

MINUTES
ELKHART COUNTY PLAN COMMISSION MEETING
HELD ON THE 9TH DAY OF JANUARY 2020 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, Philip Barker.

Absent: Tom Stump, Frank Lucchese.

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 12th day of December 2019, be approved as submitted. The motion was carried with a unanimous vote.

3. A motion was made and seconded (*Burbrink/Edwards*) 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. ***Election of officers***

Chris Godlewski stated that he spoke with Mr. Kolbus about the changes. He added that the Secretary of the Plan Commission has to be the Chairman of the Plat Committee. He explained that his suggestion is to add Lori as Chairman, then move everyone down the list.

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

Motion: Action: Approve, **Moved by** Jeff Burbrink, **Seconded by** Steven Edwards to approve the slate of officers as amended with Roger Miller, Chairman; Steve Warner, Vice Chairman; and Lori Snyder, Secretary. The motion also included that Lori Snyder becomes the Chairman of the Plat Committee. The motion was carried with a unanimous vote.

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

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

5. The application for an Amendment to an existing DPUD M-1 known as ***HORIZON TRANSPORT D.P.U.D. A DETAILED PLANNED UNIT DEVELOPMENT M-1*** to update the legal description and site plan, for First State Bank of Middlebury Trustee Under Marion Schrock Annuity Trust represented by Abonmarche Consultants, on property located on the North side of CR 38, 900 ft. East of CR 31, and East side of CR 31, 500 ft. North of CR 38, common address of 15655 CR 38 in Clinton Township, zoned DPUD M-1, was presented at this time.

Jason Auvil presented the Staff Report / Staff Analysis, which is attached for review as *Case #DPUD0878-2019*.

Crystal Welsh, Abonmarche Consultants, 1009 S. Ninth St., Goshen, was present representing the petitioner. She stated that the site plan revision is for the need of a retention pond. She stated that they hope to have the Boards' favorable approval.

There were no remonstrators present.

A motion was made and seconded (*Snyder/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** Roger Miller, **Seconded by** Philip Barker that the Advisory Plan Commission recommend to the Board of County Commissioners that this request for an Amendment to an existing DPUD M-1 known as ***HORIZON TRANSPORT D.P.U.D. A DETAILED PLANNED UNIT DEVELOPMENT M-1*** to update the legal description and site plan be approved in accordance with the Staff Analysis.

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

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

6. The application for an Amendment to an existing DPUD B-3 known as ***SOUTH POINTE SECTION TWO DPUD*** for a new building and addition to an existing building, for NRAA, LLC, on property located on the Southeast corner of Orpha Dr. & US 20, common address of 129 Orpha Dr. in Middlebury Township, zoned DPUD B-3, was presented at this time.

Jason Auvil presented the Staff Report / Staff Analysis, which is attached for review as *Case #DPUD-0882-2019*.

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** Jeff Burbrink, **Seconded by** Steven Edwards that the Advisory Plan Commission recommend to the Middlebury Town Council that this request for an Amendment to an existing DPUD B-3 known as ***SOUTH POINTE SECTION TWO DPUD*** for a new building and addition to an existing building be approved in accordance with the Staff Analysis.

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

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

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

Jason Auvil reported that on December 3, 2019, the Town Council of Wakarusa approved a Vacation for Missionary Church North Central District, Inc. He added that on December 16, 2019,

the Elkhart County Commissioners approved an Amendment to an existing DPUD known as Interchange DPUD, Ivy Tech Section, and a DPUD A-1 for Elkhart County 4-H Fair and Agricultural Expo DPUD, and two rezoning's for K & K Real Estate Holding, LLC.

10. ***NWG Rezoning and Survey***

Chris Godlewski stated that the new letter for the North West Gateway area rezoning has been revised. He stated that the goal is to attempt to rezone 37 parcels. He explained that if this is approved today, Staff will mail the surveys out. Mr. Kolbus questioned if it will be rezoned to B-3 or B-1. He added that he saw the last page and needed clarification. Mr. Godlewski responded that there are five residential houses on the South that would be rezoned to B-1 and the rest of the properties would be B-3. Mr. Godlewski added that the letters will be specific to the specific areas. When Mr. Warner questioned the time line for the survey, Mr. Godlewski responded that they will give owners about a month to return.

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

Motion: Action: Approve, **Moved by** Steve Warner, **Seconded by** Lori Snyder that the Advisory Plan Commission approves the North West Gateway area changes as presented. The motion was carried with a unanimous vote.

11. A motion was made and seconded (*Burbrink/Edwards*) that the meeting be adjourned. The motion was carried with a unanimous vote, and the meeting was adjourned at 9:16 a.m.

Respectfully submitted,

Kristi Miller, Recording Secretary

Steve Warner, Chairman