

PLAN MINUTES
ELKHART COUNTY PLAN COMMISSION MEETING
HELD ON THE 8TH DAY OF DECEMBER 2022 AT 9:30 A.M. IN THE
MEETING ROOM OF THE ADMINISTRATION BUILDING
117 N. 2ND ST., GOSHEN, INDIANA

1. The regular meeting of the Elkhart County Plan Commission was called to order by the Vice-Chairman, Steve Warner. The following staff members were present: Chris Godlewski, Plan Director; Jason Auvil, Planning Manager; Mae Kratzer, Planner; Danny Dean, Planner; Laura Gilbert, Administrative Manager; and James W. Kolbus, Attorney for the Board.

Roll Call.

Present: Phil Barker, Steve Edwards, Steve Warner, Lori Snyder, Roger Miller, Brian Dickerson, Frank Luchesse.

Absent: Jeff Burbrink, Steve Clark.

2. A motion was made and seconded (*Edwards/Snyder*) that the minutes of the last regular meeting of the Elkhart County Plan Commission, held on the 10th day of November 2022, be approved as submitted. The motion was carried with a unanimous vote.

3. A motion was made and seconded (*Dickerson/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. The application for a zone map change from R-1 to R-2, for Gerald L. Yoder & Janay R. Yoder, Husband & Wife represented by Freedom Builders, on property located on the north side of E. Vistula Rd., 1,170 ft. east of SR 15, common address of 806 E. Vistula Rd. in Washington Township, zoned R-1, was presented at this time.

Danny Dean presented the Staff Report/Staff Analysis, which is attached for review as *Case #RZ-0796-2022*.

Jeremiah Hochstetler, Freedom Builders, 54824 CR 33 was present representing the petitioner. He stated they would like to convert the existing residence to a duplex. He added there will only be interior remodeling completed, no changes to the exterior of the house. Mr. Warner asked if the septic will be updated, and Mr. Hochstetler responded it is on city sewer.

There were no remonstrators present.

A motion was made and seconded (*Dickerson/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** Phil Barker, **Seconded by** Frank Luchesse that the Advisory Plan Commission recommend to the Board of County Commissioners that this request for a zone map change from R-1 to R-2 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, Roger Miller, Brian Dickerson, Frank

Luchesse.

5. The application for a zone map change from B-3 to B-2, for June Cleveland, on property located on the west side of 1st Street, 110 ft. south of CR 142, in Union Township, zoned B-3, was presented at this time.

Mae Kratzer presented the Staff Report/Staff Analysis, which is attached for review as *Case #RZ-0821-2022*.

June Cleveland, 22229 CR 38, the property owner was present for this request. She stated a grocery store was on the property at one time. She went on to say she would like to place a small residence or business on the property. She added the zone change is needed prior to sanitary sewer being installed.

Samantha Berger, 24048 CR 142, was present in favor of the petition in order to help the area grow. She noted she is caring for the property right now and would like to see a residence built on it. There were no remonstrators present.

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

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

Motion: Action: Approve, **Moved by** Lori Snyder, **Seconded by** Steve Edwards that the Advisory Plan Commission recommend to the Board of County Commissioners that this request for a zone map change from B-3 to B-2 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, Roger Miller, Brian Dickerson, Frank Luchesse.

6. The application for an amendment to an existing DPUD M-2 known as HERITAGE POINTE DETAILED PLANNED UNIT DEVELOPMENT AMENDMENT for a building addition, for Dutchman Hospitality Group represented by Abonmarche Consultants, on property located on the west side of Essenhaus Dr., 1,415 ft. southwest of US 20, common address of 241 US Highway 20 in Middlebury 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-0824-2022*.

Crystal Welsh, Abanmarche Consultants, 303 River Race Dr. was present representing the petitioner along with Randy Yoder, if there are any operation questions. She stated noodle sales have been good, and they need to expand the facility for added equipment. She noted this meets the terms and conditions of the DPUD process and requested approval.

There were no remonstrators present.

A motion was made and seconded (*Luchesse/Dickerson*) 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** Lori Snyder 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 HERITAGE POINTE DETAILED PLANNED UNIT DEVELOPMENT AMENDMENT for a building addition 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, Roger Miller, Brian Dickerson, Frank Luchesse.

7. Mr. Godlewski presented a declaratory resolution for the Elroy Drive Industrial Park TIF. He noted it is expanding to include a few more Jayco Buildings.

Jackson Beck, Yoder Ainley, was present representing the town and presented the written order. He noted it is for the addition of a 100 acre parcel that is currently vacant farmland but has been purchased by Jayco. He noted the plan is to add at least 2 buildings but up to four. He added the town is working on expanding their water/sewer systems.

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

Motion: Action: Approve, **Moved by** Brian Dickerson, **Seconded by** Steve Warner that the declaratory resolution for the Elroy Drive Industrial Park TIF District expansion be approved.

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

Yes: Phil Barker, Steve Edwards, Steve Warner, Lori Snyder, Roger Miller, Brian Dickerson, Frank Luchesse.

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

Jason Auvil presented the approvals from the November 3rd, 2022 Middlebury Town Council, November 7th, 2022 County Commissioners, & November 21st, 2022 Middlebury Town Council.

9. Chris Godlewski presented the 2023 Agreement for Legal Services for Board Attorney Jim Kolbus.

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

Motion: Action: Approve, **Moved by** Roger Miller, **Seconded by** Brian Dickerson that the 2023 Agreement for Legal Services for Board Attorney Jim Kolbus be approved.

Motion carried unanimously.

10. Chris Godlewski gave an update on the UDO.

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

Motion: Action: Approve, **Moved by** Brian Dickerson, **Seconded by** Frank Luchesse that the Board recommend Abonmache Consultants be chosen for the project update with the staff.

Motion carried unanimously.

11. Steve Warner presented service awards to Frank Luchesse for 11 years and Tom Stump for many years of service.

A motion was made and seconded (*Dickerson / 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,

Amber Weiss, Recording Secretary

Steve Warner, Vice Chairman