

AGENDA
ELKHART CITY PLAN COMMISSION
TUESDAY, January 6, 2025 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. To join, go to <http://coei.webex.com>, and enter **2316 677 6589** as the meeting number and **Plan2025** 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 Carla.Lipsey@coei.org prior to the meeting.

1. ROLL CALL
2. APPROVAL OF AGENDA
3. APPROVAL OF MINUTES OCTOBER 2024
4. APPROVAL OF PROOFS OF PUBLICATION

2025 ELECTION OF OFFICERS

5. NEW BUSINESS

**24-SUB-05 PETITIONER IS Habitat for Humanity of Elkhart County & KTK Properties LLC
PROPERTY IS LOCATED AT 3105 Homer Av**

Per Article 4 of the Subdivision Ordinance, approval of an amended Preliminary Plat for a subdivision known as 'Homer Avenue Subdivision,' to add an additional six (6) lots to the original ten (10)-lot subdivision request; a part of the Southeast Quarter of Section 16, Township 37 North, Range 5 East, Concord Township, Elkhart County, Indiana.

**24-Z-08 PETITIONER IS Vashu Motels, Inc.
PROPERTY IS LOCATED AT 2807 Cassopolis St.**

Per Section 29.11.B, Map Amendments, a request to rezone 2807 Cassopolis Street (02-20-454-018) which has two zoning classifications, from B-3, Service Business District, and M-1, Limited Manufacturing District to B-3, Service Business District for the entire parcel.

Staff Items

25-SI-01- Addressing

Approval of proposed addresses for the City of Elkhart.

6. ADJOURNMENT

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

LEGAL NOTICE #24-SUB-05

Hearing on proposed Major Subdivision #24-SUB-05

NOTICE is hereby given that the City of Elkhart Plan Commission will meet in the Council Chambers on the second floor of the Municipal Building, 229 South Second Street, Elkhart, Indiana on **MONDAY, JANUARY 6, 2025 at 1:45 P.M.** concerning the following request:

A public hearing will be conducted on Major Subdivision #24-SUB-05.

Petitioner: Habitat for Humanity of Elkhart County & KTK Properties LLC

Request: Per Article 4 of the Subdivision Ordinance, approval of an amended Preliminary Plat for a subdivision known as "Homer Avenue Subdivision," to add an additional six (6) lots to the original ten (10)-lot subdivision request; a part of the Southeast Quarter of Section 16, Township 37 North, Range 5 East, Concord Township, Elkhart County, Indiana.

Location: 3105 Homer Avenue

Zoning: R-2, One Family Dwelling District

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 <https://signin.webex.com/join>, enter the meeting number **2316 677 6589**, and "Plan2025" 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 Carla.Lipsey@coei.org prior to the meeting.

LEGAL DESCRIPTION:

LEGAL DESCRIPTION PER INSTR. #2023-15464 & 2024-19240 A PART OF THE SOUTHEAST QUARTER (1/4) OF SECTION SIXTEEN (16), TOWNSHIP THIRTY-SEVEN (37) NORTH, RANGE FIVE (5) EAST, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO WIT:

ASSUMING THE EAST LINE OF THE WEST ONE-HALF (1/2) OF THE EAST ONE-HALF (1/2) OF SAID QUARTER SECTION TO BE DUE NORTH AND SOUTH, COMMENCING AT AN IRON STAKE ON THE EAST LINE OF THE WEST ONE-HALF (1/2) OF THE EAST ONE-HALF (1/2) OF SAID QUARTER SECTION, WHICH IS THIRTY (30) FEET WEST AND ONE THOUSAND SEVEN HUNDRED THIRTY-NINE AND FORTY-ONE HUNDREDTHS (1,739.41) FEET SOUTH OF THE NORTHWEST CORNER OF LOT NUMBER TWENTY (20) IN CITY GARDENS AS THE SAME IS PLATTED AND RECORDED FOR THE BEGINNING POINT OF THIS DESCRIPTION; THENCE NORTH ONE HUNDRED SEVENTY-SEVEN AND FORTY-THREE HUNDREDTHS (177.43) FEET TO AN IRON STAKE; THENCE NORTH EIGHTY-NINE (89) DEGREES FORTY-FOUR (44) MINUTES WEST, APPROXIMATELY SIX HUNDRED TWENTY (620) FEET TO THE CENTER LINE OF THE COUNTY DITCH; THENCE SOUTHWESTWARDLY ALONG THE CENTER LINE OF SAID DITCH TO A POINT WHICH IS NORTH EIGHTY-EIGHT (88) DEGREES FIFTY-SIX (56) MINUTES WEST OF THE POINT OF BEGINNING; THENCE SOUTH EIGHTY-EIGHT (88) DEGREES FIFTY-SIX (56) MINUTES EAST, APPROXIMATELY SIX HUNDRED FORTY-FIVE (645) FEET TO THE PLACE OF BEGINNING.

LESS AND EXCEPTING:

A PART OF THE SOUTHEAST QUARTER (1/4) OF SECTION SIXTEEN (16), TOWNSHIP THIRTY-SEVEN (37) NORTH, RANGE FIVE (5) EAST, (BASED ON A SURVEY PERFORMED IN OCTOBER OF 2024 BY CAMERON BERON, INDIANA PROFESSIONAL LAND SURVEYOR, LICENSE NUMBER 21900005, WITH ABONMARCHE CONSULTANTS, JOB NUMBER 24-0526). MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE EAST LINE OF THE WEST ONE-HALF (1/2) OF THE EAST ONE-HALF (1/2) OF SAID QUARTER SECTION BEING MARKED BY A SET MAG NAIL WITH WASHER STAMPED "ABONMARCHE 0050", WHICH IS THIRTY (30) FEET WEST AND ONE THOUSAND SEVEN HUNDRED THIRTY-NINE AND FORTY-ONE HUNDREDTHS (1,739.41) FEET (RECORD DISTANCE) SOUTH OF THE NORTHWEST CORNER OF LOT NUMBER TWENTY (20) IN CITY GARDENS AS THE SAME IS PLATTED AND RECORDED FOR THE BEGINNING POINT OF THIS DESCRIPTION; THENCE NORTH 00°51'35" WEST (AS MEASURED), ALONG THE EAST LINE OF THE WEST HALF OF THE EAST HALF OF SAID SOUTHEAST QUARTER, 113.81 FEET TO A 5/8 INCH REBAR WITH CAP STAMPED "ABONMARCHE 0050"; THENCE SOUTH 89°24'24" WEST, 130.00 FEET TO A 5/8" REBAR WITH CAP STAMPED "ABONMARCHE 0050"; THENCE SOUTH 00°51'35" EAST PARALLEL WITH THE EAST LINE OF SAID WEST HALF, 111.09 FEET TO THE NORTH LINE OF A PARCEL OF LAND CONVEYED TO HABITAT FOR HUMANITY OF ELKHART COUNTY, INC. AS DESCRIBED AND RECORDED IN THE OFFICE OF THE RECORDER OF ELKHART COUNTY IN INSTRUMENT #2024-03080 AND MARKED BY A 5/8 INCH REBAR WITH CAP STAMPED "ABONMARCHE 0050"; THENCE SOUTH 89°23'50" EAST ALONG SAID NORTH LINE, 130.04 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION. CONTAINING 0.34 ACRES, MORE OR LESS. SUBJECT TO ANY EASEMENTS AND PUBLIC RIGHTS OF WAY OF RECORD.

LEGAL DESCRIPTION PER INSTR. #2024-03080

ASSUMING THE EAST LINE OF THE WEST ONE-HALF (1/2) OF THE EAST ONE-HALF (1/2) OF THE SOUTHEAST QUARTER (1/4) OF SECTION SIXTEEN (16), TOWNSHIP THIRTY-SEVEN (37) NORTH, RANGE FIVE (5) EAST TO BE DUE NORTH AND SOUTH; COMMENCING AT AN IRON STAKE ON THE EAST LINE OF THE WEST ONE-HALF (1/2) OF THE EAST ONE-HALF (1/2) OF THE SOUTHEAST QUARTER (1/4) OF SAID SECTION SIXTEEN (16) WHICH IS THIRTY (30) FEET WEST AND ONE THOUSAND NINE HUNDRED SIXTY-ONE AND FORTY-ONE HUNDREDTHS (1961.41) FEET SOUTH OF THE NORTHEAST CORNER OF LOT NUMBER TWENTY (20) IN CITY GARDENS AS THE SAME AS PLATTED AND RECORDED, FOR THE BEGINNING POINT OF THIS DESCRIPTION; THENCE NORTH TWO HUNDRED TWENTY-TWO (222) FEET TO AN IRON STAKE; THENCE NORTH EIGHTY-EIGHT (88) DEGREES FIFTY-SIX (56) MINUTES WEST APPROXIMATELY SIX HUNDRED FORTY-FIVE (645) FEET TO THE CENTER OF THE COUNTY DITCH; THENCE SOUTHWESTWARDLY ALONG THE CENTER OF SAID DITCH TO A POINT WHICH IS NORTH EIGHTY-NINE (89) DEGREES FORTY-FOUR (44) MINUTES WEST OF THE POINT OF BEGINNING; THENCE SOUTH EIGHTY-NINE (89) DEGREES FORTY-FOUR (44) MINUTES EAST APPROXIMATELY SIX HUNDRED SEVENTY-FIVE (675) FEET TO THE PLACE OF BEGINNING, BEING PART OF THE SOUTHEAST QUARTER OF SAID SECTION SIXTEEN (16), TOWNSHIP THIRTY-SEVEN (37) NORTH, RANGE FIVE (5) EAST IN ELKHART COUNTY, INDIANA, CONTAINING 3.45 ACRES, MORE OR LESS, AND BEING SUBJECT TO ALL EASEMENTS, RESTRICTIONS, AND PUBLIC RIGHTS OF WAY OF RECORD.

Arguments for and against the granting of the above-designated petition will be heard at this meeting.

PLEASE NOTE: A copy of this petition is on file in the Planning Office for public examination prior to the hearing. Written objections to this petition which are filed with the Secretary of the Commission, located in the Planning Office, prior to the hearing will be considered. The hearing may be continued from time to time as may be found necessary.

Dated at Elkhart, Indiana this the day of December 17th, 2024, by the City of Elkhart, Plan Commission.

Publication Date: 12/27/2024

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LEGAL NOTICE #24-Z-08

Hearing on proposed Rezoning #24-Z-08

NOTICE is hereby given that the City of Elkhart Plan Commission will meet in the Council Chambers on the second floor of the Municipal Building, 229 South Second Street, Elkhart, Indiana on **MONDAY, JANUARY 6, 2025 at 1:45 P.M.** concerning the following request:

A public hearing will be conducted on Rezoning #24-Z-08.

Petitioner: Vashu Motels, LLC

Request: Per Section 29.11.B, Map Amendments, a request to rezone 2807 Cassopolis Street (02-20-454-018) which has two zoning classifications, from B-3, Service Business District and M-1, Limited Manufacturing District to B-3, Service Business District for the entire parcel.

Location: 2807 Cassopolis Street

Zoning: B-3, Service Business District and M-1, Limited Manufacturing District

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 <https://signin.webex.com/join>, enter 2316 677 6589 as the meeting number, and "Plan2025" 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 Carla.Lipsey@coei.org prior to the meeting.

LEGAL DESCRIPTION:

A part of the Southeast Quarter (1/4) of Section Twenty (20), Township Thirty-eight (38) North, Range Five (5) East, more particularly described as follows:

Commencing on the West line of said Quarter Section at a point One Hundred Fifty-seven (157) feet North of a stone at the Southwest corner of said quarter section; thence Eastwardly, parallel with the South line of said quarter section, to a point that is Four Hundred Ninety-two (492) feet West of the centerline of the Cassopolis Road for the beginning point of this description; thence North parallel with the West line of said quarter section, One Hundred Five and Twenty-four Hundredths (105.24) feet to the South line of Comet Avenue; thence Eastwardly, parallel with the South line of said quarter section and along the South line of Comet Avenue, to the centerline of Cassopolis Road; thence Southwardly along the centerline of said Cassopolis Road, One Hundred Five and Thirty-nine Hundredths (105.39) feet; thence Westwardly parallel with the South line of said quarter section, Four Hundred Ninety-two (492) feet to the place of beginning. Subject to public highways.

EXCEPTING THEREFROM THE FOLLOWING: A part of the Southeast Quarter of Section 20, Township 38 North, Range 5 East, Elkhart County, Indiana, described as follows:

Commencing at the Southwest corner of said quarter section; thence North 0 degrees 07 minutes 14 seconds East 262.24 feet (distance deduced from Deed Record 251, Page 146) along the West line of said quarter section to the South boundary of Comet Avenue; thence South 89 degrees 27 minutes 46 seconds East 800.37 feet along the boundary of Comet Avenue to the point of beginning of this description, which point of beginning is on the West boundary of S.R. 19 (Cassopolis Road); thence South 2 degrees 30 minutes 46 seconds East 105.39 feet along the boundary of said S.R. 19 to the North line of 3¼ acre tract of land shown on the plat of Lake Drive a subdivision in said quarter section recorded in Plat Book 3, Page 24, in the Office of the Recorder of said county; thence North 89 degrees 27 minutes 46 seconds West 20.24 feet along said North line; thence North 2 degrees 40 minutes 26 seconds West 85.32 feet; thence North 41 degrees 36 minutes 36 seconds West 27.05 feet to the South boundary of said Comet Avenue; thence South 89 degrees 27 minutes 46 seconds East 37.56 feet along the boundary of said Comet Avenue to the point of beginning.

Arguments for and against the granting of the above-designated petition will be heard at this meeting.

PLEASE NOTE: A copy of this petition is on file in the Planning Office for public examination prior to the hearing. Written objections to this petition which are filed with the Secretary of the Commission, located in the Planning Office, prior to the hearing will be considered. The hearing may be continued from time to time as may be found necessary.

Dated at Elkhart, Indiana this 17th day of December 2024, by the City of Elkhart, Plan Commission.

Publication Date: 12/27/2024
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PLAN COMMISSION
-MINUTES-
Monday, October 7, 2024 - Commenced at 1:47 P.M. & adjourned at 2:35 P.M.
City Council Chambers – Municipal Building

Elkhart City Plan Commission was called to order by Dave Osborne at 1:47 P.M.

MEMBERS PRESENT

Tory Irwin
Dave Osborne
Dan Boecher
Diana Lawson
Rochali Newbill
Aaron Mishler
Ron Davis
Christopher Baiker

REPRESENTING THE PLANNING DEPARTMENT

Eric Trotter, Assistant Director of Planning

LEGAL DEPARTMENT

, Corporation Counsel

RECORDING SECRETARY

Carla Lipsey

APPROVAL OF AGENDA

Motion to approve by Mishler; Second by Lawson. Voice vote carries

APPROVAL OF PROOF OF PUBLICATION

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

APPROVAL OF MINUTES

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

NEW BUSINESS

24-Z-06 PETITIONER IS J Arms, LLC

PROPERTY IS LOCATED AT 203 N. Nappanee Street; Parcel 20-05-01-427-007.000-006

Per Section 29.11.B, Map Amendments, a request to rezone 203 N. Nappanee Street (05-01-427-007) from R-2, One Family Dwelling District to O, Office District.

STAFF ANALYSIS

The petitioner is requesting a rezoning from R-2, One Family Dwelling District to O, Office District. The single-family dwelling is directly north of the petitioner's medical practice. The property is used as overflow conference space as well as storage.

Staff supports the request and looks at it this way. The Office District reflects what and how the structure is being used. With the amended zoning, it would also allow the petitioner to expand the medical practice to the north as a 'by right' project. The property sits among other Office District uses. There will be no outward change to the building.

Staff Recommendation

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

- 1) The proposed rezoning is compatible with the Future Land Use map, which calls for the area 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 the existing structure is being used as an office use and will blend well with the surrounding office uses;
- 3) The O, Office District does allow for the most desirable uses for which the land can be adapted;
- 4) The proposed rezoning will preserve the conservation of property values throughout the City because it is adjacent to other commercial uses;
- 5) The rezoning of the property to O, Office District is compatible with the surrounding properties and does reflect responsible growth and development, because the use of the property is no longer residential and the current usage of the site matches the Office District.

Trotter indicates that 14 letters were mailed, and none were returned.

Osborne asks if there are questions from the Commission.

Osborne inquires whether a public hearing will be held.

Trotter informs that the applicant is currently online.

Osborne calls the petitioner forward.

Kaylee Janowski is representing J Arms LLC. The petitioner is requesting approval to rezone the property from R-2 (One Family Dwelling District) to O (Office District). Currently, the property is used as overflow conference space and storage. They wish to convert it into office space but are unable to do so due to the existing residential zoning.

Irwin asks if there are questions from the Commission.

Irwin asks if you own the parcel located to the south of your property.

The petitioner states that we own 111 N. Nappanee. If you are looking directly at it, it's to the left.

Irwin mentions that Trotter is nodding his head in agreement.

Irwin states that as part of this rezoning, I would like to add a condition requiring that cross access be established between the parking lots to provide ingress and egress options.

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

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

Irwin calls for a motion.

Lawson makes a motion to **approve** 24-Z-06 with a Do-Pass Recommendation to Common Council with listed conditions; Second by Boecher. Motion carries

Davis -Yes
Boecher-No
Lawson-Yes
Baiker-Yes
Mishler-Yes
Osborne-Yes
Irwin-Yes

24-FSP-05 PETITIONER IS 3220 Southview Drive
PROPERTY IS LOCATED AT 3220 Southview Drive

As required by Section 20.10.B seeking approval for an Amendment to a Final Site Plan for up to an additional twenty-seven (27) parking spaces for a proposed veterinary clinic at 3220 South View Drive.

Staff Analysis

The petitioner owns a 1.00-acre lot in the Northpoint Plaza development off Cassopolis Street. The final site plan amendment requested is for additional parking to serve the new commercial use as a veterinary clinic. The plan calls for an additional 27 parking spaces. These spaces are in addition to the existing 17 spaces that currently serve the building.

The use of a veterinary clinic is permitted within the PUD. Our current parking standards don't specifically provide a standard for vet clinics – our closest is a medical clinic which calls out 1 space for every 250 square feet. For this building that would permit up to 26 spaces. The need for the new parking comes from the new owner which based their needs on previous experience at other facilities they operate.

Recommendation

The Staff recommends approval of the final site plan based on the following findings of fact:

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

Trotter indicates that 10 letters were mailed, and 1 returned in favor.

Irwin calls the petitioner forward.

Luigi Randazzo, from RWE 1303 Ogden Ave, Downers Grove, IL is the architect representing the petitioner seeking approval for an existing 6,000-square-foot for the use of a veterinary clinic, The plan calls for an additional 27 parking spaces. These spaces are in addition to the existing 17 spaces that currently serve the building. We have completed the technical review with the Elkhart City staff. We are aiming to start construction in October, which will include the installation of pole lighting for the expanded parking lot.

Irwin asks if there are questions from the Commission.

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

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

Irwin asks Trotter if this location is across the street from SAM.

Trotter responds that this is the former MJB building.

Irwin asked if they had relocated.

Trotter confirms that they have relocated to County Road 6.

Irwin calls for a motion.

Mishler makes a motion to **approve** 24-FSP-05 with a Do-Pass Recommendation; Second by Davis. Motion carries

Boecher-Yes

Mishler-Yes

Davis-Yes

Baiker-Yes

Lawson-Yes

Newbill-Yes

Osborne-Yes

Irwin-Yes

24-Z-07 PETITIONER IS R B REALTY LLC

PROPERTY IS LOCATED AT 2520 and 2526 Bypass Road

Per Section 29.11.B, Map Amendments, a request to rezone 2520 and 2526 Bypass Road (05-01-426-007 and 05-01-401-011) from M-1, Limited Manufacturing District to R-4, Multiple Family Dwelling District.

Staff Analysis

The petitioner is requesting a rezoning from M-1, Limited Manufacturing District to R-4, Multiple Family Dwelling District with the intent of constructing 138 apartments across three buildings. The site is located on the north side of Bypass Road. It is directly across the street from West Side Middle School and within three blocks of Mary Daly Elementary School – allowing for any children in the development the opportunity to walk to school.

Long established as an industrial corridor, the uses along Bypass Road over time have changed and become far less intense. Over the last 10-15 years, new business investment and land redevelopment have evolved this segment of Bypass Road, including the introduction of senior living, and are helping to transform it into a more vibrant commercial gateway. This primary street into Elkhart will continue to transform as more commercial investment occurs. These residential units will support the existing and newer businesses in the area and the community.

The Boiling Eye Center at the west end of the corridor, the Tom Naquin and Harold Ziegler new car showrooms, the Hellenic Senior Living Center and to the east at Nappanee Street, the new commercial center with Jimmy Johns, Dunkin Donuts, and I Heart Mac and Cheese - are examples of new and existing commercial businesses that have invested along the corridor.

This project also helps our community continue to address the shortage of residential dwelling units as highlighted in the Zimmerman Volk study. Currently, the project is being designed to be accessible to the area's workforce, including those earning between 80-120% of the Area Median Income (AMI). The final layout for the project has not yet been finalized.

However, the project will be required to be submitted for review at Technical Review and by the Building Department before permits are issued. The project will also be required to submit a minor subdivision to establish new lots of records.

This rezoning request activates land that was formerly the Skyline Corporate Headquarters. A core component of the project includes the transition of the former Headquarters building into residential apartments, along with the construction of new units. Skyline Industries and its founder have a strong legacy in the City of Elkhart and in honor of company founder and former CEO, Art Decio, the project will be known as Decio Park.

Staff Recommendation

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

- 1) The proposed rezoning is compatible with the Future Land Use map, which calls for the area 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 the proposed multifamily development will blend well with the surrounding commercial uses;
- 3) The R-4 District does allow for the most desirable uses for which the land can be adapted;
- 4) The proposed rezoning will preserve the conservation of property values throughout the City because the redevelopment as multifamily residential will complement the existing commercial uses in the area and represents a significant investment in a property that has been vacant for a number of years;
- 5) The rezoning of the property to R-4, Multi Family Dwelling District is compatible with the surrounding properties and does reflect responsible growth and development as this use will help our community address the housing shortage and will activate a former corporate headquarters with quality redevelopment.

Trotter indicates that 4 letters were mailed, and 0.

Irwin asks if there are questions from the Commission.

Newbill inquiries about the presence of existing sidewalks and the number of entries and exits in that plan.

Trotter mentions that the number of entries and exits has not yet been determined, but new sidewalks will be installed as part of this project.

Mishler asks if there are any environmental concerns or remediation needed due to the property being formally zoned as Manufacturing.

Trotter responds that the petitioner's agent is in the audience, and it's very likely that no action will be taken.

Irwin calls the petitioner forward.

Angela Smith from Danch Harner & Associates, located at 1643 Commerce Drive, South Bend, Indiana, is representing the petitioner. The Petitioner is requesting approval to rezone the property to the R-4 district. We believe this location is ideal for the proposed multi-family use. The designer is also online and will share more details about the project.

Newbill inquires whether this project will be affordable rentals or upscale.

Smith replied, I will let Carter handle that question.

Carter Edman, the director of design at Marous Brothers Design, has stated that the intention behind the project is to provide affordable housing. This initiative is considered a legacy project, and the Boling is deeply committed to supporting Elkhart's long-term housing needs for working families in the area. The plan is to preserve the existing headquarters building while developing new buildings that will complement the current structures.

Irwin asks if there are questions from the Commission.

Mishler inquired about how the 80-120% median income range translates into monthly figures for individuals.

Edman replies that we haven't addressed the project's financials, which are still underdeveloped. I can only discuss the design and architectural aspects of the project.

Newbill asks, Once approved, how soon do you expect to have this completed and online.

Edman stated that they would like to expedite the design process and hope to begin construction in 2025, depending on financing. The construction will be phased, and they anticipate a mobilization period. Overall, they expect the construction to take about two years.

Mishler questions whether there are concerns about the existing infrastructure, considering that 138 units could generate a significant amount of traffic in the area, as well as issues related to water and sewer systems.

Smith replied that we have been working with the City of Elkhart and are scheduled to survey the property. We will continue to move forward with the subdivision to create a buildable lot, and we do not anticipate any issues with traffic or utilities. Additionally, we have reached out to MACOG to explore public transportation options to the site.

Irwin expresses enthusiasm about the project, noting that the housing market is in great demand. He highlights that the location is excellent due to existing infrastructure, which can accommodate traffic needs. He is confident that the applicant will collaborate closely with the city. However, he has one concern: the need for sidewalks and safe access to schools. Ensuring that children can cross the street safely is critical, and he believes the applicant is aware of this issue.

Smith responded that they would collaborate closely with the schools.

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

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

Osborne calls for a motion.

Mishler makes a motion to **approve** 24-Z-07 with a Do-Pass Recommendation to Common Council with listed conditions; Second by Davis. Motion carries

Mishler -Yes

Baiker-Yes

Boecher-Abstain

Newbill-Yes

Lawson-Yes

Davis-Yes

Osborne-Yes

Irwin-Yes

**24-FSP-06 PETITIONER IS A and L Properties Inc. and Kyle Miller Ten Com
PROPERTY IS LOCATED AT Lot 14 of Parkway at 17- currently vacant**

As required by Section 20.7.B seeking approval for a Final Site Plan for a new 27,604 sq. ft. commercial building with associated parking on Lot 14 of the Parkway at 17 development.

Staff Analysis

The petitioner owns a 2.76-acre lot (Lot 14) in the Parkway at 17 development off County Road 17. The final site plan request is for the construction of a 27,604 sq ft commercial building with associated parking. The building is proposed for the east side of the street north of Verdant.

The project was submitted for Tech Review and has been approved. The approval at the Plan Commission for the final site plan is the last step prior to the petitioner obtaining building permits.

Staff Recommendation

The Staff recommends approval of the final site plan based on the following findings of fact:

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 the City's Technical Review process;
4. The use conforms to the Comprehensive Plan which calls for commercial uses;

The proposed use should not be detrimental to the property values of adjacent properties.

Trotter indicates that 2 letters were mailed, and 0 returned.

Irwin asks if there are questions from the Commission.

Irwin calls the petitioner forward.

Andrew Cunningham from JPR, located at 325 S. Lafayette Blvd, South Bend, Indiana, is representing the petitioner. The petitioner is seeking approval for a final site plan for a new 27,604 sq. ft. commercial building with associated parking on Lot 14 of the Parkway at 17 development.

Martin Marketing will be providing embroidery and screen printing services for various organizations and businesses throughout the community. The site is designed to feature a facade at the street front, with parking situated behind it. Utilities will be connected from Parkway Avenue, and sidewalks will be located along the street. Stormwater will be managed on-site, with a retention basin to the east, accompanied by landscaping.

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

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

Mishler requests a timeline.

Cunningham mentioned that we would like to begin construction as soon as possible.

Mishler continues to inquire about any jobs that may be moving or created here.

Cunningham responds that they will be relocating from their current site to the proposed location with approximately 20 to 25 full-time employees.

Newbill inquires whether they are referring to existing employees or the total number of employees.

Cunningham states that there will be a total of employees, most of whom will be moving from their current location, with some planned expansion.

Newbill will continue, so there will be no need for additional employees.

Cunningham replies that they currently have over 20 employees and plan to add 4 to 5 employees.

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

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

Irwin calls for a motion.

Mishler makes a motion to **approve** 24-FSP-06 with a Do-Pass Recommendation; Second by Newbill. Motion carries

Davis-Yes
Baiker-Yes
Newbill-Yes
Mishler- Yes
Lawson-Yes
Boecher-Yes
Osborne-Yes
Irwin-Yes

NEW BUSINESS

STAFF ITEMS

24-SI-07

Addressing

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

Residential

1900 W. Franklin Street – Apt 1, 2, 3, 4

Commercial

2604 Jeanwood Drive

Recommendation

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

Irwin calls for a motion.

Davis makes a Motion to **approve** 24-SI-07 with a Do-Pass Recommendation; Second by Newbill
Motion carries

ADJOURNMENT

Irwin calls for a motion to adjourn the meeting. Mishler approves the motion to adjourn and is seconded by Newbill. The meeting is adjourned and all are in favor.

Tory Irwin, President

Dave Osborne, Vice-President

DRAFT



Staff Report

Planning & Zoning

Petition: 24-SUB-05

Petition Type: Subdivision

Date: January 6, 2025

Petitioner: Habitat for Humanity of Elkhart County

Site Location: 3105 Homer Avenue

Request: Per Article 4 of the Subdivision Ordinance, approval of an amended Preliminary Plat for a subdivision known as 'Homer Avenue Subdivision,' to add an additional six (6) lots to the original ten (10)-lot subdivision request; a part of the Southeast Quarter of Section 16, Township 37 North, Range 5 East, Concord Township, Elkhart County, Indiana.

Existing Zoning: R-2, One-Family Dwelling District

Size: +/- 5.89 Acres

Thoroughfares: Homer Avenue

School District: Elkhart Community Schools

Utilities: Available and provided to site.

Plan Commission Action: Approval or disapproval with conditions; Final Plat submitted to Plat Committee for final approval.

Surrounding Land Use & Zoning:

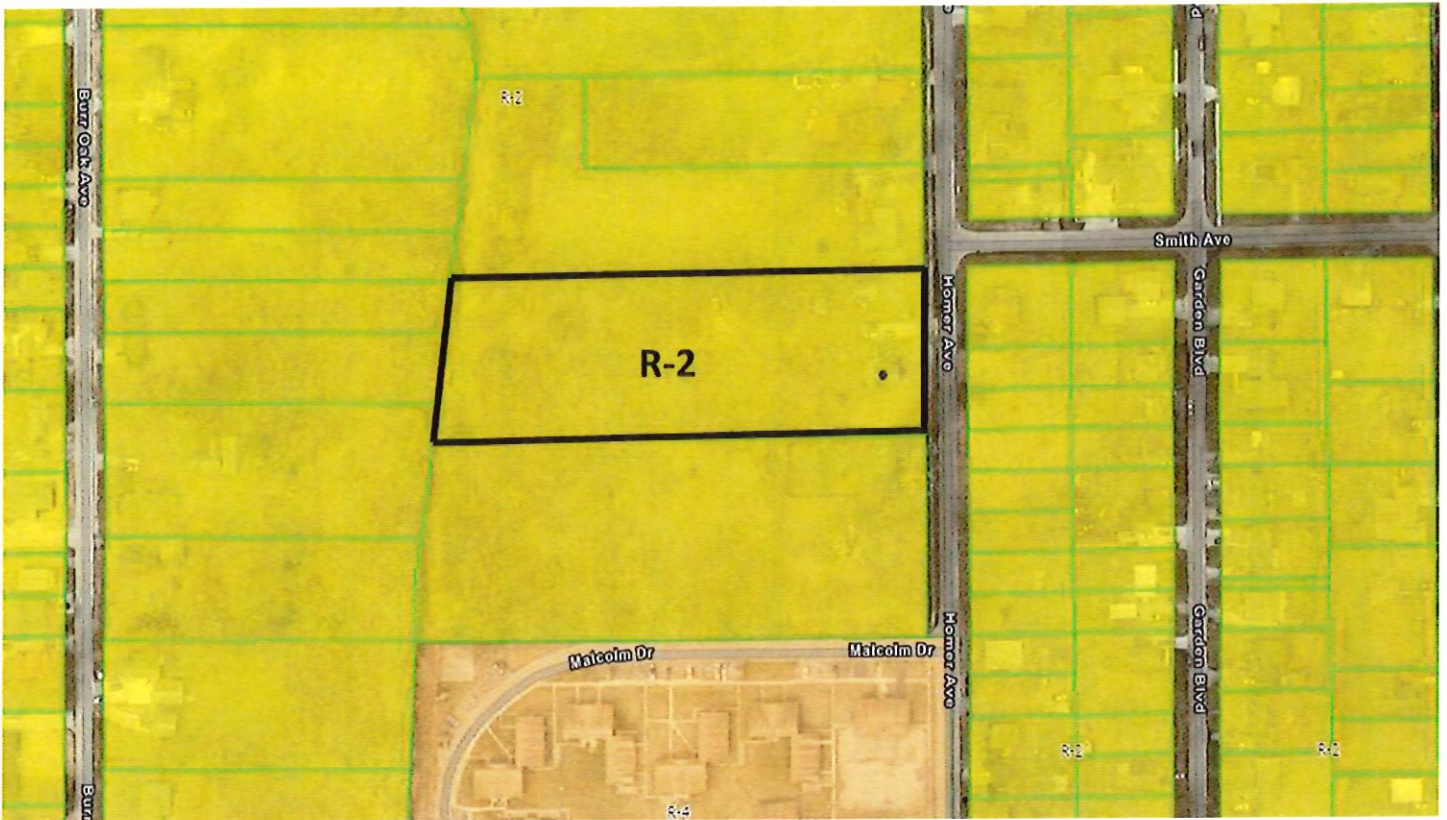
The subject property is surrounded by residential uses. Land to the north, east and west are residential zoned R-2 and land to the south is zoned R-4.

Applicable Sections of the Zoning Ordinance:

Article 4 of the Subdivision Ordinance

Comprehensive Plan:

The Comprehensive Plan calls for the land to be developed with residential uses.



Staff Analysis

The request is to amend the Preliminary Plat for the subdivision known as 'Homer Avenue Subdivision.' The amendment will add an additional six (6) lots to the original ten (10)-lot subdivision approved by this body in August 2024. The land is located in a part of the Southeast Quarter of Section 16, Township 37 North, Range 5 East, Concord Township, Elkhart County, Indiana.

The petitioner is purchasing land north of the previously approved subdivision to add an additional six (6) lots to the ten (10) previously approved. This request would bring the total acreage to approximately 5.89 acres (including right-of-way). The property is zoned R-2; single family residences are a permitted use in the R-2 District and have a minimum house size of 950 square feet; in the case of two-story houses the first floor must contain 600 square feet.

This phase also has an existing single family dwelling. It is owned by the seller and will remain owned by KTK Properties. The proposed subdivision will incorporate the home as the proposed Lot 16.

The planned layout will finish the connection to phase one out to Homer Avenue. The new phase will connect to the planned retention found in phase one. The layout will also include five-foot sidewalks to facilitate pedestrian use. This plat includes required setbacks that demonstrate that each lot is buildable.

The west boundary of this subdivision is Manning Ditch, which is a county regulated drain. All construction will be outside the required 75' setback. The petitioner is seeking permission to overflow into the ditch for storm water. At the time of the writing of this report – the approval from the Elkhart County Drainage Board was not finalized.

The project meets the requirements of the Zoning and Subdivision Ordinances including lot size, layout, and street width. It has not been submitted yet to the city's Technical Review process but will be required to do so and pass prior to construction.

Staff Recommendation

Per IC 36-7-4-702, a plan commission must consider when determining whether to grant primary/preliminary approval of a plat, the plan commission shall determine if the plat or subdivision qualifies for primary/preliminary approval under the standards prescribed by the subdivision control ordinance.

Under the 700 Series of the Indiana Code Statues, the review of primary/preliminary plats are ministerial and if the proposed preliminary/primary plat has adhered to all of the requirements prescribed by the subdivision control ordinance, the plan commission must grant approval, thereby,

The City of Elkhart Planning Staff has reviewed the subject petition and recommends **approval** to amend the Preliminary Plat for a subdivision to be known as 'Homer Avenue Subdivision,' for a now sixteen (16)-lot subdivision; a part of the Southeast Quarter of Section 16, Township 37 North, Range 5 East, Concord Township, Elkhart County, Indiana.

The lots meet the minimum lot area requirements for the R-2, One-Family Dwelling District;

- 1) All 16 (adding 6 with this request) proposed single-family lots meet all of the bulk standards of the R-2 Zoning District, One-Family Dwelling District, specifically, minimum lot size, lot frontage, and property development setbacks;
- 2) In review of the proposed preliminary plat for a new major subdivision, Staff finds the petitioner has demonstrated compliance with all the enacted regulations of both the City of Elkhart Zoning and Subdivision Control Ordinance.

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



PETITION #: 24-sub-05

FILING FEE: \$ 500.00 —

PETITION to the PLAN COMMISSION

PETITION TYPE: MAJOR SUBDIVISION

Property Owner(s): Habitat for Humanity of Elkhart County & KTK Properties LLC

Mailing Address: P.O. Box 950, Goshen, IN 46527-0950 & 213 Travis Ct Millersburg, In 46543

Phone #: 574-537-9276 Email: betty@habitatec.com

Contact Person: Crystal M. Welsh, Abonmarche Consultants, inc.

Mailing Address: 303 River Race Drive, Unit 206, Goshen, IN 46526

Phone #: 574-314-1027 Email: cwelsh@abonmarche.com

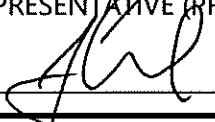
Subject Property Address: 3105 Homer, Elkhart, In 46517

Zoning: R-2

Present Use: vacant home and land Proposed Use: new major residential subdivision

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) OR REPRESENTATIVE (PRINT): Greg Couval

SIGNATURE(S):  DATE: 11/18/2024

STAFF USE ONLY:

Staff Checklist for the applicant's submittal of a complete Petition to the Plan Commission docket:

- A completed Petition form signed by the legal owner of record (or approved representative).
- A completed Application for Approval of a New Subdivision.
- If any person other than the legal owner or the legal owner's attorney files the appeal, written and signed authorization from the property owner must be supplied.
- A full and accurate legal description of the property.
- One to scale drawing of the property. If larger than 11" x 17", 12 copies must be submitted.
- One copy of the Appeal Letter signed in ink by the owner (or representative) of the property. (Optional)
- Any other information listed in the Instructions and Filing Procedure for this type of Petition.

Ordinance Requirement: Section(s): _____

Map #: _____ Area: _____

RECEIVED BY: _____ DATE: _____

City of Elkhart

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

Date: November 14, 2024

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:

Amended Preliminary Plat of Homer Avenue Subdivision

Said Subdivision is legally described as follows: (attach legal description).

LEGAL DESCRIPTION PER INSTR. #2023-15464 & 2024-19240

A PART OF THE SOUTHEAST QUARTER (1/4) OF SECTION SIXTEEN (16), TOWNSHIP THIRTY- SEVEN (37) NORTH, RANGE FIVE (S) EAST, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO WIT:

ASSUMING THE EAST LINE OF THE WEST ONE-HALF (1/2) OF THE EAST ONE-HALF (1/2) OF SAID QUARTER SECTION TO BE DUE NORTH AND SOUTH, COMMENCING AT AN IRON STAKE ON THE EAST LINE OF THE WEST ONE-HALF (1/2) OF THE EAST ONE-HALF (1/2) OF SAID QUARTER SECTION, WHICH IS THIRTY (30) FEET WEST AND ONE THOUSAND SEVEN HUNDRED THIRTY-NINE AND FORTY-ONE HUNDREDTHS (1,739.41) FEET SOUTH OF THE NORTHWEST CORNER OF LOT NUMBER TWENTY (20) IN CITY GARDENS AS THE SAME IS PLATTED AND RECORDED FOR THE BEGINNING POINT OF THIS DESCRIPTION; THENCE NORTH ONE HUNDRED SEVENTY-SEVEN AND FORTY-THREE HUNDREDTHS (177.43) FEET TO AN IRON STAKE; THENCE NORTH EIGHTY-NINE (89) DEGREES FORTY-FOUR (44) MINUTES WEST, APPROXIMATELY SIX HUNDRED TWENTY (620) FEET TO THE CENTER LINE OF THE COUNTY DITCH; THENCE SOUTHWESTWARDLY ALONG THE CENTER LINE OF SAID DITCH TO A POINT WHICH IS NORTH EIGHTY-EIGHT (88) DEGREES FIFTY- SIX (56) MINUTES WEST OF THE POINT OF BEGINNING; THENCE SOUTH EIGHTY-EIGHT (88) DEGREES FIFTY-SIX (56) MINUTES EAST, APPROXIMATELY SIX HUNDRED FORTY-FIVE (645) FEET TO THE PLACE OF BEGINNING.

LESS AND EXCEPTING:

A PART OF THE SOUTHEAST QUARTER (1/4) OF SECTION SIXTEEN (16), TOWNSHIP THIRTY- SEVEN (37) NORTH, RANGE FIVE (5) EAST, (BASED ON A SURVEY PERFORMED IN OCTOBER OF 2024 BY CAMERON BERON, INDIANA PROFESSIONAL LAND SURVEYOR, LICENSE NUMBER 21900005, WITH ABONMARCHE CONSULTANTS, JOB NUMBER 24-0526). MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE EAST LINE OF THE WEST ONE-HALF (1/2) OF THE EAST ONE-HALF (1/2) OF SAID QUARTER SECTION BEING MARKED BY A SET MAG NAIL WITH WASHER STAMPED "ABONMARCHE 0050", WHICH IS THIRTY (30) FEET WEST AND ONE THOUSAND SEVEN HUNDRED THIRTY-NINE AND FORTY-ONE HUNDREDTHS (1,739.41) FEET (RECORD DISTANCE) SOUTH OF THE NORTHWEST CORNER OF LOT NUMBER TWENTY (20) IN CITY GARDENS AS THE SAME IS PLATTED AND RECORDED FOR THE BEGINNING POINT OF THIS DESCRIPTION; THENCE NORTH 00°51'35" WEST (AS MEASURED), ALONG THE EAST LINE OF THE WEST HALF OF THE EAST HALF OF SAID SOUTHEAST QUARTER, 113.81 FEET TO A 5/8 INCH REBAR WITH CAP STAMPED "ABONMARCHE 0050"; THENCE SOUTH 89°24'24" WEST, 130.00 FEET TO A 5/8" REBAR WITH CAP STAMPED "ABONMARCHE 0050"; THENCE SOUTH 00°51'35" EAST PARALLEL WITH THE EAST LINE OF SAID WEST HALF, 111.09 FEET TO THE NORTH LINE OF A PARCEL OF LAND CONVEYED TO HABITAT FOR HUMANITY OF ELKHART COUNTY, INC. AS DESCRIBED AND RECORDED IN THE OFFICE OF THE RECORDER OF ELKHART COUNTY IN INSTRUMENT #2024-03080 AND MARKED BY A 5/8 INCH REBAR WITH CAP STAMPED "ABONMARCHE 0050"; THENCE SOUTH 89°23'50" EAST ALONG SAID NORTH LINE, 130.04 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION. CONTAINING 0.34 ACRES, MORE OR LESS. SUBJECT TO ANY EASEMENTS AND PUBLIC RIGHTS OF WAY OF RECORD.

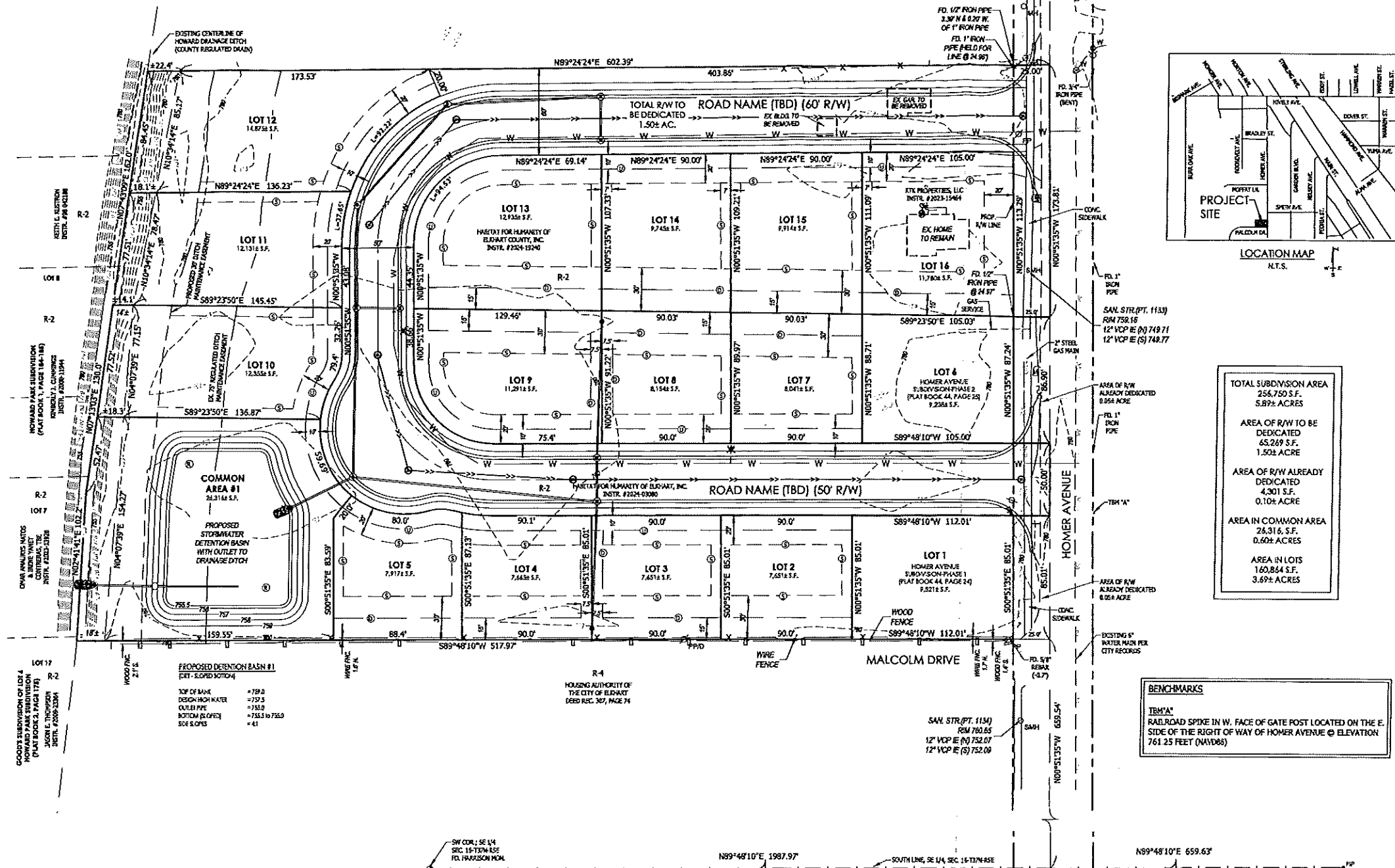
LEGAL DESCRIPTION PER INSTR. #2024-03080

ASSUMING THE EAST LINE OF THE WEST ONE-HALF (1/2) OF THE EAST ONE-HALF (1/2) OF THE SOUTHEAST QUARTER (1/4) OF SECTION SIXTEEN (16), TOWNSHIP THIRTY-SEVEN (37) NORTH, RANGE FIVE (5) EAST TO BE DUE NORTH AND SOUTH; COMMENCING AT AN IRON STAKE ON THE EAST LINE OF THE WEST ONE-HALF (1/2) OF THE EAST ONE-HALF (1/2) OF THE SOUTHEAST QUARTER (1/4) OF SAID SECTION SIXTEEN (16) WHICH IS THIRTY (30) FEET WEST AND ONE THOUSAND NINE HUNDRED SIXTY-ONE AND FORTY-ONE HUNDREDTHS (1961.41) FEET SOUTH OF THE NORTHEAST CORNER OF LOT NUMBER TWENTY (20) IN CITY GARDENS AS THE SAME AS PLATTED AND RECORDED, FOR THE BEGINNING POINT OF THIS DESCRIPTION; THENCE NORTH TWO HUNDRED TWENTY-TWO (222) FEET TO AN IRON STAKE; THENCE NORTH EIGHTY-EIGHT (88) DEGREES FIFTY-SIX (56) MINUTES WEST APPROXIMATELY SIX HUNDRED FORTY-FIVE (645) FEET TO THE CENTER OF THE COUNTY DITCH; THENCE SOUTHWESTWARDLY ALONG THE CENTER OF SAID DITCH TO A POINT WHICH IS NORTH EIGHTY-NINE (89) DEGREES FORTY-FOUR (44) MINUTES WEST OF THE POINT OF BEGINNING; THENCE SOUTH EIGHTY-NINE (89) DEGREES FORTY-FOUR (44) MINUTES EAST APPROXIMATELY SIX HUNDRED SEVENTY-FIVE (675) FEET TO THE PLACE OF BEGINNING, BEING PART OF THE SOUTHEAST QUARTER OF SAID SECTION SIXTEEN (16), TOWNSHIP THIRTY-SEVEN (37) NORTH, RANGE FIVE (5) EAST IN ELKHART COUNTY, INDIANA. CONTAINING 3.45 ACRES, MORE OR LESS, AND BEING SUBJECT TO ALL EASEMENTS, RESTRICTIONS AND PUBLIC RIGHTS OF WAY OF RECORD.

AMENDED PRELIMINARY PLAT

HOMER AVENUE SUBDIVISION
 A PART OF THE SOUTHEAST QUARTER OF SECTION 16,
 TOWNSHIP 37 NORTH, RANGE 5 EAST,
 CONCORD TOWNSHIP, ELKHART COUNTY, INDIANA.
 OWNERS: HABITAT FOR HUMANITY OF ELKHART COUNTY INC.
 & KTK PROPERTIES, LLC
 TAX ID#: 20-06-16-476-012.000-012; 20-06-16-476-013.000-012;
 20-06-16-476-015.000-012; 20-06-16-476-016.000-012 & 20-06-16-476-017.000-012

ABONMARCHÉ
 Civil Engineer
 1000 River Drive, Unit 208
 Elkhart, IN 46516
 Phone: 773.333.9113
 Fax: 773.333.9113
 Email: abonmarche@abonmarche.com
 Website: www.abonmarche.com



LEGAL DESCRIPTION PER INSTR. #2023-15464 & 2024-19240
 A PART OF THE SOUTHEAST QUARTER (1/4) OF SECTION SIXTEEN (16), TOWNSHIP THIRTY-SEVEN (37) NORTH, RANGE FIVE (5) EAST, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO WIT:
 ASSUMING THE EAST LINE OF THE WEST ONE-HALF (1/2) OF THE EAST ONE-HALF (1/2) OF SAID QUARTER SECTION TO BE DUE NORTH AND SOUTH COMMENCING AT AN IRON STAKE ON THE EAST ONE-HALF (1/2) OF SAID QUARTER SECTION, WHICH IS THIRTY (30) FEET WEST AND ONE THOUSAND SEVEN HUNDRED THIRTY-TWO (1732) FEET SOUTH OF THE NORTHWEST CORNER OF LOT NUMBER TWENTY (20) IN CITY GARDENS AS THE SAME IS PLATTED AND RECORDED FOR THE BEGINNING POINT OF THIS DESCRIPTION; THENCE NORTH ONE HUNDRED SEVENTY-SEVEN (177) FEET AND FORTY-FIVE (45) HUNDREDTHS (177.45) FEET TO AN IRON STAKE; THENCE NORTH EIGHTY-FOUR (84) MINUTES WEST, APPROXIMATELY SIX HUNDRED TWENTY (620) FEET TO THE CENTER LINE OF THE COUNTY DITCH; THENCE SOUTHWESTWARD ALONG THE CENTER LINE OF SAID DITCH TO A POINT WHICH IS NORTH EIGHTY-EIGHT (88) DEGREES FIFTY-SIX (56) MINUTES WEST OF THE POINT OF BEGINNING; THENCE SOUTH EIGHTY-EIGHT (88) DEGREES FIFTY-SIX (56) MINUTES EAST, APPROXIMATELY SIX HUNDRED FORTY-FIVE (645) FEET TO THE PLACE OF BEGINNING.

LEGAL DESCRIPTION PER INSTR. #2024-03080
 ASSUMING THE EAST LINE OF THE WEST ONE-HALF (1/2) OF THE EAST ONE-HALF (1/2) OF THE SOUTHEAST QUARTER (1/4) OF SECTION SIXTEEN (16), TOWNSHIP THIRTY-SEVEN (37) NORTH, RANGE FIVE (5) EAST, BEING HAZED BY A SET MAG. HAZ. WITH NUMBER "ABONMARCHÉ 0050", WHICH IS THIRTY (30) FEET WEST AND ONE THOUSAND SEVEN HUNDRED THIRTY-TWO (1732) FEET SOUTH OF THE NORTHWEST CORNER OF LOT NUMBER TWENTY (20) IN CITY GARDENS AS THE SAME IS PLATTED AND RECORDED FOR THE BEGINNING POINT OF THIS DESCRIPTION; THENCE NORTH TWO HUNDRED TWENTY-TWO (222) FEET TO AN IRON STAKE; THENCE NORTH EIGHTY-EIGHT (88) DEGREES FIFTY-SIX (56) MINUTES WEST APPROXIMATELY SIX HUNDRED FORTY-FIVE (645) FEET TO THE CENTER OF THE COUNTY DITCH; THENCE SOUTHWESTWARD ALONG THE CENTER OF SAID DITCH TO A POINT WHICH IS NORTH EIGHTY-FOUR (84) MINUTES WEST OF THE POINT OF BEGINNING; THENCE SOUTH EIGHTY-FOUR (84) MINUTES EAST APPROXIMATELY SIX HUNDRED SEVENTY-FIVE (675) FEET TO THE PLACE OF BEGINNING, BEING PART OF THE SOUTHEAST QUARTER OF SAID SECTION SIXTEEN (16), TOWNSHIP THIRTY-SEVEN (37) NORTH, RANGE FIVE (5) EAST IN ELKHART COUNTY, INDIANA.

GENERAL NOTES
 PROPOSED LAND USE: THIS PROJECT IS UNDER THE OWNERSHIP OF HABITAT FOR HUMANITY OF ELKHART COUNTY, INC., BY INSTRUMENT #2024-03080 (LOTS 1-17) AND KTK PROPERTIES, LLC BY INSTRUMENT #2023-15464 (LOT 18) & HABITAT FOR HUMANITY OF ELKHART COUNTY, INC. BY INSTRUMENT #2024-19240 (LOTS 11 THRU 15). THE PROJECT IS LOCATED ON THE WEST SIDE OF HOMER AVENUE, NORTH OF MALCOLM DRIVE AND SOUTH OF 94TH AVENUE IN ELKHART, INDIANA. THIS PROJECT IS SITUATE IN A PART OF THE SOUTHEAST QUARTER OF SECTION 16 TOWNSHIP 37 NORTH, RANGE 5 EAST, CONCORD TOWNSHIP, CITY OF ELKHART, ELKHART COUNTY, INDIANA.
 RESTRICTIONS: MINIMUM RESTRICTIONS AS ESTABLISHED BY THE CITY OF ELKHART ZONING AND SUBDIVISION APPROVAL PROCESS. THE DEVELOPER MAY RECORD ADDITIONAL COVENANTS AND RESTRICTIONS AT A FUTURE DATE FOR THE SUBDIVISION.
 DATE OF DEVELOPMENT: DEVELOPMENT IS PROPOSED WITH APPROVAL OF THE FINAL APPROVAL OF ALL CITY OF ELKHART REQUIREMENTS.
 ZONING: THIS PROJECT IS WITHIN THE CITY OF ELKHART CORPORATE LIMITS AND IS ZONED R-2 (ONE FAMILY RESIDENTIAL). THE ADJACENT LAND TO THE NORTH, EAST AND WEST ARE ZONED R-2. THE ADJACENT LAND TO THE SOUTH IS ZONED R-4.

DENSITY
 TOTAL PROJECT AREA = 5.89± ACRES
 AREA IN LOTS = 3.69± ACRES
 AREA OF R/W TO BE DEDICATED = 1.50± ACRES
 AREA OF R/W ALREADY DEDICATED = 0.10± ACRES
 AREA IN COMMON AREA = 0.65± ACRES

ZONING REQUIREMENTS R-2 (ONE FAMILY RESIDENTIAL)
 SETBACKS:
 FRONT YARD = 20 FEET
 SIDE YARD = 7 FEET MINIMUM
 REAR YARD = 30 FEET
 MINIMUM LOT SIZE = ESTABLISHED OR 7,200 S.F.
 MAXIMUM LOT COVERAGE = 40%
 MINIMUM FRONTAGE = ESTABLISHED, OR 60 FEET EST. SHALL BE NO LESS THAN 45'

STREETS
 THE SUBDIVISION WILL HAVE THREE NEW CITY STREETS INTERSECTING HOMER AVENUE TO SERVICE THE SUBDIVISION. ALL STREETS WILL BE DEDICATED TO THE CITY OF ELKHART AT THE TIME OF FINAL PLATTING.
STREET TREES
 STREET TREES WILL BE ADDED AT THE TIME THE HOMES ARE BUILT ON EACH LOT AND WILL BE TO THE ELKHART CITY STANDARDS.
SANITARY SEWER
 SANITARY SEWER FOR THIS PROJECT WILL BE PROVIDED BY THE CITY OF ELKHART MUNICIPAL UTILITIES.
WATER SUPPLY
 WATER SERVICE FOR THIS PROJECT WILL BE PROVIDED BY THE CITY OF ELKHART MUNICIPAL UTILITIES.

SOILS
 THE ON-SITE SOILS ARE URBAN LAND-BRADY COMPLEX, 0 TO 1% SLOPES (U8A) AND URBAN LAND-GARDFO COMPLEX, 0-1% SLOPES (U8a). SOIL INFORMATION WAS OBTAINED FROM THE "WEB SOIL SURVEY". THE SURVEY WAS PUBLISHED BY THE USDA (UNITED STATES DEPARTMENT OF AGRICULTURE) AND NRCS (NATIONAL RESOURCES CONSERVATION SERVICE).
CONTOURS
 THE EXISTING ELEVATIONS SHOWN ARE PER DATA COLLECTED IN THE FIELD.
FLOOD NOTE
 THIS PROJECT DOES NOT LIE WITHIN A SPECIAL FLOOD HAZARD AREA (SFHA) (100 YEAR FLOOD BOUNDARY) AS SCALED AND DEPICTED ON THE FEMA/FIRM COMMUNITY PANEL #18035C01930, EFFECTIVE MAP DATE: AUGUST 2, 2011.

REGULATED DRAIN
 THERE IS AN EXISTING COUNTY REGULATED DRAINAGE DITCH (HOWARD DITCH) THAT RUNS ALONG THE WEST PROPERTY LINE. THE ELKHART COUNTY SURVEYOR'S OFFICE AND DRAINAGE BOARD WILL NEED CONSULTED AND PETITIONED TO ALLOW FOR A NEW RELEASE PIPE INTO THE DITCH FOR THE PROPOSED SUBDIVISION DRAINAGE SYSTEM.
WETLAND NOTE
 A REVIEW OF THE U.S. FISH & WILDLIFE SERVICE NATIONAL WETLANDS INVENTORY MAP ON JUNE 24, 2024 INDICATES THAT THERE ARE NO WETLANDS LOCATED ON THE SUBJECT PARCEL. HOWARD DITCH RUNS ALONG THE WEST LINE OF THE PROPOSED SUBDIVISION AND IS A COUNTY REGULATED DITCH.

EROSION CONTROL AND POST CONSTRUCTION PLAN
 AN EROSION CONTROL PLAN AND A POST CONSTRUCTION PLAN ARE REQUIRED AS A PART OF THIS PROJECT. MORE THAN ONE (1) ACRE WILL BE DISTURBED IN THE GRADING OF THIS PROJECT. EROSION CONTROL PRACTICES AND PRINCIPLE ACCORDS TO THE INDIANA STORM WATER QUALITY MANUAL - CHAPTER 7 WILL BE FOLLOWED. SEE WWW.IN.gov/ENR/Stormwater FOR MORE INFORMATION. EROSION CONTROL PRACTICES WILL BE PREPARING BOTH PLANS AND WILL BE SUBMITTED TO THE APPROPRIATE JURISDICTIONAL DEPARTMENTS FOR APPROVAL.
 ALL DIMENSIONS SHOWN FOR LOTS ARE APPROXIMATE AND MAY CHANGE WITH THE COMPUTATION OF THE FINAL PLAT.

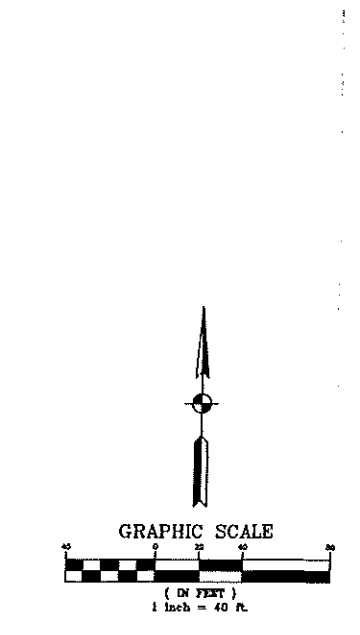
STORMWATER DETENTION CALCULATIONS
 STORMWATER RUNOFF FROM THE PROJECT SITE SHALL BE MANAGED BY AN ONSITE DRY BOTTOM DETENTION BASIN WITH A POSITIVE RELEASE INTO THE ADJACENT HOWARD DRAINAGE DITCH, A COUNTY REGULATED DRAIN. THE PROPOSED DETENTION BASIN SHALL PROVIDE STORM WATER STORAGE FOR THE PEAK 100 YEAR STORM EVENT WITH A CONTROLLED RELEASE AT THE 10-YEAR ALLOWABLE PRE-DEVELOPED RUNOFF RATE. THE FOLLOWING DETENTION CALCULATIONS ARE BASED ON THE PUBLISHED STORM INTENSITIES CONTAINED IN THE CURRENT ELKHART COUNTY "GUIDELINES AND STANDARDS FOR DESIGN AND PUBLIC IMPROVEMENT, STREET STANDARDS" AND THE COUNTY'S SPREADSHEET USING THE RATIONAL METHOD.
 ESTIMATED DRAINAGE AREA = 5.7± ACRES
 ESTIMATED COVERAGE
 DEVELOPED LOTS (1,900 SFT X 16 LOTS) (C=0.90) = 0.70± ACRES
 PROPOSED ROADWAY (C=0.90) = 0.90± ACRES
 EXISTING ROADWAY (C=0.90) = 0.11± ACRES
 DETENTION BASIN (C=1.00) = 0.26± ACRES
 LAWN / OPEN AREA (C=0.30) = 3.73± ACRES
 TOTAL = 5.7± ACRES
 MODIFIED RUNOFF COEFFICIENT CALCULATIONS
 $C = (0.70 + 0.90 + 0.11 + 0.90) + (0.26 \times 1.00) + (3.73 \times 0.30) = 0.51$
 5.7± ACRES
 RELEASE RATE CALCULATIONS (BASED ON THE 10-YEAR PRE-DEVELOPED CONDITION)
 ESTIMATED TIME OF CONCENTRATION = 30 MIN.
 ALLOWABLE RELEASE RATE = $Q = CIA = 0.2 \times 2.64 \text{ IN/HR} \times 5.7 \pm \text{ACRES} = 3.0 \text{ CFS}$
 12" RELEASE PIPE SHALL BE USED WITH A 6" PERFORATED PIPE BEDDED IN PEA STONE ALONG THE BOTTOM WITH A RISER PIPE TO CONTROL THE RELEASE RATE AS REQUIRED BY THE ELKHART COUNTY DRAINAGE BOARD WITH THE DETAILED DESIGN TO BE INCLUDED IN THE CONSTRUCTION PLANS AND PETITION TO THE DRAINAGE BOARD FOR REVIEW AND CONSIDERATION.

STORAGE VOLUME CALCULATIONS
 PROPOSED DETENTION BASIN #1

STORM DURATION (hours)	100 YEAR INTENSITY (in/hr)	INFLOW RATE (cfs)	RELEASE RATE (cfs)	STORAGE RATE (cfs)	REQUIRED STORAGE (cft)
0.25	5.47	18.81	2.70	16.11	14618
0.50	3.96	11.51	2.70	8.81	15993
0.75	2.71	7.88	2.70	5.18	14097
1	1.98	5.76	2.70	3.06	11093
2	1.55	4.51	2.70	1.81	13119
4	1.14	3.31	2.70	0.61	6666
6	0.92	2.67	2.70		
8	0.77	2.24	2.70		
9	0.67	1.95	2.70		
10	0.59	1.72	2.70		
15	0.53	1.54	2.70		
20	0.48	1.40	2.70		
30	0.44	1.28	2.70		
40	0.32	0.93	2.70		
60	0.25	0.73	2.70		
24	0.22	0.64	2.70		

Storm Intensities are referenced from the Elkhart County Storm Standards, dated July 2024

STORAGE REQUIRED:	15,993 cft
	960 cft (6% sitation factor)
	0.39 Acre-Ft
STORAGE PROVIDED:	0.50 Acre-Ft
ADDITIONAL FREEBOARD STORAGE AVAILABLE:	0.43 Acre-Ft 85%



BENCHMARKS
 TBH "A" RAILROAD SPIKE IN W. FACE OF GATE POST LOCATED ON THE E. SIDE OF THE RIGHT OF WAY OF HOMER AVENUE @ ELEVATION 761.25 FEET (NAVD83)

OWNERS/DEVELOPER
 HABITAT FOR HUMANITY OF ELKHART COUNTY INC.
 P.O. BOX 960
 GOSHEN, IN 46527

KTK PROPERTIES, LLC
 213 TRAVIS COURT
 MILLERSBURG, IN 46543

ABONMARCHÉ
 Civil Engineer
 1000 River Drive, Unit 208
 Elkhart, IN 46516
 Phone: 773.333.9113
 Fax: 773.333.9113
 Email: abonmarche@abonmarche.com
 Website: www.abonmarche.com

HOMER AVENUE SUBDIVISION

AMENDED PRELIMINARY PLAT

GENERAL NOTES
 DRAWN BY: TMM
 DESIGNED BY: TMM/EDM
 PM REVIEW: CHW
 QA/QC REVIEW: CIB
 DATE: 11/27/24
 SEAL:
 SIGNATURE:
 DATE:
 SCALE: 1"=40'
 VERT:
 AC JOB # 24-0526
 SHEET NO. 1 of 1



Staff Report

Planning & Zoning

Petition: 24-Z-08

Petition Type: Rezoning

Date: January 6, 2025

Petitioner: Vashu Motels, Inc.

Site Location: 2807 Cassopolis Street; Parcel 20-02-20-454-018.000-027

Request: Per Section 29.11.B, Map Amendments, a request to rezone 2807 Cassopolis Street (02-20-454-018) which has two zoning classifications, from B-3, Service Business District and and M-1, Limited Manufacturing District to B-3, Service Business District for the entire parcel.

Parcel I.D. Number(s): 20-02-20-454-018.000-027

Existing Zoning: B-3, Service Business District and M-1, Limited Manufacturing District

Size: +/- 1.037 Acres

Thoroughfares: Cassopolis Street

School District: Elkhart Community Schools

Utilities: Available to site

Surrounding Land Use & Zoning:

The property is located amongst a mix of manufacturing and commercial uses zoned B-3, Service Business District and M-1, Limited Manufacturing District. To the south is a commercial Planned Unit Development and other commercial uses zoned B-2, Neighborhood Business District.

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.

Plan Commission Action: Recommendation to Common Council.



Staff Analysis

The petitioner is requesting a rezoning to allow the hotel site to be redeveloped as a drive thru coffee shop. The reason for the request is the mix of zoning found on the site. The current zoning has the parcel split with two separate zoning districts – B-3, Service Business District at the east end and the west end is M-1, Limited Manufacturing District.

Staff supports the request. The manufacturing zoning is no longer appropriate for this corridor and the rezoning will make the redevelopment of the site easier. Approving the rezoning would allow for the reuse of the property to a desired use and provide for new investment along this critical corridor. Redevelopment of the site will improve the sense of welcome and Elkhart community image as discussed in the Comprehensive Plan. City staff welcomes this new development.

The parcel is surrounded by other long established commercial uses. A conceptual site plan of the drive thru is included in the packet. The project will still need to be submitted for review and approval for Technical Review as well as approval from the Indiana Department of Transportation (INDOT).

Recommendation

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

- 1) The proposed rezoning is compatible with the Future Land Use map, which calls for the area 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 the proposed use will blend well with the surrounding commercial and restaurant uses;
- 3) The B-3, Service Business District does allow for the most desirable uses for which the land can be adapted;
- 4) The proposed rezoning will preserve the conservation of property values throughout the City because it is adjacent to other commercial uses;
- 5) The rezoning of the property to B-3, Service Business District is compatible with the surrounding properties and does reflect responsible growth and development, because the redevelopment as a drive thru coffee shop is permitted within the B-3 District.

Photos



PETITION #: 24-2-08

FILING FEE: \$ 400 -

PETITION to the PLAN COMISSION

PETITION TYPE: REZONING

Property Owner(s): Vashu Motels, Inc.

Mailing Address: 2807 Cassopolis St. Elkhart, IN 46514

Phone #: (574) 849-3434 Email: jkpat1227@gmail.com

Contact Person: Ben Hidalgo – Net Lease Properties, LLC

Mailing Address: 1000 Forest Park Blvd., Suite 401

Phone #: 214-914-8822 Email: bh@netleaseproperties.com


Subject Property Address: 2807 Cassopolis Street

Zoning: B-3, Service Business District and M-1, Limited Manufacturing District

Present Use: Budget Inn Motel Proposed Use: Drive-Thru Coffee Shop

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) OR REPRESENTATIVE (PRINT): Vashu Motels, Inc. by Jagmohandas K. Patel, President

SIGNATURE(S):  DATE: December, 2024

STAFF USE ONLY:

Staff Checklist for the applicant's submittal of a complete Petition to the Plan Commission docket:

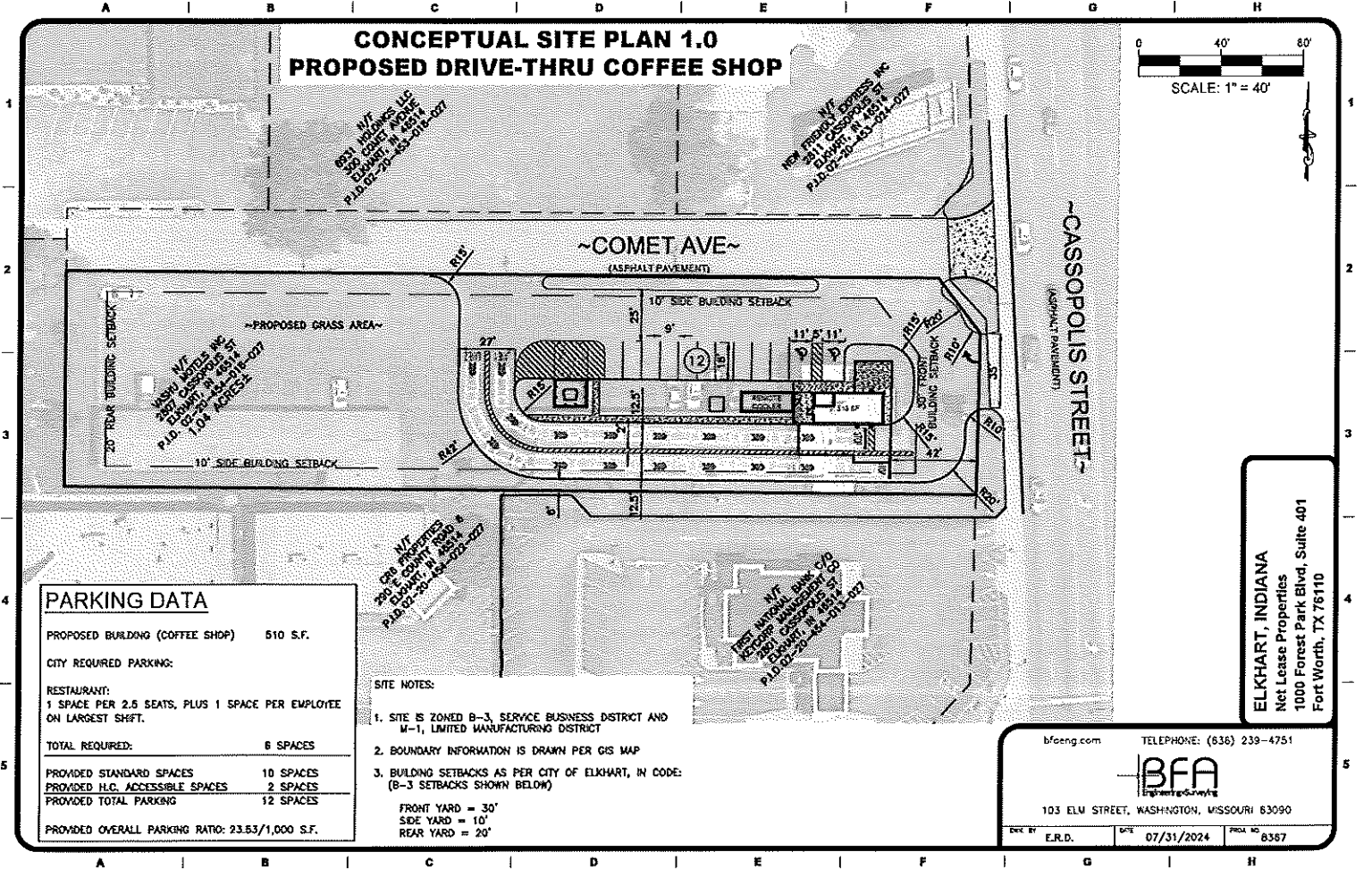
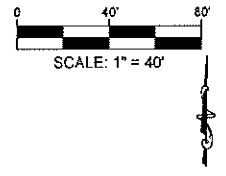
- One copy of the Appeal Letter signed in ink by the owner (or representative) of the property.
- A completed Petition form signed by the legal owner of record (or approved representative).
- If any person other than the legal owner or the legal owner's attorney files the appeal, written and signed authorization from the property owner must be supplied.
- A full and accurate legal description of the property.
- One to scale drawing of the property, measuring 11" x 17" or smaller. If larger than 11" x 17", 25 copies must be submitted.
- Any other information listed in the Instructions and Filing Procedure for this type of Petition.

Ordinance Requirement: Section(s): _____

Map #: _____ Area: _____

RECEIVED BY: _____ DATE: _____

CONCEPTUAL SITE PLAN 1.0 PROPOSED DRIVE-THRU COFFEE SHOP



PARKING DATA

PROPOSED BUILDING (COFFEE SHOP)	510 S.F.
CITY REQUIRED PARKING:	
RESTAURANT:	
1 SPACE PER 2.5 SEATS, PLUS 1 SPACE PER EMPLOYEE ON LARGEST SHEFT.	
TOTAL REQUIRED:	6 SPACES
PROVIDED STANDARD SPACES	10 SPACES
PROVIDED H.C. ACCESSIBLE SPACES	2 SPACES
PROVIDED TOTAL PARKING	12 SPACES
PROVIDED OVERALL PARKING RATIO:	23.53/1,000 S.F.

SITE NOTES:

1. SITE IS ZONED B-3, SERVICE BUSINESS DISTRICT AND M-1, LIMITED MANUFACTURING DISTRICT
2. BOUNDARY INFORMATION IS DRAWN PER GIS MAP
3. BUILDING SETBACKS AS PER CITY OF ELKHART, IN CODE: (B-3 SETBACKS SHOWN BELOW)
FRONT YARD = 30'
SIDE YARD = 10'
REAR YARD = 20'

ELKHART, INDIANA
Net Lease Properties
1000 Forest Park Blvd, Suite 401
Fort Worth, TX 76110

bfceng.com TELEPHONE: (636) 239-4751

BFA
Engineering & Surveying

103 ELU STREET, WASHINGTON, MISSOURI 63090

ENR BY	E.R.D.	DATE	07/31/2024	PROJ NO	8357
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**ALTA COMMITMENT FOR TITLE INSURANCE (07-01-2021)
SCHEDULE A**

ISSUED BY
STEWART TITLE GUARANTY COMPANY

**EXHIBIT "A"
LEGAL DESCRIPTION**

A part of the Southeast Quarter (1/4) of Section Twenty (20), Township Thirty-eight (38) North, Range Five (5) East, more particularly described as follows:

Commencing on the West line of said Quarter Section at a point One Hundred Fifty-seven (157) feet North of a stone at the Southwest corner of said quarter section; thence Eastwardly, parallel with the South line of said quarter section, to a point that is Four Hundred Ninety-two (492) feet West of the centerline of the Cassopolis Road for the beginning point of this description; thence North parallel with the West line of said quarter section, One Hundred Five and Twenty-four Hundredths (105.24) feet to the South line of Comet Avenue; thence Eastwardly, parallel with the South line of said quarter section and along the South line of Comet Avenue, to the centerline of Cassopolis Road; thence Southwardly along the centerline of said Cassopolis Road, One Hundred Five and Thirty-nine Hundredths (105.39) feet; thence Westwardly parallel with the South line of said quarter section, Four Hundred Ninety-two (492) feet to the place of beginning. Subject to public highways.

EXCEPTING THEREFROM THE FOLLOWING: A part of the Southeast Quarter of Section 20, Township 38 North, Range 5 East, Elkhart County, Indiana, described as follows:

Commencing at the Southwest corner of said quarter section; thence North 0 degrees 07 minutes 14 seconds East 262.24 feet (distance deduced from Deed Record 251, Page 146) along the West line of said quarter section to the South boundary of Comet Avenue; thence South 89 degrees 27 minutes 46 seconds East 800.37 feet along the boundary of Comet Avenue to the point of beginning of this description, which point of beginning is on the West boundary of S.R. 19 (Cassopolis Road); thence South 2 degrees 30 minutes 46 seconds East 105.39 feet along the boundary of said S.R. 19 to the North line of $\frac{3}{4}$ acre tract of land shown on the plat of Lake Drive a subdivision in said quarter section recorded in Plat Book 3, Page 24, in the Office of the Recorder of said county; thence North 89 degrees 27 minutes 46 seconds West 20.24 feet along said North line; thence North 2 degrees 40 minutes 26 seconds West 85.32 feet; thence North 41 degrees 36 minutes 36 seconds West 27.05 feet to the South boundary of said Comet Avenue; thence South 89 degrees 27 minutes 46 seconds East 37.56 feet along the boundary of said Comet Avenue to the point of beginning.

This page is only a part of a 2021 ALTA® Commitment for Title Insurance. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I - Requirements; and Schedule B, Part II - Exceptions; and a countersignature by the Company or its issuing agent that may be in electronic form.

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File No. 01219-22732

ALTA Commitment for Title Insurance Schedule A (07-01-2021)

Page 2 of 2



24-2-08



Staff Report

Planning & Zoning

Petition: 25-SI-01
Petition Type: Staff Item - Addressing
Date: January 6, 2025
Petitioner: City of Elkhart Planning & Zoning Department
Site Location: City of Elkhart
Plan Commission Action: Approval of proposed addresses 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

2619 Greenleaf Boulevard new single-family dwelling 02-34-376-027

Commercial

914 Thomas Street new lift station (t.b.d)

2619 Ada Drive new fire station 02-26-126-026

Residential Subdivision

None

Recommendation

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