

MINUTES
ELKHART COUNTY PLAN COMMISSION MEETING
HELD ON THE 9TH DAY OF NOVEMBER 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; Mae Kratzer, Planner; Matt Shively, 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, Tom Stump, Frank Lucchese, Philip Barker.

Absent: Jeff Burbrink.

2. A motion was made and seconded (*Warner /Snyder*) that the minutes of the last regular meeting of the Elkhart County Plan Commission, held on the 12th day of October 2017, be approved as submitted. The motion was carried with a unanimous vote.

3. A motion was made and seconded (*Edwards/Warner*) 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.

*****It should be noted that Mr. Campanello steps down*****

4. The application for a Zone map change from R-1 to M-1, for Allan J. Ludwig (Seller) & Phillip Biscan (Buyer) represented by Ludwig Investments, Inc., on property located on the Southeast side of SR 15, 2,615 ft. North of Vistula St., in Washington Township, zoned R-1, was presented at this time.

Mae Kratzer presented the Staff Report / Staff Analysis, which is attached for review as *Case #RZ-0719-2017*.

Philip Biscan, 1611 Kentfield Way, Goshen, was present as the petitioner. He stated that he and his partner have created a recreational vehicle that is different than anything that has been built. He explained that they build their own frame, which has been patented. He added that the frames are made out of fiber reinforced polymers, and they will not be stored outside. He explained that approximately 350 feet of the Southern portion of the subject property will be wooded. He stressed that he wants to be good neighbors to the surrounding properties. Mr. Miller questioned the utilities. Mr. Biscan answered that the subject property has City utilities.

Ron Norman, President of Bristol Town Council, 8 Shore Manor Dr., Bristol, was present in support. He stated that he is aware of the company that wants to build on the subject property. He mentioned that it is right on the cusp of the North industrial park. He expressed that there will be a few big projects coming to the Town of Bristol in 2018. He added that a road is being constructed to alleviate the congestion downtown. He stressed that the majority Town Council of Bristol supports the petition. Mr. Miller explained that this petition is for the change of zoning for that property. When Mr. Stump questioned if it is in the TIF district, Mr. Norman answered that he does not believe that it is.

Mae Kratzer presented a letter of support from Mark A. Dobson, 300 Nibco Parkway Ste. 201, Elkhart, Indiana. [attached to file as Staff Exhibit #1]

Darryl Riegsecker, 704 Reliance Rd., was present in support. He stated that he is the real estate agent that has the property listed for sale. He added that it has been for sale for over a year. He explained that no one wants to purchase that for residential use due to the location.

Tim Irons, 905 Mottville Rd., was present in remonstrance. He stated that the property has been vacant for many years. He stressed that he is not in support of the rezoning. He feels that money is their only motive.

Robert Miller, 804 Mottville Rd., is present in remonstrance. He stated that his property is bordering the subject property. He mentioned that he has lived in his residence since 1992. He stressed his concerns with the property values, lighting, noise, and traffic.

Richard & Beverly Ridenour, 708 Mottville Rd., was present in remonstrance. He stated that approximately 300 feet of his property borders the Southern part of the subject property. He stressed his concerns about the residential property values decreasing.

Cindy Kimes, 200 Twin River Trail, was present in remonstrance. She stated that her concern is what kind of manufacturer will take over the building if the business decides to move in the future. She added that she can hear the truck traffic and is worried about the noise. She stressed that there should be more housing in that area than manufacturing. She also stressed her concerns with the wildlife.

James Teall, 10 Twin River Trail, was present in remonstrance. He stated that he feels that his property values will drop. He added that he agrees with the Staff Analysis.

Ron Norman returned to the podium stating that this is not about money. He added that he feels that things should be fair. He mentioned that the town of Bristol does not have a high school or a junior high school and they feel that the only assets they have are the North and South industrial parks.

Jim Weaver, 28 Twin River Trail, was present in remonstrance. He stated that the traffic on SR 15 is heavy and is concerned about the additional traffic.

Philip Biscan, returned to the podium stating that he wanted to thank the neighbors for coming here today and expressing their concerns. He mentioned the hours of operation would be 5 a.m. to 1:30 p.m. He stated that he feels that there will not be additional traffic on SR 15. He explained that there will be 50 employees at the factory. He added that he will leave trees along the North property line and the property lines bordering the neighboring properties. Mr. Biscan stressed that the neighbor bordering the South property line is more than welcome to walk the woods. Mr. Miller indicated that he is not changing the land to the petitioners' requirements, but to change the use of the land. Mr. Biscan stated that there will be night lighting, but it should be blocked by the trees. Mr. Miller stated that one of the concerns that was heard today was why this location. Mr. Biscan responded that the reason is the proximity of this location. He added that he feels that this would be a natural extension of the manufacturing on that road.

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

Mr. Stump questioned if the Bristol Town Council has the final decision. Mr. Kolbus answered yes. Mr. Miller questioned if the Board agrees with the Staff Analysis and denies the

petition, if the Bristol Town Council could approve the petition. Mr. Kolbus responded yes, that the Board decision is from a Planning perspective. Mr. Barker stated that listening to the concerns of the neighbors; he feels that this should not be a straight rezoning. He added that a straight rezoning leaves it open, however a DPUD would show a plan. Ms. Snyder explained that there is land that is already rezoned in that vicinity. Mr. Miller stated that he is surprised it has not developed into a subdivision. Mr. Stump mentioned that he needs to see more plans on what will be there. He added that the plan that was presented looked good, however there is no guarantee that is what he will do. Mr. Warner expressed that he agrees with what Mr. Barker and Mr. Stump has stated.

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

Motion: Action: Deny, **Moved by** Steve Warner, **Seconded by** Frank Lucchese that the Advisory Plan Commission recommend to the Board of County Commissioners that this request for a Zone map change from R-1 to M-1 be denied in accordance with the Staff Analysis.

Vote: Motion passed (**summary:** Yes = 7, No = 0, Abstain = 1).

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

Abstain: Tony Campanello.

*****It should be noted that Mr. Campanello returned at this time*****

5. The application for a Zone map change from A-1 to M-2, for Karen S. & Jeffery K. Smaka represented by Marbach, Brady & Weaver, Inc., on property located on the South side of Industrial Dr., between CR 23 and SR 15, North of CR 10, in Washington Township, zoned A-1, was presented at this time.

Matt Shively presented the Staff Report / Staff Analysis, which is attached for review as *Case #RZ-0774-2017*.

Chris Marbach, Marbach, Brady & Weaver, Inc., 3220 Southview Dr., Elkhart, was present representing the petitioner. He stated South of the subject property is M-1 and there is M-2 to the North. He added that he feels this is a logical extension. He stated the access is limited to Industrial Dr. and Maple St.

There were no remonstrators present.

A motion was made and seconded (*Campanello /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** Steve Warner, **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, Lori Snyder, Philip Barker, Roger Miller, Steve Warner, Steven Edwards, Tom Stump, Tony Campanello.

6. The application for an Amendment to an existing DPUD to add property to be known as GREENCROFT MIDDLEBURY PHASE 1 DPUD, for Greencroft Middlebury, Inc., represented by Abonmarche Consultants, on property located on the South side of CR 16, .5 miles East of US 20, in Middlebury Township, zoned DPUD R-3, was presented at this time.

Jason Auvil presented the Staff Report / Staff Analysis, which is attached for review as *Case #DPUD-0770-2017*.

Barry Pharis, Abonmarche Consultants, 1009 S. Ninth St., Goshen, was present representing the petitioner. He stated that they are amending Phase 1 to add eight more single-family attached dwelling units. He explained that there will be a hobby shop added and an expansion to the community center. He added that there will be areas for gardening and maintenance. Mr. Miller questioned utilities being in those areas currently. Mr. Pharis responded yes and in 2003 Greencroft installed a lift station to cover the expansion.

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** Roger Miller, **Seconded by** Steven Edwards that the Advisory Plan Commission recommend to the Board of County Commissioners that this request for an Amendment to an existing DPUD to add property to be known as GREENCROFT MIDDLEBURY PHASE 1 DPUD be approved in accordance with the Staff Analysis.

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

Jason Auvil stated that on October 2, 2017 the Board of County Commissioners approved petitions for Joseph and Ida Miller. He added that October 16, 2017, there were eight petitions approved including the Subdivision Control Amendments. He mentioned that the planners are making some revisions to the Zoning Ordinance.

8. A motion was made and seconded (*Lucchese /Edwards*) that the meeting be adjourned. The motion was carried with a unanimous vote, and the meeting was adjourned at 10:00 a.m.

Respectfully submitted,

Kristi Shaffer, Recording Secretary

Roger Miller, Chairman