all motion sensors and cameras. Mr. Powell stated they had intercoms in case any customers had concerns while inside. Mr. Powell stated they would also have 24-hour digital HD surveillance video individually and all of the units would be secured 24 hours a day. Mr. Powell stated there were some sustainability programs they would be wanting to bring to the local area and wanted to city to be aware of. Mr. Powell stated they had programs such as truck share programs, box exchange programs and reuse areas for individuals to reuse certain products that were brought. Mr. Powell stated he was open to any questions.

Mr. Mammolenti stated he saw a slide that showed a car share and asked if there would be vehicles and large box trucks parked on the site. Mr. Powell stated they would set up a truck share program there for whenever customers needed to use it for the area. Mr. Mammolenti asked again if there may be multiple vehicles on-site for people to rent. Mr. Powell stated they did offer vehicles for them to share to use for moving in and out of the facility and they sometimes would be parked on-site. Mr. Mammolenti asked if he were to anticipate how many may be on-site, what number he would throw out there and if there was a minimum or a maximum. Mr. Powell stated they tended not to have a minimum or a maximum, but it could vary from 2 to 3 or more. Mr. Powell stated it was really about what was required in the local area.

Mrs. Voelker asked if truck share meant that she could go rent a truck from U-Haul and could do whatever she needed to do with it and then she could return the truck or was this truck share specifically related to people that were using the storage facility. Mr. Powell stated it would be

for both. Mrs. Voelker asked for clarification if there were two buildings on-site, the large 31,000+ square foot storage facility and then the 16,000 square foot retail facility. Mr. Powell stated they would both be storage facilities with the smaller one being a secondary storage facility where they would offer long-term storage at. Mr. Powell stated the retail store would be in the 31,000 square foot building.

Mr. Violi asked of all of the pictures he showed of their buildings, which one would most resemble what they were proposing for Mishawaka. Mr. Powell showed one of the slides to display it for Mr. Violi.

Mrs. Voelker asked what the red boxes were on the pictures displayed in the presentation. Mr. Powell stated they were fake doors that mimicked what would be found inside once an individual was inside.

Mr. Carroll asked for future use of the land, since they were not using all of the land right now, if there was a plan for it to be used at some point or maybe sold. Mr. Powell stated they did not typically sell property and they looked to invest in the area while looking for something that fit their needs and not changing or selling. Mr. Carroll asked if there were any long-term plans for the part of the property to the north. Mr. Powell stated no, and the primary focus was the two main buildings on Douglas. Mr. Carroll asked if they would be keeping the forest in place as was. Mr. Powell stated yes, they would not be touching that. Mr. Carroll asked once the facility was up and running, if they would grant 24-hour access or if there were quiet hours. Mr. Powell stated they would be restricting access from 5AM to 10PM. Mr. Powell stated even outside of the store hours when there were people on site, anyone that would have access to it would have to use their own security code to gain access to the facility. Mr. Carroll asked as far as the areas where they would be doing construction that were close to residential areas, if they had screening plans for line of sight for those folks. Mr. Powell stated he was sure they could take a look at whatever was required, and he did not know that at that point until they actually started getting some nonstructural guidelines in place. Mr. Carroll asked what would happen with other U-Haul affiliates in the area. Mr. Powell stated currently, they had some privately owned businesses that offered U-Haul as a service and one of the reasons why they were trying to look at this property at this location was they realized that they were starting to get overwhelmed and there was actually a need for their services in Mishawaka that they were not able to provide. Mr. Powell stated they wanted to try to alleviate what was going on in some of those privately owned businesses and create a more manageable environment so that they could kind of take care of what Mishawaka was looking to have.

Mr. Mammolenti asked when they developed the two buildings, would only a portion of the entire parcel be paved. Mr. Powell stated the white part of the picture he displayed would be what would get paved. Mr. Mammolenti stated the reason he asked that question was his fear was this would be used as a storage facility in terms of trucks, and they may have 20 to 30 vehicles lined up as a lot that folks could come and rent those vehicles. Mr. Powell stated they showed three to four lanes were the only space they had designated for any kind of equipment

utilization. Mr. Powell stated he could not really give him an idea of how many trucks exactly, but they were trying to make it a manageable situation so it would not become a problem.

Mr. Emmons asked about outside storage and if that was not going to be part of the building process. Mr. Powell stated as they went through the process, they refined their business plan and decided that based on the abutting storage property there that they already purchased that the exterior storage was not necessary for the time being. Mr. Powell stated it would be a project to be determined later.

Mr. Hixenbaugh asked if this facility, if it were approved and constructed, would be franchised out to another operator or if it would be a corporate facility operated by U-Haul. Mr. Powell stated this would be a facility operated and owned by U-Haul and managed by them internally. Mr. Hixenbaugh asked with regard to the sizeable investment that he referenced earlier and the detail that he provided them with regard to the security, if he could talk about what the price point was going to be for the storage component of what was available here compared to other storage facilities in the community, as far as to the customer. Mr. Powell stated typically they actually found themselves at the higher end of the self-storage industry and they tried to cater to the customer that was looking for more security with the higher end products and something that was obviously going to protect and keep their belongings secure. Mr. Powell stated they actually dealt with a lot of medical facilities and pharmaceutical reps, and it was one of the reasons that they kind of got attracted to the area with its many medical facilities. Mr. Powell stated they did try to over a high-end product which typically translated into a higher end price product because of what they did for the customer. Mr. Hixenbaugh stated if he understood him correctly earlier, he referenced the fact that he had been involved in the construction and development of other similar facilities in the past and asked if that was accurate. Mr. Powell stated yes. Mr. Hixenbaugh asked if he were to ballpark it, how many of the facilities he had been involved with. Mr. Powell stated this would now be the third project he would be involved with. Mr. Hixenbaugh asked with regard to the other projects what type of security issues or neighborhood encroachment issues he had experienced in those facilities. Mr. Powell stated he knew there some concerns in the beginning but he thought when they were actually able to get in there and show the neighborhood exactly how their services were taken care of and the product that they offered along with how secure it was, a lot of times they had a reputation of a high traffic type business. Mr. Powell stated with the self-storage industry as a whole, typically most people used it as a place to take their belongings and leave them and it was not typically visited very often. Mr. Powell stated they were a good neighbor in comparison to not only retail, but even sometimes apartment complexes because most of those had very high traffic. Mr. Powell stated they were a good neighbor in the fact that they offered a quiet, typically low impact type of facility that was not really going to change a lot that was going on. Mr. Hixenbaugh asked if he was a neighbor and wanted to contact an individual working on-site, how would he know who to contact and how did he plan on publicizing the identity and contact information of the person there on-site. Mr. Powell stated in all of their company-run stores, they had something they called a WOW program where anywhere from a dozen to more points in the facility, the manager of the facility's cellphone would be listed so you could actually call or text the manager's

cellphone directly and his personal cellphone was listed on the front door of the building as well. Mr. Powell stated any customer that was coming or going could have access to not only the managers, but him as well.

Mr. Banicki asked who was going to build this. Mr. Powell stated they tried to do local builds as much as possible and they built locations all across the country, but if they could find somebody local it tended to just do better for the project as a whole. Mr. Powell stated they did have an owner's representative that worked for them but typically as far as the construction went, as much as they could they wanted to find someone local. Mr. Banicki asked what kind of a timeframe this would have from start to finish and if he hoped to have this up in 12 months or 18 months or two years. Mr. Powell stated typically a project like this would take about 12 to 18 months depending on exactly what time of year you got started and all that kind of stuff as far as getting all of the conceptual finalized and that kind of thing. Mr. Banicki stated when looking at the map, it looked like there was one vacant parcel just to the west that was not part of this project and asked if that parcel was in Mishawaka, South Bend or the county. Mr. Powell stated it was in South Bend. Mr. Banicki stated this would then be the furthest point for Mishawaka on Douglas Road. Mr. Powell stated that was correct and that was why they were annexing in that small 1.5-acre parcel as well.

Mr. Violi stated they all knew there were other U-Haul locations and asked if those were company owned or were they all independent. Mr. Powell stated they currently had two company run locations that were relatively close by in Elkhart, Indiana and in South Bend off of Western. Mr. Powell stated both of those locations are fairly small and were built many, many years ago and they did not offer their current business model which was more tailored to the higher end storage and was another reason why they were looking for something in this area. Mr. Violi asked if most of them were truck sharing like they were discussing as far as the independent locations were concerned. Mr. Powell stated yes and that was what was typically offered. Mr. Violi asked if he were not looking to put them out of business. Mr. Powell stated no and if anything, they were looking to help them and partner with them. Mr. Powell stated it was not about taking business away and it was more about alleviating and managing in a better fashion.

Mr. Carroll stated as far as the storage units on the back, he assumed that would have a lot of light on it for security and asked if they were taking precautions with their lighting so there would not be a lot of light pollution going out in different directions there. Mr. Powell stated they took very careful precautions to make sure no lighting was really looking at any exterior properties and all lighting that would be pole mounted or anything like that would be facing inside of the storage facility only. Mr. Powell stated there was typically a buffering zone of some type between their property and someone else's when they would do that. Mr. Carroll stated with the color of those buildings, he assumed they were going to be reflective enough to project it out and he guessed being in backside there close enough to the two-story condo units, he would be really interested to see what kind of screening they would come up with to make sure that it was not a blinding light to people in their back windows. Mr. Powell stated as far as the exterior stuff, most of the lighting was relatively close to the ground and even though it was well lit, it was

actually self-contained within the storage units themselves. Mr. Powell stated as far as anything exterior wise, you did not get any light outside of the actual storage buildings themselves.

Rick Rottweiler, District Vice President of U-Haul, spoke in favor of **PROPOSED ORDINANCE NO. 2024-05**. Mr. Rottweiler stated he just wanted to answer Mr. Carroll's question on screening and lighting and stated with any of the builds that they did and any time they were abutting any type of residential, they would generally screen it with trees. Mr. Rottweiler stated right now, part of their plan involved trees that were already back there so if it was insufficient in order to screen, they would make it sufficient. Mr. Rottweiler stated also with a lot of the exterior drive-up units, you would see a wall pack lighting instead of a pole mounted lighting so when they got to that point, they submitted photometric plans and had them reviewed and agreed upon prior to any construction. Mr. Rottweiler stated they were well aware that light pollution in somebody's home was certainly not a good thing, so they tried to build in respect to that.

John Piraccini, 633 Windy Cove Court, spoke in favor of **PROPOSED ORDINANCE NO. 2024-05**. Mr. Piraccini stated he wanted to clarify on units and when they built next door, it was almost 400 units on 3 acres. Mr. Piraccini stated they almost had 14 acres in all, and the storage was going to go up in front. Mr. Piraccini stated that would be a ton of storage over the years and everybody was going inside those days, and he just wanted to give them an idea of how much land you would probably need for outside storage.

Elizabeth Roycroft, owner of a home at 17125 Cherokee Drive, spoke in opposition to **PROPOSED ORDINANCE NO. 2024-05**. Mrs. Roycroft stated she was a new homeowner, living there just one year and when she did her due diligence in purchasing her home, she checked to see the zoning because the backyard of her home was 100% adjacent to the property in question. Mrs. Roycroft stated she was shocked to receive the notice of potential change in zoning, and it seemed unusual to have a change in zoning that impacted a property owner in this way. Mrs. Roycroft stated she had not been privy other than the first meeting notice to any conversations referenced in regard to conversations with homeowners, so she really knew very little of what was expected from her end other than to say it sounded a lot of it was hypothetical at this point with the site plans. Mrs. Roycroft stated once the zoning was changed and the property was sold, those decisions were gone, and they were decisions that needed to be made now. Mrs. Roycroft stated how to protect the rights of homeowners as well, giving the gentleman his ability to sell the property was important. Mrs. Roycroft stated she was concerned that they make a very careful decision about what was best for everyone and that they had some dialogue between the residents and the business owners so that they were sure of what was expected rather than just saying it might look like that. Mrs. Roycroft stated one of the things was really important for her to share with them was that she had heard some conversation about progress and that term had been jostled around a bit and the statements had been made that the residents of Cherokee Drive did not understand what progress was and they were trying to impede progress. Mrs. Roycroft believed it was the Council's responsibility to ensure that whatever progress occurred in the community was well thought out and beneficial to all. Mrs. Roycroft

stated when she looked at progress, she was thinking about affordable housing for this community and not progress that caused property value to decrease and upset the current owners of the property around them, because that was what she was looking at. Mrs. Roycroft stated she was looking at a really bad decision on her part to buy a home, build it up, fix it and tend to her yard when her property value was going to go significantly to the negative direction and she knew how hard it was to find affordable housing. Mrs. Roycroft was asking the Council to please think about the families and homeowners that were affected by a decision to possibly tear down every tree in the whole swath, to possibly pave the roads and to possibly put lighting in the area when they did not really know what was expected. Mrs. Roycroft stated lastly, she just wanted to say that she thought that there was some collaborative planning that could go into place there so everyone would be content and did not feel stepped on, so she encouraged them to find some creative ways that they could make this a win-win rather than simply having the impression that someone was coming in and pushing them out. Mrs. Roycroft stated she knew the Council valued people who lived in the community, and they would not be sitting in the positions that they were if they did not. Mrs. Roycroft thanked the Council.

Mr. Banicki stated she spoke about affordable housing and things like that and when looking at this property, in his opinion there were some things that could be a little bit worse like if they were to put in a large apartment community then they would have more traffic, more visitors and more lighting so he did not know if this was the worst thing in the world. Mr. Banicki apologized to her and stated he knew she only had lived there for a year but this is just one of those things that can happen and looking at some of the things that could go wrong, he just did not see this as one of the worst and then the other side was that if it were in fact industrial and they put in some type of factory and you had a stamping machine making noise all night, 24 hours a day, 7 days a week, that would be bad as well. Mr. Banicki stated these were fairly well regulated and there were some other ones put in close to there and with the all secure self-storage, they were put in a bunch in counties all around them and they had done a very nice job as well so while he did sympathize with her he also looked at what could happen and they were just speculating. Mr. Banicki stated they hoped that they could trust them and in talking to Ray, he seemed very professional, and he trusted what he was telling him. Mrs. Roycroft stated she appreciated him giving some comparisons and she trusted them all as a body that neither of those worst-case scenarios would occur because they would care about the existing homeowners and the bottom line with progress for this community, they needed to think about what did it look like and what did it feel like and it was not just strip shopping centers and all of that sort of thing. Mrs. Roycroft sympathized with anyone who was trying to buy a home and start a family because it was very, very difficult and she thought they should give some consideration to loss of green space in the community because it was trickling away and once you tore all of the trees down, you would not have any so while he was throwing back other examples of worst case than what it was now, it sounded like he was telling her she to choose one since the others were bad so how about they worked together to figure out a way that they could have the beautiful facility but not also impact the residents who directly were adjacent to the property in question. Mr. Banicki stated he agreed, and he thought with LED lighting directed certain ways, obviously he had seen lighting where it could be dimmed down during certain hours unless there was motion and things

like that so he thought there were some things that could be done to help alleviate that. Mrs. Roycroft stated that sounded great, but once the decision was made, who was controlling whether or not that occurred, and you were trusting someone else.

Mr. Carroll stated when they were looking at the plans, she was not concerned about anything affecting her property because hers was the one that was the furthest to the east and in the center either in phase 1 or phase 2, because that was going to be separated by quite a bit of forest. Mr. Carroll stated it sounded like she was concerned with a potential phase 3 in the future and asked if that was correct. Mrs. Roycroft stated for her personally, yes. Mr. Carroll stated the other thing too was that his understanding as far as the green space was concerned was the owner could take the forest down at any time since they were a private property owner and he was not sure that the Council had the ability to really control a whole lot of that anyways but he wanted to make sure that as far as her property was concerned, she was not seeing anything in the current plan that would really affect her in any way. Mrs. Roycroft stated it could potentially affect other homeowners in her area including the condominium complex. Mr. Carroll stated the only one he could see was the neighbor on the corner there and it looked like they had a significant buffer of forest. Mrs. Roycroft stated she did not know because she had not seen what any of this was going to look like, but she knew that it was not her property and it was someone else's property and they could develop it any way they wanted to but she was speaking that evening to them all who had a decision to make about the proposal and making sure they were controlling the decision making the purchaser had with regard to some aspects of the project. Mr. Carroll stated that's why he was saying as far as the aspects of the project, there was nothing she had identified as part of the project that affected her property. Mrs. Roycroft stated she did not know because she had not seen the whole layout and had just heard conversations about some possibilities for the project. Mr. Carroll stated at this point, they had indicated that they were going to keep it as green space from what he had heard and that there currently was not anything in the plans for that. He just wanted to make sure he was clear that point was not missed.

Mr. Mammolenti asked if she had a blank canvas and she could put her requirements in a dream world, what would she want to see on that back portion if it were to be developed. Mrs. Roycroft stated you could do a lot of things that would appreciate the green space and the community itself, but once you clogged up that lane, you could not do anything back there. Mr. Mammolenti stated he was speaking more specifically that if this were to get approved and they were to develop and move forward into phase 2 and phase 3, what would give her peace of mind. Mrs. Roycroft stated she was concerned about the lighting, the noise, the people coming back there and who they were, concerned about what level of fencing she would be required to put up in order to protect herself from that which changed the whole dynamic of her property value. Mrs. Roycroft stated her number one concern was that this would devalue her property.

Allison Kincaid, 17130 Cherokee Drive, spoke in opposition to **PROPOSED ORDINANCE NO. 2024-05**. Mrs. Kincaid stated she had been a resident for almost four years at the Cherokee neighborhood directly west of 1693 Douglas Road and the adjacent vacant property the proposal referred to. Mrs. Kincaid stated she fell in love with the location of the house as soon as she

viewed it. Mrs. Kincaid stated it was conveniently close to South Bend, Granger and Mishawaka and they had the toll road just north of them as well as US-23 just west and Douglas just south of them. Mrs. Kincaid stated what sold it for her were the woods surrounding the street that created a woodland paradise for all of the families that lived there. Mrs. Kincaid stated she felt enclosed, safe and at peace in her neighborhood. Mrs. Kincaid stated eliminating over half of the forest that surrounded the area would trigger numerous adverse consequences. Mrs. Kincaid stated there would be an increase to noise pollution, light pollution, air pollution, a decrease to property values and tearing down and killing of protected species that lived in the woodlands. Mrs. Kincaid stated in the Planning Committee meeting, they had stated the easement did little to provide any sort of barrier to the rest of the property west of the easement. Mrs. Kincaid stated she was the meeting point between South Bend, Granger and Mishawaka and considered herself a citizen of all three cities and therefore, would advocate for all citizens from each city. Mrs. Kincaid stated at the Planning meeting there were several objections to the petition and the rebuttal of the petitioner did little to calm the masses. Mrs. Kincaid stated Mishawaka did have ordinances on light but from seeing other U-Haul storage facilities, they were aggressively lit to shine on everything around them. Mr. Hixenbaugh stated he did not want to stifle her creativity and what she wanted to share with them, but he did want to state for the record that every councilmember had access to the recording of the Plan Commission meeting and what transpired there and they also had been provided a summary by the Planning Department of the written comments that were made at the meeting and then any documents that were submitted after the fact, so just so she knew they were already in possession of that and he asked her not to re-plow ground they had already been over. Mrs. Kincaid stated she appreciated that. Mrs. Kincaid provided the Council with an image of another U-Haul facility in Kentucky to demonstrate their lighting. Mrs. Kincaid stated these units were aggressively lit to shine on everything around them and she had yet to see light regulations enforced and another issue that was brought up during the rebuttal was that of noise pollution. Mrs. Kincaid stated the woods were a sound barrier between them and the city noise and allowing the land to be rezoned and used as commercial industrial would increase the noise level to residents all around. Mrs. Kincaid stated that phase 2, which was not covered at the Planning meeting, would destroy a lot of the woods to her neighbors' side and was close to her property as well. Mrs. Kincaid stated in August 2023, the EPA release that noise, air and light pollution affected the lives of millions and their studies showed a direct link between noise, light and health. Mrs. Kincaid stated heart disease, depression, stress-related illnesses, hearing loss and others came from this. Mrs. Kincaid they were harping on the woods so much because U-Haul currently did not have plans for the woods and while that seemed reassuring, this came from a big company that did not have any trustworthy standing with the residents around the property or the community, in her opinion. Mrs. Kincaid stated she was glad Douglas Commons residents were included in the conversations, but Cherokee residents and other neighbors who spoke in opposition were not. Mrs. Kincaid requested a written contract stating 99% of the woods would not be eliminated. Mrs. Kincaid stated they were losing green space, and the petitioner did not touch on the fact that ridding the community of the woods would lead to significantly more air pollution. Mrs. Kincaid stated they also missed the endangered species that would be uprooted. Mrs. Kincaid stated there were many species in danger that called the woods home, including species of plants. Mrs. Kincaid stated not only did

the petitioner and most of the Planning Committee seem to not realize the lives of the people living around the woods would be affected, they also did not realize that the protected wildlife would be dangerously affected as well. Mrs. Kincaid also stated they did not address the danger coyotes would post to the families and children along US-23 if the woods were knocked down, moving their dens closer to the families and daycare nearby. Mr. Hixenbaugh stated he appreciated her passion and the points she was making but it felt they were becoming repetitive at that point in time and asked her if she could move on to any other points she wanted to make briefly and that would be appreciated. Mrs. Kincaid stated she was a critical care nurse and had been for 11 years working overtime to make ends meet and it all went back to affordable housing that she and the other neighbors were concerned about. Mrs. Kincaid stated the notion that storage units were progress had been referred to often and storage units were not progress to her and all it meant was that people were holding onto too many things. Mrs. Kincaid stated storage units were a symptom of maximalism and progress would be people and residents being able to live their best quality of life. Mrs. Kincaid stated there were medical businesses, lawyers and residential areas in that community and people lived there. Mrs. Kincaid stated there were four storage units within a mile radius of that location with a fifth one being built on US-23 on Cleveland and the area was becoming saturated with storage units. Mrs. Kincaid proposed some alternate locations for U-Haul storage units south of Mishawaka to the north just on Main Street where there were three vacant lots for sale and a fourth lot for sale on Main Street with the former USA Skate building that was rundown and needed addressing. Mrs. Kincaid stated they were all aware the woods could be destroyed at any time and their community had been very grateful for the woods and did not want to see them go. In conclusion, Mrs. Kincaid stated she wanted the woods to be the solution to the noise, light and air pollution. Mrs. Kincaid stated after this went through the Council, it was out of everyone's control.

Carolyne Tingle, 17160 Cherokee Drive, spoke in opposition to **PROPOSED ORDINANCE NO. 2024-05**. Mrs. Tingle stated she received a letter from Ryan Dvorak and his legislative assistant sent them all a copy of it. Mr. Hixenbaugh stated the record would reflect that the Council all received the letter. Mrs. Tingle stated in the board meeting there a couple of weeks ago, it was vague what the zoning requirements would be to have storage units on this property and her understanding was that it would have to be rezoned to industrial commercial. Mr. Hixenbaugh stated the public hearing component was designed for comments by people such as herself and it was not a question-and-answer session, but he pledged to her that as soon as she concluded, he would ask their legal counsel to address that issue for her. Mrs. Tingle thanked Mr. Hixenbaugh and stated personally, what most greatly concerned her was the idea that some actually believed that tax revenue was more important than the health and welfare of the people they represented or worse, that the prosperity of some took such precedence that others became expendable after all. Mrs. Tingle stated the whole area over there was going commercial anyway and that was progress.

Kurt Urbanski, 5625 Irish Way Apartment 10 and Treasure of North Douglas Condominium Association, spoke in opposition to **PROPOSED ORDINANCE NO. 2024-05**. Mr. Urbanski stated he was thankful that Mr. Piraccini, and the U-Haul folks were able to meet with the condo

owners the other day to discuss the plan in more detail. Mr. Urbanski stated he did reach out and send some comments to the Council that they had all received. Mr. Urbanski stated a couple of concerns specific to the condominium complexes were the proposed entrance on the northeast corner right across from the existing entrance to the storage units was creating a four-way intersection right there and he was concerned about potential increase in traffic there. Mr. Urbanski stated he was sure if it were approved, it would have to go through several departments to figure out if that was going to be okay there. Mr. Urbanski stated in the proposal, there was a statement that customers and community residents who wished to use the on-site dumpsters for disposal and refuse may gain permission to do so and would be assessed an additional fee. Mr. Urbanski stated a concern for North Douglas was that people that came to dump their stuff from the storage units could fall upon them in the neighboring community to pay the fees and they already had some problems of this nature. Mr. Urbanski stated another thing that was very important to the longevity of the North Douglas condos was that they were a development that was originally planned to have 216 units there and unfortunately the developer went bankrupt in 2007 or 2008 and unfortunately they only had 32 units built so far and it made it difficult to spread the common expenses over 32 units, so recently within the last year the Condo Association settled litigation with another party to establish the title to some of the vacant land to the north of their condominiums and their plan was to work with a developer to not completely finish the original 216 planned units, but to at least add onto the development and double the size because there was enough vacant land owned by the Condo Association to fit up to two more buildings to add another 32 units. Mr. Urbanski stated that would really give them the opportunity to have a developer come in, contribute to the reserve fund and pave the road because the road was never finished after the development began and that was a concern. Mr. Urbanski stated the roofs were also a concern and they were operating on a pretty thin budget, so the concern for the longevity of the community was an issue especially with potential storage units coming in as to what it would look like and if the developer would still want to come in after the fact. Mr. Urbanski stated his condo was on the backside of the 5625 building directly overlooking the woods and with the easement, there would be a little bit of a buffer but he was on the second floor and if they were going to have storage units back there, he did not think that the lighting was going to be shielded by solely the trees and they would have to put up a fence. Mr. Urbanski stated he did not get any strong confirmation on that and he did not know if regulations had changed or there were new ways to install lighting, but from his one window that was facing that direction he could see the lights at night from the opposite side storage units and he imagined it would only be brighter if there was nothing to direct the light downwards. Mr. Urbanski stated he was not opposed to developing the vacant area right off of Douglas on the corner and in the area where they were proposing the three-story building, but he did not know what they were exactly proposing would be the best possible thing for that area. Mr. Urbanski stated he would like to see the house and property gone, as it was an eyesore and there had been a trash buildup over there in the past. Mr. Urbanski stated he would like to see something go in there and looked forward to having a sidewalk or a bike path along there because it gave the residents of North Douglas an opportunity to connect from their development all the way down to the new bike trail that went along the north side of Douglas and had been extended out to State Road 23. Mr. Urbanski stated he was more concerned about phase 2 rather than phase 1.

Mr. Hixenbaugh noted for the record that several points were made and he appreciated the passion and information that was shared with the Council with several questions asked rhetorically and several points were made that he believed were answered by the staff report and the proposed ordinance in their council packet as they had ordinances that covered all types of development and lighting but there were specific conditions of approval that if this were passed would touch on lighting issues, so he invited everyone to visit the city website where the packet that the Council had in front of them was contained electronically as well and they would see some of those conditions and hopefully answer some of the questions they may have.

The public hearing on **PROPOSED ORDINANCE NO. 2024-05** was closed at 7:35PM and pursuant to Indiana Law, they would vote on this proposed ordinance at their next regularly scheduled council meeting on April 22nd.

PROPOSED ORDINANCE NO. 2024-06

AN ORDINANCE ANNEXING CONTIGUOUS TERRITORY TO THE CITY OF MISHAWAKA, INDIANA AND PROVIDING ZONING CLASSIFICATION THEREFORE
Annex 30.64 Acres & Establish Zoning as S-2 PUD – NW corner of Capital Ave. & Cleveland Rd.
Public Hearing – No Vote

Angela Smith, Danch, Harner & Associates 1643 Commerce Drive, spoke in favor of **PROPOSED ORDINANCE NO. 2024-06**. Mrs. Smith stated the Council had the packet of information in front of them, so she wanted to go over the proposal briefly and then answer any questions. Mrs. Smith stated the request showed a rezoning and annexation of 30 acres and the parcel itself was just over 21 acres and the additional 8 acres was because, per state law, they had to take in the adjacent right-of-ways. Mrs. Smith stated this would be an extension of the PUD that was approved by the Council to the west of the site, so at the time the previous PUD came through they were discussing purchasing this to help round out the canvas they were looking for here, which was essentially an auto mall so it would have services for auto sales and related services. Mrs. Smith stated all of the uses in the original PUD and all of the restrictions would extend to this with the exception of one thing. Mrs. Smith stated the current PUD in front of them that evening included R-1, because there was a life estate on the property so the gentleman would continue to live on the property so that use was added for that. Mrs. Smith stated the restrictions about no fueling station and no billboards in the other developing standards that were adopted in the previous PUD would extend to this as well. Mrs. Smith stated they were continuing to work with adjacent property owners because they all knew they had to get water and sewer to the site which was not there yet and it was quite a ways south of them, so they continued to work with the property owners to try to work on that and that would not require an annexation but may require additional future zoning work depending on how that panned out. Mrs. Smith stated she was happy to answer any questions.

Mr. Hixenbaugh thanked her for the information and stated he had the chance to speak with her last week and before he got into the topic that they discussed, there were a series of conditions that were built into not only the staff report, but the proposed ordinance that would be asked to be approved. Mr. Hixenbaugh asked if she had the authority to commit on behalf of her client that she was in agreement with those conditions as proposed by staff. Mrs. Smith said yes, and they forwarded this to the client, and they reviewed them and understood all of the conditions of the development. Mr. Hixenbaugh stated as reflected in the staff report, no specific users or contingent purchaser had been identified and at times, there were good reasons for the underlying landowner or end users' identity to remain anonymous. Mr. Hixenbaugh stated although he thought as a general matter it was good government for the specifics to be known and it helped them to decide whether or not this was a development that was in the best interest of the community and he asked at that point in time, if she was at liberty to share any additional information with regard to the identity of the end user. Mrs. Smith stated out of preservation of their relationship with their client, they were not supposed to disclose that, but she could answer any questions related to that. Mr. Hixenbaugh stated he did not profess to be the greatest detective, but through a google search using the name of the individual who signed the petition as well as the address on the document that authorized her to represent the individual, it appeared the underlying land user would be Gurley Leep and asked if she was aware of any facts that would lead him to believe that he were wrong with regard to the identity of that underlying land user. Mrs. Smith stated she did not know of anything, but in fact the email address of the individual she had also had Gurley Leep in the name. Mr. Hixenbaugh stated just from his standpoint that the beauty of the fact that they were not going to cast a vote that evening was that he would be able to ponder the fact that there was not the transparency there and absent a persuasive explanation as to why the identity was not being made public, he reserved the right to vote no based only on that ground itself but he would be happy between now and the time of the vote to receive any additional information that she would like to provide to them to help shed light on that issue. Mrs. Smith stated as she mentioned, they were still under negotiations and investigations on how to get the water and sewer on-site and she did not know under state law or under their practices if they were required to reveal the specific company going to a property and that was new to her. Mrs. Smith stated generally, they looked at the use and the users and it was in fact an auto dealership and from their conversations, they could probably figure out who it was. Mrs. Smith stated outright that it was in fact Gurley Leep, and they had up to that point kept that more on the quiet side not out of a lack of transparency, but because the plans were not fully developed, and their acquisitions were not fully finished. Mr. Hixenbaugh stated he appreciated that clarification and again, this was the reason why he called her on Friday.

The public hearing on **PROPOSED ORDINANCE NO. 2024-06** was closed at 7:43PM and pursuant to Indiana Law, they would vote on this proposed ordinance at their next regularly scheduled council meeting on April 22nd.

PROPOSED ORDINANCE NO. 2024-07

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

Annex & Zone to S-2 PUD for Residential Subdivision – SE Corner of Bremen Hwy & Dragoon Tr.

Daryl Knip, Abonmarche Consultant 315 W. Jefferson Boulevard in South Bend, spoke in favor of **PROPOSED ORDINANCE NO. 2024-07**. Mr. Knip stated he was representing the developer and applicant and requesting their approval to annex and zone S-2 PUD which was approximately 18 acres on the southeast corner of Bremen Highway and Dragoon Trail into the city with a PUD zoning that would allow for single family residential development. Mr. Knip stated the PUD would allow for a combination of single family detached homes, attached single family homes and possibly attached townhomes which would all be owner occupied homes with a maximum of 30% of the homes being attached or townhomes. Mr. Knip stated the home prices were estimated to be approximately $500,000 and they had met with City Planning and Engineering staff to discuss the access, drainage, land use and the future road widening of Bremen Highway and effects on the site. Mr. Knip stated at the Plan Commission meeting, they heard from a few neighbors regarding safety concerns over any entrance from Bremen Highway and they wanted to reiterate that they were not proposing any entrance off of Bremen Highway and the entrance would be off of Dragoon based on site distance and slopes and felt the safest location would be the east end of the site on Dragoon and this would acquire a deceleration lane and some work on the roadway. Mr. Knip stated the developer agreed to work with the city and county to provide additional right-of-ways for future Bremen Highway widening and respectfully requested their approval.

Mr. Emmons stated he mentioned that the entrance and exit would be off of Dragoon Trail and asked if that were correct. Mr. Knip stated that was correct. Mr. Emmons stated but there was a roadway up there called Princess Drive that went basically up to one house, and it was his understanding that the house would be preserved. Mr. Knip stated that was correct and the house would be preserved but it would have access from the new internal roads, so the existing Princess Drive would go away. Mr. Emmons asked if they would close that off then so that home would have another driveway to get out. Mr. Knip stated that was correct.

Mr. Carroll stated the concerns he heard mainly had been congestion and traffic issues and increased pressure on residential roadways to get through and asked if there were any traffic studies done. Mr. Knip stated no formal traffic studies were done, but they did look at trip generation anticipated for the development, and it would add about to 2% to 3% to traffic counts on Dragoon and about 1% to the traffic counts on Bremen Highway. Mr. Carroll stated a major concern was that people were going to use Merrifield as a cut-through to that as opposed to going on one of the major roads so that was something to keep in mind.

The public hearing on **PROPOSED ORDINANCE NO. 2024-07** was closed at 7:48PM and pursuant to Indiana Law, they would vote on this proposed ordinance at their next regularly scheduled council meeting on April 22nd.

PRIVILEGE OF THE FLOOR

Mayor Dave Wood made an announcement regarding his annual State of the City Address on Thursday, April 11th at 6PM in the Council Chambers. Mayor Wood stated he would cover their hometown and all of the issues they were facing in the progress of their city. Mayor Wood stated this was open to the public. Mr. Hixenbaugh stated they were looking forward to it.

NEW BUSINESS

Mr. Emmons made a reminder that the West End Neighborhood meeting would be Thursday April 18th at 7PM at St. Bavos where Mayor Dave Wood would be giving his State of the City Address for those who may have missed his first Address or wanted to come listen once again. Mr. Emmons looked forward to seeing everyone and there would be refreshments from the West End Bakery.

Mr. Mammolenti made a reminder that the Twin Branch Neighborhood Watch meeting would be Wednesday, April 17th with a location to be determined but it would take place at 7PM. Mr. Mammolenti stated their guest speaker would be Chris Jamrose, Director of the Engineering Department for the city of Mishawaka and she would be discussing some current and future developments and changes to the Twin Branch area as well as addressing questions or concerns from the neighbors. Mr. Mammolenti stated once he figured out the location, he would let everyone know.

ADJOURNMENT 7:50PM

Deborah S. Block /s/	Gregg A. Hixenbaugh /s/
Deborah S. Block, IAMC, MMC, City Clerk	Gregg A. Hixenbaugh, President

These minutes are a summary of actions taken at the Mishawaka Common Council meeting. The full video archive of the meeting is available for viewing at www.youtube.com/@cityofmishawaka635 for as long as this media is supported.

CITY OF MISHAWAKA

DAVID A. WOOD, MAYOR

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
Kenneth B. Prince, ASLA, AICP, Executive Director

Deborah S. Block, IAMC, MMC
APR 15 2024
City Clerk
Mishawaka, IN

April 15, 2024

Honorable Members of the Common Council
City of Mishawaka, Indiana

RE: Board of Zoning Appeals Recommendation
April 9, 2024, Public Hearing

Honorable Members:

A regular meeting of the Mishawaka Board of Zoning Appeals was held on the above date at which time the following Use Variances was considered:

APPEAL #24-05 An appeal submitted by Sharon Helman requesting a Use Variance for 1017 E Jefferson, Mishawaka, IN, to allow a food truck in the parking lot of a Body Shop.

The Board, with a vote of 4-0, recommended approval.

APPEAL #24-07 An appeal submitted by Jonathan & Lisa Polder Rev Trust requesting a Use Variance for 311 Taylor Street, Mishawaka, IN, to allow for a duplex in R-1 Single Family Residential District.

The Board, with a vote of 3-1 (Dendiu), recommended denial.

APPEAL #24-08 An appeal submitted by 120 BS LLC requesting a Use Variance for 415 Bittersweet Road, Mishawaka, IN, to allow for a restaurant with drive thru in the C-1 General Commercial District.

The Board, with a vote of 4-0, recommended approval.

Respectfully,

Donna M Burkart

Donna M Burkart, Administrative Planner
Secretary, Board of Zoning Appeals

STAFF REPORT

Location: 1017 E. Jefferson Blvd. Date: April 9, 2024

Appeal: 24 - 05 Prepared By: SA

GENERAL INFORMATION

Applicant:	Sharon A. Helman / Pablo Bueno d/b/a Pilo's Body Shop & Auto Sales
Status:	Property Owner / Tenant
Request:	Use Variance to allow a food truck in C-1 General Commercial District
Zoning Classification:	C-1 General Commercial District
Lot Size:	Approximate 140' x 155' (0.5 acres)
Applicable Regulations:	Section 137-42 / (4) Board of Zoning Appeals – Use Variance ; Section 137-300 to 137-303 / C-1 General Commercial District, Indiana Code 36-7-4-918.4

SPECIAL INFORMATION

Area Development Pattern:	North:	C-4 Automobile Oriented Commercial District (Automobile Repair & Service / Quality Automotive)
	South:	I-1 Light Industrial District (Industrial Electronics Repair & Machine Automation / TRS – Technical Repair Solutions & Vacant)
	East:	I-1 Light Industrial District (Automobile Sales)
	West:	C-4 Automobile Oriented Commercial District (Automobile Body Shop / Fred's Body Shop)
Thoroughfare:	E. Jefferson Boulevard	
City Council District:	5	
School District:	School City of Mishawka	
Township:	Penn	
Public Utilities:	All utilities are available and currently serve the property	
Comprehensive Plan:	Industrial	

ANALYSIS

The Appellants, Sharon A. Helman and Pilo's Body Shop & Auto Sales (tenant), are requesting a Use Variance to allow a food truck to be located in the parking lot of an existing automotive repair and sales business. The property is bordered by automotive-related commercial and industrial uses.

In 2011, a Use Variance (Appeal 11-14/Resolution 2011-04) was approved to again allow automobile repair and sales in the recently rezoned C-1 General Commercial property. Automotive repair and sales

were no longer permitted due the property being rezoned the prior year. Following approval of the variance, the property appears to have been occupied by Fred's Body Shop until Pilo's Body Shop & Auto Sales occupying the property in early 2014.

In 2022, a Use Variance (AP 22-27/Resolution 2022-17) was approved for the Appellant, who proposed to operate a vending food truck from the premises within the far northeast corner of the property. The truck shall be located a minimum of 10' from the north property line. Hours of operation shall be no more than six hours per day, three days per week. Use Variance shall expire one year from the date of Common Council approval. Four designated parking spaces, located in the west part of the parking lot, highlighted on the site plan, for food orders only. Customers will walk up to the truck to order and will be given a pager to inform them when the food is ready for pick up.

The Appellant, who never ended up operating the food truck from the previous Resolution, states that the goal of adding a food truck is to attract more business for the auto repair shop as well as create a secondary source of income. The truck will be owned and operated by Jose and Ernesto Bueno, who are the primary tenant's sons.

The zoning ordinance does not permit food trucks by right in any specific district including the C-1 General Commercial District. Planning Staff has had numerous discussions with the tenant beginning in July 2018 regarding the proposed food truck. Staff indicated that a use variance would likely be supported depending on where the truck would be placed, how parking would be addressed for the additional use, and the proposed hours of operation. The proposed parking spaces appear to be sufficient for the anticipated limited use of the food truck. *Staff is recommending a condition be place on the Use Variance, if approved, to include limited hours.* The longer hours of operation are more appropriate for a permanent restaurant in another brick-and-mortar location and not as proposed as a secondary use on an existing commercial property.

The Fire Department commented that the food truck will be subject to inspections by the Mishawaka Fire Department and Saint Joseph County Health Department.

Water Department has asked where will the water for the food truck come from? We would like to make sure the source is protected with a backflow device. Please call with any questions concerning water service or backflow needs.

All other pertinent City Departments have reviewed and approved the Use Variance request without comments.

RECOMMENDATION

The Planning Staff recommends **approval** of Appeal #24-05 to allow a Use Variance for a food truck in the C-1 General Commercial District subject to the following Conditions:

1. The truck shall be located a minimum of 10' from the north property line.
2. The hours of operations shall be limited to six hours per day and three days per week.

This recommendation is based on the following findings of fact *per Indiana Code 36-7-4-918.4*:

1. Approval will not be injurious to the public health, safety, morals and general welfare of the community. The secondary use of the property by adding a food truck is not anticipated to be injurious to the public health and safety due to its limited patronage. The operation of the truck will also be subject to the applicable inspections and permitting by the County Health Department and City Fire Department.

2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner. Adjacent properties are currently zoned and occupied with various automotive related and industrial uses. Adding a food truck as a secondary use should not negatively impact the adjacent property uses or values.

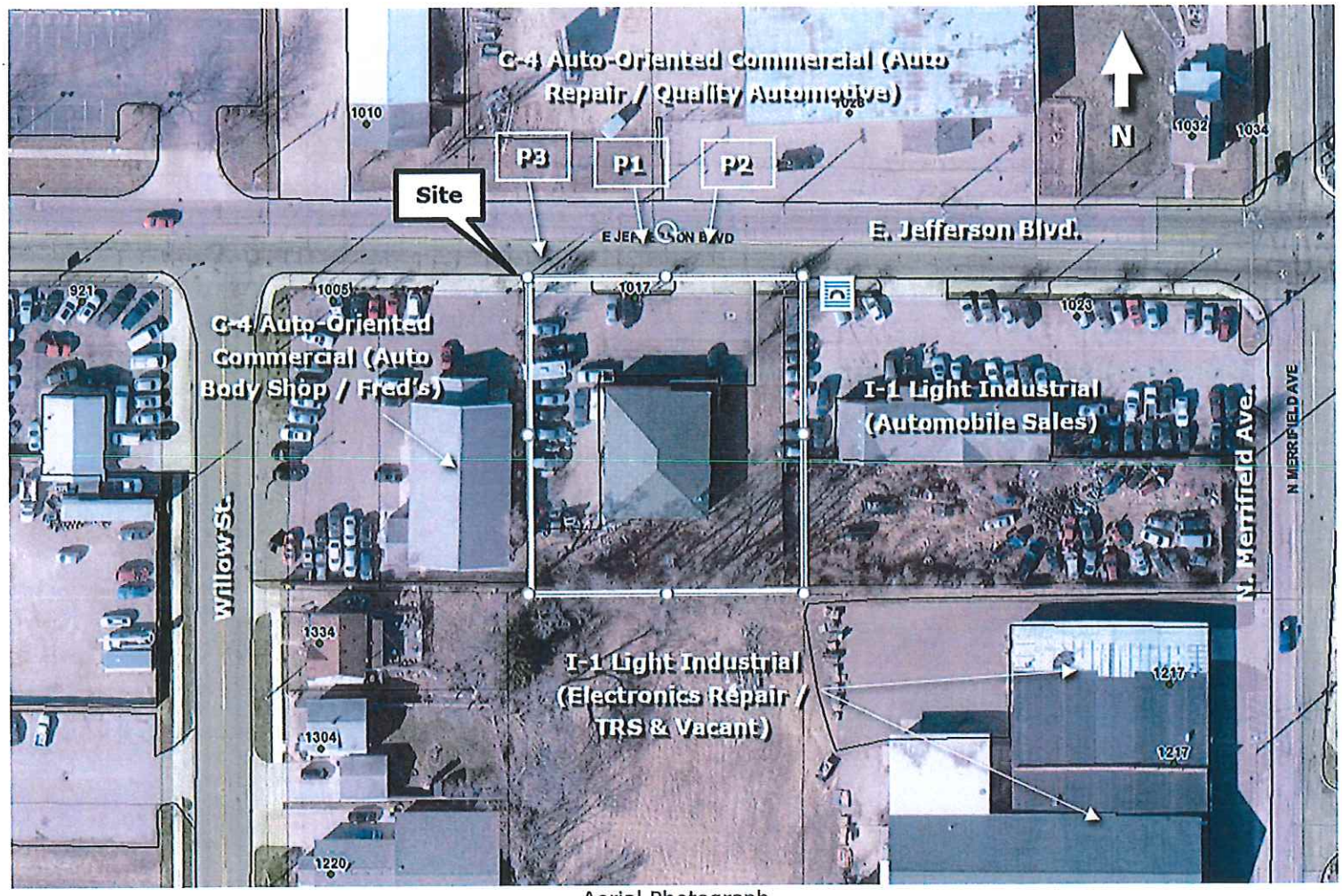
3. The need for the variance arises from some condition peculiar to the property as the C-1 General Commercial Zoning District does not permit a food truck.

4. Strict application of the terms of this chapter will constitute an unnecessary hardship if applied to the property for which the variance is sought. The Appellant would not be able to add a food truck with limited hours of operation as a secondary use of the property.

5. The approval will not substantially interfere with the Mishawaka 2000 Comprehensive Plan. The Plan, created in 1990, guided industrial development within this property and commercial use along the E. Jefferson Boulevard corridor.

ATTACHMENTS

Aerial Photograph, Site Photographs, Appeal, Site Plan with Proposed Food Truck Location and Parking Spaces, Location Map



Aerial Photograph

P1. Looking southerly toward the property from E. Jefferson Blvd.

P2. Looking southerly toward the property and proposed food truck location.

P3. Looking southerly toward the property and the proposed location of the four parking spaces.

DATE: 3/20/2024

BP 24-05

Received

MAR 15 2024

Planning and Community Development

TO: Board of Zoning Appeals
City of Mishawaka, Indiana

The undersigned appellant respectfully shows the Board:

1. I, ***Sharon A ~~Hellman~~*** Helman (SH) 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:

Lot Numbered Six (6) and the East 56 1/2 feet of Lot Numbered Five (5), all as shown on the recorded Plat of Bryan's Addition to the City of Mishawaka, located in the Northeast Quarter of the Southwest Quarter of Section 10, Township 37 North, Range 3 East, recorded in the Office of the Recorder of St. Joseph County, Indiana, together with the West Half of the vacated alley lying East and adjacent.

EXCEPTING THEREFROM THE FOLLOWING:

A parcel of land being a part of the Northeast Quarter of the East Half of the Southwest Quarter of Section 10, Township 37 North, Range 3 East, Penn Township, City of Mishawaka, St. Joseph County, Indiana and being more particularly described as follows: Beginning at the Southeast corner of Lot 6 in Bryan's Addition to the City of Mishawaka as shown on the recorded Plat in the Office of the Recorder of St. Joseph County, Indiana; thence North 0°51'01" West along the East line of said Lot 6, a distance of 4.49 feet; thence North 89°52'27" East, a distance of 257.79 feet to the West right of way line of Merrifield Avenue; thence South 0°55'03" East along said Merrifield Avenue, a distance of 8.00 feet; thence South 89°52'27" West, a distance of 217.84 feet; thence North 0°50'04" West, a distance of 3.42 feet; thence North 89°59'13" West, a distance of 40.00 feet to the place of beginning.

(more commonly known as 1017 East Jefferson Boulevard, Mishawaka, Indiana 46545)

2. The above-described real estate presently has a zoning classification of C-1 General Commercial District under the Zoning Ordinance of the City of Mishawaka.

3. I Pablo Bueno Jr, presently occupy Pilo's Body Shop & Auto Sales LLC in the following manner: Body Shop & Auto Sales (per Resolution 11-04)

4. Appellant desires to *operate a food truck in the C-1 General Commercial District subject to the following conditions:*
   a. The truck shall be located a minimum of 10' from the north property line.
   b. Hours of operation shall be no more than six hours per day, three days per week.

   Parking will be addressed through designated parking areas located in the far west area of the property for taco truck orders use only. With the use of restaurant pagers customers will walk up to order food and be given a pager to return to the taco truck when food is ready to be received. The use of pagers minimizes traffic when placing orders and prevents confusion. The goal is to attract more business for the auto repair shop as well as create a secondary source of income to help reciprocate the cash flow and stimulate the local economy. The food truck will also enable me to provide financial security for my sons to help put one of them through college and help the other, who is a single father, provide for his son. The truck will be family owned and operated by Jose Bueno and Ernesto Bueno; my sons. The taco truck will benefit local economic growth and bring new customers and bring advertisements for "Pilo's Body Shop" through word of mouth.

5. The Zoning Ordinance of the City of Mishawaka does not allow food truck uses in C-1 (137-301).

6. Explain why strict adherence to the Ordinance requirements would create an unusual hardship.
   Hardship is food truck not all allowed. We would like to request an allowance to park a food truck.

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, approval of a use variance will not be injurious to the public health, safety, morals or general welfare of the community. Abiding by and compliantly adhering to the local guidelines and regulations regarding food operation and food safety to the public, will prevent any chance of a negative impact on the welfare of the community. By structuring a system based on city ordinance and regulations it will yield a safe outcome for the public.

(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 use and value of the area adjacent to the property included in the variance will not be affected in an adverse manner due to the area having designated parking space and "To Go" style system that prevents any interference with the adjacent area described.

(3) Does the need for the variance arise from some condition peculiar to the property involved?
Yes, the need for the variance arises from a peculiar condition of the property involved as food trucks are not currently permitted in the C-1 zoned property. If the same applies the variance arose from intent to build and restructure. Set a foundation for secondary source of economic growth and stimulation.

(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, food trucks are not permitted in the C-1 district or any commercial district in the city. The hardship can be minimized through parking on private property instead of city property.

(5) Will approval interfere substantially with the Mishawaka 2000 Comprehensive Plan?
No, approval will not interfere with the Mishawaka 2000 Comprehensive Plan. Food truck will operate on private property. Food truck does not present a hazard or interference as size of interference is minimal if not active at all.

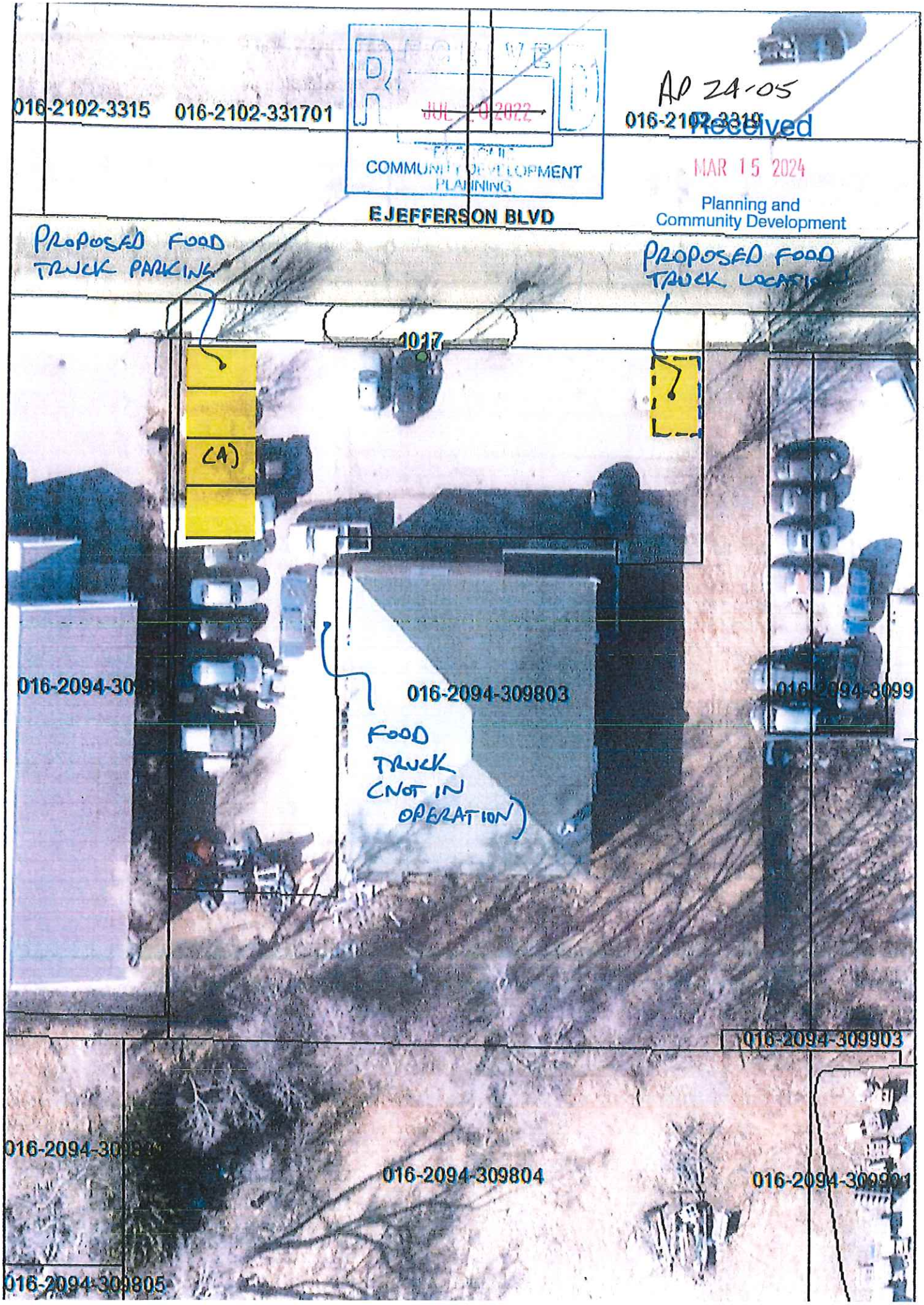
WHEREFORE, Appellant prays and respectfully requests a hearing on this appeal and that after such hearing, the Board grant the requested variance.

Sharon Helman

Sharon Helman

CONTACT PERSON:
Name: Sharon A. Helman
Address: 16127 Cobblestone Square Dr
Day Phone Number: 574-286-9888

CONTACT PERSON #2:
Name: Pablo Bueno Jr (Pilo)
Address: 1017 E Jefferson Blvd, Mishawaka, IN
Day Phone Number: 574-514-1749
Email: pilosbs@gmail.com


016-2102-3315
016-2102-331701
RECEIVED
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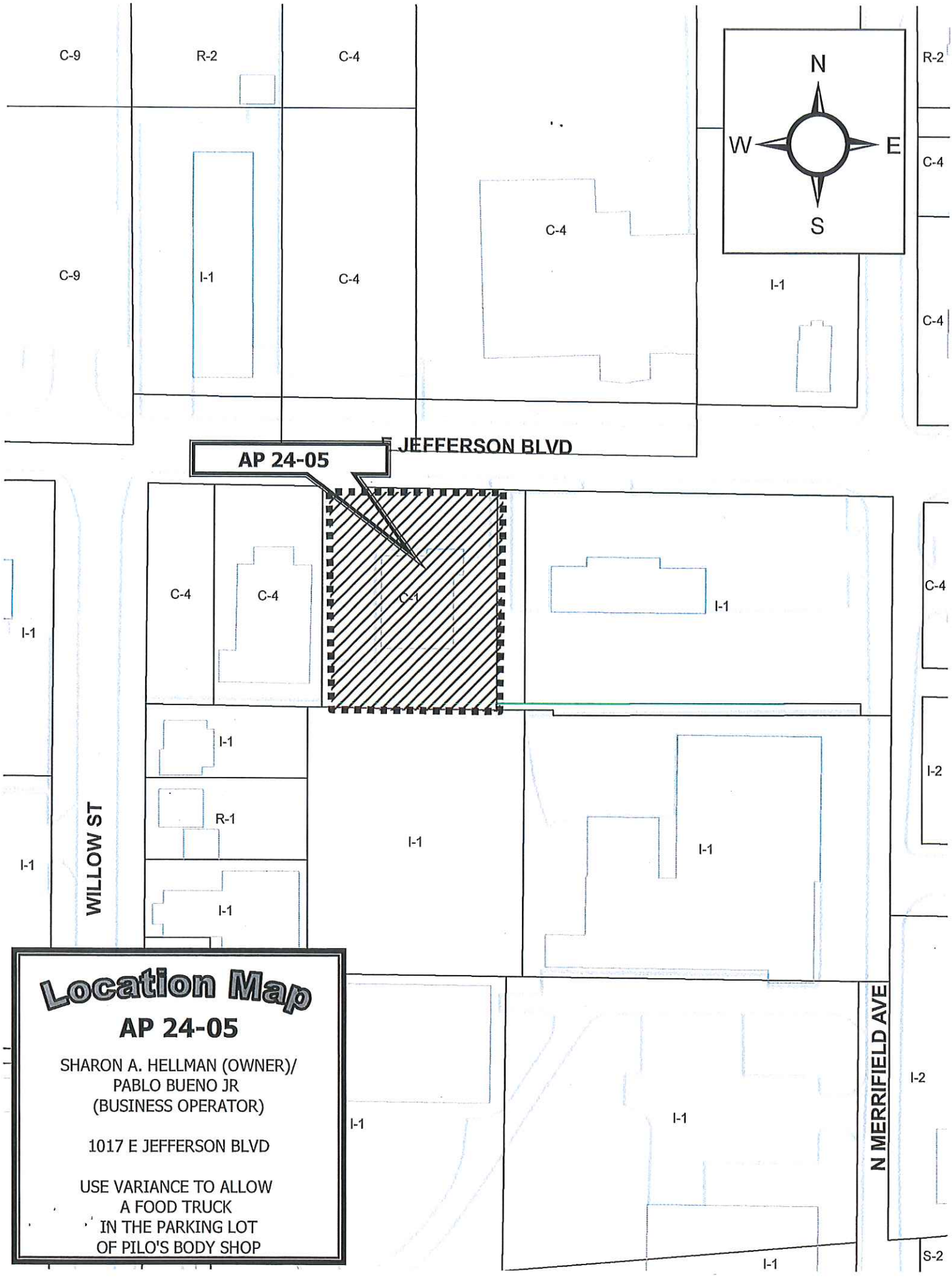
COMMUNITY DEVELOPMENT
PLANNING
AP 24-05
016-2102-3319
Received
MAR 15 2024
Planning and
Community Development
EJEFFERSON BLVD
PROPOSED FOOD
TRUCK PARKING
PROPOSED FOOD
TRUCK LOCATION
1017
(4)
016-2094-309803
FOOD
TRUCK
(NOT IN
OPERATION)
016-2094-3099
016-2094-309903
016-2094-309804
016-2094-309805



Location Map

AP 24-05

SHARON A. HELLMAN (OWNER)/
PABLO BUENO JR
(BUSINESS OPERATOR)

1017 E JEFFERSON BLVD

USE VARIANCE TO ALLOW
A FOOD TRUCK
IN THE PARKING LOT
OF PILO'S BODY SHOP

STAFF REPORT

Location: 311 Taylor Street

Date: April 9, 2024

Appeal: 24 07

Prepared By: DMB

GENERAL INFORMATION

Applicant:	Jonathan & Lisa Polder/Michelle Bordeau
Status:	Property Owners/Potential Buyer
Request:	Use Variance to allow R-2 Two-Family Residential in R-1 Single Family Residential District
Zoning Classification:	R-1 Single Family Residential
Lot Size:	.07 acres
Applicable Regulations:	137.42 Board of Zoning Appeals (4) Variance of Use; Board of Zoning Appeals - Developmental Variance, Indiana Code 36-7-4-918.5 (a.)

SPECIAL INFORMATION

Area Development Pattern:	North:	R-1 Single Family Residential District
	South:	R-1 Single Family Residential District
	East:	R-1 Single Family Residential District
	West:	R-1 Single Family Residential District
Thoroughfare:	Taylor Street between W Fifth Street and W Fourth Street	
Council District	4	
School District:	School City of Mishawaka	
Public Utilities:	Available	
Comprehensive Plan:	Low Density Residential	

ANALYSIS

The property is being purchased from Jonathan and Lisa Polder by Michelle Bordeau. Ms. Bordeau is purchasing the property with the intent to continue utilizing the property as a duplex. The property has been operating as a duplex for over 40 years and has been bought and sold as a duplex many times over those 40 years.

In the 1979 Polk Directory does indicate that the property on Taylor Street utilized two addresses, 311 & 311 ½ .

An inquiry from Tri State Mortgage Company in 2004 indicated that the property was zoned R-1 Single Family Residential and that any other uses other than single family dwellings, churches, schools, parks and playgrounds and accessory buildings such as private garages are strictly prohibited. This property is currently non-conforming

A two unit duplex needs 1.5 per unit for a total of 3 overall parking spaces. There is no onsite parking available and the Code Department has 2 yard parking violations in 2022 and 2023. And rezoning the property to R-2 would correct this non-conformity and allow the duplex to become legal

Because of the lack of parking and code enforcement issues associated with the property, staff does not feel that it is appropriate to rezone and solidify the use of the property as a duplex. The ideal circumstance would be that the property eventually be converted into a single family residence.

The neighborhood is primarily zoned as R-1 Single Family but there are some mixed uses in the vicinity such as C-4 Automobile Oriented, C-1 General Commercial properties, C-5 Neighborhood Commercial and R-2 Multi Family.

Pertinent City Departments have reviewed and approved the request.

RECOMMENDATION

The Planning Department recommends **denial** of Appeal #24-07 to allow R-2 Two-Family Residential in R-1 Single Family Residential District. This recommendation is based upon the following findings of fact *per Indiana Code 36-7-4-918.5 (a.)*:

1. Approval will be injurious to the public health, safety, morals and general welfare of the community. The size of this lot doesn't allow any onsite parking. By ordinance, a duplex should have 3 overall onsite parking for residents.

2. The use and value of the area adjacent to the property included in the variance will be affected in a substantially adverse manner. A duplex that is not able to offer onsite parking increases congested streets and unsafe situations for the neighborhood.

3. The need for the use variance arises from the condition that the property currently being zoned R-1 Single Family prevents the buyer to obtain financing due to it being a duplex.

4. Strict application of the terms of this chapter will not constitute an unnecessary hardship if applied to the property for which the variance is sought and will not result in practical difficulties in the use of the property. The property has operated as duplex although it has been zoned as R-1 Single Family Residential and any other uses are strictly prohibited and are in violation of the City's Zoning Ordinance.

5. The approval will substantially interfere with the Mishawaka 2000 Comprehensive Plan. The Mishawaka 2000 Comprehensive Plan, created in 1990, identifies a land use of the subject property as Low Density Residential which is single family residences.

ATTACHMENTS

AERIAL, PHOTOGRAPHS, PETITION, SUPPORTING DOCUMENTATION, LOCATION MAP

Aerial

Aerial view with nearby zoning

Eastern view from Taylor Street

South Eastern view from Taylor Street

North Eastern view from Taylor Street

DocuSign Envelope ID: 28280EDB-D19B-45DA-B026-F6106C318FD8

Received
MAR 19 2024
Planning and
Community Development

DATE: 03/07/2024

TO: Board of Zoning Appeals City of Mishawaka, Indiana

The undersigned appellant respectfully shows the Board:

Jonathan and Lisa Polder, are the owners of the following described real estate located within the City of Mishawaka, Penn Township, St. Joseph County, State of Indiana, to-wit:
311 Taylor

The above-described real estate presently has a zoning classification of R1 District under the Zoning Ordinance of the City of Mishawaka.

Appellant presently occupies (or proposes to occupy) the above-described property in the following manner: Duplex - 2 units of any combination

Appellant desires to (Explain what is proposed that violates the Ordinance.) The property is showing illegal-non conforming but it needs to be legal conforming

The Zoning Ordinance of the City of Mishawaka requires (The residential R-2 district is designed for duplex or two-family units so as to ensure their proper location in terms of the social and economic requirements of the community, the need for the duplex or two-family units, the effect of two-family units on the value of adjacent residential areas, and the ability of the city, now and in the future, to provide the additional services that may be required in duplex or two-family areas. Sec. 137 - 186. - Intent.

1 Approval will not be injurious to the public health, safety, morals or general welfare of the community since the property has been operating as a duplex since 1980. People are aware of this because according to the MLS the property has been bought and sold as a duplex multiple times since it was built in 1980(44 years to current date). This serves the community well by providing cheaper housing since a duplex costs are split between two units whilst a single family home which is required to be in a residential zone 1 has one specific person responsible for all maintenance and repair costs.

2 The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner because as stated previously the property has been operating as a duplex since 1980(44 years to current date)

3 The need for this variance arises from a condition peculiar to the property because at one point in time the zone where the property stands was R2 but it's since been changed to R1 which makes the property ineligible from being purchased due to it being illegal - non conforming

Donna Burkart

From: Victor F. Kasznia Jr
Sent: Thursday, March 28, 2024 12:07 PM
To: Donna Burkart
Cc: Joe VanNevel
Subject: RE: Code Violations - 311 Taylor Street

Donna,
Per your request for documentation to be considered at the BSA hearing regarding this property, please see the list below. There have been no Substandard cases at this property since the current ownership took over in 2021. All violations have been Nuisance case:

Case #:	Description of Violation:	Date Opened:	Date Closed:
NU-21-00016	Demo Debris in yard.	1/6/2021	1/12/2021
NU-21-00817	Demo Debris, west side.	3/12/2021	4/14/2021
NU-22-11611	Yard Parking	10/25/2022	11/9/2022
NU-23-20513	Tall Weeds/Overgrowth.	7/14/2023	10/5/2023
NU-23-23030	Furniture in front yard.	10/5/2023	10/17/2024
NU-23-23202	Yard Parking	10/11/2023	10/30/2024

Please contact me if you have any questions.
Sincerely,
Vic

Vic Kasznia Jr.

Code Officer

Mishawaka Code Enforcement

100 Lincolnway West

Mishawaka, IN 46544

Office: 574-258-1612

Fax: 574-258-1713

From: Donna Burkart <donna.burkart@mishawaka.in.gov>
Sent: Wednesday, March 27, 2024 3:44 PM

City of Mishawaka

JEFFREY L. REA, MAYOR **DEPARTMENT OF CITY PLANNING**

August 12, 2004

Tri State Mortgage Company
54101 N. Ironwood Road
South Bend, IN 46635

Re: 311 Taylor St., Mishawaka, Indiana
Tax Key: 16-1018-0772.01
Legal Description: 50.13' W side Taylor St. south end Lot 16 and 4.80' x 56.95' cor Lot 15 Van Den Bosch Sub

Dear Sir:

The purpose of this letter is to confirm that the above referenced property is zoned R-1 Single Family Residential. Permitted uses in the R-1 Single Family Residential Zoning District include detached single family dwellings, churches, schools, parks and playgrounds, and accessory buildings such as private garages. Any other uses are strictly prohibited and are a violation of the City's Zoning Ordinance.

Please feel free to contact me if you require additional information.

Sincerely,

Linda M. Feldmaier

Linda M. Feldmaier
Administrative Planner

City Hall, 600 East Third Street, Mishawaka, IN 46544-2241 (574) 258-1625 FAX (574) 968-6999
E-mail planning @ mishawakacity.com

Tri State Mortgage
COMPANY
54101 N. Ironwood Road
South Bend ◆ IN 46635
Phone: (574) 271-4300 ◆ Toll Free: (888) 885-9500
Fax: (574) 247-4515

Fax Cover Sheet

Send To: Planning

From: Tyler

Attention: Zoning Letter

Date: 8/12

Office Location:

Fax Number: 968 6999

Total Number of Pages, Including Cover:

Urgent | Reply ASAP | Please Comment | Please Review | For Your Information

COMMENTS/NOTES:

Dear Sir or Madam:
Could you please fax us the rebuild letter for
311-311 1/2 TAYLOR ST, Mishawaka, IN 46544
Assessor's PARCEL No: 16-1018-077201
Thank you very much!
16-1018-0772.01

R-1 zoning
assessed as duplex

Location Map

AP 24-07

JOHNATHAN BRUCE &
LISA GAYE POLDER REV TRUST
(OWNER)

311 TAYLOR

USEL VARIANCE
TO ALLOW DUPLEX
IN R-1 SINGLE FAMILY RESIDENTIAL

STAFF REPORT

Location: 415 Bittersweet Road

Date: April 9, 2024

Appeal: 24 08

Prepared By: CH/KP

GENERAL INFORMATION

Applicant:	120 BS LLC (dba Jimmy John's)
Status:	Property Owner
Request:	Use Variance to allow a drive thru sandwich shop use in a R-1 Single Family Residential District (C-1 General Commercial Pending)
Zoning Classification:	R-1 Single Family Residential
Lot Size:	0.69 acres
Applicable Regulations:	137.42 Board of Zoning Appeals (4) Variance of Use; Board of Zoning Appeals - Developmental Variance, Indiana Code 36-7-4-918.5 (a.)

SPECIAL INFORMATION

Area Development Pattern:	North:	R-1 Single Family Residential District (developed as single family)
	South:	C-1 General Commercial (Everwise Credit Union)
	East:	S-2 Planned Unit Development District (Reflections Apartments and former Family Video Commercial Building)
	West:	R-1 Single Family Residential District (developed as single family)
Thoroughfare:	Bittersweet Road, just south of Vistula Road	
Council District	3	
School District:	School City of Mishawaka	
Public Utilities:	Public Sewer, Water, and Electric are available	
Comprehensive Plan:	Low Density Residential	

ANALYSIS

The Appellant, 120 BS LLC (dba Jimmy John's) is requesting a Use Variance to allow a drive thru restaurant in the C-1 General Commercial District. While the property is currently zoned R-1 Single Family Residential, a rezoning petition to rezone the property to C-1 General Commercial District was filed concurrently with this request and will be heard by the Plan Commission.

The 0.69 acre property (Tax ID #016-1094-378502) is located on the west side of Bittersweet Road, just south of Vistula Drive and directly north of the Everwise Credit Union. To the north and west are single family homes, and to the east, across Bittersweet Road, are the Reflections Apartments zoned S-2 Planned Unit Development. Currently, there is a single-family home on the property, which is proposed to be demolished if the rezoning and use variance are approved. A preliminary site plan shows a 1,200 sq. ft. building, 22 parking spaces, landscaping and fencing.

With this petition, the property owner and contingent developer are only seeking to establish the proper zoning required for the proposed use. If approved, a detailed final site plan shall be submitted for Staff review and Plan Commission approval prior to construction. The final site plan shall address storm drainage, grading, utilities, soil erosion control, landscaping, and all other required improvements pertinent to the proposed development. If additional variances or a design review waiver for the proposed building materials or colors are required, the Board of Zoning Appeals and/or the Plan Commission shall be petitioned when the final site plan is submitted.

When staff was approached regarding the request, we recommended a two-step process- both filing a rezoning request to C-1 General Commercial and filing a use variance request for the proposed Jimmy John's sandwich shop drive thru. The small property is both limited by the adjacent residential uses and the overhead high voltage power lines which create a hardship regarding redeveloping the property. Staff's reasoning for the use variance was that sandwich shops like Jimmy John's and Subway have a much lower volume of customers and traffic when compared than other traditional larger drive thru restaurants like McDonalds and Wendy's. Even Starbucks as a coffee shop has a need for a significant drive thru like a larger drive thru restaurant. The dual process appropriately rezones the property to commercial matching the general commercial uses located along the Bittersweet Road frontage adjacent to and in close proximity to the site. At the same time, the use variance allows for the drive thru use for Jimmy John's as desired, but restricts other more intensive drive thru businesses from locating to this property by right.

In March, the developer participated in the Twin Branch Neighborhood Watch meeting, and presented the concept to residents and neighbors who attended the meeting. Overall, the feedback was positive and the questions raised were more about the logistics and development characteristics than the use itself.

Given the unique site conditions staff is recommending conditions be placed as part of the approval of the use variance.

Pertinent City Departments have reviewed and approved the request. Department comments were not directly related to the rezoning or use variance and were more suited to the site plan process. However, they were forwarded to the owner's representative so these items can be addressed prior to that submittal.

RECOMMENDATION

The Planning Department recommends approval of Appeal #24-07 to allow a Use Variance to allow a drive thru sandwich shop use in a R-1 Single Family Residential District (C-1 General Commercial Pending) subject to the following conditions:

1) In addition to the uses permitted by zoning, a drive thru sandwich shop shall be permitted. Sandwich shops shall include Jimmy John's, Subway, and similar establishments, but shall exclude larger higher drive thru traffic intensity uses such as McDonalds, Wendy's and Starbucks.

2) A cross access easement shall be provided through the proposed parking area that would ultimately provide for an access road internal connection to the properties north and south of the site. The applicant shall coordinate with Everwise Credit Union and provide a vehicular connection between the proposed site and the Everwise drive/parking area. If Everwise refuses to allow the connection, the drive shall be stubbed at the property line to allow for the future interconnection.

3) The sidewalk on Bittersweet Road shall be extended/reconstructed from the intersection of Vistula Road and Bittersweet Road to the south property line of the proposed site.

4) A minimum landscape buffer 15' in width shall be required on the west property line and on the north property line (noting that a portion of the north property line may need to be removed in the future if that property is ever redeveloped as commercial and connected to this development site). In addition to the opaque fence and landscaping required by the C-1 General Commercial zoning district, a continuous row of evergreen trees shall be planted along the entire west property line and along the north property line to the 25' setback line from Bittersweet Road. Evergreens shall be planted at a minimum of 6' in height at the time of installation. The C-1 landscaping standards shall be followed for all other areas. The height of material selected will need to reflect the limitations of the overhead power by providing lower growing material.

5) A minimum 20' setback for pavement shall be provided from the Bittersweet Road right-of-way.

This recommendation is based upon the following findings of fact *per Indiana Code 36-7-4-918.5 (a.)*:

1. Approval will not be injurious to the public health, safety, morals and general welfare of the community. The size of this lot allows for the construction of the proposed Jimmy John's sandwich shop while providing adequate stacking in the proposed drive thru and meeting all other applicable or requested development standards.

2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner. The proposed sandwich shop is consistent with the commercial development that has occurred along the Bittersweet corridor. Landscaping and fencing will be provided to buffer adjacent residential uses.

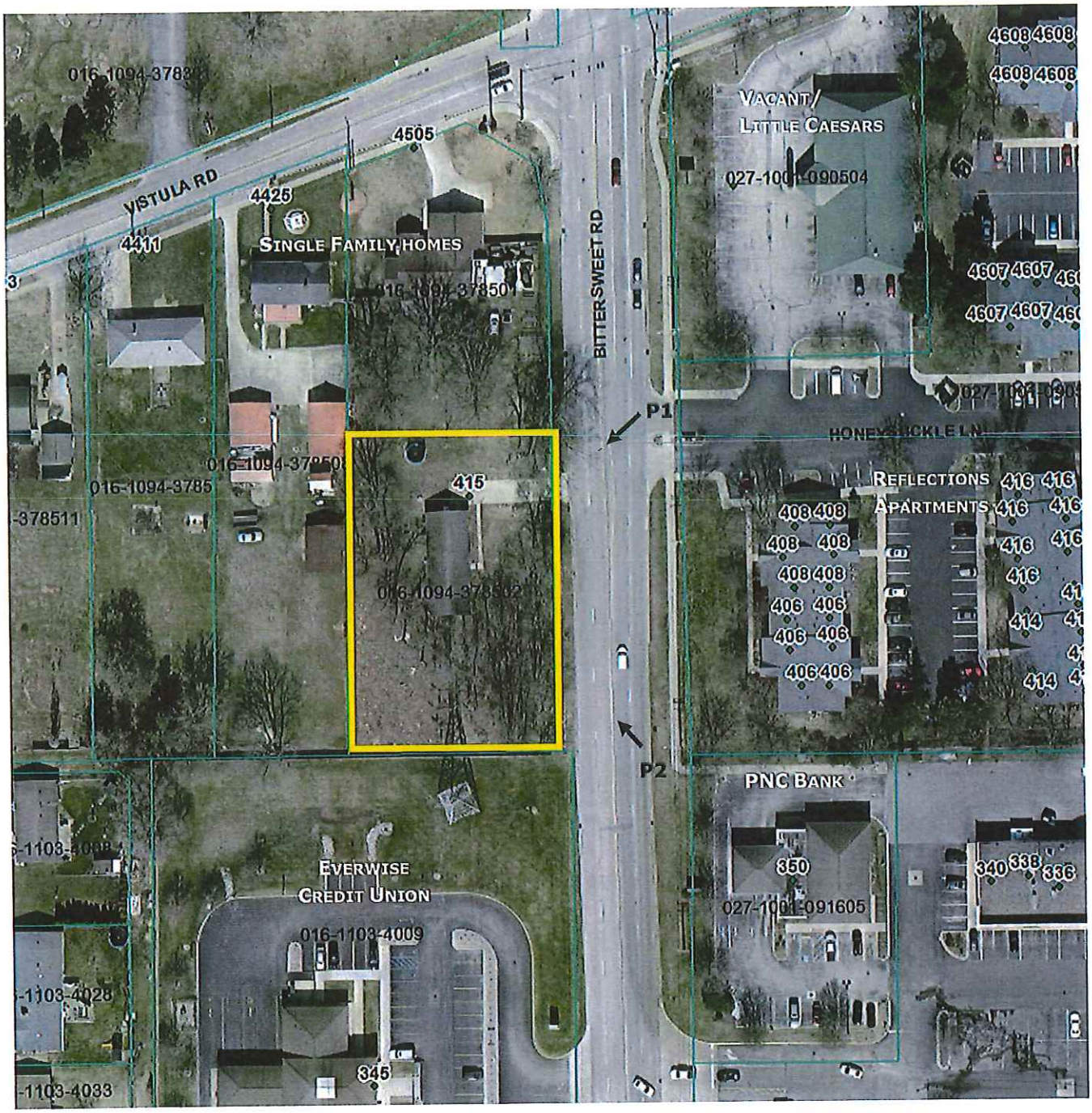
3. The need for the use variance arises from the condition to the property in that it is small and limited by the adjacent residential uses and overhead power lines which make it not likely capable of supporting higher intensity drive thru uses.

4. Strict application of the terms of this chapter will constitute an unnecessary hardship if applied to the property for which the variance is sought and will not result in practical difficulties in the use of the property. The small property that is both limited by the adjacent residential uses and the overhead high voltage power lines create a hardship regarding redeveloping the property.

5. The approval does not substantially interfere with the Mishawaka 2000 Comprehensive Plan. The Mishawaka 2000 Comprehensive Plan, created in 1990, identifies a land use of the subject property as Low Density Residential. Since that time, the Bittersweet corridor has been significantly developed as commercial. The proposed request is consistent with the redevelopment that has taken place along the corridor.

ATTACHMENTS

AERIAL, PHOTOGRAPHS, PETITION, SUPPORTING DOCUMENTATION, LOCATION MAP



P1. A view of the existing house from the entrance of the apartment complex.

P2. A view of the existing house looking north across Bittersweet Rd.

P1. A view of the existing house from the entrance of the apartment complex.

P2. A view of the existing house looking north across Bittersweet Rd.

Received
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Planning and Community Development
AP 24-08

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February 26, 2024

George C. Lepeniotis
Direct Dial: (574) 485-2008
E-mail: glepeniotis@kdlegal.com

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

Re: Rezoning and Use Variance Petition for the Real Property Located at 415 Bittersweet Road, Mishawaka, IN

Dear Hon. Members of the Plan Commission and City Council:

I represent Group 120, Inc. + 120 BS, LLC (d/b/a Jimmy John's), the new owner ("Petitioner") of real property located within the City of Mishawaka, County of St. Joseph, State of Indiana (the "City"), located at the address above and more particularly described on Exhibit A, attached hereto and made a part hereof (the "Real Property").

The Real Property presently has a zoning classification of R-1 under the Zoning Ordinance of the City of Mishawaka, and Petitioner respectfully requests the City rezone the Real Property to C-1 for the intended purpose of a future 1,212 square foot stand-alone Jimmy John's restaurant. Petitioner also seeks a use variance to allow for a proposed Drive-Thru. Please consider the following request for rezoning.

Comprehensive Plan:

This rezoning request fits well within the City's Comprehensive Plan for the area. The Real Property is bordered by additional R-1 sites to the north and west, an Everwise Credit Union to the south (along with significant other commercial developments), and the Reflections Apartment complex to the east, across Bittersweet. There is additional commercial development north and south on Bittersweet, including the large "Martin's" PUD. This development would further the commercial corridor on Bittersweet in a fairly low-impact and thoughtful manner.

Current conditions and the character of current structures and uses in each district:

The Real Property is currently zoned R-1 Residential and occupied by a dated manufactured home.

The most desirable use for which the land in each district is adapted:

The current manufactured home is dated. It is highly unlikely that the parcel would be desirable for any new or updated residential structures or developments due to the high traffic and noise generated from Bittersweet. Petitioner currently owns and operates fifteen other Jimmy John's restaurants, including the other two locations in Mishawaka (N. Main and McKinley), as well as all five locations in South Bend, one location in Granger, two locations in Warsaw, one location in Plymouth and three locations in Elkhart, plus one location being built in Sturgis, Michigan. A stand-alone Jimmy John's restaurant with Drive-Thru on the Real Property would be convenient and desirable for the community. The nearest Jimmy John's location from the Bittersweet area is fifteen minutes away. The area is developing a number of commercial services and restaurants but not overtly so such as Grape Road or Main Street.

The conservation of property values throughout the jurisdiction:

The proposed development is designed to integrate seamlessly with the other commercial developments along both the east and west sides of Bittersweet to the north and south. The design will further increase the commercial corridor which will lead to an increase of property values for the neighboring properties.

Use Variance:

Due to the size of the parcel, Petitioner, at the request of City staff, has agreed to petition for a C-1 Commercial designation with an additional variance request for a drive-thru as opposed to requesting a change to the C-7 Commercial Drive-Thru Restaurant district. Staff believe this will allow the City to maintain some control over any potential future redevelopment of the parcel to drive-thru restaurants that see higher queuing requirements such as a coffee shop or larger fast-food restaurant. Accordingly, the Petitioner also requests the approval of a use variance to permit the installation of a Drive-Thru on the Real Property. For the reasons described in this Petition, the request for a use variance in order to allow a Drive Thru on the Real Property would not be injurious to the public health, safety, morals, or general welfare of the community, and the use and value of the area adjacent to the Real Property would not be affected in a substantially adverse manner. Jimmy Johns is known for its quick service and short wait times. It is also known for its delivery. Thus the drive-thru queuing requirements are not as substantial as others and the size of the parcel is not a detriment to this development.

The need for the use variance arises from conditions peculiar to the Real Property, and the strict application of the terms of the zoning regulations would constitute an unnecessary hardship if applied to the Real Property. Staff has indicated they have concerns over the limited size of the parcel and the presence of power lines and utility easements, which limit broader drive-thru uses,

such that a C-7 designation may not be appropriate. Accordingly, these peculiar conditions of the Real Property make a C-1 classification with a special use variance more appropriate to this particular parcel and specific use. This will allow the city the ability to better control future redevelopment.

The approval of the use variance fits well within the City's Comprehensive Plan for the area, as detailed above.

Responsible growth and development:

The proposed development is compatible with the surrounding zoning classifications and uses and is a responsible expansion of the commercial corridor without impacting the residential structures to the north and to the west, especially once proper screening and fencing is installed.

Petitioner respectfully requests a hearing on its request requests 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.

Thank you for your careful consideration of this request.

Sincerely,

George C. Lepeniotis
Attorney for Petitioner

Enc.

cc: Nick Venzon, Group 120, Inc. (with enclosures)

PRELIMINARY SITE PLAN

PART OF THE SOUTHEAST QUARTER OF OF THE SOUTHWEST QUARTER OF SECTION 7, TOWNSHIP 37 NORTH
RANGE 4 EAST PENN TOWNSHIP, CITY OF MISHAWAKA ST. ST. JOSEPH COUTNTY, INDIANA

LEGAL DESCRIPTION:

THAT PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 37 NORTH, RANGE 4 EAST, PENN TOWNSHIP, CITY OF MISHAWAKA, ST. JOSEPH COUNTY, INDIANA WHICH IS DESCRIBED AS: LOTS # 2 OF THE PLAT OF "CLARK'S VISTULA ROAD MINOR SUBDIVISION" AS RECORDED IN THE RECORDS OF THE ST. JOSEPH COUNTY, INDIANA RECORDERS OFFICE.
CONTAINING 0.69 ACRES MORE OR LESS.
SUBJECT TO ALL LEGAL HIGHWAYS, EASEMENTS AND RESTRICTIONS OF RECORD.

ALSO, COMMONLY KNOWN AS 415 BITTERSWEET ROAD, MISHAWAKA, INDIANA 46544.

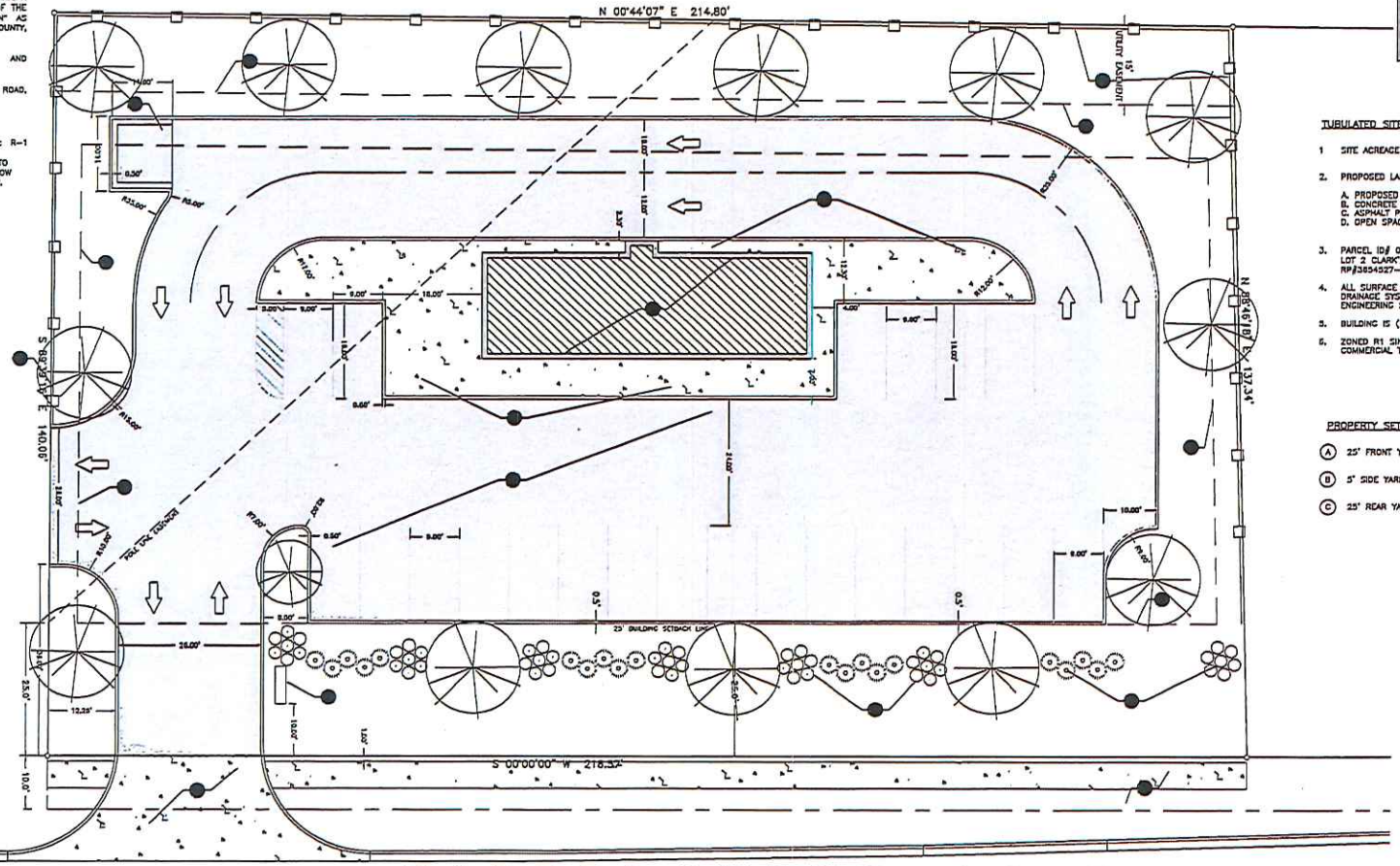
REZONING REQUEST:

THE ABOVE-DESCRIBED PARCEL IS PRESENTLY ZONED: R-1 RESIDENTIAL DISTRICT.
PETITIONERS DESIRE SAID REAL ESTATE TO BE REZONED TO C-1 COMMERCIAL DISTRICT WITH A USE VARIANCE TO ALLOW FOR THE OPERATION OF RESTAURANT WITH A DRIVE-THRU.

KEY NOTES/LEGEND:

1. PROPOSED BUILDING/CANOPY
2. PROPOSED CONCRETE PAVEMENT
3. PROPOSED ASPHALT PARKING LOT
4. SIGNS PER CITY MISHAWAKA ZONING (CH 157 MUNICIPAL CODE).
5. DUMPSTER WITH 6' FENCE.
6. LANDSCAPE PER CITY OF MISHAWAKA STANDARDS.
7. 7' HT PRIVACY FENCE

EXISTING LEGEND



SITE LOCATION MAP

TABULATED SITE DATA

1. SITE ACREAGE — 0.69 +/- ACRES; 29,976.21 SF
2. PROPOSED LAND COVERAGE

	SQ. FT.	% OF SITE
A. PROPOSED BUILDING	1,214	4.05%
B. CONCRETE PAVEMENT	2,786	9.29%
C. ASPHALT PAVEMENT	14,905	49.72%
D. OPEN SPACE	11,071	36.93%
TOTAL	29,976	100%

3. PARCEL ID# 0161084-378502
LOT 2 CLARK'S SVISTULA RD. MINOR SUB
RP#3634527-05.
4. ALL SURFACE DRAINAGE TO BE HANDLED BY ON-SITE DRAINAGE SYSTEM, SIZED PER CITY OF MISHAWAKA ENGINEERING STANDARDS.
5. BUILDING IS (1-STORY).
6. ZONED R1 SINGLE FAMILY RESIDENTIAL. C1 GENERAL COMMERCIAL TO THE SOUTH.

PROPERTY SETBACKS:

- (A) 25' FRONT YARD SETBACK (MISHAWAKA)
- (B) 5' SIDE YARD SETBACK (MISHAWAKA)
- (C) 25' REAR YARD SETBACK (MISHAWAKA)

GENERAL SURVEY DISCLAIMER NOTICE:

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ALL UNDERGROUND UTILITIES MUST BE FIELD VERIFIED BY THE CONTRACTOR BEFORE ANY CONSTRUCTION MAY BEGIN.

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N
0 10' 20' 30'
SCALE 1" = 10'

PRELIMINARY SITE PLAN

SURVEYORS & ENGINEERS:
DANCH, HARNER & ASSOCIATES, INC.
1643 COMMERCE DRIVE
SOUTH BEND, IN. 46628
(574) 234-4053
ATTN: MICHAEL DANCH

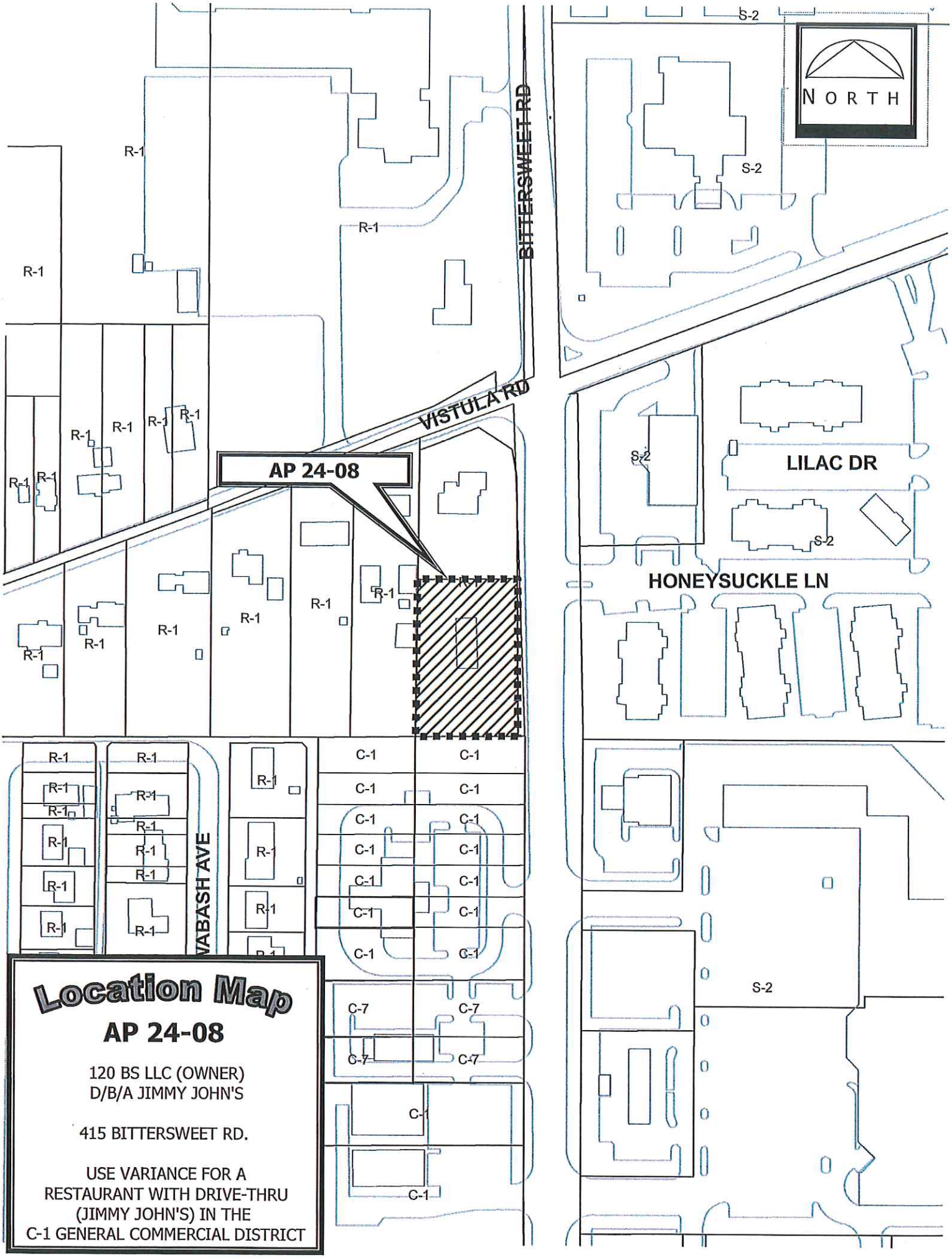
DATE	DRAWN BY:
2/9/24	JMS
SCALE	CHECKED BY:
1" = 10'	MJD
FILE #	PROJ. MANGR:
230274	MJD

REVISIONS

DATE	BY	

Danch, Harner & Associates, Inc.
Land Surveyors, Planners, Engineers
Landscape Architecture, Environmental Services
DHA
www.dhainc.com / (574) 234-4053 • Fax (574) 233-1115
1643 Commerce Drive • South Bend, IN 46628

SHEET 1 OF 1



Location Map

AP 24-08

120 BS LLC (OWNER)
D/B/A JIMMY JOHN'S

415 BITTERSWEET RD.

USE VARIANCE FOR A
RESTAURANT WITH DRIVE-THRU
(JIMMY JOHN'S) IN THE
C-1 GENERAL COMMERCIAL DISTRICT

CITY OF MISHAWAKA

DAVID A. WOOD, MAYOR

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
Kenneth B. Prince, ASLA, AICP, Executive Director

April 15, 2024

Deborah S. Block, IAMC, MMC
APR 15 2024
City Clerk
Mishawaka, IN

Honorable Members of the Common Council
City of Mishawaka, Indiana

RE: Plan Commission Recommendation
April 9, 2024, Public Hearing

Honorable Members:

A regular meeting of the Mishawaka Plan Commission meeting was held on the above date at which time the following petitions were considered:

PETITION #24-05 A request submitted by SEC Investments requesting to rezone from C-1 General Commercial to C-10 Filling Station Commercial for property located at the SE Corner of Douglas Road and Fir Road.

The Commission, with a vote of 6-2 (Fras & Portolese), recommended denial.

PETITION #24-06 A request submitted by 120 BS LLC requesting to rezone from R-1 Single-Family Residential to C-1 General Commercial for a restaurant with a drive thru located at 415 Bittersweet Road.

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

Respectfully,

Donna M Burkart

Donna Burkart, Administrative Planner
Secretary, Plan Commission

STAFF REPORT

Location: Southeast corner of E Douglas Rd and Fir Rd

Date: April 9, 2024

Petition: 24- 05

Prepared By: SA/KP

GENERAL INFORMATION

Applicant:	SEC Investments LLC / Kimley-Horn & Associates, Inc.
Status:	Property Owner / Civil Engineering Consultant
Request:	To rezone from C-1 General Commercial to C-10 Filling Station Commercial to allow for the construction of a Casey's General Store– a convenience store and gas station business.
Zoning Classification:	C-1 General Commercial District
Lot Size:	2.3 acres
Applicable Regulations:	Section 137-529 to 137-530 C-10 Filling Station Commercial / Amendments to the Zoning Map, Indiana Code 36-7-4-603

SPECIAL INFORMATION

Area Development Pattern:	North:	S-2 Planned Unit Development (Vacant Land)
	South:	Unincorporated Saint Joseph County (Vacant)
	East:	Unincorporated Saint Joseph County (Residential)
	West:	Unincorporated Saint Joseph County (Residential) & C-8 High Density Suburban Commercial
Thoroughfare:	E. Douglas Rd. & Fir Rd.	
Council District:	5	
School District:	Penn-Harris-Madison	
Township:	Penn	
Public Utilities:	All utilities are available and will be connected to/throughout the site at the expense of the developer	
Comprehensive Plan:	On the Capital Avenue Land Use Plan from 2003 the site was identified as existing residential and not guided for future development. The home(s) previously located on the property were subsequently demolished or will be demolished as part of the proposed change in use. The undeveloped area south and east of the site behind the existing residential was guided for office park and medium density residential uses.	

ANALYSIS

The Petitioner, SEC Investments LLC, is requesting to rezone from C-1 General Commercial to C-10 Filling Station Commercial (3) three parcels containing approximately 2.3 acres of land. Located on the

southeast corner of the intersection of Douglas and Fir Roads. The (3) three parcels consists of 15022 Douglas Road (027-1078-204901) vacant house, 5328 North Fir Road (027-1078-2050) vacant land, and (027-1078-204905) a vacant lot. Surrounded by S-2 Planned Unit Development to the north, C-8 High Density Suburban Commercial to the west, and unincorporated parts of Saint Joseph County to the south, east, and west.

Over the past year, staff has communicated with the applicant's consultants multiple times and indicated that staff would be recommending denial of the proposed request. The request is very similar in scope to the Family Express located at the northwest corner of the same intersection that was annexed and zoned for a fueling station in 2015. The sole reason for the recommended denial is the presence of the City's recently completed Juday Creek Wellfield and the need to protect the public water supply long-term. The concept of placing the wellfield on the Juday Creek Golf Course was approved by the Council and Redevelopment Commission in 2016 following the approval of the Family Express. For the last 8 years the City has been working on the design and construction of not only the wellfield and filtration plant, but the many construction projects required to implement this massive piece of public infrastructure that we envision will serve the City for the next 100 years.

Staff is recommending denial of the proposed change in zoning because the site is located within the 1-year time of travel of the wellfield. We could recommend restrictions outside of the 1-year time of travel as well, and the proposed location within the 1-year time of travel represents the seriousness of the risk to the wellfield.

For general reference- time of travel means the time required for groundwater to move through the water bearing zone from a specific point to a well. In layman terms, the 1-year time of travel is the area in which it would take a molecule of water/liquid contaminants 1 year or less to reach the well. The City continues to work to make sure the entire area around the wellfield area is managed to protect our drinking water supply from viral, microbial, and direct chemical contamination.

As identified previously, when the wellfield property was purchased, the Family Express located at the northwest corner of the intersection of Fir Road and Douglas Road, which is currently located within the 1-year time of travel, had already been approved. In investigating potential locations for the wellfield, the City took into consideration all the known risks associated with placing the wellfield. Attached to this staff report is a map that identifies the one year time of travel and the various known risk factors that surround the wellfield. One of the reasons of the location chosen was that by placing the wells in the golf course, it naturally provides an area of control and protection around the wells. Just because there are existing risk factors, does not mean that more risk factors should be added, even if the additional risk is relatively small.

The total area of the one year time of travel is about 450 acres. This is a relatively large area for a City to place with no potential risks. That being said, each new development that has been proposed and approved in or adjacent to the 1-year time of travel since the approval of the wellfield in 2016 has had restrictions placed on the approval that reflect the location of the wellfield.

When the City purchased the Juday Creek Golf course, and then leased the property back to the previous owner for their continued use and operation, the following provisions were placed that restricted the use of chemicals and fertilizers on the golf course:

As part of the on-going ordinary maintenance, the Seller/Lessee shall adhere to all of the City's existing requirements and future requirements by state and federal agencies solely for the operation of the City's proposed municipal wellfield. As to Seller/Lessee's ongoing ordinary maintenance, Seller/Lessee would, pursuant to City instructions, use only those chemicals and fertilizers approved by the City. Seller/Lessee would not install any new wells for irrigation purposes, unless approved and consented to by the City. Any restriction of existing storm water areas of any storm or any storm water retention areas later created on the leased parcel by Seller/Lessee would be reviewed and be subject to the prior approval of the Buyer/Lessor. It is understood that the operation of the City's proposed municipal wellfield may, from time to time, change based upon then state and federal regulations which the parties acknowledge may be more restrictive over time. If the restrictions, federal or state, substantially restrict with Seller/Lessee's usual and normal operations of its golf

course, Seller/Lessee may, at its option, terminate this lease and any prepaid rental payments shall be refunded by the City to the Seller/Lessee.

When a portion the Penn Farm property was purchased for potential wellfield use, the following restrictions were placed over the entire Penn Farm as part of the buy-sell agreement with the City. Underground tanks are specifically prohibited as part of the restrictive covenants of the business park.

The Seller agrees to prepare and record covenants and restrictions over the Sellers property to create an association or other entity to provide for the perpetual maintenance of public improvements, as well as, create limitations on the use of the property that are consistent with the Buyer's desire to create a municipal wellfield adjacent to the site. Specifically, the Seller shall prohibit the use of underground fuel storage tanks, restrict the type of fertilizers and chemicals that can be stored or used on the property, prohibit the construction of new wells on the property, limit the means and methods of storm water retention, and otherwise identify that the all applicable requirements of the City, State, and Federal governments relating to well head protection, as may be modified over time, shall be complied with in full.

Also, as part of the proposed Auto Mall property located north of Cleveland Road, West of Capital, located outside the 1-year time of travel, a condition was placed that specifically prohibits Filling stations from being constructed on the property. This property is outside of the 1-year time of travel, but still in reasonably close proximity to the wellfield.

All of these development sites are also restricted on how stormwater is retained. No new drywells or underground percolation system is permitted to be used within these developments in close proximity to the wellfield.

Staff also acknowledges that vast improvements have been made to fuel underground storage containment systems over time and the current known risks are relatively low. Double wall tanks with an internal sensor are now an industry standard. That being said, environmental standards used for drinking water are getting more and more restrictive over time. There is also no accounting for human error or accidents that have the potential to occur over time that should be considered when considering this rezoning request.

To this end, the City already has experienced the impact of faulty storage tanks can have on a City Municipal Wellfield. There used to be municipal wells at Ward Baker Park which had to be closed as a result of leaking fuel tanks at the intersection of 12th and Byrkit. In 2008, the City received 8.15 million dollars from a class action settlement concerning the use of Methyl tert-butyl ether (MTBE) which is a flammable liquid that had been used as an additive for unleaded gasoline since the 1980s. MTBE increases octane and oxygen levels in gasoline and reduces pollution emissions. MTBE spread more easily underground than other gasoline components due to its higher solubility in water. Legislation passed in 2005 then prompted gasoline refiners to replace MTBE with ethanol. Staff brought this history up not because of a specific chemical, but as an indication of how circumstances and standards change over time. When the tanks were originally installed at the Fir/Byrkit fueling stations we are reasonably confident that the tanks met an industry standard at the time. Our understanding is that chemicals and additives also continue to evolve over time, but again, when MTBE was introduced, it was done so with the best of intentions. What is the next chemical, hazard, industry standard that is going to change that might have a causal relationship to our ability to provide clean and safe drinking water?

Staff also has a concern regarding precedent should this request ultimately be approved. If the Penn family was approached to allow a convenience store/fueling station at the intersection of Veteran's Parkway and Douglas Road, should the City allow the change in their covenants and zoning to allow it, given that is approximately the same distance from the wells as the proposed Casey's General store? This intersection will likely be a prime potential location for this type of use because this intersection will likely be signalized. With the Mishawaka Fieldhouse regional recreation facility going in, there will be a steady stream of potential customers that will be using Veteran's Parkway.

Note, the burden is on the applicant relative to this request. There is no inherent right to place a fueling station on this site. The site is currently zoned C-1 Commercial which permits a wide range of commercial uses by right including a drug store, restaurant, banks, medical clinic, hotels and many more. A convenience store could also be constructed by right on the property without fueling. Staff would also potentially support a rezoning request for drive-thru uses for this prime corner location. In short, the

reasonable use of the property is not being denied or hindered. Our singular focus is to insure the long term operation of the wellfield which has taken close to 8 years to plan and develop at a total cost of over 40 million dollars.

Although staff is recommending denial solely on the basis of the wellfield, there are also other site plan and logistical factors that will need to be worked out should the proposed change in zoning be approved.

The site is located on a hard corner in a location that was formerly residential. It is important that the adjacent properties to the east and south are both properly screened while also still allowing for the future redevelopment of those properties for commercial purposes over time. Cross access easements will need to be provided to both the east and south. If and when those properties are developed as commercial, they would then have the ability to remove screening and buffering and connect to the existing access points proposed at Casey's. We feel that this would also be beneficial for Casey's. Knowing that the traffic on both Douglas Road and Fir Road will increase over time, the stacking at the intersection and the proximity of the proposed drives to the intersection could make certain turning movements more difficult during peak traffic times. Having cross access where turning movements can potential be made further from the intersection could aid in safely moving traffic.

The concept site plan, although acceptable for rezoning purposes, does not identify important elements such as the minimum commercial landscaping required in conjunction with the development of the property. Landscaping and using full cut off fixtures for site lighting, exterior building lighting, and under canopy lighting will be important given the adjacent residential uses.

Juday Creek is located adjacent to the site and the drainage structure conveying it actually goes southwest through the middle of the intersection of Douglas and Fir. The Casey's site is currently located in area identified as flood fringe and as such the finished floor of the building and fueling locations will need to be raised to two feet above the hundred year flood elevation. Casey's consultants have this information and we believe the site can be raised without issue.

The Engineering Department has also recommended denial of the request. They commented that the applicant neglected to state how they plan to merge well head protection requirements as previously discussed on multiple occasions. They also identified that a traffic impact study has not been presented, although it would be more appropriate to follow with such a study following the rezoning of the property if it is approved. Engineering also indicated that the developer will need to identify what improvements are necessary to retain current levels of service for both Fir and Douglas Roads. Engineering identified that a minimum dedicated right turn lane and left turn lane for Fir Road will be required. A sidewalk/pathway will need to be constructed on both Fir Road and Douglas Road frontage. Left turn lane on Fir Road will need to be modified as it appears the thru lane is pushed to this proposed movement.

The Electric Department commented that they will need to discuss electric service needs with the contractor prior to construction. One of the parcels 15022 Douglas Road (027-1078-204901) is currently serviced by AEP.

RECOMMENDATION

We have been asked by the Council on known contested requests to prepare findings both for and against the petition. As such, the staff recommendation for denial is listed first. Findings for approval, which is not recommended is listed second.

Staff recommends against Petition 24-05 to rezone 2.3 acres of property located at the southeast corner of Douglas and Fir Roads from C-1 General Commercial to C-10 Filling Station Commercial for a proposed Casey's convenience store and gas station business and that it be forwarded to the Common Council with a **unfavorable** recommendation. This recommendation is based on the following findings of fact per Indiana Code Section 36-7-4-603 which requires both the Planning Commission and Common Council as the Legislative Body of the City pay reasonable regard to the following:

1. *The applicable Comprehensive Plan* is from the Capital Avenue Land Use Plan that was done jointly with St. Joseph County- the site was identified as existing residential because of the homes that

existed on the properties at the time and the site was not guided for future development. The home(s) previously located on the property were subsequently demolished or will be demolished as part of the proposed change in use. The undeveloped area south and east of the site behind the existing residential was guided for office park and medium density residential uses. As such, if it were not for the extenuating factors associated with the City wellfield the higher intensity commercial use of a convenience store/filling station is reasonably consistent with the comprehensive plan.

2. *Current conditions and the character of current structures and uses in each district* – The current conditions warrant the existing commercial zoning that exists for the property being located at the hard corner of two heavily travelled roadways. The proposed change to allow for a filling station is not appropriate given that the site is located within the 1-year time of travel for the recently completed Juday Creek Municipal Wellfield. Underground storage tanks holding large volumes of petroleum products, despite the increases made in the technology still poses a potential risk to the Juday Creek Wellfield.
3. *The most desirable use for which the land in each district is adopted* – The most desirable use for the property is commercial given that it is located at the hard corner of two heavily travelled roadways. The proposed change to filling station commercial is not desirable given that the site is located within the 1-year time of travel for the recently completed Juday Creek Municipal Wellfield. Underground storage tanks holding large volumes of petroleum products, despite the increases made in the technology still poses a potential risk to the Juday Creek Wellfield.
4. *The conservation of property values throughout the jurisdiction* – The most impacted properties from the proposed change are the existing single family homes in close proximity to the site. The proposed change is consistent with the continued change to commercial rather than residential uses in the area. Provided the proposed development includes landscaping and buffering consistent with the City's development standards while still allowing for access easements connecting to adjacent properties, the existing residential value should be reasonably conserved while still potentially allowing for the future conversion/higher value of commercial development in the future.
5. *Responsible development and growth* - The proposed change to filling station commercial is not desirable given that the site is located within the 1-year time of travel for the recently completed Juday Creek Municipal Wellfield. Underground storage tanks holding large volumes of petroleum products, despite the increases made in the technology still poses a potential risk to the Juday Creek Wellfield.

The following are findings for approval of Petition 24-05 to rezone 2.3 acres of property located at the southeast corner of Douglas and Fir Roads from C-1 General Commercial to C-10 Filling Station Commercial for a proposed Casey's convenience store and gas station business and it will be forwarded to the Common Council with a **favorable** recommendation. This recommendation is based on the following findings of fact per Indiana Code Section 36-7-4-603 which requires both the Planning Commission and Common Council as the Legislative Body of the City pay reasonable regard to the following:

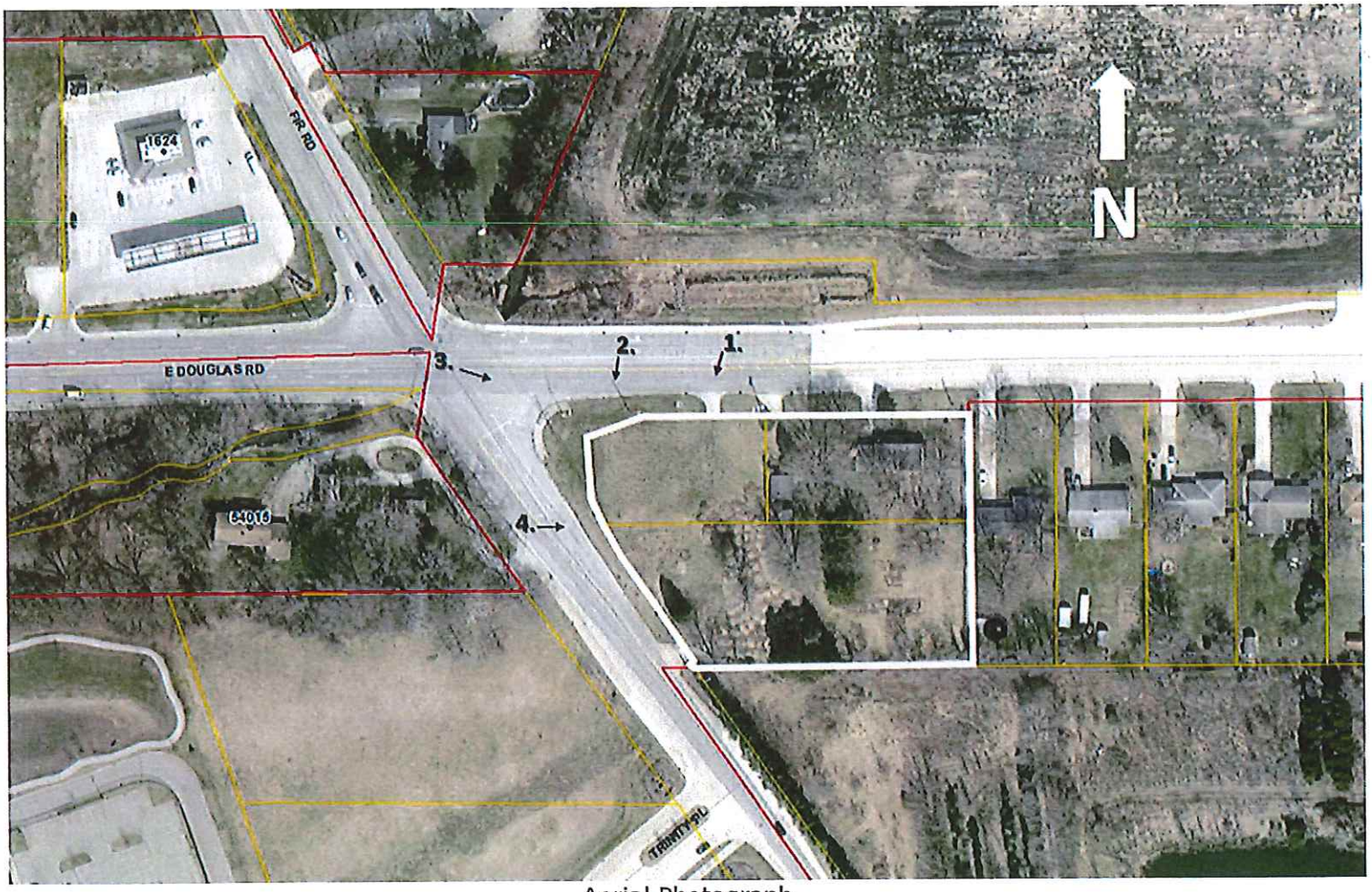
1. *The applicable Comprehensive Plan* is from the Capital Avenue Land Use Plan that was done jointly with St. Joseph County- the site was identified as existing residential and not guided for future development. The home(s) previously located on the property were subsequently demolished or will be demolished as part of the proposed change in use. The undeveloped area south and east of the site behind the existing residential was guided for office park and medium density residential uses. As such, the higher intensity commercial use of a convenience store/filling station is reasonably consistent with the comprehensive plan.
2. *Current conditions and the character of current structures and uses in each district* – The current conditions warrant the existing commercial zoning that exists for the property being located at the hard corner of two heavily travelled roadways. The proposed change to allow for a filling station is appropriate despite that the site is located within the 1-year time of travel for the recently completed Juday Creek Municipal Wellfield. We believe that the underground storage tanks holding large volumes of petroleum products does not pose a substantial risk to the Juday Creek Wellfield because of the increases in technology of petroleum storage tanks that have been made safer over time.
3. *The most desirable use for which the land in each district is adopted* – The most desirable use for the property is commercial given that it is located at the hard corner of two heavily travelled

roadways. The proposed change to filling station commercial is desirable given that there is already a fueling station convenience store located at the northwest corner of the intersection.

4. *The conservation of property values throughout the jurisdiction* – The most impacted properties from the proposed change are the existing single family homes in close proximity to the site. The proposed change is consistent with the continued change to commercial rather than residential uses in the area. Provided the proposed development includes landscaping and buffering consistent with the City's development standards while still allowing for access easements connecting to adjacent properties, the existing residential value should be reasonably conserved while still potentially allowing for the future conversion/higher value of commercial development in the future.
5. *Responsible development and growth* - The proposed change to filling station commercial is responsible development and growth because there is an existing fueling station on the northwest corner of the intersection. The proposed change to allow for a filling station is appropriate despite that the site is located within the 1-year time of travel for the recently completed Juday Creek Municipal Wellfield. We believe that the underground storage tanks holding large volumes of petroleum products does not pose a substantial risk to the Juday Creek Wellfield because of the increases in technology of petroleum storage tanks that have been made safer over time.

ATTACHMENTS

Aerial Photograph, Site Photographs, Wellfield Map, Petition, Site Plan, Location Map



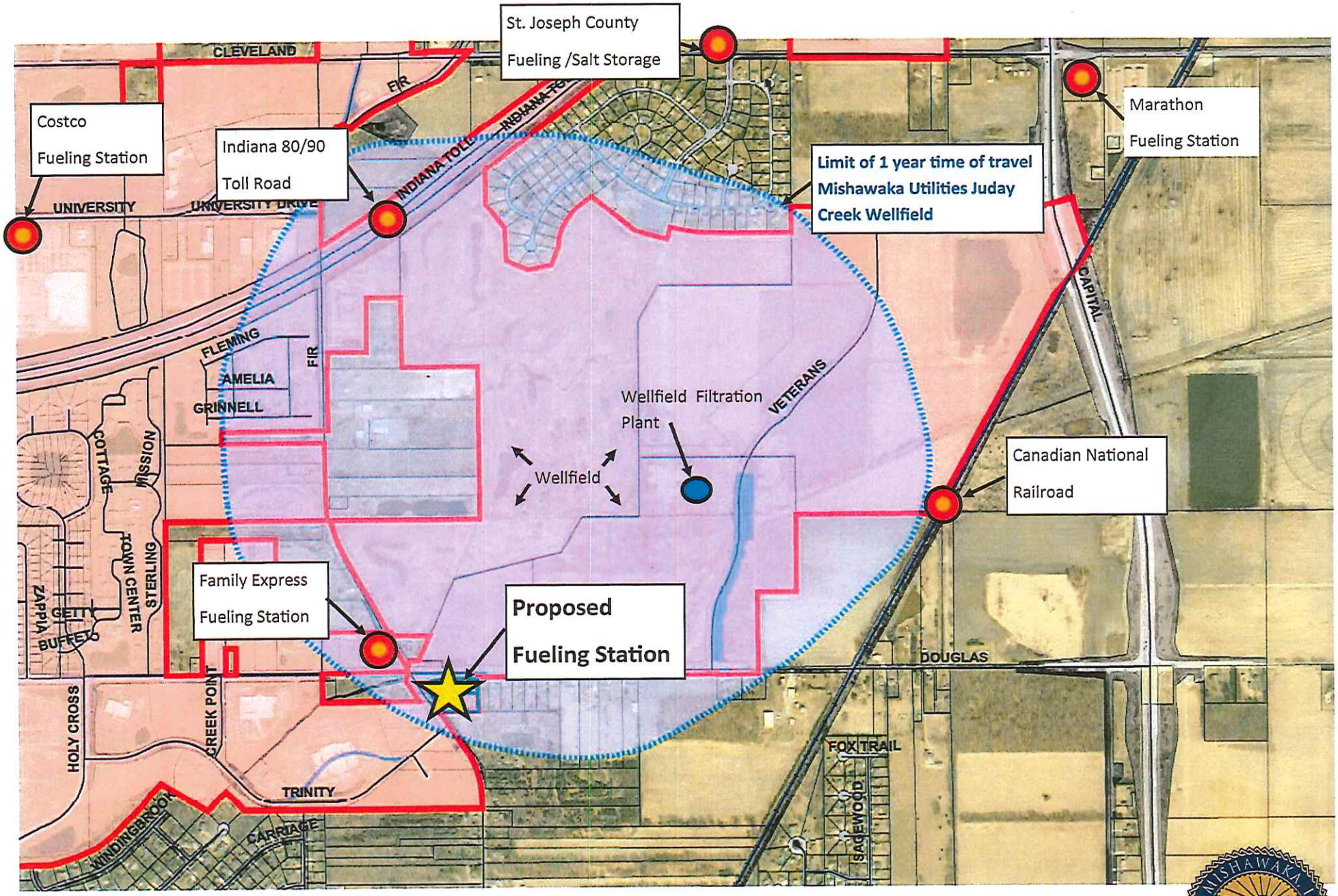
Aerial Photograph

1. South facing from Douglas Rd

2. Southwest facing from Douglas Rd

3. Southeast facing from Fir Rd

4. East facing from Fir Rd



Known existing risk factor

Juday Creek wellfield

Mishawaka Utilities Water Division

Juday Creek Wellfield 1 year time of travel

PC 24-05

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Planning and
Community Development

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

RE: Petition to Rezone 3 Total Parcels (15022 Douglas Road, 5328 N Fir Road, and vacant)

The undersigned, SEC Investments LLC, ("Petitioner") is the owner of three (3) parcels of land containing approximately 2.3 acres located on the southeast corner of the intersection of Douglas and Fir Roads, Mishawaka, St. Joseph County, Indiana and further described by the legal description attached hereto as EXHIBIT "A".

The Petitioner owns one hundred (100%) percent of the above described 3 parcels of land which are currently zoned C-1 General Commercial District in the city of Mishawaka. Said real estate is improved with a vacant single family dwelling unit in addition to a detached garage and shed.

The Petitioner desires said real estate to be rezoned to C-10 Filling Station District in the city of Mishawaka. The Petitioner further states that it intends to utilize said land for the development of a proposed convenience store and gas station.

Wherefore, the Petitioner respectfully requests 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 parcels of land in the City of Mishawaka.

PETITIONER: SEC INVESTMENTS, LLC

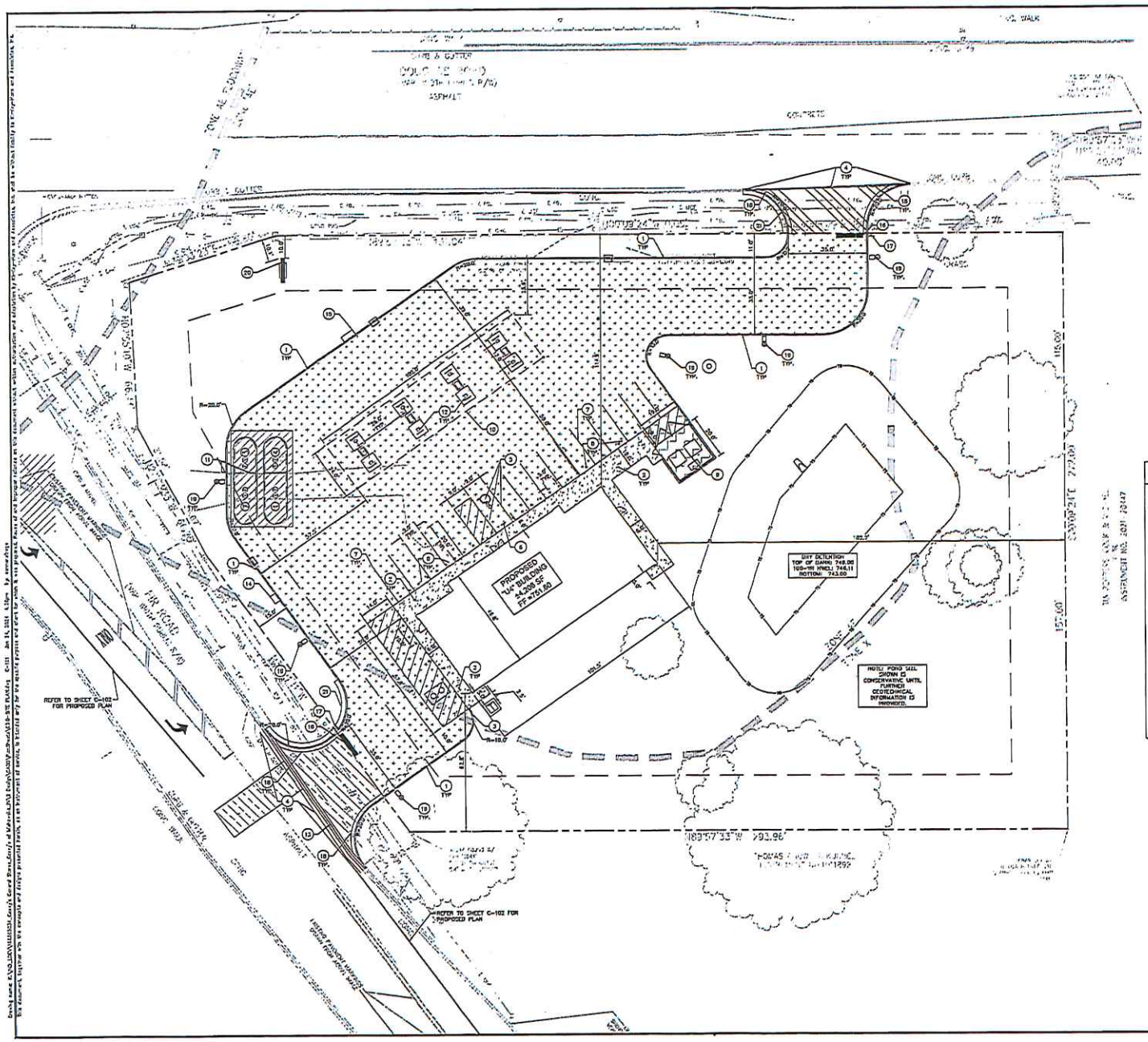
By: Stephen R. Murphy Member 3/19/24

Stephen R. Murphy
Member

Date

Contact Person:

Name: Connor Strege, PE – Kimley-Horn & Associates, Inc.
Address: 500 East 96th Street, Suite 300, Indianapolis, IN 46240
Phone Number: (317) 218-9465
Email: connor.strege@kimley-horn.com



Indiana Utilities Protection Service
Call 811 before you dig

NORTH

GRAPHIC SCALE IN FEET
0 10 20 40

PAVING LEGEND

- STANDARD DUTY CONCRETE PAVEMENT — SEE DETAILS, SHEET C-601 FOR PAVEMENT SECTION
- RIGHT OF WAY PAVEMENT (MINOR ARTERIAL) — SEE DETAILS, SHEET C-601 FOR PAVEMENT SECTION
- RIGHT OF WAY PAVEMENT (MAJOR COLLECTOR) — SEE DETAILS, SHEET C-601 FOR PAVEMENT SECTION
- CONCRETE SIDEWALK — SEE CONSTRUCTION DETAILS FOR PAVEMENT SECTION
- HEAVY DUTY CONCRETE PAVEMENT — SEE CONSTRUCTION DETAILS FOR PAVEMENT SECTION
- U.C.S.T. CONCRETE PAVEMENT — SEE CONSTRUCTION DETAIL 2, SHEET C-601 FOR PAVEMENT SECTION

SITE SUMMARY

SITE ZONING	=	C-1B
SITE ACREAGE	=	2.33 AC±
BUILDING AREA	=	4,206 SF
BUILDING HEIGHT	=	21'-6" FT
PARKING SPACES (STANDARD) REQUIRED	=	24 SPACES
PARKING SPACES (ACCESSIBLE) REQUIRED	=	01 SPACE
PARKING SPACES (STANDARD) PROVIDED	=	15 SPACES
PARKING SPACES (CANOPY) PROVIDED	=	8 SPACES
PARKING SPACES (ACCESSIBLE) PROVIDED	=	1 SPACES
TOTAL PARKING SPACES PROVIDED	=	24 SPACES

KEY NOTES

1. CONCRETE CURB, TYP. (SEE DETAIL 2, SHEET C-601)
2. CONCRETE BUILDING SIDEWALK, TYP. (SEE DETAIL 1, SHEET C-601)
3. 3-FT TRANSITION CURB (SEE DETAILS, SHEET C-604)
4. CONNECT TO EXISTING PAVEMENT, SIDEWALK, CURB, TYP
5. ACCESSIBLE PAVEMENT MARKINGS, TYP (SEE DETAIL 11, SHEET C-601)
6. ACCESSIBLE PARKING SIGN, TYP. (VAN ACCESSIBLE) (MUTCD R7-8, SEE DETAIL 12, SHEET C-601)
7. 4" WIDE PAINTED WHITE SOLID LINE, TYP.
8. BOLLARD, TYP. (SEE DETAIL 1, SHEET C-601)
9. BRICK DUMPSTER ENCLOSURE WITH METAL GATES (SEE ARCHITECTURAL PLANS FOR DETAILS)
10. PROPOSED GAS CANOPY (SEE ARCHITECTURAL PLANS FOR DETAILS)
11. UNDERGROUND STORAGE TANKS (REFER TO DETAILS 4 & 6, SHEET C-602, SEE EQUIPMENT PLANS FOR ADDITIONAL DETAILS)
12. GAS TAPERED FUEL ISLAND, TYP. (SEE DETAIL 1, SHEET C-602)
13. DEPRESSED CONCRETE CURB AND GUTTER (SEE DETAILS, SHEET C-604)
14. AIR COMPRESSOR BOX (SEE DETAIL 7, SHEET C-601)
15. SECONDARY EMERGENCY SHUT OFF SWITCH (SEE DETAIL 8, SHEET C-601)
16. 24" WIDE STOP BAR, TYP. (SEE DETAILS, SHEET C-604)
17. STOP SIGN, TYP. (MUTCD R1-1, SEE DETAILS, SHEET C-604)
18. 2' CONSTRUCTED CONCRETE CURB AND GUTTER (SEE DETAILS, SHEET C-601)
19. LIGHT POLES SHOWN FOR COORDINATION ONLY (SEE SITE LIGHTING PLAN)
20. PYLON SIGN (REFER TO SIGNAGE PACKET)
21. LANDSCAPE PROTECTION (SEE DETAIL 4, SHEET C-601)

PET 24-05
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MAR 19 2024
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GENERAL PLAN NOTES

REFER TO GENERAL NOTES SHEET FOR MORE INFORMATION INCLUDING THE FOLLOWING: EXISTING LEGEND, BENCHMARK INFORMATION, AND SPECIFIC GENERAL PLAN NOTES.

No.	REVISIONS	DATE	BY

Kimley»Horn
© 2021 KIMLEY-HORN AND ASSOCIATES, INC.
101 SOUTH MAIN STREET, SUITE 300
GOSHEN, IN 46526
PHONE: 574-533-0568
PROJECT: 019-0001

SCALE: AS NOTED
DESIGNED BY: KHA
DRAWN BY: KHA
REVIEWED BY: CMG
REVIEWED BY: CMG

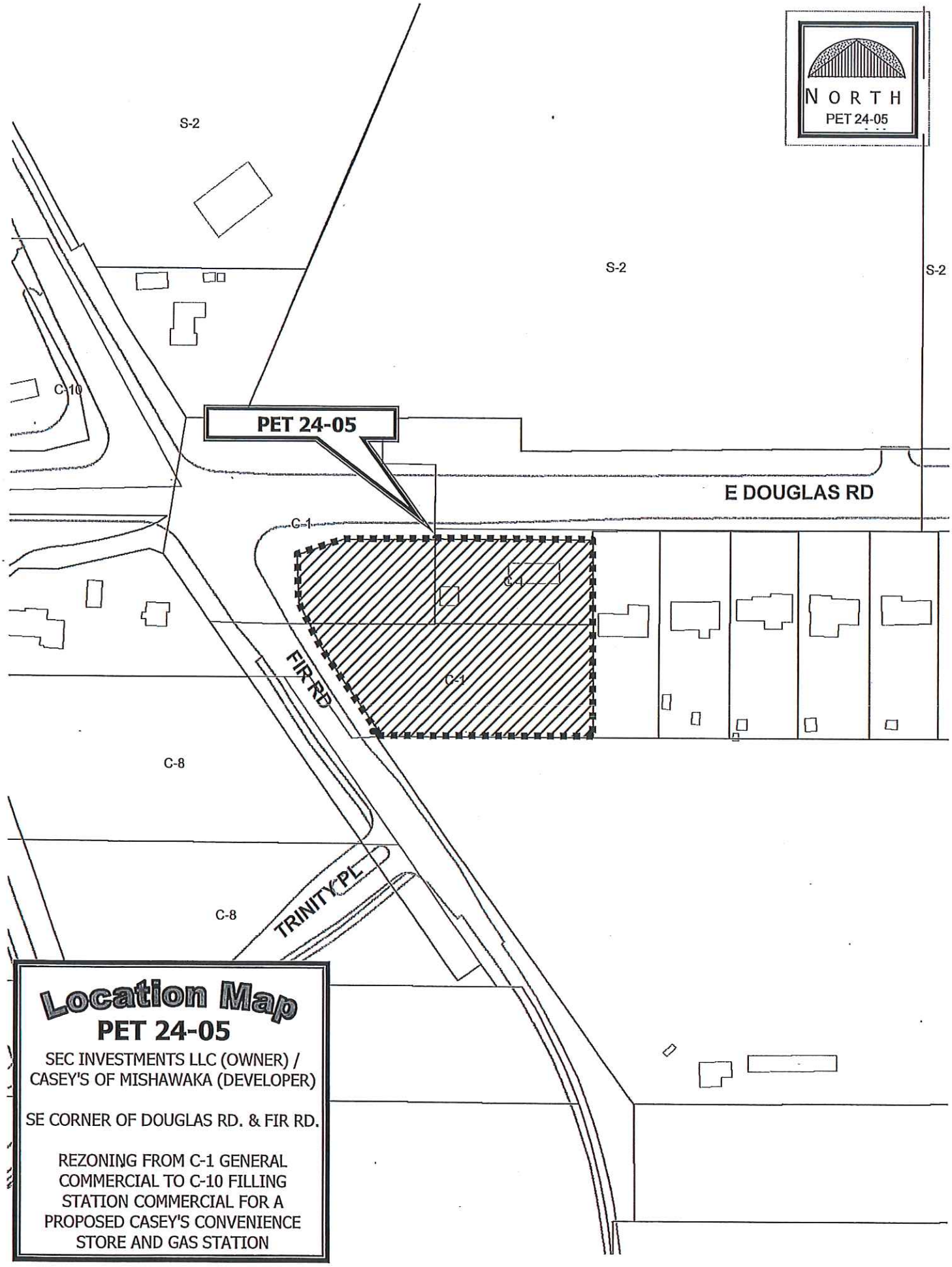
CONNOR MARK GRIFFITH
STATE OF INDIANA
11800018
PROFESSIONAL ENGINEER
NOT APPROVED FOR CONSTRUCTION
PRELIMINARY

Casey's

SITE PLAN

CASEY'S OF MISHAWAKA
15022 DOUGLAS RD & 5328 N FIR RD MISHAWAKA, INDIANA

ORIGINAL ISSUE: 01/23/2024
KHA PROJECT NO. 16585034
SHEET NUMBER
C-101



Location Map
PET 24-05

SEC INVESTMENTS LLC (OWNER) / CASEY'S OF MISHAWAKA (DEVELOPER)

SE CORNER OF DOUGLAS RD. & FIR RD.

REZONING FROM C-1 GENERAL COMMERCIAL TO C-10 FILLING STATION COMMERCIAL FOR A PROPOSED CASEY'S CONVENIENCE STORE AND GAS STATION

STAFF REPORT

Location: 415 Bittersweet Road

Date: April 9, 2024

Petition: 24 06

Prepared By: CH/KP

GENERAL INFORMATION

Applicant:	120 BS LLC (dba Jimmy John's)
Status:	Property Owner
Request:	To rezone from R-1 Single Family Residential District to C-1 General Commercial District for a drive thru restaurant (with a Use Variance)
Zoning Classification:	R-1 Single Family Residential
Lot Size:	0.69 acres
Applicable Regulations:	Section 137-300 thru 137-302 / C-1 General Commercial District & Section 137-41 / Amendments to the Zoning Map, Indiana Code 36-7-4-603

SPECIAL INFORMATION

Area Development Pattern:	North:	R-1 Single Family Residential District (developed as single family)
	South:	C-1 General Commercial (Everwise Credit Union)
	East:	S-2 Planned Unit Development District (Reflections Apartments and former Family Video Commercial Building)
	West:	R-1 Single Family Residential District (developed as single family)
Thoroughfare:	Bittersweet Road, just south of Vistula Road	
Council District	3	
School District:	School City of Mishawaka	
Public Utilities:	Public Sewer, Water, and Electric are available	
Comprehensive Plan:	Low Density Residential	

ANALYSIS

The Petitioner, 120 BS LLC (dba Jimmy John's), is requesting to rezone property at 415 Bittersweet Road from R-1 Single Family District to the C-1 General Commercial District to allow for a drive-thru restaurant (with Use Variance). A Use Variance to allow a drive-thru restaurant in the C-1 General Commercial District was filed concurrently with this request and will be heard by the Board of Zoning Appeals.

The 0.69 acre property (Tax ID #016-1094-378502) is located on the west side of Bittersweet Road, just south of Vistula Drive and directly north of the Everwise Credit Union. To the north and west are single family homes, and to the east, across Bittersweet Road, are the Reflections Apartments zoned S-2 Planned Unit Development. Currently, there is a single-family home on the property, which is proposed to be demolished if the rezoning and use variance are approved. A preliminary site plan shows a 1,200 sq. ft. building, 22 parking spaces, landscaping and fencing. Additional landscaping buffer against the residentially zoned property to the north and west was a condition of the Use Variance. Access will be from Bittersweet Road, with a connection to the financial institution to the south being a condition of the Use Variance.

With this petition, the property owner and contingent developer are only seeking to establish the proper zoning required for the proposed use. If approved, a detailed final site plan shall be submitted for Staff review and Plan

Commission approval prior to construction. The final site plan shall address storm drainage, grading, utilities, soil erosion control, landscaping, and all other required improvements pertinent to the proposed development. If additional variances or a design review waiver for the proposed building materials or colors are required, the Board of Zoning Appeals and/or the Plan Commission shall be petitioned when the final site plan is submitted.

When staff was approached regarding the request, we recommended a two-step process- both filing a rezoning request to C-1 General Commercial and filing a use variance request for the proposed Jimmy John's sandwich shop drive thru. The small property is both limited by the adjacent residential uses and the overhead high voltage power lines which create a hardship regarding redeveloping the property. Staff's reasoning for the use variance was that sandwich shops like Jimmy John's and Subway have a much lower volume of customers and traffic when compared than other traditional larger drive thru restaurants like McDonalds and Wendy's. Even Starbucks as a coffee shop has a need for a significant drive thru like a larger drive thru restaurant. The dual process appropriately rezones the property to commercial matching the general commercial uses located along the Bittersweet Road frontage adjacent to and in close proximity to the site. At the same time, the use variance allows for the drive thru use for Jimmy John's as desired, but restricts other more intensive drive thru businesses from locating to this property by right.

In March, the developer participated in the Twin Branch Neighborhood Watch meeting, and presented the concept to residents and neighbors who attended the meeting. Overall, the feedback was positive and the questions raised were more about the logistics and development characteristics than the use itself.

Given the unique site conditions staff is recommending conditions be placed as part of the approval of the use variance.

Pertinent City Departments have reviewed and approved the request. Department comments were not directly related to the rezoning or use variance and were more suited to the site plan process. However, they were forwarded to the owner's representative so these items can be addressed prior to that submittal.

RECOMMENDATION

Staff recommends Petition 24-06 to rezone 0.69 acres of property located at 415 Bittersweet Road from R-1 Single Family Residential to C-1 General Commercial for a drive-thru restaurant (with Use Variance) be forwarded to the Common Council with a **favorable** recommendation. This recommendation is based on the following findings of fact per Indiana Code Section 36-7-4-603 which requires both the Planning Commission and Common Council as the Legislative Body of the City pay reasonable regard to the following:

1. *The applicable Comprehensive Plan* is the Mishawaka 2000 Comprehensive Plan, created in 1990, which identifies a land use of the subject property as Low Density Residential. Since that time, the Bittersweet corridor has been significantly developed as commercial. The proposed request is consistent with the development that has taken place along the corridor.

2. *Current conditions and the character of current structures and uses in each district* – The proposed sandwich shop is consistent with the commercial development that has occurred along the Bittersweet corridor. Adjacent land uses include single family to the north and west, a financial institution to the south, and multi-family to the east.

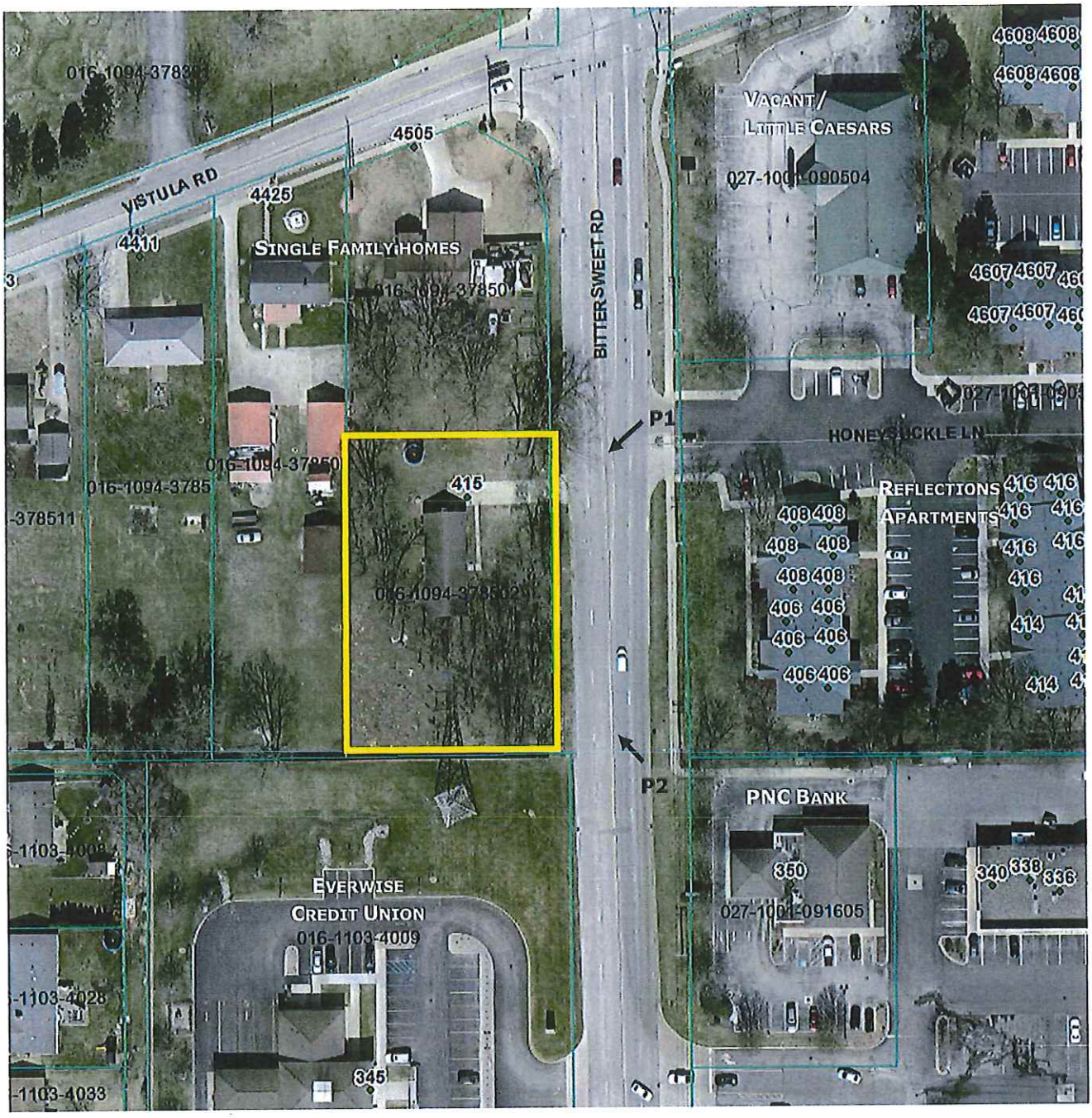
3. *The most desirable use for which the land in each district is adopted* – The most desirable use for the property is commercial given that it is located on a heavily travelled roadway with other commercial development. The proposed sandwich shop is consistent with the commercial development that has occurred along the Bittersweet corridor.

4. *The conservation of property values throughout the jurisdiction* – The most impacted properties from the proposed change are the existing single family homes in close proximity to the site. The proposed change is consistent with the continued change to commercial rather than residential uses in the area. Provided the proposed development includes landscaping and buffering consistent with the City's development standards while still allowing for access easements connecting to adjacent properties, the existing residential value should be reasonably conserved while still potentially allowing for the future conversion/higher value of commercial development in the future.

5. *Responsible development and growth* - The proposed change to General Commercial is desirable given the existing development on Bittersweet Road. The size of this lot allows for the construction of the proposed Jimmy John's sandwich shop while providing adequate stacking in the proposed drive thru and meeting all other applicable or requested development standards. Landscaping and fencing will be provided to buffer adjacent residential uses.

ATTACHMENTS

AERIAL, PHOTOGRAPHS, PETITION, SUPPORTING DOCUMENTATION, LOCATION MAP



P1. A view of the existing house from the entrance of the apartment complex.

P2. A view of the existing house looking north across Bittersweet Rd.

Received
FEB 26 2024
Planning and Community Development

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PFS 24-06

February 26, 2024

George C. Lepeniotis
Direct Dial: (574) 485-2008
E-mail: glepeniotis@kdlegal.com

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

Re: Rezoning and Use Variance Petition for the Real Property Located at 415 Bittersweet Road, Mishawaka, IN

Dear Hon. Members of the Plan Commission and City Council:

I represent Group 120, Inc. + 120 BS, LLC (d/b/a Jimmy John's), the new owner ("Petitioner") of real property located within the City of Mishawaka, County of St. Joseph, State of Indiana (the "City"), located at the address above and more particularly described on Exhibit A, attached hereto and made a part hereof (the "Real Property").

The Real Property presently has a zoning classification of R-1 under the Zoning Ordinance of the City of Mishawaka, and Petitioner respectfully requests the City rezone the Real Property to C-1 for the intended purpose of a future 1,212 square foot stand-alone Jimmy John's restaurant. Petitioner also seeks a use variance to allow for a proposed Drive-Thru. Please consider the following request for rezoning.

Comprehensive Plan:

This rezoning request fits well within the City's Comprehensive Plan for the area. The Real Property is bordered by additional R-1 sites to the north and west, an Everwise Credit Union to the south (along with significant other commercial developments), and the Reflections Apartment complex to the east, across Bittersweet. There is additional commercial development north and south on Bittersweet, including the large "Martin's" PUD. This development would further the commercial corridor on Bittersweet in a fairly low-impact and thoughtful manner.

Current conditions and the character of current structures and uses in each district:

The Real Property is currently zoned R-1 Residential and occupied by a dated manufactured home.

The most desirable use for which the land in each district is adapted:

The current manufactured home is dated. It is highly unlikely that the parcel would be desirable for any new or updated residential structures or developments due to the high traffic and noise generated from Bittersweet. Petitioner currently owns and operates fifteen other Jimmy John's restaurants, including the other two locations in Mishawaka (N. Main and McKinley), as well as all five locations in South Bend, one location in Granger, two locations in Warsaw, one location in Plymouth and three locations in Elkhart, plus one location being built in Sturgis, Michigan. A stand-alone Jimmy John's restaurant with Drive-Thru on the Real Property would be convenient and desirable for the community. The nearest Jimmy John's location from the Bittersweet area is fifteen minutes away. The area is developing a number of commercial services and restaurants but not overtly so such as Grape Road or Main Street.

The conservation of property values throughout the jurisdiction:

The proposed development is designed to integrate seamlessly with the other commercial developments along both the east and west sides of Bittersweet to the north and south. The design will further increase the commercial corridor which will lead to an increase of property values for the neighboring properties.

Use Variance:

Due to the size of the parcel, Petitioner, at the request of City staff, has agreed to petition for a C-1 Commercial designation with an additional variance request for a drive-thru as opposed to requesting a change to the C-7 Commercial Drive-Thru Restaurant district. Staff believe this will allow the City to maintain some control over any potential future redevelopment of the parcel to drive-thru restaurants that see higher queuing requirements such as a coffee shop or larger fast-food restaurant. Accordingly, the Petitioner also requests the approval of a use variance to permit the installation of a Drive-Thru on the Real Property. For the reasons described in this Petition, the request for a use variance in order to allow a Drive Thru on the Real Property would not be injurious to the public health, safety, morals, or general welfare of the community, and the use and value of the area adjacent to the Real Property would not be affected in a substantially adverse manner. Jimmy Johns is known for its quick service and short wait times. It is also known for its delivery. Thus the drive-thru queuing requirements are not as substantial as others and the size of the parcel is not a detriment to this development.

The need for the use variance arises from conditions peculiar to the Real Property, and the strict application of the terms of the zoning regulations would constitute an unnecessary hardship if applied to the Real Property. Staff has indicated they have concerns over the limited size of the parcel and the presence of power lines and utility easements, which limit broader drive-thru uses,

such that a C-7 designation may not be appropriate. Accordingly, these peculiar conditions of the Real Property make a C-1 classification with a special use variance more appropriate to this particular parcel and specific use. This will allow the city the ability to better control future redevelopment.

The approval of the use variance fits well within the City's Comprehensive Plan for the area, as detailed above.

Responsible growth and development:

The proposed development is compatible with the surrounding zoning classifications and uses and is a responsible expansion of the commercial corridor without impacting the residential structures to the north and to the west, especially once proper screening and fencing is installed.

Petitioner respectfully requests a hearing on its request requests 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.

Thank you for your careful consideration of this request.

Sincerely,

George C. Lepeniotis
Attorney for Petitioner

Enc.

cc: Nick Venzon, Group 120, Inc. (with enclosures)

EXHIBIT "A"

Description of the Real Property

That part of the Southeast Quarter of the Southwest Quarter of Section 17, Township 37 North, Range 4 East, Penn Township, City of Mishawaka, St. Joseph County, Indiana which is described as: Lots # 2 of the Plat of "Clark's Vistula Road Minor Subdivision" as recorded in the records of the St. Joseph County, Indiana Recorders Office.

Tax Identification Number: 0161094-378502

Commonly known as: 415 Bittersweet Road, Mishawaka, Indiana 46544

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

Re: Rezoning and Use Variance Petition for the Real Property Located at 415 Bittersweet Road, Mishawaka, IN

Dear Hon. Members of the Plan Commission and City Council:

This letter is to inform the Plan Commission and City Council Members that we have granted authority to Krieg Devault, LLP to represent us at the Mishawaka Plan Commission and Mishawaka Common Council meetings at which our Rezoning and Use Variance Petition will be heard.

Sincerely,

Group 120 Inc., DBA Jimmy John's

Nick Venzon

PRELIMINARY SITE PLAN

PART OF THE SOUTHEAST QUARTER OF OF THE SOUTHWEST QUARTER OF SECTION 7, TOWNSHIP 37 NORTH
RANGE 4 EAST PENN TOWNSHIP, CITY OF MISHAWAKA ST. ST. JOSEPH COUTNTY, INDIANA

LEGAL DESCRIPTION:

THAT PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 37 NORTH, RANGE 4 EAST, PENN TOWNSHIP, CITY OF MISHAWAKA, ST. JOSEPH COUNTY, INDIANA WHICH IS DESCRIBED AS: LOTS # 2 OF THE PLAT OF "CLARK'S VISTULA ROAD MINOR SUBDIVISION" AS RECORDED IN THE RECORDS OF THE ST. JOSEPH COUNTY, INDIANA RECORDERS OFFICE.
CONTAINING 0.69 ACRES MORE OR LESS.
SUBJECT TO ALL LEGAL HIGHWAYS, EASEMENTS AND RESTRICTIONS OF RECORD.

ALSO, COMMONLY KNOWN AS 415 BITTERSWEET ROAD, MISHAWAKA, INDIANA 46544.

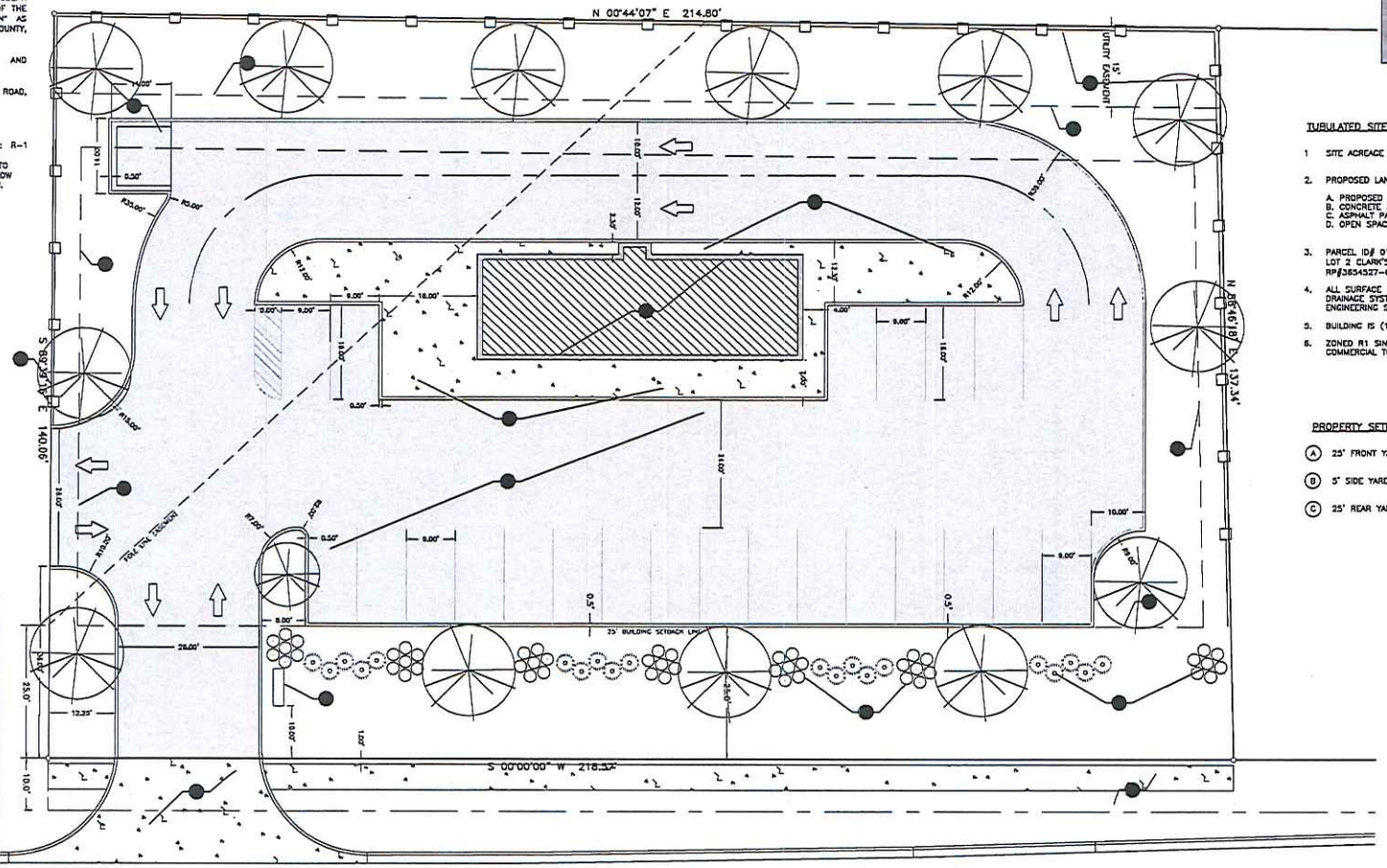
REZONING REQUEST:

THE ABOVE-DESCRIBED PARCEL IS PRESENTLY ZONED: R-1 RESIDENTIAL DISTRICT.
PETITIONERS DESIRE SAID REAL ESTATE TO BE REZONED TO C-1 COMMERCIAL DISTRICT WITH A USE VARIANCE TO ALLOW FOR THE OPERATION OF RESTAURANT WITH A DRIVE-THRU.

KEY NOTES/LEGEND:

1. PROPOSED BUILDING/CANOPY
2. PROPOSED CONCRETE PAVEMENT
3. PROPOSED ASPHALT PARKING LOT
4. SIGNS PER CITY MISHAWAKA ZONING (CH 157 MUNICIPAL CODE).
5. DUMPSTER WITH 6' FENCE.
6. LANDSCAPE PER CITY OF MISHAWAKA STANDARDS.
7. 7' HT PRIVACY FENCE

EXISTING LEGEND



SITE LOCATION MAP

TABULATED SITE DATA

1. SITE ACREAGE — 0.69 +/- ACRES; 29,976.21 SF
2. PROPOSED LAND COVERAGE

	SQ. FT.	% OF SITE
A. PROPOSED BUILDING	1,214	4.05%
B. CONCRETE PAVEMENT	2,786	9.29%
C. ASPHALT PAVEMENT	14,905	49.72%
D. OPEN SPACE	11,071	36.93%
TOTAL	29,976	100%

3. PARCEL ID# 0161094-378502
LOT 2 CLARK'S SVISTULA RD. MINOR SUB
RP#3654527-03.
4. ALL SURFACE DRAINAGE TO BE HANDLED BY ON-SITE DRAINAGE SYSTEM, SIZED PER CITY OF MISHAWAKA ENGINEERING STANDARDS.
5. BUILDING IS (1-STORY).
6. ZONED R1 SINGLE FAMILY RESIDENTIAL, C1 GENERAL COMMERCIAL TO THE SOUTH.

PROPERTY SETBACKS:

(A) 25' FRONT YARD SETBACK (MISHAWAKA)
(B) 5' SIDE YARD SETBACK (MISHAWAKA)
(C) 25' REAR YARD SETBACK (MISHAWAKA)

GENERAL SURVEY DISCLAIMER NOTES:

THE INFORMATION SHOWN ON THIS DRAWING IS INTENDED FOR THE CLIENT ONLY. ANY REUSE WITHOUT WRITTEN VERIFICATION AND ADAPTATION BY THE LAND SURVEYOR FOR THE SPECIFIC PURPOSE INTENDED WILL BE AT THE USERS SOLE RISK AND WITHOUT LIABILITY OR LEGAL EXPOSURE TO THE LAND SURVEYOR.

ANY UTILITY OR EASEMENT LOCATIONS, IF SHOWN, ARE APPROXIMATE. THE CLIENT MUST FIELD VERIFY UTILITY LOCATIONS WITH THE RESPECTIVE UTILITY COMPANY. THIS LAND SURVEYOR ASSUMES NO LIABILITY FOR THE ACCURACY OF THE LOCATION OR SIZE OF EXISTING UTILITIES OR THE EXISTENCE OR NONEXISTENCE OF ADDITIONAL UNDERGROUND UTILITIES OR STRUCTURES.

NO IMPROVEMENTS SHOULD BE MADE ON THE BASIS OF THIS PLAT ALONE. FIELD MONUMENTATION OF CRITICAL POINTS SHOULD BE ESTABLISHED PRIOR TO COMMENCEMENT OF ANY AND ALL CONSTRUCTION. FOR BUILDING LINES, EASEMENTS AND OTHER RESTRICTIONS NOT SHOWN HEREON REFER TO YOUR DEED, ABSTRACT, TITLE POLICY, CONTRACTS AND LOCAL BUILDING, ZONING AND SUBDIVISION ORDINANCES.

UNLESS SPECIFICALLY SHOWN HEREON, THIS SURVEY DOES NOT PURPORT TO INDICATE THE PRESENCE OR ABSENCE OF WETLANDS AND HAZARDOUS OR ENVIRONMENTALLY INJURIOUS MATERIALS. THE SURVEYOR EXPRESSLY DISCLAIMS ANY RESPONSIBILITY OR LIABILITY FOR THE SAME.

ANY INFORMATION ON THIS DRAWING IS NOT INTENDED TO BE SUITABLE FOR REUSE BY ANY PERSON, FIRM OR CORPORATION OR ANY OTHERS ON EXTENSION OF THIS PROJECT OR FOR ANY USE ON ANY OTHER PROJECT ANY REUSE WITHOUT WRITTEN VERIFICATION AND ADAPTION BY THE ENGINEER, ARCHITECT OR SURVEYOR FOR THE SPECIFIC PURPOSE INTENDED WILL BE AT THE USER'S SOLE RISK AND WITHOUT LIABILITY OR LEGAL EXPOSURE TO THE ENGINEER, ARCHITECT OR SURVEYOR

ALL UNDERGROUND UTILITIES MUST BE FIELD VERIFIED BY THE CONTRACTOR BEFORE ANY CONSTRUCTION MAY BEGIN

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SCALE 1" = 10'

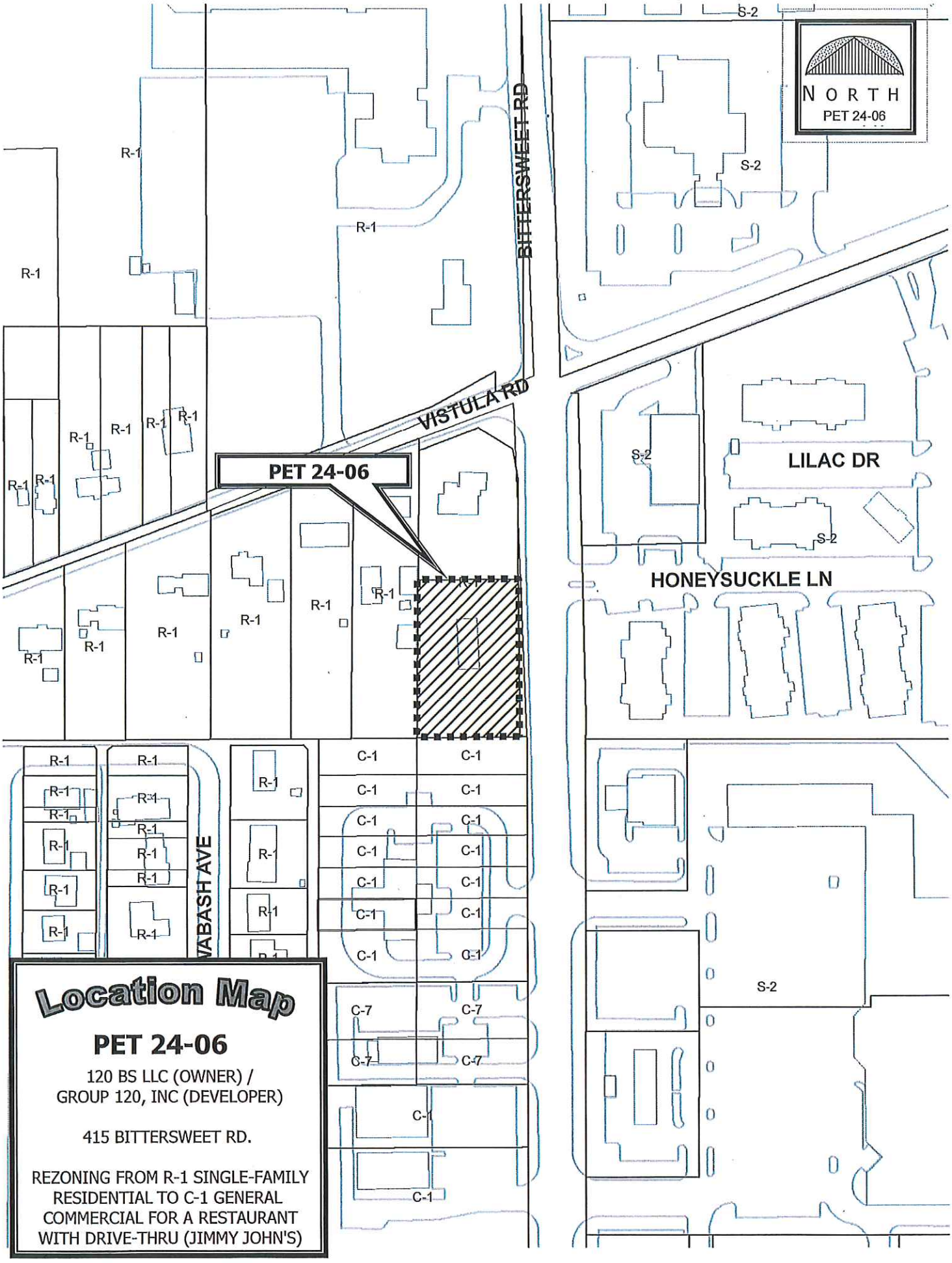
PRELIMINARY SITE PLAN

SURVEYORS & ENGINEERS:
DANCH, HARNER & ASSOCIATES, INC.
1940 COMMERCE DRIVE
SOUTH BEND, IN. 46628
(574) 234-4003
ATTN: MICHAEL DANCH

DATE 2/9/24	DRAWN BY: JMS	REVISIONS
SCALE 1" = 10'	CHECKED BY: MJD	DATE / BY
FILE # 230274	PROJ. MANGR: MJD	

Danch, Harner & Associates, Inc.
Land Surveyors • Professional Engineers
Landscape Architects • Land Planners
DHA

SHEET 1 OF 1



Location Map

PET 24-06

120 BS LLC (OWNER) /
GROUP 120, INC (DEVELOPER)

415 BITTERSWEET RD.

REZONING FROM R-1 SINGLE-FAMILY RESIDENTIAL TO C-1 GENERAL COMMERCIAL FOR A RESTAURANT WITH DRIVE-THRU (JIMMY JOHN'S)

1st Reading
2nd Reading
Passed
Failed
Continued To

Deborah S. Block, IAMC, MMC
APR 15 2024
City Clerk
Mishawaka, IN

PETITION 24-05

CITY OF MISHAWAKA, INDIANA

PROPOSED ORDINANCE NO. 2024-08

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:

PARCEL 1:

PART OF LOT NUMBERED EIGHT (8) AS SHOWN ON THE RECORDED PLAT OF HOGUE'S FARM SUBDIVISION, RECORDED IN THE OFFICE OF THE RECORDER OF ST. JOSEPH COUNTY, INDIANA, IN PLAT BOOK 12, PAGE 16, AND FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT 40 FEET WEST AND 35 FEET SOUTH OF THE NORTHEAST CORNER OF SAID SECTION 4 (SAID NORTHEAST CORNER IS LOCATED 660 FEET WEST OF THE EAST LINE OF LOT NUMBERED 8 IN SAID ADDITION), THENCE SOUTH 125 FEET; THENCE WEST 220 FEET; THENCE NORTH 125 FEET; THENCE EAST 220 FEET TO THE PLACE OF BEGINNING, IN ST. JOSEPH COUNTY, INDIANA.

LESS AND EXCEPTING THEREFROM THE FOLLOWING:

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 34, TOWNSHIP 38 NORTH, RANGE 3 EAST OF THE SECOND PRINCIPAL MERIDIAN IN PENN TOWNSHIP, ST. JOSEPH COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SECTION 34; THENCE NORTH 89 DEGREES 57 MINUTES 53 SECONDS WEST (BASIS OF BEARINGS) ON THE NORTH LINE OF THE NORTHEAST QUARTER, A DISTANCE OF 40.00 FEET; THENCE SOUTH 00 DEGREES 09 MINUTES 43 SECONDS EAST, A DISTANCE OF 33.0 FEET TO THE SOUTH EXISTING RIGHT OF WAY OF DOUGLAS ROAD AND BEING THE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 57 MINUTES 53 SECONDS WEST PARALLEL WITH THE NORTH LINE OF THE NORTHEAST QUARTER ON THE SOUTH EXISTING RIGHT OF WAY OF DOUGLAS ROAD, A DISTANCE OF 220.00 FEET; THENCE SOUTH 00 DEGREES 09 MINUTES 43 SECONDS EAST, A DISTANCE OF 12.00 FEET TO THE SOUTH PROPOSED RIGHT OF WAY OF DOUGLAS ROAD; THENCE SOUTH 89 DEGREES 57 MINUTES 53 SECONDS EAST ON SAID SOUTH PROPOSED RIGHT OF WAY, A DISTANCE OF 220.00 FEET, THENCE NORTH 00 DEGREES 09 MINUTES 43 SECONDS WEST, A DISTANCE OF 12.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.06 ACRES MORE OR LESS.

PARCEL 2:

PART OF THE NORTHEAST QUARTER OF SECTION 34, TOWNSHIP 38 NORTH, RANGE 3 EAST, DESCRIBED AS FOLLOWS:

BEGINNING ON THE NORTH LINE OF SAID SECTION 34, 260 FEET WEST OF THE NORTHEAST CORNER OF SAID SECTION 34; THENCE SOUTH, PARALLEL WITH THE EAST LINE OF SAID SECTION 34, 160 FEET; THENCE WEST, PARALLEL WITH THE NORTH LINE OF SAID SECTION 34, 233.17 FEET TO THE CENTER LINE OF FIR ROAD; THENCE NORTHWESTERLY, ON THE CENTER LINE OF FIR ROAD, 56.27 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT; THENCE CONTINUING ON SAID CENTER LINE OF FIR ROAD AND ON SAID CURVE, HAVING A RADIUS OF 4326.33 FEET, 137.93 FEET TO THE NORTH LINE OF SAID SECTION 34; THENCE EAST, ON THE NORTH LINE OF SAID SECTION 34, 43.33 FEET TO THE POINT OF BEGINNING, IN ST. JOSEPH COUNTY, INDIANA.

EXCEPTING, A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 34, TOWNSHIP 38 NORTH, RANGE 3 EAST, OF THE SECOND PRINCIPAL MERIDIAN, PENN TOWNSHIP, ST. JOSEPH COUNTY, INDIANA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SECTION 34; THENCE NORTH 89 DEGREES 57 MINUTES 53 SECONDS WEST (BASIS OF BEARINGS), ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 34, A DISTANCE OF 260.00 FEET; THENCE SOUTH 00 DEGREES 09 MINUTES 43 SECONDS EAST, A DISTANCE OF 33.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 00 DEGREES 09 MINUTES 43 SECONDS EAST, A DISTANCE OF 11.95 FEET; THENCE NORTH 89 DEGREES 57 MINUTES 53 SECONDS WEST, A DISTANCE OF 131.04 FEET; THENCE SOUTH 72 DEGREES 33 MINUTES 03 SECONDS WEST, A DISTANCE OF 68.80 FEET; THENCE SOUTH 02 DEGREES 55 MINUTES 30 SECONDS EAST, A DISTANCE OF 66.44 FEET; THENCE SOUTH 27 DEGREES 23 MINUTES 21 SECONDS EAST, A DISTANCE OF 31.58 FEET; THENCE NORTH 89 DEGREES 57 DEGREES 53 SECONDS WEST, A DISTANCE OF 14.52 FEET; THENCE NORTH 35 DEGREES 21 MINUTES 31 SECONDS WEST, A DISTANCE OF 155.79 FEET; THENCE SOUTH 89 DEGREES 57 MINUTES 53 SECONDS EAST, A DISTANCE OF 283.39 FEET TO THE POINT OF BEGINNING.

PARCEL 3:

PART OF THE NORTHEAST QUARTER OF SECTION 34, TOWNSHIP 38 NORTH, RANGE 3 EAST, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT 160 FEET SOUTH AND 40 FEET WEST OF THE NORTHEAST CORNER OF SECTION 34, TOWNSHIP 38 NORTH, RANGE 3 EAST; THENCE WEST, PARALLEL WITH THE SOUTH LINE OF LOT SEVEN (7), IN THE RECORDED PLAT OF HOGUE MINUTES S FARM SUBDIVISION, A DISTANCE OF 413.7 FEET, MORE OR LESS, TO THE EASTERLY LINE OF FIR ROAD; THENCE SOUTHEASTERLY ALONG THE EASTERLY LINE OF FIR ROAD, 191.09 FEET, MORE OR LESS, TO THE SOUTHWESTERLY CORNER OF SAID LOT 7; THENCE EAST, ALONG THE SOUTH LINE OF SAID LOT 7, A DISTANCE OF 303.5 FEET, MORE OR LESS, TO A POINT 40 FEET WEST OF THE EAST LINE OF SAID SECTION 34; THENCE NORTH 157 FEET TO THE PLACE OF BEGINNING, AND BEING A PART OF LOT SEVEN (7) IN THE RECORDED PLAT OF HOGUE MINUTES S FARM SUBDIVISION, RECORDED AUGUST 10, 1935. IN PLAT BOOK 12, PAGES 16-17.

LESS AND EXCEPTING THEREFROM THE FOLLOWING:
A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 34, TOWNSHIP 38 NORTH, RANGE 3 EAST OF THE SECOND PRINCIPAL MERIDIAN, PENN TOWNSHIP, ST. JOSEPH COUNTY, INDIANA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SECTION 34; THENCE NORTH 89 DEGREES 57 MINUTES 53 SECONDS WEST (BASIS OF BEARINGS), ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 34, A DISTANCE OF 607.20 FEET; THENCE SOUTH 35 DEGREES 21 MINUTES 31 SECONDS EAST ON THE CENTERLINE OF FIR ROAD, A DISTANCE OF 196.27 FEET; THENCE SOUTH 89 DEGREES 57 MINUTES 53 SECONDS EAST, A DISTANCE OF 40.48 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89 DEGREES 57 MINUTES 53 SECONDS EAST, A DISTANCE OF 14.52 FEET; THENCE SOUTH 27 DEGREES 23 MINUTES 21 SECONDS EAST, A DISTANCE 34.67 FEET; THENCE SOUTH 35 DEGREES 21 MINUTES 31 SECONDS EAST, A DISTANCE OF 160.76 FEET; THENCE SOUTH 54 DEGREES 38 MINUTES 29 SECONDS WEST, A DISTANCE OF 7.03 FEET; THENCE NORTH 35 DEGREES 21 MINUTES 31 SECONDS WEST, A DISTANCE OF 203.51 FEET TO THE POINT OF BEGINNING.

which real estate is now classified as C-1 General Commercial District shall hereafter be within and a part of that District known as C-10 Filling Station Commercial designated in "The Zoning Ordinance of 1966" as amended.

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

1. *The applicable Comprehensive Plan* is from the Capital Avenue Land Use Plan that was done jointly with St. Joseph County- the site was identified as existing residential because of the homes that existed on the properties at the time and the site was not guided for future development. The home(s) previously located on the property were subsequently demolished or will be demolished as part of the proposed change in use. The undeveloped area south and east of the site behind the existing residential was guided for office park and medium density residential uses. As such, if it were not for the extenuating factors associated with the City wellfield the higher intensity commercial use of a convenience store/filling station is reasonably consistent with the comprehensive plan.
2. *Current conditions and the character of current structures and uses in each district* – The current conditions warrant the existing commercial zoning that exists for the property being located at the hard corner of two heavily travelled roadways. The proposed change to allow for a filling station is not appropriate given that the site is located within the 1-year time of travel for the recently completed Juday Creek Municipal Wellfield. Underground storage tanks holding large volumes of petroleum products, despite the increases made in the technology still poses a potential risk to the Juday Creek Wellfield.
3. *The most desirable use for which the land in each district is adopted* – The most desirable use for the property is commercial given that it is located at the hard corner of two heavily travelled roadways. The proposed change to filling station commercial is not desirable given that the site is located within the 1-year time of travel for the recently completed Juday Creek Municipal Wellfield. Underground storage tanks holding large volumes of petroleum products, despite the increases made in the technology still poses a potential risk to the Juday Creek Wellfield.
4. *The conservation of property values throughout the jurisdiction* – The most impacted properties from the proposed change are the existing single family homes in close proximity to the site. The proposed change is consistent with the continued change to commercial rather than residential uses in the area. Provided the proposed development includes landscaping and buffering consistent with the City's development standards while still allowing for access easements connecting to adjacent properties, the existing residential value should be reasonably conserved while still potentially allowing for the future conversion/higher value of commercial development in the future.

5. *Responsible development and growth* - The proposed change to filling station commercial is not desirable given that the site is located within the 1-year time of travel for the recently completed Juday Creek Municipal Wellfield. Underground storage tanks holding large volumes of petroleum products, despite the increases made in the technology still poses a potential risk to the Juday Creek Wellfield.

FAVORABLE

1. *The applicable Comprehensive Plan* is from the Capital Avenue Land Use Plan that was done jointly with St. Joseph County- the site was identified as existing residential and not guided for future development. The home(s) previously located on the property were subsequently demolished or will be demolished as part of the proposed change in use. The undeveloped area south and east of the site behind the existing residential was guided for office park and medium density residential uses. As such, the higher intensity commercial use of a convenience store/filling station is reasonably consistent with the comprehensive plan.
2. *Current conditions and the character of current structures and uses in each district* – The current conditions warrant the existing commercial zoning that exists for the property being located at the hard corner of two heavily travelled roadways. The proposed change to allow for a filling station is appropriate despite that the site is located within the 1-year time of travel for the recently completed Juday Creek Municipal Wellfield. We believe that the underground storage tanks holding large volumes of petroleum products does not pose a substantial risk to the Juday Creek Wellfield because of the increases in technology of petroleum storage tanks that have been made safer over time.
3. *The most desirable use for which the land in each district is adopted* – The most desirable use for the property is commercial given that it is located at the hard corner of two heavily travelled roadways. The proposed change to filling station commercial is desirable given that there is already a fueling station convenience store located at the northwest corner of the intersection.
4. *The conservation of property values throughout the jurisdiction* – The most impacted properties from the proposed change are the existing single family homes in close proximity to the site. The proposed change is consistent with the continued change to commercial rather than residential uses in the area. Provided the proposed development includes landscaping and buffering consistent with the City's development standards while still allowing for access easements connecting to adjacent properties, the existing residential value should be reasonably conserved while still potentially allowing for the future conversion/higher value of commercial development in the future.
5. *Responsible development and growth* - The proposed change to filling station commercial is responsible development and growth because there is an existing fueling station on the northwest corner of the intersection. The proposed change to allow for a filling station is appropriate despite that the site is located within the 1-year time of travel for the recently completed Juday Creek Municipal Wellfield. We believe that the underground storage tanks holding large volumes of petroleum products does not pose a substantial risk to the Juday Creek Wellfield because of the increases in technology of petroleum storage tanks that have been made safer over time.

Proposed Ordinance No: 2024-08

Ordinance No: _____

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 _____, 2024, at _____ o'clock ___.M.

_____
Presiding Officer

ATTEST:

_____
Deborah S. Block, IAMC, MMC, City Clerk

PRESENTED by me to the Mayor this _____ day of _____, 2024, at ____ o'clock _____.M.

_____
Deborah S. Block, IAMC, MMC, City Clerk

APPROVED by me this _____ day of _____, 2024, at _____o'clock ____.M.

_____
David A. Wood, Mayor

STAFF REPORT

Location: Southeast corner of E Douglas Rd and Fir Rd

Date: April 9, 2024

Petition: 24- 05

Prepared By: SA/KP

GENERAL INFORMATION

Applicant:	SEC Investments LLC / Kimley-Horn & Associates, Inc.
Status:	Property Owner / Civil Engineering Consultant
Request:	To rezone from C-1 General Commercial to C-10 Filling Station Commercial to allow for the construction of a Casey's General Store– a convenience store and gas station business.
Zoning Classification:	C-1 General Commercial District
Lot Size:	2.3 acres
Applicable Regulations:	Section 137-529 to 137-530 C-10 Filling Station Commercial / Amendments to the Zoning Map, Indiana Code 36-7-4-603

SPECIAL INFORMATION

Area Development Pattern:	North:	S-2 Planned Unit Development (Vacant Land)
	South:	Unincorporated Saint Joseph County (Vacant)
	East:	Unincorporated Saint Joseph County (Residential)
	West:	Unincorporated Saint Joseph County (Residential) & C-8 High Density Suburban Commercial
Thoroughfare:	E. Douglas Rd. & Fir Rd.	
Council District:	5	
School District:	Penn-Harris-Madison	
Township:	Penn	
Public Utilities:	All utilities are available and will be connected to/throughout the site at the expense of the developer	
Comprehensive Plan:	On the Capital Avenue Land Use Plan from 2003 the site was identified as existing residential and not guided for future development. The home(s) previously located on the property were subsequently demolished or will be demolished as part of the proposed change in use. The undeveloped area south and east of the site behind the existing residential was guided for office park and medium density residential uses.	

ANALYSIS

The Petitioner, SEC Investments LLC, is requesting to rezone from C-1 General Commercial to C-10 Filling Station Commercial (3) three parcels containing approximately 2.3 acres of land. Located on the

southeast corner of the intersection of Douglas and Fir Roads. The (3) three parcels consists of 15022 Douglas Road (027-1078-204901) vacant house, 5328 North Fir Road (027-1078-2050) vacant land, and (027-1078-204905) a vacant lot. Surrounded by S-2 Planned Unit Development to the north, C-8 High Density Suburban Commercial to the west, and unincorporated parts of Saint Joseph County to the south, east, and west.

Over the past year, staff has communicated with the applicant's consultants multiple times and indicated that staff would be recommending denial of the proposed request. The request is very similar in scope to the Family Express located at the northwest corner of the same intersection that was annexed and zoned for a fueling station in 2015. The sole reason for the recommended denial is the presence of the City's recently completed Juday Creek Wellfield and the need to protect the public water supply long-term. The concept of placing the wellfield on the Juday Creek Golf Course was approved by the Council and Redevelopment Commission in 2016 following the approval of the Family Express. For the last 8 years the City has been working on the design and construction of not only the wellfield and filtration plant, but the many construction projects required to implement this massive piece of public infrastructure that we envision will serve the City for the next 100 years.

Staff is recommending denial of the proposed change in zoning because the site is located within the 1-year time of travel of the wellfield. We could recommend restrictions outside of the 1-year time of travel as well, and the proposed location within the 1-year time of travel represents the seriousness of the risk to the wellfield.

For general reference- time of travel means the time required for groundwater to move through the water bearing zone from a specific point to a well. In layman terms, the 1-year time of travel is the area in which it would take a molecule of water/liquid contaminants 1 year or less to reach the well. The City continues to work to make sure the entire area around the wellfield area is managed to protect our drinking water supply from viral, microbial, and direct chemical contamination.

As identified previously, when the wellfield property was purchased, the Family Express located at the northwest corner of the intersection of Fir Road and Douglas Road, which is currently located within the 1-year time of travel, had already been approved. In investigating potential locations for the wellfield, the City took into consideration all the known risks associated with placing the wellfield. Attached to this staff report is a map that identifies the one year time of travel and the various known risk factors that surround the wellfield. One of the reasons of the location chosen was that by placing the wells in the golf course, it naturally provides an area of control and protection around the wells. Just because there are existing risk factors, does not mean that more risk factors should be added, even if the additional risk is relatively small.

The total area of the one year time of travel is about 450 acres. This is a relatively large area for a City to place with no potential risks. That being said, each new development that has been proposed and approved in or adjacent to the 1-year time of travel since the approval of the wellfield in 2016 has had restrictions placed on the approval that reflect the location of the wellfield.

When the City purchased the Juday Creek Golf course, and then leased the property back to the previous owner for their continued use and operation, the following provisions were placed that restricted the use of chemicals and fertilizers on the golf course:

As part of the on-going ordinary maintenance, the Seller/Lessee shall adhere to all of the City's existing requirements and future requirements by state and federal agencies solely for the operation of the City's proposed municipal wellfield. As to Seller/Lessee's ongoing ordinary maintenance, Seller/Lessee would, pursuant to City instructions, use only those chemicals and fertilizers approved by the City. Seller/Lessee would not install any new wells for irrigation purposes, unless approved and consented to by the City. Any restriction of existing storm water areas of any storm or any storm water retention areas later created on the leased parcel by Seller/Lessee would be reviewed and be subject to the prior approval of the Buyer/Lessor. It is understood that the operation of the City's proposed municipal wellfield may, from time to time, change based upon then state and federal regulations which the parties acknowledge may be more restrictive over time. If the restrictions, federal or state, substantially restrict with Seller/Lessee's usual and normal operations of its golf

course, Seller/Lessee may, at its option, terminate this lease and any prepaid rental payments shall be refunded by the City to the Seller/Lessee.

When a portion the Penn Farm property was purchased for potential wellfield use, the following restrictions were placed over the entire Penn Farm as part of the buy-sell agreement with the City. Underground tanks are specifically prohibited as part of the restrictive covenants of the business park.

The Seller agrees to prepare and record covenants and restrictions over the Sellers property to create an association or other entity to provide for the perpetual maintenance of public improvements, as well as, create limitations on the use of the property that are consistent with the Buyer's desire to create a municipal wellfield adjacent to the site. Specifically, the Seller shall prohibit the use of underground fuel storage tanks, restrict the type of fertilizers and chemicals that can be stored or used on the property, prohibit the construction of new wells on the property, limit the means and methods of storm water retention, and otherwise identify that the all applicable requirements of the City, State, and Federal governments relating to well head protection, as may be modified over time, shall be complied with in full.

Also, as part of the proposed Auto Mall property located north of Cleveland Road, West of Capital, located outside the 1-year time of travel, a condition was placed that specifically prohibits Filling stations from being constructed on the property. This property is outside of the 1-year time of travel, but still in reasonably close proximity to the wellfield.

All of these development sites are also restricted on how stormwater is retained. No new drywells or underground percolation system is permitted to be used within these developments in close proximity to the wellfield.

Staff also acknowledges that vast improvements have been made to fuel underground storage containment systems over time and the current known risks are relatively low. Double wall tanks with an internal sensor are now an industry standard. That being said, environmental standards used for drinking water are getting more and more restrictive over time. There is also no accounting for human error or accidents that have the potential to occur over time that should be considered when considering this rezoning request.

To this end, the City already has experienced the impact of faulty storage tanks can have on a City Municipal Wellfield. There used to be municipal wells at Ward Baker Park which had to be closed as a result of leaking fuel tanks at the intersection of 12th and Byrkit. In 2008, the City received 8.15 million dollars from a class action settlement concerning the use of Methyl tert-butyl ether (MTBE) which is a flammable liquid that had been used as an additive for unleaded gasoline since the 1980s. MTBE increases octane and oxygen levels in gasoline and reduces pollution emissions. MTBE spread more easily underground than other gasoline components due to its higher solubility in water. Legislation passed in 2005 then prompted gasoline refiners to replace MTBE with ethanol. Staff brought this history up not because of a specific chemical, but as an indication of how circumstances and standards change over time. When the tanks were originally installed at the Fir/Byrkit fueling stations we are reasonably confident that the tanks met an industry standard at the time. Our understanding is that chemicals and additives also continue to evolve over time, but again, when MTBE was introduced, it was done so with the best of intentions. What is the next chemical, hazard, industry standard that is going to change that might have a causal relationship to our ability to provide clean and safe drinking water?

Staff also has a concern regarding precedent should this request ultimately be approved. If the Penn family was approached to allow a convenience store/fueling station at the intersection of Veteran's Parkway and Douglas Road, should the City allow the change in their covenants and zoning to allow it, given that is approximately the same distance from the wells as the proposed Casey's General store? This intersection will likely be a prime potential location for this type of use because this intersection will likely be signalized. With the Mishawaka Fieldhouse regional recreation facility going in, there will be a steady stream of potential customers that will be using Veteran's Parkway.

Note, the burden is on the applicant relative to this request. There is no inherent right to place a fueling station on this site. The site is currently zoned C-1 Commercial which permits a wide range of commercial uses by right including a drug store, restaurant, banks, medical clinic, hotels and many more. A convenience store could also be constructed by right on the property without fueling. Staff would also potentially support a rezoning request for drive-thru uses for this prime corner location. In short, the

reasonable use of the property is not being denied or hindered. Our singular focus is to insure the long term operation of the wellfield which has taken close to 8 years to plan and develop at a total cost of over 40 million dollars.

Although staff is recommending denial solely on the basis of the wellfield, there are also other site plan and logistical factors that will need to be worked out should the proposed change in zoning be approved.

The site is located on a hard corner in a location that was formerly residential. It is important that the adjacent properties to the east and south are both properly screened while also still allowing for the future redevelopment of those properties for commercial purposes over time. Cross access easements will need to be provided to both the east and south. If and when those properties are developed as commercial, they would then have the ability to remove screening and buffering and connect to the existing access points proposed at Casey's. We feel that this would also be beneficial for Casey's. Knowing that the traffic on both Douglas Road and Fir Road will increase over time, the stacking at the intersection and the proximity of the proposed drives to the intersection could make certain turning movements more difficult during peak traffic times. Having cross access where turning movements can potential be made further from the intersection could aid in safely moving traffic.

The concept site plan, although acceptable for rezoning purposes, does not identify important elements such as the minimum commercial landscaping required in conjunction with the development of the property. Landscaping and using full cut off fixtures for site lighting, exterior building lighting, and under canopy lighting will be important given the adjacent residential uses.

Juday Creek is located adjacent to the site and the drainage structure conveying it actually goes southwest through the middle of the intersection of Douglas and Fir. The Casey's site is currently located in area identified as flood fringe and as such the finished floor of the building and fueling locations will need to be raised to two feet above the hundred year flood elevation. Casey's consultants have this information and we believe the site can be raised without issue.

The Engineering Department has also recommended denial of the request. They commented that the applicant neglected to state how they plan to merge well head protection requirements as previously discussed on multiple occasions. They also identified that a traffic impact study has not been presented, although it would be more appropriate to follow with such a study following the rezoning of the property if it is approved. Engineering also indicated that the developer will need to identify what improvements are necessary to retain current levels of service for both Fir and Douglas Roads. Engineering identified that a minimum dedicated right turn lane and left turn lane for Fir Road will be required. A sidewalk/pathway will need to be constructed on both Fir Road and Douglas Road frontage. Left turn lane on Fir Road will need to be modified as it appears the thru lane is pushed to this proposed movement.

The Electric Department commented that they will need to discuss electric service needs with the contractor prior to construction. One of the parcels 15022 Douglas Road (027-1078-204901) is currently serviced by AEP.

RECOMMENDATION

We have been asked by the Council on known contested requests to prepare findings both for and against the petition. As such, the staff recommendation for denial is listed first. Findings for approval, which is not recommended is listed second.

Staff recommends against Petition 24-05 to rezone 2.3 acres of property located at the southeast corner of Douglas and Fir Roads from C-1 General Commercial to C-10 Filling Station Commercial for a proposed Casey's convenience store and gas station business and that it be forwarded to the Common Council with a **unfavorable** recommendation. This recommendation is based on the following findings of fact per Indiana Code Section 36-7-4-603 which requires both the Planning Commission and Common Council as the Legislative Body of the City pay reasonable regard to the following:

1. *The applicable Comprehensive Plan* is from the Capital Avenue Land Use Plan that was done jointly with St. Joseph County- the site was identified as existing residential because of the homes that

existed on the properties at the time and the site was not guided for future development. The home(s) previously located on the property were subsequently demolished or will be demolished as part of the proposed change in use. The undeveloped area south and east of the site behind the existing residential was guided for office park and medium density residential uses. As such, if it were not for the extenuating factors associated with the City wellfield the higher intensity commercial use of a convenience store/filling station is reasonably consistent with the comprehensive plan.

2. *Current conditions and the character of current structures and uses in each district* – The current conditions warrant the existing commercial zoning that exists for the property being located at the hard corner of two heavily travelled roadways. The proposed change to allow for a filling station is not appropriate given that the site is located within the 1-year time of travel for the recently completed Juday Creek Municipal Wellfield. Underground storage tanks holding large volumes of petroleum products, despite the increases made in the technology still poses a potential risk to the Juday Creek Wellfield.
3. *The most desirable use for which the land in each district is adopted* – The most desirable use for the property is commercial given that it is located at the hard corner of two heavily travelled roadways. The proposed change to filling station commercial is not desirable given that the site is located within the 1-year time of travel for the recently completed Juday Creek Municipal Wellfield. Underground storage tanks holding large volumes of petroleum products, despite the increases made in the technology still poses a potential risk to the Juday Creek Wellfield.
4. *The conservation of property values throughout the jurisdiction* – The most impacted properties from the proposed change are the existing single family homes in close proximity to the site. The proposed change is consistent with the continued change to commercial rather than residential uses in the area. Provided the proposed development includes landscaping and buffering consistent with the City's development standards while still allowing for access easements connecting to adjacent properties, the existing residential value should be reasonably conserved while still potentially allowing for the future conversion/higher value of commercial development in the future.
5. *Responsible development and growth* - The proposed change to filling station commercial is not desirable given that the site is located within the 1-year time of travel for the recently completed Juday Creek Municipal Wellfield. Underground storage tanks holding large volumes of petroleum products, despite the increases made in the technology still poses a potential risk to the Juday Creek Wellfield.

The following are findings for approval of Petition 24-05 to rezone 2.3 acres of property located at the southeast corner of Douglas and Fir Roads from C-1 General Commercial to C-10 Filling Station Commercial for a proposed Casey's convenience store and gas station business and it will be forwarded to the Common Council with a **favorable** recommendation. This recommendation is based on the following findings of fact per Indiana Code Section 36-7-4-603 which requires both the Planning Commission and Common Council as the Legislative Body of the City pay reasonable regard to the following:

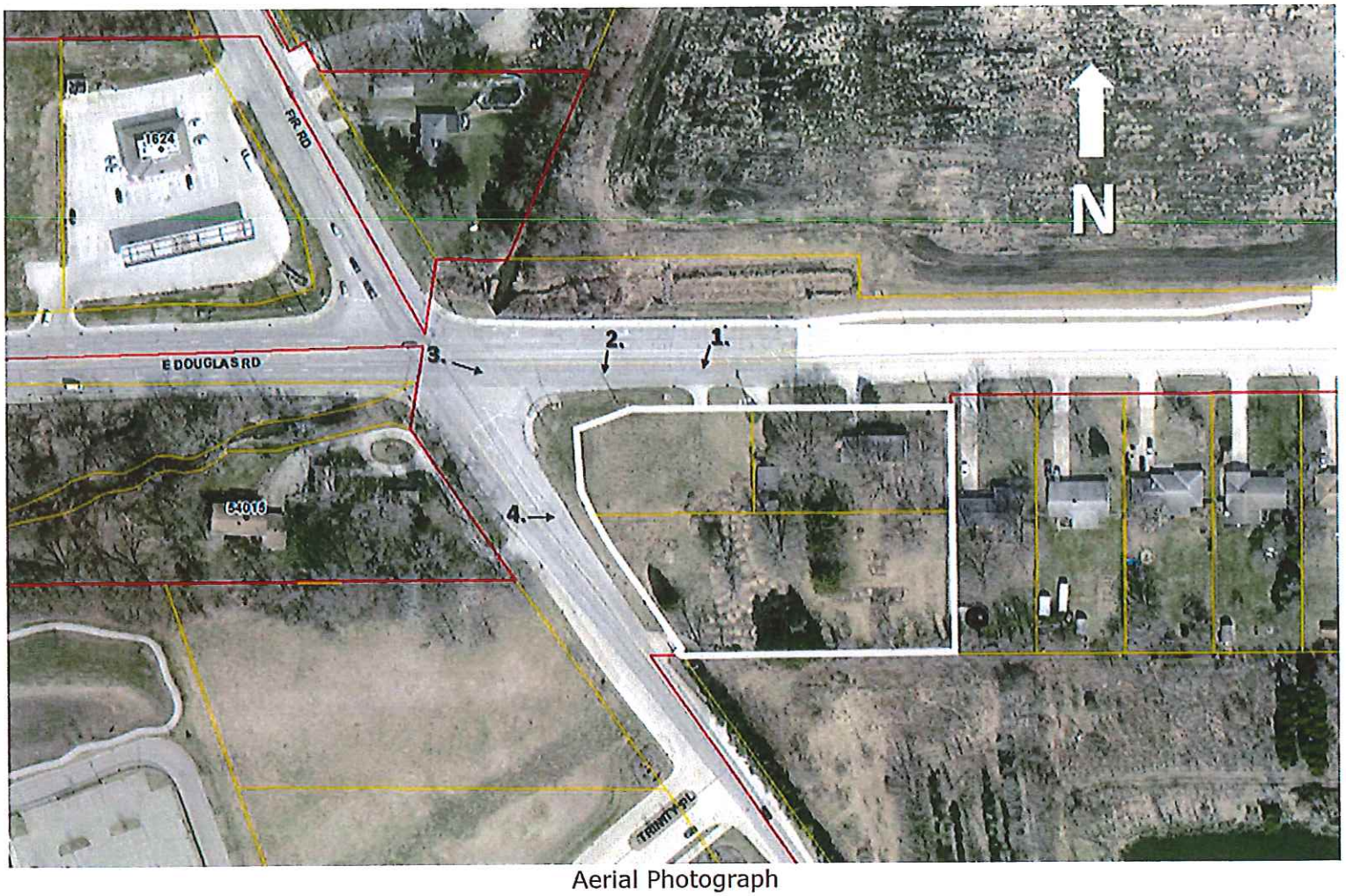
1. *The applicable Comprehensive Plan* is from the Capital Avenue Land Use Plan that was done jointly with St. Joseph County- the site was identified as existing residential and not guided for future development. The home(s) previously located on the property were subsequently demolished or will be demolished as part of the proposed change in use. The undeveloped area south and east of the site behind the existing residential was guided for office park and medium density residential uses. As such, the higher intensity commercial use of a convenience store/filling station is reasonably consistent with the comprehensive plan.
2. *Current conditions and the character of current structures and uses in each district* – The current conditions warrant the existing commercial zoning that exists for the property being located at the hard corner of two heavily travelled roadways. The proposed change to allow for a filling station is appropriate despite that the site is located within the 1-year time of travel for the recently completed Juday Creek Municipal Wellfield. We believe that the underground storage tanks holding large volumes of petroleum products does not pose a substantial risk to the Juday Creek Wellfield because of the increases in technology of petroleum storage tanks that have been made safer over time.
3. *The most desirable use for which the land in each district is adopted* – The most desirable use for the property is commercial given that it is located at the hard corner of two heavily travelled

roadways. The proposed change to filling station commercial is desirable given that there is already a fueling station convenience store located at the northwest corner of the intersection.

4. *The conservation of property values throughout the jurisdiction* – The most impacted properties from the proposed change are the existing single family homes in close proximity to the site. The proposed change is consistent with the continued change to commercial rather than residential uses in the area. Provided the proposed development includes landscaping and buffering consistent with the City's development standards while still allowing for access easements connecting to adjacent properties, the existing residential value should be reasonably conserved while still potentially allowing for the future conversion/higher value of commercial development in the future.
5. *Responsible development and growth* - The proposed change to filling station commercial is responsible development and growth because there is an existing fueling station on the northwest corner of the intersection. The proposed change to allow for a filling station is appropriate despite that the site is located within the 1-year time of travel for the recently completed Juday Creek Municipal Wellfield. We believe that the underground storage tanks holding large volumes of petroleum products does not pose a substantial risk to the Juday Creek Wellfield because of the increases in technology of petroleum storage tanks that have been made safer over time.

ATTACHMENTS

Aerial Photograph, Site Photographs, Wellfield Map, Petition, Site Plan, Location Map



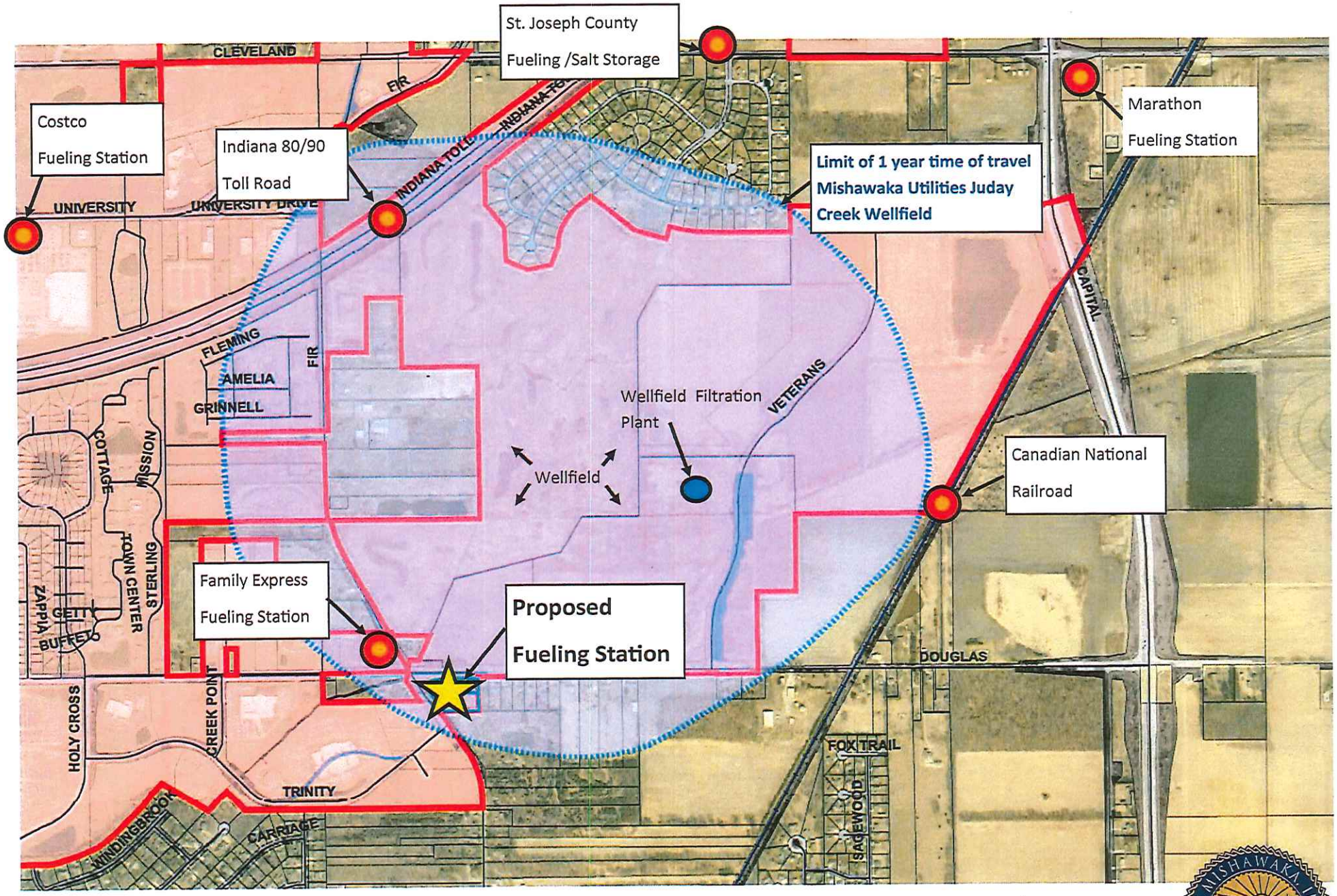
Aerial Photograph

1. South facing from Douglas Rd

2. Southwest facing from Douglas Rd

3. Southeast facing from Fir Rd

4. East facing from Fir Rd



Known existing risk factor

Juday Creek wellfield

Mishawaka Utilities Water Division

Juday Creek Wellfield 1 year time of travel

9.

PC 24-05

Received
MAR 19 2024
Planning and
Community Development

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

RE: Petition to Rezone 3 Total Parcels (15022 Douglas Road, 5328 N Fir Road, and vacant)

The undersigned, SEC Investments LLC, ("Petitioner") is the owner of three (3) parcels of land containing approximately 2.3 acres located on the southeast corner of the intersection of Douglas and Fir Roads, Mishawaka, St. Joseph County, Indiana and further described by the legal description attached hereto as EXHIBIT "A".

The Petitioner owns one hundred (100%) percent of the above described 3 parcels of land which are currently zoned C-1 General Commercial District in the city of Mishawaka. Said real estate is improved with a vacant single family dwelling unit in addition to a detached garage and shed.

The Petitioner desires said real estate to be rezoned to C-10 Filling Station District in the city of Mishawaka. The Petitioner further states that it intends to utilize said land for the development of a proposed convenience store and gas station.

Wherefore, the Petitioner respectfully requests 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 parcels of land in the City of Mishawaka.

PETITIONER: SEC INVESTMENTS, LLC

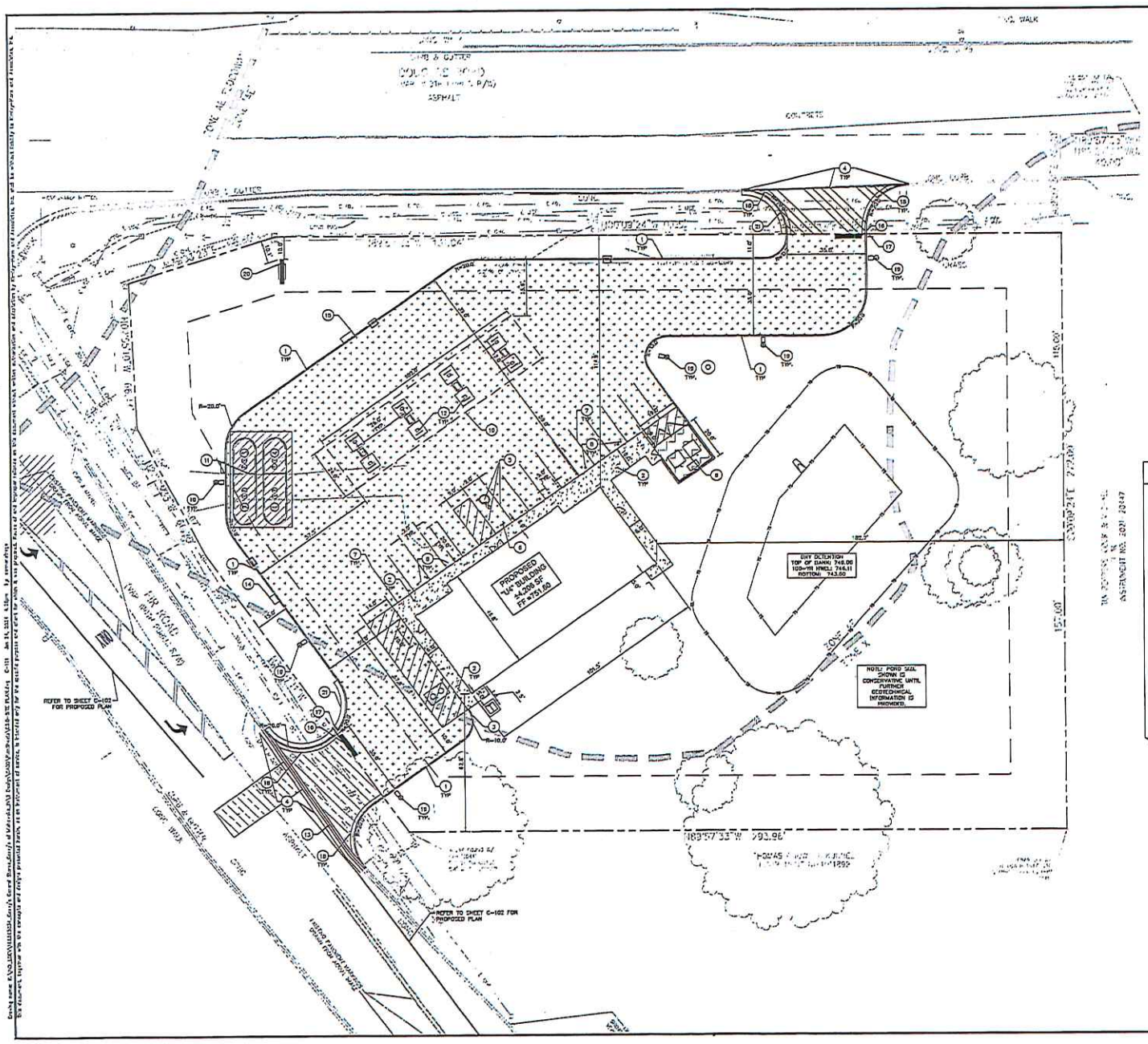
By: Stephen R. Murphy Member 3/19/24

Stephen R. Murphy
Member

Date

Contact Person:

Name: Connor Strege, PE – Kimley-Horn & Associates, Inc.
Address: 500 East 96th Street, Suite 300, Indianapolis, IN 46240
Phone Number: (317) 218-9465
Email: connor.strege@kimley-horn.com



Indiana Utilities Protection Service
Call 811 before you dig

NORTH

GRAPHIC SCALE IN FEET
0 10 20 40

PAVING LEGEND

- STANDARD DUTY CONCRETE PAVEMENT — SEE DETAILS, SHEET C-601 FOR PAVEMENT SECTION
- RIGHT OF WAY PAVEMENT (MINOR ARTERIAL) — SEE DETAILS, SHEET C-601 FOR PAVEMENT SECTION
- RIGHT OF WAY PAVEMENT (MAJOR COLLECTOR) — SEE DETAILS, SHEET C-601 FOR PAVEMENT SECTION
- CONCRETE SIDEWALK — SEE CONSTRUCTION DETAILS FOR PAVEMENT SECTION
- HEAVY DUTY CONCRETE PAVEMENT — SEE CONSTRUCTION DETAILS FOR PAVEMENT SECTION
- U.S.D.T CONCRETE PAVEMENT — SEE CONSTRUCTION DETAIL 2, SHEET C-601 FOR PAVEMENT SECTION

SITE SUMMARY

SITE ZONING	=	C-1B
SITE ACREAGE	=	2.33 AC±
BUILDING AREA	=	4,208 SF
BUILDING HEIGHT	=	21'-4" FT
PARKING SPACES (STANDARD) REQUIRED	=	24 SPACES
PARKING SPACES (ACCESSIBLE) REQUIRED	=	01 SPACE
PARKING SPACES (STANDARD) PROVIDED	=	15 SPACES
PARKING SPACES (CANOPY) PROVIDED	=	8 SPACES
PARKING SPACES (ACCESSIBLE) PROVIDED	=	1 SPACES
TOTAL PARKING SPACES PROVIDED	=	24 SPACES

KEY NOTES

1. CONCRETE CURB, TYP. (SEE DETAIL 2, SHEET C-601)
2. CONCRETE BUILDING SIDEWALK, TYP. (SEE DETAIL 1, SHEET C-601)
3. 3-FT TRANSITION CURB (SEE DETAILS, SHEET C-604)
4. CONNECT TO EXISTING PAVEMENT, SIDEWALK, CURB, TYP
5. ACCESSIBLE PAVEMENT MARKINGS, TYP (SEE DETAIL 11, SHEET C-601)
6. ACCESSIBLE PARKING SIGN, TYP. (VAN ACCESSIBLE) (MUTCD R7-8, SEE DETAIL 12, SHEET C-601)
7. 4" WIDE PAINTED WHITE SOLID LINE, TYP.
8. BOLLARD, TYP. (SEE DETAIL 1, SHEET C-601)
9. BRICK DUMPSTER ENCLOSURE WITH METAL GATES (SEE ARCHITECTURAL PLANS FOR DETAILS)
10. PROPOSED GAS CANOPY (SEE ARCHITECTURAL PLANS FOR DETAILS)
11. UNDERGROUND STORAGE TANKS (REFER TO DETAILS 4 & 5, SHEET C-602. SEE EQUIPMENT PLANS FOR ADDITIONAL DETAILS)
12. GAS TAPERED FUEL ISLAND, TYP. (SEE DETAIL 1, SHEET C-603)
13. DEPRESSED CONCRETE CURB AND GUTTER (SEE DETAILS, SHEET C-604)
14. AIR COMPRESSOR BOX (SEE DETAIL 7, SHEET C-601)
15. SECONDARY EMERGENCY SHUT OFF SWITCH (SEE DETAIL 8, SHEET C-601)
16. 24" WIDE STOP BAR, TYP. (SEE DETAILS, SHEET C-604)
17. STOP SIGN, TYP. (MUTCD R1-1, SEE DETAILS, SHEET C-604)
18. 2' COMBINED CONCRETE CURB AND GUTTER (SEE DETAILS, SHEET C-601)
19. LIGHT POLES SHOWN FOR COORDINATION ONLY (SEE SITE LIGHTING PLAN)
20. PYLON SIGN (REFER TO SIGNAGE PACKET)
21. LANDSCAPE PROTECTION (SEE DETAIL 4, SHEET C-601)

PET 24-05
Received
MAR 19 2024
Planning and Community Development

GENERAL PLAN NOTES

REFER TO GENERAL NOTES SHEET FOR MORE INFORMATION INCLUDING THE FOLLOWING: (EXISTING LEGEND, BENCHMARK INFORMATION, AND SPECIFIC GENERAL PLAN NOTES)

NO.	REVISIONS	DATE	BY

Kimley»Horn
5201 HUNTON LOB SUITE 100
FORT WAYNE, IN 46835
PHONE: 260.471.1119
FAX: 260.471.1118
CONTACT: CONNOR MARK MEYER, PE
CONNOR.MEYER@KIMLEY-HORN.COM

SCALE: AS NOTED
DESIGNED BY: CMM
DRAWN BY: BPB
CHECKED BY: DVS

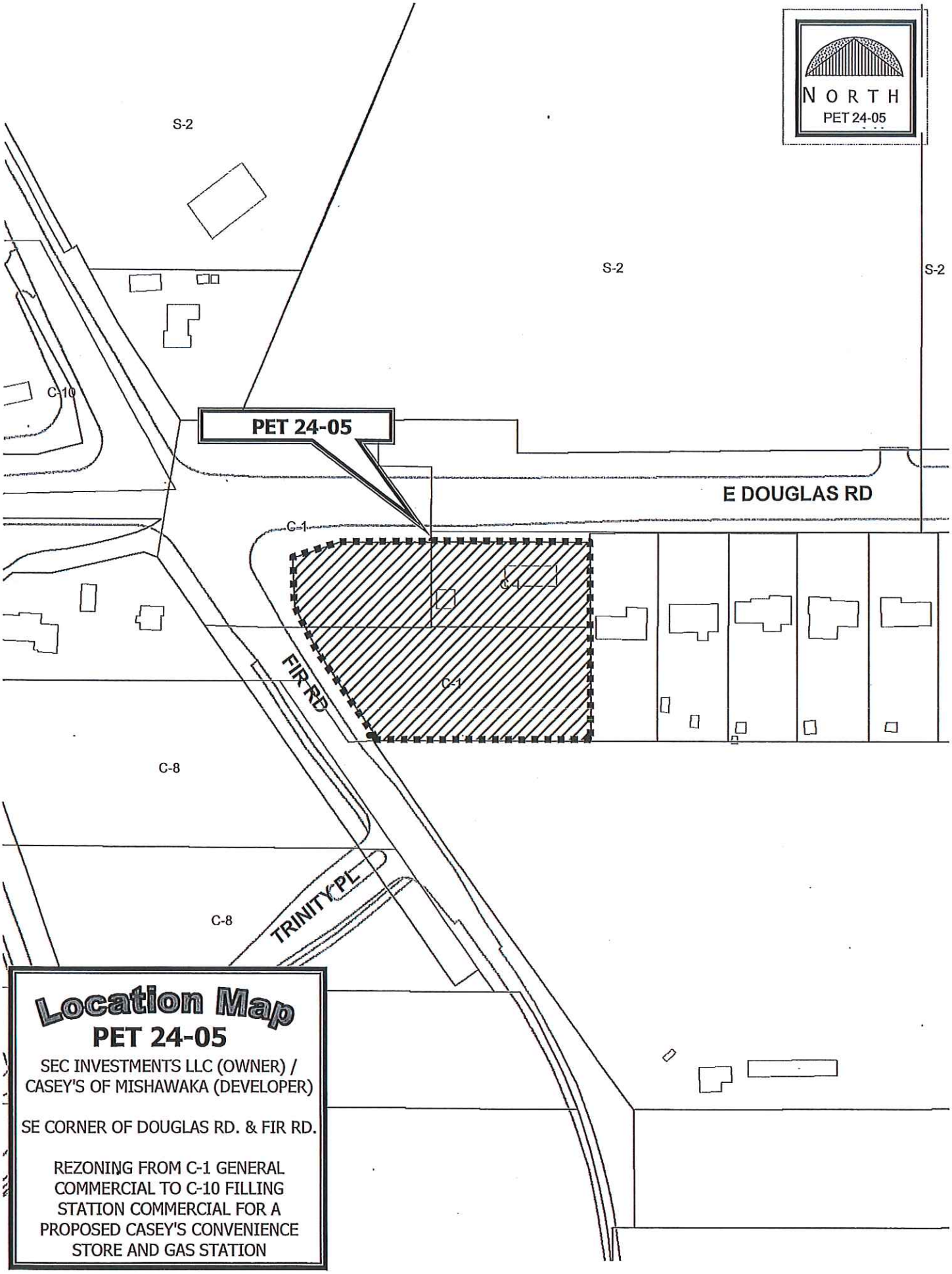
CONNOR MARK MEYER
NOT FOR CONSTRUCTION
PRELIMINARY
NOT FOR CONSTRUCTION
ORIGINAL SIGNED DRAWER

Casey's

SITE PLAN

CASEY'S OF MISHAWAKA
15022 DOUGLAS RD & 5328 N FIR RD MISHAWAKA, INDIANA

ORIGINAL ISSUE: 01/23/2024
KHA PROJECT NO. 18888034
SHEET NUMBER
C-101



Location Map
PET 24-05

SEC INVESTMENTS LLC (OWNER) / CASEY'S OF MISHAWAKA (DEVELOPER)

SE CORNER OF DOUGLAS RD. & FIR RD.

REZONING FROM C-1 GENERAL COMMERCIAL TO C-10 FILLING STATION COMMERCIAL FOR A PROPOSED CASEY'S CONVENIENCE STORE AND GAS STATION

1st Reading
2nd Reading
Passed
Failed
Continued To

Deborah S. Block, IAMC, MMC
APR 15 2024
City Clerk
Mishawaka, IN

PETITION 24-06

CITY OF MISHAWAKA, INDIANA

PROPOSED ORDINANCE NO. 2024-09

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:

That part of the Southeast Quarter of the Southwest Quarter of Section 17, Township 37 North, Range 4 East, Penn Township, City of Mishawaka, St. Joseph County, Indiana which is described as: Lots #2 of the Plat of "Clark's Vistula Road Minor Subdivision" as recorded in the records of the St. Joseph County, Indiana Recorders Office.

Commonly known as 415 Bittersweet Road, Mishawaka, Indiana, 46544

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

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

1. *The applicable Comprehensive Plan* is the Mishawaka 2000 Comprehensive Plan, created in 1990, which identifies a land use of the subject property as Low Density Residential. Since that time, the Bittersweet corridor has been significantly developed as commercial. The proposed request is consistent with the development that has taken place along the corridor.

2. *Current conditions and the character of current structures and uses in each district* – The proposed sandwich shop is consistent with the commercial development that has occurred along the Bittersweet corridor. Adjacent land uses include single family to the north and west, a financial institution to the south, and multi-family to the east.

3. *The most desirable use for which the land in each district is adopted* – The most desirable use for the property is commercial given that it is located on a heavily travelled roadway with other commercial development. The proposed sandwich shop is consistent with the commercial development that has occurred along the Bittersweet corridor.

4. *The conservation of property values throughout the jurisdiction* – The most impacted properties from the proposed change are the existing single family homes in close proximity to the site. The proposed change is consistent with the continued change to commercial rather than residential uses in the area. Provided the proposed development includes landscaping and buffering consistent with the City's development standards while still allowing for access easements connecting to adjacent properties, the existing residential value should be reasonably conserved while still potentially allowing for the future conversion/higher value of commercial development in the future.

5. *Responsible development and growth* - The proposed change to General Commercial is desirable given the existing development on Bittersweet Road. The size of this lot allows for the construction of the proposed Jimmy John's sandwich shop while providing adequate stacking in the proposed drive thru and meeting all other applicable or requested development standards. Landscaping and fencing will be provided to buffer adjacent residential uses.

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 _____, 2024, at _____ o'clock ___.M.

_____
Presiding Officer

ATTEST:

_____
Deborah S. Block, IAMC, MMC, City Clerk

PRESENTED by me to the Mayor this _____ day of _____, 2024, at ____ o'clock ____.M.

_____
Deborah S. Block, IAMC, MMC, City Clerk

APPROVED by me this _____ day of _____, 2024, at _____o'clock ____.M.

_____
David A. Wood, Mayor

STAFF REPORT

Location: 415 Bittersweet Road

Date: April 9, 2024

Petition: 24 06

Prepared By: CH/KP

GENERAL INFORMATION

Applicant:	120 BS LLC (dba Jimmy John's)
Status:	Property Owner
Request:	To rezone from R-1 Single Family Residential District to C-1 General Commercial District for a drive thru restaurant (with a Use Variance)
Zoning Classification:	R-1 Single Family Residential
Lot Size:	0.69 acres
Applicable Regulations:	Section 137-300 thru 137-302 / C-1 General Commercial District & Section 137-41 / Amendments to the Zoning Map, Indiana Code 36-7-4-603

SPECIAL INFORMATION

Area Development Pattern:	North:	R-1 Single Family Residential District (developed as single family)
	South:	C-1 General Commercial (Everwise Credit Union)
	East:	S-2 Planned Unit Development District (Reflections Apartments and former Family Video Commercial Building)
	West:	R-1 Single Family Residential District (developed as single family)
Thoroughfare:	Bittersweet Road, just south of Vistula Road	
Council District	3	
School District:	School City of Mishawaka	
Public Utilities:	Public Sewer, Water, and Electric are available	
Comprehensive Plan:	Low Density Residential	

ANALYSIS

The Petitioner, 120 BS LLC (dba Jimmy John's), is requesting to rezone property at 415 Bittersweet Road from R-1 Single Family District to the C-1 General Commercial District to allow for a drive-thru restaurant (with Use Variance). A Use Variance to allow a drive-thru restaurant in the C-1 General Commercial District was filed concurrently with this request and will be heard by the Board of Zoning Appeals.

The 0.69 acre property (Tax ID #016-1094-378502) is located on the west side of Bittersweet Road, just south of Vistula Drive and directly north of the Everwise Credit Union. To the north and west are single family homes, and to the east, across Bittersweet Road, are the Reflections Apartments zoned S-2 Planned Unit Development. Currently, there is a single-family home on the property, which is proposed to be demolished if the rezoning and use variance are approved. A preliminary site plan shows a 1,200 sq. ft. building, 22 parking spaces, landscaping and fencing. Additional landscaping buffer against the residentially zoned property to the north and west was a condition of the Use Variance. Access will be from Bittersweet Road, with a connection to the financial institution to the south being a condition of the Use Variance.

With this petition, the property owner and contingent developer are only seeking to establish the proper zoning required for the proposed use. If approved, a detailed final site plan shall be submitted for Staff review and Plan

Commission approval prior to construction. The final site plan shall address storm drainage, grading, utilities, soil erosion control, landscaping, and all other required improvements pertinent to the proposed development. If additional variances or a design review waiver for the proposed building materials or colors are required, the Board of Zoning Appeals and/or the Plan Commission shall be petitioned when the final site plan is submitted.

When staff was approached regarding the request, we recommended a two-step process- both filing a rezoning request to C-1 General Commercial and filing a use variance request for the proposed Jimmy John's sandwich shop drive thru. The small property is both limited by the adjacent residential uses and the overhead high voltage power lines which create a hardship regarding redeveloping the property. Staff's reasoning for the use variance was that sandwich shops like Jimmy John's and Subway have a much lower volume of customers and traffic when compared than other traditional larger drive thru restaurants like McDonalds and Wendy's. Even Starbucks as a coffee shop has a need for a significant drive thru like a larger drive thru restaurant. The dual process appropriately rezones the property to commercial matching the general commercial uses located along the Bittersweet Road frontage adjacent to and in close proximity to the site. At the same time, the use variance allows for the drive thru use for Jimmy John's as desired, but restricts other more intensive drive thru businesses from locating to this property by right.

In March, the developer participated in the Twin Branch Neighborhood Watch meeting, and presented the concept to residents and neighbors who attended the meeting. Overall, the feedback was positive and the questions raised were more about the logistics and development characteristics than the use itself.

Given the unique site conditions staff is recommending conditions be placed as part of the approval of the use variance.

Pertinent City Departments have reviewed and approved the request. Department comments were not directly related to the rezoning or use variance and were more suited to the site plan process. However, they were forwarded to the owner's representative so these items can be addressed prior to that submittal.

RECOMMENDATION

Staff recommends Petition 24-06 to rezone 0.69 acres of property located at 415 Bittersweet Road from R-1 Single Family Residential to C-1 General Commercial for a drive-thru restaurant (with Use Variance) be forwarded to the Common Council with a **favorable** recommendation. This recommendation is based on the following findings of fact per Indiana Code Section 36-7-4-603 which requires both the Planning Commission and Common Council as the Legislative Body of the City pay reasonable regard to the following:

1. *The applicable Comprehensive Plan* is the Mishawaka 2000 Comprehensive Plan, created in 1990, which identifies a land use of the subject property as Low Density Residential. Since that time, the Bittersweet corridor has been significantly developed as commercial. The proposed request is consistent with the development that has taken place along the corridor.

2. *Current conditions and the character of current structures and uses in each district* – The proposed sandwich shop is consistent with the commercial development that has occurred along the Bittersweet corridor. Adjacent land uses include single family to the north and west, a financial institution to the south, and multi-family to the east.

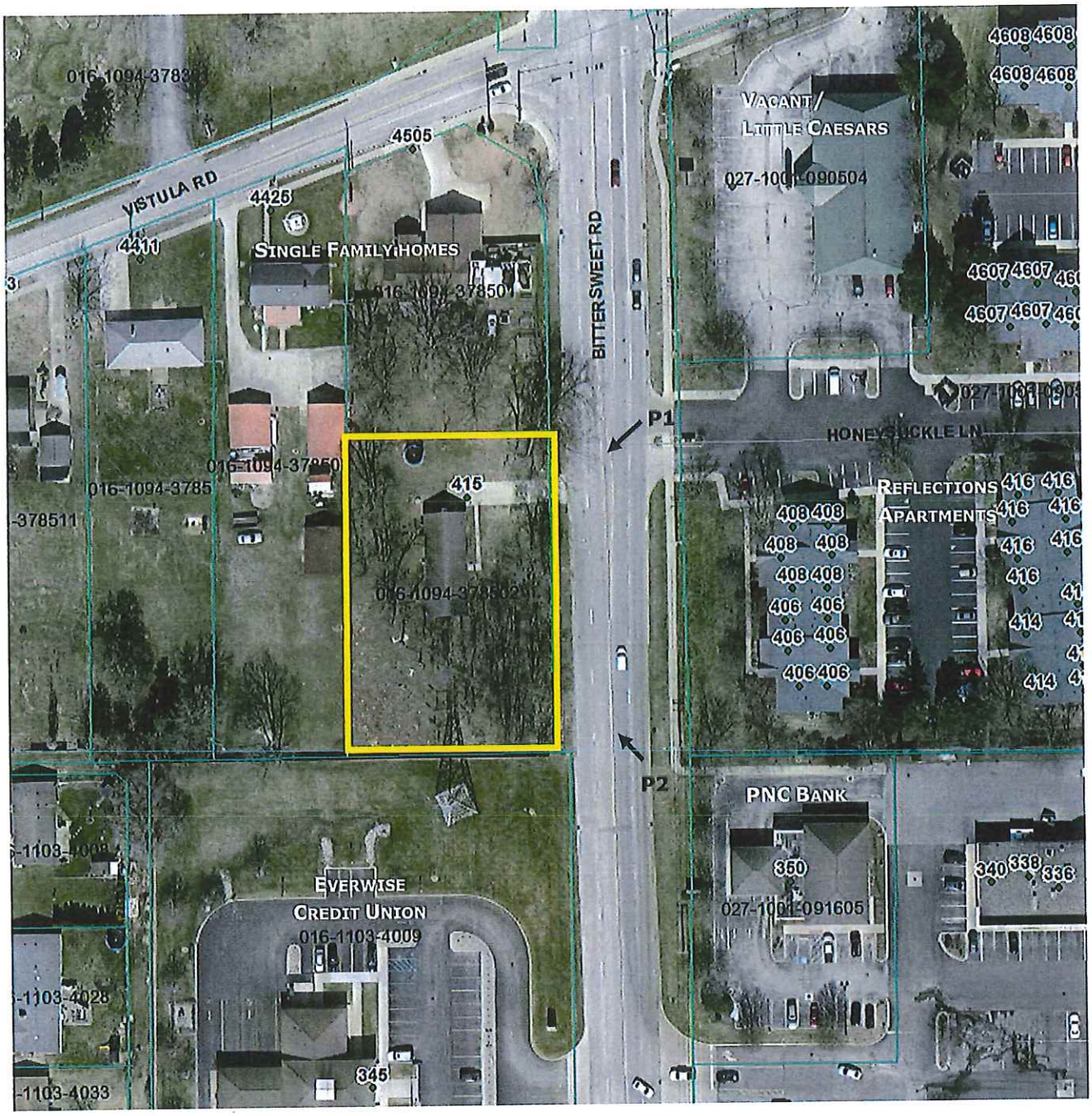
3. *The most desirable use for which the land in each district is adopted* – The most desirable use for the property is commercial given that it is located on a heavily travelled roadway with other commercial development. The proposed sandwich shop is consistent with the commercial development that has occurred along the Bittersweet corridor.

4. *The conservation of property values throughout the jurisdiction* – The most impacted properties from the proposed change are the existing single family homes in close proximity to the site. The proposed change is consistent with the continued change to commercial rather than residential uses in the area. Provided the proposed development includes landscaping and buffering consistent with the City's development standards while still allowing for access easements connecting to adjacent properties, the existing residential value should be reasonably conserved while still potentially allowing for the future conversion/higher value of commercial development in the future.

5. *Responsible development and growth* - The proposed change to General Commercial is desirable given the existing development on Bittersweet Road. The size of this lot allows for the construction of the proposed Jimmy John's sandwich shop while providing adequate stacking in the proposed drive thru and meeting all other applicable or requested development standards. Landscaping and fencing will be provided to buffer adjacent residential uses.

ATTACHMENTS

AERIAL, PHOTOGRAPHS, PETITION, SUPPORTING DOCUMENTATION, LOCATION MAP



P1. A view of the existing house from the entrance of the apartment complex.

P2. A view of the existing house looking north across Bittersweet Rd.

Received
FEB 26 2024
Planning and Community Development

KRIEG DEVAULT®

WWW.KRIEGDEVAULT.COM

PFS 24-06

February 26, 2024

George C. Lepeniotis
Direct Dial: (574) 485-2008
E-mail: glepeniotis@kdlegal.com

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

Re: Rezoning and Use Variance Petition for the Real Property Located at 415 Bittersweet Road, Mishawaka, IN

Dear Hon. Members of the Plan Commission and City Council:

I represent Group 120, Inc. + 120 BS, LLC (d/b/a Jimmy John's), the new owner ("Petitioner") of real property located within the City of Mishawaka, County of St. Joseph, State of Indiana (the "City"), located at the address above and more particularly described on Exhibit A, attached hereto and made a part hereof (the "Real Property").

The Real Property presently has a zoning classification of R-1 under the Zoning Ordinance of the City of Mishawaka, and Petitioner respectfully requests the City rezone the Real Property to C-1 for the intended purpose of a future 1,212 square foot stand-alone Jimmy John's restaurant. Petitioner also seeks a use variance to allow for a proposed Drive-Thru. Please consider the following request for rezoning.

Comprehensive Plan:

This rezoning request fits well within the City's Comprehensive Plan for the area. The Real Property is bordered by additional R-1 sites to the north and west, an Everwise Credit Union to the south (along with significant other commercial developments), and the Reflections Apartment complex to the east, across Bittersweet. There is additional commercial development north and south on Bittersweet, including the large "Martin's" PUD. This development would further the commercial corridor on Bittersweet in a fairly low-impact and thoughtful manner.

Current conditions and the character of current structures and uses in each district:

The Real Property is currently zoned R-1 Residential and occupied by a dated manufactured home.

The most desirable use for which the land in each district is adapted:

The current manufactured home is dated. It is highly unlikely that the parcel would be desirable for any new or updated residential structures or developments due to the high traffic and noise generated from Bittersweet. Petitioner currently owns and operates fifteen other Jimmy John's restaurants, including the other two locations in Mishawaka (N. Main and McKinley), as well as all five locations in South Bend, one location in Granger, two locations in Warsaw, one location in Plymouth and three locations in Elkhart, plus one location being built in Sturgis, Michigan. A stand-alone Jimmy John's restaurant with Drive-Thru on the Real Property would be convenient and desirable for the community. The nearest Jimmy John's location from the Bittersweet area is fifteen minutes away. The area is developing a number of commercial services and restaurants but not overtly so such as Grape Road or Main Street.

The conservation of property values throughout the jurisdiction:

The proposed development is designed to integrate seamlessly with the other commercial developments along both the east and west sides of Bittersweet to the north and south. The design will further increase the commercial corridor which will lead to an increase of property values for the neighboring properties.

Use Variance:

Due to the size of the parcel, Petitioner, at the request of City staff, has agreed to petition for a C-1 Commercial designation with an additional variance request for a drive-thru as opposed to requesting a change to the C-7 Commercial Drive-Thru Restaurant district. Staff believe this will allow the City to maintain some control over any potential future redevelopment of the parcel to drive-thru restaurants that see higher queuing requirements such as a coffee shop or larger fast-food restaurant. Accordingly, the Petitioner also requests the approval of a use variance to permit the installation of a Drive-Thru on the Real Property. For the reasons described in this Petition, the request for a use variance in order to allow a Drive Thru on the Real Property would not be injurious to the public health, safety, morals, or general welfare of the community, and the use and value of the area adjacent to the Real Property would not be affected in a substantially adverse manner. Jimmy Johns is known for its quick service and short wait times. It is also known for its delivery. Thus the drive-thru queuing requirements are not as substantial as others and the size of the parcel is not a detriment to this development.

The need for the use variance arises from conditions peculiar to the Real Property, and the strict application of the terms of the zoning regulations would constitute an unnecessary hardship if applied to the Real Property. Staff has indicated they have concerns over the limited size of the parcel and the presence of power lines and utility easements, which limit broader drive-thru uses,

such that a C-7 designation may not be appropriate. Accordingly, these peculiar conditions of the Real Property make a C-1 classification with a special use variance more appropriate to this particular parcel and specific use. This will allow the city the ability to better control future redevelopment.

The approval of the use variance fits well within the City's Comprehensive Plan for the area, as detailed above.

Responsible growth and development:

The proposed development is compatible with the surrounding zoning classifications and uses and is a responsible expansion of the commercial corridor without impacting the residential structures to the north and to the west, especially once proper screening and fencing is installed.

Petitioner respectfully requests a hearing on its request requests 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.

Thank you for your careful consideration of this request.

Sincerely,

George C. Lepeniotis
Attorney for Petitioner

Enc.

cc: Nick Venzon, Group 120, Inc. (with enclosures)

EXHIBIT "A"

Description of the Real Property

That part of the Southeast Quarter of the Southwest Quarter of Section 17, Township 37 North, Range 4 East, Penn Township, City of Mishawaka, St. Joseph County, Indiana which is described as: Lots # 2 of the Plat of "Clark's Vistula Road Minor Subdivision" as recorded in the records of the St. Joseph County, Indiana Recorders Office.

Tax Identification Number: 0161094-378502

Commonly known as: 415 Bittersweet Road, Mishawaka, Indiana 46544

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

Re: Rezoning and Use Variance Petition for the Real Property Located at 415 Bittersweet Road, Mishawaka, IN

Dear Hon. Members of the Plan Commission and City Council:

This letter is to inform the Plan Commission and City Council Members that we have granted authority to Krieg Devault, LLP to represent us at the Mishawaka Plan Commission and Mishawaka Common Council meetings at which our Rezoning and Use Variance Petition will be heard.

Sincerely,

Group 120 Inc., DBA Jimmy John's

Nick Venzon

PRELIMINARY SITE PLAN

PART OF THE SOUTHEAST QUARTER OF OF THE SOUTHWEST QUARTER OF SECTION 7, TOWNSHIP 37 NORTH
RANGE 4 EAST PENN TOWNSHIP, CITY OF MISHAWAKA ST. ST. JOSEPH COUTNTY, INDIANA

LEGAL DESCRIPTION:

THAT PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 37 NORTH, RANGE 4 EAST, PENN TOWNSHIP, CITY OF MISHAWAKA, ST. JOSEPH COUNTY, INDIANA WHICH IS DESCRIBED AS: LOTS # 2 OF THE PLAT OF "CLARK'S VISTULA ROAD MINOR SUBDIVISION" AS RECORDED IN THE RECORDS OF THE ST. JOSEPH COUNTY, INDIANA RECORDERS OFFICE.
CONTAINING 0.69 ACRES MORE OR LESS.
SUBJECT TO ALL LEGAL HIGHWAYS, EASEMENTS AND RESTRICTIONS OF RECORD.

ALSO, COMMONLY KNOWN AS 415 BITTERSWEET ROAD, MISHAWAKA, INDIANA 46544.

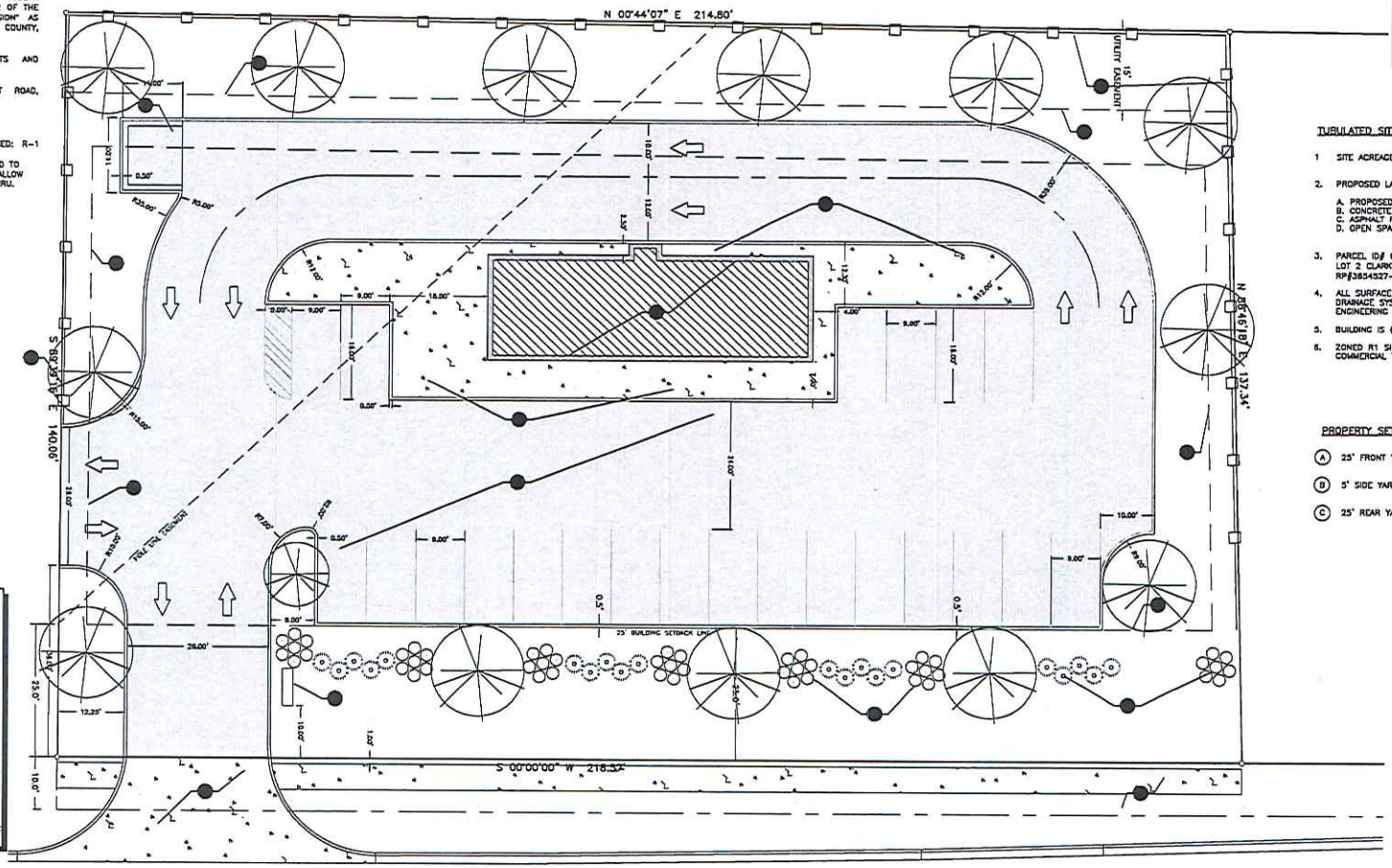
REZONING REQUEST:

THE ABOVE-DESCRIBED PARCEL IS PRESENTLY ZONED: R-1 RESIDENTIAL DISTRICT.
PETITIONERS DESIRE SAID REAL ESTATE TO BE REZONED TO C-1 COMMERCIAL DISTRICT WITH A USE VARIANCE TO ALLOW FOR THE OPERATION OF RESTAURANT WITH A DRIVE-THRU.

KEY NOTES/LEGEND:

1. PROPOSED BUILDING/CANOPY
2. PROPOSED CONCRETE PAVEMENT
3. PROPOSED ASPHALT PARKING LOT
4. SIGNS PER CITY MISHAWAKA ZONING (CH 157 MUNICIPAL CODE).
5. DUMPSTER WITH 6' FENCE.
6. LANDSCAPE PER CITY OF MISHAWAKA STANDARDS.
7. 7' HT PRIVACY FENCE

EXISTING LEGEND



SITE LOCATION MAP

TABULATED SITE DATA

1	SITE ACREAGE	0.69 +/- ACRES 29,978.21 SF	
2.	PROPOSED LAND COVERAGE	SQ. FT.	% OF SITE
	A. PROPOSED BUILDING	1,214	4.05%
	B. CONCRETE PAVEMENT	2,788	9.29%
	C. ASPHALT PAVEMENT	14,905	49.72%
	D. OPEN SPACE	11,071	36.93%
	TOTAL	29,978	100%

3. PARCEL ID# 0161094-378502
LOT 2 CLARK'S SVISTULA RD. MINOR SUB
RP#3834327-03.
4. ALL SURFACE DRAINAGE TO BE HANDLED BY ON-SITE DRAINAGE SYSTEM, SIZED PER CITY OF MISHAWAKA ENGINEERING STANDARDS.
5. BUILDING IS (1-STORY).
6. ZONED R1 SINGLE FAMILY RESIDENTIAL, C1 GENERAL COMMERCIAL TO THE SOUTH.

PROPERTY SETBACKS:

(A) 25' FRONT YARD SETBACK (MISHAWAKA)
(B) 5' SIDE YARD SETBACK (MISHAWAKA)
(C) 25' REAR YARD SETBACK (MISHAWAKA)

GENERAL SURVEY DISCLAIMER NOTES:

THE INFORMATION SHOWN ON THIS DRAWING IS INTENDED FOR THE CLIENT ONLY. ANY REUSE WITHOUT WRITTEN VERIFICATION AND ADAPTATION BY THE LAND SURVEYOR FOR THE SPECIFIC PURPOSE INTENDED WILL BE AT THE USERS SOLE RISK AND WITHOUT LIABILITY OR LEGAL EXPOSURE TO THE LAND SURVEYOR.

ANY UTILITY OR EASEMENT LOCATIONS, IF SHOWN, ARE APPROXIMATE. THE CLIENT MUST FIELD VERIFY UTILITY LOCATIONS WITH THE RESPECTIVE UTILITY COMPANY. THIS LAND SURVEYOR ASSUMES NO LIABILITY FOR THE ACCURACY OF THE LOCATION OR SIZE OF EXISTING UTILITIES OR THE EXISTENCE OR NONEXISTENCE OF ADDITIONAL UNDERGROUND UTILITIES OR STRUCTURES.

NO IMPROVEMENTS SHOULD BE MADE ON THE BASIS OF THIS PLAT ALONE. FIELD MONUMENTATION OF CRITICAL POINTS SHOULD BE ESTABLISHED PRIOR TO COMMENCEMENT OF ANY AND ALL CONSTRUCTION. FOR BUILDING LINES, EASEMENTS AND OTHER RESTRICTIONS NOT SHOWN HEREON REFER TO YOUR DEED, ABSTRACT, TITLE POLICY, CONTRACTS AND LOCAL BUILDING, ZONING AND SUBDIVISION ORDINANCES.

UNLESS SPECIFICALLY SHOWN HEREON, THIS SURVEY DOES NOT PURPORT TO INDICATE THE PRESENCE OR ABSENCE OF WETLANDS AND HAZARDOUS OR ENVIRONMENTALLY INJURIOUS MATERIALS. THE SURVEYOR EXPRESSLY DISCLAIMS ANY RESPONSIBILITY OR LIABILITY FOR THE SAME.

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ALL UNDERGROUND UTILITIES MUST BE FIELD VERIFIED BY THE CONTRACTOR BEFORE ANY CONSTRUCTION MAY BEGIN

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SURVEYOR & ENGINEER:
DANCH, HARNER & ASSOCIATES, INC.
1943 COMMERCE DRIVE
SOUTH BEND, IN. 46628
(574) 234-4083
ATTN: MICHAEL DANCH

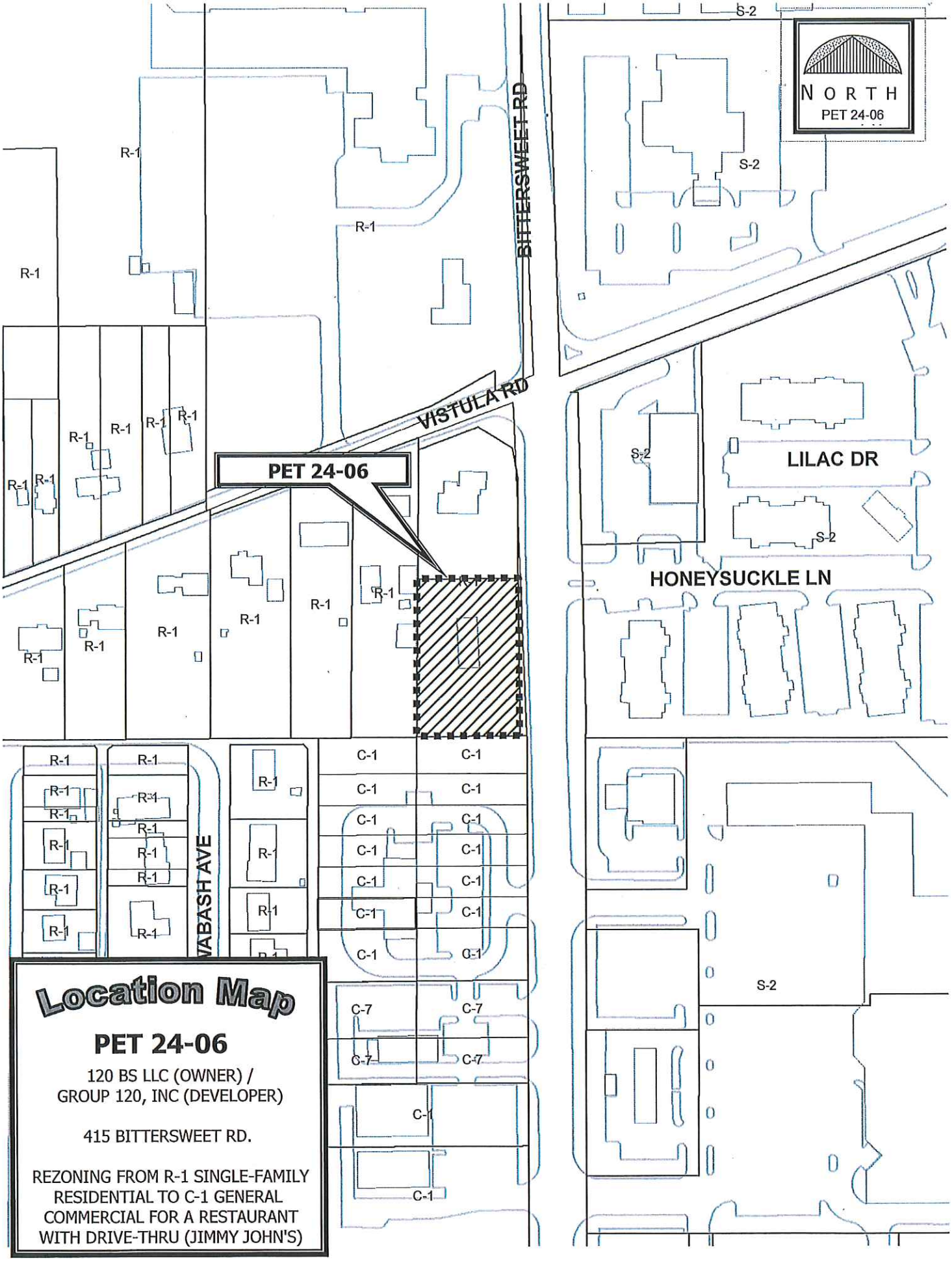
DATE 2/9/24	DRAWN BY: JMS	REVISIONS
SCALE 1" = 10'	CHECKED BY: MJD	DATE / BY
FILE # 230274	PROJ. MANGR: MJD	

SCALE 1" = 10'

PRELIMINARY SITE PLAN

SHEET 1 OF 1

Danch, Harner & Associates, Inc.
Land Surveyors • Professional Engineers
Landscape Architects • Land Planners
DHA
DP# 0512121-001 / 0512121-002 • Fax 0512121-1111
1943 Commerce Drive • South Bend, IN 46628



Location Map

PET 24-06

120 BS LLC (OWNER) /
GROUP 120, INC (DEVELOPER)

415 BITTERSWEET RD.

REZONING FROM R-1 SINGLE-FAMILY RESIDENTIAL TO C-1 GENERAL COMMERCIAL FOR A RESTAURANT WITH DRIVE-THRU (JIMMY JOHN'S)

1st Reading
2nd Reading
Passed
Failed
Continued To

Deborah S. Block, MMC, MMC
APR 18 2024
City Clerk
Mishawaka, IN

Proposed Ordinance No. __2024-10__

Ordinance No. _____

AN ORDINANCE AMENDING TITLE VIII, CHAPTER 58, OF THE MUNICIPAL CODE OF THE CITY OF MISHAWAKA, INDIANA, COMMONLY REFERRED TO AS THE TRAFFIC CODE

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

Section 1. Section 58-554 of the Municipal Code of the City of Mishawaka, Indiana, is hereby amended in order to add certain intersections to Schedule III, All Way Stop Intersections, as indicated below:

- Cleveland Street and Sixth Street
- Prospect Drive and North Mason Street
- Third Street and South Victoria Street
- Carter Court and East Edgar Avenue

Section 2. This ordinance shall be in full force and effect from and after its passage, attestation, and legal publication.

Passed by the Common Council of the City of Mishawaka, Indiana, this _____ day of _____, 2014, at _____o'clock ____.m.

_____
Gregg A. Hixenbaugh
Presiding Officer

Attest:

_____
Deborah S. Block, MMC
City Clerk

PRESENTED by me to the Mayor this _____ day of _____, 2024, at _____ o'clock ___.m.

_____
Deborah S. Block, MMC
City Clerk

APPROVED by me this _____ day of _____, 2024, at _____ o'clock ____.m.

_____
David A. Wood
Mayor

RESOLUTION NO. 2024-04

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, INTRODUCING AN ORDINANCE FOR ANNEXATION, ADOPTING A WRITTEN FISCAL PLAN, AND A DEFINITE POLICY FOR ANNEXATION FOR THE PROPERTY LOCATED AT:

58650 Bremen Highway, 15900 & 15901 Princess Drive, and 15676 Dragoon Trail Mishawaka, IN 46544 – East side of Bremen Highway approximately 480' south of Dragoon Trail.

WHEREAS, the Common Council of the City of Mishawaka desires to consider the annexation of territory adjacent to the City in accordance with a definite policy and all applicable laws and restrictions.

WHEREAS, the entire area proposed for annexation has either petitioned for annexation or signed a consent regarding annexation.

WHEREAS, Indiana Code Section 36-4-3-3.1 requires a municipality to develop and adopt a written fiscal plan and establish a definite policy by resolution.

WHEREAS, the said fiscal plan has been reviewed and is otherwise consistent with the requirements of Indiana Code 36-4-3-13.

WHEREAS, the Department of Planning and Community Development has prepared said fiscal plan with the input of each applicable City department. Furthermore, based on the review of each City department, a comparable level of City services can be provided to the proposed annexation area when compared to similar geographic areas of the City.

WHEREAS, the Department of Planning and Community Development has prepared a written policy on annexation that has been incorporated within the fiscal plan.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, as follows:

Section I. The Common Council has provided notice of this resolution as required by law, and is initiating an ordinance to annex the following property, legally described as:

A PART OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 37 NORTH, RANGE 3 EAST, PENN TOWNSHIP, ST. JOSEPH COUNTY, INDIANA, AND BEING MORE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

(BEARINGS IN THIS DESCRIPTION ARE BASED ON INDIANA STATE PLANE COORDINATES-EAST ZONE, GPS DERIVED)

COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE SOUTH 00° 15' 31" WEST, ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 500.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89° 22' 58" EAST, A DISTANCE OF 686.48; THENCE NORTH 16° 37' 24" EAST, A DISTANCE OF 302.89 TO THE NORTHERLY RIGHT OF WAY LINE OF DRAGOON TRAIL; THENCE SOUTHEASTERLY, ALONG SAID NORTHERLY LINE, A DISTANCE OF 474 FEET, MORE OR LESS, TO A POINT LYING 185.25 FEET WEST OF THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SOUTHWEST QUARTER; THENCE SOUTH 00° 15' 31 WEST, PARALLEL WITH THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SOUTHWEST QUARTER, A DISTANCE OF 599.09 FEET; THENCE SOUTH 89° 42' 36" WEST, A DISTANCE OF 1173.62 FEET TO THE WEST RIGHT OF WAY LINE OF BREMEN HIGHWAY; THENCE THE FOLLOWING THREE COURSES ALONG SAID WEST RIGHT OF WAY LINE: 1) NORTH 00° 15' 31" EAST, A DISTANCE OF 394.63 FEET; 2)

THENCE NORTH 26° 27' 03" WEST, A DISTANCE OF 80.43 FEET; 3) THENCE NORTH 08° 44' 22" WEST, A DISTANCE OF 164.39 FEET; THENCE SOUTH 89° 22' 58" EAST, A DISTANCE OF 101.85 FEET TO THE POINT OF BEGINNING.

CONTAINING 18.44 ACRES, MORE OR LESS, AND SUBJECT TO ALL COVENANTS, RIGHTS OF WAY, AND EASEMENTS OF RECORD.

COMMON ADDRESS: 58650 BREMEN HIGHWAY, 15900 & 15901 PRINCESS DRIVE, AND 15676 DRAGOON TRAIL, MISHAWAKA, IN 46544

Section II. Following the review of documents prepared by the Department of Planning and Community Development and presentation, the Common Council hereby adopts the Fiscal Plan and Annexation Policy as it relates to the aforementioned properties.

Section III. This Resolution shall be in full force and effect after its adoption by the Common Council and approval by the Mayor, as required by law.

PASSED by the Common Council of the City of Mishawaka, Indiana, this _____ day

of _____, 2024, at _____ o'clock ___.M.

_____
Presiding Officer

ATTEST:

_____
Deborah S. Block, IAMC, MMC, City Clerk

PRESENTED by me to the Mayor this _____ day of _____,

_____

2024, at _____o'clock ___.M.

_____
Deborah S. Block, IAMC, MMC, City Clerk

APPROVED by me this _____ day of _____ 2024, at

_____ o'clock ____.M.

_____
David A. Wood, Mayor

CITY OF MISHAWAKA

DAVID A. WOOD, MAYOR

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
Kenneth B. Prince, ASLA, AICP, Executive Director

April 15, 2024

Deborah S. Block, IAAC, MMC
APR 15 2024
City Clerk
Mishawaka, IN

Dale Emmons, 1st District City Council
Matt Carroll, 2nd District City Council
Lou Ann Hazen, 3rd District City Council
Kate Voelker, 4th District City Council
Anthony Violi, 5th District City Council
Ron Banicki, 6th District City Council
Gregg Hixenbaugh, At Large City Council
Matt Mammolenti, At Large City Council
Lacy Hahn, At Large City Council
Deborah S. Block, City Clerk

Re: Fiscal Plan and Approving Resolution for proposed Ordinance to Annex and Zone property into the City of Mishawaka: 58650 Bremen Hwy., 15900 & 15901 Princess Dr., & 15676 Dragoon Trl. – East side of Bremen Highway approximately 480' South of Dragoon Trail

Dear Council Members and Clerk:

Attached herewith for your review is a copy of the Fiscal Plan and approving resolution prepared by the Department of Planning and Community Development in accordance with the requirements of the State of Indiana Code Section 36-4-3-3.1. This document provides basic information about the area to be annexed, and describes how the City of Mishawaka will provide services to the area to be annexed.

Prior to preparing a fiscal plan, copies of the proposed request are forwarded to all applicable City Departments. The Departments are then asked what expenditures/costs will be required to service the area and if the request can be accommodated with the funds currently approved within the City Budget. In this case, given that the property is in a pocket of unincorporated area immediately adjacent to existing City limits, and that the developer is responsible for installing, and if necessary extending, all utilities to the site and constructing any required improvements within the public right-of-way, no additional expenditures are anticipated at this time.

Staff will present a brief summary of the plan and be prepared to respond to questions at the Common Council meeting on April 22, 2024.

If you have any questions, please feel free to contact our office at your convenience.

Sincerely,

Derek J. Spier, AICP
City Planner

cc: David A. Wood, Mayor

City of Mishawaka

CZG, LLC; CZG II, LLC; and CZG II
(Owner/Contingent Developer)

Property located East of Bremen
Highway Approximately 480'
South of Dragoon Trail

April 2024

Prepared by:
City of Mishawaka
Department of Planning & Community Development
100 Lincolnway West
Mishawaka, IN
46544-2011

Phone: (574) 258-1625
Fax: (574) 968-6999
E-mail: planning@mishawaka.in.gov

CZG, LLC; CZG II, LLC; AND CZG II
EAST OF BREMEN HIGHWAY APPROXIMATELY 480' SOUTH OF DRAGOON TRAIL
ANNEXATION FISCAL PLAN

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A PART OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 37 NORTH, RANGE 3 EAST, PENN TOWNSHIP, ST. JOSEPH COUNTY, INDIANA, AND BEING MORE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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TAB A- CITY OF MISHAWAKA ANNEXATION POLICY

CITY OF MISHAWAKA ANNEXATION POLICY

GENERAL POLICY

The City of Mishawaka recognizes that as the population of St. Joseph County grows and development trends change, there will be a continuous demand for infrastructure and urban services provided by cities such as Mishawaka. Infrastructure includes, but is not limited to, water, sanitary sewer, electric, and transportation. Urban services include, but are not limited to, police, fire, and emergency medical services. With a stable tax rate, low crime rate, outstanding public schools, and strong neighborhoods, the City of Mishawaka is a livable community where families and businesses desire to locate. The expansion of infrastructure and services combined with the desire of families and businesses to locate in Mishawaka has necessitated the City to create a policy on annexation.

It is the policy of the City of Mishawaka to encourage the growth of the City boundary in a compact and contiguous manner concurrently with the extension of infrastructure and services. Although exceptions will be considered for large industrial projects or proposals related to specific economic development efforts, the City recognizes that compact and contiguous growth promotes the cost-effective delivery of services.

The City of Mishawaka continues to promote the logical expansion of infrastructure into the unincorporated areas of the county contiguous to the City on request provided there is availability. The voluntary extension of infrastructure, such as water and sewer, requires the benefactor(s) of that infrastructure to waive or consent to future annexation at the time of connection. The extension of infrastructure does not automatically equate to the immediate annexation of property. To meet the statutory requirements for annexation, both infrastructure and urban services must be provided. As such, many unincorporated areas are currently provided with public rate-supported utilities by the City that will not be suitable for annexation in the foreseeable future. Thus, it is the policy of the City of Mishawaka that the initiation of annexation be undertaken only at a time when the City determines that both infrastructure and urban services can be provided for unincorporated area adjacent to the City. To consider annexation, infrastructure and urban services must be available to the proposed annexation area at a standard that is comparable to similar geographic and use areas that currently exist within the City of Mishawaka.

IMPACT OF ST. JOSEPH COUNTY GROWTH

The City of Mishawaka also recognizes the impact growth and development currently occurring in unincorporated St. Joseph County has on annexation efforts. There has been a trend in St. Joseph County to allow for development on septic and well systems sporadically throughout the county. As is currently the case in St. Joseph County, there are numerous examples of the problems associated with this type of sprawling development. Septic systems based on poor installation or lack of maintenance; contribute to the pollution of both surface and groundwater. Based on groundwater concerns, residents desire to connect to public water systems. Residents are also calling for urban services, rather than the rural services typically provided by county governments. Residential streets need to be plowed, and emergency response times for police, fire and emergency medical services frequently exceed the times typically expected of suburban development.

As the population of these areas increase, the demand/need for infrastructure and increased urban services will grow exponentially. Due to the sprawling nature of this development, the cost for providing infrastructure and urban services to the existing City of Mishawaka standard far exceeds the tax revenue generated by these areas. This point has been addressed within this annexation policy because of the past concerns expressed by some residents/property owners of these areas who have been historically opposed to annexation. These concerns, for the most part, are based in fear and do not reflect the reality of the practical constraints of annexation. For the record, the cost of providing services, based on the sprawled growth and statutory limitations, makes it both undesirable and not readily feasible for the City of Mishawaka to annex large non-contiguous developed areas.

This point has also been included to identify the reciprocal concern of the City relative to the sprawling growth within unincorporated St. Joseph County. Currently, the taxpayers within the City of Mishawaka pay City taxes to sustain infrastructure and a desired level of urban services. Furthermore, the taxpayers of the City of Mishawaka also pay county taxes that are used in part to provide similar services to county residents. Cities are wholly responsible for these services within their respective jurisdictional areas. These services include, but are not limited to, road maintenance, police patrols, and emergency medical services. These are services subsidized by general county tax dollars that the City of Mishawaka contributes to but does not receive the

corresponding reciprocal benefit. The taxpayers of the county do not pay taxes that directly or indirectly support these services within the City. Based on the current division of general county funds, this equates to the City of Mishawaka financially subsidizing the sprawling growth of the county. Accordingly, the City of Mishawaka continues to seek a more equitable distribution of existing general county tax revenues. Furthermore, based on this existing inequity, it is an important objective of the City to work with county officials to ensure that there are not future increases in spending to address the problems associated with sprawling unincorporated development. The City also recognizes the need to develop fair cost-sharing practices to provide for regional services that does not adversely impact the residents of the City, while still providing for the needed/desired services in the unincorporated county.

Although the equitable distribution of tax dollars is an important concern, the City also recognizes that the problems associated with this sprawling unincorporated development also impacts the City of Mishawaka. The City is impacted by the limitations existing development has on future City growth, and the corresponding increased costs of extending infrastructure. As such, the City of Mishawaka will continue to work with the county in a cooperative effort, where possible, to address problems. However, it is only fair that the residents and property owners of a particular problem area caused by sprawling development should be the party wholly responsible for the costs of desired/needed infrastructure or services- not the tax payers of the City of Mishawaka.

STATUTORY LIMITATIONS

The City of Mishawaka also recognizes the burden placed on municipalities within St. Joseph County based on the statutory requirements on Municipal Annexation and Dis-annexation. The controlling legislation on annexation is established by the Indiana Code 36-4-3-series.

The statute also places minimum requirements on municipalities regarding providing services to proposed annexation areas, the timing of implementation, and contiguity requirements. The statute also requires that a fiscal plan be adopted showing how the costs associated with providing services will be paid. An estimated amount of time required for voluntary annexation is three to four months. The increased time required to process an annexation has placed a burden on real estate transactions and development on the fringe of the City. It is not uncommon to have annexation placed as a condition on the sale of property by the buyer. Annexation is typically requested because City services are desired or needed to serve the proposed project. This increased time frame when compared to the traditional rezoning process has the potential for directing appropriate contiguous growth away from the City due to the lack of suitable available property that can be developed in a short period of time.

IMPLEMENTATION OF POLICY

The stringent statutory requirements of annexation have necessitated the creation of a policy of the City of Mishawaka to evaluate the geographic boundary of each proposed voluntary annexation relative to the surrounding unincorporated properties. The purpose of this evaluation is to examine the proposed annexation area to the existing City limits relative to providing a compact and contiguous City boundary.

Annexation law significantly limits the ability of municipalities to annex property without the consent of the majority of property owners. Therefore, the City has deemed it necessary to review adjacent unincorporated properties that have not requested annexation at the time a voluntary annexation is proposed. Although this may ultimately necessitate the annexation of property without the consent of a minority of the adjacent property owners, this policy provides for a means to expand the City boundary in a compact and contiguous manner that would otherwise not be possible based on statutory requirements.

A secondary purpose of this policy is to reduce the number of separate contiguous annexation petitions that are likely to be filed within a short period of time. The potential inclusion of additional property as part a proposed annexation petition will counteract the discouraging development influence of time limitations placed by the Indiana Code.

In the past, voluntary annexations without this policy have created a chaotic City boundary that promotes the inefficient delivery of services for both the City of Mishawaka and St. Joseph County. Chaotic refers only to the physical geographic location of the boundary. Common chaotic configurations include *saw-tooth shapes*, *islands*, and *adjacent pockets*. The attributes of these boundary configurations are described as follows:

A *saw-tooth boundary* refers to shape where contiguous properties located along a single roadway change municipal boundaries multiple times in a relative short distance. This situation creates difficulties in providing for the efficient delivery of services. Specifically, it is more difficult for the postal service, police, fire, and emergency medical providers to determine the physical limits of jurisdictions in the field. Under non-emergency circumstances, this situation is likely to result in inconveniences only. However, in emergency situations, confusion on boundary locations in the field has the potential to delay providing potentially life saving services, or could otherwise promote providing double coverage for the area limiting the ability of one provider to respond to other calls.

An *island* refers to unincorporated areas that are physically surrounded by the incorporated City. This situation provides for the inefficient delivery of services for both the City of Mishawaka and unincorporated St. Joseph County. Services such as trash removal, snow plowing, road maintenance, police, fire, and emergency medical services could all potentially require one service provider to travel through another service provider's jurisdictional area. This inherently inefficient situation potentially increases the costs of providing services for both jurisdictions.

Adjacent pockets refers to unincorporated area that is reasonably adjacent to the City and is currently served at least in part by City infrastructure. When the infrastructure was provided to these areas, these areas were typically located on the fringes of the City where other services were either not available or desired at the time. However, as the demand for growth and development continues, the demand for additional services also grows. Over time, pockets are also typically provided with some peripheral City services without expense. Emergency service providers within the City of Mishawaka and St. Joseph County have consistently worked together to provide reciprocal assistance in responding to calls when the other provider is either occupied or at a considerable distance, provided resources are available. Typically, due to the general location adjacent to the City and the increased ability of the City to provide services, these pocket areas will intermittently receive City emergency services.

Furthermore, pockets become obstacles to the future expansion of infrastructure and services. They are considered obstacles due to the contiguity requirements established by the Indiana Code for annexation. If these pockets are not annexed over time, the City is prevented from expanding. The annexation of these pocket areas not only allows for the continued growth of the City, but also provides for the efficient and equitable delivery of services.

SUMMARY

- It is the policy of the City of Mishawaka to encourage the growth of the City boundary in a compact and contiguous manner concurrently with the extension of infrastructure and services.

- It is the policy of the City of Mishawaka that the annexation be undertaken only at a time when the City determines that both infrastructure and urban services can be provided for unincorporated area adjacent to the City.

- To address existing sprawl and inequitable distribution of general county tax dollars, it is the policy of the City of Mishawaka that the residents and property owners of a particular problem area caused by sprawling development should be the party wholly responsible for the costs of desired/needed infrastructure or services- not the taxpayers of the City of Mishawaka.

- The stringent statutory requirements of annexation have necessitated the creation of a policy of the City of Mishawaka to evaluate the geographic boundary of each proposed voluntary annexation relative to the surrounding unincorporated properties to promote the efficient delivery of services and remove chaotic boundary configurations.

A PART OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 37 NORTH, RANGE 3 EAST, PENN TOWNSHIP, ST. JOSEPH COUNTY, INDIANA, AND BEING MORE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

(BEARINGS IN THIS DESCRIPTION ARE BASED ON INDIANA STATE PLANE COORDINATES-EAST ZONE, GPS DERIVED)

COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE SOUTH 00° 15' 31" WEST, ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 500.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89° 22' 58" EAST, A DISTANCE OF 686.48; THENCE NORTH 16° 37' 24" EAST, A DISTANCE OF 302.89 TO THE NORTHERLY RIGHT OF WAY LINE OF DRAGOON TRAIL; THENCE SOUTHEASTERLY, ALONG SAID NORTHERLY LINE, A DISTANCE OF 474 FEET, MORE OR LESS, TO A POINT LYING 185.25 FEET WEST OF THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SOUTHWEST QUARTER; THENCE SOUTH 00° 15' 31 WEST, PARALLEL WITH THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SOUTHWEST QUARTER, A DISTANCE OF 599.09 FEET; THENCE SOUTH 89° 42' 36" WEST, A DISTANCE OF 1173.62 FEET TO THE WEST RIGHT OF WAY LINE OF BREMEN HIGHWAY; THENCE THE FOLLOWING THREE COURSES ALONG SAID WEST RIGHT OF WAY LINE: 1) NORTH 00° 15' 31" EAST, A DISTANCE OF 394.63 FEET; 2) THENCE NORTH 26° 27' 03" WEST, A DISTANCE OF 80.43 FEET; 3) THENCE NORTH 08° 44' 22" WEST, A DISTANCE OF 164.39 FEET; THENCE SOUTH 89° 22' 58" EAST, A DISTANCE OF 101.85 FEET TO THE POINT OF BEGINNING.

CONTAINING 18.44 ACRES, MORE OR LESS, AND SUBJECT TO ALL COVENANTS, RIGHTS OF WAY, AND EASEMENTS OF RECORD.

COMMON ADDRESS: 58650 BREMEN HIGHWAY, 15900 & 15901 PRINCESS DRIVE, AND 15676 DRAGOON TRAIL, MISHAWAKA, IN 46544

TAB B- BASIC DATA & FISCAL ANALYSIS

BASIC DATA & FISCAL ANALYSIS

A. LOCATION AND SIZE

The area proposed for annexation is illustrated on the following maps and shown on the accompanying aerials. This area is legally described as follows:

A PART OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 37 NORTH, RANGE 3 EAST, PENN TOWNSHIP, ST. JOSEPH COUNTY, INDIANA, AND BEING MORE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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Annexation Area

The annexation area includes four parcels of property (Tax Parcels #014-1027-0458, -0458.01, -0458.18, and -0458.19) located on the east side of Bremen Highway approximately 480' south of Dragoon Trail. The property is heavily wooded with approximately 620' of frontage on Bremen Highway and 480' of frontage on Dragoon Trail. The property is bound to the north with approximately 1,463' being incorporated into the City, while the adjacent properties to the west, south, and east are in unincorporated St. Joseph County. The property is currently zoned "R" Single Family District within unincorporated St. Joseph County. If annexed, the property will be zoned S-2 Planned Unit Development for a proposed 51-75 unit residential subdivision served with public roads, sanitary sewer, and water.

Contiguity with the Existing City Limits

The property to be annexed into the City totals 18.44 acres including the adjacent Bremen Highway and Dragoon Trail right-of-way. The external boundary of the annexation area measures 3,977 linear feet with 1,463 linear feet being contiguous with the current corporate boundary of the City of Mishawaka. The border of the contiguous area is 36.8% of the total external boundary. This is in excess of the minimum 12.5%, or 1/8, of the boundary that is required to be contiguous based on the determination requirements of the Indiana Code.

B. TOPOGRAPHY AND EXISTING USE/IMPROVEMENTS

The property is very hilly and wooded with steep grade changes across the site. The generalized 2' contours per the City's GIS show approximate elevations ranging from over 840' along the midpoint of the south property line to less than 762' along Dragoon Trail. Three single-family residential houses are within the property of which two are proposed to remain and be incorporated into the residential development. The northernmost dilapidated house was recently razed.

C. LAND USE/CURRENT ZONING

The proposed area to be annexed includes three houses with several accessory structures and is currently zoned R Single Family District within unincorporated St. Joseph County. If the Mishawaka Common Council approves the annexation request, the property will be zoned to the S-2 Planned Unit Development District for a proposed residential development.

D. ASSESSMENT

The territory to be annexed consists of four (4) parcels of property. The Land and Improvement Valuations shown below are based upon current GIS parcel data:

Tax ID Number	Property Owner	Number of Acres*	Land & Imp. Valuation
014-1027-0458	CZG LLC	3.8	$77,100***
014-1027-0458.01	CZG LLC	10.5	$2,200**
014-1027-0458.18	CZG II	1.5	$116,900
014-1027-0458.19	CZG II LLC	1.6	$141,000

**Acreage is per the City of Mishawaka/Michiana Area Council of Governments GIS parcel data excluding the public right-of-way.*
***Only includes land value as there are no taxable structures.*
****Per the Auditor's office tax records, a demolition permit for the existing house was issued in April 2023 which reduced the building assessed valuation from $94,000 to $0.*

E. CURRENT TAX RATE

The City's tax rate 2023 payable 2024 was $2.0047 per $100 of assessed valuation. For property owners in Penn Township, in which this proposed annexation is located, the total taxes will be $3.8675 per $100 of assessed valuation. Property owners in this area currently pay $2.0523 per $100 of assessed valuation. These rates are based on the best information available at the time this plan was prepared. Actual tax rates may vary.

Tax District	**Existing Tax Rate**	**Tax Rate after Annexation**
Penn Township	2.0523	3.8675

The City's tax rate has remained relatively stable over the years:

2023	$2.0047
2022	$1.8575
2021	$2.0002
2020	$1.9952

2019	$2.0226
2018	$2.0701
2017	$2.0516
2016	$1.9977
2015	$1.8750
2014	$2.0062
2013	$1.9086
2012	$1.8186
2011	$1.7362
2010	$1.6741
2009	$1.6557
2008	$1.5283
2007	$1.3326
2006	$1.3899
2005	$1.3382
2004	$1.3313
2003	$1.2476

F. NEW ADDRESSES

If the proposed annexation is approved, the property will be zoned S-2 Planned Unit Development to allow for a proposed residential development. The property shall be developed in accordance with the requirements of the City of Mishawaka Zoning Ordinance. Addresses will be assigned by the City of Mishawaka Engineering Department prior to the construction of each residential unit.

G. DETERMINATION OF SERVICE STANDARDS AND COSTS

Every proposed annexation area to the City of Mishawaka is reviewed by each pertinent City department or agency that would ultimately be required to provide infrastructure and/or urban services to a given area. Departments were asked to evaluate the location, area, and existing conditions of this proposed annexation area relative to providing infrastructure and urban services at a standard that is identical to other areas of the City. In determining required services, departments reviewed the area relative to similar geographic and use areas that currently exist within the City of Mishawaka.

The standards for infrastructure and services provided by the City of Mishawaka, broken down by department, have been included within this document following Tab C. After establishing an understanding of the existing conditions, each department or agency was asked to identify any capital improvements required to serve the proposed annexation area to meet existing city standards. It will be the responsibility of any future property owner/ developer to bear any expense required to extend, when applicable, and connect to existing City services. Given the location of the proposed annexation area adjacent to the existing city limits, each department identified that non-infrastructure-related services could be provided to the proposed annexation area with no additional expenditures. Increased maintenance costs for non-rate supported services, were identified as minimal and well within the approved budgets for each department.

Given that no consequential additional expenditures are anticipated, the itemization of costs associated with providing each service is not possible relative to the annexation area. However, to document that funds have been approved and are available for the services identified, a copy of the approved year 2024 City budget has been attached to the Summary of Service Report for each applicable non-rate supported department. These budgets identify the costs for personnel, equipment, repairs, and other expenditures anticipated for the budget year. Budgets for any department are available for the review of the public upon request at City Hall.

H. TERMS AND CONDITIONS

The City of Mishawaka will provide a level of basic services, including infrastructure and urban services, at a standard that is comparable to similar geographic and use areas that currently exist within the City of Mishawaka. The specific date of implementation of services has been identified within the description of specific services where applicable. Given the location of the proposed annexation area and requirement that all utilities will be extended to the property at the property owner's expense, no capital expenditures are required to serve the proposed annexation area. Basic services, not otherwise specified, will be provided to the annexation area within one year of the effective date of the annexation as required by law. However, it is anticipated that the majority of basic services will be available immediately or at least in a timely manner.

The effective date of annexation, if approved, will be thirty days from the date of approval of the annexation ordinance as required by law.

I. FISCAL IMPACT ON TAXPAYERS, MUNICIPAL FINANCES, AND POLITICAL SUBDIVISIONS

Analysis:

The property proposed to be annexed is hilly and wooded and includes three single-family residential houses and several accessory structures. If the annexation is approved, the contingent developer is proposing to construct a residential development with 51 to 75 residential units including single-family detached homes, single-family attached homes, and 3-4 unit townhouses. Two of the existing homes are proposed to remain and will be incorporated into the residential development. The northernmost dilapidated house was recently razed.

As indicated on the conceptual design, access to the development is proposed solely from Dragoon Trail. Access to Bremen Highway may be permitted and is subject to review and approval by the City Engineer as a part of the subdivision review process. Stormwater detention basins required to provide on-site storage for water runoff are shown along Bremen Highway. It was recommended that trees along the perimeter of the property be maintained, if possible. The subdivision will be platted in one phase with home construction to occur based upon market demand. Street and infrastructure construction is expected to start in fall 2004 or spring 2025 with home construction beginning in 2025.

If home construction occurs at the anticipated rate over the next four years, the annexation is expected to significantly increase the assessed valuations and provide positive impacts to most other taxing units. The developer estimated an average house/residential unit value of $475,000 with 35 of the 75 potential housing units to be constructed within four years. Since home construction will be phased-in based on demand, the below analysis assumes an average of 20 units will be constructed within the timeframe of the below analysis. The development is expected to yield an average assessed valuation of approximately $7.6 million for the building and land valuation. The building and land valuation is based upon 80% of the construction cost.

The current and future political subdivisions and their associated tax rates were determined by the geography of the property and the attached "Tax Rate Chart for the year 2023 payable 2024". (See Tab "D" / Appendix "C".) This chart is provided by the St. Joseph County Auditor's Office.

Current property assessed valuation:

$337,200

Future anticipated property assessed valuation:

$7,600,000

Current Property Taxes Generated from the Property:

The current property taxes that are being generated from the property were determined utilizing on online estimator available through the Indiana Gateway for Government Units > Taxpayer Portal > Tax Bill Estimator website. The current URL address for this estimator is https://gateway.ifionline.org/CalculatorsDLGF/taxcalculator.aspx.

The website requires you to enter the geographic location of the property by County, Township, and School Corporation. You then enter the type of property, if it is a homestead (owner-occupied residential); residential rental, non-homestead residential, and agricultural; or other. You then input the assessed valuation and it estimates the maximum tax bill as well as the property tax cap credit if applicable.

This calculation has been done with a scenario before annexation for *residential rental*, non-homestead residential, and agricultural property, then following annexation for homestead (owner-occupied residential) identifying the property as now being subject to the City tax rate.

The estimated property tax value for the property is as follows:

Prior to annexation: $6,744

Following annexation: $76,000

Political Subdivisions before Annexation:

Percent of tax rate and corresponding yearly estimated property tax revenue*

- St. Joseph County (30.5%) - $2,056.92
- Penn Township (15.8%) - $1,065.55
- Penn-Harris-Madison School Corporation (45.2%) - $3,048.29
- Mishawaka-Penn-Harris Public Library (6.5%) - $438.36
- Airport Authority (2.0%) - $134.88

* *Estimates may not equal estimated tax value due to rounding.*

The current tax rate of all these entities combined is 2.0523%.

The tax rate will increase to 3.8675% upon annexation to the City, however, the homestead (owner-occupied residential) cap is set at 1%. Even though the cap is set at 1%, the revenue will greatly increase due to the estimated increase in assessed valuation realized from the proposed residential development. Thus, the distribution of property tax revenue is anticipated to increase for all existing tax entities, except for a minor decrease for Penn Township, based on getting a larger percentage of revenue when the City tax rate, and to a very minor extent, the South Bend Transpo rate is added to the overall rate.

Political Subdivisions following Annexation:

Percent of tax rate and corresponding yearly estimated revenue for existing taxing units upon annexation*

- St. Joseph County (16.2%) - $12,312.00 (+$10,255.08 per year)
- Penn Township (0.8%) - $608.00 (-$457.55 per year)
- Penn-Harris-Madison School Corporation (24.0%) -$18,240.00 (+$15,191.71 per year)
- Mishawaka-Penn-Harris Public Library (3.5%) - $2,660.00 (+$2,221.64 per year)
- Airport Authority (1.0%) - $760.00 (+$625.12 per year)
- South Bend Transpo (2.7%) - $2,052.00
- City of Mishawaka (51.8%) - $39,368.00

* *Estimates may not equal estimated tax value due to rounding.*

Four Year Projection of Property Tax Revenue following Annexation & Anticipated Average of 20 Residential Units Constructied Over the Next Four Years (above numbers x4)

Straight line projection assuming existing use remains and the tax rate and assessed valuation remains constant

• St. Joseph County	$49,248.00
• Penn Township	$2,432.00
• Penn-Harris-Madison School Corporation	$72,960.00
• Mishawaka-Penn-Harris Public Library	$10,640.00
• Airport Authority	$3,040.00
• South Bend Transpo	$8,208.00
• City of Mishawaka	$157,472.00

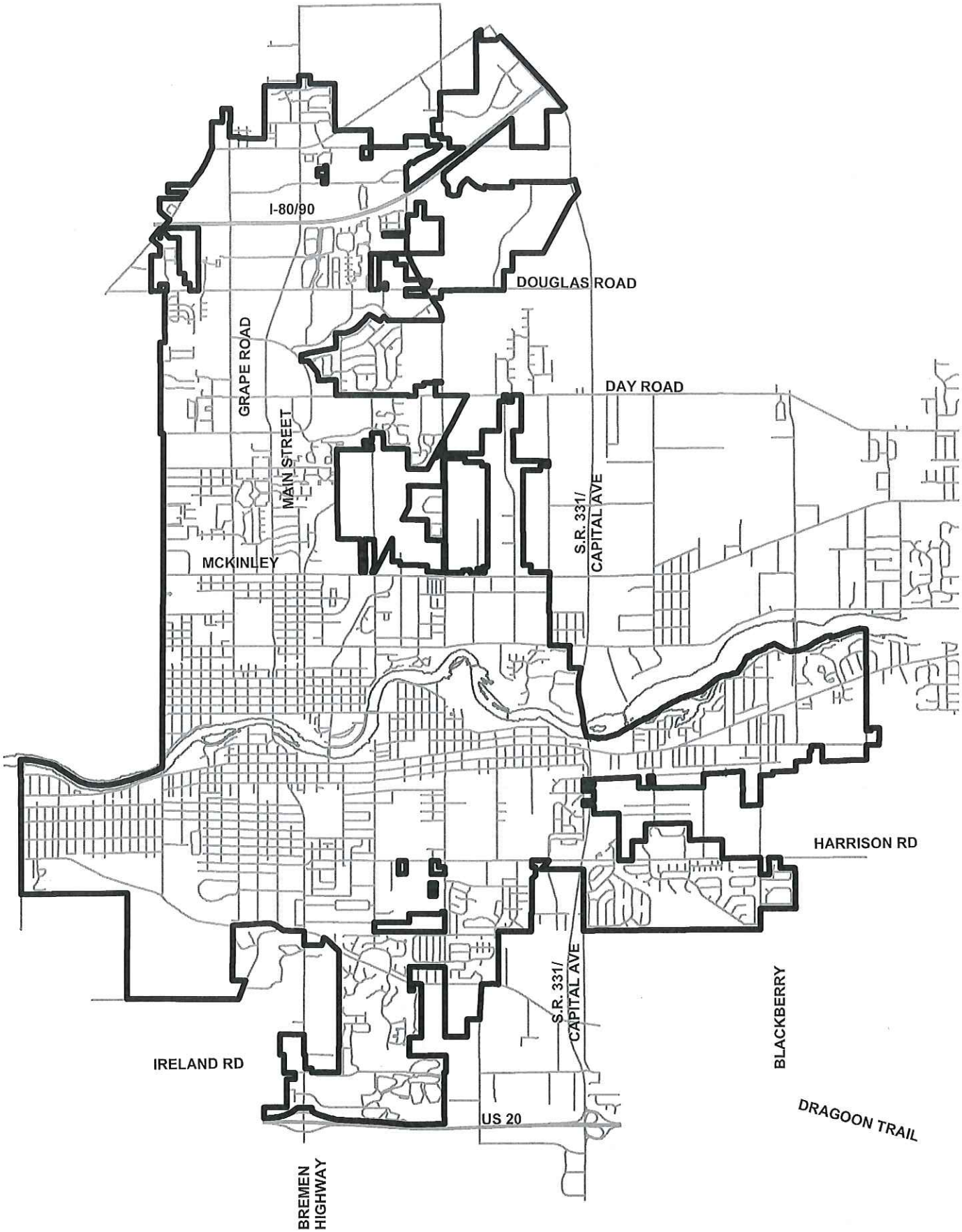
J. ASSUMED INDEBTEDNESS & COUNTY INFRASTRUCTURE REIMBURSEMENT

Pursuant to I.C. 36-4-3-4.2 under certain circumstances the City would be required to assume a portion of indebtedness as it would pertain to the proposed annexation area. Specifically, this would be required if the County had used property tax revenue to repay debt used to build infrastructure within the annexation area, or if income tax was being generated from the property in question that was being used to pay off applicable county wide debt that would now be allocated to the City upon annexation.

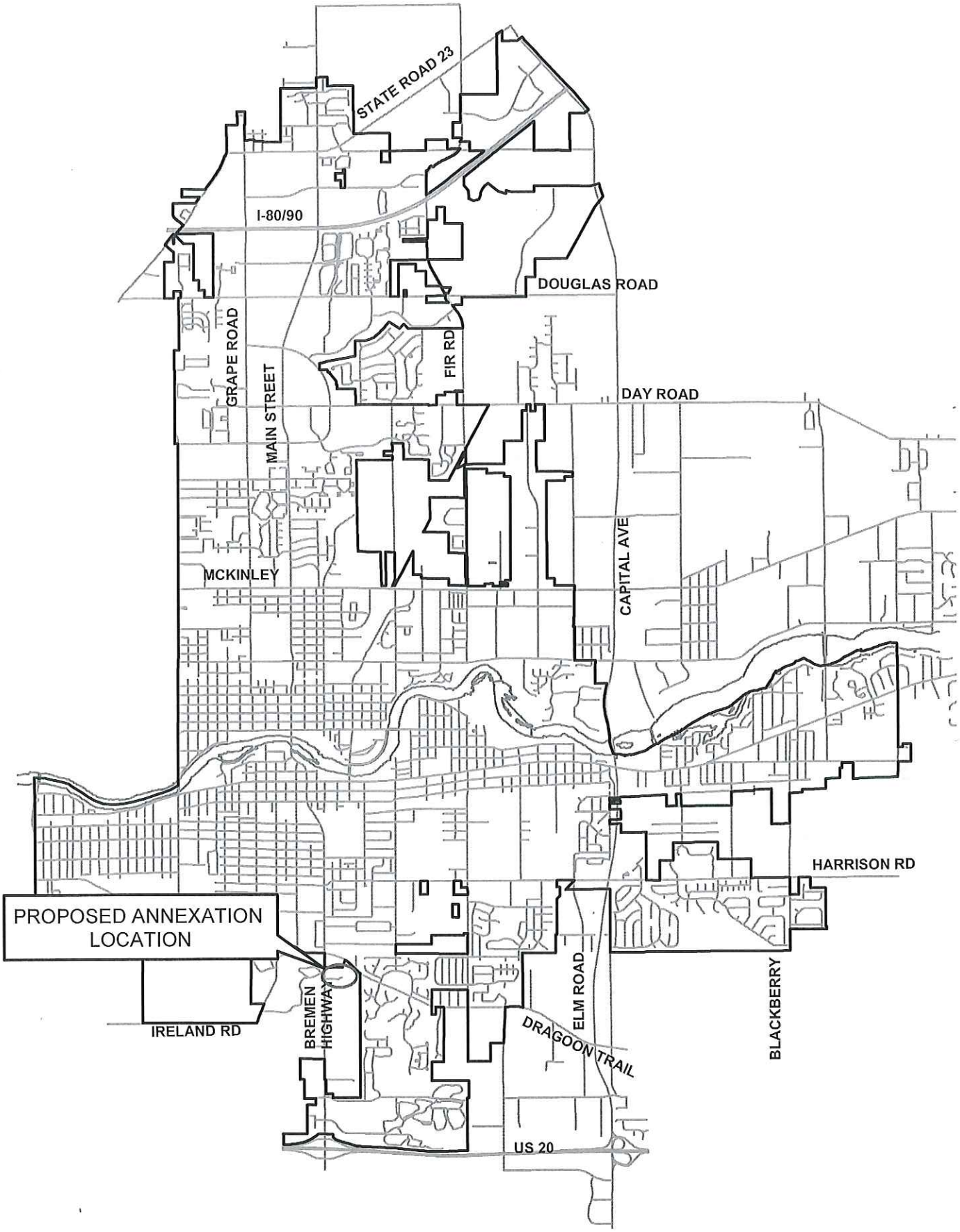
Upon reviewing the site and the information identified in Tab "D" / Appendix "D", there is no County infrastructure debt associated within the proposed annexation, nor is there any outstanding county debt on infrastructure that is payable by a local option income tax.

LOCATION MAP

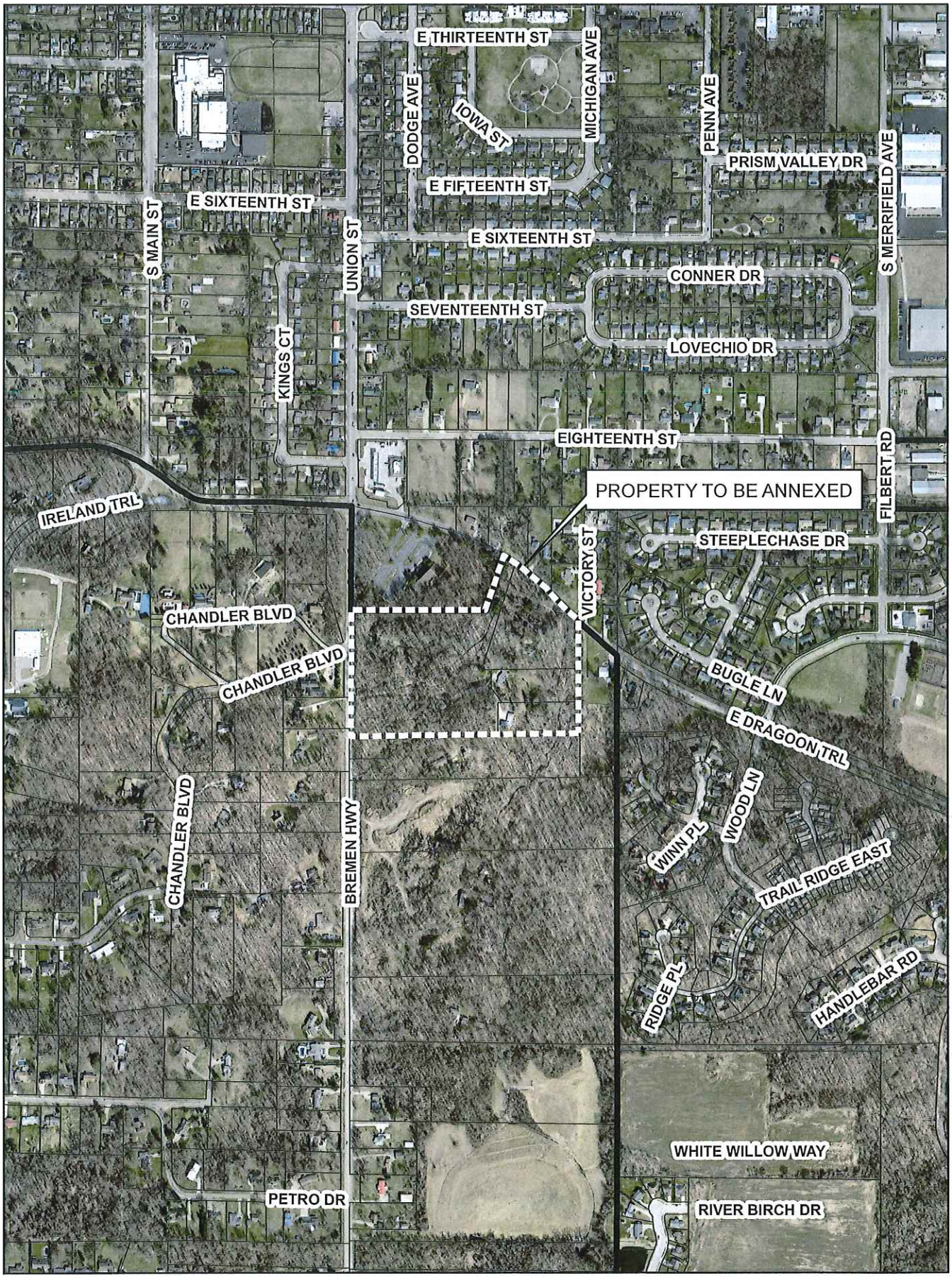
MAP OF EXISTING CITY LIMITS



MAP OF PROPOSED CITY LIMITS



AERIAL PHOTOGRAPHY OF LAND TO BE ANNEXED



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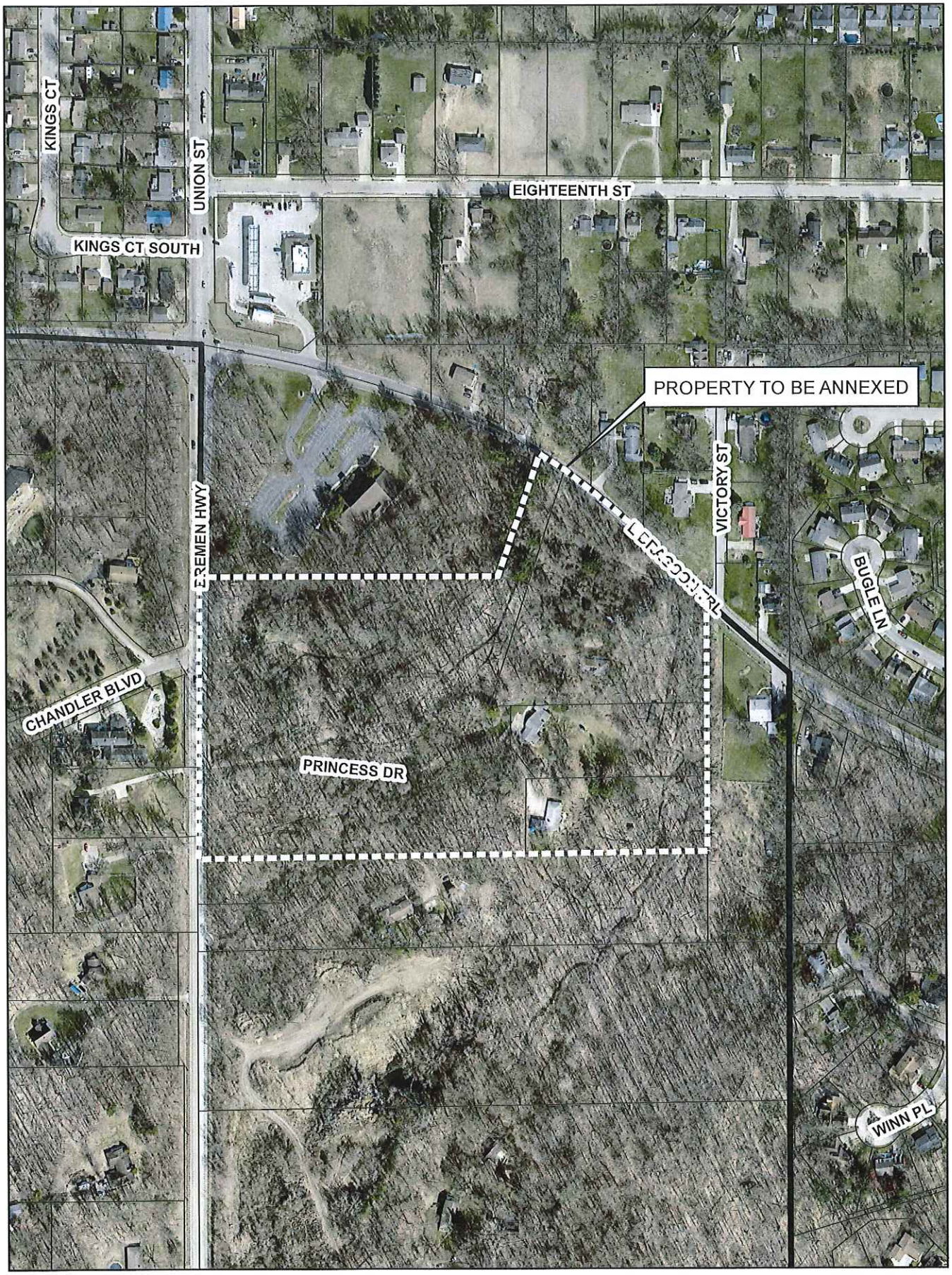

PHOTOGRAPHS OF PROPERTY TO BE ANNEXED

Image capture: Jul 2023 © 2024 Google

Looking north along Bremen Highway from the southwest corner of the annexation area.

Image capture: Jul 2023 © 2024 Google

Looking northeast from Bremen Highway toward Princess Drive (private).

Image capture: Jul 2023 © 2024 Google

Looking south along Bremen Highway from the northwest corner of the annexation area.

Image capture: Jun 2023 © 2024 Google

Looking southeasterly along Dragoon Trail from the northwest corner of the annexation area.

Plat 24-03
Received
FEB 21 2024
Planning and
Community Development

Date: 02/21/24
Honorable Members of the
Common Council
City of Mishawaka, Indiana
and
Mishawaka City Plan Commission
City of Mishawaka, Indiana

RE: Breman Hwy and Dragoon Annexation & PUD standards

The undersigned, William Loudin of CZG, 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:

LEGAL DESCRIPTION:

A PART OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 37 NORTH, RANGE 3 EAST, PENN TOWNSHIP, ST. JOSEPH COUNTY, INDIANA, AND BEING MORE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

(BEARINGS IN THIS DESCRIPTION ARE BASED ON INDIANA STATE PLANE COORDINATES-EAST ZONE, GPS DERIVED)

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CONTAINING 18.44 ACRES, MORE OR LESS, AND SUBJECT TO ALL COVENANTS, RIGHTS OF WAY, AND EASEMENTS OF RECORD.

COMMON ADDRESS: Immediate southeast corner of Breman Highway and Dragoon Trail

Petitioner owns one-hundred percent (100%) of the above described parcels of land which is located in Indiana and that the Petitioners desire the same to be annexed to the City of Mishawaka, Indiana, with an S-2 PUD District. Petitioners further state they intend to utilize said land for Residential Uses.

Accompanying this petition is a drawing, to scale, showing the above-described parcel of real estate showing: existing structures, size of the lots, rights-of-way, storm detentions and access point of the subdivision.

315 W. Jefferson Blvd., South Bend, IN 46601 • 574.232.8700
abonmarche.com

Petitioner plans to construct an approximately 51-lot subdivision with public roads, utilizing public sewer and water utilities and served off Dragoon Trail. The average price of the development per lot, including the home, will be approximately $450,000 – $500,000. This subdivision will primarily be single family development and will have a mix of single family attached and 3-4 unit townhomes.

Petitioner desires said real estate to be amended as follows:

1. **PUD General Standards**
   a) **Residential uses include:**
      I. Single family homes
      II. Attached single family homes
      III. Up to 4 unit attached townhomes
   b) **Single Family Home site standards:**
      a. **The development standards for single family home sites will require: 1) 50' lot width; 2) 6,000 square foot lot size; 3) 35' or 2 ½ stories height limitation; 4) 20' Front Setback; 5) 25' Rear setback; and 6) 5' side setback**
      b. **All other R-1 standards apply from the Mishawaka Zoning Ordinance**
   c) **Single Family Attached and Townhome site standards:**
      a. **The development standards for single family attached and townhome sites will require: 1) 40' minimum lot width; 2) 4,800 square foot lot size; 3) 35' or 2 ½ story height limitation; 4) 20' front setback; 5) 25' rear setback 6) 0' lot line for attached single family homes or townhomes. 5' side yard setback applies when an open side yard is present.**
      b. **All other R-2 standards apply from the Mishawaka Zoning Ordinance**
   d) **Road Right of Way widths planned to be 50' wide with a minimum of 50' road centerline radius.**

Petitioners further show this proposed annexation to be in the best interest of the City of Mishawaka, Indiana, and of the territory sought to be annexed which is urban in character and is an economic and social part of the City of Mishawaka.

WHEREFORE, the petitioner respectfully requests that the Common Council of the City of Mishawaka refer this matter to the Mishawaka City Plan Commission and that after hearing, and appropriate ordinance be enacted amending the PUD of the above-described parcel of land located in the City of Mishawaka

William Loudin
CZG, LLC., CZG II LLC. CZG II

CONTACT PERSON
John Linn
Abonmarche Consultants
315 W. Jefferson Blvd.
South Bend, IN 46601
(574) 232-8700
jlinn@abonmarche.com

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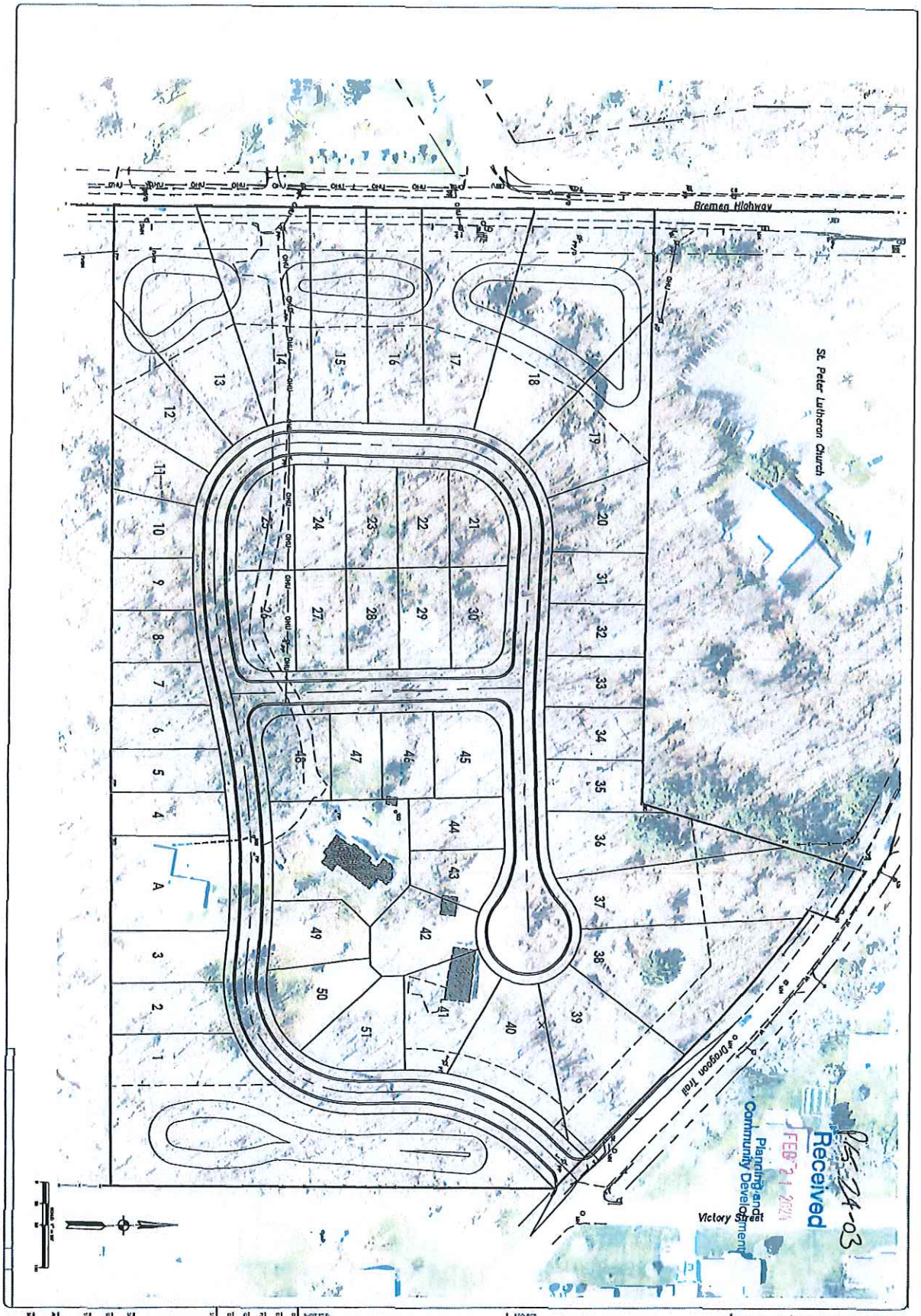

CONCEPTIJAL SITE PLAN

DRAGOON TRAIL AT
BREMEN HIGHWAY
MISHAWAKA, INDIANA

ABONMARCHE

22-0082

1 of 1

A PART OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 37 NORTH, RANGE 3 EAST, PENN TOWNSHIP, ST. JOSEPH COUNTY, INDIANA, AND BEING MORE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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TAB C- SUMMARY OF SERVICES

SUMMARY OF SERVICES

The City of Mishawaka, known as the Princess City, was incorporated in 1833 with only a few hundred residents. Now, with an estimated population of approximately 51,000 present-day Mishawaka is continuing to grow. From the bustling Grape Road corridor to the quiet paths of the Shiojiri Garden at Merrifield Park, the city offers residents a comforting sense of community where people like to live, work and raise families.

The backbone of any city is its services, and no unincorporated area of St. Joseph County can come close to matching the number and quality of services offered in the City of Mishawaka.

Some of the services provided are basic: electric, sewer, and water. Others, such as strong police and fire protection, efficient trash removal and access to parks and libraries, greatly improve the quality of life.

Sewer, water and electric services in the City are not paid by tax dollars; rather, Mishawaka Utilities services are all paid for through the low rates given to property owners.

Instead of dealing with septic systems, property owners can tap into lines provided by Mishawaka Utilities Wastewater Division. The Division has a plant staffed 24 hours a day, and maintenance technicians are available at all times to respond to emergencies. The City's sewer insurance program provides sewer coverage for each single-family residential homeowner on the public sewer system for a small monthly fee, paid with the Mishawaka Utilities bill. With this program, the homeowner is protected from paying the cost of catastrophic sewer repairs outside the home. A $42 million expansion of the wastewater treatment plant was completed in June 2008. From 2013 to 2020, capital improvements to the wastewater system were made including the replacement of four lift stations, three emergency generators, and final clarifier troughs. Additional plant and system improvements with a focus of implementing the Combined Sewer Overflow Long Term Control Plan are planned in the upcoming years.

The City's water rates have traditionally been among the lowest in the state. The Water Division completed a $26 million capital improvement project in 2003. Several improvements to the overall system were made including the addition of a new well field, the replacement of water mains, and the extension of services to some areas that previously did not have water service. In late 2019, a new 2 million gallon reservoir went online with the rehabilitation of the old 3 million gallon tank occurring throughout 2020. The 3 million gallon tank went online in January 2021. Current improvements underway include a new water treatment facility and well field along Veteran's Parkway near Juday Creek and a new 1.5 million gallon elevated tank in the north part of the City. Construction began in 2021 with both projects anticipated to come online is spring 2024. Planned future improvements include the replacement of the storage reservoir at the Virgil Treatment Plant originally constructed in 1923.

Another service provided by Mishawaka Utilities is the distribution of electricity. Although Mishawaka Utilities does not generate or produce power, electricity is purchased at a wholesale rate and is distributed by Mishawaka Utilities. Mishawaka Utilities is not supported by tax dollars, but rather through revenue generated by the sales of electricity to its consumers.

But property owners get more out of being in the City of Mishawaka than just those basic services. Public safety is a priority in the City, with about 50 percent of the budget going toward fire, police and emergency medical services.

Mishawaka has a full-time Fire Department, with four stations. The Department maintains a Class 2 fire rating with the Insurance Services Office (ISO) rating improving from a Class 3 rating in November 2019. The City nearly received a Class 1 rating of which there are only five in the State of Indiana. It is expected that a Class 1 rating will be achieved during the next reevaluation which occurred in February 2024. The results of the reevaluation will be announced by the end of the year. The lower the rating, the lower a resident's homeowner's insurance will be. Additionally, the department's response time is excellent, and fire trucks arrive within six minutes on average to a call.

The Mishawaka Police Department, with approximately 100 officers and employees, responds to critical incidents within three to five minutes. The Department offers many personal services within its Community Relations and Street Crimes Units, and the Riverwalk Beat. These services include attendance at neighborhood watch meetings, administering various programs for school-aged children and senior citizens, and focusing on crime reduction in high crime areas of the city.

The City's EMS Department is a centralized system that responded to approximately 10,400 calls in 2023. The City, with its population of approximately 51,000, responds to about 50% more calls than the County ambulance service does, with its population of over 120,000 residents spread over a much larger area. The business of "saving lives" has a very narrow window of four to six minutes, so the quicker an ambulance can respond, the more likely a life will be saved.

The efficiency of the City's Street Department is unmatched when it comes to snow removal, compared to St. Joseph County. Like other services, the county cannot provide a similar level of service because resources are spread out over a much larger area. In the event of a windstorm that blows trees and limbs into the streets, the City usually can have streets reopened in less than an hour.

Access to leisure activities is readily available in the City of Mishawaka. Residents can use all 28 City parks and the Eberhart-Petro golf course. Park rentals, for events such as weddings and receptions, are also less expensive for residents of the City.

Additionally, residents of the City of Mishawaka have access to all three branches of the Mishawaka-Penn-Harris Public Library. The Main Branch on Church Street in downtown Mishawaka, the Bittersweet Branch on the City's east side, and the Harris Branch on Elm Road in Granger.

Trash pick-up in the City is also inexpensive and efficient, with the monthly fee for single-family trash pickup at $17.61. For senior citizens, the rate is $14.28. The rates include the cost of recycling and yard waste, which is picked up on the same day the trash.

With the exception of the trash removal, library use and Mishawaka Utilities services, the vehicle with which to pay for the rest of the City's services is through city property taxes. And the City of Mishawaka has a long history of having a low, stable tax rate – in fact, the rate has remained relatively stable for the past 15 years.

With its rich history, Mishawaka continues to prepare and grow for the future. New development within the City's Central Business District and the continued development of the city's commercial and industrial sectors guarantee its strength in the future. This growth allows the tax rates to remain low. With the low tax rate and the multitude of services provided, the City of Mishawaka is an excellent place to build homes, start businesses, and raise families.

SANITARY SEWER, TRANSPORTATION, AND DRAINAGE

Existing Sanitary Sewer Infrastructure

The City currently has sanitary sewer available on both Bremen Highway and Dragoon Trail. The sanitary sewer main on Bremen Highway is located on the east side of the right-of-way. The proposed annexation parcel has both 12" and 18" gravity sewer main available for the Bremen Highway frontage as the sewer size transition is at Chandler Boulevard. The sanitary sewer on Dragoon Trail is located in the center of the street and is a 12" gravity main that upsizes to 18" at Bremen Highway intersection. The cost of the sanitary sewer connection and extension to the site shall be the responsibility of the owner/developer. This sanitary sewer extension will discharge into the sanitary sewer system that is publicly maintained and ultimately discharges to the City of Mishawaka's Wastewater Treatment Plant. The City's sanitary sewer system has ample capacity to serve this annexation property for the proposed use.

Existing Road/Transportation Infrastructure

This annexation has frontage along both Bremen Highway and Dragoon Trail, both of which are two-lane streets (one lane in each direction). The City/County are currently collaborating on a planned future expansion of Bremen Highway/Union Street from Ireland Trail to Eighteenth Street. It is proposed to expand Bremen Highway to a five-lane section with two travel lanes in each direction and a shared center left turn lane along with improvements to the traffic signal at Bremen Highway/Union Street and Dragoon Trail and a multi-use pathway on the east side. With the existing traffic volumes and vertical alignment of Bremen Highway, it would be preferred that this development take all access from Dragoon Trail. The approach would be best located in line with Victory Street to provide adequate sight distance and proper lane length for a required deceleration lane. Additional public right-of-way shall be dedicated to accommodate these improvements.

Existing Storm Sewer/Drainage Infrastructure

Regarding any new development or redevelopment within the annexation area, sites are required to retain the stormwater generated by the development on site at the rate of 100-year return storm frequency for a 24-hour duration. A geotechnical investigation shall be conducted to determine the existing soil conditions and seasonal groundwater table, as they may limit the amount of runoff that will infiltrate into the ground. This requirement provides significant protection to both existing and proposed developments regarding the impact of stormwater run-off. Several different engineering methods are considered acceptable by the City of Mishawaka to calculate this requirement. The simplest method of calculation is using the one-line rational equation. However, the Rational Method, Curve Number Method, and TR-55 Method are also acceptable and tend to be more advanced, taking into consideration the percolation rate of soil types and ratios of developed impervious surfaces. The owner/developer is required to bear all costs associated with stormwater management. Since this is a planned residential subdivision, the owner/developer shall petition with the St. Joseph County Drainage Board to be added into the Urban Drain Fund for maintenance of retention areas. All land disturbing activities shall fully comply with the City's Erosion & Sediment Control Ordinance.

Planned Capital Expenditures, Staff and Rates

If annexed, the City Engineering Department, Street Department, and Sewer Department will be responsible for maintenance of public streets, storm sewers, or sanitary sewer systems within dedicated City right-of-way. The City Departments do not require any additional funds other than what is currently allocated within the present City budget. For general information, the repair and maintenance of sanitary sewers is supported by rates paid by its users. Otherwise, as a general percentage of City expenditures, approximately 15 cents of every dollar of the City budget is allocated for street and storm sewer expenditures.

Personal Service Programs

The Engineering Department works closely with the Sewer Department regarding the maintenance of the City sewer system. Construction records are kept for all sanitary and storm sewers and technical/administrative assistance is provided on sewer repairs for the Sewer Lateral Insurance

Program. Specifically, the Sewer Lateral Insurance Program covers each single-family residential home connected to the public sewer system within the City of Mishawaka. For a $2.20 monthly fee, which is included in the Mishawaka Utilities sewer bill, the homeowner is protected from paying catastrophic sanitary sewer repair costs for the portion of sewer lateral between the street right-of-way and outside of foundation wall of the home. Currently, this annexation area proposes an R-1 Single Family Residential, therefore each home will be eligible for this program after acceptance.

CITY OF MISHAWAKA
2024 BUDGET

ENGINEERING DEPARTMENT
1101-13

1 PERSONAL SERVICES			
Salaries and Wages			biweekly
411-01	Director of Engineering	90,277.00	3,472.18
411-02	Assistant Director	74,944.00	2,882.43
	Project Manager	72,639.00	2,793.78
	Traffic Manager	61,938.00	2,382.23
	Project Coordinator	46,158.00	1,775.30
	Office Manager	40,778.00	1,568.36
	City GIS Coordinator	61,938.00	2,382.23
	Utility salary ordinance displays utility portion of salaries		448,672.00
Other Personal Services			
411-63	Longevity	11,850.00	
411-65	PE Certification	10,000.00	192.31
			470,522.00
2 SUPPLIES			
Office Supplies			
421-90	General Supplies	8,000.00	
			8,000.00
3 OTHER SERVICES AND CHARGES			
Professional Services			
431-06	Consulting	5,000.00	
Communication and Transportation			
432-03	Travel and Training	10,000.00	
432-04	Telephone/Technology	750.00	
Repairs and Maintenance			
436-01	Equipment Repair	2,500.00	
Other Services and Charges			
439-03	Subscriptions, Dues, etc.	1,000.00	
			19,250.00
			497,772.00

ELECTRIC SERVICE

Services and Rates

Mishawaka Utilities – Electric Division *currently serves the proposed annexation area as it* ***is*** *already in our franchise boundary.*

The costs of providing service for future/planned development will be the responsibility of applicant(s) for service (reference Terms and Conditions, Section 9.0). The necessary expenditure to make connection to an applicant for service will be considered to be warranted when the estimated total revenue (i.e., net revenue) as estimated by the Utility for a period of two and one-half (2½) years to be realized by the Utility from permanent and continuing Customers on such an extension is at least equal to the estimated cost of such extension.

Whenever, in the opinion of the Utility, the necessary expenditure to make connection to an applicant for service is not warranted by the Utility's estimate of prospective revenues to be derived there from, or whenever, in the opinion of the Utility, the permanence of the Customer's load is questionable, the Utility may require the applicant to make an advance deposit for line construction or service connection. Or, the Utility may require a long-term agreement, an aid to construction payment, monthly minimum charge or such definite and written guarantee from a Customer, or group of Customers, in addition to any minimum payment required by the Rate Schedule. This requirement may also be made covering the payment by the Customer of the cost of tapping existing transmission or distribution lines for light or power service or both, when such service will not provide sufficient load or revenue, in the opinion of the Utility, to justify the cost of tapping said lines.

In those cases where it is not feasible or practicable to construct lines on public rights of way and it is necessary to secure easements or line-clearing permits on private property, the applicant or applicants shall secure the same without cost to the Utility or assist the Utility in obtaining such easements or line-clearing permits on private property before construction shall commence. The Utility shall be under no obligation to construct lines in the event the necessary easements or line-clearing permits cannot be so obtained.

Personnel

Mishawaka Utilities – Electric Division has a staff of 47 employees. The Division, under the direction of the Electric Division Manager, is divided into the departments of engineering, construction, metering and operations:

Engineering:	Consists of the System Reliability Supervisor, Substation Supervisor, Substation Technician, Engineering Projects Manager, and support engineering personnel.
Construction:	Consists of the Construction Superintendent, two Construction Foremen, and support construction personnel (Journeymen, Apprentices and Linemen).
Metering:	Consists of Metering Department Manager and support metering personnel.
Operations:	Consists of the Operations Coordinator along with supporting personnel in dispatch/stores.

Description of Services

Normal working hours are from 7:30 a.m. to 4:00 p.m. Monday through Friday. During these hours, the Electric Division staff is available to provide immediate response to any system perturbation.

Services provided after normal working hours are on an emergency basis only. Customers requiring assistance can call the after-hours answering service, where a call is then placed to a duty supervisor to assess the situation. The duty supervisor then calls out required support personnel (via the answering service).

Mishawaka Utilities – Electric Division is well equipped to respond to problems associated with providing electric service. The electric division utilizes a wide breadth of equipment to meet the needs of the consumer. Major equipment includes loaders, backhoes, trenchers, boring machines, pushing machines, trailers, compressors, forklifts, bucket and line trucks, and pole trailers.

The service response time to restore from a loss of electricity resulting from storm damage or other physical line damage is typically less than AEP (AEP customers are spread geographically over a much larger area). However, since Mishawaka Utilities does not produce power, the utility is not able to control service problems based on the generation of power and has minimal control of transmission to, or within, Mishawaka.

Costs Associated with Services

Mishawaka Utilities is not supported by tax dollars, but rather through revenue generated by the sales of electricity to its consumers. Mishawaka Utilities does not generate or produce power. Mishawaka Utilities purchases electricity at a wholesale rate and is responsible for distributing it to every customer within the service area. Based on the large numbers of customers in a relatively small geographic area, Mishawaka Utilities is able to deliver electricity more economically than larger companies such as AEP. Although AEP actually generates or produces power, the cost for delivering the electricity to the consumer is greater because the customers are spread geographically over a much larger area. Actual rates will vary over time.

FIRE PROTECTION/EMS

The Mishawaka Fire/EMS Department is one of the area's best, with quick response times, excellent training, and the latest equipment.

Staffing and Response Times

The Mishawaka Fire Department currently has four stations located strategically throughout the City of Mishawaka. The Fire Department and the Emergency Medical Services Department merged January 1, 2002.

In accordance with the firefighter's union Collective Bargaining Agreement and the City of Mishawaka, minimum staffing of 31 personnel are available at all times. The department also has three members working in the City's Fire Inspection Bureau.

The Department's response time is excellent. The Fire Department's average response time to calls is anywhere from 3 to just over 6 minutes within the City.

Fire Stations

The four fire stations are located in strategic areas around the City:

Station No. 1, built in 1991, is located on Union Street near downtown. It is staffed by a minimum of eleven (11) firefighters manning one Sutphen pumper truck, one aerial truck, a 105' Sutphen aerial tower, one heavy-duty K.M.E. rescue truck and one A.L.S. Paramedic ambulance unit. If annexed, this would be the primary responding station since it is the nearest to the site.

Station No. 2, located at 2332 N. Main St., is staffed by five (5) to six (6) firefighters at all times, manning one Sutphen pumper truck, and one A.L.S. Paramedic ambulance unit.

Station No. 3, located at 333 E. Douglas Road, is staffed by eight (8) firefighters at all times, manning one Sutphen pumper truck, one aerial truck (a 105' Sutphen aerial/pumper combination,) and one A.L.S. Paramedic ambulance unit. If annexed, this would be the primary responding station since it is the nearest to the site.

Station No. 4, located at 3000 Harrison Road, is staffed by six (6) to seven (7) firefighters at all times, manning one Sutphen pumper truck, one A.L.S. Paramedic ambulance unit and one (1) Battalion Chief Vehicle.

All engine and ladder Companies are certified advanced life support non-transport.

For the year 2023 out of 10,421 runs 7,903 or roughly 76% were medical in nature. The Mishawaka Fire Department restructured going to a three-platoon system in 2013. With the addition of a third ambulance we were able to move ambulances out of one central location to be closer to the neighborhoods they served. Our department increased staffing in 2024 to allow us to put up a new, fourth ambulance that went into service in January of 2024. This and the availability of paramedics on some engine and ladder companies have decreased the time in which it takes to start lifesaving interventions if needed. Engine and ladder companies also have Advanced E.M.T.'s on board who may begin vital treatment such as 12 lead E.K.G.'s, establishing I.V. lines, and administration of a handful of drugs. Once the ambulance arrives the paramedics take over in the continuum of care depending upon the severity of the call.

Equipment

Equipment for the department is very comparable with what is available to surrounding township departments, but the City's fire department offers other advantages not available to the township fire departments. By having thirty-one (31) to thirty-eight (38) firefighters on duty at any given time Mishawaka is able to send more resources depending upon the nature of the call. The Mishawaka Fire Department has three ladder/pumper trucks available for emergencies. Two of these are in service at

all times with the third being a reserve. Depending upon the location, some outside fire departments utilize auto and mutual aid agreements in the event of the need for an aerial device.

The City maintains a fifteen (15) member Dive/Rescue team for water emergencies.

Training

The fire department undergoes year-round training in all areas of suppression, haz-mat, emergency medical, inspection, water rescue, public education, confined space, high angle rescue, extrication and others.

In order to work on an ambulance, the State of Indiana requires personnel to be Emergency Medical Technicians Basic (minimum training). Generally speaking, while employed with an ambulance service, employees have an opportunity to advance their skills. Training is offered at two additional levels, Advanced EMT, (IV therapy, cardiac monitoring) and Paramedic, (addition of several other medications). The EMS division is highly regarded by other services and municipalities in our area offering paramedic service.

All firefighters hired by the City of Mishawaka must become an Advanced level E.M.T within eighteen (18) months of hiring and maintain it throughout their career.

In the calendar year 2023 each firefighter took part in an average of 200+ hours of continuing education.

Complete training records for all personnel are available.

Fire Insurance Rating

Mishawaka maintains a Class 2 fire rating with the Insurance Services Office. The lower the number in the rating, the lower a business's or homeowner's insurance policy could be. Thus, properties that are annexed into the city could see a reduction in property insurance. There are only thirty-three (33) Class 2 departments in Indiana.

During the last audit in November of 2019 Mishawaka's rating improved from 78.65% out of a maximum of 100% in 2012 to 88.35% out of 100% in 2020.

We are currently only 3.17 points away from a Class one (1) designation of which there are only six (6) in the State of Indiana.

Our department went through our 5-year reevaluation by the I.S.O in February 2024 and we will learn the results and classification sometime around the last quarter of this year.

Of course, the only way to determine if a reduction will occur is to contact applicable insurance providers. Homeowner's insurance portion that is fire related would benefit the least while those of a business would have a much larger impact.

For comparison, many township departments have ratings of 7 to 9. After our next reevaluation we believe Mishawaka's fire insurance rating will be the highest possible a Class one (1).

Future Plans

Additional personnel and fire stations will become necessary in the future as the City grows. This increase is due to the increased demand on department as calls for service will continue to grow. Given the numerous locations of fire stations in the city, the Fire Department is able to respond to emergency medical and accident situations in a shorter period of time than the emergency medical units alone. As the city extends its growth our department will need to expand with it to continue keeping response times down in critical situations for our community.

The next station slated for major improvements is Station #2 located at 2332 North Main Street. A new Station #2 in under construction currently at 700 E. McKinley with anticipated competition and move in dates before the end of 2024.

Potential increases in personnel, equipment, and buildings, are evaluated on a continual basis. Although these increases represent the anticipated long term needs of the department, these increases will not hinder us in the short term to provide the consistent high level of service that has been historically provided to the city.

Citizen Programs

The fire department provides regular fire inspections for businesses located in the area, and home inspections upon request.

In 2023 the Fire Prevention Bureau performed over 900 fire inspections of new and existing buildings in Mishawaka.

In addition, residents are encouraged to take part in the department's smoke detector giveaway and installation programs.

Fire Marshals give extinguisher demonstrations and emergency planning procedures upon request to businesses in the City. Participants use real extinguishers on mock up fires to prepare them for the real thing.

The department also participates in drive through flu clinics, C.P.R. classes, Triad pill drops, elderly service clinics throughout the year.

Costs Associated With Services

If annexed, the City of Mishawaka Fire Department is capable of providing a level of service for the area that is equal to the services currently provided for the City. Given the proximity of the proposed annexation area, the Fire Department does not require any additional funds than what have been allocated within the current city budget to provide these services. For general information purposes, a copy of the year 2024 budget has been included for reference.

CITY OF MISHAWAKA
2024 BUDGET

FIRE/EMS DEPARTMENT
1101-19

1 PERSONAL SERVICES

				biweekly
Salaries and Wages				
411-01	Fire Chief	94,681.00		3,641.55
411-02	Assistant Chief			
	4 @ 87,903	351,612.00		3,380.88
	Battalion Chief			
	3 @ 80,527	241,581.00		3,097.16
	Captain 15 @ 76,596	1,148,940.00		2,945.98
	Lieutenant			
	15 @ 74,707	1,120,605.00		2,873.33
	Fire Inspector			
	1 @ 76,596 2 @ 74,707	226,010.00	2,945.98	2,873.33
	Driver Operator			
	30 @ 72,921	2,187,630.00		2,804.64
	1st Class Firefighter			
	33 @ 71,163	2,348,379.00		2,737.02
	Master Firefighter			
	18 @ 68,095	1,225,710.00		2,619.03
				8,945,148.00
	Civilian			
	Administrative Assistant	48,134.00		1,851.28
				48,134.00
Other Personal Services				
411-12	Specialty Pay	550,000.00		
411-60	Overtime	1,000,000.00		
411-63	Longevity	450.00		
411-66	Uniform Allowance 120 @ 1,250	152,000.00		
	new hires 2 @625			
411-67	Pension Equalization	11,700.00		
				1,714,150.00
Employee Benefits				10,707,432.00
413-01	Social Security	15,257.00		
413-02	Medicare	155,748.00		
413-03	INPRS 14.2%	34,944.00		
413-05	Health Insurance	2,900,000.00		
413-06	Life/Disability Insurance	6,500.00		
413-08	Deferred Comp Match	160,000.00		
413-09	77 Pension 19.1% + 3%	1,887,243.00		
				5,159,692.00
				15,867,124.00

CITY OF MISHAWAKA
2024 BUDGET

FIRE/EMS DEPARTMENT
1101-19

2 SUPPLIES			
Office Supplies			
421-90	Office Supplies	6,000.00	
Operating Supplies			
422-01	Operating Supplies	250,000.00	
422-03	Medical Supplies	210,000.00	
Other Supplies			
429-10	Public Education Training/ Seminar Supplies/Refreshments	6,000.00	
			472,000.00
3 OTHER SERVICES AND CHARGES			
Professional Services			
431-09	Clinic Services	35,800.00	
431-11	Physicals	120,000.00	
Communication and Transportation			
432-03	Travel and Training	80,000.00	
Repairs and Maintenance			
436-01	Building/ Equipment Repair	100,000.00	
Professional Services			
436-91	Laundry Maintenance	3,000.00	
Other Services and Charges			
439-03	Subscriptions, Dues, etc.	20,000.00	
			358,800.00
			16,697,924.00

CITY OF MISHAWAKA
2024 BUDGET

EMERGENCY MEDICAL SERVICES
6606-50

4 CAPITAL OUTLAY

Machinery and Equipment

445-07	Medical Equipment	55,000.00	
	Powerload Cot $30K		
	Med Vending $25K		
445-09	Ambulance - demo	400,000.00	
	Ambulance - remount	200,000.00	
			655,000.00

CITY OF MISHAWAKA
2024 BUDGET

AMERICAN RESCUE PLAN ACT
2403-50

4 CAPITAL OUTLAYS

Other Capital Outlays

443-93	Fire Station Improvements	116,000.00
		116,000.00

PARKS AND RECREATION OPPORTUNITIES

Parks and Recreation

Mishawaka offers 28 public parks, each with its own unique natural attributes. For boating enthusiasts, there are four parks with boat launches into the St. Joseph River. East of the American Electric Dam by Capital Avenue, the river provides opportunities for water-skiers and sailors. Mishawaka parks also have an excellent swimming pool, splash pads, as well as accommodations for tennis and various field sports. Disc golf is another popular park sport. The City also contains the Eberhart-Petro 18 hole municipal golf course located along the St. Joseph River.

Some Mishawaka parks contain attractive areas for walking and picnicking, and nearly all have playground equipment and play field areas. Three parks, Shiojiri Niwa, Battell, and the Robert Beutter Riverfront Park, have attractive landscape and water amenities and are routinely the place for weddings, special events, and family pictures. The parks in Mishawaka range in size from 0.2 acres to 90 acres for the Eberhart-Petro Golf Course.

The Ball-Band Biergarten, opening in July 2020, is a unique event and gathering space along the popular Riverwalk and increasingly vibrant downtown. The center of the building will provide a service area for beverages and limited concessions to be enjoyed by all ages.

The responsibility for development of the parks and recreation system for the City rests with the Board of Parks and Recreation. The Board consists of four members and a member from the Board of School Trustees and a member from the Library Board.

Staff and Equipment

The park office staff consists of the Superintendent, Office Coordinator, and Community Center Director. There are 5 Park Divisions (Recreation, Special Events, Golf, Aquatics/Ice Rink, and Landscape). Four (4) have Division Directors and the Landscape Division is headed by the Landscape Manager.

The Mishawaka Parks Department provides budget support for its park maintenance through the Central Services Department, which manages all operations and maintenance staff and equipment for streets, parks, motor pool, and some electrical service vehicles.

Costs Associated With Services

All programs implemented through the Mishawaka Park and Recreation Department are available to all who wish to participate in them or rent the facilities. Listings of all park and recreation rates are available through the City of Mishawaka Park Department.

If annexed, the existing park system will continue to provide a level of service for the area that is equal to the services currently provided for the rest of the city. Resident services will begin immediately upon annexation.

For general information purposes, a copy of the year 2024 budget has been included for reference.

CITY OF MISHAWAKA
2024 BUDGET

PARK AND RECREATION
2204-50

1	PERSONAL SERVICES		
	Salaries and Wages		biweekly
411-01	Department Head	80,000.00	3,076.92
411-02	Regular Employees	797,160.00	
	Group 1: 16@23.60*2092	789,940.00	
411-03	Temporary/Summer Help	800,000.00	2,467,100.00
	CS reimburse - 61,962* 1.25 for assts.	77,453.00	
	Reimburse MVH Director - 78,332*5%	3,917.00	81,370.00
			2,548,470.00
	Other Services Personal		
411-60	Overtime	25,000.00	
411-63	Longevity	23,125.00	
411-64	FTO	12,000.00	
			60,125.00
	Employee Benefits		
413-01	Social Security	161,733.00	
413-02	Medicare	37,825.00	
413-03	PERF 14.2%	256,820.00	
413-04	Unemployment	5,000.00	
413-05	Employee Insurance Benefits	365,000.00	
413-06	Life Insurance	2,000.00	
413-08	Deferred Comp Match	20,000.00	
			848,378.00
2	SUPPLIES		3,456,973.00
	Office Supplies		
421-90	Office Supplies	8,000.00	
	Operating Supplies		
422-02	Gas, Oil, Parts, etc.	73,000.00	
	Other Supplies		
429-09	Merrifield/Ironworks Complex Supplies	42,000.00	
429-14	Maintenance Supplies	110,000.00	
429-15	Program Supplies	60,000.00	
429-16	Golf Course Concessions	60,000.00	
429-18	Athletic Event Supplies	70,000.00	
429-19	Battell Center Supplies	15,000.00	
429-20	Golf Course Supplies	65,000.00	
429-21	Other Concessions	5,000.00	
429-23	Merrifield Concessions	18,000.00	
			526,000.00

CITY OF MISHAWAKA
2024 BUDGET

PARK AND RECREATION
2204-50

3	OTHER SERVICES AND CHARGES		
	Professional Services		
431-09	Health Screenings/Vaccines	8,000.00	
	Communication and Transportation		
432-02	Postage and Freight	2,000.00	
432-03	Travel and Training	8,000.00	
432-04	Telephone	7,000.00	
	Printing and Advertising		
433-01	Printing/Newsletter etc.	10,000.00	
	Insurance		
434-90	Insurance Premiums/Deductibles	200,000.00	
	Utility Services		
435-01	MU/AEP Charges	500,000.00	
435-02	NIPSCO	50,000.00	
	Repairs and Maintenance		
436-01	Equipment/Facility Repair	100,000.00	
436-90	Service Contracts	180,000.00	
	Rentals		
437-05	Uniforms/Port-o-lets	17,500.00	
	Other Services and Charges		
439-03	Subscription, Dues, etc.	3,000.00	
439-09	Miscellaneous/Charges	1,000.00	
439-18	Instructor Fees	15,000.00	
439-19	Official/Referee Fees	26,000.00	
439-21	Recreation Event/Entertainment	74,000.00	
439-93	Sales Tax	25,000.00	
			1,226,500.00
			5,209,473.00

CITY OF MISHAWAKA
2024 BUDGET

PARK AND RECREATION NON-REVERTING
2211-50

1 PERSONAL SERVICES			
Salaries and Wages			
411-03	Temporary Help	25,000.00	
			25,000.00
2 SUPPLIES			
Other Supplies			
429-09	Merrifield Supplies and Repairs	45,000.00	
429-09	Wilson Supplies and Repairs	12,000.00	
429-17	Landscaping/Chemical Supplies	100,000.00	
			157,000.00
3 OTHER SERVICES AND CHARGES			
Professional Services			
431-06	Consulting	95,000.00	
436-90	Animal Control	15,000.00	
Communication and Transportation			
432-04	Wilson Hill Phone and Internet	2,500.00	
436-90	GPS Contract	19,000.00	
Repairs and Maintenance			
436-01	Golf Cart Repair	5,000.00	
436-22	Athletic Field Maintenance	15,000.00	
			151,500.00
4 CAPITAL OUTLAYS			
Machinery and Equipment			
444-10	Golf Carts - $89.3K	120,300.00	
	Leaf Sweeper - $30K		120,300.00
			453,800.00

POLICE AND CRIME PREVENTION

The City of Mishawaka's Police Department provides residents with professional public protection and safety, helping keep the city's crime rate low. The officers are among the area's most well-trained, receiving the best training, using top-of-the-line equipment and offering personal service to Mishawaka residents.

Staffing

There are currently a total of 11 full time civilians within the Mishawaka Police Department and is budgeted for 114 sworn officers. The Department has 37 officers on the Day Shift and 35 on the Night Shift, making for a total of 72 officers in the Uniform Division, plus 2 Captains; 1 Captain for each shift. In 2024, the Uniform Division went to 12-hour days.

Because of a State Mandate, effective on January 1, 2015, the four dispatch centers in St. Joseph County (including the Mishawaka Public Safety Dispatch Center) were required to consolidate into two Dispatch Centers. The former Mishawaka Police Dispatchers are now employed by St. Joseph County; hence the reduction in civilian employees for the MPD.

There are also 10 officers in the Investigative Division and 8 officers assigned to special duty (special crimes, domestic violence, school resource, etc.)

All police officers in the State are required to successfully complete the basic program at the Indiana Law Enforcement Academy within the first year of employment. This is a 15-week program. Current ILEA standards require each Officer to complete 24 hours of service training per year. The Mishawaka Police Department averages 65 hours of training, compared with minimums of 24+ statewide.

Equipment

The Police Department has a take-home patrol car program. Currently, there are 108 take-home vehicles. Each car contains standard first aid equipment for immediate response. Each officer is also well equipped with standard equipment such as side-arms, shotguns, Tasers. and body armor. All officers have been provided with digital cameras for recording accident and crime scenes. In addition, 652 cars are equipped with video cameras to record events on patrol. The City provides for the continual maintenance, repair, and replacement of equipment. Standard equipment items such as cars and firearms are on a set replacement schedule for both reliability and performance.

Several years ago the City purchased a radar trailer, which detects a motorist's speed and flashes it on a screen, for $9,000. This equipment assists in controlling speed by making motorists aware of their current rate of travel. This equipment can also specifically be used in the annexation area.

The Police Department has three School Resource officers available with School City of Mishawaka. One officer is assigned to Mishawaka High School, one officer is assigned to John Young Middle School and one is assigned to the elementary schools. The cost of these officers is shared with School City.

The Community Relations Unit

The Community Relations Officers handle various public relationship events such as Neighborhood Watch meetings, MPD tours for boy scouts and schools, reading to kids, bike safety rodeos, and participating in Tri-Ad Senior Citizens Organization. The unit is partnered with Nixle.com (a California-based Internet messaging-service provider). This provider offers a standardized, secure, and certified communication platform for local police departments, municipalities, and their agencies to communicate important, neighborhood-level information to the residents of their communities. This has been a great success with improving how we get

crime information and other important information out to the public. The unit also handles neighborhood complaints, such as drug houses, speeding, neighbor disputes, and other "quality of life" issues.

Street Crimes Unit

The Street Crimes Unit was implemented in July of 2009. There are 4 officers assigned to the Unit. The goal of this Unit is to concentrate efforts in high crime areas of the city and work in conjunction with the Police Department's Investigative Division to identify criminals and solve crimes. So far, the SCU has worked very hard at their mission and has proven to be quite a success. Because of their determination and self-motivation, the Unit has taken several criminals, weapons and drugs off the streets and has seen crime decrease in the high crime neighborhoods.

The SCU's adaptability in various criminal situations has fostered strong relationships with multiple agencies. Joint investigations with entities such as the South Bend Police Department's Strategic Focus Unit, ATF Task Force, DEA Task Force, FBI Task Force, US Marshal Task Force, St. Joseph County Warrants Division, Elkhart County Homicide Unit, Elkhart ICE Unit, Marshal County Narcotic Unit, ISP Narcotics Division, ISP Highway Interdiction Division, Homeland Security, Michigan SWET Drug Task Force and the US Postal Inspectors Office and others have proven instrumental. This collaboration has led to notable successes, including significant drug seizures, firearm recoveries, and the dismantling of drug trafficking organizations in the Mishawaka area. As a direct result of SCU's unique ability to be associated with this type of Task Force, SCU has been involved with seizures involving the following amounts in 2023:

Meth 24,040 grams; Cocaine 46 grams; Fentanyl 275 grams; Marijuana 15,875 grams
plus approx. 90 vape cartridges; Firearms 12; Vehicles 3
Money seizers $191,649.00 plus $1,400 in bit coin

The success of the SCU's efforts not only reinforces law enforcement capabilities but also underscores our collective commitment to a safer Mishawaka. We commend the SCU for their dedication and impactful contributions to our community's well-being.

Riverwalk Beat

A "Riverwalk beat" was implemented in 2015 and determined to very successful. Several methods of patrol have been utilized, including the Kawasaki mule, bicycles and motorcycle. The extra patrols have minimized reported vandalism that was seen in previous years. The renovation of Central Park has brought an increase of visitors to both the park and Riverwalk. The MPD continues its patrol efforts in the parks enhanced with the installation of a video camera surveillance system throughout the Riverwalk, Beutter and Central Park. Several emergency call boxes will also be installed, thus enhancing the safety of all Riverwalk users.

CAPS Program

The Citizens in Alliance with Police (CAPS) Program has much success in patrolling the Riverwalk and City parks and has expanded to two teams of volunteers that can be seen on the weekends.

Response Time and Crime Statistics

On average, the Mishawaka Police Department responds to critical incidents within three to five minutes. This is comparable to three to seven minutes in South Bend. South Bend has a modestly larger coverage area. Response times for the county were not available; however, with the St. Joseph County Police Department's much larger coverage area per officer, it is anticipated that the response time within the City of Mishawaka is significantly lower than in the county.

These events are not uncommon; as the uniform officer is normally the first to arrive on scene during an emergency call situation. They are the face of the Department. Promoting a positive working relationship within the community helps to keep peace and harmony in our neighborhoods.

The Uniform Division was tasked with covering over 41,698 calls for service in 2023. That number also reflects reporting on 1,901 vehicle crashes.

For general information purposes, a copy of the year 2024 budget has been included for reference. The budget itemizes the costs of providing services for the entire city.

ICJI Traffic Enforcement Grant - Stats:

There was a total of 1,716 hours of traffic enforcement worked.

Approximately 5,015 total contacts
Approximately 2,371 total written citations
Approximately 262 Arrests

Arrests were for operators driving while suspended, operating vehicles without ever having a license, habitual traffic violators, driving while intoxicated, arrest warrants, possession of drugs and/or drug paraphernalia.

Total grant money spent in the year 2023 was approximately $128,731.

Costs Associated with Services

If annexed, the City of Mishawaka Police Department is capable of providing a level of service for the area that is equal to the services currently provided within the City of Mishawaka. The Police Department does not require any additional funds than what has been allocated within the current city budget to provide these services. No capital expenditures are required in association with this proposed annexation.

CITY OF MISHAWAKA
2024 BUDGET

POLICE DEPARTMENT
1101-20

1 PERSONAL SERVICES

Salaries and Wages			biweekly
411-01	Police Chief	101,500.00	3,903.85
411-02	Assistant Chief		
	3 @ 96,500	289,500.00	3,711.54
	Captain		
	5 @ 93,500	467,500.00	3,596.15
	Lieutenant		
	14 @ 92,000	1,288,000.00	3,538.46
	Sergeant		
	20 @ 90,500	1,810,000.00	3,480.77
	1st Class Patrol Officer		
	47 @ 89,000	4,183,000.00	3,423.08
	2nd Class Patrol Officer		
	10 @ 64,739	647,390.00	2,489.96
			8,786,890.00
	Civilians		
	Trainer	55,105.00	2,119.42
	Crime Tech	53,470.00	2,056.51
	Recruiter	52,789.00	2,030.33
	Digital Media/Statistical Analyst	44,794.00	1,722.83
	Administrative Assistant	48,134.00	1,851.28
	Administrative Secretary	41,315.00	1,589.02
	Secretary 2 @ 40,797	81,594.00	1,569.11
	Parking Personnel	40,797.00	1,569.11
	Property Manager	44,794.00	1,722.83
	Office Manager	44,880.00	1,726.15
			507,672.00
	Crossing Guards 15 @ 8,154	122,310.00	
411-03	Substitute Crossing Guard	2,000.00	
	Temporary Help/Part-time	30,000.00	
411-65	Certifications	4,500.00	158,810.00
Other Personal Services			
411-02	Shift Differential 2nd @700	30,000.00	
411-12	Specialty	75,000.00	
411-60	Overtime/ Court-time Officer-Non Officer	600,000.00	
411-63	Longevity	11,325.00	
411-66	Uniform Allowance 1@600, 102@2050 1@1000 Crime Tech	210,700.00	
411-66	Equipment Allowance 102@1250	127,500.00	1,054,525.00
Employee Benefits			
413-01	Social Security	42,123.00	
413-02	Medicare	137,261.00	
413-03	INPRS 14.2%	74,564.00	
413-05	Health Insurance	2,515,252.00	
413-06	Life Insurance	7,000.00	

POLICE DEPARTMENT
1101-20

413-08	Deferred Comp Benefit	180,000.00	
413-10	77 Pension 19.1% + 3%	2,006,238.00	4,962,438.00
			15,470,335.00
2	SUPPLIES		
	Operating Supplies		
422-01	Operating Supplies	120,000.00	
	Other Supplies		
429-11	Seminars/ Community Relations	1,000.00	
			121,000.00
3	OTHER SERVICES AND CHARGES		
	Professional Services		
431-09	Clinic Services	35,800.00	
431-11	Testing	2,000.00	
	Communication and Transportation		
432-03	Travel and Training	2,000.00	
	Printing and Advertising		
433-01	Printing	1,800.00	
	Repairs and Maintenance		
436-01	Building Repair/ Maintenance	100,000.00	
	Other Services and Charges		
439-03	Subscriptions, Dues, etc.	18,000.00	
439-09	Miscellaneous Charges	5,000.00	
439-11	Special Expense	13,000.00	
439-12	Canine Expenses	9,000.00	
			186,600.00
			15,777,935.00

STREET DEPARTMENT

The Mishawaka Street Department, with its large staff and several trucks and multiple pieces of equipment, constantly maintains the City's streets and is prompt at answering to emergencies.

Staffing

The Mishawaka Street Department, headed by the Street Commissioner, has 32 union employees, two clerical personnel and two assistant street commissioners. The telephone is staffed 24 hours a day, and one manager is on call at all times, so that most emergencies can be handled in less than one hour.

Equipment

The Department uses 3 tandem axle and 11 single-axle trucks for the majority of the City's snow plowing. The Department also has 12 4-wheel drive trucks used for plowing smaller streets.

If the need arises during a winter storm, the Department also can call upon the Utilities and Parks departments to help supplement the snow removal efforts.

Along with the three loaders, two graders and the help of the manpower and equipment from other departments, the City can put a total of seven loaders, five backhoes and four additional trucks on the road to help remove snow. St. Joseph County does not have as many resources and has a larger area to plow; therefore, it takes the county longer to clear their roads.

Services

The City's leaf pick-up program is completed on a weekly basis every fall, compared with the County's leaf pick-up program, which is done by quadrants.

The City also has an aggressive street sweeping schedule, with all streets swept every 10 days. The County does little street sweeping.

Also, in the event of a wind storm that blows trees into streets, the City can have the street reopened, in most cases, in less than an hour. The county can take six to eight hours, as evidenced by calls from residents on streets just outside the City's boundaries.

Costs Associated with Services

If annexed, the City of Mishawaka Street Department is capable of providing a level of service for the area that is equal to the services currently provided for similar geographic areas within the City of Mishawaka. Given the proximity of the proposed annexation area, bordered to the south by the existing City limits, the Street Department does not require any additional funds than what have been allocated within the current city budget to provide these services. No capital expenditures are required in association with this proposed annexation. Services will begin within one year of the date of annexation as required by law.

For general information purposes, a copy of the year 2024 budget has been included for reference.

CITY OF MISHAWAKA
2024 BUDGET

CENTRAL SERVICES DEPARTMENT
1101-22

1 PERSONAL SERVICES			
Salaries and Wages			biweekly
411-02	Assistant 4 @ 61,962	247,848.00	2,383.13
	Fleet Maintenance Technician 6 @ 24.84*2092	311,804.00	
	Group 1: 4 @ 23.60*2092	197,522.00	
	PT maintenance 1040 hrs @ 11.00	11,440.00	
	3 Additional Employees	150,000.00	
			918,614.00
Other Services Personal			
411-60	Overtime	15,000.00	
411-63	Longevity	12,775.00	
			27,775.00
			946,389.00
2 SUPPLIES			
Office Supplies			
421-90	Office Supplies	2,000.00	
Operating Supplies			
422-02	Gas, Oil, etc.	1,000,000.00	
422-05	Equipment/Vehicle/Maint Supplies	185,000.00	
Other Supplies			
429-08	Uniform/Supplies	7,550.00	
			1,194,550.00
3 OTHER SERVICES AND CHARGES			
Professional Services			
431-09	Health Screenings/Vaccines	1,000.00	
Communication and Transportation			
432-03	Travel and Training	1,000.00	
Repairs and Maintenance			
436-01	Building Repair/Equipment/Maint	145,000.00	
Rentals			
437-05	Uniforms	11,080.00	
Other Services and Charges			
439-09	Miscellaneous Charges	1,500.00	
			159,580.00
			2,300,519.00

CITY OF MISHAWAKA
2024 BUDGET

MOTOR VEHICLE HIGHWAY
2201-50

1 PERSONAL SERVICES			
Salaries and Wages			biweekly
411-01	Street Commissioner	78,332.00	3,012.74
411-02	Office Administrator	43,888.00	1,687.99
	Office Manager	40,778.00	1,568.36
	Group 1: 34 @ 23.60*2092	1,678,940.00	
	CS reimburse - 61,962* 1.25 for assts.	77,453.00	
			1,919,391.00
Other Services Personal			
411-12	Specialty CDL Instructors	5,000.00	
411-60	Overtime	80,000.00	
411-63	Longevity	23,015.00	
411-64	FTO (Flexible Time Off) Plan	8,000.00	
			116,015.00
Employee Benefits			
413-01	Social Security	126,195.00	
413-02	Medicare	29,513.00	
413-03	INPRS 14.2%	289,028.00	
413-04	Unemployment	5,000.00	
413-05	Employee Ins Benefits	600,000.00	
413-06	Life Insurance	2,200.00	
413-07	Deferred Comp Benefit	20,000.00	
			1,071,936.00
			3,107,342.00
2 SUPPLIES			
Office Supplies			
421-90	Office Supplies	1,500.00	
Other Supplies			
429-08	Uniform Supplies	7,500.00	
429-13	Traffic Supplies	45,000.00	
			54,000.00
3 OTHER SERVICE AND CHARGES			
Professional Services			
431-09	Health Screenings/ Vaccines	5,000.00	
Communication and Transportation			
432-03	Travel and Training	3,000.00	
432-04	Telephone/ Paging	8,000.00	
Printing and Advertising			
433-02	Publications	500.00	

CITY OF MISHAWAKA
2024 BUDGET

MOTOR VEHICLE HIGHWAY
2201-50

Rentals			
437-05	Uniforms	16,000.00	
Other Services and Charges			
439-09	Miscellaneous Charges	3,000.00	
			35,500.00
4 CAPITAL OUTLAYS MVHR			
Improvements Other than Buildings			
442-01	Street Repair	1,500,000.00	
			1,500,000.00
			4,696,842.00

LOCAL ROAD AND STREET
2202-50

4 CAPITAL OUTLAYS			
Improvements other than Buildings			
442-01	Street Repair	500,000.00	
442-04	Sidewalk and Curb Program	300,000.00	
	50/50 Program	25,000.00	
445-02	Equipment	330,000.00	
	Trackless vehicle w/ plow		1,155,000.00
	CV Mid size dump w/ plow		

WASTE DISPOSAL AND RECYCLING SERVICES

Waste Disposal and Recycling Services

Trash pick-up in the City of Mishawaka is inexpensive and efficient. The monthly fee for single family trash pickup is $17.61. This includes trash, yard waste and recycling. Residents also are allowed to place up to two large items out each week for removal with their regular trash. Large items could include furniture, appliances, and similar objects that are not readily placed within containers.

A discounted rate of $14.28 per month is provided for senior citizens.

Similar to the county and other municipalities, trash removal services are not offered to multiple family developments, commercial, or industrial businesses. The waste stream generated from these uses varies widely and usually require private dumpsters. These uses are required to contract for services through private trash contractors. Given that portion of the proposed annexation is an industrial facility; waste disposal will be the responsibility of the property owner with no involvement from the City.

Leaf pick-up and the Organic Center

The leaf pick-up and Christmas tree pick-up programs are done through the City's Street Department. The Organic Center offers recycling for residents of Mishawaka only. Brush, grass and leaves may be brought in, by residents at no charge.

Wastewater

Services
Services are provided by the Mishawaka Wastewater Division 24-hours a day, 7 days per week. There are at least two operators staffing the facility at all times. Additionally, maintenance technicians can be called in during off-hours to respond to emergencies. The twenty-nine remote sewage lift stations are continuously monitored by radio telemetry.

Facilities
Mishawaka's wastewater treatment plant is a Class IV facility that was expanded in 2008 to provide an average design capacity of 20 million gallons per day (MGD). The peak design capacity is 42 MGD. The plant is designed to operate in the conventional activated sludge mode. Single stage nitrification is achieved in the activated sludge process to convert ammonia to nitrate. Phosphorus is removed both biologically and by chemical precipitation using ferrous chloride. Solids generated in the treatment process are anaerobically digested and mechanically dewatered. These biosolids are land applied on area farm fields for soil conditioning and fertilizing. The treated effluent from the facility is disinfected with sodium hypochlorite, then treated with sodium bisulfite to remove any chlorine residual.

For the year 2023, an average flow of 9.15 MGD was treated. The average cBOD removal was 98% and the average suspended solids removal was 98%.

Staff
Twenty-six people staff the wastewater utility. There are 6 managers/supervisors, 3 chemists, 11 operators, 4 maintenance technicians, and 1 biosolids technician. At least two operators are on duty at all times.

Support Personnel
The Wastewater Division relies on the Mishawaka Utilities Business Office for support functions such as billing, budget tracking, and customer service. The City's Engineering Division works closely with the Wastewater Division on plan reviews for sewer and lift station additions. Consulting engineering firms are used to design improvements and for comprehensive studies.

Past and Planned Capital Improvements
A $42 million upgrade was completed in 2008 for the wastewater utility. This upgrade was necessary to provide capacity for service area growth and to address the CSO requirements established in Mishawaka's NPDES permit and CSO control regulations. The upgrade increased both the dry weather flow capacity and the plant's capability to treat wet weather flows.

The capital improvements increased the wastewater treatment plant's capacity from 12 MGD to 20 MGD. The hydraulic peak capacity increased from 24 MGD to 42 MGD. The scope of the wastewater treatment plant improvements includes the following elements:

- Parallel 60-inch interceptor sewer from CSO 009 to treatment plant
- Influent pump station expansion
- Additional fine screen
- New grit separation and washing equipment
- Addition of two grit removal tanks
- Addition of two primary clarifiers
- Addition of two aeration tanks
- Addition of two final clarifiers
- Addition of a chlorine contact tank
- Conversion from gaseous chlorine and sulfur dioxide to liquid sodium hypochlorite and sodium bisulfite disinfection
- Rehabilitation of ferrous chloride storage and feed system
- Addition of two WAS gravity belt thickener
- Addition of a second belt filter press for biosolids dewatering
- New anaerobic digester and rehabilitation of existing digesters including new covers
- Modifications to the plant electrical feed
- Installation of a high efficiency turbo aeration blower

In 2013, the Carriage Lane and Winding Brook lift stations were replaced and stand-by emergency generators were added. The Southampton lift station was upgraded to include a stand-by emergency generator as well.

In 2017, the Oakland St. lift station was replaced. In 2020 the Willow Creek Lift Station was completely re-built following a catastrophic failure of the station.

Construction of miscellaneous plant improvements included replacement of the manual bar screen with a new automated fine screen, improvements to the hypochlorite disinfection system, improvements to CSO 009, and replacement of the existing air monitoring systems in the Headworks and Digester Control Buildings was substantially completed in 2019. Also, replacement of the Home St. lift station was completed in 2019.

In 2020, the replacement of the effluent troughs in the 4 west side final clarifiers was completed.

Future capital improvements focusing on the Combined Sewer Overflow Long Term Control Plan will consist mainly of sewer system improvements to convey greater volumes of wet weather flow to the Wastewater Plant for treatment as well as sewer separation.

In May of 2023, the Mishawaka Wastewater Division issued $33M in revenue bonds for continued work in the collection system in order to reduce Combined Sewer Overflows and promote development. In addition, project will be conducted at the treatment facility to increase efficiency and replace aged equipment.

Statistical Information

Mishawaka's wastewater treatment plant exhibits outstanding performance. For the year 2023 the average removals and plant data were as follows:

	2023
Average Flow (MGD)	9.15
Peak Flow (MGD)	60.7
BOD Removed (%)	98
Phosphorus Removed (%)	84
Ammonia Removed (%)	95
Solids Removed (%)	98
Biosolids Produced (dry tons)	1322
Electricity Use (MkWH)	5.1
Natural Gas Use (Mcf)	10.5
Total Precipitation (inches)	35.69

Costs Associated with Services

Mishawaka Utilities Wastewater Division is predominately supported through revenue generated by the rates charged to customers. The Wastewater Treatment Plant Upgrade and Expansion was completed in June of 2008. The City financed $41.9 million for the plant improvements through a low interest State Revolving Fund Program loan, which saved considerable interest expense throughout the twenty-year life of the loan. The expansion serves the dual purpose of providing capacity for continued growth in the community and cut annual combined sewer overflow (CSO) volume in-half. Because a portion of the expanded capacity will serve growth in the Northwest TIF area, TIF funding has been pledged to the Wastewater Division to assist in funding debt service payments. An annual TIF distribution of $3.36 million reduces the rate increases necessary to fund the expansion's bond payments.

Residents of St. Joseph County, who have access to city sanitary sewer, pay the same sewer rate provided to residents of the city. However, Wastewater Utility customers whose premises are served by the utility, and are located within the City limits, shall receive a credit applied towards their monthly sewer bill in recognition of the portion of the principal and interest on Wastewater Utility bonds paid by the City from TIF revenues. City sewer facilities are available to the proposed annexation area and will have no impact on the level of service provided by the city. Mishawaka Utilities currently provides a level of service for the area that is equal to the rest of the City. No additional Wastewater Division capital expenditures are required in association with this proposed annexation.

WATER SERVICE

Water Utilities

The Mishawaka Utilities Water Division is a medium-sized public water utility that serves a population and area larger than just the City of Mishawaka. The combined well fields average about 7 million gallons pumped each day, with a peak daily rate of 25 mgd and a maximum capacity of 32 mgd. The water is treated with chlorine, fluoride and phosphate and is regularly and comprehensively tested in accordance with state and federal regulations. The city public water supply consistently exceeds the strict standards set forth by the United States Environmental Protection Agency and the Indiana Department of Environmental Management.

Serving the Proposed Annexation Area

Currently there is a 12" water main fronting the north eastern side of the property on Dragoon Trail on the north side of the street. An extension would need to be done from here and also on Bremen Highway to loop the proposed area. Currently no water main exists on this portion of Bremen Highway. An engineering study would need to be done to confirm pressures would be adequate to serve this property as there could be elevation issues.

The costs associated with the extension of water service to the individual property, including tap fees, are paid by developer's/property owners, and are not paid by Mishawaka Utilities. For existing properties with wells, a 1-inch copper service line is typically provided to the property line for future connection. Similar to other areas of the city, the customer would be required to pay for the tap in order to use the service. The property owner also would be responsible to run the service from the property line to any future proposed development and install a meter setter in accordance with Water Division standards.

Staff and Services

The Mishawaka Utilities Water Division has a 24-hour emergency answering service line, which calls the supervisor on duty on a cellular telephone. Crews generally report on site within an hour of an emergency. On average, service outages only last about three hours.

There are a total of thirty-three (33) employees in the Water Division consisting of twenty (24) union employees and nine (9) salaried personnel. An additional administrative staff of four (4) people and an office staff of twenty-three (23) carries out all billing and clerical work for both the electric and water divisions.

The Water Division has twenty-seven (28) vehicles and eight (9) large specialized pieces of equipment to serve the area.

Services to Residents

The Mishawaka Utilities Water Division provides three programs to replace lead services within the City's water system.

1. The Division replaces any lead service that is in need of repair.
2. The Division replaces any lead service to a current customer when the customer replaces the line from the street shut-off to the house.
3. The Division replaces any lead service that is not currently in use by a customer at a reduced cost to customer when a new structure is built.

The Division has no benefits geared strictly toward senior citizens, but it does accept money from the Project Safe program, provided by Real Services. Real Services provides state funds to pay utility bills of low-income families that fall within a certain income range. The low-income families must fill out an application, at the Real Services office, to become eligible for this benefit.

Costs Associated with Services

Mishawaka Utilities Water Division is not supported by tax dollars, but rather through revenue generated by the sales of water to its consumers. All costs associated with providing water service are rate generated. No tax dollars are used to provide this service. If annexed, Mishawaka Utilities is capable of providing a level of service for the area that is equal to the services currently provided within the City.

A PART OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 37 NORTH, RANGE 3 EAST, PENN TOWNSHIP, ST. JOSEPH COUNTY, INDIANA, AND BEING MORE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

(BEARINGS IN THIS DESCRIPTION ARE BASED ON INDIANA STATE PLANE COORDINATES-EAST ZONE, GPS DERIVED)

COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE SOUTH 00° 15' 31" WEST, ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 500.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89° 22' 58" EAST, A DISTANCE OF 686.48; THENCE NORTH 16° 37' 24" EAST, A DISTANCE OF 302.89 TO THE NORTHERLY RIGHT OF WAY LINE OF DRAGOON TRAIL; THENCE SOUTHEASTERLY, ALONG SAID NORTHERLY LINE, A DISTANCE OF 474 FEET, MORE OR LESS, TO A POINT LYING 185.25 FEET WEST OF THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SOUTHWEST QUARTER; THENCE SOUTH 00° 15' 31 WEST, PARALLEL WITH THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SOUTHWEST QUARTER, A DISTANCE OF 599.09 FEET; THENCE SOUTH 89° 42' 36" WEST, A DISTANCE OF 1173.62 FEET TO THE WEST RIGHT OF WAY LINE OF BREMEN HIGHWAY; THENCE THE FOLLOWING THREE COURSES ALONG SAID WEST RIGHT OF WAY LINE: 1) NORTH 00° 15' 31" EAST, A DISTANCE OF 394.63 FEET; 2) THENCE NORTH 26° 27' 03" WEST, A DISTANCE OF 80.43 FEET; 3) THENCE NORTH 08° 44' 22" WEST, A DISTANCE OF 164.39 FEET; THENCE SOUTH 89° 22' 58" EAST, A DISTANCE OF 101.85 FEET TO THE POINT OF BEGINNING.

CONTAINING 18.44 ACRES, MORE OR LESS, AND SUBJECT TO ALL COVENANTS, RIGHTS OF WAY, AND EASEMENTS OF RECORD.

COMMON ADDRESS: 58650 BREMEN HIGHWAY, 15900 & 15901 PRINCESS DRIVE, AND 15676 DRAGOON TRAIL, MISHAWAKA, IN 46544

TAB D - APPENDICES

RESOLUTION NO. 2024-04

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, INTRODUCING AN ORDINANCE FOR ANNEXATION, ADOPTING A WRITTEN FISCAL PLAN, AND A DEFINITE POLICY FOR ANNEXATION FOR THE PROPERTY LOCATED AT:

58650 Bremen Highway, 15900 & 15901 Princess Drive, and 15676 Dragoon Trail Mishawaka, IN 46544 – East side of Bremen Highway approximately 480′ south of Dragoon Trail.

WHEREAS, the Common Council of the City of Mishawaka desires to consider the annexation of territory adjacent to the City in accordance with a definite policy and all applicable laws and restrictions.

WHEREAS, the entire area proposed for annexation has either petitioned for annexation or signed a consent regarding annexation.

WHEREAS, Indiana Code Section 36-4-3-3.1 requires a municipality to develop and adopt a written fiscal plan and establish a definite policy by resolution.

WHEREAS, the said fiscal plan has been reviewed and is otherwise consistent with the requirements of Indiana Code 36-4-3-13.

WHEREAS, the Department of Planning and Community Development has prepared said fiscal plan with the input of each applicable City department. Furthermore, based on the review of each City department, a comparable level of City services can be provided to the proposed annexation area when compared to similar geographic areas of the City.

WHEREAS, the Department of Planning and Community Development has prepared a written policy on annexation that has been incorporated within the fiscal plan.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, as follows:

Section I. The Common Council has provided notice of this resolution as required by law, and is initiating an ordinance to annex the following property, legally described as:

A PART OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 37 NORTH, RANGE 3 EAST, PENN TOWNSHIP, ST. JOSEPH COUNTY, INDIANA, AND BEING MORE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

(BEARINGS IN THIS DESCRIPTION ARE BASED ON INDIANA STATE PLANE COORDINATES-EAST ZONE, GPS DERIVED)

COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE SOUTH 00° 15' 31" WEST, ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 500.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89° 22' 58" EAST, A DISTANCE OF 686.48; THENCE NORTH 16° 37' 24" EAST, A DISTANCE OF 302.89 TO THE NORTHERLY RIGHT OF WAY LINE OF DRAGOON TRAIL; THENCE SOUTHEASTERLY, ALONG SAID NORTHERLY LINE, A DISTANCE OF 474 FEET, MORE OR LESS, TO A POINT LYING 185.25 FEET WEST OF THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SOUTHWEST QUARTER; THENCE SOUTH 00° 15' 31 WEST, PARALLEL WITH THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SOUTHWEST QUARTER, A DISTANCE OF 599.09 FEET; THENCE SOUTH 89° 42' 36" WEST, A DISTANCE OF 1173.62 FEET TO THE WEST RIGHT OF WAY LINE OF BREMEN HIGHWAY; THENCE THE FOLLOWING THREE COURSES ALONG SAID WEST RIGHT OF WAY LINE: 1) NORTH 00° 15' 31" EAST, A DISTANCE OF 394.63 FEET; 2)

THENCE NORTH 26° 27' 03" WEST, A DISTANCE OF 80.43 FEET; 3) THENCE NORTH 08° 44' 22" WEST, A DISTANCE OF 164.39 FEET; THENCE SOUTH 89° 22' 58" EAST, A DISTANCE OF 101.85 FEET TO THE POINT OF BEGINNING.

CONTAINING 18.44 ACRES, MORE OR LESS, AND SUBJECT TO ALL COVENANTS, RIGHTS OF WAY, AND EASEMENTS OF RECORD.

COMMON ADDRESS: 58650 BREMEN HIGHWAY, 15900 & 15901 PRINCESS DRIVE, AND 15676 DRAGOON TRAIL, MISHAWAKA, IN 46544

Section II. Following the review of documents prepared by the Department of Planning and Community Development and presentation, the Common Council hereby adopts the Fiscal Plan and Annexation Policy as it relates to the aforementioned properties.

Section III. This Resolution shall be in full force and effect after its adoption by the Common Council and approval by the Mayor, as required by law.

PASSED by the Common Council of the City of Mishawaka, Indiana, this _____ day

of _____, 2024, at _____ o'clock ___.M.

_____
Presiding Officer

ATTEST:

_____
Deborah S. Block, IAMC, MMC, City Clerk

PRESENTED by me to the Mayor this _____ day of _____,

_____

2024, at _____o'clock ___.M.

_____
Deborah S. Block, IAMC, MMC, City Clerk

APPROVED by me this _____ day of _____ 2024, at

_____ o'clock ____.M.

_____
David A. Wood, Mayor

PETITION 24-03

CITY OF MISHAWAKA, INDIANA

PROPOSED ORDINANCE NO. _____

ORDINANCE NO. _____

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

WHEREAS, a Petition has been presented to the Common Council of the City of Mishawaka, Indiana, praying that certain territory lying contiguous to the corporate limits of the City of Mishawaka, Indiana, be annexed to and declared to be a part of the City of Mishawaka, and that it be provided with a Zoning Classification, and

WHEREAS, the Mishawaka City Plan Commission, to which Commission the petition was duly referred, has recommended the annexation and a PUD Amendment as hereinafter set forth, including the imposition of reasonable conditions, to wit, the recommendations of the Department of City Planning.

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

Section 1. The following described real estate be and the same is hereby annexed to and declared to be a part of the City of Mishawaka, Indiana:

A PART OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 37 NORTH, RANGE 3 EAST, PENN TOWNSHIP, ST. JOSEPH COUNTY, INDIANA, AND BEING MORE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

(BEARINGS IN THIS DESCRIPTION ARE BASED ON INDIANA STATE PLANE COORDINATES-EAST ZONE, GPS DERIVED)

COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE SOUTH 00° 15' 31" WEST, ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 500.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89° 22' 58" EAST, A DISTANCE OF 686.48; THENCE NORTH 16° 37' 24" EAST, A DISTANCE OF 302.89 TO THE NORTHERLY RIGHT OF WAY LINE OF DRAGOON TRAIL; THENCE SOUTHEASTERLY, ALONG SAID NORTHERLY LINE, A DISTANCE OF 474 FEET, MORE OR LESS, TO A POINT LYING 185.25 FEET WEST OF THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SOUTHWEST QUARTER; THENCE SOUTH 00° 15' 31 WEST, PARALLEL WITH THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SOUTHWEST QUARTER, A DISTANCE OF 599.09 FEET; THENCE SOUTH 89° 42' 36" WEST, A DISTANCE OF 1173.62 FEET TO THE WEST RIGHT OF WAY LINE OF BREMEN HIGHWAY; THENCE THE FOLLOWING THREE COURSES ALONG SAID WEST RIGHT OF WAY LINE: 1) NORTH 00° 15' 31" EAST, A DISTANCE OF 394.63 FEET; 2) THENCE NORTH 26° 27' 03" WEST, A DISTANCE OF 80.43 FEET; 3) THENCE NORTH 08° 44' 22" WEST, A DISTANCE OF 164.39 FEET; THENCE SOUTH 89° 22' 58" EAST, A DISTANCE OF 101.85 FEET TO THE POINT OF BEGINNING.

Proposed Ordinance No: _____

Ordinance No: _____

CONTAINING 18.44 ACRES, MORE OR LESS, AND SUBJECT TO ALL COVENANTS, RIGHTS OF WAY, AND EASEMENTS OF RECORD.

COMMON ADDRESS: Immediate southeast corner of Bremen Highway and Dragoon Trail

The above described real estate shall hereafter be annexed into and within the City of Mishawaka, Indiana, and a part of that district designated in the Zoning Ordinance of the City of Mishawaka, Indiana, and shall carry a classification for zoning of S-2 Planned Unit Development District.

All the above real estate shall hereafter be amended to allow for a conceptual design for a residential development subject to the following conditions:

Uses:

1. Permitted uses shall be limited to residential including single-family detached houses, single-family attached houses, and up to 4 unit attached townhouses.

Single-Family Detached Homes/Lots:

1. Minimum of 50′ lot width
2. Minimum of 6,000 sq. ft. lot size
3. 35′ or 2 ½ stories maximum height
4. Minimum of 20′ front yard setback
5. Minimum of 25′ rear yard setback
6. Minimum of 5′ side yard setback
7. All other R-1 Single Family Residential District regulations not identified above shall be applicable.

Single-Family Attached Homes and Townhouse/Lots:

1. Minimum of 30′ lot width
2. Minimum of 4,800 sq. ft. lot size
3. 35′ or 2 ½ stories maximum height
4. Minimum of 20′ front yard setback
5. Minimum of 25′ rear yards setback
6. 0′ interior side yard setback along common walls between units
7. 5′ side yard setback for exterior side yard setback
8. All other R-2 Two-Family Residential District regulations not identified above shall be applicable.

Density & Single-Family Attached / Townhouse Residential Units Allowance:

1. A maximum of 75 residential units shall be permitted with a 30% maximum (23 units) for the single-family attached units and townhouses.

Lot Ownership:

1. All property within the subdivision plat not dedicated as public right-of-way shall be platted as lots with a primary structure (residential unit). Outlots

owned by the developer or homeowner's association without a primary structure (residential units) shall not be permitted.

Other:

1. An analysis of the existing trees shall occur to determine which trees, if any, can be preserved. The developer shall try to preserve masses of the existing trees, where possible. A tree preservation plan shall be submitted with the subdivision plat.

This recommendation is based on the following findings of fact:

1. Existing Conditions - The subject property is located near the southeast corner of Bremen Highway and Dragoon Trail. Bremen Highway, which is a heavily travelled principal arterial road, serves as the primary gateway into the city from the south. Dragoon Trail is a moderately travelled major collector road providing east/west access. Traffic volumes along both roads are anticipated to remain relatively consistent in future years. Adjacent land uses include single-family residential houses to the west, south, and east within unincorporated St. Joseph County, and single-family residential houses and a church to the north.
2. Character of Buildings in Area - The buildings and land uses along Bremen Highway and Dragoon Trail are primarily single-family residential. A church and a convenience store with fuel pumps/car wash are located at the Bremen Highway and Dragoon Trail intersection.
3. The most desirable/highest and best use – With the property's location adjacent to mostly single-family resident houses, the most desirable use for the property is residential.
4. Conservation of property values - The proposed zoning should not be injurious to property values in the surrounding area. The proposed residential use is compatible with the adjacent single-family residential uses and church.
5. Comprehensive Plan – The Mishawaka 2000 Comprehensive Plan identifies a preferred or recommended use of the subject property and adjacent areas as low density residential.

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 _____, 2024, at _____ o'clock ___.M.

_____
Presiding Officer

ATTEST:

Proposed Ordinance No: _____

Ordinance No: _____

_____
Deborah S. Block, IAMC, MMC, City Clerk

PRESENTED by me to the Mayor this _____ day of _____, 2024, at _____ o'clock _____.M.

_____
Deborah S. Block, IAMC, MMC, City Clerk

APPROVED by me this _____ day of _____, 2024, at _____o'clock ____.M.

_____
David A. Wood, Mayor

2. 1. **Appendix "C"**

Tab Rate Chart for the year 2023 payable 20:Tab Rate Chart for the year 2023 payable 2024

Notice is hereby given that the Tax DuplicatesNotice is hereby given that the Tax Duplicates for the Taxing Units of St. Joseph County, for the year 2023 payable 2024, are now in the hands of the St. Joseph County Auditor, who is ready to receive the Taxes charged thereon. The following table shows the rate of taxatior The following table shows the rate of taxation on each $100.00 of Taxable Real Estate, Personal Property and Mobile Homes. The first installment will be delinquent after May 10, 2024. Second installment will be delinquent after N Second installment will be delinquent after November 12, 2024. John H Murphy, Auditor of St. Joseph County.

Fund	Fund Name	71 018 New Carlisle	71 022 Mishawaka - Phm School	71 023 Mishawaka-Penn	71 025 Portage Township	71 026 South Bend - Portage	71 027 Union Township	71 028 Lakeville	71 029 Warren Township	71 030 Osceola	71 031 Penn Township	71 032 Penn Township - Mishawaka Schools	71 033 South Bend - Penn	71 034 Liberty Township	71 035 North Liberty	71 036 Mishawaka - Harris	71 037 South Bend Warren
61	County Rainy Day																
101	County General	0.4673	0.4673	0.4673	0.4673	0.4673	0.4673	0.4673	0.4673	0.4673	0.4673	0.4673	0.4673	0.4673	0.4673	0.4673	0.4673
124	Cumulative Reassessment	0.0176	0.0176	0.0176	0.0176	0.0176	0.0176	0.0176	0.0176	0.0176	0.0176	0.0176	0.0176	0.0176	0.0176	0.0176	0.0176
180	Debt Service	0.0067	0.0067	0.0067	0.0067	0.0067	0.0067	0.0067	0.0067	0.0067	0.0067	0.0067	0.0067	0.0067	0.0067	0.0067	0.0067
181	2022 GO Highway Bond	0.0150	0.0150	0.0150	0.0150	0.0150	0.0150	0.0150	0.0150	0.0150	0.0150	0.0150	0.0150	0.0150	0.0150	0.0150	0.0150
702	Highway																
706	LR & S																
720	Major Moves SPC																
790	Cumulative Bridge	0.0095	0.0095	0.0095	0.0095	0.0095	0.0095	0.0095	0.0095	0.0095	0.0095	0.0095	0.0095	0.0095	0.0095	0.0095	0.0095
792	Major Cumulative Bridge	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333
801	Health	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216
1301	Park & Recreation	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216
2391	Cumulative Capital Development	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333
71 1	**Total COUNTY**	**0.6259**	**0.6259**	**0.6259**	**0.6259**	**0.6259**	**0.6259**	**0.6259**	**0.6259**	**0.6259**	**0.6259**	**0.6259**	**0.6259**	**0.6259**	**0.6259**	**0.6259**	**0.6259**
61	Township Rainy Day																
101	Township General Fund	0.0129	0.0113	0.0113			0.0683	0.0683	0.0322	0.0113	0.0113	0.0113	0.0113	0.0667	0.0667	0.0075	0.0322
180	TOWNSHIP DEBT SERVICE									0.0495	0.0495	0.0495					
601	Twp Community Bldg																
840	Twp Poor Relief/Twp Assistance	0.0013	0.0207	0.0207	0.0440	0.0440	0.0035	0.0035		0.0207	0.0207	0.0207	0.0207			0.0008	
1111	Twp Fire								0.2676								
1181	Twp Fire Bldg Debt Fund						0.0792	0.0792	0.1881								
1187	Twp Fire Equipment Debt						0.0385	0.0385	0.0361								
1190	Twp Cum Fire								0.0333								
1312	Twp Recreation																
2120	Township Cemetery	0.0140															
8604	Twp Fire Territory General				0.5063		0.0839	0.0839		0.2103	0.2103	0.2103		0.2731	0.2731		
8692	Twp Fire Terrority Equip Repla				0.0308		0.0331	0.0331		0.0333	0.0333	0.0333		0.0333	0.0333		
71 2	**Total TOWNSHIP**	**0.0582**	**0.0320**	**0.0320**	**0.5811**	**0.0440**	**0.3065**	**0.3065**	**0.5573**	**0.3251**	**0.3251**	**0.3251**	**0.0320**	**0.3731**	**0.3731**	**0.0083**	**0.0322**
61	City/Town Rainy Day																
101	City General	0.8031	1.7224	1.7224		2.3710		0.6649		0.1723			2.3710		0.9129	1.7224	2.3710
180	City Debt Service	0.0705															
181	City/Town Debt Payment																
341	City Fire Pension																
342	City Police Pension																
706	City/Town LR & S																
708	City MVH	0.2459	0.0088	0.0088				0.2505		0.0398					0.2676	0.0088	
720	City/Town Major Moves Spc																
1109	Municipal Emerg Medical Svcs																
1301	City Park & Rec		0.2235	0.2235		0.5565							0.5565			0.2235	0.5565
1303	City/Town Park														0.0750		
1380	Park Bond					0.0308							0.0308				0.0308
2120	City Cemetary	0.0154															
2379	City/Town CCI																
2391	City Cum Cap Development	0.0500	0.0500	0.0500		0.0282		0.0421		0.0422			0.0282		0.0500	0.0500	0.0282
6290	City Cum Sewer																
8604	City Town Fire Territory Gen																
8692	City Town Fire Terr Eqp Replac																
71 3	**Total CITY/TOWN**	**1.2149**	**2.0047**	**2.0047**	**0.0000**	**2.9865**	**0.0000**	**0.9575**	**0.0000**	**0.2543**	**0.0000**	**0.0000**	**2.9865**	**0.0000**	**1.3055**	**2.0047**	**2.9865**
22	Referendum-Exempt Operating			0.2434	0.3334	0.3334			0.3334			0.2434					0.3334
61	School Rainy Day																
180	School Debt Service	0.2497	0.4265	0.6870	0.2425	0.2425	0.5672	0.5672	0.2425	0.4265	0.4265	0.6870	0.4265	0.4488	0.4488	0.4265	0.2425
287	Referendum Debt-Exempt Capital	0.2567		0.1040	0.0506	0.0506			0.0506			0.1040					0.0506
3101	Education																
3300	Operations	0.6457	0.5010	0.4004	0.6557	0.6557	0.4576	0.4576	0.6557	0.5010	0.5010	0.4004	0.5010	0.5564	0.5564	0.5010	0.6557
71 4	**Total SCHOOL**	**1.1521**	**0.9275**	**1.4348**	**1.2822**	**1.2822**	**1.0248**	**1.0248**	**1.2822**	**0.9275**	**0.9275**	**1.4348**	**0.9275**	**1.0052**	**1.0052**	**0.9275**	**1.2822**
61	Rainy Day																
101	Library General	0.2583	0.1198	0.1198	0.2530	0.2530	0.2530	0.2530	0.2530	0.1198	0.1198	0.1198	0.1198	0.2530	0.2530	0.1198	0.2530
180	Library Debt Service	0.0223	0.0139	0.0139	0.0195	0.0195	0.0195	0.0195	0.0195	0.0139	0.0139	0.0139	0.0139	0.0195	0.0195	0.0139	0.0195
2011	Library LIRF																
71 5	**Total LIBRARY**	**0.2806**	**0.1337**	**0.1337**	**0.2725**	**0.2725**	**0.2725**	**0.2725**	**0.2725**	**0.1337**	**0.1337**	**0.1337**	**0.1337**	**0.2725**	**0.2725**	**0.1337**	**0.2725**
8001	So Bend Transpo		0.1036	0.1036		0.1036							0.1036			0.1036	0.1036
8090	So Bend Transpo Spec Tran Cum																
8101	Airport Authority General	0.0271	0.0271	0.0271	0.0271	0.0271	0.0271	0.0271	0.0271	0.0271	0.0271	0.0271	0.0271	0.0271	0.0271	0.0271	0.0271
8180	Airport Sp Airport Debt																
8190	Airport Authority Cum Bldg	0.0130	0.0130	0.0130	0.0130	0.0130	0.0130	0.0130	0.0130	0.0130	0.0130	0.0130	0.0130	0.0130	0.0130	0.0130	0.0130
8210	Sp Solid Waste Ma																
8604	Special Fire Protect Terr-Gen	0.4920															
8692	Spec Fire Protect Terr-Equip	0.0333															
71 6	**Total SPECIAL UNIT**	**0.5654**	**0.1437**	**0.1437**	**0.0401**	**0.1437**	**0.0401**	**0.0401**	**0.0401**	**0.0401**	**0.0401**	**0.0401**	**0.1437**	**0.0401**	**0.0401**	**0.1437**	**0.1437**
	Total Tax Rates (Less Conservancy)	**3.8971**	**3.8675**	**4.3748**	**2.8018**	**5.3548**	**2.2698**	**3.2273**	**2.7780**	**2.3066**	**2.0523**	**2.5596**	**4.8493**	**2.3168**	**3.6223**	**3.8438**	**5.3430**

Property Tax Property Tax 03/07/2024 09:00 AM by KGREGORI

2. Mishawaka-PHM School Tax Rates - Post Annexation

1. Penn Township Tax Rates - Prior to Annexation

St. Joseph County

Indebtedness of St. Joseph County & Penn Township

Submitted to the State on

Report printed on Tuesday, March 19, 2024

Note: Data contained in Gateway Debt Management is self-reported by local government officials and/or their designees. Debt Reports may not have been audited for accuracy or completeness by the Department of Local Government Finance. The Department is not responsible for any errors or omissions in this data.

Debt Verification

Initial Year:
Date of last payment or bond expiration:
New (post 1989):
Newer (post 2005):
Refinanced bond: N

Basic Debt Information

Debt Name: Economic Development Income Tax Revenue Bonds of 2014
Debt Status: Outstanding
Type of Indebtedness: Bond
Base CUSIP Number: 790607
Is this debt exempt from the property tax caps? N

Code Cite

Code Cite Under Which Debt is Authorized: 6-3.5-7
Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer's debt limit? Y
Applicable Issuer: St. Joseph County
Current Debt Limit: $52,426,723.00
Current Debt Capacity (after issuance of this debt): $35,171,723.00

Date Information

Date of Preliminary Determination:
Date of Publication of Preliminary Determination:
Newspaper(s):
Date of Public Hearing:
Date of Final Approval/Lease Execution: 9/16/2014
Date of Appropriation Resolution:
Date of Debt Sale: 12/11/2014
Date of Debt Closing: 12/30/2014

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No
Was a remonstrance conducted? No
Votes in favor debt:
Votes against debt:
Was this debt subject to referendum? No
Votes in favor debt:
Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating

Security on the Debt - Source of Repayment

Property Tax: No
TIF Revenue: No
COIT: No
Motor Vehicle Highway/Local Road & Street: No
CAGIT: No
Stormwater Revenues: No
CEDIT: Primary
Electric Revenues: No
Water Revenue: No
Wasterwater Revenues: No
Grant Revenue: No
Other () : No

Allocation Area from which the TIF Revenues will be generated:
Name of Lessor (Building Corporation/Hold Corporation):
Does this debt refinance or refund any previously outstanding debt? No

Purpose/Cost

Purpose of Debt: Construct a new Public Safety Answering Point and renovate existing facility to serve as a backup
Total Project Cost: $9,155,000.00

Sources

Sources of Funds	Amount

Uses

Uses of Funds	Amount

Dates

Date Bids Received: 11/18/2014
Date Construction Started: 9/30/2014
Estimated Date of Substantial Completion: 9/30/2015

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax	Remaining Balance

									Credit	
6/30/2015	$210,000	2.00	$131,866	$341,866						$8,945,000
12/31/2015	$215,000	2.00	$129,766	$344,766		$686,631				$8,730,000
6/30/2016	$215,000	2.00	$127,616	$342,616						$8,515,000
12/31/2016	$220,000	2.00	$125,466	$345,466		$688,081				$8,295,000
6/30/2017	$220,000	2.00	$123,266	$343,266						$8,075,000
12/31/2017	$225,000	2.00	$121,066	$346,066		$689,331				$7,850,000
6/30/2018	$225,000	2.00	$118,816	$343,816						$7,625,000
12/31/2018	$225,000	2.00	$116,566	$341,566		$685,381				$7,400,000
6/30/2019	$230,000	2.00	$114,316	$344,316						$7,170,000
12/31/2019	$230,000	2.00	$112,016	$342,016		$686,331				$6,940,000
6/30/2020	$235,000	2.00	$109,716	$344,716						$6,705,000
12/31/2020	$235,000	2.00	$107,366	$342,366		$687,081				$6,470,000
6/30/2021	$240,000	3.00	$105,016	$345,016						$6,230,000
12/31/2021	$240,000	3.00	$101,416	$341,416		$686,431				$5,990,000
6/30/2022	$245,000	3.00	$97,816	$342,816						$5,745,000
12/31/2022	$250,000	3.00	$94,141	$344,141		$686,956				$5,495,000
6/30/2023	$255,000	3.00	$90,391	$345,391						$5,240,000
12/31/2023	$255,000	3.00	$86,566	$341,566		$686,956				$4,985,000
6/30/2024	$260,000	3.00	$82,741	$342,741						$4,725,000
12/31/2024	$265,000	3.00	$78,841	$343,841		$686,581				$4,460,000
6/30/2025	$190,000	3.00	$74,866	$264,866						$4,270,000
12/31/2025	$195,000	3.00	$72,016	$267,016		$531,881				$4,075,000
6/30/2026	$200,000	3.00	$69,091	$269,091						$3,875,000
12/31/2026	$200,000	3.00	$66,091	$266,091		$535,181				$3,675,000
6/30/2027	$205,000	3.13	$63,091	$268,091						$3,470,000
12/31/2027	$205,000	3.13	$59,888	$264,888		$532,978				$3,265,000
6/30/2028	$210,000	3.25	$56,684	$266,684						$3,055,000
12/31/2028	$215,000	3.25	$53,272	$268,272		$534,956				$2,840,000
6/30/2029	$215,000	3.38	$49,778	$264,778						$2,625,000
12/31/2029	$220,000	3.38	$46,150	$266,150		$530,928				$2,405,000
6/30/2030	$225,000	3.38	$42,438	$267,438						$2,180,000
12/31/2030	$225,000	3.38	$38,641	$263,641		$531,078				$1,955,000
6/30/2031	$230,000	3.50	$34,844	$264,844						$1,725,000
12/31/2031	$235,000	3.50	$30,819	$265,819		$530,663				$1,490,000
6/30/2032	$240,000	3.50	$26,706	$266,706						$1,250,000
12/31/2032	$240,000	3.50	$22,506	$262,506		$529,213				$1,010,000
6/30/2033	$245,000	3.63	$18,306	$263,306						$765,000
12/31/2033	$250,000	3.63	$13,866	$263,866		$527,172				$515,000
6/30/2034	$255,000	3.63	$9,334	$264,334						$260,000
12/31/2034	$260,000	3.63	$4,713	$264,713		$529,047				$0

Total	**$9,155,000**		**$3,027,870**	**$12,182,870**		**$12,182,857**				

Notes

St. Joseph County
Submitted to the State on Friday, February 17, 2017
Report printed on Tuesday, March 19, 2024
Note: Data contained in Gateway Debt Management is self-reported by local government officials and/or their designees. Debt Reports may not have been audited for accuracy or completeness by the Department of Local Government Finance. The Department is not responsible for any errors or omissions in this data.

Debt Verification

Initial Year: 2023
Date of last payment or bond expiration:
New (post 1989):
Newer (post 2005):
Refinanced bond: Y

Basic Debt Information

Debt Name: St. Joseph County Redevelopment District, Special Taxing District Bonds of 2016
Debt Status: Outstanding
Type of Indebtedness: Bond
Base CUSIP Number: 79062M
Is this debt exempt from the property tax caps? Y

Code Cite

Code Cite Under Which Debt is Authorized: I.C. 36-7-14 & I.C. 36-7-25
Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer's debt limit? Y
Applicable Issuer: St. Joseph County Redevelopment District
Current Debt Limit: $28,513,058.00
Current Debt Capacity (after issuance of this debt): $15,333,058.00

Date Information

Date of Preliminary Determination:
Date of Publication of Preliminary Determination:
Newspaper(s): Tri-County News and South Bend Tribune
Date of Public Hearing: 7/1/2016
Date of Final Approval/Lease Execution:
Date of Appropriation Resolution: 7/12/2016
Date of Debt Sale: 11/21/2016
Date of Debt Closing: 11/30/2016

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No
Was a remonstrance conducted? No
Votes in favor debt:
Votes against debt:
Was this debt subject to referendum? No
Votes in favor debt:
Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating

Security on the Debt - Source of Repayment

Property Tax: Primary
TIF Revenue: No
COIT: No
Motor Vehicle Highway/Local Road & Street: No
CAGIT: No
Stormwater Revenues: No
CEDIT: No
Electric Revenues: No
Water Revenue: No
Wasterwater Revenues: No
Grant Revenue: No
Other () : No

Allocation Area from which the TIF Revenues will be generated:
Name of Lessor (Building Corporation/Hold Corporation):
Does this debt refinance or refund any previously outstanding debt? No

Purpose/Cost

Purpose of Debt: Provide funds to finance various improvements in or serving the NewCarlisle EconomicDevelopmentArea
Total Project Cost: $9,197,753.00

Sources

Sources of Funds	Amount

Uses

Uses of Funds	Amount

Dates

Date Bids Received:
Date Construction Started:
Estimated Date of Substantial Completion:

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax	Remaining Balance

									Credit	
2/1/2038	$380,000	4.00	$7,600	$387,600		$395,200				$0
8/1/2037			$7,600	$7,600						$380,000
2/1/2037	$365,000	4.00	$14,900	$379,900		$394,800				$380,000
8/1/2036			$14,900	$14,900						$745,000
2/1/2036	$350,000	4.00	$21,900	$371,900		$393,800				$745,000
8/1/2035			$21,900	$21,900						$1,095,000
2/1/2035	$335,000	4.00	$28,600	$363,600		$392,200				$1,095,000
8/1/2034			$28,600	$28,600						$1,430,000
2/1/2034	$325,000	4.00	$35,100	$360,100		$395,200				$1,430,000
8/1/2033			$35,100	$35,100						$1,755,000
2/1/2033	$310,000	4.00	$41,300	$351,300		$392,600				$1,755,000
8/1/2032			$41,300	$41,300						$2,065,000
2/1/2032	$300,000	4.00	$47,300	$347,300		$394,600				$2,065,000
8/1/2031			$47,300	$47,300						$2,365,000
2/1/2031	$290,000	4.00	$53,100	$343,100		$396,200				$2,365,000
8/1/2030			$53,100	$53,100						$2,655,000
2/1/2030	$275,000	4.00	$58,600	$333,600		$392,200				$2,655,000
8/1/2029			$58,600	$58,600						$2,930,000
2/1/2029	$265,000	4.00	$63,900	$328,900		$392,800				$2,930,000
8/1/2028			$63,900	$63,900						$3,195,000
2/1/2028	$620,000	3.00	$73,200	$693,200		$766,400				$3,195,000
8/1/2027			$73,200	$73,200						$3,815,000
2/1/2027	$600,000	3.00	$82,200	$682,200		$764,400				$3,815,000
8/1/2026			$82,200	$82,200						$4,415,000
2/1/2026	$585,000	3.00	$90,975	$675,975		$766,950				$4,415,000
8/1/2025			$90,975	$90,975						$5,000,000
2/1/2025	$565,000	3.00	$99,450	$664,450		$763,900				$5,000,000
8/1/2024			$99,450	$99,450						$5,565,000
2/1/2024	$550,000	3.00	$107,700	$657,700		$765,400				$5,565,000
8/1/2023			$107,700	$107,700						$6,115,000
2/1/2023	$535,000	3.00	$115,725	$650,725		$766,450				$6,115,000
8/1/2022			$115,725	$115,725						$6,650,000
2/1/2022	$520,000	3.00	$123,525	$643,525		$767,050				$6,650,000
8/1/2021			$123,525	$123,525						$7,170,000
2/1/2021	$505,000	3.00	$131,100	$636,100		$767,200				$7,170,000
8/1/2020			$131,100	$131,100						$7,675,000
2/1/2020	$490,000	3.00	$138,450	$628,450		$766,900				$7,675,000
8/1/2019			$138,450	$138,450						$8,165,000
2/1/2019	$565,000	3.00	$146,925	$711,925		$858,850				$8,165,000
8/1/2018			$146,925	$146,925						$8,730,000

2/1/2018			$146,925	$146,925		$343,641				$8,730,000
8/1/2017			$196,716	$196,716						$8,730,000
Total	**$8,730,000**		**$3,306,741**	**$12,036,741**		**$12,036,741**				

Notes

St. Joseph County
Submitted to the State on Thursday, April 12, 2018
Report printed on Tuesday, March 19, 2024
Note: Data contained in Gateway Debt Management is self-reported by local government officials and/or their designees. Debt Reports may not have been audited for accuracy or completeness by the Department of Local Government Finance. The Department is not responsible for any errors or omissions in this data.

Debt Verification

Initial Year: 2021
Date of last payment or bond expiration: 7/1/2025 12:00:00 AM
New (post 1989): Y
Newer (post 2005): Y
Refinanced bond: N

Basic Debt Information

Debt Name: 2017 General Obligation (Guaranteed Energy Savings) Bonds
Debt Status: Outstanding
Type of Indebtedness: Bond
Base CUSIP Number:
Is this debt exempt from the property tax caps? N

Code Cite

Code Cite Under Which Debt is Authorized:
Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer's debt limit? Y
Applicable Issuer: Saint Joseph County
Current Debt Limit: $54,674,687.00
Current Debt Capacity (after issuance of this debt): $44,174,687.00

Date Information

Date of Preliminary Determination:
Date of Publication of Preliminary Determination:
Newspaper(s):
Date of Public Hearing: 8/8/2017
Date of Final Approval/Lease Execution: 8/15/2017
Date of Appropriation Resolution:
Date of Debt Sale:
Date of Debt Closing: 10/12/2017

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No
Was a remonstrance conducted? No
Votes in favor debt:
Votes against debt:
Was this debt subject to referendum? No
Votes in favor debt:
Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating

Security on the Debt - Source of Repayment

Property Tax: Primary
TIF Revenue: No
COIT: No
Motor Vehicle Highway/Local Road & Street: No
CAGIT: No
Stormwater Revenues: No
CEDIT: No
Electric Revenues: No
Water Revenue: No
Wasterwater Revenues: No
Grant Revenue: No
Other () : No

Allocation Area from which the TIF Revenues will be generated:
Name of Lessor (Building Corporation/Hold Corporation):
Does this debt refinance or refund any previously outstanding debt? No

Purpose/Cost

Purpose of Debt: Capital improvements to County facilities for energy savings
Total Project Cost: $10,574,935.00

Sources

Sources of Funds	Amount

Uses

Uses of Funds	Amount

Dates

Date Bids Received:
Date Construction Started:
Estimated Date of Substantial Completion:

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax Credit	Remaining Balance

6/30/2032	$430,000	3.00	$6,450	$436,450		$436,450	$0			$(
12/30/2031	$425,000	3.00	$12,825	$437,825		$871,875	$0			$430,00(
6/30/2031	$415,000	3.00	$19,050	$434,050			$0			$855,00(
12/30/2030	$410,000	3.00	$25,200	$435,200		$871,475	$0			$1,270,00(
6/30/2030	$405,000	3.00	$31,275	$436,275			$0			$1,680,00(
12/30/2029	$400,000	2.75	$36,775	$436,775		$873,981	$0			$2,085,00(
6/30/2029	$395,000	2.75	$42,206	$437,206			$0			$2,485,00(
12/30/2028	$390,000	2.50	$47,082	$437,082		$873,975	$0			$2,880,00(
6/30/2028	$385,000	2.50	$51,894	$436,894			$0			$3,270,00(
12/30/2027	$380,000	2.38	$56,406	$436,406		$872,266	$0			$3,655,00(
6/30/2027	$375,000	2.38	$60,859	$435,859			$0			$4,035,00(
12/30/2026	$370,000	2.25	$65,022	$435,022		$868,922	$0			$4,410,00(
6/30/2026	$365,000	2.13	$68,900	$433,900			$0			$4,780,00(
12/30/2025	$365,000	2.00	$72,550	$437,550		$873,700	$0			$5,145,00(
6/30/2025	$360,000	2.00	$76,150	$436,150			$0			$5,510,00(
12/30/2024	$355,000	2.00	$79,700	$434,700		$872,950	$0			$5,870,00(
6/30/2024	$355,000	2.00	$83,250	$438,250			$0			$6,225,00(
12/30/2023	$350,000	2.00	$86,750	$436,750		$871,950	$0			$6,580,00(
6/30/2023	$345,000	2.00	$90,200	$435,200			$0			$6,930,00(
12/30/2022	$345,000	2.00	$93,650	$438,650		$875,700	$0			$7,275,00(
6/30/2022	$340,000	2.00	$97,050	$437,050			$0			$7,620,00(
12/30/2021	$335,000	2.00	$100,400	$435,400		$869,100	$0			$7,960,00(
6/30/2021	$330,000	2.00	$103,700	$433,700			$0			$8,295,00(
12/30/2020	$330,000	2.00	$107,000	$437,000		$872,250	$0			$8,625,00(
6/30/2020	$325,000	2.00	$110,250	$435,250			$0			$8,955,00(
12/30/2019	$325,000	2.00	$113,500	$438,500		$875,200	$0			$9,280,00(
6/30/2019	$320,000	2.00	$116,700	$436,700			$0			$9,605,00(
12/30/2018	$315,000	2.00	$119,850	$434,850		$817,300	$0			$9,925,00(
6/30/2018	$260,000	2.00	$122,450	$382,450			$0			$10,240,00(
12/30/2017	$0	2.00	$53,062	$53,062		$53,062	$0			$10,500,00(
Total	**$10,500,000**		**$2,150,156**	**$12,650,156**		**$12,650,156**	**$0**			

Notes

2017 GO Energy Savings Bond. Closed 10/12/17. Gateway debt unlocked and information updated on 4/12/18.

St. Joseph County
Submitted to the State on Thursday, October 19, 2017
Report printed on Tuesday, March 19, 2024
Note: Data contained in Gateway Debt Management is self-reported by local government officials and/or their designees. Debt Reports may not have been audited for accuracy or completeness by the Department of Local Government Finance. The Department is not responsible for any errors or omissions in this data.

Debt Verification

Initial Year: 2019
Date of last payment or bond expiration: 12/31/2024 12:00:00 AM
New (post 1989): Y
Newer (post 2005): Y
Refinanced bond: Y

Basic Debt Information

Debt Name: 2015 PSAP Equipment Lease (US Bank)
Debt Status: Outstanding
Type of Indebtedness: Bond
Base CUSIP Number:
Is this debt exempt from the property tax caps? Y

Code Cite

Code Cite Under Which Debt is Authorized:
Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer's debt limit? N
Applicable Issuer:
Current Debt Limit:
Current Debt Capacity (after issuance of this debt):

Date Information

Date of Preliminary Determination:
Date of Publication of Preliminary Determination:
Newspaper(s):
Date of Public Hearing:
Date of Final Approval/Lease Execution: 3/31/2015
Date of Appropriation Resolution:
Date of Debt Sale:
Date of Debt Closing: 3/31/2015

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No
Was a remonstrance conducted? No
Votes in favor debt:
Votes against debt:
Was this debt subject to referendum? No
Votes in favor debt:
Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating

Security on the Debt - Source of Repayment

Property Tax: No
TIF Revenue: No
COIT: No
Motor Vehicle Highway/Local Road & Street: No
CAGIT: No
Stormwater Revenues: No
CEDIT: No
Electric Revenues: No
Water Revenue: No
Wasterwater Revenues: No
Grant Revenue: No
Other (PSAP Charges) : Primary

Allocation Area from which the TIF Revenues will be generated:
Name of Lessor (Building Corporation/Hold Corporation):
Does this debt refinance or refund any previously outstanding debt? No

Purpose/Cost

Purpose of Debt: Technology and Equipment for a 911 Center
Total Project Cost: $12,000,000.00

Sources

Sources of Funds	Amount

Uses

Uses of Funds	Amount

Dates

Date Bids Received:
Date Construction Started:
Estimated Date of Substantial Completion:

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax Credit	Remaining Balance

6/30/2015	$601,375	2.22	$67,188					$668,563		$11,398,625
12/31/2015	$542,324	2.22	$126,240			$1,337,127		$668,563		$10,856,301
6/30/2016	$548,329	2.22	$120,234					$668,563		$10,307,972
12/31/2016	$554,403	2.22	$114,161			$1,337,127		$668,563		$9,753,569
6/30/2017	$560,543	2.22	$108,021					$668,563		$9,193,026
12/31/2017	$566,751	2.22	$101,813			$1,337,127		$668,563		$8,626,275
6/30/2018	$573,027	2.22	$95,536					$668,563		$8,053,248
12/31/2018	$579,374	2.22	$89,190			$1,337,127		$668,563		$7,473,874
6/30/2019	$585,790	2.22	$82,773					$668,563		$6,888,084
12/31/2019	$592,278	2.22	$76,286			$1,337,127		$668,563		$6,295,806
6/30/2020	$598,838	2.22	$69,724					$668,571		$5,696,968
12/31/2020	$605,469	2.22	$63,094			$1,337,125		$668,563		$5,091,499
6/30/2021	$612,175	2.22	$56,388					$668,563		$4,479,324
12/31/2021	$618,955	2.22	$49,609			$1,337,127		$668,563		$3,860,369
6/30/2022	$625,810	2.22	$42,754					$668,563		$3,234,559
12/31/2022	$632,741	2.22	$35,823			$1,337,127		$668,563		$2,601,818
6/30/2023	$639,748	2.22	$28,815					$668,563		$1,962,070
12/31/2023	$646,833	2.22	$21,730			$1,337,127		$668,563		$1,315,237
6/30/2014	$653,997	2.22	$14,566					$668,563		$661,240
12/30/2014	$661,240	2.22	$7,323			$1,337,127		$668,563		$0
Total	**$12,000,000**		**$1,371,268**			**$13,371,268**		**$13,371,268**		

Notes

2015 PSAP Equipment and Technology Lease. US Bank. $12,000,000 original principal amount.

St. Joseph County
Submitted to the State on Wednesday, November 15, 2017
Report printed on Tuesday, March 19, 2024
Note: Data contained in Gateway Debt Management is self-reported by local government officials and/or their designees. Debt Reports may not have been audited for accuracy or completeness by the Department of Local Government Finance. The Department is not responsible for any errors or omissions in this data.

Debt Verification

Initial Year: 2020
Date of last payment or bond expiration: 12/31/2028 12:00:00 AM
New (post 1989): Y
Newer (post 2005): Y
Refinanced bond: Y

Basic Debt Information

Debt Name: 2017 PSAP US Bank Technology Lease Amendment
Debt Status: Outstanding
Type of Indebtedness: Lease
Base CUSIP Number:
Is this debt exempt from the property tax caps? Y

Code Cite

Code Cite Under Which Debt is Authorized:
Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer's debt limit? N
Applicable Issuer:
Current Debt Limit:
Current Debt Capacity (after issuance of this debt):

Date Information

Date of Preliminary Determination:
Date of Publication of Preliminary Determination:
Newspaper(s):
Date of Public Hearing:
Date of Final Approval/Lease Execution: 11/14/2017
Date of Appropriation Resolution:
Date of Debt Sale:
Date of Debt Closing: 11/14/2017

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No
Was a remonstrance conducted? No
Votes in favor debt:
Votes against debt:
Was this debt subject to referendum? No
Votes in favor debt:
Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating

Security on the Debt - Source of Repayment

Property Tax: No
TIF Revenue: No
COIT: No
Motor Vehicle Highway/Local Road & Street: No
CAGIT: No
Stormwater Revenues: No
CEDIT: No
Electric Revenues: No
Water Revenue: No
Wasterwater Revenues: No
Grant Revenue: No
Other (PSAP Charges for Services) : Primary

Allocation Area from which the TIF Revenues will be generated:
Name of Lessor (Building Corporation/Hold Corporation): Saint Josephy County
Does this debt refinance or refund any previously outstanding debt? No

Purpose/Cost

Purpose of Debt: Technology Improvements at County 911 Center
Total Project Cost: $2,500,000.00

Sources

Sources of Funds	Amount

Uses

Uses of Funds	Amount

Dates

Date Bids Received:
Date Construction Started:
Estimated Date of Substantial Completion:

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax Credit	Remaining Balance

11/16/2027	$140,017	2.46	$1,730			$283,494		$141,747		$0
5/16/2027	$138,327	2.46	$3,420					$141,747		$140,017
11/16/2026	$136,659	2.46	$5,098			$283,494		$141,747		$278,344
5/16/2026	$134,990	2.46	$6,757					$141,747		$415,003
11/16/2025	$133,352	2.46	$8,395			$283,494		$141,747		$549,993
5/16/2025	$131,734	2.46	$10,013					$141,747		$683,345
11/16/2024	$130,135	2.46	$11,612			$283,494		$141,747		$815,079
5/16/2024	$128,556	2.46	$13,191					$141,747		$945,214
11/16/2023	$126,996	2.46	$14,751			$283,494		$141,747		$1,073,770
5/16/2023	$125,454	2.46	$16,293					$141,747		$1,200,766
11/16/2022	$123,932	2.46	$17,815			$283,494		$141,747		$1,326,220
5/16/2022	$122,428	2.46	$19,319					$141,747		$1,450,152
11/16/2021	$120,942	2.46	$20,805			$283,494		$141,747		$1,572,580
5/16/2021	$119,474	2.46	$22,273					$141,747		$1,693,522
11/16/2020	$118,024	2.46	$23,723			$283,494		$141,747		$1,812,996
5/16/2020	$116,592	2.46	$25,155					$141,747		$1,931,020
11/16/2019	$115,177	2.46	$26,570			$283,494		$141,747		$2,047,612
5/16/2019	$113,779	2.46	$27,968					$141,747		$2,162,789
11/16/2018	$112,398	2.46	$29,348			$283,494		$141,747		$2,276,568
5/16/2018	$111,034	2.46	$30,713					$141,747		$2,388,966
Total	**$2,500,000**		**$334,949**			**$2,834,940**		**$2,834,940**		

Notes

2017 PSAP Technology Lease Amendment in the amount of $2,500,000 with U.S. Bank. Approved by Commissioners on 11/14/17.

St. Joseph County
Submitted to the State on Monday, January 22, 2018
Report printed on Tuesday, March 19, 2024
Note: Data contained in Gateway Debt Management is self-reported by local government officials and/or their designees. Debt Reports may not have been audited for accuracy or completeness by the Department of Local Government Finance. The Department is not responsible for any errors or omissions in this data.

Debt Verification

Initial Year: 2020
Date of last payment or bond expiration:
New (post 1989):
Newer (post 2005):
Refinanced bond: Y

Basic Debt Information

Debt Name: 2015 Taxable Economic Development Revenue Bonds (General Sheet Metal)
Debt Status: Outstanding
Type of Indebtedness: Bond
Base CUSIP Number:
Is this debt exempt from the property tax caps? Y

Code Cite

Code Cite Under Which Debt is Authorized:
Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer's debt limit? N
Applicable Issuer:
Current Debt Limit:
Current Debt Capacity (after issuance of this debt):

Date Information

Date of Preliminary Determination: 1/7/2015
Date of Publication of Preliminary Determination:
Newspaper(s):
Date of Public Hearing:
Date of Final Approval/Lease Execution: 5/1/2015
Date of Appropriation Resolution:
Date of Debt Sale:
Date of Debt Closing: 5/27/2015

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No
Was a remonstrance conducted? No
Votes in favor debt:
Votes against debt:
Was this debt subject to referendum? No
Votes in favor debt:
Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating

Security on the Debt - Source of Repayment

Property Tax: Primary
TIF Revenue: No
COIT: No
Motor Vehicle Highway/Local Road & Street: No
CAGIT: No
Stormwater Revenues: No
CEDIT: No
Electric Revenues: No
Water Revenue: No
Wasterwater Revenues: No
Grant Revenue: No
Other (Company Guarantee) : Primary

Allocation Area from which the TIF Revenues will be generated:
Name of Lessor (Building Corporation/Hold Corporation):
Does this debt refinance or refund any previously outstanding debt? No

Purpose/Cost

Purpose of Debt: General Sheet Metal Expenditures
Total Project Cost: $3,300,000.00

Sources

Sources of Funds	Amount

Uses

Uses of Funds	Amount

Dates

Date Bids Received:
Date Construction Started:
Estimated Date of Substantial Completion:

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax Credit	Remaining Balance

8/1/2030	$165,000	3.00	$2,475	$167,475	$0	$332,350				$0
2/1/2030	$160,000	3.00	$4,875	$164,875	$0					$165,000
8/1/2029	$160,000	3.00	$7,275	$167,275	$0	$336,950				$325,000
2/1/2029	$160,000	3.00	$9,675	$169,675	$0					$485,000
8/1/2028	$155,000	3.00	$12,000	$167,000	$0	$336,325				$645,000
2/1/2028	$155,000	3.00	$14,325	$169,325	$0					$800,000
8/1/2027	$150,000	3.00	$16,575	$166,575	$0	$335,400				$955,000
2/1/2027	$150,000	3.00	$18,825	$168,825	$0					$1,105,000
8/1/2026	$145,000	3.00	$21,000	$166,000	$0	$334,175				$1,255,000
2/1/2026	$145,000	3.00	$23,175	$168,175	$0					$1,400,000
8/1/2025	$140,000	3.00	$25,275	$165,275	$0	$332,650				$1,545,000
2/1/2025	$140,000	3.00	$27,375	$167,375	$0					$1,685,000
8/1/2024	$135,000	3.00	$29,400	$164,400	$0	$330,825				$1,825,000
2/1/2024	$135,000	3.00	$31,425	$166,425	$0					$1,960,000
8/1/2023	$135,000	3.00	$33,450	$168,450	$0	$323,700				$2,095,000
2/1/2023	$120,000	3.00	$35,250	$155,250	$0					$2,230,000
8/1/2022	$115,000	3.00	$36,975	$151,975	$0	$300,600				$2,350,000
2/1/2022	$110,000	3.00	$38,625	$148,625	$0					$2,465,000
8/1/2021	$110,000	3.00	$40,275	$150,275	$0	$302,200				$2,575,000
2/1/2021	$110,000	3.00	$41,925	$151,925	$0					$2,685,000
8/1/2020	$105,000	3.00	$43,500	$148,500	$0	$298,575				$2,795,000
2/1/2020	$105,000	3.00	$45,075	$150,075	$0					$2,900,000
8/1/2019	$105,000	3.00	$46,650	$151,650	$0	$299,800				$3,005,000
2/1/2019	$100,000	3.00	$48,150	$148,150	$0					$3,110,000
8/1/2018	$90,000	3.00	$49,500	$139,500	$0	$189,000				$3,210,000
2/1/2018		3.00	$49,500	$49,500	$49,500					$3,300,000
8/1/2017		3.00	$49,500	$49,500	$49,500	$99,000				$3,300,000
2/1/2017		3.00	$49,500	$49,500	$49,500					$3,300,000
8/1/2016		3.00	$49,500	$49,500	$49,500	$116,600				$3,300,000
2/1/2016		3.00	$67,100	$67,100	$67,100					$3,300,000
Total	**$3,300,000**		**$968,150**	**$4,268,150**	**$265,100**	**$4,268,150**				

Notes

Debt Schedule No. 15 2015 Taxable Economic Development Revenue Bonds (General Sheet Metal).

St. Joseph County
Submitted to the State on Monday, February 11, 2019
Report printed on Tuesday, March 19, 2024
Note: Data contained in Gateway Debt Management is self-reported by local government officials and/or their designees. Debt Reports may not have been audited for accuracy or completeness by the Department of Local Government Finance. The Department is not responsible for any errors or omissions in this data.

Debt Verification

Initial Year: 2042
Date of last payment or bond expiration:
New (post 1989):
Newer (post 2005):
Refinanced bond: Y

Basic Debt Information

Debt Name: 2019 Motorola PSAP CAD System Capital Lease
Debt Status: Outstanding
Type of Indebtedness: Lease
Base CUSIP Number:
Is this debt exempt from the property tax caps? Y

Code Cite

Code Cite Under Which Debt is Authorized:
Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer's debt limit? N
Applicable Issuer:
Current Debt Limit:
Current Debt Capacity (after issuance of this debt):

Date Information

Date of Preliminary Determination:
Date of Publication of Preliminary Determination:
Newspaper(s):
Date of Public Hearing:
Date of Final Approval/Lease Execution: 1/15/2019
Date of Appropriation Resolution:
Date of Debt Sale: 1/15/2019
Date of Debt Closing: 1/15/2019

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No
Was a remonstrance conducted? No
Votes in favor debt:
Votes against debt:
Was this debt subject to referendum? No
Votes in favor debt:
Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating

Security on the Debt - Source of Repayment

Property Tax: No
TIF Revenue: No
COIT: No
Motor Vehicle Highway/Local Road & Street: No
CAGIT: No
Stormwater Revenues: No
CEDIT: No
Electric Revenues: No
Water Revenue: No
Wasterwater Revenues: No
Grant Revenue: No
Other () : No

Allocation Area from which the TIF Revenues will be generated:
Name of Lessor (Building Corporation/Hold Corporation): Saint Joseph County
Does this debt refinance or refund any previously outstanding debt? No

Purpose/Cost

Purpose of Debt: New PSAP 911 CAD System
Total Project Cost: $2,976,131.00

Sources

Sources of Funds	Amount

Uses

Uses of Funds	Amount

Dates

Date Bids Received: 8/24/2018
Date Construction Started:
Estimated Date of Substantial Completion:

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax Credit	Remaining Balance

2/1/2020	$377,837	3.91	$116,367			$494,204		$494,204		$2,598,294
2/1/2021	$392,611	3.91	$101,593			$494,204		$494,204		$2,205,683
2/1/2022	$407,962	3.91	$86,242			$494,204		$494,204		$1,797,721
2/1/2023	$423,913	3.91	$70,291			$494,204		$494,204		$1,373,802
2/1/2024	$440,488	3.91	$53,716			$494,204		$494,204		$933,319
2/1/2025	$457,711	3.91	$36,493			$494,204		$494,204		$475,608
2/1/2026	$475,608	3.91	$18,596			$494,204		$494,204		$0
Total	**$2,976,130**		**$483,298**			**$3,459,428**		**$3,459,428**		

Notes

Debt Schedule No. 25
2019 Motorola PSAP Lease
Approved by PSAP Executive Board on 12/14/18
Approved by County Commissioners on 12/15/19

St. Joseph County
Submitted to the State on Thursday, October 24, 2019
Report printed on Tuesday, March 19, 2024
Note: Data contained in Gateway Debt Management is self-reported by local government officials and/or their designees. Debt Reports may not have been audited for accuracy or completeness by the Department of Local Government Finance. The Department is not responsible for any errors or omissions in this data.

Debt Verification

Initial Year: 2022
Date of last payment or bond expiration: 6/30/2032 12:00:00 AM
New (post 1989): Y
Newer (post 2005): Y
Refinanced bond: N

Basic Debt Information

Debt Name: St. Joseph County Redevelopment District Special Taxing District Bonds of 2019 (SS Double Tracking)
Debt Status: Outstanding
Type of Indebtedness: Bond
Base CUSIP Number: 79062M
Is this debt exempt from the property tax caps? N

Code Cite

Code Cite Under Which Debt is Authorized: 36-7-14 and 36-7-25
Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer's debt limit? Y
Applicable Issuer: St. Joseph County Redevelopment District
Current Debt Limit: $33,579,426.00
Current Debt Capacity (after issuance of this debt): $16,039,426.00

Date Information

Date of Preliminary Determination:
Date of Publication of Preliminary Determination:
Newspaper(s):
Date of Public Hearing:
Date of Final Approval/Lease Execution: 8/13/2019
Date of Appropriation Resolution:
Date of Debt Sale:
Date of Debt Closing: 10/17/2019

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No
Was a remonstrance conducted? No
Votes in favor debt:
Votes against debt:
Was this debt subject to referendum? No
Votes in favor debt:
Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating

Security on the Debt - Source of Repayment

Property Tax: Primary
TIF Revenue: No
COIT: No
Motor Vehicle Highway/Local Road & Street: No
CAGIT: No
Stormwater Revenues: No
CEDIT: No
Electric Revenues: No
Water Revenue: No
Wasterwater Revenues: No
Grant Revenue: No
Other () : No

Allocation Area from which the TIF Revenues will be generated:
Name of Lessor (Building Corporation/Hold Corporation):
Does this debt refinance or refund any previously outstanding debt? No

Purpose/Cost

Purpose of Debt: Finance a portion of County's share of the South Shore Double Tracking Project
Total Project Cost: $9,508,859.00

Sources

Sources of Funds	Amount

Uses

Uses of Funds	Amount

Dates

Date Bids Received:
Date Construction Started:
Estimated Date of Substantial Completion:

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax	Remaining Balance

									Credit	
2/1/2038	$2,750,000		$36,094			$2,786,094				$0
8/1/2037			$36,094			$2,711,188				$2,750,000
2/1/2037	$2,600,000		$75,094							$2,750,000
8/1/2036			$75,094			$2,662,313				$5,350,000
2/1/2036	$2,475,000		$112,219							$5,350,000
8/1/2035			$112,219			$1,036,438				$7,825,000
2/1/2035	$800,000		$124,219							$7,825,000
8/1/2034			$124,219			$1,009,688				$8,625,000
2/1/2034	$750,000		$135,469							$8,625,000
8/1/2033			$135,469			$270,938				$9,375,000
2/1/2033			$135,469							$9,375,000
8/1/2032			$135,469			$270,938				$9,375,000
2/1/2032			$135,469							$9,375,000
8/1/2031			$135,469			$270,938				$9,375,000
2/1/2031			$135,469							$9,375,000
8/1/2030			$135,469			$270,938				$9,375,000
2/1/2030			$135,469							$9,375,000
8/1/2029			$135,469			$270,938				$9,375,000
2/1/2029			$135,469							$9,375,000
8/1/2028			$135,469			$270,938				$9,375,000
2/1/2028			$135,469							$9,375,000
8/1/2027			$135,469			$270,938				$9,375,000
2/1/2027			$135,469							$9,375,000
8/1/2026			$135,469			$270,938				$9,375,000
2/1/2026			$135,469							$9,375,000
8/1/2025			$135,469			$270,938				$9,375,000
2/1/2025			$135,469							$9,375,000
8/1/2024			$135,469			$270,938				$9,375,000
2/1/2024			$135,469							$9,375,000
8/1/2023			$135,469			$270,938				$9,375,000
2/1/2023			$135,469							$9,375,000
8/1/2022			$135,469			$270,938				$9,375,000
2/1/2022			$135,469							$9,375,000
8/1/2021			$135,469			$270,938				$9,375,000
2/1/2021			$135,469							$9,375,000
8/1/2020			$213,740			$213,740				$9,375,000
Total	**$9,375,000**		**$4,566,655**			**$13,941,655**				

Notes

Debt Schedule No. 32 - 2019 Redevelopment South Shore Double Tracking Bond. County Share. Closing on October 17, 2019. Financial advisor - Cender & Company. Bond Counsel - Barnes & Thornburg and Thorne Grodknik.

St. Joseph County
Submitted to the State on Thursday, October 24, 2019
Report printed on Tuesday, March 19, 2024
Note: Data contained in Gateway Debt Management is self-reported by local government officials and/or their designees. Debt Reports may not have been audited for accuracy or completeness by the Department of Local Government Finance. The Department is not responsible for any errors or omissions in this data.

Debt Verification

Initial Year: 2020
Date of last payment or bond expiration: 12/31/2037 12:00:00 AM
New (post 1989): Y
Newer (post 2005): Y
Refinanced bond: Y

Basic Debt Information

Debt Name: 2019 U.S. Bank Police Radio Lease
Debt Status: Outstanding
Type of Indebtedness: Lease
Base CUSIP Number:
Is this debt exempt from the property tax caps? Y

Code Cite

Code Cite Under Which Debt is Authorized:
Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer's debt limit? N
Applicable Issuer:
Current Debt Limit:
Current Debt Capacity (after issuance of this debt):

Date Information

Date of Preliminary Determination:
Date of Publication of Preliminary Determination:
Newspaper(s):
Date of Public Hearing:
Date of Final Approval/Lease Execution: 7/2/2019
Date of Appropriation Resolution:
Date of Debt Sale:
Date of Debt Closing: 8/15/2019

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No
Was a remonstrance conducted? No
Votes in favor debt:
Votes against debt:
Was this debt subject to referendum? No
Votes in favor debt:
Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating

Security on the Debt - Source of Repayment

Property Tax: No
TIF Revenue: No
COIT: No
Motor Vehicle Highway/Local Road & Street: No
CAGIT: No
Stormwater Revenues: No
CEDIT: No
Electric Revenues: No
Water Revenue: No
Wasterwater Revenues: No
Grant Revenue: No
Other () : No

Allocation Area from which the TIF Revenues will be generated:
Name of Lessor (Building Corporation/Hold Corporation): Saint Joseph County
Does this debt refinance or refund any previously outstanding debt? No

Purpose/Cost

Purpose of Debt: Purchase of radios for the police department
Total Project Cost: $1,760,003.00

Sources

Sources of Funds	Amount

Uses

Uses of Funds	Amount

Dates

Date Bids Received:
Date Construction Started:
Estimated Date of Substantial Completion:

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax Credit	Remaining Balance

2/15/2020	$115,840	2.49	$21,947	$137,787				$137,787		$1,644,163
8/15/2020	$117,285	2.49	$20,502	$137,787		$275,574		$137,787		$1,526,878
2/15/2021	$118,747	2.49	$19,040	$137,787				$137,787		$1,408,131
8/15/2021	$120,228	2.49	$17,559	$137,787		$275,574		$137,787		$1,287,903
2/15/2022	$121,727	2.49	$16,060	$137,787				$137,787		$1,166,176
8/15/2022	$123,245	2.49	$14,542	$137,787		$275,574		$137,787		$1,042,931
2/15/2023	$124,782	2.49	$13,005	$137,787				$137,787		$918,149
8/15/2023	$126,338	2.49	$11,449	$137,787		$275,574		$137,787		$791,811
2/15/2024	$127,914	2.49	$9,874	$137,787				$137,787		$663,897
8/15/2024	$129,509	2.49	$8,279	$137,787		$275,574		$137,787		$534,388
2/15/2025	$131,124	2.49	$6,664	$137,787				$137,787		$403,264
8/15/2025	$132,759	2.49	$5,029	$137,787		$275,574		$137,787		$270,505
2/15/2026	$134,414	2.49	$3,373	$137,787				$137,787		$136,091
8/15/2026	$136,091	2.49	$1,699	$137,794		$275,581		$137,794		$0
Total	**$1,760,003**		**$169,022**	**$1,929,025**		**$1,929,025**		**$1,929,025**		

Notes

Debt Schedule No. 30. U.S. Bank Capital Lease for police radios. seven years. 14 semi-annual payments.

St. Joseph County
Submitted to the State on Friday, October 25, 2019
Report printed on Tuesday, March 19, 2024
Note: Data contained in Gateway Debt Management is self-reported by local government officials and/or their designees. Debt Reports may not have been audited for accuracy or completeness by the Department of Local Government Finance. The Department is not responsible for any errors or omissions in this data.

Debt Verification

Initial Year: 2033
Date of last payment or bond expiration: 12/31/2033 12:00:00 AM
New (post 1989): Y
Newer (post 2005): Y
Refinanced bond: Y

Basic Debt Information

Debt Name: 2019 U.S. Bank Election Equipment Lease
Debt Status: Outstanding
Type of Indebtedness: Lease
Base CUSIP Number:
Is this debt exempt from the property tax caps? Y

Code Cite

Code Cite Under Which Debt is Authorized:
Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer's debt limit? N
Applicable Issuer:
Current Debt Limit:
Current Debt Capacity (after issuance of this debt):

Date Information

Date of Preliminary Determination:
Date of Publication of Preliminary Determination:
Newspaper(s):
Date of Public Hearing:
Date of Final Approval/Lease Execution: 7/2/2019
Date of Appropriation Resolution:
Date of Debt Sale:
Date of Debt Closing: 7/19/2019

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No
Was a remonstrance conducted? No
Votes in favor debt:
Votes against debt:
Was this debt subject to referendum? No
Votes in favor debt:
Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating

Security on the Debt - Source of Repayment

Property Tax: Primary
TIF Revenue: No
COIT: No
Motor Vehicle Highway/Local Road & Street: No
CAGIT: No
Stormwater Revenues: No
CEDIT: No
Electric Revenues: No
Water Revenue: No
Wasterwater Revenues: No
Grant Revenue: No
Other () : No

Allocation Area from which the TIF Revenues will be generated:
Name of Lessor (Building Corporation/Hold Corporation): Saint Joseph County
Does this debt refinance or refund any previously outstanding debt? No

Purpose/Cost

Purpose of Debt: Purchase of new election equipment
Total Project Cost: $2,500,000.00

Sources

Sources of Funds	Amount

Uses

Uses of Funds	Amount

Dates

Date Bids Received:
Date Construction Started:
Estimated Date of Substantial Completion:

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax Credit	Remaining Balance

1/15/2020	$235,946	2.56	$31,975	$267,921				$267,921		$2,264,054
7/15/2020	$238,964	2.56	$28,957	$267,921		$535,842		$267,921		$2,025,090
1/15/2021	$242,021	2.56	$25,901	$267,921				$267,921		$1,783,069
7/15/2021	$245,116	2.56	$22,805	$267,921		$535,842		$267,921		$1,537,953
1/15/2022	$248,251	2.56	$19,670	$267,921				$267,921		$1,289,702
7/15/2022	$251,426	2.56	$16,495	$267,921		$535,842		$267,921		$1,038,276
1/15/2023	$254,642	2.56	$13,280	$267,921				$267,921		$783,634
7/15/2023	$257,899	2.56	$10,023	$267,921		$535,842		$267,921		$525,735
1/15/2024	$261,197	2.56	$6,724	$267,921				$267,921		$264,538
7/15/2024	$264,538	2.56	$3,384	$267,925		$535,846		$267,925		$0
Total	**$2,500,000**		**$179,214**	**$2,679,214**		**$2,679,214**		**$2,679,214**		

Notes

Debt Schedule No. 31. 2019 U.S. Bank Election Equipment Lease. 5-year lease. Paid with Cumulative Capital Development Fund. Vendor RBM Consulting.

St. Joseph County
Submitted to the State on Thursday, February 17, 2022
Report printed on Tuesday, March 19, 2024
Note: Data contained in Gateway Debt Management is self-reported by local government officials and/or their designees. Debt Reports may not have been audited for accuracy or completeness by the Department of Local Government Finance. The Department is not responsible for any errors or omissions in this data.

Debt Verification

Initial Year:
Date of last payment or bond expiration:
New (post 1989):
Newer (post 2005):
Refinanced bond: N

Basic Debt Information

Debt Name: 2021 Ducomb Center U.S. Bank Equipment Lease
Debt Status: Outstanding
Type of Indebtedness: Lease
Base CUSIP Number:
Is this debt exempt from the property tax caps? N

Code Cite

Code Cite Under Which Debt is Authorized:
Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer's debt limit? N
Applicable Issuer:
Current Debt Limit:
Current Debt Capacity (after issuance of this debt):

Date Information

Date of Preliminary Determination:
Date of Publication of Preliminary Determination:
Newspaper(s):
Date of Public Hearing:
Date of Final Approval/Lease Execution: 11/9/2021
Date of Appropriation Resolution: 10/12/2021
Date of Debt Sale:
Date of Debt Closing: 11/12/2021

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No
Was a remonstrance conducted? No
Votes in favor debt:
Votes against debt:
Was this debt subject to referendum? No
Votes in favor debt:
Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating

Security on the Debt - Source of Repayment

Property Tax: No
TIF Revenue: No
COIT: No
Motor Vehicle Highway/Local Road & Street: No
CAGIT: No
Stormwater Revenues: No
CEDIT: No
Electric Revenues: No
Water Revenue: No
Wasterwater Revenues: No
Grant Revenue: No
Other (Fee Revenue) : Primary

Allocation Area from which the TIF Revenues will be generated:
Name of Lessor (Building Corporation/Hold Corporation): U.S. Bank Leasing
Does this debt refinance or refund any previously outstanding debt? No

Purpose/Cost

Purpose of Debt: Ducomb Center vehicles, technology, vests, radios, and equipment
Total Project Cost: $196,272.53

Sources

Sources of Funds	Amount

Uses

Uses of Funds	Amount

Dates

Date Bids Received:
Date Construction Started:
Estimated Date of Substantial Completion:

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax Credit	Remaining Balance

2/15/2022	$19,517	1.75	$992	$20,509				$20,509		$176,756
8/15/2022	$18,962	1.75	$1,547	$20,509				$20,509		$157,794
2/15/2023	$19,128	1.75	$1,381	$20,509				$20,509		$138,666
8/15/2023	$19,295	1.75	$1,214	$20,509				$20,509		$119,371
2/15/2024	$19,464	1.75	$1,045	$20,509				$20,509		$99,907
8/15/2024	$19,635	1.75	$874	$20,509				$20,509		$80,272
2/15/2025	$19,806	1.75	$703	$20,509				$20,509		$60,466
8/15/2025	$19,980	1.75	$529	$20,509				$20,509		$40,486
2/15/2026	$20,155	1.75	$354	$20,509				$20,509		$20,331
8/15/2026	$20,331	1.75	$178	$20,509				$20,509		$0
Total	**$196,273**		**$8,817**	**$205,090**				**$205,090**		

Notes

Debt Schedule No. 78

St. Joseph County
Submitted to the State on Wednesday, December 21, 2022
Report printed on Tuesday, March 19, 2024
Note: Data contained in Gateway Debt Management is self-reported by local government officials and/or their designees. Debt Reports may not have been audited for accuracy or completeness by the Department of Local Government Finance. The Department is not responsible for any errors or omissions in this data.

Debt Verification

Initial Year:
Date of last payment or bond expiration:
New (post 1989):
Newer (post 2005):
Refinanced bond: N

Basic Debt Information

Debt Name: St. Joseph County General Obligation Series 2022
Debt Status: Outstanding
Type of Indebtedness: Bond
Base CUSIP Number: 790603
Is this debt exempt from the property tax caps? N

Code Cite

Code Cite Under Which Debt is Authorized: 36-2-6-18
Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer's debt limit? Y
Applicable Issuer: St. Joseph County
Current Debt Limit: $71,186,724.00
Current Debt Capacity (after issuance of this debt): $65,386,724.00

Date Information

Date of Preliminary Determination:
Date of Publication of Preliminary Determination:
Newspaper(s): South Bend Tribune, Mishawaka Enterprise, Indianapolis Business Journal
Date of Public Hearing: 11/9/2022
Date of Final Approval/Lease Execution: 11/10/2022
Date of Appropriation Resolution: 11/10/2022
Date of Debt Sale: 12/14/2022
Date of Debt Closing: 12/21/2022

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No
Was a remonstrance conducted? No
Votes in favor debt:
Votes against debt:
Was this debt subject to referendum? No
Votes in favor debt:
Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating

Security on the Debt - Source of Repayment

Property Tax: Primary
TIF Revenue: No
COIT: No
Motor Vehicle Highway/Local Road & Street: No
CAGIT: No
Stormwater Revenues: No
CEDIT: No
Electric Revenues: No
Water Revenue: No
Wasterwater Revenues: No
Grant Revenue: No
Other () : No

Allocation Area from which the TIF Revenues will be generated:
Name of Lessor (Building Corporation/Hold Corporation):
Does this debt refinance or refund any previously outstanding debt? No

Purpose/Cost

Purpose of Debt: Renovation of North Liberty and Woodland Highway Garages
Total Project Cost: $5,927,782.15

Sources

Sources of Funds	Amount

Uses

Uses of Funds	Amount

Dates

Date Bids Received: 12/14/2022
Date Construction Started:
Estimated Date of Substantial Completion:

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax Credit	Remaining Balance

6/30/2023	$910,000	4.00	$121,800	$1,031,800	$0					
12/30/2023	$940,000	4.00	$97,800	$1,037,800	$0	$2,069,600				
6/30/2024	$960,000	4.00	$79,000	$1,039,000	$0					
12/30/2024	$980,000	4.00	$59,800	$1,039,800	$0	$2,078,800				
6/30/2025	$995,000	4.00	$40,200	$1,035,200	$0					
12/30/2025	$1,015,000	4.00	$20,300	$1,035,300	$0	$2,070,500				
Total	**$5,800,000**		**$418,900**	**$6,218,900**	**$0**	**$6,218,900**				

Notes

2022 General Obligation(Highway)Bonds
Closing on December 21, 2022

Penn Township, St. Joseph County
Submitted to the State on Tuesday, November 12, 2019
Report printed on Tuesday, March 19, 2024
Note: Data contained in Gateway Debt Management is self-reported by local government officials and/or their designees. Debt Reports may not have been audited for accuracy or completeness by the Department of Local Government Finance. The Department is not responsible for any errors or omissions in this data.

Debt Verification

Initial Year: 2028
Date of last payment or bond expiration:
New (post 1989):
Newer (post 2005):
Refinanced bond: N

Basic Debt Information

Debt Name: Penn Township General Obligation Series 2019
Debt Status: Outstanding
Type of Indebtedness: Bond
Base CUSIP Number: 707678
Is this debt exempt from the property tax caps? N

Code Cite

Code Cite Under Which Debt is Authorized:
Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer's debt limit? Y
Applicable Issuer: Penn Township
Current Debt Limit: $5,146,901.00
Current Debt Capacity (after issuance of this debt): $1,046,901.00

Date Information

Date of Preliminary Determination:
Date of Publication of Preliminary Determination:
Newspaper(s):
Date of Public Hearing:
Date of Final Approval/Lease Execution:
Date of Appropriation Resolution: 10/7/2019
Date of Debt Sale: 10/22/2019
Date of Debt Closing: 11/7/2019

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No
Was a remonstrance conducted? No
Votes in favor debt:
Votes against debt:
Was this debt subject to referendum? No
Votes in favor debt:
Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating

Security on the Debt - Source of Repayment

Property Tax: Primary
TIF Revenue: No
COIT: No
Motor Vehicle Highway/Local Road & Street: No
CAGIT: No
Stormwater Revenues: No
CEDIT: No
Electric Revenues: No
Water Revenue: No
Wasterwater Revenues: No
Grant Revenue: No
Other () : No

Allocation Area from which the TIF Revenues will be generated:
Name of Lessor (Building Corporation/Hold Corporation):
Does this debt refinance or refund any previously outstanding debt? No

Purpose/Cost

Purpose of Debt: Construction of a Fire Station
Total Project Cost: $4,100,000.00

Sources

Sources of Funds	Amount

Uses

Uses of Funds	Amount

Dates

Date Bids Received:
Date Construction Started:
Estimated Date of Substantial Completion:

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax Credit	Remaining Balance

12/30/2026	$315,000	2.00	$3,150	$318,150		$631,400				$0
6/30/2026	$310,000	2.00	$3,250	$313,250						$315,000
12/30/2025	$305,000	2.00	$9,300	$314,300		$631,650				$625,000
6/30/2025	$305,000	2.00	$12,350	$317,350						$930,000
12/30/2024	$300,000	2.00	$15,350	$315,350		$633,700				$1,235,000
6/30/2024	$300,000	2.00	$18,350	$318,350						$1,535,000
12/30/2023	$295,000	2.00	$21,300	$316,300		$630,500				$1,835,000
6/30/2023	$290,000	2.00	$24,200	$314,200						$2,130,000
12/30/2022	$290,000	2.00	$27,100	$317,100		$632,050				$2,420,000
6/30/2022	$285,000	2.00	$29,950	$314,950						$2,710,000
12/30/2021	$285,000	2.00	$32,800	$317,800		$633,400				$2,995,000
6/30/2021	$280,000	2.00	$35,600	$315,600						$3,280,000
12/30/2020	$270,000	2.00	$38,300	$308,300		$631,372				$3,560,000
6/30/2020	$270,000	2.00	$53,072	$323,072						$3,830,000
Total	**$4,100,000**		**$324,072**	**$4,424,072**		**$4,424,072**				

Notes

Penn Township, St. Joseph County
Submitted to the State on Friday, January 15, 2021
Report printed on Tuesday, March 19, 2024
Note: Data contained in Gateway Debt Management is self-reported by local government officials and/or their designees. Debt Reports may not have been audited for accuracy or completeness by the Department of Local Government Finance. The Department is not responsible for any errors or omissions in this data.

Debt Verification

Initial Year:
Date of last payment or bond expiration:
New (post 1989):
Newer (post 2005):
Refinanced bond: N

Basic Debt Information

Debt Name: Republic First National Corporation Ford F550 Ambulance
Debt Status: Outstanding
Type of Indebtedness: Lease
Base CUSIP Number:
Is this debt exempt from the property tax caps? N

Code Cite

Code Cite Under Which Debt is Authorized:
Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer's debt limit? N
Applicable Issuer:
Current Debt Limit:
Current Debt Capacity (after issuance of this debt):

Date Information

Date of Preliminary Determination:
Date of Publication of Preliminary Determination:
Newspaper(s):
Date of Public Hearing:
Date of Final Approval/Lease Execution:
Date of Appropriation Resolution:
Date of Debt Sale:
Date of Debt Closing: 1/1/2026

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No
Was a remonstrance conducted? No
Votes in favor debt:
Votes against debt:
Was this debt subject to referendum? No
Votes in favor debt:
Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating

Security on the Debt - Source of Repayment

Property Tax: Primary
TIF Revenue: No
COIT: No
Motor Vehicle Highway/Local Road & Street: No
CAGIT: No
Stormwater Revenues: No
CEDIT: No
Electric Revenues: No
Water Revenue: No
Wasterwater Revenues: No
Grant Revenue: No
Other () : No

Allocation Area from which the TIF Revenues will be generated:
Name of Lessor (Building Corporation/Hold Corporation):
Does this debt refinance or refund any previously outstanding debt? No

Purpose/Cost

Purpose of Debt: Lease Purchase of Ford F550 Ambulance
Total Project Cost: $262,189.00

Sources

Sources of Funds	Amount

Uses

Uses of Funds	Amount

Dates

Date Bids Received:
Date Construction Started:
Estimated Date of Substantial Completion:

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax Credit	Remaining Balance

7/1/2020	$21,877		$2,083					$23,959		$244,033
1/1/2021	$2,018,386		$3,776					$23,959		$223,258
7/1/2021	$20,501		$3,458					$23,959		$202,213
1/1/2022	$20,823		$3,136					$23,959		$180,892
7/1/2022	$2,115,022		$2,809					$23,959		$159,293
1/1/2023	$21,483		$2,477					$23,959		$137,413
7/1/2023	$21,820		$2,139					$23,959		$115,246
1/1/2024	$22,163		$1,797					$23,959		$92,791
7/1/2024	$22,511		$1,448					$23,959		$70,042
1/1/2025	$22,865		$1,095					$23,959		$46,997
7/1/2025	$23,224		$735					$23,959		$23,651
1/1/2026	$23,589		$371					$23,959		$0
Total	**$4,354,264**		**$25,324**					**$287,508**		

Notes

Penn Township, St. Joseph County
Submitted to the State on Tuesday, February 8, 2022
Report printed on Tuesday, March 19, 2024
Note: Data contained in Gateway Debt Management is self-reported by local government officials and/or their designees. Debt Reports may not have been audited for accuracy or completeness by the Department of Local Government Finance. The Department is not responsible for any errors or omissions in this data.

Debt Verification

Initial Year:
Date of last payment or bond expiration:
New (post 1989):
Newer (post 2005):
Refinanced bond: N

Basic Debt Information

Debt Name: Republic First National Corporation Sutphen Pumper/Tanker 2021
Debt Status: Outstanding
Type of Indebtedness: Lease
Base CUSIP Number:
Is this debt exempt from the property tax caps? N

Code Cite

Code Cite Under Which Debt is Authorized:
Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer's debt limit? N
Applicable Issuer:
Current Debt Limit:
Current Debt Capacity (after issuance of this debt):

Date Information

Date of Preliminary Determination:
Date of Publication of Preliminary Determination:
Newspaper(s):
Date of Public Hearing:
Date of Final Approval/Lease Execution:
Date of Appropriation Resolution:
Date of Debt Sale:
Date of Debt Closing: 1/1/2028

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No
Was a remonstrance conducted? No
Votes in favor debt:
Votes against debt:
Was this debt subject to referendum? No
Votes in favor debt:
Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating

Security on the Debt - Source of Repayment

Property Tax: Primary
TIF Revenue: No
COIT: No
Motor Vehicle Highway/Local Road & Street: No
CAGIT: No
Stormwater Revenues: No
CEDIT: No
Electric Revenues: No
Water Revenue: No
Wasterwater Revenues: No
Grant Revenue: No
Other () : No

Allocation Area from which the TIF Revenues will be generated:
Name of Lessor (Building Corporation/Hold Corporation):
Does this debt refinance or refund any previously outstanding debt? No

Purpose/Cost

Purpose of Debt: Lease Purchase of Sutphen Pumper/Tanker
Total Project Cost: $635,152.33

Sources

Sources of Funds	Amount

Uses

Uses of Funds	Amount

Dates

Date Bids Received:
Date Construction Started:
Estimated Date of Substantial Completion:

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax Credit	Remaining Balance

7/1/2022	$48,421		$9,279					$57,700		
1/1/2023	$49,877		$7,823					$57,700		$542,127
7/1/2023	$50,542		$7,158					$57,700		$490,661
1/1/2024	$51,216		$6,484					$57,700		$438,603
7/1/2024	$51,899		$5,801					$57,700		$385,947
1/1/2025	$52,591		$5,109					$57,700		$332,685
7/1/2025	$53,292		$4,408					$57,700		$278,810
1/1/2026	$54,003		$3,698					$57,700		$224,316
7/1/2026	$54,723		$2,977					$57,700		$169,195
1/1/2027	$55,453		$2,248					$57,700		$113,440
7/1/2027	$56,192		$1,508					$57,700		$57,044
1/1/2028	$56,941		$759					$57,700		$0
Total	**$635,150**		**$57,252**					**$692,400**		

Notes

Deborah S. Block, IAMC, MMC

APR 18 2024

City Clerk
Mishawaka, IN

Appendix "A"
Resolution of Adopting Fiscal Plan

RESOLUTION NO. 2024-05

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, INTRODUCING AN ORDINANCE FOR ANNEXATION, ADOPTING A WRITTEN FISCAL PLAN, AND A DEFINITE POLICY FOR ANNEXATION FOR THE PROPERTY LOCATED AT:

The northwest corner of Cleveland Road and Capital Avenue, including the adjacent Cleveland Road and Capital Avenue public right-of-way.

WHEREAS, the Common Council of the City of Mishawaka desires to consider the annexation of territory adjacent to the City in accordance with a definite policy and all applicable laws and restrictions.

WHEREAS, the entire area proposed for annexation has either petitioned for annexation or signed a consent regarding annexation.

WHEREAS, Indiana Code Section 36-4-3-3.1 requires a municipality to develop and adopt a written fiscal plan and establish a definite policy by resolution.

WHEREAS, the said fiscal plan has been reviewed and is otherwise consistent with the requirements of Indiana Code 36-4-3-13.

WHEREAS, the Department of Planning has prepared said fiscal plan with the input of each applicable City department. Furthermore, based on the review of each City department, a comparable level of City services can be provided to the proposed annexation area when compared to similar geographic areas of the City.

WHEREAS, the Department of Planning has prepared a written policy on annexation that has been incorporated within the fiscal plan.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, as follows:

Section I. The Common Council has provided notice of this resolution as required by law, and is initiating an ordinance to annex the following property, legally described as:

A PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 23, AND A PART OF THE NORTHEAST QUARTER OF SECTION 26, ALL IN TOWNSHIP 38 NORTH, RANGE 3 EAST, HARRIS TOWNSHIP, ST. JOSEPH COUNTY, INDIANA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 23; THENCE SOUTH 89°41'58" EAST ALONG THE SOUTH LINE OF SAID SECTION AND THE CENTERLINE OF CLEVELAND ROAD, A DISTANCE OF 1323.83 FEET MORE OR LESS (ASSUMED BEARINGS AND APPROXIMATE DISTANCES) TO THE POINT OF BEGINNING; THENCE NORTH 00°32'43" WEST, ALONG THE WEST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 23, A DISTANCE OF 1317.98 FEET MORE OR LESS TO THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 23; THENCE SOUTH 89°51'36" EAST ALONG SAID NORTH LINE, A DISTANCE OF 851.59 FEET MORE OR LESS TO THE EASTERLY RIGHT-OF-WAY LINE OF CAPITAL AVENUE; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE FOR THE NEXT SIX (6) COURSES SOUTH 18°36' EAST, A DISTANCE OF 222.02 FEET MORE OR LESS AND SOUTH 11°10' EAST, A DISTANCE OF 553.73 FEET MORE OR LESS AND SOUTH 02°34' WEST, A DISTANCE OF 116.26 FEET MORE OR LESS AND SOUTH 10°08' WEST, A DISTANCE OF 195.24 FEET MORE OR LESS AND SOUTH 00°00' EAST, A DISTANCE OF 158.86 FEET MORE OR LESS TO THE INTERSECTION OF THE EAST RIGHT-OF-WAY LINE OF SAID CAPITAL AVENUE WITH THE NORTHERLY RIGHT-OF-WAY LINE CLEVELAND ROAD; THENCE SOUTH 16°47' EAST, A DISTANCE OF 165.93 FEET MORE OR LESS TO THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY LINE OF SAID CAPITAL AVENUE WITH THE SOUTHERLY RIGHT-OF-WAY LINE CLEVELAND ROAD; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE, SOUTH 31°00' WEST, A DISTANCE OF 66.05 FEET MORE OR LESS;

THENCE CROSSING SAID CAPITAL AVENUE, SOUTH 84°16' WEST, A DISTANCE OF 197.87 FEET MORE OR LESS TO THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY LINE OF SAID CAPITAL AVENUE WITH THE SOUTHERLY RIGHT-OF-WAY LINE CLEVELAND ROAD; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE FOR THE NEXT TWO (2) COURSES, NORTH 57°40' EAST, A DISTANCE OF 176.29 FEET MORE OR LESS AND NORTH 89°41' 58" WEST, A DISTANCE OF 622.41 FEET MORE OR LESS; THENCE NORTH 12°18' WEST, A DISTANCE OF 29.32 FEET MORE OR LESS TO THE POINT OF BEGINNING.
CONTAINING 30.64 ACRES MORE OR LESS.
SUBJECT TO ALL LEGAL RIGHT-OF-WAYS, EASEMENTS, AND RESTRICTIONS OF RECORD.

Section II. Following the review of documents prepared by the Department of Planning and presentation, the Common Council hereby adopts the Fiscal Plan and Annexation Policy as it relates to the aforementioned properties.

Section III. This Resolution shall be in full force and effect after its adoption by the Common Council and approval by the Mayor, as required by law.

PASSED by the Common Council of the City of Mishawaka, Indiana, this _____ day

of _____, 2024, at _____ o'clock __.M.

_____
Presiding Officer

ATTEST:

_____
Deborah S. Block, IAMC, MMC, City Clerk

PRESENTED by me to the Mayor this _____ day of _____,
_____

2024, at _____o'clock __.M.

_____
Deborah S. Block, IAMC, MMC, City Clerk

APPROVED by me this _____ day of _____ 2024, at

_____ o'clock ___.M.

_____
David A. Wood, Mayor

CITY OF MISHAWAKA

DAVID A. WOOD, MAYOR

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
Kenneth B. Prince, ASLA, AICP, Executive Director

Deborah S. Block, IAMC, MMC
APR 18 2024
City Clerk
Mishawaka, IN

April 18, 2024

Dale Emmons, 1st District City Council
Matt Carroll, 2nd District City Council
Lou Ann Hazen, 3rd District City Council
Kate Voelker, 4th District City Council
Anthony Violi, 5th District City Council
Ron Banicki, 6th District City Council
Gregg Hixenbaugh, At Large City Council
Matt Mammolenti, At Large City Council
Lacy Hahn, At Large City Council
Deborah S. Block, City Clerk

Re: Fiscal Plans and Approving Resolutions for proposed Ordinances to Annex and Zone property into the City of Mishawaka: : the northwest corner of Cleveland Road and Capital Avenue

Dear Council Members and Clerk:

Attached herewith for your review is a copy of the Fiscal Plan and approving resolution prepared by the Planning Department in accordance with the requirements of the State of Indiana Code Section 36-4-3-3.1. This document provides basic information about the area to be annexed, and describes how the City of Mishawaka will provide services to the area to be annexed.

Prior to preparing a fiscal plan, copies of the proposed request are forwarded to all applicable City Departments. The Departments are then asked what expenditures/costs will be required to service the area and if the request can be accommodated with the funds currently approved within the City Budget. In this case, given that the property is immediately adjacent to existing City limits, and that the developer is responsible for installing, and if necessary extending, all utilities to the site and constructing any required improvements within the public right-of-way, no additional expenditures are anticipated at this time.

Staff will present a brief summary of the plan and be prepared to respond to questions at the Common Council meeting on April 22, 2024.

If you have any questions, please feel free to contact our office at your convenience.

Sincerely,

Christa Hill

Christa Hill, Senior Planner

cc: David A. Wood, Mayor

City of Mishawaka

MISH RE LLC
(Owner/Contingent Developer)

Property located at the northwest corner of Capital Avenue and Cleveland Road

April 2024

Prepared by:
City of Mishawaka
Department of Planning & Community Development
100 Lincolnway West
Mishawaka, IN
46544-2011

Phone: (574) 258-1625
Fax: (574) 968-6999
E-mail: planning@mishawaka.in.gov

MISH RE LLC
14233 CLEVELAND RD
NORTHWEST CORNER OF CAPITAL AVENUE & CLEVELAND ROAD
ANNEXATION FISCAL PLAN

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CONTAINING 30.64 ACRES MORE OR LESS.
SUBJECT TO ALL LEGAL RIGHT-OF-WAYS, EASEMENTS, AND RESTRICTIONS OF RECORD.

TAB A- CITY OF MISHAWAKA ANNEXATION POLICY

CITY OF MISHAWAKA ANNEXATION POLICY

GENERAL POLICY

The City of Mishawaka recognizes that as the population of St. Joseph County grows and development trends change, there will be a continuous demand for infrastructure and urban services provided by cities such as Mishawaka. Infrastructure includes, but is not limited to, water, sanitary sewer, electric, and transportation. Urban services include, but are not limited to, police, fire, and emergency medical services. With a stable tax rate, low crime rate, outstanding public schools, and strong neighborhoods, the City of Mishawaka is a livable community where families and businesses desire to locate. The expansion of infrastructure and services combined with the desire of families and businesses to locate in Mishawaka has necessitated the City to create a policy on annexation.

It is the policy of the City of Mishawaka to encourage the growth of the City boundary in a compact and contiguous manner concurrently with the extension of infrastructure and services. Although exceptions will be considered for large industrial projects or proposals related to specific economic development efforts, the City recognizes that compact and contiguous growth promotes the cost-effective delivery of services.

The City of Mishawaka continues to promote the logical expansion of infrastructure into the unincorporated areas of the county contiguous to the City on request provided there is availability. The voluntary extension of infrastructure, such as water and sewer, requires the benefactor(s) of that infrastructure to waive or consent to future annexation at the time of connection. The extension of infrastructure does not automatically equate to the immediate annexation of property. To meet the statutory requirements for annexation, both infrastructure and urban services must be provided. As such, many unincorporated areas are currently provided with public rate-supported utilities by the City that will not be suitable for annexation in the foreseeable future. Thus, it is the policy of the City of Mishawaka that the initiation of annexation be undertaken only at a time when the City determines that both infrastructure and urban services can be provided for unincorporated area adjacent to the City. To consider annexation, infrastructure and urban services must be available to the proposed annexation area at a standard that is comparable to similar geographic and use areas that currently exist within the City of Mishawaka.

IMPACT OF ST. JOSEPH COUNTY GROWTH

The City of Mishawaka also recognizes the impact growth and development currently occurring in unincorporated St. Joseph County has on annexation efforts. There has been a trend in St. Joseph County to allow for development on septic and well systems sporadically throughout the county. As is currently the case in St. Joseph County, there are numerous examples of the problems associated with this type of sprawling development. Septic systems based on poor installation or lack of maintenance; contribute to the pollution of both surface and groundwater. Based on groundwater concerns, residents desire to connect to public water systems. Residents are also calling for urban services, rather than the rural services typically provided by county governments. Residential streets need to be plowed, and emergency response times for police, fire and emergency medical services frequently exceed the times typically expected of suburban development.

As the population of these areas increase, the demand/need for infrastructure and increased urban services will grow exponentially. Due to the sprawling nature of this development, the cost for providing infrastructure and urban services to the existing City of Mishawaka standard far exceeds the tax revenue generated by these areas. This point has been addressed within this annexation policy because of the past concerns expressed by some residents/property owners of these areas who have been historically opposed to annexation. These concerns, for the most part, are based in fear and do not reflect the reality of the practical constraints of annexation. For the record, the cost of providing services, based on the sprawled growth and statutory limitations, makes it both undesirable and not readily feasible for the City of Mishawaka to annex large non-contiguous developed areas.

This point has also been included to identify the reciprocal concern of the City relative to the sprawling growth within unincorporated St. Joseph County. Currently, the taxpayers within the City of Mishawaka pay City taxes to sustain infrastructure and a desired level of urban services. Furthermore, the taxpayers of the City of Mishawaka also pay county taxes that are used in part to provide similar services to county residents. Cities are wholly responsible for these services within their respective jurisdictional areas. These services include, but are not limited to, road maintenance, police patrols, and emergency medical services. These are services subsidized by general county tax dollars that the City of Mishawaka contributes to but does not receive the

corresponding reciprocal benefit. The taxpayers of the county do not pay taxes that directly or indirectly support these services within the City. Based on the current division of general county funds, this equates to the City of Mishawaka financially subsidizing the sprawling growth of the county. Accordingly, the City of Mishawaka continues to seek a more equitable distribution of existing general county tax revenues. Furthermore, based on this existing inequity, it is an important objective of the City to work with county officials to ensure that there are not future increases in spending to address the problems associated with sprawling unincorporated development. The City also recognizes the need to develop fair cost-sharing practices to provide for regional services that does not adversely impact the residents of the City, while still providing for the needed/desired services in the unincorporated county.

Although the equitable distribution of tax dollars is an important concern, the City also recognizes that the problems associated with this sprawling unincorporated development also impacts the City of Mishawaka. The City is impacted by the limitations existing development has on future City growth, and the corresponding increased costs of extending infrastructure. As such, the City of Mishawaka will continue to work with the county in a cooperative effort, where possible, to address problems. However, it is only fair that the residents and property owners of a particular problem area caused by sprawling development should be the party wholly responsible for the costs of desired/needed infrastructure or services- not the tax payers of the City of Mishawaka.

STATUTORY LIMITATIONS

The City of Mishawaka also recognizes the burden placed on municipalities within St. Joseph County based on the statutory requirements on Municipal Annexation and Dis-annexation. The controlling legislation on annexation is established by the Indiana Code 36-4-3-series.

The statute also places minimum requirements on municipalities regarding providing services to proposed annexation areas, the timing of implementation, and contiguity requirements. The statute also requires that a fiscal plan be adopted showing how the costs associated with providing services will be paid. An estimated amount of time required for voluntary annexation is three to four months. The increased time required to process an annexation has placed a burden on real estate transactions and development on the fringe of the City. It is not uncommon to have annexation placed as a condition on the sale of property by the buyer. Annexation is typically requested because City services are desired or needed to serve the proposed project. This increased time frame when compared to the traditional rezoning process has the potential for directing appropriate contiguous growth away from the City due to the lack of suitable available property that can be developed in a short period of time.

IMPLEMENTATION OF POLICY

The stringent statutory requirements of annexation have necessitated the creation of a policy of the City of Mishawaka to evaluate the geographic boundary of each proposed voluntary annexation relative to the surrounding unincorporated properties. The purpose of this evaluation is to examine the proposed annexation area to the existing City limits relative to providing a compact and contiguous City boundary.

Annexation law significantly limits the ability of municipalities to annex property without the consent of the majority of property owners. Therefore, the City has deemed it necessary to review adjacent unincorporated properties that have not requested annexation at the time a voluntary annexation is proposed. Although this may ultimately necessitate the annexation of property without the consent of a minority of the adjacent property owners, this policy provides for a means to expand the City boundary in a compact and contiguous manner that would otherwise not be possible based on statutory requirements.

A secondary purpose of this policy is to reduce the number of separate contiguous annexation petitions that are likely to be filed within a short period of time. The potential inclusion of additional property as part a proposed annexation petition will counteract the discouraging development influence of time limitations placed by the Indiana Code.

In the past, voluntary annexations without this policy have created a chaotic City boundary that promotes the inefficient delivery of services for both the City of Mishawaka and St. Joseph County. Chaotic refers only to the physical geographic location of the boundary. Common chaotic configurations include *saw-tooth shapes*, *islands*, and *adjacent pockets*. The attributes of these boundary configurations are described as follows:

A *saw-tooth boundary* refers to shape where contiguous properties located along a single roadway change municipal boundaries multiple times in a relative short distance. This situation creates difficulties in providing for the efficient delivery of services. Specifically, it is more difficult for the postal service, police, fire, and emergency medical providers to determine the physical limits of jurisdictions in the field. Under non-emergency circumstances, this situation is likely to result in inconveniences only. However, in emergency situations, confusion on boundary locations in the field has the potential to delay providing potentially life saving services, or could otherwise promote providing double coverage for the area limiting the ability of one provider to respond to other calls.

An *island* refers to unincorporated areas that are physically surrounded by the incorporated City. This situation provides for the inefficient delivery of services for both the City of Mishawaka and unincorporated St. Joseph County. Services such as trash removal, snow plowing, road maintenance, police, fire, and emergency medical services could all potentially require one service provider to travel through another service provider's jurisdictional area. This inherently inefficient situation potentially increases the costs of providing services for both jurisdictions.

Adjacent pockets refers to unincorporated area that is reasonably adjacent to the City and is currently served at least in part by City infrastructure. When the infrastructure was provided to these areas, these areas were typically located on the fringes of the City where other services were either not available or desired at the time. However, as the demand for growth and development continues, the demand for additional services also grows. Over time, pockets are also typically provided with some peripheral City services without expense. Emergency service providers within the City of Mishawaka and St. Joseph County have consistently worked together to provide reciprocal assistance in responding to calls when the other provider is either occupied or at a considerable distance, provided resources are available. Typically, due to the general location adjacent to the City and the increased ability of the City to provide services, these pocket areas will intermittently receive City emergency services.

Furthermore, pockets become obstacles to the future expansion of infrastructure and services. They are considered obstacles due to the contiguity requirements established by the Indiana Code for annexation. If these pockets are not annexed over time, the City is prevented from expanding. The annexation of these pocket areas not only allows for the continued growth of the City, but also provides for the efficient and equitable delivery of services.

SUMMARY

- It is the policy of the City of Mishawaka to encourage the growth of the City boundary in a compact and contiguous manner concurrently with the extension of infrastructure and services.

- It is the policy of the City of Mishawaka that the annexation be undertaken only at a time when the City determines that both infrastructure and urban services can be provided for unincorporated area adjacent to the City.

- To address existing sprawl and inequitable distribution of general county tax dollars, it is the policy of the City of Mishawaka that the residents and property owners of a particular problem area caused by sprawling development should be the party wholly responsible for the costs of desired/needed infrastructure or services- not the taxpayers of the City of Mishawaka.

- The stringent statutory requirements of annexation have necessitated the creation of a policy of the City of Mishawaka to evaluate the geographic boundary of each proposed voluntary annexation relative to the surrounding unincorporated properties to promote the efficient delivery of services and remove chaotic boundary configurations.

A PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 23, AND A PART OF THE NORTHEAST QUARTER OF SECTION 26, ALL IN TOWNSHIP 38 NORTH, RANGE 3 EAST, HARRIS TOWNSHIP, ST. JOSEPH COUNTY, INDIANA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 23; THENCE SOUTH 89°41'58" EAST ALONG THE SOUTH LINE OF SAID SECTION AND THE CENTERLINE OF CLEVELAND ROAD, A DISTANCE OF 1323.83 FEET MORE OR LESS (ASSUMED BEARINGS AND APPROXIMATE DISTANCES) TO THE POINT OF BEGINNING; THENCE NORTH 00°32'43" WEST, ALONG THE WEST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 23, A DISTANCE OF 1317.98 FEET MORE OR LESS TO THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 23; THENCE SOUTH 89°51'36" EAST ALONG SAID NORTH LINE, A DISTANCE OF 851.59 FEET MORE OR LESS TO THE EASTERLY RIGHT-OF-WAY LINE OF CAPITAL AVENUE; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE FOR THE NEXT SIX (6) COURSES SOUTH 18°36' EAST, A DISTANCE OF 222.02 FEET MORE OR LESS AND SOUTH 11°10' EAST, A DISTANCE OF 553.73 FEET MORE OR LESS AND SOUTH 02°34' WEST, A DISTANCE OF 116.26 FEET MORE OR LESS AND SOUTH 10°08' WEST, A DISTANCE OF 195.24 FEET MORE OR LESS AND SOUTH 00°00' EAST, A DISTANCE OF 158.86 FEET MORE OR LESS TO THE INTERSECTION OF THE EAST RIGHT-OF-WAY LINE OF SAID CAPITAL AVENUE WITH THE NORTHERLY RIGHT-OF-WAY LINE CLEVELAND ROAD; THENCE SOUTH 16°47' EAST, A DISTANCE OF 165.93 FEET MORE OR LESS TO THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY LINE OF SAID CAPITAL AVENUE WITH THE SOUTHERLY RIGHT-OF-WAY LINE CLEVELAND ROAD; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE, SOUTH 31°00' WEST, A DISTANCE OF 66.05 FEET MORE OR LESS; THENCE CROSSING SAID CAPITAL AVENUE, SOUTH 84°16' WEST, A DISTANCE OF 197.87 FEET MORE OR LESS TO THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY LINE OF SAID CAPITAL AVENUE WITH THE SOUTHERLY RIGHT-OF-WAY LINE CLEVELAND ROAD; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE FOR THE NEXT TWO (2) COURSES, NORTH 57°40' EAST, A DISTANCE OF 176.29 FEET MORE OR LESS AND NORTH 89°41' 58" WEST, A DISTANCE OF 622.41 FEET MORE OR LESS; THENCE NORTH 12°18' WEST, A DISTANCE OF 29.32 FEET MORE OR LESS TO THE POINT OF BEGINNING.
CONTAINING 30.64 ACRES MORE OR LESS.
SUBJECT TO ALL LEGAL RIGHT-OF-WAYS, EASEMENTS, AND RESTRICTIONS OF RECORD.

TAB B- BASIC DATA & FISCAL ANALYSIS

BASIC DATA & FISCAL ANALYSIS

A. LOCATION AND SIZE

The area proposed for annexation is illustrated on the following maps and shown on the accompanying aerials. This area is legally described as follows:

A PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 23, AND A PART OF THE NORTHEAST QUARTER OF SECTION 26, ALL IN TOWNSHIP 38 NORTH, RANGE 3 EAST, HARRIS TOWNSHIP, ST. JOSEPH COUNTY, INDIANA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 23; THENCE SOUTH 89°41'58" EAST ALONG THE SOUTH LINE OF SAID SECTION AND THE CENTERLINE OF CLEVELAND ROAD, A DISTANCE OF 1323.83 FEET MORE OR LESS (ASSUMED BEARINGS AND APPROXIMATE DISTANCES) TO THE POINT OF BEGINNING; THENCE NORTH 00°32'43" WEST, ALONG THE WEST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 23, A DISTANCE OF 1317.98 FEET MORE OR LESS TO THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 23; THENCE SOUTH 89°51'36" EAST ALONG SAID NORTH LINE, A DISTANCE OF 851.59 FEET MORE OR LESS TO THE EASTERLY RIGHT-OF-WAY LINE OF CAPITAL AVENUE; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE FOR THE NEXT SIX (6) COURSES SOUTH 18°36' EAST, A DISTANCE OF 222.02 FEET MORE OR LESS AND SOUTH 11°10' EAST, A DISTANCE OF 553.73 FEET MORE OR LESS AND SOUTH 02°34' WEST, A DISTANCE OF 116.26 FEET MORE OR LESS AND SOUTH 10°08' WEST, A DISTANCE OF 195.24 FEET MORE OR LESS AND SOUTH 00°00' EAST, A DISTANCE OF 158.86 FEET MORE OR LESS TO THE INTERSECTION OF THE EAST RIGHT-OF-WAY LINE OF SAID CAPITAL AVENUE WITH THE NORTHERLY RIGHT-OF-WAY LINE CLEVELAND ROAD; THENCE SOUTH 16°47' EAST, A DISTANCE OF 165.93 FEET MORE OR LESS TO THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY LINE OF SAID CAPITAL AVENUE WITH THE SOUTHERLY RIGHT-OF-WAY LINE CLEVELAND ROAD; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE, SOUTH 31°00' WEST, A DISTANCE OF 66.05 FEET MORE OR LESS; THENCE CROSSING SAID CAPITAL AVENUE, SOUTH 84°16' WEST, A DISTANCE OF 197.87 FEET MORE OR LESS TO THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY LINE OF SAID CAPITAL AVENUE WITH THE SOUTHERLY RIGHT-OF-WAY LINE CLEVELAND ROAD; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE FOR THE NEXT TWO (2) COURSES, NORTH 57°40' EAST, A DISTANCE OF 176.29 FEET MORE OR LESS AND NORTH 89°41' 58" WEST, A DISTANCE OF 622.41 FEET MORE OR LESS; THENCE NORTH 12°18' WEST, A DISTANCE OF 29.32 FEET MORE OR LESS TO THE POINT OF BEGINNING.
CONTAINING 30.64 ACRES MORE OR LESS.
SUBJECT TO ALL LEGAL RIGHT-OF-WAYS, EASEMENTS, AND RESTRICTIONS OF RECORD.

COMMON ADDRESS: 14233 CLEVELAND ROAD, LOCATED AT THE NORTHWEST CORNER OF CAPITAL AVENUE AND CLEVELAND ROAD

<u>Annexation Area</u>

The area to be annexed includes one parcel of land (Tax Parcel #006-1008-0105) located at the northwest corner Cleveland Road and Capital Avenue. The southwest corner of the parcel includes a single-family residential home and accessory structures. The remainder of the lot is currently tillable farmland. The property is bound to the west with approximately 1,317.98 linear feet, and to the north with approximately 535 linear feet being incorporated into the City. Adjacent properties across Cleveland Road and Capital Avenue are located in unincorporated St. Joseph County. The property is currently zoned “R” Single Family District within unincorporated St. Joseph County. If annexed, the property will be zoned S-2 Planned Unit Development District as part of a phased commercial development. The preliminary site plan shows several automobile dealerships and related accessory uses. No specific users have been identified.

Contiguity with the Existing City Limits

The property to be annexed into the City totals 30.64 acres including the adjacent Cleveland Road and Capital Avenue rights-of-way. The external boundary of the annexation area measures total 3,944.96 linear feet with 1,892.98 linear feet being contiguous with the current corporate boundary of the City of Mishawaka. The border of the contiguous area is 48% of the total external boundary. This is in excess of the minimum 12.5%, or 1/8, of the boundary that is required to be contiguous based on the determination requirements of the Indiana Code.

B. TOPOGRAPHY AND EXISTING USE/IMPROVEMENTS

The property is flat to gently rolling and generally slopes from the east to the west. Per the generalized two (2) foot contour topographic maps, elevations range from approximately 788 feet at the north end of the property to 768 feet as it approaches the southeast corner of the lot. A single-family house and accessory structures are located on the southwest corner of this parcel. The remainder of the parcel is currently tillable farmland.

C. LAND USE/CURRENT ZONING

The proposed area to be annexed is currently zoned R Single Family District within unincorporated St. Joseph County and is mostly agricultural property. A single-family house and accessory structures are located on the southwest corner of this parcel. If the Mishawaka Common Council approves the annexation request, the area will be zoned to the S-2 Planned Unit Development District to allow for commercial use.

D. ASSESSMENT

The territory to be annexed consists of one (1) parcel of property. The Land and Improvement Valuations shown below are based upon current GIS parcel data:

Tax ID Number	Property Owner	Number of Acres*	Land & Imp. Valuation
006-1008-0105	MISH RE LLC	21.30 ACRES	$203,300

**Acreages are per the City of Mishawaka/Michiana Area Council of Governments GIS parcel data and includes the adjacent Cleveland Road right-of-way.*

E. CURRENT TAX RATE

The City's tax rate 2023 payable 2024 was $2.0047 per $100 of assessed valuation. For property owners in Harris Township, in which this proposed annexation is located, the total taxes will be $3.8438 per $100 of assessed valuation. Property owners in this area currently pay $2.0153 per $100 of assessed valuation. These rates are based on the best information available at the time this plan was prepared. Actual tax rates may vary.

Tax District	**Existing Tax Rate**	**Tax Rate after Annexation**
Harris Township	2.0153	3.8438

The City's tax rate has remained relatively stable over the years:

2023	$2.0047
2022	$1.8575
2021	$2.0002
2020	$1.9952
2019	$2.0226

2018	$2.0701
2017	$2.0516
2016	$1.9977
2015	$1.8750
2014	$2.0062
2013	$1.9086
2012	$1.8186
2011	$1.7362
2010	$1.6741
2009	$1.6557
2008	$1.5283
2007	$1.3326
2006	$1.3899
2005	$1.3382
2004	$1.3313
2003	$1.2476
2002	$1.8627
2001	$5.5007 [1]
2000	$5.2417

[1] Change in Tax Code

F. NEW ADDRESSES

If the proposed annexation is approved, the property will be zoned S-2 Planned Unit Development District to allow for commercial use. The property shall be developed in accordance with the requirements of the City of Mishawaka Zoning Ordinance. Addresses for each building will be assigned by the City of Mishawaka Engineering Department when the property is developed.

G. DETERMINATION OF SERVICE STANDARDS AND COSTS

Every proposed annexation area to the City of Mishawaka is reviewed by each pertinent City department or agency that would ultimately be required to provide infrastructure and/or urban services to a given area. Departments were asked to evaluate the location, area, and existing conditions of this proposed annexation area relative to providing infrastructure and urban services at a standard that is identical to other areas of the City. In determining required services, departments reviewed the area relative to similar geographic and use areas that currently exist within the City of Mishawaka.

The standards for infrastructure and services provided by the City of Mishawaka, broken down by department, have been included within this document following Tab C. After establishing an understanding of the existing conditions, each department or agency was asked to identify any capital improvements required to serve the proposed annexation area to meet existing city standards. It will be the responsibility of any future property owner/ developer to bear any expense required to extend, when applicable, and connect to existing City services. Given the location of the proposed annexation area adjacent to the existing city limits, each department identified that non-infrastructure-related services could be provided to the proposed annexation area with no additional expenditures. Increased maintenance costs for non-rate supported services, were identified as minimal and well within the approved budgets for each department.

Given that no consequential additional expenditures are anticipated, the itemization of costs associated with providing each service is not possible relative to the annexation area. However, to document that funds have been approved and are available for the services identified, a copy of the approved year 2024 City budget has been attached to the Summary of Service Report for each applicable non-rate supported department. These budgets identify the costs for personnel, equipment, repairs, and other

expenditures anticipated for the budget year. Budgets for any department are available for the review of the public upon request at City Hall.

H. TERMS AND CONDITIONS

The City of Mishawaka will provide a level of basic services, including infrastructure and urban services, at a standard that is comparable to similar geographic and use areas that currently exist within the City of Mishawaka. The specific date of implementation of services has been identified within the description of specific services where applicable. Given the location of the proposed annexation area and requirement that all utilities will be extended to the property at the property owner's expense, no capital expenditures are required to serve the proposed annexation area. Basic services, not otherwise specified, will be provided to the annexation area within one year of the effective date of the annexation as required by law. However, it is anticipated that the majority of basic services will be available immediately or at least in a timely manner.

The effective date of annexation, if approved, will be thirty days from the date of approval of the annexation ordinance as required by law.

I. FISCAL IMPACT ON TAXPAYERS, MUNICIPAL FINANCES, AND POLITICAL SUBDIVISIONS

Analysis:

The property proposed to be annexed includes one (1) single family house and multiple accessory structures on the southwest corner of the parcel. A majority of the property is vacant agricultural land. If the annexation is approved, the contingent developer is proposing to demolish all structures and construct a phased commercial development.

As indicated on the preliminary site plan, the development will consist of approximately 51,315 sq. ft. of new buildings, including but not limited to, new and used automobile dealerships, automobile repair and service, and body shops. Although development phasing is not shown on the plan, the property will be developed in multiple phases. If approved, the S-2 Planned Unit Development zoning will also permit uses identified in the C-1 General Commercial, C-2 Shopping Center Commercial, C-4 Automobile Oriented Commercial, C-7 Auto Oriented Restaurant Commercial, C-9 Auto and Vehicle Sales, and C-10 Filling Station/Car Wash Districts. Per the PUD conditions of approval, filling stations shall be prohibited.

The property is expected to be developed over many years dependent on timing of the required infrastructure improvements, and the market conditions and demand for the proposed uses. If construction begins in the next couple of years, as anticipated, the annexation is expected to significantly increase the assessed valuations and provide positive impacts to all taxing units.

The developer also owns the adjacent 40 acres, so construction will be phased, but complete by 2027. Due to the uncertainty of actual phasing, the following analysis includes land valuation based upon $200,000 per acre for this 20 acres of the development. The appraised commercial land values for property in northern Mishawaka ranges from $130,000 to $270,000 per acre.

Although not included in this analysis, other phases of the proposed development would result in an additional increase in the assessed valuations and provide additional tax revenue if constructed. These phases together are anticipated to include an approximate $50 million investment.

The current and future political subdivisions and their associated tax rates were determined by the geography of the property and the attached "Tax Rate Chart for the year 2023 payable 2024". (See Tab "D" / Appendix "C".) This chart is provided by the St. Joseph County Auditor's Office.

Current property assessed valuation:

$203,300

Future anticipated property assessed valuation:

$4,260,000

Current Property Taxes Generated from the Property:

The current property taxes that are being generated from the property were determined utilizing on online estimator available through the Indiana Gateway for Government Units > Taxpayer Portal > Tax Bill Estimator website. The current URL address for this estimator is https://gateway.ifionline.org/CalculatorsDLGF/taxcalculator.aspx.

The website requires you to enter the geographic location of the property by County, Township, and School Corporation. You then enter the type of property, if it is a homestead (owner-occupied residential); residential rental, non-homestead residential, and agricultural; or other. You then input the assessed valuation and it estimates the maximum tax bill as well as the property tax cap credit if applicable.

This calculation has been done with a scenario before annexation for homestead (owner occupied residence), then following annexation for other (commercial) identifying the property as now being subject to the City tax rate.

The estimated property tax value for the property is as follows:

Prior to annexation: $2,033

Following annexation: $127,800

Political Subdivisions before Annexation:

Percent of tax rate and corresponding yearly estimated property tax revenue*

- St. Joseph County (31.05%) - $631.25
- Harris Township (14.3%) - $290.72
- Penn-Harris-Madison School Corporation (46.02%) - $935.58
- Mishawaka-Penn-Harris Public Library (6.63%) - $134.79
- Airport Authority (1.99%) - $40.46

** Estimates may not equal estimated tax value due to rounding.*

The current tax rate of all of these entities combined is 2.0153%.

The tax rate will increase to 3.8438% upon annexation to the City, however, the other (vacant) tax cap rate including the exempt rate is set at 3%. Even though the cap is set at 3%, the revenue will increase due to the estimated increase in assessed valuation realized from the proposed commercial development. Thus, the distribution of property tax revenue is anticipated to increase for all existing tax entities based on getting a larger percentage of revenue when the City tax rate, and to a very minor extent, the South Bend Transpo rate is added to the overall rate.

Political Subdivisions following Annexation:

Percent of tax rate and corresponding yearly estimated revenue for existing taxing units upon annexation*

- St. Joseph County (16.28%) - $20,805.84 (+$20,174.59 per year)
- Harris Township (0.22%) - $281.16 (-$9.56 per year)
- Penn-Harris-Madison School Corporation (24.13%) - $30,838.14 (+$29,902.56 per year)

- Mishawaka-Penn-Harris Public Library (3.48%) - $4,447.44 (+$4,312.65 per year)
- Airport Authority (1.04%) - $1,324.12 (+$1283.66 per year)
- South Bend Transpo (2.70%) - $3,450.60
- City of Mishawaka (52.15%) - $66,647.70

** Estimates may not equal estimated tax value due to rounding.*

Four Year Projection of Property Tax Revenue following Annexation (above numbers x4)

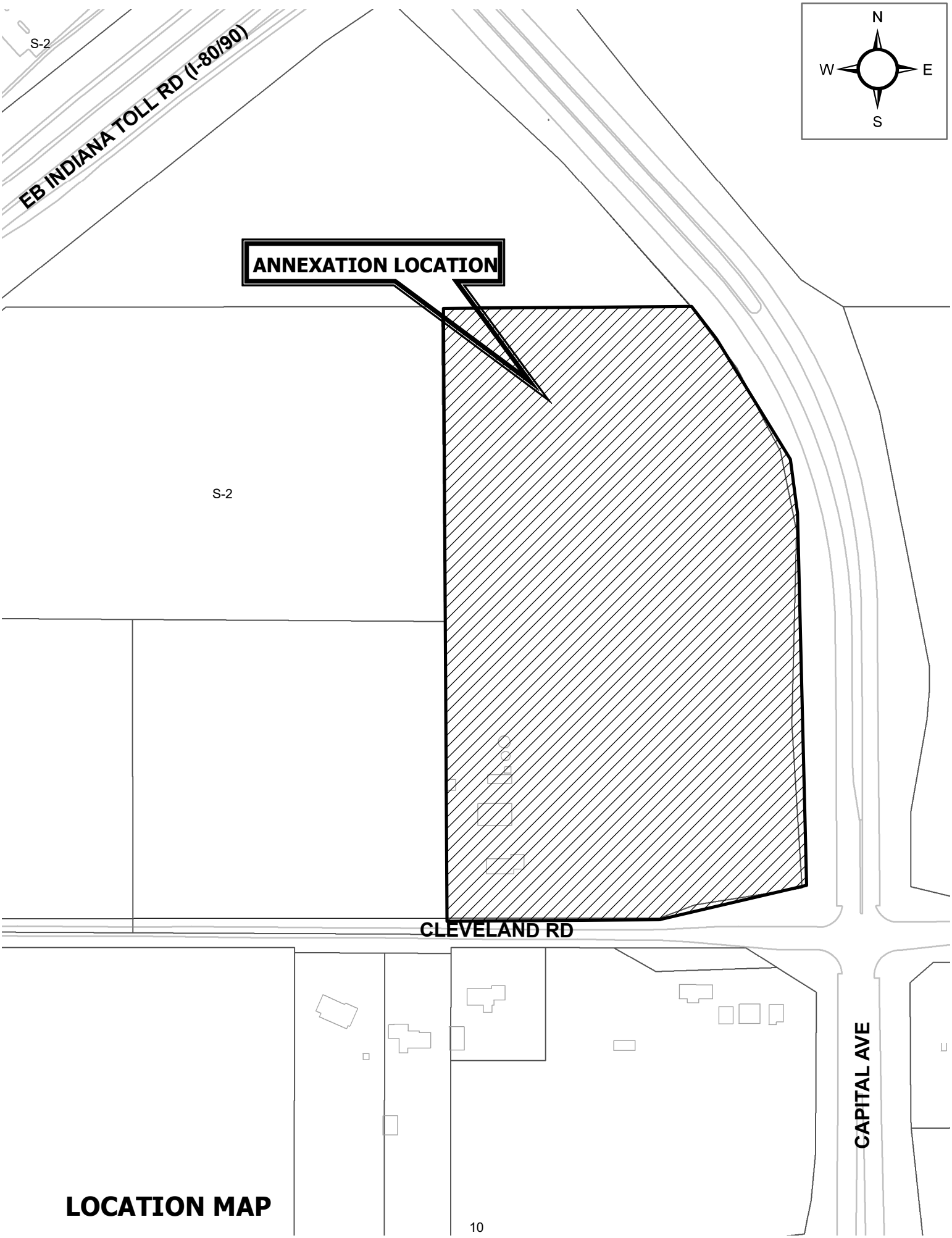
Straight line projection assuming existing use remains and the tax rate and assessed valuation remains constant

• St. Joseph County	$83,223.36
• Harris Township	$1,124.64
• Penn-Harris-Madison School Corporation	$123,352.56
• Mishawaka-Penn-Harris Public Library	$17,789.76
• Airport Authority	$5,296.48
• South Bend Transpo	$13,802.40
• City of Mishawaka	$26,590.80

J. ASSUMED INDEBTEDNESS & COUNTY INFRASTRUCTURE REIMBURSEMENT

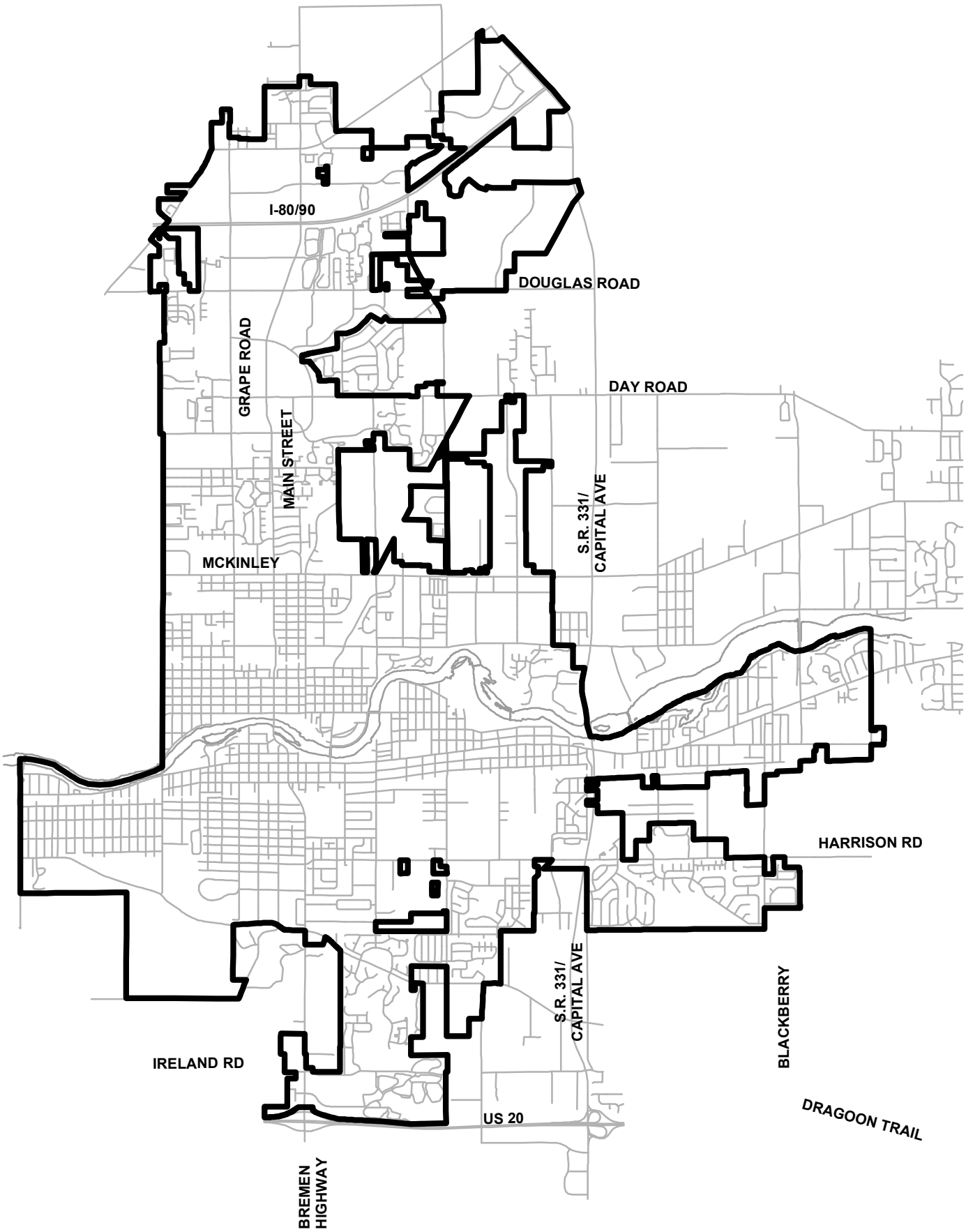
Pursuant to I.C. 36-4-3-4.2 under certain circumstances the City would be required to assume a portion of indebtedness as it would pertain to the proposed annexation area. Specifically, this would be required if the County had used property tax revenue to repay debt used to build infrastructure within the annexation area, or if income tax was being generated from the property in question that was being used to pay off applicable county wide debt that would now be allocated to the City upon annexation.

Upon reviewing the site and the information identified in Tab “D” / Appendix “D”, there is no County infrastructure debt associated within the proposed annexation, nor is there any outstanding county debt on infrastructure that is payable by a local option income tax.

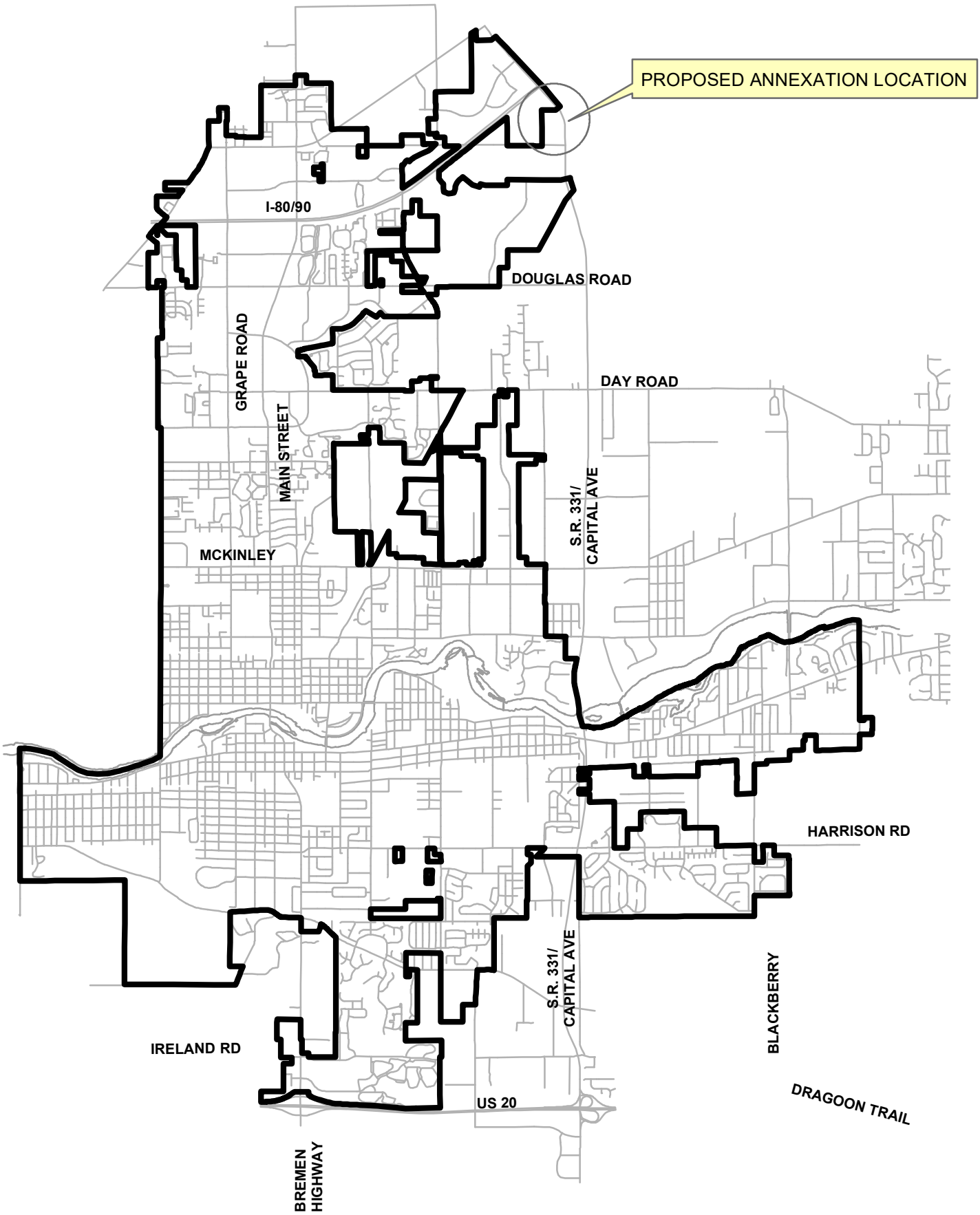


LOCATION MAP

MAP OF EXISTING CITY LIMITS



MAP OF PROPOSED CITY LIMITS



AERIAL PHOTOGRAPHY OF LAND TO BE ANNEXED

AERIAL PHOTOGRAPHY OF LAND TO BE ANNEXED

Existing house at 14233 Cleveland Road (Google Streetview June 2023)

Looking north from Cleveland Road at field

Northwest corner of Capital Avenue and Cleveland Road

A view west from Capital Avenue

January 22, 2024

Mishawaka Common Council
Mishawaka Plan Commission
600 East Third Street
Mishawaka, Indiana 46544

Re: Petition for Annexation & Rezoning for:

MISH RE LLC
14233 Cleveland Road
Granger, IN 46530

Dear Common Council and Plan Commission Members,

This letter is to inform the Board Members that we have granted authority to Danch, Harner & Associates to represent us at the Mishawaka Common Council and Plan Commission meeting(s) at which our Annexation and Rezoning Petition request will be heard.

If you have any questions concerning this matter, please feel to contact me/us.

Sincerely,

Chris Pustelak
MISH RE LLC
5201 N. Grape Road
574-272-2009

PET 24-02

Date: February 12, 2024

To: The Honorable Members of the Common Council
City of Mishawaka, Indiana

Re: Petition for Annexation & Rezoning for:

MISH RE LLC
14233 Cleveland Road
Granger, IN 46530

The undersigned, respectfully show that they are the owners of the following described real estate located in the unincorporated portion of St. Joseph County, Indiana:

Annexation and Rezoning Legal Description:

A PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 23, AND A PART OF THE NORTHEAST QUARTER OF SECTION 26, ALL IN TOWNSHIP 38 NORTH, RANGE 3 EAST, HARRIS TOWNSHIP, ST. JOSEPH COUNTY, INDIANA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 23; THENCE SOUTH 89°41'58" EAST ALONG THE SOUTH LINE OF SAID SECTION AND THE CENTERLINE OF CLEVELAND ROAD, A DISTANCE OF 1323.83 FEET MORE OR LESS (ASSUMED BEARINGS AND APPROXIMATE DISTANCES) TO THE POINT OF BEGINNING; THENCE NORTH 00°32'43" WEST, ALONG THE WEST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 23, A DISTANCE OF 1317.98 FEET MORE OR LESS TO THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 23; THENCE SOUTH 89°51'36" EAST ALONG SAID NORTH LINE, A DISTANCE OF 851.59 FEET MORE OR LESS TO THE EASTERLY RIGHT-OF-WAY LINE OF CAPITAL AVENUE; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE FOR THE NEXT SIX (6) COURSES SOUTH 18°36' EAST, A DISTANCE OF 222.02 FEET MORE OR LESS AND SOUTH 11°10' EAST, A DISTANCE OF 553.73 FEET MORE OR LESS AND SOUTH 02°34' WEST, A DISTANCE OF 116.26 FEET MORE OR LESS AND SOUTH 10°08' WEST, A DISTANCE OF 195.24 FEET MORE OR LESS AND SOUTH 00°00' EAST, A DISTANCE OF 158.86 FEET MORE OR LESS TO THE INTERSECTION OF THE EAST RIGHT-OF-WAY LINE OF SAID CAPITAL AVENUE WITH THE NORTHERLY RIGHT-OF-WAY LINE CLEVELAND ROAD; THENCE SOUTH 16°47' EAST, A DISTANCE OF 165.93 FEET MORE OR LESS TO THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY LINE OF SAID CAPITAL AVENUE WITH THE SOUTHERLY RIGHT-OF-WAY LINE CLEVELAND ROAD; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE, SOUTH 31°00' WEST, A DISTANCE OF 66.05 FEET MORE OR LESS; THENCE CROSSING SAID CAPITAL AVENUE, SOUTH 84°16' WEST, A DISTANCE OF 197.87 FEET MORE OR LESS TO THE INTERSECTION OF THE WESTERLY

RIGHT-OF-WAY LINE OF SAID CAPITAL AVENUE WITH THE SOUTHERLY RIGHT-OF-WAY LINE CLEVELAND ROAD; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE FOR THE NEXT TWO (2) COURSES, NORTH 57°40' EAST, A DISTANCE OF 176.29 FEET MORE OR LESS AND NORTH 89°41' 58" WEST, A DISTANCE OF 622.41 FEET MORE OR LESS; THENCE NORTH 12°18' WEST, A DISTANCE OF 29.32 FEET MORE OR LESS TO THE POINT OF BEGINNING.
CONTAINING 30.64 ACRES MORE OR LESS.
SUBJECT TO ALL LEGAL RIGHT-OF-WAYS, EASEMENTS, AND RESTRICTIONS OF RECORD.

Also commonly known as 14233 Cleveland Road in Granger, Indiana. The above-described parcels of land are presently zoned "R" Single Family District in the unincorporated county.

Petitioners desire to annex and rezone the real estate described above to the "S-2" Planned Unit Development District classification. The purpose for the annexation and rezoning is to allow for a mixed land use development allowing uses permitted in the following Districts: "C-1" Commercial, "C-2" Commercial, "C-4" Commercial, "C-7" Commercial, "C-9" Commercial and "C-10" Commercial.

Petitioners further show this proposed annexation to be in the best interested of the City of Mishawaka, Indiana, and of the area sought to be annexed with is urban in character and is an economic and social part of the City of Mishawaka.

Wherefore, the petitioners 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 annexation and rezoning the above-described parcel of real estate located in the City of Mishawaka.

Sincerely:

Chris Pustelak
MISH RE LLC

Contact Person:
Danch, Harner & Associates: Attn: Angela Smith
1643 Commerce Drive
South Bend, IN 46628
(574) 234-4003
asmith@danchharner.com

PRELIMINARY PUD SITE PLAN

PART OF THE SOUTHEAST QUARTER OF SECTION 23 AND THE NORTHEAST QUARTER OF SECTION 26, ALL IN TOWNSHIP 38 NORTH, RANGE 3 EAST, HARRIS TOWNSHIP, ST. JOSEPH COUNTY, INDIANA.

PET 24-02
Received
FEB 21 2024
Planning and Community Development

LEGAL DESCRIPTION:

A PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 23, AND A PART OF THE NORTHEAST QUARTER OF SECTION 26, ALL IN TOWNSHIP 38 NORTH, RANGE 3 EAST, HARRIS TOWNSHIP, ST. JOSEPH COUNTY, INDIANA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 23; THENCE SOUTH 89°41'58" EAST ALONG THE SOUTH LINE OF SAID SECTION AND THE CENTERLINE OF CLEVELAND ROAD, A DISTANCE OF 1323.83 FEET MORE OR LESS (ASSUMED BEARINGS AND APPROXIMATE DISTANCES) TO THE POINT OF BEGINNING; THENCE NORTH 00°32'43" WEST, ALONG THE WEST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 23, A DISTANCE OF 1317.98 FEET MORE OR LESS TO THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 23; THENCE SOUTH 89°51'36" EAST ALONG SAID NORTH LINE, A DISTANCE OF 851.59 FEET MORE OR LESS TO THE EASTERLY RIGHT-OF-WAY LINE OF CAPITAL AVENUE; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE FOR THE NEXT SIX (6) COURSES SOUTH 18°36' EAST, A DISTANCE OF 222.02 FEET MORE OR LESS AND SOUTH 11°10' EAST, A DISTANCE OF 553.73 FEET MORE OR LESS AND SOUTH 02°34' WEST, A DISTANCE OF 116.26 FEET MORE OR LESS AND SOUTH 10°08' WEST, A DISTANCE OF 195.24 FEET MORE OR LESS AND SOUTH 00°00' EAST, A DISTANCE OF 158.86 FEET MORE OR LESS TO THE INTERSECTION OF THE EAST RIGHT-OF-WAY LINE OF SAID CAPITAL AVENUE WITH THE NORTHERLY RIGHT-OF-WAY LINE CLEVELAND ROAD; THENCE SOUTH 16°47' EAST, A DISTANCE OF 165.93 FEET MORE OR LESS TO THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY LINE OF SAID CAPITAL AVENUE WITH THE SOUTHERLY RIGHT-OF-WAY LINE CLEVELAND ROAD; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE, SOUTH 31°00' WEST, A DISTANCE OF 66.05 FEET MORE OR LESS; THENCE CROSSING SAID CAPITAL AVENUE, SOUTH 84°16' WEST, A DISTANCE OF 197.87 FEET MORE OR LESS TO THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY LINE OF SAID CAPITAL AVENUE WITH THE SOUTHERLY RIGHT-OF-WAY LINE CLEVELAND ROAD; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE FOR THE NEXT TWO (2) COURSES, NORTH 57°40' EAST, A DISTANCE OF 176.29 FEET MORE OR LESS AND NORTH 89°41' 58" WEST, A DISTANCE OF 622.41 FEET MORE OR LESS; THENCE NORTH 12°18' WEST, A DISTANCE OF 29.32 FEET MORE OR LESS TO THE POINT OF BEGINNING.
CONTAINING 30.64 ACRES MORE OR LESS.
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TABULATED SITE DATA:

1). ACREAGE OF TABULATED DATA AREA .....21.30± AC.

2). PROPOSED LAND USE: A MIXED-USE DEVELOPMENT WHICH INCLUDES USES ALLOWED UNDER THE "C-1", "C-2", "C-4", "C-7", "C-9" AND "C-10" COMMERCIAL CLASSIFICATIONS. USES SHOWN ARE FOR ILLUSTRATIVE PURPOSES AND MAYBE MIXED WITH USES ALLOWED UNDER THE STATED COMMERCIAL CLASSIFICATIONS.

3). PARKING RATIO REQUIRED: 5 SPACES PER 1,000 SF OF BUILDING AREA

COMMERCIAL USE:

TOTAL SPACES REQUIRED = ...330± SPACES
TOTAL SPACES PROVIDED= .....980± SPACES

4). PROPOSED LAND COVERAGE:

	SQUARE FOOTAGE	% OF SITE
BUILDINGS	51,315±	5.6
ASPHALT PAVEMENT	707,404±	76.2
OPEN SPACE	96,676±	10.4
UNPLANNED	72,433±	7.8
TOTAL	927,828±	100.00

5). BUILDING TO CONNECT TO MISHAWAKA UTILITIES.

6). DRIVEWAY OPENINGS WILL CONFORM TO THE LATEST MISHAWAKA CITY STANDARDS. PRIMARY ACCESS WILL BE THROUGH A CROSS-ACCESS EASEMENT WITH THE PROPERTY TO THE WEST.

7). STORM WATER RUN-OFF WILL CONFORM TO CITY OF MISHAWAKA ENGINEERING STANDARDS.

8). LANDSCAPING TO COMPLY WITH CITY OF MISHAWAKA LANDSCAPE ORDINANCE.

ANNEXATION & REZONING REQUEST:

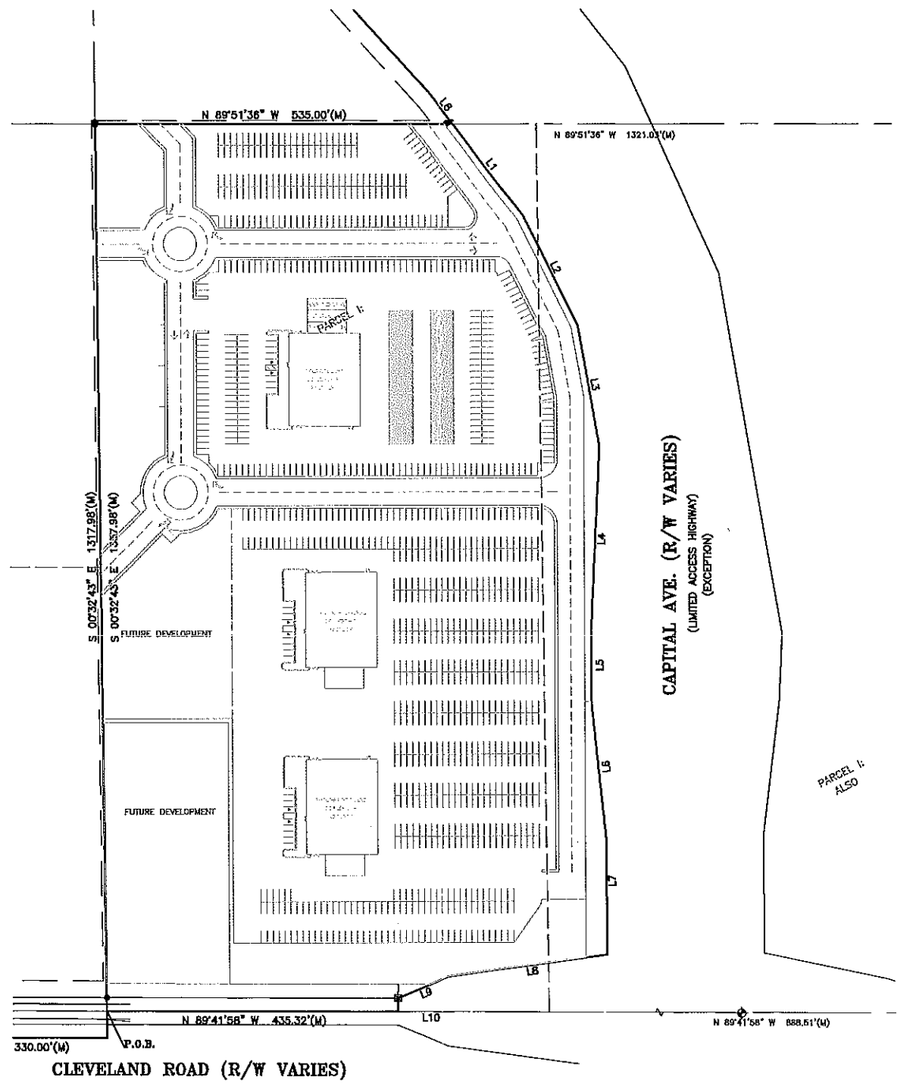
TO ANNEX AND REZONE THE REAL ESTATE DESCRIBED ABOVE TO THE "S-2" PLANNED UNIT DEVELOPMENT DISTRICT CLASSIFICATION. THE PURPOSE FOR THE ANNEXATION AND REZONING IS TO ALLOW FOR A MIXED LAND USE DEVELOPMENT ALLOWING USES PERMITTED IN THE FOLLOWING DISTRICTS: "R-1" SINGLE FAMILY RESIDENTIAL, "C-1" COMMERCIAL, "C-2" COMMERCIAL, "C-4" COMMERCIAL, "C-7" COMMERCIAL, "C-9" COMMERCIAL AND "C-10" COMMERCIAL.

BUILDING SETBACKS:

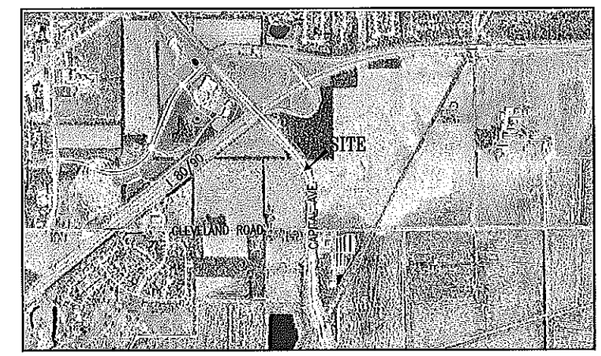
Ⓐ 25-FT FRONT SETBACK

Ⓑ 0-FT SIDE-YARD SETBACK

Ⓒ 25-FT EXTERIOR SIDE YARD



LINE TABLE			
LINE	BEARING		DISTANCE
L1 M	S 37°41'14"	E	171.96'
L1 R	S 37°34'58"	E	171.96'
L2 M	S 26°28'39"	E	182.82'
L2 R	S 26°38'33"	E	182.82'
L3 M	S 10°13'10"	E	182.49'
L3 R	S 10°23'04"	E	182.49'
L4 M	S 02°51'52"	W	281.06'
L4 R	S 02°41'58"	W	281.06'
L5 M	S 00°15'43"	E	100.00'
L5 R	S 00°25'37"	E	100.00'
L6 M	S 05°58'21"	E	201.00'
L6 R	S 06°08'15"	E	201.00'
L7 M	S 00°15'43"	E	175.00'
L7 R	S 00°25'37"	E	175.00'
L8 M	S 82°17'48"	W	241.33'
L8 R	S 82°07'54"	W	241.33'
L9 M	S 67°09'16"	W	81.41'
L9 R	S 68°32'30"	W	80.78'
L10 M	S 00°18'02"	W	20.00'
L10 R	S 00°20'36"	W	20.00'



AERIAL PHOTOGRAPHY/LOCATION MAP
NTS

R.L. HARNER
REGISTERED
No. 910032
STATE OF INDIANA
LAND SURVEYOR

R.L. HARNER #910032

SURVEYORS & ENGINEERS:

DANCH, HARNER & ASSOCIATES, INC.
1843 COMMERCE DRIVE
SOUTH BEND, IN. 46628
(574) 234-4003
ATTN: MICHAEL DANCH

N

DHA

0 100' 200' 300'
SCALE 1" = 100'

Danch, Harner & Associates, Inc.
Land Surveyors • Professional Engineers
Landscape Architects • Land Planners
Office: (574)234-4003 / (800)234-4003 • Fax: (574)235-4119
1843 Commerce Drive • South Bend, IN 46628

DATE	DRAWN BY:	REVISIONS		
2/14/24	JMS	DATE	BY	
SCALE 1" = 100'	CHECKED BY: MJD			
FILE # 230276.3	PROJ. MANGR: AMS			

SHEET 1 OF 1

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A PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 23, AND A PART OF THE NORTHEAST QUARTER OF SECTION 26, ALL IN TOWNSHIP 38 NORTH, RANGE 3 EAST, HARRIS TOWNSHIP, ST. JOSEPH COUNTY, INDIANA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 23; THENCE SOUTH 89°41'58" EAST ALONG THE SOUTH LINE OF SAID SECTION AND THE CENTERLINE OF CLEVELAND ROAD, A DISTANCE OF 1323.83 FEET MORE OR LESS (ASSUMED BEARINGS AND APPROXIMATE DISTANCES) TO THE POINT OF BEGINNING; THENCE NORTH 00°32'43" WEST, ALONG THE WEST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 23, A DISTANCE OF 1317.98 FEET MORE OR LESS TO THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 23; THENCE SOUTH 89°51'36" EAST ALONG SAID NORTH LINE, A DISTANCE OF 851.59 FEET MORE OR LESS TO THE EASTERLY RIGHT-OF-WAY LINE OF CAPITAL AVENUE; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE FOR THE NEXT SIX (6) COURSES SOUTH 18°36' EAST, A DISTANCE OF 222.02 FEET MORE OR LESS AND SOUTH 11°10' EAST, A DISTANCE OF 553.73 FEET MORE OR LESS AND SOUTH 02°34' WEST, A DISTANCE OF 116.26 FEET MORE OR LESS AND SOUTH 10°08' WEST, A DISTANCE OF 195.24 FEET MORE OR LESS AND SOUTH 00°00' EAST, A DISTANCE OF 158.86 FEET MORE OR LESS TO THE INTERSECTION OF THE EAST RIGHT-OF-WAY LINE OF SAID CAPITAL AVENUE WITH THE NORTHERLY RIGHT-OF-WAY LINE CLEVELAND ROAD; THENCE SOUTH 16°47' EAST, A DISTANCE OF 165.93 FEET MORE OR LESS TO THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY LINE OF SAID CAPITAL AVENUE WITH THE SOUTHERLY RIGHT-OF-WAY LINE CLEVELAND ROAD; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE, SOUTH 31°00' WEST, A DISTANCE OF 66.05 FEET MORE OR LESS; THENCE CROSSING SAID CAPITAL AVENUE, SOUTH 84°16' WEST, A DISTANCE OF 197.87 FEET MORE OR LESS TO THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY LINE OF SAID CAPITAL AVENUE WITH THE SOUTHERLY RIGHT-OF-WAY LINE CLEVELAND ROAD; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE FOR THE NEXT TWO (2) COURSES, NORTH 57°40' EAST, A DISTANCE OF 176.29 FEET MORE OR LESS AND NORTH 89°41' 58" WEST, A DISTANCE OF 622.41 FEET MORE OR LESS; THENCE NORTH 12°18' WEST, A DISTANCE OF 29.32 FEET MORE OR LESS TO THE POINT OF BEGINNING.
CONTAINING 30.64 ACRES MORE OR LESS.
SUBJECT TO ALL LEGAL RIGHT-OF-WAYS, EASEMENTS, AND RESTRICTIONS OF RECORD.

TAB C- SUMMARY OF SERVICES

SUMMARY OF SERVICES

The City of Mishawaka, known as the Princess City, was incorporated in 1833 with only a few hundred residents. Now, with an estimated population of approximately 51,000 present-day Mishawaka is continuing to grow. From the bustling Grape Road corridor to the quiet paths of the Shiojiri Garden at Merrifield Park, the city offers residents a comforting sense of community where people like to live, work and raise families.

The backbone of any city is its services, and no unincorporated area of St. Joseph County can come close to matching the number and quality of services offered in the City of Mishawaka.

Some of the services provided are basic: electric, sewer, and water. Others, such as strong police and fire protection, efficient trash removal and access to parks and libraries, greatly improve the quality of life.

Sewer, water and electric services in the City are not paid by tax dollars; rather, Mishawaka Utilities services are all paid for through the low rates given to property owners.

Instead of dealing with septic systems, property owners can tap into lines provided by Mishawaka Utilities Wastewater Division. The Division has a plant staffed 24 hours a day, and maintenance technicians are available at all times to respond to emergencies. The City's sewer insurance program provides sewer coverage for each single-family residential homeowner on the public sewer system for a small monthly fee, paid with the Mishawaka Utilities bill. With this program, the homeowner is protected from paying the cost of catastrophic sewer repairs outside the home. A $42 million expansion of the wastewater treatment plant was completed in June 2008. From 2013 to 2020, capital improvements to the wastewater system were made including the replacement of four lift stations, three emergency generators, and final clarifier troughs. Additional plant and system improvements with a focus of implementing the Combined Sewer Overflow Long Term Control Plan are planned in the upcoming years.

The City's water rates have traditionally been among the lowest in the state. The Water Division completed a $26 million capital improvement project in 2003. Several improvements to the overall system were made including the addition of a new well field, the replacement of water mains, and the extension of services to some areas that previously did not have water service. In late 2019, a new 2 million gallon reservoir went online with the rehabilitation of the old 3 million gallon tank occurring throughout 2020. The 3 million gallon tank went online in January 2021. Current improvements underway include a new water treatment facility and well field along Veteran's Parkway near Juday Creek and a new 1.5 million gallon elevated tank in the north part of the City. Construction began in 2021 with both projects anticipated to come online is spring 2024. Planned future improvements include the replacement of the storage reservoir at the Virgil Treatment Plant originally constructed in 1923.

Another service provided by Mishawaka Utilities is the distribution of electricity. Although Mishawaka Utilities does not generate or produce power, electricity is purchased at a wholesale rate and is distributed by Mishawaka Utilities. Mishawaka Utilities is not supported by tax dollars, but rather through revenue generated by the sales of electricity to its consumers.

But property owners get more out of being in the City of Mishawaka than just those basic services. Public safety is a priority in the City, with about 50 percent of the budget going toward fire, police and emergency medical services.

Mishawaka has a full-time Fire Department, with four stations. The Department maintains a Class 2 fire rating with the Insurance Services Office (ISO) rating improving from a Class 3 rating in November 2019. The City nearly received a Class 1 rating of which there are only five in the State of Indiana. It is expected that a Class 1 rating will be achieved during the next reevaluation which occurred in February 2024. The results of the reevaluation will be announced by the end of the year. The lower the rating, the lower a resident's homeowner's insurance will be. Additionally, the department's response time is excellent, and fire trucks arrive within six minutes on average to a call.

The Mishawaka Police Department, with approximately 100 officers and employees, responds to critical incidents within three to five minutes. The Department offers many personal services within its Community Relations and Street Crimes Units, and the Riverwalk Beat. These services include attendance at neighborhood watch meetings, administering various programs for school-aged children and senior citizens, and focusing on crime reduction in high crime areas of the city.

The City's EMS Department is a centralized system that responded to approximately 10,400 calls in 2023. The City, with its population of approximately 51,000, responds to about 50% more calls than the County ambulance service does, with its population of over 120,000 residents spread over a much larger area. The business of "saving lives" has a very narrow window of four to six minutes, so the quicker an ambulance can respond, the more likely a life will be saved.

The efficiency of the City's Street Department is unmatched when it comes to snow removal, compared to St. Joseph County. Like other services, the county cannot provide a similar level of service because resources are spread out over a much larger area. In the event of a windstorm that blows trees and limbs into the streets, the City usually can have streets reopened in less than an hour.

Access to leisure activities is readily available in the City of Mishawaka. Residents can use all 28 City parks and the Eberhart-Petro golf course. Park rentals, for events such as weddings and receptions, are also less expensive for residents of the City.

Additionally, residents of the City of Mishawaka have access to all three branches of the Mishawaka-Penn-Harris Public Library. The Main Branch on Church Street in downtown Mishawaka, the Bittersweet Branch on the City's east side, and the Harris Branch on Elm Road in Granger.

Trash pick-up in the City is also inexpensive and efficient, with the monthly fee for single-family trash pickup at $15.66. For senior citizens, the rate is $12.74. The rates include the cost of recycling and yard waste, which is picked up on the same day the trash.

With the exception of the trash removal, library use and Mishawaka Utilities services, the vehicle with which to pay for the rest of the City's services is through city property taxes. And the City of Mishawaka has a long history of having a low, stable tax rate – in fact, the rate has remained relatively stable for the past 15 years.

With its rich history, Mishawaka continues to prepare and grow for the future. New development within the City's Central Business District and the continued development of the city's commercial and industrial sectors guarantee its strength in the future. This growth allows the tax rates to remain low. With the low tax rate and the multitude of services provided, the City of Mishawaka is an excellent place to build homes, start businesses, and raise families.

SANITARY SEWER, TRANSPORTATION, AND DRAINAGE

Existing Sanitary Sewer Infrastructure

The City currently does not serve this site with sanitary sewer. Sanitary sewer shall be extended to the site for connection to the proposed development per City of Mishawaka Engineering Standards. The sanitary sewer main corridor has been identified and is the intent for a future City project to provide sanitary sewer with the extension of Veterans Parkway north to Cleveland Road. Depending on the developer timeline, they may need accelerate the schedule by extending the utilities themselves. The cost of the sanitary sewer connection to the site is the responsibility of the owner/developer. This sanitary sewer connection/extension will discharge into the sanitary sewer system that is publicly maintained and ultimately discharges to the City of Mishawaka's Wastewater Treatment Plant. The City's sanitary sewer system has ample capacity to serve this annexation property for the proposed use.

Existing Road/Transportation Infrastructure

This annexation has frontage along Cleveland Road, which is currently a two-lane County Road (one lane in each direction). With the existing traffic volume along Cleveland Road, and the anticipated additional traffic volumes, improvements to Cleveland Road will be required. At a minimum, dedicated right and left turn lanes into the site should be added. With the future anticipated extension of Veterans Parkway, coordination between that project and the proposed drive approaches into this site shall be done to best align. Intersection improvements with Cleveland Road and future Veterans Parkway/Drive approach into site may also be needed to help facilitate traffic and maintain a reasonable level of service. This particular parcel shall have access internally to the parcel to the west as no additional approaches will be allowed on to Cleveland Road.

Existing Storm Sewer/Drainage Infrastructure

Regarding any new development or redevelopment within the annexation area, sites are required to retain the stormwater generated by the development on site at the rate of 100-year return storm frequency for a 24-hour duration. A geotechnical investigation shall be conducted to determine the existing soil conditions and seasonal groundwater table, as they may limit the amount of runoff that will infiltrate into the ground. This requirement provides significant protection to both existing and proposed developments regarding the impact of stormwater run-off. Several different engineering methods are considered acceptable by the City of Mishawaka to calculate this requirement. The simplest method of calculation is using the one-line rational equation. However, the Rational Method, Curve Number Method, and TR-55 Method are also acceptable and tend to be more advanced, taking into consideration the percolation rate of soil types and ratios of developed impervious surfaces. The choice of one method over another is typically due to factors of site size, soil type, and design preference. The developer is required to bear all costs associated with stormwater management and all land disturbing activities shall fully comply with the City's Erosion & Sediment Control Ordinance.

Planned Capital Expenditures, Staff and Rates

If annexed, any streets and utilities within the annexed parcel will remain privately maintained by the site owner. The City Departments do not require any additional funds than what is currently allocated within the present City budget. For general information, the repair and maintenance of sanitary sewers is supported by rates paid by its users. Otherwise, as a general percentage of City expenditures, approximately 15 cents of every dollar of the City budget is allocated for street and storm sewer expenditures.

Personal Service Programs

The Engineering Department works closely with the Sewer Department regarding the maintenance of the City sewer system. Construction records are kept for all sanitary and storm sewers and technical/administrative assistance is provided on sewer repairs for the Sewer Lateral Insurance Program. Specifically, the Sewer Lateral Insurance Program covers each single-family residential home connected to the public sewer system within the City of Mishawaka. For a $2.20 monthly fee, which is included in the Mishawaka Utilities sewer bill, the homeowner is protected from paying

catastrophic sanitary sewer repair costs for the portion of sewer lateral between the street right-of-way and outside of foundation wall of the home. Currently, this annexation area is not intended to include any single family residential, and therefore is not eligible for this program.

CITY OF MISHAWAKA
2024 BUDGET

ENGINEERING DEPARTMENT
1101-13

1 PERSONAL SERVICES			
Salaries and Wages			biweekly
411-01	Director of Engineering	90,277.00	3,472.18
411-02	Assistant Director	74,944.00	2,882.43
	Project Manager	72,639.00	2,793.78
	Traffic Manager	61,938.00	2,382.23
	Project Coordinator	46,158.00	1,775.30
	Office Manager	40,778.00	1,568.36
	City GIS Coordinator	61,938.00	2,382.23
	Utility salary ordinance displays utility portion of salaries		448,672.00
Other Personal Services			
411-63	Longevity	11,850.00	
411-65	PE Certification	10,000.00	192.31
			470,522.00
2 SUPPLIES			
Office Supplies			
421-90	General Supplies	8,000.00	
			8,000.00
3 OTHER SERVICES AND CHARGES			
Professional Services			
431-06	Consulting	5,000.00	
Communication and Transportation			
432-03	Travel and Training	10,000.00	
432-04	Telephone/Technology	750.00	
Repairs and Maintenance			
436-01	Equipment Repair	2,500.00	
Other Services and Charges			
439-03	Subscriptions, Dues, etc.	1,000.00	
			19,250.00
			497,772.00

ELECTRIC SERVICE

Services and Rates

Mishawaka Utilities – Electric Division does not currently serve the proposed annexation area. *If the annexation is approved, Mishawaka Utilities – Electric Division will attempt to acquire the service area from AEP as it is not already in our franchise boundary. If AEP releases the service area to Mishawka Utilities, we can supply both single phase and three phase service.*

The costs of providing service for future/planned development will be the responsibility of applicant(s) for service (reference Terms and Conditions, Section 9.0). The necessary expenditure to make connection to an applicant for service will be considered to be warranted when the estimated total revenue (i.e., net revenue) as estimated by the Utility for a period of two and one-half (2½) years to be realized by the Utility from permanent and continuing Customers on such an extension is at least equal to the estimated cost of such extension.

Whenever, in the opinion of the Utility, the necessary expenditure to make connection to an applicant for service is not warranted by the Utility's estimate of prospective revenues to be derived there from, or whenever, in the opinion of the Utility, the permanence of the Customer's load is questionable, the Utility may require the applicant to make an advance deposit for line construction or service connection. Or, the Utility may require a long-term agreement, an aid to construction payment, monthly minimum charge or such definite and written guarantee from a Customer, or group of Customers, in addition to any minimum payment required by the Rate Schedule. This requirement may also be made covering the payment by the Customer of the cost of tapping existing transmission or distribution lines for light or power service or both, when such service will not provide sufficient load or revenue, in the opinion of the Utility, to justify the cost of tapping said lines.

In those cases where it is not feasible or practicable to construct lines on public rights of way and it is necessary to secure easements or line-clearing permits on private property, the applicant or applicants shall secure the same without cost to the Utility or assist the Utility in obtaining such easements or line-clearing permits on private property before construction shall commence. The Utility shall be under no obligation to construct lines in the event the necessary easements or line-clearing permits cannot be so obtained.

Personnel

Mishawaka Utilities – Electric Division has a staff of 47 employees. The Division, under the direction of the Electric Division Manager, is divided into the departments of engineering, construction, metering and operations:

Engineering:	Consists of the System Reliability Supervisor, Substation Supervisor, Substation Technician, Engineering Projects Manager, and support engineering personnel.
Construction:	Consists of the Construction Superintendent, two Construction Foremen, and support construction personnel (Journeymen, Apprentices and Linemen).
Metering:	Consists of Metering Department Manager and support metering personnel.
Operations:	Consists of the Operations Coordinator along with supporting personnel in dispatch/stores.

Description of Services

Normal working hours are from 7:30 a.m. to 4:00 p.m. Monday through Friday. During these hours, the Electric Division staff is available to provide immediate response to any system perturbation.

Services provided after normal working hours are on an emergency basis only. Customers requiring assistance can call the after-hours answering service, where a call is then placed to a duty supervisor to assess the situation. The duty supervisor then calls out required support personnel (via the answering service).

Mishawaka Utilities – Electric Division is well equipped to respond to problems associated with providing electric service. The electric division utilizes a wide breadth of equipment to meet the needs of the consumer. Major equipment includes loaders, backhoes, trenchers, boring machines, pushing machines, trailers, compressors, forklifts, bucket and line trucks, and pole trailers.

The service response time to restore from a loss of electricity resulting from storm damage or other physical line damage is typically less than AEP (AEP customers are spread geographically over a much larger area). However, since Mishawaka Utilities does not produce power, the utility is not able to control service problems based on the generation of power and has minimal control of transmission to, or within, Mishawaka.

Costs Associated with Services

Mishawaka Utilities is not supported by tax dollars, but rather through revenue generated by the sales of electricity to its consumers. Mishawaka Utilities does not generate or produce power. Mishawaka Utilities purchases electricity at a wholesale rate and is responsible for distributing it to every customer within the service area. Based on the large numbers of customers in a relatively small geographic area, Mishawaka Utilities is able to deliver electricity more economically than larger companies such as AEP. Although AEP actually generates or produces power, the cost for delivering the electricity to the consumer is greater because the customers are spread geographically over a much larger area. Actual rates will vary over time.

Electric

Revenue

6301.00

361.00	Interest Income	30,000.00	
371.12	Residential Sales	16,880,100.00	
371.14	Commercial Sales	3,430,284.00	
371.18	Customer Charge	1,995,348.00	
371.20	Customer Sales - Municipal Sales	1,099,975.00	
371.22	Customer Charges - Municipal Sales	49,397.00	
371.23	Outdoor Protective Lights	163,621.00	
371.24	Commercial Heating	100,060.00	
371.28	OPL - Municpal	32,920.00	
371.29	Commercial Power	18,319,313.00	
371.33	Commercial Primary Power	394,455.00	
371.35	Power Transformers Owned	2,534,208.00	
371.39	I&M Municipal	82,978.00	
371.40	Industrial Power Service	5,075,627.00	
371.41	School Service	820,938.00	
371.42	PJM Transmission Adjustment	7,040,723.00	
373.11	Municipal Street Lighting	473,261.00	
380.10	Penalty	309,000.00	
381.05	Construction	25,000.00	
381.12	Reconnect/Service Charges	128,000.00	
381.14	Overhead or Underground Lines	224,000.00	
381.15	Transformers	40,000.00	
381.16	Street Lights	32,000.00	
381.21	Sale of Scrap Metal	16,000.00	
381.23	Turn on Electric	168,000.00	
381.40	Operational Revenue	300,000.00	
391.06	B.O. Shared Expense Reimbursement	710,044.00	
			60,475,252.00

1 Personal Services

6301.55

			biweekly
Salaries & Wages			
411.02	Division Manager	94,910.00	3,650.36
	Superintendent	100,601.00	3,869.26
	Systems Reliability Supervisor	86,491.00	3,326.55
	Construction Foreman		
	2 @ 97,685	195,370.00	3,757.10
	Substation Supervisor	75,696.00	2,911.37
	Project Manager	75,696.00	2,911.37
	Operations Coordinator	63,333.00	2,435.87
	Senior Engineering Assistant		
	4 @ 61,938	247,752.00	2,382.23
	Substation Technician	60,763.00	2,337.01
	Engineering Assistant	60,643.00	2,332.39
	Project Coordinator	48,397.00	1,861.40
	Metering Manager	75,697.00	2,911.39
	GIS Engineering Assistant	53,754.00	2,067.45
	Journeyman Lineman		
	15 @ 46.84/Hour	1,461,765.00	3,748.08
	Apprentice Level 7		
	3 @ 39.18/Hour	244,392.00	3,133.23
	Clerk/Dispatcher A		
	2 @ 27.12/Hour	112,786.00	2,168.94
	Meter Reader		
	4 @ 25.55/Hour	212,588.00	2,044.09
	Service Representative		
	5 @ 27.46/Hour	285,575.00	2,196.70
	Substation Lineworker		
	2 @ 49.57/Hour	206,214.00	3,965.64
	Buildings & Grounds Technician		
	1 @ 22.90/Hour	47,615.00	1,831.33
	Crew Leader - 1.00/Hour	10,400.00	
	Journeyman CL - 2.25/Hour	23,400.00	
			3,843,838.00
Other Personal Services			
411.60	Overtime	200,000.00	
411.63	Longevity	46,175.00	
411.64	FTO (Flexible Time Off) Plan	40,000.00	
411.65	Professional Certification	88,840.00	
			375,015.00
Employee Benefits			
413.01	Social Security Taxes	261,569.00	
413.02	Medicare	61,174.00	
413.05	Health Insurance	939,200.00	
413.06	Life Insurance	4,403.00	
413.08	Deferred Compensation Match	76,201.00	
413.12	Pension Benefit	451,200.00	
			1,793,747.00

2 Supplies

6301

Office Supplies

54.42122	Office Supplies	5,000.00	
54.42273	Computer Expenses	23,000.00	
			28,000.00

Other Supplies

54.42276	Uniforms	35,000.00	
56.42229	Plant Operation	90,000.00	
56.42318	Plant Maintenance Supplies	15,000.00	
			140,000.00

3 Other Services and Charges

6301

Professional Charges

52.45915	Purchase Power	40,100,000.00	
54.43102	Legal Fees	30,000.00	
54.43103	Outside Services	225,000.00	
54.43104	Professional Fees	50,000.00	
			40,405,000.00

Communication and Transportation

54.43210	Transportation Expense	90,000.00	
54.43212	Travel Expense	15,000.00	
54.43930	Education Expense	15,000.00	
54.43931	Apprentice Program	20,000.00	
			140,000.00

Insurance

54.43410	Insurance - Property, Auto, WC	315,000.00	
			315,000.00

Utilities

54.43511	Natural Gas Purchase	20,000.00	
54.43512	Water Purchase	7,400.00	
54.43581	CMP Fuel Purchase	60,000.00	
54.45915	Electric Purchase	30,000.00	
			117,400.00

Repairs and Maintenance			
54.42200	Street Lights	375,000.00	
54.42263	Meters Expense	10,000.00	
54.42264	Underground Line Expense	100,000.00	
54.42265	Distribution Construction Expense	5,000.00	
54.42266	Substation Expense	200,000.00	
54.42267	Overhead Line Expense	275,000.00	
54.42274	Stores Equipment	1,000.00	
54.42300	Structures	120,000.00	
54.42330	Transformers	10,000.00	
54.42350	Maintenance of Equipment and Service	75,000.00	
54.42365	Small Tools Expense	50,000.00	
54.43100	Contracted Services	50,000.00	
54.43101	Contracted Services - Line Clearing	275,000.00	
54.43161	Contracted Services - Substations	250,000.00	
			1,796,000.00
Other Services and Charges			
50.45200	Transfer to City/Debt Service	2,606,170.00	
	Transfer to City $1,000,000		
	Debt Service for Bond $1,606,170		
50.49500	PiLoT	617,373.00	
54.42310	Safety Equipment/Expense	110,000.00	
54.43900	Operational Expense	20,000.00	
54.43928	Permit Fees		
54.43929	Dues, Fees, Subscriptions, Permit Fees	136,300.00	
			3,489,843.00
			52,443,843.00
4 Capital Outlays			
6303			
164.13	Poles, Towers and Fixtures	400,000.00	
164.15	Underground Conduit	450,000.00	
164.16	Underground Conductors and Wire	500,000.00	
164.17	Line Transformers	225,000.00	
164.22	Street Lights	250,000.00	
164.26	Padmount Transformers	600,000.00	
165.14	Testing Equipment	100,000.00	
165.15	Tools/Garage/Shop Equipment	10,000.00	
165.16	Power Operated Equipment	290,000.00	
165.17	Meters	350,000.00	
165.30	Construction Tools	15,000.00	
165.31	Plant in Service	100,000.00	
167.20	Transportation Equipment	425,000.00	
170.01	Substation Equipment	900,000.00	
170.05	Overhead Conductors and Devices	750,000.00	
			5,365,000.00
Net Surplus/Deficit		46,947.00	

FIRE PROTECTION/EMS

The Mishawaka Fire/EMS Department is one of the area's best, with quick response times, excellent training, and the latest equipment.

Staffing and Response Times

The Mishawaka Fire Department currently has four stations located strategically throughout the City of Mishawaka. The Fire Department and the Emergency Medical Services Department merged January 1, 2002.

In accordance with the firefighter's union Collective Bargaining Agreement and the City of Mishawaka, minimum staffing of 31 personnel are available at all times. The department also has three members working in the City's Fire Inspection Bureau.

The Department's response time is excellent. The Fire Department's average response time to calls is anywhere from 3 to just over 6 minutes within the City.

Fire Stations

The four fire stations are located in strategic areas around the City:

Station No. 1, built in 1991, is located on Union Street near downtown. It is staffed by a minimum of eleven (11) firefighters manning one Sutphen pumper truck, one aerial truck, a 105' Sutphen aerial tower, one heavy-duty K.M.E. rescue truck and one A.L.S. Paramedic ambulance unit.

Station No. 2, located at 2332 N. Main St., is staffed by five (5) to six (6) firefighters at all times, manning one Sutphen pumper truck, and one A.L.S. Paramedic ambulance unit.

Station No. 3, located at 333 E. Douglas Road, is staffed by eight (8) firefighters at all times, manning one Sutphen pumper truck, one aerial truck (a 105' Sutphen aerial/pumper combination,) and one A.L.S. Paramedic ambulance unit. If annexed, this would be the primary responding station since it is the nearest to the site.

Station No. 4, located at 3000 Harrison Road, is staffed by six (6) to seven (7) firefighters at all times, manning one Sutphen pumper truck, one A.L.S. Paramedic ambulance unit and one (1) Battalion Chief Vehicle.

All engine and ladder Companies are certified advanced life support non-transport.

For the year 2023 out of 10,421 runs 7,903 or roughly 76% were medical in nature. The Mishawaka Fire Department restructured going to a three-platoon system in 2013. With the addition of a third ambulance we were able to move ambulances out of one central location to be closer to the neighborhoods they served. Our department increased staffing in 2024 to allow us to put up a new, fourth ambulance that went into service in January of 2024. This and the availability of paramedics on some engine and ladder companies have decreased the time in which it takes to start lifesaving interventions if needed. Engine and ladder companies also have Advanced E.M.T.'s on board who may begin vital treatment such as 12 lead E.K.G.'s, establishing I.V. lines, and administration of a handful of drugs. Once the ambulance arrives the paramedics take over in the continuum of care depending upon the severity of the call.

Equipment

Equipment for the department is very comparable with what is available to surrounding township departments, but the City's fire department offers other advantages not available to the township fire departments. By having thirty-one (31) to thirty-eight (38) firefighters on duty at any given time Mishawaka is able to send more resources depending upon the nature of the call. The Mishawaka Fire Department has three ladder/pumper trucks available for emergencies. Two of these are in service at

all times with the third being a reserve. Depending upon the location, some outside fire departments utilize auto and mutual aid agreements in the event of the need for an aerial device.

The City maintains a fifteen (15) member Dive/Rescue team for water emergencies.

Training

The fire department undergoes year-round training in all areas of suppression, haz-mat, emergency medical, inspection, water rescue, public education, confined space, high angle rescue, extrication and others.

In order to work on an ambulance, the State of Indiana requires personnel to be Emergency Medical Technicians Basic (minimum training). Generally speaking, while employed with an ambulance service, employees have an opportunity to advance their skills. Training is offered at two additional levels, Advanced EMT, (IV therapy, cardiac monitoring) and Paramedic, (addition of several other medications). The EMS division is highly regarded by other services and municipalities in our area offering paramedic service.

All firefighters hired by the City of Mishawaka must become an Advanced level E.M.T within eighteen (18) months of hiring and maintain it throughout their career.

In the calendar year 2023 each firefighter took part in an average of 200+ hours of continuing education.

Complete training records for all personnel are available.

Fire Insurance Rating

Mishawaka maintains a Class 2 fire rating with the Insurance Services Office. The lower the number in the rating, the lower a business's or homeowner's insurance policy could be. Thus, properties that are annexed into the city could see a reduction in property insurance. There are only thirty-three (33) Class 2 departments in Indiana.

During the last audit in November of 2019 Mishawaka's rating improved from 78.65% out of a maximum of 100% in 2012 to 88.35% out of 100% in 2020.

We are currently only 3.17 points away from a Class one (1) designation of which there are only six (6) in the State of Indiana.

Our department went through our 5-year reevaluation by the I.S.O in February 2024 and we will learn the results and classification sometime around the last quarter of this year.

Of course, the only way to determine if a reduction will occur is to contact applicable insurance providers. Homeowner's insurance portion that is fire related would benefit the least while those of a business would have a much larger impact.

For comparison, many township departments have ratings of 7 to 9. After our next reevaluation we believe Mishawaka's fire insurance rating will be the highest possible a Class one (1).

Future Plans

Additional personnel and fire stations will become necessary in the future as the City grows. This increase is due to the increased demand on department as calls for service will continue to grow. Given the numerous locations of fire stations in the city, the Fire Department is able to respond to emergency medical and accident situations in a shorter period of time than the emergency medical units alone. As the city extends its growth our department will need to expand with it to continue keeping response times down in critical situations for our community.

The next station slated for major improvements is Station #2 located at 2332 North Main Street. A new Station #2 in under construction currently at 700 E. McKinley with anticipated competition and move in dates before the end of 2024.

Potential increases in personnel, equipment, and buildings, are evaluated on a continual basis. Although these increases represent the anticipated long term needs of the department, these increases will not hinder us in the short term to provide the consistent high level of service that has been historically provided to the city.

Citizen Programs

The fire department provides regular fire inspections for businesses located in the area, and home inspections upon request.

In 2023 the Fire Prevention Bureau performed over 900 fire inspections of new and existing buildings in Mishawaka.

In addition, residents are encouraged to take part in the department's smoke detector giveaway and installation programs.

Fire Marshals give extinguisher demonstrations and emergency planning procedures upon request to businesses in the City. Participants use real extinguishers on mock up fires to prepare them for the real thing.

The department also participates in drive through flu clinics, C.P.R. classes, Triad pill drops, elderly service clinics throughout the year.

Costs Associated With Services

If annexed, the City of Mishawaka Fire Department is capable of providing a level of service for the area that is equal to the services currently provided for the City. Given the proximity of the proposed annexation area, the Fire Department does not require any additional funds than what have been allocated within the current city budget to provide these services. For general information purposes, a copy of the year 2024 budget has been included for reference.

CITY OF MISHAWAKA
2024 BUDGET

FIRE/EMS DEPARTMENT
1101-19

1 PERSONAL SERVICES

				biweekly
Salaries and Wages				
411-01	Fire Chief	94,681.00		3,641.55
411-02	Assistant Chief			
	4 @ 87,903	351,612.00		3,380.88
	Battalion Chief			
	3 @ 80,527	241,581.00		3,097.16
	Captain 15 @ 76,596	1,148,940.00		2,945.98
	Lieutenant			
	15 @ 74,707	1,120,605.00		2,873.33
	Fire Inspector			
	1 @ 76,596 2 @ 74,707	226,010.00	2,945.98	2,873.33
	Driver Operator			
	30 @ 72,921	2,187,630.00		2,804.64
	1st Class Firefighter			
	33 @ 71,163	2,348,379.00		2,737.02
	Master Firefighter			
	18 @ 68,095	1,225,710.00		2,619.03
				8,945,148.00
	Civilian			
	Administrative Assistant	48,134.00		1,851.28
				48,134.00
Other Personal Services				
411-12	Specialty Pay	550,000.00		
411-60	Overtime	1,000,000.00		
411-63	Longevity	450.00		
411-66	Uniform Allowance 120 @ 1,250	152,000.00		
	new hires 2 @625			
411-67	Pension Equalization	11,700.00		
				1,714,150.00
Employee Benefits				10,707,432.00
413-01	Social Security	15,257.00		
413-02	Medicare	155,748.00		
413-03	INPRS 14.2%	34,944.00		
413-05	Health Insurance	2,900,000.00		
413-06	Life/Disability Insurance	6,500.00		
413-08	Deferred Comp Match	160,000.00		
413-09	77 Pension 19.1% + 3%	1,887,243.00		
				5,159,692.00
				15,867,124.00

CITY OF MISHAWAKA
2024 BUDGET

FIRE/EMS DEPARTMENT
1101-19

2 SUPPLIES			
Office Supplies			
421-90	Office Supplies	6,000.00	
Operating Supplies			
422-01	Operating Supplies	250,000.00	
422-03	Medical Supplies	210,000.00	
Other Supplies			
429-10	Public Education Training/ Seminar Supplies/Refreshments	6,000.00	
			472,000.00
3 OTHER SERVICES AND CHARGES			
Professional Services			
431-09	Clinic Services	35,800.00	
431-11	Physicals	120,000.00	
Communication and Transportation			
432-03	Travel and Training	80,000.00	
Repairs and Maintenance			
436-01	Building/ Equipment Repair	100,000.00	
Professional Services			
436-91	Laundry Maintenance	3,000.00	
Other Services and Charges			
439-03	Subscriptions, Dues, etc.	20,000.00	
			358,800.00
			16,697,924.00

PARKS AND RECREATION OPPORTUNITIES

Parks and Recreation

Mishawaka offers 28 public parks, each with its own unique natural attributes. For boating enthusiasts, there are four parks with boat launches into the St. Joseph River. East of the American Electric Dam by Capital Avenue, the river provides opportunities for water-skiers and sailors. Mishawaka parks also have an excellent swimming pool, splash pads, as well as accommodations for tennis and various field sports. Disc golf is another popular park sport. The City also contains the Eberhart-Petro 18 hole municipal golf course located along the St. Joseph River.

Some Mishawaka parks contain attractive areas for walking and picnicking, and nearly all have playground equipment and play field areas. Three parks, Shiojiri Niwa, Battell, and the Robert Beutter Riverfront Park, have attractive landscape and water amenities and are routinely the place for weddings, special events, and family pictures. The parks in Mishawaka range in size from 0.2 acres to 90 acres for the Eberhart-Petro Golf Course.

The Ball-Band Biergarten, opened in July 2020, is a unique event and gathering space along the popular Riverwalk and increasingly vibrant downtown. The center of the building will provide a service area for beverages and limited concessions to be enjoyed by all ages.

The responsibility for development of the parks and recreation system for the City rests with the Board of Parks and Recreation. The Board consists of four members and a member from the Board of School Trustees and a member from the Library Board.

Staff and Equipment

The park office staff consists of the Superintendent, Office Coordinator, and Community Center Director. There are 5 Park Divisions (Recreation, Special Events, Golf, Aquatics/Ice Rink, and Landscape). Four (4) have Division Directors and the Landscape Division is headed by the Landscape Manager.

The Mishawaka Parks Department provides budget support for its park maintenance through the Central Services Department, which manages all operations and maintenance staff and equipment for streets, parks, motor pool, and some electrical service vehicles.

Costs Associated With Services

All programs implemented through the Mishawaka Park and Recreation Department are available to all who wish to participate in them or rent the facilities. Listings of all park and recreation rates are available through the City of Mishawaka Park Department.

If annexed, the existing park system will continue to provide a level of service for the area that is equal to the services currently provided for the rest of the city. Resident services will begin immediately upon annexation.

For general information purposes, a copy of the year 2024 budget has been included for reference.

CITY OF MISHAWAKA
2024 BUDGET

PARK AND RECREATION
2204-50

1	PERSONAL SERVICES		
	Salaries and Wages		biweekly
411-01	Department Head	80,000.00	3,076.92
411-02	Regular Employees	797,160.00	
	Group 1: 16@23.60*2092	789,940.00	
411-03	Temporary/Summer Help	800,000.00	2,467,100.00
	CS reimburse - 61,962* 1.25 for assts.	77,453.00	
	Reimburse MVH Director - 78,332*5%	3,917.00	81,370.00
			2,548,470.00
	Other Services Personal		
411-60	Overtime	25,000.00	
411-63	Longevity	23,125.00	
411-64	FTO	12,000.00	
			60,125.00
	Employee Benefits		
413-01	Social Security	161,733.00	
413-02	Medicare	37,825.00	
413-03	PERF 14.2%	256,820.00	
413-04	Unemployment	5,000.00	
413-05	Employee Insurance Benefits	365,000.00	
413-06	Life Insurance	2,000.00	
413-08	Deferred Comp Match	20,000.00	
			848,378.00
2	SUPPLIES		3,456,973.00
	Office Supplies		
421-90	Office Supplies	8,000.00	
	Operating Supplies		
422-02	Gas, Oil, Parts, etc.	73,000.00	
	Other Supplies		
429-09	Merrifield/Ironworks Complex Supplies	42,000.00	
429-14	Maintenance Supplies	110,000.00	
429-15	Program Supplies	60,000.00	
429-16	Golf Course Concessions	60,000.00	
429-18	Athletic Event Supplies	70,000.00	
429-19	Battell Center Supplies	15,000.00	
429-20	Golf Course Supplies	65,000.00	
429-21	Other Concessions	5,000.00	
429-23	Merrifield Concessions	18,000.00	
			526,000.00

CITY OF MISHAWAKA
2024 BUDGET

PARK AND RECREATION
2204-50

3	OTHER SERVICES AND CHARGES		
	Professional Services		
431-09	Health Screenings/Vaccines	8,000.00	
	Communication and Transportation		
432-02	Postage and Freight	2,000.00	
432-03	Travel and Training	8,000.00	
432-04	Telephone	7,000.00	
	Printing and Advertising		
433-01	Printing/Newsletter etc.	10,000.00	
	Insurance		
434-90	Insurance Premiums/Deductibles	200,000.00	
	Utility Services		
435-01	MU/AEP Charges	500,000.00	
435-02	NIPSCO	50,000.00	
	Repairs and Maintenance		
436-01	Equipment/Facility Repair	100,000.00	
436-90	Service Contracts	180,000.00	
	Rentals		
437-05	Uniforms/Port-o-lets	17,500.00	
	Other Services and Charges		
439-03	Subscription, Dues, etc.	3,000.00	
439-09	Miscellaneous/Charges	1,000.00	
439-18	Instructor Fees	15,000.00	
439-19	Official/Referee Fees	26,000.00	
439-21	Recreation Event/Entertainment	74,000.00	
439-93	Sales Tax	25,000.00	
			1,226,500.00
			5,209,473.00

CITY OF MISHAWAKA
2024 BUDGET

PARK AND RECREATION NON-REVERTING
2211-50

1	PERSONAL SERVICES		
	Salaries and Wages		
	411-03 Temporary Help	25,000.00	
			25,000.00
2	SUPPLIES		
	Other Supplies		
	429-09 Merrifield Supplies and Repairs	45,000.00	
	429-09 Wilson Supplies and Repairs	12,000.00	
	429-17 Landscaping/Chemical Supplies	100,000.00	
			157,000.00
3	OTHER SERVICES AND CHARGES		
	Professional Services		
	431-06 Consulting	95,000.00	
	436-90 Animal Control	15,000.00	
	Communication and Transportation		
	432-04 Wilson Hill Phone and Internet	2,500.00	
	436-90 GPS Contract	19,000.00	
	Repairs and Maintenance		
	436-01 Golf Cart Repair	5,000.00	
	436-22 Athletic Field Maintenance	15,000.00	
			151,500.00
4	CAPITAL OUTLAYS		
	Machinery and Equipment		
	444-10 Golf Carts - $89.3K	120,300.00	
	Leaf Sweeper - $30K		120,300.00
			453,800.00

POLICE AND CRIME PREVENTION

The City of Mishawaka's Police Department provides residents with professional public protection and safety, helping keep the city's crime rate low. The officers are among the area's most well-trained, receiving the best training, using top-of-the-line equipment and offering personal service to Mishawaka residents.

Staffing

There are currently a total of 10 full time civilians within the Mishawaka Police Department, and are budgeted for 114 sworn officers. The Department has 23 officers on the day shift, 23 on the afternoon shift, and 23 on midnights, making for a total of 69 officers in the Uniform Division, plus 3 Captains; 1 Captain for each shift.

Because of a State Mandate, effective on January 1, 2015, the four dispatch centers in St. Joseph County (including the Mishawaka Public Safety Dispatch Center) were required to consolidate into two Dispatch Centers. The former Mishawaka Police Dispatchers are now employed by St. Joseph County; hence the reduction in civilian employees for the MPD.

There are also 9 officers in the Investigative Division and 10 officers assigned to special duty (special crimes, domestic violence, school resource, etc.)

All police officers in the State are required to successfully complete the basic program at the Indiana Law Enforcement Academy within the first year of employment. This is a 16-week program. Current ILEA standards require each Officer to complete 24 hours of service training per year. The Mishawaka Police Department averages 65 hours of training, compared with minimums of 24+ statewide.

Equipment

The Police Department has a take-home patrol car program. Currently, there are 108 take-home vehicles. Each car contains standard first aid equipment for immediate response. Each officer is also well equipped with standard equipment such as side-arms, shotguns, M16 type rifles, Tasers. and body armor. All uniform officers have been provided with the newest up to date body camera's . In addition, squad cars are equipped with video cameras to record events on patrol.The City provides for the continual maintenance, repair, and replacement of equipment. Standard equipment items such as cars and firearms are on a set replacement schedule for both reliability and performance.

Several years ago the City purchased a radar trailer, which detects a motorist's speed and flashes it on a screen, for $9,000. This equipment assists in controlling speed by making motorists aware of their current rate of travel. This equipment can also specifically be used in the annexation area.

The Police Department has three School Resource officers available with School City of Mishawaka. One officer is assigned to Mishawaka High School, one officer is assigned to John Young Middle School and one is assigned to the elementary schools. The cost of these officers is shared with School City.

The Community Relations Unit

The Community Relations Officers handle various public relationship events such as Neighborhood Watch meetings, MPD tours for boy scouts and schools, reading to kids, bike safety rodeos information out to the public. The unit also handles neighborhood complaints, such as drug houses, speeding, neighbor disputes, and other "quality of life" issues.

Street Crimes Unit

The Street Crimes Unit was implemented in July of 2009. There are 6 officers assigned to the Unit. The goal of this Unit is to concentrate efforts in high crime areas of the city and work in conjunction with the Police Department's Investigative Division to identify criminals and solve crimes. So far, the SCU has worked very hard at their mission and has proven to be quite a success. Because of their determination and self-motivation, the Unit has taken several criminals, weapons and drugs off the streets and has seen crime decrease in the high crime neighborhoods.

Riverwalk Beat

New in 2023 is the hiring of a part time Park Police officer and has been determined to very successful. Several methods of patrol have been utilized, including the Kawasaki mule, bicycles and motorcycle. The extra patrol have minimized reported vandalism that was seen in previous years. The renovation of Central Park has brought an increase of visitors to both the park and Riverwalk. The MPD continues its patrol efforts in the parks enhanced with the installation of a video camera surveillance system throughout the Riverwalk, Beutter and Central Park. Several emergency call boxes are also installed, thus enhancing the safety of all Riverwalk users.

CAPS Program

The Citizens in Alliance with Police (CAPS) Program has much success in patrolling the Riverwalk and City parks and has expanded to two teams of volunteers that can be seen on the weekends.

Response Time and Crime Statistics

On average, the Mishawaka Police Department responds to critical incidents within three to five minutes. This is comparable to three to seven minutes in South Bend. South Bend has a modestly larger coverage area. Response times for the county were not available; however, with the St. Joseph County Police Department's much larger coverage area per officer, it is anticipated that the response time within the City of Mishawaka is significantly lower than in the county.

The Uniform Division was instrumental in responding to several high-profile cases in 2022 including three homicide scenes. Other notable arrests were for robbery suspects, narcotics arrest, firearms, stolen autos and the capture of several felons wanted on warrants.

These events are not uncommon; as the uniform officer is normally the first to arrive on scene during an emergency call situation. They are the face of the Department. Promoting a positive working relationship within the community helps to keep peace and harmony in our neighborhoods.

The Uniform Division was tasked with covering over 39,159 calls for service in 2022. That number also reflects reporting on 2,242 vehicle crashes.

For general information purposes, a copy of the year 2023 budget has been included for reference. The budget itemizes the costs of providing services for the entire city.

Costs Associated with Services

If annexed, the City of Mishawaka Police Department is capable of providing a level of service for the area that is equal to the services currently provided within the City of Mishawaka. The Police Department does not require any additional funds than what has been allocated within the current city budget to provide these services. No capital expenditures are required in association with this proposed annexation.

CITY OF MISHAWAKA
2024 BUDGET

POLICE DEPARTMENT
1101-20

1 PERSONAL SERVICES

			biweekly
Salaries and Wages			
411-01	Police Chief	101,500.00	3,903.85
411-02	Assistant Chief		
	3 @ 96,500	289,500.00	3,711.54
	Captain		
	5 @ 93,500	467,500.00	3,596.15
	Lieutenant		
	14 @ 92,000	1,288,000.00	3,538.46
	Sergeant		
	20 @ 90,500	1,810,000.00	3,480.77
	1st Class Patrol Officer		
	47 @ 89,000	4,183,000.00	3,423.08
	2nd Class Patrol Officer		
	10 @ 64,739	647,390.00	2,489.96
			8,786,890.00
	Civilians		
	Trainer	55,105.00	2,119.42
	Crime Tech	53,470.00	2,056.51
	Recruiter	52,789.00	2,030.33
	Digital Media/Statistical Analyst	44,794.00	1,722.83
	Administrative Assistant	48,134.00	1,851.28
	Administrative Secretary	41,315.00	1,589.02
	Secretary 2 @ 40,797	81,594.00	1,569.11
	Parking Personnel	40,797.00	1,569.11
	Property Manager	44,794.00	1,722.83
	Office Manager	44,880.00	1,726.15
			507,672.00
	Crossing Guards 15 @ 8,154	122,310.00	
411-03	Substitute Crossing Guard	2,000.00	
	Temporary Help/Part-time	30,000.00	
411-65	Certifications	4,500.00	158,810.00
Other Personal Services			
411-02	Shift Differential 2nd @700	30,000.00	
411-12	Specialty	75,000.00	
411-60	Overtime/ Court-time Officer-Non Officer	600,000.00	
411-63	Longevity	11,325.00	
411-66	Uniform Allowance 1@600, 102@2050	210,700.00	
	1@1000 Crime Tech		
411-66	Equipment Allowance 102@1250	127,500.00	1,054,525.00
Employee Benefits			
413-01	Social Security	42,123.00	
413-02	Medicare	137,261.00	
413-03	INPRS 14.2%	74,564.00	
413-05	Health Insurance	2,515,252.00	
413-06	Life Insurance	7,000.00	

POLICE DEPARTMENT
1101-20

413-08	Deferred Comp Benefit	180,000.00	
413-10	77 Pension 19.1% + 3%	2,006,238.00	4,962,438.00
			15,470,335.00
2	SUPPLIES		
	Operating Supplies		
422-01	Operating Supplies	120,000.00	
	Other Supplies		
429-11	Seminars/ Community Relations	1,000.00	
			121,000.00
3	OTHER SERVICES AND CHARGES		
	Professional Services		
431-09	Clinic Services	35,800.00	
431-11	Testing	2,000.00	
	Communication and Transportation		
432-03	Travel and Training	2,000.00	
	Printing and Advertising		
433-01	Printing	1,800.00	
	Repairs and Maintenance		
436-01	Building Repair/ Maintenance	100,000.00	
	Other Services and Charges		
439-03	Subscriptions, Dues, etc.	18,000.00	
439-09	Miscellaneous Charges	5,000.00	
439-11	Special Expense	13,000.00	
439-12	Canine Expenses	9,000.00	
			186,600.00
			15,777,935.00

STREET DEPARTMENT

The Mishawaka Street Department, with its large staff and several trucks and multiple pieces of equipment, constantly maintains the City's streets and is prompt at answering to emergencies.

Staffing

The Mishawaka Street Department, headed by the Street Commissioner, has 32 union employees, two clerical personnel and two assistant street commissioners. The telephone is staffed 24 hours a day, and one manager is on call at all times, so that most emergencies can be handled in less than one hour.

Equipment

The Department uses 3 tandem axle and 11 single-axle trucks for the majority of the City's snow plowing. The Department also has 12 4-wheel drive trucks used for plowing smaller streets.

If the need arises during a winter storm, the Department also can call upon the Utilities and Parks departments to help supplement the snow removal efforts.

Along with the three loaders, two graders and the help of the manpower and equipment from other departments, the City can put a total of seven loaders, five backhoes and four additional trucks on the road to help remove snow. St. Joseph County does not have as many resources and has a larger area to plow; therefore, it takes the county longer to clear their roads.

Services

The City's leaf pick-up program is completed on a weekly basis every fall, compared with the County's leaf pick-up program, which is done by quadrants.

The City also has an aggressive street sweeping schedule, with all streets swept every 10 days. The County does little street sweeping.

Also, in the event of a wind storm that blows trees into streets, the City can have the street reopened, in most cases, in less than an hour. The county can take six to eight hours, as evidenced by calls from residents on streets just outside the City's boundaries.

Costs Associated with Services

If annexed, the City of Mishawaka Street Department is capable of providing a level of service for the area that is equal to the services currently provided for similar geographic areas within the City of Mishawaka. Given the proximity of the proposed annexation area, bordered to the south by the existing City limits, the Street Department does not require any additional funds than what have been allocated within the current city budget to provide these services. No capital expenditures are required in association with this proposed annexation. Services will begin within one year of the date of annexation as required by law.

For general information purposes, a copy of the year 2024 budget has been included for reference.

WASTE DISPOSAL AND RECYCLING SERVICES

Waste Disposal and Recycling Services

Trash pick-up in the City of Mishawaka is inexpensive and efficient. The monthly fee for single family trash pickup is $17.61. This includes trash, yard waste and recycling. Residents also are allowed to place up to two large items out each week for removal with their regular trash. Large items could include furniture, appliances, and similar objects that are not readily placed within containers.

A discounted rate of $14.28 per month is provided for senior citizens.

Similar to the county and other municipalities, trash removal services are not offered to multiple family developments, commercial, or industrial businesses. The waste stream generated from these uses varies widely and usually require private dumpsters. These uses are required to contract for services through private trash contractors. Given that portion of the proposed annexation is an industrial facility; waste disposal will be the responsibility of the property owner with no involvement from the City.

Leaf pick-up and the Organic Center

The leaf pick-up and Christmas tree pick-up programs are done through the City's Street Department. The Organic Center offers recycling for residents of Mishawaka only. Brush, grass and leaves may be brought in, by residents at no charge.

CITY OF MISHAWAKA
2024 BUDGET

CENTRAL SERVICES DEPARTMENT
1101-22

1 PERSONAL SERVICES			
Salaries and Wages			biweekly
411-02	Assistant 4 @ 61,962	247,848.00	2,383.13
	Fleet Maintenance Technician 6 @ 24.84*2092	311,804.00	
	Group 1: 4 @ 23.60*2092	197,522.00	
	PT maintenance 1040 hrs @ 11.00	11,440.00	
	3 Additional Employees	150,000.00	
			918,614.00
Other Services Personal			
411-60	Overtime	15,000.00	
411-63	Longevity	12,775.00	
			27,775.00
			946,389.00
2 SUPPLIES			
Office Supplies			
421-90	Office Supplies	2,000.00	
Operating Supplies			
422-02	Gas, Oil, etc.	1,000,000.00	
422-05	Equipment/Vehicle/Maint Supplies	185,000.00	
Other Supplies			
429-08	Uniform/Supplies	7,550.00	
			1,194,550.00
3 OTHER SERVICES AND CHARGES			
Professional Services			
431-09	Health Screenings/Vaccines	1,000.00	
Communication and Transportation			
432-03	Travel and Training	1,000.00	
Repairs and Maintenance			
436-01	Building Repair/Equipment/Maint	145,000.00	
Rentals			
437-05	Uniforms	11,080.00	
Other Services and Charges			
439-09	Miscellaneous Charges	1,500.00	
			159,580.00
			2,300,519.00

Wastewater

Services

Services are provided by the Mishawaka Wastewater Division 24-hours a day, 7 days per week. There are at least two operators staffing the facility at all times. Additionally, maintenance technicians can be called in during off-hours to respond to emergencies. The twenty-nine remote sewage lift stations are continuously monitored by radio telemetry.

Facilities

Mishawaka's wastewater treatment plant is a Class IV facility that was expanded in 2008 to provide an average design capacity of 20 million gallons per day (MGD). The peak design capacity is 42 MGD. The plant is designed to operate in the conventional activated sludge mode. Single stage nitrification is achieved in the activated sludge process to convert ammonia to nitrate. Phosphorus is removed both biologically and by chemical precipitation using ferrous chloride. Solids generated in the treatment process are anaerobically digested and mechanically dewatered. These biosolids are land applied on area farm fields for soil conditioning and fertilizing. The treated effluent from the facility is disinfected with sodium hypochlorite, then treated with sodium bisulfite to remove any chlorine residual.

For the year 2023, an average flow of 9.15 MGD was treated. The average cBOD removal was 98% and the average suspended solids removal was 98%.

Staff

Twenty-six people staff the wastewater utility. There are 6 managers/supervisors, 3 chemists, 11 operators, 4 maintenance technicians, and 1 biosolids technician. At least two operators are on duty at all times.

Support Personnel

The Wastewater Division relies on the Mishawaka Utilities Business Office for support functions such as billing, budget tracking, and customer service. The City's Engineering Division works closely with the Wastewater Division on plan reviews for sewer and lift station additions. Consulting engineering firms are used to design improvements and for comprehensive studies.

Past and Planned Capital Improvements

A $42 million upgrade was completed in 2008 for the wastewater utility. This upgrade was necessary to provide capacity for service area growth and to address the CSO requirements established in Mishawaka's NPDES permit and CSO control regulations. The upgrade increased both the dry weather flow capacity and the plant's capability to treat wet weather flows.

The capital improvements increased the wastewater treatment plant's capacity from 12 MGD to 20 MGD. The hydraulic peak capacity increased from 24 MGD to 42 MGD. The scope of the wastewater treatment plant improvements includes the following elements:

- Parallel 60-inch interceptor sewer from CSO 009 to treatment plant
- Influent pump station expansion
- Additional fine screen
- New grit separation and washing equipment
- Addition of two grit removal tanks
- Addition of two primary clarifiers
- Addition of two aeration tanks
- Addition of two final clarifiers
- Addition of a chlorine contact tank
- Conversion from gaseous chlorine and sulfur dioxide to liquid sodium hypochlorite and sodium bisulfite disinfection
- Rehabilitation of ferrous chloride storage and feed system
- Addition of two WAS gravity belt thickener
- Addition of a second belt filter press for biosolids dewatering
- New anaerobic digester and rehabilitation of existing digesters including new covers
- Modifications to the plant electrical feed
- Installation of a high efficiency turbo aeration blower

In 2013, the Carriage Lane and Winding Brook lift stations were replaced and stand-by emergency generators were added. The Southampton lift station was upgraded to include a stand-by emergency generator as well.

In 2017, the Oakland St. lift station was replaced. In 2020 the Willow Creek Lift Station was completely re-built following a catastrophic failure of the station.

Construction of miscellaneous plant improvements included replacement of the manual bar screen with a new automated fine screen, improvements to the hypochlorite disinfection system, improvements to CSO 009, and replacement of the existing air monitoring systems in the Headworks and Digester Control Buildings was substantially completed in 2019. Also, replacement of the Home St. lift station was completed in 2019.

In 2020, the replacement of the effluent troughs in the 4 west side final clarifiers was completed.

Future capital improvements focusing on the Combined Sewer Overflow Long Term Control Plan will consist mainly of sewer system improvements to convey greater volumes of wet weather flow to the Wastewater Plant for treatment as well as sewer separation.

In May of 2023, the Mishawaka Wastewater Division issued $33M in revenue bonds for continued work in the collection system in order to reduce Combined Sewer Overflows and promote development. In addition, project will be conducted at the treatment facility to increase efficiency and replace aged equipment.

Statistical Information

Mishawaka's wastewater treatment plant exhibits outstanding performance. For the year 2023 the average removals and plant data were as follows:

	2023
Average Flow (MGD)	9.15
Peak Flow (MGD)	60.7
BOD Removed (%)	98
Phosphorus Removed (%)	84
Ammonia Removed (%)	95
Solids Removed (%)	98
Biosolids Produced (dry tons)	1322
Electricity Use (MkWH)	5.1
Natural Gas Use (Mcf)	10.5
Total Precipitation (inches)	35.69

Costs Associated with Services

Mishawaka Utilities Wastewater Division is predominately supported through revenue generated by the rates charged to customers. The Wastewater Treatment Plant Upgrade and Expansion was completed in June of 2008. The City financed $41.9 million for the plant improvements through a low interest State Revolving Fund Program loan, which saved considerable interest expense throughout the twenty-year life of the loan. The expansion serves the dual purpose of providing capacity for continued growth in the community and cut annual combined sewer overflow (CSO) volume in-half. Because a portion of the expanded capacity will serve growth in the Northwest TIF area, TIF funding has been pledged to the Wastewater Division to assist in funding debt service payments. An annual TIF distribution of $3.36 million reduces the rate increases necessary to fund the expansion's bond payments.

Residents of St. Joseph County, who have access to city sanitary sewer, pay the same sewer rate provided to residents of the city. However, Wastewater Utility customers whose premises are served by the utility, and are located within the City limits, shall receive a credit applied towards their monthly sewer bill in recognition of the portion of the principal and interest on Wastewater Utility bonds paid by the City from TIF revenues. City sewer facilities are available to the proposed annexation area and will have no impact on the level of service provided by the city. Mishawaka Utilities currently provides a level of service for the area that is equal to the rest of the City. No additional Wastewater Division capital expenditures are required in association with this proposed annexation.

Wastewater

Revenue

6201.00			
371.10	Commercial/Industrial Sales	9,860,264.00	
371.15	Commercial Pretreatment Sales	83,424.00	
371.21	Residential Sales	9,847,486.00	
371.27	Industrial Pretreatment Sales	39,377.00	
371.30	Municipal Sales	414,974.00	
371.31	Municipal Pretreatment Sales	2,753.00	
380.10	Penalty	262,057.00	
380.20	Penalty/Pretreatment	817.00	
381.73	Inspection Fees	6,563.00	
			20,517,715.00
Operational Revenue			
381.10	Meter Charge	7,500.00	
381.26	Industrial Permits	1,476.00	
381.28	Customer Service Charge	240.00	
381.61	Televising Lines	6,728.00	
381.75	Sewer - FOG Fees	9,240.00	
381.76	Sale of Scrap	500.00	
399.00	Other Revenue	34,875.00	
			60,559.00
Interest Income			
361.00	Interest	75,000.00	
			75,000.00
6202.00			
381.41	T. I. F. Credit	3,360,000.00	
			3,360,000.00
608.00			
381.71	Connection Fees	53,756.00	
			53,756.00
			24,067,030.00

1 Personal Services

6201.80

			biweekly
Salaries & Wages			
411.02	Division Manager	89,618.00	3,446.84
	Assistant Manager		
	2 @ 76,425	152,850.00	2,939.41
	Operations Manager	70,323.00	2,704.68
	Chief Chemist	69,793.00	2,684.34
	Chemist		
	3 @ 64,620	193,860.00	2,485.35
	Maintenance Manager	70,323.00	2,704.68
	Operations Coordinator	58,646.00	2,255.59
	Chief Operator		
	1 @ 28.70/Hour	59,688.00	2,295.67
	Utility Operator A		
	4 @ 27.27/Hour	226,936.00	2,182.05
	Utility Operator B		
	1 @ 25.51/Hour	53,060.00	2,040.75
	Utility Operator C		
	5 @ 24.53/Hour	255,200.00	1,963.07
	Dewatering Mechanic		
	1 @ 30.62/Hour	63,685.00	2,449.39
	Maintenance Technician A		
	4 @ 28.00/Hour	232,908.00	2,239.48
	Maintenance Technician C		
	1 @ 24.98/Hour	51,936.00	1,997.52
	Crew Leader - 1.00/Hour	2,000.00	
	Shift Premium (1st Shift) - .40/Hour	1,664.00	
	Shift Premium (3rd Shift) - .30/Hour	1,248.00	
	Swing Shift Premium - .50/Hour	2,080.00	
	Holiday Pay	30,410.90	
			1,686,228.90
Other Personal Services			
411.60	Overtime	159,220.00	
411.63	Longevity	19,110.00	
411.64	FTO (Flexible Time Off) Plan	2,533.76	
411.65	Professional Certification	32,864.00	
			213,727.76

Employee Benefits

413.01	Social Security Taxes	117,798.00	
413.02	Medicare	27,550.00	
413.05	Health Insurance	447,600.00	
413.06	Life Insurance	1,242.00	
413.08	Deferred Compensation Match	32,977.00	
413.12	Pension Benefit	211,200.00	
			838,367.00

2 Supplies

6201

Office Supplies

80.42122	Office Supplies	3,000.00	
80.42212	Operation Supplies/Maintenance	60,000.00	
80.42226	Lab Supplies/Equipment	45,000.00	
			108,000.00

Other Supplies

80.42276	Uniforms	8,000.00	
			8,000.00

3 Other Services and Charges

6201

Professional Charges

80.43102	Legal Fees	100,000.00	
80.43104	Professional Services	100,000.00	
80.43105	Sewer and Drainage	300,000.00	
80.43116	Outside Lab Analysis	15,000.00	
			515,000.00

Communication and Transportation

80.43200	Travel	5,500.00	
80.43210	Transportation Expense	1,000.00	
80.43930	Education	6,000.00	
			12,500.00

Insurance

80.43410	Insurance - Property, Auto, WC	170,000.00	
			170,000.00

Utilities

80.43511	Natural Gas Purchase	125,000.00	
80.43512	Water Purchase	150,000.00	
80.43581	CMP Fuel Purchase	5,000.00	
80.45915	Electric Purchase	525,000.00	
			805,000.00

Repairs and Maintenance

80.42509	Hypochlorite Solution	180,000.00	
80.42510	Pretreatment Materials	10,000.00	
80.42511	Ferrous Chloride & Parts	120,000.00	
80.42512	Sodium Bisulfite	70,000.00	
80.42513	Polymer	140,000.00	
84.42224	Sludge Thickening	5,000.00	
84.42227	Biosolids Dewatering	35,000.00	
84.42313	Disinfection Equipment	10,000.00	
84.42314	Digester System	150,000.00	
84.42315	Primary Tank	5,000.00	
84.42316	Secondary Tank	12,000.00	
84.42317	Grit System	5,000.00	
84.42319	Blowers	10,000.00	
84.42321	Buildings & Grounds	175,000.00	
84.42322	Equipment	4,000.00	
84.42325	Lift Station Maintenance	50,000.00	
84.42326	SCADA - Telemetry System	5,000.00	
84.42328	Screening Equipment	5,000.00	
84.42333	Pumps & Motors	50,000.00	
84.42365	Small Tools Expense	10,000.00	
84.43140	Biosolids Land Application	150,000.00	
			1,201,000.00

Other Services and Charges

50.45200	Debt Service	8,455,970.00	
50.49500	PiLoT	1,996,249.77	
80.42310	Safety Equipment/Expense	6,000.00	
80.43114	Permit Fees	20,000.00	
80.43900	Operational General Expense	8,000.00	
80.43929	Dues, Fees, Subscriptions	9,500.00	
80.43165	B.O. Shared Expenses	355,022.00	
			10,850,741.77
			16,408,565.43

4 Capital Outlays

6203

162.03	Lift Station Structures	250,000.00	
165.26	Secondary Tank Mechanism	20,000.00	
165.51	Sewer and Drainage	250,000.00	
167.20	Transportation Equipment	50,000.00	
			570,000.00

Sewer

1 Personal Services

6201.86

			biweekly
Salaries & Wages			
411.02	Department Manager	72,028.00	2,770.28
	Assistant Manager	62,169.00	2,391.11
	MS4 Manager	61,515.00	2,365.94
	Project Coordinator	47,475.00	1,825.94
	Locate/Bonds/Permit Coordinator	45,784.00	1,760.89
	Office Coordinator	44,683.00	1,718.45
	Assistant Director of Engineering	7,173.00	275.88
	Advanced Operator Video Inspection		
	2 @ 27.11/Hour	112,778.00	2,168.80
	Advanced Operator Combination		
	2 @ 27.70/Hour	115,232.00	2,216.00
	GIS Coordinator		
	1 @ 26.23/Hour	54,559.00	2,098.40
	Inspector		
	1 @ 26.23/Hour	54,559.00	2,098.40
	Repairman		
	3 @ 25.97/Hour	162,054.00	2,077.60
	Utility Operator		
	4 @ 25.42/Hour	211,496.00	2,033.60
	General Laborer II		
	1 @ 23.60/Hour	49,088.00	1,888.00
			1,100,593.00
Other Personal Services			
411.60	Overtime	12,000.00	
411.63	Longevity	15,170.00	
411.64	FTO (Flexible Time Off) Plan	1,500.00	
411.65	Professional Certification	42,000.00	
			70,670.00
Employee Benefits			
413.01	Social Security Taxes	72,623.00	
413.02	Medicare	16,985.00	
413.03	PERF	134,306.74	
413.05	Health Insurance	298,800.00	
413.06	Life Insurance	918.00	
413.08	Deferred Compensation Match	22,012.00	
			545,644.74

2 Supplies

6201

Office Supplies

86.42122	Office Supplies	2,000.00	
			2,000.00

Other Supplies

86.42276	Uniform Expense	30,000.00	
			30,000.00

3 Other Services and Charges

6201

Communication and Transportation

86.43200	Travel	1,000.00	
86.43930	Education	5,000.00	
			6,000.00

Insurance

86.43412	Insurance	85,000.00	
			85,000.00

Utilities

86.42215	Utilities	4,000.00	
86.43581	CMP Fuel Purchase	45,000.00	
			49,000.00

Repairs and Maintenance

86.42231	Technology	5,000.00	
86.42309	Buildings & Grounds	10,000.00	
86.42310	Safety Equipment	5,000.00	
86.42311	Sewer Line Maintenance	375,000.00	
86.42320	Equipment Rental	500.00	
86.42364	Equipment Maintenance	70,000.00	
86.43121	Prepaid Software Maintenance	7,000.00	
			472,500.00

Other Services and Charges

86.42212	Operational Expense	35,000.00	
86.42228	Tools	1,000.00	
86.43115	Dues/Fees/Subscriptions	100.00	
			36,100.00
			2,397,507.74

4 Capital Outlays

6203

164.04	Sewer Repair/Replace	350,000.00	
164.21	Transportation Equipment	120,000.00	
165.49	Pipe Lining/Rehab	2,000,000.00	
			2,470,000.00

Net Surplus/Deficit 1,621,269.00

WATER SERVICE

Water Utilities

The Mishawaka Utilities Water Division is a medium-sized public water utility that serves a population and area larger than just the City of Mishawaka. The combined well fields average about 7 million gallons pumped each day, with a peak daily rate of 25 mgd and a maximum capacity of 32 mgd. The water is treated with chlorine, fluoride and phosphate and is regularly and comprehensively tested in accordance with state and federal regulations. The city public water supply consistently exceeds the strict standards set forth by the United States Environmental Protection Agency and the Indiana Department of Environmental Management.

Serving the Proposed Annexation Area

Currently there is a 12" water main fronting the north eastern side of the property on Dragoon Trail on the north side of the street. An extension would need to be done from here and also on Bremen Highway to loop the proposed area. Currently no water main exists on this portion of Bremen Highway. An engineering study would need to be done to confirm pressures would be adequate to serve this property as there could be elevation issues.

The costs associated with the extension of water service to the individual property, including tap fees, are paid by developer's/property owners, and are not paid by Mishawaka Utilities. For existing properties with wells, a 1-inch copper service line is typically provided to the property line for future connection. Similar to other areas of the city, the customer would be required to pay for the tap in order to use the service. The property owner also would be responsible to run the service from the property line to any future proposed development and install a meter setter in accordance with Water Division standards.

Staff and Services

The Mishawaka Utilities Water Division has a 24-hour emergency answering service line, which calls the supervisor on duty on a cellular telephone. Crews generally report on site within an hour of an emergency. On average, service outages only last about three hours.

There are a total of thirty-three (33) employees in the Water Division consisting of twenty (24) union employees and nine (9) salaried personnel. An additional administrative staff of four (4) people and an office staff of twenty-three (23) carries out all billing and clerical work for both the electric and water divisions.

The Water Division has twenty-seven (28) vehicles and eight (9) large specialized pieces of equipment to serve the area.

Services to Residents

The Mishawaka Utilities Water Division provides three programs to replace lead services within the City's water system.

1. The Division replaces any lead service that is in need of repair.
2. The Division replaces any lead service to a current customer when the customer replaces the line from the street shut-off to the house.
3. The Division replaces any lead service that is not currently in use by a customer at a reduced cost to customer when a new structure is built.

The Division has no benefits geared strictly toward senior citizens, but it does accept money from the Project Safe program, provided by Real Services. Real Services provides state funds to pay utility bills of low-income families that fall within a certain income range. The low-income families must fill out an application, at the Real Services office, to become eligible for this benefit.

Costs Associated with Services

Mishawaka Utilities Water Division is not supported by tax dollars, but rather through revenue generated by the sales of water to its consumers. All costs associated with providing water service are rate generated. No tax dollars are used to provide this service. If annexed, Mishawaka Utilities is capable of providing a level of service for the area that is equal to the services currently provided within the City.

Water

Revenue

6101.00

361.00	Interest	90,000.00	
370.10	Unmetered Sales	4,000.00	
371.11	Municipal Sales	446,000.00	
371.21	Residential Metered Sales	5,790,005.00	
371.25	Commercial Metered Sales	5,449,578.00	
372.10	Municipal Fire Protection	31,000.00	
372.11	Municipal Fire Protection - Hydrant Fees	49,000.00	
372.20	Private Fire Protection	869,000.00	
372.21	Private Fire Protection - Hydrant Fees	2,268,000.00	
380.10	Penalty	61,000.00	
381.06	Water Taps	173,000.00	
381.22	Service Charges	53,000.00	
381.27	Meters	28,000.00	
381.29	Hydrants	10,000.00	
381.39	Services	1,000.00	
399.00	Other Revenue	11,000.00	

Additional Revenue

6101

253.12	Advance Construction	600,000.00	
			15,933,583.00

1 Personal Services

6101.70

			biweekly
Salaries & Wages			
411.02	Division Manager	89,618.00	3,446.84
	Assistant Manager	78,425.00	3,016.35
	Meter/Backflow Supervisor	75,509.00	2,904.19
	Quality Control Assistant B	57,258.00	2,202.23
	Quality Control Assistant C	53,383.00	2,053.16
	Procurement, Inventory, & Staff Coordinator	61,938.00	2,382.24
	System Technical & Telemetry Reliability Coordinator	69,336.00	2,666.77
	Distribution System Supervisor	75,509.00	2,904.19
	GIS Coordinator	61,938.00	2,382.23
	Well Head Protection Coordinator	61,938.00	2,382.23
	Project Manager	66,268.00	2,548.75
	Heavy Equipment Operator A		
	5 @ 30.54/Hour	317,655.00	2,443.46
	Heavy Equipment Operator B		
	4 @ 28.92/Hour	240,616.00	2,313.61
	Senior Utilityman		
	1 @ 30.33/Hour	63,093.00	2,426.62
	Intermediate Utilityman		
	2 @ 28.00/Hour	116,454.00	2,239.48

	Pipefitter B		
	4 @ 25.96/Hour	215,980.00	2,076.69
	Maintenance Technician		
	1 @ 28.00/Hour	58,227.00	2,239.48
	General Maintenance C		
	1 @ 23.90/Hour	49,709.00	1,911.87
	Chief Meter/Backflow Inspector		
	1 @ 30.37/Hour	63,185.00	2,430.18
	Meter/Backflow Inspector		
	1 @ 28.12/Hour	58,476.00	2,249.05
	Meter Repairman A		
	1 @ 27.53/Hour	57,254.00	2,202.05
	Meter Installer B		
	2 @ 25.96/Hour	107,990.00	2,076.69
	Working Foreman - Distribution Systems		
	1 @ 32.01/Hour	66,586.00	2,560.99
	Chief Mechanic - Water Treatment		
	1 @ 32.01/Hour	66,586.00	2,560.99
	Crew Leader - 1.00/Hour	18,720.00	
			2,251,651.00
Other Personal Services			
411.60	Overtime	75,000.00	
411.63	Longevity	36,890.00	
411.64	FTO (Flexible Time Off) Plan	8,500.00	
411.65	Professional Certification	76,920.00	
			197,310.00
Employee Benefits			
413.01	Social Security Taxes	151,836.00	
413.02	Medicare	35,510.00	
413.05	Health Insurance	574,800.00	
413.06	Life Insurance	1,737.00	
413.08	Deferred Compensation Match	44,659.00	
413.12	Pension Benefit	316,800.00	
			1,125,342.00

2 Supplies

6101

Office Supplies

70.42122	Office Supplies	20,000.00	
70.42273	Computer Expenses	40,000.00	
			60,000.00

Other Supplies

75.41313	Employee Other Benefits	10,000.00	
75.42272	Water Quality/Lab Supplies/Construction/Meter Maintenance Materials and Supplies	600,000.00	
75.42276	Uniforms	16,000.00	
75.42508	Concrete Material	160,000.00	
			786,000.00

3 Other Services and Charges

6101

Professional Charges

70.43102	Legal Fees	25,000.00	
70.43103	Outside Services	275,000.00	
70.43104	Professional Services	1,700,000.00	
70.43116	Outside Lab Analysis	40,000.00	
			2,040,000.00

Communication and Transportation

70.43200	Travel	5,000.00	
70.43930	Education	15,000.00	
			20,000.00

Insurance

70.43410	Insurance - Property, Auto, WC	190,000.00	
			190,000.00

Utilities

70.43511	Natural Gas Purchase	90,000.00	
70.43581	CMP Fuel Purchase	65,000.00	
70.43582	Wastewater Utility Charge	50,000.00	
70.45915	Electric Purchase	850,000.00	
			1,055,000.00

Repairs and Maintenance

70.43210	Transportation Expense	30,000.00	
70.43211	Juday Creek Expense	75,000.00	
75.42241	Equipment Rental	8,000.00	
75.42530	Chemicals/Water Treatment	510,000.00	
75.43210	Construction Equipment Expense	30,000.00	
75.42332	Maintenance Repairs Expense	40,000.00	
			693,000.00

Other Services and Charges

50.45200	Debt Service	4,461,825.60	
50.49500	PiLoT	621,340.46	
70.43165	B.O. Shared Expense	355,022.00	
70.43900	Operational General Expense	10,000.00	
70.42310	Safety Equipment/Expense	20,000.00	
70.43929	Dues, Fees, Subscriptions	40,000.00	
			5,508,188.06
			13,926,491.06

4 Capital Outlays

6103

164.19	Structures/Improvements	50,000.00	
164.25	Hydrants	75,000.00	
165.13	Office Furniture and Equipment	40,000.00	
165.15	Tools, Implements, Equipment	40,000.00	
165.28	Vehicles	150,000.00	
170.00	Wells Source of Supply Cost	5,000.00	
170.02	Treatment Equipment Cost	5,000.00	
170.04	Equipment	175,000.00	
170.06	Pumping Equipment	5,000.00	
170.09	Water Treatment	50,000.00	
170.11	Supply Mains	5,000.00	
170.15	Meters	375,000.00	
170.22	Distribution Mains Cost	150,000.00	
170.23	Juday Creek Golf Course	20,000.00	
			1,145,000.00

Net Surplus/Deficit	262,404.00

A PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 23, AND A PART OF THE NORTHEAST QUARTER OF SECTION 26, ALL IN TOWNSHIP 38 NORTH, RANGE 3 EAST, HARRIS TOWNSHIP, ST. JOSEPH COUNTY, INDIANA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 23; THENCE SOUTH 89°41'58" EAST ALONG THE SOUTH LINE OF SAID SECTION AND THE CENTERLINE OF CLEVELAND ROAD, A DISTANCE OF 1323.83 FEET MORE OR LESS (ASSUMED BEARINGS AND APPROXIMATE DISTANCES) TO THE POINT OF BEGINNING; THENCE NORTH 00°32'43" WEST, ALONG THE WEST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 23, A DISTANCE OF 1317.98 FEET MORE OR LESS TO THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 23; THENCE SOUTH 89°51'36" EAST ALONG SAID NORTH LINE, A DISTANCE OF 851.59 FEET MORE OR LESS TO THE EASTERLY RIGHT-OF-WAY LINE OF CAPITAL AVENUE; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE FOR THE NEXT SIX (6) COURSES SOUTH 18°36' EAST, A DISTANCE OF 222.02 FEET MORE OR LESS AND SOUTH 11°10' EAST, A DISTANCE OF 553.73 FEET MORE OR LESS AND SOUTH 02°34' WEST, A DISTANCE OF 116.26 FEET MORE OR LESS AND SOUTH 10°08' WEST, A DISTANCE OF 195.24 FEET MORE OR LESS AND SOUTH 00°00' EAST, A DISTANCE OF 158.86 FEET MORE OR LESS TO THE INTERSECTION OF THE EAST RIGHT-OF-WAY LINE OF SAID CAPITAL AVENUE WITH THE NORTHERLY RIGHT-OF-WAY LINE CLEVELAND ROAD; THENCE SOUTH 16°47' EAST, A DISTANCE OF 165.93 FEET MORE OR LESS TO THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY LINE OF SAID CAPITAL AVENUE WITH THE SOUTHERLY RIGHT-OF-WAY LINE CLEVELAND ROAD; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE, SOUTH 31°00' WEST, A DISTANCE OF 66.05 FEET MORE OR LESS; THENCE CROSSING SAID CAPITAL AVENUE, SOUTH 84°16' WEST, A DISTANCE OF 197.87 FEET MORE OR LESS TO THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY LINE OF SAID CAPITAL AVENUE WITH THE SOUTHERLY RIGHT-OF-WAY LINE CLEVELAND ROAD; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE FOR THE NEXT TWO (2) COURSES, NORTH 57°40' EAST, A DISTANCE OF 176.29 FEET MORE OR LESS AND NORTH 89°41' 58” WEST, A DISTANCE OF 622.41 FEET MORE OR LESS; THENCE NORTH 12°18' WEST, A DISTANCE OF 29.32 FEET MORE OR LESS TO THE POINT OF BEGINNING.
CONTAINING 30.64 ACRES MORE OR LESS.
SUBJECT TO ALL LEGAL RIGHT-OF-WAYS, EASEMENTS, AND RESTRICTIONS OF RECORD.

TAB D - APPENDICES

RESOLUTION NO. 2024-05

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, INTRODUCING AN ORDINANCE FOR ANNEXATION, ADOPTING A WRITTEN FISCAL PLAN, AND A DEFINITE POLICY FOR ANNEXATION FOR THE PROPERTY LOCATED AT:

The northwest corner of Cleveland Road and Capital Avenue, including the adjacent Cleveland Road and Capital Avenue public right-of-way.

WHEREAS, the Common Council of the City of Mishawaka desires to consider the annexation of territory adjacent to the City in accordance with a definite policy and all applicable laws and restrictions.

WHEREAS, the entire area proposed for annexation has either petitioned for annexation or signed a consent regarding annexation.

WHEREAS, Indiana Code Section 36-4-3-3.1 requires a municipality to develop and adopt a written fiscal plan and establish a definite policy by resolution.

WHEREAS, the said fiscal plan has been reviewed and is otherwise consistent with the requirements of Indiana Code 36-4-3-13.

WHEREAS, the Department of Planning has prepared said fiscal plan with the input of each applicable City department. Furthermore, based on the review of each City department, a comparable level of City services can be provided to the proposed annexation area when compared to similar geographic areas of the City.

WHEREAS, the Department of Planning has prepared a written policy on annexation that has been incorporated within the fiscal plan.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, as follows:

Section I. The Common Council has provided notice of this resolution as required by law, and is initiating an ordinance to annex the following property, legally described as:

A PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 23, AND A PART OF THE NORTHEAST QUARTER OF SECTION 26, ALL IN TOWNSHIP 38 NORTH, RANGE 3 EAST, HARRIS TOWNSHIP, ST. JOSEPH COUNTY, INDIANA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 23; THENCE SOUTH 89°41'58" EAST ALONG THE SOUTH LINE OF SAID SECTION AND THE CENTERLINE OF CLEVELAND ROAD, A DISTANCE OF 1323.83 FEET MORE OR LESS (ASSUMED BEARINGS AND APPROXIMATE DISTANCES) TO THE POINT OF BEGINNING; THENCE NORTH 00°32'43" WEST, ALONG THE WEST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 23, A DISTANCE OF 1317.98 FEET MORE OR LESS TO THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 23; THENCE SOUTH 89°51'36" EAST ALONG SAID NORTH LINE, A DISTANCE OF 851.59 FEET MORE OR LESS TO THE EASTERLY RIGHT-OF-WAY LINE OF CAPITAL AVENUE; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE FOR THE NEXT SIX (6) COURSES SOUTH 18°36' EAST, A DISTANCE OF 222.02 FEET MORE OR LESS AND SOUTH 11°10' EAST, A DISTANCE OF 553.73 FEET MORE OR LESS AND SOUTH 02°34' WEST, A DISTANCE OF 116.26 FEET MORE OR LESS AND SOUTH 10°08' WEST, A DISTANCE OF 195.24 FEET MORE OR LESS AND SOUTH 00°00' EAST, A DISTANCE OF 158.86 FEET MORE OR LESS TO THE INTERSECTION OF THE EAST RIGHT-OF-WAY LINE OF SAID CAPITAL AVENUE WITH THE NORTHERLY RIGHT-OF-WAY LINE CLEVELAND ROAD; THENCE SOUTH 16°47' EAST, A DISTANCE OF 165.93 FEET MORE OR LESS TO THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY LINE OF SAID CAPITAL AVENUE WITH THE SOUTHERLY RIGHT-OF-WAY LINE CLEVELAND ROAD; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE, SOUTH 31°00' WEST, A DISTANCE OF 66.05 FEET MORE OR LESS;

THENCE CROSSING SAID CAPITAL AVENUE, SOUTH 84°16' WEST, A DISTANCE OF 197.87 FEET MORE OR LESS TO THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY LINE OF SAID CAPITAL AVENUE WITH THE SOUTHERLY RIGHT-OF-WAY LINE CLEVELAND ROAD; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE FOR THE NEXT TWO (2) COURSES, NORTH 57°40' EAST, A DISTANCE OF 176.29 FEET MORE OR LESS AND NORTH 89°41' 58" WEST, A DISTANCE OF 622.41 FEET MORE OR LESS; THENCE NORTH 12°18' WEST, A DISTANCE OF 29.32 FEET MORE OR LESS TO THE POINT OF BEGINNING.
CONTAINING 30.64 ACRES MORE OR LESS.
SUBJECT TO ALL LEGAL RIGHT-OF-WAYS, EASEMENTS, AND RESTRICTIONS OF RECORD.

Section II. Following the review of documents prepared by the Department of Planning and presentation, the Common Council hereby adopts the Fiscal Plan and Annexation Policy as it relates to the aforementioned properties.

Section III. This Resolution shall be in full force and effect after its adoption by the Common Council and approval by the Mayor, as required by law.

PASSED by the Common Council of the City of Mishawaka, Indiana, this _____ day

of _____, 2024, at _____ o'clock __.M.

_____
Presiding Officer

ATTEST:

_____
Deborah S. Block, IAMC, MMC, City Clerk

PRESENTED by me to the Mayor this _____ day of _____, _____

2024, at _____o'clock __.M.

_____
Deborah S. Block, IAMC, MMC, City Clerk

APPROVED by me this _____ day of _____ 2024, at

_____ o'clock ___.M.

_____
David A. Wood, Mayor

PETITION 24-02

CITY OF MISHAWAKA, INDIANA

PROPOSED ORDINANCE NO. _____

ORDINANCE NO. _____

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

WHEREAS, a Petition has been presented to the Common Council of the City of Mishawaka, Indiana, praying that certain territory lying contiguous to the corporate limits of the City of Mishawaka, Indiana, be annexed to and declared to be a part of the City of Mishawaka, and that it be provided with a Zoning Classification, and

WHEREAS, the Mishawaka City Plan Commission, to which Commission the petition was duly referred, has recommended the annexation and a PUD Amendment as hereinafter set forth, including the imposition of reasonable conditions, to wit, the recommendations of the Department of City Planning.

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

Section 1. The following described real estate be and the same is hereby annexed to and declared to be a part of the City of Mishawaka, Indiana:

A PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 23, AND A PART OF THE NORTHEAST QUARTER OF SECTION 26, ALL IN TOWNSHIP 38 NORTH, RANGE 3 EAST, HARRIS TOWNSHIP, ST. JOSEPH COUNTY, INDIANA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 23; THENCE SOUTH 89°41'58" EAST ALONG THE SOUTH LINE OF SAID SECTION AND THE CENTERLINE OF CLEVELAND ROAD, A DISTANCE OF 1323.83 FEET MORE OR LESS (ASSUMED BEARINGS AND APPROXIMATE DISTANCES) TO THE POINT OF BEGINNING; THENCE NORTH 00°32'43" WEST, ALONG THE WEST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 23, A DISTANCE OF 1317.98 FEET MORE OR LESS TO THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 23; THENCE SOUTH 89°51'36" EAST ALONG SAID NORTH LINE, A DISTANCE OF 851.59 FEET MORE OR LESS TO THE EASTERLY RIGHT-OF-WAY LINE OF CAPITAL AVENUE; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE FOR THE NEXT SIX (6) COURSES SOUTH 18°36' EAST, A DISTANCE OF 222.02 FEET MORE OR LESS AND SOUTH 11°10' EAST, A DISTANCE OF 553.73 FEET MORE OR LESS AND SOUTH 02°34' WEST, A DISTANCE OF 116.26 FEET MORE OR LESS AND SOUTH 10°08' WEST, A DISTANCE OF 195.24 FEET MORE OR LESS AND SOUTH 00°00' EAST, A DISTANCE OF 158.86 FEET MORE OR LESS TO THE

INTERSECTION OF THE EAST RIGHT-OF-WAY LINE OF SAID CAPITAL AVENUE WITH THE NORTHERLY RIGHT-OF-WAY LINE CLEVELAND ROAD; THENCE SOUTH 16°47' EAST, A DISTANCE OF 165.93 FEET MORE OR LESS TO THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY LINE OF SAID CAPITAL AVENUE WITH THE SOUTHERLY RIGHT-OF-WAY LINE CLEVELAND ROAD; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE, SOUTH 31°00' WEST, A DISTANCE OF 66.05 FEET MORE OR LESS; THENCE CROSSING SAID CAPITAL AVENUE, SOUTH 84°16' WEST, A DISTANCE OF 197.87 FEET MORE OR LESS TO THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY LINE OF SAID CAPITAL AVENUE WITH THE SOUTHERLY RIGHT-OF-WAY LINE CLEVELAND ROAD; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE FOR THE NEXT TWO (2) COURSES, NORTH 57°40' EAST, A DISTANCE OF 176.29 FEET MORE OR LESS AND NORTH 89°41' 58" WEST, A DISTANCE OF 622.41 FEET MORE OR LESS; THENCE NORTH 12°18' WEST, A DISTANCE OF 29.32 FEET MORE OR LESS TO THE POINT OF BEGINNING.
CONTAINING 30.64 ACRES MORE OR LESS.
SUBJECT TO ALL LEGAL RIGHT-OF-WAYS, EASEMENTS, AND RESTRICTIONS OF RECORD.

The above described real estate shall hereafter be annexed into and within the City of Mishawaka, Indiana, and a part of that district designated in the Zoning Ordinance of the City of Mishawaka, Indiana, and shall carry a classification for zoning of S-2 Planned Unit Development District.

All the above real estate shall hereafter be amended to allow for a mixed use development containing commercial uses as permitted in the C-1, C-2, C-4, C-7, C-9, and C-10 Districts, and one existing single family residence (R-1 use) subject to the following conditions:

Uses:

1. Permitted uses shall be limited to those uses identified in the R-1 Single Family Residential, C-1 General Commercial, C-2 Shopping Center Commercial, C-4 Automobile Oriented Commercial, C-7 Auto Oriented Restaurant Commercial, C-9 Auto and Vehicle Sales, and C-10 Filling Station/Car Wash zoning districts, except where noted herein, based on City of Mishawaka Zoning classification defined and in effect on the date of approval by the Mishawaka Common Council.
2. Outside sale display for loose items shall be prohibited unless specifically approved by the Planning Commission as part of a final planned unit development site plan submission.
3. Off-premise signs/billboards shall be prohibited.
4. Filling stations shall be prohibited.

Traffic Impact:

1. The following general conditions shall apply. More specifics and refinements shall be made with each planned unit development plan submission following the completion of a Traffic Impact Study. All traffic/transportation improvements required for the completion of this project shall be paid for by the applicant/developer concurrent with development as directed by the City Director of Engineering. Improvements shall be based on but not limited to a Traffic Impact Study provided by the applicant and reviewed/approved by the City Director of Engineering. The City Director of Engineering reserves the right to review and comment upon PUD or Site Plan submittal regarding access-drive, right-of-way improvements, and donation of right-of-way for these improvements.

2. Phasing of utility and road improvements, including internal collector drives associated with this project, shall be as determined by the City Director of Engineering.

3. The number and or type of curb cuts on all proposed drives shall limited based on Traffic Impact Study and as determined appropriate by the City Director of Engineering.

Internal Road Connections:

1. Private collector road connections shall be provided through the site as conceptually depicted on the planned unit development site plan. 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.

2. A hierarchy of the internal vehicular road network shall be provided. Turning lanes within the site may be required. Internal stacking and turning movements at intersections shall be provided and protected as necessary. This hierarchy shall be reviewed as part of each subsequent final planned unit development site plan submission.

3. At a minimum, internal sidewalks shall be provided throughout the development connecting parcels and adjacent roadways. This walk shall connect to any sidewalk that may be provided along Cleveland Road. Installation of sidewalks shall occur as part of adjacent road construction as may be directed by the City.

4. Internal access connections shall be provided to all adjacent parcels of land.

Stormwater Run-off/Utilities:

1. The type of stormwater facilities proposed on the site shall be limited/restricted as directed by the City Director of Engineering as required to protect the City Wellfield at Juday Creek.

2. Proposed stormwater retention areas shall specifically include the volumes associated with proposed public and private road improvements.

3. All costs associated with the extension of utilities 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. Utilities, including municipal water and sewer, must be in place prior to the occupancy of any phase of the proposed development.

Lighting:

1. All site lighting shall be limited to a maximum of 30 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 and to otherwise further the intent of this chapter as follows. All freestanding signs shall otherwise be designed as per the applicable City requirements:

   a. Two development signs per entry with a maximum sign display area shall be limited to 150 square feet per sign. Each sign may not exceed 25' in height and shall include a masonry base. Animated/Electronic Reader boards shall be limited to no more than 50 square feet per sign.

   b. Each outlot/development parcel may also be permitted one freestanding sign. These signs shall be limited to 15' in height and contain a display area of no more than 90 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 100 lineal feet.

2. Temporary banners, flush mounted to a building shall be limited to one per building/use, and shall not exceed 80 square feet. These banners shall also be subject to any future more restrictive regulation that may be passed by the City.

3. General façade and directional signage standards shall be submitted concurrently with the first final planned unit development plan submission. Limits on the height of letters/signage for façade signs shall be reviewed and evaluated by the Planning Commission at that time.

Building Limitations / Architecture:

1. All proposed commercial buildings on the south half of the property shall be constructed of 100% approved materials as identified within Section 161.41 of the City of Mishawaka Municipal code as amended. Materials and colors shall be varied to provide architectural interest. Buildings on the north half of the property shall be constructed of 100% approved materials as identified within Section 161.41 of the City of Mishawaka Municipal code as amended, only where visible from adjacent public right-of-way.

2. For all commercial 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.

3. The maximum building height for any commercial building within the development shall be 60'

Parking/Landscaping:

1. A minimum pavement setback of 5' in width shall be provided between development parcels. A minimum 25' pavement setback shall be provided along all public 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. 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.

4. Sidewalks and utilities may be provided within required 25' green landscaped areas. If sidewalks and utilities are located within the required 25-foot green area, a minimum utility/sidewalk free area of 10 feet in width shall be required for planting.

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

6. All loading docks, dumpsters, and mechanical equipment shall be screened from view. Dumpsters shall be screened by a wall matching the building materials of the principle building. Dumpster locations shall be located away from any roads behind principle buildings and located away from 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.

Proposed Ordinance No: _____

Ordinance No: _____

This recommendation is based on the following Findings of Fact:

1. Existing Conditions – The subject property is located along the heavily travelled Cleveland Road corridor. Traffic volumes in the immediate vicinity are expected to increase due to commercial and residential development in the northwest part of the City and northeastern St. Joseph County. With the completion of Beacon Parkway, Fir Road now serves as the primary gateway into the City from the Indiana Toll Road. Adjacent land uses include the Indiana Toll Road and various medical related uses to the north; a church to the west located within unincorporated St. Joseph County; several single-family houses and agricultural land to the south located within unincorporated St. Joseph County, and a single-family residential house and agricultural land to the east located in unincorporated St. Joseph County.
2. Character of Buildings in the Area – The character of buildings and land uses located along the Cleveland Road corridor between State Road 23 and Capital Road vary greatly and include single and multi-family residential, assisted living/memory care, religious, and medical land uses.
3. The most desirable/highest and best use – With the completion of Beacon Parkway to the north, planned extension of Veteran's Parkway to Cleveland Road, and commercial zoning for the Penn farm property to the south, commercial development is anticipated to increase in future years. Therefore, the most desirable use for the property is either commercial or other non-single family residential use reflecting the changing and planned land use patterns in the area.
4. Conservation of property values – The proposed zoning should not be injurious to the property values in the surrounding area. Landscaping and screening compliant with the commercial regulations is required to adequately screen the adjacent existing single-family residential properties.
5. Comprehensive Plan – This property is not included within the extents of the Mishawaka 2000 Comprehensive Plan. However, the proposed development to include commercial uses is reasonably consistent the existing commercial growth that has occurred to the north of property along Beacon Parkway and within northern Mishawaka.

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 _____, 2024, at _____ o'clock ___.M.

_____
Presiding Officer

ATTEST:

Proposed Ordinance No: _____

Ordinance No: _____

_____
Deborah S. Block, IAMC, MMC, City Clerk

PRESENTED by me to the Mayor this _____ day of _____, 2024, at _____ o'clock ____.M.

_____
Deborah S. Block, IAMC, MMC, City Clerk

APPROVED by me this _____ day of _____, 2024, at _____o'clock ____.M.

_____
David A. Wood, Mayor

Tab Rate Chart for the year 2023 payable 2024

Notice is hereby given that the Tax Duplicates for the Taxing Units of St. Joseph County, for the year 2023 payable 2024, are now in the hands of the St. Joseph County Auditor, who is ready to recei

The following table shows the rate of taxation on each $100.00 of Taxable Real Estate, Personal Property and Mobile Homes. The first installment will be delinquent after May 10, 2024.

Second installment will be delinquent after November 12, 2024. John H Murphy, Auditor of St. Joseph County.

		71 001	71 002	71 003	71 004	71 005	71 006	71 007	71 008	71 009	71 010
		Centre Township	South Bend - Centre	Clay Township	South Bend - Clay	Mishawaka - Clay	Indian Village	Roseland	German Township	South Bend - German	Greene Township
Fund	Fund Name										
61	County Rainy Day										
101	County General	0.4673	0.4673	0.4673	0.4673	0.4673	0.4673	0.4673	0.4673	0.4673	0.4673
124	Cumulative Reassessment	0.0176	0.0176	0.0176	0.0176	0.0176	0.0176	0.0176	0.0176	0.0176	0.0176
180	Debt Service	0.0067	0.0067	0.0067	0.0067	0.0067	0.0067	0.0067	0.0067	0.0067	0.0067
181	2022 GO Highway Bond	0.0150	0.0150	0.0150	0.0150	0.0150	0.0150	0.0150	0.0150	0.0150	0.0150
702	Highway										
706	LR & S										
720	Major Moves SPC										
790	Cumulative Bridge	0.0095	0.0095	0.0095	0.0095	0.0095	0.0095	0.0095	0.0095	0.0095	0.0095
792	Major Cumulative Bridge	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333
801	Health	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216
1301	Park & Recreation	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216
2391	Cumulative Capital Development	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333
71 1	**Total COUNTY**	**0.6259**	**0.6259**	**0.6259**	**0.6259**	**0.6259**	**0.6259**	**0.6259**	**0.6259**	**0.6259**	**0.6259**
61	Township Rainy Day										
101	Township General Fund	0.0119	0.0119	0.0225	0.0225	0.0225	0.0225	0.0225	0.0072	0.0072	
180	TOWNSHIP DEBT SERVICE										
601	Twp Community Bldg										
840	Twp Poor Relief/Twp Assistance			0.0051	0.0051	0.0051	0.0051	0.0051			
1111	Twp Fire										
1181	Twp Fire Bldg Debt Fund										
1182	Twp Fire Equipment Debt										
1190	Twp Cum Fire										
1312	Twp Recreation								0.0035	0.0035	
2120	Township Cemetery										
8604	Twp Fire Territory General	0.5063		0.2529			0.2529	0.2529	0.2529		0.2731
8692	Twp Fire Terrority Equip Repla	0.0308		0.0269			0.0269	0.0269	0.0269		0.0333
71 2	**Total TOWNSHIP**	**0.5490**	**0.0119**	**0.3074**	**0.0276**	**0.0276**	**0.3074**	**0.3074**	**0.2905**	**0.0107**	**0.3064**
61	City/Town Rainy Day										
101	City General		2.3710		2.3710	1.7224		0.5590		2.3710	
180	City Debt Service										
181	City/Town Debt Payment										
341	City Fire Pension										
342	City Police Pension										
706	City/Town LR & S										
708	City MVH					0.0088					
720	City/Town Major Moves Spc										
1109	Municipal Emerg Medical Svcs										
1301	City Park & Rec		0.5565		0.5565	0.2235				0.5565	
1303	City/Town Park										
1380	Park Bond		0.0308		0.0308					0.0308	
2120	City Cemetary										
2379	City/Town CCI										
2391	City Cum Cap Development		0.0282		0.0282	0.0500		0.0336		0.0282	
6290	City Cum Sewer										
8604	City Town Fire Territory Gen										
8692	City Town Fire Terr Eqp Replac										
71 3	**Total CITY/TOWN**	**0.0000**	**2.9865**	**0.0000**	**2.9865**	**2.0047**	**0.0000**	**0.5926**	**0.0000**	**2.9865**	**0.0000**
22	Referendum-Exempt Operating	0.3334	0.3334	0.3334	0.3334	0.3334	0.3334	0.3334	0.3334	0.3334	0.3334
61	School Rainy Day										
180	School Debt Service	0.2425	0.2425	0.2425	0.2425	0.2425	0.2425	0.2425	0.2425	0.2425	0.2425
287	Referendum Debt-Exempt Capital	0.0506	0.0506	0.0506	0.0506	0.0506	0.0506	0.0506	0.0506	0.0506	0.0506
3101	Education										
3300	Operations	0.6557	0.6557	0.6557	0.6557	0.6557	0.6557	0.6557	0.6557	0.6557	0.6557
71 4	**Total SCHOOL**	**1.2822**	**1.2822**	**1.2822**	**1.2822**	**1.2822**	**1.2822**	**1.2822**	**1.2822**	**1.2822**	**1.2822**
61	Rainy Day										
101	Library General	0.2530	0.2530	0.2530	0.2530	0.2530	0.2530	0.2530	0.2530	0.2530	0.2530
180	Library Debt Service	0.0195	0.0195	0.0195	0.0195	0.0195	0.0195	0.0195	0.0195	0.0195	0.0195
2011	Library LIRF										
71 5	**Total LIBRARY**	**0.2725**	**0.2725**	**0.2725**	**0.2725**	**0.2725**	**0.2725**	**0.2725**	**0.2725**	**0.2725**	**0.2725**
8001	So Bend Transpo		0.1036		0.1036	0.1036				0.1036	
8090	So Bend Transpo Spec Tran Cum										
8101	Airport Authority General	0.0271	0.0271	0.0271	0.0271	0.0271	0.0271	0.0271	0.0271	0.0271	0.0271
8180	Airport Sp Airport Debt										
8190	Airport Authority Cum Bldg	0.0130	0.0130	0.0130	0.0130	0.0130	0.0130	0.0130	0.0130	0.0130	0.0130
8210	Sp Solid Waste Ma										
8604	Special Fire Protect Terr-Gen										
8692	Spec Fire Protect Terr-Equip										
71 6	**Total SPECIAL UNIT**	**0.0401**	**0.1437**	**0.0401**	**0.1437**	**0.1437**	**0.0401**	**0.0401**	**0.0401**	**0.1437**	**0.0401**
	Total Tax Rates (Less Conservancy)	**2.7697**	**5.3227**	**2.5281**	**5.3384**	**4.3566**	**2.5281**	**3.1207**	**2.5112**	**5.3215**	**2.5271**

Property Tax 03/07/2024 09:00 AM by KGREGORI

1. Harris Township Tax Rates
- Prior to Annexation

71 011	71 014	71 015	71 016	71 017	71 018	71 022	71 023	71 025	71 026	71 027	71 028	71 029
Harris Township	Lincoln Township	Walkerton	Madison Township	Olive Township	New Carlisle	Mishawaka - Phm School	Mishawaka-Penn	Portage Township	South Bend - Portage	Union Township	Lakeville	Warren Township
0.4673	0.4673	0.4673	0.4673	0.4673	0.4673	0.4673	0.4673	0.4673	0.4673	0.4673	0.4673	0.4673
0.0176	0.0176	0.0176	0.0176	0.0176	0.0176	0.0176	0.0176	0.0176	0.0176	0.0176	0.0176	0.0176
0.0067	0.0067	0.0067	0.0067	0.0067	0.0067	0.0067	0.0067	0.0067	0.0067	0.0067	0.0067	0.0067
0.0150	0.0150	0.0150	0.0150	0.0150	0.0150	0.0150	0.0150	0.0150	0.0150	0.0150	0.0150	0.0150
0.0095	0.0095	0.0095	0.0095	0.0095	0.0095	0.0095	0.0095	0.0095	0.0095	0.0095	0.0095	0.0095
0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333
0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216
0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216
0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333
0.6259	**0.6259**	**0.6259**	**0.6259**	**0.6259**	**0.6259**	**0.6259**	**0.6259**	**0.6259**	**0.6259**	**0.6259**	**0.6259**	**0.6259**
0.0075	0.0446	0.0446	0.0091	0.0429	0.0429	0.0113	0.0113			0.0683	0.0683	0.0322
0.0008	0.0209	0.0209	0.0030	0.0013	0.0013	0.0207	0.0207	0.0440	0.0440	0.0035	0.0035	
			0.0757									0.2676
										0.0792	0.0792	0.1881
										0.0385	0.0385	0.0361
			0.0300									0.0333
	0.0031	0.0031										
				0.0140	0.0140							
0.2529								0.5063		0.0839	0.0839	
0.0269								0.0308		0.0331	0.0331	
0.2881	**0.0686**	**0.0686**	**0.1178**	**0.0582**	**0.0582**	**0.0320**	**0.0320**	**0.5811**	**0.0440**	**0.3065**	**0.3065**	**0.5573**
		1.0218			0.8031	1.7224	1.7224		2.3710		0.6649	
		0.0988			0.0705							
		0.1112			0.2459	0.0088	0.0088				0.2505	
		0.2044				0.2235	0.2235		0.5565			
		0.0998							0.0308			
					0.0454							
		0.0500			0.0500	0.0500	0.0500		0.0282		0.0421	
	0.3698	0.3698										
	0.0292	0.0292										
0.0000	**0.3990**	**1.9850**	**0.0000**	**0.0000**	**1.2149**	**2.0047**	**2.0047**	**0.0000**	**2.9865**	**0.0000**	**0.9575**	**0.0000**
							0.2434	0.3334	0.3334			0.3334
0.4265	0.4488	0.4488	0.4265	0.2497	0.2497	0.4265	0.6870	0.2425	0.2425	0.5672	0.5672	0.2425
				0.2567	0.2567		0.1040	0.0506	0.0506			0.0506
0.5010	0.5564	0.5564	0.5010	0.6457	0.6457	0.5010	0.4004	0.6557	0.6557	0.4576	0.4576	0.6557
0.9275	**1.0052**	**1.0052**	**0.9275**	**1.1521**	**1.1521**	**0.9275**	**1.4348**	**1.2822**	**1.2822**	**1.0248**	**1.0248**	**1.2822**
0.1198	0.0878	0.0878		0.2583	0.2583	0.1198	0.1198	0.2530	0.2530	0.2530	0.2530	0.2530
0.0139	0.0606	0.0606		0.0223	0.0223	0.0139	0.0139	0.0195	0.0195	0.0195	0.0195	0.0195
0.1337	**0.1484**	**0.1484**	**0.0000**	**0.2806**	**0.2806**	**0.1337**	**0.1337**	**0.2725**	**0.2725**	**0.2725**	**0.2725**	**0.2725**
						0.1036	0.1036		0.1036			
0.0271	0.0271	0.0271	0.0271	0.0271	0.0271	0.0271	0.0271	0.0271	0.0271	0.0271	0.0271	0.0271
0.0130	0.0130	0.0130	0.0130	0.0130	0.0130	0.0130	0.0130	0.0130	0.0130	0.0130	0.0130	0.0130
				0.4920	0.4920							
				0.0333	0.0333							
0.0401	**0.0401**	**0.0401**	**0.0401**	**0.5654**	**0.5654**	**0.1437**	**0.1437**	**0.0401**	**0.1437**	**0.0401**	**0.0401**	**0.0401**
2.0153	**2.2872**	**3.8732**	**1.7113**	**2.6822**	**3.8971**	**3.8675**	**4.3748**	**2.8018**	**5.3548**	**2.2698**	**3.2273**	**2.7780**

2. Mishawaka-Harris Tax Rates
-- Post Annexation

71 030	71 031	71 032	71 033	71 034	71 035	71 036	71 037
Osceola	Penn Township	Penn Township - Mishawaka Schools	South Bend - Penn	Liberty Township	North Liberty	Mishawaka - Harris	South Bend Warren
0.4673	0.4673	0.4673	0.4673	0.4673	0.4673	0.4673	0.4673
0.0176	0.0176	0.0176	0.0176	0.0176	0.0176	0.0176	0.0176
0.0067	0.0067	0.0067	0.0067	0.0067	0.0067	0.0067	0.0067
0.0150	0.0150	0.0150	0.0150	0.0150	0.0150	0.0150	0.0150
0.0095	0.0095	0.0095	0.0095	0.0095	0.0095	0.0095	0.0095
0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333
0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216
0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216
0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333
0.6259	**0.6259**	**0.6259**	**0.6259**	**0.6259**	**0.6259**	**0.6259**	**0.6259**
0.0113	0.0113	0.0113	0.0113	0.0667	0.0667	0.0075	0.0322
0.0495	0.0495	0.0495					
0.0207	0.0207	0.0207	0.0207			0.0008	
0.2103	0.2103	0.2103		0.2731	0.2731		
0.0333	0.0333	0.0333		0.0333	0.0333		
0.3251	**0.3251**	**0.3251**	**0.0320**	**0.3731**	**0.3731**	**0.0083**	**0.0322**
0.1723			2.3710		0.9129	1.7224	2.3710
0.0398					0.2676	0.0088	
			0.5565			0.2235	0.5565
					0.0750		
			0.0308				0.0308
0.0422			0.0282		0.0500	0.0500	0.0282
0.2543	**0.0000**	**0.0000**	**2.9865**	**0.0000**	**1.3055**	**2.0047**	**2.9865**
		0.2434					0.3334
0.4265	0.4265	0.6870	0.4265	0.4488	0.4488	0.4265	0.2425
		0.1040					0.0506
0.5010	0.5010	0.4004	0.5010	0.5564	0.5564	0.5010	0.6557
0.9275	**0.9275**	**1.4348**	**0.9275**	**1.0052**	**1.0052**	**0.9275**	**1.2822**
0.1198	0.1198	0.1198	0.1198	0.2530	0.2530	0.1198	0.2530
0.0139	0.0139	0.0139	0.0139	0.0195	0.0195	0.0139	0.0195
0.1337	**0.1337**	**0.1337**	**0.1337**	**0.2725**	**0.2725**	**0.1337**	**0.2725**
			0.1036			0.1036	0.1036
0.0271	0.0271	0.0271	0.0271	0.0271	0.0271	0.0271	0.0271
0.0130	0.0130	0.0130	0.0130	0.0130	0.0130	0.0130	0.0130
0.0401	**0.0401**	**0.0401**	**0.1437**	**0.0401**	**0.0401**	**0.1437**	**0.1437**
2.3066	**2.0523**	**2.5596**	**4.8493**	**2.3168**	**3.6223**	**3.8438**	**5.3430**

St. Joseph County
Submitted to the State on
Report printed on Tuesday, March 19, 2024
Note: Data contained in Gateway Debt Management is self-reported by local government officials and/or their designees. Debt Reports may not have been audited for accuracy or completeness by the Department of Local Government Finance. The Department is not responsible for any errors or omissions in this data.

Debt Verification

Initial Year:
Date of last payment or bond expiration:
New (post 1989):
Newer (post 2005):
Refinanced bond: N

Basic Debt Information

Debt Name: Economic Development Income Tax Revenue Bonds of 2014
Debt Status: Outstanding
Type of Indebtedness: Bond
Base CUSIP Number: 790607
Is this debt exempt from the property tax caps? N

Code Cite

Code Cite Under Which Debt is Authorized: 6-3.5-7
Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer's debt limit? Y
Applicable Issuer: St. Joseph County
Current Debt Limit: $52,426,723.00
Current Debt Capacity (after issuance of this debt): $35,171,723.00

Date Information

Date of Preliminary Determination:
Date of Publication of Preliminary Determination:
Newspaper(s):
Date of Public Hearing:
Date of Final Approval/Lease Execution: 9/16/2014
Date of Appropriation Resolution:
Date of Debt Sale: 12/11/2014
Date of Debt Closing: 12/30/2014

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No
Was a remonstrance conducted? No
Votes in favor debt:
Votes against debt:
Was this debt subject to referendum? No
Votes in favor debt:
Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating

Security on the Debt - Source of Repayment

Property Tax: No
TIF Revenue: No
COIT: No
Motor Vehicle Highway/Local Road & Street: No
CAGIT: No
Stormwater Revenues: No
CEDIT: Primary
Electric Revenues: No
Water Revenue: No
Wasterwater Revenues: No
Grant Revenue: No
Other () : No

Allocation Area from which the TIF Revenues will be generated:
Name of Lessor (Building Corporation/Hold Corporation):
Does this debt refinance or refund any previously outstanding debt? No

Purpose/Cost

Purpose of Debt: Construct a new Public Safety Answering Point and renovate existing facility to serve as a backup
Total Project Cost: $9,155,000.00

Sources

Sources of Funds	Amount

Uses

Uses of Funds	Amount

Dates

Date Bids Received: 11/18/2014
Date Construction Started: 9/30/2014
Estimated Date of Substantial Completion: 9/30/2015

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax	Remaining Balance

									Credit	
6/30/2015	$210,000	2.00	$131,866	$341,866						$8,945,000
12/31/2015	$215,000	2.00	$129,766	$344,766		$686,631				$8,730,000
6/30/2016	$215,000	2.00	$127,616	$342,616						$8,515,000
12/31/2016	$220,000	2.00	$125,466	$345,466		$688,081				$8,295,000
6/30/2017	$220,000	2.00	$123,266	$343,266						$8,075,000
12/31/2017	$225,000	2.00	$121,066	$346,066		$689,331				$7,850,000
6/30/2018	$225,000	2.00	$118,816	$343,816						$7,625,000
12/31/2018	$225,000	2.00	$116,566	$341,566		$685,381				$7,400,000
6/30/2019	$230,000	2.00	$114,316	$344,316						$7,170,000
12/31/2019	$230,000	2.00	$112,016	$342,016		$686,331				$6,940,000
6/30/2020	$235,000	2.00	$109,716	$344,716						$6,705,000
12/31/2020	$235,000	2.00	$107,366	$342,366		$687,081				$6,470,000
6/30/2021	$240,000	3.00	$105,016	$345,016						$6,230,000
12/31/2021	$240,000	3.00	$101,416	$341,416		$686,431				$5,990,000
6/30/2022	$245,000	3.00	$97,816	$342,816						$5,745,000
12/31/2022	$250,000	3.00	$94,141	$344,141		$686,956				$5,495,000
6/30/2023	$255,000	3.00	$90,391	$345,391						$5,240,000
12/31/2023	$255,000	3.00	$86,566	$341,566		$686,956				$4,985,000
6/30/2024	$260,000	3.00	$82,741	$342,741						$4,725,000
12/31/2024	$265,000	3.00	$78,841	$343,841		$686,581				$4,460,000
6/30/2025	$190,000	3.00	$74,866	$264,866						$4,270,000
12/31/2025	$195,000	3.00	$72,016	$267,016		$531,881				$4,075,000
6/30/2026	$200,000	3.00	$69,091	$269,091						$3,875,000
12/31/2026	$200,000	3.00	$66,091	$266,091		$535,181				$3,675,000
6/30/2027	$205,000	3.13	$63,091	$268,091						$3,470,000
12/31/2027	$205,000	3.13	$59,888	$264,888		$532,978				$3,265,000
6/30/2028	$210,000	3.25	$56,684	$266,684						$3,055,000
12/31/2028	$215,000	3.25	$53,272	$268,272		$534,956				$2,840,000
6/30/2029	$215,000	3.38	$49,778	$264,778						$2,625,000
12/31/2029	$220,000	3.38	$46,150	$266,150		$530,928				$2,405,000
6/30/2030	$225,000	3.38	$42,438	$267,438						$2,180,000
12/31/2030	$225,000	3.38	$38,641	$263,641		$531,078				$1,955,000
6/30/2031	$230,000	3.50	$34,844	$264,844						$1,725,000
12/31/2031	$235,000	3.50	$30,819	$265,819		$530,663				$1,490,000
6/30/2032	$240,000	3.50	$26,706	$266,706						$1,250,000
12/31/2032	$240,000	3.50	$22,506	$262,506		$529,213				$1,010,000
6/30/2033	$245,000	3.63	$18,306	$263,306						$765,000
12/31/2033	$250,000	3.63	$13,866	$263,866		$527,172				$515,000
6/30/2034	$255,000	3.63	$9,334	$264,334						$260,000
12/31/2034	$260,000	3.63	$4,713	$264,713		$529,047				$0

Total	**$9,155,000**		**$3,027,870**	**$12,182,870**		**$12,182,857**				

Notes

St. Joseph County
Submitted to the State on Friday, February 17, 2017
Report printed on Tuesday, March 19, 2024
Note: Data contained in Gateway Debt Management is self-reported by local government officials and/or their designees. Debt Reports may not have been audited for accuracy or completeness by the Department of Local Government Finance. The Department is not responsible for any errors or omissions in this data.

Debt Verification

Initial Year: 2023
Date of last payment or bond expiration:
New (post 1989):
Newer (post 2005):
Refinanced bond: Y

Basic Debt Information

Debt Name: St. Joseph County Redevelopment District, Special Taxing District Bonds of 2016
Debt Status: Outstanding
Type of Indebtedness: Bond
Base CUSIP Number: 79062M
Is this debt exempt from the property tax caps? Y

Code Cite

Code Cite Under Which Debt is Authorized: I.C. 36-7-14 & I.C. 36-7-25
Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer's debt limit? Y
Applicable Issuer: St. Joseph County Redevelopment District
Current Debt Limit: $28,513,058.00
Current Debt Capacity (after issuance of this debt): $15,333,058.00

Date Information

Date of Preliminary Determination:
Date of Publication of Preliminary Determination:
Newspaper(s): Tri-County News and South Bend Tribune
Date of Public Hearing: 7/1/2016
Date of Final Approval/Lease Execution:
Date of Appropriation Resolution: 7/12/2016
Date of Debt Sale: 11/21/2016
Date of Debt Closing: 11/30/2016

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No
Was a remonstrance conducted? No
Votes in favor debt:
Votes against debt:
Was this debt subject to referendum? No
Votes in favor debt:
Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating

Security on the Debt - Source of Repayment

Property Tax: Primary
TIF Revenue: No
COIT: No
Motor Vehicle Highway/Local Road & Street: No
CAGIT: No
Stormwater Revenues: No
CEDIT: No
Electric Revenues: No
Water Revenue: No
Wasterwater Revenues: No
Grant Revenue: No
Other () : No

Allocation Area from which the TIF Revenues will be generated:
Name of Lessor (Building Corporation/Hold Corporation):
Does this debt refinance or refund any previously outstanding debt? No

Purpose/Cost

Purpose of Debt: Provide funds to finance various improvements in or serving the NewCarlisle EconomicDevelopmentArea
Total Project Cost: $9,197,753.00

Sources

Sources of Funds	Amount

Uses

Uses of Funds	Amount

Dates

Date Bids Received:
Date Construction Started:
Estimated Date of Substantial Completion:

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax	Remaining Balance

									Credit	
2/1/2038	$380,000	4.00	$7,600	$387,600		$395,200				$0
8/1/2037			$7,600	$7,600						$380,000
2/1/2037	$365,000	4.00	$14,900	$379,900		$394,800				$380,000
8/1/2036			$14,900	$14,900						$745,000
2/1/2036	$350,000	4.00	$21,900	$371,900		$393,800				$745,000
8/1/2035			$21,900	$21,900						$1,095,000
2/1/2035	$335,000	4.00	$28,600	$363,600		$392,200				$1,095,000
8/1/2034			$28,600	$28,600						$1,430,000
2/1/2034	$325,000	4.00	$35,100	$360,100		$395,200				$1,430,000
8/1/2033			$35,100	$35,100						$1,755,000
2/1/2033	$310,000	4.00	$41,300	$351,300		$392,600				$1,755,000
8/1/2032			$41,300	$41,300						$2,065,000
2/1/2032	$300,000	4.00	$47,300	$347,300		$394,600				$2,065,000
8/1/2031			$47,300	$47,300						$2,365,000
2/1/2031	$290,000	4.00	$53,100	$343,100		$396,200				$2,365,000
8/1/2030			$53,100	$53,100						$2,655,000
2/1/2030	$275,000	4.00	$58,600	$333,600		$392,200				$2,655,000
8/1/2029			$58,600	$58,600						$2,930,000
2/1/2029	$265,000	4.00	$63,900	$328,900		$392,800				$2,930,000
8/1/2028			$63,900	$63,900						$3,195,000
2/1/2028	$620,000	3.00	$73,200	$693,200		$766,400				$3,195,000
8/1/2027			$73,200	$73,200						$3,815,000
2/1/2027	$600,000	3.00	$82,200	$682,200		$764,400				$3,815,000
8/1/2026			$82,200	$82,200						$4,415,000
2/1/2026	$585,000	3.00	$90,975	$675,975		$766,950				$4,415,000
8/1/2025			$90,975	$90,975						$5,000,000
2/1/2025	$565,000	3.00	$99,450	$664,450		$763,900				$5,000,000
8/1/2024			$99,450	$99,450						$5,565,000
2/1/2024	$550,000	3.00	$107,700	$657,700		$765,400				$5,565,000
8/1/2023			$107,700	$107,700						$6,115,000
2/1/2023	$535,000	3.00	$115,725	$650,725		$766,450				$6,115,000
8/1/2022			$115,725	$115,725						$6,650,000
2/1/2022	$520,000	3.00	$123,525	$643,525		$767,050				$6,650,000
8/1/2021			$123,525	$123,525						$7,170,000
2/1/2021	$505,000	3.00	$131,100	$636,100		$767,200				$7,170,000
8/1/2020			$131,100	$131,100						$7,675,000
2/1/2020	$490,000	3.00	$138,450	$628,450		$766,900				$7,675,000
8/1/2019			$138,450	$138,450						$8,165,000
2/1/2019	$565,000	3.00	$146,925	$711,925		$858,850				$8,165,000
8/1/2018			$146,925	$146,925						$8,730,000

2/1/2018			$146,925	$146,925		$343,641				$8,730,000
8/1/2017			$196,716	$196,716						$8,730,000
Total	**$8,730,000**		**$3,306,741**	**$12,036,741**		**$12,036,741**				

Notes

St. Joseph County
Submitted to the State on Thursday, April 12, 2018
Report printed on Tuesday, March 19, 2024
Note: Data contained in Gateway Debt Management is self-reported by local government officials and/or their designees. Debt Reports may not have been audited for accuracy or completeness by the Department of Local Government Finance. The Department is not responsible for any errors or omissions in this data.

Debt Verification

Initial Year: 2021
Date of last payment or bond expiration: 7/1/2025 12:00:00 AM
New (post 1989): Y
Newer (post 2005): Y
Refinanced bond: N

Basic Debt Information

Debt Name: 2017 General Obligation (Guaranteed Energy Savings) Bonds
Debt Status: Outstanding
Type of Indebtedness: Bond
Base CUSIP Number:
Is this debt exempt from the property tax caps? N

Code Cite

Code Cite Under Which Debt is Authorized:
Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer's debt limit? Y
Applicable Issuer: Saint Joseph County
Current Debt Limit: $54,674,687.00
Current Debt Capacity (after issuance of this debt): $44,174,687.00

Date Information

Date of Preliminary Determination:
Date of Publication of Preliminary Determination:
Newspaper(s):
Date of Public Hearing: 8/8/2017
Date of Final Approval/Lease Execution: 8/15/2017
Date of Appropriation Resolution:
Date of Debt Sale:
Date of Debt Closing: 10/12/2017

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No
Was a remonstrance conducted? No
Votes in favor debt:
Votes against debt:
Was this debt subject to referendum? No
Votes in favor debt:
Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating

Security on the Debt - Source of Repayment

Property Tax: Primary
TIF Revenue: No
COIT: No
Motor Vehicle Highway/Local Road & Street: No
CAGIT: No
Stormwater Revenues: No
CEDIT: No
Electric Revenues: No
Water Revenue: No
Wasterwater Revenues: No
Grant Revenue: No
Other () : No

Allocation Area from which the TIF Revenues will be generated:
Name of Lessor (Building Corporation/Hold Corporation):
Does this debt refinance or refund any previously outstanding debt? No

Purpose/Cost

Purpose of Debt: Capital improvements to County facilities for energy savings
Total Project Cost: $10,574,935.00

Sources

Sources of Funds	Amount

Uses

Uses of Funds	Amount

Dates

Date Bids Received:
Date Construction Started:
Estimated Date of Substantial Completion:

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax Credit	Remaining Balance

6/30/2032	$430,000	3.00	$6,450	$436,450		$436,450	$0			$0
12/30/2031	$425,000	3.00	$12,825	$437,825		$871,875	$0			$430,000
6/30/2031	$415,000	3.00	$19,050	$434,050			$0			$855,000
12/30/2030	$410,000	3.00	$25,200	$435,200		$871,475	$0			$1,270,000
6/30/2030	$405,000	3.00	$31,275	$436,275			$0			$1,680,000
12/30/2029	$400,000	2.75	$36,775	$436,775		$873,981	$0			$2,085,000
6/30/2029	$395,000	2.75	$42,206	$437,206			$0			$2,485,000
12/30/2028	$390,000	2.50	$47,082	$437,082		$873,975	$0			$2,880,000
6/30/2028	$385,000	2.50	$51,894	$436,894			$0			$3,270,000
12/30/2027	$380,000	2.38	$56,406	$436,406		$872,266	$0			$3,655,000
6/30/2027	$375,000	2.38	$60,859	$435,859			$0			$4,035,000
12/30/2026	$370,000	2.25	$65,022	$435,022		$868,922	$0			$4,410,000
6/30/2026	$365,000	2.13	$68,900	$433,900			$0			$4,780,000
12/30/2025	$365,000	2.00	$72,550	$437,550		$873,700	$0			$5,145,000
6/30/2025	$360,000	2.00	$76,150	$436,150			$0			$5,510,000
12/30/2024	$355,000	2.00	$79,700	$434,700		$872,950	$0			$5,870,000
6/30/2024	$355,000	2.00	$83,250	$438,250			$0			$6,225,000
12/30/2023	$350,000	2.00	$86,750	$436,750		$871,950	$0			$6,580,000
6/30/2023	$345,000	2.00	$90,200	$435,200			$0			$6,930,000
12/30/2022	$345,000	2.00	$93,650	$438,650		$875,700	$0			$7,275,000
6/30/2022	$340,000	2.00	$97,050	$437,050			$0			$7,620,000
12/30/2021	$335,000	2.00	$100,400	$435,400		$869,100	$0			$7,960,000
6/30/2021	$330,000	2.00	$103,700	$433,700			$0			$8,295,000
12/30/2020	$330,000	2.00	$107,000	$437,000		$872,250	$0			$8,625,000
6/30/2020	$325,000	2.00	$110,250	$435,250			$0			$8,955,000
12/30/2019	$325,000	2.00	$113,500	$438,500		$875,200	$0			$9,280,000
6/30/2019	$320,000	2.00	$116,700	$436,700			$0			$9,605,000
12/30/2018	$315,000	2.00	$119,850	$434,850		$817,300	$0			$9,925,000
6/30/2018	$260,000	2.00	$122,450	$382,450			$0			$10,240,000
12/30/2017	$0	2.00	$53,062	$53,062		$53,062	$0			$10,500,000
Total	**$10,500,000**		**$2,150,156**	**$12,650,156**		**$12,650,156**	**$0**			

Notes

2017 GO Energy Savings Bond. Closed 10/12/17. Gateway debt unlocked and information updated on 4/12/18.

St. Joseph County
Submitted to the State on Thursday, October 19, 2017
Report printed on Tuesday, March 19, 2024
Note: Data contained in Gateway Debt Management is self-reported by local government officials and/or their designees. Debt Reports may not have been audited for accuracy or completeness by the Department of Local Government Finance. The Department is not responsible for any errors or omissions in this data.

Debt Verification

Initial Year: 2019
Date of last payment or bond expiration: 12/31/2024 12:00:00 AM
New (post 1989): Y
Newer (post 2005): Y
Refinanced bond: Y

Basic Debt Information

Debt Name: 2015 PSAP Equipment Lease (US Bank)
Debt Status: Outstanding
Type of Indebtedness: Bond
Base CUSIP Number:
Is this debt exempt from the property tax caps? Y

Code Cite

Code Cite Under Which Debt is Authorized:
Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer's debt limit? N
Applicable Issuer:
Current Debt Limit:
Current Debt Capacity (after issuance of this debt):

Date Information

Date of Preliminary Determination:
Date of Publication of Preliminary Determination:
Newspaper(s):
Date of Public Hearing:
Date of Final Approval/Lease Execution: 3/31/2015
Date of Appropriation Resolution:
Date of Debt Sale:
Date of Debt Closing: 3/31/2015

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No
Was a remonstrance conducted? No
Votes in favor debt:
Votes against debt:
Was this debt subject to referendum? No
Votes in favor debt:
Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating

Security on the Debt - Source of Repayment

Property Tax: No
TIF Revenue: No
COIT: No
Motor Vehicle Highway/Local Road & Street: No
CAGIT: No
Stormwater Revenues: No
CEDIT: No
Electric Revenues: No
Water Revenue: No
Wasterwater Revenues: No
Grant Revenue: No
Other (PSAP Charges) : Primary

Allocation Area from which the TIF Revenues will be generated:
Name of Lessor (Building Corporation/Hold Corporation):
Does this debt refinance or refund any previously outstanding debt? No

Purpose/Cost

Purpose of Debt: Technology and Equipment for a 911 Center
Total Project Cost: $12,000,000.00

Sources

Sources of Funds	Amount

Uses

Uses of Funds	Amount

Dates

Date Bids Received:
Date Construction Started:
Estimated Date of Substantial Completion:

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax Credit	Remaining Balance

6/30/2015	$601,375	2.22	$67,188					$668,563		$11,398,625
12/31/2015	$542,324	2.22	$126,240			$1,337,127		$668,563		$10,856,301
6/30/2016	$548,329	2.22	$120,234					$668,563		$10,307,972
12/31/2016	$554,403	2.22	$114,161			$1,337,127		$668,563		$9,753,569
6/30/2017	$560,543	2.22	$108,021					$668,563		$9,193,026
12/31/2017	$566,751	2.22	$101,813			$1,337,127		$668,563		$8,626,275
6/30/2018	$573,027	2.22	$95,536					$668,563		$8,053,248
12/31/2018	$579,374	2.22	$89,190			$1,337,127		$668,563		$7,473,874
6/30/2019	$585,790	2.22	$82,773					$668,563		$6,888,084
12/31/2019	$592,278	2.22	$76,286			$1,337,127		$668,563		$6,295,806
6/30/2020	$598,838	2.22	$69,724					$668,571		$5,696,968
12/31/2020	$605,469	2.22	$63,094			$1,337,125		$668,563		$5,091,499
6/30/2021	$612,175	2.22	$56,388					$668,563		$4,479,324
12/31/2021	$618,955	2.22	$49,609			$1,337,127		$668,563		$3,860,369
6/30/2022	$625,810	2.22	$42,754					$668,563		$3,234,559
12/31/2022	$632,741	2.22	$35,823			$1,337,127		$668,563		$2,601,818
6/30/2023	$639,748	2.22	$28,815					$668,563		$1,962,070
12/31/2023	$646,833	2.22	$21,730			$1,337,127		$668,563		$1,315,237
6/30/2014	$653,997	2.22	$14,566					$668,563		$661,240
12/30/2014	$661,240	2.22	$7,323			$1,337,127		$668,563		$0
Total	**$12,000,000**		**$1,371,268**			**$13,371,268**		**$13,371,268**		

Notes

2015 PSAP Equipment and Technology Lease. US Bank. $12,000,000 original principal amount.

St. Joseph County
Submitted to the State on Wednesday, November 15, 2017
Report printed on Tuesday, March 19, 2024
Note: Data contained in Gateway Debt Management is self-reported by local government officials and/or their designees. Debt Reports may not have been audited for accuracy or completeness by the Department of Local Government Finance. The Department is not responsible for any errors or omissions in this data.

Debt Verification

Initial Year: 2020
Date of last payment or bond expiration: 12/31/2028 12:00:00 AM
New (post 1989): Y
Newer (post 2005): Y
Refinanced bond: Y

Basic Debt Information

Debt Name: 2017 PSAP US Bank Technology Lease Amendment
Debt Status: Outstanding
Type of Indebtedness: Lease
Base CUSIP Number:
Is this debt exempt from the property tax caps? Y

Code Cite

Code Cite Under Which Debt is Authorized:
Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer's debt limit? N
Applicable Issuer:
Current Debt Limit:
Current Debt Capacity (after issuance of this debt):

Date Information

Date of Preliminary Determination:
Date of Publication of Preliminary Determination:
Newspaper(s):
Date of Public Hearing:
Date of Final Approval/Lease Execution: 11/14/2017
Date of Appropriation Resolution:
Date of Debt Sale:
Date of Debt Closing: 11/14/2017

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No
Was a remonstrance conducted? No
Votes in favor debt:
Votes against debt:
Was this debt subject to referendum? No
Votes in favor debt:
Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating

Security on the Debt - Source of Repayment

Property Tax: No
TIF Revenue: No
COIT: No
Motor Vehicle Highway/Local Road & Street: No
CAGIT: No
Stormwater Revenues: No
CEDIT: No
Electric Revenues: No
Water Revenue: No
Wasterwater Revenues: No
Grant Revenue: No
Other (PSAP Charges for Services) : Primary

Allocation Area from which the TIF Revenues will be generated:
Name of Lessor (Building Corporation/Hold Corporation): Saint Josephy County
Does this debt refinance or refund any previously outstanding debt? No

Purpose/Cost

Purpose of Debt: Technology Improvements at County 911 Center
Total Project Cost: $2,500,000.00

Sources

Sources of Funds	Amount

Uses

Uses of Funds	Amount

Dates

Date Bids Received:
Date Construction Started:
Estimated Date of Substantial Completion:

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax Credit	Remaining Balance

11/16/2027	$140,017	2.46	$1,730			$283,494		$141,747		$0
5/16/2027	$138,327	2.46	$3,420					$141,747		$140,017
11/16/2026	$136,659	2.46	$5,098			$283,494		$141,747		$278,344
5/16/2026	$134,990	2.46	$6,757					$141,747		$415,003
11/16/2025	$133,352	2.46	$8,395			$283,494		$141,747		$549,993
5/16/2025	$131,734	2.46	$10,013					$141,747		$683,345
11/16/2024	$130,135	2.46	$11,612			$283,494		$141,747		$815,079
5/16/2024	$128,556	2.46	$13,191					$141,747		$945,214
11/16/2023	$126,996	2.46	$14,751			$283,494		$141,747		$1,073,770
5/16/2023	$125,454	2.46	$16,293					$141,747		$1,200,766
11/16/2022	$123,932	2.46	$17,815			$283,494		$141,747		$1,326,220
5/16/2022	$122,428	2.46	$19,319					$141,747		$1,450,152
11/16/2021	$120,942	2.46	$20,805			$283,494		$141,747		$1,572,580
5/16/2021	$119,474	2.46	$22,273					$141,747		$1,693,522
11/16/2020	$118,024	2.46	$23,723			$283,494		$141,747		$1,812,996
5/16/2020	$116,592	2.46	$25,155					$141,747		$1,931,020
11/16/2019	$115,177	2.46	$26,570			$283,494		$141,747		$2,047,612
5/16/2019	$113,779	2.46	$27,968					$141,747		$2,162,789
11/16/2018	$112,398	2.46	$29,348			$283,494		$141,747		$2,276,568
5/16/2018	$111,034	2.46	$30,713					$141,747		$2,388,966
Total	**$2,500,000**		**$334,949**			**$2,834,940**		**$2,834,940**		

Notes

2017 PSAP Technology Lease Amendment in the amount of $2,500,000 with U.S. Bank. Approved by Commissioners on 11/14/17.

St. Joseph County
Submitted to the State on Monday, January 22, 2018
Report printed on Tuesday, March 19, 2024
Note: Data contained in Gateway Debt Management is self-reported by local government officials and/or their designees. Debt Reports may not have been audited for accuracy or completeness by the Department of Local Government Finance. The Department is not responsible for any errors or omissions in this data.

Debt Verification

Initial Year: 2020
Date of last payment or bond expiration:
New (post 1989):
Newer (post 2005):
Refinanced bond: Y

Basic Debt Information

Debt Name: 2015 Taxable Economic Development Revenue Bonds (General Sheet Metal)
Debt Status: Outstanding
Type of Indebtedness: Bond
Base CUSIP Number:
Is this debt exempt from the property tax caps? Y

Code Cite

Code Cite Under Which Debt is Authorized:
Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer's debt limit? N
Applicable Issuer:
Current Debt Limit:
Current Debt Capacity (after issuance of this debt):

Date Information

Date of Preliminary Determination: 1/7/2015
Date of Publication of Preliminary Determination:
Newspaper(s):
Date of Public Hearing:
Date of Final Approval/Lease Execution: 5/1/2015
Date of Appropriation Resolution:
Date of Debt Sale:
Date of Debt Closing: 5/27/2015

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No
Was a remonstrance conducted? No
Votes in favor debt:
Votes against debt:
Was this debt subject to referendum? No
Votes in favor debt:
Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating

Security on the Debt - Source of Repayment

Property Tax: Primary
TIF Revenue: No
COIT: No
Motor Vehicle Highway/Local Road & Street: No
CAGIT: No
Stormwater Revenues: No
CEDIT: No
Electric Revenues: No
Water Revenue: No
Wasterwater Revenues: No
Grant Revenue: No
Other (Company Guarantee) : Primary

Allocation Area from which the TIF Revenues will be generated:
Name of Lessor (Building Corporation/Hold Corporation):
Does this debt refinance or refund any previously outstanding debt? No

Purpose/Cost

Purpose of Debt: General Sheet Metal Expenditures
Total Project Cost: $3,300,000.00

Sources

Sources of Funds	Amount

Uses

Uses of Funds	Amount

Dates

Date Bids Received:
Date Construction Started:
Estimated Date of Substantial Completion:

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax Credit	Remaining Balance

8/1/2030	$165,000	3.00	$2,475	$167,475	$0	$332,350				$0
2/1/2030	$160,000	3.00	$4,875	$164,875	$0					$165,000
8/1/2029	$160,000	3.00	$7,275	$167,275	$0	$336,950				$325,000
2/1/2029	$160,000	3.00	$9,675	$169,675	$0					$485,000
8/1/2028	$155,000	3.00	$12,000	$167,000	$0	$336,325				$645,000
2/1/2028	$155,000	3.00	$14,325	$169,325	$0					$800,000
8/1/2027	$150,000	3.00	$16,575	$166,575	$0	$335,400				$955,000
2/1/2027	$150,000	3.00	$18,825	$168,825	$0					$1,105,000
8/1/2026	$145,000	3.00	$21,000	$166,000	$0	$334,175				$1,255,000
2/1/2026	$145,000	3.00	$23,175	$168,175	$0					$1,400,000
8/1/2025	$140,000	3.00	$25,275	$165,275	$0	$332,650				$1,545,000
2/1/2025	$140,000	3.00	$27,375	$167,375	$0					$1,685,000
8/1/2024	$135,000	3.00	$29,400	$164,400	$0	$330,825				$1,825,000
2/1/2024	$135,000	3.00	$31,425	$166,425	$0					$1,960,000
8/1/2023	$135,000	3.00	$33,450	$168,450	$0	$323,700				$2,095,000
2/1/2023	$120,000	3.00	$35,250	$155,250	$0					$2,230,000
8/1/2022	$115,000	3.00	$36,975	$151,975	$0	$300,600				$2,350,000
2/1/2022	$110,000	3.00	$38,625	$148,625	$0					$2,465,000
8/1/2021	$110,000	3.00	$40,275	$150,275	$0	$302,200				$2,575,000
2/1/2021	$110,000	3.00	$41,925	$151,925	$0					$2,685,000
8/1/2020	$105,000	3.00	$43,500	$148,500	$0	$298,575				$2,795,000
2/1/2020	$105,000	3.00	$45,075	$150,075	$0					$2,900,000
8/1/2019	$105,000	3.00	$46,650	$151,650	$0	$299,800				$3,005,000
2/1/2019	$100,000	3.00	$48,150	$148,150	$0					$3,110,000
8/1/2018	$90,000	3.00	$49,500	$139,500	$0	$189,000				$3,210,000
2/1/2018		3.00	$49,500	$49,500	$49,500					$3,300,000
8/1/2017		3.00	$49,500	$49,500	$49,500	$99,000				$3,300,000
2/1/2017		3.00	$49,500	$49,500	$49,500					$3,300,000
8/1/2016		3.00	$49,500	$49,500	$49,500	$116,600				$3,300,000
2/1/2016		3.00	$67,100	$67,100	$67,100					$3,300,000
Total	**$3,300,000**		**$968,150**	**$4,268,150**	**$265,100**	**$4,268,150**				

Notes

Debt Schedule No. 15 2015 Taxable Economic Development Revenue Bonds (General Sheet Metal).

St. Joseph County
Submitted to the State on Monday, February 11, 2019
Report printed on Tuesday, March 19, 2024
Note: Data contained in Gateway Debt Management is self-reported by local government officials and/or their designees. Debt Reports may not have been audited for accuracy or completeness by the Department of Local Government Finance. The Department is not responsible for any errors or omissions in this data.

Debt Verification

Initial Year: 2042
Date of last payment or bond expiration:
New (post 1989):
Newer (post 2005):
Refinanced bond: Y

Basic Debt Information

Debt Name: 2019 Motorola PSAP CAD System Capital Lease
Debt Status: Outstanding
Type of Indebtedness: Lease
Base CUSIP Number:
Is this debt exempt from the property tax caps? Y

Code Cite

Code Cite Under Which Debt is Authorized:
Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer's debt limit? N
Applicable Issuer:
Current Debt Limit:
Current Debt Capacity (after issuance of this debt):

Date Information

Date of Preliminary Determination:
Date of Publication of Preliminary Determination:
Newspaper(s):
Date of Public Hearing:
Date of Final Approval/Lease Execution: 1/15/2019
Date of Appropriation Resolution:
Date of Debt Sale: 1/15/2019
Date of Debt Closing: 1/15/2019

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No
Was a remonstrance conducted? No
Votes in favor debt:
Votes against debt:
Was this debt subject to referendum? No
Votes in favor debt:
Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating

Security on the Debt - Source of Repayment

Property Tax: No
TIF Revenue: No
COIT: No
Motor Vehicle Highway/Local Road & Street: No
CAGIT: No
Stormwater Revenues: No
CEDIT: No
Electric Revenues: No
Water Revenue: No
Wasterwater Revenues: No
Grant Revenue: No
Other () : No

Allocation Area from which the TIF Revenues will be generated:
Name of Lessor (Building Corporation/Hold Corporation): Saint Joseph County
Does this debt refinance or refund any previously outstanding debt? No

Purpose/Cost

Purpose of Debt: New PSAP 911 CAD System
Total Project Cost: $2,976,131.00

Sources

Sources of Funds	Amount

Uses

Uses of Funds	Amount

Dates

Date Bids Received: 8/24/2018
Date Construction Started:
Estimated Date of Substantial Completion:

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax Credit	Remaining Balance

2/1/2020	$377,837	3.91	$116,367			$494,204		$494,204		$2,598,294
2/1/2021	$392,611	3.91	$101,593			$494,204		$494,204		$2,205,683
2/1/2022	$407,962	3.91	$86,242			$494,204		$494,204		$1,797,721
2/1/2023	$423,913	3.91	$70,291			$494,204		$494,204		$1,373,802
2/1/2024	$440,488	3.91	$53,716			$494,204		$494,204		$933,319
2/1/2025	$457,711	3.91	$36,493			$494,204		$494,204		$475,608
2/1/2026	$475,608	3.91	$18,596			$494,204		$494,204		$0
Total	**$2,976,130**		**$483,298**			**$3,459,428**		**$3,459,428**		

Notes

Debt Schedule No. 25
2019 Motorola PSAP Lease
Approved by PSAP Executive Board on 12/14/18
Approved by County Commissioners on 12/15/19

St. Joseph County
Submitted to the State on Thursday, October 24, 2019
Report printed on Tuesday, March 19, 2024
Note: Data contained in Gateway Debt Management is self-reported by local government officials and/or their designees. Debt Reports may not have been audited for accuracy or completeness by the Department of Local Government Finance. The Department is not responsible for any errors or omissions in this data.

Debt Verification

Initial Year: 2022
Date of last payment or bond expiration: 6/30/2032 12:00:00 AM
New (post 1989): Y
Newer (post 2005): Y
Refinanced bond: N

Basic Debt Information

Debt Name: St. Joseph County Redevelopment District Special Taxing District Bonds of 2019 (SS Double Tracking)
Debt Status: Outstanding
Type of Indebtedness: Bond
Base CUSIP Number: 79062M
Is this debt exempt from the property tax caps? N

Code Cite

Code Cite Under Which Debt is Authorized: 36-7-14 and 36-7-25
Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer's debt limit? Y
Applicable Issuer: St. Joseph County Redevelopment District
Current Debt Limit: $33,579,426.00
Current Debt Capacity (after issuance of this debt): $16,039,426.00

Date Information

Date of Preliminary Determination:
Date of Publication of Preliminary Determination:
Newspaper(s):
Date of Public Hearing:
Date of Final Approval/Lease Execution: 8/13/2019
Date of Appropriation Resolution:
Date of Debt Sale:
Date of Debt Closing: 10/17/2019

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No
Was a remonstrance conducted? No
Votes in favor debt:
Votes against debt:
Was this debt subject to referendum? No
Votes in favor debt:
Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating

Security on the Debt - Source of Repayment

Property Tax: Primary
TIF Revenue: No
COIT: No
Motor Vehicle Highway/Local Road & Street: No
CAGIT: No
Stormwater Revenues: No
CEDIT: No
Electric Revenues: No
Water Revenue: No
Wasterwater Revenues: No
Grant Revenue: No
Other () : No

Allocation Area from which the TIF Revenues will be generated:
Name of Lessor (Building Corporation/Hold Corporation):
Does this debt refinance or refund any previously outstanding debt? No

Purpose/Cost

Purpose of Debt: Finance a portion of County's share of the South Shore Double Tracking Project
Total Project Cost: $9,508,859.00

Sources

Sources of Funds	Amount

Uses

Uses of Funds	Amount

Dates

Date Bids Received:
Date Construction Started:
Estimated Date of Substantial Completion:

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax	Remaining Balance

									Credit	
2/1/2038	$2,750,000		$36,094			$2,786,094				$0
8/1/2037			$36,094			$2,711,188				$2,750,000
2/1/2037	$2,600,000		$75,094							$2,750,000
8/1/2036			$75,094			$2,662,313				$5,350,000
2/1/2036	$2,475,000		$112,219							$5,350,000
8/1/2035			$112,219			$1,036,438				$7,825,000
2/1/2035	$800,000		$124,219							$7,825,000
8/1/2034			$124,219			$1,009,688				$8,625,000
2/1/2034	$750,000		$135,469							$8,625,000
8/1/2033			$135,469			$270,938				$9,375,000
2/1/2033			$135,469							$9,375,000
8/1/2032			$135,469			$270,938				$9,375,000
2/1/2032			$135,469							$9,375,000
8/1/2031			$135,469			$270,938				$9,375,000
2/1/2031			$135,469							$9,375,000
8/1/2030			$135,469			$270,938				$9,375,000
2/1/2030			$135,469							$9,375,000
8/1/2029			$135,469			$270,938				$9,375,000
2/1/2029			$135,469							$9,375,000
8/1/2028			$135,469			$270,938				$9,375,000
2/1/2028			$135,469							$9,375,000
8/1/2027			$135,469			$270,938				$9,375,000
2/1/2027			$135,469							$9,375,000
8/1/2026			$135,469			$270,938				$9,375,000
2/1/2026			$135,469							$9,375,000
8/1/2025			$135,469			$270,938				$9,375,000
2/1/2025			$135,469							$9,375,000
8/1/2024			$135,469			$270,938				$9,375,000
2/1/2024			$135,469							$9,375,000
8/1/2023			$135,469			$270,938				$9,375,000
2/1/2023			$135,469							$9,375,000
8/1/2022			$135,469			$270,938				$9,375,000
2/1/2022			$135,469							$9,375,000
8/1/2021			$135,469			$270,938				$9,375,000
2/1/2021			$135,469							$9,375,000
8/1/2020			$213,740			$213,740				$9,375,000
Total	**$9,375,000**		**$4,566,655**			**$13,941,655**				

Notes

Debt Schedule No. 32 - 2019 Redevelopment South Shore Double Tracking Bond. County Share. Closing on October 17, 2019. Financial advisor - Cender & Company. Bond Counsel - Barnes & Thornburg and Thorne Grodknik.

St. Joseph County
Submitted to the State on Thursday, October 24, 2019
Report printed on Tuesday, March 19, 2024
Note: Data contained in Gateway Debt Management is self-reported by local government officials and/or their designees. Debt Reports may not have been audited for accuracy or completeness by the Department of Local Government Finance. The Department is not responsible for any errors or omissions in this data.

Debt Verification

Initial Year: 2020
Date of last payment or bond expiration: 12/31/2037 12:00:00 AM
New (post 1989): Y
Newer (post 2005): Y
Refinanced bond: Y

Basic Debt Information

Debt Name: 2019 U.S. Bank Police Radio Lease
Debt Status: Outstanding
Type of Indebtedness: Lease
Base CUSIP Number:
Is this debt exempt from the property tax caps? Y

Code Cite

Code Cite Under Which Debt is Authorized:
Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer's debt limit? N
Applicable Issuer:
Current Debt Limit:
Current Debt Capacity (after issuance of this debt):

Date Information

Date of Preliminary Determination:
Date of Publication of Preliminary Determination:
Newspaper(s):
Date of Public Hearing:
Date of Final Approval/Lease Execution: 7/2/2019
Date of Appropriation Resolution:
Date of Debt Sale:
Date of Debt Closing: 8/15/2019

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No
Was a remonstrance conducted? No
Votes in favor debt:
Votes against debt:
Was this debt subject to referendum? No
Votes in favor debt:
Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating

Security on the Debt - Source of Repayment

Property Tax: No
TIF Revenue: No
COIT: No
Motor Vehicle Highway/Local Road & Street: No
CAGIT: No
Stormwater Revenues: No
CEDIT: No
Electric Revenues: No
Water Revenue: No
Wasterwater Revenues: No
Grant Revenue: No
Other () : No

Allocation Area from which the TIF Revenues will be generated:
Name of Lessor (Building Corporation/Hold Corporation): Saint Joseph County
Does this debt refinance or refund any previously outstanding debt? No

Purpose/Cost

Purpose of Debt: Purchase of radios for the police department
Total Project Cost: $1,760,003.00

Sources

Sources of Funds	Amount

Uses

Uses of Funds	Amount

Dates

Date Bids Received:
Date Construction Started:
Estimated Date of Substantial Completion:

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax Credit	Remaining Balance

2/15/2020	$115,840	2.49	$21,947	$137,787				$137,787		$1,644,163
8/15/2020	$117,285	2.49	$20,502	$137,787		$275,574		$137,787		$1,526,878
2/15/2021	$118,747	2.49	$19,040	$137,787				$137,787		$1,408,131
8/15/2021	$120,228	2.49	$17,559	$137,787		$275,574		$137,787		$1,287,903
2/15/2022	$121,727	2.49	$16,060	$137,787				$137,787		$1,166,176
8/15/2022	$123,245	2.49	$14,542	$137,787		$275,574		$137,787		$1,042,931
2/15/2023	$124,782	2.49	$13,005	$137,787				$137,787		$918,149
8/15/2023	$126,338	2.49	$11,449	$137,787		$275,574		$137,787		$791,811
2/15/2024	$127,914	2.49	$9,874	$137,787				$137,787		$663,897
8/15/2024	$129,509	2.49	$8,279	$137,787		$275,574		$137,787		$534,388
2/15/2025	$131,124	2.49	$6,664	$137,787				$137,787		$403,264
8/15/2025	$132,759	2.49	$5,029	$137,787		$275,574		$137,787		$270,505
2/15/2026	$134,414	2.49	$3,373	$137,787				$137,787		$136,091
8/15/2026	$136,091	2.49	$1,699	$137,794		$275,581		$137,794		$0
Total	**$1,760,003**		**$169,022**	**$1,929,025**		**$1,929,025**		**$1,929,025**		

Notes

Debt Schedule No. 30. U.S. Bank Capital Lease for police radios. seven years. 14 semi-annual payments.

St. Joseph County
Submitted to the State on Friday, October 25, 2019
Report printed on Tuesday, March 19, 2024
Note: Data contained in Gateway Debt Management is self-reported by local government officials and/or their designees. Debt Reports may not have been audited for accuracy or completeness by the Department of Local Government Finance. The Department is not responsible for any errors or omissions in this data.

Debt Verification

Initial Year: 2033
Date of last payment or bond expiration: 12/31/2033 12:00:00 AM
New (post 1989): Y
Newer (post 2005): Y
Refinanced bond: Y

Basic Debt Information

Debt Name: 2019 U.S. Bank Election Equipment Lease
Debt Status: Outstanding
Type of Indebtedness: Lease
Base CUSIP Number:
Is this debt exempt from the property tax caps? Y

Code Cite

Code Cite Under Which Debt is Authorized:
Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer's debt limit? N
Applicable Issuer:
Current Debt Limit:
Current Debt Capacity (after issuance of this debt):

Date Information

Date of Preliminary Determination:
Date of Publication of Preliminary Determination:
Newspaper(s):
Date of Public Hearing:
Date of Final Approval/Lease Execution: 7/2/2019
Date of Appropriation Resolution:
Date of Debt Sale:
Date of Debt Closing: 7/19/2019

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No
Was a remonstrance conducted? No
Votes in favor debt:
Votes against debt:
Was this debt subject to referendum? No
Votes in favor debt:
Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating

Security on the Debt - Source of Repayment

Property Tax: Primary
TIF Revenue: No
COIT: No
Motor Vehicle Highway/Local Road & Street: No
CAGIT: No
Stormwater Revenues: No
CEDIT: No
Electric Revenues: No
Water Revenue: No
Wasterwater Revenues: No
Grant Revenue: No
Other () : No

Allocation Area from which the TIF Revenues will be generated:
Name of Lessor (Building Corporation/Hold Corporation): Saint Joseph County
Does this debt refinance or refund any previously outstanding debt? No

Purpose/Cost

Purpose of Debt: Purchase of new election equipment
Total Project Cost: $2,500,000.00

Sources

Sources of Funds	Amount

Uses

Uses of Funds	Amount

Dates

Date Bids Received:
Date Construction Started:
Estimated Date of Substantial Completion:

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax Credit	Remaining Balance

1/15/2020	$235,946	2.56	$31,975	$267,921				$267,921		$2,264,054
7/15/2020	$238,964	2.56	$28,957	$267,921		$535,842		$267,921		$2,025,090
1/15/2021	$242,021	2.56	$25,901	$267,921				$267,921		$1,783,069
7/15/2021	$245,116	2.56	$22,805	$267,921		$535,842		$267,921		$1,537,953
1/15/2022	$248,251	2.56	$19,670	$267,921				$267,921		$1,289,702
7/15/2022	$251,426	2.56	$16,495	$267,921		$535,842		$267,921		$1,038,276
1/15/2023	$254,642	2.56	$13,280	$267,921				$267,921		$783,634
7/15/2023	$257,899	2.56	$10,023	$267,921		$535,842		$267,921		$525,735
1/15/2024	$261,197	2.56	$6,724	$267,921				$267,921		$264,538
7/15/2024	$264,538	2.56	$3,384	$267,925		$535,846		$267,925		$0
Total	**$2,500,000**		**$179,214**	**$2,679,214**		**$2,679,214**		**$2,679,214**		

Notes

Debt Schedule No. 31. 2019 U.S. Bank Election Equipment Lease. 5-year lease. Paid with Cumulative Capital Development Fund. Vendor RBM Consulting.

St. Joseph County
Submitted to the State on Thursday, February 17, 2022
Report printed on Tuesday, March 19, 2024
Note: Data contained in Gateway Debt Management is self-reported by local government officials and/or their designees. Debt Reports may not have been audited for accuracy or completeness by the Department of Local Government Finance. The Department is not responsible for any errors or omissions in this data.

Debt Verification

Initial Year:
Date of last payment or bond expiration:
New (post 1989):
Newer (post 2005):
Refinanced bond: N

Basic Debt Information

Debt Name: 2021 Ducomb Center U.S. Bank Equipment Lease
Debt Status: Outstanding
Type of Indebtedness: Lease
Base CUSIP Number:
Is this debt exempt from the property tax caps? N

Code Cite

Code Cite Under Which Debt is Authorized:
Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer's debt limit? N
Applicable Issuer:
Current Debt Limit:
Current Debt Capacity (after issuance of this debt):

Date Information

Date of Preliminary Determination:
Date of Publication of Preliminary Determination:
Newspaper(s):
Date of Public Hearing:
Date of Final Approval/Lease Execution: 11/9/2021
Date of Appropriation Resolution: 10/12/2021
Date of Debt Sale:
Date of Debt Closing: 11/12/2021

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No
Was a remonstrance conducted? No
Votes in favor debt:
Votes against debt:
Was this debt subject to referendum? No
Votes in favor debt:
Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating

Security on the Debt - Source of Repayment

Property Tax: No
TIF Revenue: No
COIT: No
Motor Vehicle Highway/Local Road & Street: No
CAGIT: No
Stormwater Revenues: No
CEDIT: No
Electric Revenues: No
Water Revenue: No
Wasterwater Revenues: No
Grant Revenue: No
Other (Fee Revenue) : Primary

Allocation Area from which the TIF Revenues will be generated:
Name of Lessor (Building Corporation/Hold Corporation): U.S. Bank Leasing
Does this debt refinance or refund any previously outstanding debt? No

Purpose/Cost

Purpose of Debt: Ducomb Center vehicles, technology, vests, radios, and equipment
Total Project Cost: $196,272.53

Sources

Sources of Funds	Amount

Uses

Uses of Funds	Amount

Dates

Date Bids Received:
Date Construction Started:
Estimated Date of Substantial Completion:

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax Credit	Remaining Balance

2/15/2022	$19,517	1.75	$992	$20,509				$20,509		$176,756
8/15/2022	$18,962	1.75	$1,547	$20,509				$20,509		$157,794
2/15/2023	$19,128	1.75	$1,381	$20,509				$20,509		$138,666
8/15/2023	$19,295	1.75	$1,214	$20,509				$20,509		$119,371
2/15/2024	$19,464	1.75	$1,045	$20,509				$20,509		$99,907
8/15/2024	$19,635	1.75	$874	$20,509				$20,509		$80,272
2/15/2025	$19,806	1.75	$703	$20,509				$20,509		$60,466
8/15/2025	$19,980	1.75	$529	$20,509				$20,509		$40,486
2/15/2026	$20,155	1.75	$354	$20,509				$20,509		$20,331
8/15/2026	$20,331	1.75	$178	$20,509				$20,509		$0
Total	**$196,273**		**$8,817**	**$205,090**				**$205,090**		

Notes

Debt Schedule No. 78

St. Joseph County
Submitted to the State on Wednesday, December 21, 2022
Report printed on Tuesday, March 19, 2024
Note: Data contained in Gateway Debt Management is self-reported by local government officials and/or their designees. Debt Reports may not have been audited for accuracy or completeness by the Department of Local Government Finance. The Department is not responsible for any errors or omissions in this data.

Debt Verification

Initial Year:
Date of last payment or bond expiration:
New (post 1989):
Newer (post 2005):
Refinanced bond: N

Basic Debt Information

Debt Name: St. Joseph County General Obligation Series 2022
Debt Status: Outstanding
Type of Indebtedness: Bond
Base CUSIP Number: 790603
Is this debt exempt from the property tax caps? N

Code Cite

Code Cite Under Which Debt is Authorized: 36-2-6-18
Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer's debt limit? Y
Applicable Issuer: St. Joseph County
Current Debt Limit: $71,186,724.00
Current Debt Capacity (after issuance of this debt): $65,386,724.00

Date Information

Date of Preliminary Determination:
Date of Publication of Preliminary Determination:
Newspaper(s): South Bend Tribune, Mishawaka Enterprise, Indianapolis Business Journal
Date of Public Hearing: 11/9/2022
Date of Final Approval/Lease Execution: 11/10/2022
Date of Appropriation Resolution: 11/10/2022
Date of Debt Sale: 12/14/2022
Date of Debt Closing: 12/21/2022

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No
Was a remonstrance conducted? No
Votes in favor debt:
Votes against debt:
Was this debt subject to referendum? No
Votes in favor debt:
Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating

Security on the Debt - Source of Repayment

Property Tax: Primary
TIF Revenue: No
COIT: No
Motor Vehicle Highway/Local Road & Street: No
CAGIT: No
Stormwater Revenues: No
CEDIT: No
Electric Revenues: No
Water Revenue: No
Wasterwater Revenues: No
Grant Revenue: No
Other () : No

Allocation Area from which the TIF Revenues will be generated:
Name of Lessor (Building Corporation/Hold Corporation):
Does this debt refinance or refund any previously outstanding debt? No

Purpose/Cost

Purpose of Debt: Renovation of North Liberty and Woodland Highway Garages
Total Project Cost: $5,927,782.15

Sources

Sources of Funds	Amount

Uses

Uses of Funds	Amount

Dates

Date Bids Received: 12/14/2022
Date Construction Started:
Estimated Date of Substantial Completion:

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax Credit	Remaining Balance

6/30/2023	$910,000	4.00	$121,800	$1,031,800	$0					
12/30/2023	$940,000	4.00	$97,800	$1,037,800	$0	$2,069,600				
6/30/2024	$960,000	4.00	$79,000	$1,039,000	$0					
12/30/2024	$980,000	4.00	$59,800	$1,039,800	$0	$2,078,800				
6/30/2025	$995,000	4.00	$40,200	$1,035,200	$0					
12/30/2025	$1,015,000	4.00	$20,300	$1,035,300	$0	$2,070,500				
Total	**$5,800,000**		**$418,900**	**$6,218,900**	**$0**	**$6,218,900**				

Notes

2022 General Obligation(Highway)Bonds
Closing on December 21, 2022

Report Search / Bond/Lease Report

Report Builder: Bond/Lease Report

County	St. Joseph	Unit Type	Township
Unit	HARRIS TOWNSHIP	Debt Status	No Debt
Debt Type	No Debt	Source of Repayment	No Debt
Debt Name	No Debt		

View Report

1 of 1 Find | Next

The unit you have selected has no current debt to report.

Indiana Gateway Report
gateway.ifionline.org

9/19/2022 10:34:20 AM

Page 1

Deborah S. Block, IAMC, MMC

APR 18 2024

City Clerk
Mishawaka, IN

Appendix "A"
Resolution of Adopting Fiscal Plan

RESOLUTION NO. 2024-06

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, INTRODUCING AN ORDINANCE FOR ANNEXATION, ADOPTING A WRITTEN FISCAL PLAN, AND A DEFINITE POLICY FOR ANNEXATION FOR THE PROPERTY LOCATED AT:

16963 W. Douglas Road, consisting of one tax parcel and the adjacent Douglas Road public right-of-way.

WHEREAS, the Common Council of the City of Mishawaka desires to consider the annexation of territory adjacent to the City in accordance with a definite policy and all applicable laws and restrictions.

WHEREAS, the entire area proposed for annexation has either petitioned for annexation or signed a consent regarding annexation.

WHEREAS, Indiana Code Section 36-4-3-3.1 requires a municipality to develop and adopt a written fiscal plan and establish a definite policy by resolution.

WHEREAS, the said fiscal plan has been reviewed and is otherwise consistent with the requirements of Indiana Code 36-4-3-13.

WHEREAS, the Department of Planning has prepared said fiscal plan with the input of each applicable City department. Furthermore, based on the review of each City department, a comparable level of City services can be provided to the proposed annexation area when compared to similar geographic areas of the City.

WHEREAS, the Department of Planning has prepared a written policy on annexation that has been incorporated within the fiscal plan.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, as follows:

Section I. The Common Council has provided notice of this resolution as required by law, and is initiating an ordinance to annex the following property, legally described as:

A PART OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 38 NORTH, RANGE 3 EAST, ST. JOSEPH COUNTY, INDIANA, DESCRIBED AS BEGINNING AT THE SOUTHWEST CORNER OF SAID QUARTER SECTION: THENCE EAST ALONG THE SOUTH LINE OF SAID QUARTER SECTION 265.00 FEET: THENCE NORTH 243.60 FEET: THENCE WEST 265.00 FEET TO THE WEST LINE OF SAID QUARTER SECTION: THENCE SOUTH ALONG SAID WEST LINE 243.60 FEET TO THE PLACE OF BEGINNING. CONTAINING 1.482 ACRES, MORE OR LESS, INCLUDING ALL ADJACENT DOUGLAS ROAD RIGHT-OF-WAY TO THE EXISTING SOUTH RIGHT-OF-WAY LINE.

Section II. Following the review of documents prepared by the Department of Planning and presentation, the Common Council hereby adopts the Fiscal Plan and Annexation Policy as it relates to the aforementioned properties.

Section III. This Resolution shall be in full force and effect after its adoption by the Common Council and approval by the Mayor, as required by law.

PASSED by the Common Council of the City of Mishawaka, Indiana, this _____ day

of _____, 2024, at _____ o'clock __.M.

_____

Presiding Officer

ATTEST:

_____
Deborah S. Block, IAMC, MMC, City Clerk

PRESENTED by me to the Mayor this _____ day of _____, _____

2024, at _____o'clock __.M.

_____
Deborah S. Block, IAMC, MMC, City Clerk

APPROVED by me this _____ day of _____ 2024, at

_____ o'clock ___.M.

_____
David A. Wood, Mayor

CITY OF MISHAWAKA

DAVID A. WOOD, MAYOR

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
Kenneth B. Prince, ASLA, AICP, Executive Director

Deborah S. Block, IAMC, MMC
APR 18 2024
City Clerk
Mishawaka, IN

April 18, 2024

Dale Emmons, 1st District City Council
Matt Carroll, 2nd District City Council
Lou Ann Hazen, 3rd District City Council
Kate Voelker, 4th District City Council
Anthony Violi, 5th District City Council
Ron Banicki, 6th District City Council
Gregg Hixenbaugh, At Large City Council
Matt Mammolenti, At Large City Council
Lacy Hahn, At Large City Council
Deborah S. Block, City Clerk

Re: Fiscal Plans and Approving Resolutions for proposed Ordinances to Annex and Zone property into the City of Mishawaka: 16963 W Douglas Road

Dear Council Members and Clerk:

Attached herewith for your review is a copy of the Fiscal Plan and approving resolution prepared by the Planning Department in accordance with the requirements of the State of Indiana Code Section 36-4-3-3.1. This document provides basic information about the area to be annexed, and describes how the City of Mishawaka will provide services to the area to be annexed.

Prior to preparing a fiscal plan, copies of the proposed request are forwarded to all applicable City Departments. The Departments are then asked what expenditures/costs will be required to service the area and if the request can be accommodated with the funds currently approved within the City Budget. In this case, given that the property is immediately adjacent to existing City limits, and that the developer is responsible for installing, and if necessary extending, all utilities to the site and constructing any required improvements within the public right-of-way, no additional expenditures are anticipated at this time.

Staff will present a brief summary of the plan and be prepared to respond to questions at the Common Council meeting on April 22, 2024.

If you have any questions, please feel free to contact our office at your convenience.

Sincerely,

Christa Hill

Christa Hill, Senior Planner

cc: David A. Wood, Mayor

City of Mishawaka

Charles Rupley/
Amercian Real Estate Company
(Owner/Contingent Developer)

Property located at
16963 W Douglas Road

April 2024

Prepared by:
City of Mishawaka
Department of Planning & Community Development
100 Lincolnway West
Mishawaka, IN
46544-2011

Phone: (574) 258-1625
Fax: (574) 968-6999
E-mail: planning@mishawaka.in.gov

CHARLES A RUPLEY
16963 WEST DOUGLAS ROAD
ANNEXATION FISCAL PLAN

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Per State of Indiana Gateway Website

A PART OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 38 NORTH, RANGE 3 EAST, ST. JOSEPH COUNTY, INDIANA, DESCRIBED AS BEGINNING AT THE SOUTHWEST CORNER OF SAID QUARTER SECTION: THENCE EAST ALONG THE SOUTH LINE OF SAID QUARTER SECTION 265.00 FEET: THENCE NORTH 243.60 FEET: THENCE WEST 265.00 FEET TO THE WEST LINE OF SAID QUARTER SECTION: THENCE SOUTH ALONG SAID WEST LINE 243.60 FEET TO THE PLACE OF BEGINNING. CONTAINING 1.482 ACRES, MORE OR LESS, INCLUDING ALL ADJACENT DOUGLAS ROAD RIGHT-OF-WAY TO THE EXISTING SOUTH RIGHT-OF-WAY LINE.

TAB A- CITY OF MISHAWAKA ANNEXATION POLICY

CITY OF MISHAWAKA ANNEXATION POLICY

GENERAL POLICY

The City of Mishawaka recognizes that as the population of St. Joseph County grows and development trends change, there will be a continuous demand for infrastructure and urban services provided by cities such as Mishawaka. Infrastructure includes, but is not limited to, water, sanitary sewer, electric, and transportation. Urban services include, but are not limited to, police, fire, and emergency medical services. With a stable tax rate, low crime rate, outstanding public schools, and strong neighborhoods, the City of Mishawaka is a livable community where families and businesses desire to locate. The expansion of infrastructure and services combined with the desire of families and businesses to locate in Mishawaka has necessitated the City to create a policy on annexation.

It is the policy of the City of Mishawaka to encourage the growth of the City boundary in a compact and contiguous manner concurrently with the extension of infrastructure and services. Although exceptions will be considered for large industrial projects or proposals related to specific economic development efforts, the City recognizes that compact and contiguous growth promotes the cost-effective delivery of services.

The City of Mishawaka continues to promote the logical expansion of infrastructure into the unincorporated areas of the county contiguous to the City on request provided there is availability. The voluntary extension of infrastructure, such as water and sewer, requires the benefactor(s) of that infrastructure to waive or consent to future annexation at the time of connection. The extension of infrastructure does not automatically equate to the immediate annexation of property. To meet the statutory requirements for annexation, both infrastructure and urban services must be provided. As such, many unincorporated areas are currently provided with public rate-supported utilities by the City that will not be suitable for annexation in the foreseeable future. Thus, it is the policy of the City of Mishawaka that the initiation of annexation be undertaken only at a time when the City determines that both infrastructure and urban services can be provided for unincorporated area adjacent to the City. To consider annexation, infrastructure and urban services must be available to the proposed annexation area at a standard that is comparable to similar geographic and use areas that currently exist within the City of Mishawaka.

IMPACT OF ST. JOSEPH COUNTY GROWTH

The City of Mishawaka also recognizes the impact growth and development currently occurring in unincorporated St. Joseph County has on annexation efforts. There has been a trend in St. Joseph County to allow for development on septic and well systems sporadically throughout the county. As is currently the case in St. Joseph County, there are numerous examples of the problems associated with this type of sprawling development. Septic systems based on poor installation or lack of maintenance; contribute to the pollution of both surface and groundwater. Based on groundwater concerns, residents desire to connect to public water systems. Residents are also calling for urban services, rather than the rural services typically provided by county governments. Residential streets need to be plowed, and emergency response times for police, fire and emergency medical services frequently exceed the times typically expected of suburban development.

As the population of these areas increase, the demand/need for infrastructure and increased urban services will grow exponentially. Due to the sprawling nature of this development, the cost for providing infrastructure and urban services to the existing City of Mishawaka standard far exceeds the tax revenue generated by these areas. This point has been addressed within this annexation policy because of the past concerns expressed by some residents/property owners of these areas who have been historically opposed to annexation. These concerns, for the most part, are based in fear and do not reflect the reality of the practical constraints of annexation. For the record, the cost of providing services, based on the sprawled growth and statutory limitations, makes it both undesirable and not readily feasible for the City of Mishawaka to annex large non-contiguous developed areas.

This point has also been included to identify the reciprocal concern of the City relative to the sprawling growth within unincorporated St. Joseph County. Currently, the taxpayers within the City of Mishawaka pay City taxes to sustain infrastructure and a desired level of urban services. Furthermore, the taxpayers of the City of Mishawaka also pay county taxes that are used in part to provide similar services to county residents. Cities are wholly responsible for these services within their respective jurisdictional areas. These services include, but are not limited to, road maintenance, police patrols, and emergency medical services. These are services subsidized by general county tax dollars that the City of Mishawaka contributes to but does not receive the

corresponding reciprocal benefit. The taxpayers of the county do not pay taxes that directly or indirectly support these services within the City. Based on the current division of general county funds, this equates to the City of Mishawaka financially subsidizing the sprawling growth of the county. Accordingly, the City of Mishawaka continues to seek a more equitable distribution of existing general county tax revenues. Furthermore, based on this existing inequity, it is an important objective of the City to work with county officials to ensure that there are not future increases in spending to address the problems associated with sprawling unincorporated development. The City also recognizes the need to develop fair cost-sharing practices to provide for regional services that does not adversely impact the residents of the City, while still providing for the needed/desired services in the unincorporated county.

Although the equitable distribution of tax dollars is an important concern, the City also recognizes that the problems associated with this sprawling unincorporated development also impacts the City of Mishawaka. The City is impacted by the limitations existing development has on future City growth, and the corresponding increased costs of extending infrastructure. As such, the City of Mishawaka will continue to work with the county in a cooperative effort, where possible, to address problems. However, it is only fair that the residents and property owners of a particular problem area caused by sprawling development should be the party wholly responsible for the costs of desired/needed infrastructure or services- not the tax payers of the City of Mishawaka.

STATUTORY LIMITATIONS

The City of Mishawaka also recognizes the burden placed on municipalities within St. Joseph County based on the statutory requirements on Municipal Annexation and Dis-annexation. The controlling legislation on annexation is established by the Indiana Code 36-4-3-series.

The statute also places minimum requirements on municipalities regarding providing services to proposed annexation areas, the timing of implementation, and contiguity requirements. The statute also requires that a fiscal plan be adopted showing how the costs associated with providing services will be paid. An estimated amount of time required for voluntary annexation is three to four months. The increased time required to process an annexation has placed a burden on real estate transactions and development on the fringe of the City. It is not uncommon to have annexation placed as a condition on the sale of property by the buyer. Annexation is typically requested because City services are desired or needed to serve the proposed project. This increased time frame when compared to the traditional rezoning process has the potential for directing appropriate contiguous growth away from the City due to the lack of suitable available property that can be developed in a short period of time.

IMPLEMENTATION OF POLICY

The stringent statutory requirements of annexation have necessitated the creation of a policy of the City of Mishawaka to evaluate the geographic boundary of each proposed voluntary annexation relative to the surrounding unincorporated properties. The purpose of this evaluation is to examine the proposed annexation area to the existing City limits relative to providing a compact and contiguous City boundary.

Annexation law significantly limits the ability of municipalities to annex property without the consent of the majority of property owners. Therefore, the City has deemed it necessary to review adjacent unincorporated properties that have not requested annexation at the time a voluntary annexation is proposed. Although this may ultimately necessitate the annexation of property without the consent of a minority of the adjacent property owners, this policy provides for a means to expand the City boundary in a compact and contiguous manner that would otherwise not be possible based on statutory requirements.

A secondary purpose of this policy is to reduce the number of separate contiguous annexation petitions that are likely to be filed within a short period of time. The potential inclusion of additional property as part a proposed annexation petition will counteract the discouraging development influence of time limitations placed by the Indiana Code.

In the past, voluntary annexations without this policy have created a chaotic City boundary that promotes the inefficient delivery of services for both the City of Mishawaka and St. Joseph County. Chaotic refers only to the physical geographic location of the boundary. Common chaotic configurations include *saw-tooth shapes*, *islands*, and *adjacent pockets*. The attributes of these boundary configurations are described as follows:

A *saw-tooth boundary* refers to shape where contiguous properties located along a single roadway change municipal boundaries multiple times in a relative short distance. This situation creates difficulties in providing for the efficient delivery of services. Specifically, it is more difficult for the postal service, police, fire, and emergency medical providers to determine the physical limits of jurisdictions in the field. Under non-emergency circumstances, this situation is likely to result in inconveniences only. However, in emergency situations, confusion on boundary locations in the field has the potential to delay providing potentially life saving services, or could otherwise promote providing double coverage for the area limiting the ability of one provider to respond to other calls.

An *island* refers to unincorporated areas that are physically surrounded by the incorporated City. This situation provides for the inefficient delivery of services for both the City of Mishawaka and unincorporated St. Joseph County. Services such as trash removal, snow plowing, road maintenance, police, fire, and emergency medical services could all potentially require one service provider to travel through another service provider's jurisdictional area. This inherently inefficient situation potentially increases the costs of providing services for both jurisdictions.

Adjacent pockets refers to unincorporated area that is reasonably adjacent to the City and is currently served at least in part by City infrastructure. When the infrastructure was provided to these areas, these areas were typically located on the fringes of the City where other services were either not available or desired at the time. However, as the demand for growth and development continues, the demand for additional services also grows. Over time, pockets are also typically provided with some peripheral City services without expense. Emergency service providers within the City of Mishawaka and St. Joseph County have consistently worked together to provide reciprocal assistance in responding to calls when the other provider is either occupied or at a considerable distance, provided resources are available. Typically, due to the general location adjacent to the City and the increased ability of the City to provide services, these pocket areas will intermittently receive City emergency services.

Furthermore, pockets become obstacles to the future expansion of infrastructure and services. They are considered obstacles due to the contiguity requirements established by the Indiana Code for annexation. If these pockets are not annexed over time, the City is prevented from expanding. The annexation of these pocket areas not only allows for the continued growth of the City, but also provides for the efficient and equitable delivery of services.

SUMMARY

- It is the policy of the City of Mishawaka to encourage the growth of the City boundary in a compact and contiguous manner concurrently with the extension of infrastructure and services.

- It is the policy of the City of Mishawaka that the annexation be undertaken only at a time when the City determines that both infrastructure and urban services can be provided for unincorporated area adjacent to the City.

- To address existing sprawl and inequitable distribution of general county tax dollars, it is the policy of the City of Mishawaka that the residents and property owners of a particular problem area caused by sprawling development should be the party wholly responsible for the costs of desired/needed infrastructure or services- not the taxpayers of the City of Mishawaka.

- The stringent statutory requirements of annexation have necessitated the creation of a policy of the City of Mishawaka to evaluate the geographic boundary of each proposed voluntary annexation relative to the surrounding unincorporated properties to promote the efficient delivery of services and remove chaotic boundary configurations.

A PART OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 38 NORTH, RANGE 3 EAST, ST. JOSEPH COUNTY, INDIANA, DESCRIBED AS BEGINNING AT THE SOUTHWEST CORNER OF SAID QUARTER SECTION: THENCE EAST ALONG THE SOUTH LINE OF SAID QUARTER SECTION 265.00 FEET: THENCE NORTH 243.60 FEET: THENCE WEST 265.00 FEET TO THE WEST LINE OF SAID QUARTER SECTION: THENCE SOUTH ALONG SAID WEST LINE 243.60 FEET TO THE PLACE OF BEGINNING. CONTAINING 1.482 ACRES, MORE OR LESS, INCLUDING ALL ADJACENT DOUGLAS ROAD RIGHT-OF-WAY TO THE EXISTING SOUTH RIGHT-OF-WAY LINE.

TAB B- BASIC DATA & FISCAL ANALYSIS

BASIC DATA & FISCAL ANALYSIS

A. LOCATION AND SIZE

The area proposed for annexation is illustrated on the following maps and shown on the accompanying aerials. This area is legally described as follows:

A PART OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 38 NORTH, RANGE 3 EAST, ST. JOSEPH COUNTY, INDIANA, DESCRIBED AS BEGINNING AT THE SOUTHWEST CORNER OF SAID QUARTER SECTION: THENCE EAST ALONG THE SOUTH LINE OF SAID QUARTER SECTION 265.00 FEET: THENCE NORTH 243.60 FEET: THENCE WEST 265.00 FEET TO THE WEST LINE OF SAID QUARTER SECTION: THENCE SOUTH ALONG SAID WEST LINE 243.60 FEET TO THE PLACE OF BEGINNING. CONTAINING 1.482 ACRES, MORE OR LESS,
INCLUDING ALL ADJACENT DOUGLAS ROAD RIGHT-OF-WAY TO THE EXISTING SOUTH RIGHT-OF-WAY LINE.

COMMON ADDRESS: 16963 W DOUGLAS ROAD

Annexation Area

The area to be annexed includes one parcel of land (Tax Parcel 002-2018-037701) located at the northwest corner of West Douglas Road and Shaughn Street. The parcel includes a single-family residential home and several accessory structures. The property is bound on the north, west and east with approximately 834.2 linear feet being incorporated into the City, while the remaining adjacent properties, across Douglas Road, are located in unincorporated St. Joseph County. The property is currently zoned "R" Single Family District within unincorporated St. Joseph County. If annexed, the property will be zoned S-2 Planned Unit Development District and acquired by a contingent purchaser for a commercial development, including storage and truck rental.

Contiguity with the Existing City Limits

The property to be annexed into the City totals 1.482 acres (according to the deeded legal description)/1.51 acres (per the County Property Record Card) plus the adjacent Douglas Road right-of-way. The external boundary of the annexation area measures 1,017.2 linear feet with 834.2 linear feet being contiguous with the current corporate boundary of the City of Mishawaka. The border of the contiguous area is 82% of the total external boundary. This is in excess of the minimum 12.5%, or 1/8, of the boundary that is required to be contiguous based on the determination requirements of the Indiana Code.

B. TOPOGRAPHY AND EXISTING USE/IMPROVEMENTS

The property is flat to gently rolling and generally slopes from the east to the west. Per the generalized two (2) foot contour topographic maps, elevations range from approximately 752 feet along Douglas Road to 748 feet along Shaughn Street. The parcel includes a single family house and several accessory structures.

C. LAND USE/CURRENT ZONING

The proposed area to be annexed is currently zoned R Single Family District within unincorporated St. Joseph County and is mostly agricultural property. A single-family house and several accessory structures are located on the parcel. If the Mishawaka Common Council approves the annexation request, the area will be zoned to the S-2 Planned Unit Development District to allow for commercial use.

D. ASSESSMENT

The territory to be annexed consists of one (1) parcel of property. The Land and Improvement Valuations shown below are based upon current GIS parcel data:

Tax ID Number	Property Owner	Number of Acres*	Land & Imp. Valuation
002-2018-037701	CHARLES A RUPLEY	1.51 ACRES	$78,300

**Acreages are per the City of Mishawaka/Michiana Area Council of Governments GIS parcel data.*

E. CURRENT TAX RATE

The City's tax rate 2023 payable 2024 was $2.0047 per $100 of assessed valuation. For property owners in Clay Township, in which this proposed annexation is located, the total taxes will be $4.3566 per $100 of assessed valuation. Property owners in this area currently pay $2.5281 per $100 of assessed valuation. These rates are based on the best information available at the time this plan was prepared. Actual tax rates may vary.

Tax District	**Existing Tax Rate**	**Tax Rate after Annexation**
Clay Township	2.5281	4.3566

The City's tax rate has remained relatively stable over the years:

2023	$2.0047
2022	$1.8575
2021	$2.0002
2020	$1.9952
2019	$2.0226
2018	$2.0701
2017	$2.0516
2016	$1.9977
2015	$1.8750
2014	$2.0062
2013	$1.9086
2012	$1.8186
2011	$1.7362
2010	$1.6741
2009	$1.6557
2008	$1.5283
2007	$1.3326
2006	$1.3899
2005	$1.3382
2004	$1.3313
2003	$1.2476
2002	$1.8627
2001	$5.5007 [1]
2000	$5.2417

[1] Change in Tax Code

F. NEW ADDRESSES

If the proposed annexation is approved, the property will be zoned S-2 Planned Unit Development District to allow for commercial use. The property shall be developed in accordance with the requirements of the City of Mishawaka Zoning Ordinance.

Addresses for each building will be assigned by the City of Mishawaka Engineering Department when the property is developed.

G. DETERMINATION OF SERVICE STANDARDS AND COSTS

Every proposed annexation area to the City of Mishawaka is reviewed by each pertinent City department or agency that would ultimately be required to provide infrastructure and/or urban services to a given area. Departments were asked to evaluate the location, area, and existing conditions of this proposed annexation area relative to providing infrastructure and urban services at a standard that is identical to other areas of the City. In determining required services, departments reviewed the area relative to similar geographic and use areas that currently exist within the City of Mishawaka.

The standards for infrastructure and services provided by the City of Mishawaka, broken down by department, have been included within this document following Tab C. After establishing an understanding of the existing conditions, each department or agency was asked to identify any capital improvements required to serve the proposed annexation area to meet existing city standards. It will be the responsibility of any future property owner/ developer to bear any expense required to extend, when applicable, and connect to existing City services. Given the location of the proposed annexation area adjacent to the existing city limits, each department identified that non-infrastructure-related services could be provided to the proposed annexation area with no additional expenditures. Increased maintenance costs for non-rate supported services, were identified as minimal and well within the approved budgets for each department.

Given that no consequential additional expenditures are anticipated, the itemization of costs associated with providing each service is not possible relative to the annexation area. However, to document that funds have been approved and are available for the services identified, a copy of the approved year 2024 City budget has been attached to the Summary of Service Report for each applicable non-rate supported department. These budgets identify the costs for personnel, equipment, repairs, and other expenditures anticipated for the budget year. Budgets for any department are available for the review of the public upon request at City Hall.

H. TERMS AND CONDITIONS

The City of Mishawaka will provide a level of basic services, including infrastructure and urban services, at a standard that is comparable to similar geographic and use areas that currently exist within the City of Mishawaka. The specific date of implementation of services has been identified within the description of specific services where applicable. Given the location of the proposed annexation area and requirement that all utilities will be extended to the property at the property owner's expense, no capital expenditures are required to serve the proposed annexation area. Basic services, not otherwise specified, will be provided to the annexation area within one year of the effective date of the annexation as required by law. However, it is anticipated that the majority of basic services will be available immediately or at least in a timely manner.

The effective date of annexation, if approved, will be thirty days from the date of approval of the annexation ordinance as required by law.

I. FISCAL IMPACT ON TAXPAYERS, MUNICIPAL FINANCES, AND POLITICAL SUBDIVISIONS

<u>Analysis:</u>

The property proposed to be annexed includes one (1) single family house and several accessory buildings. If the annexation is approved, the contingent developer is proposing to demolish all structures and construct a commercial development including adjacent properties.

As indicated on the preliminary site plan, the development will consist of approximately a 94,764 sq. ft. indoor storage building, three (3) approximately 6,000 sq. ft. mini-storage buildings, and a 16,828 sq. ft. POD storage building. If approved, the S-2 Planned Unit Development zoning will also permit uses identified in the C-1 General Commercial District.

The developer has not provided an estimated total project, therefore the land valuation is based on the nearby mini-storage business located behind the 7-11. The following analysis uses the land valuation is based upon $141,051 per acre for the 1.51 acres proposed to be annexed.

The current and future political subdivisions and their associated tax rates were determined by the geography of the property and the attached "Tax Rate Chart for the year 2023 payable 2024". (See Tab "D" / Appendix "C".) This chart is provided by the St. Joseph County Auditor's Office.

Current property assessed valuation:

$78,300

Future anticipated property assessed valuation:

$212,987

Current Property Taxes Generated from the Property:

The current property taxes that are being generated from the property were determined utilizing on online estimator available through the Indiana Gateway for Government Units > Taxpayer Portal > Tax Bill Estimator website. The current URL address for this estimator is https://gateway.ifionline.org/CalculatorsDLGF/taxcalculator.aspx.

The website requires you to enter the geographic location of the property by County, Township, and School Corporation. You then enter the type of property, if it is a homestead (owner-occupied residential); residential rental, non-homestead residential, and agricultural; or other. You then input the assessed valuation and it estimates the maximum tax bill as well as the property tax cap credit if applicable.

This calculation has been done with a scenario before annexation for residential (owner occupied), then following annexation for other (commercial) identifying the property as now being subject to the City tax rate.

The estimated property tax value for the property is as follows:

Prior to annexation: $855

Following annexation: $7,207

Political Subdivisions before Annexation:

Percent of tax rate and corresponding yearly estimated property tax revenue*

- St. Joseph County (24.76%) - $211.70
- Clay Township (12.16%) - $103.97
- Penn-Harris-Madison School Corporation (50.72%) - $433.65
- Mishawaka-Penn-Harris Public Library (10.78%) - $92.17
- Airport Authority (1.58%) - $13.50

** Estimates may not equal estimated tax value due to rounding.*

The current tax rate of all of these entities combined is 2.5281%.

The tax rate will increase to 4.3566% upon annexation to the City, however, the other tax cap rate including the exempt rate is set at 3%. Even though the cap is set at 3%, the revenue will increase due to the estimated increase in assessed valuation realized from the proposed commercial development. Thus, the distribution of property tax revenue is anticipated to increase for all existing tax entities based on getting a larger percentage of revenue when the City tax rate, and to a very minor extent, the South Bend Transpo rate is added to the overall rate.

Political Subdivisions following Annexation:

Percent of tax rate and corresponding yearly estimated revenue for existing taxing units upon annexation*

- St. Joseph County (14.37%) - $1,035.65 (+$823.95 per year)
- Clay Township (0.63%) - $45.40 (-$58.57 per year)
- Penn-Harris-Madison School Corporation (29.43%) - $2,121.02 (+$1,687.37 per year)
- Mishawaka-Penn-Harris Public Library (6.25%) - $450.44 (+$358.27 per year)
- Airport Authority (0.92%) - $66.30 (+$52.80 per year)
- South Bend Transpo (2.4%) - $172.97
- City of Mishawaka (46%) - $3,315.22

** Estimates may not equal estimated tax value due to rounding.*

Four Year Projection of Property Tax Revenue following Annexation (above numbers x4)

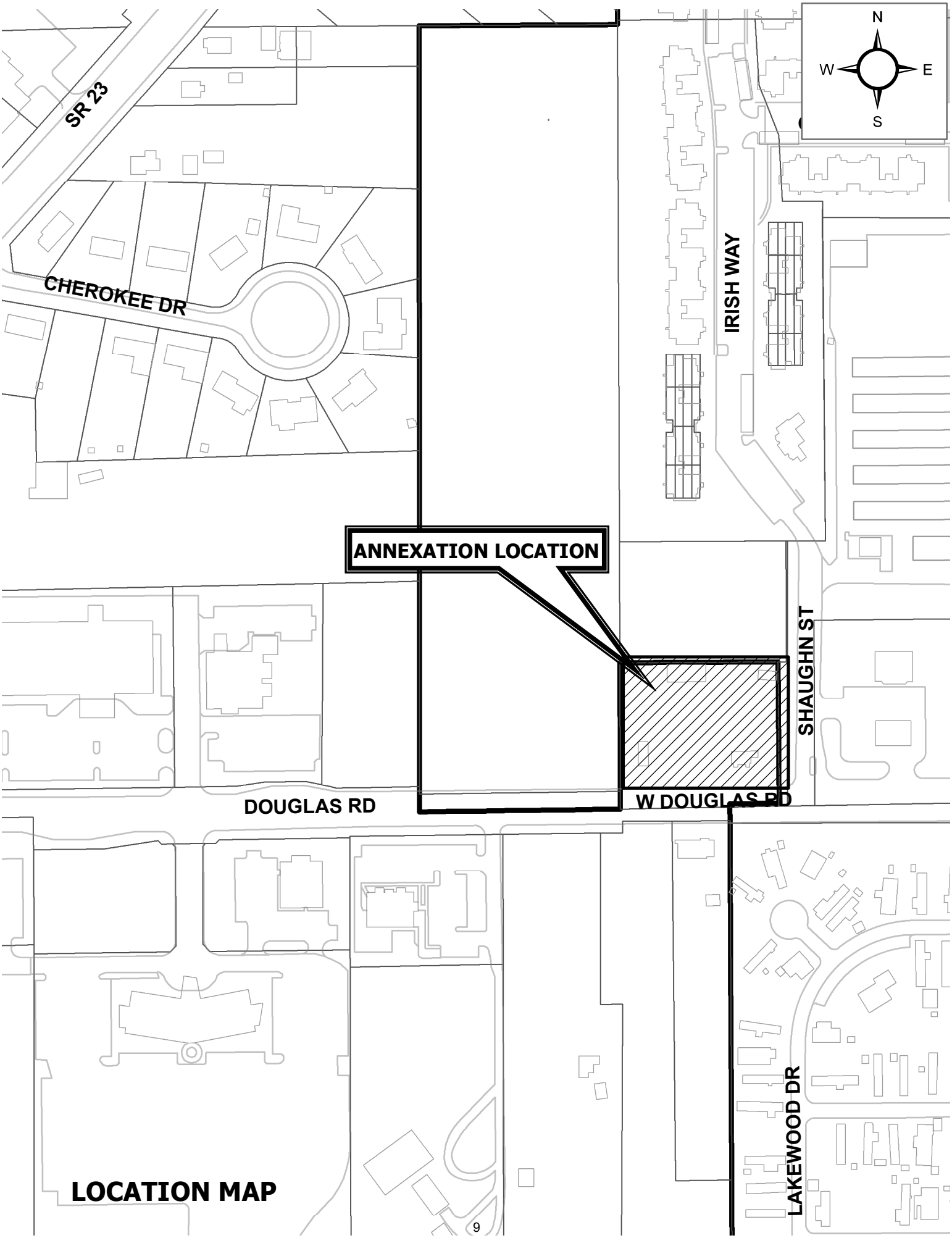
Straight line projection assuming existing use remains and the tax rate and assessed valuation remains constant

• St. Joseph County	$4,142.60
• Clay Township	$181.60
• Penn-Harris-Madison School Corporation	$8,484.08
• Mishawaka-Penn-Harris Public Library	$41,801.76
• Airport Authority	$265.20
• South Bend Transpo	$697.88
• City of Mishawaka	$13,260.88

J. ASSUMED INDEBTEDNESS & COUNTY INFRASTRUCTURE REIMBURSEMENT

Pursuant to I.C. 36-4-3-4.2 under certain circumstances the City would be required to assume a portion of indebtedness as it would pertain to the proposed annexation area. Specifically, this would be required if the County had used property tax revenue to repay debt used to build infrastructure within the annexation area, or if income tax was being generated from the property in question that was being used to pay off applicable county wide debt that would now be allocated to the City upon annexation.

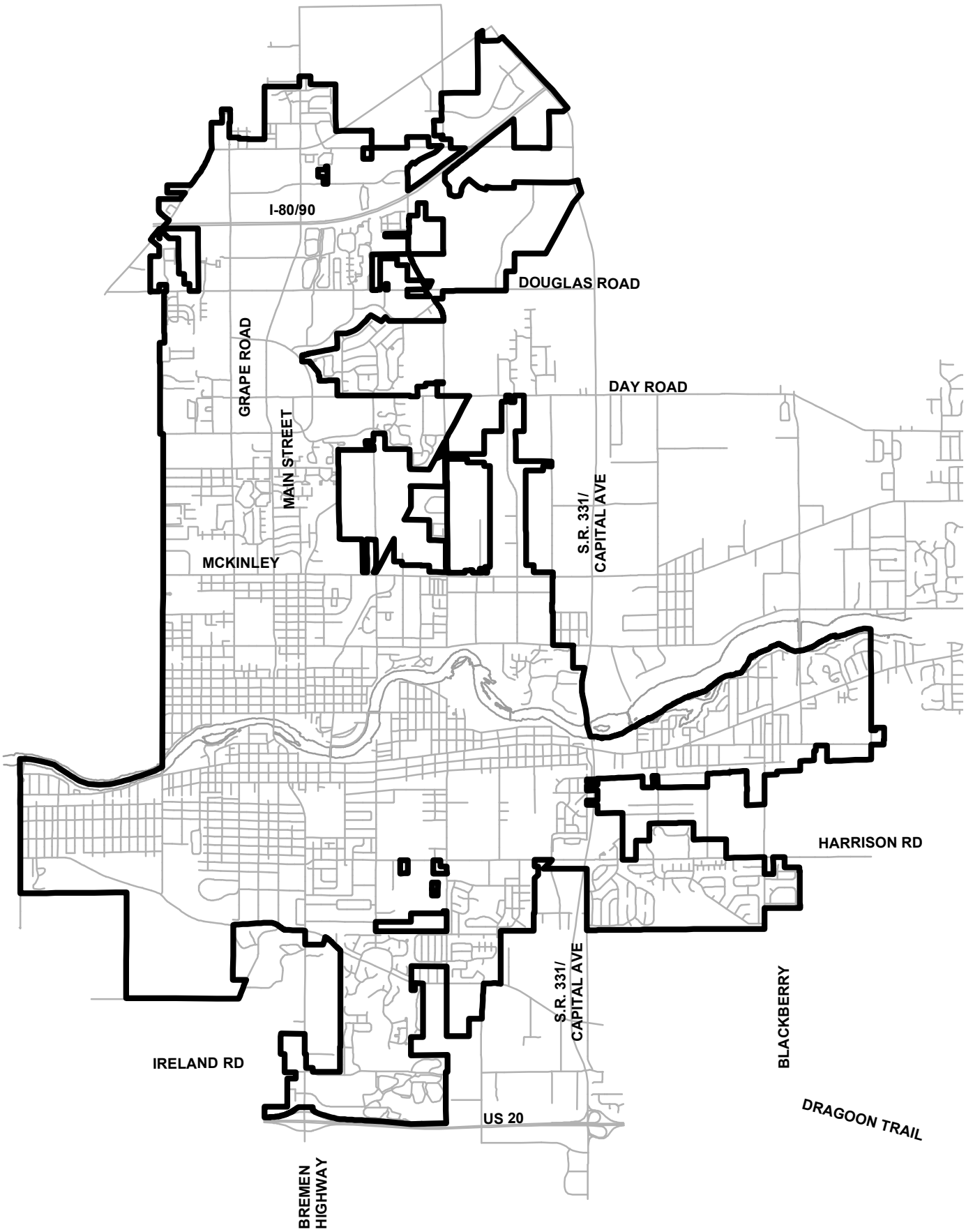
Upon reviewing the site and the information identified in Tab “D” / Appendix “D”, there is no County infrastructure debt associated within the proposed annexation, nor is there any outstanding county debt on infrastructure that is payable by a local option income tax.


N
W
E
S
SR 23
CHEROKEE DR
IRISH WAY
ANNEXATION LOCATION
SHAUGHN ST
DOUGLAS RD
W DOUGLAS RD
LAKEWOOD DR
LOCATION MAP

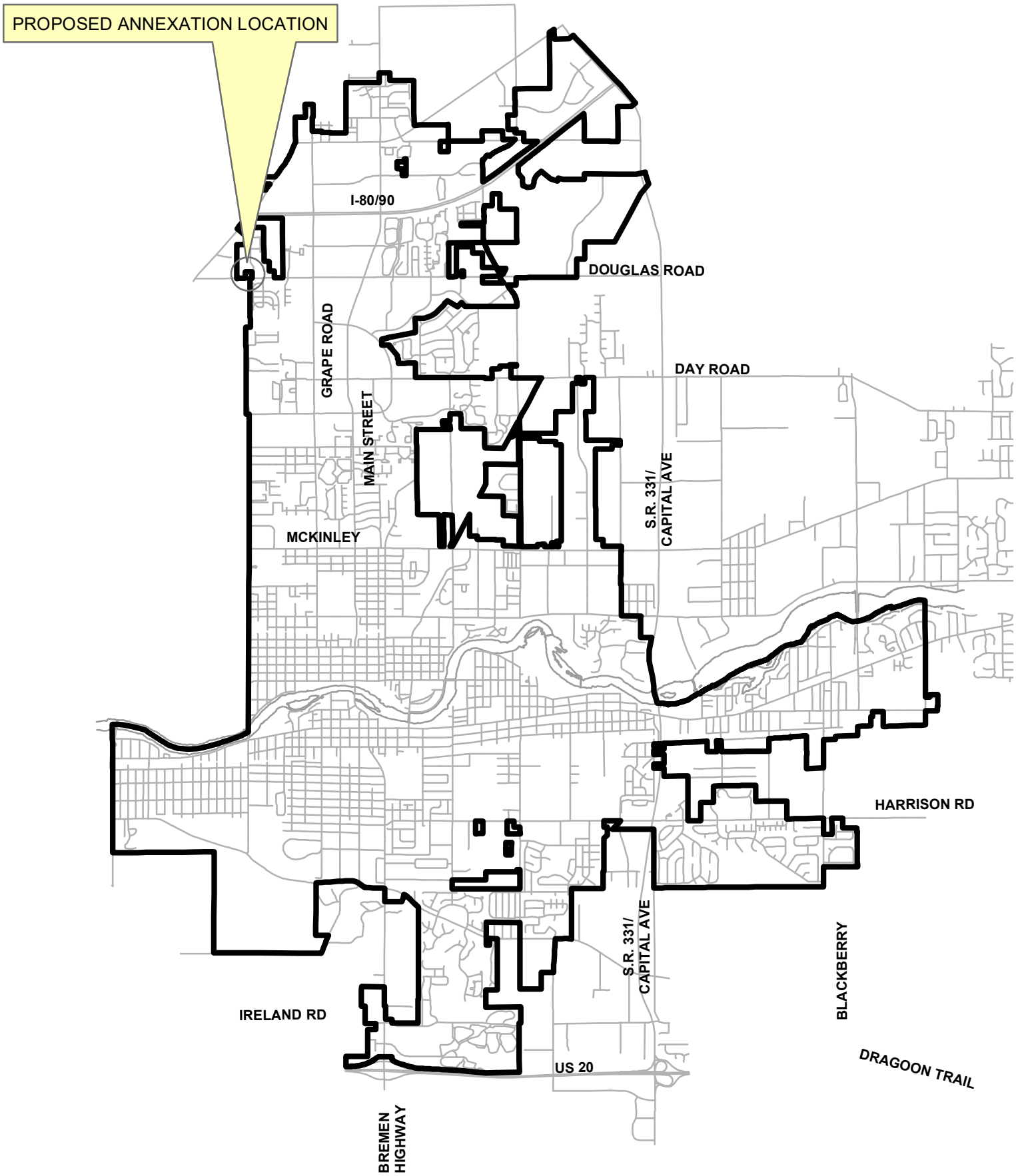
AERIAL PHOTOGRAPHY OF LAND TO BE ANNEXED

AERIAL PHOTOGRAPHY OF LAND TO BE ANNEXED

MAP OF EXISTING CITY LIMITS



MAP OF PROPOSED CITY LIMITS



PHOTOS OF THE SITE

A view of the house at 16963 W Douglas

Looking west from Shaughn St towards existing house

PHOTOS OF THE SITE

Looking west from Shaughn St towards backyard of existing home

dotloop signature verification: dtlp.us/82DD-nw2X-RgjT

DATE: 02.13.2024

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

RE: Petition for Annexation and Zoning Classification

The undersigned Charles Rupley respectfully show they are the owners of the following described real estate located in the County of St. Joseph, State of Indiana, to-wit:

Address: 16963 DOUGLAS RD., MISHAWAKA, IN 46545
For APN/Parcel ID(s): 002-2018-037701
PARCELSTAT: 71-04-28-351-003.000-003
Legal Description: A PART OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 38 NORTH, RANGE 3 EAST, ST. JOSEPH COUNTY, INDIANA, DESCRIBED AS BEGINNING AT THE SOUTHWEST CORNER OF SAID QUARTER SECTION: THENCE EAST ALONG THE SOUTH LINE OF SAID QUARTER SECTION 265.00 FEET: THENCE NORTH 243.60 FEET: THENCE WEST 265.00 FEET TO THE WEST LINE OF SAID QUARTER SECTION: THENCE SOUTH ALONG SAID WEST LINE 243.60 FEET TO THE PLACE OF BEGINNING. CONTAINING 1.482 ACRES, MORE OR LESS, INCLUDING ALL ADJACENT DOUGLAS ROAD RIGHT-OF-WAY TO THE EXISTING SOUTH RIGHT-OF-WAY LINE.

Petitioner, **Amerco Real Estate Company (AREC), the wholly owned real estate subsidiary of U-Haul**; is the Buyer of the said property and upon purchase will own one Hundred (100%) percent of the above-described parcel of land which is located in Indiana and that Petitioner desires the same to be annexed to the City of Mishawaka, Indiana, with a S-2 (Planned Unit Development) District. The Petitioner further states they intend to utilize said land for U-Haul self-storage, U-Haul truck and trailer sharing, and related retail sales. The above-mentioned Owners of this property have authorized AREC to apply for this annexation and zoning classification application.

Accompanying this petition is a drawing, to scale, showing the above-described parcel of real estate, showing the size of the proposed building and the location of the proposed building structure(*s*). Petitioners further show this proposed annexation to be in the best interest of the City of Mishawaka, Indiana, and of the territory sought to be annexed which is urban in character and is an economic and social part of the City of Mishawaka.

Wherefore, Petitioners 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 annexing the above-described parcel of real estate to the City of Mishawaka with a S-2 (Planned Unit Development) zoning district.

Charles Rupley
dotloop verified
02/14/24 6:41 PM TAHT
UMIJ-BGK0-Z7Y3-RGQK

Property Owner Signature

Charles Rupley
Print Property Owner Name

Legal Description:

Address: 16963 DOUGLAS RD., MISHAWAKA, IN 46545
For APN/Parcel ID(s): 002-2018-037701
PARCELSTAT: 71-04-28-351-003.000-003

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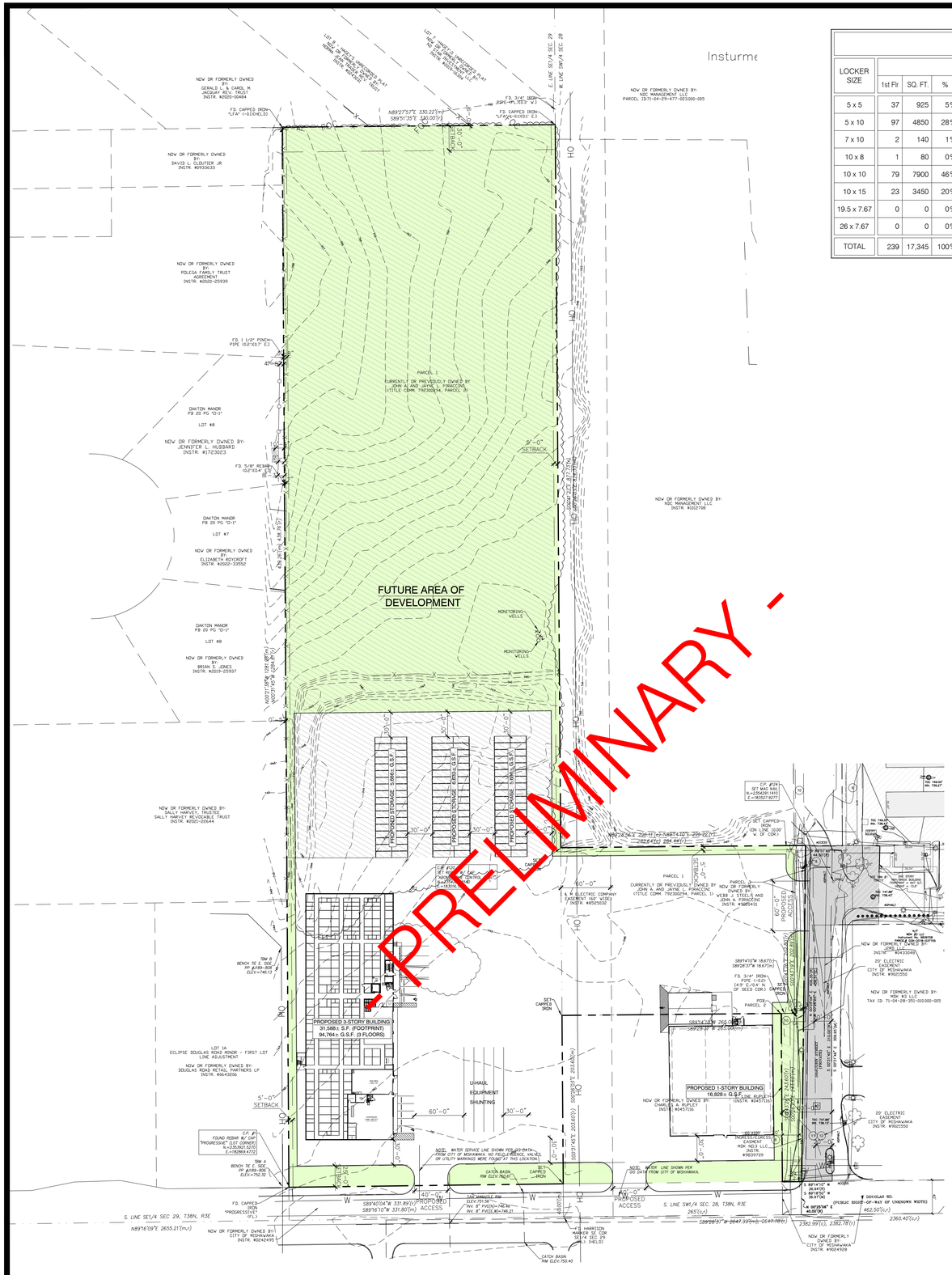

PROPOSED MIX

LOCKER SIZE	INTERIOR												EXTERIOR MINIS			GRAND TOTAL		
	1st Flr	SQ. FT.	%	2nd Flr	SQ. FT.	%	3rd Flr	SQ. FT.	%	TOTAL	SQ. FT.	%	QTY	SQ. FT.	%	QTY	SQ. FT.	%
5 x 5	37	925	5%	48	1200	5%	48	1200	5%	133	3325	5%	0	0	0%	133	3325	4%
5 x 10	97	4850	28%	122	6100	27%	121	6050	27%	340	17,000	27%	0	0	0%	340	17,000	20%
7 x 10	2	140	1%	1	70	0%	1	70	0%	4	280	0%	0	0	0%	4	280	0%
10 x 8	1	80	0%	2	160	1%	1	70	0%	4	320	1%	0	0	0%	4	320	0%
10 x 10	79	7900	46%	108	10,800	48%	110	11,000	48%	297	29,700	47%	0	0	0%	297	29,700	37%
10 x 15	23	3450	20%	29	4350	19%	29	4350	19%	81	12,150	19%	0	0	0%	81	12,150	15%
19.5 x 7.67	0	0	0%	0	0	0%	0	0	0%	0	0	0%	90	13,461	79%	90	13,461	17%
26 x 7.67	0	0	0%	0	0	0%	0	0	0%	0	0	0%	18	3,590	21%	18	3590	6%
TOTAL	239	17,345	100%	310	22,680	100%	310	22,750	100%	859	62,775	100%	108	17,050	100%	967	79,825	100%

SITE AERIAL

SCALE: N.T.S.

ZONING INFORMATION

PROJECT ADDRESS: 16963 DOUGLAS RD, MISHAWAKA IN

MUNICIPALITY: CITY OF MISHAWAKA, IN

APN /ACRE: 13.33-ACRES

ZONE: S-2 PUD (PLANNED UNIT DEVELOPMENT)

ADJACENT ZONING:
- **N:** SINGLE - FAMILY RESIDENTIAL
- **E:** S-2 PUD & COUNTY PROPERTY (RESIDENTIAL)
- **S:** MIGHT BE COUNTY PROPERTY.
- **W:** SINGLE - FAMILY RESIDENTIAL & MIGHT BE COUNTY PROPERTY.

USES:
- TRUCK & TRAILER SHARING: **PUD-AMENDMENT REQUIRED**
- SELF-STORAGE FACILITIES: **PUD-AMENDMENT REQUIRED**
- WAREHOUSING: **PUD-AMENDMENT REQUIRED**
- MINIS: **PUD-AMENDMENT REQUIRED**

BULK REQUIREMENTS (PER C-1 ZONE):

FRONT BLDG. SETBACK: 25 FEET
SIDE BLDG. SETBACK: 5 FEET
REAR BLDG. SETBACK: 15 PERCENT OF THE DEPTH OF THE LOT FOR ANY BUILDING GREATER THAN OR EQUAL TO TWO STORIES NOT TO EXCEED 30 FEET IN DEPTH.

PARKING:
- **GENERAL USES:** 4 PER 1,000 SQUARE FEET OF GFA.
- A MINIMUM 5-FOOT PARKING LOT SETBACK SHALL BE PROVIDED BETWEEN THE PROPERTY LINE AND EDGE OF THE PARKING LOT PAVEMENT.
- A MINIMUM 10-FOOT PARKING LOT SETBACK SHALL BE PROVIDED BETWEEN ANY PUBLIC ROAD RIGHT-OF-WAY OR PRIVATE ACCESS EASEMENT AND THE EDGE OF PARKING LOT PAVEMENT.
- A MINIMUM 10-FOOT PARKING LOT SETBACK SHALL BE PROVIDED BETWEEN INTERNAL VEHICULAR COLLECTOR DRIVES AND THE EDGE OF PARKING LOT PAVEMENT.
- THE SETBACK AREA SHALL BE LANDSCAPED WITH VEGETATIVE GROUND COVER OR GRASS AND/OR DECORATIVE TREES OR SHRUBS.
- PARKING SPACES SHALL BE A MINIMUM OF 180 SQUARE FEET IN AREA WITH A MINIMUM WIDTH OF 8½ FEET.
- PARKING LOTS SHALL BE PROPERLY GRADED AND DRAINED SO THAT STORMWATER DRAINAGE IS COLLECTED AND DISPOSED OF ONSITE.

PRELIMINARY SITE PLAN

SCALE: 1" = 70' - 0"

SITE DATA

SHEET NOTES:

REVISIONS:

NO.	DATE	INITIALS	NOTES
1	01/18/24	MM	UPDATED PER EJS & ADVP MARK-UPS
2			
3			
4			
5			
6			
7			
8			

PROFESSIONAL SEAL:

PRELIMINARY DOCUMENTS, NOT FOR CONSTRUCTION, FOR INFORMATION ONLY

ARCHITECT LOGO:

AMERCO REAL ESTATE COMPANY
CONSTRUCTION DEPARTMENT
2727 NORTH CENTRAL AVENUE
PHOENIX, ARIZONA 85004
P: (602) 263-6502

SITE ADDRESS:
U-Haul of Mishawaka
16974 W Douglas Road
Mishawaka, IN 46545

SHEET CONTENTS:
PROPOSED SITE PLAN

759074

DRAWN:	MM	SP1
CHECKED:	NH	
DATE:	01/18/2024	

759074A1D.DWG

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A PART OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 38 NORTH, RANGE 3 EAST, ST. JOSEPH COUNTY, INDIANA, DESCRIBED AS BEGINNING AT THE SOUTHWEST CORNER OF SAID QUARTER SECTION: THENCE EAST ALONG THE SOUTH LINE OF SAID QUARTER SECTION 265.00 FEET: THENCE NORTH 243.60 FEET: THENCE WEST 265.00 FEET TO THE WEST LINE OF SAID QUARTER SECTION: THENCE SOUTH ALONG SAID WEST LINE 243.60 FEET TO THE PLACE OF BEGINNING. CONTAINING 1.482 ACRES, MORE OR LESS, INCLUDING ALL ADJACENT DOUGLAS ROAD RIGHT-OF-WAY TO THE EXISTING SOUTH RIGHT-OF-WAY LINE.

TAB C- SUMMARY OF SERVICES

SUMMARY OF SERVICES

The City of Mishawaka, known as the Princess City, was incorporated in 1833 with only a few hundred residents. Now, with an estimated population of approximately 51,000 present-day Mishawaka is continuing to grow. From the bustling Grape Road corridor to the quiet paths of the Shiojiri Garden at Merrifield Park, the city offers residents a comforting sense of community where people like to live, work and raise families.

The backbone of any city is its services, and no unincorporated area of St. Joseph County can come close to matching the number and quality of services offered in the City of Mishawaka.

Some of the services provided are basic: electric, sewer, and water. Others, such as strong police and fire protection, efficient trash removal and access to parks and libraries, greatly improve the quality of life.

Sewer, water and electric services in the City are not paid by tax dollars; rather, Mishawaka Utilities services are all paid for through the low rates given to property owners.

Instead of dealing with septic systems, property owners can tap into lines provided by Mishawaka Utilities Wastewater Division. The Division has a plant staffed 24 hours a day, and maintenance technicians are available at all times to respond to emergencies. The City's sewer insurance program provides sewer coverage for each single-family residential homeowner on the public sewer system for a small monthly fee, paid with the Mishawaka Utilities bill. With this program, the homeowner is protected from paying the cost of catastrophic sewer repairs outside the home. A $42 million expansion of the wastewater treatment plant was completed in June 2008. From 2013 to 2020, capital improvements to the wastewater system were made including the replacement of four lift stations, three emergency generators, and final clarifier troughs. Additional plant and system improvements with a focus of implementing the Combined Sewer Overflow Long Term Control Plan are planned in the upcoming years.

The City's water rates have traditionally been among the lowest in the state. The Water Division completed a $26 million capital improvement project in 2003. Several improvements to the overall system were made including the addition of a new well field, the replacement of water mains, and the extension of services to some areas that previously did not have water service. In late 2019, a new 2 million gallon reservoir went online with the rehabilitation of the old 3 million gallon tank occurring throughout 2020. The 3 million gallon tank went online in January 2021. Current improvements underway include a new water treatment facility and well field along Veteran's Parkway near Juday Creek and a new 1.5 million gallon elevated tank in the north part of the City. Construction began in 2021 with both projects anticipated to come online is spring 2024. Planned future improvements include the replacement of the storage reservoir at the Virgil Treatment Plant originally constructed in 1923.

Another service provided by Mishawaka Utilities is the distribution of electricity. Although Mishawaka Utilities does not generate or produce power, electricity is purchased at a wholesale rate and is distributed by Mishawaka Utilities. Mishawaka Utilities is not supported by tax dollars, but rather through revenue generated by the sales of electricity to its consumers.

But property owners get more out of being in the City of Mishawaka than just those basic services. Public safety is a priority in the City, with about 50 percent of the budget going toward fire, police and emergency medical services.

Mishawaka has a full-time Fire Department, with four stations. The Department maintains a Class 2 fire rating with the Insurance Services Office (ISO) rating improving from a Class 3 rating in November 2019. The City nearly received a Class 1 rating of which there are only five in the State of Indiana. It is expected that a Class 1 rating will be achieved during the next reevaluation which occurred in February 2024. The results of the reevaluation will be announced by the end of the year. The lower the rating, the lower a resident's homeowner's insurance will be. Additionally, the department's response time is excellent, and fire trucks arrive within six minutes on average to a call.

The Mishawaka Police Department, with approximately 100 officers and employees, responds to critical incidents within three to five minutes. The Department offers many personal services within its Community Relations and Street Crimes Units, and the Riverwalk Beat. These services include attendance at neighborhood watch meetings, administering various programs for school-aged children and senior citizens, and focusing on crime reduction in high crime areas of the city.

The City's EMS Department is a centralized system that responded to approximately 10,400 calls in 2023. The City, with its population of approximately 51,000, responds to about 50% more calls than the County ambulance service does, with its population of over 120,000 residents spread over a much larger area. The business of "saving lives" has a very narrow window of four to six minutes, so the quicker an ambulance can respond, the more likely a life will be saved.

The efficiency of the City's Street Department is unmatched when it comes to snow removal, compared to St. Joseph County. Like other services, the county cannot provide a similar level of service because resources are spread out over a much larger area. In the event of a windstorm that blows trees and limbs into the streets, the City usually can have streets reopened in less than an hour.

Access to leisure activities is readily available in the City of Mishawaka. Residents can use all 28 City parks and the Eberhart-Petro golf course. Park rentals, for events such as weddings and receptions, are also less expensive for residents of the City.

Additionally, residents of the City of Mishawaka have access to all three branches of the Mishawaka-Penn-Harris Public Library. The Main Branch on Church Street in downtown Mishawaka, the Bittersweet Branch on the City's east side, and the Harris Branch on Elm Road in Granger.

Trash pick-up in the City is also inexpensive and efficient, with the monthly fee for single-family trash pickup at $15.66. For senior citizens, the rate is $12.74. The rates include the cost of recycling and yard waste, which is picked up on the same day the trash.

With the exception of the trash removal, library use and Mishawaka Utilities services, the vehicle with which to pay for the rest of the City's services is through city property taxes. And the City of Mishawaka has a long history of having a low, stable tax rate – in fact, the rate has remained relatively stable for the past 15 years.

With its rich history, Mishawaka continues to prepare and grow for the future. New development within the City's Central Business District and the continued development of the city's commercial and industrial sectors guarantee its strength in the future. This growth allows the tax rates to remain low. With the low tax rate and the multitude of services provided, the City of Mishawaka is an excellent place to build homes, start businesses, and raise families.

SANITARY SEWER, TRANSPORTATION, AND DRAINAGE

Existing Sanitary Sewer Infrastructure

The City has an existing 8" sanitary sewer within Douglas Road and includes an 8" sewer main stub to the north edge of right-of-way for the adjacent parcel, which is west of proposed annexation. There is also gravity sanitary within the adjacent private access drive east of proposed parcel. Both locations are available for connection/extension. This annexation is proposed as a planned commercial development that will be incorporated with the west parcel; only one sanitary sewer connection is permitted per developed parcel and therefore, developer's engineer will be determining the best suited connection. The cost of this connection/extension shall be the responsibility of the owner/developer. This sanitary sewer connection will discharge into the sanitary sewer system that is publicly maintained and ultimately discharges to the City of Mishawaka's Waste Water Treatment Plant. The City's sanitary sewer system has ample capacity to serve this annexation property.

Existing Road/Transportation Infrastructure

Currently, this annexation has frontage along Douglas Road. Douglas Road is a five-lane section with two westbound travel lanes, two eastbound travel lanes, and a shared center left turn lane. This site is only permitted one shared access drive onto Douglas Rd and shall be a minimum of 370' west of Shaughn St to allow for a deceleration lane to be constructed per Engineering Standards for a 40 MPH street. An 8' concrete pathway shall also be constructed along the frontage of this development. Additional public right-of-way shall be dedicated to accommodate these improvements.

Existing Storm Sewer/Drainage Infrastructure

Regarding any new development or redevelopment within the annexation area, sites are required to retain the stormwater generated by the development on site at the rate of 100-year return storm frequency for a 24-hour duration. A geotechnical investigation shall be conducted to determine the existing soil conditions and seasonal groundwater table, as they may limit the amount of runoff that will infiltrate into the ground. This requirement provides significant protection to both existing and proposed developments regarding the impact of stormwater run-off. Several different engineering methods are considered acceptable by the City of Mishawaka to calculate this requirement. The simplest method of calculation is using the one-line rational equation. However, the Rational Method, Curve Number Method, and TR-55 Method are also acceptable and tend to be more advanced, taking into consideration the percolation rate of soil types and ratios of developed impervious surfaces. The choice of one method over another is typically due to factors of site size, soil type, and design preference. The developer is required to bear all costs associated with stormwater management and all land disturbing activities shall fully comply with the City's Erosion & Sediment Control Ordinance.

Planned Capital Expenditures, Staff and Rates

If annexed, any streets and utilities within the annexed parcel will remain privately maintained by the site owner. The City Departments do not require any additional funds than what is currently allocated within the present City budget. For general information, the repair and maintenance of sanitary sewers is supported by rates paid by its users. Otherwise, as a general percentage of City expenditures, approximately 15 cents of every dollar of the City budget is allocated for street and storm sewer expenditures.

Personal Service Programs

The Engineering Department works closely with the Mishawaka Utilities Sewer Maintenance Department regarding the maintenance of the City sewer system. We maintain construction records for all sanitary and storm sewers and providing technical and administrative assistance on sewer repairs and for the Sewer Lateral Insurance Program that was initiated in 1986.

Specifically, the Sewer Lateral Insurance Program covers each single-family residential home connected to the public sewer system within the City of Mishawaka. For a $2.20 monthly fee, which is included in the Mishawaka Utilities sewer bill, the homeowner is protected from paying catastrophic sanitary sewer repair costs for the portion of sewer lateral between the street right-of-way and

outside of foundation wall of the home. Currently, this annexation area is not proposing single-family residential, and therefore is not eligible for this program.

CITY OF MISHAWAKA
2024 BUDGET

ENGINEERING DEPARTMENT
1101-13

1 PERSONAL SERVICES			
Salaries and Wages			biweekly
411-01	Director of Engineering	90,277.00	3,472.18
411-02	Assistant Director	74,944.00	2,882.43
	Project Manager	72,639.00	2,793.78
	Traffic Manager	61,938.00	2,382.23
	Project Coordinator	46,158.00	1,775.30
	Office Manager	40,778.00	1,568.36
	City GIS Coordinator	61,938.00	2,382.23
	Utility salary ordinance displays utility portion of salaries		448,672.00
Other Personal Services			
411-63	Longevity	11,850.00	
411-65	PE Certification	10,000.00	192.31
			470,522.00
2 SUPPLIES			
Office Supplies			
421-90	General Supplies	8,000.00	
			8,000.00
3 OTHER SERVICES AND CHARGES			
Professional Services			
431-06	Consulting	5,000.00	
Communication and Transportation			
432-03	Travel and Training	10,000.00	
432-04	Telephone/Technology	750.00	
Repairs and Maintenance			
436-01	Equipment Repair	2,500.00	
Other Services and Charges			
439-03	Subscriptions, Dues, etc.	1,000.00	
			19,250.00
			497,772.00

ELECTRIC SERVICE

Services and Rates

Mishawaka Utilities – Electric Division *currently serves the proposed annexation area as it **is** already in our franchise boundary*.

The costs of providing service for future/planned development will be the responsibility of applicant(s) for service (reference Terms and Conditions, Section 9.0). The necessary expenditure to make connection to an applicant for service will be considered to be warranted when the estimated total revenue (i.e., net revenue) as estimated by the Utility for a period of two and one-half (2½) years to be realized by the Utility from permanent and continuing Customers on such an extension is at least equal to the estimated cost of such extension.

Whenever, in the opinion of the Utility, the necessary expenditure to make connection to an applicant for service is not warranted by the Utility's estimate of prospective revenues to be derived there from, or whenever, in the opinion of the Utility, the permanence of the Customer's load is questionable, the Utility may require the applicant to make an advance deposit for line construction or service connection. Or, the Utility may require a long-term agreement, an aid to construction payment, monthly minimum charge or such definite and written guarantee from a Customer, or group of Customers, in addition to any minimum payment required by the Rate Schedule. This requirement may also be made covering the payment by the Customer of the cost of tapping existing transmission or distribution lines for light or power service or both, when such service will not provide sufficient load or revenue, in the opinion of the Utility, to justify the cost of tapping said lines.

In those cases where it is not feasible or practicable to construct lines on public rights of way and it is necessary to secure easements or line-clearing permits on private property, the applicant or applicants shall secure the same without cost to the Utility or assist the Utility in obtaining such easements or line-clearing permits on private property before construction shall commence. The Utility shall be under no obligation to construct lines in the event the necessary easements or line-clearing permits cannot be so obtained.

Personnel

Mishawaka Utilities – Electric Division has a staff of 47 employees. The Division, under the direction of the Electric Division Manager, is divided into the departments of engineering, construction, metering and operations:

Engineering:	Consists of the System Reliability Supervisor, Substation Supervisor, Substation Technician, Engineering Projects Manager, and support engineering personnel.
Construction:	Consists of the Construction Superintendent, two Construction Foremen, and support construction personnel (Journeymen, Apprentices and Linemen).
Metering:	Consists of Metering Department Manager and support metering personnel.
Operations:	Consists of the Operations Coordinator along with supporting personnel in dispatch/stores.

Description of Services

Normal working hours are from 7:30 a.m. to 4:00 p.m. Monday through Friday. During these hours, the Electric Division staff is available to provide immediate response to any system perturbation.

Services provided after normal working hours are on an emergency basis only. Customers requiring assistance can call the after-hours answering service, where a call is then placed to a duty supervisor to assess the situation. The duty supervisor then calls out required support personnel (via the answering service).

Mishawaka Utilities – Electric Division is well equipped to respond to problems associated with providing electric service. The electric division utilizes a wide breadth of equipment to meet the needs of the consumer. Major equipment includes loaders, backhoes, trenchers, boring machines, pushing machines, trailers, compressors, forklifts, bucket and line trucks, and pole trailers.

The service response time to restore from a loss of electricity resulting from storm damage or other physical line damage is typically less than AEP (AEP customers are spread geographically over a much larger area). However, since Mishawaka Utilities does not produce power, the utility is not able to control service problems based on the generation of power and has minimal control of transmission to, or within, Mishawaka.

Costs Associated with Services

Mishawaka Utilities is not supported by tax dollars, but rather through revenue generated by the sales of electricity to its consumers. Mishawaka Utilities does not generate or produce power. Mishawaka Utilities purchases electricity at a wholesale rate and is responsible for distributing it to every customer within the service area. Based on the large numbers of customers in a relatively small geographic area, Mishawaka Utilities is able to deliver electricity more economically than larger companies such as AEP. Although AEP actually generates or produces power, the cost for delivering the electricity to the consumer is greater because the customers are spread geographically over a much larger area. Actual rates will vary over time.

Electric

Revenue

6301.00

361.00	Interest Income	30,000.00	
371.12	Residential Sales	16,880,100.00	
371.14	Commercial Sales	3,430,284.00	
371.18	Customer Charge	1,995,348.00	
371.20	Customer Sales - Municipal Sales	1,099,975.00	
371.22	Customer Charges - Municipal Sales	49,397.00	
371.23	Outdoor Protective Lights	163,621.00	
371.24	Commercial Heating	100,060.00	
371.28	OPL - Municpal	32,920.00	
371.29	Commercial Power	18,319,313.00	
371.33	Commercial Primary Power	394,455.00	
371.35	Power Transformers Owned	2,534,208.00	
371.39	I&M Municipal	82,978.00	
371.40	Industrial Power Service	5,075,627.00	
371.41	School Service	820,938.00	
371.42	PJM Transmission Adjustment	7,040,723.00	
373.11	Municipal Street Lighting	473,261.00	
380.10	Penalty	309,000.00	
381.05	Construction	25,000.00	
381.12	Reconnect/Service Charges	128,000.00	
381.14	Overhead or Underground Lines	224,000.00	
381.15	Transformers	40,000.00	
381.16	Street Lights	32,000.00	
381.21	Sale of Scrap Metal	16,000.00	
381.23	Turn on Electric	168,000.00	
381.40	Operational Revenue	300,000.00	
391.06	B.O. Shared Expense Reimbursement	710,044.00	
			60,475,252.00

1 Personal Services

6301.55

			biweekly
Salaries & Wages			
411.02	Division Manager	94,910.00	3,650.36
	Superintendent	100,601.00	3,869.26
	Systems Reliability Supervisor	86,491.00	3,326.55
	Construction Foreman		
	2 @ 97,685	195,370.00	3,757.10
	Substation Supervisor	75,696.00	2,911.37
	Project Manager	75,696.00	2,911.37
	Operations Coordinator	63,333.00	2,435.87
	Senior Engineering Assistant		
	4 @ 61,938	247,752.00	2,382.23
	Substation Technician	60,763.00	2,337.01
	Engineering Assistant	60,643.00	2,332.39
	Project Coordinator	48,397.00	1,861.40
	Metering Manager	75,697.00	2,911.39
	GIS Engineering Assistant	53,754.00	2,067.45
	Journeyman Lineman		
	15 @ 46.84/Hour	1,461,765.00	3,748.08
	Apprentice Level 7		
	3 @ 39.18/Hour	244,392.00	3,133.23
	Clerk/Dispatcher A		
	2 @ 27.12/Hour	112,786.00	2,168.94
	Meter Reader		
	4 @ 25.55/Hour	212,588.00	2,044.09
	Service Representative		
	5 @ 27.46/Hour	285,575.00	2,196.70
	Substation Lineworker		
	2 @ 49.57/Hour	206,214.00	3,965.64
	Buildings & Grounds Technician		
	1 @ 22.90/Hour	47,615.00	1,831.33
	Crew Leader - 1.00/Hour	10,400.00	
	Journeyman CL - 2.25/Hour	23,400.00	
			3,843,838.00
Other Personal Services			
411.60	Overtime	200,000.00	
411.63	Longevity	46,175.00	
411.64	FTO (Flexible Time Off) Plan	40,000.00	
411.65	Professional Certification	88,840.00	
			375,015.00
Employee Benefits			
413.01	Social Security Taxes	261,569.00	
413.02	Medicare	61,174.00	
413.05	Health Insurance	939,200.00	
413.06	Life Insurance	4,403.00	
413.08	Deferred Compensation Match	76,201.00	
413.12	Pension Benefit	451,200.00	
			1,793,747.00

2 Supplies

6301

Office Supplies

54.42122	Office Supplies	5,000.00	
54.42273	Computer Expenses	23,000.00	
			28,000.00

Other Supplies

54.42276	Uniforms	35,000.00	
56.42229	Plant Operation	90,000.00	
56.42318	Plant Maintenance Supplies	15,000.00	
			140,000.00

3 Other Services and Charges

6301

Professional Charges

52.45915	Purchase Power	40,100,000.00	
54.43102	Legal Fees	30,000.00	
54.43103	Outside Services	225,000.00	
54.43104	Professional Fees	50,000.00	
			40,405,000.00

Communication and Transportation

54.43210	Transportation Expense	90,000.00	
54.43212	Travel Expense	15,000.00	
54.43930	Education Expense	15,000.00	
54.43931	Apprentice Program	20,000.00	
			140,000.00

Insurance

54.43410	Insurance - Property, Auto, WC	315,000.00	
			315,000.00

Utilities

54.43511	Natural Gas Purchase	20,000.00	
54.43512	Water Purchase	7,400.00	
54.43581	CMP Fuel Purchase	60,000.00	
54.45915	Electric Purchase	30,000.00	
			117,400.00

Repairs and Maintenance			
54.42200	Street Lights	375,000.00	
54.42263	Meters Expense	10,000.00	
54.42264	Underground Line Expense	100,000.00	
54.42265	Distribution Construction Expense	5,000.00	
54.42266	Substation Expense	200,000.00	
54.42267	Overhead Line Expense	275,000.00	
54.42274	Stores Equipment	1,000.00	
54.42300	Structures	120,000.00	
54.42330	Transformers	10,000.00	
54.42350	Maintenance of Equipment and Service	75,000.00	
54.42365	Small Tools Expense	50,000.00	
54.43100	Contracted Services	50,000.00	
54.43101	Contracted Services - Line Clearing	275,000.00	
54.43161	Contracted Services - Substations	250,000.00	
			1,796,000.00
Other Services and Charges			
50.45200	Transfer to City/Debt Service	2,606,170.00	
	Transfer to City $1,000,000		
	Debt Service for Bond $1,606,170		
50.49500	PiLoT	617,373.00	
54.42310	Safety Equipment/Expense	110,000.00	
54.43900	Operational Expense	20,000.00	
54.43928	Permit Fees		
54.43929	Dues, Fees, Subscriptions, Permit Fees	136,300.00	
			3,489,843.00
			52,443,843.00
4 Capital Outlays			
6303			
164.13	Poles, Towers and Fixtures	400,000.00	
164.15	Underground Conduit	450,000.00	
164.16	Underground Conductors and Wire	500,000.00	
164.17	Line Transformers	225,000.00	
164.22	Street Lights	250,000.00	
164.26	Padmount Transformers	600,000.00	
165.14	Testing Equipment	100,000.00	
165.15	Tools/Garage/Shop Equipment	10,000.00	
165.16	Power Operated Equipment	290,000.00	
165.17	Meters	350,000.00	
165.30	Construction Tools	15,000.00	
165.31	Plant in Service	100,000.00	
167.20	Transportation Equipment	425,000.00	
170.01	Substation Equipment	900,000.00	
170.05	Overhead Conductors and Devices	750,000.00	
			5,365,000.00
Net Surplus/Deficit		46,947.00	

FIRE PROTECTION/EMS

The Mishawaka Fire/EMS Department is one of the area's best, with quick response times, excellent training, and the latest equipment.

Staffing and Response Times

The Mishawaka Fire Department currently has four stations located strategically throughout the City of Mishawaka. The Fire Department and the Emergency Medical Services Department merged January 1, 2002.

In accordance with the firefighter's union Collective Bargaining Agreement and the City of Mishawaka, minimum staffing of 31 personnel are available at all times. The department also has three members working in the City's Fire Inspection Bureau.

The Department's response time is excellent. The Fire Department's average response time to calls is anywhere from 3 to just over 6 minutes within the City.

Fire Stations

The four fire stations are located in strategic areas around the City:

Station No. 1, built in 1991, is located on Union Street near downtown. It is staffed by a minimum of eleven (11) firefighters manning one Sutphen pumper truck, one aerial truck, a 105' Sutphen aerial tower, one heavy-duty K.M.E. rescue truck and one A.L.S. Paramedic ambulance unit.

Station No. 2, located at 2332 N. Main St., is staffed by five (5) to six (6) firefighters at all times, manning one Sutphen pumper truck, and one A.L.S. Paramedic ambulance unit.

Station No. 3, located at 333 E. Douglas Road, is staffed by eight (8) firefighters at all times, manning one Sutphen pumper truck, one aerial truck (a 105' Sutphen aerial/pumper combination,) and one A.L.S. Paramedic ambulance unit. If annexed, this would be the primary responding station since it is the nearest to the site.

Station No. 4, located at 3000 Harrison Road, is staffed by six (6) to seven (7) firefighters at all times, manning one Sutphen pumper truck, one A.L.S. Paramedic ambulance unit and one (1) Battalion Chief Vehicle.

All engine and ladder Companies are certified advanced life support non-transport.

For the year 2023 out of 10,421 runs 7,903 or roughly 76% were medical in nature. The Mishawaka Fire Department restructured going to a three-platoon system in 2013. With the addition of a third ambulance we were able to move ambulances out of one central location to be closer to the neighborhoods they served. Our department increased staffing in 2024 to allow us to put up a new, fourth ambulance that went into service in January of 2024. This and the availability of paramedics on some engine and ladder companies have decreased the time in which it takes to start lifesaving interventions if needed. Engine and ladder companies also have Advanced E.M.T.'s on board who may begin vital treatment such as 12 lead E.K.G.'s, establishing I.V. lines, and administration of a handful of drugs. Once the ambulance arrives the paramedics take over in the continuum of care depending upon the severity of the call.

Equipment

Equipment for the department is very comparable with what is available to surrounding township departments, but the City's fire department offers other advantages not available to the township fire departments. By having thirty-one (31) to thirty-eight (38) firefighters on duty at any given time Mishawaka is able to send more resources depending upon the nature of the call. The Mishawaka Fire Department has three ladder/pumper trucks available for emergencies. Two of these are in service at

all times with the third being a reserve. Depending upon the location, some outside fire departments utilize auto and mutual aid agreements in the event of the need for an aerial device.

The City maintains a fifteen (15) member Dive/Rescue team for water emergencies.

Training

The fire department undergoes year-round training in all areas of suppression, haz-mat, emergency medical, inspection, water rescue, public education, confined space, high angle rescue, extrication and others.

In order to work on an ambulance, the State of Indiana requires personnel to be Emergency Medical Technicians Basic (minimum training). Generally speaking, while employed with an ambulance service, employees have an opportunity to advance their skills. Training is offered at two additional levels, Advanced EMT, (IV therapy, cardiac monitoring) and Paramedic, (addition of several other medications). The EMS division is highly regarded by other services and municipalities in our area offering paramedic service.

All firefighters hired by the City of Mishawaka must become an Advanced level E.M.T within eighteen (18) months of hiring and maintain it throughout their career.

In the calendar year 2023 each firefighter took part in an average of 200+ hours of continuing education.

Complete training records for all personnel are available.

Fire Insurance Rating

Mishawaka maintains a Class 2 fire rating with the Insurance Services Office. The lower the number in the rating, the lower a business's or homeowner's insurance policy could be. Thus, properties that are annexed into the city could see a reduction in property insurance. There are only thirty-three (33) Class 2 departments in Indiana.

During the last audit in November of 2019 Mishawaka's rating improved from 78.65% out of a maximum of 100% in 2012 to 88.35% out of 100% in 2020.

We are currently only 3.17 points away from a Class one (1) designation of which there are only six (6) in the State of Indiana.

Our department went through our 5-year reevaluation by the I.S.O in February 2024 and we will learn the results and classification sometime around the last quarter of this year.

Of course, the only way to determine if a reduction will occur is to contact applicable insurance providers. Homeowner's insurance portion that is fire related would benefit the least while those of a business would have a much larger impact.

For comparison, many township departments have ratings of 7 to 9. After our next reevaluation we believe Mishawaka's fire insurance rating will be the highest possible a Class one (1).

Future Plans

Additional personnel and fire stations will become necessary in the future as the City grows. This increase is due to the increased demand on department as calls for service will continue to grow. Given the numerous locations of fire stations in the city, the Fire Department is able to respond to emergency medical and accident situations in a shorter period of time than the emergency medical units alone. As the city extends its growth our department will need to expand with it to continue keeping response times down in critical situations for our community.

The next station slated for major improvements is Station #2 located at 2332 North Main Street. A new Station #2 in under construction currently at 700 E. McKinley with anticipated competition and move in dates before the end of 2024.

Potential increases in personnel, equipment, and buildings, are evaluated on a continual basis. Although these increases represent the anticipated long term needs of the department, these increases will not hinder us in the short term to provide the consistent high level of service that has been historically provided to the city.

Citizen Programs

The fire department provides regular fire inspections for businesses located in the area, and home inspections upon request.

In 2023 the Fire Prevention Bureau performed over 900 fire inspections of new and existing buildings in Mishawaka.

In addition, residents are encouraged to take part in the department's smoke detector giveaway and installation programs.

Fire Marshals give extinguisher demonstrations and emergency planning procedures upon request to businesses in the City. Participants use real extinguishers on mock up fires to prepare them for the real thing.

The department also participates in drive through flu clinics, C.P.R. classes, Triad pill drops, elderly service clinics throughout the year.

Costs Associated With Services

If annexed, the City of Mishawaka Fire Department is capable of providing a level of service for the area that is equal to the services currently provided for the City. Given the proximity of the proposed annexation area, the Fire Department does not require any additional funds than what have been allocated within the current city budget to provide these services. For general information purposes, a copy of the year 2024 budget has been included for reference.

CITY OF MISHAWAKA
2024 BUDGET

FIRE/EMS DEPARTMENT
1101-19

1 PERSONAL SERVICES

				biweekly
Salaries and Wages				
411-01	Fire Chief	94,681.00		3,641.55
411-02	Assistant Chief			
	4 @ 87,903	351,612.00		3,380.88
	Battalion Chief			
	3 @ 80,527	241,581.00		3,097.16
	Captain 15 @ 76,596	1,148,940.00		2,945.98
	Lieutenant			
	15 @ 74,707	1,120,605.00		2,873.33
	Fire Inspector			
	1 @ 76,596 2 @ 74,707	226,010.00	2,945.98	2,873.33
	Driver Operator			
	30 @ 72,921	2,187,630.00		2,804.64
	1st Class Firefighter			
	33 @ 71,163	2,348,379.00		2,737.02
	Master Firefighter			
	18 @ 68,095	1,225,710.00		2,619.03
				8,945,148.00
	Civilian			
	Administrative Assistant	48,134.00		1,851.28
				48,134.00
Other Personal Services				
411-12	Specialty Pay	550,000.00		
411-60	Overtime	1,000,000.00		
411-63	Longevity	450.00		
411-66	Uniform Allowance 120 @ 1,250	152,000.00		
	new hires 2 @625			
411-67	Pension Equalization	11,700.00		
				1,714,150.00
Employee Benefits				10,707,432.00
413-01	Social Security	15,257.00		
413-02	Medicare	155,748.00		
413-03	INPRS 14.2%	34,944.00		
413-05	Health Insurance	2,900,000.00		
413-06	Life/Disability Insurance	6,500.00		
413-08	Deferred Comp Match	160,000.00		
413-09	77 Pension 19.1% + 3%	1,887,243.00		
				5,159,692.00
				15,867,124.00

CITY OF MISHAWAKA
2024 BUDGET

FIRE/EMS DEPARTMENT
1101-19

2 SUPPLIES			
Office Supplies			
421-90	Office Supplies	6,000.00	
Operating Supplies			
422-01	Operating Supplies	250,000.00	
422-03	Medical Supplies	210,000.00	
Other Supplies			
429-10	Public Education Training/ Seminar Supplies/Refreshments	6,000.00	
			472,000.00
3 OTHER SERVICES AND CHARGES			
Professional Services			
431-09	Clinic Services	35,800.00	
431-11	Physicals	120,000.00	
Communication and Transportation			
432-03	Travel and Training	80,000.00	
Repairs and Maintenance			
436-01	Building/ Equipment Repair	100,000.00	
Professional Services			
436-91	Laundry Maintenance	3,000.00	
Other Services and Charges			
439-03	Subscriptions, Dues, etc.	20,000.00	
			358,800.00
			16,697,924.00

PARKS AND RECREATION OPPORTUNITIES

Parks and Recreation

Mishawaka offers 28 public parks, each with its own unique natural attributes. For boating enthusiasts, there are four parks with boat launches into the St. Joseph River. East of the American Electric Dam by Capital Avenue, the river provides opportunities for water-skiers and sailors. Mishawaka parks also have an excellent swimming pool, splash pads, as well as accommodations for tennis and various field sports. Disc golf is another popular park sport. The City also contains the Eberhart-Petro 18 hole municipal golf course located along the St. Joseph River.

Some Mishawaka parks contain attractive areas for walking and picnicking, and nearly all have playground equipment and play field areas. Three parks, Shiojiri Niwa, Battell, and the Robert Beutter Riverfront Park, have attractive landscape and water amenities and are routinely the place for weddings, special events, and family pictures. The parks in Mishawaka range in size from 0.2 acres to 90 acres for the Eberhart-Petro Golf Course.

The Ball-Band Biergarten, opened in July 2020, is a unique event and gathering space along the popular Riverwalk and increasingly vibrant downtown. The center of the building will provide a service area for beverages and limited concessions to be enjoyed by all ages.

The responsibility for development of the parks and recreation system for the City rests with the Board of Parks and Recreation. The Board consists of four members and a member from the Board of School Trustees and a member from the Library Board.

Staff and Equipment

The park office staff consists of the Superintendent, Office Coordinator, and Community Center Director. There are 5 Park Divisions (Recreation, Special Events, Golf, Aquatics/Ice Rink, and Landscape). Four (4) have Division Directors and the Landscape Division is headed by the Landscape Manager.

The Mishawaka Parks Department provides budget support for its park maintenance through the Central Services Department, which manages all operations and maintenance staff and equipment for streets, parks, motor pool, and some electrical service vehicles.

Costs Associated With Services

All programs implemented through the Mishawaka Park and Recreation Department are available to all who wish to participate in them or rent the facilities. Listings of all park and recreation rates are available through the City of Mishawaka Park Department.

If annexed, the existing park system will continue to provide a level of service for the area that is equal to the services currently provided for the rest of the city. Resident services will begin immediately upon annexation.

For general information purposes, a copy of the year 2024 budget has been included for reference.

CITY OF MISHAWAKA
2024 BUDGET

PARK AND RECREATION
2204-50

1 PERSONAL SERVICES			
Salaries and Wages			biweekly
411-01	Department Head	80,000.00	3,076.92
411-02	Regular Employees	797,160.00	
	Group 1: 16@23.60*2092	789,940.00	
411-03	Temporary/Summer Help	800,000.00	2,467,100.00
	CS reimburse - 61,962* 1.25 for assts.	77,453.00	
	Reimburse MVH Director - 78,332*5%	3,917.00	81,370.00
			2,548,470.00
Other Services Personal			
411-60	Overtime	25,000.00	
411-63	Longevity	23,125.00	
411-64	FTO	12,000.00	
			60,125.00
Employee Benefits			
413-01	Social Security	161,733.00	
413-02	Medicare	37,825.00	
413-03	PERF 14.2%	256,820.00	
413-04	Unemployment	5,000.00	
413-05	Employee Insurance Benefits	365,000.00	
413-06	Life Insurance	2,000.00	
413-08	Deferred Comp Match	20,000.00	
			848,378.00
2 SUPPLIES			3,456,973.00
Office Supplies			
421-90	Office Supplies	8,000.00	
Operating Supplies			
422-02	Gas, Oil, Parts, etc.	73,000.00	
Other Supplies			
429-09	Merrifield/Ironworks Complex Supplies	42,000.00	
429-14	Maintenance Supplies	110,000.00	
429-15	Program Supplies	60,000.00	
429-16	Golf Course Concessions	60,000.00	
429-18	Athletic Event Supplies	70,000.00	
429-19	Battell Center Supplies	15,000.00	
429-20	Golf Course Supplies	65,000.00	
429-21	Other Concessions	5,000.00	
429-23	Merrifield Concessions	18,000.00	
			526,000.00

CITY OF MISHAWAKA
2024 BUDGET

PARK AND RECREATION
2204-50

3 OTHER SERVICES AND CHARGES

Professional Services			
431-09	Health Screenings/Vaccines	8,000.00	
Communication and Transportation			
432-02	Postage and Freight	2,000.00	
432-03	Travel and Training	8,000.00	
432-04	Telephone	7,000.00	
Printing and Advertising			
433-01	Printing/Newsletter etc.	10,000.00	
Insurance			
434-90	Insurance Premiums/Deductibles	200,000.00	
Utility Services			
435-01	MU/AEP Charges	500,000.00	
435-02	NIPSCO	50,000.00	
Repairs and Maintenance			
436-01	Equipment/Facility Repair	100,000.00	
436-90	Service Contracts	180,000.00	
Rentals			
437-05	Uniforms/Port-o-lets	17,500.00	
Other Services and Charges			
439-03	Subscription, Dues, etc.	3,000.00	
439-09	Miscellaneous/Charges	1,000.00	
439-18	Instructor Fees	15,000.00	
439-19	Official/Referee Fees	26,000.00	
439-21	Recreation Event/Entertainment	74,000.00	
439-93	Sales Tax	25,000.00	
			1,226,500.00
			5,209,473.00

CITY OF MISHAWAKA
2024 BUDGET

PARK AND RECREATION NON-REVERTING
2211-50

1	PERSONAL SERVICES		
	Salaries and Wages		
	411-03 Temporary Help	25,000.00	
			25,000.00
2	SUPPLIES		
	Other Supplies		
	429-09 Merrifield Supplies and Repairs	45,000.00	
	429-09 Wilson Supplies and Repairs	12,000.00	
	429-17 Landscaping/Chemical Supplies	100,000.00	
			157,000.00
3	OTHER SERVICES AND CHARGES		
	Professional Services		
	431-06 Consulting	95,000.00	
	436-90 Animal Control	15,000.00	
	Communication and Transportation		
	432-04 Wilson Hill Phone and Internet	2,500.00	
	436-90 GPS Contract	19,000.00	
	Repairs and Maintenance		
	436-01 Golf Cart Repair	5,000.00	
	436-22 Athletic Field Maintenance	15,000.00	
			151,500.00
4	CAPITAL OUTLAYS		
	Machinery and Equipment		
	444-10 Golf Carts - $89.3K	120,300.00	
	Leaf Sweeper - $30K		120,300.00
			453,800.00

POLICE AND CRIME PREVENTION

The City of Mishawaka's Police Department provides residents with professional public protection and safety, helping keep the city's crime rate low. The officers are among the area's most well-trained, receiving the best training, using top-of-the-line equipment and offering personal service to Mishawaka residents.

Staffing

There are currently a total of 10 full time civilians within the Mishawaka Police Department, and are budgeted for 114 sworn officers. The Department has 23 officers on the day shift, 23 on the afternoon shift, and 23 on midnights, making for a total of 69 officers in the Uniform Division, plus 3 Captains; 1 Captain for each shift.

Because of a State Mandate, effective on January 1, 2015, the four dispatch centers in St. Joseph County (including the Mishawaka Public Safety Dispatch Center) were required to consolidate into two Dispatch Centers. The former Mishawaka Police Dispatchers are now employed by St. Joseph County; hence the reduction in civilian employees for the MPD.

There are also 9 officers in the Investigative Division and 10 officers assigned to special duty (special crimes, domestic violence, school resource, etc.)

All police officers in the State are required to successfully complete the basic program at the Indiana Law Enforcement Academy within the first year of employment. This is a 16-week program. Current ILEA standards require each Officer to complete 24 hours of service training per year. The Mishawaka Police Department averages 65 hours of training, compared with minimums of 24+ statewide.

Equipment

The Police Department has a take-home patrol car program. Currently, there are 108 take-home vehicles. Each car contains standard first aid equipment for immediate response. Each officer is also well equipped with standard equipment such as side-arms, shotguns, M16 type rifles, Tasers. and body armor. All uniform officers have been provided with the newest up to date body camera's . In addition, squad cars are equipped with video cameras to record events on patrol.The City provides for the continual maintenance, repair, and replacement of equipment. Standard equipment items such as cars and firearms are on a set replacement schedule for both reliability and performance.

Several years ago the City purchased a radar trailer, which detects a motorist's speed and flashes it on a screen, for $9,000. This equipment assists in controlling speed by making motorists aware of their current rate of travel. This equipment can also specifically be used in the annexation area.

The Police Department has three School Resource officers available with School City of Mishawaka. One officer is assigned to Mishawaka High School, one officer is assigned to John Young Middle School and one is assigned to the elementary schools. The cost of these officers is shared with School City.

The Community Relations Unit

The Community Relations Officers handle various public relationship events such as Neighborhood Watch meetings, MPD tours for boy scouts and schools, reading to kids, bike safety rodeos information out to the public. The unit also handles neighborhood complaints, such as drug houses, speeding, neighbor disputes, and other "quality of life" issues.

Street Crimes Unit

The Street Crimes Unit was implemented in July of 2009. There are 6 officers assigned to the Unit. The goal of this Unit is to concentrate efforts in high crime areas of the city and work in conjunction with the Police Department's Investigative Division to identify criminals and solve crimes. So far, the SCU has worked very hard at their mission and has proven to be quite a success. Because of their determination and self-motivation, the Unit has taken several criminals, weapons and drugs off the streets and has seen crime decrease in the high crime neighborhoods.

Riverwalk Beat

New in 2023 is the hiring of a part time Park Police officer and has been determined to very successful. Several methods of patrol have been utilized, including the Kawasaki mule, bicycles and motorcycle. The extra patrol have minimized reported vandalism that was seen in previous years. The renovation of Central Park has brought an increase of visitors to both the park and Riverwalk. The MPD continues its patrol efforts in the parks enhanced with the installation of a video camera surveillance system throughout the Riverwalk, Beutter and Central Park. Several emergency call boxes are also installed, thus enhancing the safety of all Riverwalk users.

CAPS Program

The Citizens in Alliance with Police (CAPS) Program has much success in patrolling the Riverwalk and City parks and has expanded to two teams of volunteers that can be seen on the weekends.

Response Time and Crime Statistics

On average, the Mishawaka Police Department responds to critical incidents within three to five minutes. This is comparable to three to seven minutes in South Bend. South Bend has a modestly larger coverage area. Response times for the county were not available; however, with the St. Joseph County Police Department's much larger coverage area per officer, it is anticipated that the response time within the City of Mishawaka is significantly lower than in the county.

The Uniform Division was instrumental in responding to several high-profile cases in 2022 including three homicide scenes. Other notable arrests were for robbery suspects, narcotics arrest, firearms, stolen autos and the capture of several felons wanted on warrants.

These events are not uncommon; as the uniform officer is normally the first to arrive on scene during an emergency call situation. They are the face of the Department. Promoting a positive working relationship within the community helps to keep peace and harmony in our neighborhoods.

The Uniform Division was tasked with covering over 39,159 calls for service in 2022. That number also reflects reporting on 2,242 vehicle crashes.

For general information purposes, a copy of the year 2023 budget has been included for reference. The budget itemizes the costs of providing services for the entire city.

Costs Associated with Services

If annexed, the City of Mishawaka Police Department is capable of providing a level of service for the area that is equal to the services currently provided within the City of Mishawaka. The Police Department does not require any additional funds than what has been allocated within the current city budget to provide these services. No capital expenditures are required in association with this proposed annexation.

CITY OF MISHAWAKA
2024 BUDGET

POLICE DEPARTMENT
1101-20

1 PERSONAL SERVICES

			biweekly
Salaries and Wages			
411-01	Police Chief	101,500.00	3,903.85
411-02	Assistant Chief		
	3 @ 96,500	289,500.00	3,711.54
	Captain		
	5 @ 93,500	467,500.00	3,596.15
	Lieutenant		
	14 @ 92,000	1,288,000.00	3,538.46
	Sergeant		
	20 @ 90,500	1,810,000.00	3,480.77
	1st Class Patrol Officer		
	47 @ 89,000	4,183,000.00	3,423.08
	2nd Class Patrol Officer		
	10 @ 64,739	647,390.00	2,489.96
			8,786,890.00
	Civilians		
	Trainer	55,105.00	2,119.42
	Crime Tech	53,470.00	2,056.51
	Recruiter	52,789.00	2,030.33
	Digital Media/Statistical Analyst	44,794.00	1,722.83
	Administrative Assistant	48,134.00	1,851.28
	Administrative Secretary	41,315.00	1,589.02
	Secretary 2 @ 40,797	81,594.00	1,569.11
	Parking Personnel	40,797.00	1,569.11
	Property Manager	44,794.00	1,722.83
	Office Manager	44,880.00	1,726.15
			507,672.00
	Crossing Guards 15 @ 8,154	122,310.00	
411-03	Substitute Crossing Guard	2,000.00	
	Temporary Help/Part-time	30,000.00	
411-65	Certifications	4,500.00	158,810.00
Other Personal Services			
411-02	Shift Differential 2nd @700	30,000.00	
411-12	Specialty	75,000.00	
411-60	Overtime/ Court-time Officer-Non Officer	600,000.00	
411-63	Longevity	11,325.00	
411-66	Uniform Allowance 1@600, 102@2050	210,700.00	
	1@1000 Crime Tech		
411-66	Equipment Allowance 102@1250	127,500.00	1,054,525.00
Employee Benefits			
413-01	Social Security	42,123.00	
413-02	Medicare	137,261.00	
413-03	INPRS 14.2%	74,564.00	
413-05	Health Insurance	2,515,252.00	
413-06	Life Insurance	7,000.00	

CITY OF MISHAWAKA
2024 BUDGET

POLICE DEPARTMENT
1101-20

413-08	Deferred Comp Benefit	180,000.00	
413-10	77 Pension 19.1% + 3%	2,006,238.00	4,962,438.00
			15,470,335.00
2	SUPPLIES		
	Operating Supplies		
422-01	Operating Supplies	120,000.00	
	Other Supplies		
429-11	Seminars/ Community Relations	1,000.00	
			121,000.00
3	OTHER SERVICES AND CHARGES		
	Professional Services		
431-09	Clinic Services	35,800.00	
431-11	Testing	2,000.00	
	Communication and Transportation		
432-03	Travel and Training	2,000.00	
	Printing and Advertising		
433-01	Printing	1,800.00	
	Repairs and Maintenance		
436-01	Building Repair/ Maintenance	100,000.00	
	Other Services and Charges		
439-03	Subscriptions, Dues, etc.	18,000.00	
439-09	Miscellaneous Charges	5,000.00	
439-11	Special Expense	13,000.00	
439-12	Canine Expenses	9,000.00	
			186,600.00
			15,777,935.00

STREET DEPARTMENT

The Mishawaka Street Department, with its large staff and several trucks and multiple pieces of equipment, constantly maintains the City's streets and is prompt at answering to emergencies.

Staffing

The Mishawaka Street Department, headed by the Street Commissioner, has 32 union employees, two clerical personnel and two assistant street commissioners. The telephone is staffed 24 hours a day, and one manager is on call at all times, so that most emergencies can be handled in less than one hour.

Equipment

The Department uses 3 tandem axle and 11 single-axle trucks for the majority of the City's snow plowing. The Department also has 12 4-wheel drive trucks used for plowing smaller streets.

If the need arises during a winter storm, the Department also can call upon the Utilities and Parks departments to help supplement the snow removal efforts.

Along with the three loaders, two graders and the help of the manpower and equipment from other departments, the City can put a total of seven loaders, five backhoes and four additional trucks on the road to help remove snow. St. Joseph County does not have as many resources and has a larger area to plow; therefore, it takes the county longer to clear their roads.

Services

The City's leaf pick-up program is completed on a weekly basis every fall, compared with the County's leaf pick-up program, which is done by quadrants.

The City also has an aggressive street sweeping schedule, with all streets swept every 10 days. The County does little street sweeping.

Also, in the event of a wind storm that blows trees into streets, the City can have the street reopened, in most cases, in less than an hour. The county can take six to eight hours, as evidenced by calls from residents on streets just outside the City's boundaries.

Costs Associated with Services

If annexed, the City of Mishawaka Street Department is capable of providing a level of service for the area that is equal to the services currently provided for similar geographic areas within the City of Mishawaka. Given the proximity of the proposed annexation area, bordered to the south by the existing City limits, the Street Department does not require any additional funds than what have been allocated within the current city budget to provide these services. No capital expenditures are required in association with this proposed annexation. Services will begin within one year of the date of annexation as required by law.

For general information purposes, a copy of the year 2024 budget has been included for reference.

WASTE DISPOSAL AND RECYCLING SERVICES

Waste Disposal and Recycling Services

Trash pick-up in the City of Mishawaka is inexpensive and efficient. The monthly fee for single family trash pickup is $17.61. This includes trash, yard waste and recycling. Residents also are allowed to place up to two large items out each week for removal with their regular trash. Large items could include furniture, appliances, and similar objects that are not readily placed within containers.

A discounted rate of $14.28 per month is provided for senior citizens.

Similar to the county and other municipalities, trash removal services are not offered to multiple family developments, commercial, or industrial businesses. The waste stream generated from these uses varies widely and usually require private dumpsters. These uses are required to contract for services through private trash contractors. Given that portion of the proposed annexation is an industrial facility; waste disposal will be the responsibility of the property owner with no involvement from the City.

Leaf pick-up and the Organic Center

The leaf pick-up and Christmas tree pick-up programs are done through the City's Street Department. The Organic Center offers recycling for residents of Mishawaka only. Brush, grass and leaves may be brought in, by residents at no charge.

CITY OF MISHAWAKA
2024 BUDGET

CENTRAL SERVICES DEPARTMENT
1101-22

1 PERSONAL SERVICES			
Salaries and Wages			biweekly
411-02	Assistant 4 @ 61,962	247,848.00	2,383.13
	Fleet Maintenance Technician 6 @ 24.84*2092	311,804.00	
	Group 1: 4 @ 23.60*2092	197,522.00	
	PT maintenance 1040 hrs @ 11.00	11,440.00	
	3 Additional Employees	150,000.00	
			918,614.00
Other Services Personal			
411-60	Overtime	15,000.00	
411-63	Longevity	12,775.00	
			27,775.00
			946,389.00
2 SUPPLIES			
Office Supplies			
421-90	Office Supplies	2,000.00	
Operating Supplies			
422-02	Gas, Oil, etc.	1,000,000.00	
422-05	Equipment/Vehicle/Maint Supplies	185,000.00	
Other Supplies			
429-08	Uniform/Supplies	7,550.00	
			1,194,550.00
3 OTHER SERVICES AND CHARGES			
Professional Services			
431-09	Health Screenings/Vaccines	1,000.00	
Communication and Transportation			
432-03	Travel and Training	1,000.00	
Repairs and Maintenance			
436-01	Building Repair/Equipment/Maint	145,000.00	
Rentals			
437-05	Uniforms	11,080.00	
Other Services and Charges			
439-09	Miscellaneous Charges	1,500.00	
			159,580.00
			2,300,519.00

Wastewater

Services

Services are provided by the Mishawaka Wastewater Division 24-hours a day, 7 days per week. There are at least two operators staffing the facility at all times. Additionally, maintenance technicians can be called in during off-hours to respond to emergencies. The twenty-nine remote sewage lift stations are continuously monitored by radio telemetry.

Facilities

Mishawaka's wastewater treatment plant is a Class IV facility that was expanded in 2008 to provide an average design capacity of 20 million gallons per day (MGD). The peak design capacity is 42 MGD. The plant is designed to operate in the conventional activated sludge mode. Single stage nitrification is achieved in the activated sludge process to convert ammonia to nitrate. Phosphorus is removed both biologically and by chemical precipitation using ferrous chloride. Solids generated in the treatment process are anaerobically digested and mechanically dewatered. These biosolids are land applied on area farm fields for soil conditioning and fertilizing. The treated effluent from the facility is disinfected with sodium hypochlorite, then treated with sodium bisulfite to remove any chlorine residual.

For the year 2023, an average flow of 9.15 MGD was treated. The average cBOD removal was 98% and the average suspended solids removal was 98%.

Staff

Twenty-six people staff the wastewater utility. There are 6 managers/supervisors, 3 chemists, 11 operators, 4 maintenance technicians, and 1 biosolids technician. At least two operators are on duty at all times.

Support Personnel

The Wastewater Division relies on the Mishawaka Utilities Business Office for support functions such as billing, budget tracking, and customer service. The City's Engineering Division works closely with the Wastewater Division on plan reviews for sewer and lift station additions. Consulting engineering firms are used to design improvements and for comprehensive studies.

Past and Planned Capital Improvements

A $42 million upgrade was completed in 2008 for the wastewater utility. This upgrade was necessary to provide capacity for service area growth and to address the CSO requirements established in Mishawaka's NPDES permit and CSO control regulations. The upgrade increased both the dry weather flow capacity and the plant's capability to treat wet weather flows.

The capital improvements increased the wastewater treatment plant's capacity from 12 MGD to 20 MGD. The hydraulic peak capacity increased from 24 MGD to 42 MGD. The scope of the wastewater treatment plant improvements includes the following elements:

- Parallel 60-inch interceptor sewer from CSO 009 to treatment plant
- Influent pump station expansion
- Additional fine screen
- New grit separation and washing equipment
- Addition of two grit removal tanks
- Addition of two primary clarifiers
- Addition of two aeration tanks
- Addition of two final clarifiers
- Addition of a chlorine contact tank
- Conversion from gaseous chlorine and sulfur dioxide to liquid sodium hypochlorite and sodium bisulfite disinfection
- Rehabilitation of ferrous chloride storage and feed system
- Addition of two WAS gravity belt thickener
- Addition of a second belt filter press for biosolids dewatering
- New anaerobic digester and rehabilitation of existing digesters including new covers
- Modifications to the plant electrical feed
- Installation of a high efficiency turbo aeration blower

In 2013, the Carriage Lane and Winding Brook lift stations were replaced and stand-by emergency generators were added. The Southampton lift station was upgraded to include a stand-by emergency generator as well.

In 2017, the Oakland St. lift station was replaced. In 2020 the Willow Creek Lift Station was completely re-built following a catastrophic failure of the station.

Construction of miscellaneous plant improvements included replacement of the manual bar screen with a new automated fine screen, improvements to the hypochlorite disinfection system, improvements to CSO 009, and replacement of the existing air monitoring systems in the Headworks and Digester Control Buildings was substantially completed in 2019. Also, replacement of the Home St. lift station was completed in 2019.

In 2020, the replacement of the effluent troughs in the 4 west side final clarifiers was completed.

Future capital improvements focusing on the Combined Sewer Overflow Long Term Control Plan will consist mainly of sewer system improvements to convey greater volumes of wet weather flow to the Wastewater Plant for treatment as well as sewer separation.

In May of 2023, the Mishawaka Wastewater Division issued $33M in revenue bonds for continued work in the collection system in order to reduce Combined Sewer Overflows and promote development. In addition, project will be conducted at the treatment facility to increase efficiency and replace aged equipment.

Statistical Information

Mishawaka's wastewater treatment plant exhibits outstanding performance. For the year 2023 the average removals and plant data were as follows:

	2023
Average Flow (MGD)	9.15
Peak Flow (MGD)	60.7
BOD Removed (%)	98
Phosphorus Removed (%)	84
Ammonia Removed (%)	95
Solids Removed (%)	98
Biosolids Produced (dry tons)	1322
Electricity Use (MkWH)	5.1
Natural Gas Use (Mcf)	10.5
Total Precipitation (inches)	35.69

Costs Associated with Services

Mishawaka Utilities Wastewater Division is predominately supported through revenue generated by the rates charged to customers. The Wastewater Treatment Plant Upgrade and Expansion was completed in June of 2008. The City financed $41.9 million for the plant improvements through a low interest State Revolving Fund Program loan, which saved considerable interest expense throughout the twenty-year life of the loan. The expansion serves the dual purpose of providing capacity for continued growth in the community and cut annual combined sewer overflow (CSO) volume in-half. Because a portion of the expanded capacity will serve growth in the Northwest TIF area, TIF funding has been pledged to the Wastewater Division to assist in funding debt service payments. An annual TIF distribution of $3.36 million reduces the rate increases necessary to fund the expansion's bond payments.

Residents of St. Joseph County, who have access to city sanitary sewer, pay the same sewer rate provided to residents of the city. However, Wastewater Utility customers whose premises are served by the utility, and are located within the City limits, shall receive a credit applied towards their monthly sewer bill in recognition of the portion of the principal and interest on Wastewater Utility bonds paid by the City from TIF revenues. City sewer facilities are available to the proposed annexation area and will have no impact on the level of service provided by the city. Mishawaka Utilities currently provides a level of service for the area that is equal to the rest of the City. No additional Wastewater Division capital expenditures are required in association with this proposed annexation.

Wastewater

Revenue

6201.00			
371.10	Commercial/Industrial Sales	9,860,264.00	
371.15	Commercial Pretreatment Sales	83,424.00	
371.21	Residential Sales	9,847,486.00	
371.27	Industrial Pretreatment Sales	39,377.00	
371.30	Municipal Sales	414,974.00	
371.31	Municipal Pretreatment Sales	2,753.00	
380.10	Penalty	262,057.00	
380.20	Penalty/Pretreatment	817.00	
381.73	Inspection Fees	6,563.00	
			20,517,715.00
Operational Revenue			
381.10	Meter Charge	7,500.00	
381.26	Industrial Permits	1,476.00	
381.28	Customer Service Charge	240.00	
381.61	Televising Lines	6,728.00	
381.75	Sewer - FOG Fees	9,240.00	
381.76	Sale of Scrap	500.00	
399.00	Other Revenue	34,875.00	
			60,559.00
Interest Income			
361.00	Interest	75,000.00	
			75,000.00
6202.00			
381.41	T. I. F. Credit	3,360,000.00	
			3,360,000.00
608.00			
381.71	Connection Fees	53,756.00	
			53,756.00
			24,067,030.00

1 Personal Services

6201.80

			biweekly
Salaries & Wages			
411.02	Division Manager	89,618.00	3,446.84
	Assistant Manager		
	2 @ 76,425	152,850.00	2,939.41
	Operations Manager	70,323.00	2,704.68
	Chief Chemist	69,793.00	2,684.34
	Chemist		
	3 @ 64,620	193,860.00	2,485.35
	Maintenance Manager	70,323.00	2,704.68
	Operations Coordinator	58,646.00	2,255.59
	Chief Operator		
	1 @ 28.70/Hour	59,688.00	2,295.67
	Utility Operator A		
	4 @ 27.27/Hour	226,936.00	2,182.05
	Utility Operator B		
	1 @ 25.51/Hour	53,060.00	2,040.75
	Utility Operator C		
	5 @ 24.53/Hour	255,200.00	1,963.07
	Dewatering Mechanic		
	1 @ 30.62/Hour	63,685.00	2,449.39
	Maintenance Technician A		
	4 @ 28.00/Hour	232,908.00	2,239.48
	Maintenance Technician C		
	1 @ 24.98/Hour	51,936.00	1,997.52
	Crew Leader - 1.00/Hour	2,000.00	
	Shift Premium (1st Shift) - .40/Hour	1,664.00	
	Shift Premium (3rd Shift) - .30/Hour	1,248.00	
	Swing Shift Premium - .50/Hour	2,080.00	
	Holiday Pay	30,410.90	
			1,686,228.90
Other Personal Services			
411.60	Overtime	159,220.00	
411.63	Longevity	19,110.00	
411.64	FTO (Flexible Time Off) Plan	2,533.76	
411.65	Professional Certification	32,864.00	
			213,727.76

Employee Benefits

413.01	Social Security Taxes	117,798.00	
413.02	Medicare	27,550.00	
413.05	Health Insurance	447,600.00	
413.06	Life Insurance	1,242.00	
413.08	Deferred Compensation Match	32,977.00	
413.12	Pension Benefit	211,200.00	
			838,367.00

2 Supplies

6201

Office Supplies

80.42122	Office Supplies	3,000.00	
80.42212	Operation Supplies/Maintenance	60,000.00	
80.42226	Lab Supplies/Equipment	45,000.00	
			108,000.00

Other Supplies

80.42276	Uniforms	8,000.00	
			8,000.00

3 Other Services and Charges

6201

Professional Charges

80.43102	Legal Fees	100,000.00	
80.43104	Professional Services	100,000.00	
80.43105	Sewer and Drainage	300,000.00	
80.43116	Outside Lab Analysis	15,000.00	
			515,000.00

Communication and Transportation

80.43200	Travel	5,500.00	
80.43210	Transportation Expense	1,000.00	
80.43930	Education	6,000.00	
			12,500.00

Insurance

80.43410	Insurance - Property, Auto, WC	170,000.00	
			170,000.00

Utilities

80.43511	Natural Gas Purchase	125,000.00	
80.43512	Water Purchase	150,000.00	
80.43581	CMP Fuel Purchase	5,000.00	
80.45915	Electric Purchase	525,000.00	
			805,000.00

Repairs and Maintenance

80.42509	Hypochlorite Solution	180,000.00	
80.42510	Pretreatment Materials	10,000.00	
80.42511	Ferrous Chloride & Parts	120,000.00	
80.42512	Sodium Bisulfite	70,000.00	
80.42513	Polymer	140,000.00	
84.42224	Sludge Thickening	5,000.00	
84.42227	Biosolids Dewatering	35,000.00	
84.42313	Disinfection Equipment	10,000.00	
84.42314	Digester System	150,000.00	
84.42315	Primary Tank	5,000.00	
84.42316	Secondary Tank	12,000.00	
84.42317	Grit System	5,000.00	
84.42319	Blowers	10,000.00	
84.42321	Buildings & Grounds	175,000.00	
84.42322	Equipment	4,000.00	
84.42325	Lift Station Maintenance	50,000.00	
84.42326	SCADA - Telemetry System	5,000.00	
84.42328	Screening Equipment	5,000.00	
84.42333	Pumps & Motors	50,000.00	
84.42365	Small Tools Expense	10,000.00	
84.43140	Biosolids Land Application	150,000.00	
			1,201,000.00

Other Services and Charges

50.45200	Debt Service	8,455,970.00	
50.49500	PiLoT	1,996,249.77	
80.42310	Safety Equipment/Expense	6,000.00	
80.43114	Permit Fees	20,000.00	
80.43900	Operational General Expense	8,000.00	
80.43929	Dues, Fees, Subscriptions	9,500.00	
80.43165	B.O. Shared Expenses	355,022.00	
			10,850,741.77
			16,408,565.43

4 Capital Outlays

6203

162.03	Lift Station Structures	250,000.00	
165.26	Secondary Tank Mechanism	20,000.00	
165.51	Sewer and Drainage	250,000.00	
167.20	Transportation Equipment	50,000.00	
			570,000.00

Sewer

1 Personal Services

6201.86

			biweekly	
Salaries & Wages				
411.02	Department Manager	72,028.00		2,770.28
	Assistant Manager	62,169.00		2,391.11
	MS4 Manager	61,515.00		2,365.94
	Project Coordinator	47,475.00		1,825.94
	Locate/Bonds/Permit Coordinator	45,784.00		1,760.89
	Office Coordinator	44,683.00		1,718.45
	Assistant Director of Engineering	7,173.00		275.88
	Advanced Operator Video Inspection			
	2 @ 27.11/Hour	112,778.00		2,168.80
	Advanced Operator Combination			
	2 @ 27.70/Hour	115,232.00		2,216.00
	GIS Coordinator			
	1 @ 26.23/Hour	54,559.00		2,098.40
	Inspector			
	1 @ 26.23/Hour	54,559.00		2,098.40
	Repairman			
	3 @ 25.97/Hour	162,054.00		2,077.60
	Utility Operator			
	4 @ 25.42/Hour	211,496.00		2,033.60
	General Laborer II			
	1 @ 23.60/Hour	49,088.00		1,888.00
				1,100,593.00
Other Personal Services				
411.60	Overtime	12,000.00		
411.63	Longevity	15,170.00		
411.64	FTO (Flexible Time Off) Plan	1,500.00		
411.65	Professional Certification	42,000.00		
				70,670.00
Employee Benefits				
413.01	Social Security Taxes	72,623.00		
413.02	Medicare	16,985.00		
413.03	PERF	134,306.74		
413.05	Health Insurance	298,800.00		
413.06	Life Insurance	918.00		
413.08	Deferred Compensation Match	22,012.00		
				545,644.74

2 Supplies

6201

Office Supplies

86.42122	Office Supplies	2,000.00	
			2,000.00

Other Supplies

86.42276	Uniform Expense	30,000.00	
			30,000.00

3 Other Services and Charges

6201

Communication and Transportation

86.43200	Travel	1,000.00	
86.43930	Education	5,000.00	
			6,000.00

Insurance

86.43412	Insurance	85,000.00	
			85,000.00

Utilities

86.42215	Utilities	4,000.00	
86.43581	CMP Fuel Purchase	45,000.00	
			49,000.00

Repairs and Maintenance

86.42231	Technology	5,000.00	
86.42309	Buildings & Grounds	10,000.00	
86.42310	Safety Equipment	5,000.00	
86.42311	Sewer Line Maintenance	375,000.00	
86.42320	Equipment Rental	500.00	
86.42364	Equipment Maintenance	70,000.00	
86.43121	Prepaid Software Maintenance	7,000.00	
			472,500.00

Other Services and Charges

86.42212	Operational Expense	35,000.00	
86.42228	Tools	1,000.00	
86.43115	Dues/Fees/Subscriptions	100.00	
			36,100.00
			2,397,507.74

4 Capital Outlays

6203

164.04	Sewer Repair/Replace	350,000.00	
164.21	Transportation Equipment	120,000.00	
165.49	Pipe Lining/Rehab	2,000,000.00	
			2,470,000.00

Net Surplus/Deficit 1,621,269.00

WATER SERVICE

Water Utilities

The Mishawaka Utilities Water Division is a medium-sized public water utility that serves a population and area larger than just the City of Mishawaka. The combined well fields average about 7 million gallons pumped each day, with a peak daily rate of 25 mgd and a maximum capacity of 32 mgd. The water is treated with chlorine, fluoride and phosphate and is regularly and comprehensively tested in accordance with state and federal regulations. The city public water supply consistently exceeds the strict standards set forth by the United States Environmental Protection Agency and the Indiana Department of Environmental Management.

Serving the Proposed Annexation Area

Currently there is a 12" water main fronting the north eastern side of the property on Dragoon Trail on the north side of the street. An extension would need to be done from here and also on Bremen Highway to loop the proposed area. Currently no water main exists on this portion of Bremen Highway. An engineering study would need to be done to confirm pressures would be adequate to serve this property as there could be elevation issues.

The costs associated with the extension of water service to the individual property, including tap fees, are paid by developer's/property owners, and are not paid by Mishawaka Utilities. For existing properties with wells, a 1-inch copper service line is typically provided to the property line for future connection. Similar to other areas of the city, the customer would be required to pay for the tap in order to use the service. The property owner also would be responsible to run the service from the property line to any future proposed development and install a meter setter in accordance with Water Division standards.

Staff and Services

The Mishawaka Utilities Water Division has a 24-hour emergency answering service line, which calls the supervisor on duty on a cellular telephone. Crews generally report on site within an hour of an emergency. On average, service outages only last about three hours.

There are a total of thirty-three (33) employees in the Water Division consisting of twenty (24) union employees and nine (9) salaried personnel. An additional administrative staff of four (4) people and an office staff of twenty-three (23) carries out all billing and clerical work for both the electric and water divisions.

The Water Division has twenty-seven (28) vehicles and eight (9) large specialized pieces of equipment to serve the area.

Services to Residents

The Mishawaka Utilities Water Division provides three programs to replace lead services within the City's water system.

1. The Division replaces any lead service that is in need of repair.
2. The Division replaces any lead service to a current customer when the customer replaces the line from the street shut-off to the house.
3. The Division replaces any lead service that is not currently in use by a customer at a reduced cost to customer when a new structure is built.

The Division has no benefits geared strictly toward senior citizens, but it does accept money from the Project Safe program, provided by Real Services. Real Services provides state funds to pay utility bills of low-income families that fall within a certain income range. The low-income families must fill out an application, at the Real Services office, to become eligible for this benefit.

Costs Associated with Services

Mishawaka Utilities Water Division is not supported by tax dollars, but rather through revenue generated by the sales of water to its consumers. All costs associated with providing water service are rate generated. No tax dollars are used to provide this service. If annexed, Mishawaka Utilities is capable of providing a level of service for the area that is equal to the services currently provided within the City.

Water

Revenue

6101.00

361.00	Interest	90,000.00	
370.10	Unmetered Sales	4,000.00	
371.11	Municipal Sales	446,000.00	
371.21	Residential Metered Sales	5,790,005.00	
371.25	Commercial Metered Sales	5,449,578.00	
372.10	Municipal Fire Protection	31,000.00	
372.11	Municipal Fire Protection - Hydrant Fees	49,000.00	
372.20	Private Fire Protection	869,000.00	
372.21	Private Fire Protection - Hydrant Fees	2,268,000.00	
380.10	Penalty	61,000.00	
381.06	Water Taps	173,000.00	
381.22	Service Charges	53,000.00	
381.27	Meters	28,000.00	
381.29	Hydrants	10,000.00	
381.39	Services	1,000.00	
399.00	Other Revenue	11,000.00	

Additional Revenue

6101

253.12	Advance Construction	600,000.00	
			15,933,583.00

1 Personal Services

6101.70

			biweekly
Salaries & Wages			
411.02	Division Manager	89,618.00	3,446.84
	Assistant Manager	78,425.00	3,016.35
	Meter/Backflow Supervisor	75,509.00	2,904.19
	Quality Control Assistant B	57,258.00	2,202.23
	Quality Control Assistant C	53,383.00	2,053.16
	Procurement, Inventory, & Staff Coordinator	61,938.00	2,382.24
	System Technical & Telemetry Reliability Coordinator	69,336.00	2,666.77
	Distribution System Supervisor	75,509.00	2,904.19
	GIS Coordinator	61,938.00	2,382.23
	Well Head Protection Coordinator	61,938.00	2,382.23
	Project Manager	66,268.00	2,548.75
	Heavy Equipment Operator A		
	5 @ 30.54/Hour	317,655.00	2,443.46
	Heavy Equipment Operator B		
	4 @ 28.92/Hour	240,616.00	2,313.61
	Senior Utilityman		
	1 @ 30.33/Hour	63,093.00	2,426.62
	Intermediate Utilityman		
	2 @ 28.00/Hour	116,454.00	2,239.48

	Pipefitter B		
	4 @ 25.96/Hour	215,980.00	2,076.69
	Maintenance Technician		
	1 @ 28.00/Hour	58,227.00	2,239.48
	General Maintenance C		
	1 @ 23.90/Hour	49,709.00	1,911.87
	Chief Meter/Backflow Inspector		
	1 @ 30.37/Hour	63,185.00	2,430.18
	Meter/Backflow Inspector		
	1 @ 28.12/Hour	58,476.00	2,249.05
	Meter Repairman A		
	1 @ 27.53/Hour	57,254.00	2,202.05
	Meter Installer B		
	2 @ 25.96/Hour	107,990.00	2,076.69
	Working Foreman - Distribution Systems		
	1 @ 32.01/Hour	66,586.00	2,560.99
	Chief Mechanic - Water Treatment		
	1 @ 32.01/Hour	66,586.00	2,560.99
	Crew Leader - 1.00/Hour	18,720.00	
			2,251,651.00
Other Personal Services			
411.60	Overtime	75,000.00	
411.63	Longevity	36,890.00	
411.64	FTO (Flexible Time Off) Plan	8,500.00	
411.65	Professional Certification	76,920.00	
			197,310.00
Employee Benefits			
413.01	Social Security Taxes	151,836.00	
413.02	Medicare	35,510.00	
413.05	Health Insurance	574,800.00	
413.06	Life Insurance	1,737.00	
413.08	Deferred Compensation Match	44,659.00	
413.12	Pension Benefit	316,800.00	
			1,125,342.00

2 Supplies

6101

Office Supplies

70.42122	Office Supplies	20,000.00	
70.42273	Computer Expenses	40,000.00	
			60,000.00

Other Supplies

75.41313	Employee Other Benefits	10,000.00	
75.42272	Water Quality/Lab Supplies/Construction/Meter Maintenance Materials and Supplies	600,000.00	
75.42276	Uniforms	16,000.00	
75.42508	Concrete Material	160,000.00	
			786,000.00

3 Other Services and Charges

6101

Professional Charges

70.43102	Legal Fees	25,000.00	
70.43103	Outside Services	275,000.00	
70.43104	Professional Services	1,700,000.00	
70.43116	Outside Lab Analysis	40,000.00	
			2,040,000.00

Communication and Transportation

70.43200	Travel	5,000.00	
70.43930	Education	15,000.00	
			20,000.00

Insurance

70.43410	Insurance - Property, Auto, WC	190,000.00	
			190,000.00

Utilities

70.43511	Natural Gas Purchase	90,000.00	
70.43581	CMP Fuel Purchase	65,000.00	
70.43582	Wastewater Utility Charge	50,000.00	
70.45915	Electric Purchase	850,000.00	
			1,055,000.00

Repairs and Maintenance

70.43210	Transportation Expense	30,000.00	
70.43211	Juday Creek Expense	75,000.00	
75.42241	Equipment Rental	8,000.00	
75.42530	Chemicals/Water Treatment	510,000.00	
75.43210	Construction Equipment Expense	30,000.00	
75.42332	Maintenance Repairs Expense	40,000.00	
			693,000.00

Other Services and Charges

50.45200	Debt Service	4,461,825.60	
50.49500	PiLoT	621,340.46	
70.43165	B.O. Shared Expense	355,022.00	
70.43900	Operational General Expense	10,000.00	
70.42310	Safety Equipment/Expense	20,000.00	
70.43929	Dues, Fees, Subscriptions	40,000.00	
			5,508,188.06
			13,926,491.06

4 Capital Outlays

6103

164.19	Structures/Improvements	50,000.00	
164.25	Hydrants	75,000.00	
165.13	Office Furniture and Equipment	40,000.00	
165.15	Tools, Implements, Equipment	40,000.00	
165.28	Vehicles	150,000.00	
170.00	Wells Source of Supply Cost	5,000.00	
170.02	Treatment Equipment Cost	5,000.00	
170.04	Equipment	175,000.00	
170.06	Pumping Equipment	5,000.00	
170.09	Water Treatment	50,000.00	
170.11	Supply Mains	5,000.00	
170.15	Meters	375,000.00	
170.22	Distribution Mains Cost	150,000.00	
170.23	Juday Creek Golf Course	20,000.00	
			1,145,000.00

Net Surplus/Deficit	262,404.00

A PART OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 38 NORTH, RANGE 3 EAST, ST. JOSEPH COUNTY, INDIANA, DESCRIBED AS BEGINNING AT THE SOUTHWEST CORNER OF SAID QUARTER SECTION: THENCE EAST ALONG THE SOUTH LINE OF SAID QUARTER SECTION 265.00 FEET: THENCE NORTH 243.60 FEET: THENCE WEST 265.00 FEET TO THE WEST LINE OF SAID QUARTER SECTION: THENCE SOUTH ALONG SAID WEST LINE 243.60 FEET TO THE PLACE OF BEGINNING. CONTAINING 1.482 ACRES, MORE OR LESS, INCLUDING ALL ADJACENT DOUGLAS ROAD RIGHT-OF-WAY TO THE EXISTING SOUTH RIGHT-OF-WAY LINE.

TAB D - APPENDICES

RESOLUTION NO. 2024-06

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, INTRODUCING AN ORDINANCE FOR ANNEXATION, ADOPTING A WRITTEN FISCAL PLAN, AND A DEFINITE POLICY FOR ANNEXATION FOR THE PROPERTY LOCATED AT:

16963 W. Douglas Road, consisting of one tax parcel and the adjacent Douglas Road public right-of-way.

WHEREAS, the Common Council of the City of Mishawaka desires to consider the annexation of territory adjacent to the City in accordance with a definite policy and all applicable laws and restrictions.

WHEREAS, the entire area proposed for annexation has either petitioned for annexation or signed a consent regarding annexation.

WHEREAS, Indiana Code Section 36-4-3-3.1 requires a municipality to develop and adopt a written fiscal plan and establish a definite policy by resolution.

WHEREAS, the said fiscal plan has been reviewed and is otherwise consistent with the requirements of Indiana Code 36-4-3-13.

WHEREAS, the Department of Planning has prepared said fiscal plan with the input of each applicable City department. Furthermore, based on the review of each City department, a comparable level of City services can be provided to the proposed annexation area when compared to similar geographic areas of the City.

WHEREAS, the Department of Planning has prepared a written policy on annexation that has been incorporated within the fiscal plan.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, as follows:

Section I. The Common Council has provided notice of this resolution as required by law, and is initiating an ordinance to annex the following property, legally described as:

A PART OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 38 NORTH, RANGE 3 EAST, ST. JOSEPH COUNTY, INDIANA, DESCRIBED AS BEGINNING AT THE SOUTHWEST CORNER OF SAID QUARTER SECTION: THENCE EAST ALONG THE SOUTH LINE OF SAID QUARTER SECTION 265.00 FEET: THENCE NORTH 243.60 FEET: THENCE WEST 265.00 FEET TO THE WEST LINE OF SAID QUARTER SECTION: THENCE SOUTH ALONG SAID WEST LINE 243.60 FEET TO THE PLACE OF BEGINNING. CONTAINING 1.482 ACRES, MORE OR LESS, INCLUDING ALL ADJACENT DOUGLAS ROAD RIGHT-OF-WAY TO THE EXISTING SOUTH RIGHT-OF-WAY LINE.

Section II. Following the review of documents prepared by the Department of Planning and presentation, the Common Council hereby adopts the Fiscal Plan and Annexation Policy as it relates to the aforementioned properties.

Section III. This Resolution shall be in full force and effect after its adoption by the Common Council and approval by the Mayor, as required by law.

PASSED by the Common Council of the City of Mishawaka, Indiana, this _____ day

of _____, 2024, at _____ o'clock __.M.

_____

Presiding Officer

ATTEST:

_____
Deborah S. Block, IAMC, MMC, City Clerk

PRESENTED by me to the Mayor this _____ day of _____, _____

2024, at _____o'clock __.M.

_____
Deborah S. Block, IAMC, MMC, City Clerk

APPROVED by me this _____ day of _____ 2024, at

_____ o'clock ___.M.

_____
David A. Wood, Mayor

PETITION 24-01

CITY OF MISHAWAKA, INDIANA

PROPOSED ORDINANCE NO. _____

ORDINANCE NO. _____

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

WHEREAS, a Petition has been presented to the Common Council of the City of Mishawaka, Indiana, praying that certain territory lying contiguous to the corporate limits of the City of Mishawaka, Indiana, be annexed to and declared to be a part of the City of Mishawaka, and that it be provided with a Zoning Classification, and

WHEREAS, the Mishawaka City Plan Commission, to which Commission the petition was duly referred, has recommended the annexation and a PUD Amendment as hereinafter set forth, including the imposition of reasonable conditions, to wit, the recommendations of the Department of City Planning.

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

Section 1. The following described real estate be and the same is hereby annexed to and declared to be a part of the City of Mishawaka, Indiana:

A PART OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 38 NORTH, RANGE 3 EAST, ST. JOSEPH COUNTY, INDIANA, DESCRIBED AS BEGINNING AT THE SOUTHWEST CORNER OF SAID QUARTER SECTION: THENCE EAST ALONG THE SOUTH LINE OF SAID QUARTER SECTION 265.00 FEET: THENCE NORTH 243.60 FEET: THENCE WEST 265.00 FEET TO THE WEST LINE OF SAID QUARTER SECTION: THENCE SOUTH ALONG SAID WEST LINE 243.60 FEET TO THE PLACE OF BEGINNING. CONTAINING 1.482 ACRES, MORE OR LESS, INCLUDING ALL ADJACENT DOUGLAS ROAD RIGHT-OF-WAY TO THE EXISTING SOUTH RIGHT-OF-WAY LINE.

The above described real estate shall hereafter be annexed into and within the City of Mishawaka, Indiana, and a part of that district designated in the Zoning Ordinance of the City of Mishawaka, Indiana, and shall carry a classification for zoning of S-2 Planned Unit Development District.

Furthermore, 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:

PARCEL 1:
THE EAST HALF OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 38 NORTH, RANGE 3 EAST, IN ST. JOSEPH COUNTY, INDIANA. LESS AND EXCEPTING THEREFROM THE FOLLOWING: A PART OF THE EAST HALF OF

THE SOUTHEAST QUARTER OF SECTION 29, ALL IN TOWNSHIP 38 NORTH, RANGE 3 EAST, IN ST. JOSEPH COUNTY, INDIANA, AND BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 38 NORTH, RANGE 3 EAST, SAID POINT BEING AT THE INTERSECTION OF THE CENTERLINES OF GRAPE ROAD AND DOUGLAS ROAD; THENCE SOUTH 89 DEGREES 52 MINUTES 06 SECONDS WEST, 2648.16 FEET ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION TO THE SOUTHWEST CORNER OF SAID SECTION 28 AND THE SOUTHEAST CORNER OF SAID SECTION 29 AND THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE SOUTH 89 DEGREES 40 MINUTES 04 SECONDS WEST, 331.93 FEET ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER SECTION; THENCE NORTH 00 DEGREES 03 MINUTES 49 SECONDS EAST, 40.00 FEET; THENCE NORTH 89 DEGREES 40 MINUTES 04 SECONDS EAST, 331.89 FEET TO A POINT ON THE EAST LINE OF SAID SOUTHEAST QUARTER SECTION; THENCE SOUTH 00 DEGREES 00 MINUTES 02 SECONDS EAST, 40.00 FEET ALONG SAID EAST LINE TO THE POINT OF BEGINNING, AND CONTAINING 0.304 ACRES, MORE OR LESS, INCLUSIVE OF THE PRESENTLY EXISTING RIGHT OF WAY WHICH CONTAINS 0.152 ACRES, MORE OR LESS, FOR A NET ADDITIONAL TAKING OF 0.152 ACRES, MORE OR LESS.

PARCEL 2:
A PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 28, AND A PART OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 29, BOTH IN TOWNSHIP 38 NORTH, RANGE 3 EAST OF THE SECOND PRINCIPAL MERIDIAN, CLAY TOWNSHIP, ST. JOSEPH COUNTY, INDIANA, AND DESCRIBED AS FOLLOWS: COMMENCING FROM THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 28, SAID POINT BEING AT THE INTERSECTION OF THE CENTERLINES OF GRAPE ROAD AND DOUGLAS ROAD; THENCE SOUTH 89 DEGREES 14 MINUTES 10 SECONDS WEST, 2382.78 FEET; THENCE NORTH 00 DEGREES 31 MINUTES 45 SECONDS WEST, 243.60 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 89 DEGREES 14 MINUTES 10 SECONDS WEST, 265.00 FEET; THENCE SOUTH 00 DEGREES 31 MINUTES 45 SECONDS EAST, 243.60 FEET; THENCE SOUTH 89 DEGREES 14 MINUTES 10 SECONDS WEST, 331.20 FEET; THENCE NORTH 00 DEGREES 31 MINUTES 45 SECONDS WEST, 1324.81 FEET; THENCE NORTH 89 DEGREES 22 MINUTES 35 SECONDS EAST, 611.20 FEET; THENCE SOUTH 00 DEGREES 43 MINUTES 26 SECONDS EAST, 1079.70 FEET; THENCE SOUTH 89 DEGREES 14 MINUTES 10 SECONDS WEST, 18.67 FEET TO THE POINT OF BEGINNING.
EXCEPTING THEREFROM, THE EAST HALF OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 38 NORTH, RANGE 3 EAST, IN ST. JOSEPH COUNTY, INDIANA. ALSO LESS AND EXCEPTING, A PARCEL OF LAND BEING A PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 38 NORTH, RANGE 3 EAST, CITY OF MISHAWAKA, CLAY TOWNSHIP, ST. JOSEPH COUNTY, INDIANA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER OF SECTION 28; THENCE SOUTH 89 DEGREES 14 MINUTES 10 SECONDS WEST, ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 1920.28 FEET TO THE SOUTHEAST CORNER OF TWO TRACTS OF LAND
CONVEYED TO JOHN PIRACCINI AND WEBB STEELY BY A WARRANTY DEED RECORDED AS INSTRUMENT NUMBER 9020431 AND ALSO A WARRANTY DEED RECORDED AS INSTRUMENT NUMBER 9713420 IN THE OFFICE OF THE RECORDER OF ST. JOSEPH COUNTY, INDIANA; THENCE NORTH 00 DEGREES 43 MINUTES 28 SECONDS WEST ALONG THE EAST LINE OF SAID PIRACCINI AND STEELY TRACT, A DISTANCE OF 989.01 FEET TO THE PLACE OF BEGINNING FOR THIS DESCRIPTION; THENCE SOUTH 89 DEGREES 35 MINUTES 44 SECONDS WEST, A DISTANCE OF 384.77 FEET; THENCE SOUTH 00 DEGREES 31 MINUTES 05 SECONDS EAST,

A DISTANCE OF 545.79 FEET; THENCE NORTH 89 DEGREES 57 MINUTES 41 SECONDS WEST, A DISTANCE OF 44.50 FEET TO A POINT OF DEFLECTION; THENCE SOUTH 89 DEGREES 14 MINUTES 10 SECONDS WEST, PARALLEL WITH THE SOUTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 296.22 FEET TO THE WEST LINE OF SAID SOUTHWEST QUARTER OF SECTION 28; THENCE NORTH 00 DEGREES 41 MINUTES 27 SECONDS WEST, ALONG SAID WEST LINE A DISTANCE OF 1294.62 FEET TO THE NORTHWEST CORNER OF A TRACT OF LAND CONVEYED TO JOHN PIRACCINI BY WARRANTY DEED RECORDED AS INSTRUMENT NUMBER 0433126 IN SAID RECORDER'S OFFICE; THENCE NORTH 89 DEGREES 07 MINUTES 52 SECONDS EAST ALONG THE NORTH LINE OF SAID PIRACCINI TRACT, A DISTANCE OF 726.69 FEET; THENCE SOUTH 00 DEGREES 43 MINUTES 28 SECONDS EAST, ALONG THE EAST LINE OF SAID PIRACCINI TRACT AND THE EAST LINE OF SAID PIRACCINI AND STEELY TRACT, A DISTANCE OF 753.20 FEET TO THE PLACE OF BEGINNING.

PARCEL 3:
A PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 38 NORTH, RANGE 3 EAST, CLAY TOWNSHIP, ST. JOSEPH COUNTY, INDIANA, AND DESCRIBED AS FOLLOWS: COMMENCING FROM THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 28, SAID POINT BEING AT THE INTERSECTION OF THE CENTERLINES OF GRAPE AND DOUGLAS ROADS; THENCE SOUTH 89 DEGREES 14 MINUTES 10 SECONDS WEST ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 28, 1920.28 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 89 DEGREES 14 MINUTES 10 SECONDS WEST, 462.50 FEET; THENCE NORTH 00 DEGREES 31 MINUTES 45 SECONDS WEST, 243.60 FEET; THENCE NORTH 89 DEGREES 14 MINUTES 10 SECONDS EAST, 18.67 FEET; THENCE NORTH 00 DEGREES 43 MINUTES 26 SECONDS WEST, 1079.70 FEET; THENCE NORTH 89 DEGREES 22 MINUTES 35 SECONDS EAST, 443.00 FEET; THENCE SOUTH 00 DEGREES 43 MINUTES 26 SECONDS EAST, 1322.21 FEET TO THE POINT OF BEGINNING. LESS AND EXCEPTING, A PARCEL OF LAND BEING A PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 38 NORTH, RANGE 3 EAST, CITY OF MISHAWAKA, CLAY TOWNSHIP, ST. JOSEPH COUNTY, INDIANA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER OF SECTION 28; THENCE SOUTH 89 DEGREES 14 MINUTES 10 SECONDS WEST, ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 1920.28 FEET TO THE SOUTHEAST CORNER OF TWO TRACTS OF LAND CONVEYED TO JOHN PIRACCINI AND WEBB STEELY BY A WARRANTY DEED RECORDED AS INSTRUMENT NUMBER 9020431 AND ALSO A WARRANTY DEED RECORDED AS INSTRUMENT NUMBER 9713420 IN THE OFFICE OF THE RECORDER OF ST. JOSEPH COUNTY, INDIANA; THENCE NORTH 00 DEGREES 43 MINUTES 28 SECONDS WEST ALONG THE EAST LINE OF SAID PIRACCINI AND STEELY TRACT, A DISTANCE OF 989.01 FEET TO THE PLACE OF BEGINNING FOR THIS DESCRIPTION; THENCE SOUTH 89 DEGREES 35 MINUTES 44 SECONDS WEST, A DISTANCE OF 384.77 FEET; THENCE SOUTH 00 DEGREES 31 MINUTES 05 SECONDS EAST, A DISTANCE OF 545.79 FEET; THENCE NORTH 89 DEGREES 57 MINUTES 41 SECONDS WEST, A DISTANCE OF 44.50 FEET TO A POINT OF DEFLECTION; THENCE SOUTH 89 DEGREES 14 MINUTES 10 SECONDS WEST, PARALLEL WITH THE SOUTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 296.22 FEET TO THE WEST LINE OF SAID SOUTHWEST QUARTER OF SECTION 28; THENCE NORTH 00 DEGREES 41 MINUTES 27 SECONDS WEST, ALONG SAID WEST LINE A DISTANCE OF 1294.62 FEET TO THE NORTHWEST CORNER OF A TRACT OF LAND CONVEYED TO JOHN PIRACCINI BY WARRANTY DEED RECORDED AS INSTRUMENT NUMBER 0433126 IN SAID RECORDER'S OFFICE; THENCE NORTH 89 DEGREES 07 MINUTES 52 SECONDS EAST ALONG THE NORTH LINE OF SAID

PIRACCINI TRACT, A DISTANCE OF 726.69 FEET; THENCE SOUTH 00 DEGREES 43 MINUTES 28 SECONDS EAST, ALONG THE EAST LINE OF SAID PIRACCINI TRACT AND THE EAST LINE OF SAID PIRACCINI AND STEELY TRACT, A DISTANCE OF 753.20 FEET TO THE PLACE OF BEGINNING.
ALSO LESS AND EXCEPTING, A PARCEL OF LAND BEING A PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 38 NORTH, RANGE 3 EAST, CLAY TOWNSHIP, ST. JOSEPH COUNTY, INDIANA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER OF SAID SECTION 28; THENCE SOUTH 89 DEGREES 14 MINUTES 10 SECONDS WEST (BEARING ASSUMED) ON THE SOUTH LINE OF SAID SECTION A DISTANCE OF 1920.28 FEET; THENCE NORTH 00 DEGREES 43 MINUTES 26 SECONDS WEST, A DISTANCE OF 40.00 FEET TO A POINT ON THE NORTH RIGHTOF-WAY LINE OF DOUGLAS ROAD AND THE PLACE OF BEGINNING FOR THIS DESCRIPTION;
THENCE SOUTH 89 DEGREES 14 MINUTES 10 SECONDS
WEST, ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 402.36 FEET; THENCE NORTH 00 DEGREES 31 MINUTES 45 SECONDS WEST, A DISTANCE OF 310.00 FEET; THENCE NORTH 89 DEGREES 14 MINUTES 10 SECONDS EAST, PARALLEL WITH SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 401.31 FEET; THENCE SOUTH 00 DEGREES 43 MINUTES 26 SECONDS EAST, A DISTANCE OF 309.99 FEET TO THE PLACE OF BEGINNING. ALSO LESS AND EXCEPTING, A PARCEL OF LAND BEING A PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 38 NORTH, RANGE 3 EAST, CITY OF MISHAWAKA, CLAY TOWNSHIP, ST. JOSEPH COUNTY, INDIANA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER OF SECTION 28; THENCE SOUTH 89 DEGREES 14 MINUTES 10 SECONDS WEST, ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 2360.40 FEET TO A POINT; THENCE NORTH 00 DEGREES 25 MINUTES 06 SECONDS EAST, A DISTANCE OF 40.01 FEET TO A POINT ON THE NORTH RIGHTOF-
WAY LINE OF DOUGLAS ROAD AS DEDICATED TO THE CITY OF MISHAWAKA BY INSTRUMENT NUMBER 9024928 AS RECORDED IN THE OFFICE OF THE RECORDER OF ST. JOSEPH COUNTY, INDIANA, SAID POINT BEING THE PLACE OF BEGINNING FOR THIS DESCRIPTION; THENCE NORTH 00 DEGREES 25 MINUTES 06 SECONDS EAST, A
DISTANCE OF 406.35 FEET; THENCE SOUTH 89 DEGREES 57 MINUTES 40 SECONDS EAST, A DISTANCE OF 44.50 FEET; THENCE NORTH 00 DEGREES 31 MINUTES 05 SECONDS WEST, A DISTANCE OF 545.79 FEET; THENCE NORTH 89 DEGREES 35 MINUTES 44 SECONDS EAST, A DISTANCE OF 384.77 FEET TO A POINT ON THE WEST LINE OF A TRACT OF LAND CONVEYED TO YOUNG'S LANDSCAPE NURSERY CORP BY WARRANTY DEED RECORDED AS INSTRUMENT NUMBER 7800165 IN SAID RECORDER'S OFFICE; THENCE SOUTH 00 DEGREES 43 MINUTES 27 SECONDS EAST, ALONG SAID WEST LINE A DISTANCE OF 639.02 FEET TO THE NORTHEAST CORNER OF A TRACT OF LAND CONVEYED TO MDK NO. 3, LLC BY WARRANTY DEED RECORDED AS INSTRUMENT NUMBER 9834156 IN SAID RECORDER'S OFFICE; THENCE SOUTH 89 DEGREES 14 MINUTES 10 SECONDS WEST, ALONG THE NORTH LINE OF SAID MDK TRACT AND PARALLEL WITH SAID SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 28, A DISTANCE OF 401.33 FEET TO THE NORTHWEST CORNER THEREOF; THENCE SOUTH 00 DEGREES 31 MINUTES 45 SECONDS EAST, ALONG THE WEST LINE OF SAID MDK TRACT, A DISTANCE OF 310.00 FEET TO A POINT ON SAID NORTH RIGHT-OF-WAY LINE OF DOUGLAS ROAD;
THENCE SOUTH 89 DEGREES 14 MINUTES 10 SECONDS WEST, ALONG SAID NORTH RIGHT-OFWAY
LINE, A DISTANCE OF 36.94 FEET TO THE PLACE OF BEGINNING.

PARCEL 4:
A NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS FOR THE BENEFIT OF PARCEL 4, AS RESERVED IN WARRANTY DEED FROM WEBB J. STEELY AND JOHN A. PIRACCINI TO J2MD, L.L.C., DATED JULY 1, 2004 AND RECORDED JULY 7, 2004 AS INSTRUMENT NUMBER 0433048, IN THE OFFICE OF THE RECORDER OF ST. JOSEPH COUNTY, INDIANA, OVER THE FOLLOWING LAND: COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 38 NORTH, RANGE 3 EAST, IN ST. JOSEPH COUNTY, INDIANA; THENCE SOUTH 89 DEGREES 14 MINUTES 10 SECONDS WEST, ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 2360.40 FEET TO A POINT; THENCE NORTH 00 DEGREES 25 MINUTES 06 SECONDS EAST, A DISTANCE OF 40.01 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF DOUGLAS ROAD AS DEDICATED TO THE CITY OF MISHAWAKA BY INSTRUMENT NUMBER 9024928 AS RECORDED IN THE OFFICE OF THE RECORDER OF ST.
JOSEPH COUNTY, INDIANA, SAID POINT BEING THE PLACE OF BEGINNING FOR THIS DESCRIPTION; THENCE NORTH 00 DEGREES 25 MINUTES 06 SECONDS EAST, A DISTANCE OF 406.35 FEET; THENCE SOUTH 89 DEGREES 57 MINUTES 40 SECONDS EAST, A DISTANCE OF 89.50 FEET; THENCE SOUTH 00 DEGREES 25 MINUTES 06 SECONDS WEST, A DISTANCE OF 95.03 FEET TO A POINT ON THE NORTH LINE OF SAID MDK NO. 3, LLC PARCEL OF LAND; THENCE SOUTH 89 DEGREES 14 MINUTES 10 SECONDS WEST, ALONG THE NORTH LINE OF SAID MDK TRACT AND PARALLEL WITH SAID SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 29, A DISTANCE OF 57.70 FEET TO THE NORTHWEST CORNER THEREOF; HENCE SOUTH 00 DEGREES 31 MINUTES 45 SECONDS EAST, ALONG THE WEST LINE OF SAID MDK TRACT, A DISTANCE OF 310.00 FEET TO A POINT ON SAID NORTH RIGHT-OF-WAY LINE OF DOUGLAS ROAD; THENCE SOUTH 89 DEGREES 14 MINUTES 10 SECONDS WEST, ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 36.94 FEET TO THE PLACE OF BEGINNING.

which real estate is now classified as S-2 Planned Unit Development District.

All the above real estate shall hereafter be amended to allow for an indoor and mini-storage use subject to the following conditions:

Uses:

1. C-1 General Commercial Uses
2. Mini-warehousing (self-storage)
    a. No business shall be operated out a storage unit.
    b. No storage of chemicals, flammables, and paints.
3. Truck and Trailer Sharing
4. Off-premise signs/billboards shall be prohibited.

Parking Spaces, Building & Parking/Pavement Setbacks:

1. A minimum of 4 parking spaces shall be provided per 1,000 square feet of office or retail area.
2. The building setback shall be a minimum of 25' from the right-of-way and external property lines.
3. The parking/pavement setback shall be 15' from the right-of-way and all external property lines.

Landscaping & Fencing:

1. Landscaping along Douglas Road and Shaughn Dr shall be provided as required per the C-1 General Commercial District.
2. A 15' wide landscape buffer shall be provided along the western property line and on the north and east abutting residential uses.
3. The landscape buffer shall be planted with a continuous evergreen screen combined with required plantings as identified in minimum landscaping and screening regulations (Section 137-815). Minimum size of the evergreen plantings at the time of planting shall be 6 foot in height.
4. No additional landscaping shall be required where the existing mature vegetation is preserved if compliant with the minimum spacing requirements.
5. A seven-foot-high opaque fence shall be mandatory along any developed industrial property line that is contiguous to any residentially zoned property. Fencing shall meet the minimum front yard setback requirements of the district in which it is located.
6. Electrified fencing, barbed wire and razor wire are prohibited.

Signage:

1. All signage shall comply with the height and display area requirements for the C-1 General Commercial District, including but not limited to, all freestanding and directional signs.

Right-of-way & Sidewalks:

1. Additional right-of-way and easements may be required and shall be determined by review of the City Director of Engineering as a part of the planned unit development plan and subdivision plat.
2. The developer shall construct an 8' wide pathway within the public right-of-way along Douglas Road and along Shaughn Street. Connections from the site to the sidewalk shall be provided along Douglas Road and along Shaughn Street. The sidewalk shall be reviewed and approved by the City Director of Engineering as a part of the planned unit development plan.

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. Lighting shall not exceed one-half footcandles as measured along property lines abutting residentially zoned property.

Proposed Ordinance No: _____

Ordinance No: _____

Building Limitations & Architecture:

1. The maximum building height shall be 48'.
2. Architectural building materials and colors per Section 137-380 (15) Design Review / Development Plan Restrictions shall only apply to the western and southern building facades of the western building, and the eastern and southern building facades of the eastern building. Fiber cement board shall be considered an appropriate material.

Stormwater Management Infrastructure & Utilities:

1. A stormwater drainage plan shall be reviewed and approved by the City Director of Engineering as a part of the planned unit development plan.

All costs associated with the extension of utilities shall be the responsibility of the developer. Extension of utilizes shall occur in a location and size as directed by the City Director of Engineering.

This recommendation is based on the following Findings of Fact:

1. Existing Conditions – The subject property is located along the heavily travelled Douglas Road corridor. Adjacent land uses include a gas station, mini-storage and condos in the Douglas Commons Planned Unit Development and single-family residential houses in unincorporated St. Joseph County.
2. Character of Buildings in the Area – The character of buildings and land uses located along the Douglas Road corridor between State Road 23 and Grape Road vary greatly and include single and multi-family residential, commercial and medical land uses.
3. The most desirable/highest and best use – Because of the property's location along a highly travelled mixed use corridor, the most desirable use for the property is commercial or light industrial use consistent with adjacent land uses
4. Conservation of property values – The proposed zoning should not be injurious to the property values in the surrounding area. Landscaping and screening compliant with the commercial regulations is required to adequately screen the adjacent existing single-family residential properties.
5. Comprehensive Plan – The Mishawaka 2000 Comprehensive Plan, created in 1990, guided general commercial development along Douglas Road between State Road 23 and Grape Road.

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 _____, 2024, at _____ o'clock ___.M.

_____
Presiding Officer

Proposed Ordinance No: _____

Ordinance No: _____

ATTEST:

_____
Deborah S. Block, IAMC, MMC, City Clerk

PRESENTED by me to the Mayor this _____ day of _____, 2024, at _____ o'clock ____.M.

_____
Deborah S. Block, IAMC, MMC, City Clerk

APPROVED by me this _____ day of _____, 2024, at _____o'clock ____.M.

_____
David A. Wood, Mayor

1. Clay Township Tax Rates Prior to Annexation

2. Mishawaka-Clay Tax Rates Post Annexation

Tab Rate Chart for the year 2023 payable 2024

Notice is hereby given that the Tax Duplicates for the Taxing Units of St. Joseph County, for the year 2023 payable 2024, are now in the hands of the St. Joseph County Auditor, who is ready to recei
The following table shows the rate of taxation on each $100.00 of Taxable Real Estate, Personal Property and Mobile Homes. The first installment will be delinquent after May 10, 2024.
Second installment will be delinquent after November 12, 2024. John H Murphy, Auditor of St. Joseph County.

		71 001	71 002	71 003	71 004	71 005	71 006	71 007	71 008	71 009	71 010
Fund	Fund Name	Centre Township	South Bend - Centre	Clay Township	South Bend - Clay	Mishawaka - Clay	Indian Village	Roseland	German Township	South Bend - German	Greene Township
61	County Rainy Day										
101	County General	0.4673	0.4673	0.4673	0.4673	0.4673	0.4673	0.4673	0.4673	0.4673	0.4673
124	Cumulative Reassessment	0.0176	0.0176	0.0176	0.0176	0.0176	0.0176	0.0176	0.0176	0.0176	0.0176
180	Debt Service	0.0067	0.0067	0.0067	0.0067	0.0067	0.0067	0.0067	0.0067	0.0067	0.0067
181	2022 GO Highway Bond	0.0150	0.0150	0.0150	0.0150	0.0150	0.0150	0.0150	0.0150	0.0150	0.0150
702	Highway										
706	LR & S										
720	Major Moves SPC										
790	Cumulative Bridge	0.0095	0.0095	0.0095	0.0095	0.0095	0.0095	0.0095	0.0095	0.0095	0.0095
792	Major Cumulative Bridge	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333
801	Health	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216
1301	Park & Recreation	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216
2391	Cumulative Capital Development	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333
71 1	**Total COUNTY**	**0.6259**	**0.6259**	**0.6259**	**0.6259**	**0.6259**	**0.6259**	**0.6259**	**0.6259**	**0.6259**	**0.6259**
61	Township Rainy Day										
101	Township General Fund	0.0119	0.0119	0.0225	0.0225	0.0225	0.0225	0.0225	0.0072	0.0072	
180	TOWNSHIP DEBT SERVICE										
601	Twp Community Bldg										
840	Twp Poor Relief/Twp Assistance			0.0051	0.0051	0.0051	0.0051	0.0051			
1111	Twp Fire										
1181	Twp Fire Bldg Debt Fund										
1182	Twp Fire Equipment Debt										
1190	Twp Cum Fire										
1312	Twp Recreation								0.0035	0.0035	
2120	Township Cemetery										
8604	Twp Fire Territory General	0.5063		0.2529			0.2529	0.2529	0.2529		0.2731
8692	Twp Fire Terrority Equip Repla	0.0308		0.0269			0.0269	0.0269	0.0269		0.0333
71 2	**Total TOWNSHIP**	**0.5490**	**0.0119**	**0.3074**	**0.0276**	**0.0276**	**0.3074**	**0.3074**	**0.2905**	**0.0107**	**0.3064**
61	City/Town Rainy Day										
101	City General		2.3710		2.3710	1.7224		0.5590		2.3710	
180	City Debt Service										
181	City/Town Debt Payment										
341	City Fire Pension										
342	City Police Pension										
706	City/Town LR & S										
708	City MVH					0.0088					
720	City/Town Major Moves Spc										
1109	Municipal Emerg Medical Svcs										
1301	City Park & Rec		0.5565		0.5565	0.2235				0.5565	
1303	City/Town Park										
1380	Park Bond		0.0308		0.0308					0.0308	
2120	City Cemetary										
2379	City/Town CCI										
2391	City Cum Cap Development		0.0282		0.0282	0.0500		0.0336		0.0282	
6290	City Cum Sewer										
8604	City Town Fire Territory Gen										
8692	City Town Fire Terr Eqp Replac										
71 3	**Total CITY/TOWN**	**0.0000**	**2.9865**	**0.0000**	**2.9865**	**2.0047**	**0.0000**	**0.5926**	**0.0000**	**2.9865**	**0.0000**
22	Referendum-Exempt Operating	0.3334	0.3334	0.3334	0.3334	0.3334	0.3334	0.3334	0.3334	0.3334	0.3334
61	School Rainy Day										
180	School Debt Service	0.2425	0.2425	0.2425	0.2425	0.2425	0.2425	0.2425	0.2425	0.2425	0.2425
287	Referendum Debt-Exempt Capital	0.0506	0.0506	0.0506	0.0506	0.0506	0.0506	0.0506	0.0506	0.0506	0.0506
3101	Education										
3300	Operations	0.6557	0.6557	0.6557	0.6557	0.6557	0.6557	0.6557	0.6557	0.6557	0.6557
71 4	**Total SCHOOL**	**1.2822**	**1.2822**	**1.2822**	**1.2822**	**1.2822**	**1.2822**	**1.2822**	**1.2822**	**1.2822**	**1.2822**
61	Rainy Day										
101	Library General	0.2530	0.2530	0.2530	0.2530	0.2530	0.2530	0.2530	0.2530	0.2530	0.2530
180	Library Debt Service	0.0195	0.0195	0.0195	0.0195	0.0195	0.0195	0.0195	0.0195	0.0195	0.0195
2011	Library LIRF										
71 5	**Total LIBRARY**	**0.2725**	**0.2725**	**0.2725**	**0.2725**	**0.2725**	**0.2725**	**0.2725**	**0.2725**	**0.2725**	**0.2725**
8001	So Bend Transpo		0.1036		0.1036	0.1036				0.1036	
8090	So Bend Transpo Spec Tran Cum										
8101	Airport Authority General	0.0271	0.0271	0.0271	0.0271	0.0271	0.0271	0.0271	0.0271	0.0271	0.0271
8180	Airport Sp Airport Debt										
8190	Airport Authority Cum Bldg	0.0130	0.0130	0.0130	0.0130	0.0130	0.0130	0.0130	0.0130	0.0130	0.0130
8210	Sp Solid Waste Ma										
8604	Special Fire Protect Terr-Gen										
8692	Spec Fire Protect Terr-Equip										
71 6	**Total SPECIAL UNIT**	**0.0401**	**0.1437**	**0.0401**	**0.1437**	**0.1437**	**0.0401**	**0.0401**	**0.0401**	**0.1437**	**0.0401**
	Total Tax Rates (Less Conservancy)	**2.7697**	**5.3227**	**2.5281**	**5.3384**	**4.3566**	**2.5281**	**3.1207**	**2.5112**	**5.3215**	**2.5271**

Property Tax 03/07/2024 09:00 AM by KGREGORI

ve the Taxes charged thereon.

71 011	71 014	71 015	71 016	71 017	71 018	71 022	71 023	71 025	71 026	71 027	71 028	71 029
Harris Township	**Lincoln Township**	**Walkerton**	**Madison Township**	**Olive Township**	**New Carlisle**	**Mishawaka - Phm School**	**Mishawaka-Penn**	**Portage Township**	**South Bend - Portage**	**Union Township**	**Lakeville**	**Warren Township**
0.4673	0.4673	0.4673	0.4673	0.4673	0.4673	0.4673	0.4673	0.4673	0.4673	0.4673	0.4673	0.4673
0.0176	0.0176	0.0176	0.0176	0.0176	0.0176	0.0176	0.0176	0.0176	0.0176	0.0176	0.0176	0.0176
0.0067	0.0067	0.0067	0.0067	0.0067	0.0067	0.0067	0.0067	0.0067	0.0067	0.0067	0.0067	0.0067
0.0150	0.0150	0.0150	0.0150	0.0150	0.0150	0.0150	0.0150	0.0150	0.0150	0.0150	0.0150	0.0150
0.0095	0.0095	0.0095	0.0095	0.0095	0.0095	0.0095	0.0095	0.0095	0.0095	0.0095	0.0095	0.0095
0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333
0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216
0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216
0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333
0.6259	**0.6259**	**0.6259**	**0.6259**	**0.6259**	**0.6259**	**0.6259**	**0.6259**	**0.6259**	**0.6259**	**0.6259**	**0.6259**	**0.6259**
0.0075	0.0446	0.0446	0.0091	0.0429	0.0429	0.0113	0.0113			0.0683	0.0683	0.0322
0.0008	0.0209	0.0209	0.0030	0.0013	0.0013	0.0207	0.0207	0.0440	0.0440	0.0035	0.0035	
			0.0757									0.2676
										0.0792	0.0792	0.1881
										0.0385	0.0385	0.0361
			0.0300									0.0333
	0.0031	0.0031										
				0.0140	0.0140							
0.2529								0.5063		0.0839	0.0839	
0.0269								0.0308		0.0331	0.0331	
0.2881	**0.0686**	**0.0686**	**0.1178**	**0.0582**	**0.0582**	**0.0320**	**0.0320**	**0.5811**	**0.0440**	**0.3065**	**0.3065**	**0.5573**
		1.0218			0.8031	1.7224	1.7224		2.3710		0.6649	
		0.0988			0.0705							
		0.1112			0.2459	0.0088	0.0088				0.2505	
		0.2044				0.2235	0.2235		0.5565			
		0.0998							0.0308			
					0.0454							
		0.0500			0.0500	0.0500	0.0500		0.0282		0.0421	
	0.3698	0.3698										
	0.0292	0.0292										
0.0000	**0.3990**	**1.9850**	**0.0000**	**0.0000**	**1.2149**	**2.0047**	**2.0047**	**0.0000**	**2.9865**	**0.0000**	**0.9575**	**0.0000**
							0.2434	0.3334	0.3334			0.3334
0.4265	0.4488	0.4488	0.4265	0.2497	0.2497	0.4265	0.6870	0.2425	0.2425	0.5672	0.5672	0.2425
				0.2567	0.2567		0.1040	0.0506	0.0506			0.0506
0.5010	0.5564	0.5564	0.5010	0.6457	0.6457	0.5010	0.4004	0.6557	0.6557	0.4576	0.4576	0.6557
0.9275	**1.0052**	**1.0052**	**0.9275**	**1.1521**	**1.1521**	**0.9275**	**1.4348**	**1.2822**	**1.2822**	**1.0248**	**1.0248**	**1.2822**
0.1198	0.0878	0.0878		0.2583	0.2583	0.1198	0.1198	0.2530	0.2530	0.2530	0.2530	0.2530
0.0139	0.0606	0.0606		0.0223	0.0223	0.0139	0.0139	0.0195	0.0195	0.0195	0.0195	0.0195
0.1337	**0.1484**	**0.1484**	**0.0000**	**0.2806**	**0.2806**	**0.1337**	**0.1337**	**0.2725**	**0.2725**	**0.2725**	**0.2725**	**0.2725**
						0.1036	0.1036		0.1036			
0.0271	0.0271	0.0271	0.0271	0.0271	0.0271	0.0271	0.0271	0.0271	0.0271	0.0271	0.0271	0.0271
0.0130	0.0130	0.0130	0.0130	0.0130	0.0130	0.0130	0.0130	0.0130	0.0130	0.0130	0.0130	0.0130
				0.4920	0.4920							
				0.0333	0.0333							
0.0401	**0.0401**	**0.0401**	**0.0401**	**0.5654**	**0.5654**	**0.1437**	**0.1437**	**0.0401**	**0.1437**	**0.0401**	**0.0401**	**0.0401**
2.0153	**2.2872**	**3.8732**	**1.7113**	**2.6822**	**3.8971**	**3.8675**	**4.3748**	**2.8018**	**5.3548**	**2.2698**	**3.2273**	**2.7780**

71 030	71 031	71 032	71 033	71 034	71 035	71 036	71 037
Osceola	Penn Township	Penn Township - Mishawaka Schools	South Bend - Penn	Liberty Township	North Liberty	Mishawaka - Harris	South Bend Warren
0.4673	0.4673	0.4673	0.4673	0.4673	0.4673	0.4673	0.4673
0.0176	0.0176	0.0176	0.0176	0.0176	0.0176	0.0176	0.0176
0.0067	0.0067	0.0067	0.0067	0.0067	0.0067	0.0067	0.0067
0.0150	0.0150	0.0150	0.0150	0.0150	0.0150	0.0150	0.0150
0.0095	0.0095	0.0095	0.0095	0.0095	0.0095	0.0095	0.0095
0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333
0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216
0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216	0.0216
0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333	0.0333
0.6259	**0.6259**	**0.6259**	**0.6259**	**0.6259**	**0.6259**	**0.6259**	**0.6259**
0.0113	0.0113	0.0113	0.0113	0.0667	0.0667	0.0075	0.0322
0.0495	0.0495	0.0495					
0.0207	0.0207	0.0207	0.0207			0.0008	
0.2103	0.2103	0.2103		0.2731	0.2731		
0.0333	0.0333	0.0333		0.0333	0.0333		
0.3251	**0.3251**	**0.3251**	**0.0320**	**0.3731**	**0.3731**	**0.0083**	**0.0322**
0.1723			2.3710		0.9129	1.7224	2.3710
0.0398					0.2676	0.0088	
			0.5565			0.2235	0.5565
					0.0750		
			0.0308				0.0308
0.0422			0.0282		0.0500	0.0500	0.0282
0.2543	**0.0000**	**0.0000**	**2.9865**	**0.0000**	**1.3055**	**2.0047**	**2.9865**
		0.2434					0.3334
0.4265	0.4265	0.6870	0.4265	0.4488	0.4488	0.4265	0.2425
		0.1040					0.0506
0.5010	0.5010	0.4004	0.5010	0.5564	0.5564	0.5010	0.6557
0.9275	**0.9275**	**1.4348**	**0.9275**	**1.0052**	**1.0052**	**0.9275**	**1.2822**
0.1198	0.1198	0.1198	0.1198	0.2530	0.2530	0.1198	0.2530
0.0139	0.0139	0.0139	0.0139	0.0195	0.0195	0.0139	0.0195
0.1337	**0.1337**	**0.1337**	**0.1337**	**0.2725**	**0.2725**	**0.1337**	**0.2725**
			0.1036			0.1036	0.1036
0.0271	0.0271	0.0271	0.0271	0.0271	0.0271	0.0271	0.0271
0.0130	0.0130	0.0130	0.0130	0.0130	0.0130	0.0130	0.0130
0.0401	**0.0401**	**0.0401**	**0.1437**	**0.0401**	**0.0401**	**0.1437**	**0.1437**
2.3066	**2.0523**	**2.5596**	**4.8493**	**2.3168**	**3.6223**	**3.8438**	**5.3430**

St. Joseph County
Submitted to the State on
Report printed on Tuesday, March 19, 2024
Note: Data contained in Gateway Debt Management is self-reported by local government officials and/or their designees. Debt Reports may not have been audited for accuracy or completeness by the Department of Local Government Finance. The Department is not responsible for any errors or omissions in this data.

Debt Verification

Initial Year:
Date of last payment or bond expiration:
New (post 1989):
Newer (post 2005):
Refinanced bond: N

Basic Debt Information

Debt Name: Economic Development Income Tax Revenue Bonds of 2014
Debt Status: Outstanding
Type of Indebtedness: Bond
Base CUSIP Number: 790607
Is this debt exempt from the property tax caps? N

Code Cite

Code Cite Under Which Debt is Authorized: 6-3.5-7
Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer's debt limit? Y
Applicable Issuer: St. Joseph County
Current Debt Limit: $52,426,723.00
Current Debt Capacity (after issuance of this debt): $35,171,723.00

Date Information

Date of Preliminary Determination:
Date of Publication of Preliminary Determination:
Newspaper(s):
Date of Public Hearing:
Date of Final Approval/Lease Execution: 9/16/2014
Date of Appropriation Resolution:
Date of Debt Sale: 12/11/2014
Date of Debt Closing: 12/30/2014

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No
Was a remonstrance conducted? No
Votes in favor debt:
Votes against debt:
Was this debt subject to referendum? No
Votes in favor debt:
Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating

Security on the Debt - Source of Repayment

Property Tax: No
TIF Revenue: No
COIT: No
Motor Vehicle Highway/Local Road & Street: No
CAGIT: No
Stormwater Revenues: No
CEDIT: Primary
Electric Revenues: No
Water Revenue: No
Wasterwater Revenues: No
Grant Revenue: No
Other () : No

Allocation Area from which the TIF Revenues will be generated:
Name of Lessor (Building Corporation/Hold Corporation):
Does this debt refinance or refund any previously outstanding debt? No

Purpose/Cost

Purpose of Debt: Construct a new Public Safety Answering Point and renovate existing facility to serve as a backup
Total Project Cost: $9,155,000.00

Sources

Sources of Funds	Amount

Uses

Uses of Funds	Amount

Dates

Date Bids Received: 11/18/2014
Date Construction Started: 9/30/2014
Estimated Date of Substantial Completion: 9/30/2015

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax	Remaining Balance

									Credit	
6/30/2015	$210,000	2.00	$131,866	$341,866						$8,945,000
12/31/2015	$215,000	2.00	$129,766	$344,766		$686,631				$8,730,000
6/30/2016	$215,000	2.00	$127,616	$342,616						$8,515,000
12/31/2016	$220,000	2.00	$125,466	$345,466		$688,081				$8,295,000
6/30/2017	$220,000	2.00	$123,266	$343,266						$8,075,000
12/31/2017	$225,000	2.00	$121,066	$346,066		$689,331				$7,850,000
6/30/2018	$225,000	2.00	$118,816	$343,816						$7,625,000
12/31/2018	$225,000	2.00	$116,566	$341,566		$685,381				$7,400,000
6/30/2019	$230,000	2.00	$114,316	$344,316						$7,170,000
12/31/2019	$230,000	2.00	$112,016	$342,016		$686,331				$6,940,000
6/30/2020	$235,000	2.00	$109,716	$344,716						$6,705,000
12/31/2020	$235,000	2.00	$107,366	$342,366		$687,081				$6,470,000
6/30/2021	$240,000	3.00	$105,016	$345,016						$6,230,000
12/31/2021	$240,000	3.00	$101,416	$341,416		$686,431				$5,990,000
6/30/2022	$245,000	3.00	$97,816	$342,816						$5,745,000
12/31/2022	$250,000	3.00	$94,141	$344,141		$686,956				$5,495,000
6/30/2023	$255,000	3.00	$90,391	$345,391						$5,240,000
12/31/2023	$255,000	3.00	$86,566	$341,566		$686,956				$4,985,000
6/30/2024	$260,000	3.00	$82,741	$342,741						$4,725,000
12/31/2024	$265,000	3.00	$78,841	$343,841		$686,581				$4,460,000
6/30/2025	$190,000	3.00	$74,866	$264,866						$4,270,000
12/31/2025	$195,000	3.00	$72,016	$267,016		$531,881				$4,075,000
6/30/2026	$200,000	3.00	$69,091	$269,091						$3,875,000
12/31/2026	$200,000	3.00	$66,091	$266,091		$535,181				$3,675,000
6/30/2027	$205,000	3.13	$63,091	$268,091						$3,470,000
12/31/2027	$205,000	3.13	$59,888	$264,888		$532,978				$3,265,000
6/30/2028	$210,000	3.25	$56,684	$266,684						$3,055,000
12/31/2028	$215,000	3.25	$53,272	$268,272		$534,956				$2,840,000
6/30/2029	$215,000	3.38	$49,778	$264,778						$2,625,000
12/31/2029	$220,000	3.38	$46,150	$266,150		$530,928				$2,405,000
6/30/2030	$225,000	3.38	$42,438	$267,438						$2,180,000
12/31/2030	$225,000	3.38	$38,641	$263,641		$531,078				$1,955,000
6/30/2031	$230,000	3.50	$34,844	$264,844						$1,725,000
12/31/2031	$235,000	3.50	$30,819	$265,819		$530,663				$1,490,000
6/30/2032	$240,000	3.50	$26,706	$266,706						$1,250,000
12/31/2032	$240,000	3.50	$22,506	$262,506		$529,213				$1,010,000
6/30/2033	$245,000	3.63	$18,306	$263,306						$765,000
12/31/2033	$250,000	3.63	$13,866	$263,866		$527,172				$515,000
6/30/2034	$255,000	3.63	$9,334	$264,334						$260,000
12/31/2034	$260,000	3.63	$4,713	$264,713		$529,047				$0

Total	**$9,155,000**		**$3,027,870**	**$12,182,870**		**$12,182,857**				

Notes

St. Joseph County
Submitted to the State on Friday, February 17, 2017
Report printed on Tuesday, March 19, 2024
Note: Data contained in Gateway Debt Management is self-reported by local government officials and/or their designees. Debt Reports may not have been audited for accuracy or completeness by the Department of Local Government Finance. The Department is not responsible for any errors or omissions in this data.

Debt Verification

Initial Year: 2023
Date of last payment or bond expiration:
New (post 1989):
Newer (post 2005):
Refinanced bond: Y

Basic Debt Information

Debt Name: St. Joseph County Redevelopment District, Special Taxing District Bonds of 2016
Debt Status: Outstanding
Type of Indebtedness: Bond
Base CUSIP Number: 79062M
Is this debt exempt from the property tax caps? Y

Code Cite

Code Cite Under Which Debt is Authorized: I.C. 36-7-14 & I.C. 36-7-25
Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer's debt limit? Y
Applicable Issuer: St. Joseph County Redevelopment District
Current Debt Limit: $28,513,058.00
Current Debt Capacity (after issuance of this debt): $15,333,058.00

Date Information

Date of Preliminary Determination:
Date of Publication of Preliminary Determination:
Newspaper(s): Tri-County News and South Bend Tribune
Date of Public Hearing: 7/1/2016
Date of Final Approval/Lease Execution:
Date of Appropriation Resolution: 7/12/2016
Date of Debt Sale: 11/21/2016
Date of Debt Closing: 11/30/2016

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No
Was a remonstrance conducted? No
Votes in favor debt:
Votes against debt:
Was this debt subject to referendum? No
Votes in favor debt:
Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating

Security on the Debt - Source of Repayment

Property Tax: Primary
TIF Revenue: No
COIT: No
Motor Vehicle Highway/Local Road & Street: No
CAGIT: No
Stormwater Revenues: No
CEDIT: No
Electric Revenues: No
Water Revenue: No
Wasterwater Revenues: No
Grant Revenue: No
Other () : No

Allocation Area from which the TIF Revenues will be generated:
Name of Lessor (Building Corporation/Hold Corporation):
Does this debt refinance or refund any previously outstanding debt? No

Purpose/Cost

Purpose of Debt: Provide funds to finance various improvements in or serving the NewCarlisle EconomicDevelopmentArea
Total Project Cost: $9,197,753.00

Sources

Sources of Funds	Amount

Uses

Uses of Funds	Amount

Dates

Date Bids Received:
Date Construction Started:
Estimated Date of Substantial Completion:

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax	Remaining Balance

									Credit	
2/1/2038	$380,000	4.00	$7,600	$387,600		$395,200				$0
8/1/2037			$7,600	$7,600						$380,000
2/1/2037	$365,000	4.00	$14,900	$379,900		$394,800				$380,000
8/1/2036			$14,900	$14,900						$745,000
2/1/2036	$350,000	4.00	$21,900	$371,900		$393,800				$745,000
8/1/2035			$21,900	$21,900						$1,095,000
2/1/2035	$335,000	4.00	$28,600	$363,600		$392,200				$1,095,000
8/1/2034			$28,600	$28,600						$1,430,000
2/1/2034	$325,000	4.00	$35,100	$360,100		$395,200				$1,430,000
8/1/2033			$35,100	$35,100						$1,755,000
2/1/2033	$310,000	4.00	$41,300	$351,300		$392,600				$1,755,000
8/1/2032			$41,300	$41,300						$2,065,000
2/1/2032	$300,000	4.00	$47,300	$347,300		$394,600				$2,065,000
8/1/2031			$47,300	$47,300						$2,365,000
2/1/2031	$290,000	4.00	$53,100	$343,100		$396,200				$2,365,000
8/1/2030			$53,100	$53,100						$2,655,000
2/1/2030	$275,000	4.00	$58,600	$333,600		$392,200				$2,655,000
8/1/2029			$58,600	$58,600						$2,930,000
2/1/2029	$265,000	4.00	$63,900	$328,900		$392,800				$2,930,000
8/1/2028			$63,900	$63,900						$3,195,000
2/1/2028	$620,000	3.00	$73,200	$693,200		$766,400				$3,195,000
8/1/2027			$73,200	$73,200						$3,815,000
2/1/2027	$600,000	3.00	$82,200	$682,200		$764,400				$3,815,000
8/1/2026			$82,200	$82,200						$4,415,000
2/1/2026	$585,000	3.00	$90,975	$675,975		$766,950				$4,415,000
8/1/2025			$90,975	$90,975						$5,000,000
2/1/2025	$565,000	3.00	$99,450	$664,450		$763,900				$5,000,000
8/1/2024			$99,450	$99,450						$5,565,000
2/1/2024	$550,000	3.00	$107,700	$657,700		$765,400				$5,565,000
8/1/2023			$107,700	$107,700						$6,115,000
2/1/2023	$535,000	3.00	$115,725	$650,725		$766,450				$6,115,000
8/1/2022			$115,725	$115,725						$6,650,000
2/1/2022	$520,000	3.00	$123,525	$643,525		$767,050				$6,650,000
8/1/2021			$123,525	$123,525						$7,170,000
2/1/2021	$505,000	3.00	$131,100	$636,100		$767,200				$7,170,000
8/1/2020			$131,100	$131,100						$7,675,000
2/1/2020	$490,000	3.00	$138,450	$628,450		$766,900				$7,675,000
8/1/2019			$138,450	$138,450						$8,165,000
2/1/2019	$565,000	3.00	$146,925	$711,925		$858,850				$8,165,000
8/1/2018			$146,925	$146,925						$8,730,000

2/1/2018			$146,925	$146,925		$343,641				$8,730,000
8/1/2017			$196,716	$196,716						$8,730,000
Total	**$8,730,000**		**$3,306,741**	**$12,036,741**		**$12,036,741**				

Notes

St. Joseph County
Submitted to the State on Thursday, April 12, 2018
Report printed on Tuesday, March 19, 2024
Note: Data contained in Gateway Debt Management is self-reported by local government officials and/or their designees. Debt Reports may not have been audited for accuracy or completeness by the Department of Local Government Finance. The Department is not responsible for any errors or omissions in this data.

Debt Verification

Initial Year: 2021
Date of last payment or bond expiration: 7/1/2025 12:00:00 AM
New (post 1989): Y
Newer (post 2005): Y
Refinanced bond: N

Basic Debt Information

Debt Name: 2017 General Obligation (Guaranteed Energy Savings) Bonds
Debt Status: Outstanding
Type of Indebtedness: Bond
Base CUSIP Number:
Is this debt exempt from the property tax caps? N

Code Cite

Code Cite Under Which Debt is Authorized:
Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer's debt limit? Y
Applicable Issuer: Saint Joseph County
Current Debt Limit: $54,674,687.00
Current Debt Capacity (after issuance of this debt): $44,174,687.00

Date Information

Date of Preliminary Determination:
Date of Publication of Preliminary Determination:
Newspaper(s):
Date of Public Hearing: 8/8/2017
Date of Final Approval/Lease Execution: 8/15/2017
Date of Appropriation Resolution:
Date of Debt Sale:
Date of Debt Closing: 10/12/2017

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No
Was a remonstrance conducted? No
Votes in favor debt:
Votes against debt:
Was this debt subject to referendum? No
Votes in favor debt:
Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating

Security on the Debt - Source of Repayment

Property Tax: Primary
TIF Revenue: No
COIT: No
Motor Vehicle Highway/Local Road & Street: No
CAGIT: No
Stormwater Revenues: No
CEDIT: No
Electric Revenues: No
Water Revenue: No
Wasterwater Revenues: No
Grant Revenue: No
Other () : No

Allocation Area from which the TIF Revenues will be generated:
Name of Lessor (Building Corporation/Hold Corporation):
Does this debt refinance or refund any previously outstanding debt? No

Purpose/Cost

Purpose of Debt: Capital improvements to County facilities for energy savings
Total Project Cost: $10,574,935.00

Sources

Sources of Funds	Amount

Uses

Uses of Funds	Amount

Dates

Date Bids Received:
Date Construction Started:
Estimated Date of Substantial Completion:

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax Credit	Remaining Balance

6/30/2032	$430,000	3.00	$6,450	$436,450		$436,450	$0			$0
12/30/2031	$425,000	3.00	$12,825	$437,825		$871,875	$0			$430,000
6/30/2031	$415,000	3.00	$19,050	$434,050			$0			$855,000
12/30/2030	$410,000	3.00	$25,200	$435,200		$871,475	$0			$1,270,000
6/30/2030	$405,000	3.00	$31,275	$436,275			$0			$1,680,000
12/30/2029	$400,000	2.75	$36,775	$436,775		$873,981	$0			$2,085,000
6/30/2029	$395,000	2.75	$42,206	$437,206			$0			$2,485,000
12/30/2028	$390,000	2.50	$47,082	$437,082		$873,975	$0			$2,880,000
6/30/2028	$385,000	2.50	$51,894	$436,894			$0			$3,270,000
12/30/2027	$380,000	2.38	$56,406	$436,406		$872,266	$0			$3,655,000
6/30/2027	$375,000	2.38	$60,859	$435,859			$0			$4,035,000
12/30/2026	$370,000	2.25	$65,022	$435,022		$868,922	$0			$4,410,000
6/30/2026	$365,000	2.13	$68,900	$433,900			$0			$4,780,000
12/30/2025	$365,000	2.00	$72,550	$437,550		$873,700	$0			$5,145,000
6/30/2025	$360,000	2.00	$76,150	$436,150			$0			$5,510,000
12/30/2024	$355,000	2.00	$79,700	$434,700		$872,950	$0			$5,870,000
6/30/2024	$355,000	2.00	$83,250	$438,250			$0			$6,225,000
12/30/2023	$350,000	2.00	$86,750	$436,750		$871,950	$0			$6,580,000
6/30/2023	$345,000	2.00	$90,200	$435,200			$0			$6,930,000
12/30/2022	$345,000	2.00	$93,650	$438,650		$875,700	$0			$7,275,000
6/30/2022	$340,000	2.00	$97,050	$437,050			$0			$7,620,000
12/30/2021	$335,000	2.00	$100,400	$435,400		$869,100	$0			$7,960,000
6/30/2021	$330,000	2.00	$103,700	$433,700			$0			$8,295,000
12/30/2020	$330,000	2.00	$107,000	$437,000		$872,250	$0			$8,625,000
6/30/2020	$325,000	2.00	$110,250	$435,250			$0			$8,955,000
12/30/2019	$325,000	2.00	$113,500	$438,500		$875,200	$0			$9,280,000
6/30/2019	$320,000	2.00	$116,700	$436,700			$0			$9,605,000
12/30/2018	$315,000	2.00	$119,850	$434,850		$817,300	$0			$9,925,000
6/30/2018	$260,000	2.00	$122,450	$382,450			$0			$10,240,000
12/30/2017	$0	2.00	$53,062	$53,062		$53,062	$0			$10,500,000
Total	**$10,500,000**		**$2,150,156**	**$12,650,156**		**$12,650,156**	**$0**			

Notes

2017 GO Energy Savings Bond. Closed 10/12/17. Gateway debt unlocked and information updated on 4/12/18.

St. Joseph County
Submitted to the State on Thursday, October 19, 2017
Report printed on Tuesday, March 19, 2024
Note: Data contained in Gateway Debt Management is self-reported by local government officials and/or their designees. Debt Reports may not have been audited for accuracy or completeness by the Department of Local Government Finance. The Department is not responsible for any errors or omissions in this data.

Debt Verification

Initial Year: 2019
Date of last payment or bond expiration: 12/31/2024 12:00:00 AM
New (post 1989): Y
Newer (post 2005): Y
Refinanced bond: Y

Basic Debt Information

Debt Name: 2015 PSAP Equipment Lease (US Bank)
Debt Status: Outstanding
Type of Indebtedness: Bond
Base CUSIP Number:
Is this debt exempt from the property tax caps? Y

Code Cite

Code Cite Under Which Debt is Authorized:
Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer's debt limit? N
Applicable Issuer:
Current Debt Limit:
Current Debt Capacity (after issuance of this debt):

Date Information

Date of Preliminary Determination:
Date of Publication of Preliminary Determination:
Newspaper(s):
Date of Public Hearing:
Date of Final Approval/Lease Execution: 3/31/2015
Date of Appropriation Resolution:
Date of Debt Sale:
Date of Debt Closing: 3/31/2015

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No
Was a remonstrance conducted? No
Votes in favor debt:
Votes against debt:
Was this debt subject to referendum? No
Votes in favor debt:
Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating

Security on the Debt - Source of Repayment

Property Tax: No
TIF Revenue: No
COIT: No
Motor Vehicle Highway/Local Road & Street: No
CAGIT: No
Stormwater Revenues: No
CEDIT: No
Electric Revenues: No
Water Revenue: No
Wasterwater Revenues: No
Grant Revenue: No
Other (PSAP Charges) : Primary

Allocation Area from which the TIF Revenues will be generated:
Name of Lessor (Building Corporation/Hold Corporation):
Does this debt refinance or refund any previously outstanding debt? No

Purpose/Cost

Purpose of Debt: Technology and Equipment for a 911 Center
Total Project Cost: $12,000,000.00

Sources

Sources of Funds	Amount

Uses

Uses of Funds	Amount

Dates

Date Bids Received:
Date Construction Started:
Estimated Date of Substantial Completion:

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax Credit	Remaining Balance

6/30/2015	$601,375	2.22	$67,188					$668,563		$11,398,625
12/31/2015	$542,324	2.22	$126,240			$1,337,127		$668,563		$10,856,301
6/30/2016	$548,329	2.22	$120,234					$668,563		$10,307,972
12/31/2016	$554,403	2.22	$114,161			$1,337,127		$668,563		$9,753,569
6/30/2017	$560,543	2.22	$108,021					$668,563		$9,193,026
12/31/2017	$566,751	2.22	$101,813			$1,337,127		$668,563		$8,626,275
6/30/2018	$573,027	2.22	$95,536					$668,563		$8,053,248
12/31/2018	$579,374	2.22	$89,190			$1,337,127		$668,563		$7,473,874
6/30/2019	$585,790	2.22	$82,773					$668,563		$6,888,084
12/31/2019	$592,278	2.22	$76,286			$1,337,127		$668,563		$6,295,806
6/30/2020	$598,838	2.22	$69,724					$668,571		$5,696,968
12/31/2020	$605,469	2.22	$63,094			$1,337,125		$668,563		$5,091,499
6/30/2021	$612,175	2.22	$56,388					$668,563		$4,479,324
12/31/2021	$618,955	2.22	$49,609			$1,337,127		$668,563		$3,860,369
6/30/2022	$625,810	2.22	$42,754					$668,563		$3,234,559
12/31/2022	$632,741	2.22	$35,823			$1,337,127		$668,563		$2,601,818
6/30/2023	$639,748	2.22	$28,815					$668,563		$1,962,070
12/31/2023	$646,833	2.22	$21,730			$1,337,127		$668,563		$1,315,237
6/30/2014	$653,997	2.22	$14,566					$668,563		$661,240
12/30/2014	$661,240	2.22	$7,323			$1,337,127		$668,563		$0
Total	**$12,000,000**		**$1,371,268**			**$13,371,268**		**$13,371,268**		

Notes

2015 PSAP Equipment and Technology Lease. US Bank. $12,000,000 original principal amount.

St. Joseph County
Submitted to the State on Wednesday, November 15, 2017
Report printed on Tuesday, March 19, 2024
Note: Data contained in Gateway Debt Management is self-reported by local government officials and/or their designees. Debt Reports may not have been audited for accuracy or completeness by the Department of Local Government Finance. The Department is not responsible for any errors or omissions in this data.

Debt Verification

Initial Year: 2020
Date of last payment or bond expiration: 12/31/2028 12:00:00 AM
New (post 1989): Y
Newer (post 2005): Y
Refinanced bond: Y

Basic Debt Information

Debt Name: 2017 PSAP US Bank Technology Lease Amendment
Debt Status: Outstanding
Type of Indebtedness: Lease
Base CUSIP Number:
Is this debt exempt from the property tax caps? Y

Code Cite

Code Cite Under Which Debt is Authorized:
Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer's debt limit? N
Applicable Issuer:
Current Debt Limit:
Current Debt Capacity (after issuance of this debt):

Date Information

Date of Preliminary Determination:
Date of Publication of Preliminary Determination:
Newspaper(s):
Date of Public Hearing:
Date of Final Approval/Lease Execution: 11/14/2017
Date of Appropriation Resolution:
Date of Debt Sale:
Date of Debt Closing: 11/14/2017

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No
Was a remonstrance conducted? No
Votes in favor debt:
Votes against debt:
Was this debt subject to referendum? No
Votes in favor debt:
Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating

Security on the Debt - Source of Repayment

Property Tax: No
TIF Revenue: No
COIT: No
Motor Vehicle Highway/Local Road & Street: No
CAGIT: No
Stormwater Revenues: No
CEDIT: No
Electric Revenues: No
Water Revenue: No
Wasterwater Revenues: No
Grant Revenue: No
Other (PSAP Charges for Services) : Primary

Allocation Area from which the TIF Revenues will be generated:
Name of Lessor (Building Corporation/Hold Corporation): Saint Josephy County
Does this debt refinance or refund any previously outstanding debt? No

Purpose/Cost

Purpose of Debt: Technology Improvements at County 911 Center
Total Project Cost: $2,500,000.00

Sources

Sources of Funds	Amount

Uses

Uses of Funds	Amount

Dates

Date Bids Received:
Date Construction Started:
Estimated Date of Substantial Completion:

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax Credit	Remaining Balance

11/16/2027	$140,017	2.46	$1,730			$283,494		$141,747		$0
5/16/2027	$138,327	2.46	$3,420					$141,747		$140,017
11/16/2026	$136,659	2.46	$5,098			$283,494		$141,747		$278,344
5/16/2026	$134,990	2.46	$6,757					$141,747		$415,003
11/16/2025	$133,352	2.46	$8,395			$283,494		$141,747		$549,993
5/16/2025	$131,734	2.46	$10,013					$141,747		$683,345
11/16/2024	$130,135	2.46	$11,612			$283,494		$141,747		$815,079
5/16/2024	$128,556	2.46	$13,191					$141,747		$945,214
11/16/2023	$126,996	2.46	$14,751			$283,494		$141,747		$1,073,770
5/16/2023	$125,454	2.46	$16,293					$141,747		$1,200,766
11/16/2022	$123,932	2.46	$17,815			$283,494		$141,747		$1,326,220
5/16/2022	$122,428	2.46	$19,319					$141,747		$1,450,152
11/16/2021	$120,942	2.46	$20,805			$283,494		$141,747		$1,572,580
5/16/2021	$119,474	2.46	$22,273					$141,747		$1,693,522
11/16/2020	$118,024	2.46	$23,723			$283,494		$141,747		$1,812,996
5/16/2020	$116,592	2.46	$25,155					$141,747		$1,931,020
11/16/2019	$115,177	2.46	$26,570			$283,494		$141,747		$2,047,612
5/16/2019	$113,779	2.46	$27,968					$141,747		$2,162,789
11/16/2018	$112,398	2.46	$29,348			$283,494		$141,747		$2,276,568
5/16/2018	$111,034	2.46	$30,713					$141,747		$2,388,966
Total	**$2,500,000**		**$334,949**			**$2,834,940**		**$2,834,940**		

Notes

2017 PSAP Technology Lease Amendment in the amount of $2,500,000 with U.S. Bank. Approved by Commissioners on 11/14/17.

St. Joseph County
Submitted to the State on Monday, January 22, 2018
Report printed on Tuesday, March 19, 2024
Note: Data contained in Gateway Debt Management is self-reported by local government officials and/or their designees. Debt Reports may not have been audited for accuracy or completeness by the Department of Local Government Finance. The Department is not responsible for any errors or omissions in this data.

Debt Verification

Initial Year: 2020
Date of last payment or bond expiration:
New (post 1989):
Newer (post 2005):
Refinanced bond: Y

Basic Debt Information

Debt Name: 2015 Taxable Economic Development Revenue Bonds (General Sheet Metal)
Debt Status: Outstanding
Type of Indebtedness: Bond
Base CUSIP Number:
Is this debt exempt from the property tax caps? Y

Code Cite

Code Cite Under Which Debt is Authorized:
Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer's debt limit? N
Applicable Issuer:
Current Debt Limit:
Current Debt Capacity (after issuance of this debt):

Date Information

Date of Preliminary Determination: 1/7/2015
Date of Publication of Preliminary Determination:
Newspaper(s):
Date of Public Hearing:
Date of Final Approval/Lease Execution: 5/1/2015
Date of Appropriation Resolution:
Date of Debt Sale:
Date of Debt Closing: 5/27/2015

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No
Was a remonstrance conducted? No
Votes in favor debt:
Votes against debt:
Was this debt subject to referendum? No
Votes in favor debt:
Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating

Security on the Debt - Source of Repayment

Property Tax: Primary
TIF Revenue: No
COIT: No
Motor Vehicle Highway/Local Road & Street: No
CAGIT: No
Stormwater Revenues: No
CEDIT: No
Electric Revenues: No
Water Revenue: No
Wasterwater Revenues: No
Grant Revenue: No
Other (Company Guarantee) : Primary

Allocation Area from which the TIF Revenues will be generated:
Name of Lessor (Building Corporation/Hold Corporation):
Does this debt refinance or refund any previously outstanding debt? No

Purpose/Cost

Purpose of Debt: General Sheet Metal Expenditures
Total Project Cost: $3,300,000.00

Sources

Sources of Funds	Amount

Uses

Uses of Funds	Amount

Dates

Date Bids Received:
Date Construction Started:
Estimated Date of Substantial Completion:

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax Credit	Remaining Balance

8/1/2030	$165,000	3.00	$2,475	$167,475	$0	$332,350				$0
2/1/2030	$160,000	3.00	$4,875	$164,875	$0					$165,000
8/1/2029	$160,000	3.00	$7,275	$167,275	$0	$336,950				$325,000
2/1/2029	$160,000	3.00	$9,675	$169,675	$0					$485,000
8/1/2028	$155,000	3.00	$12,000	$167,000	$0	$336,325				$645,000
2/1/2028	$155,000	3.00	$14,325	$169,325	$0					$800,000
8/1/2027	$150,000	3.00	$16,575	$166,575	$0	$335,400				$955,000
2/1/2027	$150,000	3.00	$18,825	$168,825	$0					$1,105,000
8/1/2026	$145,000	3.00	$21,000	$166,000	$0	$334,175				$1,255,000
2/1/2026	$145,000	3.00	$23,175	$168,175	$0					$1,400,000
8/1/2025	$140,000	3.00	$25,275	$165,275	$0	$332,650				$1,545,000
2/1/2025	$140,000	3.00	$27,375	$167,375	$0					$1,685,000
8/1/2024	$135,000	3.00	$29,400	$164,400	$0	$330,825				$1,825,000
2/1/2024	$135,000	3.00	$31,425	$166,425	$0					$1,960,000
8/1/2023	$135,000	3.00	$33,450	$168,450	$0	$323,700				$2,095,000
2/1/2023	$120,000	3.00	$35,250	$155,250	$0					$2,230,000
8/1/2022	$115,000	3.00	$36,975	$151,975	$0	$300,600				$2,350,000
2/1/2022	$110,000	3.00	$38,625	$148,625	$0					$2,465,000
8/1/2021	$110,000	3.00	$40,275	$150,275	$0	$302,200				$2,575,000
2/1/2021	$110,000	3.00	$41,925	$151,925	$0					$2,685,000
8/1/2020	$105,000	3.00	$43,500	$148,500	$0	$298,575				$2,795,000
2/1/2020	$105,000	3.00	$45,075	$150,075	$0					$2,900,000
8/1/2019	$105,000	3.00	$46,650	$151,650	$0	$299,800				$3,005,000
2/1/2019	$100,000	3.00	$48,150	$148,150	$0					$3,110,000
8/1/2018	$90,000	3.00	$49,500	$139,500	$0	$189,000				$3,210,000
2/1/2018		3.00	$49,500	$49,500	$49,500					$3,300,000
8/1/2017		3.00	$49,500	$49,500	$49,500	$99,000				$3,300,000
2/1/2017		3.00	$49,500	$49,500	$49,500					$3,300,000
8/1/2016		3.00	$49,500	$49,500	$49,500	$116,600				$3,300,000
2/1/2016		3.00	$67,100	$67,100	$67,100					$3,300,000
Total	**$3,300,000**		**$968,150**	**$4,268,150**	**$265,100**	**$4,268,150**				

Notes

Debt Schedule No. 15 2015 Taxable Economic Development Revenue Bonds (General Sheet Metal).

St. Joseph County
Submitted to the State on Monday, February 11, 2019
Report printed on Tuesday, March 19, 2024
Note: Data contained in Gateway Debt Management is self-reported by local government officials and/or their designees. Debt Reports may not have been audited for accuracy or completeness by the Department of Local Government Finance. The Department is not responsible for any errors or omissions in this data.

Debt Verification

Initial Year: 2042
Date of last payment or bond expiration:
New (post 1989):
Newer (post 2005):
Refinanced bond: Y

Basic Debt Information

Debt Name: 2019 Motorola PSAP CAD System Capital Lease
Debt Status: Outstanding
Type of Indebtedness: Lease
Base CUSIP Number:
Is this debt exempt from the property tax caps? Y

Code Cite

Code Cite Under Which Debt is Authorized:
Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer's debt limit? N
Applicable Issuer:
Current Debt Limit:
Current Debt Capacity (after issuance of this debt):

Date Information

Date of Preliminary Determination:
Date of Publication of Preliminary Determination:
Newspaper(s):
Date of Public Hearing:
Date of Final Approval/Lease Execution: 1/15/2019
Date of Appropriation Resolution:
Date of Debt Sale: 1/15/2019
Date of Debt Closing: 1/15/2019

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No
Was a remonstrance conducted? No
Votes in favor debt:
Votes against debt:
Was this debt subject to referendum? No
Votes in favor debt:
Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating

Security on the Debt - Source of Repayment

Property Tax: No
TIF Revenue: No
COIT: No
Motor Vehicle Highway/Local Road & Street: No
CAGIT: No
Stormwater Revenues: No
CEDIT: No
Electric Revenues: No
Water Revenue: No
Wasterwater Revenues: No
Grant Revenue: No
Other () : No

Allocation Area from which the TIF Revenues will be generated:
Name of Lessor (Building Corporation/Hold Corporation): Saint Joseph County
Does this debt refinance or refund any previously outstanding debt? No

Purpose/Cost

Purpose of Debt: New PSAP 911 CAD System
Total Project Cost: $2,976,131.00

Sources

Sources of Funds	Amount

Uses

Uses of Funds	Amount

Dates

Date Bids Received: 8/24/2018
Date Construction Started:
Estimated Date of Substantial Completion:

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax Credit	Remaining Balance

2/1/2020	$377,837	3.91	$116,367			$494,204		$494,204		$2,598,294
2/1/2021	$392,611	3.91	$101,593			$494,204		$494,204		$2,205,683
2/1/2022	$407,962	3.91	$86,242			$494,204		$494,204		$1,797,721
2/1/2023	$423,913	3.91	$70,291			$494,204		$494,204		$1,373,802
2/1/2024	$440,488	3.91	$53,716			$494,204		$494,204		$933,319
2/1/2025	$457,711	3.91	$36,493			$494,204		$494,204		$475,608
2/1/2026	$475,608	3.91	$18,596			$494,204		$494,204		$0
Total	**$2,976,130**		**$483,298**			**$3,459,428**		**$3,459,428**		

Notes

Debt Schedule No. 25
2019 Motorola PSAP Lease
Approved by PSAP Executive Board on 12/14/18
Approved by County Commissioners on 12/15/19

St. Joseph County
Submitted to the State on Thursday, October 24, 2019
Report printed on Tuesday, March 19, 2024
Note: Data contained in Gateway Debt Management is self-reported by local government officials and/or their designees. Debt Reports may not have been audited for accuracy or completeness by the Department of Local Government Finance. The Department is not responsible for any errors or omissions in this data.

Debt Verification

Initial Year: 2022
Date of last payment or bond expiration: 6/30/2032 12:00:00 AM
New (post 1989): Y
Newer (post 2005): Y
Refinanced bond: N

Basic Debt Information

Debt Name: St. Joseph County Redevelopment District Special Taxing District Bonds of 2019 (SS Double Tracking)
Debt Status: Outstanding
Type of Indebtedness: Bond
Base CUSIP Number: 79062M
Is this debt exempt from the property tax caps? N

Code Cite

Code Cite Under Which Debt is Authorized: 36-7-14 and 36-7-25
Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer's debt limit? Y
Applicable Issuer: St. Joseph County Redevelopment District
Current Debt Limit: $33,579,426.00
Current Debt Capacity (after issuance of this debt): $16,039,426.00

Date Information

Date of Preliminary Determination:
Date of Publication of Preliminary Determination:
Newspaper(s):
Date of Public Hearing:
Date of Final Approval/Lease Execution: 8/13/2019
Date of Appropriation Resolution:
Date of Debt Sale:
Date of Debt Closing: 10/17/2019

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No
Was a remonstrance conducted? No
Votes in favor debt:
Votes against debt:
Was this debt subject to referendum? No
Votes in favor debt:
Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating

Security on the Debt - Source of Repayment

Property Tax: Primary
TIF Revenue: No
COIT: No
Motor Vehicle Highway/Local Road & Street: No
CAGIT: No
Stormwater Revenues: No
CEDIT: No
Electric Revenues: No
Water Revenue: No
Wasterwater Revenues: No
Grant Revenue: No
Other () : No

Allocation Area from which the TIF Revenues will be generated:
Name of Lessor (Building Corporation/Hold Corporation):
Does this debt refinance or refund any previously outstanding debt? No

Purpose/Cost

Purpose of Debt: Finance a portion of County's share of the South Shore Double Tracking Project
Total Project Cost: $9,508,859.00

Sources

Sources of Funds	Amount

Uses

Uses of Funds	Amount

Dates

Date Bids Received:
Date Construction Started:
Estimated Date of Substantial Completion:

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax	Remaining Balance

									Credit	
2/1/2038	$2,750,000		$36,094			$2,786,094				$0
8/1/2037			$36,094			$2,711,188				$2,750,000
2/1/2037	$2,600,000		$75,094							$2,750,000
8/1/2036			$75,094			$2,662,313				$5,350,000
2/1/2036	$2,475,000		$112,219							$5,350,000
8/1/2035			$112,219			$1,036,438				$7,825,000
2/1/2035	$800,000		$124,219							$7,825,000
8/1/2034			$124,219			$1,009,688				$8,625,000
2/1/2034	$750,000		$135,469							$8,625,000
8/1/2033			$135,469			$270,938				$9,375,000
2/1/2033			$135,469							$9,375,000
8/1/2032			$135,469			$270,938				$9,375,000
2/1/2032			$135,469							$9,375,000
8/1/2031			$135,469			$270,938				$9,375,000
2/1/2031			$135,469							$9,375,000
8/1/2030			$135,469			$270,938				$9,375,000
2/1/2030			$135,469							$9,375,000
8/1/2029			$135,469			$270,938				$9,375,000
2/1/2029			$135,469							$9,375,000
8/1/2028			$135,469			$270,938				$9,375,000
2/1/2028			$135,469							$9,375,000
8/1/2027			$135,469			$270,938				$9,375,000
2/1/2027			$135,469							$9,375,000
8/1/2026			$135,469			$270,938				$9,375,000
2/1/2026			$135,469							$9,375,000
8/1/2025			$135,469			$270,938				$9,375,000
2/1/2025			$135,469							$9,375,000
8/1/2024			$135,469			$270,938				$9,375,000
2/1/2024			$135,469							$9,375,000
8/1/2023			$135,469			$270,938				$9,375,000
2/1/2023			$135,469							$9,375,000
8/1/2022			$135,469			$270,938				$9,375,000
2/1/2022			$135,469							$9,375,000
8/1/2021			$135,469			$270,938				$9,375,000
2/1/2021			$135,469							$9,375,000
8/1/2020			$213,740			$213,740				$9,375,000
Total	**$9,375,000**		**$4,566,655**			**$13,941,655**				

Notes

Debt Schedule No. 32 - 2019 Redevelopment South Shore Double Tracking Bond. County Share. Closing on October 17, 2019. Financial advisor - Cender & Company. Bond Counsel - Barnes & Thornburg and Thorne Grodknik.

St. Joseph County
Submitted to the State on Thursday, October 24, 2019
Report printed on Tuesday, March 19, 2024
Note: Data contained in Gateway Debt Management is self-reported by local government officials and/or their designees. Debt Reports may not have been audited for accuracy or completeness by the Department of Local Government Finance. The Department is not responsible for any errors or omissions in this data.

Debt Verification

Initial Year: 2020
Date of last payment or bond expiration: 12/31/2037 12:00:00 AM
New (post 1989): Y
Newer (post 2005): Y
Refinanced bond: Y

Basic Debt Information

Debt Name: 2019 U.S. Bank Police Radio Lease
Debt Status: Outstanding
Type of Indebtedness: Lease
Base CUSIP Number:
Is this debt exempt from the property tax caps? Y

Code Cite

Code Cite Under Which Debt is Authorized:
Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer's debt limit? N
Applicable Issuer:
Current Debt Limit:
Current Debt Capacity (after issuance of this debt):

Date Information

Date of Preliminary Determination:
Date of Publication of Preliminary Determination:
Newspaper(s):
Date of Public Hearing:
Date of Final Approval/Lease Execution: 7/2/2019
Date of Appropriation Resolution:
Date of Debt Sale:
Date of Debt Closing: 8/15/2019

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No
Was a remonstrance conducted? No
Votes in favor debt:
Votes against debt:
Was this debt subject to referendum? No
Votes in favor debt:
Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating

Security on the Debt - Source of Repayment

Property Tax: No
TIF Revenue: No
COIT: No
Motor Vehicle Highway/Local Road & Street: No
CAGIT: No
Stormwater Revenues: No
CEDIT: No
Electric Revenues: No
Water Revenue: No
Wasterwater Revenues: No
Grant Revenue: No
Other () : No

Allocation Area from which the TIF Revenues will be generated:
Name of Lessor (Building Corporation/Hold Corporation): Saint Joseph County
Does this debt refinance or refund any previously outstanding debt? No

Purpose/Cost

Purpose of Debt: Purchase of radios for the police department
Total Project Cost: $1,760,003.00

Sources

Sources of Funds	Amount

Uses

Uses of Funds	Amount

Dates

Date Bids Received:
Date Construction Started:
Estimated Date of Substantial Completion:

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax Credit	Remaining Balance

2/15/2020	$115,840	2.49	$21,947	$137,787				$137,787		$1,644,163
8/15/2020	$117,285	2.49	$20,502	$137,787		$275,574		$137,787		$1,526,878
2/15/2021	$118,747	2.49	$19,040	$137,787				$137,787		$1,408,131
8/15/2021	$120,228	2.49	$17,559	$137,787		$275,574		$137,787		$1,287,903
2/15/2022	$121,727	2.49	$16,060	$137,787				$137,787		$1,166,176
8/15/2022	$123,245	2.49	$14,542	$137,787		$275,574		$137,787		$1,042,931
2/15/2023	$124,782	2.49	$13,005	$137,787				$137,787		$918,149
8/15/2023	$126,338	2.49	$11,449	$137,787		$275,574		$137,787		$791,811
2/15/2024	$127,914	2.49	$9,874	$137,787				$137,787		$663,897
8/15/2024	$129,509	2.49	$8,279	$137,787		$275,574		$137,787		$534,388
2/15/2025	$131,124	2.49	$6,664	$137,787				$137,787		$403,264
8/15/2025	$132,759	2.49	$5,029	$137,787		$275,574		$137,787		$270,505
2/15/2026	$134,414	2.49	$3,373	$137,787				$137,787		$136,091
8/15/2026	$136,091	2.49	$1,699	$137,794		$275,581		$137,794		$0
Total	**$1,760,003**		**$169,022**	**$1,929,025**		**$1,929,025**		**$1,929,025**		

Notes

Debt Schedule No. 30. U.S. Bank Capital Lease for police radios. seven years. 14 semi-annual payments.

St. Joseph County
Submitted to the State on Friday, October 25, 2019
Report printed on Tuesday, March 19, 2024
Note: Data contained in Gateway Debt Management is self-reported by local government officials and/or their designees. Debt Reports may not have been audited for accuracy or completeness by the Department of Local Government Finance. The Department is not responsible for any errors or omissions in this data.

Debt Verification

Initial Year: 2033
Date of last payment or bond expiration: 12/31/2033 12:00:00 AM
New (post 1989): Y
Newer (post 2005): Y
Refinanced bond: Y

Basic Debt Information

Debt Name: 2019 U.S. Bank Election Equipment Lease
Debt Status: Outstanding
Type of Indebtedness: Lease
Base CUSIP Number:
Is this debt exempt from the property tax caps? Y

Code Cite

Code Cite Under Which Debt is Authorized:
Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer's debt limit? N
Applicable Issuer:
Current Debt Limit:
Current Debt Capacity (after issuance of this debt):

Date Information

Date of Preliminary Determination:
Date of Publication of Preliminary Determination:
Newspaper(s):
Date of Public Hearing:
Date of Final Approval/Lease Execution: 7/2/2019
Date of Appropriation Resolution:
Date of Debt Sale:
Date of Debt Closing: 7/19/2019

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No
Was a remonstrance conducted? No
Votes in favor debt:
Votes against debt:
Was this debt subject to referendum? No
Votes in favor debt:
Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating

Security on the Debt - Source of Repayment

Property Tax: Primary
TIF Revenue: No
COIT: No
Motor Vehicle Highway/Local Road & Street: No
CAGIT: No
Stormwater Revenues: No
CEDIT: No
Electric Revenues: No
Water Revenue: No
Wasterwater Revenues: No
Grant Revenue: No
Other () : No

Allocation Area from which the TIF Revenues will be generated:
Name of Lessor (Building Corporation/Hold Corporation): Saint Joseph County
Does this debt refinance or refund any previously outstanding debt? No

Purpose/Cost

Purpose of Debt: Purchase of new election equipment
Total Project Cost: $2,500,000.00

Sources

Sources of Funds	Amount

Uses

Uses of Funds	Amount

Dates

Date Bids Received:
Date Construction Started:
Estimated Date of Substantial Completion:

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax Credit	Remaining Balance

1/15/2020	$235,946	2.56	$31,975	$267,921				$267,921		$2,264,054
7/15/2020	$238,964	2.56	$28,957	$267,921		$535,842		$267,921		$2,025,090
1/15/2021	$242,021	2.56	$25,901	$267,921				$267,921		$1,783,069
7/15/2021	$245,116	2.56	$22,805	$267,921		$535,842		$267,921		$1,537,953
1/15/2022	$248,251	2.56	$19,670	$267,921				$267,921		$1,289,702
7/15/2022	$251,426	2.56	$16,495	$267,921		$535,842		$267,921		$1,038,276
1/15/2023	$254,642	2.56	$13,280	$267,921				$267,921		$783,634
7/15/2023	$257,899	2.56	$10,023	$267,921		$535,842		$267,921		$525,735
1/15/2024	$261,197	2.56	$6,724	$267,921				$267,921		$264,538
7/15/2024	$264,538	2.56	$3,384	$267,925		$535,846		$267,925		$0
Total	**$2,500,000**		**$179,214**	**$2,679,214**		**$2,679,214**		**$2,679,214**		

Notes

Debt Schedule No. 31. 2019 U.S. Bank Election Equipment Lease. 5-year lease. Paid with Cumulative Capital Development Fund. Vendor RBM Consulting.

St. Joseph County
Submitted to the State on Thursday, February 17, 2022
Report printed on Tuesday, March 19, 2024
Note: Data contained in Gateway Debt Management is self-reported by local government officials and/or their designees. Debt Reports may not have been audited for accuracy or completeness by the Department of Local Government Finance. The Department is not responsible for any errors or omissions in this data.

Debt Verification

Initial Year:
Date of last payment or bond expiration:
New (post 1989):
Newer (post 2005):
Refinanced bond: N

Basic Debt Information

Debt Name: 2021 Ducomb Center U.S. Bank Equipment Lease
Debt Status: Outstanding
Type of Indebtedness: Lease
Base CUSIP Number:
Is this debt exempt from the property tax caps? N

Code Cite

Code Cite Under Which Debt is Authorized:
Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer's debt limit? N
Applicable Issuer:
Current Debt Limit:
Current Debt Capacity (after issuance of this debt):

Date Information

Date of Preliminary Determination:
Date of Publication of Preliminary Determination:
Newspaper(s):
Date of Public Hearing:
Date of Final Approval/Lease Execution: 11/9/2021
Date of Appropriation Resolution: 10/12/2021
Date of Debt Sale:
Date of Debt Closing: 11/12/2021

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No
Was a remonstrance conducted? No
Votes in favor debt:
Votes against debt:
Was this debt subject to referendum? No
Votes in favor debt:
Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating

Security on the Debt - Source of Repayment

Property Tax: No
TIF Revenue: No
COIT: No
Motor Vehicle Highway/Local Road & Street: No
CAGIT: No
Stormwater Revenues: No
CEDIT: No
Electric Revenues: No
Water Revenue: No
Wasterwater Revenues: No
Grant Revenue: No
Other (Fee Revenue) : Primary

Allocation Area from which the TIF Revenues will be generated:
Name of Lessor (Building Corporation/Hold Corporation): U.S. Bank Leasing
Does this debt refinance or refund any previously outstanding debt? No

Purpose/Cost

Purpose of Debt: Ducomb Center vehicles, technology, vests, radios, and equipment
Total Project Cost: $196,272.53

Sources

Sources of Funds	Amount

Uses

Uses of Funds	Amount

Dates

Date Bids Received:
Date Construction Started:
Estimated Date of Substantial Completion:

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax Credit	Remaining Balance

2/15/2022	$19,517	1.75	$992	$20,509				$20,509		$176,756
8/15/2022	$18,962	1.75	$1,547	$20,509				$20,509		$157,794
2/15/2023	$19,128	1.75	$1,381	$20,509				$20,509		$138,666
8/15/2023	$19,295	1.75	$1,214	$20,509				$20,509		$119,371
2/15/2024	$19,464	1.75	$1,045	$20,509				$20,509		$99,907
8/15/2024	$19,635	1.75	$874	$20,509				$20,509		$80,272
2/15/2025	$19,806	1.75	$703	$20,509				$20,509		$60,466
8/15/2025	$19,980	1.75	$529	$20,509				$20,509		$40,486
2/15/2026	$20,155	1.75	$354	$20,509				$20,509		$20,331
8/15/2026	$20,331	1.75	$178	$20,509				$20,509		$0
Total	**$196,273**		**$8,817**	**$205,090**				**$205,090**		

Notes

Debt Schedule No. 78

St. Joseph County
Submitted to the State on Wednesday, December 21, 2022
Report printed on Tuesday, March 19, 2024
Note: Data contained in Gateway Debt Management is self-reported by local government officials and/or their designees. Debt Reports may not have been audited for accuracy or completeness by the Department of Local Government Finance. The Department is not responsible for any errors or omissions in this data.

Debt Verification

Initial Year:
Date of last payment or bond expiration:
New (post 1989):
Newer (post 2005):
Refinanced bond: N

Basic Debt Information

Debt Name: St. Joseph County General Obligation Series 2022
Debt Status: Outstanding
Type of Indebtedness: Bond
Base CUSIP Number: 790603
Is this debt exempt from the property tax caps? N

Code Cite

Code Cite Under Which Debt is Authorized: 36-2-6-18
Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer's debt limit? Y
Applicable Issuer: St. Joseph County
Current Debt Limit: $71,186,724.00
Current Debt Capacity (after issuance of this debt): $65,386,724.00

Date Information

Date of Preliminary Determination:
Date of Publication of Preliminary Determination:
Newspaper(s): South Bend Tribune, Mishawaka Enterprise, Indianapolis Business Journal
Date of Public Hearing: 11/9/2022
Date of Final Approval/Lease Execution: 11/10/2022
Date of Appropriation Resolution: 11/10/2022
Date of Debt Sale: 12/14/2022
Date of Debt Closing: 12/21/2022

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No
Was a remonstrance conducted? No
Votes in favor debt:
Votes against debt:
Was this debt subject to referendum? No
Votes in favor debt:
Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating

Security on the Debt - Source of Repayment

Property Tax: Primary
TIF Revenue: No
COIT: No
Motor Vehicle Highway/Local Road & Street: No
CAGIT: No
Stormwater Revenues: No
CEDIT: No
Electric Revenues: No
Water Revenue: No
Wasterwater Revenues: No
Grant Revenue: No
Other () : No

Allocation Area from which the TIF Revenues will be generated:
Name of Lessor (Building Corporation/Hold Corporation):
Does this debt refinance or refund any previously outstanding debt? No

Purpose/Cost

Purpose of Debt: Renovation of North Liberty and Woodland Highway Garages
Total Project Cost: $5,927,782.15

Sources

Sources of Funds	Amount

Uses

Uses of Funds	Amount

Dates

Date Bids Received: 12/14/2022
Date Construction Started:
Estimated Date of Substantial Completion:

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax Credit	Remaining Balance

6/30/2023	$910,000	4.00	$121,800	$1,031,800	$0					
12/30/2023	$940,000	4.00	$97,800	$1,037,800	$0	$2,069,600				
6/30/2024	$960,000	4.00	$79,000	$1,039,000	$0					
12/30/2024	$980,000	4.00	$59,800	$1,039,800	$0	$2,078,800				
6/30/2025	$995,000	4.00	$40,200	$1,035,200	$0					
12/30/2025	$1,015,000	4.00	$20,300	$1,035,300	$0	$2,070,500				
Total	**$5,800,000**		**$418,900**	**$6,218,900**	**$0**	**$6,218,900**				

Notes

2022 General Obligation(Highway)Bonds
Closing on December 21, 2022

Clay Township, St. Joseph County
Submitted to the State on Monday, February 28, 2022
Report printed on Thursday, March 21, 2024
Note: Data contained in Gateway Debt Management is self-reported by local government officials and/or their designees. Debt Reports may not have been audited for accuracy or completeness by the Department of Local Government Finance. The Department is not responsible for any errors or omissions in this data.

Debt Verification

Initial Year:
Date of last payment or bond expiration:
New (post 1989):
Newer (post 2005):
Refinanced bond: N

Basic Debt Information

Debt Name: TCU Ladder Truck Loan
Debt Status: Retired
Type of Indebtedness: Loan
Base CUSIP Number:
Is this debt exempt from the property tax caps? N

Code Cite

Code Cite Under Which Debt is Authorized:
Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer's debt limit? N
Applicable Issuer:
Current Debt Limit:
Current Debt Capacity (after issuance of this debt):

Date Information

Date of Preliminary Determination: 11/9/2021
Date of Publication of Preliminary Determination:
Newspaper(s):
Date of Public Hearing:
Date of Final Approval/Lease Execution: 11/30/2021
Date of Appropriation Resolution: 11/9/2022
Date of Debt Sale: 11/30/2021
Date of Debt Closing: 11/30/2021

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No
Was a remonstrance conducted? No
Votes in favor debt:
Votes against debt:
Was this debt subject to referendum? No
Votes in favor debt:
Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating

Security on the Debt - Source of Repayment

Property Tax: Primary
TIF Revenue: No
COIT: No
Motor Vehicle Highway/Local Road & Street: No
CAGIT: No
Stormwater Revenues: No
CEDIT: No
Electric Revenues: No
Water Revenue: No
Wasterwater Revenues: No
Grant Revenue: No
Other () : No

Allocation Area from which the TIF Revenues will be generated:
Name of Lessor (Building Corporation/Hold Corporation):
Does this debt refinance or refund any previously outstanding debt? No

Purpose/Cost

Purpose of Debt: Ladder Truck Purchase
Total Project Cost: $1,461,610.00

Sources

Sources of Funds	Amount

Uses

Uses of Funds	Amount

Dates

Date Bids Received:
Date Construction Started:
Estimated Date of Substantial Completion: 11/4/2022

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax Credit	Remaining Balance

12/30/2021	$36,025	1.50	$1,375	$37,400			$0		$0	$1,063,975
1/30/2022	$36,070	1.50	$1,330	$37,400			$0		$0	$1,027,905
2/28/2022	$36,115	1.50	$1,285	$37,400			$0		$0	$991,790
3/30/2022	$36,160	1.50	$1,240	$37,400			$0		$0	$955,630
4/30/2022	$36,205	1.50	$1,195	$37,400			$0		$0	$919,424
5/30/2022	$36,251	1.50	$1,149	$37,400			$0		$0	$883,173
6/30/2022	$36,296	1.50	$1,104	$37,400			$0		$0	$846,877
7/30/2022	$36,341	1.50	$1,059	$37,400			$0		$0	$810,536
8/30/2022	$36,387	1.50	$1,013	$37,400			$0		$0	$774,149
9/30/2022	$36,432	1.50	$968	$37,400			$0		$0	$737,717
10/30/2022	$36,478	1.50	$922	$37,400			$0		$0	$701,239
11/30/2022	$36,523	1.50	$877	$37,400			$0		$0	$664,716
12/30/2022	$36,569	1.50	$831	$37,400		$448,800	$0		$0	$628,146
1/30/2023	$36,615	1.50	$785	$37,400			$0		$0	$591,532
2/28/2023	$36,661	1.50	$739	$37,400			$0		$0	$554,871
3/30/2023	$36,706	1.50	$694	$37,400			$0		$0	$518,165
4/30/2023	$36,752	1.50	$648	$37,400			$0		$0	$481,412
5/30/2023	$36,798	1.50	$602	$37,400			$0		$0	$444,614
6/30/2023	$36,844	1.50	$556	$37,400			$0		$0	$407,770
7/30/2023	$36,890	1.50	$510	$37,400			$0		$0	$370,880
8/30/2023	$36,936	1.50	$464	$37,400			$0		$0	$333,943
9/30/2023	$36,983	1.50	$417	$37,400			$0		$0	$296,961
10/30/2023	$37,029	1.50	$371	$37,400			$0		$0	$259,932
11/30/2023	$37,075	1.50	$325	$37,400			$0		$0	$222,857
12/30/2023	$37,121	1.50	$279	$37,400		$448,800	$0		$0	$185,735
1/30/2024	$37,168	1.50	$232	$37,400			$0		$0	$148,567
2/28/2024	$37,214	1.50	$186	$37,400			$0		$0	$111,353
3/30/2024	$37,261	1.50	$139	$37,400			$0		$0	$74,092
4/30/2024	$37,307	1.50	$93	$37,400			$0		$0	$36,785
5/30/2024	$36,739	1.50	$46	$36,785		$186,385	$0		$0	$0
Total	**$1,099,951**		**$21,434**	**$1,121,385**		**$1,083,985**	**$0**		**$0**	

Notes

Clay Township, St. Joseph County
Submitted to the State on
Report printed on Thursday, March 21, 2024
Note: Data contained in Gateway Debt Management is self-reported by local government officials and/or their designees. Debt Reports may not have been audited for accuracy or completeness by the Department of Local Government Finance. The Department is not responsible for any errors or omissions in this data.

Debt Verification

Initial Year:
Date of last payment or bond expiration:
New (post 1989):
Newer (post 2005):
Refinanced bond: N

Basic Debt Information

Debt Name: E-One Engines Lease
Debt Status: Retired
Type of Indebtedness: Lease
Base CUSIP Number:
Is this debt exempt from the property tax caps? N

Code Cite

Code Cite Under Which Debt is Authorized: 6-1.1-20.6
Code cite can typically be found in the bond resolution or ordinance.

Debt Limitation

Is this debt subject to the issuer's debt limit? N
Applicable Issuer:
Current Debt Limit:
Current Debt Capacity (after issuance of this debt):

Date Information

Date of Preliminary Determination:
Date of Publication of Preliminary Determination:
Newspaper(s):
Date of Public Hearing:
Date of Final Approval/Lease Execution: 11/21/2013
Date of Appropriation Resolution: 11/21/2013
Date of Debt Sale:
Date of Debt Closing: 5/9/2014

Petition / Remonstrance

Was this debt subject to petition/remonstrance? No
Was a remonstrance conducted? No
Votes in favor debt:
Votes against debt:
Was this debt subject to referendum? No
Votes in favor debt:
Votes against debt:

Debt Rating

Type of Rating	Insurance	Agency	Rating

Security on the Debt - Source of Repayment

Property Tax: Primary
TIF Revenue: No
COIT: No
Motor Vehicle Highway/Local Road & Street: No
CAGIT: No
Stormwater Revenues: No
CEDIT: No
Electric Revenues: No
Water Revenue: No
Wasterwater Revenues: No
Grant Revenue: No
Other () : No

Allocation Area from which the TIF Revenues will be generated:
Name of Lessor (Building Corporation/Hold Corporation):
Does this debt refinance or refund any previously outstanding debt? No

Purpose/Cost

Purpose of Debt: Capital Equipment Lease Purchase
Total Project Cost: $1,540,870.00

Sources

Sources of Funds	Amount

Uses

Uses of Funds	Amount

Dates

Date Bids Received:
Date Construction Started:
Estimated Date of Substantial Completion:

Amortization Schedule

Date	Principal	Interest Rate	Interest	Period Total	Capitalized Interest	Fiscal Total	Trustee Fee	Lease Payments	Federal Tax Credit	Remaining Balance

6/30/2014	$141,000	1.75	$3,664					$144,664		
12/31/2014	$143,000	1.75	$11,699					$154,699		
6/30/2015	$145,000	1.75	$10,448					$155,448		
12/31/2015	$146,000	1.75	$9,179					$155,179		
6/30/2016	$147,500	1.75	$7,902					$155,402		
12/31/2016	$148,500	1.75	$6,611					$155,111		
6/30/2017	$150,000	1.75	$5,312					$155,312		
12/31/2017	$151,000	1.75	$3,999					$154,999		
6/30/2018	$152,000	1.75	$2,678					$154,678		
12/31/2018	$154,030	1.75	$1,348					$155,378		
Total	**$1,478,030**		**$62,840**					**$1,540,870**		

Notes

Deborah S. Block, IAMC, MMC
APR 15 2024
City Clerk
Mishawaka, IN

APPEAL #24-05

RESOLUTION NO. 2024-07

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:

1017 E Jefferson Boulevard

WHEREAS, the Indiana Code requires the Common Council to give notice of its intention to consider Petitions from the Board of Zoning Appeals for approval or disapproval; and

WHEREAS, the Common Council must take action within sixty (60) days after the Board of Zoning Appeals makes its recommendation to the Council; and

WHEREAS, the Common Council is required to make a determination in writing on such requests; and

WHEREAS, the Mishawaka Board of Zoning Appeals has made a favorable recommendation, pursuant to applicable state law, including the imposition of reasonable conditions, to wit, the recommendations of the Department of City Planning.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, as follows:

Section I. The Common Council has provided notice of the hearing on the Petition from the Board of Zoning Appeals pursuant to Indiana Code requesting that a Use Variance for property located **1017 E Jefferson Boulevard, Mishawaka, Indiana,** more particularly known and described as follows:

Lot Numbered Six (6) and the East 56 1/2 feet of Lot Numbered Five (5), all as shown on the recorded Plat of Bryan's Addition to the City of Mishawaka, located in the Northeast Quarter of the Southwest Quarter of Section 10, Township 37 North, Range 3 East, recorded in the Office of the Recorder of St. Joseph County, Indiana, together with the West Half of the vacated alley lying East and adjacent.

EXCEPTING THEREFROM THE FOLLOWING:

A parcel of land being a part of the Northeast Quarter of the East Half of the Southwest Quarter of Section 10, Township 37 North, Range 3 East, Penn Township, City of Mishawaka, St. Joseph County, Indiana and being more particularly described as follows: Beginning at the Southeast corner of Lot 6 in Bryan's Addition to the City of Mishawaka as shown on the recorded Plat in the Office of the Recorder of St. Joseph County, Indiana; thence North 0°51'01" West along the East line of said Lot 6, a distance of 4.49 feet; thence North 89°52'27" East, a distance of 257.79 feet to the West right of way line of Merrifield Avenue; thence South 0°55'03" East along said Merrifield Avenue, a distance of 8.00 feet; thence South 89°52'27" West, a distance of 217.84 feet; thence North 0°50'04" West, a distance of 3.42 feet; thence North 89°59'13" West, a distance of 40.00 feet to the place of beginning.

The Use Variance will allow a Use Variance for a food truck in the C-1 General Commercial District subject to the following Conditions:

1. The truck shall be located a minimum of 10′ from the north property line.
2. The hours of operations shall be limited to six hours per day and three days per week.

Section II. Following a presentation by the Petitioner, and after proper public hearing, the Common Council hereby approves the Petition as recommended by the Mishawaka Board of Zoning Appeals, including the imposition of reasonable conditions, to wit, the recommendations of the Department of City Planning, a copy of which is on file in the Office of the City Clerk.

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

1. Approval will not be injurious to the public health, safety, morals and general welfare of the community. The secondary use of the property by adding a food truck is not anticipated to be injurious to the public health and safety due to its limited patronage. The operation of the truck will also be subject to the applicable inspections and permitting by the County Health Department and City Fire Department.

2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner. Adjacent properties are currently zoned and occupied with various automotive related and industrial uses. Adding a food truck as a secondary use should not negatively impact the adjacent property uses or values.

3. The need for the variance arises from some condition peculiar to the property as the C-1 General Commercial Zoning District does not permit a food truck.

4. Strict application of the terms of this chapter will constitute an unnecessary hardship if applied to the property for which the variance is sought. The Appellant would not be able to add a food truck with limited hours of operation as a secondary use of the property.

5. The approval will not substantially interfere with the Mishawaka 2000 Comprehensive Plan. The Plan, created in 1990, guided industrial development within this property and commercial use along the E. Jefferson Boulevard corridor.

Section IV. This Resolution shall be in full force and effect from and after its adoption by the Common Council and approval by the Mayor.

PASSED by the Common Council of the City of Mishawaka, Indiana, this _____ day of_____, 2024, at _____o'clock _____ .m.

_____
Presiding Officer

ATTEST:

_____
Deborah S. Block, IAMC, MMC, City Clerk

PRESENTED by me to the Mayor this _____day of _____2024, at _____ o'clock ___m.

_____
Deborah S. Block, IAMC, MMC, City Clerk

APPROVED by me this _____ day of_____, 2024, at _____o'clock _____.m.

_____
David A. Wood, Mayor

STAFF REPORT

Location: 1017 E. Jefferson Blvd.

Date: April 9, 2024

Appeal: 24 - 05

Prepared By: SA

GENERAL INFORMATION

Applicant:	Sharon A. Helman / Pablo Bueno d/b/a Pilo's Body Shop & Auto Sales
Status:	Property Owner / Tenant
Request:	Use Variance to allow a food truck in C-1 General Commercial District
Zoning Classification:	C-1 General Commercial District
Lot Size:	Approximate 140' x 155' (0.5 acres)
Applicable Regulations:	Section 137-42 / (4) Board of Zoning Appeals – Use Variance ; Section 137-300 to 137-303 / C-1 General Commercial District, Indiana Code 36-7-4-918.4

SPECIAL INFORMATION

Area Development Pattern:	North:	C-4 Automobile Oriented Commercial District (Automobile Repair & Service / Quality Automotive)
	South:	I-1 Light Industrial District (Industrial Electronics Repair & Machine Automation / TRS – Technical Repair Solutions & Vacant)
	East:	I-1 Light Industrial District (Automobile Sales)
	West:	C-4 Automobile Oriented Commercial District (Automobile Body Shop / Fred's Body Shop)

Thoroughfare:	E. Jefferson Boulevard
City Council District:	5
School District:	School City of Mishawka
Township:	Penn
Public Utilities:	All utilities are available and currently serve the property
Comprehensive Plan:	Industrial

ANALYSIS

The Appellants, Sharon A. Helman and Pilo's Body Shop & Auto Sales (tenant), are requesting a Use Variance to allow a food truck to be located in the parking lot of an existing automotive repair and sales business. The property is bordered by automotive-related commercial and industrial uses.

In 2011, a Use Variance (Appeal 11-14/Resolution 2011-04) was approved to again allow automobile repair and sales in the recently rezoned C-1 General Commercial property. Automotive repair and sales

were no longer permitted due the property being rezoned the prior year. Following approval of the variance, the property appears to have been occupied by Fred's Body Shop until Pilo's Body Shop & Auto Sales occupying the property in early 2014.

In 2022, a Use Variance (AP 22-27/Resolution 2022-17) was approved for the Appellant, who proposed to operate a vending food truck from the premises within the far northeast corner of the property. The truck shall be located a minimum of 10' from the north property line. Hours of operation shall be no more than six hours per day, three days per week. Use Variance shall expire one year from the date of Common Council approval. Four designated parking spaces, located in the west part of the parking lot, highlighted on the site plan, for food orders only. Customers will walk up to the truck to order and will be given a pager to inform them when the food is ready for pick up.

The Appellant, who never ended up operating the food truck from the previous Resolution, states that the goal of adding a food truck is to attract more business for the auto repair shop as well as create a secondary source of income. The truck will be owned and operated by Jose and Ernesto Bueno, who are the primary tenant's sons.

The zoning ordinance does not permit food trucks by right in any specific district including the C-1 General Commercial District. Planning Staff has had numerous discussions with the tenant beginning in July 2018 regarding the proposed food truck. Staff indicated that a use variance would likely be supported depending on where the truck would be placed, how parking would be addressed for the additional use, and the proposed hours of operation. The proposed parking spaces appear to be sufficient for the anticipated limited use of the food truck. *Staff is recommending a condition be place on the Use Variance, if approved, to include limited hours.* The longer hours of operation are more appropriate for a permanent restaurant in another brick-and-mortar location and not as proposed as a secondary use on an existing commercial property.

The Fire Department commented that the food truck will be subject to inspections by the Mishawaka Fire Department and Saint Joseph County Health Department.

Water Department has asked where will the water for the food truck come from? We would like to make sure the source is protected with a backflow device. Please call with any questions concerning water service or backflow needs.

All other pertinent City Departments have reviewed and approved the Use Variance request without comments.

RECOMMENDATION

The Planning Staff recommends **approval** of Appeal #24-05 to allow a Use Variance for a food truck in the C-1 General Commercial District subject to the following Conditions:

1. The truck shall be located a minimum of 10' from the north property line.
2. The hours of operations shall be limited to six hours per day and three days per week.

This recommendation is based on the following findings of fact *per Indiana Code 36-7-4-918.4*:

1. Approval will not be injurious to the public health, safety, morals and general welfare of the community. The secondary use of the property by adding a food truck is not anticipated to be injurious to the public health and safety due to its limited patronage. The operation of the truck will also be subject to the applicable inspections and permitting by the County Health Department and City Fire Department.

2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner. Adjacent properties are currently zoned and occupied with various automotive related and industrial uses. Adding a food truck as a secondary use should not negatively impact the adjacent property uses or values.

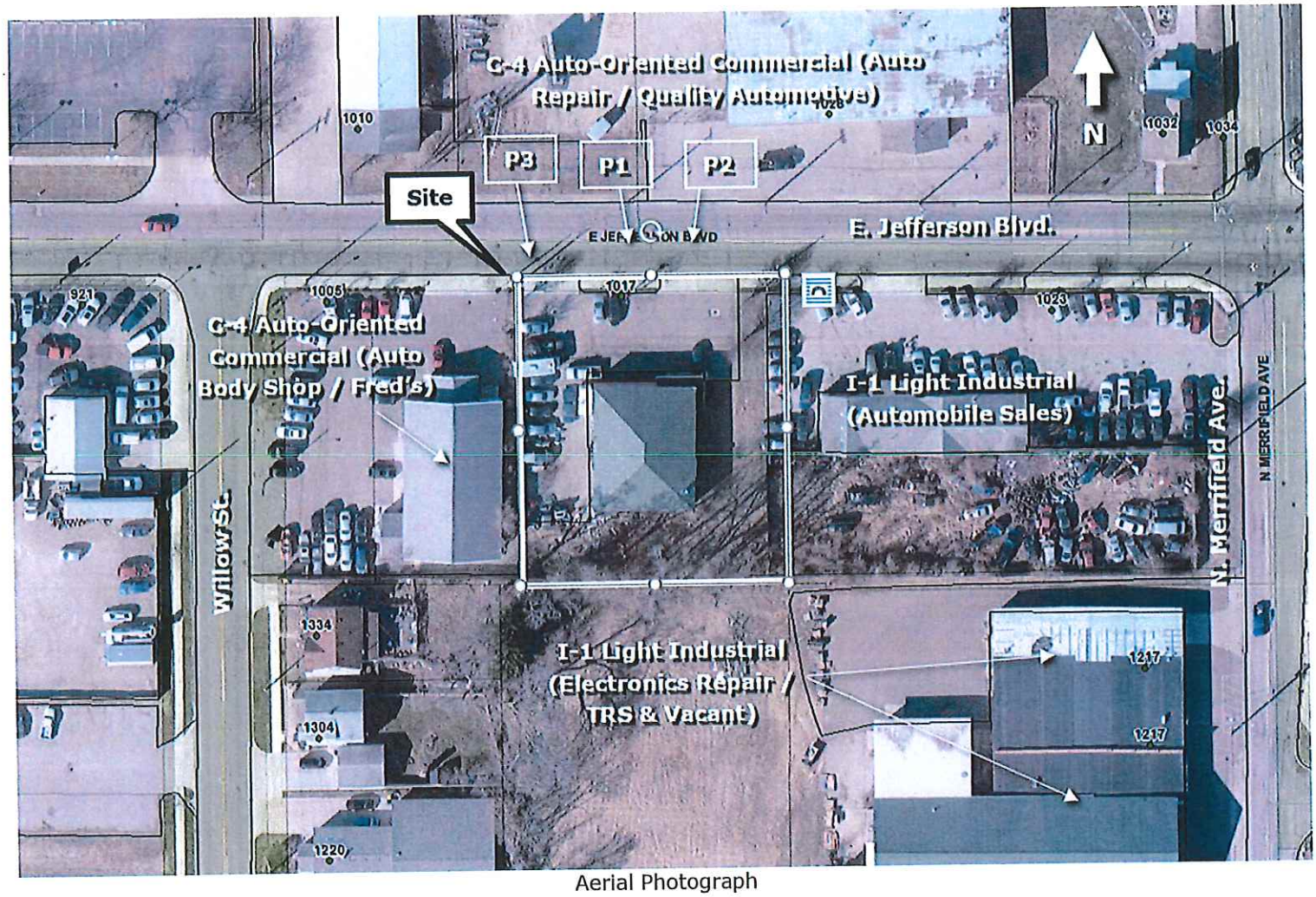
3. The need for the variance arises from some condition peculiar to the property as the C-1 General Commercial Zoning District does not permit a food truck.

4. Strict application of the terms of this chapter will constitute an unnecessary hardship if applied to the property for which the variance is sought. The Appellant would not be able to add a food truck with limited hours of operation as a secondary use of the property.

5. The approval will not substantially interfere with the Mishawaka 2000 Comprehensive Plan. The Plan, created in 1990, guided industrial development within this property and commercial use along the E. Jefferson Boulevard corridor.

ATTACHMENTS

Aerial Photograph, Site Photographs, Appeal, Site Plan with Proposed Food Truck Location and Parking Spaces, Location Map



Aerial Photograph

P1. Looking southerly toward the property from E. Jefferson Blvd.

P2. Looking southerly toward the property and proposed food truck location.

P3. Looking southerly toward the property and the proposed location of the four parking spaces.

DATE: 3/20/2024

AP 24-05

Received

MAR 15 2024

Planning and
Community Development

TO: Board of Zoning Appeals
City of Mishawaka, Indiana

The undersigned appellant respectfully shows the Board:

1. I, ***Sharon A ~~Hellman~~*** Helman (SH) 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:

Lot Numbered Six (6) and the East 56 1/2 feet of Lot Numbered Five (5), all as shown on the recorded Plat of Bryan's Addition to the City of Mishawaka, located in the Northeast Quarter of the Southwest Quarter of Section 10, Township 37 North, Range 3 East, recorded in the Office of the Recorder of St. Joseph County, Indiana, together with the West Half of the vacated alley lying East and adjacent.

EXCEPTING THEREFROM THE FOLLOWING:

A parcel of land being a part of the Northeast Quarter of the East Half of the Southwest Quarter of Section 10, Township 37 North, Range 3 East, Penn Township, City of Mishawaka, St. Joseph County, Indiana and being more particularly described as follows: Beginning at the Southeast corner of Lot 6 in Bryan's Addition to the City of Mishawaka as shown on the recorded Plat in the Office of the Recorder of St. Joseph County, Indiana; thence North 0°51'01" West along the East line of said Lot 6, a distance of 4.49 feet; thence North 89°52'27" East, a distance of 257.79 feet to the West right of way line of Merrifield Avenue; thence South 0°55'03" East along said Merrifield Avenue, a distance of 8.00 feet; thence South 89°52'27" West, a distance of 217.84 feet; thence North 0°50'04" West, a distance of 3.42 feet; thence North 89°59'13" West, a distance of 40.00 feet to the place of beginning.

(more commonly known as 1017 East Jefferson Boulevard, Mishawaka, Indiana 46545)

2. The above-described real estate presently has a zoning classification of C-1 General Commercial District under the Zoning Ordinance of the City of Mishawaka.

3. I Pablo Bueno Jr, presently occupy Pilo's Body Shop & Auto Sales LLC in the following manner: Body Shop & Auto Sales (per Resolution 11-04)

4. Appellant desires to *operate a food truck in the C-1 General Commercial District subject to the following conditions:*
   a. The truck shall be located a minimum of 10' from the north property line.
   b. Hours of operation shall be no more than six hours per day, three days per week.

   Parking will be addressed through designated parking areas located in the far west area of the property for taco truck orders use only. With the use of restaurant pagers customers will walk up to order food and be given a pager to return to the taco truck when food is ready to be received. The use of pagers minimizes traffic when placing orders and prevents confusion. The goal is to attract more business for the auto repair shop as well as create a secondary source of income to help reciprocate the cash flow and stimulate the local economy. The food truck will also enable me to provide financial security for my sons to help put one of them through college and help the other, who is a single father, provide for his son. The truck will be family owned and operated by Jose Bueno and Ernesto Bueno; my sons. The taco truck will benefit local economic growth and bring new customers and bring advertisements for "Pilo's Body Shop" through word of mouth.

5. The Zoning Ordinance of the City of Mishawaka does not allow food truck uses in C-1 (137-301).

6. Explain why strict adherence to the Ordinance requirements would create an unusual hardship.
   Hardship is food truck not all allowed. We would like to request an allowance to park a food truck.

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, approval of a use variance will not be injurious to the public health, safety, morals or general welfare of the community. Abiding by and compliantly adhering to the local guidelines and regulations regarding food operation and food safety to the public, will prevent any chance of a negative impact on the welfare of the community. By structuring a system based on city ordinance and regulations it will yield a safe outcome for the public.

(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 use and value of the area adjacent to the property included in the variance will not be affected in an adverse manner due to the area having designated parking space and "To Go" style system that prevents any interference with the adjacent area described.

(3) Does the need for the variance arise from some condition peculiar to the property involved?
Yes, the need for the variance arises from a peculiar condition of the property involved as food trucks are not currently permitted in the C-1 zoned property. If the same applies the variance arose from intent to build and restructure. Set a foundation for secondary source of economic growth and stimulation.

(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, food trucks are not permitted in the C-1 district or any commercial district in the city. The hardship can be minimized through parking on private property instead of city property.

(5) Will approval interfere substantially with the Mishawaka 2000 Comprehensive Plan?
No, approval will not interfere with the Mishawaka 2000 Comprehensive Plan. Food truck will operate on private property. Food truck does not present a hazard or interference as size of interference is minimal if not active at all.

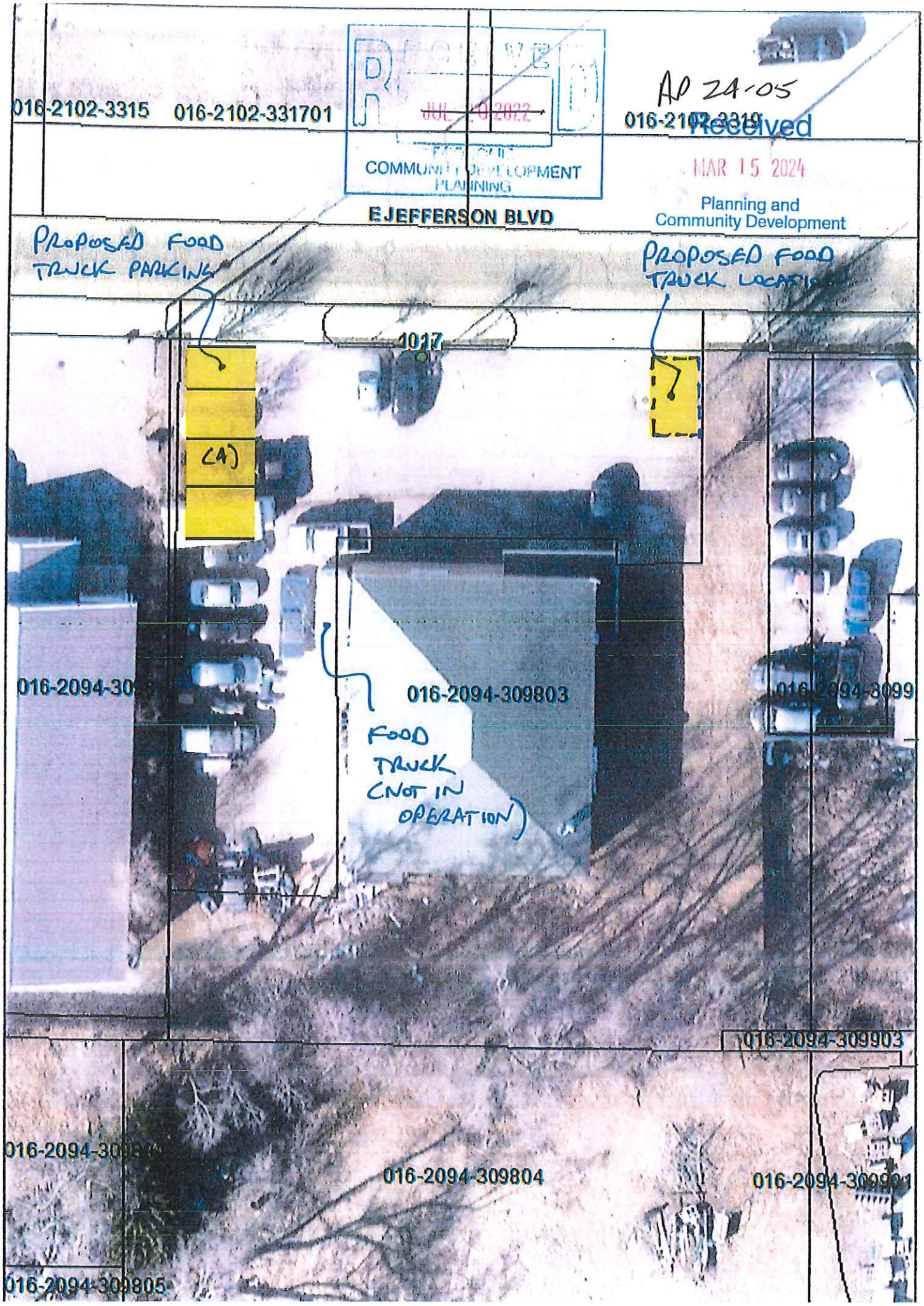
WHEREFORE, Appellant prays and respectfully requests a hearing on this appeal and that after such hearing, the Board grant the requested variance.

Sharon Helman

Sharon Helman

CONTACT PERSON:
Name: Sharon A. Helman
Address:16127 Cobblestone Square Dr
Day Phone Number: 574-286-9888

CONTACT PERSON #2:
Name: Pablo Bueno Jr (Pilo)
Address: 1017 E Jefferson Blvd, Mishawaka, IN
Day Phone Number: 574-514-1749
Email: pilosbs@gmail.com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016-2102-331701
RECEIVED
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COMMUNITY DEVELOPMENT
PLANNING
AP 24-05
016-2102-3319
Received
MAR 15 2024
Planning and
Community Development
EJEFFERSON BLVD
PROPOSED FOOD
TRUCK PARKING
PROPOSED FOOD
TRUCK LOCATION
1017
(4)
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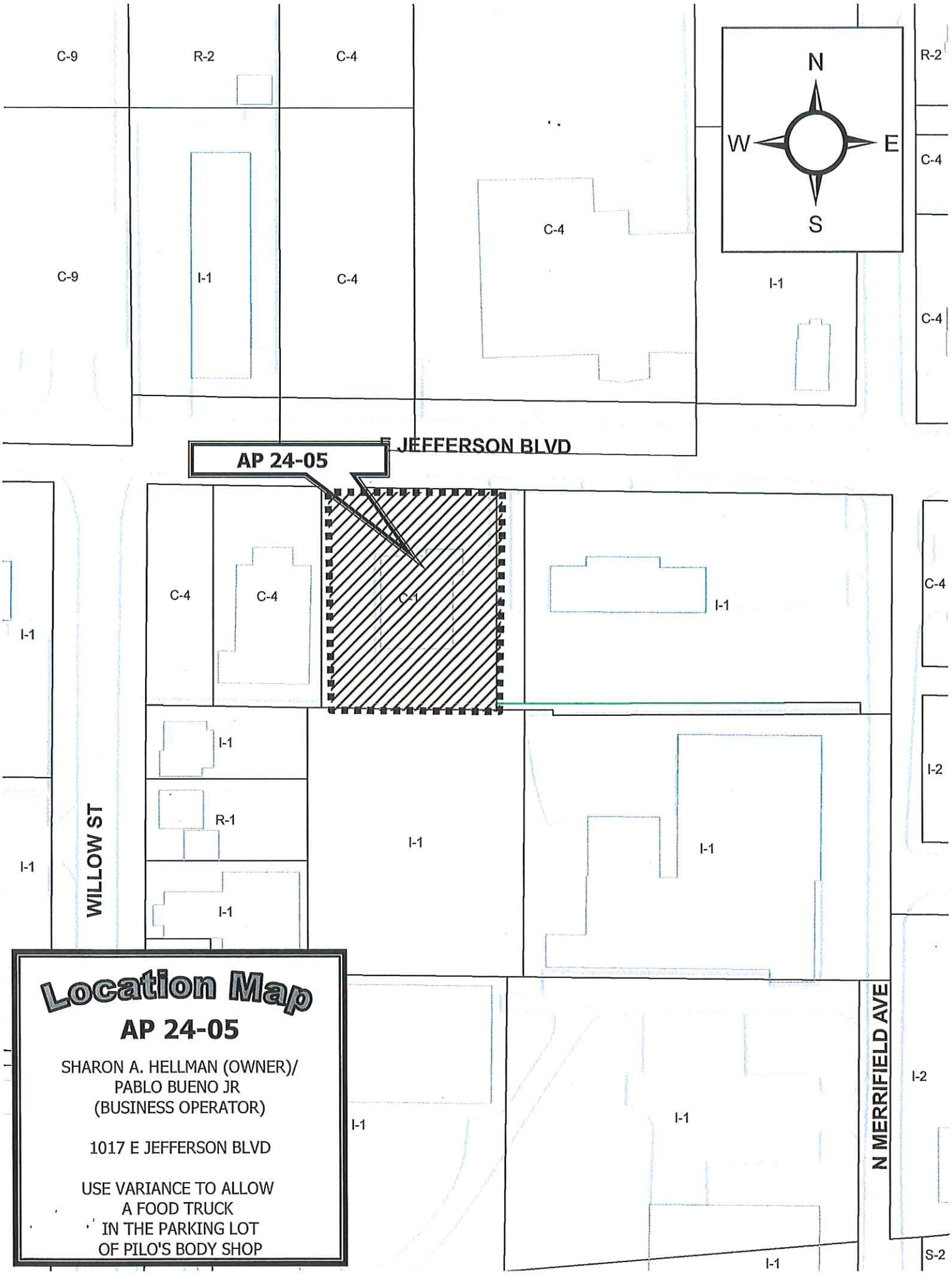
FOOD
TRUCK
(NOT IN
OPERATION)
016-2094-309903
016-2094-309804
016-2094-309805



Location Map

AP 24-05

SHARON A. HELLMAN (OWNER)/
PABLO BUENO JR
(BUSINESS OPERATOR)

1017 E JEFFERSON BLVD

USE VARIANCE TO ALLOW
A FOOD TRUCK
IN THE PARKING LOT
OF PILO'S BODY SHOP

Deborah S. Block, IAMC, MMC
APR 15 2024
City Clerk
Mishawaka, IN

APPEAL #24-07

RESOLUTION NO. 2024-08

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:

311 Taylor Street

WHEREAS, the Indiana Code requires the Common Council to give notice of its intention to consider Petitions from the Board of Zoning Appeals for approval or disapproval; and

WHEREAS, the Common Council must take action within sixty (60) days after the Board of Zoning Appeals makes its recommendation to the Council; and

WHEREAS, the Common Council is required to make a determination in writing on such requests; and

WHEREAS, the Mishawaka Board of Zoning Appeals has made a favorable recommendation, pursuant to applicable state law, including the imposition of reasonable conditions, to wit, the recommendations of the Department of City Planning.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, as follows:

Section I. The Common Council has provided notice of the hearing on the Petition from the Board of Zoning Appeals pursuant to Indiana Code requesting that a Use Variance for property located **311 Taylor Street, Mishawaka, Indiana,** more particularly known and described as follows:

50.13' W Side Taylor St S End Lot 16 & 4.80' x 56.95' Corner Lot 15 Ven Den Bosch Subdivision

The Use Variance will allow for a duplex in R-1 Single Family Residential District

Section II. Following a presentation by the Petitioner, and after proper public hearing, the Common Council hereby approves the Petition as recommended by the Mishawaka Board of Zoning Appeals, including the imposition of reasonable conditions, to wit, the recommendations of the Department of City Planning, a copy of which is on file in the Office of the City Clerk.

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

Section IV. This Resolution shall be in full force and effect from and after its adoption by the Common Council and approval by the Mayor.

PASSED by the Common Council of the City of Mishawaka, Indiana, this _____ day of_____, 2024, at _____o'clock _____ .m.

_____
Presiding Officer

ATTEST:

_____
Deborah S. Block, IAMC, MMC, City Clerk

PRESENTED by me to the Mayor this _____day of _____2024, at _____ o'clock ___m.

_____
Deborah S. Block, IAMC, MMC, City Clerk

APPROVED by me this _____ day of_____, 2024, at _____o'clock _____.m.

_____
David A. Wood, Mayor

STAFF REPORT

Location: 311 Taylor Street

Date: April 9, 2024

Appeal: 24 07

Prepared By: DMB

GENERAL INFORMATION

Applicant:	Jonathan & Lisa Polder/Michelle Bordeau
Status:	Property Owners/Potential Buyer
Request:	Use Variance to allow R-2 Two-Family Residential in R-1 Single Family Residential District
Zoning Classification:	R-1 Single Family Residential
Lot Size:	.07 acres
Applicable Regulations:	137.42 Board of Zoning Appeals (4) Variance of Use; Board of Zoning Appeals - Developmental Variance, Indiana Code 36-7-4-918.5 (a.)

SPECIAL INFORMATION

Area Development Pattern:	North:	R-1 Single Family Residential District
	South:	R-1 Single Family Residential District
	East:	R-1 Single Family Residential District
	West:	R-1 Single Family Residential District
Thoroughfare:	Taylor Street between W Fifth Street and W Fourth Street	
Council District	4	
School District:	School City of Mishawaka	
Public Utilities:	Available	
Comprehensive Plan:	Low Density Residential	

ANALYSIS

The property is being purchased from Jonathan and Lisa Polder by Michelle Bordeau. Ms. Bordeau is purchasing the property with the intent to continue utilizing the property as a duplex. The property has been operating as a duplex for over 40 years and has been bought and sold as a duplex many times over those 40 years.

In the 1979 Polk Directory does indicate that the property on Taylor Street utilized two addresses, 311 & 311 ½ .

An inquiry from Tri State Mortgage Company in 2004 indicated that the property was zoned R-1 Single Family Residential and that any other uses other than single family dwellings, churches, schools, parks and playgrounds and accessory buildings such as private garages are strictly prohibited. This property is currently non-conforming

A two unit duplex needs 1.5 per unit for a total of 3 overall parking spaces. There is no onsite parking available and the Code Department has 2 yard parking violations in 2022 and 2023. And rezoning the property to R-2 would correct this non-conformity and allow the duplex to become legal

Because of the lack of parking and code enforcement issues associated with the property, staff does not feel that it is appropriate to rezone and solidify the use of the property as a duplex. The ideal circumstance would be that the property eventually be converted into a single family residence.

The neighborhood is primarily zoned as R-1 Single Family but there are some mixed uses in the vicinity such as C-4 Automobile Oriented, C-1 General Commercial properties, C-5 Neighborhood Commercial and R-2 Multi Family.

Pertinent City Departments have reviewed and approved the request.

RECOMMENDATION

The Planning Department recommends **denial** of Appeal #24-07 to allow R-2 Two-Family Residential in R-1 Single Family Residential District. This recommendation is based upon the following findings of fact *per Indiana Code 36-7-4-918.5 (a.)*:

1. Approval will be injurious to the public health, safety, morals and general welfare of the community. The size of this lot doesn't allow any onsite parking. By ordinance, a duplex should have 3 overall onsite parking for residents.

2. The use and value of the area adjacent to the property included in the variance will be affected in a substantially adverse manner. A duplex that is not able to offer onsite parking increases congested streets and unsafe situations for the neighborhood.

3. The need for the use variance arises from the condition that the property currently being zoned R-1 Single Family prevents the buyer to obtain financing due to it being a duplex.

4. Strict application of the terms of this chapter will not constitute an unnecessary hardship if applied to the property for which the variance is sought and will not result in practical difficulties in the use of the property. The property has operated as duplex although it has been zoned as R-1 Single Family Residential and any other uses are strictly prohibited and are in violation of the City's Zoning Ordinance.

5. The approval will substantially interfere with the Mishawaka 2000 Comprehensive Plan. The Mishawaka 2000 Comprehensive Plan, created in 1990, identifies a land use of the subject property as Low Density Residential which is single family residences.

ATTACHMENTS

AERIAL, PHOTOGRAPHS, PETITION, SUPPORTING DOCUMENTATION, LOCATION MAP

Aerial

Aerial view with nearby zoning

Eastern view from Taylor Street

South Eastern view from Taylor Street

North Eastern view from Taylor Street

DocuSign Envelope ID: 28280EDB-D19B-45DA-B026-F6106C318FD8

Received
MAR 19 2024
Planning and
Community Development

DATE: 03/07/2024

TO: Board of Zoning Appeals City of Mishawaka, Indiana

The undersigned appellant respectfully shows the Board:

Jonathan and Lisa Polder, are the owners of the following described real estate located within the City of Mishawaka, Penn Township, St. Joseph County, State of Indiana, to-wit:
311 Taylor

The above-described real estate presently has a zoning classification of R1 District under the Zoning Ordinance of the City of Mishawaka.

Appellant presently occupies (or proposes to occupy) the above-described property in the following manner: Duplex - 2 units of any combination

Appellant desires to (Explain what is proposed that violates the Ordinance.) The property is showing illegal-non conforming but it needs to be legal conforming

The Zoning Ordinance of the City of Mishawaka requires (The residential R-2 district is designed for duplex or two-family units so as to ensure their proper location in terms of the social and economic requirements of the community, the need for the duplex or two-family units, the effect of two-family units on the value of adjacent residential areas, and the ability of the city, now and in the future, to provide the additional services that may be required in duplex or two-family areas. Sec. 137 - 186. - Intent.

1 Approval will not be injurious to the public health, safety, morals or general welfare of the community since the property has been operating as a duplex since 1980. People are aware of this because according to the MLS the property has been bought and sold as a duplex multiple times since it was built in 1980(44 years to current date). This serves the community well by providing cheaper housing since a duplex costs are split between two units whilst a single family home which is required to be in a residential zone 1 has one specific person responsible for all maintenance and repair costs.

2 The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner because as stated previously the property has been operating as a duplex since 1980(44 years to current date)

3 The need for this variance arises from a condition peculiar to the property because at one point in time the zone where the property stands was R2 but it's since been changed to R1 which makes the property ineligible from being purchased due to it being illegal - non conforming

Donna Burkart

From: Victor F. Kasznia Jr
Sent: Thursday, March 28, 2024 12:07 PM
To: Donna Burkart
Cc: Joe VanNevel
Subject: RE: Code Violations - 311 Taylor Street

Donna,
Per your request for documentation to be considered at the BSA hearing regarding this property, please see the list below. There have been no Substandard cases at this property since the current ownership took over in 2021. All violations have been Nuisance case:

Case #:	Description of Violation:	Date Opened:	Date Closed:
NU-21-00016	Demo Debris in yard.	1/6/2021	1/12/2021
NU-21-00817	Demo Debris, west side.	3/12/2021	4/14/2021
NU-22-11611	Yard Parking	10/25/2022	11/9/2022
NU-23-20513	Tall Weeds/Overgrowth.	7/14/2023	10/5/2023
NU-23-23030	Furniture in front yard.	10/5/2023	10/17/2024
NU-23-23202	Yard Parking	10/11/2023	10/30/2024

Please contact me if you have any questions.
Sincerely,
Vic

Vic Kasznia Jr.

Code Officer

Mishawaka Code Enforcement

100 Lincolnway West

Mishawaka, IN 46544

Office: 574-258-1612

Fax: 574-258-1713

From: Donna Burkart <donna.burkart@mishawaka.in.gov>
Sent: Wednesday, March 27, 2024 3:44 PM

City of Mishawaka

JEFFREY L. REA, MAYOR **DEPARTMENT OF CITY PLANNING**

August 12, 2004

Tri State Mortgage Company
54101 N. Ironwood Road
South Bend, IN 46635

Re: 311 Taylor St., Mishawaka, Indiana
Tax Key: 16-1018-0772.01
Legal Description: 50.13' W side Taylor St. south end Lot 16 and 4.80' x 56.95' cor Lot 15 Van Den Bosch Sub

Dear Sir:

The purpose of this letter is to confirm that the above referenced property is zoned R-1 Single Family Residential. Permitted uses in the R-1 Single Family Residential Zoning District include detached single family dwellings, churches, schools, parks and playgrounds, and accessory buildings such as private garages. Any other uses are strictly prohibited and are a violation of the City's Zoning Ordinance.

Please feel free to contact me if you require additional information.

Sincerely,

Linda M. Feldmaier

Linda M. Feldmaier
Administrative Planner

City Hall, 600 East Third Street, Mishawaka, IN 46544-2241 (574) 258-1625 FAX (574) 968-6999
E-mail planning @ mishawakacity.com

Tri State Mortgage
COMPANY
54101 N. Ironwood Road
South Bend ◆ IN 46635
Phone: (574) 271-4300 ◆ Toll Free: (888) 885-9500
Fax: (574) 247-4515

Fax Cover Sheet

Send To: Planning

From: Tyler

Attention: Zoning Letter

Date: 8/12

Office Location:

Fax Number: 968 6999

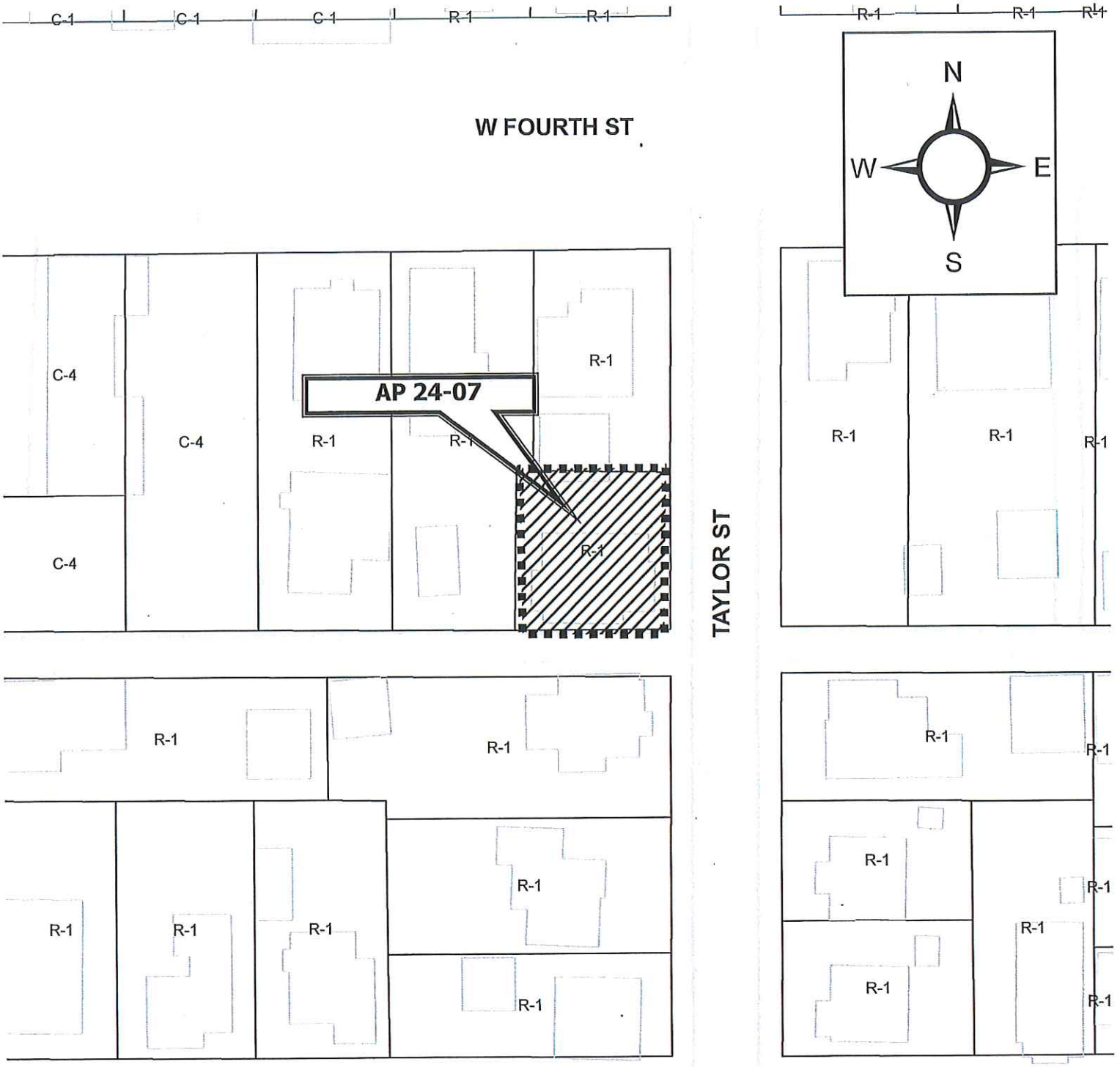
Total Number of Pages, Including Cover:

Urgent Reply ASAP Please Comment Please Review For Your Information

COMMENTS/NOTES:

Dear Sir or Madam:
Could you please fax us the rebuild letter for
311-311 1/2 TAYLOR ST, Mishawaka, IN 46544
Assesser's PARCEL No: 16-1018-077201
Thank you very much!
16-1018-0772.01

R-1 Zoning
assessed as duplex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Deborah S. Block, IAMC, MMC

APR 1 5 2024

City Clerk
Mishawaka, IN

APPEAL #24-08

RESOLUTION NO. 2024-09

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:

415 Bittersweet Road

WHEREAS, the Indiana Code requires the Common Council to give notice of its intention to consider Petitions from the Board of Zoning Appeals for approval or disapproval; and

WHEREAS, the Common Council must take action within sixty (60) days after the Board of Zoning Appeals makes its recommendation to the Council; and

WHEREAS, the Common Council is required to make a determination in writing on such requests; and

WHEREAS, the Mishawaka Board of Zoning Appeals has made a favorable recommendation, pursuant to applicable state law, including the imposition of reasonable conditions, to wit, the recommendations of the Department of City Planning.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, as follows:

Section I. The Common Council has provided notice of the hearing on the Petition from the Board of Zoning Appeals pursuant to Indiana Code requesting that a Use Variance for property located **415 Bittersweet Road, Mishawaka, Indiana,** more particularly known and described as follows:

That part of the Southeast Quarter of the Southwest Quarter of Section 17, Township 37 North, Range 4 East, Penn Township, City of Mishawaka, St. Joseph County, Indiana which is described as: Lots #2 of the Plat of "Clark's Vistula Road Minor Subdivision" as recorded in the records of the St. Joseph County, Indiana Recorders Office.

Commonly known as 415 Bittersweet Road, Mishawaka, Indiana, 46544

The Use Variance will allow a drive thru sandwich shop use in a R-1 Single Family Residential District (C-1 General Commercial Pending) subject to the following conditions:

1) In addition to the uses permitted by zoning, a drive thru sandwich shop shall be permitted. Sandwich shops shall include Jimmy John's, Subway, and similar establishments, but shall exclude larger higher drive thru traffic intensity uses such as McDonalds, Wendy's and Starbucks.

2) A cross access easement shall be provided through the proposed parking area that would ultimately provide for an access road internal connection to the properties north and south of the site. The applicant shall coordinate with Everwise Credit Union and provide a vehicular connection between the proposed site and the

Everwise drive/parking area. If Everwise refuses to allow the connection, the drive shall be stubbed at the property line to allow for the future interconnection.

3) The sidewalk on Bittersweet Road shall be extended/reconstructed from the intersection of Vistula Road and Bittersweet Road to the south property line of the proposed site.

4) A minimum landscape buffer 15' in width shall be required on the west property line and on the north property line (noting that a portion of the north property line may need to be removed in the future if that property is ever redeveloped as commercial and connected to this development site). In addition to the opaque fence and landscaping required by the C-1 General Commercial zoning district, a continuous row of evergreen trees shall be planted along the entire west property line and along the north property line to the 25' setback line from Bittersweet Road. Evergreens shall be planted at a minimum of 6' in height at the time of installation. The C-1 landscaping standards shall be followed for all other areas. The height of material selected will need to reflect the limitations of the overhead power by providing lower growing material.

5) A minimum 20' setback for pavement shall be provided from the Bittersweet Road right-of-way.

Section II. Following a presentation by the Petitioner, and after proper public hearing, the Common Council hereby approves the Petition as recommended by the Mishawaka Board of Zoning Appeals, including the imposition of reasonable conditions, to wit, the recommendations of the Department of City Planning, a copy of which is on file in the Office of the City Clerk.

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

1. Approval will not be injurious to the public health, safety, morals and general welfare of the community. The size of this lot allows for the construction of the proposed Jimmy John's sandwich shop while providing adequate stacking in the proposed drive thru and meeting all other applicable or requested development standards.

2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner. The proposed sandwich shop is consistent with the commercial development that has occurred along the Bittersweet corridor. Landscaping and fencing will be provided to buffer adjacent residential uses.

3. The need for the use variance arises from the condition to the property in that it is small and limited by the adjacent residential uses and overhead power lines which make it not likely capable of supporting higher intensity drive thru uses.

4. Strict application of the terms of this chapter will constitute an unnecessary hardship if applied to the property for which the variance is sought and will not result in practical difficulties in the use of the property. The small property that is both

limited by the adjacent residential uses and the overhead high voltage power lines create a hardship regarding redeveloping the property.

5. The approval does not substantially interfere with the Mishawaka 2000 Comprehensive Plan. The Mishawaka 2000 Comprehensive Plan, created in 1990, identifies a land use of the subject property as Low Density Residential. Since that time, the Bittersweet corridor has been significantly developed as commercial. The proposed request is consistent with the redevelopment that has taken place along the corridor.

Section IV. This Resolution shall be in full force and effect from and after its adoption by the Common Council and approval by the Mayor.

PASSED by the Common Council of the City of Mishawaka, Indiana, this _____ day of_____, 2024, at _____o'clock _____ .m.

_____
Presiding Officer

ATTEST:

_____
Deborah S. Block, IAMC, MMC, City Clerk

PRESENTED by me to the Mayor this _____day of _____2024, at _____ o'clock ___m.

_____
Deborah S. Block, IAMC, MMC, City Clerk

APPROVED by me this _____ day of_____, 2024, at _____o'clock _____.m.

_____
David A. Wood, Mayor

STAFF REPORT

Location: 415 Bittersweet Road

Date: April 9, 2024

Appeal: 24 08

Prepared By: CH/KP

GENERAL INFORMATION

Applicant:	120 BS LLC (dba Jimmy John's)
Status:	Property Owner
Request:	Use Variance to allow a drive thru sandwich shop use in a R-1 Single Family Residential District (C-1 General Commercial Pending)
Zoning Classification:	R-1 Single Family Residential
Lot Size:	0.69 acres
Applicable Regulations:	137.42 Board of Zoning Appeals (4) Variance of Use; Board of Zoning Appeals - Developmental Variance, Indiana Code 36-7-4-918.5 (a.)

SPECIAL INFORMATION

Area Development Pattern:	North:	R-1 Single Family Residential District (developed as single family)
	South:	C-1 General Commercial (Everwise Credit Union)
	East:	S-2 Planned Unit Development District (Reflections Apartments and former Family Video Commercial Building)
	West:	R-1 Single Family Residential District (developed as single family)
Thoroughfare:	Bittersweet Road, just south of Vistula Road	
Council District	3	
School District:	School City of Mishawaka	
Public Utilities:	Public Sewer, Water, and Electric are available	
Comprehensive Plan:	Low Density Residential	

ANALYSIS

The Appellant, 120 BS LLC (dba Jimmy John's) is requesting a Use Variance to allow a drive thru restaurant in the C-1 General Commercial District. While the property is currently zoned R-1 Single Family Residential, a rezoning petition to rezone the property to C-1 General Commercial District was filed concurrently with this request and will be heard by the Plan Commission.

The 0.69 acre property (Tax ID #016-1094-378502) is located on the west side of Bittersweet Road, just south of Vistula Drive and directly north of the Everwise Credit Union. To the north and west are single family homes, and to the east, across Bittersweet Road, are the Reflections Apartments zoned S-2 Planned Unit Development. Currently, there is a single-family home on the property, which is proposed to be demolished if the rezoning and use variance are approved. A preliminary site plan shows a 1,200 sq. ft. building, 22 parking spaces, landscaping and fencing.

With this petition, the property owner and contingent developer are only seeking to establish the proper zoning required for the proposed use. If approved, a detailed final site plan shall be submitted for Staff review and Plan Commission approval prior to construction. The final site plan shall address storm drainage, grading, utilities, soil erosion control, landscaping, and all other required improvements pertinent to the proposed development. If additional variances or a design review waiver for the proposed building materials or colors are required, the Board of Zoning Appeals and/or the Plan Commission shall be petitioned when the final site plan is submitted.

When staff was approached regarding the request, we recommended a two-step process- both filing a rezoning request to C-1 General Commercial and filing a use variance request for the proposed Jimmy John's sandwich shop drive thru. The small property is both limited by the adjacent residential uses and the overhead high voltage power lines which create a hardship regarding redeveloping the property. Staff's reasoning for the use variance was that sandwich shops like Jimmy John's and Subway have a much lower volume of customers and traffic when compared than other traditional larger drive thru restaurants like McDonalds and Wendy's. Even Starbucks as a coffee shop has a need for a significant drive thru like a larger drive thru restaurant. The dual process appropriately rezones the property to commercial matching the general commercial uses located along the Bittersweet Road frontage adjacent to and in close proximity to the site. At the same time, the use variance allows for the drive thru use for Jimmy John's as desired, but restricts other more intensive drive thru businesses from locating to this property by right.

In March, the developer participated in the Twin Branch Neighborhood Watch meeting, and presented the concept to residents and neighbors who attended the meeting. Overall, the feedback was positive and the questions raised were more about the logistics and development characteristics than the use itself.

Given the unique site conditions staff is recommending conditions be placed as part of the approval of the use variance.

Pertinent City Departments have reviewed and approved the request. Department comments were not directly related to the rezoning or use variance and were more suited to the site plan process. However, they were forwarded to the owner's representative so these items can be addressed prior to that submittal.

RECOMMENDATION

The Planning Department recommends approval of Appeal #24-07 to allow a Use Variance to allow a drive thru sandwich shop use in a R-1 Single Family Residential District (C-1 General Commercial Pending) subject to the following conditions:

1) In addition to the uses permitted by zoning, a drive thru sandwich shop shall be permitted. Sandwich shops shall include Jimmy John's, Subway, and similar establishments, but shall exclude larger higher drive thru traffic intensity uses such as McDonalds, Wendy's and Starbucks.

2) A cross access easement shall be provided through the proposed parking area that would ultimately provide for an access road internal connection to the properties north and south of the site. The applicant shall coordinate with Everwise Credit Union and provide a vehicular connection between the proposed site and the Everwise drive/parking area. If Everwise refuses to allow the connection, the drive shall be stubbed at the property line to allow for the future interconnection.

3) The sidewalk on Bittersweet Road shall be extended/reconstructed from the intersection of Vistula Road and Bittersweet Road to the south property line of the proposed site.

4) A minimum landscape buffer 15' in width shall be required on the west property line and on the north property line (noting that a portion of the north property line may need to be removed in the future if that property is ever redeveloped as commercial and connected to this development site). In addition to the opaque fence and landscaping required by the C-1 General Commercial zoning district, a continuous row of evergreen trees shall be planted along the entire west property line and along the north property line to the 25' setback line from Bittersweet Road. Evergreens shall be planted at a minimum of 6' in height at the time of installation. The C-1 landscaping standards shall be followed for all other areas. The height of material selected will need to reflect the limitations of the overhead power by providing lower growing material.

5) A minimum 20' setback for pavement shall be provided from the Bittersweet Road right-of-way.

This recommendation is based upon the following findings of fact *per Indiana Code 36-7-4-918.5 (a.)*:

1. Approval will not be injurious to the public health, safety, morals and general welfare of the community. The size of this lot allows for the construction of the proposed Jimmy John's sandwich shop while providing adequate stacking in the proposed drive thru and meeting all other applicable or requested development standards.

2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner. The proposed sandwich shop is consistent with the commercial development that has occurred along the Bittersweet corridor. Landscaping and fencing will be provided to buffer adjacent residential uses.

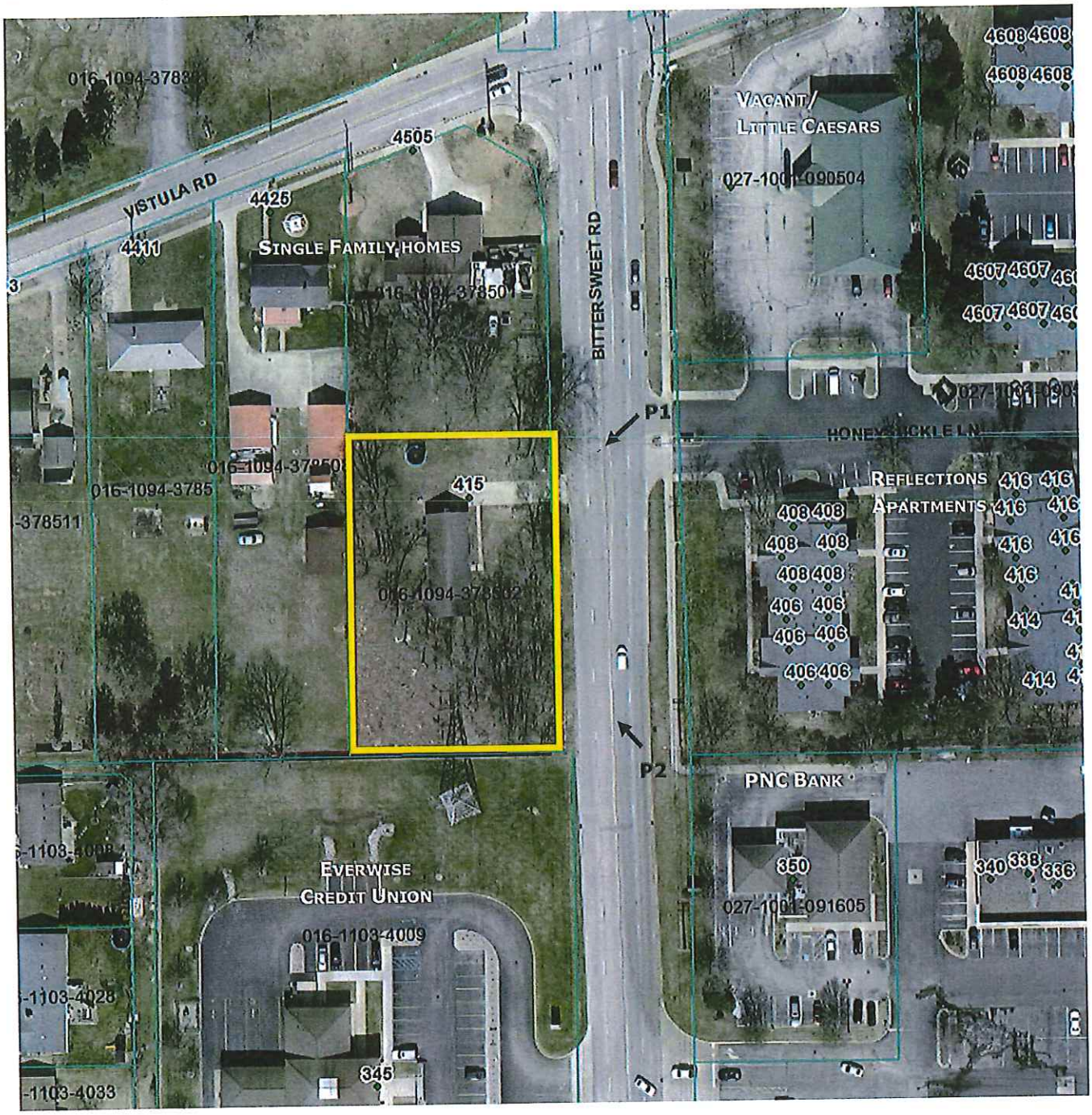
3. The need for the use variance arises from the condition to the property in that it is small and limited by the adjacent residential uses and overhead power lines which make it not likely capable of supporting higher intensity drive thru uses.

4. Strict application of the terms of this chapter will constitute an unnecessary hardship if applied to the property for which the variance is sought and will not result in practical difficulties in the use of the property. The small property that is both limited by the adjacent residential uses and the overhead high voltage power lines create a hardship regarding redeveloping the property.

5. The approval does not substantially interfere with the Mishawaka 2000 Comprehensive Plan. The Mishawaka 2000 Comprehensive Plan, created in 1990, identifies a land use of the subject property as Low Density Residential. Since that time, the Bittersweet corridor has been significantly developed as commercial. The proposed request is consistent with the redevelopment that has taken place along the corridor.

ATTACHMENTS

AERIAL, PHOTOGRAPHS, PETITION, SUPPORTING DOCUMENTATION, LOCATION MAP



P1. A view of the existing house from the entrance of the apartment complex.

P2. A view of the existing house looking north across Bittersweet Rd.

P1. A view of the existing house from the entrance of the apartment complex.

P2. A view of the existing house looking north across Bittersweet Rd.

Received
FEB 26 2024
Planning and Community Development
AP 24-08

KRIEG DEVAULT®

WWW.KRIEGDEVAULT.COM

February 26, 2024

George C. Lepeniotis
Direct Dial: (574) 485-2008
E-mail: glepeniotis@kdlegal.com

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

Re: Rezoning and Use Variance Petition for the Real Property Located at 415 Bittersweet Road, Mishawaka, IN

Dear Hon. Members of the Plan Commission and City Council:

I represent Group 120, Inc. + 120 BS, LLC (d/b/a Jimmy John's), the new owner ("Petitioner") of real property located within the City of Mishawaka, County of St. Joseph, State of Indiana (the "City"), located at the address above and more particularly described on Exhibit A, attached hereto and made a part hereof (the "Real Property").

The Real Property presently has a zoning classification of R-1 under the Zoning Ordinance of the City of Mishawaka, and Petitioner respectfully requests the City rezone the Real Property to C-1 for the intended purpose of a future 1,212 square foot stand-alone Jimmy John's restaurant. Petitioner also seeks a use variance to allow for a proposed Drive-Thru. Please consider the following request for rezoning.

Comprehensive Plan:

This rezoning request fits well within the City's Comprehensive Plan for the area. The Real Property is bordered by additional R-1 sites to the north and west, an Everwise Credit Union to the south (along with significant other commercial developments), and the Reflections Apartment complex to the east, across Bittersweet. There is additional commercial development north and south on Bittersweet, including the large "Martin's" PUD. This development would further the commercial corridor on Bittersweet in a fairly low-impact and thoughtful manner.

Current conditions and the character of current structures and uses in each district:

The Real Property is currently zoned R-1 Residential and occupied by a dated manufactured home.

The most desirable use for which the land in each district is adapted:

The current manufactured home is dated. It is highly unlikely that the parcel would be desirable for any new or updated residential structures or developments due to the high traffic and noise generated from Bittersweet. Petitioner currently owns and operates fifteen other Jimmy John's restaurants, including the other two locations in Mishawaka (N. Main and McKinley), as well as all five locations in South Bend, one location in Granger, two locations in Warsaw, one location in Plymouth and three locations in Elkhart, plus one location being built in Sturgis, Michigan. A stand-alone Jimmy John's restaurant with Drive-Thru on the Real Property would be convenient and desirable for the community. The nearest Jimmy John's location from the Bittersweet area is fifteen minutes away. The area is developing a number of commercial services and restaurants but not overtly so such as Grape Road or Main Street.

The conservation of property values throughout the jurisdiction:

The proposed development is designed to integrate seamlessly with the other commercial developments along both the east and west sides of Bittersweet to the north and south. The design will further increase the commercial corridor which will lead to an increase of property values for the neighboring properties.

Use Variance:

Due to the size of the parcel, Petitioner, at the request of City staff, has agreed to petition for a C-1 Commercial designation with an additional variance request for a drive-thru as opposed to requesting a change to the C-7 Commercial Drive-Thru Restaurant district. Staff believe this will allow the City to maintain some control over any potential future redevelopment of the parcel to drive-thru restaurants that see higher queuing requirements such as a coffee shop or larger fast-food restaurant. Accordingly, the Petitioner also requests the approval of a use variance to permit the installation of a Drive-Thru on the Real Property. For the reasons described in this Petition, the request for a use variance in order to allow a Drive Thru on the Real Property would not be injurious to the public health, safety, morals, or general welfare of the community, and the use and value of the area adjacent to the Real Property would not be affected in a substantially adverse manner. Jimmy Johns is known for its quick service and short wait times. It is also known for its delivery. Thus the drive-thru queuing requirements are not as substantial as others and the size of the parcel is not a detriment to this development.

The need for the use variance arises from conditions peculiar to the Real Property, and the strict application of the terms of the zoning regulations would constitute an unnecessary hardship if applied to the Real Property. Staff has indicated they have concerns over the limited size of the parcel and the presence of power lines and utility easements, which limit broader drive-thru uses,

such that a C-7 designation may not be appropriate. Accordingly, these peculiar conditions of the Real Property make a C-1 classification with a special use variance more appropriate to this particular parcel and specific use. This will allow the city the ability to better control future redevelopment.

The approval of the use variance fits well within the City's Comprehensive Plan for the area, as detailed above.

Responsible growth and development:

The proposed development is compatible with the surrounding zoning classifications and uses and is a responsible expansion of the commercial corridor without impacting the residential structures to the north and to the west, especially once proper screening and fencing is installed.

Petitioner respectfully requests a hearing on its request requests 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.

Thank you for your careful consideration of this request.

Sincerely,

George C. Lepeniotis
Attorney for Petitioner

Enc.

cc: Nick Venzon, Group 120, Inc. (with enclosures)

PRELIMINARY SITE PLAN

PART OF THE SOUTHEAST QUARTER OF OF THE SOUTHWEST QUARTER OF SECTION 7, TOWNSHIP 37 NORTH
RANGE 4 EAST PENN TOWNSHIP, CITY OF MISHAWAKA ST. ST. JOSEPH COUTNTY, INDIANA

LEGAL DESCRIPTION:

THAT PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 37 NORTH, RANGE 4 EAST, PENN TOWNSHIP, CITY OF MISHAWAKA, ST. JOSEPH COUNTY, INDIANA WHICH IS DESCRIBED AS: LOTS # 2 OF THE PLAT OF "CLARK'S VISTULA ROAD MINOR SUBDIVISION" AS RECORDED IN THE RECORDS OF THE ST. JOSEPH COUNTY, INDIANA RECORDERS OFFICE.
CONTAINING 0.69 ACRES MORE OR LESS.
SUBJECT TO ALL LEGAL HIGHWAYS, EASEMENTS AND RESTRICTIONS OF RECORD.

ALSO, COMMONLY KNOWN AS 415 BITTERSWEET ROAD, MISHAWAKA, INDIANA 46544.

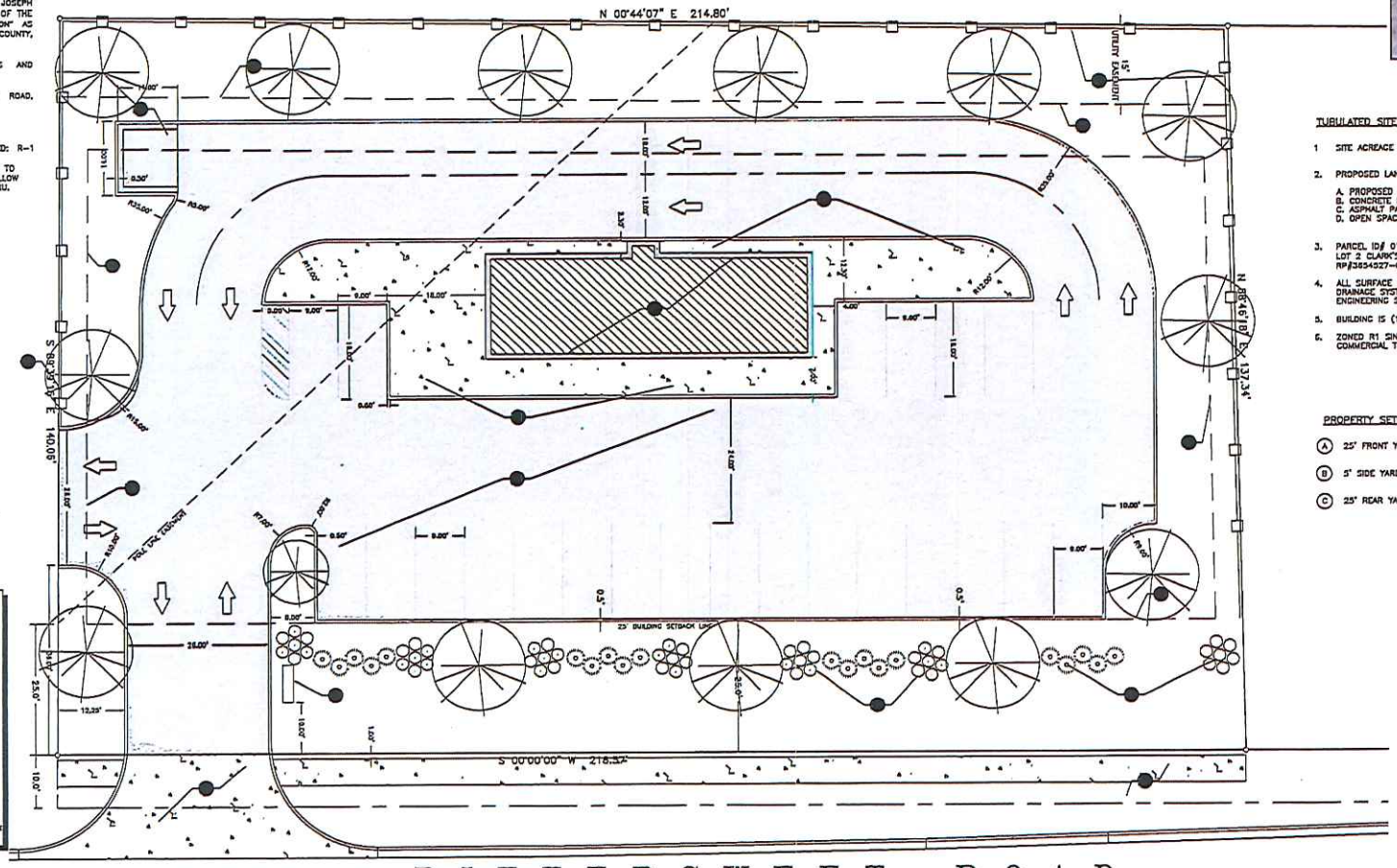
REZONING REQUEST:

THE ABOVE-DESCRIBED PARCEL IS PRESENTLY ZONED: R-1 RESIDENTIAL DISTRICT.
PETITIONERS DESIRE SAID REAL ESTATE TO BE REZONED TO C-1 COMMERCIAL DISTRICT WITH A USE VARIANCE TO ALLOW FOR THE OPERATION OF RESTAURANT WITH A DRIVE-THRU.

KEY NOTES/LEGEND:

1. PROPOSED BUILDING/CANOPY
2. PROPOSED CONCRETE PAVEMENT
3. PROPOSED ASPHALT PARKING LOT
4. SIGNS PER CITY MISHAWAKA ZONING (CH 157 MUNICIPAL CODE).
5. DUMPSTER WITH 6' FENCE.
6. LANDSCAPE PER CITY OF MISHAWAKA STANDARDS.
7. 7' HT PRIVACY FENCE

EXISTING LEGEND



SITE LOCATION MAP

TUBULATED SITE DATA

1	SITE ACREAGE	0.69 +/- ACRES 29,976.21 SF	
2.	PROPOSED LAND COVERAGE	SQ. FT.	% OF SITE
	A. PROPOSED BUILDING	1,214	4.05%
	B. CONCRETE PAVEMENT	2,785	9.29%
	C. ASPHALT PAVEMENT	14,905	49.72%
	D. OPEN SPACE	11,071	36.93%
	TOTAL	29,976	100%

3. PARCEL ID# 0161094-378502
LOT 2 CLARK'S SVISTULA RD. MINOR SUB
RP#3634527-03.
4. ALL SURFACE DRAINAGE TO BE HANDLED BY ON-SITE DRAINAGE SYSTEM, SIZED PER CITY OF MISHAWAKA ENGINEERING STANDARDS.
5. BUILDING IS (1-STORY).
6. ZONED R1 SINGLE FAMILY RESIDENTIAL. C1 GENERAL COMMERCIAL TO THE SOUTH.

PROPERTY SETBACKS:

(A) 25' FRONT YARD SETBACK (MISHAWAKA)
(B) 5' SIDE YARD SETBACK (MISHAWAKA)
(C) 25' REAR YARD SETBACK (MISHAWAKA)

GENERAL SURVEY DISCLAIMER NOTES:

THE INFORMATION SHOWN ON THIS DRAWING IS INTENDED FOR THE CLIENT ONLY. ANY REUSE WITHOUT WRITTEN VERIFICATION AND ADAPTATION BY THE LAND SURVEYOR FOR THE SPECIFIC PURPOSE INTENDED WILL BE AT THE USERS SOLE RISK AND WITHOUT LIABILITY OR LEGAL EXPOSURE TO THE LAND SURVEYOR.

ANY UTILITY OR EASEMENT LOCATIONS, IF SHOWN, ARE APPROXIMATE. THE CLIENT MUST FIELD VERIFY UTILITY LOCATIONS WITH THE RESPECTIVE UTILITY COMPANY. THIS LAND SURVEYOR ASSUMES NO LIABILITY FOR THE ACCURACY OF THE LOCATION OR SIZE OF EXISTING UTILITIES OR THE EXISTENCE OR NONEXISTENCE OF ADDITIONAL UNDERGROUND UTILITIES OR STRUCTURES.

NO IMPROVEMENTS SHOULD BE MADE ON THE BASIS OF THIS PLAT ALONE. FIELD MONUMENTATION OF CRITICAL POINTS SHOULD BE ESTABLISHED PRIOR TO COMMENCEMENT OF ANY AND ALL CONSTRUCTION. FOR BUILDING LINES, EASEMENTS AND OTHER RESTRICTIONS NOT SHOWN HEREON REFER TO YOUR DEED, ABSTRACT, TITLE POLICY, CONTRACTS AND LOCAL BUILDING, ZONING AND SUBDIVISION ORDINANCES.

UNLESS SPECIFICALLY SHOWN HEREON, THIS SURVEY DOES NOT PURPORT TO INDICATE THE PRESENCE OR ABSENCE OF WETLANDS AND HAZARDOUS OR ENVIRONMENTALLY INJURIOUS MATERIALS. THE SURVEYOR EXPRESSLY DISCLAIMS ANY RESPONSIBILITY OR LIABILITY FOR THE SAME.

ANY INFORMATION ON THIS DRAWING IS NOT INTENDED TO BE SUITABLE FOR REUSE BY ANY PERSON, FIRM OR CORPORATION ON ANY SITES OR EXTENSION OF THIS PROJECT OR FOR ANY USE ON ANY OTHER PROJECT. ANY REUSE WITHOUT WRITTEN VERIFICATION AND ADAPTION BY THE ENGINEER, ARCHITECT OR SURVEYOR FOR THE SPECIFIC PURPOSE INTENDED WILL BE AT THE USERS SOLE RISK AND WITHOUT LIABILITY OR LEGAL EXPOSURE TO THE ENGINEER, ARCHITECT OR SURVEYOR

ALL UNDERGROUND UTILITIES MUST BE FIELD VERIFIED BY THE CONTRACTOR BEFORE ANY CONSTRUCTION MAY BEGIN.

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SURVEYORS & ENGINEERS:

DANCH, HARNER & ASSOCIATES, INC.
1643 COMMERCE DRIVE
SOUTH BEND, IN. 46628
(574) 234-4053
ATTN: MICHAEL DANCH

DATE 2/9/24	DRAWN BY: JMS	REVISIONS	
SCALE 1" = 10'	CHECKED BY: MJD	DATE	BY
FILE # 230274	PROJ. MANGR: MJD		

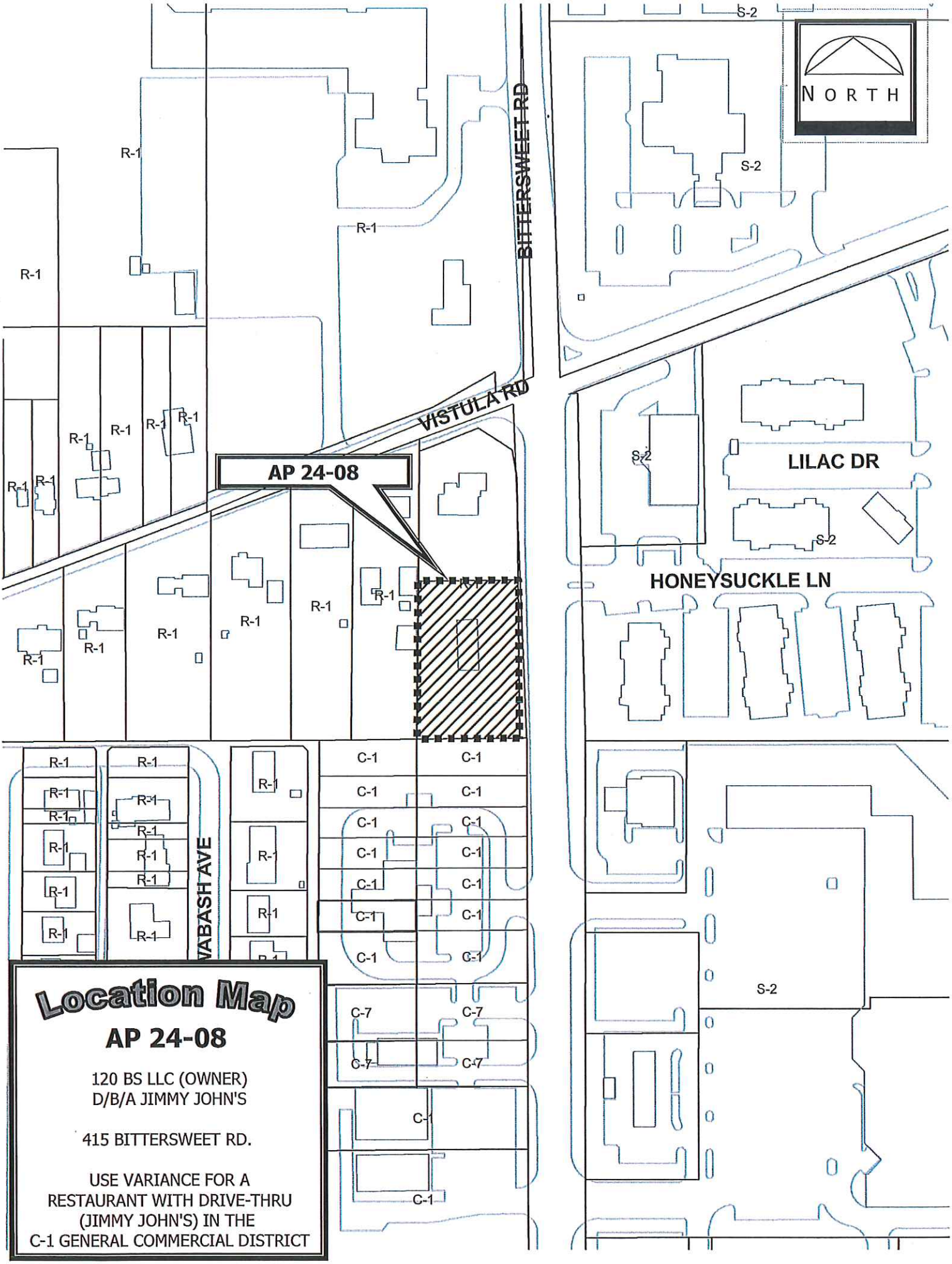
N

0 10' 20' 30'
SCALE 1" = 10'

PRELIMINARY SITE PLAN

Danch, Harner & Associates, Inc.
Land Surveyors • Professional Engineers
Landscape Architects • Land Planners
DHA

SHEET 1 OF 1



Location Map

AP 24-08

120 BS LLC (OWNER)
D/B/A JIMMY JOHN'S

415 BITTERSWEET RD.

USE VARIANCE FOR A
RESTAURANT WITH DRIVE-THRU
(JIMMY JOHN'S) IN THE
C-1 GENERAL COMMERCIAL DISTRICT

1st Reading
2nd Reading
Passed
Failed
Continued To

Deborah S. Block, IAMC, MMC
MAR 13 2024
City Clerk
Mishawaka, IN

PETITION 24-01

CITY OF MISHAWAKA, INDIANA

PROPOSED ORDINANCE NO. 2024-05

ORDINANCE NO. _____

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

WHEREAS, a Petition has been presented to the Common Council of the City of Mishawaka, Indiana, praying that certain territory lying contiguous to the corporate limits of the City of Mishawaka, Indiana, be annexed to and declared to be a part of the City of Mishawaka, and that it be provided with a Zoning Classification, and

WHEREAS, the Mishawaka City Plan Commission, to which Commission the petition was duly referred, has recommended the annexation and a PUD Amendment as hereinafter set forth, including the imposition of reasonable conditions, to wit, the recommendations of the Department of City Planning.

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

Section 1. The following described real estate be and the same is hereby annexed to and declared to be a part of the City of Mishawaka, Indiana:

A PART OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 38 NORTH, RANGE 3 EAST, ST. JOSEPH COUNTY, INDIANA, DESCRIBED AS BEGINNING AT THE SOUTHWEST CORNER OF SAID QUARTER SECTION: THENCE EAST ALONG THE SOUTH LINE OF SAID QUARTER SECTION 265.00 FEET: THENCE NORTH 243.60 FEET: THENCE WEST 265.00 FEET TO THE WEST LINE OF SAID QUARTER SECTION: THENCE SOUTH ALONG SAID WEST LINE 243.60 FEET TO THE PLACE OF BEGINNING. CONTAINING 1.482 ACRES, MORE OR LESS, INCLUDING ALL ADJACENT DOUGLAS ROAD RIGHT-OF-WAY TO THE EXISTING SOUTH RIGHT-OF-WAY LINE.

The above described real estate shall hereafter be annexed into and within the City of Mishawaka, Indiana, and a part of that district designated in the Zoning Ordinance of the City of Mishawaka, Indiana, and shall carry a classification for zoning of S-2 Planned Unit Development District.

Furthermore, 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:

PARCEL 1:
THE EAST HALF OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 38 NORTH, RANGE 3 EAST, IN ST. JOSEPH COUNTY, INDIANA. LESS AND EXCEPTING THEREFROM THE FOLLOWING: A PART OF THE EAST HALF OF

Proposed Ordinance No: 2024-05

Ordinance No: _____

THE SOUTHEAST QUARTER OF SECTION 29, ALL IN TOWNSHIP 38 NORTH, RANGE 3 EAST, IN ST. JOSEPH COUNTY, INDIANA, AND BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 38 NORTH, RANGE 3 EAST, SAID POINT BEING AT THE INTERSECTION OF THE CENTERLINES OF GRAPE ROAD AND DOUGLAS ROAD; THENCE SOUTH 89 DEGREES 52 MINUTES 06 SECONDS WEST, 2648.16 FEET ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION TO THE SOUTHWEST CORNER OF SAID SECTION 28 AND THE SOUTHEAST CORNER OF SAID SECTION 29 AND THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE SOUTH 89 DEGREES 40 MINUTES 04 SECONDS WEST, 331.93 FEET ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER SECTION; THENCE NORTH 00 DEGREES 03 MINUTES 49 SECONDS EAST, 40.00 FEET; THENCE NORTH 89 DEGREES 40 MINUTES 04 SECONDS EAST, 331.89 FEET TO A POINT ON THE EAST LINE OF SAID SOUTHEAST QUARTER SECTION; THENCE SOUTH 00 DEGREES 00 MINUTES 02 SECONDS EAST, 40.00 FEET ALONG SAID EAST LINE TO THE POINT OF BEGINNING, AND CONTAINING 0.304 ACRES, MORE OR LESS, INCLUSIVE OF THE PRESENTLY EXISTING RIGHT OF WAY WHICH CONTAINS 0.152 ACRES, MORE OR LESS, FOR A NET ADDITIONAL TAKING OF 0.152 ACRES, MORE OR LESS.

PARCEL 2:

A PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 28, AND A PART OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 29, BOTH IN TOWNSHIP 38 NORTH, RANGE 3 EAST OF THE SECOND PRINCIPAL MERIDIAN, CLAY TOWNSHIP, ST. JOSEPH COUNTY, INDIANA, AND DESCRIBED AS FOLLOWS: COMMENCING FROM THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 28, SAID POINT BEING AT THE INTERSECTION OF THE CENTERLINES OF GRAPE ROAD AND DOUGLAS ROAD; THENCE SOUTH 89 DEGREES 14 MINUTES 10 SECONDS WEST, 2382.78 FEET; THENCE NORTH 00 DEGREES 31 MINUTES 45 SECONDS WEST, 243.60 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 89 DEGREES 14 MINUTES 10 SECONDS WEST, 265.00 FEET; THENCE SOUTH 00 DEGREES 31 MINUTES 45 SECONDS EAST, 243.60 FEET; THENCE SOUTH 89 DEGREES 14 MINUTES 10 SECONDS WEST, 331.20 FEET; THENCE NORTH 00 DEGREES 31 MINUTES 45 SECONDS WEST, 1324.81 FEET; THENCE NORTH 89 DEGREES 22 MINUTES 35 SECONDS EAST, 611.20 FEET; THENCE SOUTH 00 DEGREES 43 MINUTES 26 SECONDS EAST, 1079.70 FEET; THENCE SOUTH 89 DEGREES 14 MINUTES 10 SECONDS WEST, 18.67 FEET TO THE POINT OF BEGINNING.
EXCEPTING THEREFROM, THE EAST HALF OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 38 NORTH, RANGE 3 EAST, IN ST. JOSEPH COUNTY, INDIANA. ALSO LESS AND EXCEPTING, A PARCEL OF LAND BEING A PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 38 NORTH, RANGE 3 EAST, CITY OF MISHAWAKA, CLAY TOWNSHIP, ST. JOSEPH COUNTY, INDIANA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER OF SECTION 28; THENCE SOUTH 89 DEGREES 14 MINUTES 10 SECONDS WEST, ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 1920.28 FEET TO THE SOUTHEAST CORNER OF TWO TRACTS OF LAND
CONVEYED TO JOHN PIRACCINI AND WEBB STEELY BY A WARRANTY DEED RECORDED AS INSTRUMENT NUMBER 9020431 AND ALSO A WARRANTY DEED RECORDED AS INSTRUMENT NUMBER 9713420 IN THE OFFICE OF THE RECORDER OF ST. JOSEPH COUNTY, INDIANA; THENCE NORTH 00 DEGREES 43 MINUTES 28 SECONDS WEST ALONG THE EAST LINE OF SAID PIRACCINI AND STEELY TRACT, A DISTANCE OF 989.01 FEET TO THE PLACE OF BEGINNING FOR THIS DESCRIPTION; THENCE SOUTH 89 DEGREES 35 MINUTES 44 SECONDS WEST, A DISTANCE OF 384.77 FEET; THENCE SOUTH 00 DEGREES 31 MINUTES 05 SECONDS EAST,

A DISTANCE OF 545.79 FEET; THENCE NORTH 89 DEGREES 57 MINUTES 41 SECONDS WEST, A DISTANCE OF 44.50 FEET TO A POINT OF DEFLECTION; THENCE SOUTH 89 DEGREES 14 MINUTES 10 SECONDS WEST, PARALLEL WITH THE SOUTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 296.22 FEET TO THE WEST LINE OF SAID SOUTHWEST QUARTER OF SECTION 28; THENCE NORTH 00 DEGREES 41 MINUTES 27 SECONDS WEST, ALONG SAID WEST LINE A DISTANCE OF 1294.62 FEET TO THE NORTHWEST CORNER OF A TRACT OF LAND CONVEYED TO JOHN PIRACCINI BY WARRANTY DEED RECORDED AS INSTRUMENT NUMBER 0433126 IN SAID RECORDER'S OFFICE; THENCE NORTH 89 DEGREES 07 MINUTES 52 SECONDS EAST ALONG THE NORTH LINE OF SAID PIRACCINI TRACT, A DISTANCE OF 726.69 FEET; THENCE SOUTH 00 DEGREES 43 MINUTES 28 SECONDS EAST, ALONG THE EAST LINE OF SAID PIRACCINI TRACT AND THE EAST LINE OF SAID PIRACCINI AND STEELY TRACT, A DISTANCE OF 753.20 FEET TO THE PLACE OF BEGINNING.

PARCEL 3:

A PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 38 NORTH, RANGE 3 EAST, CLAY TOWNSHIP, ST. JOSEPH COUNTY, INDIANA, AND DESCRIBED AS FOLLOWS: COMMENCING FROM THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 28, SAID POINT BEING AT THE INTERSECTION OF THE CENTERLINES OF GRAPE AND DOUGLAS ROADS; THENCE SOUTH 89 DEGREES 14 MINUTES 10 SECONDS WEST ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 28, 1920.28 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 89 DEGREES 14 MINUTES 10 SECONDS WEST, 462.50 FEET; THENCE NORTH 00 DEGREES 31 MINUTES 45 SECONDS WEST, 243.60 FEET; THENCE NORTH 89 DEGREES 14 MINUTES 10 SECONDS EAST, 18.67 FEET; THENCE NORTH 00 DEGREES 43 MINUTES 26 SECONDS WEST, 1079.70 FEET; THENCE NORTH 89 DEGREES 22 MINUTES 35 SECONDS EAST, 443.00 FEET; THENCE SOUTH 00 DEGREES 43 MINUTES 26 SECONDS EAST, 1322.21 FEET TO THE POINT OF BEGINNING. LESS AND EXCEPTING, A PARCEL OF LAND BEING A PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 38 NORTH, RANGE 3 EAST, CITY OF MISHAWAKA, CLAY TOWNSHIP, ST. JOSEPH COUNTY, INDIANA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER OF SECTION 28; THENCE SOUTH 89 DEGREES 14 MINUTES 10 SECONDS WEST, ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 1920.28 FEET TO THE SOUTHEAST CORNER OF TWO TRACTS OF LAND CONVEYED TO JOHN PIRACCINI AND WEBB STEELY BY A WARRANTY DEED RECORDED AS INSTRUMENT NUMBER 9020431 AND ALSO A WARRANTY DEED RECORDED AS INSTRUMENT NUMBER 9713420 IN THE OFFICE OF THE RECORDER OF ST. JOSEPH COUNTY, INDIANA; THENCE NORTH 00 DEGREES 43 MINUTES 28 SECONDS WEST ALONG THE EAST LINE OF SAID PIRACCINI AND STEELY TRACT, A DISTANCE OF 989.01 FEET TO THE PLACE OF BEGINNING FOR THIS DESCRIPTION; THENCE SOUTH 89 DEGREES 35 MINUTES 44 SECONDS WEST, A DISTANCE OF 384.77 FEET; THENCE SOUTH 00 DEGREES 31 MINUTES 05 SECONDS EAST, A DISTANCE OF 545.79 FEET; THENCE NORTH 89 DEGREES 57 MINUTES 41 SECONDS WEST, A DISTANCE OF 44.50 FEET TO A POINT OF DEFLECTION; THENCE SOUTH 89 DEGREES 14 MINUTES 10 SECONDS WEST, PARALLEL WITH THE SOUTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 296.22 FEET TO THE WEST LINE OF SAID SOUTHWEST QUARTER OF SECTION 28; THENCE NORTH 00 DEGREES 41 MINUTES 27 SECONDS WEST, ALONG SAID WEST LINE A DISTANCE OF 1294.62 FEET TO THE NORTHWEST CORNER OF A TRACT OF LAND CONVEYED TO JOHN PIRACCINI BY WARRANTY DEED RECORDED AS INSTRUMENT NUMBER 0433126 IN SAID RECORDER'S OFFICE; THENCE NORTH 89 DEGREES 07 MINUTES 52 SECONDS EAST ALONG THE NORTH LINE OF SAID

PIRACCINI TRACT, A DISTANCE OF 726.69 FEET; THENCE SOUTH 00 DEGREES 43 MINUTES 28 SECONDS EAST, ALONG THE EAST LINE OF SAID PIRACCINI TRACT AND THE EAST LINE OF SAID PIRACCINI AND STEELY TRACT, A DISTANCE OF 753.20 FEET TO THE PLACE OF BEGINNING. ALSO LESS AND EXCEPTING, A PARCEL OF LAND BEING A PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 38 NORTH, RANGE 3 EAST, CLAY TOWNSHIP, ST. JOSEPH COUNTY, INDIANA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER OF SAID SECTION 28; THENCE SOUTH 89 DEGREES 14 MINUTES 10 SECONDS WEST (BEARING ASSUMED) ON THE SOUTH LINE OF SAID SECTION A DISTANCE OF 1920.28 FEET; THENCE NORTH 00 DEGREES 43 MINUTES 26 SECONDS WEST, A DISTANCE OF 40.00 FEET TO A POINT ON THE NORTH RIGHTOF-WAY LINE OF DOUGLAS ROAD AND THE PLACE OF BEGINNING FOR THIS DESCRIPTION; THENCE SOUTH 89 DEGREES 14 MINUTES 10 SECONDS
WEST, ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 402.36 FEET; THENCE NORTH 00 DEGREES 31 MINUTES 45 SECONDS WEST, A DISTANCE OF 310.00 FEET; THENCE NORTH 89 DEGREES 14 MINUTES 10 SECONDS EAST, PARALLEL WITH SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 401.31 FEET; THENCE SOUTH 00 DEGREES 43 MINUTES 26 SECONDS EAST, A DISTANCE OF 309.99 FEET TO THE PLACE OF BEGINNING. ALSO LESS AND EXCEPTING, A PARCEL OF LAND BEING A PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 38 NORTH, RANGE 3 EAST, CITY OF MISHAWAKA, CLAY TOWNSHIP, ST. JOSEPH COUNTY, INDIANA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER OF SECTION 28; THENCE SOUTH 89 DEGREES 14 MINUTES 10 SECONDS WEST, ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 2360.40 FEET TO A POINT; THENCE NORTH 00 DEGREES 25 MINUTES 06 SECONDS EAST, A DISTANCE OF 40.01 FEET TO A POINT ON THE NORTH RIGHTOF-
WAY LINE OF DOUGLAS ROAD AS DEDICATED TO THE CITY OF MISHAWAKA BY INSTRUMENT NUMBER 9024928 AS RECORDED IN THE OFFICE OF THE RECORDER OF ST. JOSEPH COUNTY, INDIANA, SAID POINT BEING THE PLACE OF BEGINNING FOR THIS DESCRIPTION; THENCE NORTH 00 DEGREES 25 MINUTES 06 SECONDS EAST, A
DISTANCE OF 406.35 FEET; THENCE SOUTH 89 DEGREES 57 MINUTES 40 SECONDS EAST, A DISTANCE OF 44.50 FEET; THENCE NORTH 00 DEGREES 31 MINUTES 05 SECONDS WEST, A DISTANCE OF 545.79 FEET; THENCE NORTH 89 DEGREES 35 MINUTES 44 SECONDS EAST, A DISTANCE OF 384.77 FEET TO A POINT ON THE WEST LINE OF A TRACT OF LAND CONVEYED TO YOUNG'S LANDSCAPE NURSERY CORP BY WARRANTY DEED RECORDED AS INSTRUMENT NUMBER 7800165 IN SAID RECORDER'S OFFICE; THENCE SOUTH 00 DEGREES 43 MINUTES 27 SECONDS EAST, ALONG SAID WEST LINE A DISTANCE OF 639.02 FEET TO THE NORTHEAST CORNER OF A TRACT OF LAND CONVEYED TO MDK NO. 3, LLC BY WARRANTY DEED RECORDED AS INSTRUMENT NUMBER 9834156 IN SAID RECORDER'S OFFICE; THENCE SOUTH 89 DEGREES 14 MINUTES 10 SECONDS WEST, ALONG THE NORTH LINE OF SAID MDK TRACT AND PARALLEL WITH SAID SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 28, A DISTANCE OF 401.33 FEET TO THE NORTHWEST CORNER THEREOF; THENCE SOUTH 00 DEGREES 31 MINUTES 45 SECONDS EAST, ALONG THE WEST LINE OF SAID MDK TRACT, A DISTANCE OF 310.00 FEET TO A POINT ON SAID NORTH RIGHT-OF-WAY LINE OF DOUGLAS ROAD;
THENCE SOUTH 89 DEGREES 14 MINUTES 10 SECONDS WEST, ALONG SAID NORTH RIGHT-OFWAY
LINE, A DISTANCE OF 36.94 FEET TO THE PLACE OF BEGINNING.

Proposed Ordinance No: 2024-05

Ordinance No: _____

PARCEL 4:
A NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS FOR THE BENEFIT OF PARCEL 4, AS RESERVED IN WARRANTY DEED FROM WEBB J. STEELY AND JOHN A. PIRACCINI TO J2MD, L.L.C., DATED JULY 1, 2004 AND RECORDED JULY 7, 2004 AS INSTRUMENT NUMBER 0433048, IN THE OFFICE OF THE RECORDER OF ST. JOSEPH COUNTY, INDIANA, OVER THE FOLLOWING LAND: COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 38 NORTH, RANGE 3 EAST, IN ST. JOSEPH COUNTY, INDIANA; THENCE SOUTH 89 DEGREES 14 MINUTES 10 SECONDS WEST, ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 2360.40 FEET TO A POINT; THENCE NORTH 00 DEGREES 25 MINUTES 06 SECONDS EAST, A DISTANCE OF 40.01 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF DOUGLAS ROAD AS DEDICATED TO THE CITY OF MISHAWAKA BY INSTRUMENT NUMBER 9024928 AS RECORDED IN THE OFFICE OF THE RECORDER OF ST.
JOSEPH COUNTY, INDIANA, SAID POINT BEING THE PLACE OF BEGINNING FOR THIS DESCRIPTION; THENCE NORTH 00 DEGREES 25 MINUTES 06 SECONDS EAST, A DISTANCE OF 406.35 FEET; THENCE SOUTH 89 DEGREES 57 MINUTES 40 SECONDS EAST, A DISTANCE OF 89.50 FEET; THENCE SOUTH 00 DEGREES 25 MINUTES 06 SECONDS WEST, A DISTANCE OF 95.03 FEET TO A POINT ON THE NORTH LINE OF SAID MDK NO. 3, LLC PARCEL OF LAND; THENCE SOUTH 89 DEGREES 14 MINUTES 10 SECONDS WEST, ALONG THE NORTH LINE OF SAID MDK TRACT AND PARALLEL WITH SAID SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 29, A DISTANCE OF 57.70 FEET TO THE NORTHWEST CORNER THEREOF; HENCE SOUTH 00 DEGREES 31 MINUTES 45 SECONDS EAST, ALONG THE WEST LINE OF SAID MDK TRACT, A DISTANCE OF 310.00 FEET TO A POINT ON SAID NORTH RIGHT-OF-WAY LINE OF DOUGLAS ROAD; THENCE SOUTH 89 DEGREES 14 MINUTES 10 SECONDS WEST, ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 36.94 FEET TO THE PLACE OF BEGINNING.

which real estate is now classified as S-2 Planned Unit Development District.

All the above real estate shall hereafter be amended to allow for an indoor and mini-storage use subject to the following conditions:

Uses:

1. C-1 General Commercial Uses
2. Mini-warehousing (self-storage)
    a. No business shall be operated out a storage unit.
    b. No storage of chemicals, flammables, and paints.
3. Truck and Trailer Sharing
4. Off-premise signs/billboards shall be prohibited.

Parking Spaces, Building & Parking/Pavement Setbacks:

1. A minimum of 4 parking spaces shall be provided per 1,000 square feet of office or retail area.
2. The building setback shall be a minimum of 25′ from the right-of-way and external property lines.
3. The parking/pavement setback shall be 15′ from the right-of-way and all external property lines.

Landscaping & Fencing:

1. Landscaping along Douglas Road and Shaughn Dr shall be provided as required per the C-1 General Commercial District.
2. A 15' wide landscape buffer shall be provided along the western property line and on the north and east abutting residential uses.
3. The landscape buffer shall be planted with a continuous evergreen screen combined with required plantings as identified in minimum landscaping and screening regulations (Section 137-815). Minimum size of the evergreen plantings at the time of planting shall be 6 foot in height.
4. No additional landscaping shall be required where the existing mature vegetation is preserved if compliant with the minimum spacing requirements.
5. A seven-foot-high opaque fence shall be mandatory along any developed industrial property line that is contiguous to any residentially zoned property. Fencing shall meet the minimum front yard setback requirements of the district in which it is located.
6. Electrified fencing, barbed wire and razor wire are prohibited.

Signage:

1. All signage shall comply with the height and display area requirements for the C-1 General Commercial District, including but not limited to, all freestanding and directional signs.

Right-of-way & Sidewalks:

1. Additional right-of-way and easements may be required and shall be determined by review of the City Director of Engineering as a part of the planned unit development plan and subdivision plat.
2. The developer shall construct an 8' wide pathway within the public right-of-way along Douglas Road and along Shaughn Street. Connections from the site to the sidewalk shall be provided along Douglas Road and along Shaughn Street. The sidewalk shall be reviewed and approved by the City Director of Engineering as a part of the planned unit development plan.

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. Lighting shall not exceed one-half footcandles as measured along property lines abutting residentially zoned property.

Proposed Ordinance No: 2024-05

Ordinance No: _____

Building Limitations & Architecture:

1. The maximum building height shall be 48'.
2. Architectural building materials and colors per Section 137-380 (15) Design Review / Development Plan Restrictions shall only apply to the western and southern building facades of the western building, and the eastern and southern building facades of the eastern building. Fiber cement board shall be considered an appropriate material.

Stormwater Management Infrastructure & Utilities:

1. A stormwater drainage plan shall be reviewed and approved by the City Director of Engineering as a part of the planned unit development plan.

All costs associated with the extension of utilities shall be the responsibility of the developer. Extension of utilizes shall occur in a location and size as directed by the City Director of Engineering.

This recommendation is based on the following Findings of Fact:

1. Existing Conditions – The subject property is located along the heavily travelled Douglas Road corridor. Adjacent land uses include a gas station, mini-storage and condos in the Douglas Commons Planned Unit Development and single-family residential houses in unincorporated St. Joseph County.
2. Character of Buildings in the Area – The character of buildings and land uses located along the Douglas Road corridor between State Road 23 and Grape Road vary greatly and include single and multi-family residential, commercial and medical land uses.
3. The most desirable/highest and best use – Because of the property's location along a highly travelled mixed use corridor, the most desirable use for the property is commercial or light industrial use consistent with adjacent land uses
4. Conservation of property values – The proposed zoning should not be injurious to the property values in the surrounding area. Landscaping and screening compliant with the commercial regulations is required to adequately screen the adjacent existing single-family residential properties.
5. Comprehensive Plan – The Mishawaka 2000 Comprehensive Plan, created in 1990, guided general commercial development along Douglas Road between State Road 23 and Grape Road.

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 _____, 2024, at _____ o'clock ___.M.

_____

Presiding Officer

Proposed Ordinance No: 2024-05

Ordinance No: _____

ATTEST:

_____

Deborah S. Block, IAMC, MMC, City Clerk

PRESENTED by me to the Mayor this _____ day of _____, 2024, at _____ o'clock ____.M.

_____

Deborah S. Block, IAMC, MMC, City Clerk

APPROVED by me this _____ day of _____, 2024, at _____o'clock ____.M.

_____

David A. Wood, Mayor

STAFF REPORT

Location: 16963 W Douglas Road (002-2018-037701) and adjacent property to the north (029-2018-037704) and west (029-2019-0426)

Date: March 12, 2024

Petition: 24 01

Prepared By: CH

GENERAL INFORMATION

Applicant:	Charles Rupley, John & Jayne Piraccini, Julie Heneghan, and Jeff Steely / American Real Estate Company (Uhaul)
Status:	Property Owners / Contingent purchaser and developer
Request:	To annex and establish zoning, amend an existing PUD, and approve a preliminary planned unit development site plan for an indoor and mini-storage use.
Existing Zoning:	16963 W Douglas Road: Unincorporated St. Joseph County (R Single Family District) 029-2018-037704 and 029-2019-0426: S-2 Planned Unit Development
Proposed Zoning:	S-2 Planned Unit Development
Lot Size:	12.83 acres (excluding Douglas Road ROW)
Applicable Regulations:	Section 137-671 thru 137-679 / S-2 Planned Unit Development District Section 137-41 / Amendments to Zoning Map Indiana Code 36-4-3-2.1, 36-4-3-3.1, and 36-7-4-603

SPECIAL INFORMATION

Area Development Pattern:	North:	S-2 Planned Unit Development-Douglas Commons & Unincorporated St. Joseph County – R Single Family
	South:	R-4 Manufactured Home Residential (Lakeshore Estates) & Unincorporated St. Joseph County – R Single Family
	East:	S-2 Planned Unit Development-Douglas Commons (gas station, mini-warehouse and condos)
	West:	Unincorporated St. Joseph County – R Single Family & City of South Bend – C Commercial

Thoroughfare:	Douglas Road
Council District:	To Be Determined (contiguous to 6)
School District:	South Bend Community
Township:	Clay
Public Utilities:	All utilities will be extended to/throughout the site at the developer's/contingent owner's expense including all required roadway improvements.
Comprehensive Plan:	General Commercial

ANALYSIS

Proposal:
The applicants, Charles Rupley, John & Jayne Piraccini, Julie Heneghan, and Jeff Steely, represented by American Real Estate Company and Uhaul, the contingent purchaser and developer, are proposing to annex and establish zoning, amend a portion of the existing Douglas Commons Planned Unit Development, and approve a preliminary planned unit development site plan to allow warehousing/storage.

The 12.83 acres, consists of 16963 W Douglas Road (002-2018-037701) which is 1.51 acres, the 1.31 acres directly north (029-2018-037704) and 10.01 acres to the west (029-2019-0426. Located on the north side of Douglas Road, just west of Shaughn Street, there is a homestead right at the corner, with the rest being vacant land. The current PUD regulations and conditions, which were approved in 1990 (Ord. 3668), limited permitted uses to C-1 General Commercial.

As indicated on the preliminary site plan, the commercial development will include a 3-story, 94,764 sf building containing the showroom/office and inside storage; a one story, 16,828 sf building with no specific use; and three mini storage buildings.

Access will be provided from Douglas Road and Shaughn Street. Final locations and all required roadway improvements, including but not limited to additional right of way, sidewalks and deceleration/acceleration lanes, shall be subject to review and approval by the Engineering Department as a part of the planned unit development site plan review for each specific development parcel.

Currently, both water and sewer infrastructure required to serve the proposed development are located in Douglas Road. All utilities will be extended to/throughout the site at the developer's/contingent owner's expense including all required roadway improvements.

Green areas are shown with no specific trees. Landscaping along Douglas Road and Shaughn Dr shall be provided as required per the C-1 General Commercial District. A 15' wide landscape buffer shall be provided along the western property line and on the north and east abutting residential uses. A seven-foot-high opaque fence shall be mandatory along any developed industrial property line that is contiguous to any residentially zoned property.

If the proposed rezoning and annexation request is approved, a detailed final site plan for each phase of the development must be submitted to address all the applicable zoning (height, area, and development regulations), utility (sanitary sewer, water, storm water drainage, electric, gas, etc.), landscaping/screening, grading, erosion control, and any other required improvements.

Annexation:
As previously mentioned, the annexation only includes 16963 W Douglas Road, since the remaining parcels are already within the City Limits.

Per the State of Indiana's annexation laws, a parcel is required to share one-eighth, or 12.5%, of its boundary with the existing City boundary in order to be annexed. With the previous annexations as outlined above, approximately 834.2 feet, or 82%, of the total 1,017.2 feet of the perimeter of the property will be contiguous with the existing city limits. This exceeds the required 12.5% contiguity.

Location/Context:
The site is located at the northwest corner of Douglas Road and Shaughn Street. It is bordered to the north by single family homes in unincorporated St. Joseph County and townhomes zoned S-2 Planned Unit Development; to the west by vacant commercial in South Bend and single family homes in unincorporated St. Joseph County; to the east by a gas station zoned S-2 Planned Unit Development; and to the south by single-family residential houses in unincorporated St. Joseph County and a mobile home park in the City of Mishawaka. The Douglas Road corridor between State Road 23 and Grape Road includes a variety of single and multi-family residential, medical, office, and commercial land uses.

Zoning Change:
Staff believes that the proposed annexing and zoning of the northwest corner of Douglas Road and Shaughn Street to the S-2 Planned Unit Development District and amending the existing Planned Unit Development for property to the north and west for warehousing/storage is appropriate. There is already a mini-storage use in this Planned Unit Development. Douglas Road is a commercial corridor between Mishawaka and South Bend.

Transportation/Roads:
According to the latest available traffic counts, there were 21,607 annual average daily trips (AADT) (February 2021) along Douglas Road east of State Road 23 and 16,233 AADT (May 2023) along Douglas Road west of Grape Road. The counts at these locations have increased over the last 15 years ranging from just under 10,500 AADT to their current peaks. It is anticipated that traffic volumes will remain relatively consistent and/or continue to increase in future years.

The 2045 Transportation Plan, prepared by the Michiana Area Council of Governments with input from City staff and the County Engineering Department includes an intersection improvement at Grape and Douglas. The construction date for this project is estimated for 2030.

All pertinent City Departments have reviewed and approved the request for annexation and zoning with the Planning, Engineering, and Electric Departments providing the following comments:

Planning Comments:
1. Please see attached development standards based on C-1 Standards, site plan, and previous comments.
2. Parking, for example, is at the rate of 4 per 1,000 sf. Using only the showroom and D&R area, 16 parking spaces are required.
3. Are there interior designs for the eastern building? What is that use?
4. If elevations are available, we would like to review for materials. This will be a requirement of the site plan.
5. A subdivision will be required to combine all lots and dedicate any easements/right-of-way.
6. Connection to the west.

Engineering Comments:
1. What is proposed use of eastern building?
2. Only one drive approach will be allowed on Douglas Road and shall be minimum 370′ west of Shaughn St. A decel lane will be required for this approach per Engineering standard for 40MPH roadway.
3. An 8′ concrete pathway will be required along frontage (Douglas Rd. and Shaughn St.). Additional ROW will be required for improvements (plat).
4. Stormwater management for proposed runoff shall be sized for 100 year – 24 hours storm.
5. Sanitary sewer stub (18″) is available on north side of Douglas for connection to site.

Electric Comments:
1. Will need 30′ easement around property. Will need to discuss electric need prior to construction.

RECOMMENDATION

Staff recommends **approval** of Petition 24-01 to annex and establish zoning (16963 W Douglas Road), and to amend the Douglas Commons Planned Unit Development (Lot B) for warehousing/storage subject to the following development regulations/conditions:

Conditions of Approval

Uses:

1. C-1 General Commercial Uses
2. Mini-warehousing (self-storage)
    a. No business shall be operated out a storage unit.
    b. No storage of chemicals, flammables, and paints.
3. Truck and Trailer Sharing
4. Off-premise signs/billboards shall be prohibited.

Parking Spaces, Building & Parking/Pavement Setbacks:

1. A minimum of 4 parking spaces shall be provided per 1,000 square feet of office or retail area.
2. The building setback shall be a minimum of 25′ from the right-of-way and external property lines.
3. The parking/pavement setback shall be 15′ from the right-of-way and all external property lines.

Landscaping & Fencing:

1. Landscaping along Douglas Road and Shaughn Dr shall be provided as required per the C-1 General Commercial District.
2. A 15′ wide landscape buffer shall be provided along the western property line and on the north and east abutting residential uses.
3. The landscape buffer shall be planted with a continuous evergreen screen combined with required plantings as identified in minimum landscaping and screening regulations (Section 137-815). Minimum size of the evergreen plantings at the time of planting shall be 6 foot in height.
4. No additional landscaping shall be required where the existing mature vegetation is preserved if compliant with the minimum spacing requirements.
5. A seven-foot-high opaque fence shall be mandatory along any developed industrial property line that is contiguous to any residentially zoned property. Fencing shall meet the minimum front yard setback requirements of the district in which it is located.
6. Electrified fencing, barbed wire and razor wire are prohibited.

Signage:

1. All signage shall comply with the height and display area requirements for the C-1 General Commercial District, including but not limited to, all freestanding and directional signs.

Right-of-way & Sidewalks:

1. Additional right-of-way and easements may be required and shall be determined by review of the City Director of Engineering as a part of the planned unit development plan and subdivision plat.
2. The developer shall construct an 8′ wide pathway within the public right-of-way along Douglas Road and along Shaughn Street. Connections from the site to the sidewalk shall be provided along Douglas Road and along Shaughn Street. The sidewalk shall be reviewed and approved by the City Director of Engineering as a part of the planned unit development plan.

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. Lighting shall not exceed one-half footcandles as measured along property lines abutting residentially zoned property.

Building Limitations & Architecture:

1. The maximum building height shall be 48'.
2. Architectural building materials and colors per Section 137-380 (15) Design Review / Development Plan Restrictions shall only apply to the western and southern building facades of the western building, and the eastern and southern building facades of the eastern building. Fiber cement board shall be considered an appropriate material.

Stormwater Management Infrastructure & Utilities:

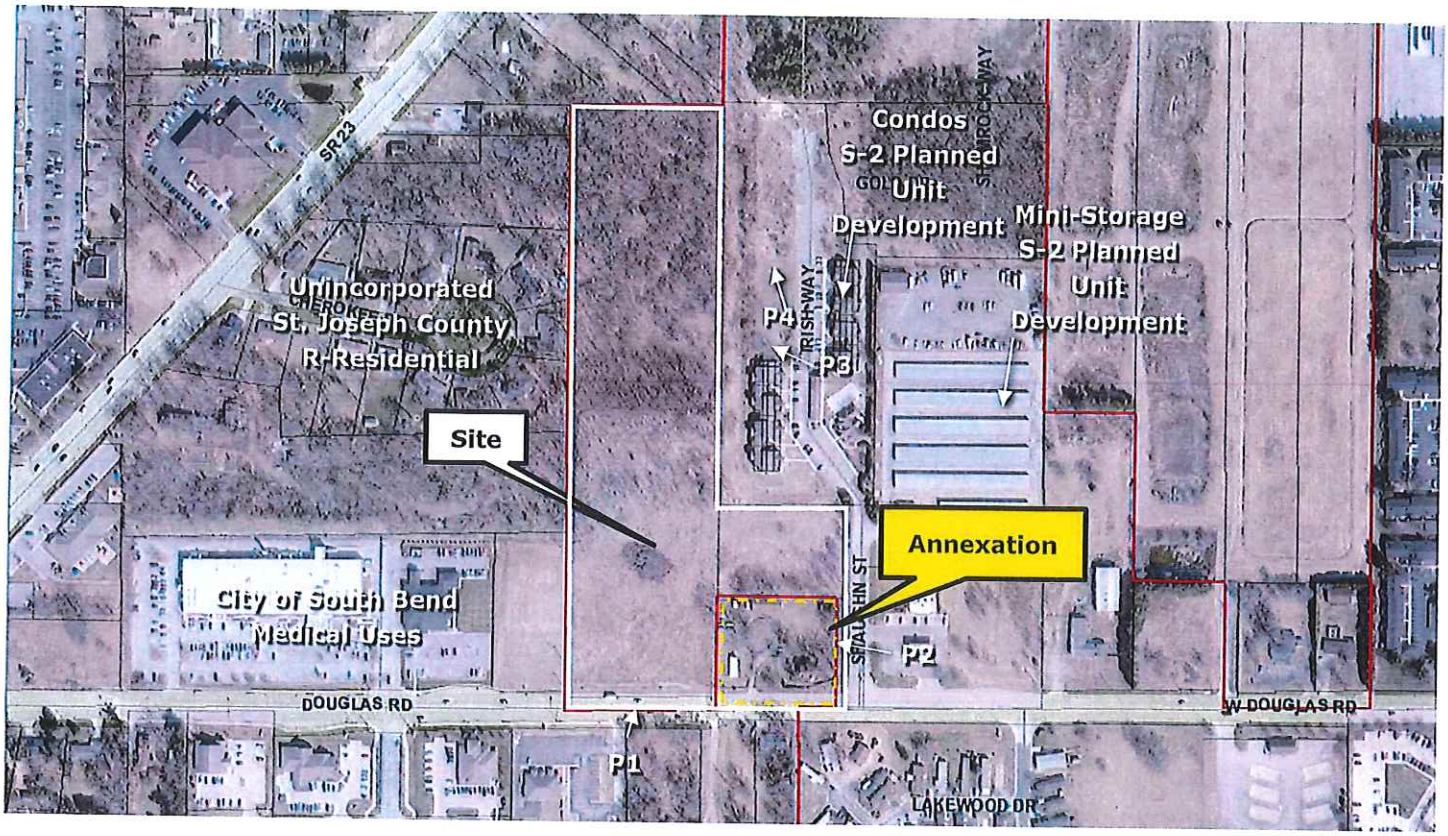
1. A stormwater drainage plan shall be reviewed and approved by the City Director of Engineering as a part of the planned unit development plan.
2. All costs associated with the extension of utilities shall be the responsibility of the developer. Extension of utilizes shall occur in a location and size as directed by the City Director of Engineering.

This recommendation is based on the following Findings of Fact:

1. Existing Conditions – The subject property is located along the heavily travelled Douglas Road corridor. Adjacent land uses include a gas station, mini-storage and condos in the Douglas Commons Planned Unit Development and single-family residential houses in unincorporated St. Joseph County.
2. Character of Buildings in the Area – The character of buildings and land uses located along the Douglas Road corridor between State Road 23 and Grape Road vary greatly and include single and multi-family residential, commercial and medical land uses.
3. The most desirable/highest and best use – Because of the property's location along a highly travelled mixed use corridor, the most desirable use for the property is commercial or light industrial use consistent with adjacent land uses
4. Conservation of property values – The proposed zoning should not be injurious to the property values in the surrounding area. Landscaping and screening compliant with the commercial regulations is required to adequately screen the adjacent existing single-family residential properties.
5. Comprehensive Plan – The Mishawaka 2000 Comprehensive Plan, created in 1990, guided general commercial development along Douglas Road between State Road 23 and Grape Road.

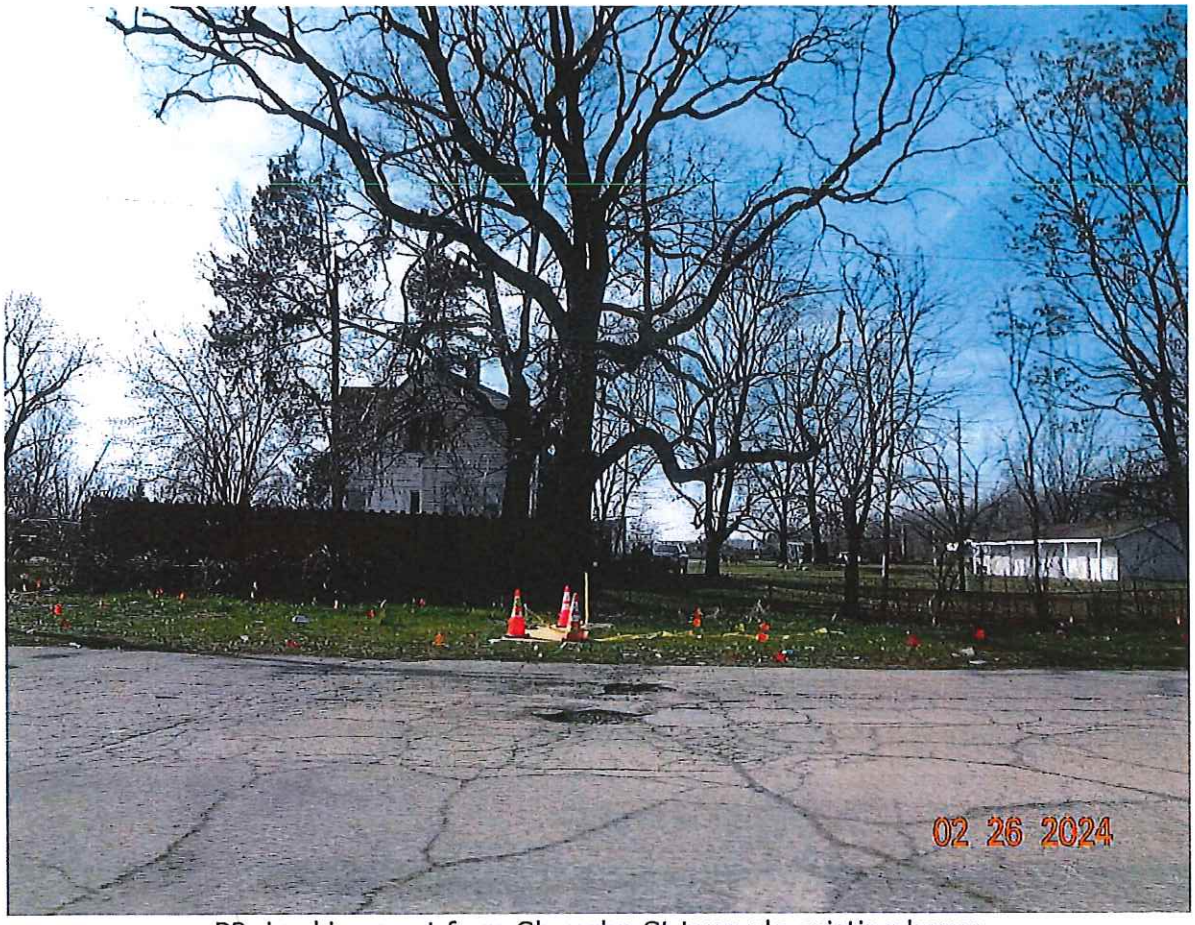
ATTACHMENTS

Aerial Map, Photographs, Rezoning & Annexation Petition, Preliminary Site Plan, and Location Map



Aerial Photograph
16963 W Douglas Road
Red= City Limits

P1. Looking north from Douglas Road towards site



P2. Looking west from Shaughn St towards existing house

P3. Looking west from Shaughn St at the between site and condos

P4. Looking north from Shaughn St towards rear of site

dotloop signature verification: dtlp.us/82DD-nw2X-RgjT

DATE: 02.13.2024

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

RE: Petition for Annexation and Zoning Classification

The undersigned Charles Rupley respectfully show they are the owners of the following described real estate located in the County of St. Joseph, State of Indiana, to-wit:

Address: 16963 DOUGLAS RD., MISHAWAKA, IN 46545
For APN/Parcel ID(s): 002-2018-037701
PARCELSTAT: 71-04-28-351-003.000-003
Legal Description: A PART OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 38 NORTH, RANGE 3 EAST, ST. JOSEPH COUNTY, INDIANA, DESCRIBED AS BEGINNING AT THE SOUTHWEST CORNER OF SAID QUARTER SECTION: THENCE EAST ALONG THE SOUTH LINE OF SAID QUARTER SECTION 265.00 FEET: THENCE NORTH 243.60 FEET: THENCE WEST 265.00 FEET TO THE WEST LINE OF SAID QUARTER SECTION: THENCE SOUTH ALONG SAID WEST LINE 243.60 FEET TO THE PLACE OF BEGINNING. CONTAINING 1.482 ACRES, MORE OR LESS, INCLUDING ALL ADJACENT DOUGLAS ROAD RIGHT-OF-WAY TO THE EXISTING SOUTH RIGHT-OF-WAY LINE.

Petitioner, **Amerco Real Estate Company (AREC), the wholly owned real estate subsidiary of U-Haul**; is the Buyer of the said property and upon purchase will own one Hundred (100%) percent of the above-described parcel of land which is located in Indiana and that Petitioner desires the same to be annexed to the City of Mishawaka, Indiana, with a S-2 (Planned Unit Development) District. The Petitioner further states they intend to utilize said land for U-Haul self-storage, U-Haul truck and trailer sharing, and related retail sales. The above-mentioned Owners of this property have authorized AREC to apply for this annexation and zoning classification application.

Accompanying this petition is a drawing, to scale, showing the above-described parcel of real estate, showing the size of the proposed building and the location of the proposed building structure(*s*). Petitioners further show this proposed annexation to be in the best interest of the City of Mishawaka, Indiana, and of the territory sought to be annexed which is urban in character and is an economic and social part of the City of Mishawaka.

Wherefore, Petitioners 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 annexing the above-described parcel of real estate to the City of Mishawaka with a S-2 (Planned Unit Development) zoning district.

Charles Rupley
dotloop verified
02/14/24 6:41 PM TAHT
UMIJ-BGK0-Z7Y3-RGQK

Property Owner Signature

Charles Rupley
Print Property Owner Name

Petitioner (Property Buyer) Signature

Matthew F. Braccia, President, AREC

Petitioner (Property Buyer) Name

AREC Contact Person:
Name: Gurnoor Kaur Tschudy
Address: 2727 N Central Ave., Phoenix, AZ 85044
Telephone number: 602-263-6649
Email: gurnoor_tschudy@uhaul.com

DATE: 02.06.2024

TO THE:
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 A. and Jayne L. Piraccini, Julie Heneghan and Jeff Steely 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:

Please see the pages attached at the end of this application for property addresses, parcel IDs, parcel stat and legal description.

Petitioner, **Amerco Real Estate Company (AREC), the wholly owned real estate subsidiary of U-Haul**; is the Buyer of the said property and upon purchase will own one Hundred (100%) percent of the above-described parcel(s) of land which are located in Indiana. This land, which carries a zoning classification of S-2 Planned Unit Development is currently vacant and not developed. Petitioner desires that the said real estate to be amended to allow for the U-Haul Moving and Storage Facility which will consist of U-Haul uses of self-storage, U-Haul truck and trailer sharing, and related retail sales. For further details, please refer to the submitted project narrative, site plan and accompanying documents.

The above-mentioned owners of this property have authorized AREC to apply for this PUD Amendment application.

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.

Property Owner Signature

John A Piraccini

Print Property Owner Name

Jayne L Piraccini

Jayne L Piraccini

DATE: 02.06.2024

TO THE:
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 A. and Jayne L. Piraccini, Julie Heneghan and Jeff Steely 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:

Please see the pages attached at the end of this application for property addresses, parcel IDs, parcel stat and legal description.

Petitioner, **Amerco Real Estate Company (AREC), the wholly owned real estate subsidiary of U-Haul**; is the Buyer of the said property and upon purchase will own one Hundred (100%) percent of the above-described parcel(s) of land which are located in Indiana. This land, which carries a zoning classification of S-2 Planned Unit Development is currently vacant and not developed. Petitioner desires that the said real estate to be amended to allow for the U-Haul Moving and Storage Facility which will consist of U-Haul uses of self-storage, U-Haul truck and trailer sharing, and related retail sales. For further details, please refer to the submitted project narrative, site plan and accompanying documents.

The above-mentioned owners of this property have authorized AREC to apply for this PUD Amendment application.

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.

Property Owner Signature

Jeff Steely

Print Property Owner Name

DATE: 02.06.2024

TO THE:
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 A. and Jayne L. Piraccini, Julie Heneghan and Jeff Steely 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:

Please see the pages attached at the end of this application for property addresses, parcel IDs, parcel stat and legal description.

Petitioner, **Amerco Real Estate Company (AREC), the wholly owned real estate subsidiary of U-Haul**; is the Buyer of the said property and upon purchase will own one Hundred (100%) percent of the above-described parcel(s) of land which are located in Indiana. This land, which carries a zoning classification of S-2 Planned Unit Development is currently vacant and not developed. Petitioner desires that the said real estate to be amended to allow for the U-Haul Moving and Storage Facility which will consist of U-Haul uses of self-storage, U-Haul truck and trailer sharing, and related retail sales. For further details, please refer to the submitted project narrative, site plan and accompanying documents.

The above-mentioned owners of this property have authorized AREC to apply for this PUD Amendment application.

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.

Julie Heneghan
Property Owner Signature

Julie Heneghan
Print Property Owner Name

Petitioner (Property Buyer) Signature

Matthew F. Braccia, President, AREC

Petitioner (Property Buyer) Name

AREC Contact Person:
Name: Gurnoor Kaur Tschudy
Address: 2727 N Central Ave., Phoenix, AZ 85044
Telephone number: 602-263-6649
Email: gurnoor_tschudy@uhaul.com

Legal Description:

Address: 16964 DOUGLAS RD., MISHAWAKA, IN 46545 (V/L DOUGLAS RD., MISHAWAKA, IN 46545)
For APN/Parcel ID(s): 029-2019-0426 and 029-2018-037704
PARCELSTAT: 71-04-29-477-022.000.005, 71-04-28-351-001.000-005 and 71-04-28-351-002.000-005

PARCEL 1:
THE EAST HALF OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 38 NORTH, RANGE 3 EAST, IN ST. JOSEPH COUNTY, INDIANA. LESS AND EXCEPTING THEREFROM THE FOLLOWING: A PART OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 29, ALL IN TOWNSHIP 38 NORTH, RANGE 3 EAST, IN ST. JOSEPH COUNTY, INDIANA, AND BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 38 NORTH, RANGE 3 EAST, SAID POINT BEING AT THE INTERSECTION OF THE CENTERLINES OF GRAPE ROAD AND DOUGLAS ROAD; THENCE SOUTH 89 DEGREES 52 MINUTES 06 SECONDS WEST, 2648.16 FEET ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION TO THE SOUTHWEST CORNER OF SAID SECTION 28 AND THE SOUTHEAST CORNER OF SAID SECTION 29 AND THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE SOUTH 89 DEGREES 40 MINUTES 04 SECONDS WEST, 331.93 FEET ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER SECTION; THENCE NORTH 00 DEGREES 03 MINUTES 49 SECONDS EAST, 40.00 FEET; THENCE NORTH 89 DEGREES 40 MINUTES 04 SECONDS EAST, 331.89 FEET TO A POINT ON THE EAST LINE OF SAID SOUTHEAST QUARTER SECTION; THENCE SOUTH 00 DEGREES 00 MINUTES 02 SECONDS EAST, 40.00 FEET ALONG SAID EAST LINE TO THE POINT OF BEGINNING, AND CONTAINING 0.304 ACRES, MORE OR LESS, INCLUSIVE OF THE PRESENTLY EXISTING RIGHT OF WAY WHICH CONTAINS 0.152 ACRES, MORE OR LESS, FOR A NET ADDITIONAL TAKING OF 0.152 ACRES, MORE OR LESS.

PARCEL 2:
A PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 28, AND A PART OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 29, BOTH IN TOWNSHIP 38 NORTH, RANGE 3 EAST OF THE SECOND PRINCIPAL MERIDIAN, CLAY TOWNSHIP, ST. JOSEPH COUNTY, INDIANA, AND DESCRIBED AS FOLLOWS: COMMENCING FROM THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 28, SAID POINT BEING AT THE INTERSECTION OF THE CENTERLINES OF GRAPE ROAD AND DOUGLAS ROAD; THENCE SOUTH 89 DEGREES 14 MINUTES 10 SECONDS WEST, 2382.78 FEET; THENCE NORTH 00 DEGREES 31 MINUTES 45 SECONDS WEST, 243.60 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 89 DEGREES 14 MINUTES 10 SECONDS WEST, 265.00 FEET; THENCE SOUTH 00 DEGREES 31 MINUTES 45 SECONDS EAST, 243.60 FEET; THENCE SOUTH 89 DEGREES 14 MINUTES 10 SECONDS WEST, 331.20 FEET; THENCE NORTH 00 DEGREES 31 MINUTES 45 SECONDS WEST, 1324.81 FEET; THENCE NORTH 89 DEGREES 22 MINUTES 35 SECONDS EAST, 611.20 FEET; THENCE SOUTH 00 DEGREES 43 MINUTES 26 SECONDS EAST, 1079.70 FEET; THENCE SOUTH 89 DEGREES 14 MINUTES 10 SECONDS WEST, 18.67 FEET TO THE POINT OF BEGINNING.
EXCEPTING THEREFROM, THE EAST HALF OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 38 NORTH, RANGE 3 EAST, IN ST. JOSEPH COUNTY, INDIANA. ALSO LESS AND EXCEPTING, A PARCEL OF LAND BEING A PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 38 NORTH, RANGE 3 EAST, CITY OF MISHAWAKA, CLAY TOWNSHIP, ST. JOSEPH COUNTY, INDIANA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER OF SECTION 28; THENCE SOUTH 89 DEGREES 14 MINUTES 10 SECONDS WEST, ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 1920.28 FEET TO THE SOUTHEAST CORNER OF TWO TRACTS OF LAND
CONVEYED TO JOHN PIRACCINI AND WEBB STEELY BY A WARRANTY DEED RECORDED AS INSTRUMENT NUMBER 9020431 AND ALSO A WARRANTY DEED RECORDED AS INSTRUMENT NUMBER 9713420 IN THE OFFICE OF THE RECORDER OF ST. JOSEPH COUNTY, INDIANA; THENCE NORTH 00 DEGREES 43 MINUTES 28 SECONDS WEST ALONG THE EAST LINE OF SAID PIRACCINI AND STEELY TRACT, A DISTANCE OF 989.01 FEET TO THE PLACE OF BEGINNING FOR THIS

DESCRIPTION; THENCE SOUTH 89 DEGREES 35 MINUTES 44 SECONDS WEST, A DISTANCE OF 384.77 FEET; THENCE SOUTH 00 DEGREES 31 MINUTES 05 SECONDS EAST,
A DISTANCE OF 545.79 FEET; THENCE NORTH 89 DEGREES 57 MINUTES 41 SECONDS WEST, A DISTANCE OF 44.50 FEET TO A POINT OF DEFLECTION; THENCE SOUTH 89 DEGREES 14 MINUTES 10 SECONDS WEST, PARALLEL WITH THE SOUTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 296.22 FEET TO THE WEST LINE OF SAID SOUTHWEST QUARTER OF SECTION 28; THENCE NORTH 00 DEGREES 41 MINUTES 27 SECONDS WEST, ALONG SAID WEST LINE A DISTANCE OF 1294.62 FEET TO THE NORTHWEST CORNER OF A TRACT OF LAND CONVEYED TO JOHN PIRACCINI BY WARRANTY DEED RECORDED AS INSTRUMENT NUMBER 0433126 IN SAID RECORDER'S OFFICE; THENCE NORTH 89 DEGREES 07 MINUTES 52 SECONDS
EAST ALONG THE NORTH LINE OF SAID PIRACCINI TRACT, A DISTANCE OF 726.69 FEET; THENCE SOUTH 00 DEGREES 43 MINUTES 28 SECONDS EAST, ALONG THE EAST LINE OF SAID PIRACCINI TRACT AND THE EAST LINE OF SAID PIRACCINI AND STEELY TRACT, A DISTANCE OF 753.20 FEET TO THE PLACE OF BEGINNING.

PARCEL 3:
A PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 38 NORTH, RANGE 3 EAST, CLAY TOWNSHIP, ST. JOSEPH COUNTY, INDIANA, AND DESCRIBED AS FOLLOWS: COMMENCING FROM THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 28, SAID POINT BEING AT THE INTERSECTION OF THE CENTERLINES OF GRAPE AND DOUGLAS ROADS; THENCE SOUTH 89 DEGREES 14 MINUTES 10 SECONDS WEST ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 28, 1920.28 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 89 DEGREES 14 MINUTES 10 SECONDS WEST, 462.50 FEET; THENCE NORTH 00 DEGREES 31 MINUTES 45 SECONDS WEST, 243.60 FEET; THENCE NORTH 89 DEGREES 14 MINUTES 10 SECONDS EAST, 18.67 FEET; THENCE NORTH 00 DEGREES 43 MINUTES 26 SECONDS WEST, 1079.70 FEET; THENCE NORTH 89 DEGREES 22 MINUTES 35 SECONDS EAST, 443.00 FEET; THENCE SOUTH 00 DEGREES 43 MINUTES 26 SECONDS EAST, 1322.21 FEET TO THE POINT OF BEGINNING. LESS AND EXCEPTING, A PARCEL OF LAND BEING A PART OF THE WEST HALF OF THE SOUTHWEST
QUARTER OF SECTION 28, TOWNSHIP 38 NORTH, RANGE 3 EAST, CITY OF MISHAWAKA, CLAY TOWNSHIP, ST. JOSEPH COUNTY, INDIANA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER OF SECTION 28; THENCE SOUTH 89 DEGREES 14 MINUTES 10 SECONDS WEST, ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 1920.28 FEET TO THE SOUTHEAST CORNER OF TWO TRACTS OF LAND CONVEYED TO JOHN PIRACCINI AND WEBB STEELY BY A WARRANTY DEED RECORDED AS INSTRUMENT NUMBER 9020431 AND ALSO A WARRANTY DEED RECORDED AS INSTRUMENT NUMBER 9713420 IN THE OFFICE OF THE RECORDER OF ST. JOSEPH COUNTY, INDIANA; THENCE NORTH 00 DEGREES 43 MINUTES 28
SECONDS WEST ALONG THE EAST LINE OF SAID PIRACCINI AND STEELY TRACT, A DISTANCE OF 989.01 FEET TO THE PLACE OF BEGINNING FOR THIS DESCRIPTION; THENCE SOUTH 89 DEGREES 35 MINUTES 44 SECONDS WEST, A DISTANCE OF 384.77 FEET; THENCE SOUTH 00 DEGREES 31 MINUTES 05 SECONDS EAST, A DISTANCE OF 545.79 FEET; THENCE NORTH 89 DEGREES 57 MINUTES 41 SECONDS WEST, A DISTANCE OF 44.50 FEET TO A POINT OF DEFLECTION; THENCE SOUTH 89 DEGREES 14 MINUTES 10 SECONDS WEST, PARALLEL WITH THE SOUTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 296.22 FEET TO THE
WEST LINE OF SAID SOUTHWEST QUARTER OF SECTION 28; THENCE NORTH 00 DEGREES 41 MINUTES 27 SECONDS WEST, ALONG SAID WEST LINE A DISTANCE OF 1294.62 FEET TO THE NORTHWEST CORNER OF A TRACT OF LAND CONVEYED TO JOHN PIRACCINI BY WARRANTY DEED RECORDED AS INSTRUMENT NUMBER 0433126 IN SAID RECORDER'S OFFICE; THENCE NORTH 89 DEGREES 07 MINUTES 52 SECONDS EAST ALONG THE NORTH LINE OF SAID PIRACCINI TRACT, A DISTANCE OF 726.69 FEET; THENCE SOUTH 00 DEGREES 43 MINUTES 28 SECONDS EAST, ALONG THE EAST LINE OF SAID PIRACCINI TRACT AND THE EAST LINE OF SAID PIRACCINI AND STEELY TRACT, A DISTANCE OF 753.20 FEET TO THE PLACE OF BEGINNING. ALSO LESS AND EXCEPTING, A PARCEL OF LAND BEING A PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 38 NORTH, RANGE 3 EAST, CLAY TOWNSHIP, ST. JOSEPH COUNTY, INDIANA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER OF SAID SECTION 28; THENCE SOUTH 89 DEGREES 14 MINUTES 10 SECONDS WEST (BEARING ASSUMED) ON THE SOUTH LINE OF SAID SECTION A DISTANCE OF 1920.28 FEET; THENCE NORTH 00 DEGREES 43 MINUTES 26 SECONDS WEST, A DISTANCE OF 40.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF DOUGLAS ROAD AND THE PLACE OF BEGINNING FOR THIS DESCRIPTION; THENCE SOUTH 89 DEGREES 14 MINUTES 10 SECONDS
WEST, ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 402.36 FEET; THENCE NORTH 00 DEGREES 31 MINUTES 45 SECONDS WEST, A DISTANCE OF 310.00 FEET; THENCE NORTH 89 DEGREES 14 MINUTES 10 SECONDS EAST, PARALLEL WITH SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 401.31 FEET; THENCE SOUTH 00 DEGREES 43 MINUTES 26 SECONDS EAST, A DISTANCE OF 309.99 FEET TO THE PLACE OF BEGINNING. ALSO LESS AND EXCEPTING, A PARCEL OF LAND BEING A PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 38 NORTH, RANGE 3 EAST, CITY OF MISHAWAKA, CLAY TOWNSHIP,
ST. JOSEPH COUNTY, INDIANA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER OF SECTION 28; THENCE SOUTH 89 DEGREES 14 MINUTES 10 SECONDS WEST, ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 2360.40 FEET TO A POINT; THENCE NORTH 00 DEGREES 25 MINUTES 06 SECONDS EAST, A DISTANCE OF 40.01 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF DOUGLAS ROAD AS DEDICATED TO THE CITY OF MISHAWAKA BY INSTRUMENT NUMBER 9024928 AS RECORDED IN THE OFFICE OF THE RECORDER OF ST. JOSEPH COUNTY, INDIANA, SAID POINT BEING THE PLACE OF BEGINNING FOR THIS DESCRIPTION; THENCE NORTH 00 DEGREES 25 MINUTES 06 SECONDS EAST, A
DISTANCE OF 406.35 FEET; THENCE SOUTH 89 DEGREES 57 MINUTES 40 SECONDS EAST, A DISTANCE OF 44.50 FEET; THENCE NORTH 00 DEGREES 31 MINUTES 05 SECONDS WEST, A DISTANCE OF 545.79 FEET; THENCE NORTH 89 DEGREES 35 MINUTES 44 SECONDS EAST, A DISTANCE OF 384.77 FEET TO A POINT ON THE WEST LINE OF A TRACT OF LAND CONVEYED TO YOUNG'S LANDSCAPE NURSERY CORP BY WARRANTY DEED RECORDED AS INSTRUMENT NUMBER 7800165 IN SAID RECORDER'S OFFICE; THENCE SOUTH 00 DEGREES 43 MINUTES 27 SECONDS EAST, ALONG SAID WEST LINE A DISTANCE OF 639.02 FEET TO THE NORTHEAST CORNER OF A TRACT OF LAND CONVEYED TO MDK NO. 3, LLC BY WARRANTY DEED
RECORDED AS INSTRUMENT NUMBER 9834156 IN SAID RECORDER'S OFFICE; THENCE SOUTH 89 DEGREES 14 MINUTES 10 SECONDS WEST, ALONG THE NORTH LINE OF SAID MDK TRACT AND PARALLEL WITH SAID SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 28, A DISTANCE OF 401.33 FEET TO THE NORTHWEST CORNER THEREOF; THENCE SOUTH 00 DEGREES 31 MINUTES 45 SECONDS EAST, ALONG THE WEST LINE OF SAID MDK TRACT, A DISTANCE OF 310.00 FEET TO A POINT ON SAID NORTH RIGHT-OF-WAY LINE OF DOUGLAS ROAD; THENCE SOUTH 89 DEGREES 14 MINUTES 10 SECONDS WEST, ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 36.94 FEET TO THE PLACE OF BEGINNING.

PARCEL 4:
A NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS FOR THE BENEFIT OF PARCEL 4, AS RESERVED IN WARRANTY DEED FROM WEBB J. STEELY AND JOHN A. PIRACCINI TO J2MD, L.L.C., DATED JULY 1, 2004 AND RECORDED JULY 7, 2004 AS INSTRUMENT NUMBER 0433048, IN THE OFFICE OF THE RECORDER OF ST. JOSEPH COUNTY, INDIANA, OVER THE FOLLOWING LAND: COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 38 NORTH, RANGE 3 EAST, IN ST. JOSEPH COUNTY, INDIANA; THENCE SOUTH 89 DEGREES 14 MINUTES 10 SECONDS WEST, ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 2360.40 FEET TO A POINT; THENCE NORTH 00 DEGREES 25 MINUTES 06 SECONDS EAST, A DISTANCE OF 40.01 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF DOUGLAS ROAD AS DEDICATED TO THE CITY OF MISHAWAKA BY INSTRUMENT NUMBER 9024928 AS RECORDED IN THE OFFICE OF THE RECORDER OF ST.
JOSEPH COUNTY, INDIANA, SAID POINT BEING THE PLACE OF BEGINNING FOR THIS DESCRIPTION; THENCE NORTH 00 DEGREES 25 MINUTES 06 SECONDS EAST, A DISTANCE OF 406.35 FEET; THENCE SOUTH 89 DEGREES 57 MINUTES 40 SECONDS EAST, A DISTANCE OF 89.50 FEET; THENCE SOUTH 00 DEGREES 25 MINUTES 06 SECONDS WEST, A DISTANCE OF 95.03 FEET TO A POINT ON THE NORTH LINE OF SAID MDK NO. 3, LLC PARCEL OF LAND; THENCE SOUTH 89

DEGREES 14 MINUTES 10 SECONDS WEST, ALONG THE NORTH LINE OF SAID MDK TRACT AND PARALLEL WITH SAID SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 29, A DISTANCE OF 57.70 FEET TO THE NORTHWEST CORNER THEREOF; HENCE SOUTH 00 DEGREES 31 MINUTES 45 SECONDS EAST, ALONG THE WEST LINE OF SAID MDK TRACT, A DISTANCE OF 310.00 FEET TO A POINT ON SAID NORTH RIGHT-OF-WAY LINE OF DOUGLAS ROAD; THENCE SOUTH 89 DEGREES 14 MINUTES 10 SECONDS WEST, ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 36.94 FEET TO THE PLACE OF BEGINNING.

Legal Description:

Address: 16963 DOUGLAS RD., MISHAWAKA, IN 46545
For APN/Parcel ID(s): 002-2018-037701
PARCELSTAT: 71-04-28-351-003.000-003

A PART OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 38 NORTH, RANGE 3 EAST, ST. JOSEPH COUNTY, INDIANA, DESCRIBED AS BEGINNING AT THE SOUTHWEST CORNER OF SAID QUARTER SECTION; THENCE EAST ALONG THE SOUTH LINE OF SAID QUARTER SECTION 265.00 FEET; THENCE NORTH 243.60 FEET; THENCE WEST 265.00 FEET TO THE WEST LINE OF SAID QUARTER SECTION; THENCE SOUTH ALONG SAID WEST LINE 243.60 FEET TO THE PLACE OF BEGINNING. CONTAINING 1.482 ACRES, MORE OR LESS.

AMERCO®
REAL ESTATE COMPANY
2727 North Central Avenue, 5-N • Phoenix, Arizona 85004
Phone: 602.263.6555

Project Narrative

AMERCO Real Estate Company (AREC) has prepared and is submitting the Annexation and PUD Amendment application packages for the opportunity to receive the City of Mishawaka's participation and counseling regarding the proposed development, at the properties located at 16963 & 16964 Douglas Rd., Mishawaka, IN 46545. AREC is the wholly owned real estate subsidiary of the U-Haul System.

U-Haul is requesting the annexation of the property at 16963 Douglas Rd. and for the said property to be zoned the same as the second property at 16964 Douglas Rd., which is S-2 (Planned Unit Development). U-Haul is further requesting an amendment to the current PUD to allow U-Haul use of self-storage at the said locations.

U-Haul is proposing a U-Haul Moving and Storage Facility at the above-mentioned properties. Please refer to the submitted site plan for further details. The proposed development will consist of the U-Haul uses of self-storage, U-Haul truck and trailer sharing, and related retail sales. This infill development will allow U-Haul to better serve the storage needs of the community and activate a property that is currently vacant and under-utilized. Custom site design for every U-Haul store assures that the facility complements the community it serves. Adherence to community objectives is key to ensuring that each U-Haul store is both a neighborhood asset and an economic success.

U-Haul is more of a commercial type of use that serves residential communities within a 3-5-mile radius. U-Haul feels that its uses would be appropriate for the property and there are proven benefits for allowing self-storage facilities in communities:

- Self-storage facilities are quiet.
- They provide an excellent buffer between zones.
- They create very little traffic.
- They have insignificant impact on utilities.
- They have no impact on schools.
- They provide good tax revenue.
- They provide community service.

U-Haul Moving and Storage is a convenience business. The philosophy is to place U-Haul stores in high growth residential areas, where they fill a need for U-Haul's products and services. Customers are made aware of the U-Haul stores primarily via drive-by awareness, much like that of a convenience store, restaurant, or hardware store. Attractive imaging and brand name recognition bring in area residents, those who live within a four-mile radius of the center.

The U-Haul Store:

- U-Haul stores characteristically serve the DIY (do-it-yourself) household customer. The U-Haul Store will be staffed with 10-15 employees, both full-time and part-time.
- Families typically use U-Haul Self-Storage rooms to store furniture, household goods, sporting equipment, or holiday decorations. During transition periods between moves, moving to a smaller home, combining households, or clearing away clutter to prepare a home for sale, storage customers will typically rent a room for a period of two months to one year.
- Families arrive in their own automobiles, enter the showroom, and may choose from a variety of products and services offered there.

- Families who need packing supplies in advance of a move or to ship personal packages can choose from a variety of retail sales items, including cartons, tape, and sustainable packing materials. These retail items are available for purchase in the 'Showroom' provided on the first floor of the climatized, self-storage building. Please refer to the submitted site plan.
- U-Haul self-storage customers will typically use U-Haul equipment or their personal vehicle to approach the loading area and enter the building through clearly defined customer access. All new U-Haul stores are designed with interior storage room access, giving the customer the added value of increased security, and the community the benefit of a more aesthetically pleasing exterior.
- U-Haul stores also provide truck and trailer sharing for household moving, either in-town or across country. Families who tow U-Haul trailers, boats, or recreational trailers can select, and have installed, the hitch and towing packages that best meet their needs.
- The U-Haul trucks and trailers, to be rented by the customers, will be parked clearly in the area labelled 'U-Haul Equipment Shunting' on the submitted site plan. This area of shunting is only accessible to the U-Haul employee, and they will bring the equipment to the U-Haul customer, who has rented it.

Significant Policies:

- Hours of Operation:

Mon. - Thurs.	7:00 a.m. to 7:00 p.m.
Fri.	7:00 a.m. to 8:00 p.m.
Sat.	7:00 a.m. to 7:00 p.m.
Sun.	9:00 a.m. to 5:00 p.m.

- All U-Haul storage customers are issued a card-swipe style identification card that must be used to gain access to their room. This is but one of many security policies which protect the customer's belongings and decrease the ability of unauthorized access to the facility.
- It is against policy for a business to be operated from a U-Haul storage room.
- Customers and community residents who wish to use the on-site dumpsters for disposing of refuse must gain permission to do so and are assessed an additional fee.
- Items that may not be stored include chemicals, flammables, and paints.
- U-Haul stores are protected by video surveillance.
- U-Haul stores are non-smoking facilities.
- U-Haul will provide added services and assistance to their customers with disabilities.

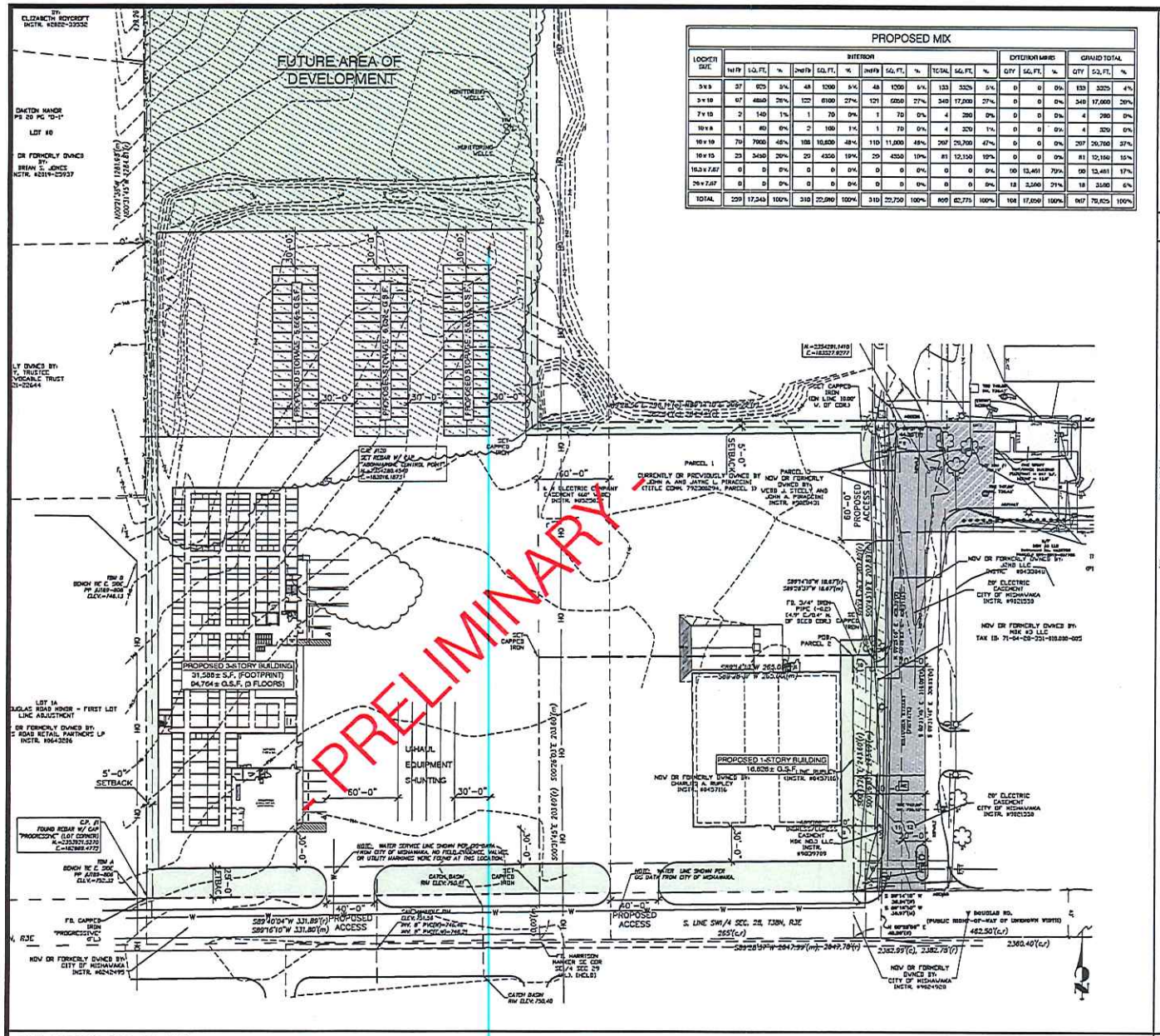
Additional Security Features:

- "State-of-the-Art" burglar/max alarm system, includes 24 Hour monitoring and interior motion detectors on all storage floors, stairwells, and main showroom.
- Hands free intercom system, able to communicate to all Max Stations throughout all floors of storage, specifically designed for customer use.
- 24 Hour digital, HD video surveillance, with remote & web base viewing.
- Individually alarmed rooms, armed and disarmed by a keypad/card swipe.
- 16+ Color/ HD, day, and night cameras, will display facilities interior, exterior and elevator.
- Multiple, audible sirens for storage and burglar alarms.
- The exclusive U-Haul patented latch contact is used in all storage units.

Traffic Study:

U-Haul stores generate less vehicular traffic volume while still embodying an active-use site. Truck and trailer sharing, and self-storage all represent dynamic transitions from one customer to another. DIY moving customers are presented with opportunities to utilize equipment and storage on a temporary basis, supporting a shared-economy, an effective economic model, and an environmentally-sound way to conduct business.

U-Haul looks forward to working with the City of Mishawaka, IN as you consider the submitted Annexation and PUD Amendment applications.



ENLARGED SITE PLAN

SCALE: 1" = 40' - 0"

PROPOSED MIX

LOCKER SIZE	INTERIOR												EXTERIOR MINI			GRAND TOTAL		
	1st Flr	SQ. FT.	%	2nd Flr	SQ. FT.	%	3rd Flr	SQ. FT.	%	TOTAL	SQ. FT.	%	QTY	SQ. FT.	%	QTY	SQ. FT.	%
5 x 5	37	925	5%	48	1200	5%	48	1200	5%	133	3325	5%	0	0	0%	133	3325	4%
5 x 10	67	4850	26%	127	6100	27%	121	6050	27%	340	17,000	27%	0	0	0%	340	17,000	20%
7 x 10	2	140	1%	1	70	0%	1	70	0%	4	280	0%	0	0	0%	4	280	0%
10 x 8	1	80	0%	2	160	1%	1	70	0%	4	320	1%	0	0	0%	4	320	0%
10 x 10	79	7900	46%	108	10,800	48%	110	11,000	48%	297	29,700	47%	0	0	0%	297	29,700	37%
10 x 15	23	3450	20%	29	4350	19%	29	4350	19%	81	12,150	19%	0	0	0%	81	12,150	15%
10.3 x 7.67	0	0	0%	0	0	0%	0	0	0%	0	0	0%	90	13,461	70%	90	13,461	17%
20 x 7.67	0	0	0%	0	0	0%	0	0	0%	0	0	0%	18	3,560	21%	18	3,560	6%
TOTAL	209	17,245	100%	310	22,680	100%	310	22,750	100%	859	62,775	100%	108	17,050	100%	967	79,825	100%

SITE AERIAL

SCALE: N.T.S.

ZONING INFORMATION

PROJECT ADDRESS: 16963 DOUGLAS RD, MISHAWAKA IN

MUNICIPALITY: CITY OF MISHAWAKA, IN

APN /ACRE: 13.33-ACRES

ZONE: S-2 PUD (PLANNED UNIT DEVELOPMENT)

ADJACENT ZONING:
- N: SINGLE - FAMILY RESIDENTIAL
- E: S-2 PUD & COUNTY PROPERTY (RESIDENTIAL)
- S: MIGHT BE COUNTY PROPERTY.
- W: SINGLE - FAMILY RESIDENTIAL & MIGHT BE COUNTY PROPERTY.

USES:
- TRUCK & TRAILER SHARING: PUD-AMENDMENT REQUIRED
- SELF-STORAGE FACILITIES: PUD-AMENDMENT REQUIRED
- WAREHOUSING: PUD-AMENDMENT REQUIRED
- MINI: PUD-AMENDMENT REQUIRED

BULK REQUIREMENTS (PER C-1 ZONE):

FRONT BLDG. SETBACK: 25 FEET

SIDE BLDG. SETBACK: 5 FEET

REAR BLDG. SETBACK: 15 PERCENT OF THE DEPTH OF THE LOT FOR ANY BUILDING GREATER THAN OR EQUAL TO TWO STORIES NOT TO EXCEED 30 FEET IN DEPTH.

PARKING:
- GENERAL USES: 4 PER 1,000 SQUARE FEET OF GFA.
- A MINIMUM 5-FOOT PARKING LOT SETBACK SHALL BE PROVIDED BETWEEN THE PROPERTY LINE AND EDGE OF THE PARKING LOT PAVEMENT.
- A MINIMUM 10-FOOT PARKING LOT SETBACK SHALL BE PROVIDED BETWEEN ANY PUBLIC ROAD RIGHT-OF-WAY OR PRIVATE ACCESS EASEMENT AND THE EDGE OF PARKING LOT PAVEMENT.
- A MINIMUM 10-FOOT PARKING LOT SETBACK SHALL BE PROVIDED BETWEEN INTERNAL VEHICULAR COLLECTOR DRIVES AND THE EDGE OF PARKING LOT PAVEMENT.
- THE SETBACK AREA SHALL BE LANDSCAPED WITH VEGETATIVE GROUND COVER OR GRASS AND/OR DECORATIVE TREES OR SHRUBS.
- PARKING SPACES SHALL BE A MINIMUM OF 180 SQUARE FEET IN AREA WITH A MINIMUM WIDTH OF 8½ FEET.
- PARKING LOTS SHALL BE PROPERLY GRADED AND DRAINED SO THAT STORMWATER DRAINAGE IS COLLECTED AND DISPOSED OF ONSITE.

SITE DATA

SHEET NOTES:

REVISIONS:

ID	DATE	BY/AS	DESC
1	01/18/24	MM	UPDATED FOR E/S & ADVP VIAAC-UFS
2			
3			
4			
5			
6			
7			
8			

PROFESSIONAL SEAL:

PRELIMINARY DOCUMENTS, NOT FOR CONSTRUCTION, FOR INFORMATION ONLY

ARCHITECT LOGO:

AMERCO REAL ESTATE COMPANY

CONSTRUCTION DEPARTMENT
2727 NORTH CENTRAL AVENUE
PHOENIX, ARIZONA 85004
P: (602) 263-6502

SITE ADDRESS:
U-Haul of Mishawaka
16974 W Douglas Road
Mishawaka, IN 46545

SHEET CONTENTS:
ENLARGED SITE PLAN

759074

DRAWN: MM
CHECKED: NH
DATE: 01/18/2024

SP2

759074A1D.DWG

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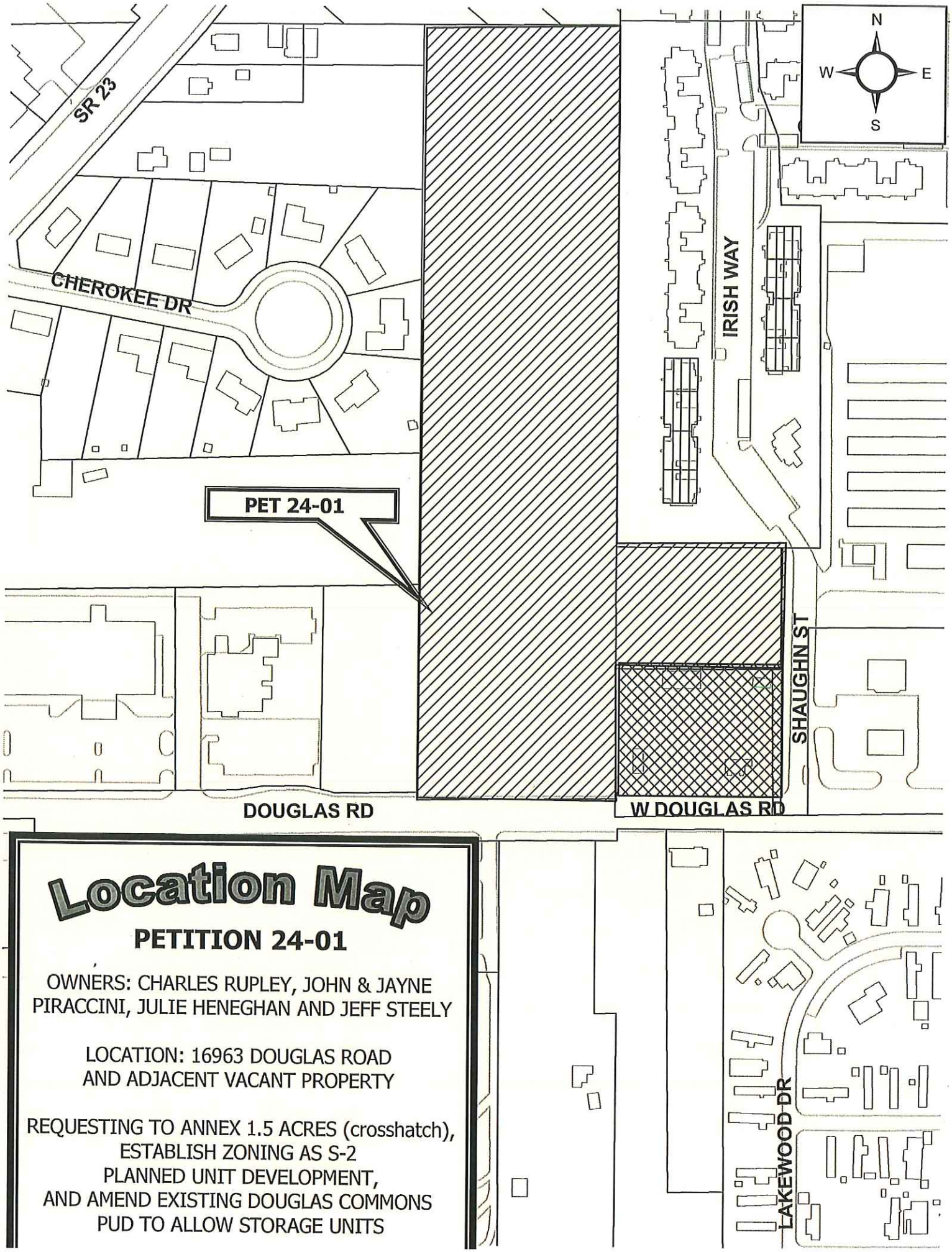


Location Map

PETITION 24-01

OWNERS: CHARLES RUPLEY, JOHN & JAYNE PIRACCINI, JULIE HENEGHAN AND JEFF STEELY

LOCATION: 16963 DOUGLAS ROAD AND ADJACENT VACANT PROPERTY

REQUESTING TO ANNEX 1.5 ACRES (crosshatch), ESTABLISH ZONING AS S-2 PLANNED UNIT DEVELOPMENT, AND AMEND EXISTING DOUGLAS COMMONS PUD TO ALLOW STORAGE UNITS

Andre Zeiger
3/12/2024

City of Mishawaka
100 Lincolnway West,
Mishawaka, IN 46544

Dear Donna Burkart and Mishawaka Planning Department,

I am writing to express my strong opposition to petition 2024-01 submitted by Charles Ruply, which requests the annexation of property for storage units. This proposed annexation not only raises significant environmental concerns but also poses threats to the safety and well-being of the residents in our community.

First and foremost, the wooded area targeted for annexation is home to a diverse range of wildlife. The construction of storage units would undoubtedly lead to the displacement of these animals, disrupting the delicate balance of our local ecosystem. As responsible stewards of the environment, it is imperative that we prioritize the preservation of these habitats for the sake of our wildlife and future generations.

Furthermore, the introduction of storage units in our neighborhood would result in increased light pollution and noise disturbance. The serene ambiance that currently characterizes our community would be compromised, negatively impacting the quality of life for residents. Additionally, the construction and operation of storage facilities are bound to generate significant noise pollution, further disrupting the peace and tranquility of our surroundings.

Moreover, the proposed annexation raises valid concerns regarding property values. The presence of storage units in close proximity to residential areas could potentially decrease property values, affecting the investments and financial well-being of homeowners in the vicinity. As residents, we have a vested interest in maintaining the integrity and value of our properties, and the approval of this petition could jeopardize these interests.

Beyond environmental and financial concerns, there are also serious apprehensions regarding safety. The influx of additional traffic and unfamiliar individuals into our neighborhood poses inherent risks to the safety and security of residents. Increased vehicular activity and foot traffic could potentially compromise the safety of our community, particularly for vulnerable populations such as children and the elderly.

In light of these concerns, I urge you to carefully reconsider the approval of petition 2024-01. If annexation is deemed unavoidable, I implore you to impose stringent regulations and mitigation measures to address the aforementioned issues. At the very least, provisions such as tall trees or fences should be mandated to shield our community from the adverse effects of the proposed storage units.

As elected officials entrusted with the well-being of our community, I urge you to prioritize the interests and concerns of residents in your decision-making process. Together, we must strive to preserve the natural beauty, tranquility, and safety of our neighborhood for current and future generations.

Thank you for your attention to this matter.

Sincerely,
Andrew Zeiger
5625 Irish Way

17125 Cherokee Drive
South Bend, In 46635

February 29, 2024

Dear Ms. Burkart,

Thank you so much for the opportunity to share my feedback regarding the petition 2024-01 at 16963 Douglas Rd and adjacent vacant property. I understand that there are times when progress and community needs outweigh concern for greenspace and quality of life, but I want to make sure that my concerns are also part of the deliberation.

I have been a resident of 17125 Cherokee Drive for one year. The home is a mid century modern structure which I purchased from its original owner. I have invested over $70,000 in updates and renovations to the home while also keeping with its historical quality. One key element of the home's design are large glass windows which overlook the backyard. I spend considerable time watching a large variety of birds, including owls and hawks, observing a family of 5 deer who have been residents the entire time I have been there, along with a large variety of other small mammals who all live in the wild. They are not a nuisance and none of my neighbors feed them or complain about them.

The proposed usage of the land behind my home, which extends in either direction, would negatively impact my property value and the wildlife in the area. At present, the small wooded space serves as a buffer between Cherokee Drive homes and the noise of Douglas Rd, and provides a buffer between our homes and the apartment complex off Irish Way.

I am not opposed to the annexation of the property in the crosshatch area noted on the map as 16963 Douglas Rd, or in the area adjacent to Shaughn Street directly behind that property. My concern is with the planned unit development noted in the proposal that runs from Douglas Rd, behind my neighborhood and beyond. That decision will have direct implications that must be evaluated. I hope you will consider the environmental impact as well as the long lasting impact of loss of greenspace, wildlife habitat, and home values.

I am unable to attend the March 12 meeting in person, but I do hope you will continue to keep me informed as decisions are made.

Best wishes,
Elizabeth Anne Roycroft
Elizabeth Anne Roycroft

My name is Jennifer Hart, and I live at 17135 Cherokee Drive. I have lived here for 22 years and I love it here. What I love about this area is the quiet that it provides and the feeling of living in a rural setting, yet still surrounded by shopping areas and restaurants of our choice. All the beautiful Oak Trees surrounding our house are peaceful and let us enjoy nature daily. I have seen wild Turkeys, deer, woodpeckers, coyotes, foxes and lots of squirrels that I enjoy feeding daily in my backyard. The setting in our backyard is perfect as there is no one behind us but the woods and it allows us our privacy that we have grown accustomed to all these years.

Our neighbors are simply the best. We are always there for each other and help each other out. Some of us have been living on Cherokee longer than I have. It has been so great watching our little neighborhood grow and change through the years.

When I received the letter about the storage facility being built behind my home, my heart sank. I cannot understand why there is a need for another one when one has just been built and is not even open yet (on SR 23). There is also another storage facility behind the 7-11 on Douglas. I am greatly opposed to having this built. Especially behind my house and near my Neighborhood. Putting this facility behind us would mean a multitude of issues/problems:

1. The beautiful landscape and Oak Trees that have been there for so many years will be taken down. This will harm the wildlife that depends on the wooded area. Not to mention, taking down these trees will result in noise pollution since the trees protect our neighborhood from the sounds outside of our area.
2. Storage facilities typically attracts theft and dishonest people who try to break into these things. We have a lot of nice things in our home as well as in our backyard. If this facility gets built, people will start to see our backyard (and other neighbors around us) and could potentially create a problem.
3. Lighting from the facility will cause light pollution. It is currently a rural setting with the woods behind us. Taking down the trees and adding a building with lots of lighting "for security" also causes light pollution and is not healthy for the people who must live by it daily. I personally do not want to have to close my windows at night when it is nice out because the light is too bright from this place.
4. Noise Pollution. Building this facility, taking the trees down, and adding light pollution will also create noise pollution. Right now, it is very quiet where we live and has been the past 22 years that we have lived here. And yet again, I do not want to have to close my windows up at night because there are people there at this facility or getting into this facility.

5. Property values are going to drop with this new facility. I am sure my neighbors, as well as myself, will not stand for this if this happens. We have all worked VERY hard in our lives for what we currently have. Losing that value is not fair to us as homeowners. Trying to sell our home with that facility behind it will become difficult due to the noise pollution, light pollution, and crime it can potentially produce.

I LOVE where I live. So many memories have been made here. I do not want my quality of life to diminish due to this storage facility, that could be built anywhere in Mishawaka. I hope our words will be considered regarding this proposed facility.

Thank you for listening,

Jennifer Hart

03/12/2024
Statements against PET-24-01 (beyond 'opposed'):

Darilyne at 17160 Cherokee: When I am walking the dogs on our little oasis, Cherokee Dr, my sweet dog is disturbed and frightened by unfamiliar sounds and noises. We all cherish the tranquility of the street where we live. Storage buildings directly behind any one of our homes would disturb the peace and destroy what is left of the woods which buffer us from our surroundings, effectively removing habitat for the diverse wildlife we enjoy. The abundance of birds, plants, and other wildlife will sadly be lost.

Carolyne at 17160 Cherokee: I have lived in this house since May 1994 and have seen a lot of changes along SR 23 and Douglas Road, but our special neighborhood has remained a tranquil oasis in the midst of the busyness, not only for those of us who live on Cherokee Drive but also the wildlife that live among us.

Angie at 17145 Cherokee Dr: I am writing to voice my opposition to the petition # 2024-01. I am concerned about the following,

- Lighting: harsh commercial lighting impacts on the nearby residential areas
- Noise: constant comings/goings of people to the proposed storage units every day of the week and all day/night long
- Property values: the impact of the surrounding property values going down
- Safety: storage units will bring many people to the area every day of the week and all day/night long. Crime rates would increase with more people in the area.
- Wildlife: this would take away the "homes" of many wildlife. Deer, squirrels, chipmunks, raccoons, possums, ground hogs, birds, rabbits

This type of business is not needed in this area. There is already a storage unit off Douglas Rd, right next to this proposed site (right behind the 7-Eleven store) and another storage unit just built by the UP Mall on SR 23 and another storage unit is planned for the corner of Cleveland Road and SR 23

I would be very appreciative of your support in this matter. Thank you for your consideration.

Vaughn at 17135 Cherokee Dr: Our house will be one of the 3 most affected residences as they border the vacant lot. If the woods are torn down and the storage units built, this will strip us of the peaceful area around our house by losing the natural barrier and thriving wildlife and adding extreme amounts of noise and light pollution.

PETITION 24-01	Rezoning 1693 Douglas Rd and vacant lot to build storage units
Call to Action	We, the undersigned, are concerned citizens who urge our leaders to act now to deny PET 24-01

Printed Name	Signature	Address	Comment	Date
Allison M. Kincaid	Allison M Kincaid	17130 Cherokee Dr		03/11/2024
Katie Keyser	Katie Keyser	17139 Cherokee Dr		3/11/24
Vaughn Hart	[illegible]	17135 Cherokee Dr	No storage.	3-11-24
Jen Hart	[illegible]	17135 Cherokee		3/11/24
Angela Wynn	Angela Wynn	17145 Cherokee		3-11-24
Lori Schmidt	Lori Schmidt	17155 Cherokee	No Storage	3-11-24
Randy Schmidt	[illegible]	17155 Cherokee	No Storage	3-11-24
Cenolyne J Wallace	Cenolyne J Wallace	17160 Cherokee	No Storage	3-11-24
Darilyne Tingle	[illegible]	17160 Cherokee Dr.	no storage Keep the woods	3-11-24
NOELE JONES	Noel E Jones	17160 CHEROKEE	NO STORAGE	3-11-24

PETITION 24-01	Rezoning 1693 Douglas Rd and vacant lot to build storage units
Call to Action	We, the undersigned, are concerned citizens who urge our leaders to act now to deny PET 24-01

Printed Name	Signature	Address	Comment	Date
Ryan Takach		17180 Cherokee Dr. South Bend, IN 46635	No Storage	3-11-24
Glen Roach		17140 Cherokee Dr South Bend, In 46635	No Storage	3/11/2024
MARY WEBER		17232 State Rd 23 South Bend IN 46635	NO Storage	3/11/2024
TJ GRAY		17185 CHEROKEE DR. SOUTH BEND, IN 46635	No STORAGE	3/12/24
Sabrina K.		17195 Cherokee Dr South Bend IN 46635	NO Storage	3/12/24
Adrianne Corsiatto		17146 Cherokee Dr South Bend 46635	No Storage	3/12/24
Brian Jones		17120 Cherokee Dr	NO Storage	3/12/24
Donna L Reagan		17120 cherokee dr	NO Storage	3/12/24

Deborah S. Block, AMC, MMC
MAR 13 2024
City Clerk
Mishawaka, IN

1st Reading
2nd Reading
Passed
Failed
Continued To

PETITION 24-02

CITY OF MISHAWAKA, INDIANA

PROPOSED ORDINANCE NO. 2024-06

ORDINANCE NO. _____

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

WHEREAS, a Petition has been presented to the Common Council of the City of Mishawaka, Indiana, praying that certain territory lying contiguous to the corporate limits of the City of Mishawaka, Indiana, be annexed to and declared to be a part of the City of Mishawaka, and that it be provided with a Zoning Classification, and

WHEREAS, the Mishawaka City Plan Commission, to which Commission the petition was duly referred, has recommended the annexation and a PUD Amendment as hereinafter set forth, including the imposition of reasonable conditions, to wit, the recommendations of the Department of City Planning.

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

Section 1. The following described real estate be and the same is hereby annexed to and declared to be a part of the City of Mishawaka, Indiana:

A PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 23, AND A PART OF THE NORTHEAST QUARTER OF SECTION 26, ALL IN TOWNSHIP 38 NORTH, RANGE 3 EAST, HARRIS TOWNSHIP, ST. JOSEPH COUNTY, INDIANA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 23; THENCE SOUTH 89°41'58" EAST ALONG THE SOUTH LINE OF SAID SECTION AND THE CENTERLINE OF CLEVELAND ROAD, A DISTANCE OF 1323.83 FEET MORE OR LESS (ASSUMED BEARINGS AND APPROXIMATE DISTANCES) TO THE POINT OF BEGINNING; THENCE NORTH 00°32'43" WEST, ALONG THE WEST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 23, A DISTANCE OF 1317.98 FEET MORE OR LESS TO THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 23; THENCE SOUTH 89°51'36" EAST ALONG SAID NORTH LINE, A DISTANCE OF 851.59 FEET MORE OR LESS TO THE EASTERLY RIGHT-OF-WAY LINE OF CAPITAL AVENUE; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE FOR THE NEXT SIX (6) COURSES SOUTH 18°36' EAST, A DISTANCE OF 222.02 FEET MORE OR LESS AND SOUTH 11°10' EAST, A DISTANCE OF 553.73 FEET MORE OR LESS AND SOUTH 02°34' WEST, A DISTANCE OF 116.26 FEET MORE OR LESS AND SOUTH 10°08' WEST, A DISTANCE OF 195.24 FEET MORE OR LESS AND SOUTH 00°00' EAST, A DISTANCE OF 158.86 FEET MORE OR LESS TO THE

INTERSECTION OF THE EAST RIGHT-OF-WAY LINE OF SAID CAPITAL AVENUE WITH THE NORTHERLY RIGHT-OF-WAY LINE CLEVELAND ROAD; THENCE SOUTH 16°47' EAST, A DISTANCE OF 165.93 FEET MORE OR LESS TO THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY LINE OF SAID CAPITAL AVENUE WITH THE SOUTHERLY RIGHT-OF-WAY LINE CLEVELAND ROAD; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE, SOUTH 31°00' WEST, A DISTANCE OF 66.05 FEET MORE OR LESS; THENCE CROSSING SAID CAPITAL AVENUE, SOUTH 84°16' WEST, A DISTANCE OF 197.87 FEET MORE OR LESS TO THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY LINE OF SAID CAPITAL AVENUE WITH THE SOUTHERLY RIGHT-OF-WAY LINE CLEVELAND ROAD; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE FOR THE NEXT TWO (2) COURSES, NORTH 57°40' EAST, A DISTANCE OF 176.29 FEET MORE OR LESS AND NORTH 89°41' 58" WEST, A DISTANCE OF 622.41 FEET MORE OR LESS; THENCE NORTH 12°18' WEST, A DISTANCE OF 29.32 FEET MORE OR LESS TO THE POINT OF BEGINNING.
CONTAINING 30.64 ACRES MORE OR LESS.
SUBJECT TO ALL LEGAL RIGHT-OF-WAYS, EASEMENTS, AND RESTRICTIONS OF RECORD.

The above described real estate shall hereafter be annexed into and within the City of Mishawaka, Indiana, and a part of that district designated in the Zoning Ordinance of the City of Mishawaka, Indiana, and shall carry a classification for zoning of S-2 Planned Unit Development District.

All the above real estate shall hereafter be amended to allow for a mixed use development containing commercial uses as permitted in the C-1, C-2, C-4, C-7, C-9, and C-10 Districts, and one existing single family residence (R-1 use) subject to the following conditions:

Uses:

1. Permitted uses shall be limited to those uses identified in the R-1 Single Family Residential, C-1 General Commercial, C-2 Shopping Center Commercial, C-4 Automobile Oriented Commercial, C-7 Auto Oriented Restaurant Commercial, C-9 Auto and Vehicle Sales, and C-10 Filling Station/Car Wash zoning districts, except where noted herein, based on City of Mishawaka Zoning classification defined and in effect on the date of approval by the Mishawaka Common Council.
2. Outside sale display for loose items shall be prohibited unless specifically approved by the Planning Commission as part of a final planned unit development site plan submission.
3. Off-premise signs/billboards shall be prohibited.
4. Filling stations shall be prohibited.

Traffic Impact:

1. The following general conditions shall apply. More specifics and refinements shall be made with each planned unit development plan submission following the completion of a Traffic Impact Study. All traffic/transportation improvements required for the completion of this project shall be paid for by the applicant/developer concurrent with development as directed by the City Director of Engineering. Improvements shall be based on but not limited to a Traffic Impact Study provided by the applicant and reviewed/approved by the City Director of Engineering. The City Director of Engineering reserves the right to review and comment upon PUD or Site Plan submittal regarding access-drive, right-of-way improvements, and donation of right-of-way for these improvements.

2. Phasing of utility and road improvements, including internal collector drives associated with this project, shall be as determined by the City Director of Engineering.

3. The number and or type of curb cuts on all proposed drives shall limited based on Traffic Impact Study and as determined appropriate by the City Director of Engineering.

Internal Road Connections:

1. Private collector road connections shall be provided through the site as conceptually depicted on the planned unit development site plan. 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.

2. A hierarchy of the internal vehicular road network shall be provided. Turning lanes within the site may be required. Internal stacking and turning movements at intersections shall be provided and protected as necessary. This hierarchy shall be reviewed as part of each subsequent final planned unit development site plan submission.

3. At a minimum, internal sidewalks shall be provided throughout the development connecting parcels and adjacent roadways. This walk shall connect to any sidewalk that may be provided along Cleveland Road. Installation of sidewalks shall occur as part of adjacent road construction as may be directed by the City.

4. Internal access connections shall be provided to all adjacent parcels of land.

Stormwater Run-off/Utilities:

1. The type of stormwater facilities proposed on the site shall be limited/restricted as directed by the City Director of Engineering as required to protect the City Wellfield at Juday Creek.

2. Proposed stormwater retention areas shall specifically include the volumes associated with proposed public and private road improvements.

3. All costs associated with the extension of utilities 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. Utilities, including municipal water and sewer, must be in place prior to the occupancy of any phase of the proposed development.

Lighting:

1. All site lighting shall be limited to a maximum of 30 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 and to otherwise further the intent of this chapter as follows. All freestanding signs shall otherwise be designed as per the applicable City requirements:

   a. Two development signs per entry with a maximum sign display area shall be limited to 150 square feet per sign. Each sign may not exceed 25′ in height and shall include a masonry base. Animated/Electronic Reader boards shall be limited to no more than 50 square feet per sign.

   b. Each outlot/development parcel may also be permitted one freestanding sign. These signs shall be limited to 15′ in height and contain a display area of no more than 90 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 100 lineal feet.

2. Temporary banners, flush mounted to a building shall be limited to one per building/use, and shall not exceed 80 square feet. These banners shall also be subject to any future more restrictive regulation that may be passed by the City.

3. General façade and directional signage standards shall be submitted concurrently with the first final planned unit development plan submission. Limits on the height of letters/signage for façade signs shall be reviewed and evaluated by the Planning Commission at that time.

Building Limitations/Architecture:

1. All proposed commercial buildings on the south half of the property shall be constructed of 100% approved materials as identified within Section 161.41 of the City of Mishawaka Municipal code as amended. Materials and colors shall be varied to provide architectural interest. Buildings on the north half of the property shall be constructed of 100% approved materials as identified within Section 161.41 of the City of Mishawaka Municipal code as amended, only where visible from adjacent public right-of-way.

2. For all commercial 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.

3. The maximum building height for any commercial building within the development shall be 60′

Parking/Landscaping:

1. A minimum pavement setback of 5′ in width shall be provided between development parcels. A minimum 25′ pavement setback shall be provided along all public 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. 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.

4. Sidewalks and utilities may be provided within required 25′ green landscaped areas. If sidewalks and utilities are located within the required 25-foot green area, a minimum utility/sidewalk free area of 10 feet in width shall be required for planting.

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

6. All loading docks, dumpsters, and mechanical equipment shall be screened from view. Dumpsters shall be screened by a wall matching the building materials of the principle building. Dumpster locations shall be located away from any roads behind principle buildings and located away from 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.

Proposed Ordinance No: 2024-06

Ordinance No: _____

This recommendation is based on the following Findings of Fact:

1. Existing Conditions – The subject property is located along the heavily travelled Cleveland Road corridor. Traffic volumes in the immediate vicinity are expected to increase due to commercial and residential development in the northwest part of the City and northeastern St. Joseph County. With the completion of Beacon Parkway, Fir Road now serves as the primary gateway into the City from the Indiana Toll Road. Adjacent land uses include the Indiana Toll Road and various medical related uses to the north; a church to the west located within unincorporated St. Joseph County; several single-family houses and agricultural land to the south located within unincorporated St. Joseph County, and a single-family residential house and agricultural land to the east located in unincorporated St. Joseph County.
2. Character of Buildings in the Area – The character of buildings and land uses located along the Cleveland Road corridor between State Road 23 and Capital Road vary greatly and include single and multi-family residential, assisted living/memory care, religious, and medical land uses.
3. The most desirable/highest and best use – With the completion of Beacon Parkway to the north, planned extension of Veteran's Parkway to Cleveland Road, and commercial zoning for the Penn farm property to the south, commercial development is anticipated to increase in future years. Therefore, the most desirable use for the property is either commercial or other non-single family residential use reflecting the changing and planned land use patterns in the area.
4. Conservation of property values – The proposed zoning should not be injurious to the property values in the surrounding area. Landscaping and screening compliant with the commercial regulations is required to adequately screen the adjacent existing single-family residential properties.
5. Comprehensive Plan – This property is not included within the extents of the Mishawaka 2000 Comprehensive Plan. However, the proposed development to include commercial uses is reasonably consistent the existing commercial growth that has occurred to the north of property along Beacon Parkway and within northern Mishawaka.

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 _____, 2024, at _____ o'clock ___.M.

_____
Presiding Officer

ATTEST:

Proposed Ordinance No: 2024-06

Ordinance No: _____

_____
Deborah S. Block, IAMC, MMC, City Clerk

PRESENTED by me to the Mayor this _____ day of _____, 2024, at _____ o'clock ____.M.

_____
Deborah S. Block, IAMC, MMC, City Clerk

APPROVED by me this _____ day of _____, 2024, at _____o'clock ____.M.

_____
David A. Wood, Mayor

STAFF REPORT

Location: 14233 Cleveland Road (006-1008-0105) Date: March 12, 2024

Petition: 24 02 Prepared By: CH

GENERAL INFORMATION

Applicant:	MISH RE LLC / Danch, Harner & Associates, Inc.
Status:	Property Owners / Site Design, Engineering & Surveying Consultant
Request:	To annex, establish zoning, and approve a preliminary site plan for a mixed use development containing commercial uses as permitted in the C-1, C-2, C-4, C-7, C-9, and C-10 Districts, and one existing single family residence (R-1 use)
Existing Zoning:	Unincorporated St. Joseph County (R Single Family District)
Proposed Zoning:	S-2 Planned Unit Development
Lot Size:	30.64 acres (including Capital Avenue and Cleveland Road ROW)
Applicable Regulations:	Section 137-300 to 137-303 / C-1 General Commercial & Section 137-41 / Amendments to Zoning Map & Indiana Code 36-4-3-2.1, 36-4-3-3.1, and 36-7-4-603

SPECIAL INFORMATION

Area Development Pattern:	North:	S-2 Planned Unit Development (NW Cleveland Rd and Capital PUD)
	South:	Unincorporated St. Joseph County – R Single Family (Single-Family Residential & Agricultural)
	East:	Unincorporated St. Joseph County – R Single Family (Single-Family Residential & Agricultural)
	West:	S-2 Planned Unit Development (NW Cleveland Rd and Capital PUD)

Thoroughfare:	Cleveland Road & Capital Ave
Council District:	To Be Determined (contiguous to 6)
School District:	Penn-Harris-Madison
Township:	Harris
Public Utilities:	All utilities will be extended to/throughout the site at the developer's/contingent owner's expense including all required roadway improvements.
Comprehensive Plan:	Not specifically identified in the Mishawaka 2000 Comprehensive Plan. The Capital Avenue Land Use Plan jointly prepared by St. Joseph County and the City of Mishawaka identifies this parcel as an area for Residential Growth.

ANALYSIS

Proposal:
The applicant is proposing to annex, establish zoning, and approve a preliminary planned unit development site plan to allow for commercial uses as permitted in the C-1 General Commercial, C-2 Shopping Center Commercial, C-4 Automobile Oriented Commercial, C-7 Auto Oriented Restaurant Commercial, C-9 Auto and Vehicle Sales, and C-10 Filling Station/Car Wash Districts. This petition also includes the R-1 Single Family Residential District to reflect the existing house on the property. The owners, also owns the four parcels to the north and west, which were previously approved as a phased commercial development to include several automobile dealerships and related accessory uses.

The 30.46 acres, consists of Tax Parcel 006-1008-0105, which is 21.30 acres, and almost 9 acres of right-of-way. Located on the northwest corner of Cleveland Road and Capital Avenue. There is a homestead at the west side of the lot with the remainder as tillable farmland. The adjacent properties to the north and west were annexed into the City of Mishawaka in 2022 with S-2 Planned Unit Development zoning classification allowing all C-1 General Commercial, C-2 Shopping Center Commercial, C-4 Automobile Oriented Commercial, C-7 Auto Oriented Restaurant Commercial, C-9 Auto and Vehicle Sales, and C-10 Filling Station/Car Wash Districts (Ord. 5805).

As indicated on the preliminary site plan, the commercial development will include three proposed automobile dealerships, and areas of future development. No specific users or contingent purchaser has been identified. Although development phasing is not shown on the plan, the property will likely be developed in multiple phases, in conjunction with the property to the west.

The applicant is requesting that all permitted uses per the above referenced commercial districts be allowed. Planning Staff believes that all of these uses, except for a filling station, are appropriate. The filling station use is not appropriate because the site is located within the City's Judy Creek Wellfield, 5-year time of travel, and the underground fuel storage tanks pose a potential threat to the wellfield. Staff is recommending that the property and each individual development parcel shall adhere to the required area, height, and development regulations of the most restrictive zoning district in which the use would be permitted unless otherwise outlined in the conditions of approval.

There is no direct access to this parcel from Capital Avenue or Cleveland Road. Two access locations off of Cleveland Road were proposed on the property to the west. Final locations and all required roadway improvements, including but not limited to deceleration/acceleration lanes, passing blisters, and turning lanes, shall be subject to review and approval by the Engineering Department as a part of the planned unit development site plan review for each specific development parcel.

Currently, both water and sewer infrastructure required to serve the proposed development is located more than 1000 feet south of the site. Water and Sewer infrastructure would need to be extended across what is currently private property. Staff has made the applicant's representatives aware of this issue. Although the City has a long term plan to extend Veteran's Parkway to Cleveland Road which would be a logical path for the extension, the funding and right-of-way for such an extension does not currently exist. The City is hopeful to work as a partner to make these utility improvements over time. In order to develop the property, the applicant will be required to provide public water and sewer to the property. As such, the timing of the development is unknown.

In addition, due to the project being located within a future Juday Creek 5-year well head protection area, stormwater runoff cannot be handled on-site via a system of drywells. All runoff will have to maintained on-site via a surface stormwater retention or detention basin.

Although none is shown, landscaping will be required along the perimeter of the property, within landscaping islands, and along access drives internal to the development. More detailed landscaping plans shall be submitted with each planned unit development site plan, and are subject to review and approval by the Planning Staff.

If the proposed rezoning and annexation request is approved, a detailed final site plan for each phase of the development must be submitted to address all the applicable zoning (height, area, and development regulations), utility (sanitary sewer, water, storm water drainage, electric, gas, etc.), landscaping/screening, grading, erosion control, and any other required improvements.

The annexation of the property to the north and west initiated a prime growth area of the City. Although preliminary and speculative, staff is recommending strongly in favor of the annexation and establishment of zoning as requested to insure the planned orderly development of roads and infrastructure in one of the few areas where the City has the ability to grow over time. The annexation of predominantly undeveloped property early in the process will allow the City to control the logical and orderly growth of the area. Although a wide range of uses are being proposed, including automobile related uses, the combined cost of the land, the infrastructure improvements, and utilities, along with the recommended conditions, will ensure high quality development commensurate with the prime location. It is understood that ultimately the market will dictate the actual development/uses that will occur which will likely evolve over many years and phases.

Annexation:
In 2022, properties to the north and west were annexed into the City and zoned S-2 Planned Unit Development for commercial uses.

Per the State of Indiana's annexation laws, a parcel is required to share one-eighth, or 12.5%, of its boundary with the existing City boundary in order to be annexed. With the previous annexations as outlined above, approximately 1,892.98 feet, or 48%, of the total 3,944.96 feet of the perimeter of the property will be contiguous with the existing city limits. This exceeds the required 12.5% contiguity.

Location/Context:
The site is located at the northwest corner of Capital Avenue and Cleveland Road. It is bordered to the north and west by vacant land zoned S-2 Planned Unit Development; to the south by several single-family houses and agricultural land located within unincorporated St. Joseph County, and to the east by Capital Avenue and agricultural land located in unincorporated St. Joseph County. The Cleveland Road corridor between State Road 23 and Capital Avenue includes a variety of single and multi-family residential, assisted living/memory care, religious, and medical land uses.

Zoning Change:
Staff believes that the proposed zoning of this property to the S-2 Planned Unit Development District for various commercial uses is appropriate given the existing commercial growth that has occurred within northern Mishawaka. With the completion of Beacon Parkway to the north, providing a major gateway into the City from the Toll Road and northeast part of St. Joseph County, development pressures within this portion of the city and county will only intensity in the future. Examples of this growth includes Beacon Parkway and the 250 acre Penn Farm properties.

Transportation/Roads:
According to the latest available traffic counts, there were 10,999 annual average daily trips (AADT) (March 2022) along Cleveland Road east of Fir Road and 11,997 AADT (May 2022) along Cleveland Road west of Currant Road. The counts at these locations have increased over the last 15 years ranging from just under 8,900 AADT to their current peaks. With the existing and anticipated increase in commercial and residential development in the northern Mishawaka and Granger areas, it is anticipated that traffic volumes will remain relatively consistent and/or continue to increase in future years.

The 2045 Transportation Plan, prepared by the Michiana Area Council of Governments with input from City staff and the County Engineering Department, includes a grade separation project for the Canadian National railroad at Cleveland Road west of Capital Avenue. The construction date for this project is estimated for 2024. Added travel lanes are proposed along Cleveland Road between Ash Road (County Line) and Bittersweet Road for construction in 2025. A small road west of the Indiana Toll Road connecting Beacon Parkway to Cleveland Road is proposed for construction in 2030. Veteran's Parkway is proposed to be extended from its current northern terminus to Cleveland Road which would provide a connection to Douglas Road. This extension is proposed for construction in 2035. Anticipated completion

dates for the above projects may be amended in future years dependent on projected travel demand and funding.

All pertinent City Departments have reviewed and approved the request for annexation and zoning with the Engineering, Electric, and Water Departments providing the following comments:

Engineering Department:

1. Site is currently not served by Mishawaka Utilities. Utility extensions will be needed via Veteran's Parkway and/or Cleveland Rd corridors.
2. No drive approach will be allowed along this site's frontage. Access shall come internal through adjacent site to the west (same owners). Improvements to Cleveland Road will be needed to facilitate this improvement.

Electric Department:

1. The property is outside of the Mishawaka Utilities Electric Division service territory.

Water Department:

1. The project is located within a future Juday Creek 5-year well head protection area pending the construction of a new well field to the northeast of the Douglas Road and Fir Road intersection.

RECOMMENDATION

Staff recommends approval of Petition 24-02 to annex 30.64 acres of land and zone to S-2 Planned Unit Development to allow for a mixed use development containing commercial uses as permitted in the R-1 Single Family Residential, C-1 General Commercial, C-2 Shopping Center Commercial, C-4 Automobile Oriented Commercial, C-7 Auto Oriented Restaurant Commercial, C-9 Auto and Vehicle Sales, and C-10 Filling Station/Car Wash Districts subject to the following conditions, previously approved for the property to the north and west.

Conditions of Approval

Uses:

1. Permitted uses shall be limited to those uses identified in the R-1 Single Family Residential, C-1 General Commercial, C-2 Shopping Center Commercial, C-4 Automobile Oriented Commercial, C-7 Auto Oriented Restaurant Commercial, C-9 Auto and Vehicle Sales, and C-10 Filling Station/Car Wash zoning districts, except where noted herein, based on City of Mishawaka Zoning classification defined and in effect on the date of approval by the Mishawaka Common Council.
2. Outside sale display for loose items shall be prohibited unless specifically approved by the Planning Commission as part of a final planned unit development site plan submission.
3. Off-premise signs/billboards shall be prohibited.
4. Filling stations shall be prohibited.

Traffic Impact:

1. The following general conditions shall apply. More specifics and refinements shall be made with each planned unit development plan submission following the completion of a Traffic Impact Study. All traffic/transportation improvements required for the completion of this project shall be paid for by the applicant/developer concurrent with development as directed by the City Director of Engineering. Improvements shall be based on but not limited to a Traffic Impact Study provided

by the applicant and reviewed/approved by the City Director of Engineering. The City Director of Engineering reserves the right to review and comment upon PUD or Site Plan submittal regarding access-drive, right-of-way improvements, and donation of right-of-way for these improvements.

2. Phasing of utility and road improvements, including internal collector drives associated with this project, shall be as determined by the City Director of Engineering.

3. The number and or type of curb cuts on all proposed drives shall limited based on Traffic Impact Study and as determined appropriate by the City Director of Engineering.

Internal Road Connections:

1. Private collector road connections shall be provided through the site as conceptually depicted on the planned unit development site plan. 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.

2. A hierarchy of the internal vehicular road network shall be provided. Turning lanes within the site may be required. Internal stacking and turning movements at intersections shall be provided and protected as necessary. This hierarchy shall be reviewed as part of each subsequent final planned unit development site plan submission.

3. At a minimum, internal sidewalks shall be provided throughout the development connecting parcels and adjacent roadways. This walk shall connect to any sidewalk that may be provided along Cleveland Road. Installation of sidewalks shall occur as part of adjacent road construction as may be directed by the City.

4. Internal access connections shall be provided to all adjacent parcels of land.

Stormwater Run-off/Utilities:

1. The type of stormwater facilities proposed on the site shall be limited/restricted as directed by the City Director of Engineering as required to protect the City Wellfield at Juday Creek.

2. Proposed stormwater retention areas shall specifically include the volumes associated with proposed public and private road improvements.

3. All costs associated with the extension of utilities 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. Utilities, including municipal water and sewer, must be in place prior to the occupancy of any phase of the proposed development.

Lighting:

1. All site lighting shall be limited to a maximum of 30 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 and to otherwise further the intent of this chapter as follows. All freestanding signs shall otherwise be designed as per the applicable City requirements:

   a. Two development signs per entry with a maximum sign display area shall be limited to 150 square feet per sign. Each sign may not exceed 25′ in height and shall include a masonry base. Animated/Electronic Reader boards shall be limited to no more than 50 square feet per sign.

   b. Each outlot/development parcel may also be permitted one freestanding sign. These signs shall be limited to 15′ in height and contain a display area of no more than 90 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 100 lineal feet.

2. Temporary banners, flush mounted to a building shall be limited to one per building/use, and shall not exceed 80 square feet. These banners shall also be subject to any future more restrictive regulation that may be passed by the City.

3. General façade and directional signage standards shall be submitted concurrently with the first final planned unit development plan submission. Limits on the height of letters/signage for façade signs shall be reviewed and evaluated by the Planning Commission at that time.

Building Limitations/Architecture:

1. All proposed commercial buildings on the south half of the property shall be constructed of 100% approved materials as identified within Section 161.41 of the City of Mishawaka Municipal code as amended. Materials and colors shall be varied to provide architectural interest. Buildings on the north half of the property shall be constructed of 100% approved materials as identified within Section 161.41 of the City of Mishawaka Municipal code as amended, only where visible from adjacent public right-of-way.

2. For all commercial 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.

3. The maximum building height for any commercial building within the development shall be 60′

Parking/Landscaping:

1. A minimum pavement setback of 5′ in width shall be provided between development parcels. A minimum 25′ pavement setback shall be provided along all public 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. 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.

4. Sidewalks and utilities may be provided within required 25′ green landscaped areas. If sidewalks and utilities are located within the required 25-foot green area, a minimum utility/sidewalk free area of 10 feet in width shall be required for planting.

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

6. All loading docks, dumpsters, and mechanical equipment shall be screened from view. Dumpsters shall be screened by a wall matching the building materials of the principle building. Dumpster locations shall be located away from any roads behind principle buildings and located away from 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.

This recommendation is based on the following Findings of Fact:

1. Existing Conditions – The subject property is located along the heavily travelled Cleveland Road corridor. Traffic volumes in the immediate vicinity are expected to increase due to commercial and residential development in the northwest part of the City and northeastern St. Joseph County. With the completion of Beacon Parkway, Fir Road now serves as the primary gateway into the City from the Indiana Toll Road. Adjacent land uses include the Indiana Toll Road and various medical related uses to the north; a church to the west located within unincorporated St. Joseph County; several single-family houses and agricultural land to the south located within unincorporated St. Joseph County, and a single-family residential house and agricultural land to the east located in unincorporated St. Joseph County.
2. Character of Buildings in the Area – The character of buildings and land uses located along the Cleveland Road corridor between State Road 23 and Capital Road vary greatly and include single and multi-family residential, assisted living/memory care, religious, and medical land uses.
3. The most desirable/highest and best use – With the completion of Beacon Parkway to the north, planned extension of Veteran's Parkway to Cleveland Road, and commercial zoning for the Penn farm property to the south, commercial development is anticipated to increase in future years. Therefore, the most desirable use for the property is either commercial or other non-single family residential use reflecting the changing and planned land use patterns in the area.
4. Conservation of property values – The proposed zoning should not be injurious to the property values in the surrounding area. Landscaping and screening compliant with the commercial regulations is required to adequately screen the adjacent existing single-family residential properties.
5. Comprehensive Plan – This property is not included within the extents of the Mishawaka 2000 Comprehensive Plan. However, the proposed development to include commercial uses is reasonably consistent the existing commercial growth that has occurred to the north of property along Beacon Parkway and within northern Mishawaka.

ATTACHMENTS

Aerial Map, Photographs, Rezoning & Annexation Petition, Preliminary Site Plan, and Location Map

STAFF REPORT

Location: 14233 Cleveland Road (006-1008-0105) Date: March 12, 2024

Petition: 24 02 Prepared By: CH

GENERAL INFORMATION

Applicant:	MISH RE LLC / Danch, Harner & Associates, Inc.
Status:	Property Owners / Site Design, Engineering & Surveying Consultant
Request:	To annex, establish zoning, and approve a preliminary site plan for a mixed use development containing commercial uses as permitted in the ~~R-1~~, C-1, C-2, C-4, C-7, C-9, and C-10 Districts, AND ONE EXISTING SINGLE FAMILY RESIDENCE (R-1 USE)
Existing Zoning:	Unincorporated St. Joseph County (R Single Family District)
Proposed Zoning:	S-2 Planned Unit Development
Lot Size:	30.64 acres (including Capital Avenue and Cleveland Road ROW)
Applicable Regulations:	Section 137-300 to 137-303 / C-1 General Commercial & Section 137-41 / Amendments to Zoning Map & Indiana Code 36-4-3-2.1 and 36-4-3-3.1

SPECIAL INFORMATION

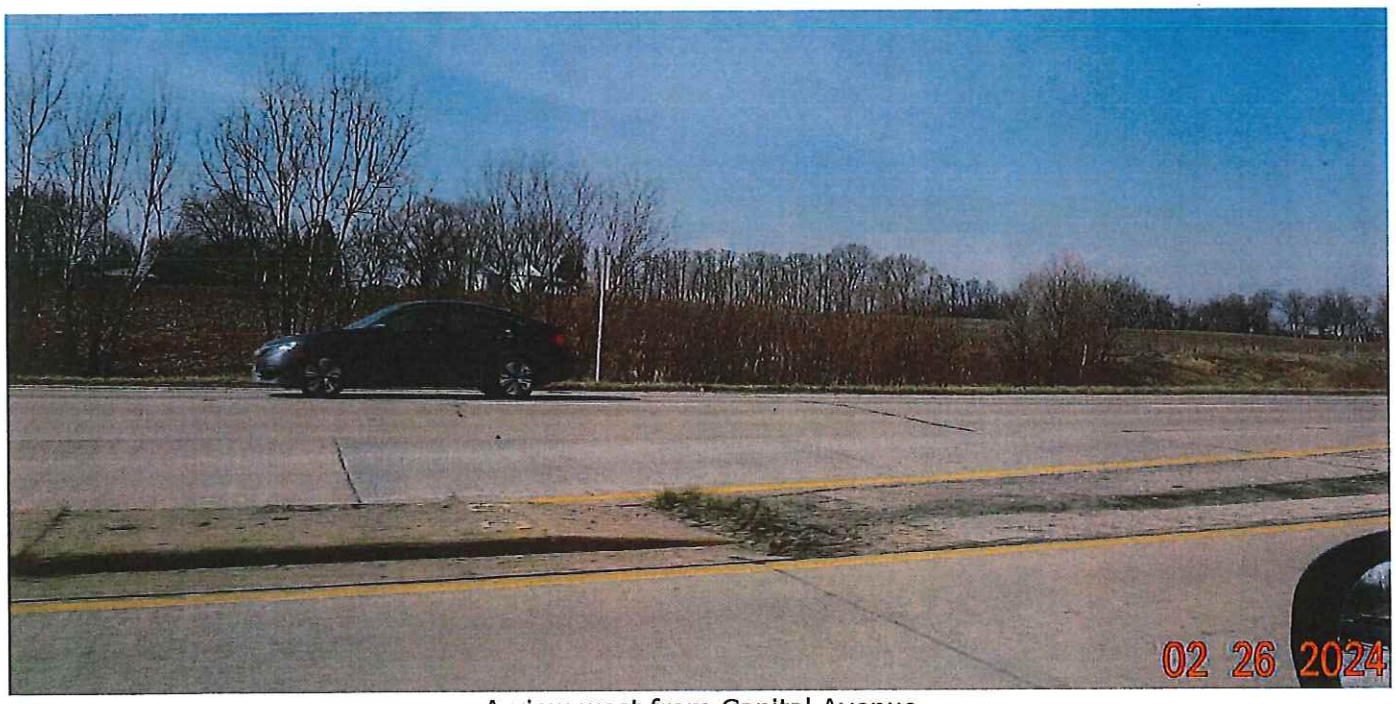
Area Development Pattern:	North:	S-2 Planned Unit Development (NW Cleveland Rd and Capital PUD)
	South:	Unincorporated St. Joseph County – R Single Family (Single-Family Residential & Agricultural)
	East:	Unincorporated St. Joseph County – R Single Family (Single-Family Residential & Agricultural)
	West:	S-2 Planned Unit Development (NW Cleveland Rd and Capital PUD)
Thoroughfare:	Cleveland Road & Capital Ave	
School District:	Penn-Harris-Madison	← COUNCIL DISTRICT: ~~TBD~~ TO BE DETERMINED (Contiguous to 6)
Township:	Harris	
Public Utilities:	All utilities will be extended to/throughout the site at the developer's/contingent owner's expense including all required roadway improvements.	
Comprehensive Plan:	Not specifically identified in the Mishawaka 2000 Comprehensive Plan. The Capital Avenue Land Use Plan jointly prepared by St. Joseph County and the City of Mishawaka identifies this parcel as an area for Residential Growth.	

Aerial Photograph
14233 Cleveland Road
Proposed Commercial Development

Existing house at 14233 Cleveland Road (Google Streetview June 2023)

Looking north from Cleveland Road at field

Northwest corner of Capital Avenue and Cleveland Road



A view west from Capital Avenue

January 22, 2024

Mishawaka Common Council
Mishawaka Plan Commission
600 East Third Street
Mishawaka, Indiana 46544

Re: Petition for Annexation & Rezoning for:

MISH RE LLC
14233 Cleveland Road
Granger, IN 46530

Dear Common Council and Plan Commission Members,

This letter is to inform the Board Members that we have granted authority to Danch, Harner & Associates to represent us at the Mishawaka Common Council and Plan Commission meeting(s) at which our Annexation and Rezoning Petition request will be heard.

If you have any questions concerning this matter, please feel to contact me/us.

Sincerely,

Chris Pustelak
MISH RE LLC
5201 N. Grape Road
574-272-2009

PG 24-02

Date: February 12, 2024

To: The Honorable Members of the Common Council
City of Mishawaka, Indiana

Re: Petition for Annexation & Rezoning for:

MISH RE LLC
14233 Cleveland Road
Granger, IN 46530

The undersigned, respectfully show that they are the owners of the following described real estate located in the unincorporated portion of St. Joseph County, Indiana:

Annexation and Rezoning Legal Description:

A PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 23, AND A PART OF THE NORTHEAST QUARTER OF SECTION 26, ALL IN TOWNSHIP 38 NORTH, RANGE 3 EAST, HARRIS TOWNSHIP, ST. JOSEPH COUNTY, INDIANA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 23; THENCE SOUTH 89°41'58" EAST ALONG THE SOUTH LINE OF SAID SECTION AND THE CENTERLINE OF CLEVELAND ROAD, A DISTANCE OF 1323.83 FEET MORE OR LESS (ASSUMED BEARINGS AND APPROXIMATE DISTANCES) TO THE POINT OF BEGINNING; THENCE NORTH 00°32'43" WEST, ALONG THE WEST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 23, A DISTANCE OF 1317.98 FEET MORE OR LESS TO THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 23; THENCE SOUTH 89°51'36" EAST ALONG SAID NORTH LINE, A DISTANCE OF 851.59 FEET MORE OR LESS TO THE EASTERLY RIGHT-OF-WAY LINE OF CAPITAL AVENUE; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE FOR THE NEXT SIX (6) COURSES SOUTH 18°36' EAST, A DISTANCE OF 222.02 FEET MORE OR LESS AND SOUTH 11°10' EAST, A DISTANCE OF 553.73 FEET MORE OR LESS AND SOUTH 02°34' WEST, A DISTANCE OF 116.26 FEET MORE OR LESS AND SOUTH 10°08' WEST, A DISTANCE OF 195.24 FEET MORE OR LESS AND SOUTH 00°00' EAST, A DISTANCE OF 158.86 FEET MORE OR LESS TO THE INTERSECTION OF THE EAST RIGHT-OF-WAY LINE OF SAID CAPITAL AVENUE WITH THE NORTHERLY RIGHT-OF-WAY LINE CLEVELAND ROAD; THENCE SOUTH 16°47' EAST, A DISTANCE OF 165.93 FEET MORE OR LESS TO THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY LINE OF SAID CAPITAL AVENUE WITH THE SOUTHERLY RIGHT-OF-WAY LINE CLEVELAND ROAD; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE, SOUTH 31°00' WEST, A DISTANCE OF 66.05 FEET MORE OR LESS; THENCE CROSSING SAID CAPITAL AVENUE, SOUTH 84°16' WEST, A DISTANCE OF 197.87 FEET MORE OR LESS TO THE INTERSECTION OF THE WESTERLY

RIGHT-OF-WAY LINE OF SAID CAPITAL AVENUE WITH THE SOUTHERLY RIGHT-OF-WAY LINE CLEVELAND ROAD; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE FOR THE NEXT TWO (2) COURSES, NORTH 57°40' EAST, A DISTANCE OF 176.29 FEET MORE OR LESS AND NORTH 89°41' 58" WEST, A DISTANCE OF 622.41 FEET MORE OR LESS; THENCE NORTH 12°18' WEST, A DISTANCE OF 29.32 FEET MORE OR LESS TO THE POINT OF BEGINNING.
CONTAINING 30.64 ACRES MORE OR LESS.
SUBJECT TO ALL LEGAL RIGHT-OF-WAYS, EASEMENTS, AND RESTRICTIONS OF RECORD.

Also commonly known as 14233 Cleveland Road in Granger, Indiana. The above-described parcels of land are presently zoned "R" Single Family District in the unincorporated county.

Petitioners desire to annex and rezone the real estate described above to the "S-2" Planned Unit Development District classification. The purpose for the annexation and rezoning is to allow for a mixed land use development allowing uses permitted in the following Districts: "C-1" Commercial, "C-2" Commercial, "C-4" Commercial, "C-7" Commercial, "C-9" Commercial and "C-10" Commercial.

Petitioners further show this proposed annexation to be in the best interested of the City of Mishawaka, Indiana, and of the area sought to be annexed with is urban in character and is an economic and social part of the City of Mishawaka.

Wherefore, the petitioners 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 annexation and rezoning the above-described parcel of real estate located in the City of Mishawaka.

Sincerely:

Chris Pustelak
MISH RE LLC

Contact Person:
Danch, Harner & Associates: Attn: Angela Smith
1643 Commerce Drive
South Bend, IN 46628
(574) 234-4003
asmith@danchharner.com

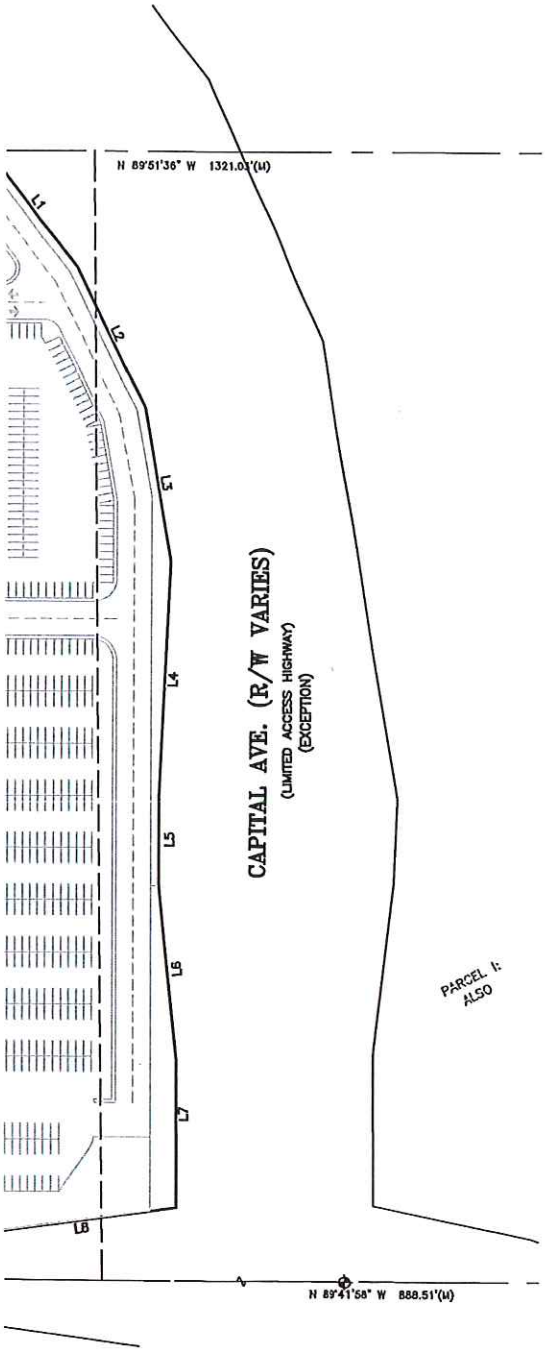
D SITE PLAN

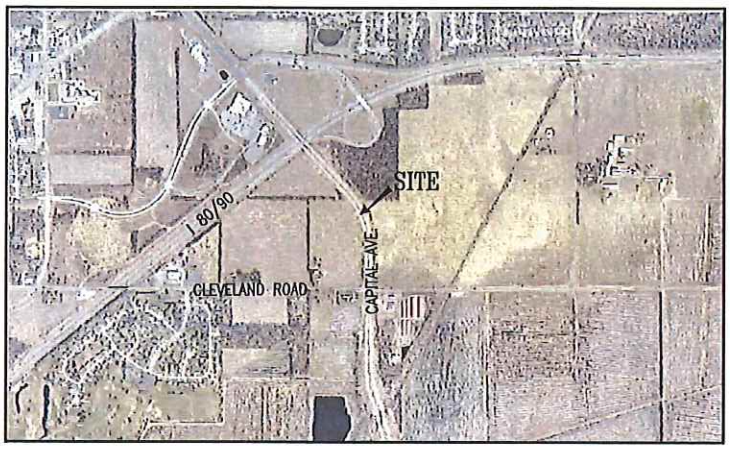
ID THE NORTHEAST QUARTER OF SECTION 26,
IS TOWNSHIP, ST. JOSEPH COUNTY, INDIANA.

PET 24-02

Received
FEB 21 2024
Planning and
Community Development

LINE TABLE		
LINE	BEARING	DISTANCE
L1 M	S 37°41'14" E	171.96'
L1 R	S 37°34'58" E	171.96'
L2 M	S 26°28'39" E	182.82'
L2 R	S 26°38'33" E	182.82'
L3 M	S 10°13'10" E	182.49'
L3 R	S 10°23'04" E	182.49'
L4 M	S 02°51'52" W	281.06'
L4 R	S 02°41'58" W	281.06'
L5 M	S 00°15'43" E	100.00'
L5 R	S 00°25'37" E	100.00'
L6 M	S 05°58'21" E	201.00'
L6 R	S 06°08'15" E	201.00'
L7 M	S 00°15'43" E	175.00'
L7 R	S 00°25'37" E	175.00'
L8 M	S 82°17'48" W	241.33'
L8 R	S 82°07'54" W	241.33'
L9 M	S 67°09'16" W	81.41'
L9 R	S 68°32'30" W	80.78'
L10 M	S 00°18'02" W	20.00'
L10 R	S 00°20'36" W	20.00'





AERIAL PHOTOGRAPHY/LOCATION MAP
NTS

R.L. HARNER
REGISTERED
No. 910032
STATE OF INDIANA
LAND SURVEYOR

R.L. HARNER #910032

SURVEYORS & ENGINEERS:

DANCH, HARNER & ASSOCIATES, INC.
1643 COMMERCE DRIVE
SOUTH BEND, IN. 46628
(574) 234-4003
ATTN: MICHAEL DANCH

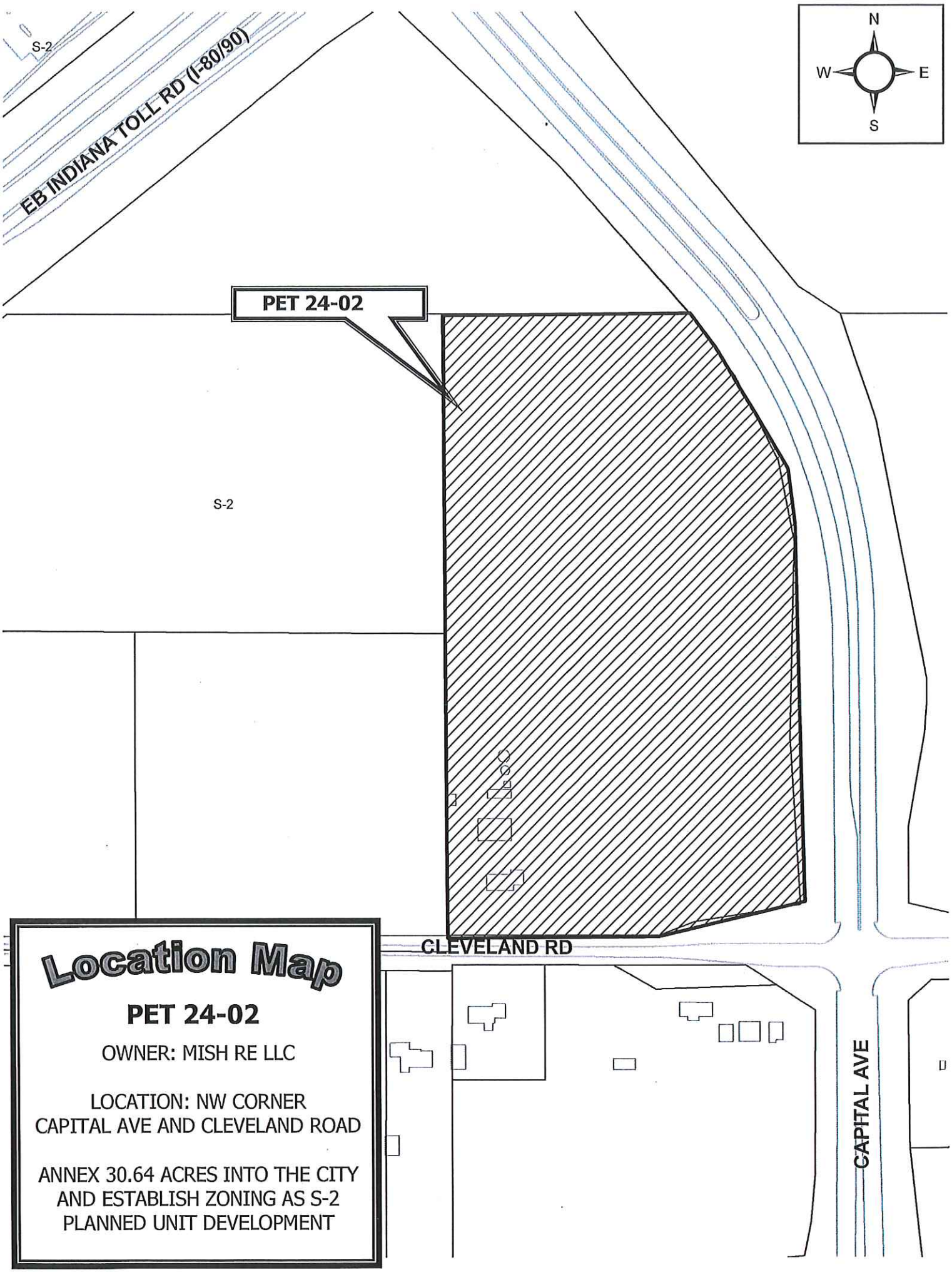
N
DHA

0 100' 200' 300'
SCALE 1" = 100'

Danch, Harner & Associates, Inc.
Land Surveyors • Professional Engineers
Landscape Architects • Land Planners
Office: (574)234-4003 / (800)234-4003 • Fax: (574)234-4119
1643 Commerce Drive • South Bend, IN 46628

DATE	DRAWN BY:	REVISIONS		
2/14/24	JMS			
SCALE	CHECKED BY:	DATE	BY	
1" = 100'	MJD			
FILE #	PROJ. MANGR:			
230276.3	AMS			

SHEET 1 OF 1



Location Map

PET 24-02

OWNER: MISH RE LLC

LOCATION: NW CORNER
CAPITAL AVE AND CLEVELAND ROAD

ANNEX 30.64 ACRES INTO THE CITY
AND ESTABLISH ZONING AS S-2
PLANNED UNIT DEVELOPMENT

1st Reading
2nd Reading
Passed
Failed
Continued To

Deborah S. Block, IAMC, MMC
MAR 13 2024
City Clerk
Mishawaka, IN

PETITION 24-03

CITY OF MISHAWAKA, INDIANA

PROPOSED ORDINANCE NO. 2024-07

ORDINANCE NO. _____

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

WHEREAS, a Petition has been presented to the Common Council of the City of Mishawaka, Indiana, praying that certain territory lying contiguous to the corporate limits of the City of Mishawaka, Indiana, be annexed to and declared to be a part of the City of Mishawaka, and that it be provided with a Zoning Classification, and

WHEREAS, the Mishawaka City Plan Commission, to which Commission the petition was duly referred, has recommended the annexation and a PUD Amendment as hereinafter set forth, including the imposition of reasonable conditions, to wit, the recommendations of the Department of City Planning.

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

Section 1. The following described real estate be and the same is hereby annexed to and declared to be a part of the City of Mishawaka, Indiana:

A PART OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 37 NORTH, RANGE 3 EAST, PENN TOWNSHIP, ST. JOSEPH COUNTY, INDIANA, AND BEING MORE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

(BEARINGS IN THIS DESCRIPTION ARE BASED ON INDIANA STATE PLANE COORDINATES-EAST ZONE, GPS DERIVED)

COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE SOUTH 00° 15' 31" WEST, ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 500.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89° 22' 58" EAST, A DISTANCE OF 686.48; THENCE NORTH 16° 37' 24" EAST, A DISTANCE OF 302.89 TO THE NORTHERLY RIGHT OF WAY LINE OF DRAGOON TRAIL; THENCE SOUTHEASTERLY, ALONG SAID NORTHERLY LINE, A DISTANCE OF 474 FEET, MORE OR LESS, TO A POINT LYING 185.25 FEET WEST OF THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SOUTHWEST QUARTER; THENCE SOUTH 00° 15' 31 WEST, PARALLEL WITH THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SOUTHWEST QUARTER, A DISTANCE OF 599.09 FEET; THENCE SOUTH 89° 42' 36" WEST, A DISTANCE OF 1173.62 FEET TO THE WEST RIGHT OF WAY LINE OF BREMEN HIGHWAY; THENCE THE FOLLOWING THREE COURSES ALONG SAID WEST RIGHT OF WAY LINE: 1) NORTH 00° 15' 31" EAST, A DISTANCE OF 394.63 FEET; 2) THENCE NORTH 26° 27' 03" WEST, A DISTANCE OF 80.43 FEET; 3) THENCE NORTH 08° 44' 22" WEST, A DISTANCE OF 164.39 FEET; THENCE SOUTH 89° 22' 58" EAST, A DISTANCE OF 101.85 FEET TO THE POINT OF BEGINNING.

Proposed Ordinance No: 2024-07

Ordinance No: _____

CONTAINING 18.44 ACRES, MORE OR LESS, AND SUBJECT TO ALL COVENANTS, RIGHTS OF WAY, AND EASEMENTS OF RECORD.

COMMON ADDRESS: Immediate southeast corner of Bremen Highway and Dragoon Trail

The above described real estate shall hereafter be annexed into and within the City of Mishawaka, Indiana, and a part of that district designated in the Zoning Ordinance of the City of Mishawaka, Indiana, and shall carry a classification for zoning of S-2 Planned Unit Development District.

All the above real estate shall hereafter be amended to allow for a conceptual design for a residential development subject to the following conditions:

Uses:

1. Permitted uses shall be limited to residential including single-family detached houses, single-family attached houses, and up to 4 unit attached townhouses.

Single-Family Detached Homes/Lots:

1. Minimum of 50′ lot width
2. Minimum of 6,000 sq. ft. lot size
3. 35′ or 2 ½ stories maximum height
4. Minimum of 20′ front yard setback
5. Minimum of 25′ rear yard setback
6. Minimum of 5′ side yard setback
7. All other R-1 Single Family Residential District regulations not identified above shall be applicable.

Single-Family Attached Homes and Townhouse/Lots:

1. Minimum of 30′ lot width
2. Minimum of 4,800 sq. ft. lot size
3. 35′ or 2 ½ stories maximum height
4. Minimum of 20′ front yard setback
5. Minimum of 25′ rear yards setback
6. 0′ interior side yard setback along common walls between units
7. 5′ side yard setback for exterior side yard setback
8. All other R-2 Two-Family Residential District regulations not identified above shall be applicable.

Density & Single-Family Attached / Townhouse Residential Units Allowance:

1. A maximum of 75 residential units shall be permitted with a 30% maximum (23 units) for the single-family attached units and townhouses.

Lot Ownership:

1. All property within the subdivision plat not dedicated as public right-of-way shall be platted as lots with a primary structure (residential unit). Outlots

owned by the developer or homeowner's association without a primary structure (residential units) shall not be permitted.

Other:

1. An analysis of the existing trees shall occur to determine which trees, if any, can be preserved. The developer shall try to preserve masses of the existing trees, where possible. A tree preservation plan shall be submitted with the subdivision plat.

This recommendation is based on the following findings of fact:

1. Existing Conditions - The subject property is located near the southeast corner of Bremen Highway and Dragoon Trail. Bremen Highway, which is a heavily travelled principal arterial road, serves as the primary gateway into the city from the south. Dragoon Trail is a moderately travelled major collector road providing east/west access. Traffic volumes along both roads are anticipated to remain relatively consistent in future years. Adjacent land uses include single-family residential houses to the west, south, and east within unincorporated St. Joseph County, and single-family residential houses and a church to the north.
2. Character of Buildings in Area - The buildings and land uses along Bremen Highway and Dragoon Trail are primarily single-family residential. A church and a convenience store with fuel pumps/car wash are located at the Bremen Highway and Dragoon Trail intersection.
3. The most desirable/highest and best use – With the property's location adjacent to mostly single-family resident houses, the most desirable use for the property is residential.
4. Conservation of property values - The proposed zoning should not be injurious to property values in the surrounding area. The proposed residential use is compatible with the adjacent single-family residential uses and church.
5. Comprehensive Plan – The Mishawaka 2000 Comprehensive Plan identifies a preferred or recommended use of the subject property and adjacent areas as low density residential.

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 _____, 2024, at _____ o'clock ___.M.

_____
Presiding Officer

ATTEST:

Proposed Ordinance No: 2024-07

Ordinance No: _____

_____
Deborah S. Block, IAMC, MMC, City Clerk

PRESENTED by me to the Mayor this _____ day of _____, 2024, at _____ o'clock ____.M.

_____
Deborah S. Block, IAMC, MMC, City Clerk

APPROVED by me this _____ day of _____, 2024, at _____o'clock ____.M.

_____
David A. Wood, Mayor

STAFF REPORT

Location: 58650 Bremen Hwy., 15900 & 15901 Princess Dr., and 15676 Dragoon Trl. including four (4) tax parcels - East side of Bremen Hwy. approximately 480' south of Dragoon Trl.

Date: March 12, 2024

Petition: 24-03

Prepared By: DJS

GENERAL INFORMATION

Applicants:	CZG, LLC; CZG II, LLC; and CZG II (William Loudin) / Abonmarche Consultants
Status:	Property Owners / Surveyor & Engineer
Request:	To annex, establish zoning, and approve a conceptual design for a proposed residential development.
Existing Zoning:	Unincorporated St. Joseph County (R Single-Family District)
Proposed Zoning:	S-2 Planned Unit Development for residential uses
Lot Size:	18.44 acres including the adjacent Bremen Highway and Dragoon Trail right-of-way
Applicable Regulations:	Section 137-671 thru 137-679 / S-2 Planned Unit Development District, Section 137-41 / Amendments to the Zoning Map & Indiana Code 36-4-3-2.1 and 36-4-3-3.1, and 36-7-4-603

SPECIAL INFORMATION

Area Development Pattern:	North:	R-1 Single-Family Residential (St. Peter Lutheran Church & Single-Family Houses)
	South:	Unincorporated St. Joseph County / R Single-Family Residential (Single-Family House)
	East:	Unincorporated St. Joseph County / R Single-Family Residential (Single-Family House)
	West:	Unincorporated St. Joseph County / R Single-Family Residential (Single-Family Houses)
Thoroughfare:	Bremen Highway & Dragoon Trail	
Council District:	To Be Determined (Contiguous to District 2)	
School District:	Penn-Harris-Madison	
Public Utilities:	All public utilities are available and/or will be extended to/throughout the site at the owner's/developer's expense.	
Comprehensive Plan:	Low Density Residential	

ANALYSIS

Proposal:
The petitioner is proposing to annex, establish zoning, and approve a conceptual design for a proposed residential development.

The 18.44 acre site, which includes four separate parcels (Tax Parcels 014-1027-0458, -0458.01, -0458.18, and 0458.19), is located east of Bremen Highway approximately 480' south of Dragoon Trail. The site, which is mostly wooded, has approximately 620' of frontage on Bremen Highway and 480' of frontage on Dragoon Trail. Three single-family residential houses are located within the property. Two of these houses are proposed to remain with the northernmost dilapidated house to be razed. The adjacent properties to the north were annexed into the City of Mishawaka in 1961 and 1978 with an R-1 Single Family Residential zoning classification specifically for single-family residential development and a church.

Per the petition and conceptual layout for the development, the petitioner plans to construct an approximate 51 lot residential subdivision with public roads, sewer, and water. The average price of each lot, including the home, is estimated at $450,000 to $500,000. The subdivision, as shown on the conceptual plan, will primarily be single-family detached homes with a mix of single-family attached and 3-4 unit townhomes. Single-family attached units and townhomes are not shown on the conceptual plan. Planning Staff is recommending that a maximum of 75 units be permitted within the development with a 30% maximum (23 units) for attached and townhome units.

Access is shown on the conceptual site plan solely from Dragoon Road. An access drive to Bremen Highway may be permitted and is subject to review and approval by the City Engineer as a part of the subdivision review process.

A portion of the property along Bremen Highway was strip mined for iron slag previously deposited by a foundry. These areas will have to be cleared of any materials or deposits prior to grading for development. The mined areas appear to be within the proposed storm water retention basins conceptually shown along Bremen Highway.

The property is heavily wooded. Planning Staff is recommending that trees along the perimeter be maintained, if possible. An inventory of the existing trees shall occur to determine which trees, if any, can be kept.

The petitioner is requesting a zoning classification of S-2 Planned Unit Development specifically for residential uses. A standard R-1 Single-Family District classification would not permit the proposed single-family attached units and townhomes due to the individual lot area, width, and setback requirements of the R-1 District. Therefore, Planning Staff recommended the property be annexed with a PUD zoning classification. Specific development regulations are outlined in the conditions of approval.

Currently, the petitioner is only proposing to establish the permitted uses and basic development regulations of the planned unit development. If the annexation and zoning request is approved, a subdivision plat for each phase of the development must be submitted to address all the applicable zoning (height, area, and development regulations), utility (sanitary sewer, water, storm drainage, electric, gas, etc.), grading, erosion control, and other required improvements.

Annexation:
In 1961 and 1978, the adjacent properties to the north were annexed into the City and zoned R-1 Single Family Residential for residential development and a church.

Per the State of Indiana's annexation laws, a parcel is required to share one-eighth, or 12.5%, of its boundary with the existing boundary to be annexed. With the two previous annexations as outlined above, approximately 1,463 feet, or 36.8%, of the total 3,977 feet of the perimeter of the property will be contiguous with the existing city limits. This exceeds the required 12.5% contiguity.

Location/Context:
The site is located near the southeast corner of Bremen Highway and Dragoon Trail and is bound to the north by single-family residential houses and a church, to the east by a single-family residential house in unincorporated St. Joseph County, to the south by a single-family residential house located in unincorporated St. Joseph County, and the west by single-family residential houses located in unincorporated St. Joseph County.

Zoning Change:
Staff believes that the proposed zoning of this property to the S-2 Planned Unit Development District for residential use is appropriate given that all the adjacent property is zoned for and mostly occupied by single-family residential houses.

Transportation/Roads:
According to the latest available traffic counts from May 2023, there were 15,168 annual average daily trips (AADT) along Bremen Highway north of Dragoon Trail and 17,973 AADT along Bremen Highway south of the proposed development. There were 8,072 AADT along Dragoon Trail east of Bremen Highway. The counts at these locations have remained relatively consistent over the last 17 years and will, therefore, likely remain consistent in future years.

The 2050 Transportation Plan, prepared by the Michiana Area Council of Governments with input from City staff and the County Engineering Department, includes a road widening project (added travel lanes) for S. Church Street / Union Street / Bremen Highway from E. Sixth Street to Ireland Road. The plan indicates an anticipated completion date of the project south Dragoon Trail by 2035. The plan and anticipated completion dates for any transportation improvements may be amended in future years dependent on projected travel demand and funding availability.

All pertinent City Departments have reviewed and approved the request for annexation and zoning with the Engineering, Electric, and Water Departments providing the following comments:

Engineering Department:
1. To eliminate the long cul-de-sac distance, connect the street back through Lot 40 to create a loop.
2. Additional right-of-way shall be dedicated along Bremen Highway for the proposed road widening project. The distance shall be determined during the subdivision plat process, but at a minimum 90′ total right-of-way is required along Bremen Highway.

Electric Department:
1. Electric easements will be required throughout the development. (Comment to be addressed during the subdivision plat process.)

Water Department:
1. The Water Department should be contacted to discuss future water, backflow, and metering needs.
2. A water pressure study may have to be completed to determine if the property can be served by water.

RECOMMENDATION

Staff recommends **approval** of Petition 24-03 to annex, establish zoning, and approve a conceptual design for a residential development on an 18.44 site located east of Bremen Highway approximately 480′ south of Dragoon Trail. The property is proposed to be zoned S-2 Planned Unit Development subject to the following development regulations/conditions:

Uses:

1. Permitted uses shall be limited to residential including single-family detached houses, single-family attached houses, and up to 4 unit attached townhouses.

Single-Family Detached Homes/Lots:

1. Minimum of 50′ lot width
2. Minimum of 6,000 sq. ft. lot size
3. 35′ or 2 ½ stories maximum height
4. Minimum of 20′ front yard setback
5. Minimum of 25′ rear yard setback
6. Minimum of 5′ side yard setback
7. All other R-1 Single Family Residential District regulations not identified above shall be applicable.

Single-Family Attached Homes and Townhouse/Lots:

1. Minimum of 30′ lot width
2. Minimum of 4,800 sq. ft. lot size
3. 35′ or 2 ½ stories maximum height
4. Minimum of 20′ front yard setback
5. Minimum of 25′ rear yards setback
6. 0′ interior side yard setback along common walls between units
7. 5′ side yard setback for exterior side yard setback
8. All other R-2 Two-Family Residential District regulations not identified above shall be applicable.

Density & Single-Family Attached / Townhouse Residential Units Allowance:

1. A maximum of 75 residential units shall be permitted with a 30% maximum (23 units) for the single-family attached units and townhouses.

Lot Ownership:

1. All property within the subdivision plat not dedicated as public right-of-way shall be platted as lots with a primary structure (residential unit). Outlots owned by the developer or homeowner's association without a primary structure (residential units) shall not be permitted.

Other:

1. An analysis of the existing trees shall occur to determine which trees, if any, can be preserved. The developer shall try to preserve masses of the existing trees, where possible. A tree preservation plan shall be submitted with the subdivision plat.

This recommendation is based on the following findings of fact:

1. Existing Conditions - The subject property is located near the southeast corner of Bremen Highway and Dragoon Trail. Bremen Highway, which is a heavily travelled principal arterial road, serves as the primary gateway into the city from the south. Dragoon Trail is a moderately travelled major collector road providing east/west access. Traffic volumes along both roads are anticipated to remain relatively consistent in future years. Adjacent land uses include single-family residential houses to the west, south, and east within unincorporated St. Jospeh County, and single-family residential houses and a church to the north.
2. Character of Buildings in Area - The buildings and land uses along Bremen Highway and Dragoon Trail are primarily single-family residential. A church and a convenience store with fuel pumps/car wash are located at the Bremen Highway and Dragoon Trail intersection.
3. The most desirable/highest and best use – With the property's location adjacent to mostly single-family resident houses, the most desirable use for the property is residential.
4. Conservation of property values - The proposed zoning should not be injurious to property values in the surrounding area. The proposed residential use is compatible with the adjacent single-family residential uses and church.
5. Comprehensive Plan – The Mishawaka 2000 Comprehensive Plan identifies a preferred or recommended use of the subject property and adjacent areas as low density residential.

Single-Family Detached Homes/Lots:

1. Minimum of 50′ lot width
2. Minimum of 6,000 sq. ft. lot size
3. 35′ or 2 ½ stories maximum height
4. Minimum of 20′ front yard setback
5. Minimum of 25′ rear yard setback
6. Minimum of 25′ rear yard setback
7. All other R-1 Single Family Residential District regulations not identified above shall be applicable.

Single-Family Attached Homes and Townhouse/Lots:

1. Minimum of 30′ lot width
2. Minimum of 4,800 sq. ft. lot size
3. 35′ or 2 ½ stories maximum height
4. Minimum of 20′ front yard setback
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6. 0′ interior side yard setback along common walls between units
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Other:

1. An analysis of the existing trees shall occur to determine which trees, if any, can be preserved. The developer shall try to preserve masses of the existing trees, where possible. A tree preservation plan shall be submitted with the subdivision plat.

This recommendation is based on the following findings of fact:

1. Existing Conditions - The subject property is located near the southeast corner of Bremen Highway and Dragoon Trail. Bremen Highway, which is a heavily travelled principal arterial road, serves as the primary gateway into the city from the south. Dragoon Trail is a moderately travelled major collector road providing east/west access. Traffic volumes along both roads are anticipated to remain relatively consistent in future years. Adjacent land uses include single-family residential houses to the west, south, and east within unincorporated St. Jospeh County, and single-family residential houses and a church to the north.
2. Character of Buildings in Area - The buildings and land uses along Bremen Highway and Dragoon Trail are primarily single-family residential. A church and a convenience store with fuel pumps/car wash are located at the Bremen Highway and Dragoon Trail intersection.
3. The most desirable/highest and best use – With the property's location adjacent to mostly single-family resident houses, the most desirable use for the property is residential.
4. Conservation of property values - The proposed zoning should not be injurious to property values in the surrounding area. The proposed residential use is compatible with the adjacent single-family residential uses and church.
5. Comprehensive Plan – The Mishawaka 2000 Comprehensive Plan identifies a preferred or recommended use of the subject property and adjacent areas as low density residential.

ATTACHMENTS

Aerial Map, Photographs, Petition for Annexation and Zoning Classification, Conceptual Design for Residential Subdivision, and Location Map

Aerial Photograph – 58650 Bremen Hwy., 15900 & 15901 Princess Dr., & 15676 Dragoon Trl.
Proposed Single-Family Residential Development

P1. Looking east from Bremen Highway toward the property and driveway for the existing houses.

P2. Looking southeasterly from the church parking area toward the property.

P3. Looking southwesterly from Dragoon Trail toward the property.

ABONMARCHE

Engineering • Architecture • Land Surveying

PLT 24-03
Received
FEB 21 2024
Planning and
Community Development

Date: 02/21/24
Honorable Members of the
Common Council
City of Mishawaka, Indiana
and
Mishawaka City Plan Commission
City of Mishawaka, Indiana

RE: Breman Hwy and Dragoon Annexation & PUD standards

The undersigned, William Loudin of CZG, 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:

LEGAL DESCRIPTION:

A PART OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 37 NORTH, RANGE 3 EAST, PENN TOWNSHIP, ST. JOSEPH COUNTY, INDIANA, AND BEING MORE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

(BEARINGS IN THIS DESCRIPTION ARE BASED ON INDIANA STATE PLANE COORDINATES-EAST ZONE, GPS DERIVED)

COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE SOUTH 00° 15' 31" WEST, ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 500.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89° 22' 58" EAST, A DISTANCE OF 686.48; THENCE NORTH 16° 37' 24" EAST, A DISTANCE OF 302.89 TO THE NORTHERLY RIGHT OF WAY LINE OF DRAGOON TRAIL; THENCE SOUTHEASTERLY, ALONG SAID NORTHERLY LINE, A DISTANCE OF 474 FEET, MORE OR LESS, TO A POINT LYING 185.25 FEET WEST OF THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SOUTHWEST QUARTER; THENCE SOUTH 00° 15' 31 WEST, PARALLEL WITH THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SOUTHWEST QUARTER, A DISTANCE OF 599.09 FEET; THENCE SOUTH 89° 42' 36" WEST, A DISTANCE OF 1173.62 FEET TO THE WEST RIGHT OF WAY LINE OF BREMEN HIGHWAY; THENCE THE FOLLOWING THREE COURSES ALONG SAID WEST RIGHT OF WAY LINE: 1) NORTH 00° 15' 31" EAST, A DISTANCE OF 394.63 FEET; 2) THENCE NORTH 26° 27' 03" WEST, A DISTANCE OF 80.43 FEET; 3) THENCE NORTH 08° 44' 22" WEST, A DISTANCE OF 164.39 FEET; THENCE SOUTH 89° 22' 58" EAST, A DISTANCE OF 101.85 FEET TO THE POINT OF BEGINNING.

CONTAINING 18.44 ACRES, MORE OR LESS, AND SUBJECT TO ALL COVENANTS, RIGHTS OF WAY, AND EASEMENTS OF RECORD.

COMMON ADDRESS: Immediate southeast corner of Breman Highway and Dragoon Trail

Petitioner owns one-hundred percent (100%) of the above described parcels of land which is located in Indiana and that the Petitioners desire the same to be annexed to the City of Mishawaka, Indiana, with an S-2 PUD District. Petitioners further state they intend to utilize said land for Residential Uses.

Accompanying this petition is a drawing, to scale, showing the above-described parcel of real estate showing: existing structures, size of the lots, rights-of-way, storm detentions and access point of the subdivision.

Petitioner plans to construct an approximately 51-lot subdivision with public roads, utilizing public sewer and water utilities and served off Dragoon Trail. The average price of the development per lot, including the home, will be approximately $450,000 – $500,000. This subdivision will primarily be single family development and will have a mix of single family attached and 3-4 unit townhomes.

Petitioner desires said real estate to be amended as follows:

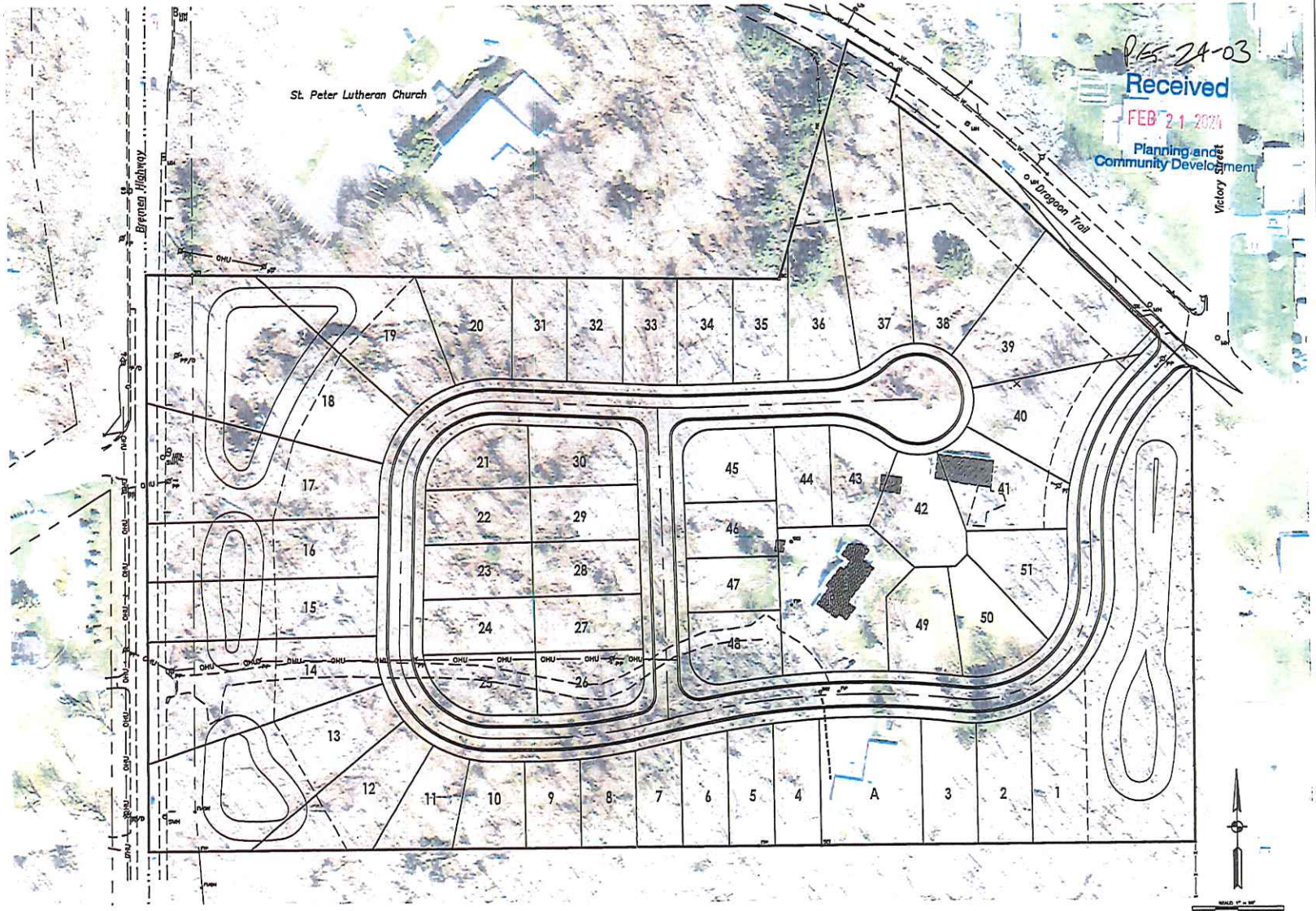
1. **PUD General Standards**
   - **a) Residential uses include:**
     - I. Single family homes
     - II. Attached single family homes
     - III. Up to 4 unit attached townhomes
   - **b) Single Family Home site standards:**
     - **a. The development standards for single family home sites will require: 1) 50' lot width; 2) 6,000 square foot lot size; 3) 35' or 2 ½ stories height limitation; 4) 20' Front Setback; 5) 25' Rear setback; and 6) 5' side setback**
     - **b. All other R-1 standards apply from the Mishawaka Zoning Ordinance**
   - **c) Single Family Attached and Townhome site standards:**
     - **a. The development standards for single family attached and townhome sites will require: 1) 40' minimum lot width; 2) 4,800 square foot lot size; 3) 35' or 2 ½ story height limitation; 4) 20' front setback; 5) 25' rear setback 6) 0' lot line for attached single family homes or townhomes. 5' side yard setback applies when an open side yard is present.**
     - **b. All other R-2 standards apply from the Mishawaka Zoning Ordinance**
   - **d) Road Right of Way widths planned to be 50' wide with a minimum of 50' road centerline radius.**

Petitioners further show this proposed annexation to be in the best interest of the City of Mishawaka, Indiana, and of the territory sought to be annexed which is urban in character and is an economic and social part of the City of Mishawaka.

WHEREFORE, the petitioner respectfully requests that the Common Council of the City of Mishawaka refer this matter to the Mishawaka City Plan Commission and that after hearing, and appropriate ordinance be enacted amending the PUD of the above-described parcel of land located in the City of Mishawaka

William Loudin
CZG, LLC., CZG II LLC. CZG II

CONTACT PERSON
John Linn
Abonmarche Consultants
315 W. Jefferson Blvd.
South Bend, IN 46601
(574) 232-8700
jlinn@abonmarche.com

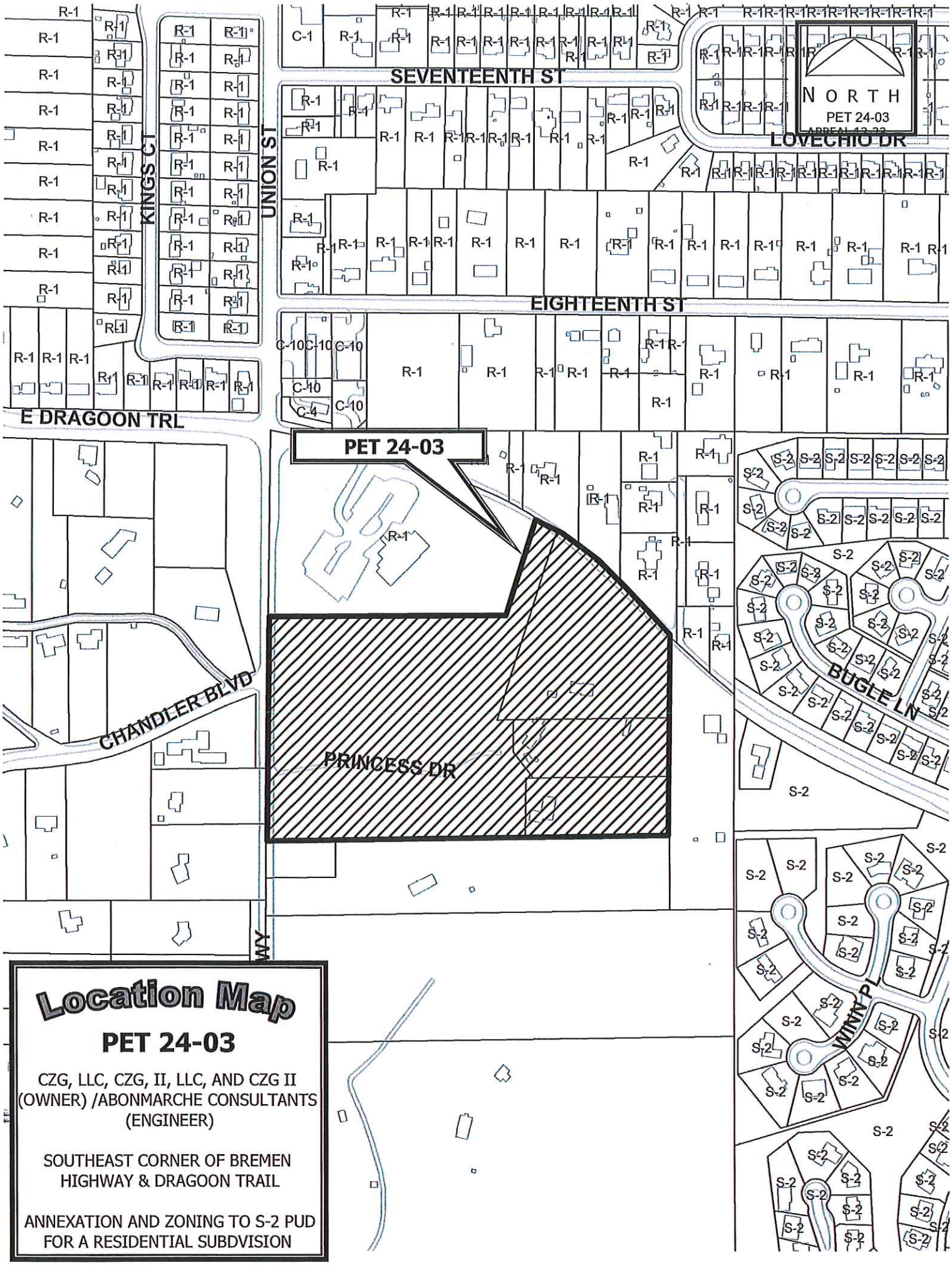


ABONMARCHE

DRAGOON TRAIL AT BREMEN HIGHWAY MISHAWAKA, INDIANA

CONCEPTUAL SITE PLAN

DRAWN BY: DEP
DESIGNED BY:
PM REVIEW: BJN
QA/QC REVIEW:
DATE: 2/20/2024
SEAL:
SIGNATURE:
DATE:
SCALE: HORZ: 1" = 50'
VERT:
AO JOB #: 22-0082
SHEET NO. 1 of 1



Location Map

PET 24-03

CZG, LLC, CZG, II, LLC, AND CZG II (OWNER) /ABONMARCHE CONSULTANTS (ENGINEER)

SOUTHEAST CORNER OF BREMEN HIGHWAY & DRAGOON TRAIL

ANNEXATION AND ZONING TO S-2 PUD FOR A RESIDENTIAL SUBDVISION

RESOLUTION NO. 2024-03
AS AMENDED

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, APPROVING A REPORT OF COMPLIANCE WITH STATEMENT OF BENEFITS FOR CERTAIN PROPERTY OWNERS AND WITHDRAWING A PREVIOUSLY APPROVED REAL PROPERTY TAX ABATEMENT FOR BARAK GROUP LLC

WHEREAS, property owners who have applied for and been granted a tax abatement for either real or personal property on and after July 1, 1991, must file a report with the Mishawaka Common Council and the County Auditor reporting the extent to which there has been compliance with the goals set forth in the Statement of Benefits filed at the time of the action granting the aforesaid abatement, and

WHEREAS, three (3) recipients of the five (5) active tax abatements that require reporting have been found to be subject to this requirement, and each have submitted the proper reports, which have been reviewed and found to be in order.

WHEREAS, Barak Group LLC requested that a previously granted real property tax abatement, which was approved by the Common Council on September 6, 2022 via Declaratory Resolution 2022-20 and on September 19, 2022 via Confirming Resolution 2022-21, be withdrawn.

NOW THEREFORE, BE IT RESOLVED by the Common Council of the City of Mishawaka, Indiana:

1. That the "Compliance with Statement of Benefits" reports submitted by the following companies are found to be in order:

   - **Lippert Components Manufacturing Inc. (Building Expansion)**
   - **Lippert Components Manufacturing Inc. (New Racking/Logistics Distribution Equipment)**
   - **Front Street LLC (The Avalon – Mixed Use Building)**
   - **Helios Hydraulics Americas LLC (Building Expansion)**
   - **Helios Hydraulics Americas LLC (New Manufacturing Equipment)**

2. That the aforesaid property owners are hereby found to be in substantial compliance, and

3. That the request to withdraw the aforesaid approved real property tax abatement for Barak Group LLC is accepted, and

4. That the President of the Mishawaka Common Council is hereby authorized to approve the aforementioned reports and withdrawal of the Barak Group LLC tax abatement.

ADOPTED by the Common Council of the City of Mishawaka, St. Joseph County, Indiana, on this _____ day of _____, 2024.

_____
Gregg Hixenbaugh, President

ATTEST:

_____
Deborah S. Block, IAMC, MMC, City Clerk

PRESENTED by me to the Mayor of the City of Mishawaka, Indiana, on this _____ day of _____, 2024.

_____
Deborah S. Block, City Clerk

APPROVED AND SIGNED by me on this _____day of _____, 2024 at _____o'clock, ____.m.

_____
David A. Wood, Mayor

RESOLUTION NO. 2019-14

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, APPROVING A REPORT OF COMPLIANCE WITH STATEMENT OF BENEFITS FOR CERTAIN PROPERTY OWNERS AND WITHDRAWING A PREVIOUSLY APPROVED REAL PROPERTY TAX ABATEMENT FOR BAYER HEALTHCARE

WHEREAS, property owners who have applied for and been granted a tax abatement for either real or personal property on and after July 1, 1991, must file a report with the Mishawaka Common Council and the County Auditor reporting the extent to which there has been compliance with the goals set forth in the Statement of Benefits filed at the time of the action granting the aforesaid abatement, and

WHEREAS, ten (10) recipients of the eleven (11) active tax abatements that require reporting have been found to be subject to this requirement, and each have submitted the proper reports, which have been reviewed and found to be in order.

WHEREAS, Bayer Healthcare requested that a previously granted real property tax abatement, which was approved by the Common Council on October 5, 2015 via Declaratory Resolution 2015-35 and on October 19, 2015 via Confirming Resolution 2015-36, be withdrawn .

NOW THEREFORE, BE IT RESOLVED by the Common Council of the City of Mishawaka, Indiana:

1. That the "Compliance with Statement of Benefits" reports submitted by the following companies are found to be in order:

   - **BD SJRMC Mishawaka Development, LLC**
   - **NAC North American Composites**
   - **Long Term Care Investments V, LLC**
   - **Barak River Rock, LLC**
   - **WellPet, LLC (Regrind System 2014 & High Speed Packaging Line 2015)**
   - **Dearborn Crane and Engineering Company, Inc.**
   - **Patrick Industries Inc.**
   - **River Walk Development Group LLC**
   - **Lippert Components Manufacturing Inc.**
   - **Jamil Packaging Corporation**

2. That the aforesaid property owners are hereby found to be in substantial compliance, and

3. That the request to withdraw the aforesaid approved real property tax abatement for Bayer Healthcare is accepted, and

4. That the President of the Mishawaka Common Council is hereby authorized to approve the aforementioned reports and withdrawal of the Bayer Healthcare tax abatement.

ADOPTED by the Common Council of the City of Mishawaka, St. Joseph County, Indiana, on this 15th day of April, 2019.

Dale "Woody" Emmons

Dale "Woody" Emmons, President

ATTEST:

Deborah S. Block

Deborah S. Block, City Clerk

PRESENTED by me to the Mayor of the City of Mishawaka, Indiana, on this 16th day of April, 2019.

Deborah S. Block

Deborah S. Block, City Clerk

APPROVED AND SIGNED by me on this 16 day of April, 2019 at 9:36 o'clock, A .m.

David A. Wood, Mayor

HISTORY OF ALL TAX ABATEMENTS 1986-CURRENT

	Name	Common Council Approval Date	No. of Years Real Estate	No. of Years Machinery	No. of Retained Jobs (Proposed)	No. of New Jobs (Proposed)	No. of Retained Jobs (Actual)	No. of New Jobs (Actual)	Date of Latest CF1 Found	Capital Investment**	Abated Through Collect CF-1s*	Pay*	Abatement Complete
1	Patrick Industries	October 20, 1986	10 Years			52			(-)	$ 8,622,845.00	1997	1998	YES
2	Former Baby Place	June 7, 1988	6 Years	0	0	38.5			(-)	$ 2,000,000.00	1995	1996	YES
3	Wheelabrator Area	December 19, 1988	10 Years		338	246			(-)	$ 2,500,000.00	1999	2000	YES
4	National - Standard	February 21, 1989	6 Years	5 Years	15	180			(-)	$10,100,000.00	1995	1996	YES
5	Thermoplastics Phase I	November 20, 1989	6 Years	5 Years	151	13			(-)	$ 2,500,000.00	1995	1996	YES
6	Thermoplastics Phase II	November 20, 1989	3 Years	5 Years	155	20			(-)	$ 3,200,000.00	1993	1994	YES
7	Contech Division I	July 2, 1990	6 Years			75			(-)	$10,962,483.00	1996	1997	YES
8	Hilti Steel	September 13, 1990	0	5 Years	n/a	14			(-)	$ 578,000.00	1996	1997	YES
9	Penz Products Inc.	September 24, 1990	3	0	76	10			(-)	$ 475,000.00	1994	1995	YES
10	Dodge Reliance Electrical I	January 7, 1991	0	5 Years	10	15			(-)	$ 1,050,000.00	1996	1997	YES
11	Janco Products, Inc.	May 6, 1991		5 Years	10	20			(-)	$ 220,000.00	1996	1997	YES
12	Thermoplastics Phase III	November 4, 1991	0	5 Years	150	19	150	51	Feb-93	$ 2,750,000.00	1996	1997	YES
13	National Steel Corporation	December 16, 1991	10 Years		250	130	250	32	Mar-01	$10,346,394.00	2002	2003	YES
14	Maron Products, Inc.	February 3, 1992	0	5 Years	38	10	41	11	Feb-95	$ 910,794.00	1998	1999	YES
15	Dodge Reliance Electrical II	July 6, 1992	0	5 Years	300+	0	300+	0	Mar-96	$ 3,000,000.00	1998	1999	YES
16	Thermoplastic Phase IV	October 19, 1992	6 Years		210	50	210	148	Mar-98	$ 6,812,832.00	1999	2000	YES
17	Contech Division II	April 19, 1993		5 Years	10		15	108	Mar-99	$ 1,206,461.00	1999	2000	YES
18	Dana/Ristance Corp./Standard Motor Products - Wire and Cable Div.	January 3, 1994	10 Years		80	60	42	88	Mar-05	$ 6,067,253.00	2004	2005	YES
19	United Limo	September 6, 1994	6 Years		77	8	77	8	Jan-01	$ 1,262,200.00	2001	2002	YES
20	Dearborn Crane	December 5, 1994	10 Years	5 Years	26	4	26	7	May-99	$ 612,841.00	2005	2006	YES
21	Scott Brass II	December 18, 1995	10 Years		73	31	73	13	Mar-06, Apr-01	$11,934,000.00	2006	2007	YES
22	Federal Window (Fedor)	December 18, 1995	6 Years	5 Years	8	8	8	26	Apr-02, Mar-01	$ 1,018,181.00	2002	2003	YES
23	Maron Products, Inc. II	December 18, 1995		5 Years	6	4	2	8	Apr-01	$ 250,000.00	2001	2002	YES
24	Quality Dining	April 15, 1996	10 Years		73	109	73	70	Mar-06	$ 5,087,402.00	2006	2007	YES
25	Baycote Metal Finishing	January 6, 1997	6 Years	5 Years	70	15	79	7	Jul-00	$ 1,800,000.00	2003	2004	YES
26	Krizman International	January 6, 1997	6 Years		225	20	225	20	Jul-00	$ 1,500,000.00	2003	2004	YES
27	Troyer	March 3, 1997	3 Years		60	40		0	(-)	$ 1,100,000.00	2001	2002	YES
28	Nyloncraft Incorporated	May 19, 1997	6 Years	5 Years	378	40	341	58	Feb-02	$ 7,598,531.00	2004	2005	YES
29	Ristance Corporation	October 20, 1997	6 Years	5 Years	139	18		0	(-)	$ 3,600,000.00	2004	2005	YES
30	DeWald Manufac. Inc./Power Gear/Engineered Solutions	October 20, 1997	6 Years	5 Years	62	15	62	40	Mar-05	$ 1,842,833.00	2004	2005	YES
31	Thermoplastic Phase V	December 1, 1997	6 Years	5 Years	299	70	299	19	Mar-00	$ 3,181,310.00	2003	2004	YES
32	Atchison/Dodge	December 1, 1999		5 Years	325	50	230		Mar-05	$12,000,000.00	2006	2007	YES
33	Sampson Fiberglass	March 6, 2000	3 Years		15	20	15	5	Feb-01	$ 375,000.00	2004	2005	YES
34	RMG Foundry LLC	March 6, 2000		5 Years	325	50	202	0	Feb-06	$ 2,000,000.00	2006	2007	YES
35	WF Associates (AMG Byrkit Facility)	November 19, 2001	10 Years		285	15	234	0	Apr-11	$ 2,650,000.00	2011	2012	YES
36	Nyloncraft Incorporated	March 20, 2003		5 Years	396	16	320	9	May-09	$ 1,168,064.00	2009	2010	YES
37	Nyloncraft Incorporated	November 6, 2003		5 Years	405	13	329	27	May-09	$ 2,730,304.00	2009	2010	YES
38	Plastimatics Arts Corporation	August 18, 2004		3 Years	31	4	31	16	May-06	$ 1,450,290.00	2007	2008	YES
39	Ironwood Enterprises, LLC	September 6, 2005	5 Years		14	49	27	34	May-09	$ 6,000,000.00	2010	2011	YES
40	Daman Products Company	October 17, 2005		3 Years	95	6	82	23	Feb-07	$ 1,118,980.00	2007	2008	YES
41	Culture Systems, Inc.	December 18, 2006	3 Years	3 Years	12	7	12	2	May-09	$ 1,200,000.00	2009	2010	YES
42	Patrick Industries (Metals Div)	June 19, 2006	5 Years	5 Years	172	26			Apr-10	$ 4,600,000.00	2011	2012	YES
43	Jamil Packaging Corporation	August 21, 2006		3 Years	51	5	51	5	May-10	$ 1,250,000.00	2010	2011	YES
44	Nyloncraft Incorporated	December 6, 2007		5 Years	340	50	291	12	Apr-13	$ 2,185,000.00	2012	2013	YES
45	BD Mishawaka Development LLC	February 4, 2008	10 Years		0	370	0	489	Mar-19	$44,000,000.00	2021	2022	NO
46	Jamil Packaging Corporation	May 1, 2008		3 Years	64	5	62	11	Apr-12	$ 1,650,000.00	2011	2012	YES
47	Long Term Care Investments, LLC (Douglas)	June 1, 2009	3 Years		0	120	0	67	Apr-12	$18,000,000.00	2012	2013	YES
48	Jamil Packaging Corporation	May 16, 2011		3 Years	73	6	73	29	Apr-16	$ 900,000.00	2014	2015	YES
49	North American Composites (NAC)	March 5, 2012		3 Years	0	10	0	20	Mar-19	$ 1,577,000.00	2018	2019	NO
50	Long Term Care Investments, LLC (Fir)	October 7, 2013	4 Years		0	61	0	64	Mar-19	$15,000,000.00	2020	2021	NO
51	Barak River Rock LLC	November 6, 2013	5 Years		0	5 to 8	0	11	Mar-19	$14,565,000.00	2021	2022	NO
52	WellPet LLC	January 8, 2014		5 Years	91	6	91	19	Mar-19	$ 1,470,500.00	2020	2021	NO
53	Dearborn Crane	May 19, 2014	3 years		24	3	24	8	Mar-19	$ 859,100.00	2018	2019	NO
54	WellPet LLC	April 20, 2015		5 Years	115	4	110	0	Mar-19	$ 1,790,000.00	2021	2022	NO
~~55~~	~~Barak Group LLC (Iron Rock Café)~~	~~September 24, 2015~~	~~5 Years~~						~~Apr-16~~	~~$ 450,000.00~~	~~2020~~	~~2024~~	~~NO~~
~~56~~	~~Barak Group LLC (Iron Rock Condominiums)~~	~~September 24, 2015~~	~~5 Years~~						~~Apr-16~~	~~$40,000,000.00~~	~~2020~~	~~2024~~	~~NO~~
~~57~~	~~Bayer Healthcare~~	~~October 19, 2015~~	~~10 Years~~		~~174~~	~~30 to 60~~	~~203~~	~~TBD~~	~~Mar-18~~	~~$42,500,000.00~~	~~2025/TBD~~	~~2026~~	~~NO~~
58	Patrick Industries	February 15, 2016		3 Years	0	84	0	163	Mar-19	$ 2,067,000.00	2019	2020	NO
59	River Walk Development Group LLC (Mult-Family Residential)	June 5, 2017	5 Years		0	2	0	3	Mar-19	$13,500,000.00	2025 or 2026/TBD	2024	NO
60	Lippert Components	July 5, 2017	10 Years	10 Years	247 (relocated)	200	0	221	Mar-19	$ 9,200,000.00	2028	2029	NO
61	Jamil Packaging Corporation	July 24, 2017		3 Years	112	8	112	28	Mar-19	$ 1,500,000.00	2020	2021	NO
62	Jamil Packaging Corporation	February 18, 2019		3 Years	139	12	TBD	TBD	NA	$ 1,550,000.00	2022	2023	NO

* The "Abated through collect CF-1s" and "Pay" column demonstrates the number of years from the completion of the project/final installation of the equipment and not the number of years from the date the abatement was approved.

The tax abatements highlighted above are active requiring the completion of annual compliance forms (CF-1s).

** The capital investment may be the proposed or actual levels of investment based on the current project status.

HEALTHCARE REALTY
3310 West End Avenue, Suite 700
Nashville, Tennessee 37203
P 615.269.8175
www.healthcarerealty.com

March 1, 2019

RECEIVED
MAR 05 2019
BUILDING, PLANNING
COMMUNITY DEVELOPMENT

Mr. Derek J. Spier, AICP
Senior Planner & Economic Development Specialist
City of Mishawaka
Department of Planning & Community Development
600 East Third Street
Mishawaka, IN 46544-2241

Re: 611 E. Douglas Road, Mishawaka IN
Form CF-1

Dear Mr. Spier,

Enclosed please find the Compliance with Statement of Benefits form (CF-1) for Real Estate Improvements located at the above referenced address.

If you have any questions, please don't hesitate to contact me.at (615) 269-8396 or by e-mail at: ksullivan@healthcarerealty.com

Thank you,

Kim Sullivan

Kim Sullivan
Associate Vice President
Asset Management

cc: Sarah Purser

COMPLIANCE WITH STATEMENT OF BENEFITS
REAL ESTATE IMPROVEMENTS

State Form 51766 (R3 / 2-13)
Prescribed by the Department of Local Government Finance

20 18 PAY 20 19

FORM CF-1 / Real Property

PRIVACY NOTICE

The cost and any specific individual's salary information is confidential; the balance of the filing is public record per IC 6-1.1-12.1-5.1 (c) and (d).

INSTRUCTIONS:

1. *This form does not apply to property located in a residentially distressed area or any deduction for which the Statement of Benefits was approved before July 1, 1991.*
2. *Property owners must file this form with the county auditor and the designating body for their review regarding the compliance of the project with the Statement of Benefits (Form SB-1/Real Property).*
3. *This form must accompany the initial deduction application (Form 322/RE) that is filed with the county auditor.*
4. *This form must also be updated each year in which the deduction is applicable. It is filed with the county auditor and the designating body before May 15, or by the due date of the real property owner's personal property return that is filed in the township where the property is located. (IC 6-1.1-12.1-5.1(b))*
5. *With the approval of the designating body, compliance information for multiple projects may be consolidated on one (1) compliance form (Form CF-1/Real Property).*

SECTION 1 — TAXPAYER INFORMATION

Name of taxpayer HR of Indiana, LLC	County St. Joseph
Address of taxpayer *(number and street, city, state, and ZIP code)* 3310 West End Avenue, Nashville, TN 37203	DLGF taxing district number 71-022
Name of contact person Kim Sullivan	Telephone number (615) 269-8396

SECTION 2 — LOCATION AND DESCRIPTION OF PROPERTY

Name of designating body Common Council of the City of Mishawaka	Resolution number R-2008-02	Estimated start date *(month, day, year)* 02/11/2008
Location of property 611 East Douglas Road, Mishawaka, IN 46545		Actual start date *(month, day, year)*
Description of real property improvements Construction of a 205,573 square foot medical office building and all parking as required. Building is connected to Saint Joseph Regional Medical Center Hospital.		Estimated completion date *(month, day, year)*
		Actual completion date *(month, day, year)* 08/01/2009

SECTION 3 — EMPLOYEES AND SALARIES

EMPLOYEES AND SALARIES	AS ESTIMATED ON SB-1	ACTUAL
Current number of employees		489
Salaries		29,157,682.00
Number of employees retained		
Salaries		
Number of additional employees	370	
Salaries	10,555,000.00	

SECTION 4 — COST AND VALUES

COST AND VALUES	REAL ESTATE IMPROVEMENTS	
AS ESTIMATED ON SB-1	COST	ASSESSED VALUE
Values before project		
Plus: Values of proposed project	46,000,000.00	
Less: Values of any property being replaced		
Net values upon completion of project	46,000,000.00	
ACTUAL	COST	ASSESSED VALUE
Values before project		
Plus: Values of proposed project	37,765,910.00	18,216,400.00
Less: Values of any property being replaced		
Net values upon completion of project	44,000,000.00	

SECTION 5 — WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER

WASTE CONVERTED AND OTHER BENEFITS	AS ESTIMATED ON SB-1	ACTUAL
Amount of solid waste converted		
Amount of hazardous waste converted		
Other benefits:		

SECTION 6 — TAXPAYER CERTIFICATION

I hereby certify that the representations in this statement are true.

Signature of authorized representative	Title	Date signed *(month, day, year)*
Kim Sullivan	Associate Vice President	3/1/2019

OPTIONAL: FOR USE BY A DESIGNATING BODY WHO ELECTS TO REVIEW THE COMPLIANCE WITH STATEMENT OF BENEFITS (FORM CF-1) THAT WAS APPROVED AFTER JUNE 30, 1991

INSTRUCTIONS: (IC 6-1.1-12.1-5.1 and IC 6-1.1-12.1-5.9)

1. *Not later than forty-five (45) days after receipt of this form, the designating body may determine whether or not the property owner has substantially complied with the Statement of Benefits (Form SB-1/Real Property).*

2. *If the property owner is found **NOT** to be in substantial compliance, the designating body shall send the property owner written notice. The notice must include the reasons for the determination and the date, time and place of a hearing to be conducted by the designating body. The date of this hearing may not be more than thirty (30) days after the date this notice is mailed. A copy of the notice may be sent to the county auditor and the county assessor.*

3. *Based on the information presented at the hearing, the designating body shall determine whether or not the property owner has made reasonable efforts to substantially comply with the Statement of Benefits (Form SB-1/Real Property) and whether any failure to substantially comply was caused by factors beyond the control of the property owner.*

4. *If the designating body determines that the property owner has **NOT** made reasonable efforts to comply, then the designating body shall adopt a resolution terminating the property owner's deduction. If the designating body adopts such a resolution, the deduction does not apply to the next installment of property taxes owed by the property owner or to any subsequent installment of property taxes. The designating body shall immediately mail a certified copy of the resolution to: (1) the property owner; (2) the county auditor; and (3) the county assessor.*

We have reviewed the CF-1 and find that:

☒ the property owner **IS** in substantial compliance

☐ the property owner **IS NOT** in substantial compliance

☐ other (*specify*) _____

Reasons for the determination (*attach additional sheets if necessary*)

Signature of authorized member	Date signed (*month, day, year*)
Dale "Woody" Emmons Dale "Woody" Emmons, President	4-15-2019
Attested by: Deborah S. Block, City Clerk	Designating body: Mishawaka Common Council

If the property owner is found not to be in substantial compliance, the property owner shall receive the opportunity for a hearing. The following date and time has been set aside for the purpose of considering compliance. (Hearing must be held within thirty (30) days of the date of mailing of this notice.)

Time of hearing	Date of hearing (*month, day, year*)	Location of hearing
☐ AM ☐ PM		

HEARING RESULTS (*to be completed after the hearing*)

☐ Approved ☐ Denied (*see instruction 4 above*)

Reasons for the determination (*attach additional sheets if necessary*)

Signature of authorized member	Date signed (*month, day, year*)
Attested by:	Designating body

APPEAL RIGHTS [IC 6-1.1-12.1-5.9(e)]

A property owner whose deduction is denied by the designating body may appeal the designating body's decision by filing a complaint in the office of the Circuit or Superior Court together with a bond conditioned to pay the costs of the appeal if the appeal is determined against the property owner.

2018 Tax Info

	Employees	Salaries
Martin's Pharmacy	8	191,513.00
Alick's Home Medical*		
SJRMC	387	24,066,984.34
Cataract and Laser	32	1,253,897.67
Allied Physicians	15	602,000.00
MRI	8	684,419.72
Centre PC	39	2,358,868.14
	489	**$29,157,682.87**

**Numerous attempts were made to this tenant to obtain information with no response.*

FORM SB-1 / RE

STATEMENT OF BENEFITS
REAL ESTATE IMPROVEMENTS

State Form 51767 (R / 1-06)
Prescribed by the Department of Local Government Finance

INSTRUCTIONS:

1. *This statement must be submitted to the body designating the Economic Revitalization Area prior to the public hearing if the designating body requires information from the applicant in making its decision about whether to designate an Economic Revitalization Area. Otherwise this statement must be submitted to the designating body BEFORE the redevelopment or rehabilitation of real property for which the person wishes to claim a deduction. "Projects" planned or committed to after July 1, 1987, and areas designated after July 1, 1987, require a STATEMENT OF BENEFITS. (IC 6-1.1-12.1)*
2. *Approval of the designating body (City Council, Town Board, County Council, etc.) must be obtained prior to initiation of the redevelopment or rehabilitation, BEFORE a deduction may be approved.*
3. *To obtain a deduction, Form 322 ERA, Application for Deduction from Assessed Valuation of Structures in Economic Revitalization Areas, must be filed with the County Auditor by the later of: (1) May 10; or (2) thirty (30) days after the notice of addition to assessed valuation or new assessment is mailed to the property owner at the address shown on the records of the township assessor.*
4. *Property owners whose Statement of Benefits was approved after June 30, 1991, must submit Form CF-1/RE annually to show compliance with the Statement of Benefits. (IC 6-1.1-12.1-5.1(b))*
5. *The schedules established under IC 6-1.1-12.1-4(d) effective July 1, 2000, apply to any statement of benefits filed on or after July 1, 2000. The schedules effective prior to July 1, 2000, shall continue to apply to those statement of benefits filed before July 1, 2000.*

SECTION 1 — TAXPAYER INFORMATION

Name of taxpayer: BD SJRMC Mishawaka Development, LLC

Address of taxpayer (number and street, city, state, and ZIP code): 510 E. 96th. Street, Suite 250, PO Box 40509, Indpls, IN 46240

Name of contact person: David P. Durm

Telephone number: 317) 808-6449

SECTION 2 — LOCATION AND DESCRIPTION OF PROPOSED PROJECT

Name of designating body: See Application

Resolution number:

Location of property: Douglas Rd.Mishawaka, IN.

County: St. Joseph

DLGF taxing district number:

Description of real property improvements, redevelopment, or rehabilitation. (use additional sheets if necessary)

Exhibit A (See Attached)

ESTIMATED Start Date	ESTIMATED Completion Date
6/1/07	10/1/08

SECTION 3 — ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT

Current number	Salaries	Number retained	Salaries	Number additional	Salaries
615 See attached	$2,399,730	615	$2,399,730	308	$12,047,425

SECTION 4 — ESTIMATED TOTAL COST AND VALUE OF PROPOSED PROJECT

NOTE: Pursuant to IC 6-1.1-12.1-5.1 (d) (2) the COST of the property is confidential.	REAL ESTATE IMPROVEMENTS	
	COST	ASSESSED VALUE
Current values	See Attached	
Plus estimated values of proposed project	$46,000,000	
Less values of any property being replaced		
Net estimated values upon completion of project	$46,000,000	

SECTION 5 — WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER

Estimated solid waste converted (pounds) _____

Estimated hazardous waste converted (pounds) _____

Other benefits:

SECTION 6 — TAXPAYER CERTIFICATION

I hereby certify that the representations in this statement are true.

Signature of authorized representative	Title	Date signed (month, day, year)
[signature]	Auth Rep	4/19/07

FOR USE OF THE DESIGNATING BODY

We have reviewed our prior actions relating to the designation of this Economic Revitalization Area and find that the applicant meets the general standards adopted in the resolution previously approved by this body. Said resolution, passed under IC 6-1.1-12.1-2.5, provides for the following limitations as authorized under IC 6-1.1-12.1-2.

A. The designated area has been limited to a period of time not to exceed Three (3) calendar years * *(see below)*. The date this designation expires is February 4, 2011.

B. The type of deduction that is allowed in the designated area is limited to:
1. Redevelopment or rehabilitation of real estate improvements; ☒ Yes ☐ No
2. Residentially distressed areas ☐ Yes ☒ No

C. The amount of deduction applicable for redevelopment or rehabilitation is limited to $ N/A cost with an assessed value of $ N/A.

D. Other limitations or conditions *(specify)* N/A

E. The deduction for redevelopment or rehabilitation is allowed for Ten (10) years* *(see below)*.

Also we have reviewed the information contained in the statement of benefits and find that the estimates and expectations are reasonable and have determined that the totality of benefits is sufficient to justify the deduction described above. (IC 6-1.1-12-3(b))

Approved *(signature and title of authorized member)*	Telephone number	Date signed *(month, day, year)*
John J. Roggeman John J. Roggeman, Pres	(574) 258-1616	02-04-2008
Attested by: Deborah S. Block Deborah S. Block, City Clerk	Designated body: Mishawaka Common Council	

* If the designating body limits the time period during which an area is an economic revitalization area, it does not limit the length of time a taxpayer is entitled to receive a deduction to a number of years designated under IC 6-1.1-12.1-4.

For residentially distressed areas, the deduction period may not exceed five (5) years. If the Economic Revitalization Area was designated prior to July 1, 2000, the deduction period is limited to three (3), six (6), or ten (10) years. For ERAs after June 30, 2000, the deduction period may not exceed ten (10) years. An area designated as an urban development area pursuant to an application filed after December 31, 1978, and prior to January 1, 1986, are entitled to a ten (10) year deduction.

1st Reading
2nd Reading
Passed
Failed
Continued To

RECEIVED
DEBORAH S. BLOCK, CMC
JAN 31 2008
CITY CLERK
MISHAWAKA, IN

RESOLUTION NO. R 2008-02

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA MAKING FINAL DETERMINATION AND CONFIRMING A CERTAIN AREA IN THE CITY OF MISHAWAKA, INDIANA AS AN ECONOMIC REVITALIZATION AREA

(BD SJRMC Mishawaka Development, LLC)

CONFIRMING RESOLUTION

WHEREAS, the Common Council of the City of Mishawaka, Indiana (the "Common Council"), did pursuant to the "Deduction for Rehabilitation or Redevelopment of Real Property in Economic Development Revitalization Areas Act" (Indiana Code 6-1.1-12.1-1 et. seq.) as amended (hereinafter referred to as the "Act"), declare that the following described area in the City of Mishawaka, County of St. Joseph, State of Indiana, is an "Economic Revitalization Area":

A lot or parcels of land described as follows:

1. Tax Keys #27-1059-1178.16; #27-1059-1177.01 and #27-1059-1177 with the legal description marked 'Exhibit A' and attached hereto;

More commonly known as vacant land on East Douglas Road.

All of the above described property being located within the municipal corporate limits of the City of Mishawaka, Indiana, and

WHEREAS, this declaration was effected by Resolution No. R 2007-21 (the "Declaratory Resolution") adopted by the Common Council on the 18th day of June, 2007; and

WHEREAS, under the provisions of the Act a copy of the Declaratory Resolution was filed for public inspection at the office of the St. Joseph County Assessor's Office; and

WHEREAS, pursuant to Indiana Code 5-3-1, public notice of the adoption and substance of the Declaratory Resolution was given; as well as setting forth that a public hearing would be held on February 4, 2008 to receive and hear all remonstrance and objections from interested persons; and

WHEREAS, pursuant to the Act, a copy of said public notice along with a copy of the Statement of Benefits (the "State of Benefits") of BD SJRMC Mishawaka Development, LLC (the "Applicant") was filed with each taxing unit in whose jurisdiction the property described in the above legal description is located; and

WHEREAS, on February 4, 2008, the Common Council received and heard all remonstrance and objections to the Declaratory Resolution from interested persons and considered the evidence;

NOW THEREFORE, BE IT RESOLVED by the Common Council of the City of Mishawaka, Indiana:

1. That upon conclusion of said public hearing and consideration of evidence presented, it is now determined that the area described meets the qualifications for an Economic Revitalization Area; and

2. That the Declaratory Resolution is hereby modified and confirmed as follows:

   a) That the above described area shall be designated as an Economic Revitalization Area for a period of three (3) years beginning with the date of this resolution; and

   b) That the property tax deduction to which the property owner is entitled shall apply to real property pursuant to Section 3 of the Act; and

   c) That these deductions applicable for real property tax abatement and are limited to ten (10) years; and

   d) That the estimate of the value of the redevelopment is reasonable for projects of this nature; and

   e) That the description of the proposed redevelopment meets applicable standards for such development; and

   f) The estimate of the number of individuals who will be employed or whose employment will be retained can be reasonably expected to result from the proposed described redevelopment by the Applicant; and

   g) The estimate of the annual salaries of those individuals who will be employed o whose employment will be retained can be reasonably expected to result from the proposed described redevelopment by the Application; and

   h) That the other benefits about which information was requested are benefits that can be reasonably expected to result from the proposed described redevelopment; and

   i) That the deduction will not be allowed unless the facility is constructed or rehabilitated to meet local code standards; and

   j) That the totality of benefits is sufficient to justify the granting of this requested deduction.

NORTH AMERICAN COMPOSITES

RECEIVED
MAR 19 2019
BUILDING, PLANNING
COMMUNITY DEVELOPMENT

ELECTRONIC MAIL DELIVERY & US MAIL DELIVERY

March 14, 2019

Derek J. Spier
Senior Planner & Economic Development Specialist
City of Mishawaka
City Hall
600 East Third Street
Mishawaka, Indiana 46544-2241

Subject: **North American Composites Company, 1460 E. 12th Street, Mishawaka, IN 46544**

Dear Derek:

Enclosed you will find our Compliance with Statement of Benefits Personal Property Form (CF-1).

NAC added 2 new jobs from April 1, 2018, to March 31, 2019.

This original letter and Form CF-1 will be mailed via U.S. Mail.

Please send a reply confirming receipt of our submission and contact me if you have any questions or need additional information.

Thank you.

Sincerely,

Jerry D. Davis

Jerry D. Davis
Vice President of Operations

300 APOLLO DRIVE
LINO LAKES, MINNESOTA 55014
TELEPHONE: (651) 766-5485
FACSIMILE: (651) 765-8378
EMAIL: JDAVIS@NACOMPOSITES.COM

COMPLIANCE WITH STATEMENT OF BENEFITS
PERSONAL PROPERTY

State Form 51765 (R4 / 11-16)
Prescribed by the Department of Local Government Finance

FORM CF-1 / PP

PRIVACY NOTICE
This form contains information confidential pursuant to IC 6-1.1-35-9 and IC 6-1.1-12.1-5.6.

INSTRUCTIONS:
1. *Property owners whose Statement of Benefits was approved must file this form with the local Designating Body to show the extent to which there has been compliance with the Statement of Benefits. (IC 6-1.1-12.1-5.6)*
2. *This form must be filed with the Form 103-ERA Schedule of Deduction from Assessed Value between January 1 and May 15 of each year, unless a filing extension under IC 6-1.1-3.7 has been granted. A person who obtains a filing extension must file between January 1 and the extended due date of each year.*
3. *With the approval of the designating body, compliance information for multiple projects may be consolidated on one (1) compliance (CF-1).*

SECTION 1 — TAXPAYER INFORMATION

Name of taxpayer NORTH AMERICAN COMPOSITES COMPANY	County ST. JOSEPH
Address of taxpayer *(number and street, city, state, and ZIP code)* 1460 EAST 12TH STREET, MISHAWAKA, INDIANA 46544	DLGF taxing district number
Name of contact person JERRY D. DAVIS	Telephone number (651) 766-5485

SECTION 2 — LOCATION AND DESCRIPTION OF PROPERTY

Name of designating body CITY OF MISHAWAKA, INDIANA, DEPARTMENT OF BUILDING, COMMUNITY DEVELOPMENT	Resolution number R2012-05 & R2012-06	Estimated start date *(month, day, year)*
Location of property 1460 EAST 12TH STREET, MISHAWAKA, INDIANA 46544		Actual start date *(month, day, year)* 4/1/2017
Description of new manufacturing equipment, or new research and development equipment, or new information technology equipment, or new logistical distribution equipment to be acquired. NAC completed improvements to the building for the storage and handling of hazardous materials and purchased various types of material handling and transportation equipment.		Estimated completion date *(month, day, year)* Actual completion date *(month, day, year)* 3/31/2019

SECTION 3 — EMPLOYEES AND SALARIES

EMPLOYEES AND SALARIES	AS ESTIMATED ON SB-1	ACTUAL
Current number of employees		20
Salaries	750,000.00	1,765,586.00
Number of employees retained		18
Salaries		1,589,027.00
Number of additional employees		2
Salaries		176,559.00

SECTION 4 — COST AND VALUES

	MANUFACTURING EQUIPMENT		R & D EQUIPMENT		LOGIST DIST EQUIPMENT		IT EQUIPMENT	
AS ESTIMATED ON SB-1	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE
Values before project								
Plus: Values of proposed project					1,223,500.00		22,500.00	
Less: Values of any property being replaced								
Net values upon completion of project					1,223,500.00		22,500.00	
ACTUAL	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE
Values before project								
Plus: Values of proposed project					1,554,744.00		22,000.00	
Less: Values of any property being replaced								
Net values upon completion of project					1,554,744.00		22,000.00	

NOTE: The **COST** of the property is confidential pursuant to IC 6-1.1-12.1-5.6(c).

SECTION 5 — WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER

WASTE CONVERTED AND OTHER BENEFITS	AS ESTIMATED ON SB-1	ACTUAL
Amount of solid waste converted		
Amount of hazardous waste converted		
Other benefits:		

SECTION 6 — TAXPAYER CERTIFICATION

I hereby certify that the representations in this statement are true.

Signature of authorized representative Jerry D. Davis	Title VICE PRESIDENT OF OPERATIONS	Date signed *(month, day, year)* 03/14/2019

OPTIONAL: FOR USE BY A DESIGNATING BODY WHO ELECTS TO REVIEW THE COMPLIANCE WITH STATEMENT OF BENEFITS (FORM CF-1) THAT WAS APPROVED AFTER JUNE 30, 1991.

INSTRUCTIONS: (IC 6-1.1-12.1-5.9)

1. *This page does not apply to a Statement of Benefits filed before July 1, 1991; that deduction may not be terminated for a failure to comply with the Statement of Benefits.*
2. *Within forty-five (45) days after receipt of this form, the designating body may determine whether or not the property owner has substantially complied with the Statement of Benefits.*
3. *If the property owner is found **NOT** to be in substantial compliance, the designating body shall send the property owner written notice. The notice must include the reasons for the determination and the date, time and place of a hearing to be conducted by the designating body. If a notice is mailed to a property owner, a copy of the written notice will be sent to the County Assessor and the County Auditor.*
4. *Based on the information presented at the hearing, the designating body shall determine whether or not the property owner has made reasonable effort to substantially comply with the Statement of Benefits and whether any failure to substantially comply was caused by factors beyond the control of the property owner.*
5. *If the designating body determines that the property owner has **NOT** made reasonable effort to comply, then the designating body shall adopt a resolution terminating the deduction. The designating body shall immediately mail a certified copy of the resolution to: (1) the property owner; (2) the County Auditor; and (3) the County Assessor.*

We have reviewed the CF-1 and find that:

☐ the property owner **IS** in substantial compliance

☐ the property owner **IS NOT** in substantial compliance

☐ other (*specify*) _____

Reasons for the determination (*attach additional sheets if necessary*)

Signature of authorized member	Date signed (*month, day, year*)

Attested by:	Designating body

If the property owner is found not to be in substantial compliance, the property owner shall receive the opportunity for a hearing. The following date and time has been set aside for the purpose of considering compliance.

Time of hearing ☐ AM ☐ PM	Date of hearing (*month, day, year*)	Location of hearing

HEARING RESULTS (*to be completed after the hearing*)

☐ Approved ☐ Denied (*see instruction 5 above*)

Reasons for the determination (*attach additional sheets if necessary*)

Signature of authorized member	Date signed (*month, day, year*)

Attested by:	Designating body

APPEAL RIGHTS [IC 6-1.1-12.1-5.9(e)]

A property owner whose deduction is denied by the designating body may appeal the designating body's decision by filing a complaint in the office of the clerk of Circuit or Superior Court together with a bond conditioned to pay the costs of the appeal if the appeal is determined against the property owner.

OPTIONAL: FOR USE BY A DESIGNATING BODY WHO ELECTS TO REVIEW THE COMPLIANCE WITH STATEMENT OF BENEFITS (FORM CF-1) THAT WAS APPROVED AFTER JUNE 30, 1991.

INSTRUCTIONS: (IC 6-1.1-12.1-5.9)

1. *This page does not apply to a Statement of Benefits filed before July 1, 1991; that deduction may not be terminated for a failure to comply with the Statement of Benefits.*
2. *Within forty-five (45) days after receipt of this form, the designating body may determine whether or not the property owner has substantially complied with the Statement of Benefits.*
3. *If the property owner is found **NOT** to be in substantial compliance, the designating body shall send the property owner written notice. The notice must include the reasons for the determination and the date, time and place of a hearing to be conducted by the designating body. If a notice is mailed to a property owner, a copy of the written notice will be sent to the County Assessor and the County Auditor.*
4. *Based on the information presented at the hearing, the designating body shall determine whether or not the property owner has made reasonable effort to substantially comply with the Statement of Benefits and whether any failure to substantially comply was caused by factors beyond the control of the property owner.*
5. *If the designating body determines that the property owner has **NOT** made reasonable effort to comply, then the designating body shall adopt a resolution terminating the deduction. The designating body shall immediately mail a certified copy of the resolution to: (1) the property owner; (2) the County Auditor; and (3) the County Assessor.*

We have reviewed the CF-1 and find that:

- [x] the property owner **IS** in substantial compliance
- [ ] the property owner **IS NOT** in substantial compliance
- [ ] other (*specify*) _____

Reasons for the determination (*attach additional sheets if necessary*)

Signature of authorized member	Date signed (*month, day, year*)
Dale "Woody" Emmons, President	4-15-2019
Attested by: Deborah S. Block, City Clerk	Designating body: Mishawaka Common Council

If the property owner is found not to be in substantial compliance, the property owner shall receive the opportunity for a hearing. The following date and time has been set aside for the purpose of considering compliance.

Time of hearing	Date of hearing (*month, day, year*)	Location of hearing
[ ] AM [ ] PM		

HEARING RESULTS (*to be completed after the hearing*)

[ ] Approved [ ] Denied (*see instruction 5 above*)

Reasons for the determination (*attach additional sheets if necessary*)

Signature of authorized member	Date signed (*month, day, year*)
Attested by:	Designating body

APPEAL RIGHTS [IC 6-1.1-12.1-5.9(e)]

A property owner whose deduction is denied by the designating body may appeal the designating body's decision by filing a complaint in the office of the clerk of Circuit or Superior Court together with a bond conditioned to pay the costs of the appeal if the appeal is determined against the property owner.

SOPKO, NUSSBAUM, INABNIT & KACZMAREK
ATTORNEYS AT LAW
5TH FLOOR - PLAZA BUILDING
210 S. MICHIGAN STREET
SOUTH BEND, INDIANA 46601
TELEPHONE (574) 234-3000
FACSIMILE (574) 234-4220
E-MAIL ADDRESS: SNI@SNI-LAW.COM

RICHARD A. NUSSBAUM, II*
BRENT E. INABNIT**
MATTHEW R. KACZMAREK
KEVIN E. WARREN
JOSHUA A. VISSER
NICHOLAS J. DERDA
WILLIAM M. SIDERITS
CHRISTINA M. SHAKOUR

*ALSO ADMITTED IN MICHIGAN
**ALSO ADMITTED IN ILLINOIS

OF COUNSEL
THOMAS C. SOPKO

February 28, 2019
(Via Email Transmission and U.S. Mail)

Derek J. Spier, Senior Planner & Economic Development Specialist
Planning and Development Department
City of Mishawaka
600 East 3rd Street
Mishawaka, Indiana 46544

Re: Tax Abatement Compliance
Long Term Care Investments V, LLC Compliance with Statement of Benefits
5805 N. Fir Road, Granger, Indiana

Dear Mr. Spier:

Enclosed please find Long Term Care Investments V, LLC's Compliance with Statement of Benefits Real Estate Improvements Form CF-1. Please contact me should you have any questions or if you need any additional information.

Very truly yours,

Brent E. Inabnit
brenti@sni-law.com

BEI:jh
Enclosures
cc: Long Term Care Investments V, LLC (w/enclosure)

P:\ATT\NJD\LTCI\2019 Belltower Letter.wpd

RECEIVED
MAR 05 2019
BUILDING, PLANNING
COMMUNITY DEVELOPMENT

COMPLIANCE WITH STATEMENT OF BENEFITS
REAL ESTATE IMPROVEMENTS

State Form 51766 (R3 / 2-13)
Prescribed by the Department of Local Government Finance

20 19 PAY 20 20
FORM CF-1 / Real Property

PRIVACY NOTICE
The cost and any specific individual's salary information is confidential; the balance of the filing is public record per IC 6-1.1-12.1-5.1 (c) and (d).

INSTRUCTIONS:

1. *This form does not apply to property located in a residentially distressed area or any deduction for which the Statement of Benefits was approved before July 1, 1991.*
2. *Property owners must file this form with the county auditor and the designating body for their review regarding the compliance of the project with the Statement of Benefits (Form SB-1/Real Property).*
3. *This form must accompany the initial deduction application (Form 322/RE) that is filed with the county auditor.*
4. *This form must also be updated each year in which the deduction is applicable. It is filed with the county auditor and the designating body before May 15, or by the due date of the real property owner's personal property return that is filed in the township where the property is located. (IC 6-1.1-12.1-5.1(b))*
5. *With the approval of the designating body, compliance information for multiple projects may be consolidated on one (1) compliance form (Form CF-1/Real Property).*

SECTION 1 — TAXPAYER INFORMATION

Name of taxpayer Long Term Care Investments V, LLC	County St. Joseph
Address of taxpayer *(number and street, city, state, and ZIP code)* 1620 N. Ironwood Drive; South Bend, Indiana 46635	DLGF taxing district number 036
Name of contact person Andrew W. Place	Telephone number (574) 259-4858

SECTION 2 — LOCATION AND DESCRIPTION OF PROPERTY

Name of designating body City of Mishawaka Common Council	Resolution number 2013-18	Estimated start date *(month, day, year)* 10/21/2013
Location of property 5805 N. Fir Road, Granger, Indiana 46530		Actual start date *(month, day, year)* 10/1/2014
Description of real property improvements Construction of a new one-story Skilled Nursing Care Facility consisting of 55,880 sq. ft., containing 84 beds, and having an estimated cost of $14-$15 million plus $1.5 million for fixtures and furniture.		Estimated completion date *(month, day, year)* 5/1/2016
		Actual completion date *(month, day, year)* 7/31/16

SECTION 3 — EMPLOYEES AND SALARIES

EMPLOYEES AND SALARIES	AS ESTIMATED ON SB-1	ACTUAL
Current number of employees	0	64 Full Time Equiv.
Salaries	0	$2,677,111.00
Number of employees retained	0	0
Salaries	0	0
Number of additional employees	61 Full Time	0
Salaries	$2,161,524.00	0

SECTION 4 — COST AND VALUES

COST AND VALUES	REAL ESTATE IMPROVEMENTS	
AS ESTIMATED ON SB-1	COST	ASSESSED VALUE
Values before project	0	$48,600.00
Plus: Values of proposed project	16,500,000.00	
Less: Values of any property being replaced	10,000.00	
Net values upon completion of project	16,490,000.00	
ACTUAL	COST	ASSESSED VALUE
Values before project	0	$52,200.00
Plus: Values of proposed project	14,500,000.00	$5,617,000
Less: Values of any property being replaced	10,000.00	10,000.00
Net values upon completion of project	14,490,000.00	$5,607,000.00

SECTION 5 — WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER

WASTE CONVERTED AND OTHER BENEFITS	AS ESTIMATED ON SB-1	ACTUAL
Amount of solid waste converted	0	0
Amount of hazardous waste converted	0	0
Other benefits:	N/A	N/A

SECTION 6 — TAXPAYER CERTIFICATION

I hereby certify that the representations in this statement are true.

Signature of authorized representative	Title	Date signed *(month, day, year)*
	Attorney	2-28-19

OPTIONAL: FOR USE BY A DESIGNATING BODY WHO ELECTS TO REVIEW THE COMPLIANCE WITH STATEMENT OF BENEFITS (FORM CF-1) THAT WAS APPROVED AFTER JUNE 30, 1991

INSTRUCTIONS: (IC 6-1.1-12.1-5.1 and IC 6-1.1-12.1-5.9)

1. *Not later than forty-five (45) days after receipt of this form, the designating body may determine whether or not the property owner has substantially complied with the Statement of Benefits (Form SB-1/Real Property).*
2. *If the property owner is found **NOT** to be in substantial compliance, the designating body shall send the property owner written notice. The notice must include the reasons for the determination and the date, time and place of a hearing to be conducted by the designating body. The date of this hearing may not be more than thirty (30) days after the date this notice is mailed. A copy of the notice may be sent to the county auditor and the county assessor.*
3. *Based on the information presented at the hearing, the designating body shall determine whether or not the property owner has made reasonable efforts to substantially comply with the Statement of Benefits (Form SB-1/Real Property) and whether any failure to substantially comply was caused by factors beyond the control of the property owner.*
4. *If the designating body determines that the property owner has **NOT** made reasonable efforts to comply, then the designating body shall adopt a resolution terminating the property owner's deduction. If the designating body adopts such a resolution, the deduction does not apply to the next installment of property taxes owed by the property owner or to any subsequent installment of property taxes. The designating body shall immediately mail a certified copy of the resolution to: (1) the property owner; (2) the county auditor; and (3) the county assessor.*

We have reviewed the CF-1 and find that:

- [x] the property owner **IS** in substantial compliance
- [ ] the property owner **IS NOT** in substantial compliance
- [ ] other (*specify*) _____

Reasons for the determination (*attach additional sheets if necessary*)

Signature of authorized member	Date signed (*month, day, year*)
Dale "Woody" Emmons	4-15-2019
Attested by: Deborah S. Block, City Clerk	Designating body: Mishawaka Common Council

If the property owner is found not to be in substantial compliance, the property owner shall receive the opportunity for a hearing. The following date and time has been set aside for the purpose of considering compliance. (Hearing must be held within thirty (30) days of the date of mailing of this notice.)

Time of hearing	Date of hearing (*month, day, year*)	Location of hearing
[ ] AM [ ] PM		

HEARING RESULTS (*to be completed after the hearing*)

[ ] Approved [ ] Denied (*see instruction 5 above*)

Reasons for the determination (*attach additional sheets if necessary*)

Signature of authorized member	Date signed (*month, day, year*)
Attested by:	Designating body

APPEAL RIGHTS [IC 6-1.1-12.1-5.9(e)]

A property owner whose deduction is denied by the designating body may appeal the designating body's decision by filing a complaint in the office of the Circuit or Superior Court together with a bond conditioned to pay the costs of the appeal if the appeal is determined against the property owner.

Derek Spier

From: Scott Sivan <sivan@insite-dev.com>
Sent: Monday, March 25, 2019 11:08 AM
To: Derek Spier
Subject: Re: Barak River Rock - Annual Tax Abatement Compliance Reporting

>>> FROM EXTERNAL SENDER <<<

hi Derek,

Today there are still 6 people in our Insite Office located at 112 W Mishawaka Ave:
- Managing Partner
- Senior Project Manager
- Chief Finance Officer
- Senior Property Manager
- Design and Development Assistant
- Senior Maintenance Supervisor

the Gallery is no longer operating. Tule' has 2 employees, the Bar Method, an exercise studio, who was not yet operating this time last year, has at least 3, will confirm,

All the best,

Scott

On Mon, Mar 25, 2019 at 9:41 AM Derek Spier <dspier@mishawaka.in.gov> wrote:

> Scott-
>
> Good morning!
>
> For last year's compliance reporting, Samantha provided the following information which was included in our annual compliance report:
>
> " Barak River Rock employs 6 people including a managing partner, property manager, finance manager, marketing manager, maintenance supervisor, and a general maintenance position. All of these employees are based in Mishawaka and are tenants at the River Rock apartment building. Four additional employees are based at The Gallery R&S Studios and Tule Spa located in the first-floor retail/commercial portion of the building."

Is this data still accurate to use in this year's reporting? If not, please provide updated information.

Thank you.

Best regards,

Derek Spier, AICP

Senior Planner / Economic Development Specialist

City of Mishawaka

600 East Third Street

Mishawaka, IN 46544

p: 574-258-1625

f: 574-968-6999

e: dspier@mishawaka.in.gov

INSITE

COMPLIANCE WITH STATEMENT OF BENEFITS
REAL ESTATE IMPROVEMENTS

State Form 51766 (R3 / 2-13)
Prescribed by the Department of Local Government Finance

20____ PAY 20____
FORM CF-1 / Real Property

PRIVACY NOTICE
The cost and any specific individual's salary information is confidential; the balance of the filing is public record per IC 6-1.1-12.1-5.1 (c) and (d).

INSTRUCTIONS:

1. *This form does not apply to property located in a residentially distressed area or any deduction for which the Statement of Benefits was approved before July 1, 1991.*
2. *Property owners must file this form with the county auditor and the designating body for their review regarding the compliance of the project with the Statement of Benefits (Form SB-1/Real Property).*
3. *This form must accompany the initial deduction application (Form 322/RE) that is filed with the county auditor.*
4. *This form must also be updated each year in which the deduction is applicable. It is filed with the county auditor and the designating body before May 15, or by the due date of the real property owner's personal property return that is filed in the township where the property is located. (IC 6-1.1-12.1-5.1(b))*
5. *With the approval of the designating body, compliance information for multiple projects may be consolidated on one (1) compliance form (Form CF-1/Real Property).*

SECTION 1 — TAXPAYER INFORMATION

Name of taxpayer: Barak River Rock, LLC	County: St. Joseph
Address of taxpayer *(number and street, city, state, and ZIP code)*: 117 W Grove street Mishawaka	DLGF taxing district number: 71-023
Name of contact person: Scott Sivan, Managing Partner	Telephone number: (574) 302-7236

SECTION 2 — LOCATION AND DESCRIPTION OF PROPERTY

Name of designating body: Common Council of the City of Mishawaka	Resolution number: R2013-21	Estimated start date *(month, day, year)*: 9/1/2015
Location of property: 126 W Mishawaka Ave, Mishawaka, IN 46545		Actual start date *(month, day, year)*: 1/4/2016
Description of real property improvements: River Rock Apartments at 116 + 128 W Mishawaka Ave		Estimated completion date *(month, day, year)*: 8/31/2016
		Actual completion date *(month, day, year)*: 1/11/2017

SECTION 3 — EMPLOYEES AND SALARIES

EMPLOYEES AND SALARIES	AS ESTIMATED ON SB-1	ACTUAL
Current number of employees	5-8	~~10~~ 11
Salaries	$200,000/yr	47,600 Mo
Number of employees retained		
Salaries		
Number of additional employees		
Salaries		

SECTION 4 — COST AND VALUES

COST AND VALUES	REAL ESTATE IMPROVEMENTS	
AS ESTIMATED ON SB-1	COST	ASSESSED VALUE
Values before project		
Plus: Values of proposed project		
Less: Values of any property being replaced		
Net values upon completion of project		
ACTUAL	COST	ASSESSED VALUE
Values before project	155,000	177,300.00
Plus: Values of proposed project	14,565,233	9,203,300.00
Less: Values of any property being replaced	155,000	177,300.00
Net values upon completion of project	14,565,233	$9,380,600.00

SECTION 5 — WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER

WASTE CONVERTED AND OTHER BENEFITS	AS ESTIMATED ON SB-1	ACTUAL
Amount of solid waste converted		
Amount of hazardous waste converted		
Other benefits:		

SECTION 6 — TAXPAYER CERTIFICATION

I hereby certify that the representations in this statement are true.

Signature of authorized representative	Title	Date signed *(month, day, year)*
	Managing Partner	3.12.19

OPTIONAL: FOR USE BY A DESIGNATING BODY WHO ELECTS TO REVIEW THE COMPLIANCE WITH STATEMENT OF BENEFITS (FORM CF-1) THAT WAS APPROVED AFTER JUNE 30, 1991

INSTRUCTIONS: (IC 6-1.1-12.1-5.1 and IC 6-1.1-12.1-5.9)

1. *Not later than forty-five (45) days after receipt of this form, the designating body may determine whether or not the property owner has substantially complied with the Statement of Benefits (Form SB-1/Real Property).*

2. *If the property owner is found **NOT** to be in substantial compliance, the designating body shall send the property owner written notice. The notice must include the reasons for the determination and the date, time and place of a hearing to be conducted by the designating body. The date of this hearing may not be more than thirty (30) days after the date this notice is mailed. A copy of the notice may be sent to the county auditor and the county assessor.*

3. *Based on the information presented at the hearing, the designating body shall determine whether or not the property owner has made reasonable efforts to substantially comply with the Statement of Benefits (Form SB-1/Real Property) and whether any failure to substantially comply was caused by factors beyond the control of the property owner.*

4. *If the designating body determines that the property owner has **NOT** made reasonable efforts to comply, then the designating body shall adopt a resolution terminating the property owner's deduction. If the designating body adopts such a resolution, the deduction does not apply to the next installment of property taxes owed by the property owner or to any subsequent installment of property taxes. The designating body shall immediately mail a certified copy of the resolution to: (1) the property owner; (2) the county auditor; and (3) the county assessor.*

We have reviewed the CF-1 and find that:

☒ the property owner **IS** in substantial compliance

☐ the property owner **IS NOT** in substantial compliance

☐ other (*specify*) _____

Reasons for the determination (*attach additional sheets if necessary*)

Signature of authorized member	Date signed (*month, day, year*)
Dale "Woody" Emmons, President	4-15-2019
Attested by: Deborah S. Block, City Clerk	Designating body: Mishawaka Common Council

If the property owner is found not to be in substantial compliance, the property owner shall receive the opportunity for a hearing. The following date and time has been set aside for the purpose of considering compliance. (Hearing must be held within thirty (30) days of the date of mailing of this notice.)

Time of hearing	Date of hearing (*month, day, year*)	Location of hearing
☐ AM ☐ PM		

HEARING RESULTS (*to be completed after the hearing*)

☐ Approved ☐ Denied (*see instruction 4 above*)

Reasons for the determination (*attach additional sheets if necessary*)

Signature of authorized member	Date signed (*month, day, year*)
Attested by:	Designating body

APPEAL RIGHTS [IC 6-1.1-12.1-5.9(e)]

A property owner whose deduction is denied by the designating body may appeal the designating body's decision by filing a complaint in the office of the Circuit or Superior Court together with a bond conditioned to pay the costs of the appeal if the appeal is determined against the property owner.

COMPLIANCE WITH STATEMENT OF BENEFITS
PERSONAL PROPERTY

State Form 51765 (R4 / 11-16)
Prescribed by the Department of Local Government Finance

FORM CF-1 / PP

PRIVACY NOTICE
This form contains information confidential pursuant to IC 6-1.1-35-9 and IC 6-1.1-12.1-5.6.

INSTRUCTIONS:
1. *Property owners whose Statement of Benefits was approved must file this form with the local Designating Body to show the extent to which there has been compliance with the Statement of Benefits. (IC 6-1.1-12.1-5.6)*
2. *This form must be filed with the Form 103-ERA Schedule of Deduction from Assessed Value between January 1, and May 15, of each year, unless a filing extension under 1C 6-1.1-3.7 has been granted. A person who obtains a filing extension must file between January 1, and the extended due date of each year.*
3. *With the approval of the designating body, compliance information for multiple projects may be consolidated on one (1) compliance (CF-I).*

SECTION 1 — TAXPAYER INFORMATION

Name of taxpayer WELLPET	County St. Joseph
Address of taxpayer *(street and number, city, state and ZIP code)* 1011 West 11th Street Mishawaka IN 46544	DLGF taxing district number 71-023
Name of contact person Terry Peterson	Telephone number

SECTION 2 — LOCATION AND DESCRIPTION OF PROPERTY

Name of designating body Mishawaka Common Council	Resolution number R 2014 - 4	Estimated start date *(month, day, year)* 04/29/2014
Location of property 1121 West 11th Street MISHAWAKA IN 46544		Actual start date *(month, day, year)* / /
Description of new manufacturing equipment, or new research and development equipment, or new information technology equipment, or new logistical distribution equipment to be acquired. See Attached *Regrind System: An Overiew - December 2013		Estimated completion date *(month, day, year)* 11/25/2014
		Actual completion date *(month, day, year)* / /

SECTION 3 — EMPLOYEES AND SALARIES

EMPLOYEES AND SALARIES	AS ESTIMATED ON SB-1	ACTUAL
Current number of employees	91	110
Salaries	3,404,000	6,246,121
Number of employees retained	91	91
Salaries	3,404,000	3,404,000
Number of additional employees	6	19
Salaries	197,000	2,842,121

SECTION 4 — COST AND VALUES

	MANUFACTURING EQUIPMENT		R & D EQUIPMENT		LOGIST DIST EQUIPMENT		IT EQUIPMENT	
AS ESTIMATED ON SB-1	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE
Values before project	14,705,633							
Plus: Values of proposed project	2,000,000							
Less: Values of any property being replaced								
Net values upon completion of project	16,705,633							
ACTUAL	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE
Values before project	22,063,528	6,590,977						
Plus: Values of proposed project	1,470,514	441,154						
Less: Values of any property being replaced								
Net values upon completion of project	23,534,042	7,032,131						

NOTE: The COST of the property is confidential pursuant to IC 6-1.1-12.1-5.6 (c).

SECTION 5 — WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER

WASTE CONVERTED AND OTHER BENEFITS	AS ESTIMATED ON SB-1	ACTUAL
Amount of solid waste converted	1,500,000	
Amount of hazardous waste converted		
Other benefits:		

SECTION 6 — TAXPAYER CERTIFICATION

I hereby certify that the representations in this statement are true.

Signature of authorized representative Terry Peterson	Title Controller	Date signed *(month, day, year)* 3/13/19

OPTIONAL: FOR USE BY A DESIGNATING BODY WHO ELECTS TO REVIEW THE COMPLIANCE WITH STATEMENT OF BENEFITS (FORM CF-1) THAT WAS APPROVED AFTER JUNE 30, 1991.

INSTRUCTIONS: (IC 6-1.1-12-5.9)

1. *This page does not apply to a Statement of Benefits filed before July 1, 1991; that deduction may not be terminated for a failure to comply with the Statement of Benefits.*
2. *Within forty-five (45) days after receipt of this form, the designating body may determine whether or not the property owner has substantially complied with the Statement of Benefits.*
3. *If the property owner is found **NOT** to be in substantial compliance, the designating body shall send the property owner written notice. The notice must include the reasons for the determination and the date, time and place of a hearing to be conducted by the designating body. If a notice is mailed to a property owner, a copy of the written notice will be sent to the County Assessor and the County Auditor.*
4. *Based on the information presented at the hearing, the designating body shall determine whether or not the property owner has made reasonable effort to substantially comply with the Statement of Benefits and whether any failure to substantially compy was caused by factors beyond the control of the property owner.*
5. *If the designating body determines that the property owner has **NOT** made reasonable effort to comply, then the designating body shall adopt a resolution terminating the deduction. The designating body shall immediately mail a certified copy of the resolution to. (1) the property owner; (2) the County Auditor; and (3) the County Assessor.*

We have reviewed the CF-1 and find that:

☒ the property owner **IS** in substantial compliance

☐ the property owner **IS NOT** in substantial compliance

☐ other *(specify)* _____

Reasons for the determination *(attach additional sheets if necessary)*

Signature of authorized member	Date signed *(month, day, year)*
Dale "Woody" Emmons, President	4-15-2019
Attested by: Deborah S. Block, City Clerk	Designating body: Mishawaka Common Council

If the property owner is found not to be in substantial compliance, the property owner shall receive the opportunity for a hearing. The following date and time has been set aside for the purpose of considering compliance.

Time of hearing	Date of hearing *(month, day, year)*	Location of hearing
☐AM ☐PM		

HEARING RESULTS *(to be completed after the hearing)*

☐ Approved ☐ Denied *(see insruction 5 above)*

Reasons for determination *(attach additional sheets if necessary)*

Signature of authorized member	Date signed *(month, day, year)*
Attested by:	Designating body

APPEAL RIGHTS [IC 6-1.1-12.1-5.9(e)]

A property owner whose deduction is denied by the designating body may appeal the designating body's decision by filing a complaint in the office of the Circuit or Superior Court together with a bond conditioned to pay the costs of the appeal if the appeal is determined against the property owner.

STATEMENT OF BENEFITS
PERSONAL PROPERTY
State Form 51784 (R3 / 12-13)
Prescribed by the Department of Local Government Finance

FORM SB-1 / PP

PRIVACY NOTICE
Any information concerning the cost of the property and specific salaries paid to individual employees by the property owner is confidential per IC 6-1.1-12.1-5.1.

INSTRUCTIONS

1. This statement must be submitted to the body designating the Economic Revitalization Area prior to the public hearing if the designating body requires information from the applicant in making its decision about whether to designate an Economic Revitalization Area. Otherwise this statement must be submitted to the designating body BEFORE a person installs the new manufacturing equipment and/or research and development equipment, and/or logistical distribution equipment and/or information technology equipment for which the person wishes to claim a deduction.
2. The statement of benefits form must be submitted to the designating body and the area designated an economic revitalization area before the installation of qualifying depreciable equipment for which the person desires to claim a deduction.
3. To obtain a deduction, a person must file a certified deduction schedule with the person's personal property return on a certified deduction schedule (Form 103-ERA) with the township assessor of the township where the property is situated or with the county assessor if there is no township assessor for the township. The 103-ERA must be filed between March 1 and May 15 of the assessment year in which new manufacturing equipment and/or research and development equipment and/or logistical distribution equipment and/or information technology equipment is installed and fully functional, unless a filing extension has been obtained. A person who obtains a filing extension must file the form between March 1 and the extended due date of that year.
4. Property owners whose Statement of Benefits was approved, must submit Form CF-1/PP annually to show compliance with the Statement of Benefits. (IC 6-1.1-12.1-5.4)
5. For a Form SB-1/PP that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. For a Form SB-1/PP that is approved prior to July 1, 2013, the abatement schedule approved by the designating body remains in effect. (IC 6-1.1-12.1-17)

SECTION 1 — TAXPAYER INFORMATION

Name of taxpayer: WallPet LLC	Name of contact person: Michelle Talgenhorst
Address of taxpayer (number and street, city, state, and ZIP code): 1011 West 11th Street	Telephone number: (574) 269-7834

SECTION 2 — LOCATION AND DESCRIPTION OF PROPOSED PROJECT

Name of designating body: Mishawaka Common Council		Resolution number(s):
Location of property: 1121 West 11th Street, Mishawaka, IN 46544	County: St. Joseph	DLGF taxing district number: 71-023

Description of manufacturing equipment and/or research and development equipment and/or logistical distribution equipment and/or information technology equipment. (Use additional sheets if necessary)
SEE ATTACHED "RECORD SYSTEM: An Overview - December 2013"

	Estimated Start Date	Estimated Completion Date
Manufacturing Equipment	04/28/2014	11/28/2014
R & D Equipment		
Logist Dist Equipment		
IT Equipment		

SECTION 3 — ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT

Current number	Salaries	Number retained	Salaries	Number additional	Salaries
61	$3,404,000	61	$3,404,000	8	$197,000

SECTION 4 — ESTIMATED TOTAL COST AND VALUE OF PROPOSED PROJECT

NOTE: Pursuant to IC 6-1.1-12.1-5.1 (d) (2) the COST of the property is confidential.	Manufacturing Equipment Cost	Manufacturing Equipment Assessed Value	R & D Equipment Cost	R & D Equipment Assessed Value	Logist Dist Equipment Cost	Logist Dist Equipment Assessed Value	IT Equipment Cost	IT Equipment Assessed Value
Current values	14,705,633.0							
Plus estimated values of proposed project	2,000,000.0							
Less values of any property being replaced								
Net estimated values upon completion of project	16,705,633.0							

SECTION 5 — WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER

Estimated solid waste converted (pounds): 1,500,000
Estimated hazardous waste converted (pounds):

Other benefits:
Increase production capabilities by 1,500,000 pounds.

SECTION 6 — TAXPAYER CERTIFICATION

I hereby certify that the representations in this statement are true.

Signature of authorized representative: Michelle Talgenhorst	Date signed (month, day, year): 12/19/2013
Printed name of authorized representative: Michelle Talgenhorst	Title: Controller

FOR USE OF THE DESIGNATING BODY

We have reviewed our prior actions relating to the designation of this economic revitalization area and find that the applicant meets the general standards adopted in the resolution previously approved by this body. Said resolution, passed under IC 6-1.1-12.1-2.5, provides for the following limitations as authorized under IC 6-1.1-12.1-2.

A. The designated area has been limited to a period of time not to exceed five (5) calendar years * (see below). The date this designation expires is 12-31-2018.

B. The type of deduction that is allowed in the designated area is limited to:

1. Installation of new manufacturing equipment	☒ Yes	☐ No
2. Installation of new research and development equipment	☐ Yes	☐ No
3. Installation of new logistical distribution equipment.	☐ Yes	☐ No
4. Installation of new information technology equipment	☐ Yes	☐ No

C. The amount of deduction applicable to new manufacturing equipment is limited to $ 2,000,000 cost with an assessed value of $to be determined by the assessor not to exceed $2,000,000.00

D. The amount of deduction applicable to new research and development equipment is limited to $ N/A cost with an assessed value of $ N/A

E. The amount of deduction applicable to new logistical distribution equipment is limited to $ N/A cost with an assessed value of $ N/A

F. The amount of deduction applicable to new information technology equipment is limited to $ N/A cost with an assessed value of $ N/A

G. Other limitations or conditions (specify) None

H. The deduction for new manufacturing equipment and/or new research and development equipment and/or new logistical distribution equipment and/or new information technology equipment installed and first claimed eligible for deduction is allowed for:

☒ Year 1 ☒ Year 2 ☒ Year 3 ☒ Year 4 ☒ Year 5 (see below *)
☐ Year 6 ☐ Year 7 ☐ Year 8 ☐ Year 9 ☐ Year 10

I. For a Statement of Benefits approved after June 30, 2013, did this designating body adopt an abatement schedule per IC 6-1.1-12.1-17? ☒ Yes ☐ No
If yes, attach a copy of the abatement schedule to this form.
If no, the designating body is required to establish an abatement schedule before the deduction can be determined.

Also we have reviewed the information contained in the statement of benefits and find that the estimates and expectations are reasonable and have determined that the total amount of benefits is sufficient to justify the deduction described above.

Approved by: (signature and title of authorized member of designating body) COUNCIL PRESIDENT	Telephone number: 574)258-1616	Date signed (month, day, year) 1-20-2014
Printed name of authorized member of designating body Matt Mammolenti	Name of designating body Mishawaka Common Council	
Attested by: (signature and title of attestor) Deborah S. Block	Printed name of attestor Deborah S. Block, IAMC, MMC, City Clerk	

* If the designating body limits the time period during which an area is an economic revitalization area, that limitation does not limit the length of time a taxpayer is entitled to receive a deduction to a number of years that is less than the number of years designated under IC 6-1.1-12.1-17.

IC 6-1.1-12.1-17
Abatement schedules
Sec. 17. (a) A designating body may provide to a business that is established in or relocated to a revitalization area and that receives a deduction under section 4 or 4.5 of this chapter an abatement schedule based on the following factors:
(1) The total amount of the taxpayer's investment in real and personal property.
(2) The number of new full-time equivalent jobs created.
(3) The average wage of the new employees compared to the state minimum wage.
(4) The infrastructure requirements for the taxpayer's investment.
(b) This subsection applies to a statement of benefits approved after June 30, 2013. A designating body shall establish an abatement schedule for each deduction allowed under this chapter. An abatement schedule must specify the percentage amount of the deduction for each year of the deduction. An abatement schedule may not exceed ten (10) years.
(c) An abatement schedule approved for a particular taxpayer before July 1, 2013, remains in effect until the abatement schedule expires under the terms of the resolution approving the taxpayer's statement of benefits.

COMPLIANCE WITH STATEMENT OF BENEFITS
REAL ESTATE IMPROVEMENTS

State Form 51766 (R3 / 2-13)
Prescribed by the Department of Local Government Finance

20____ PAY 20____
FORM CF-1 / Real Property

PRIVACY NOTICE
The cost and any specific individual's salary information is confidential; the balance of the filing is public record per IC 6-1.1-12.1-5.1 (c) and (d).

INSTRUCTIONS:

1. *This form does not apply to property located in a residentially distressed area or any deduction for which the Statement of Benefits was approved before July 1, 1991.*
2. *Property owners must file this form with the county auditor and the designating body for their review regarding the compliance of the project with the Statement of Benefits (Form SB-1/Real Property).*
3. *This form must accompany the initial deduction application (Form 322/RE) that is filed with the county auditor.*
4. *This form must also be updated each year in which the deduction is applicable. It is filed with the county auditor and the designating body before May 15, or by the due date of the real property owner's personal property return that is filed in the township where the property is located. (IC 6-1.1-12.1-5.1(b))*
5. *With the approval of the designating body, compliance information for multiple projects may be consolidated on one (1) compliance form (Form CF-1/Real Property).*

SECTION 1 — TAXPAYER INFORMATION

Name of taxpayer Cha Cha Properties	County St Joseph
Address of taxpayer *(number and street, city, state, and ZIP code)* 1133 E Fifth Street, Mishawka, IN 46544	DLGF taxing district number 023 Mishawaka Penn
Name of contact person Joan Joshi, General Manager	Telephone number (574) 208-6851

SECTION 2 — LOCATION AND DESCRIPTION OF PROPERTY

Name of designating body Mishawaka City Council	Resolution number R2014-10	Estimated start date *(month, day, year)* 06/01/2014
Location of property 1133 E Fifth Street, Mishawka, IN 46544		Actual start date *(month, day, year)* 06/01/2014
Description of real property improvements		Estimated completion date *(month, day, year)* 02/15/2015
		Actual completion date *(month, day, year)* 02/15/2015

SECTION 3 — EMPLOYEES AND SALARIES

EMPLOYEES AND SALARIES	AS ESTIMATED ON SB-1	ACTUAL
Current number of employees	24	32
Salaries	1,353,211.00	1,726,624.43
Number of employees retained	24	24
Salaries	1,353,211.00	1,407,745.07
Number of additional employees	3	8
Salaries	128,000.00	318,879.36

SECTION 4 — COST AND VALUES

COST AND VALUES	REAL ESTATE IMPROVEMENTS	
AS ESTIMATED ON SB-1	COST	ASSESSED VALUE
Values before project	150,000.00	380,000.00
Plus: Values of proposed project	750,000.00	
Less: Values of any property being replaced		
Net values upon completion of project	900,000.00	
ACTUAL	COST	ASSESSED VALUE
Values before project	150,000.00	467,600.00
Plus: Values of proposed project	859,146.00	
Less: Values of any property being replaced		
Net values upon completion of project	1,009,146.00	

SECTION 5 — WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER

WASTE CONVERTED AND OTHER BENEFITS	AS ESTIMATED ON SB-1	ACTUAL
Amount of solid waste converted		
Amount of hazardous waste converted		
Other benefits:		

SECTION 6 — TAXPAYER CERTIFICATION

I hereby certify that the representations in this statement are true.

Signature of authorized representative	Title	Date signed *(month, day, year)*
Joan Joshi	President	3/14/2019

OPTIONAL: FOR USE BY A DESIGNATING BODY WHO ELECTS TO REVIEW THE COMPLIANCE WITH STATEMENT OF BENEFITS (FORM CF-1) THAT WAS APPROVED AFTER JUNE 30, 1991

INSTRUCTIONS: (IC 6-1.1-12.1-5.1 and IC 6-1.1-12.1-5.9)

1. *Not later than forty-five (45) days after receipt of this form, the designating body may determine whether or not the property owner has substantially complied with the Statement of Benefits (Form SB-1/Real Property).*

2. *If the property owner is found NOT to be in substantial compliance, the designating body shall send the property owner written notice. The notice must include the reasons for the determination and the date, time and place of a hearing to be conducted by the designating body. The date of this hearing may not be more than thirty (30) days after the date this notice is mailed. A copy of the notice may be sent to the county auditor and the county assessor.*

3. *Based on the information presented at the hearing, the designating body shall determine whether or not the property owner has made reasonable efforts to substantially comply with the Statement of Benefits (Form SB-1/Real Property) and whether any failure to substantially comply was caused by factors beyond the control of the property owner.*

4. *If the designating body determines that the property owner has NOT made reasonable efforts to comply, then the designating body shall adopt a resolution terminating the property owner's deduction. If the designating body adopts such a resolution, the deduction does not apply to the next installment of property taxes owed by the property owner or to any subsequent installment of property taxes. The designating body shall immediately mail a certified copy of the resolution to: (1) the property owner; (2) the county auditor; and (3) the county assessor.*

We have reviewed the CF-1 and find that:

☒ the property owner IS in substantial compliance

☐ the property owner IS NOT in substantial compliance

☐ other (*specify*) _____

Reasons for the determination (*attach additional sheets if necessary*)

Signature of authorized member	Date signed (*month, day, year*)
Dale "Woody" Emmons, President	4-15-2019
Attested by: Deborah S. Block, City Clerk	Designating body: Mishawaka Common Council

If the property owner is found not to be in substantial compliance, the property owner shall receive the opportunity for a hearing. The following date and time has been set aside for the purpose of considering compliance. (Hearing must be held within thirty (30) days of the date of mailing of this notice.)

Time of hearing	Date of hearing (*month, day, year*)	Location of hearing
☐ AM ☐ PM		

HEARING RESULTS (*to be completed after the hearing*)

☐ Approved ☐ Denied (*see instruction 4 above*)

Reasons for the determination (*attach additional sheets if necessary*)

Signature of authorized member	Date signed (*month, day, year*)
Attested by:	Designating body

APPEAL RIGHTS [IC 6-1.1-12.1-5.9(e)]

A property owner whose deduction is denied by the designating body may appeal the designating body's decision by filing a complaint in the office of the Circuit or Superior Court together with a bond conditioned to pay the costs of the appeal if the appeal is determined against the property owner.

COMPLIANCE WITH STATEMENT OF BENEFITS
PERSONAL PROPERTY

State Form 51765 (R4 / 11-16)
Prescribed by the Department of Local Government Finance

FORM CF-1 / PP

PRIVACY NOTICE
This form contains information confidential pursuant to IC 6-1.1-35-9 and IC 6-1.1-12.1-5.6.

INSTRUCTIONS:
1. *Property owners whose Statement of Benefits was approved must file this form with the local Designating Body to show the extent to which there has been compliance with the Statement of Benefits. (IC 6-1.1-12.1-5.6)*
2. *This form must be filed with the Form 103-ERA Schedule of Deduction from Assessed Value between January 1, and May 15, of each year, unless a filing extension under 1C 6-1.1-3.7 has been granted. A person who obtains a filing extension must file between January 1, and the extended due date of each year.*
3. *With the approval of the designating body, compliance information for multiple projects may be consolidated on one (1) compliance (CF-I).*

SECTION 1 — TAXPAYER INFORMATION

Name of taxpayer WELLPET	County St. Joseph
Address of taxpayer *(street and number, city, state and ZIP code)* 1011 West 11th Street Mishawaka IN 46544	DLGF taxing district number 71-023
Name of contact person Terry Peterson	Telephone number

SECTION 2 — LOCATION AND DESCRIPTION OF PROPERTY

Name of designating body MISHAWAKA COMMON COUNCIL	Resolution number R2015-14	Estimated start date *(month, day, year)* 07/01/2015
Location of property 1121 West 11th Street MISHAWAKA IN 46544		Actual start date *(month, day, year)* / /
Description of new manufacturing equipment, or new research and development equipment, or new information technology equipment, or new logistical distribution equipment to be acquired. SEE ATTACHED "High Speed Packaging Line Overview 2015"		Estimated completion date *(month, day, year)* 11/01/2015
		Actual completion date *(month, day, year)* / /

SECTION 3 — EMPLOYEES AND SALARIES

EMPLOYEES AND SALARIES	AS ESTIMATED ON SB-1	ACTUAL
Current number of employees	115	110
Salaries	3,898,000	6,246,121
Number of employees retained	115	110
Salaries	3,898,000	3,898,000
Number of additional employees	4	
Salaries	200,000	2,348,121

SECTION 4 — COST AND VALUES

	MANUFACTURING EQUIPMENT		R & D EQUIPMENT		LOGIST DIST EQUIPMENT		IT EQUIPMENT	
AS ESTIMATED ON SB-1	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE
Values before project	15,570,388							
Plus: Values of proposed project	1,800,000							
Less: Values of any property being replaced								
Net values upon completion of project	17,370,388							
ACTUAL	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE
Values before project	21,732,971	6,491,810						
Plus: Values of proposed project	1,801,071	540,321						
Less: Values of any property being replaced								
Net values upon completion of project	23,534,042	7,032,131						

NOTE: The COST of the property is confidential pursuant to IC 6-1.1-12.1-5.6 (c).

SECTION 5 — WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER

WASTE CONVERTED AND OTHER BENEFITS	AS ESTIMATED ON SB-1	ACTUAL
Amount of solid waste converted		
Amount of hazardous waste converted		
Other benefits:		

SECTION 6 — TAXPAYER CERTIFICATION

I hereby certify that the representations in this statement are true.

Signature of authorized representative Terry Peterson	Title Controller	Date signed *(month, day, year)* 3/13/19

OPTIONAL: FOR USE BY A DESIGNATING BODY WHO ELECTS TO REVIEW THE COMPLIANCE WITH STATEMENT OF BENEFITS (FORM CF-1) THAT WAS APPROVED AFTER JUNE 30, 1991.

INSTRUCTIONS: (IC 6-1.1-12-5.9)

1. *This page does not apply to a Statement of Benefits filed before July 1, 1991; that deduction may not be terminated for a failure to comply with the Statement of Benefits.*
2. *Within forty-five (45) days after receipt of this form, the designating body may determine whether or not the property owner has substantially complied with the Statement of Benefits.*
3. *If the property owner is found NOT to be in substantial compliance, the designating body shall send the property owner written notice. The notice must include the reasons for the determination and the date, time and place of a hearing to be conducted by the designating body. If a notice is mailed to a property owner, a copy of the written notice will be sent to the County Assessor and the County Auditor.*
4. *Based on the information presented at the hearing, the designating body shall determine whether or not the property owner has made reasonable effort to substantially comply with the Statement of Benefits and whether any failure to substantially compy was caused by factors beyond the control of the property owner.*
5. *If the designating body determines that the property owner has NOT made reasonable effort to comply, then the designating body shall adopt a resolution terminating the deduction. The designating body shall immediately mail a certified copy of the resolution to. (1) the property owner; (2) the County Auditor; and (3) the County Assessor.*

We have reviewed the CF-1 and find that:

☒ the property owner **IS** in substantial compliance

☐ the property owner **IS NOT** in substantial compliance

☐ other *(specify)* _____

Reasons for the determination *(attach additional sheets if necessary)*

Signature of authorized member	Date signed *(month, day, year)*
Dale "Woody" Emmons, President	4-15-20
Attested by: Deborah S. Block, City Clerk	Designating body: Mishawaka Common Council

If the property owner is found not to be in substantial compliance, the property owner shall receive the opportunity for a hearing. The following date and time has been set aside for the purpose of considering compliance.

Time of hearing	Date of hearing *(month, day, year)*	Location of hearing
☐ AM ☐ PM		

HEARING RESULTS *(to be completed after the hearing)*

☐ Approved ☐ Denied *(see insruction 5 above)*

Reasons for determination *(attach additional sheets if necessary)*

Signature of authorized member	Date signed *(month, day, year)*
Attested by:	Designating body

APPEAL RIGHTS [IC 6-1.1-12,1-5.9(e)]

A property owner whose deduction is denied by the designating body may appeal the designating body's decision by filing a complaint in the office of the Circuit or Superior Court together with a bond conditioned to pay the costs of the appeal if the appeal is determined against the property owner.

STATEMENT OF BENEFITS
PERSONAL PROPERTY
State Form 51764 (R9 / 12-10)
Prescribed by the Department of Local Government Finance

FORM SB-1/PP

PRIVACY NOTICE
Any information concerning the cost of the property and specific salaries paid to individual employees by the property owner is confidential per IC 6-1.1-12.1-5.1.

INSTRUCTIONS

1. *This statement must be submitted to the body designating the Economic Revitalization Area prior to the public hearing if the designating body requires information from the applicant in making its decision about whether to designate an Economic Revitalization Area. Otherwise this statement must be submitted to the designating body BEFORE a person installs the new manufacturing equipment and/or research and development equipment, and/or logistical distribution equipment and/or information technology equipment for which the person wishes to claim a deduction.*
2. *The statement of benefits form must be submitted to the designating body and the area designated an economic revitalization area before the installation of qualifying abatable equipment for which the person desires to claim a deduction.*
3. *To obtain a deduction, a person must file a certified deduction schedule with the person's personal property return or a certified deduction schedule (Form 103-ERA) with the township assessor of the township where the property is situated or with the county assessor if there is no township assessor for the township. The 103-ERA must be filed between March 1 and May 15 of the assessment year in which new manufacturing equipment and/or research and development equipment and/or logistical distribution equipment and/or information technology equipment is installed and fully functional, unless a filing extension has been obtained. A person who obtains a filing extension must file the form between March 1 and the extended due date of that year.*
4. *Property owners whose Statement of Benefits was approved, must submit Form CF-1/PP annually to show compliance with the Statement of Benefits. (IC 6-1.1-12.1-5.6)*
5. *For a Form SB-1/PP that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. For a Form SB-1/PP that is approved prior to July 1, 2013, the abatement schedule approved by the designating body remains in effect. (IC 6-1.1-12.1-17)*

SECTION 1 — TAXPAYER INFORMATION

Name of taxpayer	Name of contact person
WellPet LLC	Michelle Tatgenhorst

Address of taxpayer (number and street, city, state, and ZIP code)	Telephone number
1011 West 11th Street	(574) 259-7834

SECTION 2 — LOCATION AND DESCRIPTION OF PROPOSED PROJECT

Name of designating body	Resolution number(s)
Mishawaka Common Council	

Location of property	County	DLGF taxing district number
1121 West 11th Street, Mishawaka, IN 46544	St. Joseph	71-023

Description of manufacturing equipment and/or research and development equipment and/or logistical distribution equipment and/or information technology equipment. (Use additional sheets if necessary)
SEE ATTACHED "High Speed Packaging Line Overview 2016"

	ESTIMATED START DATE	ESTIMATED COMPLETION DATE
Manufacturing Equipment	07/01/2016	11/01/2016
R & D Equipment		
Logist Dist Equipment		
IT Equipment		

SECTION 3 — ESTIMATE OF EMPLOYERS AND SALARIES AS RESULT OF PROPOSED PROJECT

Current number	Salaries	Number retained	Salaries	Number additional	Salaries
116	$8,800,000	116	$8,800,000	4	$200,000

SECTION 4 — ESTIMATED TOTAL COST AND VALUE OF PROPOSED PROJECT

NOTE: Pursuant to IC 6-1.1-12.1-5.1 (d) (2) the COST of the property is confidential.	MANUFACTURING EQUIPMENT		R & D EQUIPMENT		LOGIST DIST EQUIPMENT		IT EQUIPMENT	
	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE
Current values	15,570,368.0							
Plus estimated values of proposed project	1,600,000.0							
Less values of any property being replaced								
Net estimated values upon completion of project	16,705,619.1							

SECTION 5 — WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER

Estimated solid waste converted (pounds) _____ Estimated hazardous waste converted (pounds) _____

Other benefits:

SECTION 6 — TAXPAYER CERTIFICATION

I hereby certify that the representations in this statement are true.

Signature of authorized representative	Date signed (month, day, year)
Michelle Tatgenhorst	03/17/2016

Printed name of authorized representative	Title
Michelle Tatgenhorst	Controller

FOR USE OF THE DESIGNATING BODY

We have reviewed our prior actions relating to the designation of this economic revitalization area and find that the applicant meets the general standards adopted in the resolution previously approved by this body. Said resolution, passed under IC 6-1.1-12.1-2.5, provides for the following limitations as authorized under IC 6-1.1-12.1-2.

A. The designated area has been limited to a period of time not to exceed (5) ~~Five~~ calendar years * (see below). The date this designation expires is 12-31-2019.

B. The type of deduction that is allowed in the designated area is limited to:
1. Installation of new manufacturing equipment; ☒ Yes ☐ No
2. Installation of new research and development equipment; ☐ Yes ☒ No
3. Installation of new logistical distribution equipment; ☐ Yes ☒ No
4. Installation of new information technology equipment; ☐ Yes ☒ No

C. The amount of deduction applicable to new manufacturing equipment is limited to $ 1,800,000 cost with an assessed value of $1,800,000 or is determined by the assessor

D. The amount of deduction applicable to new research and development equipment is limited to $ ---------- cost with an assessed value of $ ----------

E. The amount of deduction applicable to new logistical distribution equipment is limited to $ ---------- cost with an assessed value of $ ----------

F. The amount of deduction applicable to new information technology equipment is limited to $ ---------- cost with an assessed value of $ ----------

G. Other limitations or conditions (specify) None

H. The deduction for new manufacturing equipment and/or new research and development equipment and/or new logistical distribution equipment and/or new information technology equipment installed and first claimed eligible for deduction is allowed for:

☒ Year 1 ☒ Year 2 ☒ Year 3 ☐ Year 4 ☐ Year 5 (see below*)
☐ Year 6 ☐ Year 7 ☐ Year 8 ☐ Year 9 ☐ Year 10

I. For a Statement of Benefits approved after June 30, 2013, did this designating body adopt an abatement schedule per IC 6-1.1-12.1-17? ☐ Yes ☐ No
If yes, attach a copy of the abatement schedule to this form.
If no, the designating body is required to establish an abatement schedule before the deduction can be determined.

Also we have reviewed the information contained in the statement of benefits and find that the estimates and expectations are reasonable and have determined that the totality of benefits is sufficient to justify the deduction described above.

Approved by: (signature and title of authorized member of designating body) Dale "Woody" Emmons	Telephone number (574) 258-1616	Date signed (month, day, year) 04-20-2015
Printed name of authorized member of designating body Dale "Woody" Emmons, President	Name of designating body Mishawaka Common Council	
Attested by: (signature and title of attester) Deborah S. Block	Printed name of attester Deborah S. Block, City Clerk	

* If the designating body limits the time period during which an area is an economic revitalization area, that limitation does not limit the length of time a taxpayer is entitled to receive a deduction to a number of years that is less than the number of years designated under IC 6-1.1-12.1-17.

IC 6-1.1-12.1-17
Abatement schedules
Sec. 17. (a) A designating body may provide to a business that is established in or relocated to a revitalization area and that receives a deduction under section 4 or 4.5 of this chapter an abatement schedule based on the following factors:
(1) The total amount of the taxpayer's investment in real and personal property.
(2) The number of new full-time equivalent jobs created.
(3) The average wage of the new employees compared to the state minimum wage.
(4) The infrastructure requirements for the taxpayer's investment.
(b) This subsection applies to a statement of benefits approved after June 30, 2013. A designating body shall establish an abatement schedule for each deduction allowed under this chapter. An abatement schedule must specify the percentage amount of the deduction for each year of the deduction. An abatement schedule may not exceed ten (10) years.
(c) An abatement schedule approved for a particular taxpayer before July 1, 2013, remains in effect until the abatement schedule expires under the terms of the resolution approving the taxpayer's statement of benefits.

Mayor D. Wood
Mishawaka City Hall
600 East Third Street
Mishawaka, IN 46544-2241

February 22, 2019

Bayer HealthCare LLC
3930 Edison Lakes Parkway
Mishawaka, IN 46545
Phone: (574) 252-4734
John.Herzig@bayer.com

Dear Mayor Wood:

On behalf of Bayer, I would like to thank you, Ken Prince, and the members of the Mishawaka City Council for the partnership and support of our Edison Lakes operation. Our team enjoys being part of this community, and the opportunity to give back as well.

As discussed with the announced site closure over the next 18 months. We would like to formally withdraw our request for Declaratory Resolution R2015-35 and R2015-36 Tax Abatement-Bayer HealthCare. Bayer is not aware of any outstanding compliance associated with this incentive.

I'll continue to keep your office updated as we progress through the transition period.

Best Regards,

John S. Herzig Jr.

John S. Herzig Jr.
VP Customer Logistics
Bayer HealthCare

COMPLIANCE WITH STATEMENT OF BENEFITS PERSONAL PROPERTY

State Form 51765 (R4 / 11-16)
Prescribed by the Department of Local Government Finance

FORM CF-1 / PP

PRIVACY NOTICE
This form contains information confidential pursuant to IC 6-1.1-35-9 and IC 6-1.1-12.1-5.6.

INSTRUCTIONS:
1. *Property owners whose Statement of Benefits was approved must file this form with the local Designating Body to show the extent to which there has been compliance with the Statement of Benefits. (IC 6-1.1-12.1-5.6)*
2. *This form must be filed with the Form 103-ERA Schedule of Deduction from Assessed Value between January 1 and May 15 of each year, unless a filing extension under IC 6-1.1-3.7 has been granted. A person who obtains a filing extension must file between January 1 and the extended due date of each year.*
3. *With the approval of the designating body, compliance information for multiple projects may be consolidated on one (1) compliance (CF-1).*

SECTION 1 — TAXPAYER INFORMATION

Name of taxpayer PATRICK INDUSTRIES, INC.	County ST. JOSEPH
Address of taxpayer *(number and street, city, state, and ZIP code)* 107 W FRANKLIN ST, PO BOX 638, ELKHART, IN 46515-0638	DLGF taxing district number 71022
Name of contact person MATHEW DAVIS	Telephone number (574) 294-7511 EXT 7750

SECTION 2 — LOCATION AND DESCRIPTION OF PROPERTY

Name of designating body CITY OF MISHAWAKA COMMON COUNCIL	Resolution number 2016-04	Estimated start date *(month, day, year)* 03/21/2016
Location of property 1241 E 12TH ST, MISHAWAKA, IN 46544		Actual start date *(month, day, year)* 03/21/2016
Description of new manufacturing equipment, or new research and development equipment, or new information technology equipment, or new logistical distribution equipment to be acquired. GENERAL WOODWORKING EQUIPMENT, CNC ROUTERS, VINYL FORMING PRESS, AIR COMPRESSOR, AND DUST COLLECTION BAGHOUSE.		Estimated completion date *(month, day, year)* 10/31/2016 Actual completion date *(month, day, year)*

SECTION 3 — EMPLOYEES AND SALARIES

EMPLOYEES AND SALARIES	AS ESTIMATED ON SB-1	ACTUAL
Current number of employees		163
Salaries		7,430,402.00
Number of employees retained		163
Salaries		
Number of additional employees	84	
Salaries	2,953,900.00	

SECTION 4 — COST AND VALUES

	MANUFACTURING EQUIPMENT		R & D EQUIPMENT		LOGIST DIST EQUIPMENT		IT EQUIPMENT	
AS ESTIMATED ON SB-1	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE
Values before project								
Plus: Values of proposed project	895,000.00	375,900.00					20,000.00	8,400.00
Less: Values of any property being replaced								
Net values upon completion of project	895,000.00	375,900.00					20,000.00	8,400.00
ACTUAL	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE
Values before project								
Plus: Values of proposed project	2,047,588.00	859,990.00					19,487.00	8,180.00
Less: Values of any property being replaced								
Net values upon completion of project	2,047,588.00	859,990.00					19,487.00	8,180.00

NOTE: The **COST** of the property is confidential pursuant to IC 6-1.1-12.1-5.6(c).

SECTION 5 — WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER

WASTE CONVERTED AND OTHER BENEFITS	AS ESTIMATED ON SB-1	ACTUAL
Amount of solid waste converted		
Amount of hazardous waste converted		
Other benefits:		

SECTION 6 — TAXPAYER CERTIFICATION

I hereby certify that the representations in this statement are true.

Signature of authorized representative Mathew L Davis	Title TAX MANAGER	Date signed *(month, day, year)* 3/6/2019

OPTIONAL: FOR USE BY A DESIGNATING BODY WHO ELECTS TO REVIEW THE COMPLIANCE WITH STATEMENT OF BENEFITS (FORM CF-1) THAT WAS APPROVED AFTER JUNE 30, 1991.

INSTRUCTIONS: (IC 6-1.1-12.1-5.9)

1. *This page does not apply to a Statement of Benefits filed before July 1, 1991; that deduction may not be terminated for a failure to comply with the Statement of Benefits.*
2. *Within forty-five (45) days after receipt of this form, the designating body may determine whether or not the property owner has substantially complied with the Statement of Benefits.*
3. *If the property owner is found **NOT** to be in substantial compliance, the designating body shall send the property owner written notice. The notice must include the reasons for the determination and the date, time and place of a hearing to be conducted by the designating body. If a notice is mailed to a property owner, a copy of the written notice will be sent to the County Assessor and the County Auditor.*
4. *Based on the information presented at the hearing, the designating body shall determine whether or not the property owner has made reasonable effort to substantially comply with the Statement of Benefits and whether any failure to substantially comply was caused by factors beyond the control of the property owner.*
5. *If the designating body determines that the property owner has **NOT** made reasonable effort to comply, then the designating body shall adopt a resolution terminating the deduction. The designating body shall immediately mail a certified copy of the resolution to: (1) the property owner; (2) the County Auditor; and (3) the County Assessor.*

We have reviewed the CF-1 and find that:

- [x] the property owner **IS** in substantial compliance
- [ ] the property owner **IS NOT** in substantial compliance
- [ ] other (*specify*) _____

Reasons for the determination (*attach additional sheets if necessary*)

Signature of authorized member	Date signed (*month, day, year*)
Dale "Woody" Emmons, President	4-15-2019
Attested by: Deborah S. Block, City Clerk	Designating body: Mishawaka Common Council

If the property owner is found not to be in substantial compliance, the property owner shall receive the opportunity for a hearing. The following date and time has been set aside for the purpose of considering compliance.

Time of hearing	Date of hearing (*month, day, year*)	Location of hearing
[ ] AM [ ] PM		

HEARING RESULTS (*to be completed after the hearing*)

[ ] Approved [ ] Denied (*see instruction 5 above*)

Reasons for the determination (*attach additional sheets if necessary*)

Signature of authorized member	Date signed (*month, day, year*)
Attested by:	Designating body

APPEAL RIGHTS [IC 6-1.1-12.1-5.9(o)]

A property owner whose deduction is denied by the designating body may appeal the designating body's decision by filing a complaint in the office of the clerk of Circuit or Superior Court together with a bond conditioned to pay the costs of the appeal if the appeal is determined against the property owner.

RIVERWALK APARTMENTS
PROJECT UPDATE

INSITE

INSITE DEVELOPMENT LLC

RECEIVED
MAR 19 2019
BUILDING, PLANNING
COMMUNITY DEVELOPMENT

03/11/2019

To whom it may concern,

Due to changes in the market over the last few years and the addition of new projects in downtown Mishawaka, we have been considering which type of project will best serve us and the community. We are reaching a conclusion based on our market and demographic research. We plan to make a decision to proceed with design, with the intent to commence construction by the second quarter of 2020.

Should you have any further questions, please do not hesitate to contact us.

Best Regards,

Scott Sivan

Scott Sivan, Architect
Managing Partner
INSITE Development, LLC
117 W. Grove St., Suite 103
Mishawaka, IN 46545
office 574 855 2072
cell 574 302 7236
www.insite-dev.com
www.riverrocklife.com
www.rgsliving.com

COMPLIANCE WITH STATEMENT OF BENEFITS
REAL ESTATE IMPROVEMENTS

State Form 51766 (R3 / 2-13)
Prescribed by the Department of Local Government Finance

20____ PAY 20____
FORM CF-1 / Real Property

PRIVACY NOTICE
The cost and any specific individual's salary information is confidential; the balance of the filing is public record per IC 6-1.1-12.1-5.1 (c) and (d).

INSTRUCTIONS:

1. *This form does not apply to property located in a residentially distressed area or any deduction for which the Statement of Benefits was approved before July 1, 1991.*
2. *Property owners must file this form with the county auditor and the designating body for their review regarding the compliance of the project with the Statement of Benefits (Form SB-1/Real Property).*
3. *This form must accompany the initial deduction application (Form 322/RE) that is filed with the county auditor.*
4. *This form must also be updated each year in which the deduction is applicable. It is filed with the county auditor and the designating body before May 15, or by the due date of the real property owner's personal property return that is filed in the township where the property is located. (IC 6-1.1-12.1-5.1(b))*
5. *With the approval of the designating body, compliance information for multiple projects may be consolidated on one (1) compliance form (Form CF-1/Real Property).*

SECTION 1 — TAXPAYER INFORMATION

Name of taxpayer: RIVER WALK DEVELOPMENT LLC	County:
Address of taxpayer (number and street, city, state, and ZIP code): 117 W GROVE ST, MISHAWAKA, IN 46545, STE 103	DLGF taxing district number: 71023
Name of contact person: SCOTT SIVAN, MANAGING PARTNER	Telephone number: (574) 8552072

SECTION 2 — LOCATION AND DESCRIPTION OF PROPERTY

Name of designating body: COMMON COUNCIL OF THE CITY OF MISHAWAKA	Resolution number: 2017-08	Estimated start date (month, day, year): MAY 2020
Location of property: VACANT LAND AT 100 BLOCK OF EAST MISHAWAKA AVE, EAST OF SAPHIRST		Actual start date (month, day, year):
Description of real property improvements: INVESTMENT OF AT LEAST $12.5 mm - $13.5 mm IN THE DEVELOPMENT AND CONSTRUCTION OF A MULTI-FAMILY HOUSING PROJECT CONTAINING APPROXIMATELY 120,000 SQF		Estimated completion date (month, day, year): AUGUST 2021
		Actual completion date (month, day, year):

SECTION 3 — EMPLOYEES AND SALARIES

EMPLOYEES AND SALARIES	AS ESTIMATED ON SB-1	ACTUAL
Current number of employees: Ø	3	3
Salaries: $ Ø	$75000/Y	$28166/Y
Number of employees retained: Ø	0	0
Salaries: $ Ø	0	0
Number of additional employees: Ø	0	0
Salaries: $ Ø	0	0

SECTION 4 — COST AND VALUES

COST AND VALUES	REAL ESTATE IMPROVEMENTS	
AS ESTIMATED ON SB-1	COST	ASSESSED VALUE
Values before project	Ø	EXEMPT
Plus: Values of proposed project	$12.5-13.5 mm	Reg 17
Less: Values of any property being replaced	N/A	N/A
Net values upon completion of project	$12.5-13.5 mm	Reg 17
ACTUAL	COST	ASSESSED VALUE
Values before project	Ø	EXEMPT
Plus: Values of proposed project	Ø	Reg 17
Less: Values of any property being replaced	N/A	N/A
Net values upon completion of project	N/A	N/A

SECTION 5 — WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER

WASTE CONVERTED AND OTHER BENEFITS	AS ESTIMATED ON SB-1	ACTUAL
Amount of solid waste converted		
Amount of hazardous waste converted		
Other benefits:		

SECTION 6 — TAXPAYER CERTIFICATION

I hereby certify that the representations in this statement are true.

Signature of authorized representative	Title	Date signed (month, day, year)
	Managing Partner	3.12.19

OPTIONAL: FOR USE BY A DESIGNATING BODY WHO ELECTS TO REVIEW THE COMPLIANCE WITH STATEMENT OF BENEFITS (FORM CF-1) THAT WAS APPROVED AFTER JUNE 30, 1991

INSTRUCTIONS: (IC 6-1.1-12.1-5.1 and IC 6-1.1-12.1-5.9)

1. *Not later than forty-five (45) days after receipt of this form, the designating body may determine whether or not the property owner has substantially complied with the Statement of Benefits (Form SB-1/Real Property).*

2. *If the property owner is found **NOT** to be in substantial compliance, the designating body shall send the property owner written notice. The notice must include the reasons for the determination and the date, time and place of a hearing to be conducted by the designating body. The date of this hearing may not be more than thirty (30) days after the date this notice is mailed. A copy of the notice may be sent to the county auditor and the county assessor.*

3. *Based on the information presented at the hearing, the designating body shall determine whether or not the property owner has made reasonable efforts to substantially comply with the Statement of Benefits (Form SB-1/Real Property) and whether any failure to substantially comply was caused by factors beyond the control of the property owner.*

4. *If the designating body determines that the property owner has **NOT** made reasonable efforts to comply, then the designating body shall adopt a resolution terminating the property owner's deduction. If the designating body adopts such a resolution, the deduction does not apply to the next installment of property taxes owed by the property owner or to any subsequent installment of property taxes. The designating body shall immediately mail a certified copy of the resolution to: (1) the property owner; (2) the county auditor; and (3) the county assessor.*

We have reviewed the CF-1 and find that:

☒ the property owner **IS** in substantial compliance

☐ the property owner **IS NOT** in substantial compliance

☐ other (*specify*) _____

Reasons for the determination (*attach additional sheets if necessary*)

Signature of authorized member	Date signed (*month, day, year*)
Dale "Woody" Emmons, President	4-15-2019
Attested by: Deborah S. Block, City Clerk	Designating body: Mishawaka Common Council

If the property owner is found not to be in substantial compliance, the property owner shall receive the opportunity for a hearing. The following date and time has been set aside for the purpose of considering compliance. (Hearing must be held within thirty (30) days of the date of mailing of this notice.)

Time of hearing	Date of hearing (*month, day, year*)	Location of hearing
☐ AM ☐ PM		

HEARING RESULTS (*to be completed after the hearing*)

☐ Approved ☐ Denied (*see instruction 4 above*)

Reasons for the determination (*attach additional sheets if necessary*)

Signature of authorized member	Date signed (*month, day, year*)
Attested by:	Designating body.

APPEAL RIGHTS [IC 6-1.1-12.1-5.9(e)]

A property owner whose deduction is denied by the designating body may appeal the designating body's decision by filing a complaint in the office of the Circuit or Superior Court together with a bond conditioned to pay the costs of the appeal if the appeal is determined against the property owner.

RECEIVED
MAR 19 2019
BUILDING, PLANNING
COMMUNITY DEVELOPMENT

Lippert Components Manufacturing, Inc.
Annual Tax Abatement Reporting – REAL PROPERTY
CF-1 Attachment

The project is still ongoing.

The designated property, 400 S Byrkit Avenue, Mishawaka, IN, was a massive reconstruction project. There were -0- employees at the location prior to the project beginning. The 221 employees retained were a combination of employees transferred from other Lippert Components Manufacturing, Inc. locations as well as new hires.

COMPLIANCE WITH STATEMENT OF BENEFITS
REAL ESTATE IMPROVEMENTS

State Form 51766 (R3 / 2-13)
Prescribed by the Department of Local Government Finance

2019 PAY 2020
FORM CF-1 / Real Property

PRIVACY NOTICE

The cost and any specific individual's salary information is confidential; the balance of the filing is public record per IC 6-1.1-12.1-5.1 (c) and (d).

INSTRUCTIONS:

1. *This form does not apply to property located in a residentially distressed area or any deduction for which the Statement of Benefits was approved before July 1, 1991.*
2. *Property owners must file this form with the county auditor and the designating body for their review regarding the compliance of the project with the Statement of Benefits (Form SB-1/Real Property).*
3. *This form must accompany the initial deduction application (Form 322/RE) that is filed with the county auditor.*
4. *This form must also be updated each year in which the deduction is applicable. It is filed with the county auditor and the designating body before May 15, or by the due date of the real property owner's personal property return that is filed in the township where the property is located. (IC 6-1.1-12.1-5.1(b))*
5. *With the approval of the designating body, compliance information for multiple projects may be consolidated on one (1) compliance form (Form CF-1/Real Property).*

SECTION 1 — TAXPAYER INFORMATION

Name of taxpayer Lippert Components Manufacturing, Inc.	County Elkhart
Address of taxpayer *(number and street, city, state and ZIP code)* 3501 County Road 6E Elkhart IN 46514	DLGF taxing district number 023
Name of contact person Tom Bauters	Telephone number (574) 312-6159

SECTION 2 — LOCATION AND DESCRIPTION OF PROPERTY

Name of designating body City of Mishawaka	Resolution number	Estimated start date *(month, day, year)* 08/01/2017
Location of property 400 S Byrkit Avenue Mishawaka IN 46544		Actual start date *(month, day, year)* 08/01/2017
Description of real property improvements: Remodeling existing building, Adding new Addition, Adding paved parking lot		Estimated completion date *(month, day, year)* 08/01/2019
		Actual completion date *(month, day, year)* 08/01/2019

SECTION 3 — EMPLOYEES AND SALARIES

EMPLOYEES AND SALARIES	AS ESTIMATED ON SB-1	ACTUAL
Current number of employees	247	221
Salaries	10,354,808	9,124,640
Number of employees retained	247	221
Salaries	10,354,808	9,124,640
Number of additional employees	200	
Salaries	7,800,000	

SECTION 4 — COST AND VALUES

COST AND VALUES	REAL ESTATE IMPROVEMENTS	
AS ESTIMATED ON SB-1	COST	ASSESSED VALUE
Values before project	1,760,341	
Plus: Values of proposed project	7,400,000	
Less: Values of any property being replaced		
Net values upon completion of project	9,160,341	
ACTUAL	COST	ASSESSED VALUE
Values before project	1,760,341	
Plus: Values of proposed project	13,538,189	
Less: Values of any property being replaced		
Net values upon completion of project	15,298,530	

SECTION 5 — WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER

WASTE CONVERTED AND OTHER BENEFITS	AS ESTIMATED ON SB-1	ACTUAL
Amount of solid waste converted		
Amount of hazardous waste converted		
Other benefits:		

SECTION 6 — TAXPAYER CERTIFICATION

I hereby certify that the representations in this statement are true.

Signature of authorized representative	Title	Date signed *(month, day, year)*
[signature]	ASSISTANT TREASURER + TAX DIRECTOR	03.15.2019

Form CF-1 / Real Property, page 1 - NACTP 1585 - Software only copyright © 2019 DIS, Inc.

Client/Loc BYRKIT

OPTIONAL: FOR USE BY A DESIGNATING BODY WHO ELECTS TO REVIEW THE COMPLIANCE WITH STATEMENT OF BENEFITS (FORM CF-1) THAT WAS APPROVED AFTER JUNE 30, 1991

INSTRUCTIONS: (IC 6-1.1-12.1-5.1 and IC 6-1.1-12.1-5.9)

1. *Not later than forty-five (45) days after receipt of this form, the designating body may determine whether or not the property owner has substantially complied with the Statement of Benefits (Form SB-1/Real Property).*

2. *If the property owner is found **NOT** to be in substantial compliance, the designating body shall send the property owner written notice. The notice must include the reasons for the determination and the date, time and place of a hearing to be conducted by the designating body. The date of this hearing may not be more than thirty (30) days after the date this notice is mailed. A copy of the notice may be sent to the county auditor and the county assessor.*

3. *Based on the information presented at the hearing, the designating body shall determine whether or not the property owner has made reasonable efforts to substantially comply with the Statement of Benefits (Form SB-1/Real Property) and whether any failure to substantially comply was caused by factors beyond the control of the property owner.*

4. *If the designating body determines that the property owner has **NOT** made reasonable efforts to comply, then the designating body shall adopt a resolution terminating the property owner's deduction. If the designating body adopts such a resolution, the deduction does not apply to the next installment of property taxes owed by the property owner or to any subsequent installment of property taxes. The designating body shall immediately mail a certified copy of the resolution to: (1) the property owner; (2) the county auditor; and (3) the county assessor.*

We have reviewed the CF-1 and find that:

☒ the property owner **IS** in substantial compliance

☐ the property owner **IS NOT** in substantial compliance

☐ other (*specify*) _____

Reasons for the determination (*attach additional sheets if necessary*)

Signature of authorized member	Date signed (*month, day, year*)
Dale "Woody" Emmons, President	4-15-2019
Attested by: Deborah S. Block, City Clerk	Designating body: Mishawaka Common Council

If the property owner is found not to be in substantial compliance, the property owner shall receive the opportunity for a hearing. The following date and time has been set aside for the purpose of considering compliance. (Hearing must be held within thirty (30) days of the date of mailing of this notice.)

Time of hearing	Date of hearing (*month, day, year*)	Location of hearing
☐ AM ☐ PM		

HEARING RESULTS (*to be completed after the hearing*)

☐ Approved ☐ Denied (*see instruction 4 above*)

Reasons for the determination (*attach additional sheets if necessary*)

Signature of authorized member	Date signed (*month, day, year*)
Attested by:	Designating body

APPEAL RIGHTS [IC 6-1.1-12.1-5.9(e)]

A property owner whose deduction is denied by the designating body may appeal the designating body's decision by filing a complaint in the office of the Circuit or Superior Court together with a bond conditioned to pay the costs of the appeal if the appeal is determined against the property owner.

STATEMENT OF BENEFITS
REAL ESTATE IMPROVEMENTS

State Form 61767 (R6 / 10-14)
Prescribed by the Department of Local Government Finance

20____ PAY 20____
FORM SB-1 / Real Property
PRIVACY NOTICE
Any information concerning the cost of the property and specific salaries paid to individual employees by the property owner is confidential per IC 6-1.1-12.1-5.1.

This statement is being completed for real property that qualifies under the following Indiana Code (*check one box*):

☑ Redevelopment or rehabilitation of real estate improvements (IC 6-1.1-12.1-4)
☐ Residentially distressed area (IC 6-1.1-12.1-4.1)

INSTRUCTIONS:

1. *This statement must be submitted to the body designating the Economic Revitalization Area prior to the public hearing if the designating body requires information from the applicant in making its decision about whether to designate an Economic Revitalization Area. Otherwise, this statement must be submitted to the designating body BEFORE the redevelopment or rehabilitation of real property for which the person wishes to claim a deduction.*
2. *The statement of benefits form must be submitted to the designating body and the area designated an economic revitalization area before the initiation of the redevelopment or rehabilitation for which the person desires to claim a deduction.*
3. *To obtain a deduction, a Form 322/RE must be filed with the County Auditor before May 10 in the year in which the addition to assessed valuation is made or not later than thirty (30) days after the assessment notice is mailed to the property owner if it was mailed after April 10. A property owner who failed to file a deduction application within the prescribed deadline may file an application between March 1 and May 10 of a subsequent year.*
4. *A property owner who files for the deduction must provide the County Auditor and designating body with a Form CF-1/Real Property. The Form CF-1/Real Property should be attached to the Form 322/RE when the deduction is first claimed and then updated annually for each year the deduction is applicable. IC 6-1.1-12.1-5.1(b)*
5. *For a Form SB-1/Real Property that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. For a Form SB-1/Real Property that is approved prior to July 1, 2013, the abatement schedule approved by the designating body remains in effect. IC 6-1.1-12.1-17*

SECTION 1 — TAXPAYER INFORMATION

Name of taxpayer: Lippert Components Manufacturing, Inc.

Address of taxpayer (*number and street, city, state, and ZIP code*): 3501 County Road 6 East, Elkhart, IN 46514

Name of contact person	Telephone number	E-mail address
Tom Bauters	(574) 312-6159	tbauters@lcl1.com

SECTION 2 — LOCATION AND DESCRIPTION OF PROPOSED PROJECT

Name of designating body	Resolution number
City of Mishawaka	

Location of property	County	DLGF taxing district number
400 South Byrkit Avenue, Mishawaka, IN 46544	St. Joseph	023 - Mish

Description of real property improvements, redevelopment, or rehabilitation (*use additional sheets if necessary*)

Remodel existing facility 347,000 sq. ft: $3,000,000
Construct new 79,200 sq. ft building addition: $8,200,000
Asphalt parking lot for 380 parking spaces and 40 semi truck spaces: $1,200,000

Estimated start date (*month, day, year*): August 1, 2017
Estimated completion date (*month, day, year*): August 1, 2019

SECTION 3 — ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT

Current number	Salaries	Number retained	Salaries	Number additional	Salaries
247.00	$10,354,808.00	247.00	$10,354,808.00	200.00	$7,800,000.00

SECTION 4 — ESTIMATED TOTAL COST AND VALUE OF PROPOSED PROJECT

	REAL ESTATE IMPROVEMENTS	
	COST	ASSESSED VALUE
Current values	1,760,341.00	4,485,000.00
Plus estimated values of proposed project	7,400,000.00	
Less values of any property being replaced	0.00	
Net estimated values upon completion of project	9,160,341.00	

SECTION 5 — WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER

Estimated solid waste converted (*pounds*) _____

Estimated hazardous waste converted (*pounds*) _____

Other benefits

SECTION 6 — TAXPAYER CERTIFICATION

I hereby certify that the representations in this statement are true.

Signature of authorized representative	Date signed (*month, day, year*)
TS Bauters, CPA	06/12/2017

Printed name of authorized representative	Title
Tom Bauters	Assistant Treasurer & Tax Director

FOR USE OF THE DESIGNATING BODY

We find that the applicant meets the general standards in the resolution adopted or to be adopted by this body. Said resolution, passed or to be passed under IC 6-1.1-12.1, provides for the following limitations:

A. The designated area has been limited to a period of time not to exceed _____ calendar years* *(see below)*. The date this designation expires is _____.

B. The type of deduction that is allowed in the designated area is limited to:
1. Redevelopment or rehabilitation of real estate improvements ☐ Yes ☐ No
2. Residentially distressed areas ☐ Yes ☐ No

C. The amount of the deduction applicable is limited to $ _____.

D. Other limitations or conditions *(specify)* _____

E. Number of years allowed: ☐ Year 1 ☐ Year 2 ☐ Year 3 ☐ Year 4 ☐ Year 5 (* see below) ☐ Year 6 ☐ Year 7 ☐ Year 8 ☐ Year 9 ☐ Year 10

F. For a statement of benefits approved after June 30, 2013, did this designating body adopt an abatement schedule per IC 6-1.1-12.1-17?
☐ Yes ☐ No
If yes, attach a copy of the abatement schedule to this form.
If no, the designating body is required to establish an abatement schedule before the deduction can be determined.

We have also reviewed the information contained in the statement of benefits and find that the estimates and expectations are reasonable and have determined that the totality of benefits is sufficient to justify the deduction described above.

Approved *(signature and title of authorized member of designating body)*	Telephone number ( )	Date signed *(month, day, year)*
Printed name of authorized member of designating body	Name of designating body	
Attested by *(signature and title of attester)*	Printed name of attester	

* If the designating body limits the time period during which an area is an economic revitalization area, that limitation does not limit the length of time a taxpayer is entitled to receive a deduction to a number of years that is less than the number of years designated under IC 6-1.1-12.1-17.

A. For residentially distressed areas where the Form SB-1/Real Property was approved prior to July 1, 2013, the deductions established in IC 6-1.1-12.1-4.1 remain in effect. The deduction period may not exceed five (5) years. For a Form SB-1/Real Property that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. The deduction period may not exceed ten (10) years. (See IC 6-1.1-12.1-17 below.)

B. For the redevelopment or rehabilitation of real property where the Form SB-1/Real Property was approved prior to July 1, 2013, the abatement schedule approved by the designating body remains in effect. For a Form SB-1/Real Property that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. (See IC 6-1.1-12.1-17 below.)

IC 6-1.1-12.1-17
Abatement schedules
Sec. 17. (a) A designating body may provide to a business that is established in or relocated to a revitalization area and that receives a deduction under section 4 or 4.5 of this chapter an abatement schedule based on the following factors:
(1) The total amount of the taxpayer's investment in real and personal property.
(2) The number of new full-time equivalent jobs created.
(3) The average wage of the new employees compared to the state minimum wage.
(4) The infrastructure requirements for the taxpayer's investment.

(b) This subsection applies to a statement of benefits approved after June 30, 2013. A designating body shall establish an abatement schedule for each deduction allowed under this chapter. An abatement schedule must specify the percentage amount of the deduction for each year of the deduction. An abatement schedule may not exceed ten (10) years.

(c) An abatement schedule approved for a particular taxpayer before July 1, 2013, remains in effect until the abatement schedule expires under the terms of the resolution approving the taxpayer's statement of benefits.

RESOLUTION NO. 2017-17

Lippert Components Manufacturing Inc.
400 South Byrkit Avenue

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, MAKING A FINAL DETERMINATION AND CONFIRMING THE DESIGNATION OF AREAS WITHIN THE CITY OF MISHAWAKA, INDIANA, KNOWN AS

420 SOUTH BYRKIT AVENUE, WITH OTHER ADDRESSES INCLUDING 408, 418, 424, AND 440 SOUTH BRYKIT AVENUE AND 401 SOUTH BEIGER STREET.

AS AN ECONOMIC REVITALIZATION AREA FOR PURPOSES OF REAL PROPERTY TAX ABATEMENT

WHEREAS, the Common Council of the City of Mishawaka, Indiana, adopted a Declaratory Resolution which designated the area known as 420 South Byrkit Avenue, with other addresses including 408, 418, 424, and 440 South Brykit Avenue and 401 South Beiger Street, Mishawaka, IN 46544, to be an Economic Revitalization Area under the provisions of Indiana Code § 6-1.1-12.1-1 et seq. (the "Act"):

A lot or parcels of land described as follows:

Tax Parcel ID Numbers:

71-09-14-301-002.000-023	71-09-15-428-008.000-023
71-09-14-301-001.000-023	71-09-15-428-009.000-023
71-09-14-301-003.000-023	71-09-15-428-010.000-023
71-09-14-301-013.000-023	71-09-15-428-011.000-023
71-09-14-301-021.000-023	71-09-14-184-001.000-023
71-09-15-285-005.000-023	71-09-14-326-002.000-023
71-09-15-428-006.000-023	71-09-14-326-001.000-023
71-09-15-428-007.000-023	71-09-14-326-003.000-023

A parcel of land in the West Half (½) of the West Half (½) of Section Fourteen (14), Township Thirty-seven (37) North, Range Three (3) East, Penn Township, St. Joseph County, City of Mishawaka, Indiana, more particularly described as fellows: The "Point of Beginning" of said parcel of land herein described being the Northwest corner of the Northwest Quarter (¼) of the Southwest Quarter (¼) of said Section 14; thence North 00 degrees 00 minutes 00 seconds West, along the West line of Section 14 and the centerline of Byrkit Avenue, a distance of 332.38 feet to the Southerly right of way line of Conrail Corporation; thence along a curve, concave Southerly, whose elements are: central angle of 04 degrees 33 minutes 30 seconds, radius of 9536.76 feet, are length of 757.34 feet, and a chord that bears North 85 degrees 33 minutes 33 seconds East, 757.14 feet; thence North 87 degrees 43 minutes 30 seconds East, along the Southerly right of way line of Conrail Corporation, a distance of 549.65 feet to the East line of the Southwest Quarter (¼) of the Northwest Quarter (¼) of said Section 14; thence South 00 degrees 12 minutes 30 seconds East, along the East line of the Southwest Quarter (¼) of the Northwest Quarter (¼) of said Section 14, a distance of 406.39 feet to the Northeast corner of the Northwest Quarter (¼) of

the Southwest Quarter (¼) of said Section 14; thence South 00 degrees 02 minutes 30 seconds East along the East line of the West Half (½) of the Southwest Quarter (¼) of said Section 14; a distance of 229.93 feet; thence North 89 degrees 59 minutes 44 seconds West a distance of 393.74 feet; times South 00 degrees 10 minutes 42 seconds West a distance of 302.57 feet; thence South 89 degrees 51 minutes 00 seconds West a distance of 871.05 feet to the East right of way line of Byrkit Avenue and to a point which is South 00 degrees 00 minutes 00 seconds West 528.42 feet and North 89 degrees 51 minutes 00 seconds East 40.00 feet from the Northwest corner of the Northwest Quarter (¼) of the Southwest Quarter (¼) of said Section 14; thence North 00 degrees 00 minutes 00 seconds East, along the East right of way of Byrkit Avenue; a distance of 272.89 feet; thence South 89 degrees 43 minutes 00seconds West a distance of 40.00 feet to the West line of said Section 14 and the centerline of Byrkit Avenue; thence North 00 degrees 00 minutes 00 seconds West, along the West line of said Section 14 and the centerline of Byrkit Avenue, a distance of 255.62 feet to the "Point of Beginning".

Together with:

Part of the Southeast Quarter (¼) of the Northeast Quarter (¼) of Section Fifteen (15), Township Thirty –seven (37) North, Range Three (3) East, Penn Township, St. Joseph County, City of Mishawaka, Indiana, described as follows: Commencing at the Southeast corner of the Southeast Quarter (¼) of the Northeast Quarter (¼) of Section 15, Township 37 North, Range 3 East; thence North 89 degrees 28 minutes 00 seconds West, a distance of 20.00 feet to the point of beginning; thence continue North 89 degrees 28 minutes 00 seconds West on the North line of Fifth Street, a distance of 267.50 feet; thence North 00 degrees 00 minutes 00 seconds East parallel with the East line of Section 15, a distance of 310.27 feet to the Southerly right of way Line of the Conrail Corporation; thence North 84 degrees 01 minutes 48 seconds East on the Southerly right of way line of the Conrail Corporation, a distance of 268.945 feet; thence South 00 degrees 00 minutes 00 seconds West, a distance of 340.73 feet to the point of beginning.

Together with:

Part of the Northeast Quarter (¼) of the Southeast Quarter (¼) of Section Fifteen (15), Township Thirty-seven (37) North, Range Three (3) East, Penn Township, St. Joseph County, City of Mishawaka, Indiana, described as follows: Commencing at the Northeast corner of the Northeast Quarter (¼) of the Southeast Quarter (¼) of Section Fifteen (15), Township Thirty-seven (37) North, Range Three (3) East; thence South 00 degrees 00 minute 00 seconds East on the East line of Section 15, a distance of 66.00 feet; thence North 89 degrees 28 minutes 00 seconds West, a distance of 40.00 feet to the West line of Byrkit Avenue and the point of beginning; thence South 00 degrees 00 minutes 00 seconds West parallel with the East line of Section 15 and on the West right of way line of Byrkit Avenue, a distance of 120.00 feet; thence North 89 degrees 28 minutes 00 seconds West parallel with the South right of way line of Fifth Street, a distance of 118.98 feet; thence North 00 degrees 05 minutes 44 seconds East, a distance of 120.00 feet to the South right of way line of Fifth Street, a distance of 118.78 feet to the point of beginning and being known as Lots 18 through 23 in the Broadmoor Proposed Subdivision.

Together with:

A lot or parcel of land in the Northwest Quarter of Section 14, Township 37 North, Range 3 East, bounded by a line running as follows: Beginning at a point 684 ½ feet West of the center of said Section, which point is in the West line of Beiger Street, as platted in Beiger Farm Addition to the City of Mishawaka; thence North along the West line of said Beiger Street 438.6 feet to the South line of the New York Central Railroad Company's right of way; thence Westerly with said Railroad Company's right of way 624.74 feet; thence South 416.9 feet; thence East 624 ½ feet to the place of beginning.

Together with:

Beginning at a point on the West line of the West Half of the East Half of the Southwest Quarter of Section 14, Township 37 North, Range 3 East, 195 feet South of the Northwest Corner of the West Half of the East Half of the Southwest Quarter of said Section 14; thence South along the West line of the West Half of the East Half of the Southwest Quarter of said Section 14, Township 37 North, Range 3 east, 332.8 feet; thence East parallel with the North line of the West Half of the East Half of the Southwest Quarter of said Section 14, 654.41 feet to the centerline of Beiger Street in the City of Mishawaka, Indiana; thence North along the centerline of Beiger Street 332.8 feet to a point 195 feet South of the North line of said West Half of the East Half of the Southwest Quarter of said Section 14; thence West parallel with the North line of said Southwest Quarter of Section 14, Township 37 North, Range 3 East, 654.43 feet to the place of beginning.

Together with:

A lot or parcel of land in the Southwest Quarter of Section 14, Township 37 North Range 3 East bounded as follows: Beginning at a point on the centerline of said Section 654 ½ feet West of the center of said Section 14, which beginning point is in the middle of Beiger Street; thence South along the middle of said Beiger Street 161 ½ feet; thence West 269.72 feet; thence North 161 ½ feet; thence East 269.72 feet, to the place of beginning.

Together with:

A tract or parcel of land in Section 14, Township 37 North, Range 3 East, described as follows: Beginning at a point 924.22 feet West of the center of said Section 14, which is the Northwest corner of a tract heretofore conveyed to Charles Haney and wife on October 13, 1915 by deed recorded in Deed Record 153 at pages 245 and 246 in the Recorder's Office of St. Joseph county, Indiana; thence West along the East and West centerline 390.28 feet to the North and South centerline of the Southwest Quarter of said Section 14; thence South along said line 195 feet; thence East 630 feet to the West line of Beiger Street; thence North 33 ½ feet to the South line of the tract heretofore conveyed to Charles Haney and wife, as above described; thence West along said South line to the Southwest Corner of said tract conveyed to said Charles Haney and wife; thence North 161 ½ feet to the place of beginning.

Together with:

Beginning at a point on the West line of the East Half of the Southwest Quarter of Section 14, Township 37 North, Range 3 East, 527.8 feet South of the Northwest Corner of the East Half of the Southwest Quarter of said Section 14; thence continuing South of the Northwest corner of the East Half of said Southwest Quarter of said Section 462.2 feet; thence East parallel to the North line of the East Half of the Southwest Quarter of said Section 14, 654.36 feet to the centerline of Beiger Street, in the City of Mishawaka, Indiana; thence North along the centerline of Beiger Street 462.2 feet to a point 527.8 feet South of the North line of said East Half of the Southwest Quarter of said Section 14; thence West parallel with the North line of said East Half of said Southwest Quarter of Section 14, Township 37 North, Range 3 East, 654.41 feet to the place of beginning.

More commonly having addresses at 420 South Byrkit Avenue, with other addresses including 408, 418, 424, and 440 South Brykit Avenue and 401 South Beiger Street.

All of the above described property being located within the municipal corporation limits of the City of Mishawaka, Indiana, and

WHEREAS, notice of the adoption of a Declaratory Resolution and the public hearing before the Council has been published pursuant to Indiana Code § 6-1.1-12.1-2.5; and

WHEREAS, the Council held a public hearing for the purposes of hearing all remonstrance and objections from interested persons; and

WHEREAS, the Council has determined that the qualifications for an economic revitalization area have been met.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Mishawaka, Indiana, as follows:

1. The Common Council hereby confirms its Declaratory Resolution designating the area described herein as an Economic Revitalization Area for the purposes of tax abatement. Such designation is for personal property tax abatement only and is limited to one (1) calendar year.

2. The Common Council hereby determines that the property owner is qualified for and is granted a real property tax deduction; provided the same shall be limited to a period of ten (10) years for real property only in the following applicable deduction percentages:

Year 1:	100%
Year 2	90%
Year 3	80%
Year 4	70%
Year 5	60%
Year 6	50%
Year 7	40%
Year 8	30%
Year 9	20%
Year 10	10%

3. That the petition for tax abatement, and the Statement of Benefits submitted by Lippert Manufacturing Components, Inc. comply with Indiana Code § 6-1.1-12.1-1 et seq. and are hereby approved.

4. That this determination is final except that an appeal may be taken and heard as provided under Indiana Code § 6-1.1-12.1-2-5 and subjections (d) and (e) of the Act.

The Common Council of the City of Mishawaka, Indiana hereby confirms its Declaratory Resolution designating the area described herein as an Economic Revitalization Area for the purposes of tax abatement.

ADOPTED by the Common Council of the City of Mishawaka, Indiana, St. Joseph County, Indiana, this 5th day of July, 2017.

_____
Ross Deal, President

ATTEST:

_____
Deborah S. Block, City Clerk

PRESENTED by me to the Mayor of the City of Mishawaka, Indiana, on this _____ day of July, 2017.

_____
Deborah S. Block, City Clerk

APPROVED AND SIGNED by me this _____ day of July , 2017, at _____ o'clock ____.M.

_____
David A. Wood, Mayor

Tax Abatement Schedule prepared for: 28-Jun-17

Lippert Components Manufacturing Inc.

Real Property

*Mishawaka Penn Township 10 Year Tax Abatement Schedule**

TOTAL PROJECT IMPACT

Total estimated Project Cost: 7,400,000.00

Base Assessed Value: 5,920,000.00

(base assessed value is estimated at 85% of project cost)

Assume constant tax rate of: 4.5291% 2017 pay 2018 tax rate

Year	Assessed Value	Gross Tax	Max Tax Bill*	Percent Abated	Tax Abated	Tax Paid
1	5,920,000	268,123	240,370	100%	240,370	0
2	5,920,000	268,123	240,370	90%	216,333	24,037
3	5,920,000	268,123	240,370	80%	192,296	48,074
4	5,920,000	268,123	240,370	70%	168,259	72,111
5	5,920,000	268,123	240,370	60%	144,222	96,148
6	5,920,000	268,123	240,370	50%	120,185	120,185
7	5,920,000	268,123	240,370	40%	96,148	144,222
8	5,920,000	268,123	240,370	30%	72,111	168,259
9	5,920,000	268,123	240,370	20%	48,074	192,296
10	5,920,000	268,123	240,370	10%	24,037	216,333
				2,403,700	1,322,035	1,081,665

* Maximum tax bill is per the 3% property tax cap rate and a 1.0603% property tax exempt tax rate calculated per the Indiana DLGF on-line tax bill calculator.

Total Taxes Due During Abatement: 2,403,700

Total Taxes Abated During Abatement: 1,322,035

Total Taxes Paid During Abatement: 1,081,665

* - This schedule is for estimation purposes only and assumes constant tax rates. The true tax values will ultimately be determined by the actual assessed valuation and the then current tax rates.

RECEIVED
MAR 19 2019
BUILDING, PLANNING
COMMUNITY DEVELOPMENT

Lippert Components Manufacturing, Inc.
Annual Tax Abatement Reporting - PERSONAL PROPERTY
CF-1 Attachment

The project is still ongoing.

The designated property, 400 S Byrkit Avenue, Mishawaka, IN, was a massive reconstruction project. There were -0- employees at the location prior to the project beginning. The 221 employees retained were a combination of employees transferred from other Lippert Components Manufacturing, Inc. locations as well as new hires.

COMPLIANCE WITH STATEMENT OF BENEFITS
PERSONAL PROPERTY

State Form 51765 (R4 / 11-16)
Prescribed by the Department of Local Government Finance

FORM CF-1 / PP

PRIVACY NOTICE
This form contains information confidential pursuant to IC 6-1.1-35-9 and IC 6-1.1-12.1-5.6.

INSTRUCTIONS:
1. *Property owners whose Statement of Benefits was approved must file this form with the local Designating Body to show the extent to which there has been compliance with the Statement of Benefits. (IC 6-1.1-12.1-5.6)*
2. *This form must be filed with the Form 103-ERA Schedule of Deduction from Assessed Value between January 1, and May 15, of each year, unless a filing extension under 1C 6-1.1-3.7 has been granted. A person who obtains a filing extension must file between January 1, and the extended due date of each year.*
3. *With the approval of the designating body, compliance information for multiple projects may be consolidated on one (1) compliance (CF-I).*

SECTION 1 — TAXPAYER INFORMATION

Name of taxpayer Lippert Components Manufacturing, Inc.	County St. Joseph
Address of taxpayer *(street and number, city, state and ZIP code)* 3501 County Road 6E Elkhart IN 46514	DLGF taxing district number 023
Name of contact person Tom Bauters	Telephone number 574 312-6159

SECTION 2 — LOCATION AND DESCRIPTION OF PROPERTY

Name of designating body City of Mishawaka	Resolution number 2017-16	Estimated start date *(month, day, year)* 08/01/2017
Location of property 400 S Byrkit Avenue Mishawaka IN 46544		Actual start date *(month, day, year)* 08/01/2017
Description of new manufacturing equipment, or new research and development equipment, or new information technology equipment, or new logistical distribution equipment to be acquired. Racking, Equipment, Furniture & Fixtures		Estimated completion date *(month, day, year)* 08/01/2019
		Actual completion date *(month, day, year)* 08/01/2019

SECTION 3 — EMPLOYEES AND SALARIES

EMPLOYEES AND SALARIES	AS ESTIMATED ON SB-1	ACTUAL
Current number of employees	247	221
Salaries	10,354,808	9,124,640
Number of employees retained	247	221
Salaries	10,354,808	9,124,640
Number of additional employees	200	
Salaries	7,800,000	

SECTION 4 — COST AND VALUES

	MANUFACTURING EQUIPMENT		R & D EQUIPMENT		LOGIST DIST EQUIPMENT		IT EQUIPMENT	
AS ESTIMATED ON SB-1	**COST**	**ASSESSED VALUE**	**COST**	**ASSESSED VALUE**	**COST**	**ASSESSED VALUE**	**COST**	**ASSESSED VALUE**
Values before project					109,605			
Plus: Values of proposed project					1,625,000			
Less: Values of any property being replaced								
Net values upon completion of project					1,734,605			
ACTUAL	**COST**	**ASSESSED VALUE**	**COST**	**ASSESSED VALUE**	**COST**	**ASSESSED VALUE**	**COST**	**ASSESSED VALUE**
Values before project					109,605			
Plus: Values of proposed project					2,841,211			
Less: Values of any property being replaced								
Net values upon completion of project					2,950,816			

NOTE: The **COST** of the property is confidential pursuant to IC 6-1.1-12.1-5.6 (c).

SECTION 5 — WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER

WASTE CONVERTED AND OTHER BENEFITS	AS ESTIMATED ON SB-1	ACTUAL
Amount of solid waste converted		
Amount of hazardous waste converted		
Other benefits:		

SECTION 6 — TAXPAYER CERTIFICATION

I hereby certify that the representations in this statement are true.

Signature of authorized representative	Title	Date signed *(month, day, year)*
P Bauters, CPA	Assistant Treasurer + Tax Director	03.15.2019

OPTIONAL: FOR USE BY A DESIGNATING BODY WHO ELECTS TO REVIEW THE COMPLIANCE WITH STATEMENT OF BENEFITS (FORM CF-1) THAT WAS APPROVED AFTER JUNE 30, 1991.

INSTRUCTIONS: (IC 6-1.1-12.1-5.9)

1. *This page does not apply to a Statement of Benefits filed before July 1, 1991; that deduction may not be terminated for a failure to comply with the Statement of Benefits.*
2. *Within forty-five (45) days after receipt of this form, the designating body may determine whether or not the property owner has substantially complied with the Statement of Benefits.*
3. *If the property owner is found **NOT** to be in substantial compliance, the designating body shall send the property owner written notice. The notice must include the reasons for the determination and the date, time and place of a hearing to be conducted by the designating body. If a notice is mailed to a property owner, a copy of the written notice will be sent to the County Assessor and the County Auditor.*
4. *Based on the information presented at the hearing, the designating body shall determine whether or not the property owner has made reasonable effort to substantially comply with the Statement of Benefits and whether any failure to substantially comply was caused by factors beyond the control of the property owner.*
5. *If the designating body determines that the property owner has **NOT** made reasonable effort to comply, then the designating body shall adopt a resolution terminating the deduction. The designating body shall immediately mail a certified copy of the resolution to: (1) the property owner; (2) the County Auditor; and (3) the County Assessor.*

We have reviewed the CF-1 and find that:

☒ the property owner **IS** in substantial compliance

☐ the property owner **IS NOT** in substantial compliance

☐ other (*specify*) _____

Reasons for the determination (*attach additional sheets if necessary*)

Signature of authorized member	Date signed (*month, day, year*)
Dale "Woody" Emmons, President	4-15-2019
Attested by: Deborah S. Block, City Clerk	Designating body: Mishawaka Common Council

If the property owner is found not to be in substantial compliance, the property owner shall receive the opportunity for a hearing. The following date and time has been set aside for the purpose of considering compliance.

Time of hearing	Date of hearing (*month, day, year*)	Location of hearing
☐ AM ☐ PM		

HEARING RESULTS (*to be completed after the hearing*)

☐ Approved ☐ Denied (*see instruction 5 above*)

Reasons for the determination (*attach additional sheets if necessary*)

Signature of authorized member	Date signed (*month, day, year*)
Attested by:	Designating body

APPEAL RIGHTS [IC 6-1.1-12.1-5.9(e)]

A property owner whose deduction is denied by the designating body may appeal the designating body's decision by filing a complaint in the office of the clerk of Circuit or Superior Court together with a bond conditioned to pay the costs of the appeal if the appeal is determined against the property owner.

STATEMENT OF BENEFITS
PERSONAL PROPERTY

State Form 51784 (R4 / 11-15)
Prescribed by the Department of Local Government Finance

FORM SB-1 / PP

PRIVACY NOTICE
Any information concerning the cost of the property and specific salaries paid to individual employees by the property owner is confidential per IC 6-1.1-12.1-5.1.

INSTRUCTIONS

1. *This statement must be submitted to the body designating the Economic Revitalization Area prior to the public hearing if the designating body requires information from the applicant in making its decision about whether to designate an Economic Revitalization Area. Otherwise this statement must be submitted to the designating body BEFORE a person installs the new manufacturing equipment and/or research and development equipment, and/or logistical distribution equipment and/or information technology equipment for which the person wishes to claim a deduction.*
2. *The statement of benefits form must be submitted to the designating body and the area designated an economic revitalization area before the installation of qualifying abatable equipment for which the person desires to claim a deduction.*
3. *To obtain a deduction, a person must file a certified deduction schedule with the person's personal property return on a certified deduction schedule (Form 103-ERA) with the township assessor of the township where the property is situated or with the county assessor if there is no township assessor for the township. The 103-ERA must be filed between January 1 and May 15 of the assessment year in which new manufacturing equipment and/or research and development equipment and/or logistical distribution equipment and/or information technology equipment is installed and fully functional, unless a filing extension has been obtained. A person who obtains a filing extension must file the form between January 1 and the extended due date of that year.*
4. *Property owners whose Statement of Benefits was approved, must submit Form CF-1/PP annually to show compliance with the Statement of Benefits. (IC 6-1.1-12.1-5.6)*
5. *For a Form SB-1/PP that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. For a Form SB-1/PP that is approved prior to July 1, 2013, the abatement schedule approved by the designating body remains in effect. (IC 6-1.1-12.1-17)*

SECTION 1 — TAXPAYER INFORMATION

Name of taxpayer: Lippert Components Manufacturing, Inc.	Name of contact person: Tom Bauters
Address of taxpayer (number and street, city, state, and ZIP code): 3501 County Road 6 East, Elkhart, IN 46514	Telephone number: (574) 312-6159

SECTION 2 — LOCATION AND DESCRIPTION OF PROPOSED PROJECT

Name of designating body: City of Mishawaka		Resolution number (s):
Location of property: 400 South Byrkit, Mishawaka, IN 46544	County: St. Joseph	DLGF taxing district number: 023 - Mishawaka - Penn

Description of manufacturing equipment and/or research and development equipment and/or logistical distribution equipment and/or information technology equipment. (Use additional sheets if necessary.)

Racking for distribution facility - $500,000
Equipment - $800,000
Furniture & Fixtures - $325,000

	ESTIMATED START DATE	ESTIMATED COMPLETION DATE
Manufacturing Equipment		
R & D Equipment		
Logist Dist Equipment	08/01/2017	08/01/2019
IT Equipment	08/01/2017	08/01/2019

SECTION 3 — ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT

Current number	Salaries	Number retained	Salaries	Number additional	Salaries
247	10,354,808	247	10,354,808	200	7,800,000

SECTION 4 — ESTIMATED TOTAL COST AND VALUE OF PROPOSED PROJECT

NOTE: Pursuant to IC 6-1.1-12.1-5.1 (d) (2) the COST of the property is confidential.	MANUFACTURING EQUIPMENT		R & D EQUIPMENT		LOGIST DIST EQUIPMENT		IT EQUIPMENT	
	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE
Current values					109,605	43,840		
Plus estimated values of proposed project					1,625,000			
Less values of any property being replaced								
Net estimated values upon completion of project					1,734,605			

SECTION 5 — WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER

Estimated solid waste converted (pounds) _____ Estimated hazardous waste converted (pounds) _____

Other benefits:

SECTION 6 — TAXPAYER CERTIFICATION

I hereby certify that the representations in this statement are true.

Signature of authorized representative: TJ Bauters, CTA	Date signed (month, day, year): 6/12/2017
Printed name of authorized representative: Tom Bauters	Title: Assistant Treasurer & Tax Director

FOR USE OF THE DESIGNATING BODY

We have reviewed our prior actions relating to the designation of this economic revitalization area and find that the applicant meets the general standards adopted in the resolution previously approved by this body. Said resolution, passed under IC 6-1.1-12.1-2.5, provides for the following limitations as authorized under IC 6-1.1-12.1-2.

A. The designated area has been limited to a period of time not to exceed _____ calendar years * *(see below)*. The date this designation expires is _____. *NOTE: This question addresses whether the resolution contains an expiration date for the designated area.*

B. The type of deduction that is allowed in the designated area is limited to:

1. Installation of new manufacturing equipment; ☐ Yes ☐ No
2. Installation of new research and development equipment; ☐ Yes ☐ No
3. Installation of new logistical distribution equipment. ☐ Yes ☐ No
4. Installation of new information technology equipment; ☐ Yes ☐ No

☐ Enhanced Abatement per IC 6-1.1-12.1-18 *Check box if an enhanced abatement was approved for one or more of these types.*

C. The amount of deduction applicable to new manufacturing equipment is limited to $ _____ cost with an assessed value of $ _____. *(One or both lines may be filled out to establish a limit, if desired.)*

D. The amount of deduction applicable to new research and development equipment is limited to $ _____ cost with an assessed value of $ _____. *(One or both lines may be filled out to establish a limit, if desired.)*

E. The amount of deduction applicable to new logistical distribution equipment is limited to $ _____ cost with an assessed value of $ _____. *(One or both lines may be filled out to establish a limit, if desired.)*

F. The amount of deduction applicable to new information technology equipment is limited to $ _____ cost with an assessed value of $ _____. *(One or both lines may be filled out to establish a limit, if desired.)*

G. Other limitations or conditions *(specify)* _____

H. The deduction for new manufacturing equipment and/or new research and development equipment and/or new logistical distribution equipment and/or new information technology equipment installed and first claimed eligible for deduction is allowed for:

☐ Year 1 ☐ Year 2 ☐ Year 3 ☐ Year 4 ☐ Year 5
☐ Year 6 ☐ Year 7 ☐ Year 8 ☐ Year 9 ☐ Year 10

☐ Enhanced Abatement per IC 6-1.1-12.1-18 Number of years approved: _____ *(Enter one to twenty (1-20) years; may not exceed twenty (20) years.)*

I. For a Statement of Benefits approved after June 30, 2013, did this designating body adopt an abatement schedule per IC 6-1.1-12.1-17? ☐ Yes ☐ No
If yes, attach a copy of the abatement schedule to this form.
If no, the designating body is required to establish an abatement schedule before the deduction can be determined.

Also we have reviewed the information contained in the statement of benefits and find that the estimates and expectations are reasonable and have determined that the totality of benefits is sufficient to justify the deduction described above.

Approved by: *(signature and title of authorized member of designating body)*	Telephone number ( )	Date signed *(month, day, year)*
Printed name of authorized member of designating body	Name of designating body	
Attested by: *(signature and title of attester)*	Printed name of attester	

* If the designating body limits the time period during which an area is an economic revitalization area, that limitation does not limit the length of time a taxpayer is entitled to receive a deduction to a number of years that is less than the number of years designated under IC 6-1.1-12.1-17.

IC 6-1.1-12.1-17
Abatement schedules
Sec. 17. (a) A designating body may provide to a business that is established in or relocated to a revitalization area and that receives a deduction under section 4 or 4.5 of this chapter an abatement schedule based on the following factors:
(1) The total amount of the taxpayer's investment in real and personal property.
(2) The number of new full-time equivalent jobs created.
(3) The average wage of the new employees compared to the state minimum wage.
(4) The infrastructure requirements for the taxpayer's investment.
(b) This subsection applies to a statement of benefits approved after June 30, 2013. A designating body shall establish an abatement schedule for each deduction allowed under this chapter. An abatement schedule must specify the percentage amount of the deduction for each year of the deduction. An abatement schedule may not exceed ten (10) years.
(c) An abatement schedule approved for a particular taxpayer before July 1, 2013, remains in effect until the abatement schedule expires under the terms of the resolution approving the taxpayer's statement of benefits.

RESOLUTION NO. 2017-16

Lippert Components Manufacturing Inc.
400 South Byrkit Avenue

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, MAKING A FINAL DETERMINATION AND CONFIRMING THE DESIGNATION OF AREAS WITHIN THE CITY OF MISHAWAKA, INDIANA, KNOWN AS

420 SOUTH BYRKIT AVENUE, WITH OTHER ADDRESSES INCLUDING 408, 418, 424, AND 440 SOUTH BRYKIT AVENUE AND 401 SOUTH BEIGER STREET.

AS AN ECONOMIC REVITALIZATION AREA FOR PURPOSES OF PERSONAL PROPERTY TAX ABATEMENT

WHEREAS, the Common Council of the City of Mishawaka, Indiana, adopted a Declaratory Resolution which designated the area known as 420 South Byrkit Avenue, with other addresses including 408, 418, 424, and 440 South Brykit Avenue and 401 South Beiger Street, Mishawaka, IN 46544, to be an Economic Revitalization Area under the provisions of Indiana Code § 6-1.1-12.1-1 et seq. (the "Act"):

A lot or parcels of land described as follows:

Tax Parcel ID Numbers:

71-09-14-301-002.000-023	71-09-15-428-008.000-023
71-09-14-301-001.000-023	71-09-15-428-009.000-023
71-09-14-301-003.000-023	71-09-15-428-010.000-023
71-09-14-301-013.000-023	71-09-15-428-011.000-023
71-09-14-301-021.000-023	71-09-14-184-001.000-023
71-09-15-285-005.000-023	71-09-14-326-002.000-023
71-09-15-428-006.000-023	71-09-14-326-001.000-023
71-09-15-428-007.000-023	71-09-14-326-003.000-023

A parcel of land in the West Half (½) of the West Half (½) of Section Fourteen (14), Township Thirty-seven (37) North, Range Three (3) East, Penn Township, St. Joseph County, City of Mishawaka, Indiana, more particularly described as fellows: The "Point of Beginning" of said parcel of land herein described being the Northwest corner of the Northwest Quarter (¼) of the Southwest Quarter (¼) of said Section 14; thence North 00 degrees 00 minutes 00 seconds West, along the West line of Section 14 and the centerline of Byrkit Avenue, a distance of 332.38 feet to the Southerly right of way line of Conrail Corporation; thence along a curve, concave Southerly, whose elements are: central angle of 04 degrees 33 minutes 30 seconds, radius of 9536.76 feet, are length of 757.34 feet, and a chord that bears North 85 degrees 33 minutes 33 seconds East, 757.14 feet; thence North 87 degrees 43 minutes 30 seconds East, along the Southerly right of way line of Conrail Corporation, a distance of 549.65 feet to the East line of the Southwest Quarter (¼) of the Northwest Quarter (¼) of said Section 14; thence South 00 degrees 12 minutes 30 seconds East, along the East line of the Southwest Quarter (¼) of the Northwest Quarter (¼) of said Section 14, a distance of 406.39 feet to the Northeast corner of the Northwest Quarter (¼) of

the Southwest Quarter (¼) of said Section 14; thence South 00 degrees 02 minutes 30 seconds East along the East line of the West Half (½) of the Southwest Quarter (¼) of said Section 14; a distance of 229.93 feet; thence North 89 degrees 59 minutes 44 seconds West a distance of 393.74 feet; times South 00 degrees 10 minutes 42 seconds West a distance of 302.57 feet; thence South 89 degrees 51 minutes 00 seconds West a distance of 871.05 feet to the East right of way line of Byrkit Avenue and to a point which is South 00 degrees 00 minutes 00 seconds West 528.42 feet and North 89 degrees 51 minutes 00 seconds East 40.00 feet from the Northwest corner of the Northwest Quarter (¼) of the Southwest Quarter (¼) of said Section 14; thence North 00 degrees 00 minutes 00 seconds East, along the East right of way of Byrkit Avenue; a distance of 272.89 feet; thence South 89 degrees 43 minutes 00seconds West a distance of 40.00 feet to the West line of said Section 14 and the centerline of Byrkit Avenue; thence North 00 degrees 00 minutes 00 seconds West, along the West line of said Section 14 and the centerline of Byrkit Avenue, a distance of 255.62 feet to the "Point of Beginning".

Together with:

Part of the Southeast Quarter (¼) of the Northeast Quarter (¼) of Section Fifteen (15), Township Thirty –seven (37) North, Range Three (3) East, Penn Township, St. Joseph County, City of Mishawaka, Indiana, described as follows: Commencing at the Southeast corner of the Southeast Quarter (¼) of the Northeast Quarter (¼) of Section 15, Township 37 North, Range 3 East; thence North 89 degrees 28 minutes 00 seconds West, a distance of 20.00 feet to the point of beginning; thence continue North 89 degrees 28 minutes 00 seconds West on the North line of Fifth Street, a distance of 267.50 feet; thence North 00 degrees 00 minutes 00 seconds East parallel with the East line of Section 15, a distance of 310.27 feet to the Southerly right of way Line of the Conrail Corporation; thence North 84 degrees 01 minutes 48 seconds East on the Southerly right of way line of the Conrail Corporation, a distance of 268.945 feet; thence South 00 degrees 00 minutes 00 seconds West, a distance of 340.73 feet to the point of beginning.

Together with:

Part of the Northeast Quarter (¼) of the Southeast Quarter (¼) of Section Fifteen (15), Township Thirty-seven (37) North, Range Three (3) East, Penn Township, St. Joseph County, City of Mishawaka, Indiana, described as follows: Commencing at the Northeast corner of the Northeast Quarter (¼) of the Southeast Quarter (¼) of Section Fifteen (15), Township Thirty-seven (37) North, Range Three (3) East; thence South 00 degrees 00 minute 00 seconds East on the East line of Section 15, a distance of 66.00 feet; thence North 89 degrees 28 minutes 00 seconds West, a distance of 40.00 feet to the West line of Byrkit Avenue and the point of beginning; thence South 00 degrees 00 minutes 00 seconds West parallel with the East line of Section 15 and on the West right of way line of Byrkit Avenue, a distance of 120.00 feet; thence North 89 degrees 28 minutes 00 seconds West parallel with the South right of way line of Fifth Street, a distance of 118.98 feet; thence North 00 degrees 05 minutes 44 seconds East, a distance of 120.00 feet to the South right of way line of Fifth Street, a distance of 118.78 feet to the point of beginning and being known as Lots 18 through 23 in the Broadmoor Proposed Subdivision.

Together with:

A lot or parcel of land in the Northwest Quarter of Section 14, Township 37 North, Range 3 East, bounded by a line running as follows: Beginning at a point 684 ½ feet West of the center of said Section, which point is in the West line of Beiger Street, as platted in Beiger Farm Addition to the City of Mishawaka; thence North along the West line of said Beiger Street 438.6 feet to the South line of the New York Central Railroad Company's right of way; thence Westerly with said Railroad Company's right of way 624.74 feet; thence South 416.9 feet; thence East 624 ½ feet to the place of beginning.

Together with:

Beginning at a point on the West line of the West Half of the East Half of the Southwest Quarter of Section 14, Township 37 North, Range 3 East, 195 feet South of the Northwest Corner of the West Half of the East Half of the Southwest Quarter of said Section 14; thence South along the West line of the West Half of the East Half of the Southwest Quarter of said Section 14, Township 37 North, Range 3 east, 332.8 feet; thence East parallel with the North line of the West Half of the East Half of the Southwest Quarter of said Section 14, 654.41 feet to the centerline of Beiger Street in the City of Mishawaka, Indiana; thence North along the centerline of Beiger Street 332.8 feet to a point 195 feet South of the North line of said West Half of the East Half of the Southwest Quarter of said Section 14; thence West parallel with the North line of said Southwest Quarter of Section 14, Township 37 North, Range 3 East, 654.43 feet to the place of beginning.

Together with:

A lot or parcel of land in the Southwest Quarter of Section 14, Township 37 North Range 3 East bounded as follows: Beginning at a point on the centerline of said Section 654 ½ feet West of the center of said Section 14, which beginning point is in the middle of Beiger Street; thence South along the middle of said Beiger Street 161 ½ feet; thence West 269.72 feet; thence North 161 ½ feet; thence East 269.72 feet, to the place of beginning.

Together with:

A tract or parcel of land in Section 14, Township 37 North, Range 3 East, described as follows: Beginning at a point 924.22 feet West of the center of said Section 14, which is the Northwest corner of a tract heretofore conveyed to Charles Haney and wife on October 13, 1915 by deed recorded in Deed Record 153 at pages 245 and 246 in the Recorder's Office of St. Joseph county, Indiana; thence West along the East and West centerline 390.28 feet to the North and South centerline of the Southwest Quarter of said Section 14; thence South along said line 195 feet; thence East 630 feet to the West line of Beiger Street; thence North 33 ½ feet to the South line of the tract heretofore conveyed to Charles Haney and wife, as above described; thence West along said South line to the Southwest Corner of said tract conveyed to said Charles Haney and wife; thence North 161 ½ feet to the place of beginning.

Together with:

Beginning at a point on the West line of the East Half of the Southwest Quarter of Section 14, Township 37 North, Range 3 East, 527.8 feet South of the Northwest Corner of the East Half of the Southwest Quarter of said Section 14; thence continuing South of the Northwest corner of the East Half of said Southwest Quarter of said Section 462.2 feet; thence East parallel to the North line of the East Half of the Southwest Quarter of said Section 14, 654.36 feet to the centerline of Beiger Street, in the City of Mishawaka, Indiana; thence North along the centerline of Beiger Street 462.2 feet to a point 527.8 feet South of the North line of said East Half of the Southwest Quarter of said Section 14; thence West parallel with the North line of said East Half of said Southwest Quarter of Section 14, Township 37 North, Range 3 East, 654.41 feet to the place of beginning.

More commonly having addresses at 420 South Byrkit Avenue, with other addresses including 408, 418, 424, and 440 South Brykit Avenue and 401 South Beiger Street.

All of the above described property being located within the municipal corporation limits of the City of Mishawaka, Indiana, and

WHEREAS, notice of the adoption of a Declaratory Resolution and the public hearing before the Council has been published pursuant to Indiana Code § 6-1.1-12.1-2.5; and

WHEREAS, the Council held a public hearing for the purposes of hearing all remonstrance and objections from interested persons; and

WHEREAS, the Council has determined that the qualifications for an economic revitalization area have been met.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Mishawaka, Indiana, as follows:

1. The Common Council hereby confirms its Declaratory Resolution designating the area described herein as an Economic Revitalization Area for the purposes of tax abatement. Such designation is for personal property tax abatement only and is limited to one (1) calendar year.

2. The Common Council hereby determines that the property owner is qualified for and is granted a personal property tax deduction; provided the same shall be limited to a period of ten (10) years for real property only in the following applicable deduction percentages:

Year 1:	100%
Year 2	90%
Year 3	80%
Year 4	70%
Year 5	60%
Year 6	50%
Year 7	40%
Year 8	30%
Year 9	20%
Year 10	10%

3. That the petition for tax abatement, and the Statement of Benefits submitted by Lippert Manufacturing Components, Inc. comply with Indiana Code § 6-1.1-12.1-1 et seq. and are hereby approved.

4. That this determination is final except that an appeal may be taken and heard as provided under Indiana Code § 6-1.1-12.1-2-5 and subjections (d) and (e) of the Act.

The Common Council of the City of Mishawaka, Indiana hereby confirms its Declaratory Resolution designating the area described herein as an Economic Revitalization Area for the purposes of tax abatement.

ADOPTED by the Common Council of the City of Mishawaka, Indiana, St. Joseph County, Indiana, this 5th day of July, 2017.

_____
Ross Deal, President

ATTEST:

_____
Deborah S. Block, City Clerk

PRESENTED by me to the Mayor of the City of Mishawaka, Indiana, on this _____ day of July, 2017.

_____
Deborah S. Block, City Clerk

APPROVED AND SIGNED by me this _____ day of July , 2017, at _____ o'clock ____.M.

_____
David A. Wood, Mayor

Tax Abatement Schedule prepared for:

28-Jun-17

Lippert Components Manufacturing Inc.

Personal Property

*Mishawaka Penn Township 10 Year Tax Abatement Schedule**

TOTAL PROJECT IMPACT

Total estimated Project Cost: 1,625,000.00

Base Assessed Value: 1,300,000.00

(base assessed value is estimated at 85% of project cost)

Assume constant tax rate of: 4.5291% 2017 pay 2018 tax rate

Year	Assessed Value	Gross Tax	Max Tax Bill*	Percent Abated	Tax Abated	Tax Paid
1	1,300,000	58,878	52,784	100%	52,784	0
2	1,300,000	58,878	52,784	90%	47,506	5,278
3	1,300,000	58,878	52,784	80%	42,227	10,557
4	1,300,000	58,878	52,784	70%	36,949	15,835
5	1,300,000	58,878	52,784	60%	31,670	21,114
6	1,300,000	58,878	52,784	50%	26,392	26,392
7	1,300,000	58,878	52,784	40%	21,114	31,670
8	1,300,000	58,878	52,784	30%	15,835	36,949
9	1,300,000	58,878	52,784	20%	10,557	42,227
10	1,300,000	58,878	52,784	10%	5,278	47,506
				527,840	290,312	237,528

* Maximum tax bill is per the 3% property tax cap rate and a 1.0003% property tax exempt tax rate calculated per the Indiana DLGF on-line tax bill calculator.

Total Taxes Due During Abatement: 527,840

Total Taxes Abated During Abatement: 290,312

Total Taxes Paid During Abatement: 237,528

* - This schedule is for estimation purposes only and assumes constant tax rates. The true tax values will ultimately be determined by the actual assessed valuation and the then current tax rates.

COMPLIANCE WITH STATEMENT OF BENEFITS
PERSONAL PROPERTY

State Form 51765 (R4 / 11-16)
Prescribed by the Department of Local Government Finance

FORM CF-1/PP

FILED
FEB 21 2018
ST. JOSEPH COUNTY INDIANA

PRIVACY NOTICE
This form contains information confidential pursuant to IC 6-1.1-35-9 and IC 6-1.1-12.1-5.6.

INSTRUCTIONS:

1. *Property owners whose Statement of Benefits was approved must file this form with the Local Designating Body to show the extent to which there has been compliance with the Statement of Benefits. (IC 6-1.1-12.1-5.6)*
2. *This form must be filed with the Form 103-ERA Schedule of Deduction from Assessed Value between January 1, and May 15, of each year, unless a filing extension under 1C 6-1.1-3.7 has been granted. A person who obtains a filing extension must file between January 1, and the extended due date of each year.*
3. *With the approval of the designating body, compliance information for multiple projects may be consolidated on one (1) compliance (CF-I).*

SECTION 1 — TAXPAYER INFORMATION

Name of taxpayer: Jamil Packaging Corporation	County: St. Joseph
Address of taxpayer *(street and number, city, state and ZIP code)*: 1420 Industrial Drive, Mishawaka IN 46544	DLGF taxing district number: 71-022
Name of contact person: David J. Hershberger	Telephone number: 574-256-2600

SECTION 2 — LOCATION AND DESCRIPTION OF PROPERTY

Name of designating body: Mishawaka Common Council	Resolution number: R2017-18	Estimated start date *(month, day, year)*: 07/20/2017
Location of property: 1420 Industrial Drive, Mishawaka IN 46544		Actual start date *(month, day, year)*: 07/24/2017
Description of new manufacturing equipment, or new research and development equipment, or new information technology equipment, or new logistical distribution equipment to be acquired. Digital printer for larger printing capability on corrugated materials including our current boxes and POP displays		Estimated completion date *(month, day, year)*: 08/31/2017
		Actual completion date *(month, day, year)*: 08/28/2017

SECTION 3 — EMPLOYEES AND SALARIES

EMPLOYEES AND SALARIES	AS ESTIMATED ON SB-1	ACTUAL
Current number of employees	112	140
Salaries	3,647,509	4,864,354
Number of employees retained	112	112
Salaries	3,647,509	3,647,509
Number of additional employees	8	9
Salaries	249,600	262,434

SECTION 4 — COST AND VALUES

	MANUFACTURING EQUIPMENT		R & D EQUIPMENT		LOGIST DIST EQUIPMENT		IT EQUIPMENT	
AS ESTIMATED ON SB-1	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE
Values before project	8,192,090							
Plus: Values of proposed project	1,500,000							
Less: Values of any property being replaced								
Net values upon completion of project	9,692,090							
ACTUAL	**COST**	**ASSESSED VALUE**	**COST**	**ASSESSED VALUE**	**COST**	**ASSESSED VALUE**	**COST**	**ASSESSED VALUE**
Values before project	8,523,318	2,245,877						
Plus: Values of proposed project	976,160	603,966						
Less: Values of any property being replaced								
Net values upon completion of project	9,499,478	2,849,843						

NOTE: The COST of the property is confidential pursuant to IC 6-1.1-12.1-5.6 (c).

SECTION 5 — WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER

WASTE CONVERTED AND OTHER BENEFITS	AS ESTIMATED ON SB-1	ACTUAL
Amount of solid waste converted		
Amount of hazardous waste converted		
Other benefits:		

SECTION 6 — TAXPAYER CERTIFICATION

I hereby certify that the representations in this statement are true.

Signature of authorized representative: [signature]	Title: President	Date signed *(month, day, year)*: 2-21-18

OPTIONAL: FOR USE BY A DESIGNATING BODY WHO ELECTS TO REVIEW THE COMPLIANCE WITH STATEMENT OF BENEFITS (FORM CF-1) THAT WAS APPROVED AFTER JUNE 30, 1991.

INSTRUCTIONS: (IC 6-1.1-12-5.9)

1. *This page does not apply to a Statement of Benefits filed before July 1, 1991; that deduction may not be terminated for a failure to comply with the Statement of Benefits.*
2. *Within forty-five (45) days after receipt of this form, the designating body may determine whether or not the property owner has substantially complied with the Statement of Benefits.*
3. *If the property owner is found NOT to be in substantial compliance, the designating body shall send the property owner written notice. The notice must include the reasons for the determination and the date, time and place of a hearing to be conducted by the designating body. If a notice is mailed to a property owner, a copy of the written notice will be sent to the County Assessor and the County Auditor.*
4. *Based on the information presented at the hearing, the designating body shall determine whether or not the property owner has made reasonable effort to substantially comply with the Statement of Benefits and whether any failure to substantially compy was caused by factors beyond the control of the property owner.*
5. *If the designating body determines that the property owner has NOT made reasonable effort to comply, then the designating body shall adopt a resolution terminating the deduction. The designating body shall immediately mail a certified copy of the resolution to. (1) the property owner; (2) the County Auditor; and (3) the County Assessor.*

We have reviewed the CF-1 and find that:

☐ the property owner IS in substantial compliance

☐ the property owner IS NOT in substantial compliance

☐ other *(specify)* _____

Reasons for the determination *(attach additional sheets if necessary)*

Signature of authorized member	Date signed *(month, day, year)*

Attested by:	Designating body

If the property owner is found not to be in substantial compliance, the property owner shall receive the opportunity for a hearing. The following date and time has been set aside for the purpose of considering compliance.

Time of hearing	Date of hearing *(month, day, year)*	Location of hearing
☐ AM ☐ PM		

HEARING RESULTS (to be completed after the hearing)

☐ Approved ☐ Denied *(see insruction 5 above)*

Reasons for determination *(attach additional sheets if necessary)*

Signature of authorized member	Date signed *(month, day, year)*

Attested by:	Designating body

APPEAL RIGHTS [IC 6-1.1-12.1-5.9(e)]

A property owner whose deduction is denied by the designating body may appeal the designating body's decision by filing a complaint in the office of the Circuit or Superior Court together with a bond conditioned to pay the costs of the appeal if the appeal is determined against the property owner.

SCHEDULE OF DEDUCTION FROM ASSESSED VALUATION PERSONAL PROPERTY IN ECONOMIC REVITALIZATION AREA

State Form 52503 (R16 / 10-18)
Prescribed by the Department of Local Government Finance

JANUARY 1, 2019

FORM 103 – ERA

PRIVACY NOTICE

This form contains information confidential pursuant to IC 6-1.1-35-9.

INSTRUCTIONS:

1. *In order to receive a deduction, this schedule must be submitted with a timely filed Form 103-Long.*
2. ***A separate schedule must be completed and attached to Form 103-Long for each approved Form SB-1 / PP for that abatement.***
3. *Attach a copy of the applicable approved Form CF-1 to this schedule. First-time filings must also include the SB-1 and the Resolution from the designating body.*
4. ***For any acquisitions included herein since the last assessment date, attach a list of the newly included equipment on Form 103-EL.***

SECTION 1 — TAXPAYER INFORMATION

Name of taxpayer Jamil Packaging Corporation		Name of contact person David J. Hershberger	
Full address (number and street, city, state, and ZIP code) 1420 Industrial Drive Mishawaka IN 46544		E-mail address of contact person	Telephone number 574-256-2600
County St. Joseph	Township Penn	Taxing district 71-022	Fax number 574-256-2605

SECTION 2 — ECONOMIC REVITALIZATION AREA INFORMATION

Name of body designating the Economic Revitalization Area Mishawaka Common Council	Resolution number R2017-18	Length of abatement (years) 3
Date designation approved *(month, day, year)* 07/24/2017	Date designation will terminate *(month, day, year)* 07/24/2018	Does resolution limit dollar amount of deduction? ☒ YES - and limit is based on equipment ☒ Cost and/or ☒ Assessed Value ☐ NO

SECTION 3 — ABATED EQUIPMENT POOLING SCHEDULE

The total cost of depreciable assets is to be reported on Form 103-Long. ***This schedule includes only the values attributable to the new manufacturing, research and development, logistical distribution, and/or information technology equipment under abatement per the resolution and IC 6-1.1-12.1.***

The Minimum Value Ratio applies if Line 53 is greater than Line 52D on page 2 of the Form 103-Long [IC 6-1.1-12.1-4.5(g)]	Box 1 - Enter amount shown on Line 53 of Form 103-Long 2,849,843	Box 2 - Enter amount shown on Line 52D of Form 103-Long 2,579,385	Box 3 - Divide Box 1 by Box 2 (carry ratio 5 decimal places) 1.10485

POOL NUMBER 1 (1 TO 4 YEAR LIFE)

		103 Schedule A Column C Adjusted Cost	TTV %	True Tax Value	Minimum Value Ratio (if applicable) *(5 decimal places)*	Year	Year*	Percent	Deduction Claimed
13	1-2-18 to 1-1-19	$	65%	$	1.10485	1		%	$
14	1-2-17 to 1-1-18		50%		1.10485	2			
15	1-2-16 to 1-1-17		35%		1.10485	3			
16A	3-2-15 to 1-1-16		20%		1.10485	4			
16B	3-2-14 to 3-1-15		20%		1.10485	5			
16C	3-2-13 to 3-1-14		20%		1.10485	6			
16D	3-2-12 to 3-1-13		20%		1.10485	7			
16E	3-2-11 to 3-1-12		20%		1.10485	8			
16F	3-2-10 to 3-1-11		20%		1.10485	9			
16G	3-2-09 to 3-1-10		20%		1.10485	10			
17	TOTAL POOL NUMBER 1	$	--	$	--	--	--	--	$

POOL NUMBER 2 (5 TO 8 YEAR LIFE)

		103 Schedule A Column C Adjusted Cost	TTV %	True Tax Value	Minimum Value Ratio (if applicable) *(5 decimal places)*	Year	Year*	Percent	Deduction Claimed
18	1-2-18 to 1-1-19	$	40%	$	1.10485	1		100 %	$
19	1-2-17 to 1-1-18	976,160	56%	546,650	1.10485	2		66	398,618
20	1-2-16 to 1-1-17		42%		1.10485	3		33	
21	3-2-15 to 1-1-16		32%		1.10485	4			
22	3-2-14 to 3-1-15		24%		1.10485	5			
23	3-2-13 to 3-1-14		18%		1.10485	6			
24A	3-2-12 to 3-1-13		15%		1.10485	7			
24B	3-2-11 to 3-1-12		15%		1.10485	8			
24C	3-2-10 to 3-1-11		15%		1.10485	9			
24D	3-2-09 to 3-1-10		15%		1.10485	10			
25	TOTAL POOL NUMBER 2	$ 976,160	--	$ 546,650	--	--	--	--	$ 398,618

SUB-TOTAL- POOLS 1 and 2 *(Total lines 17 and 25. Enter to the right and on Page 2)*	$ 398,618

Form 103-ERA, page 1 - NACTP 1585 - Software only copyright © 2019 DIS, Inc.

Client/Loc 03754

SECTION 3 (continued) ABATED EQUIPMENT POOLING SCHEDULE

POOL NUMBER 3 (9 TO 12 YEAR LIFE)

		103 Schedule A Column C Adjusted Cost	TTV %	True Tax Value	Minimum Value Ratio (if applicable) *(5 decimal places)*	Year	Year*	Percent	Deduction Claimed
26	1-2-18 to 1-1-19	$	40%	$	1.10485	1		%	$
27	1-2-17 to 1-1-18		60%		1.10485	2			
28	1-2-16 to 1-1-17		55%		1.10485	3			
29	3-2-15 to 1-1-16		45%		1.10485	4			
30	3-2-14 to 3-1-15		37%		1.10485	5			
31	3-2-13 to 3-1-14		30%		1.10485	6			
32	3-2-12 to 3-1-13		25%		1.10485	7			
33	3-2-11 to 3-1-12		20%		1.10485	8			
34	3-2-10 to 3-1-11		16%		1.10485	9			
35	3-2-09 to 3-1-10		12%		1.10485	10			
37	TOTAL POOL NUMBER 3	$	--	$	--	--	--	--	$

POOL NUMBER 4 (13 YEAR AND LONGER LIVES)

		103 Schedule A Column C Adjusted Cost	TTV %	True Tax Value	Minimum Value Ratio (if applicable) *(5 decimal places)*	Year	Year*	Percent	Deduction Claimed
38	1-2-18 to 1-1-19	$	40%	$	1.10485	1		%	$
39	1-2-17 to 1-1-18		60%		1.10485	2			
40	1-2-16 to 1-1-17		63%		1.10485	3			
41	3-2-15 to 1-1-16		54%		1.10485	4			
42	3-2-14 to 3-1-15		46%		1.10485	5			
43	3-2-13 to 3-1-14		40%		1.10485	6			
44	3-2-12 to 3-1-13		34%		1.10485	7			
45	3-2-11 to 3-1-12		29%		1.10485	8			
46	3-2-10 to 3-1-11		25%		1.10485	9			
47	3-2-09 to 3-1-10		21%		1.10485	10			
51	TOTAL POOL NUMBER 4	$	--	$	--	--	--	--	$

SUB-TOTAL- POOLS 3 and 4	*(Total lines 37 and 51. Enter at right and below)*	$

SPECIAL TOOLING

Round all figures to the nearest $1. Report only the cost of abated special tools, dies, jigs, etc. (50 IAC 4.2-6-2)			True Tax Value *(Included on Form 103-T)*			Abatement Year	Abatement Year*	Abatement Percent	Deduction Claimed
S1	1-2-18 to 1-1-19	$	30%		The Minimum Value Ratio Is Not Applicable To Special Tooling	1		%	$
S2	1-2-17 to 1-1-18		3%			2			
S3	1-2-16 to 1-1-17		3%			3			
S4	3-2-15 to 1-1-16		3%			4			
S5	3-2-14 to 3-1-15		3%			5			
S6	3-2-13 to 3-1-14		3%			6			
S7	3-2-12 to 3-1-13		3%			7			
S8	3-2-11 to 3-1-12		3%			8			
S9	3-2-10 to 3-1-11		3%			9			
S10	3-2-09 to 3-1-10		3%			10			
S11	TOTAL SPECIAL TOOLS	$	--		--	--	--	--	$

SUB-TOTAL POOLS 1 and 2 (from Page 1)		$ 398,618
SUB-TOTAL POOLS 3 and 4 (from above)		
SUB-TOTAL SPECIAL TOOLING (from above - line S11)		
TOTAL ALL POOLS AND SPECIAL TOOLING		$ 398,618
LIMIT ON AMOUNT OF ABATEMENT STATED IN RESOLUTION	Cost $ 1,500,000	AV $ 1,500,000
AMOUNT OF DEDUCTION CLAIMED - Lesser of resolution limit on abatement or total all pools. (Carry deduction forward to the Summary Section on page 1 of the Form 103-Long.)		$ 398,618

Obsolescence claimed on Form 106? ☐ YES ☒ NO

NOTE: If obsolescence is claimed on depreciable assets, the applicable adjustment must be taken on the Abatement Deduction being claimed. Show calculations on the Form 106.
Line numbers on this form match the line numbers on the Form 103-Long. Lines were added to Pools 1 & 2 and deleted from Pools 3 & 4 to reflect the ten (10) year abatement limitation.

* This column may be used when the abatement year does not correlate with the acquisition year within the pool.
An example might be when used equipment is moved into Indiana from out of state and it was granted an abatement.

STATEMENT OF BENEFITS
PERSONAL PROPERTY

State Form 51784 (R4 / 11-15)
Prescribed by the Department of Local Government Finance

FORM SB-1 / PP

PRIVACY NOTICE
Any information concerning the cost of the property and specific salaries paid to individual employees by the property owner is confidential per IC 6-1.1-12.1-5.1.

INSTRUCTIONS

1. *This statement must be submitted to the body designating the Economic Revitalization Area prior to the public hearing if the designating body requires information from the applicant in making its decision about whether to designate an Economic Revitalization Area. Otherwise this statement must be submitted to the designating body BEFORE a person installs the new manufacturing equipment and/or research and development equipment, and/or logistical distribution equipment and/or information technology equipment for which the person wishes to claim a deduction.*
2. *The statement of benefits form must be submitted to the designating body and the area designated an economic revitalization area before the installation of qualifying abatable equipment for which the person desires to claim a deduction.*
3. *To obtain a deduction, a person must file a certified deduction schedule with the person's personal property return on a certified deduction schedule (Form 103-ERA) with the township assessor of the township where the property is situated or with the county assessor if there is no township assessor for the township. The 103-ERA must be filed between January 1 and May 15 of the assessment year in which new manufacturing equipment and/or research and development equipment and/or logistical distribution equipment and/or information technology equipment is installed and fully functional, unless a filing extension has been obtained. A person who obtains a filing extension must file the form between January 1 and the extended due date of that year.*
4. *Property owners whose Statement of Benefits was approved, must submit Form CF-1/PP annually to show compliance with the Statement of Benefits. (IC 6-1.1-12.1-6.6)*
5. *For a Form SB-1/PP that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. For a Form SB-1/PP that is approved prior to July 1, 2013, the abatement schedule approved by the designating body remains in effect. (IC 6-1.1-12.1-17)*

SECTION 1 — TAXPAYER INFORMATION

Name of taxpayer	Name of contact person
Jamil Packaging Corporation	David J. Herschberger

Address of taxpayer (number and street, city, state, and ZIP code)	Telephone number
1420 Industrial Dr, Mishawaka, IN 46544	(574) 256-2600

SECTION 2 — LOCATION AND DESCRIPTION OF PROPOSED PROJECT

Name of designating body	Resolution number (s)
City of Mishawaka Common Council	

Location of property	County	DLGF taxing district number
1420 Industrial Dr, Mishawaka, IN 46544	St. Joseph	71022

Description of manufacturing equipment and/or research and development equipment and/or logistical distribution equipment and/or information technology equipment. *(Use additional sheets if necessary.)*

Digital Printer for larger printing capability on corrugated materials including our current boxes and POP displays

	ESTIMATED START DATE	ESTIMATED COMPLETION DATE
Manufacturing Equipment	07/20/2017	08/31/2017
R & D Equipment		
Logist Dist Equipment		
IT Equipment		

SECTION 3 — ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT

Current number	Salaries	Number retained	Salaries	Number additional	Salaries
112	3,647,509	112	3,647,509	8	249,600

SECTION 4 — ESTIMATED TOTAL COST AND VALUE OF PROPOSED PROJECT

NOTE: Pursuant to IC 6-1.1-12.1-5.1 (d) (2) the COST of the property is confidential.	MANUFACTURING EQUIPMENT		R & D EQUIPMENT		LOGIST DIST EQUIPMENT		IT EQUIPMENT	
	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE	COST	ASSESSED VALUE
Current values	8,192,090							
Plus estimated values of proposed project	1,500,000							
Less values of any property being replaced	0							
Net estimated values upon completion of project	9,692,090							

SECTION 5 — WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER

Estimated solid waste converted (*pounds*) _____ Estimated hazardous waste converted (*pounds*) _____

Other benefits:

SECTION 6 — TAXPAYER CERTIFICATION

I hereby certify that the representations in this statement are true.

Signature of authorized representative	Date signed (*month, day, year*)
	6/22/2017

Printed name of authorized representative	Title
David A. Diroll	President

FOR USE OF THE DESIGNATING BODY

We have reviewed our prior actions relating to the designation of this economic revitalization area and find that the applicant meets the general standards adopted in the resolution previously approved by this body. Said resolution, passed under IC 6-1.1-12.1-2.5, provides for the following limitations as authorized under IC 6-1.1-12.1-2.

A. The designated area has been limited to a period of time not to exceed One (1) calendar years * *(see below)*. The date this designation expires is 7-24-2018. *NOTE: This question addresses whether the resolution contains an expiration date for the designated area.*

B. The type of deduction that is allowed in the designated area is limited to:

1. Installation of new manufacturing equipment; ☒ Yes ☐ No
2. Installation of new research and development equipment; ☐ Yes ☒ No
3. Installation of new logistical distribution equipment. ☐ Yes ☒ No
4. Installation of new information technology equipment; ☐ Yes ☒ No

☐ Enhanced Abatement per IC 6-1.1-12.1-18 *Check box if an enhanced abatement was approved for one or more of these types.*

C. The amount of deduction applicable to new manufacturing equipment is limited to $ 1,500,000 cost with an assessed value of $ 1,500,000. *(One or both lines may be filled out to establish a limit, if desired.)* or less as may be determined by the Penn Township Assessor

D. The amount of deduction applicable to new research and development equipment is limited to $ NA cost with an assessed value of $ NA. *(One or both lines may be filled out to establish a limit, if desired.)*

E. The amount of deduction applicable to new logistical distribution equipment is limited to $ NA cost with an assessed value of $ NA. *(One or both lines may be filled out to establish a limit, if desired.)*

F. The amount of deduction applicable to new information technology equipment is limited to $ NA cost with an assessed value of $ NA. *(One or both lines may be filled out to establish a limit, if desired.)*

G. Other limitations or conditions *(specify)* None

H. The deduction for new manufacturing equipment and/or new research and development equipment and/or new logistical distribution equipment and/or new information technology equipment installed and first claimed eligible for deduction is allowed for:

☒ Year 1 ☒ Year 2 ☒ Year 3 ☐ Year 4 ☐ Year 5 ☐ Year 6 ☐ Year 7 ☐ Year 8 ☐ Year 9 ☐ Year 10

☐ Enhanced Abatement per IC 6-1.1-12.1-18 Number of years approved: _____ *(Enter one to twenty (1-20) years; may not exceed twenty (20) years.)*

I. For a Statement of Benefits approved after June 30, 2013, did this designating body adopt an abatement schedule per IC 6-1.1-12.1-17? ☒ Yes ☐ No
If yes, attach a copy of the abatement schedule to this form.
If no, the designating body is required to establish an abatement schedule before the deduction can be determined.

Also we have reviewed the information contained in the statement of benefits and find that the estimates and expectations are reasonable and have determined that the totality of benefits is sufficient to justify the deduction described above.

Approved by: *(signature and title of authorized member of designating body)*	Telephone number 5742581616	Date signed *(month, day, year)* 7/24/2017
Printed name of authorized member of designating body Ross Deal, President	Name of designating body Mishawaka City Council	
Attested by: *(signature and title of attester)* Deborah S. Block	Printed name of attester Deborah S. Block, City Clerk	

* If the designating body limits the time period during which an area is an economic revitalization area, that limitation does not limit the length of time a taxpayer is entitled to receive a deduction to a number of years that is less than the number of years designated under IC 6-1.1-12.1-17.

IC 6-1.1-12.1-17
Abatement schedules
Sec. 17. (a) A designating body may provide to a business that is established in or relocated to a revitalization area and that receives a deduction under section 4 or 4.5 of this chapter an abatement schedule based on the following factors:
(1) The total amount of the taxpayer's investment in real and personal property.
(2) The number of new full-time equivalent jobs created.
(3) The average wage of the new employees compared to the state minimum wage.
(4) The infrastructure requirements for the taxpayer's investment.
(b) This subsection applies to a statement of benefits approved after June 30, 2013. A designating body shall establish an abatement schedule for each deduction allowed under this chapter. An abatement schedule must specify the percentage amount of the deduction for each year of the deduction. An abatement schedule may not exceed ten (10) years.
(c) An abatement schedule approved for a particular taxpayer before July 1, 2013, remains in effect until the abatement schedule expires under the terms of the resolution approving the taxpayer's statement of benefits.

RESOLUTION NO. 2017-18

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA DECLARING CERTAIN AREAS WITHIN THE CITY OF MISHAWAKA, INDIANA, KNOWN AS:

1420 INDUSTRIAL DRIVE, MISHAWAKA, IN 46544

TO BE AN ECONOMIC REVITALIZATION AREA
AND ECONOMIC DEVELOPMENT TARGET AREA
FOR PURPOSES OF PERSONAL PROPERTY TAX ABATEMENT FOR

JAMIL PACKAGING CORPORATION

WHEREAS, a petition for personal property tax abatement has been filed with the City Clerk of the City of Mishawaka, Indiana for consideration by the Common Council of the City of Mishawaka, Indiana requesting 1420 Industrial Drive, Mishawaka, Indiana 46544 to be an Economic Revitalization Area and Economic Development Target Area under the provisions of Indiana Code § 6-1.1-12.1-1 et seq. (the "Act"):

A lot or parcels of land described as follows:

TAX KEY #027-1027-043620 AND 027-1001-026008, AS LEGALLY DESCRIBED IN ATTACHMENT "A" TO THIS RESOLUTION AND HEREBY INCORPORATED HEREIN.

All of the above described property being located within the municipal corporation limits of the City of Mishawaka, Indiana, and

WHEREAS, the City, through its Redevelopment Commission has conducted an investigation and prepared a report with information sufficient for the Common Council to determine that the area qualifies as an Economic Revitalization Area and Economic Development Target Area under Indiana Code § 6-1.1-12.1-1 et seq., and has further prepared maps and plats showing the boundaries and such other information regarding the area in question as required by law; and

WHEREAS, the Redevelopment Commission has reviewed said report and recommended to the Common Council that the area qualifies as an Economic Revitalization Area and Economic Development Target Area.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Mishawaka, Indiana, as follows:

1. The Common Council hereby determines and finds that the Petition for Personal Property Tax Abatement and the Statement of Benefits form completed by the Petitioner meet the requirements under the Act for tax abatement;

2. That the description of the proposed redevelopment or rehabilitation meets the applicable standards for such development;

3. That the estimate of the value of the redevelopment or rehabilitation is reasonable for projects of this nature;

4. That the estimate of the number of individuals who will be employed or whose employment will be retained by the Petitioner can reasonably be expected to result from the proposed described redevelopment or rehabilitation;

5. That the estimate of the annual salaries of those individuals who will be employed or whose employment will be retained by the Petitioner can be reasonably expected to result from the proposed redevelopment or rehabilitation;

6. That the other benefits are sufficient to justify the requested deduction, all of which satisfy the requirements of the Act;

7. The Common Council hereby accepts the report and recommendation of the Redevelopment Commission that the area herein described be designated as an Economic Revitalization Area and Economic Development Target Area, and hereby adopts a Resolution designating this area as an Economic Revitalization Area and Economic Development Target Area for purposes of personal property tax abatement;

8. ~~The designation as an Economic Revitalization Area and Economic Development Target~~ Area shall be limited to three (3) calendar years from the date of the adoption of this Resolution by the Common Council;

9. The Common Council directs the City Clerk to cause notice of the adoption of this Declaratory Resolution for the Personal Property Tax Abatement to be published pursuant to Indiana Code § 5-3-1 and Indiana Code § 6-1.1-12.1-2.5, said publication providing notice of the public hearing before the Common Council on the proposed confirming of said declaration; AND

10. This Resolution shall be in full force and effect from and after its adoption by the Common Council and approval by the Mayor.

ADOPTED by the Common Council of the City of Mishawaka, St. Joseph County, Indiana, this 5th day of July, 2017.

Ross Deal, Presiding Officer

ATTEST:

Deborah S. Block

Deborah S. Block, IAMC, MMC, City Clerk

PRESENTED by me to the Mayor of the City of Mishawaka, Indiana, on this 6th day of July, 2017.

Deborah S. Block

Deborah S. Block, IAMC, MMC, City Clerk

APPROVED AND SIGNED by me this 6 day of July, 2017, at 10:08 o'clock A .M.

David A. Wood, Mayor

AS AMENDED

RESOLUTION NO. 2017-19

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, MAKING A FINAL DETERMINATION AND CONFIRMING THE DESIGNATION OF AREAS WITHIN THE CITY OF MISHAWAKA, INDIANA, KNOWN AS

1420 INDUSTRIAL DRIVE, MISHAWAKA, IN 46544

AS AN ECONOMIC REVITALIZATION AREA AND ECONOMIC DEVELOPMENT TARGET AREA FOR PURPOSES OF PERSONAL PROPERTY TAX ABATEMENT FOR

JAMIL PACKAGING CORPORATION

WHEREAS, the Common Council of the City of Mishawaka, Indiana, adopted a Declaratory Resolution which designated the area known as 1420 Industrial Drive, Mishawaka, Indiana 46544, to be an Economic Revitalization Area and Economic Development Target Area under the provisions of Indiana Code § 6-1.1-12.1-1 et seq. (the "Act"):

A lot or parcels of land described as follows:

TAX KEY #027-1027-043620 AND 027-1001-026008, AS LEGALLY DESCRIBED IN ATTACHMENT "A" TO THIS RESOLUTION AND HEREBY INCORPORATED HEREIN.

All of the above described property being located within the municipal corporation limits of the City of Mishawaka, Indiana, and

WHEREAS, notice of the adoption of a Declaratory Resolution and the public hearing before the Council has been published pursuant to Indiana Code § 6-1.1-12.1-2.5; and

WHEREAS, the Council held a public hearing for the purposes of hearing all remonstrances and objections from interested persons; and

WHEREAS, the Council has determined that the qualifications for an economic revitalization area and economic development target area have been met.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Mishawaka, Indiana, as follows:

1. The Common Council hereby confirms its Declaratory Resolution designating the area described herein as an Economic Revitalization Area and Economic

Development Target Area for the purposes of tax abatement. Such designations are for personal property tax abatement only and is limited to three (3) calendar years.

2. The Common Council hereby determines that the property owner is qualified for and is granted a personal property tax deduction; provided the same shall be limited to a period of three (3) years for personal property only in the following applicable deduction percentages:

Year 1:	100%
Year 2	66%
Year 3	33%

3. That the petition for tax abatement, and the Statement of Benefits submitted by Jamil Packaging Corporation comply with Indiana Code § 6-1.1-12.1-1 et seq. and are hereby approved.

4. That this determination is final except that an appeal may be taken and heard as provided under Indiana Code § 6-1.1-12.1-2-5 and subjections (d) and (e) of the Act.

The Common Council of the City of Mishawaka, Indiana hereby confirms its Declaratory Resolution designating the area described herein as an Economic Revitalization Area and Economic Development Target Area for the purposes of tax abatement.

ADOPTED by the Common Council of the City of Mishawaka, Indiana, St. Joseph County, Indiana, this 24th day of July, 2017.

Ross Deal, Presiding Officer

ATTEST:

Deborah S. Block, IAMC, MMC, City Clerk

PRESENTED by me to the Mayor of the City of Mishawaka, Indiana, on this 24th day of July, 2017.

Deborah S. Block, IAMC, MMC, City Clerk

APPROVED AND SIGNED by me this 24 day of July, 2017, at 6:10 o'clock P .M.

David A. Wood, Mayor

CITY OF MISHAWAKA

DAVID A. WOOD, MAYOR

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

March 28, 2019

Mr. Woody Emmons, 1st District City Council
Mr. Mike Bellovich, 2nd District City Council
Mr. Stacy Petko Reisdorf, 3rd District City Council
Mrs. Kate Voelker, 4th District City Council
Mr. Michael Compton, 5th District City Council
Mr. Ron Banicki, 6th District City Council
Mr. Gregg Hixenbaugh, At-Large City Council
Mr. Matt Mammolenti, At-Large City Council
Mr. Bryan Tanner, At-Large City Council
Mrs. Deborah Block, City Clerk

RE: Resolution 2019-14
2018 Tax Abatement Compliance Reports & Withdrawal of Previously Approved Real Property Tax Abatement for Bayer Healthcare

Dear Council Members and Clerk:

Property owners who have applied for and been granted a tax abatement for either real or personal property on or after July 1, 1991, must file a report with the Mishawaka Common Council and the St. Joseph County Auditor's Office reporting the extent of compliance with the goals set forth in the Statement of Benefits filed when granting the aforesaid abatement. The Department of Local Government Finance requires one compliance form per project, thus where applicable, there are separate compliance forms for Real Estate (CF-1/Real Property) and Personal Property (CF-1/PP).

There are currently twelve active tax abatements in the City of Mishawaka of which eleven require reporting for calendar year 2018. The one active abatement not requiring compliance reporting is the proposed Bayer Healthcare office building. The building, which was to be constructed on Beacon Parkway, was granted a tax abatement in October 2015. In February, Bayer announced plans to close its customer logistics service center at 3930 Edison Parkway, which is their last remaining facility in the region. Due to this closure, they will no longer pursue construction of a new corporate services building as previously planned. A letter from John S. Herzig, Jr., VP Customer Logistics, requesting that the previously approved tax abatement be withdrawn is attached. All property owners/companies have responded to our request to complete the Compliance with Statement of Benefits form. CF-1 forms/responses have been attached to this letter for your use and reference for the eleven active tax abatement recipients that require reporting.

In summary, ten of the eleven active abatements which require reporting are in compliance and have exceeded, nearly met, or are working toward expectations. Construction for one of the active abatements, being the proposed River Walk multi-family residential project, has not yet begun.

Since the prior reporting period for calendar year 2017, none of the previously approved tax abatements have expired.

City Hall • 600 East Third Street • Mishawaka IN • 46544-2241
Community Development • Redevelopment • Economic Development Phone: (574) 258-1609 Fax: (574) 968-6999
Planning • Historic Preservation Phone: (574) 258-1625 Fax: (574) 968-6999
E-mail: planning@mishawakacity.com and communitydevelopment@mishawakacity.com

As you are aware, the CF-1 Compliance Forms for Real Estate and Personal Property are due to the County Auditor's Office by May 15th of each year. A copy of the history of the City's tax abatements from 1986 to present has been attached for your use. This summary identifies the current and recently closed abatements and is a beneficial reference tool.

Staff has reviewed the information submitted by all companies. The abatements are listed by the age/date of approval of the abatement oldest to newest.

- **BD Mishawaka Development LLC** (St. Joseph Regional Medical Center Office Building) – Although this medical office building is connected to the St. Joseph Regional Medical Center, it is not owned by the hospital. Healthcare Realty, a Nashville, Tennessee based real estate investment trust with a nationwide portfolio of outpatient medical facilities, acquired the property in 2013. Thus, Healthcare Realty now performs the annual compliance reporting for the prior LLC that originally obtained the tax abatement. Local property management and leasing continues to be performed by Newmark Grubb Cressy & Everett. The total number of additional employees estimated on the SB-1 in 2007 was 370 with a total estimated payroll of $10,555,000. Per the attached CF-1, 489 employees were occupying the building as of December 31, 2018, exceeding the total employment projections set in 2007 by 119. Annual salaries in 2017 were reported as $29,157,683, which is nearly three times the estimated payroll indicated in the original statement of benefits. Given that both the improvements and hiring were completed as committed, this abatement is in substantial compliance.

- **NAC (North American Composites)** – The CF-1 attached is for the abatement approved in 2012 for North American Composite's north central Indiana sales and distribution facility located at 1460 East 12th Street. NAC is headquartered in Lino Lakes, Minnesota. The abatement included improvements to the facility for the storage and handling of hazardous materials and the purchase of various types of material handling and transportation equipment. Even though this abatement was limited to 3 years for personal property, annual compliance reporting will be required through 2018 as the last equipment covered under the abatement request was installed in 2014/2015. The total employment has increased to 20 jobs, which is two more than reported in last year's compliance report. This is 10 more jobs than the 10 that were estimated on the SB-1 when the abatement was filed. Total payroll was listed at $1,765,586, which is higher than the estimated $750,000 listed on the SB-1. Investment was projected to be $1,246,000 while the actual investment for the improvements and equipment was $1,554,744. Given that the total employment, payroll, and investment is higher than the projected amounts, this abatement is in substantial compliance.

- **Long Term Care Investments V, LLC (5805 North Fir Road)** – The CF-1 attached is for the abatement approved in 2013 for BellTower Heath & Rehabilitation Center, a new rehabilitation and nursing center. Although approved in 2013, construction did not begin until October 2014 with completion in July 2016. This abatement was limited to 4 years for real property. Annual compliance reporting will be required through reporting year 2020 since the construction was not complete until 2016. The total number of employees estimated on the SB-1 in 2013 was 61 full time equivalencies with a total estimated payroll of $2,161,524. At present, there are 64 full time equivalent employees, which is an increase from 61 employees in 2017 and 49 employees during its first year in operation. Current combined annualized salaries were reported at $2,677,111. With more residents being served at the facility, the number of employees has steadily increased. The estimated values of the project, as indicated on the SB-1, was $16,500,000 with the actual construction costs being $14,500,000. The current total assessed value for the completed project is $6,908,500 including an improvement value of $5,617,000 and land value of $1,291,500. Given that both the improvements and hiring were completed as committed, this abatement is in substantial compliance.

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- **Barak River Rock LLC** – The CF-1 attached is for the abatement approved in 2013 for River Rock Apartments, a new mixed use building including apartments and first floor retail space along Mishawaka Avenue. Although approved in 2013, construction did not begin early 2015 with completion in late 2016. This abatement was limited to 5 years for real property. Annual reporting will be required through reporting year 2021 since the construction was not completed until 2016. The total employment for the project as indicated on the CF-1 is 11 jobs, which is higher than the 5-8 jobs estimated on the SB-1 when the abatement was filed. As indicated in the attached correspondence, Barak River Rock employs 6 people including a managing partner, senior project manager, chief finance operator, senior property manager, design and development assistance, and a senior maintenance supervisor. All of these employees are based in Mishawaka and are tenants at the River Rock apartment building. Five additional employees are based at Tule Spa and the Bar Method, an exercise studio, located in the first-floor retail/commercial portion of the building. Total payroll was listed as $564,200 ($47,000 per month) which is substantially higher than the approximate $200,000 listed on the SB-1. A breakdown of the salaries of all employees, as provided last year, is included in the attached correspondence. The estimated values of the construction project, as indicated on the SB-1, was $14,000,000 to $17,000,000 with actual construction costs being $14,565,233. The current assessed value for the completed project is $9,657,100. Since the improvements for the project as envisioned on the SB-1 are complete and employment and construction cost projections were met, this abatement should be considered in substantial compliance.

- **WellPet LLC (Regrind System 2014)** – The CF-1 attached is for the abatement approved in 2014 for the equipment associated with a regrind system to be located at WellPet's facility at 1011 W. 11th Street. As indicated in prior compliance reports, the equipment was installed in 2014 and is in operation. The abatement was limited to 5 years for personal property requiring annual reporting through 2019. The net values upon completion of the project was estimated at $17,370,388 on the SB-1 when the abatement was filed. The actual net values upon completion of the project is $23,534,042, exceeding the estimated values by $6,163,654. The total employment at the facility has increased beyond what was projected on the SB-1. When the abatement was filed, the total existing employment was listed at 91 with an additional 6 jobs to be added. The total employment reported was 110. This is an increase of 19 positions, 13 greater than the 6 additional positions envisioned when the original SB-1 was filed. Total payroll was listed at $6,246,121 which is significantly higher than the $3,404,000 listed on the SB-1 and is commensurate to the additional hiring that occurred. Given that the investment, employment, and payroll is higher than the projected amounts, this abatement should be considered in substantial compliance.

- **Dearborn Crane and Engineering Company, Inc.** – The CF-1 attached is for the abatement approved in 2014 for adding a 7,200 sq. ft. building addition, improving site drainage, re-grading and paving, and connecting to sanitary sewer at 1133 E. Fifth Street. All proposed improvements included in this abatement request, originally estimated as a $750,000 investment, were completed by February 2015. Since the abatement was limited to 3 years for real property, annual reporting is required through 2018. Actual investment for the project was $859,146. The total employment at the facility is greater than projected on the SB-1 when the abatement was filed. When filed, the total existing employment was listed at 24 with an additional 3 jobs to be added. Current employment was reported at 32 which equates to an additional 8 jobs. Total payroll was listed at $1,726,624 exceeding the $1,353,211 listed on the SB-1. Given that the total investment, employment, and payroll for the new jobs is higher than the projected amounts, this abatement is in substantial compliance.

- **WellPet LLC (High Speed Packaging Line 2015)** – The CF-1 attached is for the abatement approved in 2015 for the equipment associated with a high speed packaging line at WellPet's facility at 1011 W. 11th Street. Installation of the new equipment included within this abatement request occurred in 2016 and is in operation. Since the abatement was limited to 5 years for personal property, annual reporting is required though year 2021. The net values upon completion of the project was estimated at

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$17,370,388 on the SB-1 when the abatement was filed. The actual net values upon completion of the project is $23,366,011, exceeding the estimated values by $5,995,623. The total employment at the facility has not met what was projected on the SB-1. When the abatement was filed the total existing employment was listed at 115 with an additional 4 jobs to be added. The total employment reported was 110 which is a decrease of 5 positions and 9 positions less than projected. Although the reported total employment decreased at the end of last year, average monthly employment ranges from 115 to 120 positions. According to a recent internet search, approximately 7 vacant positions exist at the company which are actively being advertised. With the recent drop in employment due to the current tight labor market, average annual salaries have increased from approximately $33,900 to $56,800. Total payroll was listed at $6,246,121 which is 60% higher than the $3,898,000 listed on the SB-1. Given that the total investment and payroll is higher than the projected amounts and employment levels continue to remain relatively steady, this abatement should be considered in substantial compliance.

- **Patrick Industries (New Facility)** – The CF-1 attached is for the abatement approved in 2016 for new general woodworking equipment, a CNC router, a vinyl forming press, and other manufacturing and information technology equipment at Patrick Industries' new manufacturing facility at 1241 E. 12th Street. As indicated in the attached correspondence, the proposed equipment and improvements, originally estimated at $915,000 on the SB-1, were completed and in operation by October 2016. Since the abatement was limited to 3 years for personal property, annual reporting is required through 2019. Actual investment to date is $2,067,075 more than double the initial estimate. New employment projected on the SB-1 was 84, while actual employment was reported at 163 nearly double the initial projection. Total payroll was listed at $7,430,402 which is two and half times higher than the $2,953,900 listed on the SB-1. Given that the total investment, employment levels, and payroll greatly exceeds the projected amounts as the facility's growth is far outpacing expectations, the abatement is in substantial compliance.

- **River Walk Development Group LLC** – The CF-1 attached is for the abatement approved in 2017 for a new multi-family residential apartment project to be constructed on a 2 acre city-owned area. The site is generally located north of the Riverwalk, east of N. Main Street, south of Mishawaka Avenue, and adjacent to Sarah Street if extended to the St. Joseph River. When originally submitted for consideration, the $12.5-$13.5 million project was to include a 120,000 sq. ft. building with 63 rental units. Per the attached correspondence submitted with the CF-1, the developer is reevaluating the project due to changes in the market and the addition of new projects in the downtown area. The project scope and design, soon to be determined, will be based upon market and demographic research. The developer's intent is to start construction during the second quarter of 2020. In March 2018, an amended development agreement between the City and the developer was approved which extended the project completion and occupancy date to March 2021. Since construction on the project has yet to begin, total investment, employment, and salary cannot be evaluated at this time. Given that this project is active and progressing as planned, this abatement should be considered in substantial compliance with the understanding that a more detailed analysis will occur in future years following completion of the project.

- **Lippert Components** – The attached correspondence, which provides an update on the project, and CF-1s are for both real and personal property abatements approved in 2017 for the renovation and improvements of the former AM General Warehousing facility located at 400 S. Byrkit Avenue. Lippert Components occupies the building as a distribution facility, a service center for recreational vehicles, and a call center. A majority of the proposed real estate improvements included in this abatement request, originally estimated as a $7.4 million investment, have been completed or are currently under construction. These improvements include renovation of the existing building, a 48,000 sq. ft. building addition (less than the anticipated 79,200 sq. ft. addition as identified in the abatement request), and site improvements including access drives, drainage, and additional employee and semi-truck parking areas. Actual real estate investment per the CF-1 is $13,538,189. Although additional

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investment in the building renovation and expansion is anticipated, the amount of the deduction applicable to real estate improvements is limited to $7,400,000 per the approved SB-1. The personal property improvements included in this abatement request, originally estimated as a $1.8 million investment, have been purchased. The personal property investment includes new racking and general logistics distribution equipment, and new furniture and fixtures. Actual personal property investment per the CF-1 is $2,950,816. Although additional personal property (equipment, etc.) may be purchased, the amount of the deduction applicable to personal property improvements is limited to $1.8 million per the approved SB-1. *In addition to limiting the amount of deductions, the approved abatement request designated the area as an Economic Revitalization Area through July 5, 2018. Therefore, only the additional real and personal property investment completed by this date is applicable.* Since the abatement was approved for 10 years for both the real and personal property, annual reporting will be required through 2028. When the abatement was filed, the total existing employment was listed at 247 with an additional 200 jobs to be added. At present, there are 221 employees, which is a substantial increase from 21 employees in 2017. Additional jobs are anticipated over the next 10 years based on the company's growth projections. Total payroll was listed at $9,124,640 which is slightly less than the $10,354,808 listed on the SB-1. Given that the total investment has exceeded the projected amounts, the employment levels and total payroll are increasing, and employment is expected to increase, this abatement should be considered in substantial compliance.

- **Jamil Packaging Corporation** - The CF-1 attached is for the abatement approved in 2017 for new manufacturing equipment and associated building upgrades to be located at Jamil's facility at 1420 Industrial Drive. The proposed equipment and improvements, originally estimated at $1,500,000 on the SB-1, were completed and in operation by August 2017. Since the abatement was limited to 3 years for personal property, annual reporting is required through 2020. When the abatement was filed, the total existing employment was listed at 112 with an additional 8 jobs to be added. The total employment reported was 140. This is an increase of 28 positions, 15 greater than the 8 additional positions envisioned when the original SB-1 was filed. Total payroll was listed at $4,864,354, which is higher than the $3,647,509 listed on the SB-1 and is commensurate to the additional hiring that occurred. Given that the improvements were completed with current employment and payroll exceeding the projected amounts, this abatement should be considered in substantial compliance.

This compliance review is required to be received by the Auditor no later than May 15th. If additional information is desired, or if the Council would like to review any individual abatement by committee, please contact our office at your earliest convenience so that we can arrange for the necessary participants to attend.

Thank you. Please contact me if you have any questions.

Sincerely,

Derek J. Spier, AICP
Senior Planner & Economic Development Specialist

cc: Kenneth B. Prince, ASLA, AICP, City Planner & Economic Development Director
David A. Wood, Mayor

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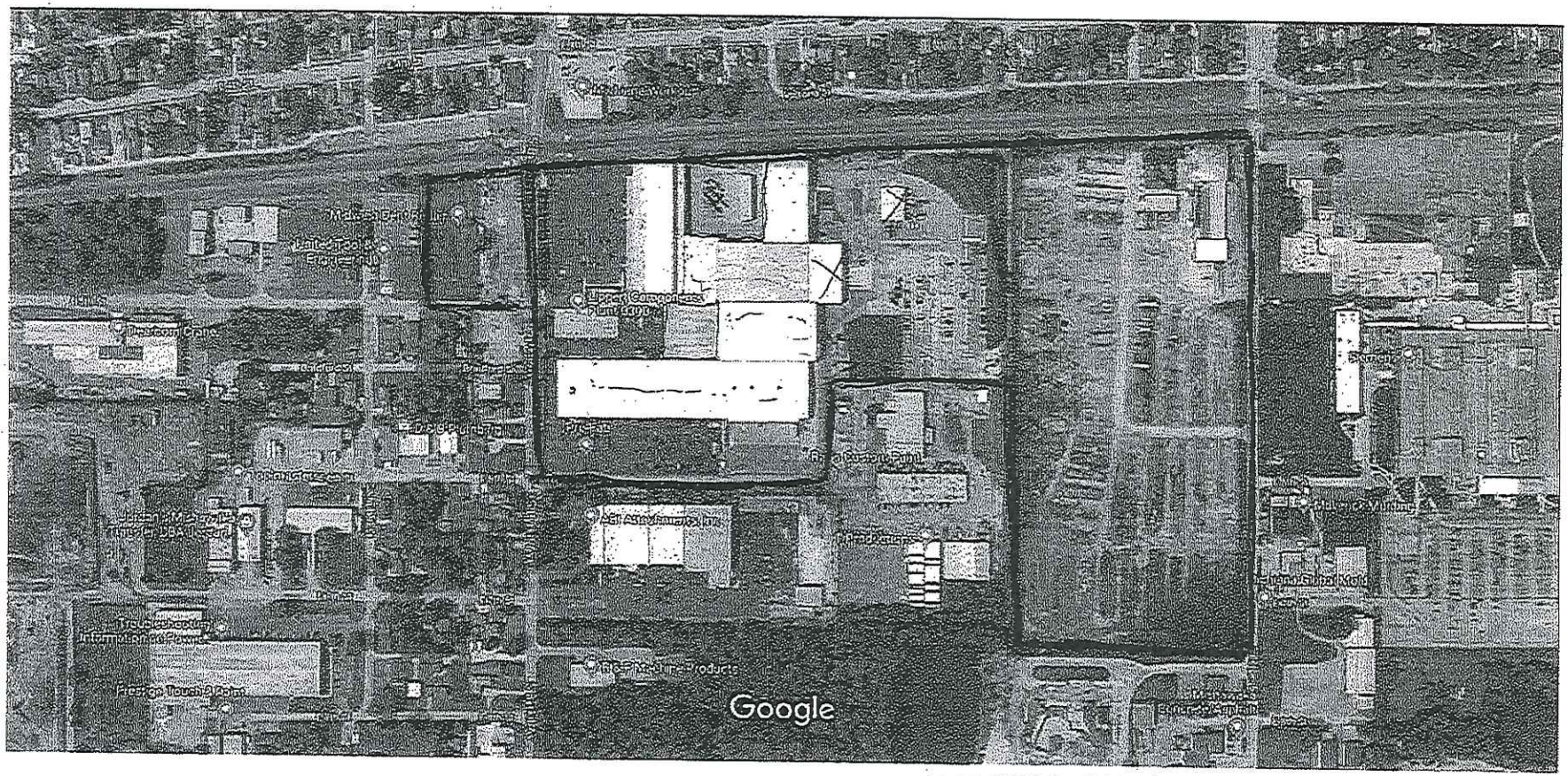

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