

**AGENDA
ELKHART CITY PLAN COMMISSION
MONDAY, OCTOBER 4, 2021 AT 1:45 P.M.
COUNCIL CHAMBERS – MUNICIPAL BUILDING**

THIS MEETING WILL BE HELD ELECTRONICALLY VIA WEBEX.

This meeting can also be accessed via WebEx. Virtual attendance is strongly encouraged but not mandatory; however, City Hall is open for in-person participation. To join, go to <http://coei.webex.com>, enter **180 599 1396** as the meeting number and “**plan**” as the password. Attendees may preregister or enter during the meeting. Comments and questions may be submitted via the WebEx app during the meeting, or may be submitted to Kayla.Jewell@coei.org prior to the meeting.

1. **ROLL CALL**
2. **APPROVAL OF AGENDA**
3. **APPROVAL OF MINUTES- SEPTEMBER 7, 2021**
4. **APPROVAL OF PROOFS OF PUBLICATION**

5. **OLD BUSINESS**

**20-Z-04 PETITIONER IS R&R PROPERTY LEASING
PROPERTY IS LOCATED AT 309 STAINLESS DRIVE**

Per Section 29.11.B, Map Amendments, a request for an amendment to Zoning Commitment Document #2016-15221 established with the Elkhart County Advisory Plan Commission, which states that “Any future development must utilize Stainless Drive for access to the site. Access onto County Road 19 is not permitted.” The petitioner wishes to remove this stipulation to allow access to the property from County Road 19.

6. **NEW BUSINESS**

**21-X-08 PETITIONER IS PRAYSERS MINISTRIES - LEONARD D COOK AND JANET K COOK
PROPERTY IS LOCATED AT 2626 PRAIRIE ST**

A Special Exception as per Section 4.3, Special Exception Uses in the R-1 District, to allow for the establishment of a private secondary educational institution at an existing religious institution.

**21-X-09 PETITIONER IS LEXINGTON BUSINESS CENTRE, INC
PROPERTY IS LOCATED AT VACANT LOT JR ACHIEVEMENT DR, PARCEL 20-06-05-432-006.000-012**

A Special Exception as per Section 15.3, Special Exception Uses in the CBD District, to allow for the establishment of a private park and recreation facility.

**21-X-10 PETITIONER IS HANCOCK REGIONAL HOSPITAL DBA VALLEY VIEW HEALTHCARE
CENTER**

PROPERTY IS LOCATED AT 333 W MISHAWAKA RD

A Special Exception as per Section 4.3, Special Exception Uses in the R-1 District, to allow for the establishment of a dialysis unit in an existing nursing home.

21-Z-10 PETITIONER IS EPSILON V DEVELOPMENT

**PROPERTY IS LOCATED AT VACANT LOT S NAPPANEE ST (IMMEDIATELY EAST OF 1440 S.
NAPPANEE ST.)**

Per Section 29.11.B, Map Amendments, a request to rezone the property located at Vacant Lot, Nappanee Street (immediately east of 1440 S. Nappanee Street) from B-1, Neighborhood Business District to B-2, Community Business District.

**21-SUB-08 PETITIONER IS 1127 MILES AVE LLC., STEVEN K HAINES
PROPERTY IS LOCATED AT 1147 N MICHIGAN STREET**

Per Article 4 of the Subdivision Ordinance, approval of a Preliminary Plat for a subdivision to be known as ‘Auto Driveaway Subdivision - Replat Lot 2,’ a one (1) lot subdivision; a part of the Southeast Quarter of Section 31, Township 38 North, Range 5 East, Osolo Township, Elkhart County, Indiana. The purpose of the plat is to vacate existing access and utility easements, and to create new utility easements.

21-SUB-09 PETITIONER IS EMERALD CHASE LAND DEVELOPMENT LLC, CONWAY HERSHBERGER, MEMBER

PROPERTY IS LOCATED AT HENKE STREET (CR 106) AND HICKORY LANE

Per Article 4 of the Subdivision Ordinance, approval of a Preliminary Plat for a subdivision to be known as 'Boulder Run,' an 85-lot subdivision; a part of the West 1/2 of the Southwest 1/4 of Section 26, Township 38 North, Range 5 East, Osolo Township, Elkhart County, Indiana.

7. **STAFF ITEMS**

21-SI-09

ADDRESSING

8. **ADJOURNMENT**

**PLEASE REMEMBER TO USE YOUR MICROPHONE WHEN SPEAKING.
ERRORS IN THE MINUTES MAY RESULT DUE TO VOICES BEING INAUDIBLE.**

PLAN COMMISSION

-MINUTES-

**Tuesday, September 7, 2021 - Commenced at 1:56 P.M. & adjourned at 2:40 P.M.
City Council Chambers – Municipal Building**

Elkhart City Plan Commission was called to order by Tory Irwin at 1:56 P.M.

MEMBERS PRESENT

Tory Irwin- In person
Dave Osborne- In person
Brad Billings- In person
Ron Davis- In person
Tom Shoff- Webex
Johnny Thomas- In person

MEMBERS ABSENT

Mike Sweet
Don Walter

REPRESENTING THE PLANNING DEPARTMENT

Eric Trotter- In person
Ryan Smith- In person
Nathan Hooley- Webex

LEGAL DEPARTMENT

Randy Arndt, Deputy City Attorney- Webex

TECHNOLOGY STAFF

Tony Elkins

RECORDING SECRETARY

Kayla Jewell

APPROVAL OF AGENDA

Motion to approve by Billings; Second by Davis. Voice vote carries.

APPOINTMENT OF THE BZA

Trotter asks the Plan Commission who would be able to volunteer for the BZA meetings until a permanent position has been filled. Davis asks if the meeting is able to be moved to the middle of the day instead of the evenings. Trotter states based off the petitioner's schedules, it would be more difficult for them to take time off work during their day. Irwin states the Members will decide on a rotation to be able to get through the January meeting.

APPROVAL OF MINUTES

Motion to approve by Osborne; Second by Billings. Voice vote carries.

APPROVAL OF PROOFS OF PUBLICATION

Motion to approve by Davis; Second by Billings. Voice vote carries.

OLD BUSINESS

None

NEW BUSINESS

**#21-ANX-03 PETITIONER IS WEST 78 LLC C/O DALE L WEAVER
PROPERTY IS LOCATED AT 28227 COUNTY RD 26 (PARCELS 20-05-25-400-014.000-001 AND 20-05-25-400-013.000-001)**

As prescribed by Section 29.11.B, a request to annex two (2) vacant parcels located at the southeast corner of State Road 19 and United States 20, land containing approximately seventy-five-and-one-half (75.5) acres.

To also rezone the seventy-five-and-one-half (75.5) acres of land contained within the petition from DPUD M-1 (West 78 Industrial Park DPUD, as approved by the Elkhart County Board of Commissioners) to M-1, Limited Manufacturing District. This rezoning request is a major amendment to remove the land from the PUDs to rezone the land to M-1, Limited Manufacturing District.

STAFF ANALYSIS

This staff report is being prepared for annexation 21-ANX-05 to annex land generally at the intersection of CR 26 and State Road 19, Elkhart, Indiana 46517, Baugo Township.

The land in the petition is an undeveloped area surrounded by generally agricultural and residential land uses, but with access to the major transportation corridors of State Road 19 and U.S. Highway 20. The land is intended to be developed with M-1 uses, with a particular emphasis on transportation and logistics to take advantage of its location along major roadways. Under its current jurisdiction in Elkhart County the property is zoned DPUD M-1; if annexed it would be rezoned to M-1, making it available for similar uses in the City as it was in the County.

City utilities are available to the site, although the water lines will not be adequate for fire suppression. The applicants are proposing the use of an open pond and fire pump to provide fire protection on a building-by-building basis. As of the writing of this report, full details are not available, but the city's engineering and fire departments have approved the plan in concept.

The annexation request is voluntary. The property meets the requirement in order to file a petition to seek annexation under IC 36-4-3-4(B), which allows for nontontiguous annexations which qualify for specific criteria. The size of the area to be annexed is approximately 75.5 acres. Anticipated increase in costs to the city for provision of services is approximately \$1,100 per year, not accounting for inflation. The current state of the property makes it tax exempt due to its agricultural status; the fiscal plan does not take into account the tax value of additional industrial development.

STAFF RECOMMENDATION

1. The area to be annexed meets all applicable requirements of IC 36-4-3-4(b);
2. The Comprehensive Plan map has not been approved for this area; it is anticipated that the revised map will designate its future land use as industrial.
3. The current conditions and the character of current structures under construction and future structures is consistent and the City will be enhanced by the annexation;
4. The annexation is in accordance with the most desirable use;
5. The annexation will conserve property values throughout the jurisdiction; and
6. The annexation represents responsible growth and development of the City of Elkhart.

Smith states there were 32 letters mailed, 1 returned not in favor with no comments.

Irwin asks if there are questions from the Commission.

Irwin calls petitioner forward.

Crystal Welsh introduces herself (303 River Race Dr. Goshen) and states this annexation doesn't meet the contiguous requirements that would normally be seen in an annexation. Welsh states a few years ago the city got together with Abonmarche and discovered a portion of the Indiana code that allows for non-contiguous annexation which is the intention for this property. Welsh states once the that hurdle was overcome, the annexation was moved forward while working with the engineering, public utilities and planning department. Welsh then introduces the individuals, Shaffer, Tuesley, Weaver and Mick who are available for additional questions.

Irwin asks if there are questions for Welsh.

Billings asks Welsh if there is anyone currently lined up for the property.

Welsh states she believes there have been several requests (inaudible). Welsh states Bradley has said they've already been getting calls waiting to see what the results of the annexation are going to be and that it is an attractive property with its location, logistics and transportations.

Irwin states he has talked about the water supply issue to the site and a fire protection plan has been provided for the development by Abonmarche. Irwin states with the city not knowing who will occupy the site, the city will not be able to supply the site with a significant volume of water for a high volume user. Irwin suggests to take that into consideration as they are looking for a new owner.

Irwin asks if there are additional question for Welsh.

Hearing none, Irwin opens for public comments in favor or opposition of the petition.

Osborne asks for Shaffer to discuss the water supply issue.

Jeff Shaffer introduces himself (303 River Race Dr. Goshen). He states, "I think the property is a little bit unique in the study that we did is on Lot 1 and part of the reason we did that on Lot 1 was Abonmarche had done a site plan for Lot 2 back in 2017 for a spec building there...Lot 1 is really divided from the rest of the property by a petroleum line, city's water main/sanitary sewer." Shaffer states if it is a surface pond, it would be most likely a single surface pond that would serve multiple buildings. He goes on to discuss the surface pond and its potential it has to provide proper necessities to the surrounding buildings.

Osborne asks if each new building would need to come back to Plan Commission to discuss this issue every time.

Shaffer states he believes no matter the end result, this process will be held to strict standards between public works and the fire department.

Irwin closes the public portion of the meeting.

Irwin calls for a motion.

Osborne makes motion to approve with a Do-Pass Recommendation to the Common Council; Second by Davis. Motion carries.

Irwin- Yes
Osborne- Yes
Billings- Yes
Davis- Yes
Shoff- Yes
Thomas- Yes

**#21-FSP-08 PETITIONER IS SANDMAN REALTY, LLC
PROPERTY IS LOCATED AT 2604 GLENVIEW DRIVE**

As required by Section 20.7.B seeking approval for an Amendment to a Final Site Plan for a 5,025 square feet addition on land totaling 1.7 acres, more or less, located at 2604 Glenview Drive, Elkhart, IN.

STAFF ANALYSIS

The petitioner owns a 1.7 acre lot in the Glenview Industrial Park, which was initially developed as an M-1 PUD in Elkhart County's jurisdiction. It currently comprises of a 10,000 square foot building with both paved and unpaved parking lots and drives. They wish to build an additional 5,025 square feet of interior space onto the back of the existing building. Since the improvements are greater than 50% of the existing building, the property would be required to be developed to current code by paving the unpaved parking/driveways.

The proposed project has mostly passed the city's Technical Review; staff is anticipating revisions to the paving plan that would pass the project. The proposed lot configuration maintains the buffering along the eastern edge of the property that is required by the PUD ordinance.

STAFF RECOMMENDATION

1. The approval will not be injurious to the public health, safety, morals and general welfare of the community;
2. The proposed use is permitted within the underlying zoning of the Planned Unit Development;

3. The project has passed most of the City's Technical Review process;
4. The use conforms to the Comprehensive Plan which calls for industrial uses;
5. The proposed use should not be detrimental to the property values of adjacent properties.

CONDITIONS

1. The site will be brought up to current code by paving unpaved parking and drive areas to city standards.

Smith states there were 13 letters mailed, 1 returned not in favor with comments. Comments were: "Our reason for not approving, number one is increased traffic on our road. Number two, speed limits are not enforced on CR 6 or Edwardsburg Ave. Number three, increased traffic noise, especially in early morning hours. Number four, trash and debris from that business blow into our yard. Number five, trash thrown from employees and their cars. Number six, the city has not kept the roadside clean and clear of trash and the areas that were incorporated years ago. The reason for approving is number one, we desire everyone to be able to prosper, but not at the cost of detriment of their neighbors."

Smith states they have contacted this person and relayed this information to the necessary individuals.

Irwin asks if there are questions from the Commission.

Hearing none, Irwin calls petitioner forward.

Tom Sotebeer introduces himself and states he has discussed the trash matter with the neighbors and has come up with a solution to fix the future issue and additional concerns through Tech Review.

Irwin asks if there are questions for Sotebeer.

Hearing none, Irwin opens for public comments in favor or opposition of the petition.

Hearing none, Irwin closes the public portion of the meeting.

Irwin calls for a motion.

Osborne makes motion to approve with a Do-Pass Recommendation with the listed condition; Second by Shoff. Motion carries.

Irwin- Yes
Osborne- Yes
Billings- Yes
Davis- Yes
Shoff- Yes
Thomas- Yes

**#21-ANX-05 PETITIONER IS HUBBARD HILL ESTATES, INC.
PROPERTY IS LOCATED AT SOUTHWEST CORNER OF STATE ROAD 19 AND CHARLOTTE AVENUE, EAST OF
COUNTY ROAD 24**

As prescribed by Section 29.11.B, a request to annex two (2) vacant parcels located at the southwest corner of Charlotte Avenue and State Road 19, land containing approximately 4.4 acres.

To also rezone the 4.4 acres of land contained within the petition from A-1 and DPUD B-3 (Bravokilo DPUD, as approved by the Elkhart County Board of Commissioners) to R-1, Single Family Residential District. This rezoning request is a major amendment to remove the land from the PUDs to rezone the land to R-1, Single Family Residential District.

STAFF ANALYSIS

This staff report is being prepared for annexation 21-ANX-051 to annex land generally at the southwest corner of the intersection of Charlotte Avenue and State Road 19, Elkhart, Indiana 46517, Buago Township.

The land in the petition is immediately to the north of the existing Hubbard Hill Estates' senior living and rehabilitation facility. The petitioner intends to develop the property as an early learning center for preschool aged children that would be associated with

Hubbard Hill Estates. The facility is anticipated to open in fall of 2022. The need for the annexation arises from the need for the school to connect to city utilities.

The property is currently zoned in Elkhart County as DPUD B-3, Detailed Planned Unit Development to the B-3 standards, and A-1 Agricultural. Part of this request is to also rezone the property in the request to R-1, One Family Dwelling District. The current use is vacant. While the business is a non-profit, anticipated increases in costs associated with service provision by the city are anticipated to be minimal. The land on the east side of State Road 19 directly across from the proposed school is currently in the process of being annexed by the city.

The annexation request is voluntary. The property meets the contiguity requirement in order to file a petition to seek annexation. The size of the area to be annexed is approximately 4.424 acres. The territory to be annexed is approximately 25.56% contiguous to the current City limits, being contiguous on the northern boundary. The contiguity requirement stated in the Indiana Code is 12.5%.

STAFF RECOMMENDATION

Staff recommends approval of the annexation as described in the Legal Description contained in the Petition based on the fact that it meets all applicable requirements of IC 36-4-3, and on the following findings of fact:

1. The area to be annexed meets all applicable requirements of IC 36-4-3;
2. The Comprehensive Plan map has not been approved for this area; it is anticipated that the revised map will designate its future land use as commercial.
3. The current conditions and the character of current structures under construction and future structures is consistent and the City will be enhanced by the annexation;
4. The annexation is in accordance with the most desirable use;
5. The annexation will conserve property values throughout the jurisdiction; and
6. The annexation represents responsible growth and development of the City of Elkhart.

Smith states there were 6 letters mailed, 0 returned.

Irwin asks if there are questions from the Commission.

Irwin asks if there are questions for Smith.

Hearing none, Irwin calls petitioner forward.

Welsh introduces herself and states she is representing Hubbard Hill. Welsh states the organization would be a non-for profit and also owned by a non-for profit and says childcare is a critical element for Elkhart's economy and community. Welsh goes on to explain the benefits of having a daycare center on a senior project. Welsh states there are additional people available for questions if needed.

Irwin asks if there are additional questions for Welsh.

Osborne asks if there will be multiple buildings or one large building and how it will work with the zoning requirements.

Welsh discusses how it will fit properly in the area its intended for.

Irwin opens for public comments in favor or opposition of the petition.

Hearing none, Irwin closes the public portion of the meeting.

Irwin states he believes this is a good project and will allow for continued growth of the city.

Irwin calls for a motion.

Billings makes motion to approve with a Do-Pass Recommendation to the Common Council; Second by Shoff. Motion carries.

Irwin- Yes
Osborne- Yes
Billings- Yes
Davis- Yes
Shoff- Yes
Thomas- Yes

STAFF ITEMS

21-SI-08

Plan Commission approval of proposed address for the City of Elkhart

STAFF ANALYSIS

The Planning and Zoning Department is requesting approval of the addresses that have been reserved for structures in the City of Elkhart.

Residential

929 E Beardsley Ave Suite 101 & 201
156 State Street Apt. 100 & 200
160 State Street Apt. 100 & 200

Existing Multi-family Residence
New Duplex
New Duplex

Commercial

700 E Beardsley Ave Suites 101-106 & 201-211

Existing Commercial Building

STAFF RECOMMENDATION

Staff recommends that the Plan Commission assign the proposed addresses based on staff recommendation.

Shoff makes motion to approve; Second by Davis. Motion carries.

Irwin- Yes
Osborne- Yes
Billings- Yes
Davis- Yes
Shoff- Yes
Thomas- Yes

21-SI-09

Endorsement of staff's decision to consider the installation of a rotational molding machine ancillary to the primary operation at the facility located at 1162 Fremont Court. The proposed use is by ordinance more intense than what is permitted in the base district.

STAFF ANALYSIS

Petitioner desires to install a rotational molding machine at the 1162 Fremont Court to allow them to produce on-site parts that are currently outsourced. The need arises because the vendors are back ordered and causing a delay in the supply chain. The equipment is more intense than what the base district allows however, considering the size of the building versus the size of the equipment proposed for the site – it is staff's opinion that the use does not rise to the level of a new use. It is 2% of the overall area of the building thus in staff's opinion – therefore an ancillary use of the building.

Staff is requesting the Plan Commission endorse the staff's opinion that the installation of the rotational molding machine is ancillary to the primary use and does not rise to the level of a Major Amendment to the existing Planned Unit Development.

Section 20.10.B – Major - Modifications to Approved Final Site Plans as a part of a Planned Unit Development list four (4) changes that constitute a major modification. Those four (4) changes are:

1. Change in the land area of the PUD;
2. Change in the density of use of the PUD;
3. Allow a use previously not permitted in the PUD; or

4. Constitute a change which, in the sole discretion of the Plan Commission, should be considered by the City Council as a new proposed development; shall be deemed a new application for the approval of a Planned Unit Development and shall follow the procedure previously set forth in this Section.

In looking at the standards above, the staff feels the intent of this language speaks to larger uses that would occupy land as a primary use. The request meets none of those thresholds and does not rise to the level of a new primary use, change the area of land or change the density of use.

Section 20.10.A – Minor – Modifications to Approved Final Site Plan as a part of a Planned Unit Development list two (2) changes that constitute a minor modification. Those two (2) changes are:

1. Modifications, such as minor relocation of a building, parking lot, or other site element, due to unforeseen site conditions, can be reviewed and approved by the Planning staff. An adverse decision by the Planning staff may be appealed to the Plan Commission as per 20.10.A.2 below.
2. All other modifications, except those deemed major as defined in 20.10.B below, shall be presented in writing to the Plan Commission. The Commission shall review and reject or approve the proposed changes without a public hearing.

The above standards relate to changes in site plans during the construction phase necessitating an amendment. Neither of which relate to the request today.

STAFF RECOMMENDATION

Staff requests the Plan Commission support the idea the installation of the equipment does not rise to the level of a major change of the PUD and allow the project to move forward.

CONDITION

Should the Plan Commission choose to approve the above request, staff suggests they do so with one condition.

1. The machinery referenced in the above request be limited to the 2% of gross internal floor area. Any additions of machinery above 2% would necessitate another hearing and approval by the Plan Commission and may be considered a Major Amendment with appropriate conditions as required by the board.

Trotter states there is a letter from the property owner laying out the issues that he has and that Trotter welcomes any questions.

Osborne asks Trotter what building the machinery will be put in.

Trotter replies, 1162.

Irwin compliments the staff on their helpful insights and willingness to help.

Irwin asks if there are questions from the Commission.

Hearing none, Irwin calls for a motion.

Osborne makes motion to approve; Second by Thomas. Motion carries.

Irwin- Yes
Osborne- Yes
Billings- Yes
Davis- Yes
Shoff- Yes
Thomas- Yes

ADJOURNMENT

Irwin calls for a motion to adjourn meeting. Davis approves motion to adjourn and is seconded by Osborne. Meeting is adjourned and all are in favor.

Tory Irwin, President

Dave Osborne, Vice-President

DRAFT



Staff Report

Planning & Zoning

Petition: 21-X-08

Petition Type: Special Exception

Date: Plan Commission: October 4, Board of Zoning Appeals: October 14

Petitioner: Praysayers Ministries - Leonard D Cook and Janet K Cook

Site Location: 2626 Prairie Street

Request: A Special Exception as per Section 4.3, Special Exception Uses in the R-1 District, to allow for the establishment of a private secondary educational institution at an existing religious institution.

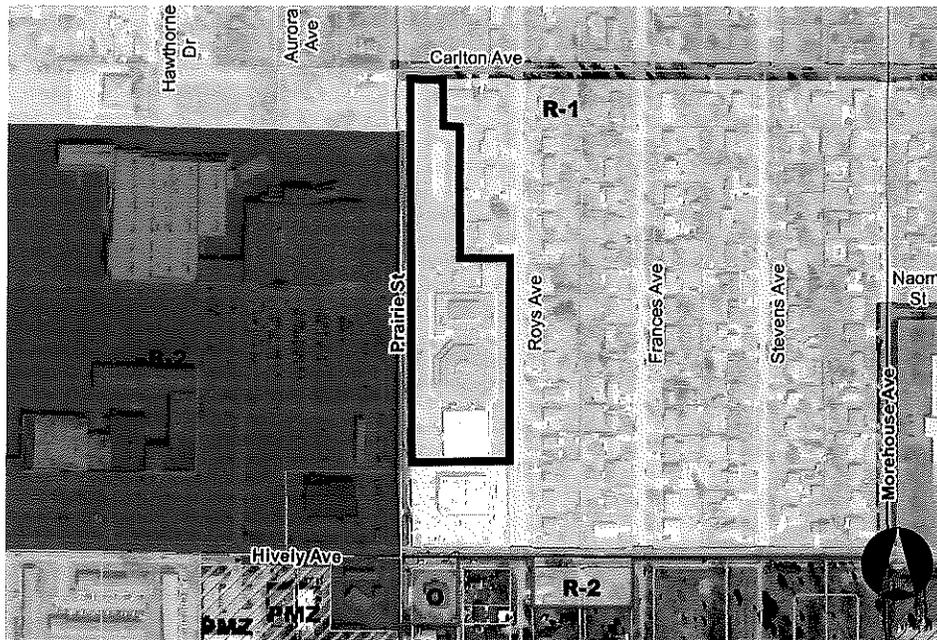
Existing Zoning: R-1, One-Family Dwelling District

Size: +/- 4.9 Acres

Thoroughfares: Prairie Street, East Carlton Avenue

School District: Elkhart Community Schools

Utilities: Available and provided to the site.



Surrounding Land Use & Zoning:

Property to the west is commercial zoned B-2 and residential zoned R-1. Property to the north is residential zoned R-2; property to the east and south is residential and commercial zoned R-1.

Applicable Sections of the Zoning Ordinance:

Enumerated in request.

Comprehensive Plan:

The Comprehensive Plan calls for this area to be developed with low density residential uses.

Staff Analysis

Goodwill Industries has contracted with the Praysayers Ministries, which operates the River of Life Community Church at 2626 Prairie Street, to open an Excel Center at the existing facility. The Excel Center will provide high school education along with some college courses and professional certifications, along with free child care for their participants. Based on a conversation with Goodwill staff, the child care activity does not rise to the level of being classified as a daycare center under the Zoning Ordinance, nor are they required to acquire a child care license from the Indiana Family and Social Services Administration.

According to the Elkhart County Assessor’s records, the church comprises approximately 53,000 square feet on a 5-acre lot, and was built in 1956. The school will operate using the existing church; no physical modifications are planned other than signage.

The church previously hosted another educational program, the Cornerstone Christian Montessori Academy, and the interior of the church is set up for a classroom format. It’s common for churches, even in residential areas, to house similar institutional activities such as specialized schools or daycares, since the facilities are adequate and often left unused for the majority of the week. The church is located in a residential district with single family dwellings to the east. However, it’s also bordered by a busy commercial area on the west, and traffic will primarily be coming to and from the church from Prairie Street and the entrance at the end of Carlton Avenue. Given its location, facilities, and established history as a church and school, its renewed use as a school is appropriate.

Recommendation

The Staff recommends **approval** of the special exception based on the following findings of fact:

1. The Special Exception is so defined, located and proposed to be operated that the public health, safety and welfare **will be** protected;
2. The Special Exception **will not** reduce the values of other properties in its immediate vicinity because there will be no physical changes to the property and the activity level will be similar to past uses;
3. The Special Exception **shall** conform to the regulations of the zoning district in which it is to be located because it will not generate adverse effects on adjacent properties in the form of noise, smoke, or odor.

Attachments

Petition, appeal letter, site and building plans.

Photos



PETITION NUMBER: 21-X-08

Date Filed: 9/8/21

**PETITION for APPEAL
to the BOARD of ZONING APPEALS**

\$ 300

PETITION TYPE:

Developmental Variance
 Use Variance

Special Exception
 Conditional Use

Appeal from Staff Decision

Property Owner(s): Leonard D. Cook & Janet K. Cook Prayers Ministries
Mailing Address: [REDACTED]
Phone: [REDACTED]

Contact Person: Janet K. Cook
Address: [REDACTED]
Phone: [REDACTED]

Subject Property Address: 2626 Prairie Street, Elkhart, IN 46517
Zoning: R-1 One Family Dwelling Dist Present Use: School / church
Proposed Use: Excel Center school on church property

Checklist (✓) for submittal of the Variance to the Board of Appeals docket: you must include:

- o One copy of the Appeal Letter signed in ink by the owner of the property.
- o A completed Petition form signed by the legal owner of record.
- o If any other person other than the legal owner or the legal owner's attorney files the appeal, written authorization from the property owner must be supplied.
- o A full and accurate legal description of the property.
- o One to scale drawing of the property, smaller than 11" x 17". If larger than 11" x 17", 12 copies must be submitted.
- o Cash or check made payable to the City of Elkhart.

Optional: any supplementary information you wish to include.

NOTE: The petitioner is the legal property owner of record, or a certified representative, and agrees the above information is accurate. Failure to provide a legal signature or accurate information will make this application null and void.

PROPERTY OWNER(S) (PRINT) Leonard D. Cook & Janet K. Cook

SIGNATURES [Signature]

RECEIVED BY: [Signature] DATE: 9/8/21

Remit To:
CITY OF ELKHART -OFFICE OF PLANNING AND DEVELOPMENT - Planning Services Division
Municipal Building, 229 South Second Street, Elkhart, IN 46516

(staff to complete)

Ordinance Requirement: Section(s): _____
MAP #: _____ AREA: _____

DATE: 9/8/2021

TO: Plan Commission & Board of Zoning Appeals, City of Elkhart, Indiana

RE: Special Exception Request

1. We, Prayers Ministries / Leonard D. Cook & Janet K. Cook are the owners of the following described real estate located within the City of Elkhart, Concord Township, Elkhart County, State of Indiana, to-wit:

PREFERRED RIVER OF LIFE MINOR SUB A REPLAT OF BELMONT ACRES LOT 1
2. The above-described real estate presently has a zoning classification of R1 – One Family Dwelling District under the Zoning Ordinance of the city of Elkhart.
3. Petitioner proposes to occupy the above-described property in the following manner:
The space will be used for an adult school offering high school, college, and industry certification classes. We would use several rooms that are already configured as classrooms for in-person instruction, two rooms for office space, and three rooms for childcare and game space.
4. Petitioner desires to offer an Excel Center for the benefit of the Elkhart local and extended community. The Excel Center will provide tuition-free high school and college credits so adults of all ages can receive a Core 40 education and earn a high school diploma, earn college credits, and obtain a variety of industry-recognized certifications. The Excel Centers assist students in overcoming many barriers they may face in obtaining an education; the center will offer flexible class schedules, year-round operation, supportive relationships with staff and life coaches, transportation assistance and a high-quality, free childcare program for the children of participants. Goodwill LEADS has established Excel Centers in the communities of Gary, Hammond, and South Bend which have helped their many clients achieve successes they otherwise would not have had available to them.
5. The Zoning Ordinance of the City of Elkhart, Section 4 outlines the requirements for a property zoned R-1, One-Family Dwelling District. Section 4.1 states the R-1 District is designed to provide for the lowest density single-family residential development requiring larger lot width and area. The intent is to protect and conserve existing and future residential development, particularly in more recently developed areas.
6. The property located at 2626 Prairie Street, Elkhart, Indiana is particularly well suited for the proposed use. The building will require no modification for the Excel Center to perform the stated purpose; classrooms and childcare spaces are already present within the building. Section 4.3.G within Special Exception Uses defines Day Care Center as an available special exception. Section 4.3.L describes School, elementary and secondary, public, or private, including auxiliary playgrounds and athletic fields as another available special exception. This space would act under both of those permitted uses within Section 4. Further, the space was previously used by Cornerstone Christian Montessori School at River of Life for the same or similar purpose.
7. Standards that must be considered for a Special Exception: Section 29.37 of the City of Elkhart Zoning Ordinance mandates that “No special exception shall be granted by the Board of Zoning Appeals unless the Board specifically finds that:

- a. The Special Exception is so defined, located and proposed to be operated that the public health, safety, and welfare will be protected.
 - i. This request for Special Exception will not significantly differ from the previous use of the same space, and will enhance the health, safety, and welfare of constituents within the community by offering services previously not available to them. The Excel Centers significantly improve the well-being of those that graduate and can produce economic benefits for the community by providing higher earning and advancement potential for its clients. Enrollees are paired with a life coach to help them complete their education and assist them in overcoming any issues that may have stopped them from finishing their education in the past. Life coaches assist clients with issues related to balancing family, work, and other priorities.
- b. The Special Exception will not reduce the values of other properties in its immediate vicinity.
 - i. Economic conditions of an area will influence peoples' ability and desire to invest in property. By providing additional educational and support resources for the community, more people will achieve a higher standard of living due to increased earning ability. Clients of the Excel Centers can earn a decent living upon graduation, which provides opportunities for them to participate in and give back to their communities.
- c. The Special Exception shall conform to the regulations of the zoning district in which it is to be located.
 - i. The Excel Center will conform to all regulations of the R-1, One-Family Dwelling District. Goodwill LEADS is not asking to expand a use or activity not otherwise expressly authorized by the regulations.
 - ii. The Excel Center's Zoning Special Exception petition request is provided for within the Zoning Ordinance as a Special Exception Use.

8. Additional information:

- a. In 2020, the three current Excel Centers helped a total of 642 Excel students, graduated 114 Excel students, and gave 269 Kids Excel students a great foundation for the future.

WHEREFORE, Petitioner prays and respectfully requests a hearing on this request, and that after such hearing the Board grant the requested variance.

Signature of Owners: Janet K Cook

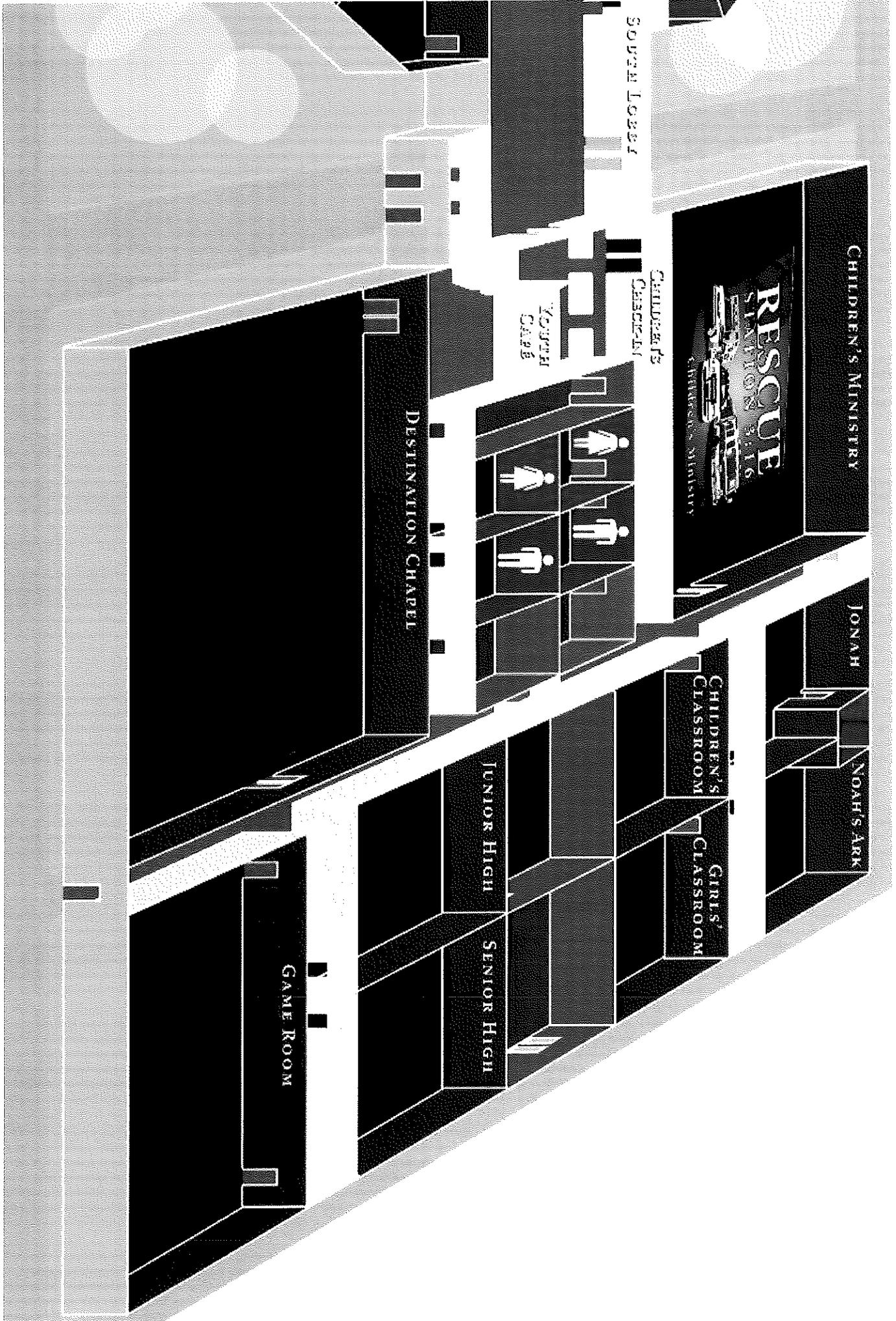
Printed Name of Owners: Leonard D. Cook & Janet K Cook

Address of Owner's Agent: Debie Coble
 [Redacted Address]

Phone Number of Agent: [Redacted Phone Number]

Owner Contact Information: Dr. Janet Cook
 [Redacted Contact Information]

Phone Number of Owners: [Redacted Phone Number]



SOUTH LOBBY

CHILDREN'S MINISTRY

RESCUE MISSIONS 2016
CHILDREN'S MINISTRY

CHILDREN'S CHURCH

YOUTH CAGES

DESTINATION CHAPEL

JONAH

NOAH'S ARK

CHILDREN'S CLASSROOM

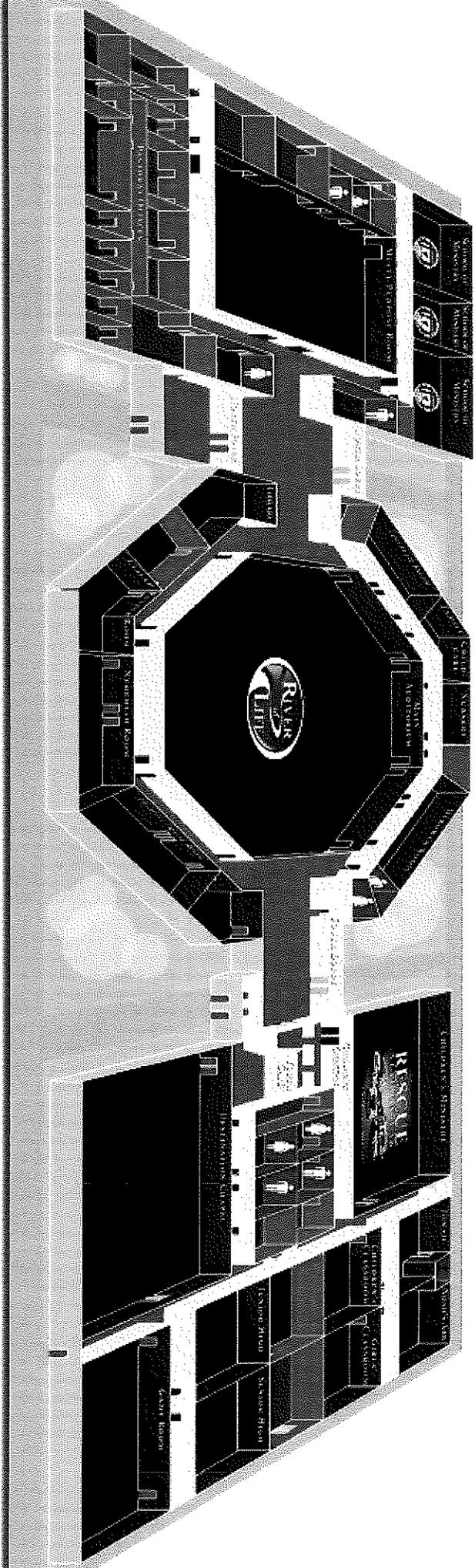
GIRLS' CLASSROOM

JUNIOR HIGH

SENIOR HIGH

GAME ROOM

WELCOME TO RIVER OF LIFE COMMUNITY CHURCH



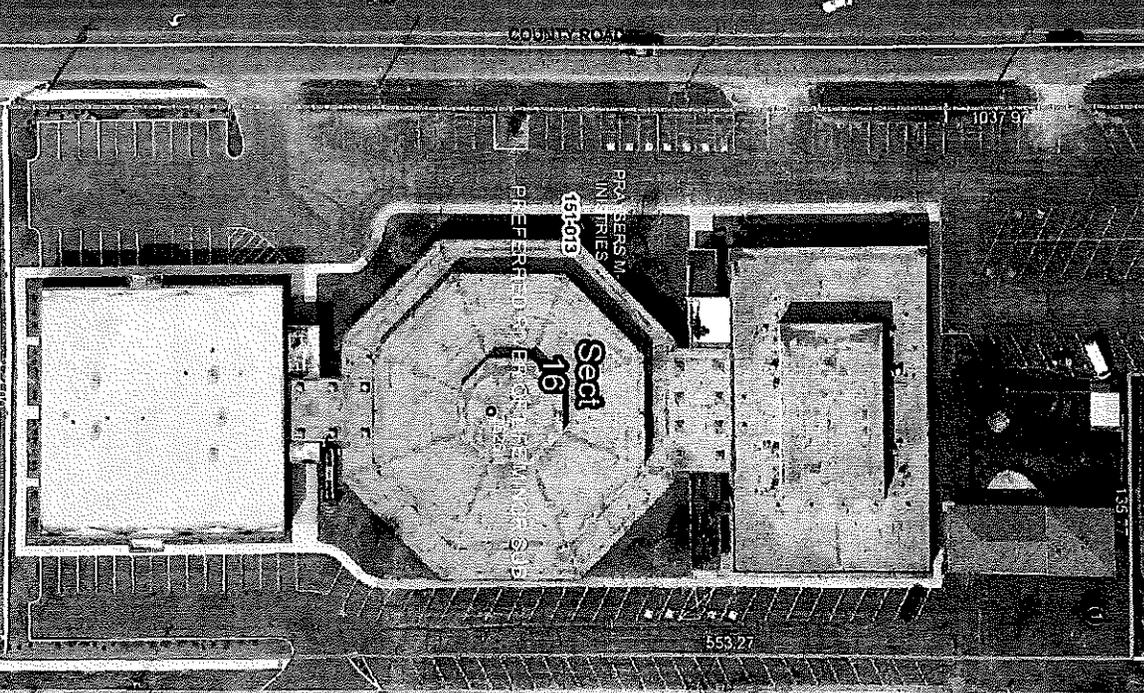
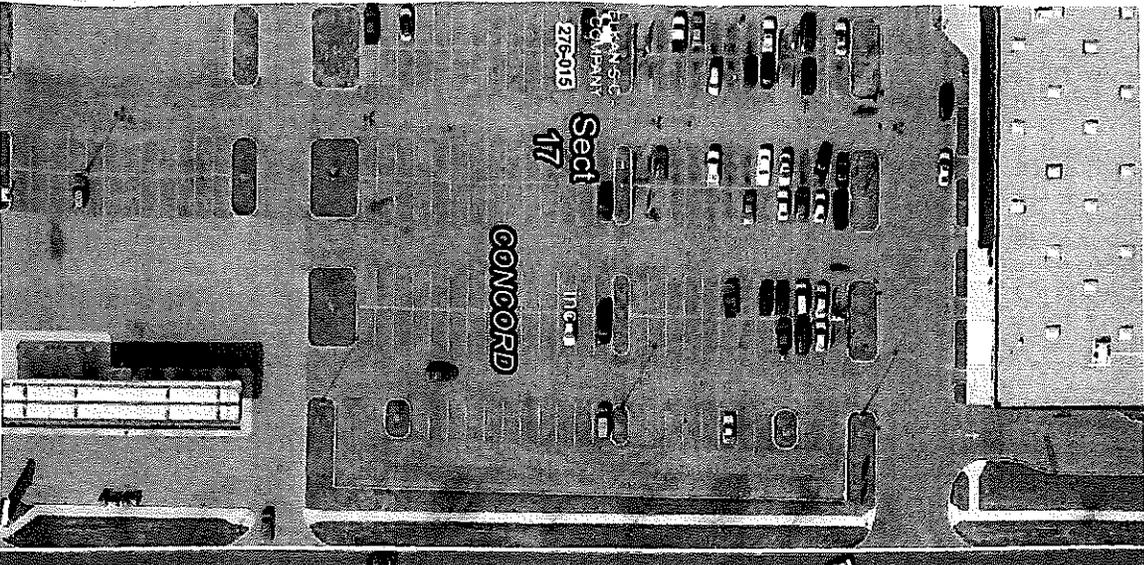
GATHERING ROOMS

PASTORAL OFFICES

STORAGE & MAINTENANCE

MEN'S RESTROOMS

WOMEN'S RESTROOMS



76	25	50	26	75	75	25	25
HERNANDEZ QUALIFESTO 192-019	HERNANDEZ 192-018	OLIVERA JAVIER 192-017	192-015	WANG EDUA 192-014	MORFORD JA WESS O JR & 192-013	192-012	192-008
192-002 HERNANDEZ LUIS B & C	192-041	192-039	192-038	BELMONTACRES 192-037	ZELVAEL DIO & MAR 192-036	GONZALEZ W CISES 192-057	BEAN BETT 192-031
76	73	74	25	75	75	73	77
192-019	192-018	192-017	192-015	192-014	192-013	192-012	192-008
HERNANDEZ QUALIFESTO	HERNANDEZ	OLIVERA JAVIER		WANG EDUA	MORFORD JA WESS O JR &		GRIEB SHAR- LAV
192-002 HERNANDEZ LUIS B & C	192-041	192-039	192-038	BELMONTACRES 192-037	ZELVAEL DIO & MAR 192-036	GONZALEZ W CISES 192-057	BEAN BETT 192-031
76	73	74	25	75	75	73	77
192-019	192-018	192-017	192-015	192-014	192-013	192-012	192-008
HERNANDEZ QUALIFESTO	HERNANDEZ	OLIVERA JAVIER		WANG EDUA	MORFORD JA WESS O JR &		GRIEB SHAR- LAV
192-002 HERNANDEZ LUIS B & C	192-041	192-039	192-038	BELMONTACRES 192-037	ZELVAEL DIO & MAR 192-036	GONZALEZ W CISES 192-057	BEAN BETT 192-031

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THE MASTERS GROUP, INC.

1977 Future Drive
 Union, NJ 07083
 Phone: 908-790-0095
 Fax: 908-790-2100
 Email: masters_group@comcast.com

RIVER OF LIFE CHURCH

Church Location: Parkside St. Elkhurst
 Owners Representative: Pastor Leonard Cook
 DMC Representative: Dan Billy / Dan Brunick

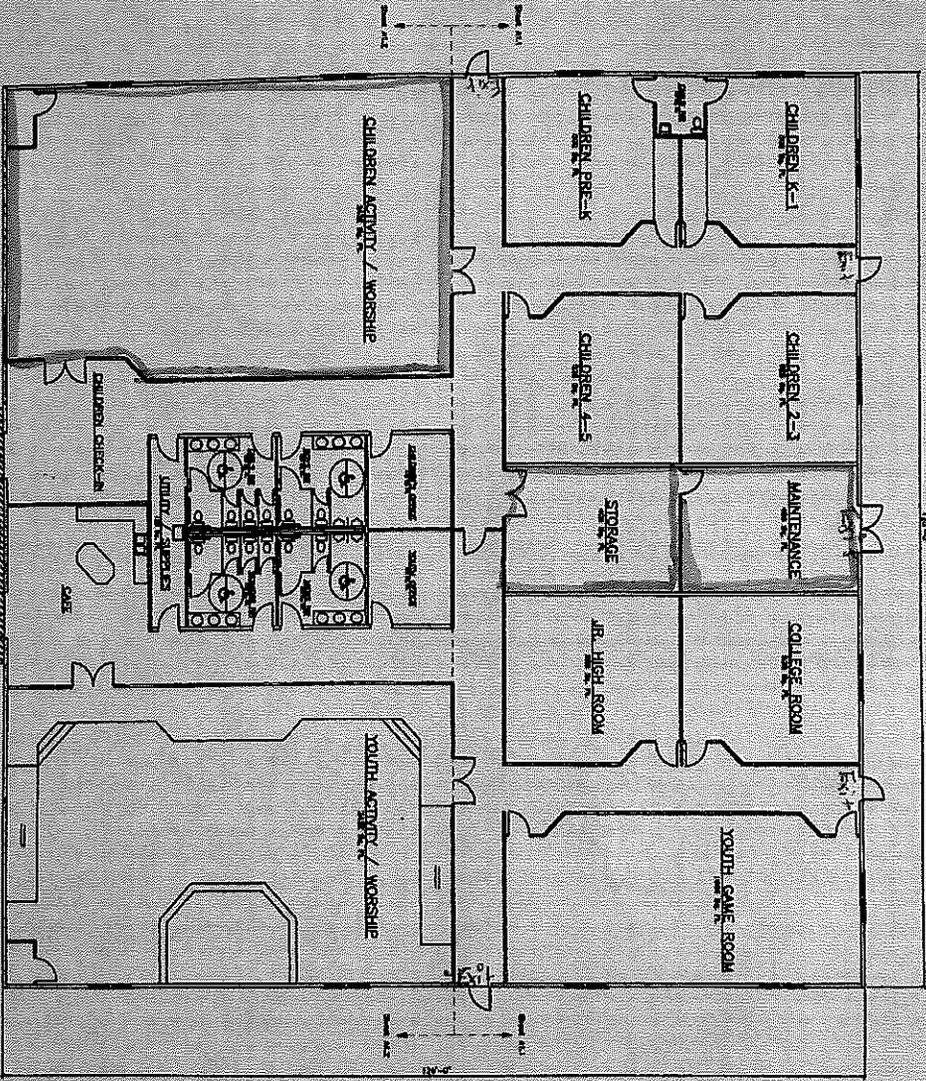
RIVER OF LIFE

Classroom Addition (120'-0" x 24'-0" 14880 Sq. Ft.)

Date: 05-02-07 Drawn by: Dan Billy Checked by: Dan Brunick Date: 2007-01

Checked Date: **A1**

Blue outline represents River of Life rooms.



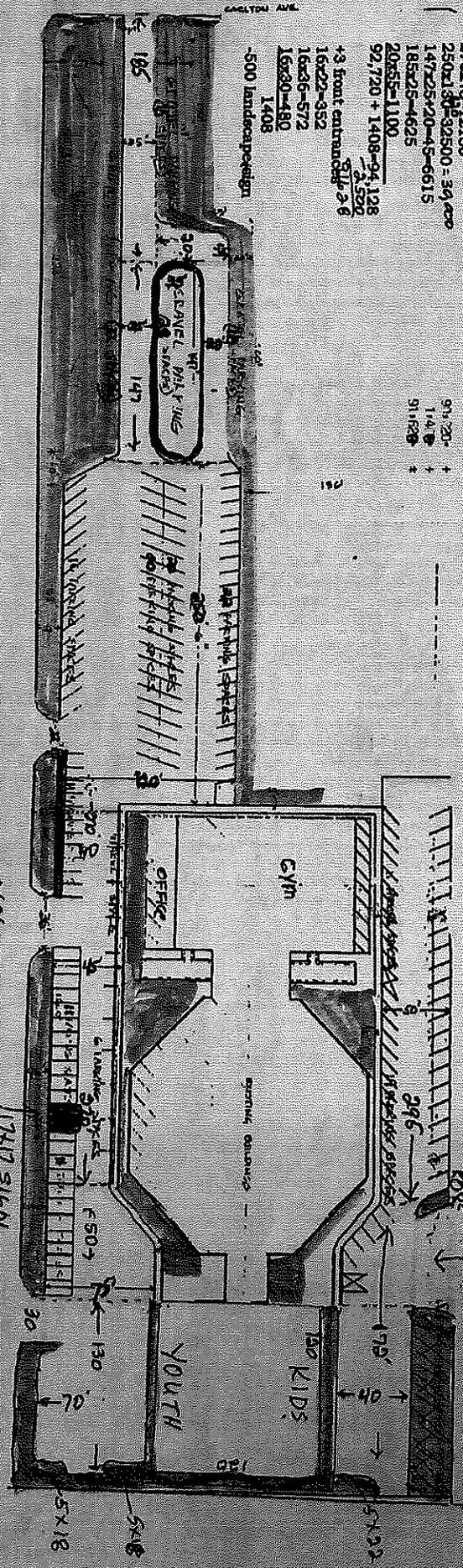
PLOT SCALE 1/8" = 1'-0"

CARLTON AVE.

ASPHALT

- 172-40-6890
- 295-60-14780
- 255-50-1250 ENTR-REAR
- 130-70-9100
- 50-75-8750
- 270-45-12150
- 250-21-36-32800-36
- 147-25-20-45-6615
- 185-25-4625
- 20-85-1100
- 92,720 + 1408-94,128
- 43 front entrance 311-292
- 16-22-352
- 16-36-572
- 16-30-480
- 1408
- 500 landscape design

- 61-80- +
- 14-750- +
- 11-590- +
- 9-110- +
- 3-750- +
- 12-150- +
- 3-70- +
- 1-615- +
- 4-825- +
- 1-110- +
- 90-20- +
- 114-8 +
- 51-128 +



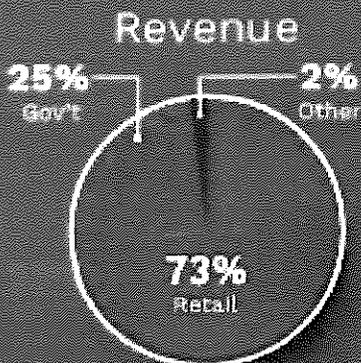
SITE PLAN - ASPHALT

Goodwill

Industries of Michiana, Inc.
Serving Northern Indiana, S.W. Michigan and S.E. Chicago/land

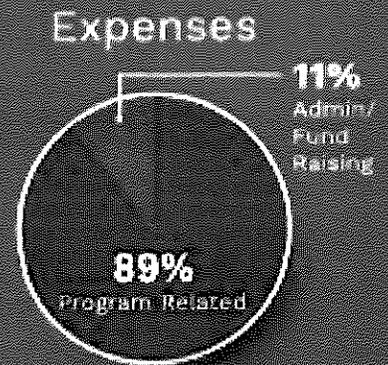


Stewardship



89 Cents of Every Dollar Impacts Our Mission:

Goodwill strives to enhance the dignity and quality of life of individuals and families by helping people reach their full potential through education, skills training and the power of work.





Staff Report

Planning & Zoning

Petition: 21-X-09

Petition Type: Special Exception

Date: Plan Commission: October 4, Board of Zoning Appeals: October 14

Petitioner: Lexington Business Centre, Inc

Site Location: Vacant Lot Jr Achievement Dr, parcel 20-06-05-432-006.000-012

Request: A Special Exception as per Section 15.3, Special Exception Uses in the CBD District, to allow for the establishment of a private park and recreation facility.

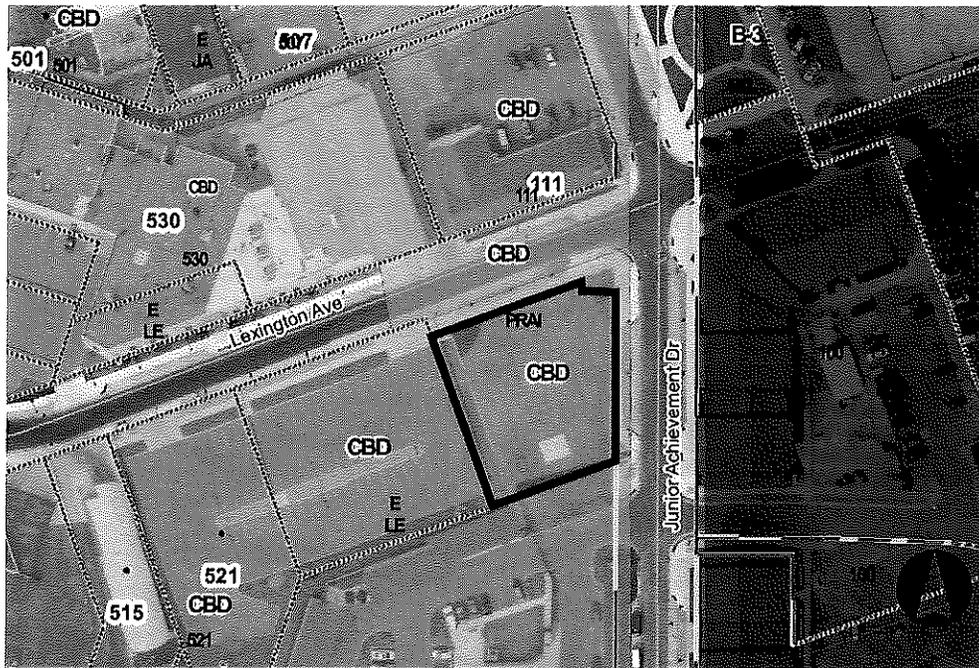
Existing Zoning: CBD, Central Business District

Size: +/- .37 Acres

Thoroughfares: Junior Achievement Drive, East Lexington Avenue

School District: Elkhart Community Schools

Utilities: Available and provided to the site.



Surrounding Land Use & Zoning:

The parcel is located in a mixed commercial and residential district. Land to the north, west, and south is commercial zoned CBD. Land to the east is residential zoned B-3.

Applicable Sections of the Zoning Ordinance:

Enumerated in request.

Comprehensive Plan:

The Comprehensive Plan calls for this area to be developed with mixed uses.

Staff Analysis

The petitioner owns the .37-acre landscaped vacant lot at the southwest corner of East Lexington Avenue and Junior Achievement Drive, as well as the multi-use building across Lexington Avenue to the north. Two of the tenants at the multi-use building have requested the use of the vacant lot for entertainment and social gathering purposes. The petitioner proposes to build a small band shell and use the property for “weddings, music events, movie nights and other social activities.” The site would be an amenity to both local businesses and local residents as several high-density residential complexes exist within walking distance. Visitors from farther away would be able to access nearby private and public parking, and the owner/operator would need to adhere to all applicable noise, food, and beverage laws. The use is appropriate for its urban context and is likely to enhance rather than detract from its surroundings.

Recommendation

The Staff recommends **approval** of the special exception based on the following findings of fact:

1. The Special Exception is so defined, located and proposed to be operated that the public health, safety and welfare **will be** protected;
2. The Special Exception **will not** reduce the values of other properties in its immediate vicinity because it is a small urban amenity;
3. The Special Exception **shall** conform to the regulations of the zoning district in which it is to be located because it will not generate adverse effects on adjacent properties in the form of noise, smoke, or odor.

Attachments

Petition, appeal letter, site plan.

Photos



PETITION NUMBER: 21-X-09

Date Filed: 9-9-2021

**PETITION for APPEAL
to the BOARD of ZONING APPEALS**

PETITION TYPE:

Developmental Variance
 Use Variance

Special Exception
 Conditional Use

Appeal from
Staff Decision

Property Owner(s): LEXINGTON Business CENTRE, Inc.
Mailing Address: [REDACTED]
Phone: [REDACTED]

Contact Person: A. CARL Tiedemann
Address: [REDACTED]
Phone: [REDACTED]

Subject Property Address: Southwest corner Junior Achievement @ Lexington
Zoning: CBD Present Use: Vacant lot
Proposed Use: ENTERTAINMENT PLAZA

Checklist (✓) for submittal of the Variance to the Board of Appeals docket: you must include:

- One copy of the Appeal Letter signed in ink by the owner of the
- A completed Petition form signed by the legal owner of record.
- If any other person other than the legal owner or the legal written authorization from the property owner must be supplied.
- A full and accurate legal description of the property.
- One to scale drawing of the property, smaller than 11" x 17".
- Cash or check made payable to the City of Elkhart.

06.05.432.006.012
VL Jr. Ach. Dr.
eal,
opies

Optional: any supplementary information you wish to include.

NOTE: The petitioner is the legal property owner of record, or a certified representative, and agrees the above information is accurate. Failure to provide a legal signature or accurate information will make this application null and void.

PROPERTY OWNER(S) (PRINT) A. CARL Tiedemann

SIGNATURES [Signature]

RECEIVED BY: Nathan Chole DATE: 9/9/21

Remit To:
CITY OF ELKHART -OFFICE OF PLANNING AND DEVELOPMENT - Planning Services Division
Municipal Building, 229 South Second Street, Elkhart, IN 46516

(staff to complete)

Ordinance Requirement: Section(s): _____
MAP #: _____ AREA: _____

Date: August 30, 2021

TO: Plan Commission & Board of Zoning Appeals
City of Elkhart, Indiana

RE: RE: Special Exception Request

The undersigned applicant respectfully shows the Plan Commission and Board of Zoning Appeals:

1. I, A. Carl Tiedemann on behalf of Lexington Business Centre, Inc. the owner of the following described real estate located within the City of Elkhart, Concord Township, Elkhart County, State of Indiana, to-wit:

The property in question is located at southwest corner of Junior Achievement Blvd. and Lexington Ave. Near the center of the new River District Development area.

See Attached Legal Description.

2. The above-described real estate presently has a zoning classification of Central Business District (CBD) under the Zoning Ordinance of the City of Elkhart.
3. Currently the property is an unoccupied well maintained, landscaped, grassy lot. The Petitioner intends to use the lot as an outdoor Entertainment Center and name it the **Noah and Adler Plaza**
4. The Petitioner owns the multi-tenant building across the street from the property in question. Two of the tenants in the building have asked to use the property. They are the LEX 530 Event Center and the 530 Wine Bar. They intent to use it for entertainment purposes. It is proposed that the Petitioner will erect a 16' x 20' band shell at the south end of the property. The LEX 530 Event Center is proposing to use the park for weddings, music events, movie nights and other social activities. It is hoped that the Jazz Festival Committee will consider using the facility during their annual Jazz

Festival. The 530 Wine Bar intends to participate in these various activities as well.

The 530 Wine Bar will have 30 to 50 outdoor seats on a small wood deck and in several "Parklets" it is working with the city to develop. The Petitioner currently has a permit to use approximately 60 linear feet of parking space in front of its building to build the Parklets.

5. The subject property falls under Section 15, CBD Central Business District Zoning Ordinance of the city of Elkhart, Indiana. The purpose of the Central Business District is to encourage a diversity of uses which contribute to the vitality of the downtown core. The proposed use of the subject property will provide social activity in the community, which is one of the purposes of the CBD Zoning.
6. Currently an entertainment committee is being formed by the following participants: LEX 530 Event Center, 530 Wine Bar, Stonewater Apartments, River Point West Apartments and INOVA Federal Credit Union. Each of these organizations feels that having additional events in the neighborhood is very important. Especially for the tenants of the new apartment complexes.

Currently there are 370 apartments proposed and the units are either completed or being completed in the 2 complexes that adjoin the proposed entertainment plaza. All the completed units are occupied and there are waiting lists at each complex. Using the standard 1.5 tenant multiple for 370 units, indicates there could be as many as 555 or more tenants living in the apartments upon completion.

The intent of the Noah and Adler Plaza is to provide visual appeal and a space set aside for human enjoyment by providing an array of entertainment events. Not only for the residents of the 2 adjoining complexes but all residents of the River District and the downtown area.

7. Standards that must be considered for a Special Exception.

1. The Special Exception is so defined, located and proposed to be operated that the public health, safety, and welfare will be protected.

- The property currently is a well-maintained grassy lot. It has a lawn irrigation system, and the grass is mowed weekly. When the band shell is constructed, it will be done to all local building codes and be an attractive addition to the property. The lot will in no way represent a hazard to the health and safety of any individual or group.

2. The special exception will not reduce the values of other properties in the immediate vicinity.

- In fact, is believed the plaza will increase the values of the properties in the general area. As it will serve the apartment units and the neighborhood in general with entertainment for the residents of the River District and others in Elkhart. If nothing else, it will help maintain current values as a community asset.

3. The special exception shall conform to the regulations of the zoning district in which it is to be located.

- The property is located in the CBD Central Business District. It is permitted under 15.3 Special Exceptions, Item D. Private recreation facilities.

WHEREFORE, Petitioner prays and respectfully requests a hearing on this appeal and that after such hearing, the Board grant the requested variance.

Signature Property Owner: _____

Printed Name: _____

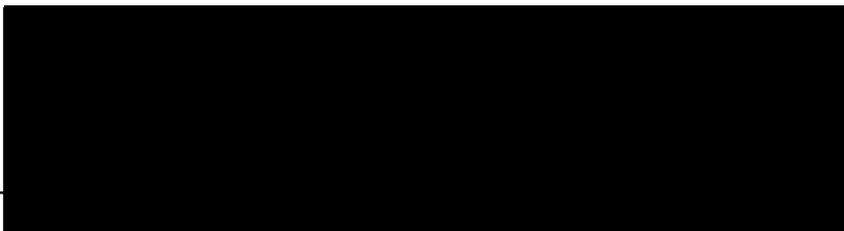
Contact Person: _____

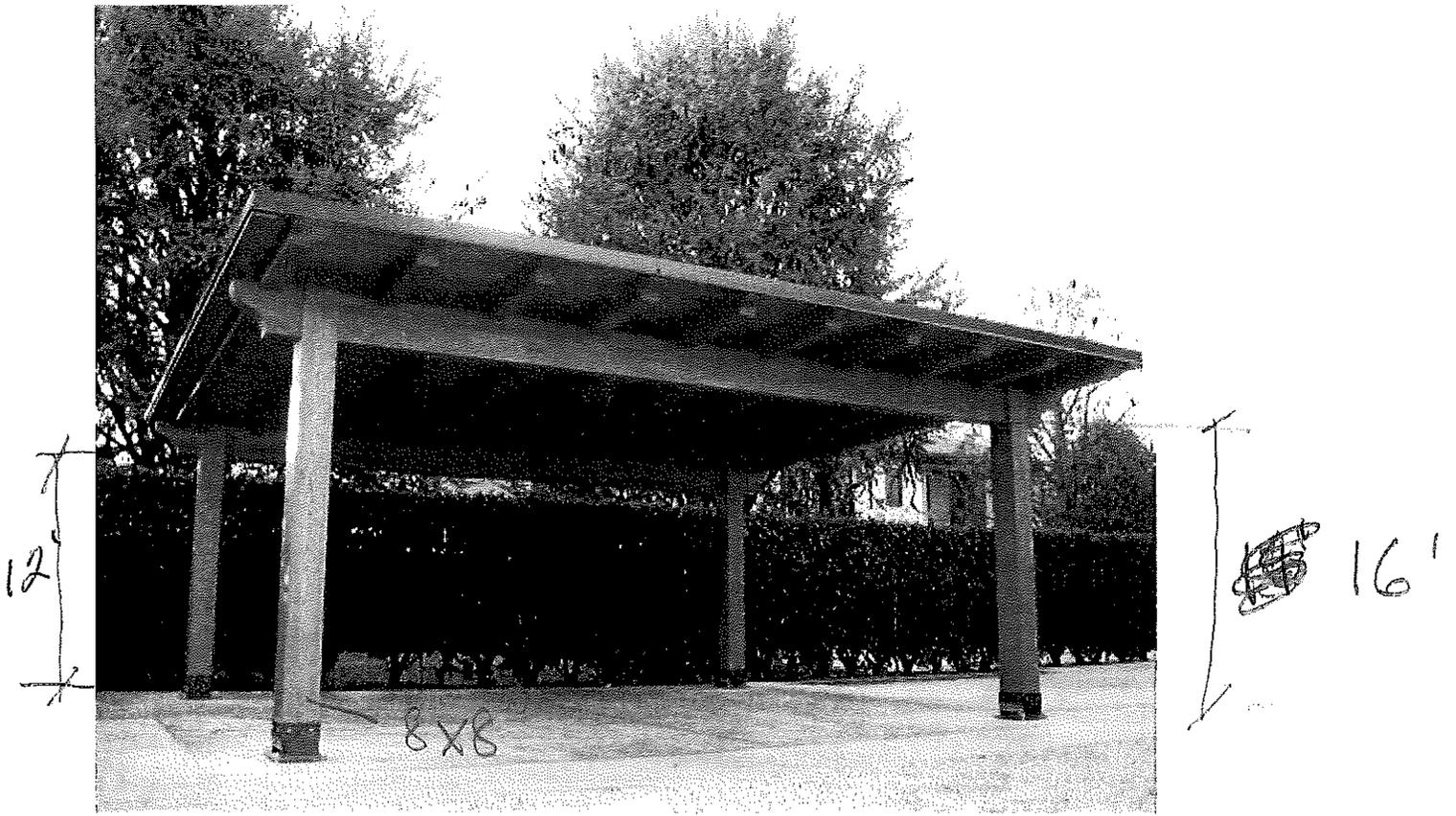
Address: _____

CARL Tiedemann
530 E. Lexington Ave, Suite 175 - Elkhart

Phone Number:

Email Address:





SLAB IS 16 X 20





Staff Report

Planning & Zoning

Petition: 21-X-10

Petition Type: Special Exception

Date: Plan Commission: October 4, Board of Zoning Appeals: October 14

Petitioner: Hancock Regional Hospital dba Valley View Healthcare Center

Site Location: 333 West Mishawaka Road

Request: A Special Exception as per Section 4.3, Special Exception Uses in the R-1 District, to allow for the establishment of a dialysis unit in an existing nursing home.

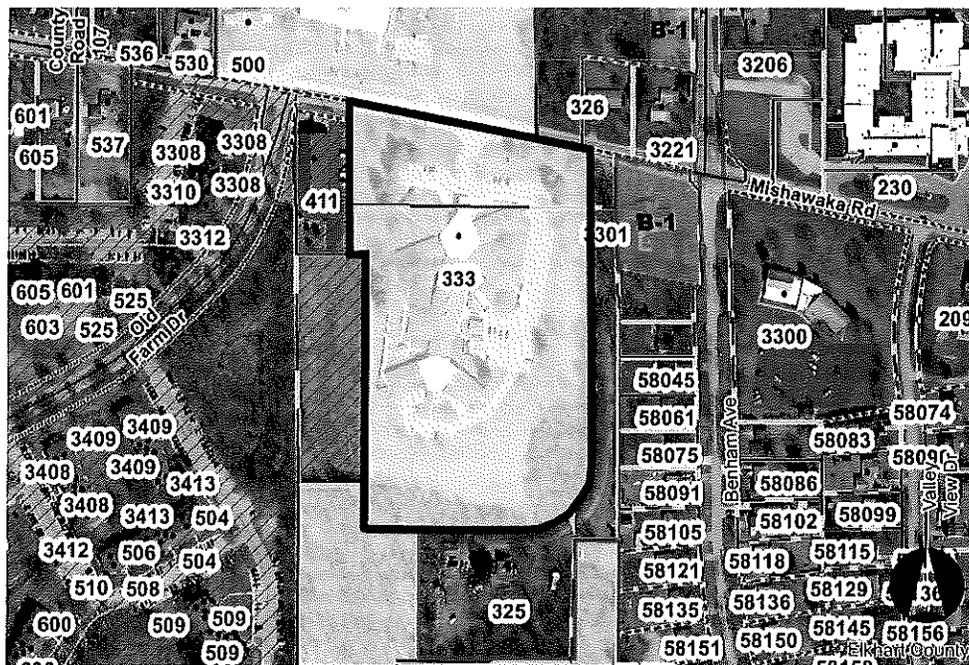
Existing Zoning: R-1, One-Family Dwelling District

Size: +/- 10.1 Acres

Thoroughfares: West Mishawaka Road

School District: Concord Community Schools

Utilities: Available and provided to the site.



Surrounding Land Use & Zoning:

The property is located on a mixed commercial and residential corridor. Property to the west is commercial zoned PUD. Property to the south is residential and undeveloped zoned R-1 and Elkhart County zoning. Property to the east is residential zoned Elkhart County zoning. Property to the north is residential and institutional zoned Elkhart County zoning and R-1.

Applicable Sections of the Zoning Ordinance:

Enumerated in request.

Comprehensive Plan:

The Comprehensive Plan calls for this area to be developed with natural uses.

Staff Analysis

The petitioner owns and operates a nursing home on a 10-acre zoning lot located at 333 W. Mishawaka Rd. The facility comprises approximately 51,000 square feet and was built in 1984. The owner wishes to renovate approximately 1,000 square feet to install an in-house dialysis facility. The dialysis facility will serve existing residents in need of dialysis, it will not be open to the general public or to external patients. The proposal follows a trend in nursing homes to provide such a service to their residents, giving them a convenient and secure option for a needed treatment which is common for a percentage of the senior population. No exterior changes are proposed, and no increase in traffic or noise is anticipated as a result of the renovation. Staff anticipates effects on adjacent properties to be minimal.

Recommendation

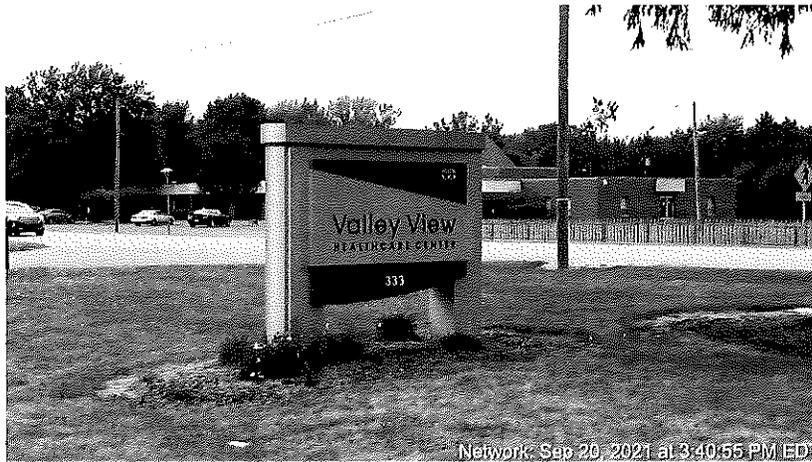
The Staff recommends **approval** of the special exception based on the following findings of fact:

1. The Special Exception is so defined, located and proposed to be operated that the public health, safety and welfare **will be** protected;
2. The Special Exception **will not** reduce the values of other properties in its immediate vicinity because the renovation will be interior and the service will be provided for existing residents
3. The Special Exception **shall** conform to the regulations of the zoning district in which it is to be located because it will not generate adverse effects on adjacent properties in the form of noise, smoke, or odor.

Attachments

Petition, appeal letter, site plan.

Photos



PETITION NUMBER: 21-X-10

Date Filed: 9/10/21

**PETITION for APPEAL
to the BOARD of ZONING APPEALS**

PETITION TYPE:

Developmental Variance Special Exception Appeal from
 Use Variance Conditional Use Staff Decision

Property Owner(s): Hancock Regional Hospital dba Valley View Healthcare Center
Mailing Address: _____
Phone: _____

Contact Person: Eli Rosenbaum Lessee
Address: _____
Phone: _____

Subject Property Address: 333 W Mishawaka Rd, Elkhart, IN 46517
Zoning: R1 Present Use: Skilled Nursing Facility
Proposed Use: Skilled nursing facility with on site dialysis

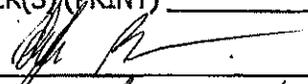
Checklist (✓) for submittal of the Variance to the Board of Appeals docket: you must include:

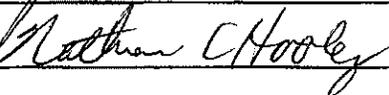
- One copy of the Appeal Letter signed in ink by the owner of the property.
- A completed Petition form signed by the legal owner of record.
- If any other person other than the legal owner or the legal owner's attorney files the appeal, written authorization from the property owner must be supplied.
- A full and accurate legal description of the property.
- One to scale drawing of the property, smaller than 11" x 17". If larger than 11" x 17", 12 copies must be submitted.
- Cash or check made payable to the City of Elkhart.

Optional: any supplementary information you wish to include.

NOTE: The petitioner is the legal property owner of record, or a certified representative, and agrees the above information is accurate. Failure to provide a legal signature or accurate information will make this application null and void.

PROPERTY OWNER(S) (PRINT) Eli Rosenbaum

SIGNATURES 

RECEIVED BY:  DATE: 9/9/2021

Remit To:
CITY OF ELKHART -OFFICE OF PLANNING AND DEVELOPMENT - Planning Services Division
Municipal Building, 229 South Second Street, Elkhart, IN 46516

(staff to complete)

Ordinance Requirement: Section(s): _____
MAP #: _____ AREA: _____

September 9, 2021

TO: Plan Commission & Zoning Appeals
City of Elkhart, Indiana

RE: Special Exception Request

The undersigned appellant respectfully shows the Plan Commission and Board of Zoning Appeals:

1. I, Eli Rosenbaum, of Mishawaka Leasing Co, LLC , represent the lessee of the following described real estate located within the City of Elkhart, Concord Township, Elkhart County, State of Indiana, to-wit:

Please see attached legal description

Common Address: 333 W Mishawaka Rd, Elkhart, IN 46517

2. The above-described real state presently has a zoning classification of R1 under the Zoning Ordinance of the City of Elkhart.
3. Petitioner currently occupies the above-described property. It is being operated as a skilled nursing facility.
4. Petitioner desires to renovate 1,088 square feet of space. Petitioner desires to covert this space into a dialysis unit for the sole purpose of treating residents in need of dialysis. Approximately fourteen percent of Americans suffer from some degree of kidney disease. The highest populous of people in this group are those of the elderly community. Those who suffer from chronic kidney disease, and reach stage 5 (end-stage renal disease), require dialysis or a transplant. Because surgery and other risks are higher when people are above a certain age, most elderly people who suffer from end-stage renal disease must get dialysis.

When living in a skilled nursing facility, and participating in dialysis, residents must schedule their precious time, find transportation, and spend long hours receiving treatment, and then schedule transportation home. This is why many skilled nursing facilities are beginning to offer dialysis on-site.

Dialysis is the process of using a machine to filter out water from the kidneys. When kidneys lose function, they are unable to filter the water themselves. There are two types of dialysis for those with kidney failure. Hemodialysis and peritoneal dialysis. Hemodialysis is the type that skilled nursing facilities are offering.

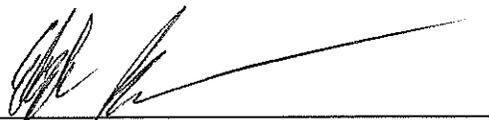
When skilled nursing facilities offer dialysis, the residents get the benefit of staying on-site, eliminating the commute time, waiting room time, and inconvenience. Residents also get the benefit of staying in a familiar, quiet, comfortable place, which is an important amenity for

elderly residents, especially those who are recovering from surgery, injury, or suffer from memory loss.

Offering in-house dialysis for residents improves the quality of their life. As quality of life improves, residents increase their fulfillment and functional ability. Skilled nursing facilities strive to provide the highest quality of care, and offering in-house dialysis is another step towards improving the lives of residents.

5. Section 4.3.H – special exception uses in the residential district, with nursing homes.
6. Valley View Health Care Center is certainly suited for this special exception. We've contracted with a company that specializes in providing dialysis within nursing homes. Valley View has the staff and the interdisciplinary team to care for our residents receiving dialysis treatments. Furthermore, in this time of Covid-19 we know that bringing dialysis in house is the safest option for all our residents. The approval of this exception request will not only reduce traffic on site, but it will also keep all our residents safer by not exposing the dialysis residents to the high volume of patients at outpatient clinics.
7. **Standards to be considered for a Special Exception:**
 1. **Protecting public health, safety and welfare:** Eliminating the need for our residents traveling outside of the facility undoubtedly is in the best interest of our residents and the general public health. Residents receiving dialysis most often times suffer from several comorbidities. Infection control is a concern when it comes to transporting these residents out of the facility three times a week. The transportation of these patients poses a risk for the patients themselves, the residents of Valley View, and the general public.
 2. **Negative impact on property values:** The proposed renovation is within the existing footprint of the building and we do not foresee any potential negative impact on property values. If anything the surrounding community will benefit from less traffic and we will no longer be transporting dialysis patients off site.
 3. **Regulations of Zoning District:** Valley View Health Care Center will meet developmental standards and is an existing skilled nursing facility.

WHEREFORE, Petitioner prays and respectfully request a hearing on this appeal and that after such hearing, the Board grant the request variance.



Signature of Lessee

Eli Rosenbaum

Printed Name



CommuniCare
FAMILY OF COMPANIES

Contact Person: Eli Rosenbaum

Address: 4700 Ashwood Drive, Suite 200 Cincinnati, OH 45241

Phone number where you can be reached: 513-579-9071

Fax Number: 513-489-7199

Please note that Adam Panfil of RenPro Renal Services may attend the meeting on our behalf.

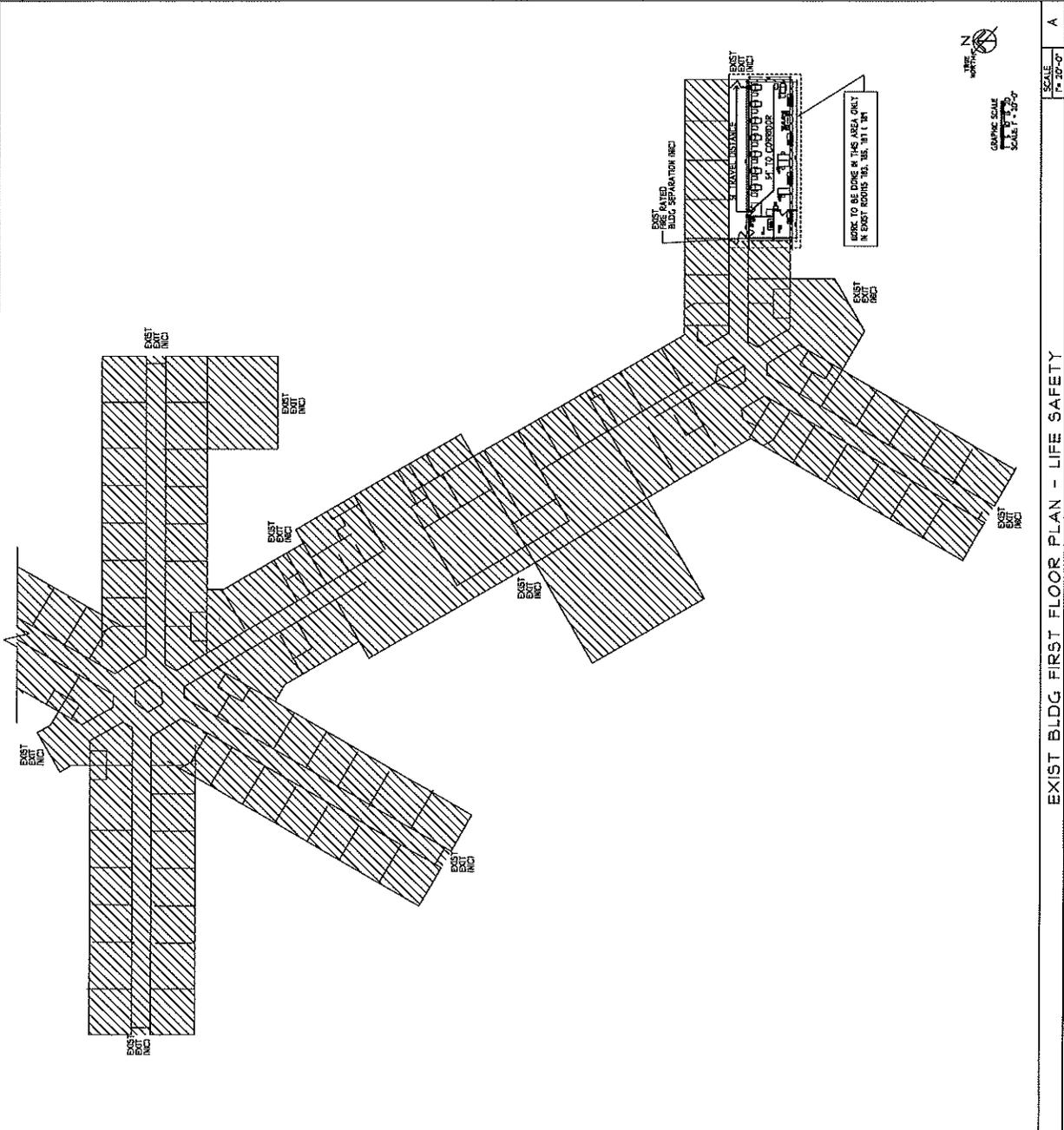
Contact: Adam Panfil

Address:

Phone:



- ### GENERAL NOTES
1. ALL WORK SHALL CONFORM TO THE REQUIREMENTS OF THE LOCAL BUILDING CODES AND ZONING ORDINANCES.
 2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
 3. ALL DIMENSIONS ARE TO FACE OF IRL STUDS UNLESS OTHERWISE NOTED.
 4. ALL FINISHES AND DETAILS RESULTING FROM DEMOLITION SHALL BE ACCURATELY REPRODUCED ON OFF-SITE AND SHALL NOT BE ALLOWED TO ACCURATELY.
 5. DETAILS MARKED "TYPICAL" SHALL APPLY IN ALL CASES UNLESS OTHERWISE NOTED.
 6. ALL SYMBOLS AND ABBREVIATIONS USED ON THE DGS ARE CONSIDERED TO BE CONSTRUCTION STANDARDS.
 7. IT SHALL BE THE RESPONSIBILITY OF THE PLUMBING CONTRACTOR TO VERIFY THE LOCATION OF ALL EXISTING PIPING AND TO PROVIDE PROTECTIVE MEASURES FOR THE REMAINING PIPING. PLUMBING CONTRACTOR IS RESPONSIBLE FOR LOCATING AND MARKING ALL PIPING TO BE PROTECTED.
 8. FOR ALL EXIST PARTITIONS AND CEILING SURFACES TO REMAIN, CONTRACTOR SHALL VERIFY ALL WALLS AND PARTITIONS ARE PRE-RESISTANT AND WATER-RESISTANT TYPE THAT MEET ALL LOCAL CODES.
 9. ALL NEW GYP BO SHALL BE PRE-RESISTANT AND WATER-RESISTANT TYPE THAT MEET ALL LOCAL CODES.
 10. ALL DOORS USED IN CONNECTION WITH EXITS SHALL BE READY OPENED IN THE DIRECTION OF EGRESS WITHOUT THE USE OF A KEY OR ANY SPECIAL KNOWLEDGE.
 11. NO CHANGES TO EXIST EXIT SIGNAGE.
 12. NO CHANGES TO EXIST TRAVEL INSTANCES TO EXITS.
 13. NO CHANGES TO EXIST FIRE ALARM SYSTEM.
 14. GEN CONTR TO BE CAREFUL NOT TO DAMAGE THE EXIST SPRINKLER SYSTEM AND/OR SPRINKLER HEADS.
 15. ALL FINISH WALL SURFACES TO BE FLUSH.
 16. CONTACT OTHER DISMISSED RITS SHALL BE PROTECTED.
 17. ALL EXIST PARTITIONS AND CEILING SURFACES TO REMAIN SHALL BE VERIFIED TO MEET ALL LOCAL CODES AND ALL LOCAL INDUSTRY STANDARDS AND ALL PARTITIONS SHALL BE TYPED, FILLED AND SANCED SMOOTH IN ACCORDANCE WITH RECOMMENDATIONS.
 18. ALL EXPOSED GYP BO EDGE WORK SHALL RECEIVE USG 4000 A/B IRL CASING TERN.
 19. ALL EXPOSED OUTSIDE CORNERS SHALL BE REFINED WITH USG 4000 IRL-A-B-SEAD.
 20. CONTACT BLDG ENGINEER FOR ANY QUESTIONS.
 21. GEN CONTR TO PROVIDE BACKING FOR ANY WALL MOUNTED EQUIPMENT (ELECTRICAL, MECHANICAL, GAS BARS AND/OR ANY OTHER EQUIPMENT N/A).
 22. ALL GLAZING TO CONFORM TO SAFETY GLAZING STANDARDS.
 23. ALL INTERIOR FINISHES TO BE CLASS I WITH 0-6 PLATE SPREAD RATING AND BE INSTALLED PER ITR SPECS.
 24. ALL NEW INTERIOR WALLS TO BE 2-5/8" IRL STUDS W/5/8" GYP BO BOTH SIDES, TAPED AND SANCED SMOOTH, PRIME AND PAINTED.
 25. PAINTING CONTR TO INCLUDE PRIME TOUCH-UP OF FINISH SURFACE AFTER TENANT HAS MOVED IN.
 26. ALL ELECTRICAL WORK SHALL BE PERFORMED BY THE ELECTRICAL CONTRACTOR TO MEET ALL LOCAL CODES AND ALL LOCAL INDUSTRY STANDARDS. FIELD CHECK EXIST ELEC SERVICE AND ELEC PANELS TO TENANT SPACE AND MAKE ANY CHANGES REQUIRED TO PROVIDE ELEC TO TENANT EQUIPMENT, LIGHTING, OUTLETS AND SWITCHES. ELEC CONTR TO COORDINATE WITH BLDG ENGINEER FOR TENANT REQUIREMENTS.
 27. ALL MECHANICAL WORK SHALL BE PERFORMED BY THE MECHANICAL CONTRACTOR TO MEET ALL LOCAL CODES AND ALL LOCAL INDUSTRY STANDARDS. ALL REVISIONS AND FIELD ADJUSTMENTS SHALL BE ACCURATELY RECORDED. THESE PRINTS TO BE FORWARDED TO THE BLDG OWNER.





Indiana
Department
of
Health



Eric J. Holcomb
Governor

Kristina M. Box, MD, FACOG
State Health Commissioner

07/12/2021

STEPHEN SOKOLOW
VALLEY VIEW HEALTHCARE CENTER
333 W MISHAWAKA RD
ELKHART, IN 46517

RE: Facility ID: 000523
Plans and Specifications Submittal for ISDH Project # 20-21-62
VALLEY VIEW HEALTHCARE CENTER
333 W. MISHAWAKA ROAD, ELKHART

You are hereby notified that the plans and specifications for the safety and sanitary features of the project number referenced above, and noted in the attached Project Report, have been reviewed and are hereby approved on this date.

This project approval includes:

Conversion of 4 bedroom units (703, 705, 707, and 709) within an unoccupied wing into a 7 bay room for the provision of renal dialysis services to residents of the existing comprehensive care facility. The domestic water supply of the facility is extended to serve the renovation area and is protected by approved backflow prevention devices at the point of connection of the cold and hot domestic water supplies serving all fixtures and equipment within the renovation area. The existing HVAC systems remain in place and are not impacted by the work of the project. The existing building electrical system is extended to the renovation area; a battery-powered light fixture provides means-of-egress lighting within the renovation area. The completion of the project will not change the 94 comprehensive bed count.

This project approval is issued subject to compliance with all applicable statutes, regulations, and requirements including the following conditions:

1. This project has been reviewed for compliance to the requirements, in effect at the time of submittal, under the jurisdiction of the Indiana State Department of Health (ISDH), Division of Acute Care. This approval does not grant, warrant, imply, confer, nor guarantee compliance with any additional requirements that may be imposed by any other ISDH program, Indiana State Agency, or the Centers for Medicare and Medicaid Services (CMS).
2. That all necessary local permits and approvals, including zoning, be obtained before construction is begun on this project.
3. That plans for any change, alterations or additions to this project as herewith approved be submitted and approved prior to such construction.
4. That if pollution, health hazards, or nuisance conditions develop or are created, immediate corrective action be taken by the owner.
5. That the Division of Long-Term Care, AC 317/233-7442, Indiana State Department of Health, 2 N. Meridian St., Indianapolis, IN 46204, be notified at the time construction is undertaken, so that all necessary inspections may be conducted.
6. 410 IAC 15-1.5-8(c)(3), 410 IAC 15-1.7-1(a)(3), 410 IAC 15-1.7-1(a)(4) and 410 IAC 16.2-8-1(a)(1) as applicable are waived in part to allow Life Safety Code NFPA101 (2012) and NFPA99 (2012) as adopted by the Centers for Medicare and Medicaid Services in lieu of NFPA101 (2000); NFPA99 (1993) and NFPA99 (1999).

To promote, protect, and improve the health and safety of all Hoosiers.

The project approval is also subject to the following additional conditions:

- a. That the dialysis room be used only for the treatment of residents of the facility.

This approval shall become void if construction is not begun within one (1) year of the above date.

If you wish to request review of this approval, you must petition for review, in writing, that states facts demonstrating that:

- a. you are the person to whom the approval is specifically directed;
- b. you are aggrieved or adversely affected by the approval; or,
- c. you are entitled to review under any law.

Any petition for review and petition for stay of effectiveness should be submitted in writing within eighteen (18) days of the date of this approval letter to:

Court Administrator
Office of Legal Affairs, #3H
Indiana State Department of Health
2 N. Meridian St,
Indianapolis, IN. 46204

If you do not object to this approval, you do not need to take any further action.

Sincerely,



Todd W. Hite, P.E.
Director, Health Care Engineering Program

CC: CHRIS GEORGE P.C. ARCHITECTS
File

Attachment(s)



Staff Report

Planning & Zoning

Petition: 21-Z-10

Petition Type: Rezoning

Date: October 4, 2021

Petitioner: EPSILON V DEVELOPMENT

Site Location: Vacant Lot S Nappanee St (immediately east of 1440 S. Nappanee St.)

Request: Per Section 29.11.B, Map Amendments, a request to rezone the property located at Vacant Lot, Nappanee Street (immediately east of 1440 S. Nappanee Street) from B-1, Neighborhood Business District to B-2, Community Business District.

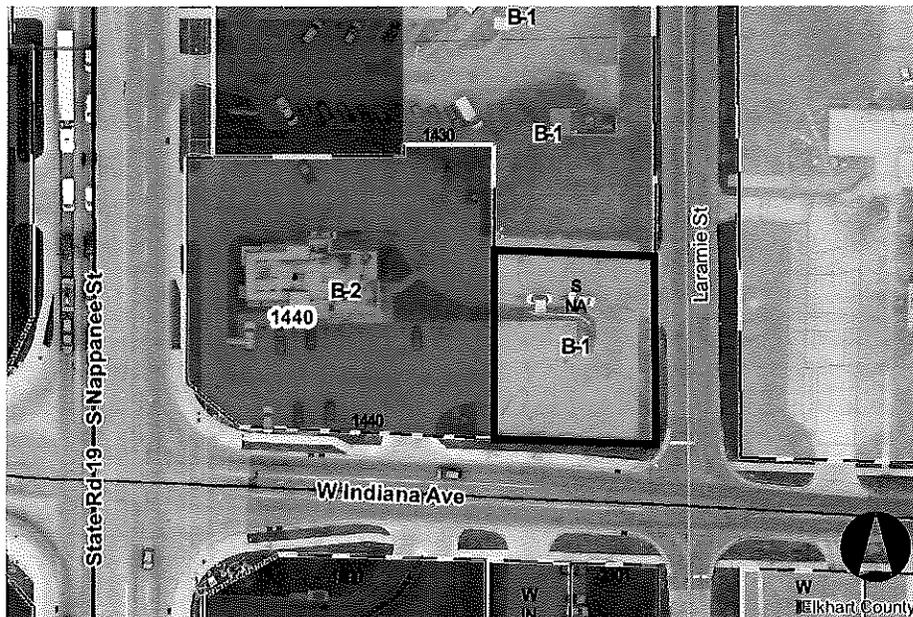
Existing Zoning: B-1, Neighborhood Business District

Size: +/- .28 Acres

Thoroughfares: South Nappanee Street, West Indiana Avenue, Laramie Street

School District: Elkhart Community Schools

Utilities: Available and provided to site.



Surrounding Land Use & Zoning:

The property is located on a major commercial corridor to the west with a church zoned residential to the east.

Applicable Sections of the Zoning Ordinance:

See enumerated in request.

Comprehensive Plan:

The Comprehensive Plan calls for this area to be developed with commercial uses.

Staff Analysis

The petitioner owns a +/- .28-acre parcel on a two-parcel/.97-acre zoning lot that has been developed as a fast-food restaurant with drive-thru, originally built in 1985. The parcel to the west is zoned B-2, which allows restaurants with drive-thrus, and the parcel to the east is zoned B-1, which does not, making the parking lot on that parcel legal nonconforming until recently.

The restaurant recently suffered a fire casualty and is seeking to rebuild the restaurant. However, the casualty was greater than fifty (50) percent of the total cost of construction, meaning that the site has to rebuilt in a way that conforms to the current zoning district.

While seeking to obtain permits to rebuild the restaurant, the owners consulted with staff to determine what their best option was to be compliant with the zoning ordinance; staff recommended a rezoning instead of a variance. It would consolidate the zoning lot into a single zoning district. The property to the east is zoned residential, however, it is across a street and is currently occupied with a religious institution which would be compatible with the commercial development.

Recommendation

The Staff recommends **approval** of the rezoning request based on the following findings of fact:

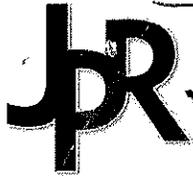
1. The request is in keeping with the comprehensive plan, which calls for this property to be developed with commercial uses.
2. Current conditions and the character of current structures and uses in each district will not be impacted because it will re-establish an existing use for the lot.
3. The B-2 District does allow for the most desirable uses for which the land can be adapted since the site is located on a commercial corridor and will consolidate the zoning with the rest of the zoning lot.
4. The proposed rezoning will preserve the conservation of property values throughout the City because the property has already been developed commercially and has a street separating it from the nearest residential zone.
5. The rezoning of the property to B-2, Community Business District is compatible with the surrounding properties and does reflect responsible growth and development.

Photos



Attachments

Petition, appeal letter, and site plan.



Notarized

For: 3840 rezoning hearing

JONES PETRIE RAFINSKI
your one single source

Surveying • Engineering • Planning • Architecture • Utility Management
GIS • Environmental • Renewable Energy • Landscape Architecture

August 3, 2021

Honorable Members of the City Council and Plan Commission
229 S. Second Street
Elkhart, IN 46516

RE: REZONING OF PARCEL 20-06-07-154-015-012 FROM B-1 TO B-2, FOR ESILON V DEVELOPMENT

The undersigned petitioner respectfully shows the Council and Plan Commission:

1. Jones Petrie Rafinski is the Owner's representative for the above request for the rezoning of parcel number 20-06-07-0154-015-012 which is located within The City of Elkhart, Elkhart County, Indiana, to wit:

Legal Description per Warranty Deed V. 411 P. 222

Lots Numbered Three Hundred Fifty-three (353) and Three hundred Fifty-four (354) as the said Lots are known and designated on the recorded Plat of CHESQUA HEIGHTS ADDITION to the City of Elkhart, Indiana, said Plat being recorded in Plat Book 1, page 53 of the records in the Office of the Recorder of Elkhart County, State of Indiana, together with the South one-half (S-1/2) of the vacated alley lying north of and adjacent thereto.

2. The above described real estate presently has a zoning classification of B-1, Neighborhood Business District under the Zoning Ordinance of the City of Elkhart.
3. The owner presently occupies this parcel as is functions as a portion of the drive thru and parking for the west adjoining parcel.
4. The Petitioner proposes to rezone this parcel to B-2, Community Business District, to be of like zoning as the west joiner.
5. The proposed B-2 zone is in accordance with the comprehensive plan. This rezone is being requested by the City.
6. The rezone will allow for this parcel to be rehabilitated and clean up split zoning.
7. The proposed development of this B-2 land fosters the safe, efficient, and economic use of the land, transportation, public facilities, and services.
8. This proposed development facilitates the provision of adequate public services such as transportation, water, sewer, storm, drainage, and electricity.
9. The proposed development design minimizes adverse environmental impacts of development.
10. The project will improve the design, quality, and character of rehabilitated development on the site and on adjacent sites.

jpr1source.com

Elkhart Office

200 Nibco Parkway
Suite 200
Elkhart IN 46516
574.293.7762

South Bend Office

325 S Lafayette Blvd
South Bend IN 46601
574.232.4388

Fort Wayne Office

108 W Columbia St.
Fort Wayne IN 46802
260.422.2522



Staff Report

Planning & Zoning

Petition: 21-SUB-08

Petition Type: Subdivision

Date: October 4, 2021

Petitioner: 1127 Miles Ave LLC., Steven K Haines

Site Location: 1147 N Michigan Street

Request: Per Article 4 of the Subdivision Ordinance, approval of a Preliminary Plat for a subdivision to be known as 'Auto Driveaway Subdivision - Replat Lot 2,' a one (1) lot subdivision; a part of the Southeast Quarter of Section 31, Township 38 North, Range 5 East, Osolo Township, Elkhart County, Indiana. The purpose of the plat is to vacate existing access and utility easements, and to create new utility easements.

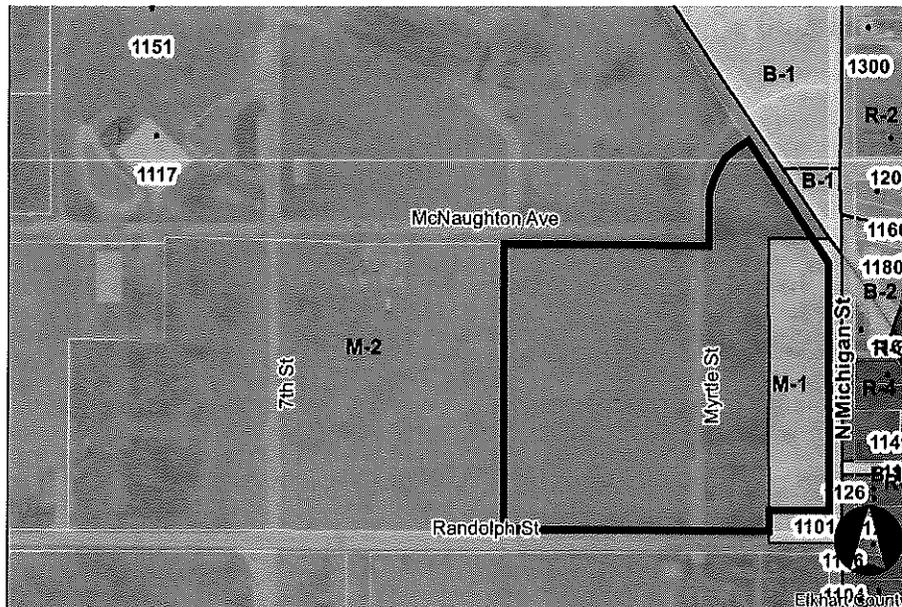
Existing Zoning: M-1, Limited Manufacturing District and M-2, General Manufacturing District

Size: +/- 25.22 Acres

Thoroughfares: Randolph Street, Michigan Street, Edwardsburg Avenue

School District: Elkhart Community Schools

Utilities: Available and provided to site.



Surrounding Land Use & Zoning:

Property to the south, west, and northwest is zoned M-2, and include two educational institutions and an auto driveway business. Land to the north is vacant zoned B-1, land to the east is residential zoned B-2 and R-4.

Applicable Sections of the Zoning Ordinance:

Article 4 of the Subdivision Ordinance

Comprehensive Plan:

The Comprehensive Plan is anticipated to call for this area to be developed with mixed uses.

Staff Analysis

The petitioner owns a vacant 25-acre parcel bordered by Randolph and Michigan Streets and Edwardsburg Avenue zoned for industrial uses. The parcel is planned to be developed with a 123,000 square foot industrial building, which has mostly passed the City's Technical Review. There is an existing access easement and a utility easements which will no longer be fully necessary once the site is redeveloped; those easements are proposed to be partially or fully vacated here. See the support drawing for more detail. The subdivision ordinance requires an application for a major subdivision when an easement of access is created, altered, or vacated.

The plat would also create two new utility easements for the proposed redevelopment. The City's engineering staff has approved the project and the location of the easements. The project will also connect a storm sewer to the adjacent Auto Driveway, on which property a drainage easement shall be recorded.

Recommendation

The Staff recommends **approval** of the one (1) lot subdivision, to be known as 'Auto Driveway Subdivision - Replat Lot 2', a part of the the Southeast Quarter of Section 31, Township 38 North, Range 5 East, Osolo Township, Elkhart County, Indiana, based on the following findings of fact:

- 1) The lot meets the minimum lot area requirements for the M-1, Limited Manufacturing District and M-2, General Manufacturing District;
- 2) The proposed request results in the partial or full vacation of existing Utility and Access easements and establish two new Utility easements as depicted on the preliminary plat;
- 3) The proposed subdivision will not compromise any existing development.

Conditions:

- 1) The approval is preliminary only. The applicant must submit the required application materials for Final Plat Approval to the Plat Committee as per Article 5 of the Subdivision Ordinance prior to the issuance of any permits for construction or sale of property.
- 2) Subsequent approvals may be required from the appropriate City Departments. Those approvals may include plans for water supply, storm water retention, sewage disposal, grading, roadway construction and other infrastructure prior to final plat approval.

- 3) Approval is tentative and shall be valid for a maximum period of twelve (12) months. The City Plan Commission may grant an extension upon written request. If the final plat has not been recorded within the time limit, the primary approval is null and void and the preliminary subdivision plan must be resubmitted for approval.

Photos



Attachments

Petition and preliminary plat.

PETITION NUMBER: 21-SUB-08 Date Filed: 9/10/21

**PETITION
to the PLAN COMMISSION**

Petition Type:

Rezoning* PUD* PUD Amendment*
 Annexation* Final Site Plan Subdivision
 Wireless Communications Facility

* denotes that this action requires final approval from the Common Council

Property Owner(s): 1127 Miles Ave LLC., Steven K. Haines
Mailing Address: [REDACTED]
Phone: [REDACTED]

Contact Person: Crystal Welsh, Abonmarche Consultants
Address: [REDACTED]
Phone: [REDACTED]

Subject Property Address: 1127 Miles Avenue, Elkhart, In 46514 AUTO DRIVEAWAY SUB LOT 2
Zoning: M-1 and M-2 Present Use: Vacant Land
Proposed Use: Industrial Building

Checklist (✓) for submittal of the Petition to the Plan Commission docket: you must include:

- One copy of the required Petition Letter signed in ink by the owner of the property.
- A completed Petition form signed by the legal owner of record.
- If any other person other than the legal owner or the legal owner's attorney files the appeal, written authorization from the property owner must be supplied.
- A full and accurate legal description of the property.
- One to scale drawing of the property, smaller than 11" x 17". If larger than 11" x 17", 12 copies must be submitted.
- Cash or check made payable to the City of Elkhart.
- Any other information listed in the Instructions and Filing Procedure for your type of Petition.

Optional: any supplementary information you wish to include.

NOTE: The petitioner is the legal property owner of record, or a certified representative, and agrees the above information is accurate. Failure to provide a legal signature or accurate information will make this application null and void.

PROPERTY OWNER(S) (PRINT) Steven K. Haines

SIGNATURES [Signature]

RECEIVED BY: [Signature] DATE: 9/10/21

Remit To:
CITY OF ELKHART – OFFICE OF PLANNING & DEVELOPMENT – Planning Services Division
Municipal Building, 229 S. Second Street, Elkhart, Indiana 46516

(staff to complete)

Ordinance Requirement: Sections(s): _____
MAP #: _____ AREA: _____



The city with a heart

City of Elkhart
Application for Approval of a New Subdivision
In the City of Elkhart

Date: September 10, 2021

City of Elkhart Plan Commission
Municipal Building
229 S. Second Street
Elkhart, Indiana 46516

Dear Plan Commission:

Preliminary approval is hereby requested for a subdivision to be known as Replat of Auto Driveway Lot 2. Said Subdivision is legally described as follows: (attach legal description).

September 10, 2021

City of Elkhart Plan Commission
City of Elkhart Board of Public Works
229 South Second Street
Elkhart, IN 46516

RE: Auto Driveaway Subdivision - Replat of Lot 2

Plan Commission and Board of Public Works Members,

Abonmarche is working with 1127 Miles Avenue LLC., the owner of 1127 Miles Avenue, to replat the exiting Auto Driveaway Subdivision Lot 2. The requirement for this replat is due to the need to release and establish utility easements on the property.

The attached exhibit illustrates the following easements to be either released or established through the platting process:

- Existing utility easements that need to be released are identified in green (instrument numbers 2003-43411 and a portion of 2003-43410).
- The area identified in yellow is a portion of instrument number 2003-43410 that will remain in place.
- The areas in orange are proposed new utility easement that will be established so that a portion of the sewer main can be relocated.

As the exhibit illustrates, the existing easement in green runs through the middle of the property making development of the size of building necessary for the proposed manufacturing facility impossible. The cost of relocating the sewer main will be paid by the property owner.

The final plat to be recorded will be signed by both the City of Elkhart Plat Committee to accept the plat as well as the Board of Public Works to approve the release and establishment of the utility easements.

1127 Miles Avenue LLC. and Abonmarche respectfully requests your approval of the replat including the release and establishment of utility easements as represented on the proposed replat.

Sincerely,



Crystal Welsh, AICP
Senior Urban Planner

2021-21207

ELKHART COUNTY RECORDER
JENNIFER L. DORIOT
FILED FOR RECORD ON
08/09/2021 11:38 AM
AS PRESENTED

Fidelity National
Title Company LLC

CORPORATE
WARRANTY DEED

File No.: 792100053-ASH

THIS INDENTURE WITNESSETH, that Feed the Children, Inc., an Oklahoma corporation (Grantor) CONVEY(S) AND WARRANT(S) to 1127 Miles Ave., LLC (Grantee) for the sum of Ten Dollars (\$10.00) and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the following described real estate in Elkhart County in the State of Indiana, to wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

Property: 1127 Miles Avenue, Elkhart, IN 46514

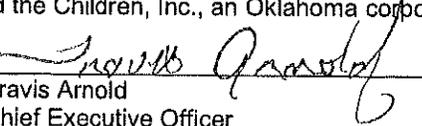
Subject to all current real estate taxes and assessments and all subsequent taxes and assessments.

Subject to all easements, covenants, conditions, and restrictions of record.

IN WITNESS WHEREOF, The undersigned person(s) executing this deed on behalf of Grantor(s) represent and certify that they are duly elected officers of Grantor(s) and have been fully empowered, by proper resolution of the Board of Directors of Grantor(s), to execute and deliver this deed; that Grantor(s) has full corporate capacity to convey the real estate described herein; and that all necessary corporate action for the making of such conveyance has been taken and done.

IN WITNESS WHEREOF, Grantor has executed this deed this 26th day of July, 2021.

Feed the Children, Inc., an Oklahoma corporation

BY: 
Travis Arnold
Chief Executive Officer

DISCLOSURE FEE PAID
DULY ENTERED FOR TAXATION
SUBJECT TO FINAL ACCEPTANCE FOR TRANSFER
Aug 09 2021
PATRICIA A. PICKENS, AUDITOR
04651
10.00

JM

20-02-31-476-008.000-027

MC

STATE OF Oklahoma
COUNTY OF Oklahoma



Before me, a Notary Public in and for said County and State, personally appeared Travis Arnold, as Chief Executive Officer of Feed the Children, Inc., an Oklahoma corporation, who acknowledged the execution of the foregoing instrument, and who, having been duly sworn, stated that the representations therein contained are true.

Witness my hand and Notarial Seal this 26th day of July, 2021

Signature: Cynthia A. Putman
Printed: Cynthia A. Putman
Resident of: McCain County
State of: Oklahoma
My Commission expires: 9-19-21

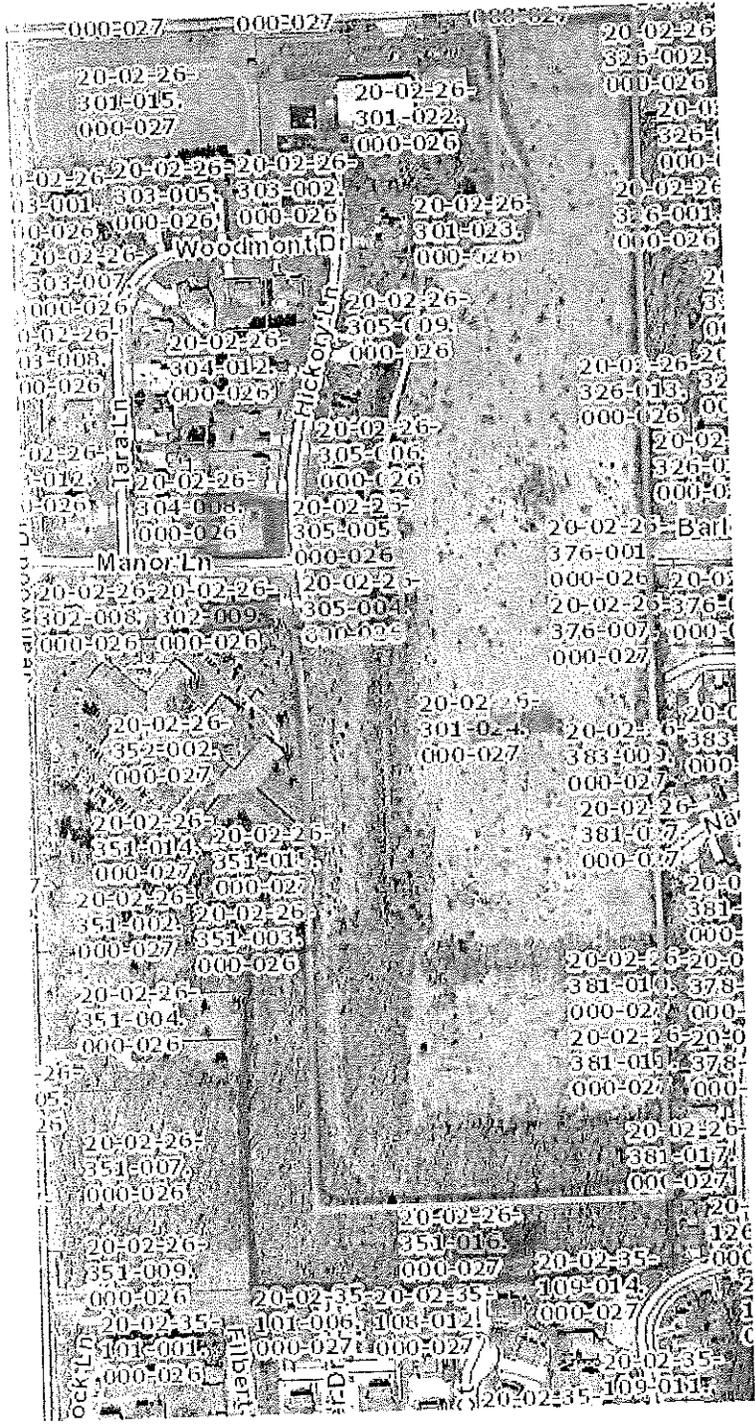
Prepared By: Edward W. Hardig, Jr., Attorney at Law
401 W. High Street, Elkhart, IN 46516
IN19199-71/MIP60319

Grantee's Address and Tax Billing Address: 2905 LaVanture Pl
Elkhart, IN 46514

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law: Jeff Lade.

Return To: Fidelity National Title Company, LLC
401 W. High Street, Elkhart, IN 46516

g Date: 10 / 4 / 21



21 sub 09

CR 106 & Hickory

Emerald Chase Land Dev.

009 = Westview Capital
004 = Westview Capital



Staff Report

Planning & Zoning

Petition: 21-SUB-09

Petition Type: Subdivision

Date: October 4, 2021

Petitioner: EMERALD CHASE LAND DEVELOPMENT LLC, CONWAY HERSHBERGER, MEMBER

Site Location: Henke Street (CR 106) and Hickory Lane

Request: Per Article 4 of the Subdivision Ordinance, approval of a Preliminary Plat for a subdivision to be known as 'Boulder Run,' an 85-lot subdivision; a part of the West 1/2 of the Southwest 1/4 of Section 26, Township 38 North, Range 5 East, Osolo Township, Elkhart County, Indiana.

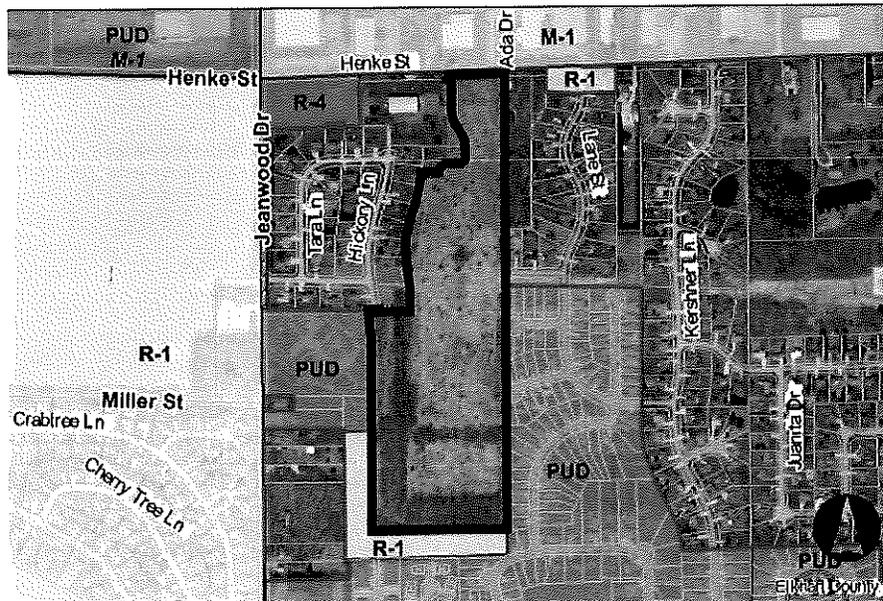
Existing Zoning: R-1, One-Family Dwelling District

Size: +/- 32.75 Acres

Thoroughfares: Jeanwood Drive and CR 106 (Henke Street)

School District: Elkhart Community Schools

Utilities: Available and provided to site.



Surrounding Land Use & Zoning:

Land to the north is industrial in the City of Elkhart zoned M-1, land to the south is residential zoned R-1, One Family Dwelling District in the City of Elkhart. Land to the west is a nursing home facility in the City zoned PUD, Planned Unit Development. The land to the east is established residential both in the City of Elkhart and in Elkhart County zoned A-1 and PUD R-1.

Applicable Sections of the Zoning Ordinance:

Article 4 of the Subdivision Ordinance

Comprehensive Plan:

The Comprehensive Plan does not take this area into account but is anticipated to call for the land to be developed with low density residential uses.

Staff Analysis

The petitioners is requesting approval of an 85-lot subdivision of land that is a portion of the West 1/2 of the Southwest 1/4 of Section 26, Township 38 North, Range 5 East, Osolo Township, Elkhart County, Indiana. The proposed subdivision is located adjacent to the Manor Estates subdivision, south of Henke Street/County Road 106 and east of Jeanwood Drive.

The zoning for this plot of land is R-1, which requires a minimum area of 9,500 square feet, which is met by each of the proposed lots. The zoning limits the development possibilities to single family residential. The developer is proposing three points of ingress and egress which will connect to existing rights-of-way at County Road 106/Henke Street, Manor Lane, and Barley Street.

Based on the review of the block layout, the proposal meets the requirements of the Subdivision Ordinance in terms of street width, layout, block length, and cul de sac diameter. Staff has relayed some concerns about a few of the lot layouts, specifically Lots 1, 2, and 13, to the petitioner. Their consultant has agreed to either revise the layout of these lots or provide a plot plan demonstrating how they may be developed according to code, which will be required prior to final submission to the Plat Committee.

The project has not yet been submitted for Technical Review, which will be required to review matters such as road design, landscaping, utilities, and drainage. Review and approval will also be required prior to submission of the final plat to the Plat Committee.

Recommendation

The Staff recommends **approval** of the 85- lot subdivision, to be known as 'Boulder Run,' a part of the West 1/2 of the Southwest 1/4 of Section 26, Township 38 North, Range 5 East, Osolo Township, Elkhart County, Indiana, based on the following findings of fact:

- 1) The lot meets the minimum lot area requirements for the R-1, One-Family Dwelling District;
- 2) The proposed request results in the creation of 85 lots as defined by the Zoning and Subdivision Ordinance.
- 3) The proposed subdivision will not compromise any existing development.

Conditions:

- 1) The approval is preliminary only. The applicant must submit the required application materials for Final Plat Approval to the Plat Committee as per Article 5 of the Subdivision Ordinance prior to the issuance of any permits for construction or sale of property.
- 2) Subsequent approvals may be required from the appropriate City Departments. Those approvals may include plans for water supply, storm water retention, sewage disposal, grading, roadway construction and other infrastructure prior to final plat approval.
- 3) Approval is tentative and shall be valid for a maximum period of twelve (12) months. The City Plan Commission may grant an extension upon written request. If the final plat has not been recorded within the time limit, the primary approval is null and void and the preliminary subdivision plan must be resubmitted for approval.
- 4) The project must be reviewed and approved through the City's Technical Review process prior to the submission of the final plat to the Plat Committee.

Photos





Attachments

Petition and preliminary plat.



The city with a heart

City of Elkhart
Application for Approval of a New Subdivision
In the City of Elkhart

Date: September 10, 2021

City of Elkhart Plan Commission
Municipal Building
229 S. Second Street
Elkhart, Indiana 46516

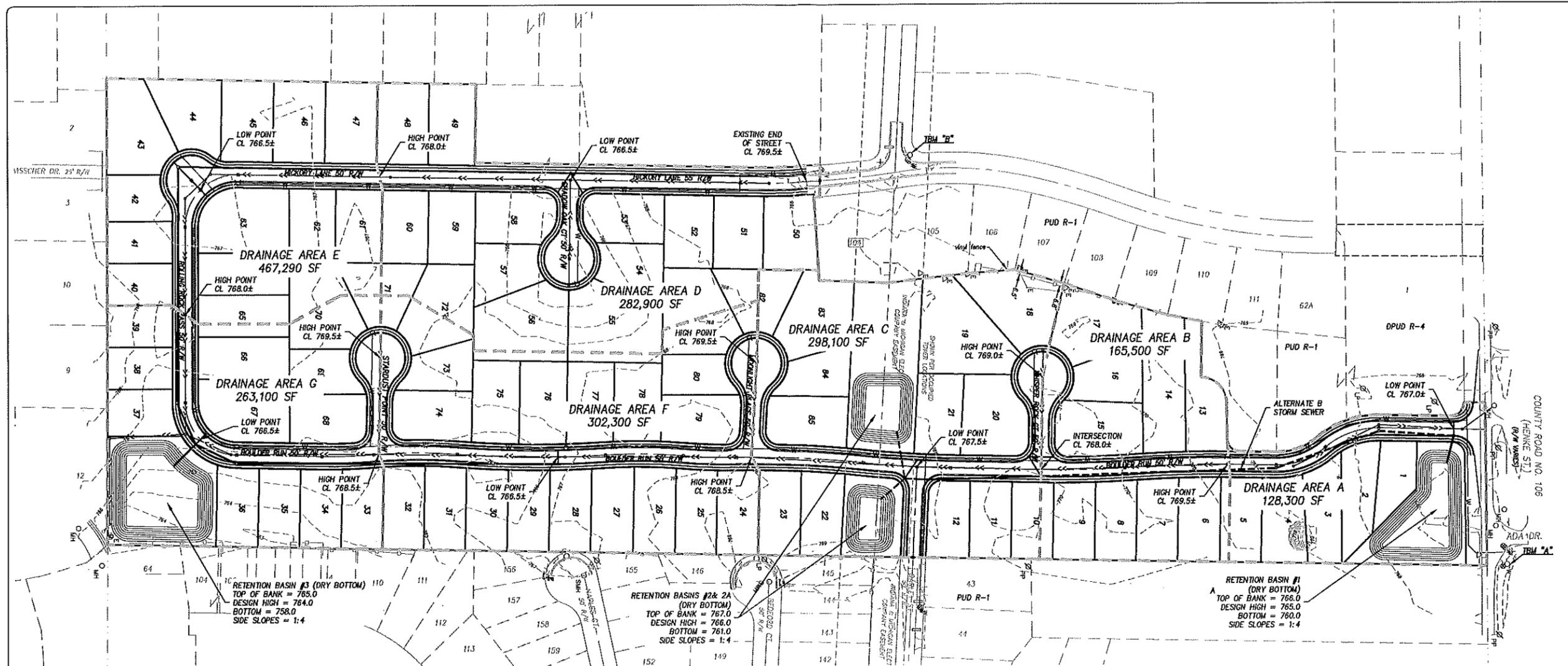
Dear Plan Commission:

Preliminary approval is hereby requested for a subdivision to be known as Boulder Run. Said Subdivision is legally described as follows: (attach legal description).

**BOULDER RUN
 ELKHART, INDIANA
 PRIMARY PLAN**

**PRELIMINARY STORMWATER
 MANAGEMENT PLAN**

PROJECT: BOULDER RUN
 SHEET TITLE: PRELIMINARY STORMWATER MANAGEMENT PLAN
 DRAWN BY: JDS
 DESIGNED BY: JDS
 PM REVIEW: CW
 QA/QC REVIEW: BEM
 DATE: 08/30/2021
 SEAL: HENRY D. SCHAFER
 REGISTERED PROFESSIONAL ENGINEER
 STATE OF INDIANA
 PE11300116
 SIGNATURE: [Signature]
 DATE: 09/10/2021
 SCALE: HORIZ: 1"=100'
 VERT: [Blank]
 ACI JOB #: 21-1304
 SHEET NO. 1 of 2



DRAINAGE ANALYSIS
 Estimated Drainage Area = 37.45± Acres
 85 Lots

Impervious Area (C=0.90)
 Roadway = 4.01± Acres
 Roof, Drive, and Patio ~ 3000 SF/Lot = 5.83± Acres
 Total = 9.84± Acres

Pervious Area (C=0.25)
 Open Area = 27.59± Acres
 Total = 27.59± Acres

MODIFIED RUNOFF COEFFICIENT CALCULATIONS
 $C = \frac{(3.86 \times 0.90) + (27.59 \times 0.25)}{37.45 \text{ Acres}} = 0.42 \rightarrow \text{Use } C = 0.50$

DRAINAGE AREA	TOTAL AREA (SF)	ASSUMED RATIONAL C	CAPACITY REQUIRED (CF)		CAPACITY REQUIRED (AC-FT)	
			3 INCH RAINFALL	100-YEAR RAINFALL	3 INCH RAINFALL	100-YEAR RAINFALL
A	128300	0.500	16040	27800	0.368	0.638
B	165490	0.500	20690	35860	0.475	0.823
C	298100	0.500	37260	64590	0.855	1.483
D	282930	0.500	35370	61300	0.812	1.407
E	231200	0.500	28900	50090	0.663	1.150
F	302300	0.500	37790	65900	0.888	1.504
G	263100	0.500	29510	51160	0.677	1.174

BASIN DESIGN
 *ALTERNATE DESIGN TO BE CONFIRMED AFTER COORDINATION WITH AEP

ALTERNATE A:
 BASIN 1, BASIN 3, AND BASINS 2 & 2A ARE CONSTRUCTED.
 DRAINAGE AREA A IS CONVEYED TO BASIN 1.
 DRAINAGE AREAS B AND C ARE CONVEYED TO BASINS 2 & 2A.
 DRAINAGE AREAS D, E, F, AND G ARE CONVEYED TO BASIN 3.

RETENTION BASIN 1:
 CAPACITY REQUIRED FOR THREE-INCH RAINFALL - 0.368 AC-FT
 CAPACITY PROVIDED WITH ONE-FOOT FREEBOARD - 1.848 AC-FT

RETENTION BASINS 2 & 2A:
 CAPACITY REQUIRED FOR THREE-INCH RAINFALL - 1.330 AC-FT
 CAPACITY PROVIDED WITH ONE-FOOT FREEBOARD - 1.725 AC-FT

RETENTION BASIN 3:
 CAPACITY REQUIRED FOR THREE-INCH RAINFALL - 3.020 AC-FT
 CAPACITY PROVIDED WITH ONE-FOOT FREEBOARD - 3.231 AC-FT

ALTERNATE B:
 BASIN 1 AND BASIN 3 ARE CONSTRUCTED.
 DRAINAGE AREAS A, B, AND C ARE CONVEYED TO BASIN 3.
 DRAINAGE AREAS D, E, F, AND G ARE CONVEYED TO BASIN 1.

RETENTION BASIN 1:
 CAPACITY REQUIRED FOR THREE-INCH RAINFALL - 1.699 AC-FT
 CAPACITY PROVIDED WITH ONE-FOOT FREEBOARD - 1.848 AC-FT

RETENTION BASIN 3:
 CAPACITY REQUIRED FOR THREE-INCH RAINFALL - 3.020 AC-FT
 CAPACITY PROVIDED WITH ONE-FOOT FREEBOARD - 3.231 AC-FT

RETENTION BASIN #3

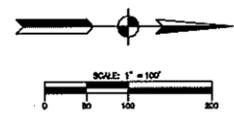
STAGE	AREA (SF)	INCREMENTAL CAPACITY (CF)	CUMULATIVE CAPACITY (CF)	CUMULATIVE CAP (AC-FT)
758	16730	17775	17775	0.408
759	18820	19915	37690	0.865
760	21010	22155	59845	1.374
761	23300	24495	84340	1.936
762	25690	26935	111275	2.555
763	28180	29475	140750	3.231
764	30770	32115	172865	3.968
765	33460			

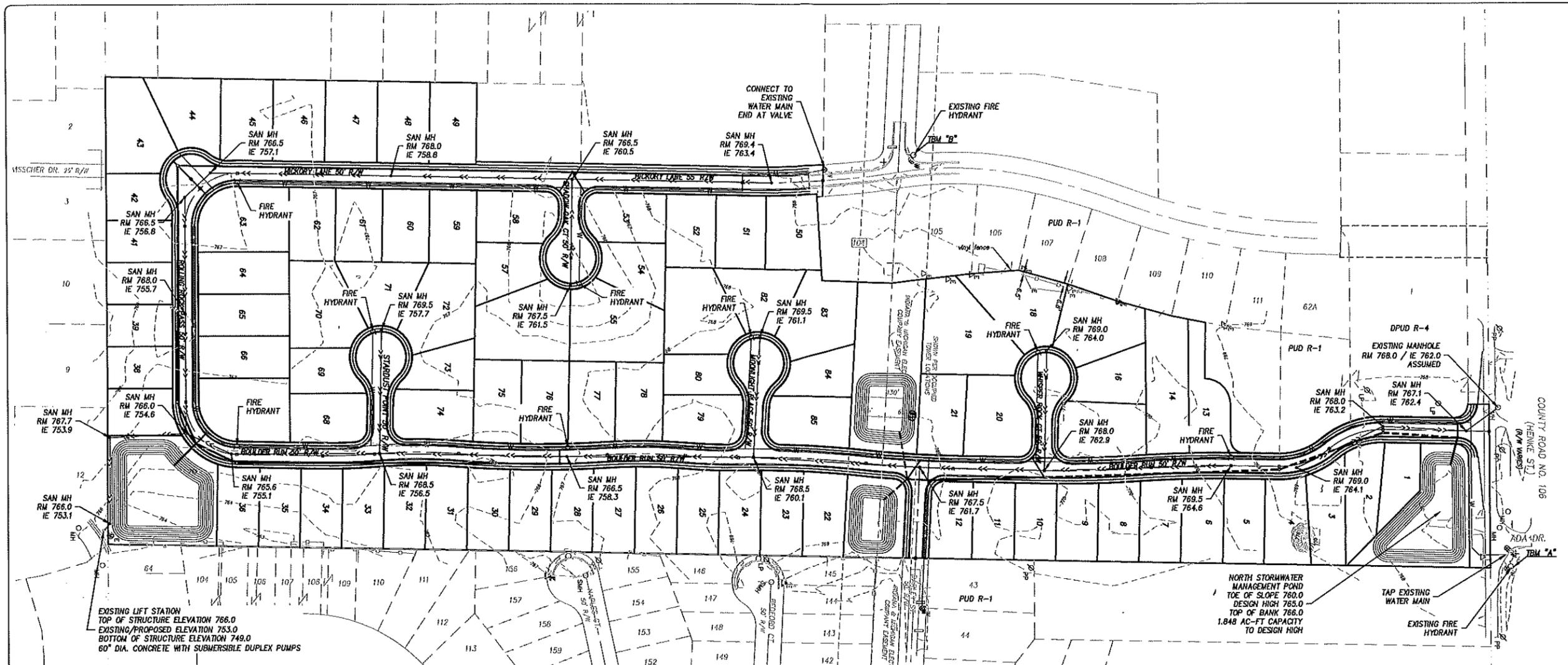
RETENTION BASINS #2 & 2A

STAGE	AREA (SF)	INCREMENTAL CAPACITY (CF)	CUMULATIVE CAPACITY (CF)	CUMULATIVE CAP (AC-FT)
761	8660	9975	9975	0.229
762	11090	12300	22275	0.511
763	13510	14825	37100	0.852
764	16140	17555	54655	1.255
765	18970	20485	75140	1.725
766	22000	23615	98755	2.267
767	25230			

RETENTION BASIN #1

STAGE	AREA (SF)	INCREMENTAL CAPACITY (CF)	CUMULATIVE CAPACITY (CF)	CUMULATIVE CAP (AC-FT)
760	10530	11585	11585	0.266
761	12640	13740	25325	0.581
762	14840	15995	41320	0.949
763	17150	18355	59675	1.370
764	19560	20815	80490	1.846
765	22070	23375	103865	2.384
766	24680			



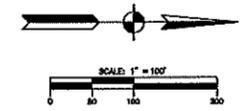


EXISTING LIFT STATION
 TOP OF STRUCTURE ELEVATION 766.0
 EXISTING/PROPOSED ELEVATION 753.0
 BOTTOM OF STRUCTURE ELEVATION 749.0
 60" DIA. CONCRETE WITH SUBMERSIBLE DUPLEX PUMPS

NORTH STORMWATER
 MANAGEMENT POND
 TOE OF SLOPE 760.0
 DESIGN HIGH 765.0
 TOP OF BANK 766.0
 1.848 AC-FT CAPACITY
 TO DESIGN HIGH

STREET, WATER, SANITARY SEWER, AND STORM SEWER NOTES

- DESIGN IS PRELIMINARY IN NATURE AND IS INTENDED ONLY FOR REVIEW AND CONSIDERATION OF THE PRIMARY SUBDIVISION PLAT. NOT FOR CONSTRUCTION.
- ALL STREET, WATER, SANITARY SEWER, AND STORM SEWER CONSTRUCTION TO MEET THE REQUIREMENTS OF THE CITY OF ELKHART STANDARD SPECIFICATIONS.
- WATER MAIN AND FIXTURES TO BE CLASS 52 DUCTILE IRON.
- SANITARY SEWER MAIN TO BE SDR35 PVC OR SDR26 PVC.
- WATER MAIN TO BE EIGHT-INCH DIAMETER PIPE. FIRE HYDRANT LEADS TO BE SIX-INCH DIAMETER PIPE. WATER SERVICES LINES TO BE ONE-INCH DIAMETER TYPE K COPPER.
- ALL WATER MAIN, FIXTURES, LEADS, AND SERVICE LINES TO HAVE A MINIMUM SIXTY INCHES OF COVER TO FINISHED GRADE.
- SANITARY SEWER MAIN TO BE EIGHT-INCH DIAMETER PIPE AT A MINIMUM SLOPE OF 0.50%.
- IMPROVEMENTS TO LIFT STATION AT SOUTH END OF PROJECT, IF ANY, SHALL BE DESIGNED DURING THE CONSTRUCTION PLAN PREPARATION AFTER THE PRIMARY PLAT IS CONSIDERED AND APPROVED. ANY IMPROVEMENTS FUND REQUIRED SHALL BE INSTALLED AS PART OF THE CONSTRUCTION OF THE SUBDIVISION.



ABONMARCHÉ
 315 W. Johnson Blvd.
 Elkhart, IN 46516
 Phone: 765.232.8700
 Fax: 765.232.8440
 abonmarche.com

**BOULDER RUN
 ELKHART, INDIANA
 PRIMARY PLAT**

**PRELIMINARY WATER AND
 SANITARY SEWER PLAN**

SHEET TITLE:
 DRAWN BY: JDS
 DESIGNED BY: JDS
 PM REVIEW: CW
 QA/QC REVIEW: BEM
 DATE: 08/30/2021



SIGNATURE: [Signature]
 DATE: 09/10/2021

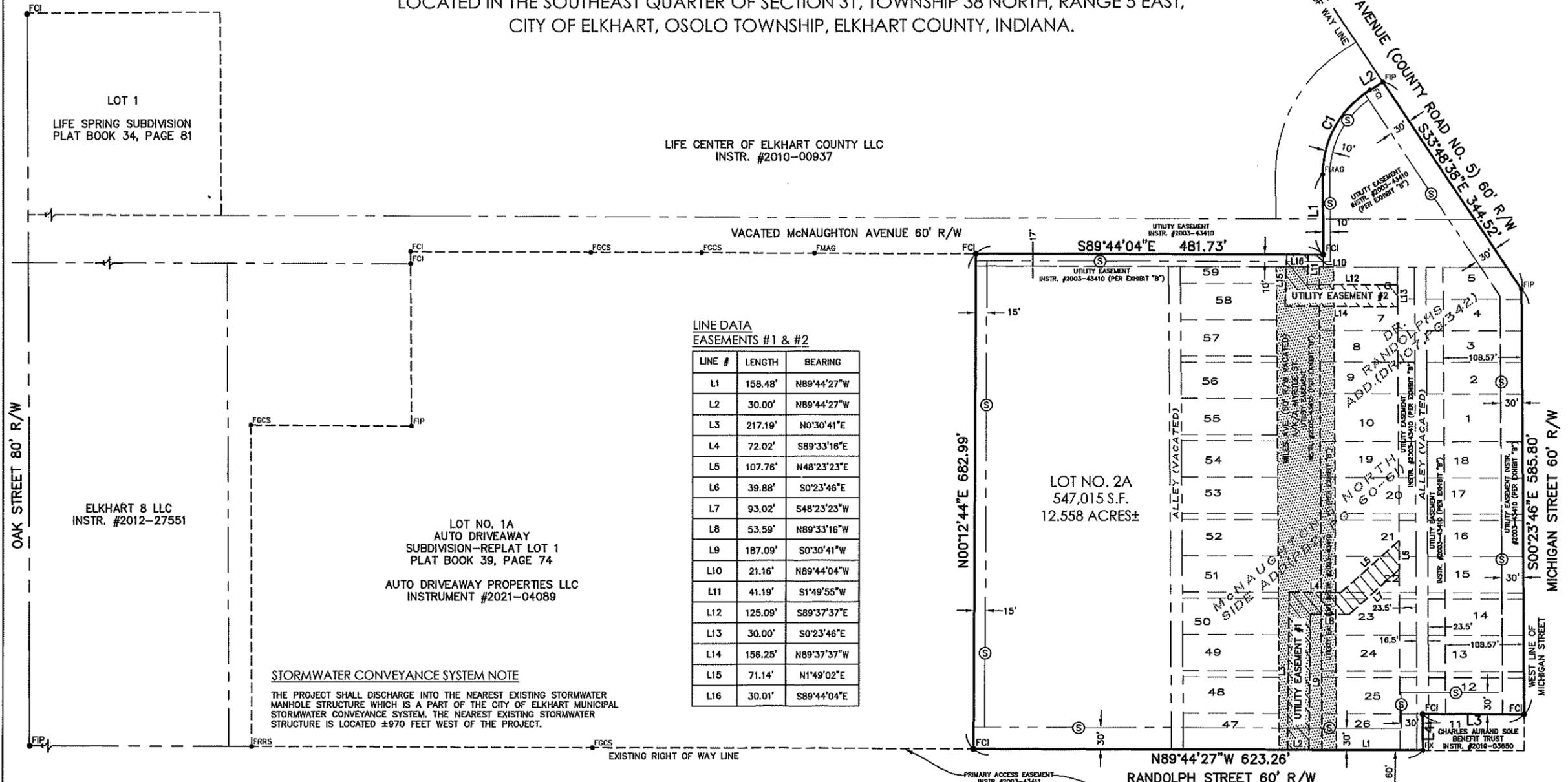
SCALE:
 HORIZ: 1"=100'
 VERT:

ACI JOB #
21-1304

SHEET NO.
2 of 2

AUTO DRIVEWAY SUBDIVISION - REPLAT LOT 2

A REPLAT OF LOT NUMBERED TWO (2) AS SAID LOT IS KNOWN AND DESIGNATED ON THE RECORD PLAT OF AUTO DRIVEWAY SUBDIVISION AS RECORDED IN PLAT BOOK 39, PAGE 49, IN THE OFFICE OF THE RECORDER OF ELKHART COUNTY, INDIANA; SAID PLAT BEING LOCATED IN THE SOUTHEAST QUARTER OF SECTION 31, TOWNSHIP 38 NORTH, RANGE 5 EAST, CITY OF ELKHART, OSOLO TOWNSHIP, ELKHART COUNTY, INDIANA.



LINE DATA EASEMENTS #1 & #2

LINE #	LENGTH	BEARING
L1	158.48'	N89°44'27"W
L2	30.00'	N89°44'27"W
L3	217.19'	N0°30'41"E
L4	72.02'	S89°33'16"E
L5	107.76'	N48°23'23"E
L6	39.88'	S0°23'46"E
L7	93.02'	S48°23'23"W
L8	53.59'	N89°33'16"W
L9	187.09'	S0°30'41"W
L10	21.16'	N89°44'04"W
L11	41.19'	S1°49'55"W
L12	125.09'	S89°37'37"E
L13	30.00'	S0°23'46"E
L14	156.25'	N89°37'37"W
L15	71.14'	N1°49'02"E
L16	30.01'	S89°44'04"E

STORMWATER CONVEYANCE SYSTEM NOTE
THE PROJECT SHALL DISCHARGE INTO THE NEAREST EXISTING STORMWATER MANHOLE STRUCTURE WHICH IS A PART OF THE CITY OF ELKHART MUNICIPAL STORMWATER CONVEYANCE SYSTEM. THE NEAREST EXISTING STORMWATER STRUCTURE IS LOCATED ±970 FEET WEST OF THE PROJECT.

LEGEND

- ⊙ - MINIMUM BUILDING SETBACKS AT DISTANCES INDICATED
- FCI - FOUND CAPPED IRON (ABONMARCHE FIRM #0050)
- FIP - FOUND IRON PIPE
- FMAG - FOUND MAG NAIL
- FRRS - FOUND RAILROAD SPIKE
- FX - FOUND X CUT
- FGCS - FOUND COTTON GIN SPINDLE

CURVE DATA - LOT

NUMBER	RADIUS	ARC LENGTH	DELTA ANGLE	TANGENT	CHORD LENGTH	CHORD DIRECTION
C1	136.40'	138.99'	58°23'06"	76.21'	133.06'	N29°24'37"E

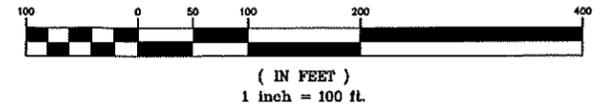
EXISTING EASEMENTS TO BE RELEASED/VACATED

- EASEMENTS (ALL OR PART OF) TO BE RELEASED/VACATED WITH THE RECORDING OF THIS PLAT:
- EXISTING ACCESS EASEMENT (ALL) - INSTRUMENT #2003-43411
 - EXISTING UTILITY EASEMENT (PART OF) - INSTRUMENT #2003-43410

LINE DATA - LOT

NUMBER	DIRECTION	DISTANCE
L1	N00°23'43"W	110.68'
L2	N58°38'02"E	21.59'
L3	N89°44'20"W	140.33'
L4	S00°37'48"E	49.99'

GRAPHIC SCALE



FLOOD NOTE
THIS PARCEL IS NOT WITHIN 1% ANNUAL CHANCE FLOOD (SPECIAL FLOOD HAZARD AREA) AS SCALED AND DEPICTED ON THE FEMA/FIRM COMMUNITY PANEL NUMBER 18039C0128D, EFFECTIVE MAP DATE: AUGUST 2, 2011.



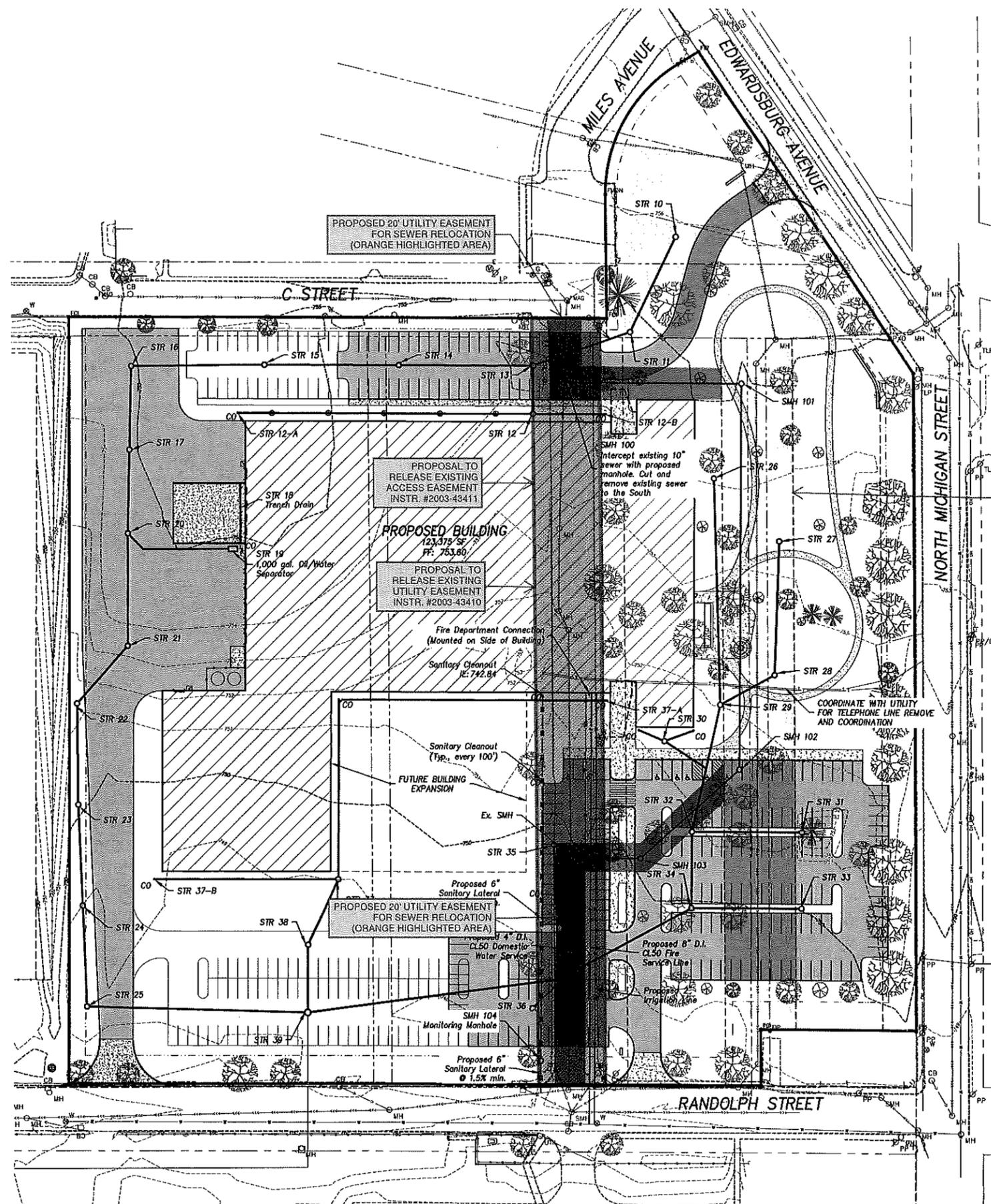
303 River Race Drive
Unit 206
Goshen, IN 46526
T 574.533.9913
F 574.533.9911
abonmarche.com

Benton Harbor
El Wayne
Goshen
Grand Haven
Hobart

Lafayette
Portage
South Bend
South Haven
Valparaiso

Engineering · Architecture · Land Surveying

JOB NO.: 21-0728
DATE: SEPTEMBER, 2021
SHEET 1 OF 2



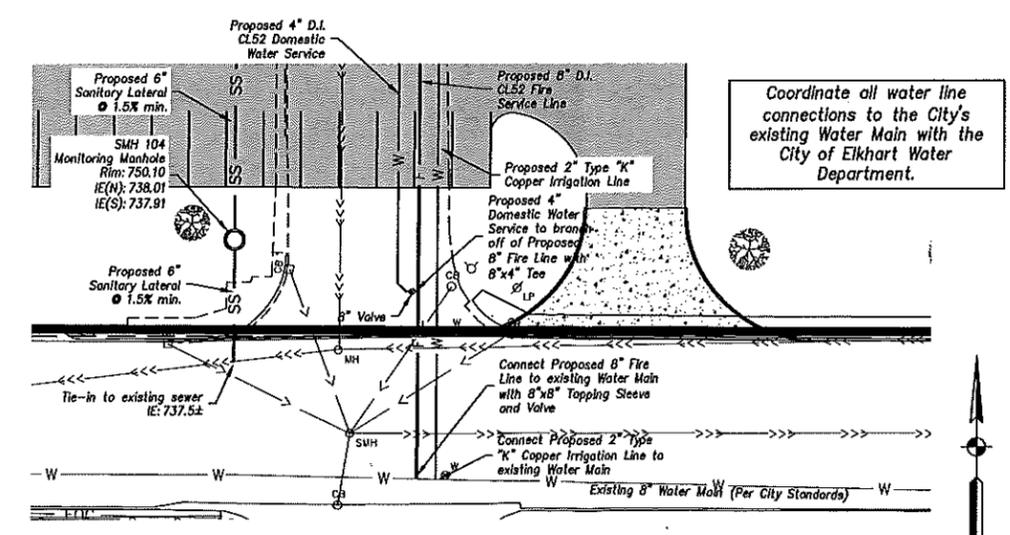
EXISTING UTILITY EASEMENT
INSTR. 2003-43410

GENERAL NOTES

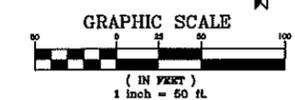
1. Construction, Materials, and Testing shall be in accordance with the latest Standard Specifications of the City of Elkhart.
2. Contractor shall inquire INDIANA 811 and all utility companies prior to construction for locations of underground utilities. Any damages done to any public and/or private properties during construction shall be repaired at the Contractor's expense.
3. Unsuitable materials that could affect the integrity of pipes and/or pavement shall be properly treated.
4. Any removed and/or disturbed pavement, sidewalk, curb, etc., shall be replaced using the same type of material and brought back to its original grade and alignment.
5. No closing of streets shall be permitted without prior approval from the City of Elkhart.
6. Contractor shall take all necessary precautions to protect the work and safety of the public and provide, erect, and maintain all necessary barricades, suitable and sufficient lights, danger signals, signs, and other traffic control devices in accordance with the Indiana Manual on Uniform Traffic Control Devices for Streets and Highways.
7. Contractor shall obtain all necessary project permits from all respective governmental agencies with the exception of the Soil Erosion and Sedimentation Control Permit. The Developer will obtain this permit.
8. All backfill for pipe trenches and site grading shall be performed in 6-inch lifts maximum with suitable granular material and compacted to 100% Standard Proctor to proposed subgrade. Pipe bedding shall be in accordance with ASTM D-2321 for flexible and rigid pipe. Compaction testing shall be done by a qualified soil testing firm approved by the General Contractor.
9. Contractor shall verify the water table and include in the bid the cost for dewatering. The water table shall be lowered to 24 inches below the pipe invert prior to installation.
10. Water and sewer pipes shall have a minimum horizontal separation of 10 feet from outside of pipes. Whenever water pipes must cross above or below sewer pipes, a minimum vertical separation of 18 inches is required between the outside of the water pipe and the outside of the sewer pipe. If this cannot be met, the sewer pipe shall be constructed of water grade pipe meeting AWWA Standards for a distance of 10 feet each side of the water pipe. At crossings, one full length of water pipe shall be installed so that the joints will be as far from the sewer pipe as possible.
11. Discrepancies or conflicts in the plans and/or site conditions shall be communicated to the General Contractor / Engineer to ensure that clarifications and/or revisions can be made prior to construction.

LEGEND

- SMH # Sanitary Manhole
- STR # Storm Structure
- CO Cleanout

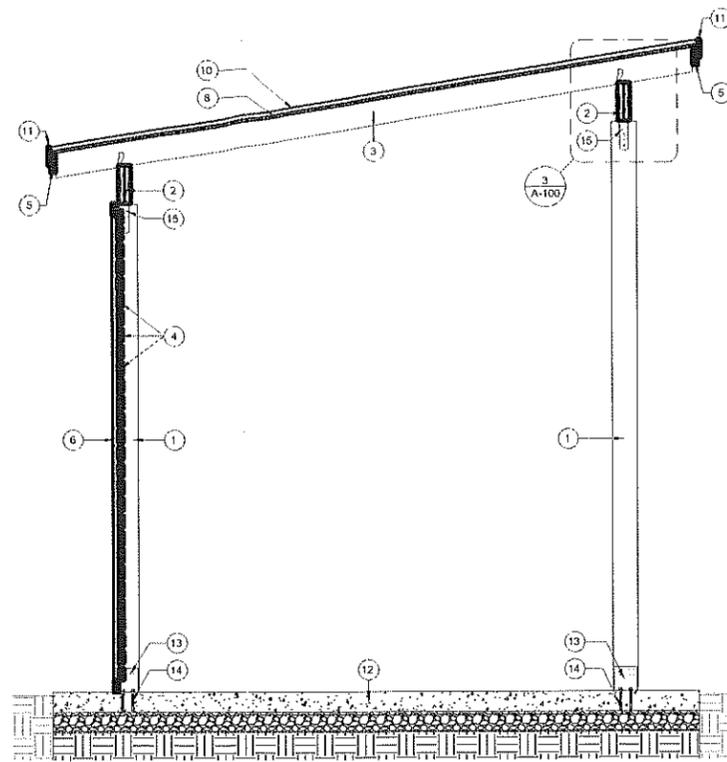
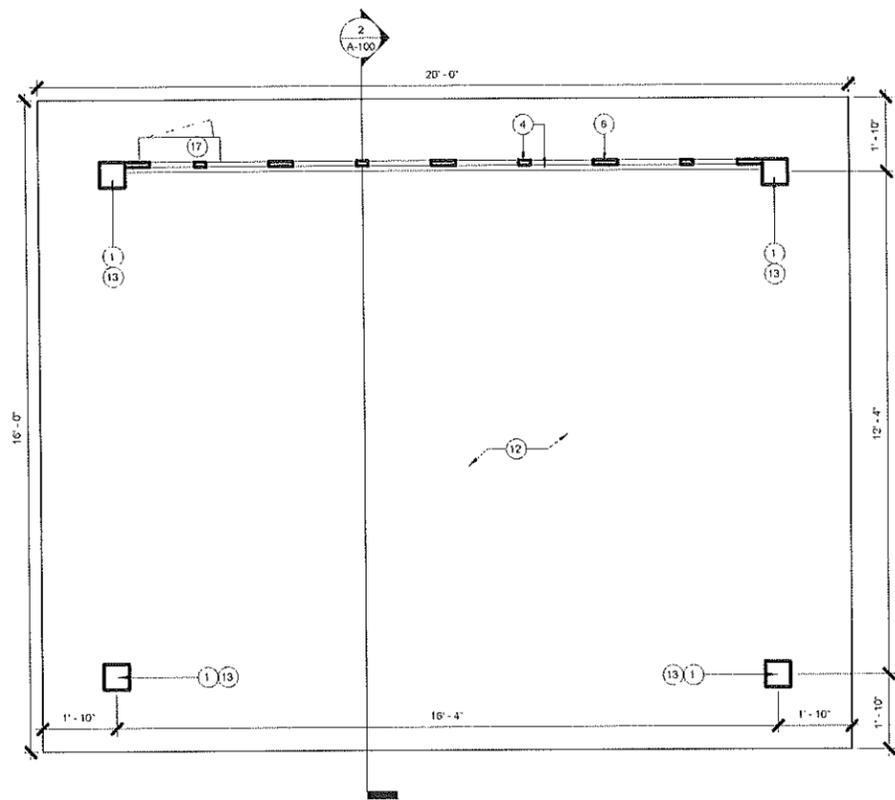


UTILITY CONNECTION DETAIL
Scale: 1" = 10'



SHEET TITLE: UTILITY PLAN

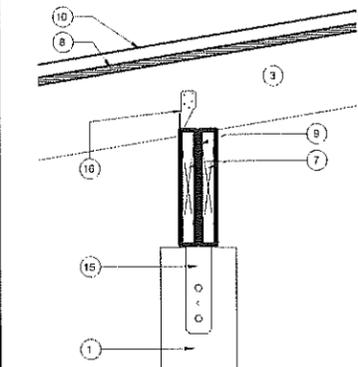
DRAWN BY:	KG
DESIGNED BY:	KG
PL REVIEW:	BEM
QA/QC REVIEW:	BEM
DATE:	07-15-2021



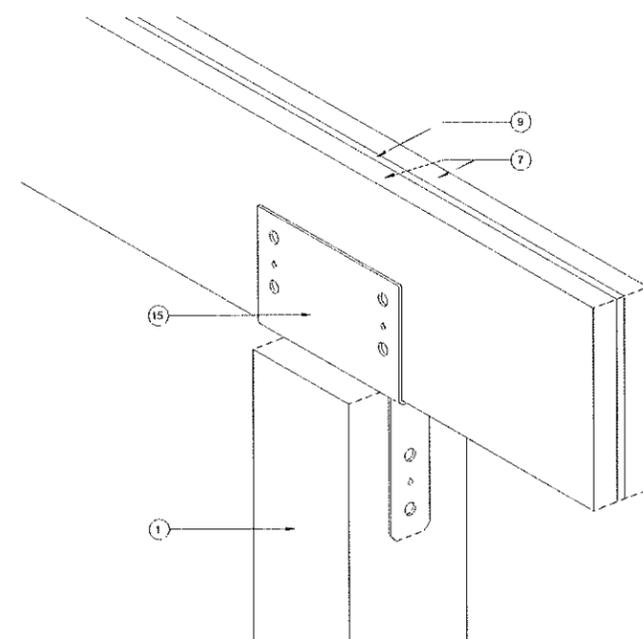
FLOOR PLAN NOTES	
KEY	NOTE
1	8 x 8 TREATED WOOD POST.
2	BEAM COMPOSED OF 1/2" WEATHER TREATED PLYWOOD BETWEEN TWO (2) 2x12 TREATED WOOD FRAMING MEMBERS.
3	2 x 8 TREATED WOOD RAFTER. TO BE INSTALLED 16" O.C.
4	2 x 4 TREATED WOOD FRAMING MEMBER.
5	2 x 6 TREATED WOOD FRAMING MEMBER.
6	2 x 8 TREATED WOOD FRAMING MEMBER.
7	2 x 12 TREATED WOOD FRAMING MEMBER.
8	3/4" TREATED PLYWOOD.
9	1/2" TREATED PLYWOOD.
10	METAL PANEL ROOF.
11	1 x 6 FASCIA PANEL.
12	FINISHED CONCRETE SLAB.
13	SIMPSON STRONGTIE POST BASE ABU88HDG OR EQUIVALENT. SEE 6/A-100 FOR DETAILS.
14	HAMMERDRILL AND INSERT TWO (2) SIMPSON STRONG-TIE THDB62812H6SS STAINLESS STEEL FASTENERS OF EQUIVALENT.
15	SIMPSON STRONG-TIE COLUMN CAP CC48 OR EQUIVALENT. SEE 4/A-100 FOR DETAILS.
16	SIMPSON STRONG-TIE RAFTER TIE H2.5A OR EQUIVALENT. SEE 5/A-100 FOR DETAILS.
17	ELECTRICAL PANEL INSTALLED ONTO REAR SLAT WALL. SEE ELECTRICAL DRAWINGS.

① Level 1
1/2" = 1'-0"

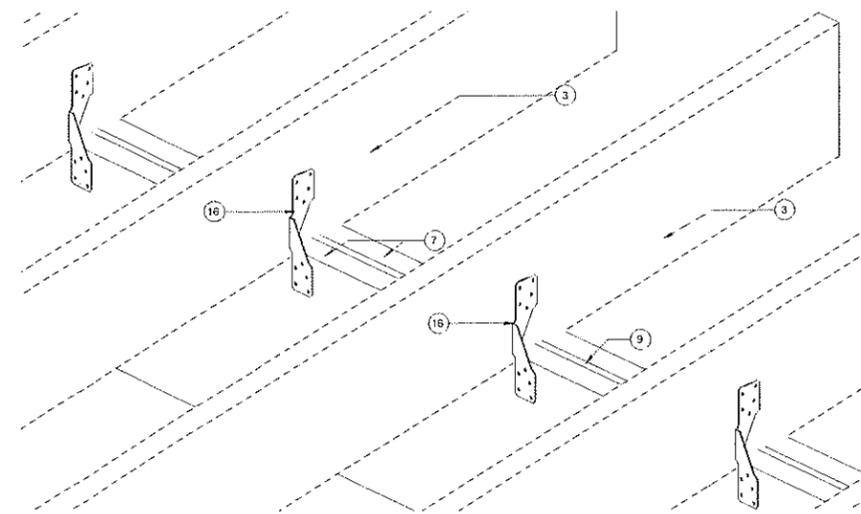
② CANOPY SECTION
1/2" = 1'-0"



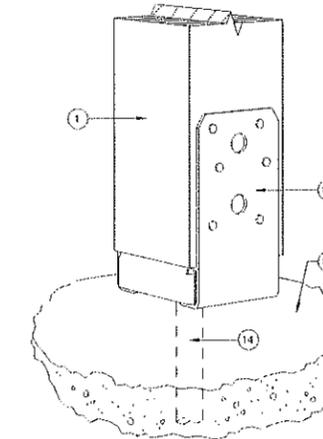
③ ENLARGED RAFTER SECTION DETAIL
2" = 1'-0"



④ ENLARGED COLUMN CAP ISOMETRIC DETAIL



⑤ ENLARGED RAFTER CONNECTION ISOMETRIC DETAIL



⑥ POST BASE DETAIL
3" = 1'-0"

ABU44
(ABU66, ABU88 similar)

FM TIEDEMANN
Construction

530 E. LEXINGTON AVE., SUITE 175, ELKHART, IN 46516
PHONE: (614) 522-0380 FAX: (614) 295-1711

Project Status
**Lexington Event Center
Parking Lot Canopy**
530 Lexington Ave., Elkhart, IN 46516

CERTIFICATION

DRAWN BY M V O

CHECKED BY Checker

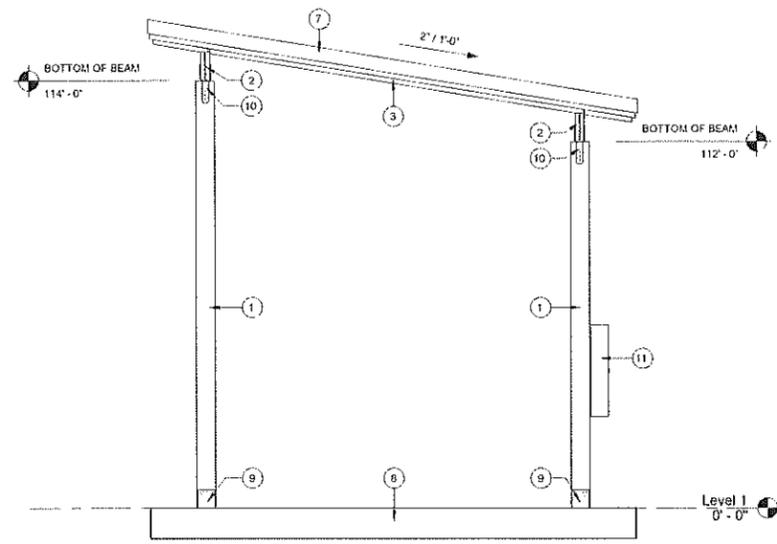
PROJECT NO LEX 530

REVISIONS	Date
Description	
#	

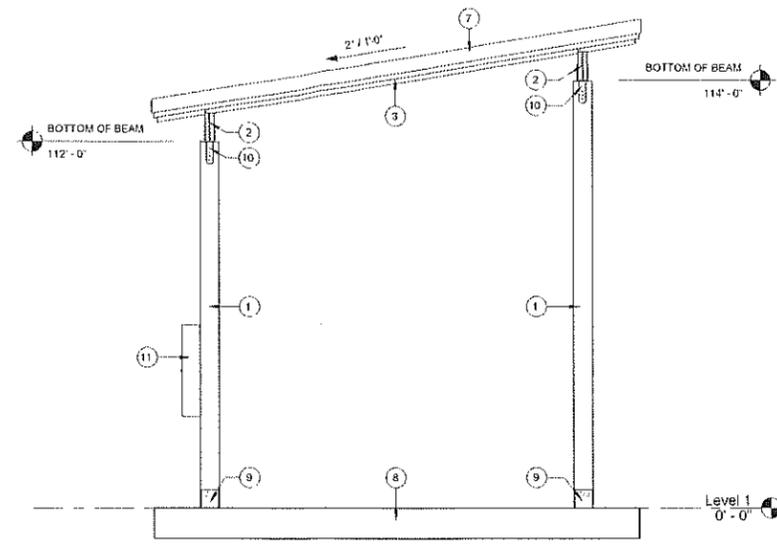
ISSUE DATE 03/07/21

FLOOR PLAN

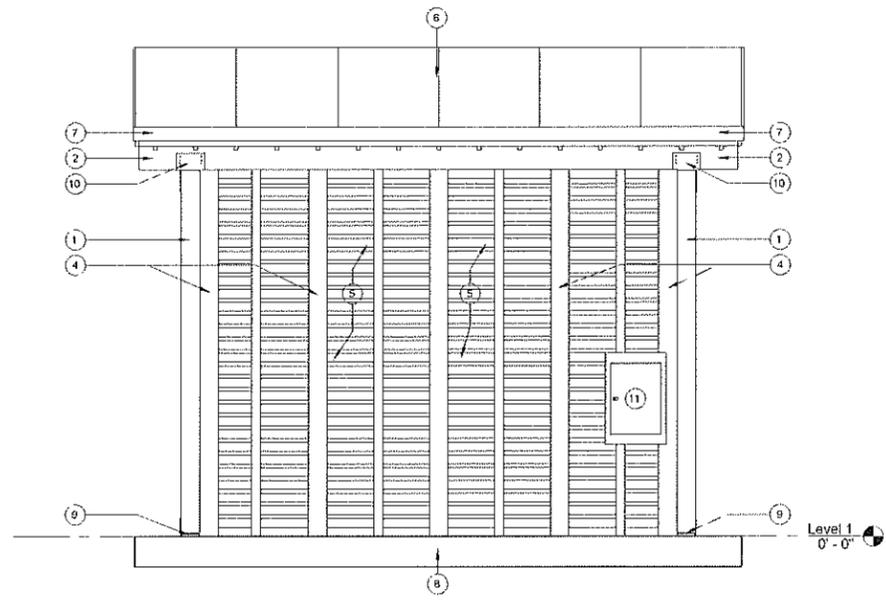
A-100



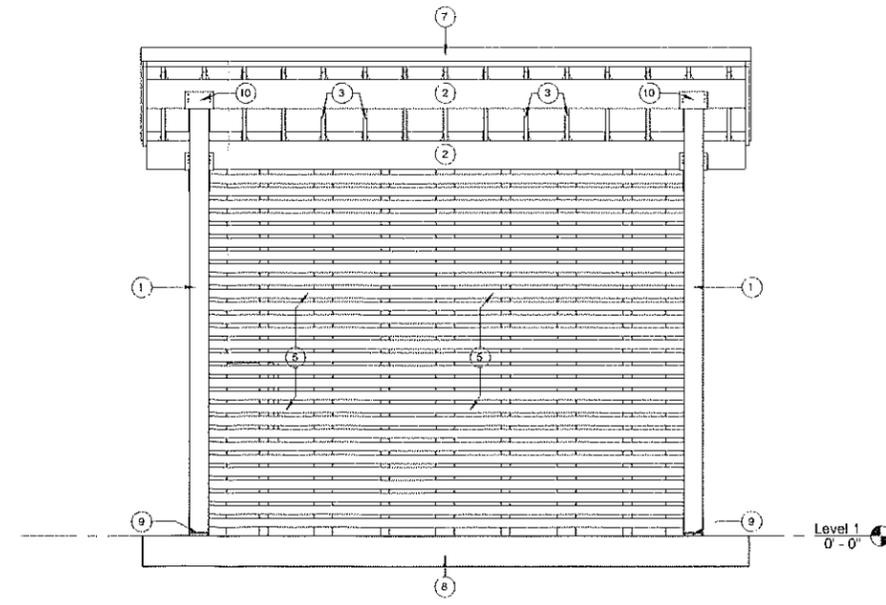
① EAST ELEVATION
3/8" = 1'-0"



② WEST ELEVATION
3/8" = 1'-0"



③ NORTH ELEVATION
3/8" = 1'-0"



④ SOUTH ELEVATION
3/8" = 1'-0"

ELEVATION NOTES	
KEY	NOTE
1	8 x 8 TREATED WOOD POST.
2	BEAM COMPOSED OF 1/2" WEATHER TREATED PLYWOOD BETWEEN TWO (2) 2x12 TREATED WOOD FRAMING MEMBERS.
3	2 x 8 TREATED WOOD RAFTER, TO BE INSTALLED 16" O.C.
4	2 x 8 TREATED WOOD FRAMING MEMBER.
5	2 x 4 TREATED WOOD FRAMING MEMBER.
6	METAL PANEL ROOF.
7	1 x 6 FASCIA PANEL.
8	FINISHED CONCRETE SLAB.
9	SIMPSON STRONGTIE POST BASE ABU88HDG OR EQUIVALENT. SEE 6/A-100 FOR DETAILS.
10	SIMPSON STRONGTIE COLUMN CAP CC48 OR EQUIVALENT. SEE 4/A-100 FOR DETAILS.
11	ELECTRICAL PANEL INSTALLED ONTO REAR SLAT WALL. SEE ELECTRICAL DRAWINGS.

FM TIEDERMANN Construction
 530 E. LEXINGTON AVE., SUITE 175, ELKHART, IN 46516
 PHONE: (574) 522-0330 FAX: (574) 295-1711

Project Status
**Lexington Event Center
 Parking Lot Canopy**
 530 Lexington Ave., Elkhart, IN 46516

REVISIONS	
#	Description

DRAWN BY: M V O
 CHECKED BY: Checker
 PROJECT NO. LEX 530
 ISSUE DATE 03/03/21



B-2 Setback requirements:
 Lot size - no minimum
 Frontage - 75 feet
 Front yard - 30 feet for building
 Side yards - 10 feet for building and 6 feet for drives
 Rear yard - 20 feet for building and 6 feet for drives
 Height - 35 feet
 Max lot coverage of structure - 50%

Exhibit for the request of the highlighted parcel to be re-zoned from B-1 to B-2