

MINUTES
ELKHART COUNTY PLAN COMMISSION MEETING
HELD ON THE 9TH DAY OF MARCH 2017 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, Roger Miller. The following staff members were present: Chris Godlewski, Plan Director; Jason Auvil, Planning Manager; Liz Gunden, Planner; Mae Kratzer, Planner; and James W. Kolbus, Attorney for the Board. Deb Britton, Administrative Manager; was absent.

Roll Call.

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

Absent: Lori Snyder.

2. A motion was made and seconded (*Edwards/Burbrink*) that the minutes of the last regular meeting of the Elkhart County Plan Commission, held on the 9th day of February 2017, be approved as submitted. The motion was carried with a unanimous vote.

3. A motion was made and seconded (*Edwards/Campanello*) 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 a Zone Map change from A-1 to M-2, for Thor Motor Coach Inc. represented by Marbach, Brady & Weaver, Inc., on property located on the West side of SR 15, North of Industrial Dr., in Washington Township, zoned A-1, was presented at this time.

Mae Kratzer presented the Staff Report / Staff Analysis, which is attached for review as *Case #RZ-0054-2017*.

Debra Hughes, Marbach, Brady & Weaver, Inc., 3220 Southview Drive, Elkhart was present representing Thor Motor Coach Inc. She stated Bruce Kurtz, the Vice President of Support Services for Thor Motor Coach, was in the audience. Ms. Hughes noted with the installation of Industrial Drive, from SR 15 to CR 23, it makes more sense for the proposed property to be M-2. She reported the owner intends to use it for material storage and employee parking. Mr. Campanello questioned if the storage is all open, which Ms. Hughes stated yes.

There were no remonstrators present.

A motion was made and seconded (*Burbrink/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** Jeff Burbrink, **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-1 to M-2 be approved in accordance with the Staff Analysis.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 8).

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

5. The application for an Amendment to an existing DPUD R-3 known as *Hubbard Hills Estates DPUD*, for Hubbarb Hill Healthcare LLC, Lancaster Pollard Mortgage Co. represented by Jones Petrie Rafinski, on property located on the Southeast side of CR 24, West of SR 19, common address of 28070 CR 24 in Baugo Township, zoned PUD, R-3, was presented at this time.

Jason Auvil presented the Staff Report / Staff Analysis, which is attached for review as *Case #DPUD-0060-2017*.

Chris Chockley, Jones Petrie Rafinski, 200 Nibco Parkway, Elkhart was present representing Hubbard Hill Healthcare LLC, Lancaster Pollard Mortgage Co. He stated he was present with representatives from Hubbard Hills, DJ Construction, and Jones Petrie Rafinski. He pointed out on the arial the Southeast corner of the existing main facility is where the Assisted Living Center will be, and it is 16,000 square feet and has 18 apartments. He also pointed out the Northeast corner is where the Memory Care facility is, and it will have 38 rooms. Mr. Chockley noted the on the drawing the middle part will be a indoor conservatory. All grading and drainage has been accounted for, and the North side of property there will be new retention basin to help manage the water.

There were no remonstrators present.

A motion was made and seconded (*Edwards/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** Steve Warner, **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-3 known as *Hubbard Hills Estates DPUD* be approved in accordance with the Staff Analysis.

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

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 8).

6. The application for a Primary Approval of a 49 lot Major Subdivision to be known as *Fieldstone Estates*, for Liegl Holdings LLC (Seller) and Big M (Buyer) represented by Progressive Engineering Inc., on property located on the West side of CR 19, 500 ft. South of CR 20, in Jefferson Township, zoned A-1, was presented at this time.

Jason Auvil presented the Staff Report / Staff Analysis, which is attached for review as *Case #MA-0343-2016*.

Brad Cramer, Progressive Engineering Inc., 58640 SR 15, Goshen was present representing Liegl Holdings. He stated the delay is the solution to provide an outlet for the retention. Attorney Kolbus questioned Mr. Cramer if he knew how much time it will take to move forward with the petition, which Mr. Cramer stated no.

Dennis Roberts, 58179 CR 19, Elkhart was present in remonstrance. He stated he does not want any more water on his property to the North. He reported when there are heavy floods it covers CR 19. Mr. Roberts stated he has lived in this area all his life with his brother. Mr. Roberts reported the fields used to slow up the water, but now all the fences are gone and the water covers the road. He suggested a buffer to slow up the water. Mr. Stump asked Mr. Roberts to point out on the aerial where his property is located. Mr. Stump questioned the property that borders Mr. Roberts to the North is the Chapman farm, and Mr. Roberts stated yes. Mr. Campanello questioned a natural ditch. Mr. Roberts stated no, but off of it there is, it runs across the road, and it goes to the East. He reported water comes out of the woods and funnels down to the ditch.

Serena Philips, 58600 CR 19, Elkhart was also present in remonstrance. She stated the last storm we had a week ago water was all along CR 19.

Ruth Wagner, 58761 CR 19, Elkhart was present in remonstrance. She reported her property is to the South, right a long CR 19. Ms. Wagner stated her property meets in the back corner where the proposed site is to be built. She knows drainage is a big deal and reported that corner is never dry. She noted in the summer she pointed out on the aerial where the property is never dry. Ms. Wagner noted she was upset because a bore study was done when Mr. Liegl bought the property, and he himself said he knew it was not suitable for building.

Attorney Kolbus informed the audience that, along with what was said today, the Plan Commission has the comments of those who spoke last month as well.

A motion was made and seconded (*Stump/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: Table, **Moved by** Tom Stump, **Seconded by** Steven Edwards, that the Advisory Plan Commission recommend to the Board of County Commissioners that this request for a Primary Approval of a 49 lot Major Subdivision to be known as *Fieldstone Estates* be tabled indefinitely until the petitioner has provided new information.

Vote: Motion passed (**summary:** Yes = 5, No = 3, Abstain = 0).

Yes: Frank Lucchese, Jeff Burbrink, Steve Warner, Steven Edwards, Tom Stump.

No: Philip Barker, Roger Miller, Tony Campanello.

From the audience Ms. Wagner questioned a way to get the information sooner. There was further conversation with the Board.

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

Mr. Auvil reported the following petitions were approved February 6, 2017, by the Board of County Commissioners.

1. *Helmuth Subdivision*
2. *Rusty Wheel Acres*

Mr. Auvil reported the following petitions were acted upon on February 20, 2017, by the Board of County Commissioners.

1. *Joel Nicholas Trust, approved*
2. *Ryan and Donna Sensenig, approved*
3. *RBS Properties, denied*

Mr. Auvil stated the RBS Properties was the one with the lighting issues and parking close to the road. Attorney Kolbus questioned the recommendation from the Plan Commission, which Mr. Auvil reported it was a Detailed Planned Unit Development. He also went on to say that this petition is an active Code Enforcement investigation.

There was further conversation about the lighting.

8. Mr. Godlewski gave details about the Subdivision Committee.
9. A motion was made and seconded (*Stump/Edwards*) that the meeting be adjourned. The motion was carried with a unanimous vote, and the meeting was adjourned at 9:46 a.m.

Respectfully submitted,

Andrea Wyatt, Recording Secretary

Roger Miller, Chairman