

MINUTES
ELKHART COUNTY PLAN COMMISSION MEETING
HELD ON THE 10TH DAY OF SEPTEMBER 2015 AT 9:00 A.M.
MEETING ROOM – DEPARTMENT OF PUBLIC SERVICES BUILDING
4230 ELKHART ROAD, GOSHEN, INDIANA

1. The regular meeting of the Elkhart County Plan Commission was called to order by the Chairperson, Steve Warner, with the following members present: Tony Campanello, Jeff Burbrink, Lori Snyder, Steve Warner, Roger Miller, Steve Edwards, Tom Stump, Frank Lucchese, and Blake Doriot. Staff members present were: Chris Godlewski, Plan Director; Jason Auvil, Planning Manager; Mark Kanney, Planner; Liz Gunden, Planner; Kathy Wilson, Administrative Manager; and James W. Kolbus, Attorney for the Board.

2. A motion was made and seconded (*Stump/Edwards*) that the minutes of the regular meeting of the Elkhart County Plan Commission held on the 13th day of August 2015 be approved as submitted and the motion was carried unanimously.

3. A motion was made and seconded (*Edwards/Doriot*) that the Elkhart County Zoning Ordinance and Elkhart County Subdivision Control Ordinance be accepted as evidence for today's hearings. With a unanimous vote, the motion was carried.

4. The application for Primary approval of a four-lot major subdivision to be known as **HERITAGE TRAILS**, for Alvin J. Heims represented by Progressive Engineering, Inc., on property located on the east side of CR 43, 4,000 ft. south of SR 120, common address of 53810 CR 43 in York Township, zoned A-1 and R-2, was presented at this time.

Mr. Kanney presented the Staff Report/Staff Analysis, which is attached for review as *Case #53810County Road 43-150803-1*, and the Technical Committee Report, adding that a petition to rezone the portion of the subject property zoned R-2 has been filed and that the unresolved technical matters have been addressed satisfactorily.

Brad Cramer, Progressive Engineering, Inc., 58640 SR 15, Goshen, who was present on behalf of the petitioner, also mentioned the rezoning petition and noted that an existing well and pump house are within what would normally be a 40 ft. highway department take. Katie Niblock of the highway department has agreed to "leave it the 20 ft. existing right-of-way that's in place right now for [the affected] parcel," he said. This right-of-way change is a change not shown on the plat yet, Mr. Cramer concluded.

There were no remonstrators present.

A motion was made and seconded (*Lucchese/Burbrink*) that the public hearing be closed and the motion was carried with a unanimous vote.

The Board examined said request and after due consideration and deliberation:

Motion: Action: Approve, **Moved by** Roger Miller, **Seconded by** Steven Edwards, that the Advisory Plan Commission approve this request for Primary approval of a four-lot major subdivision to be known as **HERITAGE TRAILS** in accordance with the Staff Analysis.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 9).

Yes: Blake Doriot, Frank Lucchese, Jeff Burbrink, Lori Snyder, Roger Miller, Steve Warner, Steven Edwards, Tom Stump, Tony Campanello.

5. The application for a zone map change from M-2 to B-3, for *SLM Management, LLC, an Indiana Limited Liability Company*, represented by Marbach, Brady & Weaver, Inc., on property located on the southwest corner of Lusher Avenue and SR 19 (Nappanee Street), in Baugo Township, was presented at this time.

Ms. Gunden presented the Staff Report/Staff Analysis, which is attached for review as *Case #00000LUSHER AVENUE-150713-1*.

Debra Hughes, Marbach, Brady & Weaver, Inc., 3220 Southview Dr., Elkhart, was present on behalf of the petitioner. The petitioner operates a vehicle sales lot immediately south of the subject parcel and seeks to expand north, she said.

Rob Konopinski, general counsel for Rieth-Riley Construction Co., Inc., 3626 Elkhart Rd., Goshen, then came forward to note that Rieth-Riley, which owns a plant site with address of 2500 W. Lusher Ave., west of the subject property, acquired a 20 ft. land strip (parcel ending -226-025) between SR 19 and the plant site many years ago. The strip ensured the plant's SR 19 access amidst uncertainty over whether Lusher Ave. is public or private. While Mr. Konopinski emphasized nonobjection to the rezoning and assumed that access to the subject property would be via Lusher Ave., he said that no agreement yet exists that would permit SLM's access to the subject property from its south property, across the intervening Rieth-Riley parcel, which separates the two SLM properties. Past discussion between SLM and Rieth-Riley has yielded no results, but Rieth-Riley is open to continued discussion, Mr. Konopinski said.

Mr. Miller asked how the plant is currently accessed, and Mr. Konopinski said that Lusher Ave., between the plant and SR 19, is used. "So it's not affecting your flow or anything at this point?" asked Mr. Miller, and Mr. Konopinski said no.

The owner of SLM has tried for the last three years to obtain an easement across the strip at question but has been unsuccessful, responded Ms. Hughes, who said it was good to hear of Mr. Konopinski's openness to discussion. SLM, to advance a cooperative relationship, has hired Rieth-Riley to do its paving, Ms. Hughes concluded.

There were no remonstrators present.

A motion was made and seconded (*Miller/Lucchese*) that the public hearing be closed and the motion was carried with a unanimous vote.

The Board examined said request and after due consideration and deliberation:

Motion: Action: Approve, **Moved by** Jeff Burbrink, **Seconded by** Steve Warner, that the Advisory Plan Commission recommend to the Board of County Commissioners that this request for a zone map change from M-2 to B-3 for *SLM Management, LLC, an Indiana Limited Liability Company*, be approved in accordance with the Staff Analysis.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 9).

Yes: Blake Doriot, Frank Lucchese, Jeff Burbrink, Lori Snyder, Roger Miller, Steve Warner, Steven Edwards, Tom Stump, Tony Campanello.

* See page 4, item 7, for the application for a zone map change from R-1 to B-1 for *Candi L. Chupp (seller) and Thomas E. Miller (buyer)*.

* See page 7, item 8, for the application for an amendment of an existing Detailed Planned Unit Development to be known as **FURRION DPUD** (formerly known as **REPLAT LOT 8 ELKHART EAST AREA 'E' PHASE 1**).

* See page 8, item 9, for the application for a zone map change from A-3 to a Detailed Planned Unit Development A-1 to be known as **SCHROCK FURNITURE DPUD**.

* See page 9, item 10, for the applications for a zone map change from General Planned Unit Development M-1 to a Detailed Planned Unit Development M-2 to be known as **BRISTOL PARK FOR INDUSTRY, PHASE 2F DPUD M-2**, and for Secondary approval of a one-lot major subdivision known as **BRISTOL PARK FOR INDUSTRY, PHASE 2F DPUD M-2**.

6. *Funneling and Other Subjects to Be Addressed by Zoning Ordinance Amendment*

Subjects including funneling, various ordinance content problems that Mr. Auvil is tracking, and changes to state law that affect placement of cell towers and signs will need to be addressed by zoning ordinance amendment, began Mr. Godlewski. He reminded the Board that one large revision per year was preferred over one change per month and that winter 2015 will be the time of the first large revision. He also asked the Board to consider two amendment approaches: (1) formation of a draft-examining committee and (2) presentation by the staff of a list of changes directly to the Plan Commission during a fall 2015 public hearing.

Mr. Doriot recommended committee formation, specifying that he wanted committee opinion on funneling. He said that the 2014 ordinance committee members expressed willingness to return but cautioned that not all members would be available.

Mr. Godlewski's response was that following committee deliberation, a draft could be presented to the Plan Commission members by October 30, 2015, for their November 2015 review. A December 2015 public hearing before the Plan Commission and a January 2016 public hearing before the Board of County Commissioners would follow, leading to an effective date of February 1, 2016, for the amended ordinance.

Mr. Burbrink expressed assent to the above plan, which, he said, will demonstrate for the public that the Plan Commission is doing what it said it would do.

Mr. Godlewski then said that he would reassemble the committee and "have something to [the Plan Commission] electronically by the end of the month."

Several Board members then expressed appreciation for Mr. Godlewski's monthly e-mail updates.

** It is noted that Mr. Doriot stepped down from the Board at this time.*

Mr. Warner asked Mr. Godlewski how the new ordinance has affected the planning department's workload. Mr. Godlewski answered that while the number of variance petitions, such as those for depth-to-width ratio variances, is lower, developers who prefer PUDs are still applying for them, despite the new ordinance's increased permissiveness within zoning districts. He said finally that the ordinance has led to some efficiency, but the difference is not monumental.

Mr. Warner further asked about the ordinance's effect on the number of Plan Commission

petitions. Mr. Godlewski answered that the ordinance has had a greater effect on the number of BZA petitions than on the number of Plan Commission petitions. No zoning ordinance change could have helped applicants avoid rezoning, and unique developments have to go the PUD route. Mr. Miller was glad to know that the amount of paperwork is not increasing, and Mr. Burbrink stated that it made sense to enable by right project types that had routinely been approved through Board action.

** It is noted that Mr. Doriot returned to the Board at this time.*

7. The application for a zone map change from R-1 to B-1, for **Candi L. Chupp (seller) and Thomas E. Miller (buyer)**, on property located on the southeast corner of CR 17 and Suburban Drive, west side of Christopher Drive, 800 ft. south of SR 120, common address of 54628 CR 17 in Washington Township, was presented at this time.

Ms. Gunden presented the Staff Report/Staff Analysis, which is attached for review as *Case #54628CR 17-150619-1*, and called Board attention to Tom Miller's revised site plan dated August 21, 2015, which was included in the Board members' packets. After reading denial reason 5 from the Staff Report, Ms. Gunden added that the petitioner could hook up to a "private water line." She also called attention to her September 10, 2015, memo to the Board members *[attached to file as Staff Exhibit #1]* summarizing the content of her September 9, 2015, phone conversation with remonstrator Mary Ann Lorentz, who could not attend the September 10, 2015, hearing.

Tom Miller, 53855 SR 13, Middlebury, buyer and petitioner, first apologized for the poor quality of the first site plan. Addressing Staff Report denial reason 1, he admitted that residential uses and a business use conflict but said that he chose the subject site because he does not need much for his business, a low-impact business that will fit into a residential community. The house, an acceptable structure, will become an office, according to his plan. Addressing denial reason 2 along with the staff's concern over the 1,800 sq. ft. building cited in the first version of denial reason 2 (see the Staff Report prepared for the August 13, 2015, hearing), he noted that the revised, scaled site plan reveals that a building 1,800 sq. ft. in area can in fact observe county setbacks. A smaller, more residential garage, 32x28, is planned, however. Mr. Miller also acknowledged that the existing residence does not observe the CR 17 setback but emphasized that the proposed garage will.

Continuing to address the Staff Report's preference for a residential use of the subject property, Mr. Miller then said that no more than three employees answering phones will work in the residence's attached garage, which has been converted to living area, and that drivers of company vans will arrive to unload and load inventory and will not typically be at the property at the same time. Mr. Miller offered to "plan not to have them there at the same time every day." Countering denial reason 4, Mr. Miller expected to add value to the community, as he has hired a tree-trimming contractor to trim or remove trees to increase sight distances and clean up the property.

Addressing denial reason 5, Mr. Miller first mentioned that there is a cement plug "underneath the garage . . . exposed in the grass." He said the plug might be a septic system component. He mentioned also that south of the house is a four ft. cement cover for a manhole of unknown purpose. His plan is to replace the undocumented septic system, whose status is unknown, or move it if it is under the garage, and he said that the property features adequate space for selection of a new septic location. He then noted on the revised site plan the location of the well and

the shed that will be removed.

Continuing, Mr. Miller said that the highway department shared Board concern over the subject property's proximity to the intersection of CR 17 and SR 120, but he doubted that the business would create more of a safety hazard than would a family of four. Mr. Doriot asked how many arrivals and departures of any kind of vehicle would occur per day. Mr. Miller's response was that van drivers would arrive and depart in the morning, if necessary, and that there was no reason for them to return. He added that if technicians need parts during the day, the parts will be taken to them. Mr. Doriot asked how many "trucks" the company has, and Mr. Miller said four. Mr. Doriot then said that the property would see four company-vehicle "trips" per day, but Mr. Miller stressed that the technicians, who can be dispatched while they are home, would visit the site only every other day or every third day. Mr. Doriot then said, "Anywhere from one to four a day," and Mr. Miller said yes.

Mr. Miller then clarified for Mr. Doriot that while there is potential for regular occupancy of the site by himself and three others, at this time only he and two others will occupy the site regularly. Mr. Doriot then said that the site will see "five to ten trips a day maximum," and Mr. Miller agreed.

Mr. Miller noted also that "there is driveway access" via the proposed east-side drive marked on the revised site plan. He theorized that despite a gradual change to "front" access, past occupants of the residence were in fact asked to access from Christopher Dr.

Mr. Doriot asked how many delivery trucks were expected per day, and Mr. Miller answered one UPS truck and one FedEx truck per day. A Cintas driver will arrive once a week to deliver uniforms, and a Himco driver will arrive once every two weeks to service a small onsite dumpster.

Responding to Mr. Campanello's question about the appearance of the proposed garage, Mr. Miller answered that the garage, which will undergo residential construction, will match the house by having siding and shingles.

Mr. (Roger) Miller asked Mr. (Tom) Miller to further describe loading and unloading of trucks. Mr. (Tom) Miller answered that drivers accumulate trash parts, and any recyclable parts are placed in bins. Appliances will not be brought to the site, he further answered; he does not sell used appliances and does not retail new appliances. The business performs in-home service, he clarified, adding that he thought the community would over time become comfortable with the presence of the business. He offered, though, that he could have explored options other than B-1 zoning and expressed contentment with a manner of placing his business on the subject property that did not require B-1 zoning. He stressed also that the changes he will make to the subject property are insignificant enough that at the time he is done using it, a new owner can use the structure onsite as a residence. He did not expect to outgrow the subject property within his lifespan, however.

The barn at the rear of the property at the northeast corner of CR 17 and Suburban Dr. has seen commercial use, noted Mr. Campanello, who once considered renting the barn. A Pheasant Ridge PUD occupies property north of the one indicated by Mr. Campanello, Mr. Doriot added, noting the PUD's proximity to several Suburban Dr. homes.

Mr. Miller concluded by thanking the Board for allowing tabling of the petition.

Dianna Trigg, 21950 Christopher Dr., Elkhart, owner of the lot two lots south of the subject property, said she was present on behalf of remonstrator Mary Ann Lorentz and identified herself as the solicitor of the "over 53" signatures appearing on Remonstrator Exhibit #1. She mentioned the

preexisting danger that drivers who bypass the intersection of CR 17 and SR 120 by using Suburban Dr. present to children who ride their bicycles in the Suburban Acres neighborhood, and said that the neighborhood does not need any more traffic. She held also that Mr. Miller altered his story by saying that three phone employees would work at the site and later saying that only one would.

Delivery of parts to drivers will create more traffic, as will UPS drivers and dumpster company drivers, continued Mrs. Trigg. Suburban Acres residents do not want the traffic, and plenty of vacant, existing commercial buildings along CR 17 are available to Mr. Miller, she said.

Mr. Miller began his response by acknowledging Mrs. Trigg's concerns, having witnessed unsafe approaches to Suburban Dr. from CR 17 himself. He did not know whether the drivers were Suburban Acres residents but doubted that his business would worsen the problem. He acknowledged also that his business would add truck traffic other than that of FedEx and UPS to the area, but suggested that Christmastime also causes increased neighborhood FedEx and UPS traffic. Mr. Miller offered finally that his drivers, who are used to driving in subdivisions, are concerned about children's safety.

A motion was made and seconded (*Doriot/Miller*) that the public hearing be closed and the motion was carried with a unanimous vote.

Mr. Stump asked whether an option not involving rezoning exists for Mr. Miller, and Mr. Kolbus answered that the use variance, whose standards are more difficult to meet than those of the special use, exists. He further asked whether a use variance could be made valid for Mr. Miller's business only, and Mr. Kolbus said yes, mentioning also that a rezoning commitment limiting the use to an appliance-repair service office, with parts-and-supplies storage only, could be imposed.

Mr. Campanello observed that UPS and FedEx drivers arriving at the subject property will stop at Suburban Acres homes at the same time; they will make no special trip to the area just to deliver to Mr. Miller.

Ms. Snyder mentioned that while the proposed improvements on the subject property will clean it up, a B-1 zone will affect the future marketability of adjoining properties with residential zoning. Owners of lots on the northwest side of Suburban Acres are already affected by adjoining B-1 and DPUD B-2 zones, countered Mr. Campanello. Ms. Snyder then reminded the rest of Board of the comprehensive plan's interest in keeping neighborhoods neighborhoods, the result of planning mistakes made years ago. Mr. Campanello's response was that the BZA would have no problem, for instance, with a daycare, a use that would serve as many as 12 children and see the traffic of as many as 12 cars per day, on the subject site instead of the proposed use. Ms. Snyder expressed doubt at the assertion.

Mr. Doriot observed that while the subject property needs care, Mr. Miller's current Middlebury location is well cared for. He then mentioned, however, that the subject property could be sold, and not cared for as well, after rezoning unless use-restricting commitments are levied. Mr. Stump and Mr. Campanello responded saying they could not vote for rezoning without commitments, and Mr. Stump said that CR 17 itself and existing business on the west side of CR 17 already affect Suburban Acres property values. The whole area is becoming commercial, though the subject site is not yet, he said.

Ms. Snyder called Board attention to another residence adjoining Suburban Acres lots, the residence with address of 54736 CR 17, at the far southwest corner of Suburban Acres, that has recently gone up for sale. The sale of the property could contribute to CR 17 traffic density, she said.

Mr. Warner felt that the best option in light of the staff's denial recommendation was the use variance; seconded Ms. Snyder's above rezoning-impact comments; and, in response to Mr. Campanello's comments about adjoining B-1 and DPUD B-2 zones at northwest, noted that Suburban Acres itself is not undergoing change. Mr. Burbrink, also in response to Mr. Campanello's comments, held that the proposal would bring commercial zoning into Suburban Acres. Mr. Stump noted that while properties on the fringe of Suburban Acres adjoin business uses, properties inside the subdivision do not. Ms. Snyder renoted that continued encroachment of commercial zoning will affect Suburban Acres property values, values that the Plan Commission now has an opportunity to protect, following the recession of approximately five years ago.

Commitments limiting the use of the subject property to that of the proposed business would have to accompany rezoning, said Mr. Stump, who said also that onsite appliance repair would recharacterize the proposal and agreed finally that the use variance was the best option. Ms. Snyder noted that any buyer of the above-mentioned property at the far southwest corner of Suburban Acres who desires commercial zoning will also need to appear before the Plan Commission. Mr. Campanello agreed that the subject of commercial encroachment will thus come up again.

The Board examined said request and after due consideration and deliberation:

Motion: Action: Denied, **Moved by** Steve Warner, **Seconded by** Jeff Burbrink, that the Advisory Plan Commission recommend to the Board of County Commissioners that this request for a zone map change from R-1 to B-1 for ***Candi L. Chupp (seller) and Thomas E. Miller (buyer)*** be denied in accordance with the Staff Analysis.

Vote: Motion failed (**summary:** Yes = 4, No = 5, Abstain = 0).

Yes: Jeff Burbrink, Lori Snyder, Steve Warner, Tom Stump.

No: Blake Doriot, Frank Lucchese, Roger Miller, Steven Edwards, Tony Campanello.

Motion: Action: Approve, **Moved by** Roger Miller, **Seconded by** Tony Campanello, that the Advisory Plan Commission recommend to the Board of County Commissioners that this request for a zone map change from R-1 to B-1 for ***Candi L. Chupp (seller) and Thomas E. Miller (buyer)*** be approved as represented by the petitioner with the following commitments imposed:

1. Approved for an appliance repair service dispatch office.
2. Onsite storage of parts and supplies is permitted.
3. No onsite repair of appliances.
4. All structures are to maintain the residential character of the neighborhood.
5. The 4 ft. × 6 ft. dumpster is required to be screened.

Vote: Motion passed (**summary:** Yes = 5, No = 4, Abstain = 0).

Yes: Blake Doriot, Roger Miller, Steven Edwards, Tom Stump, Tony Campanello.

No: Frank Lucchese, Jeff Burbrink, Lori Snyder, Steve Warner.

8. The application for an amendment of an existing Detailed Planned Unit Development to be known as ***FURRION DPUD*** (formerly known as ***REPLAT LOT 8 ELKHART EAST AREA 'E' PHASE I***), for Finis Terra, Inc. (owner), and Furrion, Ltd. (developer), represented by Jones Petrie Rafinski, on property located on the north side of Independence Court, 1,100 ft. north of Executive Parkway, common address of 52567 Independence Court in Washington Township, zoned DPUD E-3, was presented at this time.

Mr. Kanney presented the Staff Report/Staff Analysis, which is attached for review as *Case #52567INDEPENDENCE COURT-150803-1*.

Matt Schuster, Jones Petrie Rafinski, 4703 Chester Dr., Elkhart, who was present on behalf of the petitioner, noted that the petition requests future relief to build out the southwest addition shown on the supplied site plan / support drawing.

There were no remonstrators present.

A motion was made and seconded (*Miller/Doriot*) that the public hearing be closed and the motion was carried with a unanimous vote.

The Board examined said request and after due consideration and deliberation:

Motion: Action: Approve, **Moved by** Blake Doriot, **Seconded by** Frank Lucchese, that the Advisory Plan Commission recommend to the Board of County Commissioners that this request for an amendment of an existing Detailed Planned Unit Development to be known as **FURRIION DPUD** (formerly known as **REPLAT LOT 8 ELKHART EAST AREA 'E' PHASE 1**) be approved in accordance with the Staff Analysis and as presented.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 9).

Yes: Blake Doriot, Frank Lucchese, Jeff Burbrink, Lori Snyder, Roger Miller, Steve Warner, Steven Edwards, Tom Stump, Tony Campanello.

9. The application for a zone map change from A-3 to a Detailed Planned Unit Development A-1 to be known as **SCHROCK FURNITURE DPUD**, for Glen D. & Orpha Fae Bontrager (owners) and Clayton Schrock (developer) represented by Cardinal Point Surveying, on property located on the southwest corner of CR 37 and CR 34, in Clinton Township, was presented at this time.

Mr. Auvil presented the Staff Report/Staff Analysis, which is attached for review as *Case #00000CR 37-150730-1*.

Phil Barker, Cardinal Point Surveying, 1002 Zollinger Rd., Goshen, who was present on behalf of the petitioners, said that the current site plan is the result of driveway changes required by the highway department. Though the site will receive only eight or nine vehicles a week, three of which will be semis, Highway wanted an entrance curb cut of 325 ft. including the 100 ft. tapers., an excessive figure “that is a lot bigger than the existing intersection at CR 34 and 37,” Mr. Barker said. He did not know why Highway wanted him to “overbuild” the entrance, but Highway did tell him that according to his previous plan, an exiting driver could not have turned onto CR 37 without crossing the centerline. He agreed with the assessment but held that centerline avoidance upon site exit was not possible on at least 80 percent of county roads, and he did not think Highway would require centerline avoidance of drivers exiting large existing chicken operations, which see semi traffic, that are in the area of the subject property, which is zoned A-3. He further protested that all improvements of intersections that will see semi traffic should be performed according to the criteria the highway department is now applying to the Schrock Furniture project.

Mr. Barker, who understood that he would have to petition the Board of County Commissioners for a highway variance, hoped that the variance petition and DPUD Secondary processes could be simultaneous.

Mr. Warner asked whether the subject property has enough room for semi drivers to pull off the road and maneuver, and Mr. Barker answered yes. Referring to Superior Hardwoods DPUD, he added that the current project is similar to a SR 4 project he presented in 2014. The state required a straight entrance of 25 ft. with 40 ft. radii for that project, and Mr. Barker expressed willingness to build a straight entrance of 25 ft. with 50 ft. radii for the current project, adding that the proposed

building is over 100 ft. from the road.

Mr. Stump sought an explanation of the Highway requirement from which Mr. Barker must vary, and Board members answered only that the requirement was a rule in the county highway standards, which are enforced by the Board of County Commissioners. Mr. Stump asked whether the county can impose stricter highway requirements than those imposed by the state, and Board members answered yes, with Mr. Lucchese adding only that county requirements cannot be less strict. Mr. Doriot then said that county dairy operations receive two or three semis a day that are loaded “nowhere near 100 feet off.”

There were no remonstrators present.

A motion was made and seconded (*Lucchese/Doriot*) that the public hearing be closed and the motion was carried with a unanimous vote.

The Board examined said request and after due consideration and deliberation:

Motion: Action: Approve, **Moved by** Blake Doriot, **Seconded by** Tom Stump, that the Advisory Plan Commission recommend to the Board of County Commissioners that this request for a zone map change from A-3 to a Detailed Planned Unit Development A-1 to be known as **SCHROCK FURNITURE DPUD** be approved in accordance with the Staff Analysis with the following condition:

1. That the final county road access be as approved by the Board of County Commissioners through the variance process of the highway standards.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 9).

Yes: Blake Doriot, Frank Lucchese, Jeff Burbrink, Lori Snyder, Roger Miller, Steve Warner, Steven Edwards, Tom Stump, Tony Campanello.

10. The applications for a zone map change from General Planned Unit Development M-1 to a Detailed Planned Unit Development M-2 to be known as **BRISTOL PARK FOR INDUSTRY, PHASE 2F DPUD M-2**, and for Secondary approval of a one-lot major subdivision known as **BRISTOL PARK FOR INDUSTRY, PHASE 2F DPUD M-2**, for N and D, LLC (owner/developer), represented by Marbach, Brady & Weaver, Inc., on property located on the north side of Commerce Drive, 1,100 ft. west of CR 29, 2,500 ft. north of SR 120, in Washington Township, were presented at this time.

Mr. Kanney presented the Staff Reports/Staff Analyses, which are attached for review as *Case #0COMMERCE DRIVE-150731-1* and *Case #0COMMERCE DRIVE-150731-2*.

Debra Hughes, Marbach, Brady & Weaver, Inc., 3220 Southview Dr., Elkhart, who was present on behalf of the petitioner, expressed agreement with the staff recommendations but offered no further comments.

There were no remonstrators present.

A motion was made and seconded (*Lucchese/Edwards*) that the public hearing be closed and the motion was carried with a unanimous vote.

The Board examined said requests and after due consideration and deliberation:

Motion: Action: Approve, **Moved by** Jeff Burbrink, **Seconded by** Blake Doriot, that the Advisory Plan Commission recommend to the Bristol Town Board that the request for a zone map change from General Planned Unit Development M-1 to a Detailed Planned Unit Development M-2 to be known as **BRISTOL PARK FOR INDUSTRY, PHASE 2F DPUD M-2**, be approved in accordance with the Staff Analysis.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 9).

Yes: Blake Doriot, Frank Lucchese, Jeff Burbrink, Lori Snyder, Roger Miller, Steve Warner, Steven Edwards, Tom Stump, Tony Campanello.

Motion: Action: Approve, **Moved by** Blake Doriot, **Seconded by** Steven Edwards, that the Advisory Plan Commission approve the request for Secondary approval of a one-lot major subdivision known as **BRISTOL PARK FOR INDUSTRY, PHASE 2F DPUD M-2**, in accordance with the Staff Analysis.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 9).

Yes: Blake Doriot, Frank Lucchese, Jeff Burbrink, Lori Snyder, Roger Miller, Steve Warner, Steven Edwards, Tom Stump, Tony Campanello.

11. ***BZA and Plan Commission Training***

Mr. Godlewski reminded the Board of the BZA and Plan Commission training available at South Bend's Century Center October 7, 2015, 4:30 p.m. to 7:00 p.m. Food will be provided, and a reception will follow. Mr. Warner asked Mr. Godlewski to resend an informational e-mail, and Mr. Godlewski said he would.

12. A motion to adjourn the meeting was made by Mr. Miller and seconded by Mr. Doriot. With a unanimous vote, the meeting was adjourned at 10:31 a.m.

Respectfully submitted,

Daniel Dean, Recording Secretary

Steve Warner, Chairman