

MINUTES
ELKHART COUNTY PLAN COMMISSION MEETING
HELD ON THE 14TH DAY OF NOVEMBER 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, Roger Miller, Steve Warner, Lori Snyder, Jeff Burbrink, Tom Stump, Frank Lucchese, Philip Barker.

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 10th day of October 2019, be approved as submitted. The motion was carried with a unanimous vote.

3. A motion was made and seconded (*Miller/Burbrink*) 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 the Vacation of a portion of Sycamore Street town right-of-way West of Olive Street, for the Vacation of a portion of North/South unnamed town right-of-way between Washington & Olive Streets, and for the Vacation of a portion of East/West unnamed town right-of-way East of Washington Street., for Missionary Church North Central District Inc. represented by Kindig and Sloat, PC, in Olive Township, was presented at this time.

Mae Kratzer presented the Staff Report / Staff Analysis, which is attached for review as *Case #VRW-0740-2019*.

Loren Sloat, Kindig and Sloat, PC, 102 Heritage Parkway, Nappanee, was present representing the petitioner. He stated that the church has been in operation for many years. He stated that the neighboring properties are in agreeance with the vacation.

There were no remonstrators present.

A motion was made and seconded (*Lucchese/Miller*) 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** Roger Miller that the Advisory Plan Commission recommend to the Board of County Commissioners that this request for the Vacation of a portion of Sycamore Street town right-of-way West of Olive Street, for the Vacation of a portion of North/South unnamed town right-of-way between Washington & Olive Streets, and for the Vacation of a portion of East/West unnamed town right-of-way East of Washington Street, be approved in accordance with the Staff Analysis.

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

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

5. The application for an Amendment to an existing DPUD R-4 known as INTERCHANGE DPUD, IVY TECH SECTION to allow for the construction of an additional building, for The Trustees of Ivy Tech Community College of Indiana represented by Progressive Engineering, Inc., on property located on the North side of CR 18, 1,500 ft. West of CR 17, common address of 22531 CR 18 in Concord Township, zoned DPUD R-4, was presented at this time.

Jason Auvil presented the Staff Report / Staff Analysis, which is attached for review as *Case #DPUD-0746-2019*.

Stephanie Floyd, Progressive Engineering, 58640 SR 15, Goshen, was present representing the petitioner. She stated that they are looking to add a flex lab and use the building for robotics. When Mr. Burbrink questioned if it will be outside, Ms. Floyd responded it will be an additional building. Mr. Burbrink stated that they will be losing some parking. Ms. Floyd stated yes, but they will create additional parking for what they are losing.

Dale McDowell, 157 Riverview Ave, was present in favor of the petition. He stated that he is representing Faith United Methodist Church. He mentioned that Ivy Tech are great neighbors.

Kyle Hannon, 5 Kim Ct., Elkhart, was present in favor of the petition. He stated that he is the executive director of the Elkhart campus of Ivy Tech. He stated that they are looking forward to this project and want to accommodate the need of robotics.

There were no remonstrators present.

A motion was made and seconded (*Miller/Barker*) 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** Tom Stump that the Advisory Plan Commission recommend to the Board of County Commissioners that this request for an Amendment to an existing DPUD R-4 known as INTERCHANGE DPUD, IVY TECH SECTION to allow for the construction of an additional building be approved in accordance with the Staff Analysis.

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

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

*****It should be noted Steven Edwards steps down*****

6. The application for a zone-map change from M-2 and A-1 to DPUD B-3 and DPUD A-1 and for Primary approval of a 2-lot minor subdivision to be known as ELKHART COUNTY 4-H FAIR AND AGRICULTURAL EXPO DPUD, for Elkhart County 4-H Agriculture Exposition, Inc. represented by Abonmarche Consultants, on property located on the South side of CR 34, 4,400 ft. East of US 33, common address of 17746 CR 34 in Elkhart Township, zoned M-2, A-1, was presented at this time.

Jason Auvil presented the Staff Report / Staff Analysis, which is attached for review as *Case #DPUD-0743-2019*.

Crystal welsh, Abonmarche Consultants, 1009 S. Ninth St., Goshen, was present representing

the petitioner. She stated that the 4-H Fair is one of the largest, not only in the state but in the country. She mentioned that the fair provides great economic opportunities for the area. She noted that the current board of directors is interested in improving those opportunities. She stated that there are possibilities for a future show pavilion. She mentioned that the fair wants the Board to know that they do have plans to expand in the future.

Trent Hochstetler, 2020 Fair Board President, 13105 CR 44, Millersburg, was present in favor. He explained that the fair serves over 3,000 youth from Elkhart County. He stated that he wants to enhance the fairgrounds to make it more enjoyable. He explained that a few years ago the property to the East was purchased. He mentioned that at the 2020 fair there will be some exciting things happening.

Fred Jessup, 22733 CR 32, Goshen, was present in favor of the petition. He mentioned that he is the Vice President of the fair and thinks that this is the proper way to move forward. He added that they have short and long term goals. He noted that they have a long history with the community and plan to stay.

Harold Schmucker, 66217 US 33, Goshen, was present in favor of the petition. He explained that he is on the fair board as well. He mentioned that he has been a part of the fair since he was a little kid with rabbit club. He stated that he hopes the Board recommends approval.

Miranda Muir, 1375 Park 33 Blvd., Goshen, was present in favor of the petition. She explained that she is the General Manager for the Elkhart County fairgrounds. She mentioned that the amount of volunteers in the audience is a testament to how much the fairgrounds have impacted the community. She stated that they are appreciative of the staff, and hopes that the Board recommends approval.

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** Tony Campanello, **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 M-2 and A-1 to DPUD B-3 and DPUD A-1 and for Primary approval of a 2-lot minor subdivision to be known as ELKHART COUNTY 4-H FAIR AND AGRICULTURAL EXPO DPUD be approved in accordance with the Staff Analysis.

Vote: Motion passed (**summary:** Yes = 8, No = 0, Abstain = 1).

Yes: Frank Lucchese, Jeff Burbrink, Lori Snyder, Philip Barker, Roger Miller, Steve Warner, Tom Stump, Tony Campanello.

Abstain: Steven Edwards.

*****It should be noted that Steven Edwards returned at this time*****

7. The application for a zone map change from B-2 to B-3, for K & K Real Estate Holdings, LLC, on property located on the North side of Lake Dr., 300 ft. East of SR 19, common address of 26355 Lakewood Dr. in Osolo Township, zoned B-2, was presented at this time.

Jason Auvil presented the Staff Report / Staff Analysis, which is attached for review as *Case #RZ-0611-2019*.

Tom Hagen, 51466 SR 19, Elkhart, was present as the petitioner. He stated that they are looking to expand and grow. He mentioned that the approval of this rezoning will allow him to do so. He explained that the home was not livable and was demolished to beautify the property.

There were no remonstrators present.

A motion was made and seconded (*Lucchese/Miller*) 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** Tom Stump, **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 B-2 to B-3 be approved in accordance with the Staff Analysis..

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

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

8. The application for a zone-map change from R-2/B-2 to B-3, for K & K Real Estate Holdings, LLC, on property located on the Southeast corner of SR 19 & Lakewood Dr., common address of 51466 SR 19 in Osolo Township, zoned R-2, B-2, B-3, was presented at this time.

Jason Auvil presented the Staff Report / Staff Analysis, which is attached for review as *Case #RZ-0612-2019*.

Tom Hagen, 51466 SR 19, Elkhart, was present as the petitioner. He stated that the same thing will be happening like what was stated for the previous petition.

There were no remonstrators present.

A motion was made and seconded (*Edwards/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** Roger Miller, **Seconded by** Lori Snyder that the Advisory Plan Commission recommend to the Board of County Commissioners that this request for a zone-map change from R-2/B-2 to B-3 be approved in accordance with the Staff Analysis.

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

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

9. ***Amendment to the Middlebury Downtown TIF District***

Craig Buche, 130 N. Main St., Goshen, was present. He explained that once the Redevelopment Commission approves the TIF, it then comes to the Plan Commission for determination. He stated that the Town of Middlebury established the TIF district, and plan to use the funds from the TIF for the Comprehensive Plan for Downtown Middlebury. He noted that they are looking to add five parcels. He explained what each parcel will be used for. He stated that they are requesting approval of the written order.

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

Motion: Action: Approve, **Moved by** Roger Miller, **Seconded by** Philip Barker that the Advisory Plan Commission approves the written order which is consistent with the Comprehensive Plan. The motion was carried with a unanimous vote.

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

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

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

Jason Auvil reported on October 1, 2019, the Town Council of Wakarusa approved a Secondary approval of a 26-lot major subdivision known as Camden Park DPUD R-1 Section Two. Mr. Auvil stated that on October 7, 2019, the Town Council of Middlebury approved an amendment to an existing DPUD R-3 known as the Villas of River Park Third. He added that on October 21, 2019, the Elkhart County Commissioners approved four zone-map changes, and a DPUD known as Hoosier Motorsports & Business Park DPUD.

11. ***Zoning Ordinance – Continued discussion on proposed changes***

Mr. Godlewski stated that he put the tables and use categories in the packets for the Board to look at them. He quickly went through some of the minor changes with the Board. He stated that there needs to be a motion to set it for public hearing in December.

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

Motion: Action: Approve, **Moved by** Steve Warner, **Seconded by** Roger Miller that the Advisory Plan Commission recommend that the zoning ordinance update be set for public hearing. The motion was carried with a unanimous vote.

12. A motion was made and seconded (*Edwards/Miller*) that the meeting be adjourned. The motion was carried with a unanimous vote, and the meeting was adjourned at 9:56 a.m.

Respectfully submitted,

Kristi Miller, Recording Secretary

Steve Warner, Chairman