

**AGENDA  
ELKHART CITY PLAN COMMISSION  
MONDAY, MAY 3, 2021 AT 1:45 P.M.  
COUNCIL CHAMBERS – MUNICIPAL BUILDING**

**THIS MEETING WILL BE HELD ELECTRONICALLY VIA WEBEX.**

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

1. **ROLL CALL**
2. **APPROVAL OF AGENDA**
3. **APPROVAL OF MINUTES APRIL 5, 2021**
4. **APPROVAL OF PROOFS OF PUBLICATION**

5. **OLD BUSINESS**

**21-Z-04 PETITIONER IS H & O INVESTMENTS PROPERTY, LLC**

**PROPERTY IS LOCATED AT VACANT LAND, SOUTHWEST CORNER OF COUNTY ROAD 6 EAST AND STRYKER STREET**

Per Section 29.11.B, Map Amendments, a request to rezone the property located at the Southwest corner of County Road 6 East and Stryker Street (vacant land) from M-1, Limited Manufacturing District to B-2, Community Business District with owner commitments.

6. **NEW BUSINESS**

**21-FSP-04 PETITIONER IS LAVANTURE REALTY INC**

**PROPERTY IS LOCATED AT 3806 GALLATIN WAY**

As required by Section 20.7.B seeking approval for an Amendment to a Final Site Plan for a 38,500 square feet addition with nine (9) new loading docks and 18,150 square feet of new asphalt pavement on land totaling fourteen (14) acres, more or less, located at 3806 Gallatin Way, Elkhart, IN.

**21-Z-05 PETITIONER IS ATILA KOVACH, TOM REAL ESTATE, INC.**

**PROPERTY IS LOCATED AT 1736 CASSOPOLIS ST.**

Per Section 29.11.B, Map Amendments, a request to rezone the property located at the Southwest Corner of Woodlawn Avenue and Canton Street (parking lot) from R-2, One-Family Dwelling District to B-3, Service Business District.

**21-Z-06 PETITIONER IS LYNDSAY AND AARON HEMMICK- HEMMICK PROPERTIES LLC**

**PROPERTY IS LOCATED AT PARKING LOT WEST OF 2014 E. BRISTOL ST.**

Per Section 29.11.B, Map Amendments, a request to rezone the property located west of 2014 East Bristol Street (parking lot) from R-2, One-Family Dwelling District to B-1, Neighborhood Business District.

**21-Z-07 PETITIONER IS 123 COUNTY ROAD 17-ELKHART LLC./DJ CONSTRUCTION COMPANY**

**PROPERTY IS LOCATED AT 123 COUNTY RD 17**

Per Section 20.10.B.1, a Major Amendment to the Lumber Site Detailed Planned Unit Development (DPUD) to allow for the removal of land area equal to 16.2 acres, more or less. The land to be removed from the existing DPUD is at 123 County Road 17, for the purpose of developing it as a self-storage facility. This request seeks to amend Ordinance Number 03-12 approved by the Elkhart County Commissioners.

Per Section 29.11.B, Map Amendments, a request to rezone the property located at 217 County Road 17 from DPUD M-1, Detailed Planned Unit Development District to the M-1 Standards, to M-1, Limited Manufacturing District.

**21-Z-08 PETITIONER IS JEREMIAH MATTHEWS**

**PROPERTY IS LOCATED AT 1311 WEST HUBBARD AVENUE**

Per Section 29.11.B, Map Amendments, a request to rezone the property located at 1311 West Hubbard Avenue (vacant land) from R-3, Two-Family Dwelling District to R-2, One-Family Dwelling District.

**21-PUD-01 PETITIONER IS BARAK GROUP LLC, TOM DE MEESTER**  
**PROPERTY IS LOCATED AT VACANT LOT, HAINES DRIVE**

Per Section 20.10.B.1, a Major Amendment to the Villas at Lexington Landing Planned Unit Development (PUD) to allow for the removal of land area equal to 2.3 acres, more or less. The land to be removed from the existing PUD is at Vacant Lot, Haines Drive (Lot 2 in Lexington Landing), for the purpose of developing it as fourteen (14) single family attached residential units. This request seeks to amend Ordinance Number 5030 approved by the Elkhart City Common Council.

To establish a new Conceptual Planned Unit Development with fourteen (14) single family attached residential units, subject to final plan approval by the Elkhart City Plan Commission; land area of 2.3 acres, more or less.

**21-PUD-02 PETITIONER IS BESS DEVELOPMENT LLC**  
**PROPERTY IS LOCATED AT VACANT LOT, 2100-2200 BLOCK OF CASSOPOLIS STREET**

To establish a new Conceptual Planned Unit Development (PUD) for the purpose of developing a senior living facility with approximately 146 residential units, subject to final plan site approval by the Elkhart City Plan Commission with a land area of +/- 8.34 acres.

7. **STAFF ITEMS**

**21-SI-05**

Addressing

Plat Committee Members

8. **ADJOURNMENT**

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

**PLAN COMMISSION**  
**-MINUTES-**  
**Monday, March 1, 2021 - Commenced at 1:45 P.M. & adjourned at 2:56 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**

Jeff Schaffer- Webex  
Dave Osborne- In person  
Brad Billings – In person  
Ron Davis- In person  
Mary Olson- Phone  
Don Walter- Webex  
Johnny Thomas- In person

**MEMBERS ABSENT**

Tom Shoff  
Thomas Sweet

**REPRESENTING THE PLANNING DEPARTMENT**

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

**LEGAL DEPARTMENT**

Randy Arndt, Deputy City Attorney- Webex

**TECHNOLOGY STAFF**

Jim Hines

**RECORDING SECRETARY**

Kayla Jewell

**APPROVAL OF AGENDA**

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

**APPROVAL OF MINUTES**

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

**APPROVAL OF PROOFS OF PUBLICATION**

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

**OLD BUSINESS**

None

**NEW BUSINESS**

**CASE#21-Z-03 PETITIONER IS JEREMIAH MATTHEWS**  
**PROPERTY IS LOCATED AT 1311 AND 1313 WEST HUBBARD AVENUE**

Per Section 29.11.B, Map Amendments, a request to rezone the property located at 1311 and 1313 West Hubbard Avenue (vacant land) from R-3, Two-Family Dwelling District to R-2, One-Family Dwelling District.

**STAFF ANALYSIS**

The petitioner owns three lots on the 1300 block of West Hubbard Avenue in the Elliston Addition subdivision, which he wishes to develop with single family residences. The property at 1309 West Hubbard is zoned R-2 and has been issued construction permits. The properties at 1311 and 1313 West Hubbard, however, are zoned R-3. While single family dwelling structures are permitted in the R-3 district, the setback requirements are different. The petitioner wishes to build two additional residences with a similar footprint, and is requesting that the two parcels zoned R-3 be rezoned to R-2.

The rezoning would consolidate the two properties as part of a large R-2 area, ensuring that any development would be compatible with surrounding properties.

**STAFF RECOMMENDATION**

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

1. The request is in keeping with the comprehensive plan, which calls for this property to be developed with low density residential uses.
2. Current conditions and the character of current structures and uses in each district will not be impacted because it will be compatible to adjacent properties also zoned R-2.
3. The R-2 District does allow for the most desirable uses for which the land can be adapted since the site is in a single family residential neighborhood otherwise zoned R-2.
4. The proposed rezoning will preserve the conservation of property values throughout the City because the land will be developed to current standards, be in active use, and be compatible with adjacent properties.
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.

Smith states there were 23 letters mailed, 0 returned.

Osborne asks if there are questions from the Commission.

Billings asks if all three addresses will remain the same and there will be a structure on each lot.

Smith replies, yes they will all be of a similar design.

Osborne asks if there are additional questions for Smith. Hearing none, he calls the petitioner forward.

Jeremiah Matthews introduces himself and states he plans to build three single family homes. Matthews states in the past, it was zoned as a R-3, however he would like to build the single family homes versus a duplex and change the zoning to a R-2. He believes it will improve the surrounding area with the additional money going into the city's taxes, municipalities, etc.

Osborne tells Matthews he commends him for going forth with single family homes instead of duplexes. He asks if there are additional questions from the Members.

Thomas asks Matthews if the homes are for sale and not for rent.

Matthews replies the homes will be for sale.

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

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

Osborne calls for a motion.

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

Osborne - Yes  
Billings - Yes  
Olson - Yes  
Walter- Yes  
Schaffer – Yes  
Thomas- Yes  
Davis- Yes

**21-Z-04 PETITIONER IS H & O INVESTMENTS PROPERTY, LLC  
PROPERTY IS LOCATED AT VACANT LAND, SOUTHWEST CORNER OF COUNTY ROAD 6 EAST AND  
STRYKER STREET**

Per Section 29.11.B, Map Amendments, a request to rezone the property located at the Southwest corner of County Road 6 East and Stryker Street (vacant land) from M-1, Limited Manufacturing District to B-2, Community Business District.

**STAFF ANALYSIS**

The petitioner is seeking to rezone the corner +/- 1.35-acre parcel from M-1, Limited Manufacturing District to B-2, Community Business District for the purpose of developing a Dollar General retail store.

After being annexed to the City in 2017, a petition was filed in 2018 to seek rezoning from PUD and R-1 (approved by the County Commissioners) to M-1 for a proposed large warehouse and manufacturing facility. The facility was never constructed.

In 2019, the entire undeveloped site (+/- 16 acres) had a proposal submitted to rezone for a PUD to allow for B uses along CR 6 and M uses at the rear of the site. The Planned Unit Development would allow for a higher level of review by the Plan Commission to ensure the development standards for the corridor were achieved. The 2019 proposal was again for a large manufacturing facility at the rear – farthest away from CR 6 and commercial uses north along the frontage adjacent to CR 6. However, those projects did not materialize due in part to the fact that sanitary sewer would need to be extended to the site and those costs were not able to be absorbed into the development proposal. Subsequently, the request for the Planned Unit Development was withdrawn.

In December 2020, a new petition was submitted to subdivide the site into two lots. One lot to develop a new use for the majority of the site for a driveway company, and the lot referenced today. The driveway company has passed technical review and is currently awaiting permitting. A rezoning petition was filed for the January Plan Commission meeting under 21-Z-01, which at the time received a unanimous do-not-pass recommendation from the Plan Commission, and was withdrawn before being heard by the Common Council.

The only portion of the site without an approved development plan is this 1.35-acre site. The request to change the zoning and develop a retail store is before this body again because the developer for the current manufacturing use is extending sewer to the site. The retail use would be able to then connect to the public service.

The retail developer has submitted plans again through the Technical Review process; comments were provided to the petitioner but as of the writing of this report, revisions have yet to be received. Façade, landscape, and an approved Stormwater Pollution Prevention Plan (SWPPP) are included in the outstanding items.

After hearing the public comments heard during the first rezoning application, the petitioner agreed to work with the city and adjacent neighborhood representatives to address some of their traffic concerns. After several meetings and revisions to the site plan, a driveway configuration that featured a left-turn-only egress, thereby directing exiting traffic to County Road 6, was generally agreed upon as the best solution to the traffic concerns. As far as staff knows, the neighborhood representatives spoke with many of their constituents and have endorsed the driveway and the project. The petitioner should be credited with their willingness to engage with the neighborhood and being flexible in their design.

Currently, permitted M uses are able to be developed on this lot. Contractors offices, professional offices, office uses related to manufacturing activities, service businesses that provide services to the manufacturing uses, equipment rental facilities are examples that are permitted by right that do not require a rezoning. These types of use are found more frequently along this portion of the CR 6 corridor, although it's worthy to note that the Elkhart County properties to the east are zoned PUD B-3; presumably they may be developed with B uses.

**STAFF RECOMMENDATION**

The Staff offers no recommendation for the rezoning.

**CONDITIONS**

If the Plan Commission chooses to approve this request, staff recommends the following conditions be placed upon the approval:

1. Any site development shall be approved through Technical Review prior to permitting.

Smith states there were 26 letters mailed, 1 returned not in favor with no comment.

Osborne asks if there are questions from the Commission.

Olson states her concerns are to remain the same and she believes this is the worst use of the existing corner. Olson continues on to say this area is an accident waiting to happen with the large units coming in and out. She ends her statement with, "We're not doing our job personally if we approve this."

Osborne asks Ryan if the store entrance and exit will be on Stryker.

Smith replies, yes that is correct. He goes on to say the driveway company first came to design and permitting. The engineer granted a curb cut, but with their curb cut on Stryker which is not far apart from one another, the driveway company would not approve another curb cut at that location on CR 6. It would only be approved on Stryker Street.

Osborne asks Smith for clarification.

Smith states the driveway has a curb cut on CR 6. Our engineering department would not approve a second access point on CR 6, therefore it would be forced to be on Stryker.

Osborne asks Smith if he knows how many feet from Stryker, is the driveway.

Smith states the consultant who is present, could probably answer that question.

Osborne states he will go ahead and ask at a later time.

Davis asks Smith, what was the main objection by not giving the Members the recommendation.

Smith replies, "The land use for the corridor doesn't seem to be more for business uses and there are other uses that are already allowed that would be compatible with the adjacent land uses."

Osborne asks if there are additional questions for Smith.

Hearing none, Osborne calls petitioner forward.

Tom Cowen (Zaremba Group) introduces himself and introduces the Civil Engineer, Whitney. Cowen begins by thanking Smith for working through some of the loose ends and issues they had encountered. He states for the last Plan Commission meeting; they came with a letter recommending denial. Since then, Cowen along with the help from Smith, has been setting up meetings with the homeowner association representatives from the surrounding area to discover why a Dollar General would not be wanted. Cowen goes on to say Stryker Street has no sidewalks and the neighborhood children do play on Stryker, therefore the neighborhood is concerned about the additional traffic Dollar General would generate. Cowen states he sympathizes and understands the concerns with the traffic and have ultimately eliminated the right turn out of Dollar General for safety reasons. He then says it is a big give for a retailer, however Dollar General understood why Cowen was asking them to move forward with the request. Cowen says it would be designed to make it extremely difficult, if not about impossible to turn right out of the Dollar General. He goes on to say there has been planning and discussion with the homeowner association which then was given to the home owners and asked for feedback on what was being proposed. Cowen states the feedback in which was received, was approval of the Dollar General being built and appreciated the planning behind eliminating the right turn all together. He then says they accept all of the Technical Review comments. Cowen states he believes they have now come up with an improved plan in hopes of Plan Commission's approval. He describes what the zoning code and building itself would look like and states it will be an architecturally pleasing building compared to a manufacturer that could potentially be built.

Whitney states the frontage along CR 6 is about 175 feet and their driveway is longer, which is an estimate of 200 feet from Stryker Street. She states Ryan White is online/phone in which he may have more details.

Ryan White interjects and states Whitney is correct.

Whitney states she would like to comment more on what permitted uses are allowed for M1; things like machine, truck, recycling center for tires, rifle range, truck storage and states a public hearing such as this meeting would not be required. Whitney states those possible outcomes could generate more traffic than Dollar General would. She would like to see it go from a M-1 to a B-1, for less intense uses.

Osborne asks Whitney how they will keep people from exiting right from Dollar General.

Whitney states they have added curving for its shape which will encourage people to learn the area.

Osborne asked if there will be signage as well.

Whitney replies yes, there will be signage.

Osborne asks if there are additional questions from the Members.

Schaffer states in previous meetings there was discussion of zoning commitments that could be added to the zoning application including enforcing the right turn, use of the building and property and it remains that this is a rezoning application only. Schaffer states the commitments that were stated have not been put on paper and will not carry the force of law. He then asks why the Members should consider this application without these commitments being made that the City Council can add to the zoning that would run with the land.

Cowen replies he would like see is what would work best for the city. He states, "I could probably come up with things, but if it's a driver for your approval and I understand what you're saying, I would really like to know what we need in the way of a commitment." He states Dollar General has a 15-year lease and then a five, five year renewals so their commitment is there and it is rare a Dollar General goes out of business. Cowen says there is a long term commitment and a large investment being made and he is in hopes that it is reflective of what is being proposed.

Schaffer replies, "If you're familiar with Indiana zoning law there is a provision where the legislative body can put these commitments in writing in a way that run with the land and those are usually proposed by the applicant. Again, I would just like to see that work done by the applicant to come with us with a list of commitments. Things as simple as we will put a sign that will ban right turns out of the property." Schaffer states there has to be a skeptical view until these commitments are put into writing to move forward. Schaffer states he still believes this is an incomplete application because it doesn't have the written zoning commitments proposed by the landowner and the applicant.

White asks how difficult it would be to add those commitments to this application and states he is sure Dollar General would be willing to commit to it in writing.

Schaffer responds to White that it is the applicant's responsibility to bring that sort of application.

Olson asks Osborne to ask the petitioner how far is the Dollar General on Bristol Street from the proposed site of Stryker Street. She states that it is not 3 miles from one another. Olson states she frequently visits Dollar Generals, but her concerns remain the same. She then says to Schaffer's point of being an issue with completion, there will be skepticism until it is done properly.

White asks if they would need to reapply the application again with the commitments and he was not aware this would be needed in order to move forward. White then asks Cowen if he can recall if they were asked to include the signs and verbiage in the application.

Cowen states from his understanding it was all included in what was previously submitted for Technical Review. He states the format is what seems to be the issue, which can be corrected.

Smith asks Randy Arndt if the petitioner would have the option of offering to amend their request on the floor and add the commitments or would their application need to be revised and table the case for the time being.

Arndt states he would like the petitioner to revise the application, add the commitments and table until the next meeting.

Osborne asks if there's another option as this would need to move forward to Common Council. He asks if it can be sent to the Council with no recommendation and the stipulation that the petitioner bring the newly revised application which would give the petitioner two weeks to finalize and get everything in writing to bring to Common Council.

Arndt states that what is been applied for is what's being passed and it does not have conditions. He then says, if Plan Commission were to pass it to Council without any conditions, it would not make sense to him.

Osborne then states to the petitioner that the preference is to delay another month and bring the information needed as far as the commitments that go along with zoning.

Cowen agrees and states to table the case.

Smith asks Schaffer for what specific commitments he is looking for.

Schaffer states the water and sewer to be in writing and the commitment document has a photo of the driveway in it, the signage, a specific use to limit to a retail store (square feet). He states his concern again, is this going to B-3 is the other B-3 uses.

Osborne asks if there are any additional Members who have any comments or questions.

Walter states he is concerned with Olson's previous statement in regards to an accident waiting to happen, but is also taken back by the positive recommendations from staff. He then states he is concerned on the intensity of traffic coming in and out of that area.

Billings tells the petitioner that he is impressed with the dedication and work they have put forth into coming back to present a new application. He states he is worried if this case is tabled for additional month, it will continue to be delayed.

Smith states he would refer this to the legal department in which they prefer it to be tabled and have a revised application with the commitments included.

Osborne calls for a motion.

Billings makes motion to table until May 3, 2021; Second by Davis. Motion carries.

Osborne - Yes

Billings - Yes

Olson - Yes

Walter- Yes

Schaffer – Yes

Thomas- Yes

Davis- Yes

**21-PUDA-01 PETITIONER IS NORTH POINTE MANAGEMENT, LLC  
PROPERTY IS LOCATED AT 3219 NORTHVIEW DR.**

Per Section 20.10.B.3, of the City of Elkhart Zoning Ordinance, a Major Amendment to the Alt's Trail/G.L. Yoder Planned Unit Development (part of Northpointe Plaza) ordinances approved by the Elkhart County Commissioners numbered 82-02 and 88-59 to allow for a distillery and tasting room. The PUD is developed to the B-3 standards and allows only for retail sales; distilleries are not found in the official list of uses. This amendment applies only to the parcel described in the legal description.

**STAFF ANALYSIS**

The petitioner(s) are seeking to add a distillery with tasting room and retail sales in an existing strip mall in the large North Pointe development. The establishing ordinance restricts the uses in this development to B-3 uses in general and retail sales specifically. At the time that the establishing ordinances were passed, alcohol distilleries were generally conceived of as manufacturing entities. Since that time, breweries and distilleries with tap rooms, tours, and sales have become increasingly common nationwide in commercial areas, and are generally viewed as being compatible with restaurants and retail outlets commonly found in these areas. The operation proposed at this location is relatively small, being limited by the amount of space available. The petitioner proposes to keep three tanks – an 80 gallon still, a 40 gallon still, and a 100 gallon mash cooker. Tours and tastings would be available by appointment and retail sales would be offered to participants in the tasting events.

**STAFF RECOMMENDATION**

The Staff recommends approval of the major amendment to the Planned Unit Development based on the following findings of fact:

- 1) The Comprehensive Plan calls for this area to be developed with mixed uses. The proposed use is compatible with commercially mixed uses.
- 2) The proposed uses should not impact the other permitted uses approved for this PUD. The proposed use should not negatively impact surrounding properties. The site has adequate parking.
- 3) The proposed uses are compatible with other activity already permitted by the planned unit development – retail sales.

Smith states there were 8 letters mailed, 0 returned.

Osborne asks if there are questions from the Commission.

Hearing none, Osborne calls petitioner forward.

Carrie Ford (15600 Cedar Cove Ct. Granger, IN) introduces herself and states she is working to open the first female own whiskey distillery in the state of Indiana and first distillery in Elkhart. Ford says she believes this will attract customers for local shopping and dining and will be a great addition for both the city and the county.

Osborne asks if there are any questions from the Members.

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

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

Osborne calls for a motion.

Billings makes motion to approve with a Do-Pass to the Common Council with the listed recommendations; Second by Thomas. Motion carries.

Osborne - Yes  
Billings - Yes  
Olson - Yes  
Walter- Yes  
Schaffer – Yes  
Thomas- Yes  
Davis- Yes

**21-X-06 PETITIONER IS CITY OF ELKHART  
PROPERTY IS LOCATED AT 1201 S NAPPANEE STREET**

A Special Exception in a, R-1, One-Family Dwelling District, to allow for the expansion of a Municipal Utility.

**STAFF ANALYSIS**

The Elkhart Waste Water Treatment Plant is proposing several site improvements. They are looking to construct a new two-story Central Operations Building, a new Tunnel Exit Building, 2 additions to an existing Collection and Distribution Garage, and several ancillary structures.

The City of Elkhart is implementing this application to comply with the November 2011 Consent Decree that was entered into with the United States Environmental Protection Agency and the United States Department of Justice. These improvements will allow an increase in hydraulic capacity at the site to 60 million gallons per day.

**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 as the facility will be built to exceed local fire and building code requirements;
2. The Special Exception will not reduce the values of other properties in its immediate vicinity because the improvements will not change the overall appearance or use of the property;
2. 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.

Hooley states there were 43 letters mailed, 1 returned in favor with no comments.

Osborne asks if there are questions from the Commission.

Olson asks Hooley if this is part of the larger combined sewer the commitments the city has made in conjunction with federal regulations.

Hooley replies he believes so, but the asks to direct the question to the petitioner.

Jeremy Roschyk (engineer with Dunahu Associates) replies yes that is correct to Olson's question.

Osborne calls petitioner forward.

Roschyk states this is phase two and the final phase of the waste water treatment plant capacity expansion project which is part of the long term control plan. He then says the treatment system will allow the treatment plant to expand from 40 million gallons/day

capacity to 60 million/day capacity along with two new buildings as well as two additions to the existing garage that is behind the main administrative building.

Osborne asks if there are additional questions for Jeremy.

Hearing none, Osborne calls for a motion.

Olson makes motion to approve with a Do-Pass Recommendation to the Board of Zoning Appeals Second by Davis. Motion carries.

Osborne - Yes  
Billings - Yes  
Olson - Yes  
Walter- Yes  
Schaffer – Yes  
Thomas- Yes  
Davis- Yes

**21-X-07 PETITIONER IS IGLESIA DE JESUCRISTO PALABRA MIEL  
PROPERTY IS LOCATED AT 3030 W OLD US 20**

A Special Exception in a, B-1, Neighborhood Business District, to allow for a Church

**STAFF ANALYSIS**

The petitioner is requesting to use an existing commercial building as a church. The property currently has existing parking and the petitioner is not proposing any changes to the property other than refacing existing signage.

**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 the improvements will not change the overall appearance of the property;
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.

Hooley states there were 38 letters mailed, 1 returned in favor with no comments, 2 not in favor with comments regarding proximity and property values.

Osborne asks if there are questions from the Commission.

Hearing none, Osborne calls the petitioner forward.

Samuel Oviedo Espino (24336 Belmar Drive) introduces himself and states they plan to use the building for church services which he states the neighbors have welcomed the idea.

Osborne asks if there are questions for the petitioner.

Billings asks how much of the building they plan to use.

Espino replies they plan to use 6,000-7,000 sq. ft. of the building space.

Osborne asks for additional questions for the petitioner.

Hearing none, Osborne calls for a motion.

Olson makes motion to approve with a Do-Pass Recommendation to the Board of Zoning Appeals Second by Davis. Motion carries.

Osborne - Yes  
Billings - Yes  
Olson - Yes  
Walter- Yes  
Schaffer – Yes  
Thomas- Yes  
Davis- Yes

**21-ANX-01 PETITIONER IS EMERALD CHASE LAND DEVELOPMENT, LLC CONWAY HERSHBERGER, MEMBER**

**PROPERTY IS LOCATED AT JEANWOOD DRIVE AND CR 106 (HENKE STREET)**

As prescribed by Section 29.11.B, a request to annex land south of CR 106 (Henke Street) and east of Jeanwood Drive, the undeveloped section of Manor Estates, land containing approximately 32.754 acres. To also rezone the land contained within petition to R-1, One Family Dwelling District.

**STAFF ANALYSIS**

This staff report is being prepared for annexation 21-ANX-01 to annex land generally at the intersection of Jeanwood Drive and CR 106 (Henke Street), Elkhart, Indiana 46514, Osolo Township.

The land in the petition is the undeveloped portion of the Manor Estates subdivision. The first phase of the development is well established and is not part of the petition and will remain in Elkhart County. That phase of the development has water as part of a sewer service agreement with the original developer.

The current petitioner is seeking annexation in order to develop the remaining land contained within the Manor Estates subdivision. The land will need to be subdivided in the City as the original approval expired in Elkhart County. It is anticipated the layout will not change and will contain approximately 77 additional single family lots for development. There is another 16 unplatted lots already within the City and not a part of this petition, which brings the total potential number of lots for development to 93. This development will add to the housing units for the City and begin to address the housing deficit that was highlighted in the Zimmerman Volk study.

The property is currently zoned in Elkhart County as DPUD, Detailed Planned Unit Development. Part of this request is to also rezone the property in the request to R-1, One Family Dwelling District. The current use is vacant. The need for the annexation is to allow the petitioner to connect to the City's water and sewer. This annexation is advantageous to the City as it will eventually bring an additional 93 single family dwellings built within the City.

The annexation request is voluntary. The property meets the contiguity requirement in order to file a petition to seek annexation. The size of the area to be annexed is approximately 32.754 acres. The territory to be annexed is approximately 50.23% contiguous to the current City limits, being contiguous on part of the western and eastern boundary and the entire southern boundary. The contiguity requirement stated in the Indiana Code is 12.5%.

**STAFF RECOMMENDATION**

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

1. The area to be annexed meets all applicable requirements of IC 36-4-3;
2. The Comprehensive Plan map has not been approved for this area; it is anticipated that the revised map will designate its future land use as residential.
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.

Hearing none, Osborne calls petitioner forward.

Crystal Welsh (1009 South Ninth St) introduces herself and states she is representing Emerald Chase Lane Development and begins by thanking the staff for helping with the preliminary review of this plan. Welsh states they believe it is a great idea to annex this land into the city, to take advantage of not only living in Elkhart City, but also the public utilities. Welsh then says, "We all know that septic and well development is not feasible in a lot of places in Elkhart County and not advisable in other places." She says that by using the city's public utilities this will help to protect the ground water and potential issues. Welsh believes this residential development is something everyone would like to see in the community. Welsh then states there are 16 unplatted lots that came in as part of an annexation in the past, but this would include 77 additional making a total of 93 new single family homes within the city. Welsh says once the annexation would be approved, it would be moved into Technical Review where all of the additional work such as roads, connections, etc. would take place.

Osborne asks if there are questions from the Members.

Olson states this is a much needed asset for the City.

Christopher Herb (1849 West Lincoln Ave) comes up to the mic and introduces himself and states he has owned the parcel for quite some time (off-mic, inaudible). Herb states he does not have additional information to add to Welsh's statement other than the timing and location is great for a new home development in the city.

Osborne asks if there are questions from the Members.

Billings asks Herb if there are plans to create a green space or playground area.

Herb replies no, however there will be enough space on the lots for individuals to add their own playhouses.

Billings asks if it plans to have sidewalks.

Herb replies yes, there will be sidewalks.

Osborne asks if there are additional questions from the Members.

Hearing none, Osborne calls for a motion.

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

Osborne - Yes

Billings - Yes

Olson - Yes

Walter- Yes

Schaffer – Yes

Thomas- Yes

Davis- Yes

## **STAFF ITEMS**

### **SI CASE#21-SI-04**

Addressing

### **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  
146 State Street, Apt. 1 & 2  
1119 Violet Road

New apartment numbers in existing building  
New single family residence

Commercial  
2650 Aeroplex Drive  
344 Elkhart Avenue  
1299 Indiana Avenue East  
399 Lexington Avenue East  
1115 Parkway Avenue  
2750 Toledo Road

New maintenance building at Dayton Freight terminal  
Existing INOVA CU building  
Electrical service on bridge  
New service pedestal  
New spec office building

**STAFF RECOMMENDATION**

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

Schaffer calls for a motion.

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

**ADJOURNMENT**

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

\_\_\_\_\_  
Jeff Schaffer, President

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



# Staff Report

Planning & Zoning

**Petition:** 20-FSP-04

**Petition Type:** Final Site Plan

**Date:** May 3, 2021

**Petitioner:** LaVanture Realty Inc

**Site Location:** 3806 Gallatin Way

**Request:** As required by Section 20.7.B seeking approval for an Amendment to a Final Site Plan for a 38,500 square feet addition with nine (9) new loading docks and 18,150 square feet of new asphalt pavement on land totaling fourteen (14) acres, more or less, located at 3806 Gallatin Way, Elkhart, IN.

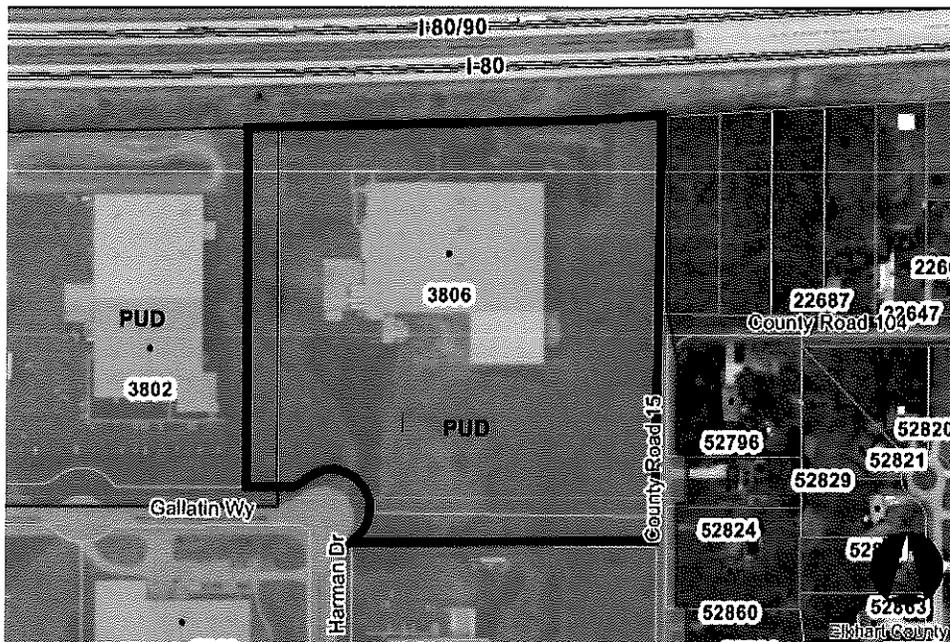
**Existing Zoning:** DPUD – M-1 (Detailed Planned Unit Development – M-1 standards)

**Size:** +/- 14 Acres

**Thoroughfares:** Gallatin Way

**School District:** Elkhart Community Schools

**Utilities:** Available and provided to site



**Surrounding Land Use & Zoning:**

The property is located within the Remington Park industrial Park. Properties to the south and west are industrial zoned DPUD. Properties to the east are residential and undeveloped zoned Elkhart County zoning. The property is bordered on the north by the Toll Road.

**Applicable Sections of the Zoning Ordinance:**

Section 20.7.B – Final Site Plan

**Comprehensive Plan:**

The Comprehensive Plan does not take this property into account but is anticipated to call for the land to be developed with industrial uses.

## Staff Analysis

The petitioner owns an existing 100,000 square foot facility on a 14-acre site. The business, Lavanture Products, is a distributor of products used in the RV industry, and is experiencing growth, necessitating the expansion. The expansion will include a 38,500 square foot building addition, nine new loading docks, and 18,000 square feet of new pavement. The underlying use is permitted within the district; the project has been reviewed and approved through the Technical Review process.

## Recommendation

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

1. The approval will not be injurious to the public health, safety, morals and general welfare of the community;
2. The proposed use is permitted within the underlying zoning of the Planned Unit Development;
3. The project has passed the City's Technical Review process;
4. The use conforms to the Comprehensive Plan which is anticipated to call for industrial uses;
5. The proposed use should not be detrimental to the property values of adjacent properties.

## Attachments

Petition, letter, site plan.

# Photos

---



Network: Apr 20, 2021 at 3:15:58 PM EDT



Network: Apr 20, 2021 at 3:16:05 PM EDT





April 2, 2021

Honorable Members of the Common Council  
And City Plan Commission  
City of Elkhart, IN

Regarding: PUD Final Site Plan

The undersigned appellant respectfully shows the City Council and Plan Commission:

1. LaVanture Realty Inc. is the owner of the following described real estate located with the City of Elkhart, Osolo Township, Elkhart County, State of Indiana, to-wit:

**LEGAL DESCRIPTION**

LOT 10, LESS EASTERLY 65', 8.3 ACRES, REMINGTON PARK DPUD, M1, R1, SEC. 4, PT. SW1/4, SEC 14, TOWNSHIP 38N, RANGE 5 EAST, OSOLO TOWNSHIP, ELKHART COUNTY INDIANA.

CONTAINING 8.3 ACRES MORE OR LESS.

2. The above described real estate presently has a zoning classification of:  
*DPUD M-1.*

3. Petitioner presently occupies the above described property in the following manner:  
*The property and building are existing as an 102,200 SF metal building used for warehousing and distribution of products to the recreational vehicle and marine industries.*

4. Petitioner desires to receive Final Site Plan Approval for:  
*A 38,500 SF building addition on to the existing building for additional warehouse space and an additional 18,150 SF of asphalt paving for truck access to the new loading docks.*

5. Using the appropriate standards from the previous page, address each standard.

1. The proposed project is in accordance with the Comprehensive Plan.  
*The proposed building addition is similar in nature to the existing building and the surrounding buildings in this industrial area and falls with the guidelines of the comprehensive plan. Building addition will have masonry on the east and west sides leaving the south side open for future expansion. Masonry will be completed on the south side at the time of the final expansion of the property.*

2. The proposed project encourages innovations in development.  
*The proposed addition will support the current business operation allowing for storage of additional product lines and improved flow within the building.*



3. The proposed project fosters the safe, efficient, and economic use of the land, transportation, public facilities and services.

*The proposed addition will serve the same purpose as the existing building for the business operation as it is today and makes appropriate use of the land.*

4. The proposed project will facilitate the provision of adequate public services such as transportation, water, sewer, storm drainage, electricity and public parks.

*The proposed addition will have minimal to no impact on the above listed public services.*

5. The proposed project will avoid the inappropriate development of lands and provide for adequate drainage and reduction of flood damage.

*The proposed building project is an appropriate use of land adjacent to other industrial use. It will have adequate storm water drainage and will have no impact on flood damage.*

6. The proposed project will encourage patterns of land use which decrease trip length of automobile travel and encourage trip consolidation.

*The proposed addition will have minimal to no impact on the above listed considerations.*

7. The proposed project will minimize adverse environmental impacts of development.

*The proposed building addition will have no adverse environmental impacts.*

8. The proposed project will improve the design, quality, and character of new development.

*The proposed building addition is similar in height, color and finish as the existing building and surrounding buildings in the park. The addition will exactly match the existing building to include plant windows and masonry fully developed sides.*

9. The proposed project will foster a more rational pattern of relationship between residential, business and industrial uses.

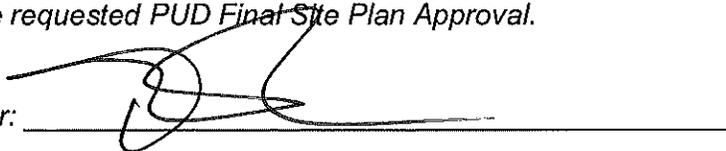
*The proposed building addition is the same use as the existing building.*

10. The proposed project will protect existing neighborhoods from harmful encroachment by intrusive or disruptive development.

*The proposed building addition is similar in nature to the existing building and the surrounding buildings in this industrial area.*

*WHEREFORE, Appellant respectfully requests a hearing on this appeal and that after such hearing, the Board grant the requested PUD Final Site Plan Approval.*

Signature of Property Owner: \_\_\_\_\_



Printed Name: Richard LaVanture, Owner

*Documents Prepared By: Andrew Harman, Project Manager  
Business Name: J.A. Wagner Construction, Inc.  
Address: 4900 Middlebury Street, Elkhart, IN 46516  
Phone: (574) 295-3761  
Email: [andrew@jawagner.com](mailto:andrew@jawagner.com)*

**OWNER INFORMATION**

J.A. WAGNER CONSTRUCTION INC.  
 388 GALLATIN WAY, ELKHART, IN 46514  
 413-282-4444  
 RICHARD LAVANTURE, OWNER  
 388 GALLATIN WAY, ELKHART, IN 46514  
 413-282-4444  
 RICHARD@LAVANTURE.COM

**LEGAL DESCRIPTION**

LOT 110 LESS EASTERLY 65' & 3 ACRES,  
 REMINGTON PARK DR. W. 41, R1, SEC. 4,  
 PT. SW/4, SEC. 24, TOWNSHIP 38N,  
 RANGE 5 EAST, COSELCO TOWNSHIP,  
 ELKHART COUNTY INDIANA

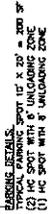
**PARKING NOTES:**

ESTIMATED CANS PER DAY = 30  
 NUMBER OF EMPLOYEES ON LARGEST SHIFT = 30  
 CITY PARKING REQUIREMENTS (WAREHOUSE)  
 EMPLOYEES ON LARGEST SHIFT = 38  
 PUBLIC OFFICE SPACE = 7,852 SQ. FT. = 26  
 TOTAL PROVIDED = 47 SPACES

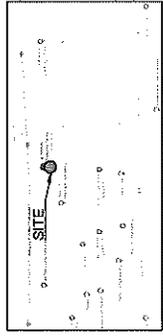
**SITE & LANDSCAPE NOTES:**

TOTAL UNIMPAVED AREA: 98,600 SF  
 PAVEMENT: 18,800 SF  
 RETENTION: 10,800 SF  
 CURB PREPARED: 73,000 SF > 1 ACRE  
 ALL DISTURBED AREAS WILL HAVE TOPSOIL  
 PLACED, GRADED AND HAVE STRAW BLANKET  
 AND/OR HYDRO-SEED INSTALLED

ALL SYSTEM WATER IMPROVEMENTS  
 AND ACCEPTED THROUGH THE STATE  
 PROCESS  
 UTILITIES ARE SHOWN BY THE  
 UTILITY CONTRACTOR. THE  
 PUBLIC WORKS AND UTILITIES  
 DEPARTMENT WILL BE THE  
 PROCESS. THE ELEVATION POINT



SITE LEGEND	
X 74.9	EXISTING GRADE ELEVATION
X 75.3	NEW GRADE ELEVATION



LOCATION MAP

**DRAINAGE CALCULATIONS**

RETENTION AREA  
 CONCRETE/PAVEMENT  
 GRASS  
 AVE. "C" = 346,278/870,864 = 0.31  
 VOLUME REQUIRED = 870,864 X 0.25 X 0.31 = 67,535 CF  
 EXISTING RETENTION POND = 28,352 X 10.352 X 7' DEEP = 132,834 CF PROVIDED  
 PROPOSED RETENTION POND = 10,352 X 10.352 X 7' DEEP = 77,454 CF PROVIDED  
 DESIGNED FOR 3" RAIN WITHIN A 24 HOUR PERIOD. SLOPES TO BE 3:1

**PROPOSED SITE PLAN**

1" = 40'

LAVANTURE PRODUCTS CO., INC.  
 388 GALLATIN WAY  
 ELKHART, INDIANA 46514

PROPOSED SITE PLAN

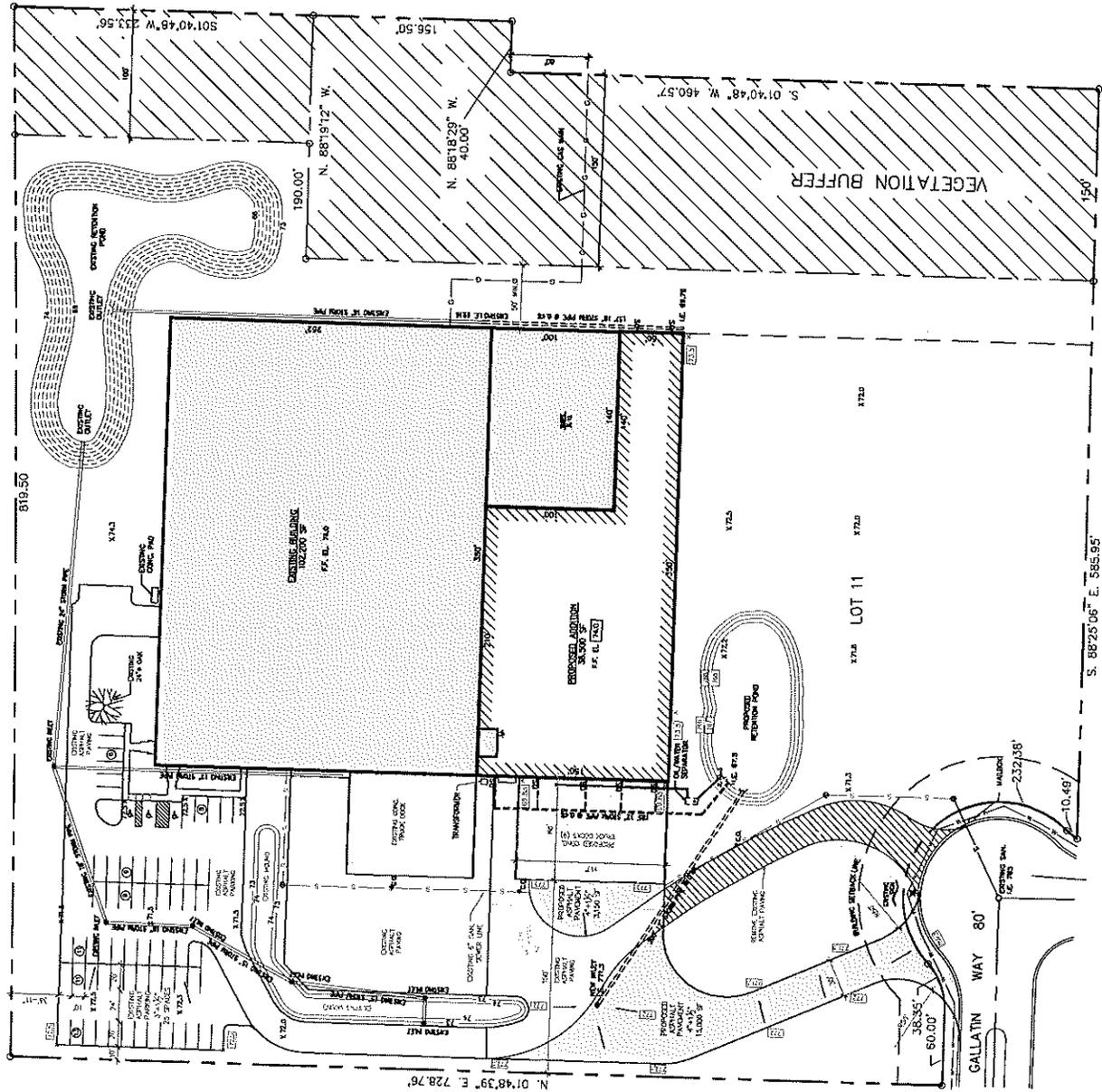
**CONTRACTOR INFORMATION**

J.A. WAGNER CONSTRUCTION INC.  
 388 GALLATIN WAY, ELKHART, IN 46514  
 413-282-4444  
 ANDREW@JAWAGNER.COM

**DESIGN PROFESSIONAL INFORMATION**

ROBERT DUAL OP. PE  
 4800 MIDDLEBURY ST., ELKHART, IN 46516  
 574-293-2761  
 ROB@JAWAGNER.COM

MAINTAIN EXISTING UTILITIES  
 AND PROVIDE WATER CONNECTIONS  
 TO THE BUILDING



S. 86°25'06" E. 565.95'

GALLATIN WAY 80'

N. 01°48'39" E. 728.76'

819.50'

501.40' ± 8" W. 233.56'

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# Staff Report

Planning & Zoning

**Petition:** 20-FSP-04

**Petition Type:** Final Site Plan

**Date:** May 3, 2021

**Petitioner:** LaVanture Realty Inc

**Site Location:** 3806 Gallatin Way

**Request:** As required by Section 20.7.B seeking approval for an Amendment to a Final Site Plan for a 38,500 square feet addition with nine (9) new loading docks and 18,150 square feet of new asphalt pavement on land totaling fourteen (14) acres, more or less, located at 3806 Gallatin Way, Elkhart, IN.

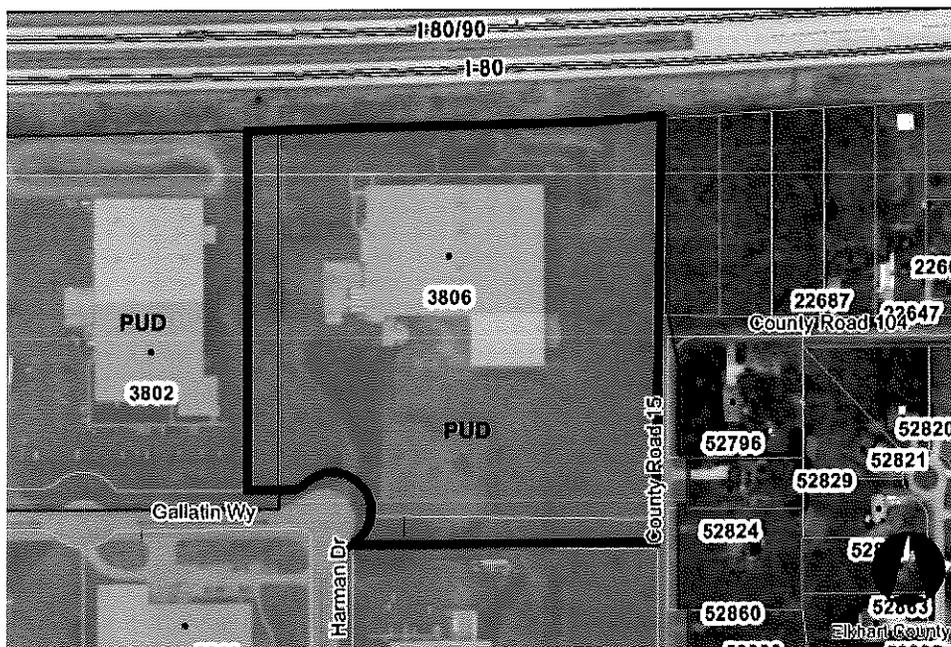
**Existing Zoning:** DPUD – M-1 (Detailed Planned Unit Development – M-1 standards)

**Size:** +/- 14 Acres

**Thoroughfares:** Gallatin Way

**School District:** Elkhart Community Schools

**Utilities:** Available and provided to site



**Surrounding Land Use & Zoning:**

The property is located within the Remington Park industrial Park. Properties to the south and west are industrial zoned DPUD. Properties to the east are residential and undeveloped zoned Elkhart County zoning. The property is bordered on the north by the Toll Road.

**Applicable Sections of the Zoning Ordinance:**

Section 20.7.B – Final Site Plan

**Comprehensive Plan:**

The Comprehensive Plan does not take this property into account but is anticipated to call for the land to be developed with industrial uses.

## Staff Analysis

---

The petitioner owns an existing 100,000 square foot facility on a 14-acre site. The business, Lavanture Products, is a distributor of products used in the RV industry, and is experiencing growth, necessitating the expansion. The expansion will include a 38,500 square foot building addition, nine new loading docks, and 18,000 square feet of new pavement. The underlying use is permitted within the district; the project has been reviewed and approved through the Technical Review process.

## Recommendation

---

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

1. The approval will not be injurious to the public health, safety, morals and general welfare of the community;
2. The proposed use is permitted within the underlying zoning of the Planned Unit Development;
3. The project has passed the City's Technical Review process;
4. The use conforms to the Comprehensive Plan which is anticipated to call for industrial uses;
5. The proposed use should not be detrimental to the property values of adjacent properties.

## Attachments

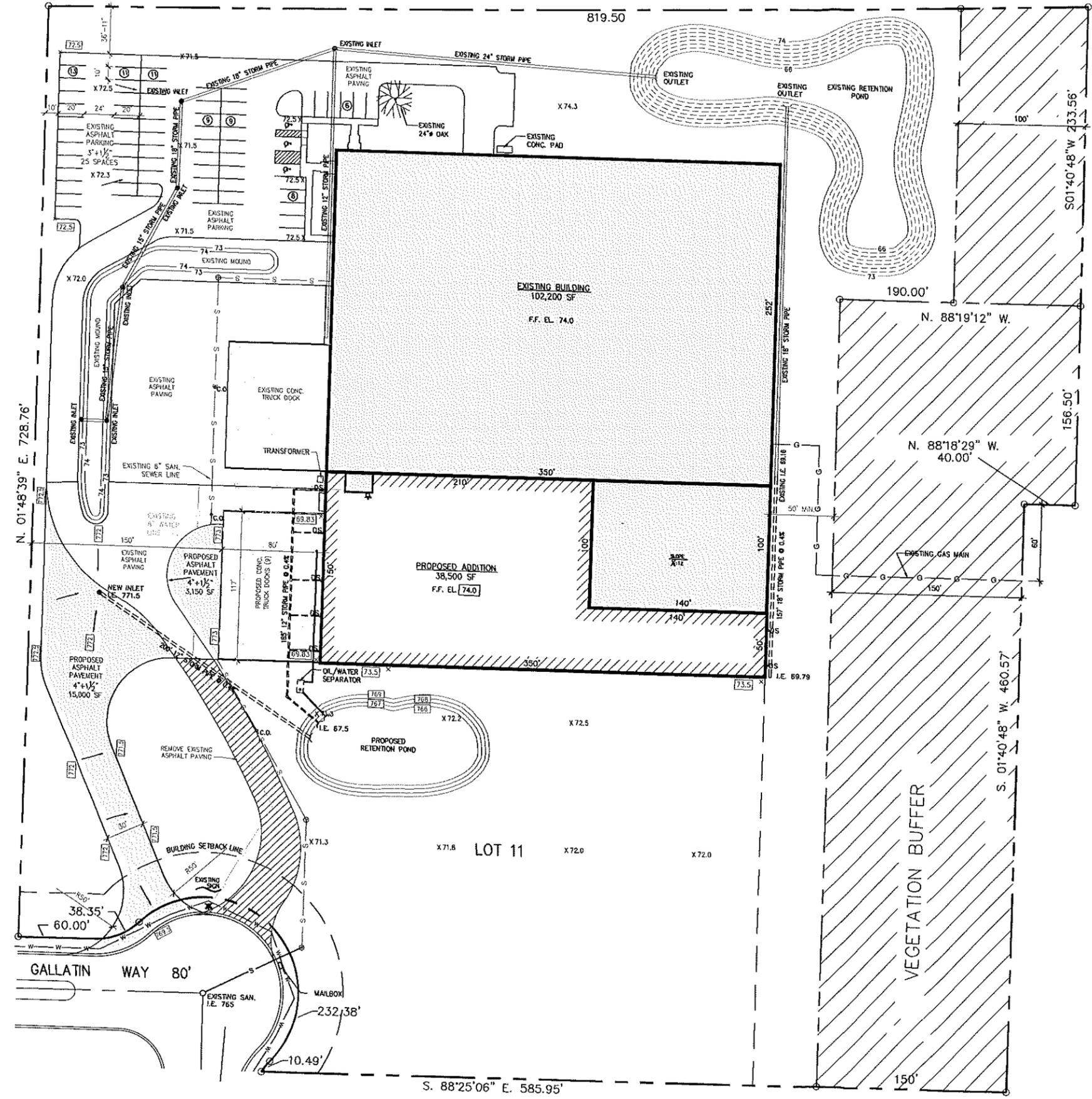
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Petition, letter, site plan.

# Photos

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**CONTRACTOR INFORMATION**  
 J.A. WAGNER CONSTRUCTION INC.  
 ANDREW HARMAN, PROJECT MANAGER  
 4900 MIDDLEBURY ST., ELKHART, IN 46514  
 574-295-3761  
 ANDREW@JAWAGNER.COM

**DESIGN PROFESSIONAL INFORMATION**  
 J.A. WAGNER CONSTRUCTION INC.  
 ROBERT DUNLOP, PE  
 4900 MIDDLEBURY ST., ELKHART, IN 46514  
 574-295-3761  
 ROB@JAWAGNER.COM

**OWNER INFORMATION**  
 LAVANTURE PRODUCTS  
 RICHARD LAVANTURE, OWNER  
 3806 GALLATIN WAY, ELKHART, IN 46514  
 574-264-0658  
 RICHARD@LAVANTURE.COM

**LEGAL DESCRIPTION**  
 LOT #10 LESS EASTERLY 65', 8.3 ACRES,  
 REMINGTON PARK DPUD, M1, R1, SEC. 4,  
 PT. SW1/4, SEC. 24, TOWNSHIP 38N,  
 RANGE 5 EAST, OSOLO TOWNSHIP,  
 ELKHART COUNTY INDIANA

**WATER AND SEWER UTILITY STATUS:**  
 PROPOSED ADDITION WILL NOT HAVE  
 ANY SEWER OR WATER CONNECTIONS  
 TO THE MAINS.

**SITE & LANDSCAPE NOTES:**  
 TOTAL DISTURBED AREA:  
 BUILDING: 38,500 SF  
 PAVEMENT: 18,150 SF  
 RETENTION: 10,350 SF  
 OVER PREP AREA: 6,000 SF  
 73,000 SF > 1 ACRE

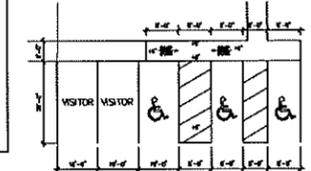
ALL DISTURBED AREAS WILL HAVE TOPSOIL  
 PLACED, GRADED AND HAVE STRAW BLANKET  
 AND/OR HYDRO-SEED INSTALLED.

**NOTE:**  
 ALL STORM WATER IMPROVEMENTS  
 MUST BE PERMITTED, INSPECTED,  
 AND ACCEPTED THROUGH THE SWPPP  
 PROCESS

**NOTE:**  
 ALL WATER AND SANITARY SEWER  
 UTILITY CONSTRUCTION MUST BE  
 PERMITTED AND INSPECTED BY  
 PUBLIC WORKS AND UTILITIES  
 THROUGH THE EXCAVATION PERMIT  
 PROCESS.

**PARKING NOTES:**  
 ESTIMATED CARS PER DAY = 50  
 NUMBER OF EMPLOYEES ON LARGEST SHIFT = 38

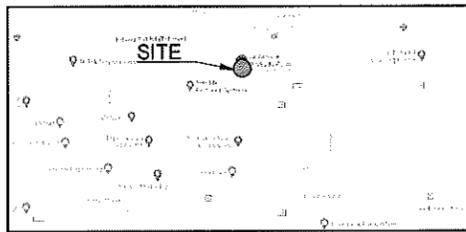
**CITY PARKING REQUIREMENTS (WAREHOUSE):**  
 EMPLOYEES ON LARGEST SHIFT = 38  
 PUBLIC OFFICE SPACE = 7,852 / 300 = 26  
 TOTAL REQUIRED = 64 SPACES  
 TOTAL PROVIDED = 67 SPACES



**PARKING DETAILS:**  
 TYPICAL PARKING SPOT 10' X 20' = 200 SF  
 (2) HC SPOT WITH 6' UNLOADING ZONE  
 (1) HC SPOT WITH 8' UNLOADING ZONE

**SITE LEGEND**

X 73.9	EXISTING GRADE ELEVATION.
X [75.3]	NEW GRADE ELEVATION.



LOCATION MAP

**DRAINAGE CALCULATIONS**

<b>RETENTION AREA</b>	
EXISTING/NEW BUILDINGS	- 141,028 SF X 0.9 = 126,925
CONCRETE/ASPHALT PAVEMENT	- 100,671 SF X 0.9 = 90,604
GRASS	- 429,165 SF X 0.3 = 128,750
	670,864 346,279

AVG. "C" = 346,279/670,864 = 0.51

VOLUME REQUIRED = 670,864 X 0.25 X 0.51 = 85,535 CF

**PROVIDED:**

EXISTING RETENTION POND = 26,392 ± 10,932 X 7' DEEP = 130,634 CF PROVIDED

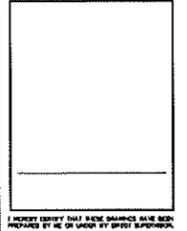
PROPOSED RETENTION POND = 10,350 ± 7,104 X 2' DEEP = 17,454 CF PROVIDED

DESIGNED FOR 3" RAIN WITHIN A 24 HOUR PERIOD. SIDES SLOPES TO BE 3:1

**PROPOSED SITE PLAN**  
 1" = 40'

DESIGNER HEREBY EXPRESSLY RESERVES HIS  
 COMMON LAW COPYRIGHT AND OTHER PROPRIETARY  
 RIGHTS IN THESE PLANS. THESE DRAWINGS ARE NOT  
 TO BE REPRODUCED, CHANGED, OR COPIED IN ANY  
 FORM OR MANNER WHATSOEVER WITHOUT FIRST  
 OBTAINING THE EXPRESS WRITTEN PERMISSION OF  
 J.A. WAGNER CONSTRUCTION, INC. HIS ARE THEY  
 TO BE ASSIGNED TO ANY THIRD PARTY WITH OUT  
 FIRST OBTAINING SAID WRITTEN PERMISSION.

**J.A. WAGNER CONSTRUCTION, INC.**  
 4900 Middlebury Street Elkhart, IN 46514  
 (574) 295-3761  
 WAGNER CONSTRUCTION, INC.  
 COMMERCIAL & INDUSTRIAL  
 BUILDER



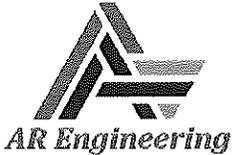
DATE	03/22/2021
SCALE	
OWN	MKD
PROJECT	

**LAVANTURE PRODUCTS CO., INC.**  
 3806 GALLATIN WAY  
 ELKHART, INDIANA 46514

**PROPOSED SITE PLAN**

**C1.1**





March 2, 2021

TO: Honorable Members of the City Council  
And Plan Commission  
City of Elkhart, Indiana

RE: Rezone Petition – SWC County Road 6 & Stryker Road

The undersigned petitioner(s) respectfully shows the Council and Plan Commission:

1. I, \_\_\_\_\_, am authorized to act on behalf of H & O Investment Property, LLC, the owner of the following described real estate located within the City of Elkhart, Osolo Township, Elkhart County, State of Indiana, to-wit:

**Parcel Numbers: 20-02-28-203-003-027**

**Property Address: County Road 6, Elkhart, IN 46514**

2. The above described real estate presently has a zoning classification of M-1, Limited Manufacturing District under the Zoning Ordinance of the City of Elkhart.
3. Petitioner(s) presently occupies (*or propose to occupy*) the above described property in the following manner: **9,100 sft general retail.**
4. Petitioner(s) desires to rezone said real estate to B-2, Community Business District.
5. Standard Descriptions:
  - i. Proposed plan complies with the current Zoning Classification map.
  - ii. Current site conditions: vacant land, no existing buildings. Adjacent uses are a mix of residential and commercial businesses.
  - iii. Most desirable use of the land is commercial. County Road 6 is a major thoroughfare with existing commercial businesses mix with residential uses. The proposed use will contribute to the continuing growth of commercial uses on this corridor. Furthermore, rezoning to a business district is a reduction in zoning that allows lesser intense uses than the current M-1 classification.
  - iv. Conservation of property values throughout jurisdiction by serving the needs of consumers that are not of the nearest community.
  - v. Responsible growth and development by providing employment and contributing to economic growth within the community.

Wherefore, Petitioner prays and respectfully requests a hearing on this appeal and that after such hearing, the Plan Commission make a do pass recommendation and the Council, after hearing, pass on appropriate ordinance rezoning the above described parcel of land located in the City of Elkhart.

Signature of Property Owner: Chris H

Printed Name: Chris Herman

Contact Information: (cell) 574-612-7756 (email) chrishermon1970@gmail.com

Contact Person: AR Engineering, LLC

Name: Whitney Pizzala, E.I.T.

Address: 5725 Venture Park Drive, Suite A, Kalamazoo, MI 49009

Phone Number where you can be reached: 269-830-1311

Fax Number: 866-569-0604

Second Contact Person: Zaremba Group, LLC

Name: Tom Cowen

Address: 14600 Detroit Avenue, Suite 1500, Lakewood, OH 44107

Phone Number where you can be reached: 216-226-4168

Fax Number: 216-227-1786

**AR ENGINEERING, LLC**

## Zoning Commitment

Zaremba Group, LLC, the Developer, does agree to abide by these commitments concerning the use and or the development of the property located at the Southwest corner of CR 6 and Stryker Street.

1. Any development shall be served by City of Elkhart Municipal Water and Wastewater Utilities.
2. Vehicle access to the property shall be off of Stryker Street.
3. Egress out of the property shall be restricted to left out only onto Stryker Street, as depicted on the attached Driveway Exhibit.
4. Any development shall require Best Management Practices for stormwater quantity and stormwater quality.
5. All exterior lighting shall be shielded from residential structures. No free standing light pole shall have a height greater than twenty feet.
6. All surfaces meant for driving or parking shall be an improved, hard surface, which may include recycled concrete or recycled asphalt.
7. Any development will be self-parked.
8. Any development shall abide by current zoning standards at the time of permit application.
9. Any of the uses listed in Section 12, B-2 Community Business District of the Elkhart County Zoning Ordinance in effect on the date of this Zoning Commitment shall be allowed except for the following:
  - A) Gasoline filling station.
  - B) Restaurant with drive-through.
  - C) Any unlawful use or legal nuisance.
  - D) Discotheque, dance hall or night club.
  - E) Massage parlor.
  - F) Funeral parlor.
  - G) Bingo parlor.
  - H) Any use that emits a strong, unusual, offensive or obnoxious odor.
  - I) Any dumping, disposing, incineration or reduction of garbage (exclusive of garbage compactors located near the rear of any building).
  - J) Any dry cleaners performing on-site cleaning services.
  - K) Any establishment selling or exhibiting paraphernalia for use with illicit drugs.
  - L) Any establishment selling or exhibiting materials or devices which are adjudicated to be pornographic by a court of competent jurisdiction.
  - M) Any adult bookstore, adult video store or Adult movie theater.
  - N) Any gun range or shooting gallery.
  - O) Any use that creates fire, explosives or other hazards.

Further, the Developer does agree to the following concerning the procedures associated with maintenance and enforcement of this Zoning Commitment:

1. That this Zoning Commitment shall be recorded in the Elkhart County Recorder's office.
2. That the Developer shall give notice of this Zoning Commitment, whether recorded or unrecorded, to any subsequent owner of the property.
3. That the Developer and any subsequent owner of the property shall be bound by the terms of this Zoning Commitment.

4. That the Elkhart County Advisory Plan Commission and/or the Elkhart County Zoning Administrator are authorized to enforce the terms of this Zoning Commitment.
5. This Zoning Commitment may be modified or terminated only by a decision of the Elkhart County Advisory Plan Commission after public hearing, except as otherwise stated herein.
6. This Zoning Commitment shall be effective immediately upon approval by the Elkhart County Advisory Plan Commission.

## Smith, Ryan

---

**From:** darby kay underwood <dar.c.u@aol.com>  
**Sent:** Wednesday, February 17, 2021 12:43 PM  
**To:** Smith, Ryan; TCowen@zarembagroup.com  
**Subject:** Fwd: Dollar General Elkhart  
**Attachments:** Elkhart (Stryker), IN DG\_2-12-21.pdf

Good Morning Ryan,

It's Darlene Underwood, responding.

I was able to print out your attachment of the Dollar Store and most importantly, the cement barrier that persuades outgoing traffic from turning right, onto Stryker Street.

Mr. Ryan and Mr. Cowen,

I have talked with as many of the Area 6 Neighborhood homeowners as I can, given the very cold weather that we are now having.

The majority of them are agreeable with the barrier that Dollar General Store has graciously agreed to place on Stryker Street to stop excess traffic from going South down Stryker Street and East down our County Roads.

M. Prugh and I can not Thank You enough for everyone's hard work and cooperation with the Area  
6 Neighborhood Homeowners.

As long as we are able to continue to direct excess traffic away from our Area 6 County Roads and secure the well being of our neighborhood children:

**We all look forward to having and enjoying your Dollar General Store in our Area 6 Neighborhood.**

**Thank you again for your time and consideration.**

-----Original Message-----

From: Smith, Ryan <Ryan.Smith@coei.org>  
To: Laurie Prugh <laurieprugh@hotmail.com>; darby kay underwood <dar.c.u@aol.com>  
Cc: Garlington, Danielle <Danielle.Garlington@coei.org>; Clussman, Ryan <Ryan.Clussman@coei.org>  
Sent: Fri, Feb 12, 2021 12:58 pm  
Subject: FW: Dollar General Elkhart

Good afternoon-

Please find the revised Dollar General concept attached for your review.

Darlene – I'll have a paper copy here in the permit center if you would like to pick it up.

Thanks,

**Ryan Smith, AICP**

Planner  
City of Elkhart  
229 S. Second Street  
Elkhart, IN 46516  
574-294-5471, ext 1017  
574-295-7501 facsimile

**SITE DATA**

1. PROPERTY INFORMATION:  
 PART OF PARCEL #: 20-02-28-203-003.000-027 & 20-02-29-203-005.000-027  
 SITE AREA: 58,806 SF (± 1.35 AC)  
 OWNER: H & O INVESTMENT PROPERTY ELKHART, IN  
 DEVELOPER: ZAREMBA GROUP  
 TOM COHEN, MANAGER  
 14600 DETROIT AVE. SUITE 1500  
 LAKEWOOD, OH 44107  
 PHONE: (216) 226-5160  
 FAX: (216) 221-1031

2. ZONING:  
 PROPERTY CURRENTLY ZONED: M-1 INDUSTRIAL  
 ABUTTING PROPERTY CURRENTLY ZONED:  
 NORTH: R-1 AND COUNTY PUD B-3  
 SOUTH: M-1 INDUSTRIAL  
 EAST: COUNTY PUB B-3  
 WEST: M-1 INDUSTRIAL  
 PROPOSED LAND USE = RETAIL STORE  
 \*REZONE TO B-2

3. SETBACKS  
 FRONT = 30' (120' CR6 CENTERLINE)\*  
 SIDES = 10'  
 REAR = 20'  
 \*VARIANCE REQUIRED

4. PARKING:  
 REQUIRED = (1) PARKING SPACE PER (300) SF OF GROSS FLOOR AREA  
 8,100 SF / 300 = 27  
 PROVIDED = STANDARD 8'X20' SPACES = 28  
 BARRIER FREE SPACES = 2  
 TOTAL PROVIDED = 30

5. BUILDING:  
 SINGLE-STORY (1ST)  
 MAXIMUM HEIGHT: 35'  
 TOTAL AREA OF 9,100 SFT. (SEE FLOOR PLAN AND ELEVATIONS FOR MORE DETAIL.)  
 PROPOSED BUILDING COVERAGE: 15%  
 MAXIMUM BUILDING COVERAGE: 50%

6. LOT:  
 MINIMUM LOT SIZE: N/A  
 MINIMUM LOT WIDTH: N/A  
 LOT SIZE: 58,806 SFT / 1.35 ACRES  
 LOT DIMENSIONS: IRREGULAR

7. LANDSCAPING:  
 SHALL BE IN ACCORDANCE WITH LANDSCAPING PLAN.

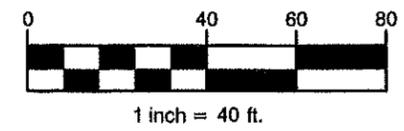
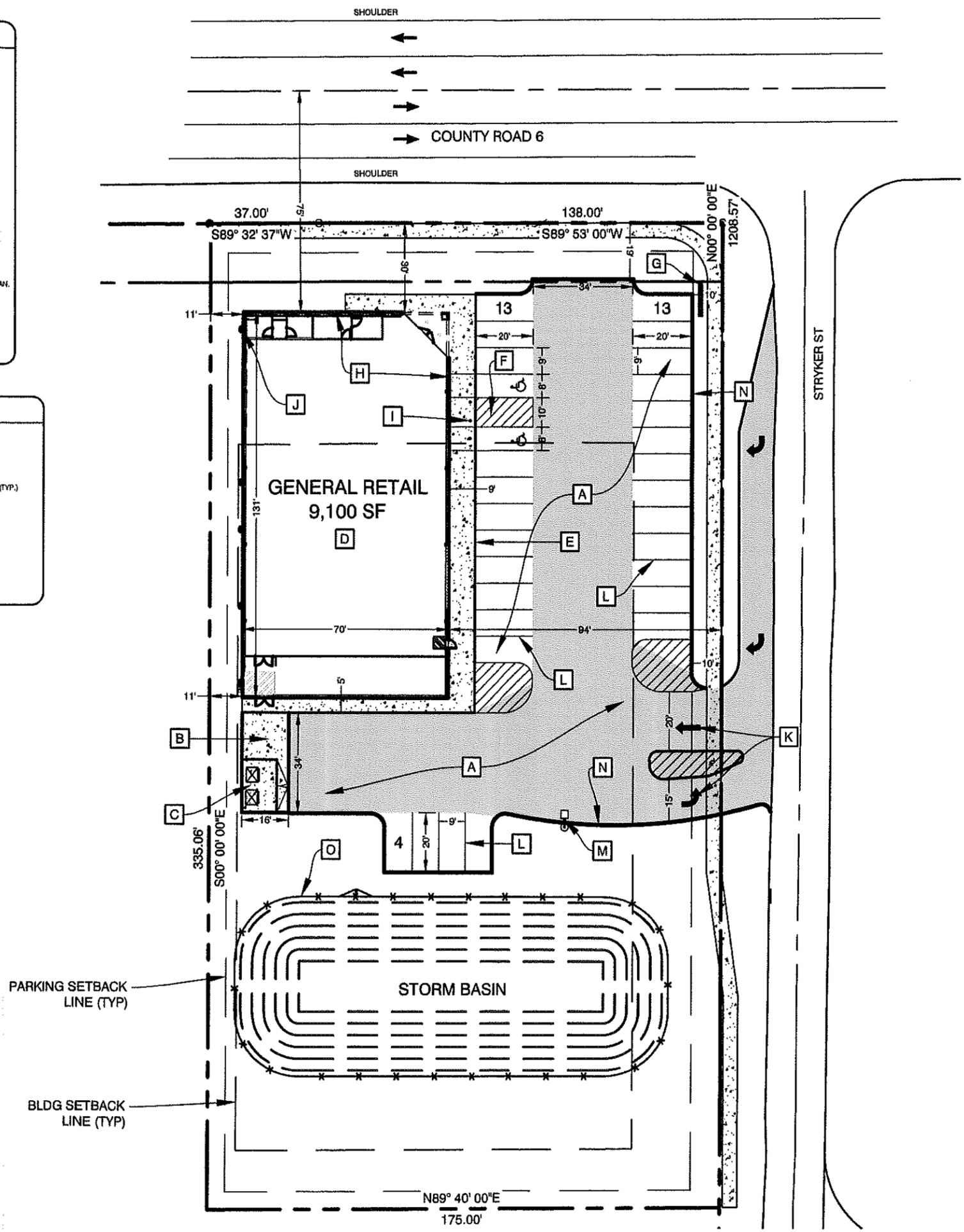
8. STORM WATER DETENTION REQUIRED:  
 STORM WATER MANAGEMENT SHALL BE IN ACCORDANCE WITH CITY STORM WATER GUIDELINES.

**SITE PLAN NOTES**

<b>A</b> BITUMINOUS PAVEMENT	<b>D</b> BOLLARDS - (4) TOTAL
<b>B</b> 16' X 34' - 6" CONCRETE PAD/LOADING AREA	<b>E</b> DOWNSPOUT (TYP.)
<b>C</b> 18' X 12' (MIN.) - 6" CONCRETE DUMPSTER PAD (PROVIDE 18' X 12' DUMPSTER ENCLOSURE. AREA FOR (2) STD DUMPSTERS.	<b>F</b> PAINT/ STRIPING
<b>D</b> PROPOSED HVAC CONDENSERS LOCATED ON THE ROOF. REFER TO MECHANICAL DRAWINGS FOR ADDITIONAL INFORMATION.	<b>G</b> 4" PAINTED PARKING LOT MARKING/ STRIPING (TYP.)
<b>E</b> INTEGRAL CURB/WALK	<b>H</b> LIGHT POLE
<b>F</b> AT-GRADE RAMP	<b>I</b> 6" BARRIER CURB
<b>G</b> PROPOSED LIGHTED SIGN W/ UNDERGROUND ELECTRICAL.	<b>J</b> 6' TALL CHAIN LINK FENCE WITH GATE
<b>H</b> PROPOSED BUILDING SIGN	

**LEGEND**

	HEAVY DUTY PAVEMENT
	LIGHT DUTY PAVEMENT
	CONCRETE PAVEMENT AND SIDEWALK



Civil Engineers & Surveying  
 MICHIGAN | INDIANA | ILLINOIS | OHIO  
 282.551.5941 PHONE | 866.569.6946 FAX  
 www.ar-engineeringllc.com

**AR Engineering**

ISSUED FOR:	DATE
PRELIMINARY	03/04/21

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PROJECT	ELKHART (STRYKER), IN DG
SHEET TITLE	
PRELIMINARY SITE LAYOUT PLAN	

JOB NUMBER	DATE
1912048	03/04/2021

EXHIBIT

**A**



**Surrounding Land Use & Zoning:**

The property is located between a commercial and residential district. Properties to the east are commercial and zoned B-3. The property to the north is a mobile home park zoned MHP. Properties to the east are vacant and mobile home park zoned R-2 and land to the south is commercial zoned R-2.

**Applicable Sections of the Zoning Ordinance:**

See enumerated in request.

**Comprehensive Plan:**

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

## Staff Analysis

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The petitioner owns four parcels totaling approximately 1.34 acres along the Cassopolis Street corridor. While on separate parcels, the properties were developed as a single use, with a commercial building on the western parcels and a parking lot on the eastern parcel. The three western parcels are zoned B-3, while the eastern parcel is zoned R-2. Since the property has been vacant for more than one year, a bariance or rezone would be necessitated to use the R-2 parcel, which has already been developed as a parking lot, for business purposes. The immediate uses to the north and east are mobile home park residential, while the existing use to the south is single family residential.

The petitioner requests a rezoning of the R-2 parcel containing a parking lot to B-3 to enable its use for business purposes. Granting the request would consolidate the four parcels comprising the zoning lot into a single zoning district and enable its continued use. At the same time, the comprehensive plan calls for this property to be developed with low density residential uses, and it abuts against three residential properties. While the proposed use immediately is as a tire store, a rezoning would open the property up to a variety of uses that may conflict with adjacent residences.

## Recommendation

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

- 1) The proposed rezoning is not compatible with the Future Land Use map, which calls for the area to be developed with low density residential uses.
- 2) Current conditions and the character of current structures and uses in each district may be impacted because future development may not be compatible to adjacent residential uses.
- 3) The B-3 District does not allow for the most desirable uses for which the land can be adapted.
- 4) The proposed rezoning may not preserve the conservation of property values throughout the City because it is adjacent to residential.



April 6 , 2021

Honorable Members of the City Council  
And Plan Commission  
City of Elkhart, Indiana

RE: REZONING

The undersigned petitioners respectfully shows the Council and Plan Commission

I, James V. Woodsmall, VP of T&M Real Estate Inc. is the owner of the following real estate  
Located within the city of Elkhart, Osolo Township, Elkhart County, State of Indiana  
To wit:

1736 Cassopolis Street, Vacant Lot to the east of this address:

Parcel number 20-02-32-204-008.000-027

Legal: COUNTRY CLUB TERRACE; LOTS 46 thru 50 INCL \*\*\*SEE ATTACHED LEGAL

\*\*\*See ATTACHED MAP

The above real estate per the City of Elkhart says it is zoned a ~~R-2~~ , adjacent to a B-3 parcel.

Petitioner desires to re-zone said real estate to ~~B-3~~ to make it consistent with the current use of the adjacent and surrounding properties of 1736 Cassopolis St. which is already B-3 zoning. This property is currently is under contract to a new business use, and in discovery thru due diligence discovered this vacant parcel was an R-4.

This property has been vacant for a couple of years now. By rezoning and allowing this parcel to be Consistent with the comprehensive plan, as this property is completely surrounded by B-1, B-2 , B-3 and O to the North, South and West. There is a 4 lane highway in front of the property with over 200' of frontage, which lends itself to commercial development only.

Subject property is located right next to Wendy's Drive Thru on the south side, and the Chalet Party Shoppe on the North side with continuing various businesses on either side of said business. This whole corridor is zoned B-1, B-2, B-3 , M-1 and M-2 making it consistent in responsible growth and development.

The most desirable purpose of this property is a business. The parcel will be upgraded and refined. The ~~B3~~ is requested to accommodate employees, clients' cars if necessary. The front parcels, which are all zoned B-3 will be for the operation of a store that offers, markets, provides, leases, rents with the option to own, sells, and installs wheels/rims, tires. Additionally performs alignments but no oil changes or auto repair.

WHEREFORE, Petition prays and respectfully requests a hearing on this appeal and that after such hearing the Plan Commission make a do pass recommendation and the Council, after hearing, pass on appropriate ordinance rezoning the above described parcel of land located in the city of Elkhart.

AFFIDAVIT IN SUPPORT OF REZONING PETITION

I, James Woodsmael being first duly sworn upon his/her oath deposes and says that he/she is famlliar 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 rezoning 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 1736 Cassopolis Sr Elkhart, Indiana.
4. FURTHER AFFIANT SAYETH NOT.

EXECUTED on the 14 day of April, 2021.

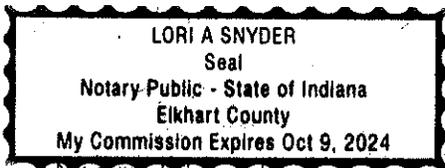
James V. Woodsmael V.P.  
of T+M Real Estate, Inc.  
Printed: James V. Woodsmael

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.

James V. Woodsmael V.P.  
Printed: James V. Woodsmael

STATE OF INDIANA )  
 ) SS:  
COUNTY OF ELKHART )

Before me the undersigned, a Notary Public in and for the State of Indiana, personally appeared James Woodsmael and acknowledged his execution of the foregoing. Subscribed and sworn to before me this 14 day of April, 20021.



My commission expires:  
10-9-2024

Lori A. Snyder  
Printed: Lori A. Snyder

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

Signature of Property Owner: James V. Woodsmall V.P. T&M Real Estate, Inc.  
Printed Name: James V. Woodsmall OR

Contact Person: Lori Snyder Row Snyder  
Name: Lori Snyder  
Address: 1741 E. Bristol St  
Phone Number: 574-849-5886  
Fax Number: 574-242-0902





# Staff Report

Planning & Zoning

**Petition:** 21-Z-06

**Petition Type:** Rezoning

**Date:** May 3, 2021

**Petitioner:** Lyndsay and Aaron Hemmick- Hemmick Properties LLC

**Site Location:** Parking Lot West of 2014 E. Bristol St.

**Request:** Per Section 29.11.B, Map Amendments, a request to rezone the property located west of 2014 East Bristol Street (parking lot) from R-2, One-Family Dwelling District to B-1, Neighborhood Business District.

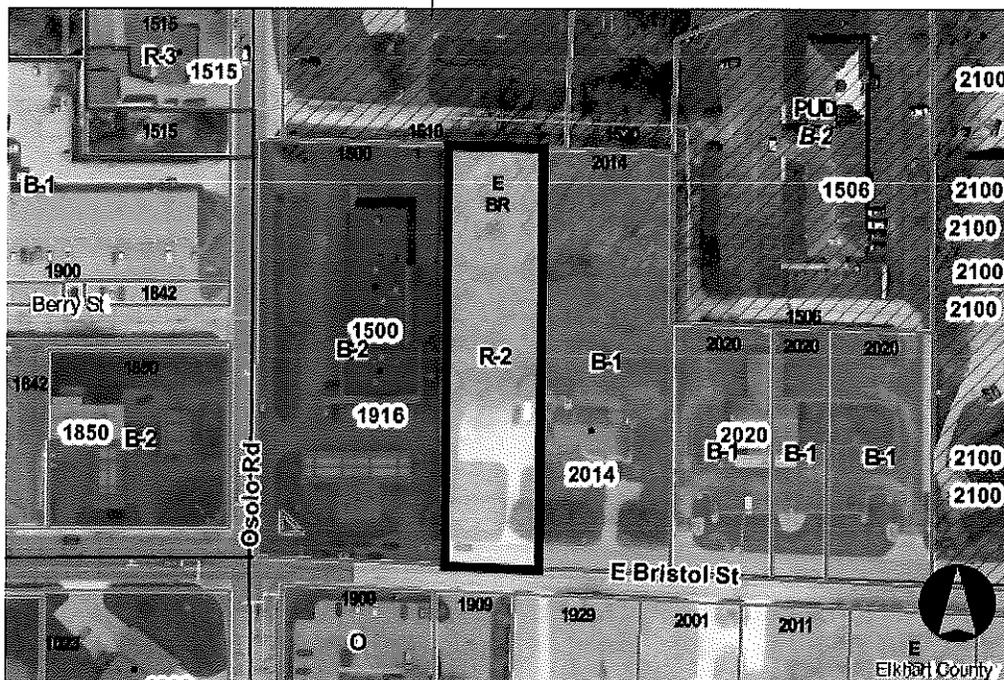
**Existing Zoning:** R-2, One-Family Dwelling District

**Size:** +/- .811 Acres

**Thoroughfares:** Bristol Street

**School District:** Elkhart Community Schools

**Utilities:** Available and provided to site.



**Surrounding Land Use & Zoning:**

The property is an R-2 parcel surrounded by commercial properties. To the east is commercial zoned B-3; to the north is commercial zoned PUD. To the east is commercial zoned B-1, and to the south is commercial zoned O.

**Applicable Sections of the Zoning Ordinance:**

See enumerated in request.

**Comprehensive Plan:**

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

## Staff Analysis

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The petitioner is purchasing two parcels, one of which has a residential structure which is zoned B-1 and has been renovated into a commercial structure, and a second parcel which includes its parking lot which is zoned R-1. The petitioner wishes to rezone the R-2 parking lot parcel to B-1 to make it consistent with the adjacent parcel and to enable its use for parking for a salon, which is permitted in the B-1 District. The proposed rezoning would consolidate a B-1 block and make it compatible with adjacent B and O uses, and allow the petitioners to use the already-developed parking lot for their salong use.

## Recommendation

---

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

- 1) The proposed rezoning is compatible with the Future Land Use map, which calls for the area to be developed with commercial uses.
- 2) Current conditions and the character of current structures and uses in each district will not be impacted because it will be compatible to adjacent commercial uses.
- 3) The B-1 District does allow for the most desirable uses for which the land can be adapted since the site will accommodate a number of permitted B uses that are compatible with the area.
- 4) The proposed rezoning will preserve the conservation of property values throughout the City because any modification to the land will be developed to current standards, be in active use, and be compatible with adjacent properties.
- 5) The rezoning of the property to B-1, Neighborhood Business District is compatible with the surrounding properties and does reflect responsible growth and development.

# Photos

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Network: Apr 21, 2021 at 2:04:20 PM EDT

# Attachments

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Petition, appeal letter, and site plan.



**AFFIDAVIT IN SUPPORT OF REZONING PETITION**

I, Lyndsay Hemmick 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 rezoning 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 2014 E. Bristol St. Elkhart, Indiana.
4. FURTHER AFFIANT SAYETH NOT.

EXECUTED on the 5th day of April, 2021.

[Signature]

Printed: Lyndsay Hemmick

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: Lyndsay Hemmick

STATE OF INDIANA )  
 ) SS:  
COUNTY OF ELKHART )

Before me the undersigned, a Notary Public in and for the State of Indiana, personally appeared Lyndsay & Aaron Hemmick, and acknowledged his execution of the foregoing. Subscribed and sworn to before me this 5th day of April, 2021.



[Signature]

Printed: Lori A Snyder

My commission expires:

10-9-2024

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

March 30, 2021

Honorable Members of the City Council  
And Plan Commission  
City of Elkhart, Indiana

RE: REZONING

The undersigned petitioners respectfully shows the Council and Plan Commission

We, Lyndsay and Aaron Hemmick are the owners of the following real estate  
Located within the city of Elkhart, Osolo Township, Elkhart County, State of Indiana  
To wit:

2014 E. Bristol St, Vacant Lot to the west of this address:

Parcel number 20-02-34-151-029.000-027

Legal: IN SW NW E SW COR EX ETC EX; 1012A SEC 34; 811A \*\*\*SEE ATTACHED LEGAL  
EXHIBIT A

\*\*\*See ATTACHED MAP

The above real estate per the City of Elkhart says it is zoned an R-2, adjacent to a B-1 parcel.

Petitioner desires to re-zone said real estate to a B-1 to make it consistent with the current use of the adjacent property of 2014E. Bristol St. which is a B-1 zone, and currently a window sales business. The property owners that have it now, bought it under the premise it was all zoned B-1 at the time of purchase 3 years ago. The particular parcel is a vacant parking lot.

The parcel to be rezoned is adjacent to the Marathon Gas station, Subway, plaza to the west. To the north of the subject property it is surrounded by medical type office's zoned B-1, B-2 To the East of subject property is 1st Source Bank, and apartments. To the South of subject property is Horizon Bank.

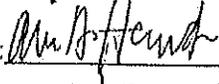
Bristol Street is a business corridor, and a B-1 zoning is consistent with the surrounding properties. B-1 fits the comprehensive plan of business in this corridor. It is sandwiched between all business types and actually does NOT fit the comprehensive plan remaining an R-2 and being surrounded by B-1, B-2 and O. It is surmised that it had all been rezoned at one time, and this parcel just got missed in recording.

This property is currently under contract to a new business use, and in discovery thru due diligence discovered this vacant parcel was an R-2. Current owner has a new buyer for this property, and the offer is contingent upon proper zoning for a Hair Salon. They continue to plan to use this parcel for what it looks like and currently is, a parking lot. Because this lot is adjacent on either side of B-1 zoning , business, etc. it shows responsible growth and consistency, and due to location, size etc. could never be a residential property.

WHEREFORE, Petition prays and respectfully requests a hearing on this appeal and that after such hearing the Plan Commission make a do pass recommendation and the Council, after hearing, pass on appropriate ordinance rezoning the above described parcel of land located in the city of Elkhart.

X Signature of Property Owner: 

Printed Name: Lyndsay Hemmick

Second Property Owner: 

Printed Name: Aaron Hemmick

Contact Person: Lori Snyder 

Name: Lori Snyder

Address: 1741 E. Bristol St. Elkhat, IN 46574

Phone Number: 574-849-5886

Fax Number: 574-262-0902

Exhibit A

Parcel I:

Beginning at a point which is 921 feet West of the southeast corner of the Southwest Quarter of the Northwest Quarter of Section 34, Township 38 North, Range 5 East on Bristol Street; thence West from said beginning point, 129 feet; thence North 412 1/2 feet; thence East parallel with the south line of this description, 129 feet; thence South 412 1/2 feet to the place of beginning.

Parcel II:

A parcel of land in the Northwest Quarter of Section 34, Township 38 North, Range 5 East more particularly described as follows: Beginning at a point on the south line of said Northwest Quarter of Section 34, which is ten rods East from the southwest corner of said Northwest Quarter; thence East along the south line of said Quarter Section, 110 feet; thence North parallel with the west line of the Quarter Section, 25 rods; thence West parallel with the south line of said Northwest Quarter, 110 feet; thence South 25 rods to the place of beginning.

EXCEPTING THEREFROM ANY PORTION OF THE FOLLOWING DESCRIBED REAL ESTATE THAT IS WITHIN THE ABOVE DESCRIBED REAL ESTATE:

A parcel of land in the Northwest Quarter of Section 34, Township 38 North, Range 5 East, Osolo Township, Elkhart County, Indiana, more particularly described as follows: Commencing at the southwest corner of the aforesaid Northwest Quarter Section, said southwest corner also being the intersection of the centerline of Osolo Street and Bristol Street; thence South 87°48' East along the south line of said Quarter Section, which is the south line of said Quarter Section, which south line is also the centerline of said Bristol Street (County Road #10), a distance of 178.4 feet; thence due North a distance of 192.0 feet to the Place of Beginning of this description; thence North 87°48' West, a distance of 20.0 feet; thence due North and parallel with the west line of the aforesaid Quarter Section, a distance of 220.50 feet; thence due South 87°48' East, a distance of 20.0 feet; thence due South and parallel with the west line of the aforesaid Quarter Section, a distance of 220.50 feet to the point of beginning of this description.

FURTHER EXCEPTING THEREFROM ANY PORTION OF THE FOLLOWING DESCRIBED REAL ESTATE THAT IS WITHIN THE ABOVE DESCRIBED REAL ESTATE:

A parcel of land in the Northwest Quarter of Section 34, Township 38 North, Range 5 East, Osolo Township, Elkhart County, Indiana, more particularly described as follows: Beginning at a point on the south line of said Quarter Section this is 158.4 feet (heretofore referred to as ten rods) East of the southwest corner of said Quarter Section; thence Eastwardly along the south line of said Quarter Section, 20 feet; thence Northwardly parallel with the west line of said Quarter Section, 192 feet; thence Westwardly parallel with the south line of said Quarter Section, 20 feet; thence Southwardly parallel with the west line of said Quarter Section, 192 feet to the place of beginning.

Subject to local highways.

ELKHART COUNTY RECORDER  
JENNIFER L. DORIOT  
FILED FOR RECORD ON  
AS PRESENTED  
01/23/2018 11:16 AM

Metropolitan Title

PERSONAL REPRESENTATIVE'S DEED

11375  
THIS INDENTURE WITNESSETH THAT, Angelina R. Niccum, as Personal Representative of the Estate of Virginia L. Mayer, Deceased, pursuant to her power under Indiana Law (I.C. 29-1-7.5-3), for good and valuable consideration, the receipt of which is hereby acknowledged, hereby CONVEYS to Hammiack Properties LLC, an Indiana limited liability company, whose mailing address is 3624 E. Jackson Blvd, Elkhart, IN 46516, the following described real estate located in Elkhart County, Indiana, to-wit:

See attached Exhibit A.

Subject to any and all easements, current taxes, assessments, restrictions, and rights of way of record.

Property Address: 2014 E. Bristol St., Elkhart, IN 46514

Parcel ID No.: 20-02-34-151-027.000-027 & 20-02-34-151-029.000-027

Grantor certifies that Virginia L. Mayer, died a resident of Elkhart County, Indiana on April 10, 2015. Grantor further certifies that Virginia L. Mayer was married to Harold G. Mayer and they remained husband and wife continuously from the date they acquired title to said premises until the date of death of Harold G. Mayer on October 26, 1995. Angelina R. Niccum, granddaughter of the decedent, Virginia L. Mayer, was duly appointed Personal Representative and was issued Letters Testamentary by the Elkhart Superior Court No. 2, Elkhart County, Indiana, on the 14th day of May, 2015, Cause Number 20D02-1505-EU-76, and was authorized on the same date to administer said Estate without Court supervision. The Personal Representative further certifies that debts, taxes and administrative costs of the estate have been paid, or will be paid, and that the estate is solvent.

IN WITNESS WHEREOF, the said Angelina R. Niccum, Personal Representative of the Estate of Virginia L. Mayer, Deceased, has executed this Instrument this 19<sup>th</sup> day of January, 2018.

*Angelina R. Niccum*  
Angelina R. Niccum, Personal Representative of  
the Estate of Virginia L. Mayer, Deceased

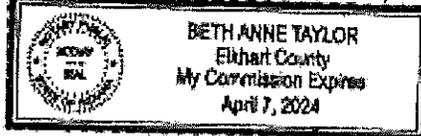
STATE OF INDIANA

SS:

COUNTY OF ELKHART

Before me the undersigned, a Notary Public in and for said County and State, this 19<sup>th</sup> day of January, 2018, personally appeared Angelina R. Niccum, Personal Representative of the Estate of Virginia L. Mayer, and acknowledged the execution of the foregoing Deed.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal.



*Beth Anne Taylor*  
\_\_\_\_\_, Notary Public  
Residing in \_\_\_\_\_ County  
State of Indiana

My Commission Expires: \_\_\_\_\_

Prepared by the law firm of Warrick & Boyn, LLP, 121 W. Franklin St., Suite 400, Elkhart, Indiana 46516, by Gary D. Boyn. I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law, Gary D. Boyn.

DISCLOSURE FEE PAID

DULY ENTERED FOR TAXATION

SUBJECT TO FINAL ACCEPTANCE FOR TRANSFER

Jan 23 2018

PAULINE GRAFF, AUDITOR

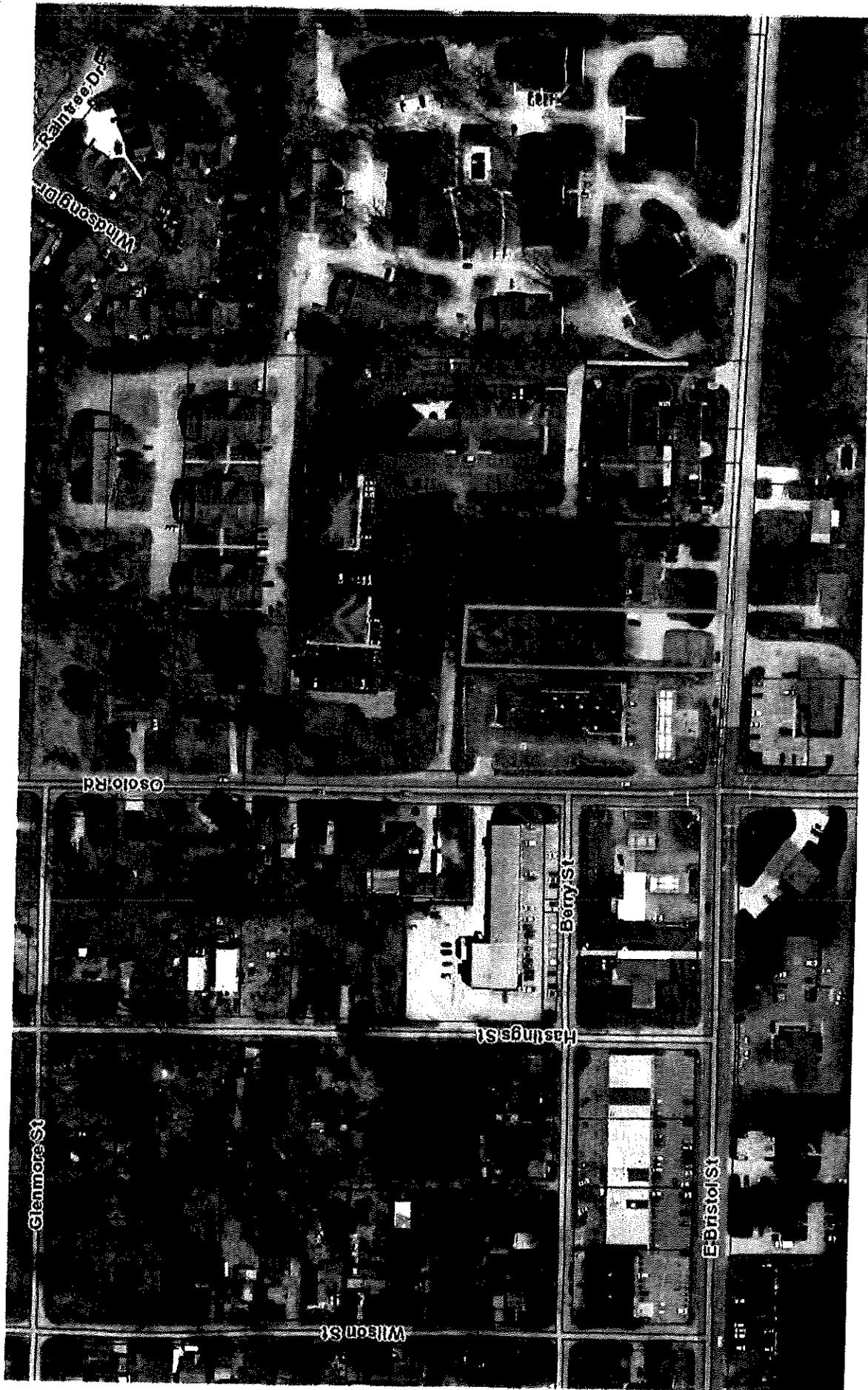
00369

10.00

DM

PP

57828 Tallwind Court Elkhart





# Staff Report

Planning & Zoning

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**Petition:** 21-Z-07

**Petition Type:** Rezoning

**Date:** May 3, 2021

**Petitioner:** 123 County Road 17, LLC

**Site Location:** 123 County Road 17

**Request:** Per Section 20.10.B.1, a Major Amendment to the Lumber Site Detailed Planned Unit Development (DPUD) to allow for the removal of land area equal to 16.2 acres, more or less. The land to be removed from the existing DPUD is at 123 County Road 17, for the purpose of developing it as a self-storage facility. This request seeks to amend Ordinance Number 03-12 approved by the Elkhart County Commissioners.

Per Section 29.11.B, Map Amendments, a request to rezone the property located at 123 County Road 17 from DPUD M-1, Detailed Planned Unit Development District to the M-1 Standards, to M-1, Limited Manufacturing District.

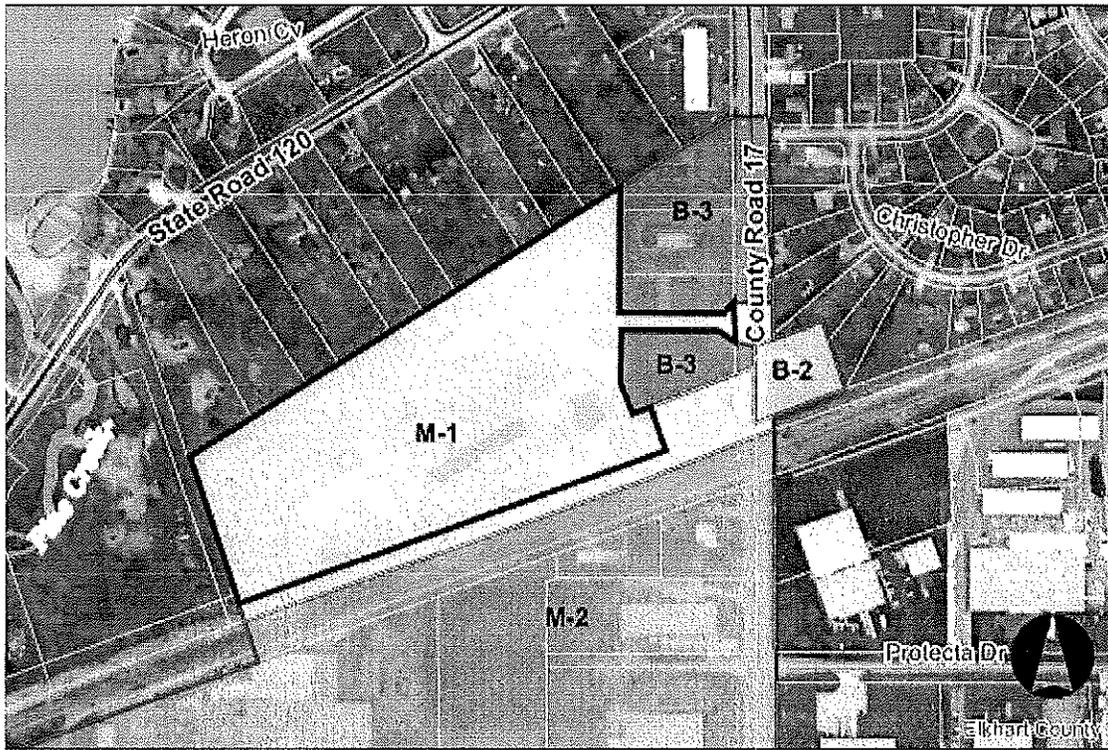
**Existing Zoning:** DPUD, Detailed Planned Unit Development, M-1, Limited Manufacturing District standards

**Size:** +/- 16.2 Acres

**Thoroughfares:** County Road 17

**School District:** Concord Community Schools

**Utilities:** Public utilities are available to site.



**Surrounding Land Use & Zoning:**

The land north and west of the site is residential located in Elkhart County. The land to the south is industrial zoned M-2, General Manufacturing District. The land east of the site, fronting CR 17, is commercial zoned B-3, Service Business District. The land east of 17 is residential in Elkhart County.

**Applicable Sections of the Zoning Ordinance:**

See enumerated in request.

**Comprehensive Plan:**

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

## Staff Analysis

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The petitioner is seeking to rezone the property located at 123 CR 17, behind the car wash, Arby's and Taco Bell, from DPUD-M-1 to a straight M-1, Limited Manufacturing District. The +/- 16.2-acre parcel is intended to be developed as a self-storage facility with some boat storage and a new office for the facility.

The site had formerly been the location for Banks Lumber and more recently a wood recycling facility. The existing facility will be razed to make way for the new development.

The plan is to develop the site in two phases. The first is the northern part of the complex containing approximately 173 self-storage units and the boat storage area with the new office building for the complex. The second phase would have 268 self-storage units – many of which are smaller. The sizes of the units range from 10 x 10 to 20 x 45.

The request to rezone and develop the site as a self-storage facility is much less intense than the previous use as a recycle facility. The impact on the adjacent properties is much less with this proposal and additional self-storage units will be a benefit to those who live in apartment communities that need additional storage. Many of the spaces are large enough for off season auto storage, recreational vehicles, specialty vehicles and boats.

## Recommendation

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- 1) It is anticipated the request will be in keeping with the comprehensive plan, as the map for this area has yet to be adopted.
- 2) Current conditions and the character of current structures and uses in each district will not be impacted because the M-1 district requires adequate buffering adjacent to residential.
- 3) The M-1 District does allow for the most desirable uses for which the land can be adapted since the properties have been zoned for industrial uses for decades and it's located along a heavily traveled corridor.
- 4) The proposed rezoning will preserve the conservation of property values throughout the City because the land will be developed to current standards, be in active use, and be buffered from adjacent properties.
- 5) The rezoning of the property to M-1, Limited Manufacturing District is compatible with the surrounding properties and reflects responsible growth and development.

## Conditions

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If the Plan Commission chooses to approve this request, staff recommends the following conditions be placed upon the approval:

1. Any site development shall be approved through Technical Review prior to permitting.

## Photos

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Network: Apr 20, 2021 at 3:28:36 PM EDT

## Attachments

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Petition, appeal letter, and site plan.



April 2, 2021

Mr. Eric Trotter, Assistant Director for Planning and Zoning  
City of Elkhart Planning and Development  
229 South Second Street  
Elkhart, IN 46516

**RE: 123 County Rd 17, Elkhart, In 46516**  
Parcel # 20-02-36-476-022.000-011

To Whom It May Concern:

This letter is to verify that 123 County Road 17-ELKHART LLC. currently owns the above referenced parcels in Elkhart.

We authorize Abonmarche Consultants to prepare and submit the request to the rezoning of the property. They are further authorized to provide representation at any hearings or meetings relating to this request and any other matters relating to this project.

Thank you for your time and assistance with this matter.

Best Regards, *Amit Shah*



*4/6/21*

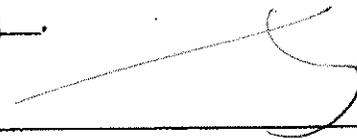
123 County Road 17-ELKHART LLC.

**AFFIDAVIT IN SUPPORT OF REZONING PETITION**

I, Amit Shah, 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 :

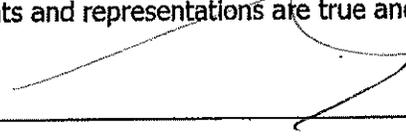
1. I am over eighteen (18) years of age and am competent to testify to the matters contained herein.
2. I make this affidavit in support of my rezoning petition filed contemporaneously herewith.
3. I am now and at all times relevant herein have been, the owner of record of the property located at 123 County Rd 17, Elkhart, In 46516 Elkhart, Indiana.
4. FURTHER AFFIANT SAYETH NOT.

EXECUTED on the 6<sup>th</sup> day of April, 2021.

  
\_\_\_\_\_

Printed: Amit Shah

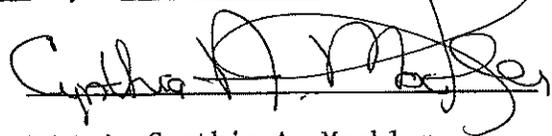
I certify under the penalties for perjury under the laws of the United States of America and the State of Indiana that the foregoing factual statements and representations are true and correct.

  
\_\_\_\_\_

Printed: Amit Shah

STATE OF INDIANA    )  
  ) SS:  
COUNTY OF ELKHART )

Before me the undersigned, a Notary Public in and for the State of Indiana, personally appeared Amit Shah, and acknowledged his execution of the foregoing. Subscribed and sworn to before me this 6th day of April, 200:2021 )

  
\_\_\_\_\_

Printed: Cynthia A. Mockler

My commission expires:  
June 19, 2024  
My Commission #684027

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

April 2, 2021

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

RE: Rezoning of the property at 123 County Road 17 to M1 from PUD

1. I, 123 County Road 17-ELKHART LLC., am the owner of the following described real estate located within the City of Elkhart, Concord Township, Elkhart County, State of Indiana, to wit: **see attached legal description**
2. The above described real estate presently has a zoning classification of PUD-Planned Unit Development under the Zoning Ordinance of the City of Elkhart.
3. The proposed project is to redevelop this former lumber yard - recycling facility to develop an indoor storage facility.
4. 123 County Road 17-ELKHART LLC wishes to rezone the property from PUD to M-1.

Wherefore, Appellant prays and respectfully requests a hearing on this appeal and that after such hearing, the Board grants the requested variance.

*Amit Shah*

*4/6/21*

123 County Road 17-ELKHART LLC

Contact Person: Abonmarche Consultants

Name: Crystal Welsh

Address: 1009 South Ninth Street, Goshen, IN 46526

Phone number: 574-621-0064

The zoning ordinance of the City of Elkhart requires in section 29.11 that the petition addresses the following:

- a. Is consistent with the Comprehensive Plan. The City of Elkhart's future land use map indicates the area surrounding this property should be a mix of commercial and industrial uses. The use of this property for an indoor storage facility is consistent with that vision.
- b. Is consistent with current conditions and the character of structures and uses of both the surrounding and proposed zoning district. The CR 17 corridor in this area is commercial in nature. Although the property will remain a manufacturing zoning classification, the indoor storage area is more compatible with the surrounding area than is the former lumber yard - recycling facility.
- c. The rezoning of the parcel to M-1 to remove the D-PUD-M1 conditions is the most desirable use of the property. The Elkhart County D-PUD was in place when the property was annexed into the City but is no longer warranted. The current development can meet the developmental standards and requirements of the M-1 District in the City of Elkhart so there is no need for the D-PUD conditions that were placed on the property for a former use.
- d. Conserves property values throughout the jurisdiction by allowing for the new investment in an indoor storage facility. This project will improve the aesthetics of the area and is more consistent with the commercial uses along CR 17 than the current use.
- e. Is responsible growth and development as it redevelops a property, takes advantage of existing transportation networks and utilizes City of Elkhart utilities. This project will bring an undeveloped parcel within the City limits into productive use.

**GENERAL NOTES**

1. Current Zoning: "PUD" Planned Unit Development.
2. Proposed Zoning: Remove from "PUD" and Rezone to "M-1" Limited Manufacturing District.
3. Proposed Use: Storage for RVs, Cars, Boats, Specialty Vehicles
4. The project site shall be serviced with City of Elkhart municipal sanitary sewer and water main.
5. Setbacks shall conform to the City of Elkhart Zoning Ordinance unless the proper variances have been approved.
6. Site/Building drainage shall be managed onsite via new stormwater retention.
7. All drives and parking shall be paved and privately owned.
8. All radii dimensions are to edge of pavement unless otherwise noted.
9. All landscaping, lighting, and signage shall be in accordance with the City of Elkhart Zoning Ordinance unless the proper variances have been obtained.

**BUILDING USE SUMMARY**

Office / Service Building = 7,800 SF

**STORAGE UNITS**

10' x 10'	= 67
10' x 15'	= 25
10' x 20'	= 126
10' x 30'	= 43
14' x 35'	= 24
14' x 40'	= 65
14' x 45'	= 58
14' x 50'	= 31
20' x 35'	= 8
20' x 40'	= 6
20' x 45'	= 7
20' x 50'	= 6

Total = 466

**TABULATED SITE DATA**

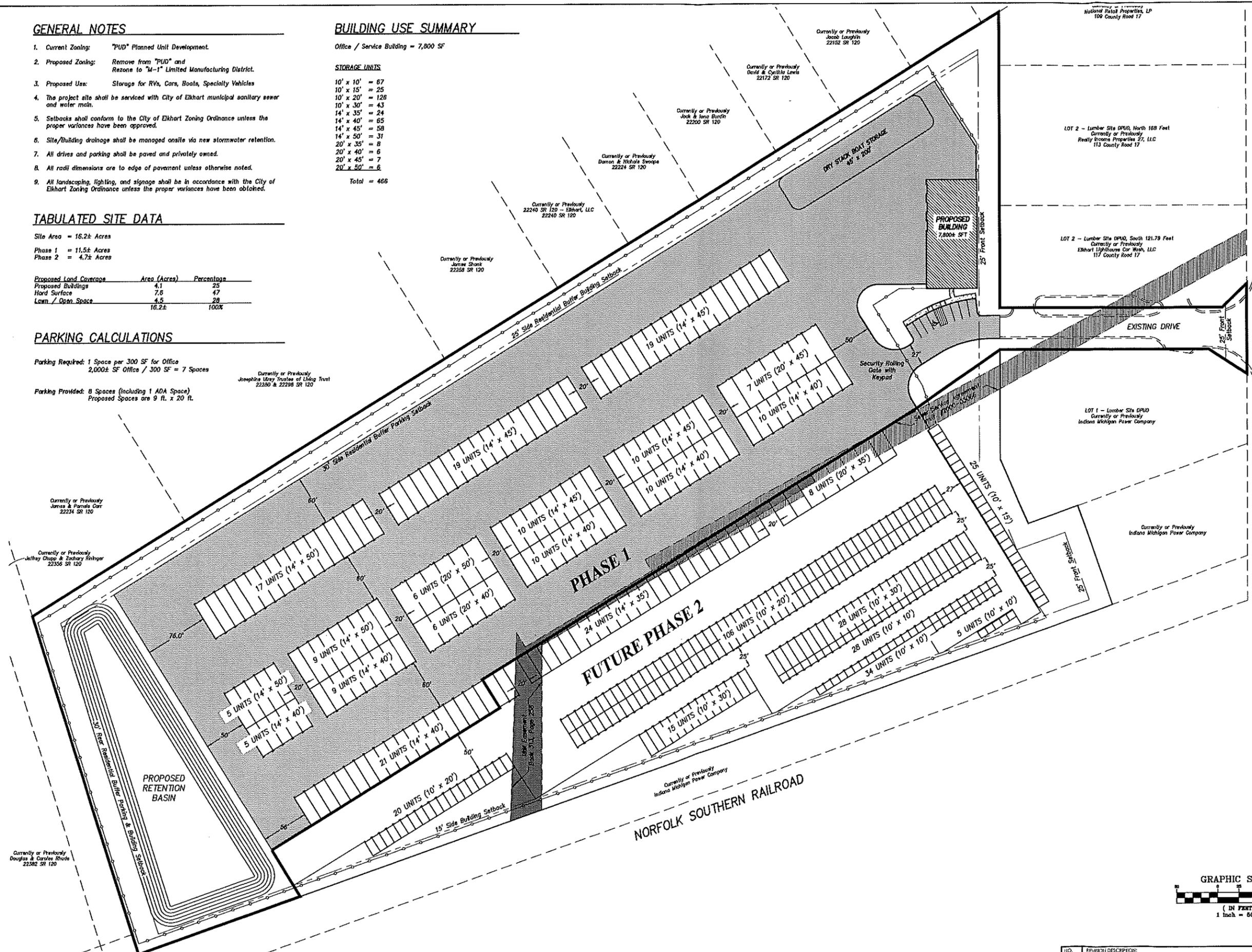
Site Area = 16.2± Acres  
 Phase 1 = 11.5± Acres  
 Phase 2 = 4.7± Acres

Proposed Land Coverage	Area (Acres)	Percentage
Proposed Buildings	4.1	25
Hard Surface	7.6	47
Lawn / Open Space	4.5	28
	16.2±	100%

**PARKING CALCULATIONS**

Parking Required: 1 Space per 300 SF for Office  
 2,000± SF Office / 300 SF = 7 Spaces

Parking Provided: 8 Spaces (including 1 ADA Space)  
 Proposed Spaces are 9 ft. x 20 ft.



**ABONMARCHÉ**  
 Civil Engineer  
 1000 South 9th Street  
 Elkhart, IN 46516  
 Phone: 765.533.9113  
 Fax: 765.533.9111  
 abonmarche.com  
 abonmarche@abonmarche.com

PROJECT: CR 17 STORAGE UNITS  
 123 COUNTY ROAD 17, ELKHART IN 46516

CONCEPTUAL SITE PLAN

SHEET TITLE: \_\_\_\_\_  
 DRAWN BY: \_\_\_\_\_  
 DESIGNED BY: \_\_\_\_\_  
 PM REVIEW: \_\_\_\_\_  
 QA/QC REVIEW: **BEM**  
 DATE: **04-09-2021**  
 SEAL: \_\_\_\_\_

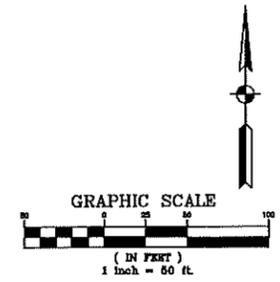
SIGNATURE: \_\_\_\_\_  
 DATE: \_\_\_\_\_

HARD COPY IS INTENDED TO BE 24" X 36" WHEN PLOTTED. SCALE(S) INDICATED AND GRAPHIC QUALITY MAY NOT BE ACCURATE FOR ANY OTHER SIZES.

SCALE: **HORZ: 1" = 50'**  
**VERT: \_\_\_\_\_**

AGI JOB # **21-0628**

SHEET NO. **C1.0**





# Staff Report

Planning & Zoning

**Petition:** 21-Z-08

**Petition Type:** Rezoning

**Date:** May 3, 2021

**Petitioner:** Jeremiah Matthews

**Site Location:** 1311 West Hubbard Avenue

**Request:** Per Section 29.11.B, Map Amendments, a request to rezone the property located at 1311 West Hubbard Avenue (vacant land) from R-3, Two-Family Dwelling District to R-2, One-Family Dwelling District.

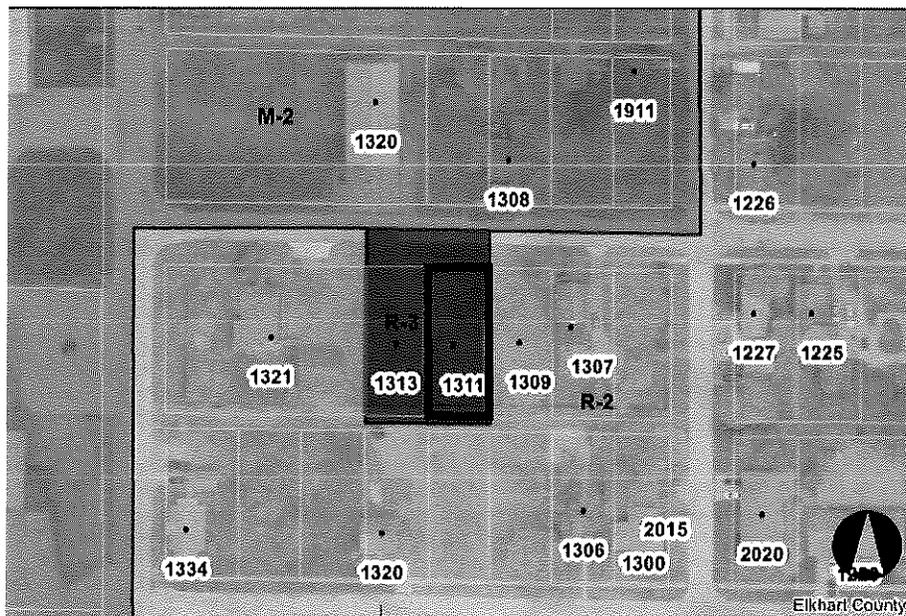
**Existing Zoning:** R-3, Two-Family Dwelling District

**Size:** +/- .138 Acres

**Thoroughfares:** Hubbard Avenue

**School District:** Elkhart Community Schools

**Utilities:** Available and provided to site.



### Surrounding Land Use & Zoning:

The property is in a predominantly residential neighborhood with industrial to the north. Surrounding properties are zoned R-2 excepting properties to the north which are zoned M-2 and one parcel to the west which is currently zoned R-3 requesting to be rezoned to R-2.

### Applicable Sections of the Zoning Ordinance:

See enumerated in request.

### Comprehensive Plan:

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

## Staff Analysis

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In April of this year, the petitioner filed for the rezoning of two parcels from R-3 to R-2. There was an error in the legal description in the case publication; the petitioner and staff opted to move forward with the partial rezoning for 1313 W Hubbard and readvertise and rehear the case for 1311 W Hubbard.

The petitioner owns three lots on the 1300 block of West Hubbard Avenue in the Elliston Addition subdivision, which he wishes to develop with single family residences. The property at 1309 West Hubbard is zoned R-2 and has been issued construction permits. The properties at 1311 and 1313 West Hubbard, however, are zoned R-3. While single family dwelling structures are permitted in the R-3 district, the setback requirements are different. The petitioner wishes to build two additional residences with a similar footprint, and is requesting that the two parcels zoned R-3 be rezoned to R-2. The petition for rezoning of 1313 W Hubbard is already underway; this petition represents the rezoning for 1311 W. Hubbard.

The rezoning would consolidate the property as part of a large R-2 area, ensuring that any development would be compatible with surrounding properties.

## Recommendation

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

1. The request is in keeping with the comprehensive plan, which calls for this property to be developed with low density residential uses.
2. Current conditions and the character of current structures and uses in each district will not be impacted because it will be compatible to adjacent properties also zoned R-2.
3. The R-2 District does allow for the most desirable uses for which the land can be adapted since the site is in a single family residential neighborhood otherwise zoned R-2.
4. The proposed rezoning will preserve the conservation of property values throughout the City because the land will be developed to current standards, be in active use, and be compatible with adjacent properties.
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

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# Attachments

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Petition, appeal letter, and site plan.



M

# Jeremiah J. Matthews

56863 County Road 13

Elkhart, IN 46517

(574) 293-7038 Home or (574) 849-7629 Cell

February 25, 2021

City of Elkhart  
Office of Planning & Development  
Planning Services Division  
Municiple Building  
229 S. Second Street  
Elkhart, IN 465176

Re:

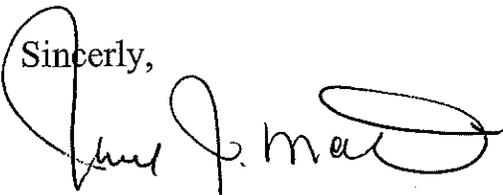
To whom it may concern:

This letter is in reference to my comprehensive plan of converting an R3 to an R2 singular dwelling, because the majority, if not all, of the other homes in the area are single dwellings.

The current condition of the homes are in great standard living conditions and I feel the new construction could increase the property value of the neighborhood.

If you have any questions or concerns, you may contact me either of the numbers listed above.

Sincerly,

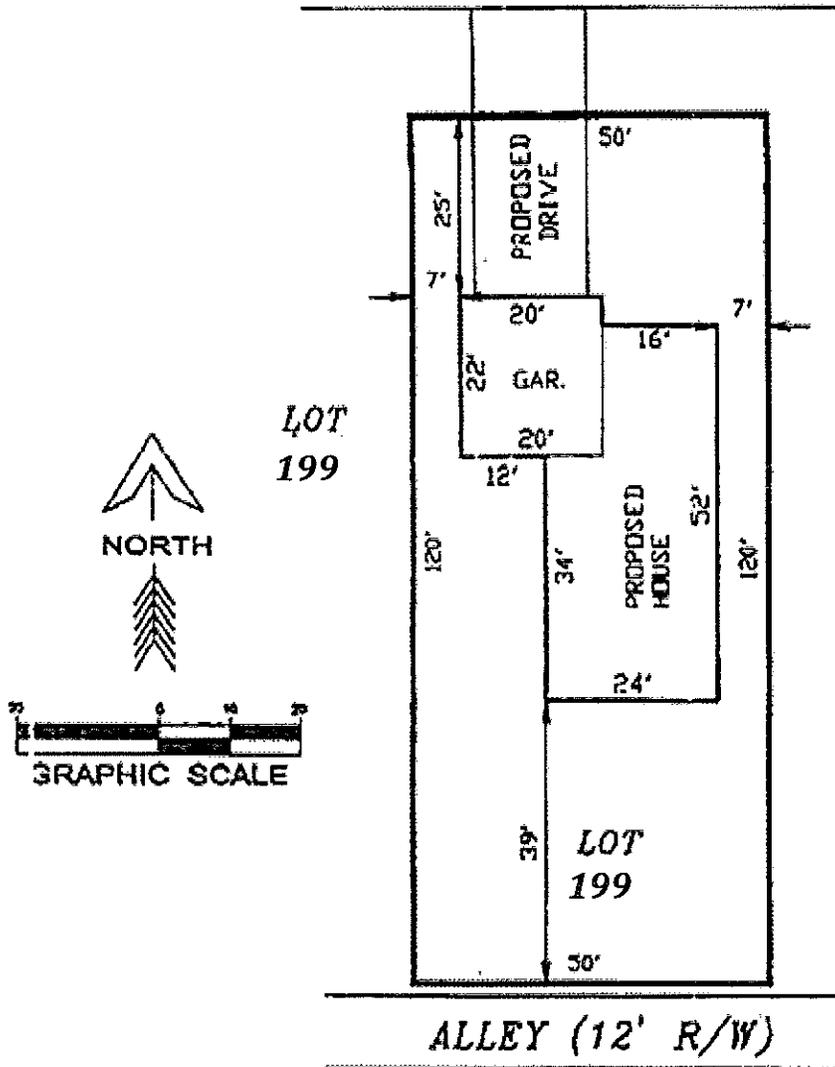


Jeremiah J. Matthews

Cc: file

**PROPOSED SITE PLAN**  
**LOT 199**  
**ELLISTON ADDITION TO ELKHART, INDIANA**  
**1311 HUBBARD**

**W. HUBBARD AVENUE (50' R/W)**



DATE: NOVEMBER 21, 2006  
 ORDERED BY: JEREMIAH MATTHEWS

THIS SITE PLAN WAS PREPARED  
 FOR STAKING HOUSE AND  
 OBTAINING A BUILDING PERMIT AND  
 IS NOT INTENDED TO BE A  
 BOUNDARY OR MORTGAGE SURVEY



ADVANCED LAND SURVEYING OF  
 NORTHERN INDIANA, INC.  
 P.O. BOX 563, GOSHEN, INDIANA 46527  
 (574) 534-2660 - FAX (574) 533-8365  
 RONNE L. JUSTICE R.L.S.



City of Elkhart

# Staff Report

Planning & Zoning

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**Petition:** 21-PUD-01

**Petition Type:** Conceptual Planned Unit Development

**Date:** May 3, 2021

**Petitioner:** Barak Group LLC.

**Site Location:** VL Haines Drive

**Request:** Per Section 20.10.B.1, a Major Amendment to the Villas at Lexington Landing Planned Unit Development (PUD) to allow for the removal of land area equal to 2.3 acres, more or less. The land to be removed from the existing PUD is at Vacant Lot, Haines Drive (Lot 2 in Lexington Landing), for the purpose of developing it as fourteen (14) single family attached residential units. This request seeks to amend Ordinance Number 5030 approved by the Elkhart City Common Council.

To establish a new Conceptual Planned Unit Development with fourteen (14) single family attached residential units, subject to final plan approval by the Elkhart City Plan Commission; land area of 2.3 acres, more or less.

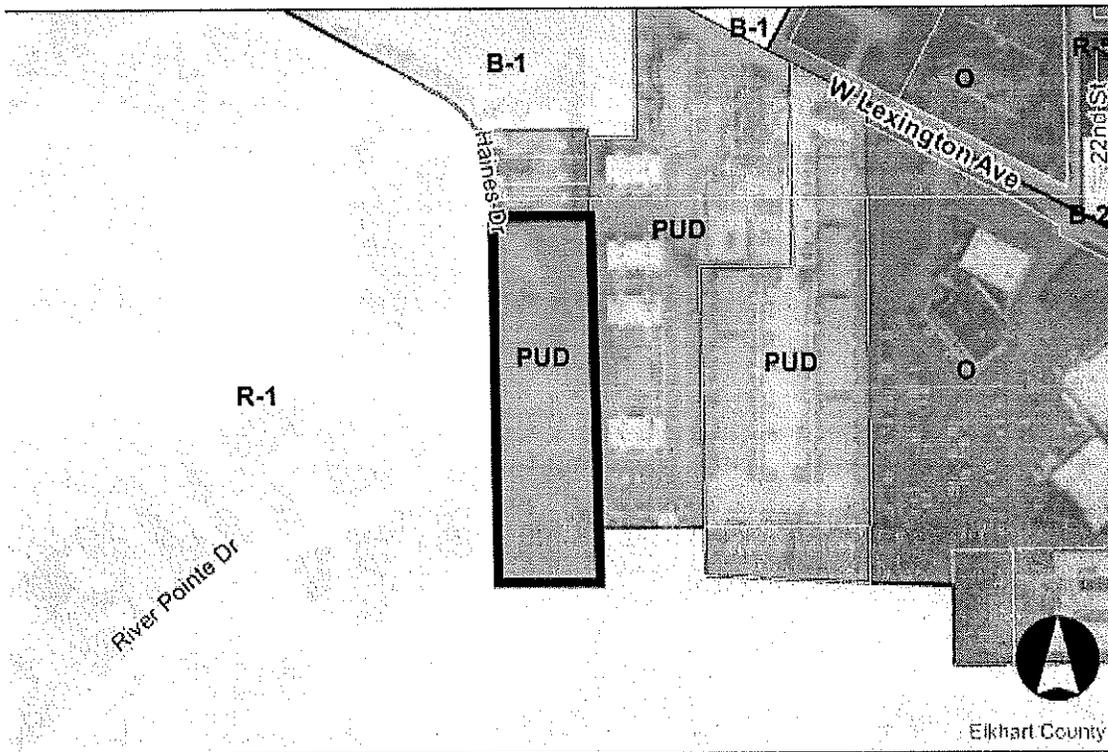
**Existing Zoning:** PUD, Planned Unit Development

**Size:** +/- 2.3 Acres

**Thoroughfares:** Haines Drive

**School District:** Elkhart Community Schools

**Utilities:** Available and provided to site.



**Surrounding Land Use & Zoning:**

Property to the south and west is residential and vacant zoned R-1. Land to the east is primarily multifamily residential zoned PUD. Property to the north is commercial zoned B-1.

**Applicable Sections of the Zoning Ordinance:**

See enumerated in request.

**Comprehensive Plan:**

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

## Staff Analysis

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The petitioner is seeking to develop 14 duplex style villa homes on the undeveloped portion of the original Lot 2 of the Haines Lexington Landing subdivision. The request is twofold. First, to remove the undeveloped land referenced in the petition from the original PUD which allowed for fifteen (15) units and second, to establish a new conceptual planned unit development for the proposed 14 villas.

In 2007, the Plan Commission and Common Council approved a PUD that established a sixteen (16) unit attached residential development. Later that same year the PUD was amended to reduce the number of units to 15 and to establish a common area with a clubhouse. That project was never completed. Only four (4) units were built on the north end of the development – that portion was subdivided to establish lots of record for each villa.

In 2020, the petitioner requested to amend the PUD to allow for up to 22 units in total. That project withdrawn.

Today's request has fewer units than the previous request. With the reduced number of units, this plan reflects a similar development pattern that currently exists north of this development with the existing duplexes. This plan also reflects an aesthetic consistent with the overall Lexington Landing neighborhood.

## Recommendation

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The Staff recommends **approval** of the conceptual Planned Unit Development based on the following findings of fact:

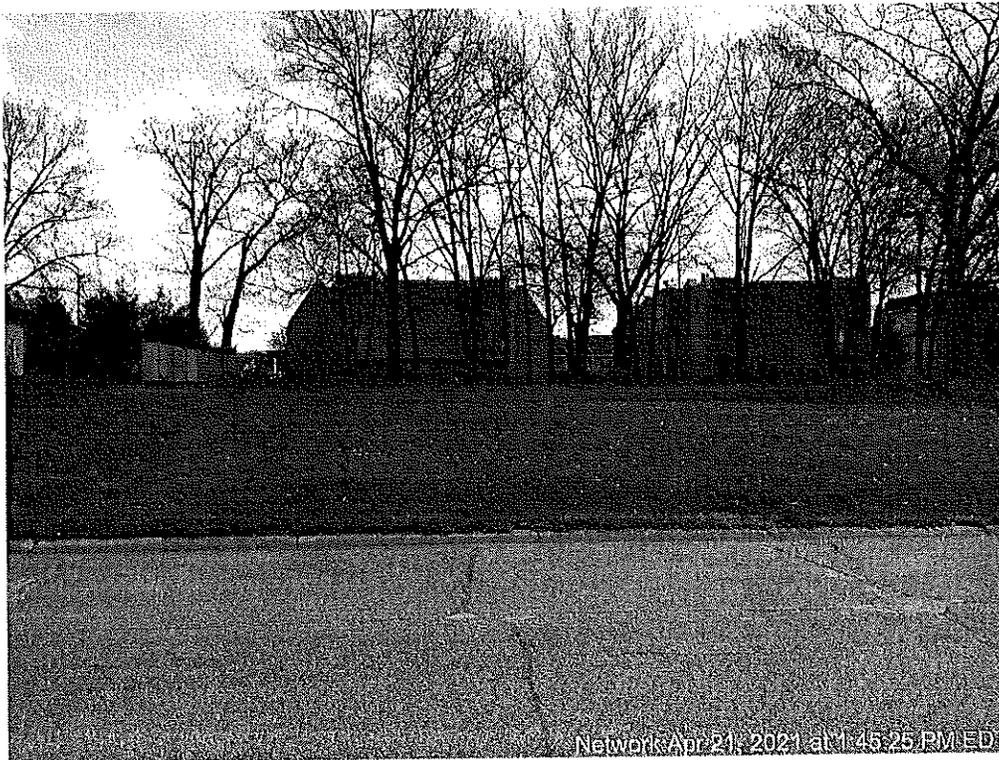
1. The proposed conceptual site plan will be similar to the development found north of the proposed project in relation to rhythm and exterior facade. The impact on adjacent properties will be minimal;
2. The proposed duplex villas will be compatible with the rest of the development and will meet the other requirements of the PUD;
3. The proposed development will add a minor amount of traffic to Haines Drive, which has adequate capacity.

# Photos

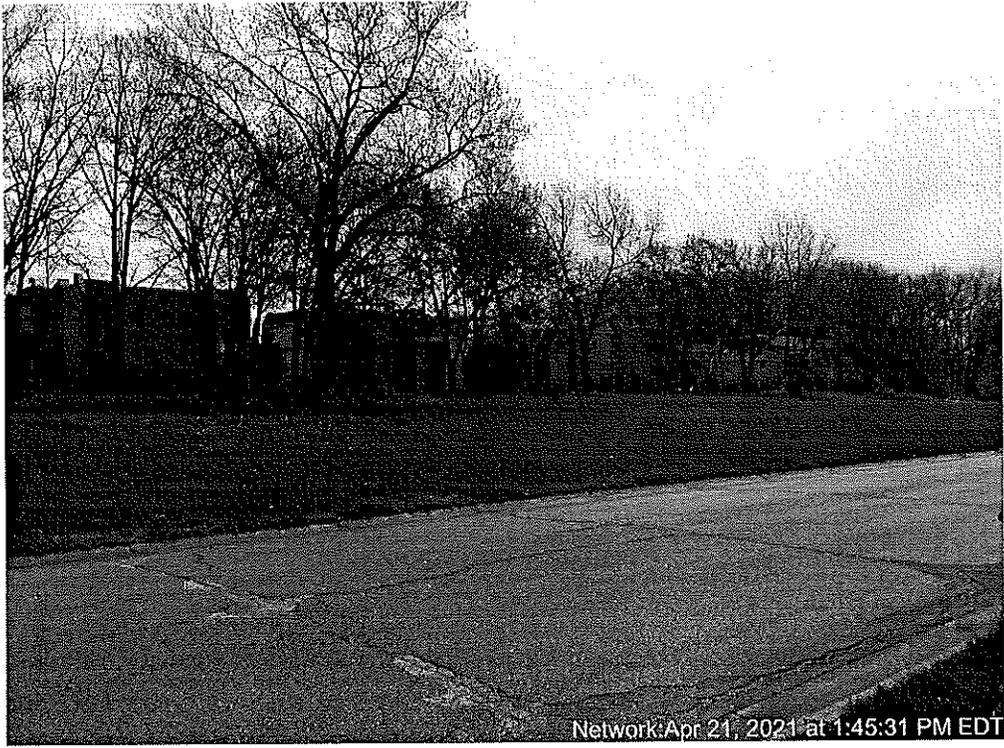
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Network Apr 21, 2021 at 1:45:03 PM EDT



Network Apr 21, 2021 at 1:45:25 PM EDT



Petition, appeal letter, site plan and floor plan.

PETITION NUMBER: 21-PUD-01

Date Filed: 4/9/21

**PETITION  
to the PLAN COMMISSION**

**Petition Type:**

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

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

Property Owner(s): BARAK GROUP LLC, TOM DE MEESTER  
Mailing Address: 202 LINCOLNWAY EAST, MISHAWAKA IN 46544  
Phone: (678).761.1590 email: tom.debarak@group.com

Contact Person: ROBERT HEIDEN OF JONES PETRIE RAJINSKI  
Address: 325 S LAFAYETTE BLVD SOUTH BEND IN 46601  
Phone: 574.232.4388 email: rheiden@jpr1source.com

Subject Property Address: LOT 2 HAINES DRIVE ELKHART IN  
Zoning: R-4 MULTI-FAMILY Present Use: VACANT LOT (22 UNIT PUD)  
Proposed Use: 14 UNIT LOW-DENSITY RESIDENTIAL

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

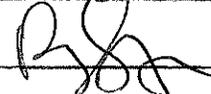
- One copy of the required Petition Letter signed in ink by the owner of the property.
- A completed Petition form signed by the legal owner of record.
- If any other person other than the legal owner or the legal owner's attorney files the appeal, written authorization from the property owner must be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

**Optional: any supplementary information you wish to include.**

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

PROPERTY OWNER(S) (PRINT) BRIAN MOORE, CONTROLLER

SIGNATURES 

RECEIVED BY:  DATE: 4/9/21

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

(staff to complete)

Ordinance Requirement: Sections(s): \_\_\_\_\_  
MAP #: \_\_\_\_\_ AREA: \_\_\_\_\_



JONES  
PETRIE  
RAFINSKI

Land Surveying · Civil Engineering · Planning · Architecture · Project Funding · GIS · Environmental · Renewable Energy · Landscape Architecture

April 15, 2021

Attn: Honorable Members of the City Council and Plan Commission of City of Elkhart, Indiana

**RE: REMOVAL OF LOT 2 FROM THE EXISTING PUD TO CREATE A  
NEW 14-UNIT PUD FOR LOT 2 HAINES DR**

Dear Members:

The undersigned petitioners respectfully show the Council and Plan Commission:

A. The Barak Group, LLC, represented by myself, Tom De Meester, is the owner of the following described real estate located within the City of Elkhart, Baugo Township, Elkhart County, State of Indiana, to-wit:

**See attached legal description for Lot 2 Haines Drive (Parcel 20-05-01-480-016.000-006)**

B. The described real estate presently has a zoning classification of PUD under the Zoning Ordinance of the City of Elkhart for a low-density planned residential development, that has twenty-two (22) units.

C. Petitioner proposes to occupy the described property as a fourteen (14) unit, low density residential development with lots ranging from 5,902 sq ft to 9,524 sq ft.

D. Petitioner wishes to remove the existing Lot 2 from the previous approved twenty-two (22) unit PUD to create a new PUD with the above-described purpose.

E. Standards and Purpose of the PUD:

1. The amendment remains in accordance with the Comprehensive Plan, by simply reducing the number of developed units on the 2.3-acre parcel.
2. The development of the lot encourages new state of the art residences and will serve as a buffer and transition between the single-family homes to the west and the mid-rise apartments to the east.
3. The development fosters a more efficient and economic use for the 2.3-acre parcel, including vehicular and utility service connections along Haines Drive.
4. Each unit will be served by existing City of Elkhart utilities within Haines Drive.
5. The residential development of Lot 2 matches the existing surrounding residential development with adequate green lawn space for storm drainage and eliminates potential for higher density development and additional non-permeable paved surfaces to increase potential flooding.

6. The location of the low-density residential development encourages vehicular trip consolidation by maintaining the neighborhood and the access to commercial, business and other zones to the surrounding areas within the City.
7. The low-density development of Lot 2 will minimize environmental impact by maintaining vegetated green space in place of more dense housing or other development.
8. Improves the design of the overall neighborhood and surrounding development by creating a buffer and transition between the single-family homes to the west and the mid-rise apartments to the east.
9. Originally zoned as residential, the development of Lot 2 will keep with the City's master plan and relationship between residential with business and industrial zones.
10. The development of Lot 2 with residential units maintains the integrity of the neighborhood, and limits business and industrial uses to other designated areas throughout the City.

Wherefore, Petitioner prays and respectfully requests a hearing on this appeal and that after such hearing, the Plan Commission make a do pass recommendation and the Council, after hearing, pass on amending the Planned Unit Development as described in this petition.

Signature of property owner: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Second property owner: \_\_\_\_\_

Printed Name: \_\_\_\_\_

PUD Preparation Contact: Jones Petrie Rafinski  
Contact Name: Robert Heiden  
Address: 325 S Lafayette Blvd, South Bend, IN 46601  
Contact Phone Number: 574.232.4388

Tract 1: (Parcel No. 20-05-01-480-016.000-006)

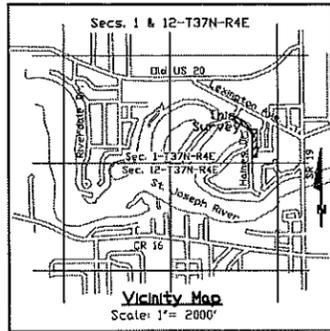
Lot Numbered 2 as the said Lot is known and designated on the recorded Plat of Haines' Lexington landing; said Plat being recorded in Plat Book 16, page 57 in the Office of the Recorder of Elkhart County, Indiana.

LESS AND EXCEPTING:

A part of Lot Numbered 2, as the said Lot is known and designated on the recorded Plat of Haines' Lexington Landing, a Subdivision in Baugo Township, Elkhart County, City of Elkhart, Indiana; said Plat being recorded in Plat Book 16, page 57, in the Office of the Recorder of Elkhart County, Indiana, being more particularly described as follows: Beginning at the Northeast corner of said Lot Number 2; thence on a recorded bearing of South 00 degrees 01 minutes 19 seconds East along the East line of said Lot Number 2, a distance of 287.59 feet; thence South 89 degrees 56 minutes 55 seconds West, a distance of 166.39 feet to the West line of said Lot Number 2; thence North 00 degrees 03 minutes 06 seconds West along the West line of said Lot Number 2, a distance of 65.75 feet to the point of curvature of a 170.00 foot radius curve to the left, concave to the Southwest; thence Northwesterly along the arc of said curve, a distance of 118.31 feet to the Northwest corner of said Lot Number 2; thence North 59 degrees 49 minutes 55 seconds East along the Northerly line of said Lot Number 2, a distance of 227.77 feet to the most Northerly corner of said Lot Number 2; thence South 81 degrees 02 minutes 54 seconds East along the Northerly lie of said Lot Number 2, a distance of 9.16 feet to the point of beginning of this description.

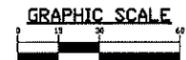
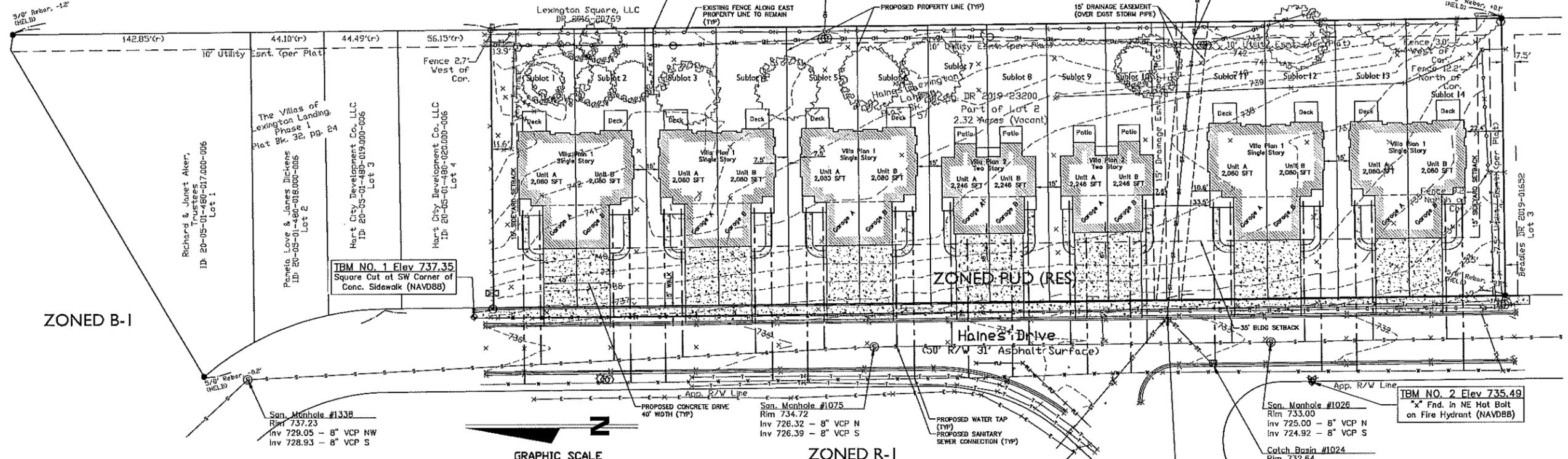
Note: The exception described above is the overall boundary for the Villas of Lexington Landing, Phase 1 subdivision plat recorded in Plat Book 32, page 24.

Reference document: #2019-23200



**Legend**

- Existing Monument (High Unknown Unless Otherwise Noted)
- Record Dimension
- Measured Dimension
- Calculated Dimension
- Non Flush with Ground
- Elev. of Mon. above Ground (Typ.)
- Manhole
- Catch Basin
- Electric Transformer
- Utility Pole
- Light Pole
- Telephone Pedestal
- Fire Hydrant
- Curb Stop
- Water Valve
- Chain Link Type Fence
- Other Fence
- Form Field Type Fence
- Exist. Sanitary Sewer
- Exist. Force Main
- Exist. Storm Sewer
- Exist. Buried Telephone Line
- Exist. Buried Gas Line
- Exist. Buried Water Line
- Exist. Overhead Line
- Proposed Water Lateral
- Proposed Sewer Lateral



**PROPOSED LOT INFORMATION**

LOT #	LOT SIZE	RESIDENCE TYPE	SQ. FT.	FINISHED FLOOR ELEV.
LOT 1	8,134 SFT	SINGLE STORY RESIDENCE	2,080 SQUARE FEET	7241.0
LOT 2	7,074 SFT	SINGLE STORY RESIDENCE	2,080 SQUARE FEET	7241.0
LOT 3	7,704 SFT	SINGLE STORY RESIDENCE	2,080 SQUARE FEET	7240.0
LOT 4	7,072 SFT	SINGLE STORY RESIDENCE	2,080 SQUARE FEET	7240.0
LOT 5	7,071 SFT	SINGLE STORY RESIDENCE	2,080 SQUARE FEET	7239.5
LOT 6	7,049 SFT	SINGLE STORY RESIDENCE	2,080 SQUARE FEET	7239.5
LOT 7	5,505 SFT	TWO STORY RESIDENCE	2,246 SQUARE FEET	7239.73
LOT 8	5,503 SFT	TWO STORY RESIDENCE	2,246 SQUARE FEET	7239.73
LOT 9	5,902 SFT	TWO STORY RESIDENCE	2,246 SQUARE FEET	7239.0
LOT 10	5,524 SFT	TWO STORY RESIDENCE	2,246 SQUARE FEET	7239.0
LOT 11	6,342 SFT	SINGLE STORY RESIDENCE	2,080 SQUARE FEET	7237.75
LOT 12	7,060 SFT	SINGLE STORY RESIDENCE	2,080 SQUARE FEET	7237.75
LOT 13	7,058 SFT	SINGLE STORY RESIDENCE	2,080 SQUARE FEET	7236.0
LOT 14	9,324 SFT	SINGLE STORY RESIDENCE	2,080 SQUARE FEET	7236.0

**ZONING & SETBACKS**

- ZONING**  
EXISTING ZONING - PUD FOR RESIDENTIAL  
CURRENTLY A 22 UNIT PUD
- BUILDING SETBACKS**  
FRONT YARD 35'  
SIDE YARD 15'
- TABULATED SITE DATA**  
1. ACREAGE OF SITE (100,905.35) 2.32 AC
2. PROPOSED LAND USE:  
A. LOW DENSITY MULTI-FAMILY RESIDENTIAL  
A NEW PUD TO BE SUB-DIVIDED INTO 14 NEW LOTS
3. PROPOSED LAND COVERAGE
- | LAND COVERAGE         | SQUARE FOOTAGE | % OF SITE      |
|-----------------------|----------------|----------------|
| A. BUILDING(S)        | 24,760         | 24.74%         |
| B. PARKING AND DRIVES | 9,800          | 9.71%          |
| C. OPEN SPACE         | 66,345         | 65.55%         |
| <b>TOTAL</b>          | <b>100,905</b> | <b>100.00%</b> |
4. SURFACE RUN-OFF AND DRAINAGE TO BE ON-SITE AND ONTO HAINES DRIVE TO EXISTING STORM SEWER.
5. PROPOSED VILAS ARE TO BE DUPLEX, FIVE (5), SINGLE STORY AND TWO (2), TWO STORY RESIDENTIAL UNITS.
6. EACH OF THE FOURTEEN (14) RESIDENTIAL UNITS WILL BE CONNECTED TO THE CITY OF ELKHART WATER SYSTEM & SANITARY SEWER LOCATED WITHIN HAINES DRIVE.
7. DRIVEWAY ACCESS WILL UTILIZE HAINES DRIVE.



DESIGNED BY:	RJH
DRAWN BY:	RJH
DATE:	APRIL 2021
JOB NUMBER:	2020-0212
SCALE:	1"=30'
<b>PUD</b>	

**JONES  
PETRIE  
RAFINSKI**

**PRELIMINARY FOR REVIEW PURPOSES ONLY**

**HAINES DRIVE LOT 2 PUD  
VILAS AT LEXINGTON LANDING  
BARAK GROUP LLC.**

**NEW PLANNED UNIT DEVELOPMENT**

12455 ADAMS ROAD, SUITE C  
GRANGER, IN 46530



# Staff Report

Planning & Zoning

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**Petition:** 21-PUD-02

**Petition Type:** Conceptual Planned Unit Development  
R-4, Multiple Family Dwelling District standards

**Date:** May 3, 2021

**Petitioner:** Bess Development, LLC

**Site Location:** Lot 2 Cassopolis Street – currently vacant in the 2100-2200 block of Cassopolis Street

**Request:** To establish a new Conceptual Planned Unit Development (PUD) for the purpose of developing a senior living facility with approximately 146 residential units, subject to final plan site approval by the Elkhart City Plan Commission with a land area of +/- 8.34 acres.

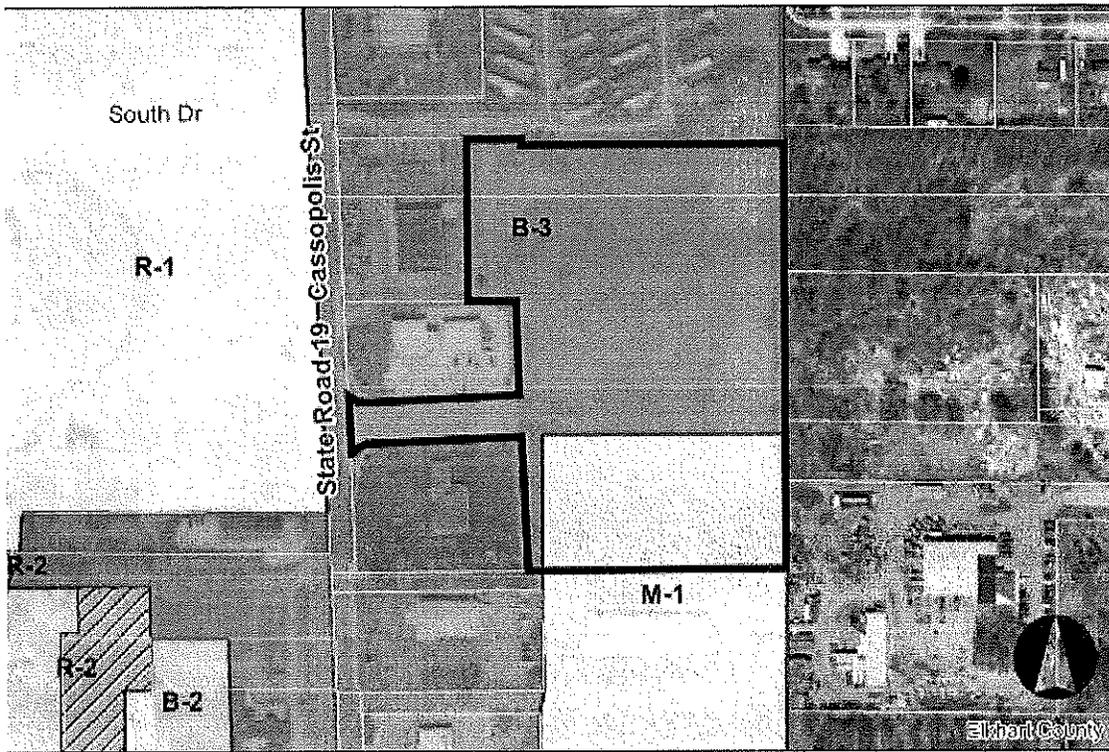
**Existing Zoning:** B-3, Service Business District and M-1, Limited Manufacturing District

**Size:** +/- 8.34 Acres

**Thoroughfares:** Cassopolis Street

**School District:** Elkhart Community Schools

**Utilities:** Available and provided to site.



**Surrounding Land Use & Zoning:**

The property located west of the proposed development, fronting Cassopolis Street is commercial zoned B-3, land to the north is a mobile home village zoned B-3, land to the south is a mixture of commercial and light manufacturing zoned B-3 and M-1. Land to the east is industrial in nature in Elkhart County.

**Applicable Sections of the Zoning Ordinance:**

See enumerated in request.

**Comprehensive Plan:**

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

## Staff Analysis

The petitioner is proposing to develop a new three story assisted living, senior living and memory care facility on land that is currently vacant in the 2100 block of Cassopolis Street. The area of the parcel in question is 8.34 acres. The site is accessed through a platted easement behind what is currently Communitywide Federal Credit Union and a small strip center with medical offices.

This proposal serves to meet the need of housing diversification by adding additional dwelling units for an aging demographic in our community. The developer is proposing 146 new units. They are broken down as follows – 32 units are memory care, 30 are assisted living and 84 are senior living. The petitioner is proposing a reduced number of on-site parking spaces as the majority of residents will not be driving. Where 220 spaces would be required for a typical development, there are 126 spaces proposed for the project – a reduction of approximately 43%. Staff supports this plan as we agree that there isn't a need for the extra pavement when the site could be better programmed for natural areas and on-site retention.

The proposed building is situated in an H-style layout with the parking and access road at the perimeter of the parcel. The interior areas of the building have some outside walking areas and the plan depicts the storm water collection areas at the western part of the property – currently with a drainage easement agreement for the southernmost retention pond.

The proposed Planned Unit Development (R-4) is conceptual, which means the submittal contains general information for the plan – property boundaries, existing site features, general street layout, proposed use, setback and preliminary on-site drainage. If approved by the Common Council a final site plan must be submitted to the Plan Commission for approval at a public hearing.

## Recommendation

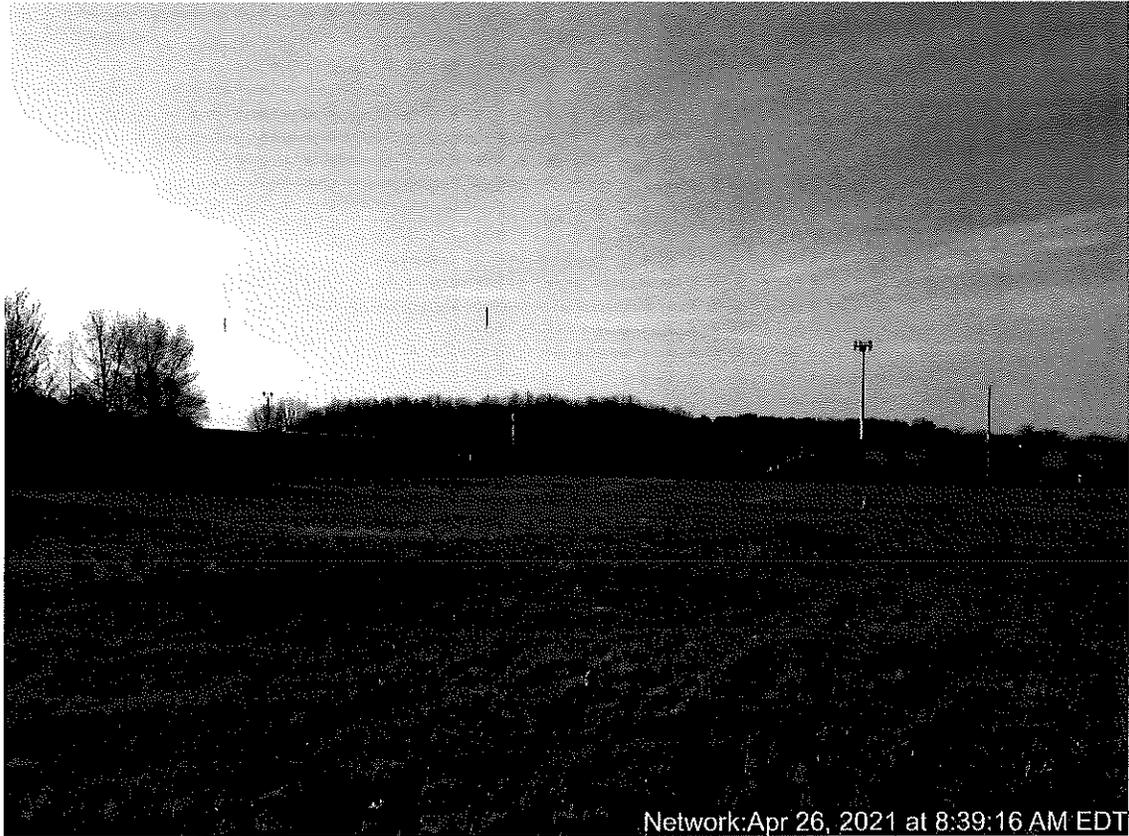
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The Staff recommends **approval** of the conceptual Planned Unit Development based on the following findings of fact:

- 1) The Comprehensive Plan calls for this area to be developed with mixed uses. The proposed use is compatible with commercially mixed uses.
- 2) The proposed use should not negatively impact surrounding properties. The plan depicts adequate parking.
- 3) The proposed use is compatible with other activity currently occurring in the general area – which is largely service commercial and medical.



Network: Apr 26, 2021 at 8:39:13 AM EDT



Network: Apr 26, 2021 at 8:39:16 AM EDT



Network: Apr 26, 2021 at 8:38:38 AM EDT



Network: Apr 26, 2021 at 8:39:25 AM EDT



## Attachments

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Petition, appeal letter, site plan.



March 29, 2021

Mr. Eric Trotter, Assistant Director for Planning and Zoning  
City of Elkhart Planning and Development  
229 South Second Street  
Elkhart, IN 46516

**RE: Cassopolis Street Senior Living Facility**  
Parcel # 20-02-29-426-015.000-027

To Whom It May Concern:

This letter is to verify that Bess Development LLC. currently owns the above referenced parcel in Elkhart Indiana.

We authorize Abonmarche Consultants to prepare and submit the rezoning petition, provide representation at any hearings or meetings relating to this request, and any other matters relating to this project.

Thank you for your time and assistance with this matter.

Best Regards,

  
Bess Development LLC.

March 29, 2021

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

RE: Rezoning  
Parcel # 20-02-29-426-015.000-027

The undersigned petitioner respectfully shows the Council and Plan Commission:

1. Bess Development LLC. is the owner 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 B-3 and M-1 District under the Zoning Ordinance of the City of Elkhart.
3. The proposed occupancy of the above mentioned property is to develop a new senior living facility with approximately 146 units consisting of memory care, assisted living and independent living residences.
4. Petitioner desires to rezone said real estate to PUD District for that purpose.
5. This petition meets the rezoning standards as it:
  - a. Is consistent with the Comprehensive Plan. The City of Elkhart's future land use map indicates the area surrounding this property should be a variety of land use types including residential, commercial and mixed use. The use of this property for a higher density senior living facility is consistent with that vision.
  - b. Is consistent with current conditions and the character of structures and uses of both the surrounding and proposed zoning district. A higher density senior living facility is a mix of residential and commercial uses on one property. This is consistent with the current mixed-use nature of the area.
  - c. Allows for PUD zoning district is the most desirable use of the property because its proximity to higher intensity uses while providing housing unit to help meet the documented housing shortage in the City.
  - d. Conserves property values throughout the jurisdiction by allowing for the construction of much needed housing units while utilizing a vacant undeveloped parcel.
  - e. Is responsible growth and development as it takes advantage of existing transportation networks and City of Elkhart utilities. This project will bring an undeveloped parcel within the City limits into productive use.

6. This petition meets the PUD standards as it:
  - a. Is consistent with the Comprehensive Plan. The City of Elkhart's future land use map indicates the area surrounding this property should be a variety of land use types including residential, commercial and mixed use. The use of this property for a higher density senior living facility is consistent with that vision.
  - b. Encourages innovations in development and/or redevelopment by utilizing vacant land within the City in a heavily developed area with access to public utilities and replaces it with a new facility to meet documented demand for housing in our community.
  - c. Fosters the safe, efficient and economic use of the land, transportation, public facilities and services as it is utilizing vacant land a heavily developed section of the City. The development of this site will take advantage of the existing infrastructure and services already provided in the area.
  - d. Facilitates the provision of adequate public services such as transportation, water, sewer, storm, drainage, electricity and public parks as it is a development of an underutilized site with access to all of the mentioned public services.
  - e. Avoids the inappropriate development of lands and provides for adequate drainage and reduction of flood damage. The site is not located in a floodplain and will be designed to meet City standards for onsite stormwater management.
  - f. Encourages patterns of land use which decrease trip length of automobile travel and encourages trip consolidation. This site is conveniently located along Cassopolis Street. It is well situated near commercial uses making it convenient for residents to utilize existing services in the area. As Cassopolis Street is a major thoroughfare, employees and visitors will have easy access to the facility.
  - g. Minimize adverse environmental impacts of development. The development of the underutilized vacant land within the City limits and with access to public infrastructure will be much less impactful on the environment as the same development would be outside the City limits on a well and septic system. By utilizing the existing public infrastructure, this project can eliminate the potentially negative impacts to soil and water conditions in the community.
  - h. Improves the design, quality and character of new development. This project will meet all local design requirements. The design team has created an aesthetically pleasing building and site plan to enhance the community while meeting the needs of the residents.
  - i. Foster a more rational pattern of relationships between residential, business and industrial uses. The PUD will allow for higher intensity residential to be development in close proximity to local service and retail businesses along a major thoroughfare. This mix of residential and business used is a desirable mix of land uses and functionality for the City.

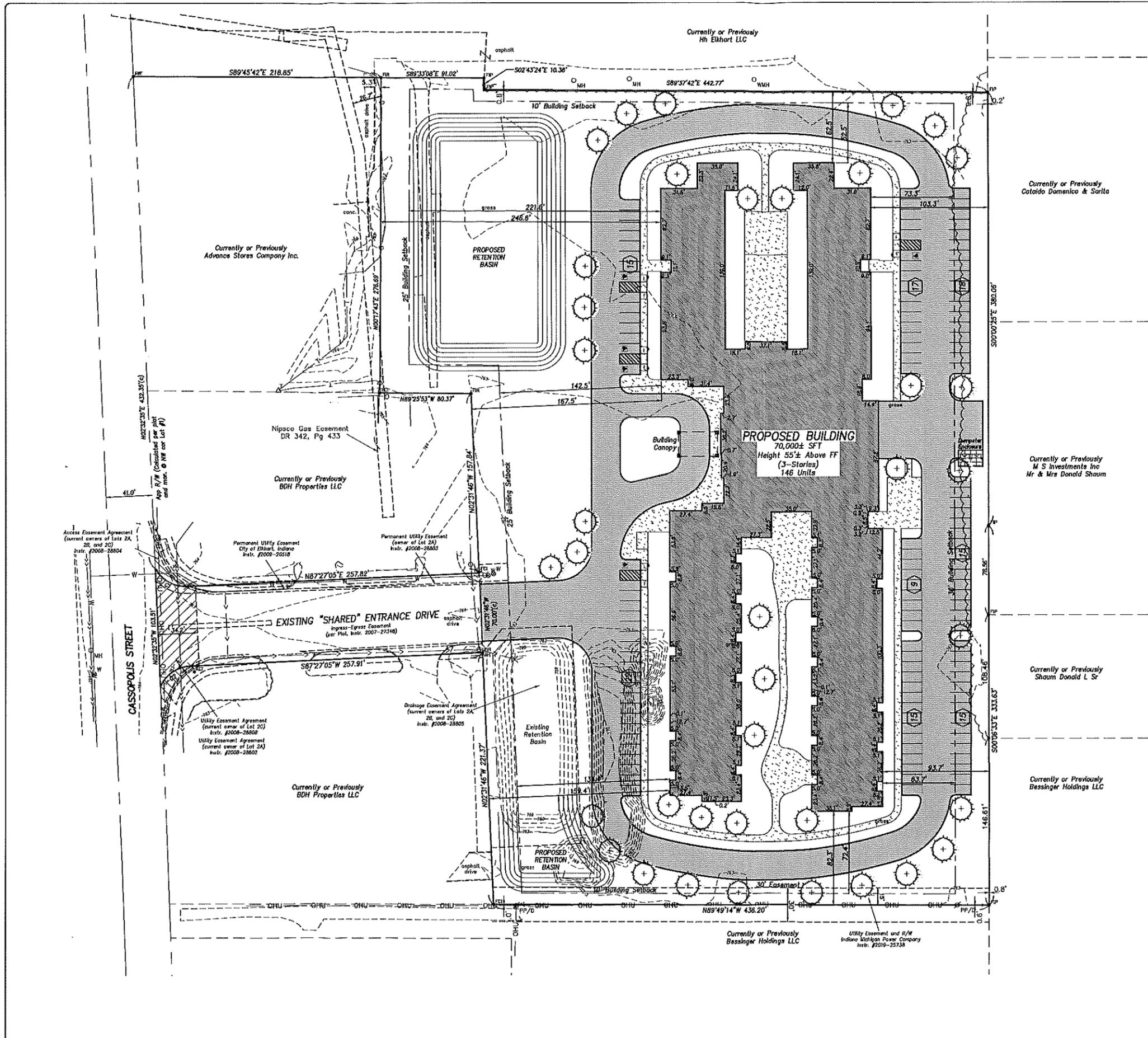
- j. Protects existing neighborhoods from harmful encroachment by intrusive or disruptive development. This project will allow for a senior living facility which is a mix of residential and commercial uses on one property. This is consistent with the current mixed-use nature of the area.

Wherefore, Petitioner prays and respectfully requests a hearing on this appeal and that after such hearing, the Plan Commission make a do pass recommendation and the Council, after hearing, pass on appropriate ordinance rezoning the above described parcel of land located in the City of Elkhart.

  
Bess Development LLC.

*Mary C Bessinger*

Contact Person: Abonmarche Consultants  
Name: Crystal Welsh  
Address: 1009 South Ninth Street, Goshen, IN 46526  
Phone number: 574-621-0064  
Email: [cwelsh@abonmarche.com](mailto:cwelsh@abonmarche.com)



**GENERAL NOTES**

1. Current Zoning = "B-3" and "M-1"
2. Proposed Zoning = "R-4" PUD
3. Proposed Use: Assisted Living / Senior Living / Memory Care Facility
4. The proposed building shall be serviced by City of Elkhart municipal sanitary sewer and water main.
5. Setbacks shall conform to the City of Elkhart Zoning Ordinance unless the proper variances have been approved.
6. Site/Building drainage shall be managed onsite by existing/new retention basins.
7. All drives and parking shall be paved and privately owned.
8. All radii dimensions are to edge of pavement unless otherwise noted.
9. All landscaping, lighting, and signage shall be in accordance with the City of Elkhart Zoning Ordinance unless the proper variances have been obtained.

**BUILDING USE DATA**

Anticipated Number of Employees =	30
Memory Care =	32
Assisted Living =	30
Senior Living =	84
<b>Total =</b>	<b>146 Units</b>

**TABULATED SITE DATA**

Parcel Size = 8.34± Acres

Proposed Land Coverage	Area (Acres)	Percentage
Proposed Building	1.61	19.3%
Proposed Hard Surface	2.36	28.3%
Existing Hard Surface	0.43	5.2%
Open Space / Landscaping	3.94	47.2%
<b>Total</b>	<b>8.34±</b>	<b>100%</b>

**PARKING CALCULATIONS**

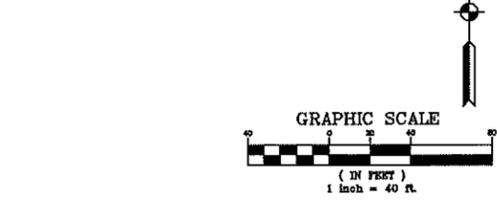
**Parking Required:** 1 Space per Employee on Largest Shift  
 2 Spaces per Independent Units  
 1 Space per 2 Assisted Living Units

(1 Space / 1 Employee) x 30 Employees = 30  
 (2 Space / Unit) x 80 Independent Units = 160  
 (1 Space / 2 Assisted Living Dwelling) x 60 Units = 30  
**Total Spaces Required = 220 Spaces**

**Parking Provided:** 128 Spaces (including 5 ADA Spaces)  
 Proposed Spaces are 9 ft. X 18 ft.

**KEYNOTE LEGEND**

- (#) Number of 8'x20' Parking Spaces
- ♿ ADA International Symbol of Accessibility, Paint: Blue
- Ⓜ Parking Sign and Post
- Ⓜ ADA Sidewalk Ramp
- (X) Asphalt Pavement
- (P) Concrete Sidewalk, 4" Thick
- (C) Concrete Pavement
- (F) Integral Sidewalk and Curb 6 feet wide, 4" Thick Sidewalk
- (D) Asphalt Pavement
- (S) Standard Concrete Curb, 6" Straight Back
- (ST) Pavement Striping, Color by Owner/Developer



**ABONMARCHÉ**  
 1001 South 9th Street  
 Elkhart, IN 46516  
 Phone: 765.333.9111  
 Fax: 765.333.9111  
 abonmarche.com  
 abonmarche@abonmarche.com

**CASSOPOLIS STREET  
 SENIOR LIVING FACILITY**

**CONCEPTUAL SITE PLAN**

PROJECT: 2 CASSOPOLIS STREET, ELKHART IN 46516  
 SHEET FILE:  
 DRAWN BY: JLW  
 DESIGNED BY: BEM  
 PM REVIEW: BEM  
 QA/QC REVIEW:  
 DATE: 04-09-2021  
 SEAL:

SIGNATURE:  
 DATE:  
 HARD COPY IS INTENDED TO BE 24" X 36" WHEN PLOTTED. SCALES INDICATED AND GRAPHIC QUALITY MAY NOT BE ACCURATE FOR ANY OTHER SIZES.  
 SCALE:  
 HORIZ: 1" = 40'  
 VERT:  
 ACI JOB #  
**21-0057**  
 SHEET NO.

**C1.0**



# Staff Report

Planning & Zoning

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**Petition:** 21-SI-05

**Petition Type:** Staff Item - Addressing

**Date:** May 3, 2021

**Petitioner:** City of Elkhart Planning & Zoning Department

**Site Location:** City of Elkhart

**Request:** Plan Commission approval of proposed address 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**

1006 ½ Fulton St.  
1101 W Garfield Ave.  
3611 Oak Ridge Dr.  
1018 W Wolf Dr.

Upstairs Apartment  
New One Family Dwelling  
New One Family Dwelling  
New One Family Dwelling

### **Commercial**

2044 Airport Dr. H#41  
2993 Paul Dr.  
3900 S Main St.  
4000 S Main St.

New Hanger  
Existing Building with New Business  
Flavor Freeze  
Concord Community Transportation Depot

## Recommendation

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

## Attachments

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None