

MINUTES
ELKHART COUNTY PLAN COMMISSION MEETING
HELD ON THE 12TH DAY OF DECEMBER 2019 AT 9:00 A.M. IN THE
MEETING ROOM OF THE 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 Chairman, Steve Warner. The following staff members were present: Chris Godlewski, Plan Director; Jason Auvil, Zoning Administrator; Mae Kratzer, Planner; Doug Powers, Planner; Deb Britton, Administrative Manager; and James W. Kolbus, Attorney for the Board.

Roll Call.

Present: Tony Campanello, Steven Edwards, Steve Warner, Lori Snyder, Tom Stump, Frank Lucchese, Philip Barker.

Absent: Roger Miller, Jeff Burbrink.

2. A motion was made and seconded (*Edwards/Snyder*) that the minutes of the last regular meeting of the Elkhart County Plan Commission, held on the 14th day of November 2019, be approved as submitted. The motion was carried with a unanimous vote.

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

4. The application for multiple amendments to the text of the Elkhart County Zoning Ordinance for the *Elkhart County Advisory Plan Commission* was presented at this time. The geographic area to which the proposed amendments to the text of the Elkhart County Zoning Ordinance apply is all lands within Elkhart County, including all the Townships: Cleveland, Osolo, Washington, York, Baugo, Concord, Jefferson, Middlebury, Olive, Harrison, Elkhart, Clinton, Locke, Union, Jackson and Benton, but excluding the jurisdictions of the City of Goshen, the City of Elkhart, and the Town of Nappanee.

Chris Godlewski presented the Staff Report/Staff Analysis, which is attached for review. He explained the different times that the Zoning Ordinance was amended. He mentioned that there were 30 changes in the current Zoning Ordinance update. He stated that if there is no discussion, it could be open for public hearing. He stated that their recommendation is for this to go to the Elkhart County Commissioners on January 21, 2020 with an effective date of February 1, 2020.

There were no remonstrators present.

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

Mr. Warner stated that this is what he was looking forward to when he became part of the Board. He stated the Plan Commission members at that time did not revise the Zoning Ordinance for 30 to 40 years. Mr. Godlewski stated about 50 years. Mr. Warner stated it is very nice to continually update the Zoning Ordinance every couple of years. Mr. Kolbus explained a few things that would need to be updated in the document. He stated that on top of page 1, it should be Ordinance 2020 and the last page should have the date of 2020 instead of 2019. He added that on page 31 in section 7

should say the Ordinance shall be effective of February 1, 2020.

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

Motion: Action: Approve, **Moved by** Tom Stump, **Seconded by** Steven Edwards that the Elkhart County Advisory Plan Commission recommend to the Board of County Commissioners that this request for the *Elkhart County Advisory Plan Commission* for multiple amendments to the text of the Elkhart County Zoning Ordinance be approved with corrections noted by Attorney Kolbus in accordance with the Staff Analysis and as presented.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Frank Lucchese, Lori Snyder, Philip Barker, Steve Warner, Steven Edwards, Tom Stump, Tony Campanello.

5. The application for Primary approval of a 4-lot major subdivision to be known as *NORTON'S BLUFF*, for Rebecca S. Swihart represented by Progressive Engineering, Inc., on property located on the South side of CR 28, 1,600 ft. West of CR 22, common address of 18190 CR 28 in Elkhart Township, zoned A-1, was presented at this time.

Mae Kratzer presented the Staff Report / Staff Analysis, which is attached for review as *Case #MA-0818-2019*.

Alicia Bame, Progressive Engineering, 58640 SR 15, Goshen, was present representing the petitioner. She added that they are there to help answer questions if some arise.

There were no remonstrators present.

A motion was made and seconded (*Barker/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** Philip Barker, **Seconded by** Tom Stump that the Advisory Plan Commission recommend to the Board of County Commissioners that this request for Primary approval of a 4-lot major subdivision to be known as *NORTON'S BLUFF* be approved in accordance with the Staff Analysis.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Frank Lucchese, Lori Snyder, Philip Barker, Steve Warner, Steven Edwards, Tom Stump, Tony Campanello.

6. The application for a zone map change from R-1/B-2 to B-2, for *Robert Burson* represented by Abonmarche Consultants, on property located on the East side of River Launch Ct., 300 ft. North of SR 120, East of CR 17, common address of 21835 SR 120 in Washington Township, zoned R-1, B-2, was presented at this time.

Doug Powers presented the Staff Report / Staff Analysis, which is attached for review as *Case #RZ-0804-2019*.

Crystal Welsh, Abonmarche Consultants, 1009 S. Ninth St., Goshen, was present representing the petitioner. She stated that the property owner wants to make the whole parcel the same zone. Mr. Warner questioned if this is adjacent to the public launch for the river. Mr. Lucchese responded yes. When Mr. Warner questioned if there were future plans for the subject property, Mr. Lucchese stated

no future plans.

There were no remonstrators present.

A motion was made and seconded (*Edwards/Stump*) 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** Lori Snyder, **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 R-1/B-2 to B-2 be approved in accordance with the Staff Analysis.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Frank Lucchese, Lori Snyder, Philip Barker, Steve Warner, Steven Edwards, Tom Stump, Tony Campanello.

7. *Board of County Commissioners Approvals Following Plan Commission Recommendations*

Jason Auvil reported that on November 18, 2019, Elkhart County Commissioners approved two zone-map changes, a GPUD to be known as Schonsheck Distribution Center DPUD B-3, a DPUD to be known as Middlebury Schools Equestrian Center DPUD, and a DPUD to be known as A. J. Yoder A-1 DPUD Minor Subdivision.

8. *NWG Neighborhood Plan*

Chris Godlewski presented the NWG neighborhood plan. He handed out to the Board a copy of what would be sent to the neighborhood [Attached to minutes as Staff Exhibit #1]. Mr. Stump questioned about sewer being in the area. Mr. Godlewski stated that sewer is only for the existing customers. He added that there cannot be any new hookup without annexation. He explained that it will not be annexed due to the city being too far away from the area. Mr. Campanello stated that the city is not offering annexation.

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

Motion: Action: Approve, **Moved by** Steven Edwards, **Seconded by** Tony Campanello that the Advisory Plan Commission approves the North West Gateway area changes as presented. The motion was passed with 1 vote in opposition.

9. *2020 Agreement of Legal Services for Attorney Kolbus*

Chris Godlewski presented the agreement for legal services to retain Jim Kolbus for 2020.

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

Motion: Action: Approve, **Moved by** Steven Edwards, **Seconded by** Tom Stump that the Advisory Plan Commission approves the agreement for legal services for Attorney Kolbus. The motion was passed with a unanimous vote.

10. A motion was made and seconded (*Edwards/Lucchese*) that the meeting be adjourned. The motion was carried with a unanimous vote, and the meeting was adjourned at 9:34 a.m.

Respectfully submitted,

Kristi Miller, Recording Secretary

Steve Warner, Chairman