

**AGENDA**  
**ELKHART CITY PLAN COMMISSION**  
**MONDAY, FEBRUARY 3, 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 <https://signin.webex.com/join>, enter **2310 670 8131** 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.Lipsev@coei.org](mailto:Carla.Lipsev@coei.org) prior to the meeting.

1. **ROLL CALL**
2. **APPROVAL OF AGENDA**
3. **APPROVAL OF MINUTES** November 4, November 13, and December 2, 2024.
4. **2025 ELECTION OF OFFICERS**

5. **NEW BUSINESS**

**25-X-01 PETITIONER IS City of Elkhart**

**PROPERTY IS LOCATED AT 3419 Bristol St.**

Per Section 4.3.O, a Special Exception for Parks and Playgrounds, to amend and update 98-X-06 (approved site plan) to allow for additional uses at Walker Park. The additional uses include: construction of ADA compliant restroom building with drinking fountain, new pavilion, new playground area, additional native landscape planting, additional memorial tree plantings, expand parking and recontour hillside for multi-purpose use.

6. **STAFF ITEMS**

**25-SI-02**

**Approval of proposed addresses for the City of Elkhart.**

**25-SI-03**

**24-MSUB-04**

**Request for a 6-month extension for final approval of Patel Minor Subdivision**

7. **ADJOURNMENT**

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

**PLAN COMMISSION  
-MINUTES-**

**Monday, November 4, 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**

Dave Osborne  
Dan Boecher  
Diana Lawson  
Rochali Newbill  
Aaron Mishler  
Ron Davis

**Members Absent.**

Tory Irwin

**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 Lawson; Second by Davis. Voice vote carries

**APPROVAL OF PROOF OF PUBLICATION**

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

**APPROVAL OF 2025 Calendar**

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

Trotter has announced that a special meeting will be held on November 13th at 1:45 PM. He needs five members of the Plan Commission to attend for a discussion on a single agenda item: an annexation that was approved earlier this year. There was an error in the legal description that required the case to be reheard.

**NEW BUSINESS**

**24-ANX-04 PETITIONER IS 3 Creek, LLC (Coley Brady and Ryan Brady)**

**PROPERTY IS LOCATED AT Vacant Land County Road 17**

As prescribed by Section 29.11.B, a request to annex one (1) parcel located at Vacant Land, County Road 17, and land containing approximately 37 acres.

**STAFF ANALYSIS**

This staff report is being prepared for annexation 24-ANX-04 to annex land generally east of the intersection of County Road 14 and County Road 17, Elkhart, Indiana 46516, Jefferson Township.

The land in the petition is undeveloped, just south of other facilities owned by the petitioner. The land is surrounded by agricultural, industrial and residential land uses, but with access to the major transportation corridor County Road 17. The land is intended to be developed with RV manufacturing M-2 uses. No date for future construction is provided, but is noted that construction will commence once market demands are warranted with an estimated valuation for the construction of two (2) building of \$15,600,000.

Also as a part of the annexation request is rezoning from the current agriculture zoning in Elkhart County of A-1 to M-2, General Manufacturing District to be consistent with the industrial zoning to the north.

City utilities are available to the site, and the annexation is a requirement of the City of Elkhart to permit further construction of additional infrastructure connection and for future development. The applicants are responsible for costs of all future utility construction to the site.

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 37 acres. The territory to be annexed is 22.8% contiguous which is more than the 12.5% contiguous to the current City limits as required in Indiana Code.

#### **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 36-4-3-4;
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.

Osborne asks if there are questions from the Commission.

Mishler raises concerns about coverage for our fire service, noting that it falls under the Jefferson Township Volunteer Fire Department.

Trotter stated that the area will have the same coverage as all the industrial zones immediately to the north, all of which are within the city of Elkhart. He also mentioned that the coverage extends to the east, so there should be no concerns about fire coverage.

Osborne calls the petitioner forward.

Matt Schuster is representing Jones Petrie at 325 S. Lafayette, South Bend, IN, along with Ryan Brady from 3 Creek LLC. If you have any questions for him, feel free to ask.

The petitioner is requesting to rezone and annex approximately 300 acres located on the east side of Pine Creek, south of the existing facilities of Alliance RV. In the future, we plan to construct additional RV manufacturing facilities and are exploring opportunities with two potential manufacturing companies, each requiring approximately 100,000 to 130,000 square feet of space and expected to employ around 150 people.

Currently, we do not have a timeline for the construction of these buildings, as it will be driven by market demand. At this time, our focus is on obtaining the necessary rezoning and annexation approvals.

Newbill inquired whether there would be 100 to 150 employees working in both buildings.

Schuster responded that each building will have 150 employees, contributing to a total of 300 new jobs.

Mishler inquired about this matter with Alliance RV.

Schuster states that Alliance RV is directly to the north, and the owners are 3 Creek.

Osborne asks if there are questions from the Commission.

Osborne calls for a motion.

Mishler makes a motion to **approve** 24-ANX-04 with a Do-Pass Recommendation to Common Council with rezoning; Second by Newbill. Motion carries

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

**24-ANX-05 PETITIONER IS Rosalina Lopez**  
**PROPERTY IS LOCATED AT 2400 S. Sixth St.**

As prescribed by Section 29.11.B, a request to annex property located at 2400 S Sixth Street, land containing 0.19 acres

**Staff Analysis**

This staff report is being prepared for annexation 24-ANX-05 to annex a single family dwelling on a parcel containing approximately 0.19 acres of land in Concord Township.

The annexation request is voluntary. The petition request is as a result of septic failure and in order to connect to the municipal sanitary sewer system, annexation is required. The property meets the contiguity requirement in order to file a petition to seek annexation. The territory to be annexed is 35.67% contiguous to the current city limits, which is more than the required 12.5% as required in Indiana Code.

The land is currently zoned R-1, One Family Dwelling District and will remain the R-1 zoning after the annexation. This property is currently adjacent to existing city limits to the north and west.

As identified in the Fiscal Plan prepared by Baker Tilly, the annexation will result in no additional capital costs for the City. Connection costs are the responsibility of the petitioner. The planned expenses will be minimal for trash and recycling services. The city currently maintains the streets adjacent to the property

**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 residential.
3. The current conditions and the character of 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.

Osborne asks if there are questions from the Commission.

Mishler asks Trotter if this is just one of those small islands of the County located within the City and what it looks like on the map.

Trotter confirms that there is a septic failure, and the only way to connect is through annexation.

Osborne calls the petitioner forward.

Lizabeth Alvarado, residing at 2400 S. Sixth St., is representing the petitioner who is seeking approval for annexation due to septic system failure and to connect to the municipal sanitary sewer system.

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

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

Osborne calls for a motion.

Mishler makes a motion to **approve** 24-ANX-05 with a Do-Pass Recommendation to Common Council; Second by Newbill. Motion carries

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

**24-X-08 PETITIONER IS Maria Torres**  
**PROPERTY IS LOCATED AT 2022 Benham Avenue**

A Special Exception per Section 5.3, Special Exception Uses in the R-2, One-Family Dwelling District, to allow for a Day Care Center.

### Staff Analysis

The petitioners are submitting an application for a daycare center at 2022 Benham Avenue this month. There are an existing six other daycares on the same block of Benham Avenue also owned and operated by the petitioners. They have been able to expand and fill their childcare openings in part because of the demonstrated need for daycare in Elkhart.

The house at 2022 Benham Avenue is 1560 square feet and built in 1950, according to Elkhart County Assessor records. The lot is .18 acres. At the writing of this report, staff had not yet visited the site.

In 2013 an inspector for the city inspected the home for new gas service at the request of the owner and it was reported to zoning staff at the time that it appeared that the home was being used or prepared as a day care home or had been converted into a day care center. After confirmation that the home was being used as a day care home a fine was issued and a petition for a special exception for a child care home was submitted. In April 2013 the special exception was presented to the board of zoning appeals and the plan commission. One of the criteria to classify a land use as a day care home under the zoning ordinance is that it must be the primary residence of the provider. The special exception was approved for a child care home in 2013 because at that time the commission found that the home was the primary residence of the child care provider with two conditions attached to the approval.

The petitioner has since informed city staff that no one lives at the home of 2022 Benham Avenue which would classify it as a day care center as defined in the zoning ordinance. In 2023 a letter was sent to the petitioner informing them that they were no longer considered a day care home due to the vacancy of residency and that they would need to re-apply for a special exception for a day care center. This prompted the petitioner to file for a new special exception to change from the classification of child care home to the classification of child care center.

They plan to apply for a Class II license with the state's Family and Social Services Administration (FSSA), which allows for up to 24 children. They desire to provide daycare services Monday to Friday from 05:00AM to 04:00PM. Pick up and drop off for the facility will be handled from the alley rear of building. There is ample parking in the rear for employees. Based on information provided in the petition, they plan on enrolling in the Child and Adult Care Food Program (CACFP) to provide healthy meals. They also become members of The National Association for Family Child Care (NAFCC).

In terms of space, the house is adequate. The state requires a minimum of 560 square feet for a Class II license.

### Staff Recommendation

Staff recommends approval of the request 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 exterior changes to the existing building;
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.

### Conditions

If the Board chooses to approve the requested special exception, staff recommends that the following conditions be placed upon the approval:

1. All children shall be restricted to the building and fenced-in play area except when arriving and leaving or on supervised walks or outings.
2. The facility and grounds shall be kept clean at all times.
3. The facility shall be subject to inspection upon reasonable notice, by the zoning administrator during hours of operation.
4. There shall be no exterior display, signs, or other forms of advertising on the premises.
5. A copy of the child care home license shall be submitted to the Department of Planning and Zoning upon receipt from the Indiana Family and Social Services Administration.
6. If the day care ceases to operate for more than one (1) year, or the license is revoked, the Special Exception becomes null and void.
7. Any violation of the terms of this Special Exception as determined by the City Zoning Administrator shall render the Special Exception invalid.
8. There shall be a maximum sixteen (24) children.
9. Pickup and drop-off shall be from the alley at the rear of the property.
10. The Special Exception is for two (2) years and shall be reviewed as a staff item by the Board of Zoning Appeals by November 12, 2026.

Trotter states that this petition is at the request of the City to reclassify the center they operate. At the time of application, they were residing at the home; however, they no longer live there.

Newbill asks Trotter if this is where they have a series of buildings right next to each other.

Trotter confirmed that they own the majority of the 2100 block of Benham.

Newbill states that all the properties are well-maintained.

Trotter acknowledges that we have never received any complaints about their facilities.

Mishler asks if we know whether they have already applied for their license.

Trotter replied, Yes, I have confirmed.

Osborne asks if there are questions from the Commission.

Osborne calls the petitioner forward.

Osborne calls for a motion.

Mishler makes a motion to **approve** 24-X-08 with a Do-Pass Recommendation to BZA with listed conditions; Second by Davis. Motion carries

Boecher -Yes

Lawson-Yes

Mishler-Yes

Newbill-Yes

Davis-Yes

Osborne-Yes

**24-X-09 PETITIONER IS City of Elkhart**  
**PROPERTY IS LOCATED AT VL ADA Drive**

To vary from Section 19.3.A, Special Exception Uses, in the M-2, General Manufacturing District, which states 'All special exception uses permitted in the M-1, Limited Manufacturing District' to allow a Public Utilities and public services use (Section 18.3.J) for the construction of a new fire station

**Staff Analysis**

The petitioner is requesting a special exception to allow for the construction of a new fire station.

The request is part of the City of Elkhart's plan to construct a new Station #6. The new Station #6 will replace the current Station #6 at the intersection of Osolo Road and Bristol Street. The new facility on Ada will be in the same sector, Sector 6.

The new station will allow for improved fire protection in the northeast area of the city that has experienced much industrial growth around the CR 17 corridor. Sector 6 has several high-hazard occupancy facilities within the sector. Those include four (4) nursing homes and three (3) schools.

The new 13,000-square-foot station will have capacity for larger apparatus bay for three bays, living quarters, sleeping quarters and administration spaces.

**Staff Recommendation**

Staff recommends **approval** of the request 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 because all structures will be located within the same Sector 6 and be built per all applicable local building codes;
2. The Special Exception **will not** reduce the values of other properties in its immediate vicinity because the new station will provide improved fire response and will not impact the adjacent uses;
3. The Special Exception **shall** conform to the regulations of the zoning district in which it is to be located because the equipment will not generate adverse effects on adjacent properties with noise, emissions or vibrations.

Osborne asks if there are questions from the Commission.

Mishler asked if any other fire stations receiving these exemptions are all zoned for general manufacturing.

Trotter replies this is just because of where it is located the underlying zoning district almost all of them are special exceptions whether they are going to be residential or manufacturing.

Mishler notes that it doesn't conform to any specific category.

Trotter often declines requests because they require special exceptions in the M2 guidelines.

Osborne calls the petitioner forward.

Zachary Flagle from DLZ Indiana, LLC, located at 2211 E. Jefferson Blvd, South Bend, IN, is representing the petitioner. The petitioner seeks approval for the construction of a new 13,000-square-foot fire station.

Osborne inquires whether there is a timeline for the construction project.



Flagle plans to release the bid in mid-January, receive bids by early March, and potentially start construction in April, aiming for completion in roughly one year.

The remainder of the Plan Commission Meeting was inaudible.

**ADJOURNMENT**

\_\_\_\_\_  
Tory Irwin, President

\_\_\_\_\_  
Dave Osborne, Vice-President

DRAFT

SPECIAL PLAN COMMISSION

-MINUTES-

Wednesday, November 13, 2024 - Commenced at 1:45 P.M. & adjourned at 1:52 P.M.  
City Council Chambers – Municipal Building

Elkhart City Plan Commission was called to order by Dave Osborne at 1:45 P.M.

**MEMBERS PRESENT**

Tory Irwin  
Dave Osborne  
Diana Lawson  
Rochali Newbill  
Christopher Baiker  
Ron Davis

**Members Absent**

Aaron Mishler  
Dan Boecher

**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 Osborne; Second by Lawson. Voice vote carries

**APPROVAL OF PROOF OF PUBLICATION**

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

**NEW BUSINESS**

**AMENDED 24-ANX-01 PETITIONER IS ALMAC, Inc. Peter A. Letherman, Vice President  
PROPERTY IS LOCATED AT Elkhart East Areas D & F County Road 6 & County Road 17**

As prescribed by Section 29.11.B, a request to annex land south of CR 6 and both east and west of County Road 17, including both developed and undeveloped land within Elkhart East Phase I, land containing approximately 198 acres (245 acres with right of way). This request is being reheard due to an error in the original legal description.

**STAFF ANALYSIS**

This staff report is being prepared for Elkhart East Phase I, annexation petition 24-ANX-01 (amended) to annex land generally at the intersection of County Road 17 and County Road 6, Elkhart, Indiana 46514, Osolo and Washington Townships.

The current petitioner is seeking annexation for Elkhart East Phase I - to follow through with the original intentions of agreements that allowed for the extension of municipal sewer and water utilities to support the development, in addition to supporting the development the remaining undeveloped land contained within Elkhart East Phase I.

The 33 parcels included in the petition west of County Road 17 and South of County Road 6 represent the nearly fully built-out portion of Elkhart East west of County Road 17. The remaining parcels represent undeveloped land on the east side of County Road 17 both north and south of County Road 6 in Elkhart East. The intent for these would be for the zoning to be maintained as a PUD that would include similar uses as those provided in the Elkhart County E-3 Zoning District.

The property is currently zoned in Elkhart County as DPUD, Detailed Planned Unit Development. This annexation is advantageous to the City as it will allow the City to benefit from the development that resulted from the extension of the municipal utilities to support the growth and development of this key gateway interchange into the City of Elkhart.

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 198 acres (245 including right of way). The territory to be annexed is more than the 12.5% contiguous to the current City limits as required in the Indiana Code. As identified in the Fiscal Plan prepared by Baker Tilly, the annexation will result in an additional estimated \$21,000-23,000 annually in additional non-capital costs associated with Street and Police related services over the initial 4 years of the annexation. However, starting in the second year after the annexation the City will receive annual net revenues between an estimated \$572,000-623,000.

#### **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 a mix of commercial, office, and industrial uses to match the character of the existing development patterns.
3. The current conditions and the character of current structures and future structures are 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.

Irwin asks if there are questions from the Commission.

Irwin asks if there was simply an error in the legal description.

Trotter confirmed that there was an error in the original legal description we advertised earlier this year. This has been corrected in the new legal description. The staff report includes an update regarding the Noman Glacier, which is also reflected in the fiscal plan. Additionally, references in the county concerning the areas we are annexing will be revised to remain as Elkhart East Phase.

Irwin calls for a motion.

Davis makes a motion to **approve** AMENDED 24-ANX-01 with a Do-Pass Recommendation to Common Council; Second by Newbill. Motion carries

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

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

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

**ADJOURNMENT**

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

**ADJOURNMENT**

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Tory Irwin, President

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Dave Osborne, Vice-President

**PLAN COMMISSION**

**-MINUTES-**

**Monday, December 2, 2024 - Commenced at 1:45 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 1:45 P.M.

**MEMBERS PRESENT**

Tory Irwin  
Dave Osborne  
Ron Davis  
Christopher Baiker  
Diana Lawson  
Dan Boecher

**MEMBERS ABSENT**

Aaron Mishler  
Rochali Newbill

**REPRESENTING THE PLANNING DEPARTMENT**

Eric Trotter, Assistant Director of Planning

**LEGAL DEPARTMENT**

Maggie Marnocha, Corporation Counsel

**RECORDING SECRETARY**

Carla Lipsey

**APPROVAL OF AGENDA**

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

**APPROVAL OF MINUTES**

Motion to the approval of September 2024 Minutes by Davis; Second by Lawson. Voice vote carries.

**NEW BUSINESS**

**24-SI-08 PETITIONER IS City of Elkhart**

**PROPERTY IS LOCATED AT Acceptance of Street Name Change**

Approval of Street Name Change for the City of Elkhart

**STAFF ANALYSIS**

Trotter states that we have Jeff Schaffer, City Right-of-Way Engineer, here to discuss the acceptance of the street name change for 24-SI-08.

Jeff Schaffer, Assistant City Engineer from the City of Elkhart, has provided a brief memo. Under Indiana law, the Mayor has the authority to name and rename streets. This is not done frequently; looking at our records, it has occurred only 2-3 times over the last 30 years.

Last year, the Mayor exercised this authority to rename a cul-de-sac that was initially known as Patterson Court to Enchanted Gardens Lane. This change was requested by Linton's Nursery, which owns both properties on either side of the street, allowing them to have the only address at Enchanted Gardens Lane.

However, a couple of follow-up actions were not taken. You have a copy of the statute in front of you. While the Mayor has the authority to rename streets, we believe it is best for the Plan Commission to formally accept this name change. The City Engineering staff will then take the necessary steps to complete the process.

In the memo, there is a suggested motion for your consideration, which is what we are asking of you today.

Irwin asks if there are questions from the Commission.

Irwin calls for a motion.

Osborne makes a motion to approve 24-SI-08 with a Do-Pass Recommendation to Acceptance of Street Name Change Patterson Court to Enchanted Garden Lane; Second by Davis. Motion carries

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

## **NEW BUSINESS**

### **Presentation of the UDO (Unified Development Ordinance)**

#### **Zoning Ordinance Update**

**\*\*Presentation by REA UDO Update (Exhibit A)\*\***

Cynthia Bown from Rundell Ernstberger Associates (REA) introduced herself and mentioned that Allison Richardson, one of their planners who helped draft the ordinance, was also present. She aimed to provide an update on the ordinance and discuss the progress made since their last meeting.

Cynthia began by briefly outlining the ordinance development process, sharing insights gained through community engagement, and highlighting the contributions made by Enfocus. She emphasized the current status of the draft, including the graphics, and outlined the next steps. This is an unusually lengthy process, allowing for the incorporation of various studies ongoing during this time. They anticipate adoption by next year.

As Eric mentioned, they have a solid draft in progress. The next steps include taking some of the cases they have presented and applying them to the draft to make any necessary tweaks and adjustments. Cynthia wanted to explain how they arrived at this point in the Comprehensive Plan and what guidance it provides.

Often, sub-area plans and policies are formulated, which further inform the Unified Development Ordinance (UDO). The central graphic illustrates that the UDO combines subdivision standards and zoning standards into one cohesive document. This results in consistent definitions and processes applied to both areas, which is a significant advantage of having a unified development approach.

The UDO will also include a historic preservation ordinance and floodplain ordinances, consolidating all planning-related ordinances into a single document. They derive their guidance from the Comprehensive Plan, which emphasizes the importance of maintaining built and natural environments, preserving open spaces and greenways, and respecting community heritage.

Translating these principles into ordinance language involves defining how the built environment should look and establishing the regulations that property owners and developers must follow. They must consider the programs and

amenities required to support this built environment, including landscaping, road installations, and their respective standards.

Additionally, economic drivers are a significant focus. The Comprehensive Plan emphasizes the need to diversify the economy, which influences zoning and ordinance decisions. They must ensure that the regulations developed are not overly burdensome, allowing individuals to build homes and expand their businesses. As they update these standards, it is essential to create a workable framework that does not impose excessive burdens on developers and property owners.

Finally, they also drew guidance from the Elkhart 2040 sub-area plan, considering how to manage rivers, trails, gardens, and the integration of art within the community, incorporating these elements into the code. Their focus on design attributes aims to enhance the urban environment, aimed to create a walkable downtown by establishing distinct districts, including a Central Business District (CBD) and overlay districts for portions of downtown. To update our subdivision ordinances, which were over thirty years old, we implemented new standards that support smart infrastructure. This has led to the approval of several subdivisions that now align with public works requirements for street infrastructure.

Additionally, we created several sub-area districts, with the most notable being the Downtown Plan and the Benham Neighborhood Master Plan. These plans greatly influenced our zoning districts and design standards. We used overlay districts specifically to address the needs of these two areas.

Our approach included developing form-based standards, which differ from traditional zoning that primarily focuses on land use. Instead of just determining what land uses can exist where, we considered the physical form of buildings, their placement on lots, and how they interact with the surrounding environment. This method was particularly important for the downtown plan and the Benham neighborhood plan.

In the Benham neighborhood, where the lots are smaller, we established new standards that allow for redevelopment and the continued use or improvement of properties. This included creating zoning districts that permit narrower lot sizes than traditionally allowed.

We also crafted use standards that manage types of businesses by location. For instance, while a car wash could be allowed, we specified that if it were on Cassopolis, it could not face the street directly but must be set back at least 150 feet with a four-bay drive associated with it. This level of detail was intended to reduce the number of requests going to the Board of Zoning Appeals for special use exceptions and variances.

Furthermore, we adjusted parking ratios, landscaping requirements, and signage regulations in key areas, particularly in the Benham and downtown districts, to foster a more walkable, pedestrian-friendly atmosphere.

The city of Elkhart partnered with Enfocus to enhance community engagement. They conducted an initial round of outreach last year in 2023 and began again in 2024. This year, they prepared materials based on previous drafts to carry out their efforts from February through December 2025.

This year's engagement covered topics covered housing options, streetscape designs, regulations for accessory dwellings and structures, swimming pools, RV and trailer storage, landscape buffer yards, screening, and fencing. Many of these topics can be found in Article 26.

The city hosted 13 events throughout the community, distributing 240 flyers and educational materials, which directed people to the city website: [www.cityofelkhartudo.com](http://www.cityofelkhartudo.com). As a result, there were 505 website visits from 150 unique visitors, and we received 53 survey responses. The responses were well-distributed across the city: 30% from the southeast, 32% from the northeast, 21% from the northwest, and 17% from the southwest.

Access to the website was primarily through a QR code (64%), followed by 23% accessing it from the city's Facebook page and 13% from press releases. Additionally, some individuals found the site through search engines like Google, WNDU, or Bing.

The engagement efforts successfully reached the community through various avenues. Key findings show that attending public events is the most effective way to engage residents, especially regarding complex zoning topics. Among the residents' preferences, townhomes emerged as the most favored housing option, while outdoor dining was the most popular choice for streetscape design. These insights confirm that many of the recommendations for Section 26 align with community preferences, indicating that the updates we are making are consistent with what the public expects.

To enhance our outreach efforts, we need to continue utilizing social media and collaborating with other city partners to expand public engagement. It's crucial to explain the rationale behind the zoning changes with each update we provide. Residents need to understand the connections between various ordinances, as they often only see isolated sections instead of the overall code being updated. We must also articulate the potential risks and impacts of these ordinances to the public, addressing their concerns about how these changes will affect their land development plans.

The City of Elkhart has partnered with Enfocus to improve community engagement. After completing an initial round of initiatives in 2023, we will continue these efforts in 2024 by preparing materials based on the drafts created thus far. This outreach will occur from February through December 2025. This year's topics include housing options, streetscape designs, regulations for accessory dwelling units and structures, swimming pools, RV and trailer storage, landscape buffer yards, screening, and fencing—many of which can be found in Article 26.

The city organized 13 events throughout the year and distributed 240 flyers and educational materials, which encouraged residents to visit the city website: [www.cityofelkhartudo.com](http://www.cityofelkhartudo.com). As a result, there were 505 visits to the website, with 150 unique visitors and 53 survey responses. The survey responses came from a well-distributed demographic throughout the city, with 30% from the southeast, 32% from the northeast, 21% from the northwest, and 17% from the southwest.

In terms of website access, 64% of visitors used a QR code, 23% accessed it through the city's Facebook page, and 13% found it via press releases. Additionally, outreach via Google, WNDU, and Bing has helped build community engagement.

Some key findings and insights include that attending public events is the most effective way to engage residents, especially on complex zoning topics. Townhomes emerged as the most favored housing option among residents, while outdoor dining was the most popular choice for streetscape design. The feedback indicates that the recommendations for Section 26 align with residents' desires, suggesting that the updates being made are in line with public expectations.

Moving forward, it's important to continue leveraging social media and collaborate with other partners in the city to expand public outreach. We need to clearly explain the rationale behind the zoning changes we are making and provide connections between the various ordinances. Residents have expressed difficulty in seeing the big picture because we have only provided updates in segments, rather than presenting the entire code comprehensively. Furthermore, we must articulate the potential risks and impacts of these ordinances to the public, addressing their concerns by explaining what these changes mean for individual property development.

I will now turn the presentation over to Allison, who will guide us through the updates to the Unified Development Ordinance (UDO). I have been collaborating with the Planning Department to review the current ordinances, update them, and align them with public feedback while incorporating some modern ideas.

Here's a broad overview of what we accomplished with this draft of the ordinance:

1. **\*\*Consolidation of Zoning Districts\*\***: We reduced the number of zoning districts from twelve by combining some that overlapped. This simplifies the zoning framework.
2. **\*\*Integration of Documents\*\***: We merged the subdivision design standards with the zoning ordinance into a single document. This will make it easier for individuals and developers to understand how their property can be developed and how the layout may be influenced by the ordinance.



3. **Updated Uses and Conditions**: Over the years, we have observed emerging business trends. We are now updating the list of permissible uses and their specific conditions to reflect modern economic needs. This ensures that even if a use is located in a different zoning district, consistent conditions will apply.

4. **Form-Based Building Type Standards**: We have introduced form-based building type user standards to enhance and regulate the quality of development. This provides a framework for developers, ensuring they have clear guidelines to follow.

Allison will now elaborate on these updates. aim to create developments that maintain uniformity based on contemporary planning standards, addressing both economic and environmental improvements through site design requirements. We have updated the administrative process to provide staff with some flexibility regarding administrative subdivisions and approvals, reducing the need for frequent petitions for minor changes.

This is an overall overview of our table of contents and how it will be organized. We have 16 chapters, and while we may reorganize slightly as we progress through the draft, these are the major categories to consider when reviewing the zoning ordinance. For example, the zoning districts chapter will outline the purpose of each district and include the associated development standards. The use-specific conditions will detail all conditions for different uses.

We have consolidated landscaping information into one chapter, eliminating the need to search through each zoning district for relevant details. The use-specific conditions chapter also features a use matrix, allowing users to look up a use in a table and determine all the districts where it is permitted, rather than consulting individually through different chapters as was done previously. This reorganization aims to enhance user confidence and provide a quick overview of how to navigate the ordinance.

When you are considering property development or searching for a property for a specific use, the first step is to consult the zoning maps, which will indicate your property's zoning classification. You can also reverse this process by looking at a specific use to see in which district it is allowed, determining if there is any overlay district that provides more flexibility than conventional districts. For instance, the Benham plan includes narrower lots than standard residential zoning, potentially offering reduced setbacks for that area, which may decrease the need for variances.

Next, you'll need to interpret permitted uses and their conditions to ensure that development remains consistent regardless of location while understanding building restrictions and development standards. Considerations include layout and access to your site, such as the number of driveways permitted and their dimensions. It's also important to review setbacks, height limitations, and lot coverage—such as a house's allowance for three stories—to maintain neighborhood aesthetics and prevent structures that are out of character.

Additional standards to consider include lighting, parking, landscaping, and signage, all aimed at preserving an attractive streetscape and maintaining canopy cover. Parking should be arranged in a manner that does not detract from the site and allows for safe pedestrian circulation.

To begin with, you need to check the applicability, exceptions, and credits associated with the Unified Development Ordinance (UDO). Some standards may apply only when a certain amount of development is undertaken. Additionally, changes you plan to make may not trigger these standards until the changes are made. Therefore, it's crucial to assess how these regulations and potential exemptions align with your property and plans. For instance, maintaining the existing tree canopy on your site could be beneficial, as it may count towards landscaping requirements instead of clear-cutting the area.

Next, you will need to follow any administrative processes after determining your compliance options. This might involve submitting a general compliance application, such as a zoning compliance permit, or realizing that you need to rezone or obtain a variance.

In this context, let's look at a screenshot of a zoning ordinance featuring a use matrix. In this example, residential uses are listed in a table, with a "P" indicating permitted uses in specific zoning districts and an "S" representing uses that are

allowed by special exception petition. The table also includes conditional and accessory uses, showing where they are permitted and whether or not there are conditions attached. This helps individuals quickly locate information relevant to their development needs.

Moreover, the text on the right outlines the conditions that correspond with these uses, serving as a guide for how development should be structured. It includes universal standards that may apply, such as minimum floor area requirements or stipulations regarding door orientations.

Cynthia Bowen continues to address additional points. Although not visible here, she discusses attached dwellings. These screenshots represent the preliminary drafts of your code.

Allison takes the lead, highlighting new information regarding different types of development and their appropriateness in various areas. This includes not only the type of use but also insights into the desired building form. Non-residential development types are also included, such as conventional lot development and two-lot development, among others.

Cynthia Bowen addresses additional points regarding the terminology previously used for single-family residential housing. Rather than referring to them as single-family homes, we now describe them as “attached dwelling” or “detached dwelling,” which is reflected in the use matrix. To determine the specific building type, such as single dwelling, duplex, triplex, live-work unit, or mid-rise apartment complex, one would refer to the building type section. This section provides details about which districts permit certain building types, clarifying the function of the buildings independent of their use, making management easier.

Allison continues, providing examples of how to apply these building types, including potential design features. For instance, we establish standards for detached dwellings that reflect the typical characteristics of single-family homes. Previous ordinances focused on single-family detached housing, and the tables provide a comprehensive overview of how these types fit within the zoning districts, specifying what is permissible. Additionally, townhome development, categorized as an attached dwelling, is discussed. When we refer to “attached,” it’s often in the context of townhomes, but it can also apply to apartments. Defining these building types alongside their uses offers a clearer picture of their expected appearance.

These building types include form standards that outline floor ratios and limits on how large a building can be on a lot, providing more control over their appearance without being overly restrictive.

Cynthia Bowen adds that we developed standards for detached dwellings and introduced a “detached narrow” standard for smaller homes that have been in the community longer. This new standard accommodates homes as narrow as 35 feet or possibly even 28 feet wide, creating options for detached dwellings that fit better within the existing neighborhood context, following guidelines from the Benham plan.

Allison takes over again, presenting an overview of our new base districts, which now number only 12. We have combined some residential categories to simplify them into compact urban, mixed residential, and mobile parks. The compact residential category represents suburban-style development, while urban residential categories two and three have been merged into urban residential one.

We have created an institutional residential category to provide more flexibility by distinguishing government buildings from commercial ones. This distinction allows for a more adaptable application of zoning rules to various types of commercial buildings, including religious institutions, schools, and similar uses.

The neighborhood business district typically encompasses smaller-scale developments found on smaller lots, while community and regional business districts are geared towards larger developments, such as shopping centers. Your central business district is located downtown.

The former M1 district, which included hospitality and research and development, has now shifted to accommodate smaller-scale manufacturing, focused more on sectors like pharmaceuticals and technology rather than intense industrial

manufacturing. This change aims to provide flexibility, allowing technical uses that were traditionally considered industrial to find a balance between commercial and industrial applications.

Additionally, we have introduced planned unit developments, which are specific types of projects that strive to incorporate mixed-use elements that may not fit neatly into existing categories.

We have also developed overlay districts, which add further considerations to the base districts during the review process. For example, the airport overlay involves height restrictions to manage the impact of taller buildings. The historic preservation overlay district typically limits commercial uses that do not align with the historic character of a neighborhood, such as high-rise buildings in historic residential areas.

Our wetland conservation overlay aims to protect natural areas by placing restrictions on the removal of beneficial vegetation in both developed and undeveloped regions. Additionally, the flood hazard overlay restricts development in areas prone to flooding, which helps the town effectively manage flood risks and related insurance issues. This ensures that construction does not cause harm to the environment.

The form-based district regulations, particularly the Central Business District (CBD) overlay, allow properties in downtown areas to adhere to similar standards, even if they are not currently zoned as Central Business District. This approach enables us to apply specific standards designed for downtown areas, regardless of their current zoning status.

The Benham overlay district is part of our effort to implement the neighborhood plan and features various standards for different types of development. It is important to note that we will be removing the Office Park and Business Park districts, although they will continue to exist for properties currently zoned as such. Future developments in these areas will need to comply with basic district standards or opt for a Planned Unit Development (PUD).

We have drafted ordinances that include examples of the various districts, complete with photographs and descriptions of their purposes and permitted uses. For instance, the Research and Development (RNDI) district encompasses hospitality, research, and technology, aligning closely with business park district standards. Development conditions for this category prohibit transportation routes from passing through residential areas, ensuring that certain development conditions do not conflict with community needs, especially regarding parking and landscaping.

Next, we present our dementia-related standards in a table format, grouping all residential districts for ease of comparison. By looking at the first column, users can quickly identify the standard they need and locate the corresponding district across the row.

We also provide sample site plans and elevations to illustrate how to measure setback requirements, using examples from both residential and non-residential districts. The non-residential district table includes base districts that generally do not contain residential uses, although some may include residential components.

For the Benham overlay district specifically, the purpose is to implement the neighborhood plan, which includes four sub-zones: residential small, neighborhood center, and commercial frontage. The form standards associated with these sub-zones are designed to promote connectivity and good landscaping practices within the district.

Using a consistent table format, we detail how building measurements apply to the lot, including specific requirements such as minimum lot widths—30 feet for residential small and 45 feet for residential large.

A neighborhood center features 50 feet of commercial frontage, which influences the application of other standards. Depending on your sub-zone, different standards will apply to suit the specific site. We have also included the connectivity plan, emphasizing that the continuation of the traditional street grid in this neighborhood is part of our vision for the future of this district. If a subdivision were to occur, this plan would guide the standards applied, including a classic grid layout with alleys at the rear, which may differ from standards in other zoning districts.

Next, we focus on our Central Business District (CBD) overlay, which implements the Elkhart Master Plan. The CBD is divided into three sub-zones: Downtown Core, Downtown General, and Downtown Edge. Each of these sub-zones has specific building form standards, updated parking regulations, and revised frontage requirements that allow for encroachments and access points.

In the following examples, you'll notice a table format that summarizes the distinct standards applicable to each sub-zone. The development standards may vary depending on the character of the existing neighborhood. For instance, there are building height standards indicating that buildings in the Downtown Core can be taller than those in the Downtown Edge.

We have established building frontage standards that specify how long a building can be before the facade must include a design break. This helps prevent long, blank walls that detract from the overall aesthetic, which is not suitable for an active downtown. These design standards promote a walkable and exciting downtown that many people are looking for.

We have provided some graphics outlining our landscape standards, which include examples of the terminology used for certain landscaping elements and how they fit into your site plan. These examples demonstrate how to implement landscape standards in site design.

Additionally, here are some standards you are likely to see regarding frontages or buffers, which may include fences, trees, and shrubs, with or without mounding. We also have guidelines for screening and lines of evergreens, including specifications for plant lengths and depths. An example of a street tree layout demonstrates how wide your planting bed should be and the number of plants that can fit within that length.

Furthermore, we will explain how landscaping applies to frontages and how it interacts with sidewalks or street traffic. The fence standards, which also fall under landscaping regulations, illustrate how fence layouts can be applied to lots, ensuring that views from intersections are not obstructed. For example, if you have a double lot with neighbors on either side, there will be limitations on the height of fences toward the front of your neighbors' rear properties to maintain visual uniformity and prevent the neighborhood from appearing overly commercialized.

Cynthia Bowen noted that we have only covered a small section of the ordinances and still need to finish editing various chapters. Eric has documents with tabs that we need to review and discuss further. We still need to complete the signage and corridor design standards sections; these are the two remaining areas, and they will likely be the most challenging. The signage section is particularly complex due to constantly changing federal and state laws, so we must ensure it remains up to date with those regulations. The corridor design standards are very specific to Elkhart, and we need to determine how to implement them within the overall ordinance framework compared to previous versions.

We are conducting a comprehensive review of the document with the staff and anticipate holding joint meetings with the council and the plan commission. As you can see, it took us nearly an hour to cover just a small section of the ordinance, so going through the entire comprehensive document will require multiple meetings. We will conduct several public meetings with the help of EnFocus, as we find this method more effective for engaging the public. Then, we will move forward with the adoption process.

This concludes our presentation. We are more than happy to answer any questions or revisit any sections, and we will ensure that Eric Trotter has this presentation to share with the plan commission.

Irwin asks if there are questions from the Commission.

Irwin mentioned that having a printout would have been beneficial.

Irwin calls for a motion.

## ADJOURNMENT

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

\_\_\_\_\_  
Tory Irwin, President

\_\_\_\_\_  
Dave Osborne, Vice-President

DRAFT

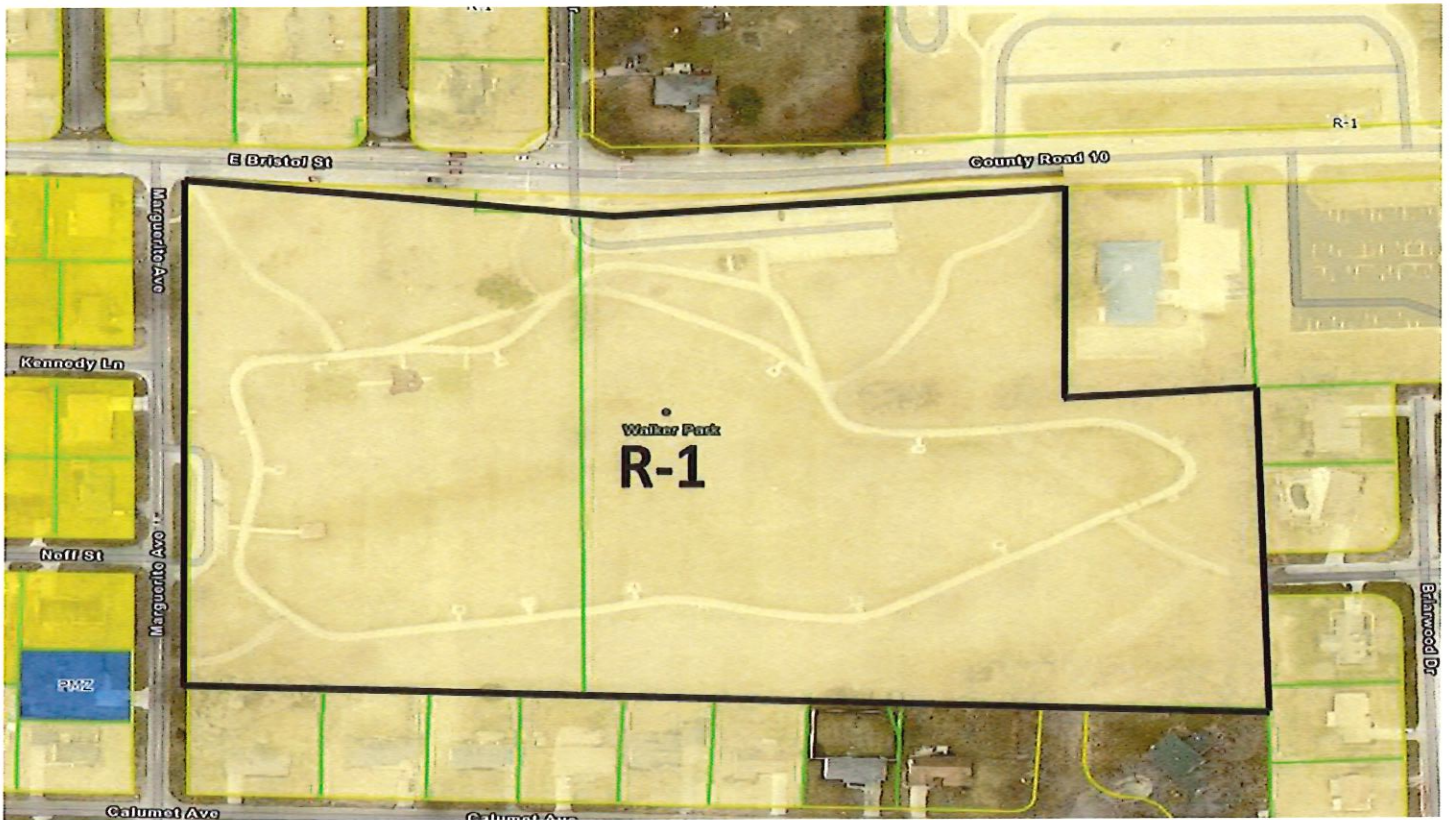


# Staff Report

## Planning & Zoning

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<b><u>Petition:</u></b>	25-X-01
<b><u>Petition Type:</u></b>	Special Exception
<b><u>Date:</u></b>	Plan Commission: February 3, 2025, Board of Zoning Appeals: February 13, 2025
<b><u>Petitioner:</u></b>	Elkhart Park Foundation
<b><u>Site Location:</u></b>	3419 E. Bristol Street – Walker Park
<b><u>Request:</u></b>	Per Section 4.3.O, a Special Exception for Parks and Playgrounds, to amend and update 98-X-06 (approved site plan) to allow for additional uses at Walker Park. The additional uses include: construction of ADA complaint restroom building with drinking fountain, new pavilion, new playground area, additional native landscape plantings, additional memorial tree plantings, expanded parking and recontour hillside for multi-purpose use.
<b><u>Existing Zoning:</u></b>	R-1, One-Family Dwelling District
<b><u>Size:</u></b>	+/- 17 Acres
<b><u>Thoroughfares:</u></b>	E. Bristol Street
<b><u>School District:</u></b>	Elkhart Community Schools
<b><u>Utilities:</u></b>	Available and provided to site.
<b><u>Surrounding Land Use &amp; Zoning:</u></b>	Properties to the north is a school, south, and west are residential uses and east is a library all in the City of Elkhart and Elkhart County zoned residentially.
<b><u>Applicable Sections of the Zoning Ordinance:</u></b>	Enumerated in request.
<b><u>Plan Commission Action:</u></b>	Recommendation to Board of Zoning Appeals.
<b><u>Comprehensive Plan:</u></b>	The Comprehensive Plan identifies this site for parks and recreation land uses.



## Staff Analysis

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The petitioner is requesting to amend and update 98-X-06, which approved the original site plan for Walker Park to allow for additional uses. The additional uses include: construction of ADA complaint restroom building with drinking fountain, new pavilion, new playground area, additional native landscape plantings, additional memorial tree plantings, expanded parking and recontour hillside for multi-purpose use.

The Parks Department is updating the master plan for Walker Park. Parks has undertaken, along with assistance from consulting firm DLZ, a revised plan that expands the amenities at the park. A part of the update was seeking feedback from the community through a series of public meetings and the creation of an online survey. The outcome of this feedback was a park that provided for more inclusive activities as well as a restroom.

Since being established some 30 years ago, Walker Park has become the most utilized park in the city. As an essential element of the Mayor's ASPIRE Initiative that seeks to enhance the vibrancy and usage of our parks and greenspaces, Walker Park is used for group fitness and recreational activities for both the surrounding neighborhoods and Pinewood Elementary across the street. The park currently has a walking/fitness trail, playground and parking on both Bristol Street and Maguerite Avenue. In addition to the restroom building, over the next five (5) years plans call for a new pavilion, new playground area, pollinator gardens, additional parking to both lots and toddler play area.

The restroom building was submitted for and was reviewed by the Technical Review Committee and has been approved pending the special exception. The building will have ADA compliant restrooms for men and woman, a family restroom with changing stations, some storage for park programming and a drinking fountain with water bottle filling capability. The building will have security cameras, internal motion sensors, and will be heated for year round use. It will be opened in the morning by Buildings and Grounds staff and closed by Park Rangers who will patrol the park.

Staff recommends approval of this special exception.

## Recommendation

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Staff recommends **approval** of the request 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; The Walker Park improvements are being designed to add amenities to make this park a premier park for the City of Elkhart. The improvements to the playground, parking, additional landscape plantings along with a recontoured multi-purpose hill area and restroom will allow for future growth and attendance to increase usage. The restroom building will have security, be opened and closed at the beginning and end of each day by city staff and/or park rangers and also be monitored at regular intervals by park rangers.
2. The Special Exception **will not** reduce the values of other properties in its immediate vicinity because the additional amenities proposed will add to the quality of place for Walker Park and enhance the city's park system. The park is part of the Mayor's ASPIRE Initiative to enhance the vibrancy and increase usage of the City's parks and greenspaces. This structure is part of a updated Master Plan that will include a new playground, gazebo and new multi-use field.
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. The proposed amenities will add to the vibrancy of the neighborhood and allow for more programming for the Parks Department. The restroom building will be built to conform to all necessary building construction requirements and have been submitted for Technical Review and addressed all comments raised during the review.



# Photos

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PETITION #: 25-X-01

FILING FEE: \$ N/A

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

**PETITION TYPE: SPECIAL EXCEPTION**

Property Owner(s): Elkhart Park Foundation Inc.

Mailing Address: \_\_\_\_\_

Phone #: \_\_\_\_\_ Email: \_\_\_\_\_

Contact Person: Jamison Czarnecki

Mailing Address: 229 S. Second St Elkhart, IN 46514

Phone #: \_\_\_\_\_ Email: \_\_\_\_\_

Subject Property Address: 3419 Bastot St.

Zoning: R1

Present Use: Park Proposed Use: Park

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): Jamison Czarnecki

SIGNATURE(S):  DATE: 1-15-2025

**STAFF USE ONLY:**

Staff Checklist for the applicant's submittal of a complete Petition to the Board of Appeals 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", 12 copies must be submitted.
- \_\_\_\_\_ Optional: any supplementary information the applicant may wish to include.

Ordinance Requirement: Section(s): \_\_\_\_\_

Map #: \_\_\_\_\_ Area: \_\_\_\_\_

RECEIVED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

**AFFIDAVIT IN SUPPORT OF SPECIAL EXCEPTION PETITION**

I, Jamison Czarniecki, being first duly sworn upon his/her oath deposes and says that he/she is familiar with and has personal knowledge of the facts herein and, if called as a witness in this matter, would testify as follows:

1. I am over eighteen (18) years of age and am competent to testify to the matters contained herein.
2. I make this affidavit in support of my special exception petition filed contemporaneously herewith.
3. I am now and at all times relevant herein have been, the owner of record of the property located at 3414 Bristol Street Elkhart, Indiana.
4. FURTHER AFFIANT SAYETH NOT.

EXECUTED on the 17<sup>th</sup> day of January, 2025.

[Signature]  
Printed: Jamison Czarniecki

I certify under the penalties for perjury under the laws of the United States of America and the State of Indiana that the foregoing factual statements and representations are true and correct.

[Signature]  
Printed: Jamison Czarniecki

STATE OF INDIANA        )  
  ) SS:  
COUNTY OF ELKHART     )

Before me the undersigned, a Notary Public in and for the State of Indiana, personally appeared Jamison Czarniecki, and acknowledged his/her execution of the foregoing. Subscribed and sworn to before me this 17 day of January, 2025.

[Signature]  
Printed: Hugo Robles Madrigal



My Commission Expires:  
10/31/2031

Notary Public in and for the State of Indiana  
Resident of Elkhart County, Indiana

January 13, 2025

To: Elkhart City Plan Commission and Elhart City Board of Zoning Appeals

**RE: Special Exception Request for Walker Park Restroom Project**

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

1. I, Jamison Czarnecki, Superintendent, City of Elkhart Parks and Recreation on behalf of the Elkhart Park Foundation, Inc., am the owner's representative of the following described real estate located within the City of Elkhart, Osolo Township, Elkhart County, State of Indiana to wit:

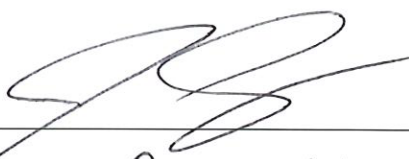
*See attached legal description*

2. The above described real estate presently has a zoning classification of R-1, One Family Dwelling District under the Zoning Ordinance of the City of Elkhart.
3. Petitioner presently occupies (or proposes to occupy) the above described property in the following manner: The land is used as a park on the north side of the City. Since it's opening some 30 years ago, it has become the most utilized park in the city. The approximately 17 acre park is home to a multi-use of fitness activities, including walking and group classes, Rocket Football, police/fire cadet training and playgrounds.
4. Petitioner desires to (Explain the proposed Special Exception in detail) The petitioner wishes to construct an ADA compliant restroom building in Walker Park for the residents of the City of Elkhart. The building will include ADA men's and women's facilities, a family restroom that include changing stations for children and adults, storage for programming and a drinking/bottle filling fountain. To also construct a new playground, add a new pavilion, expand the parking areas, add additional native plantings, additional memorial trees and recontour hillside for multi-purpose use
5. The Zoning Ordinance of the City of Elkhart requires in Section 4.3.O, Parks and Playgrounds are special exception uses. The Elkhart Park Foundation is requesting the existing special exception be expanded to allow for the addition of the restroom building.
6. Explain why this property is suited to the special exception use being requested. The area has been used as a park for close to 30 years. Over the last year a public engagement process was undertaken to determine the needs for Walker Park. One of the key findings was the need for restrooms.
7. Using the standards from page 3, address each standard. You cannot answer simply Yes or No; you must state why this is true.
  - 7.1 – The Special Exception is so defined, located and proposed to be operated that the public health, safety and welfare will be protected. The restroom building will have security to monitor usage as well be opened and closed at the beginning and end of each day by city staff and/or park rangers. Additionally, the park is monitored at regular intervals by park rangers.

7.2 – The Special Exception will not reduce the values of other properties in its immediate vicinity. The building is part of the Mayor’s ASPIRE Initiative to enhance the vibrancy and increase usage of the City’s parks and greenspaces. This structure is part of a updated Master Plan that will include a new playground, gazebo and new multi-use field.

7.3 – The Special Exception shall conform to the regulations of the zoning district in which it is to be located. The restroom building will be built to conform to all necessary building construction requirements. The plans have been submitted for Technical Review and have addressed all comments as a result of the review.

Wherefore, Petitioner prays and respectfully requests a hearing on this appeal and that after such hearing, the Board grant the requested special exception.

Signature of Property Owner: 

Printed Name: Jamison Czarniecki

Contact Person: Jamison Czarniecki

Name: 1

Address: ~~111~~ 229 S. Second St.

Phone Number: 

Email: 

## Executive Summary: Walker Park Restroom Project

Prepared By Jennifer Kobie, Marketing Specialist Elkhart



### Introduction

Elkhart Parks & Recreation conducted a public engagement process to gather community input on proposed upgrades to Walker Park. This process included multiple public meetings and an online survey designed to assess the level of support for new amenities and to collect demographic and usage data from residents. The feedback overwhelmingly supported the addition of restrooms, alongside other improvements such as a new inclusive high capacity playground.

### Public Engagement and Survey Overview

In January 2024, we hosted public engagement meetings to discuss proposed enhancements at Walker Park. Mailed invites were sent to nearby residents adjacent to the park and over 80 attendants participated between the 2 sessions. The Parks Department also hosted 2 engagement sessions with Pinewood Elementary sessions that hosted over 60 students. These meetings provided an opportunity for community members to share their thoughts and priorities. To further expand community input, an online survey was launched and promoted through social media, email newsletters, and community outreach. The survey received 286 responses, reflecting diverse perspectives from park users and local residents.

### Support for Restrooms:

We had over 85.3% of respondents indicated they supported adding restrooms to the park. This need was frequently mentioned as a priority to enhance the usability and convenience of the park, especially for families with young children.

Would you support adding restrooms to Walker Park?  
286 responses

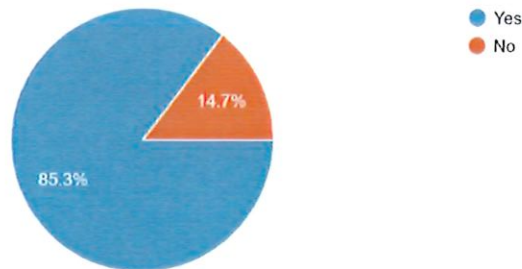


Figure 1: Community Support for Adding Restrooms at Walker Park

### Park Usage Patterns:

The survey results show consistent usage of Walker Park, with 25.2% visiting weekly and 29.7% visiting monthly. See Figure 2 for detailed frequency data.

How often do you visit Walker Park?  
286 responses

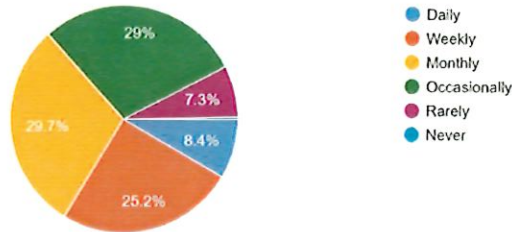


Figure 2: Frequency of Visits to Walker Park

### Mode of Transportation:

The majority of respondents (63.6%) reported traveling to Walker Park by vehicle, followed by 43.7% who walk and 12.9% who bike. These results highlight the park's accessibility for various transportation methods, though most users rely on cars to reach the park (see Figure 3).

How do you normally get to Walker Park?  
286 responses

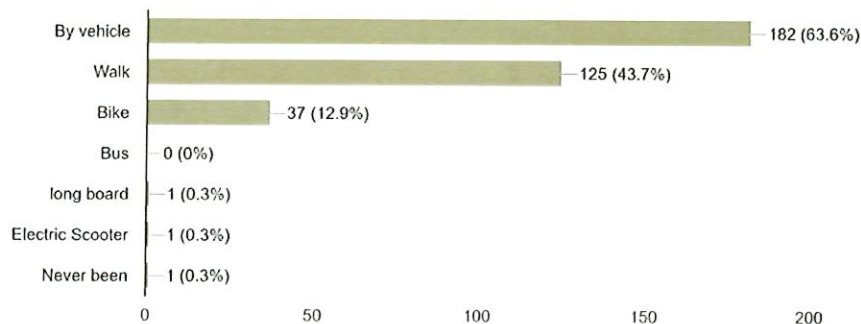


Figure 3: Mode of Transportation to Walker Park

### Proximity to the Park

The survey revealed that Walker Park attracts visitors from both nearby and farther away:

- 24.8% live within a quarter mile of the park.
- 33.2% live within a half mile.
- 26.6% travel more than 1 mile to the park.
- 15.4% travel more than 5 miles.

These findings emphasize the park's role as both a neighborhood and regional destination (see Figure 4).

How far do you travel from your home to get to Walker Park?  
286 responses

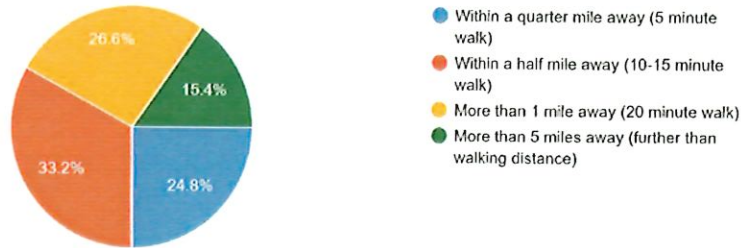


Figure 4: Distance from Walker Park

### Family Composition

The survey results demonstrate that Walker Park is a valued destination for families, with a majority of respondents indicating they visit the park with children:

- 52.3% of respondents identified as couples with children.
- 24% identified as grandparents visiting with their grandchildren.

These insights reinforce the park’s role as a hub for intergenerational family activities. The high proportion of families with children highlights the need for family-friendly facilities, such as restrooms, to ensure the park is welcoming and convenient for all visitors.

See Figure 5 for a breakdown of family composition among respondents.

Which best describes your family?  
283 responses

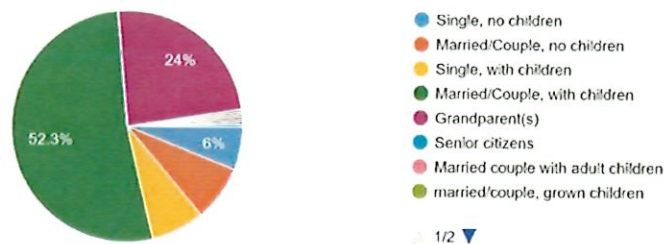


Figure 5: Family

### Composition of Walker Park Visitors

#### Demographic Data: Ages of Children at Walker Park

The survey highlighted that Walker Park is a popular destination for families with children of varying ages. Among respondents who bring children to the park:

- 23.8% bring children aged 0-2 years old.
- 45.1% bring children aged 2-5 years old.



- 59% bring children aged 6-12 years old.
- 28.7% bring children aged 13 and older.

These results emphasize the park’s critical role as a gathering place for families, particularly those with young children. The strong representation of children aged 2-12 underscores the need for age-appropriate amenities, such as restrooms, which can support families during longer visits.

See Figure 6 for a breakdown of the age groups of children visiting Walker Park.

*Figure 6: Ages of Children Visiting Walker Park*

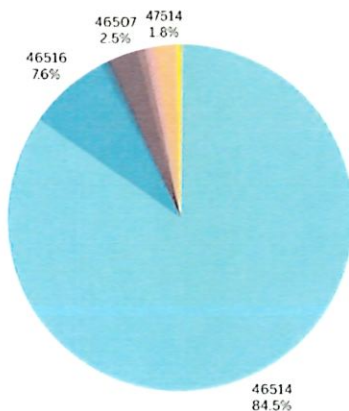
### Visitor Zip Codes

The survey revealed that Walker Park primarily serves residents from the surrounding community:

- 84.2% of respondents live in the 46514 zip code, which includes the park’s location.
- 7.5% of respondents live in the 46516 zip code.

These findings highlight that Walker Park is a vital neighborhood asset, with most visitors living within the immediate area. This strong local engagement underscores the importance of investing in amenities, such as restrooms, that directly benefit nearby residents and encourage continued park use.

See Figure 7 for a visual representation of visitor zip codes.



*Figure 7: Visitor Zip Codes for Walker Park*

### Conclusion and Next Steps

The results of the public engagement process and survey demonstrate substantial community support for the new restrooms at Walker Park. The data also provides a comprehensive understanding of how the park is used, who its visitors are, and what they value most in its amenities. Moving forward, this feedback will guide the design and planning of the new restroom facilities, ensuring they meet the needs of park visitors and align with community expectations.

Walker Park Restroom Building Conceptual





CONCEPTUAL PARK PLAN  
SCALE: 1" = 40'-0"



DATE: JULY 8, 2022

# Walker Park

Elkhart, Indiana



# Staff Report

## Planning & Zoning

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<b><u>Petition:</u></b>	25-SI-02
<b><u>Petition Type:</u></b>	Staff Item - Addressing
<b><u>Date:</u></b>	February 3, 2025
<b><u>Petitioner:</u></b>	City of Elkhart Planning & Zoning Department
<b><u>Site Location:</u></b>	City of Elkhart
<b><u>Plan Commission Action:</u></b>	Approval of proposed addresses for the City of Elkhart.

## Staff Analysis

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

### Residential

### Commercial

### Residential Subdivision

4304 Mission Drive – Lot 14, Legacy Park Subdivision  
4310 Mission Drive – Lot 15, Legacy Park Subdivision  
4316 Mission Drive – Lot 16, Legacy Park Subdivision  
4322 Mission Drive – Lot 17, Legacy Park Subdivision  
4330 Mission Drive – Lot 18, Legacy Park Subdivision  
4307 Mission Drive – Lot 13, Legacy Park Subdivision  
4313 Mission Drive – Lot 12, Legacy Park Subdivision  
4319 Mission Drive – Lot 11, Legacy Park Subdivision  
4325 Mission Drive – Lot 10, Legacy Park Subdivision  
2528 Unity Drive – Lot 19, Legacy Park Subdivision  
2522 Unity Drive – Lot 20, Legacy Park Subdivision  
2616 Unity Drive – Lot 21, Legacy Park Subdivision  
2510 Unity Drive – Lot 22, Legacy Park Subdivision  
4300 Foundations Drive – Lot 6, Legacy Park Subdivision  
4306 Foundations Drive – Lot 7, Legacy Park Subdivision  
4312 Foundations Drive – Lot 8, Legacy Park Subdivision  
4318 Foundations Drive – Lot 9, Legacy Park Subdivision  
4303 Foundations Drive – Lot 5, Legacy Park Subdivision

4309 Foundations Drive – Lot 4, Legacy Park Subdivision  
4315 Foundations Drive – Lot 3, Legacy Park Subdivision  
4321 Foundations Drive – Lot 2, Legacy Park Subdivision  
4329 Foundations Drive – Lot 1, Legacy Park Subdivision

## Recommendation

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



# Staff Report

## Planning & Zoning

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**Petition:** 25-SI-03

**Petition Type:** Minor Subdivision Extension Request

**Date:** February 3, 2025

**Petitioner:** Bhavesh Patel d.b.a Lakshmeevaan, LLC

**Site Location:** 2701 W. Lexington Avenue

**Request:** To extend the Plan Commission preliminary approval of a two (2) lot subdivision with an access easement on Lot 1 benefiting Lot 2, for a period of six (6) months.

**Existing Zoning:** B-2, Community Business District

**Size:** +/- 2.0 Acres

**Thoroughfares:** W. Lexington 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 property to the south is residential land zoned R-2 adjacent to the St. Joseph River, the land to the east and west is commercial zoned B-2 with the land to the north a mix of commercial, a motel and light industrial zoned B-3 and M-1.

**Applicable Sections of the Zoning Ordinance:**

Article 4 of the Subdivision Ordinance, Section 5

**Comprehensive Plan:**

The Comprehensive Plan does call for the land to be developed with commercial uses.



## Staff Analysis

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On February 9, 2024, the Plan Commission approved the preliminary plat for the Patel Minor Subdivision. Approval of a subdivision is tentative and valid for a period of twelve months, unless an extension is granted. The petitioner has requested the Plan Commission approval be extended for an additional six (6) months, until August 11, 2025 (August 9 is a Saturday). Staff has no objection to the request.

## Photos

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***Kesler Land Surveying, LLC***  
67191 Conrad Road  
Edwardsburg, MI 49112  
[REDACTED]

Date: January 21, 2025  
Job No.: 22-082

City of Elkhart  
Plan Commission  
229 S. Second Street  
Elkhart, IN 46516

RE: 24-MSUB-04  
2701 W. Lexington Ave.

Dear Eric Trotter:

I am requesting a six (6) month extension for final approval of the 'Patel Minor Subdivision'. We are nearing the 12 month period for approval and recording of the plat. The extension will give us time to complete the boundary survey and address the items listed in a letter from the City of Elkhart dated February 9th, 2024.

Thank you for your consideration

Sincerely,



Dale L. Kesler  
Owner/Surveyor  
Licensed in Michigan and Indiana  
[REDACTED]