

AGENDA
ELKHART CITY PLAN COMMISSION
Tuesday, September 3, 2024 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 **2313 664 8026** as the meeting number, and "Plan2024" 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 PROOFS OF PUBLICATION
4. APPROVAL OF MINUTES- May, June, July 2024

5. NEW BUSINESS

24-SUB-02 PETITIONER IS Almac Development, INC
PROPERTY IS LOCATED AT 2700 JEANWOOD DR

Per Article 4 of the Subdivision Ordinance, approval of a Preliminary Plat for a two-lot subdivision; to be known as 'Pio Minor Subdivision', a two (2) lot subdivision, a part of the Northwest Quarter of Section 26, Township 38 North, Range 5 East, Osolo Township, Elkhart County, Indiana. This request seeks to also establish a cross-access easement on Lot 1 for the benefit of Lot 2.

24-Z-04 PETITIONER IS Annette Peoples

PROPERTY IS LOCATED AT 1723 Oakland Avenue

Per Section 29.11.B, Map Amendments, a request to rezone 1723 Oakland Avenue (06-07-430-022) from R-4, Multiple Family Dwelling District to R-2, One Family Dwelling District.

24-SUB-03 PETITIONER IS Jenway Majestic, LLC. & Wrangler Real Estate Inc.

PROPERTY IS LOCATED AT VL Vernon Avenue and Greenleaf Boulevard

Per Article 4 of the Subdivision Ordinance, approval of a Preliminary Plat for a subdivision to be known as 'Vernon's Reserve Subdivision,' a eight (8)-lot subdivision; a part of the Southwest Quarter of Section 35, Township 38 North, Range 5 East, Osolo Township, Elkhart County, Indiana.

24-SUB-04 PETITIONER IS Almac Inc.

PROPERTY IS LOCATED AT County Road 4

Per Article 4 of the Subdivision Ordinance, approval of a Preliminary Plat for a subdivision to be known as 'Elkhart East Area 'A' Subdivision,' a thirteen (13)-lot subdivision; a part of the Southeast Quarter of Section 13, Township 38 North, Range 5 East, Osolo Township, Elkhart County, Indiana.

24-PUDA-04 PETITIONER IS A and L Properties Inc. and Kyle Miller Ten Com

PROPERTY IS LOCATED AT Lot 14 Parkway Avenue – 07-07-100-017

Plan Commission ratify staff's determination and permit the screen printing and embroidery use as permitted within this development district Planned Unit Development

24-X-07 PETITIONER IS CITY OF ELKHART

PROPERTY IS LOCATED 1300 BL Indiana Av and Thomas

Per Section 6.3, Special Exception Uses, (4.3 J) Public Utilities and public service uses to allow for the construction of a new lift station, equipment building, monorail system, fence and CSO storage tank.

24-AP-01 PETITIONER IS Ivy Iverson

PROPERTY IS LOCATED AT 1900 & 1904 Franklin St.

Ivy Iverson is appealing the decision of the City of Elkhart Plat Committee of the Rosie's Minor Subdivision to the Elkhart City Plan Commission. On July 23, 2024, the City of Elkhart Plat Committee approved a one-lot replat of the original two (2) lot subdivision. Ms. Iverson wishes the existing plat to remain unchanged.

Staff Items

24-SI-06- Addressing

Approval of proposed addresses for the City of Elkhart.

21-SUB-09- Boulder Run Subdivision

Extension of Boulder Run Subdivision request for an additional twelve (12) months

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-03

Hearing on proposed Subdivision #24-SUB-03

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 **TUESDAY, SEPTEMBER 3, 2024, at 1:45 P.M.** concerning the following request:

A public hearing will be conducted on Subdivision #24-SUB-03.

Petitioner: Jenway Majestic, LLC. & Wrangler Real Estate Inc.

Request: Per Article 4 of the Subdivision Ordinance, approval of a Preliminary Plat for a subdivision to be known as 'Vernon's Reserve Subdivision,' a eight (8)-lot subdivision; a part of the Southwest Quarter of Section 35, Township 38 North, Range 5 East, Osolo Township, Elkhart County, Indiana.

Location: VL Vernon Avenue and Greenleaf Boulevard

Zoning: R-1, 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 2313 664 8026 as the meeting number and "Plan2024" 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 prior to the meeting.

LEGAL DESCRIPTION:

A PART OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION THIRTY-FIVE (35), TOWNSHIP THIRTY-EIGHT (38) NORTH, RANGE FIVE (5) EAST, OSOLO TOWNSHIP, ELKHART COUNTY, STATE OF INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTHEAST CORNER OF LOT 474 IN BROADMOOR EXTENDED (ELKHART COUNTY PLAT BOOK 2, PAGE 65); THENCE NORTH 01°24'31" WEST ALONG THE EAST LINE OF SAID LOT 474 AND THE NORTHERLY EXTENSION THEREOF, 184.20 FEET TO THE SOUTHEASTERLY CORNER OF LAND CONVEYED TO MATTHEW STEWART AND MEGAN FERRIS (ELKHART COUNTY INSTR. #2022-14727); THENCE NORTH 01°37'35" EAST ALONG THE EASTERLY LINE OF SAID STEWART/FERRIS LAND, 124.85 FEET TO THE SOUTHERLY LINE OF LOT 5 IN RUNYAN'S FIRST ADDITION (ELKHART COUNTY PLAT BOOK 7, PAGE 63); THENCE SOUTH 88°20'47" EAST ALONG THE SOUTH LINE OF LOTS 5, 6, 7 AND 8 IN SAID RUNYAN'S FIRST ADDITION, A DISTANCE OF 282.44 FEET TO A 5/8 REBAR WITH CAP STAMPED "ABONMARCHE 0050"; THENCE SOUTH 00°44'13" EAST, 233.27 FEET TO A 5/8 REBAR WITH CAP STAMPED "ABONMARCHE 0050"; THENCE SOUTH 69°21'06" EAST, 139.61 FEET TO A 5/8 REBAR WITH CAP STAMPED "ABONMARCHE 0050"; THENCE SOUTH 00°44'13" EAST, 165.56 FEET TO A POINT ON THE NORTH LINE OF THE RIGHT OF WAY OF GREENLEAF BOULEVARD; THENCE SOUTH 87°26'45" WEST ALONG THE NORTH LINE OF SAID GREENLEAF BOULEVARD, 30.00 FEET; THENCE SOUTH 02°12'23" WEST ALONG THE LINE OF DEDICATED RIGHT OF WAY OF GREENLEAF BOULEVARD, 10.03 FEET TO THE NORTH LINE OF GREENLEAF BOULEVARD; THENCE SOUTHWESTERLY ALONG A 3274.11 FOOT RADIUS CURVE TO THE RIGHT, 99.51 FEET (CHORD BEARING SOUTH 88°35'37" WEST, CHORD DISTANCE 99.51 FEET) ALONG SAID NORTH LINE OF GREENLEAF BOULEVARD RIGHT OF WAY TO THE SOUTHEAST OF A PARCEL DEEDED TO GORDON & WENDY FROST IN INSTRUMENT #2020-17564; THENCE NORTH 00°44'13" WEST ALONG THE EAST LINE OF SAID FROST PARCEL, 154.63 FEET TO A 5/8 REBAR WITH CAP STAMPED "ABONMARCHE 0050" ON THE SOUTH LINE OF A PARCEL OF LAND DEEDED TO JENWAY MAJESTIC, LLC (ELKHART COUNTY INSTR. #2022-09988); THENCE SOUTH 89°30'51" WEST ALONG THE SOUTH LINE OF SAID JENWAY MAJESTIC, LLC PARCEL, 238.66 FEET TO A 1/2 INCH IRON PIPE; THENCE NORTH 79°44'05" WEST ALONG SAID JENWAY MAJESTIC, LLC PARCEL, 47.40 FEET TO THE PLACE OF BEGINNING, CONTAINING 2.64 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 20th day of August 2024,
by the City of Elkhart, Plan Commission. HSPAXLP

LEGAL NOTICE #24-SUB-04

Hearing on proposed Subdivision #24-SUB-04

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 **TUESDAY, SEPTEMBER 3, 2024, at 1:45 P.M.** concerning the following request:

A public hearing will be conducted on Subdivision #24-SUB-04.

Petitioner: Almac Inc.

Request: Per Article 4 of the Subdivision Ordinance, approval of a Preliminary Plat for a subdivision to be known as 'Elkhart East Area 'A' Subdivision,' a thirteen (13)-lot subdivision; a part of the Southeast Quarter of Section 13, Township 38 North, Range 5 East, Osolo Township, Elkhart County, Indiana.

Location: County Road 4

Zoning: M-2, General 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 2313 664 8026 as the meeting number and "Plan2024" 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 prior to the meeting.

LEGAL DESCRIPTION:

A parcel of land in the Southeast Quarter of Section 13, Township 38 North, Range 5 East, Osolo Township, Elkhart County, Indiana, being more particularly described as follow:
Commencing at a PK Nail marking the southeast corner of said Section; thence North 0 degrees 01 minute 10 seconds West, said bearing being the basis of bearing of the description with all other bearings herein relative there to, 618.14 feet along the east line of said Section to a 5/8" capped rebar and being the point of beginning of this description; thence North 89 degrees 47 minutes 42 seconds West along the north line of Lot 6 of the plat of Lakeland Estates, recorded in Plat Book 11, page 99, Elkhart County Recorder, extended easterly and westerly 462.45 feet to a 5/8" capped rebar on the east line of Lot 8 of said Plat and the west boundary of Glen Drive; thence North 0 degrees 21 minutes 00 seconds East 22.39 feet along said east line and west boundary 22.39 feet to a 5/8" capped rebar (Jones, Jr.) marking northeast corner of said Lot 8; thence North 88 degrees 57 minutes 02 seconds West along the north line of said Lot 200.41 feet to a 5/8" capped rebar (Jones, Jr.) marking the northwest corner of said Lot; thence South 0 degrees 12 minutes 49 seconds West 569.69 feet along the west line of said recorded plat and said west line extended to a 5/8" capped rebar (Jones, Jr.) on the north boundary of County Road 4; thence along the said north boundary the following nine courses: (1) South 89 degrees 39 minutes 54 seconds West 867.17 feet to a 5/8" capped rebar (Jones, Jr.); (2) South 0 degrees 20 minutes 06 seconds East 40.00 feet to a 5/8" capped rebar (Jones, Jr.); (3) South 89 degrees 39 minutes 54 seconds West 592.04 feet to a 5/8" capped rebar (Jones, Jr.); (4) North 0 degrees 20 minutes 06 seconds West 11.88 feet to a 5/8" capped rebar (Jones, Jr.); (5) South 89 degrees 39 minutes 54 seconds West 112.72 feet to a 5/8" capped rebar (Jones, Jr.); (6) North 83 degrees 29 minutes 32 seconds West 101.70 feet to a 5/8" capped rebar (Jones, Jr.); (7) South 89 degrees 39 minutes 54 seconds West 215.56 feet to a 5/8" capped rebar (Jones, Jr.); (8) North 45 degrees 03 minutes 52 seconds West 62.19 feet to a 5/8" capped rebar (Jones, Jr.); (9) South 89 degrees 52 minutes 45 seconds West 14.52 feet to a 5/8" capped rebar (Jones, Jr.) on the east boundary of County Road 15; thence North 0 degrees 07 minutes 15 seconds West 81.79 feet along said east boundary to a 5/8" capped rebar (Jones, Jr.); thence South 89 degrees 52 minutes 45 seconds West 39.32 feet to a magnetic nail on the north-south centerline of Section 13; thence North 0 degrees 05 minutes 09 seconds East 2,476.21 feet to a Harrison monument marking the Center of said Section; thence South 69 degrees 47 minutes 35 seconds East along the south boundary of land owned by the Indiana Department of Natural Resources (IDNR) and described in Deed Record 2018-26655 1,414.26 feet to a 5/8" capped rebar (Jones, Jr.); thence continuing along the south boundary of said IDNR land South 24 degrees 34 minutes 26 seconds East 377.20 feet to a 5/8" capped rebar (Jones, Jr.); thence South 70 degrees 18 minutes 27 seconds East continuing along the south boundary of said IDNR land 536.43 feet to a 5/8" capped rebar (Jones, Jr.); thence continuing along the south boundary of said IDNR land South 89 degrees 26 minutes 16 seconds East 660.07 feet to a 5/8" capped rebar (Jones, Jr.) on the east line of said Section; thence South 0 degrees 14 minutes 56 seconds West 436.35 feet to the southwest corner of the North Half of the Southwest Quarter of Section 18, Township 38 North, Range 6 East, being marked by a 1" pipe with a "Brads-Ko" cap thereon; thence South 0 degrees 01 minutes 10 seconds east along said east line 577.66 feet to the point of beginning and containing 113.26 acres, more or less.

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 20th day of August 2024,
by the City of Elkhart, Plan Commission. HSPAXLP

LEGAL NOTICE #24-AP-01

Hearing on proposed Appeal #24-AP-01

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 **Tuesday, September 3, 2024, at 1:45 P.M.** concerning the following request:

A public hearing will be conducted on Appeal #24-AP-01.

Petitioner: Ivy Iverson

Request: Ivy Iverson is appealing the decision of the City of Elkhart Plat Committee of the Rosie's Minor Subdivision to the Elkhart City Plan Commission. On July 23, 2024, the City of Elkhart Plat Committee approved a one-lot plat of the original two (2) lot subdivision. Ms. Iverson wishes the existing plat to remain unchanged.

Location: 1900 & 1904 Franklin St.

Zoning: 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 2313 664 8026 as the meeting number and "Plan2024" 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:

Lot 6 and part of Lots 4 and 5 as the said Lots are known and designated on the recorded Plat of H.E. Dinehart's Edgewater Addition to the City of Elkhart, Indiana recorded in Plat Book 1 Page 150 in the Office of the Recorder of Elkhart County, Indiana.

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 20th day of August 2024, by the City of Elkhart, Plan Commission.

HSPAXLP

LEGAL NOTICE #24-SUB-02

Hearing on proposed Subdivision

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 **Tuesday, SEPTEMBER 3, 2024, at 1:45 P.M.** concerning the following request:

A public hearing will be conducted on Subdivision #24-SUB-02.

Petitioner: Almac Development, INC

Request: Per Article 4 of the Subdivision Ordinance, approval of a Preliminary Plat for a two-lot subdivision; to be known as 'Pio Minor Subdivision', a two (2) lot subdivision, a part of the Northwest Quarter of Section 26, Township 38 North, Range 5 East, Osolo Township, Elkhart County, Indiana. This request seeks to also establish a Cross Access easement on Lot 1 for the benefit of Lot 2. Location: 2700 Jeanwood Drive

Zoning: 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 2313 664 8026 as the meeting number and "Plan2024" 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 Lot A-4 in Northland Park Second Section, the plat of which is recorded in Plat Book 11, page 99 and a part of Lot A-6 in Northland Park First Section, the plat of which is recorded in Pls11 Book 12, page 32, all in the Office of the Recorder of Elkhart County, being further located in the Northwest Quarter of Section 26, Township 38 North, Range 5 East, Osolo Township, Elkhart County, Indiana, and being that 4.95-acre tract of land shown on the Certificate of Survey certified by Jeffrey S. Barnes, PS #LS20200084 on April 10, 2024, as the Jones Petrie Rafinski project number 2023-0333 (all references to monuments and courses herein are as shown on said survey) and being more particularly described as follows: Commencing at the northwest corner of said Section; thence South 0 degrees 05 minutes 46 seconds East, said bearing being the basis of bearing of the description with all other bearings herein relative thereto, 434.00 feet along the west line of said Section to the north line extended of Lot A-4 in said Northland Park Second Section; thence North 88 degrees 11 minutes 20 seconds East 25.14 feet to a PK nail at the northwest corner of said Lot and being the point of beginning of this description; thence continuing North 88 degrees 11 minutes 20 seconds East 420.28 feet to a 5/8" capped rebar (Barnes); thence South 0 degrees 10 minutes 57 seconds West 319.47 feet to a mag nail; thence North 89 degrees 47 minutes 01 seconds West 44.18 feet to a capped rebar (Schnaars); thence South 02 degrees 39 minutes 03 seconds West 2.16 feet to a capped rebar (Schnaars); thence South 01 degree 25 minutes 13 seconds West 220.03 feet to a capped rebar (Schnaars); thence South 88 degrees 06 minutes 26 seconds West 368.45 feet to a capped rebar (Schnaars) on the east boundary of County Road 13 (also known as Jeanwood Drive); thence North 0 degrees 06 minutes 49 seconds West 540.31 feet along said east boundary to the point of beginning and containing 4.95 acres, more or less.

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

LEGAL NOTICE # 24-Z-04

Hearing on proposed Rezoning #24-Z-04

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 **Tuesday, September 3, 2024, at 1:45 P.M.** concerning the following request:

A public hearing will be conducted on Rezoning #24-Z-04.

Petitioner: Annette Peoples

Request: Per Section 29.11.B, Map Amendments, a request to rezone 1723 Oakland Avenue (06-07-430-022) from R-4, Multiple Family Dwelling District to R-2, One Family Dwelling District.

Location: 1723 Oakland Avenue

Zoning: R-4, Multiple 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 2313 664 8026 as the meeting number and "Plan2024" 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:

Lot Numbered Three Hundred Fifty-eight (358) and a part of Lot Numbered Three Hundred Fifty-nine (359) as the said Lots are known and designated on the recorded Plat of Elliston's Addition to the City of Elkhart, Elkhart County, Indiana, said Plat being recorded in Deed Records 111, page 188 in the Office of the Recorder of Elkhart County, Indiana, also a part of the vacated Wolf Avenue adjacent to the South line of said Lot Numbered Three Hundred Fifty-eight (358) and a part of the vacated Sixteen and fifty hundredths (16.50) foot wide alley adjacent to the West line of said Lot Numbered Three Hundred Fifty-eight (358) and Lot Numbered Three Hundred Fifty-nine (359), being more particularly described as follows:

Commencing at the Southeast corner of said Lot Numbered Three Hundred Fifty-nine (359); thence Northerly along the East line of said Lot Numbered Three Hundred Fifty-Nine (359), a distance of Sixteen (16) feet to the point of beginning of this description; thence Westerly parallel with and Sixteen (16) feet North of the South line of said Lot Numbered Three Hundred Fifty-nine (359), a distance of One Hundred forty and twenty-five hundredths (140.25) feet to the centerline of a vacated Sixteen and fifty hundredths (16.50) foot wide alley, thence Southerly along said centerline of the vacated alley, also being parallel with and Eight and twenty-five hundredths (8.25) feet West of the West line of Lot Numbered Three Hundred Fifty-nine (359) and Three Hundred Fifty-eight (358), a distance of One Hundred three (103) feet to the North right-of-way line of existing Wolf Avenue; thence Easterly along the North line of said Wolf Avenue, a distance of One Hundred forty and twenty-five hundredths (140.25) feet to the West right-of-way line of Oakland Avenue; thence Northerly along the West line of said Oakland Avenue, also the East line of Lot Numbered Three Hundred Fifty-eight (358) and Three Hundred Fifty-nine (359), a distance of One Hundred three (103) feet to the point of beginning of this description.

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

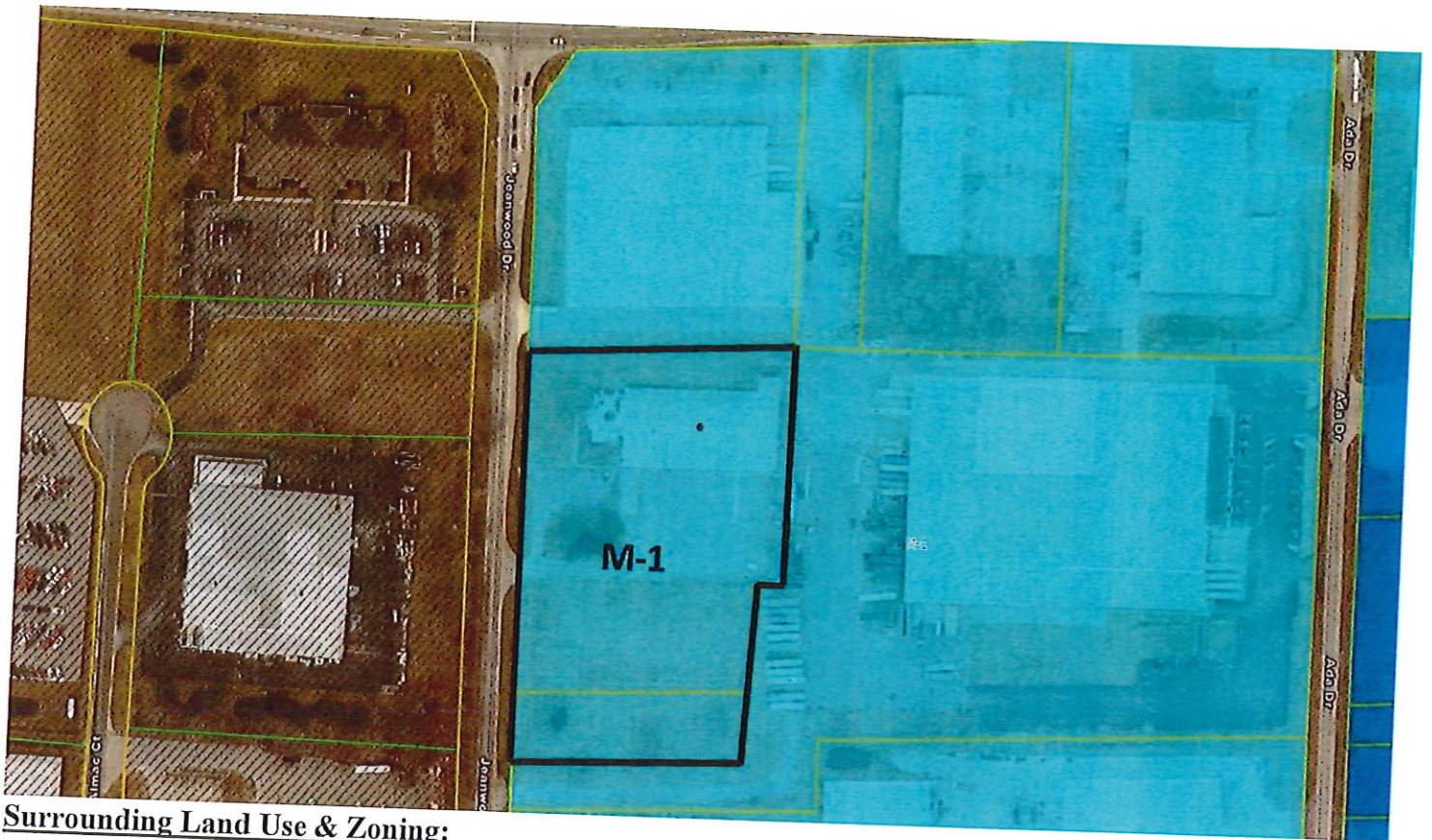
PLEASE NOTE: A copy of this petition is on file in the Planning Office for public examination prior to the hearing. Written objections to this petition which are filed with the Secretary of the Commission, located in the Planning Office, prior to the hearing will be considered. The hearing may be continued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



Staff Report

Planning & Zoning

<u>Petition:</u>	24-SUB-02
<u>Petition Type:</u>	Subdivision
<u>Date:</u>	September 3, 2024
<u>Petitioner:</u>	Almac Development
<u>Site Location:</u>	2700 Jeanwood Drive
<u>Request:</u>	Per Article 4 of the Subdivision Ordinance, approval of a Preliminary Plat for a two-lot subdivision; to be known as 'Pio Minor Subdivision', a two (2) lot subdivision, a part of the Northwest Quarter of Section 26, Township 38 North, Range 5 East, Osolo Township, Elkhart County, Indiana. This request seeks to also establish a Cross Access easement on Lot 1 for the benefit of Lot 2.
<u>Existing Zoning:</u>	M-2, General Manufacturing District
<u>Size:</u>	+/- 4.95 Acres
<u>Thoroughfares:</u>	Jeanwood Drive
<u>School District:</u>	Elkhart Community Schools
<u>Utilities:</u>	Available and provided to site.



Surrounding Land Use & Zoning:

The property is surrounded to the north, east and west industrial uses zoned M-1, Limited Manufacturing District and M-2, General Manufacturing District. Land to the west is an industrial Planned Unit Development.

Applicable Sections of the Zoning Ordinance:

Article 4 of the Subdivision Ordinance

Comprehensive Plan:

The Comprehensive Plan calls for industrial land uses.

Plan Commission Action:

Approval or disapproval with conditions; Final Plat submitted to Plat Committee for final approval.

Staff Analysis

The petitioners is requesting approval of a two (2) -lot subdivision of land that is part of the Northwest Quarter of Section 26, Township 38 North, Range 5 East, Osolo Township, Elkhart County, Indiana.

The proposed subdivision will reconfigure the exiting parcel lines to accommodate the southern parcel made larger for development. The request will also establish a cross access easement on Lot 1 for the benefit of Lot 2.

The project has been reviewed and approved at Technical Review. This board submittal is the last remaining item to be addressed.

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 Statutes, 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 Staff recommends **approval** of the two lot subdivision, to be known as 'Pio Minor Subdivision,' a two (2)-lot subdivision; a part of the Northwest Quarter of Section 26, Township 38 North, Range 5 East, Osolo Township, Elkhart County, Indiana, based on the following findings of fact:

- 1) The lots meet the minimum lot area requirements for the M-2, General Manufacturing District;
- 2) The proposed request results in the creation of two (2) lots as defined by the Zoning and Subdivision Ordinance with the established cross access easement;
- 3) The proposed subdivision will not compromise any existing development.

Conditions:

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

Photos



Attachments

Petition and primary plat.

PETITION #: 24-Sub-02

FILING FEE: \$ 100.00

PETITION to the PLAT COMMITTEE

PETITION TYPE: MINOR SUBDIVISION

Property Owner(s): ALMAC DEVELOPMENT, INC.

Mailing Address: _____

Phone #: _____ PETE LETHERMAN Email: _____

Contact Person: JEFF BARNES, PS. w/JPR

Mailing Address: _____

Phone #: _____ Email: _____

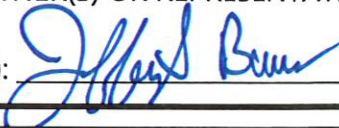
Subject Property Address: 2700 JEANWOOD DRIVE, ELKHART, IN 46514

Zoning: M-1 LIMITED MANUFACTURING

Present Use: COMMERCIAL Proposed Use: COMMERCIAL

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): JEFFREY S. BARNES, PS, (AGENT)

SIGNATURE(S):  DATE: 07/11/2024

STAFF USE ONLY:

Staff Checklist for the applicant's submittal of a complete Petition to the Plat Committee:

- _____ 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.
- _____ Two bonds and two mylars of the proposed plat drawing signed by the legal owner of record.
- _____ 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): _____

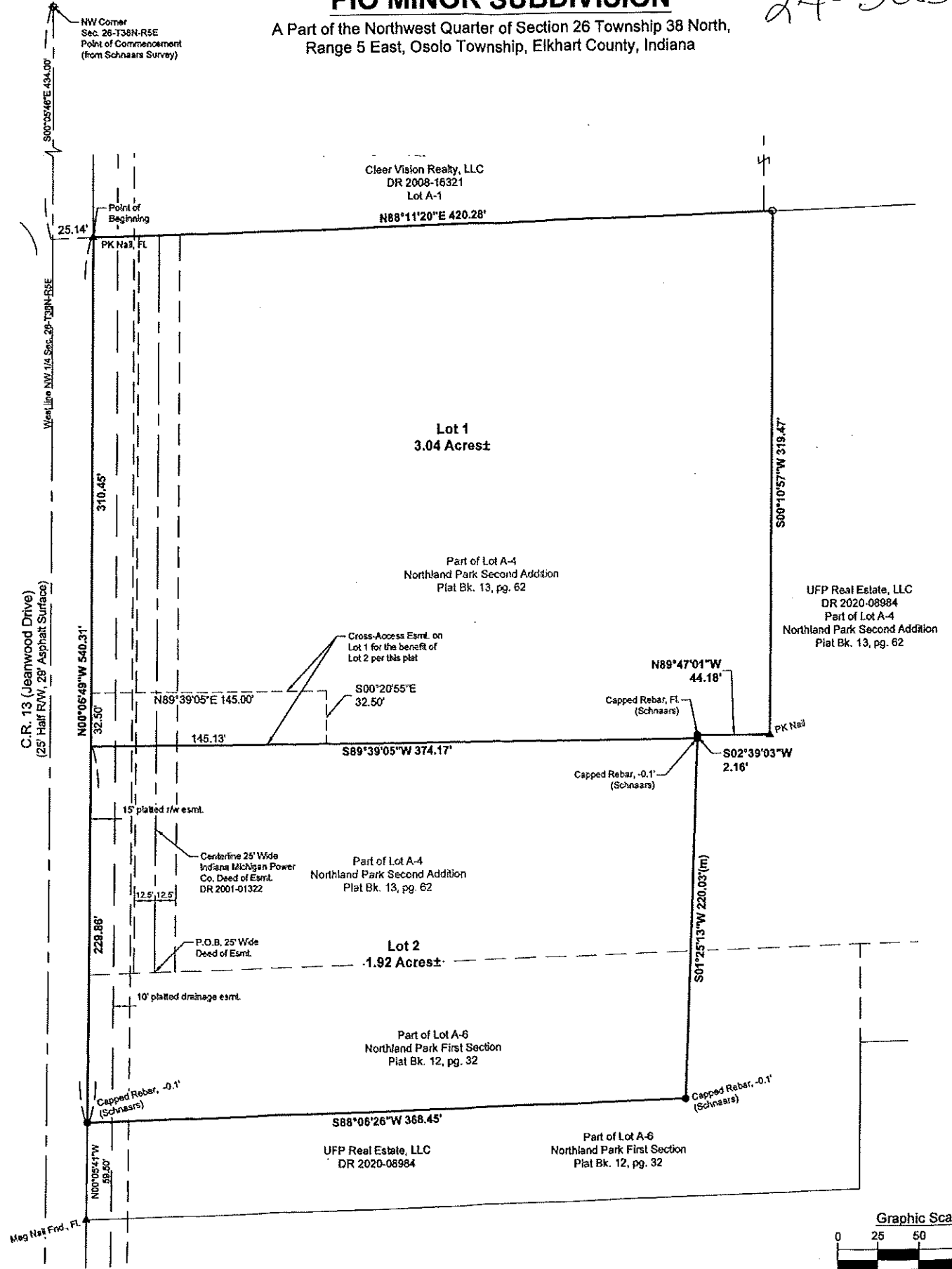
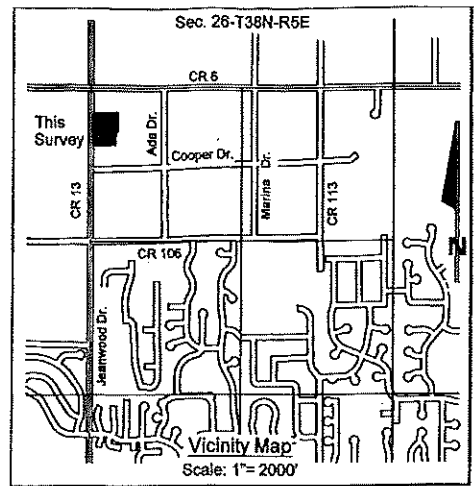
Map #: _____ Area: _____

RECEIVED BY: _____ DATE: _____

24-Sub-02

PIO MINOR SUBDIVISION

A Part of the Northwest Quarter of Section 26 Township 38 North,
Range 5 East, Osolo Township, Elkhart County, Indiana




Subdivision Legal Description

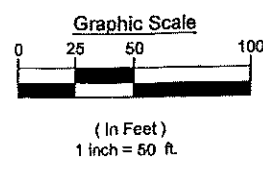
A part of Lot A-4 in Northland Park Second Section, the plat of which is recorded in Plat Book 11, page 99 and a part of Lot A-6 in Northland Park First Section, the plat of which is recorded in Plat Book 12, page 32, all in the Northwest Quarter of Section 26, Township 38 North, Range 5 East, Osolo Township, Elkhart County, Indiana, and being that 4.95 acre tract of land shown on the Certificate of Survey certified by Jeffrey S. Barnes, PS #LS20200084 on April 10, 2024, as the Jones Petrie Rafinski project number 2023-0333 (all references to monuments and courses herein are as shown on said survey) and being more particularly described as follows: Commencing at the northwest corner of said Section; thence South 0 degrees 05 minutes 46 seconds East, said bearing being the basis of bearing of the description with all other bearings herein relative thereto, 434.00 feet along the west line of said Section to the north line extended of Lot A-4 in said Northland Park Second Section; thence North 88 degrees 11 minutes 20 seconds East 25.14 feet to a PK nail at the northwest corner of said Lot and being the point of beginning of this description; thence continuing North 88 degrees 11 minutes 20 seconds East 420.28 feet to a 5/8" capped rebar (Barnes); thence South 0 degrees 10 minutes 57 seconds West 319.47 feet to a mag nail; thence North 89 degrees 47 minutes 01 seconds West 44.18 feet to a capped rebar (Schnaars); thence South 02 degrees 39 minutes 03 seconds West 2.16 feet to a capped rebar (Schnaars); thence South 01 degree 25 minutes 13 seconds West 220.03 feet to a capped rebar (Schnaars); thence South 88 degrees 06 minutes 26 seconds West 368.45 feet to a capped rebar (Schnaars) on the east boundary of County Road 13 (also known as Jeanwood Drive); thence North 0 degrees 06 minutes 49 seconds West 540.31 feet along said east boundary to the point of beginning and containing 4.95 acres, more or less.

Being comprised of portions of land described in Deed Record 90-021386.

Legend

- Existing Monument (Origin Unknown Unless Otherwise Noted)
- 5/8" Capped Rebar Set (Barnes 20200084)
- ▲ PK Nail Found
- FL Mon. Flush with Ground
- 0.1' Elev. of Mon. above Ground (Typ.)

OWNER	 JONES PETRIE RAFINSKI		South Bend, IN P: 574.232.0388 Fort Wayne, IN P: 244.242.2372
	Northland Corporation 3414 C.R. 6 Elkhart, IN 46514		
CLIENT	Almac Development, Inc. 2700 Jeanwood Drive Elkhart, IN 46514		
	© 2024 JPR - All Rights Reserved REF. DOC. NO.: 90-021366 SCALE: 1" = 50' DRAWN BY: jsb SURVEYED: Jan, 2024 DATE: 07/09/2024 CHECKED BY: JOB NO.: 2023-0333 PROJ.: 2700 Jeanwood Drive DESC.: Final Plat LOC.: NW 1/4 Sec. 26-T38N-R5E, Osolo Twp.		



File: \\Projects\2023 Projects\0333\02_Survey\Subdivision Plat\C-1708P.dwg Saved By:jbarnes Plotted: 2024-07-09 6:56 PM



City of Elkhart

Staff Report

Planning & Zoning

<u>Petition:</u>	24-Z-04
<u>Petition Type:</u>	Rezoning
<u>Date:</u>	September 3, 2024
<u>Petitioner:</u>	Annette Peoples
<u>Site Location:</u>	Vacant Lot (1700 block) Oakland Avenue; Parcel 20-06-07-430-022.000-012
<u>Request:</u>	Per Section 29.11.B, Map Amendments, a request to rezone 1723 Oakland Avenue (06-07-430-022) from R-4, Multiple Family Dwelling District to R-2, One Family Dwelling District.
<u>Parcel I.D. Number(s):</u>	20-06-07-430-022.000-012
<u>Existing Zoning:</u>	R-4, Multiple Family Dwelling District
<u>Size:</u>	+/- .33 Acres
<u>Thoroughfares:</u>	Oakland Avenue and W Wolf Avenue
<u>School District:</u>	Elkhart Community Schools
<u>Utilities:</u>	Available to site

Surrounding Land Use & Zoning:

The property is located amongst a mix of residential uses zoned R-4, Multiple Family Dwelling District and R-2, One Family Dwelling District. The land to the northwest is industrial zoned M-2, General Manufacturing District.

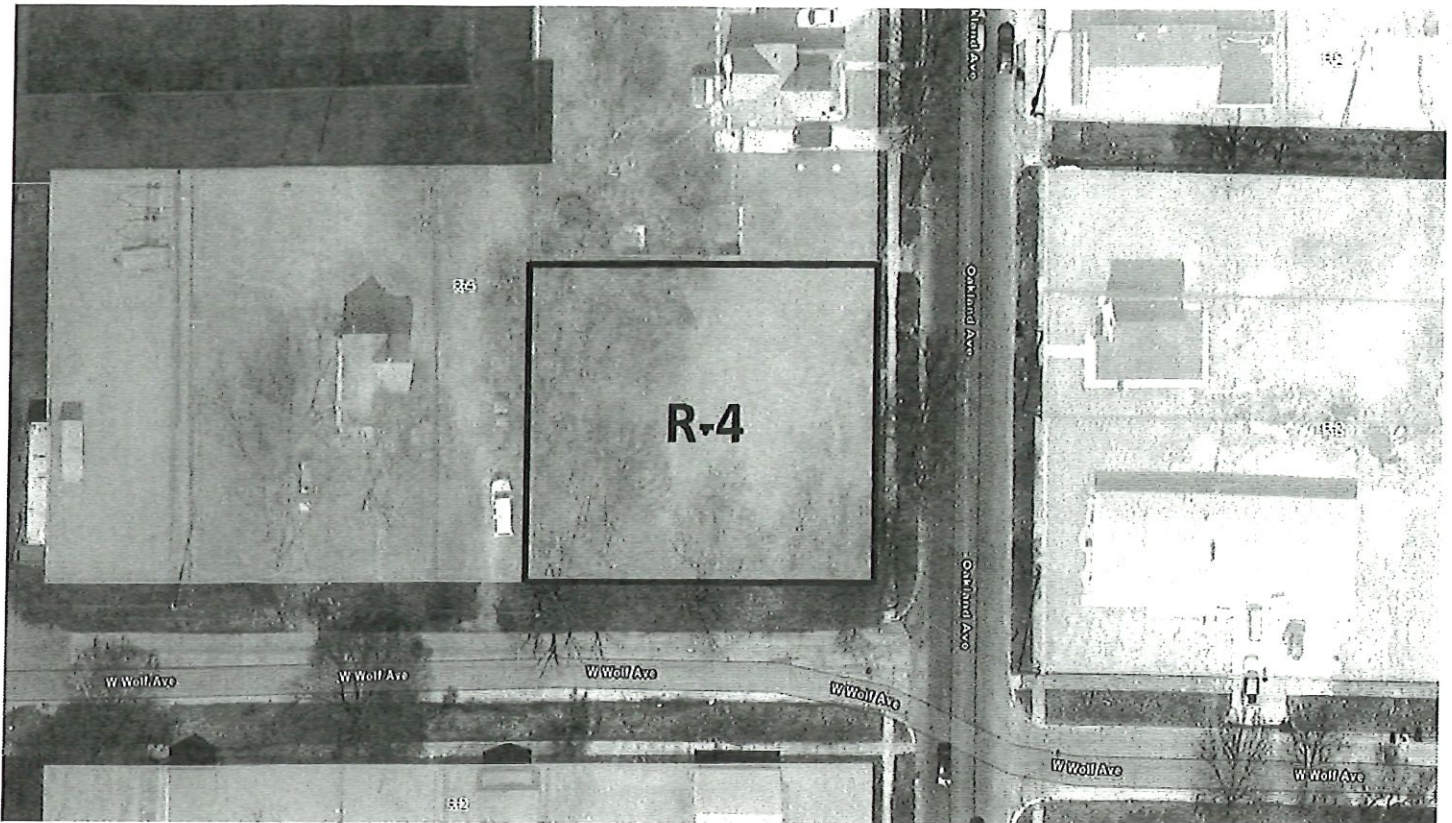
Applicable Sections of the Zoning Ordinance:

See enumerated in request.

Comprehensive Plan:

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

Plan Commission Action: Recommendation to Common Council.



Staff Analysis

The petitioner is requesting a rezoning from R-4, Multi Family Dwelling District to R-2, One Family Dwelling District with the intent of constructing two (2) single family residential structures. The site is located at the northwest corner of W Wolf and Oakland Avenues. The area is a mix of low density residential structures in an area that is ready for new infill development like what is proposed with this petition.

This rezoning request activates vacant land that has been vacant since 2006 when the previous structure was demolished. This project helps our community continue to address the shortage of residential dwelling units. The final layout for the project has not yet been finalized. However, the project will be required to be submitted for review by zoning and building staff to ensure it meets all applicable code requirements. The project will also be required to submit a minor subdivision to establish new lots of record.

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 residential uses;
- 2) Current conditions and the character of current structures and uses in each district will not be impacted because the proposed single family development will blend well with the surrounding residential uses;
- 3) The R-2 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 residential uses;
- 5) The rezoning of the property to R-2, One Family Dwelling District is compatible with the surrounding properties and does reflect responsible growth and development.

Photos



Attachments

Petition, appeal letter, affidavit, and site plan.

Wolf Av.

Current Lot 100' x 140'
Fronting Oakland Av.

Proposed Lot Split
Creating 2 Lot of 100' x 70'
100' Fronting Wolf Av.

Oakland Av

1723

70'

70'

100'

140'

PETITION #: 24-2-04

FILING FEE: \$ 200

PETITION to the PLAN COMMISSION

PETITION TYPE: REZONING

This action requires final approval from the Common Council

Property Owner(s): ANNETTE PEOPLES

Mailing Address: _____

Phone #: _____ Email: _____

Contact Person: ANNETTE PEOPLES

Mailing Address: _____

Phone #: _____ Email: _____

Subject Property Address: 1723 OAKLAND AVE ELKHART 46516

Zoning: R4 TO A R2

Present Use: VACANT Proposed Use: SINGLE FAMILY HOMES

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): ANNETTE PEOPLES

SIGNATURE(S): Annette Peoples DATE: 7-31-2024

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: _____



Staff Report

Planning & Zoning

Petition: 24-SUB-03

Petition Type: Subdivision

Date: September 3, 2024

Petitioner: Jenway Majestic, LLC and Wrangler Real Estate, Inc.

Site Location: VL Vernon Avenue and Greenleaf Boulevard

Request: Per Article 4 of the Subdivision Ordinance, approval of a Preliminary Plat for a subdivision to be known as 'Vernon's Reserve Subdivision,' a eight (8)-lot subdivision; a part of the Southwest Quarter of Section 35, Township 38 North, Range 5 East, Osolo Township, Elkhart County, Indiana.

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

Size: +/- 2.64 Acres

Thoroughfares: Vernon Avenue and Greenleaf Boulevard

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-1, One Family Dwelling.

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 petitioner owns a parcel comprising approximately 2.64 acres (including right-of-way) that they wish to develop as an 8-lot subdivision for single-family residences. The property is zoned R-1; single family residences are a permitted use in the R-1 District and have a minimum house size of 1,250 square feet; in the case of two-story houses the first floor must contain 850 square feet.

The planned layout is to have the road terminate to a cul de sac at the eastern end of Vernon Avenue with one lot to front on Greenleaf. The retention will be accommodated in road side swales. The layout will include five-foot sidewalks to facilitate pedestrian use. The plat includes required setbacks that demonstrate that each lot is buildable.

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 has had preliminary review around the technical aspects of the project and no issues are anticipated.

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 Statutes, 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** a Preliminary Plat for a subdivision to be known as 'Vernon's Reserve Subdivision,' a eight (8)-lot subdivision; a part of the Southwest Quarter of Section 35, Township 38 North, Range 5 East, Osolo Township, Elkhart County, Indiana.. The lots meet the minimum lot area requirements for the R-1, One-Family Dwelling District;

- 1) All 8 proposed single-family lots meet all of the bulk standards of the R-1 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



Attachments

Petition and primary plat.

PETITION #: 24-SUB-03

FILING FEE: \$ 500

PETITION to the PLAN COMMISSION

PETITION TYPE: MAJOR SUBDIVISION

Property Owner(s): Jenway Majestic LLC. & Wrangler Real Estate Inc.

Mailing Address: [REDACTED]

Phone #: [REDACTED] Email: [REDACTED]

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

Mailing Address: [REDACTED]

Phone #: [REDACTED] Email: [REDACTED]

Subject Property Address: Vacant Land

Zoning: R-1

Present Use: vacant land Proposed Use: new 8 lot 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): Conway Hershberger

SIGNATURE(S): [Signature] DATE: 7/31/2024

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: _____

24-sub03

PRELIMINARY PLAT

VERNON'S RESERVE

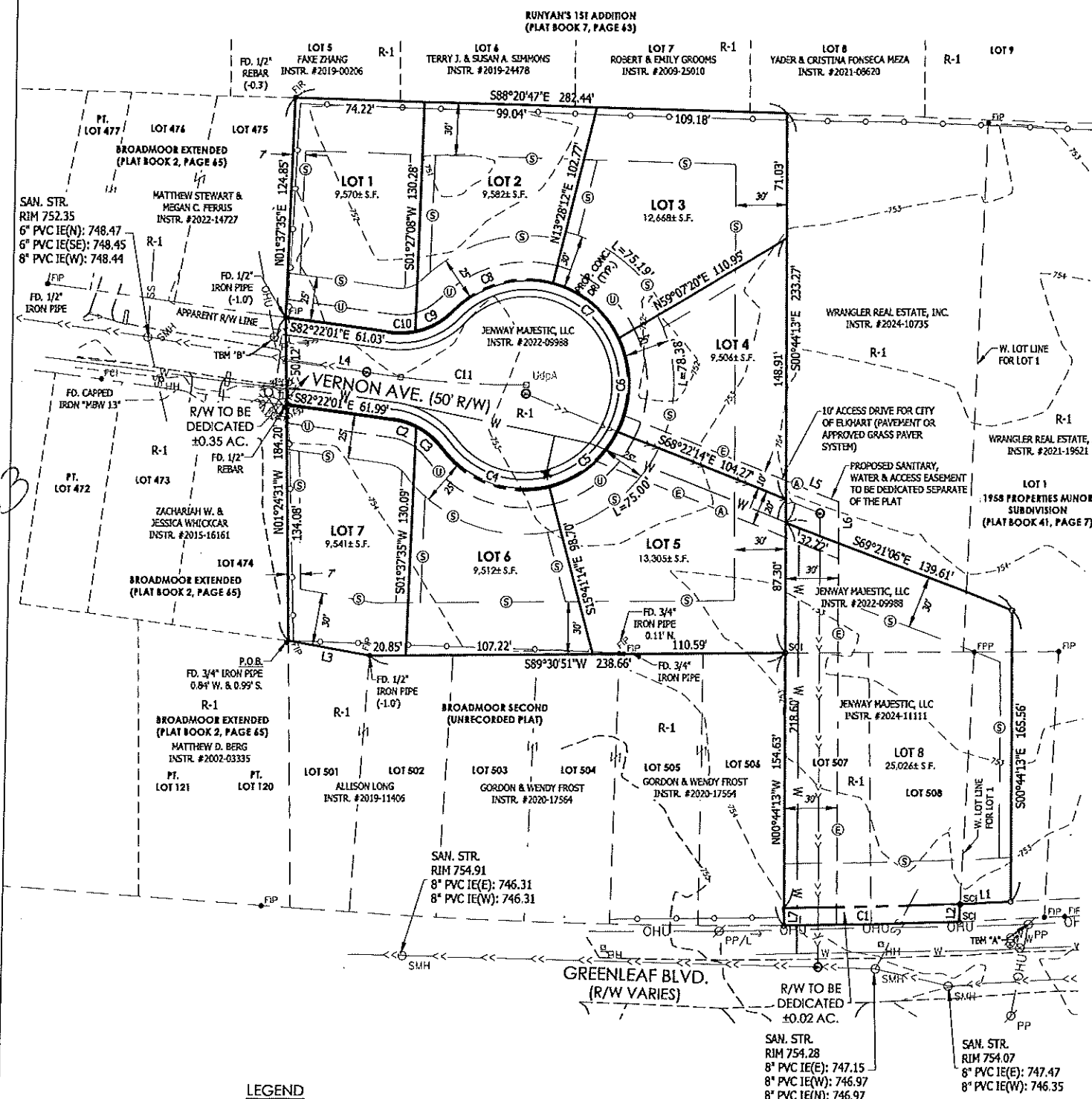
A PART OF THE SOUTHWEST QUARTER OF SECTION 35,
TOWNSHIP 38 NORTH, RANGE 5 EAST,
OSOLO TOWNSHIP, ELKHART COUNTY, INDIANA.
OWNER: WRANGLER REAL ESTATE & JENWAY MAJESTIC, LLC
TAX ID#: 20-02-35-351-017.000-026;
20-02-35-351-013.000-026 20-02-35-351-014.000-026 AND
PT. 20-02-35-352-032.000-026

ABONMACHE
303 River Race Drive, Unit 206
Carmel, IN 46032
T 574.533.9911
F 574.533.9911
abonmache.com
comment: abonmache.com/surveying

Valparaiso
Hobart
Lafayette
South Bend
Grand Haven

Goshen
Benton Harbor
Portage
South Haven
Fort Wayne

Engineering - Architecture - Land Surveying



LEGAL DESCRIPTION

A PART OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION THIRTY-FIVE (35), TOWNSHIP THIRTY-EIGHT (38) NORTH, RANGE FIVE (5) EAST, OSOLO TOWNSHIP, ELKHART COUNTY, STATE OF INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 474 IN BROADMOOR EXTENDED (ELKHART COUNTY PLAT BOOK 2, PAGE 65); THENCE NORTH 01°24'31" WEST ALONG THE EAST LINE OF SAID LOT 474 AND THE NORTHERLY EXTENSION THEREOF, 184.20 FEET TO THE SOUTHEASTLY CORNER OF LAND CONVEYED TO MATTHEW STEWART AND MEGAN FERRIS (ELKHART COUNTY INSTR. #2022-14727); THENCE NORTH 01°37'35" EAST ALONG THE EASTERLY LINE OF SAID STEWART/FERRIS LAND, 124.85 FEET TO THE SOUTHERLY LINE OF LOT 5 IN RUNYAN'S FIRST ADDITION (ELKHART COUNTY PLAT BOOK 7, PAGE 63); THENCE SOUTH 88°20'47" EAST ALONG THE SOUTH LINE OF LOTS 5, 6, 7 AND 8 IN SAID RUNYAN'S FIRST ADDITION, A DISTANCE OF 282.44 FEET TO A 5/8 REBAR WITH CAP STAMPED "ABONMACHE 0050"; THENCE SOUTH 00°44'13" EAST, 233.27 FEET TO A 5/8 REBAR WITH CAP STAMPED "ABONMACHE 0050"; THENCE SOUTH 69°21'06" EAST, 139.61 FEET TO A 5/8 REBAR WITH CAP STAMPED "ABONMACHE 0050"; THENCE SOUTH 09°44'13" EAST, 165.56 FEET TO A POINT ON THE NORTH LINE OF THE RIGHT OF WAY OF GREENLEAF BOULEVARD; THENCE SOUTH 87°25'45" WEST ALONG THE NORTH LINE OF SAID GREENLEAF BOULEVARD, 30.00 FEET; THENCE SOUTH 02°12'23" WEST ALONG THE LINE OF DEDICATED RIGHT OF WAY OF GREENLEAF BOULEVARD, 10.03 FEET TO THE NORTH LINE OF GREENLEAF BOULEVARD; THENCE SOUTHWESTERLY ALONG A 3274.11 FOOT RADIUS CURVE TO THE RIGHT, 99.51 FEET (CHORD BEARING SOUTH 88°35'37" WEST, CHORD DISTANCE 99.51 FEET) ALONG SAID NORTH LINE OF GREENLEAF BOULEVARD RIGHT OF WAY TO THE SOUTHEAST OF A PARCEL DEEDED TO GORDON & WENDY FROST IN INSTRUMENT #2020-17564; THENCE NORTH 09°44'13" WEST ALONG THE EAST LINE OF SAID FROST PARCEL, 154.63 FEET TO A 5/8 REBAR WITH CAP STAMPED "ABONMACHE 0050" ON THE SOUTH LINE OF A PARCEL OF LAND DEEDED TO JENWAY MAJESTIC, LLC (ELKHART COUNTY INSTR. #2022-09988); THENCE SOUTH 89°30'51" WEST ALONG THE SOUTH LINE OF SAID JENWAY MAJESTIC, LLC PARCEL, 238.66 FEET TO A 1/2 INCH IRON PIPE; THENCE NORTH 79°44'05" WEST ALONG SAID JENWAY MAJESTIC, LLC PARCEL, 47.40 FEET TO THE PLACE OF BEGINNING.

CONTAINING 2.64 ACRES, MORE OR LESS, AND BEING SUBJECT TO ALL EASEMENTS, RESTRICTIONS AND PUBLIC RIGHTS OF WAY OF RECORD.

Line #	Bearing	Length
L1	S87°25'45"W	30.00'
L2	S2°12'23"W	10.03'
L3	N79°44'05"W	47.40'
L4	S82°22'01"E	66.38'
L5	S68°22'14"E	32.44'
L6	S0°44'13"E	23.55'
L7	N0°44'13"W	10.00'

Curve #	Length	Radius	Delta	Chord Bearing	Chord
C1	99.51'	3274.11'	1°44'29"	S88°35'37"W	99.51'
C2	13.70'	41.00'	19°08'50"	N72°47'38"W	13.64'
C3	18.60'	41.00'	26°16'40"	N50°04'51"W	18.64'
C4	70.29'	60.00'	67°07'32"	S70°30'17"E	66.34'
C5	52.01'	60.00'	49°39'56"	N51°05'59"E	50.40'
C6	55.47'	60.00'	52°58'25"	N0°13'12"W	53.52'
C7	51.29'	60.00'	48°58'29"	N51°11'39"W	49.74'
C8	62.63'	60.00'	59°48'21"	S74°24'56"W	59.82'
C9	23.99'	41.00'	33°31'14"	N61°16'23"E	23.65'
C10	14.03'	41.00'	19°35'59"	N87°49'59"E	13.90'
C11	71.74'	500.00'	8°13'14"	S85°28'39"E	71.68'

TOTAL SUBDIVISION AREA
115,102 S.F.
2.64± ACRES

AREA IN RIGHT OF WAY
16,392 S.F.
0.37± ACRE

AREA IN LOTS
98,710 S.F.
2.27± ACRES

OWNER/DEVELOPER
JENWAY MAJESTIC, LLC
21063 CHELTON GLEN BLVD.
BRISTOL, IN 46507

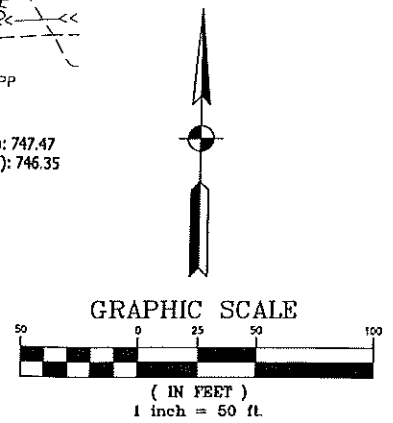
WRANGLER REAL ESTATE, INC.
21063 CHELTON GLEN BLVD.
BRISTOL, IN 46507

- LEGEND**
- SCI = SET 5/8" REBAR MARKED ABONMACHE FIRM 0050
 - FIP = FOUND IRON PIPE
 - FCI = FOUND CAPPED IRON
 - FIR = FOUND REBAR
 - TBM "A" = BENCHMARK LOCATION
 - SMH = SANITARY MANHOLE
 - = GUYWIRE
 - HH = HANDHOLE
 - PP/L = POWER POLE W/LIGHT
 - ⑤ = MINIMUM BUILDING SETBACK LINE (AT DISTANCES INDICATED)
 - ⑩ = 10' UTILITY EASEMENT
 - ⑥ = SANITARY & WATER EASEMENT
 - ④ = ACCESS EASEMENT
 - XXX --- = CONTOURS
 - PP = POWER POLE
 - = MAIL BOX
 - = SIGN
 - R-1 = ZONING
 - UdpA = SOIL DESIGNATION
 - OHU — = OVERHEAD POWER LINE
 - CHL — = CHAIN LINK FENCE
 - SSS — = SANITARY SEWER LINE
 - W — = WATER LINE
 - = DECIDUOUS TREE

BENCHMARKS

TBM "A"
BENCHMARK IN NORTH FACE OF POWER POLE LOCATED ON THE NORTH SIDE OF THE RIGHT OF WAY OF GREENLEAF BLVD. @ ELEVATION 754.63 FEET (NAVD88)

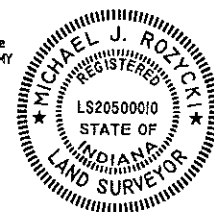
TBM "B"
BENCHMARK IN EAST FACE OF POWER POLE #E191-245 LOCATED ON THE NORTH SIDE OF THE RIGHT OF WAY OF VERNON AVE. @ ELEVATION 754.39 FEET (NAVD88)



I, the undersigned, an Indiana Registered Land Surveyor hereby certify that on the date shown, a survey was completed under my supervision and to the best of my knowledge and belief this plat is a representation of said survey.

Michael J. Rozycki
MICHAEL J. ROZYCKI, PS
PROFESSIONAL LAND SURVEYOR #20500010
STATE OF INDIANA

07/31/24
DATE



PROJECT: **VERNON'S RESERVE**

SHEET TITLE: **PRIMARY PLAT**

SHEET NO.: **24-0070**

DRAWN BY: **TRM**

DESIGNED BY:

PM REVIEW: **CMWE**

QA/QC REVIEW: **BEM**

DATE: **7/31/24**

SCALE: **HORIZ: 1" = 50'**
VERT:

ACT JOB # **24-0070**

SHEET NO. **1 of 2**

NO.	REVISION DESCRIPTION	BY:	DATE

PRELIMINARY PLAT

VERNON'S RESERVE

A PART OF THE SOUTHWEST QUARTER OF SECTION 35,
TOWNSHIP 38 NORTH, RANGE 5 EAST,
OSOLO TOWNSHIP, ELKHART COUNTY, INDIANA.
OWNER: WRANGLER REAL ESTATE & JENWAY MAJESTIC, LLC
TAX ID#: 20-02-35-351-017.000-026;
20-02-35-351-013.000-026 20-02-35-351-014.000-026 AND
PT. 20-02-35-352-032.000-026

GENERAL NOTES

PROPOSED LAND USE

PROPOSED IS AN 8 LOT MAJOR SUBDIVISION TO BE KNOWN AS VERNON'S RESERVE SUBDIVISION. THIS PROPERTY IS UNDER THE OWNERSHIP OF JENWAY MAJESTIC, LLC, BY INSTRUMENT #2022-09988 AND INSTRUMENT #2024-11111 AND WRANGLER REAL ESTATE, INC. BY INSTRUMENT #2021-10824. THE PROJECT IS LOCATED AT THE END OF VERNON AVENUE, NORTH OF GREENLEAF BOULEVARD AND BETWEEN CALUMET AVENUE AND GREENLEAF BOULEVARD IN ELKHART, INDIANA. THIS PROJECT IS SITUATE IN A PART OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 38 NORTH, RANGE 5 EAST, OSOLO 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 WAS ANNEXED INTO THE CITY OF ELKHART CORPORATE LIMITS IN 2024 AND IS ZONED R-1 (ONE FAMILY RESIDENTIAL). THE ADJACENT LAND TO THE NORTH, AND SOUTH ARE ZONED R-1 AND PARTLY UNDER ELKHART COUNTY JURISDICTION AND PARTLY UNDER CITY OF ELKHART JURISDICTION. THE ADJACENT LAND TO THE WEST IS UNDER THE JURISDICTION OF THE CITY OF ELKHART AND IS ZONED R-1 AND THE LAND ADJACENT TO THE EAST IS UNDER ELKHART COUNTY JURISDICTION.

DENSITY

TOTAL PROJECT AREA = 2.64+ ACRES
AREA IN LOTS = 2.17+ ACRES
AREA IN R/W = 0.48+ ACRES

ZONING REQUIREMENTS R-1 (ONE FAMILY RESIDENTIAL)

SETBACKS

FRONT YARD = 25 FEET
SIDE YARD = 7 FEET MINIMUM OR 20 FEET TOTAL
REAR YARD = 30 FEET

MINIMUM LOT SIZE = ESTABLISHED OR 9,500 S.F.
MAXIMUM LOT COVERAGE = 40%
MINIMUM FRONTAGE = 75 FEET

STREETS

THE SUBDIVISION WILL BE AN EXTENSION OF VERNON AVENUE AND END WITH A CUL-DE-SAC. ALL STREETS WILL BE DEDICATED TO THE CITY OF ELKHART AT THE TIME OF PLATTING.

STREET TREES

STREET TREES WILL BE ADDED AT THE TIME THE HOUSES ARE BUILT 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-BRISTOL COMPLEX, 0 TO 1% SLOPES (UdpA). 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 #18039CD133D, EFFECTIVE MAP DATE: AUGUST 2, 2011.

WETLAND NOTE

A REVIEW OF THE U.S. FISH & WILDLIFE SERVICE NATIONAL WETLANDS INVENTORY MAP ON MARCH 20, 2024 INDICATES THAT THERE ARE NO WETLANDS LOCATED ON THE SUBJECT PARCEL.

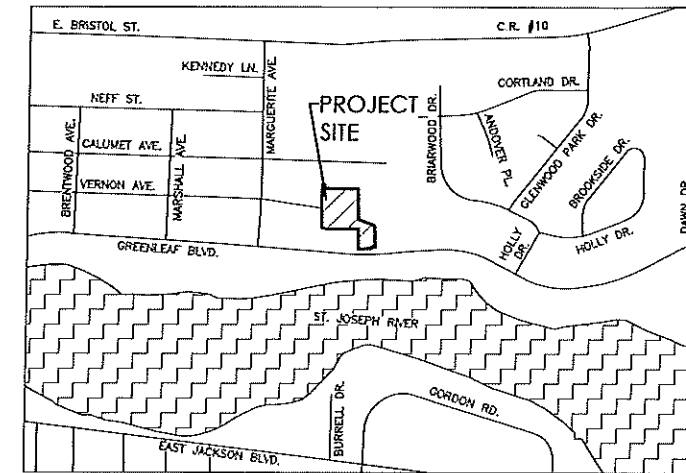
STORMWATER REQUIREMENTS

PER THE CITY OF ELKHART DEPARTMENT OF PUBLIC WORKS, ON-SITE STORMWATER RETENTION AND STORMWATER TREATMENT ARE NOT REQUIRED FOR THIS DEVELOPMENT, HOWEVER AN EROSION CONTROL PLAN AND STORMWATER POLLUTION PREVENTION PLAN (SWPPP) WILL BE REQUIRED. PLEASE SEE THE NEXT GENERAL NOTE "EROSION CONTROL AND POST-CONSTRUCTION PLAN." DRAINAGE RUNOFF FROM PROPOSED VERNON AVENUE WILL BE INTERCEPTED BY AN ADJACENT ROADSIDE SWALE WITHIN THE PUBLIC RIGHT-OF-WAY.

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 ACCORDING TO THE INDIANA STORM WATER QUALITY MANUAL - CHAPTER 2 WILL BE FOLLOWED. SEE www.idem.in.gov/stormwater FOR MORE INFORMATION. ABONMARCHÉ CONSULTANTS WILL BE PREPARING BOTH PLANS WITH THE CONSTRUCTION PLANS AND SECONDARY PLAT, 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 SECONDARY PLAT.



LOCATION MAP

N.T.S.



24-sub-03



303 River Race Drive, Unit 206
Coshan, IN 46526
T 574.533.9913
F 574.533.9911
abonmarche.com
CORPORATE ID: ABONMARCHÉ CONSULTANTS, INC.

Valparaiso
Hobart
Lafayette
South Haven
Grand Haven
Coshan
Benton Harbor
Portage
South Haven
Fort Wayne
Engineering - Architecture - Land Surveying

PROJECT: VERNON'S RESERVE

PRIMARY PLAT

SHEET TITLE:

DRAWN BY:
TRM

DESIGNED BY:

PM REVIEW:
CMWE

QA/QC REVIEW:
BEM

DATE:
7/31/24

SCALE:
HORZ:

VERT:

ACI JOB #
24-0070

SHEET NO.

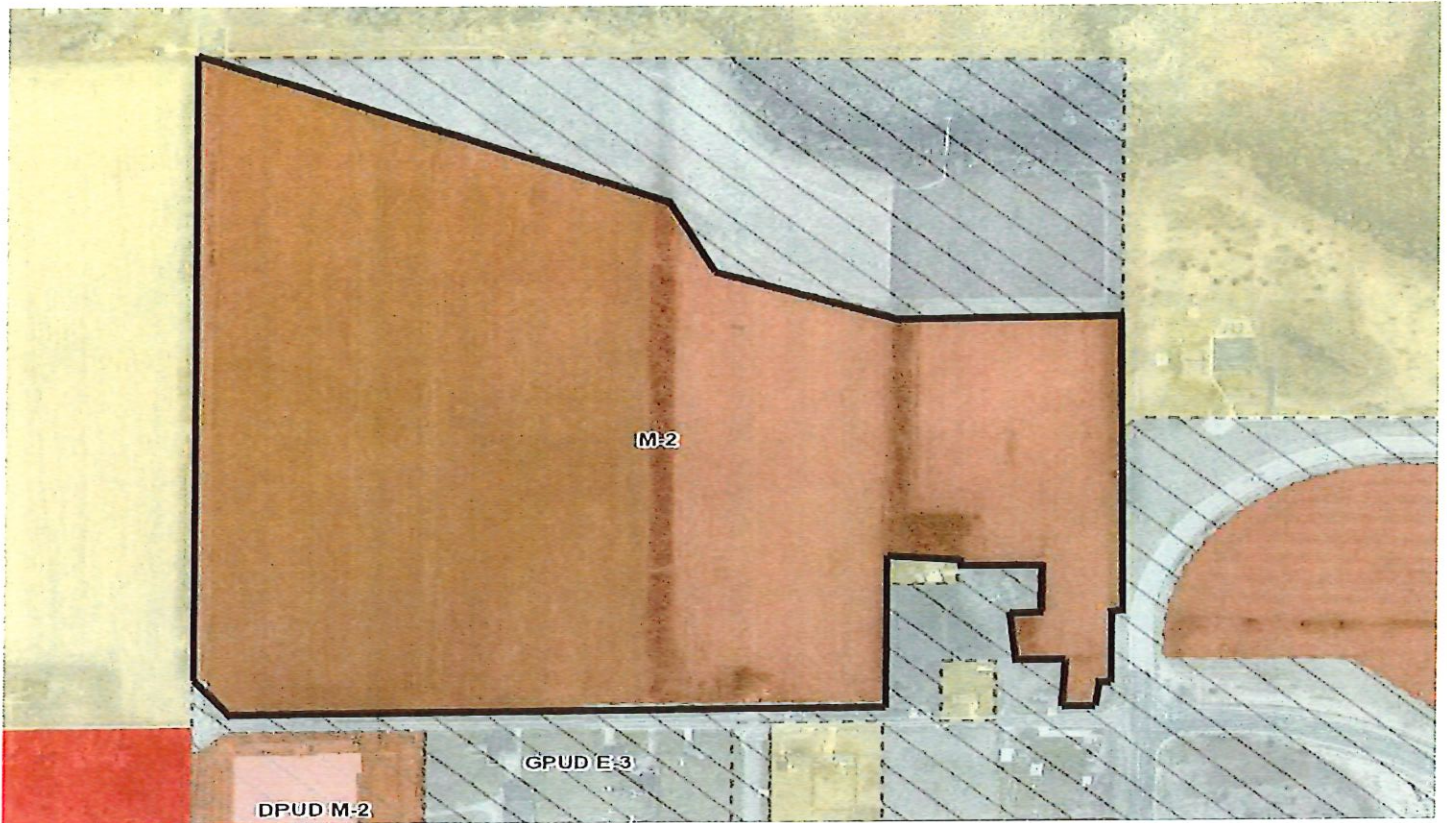
2 of 2



Staff Report

Planning & Zoning

<u>Petition:</u>	24-SUB-04
<u>Petition Type:</u>	Subdivision
<u>Date:</u>	September 3, 2024
<u>Petitioner:</u>	Almac, Inc.
<u>Site Location:</u>	VL County Road 4 (02-13-401-003 and 02-13-426-004)
<u>Request:</u>	Per Article 4 of the Subdivision Ordinance, approval of a Preliminary Plat for a subdivision to be known as 'Elkhart East Area 'A' Subdivision,' a thirteen (13)-lot subdivision; a part of the Southeast Quarter of Section 13, Township 38 North, Range 5 East, Osolo Township, Elkhart County, Indiana.
<u>Existing Zoning:</u>	M-2, General Manufacturing District
<u>Size:</u>	+/- 112 Acres
<u>Thoroughfares:</u>	County Roads 4 and 17
<u>School District:</u>	Elkhart Community Schools
<u>Utilities:</u>	Available and provided to site.
<u>Plan Commission Action:</u>	Approval or disapproval with conditions; Final Plat submitted to Plat Committee for final approval.
<u>Surrounding Land Use & Zoning:</u>	The subject property is surrounded by land owned by the Indiana Department of Natural Resources to the north and west and industrial to the south.
<u>Applicable Sections of the Zoning Ordinance:</u>	Article 4 of the Subdivision Ordinance
<u>Comprehensive Plan:</u>	The Comprehensive Plan calls for the land to be developed with residential uses.



Staff Analysis

The petitioner owns approximately 112 acres north of County Road 4 - Elkhart East Area 'A'. This land was recently annexed to the city. The petition is for a thirteen (13) lot industrial subdivision.

The development entrance is between County Road 15 and County Road 17. The layout calls for the road to come north off County Road 4 to a tee intersection with the access for each parcel served from the proposed street.

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** a Preliminary Plat for a subdivision to be known as 'Elkhart East Area 'A' Subdivision,' a thirteen (13)-lot subdivision; a part of the Southeast Quarter of Section 13, Township 38 North, Range 5 East, Osolo Township, Elkhart County, Indiana.

The lots meet the minimum lot area requirements for the M-2, General Manufacturing District;

- 1) All 13 proposed industrial lots meet all of the bulk standards of the M-2 Zoning 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



Attachments

Petition and primary plat.

PETITION #: 24-SUB-04

FILING FEE: \$ 500

PETITION to the PLAN COMMISSION

PETITION TYPE: MAJOR SUBDIVISION

Property Owner(s): Almac Inc

Mailing Address: [REDACTED]

Phone #: [REDACTED] Email: [REDACTED]

Contact Person: Matt Schuster w/ Jones Petrie Rafinski

Mailing Address: [REDACTED]

Phone: [REDACTED] Email: [REDACTED]

Subject Property Address: County Road 4, Elkhart, IN

Zoning: M2

Present Use: Vacant Proposed Use: Commercial/industrial 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): Almac, Inc.

SIGNATURE(S): [Signature] DATE: 08-01-2024

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: _____



Staff Report

Planning & Zoning

Petition: 24-PUDA-04

Petition Type: Minor Amendment to PUD

Date: September 3, 2024

Petitioner: A and L Properties and Kyle Miller

Site Location: Lot 14 Parkway Avenue – 07-07-100-017

Request: Plan Commission ratify staff's determination and permit the screen printing and embroidery use as permitted within this development district Planned Unit Development

Existing Zoning: PUD – Planned Unit Development

Size: +/- 2.76 Acres

Thoroughfares: Parkway Avenue

School District: Middlebury Community Schools

Utilities: Available and provided to site.

Plan Commission Action: Approve or deny staff's decision related to use

Surrounding Land Use & Zoning:

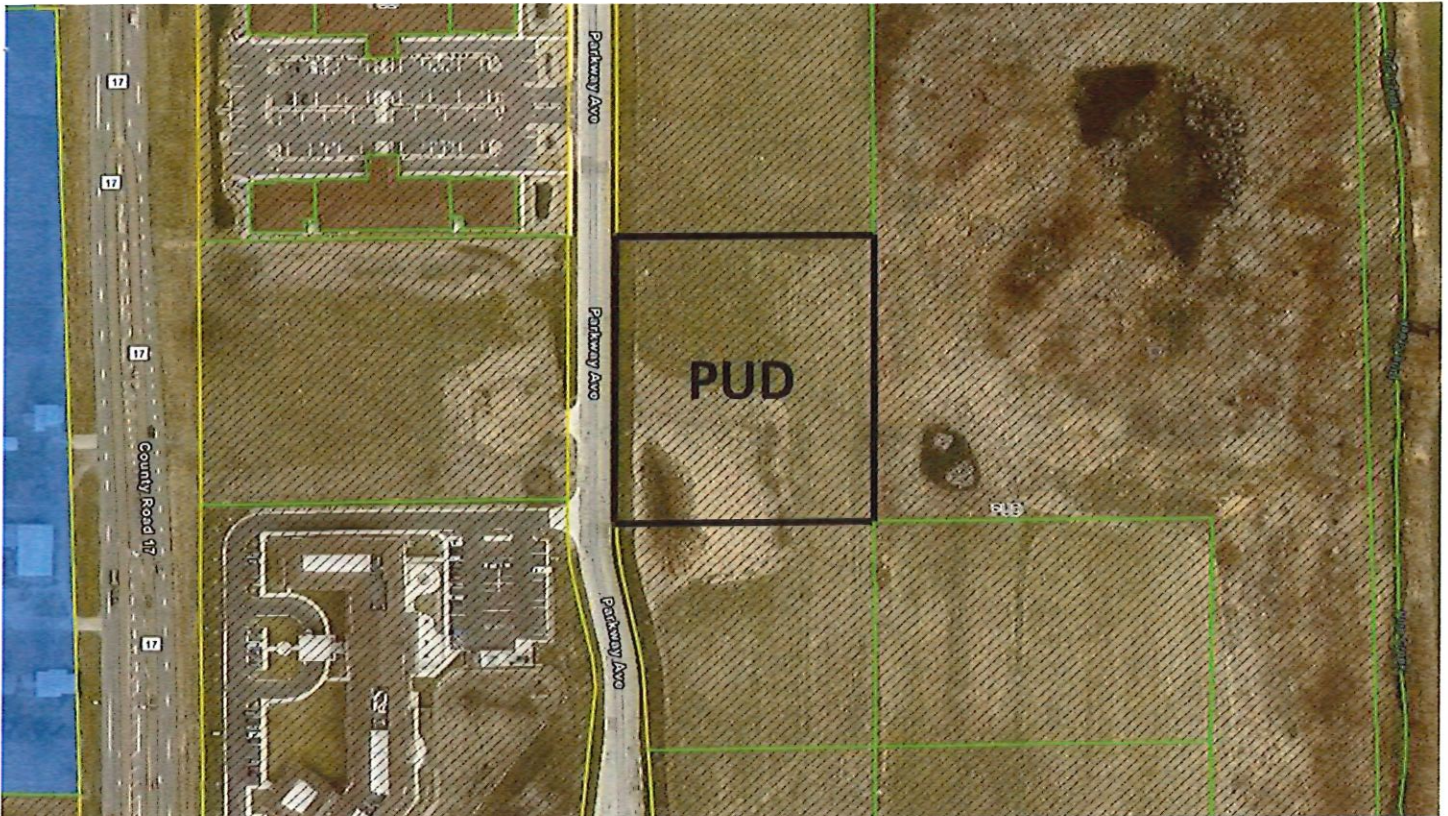
Property is surrounded by various commercial uses zoned PUD, B-2, Community Business District, B-3, Service Business District, B-4, Regional Business District. Primary uses are restaurant, retail, light auto service and grocery.

Applicable Sections of the Zoning Ordinance:

See enumerated in request.

Comprehensive Plan:

The Comprehensive Plan does not yet take this area into account but is anticipated to call for it to be commercial uses.



Staff Analysis

The petitioner is proposing to construct a new building on Parkway Avenue that will relocate the company from a site in Elkhart County. It will house the design and fabrication of wholesale screen printed and embroidered materials. As well as the distribution of the material in bulk. The project is in the final approval process with Technical Review and will be submitted for final site plan approval before this body next month.

The zoning for the development was approved in Elkhart County prior to annexation. The underlying zoning is B-3, which in the city permits a wide variety of uses; most of which work well and complement one another in a development like this. The question before this body is whether the Plan Commission agrees with staff's assertion that the activity performed by this business is commercial in nature and not an industrial use.

The processes that occur at the business are outlined in the material submitted by the applicant. It describes in detail the automated process by which the design is placed on the material being screen printed and embroidered. The activity is all contained within the building, it produces little noise and no vibration outside of the building. The development conditions require that no business establishment shall create a nuisance from noise, smoke or odor, which this does not. The district should also have access to a major arterial roadway that can accommodate truck traffic, which this site does as well.

Staff would argue that other permitted uses in the B-3 such as the printing, binding and publishing of newspapers, periodicals, books and stationary are similar and are permitted in the B-3 district and should be allowed as a similar type use and be permitted to move to the final site plan approval next month.

Recommendation

The Staff recommends the Plan Commission ratify staff's determination and permit the screen printing and embroidery use as permitted within this development district Planned Unit Development.

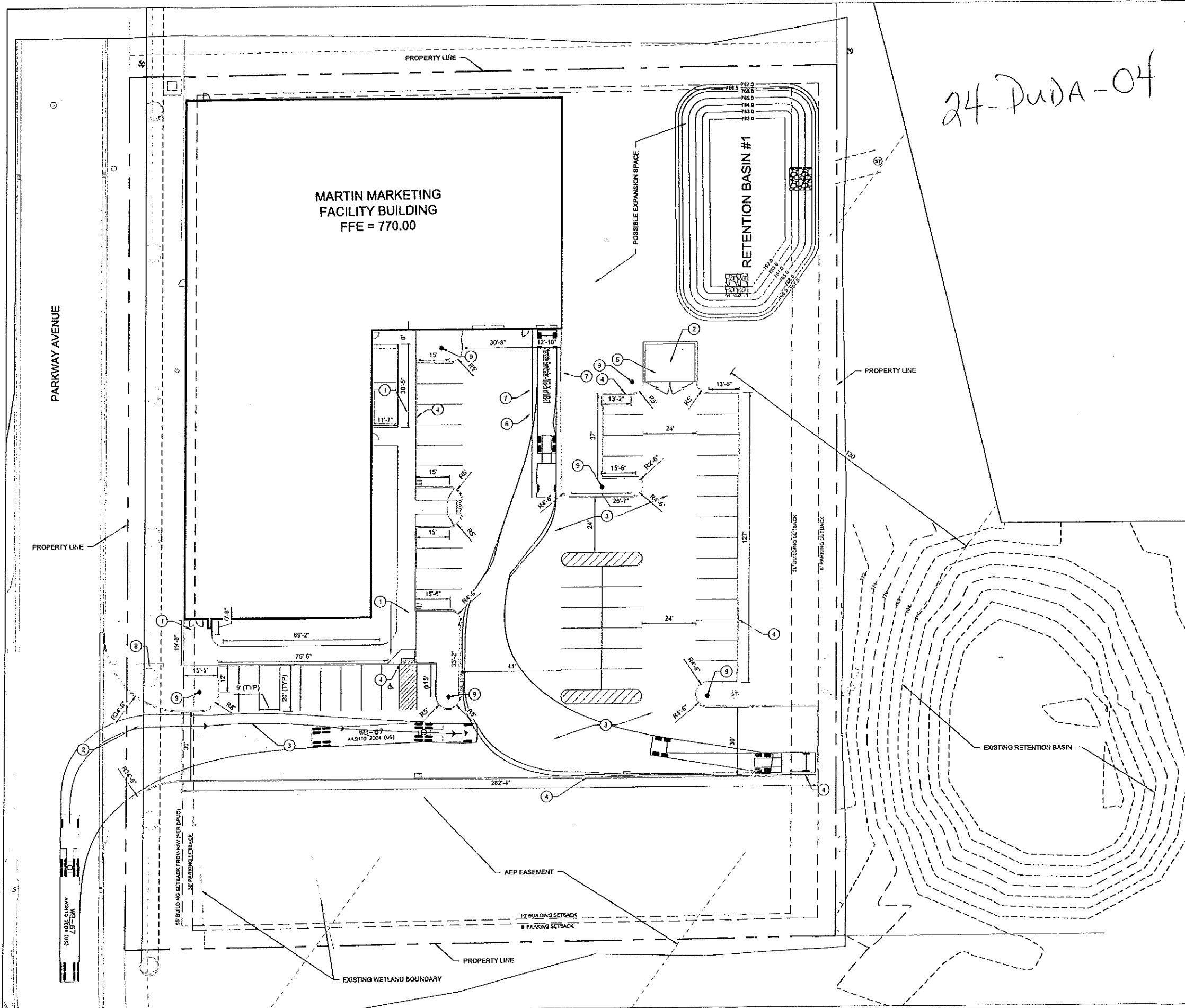
Photos



Attachments

Petition, appeal letter, site plan.

File: I:\Projects\2024\004\107_dwg\dim\ENG\Plans\C201 - DIMENSIONAL.dwg
 Saved by: jrb
 Date: 2024-08-02 10:55 AM



DETAILS LEGEND:

①	4" CONCRETE	DETAIL X / SDXXX
②	6" HEAVY DUTY CONCRETE	DETAIL X / SDXXX
③	ASPHALT PAVEMENT	DETAIL X / SDXXX
④	STANDARD CONCRETE CURB	DETAIL X / SDXXX
⑤	MASONRY TRASH ENCLOSURE	DETAIL X / SDXXX
⑥	GUARD RAIL	DETAIL X / SDXXX
⑦	RETAINING WALL	DETAIL X / SDXXX
⑧	MONUMENT SIGN	DETAIL X / SDXXX
⑨	LIGHT POLE	DETAIL X / SDXXX

TABULATED SITE DATA

1. ACREAGE OF SITE: 121,111 SF = 2.78 AC

2. SUMMARY OF PARKING:

- A. NUMBER OF EMPLOYEES: 22 - 22 SPACES REQUIRED
- B. 1 SPACE PER 300 SF OF PUBLIC OFFICE SPACE: 6,256 SF - 21 SPACES
- C. TOTAL SPACES REQUIRED: 43 SPACES
- D. TOTAL PROPOSED PARKING: 42 SPACES
- E. NUMBER OF A.D.A SPACES: 2 SPACES

F. FUTURE BAR VENUE
 G. 1 SPACE PER 100 SF OF BUILDING - 2,000 - 20 SPACES
 H. TOTAL SPACES REQUIRED - 20
 I. TOTAL FUTURE SPACES SHOWN - 20

3. PROPOSED LAND COVERAGE:

	SQUARE FOOTAGE	% OF SITE
A. PARKING AND DRIVES	32,090	26.53%
B. OPEN SPACE	60,451	50.34%
C. BUILDINGS	27,804	22.97%
TOTAL	120,345	100.00%

4. SURFACE RUN-OFF AND DRAINAGE TO BE COLLECTED ON-SITE AND DISCHARGED INTO RETENTION BASIN.
 5. PARKING SPACES ARE TO MEET THE CITY OF ELKHART STANDARDS.
 6. PROPOSED ACCESS DRIVE WILL UTILIZE EXISTING ACCESS DRIVE.

ZONING & SETBACKS

ZONING
B3-PLUD

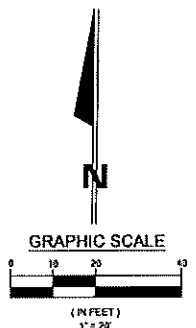
BUILDING SETBACKS

FRONT YARD	55' PER DPUD
SIDE YARD	10'
REAR YARD	20'

PARKING & DRIVE SETBACKS

FRONT YARD	30'
SIDE YARD	8'
REAR YARD	20'

FLOODPLAIN
BASE FLOOD ELEVATION = 765.7



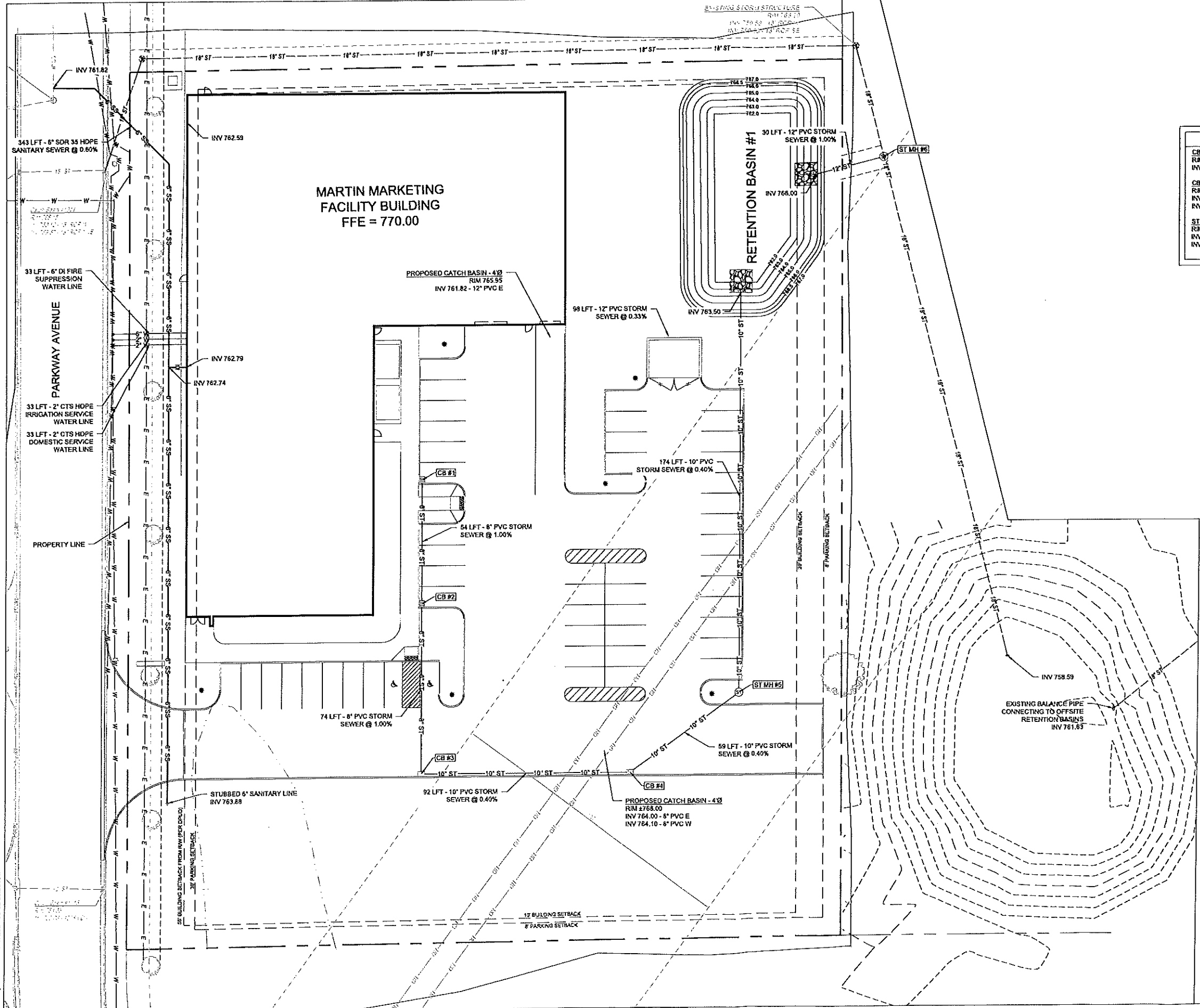
REV	DESCRIPTION	BY	DATE
<p>JONES PETRIE RAFINSKI</p> <p>Fort Wayne, IN P: 260.422.2522</p> <p>JPR</p> <p>South Bend, IN P: 574.232.4888</p>			
<p>PRELIMINARY FOR REVIEW PURPOSE ONLY</p>			
<p>MARTIN MARKETING FACILITY</p>		<p>GOSHEN INDIANA</p>	
<p>DJ CONSTRUCTION</p>		<p>SITE DIMENSIONAL PLAN</p>	
<p>DESIGNED BY: JTB REVIEWED BY: AC DRAWN BY: JTB REVIEWED BY: CE</p>			
<p>DATE: 03/08/2024</p>			
<p>JOB NUMBER: 2024-0044</p>			
<p>HORIZ. SCALE: 1" = 20' VERTICAL SCALE: NONE</p>			
<p>C201</p>			

24-PUD-A-04

LEGEND

- ⊙ PROPOSED SANITARY MANHOLE
- ⊙ PROPOSED STORM MANHOLE
- ⊙ PROPOSED CATCH BASIN
- ⊙ PROPOSED IRON GRATE
- SS PROPOSED SANITARY LINE
- ST PROPOSED STORM LINE
- W PROPOSED WATER LINE
- G PROPOSED GAS LINE
- E PROPOSED ELECTRIC LINE

NEW STORM STRUCTURE INFORMATION	
CB #1 - 4'Ø CATCH BASIN RM 768.88 INV 765.72 - 8" PVC S	CB #2 - 4'Ø CATCH BASIN RM 764.13 INV 765.50 - 8" PVC N RV 765.40 - 8" PVC S
CB #3 - 4'Ø CATCH BASIN RM 767.00 INV 765.10 - 8" PVC N RV 765.00 - 10" PVC E	CB #4 - 4'Ø CATCH BASIN RM 767.32 RV 764.63 - 10" PVC W RV 764.53 - 10" PVC NE
ST MH #5 - 4'Ø STORM MANHOLE RM 769.43 INV 764.30 - 10" PVC SW INV 764.20 - 10" PVC N	ST MH #6 - 4'Ø DOGHOUSE MANHOLE RM 768.36 INV 765.70 - 12" PVC SW RV 765.40 - 12" RCP NW-SE



REV	DESCRIPTION	BY	DATE

**JONES
PETRIE
RAFINSKI**

Fort Wayne, IN
P: 260.422.2522

JPR

South Bend, IN
P: 574.232.4988

PRELIMINARY
FOR REVIEW
PURPOSE
ONLY

MARTIN MARKETING FACILITY
DJ CONSTRUCTION
SITE UTILITY PLAN

3414 ELKHART ROAD
GOSHEN, INDIANA

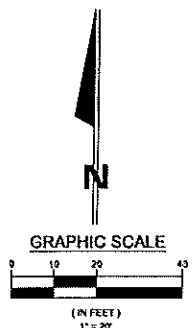
DESIGNED BY: JTB
REVIEWED BY: AC
DRAWN BY: JTB
REVIEWED BY: CE

DATE: 03/08/2024

JOB NUMBER: 2024-0044

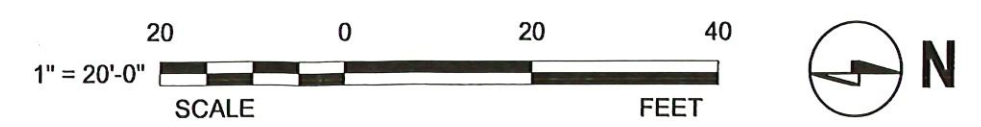
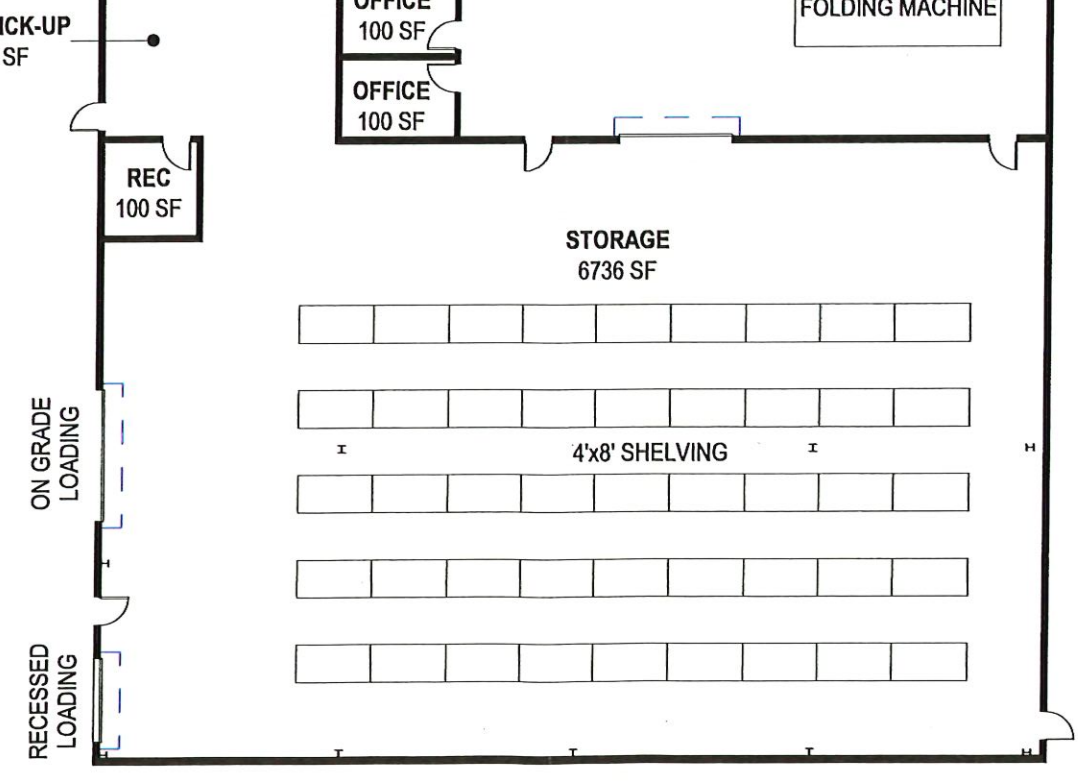
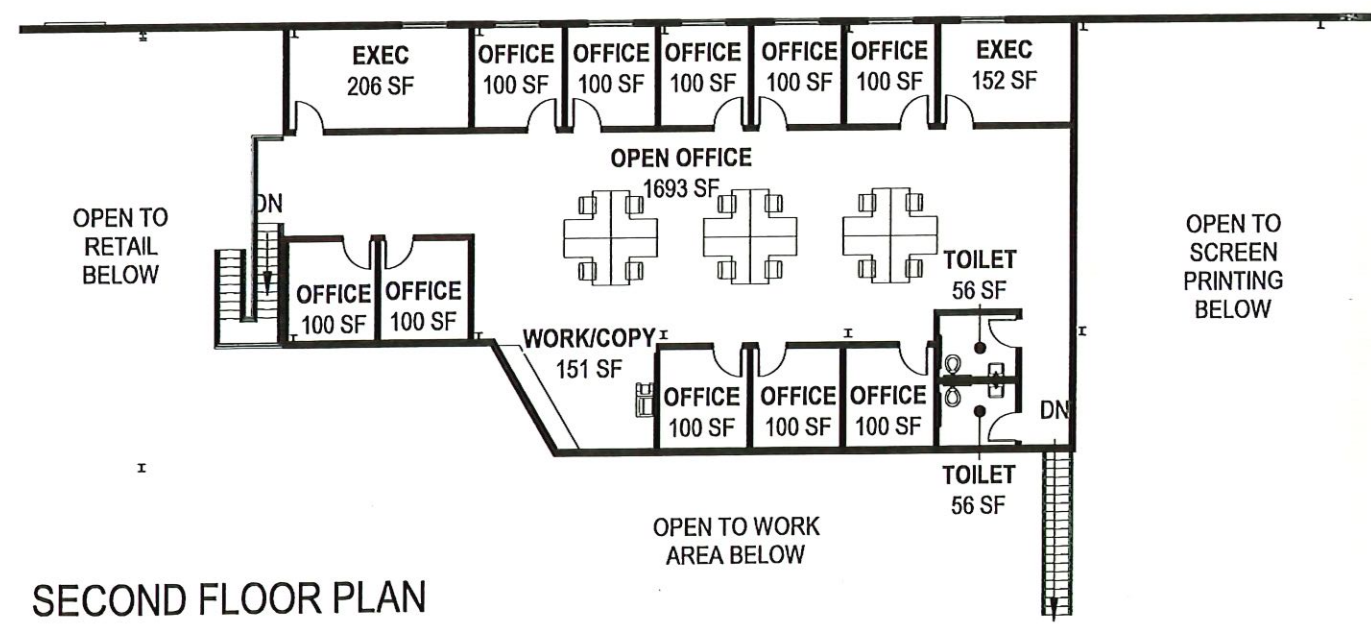
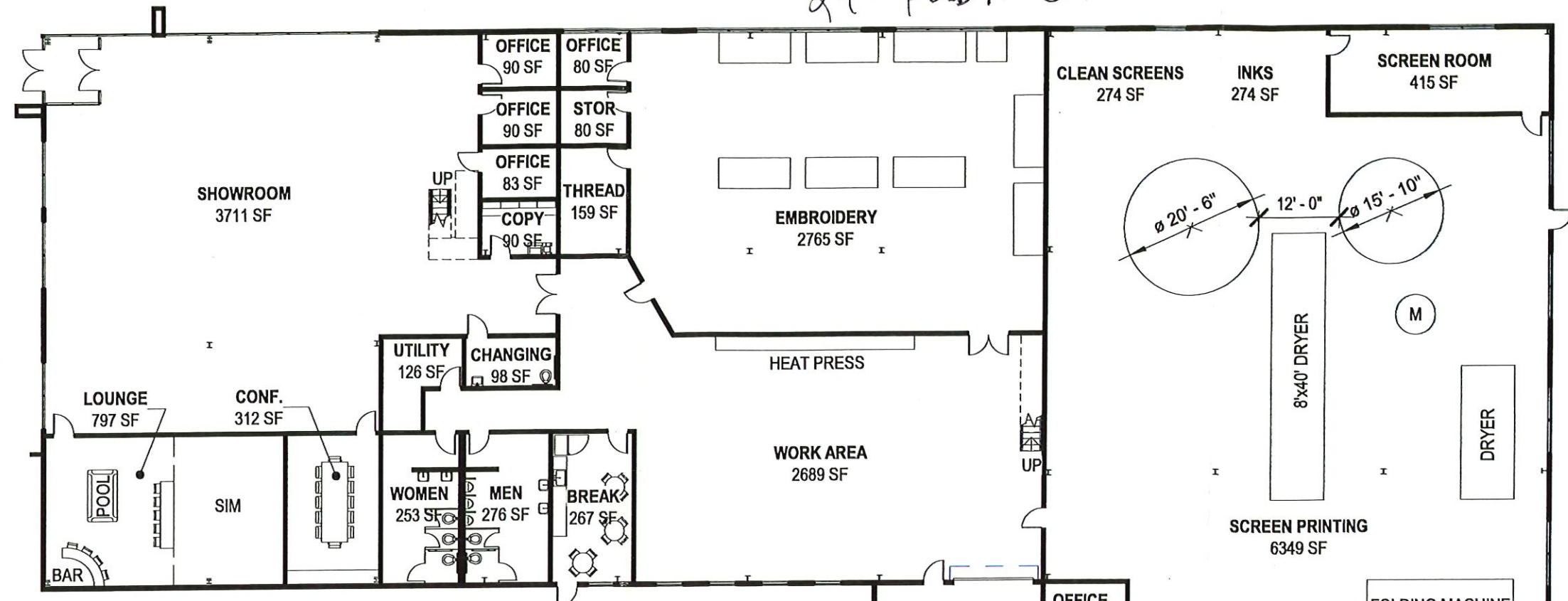
HORIZ. SCALE: 1" = 20'
VERTICAL SCALE: NONE

C401



File: J:\Projects\2024\projects\2024-0044\107_design\ENGR\Plans\C401 - UTILITY.dwg
Saved By: jacobson Plotter: 2024-08-02 10:55 AM

24-PWA-04

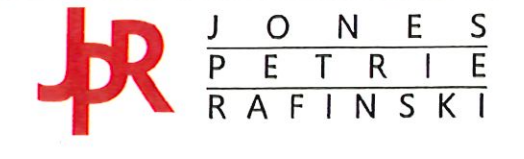


MARTIN MARKETING SCHEMATIC DESIGN

PROPOSED FLOOR PLAN LAYOUTS

3/27/2024

© 2024 JPR - All Rights Reserved





Staff Report

Planning & Zoning

Petition: 24-X-07

Petition Type: Special Exception

Date: Plan Commission: September 3, 2024; Board of Zoning Appeals September 12, 2024:

Petitioner: City of Elkhart

Site Location: 1300 block Indiana Avenue and Thomas Street

Request: Per Section 6.3, Special Exception Uses, (4.3 J) Public Utilities and public service uses to allow for the construction of a new lift station, equipment building, monorail system, fence and CSO storage tank.

Existing Zoning: R-3, Two Family Dwelling District

Size: +/- 43 Acres

Thoroughfares: Indiana Avenue, Thomas Street, Lafayette Street, Fremont Street

School District: Elkhart Community Schools

Utilities: Available to site.

Surrounding Land Use & Zoning:
The site in question is surrounded by residential and light commercial uses

Applicable Sections of the Zoning Ordinance:
Enumerated in request.

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

Plan Commission Action: Recommendation to Board of Zoning Appeals.

PETITION #: 24-x-07

FILING FEE: \$ 0

PETITION for APPEAL to the BOARD of ZONING APPEALS

PETITION TYPE: SPECIAL EXCEPTION

Property Owner(s): City of Elkhart

Mailing Address: [REDACTED]

Phone #: [REDACTED] Email: [REDACTED]

Contact Person: Jamie Poczekay, P.E., DLZ Indiana, LLC

Mailing Address: [REDACTED]

Phone #: [REDACTED] Email: [REDACTED]

Subject Property Address: Southeastern quadrant of Lafayette St and Thomas St (parcels 06-07-282-001 / 002 / 003), Southwestern quadrant of Lafayette St and Fremont St (parcels 06-07-282-011 / 012 / 013 / 014, which include 1305 Lafayette St and 907 Fremont St), Northwestern quadrant of Indiana Ave and Fremont St (parcels 06-07-282-015 / 016 / 017 / 018 / 019, which include 1007 Fremont St)

Zoning: R-3

Present Use: Community garden and residential homes Proposed Use: Combined Sewer Overflow Lift Station

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): City of Elkhart

SIGNATURE(S):  DATE: 8/20/24

STAFF USE ONLY:

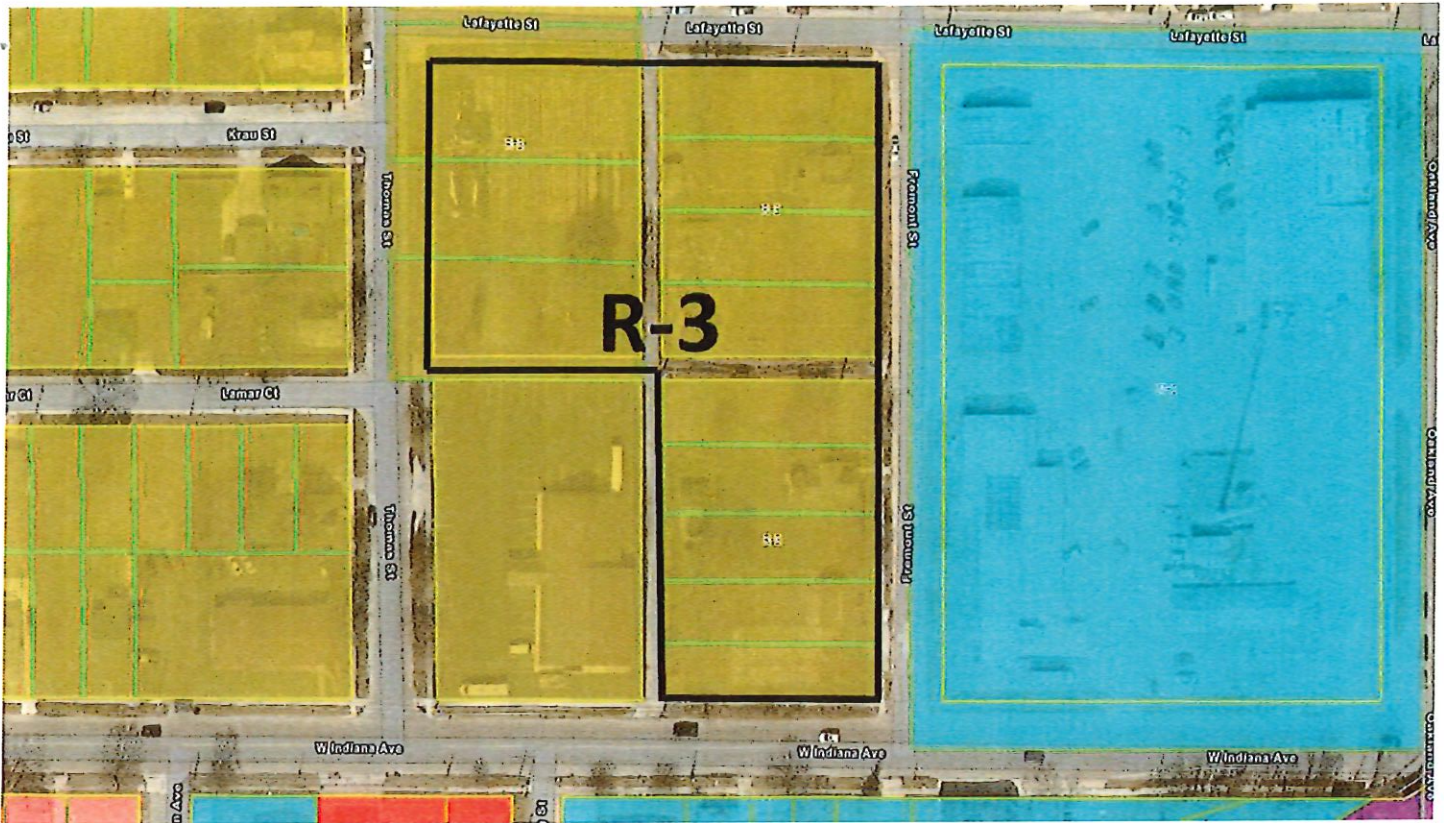
Staff Checklist for the applicant's submittal of a complete Petition to the Board of Appeals docket:

- 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: _____



Staff Analysis

The petitioner is requesting a special exception to allow for the construction of a new lift station, equipment building, monorail system, security fence and Combined Sewer Overflow (CSO) storage tank.

The request is part of the City of Elkhart's Long Term Control Plan (LTCP) which is mandated by the Environmental Protection Agency (EPA).

The site is adjacent to existing sewer infrastructure along both Lafayette Street and Indiana Avenue where sewer flows will be directed to the new lift station and CSO storage tank. The design was completed to meet the parameters found in the LTCP as well as the necessary operational access to both the lift station and the CSO storage tank.

The storage tank has been designed to resemble a building which will help the structure blend more easily into the street scape along Indiana Avenue. The exterior elevations are included in the packet.

The above grade CSO storage tank will incorporate an access stair tower. Security fencing will be built around the lift station to protect the monorail system that will serve the lift station.

Recommendation

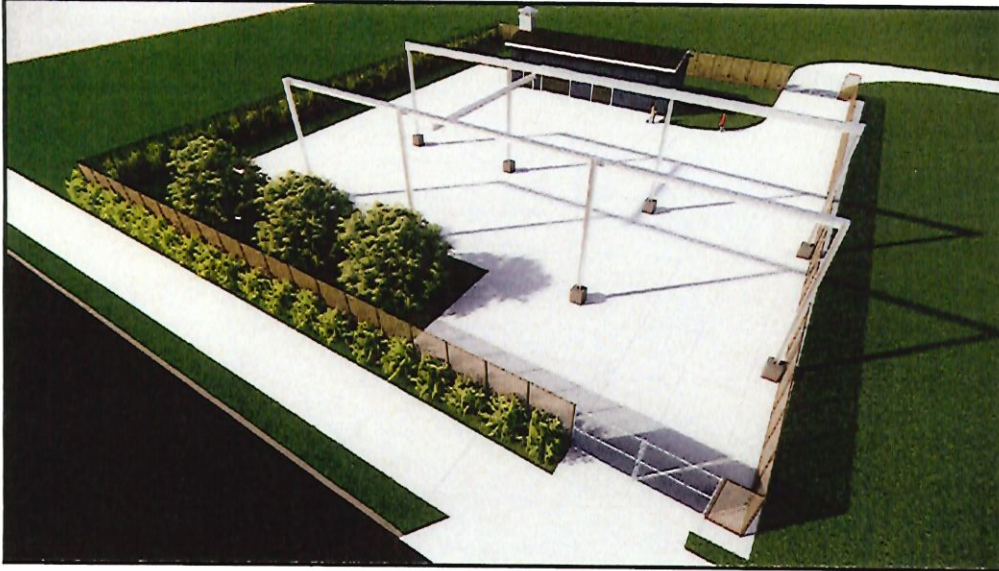
Staff recommends **approval** of the request based on the following findings of fact:

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 tanks will be built per all applicable codes, located within the building and have the necessary floor drains connected to the sanitary sewer system;
2. The Special Exception **will not** reduce the values of other properties in its immediate vicinity because the additional tanks will not change the use of the property 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.

Photos







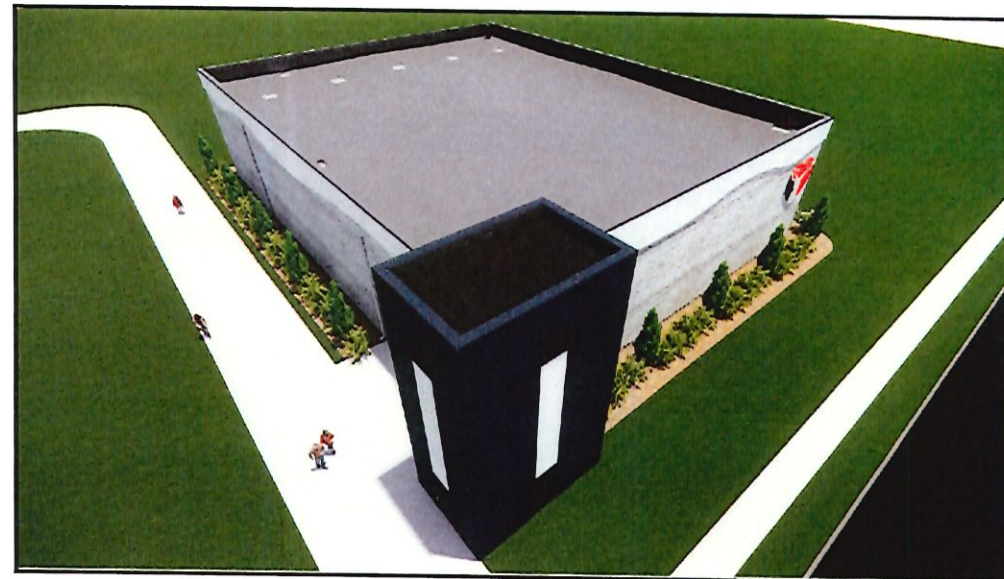
View 1 - Lift Station Site Rendering with Monorail System, Equipment Building, and Site Fence



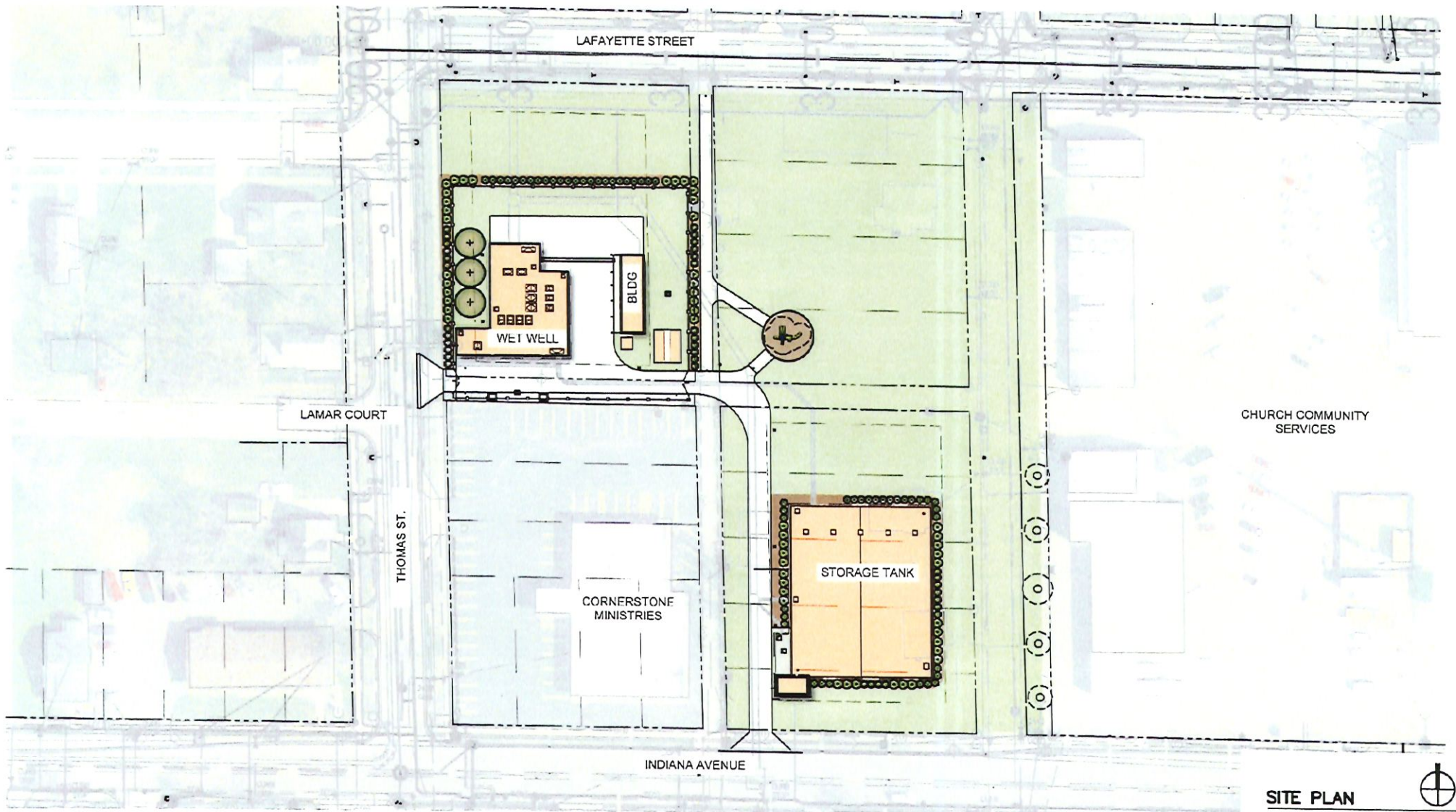
View 2 - Lift Station Site Rendering with Monorail System, Equipment Building, and Site Fence



View 1 - CSO Storage Tank Site Rendering



View 2 - CSO Storage Tank Site Rendering



Elkhart Oakland Project B Tank Location

Elkhart, IN

7/31/2024

SITE PLAN

SCALE 1" = 60'-0"





Staff Report

Planning & Zoning

Petition: 24-AP-01

Petition Type: Appeal of Plat Committee Decision

Date: September 3, 2024

Petitioner: Ivy Iverson

Site Location: 1900 & 1904 W Franklin Street

Request: Ivy Iverson is appealing the decision of the City of Elkhart Plat Committee of the Rosie's Minor Subdivision to the Elkhart City Plan Commission. On July 23, 2024, the City of Elkhart Plat Committee approved a one-lot replat of the original two (2) lot subdivision. Ms. Iverson wishes the existing plat to remain unchanged.

Existing Zoning: M-1, Limited Manufacturing District

Size: +/- .24 Acres

Thoroughfares: W. Franklin Street

School District: Elkhart Community Schools

Utilities: Available and provided to site.

Plan Commission Action: Uphold the decision of Plat Committee and deny of request petitioner or approve the request.

Surrounding Land Use & Zoning:

The properties are surrounded by a bar to the west zoned M-1, Limited Manufacturing District. Properties to the north and east are residential zoned M-1, Limited Manufacturing District. Land to the south vacant land zoned M-1, Limited Manufacturing District.

Applicable Sections of the Zoning Ordinance:

ARTICLE 6 - MINOR SUBDIVISIONS, Section 5.: ARTICLE 7 – PLAT COMMITTEE, Section 5.

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



Staff Analysis

On July 11, 2024, the Planning Department, received a request for a new subdivision from a surveying firm, Land and Boundary on behalf of their client Gurpreet Singh. Mr. Singh purchased the property, which is zoned M-1, Limited Manufacturing District, with the desire to construct a four (4) unit multifamily dwelling. He worked with the Planning Services staff to develop his project and a site plan that would meet the requirements of the Zoning Ordinance. Since the parcel was being developed as one entity, the Planning Services staff required Mr. Singh to replat the property into one lot. In June 2024, the Board of Zoning Appeals heard the request from the petitioner, heard public comment and granted the request for a four (4) unit structure on the site in question. The use of the property has been settled.

The City's Subdivision Ordinance does not address replats of established subdivisions. Since at least 2007 and with consultation with the Legal Department, the action of lot consolidation is to treat the replat as a Minor Subdivision and follow the requirements of Article 6 of the Subdivision Ordinance. Based on the requirements of the Ordinance, Land and Boundary submitted the Minor Subdivision (replat); the Plat Committee met and approved the minor subdivision, in this case, the combining of two (2) separate platted lots in to one platted lot for the purposes of development. (Please see attached Plat Committee meeting notes).

As required by the Ordinance, the surrounding property owners within 300 feet of the minor subdivision were notified of the decision of the Plat Committee. The Petitioner's business is within the 300 foot notification area and appealed the decision of the Plat Committee as allowed by the Subdivision ordinance. ARTICLE 7 of the Ordinance requires all appeals to be directed to the Plan Commission for a final decision. Ms. Iverson's objections to the decision are explained in her letter dated August 6, 2024 to the Plat Committee. With all due respect, Ms. Iverson's concerns appear to be related to the proposed use of the property rather than the replat of the property.

In response to Ms. Iverson's concerns, staff would offer the following information: The property is zoned M-1. The property owner petitioned and was granted a use variance to allow the four (4) unit building to be constructed. The proposed development has been reviewed by city staff and is in accordance with the requirements of the district for which the property is zoned. The replat is the final step in the redevelopment of the property and was requested by the Planning Services Staff to accommodate the proposed development. The property owner not only submitted a replat of the property, he submitted a site plan that does, in fact, meet the developmental requirements of the Zoning Ordinance. The site plan meets the density, parking, and open space requirements residential districts for the number of units proposed by Mr. Singh. The arguments made by the petitioner related

to traffic are at best speculative in nature as there is no way to presuppose the future tenants actions. The other questions she poses are hypothetical and cannot be addressed in this report. Generally speaking, the property, when developed and maintained, should improve the overall property values.

Recommendation

Staff recommends that the Plan Commission uphold the decision of the Plat Committee and allow the property to be replatted into one parcel (Lot 1) for purposes of development in compliance with the approved site plan because the property owner has complied with all the requirements of the Subdivision Ordinance, and the proposed use is in compliance with the requirements of the Zoning Ordinance.

Photos



Attachments

Petition, appeal letter, Plat Committee notes and site plan.

PETITION #: 24-AP-01

FILING FEE: \$ 25.00

PETITION to the Plan Commission

PETITION TYPE: APPEAL FROM STAFF DECISION

Property Owner(s): IVY IVERSON

Mailing Address: [REDACTED]

Phone #: [REDACTED] Email: [REDACTED]

Contact Person: IVY IVERSON

Mailing Address: [REDACTED]

Phone #: [REDACTED] Email: [REDACTED]

Subject Property Address: Rosies minor Subdivision

Zoning: Change from MFG to Multi-family 2

Present Use: Empty Lot(s) Proposed Use: Section 8 Housing

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): IVY IVERSON

SIGNATURE(S): [Signature] DATE: 8/16/24

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: A. [Signature] DATE: 8.06.24

PLAN COMMISSION

I AM WRITING TO APPEAL
THE SUBDIVISION REPLAN. I HAVE
GREAT CONCERNS FOR THE USE & LAYOUT
ITS TO CLOSE TO MY BUSINESS
THAT HAS TRAFFIC THROUGHOUT THE
DAY & NITE COMING & GOING FROM
THE ALLEY & FRANKLIN ST.

THEIR OVERFLOW PARKING WILL END
UP IN MY LOT - (ALREADY DOES WITH
OTHER BENTONS IN THE AREA)

SMALL CHILDREN PLAY & RIDING TOYS &
BICYCLES IN MY LOT & ALLEY.

USING MY DUMPSTER, ALREADY DO,
EVEN THOUGH I HAVE A LOCK ON IT,
THEY SET THEIR STUFF ON TOP & SIDES.

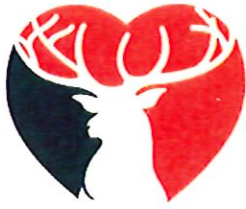
CUTTING FROM MY PARKING LOT,
ALREADY DO, RATHER THAN USING SIDES
STREETS HAS CAUSED EXTRA WEAR & TEAR.

CONCERNS ABOUT NOISE & HEAT COMING
OFF OF A.C. UNITS

NOISE COMPLAINTS AGAINST THE BAR.

THIS IS NOT A GOOD FIT FOR THIS AREA,
I SEE NOTHING BUT PROBLEMS AHEAD.

JIM JYERSON
Jim Jyerson



City of Elkhart

CITY OF ELKHART PLAT COMMITTEE

MEETING NOTES

MEETING DATE: July 23, 2024

SUBJECT: 24-MSUB-15: Preliminary Plat for Rosie's Minor Subdivision

Represented by: Land and Boundary

MEMBERS PRESENT: Jeff Schaffer and Eric Trotter

The above referenced minor subdivision was granted preliminary approval by a vote of 2-0 based on the following findings of fact:

1. The land included in the proposed replat is zoned M-1, Limited Manufacturing District.
2. The proposed replat will result in the establishment of one (1) lot.
3. The lots are to be used for a four family residential structure, approved by the Board of Zoning Appeals, June 13, 2024.
4. The lots are served by municipal water and sewer.
5. The proposed lots contained within the minor subdivision are in compliance with the requirements of the City of Elkhart Subdivision Ordinance.

Eric Trotter,
Assistant Director for Planning and Zoning, Dept. of Development Services
Member, City of Elkhart Plat Committee



Staff Report

Planning & Zoning

Petition: 24-SI-06

Petition Type: Staff Item - Addressing

Date: September 3, 2024

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

463 James Street – New SFR – 06-04-403-023

Commercial

915 Benham Court – Public Works station – 06-08-208-009
2411 County Road 10 W. – Elkhart Schools - 01-36-277-004
2439 County Road 10 W. – Elkhart Schools - 01-36-252-003
Bldg. A, B, C
1116 Parkway Avenue – new parking lot – 07-07-151-003
1128 Parkway Avenue – Martin Marketing – 07-07-151-005
2512 Twentieth Street – parking lot – 06-18-152-013

Residential Subdivision

Recommendation

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



Staff Report

Planning & Zoning

Petition: 21-SUB-09

Petition Type: Subdivision Extension Request

Date: September 3, 2024

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

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

Request: To extend the plan commission approval of an 85-lot subdivision for an additional twelve months.

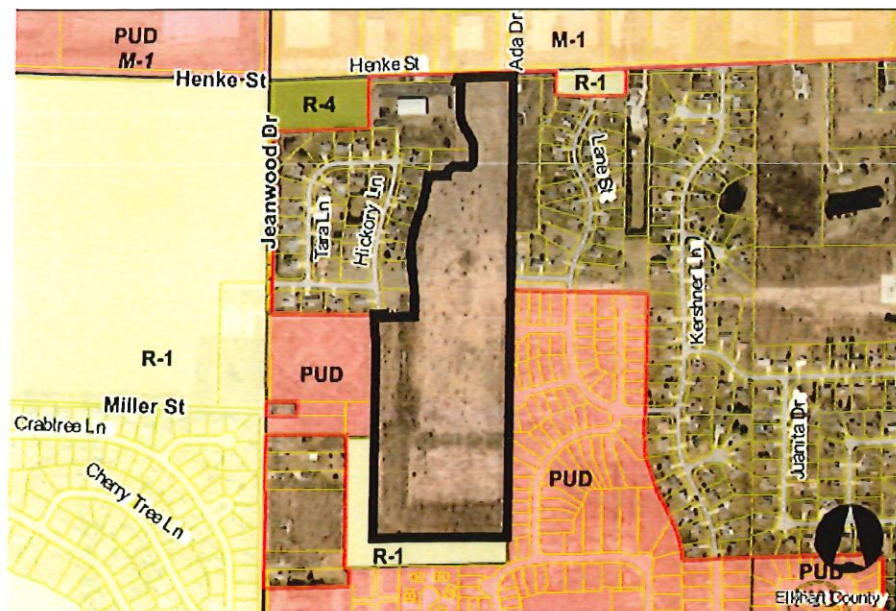
Existing Zoning: R-1, One-Family Dwelling District

Size: +/- 32.75 Acres

Thoroughfares: Jeanwood Drive and CR 106 (Henke Street)

School District: Elkhart Community Schools

Utilities: Available and provided to site.



Surrounding Land Use & Zoning:

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

Applicable Sections of the Zoning Ordinance:

Article 4 of the Subdivision Ordinance

Comprehensive Plan:

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

Staff Analysis

On October 4, 2021, the Plan Commission approved the preliminary plat for Boulder Run, an 85-lot subdivision located near the intersection of Henke Street and Ada Drive. Approval of major subdivisions is tentative and valid for a period of twelve months, unless an extension is granted. In September 2022, the petitioner requested and was granted an extension of twelve months to October 4, 2023 while attempting to finalize the project.

During the time since the first extension, the petitioner has diligently maintained the property, contracted for engineering design and platting while negotiating with Indiana Michigan Power continue. The petitioner has requested that the plan commission approval be extended for an additional period of twelve months, until October 4, 2024. Staff has no objection to the request.

The petitioner again wishes to extend the approval for an additional twelve (12) months to October 4, 2025, while infrastructure costs are finalized.

June 11, 2024

City of Elkhart Plan Commission
[REDACTED]

RE: Extension of the Primary Approval of Boulder Run Subdivision

Plan Commission Members,

This letter is to request an extension of the conditional approval for 21-SUB-09. As indicated in the conditions of the preliminary approval, the City Plan Commission may grant an extension upon written request. This letter is to request that the Plan Commission grant an extension of 12 months to allow the primary subdivision approval to be valid for 48 months from the approved date of October 4, 2021.

Thank you for your consideration



Conway Hershberger,
Emerald Chase Land Development LLC.