

August 8, 2024  
9:30A.M.

ADMINISTRATION BUILDING  
MEETING ROOMS 104, 106, & 108  
117 N. 2<sup>nd</sup> STREET, GOSHEN, INDIANA

## Call to Order

## Roll Call

Approval of the minutes of the last regular meeting of the Elkhart County Plan Commission held on the 11<sup>th</sup> day of July 2024.

Acceptance of the Elkhart County Development Ordinance, and Staff Report materials as evidence for today's hearings.

## REZONING

**9:30 A.M.**

- A.      Petitioner:     Barbara Christine Truee Wilhelm **(page 5)**  
                represented by Jones Petrie Rafinski  
      Petition:       for a zone map change from A-1 to M-1.  
      Location:     north side of CR 23, 1,875 ft north of CR 14, in Washington Township.
- (RZ-0445-2024)

## DETAILED PLANNED UNIT DEVELOPMENT AMENDMENT

- |    |             |   |          |
|----|-------------|---|----------|
| B. | Petitioner: | Chad A. & Jennifer A. Leiby   | (page 6) |
|    |             | represented by Wightman   |          |
|    | Petition:   | for an amendment to an existing DPUD R-1 and for primary approval of a 2-lot minor subdivision to be known as <b><i>LONGBOAT POINTE, DPUD 1ST AMENDMENT.</i></b>                    |          |
|    | Location:   | south side of Longboat Ct., north of SR 120, east of CR 19, common address of 20406 Longboat Ct. in Washington Township. <span style="float: right;"><i>(DPUD-0454-2024)</i></span> |          |

## DETAILED PLANNED UNIT DEVELOPMENT

- C. Petitioner: Forest River Inc. (page 7)  
 represented by Jones Petrie Rafinski  
 Petition: for a zone map change from GPUD M-1 to DPUD M-1 and for primary  
 approval of a 1-lot subdivision to be known as ***FOREST RIVER-GOSHEN  
 STORAGE LOT DPUD.***  
 Location: southeast corner of US 33 and CR 40, in Elkhart Township.  
 (DPUD-0461-2024)

**PUBLIC MEETING ITEMS** *(time of review at the discretion of the Plan Commission)*

**STAFF/BOARD ITEMS** *(time of review at the discretion of the Plan Commission)*

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

**ADJOURNMENT**

The Elkhart County Plan Committee is meeting on Thursday August 8, 2024, at **9:30 am** in Rooms 104, 106 & 108 of the Administration Building, Goshen, Indiana. Pursuant to advice of the Indiana Public Access Counselor, general public comment will not be permitted at this public meeting on non-public hearing matters. To the extent you wish to make comment remotely during any public hearings scheduled during this public meeting, please call (574) 971-4678 to learn how to remotely submit your public comment for the public hearing. The public is encouraged to attend the meeting remotely by going to [www.elkhartcountyplanninganddevelopment.com](http://www.elkhartcountyplanninganddevelopment.com) at **9:30 am** on August 8, 2024. If you have further questions regarding how to remotely attend the public meeting please call (574) 971-4678.

**PLAN MINUTES**  
**ELKHART COUNTY PLAN COMMISSION MEETING**  
**HELD ON THE 11TH DAY OF JULY 2024 AT 9:30 A.M. IN THE**  
**MEETING ROOM OF THE ADMINISTRATION BUILDING**  
**117 N. 2<sup>ND</sup> ST., GOSHEN, INDIANA**

1. The regular meeting of the Elkhart County Plan Commission was called to order by the Chairman, Roger Miller. The following staff members were present: Mae Kratzer, Plan Director; Jason Auvil, Planning Manager; Danny Dean, Planner; Danielle Richards, Planner; and James W. Kolbus, Attorney for the Board.

**Roll Call.**

**Present:** Phil Barker, Steve Edwards, Steve Warner, Lori Snyder, Dan Carlson, Roger Miller, Brad Rogers.

**Absent:** Steven Clark, Brian Dickerson.

2. A motion was made and seconded (*Edwards/Barker*) that the minutes of the last regular meeting of the Elkhart County Plan Commission, held on the 13th day of June 2024, be approved as submitted. The motion was carried with a unanimous vote.

3. A motion was made and seconded (*Warner/Miller*) 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 an east/west county right-of-way known as CR 152 and for a vacation of a portion of a north/south county right-of-way known as CR 143, for Martin T. Moser & Faith R. Moser Husband & Wife represented by Abonmarche Consultants, on property located on the east of CR 43 and north of US 6, in Benton Township, zoned A-1, was presented at this time.

Danielle Richards presented the Staff Report/Staff Analysis, which is attached for review as *Case #VRW-0379-2024*.

Chris Godlewski, Abonmarche, 315 West Jefferson Blvd., South Bend, was present representing the petitioner. He stated this petition is for the right-of-way vacation for two county roads. He mentioned the roads are very narrow and unimproved, and there is a sign from the highway department that states that there is no maintenance. Mr. Godlewski explained that the landowner has been trying to vacate these roads and incorporate them into the farm. He stated the two items that were brought up in the Tech meeting, were to adjust the right of way width and an easement provided to the neighboring property for a future home build.

Mr. Warner asked if the property was currently owned by Elkhart County Highway. Mr. Godlewski stated that was correct. Mr. Warner asked what the approximate length of the vacation. Mr. Godlewski stated it is a quarter section. Mr. Rogers asked for clarification on what this is called a county road, but the county has never adopted it. He went on to say that the county is not maintaining it. He stated the only ones using this are probably the Moser's. Mr. Godlewski stated that was correct.

There were no remonstrators present.

A motion was made and seconded (*Rogers /Edwards*) 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** Brad Rogers, **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 an east/west county right-of-way known as CR 152 and for a vacation of a portion of a north/south county right-of-way known as CR 143 be approved in accordance with the Staff Analysis.

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

**Yes:** Phil Barker, Steve Edwards, Steve Warner, Lori Snyder, Dan Carlson, Roger Miller, Brad Rogers.

5. The application for primary approval of an 8-lot major subdivision to be known as STONE MILLER BUSINESS PARK, for Edgar W. Miller & Phyllis K. Miller represented by Jones Petrie Rafinski, on property located on the north side of CR 2, 2,105 ft. east of SR 13, in York Township, zoned M-2, was presented at this time.

Jason Auvil presented the Staff Report/Staff Analysis, which is attached for review as *Case #MA-0338-2024*.

Kenneth Jones, JPR, 232 S. Main St., Goshen, was present representing the petitioner. He stated he agreed with Staff's recommendation. Mr. Rogers asked if this property goes up to the state line. Mr. Jones concurred

There were no remonstrators present.

A motion was made and seconded (*Rogers/Warner*) 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** Steve Edwards that the Advisory Plan Commission recommend to the Board of County Commissioners that this request for primary approval of an 8-lot major subdivision to be known as STONE MILLER BUSINESS PARK be approved in accordance with the Staff Analysis.

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

**Yes:** Phil Barker, Steve Edwards, Steve Warner, Lori Snyder, Dan Carlson, Roger Miller, Brad Rogers.

6. The application for a zone map change from B-3 and A-1 to A-1, for Robert L. Reed & Tane L. Reed, Husband & Wife represented by, on property located on the west side of SR 15, 3,270 ft. north of CR 24, common address of 58977 SR 15 in Jefferson Township, zoned A-1, B-3, was presented at this time.

Danielle Richards presented the Staff Report/Staff Analysis, which is attached for review as *Case #RZ-0324-2024*.

Rob Reed, 58977 SR 15, Goshen, he stated he is trying to get both pieces of property zoned as residential.



There were no remonstrators present.

A motion was made and seconded (*Rogers/Warner*) 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** Brad Rogers, **Seconded by** Roger Miller that the Advisory Plan Commission recommend to the Board of County Commissioners that this request for a zone map change from B-3 and A-1 to A-1 be approved in accordance with the Staff Analysis.

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

**Yes:** Phil Barker, Steve Edwards, Steve Warner, Lori Snyder, Dan Carlson, Roger Miller, Brad Rogers.

7. The application for an amendment to an existing DPUD M-2 known as GL CLARK PARK DPUD M-2 for a new building, for G L Clark Inc. represented by Wightman, on property located on the east side of SR 19, 2,420 ft. north of CR 42, common address of 66540 SR 19 in Harrison Township, zoned DPUD M-2, was presented at this time.

Jason Auvil presented the Staff Report/Staff Analysis, which is attached for review as *Case #DPUD-0373-2024*.

Terry Lang, Wightman, 1402 Mishawaka Ave., South Bend, was present representing the petitioner. He stated this DPUD was set up for 6 manufacturing buildings and at this point the 5<sup>th</sup> building on the southwest corner of the site.

There were no remonstrators present.

A motion was made and seconded (*Rogers/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** Steve Edwards, **Seconded by** Phil Barker that the Advisory Plan Commission recommend to the Board of County Commissioners that this request for an amendment to an existing DPUD M-2 known as GL CLARK PARK DPUD M-2 for a new building be approved in accordance with the Staff Analysis.

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

**Yes:** Phil Barker, Steve Edwards, Steve Warner, Lori Snyder, Dan Carlson, Roger Miller, Brad Rogers.

8. The application for a zone map change from R-1 and B-1 to DPUD R-2 and for primary approval of a 5-lot major subdivision to be known as REASONOVER'S ASH ROAD SUBDIVISION, for Albert Reasonover & Carmen E. Reasonover, Husband & Wife represented by Wightman, on property located on the east side of Ash Rd., 950 ft. north of Old US 33, common address of 56974 Ash Rd. in Baugo Township, zoned R-1, B-1, was presented at this time.

Jason Auvil presented the Staff Report/Staff Analysis, which is attached for review as *Case #DPUD-0277-2024*.

Mr. Miller asked if there is any connection between this development and the larger development. Mr. Auvil stated not that he was aware.

Terry Lang, Wightman, 1402 Mishawaka Ave., South Bend, was present representing the petitioner. He mentioned that there is a subdivision located immediately to the east of this property called Meadow Glen West. Mr. Lang stated that at this location, there are 5 acres, and they are proposing 5 lots, each 1 acre in size. He mentioned that there is only one potential buyer at this time, and the existing home is on one of the 5 lots. He went on to state that this subdivision would be on city water due to railroad contamination. Mr. Rogers asked about the property just east of this property. Mr. Lange stated that at one time, it was a landscaping business. Now, it is a business that sells sectional temporary offices. Mr. Rogers stated his concern was turning this into a residential area with this type of business beside them. Mr. Lang expressed there should be no concerns. He further noted that this business was surrounded by existing residential sites.

Melonie Sizemore, 30870 Gregory Dr., Elkhart, was present in remonstrance to this petition. She pointed out on the map where her property was situated. She mentioned that currently her property is shielded from traffic and train noise. She expressed concern that all her privacy will vanish once the trees are removed. She also mentioned hearing gunshots and discovering a bullet hole in her bedroom wall. She explained that she does not want to look out from her back porch and see houses. She emphasized that she chose this property 20 years ago for a specific reason and would prefer it to remain that way.

Mr. Lang stated the previous owner must have been the one shooting the guns in the area. He stated there is a new owner of the property. He described that they are only single-family home use and three times the size of Meadow Glen. He also mentioned they are not purposing tearing down the tree lines. He agreed that it was a pretty area.

A motion was made and seconded (*Rogers/Edwards*) 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** Steve Warner, **Seconded by** Phil Barker that the Advisory Plan Commission recommend to the Board of County Commissioners that this request for a zone map change from R-1 and B-1 to DPUD R-2 and for primary approval of a 5-lot major subdivision to be known as REASONOVER'S ASH ROAD SUBDIVISION be approved in accordance with the Staff Analysis.

Mr. Rogers emphasized that if you don't own the property, you don't have control over it. He posed the question of whether having a Dollar General or other types of businesses would be preferable. He also mentioned that residential development would be more suitable than manufacturing.

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

**Yes:** Phil Barker, Steve Edwards, Steve Warner, Lori Snyder, Dan Carlson, Roger Miller, Brad Rogers

9. The application for a zone map change from A-1 to DPUD A-1 and for primary approval a 1-lot minor subdivision to be known as HAWKINS DETAILED PLANNED UNIT DEVELOPMENT, for Mitch Hawkins represented by Jones Petrie Rafinski, on property located on the west side of SR 13, 3,450 ft. south of SR 120, common address of 53829 SR 13 in York Township, zoned A-1, was presented at this time.

Jason Auvil presented the Staff Report/Staff Analysis, which is attached for review as *Case #DPUD-0381-2024*.

Mr. Rogers inquired if BZA had denied the Use Variance in May of 2024 and requested Mr. Auvil to describe the process and its outcome. Mr. Auvil explained the various approaches to proposing a development. He mentioned that the original submission was for a large accessory dwelling, but it didn't comply with the zoning ordinance at the time, which only allowed for a thousand square feet and a single story. He stated the petition was denied by the BZA due to non-compliance with these standards. Mr. Auvil stated that is why we are here, with a DPUD you can deviate from standards. He stated this is a better instrument to make this happen. Mr. Rogers asked why they didn't do the DPUD initially. Mr. Auvil stated they thought it was in their best interest to go that route. He stated the staff can not stop people from filing a petition. He went on to say the staff can guide them and give them direction. Mr. Auvil went on to explain the definition of a Use Variance to the board. Mr. Warner stated he was a member of that BZA board. He stated they explained it was a challenging property, with all the wetlands and variation in structure. Mr. Warner explained they did not want to leave it wide open. Mr. Rogers stated it was understandable and believed the DPUD was the proper route.

Kenneth Jones Jr., JPR, 325 S. Lafayette Blvd., South Bend, was present to represent the petitioner. He stated they are in agreement with the staff report. He went on to say in regards to the former action of the BZA, that they were asking for a couple of variances. He further explained that did not work and that a DPUD was a better tool for this property. Mr. Rogers stated he was not being critical of the process and inquired because it was so recent.

Mitch Hawkins, 53829 SR 13, Middlebury, stated they were recommended to go through the Use Variance process from the county staff. Mr. Rogers asked if the staff at the Development office recommended that. He stated he was told it was JPR pushing that variance. Mr. Miller stated that is not what he had heard from staff. Mr. Jones stated when they submitted the original request it was for two variances and wasn't for Use Variance, it was for two variances of standards. He went on to say he had a conversation at the counter with staff and they suggested a Use Variance instead of the two Developmental Variances. Mr. Rogers stated that the reason why he is bringing this up is because the landowner contacted him. He stated that this has been a highly inefficient process. He asked what is the process and how could Mr. Hawkins have gotten this done more quickly. Mr. Jones stated if it was their bad advice and would be the first to admit it, and maybe it was. He stated this job isn't easy and we make mistakes. He explained reading land use ordinances is not simple. He stated two people can read the same sentence and have a different conclusion. He stated this route seemed more appropriate than the two Developmental Variances, but went with staff's recommendation. Mr. Jones further stated from a citizen perspective, he does not understand why the BZA would have denied either a developmental variance or a use variance. He stated he still does not understand

There were no remonstrators present.

A motion was made and seconded (*Barker/Edwards*) 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** Brad Rogers, **Seconded by** Steve Edwards that the Advisory Plan Commission recommend to the Board of County Commissioners that this request for a zone map change from A-1 to DPUD A-1 and for primary approval a 1-lot minor subdivision to be known as HAWKINS DETAILED PLANNED UNIT DEVELOPMENT be approved in accordance with the Staff Analysis.

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

**Yes:** Phil Barker, Steve Edwards, Steve Warner, Lori Snyder, Dan Carlson, Roger Miller, Brad Rogers

10. The application for a zone map change from GPUD B-3 to DPUD B-3 and for primary approval of a 1-lot minor subdivision to be known as NORTH TRACE RV RESORT DPUD B-3, for North Trace RV Resort LLC represented by Surveying and Mapping LLC, on property located on the west side of CR 29, 1,240 ft. south of CR 56, common address of 72987 CR 29 in Benton Township, zoned GPUD B-3, was presented at this time.

Jason Auvil presented the Staff Report/Staff Analysis, which is attached for review as *Case #DPUD-0374-2024*.

Debra Hughes, Surveying and Mapping LLC, 2810 Dexter Dr., Elkhart, was present representing the petitioner. She stated just as Jason said there is about 45 acres in two parcels. She stated the entrances would be off of CR 29. She further stated there would be a maintenance driveway off of CR 56. She explained the property use will be for a top-quality RV recreational campground. She further explained it will also have an office with a store, community room, swimming pool, pool house, and a maintenance building. She stated there are 230 camping spaces purposed and all have sanitary/sewer, water, and electric hookups. She described what a B-3 zone was to the board. She stated the petitioner was the business owner of Showalter RV in Nappanee and he and his family enjoy traveling the United States to other quality campgrounds. She further stated this was brought forth a year ago as a GPUD. Mr. Rogers stated the problem he had a year ago was the swimming pool being too close to residence. Mrs. Hughes identified where the pool and the pool house have been relocated on the site plan. Mr. Rogers asked what was in the upper left corner of the site plan. Mrs. Hughes stated that's where a drainage basin and a dog park are located. Mr. Rogers stated another concern was the golf carts. He went on to say there has been an off-road vehicle ordinance. He stated there is some concern with golf carts going on CR 29 to head towards Syracuse. He asked if there are any plans for a path. Mrs. Hughes stated that is a concern of the owner as well. She stated there is a side walk a few lots south that goes to Syracuse and will be extended at the owner's expense. Mr. Rogers stated there would be no "trashy" trailer that will be sitting there for years.

Steve Showalter, 23571 CR 38, Goshen, he stated units must be a 10 year or newer rule, there will be exceptions to that. He explained they are not looking for people to stay there for a long period of time to build a deck or shed on the lots. Mr. Miller asked if there was anything in place they can only park there for a limited time. He asked how will that be regulated. Mr. Showalter stated cost will regulate that, and there will not be a seasonal rate. Mrs. Snyder asked if everything be in the one building. Mr. Showalter affirmed that was correct. He mentioned in phase II there will be a laundry, bathhouse, showers, and a storm shelter. Mr. Warner asked how long is your projection on phase II.

Mr. Showalter stated 2026-2027.

Andrew Rumfelt, 16050 CR 56, Syracuse, was present in remonstrance to this petition. He stated that he was a Kosciusko County Deputy and mentioned that they receive a lot of calls for domestic disputes in trailer parks and RV parks. He also mentioned that there was already an RV park in the area, and as a County Deputy, he had been called out in Elkhart County due to not having enough power to take care of the problems in the southern part of the county. He expressed that the last thing we need in Elkhart County or any other county is another trailer park or RV park that is taking calls. He stated that he knows they are saying it is high-end, but there are lake properties worth millions of dollars that still have problems too. As a deputy, he continued to state that he doesn't want another park constructed. He went on to say that as a resident, he doesn't want 200 plus new guests arriving every day.

Colett Corencia, the Executive Director of EHS for Ivy Tech and the property owner of 15856 CR 56 & 15896 CR 56 in Syracuse, spoke in opposition to the petition. She mentioned having discussions with the owner of the proposed RV park and expressed concerns about the pool's proximity to the back side of her property. Colett emphasized the significance of her family's 60-year ownership of the properties and described the impact on privacy due to the proposed development. She also highlighted the wildlife that has inhabited the area for a long time, including a potential eagle's nest that was removed. Colett expressed worries about property encroachment, potential contamination of protected wetlands by human or dog waste, and the impact on her renters due to the adjacent dog park and loose dogs. She also requested a copy of the site plan and pointed out the presence of six other campgrounds within a 30-minute radius. When asked if she currently resides in either property, Colett confirmed that she does not. The discussion regarding the septic system was deferred to the DPUD level.

During the meeting, Mr. Rogers identified on the diagram that there are buffered areas and requested an explanation for them. Mrs. Hughes then pointed out that along the north and west sides of the property, there will be a 25-foot vegetated buffer. She also mentioned that there is a protected wetland along the west line that has been avoided. Additionally, she indicated the presence of a second wetland on the property. Mr. Miller inquired about whether the dog park would be fenced in, to which Mrs. Hughes confirmed that it would be. Mr. Rogers then asked for clarification regarding the grading, and Mrs. Hughes explained that there is a 40 ft. elevation change, noting that a campground generally requires a more uniform slope. She mentioned that some areas would be cut while others would be filled to achieve a consistent grade, referring to sheet 7 in the application for the graded plan. She further elaborated on what the grade would look like on the map, highlighting that the old foundation will be removed and all wetlands will be protected. Mrs. Hughes expressed that the RV park will be unique in Elkhart County, which Mr. Showalter agreed with, emphasizing that there is no other RV park like this one. He added that the community center can be utilized for local events and meetings, and mentioned that the nightly rate would be \$140.00, aiming to attract a higher standard of visitors. Mrs. Hughes also specified that there would not be a dump station and instead, individual connections would be provided. She closed with the park's goal is to have a park that is self-supportive and self controlled. Mr. Rogers asked how the dog park would work. Mr. Showalter explained that it would be a fenced-in area and the owner would have to remain with the dog.

A motion was made and seconded (*Miller/Rogers*) 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** Steve Edwards that the Advisory Plan Commission recommend to the Board of County Commissioners that this request for a zone map change from GPUD B-3 to DPUD B-3 and for primary approval of a 1-lot minor subdivision to be known as NORTH TRACE RV RESORT DPUD B-3 be approved in accordance with the Staff Analysis.

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

**Yes:** Phil Barker, Steve Edwards, Steve Warner, Lori Snyder, Dan Carlson, Roger Miller, Brad Rogers

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

11. Jason Auvil reported on June 17, 2024 County Commissioners petition approvals and Middlebury Town Council petition approval.

12. Mae Kratzer went over procedure changes for Plan Commission.

13. A motion was made and seconded (*Warner/Miller*) that the meeting be adjourned. The motion was carried with a unanimous vote, and the meeting was adjourned at 10:40 a.m.

Respectfully submitted,

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Amber Weiss, Recording Secretary

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Lori Snyder, Chairman

# Plan Commission Staff Report

Prepared by the Department of Planning and Development

**Hearing Date:** August 8, 2024

**Transaction Number:** RZ-0445-2024.

**Parcel Number(s):** 20-03-33-300-001.000-031, 20-03-33-300-002.000-031, 20-03-33-300-003.000-031, 20-03-33-400-007.000-031, 20-03-33-400-016.000-031.

**Existing Zoning:** A-1.

**Petition:** for a zone map change from A-1 to M-1.

**Petitioner:** Barbara Christine Truee Wilhelm, represented by Pinnacle Properties.

**Location:** north side of CR 23, 1,875 ft north of CR 14, in Washington Township.

**Adjacent Zoning and Land Uses:** The following table shows the zoning and current land use for the subject property and adjacent sites.

	Zoning	Current Land Use
<b>Subject Property</b>	A-1	Agricultural
<b>North</b>	M-2	Agricultural
<b>South</b>	A-1	Residential & Agricultural
<b>East</b>	A-1	Agricultural
<b>West</b>	A-1 & M-2	Agricultural

**Site Description:** The subject property consists of five (5) parcels totaling 247.20 acres, is rectangular in shape, and is currently in agricultural production. One of the parcels has a house with numerous small agricultural and accessory buildings.

## **History and General Notes:**

- The zoning for the subject property was established as part of the original zoning on 10/30/1959.

**Zoning District Purpose Statement:** The M-1, Limited Manufacturing, zoning district is to accommodate less intense manufacturing, warehousing and distribution uses that are not significantly objectionable to surrounding properties in terms of truck traffic, noise, odor, smoke and other potential nuisance factors.

**Staff Analysis:** The purpose of this rezoning petition is to develop as a data center campus consisting of large commercial buildings containing servers, computers, and associated electronic equipment.

# ***Plan Commission Staff Report (Continued)***

*Hearing Date:* August 8, 2024

The staff, after reviewing this petition, recommends **APPROVAL** of this rezoning for the following reasons:

1. The requested Zoning Map Amendment complies with the Elkhart County Comprehensive Plan. The Elkhart County Comprehensive Plan states that industrial development should be encouraged in cities and towns, and within urban growth areas. The Bristol Comprehensive Plan shows the subject property in an employment center area designated for commercial and industrial uses.
2. The request is in character with current conditions, structures, and uses on the subject property and in its surroundings. The size of the proposed development and associated buildings will be comparable with what would be expected in a commercial or industrial area.
3. The most desirable use of the subject property is agricultural, commercial, industrial, and or any supporting and compatible uses.
4. The request conserves property values by locating a new proposed industrial use adjacent to an area zoned for industrial uses and near a large developed industrial area.
5. The proposed rezoning promotes responsible growth and development. The subject property is in industrial area inside the Town of Bristol and will utilize the Town utilities.



# PLAN COMMISSION & BOARD OF ZONING APPEALS

Elkhart County Planning & Development  
Public Services Building

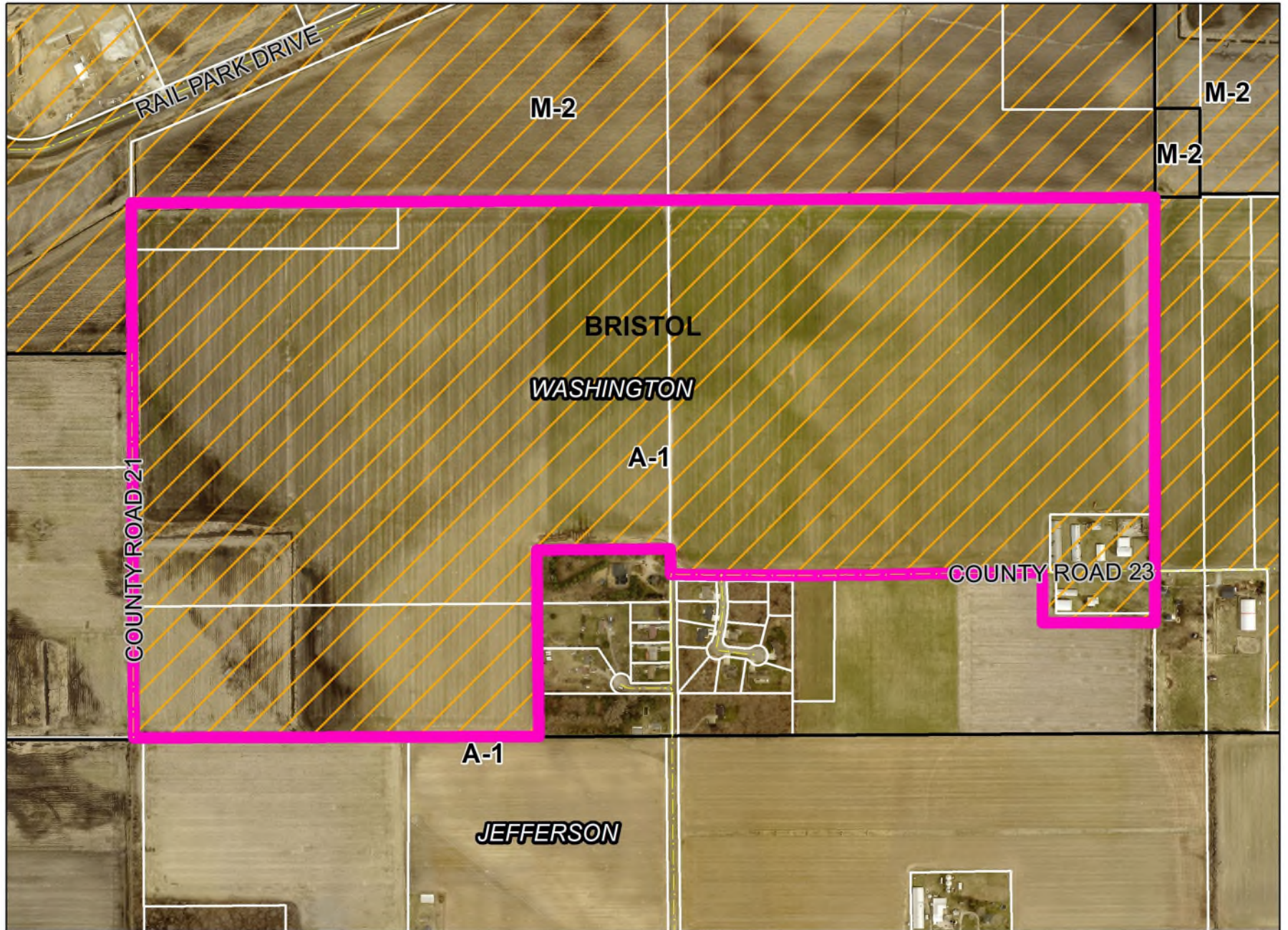
4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

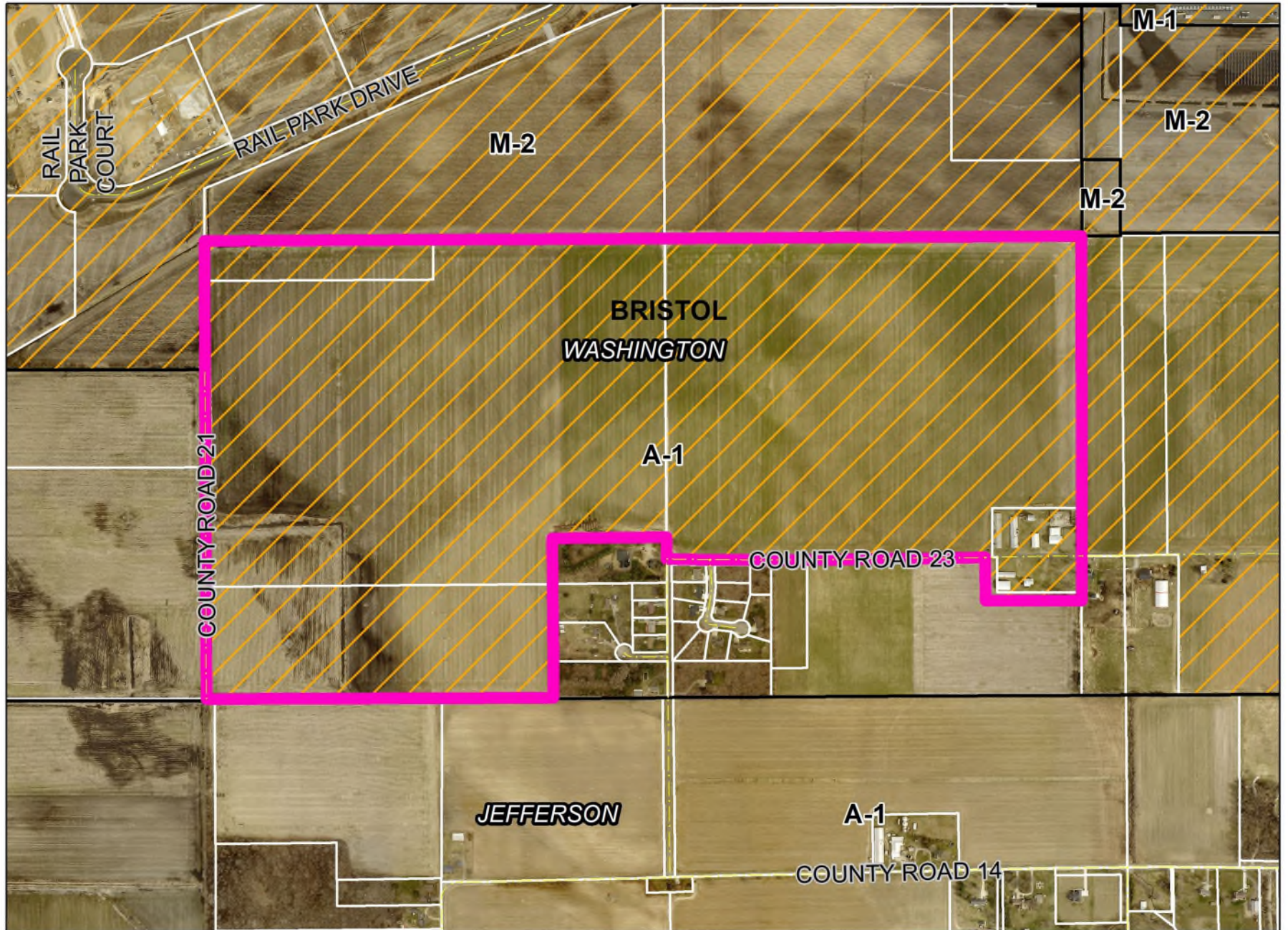
Fax - (574) 971-4578

Rezoning - Rezoning

Date: 06/27/2024	Meeting Date: August 08, 2024 Plan Commission Hearing (Rezoning)	Transaction #: RZ-0445-2024
Description: for a zone map change from A-1 TO M-1		
<b>Contacts:</b> <u>Applicant</u> Pinnacle Properties 418 S Main St Elkhart, IN 46516	<u>Authorized Agent</u> Newport Equities 26 Corporate Plaza Drive New Port Beach, CA 92660	<u>Land Owner</u> Barbara Christine Truee Wilhelm 6317 Hialeah Ct Tallahassee, FL 323092008
<u>Private Surveyor</u> Jones Petrie Rafinski 300 Nibco Pkwy Elkhart, IN 465163570		
Site Address: 00000 County Road 23 BRISTOL, IN 46507	Parcel Number: 20-03-33-300-001.000-031 20-03-33-300-002.000-031 20-03-33-300-003.000-031 20-03-33-400-007.000-031 20-03-33-400-016.000-031	
Township: Washington Location: NORTH SIDE OF COUNTY ROAD 23, 1,875 FT NORTH OF COUNTY ROAD 14		
Subdivision:	Lot #	
Lot Area: 247.00	Frontage: 2,378.00	Depth: 1,731.00
Zoning: A-1	NPO List:	
Present Use of Property: VACANT		
Legal Description:		
Comments:		
Applicant Signature:	Department Signature:	











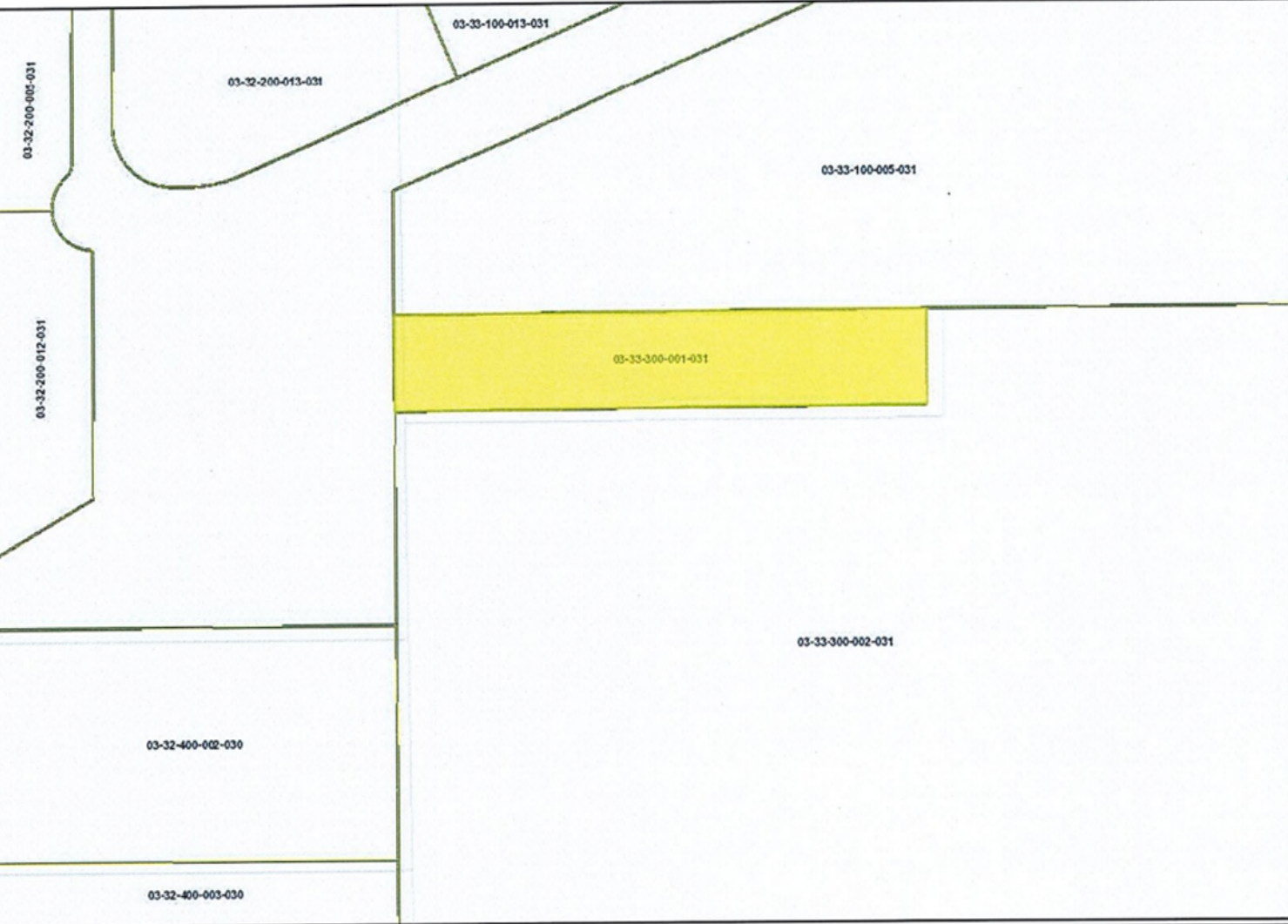
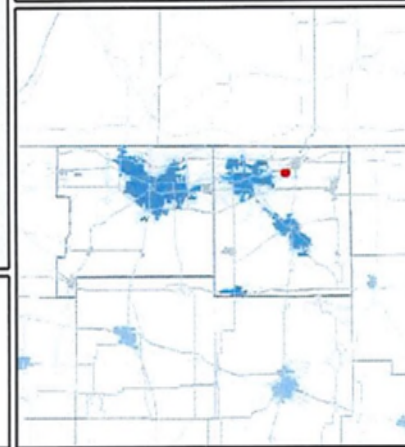


## Legend

- SJC Parcel Dimensions
- SJC Parcels
- ELK Parcels
- SJC Street
- ELK Street
- Building Footprint
- Railroad
- Railroad
- Abandoned Railroad
- Road Centerline
- Railroad Bridge
- Roadway Bridge
- Major Roads
- 1
- 10
- Primary Roads
- Secondary Roads
- Local Roads
- Rivers
- Local Roads
- SJC Street
- ELK Street
- Building Footprint
- SJC 2014 Parcel
- ELK 2014 Parcel
- Railroad



1 inch = 249.92 feet



Date Printed: 6/26/2024

Map Generated By: Public

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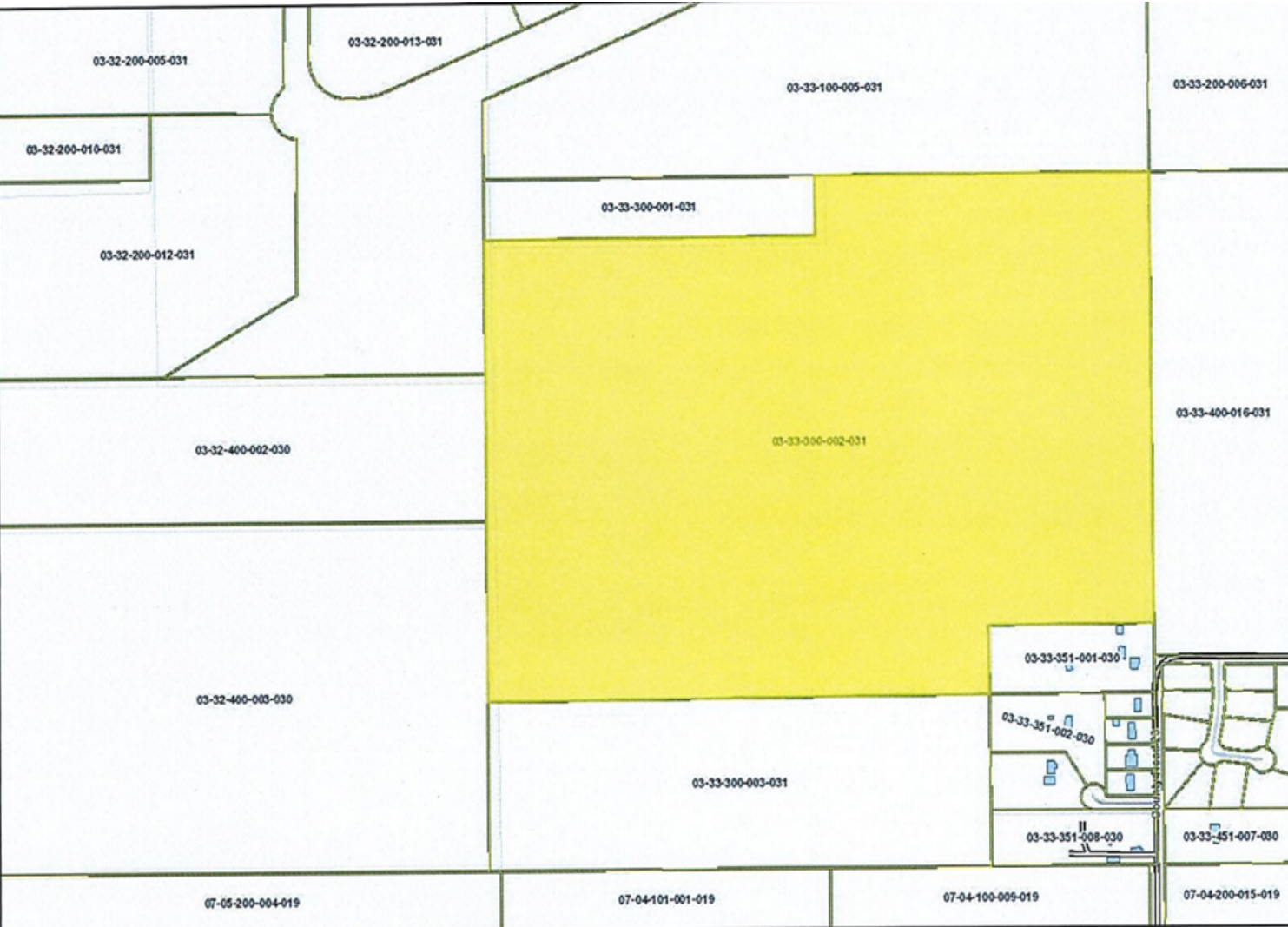
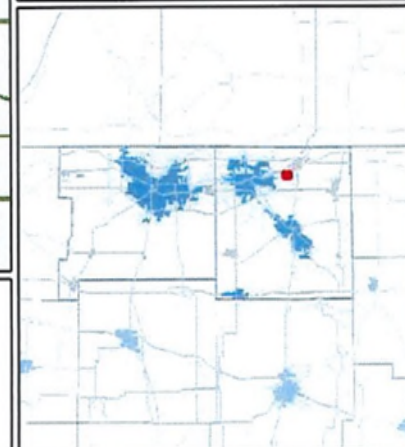


Legend

- SJC Parcel Dimensions
- SJC Parcels
- ELK Parcels
- SJC Street
- ELK Street
- Building Footprint
- Railroad
- Railroad
- Abandoned Railroad
- Road Centerline
- Railroad Bridge
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- Major Roads
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- SJC Street
- ELK Street
- Building Footprint
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- ELK 2014 Parcel
- Railroad



1 inch = 400.00 feet



Date Printed: 6/26/2024

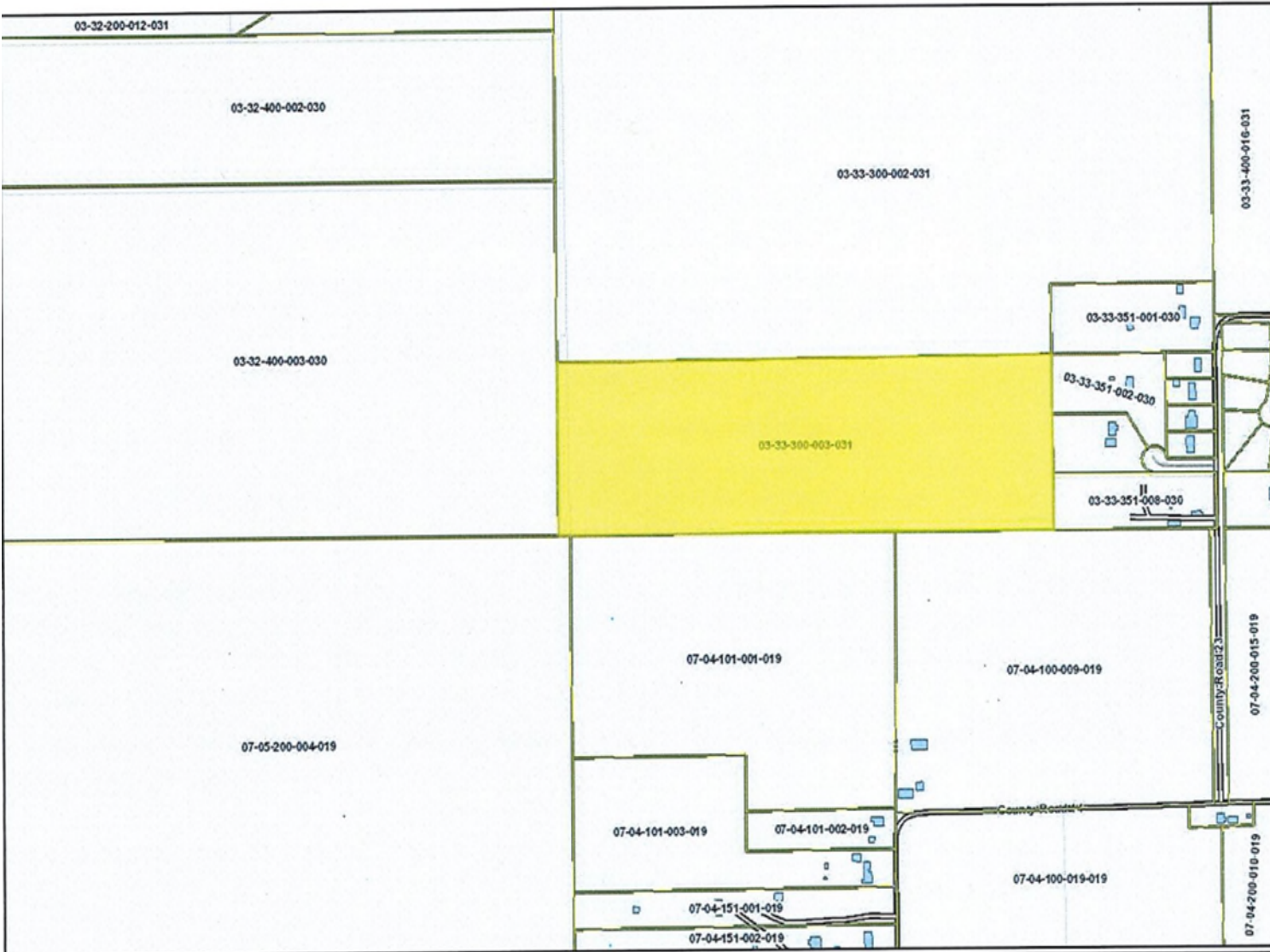
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## Michiana Regional GIS Website

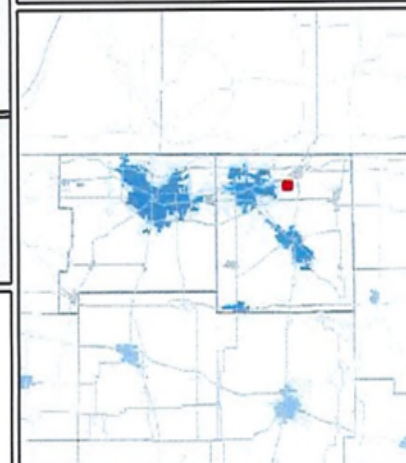
txtSubTitle

### Legend

- SJC Parcel Dimensions
- SJC Parcels
- ELK Parcels
- SJC Street
- ELK Street
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- Railroad
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1 inch = 400.00 feet



Date Printed: 6/26/2024  
Map Generated By: Public

Coordinate grid is based on Indiana East State Plane Coordinate System 1983 North American Datum.

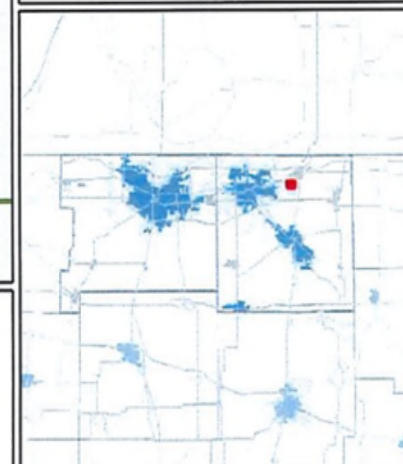
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Legend

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1 inch = 400.00 feet



03-33-100-005-031

03-33-200-006-031

03-33-200-005-031

03-33-200-019-031

03-34-101-001-031

03-33-300-001-031

03-33-300-002-031

03-33-400-016-031

03-33-400-013-031

03-34-300-013-031

03-33-400-007-031

03-33-351-001-030

03-33-351-002-030

03-33-300-003-031

03-33-351-008-030

03-33-451-007-030

03-33-452-007-030

03-33-400-015-030

03-33-400-012-030

03-34-300-012-030

07-04-101-001-019

07-04-100-009-019

07-04-200-015-019

Date Printed: 6/26/2024

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# Michiana Regional GIS Website

txtSubTitle

## Legend

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- ELK Parcels
- SJC Street
- ELK Street
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  - 10
- Primary Roads
- Secondary Roads
- Local Roads
- Rivers
- Local Roads
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- ELK Street
- Building Footprint
- SJC 2014 Parcel
- ELK 2014 Parcel
- Railroad



1 inch = 100.00 feet



03-33-400-016-031

03-33-400-013-031

03-33-400-007-031

03-33-400-015-030

03-33-400-012-030

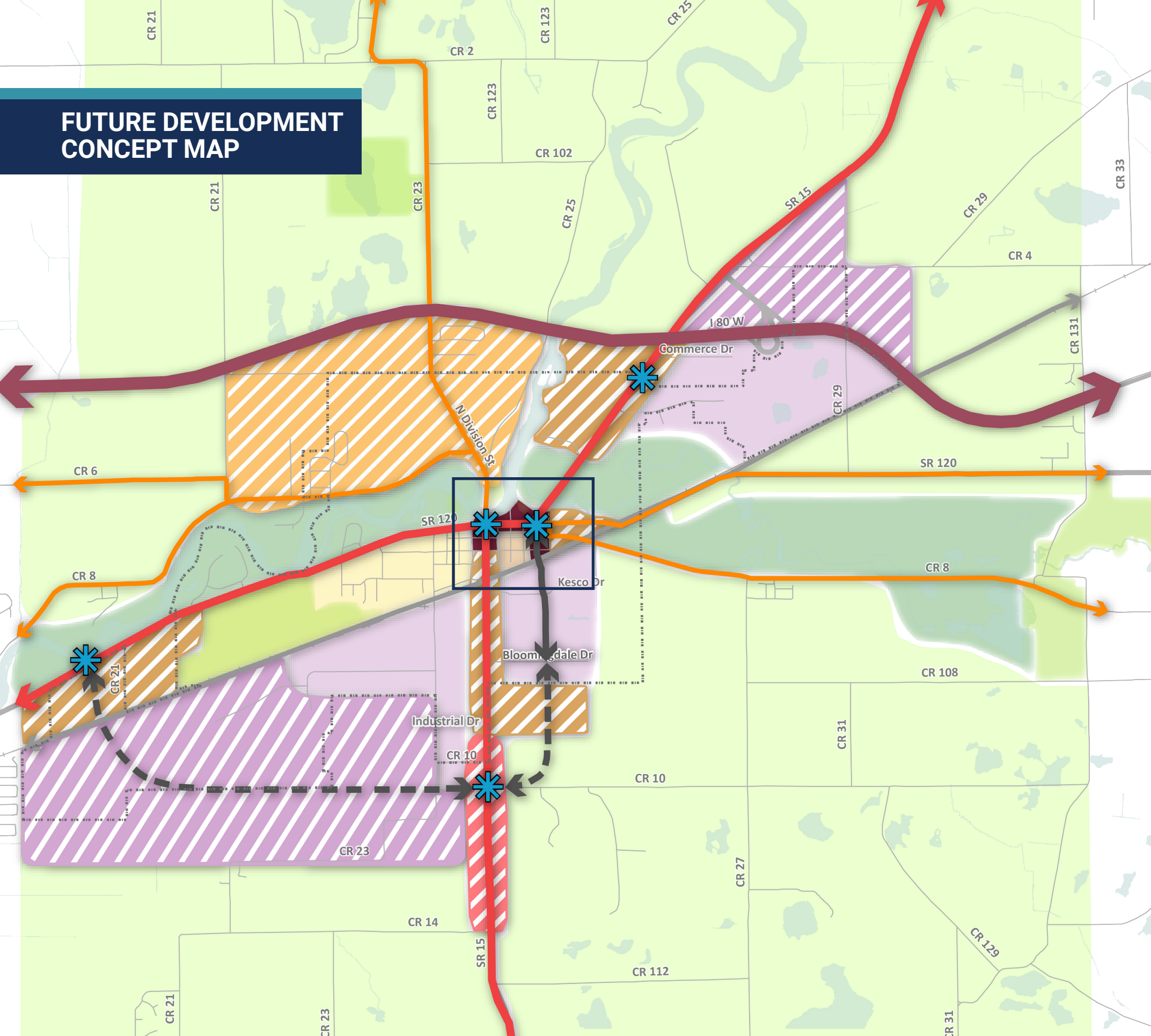
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Map Generated By: Public

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# FUTURE DEVELOPMENT CONCEPT MAP



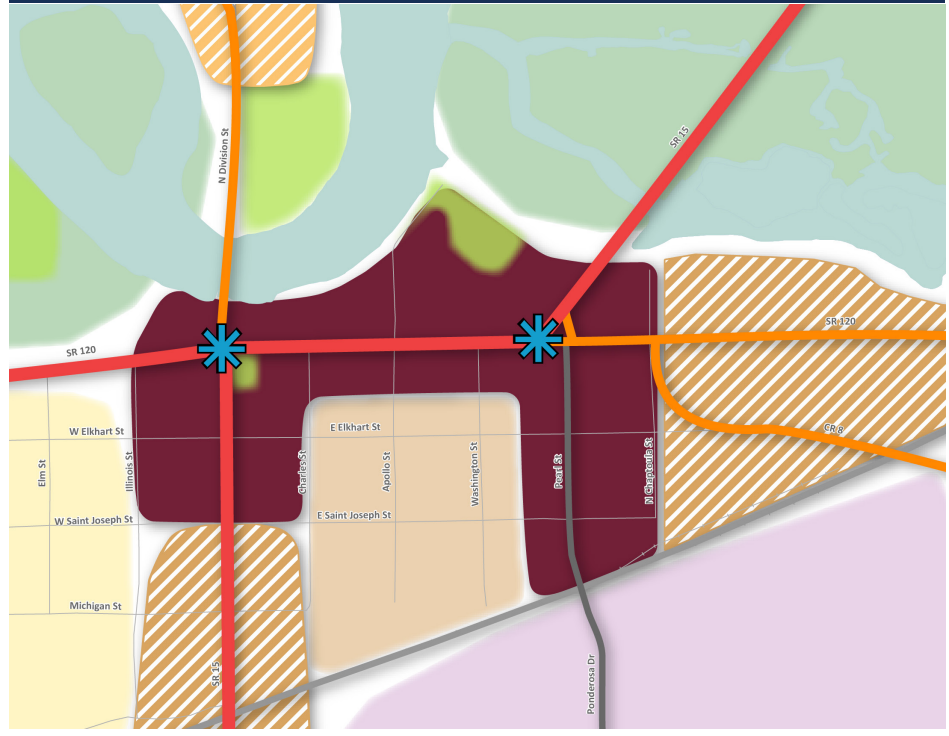
## Character Areas

- Employment Center
- Community Commercial
- Gateways
- Transitional Mixed-Use
- Mixed Residential
- Local Road Corridor

## Existing Features

- Employment Center
- Downtown District
- Transitional Mixed Use
- Neighborhood Preservation
- Floodway Conservation
- Parks
- Rural Management
- Town of Bristol
- Interstate Road Corridor
- Arterial Road Corridor
- Collector Road Corridor
- Local Road Corridor
- Railroad Corridor
- Other Local Roads

# DOWNTOWN INSET





# Plan Commission Staff Report

Prepared by the Department of Planning and Development

**Hearing Date:** August 8, 2024

**Transaction Number:** DPUD-0454-2024.

**Parcel Number(s):** 20-03-29-451-033.000-030, 20-03-29-451-034.000-030, 20-03-29-451-037.000-030, 20-03-29-451-039.000-030, 20-03-29-451-040.000-030, 20-03-29-451-041.000-030, 20-03-29-451-042.000-030, 20-03-29-451-043.000-030, 20-03-29-451-044.000-030.

**Existing Zoning:** DPUD, R-1.

**Petition:** for an amendment to an existing DPUD R-1 and for primary approval of a 2-lot minor subdivision to be known as LONGBOAT POINTE, DPUD 1ST AMENDMENT.

**Petitioner:** Chad A. & Jennifer A. Leiby, represented by Wightman .

**Location:** south side of Longboat Ct., north of SR 120, east of CR 19, in Washington Township.

**Adjacent Zoning and Land Uses:** The following table shows the zoning and current land use for the subject property and adjacent sites.

	Zoning	Current Land Use
Subject Property	DPUD R-1	Residential & Vacant
North	DPUD R-1	Residential
South	R-1 & DPUD R-1	Residential
East	DPUD R-1	Residential
West	DPUD R-1	Vacant

**Site Description:** The subject property consists of nine (9) lots totaling 2.57 acres. The residential lot is 0.94 acres with a 3,685 ft<sup>2</sup> single family residence. The eight (8) storage lots total 1.63 acres and are currently vacant.

## **History and General Notes:**

- **June 19, 2017** – The Board of County Commissioners approved a zone map change from R-1 to DPUD R-1 to be known as Longboat Pointe DPUD (PC 2017-08).
- **July 16, 2020** – Planning Staff approved a replat to be known as Replat of Lots 12 & 17 in Longboat Pointe DPUD.

**Zoning District Purpose Statement:** The purpose of the DPUD, Detailed Planned Unit Development, overlay zoning district is to allow an applicant the benefit of flexibility in development in exchange for increased public or private amenities that go beyond the requirements of the Zoning Ordinance. The purpose of the R-1, Single-Family Residential, zoning district is to accommodate single-family detached dwellings and other compatible and supporting uses on medium sized lots within a subdivision.

# ***Plan Commission Staff Report (Continued)***

*Hearing Date:* August 8, 2024

*Staff Analysis:* The purpose of this amendment is to remove storage lot use restriction, remove a private drive, and to replat the existing residential lot, storage lots, and private drive into new two residential lots. Proposed lot #28 will be 1.52 acres and proposed lot #29 will be 1.46 acres.

The staff, after reviewing this petition with the assistance of the Elkhart County Tech Committee, recommends **APPROVAL** of this DPUD amendment and primary plat as the development meets all pertinent standards

# PLAN COMMISSION & BOARD OF ZONING APPEALS

Detailed PUD Amendment - Rezoning, Plat & Site Plan

## Elkhart County Planning & Development Public Services Building

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

DPUD-0454-2024

Date: 07/01/2024 Meeting Date: August 08, 2024 Transaction #: DPUD-0454-2024  
Plan Commission Hearing (PUD)

Description: for an Amendment to an existing DPUD R-1 and for primary approval of a 2-lot minor subdivision to be known as LONGBOAT POINTE, DPUD 1ST AMENDMENT

Contacts: <u>Applicant</u>	<u>Land Owner</u>	<u>Private Surveyor</u>
Wightman 1402 E. Mishawaka Ave. South Bend, IN 46615	Chad A & Jennifer A Leiby 20406 Longboat Ct Bristol, IN 465071300	Wightman 1402 E. Mishawaka Ave. South Bend, IN 46615

Site Address: 20406 Longboat Ct  
BRISTOL, IN 46507

Parcel Number: 20-03-29-451-033.000-030  
20-03-29-451-034.000-030  
20-03-29-451-037.000-030  
20-03-29-451-039.000-030  
20-03-29-451-040.000-030  
20-03-29-451-041.000-030  
20-03-29-451-042.000-030  
20-03-29-451-043.000-030  
20-03-29-451-044.000-030

Township: Washington  
Location: SOUTH SIDE OF LONGBOAT CT, NORTH OF SR 120, EAST OF CR 19

Subdivision:	Lot #
--------------	-------

Lot Area:	Frontage:	Depth:
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Zoning: DPUD, R-1	NPO List:
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Present Use of Property:

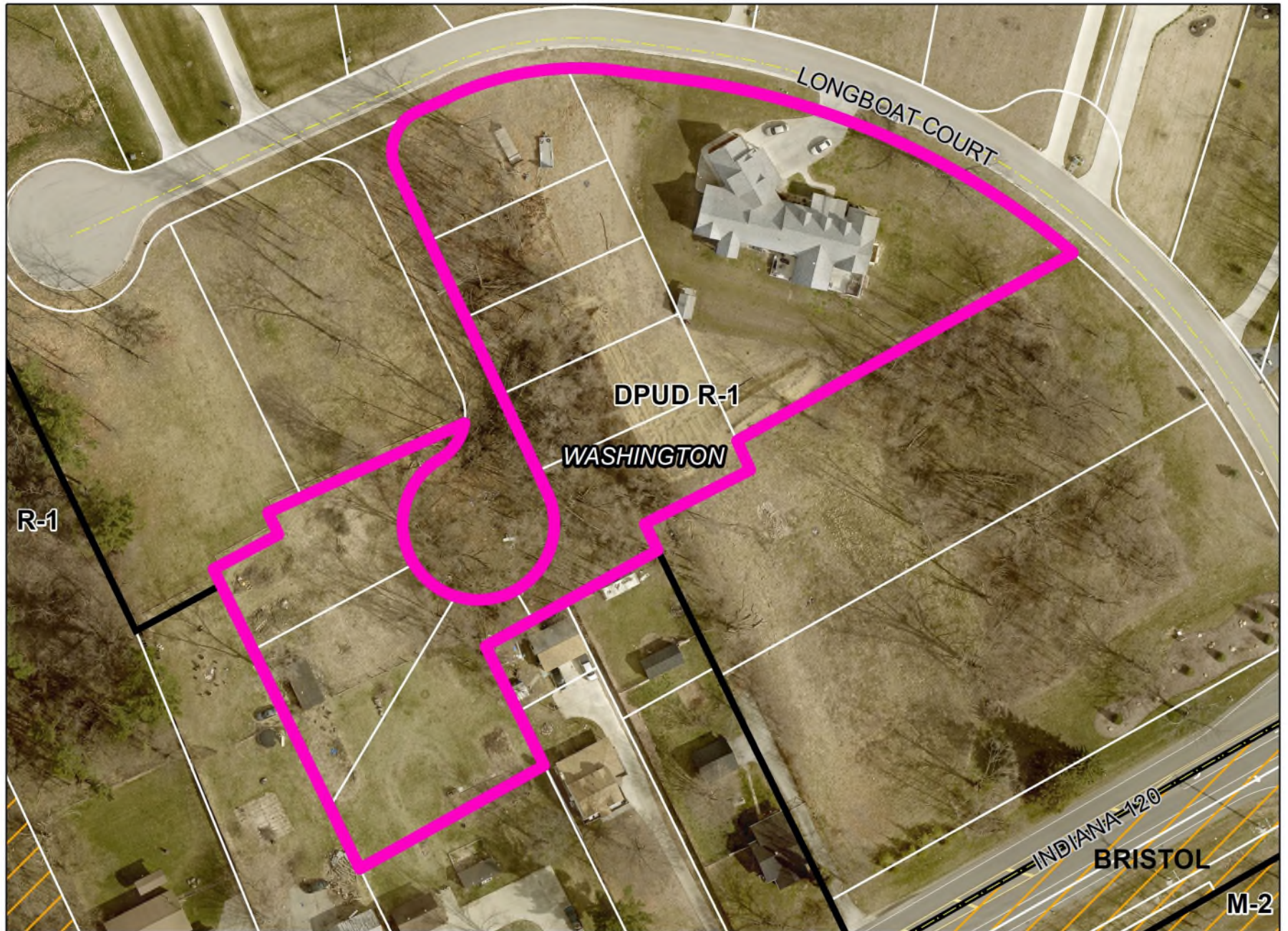
Legal Description:

Comments: SEE MI-0520-2020 FOR SECONDARY APPROVAL OF REPLAT  
OK PER JASON - KB 7/1/2024

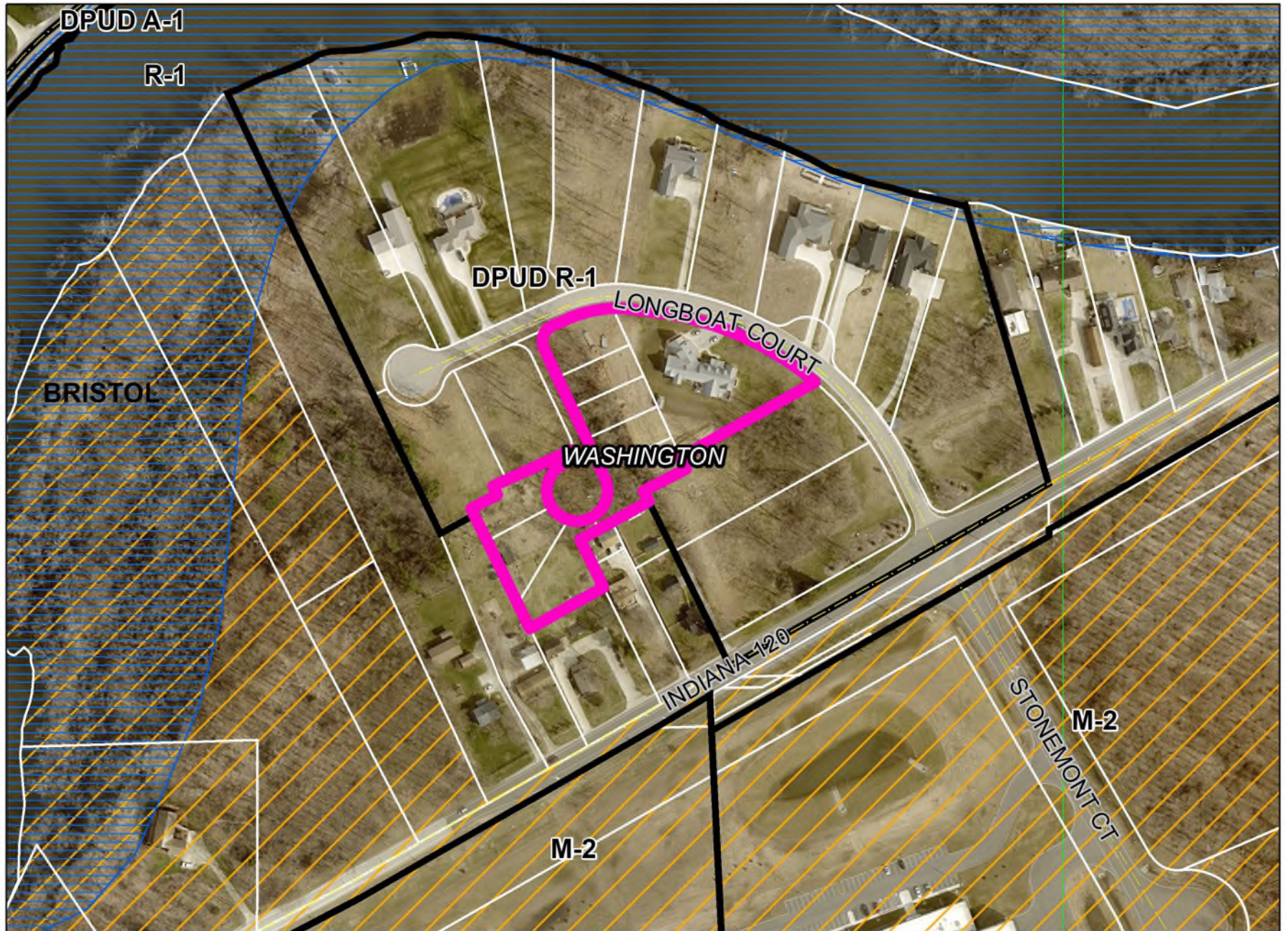
Applicant Signature:

Department Signature:

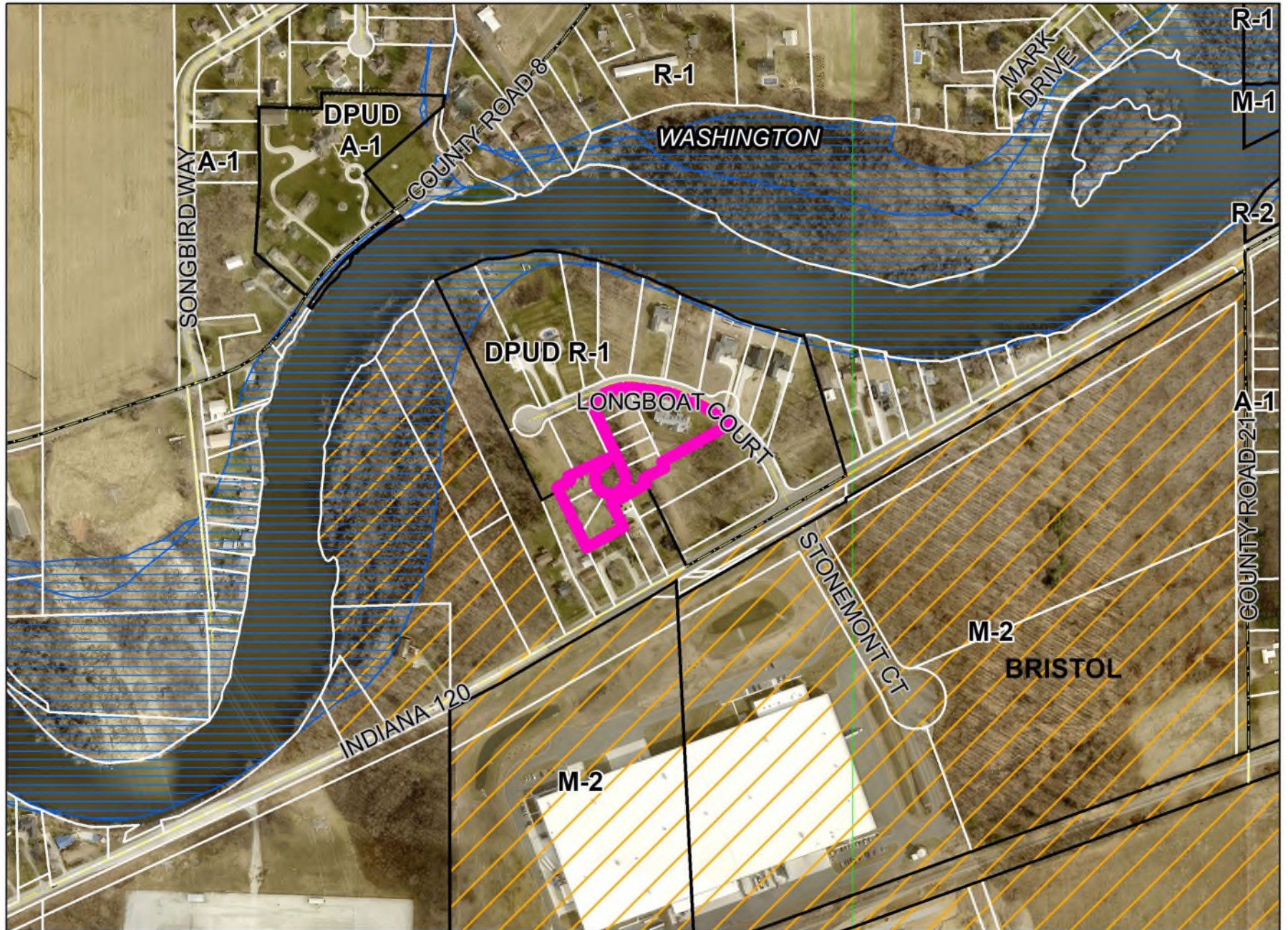








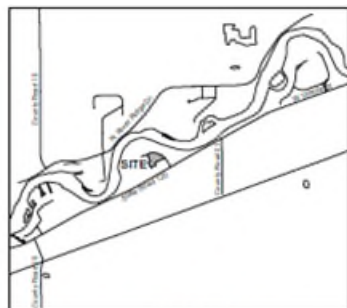




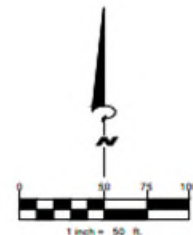


# LONGBOAT POINT, D.P.U.D 1ST AMENDMENT

IN THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 38 NORTH,  
RANGE 6 EAST, WASHINGTON TOWNSHIP, ELKHART COUNTY, INDIANA.



VICINITY MAP



**W+ WIGHTMAN**  
1402 MISHAWAKA AVE.  
SOUTH BEND, IN. 46815  
574.233.1841  
www.gowightman.com

PROJECT NAME:

**LONGBOAT  
POINT, D.P.U.D.  
1st AMENDMENT**

**CHAD A. AND  
JENNIFER A. LEIBY**  
20406 LONGBOAT CT.  
BRISTOL, IN 46507

07/02/24 REV NOTES 7 & 8 AND  
VICINITY MAP ADDED.  
07/16/24 PER TECH REVIEW

## REVISIONS

DATE: 06/26/24  
SCALE: 1" = 50'  
DRAINED BY: JMS  
CHECKED BY:

D.P.U.D.  
SITE PLAN

JOB No. 240954

1 of 1

LINE NO.	BEARING	LENGTH
L1	S24°32'31"E	35.91'
L2	S62°43'40"W	78.27'
L3	S26°10'23"E	15.34'
L4	N61°53'26"E	48.60'
L5	N25°46'22"W	16.02'

CURVE NO.	DELTA	LENGTH	RADIUS	TANGENT	CHORD BEARING	CHORD LENGTH
C1	83°44'05"	21.27'	34.88'	10.34'	N67°42'30"W	30.89'
C2	83°19'41"	111.88'	205.00'	57.34'	S81°29'22"W	110.24'
C3	83°10'33"	287.03'	500.00'	147.59'	N66°04'03"W	285.11'
C4	93°27'31"	1.62'	200.00'	0.81'	S89°43'27"W	1.62'
C5	83°13'50"	110.06'	200.00'	56.46'	S81°43'17"W	108.68'

## LEGAL DESCRIPTION

LOT NUMBERED 25 IN THE REPLAT OF LOTS 16 AND 17 IN LONGBOAT POINT, D.P.U.D., AS PER PLAT THEREOF RECORDED IN PLAT BOOK 38, PAGE 81, INSTRUMENT NO. 2030-16734 IN THE OFFICE OF THE RECORDER OF ELKHART COUNTY, INDIANA.  
LOTS NUMBERED 1A THROUGH 8A, AND THE ADJACENT DRIVEWAY, IN LONGBOAT POINT, D.P.U.D., AS PER PLAT THEREOF RECORDED NOVEMBER 8, 2017 IN PLAT BOOK 37, PAGE 42 AS INSTRUMENT NUMBER 2017-20187 IN THE OFFICE OF THE RECORDER OF ELKHART COUNTY, INDIANA.  
PARCELS NUMBERS FOR ABOVE:  
KEY NO. 20-03-29-451-033-000-030; KEY NO. 20-03-29-451-037-000-030  
KEY NO. 20-03-29-451-038-000-030; KEY NO. 20-03-29-451-040-000-030  
KEY NO. 20-03-29-451-041-000-030; KEY NO. 20-03-29-451-042-000-030  
KEY NO. 20-03-29-451-043-000-030; KEY NO. 20-03-29-451-044-000-030  
ALSO, LAND IN WASHINGTON TOWNSHIP, ELKHART COUNTY, INDIANA MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
BEGINNING AT THE NORTHWEST CORNER OF LOT 1A, A FOUND IN THE RECORDED PLAT OF LONGBOAT POINT, D.P.U.D., IN PLAT BOOK 37, PAGE 42 IN THE OFFICE OF THE RECORDER OF ELKHART COUNTY, INDIANA, THENCE SOUTHWESTERLY, ON THE WEST LINE OF SAID LOT 1A, ALONG A 29.68 FOOT RADIUS CURVE TO THE LEFT, AN ARC LENGTH OF 43.84 FEET TO A TANGENCY POINT, THENCE SOUTH 25 DEGREES 04'20" EAST 289.81 FEET, TO THE POINT OF CURVATURE OF A 30 FOOT RADIUS CURVE TO THE RIGHT, AN ARC LENGTH OF 236.32 FEET TO THE POINT OF REVERSE CURVATURE, THENCE NORTHERLY, ALONG A 39.08 RADIUS CURVE TO THE LEFT, AN ARC LENGTH OF 11.28 FEET TO THE POINT OF TANGENCY, THENCE NORTH 25 DEGREES 54'20" WEST 151.25 FEET TO A POINT OF CURVATURE, THENCE WESTERLY, ALONG A 39.08 FOOT RADIUS CURVE TO THE LEFT, AN ARC LENGTH OF 43.27 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF LONGBOAT POINT, D.P.U.D., THENCE NORTH 65 DEGREES 28'59" EAST, ON SAID SOUTH RIGHT-OF-WAY LINE, 82.30 FEET TO THE POINT OF BEGINNING. ABOVE DESCRIPTION DESCRIBES A PRIVATE DRIVE (COMMON AREA) AS FOUND ON THE RECORDED PLAT OF SAID LONGBOAT POINT, D.P.U.D. CONTAINING 0.32 OF AN ACRE MORE OR LESS.

REQUIRED BUILDING SETBACK:  
FRONT YARD: 30' AS SHOWN (35' FROM R/W CENTERLINE)  
SIDE YARD: 10'  
REAR YARD: 10'

*Terance D. Lang*  
TERANCE D. LANG, P.S. #80040523



# **NARRATIVE**

## **LONGBOAT POINTE, D.P.U.D. 1<sup>st</sup> AMENDMENT**

Part of the Southeast Quarter of Section 29, all in Township 38 North, Range 6 East,  
Washington Township, Elkhart County, Indiana.

### **Owner:**

**Chad Alan and Jennifer A. Leiby**  
56974 Ash Road  
Osceola, Indiana 46561

**Property Address:** 20406 Longboat Court, Bristol, IN.

KEY NO. 20-03-29-451.033.000-030  
KEY NO. 20-03-29-451.034.000-030  
KEY NO. 20-03-29-451.037.000-030  
KEY NO. 20-03-29-451.039.000-030  
KEY NO. 20-03-29-451.040.000-030  
KEY NO. 20-03-29-451.041.000-030  
KEY NO. 20-03-29-451.042.000-030  
KEY NO. 20-03-29-451.043.000-030  
KEY NO. 20-03-29-451.044.000-030

### **Surveyor: Wightman**

1402 Mishawaka Avenue  
South Bend, Indiana 46615  
574-233-1841  
Terance D. Lang, PS No. 80040523  
[TLang@GoWightman.com](mailto:TLang@GoWightman.com)

### **Legal Description:**

Lot Numbered 25 In The Replat Of Lots 16 And 17 In Longboat Pointe, D.P.U.D., As Per Plat Thereof Recorded In Plat Book 39, Page 81, Instrument No. 2020-16734 In The Office Of The Recorder Of Elkhart County, Indiana.

Lots Numbered 1a Through 8a, And The Adjacent Driveway, In Longboat Point, D.P.U.D, As Per Plat Thereof Recorded November 8, 2017 In Plat Book 37, Page 42 As Instrument Number 2017-24187 In The Office Of The Recorder Of Elkhart County, Indiana.

Parcels Numbers For Above:

Key No. 20-03-29-451.033.000-030  
Key No. 20-03-29-451.037.000-030  
Key No. 20-03-29-451.039.000-030  
Key No. 20-03-29-451.040.000-030  
Key No. 20-03-29-451.041.000-030  
Key No. 20-03-29-451.042.000-030  
Key No. 20-03-29-451.043.000-030  
Key No. 20-03-29-451.044.000-030

Also, Land In Washington Township, Elkhart County, Indiana More Particularly Described As Follows:

Beginning At The Northwest Corner Of Lot 1a, As Found In The Recorded Plat Of Longboat Pointe, D.P.U.D., In Plat Book 37, Page 42 In The Office Of The Recorder Of Elkhart County, Indiana; Thence Southwesterly, On The West Line Of Said Lot 1a, Along A 29.00 Foot Radius Curve To The Left, An Arc Length Of 45.84 Feet To A Tangency Point; Thence South 25 Degrees 04'20" East 280.81 Feet, To The Point Of Curvature Of A 50 Foot Radius Curve To The Right, An Arc Length Of 230.32 Feet To The Point Of Reverse Curvature; Thence Northerly, Along A 35.00 Radius Curve To The Left, An Arc Length Of 51.26 Feet To The Point Of Tangency; Thence North 25 Degrees 04'20" West 151.25 Feet To A Point Of Curvature; Thence Westerly, Along A 29.00 Foot Radius Curve To The Left, An Arc Length Of 45.27 Feet To The South Right-Of-Way Line Of Longboat Court; Thence North 65 Degrees 29'29" East, On Said South Right-Of-Way Line, 82.00 Feet To The Point Of Beginning. Above Description Describes A Private Drive (Common Area) As Found On The Recorded Plat Of Said Longboat Pointe, D.P.U.D Containing 0.32 Of An Acre More Or Less.

### **DEVELOPMENT PROJECT OVERVIEW**

This project is to combine several lots into two single family lots. The purpose of this DPUD amendment is to relinquish the garage only status on the former lots 1A - 8A and release the private drive from it's common area status. This shall change the lot use in the original D.P.U.D from accessory use only to single family use. These lots have been chosen because they are all owned by one party. This single-family use is keeping with the continuity of the surrounding area. The entire area contained shall be of residential use. No nuisances shall occur; therefore, protections are not needed for adjacent residential homes.

### **DEVELOPMENT PROJECT DETAILS**

This site currently has one single family home and a shed on the property. There are no developmental phases for this project. Access for both lots shall be from the established Longboat Court. No specified hours of operation apply for this residential project. Indoor and outdoor activity shall be that of a single family residence. No specified employees, visitors, trucks or vehicles for this single family residence. Parking shall be on site in each specified driveway. No proposed outside storage, other than that in nature to a single family residence. Land disturbance shall be less than one acre for one new single family home. This construction shall not constitute any major water runoff to adjacent parcels or within the perimeter of the site.

### **DEVIATIONS FROM ZONING ORDINANCE STANDARDS**

The original D.P.U.D had set aside lots 1-8 for accessory use only. This project shall eliminate that in order to allow a primary residence. This request is not a deviation from the zoning ordinance.

### **WATER AND SANITARY SEWER SYSTEMS**

The existing home shall maintain it's individual well and septic system. The proposed lot shall have on site septic and a private well. This original D.P.U.D. was established in 2017. Soil borings should be on file with Elkhart County Health Department.

### **TRAFFIC**

The addition of one home shall not create any major impact for traffic concerns for longboat Court or the surrounding street.

### **STORMWATER**

This construction on one single family residence shall not constitute any major water runoff to adjacent parcels or within the perimeter of the site.

Revised July 16, 2024

# Plan Commission Staff Report

*Prepared by the Department of Planning and Development*

**Hearing Date:** August 8, 2024

**Transaction Number:** DPUD-0461-2024.

**Parcel Number(s):** 20-11-36-200-001.000-014.

**Existing Zoning:** M-1.

**Petition:** for a zone map change from GPUD M-1 to DPUD M-1 and for primary approval of a 1-lot subdivision to be known as Forest River-Goshen Storage Lot DPUD.

**Petitioner:** Forest River Inc., represented by Jones Petrie Rafinski.

**Location:** southeast corner of US 33 and CR 40, in Elkhart Township.

**Adjacent Zoning and Land Uses:** The following table shows the zoning and current land use for the subject property and adjacent sites.

	Zoning	Current Land Use
Subject Property	GPUD M-1	Commercial
North	A-1	Residential
South	DPUD A-1 & M-1, A-1	Hull Lift Truck/Commercial/ Residential
East	A-1	Residential
West	PUD B-1, DPUD B-2, DPUD M-1, DPUD B-3, A-1	Machinery Manufacturing, Commercial/ Residential

**Site Description:** The property is made up of a single 40-acre parcel. It is square in shape and is vacant.

## **History and General Notes:**

- **December 14, 2023** – The Board of County Commissioners approved a zone map change from A-1 to GPUD M-1 to be known as Forest River-Goshen Storage Lot DPUD (PC 2024-01).

**Zoning District Purpose Statement:** The purpose of the DPUD, Detailed Planned Unit Development, overlay zoning district is to allow an applicant the benefit of flexibility in development in exchange for increased public or private amenities that go beyond the requirements of the Zoning Ordinance. The purpose of the M-1, Limited Manufacturing, zoning district is to accommodate less intense manufacturing, warehousing and distribution uses that are not significantly objectionable to surrounding properties in terms of truck traffic, noise, odor, smoke and other potential nuisance factors.

**Staff Analysis:** The purpose of this rezoning petition is to develop a gravel storage lot for chassis adjacent to existing residential properties.

# ***Plan Commission Staff Report (Continued)***

***Hearing Date:*** August 8, 2024

The staff, after reviewing this petition, recommends **APPROVAL** of this rezoning for the following reasons:

1. The requested Zoning Map Amendment complies with the Comprehensive Plan. Commercial development should be directed to Urban Growth Areas and in designated transportation corridors. US 33 is a major arterial road.
2. The request is in character with current conditions, structures, and uses on the subject property and in its surroundings. The proposed use of the property is comparable with what would be expected in a transition zone in or near a mixed-use area.
3. The most desirable use of the subject property is commercial or manufacturing and/or other compatible and supporting uses.
4. The request conserves property values. The property is currently undeveloped and will be properly developed and maintained.
5. The proposed rezoning promotes responsible growth and development. The DPUD limits the use and details contained in the petition, site plan / support drawing, and PUD ordinance.

***Staff Analysis Continued:*** The staff, after reviewing this petition with the assistance of the Elkhart County Technical Committee, recommends **APPROVAL** of this DPUD and of this primary plat, as the development meets all pertinent standards.

PLAN COMMISSION &  
BOARD OF ZONING APPEALS

Elkhart County Planning & Development  
Public Services Building  
4230 Elkhart Road, Goshen, Indiana, 46526  
Phone - (574) 971-4678  
Fax - (574) 971-4578

Detailed PUD - Rezoning, Plat & Site Plan

Date: 07/02/2024 Meeting Date: August 08, 2024 Transaction #: DPUD-0461-2024  
Plan Commission Hearing (PUD)

Description: for a zone map change from GPUD M-1 to DPUD M-1 and for primary approval of a 1 lot minor subdivision  
to be known as FOREST RIVER-GOSHEN STORAGE LOT DPUD

Contacts: <u>Applicant</u>	<u>Land Owner</u>	<u>Private Surveyor</u>
Jones Petrie Rafinski	Forest River Inc.	Jones Petrie Rafinski
325 South Lafayette Blvd	105 1/2 14Th Ave	325 South Lafayette Blvd
South Bend, IN 46601	Middlebury, IN 46540	South Bend, IN 46601

Site Address: 00000 Us 33 GOSHEN, IN 46528	Parcel Number: 20-11-36-200-001.000-014
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Township: Elkhart  
Location: SOUTH EAST CORNER OF US 33 AND COUNTY ROAD 40

Subdivision: FOREST RIVER GOSHEN STORAGE LOT DPUD	Lot # 1
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Lot Area: 40.00 Frontage: 2,551.00 Depth: 1,262.00

Zoning: M-1	NPO List:
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Present Use of Property: VACANT

Legal Description:

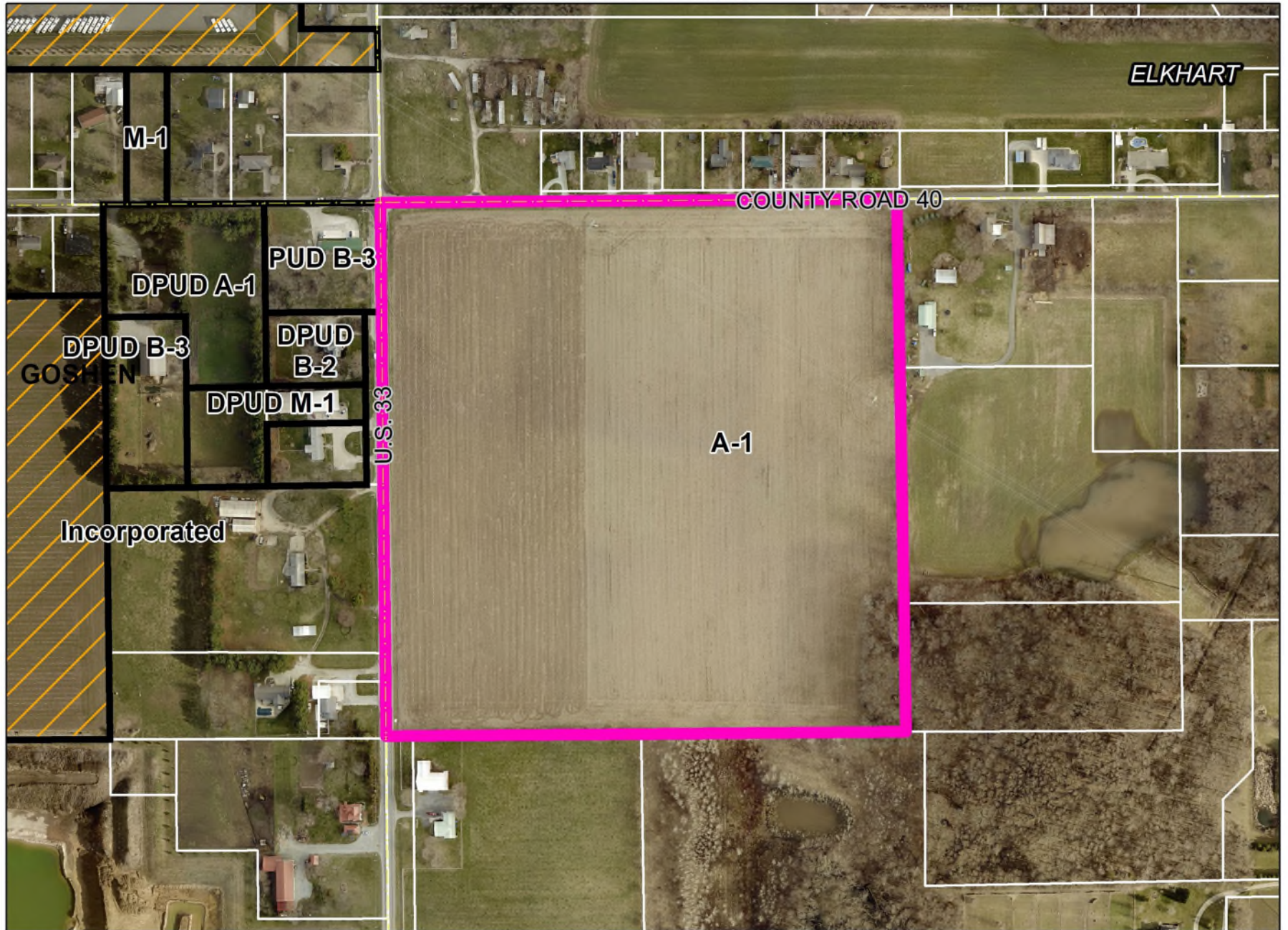
Comments:

Applicant Signature:	Department Signature:
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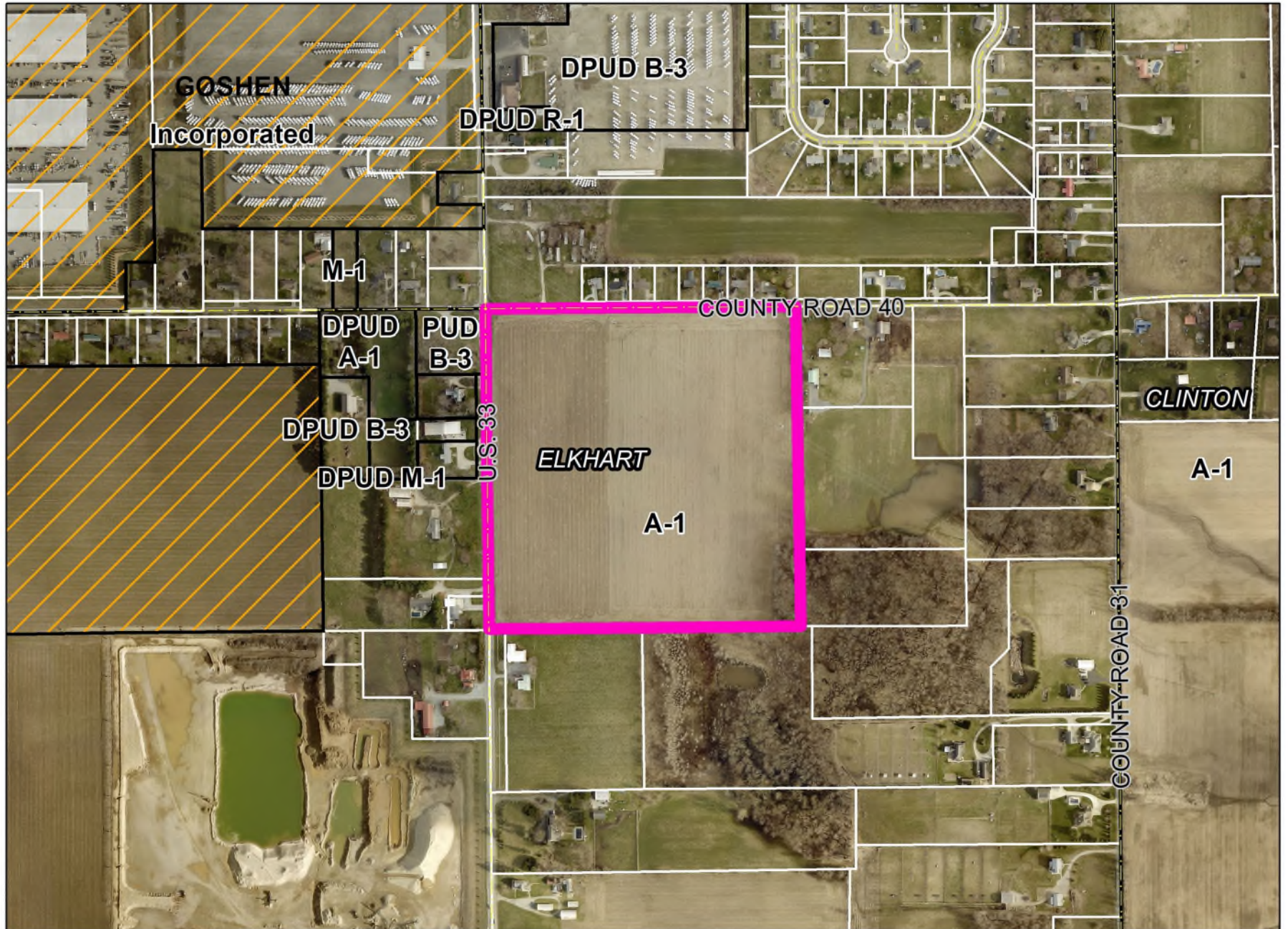














**SITE PLAN SUPPORT DRAWING & PRELIMINARY PLAT.**  
**PART OF THE NW 1/4 OF NE 1/4 SECTION 36, TOWNSHIP 36 NORTH, RANGE 6 EAST, ELKHART TOWNSHIP, ELKHART COUNTY, INDIANA**

**SOILS LEGEND**

These examples suggest that a weak and ill-considered use of the document in the life program of the school would merely be a hindrance and not a stimulus for a more fruitful frame of the curriculum development.





# FOREST RIVER – GOSHEN STORAGE LOT DPUD

**July 1, 2024**

Owner/Developer:

Forest River, Inc.  
PO Box 3030  
Elkhart, IN 46515

Prepared by:



325 S Lafayette Blvd  
South Bend, IN 46601  
574-232-4388

# FOREST RIVER - GOSHEN STORAGE LOT DPUD

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# FOREST RIVER - GOSHEN STORAGE LOT DPUD

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## 1.0 DEVELOPMENT PROJECT OVERVIEW

### 1.1 Project Summary & Legal Description

Forest River Goshen Storage Lot DPUD is a proposed development located in Goshen, Indiana on the southeast corner of County Road 40 & US 33, West of address 16206 County Road 40, Goshen, IN. The property currently does not have an address assigned.

The property owner is seeking to rezone the property from GPUD M-1 to a DPUD M-1 and upon approval of the rezoning proceed with construction of the gravel storage lot. The property is approximately 38.8 Acres in size and currently is of agricultural land.

The site does have an overhead electric line which runs through the site and as the property is fenced off for security access gates would be provided to allow the utility provider access. Proposed access to the site is intended to come from US 33 on the west and would require review and approval by INDOT. County Road 40 east of US 33 is signed to not allow any through trucks.

The following information should serve as a guideline for the development of the proposed PUD. The site location is shown on the included site plan support drawing.

Legal Description:

RECORD LEGAL DESCRIPTION (DR 2023-02665):

THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 36,  
TOWNSHIP 36 NORTH, RANGE 6 EAST, ELKHART TOWNSHIP, CONTAINING 40 ACRES,  
MORE OR LESS.

### 1.2 Reason for the Chosen Location

Located near other facilities the owner owns to allow for transportation to occur between the facilities.

### 1.3 Relationship of the Intended Uses with Existing Surrounding Uses

The proposed use is located outside of the southeast corner of the city of Goshen. Surrounding uses consist of a gravel pit southwest of this property and other DPUD developments having M-1, B-1, B-2 and B-3 zoning as shown on the site plan support drawing. A landscape berm would be constructed to screen the residential properties as shown on the site plan support drawing.

### 1.4 Land Use Intent by Percentage

All land within this property will be utilized for industrial use as a gravel storage lot.

### 1.5 General Protections for Surrounding Residential Uses

A landscape berm shall be constructed as shown on the site plan support drawing to screen the residential properties. The storage lot will utilize motion sensors on the site lighting for security purposes.



# FOREST RIVER - GOSHEN STORAGE LOT DPUD

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## **2.0 DEVELOPMENT CONCEPT DETAILS**

### **2.1 Site Improvements and Changes**

The existing project site consists of agricultural land with overhead utility lines and utility poles. Forest River is proposing the construction of an access drive to US 33 subject to INDOT review and approval and for the site to be a gravel storage lot with landscape berms, stormwater retention, and security fencing as shown on the site plan support drawing.

### **2.2 Project Phasing**

Upon approval of the DPUD construction is intended to commence following all approvals by Elkhart County and INDOT.

### **2.3 Site Access:**

Site access is proposed from US 33 as shown on the site plan support drawing and subject to INDOT review and approval.

### **2.4 Days and Hours of Operation**

Days and hours of operation at the proposed project site are as follows:

Hours of operation are 5am to 5pm.

### **2.4 Indoor and Outdoor Activity**

All activity on this site would occur outdoors and consist of outside storage of vehicles and/or chassis associated with manufacturing.

### **2.5 Number of Employees and Visitors per day.**

5am to 5pm – 2 employees on site at all times

5pm to 5am – 1 security employee

### **2.6 Number of Trucks and other visitors per day**

The site will average 10 truck loads of chassis per day.

### **2.7 Parking and parking surfaces plan.**

The DPUD site plan shows the overall area of gravel for the storage lot. Employee parking will occur near the Guard Shack within the gravel storage lot.

### **2.8 Outside Storage and Display**

This site will be utilized for outside storage of Chassis as shown on the DPUD site plan support drawing.

### **2.9 Overview of Stormwater Plan**

The existing site sheet flows to the northwest and the proposed development will maintain the existing drainage pattern. This will allow for stormwater to sheet drain into a proposed stormwater retention basin as shown on the site plan support drawing.

## **3.0 DEVIATIONS FROM ZONING ORDINANCE STANDARDS**

The owner is not requesting any deviations from the standard as part of this rezoning request.

## **4.0 WATER AND SANITARY SYSTEMS**

No water and/or sanitary services are required for the proposed development.



# FOREST RIVER - GOSHEN STORAGE LOT DPUD

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## 5.0 TRAFFIC

5.1 Existing Vehicle Count for adjacent Streets with proposed increase.

From MACOG Regional Traffic Counts:

On 11/30/2021, the average daily traffic on US 33 was 12,792.

County Road 40 average daily traffic was 1,772.

The proposed development would add approximately 26 trips per day to the daily US 33 traffic.

5.2 Vehicle in and Out.

(10 delivery trucks per day) = 20 Trips to and from the site

(3 employees) = 6 Trips to and from the site

Estimated number of trips to and from the site per day = 26 trips.

5.3 Sight Distance

The proposed access to US 33 would allow for sight distance both North and South in excess of 1,000 feet.

5.4 TIVE

A TIVE is not required for access to US 33. The proposed access and entrance geometry will be reviewed and approved by INDOT.

## 6.0 STORMWATER

6.1 The stormwater retention is sized per the Elkhart County Highway Drainage requirements as shown on the site plan support drawing.

6.2 Details for the required storage volume are shown on the site plan support drawing.

TO: Plan Commission

FROM: H. Jason Auvil, Planning Manager & Zoning Administrator

SUB: Approvals of Plan Commission Recommendations

The following petitions were **approved** at the July 9, 2024, Town of Wakarusa's meeting:

1.     Petitioner:     Able Medical, LLC (Buyer) Beacon Medical Group Inc. (Seller)  
       Petition:     for a zone map change from R-1/R-2 to B-2.  
       Location:     west side of Elkhart St. (CR 3) 625 ft. north of CR 40, common address of 207  
                          North Elkhart St. in Olive Township. (RZ-0315-2024)  
       Plan Commission Vote: Yes: 7; No: 0; Absent: 2  
       Remonstrators Present: A neighbor had questions concerning any building construction.  
       Development Issues: None
  
2.     Petitioner:     Charles R. Roeder & Kristin M. Roeder, Husband & Wife represented by  
                          Martin Brothers Contracting  
       Petition:     for an amendment to an existing DPUD R-1 known as **ABEL ESTATES  
DPUD** to allow for an additional building.  
       Location:     north end of Abel Dr., 1,000 ft. north of east Waterford St., west of SR 19,  
                          common address of 200 Abel Dr. in Olive Township.  
                          (DPUD-0301-2024)  
       Plan Commission Vote: Yes: 7; No: 0; Absent: 2  
       Remonstrators Present: No  
       Development Issues: None

The following petitions were **approved** at the July 15, 2024, Elkhart County Commissioner's meeting:

1.     Petitioner:     Westview Capital LLC represented by Whitman & Associates, Inc.  
       Petition:     for secondary approval of a 39-lot major subdivision to be known as  
                          **DEERFIELD ESTATES SECTION SIX.**  
       Location:     north end of Hunters Edge Trl., 800 ft. north of Deer Fawn Trl., west of Deer  
                          Hollow Dr., north of CR 2, in Cleveland Township.  
                          (MA-0305-2024)  
       Plat Committee Vote: Yes: 3 No: 0; Absent: 2  
       Remonstrators Present: No  
       Development Issues: None

- 2..     Petitioner:     C. W. Peterson III  
       Petition:     for a zone map change from R-1/B-2 to R-1.  
       Location:     south side of Oak Dr., 250 ft. east of Ash Rd., common address of 30958 Oak Dr. in Cleveland Township.  
                       (RZ-0294-2024)  
       Plan Commission Vote: Yes: 7 No: 0; Absent: 2  
       Remonstrators Present: No  
       Development Issues: None
3.     Petitioner:     Custom Art Gallery, LLC  
       Petition:     for a zone map change from B-3 to B-2.  
       Location:     northeast side of US 33, 990 ft. south of Concord Mall Dr./Sunnyside Ave., common address of 23957 US 33 in Concord Township.  
                       (RZ-0306-2024)  
       Plan Commission Vote: Yes: 7 No: 0; Absent: 2  
       Remonstrators Present: No  
       Development Issues: None
4.     Petitioner:     JMS Property Management, LLC  
       Petition:     for a zone map change from B-3, PUD B-3, R-1 to B-3.  
       Location:     south side of Toledo Rd. 1,035 ft. east of Goshen Ave (CR 16), common address of 1675 Toledo Rd. in Concord Township.  
                       (RZ-0310-2024)  
       Plan Commission Vote: Yes: 7 No: 0; Absent: 2  
       Remonstrators Present: No  
       Development Issues: The City of Elkhart requested that the Plan Commission add a condition that the property owner go through the city driveway permitting process. The Plan Commission did not support this request.
5.     Petitioner:     Gary L. Roberts & Frances M. Roberts, Husband & Wife represented by Surveying and Mapping LLC  
       Petition:     for a zone map change from A-1 to DPUD B-3 & DPUD A-1 and for primary approval of a 2-lot minor subdivision to be known as **ROBERTS DPUD**.  
       Location:     southeast corner of CR 10 & CR 6, common address of 29829 CR 10 in Cleveland Township. (DPUD-0293-2024)  
       Plan Commission Vote: Yes: 7 No: 0; Absent: 2  
       Remonstrators Present: Yes  
       Development Issues: Neighbors are concerned about the proposed commercial activities on the property which will bring potential increases in traffic.