

AGENDA

CITY OF ELKHART PLAN COMMISSION

MONDAY, DECEMBER 1, 2025 AT 1:45 P.M.
COUNCIL CHAMBERS – MUNICIPAL BUILDING

This meeting can also be accessed via WebEx. To join, go to <https://signin.webex.com/join>, enter **2308 793 2378** as the meeting number and “**Plan2025**” as the password. Attendees may preregister or enter during the meeting. Comments and questions may be submitted via the WebEx app during the meeting or may be submitted to Carla.Lipsey@coei.org prior to the meeting.

1. **ROLL CALL**
2. **APPROVAL OF AGENDA**
3. **APPROVAL OF MINUTES, July, August, and October 6 and 20, 2025.**
4. **APPROVAL OF 2026 CALENDAR**
5. **STAFF ITEMS**

25-SI-10

Approval of proposed addresses for the City of Elkhart.

6. **ADJOURNMENT**

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

PLAN COMMISSION MEMBERS

<u>Name</u>	<u>Term</u>	<u>Appointed By</u>
Jeff Schaffer, President	August 4, 2025- December 31, 2029	City Civil Engineer
Aaron Mishler, Vice President	February 7, 2022 – December 31, 2026	City Council
Dave Osborne	January 1, 2023 – December 31, 2026	Mayor
Andy Jones	September 16, 2025- December 31, 2026	Board of Works
Diana Lawson	March 6, 2023 – December 31, 2027	Mayor
Dan Boecher	January 2, 2024 – December 31, 2027	Mayor
Bil Murray	October 15, 2025- December 31, 2025	Park Board
Rochali Newbill	February 5, 2024 – December 31, 2027	Mayor

PLAN COMMISSION
-MINUTES-
Monday, July 7, 2025 - Commenced at 1:45 P.M. & adjourned at 3:13 P.M.
City Council Chambers – Municipal Building

The Elkhart City Plan Commission was called to order by Tory Irwin at 1:45 P.M.

MEMBERS PRESENT

Dave Osborne
Dan Boecher
Diana Lawson
Aaron Mishler
Tory Irwin

Members Absent

Ron Davis
Rochali Newbill

REPRESENTING THE PLANNING DEPARTMENT

Eric Trotter-Asst. Director of Planning
Kyle Anthony-Petter-Planner 2

LEGAL DEPARTMENT

Maggie Marnocha, Corporation Counsel

RECORDING SECRETARY

Carla Lipsey

APPROVAL OF AGENDA

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

APPROVAL OF AMENDED AGENDA

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

APPROVAL OF MINUTES

Motion to approve by Boecher; seconded by Mishler.

APPROVAL OF PROOF OF PUBLICATION

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

Nomination for Election of Secretary for the July 7, 2025 meeting

Irwin calls for a motion.

Lawson moved to nominate Dan Boecher as temporary secretary for the meeting; Osborne seconded the motion. The voice vote was approved.

Irwin has closed the nominations.

Osborne- Yes
Boecher- Yes
Lawson- Yes
Mishler- Yes
Irwin- Yes

NEW BUSINESS

25-FSP-07 PETITIONER IS JFCF Invest 3 LLC

PROPERTY IS LOCATED AT 3009 BRITTANY CT

As required by Section 20.7.B seeking approval for a Final Site Plan for a new 6,686 sq. ft. commercial restaurant building with associated parking at 3009 Brittany Court. Petitioner seeks relief from drive aisle width, interior landscape area and design, and permit one elevation with foundation plantings.

STAFF ANALYSIS

As required by Section 20.7.B seeking approval for a Final Site Plan for a new 6,686 sq. ft. commercial restaurant building with associated parking at 3009 Brittany Court. Petitioners seek relief from drive aisle width, interior landscape area and design, and permit one elevation with foundation plantings.

The petitioner's agent submitted civil plans for review and approval by the City's Technical Review Committee. Comments were provided to the agent and most comments provided by staff have been addressed. Staff have reviewed the request for relief from the drive aisle width, interior landscape area and design, and permit one elevation with foundation plantings.

All the above requests are not significant, and staff support the petitioner's request for relief. The petitioner has added additional planting on other parts of the parcel to make up for elimination in other areas. The orientation of the parking lot to accommodate the restaurant necessitates some measure of relief as Brittany has four other restaurants that on occasion spill out onto the street – the agent for the petitioner has been creative in accommodating the necessary parking for the use.

Staff Recommendation

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

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

Trotter states there were 30 letters mailed and 0 returned.

Irwin asks if there are questions from the Commission.

Irwin asked if we had considered cross-access easements, as this is an existing restaurant and is currently undergoing technical review.

Trotter replies that what makes this site unique is that Brittany Court is a private street, which already presents some unique access issues. They are able to overflow and share the streets when the restaurants are at peak times. I believe if this were a new development or breaking ground fresh from Windsor, it would be a great idea, and that's something we should consider adding to the UDO we will discuss at the end of the agenda. I hear your concerns and ideas, but in this situation, it would not be beneficial and could eliminate access for both sides regarding that easement.

Irwin calls the petitioner forward.

Marisa Kolman from Greenberg Farrow, Representative of Bubba's 33 (lessee), located at 8600 W Bryn Mawr Ave, 800N Chicago, IL 60631, is representing the petitioner, JFCF Invest 3 LLC.

Mishler asks, What is the name of the restaurant.

Marisa replied that it's Bubba's 33, a chain owned and operated by Texas Roadhouse. They are located right next to each other. Bubba's concept is expanding to a more casual style, featuring wings, burgers, and pizza. They are mimicking the Texas Roadhouse locations that have seen greater success in the market.

Mishler expressed happiness about our success in the market.

Irwin asks if there are questions from the Commission.

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

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

Irwin closes the public hearing.

Irwin calls for a motion.

Osborne makes a motion to approve 25-FSP-07 with a Do-Pass Recommendation; Second by Mishler. Motion carries

Lawson- Yes

Boecher- Yes

Osborne- Yes

Mishler- Yes

Irwin- Yes

25-PUD-01 PETITIONER IS RACETRAC, INC.

PROPERTY IS LOCATED AT Southwest corner of CR 17 and Middlebury Street

Per Section 20.4.C approval of a Standard Planned Unit Development (PUD) to be developed to the B-3, Service Business District Standards for the purpose of developing a convenience store with fuel services. The proposed parcel is approximately 3.38 acres in area. To also allow for two freestanding signs – one on the County Road 17 frontage at 90 square feet in area and ten (10) feet in height and the Middlebury frontage at 66 square feet and six (6) feet in height.

Staff Analysis

Per Section 20.4.C approval of a Standard Planned Unit Development (PUD) to be developed to the B-3, Service Business District Standards for the purpose of developing a convenience store with fuel services. The proposed parcel is approximately 3.38 acres in area. To also allow for two freestanding signs – one on the County Road 17 frontage at 90 square feet in area and ten (10) feet in height and the Middlebury frontage at 66 square feet and six (6) feet in height.

The 3.38-acre project is located at the southwest corner of County Road 17 and Middlebury Street – the location of the former Bullard Farm. The proposed project is part of an overall development that will incorporate all of the land west of County Road 17 from Middlebury Street to just north of Verdant Street. The vision is that the land fronting County Road 17 will be for commercial uses and industrial/distribution uses on the remaining interior property. There is a proposed connector road that will connect the proposed development to the stub street north at Verdant and the curb cut on County Road 17 – this road will be constructed by the developer.

The petitioner has not submitted the project for Technical Review but has submitted elevations of the building, a preliminary drainage plan, a landscape plan and signage plan. Staff have reviewed the plans submitted and with the exception of the free-standing signs, all appear to comply with the required standards for the district and corridor. As there will be no development sign for the Bullard Farm development, the petitioner is asking for an increase in sign area and height along County Road 17. In reviewing the signage request, staff looked at the existing signage in that portion of the County Road 17 corridor as well as the type and scale of the use each of uses the sign was advertising. What was found was in that portion of County Road 17, the larger existing signage was part of an overall sign plan that featured a large development sign with smaller individual signs for each tenant or tenant group – all approved by Elkhart County as a part of a Planned Unit Development. As this project will have no overall development sign, staff felt some increase was appropriate given the size of the lot and road right of way and classification.

The free-standing signs are proposed to be as follows – the County Road 17 frontage sign is proposed to be 90 square feet including changeable copy area and ten (10) feet in height where 50 square feet is permitted at a height of six (6) feet. The Middlebury Street frontage sign is proposed to be 66 square feet and six (6) in height where 50 square feet is permitted.

The proposed convenience store will provide various food offerings that include sandwiches, pizza and chicken along with coffee and a frozen yogurt station. This location will also have fuel service with a canopy on the east side of the building. Access will be from a right-in-right out cut on Middlebury Street along with an overall development cut on Middlebury Street. The other access will come from a development curb cut on County Road 17 by way of a common service drive.

This Planned Unit Development is developed to the B-3 development standards with the exception of the monument signage.

Recommendation

The Staff recommends approval of a Standard Planned Unit Development – B-3, Standards 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, because the proposed use of convenience store with fuel meets the proposed Planned Unit Development B-3 standards and will be compatible with the surrounding commercial uses in that are part of the County Road 17 corridor;
2. The proposed site plan meets the development standards for the underlying zoning of Planned Unit Development, B-3 Service Business District;
3. The proposed site plan for the Planned Unit Development will utilize the access points as described on the site plan;
4. The project will be required to be submitted for a full review and approval by the City's Technical Review Committee;
5. The Comprehensive Plan Future Land Use Map has not been adopted for this area, but the Proposed Planned Unit Development is anticipated to conform and call for commercial land uses;
6. The proposed use should not be detrimental to the property values of adjacent properties.

Trotter states there were 15 letters mailed and 0 returned.

Irwin asks if there are questions from the Commission.

Mishler asked if the turn onto County Road 17 would allow drivers to turn southward and northward from there. I am concerned about the impact on traffic.

Trotter states that the curb cut was predetermined when the Bullard family still owned the property, and I believe it provides full access onto County Road 17.

Mishler continues to say that people could still turn north into traffic.

Trotter replies that it is correct.

Mishler continues to ask if the size of these signs is comparable to other service stations in the area.

Trotter responded that we find the request reasonable for that section of County Road 17, especially when considering the other uses we have now annexed into the city and further along County Road 17.

Mishler continues to add that he hasn't done many service stations in the past. Where will the storage tanks for fuel be located, and how are we ensuring there are no environmental concerns.

Trotter responded that the comments will be addressed in two ways: during the technical review and at the building department. They will also need to file with the state for the tanks once they are installed. The technology used in fuel tanks today is much

different from that of the past. With the new double-wall technology, if the first tank leaks, the second tank will contain the leak, preventing any environmental issues.

Mishler continues to express my only concern about gas stations: if they were to close or leave, the process of removing the tanks can often be time-consuming and expensive. This cost would fall on the city, which is my main hesitation regarding the establishment of new service stations. I don't want this issue to come back and burden the city with the responsibility of removing those tanks.

Osborne inquires whether the sign changes require approval from the Board of Zoning Appeals.

Trotter confirms that this rezoning pertains to the standard Planned Unit Development. We are incorporating it into the ordinance for this parcel, allowing it to become part of that parcel's permitted sign package with this approval.

Osborne mentions that this will go to the council.

Trotter agrees, stating that it indeed goes to the council.

Irwin calls the petitioner forward.

Michael Hoffman is located at 110 West Berry Street, Suite 1100, and represents the petitioner, RaceTrac, Inc. Joining me today from RaceTrac is Zack Sin. RaceTrac is based in Georgia and is the third largest private company in that state, ranking 24th in the country. As Eric mentioned, RaceTrac is not just a typical convenience store; they offer pizza, chicken, a frozen yogurt station, freshly brewed coffee, along with all fueling needs.

The application before you involves a planned unit development that encompasses approximately 3.38 acres, located at the northeast corner of the parent parcel, which is about 36 acres in total. This development aims to create B3 standards for RaceTrac to operate within.

As Eric also mentioned, there will be signage proposed as part of this package. County Road 17 is a significant north-south corridor connecting Michigan to Elkhart, serving as a thoroughfare to various employment centers. It is a high-traffic vehicle corridor with direct access off the bypass, making RaceTrac's fueling and convenience services well-suited to meet the immediate needs of travelers on County Road 17 and the bypass.

Considering the commercial development along County Road 17, this proposed development appears to support a trend towards a mix of residential, business, and industrial uses, and it is expected to have a neutral impact on the neighborhood. We believe this aligns with the comprehensive plan.

Irwin asks if there are questions from the Commission.

Mishler is requesting access on County Road 17, which raises a concern for me regarding the potential for vehicles making left turns to head north during periods of heavy traffic. My main concern is that if a vehicle stops approximately 600 feet from the intersection during busy periods, it could cause traffic congestion. Has any consideration been given to collaborating with the city to address this traffic issue.

Hoffman explains that RaceTrac has commissioned a traffic impact study, as it does for all its developments. They would not consider developing this site without it. The study indicates that there will be no issues with using the access point if patrons experience difficulties accessing and exiting. This could potentially diminish their desire to use the site for fuel and convenience. RaceTrac is concerned about this and has taken it into account, along with the owner of the parent parcel. The entire parcel is planned for development, with access from County Road 17, which was previously considered. We are working within the existing plans and determining the next steps.

Mishler responds with a thank you.

Hoffman stated that he would like to add one more point in response to Mr. Mishler's question for Eric regarding the fuel tanks on-site. RaceTrac will either decommission those tanks if the property is sold, or the sale condition will require the purchaser to remove the tanks.

Irwin emphasizes the importance of ensuring that the traffic flow is well-managed within the site, as it will be part of a larger development. We need to facilitate cross-access between the north-south and east-west directions, as well as consider internal traffic movements when the development occurs.

Hoffman replied, I completely understand.

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

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

Irwin closes the public hearing

Mishler makes a motion to approve 25-PUD-01 with a Do-Pass Recommendation to Common Council; seconded by Lawson. Motion carries.

Boecher- Yes

Osborne-Yes

Lawson-Yes

Mishler-Yes

Irwin-Yes

25-FSP-08 PETITIONER IS 5220 MIDDLEBURY ST- ELKHART LLC

PROPERTY IS LOCATED AT 673 County Road 17

Areas generally at the intersection of County Road 6 & County Road 17

As required by Section 20.7.B seeking approval for a Final Site Plan for a proposed one (1) story retail building with associated 20 parking spaces at 673 County Road 17 (currently vacant).

Staff Analysis

The petitioner is requesting Final Site Plan Approval for a new retail building at the northwest corner of County Road 17 and Middlebury Street. The 3,500 square foot building will be the new location of a Sherwin Williams Paint store. The project has been approved through Tech Review and has addressed comments raised by staff during the review process.

The site is accessed from Middlebury Street from a 60-foot private drive. That drive also serves the Amberwood Terrace shopping center. Access can also be made from the existing entrance for the shopping center from County Road 17. For this 1.18 acre lot, there is no access permitted to County Road 17. There is a no access easement recorded on the plat that restricts access to the west access drive.

This project is within the County Road 17 overlay district. Meaning there are additional design elements required for the exterior façades of a building that fronts County Road 17 and facades which are visible from County Road 17. The requirements within our ordinance specify an offset of the building wall and an additional roof element that were not incorporated into this design. Those elements are meant to break up long wall lengths and horizontal rooflines.

Staff reviewed the building's design against the requirements and feel that because of the small size of the building at 3,500 square feet, adding additional wall offsets and roof elements, the look of the building would be less cohesive and be overwhelmed by the additions. Staff feels the intent of the design requirements have been met and encourage the Plan Commission to support staff in this evaluation. This building will be an enhancement to the County Road 17 corridor.

Recommendation

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

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

Trotter states there were 8 letters mailed and 0 returned.

Irwin asks if there are questions from the Commission.

Irwin asks whether all the utility easements have been resolved during the technical review.

Trotter responds affirmatively.

Irwin calls the petitioner forward.

Stephanie Floyd, is representing the petitioner, 5220 Middlebury Street-Elkhart LLC. The petitioner is requesting Final Site Plan Approval for a new retail building at the northwest corner of County Road 17 and Middlebury Street. The 3,500-square-foot building will be the new location of a Sherwin-Williams Paint store.

Irwin asks if there are questions from the Commission.

Irwin inquires whether the applicant plans to relocate their existing store or if this is a brand-new store.

Floyd responds that this is a brand-new store.

Floyd adds that we did manage to work out the utilities.

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

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

Irwin closes the public hearing

Lawson makes a motion to approve 25-FSP-08 with a Do-Pass Recommendation to; seconded by Mishler. Motion carries.

Osborne-Yes

Boecher-Yes

Lawson-Yes

Mishler-Yes

Irwin-Yes

25-X-05 PETITIONER IS Francisco Sesmas & Maria Torres

PROPERTY IS LOCATED AT 1920 Benham Av

Per Section 5.3, Special Exception Uses, (4.3.G) Day Care Centers to allow for the establishment of a new day care center at 1920 Benham Avenue.

Staff Analysis

The petitioners are submitting an application for a daycare at 1920 Benham Avenue. There are six other home day care centers in the 2000 block of Benham also owned and operated by the petitioners. They have been able to expand and fill their childcare openings in part because of the demonstrated need for daycare providers in Elkhart.

The house at 1920 Benham Avenue is 920 square feet and built in 1950, according to Elkhart County Assessor records. The lot is .15 acres. At the writing of this report, staff had not yet visited the site. Staff will make an appointment to visit the property before the hearing date.

They plan to apply for a Class II license with the state's Family and Social Services Administration (FSSA), which allows for up to 16 children. Pick up and drop off for the facility will be handled from the alley on the east of the building. There is ample parking in the rear for employees. Based on information provided in the petition, they plan on enrolling in the Child and Adult Care Food Program (CACFP) to provide healthy meals. They also become members of The National Association for Family Child Care (NAFCC).

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

Recommendation

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

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

Conditions

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

1. The petitioner shall submit plans for the building renovations to the building department within 14 days of approval, and obtain permits for any work done there within 45 days of approval.
2. All children shall be restricted to the building and fenced-in play area except when arriving and leaving or on supervised walks or outings.
3. The facility and grounds shall be kept clean at all times.
4. The facility shall be subject to inspection upon reasonable notice, by the zoning administrator during hours of operation.
5. There shall be no exterior display, signs, or other forms of advertising on the premises.
6. A copy of the child care home license shall be submitted to the Department of Planning and Zoning upon receipt from the Indiana Family and Social Services Administration.
7. If the day care ceases to operate for more than one (1) year, or the license is revoked, the Special Exception becomes null and void.
8. Any violation of the terms of this Special Exception as determined by the City Zoning Administrator shall render the Special Exception invalid.
9. There shall be a maximum sixteen (16) children.
10. Pickup and drop off shall be from the alley at the rear of the property.
11. The Special Exception is for two (2) years and shall be reviewed as a staff item by the Board of Zoning Appeals by July 10, 2027.

Irwin asks if there are questions from the Commission.

Mishler inquires about the number of daycares in the area. I believe there are six more nearby. Are there any concerns regarding traffic for pick-up and drop-off.

Trotter responds that they haven't received any complaints from the neighbors. They have considered previous requests and noted that the traffic from the children occurs in the alley, which does not face Prairie. The alley is actually oversized, making it advantageous for accommodating two-way traffic. Overall, they haven't encountered any issues.

Mishler asks if the pick-up and drop-off will take place from the alley.

Trotter responds with a yes.

Osborne mentions that a significant amount of remodeling will be done. Will you be conducting your inspection after all the remodeling is complete.

Trotter replies that we usually go after the work is finished.

Irwin calls the petitioner forward.

Francisco Sesmas and Maria Torres, petitioner, 1920 Benham Avenue. The petitioners are submitting an application for a daycare center at 1920 Benham Avenue.

Irwin asks if there are questions from the Commission.

Osborne makes a motion to approve 25-X-05 with a Recommendation to BZA with listed conditions; seconded by Lawson. Motion carries.

Boecher-Yes

Osborne-Yes

Lawson-Yes

Mishler-Yes

Irwin-Yes

25-X-06 PETITIONER IS First Presbyterian Church of Elkhart
PROPERTY IS LOCATED AT 200 East Beardsley Avenue

Per Section 5.3, Special Exception Uses (4.3.B), to allow for a cafe within the church at 200 East Beardsley Avenue.

Staff Analysis

The request is per Section 5.3, Special Exception Uses (4.3.B), to allow for a cafe within the church at 200 East Beardsley Avenue. The request is considered an expansion of the special exception use as a place of worship and therefore a new petition request is required to be approved.

The petitioners are submitting a special exception request to expand their café ministry to the public, to be open Tuesday-Friday from 11:00 to 2:00. The church has undertaken an extensive renovation of the lower level of the building to expand the contemporary worship space around a coffee house theme.

With the opening of the café this spring, representatives from Ruthmere reached out the church to see if there was interest in the café expanding the hours to offer the visitors to the museum a place close to have lunch. The idea being that visitors could have a place to eat and spend more time in the in the neighborhood between the Ruthmere Museum and the Havilah Beardsley House. The church sees this as an opportunity to provide a new service to the community.

The entrance to the café is on the east side of the church building, facing Grove Street with the museum directly across the street. Ruthmere currently has a long-standing arrangement for their patrons to utilize the church's parking lot.

Staff has reviewed the request and feels that the expanded café use and hours will not cause any harm to the surrounding neighborhood. The church will be required to meet all Elkhart County Health Department rules and requirements.

Recommendation

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

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

2. The Special Exception **will not** reduce the values of other properties in its immediate vicinity because there will be no exterior changes to the existing building;
3. The Special Exception **shall** conform to the regulations of the zoning district in which it is to be located because it will not generate adverse effects on adjacent properties in the form of noise, smoke, or odor.

Conditions

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

1. The petitioner shall provide proof of Elkhart County Health Department approval.

Irwin asks if there are questions from the Commission.

Irwin inquires whether the project received approval from the City when it was submitted.

Trotter responds, uncertain.

Irwin calls the petitioner forward.

Rev. Dr. Sally Wicks, the pastor of the First Presbyterian Church located at 200 E. Beardsley Avenue, is joined by Marsha Stackhouse, the Clerk of Session. The petitioners are seeking permission to operate a café within the church, which is a renovation of the fellowship hall. The idea to transform this space came from Bill Firstenberger from Ruthmere. The church building itself has been in existence since 1960.

Irwin mentioned that being a food service establishment places you in a different classification regarding sewer use, which comes with additional requirements to ensure that fats, oils, and grease are not discharged into the sewer system. Irwin also recommended that the petitioner contact Steve Brown from the city's sewer utilities. Sally can coordinate with Steve about your operations and determine if any additional measures are necessary.

Wicks replies that Marsha has already checked on that. Sally asks Marsha if she would like to add anything.

Marsha Stackhouse states that she has been in contact with the water department to understand their requirements. We are fully aware that we need a fog permit, and the city water department has agreed to come in before our opening, even before we upgrade all our equipment. They will advise us on what we need moving forward. In addition to the water department, we have also been in contact with the health department.

Irwin asks if there are questions from the Commission.

Mishler makes a motion to approve 25-X-06 with a Do-Pass Recommendation to BZA with added conditions; seconded by Boecher. Motion carries.

Osborne-Yes

Boecher-Yes

Lawson-Yes

Mishler-Yes

Irwin-Yes

25-SI-06

Approval of proposed addresses for the City of Elkhart.

Staff Analysis

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

Recommendation

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

Residential

837 Taylor Street New Single-Family Dwelling 20-06-09-186-013.000-012 841 Taylor Street New
Single-Family Dwelling 20-06-09-186-014.000-012 307 River Pointe Drive New Single-Family
Dwelling 20-05-12-203-001.000-006 1634 South Main Street – Apt 101, 102, 103,104
1200 West Wolf Avenue New Single-Family Dwelling 20-06-07-430-022-
000-012 1204 West Wolf Avenue New Single-Family Dwelling 20-06-07-430-032-000-012
1329 Helux Lane New Single-Family Dwelling 20-06-16-476-015-000-012
1017 West Indiana Ave New Single-Family Dwelling 20-06-08-302-005.000-012
1401 East Indiana Ave New Single-Family Dwelling 20-06-10-155-009.000-012
913-915 South Main Street-Apt 103, 105 Readdress for Existing Commercial Building
1403 Columbian Avenue New Single-Family Dwelling 20-02-32-431-006.000-027 & 20-02-32-431-005.000-027
912 West Franklin Street- Apt 100, 200 Readdress for Existing Residential Building
2223 Grant Street New Single-Family Dwelling 20-02-34-326-028.000-027

Commercial

2554 Cassopolis Street – Ste. 100, 101, 102 New Commercial Building
219 CR 17 Billboard
111 West Lexington Avenue- Apt 200 Readdress for Existing Commercial Building
137 North 6th Street- Lift Station-Public Works
399 E Beardsley Ave- Lift Station-Public Works
2959 CR 6 West- Lift Station-Public Works
498 River Pointe Drive- Lift Station-Public Works
1898 Jeanwood Drive- Lift Station-Public Works
1698 East Lake Drive West- Lift Station-Public Works
144 Nadel Ave- Lift Station-Public Works
2498 Industrial Parkway- Lift Station-Public Works
1998 Industrial Parkway- Lift Station-Public Works
1799 Leer Drive- Lift Station-Public Works
1799 Woodland Drive- Lift Station-Public Works
1398 Lawndale Road - Lift Station-Public Works
3599 S Main Street- Lift Station-Public Works
2738 Old US Highway 20 West- Lift Station-Public Works
2699 CR 15 North- Lift Station-Public Works
2699 Toledo Road - Lift Station-Public Works

2398 Johnson Street- Lift Station-Public Works
2098 Aeroplex Drive North- Lift Station-Public Works
1501 Sterling Ave- Lift Station-Public Works
625 Baldwin Street- Lift Station-Public Works
1599 Folsom Street- Lift Station-Public Works
3713 South Main Street- Lift Station-Public Works
673 CR 17 New Commercial Building
677 CR 17 New Commercial Building
681 CR 17 New Commercial Building
123 CR 17 Suite 100, Readdressing Commercial Building

Industrial

600 Benchmark Drive New Industrial Building
5100 Endeavour Drive, Suite 100,150 Readdressing Industrial Building
4800 Briscola Ct New Industrial Building
4825 Briscola Ct New Industrial Building
5000 Briscola Ct New Industrial Building
5029 Briscola Ct New Industrial Building
5040 Briscola Ct New Industrial Building
5100 Briscola Ct New Industrial Building
5153 Briscola Ct New Industrial Building
3600 Atlas Drive New Industrial Building
3611 Atlas Drive New Industrial Building
3620 Atlas Drive New Industrial Building
3633 Atlas Drive New Industrial Building
3640 Atlas Drive New Industrial Building
3655 Atlas Drive New Industrial Building
3603 CR 6 E, Suite 100, 150 Readdressing Industrial Building
3607 CR 6 E Readdressing Industrial Building
2517 Laura Court Readdressing Industrial Building

2525 Laura Court Readdressing Industrial Building

3136 Lexington Park Drive New Industrial Building

Osborne makes a motion to approve 25-SI-06; seconded by Mishler. Motion carries.

Presentation: Update on the Unified Development Ordinance (UDO)

Eric Trotter from Planning and Zoning will be presenting the final summary of the zoning ordinance for the Unified Development today. Joining us this afternoon are Cynthia Bowen and Allison Richardson from REA, along with a representative from Enfocus, who assisted us with community outreach. We will cover the benefits of the Unified Development Ordinance (UDO), our development process, engagement results, key changes, and how to effectively use the UDO. The comprehensive plan serves as the policy foundation for the Unified Development Ordinance (UDO). It includes policies on how the city should develop, outlines necessary infrastructure improvements to support that development, suggests changes to the UDO, and provides guidance for creating a capital improvement plan based on these infrastructure needs.

The purpose and intent statements of the UDO align with the comprehensive plan and are supported by its goals and policies. Essentially, the comprehensive plan acts as an overarching document for the entire city, articulating its vision, values, and development aspirations, as well as indicating where development should occur.

Once broad policies are established and land use and transportation maps are created, the comprehensive plan is designed to remain relevant for about 20 years, with periodic updates. Additionally, sub-area plans are developed to provide more specific development directions and character guidelines for particular areas within the community. These plans are implemented through various strategies, including sub-area or special area plans, such as downtown revitalization or streetscape improvements, to effectively carry out the policies outlined in these documents.

The Unified Development Ordinance (UDO) is periodically updated to modify regulations, standards, and requirements, ensuring it remains aligned with the City's values and delivers desirable, predictable outcomes. When the city initiated this process, the aim was to merge existing zoning and subdivision codes without intending significant changes. However, the project's goals have remained consistent, as highlighted on the board, to ensure Elkhart remains economically competitive while maintaining efficient and effective land use regulations.

To summarize, the goals of the updates were to create a user-friendly and understandable ordinance that simplifies regulations, reorganizes the ordinance for easier access to information, adds more graphics, increases flexibility for staff and applicants in determining the best outcomes for sites, updates districts and standards to accommodate new development types, ensures consistency with state and federal laws, and reflects the vision policies of the comprehensive plan and other sub-area plans.

One key topic that emerged during the creation of the sub-area plan was the need for more housing choices and opportunities in the city of Elkhart. Planners refer to this as the "missing middle." From the 1960s to the mid-2000s, most zoning codes primarily offered only single-family homes and apartments, neglecting many other housing types. With rising housing prices, alternative types of housing can be more affordable and better fit the character of most neighborhoods. These alternatives include duplexes, four-plexes, cottage courts, courtyard townhomes, smaller apartment complexes, and live-work units.

So, what is a UDO. The UDO consolidates various codes into a single, comprehensive code to achieve greater consistency across regulations, including definitions and other terms. The administration and enforcement processes become more consistent across the codes, allowing for greater flexibility since the codes are consolidated into a single ordinance. These codes encompass zoning, subdivision, and historic preservation regulations.

The Unified Development Ordinance (UDO) offers numerous benefits, particularly in simplifying the development process. It creates a single resource where residents and developers can find everything they need to navigate regulations in Elkhart. The UDO unifies and standardizes regulations, providing clarity for petitioners about expectations in the development process. This consistency is crucial for developers, enabling them to efficiently bring their projects to market.

The ordinance will enhance visual clarity by incorporating tables and graphics to illustrate regulations and the character the city aims to achieve. The UDO promotes orderly growth by offering flexibility in provisions and creating alternative methods to meet the goals

of the ordinance. It acknowledges that not everything is black and white, allowing for gray areas that can expedite the development timeline without compromising the character of communities.

The UDO establishes four different zoning types, with the foundation of the entire code based on Euclidean zoning principles. This approach focuses on dividing the city into districts, regulating the uses within those districts, managing their impacts, and setting dimensional standards. Developments must comply with the performance standards of their respective districts, which address nuisance impacts such as odor, noise, dust, vibration, and glare, primarily in commercial and industrial areas.

Regulations are based on performance criteria like floor area, impervious surfaces, trip generation, and noise levels at property edges. Form-based codes, which are graphic-based standards, prioritize urban character over specific uses. Although these regulations can apply to the entire city, they are often most effective in smaller areas and can help in developing hybrid zoning codes.

Incentive-based zoning focuses on offering developers incentives to promote desired city outcomes, even when market conditions may not support them. For instance, to encourage the creation of more public spaces and affordable housing, the city might allow increased density, greater building heights, or smaller lot sizes in exchange for these desirable attributes.

Cynthia Bowen, an associate planner, has been working on this project, which has taken a couple of years to develop into a comprehensive ordinance. Our work began with defining the project's scope and goals, as well as assessing the existing zoning code to determine what to keep and what regulations need to change.

We aimed to build on the public engagement efforts from previous code revisions. Partnering with Enfocus, we targeted specific topics for public outreach to gather feedback from various stakeholders. The drafting process of the Unified Development Ordinance (UDO) is extensive and proceeds in an orderly manner, which may seem chaotic if involved in the drafting itself. We start with the land use districts and then expand from there.

We provide sections of the draft to staff members for review and comments, refining these sections continuously until we have a complete document. Once the document is finalized, the staff will review it in its entirety. The writing process is ongoing until the ordinance is fully drafted, as changes and adjustments can arise along the way.

During this period, we have also updated website materials to ensure the public understands our progress and direction. Later this year, we will seek adoption from the plan commission and the council, followed by implementation and training.

Currently, we are working with some development petitions to see how the proposed ordinance reacts to them, ensuring we do not encounter any complications. After the ordinance is adopted, we will collaborate with the staff on various development petitions and provide training for boards, the plan commission, the Board of Zoning Appeals, and the council, so they understand how to effectively use the new code.

Another important aspect we considered was the existing development landscape. One of our objectives with the code updates is to avoid creating additional non-conformities. To achieve this, we utilized your GIS system to conduct an analysis, particularly focusing on lot width and area.

The analysis includes diagrams that illustrate lot widths, employing techniques such as whisker plots and box plots. These methods help us understand the distribution of parcels in relation to the minimum requirements, which was set at just 3 feet in width. We found that there was a lot with an almost 4,000 square-foot width, while the median lot width was 100 feet. The analysis also provided insights into the first and third quartiles.

In your current R1 district, there is a minimum lot width requirement of 75 feet, which has resulted in 557 non-conformities. This prompted us to explore the possibility of adjusting this requirement. Our aim was to minimize non-conformities without affecting the character of the community. Through our analysis, we determined that we could reduce the minimum lot width to 60 feet, which would decrease the number of non-conformities to 270. This change would affect only about 10% of lots in the R1 district.

Additionally, we re-envisioned the UDO (Unified Development Ordinance) districts based on the insights gained from the subarea plans being developed in the downtown and Benham areas. We consolidated the number of districts from 15 to 9, reorganizing and

renaming them. The current districts include R1, R2, R3, R4, R5, C1, and C2, but these names do not clearly communicate their purpose. Therefore, we changed the names to more descriptive terms:

- Suburban Residential, referring to areas on the outskirts with much larger lots
- Compact Residential
- Urban Residential, indicating smaller lots in the core
- Mixed Neighborhoods
- Mobile Home Parks

We also updated the non-residential districts to reflect their functions better. For example, we defined categories for Professional Services and Neighborhood Businesses, which include establishments such as cafes, bookstores, and dry cleaning services, down to the Central Business District's core institutional uses, research, and development, and manufacturing.

Although the overlay districts remained unchanged, we eliminated two districts that were not utilized at all: the Office and Business Park districts. These districts have been removed from the map, but we have grandfathered them in and classified them as legacy districts, ensuring they will remain in perpetuity. If anything is rezoned and not included on the map, there is still a path forward through the Research and Development district.

Four general areas encompass the major changes within the zoning codes: uses, building types and standards, overlay districts, and development standards. When it came to uses, we aimed to simplify them by extracting the uses from each district and placing them into specific use chapters. We also aimed to limit the number of uses that require review by the Board of Zoning Appeals. By integrating these items into the zoning ordinance, more actions could be done by right. If a petitioner meets the established standards, they would not have to go through any zoning process.

Secondly, we wanted to foster meaningful integration of uses. This approach allows for mixed uses to be developed horizontally across a property or vertically within a building. This flexibility promotes a more dynamic development environment focused on the character of the buildings. We examined what each development looks like, the feel of it, and how it integrates with existing developments, creating specific regulations for each use.

The building types and standards introduced are new to the ordinance. We separated building types from uses; while a single-family dwelling unit is commonly referred to as a use, it is actually a building type. The use is residential. We identified various building types, such as detached narrow, detached standard, and detached accessory dwelling units (ADUs). This differentiation allows for greater flexibility. We created a matrix indicating which building types will be permitted and established development standards outlining how they should be built and their character.

Regarding the overlay districts, we have added more regulations, particularly in floodplain and airport districts, where the requirements are more stringent. Conversely, in areas such as downtown and Benham neighborhoods, we are focusing on the character of the base zoning districts and loosening those regulations to make them less rigid. We have employed overlay districts to encompass multiple zoning districts within certain neighborhoods, allowing for relaxed zoning regulations and increased flexibility tailored to specific areas. This summarizes our approach to the overlay districts.

Finally on the development standards include parking, landscape, signage, and fences to make sure we clarified some of standards that were in the previous ordinance we wanted to make sure we had compliance with state and federal laws since those have changed since the last ordinance was updated we wanted to reduce or change standard in the parking some of it had high standards and we added some incentives for parking we wanted to add in graphics the previous zoning code didn't have a lot of graphics to it this code was added more graphics for building types how to lay out a lot how to show and measure parking to show A picture is worth a thousand words, which is why I will turn it over to Eric Trotter for the engagement results. Enfocused helped us with our outreach for 13 public engagement events, during which we distributed 240 flyers and educational materials. The project website received 505 views, with 150 unique visitors. As shown in the diagram on the screen, we made efforts to reach every quadrant of the city to collect feedback from the community.

Regarding website visitors, there is a slight glitch showing demographics related to the City's website. I will present the data in reverse order: 64% of visitors accessed the website directly through in-person public engagement or by scanning the QR code, while 23% arrived via Facebook or city posts on the community website, and 13% came from Google or WNDU.

In terms of demographics, we engaged 32% from the Northeast, 30% from the Southeast, 21% from the Northwest, and 17% from the Southwest. Although the participation numbers were uneven, we achieved a good cross-section of the community.

Next, we focused on housing options as part of our outreach, which included not only gathering feedback but also providing education. We discussed the concept of the "missing middle" and explored alternative housing options beyond single-family homes or large apartment complexes. Townhouses and duplex side-by-sides were the top choices for those interested in infill lots in their neighborhoods, followed by courtyard buildings and cottage courts, and finally duplexes and fourplexes, which rounded out the top five options. I believe this is a positive development for our community, as we are witnessing a broader spectrum of acceptance for varied housing types in our neighborhoods.

Moving on to the visual preference survey concerning public amenities, residents expressed preferences for street parking, gateway features, special paved crosswalks, bioswales, landscaped medians, rain gardens, street trees, outdoor dining, and extra-wide sidewalks or pathways. We collected 99 votes, with outdoor dining receiving 18 votes, rain gardens/separated pedestrian paths receiving 15 votes, and extra-wide pathways also receiving significant support.

It is encouraging to see that the citizens of Elkhart are interested in pedestrian amenities and public infrastructure that support walking, biking, and jogging, rather than focusing solely on automobile traffic.

Finally, there are key changes to the UDO (Unified Development Ordinance) that we will discuss, including what has remained unchanged, what new content has been added to the ordinance, and what changes and modifications have been made.

The major elements of the zoning and subdivision ordinance have largely been retained, including development standards, uses, and general regulations. The overlay and special districts have been reorganized into an easy-to-read chart, consolidating individual district uses. Some additional graphics have been created for the overlay and special districts, as noted in the presentation.

In terms of new content, the layout of the document has changed from prior versions of the zoning ordinance. This update includes the addition of subdivision and preservation ordinances, creating distinct sections for definitions and administration. We have consolidated the zoning districts from 15 to 9 and introduced a hearing officer, authorized by the plan commission, who will have the authority to approve or deny variances or conditional uses more frequently than the board of zoning appeals.

We have also added new examples of design concepts, such as clustered development and cottage court development, to accommodate modern and technology-driven uses. The charts presented illustrate these changes in the actual ordinance. Importantly, we have added a section on rules of measurement, ensuring that everyone using the document understands how planning staff calculate average setbacks. Previously, this information was presented only in text form, lacking clear formulas.

Parking standards have been updated and modernized, including exemptions from parking minimums, the creation of flexible parking credits, and the addition of electric vehicle parking standards.

The landscaping and buffering sections have been consolidated into one chapter, with some standards modified. Notable changes include reducing tree spacing from 40 to 30 feet on center, requiring residential tree planting, specifying corner side yard fence locations, and mandating irrigation systems for commercial lots larger than 1 acre.

Development standards have been modified for greater flexibility, with uses simplified and specific development standards developed for more uses to be allowed by right. Additionally, we have added graphics to clarify the regulations for buffer yards and expanded definitions for each use.

Administrative procedures have been condensed, clearly outlining the roles and obligations of staff and board members, eliminating confusion about these responsibilities. This information will be made available to the public within the ordinance. A right of entry for inspections has also been incorporated, as it was previously missing from our ordinance.

District names have been updated to reflect changes based on use rather than by letter and number. Subdivision regulations have been revised to comply with current statutory requirements, including ADA requirements and street development design as mandated by public works. Sign requirements have been updated to align with state and federal rulings, and the list of signs

not requiring a permit has been expanded. Allowable temporary signs now include feather flags, which are in high demand from the general public, and we have set time limits for these temporary signs.

Allison Richardson from REA has worked with the city to implement the Unified Development Ordinance (UDO). We have begun creating a digital version of the UDO document that includes hyperlinks for easier navigation. This version features a more detailed table of contents, an overview of all zoning districts in the new UDO with descriptions of each district and its intent, as well as a page explaining the zoning content and terminology along with where to locate them. Additionally, we included a chart and checklist that outlines the steps an applicant must follow to navigate the project development review process.

The steps are as follows:

1. Determine the zoning classification and identify permitted uses.
2. Review and comply with development standards to seek the necessary approvals based on project needs and existing conditions.
3. Obtain permits from the building department.

The entire draft of the UDO can be accessed at this link: <http://bit.ly/44zouqf>.

Eric Trotter will continue to send the link via email for your convenience. We are working closely with REA to finalize the document. Our next steps include a meeting with the Common Council on July 30, 2025, in the council chambers, where a reminder will be sent out. An in-depth proposal will be presented at that time, along with a detailed presentation. The council has been involved throughout this process. There will also be a couple more public engagement sessions, and we will be drafting our user guide and providing training for boards and commissions. Eric Trotter extends his thanks to REA, Allison, Cynthia, and Enfocus for their contributions.

Irwin asks if there are any questions from the Commission.

Lawson inquires about the time for the meeting with the Common Council.

Trotter responds, "I am hoping for 3 PM. Please take a look at the UDO and the work that has gone into it."

ADJOURNMENT

Irwin makes a motion to adjourn; Second by Boecher. Motion carries

Tory Irwin, President

Aaron Mishler, Vice-President

PLAN COMMISSION

-MINUTES-

Monday, August 4, 2025 - Commenced at 1:45 P.M. & adjourned at 1:54 P.M.
City Council Chambers - Municipal Building

The Elkhart City Plan Commission was called to order by Aaron Mishler at 1:45 P.M.

MEMBERS PRESENT

Dave Osborne
Dan Boecher
Diana Lawson
Aaron Mishler
Jeff Schaffer
Rochali Newbill

Members Absent

Ron Davis

REPRESENTING THE PLANNING DEPARTMENT

Eric Trotter-Asst. Director of Planning
Kyle Anthony-Petter-Planner 2

LEGAL DEPARTMENT

Maggie Marnocha, Corporation Counsel

RECORDING SECRETARY

Carla Lipsey

ELECTION OF 2025 OFFICERS

Trotter states that there are currently two officer positions open: President and Secretary. As Vice President, Mishler is the only officer in position at the moment.

Osborne asks Trotter who the current Secretary is.

Trotter replies that the Secretary is Chris Baiker, who is no longer part of the Plan Commission because he resigned from the Park Board. Consequently, he also stepped down from the Plan Commission, and we are still awaiting the selection of a new Park Board.

Osborne then asks whether we will elect a new Secretary on a different date or if this needs to be done today.

Trotter responds that he does not see why the election of a Secretary cannot wait, noting that it is more important to find a new President today if enough people are available to make a decision. However, we do need to appoint a President today.

Osborne nominates Jeff Schaffer for President, and Boecher seconds the nomination. The voice vote carries.

Lipsey asks for clarification on whether this appointment is temporary or permanent.

Trotter replies that the appointment is permanent.

Schaffer calls for a motion.

Osborne- Yes

Boecher- Yes

Lawson- Yes

Mishler- Yes

Schaffer- Yes

Schaffer expresses appreciation for your optimistic belief that I can achieve this.

Trotter asked Schaffer how he feels about electing a Secretary, or should we postpone that until next month?

Schaffer stated that we will wait until we have more members.

Trotter has pointed out that our agenda still lists Mr. Irwin as president. We need to amend the agenda to reflect Mr. Schaffer as the new president moving forward.

Osborne makes a motion to amend the agenda to remove Tory Irwin as President and reflect Jeff Schaffer as President. Seconded by Mishler.

APPROVAL OF AMENDED AGENDA

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

Schaffer mentioned that Mr. Newbill has arrived at the meeting.

Mishler asks Trotter, Point of order: do we have proofs of publication for this meeting. Trotter replies, No.

25-PUDA-04 PETITIONER IS Bill Ginter

PROPERTY IS LOCATED AT 4430 Eastland Drive

Per Section 20.10.A.2, a minor amendment to the approved site plan to allow for a 23 x 40 addition to the existing facility at 4430 Eastland Drive.

Staff Analysis

The petitioner is requesting a minor amendment to the PUD to allow for an addition at the southwest corner of the building. The addition is a 23 x 40 enclosed dock. The plans for the addition have been submitted for technical Review and were approved. This is the last item to be completed for a complete sign-off on the project. Staff had no objection to the petitioner filing for Local Plan Review to keep the project moving forward while the Plan Commission process is completed.

Per Section 20.10.A.2 requires the changes be submitted in writing to the Plan Commission for review and approval in writing without a public hearing.

Note: This request did not require publication; it is not a public hearing.

Recommendation

The Staff recommends **approval** of the minor amendment to the Planned Unit Development, per Section 20.10.A.2, a minor amendment to the approved site plan to allow for a 23 x 40 addition to the existing facility at 4430 Eastland Drive, based on the following findings of fact:

- 1) The Comprehensive Plan calls for this area to be developed with industrial uses. The proposed addition is compatible with the current industrial use.
- 2) The proposed addition should not impact the other permitted uses approved for this PUD. The proposed addition should not negatively impact surrounding properties.
- 3) The proposed addition will not adversely impact the land within the area of the Planned Unit Development as the proposed addition is compatible with primary activity already permitted by right within the Planned Unit Developments existing uses.

Trotter mentioned that no letters were sent out because this is not a public hearing.

Schaffer asks if there are questions from the Commission.

Schaffer calls the petitioner forward. We will forgo the petitioner's presentation and return to the commission for action.

Schaffer states that this is a motion for final approval.

Schaffer calls for a motion.

Mishler makes a motion to approve 25-PUDA-04 with a Do-Pass Recommendation to Common Council; seconded by Boecher. Motion carries.

Boecher- Yes
Lawson - Yes
Osborne- Yes
Newbill- Yes
Mishler- Yes
Schaffer-Yes

25-SI-07

Approval of proposed addresses for the City of Elkhart.

Staff Analysis

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

Recommendation

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

Residential

3400 Clayton Avenue New Single-Family Dwelling 20-06-22-126-035.000-011

Residential Subdivision

Homer Avenue Subdivision

1331 Ranch Hand Way	New Single-Family Dwelling	Lot 15
1325 Ranch Hand Way	New Single-Family Dwelling	Lot 14
1319 Ranch Hand Way	New Single-Family Dwelling	Lot 13
1313 Ranch Hand Way	New Single-Family Dwelling	Lot 12
1309 Ranch Hand Way	New Single-Family Dwelling	Lot 11
1303 Ranch Hand Way	New Single-Family Dwelling	Lot 10
1301 Helux Lane	Detention Basin	Out lot A
1304 Helux Lane	New Single-Family Dwelling	Lot 9
1314 Helux Lane	New Single-Family Dwelling	Lot 8
1320 Helux Lane	New Single-Family Dwelling	Lot 7
1307 Helux Lane	New Single-Family Dwelling	Lot 5
1311 Helux Lane	New Single-Family Dwelling	Lot 4
1317 Helux Lane	New Single-Family Dwelling	Lot 3
1323 Helux Lane	New Single-Family Dwelling	Lot 2

Commercial

3798 East Mishawaka Road- Lift Station-Public Works

Schaffer asks if there are questions from the Commission.

Schaffer calls for the motion.

Mishler makes a motion to approve 25-SI-07 with a Do-Pass Recommendation; seconded by Osborne. Motion carries.

Osborne- Yes
Boecher- Yes
Newbill- Yes
Lawson- Yes
Mishler- Yes
Schaffer- Yes

ADJOURNMENT

Mishler makes a motion to adjourn; Second by Osborne. Motion carries

Jeff Schaffer, President

Aaron Mishler, Vice-President

PLAN COMMISSION

-MINUTES-

Monday, October 6, 2025 - Commenced at 1:45 P.M. & adjourned at 3:06 P.M.
City Council Chambers – Municipal Building

The Elkhart City Plan Commission was called to order by Jeff Schaffer at 1:45 P.M.

MEMBERS PRESENT

Diana Lawson
Dan Boecher
Andy Jones
Dave Osborne
Aaron Mishler
Jeff Schaffer

Members Absent

Rochali Newbill
Bil Murray

REPRESENTING THE PLANNING DEPARTMENT

Eric Trotter-Asst. Director of Planning
Kyle Anthony-Petter-Planner 2

LEGAL DEPARTMENT

Maggie Marnocha, Corporation Counsel

RECORDING SECRETARY

Carla Lipsey

APPROVAL OF AGENDA

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

APPROVAL OF PROOF OF PUBLICATION

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

NEW BUSINESS

25-X-07 PETITIONER IS Elissa Garcia
PROPERTY IS LOCATED AT 721 Maple Row

Per Section 5.3, Special Exception Uses, (5.3.F) Home Day Care to allow for the establishment of a new home day care at 721 Maple Row.

STAFF ANALYSIS

The petitioner is submitting an application for a home daycare at 721 Maple Row. The home is located in a neighborhood with ample sidewalks with the ability for some of the children care for to be walked to the location.

According to Elkhart County Assessor records, the house at is 904 square feet and built in 1960, The lot is .15 acres. At the writing of this report, staff had visited the site.

It is anticipated the petitioner will apply for a Class I license with the state's Family and Social Services Administration (FSSA), which allows for up to 12 children. Pick up and drop off for the facility will be handled from in front of the house along Maple Row on the north of the building.

In terms of space, the house is adequate. The state requires for a Class I license, a minimum of 35 square feet per child for indoor space for a total of 420 square feet if the maximum number is reached.

Staff Recommendation

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

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

Conditions

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

1. The petitioner shall submit plans for the building renovations to the building department within 14 days of approval, and obtain permits for any work done there within 45 days of approval.
2. All children shall be restricted to the building and fenced-in play area except when arriving and leaving or on supervised walks or outings.
3. The facility and grounds shall be kept clean at all times.
4. The facility shall be subject to inspection upon reasonable notice, by the zoning administrator during hours of operation.
5. There shall be no exterior display, signs, or other forms of advertising on the premises.
6. A copy of the child care home license shall be submitted to the Department of Planning and Zoning upon receipt from the Indiana Family and Social Services Administration.
7. If the day care ceases to operate for more than one (1) year, or the license is revoked, the Special Exception becomes null and void.
8. Any violation of the terms of this Special Exception as determined by the City Zoning Administrator shall render the Special Exception invalid.
9. There shall be a maximum of twelve (12) children.
10. Pickup and drop off shall be from the street at the front of the property.
11. The Special Exception is for two (2) years and shall be reviewed as a staff item by the Board of Zoning Appeals by October 7, 2027.

Schaffer asks if there are questions from the Commission.

Osborne states in the analysis that pick-up and drop-off should occur in front of the house, while the conditions indicate the rear of the property.

Trotter states that it will be located at the front of the house.

Osborne mentioned that it is not valid and needs to be removed from the conditions.

Mishler notes that in the past, much of the pick-up and drop-off has occurred in the alley. Is there any concern about traffic disruption in the neighborhood.

Trotter states that due to the size of her home, she will be limited to a low volume, making it suitable for a low-volume home daycare.

Schaffer calls the petitioner forward.

Elissa Garcia, residing at 721 Maple Row.

Schaffer asks if there are questions from the Commission.

Jones asks whether the petitioner has seen the listed conditions and if they agree with them.

Garcia responded with a yes.

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

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

Schaffer closes the public hearing.

Schaffer calls for a motion.

Osborne makes a motion to approve 25-X-07 with a Do-Pass Recommendation to the Board of Zoning Appeals (BZA). Osborne proposed changing condition 10 to indicate that pick-up and drop-off will occur in front of the property rather than in the rear. Jones seconded the motion, which carries.

Osborne- Yes

Boecher- Yes

Jones- Yes

Lawson- Yes

Mishler- Yes

Schaffer- Yes

25-PUDA-02 PETITIONER IS Emerson North Creek Development and Northern Investments, LLC

PROPERTY IS LOCATED AT VL Emerson Drive and Karen Drive

Per Section 20.4.B and 20.10.B.1, a Major Amendment to Planned Unit Development Ordinance 4143 and 4360 as a conceptual planned unit development, to add land not previously included in the Northfield Market PUD, approximately 16.62 acres to the PUD, to allow for the uses and the construction of: a 336 unit apartment complex (R-4, Multi Family Dwelling District) and a climate controlled self-storage facility (B-3, Service Business District). To also permit a minimum dwelling unit size of 550 square feet (for a studio) and 720 square feet (for one bedroom), where 750 square feet is the

Staff Analysis

Per Section 20.4.B and 20.10.B.1, a Major Amendment to Planned Unit Development Ordinance 4143 and 4360 as a conceptual planned unit development, to add land not previously included in the Northfield Market PUD, approximately 16.62 acres to the PUD, to allow for the uses and the construction of: a 336 unit apartment complex (R-4, Multi Family Dwelling District) and a climate controlled self-storage facility (B-3, Service Business District). To also permit a minimum dwelling unit size of 550 square feet (for a studio) and 720 square feet (for one bedroom), where 750 square feet is the minimum dwelling unit size.

The petitioner is seeking to add land to the Northfield Market Planned Unit Development in order to construct a 336-unit apartment complex on the south side of Emerson Drive west of Cassopolis Street. There is proposed to be seven (7) buildings, each with 48 units comprising studio, one bedroom and two-bedroom apartments. The complex will have a club house with a pool and pickleball courts. Other amenities within the complex are a dog run area, grilling area, gathering pavilions and a one-mile walking trail that will ring the perimeter. It is also proposed to have approximately ten acres of existing wooded area be maintained along with a self-storage facility for the use of the residents. The phasing for the development has not yet been established. When the project is submitted for Technical Review and for Final Site Plan to the Plan Commission the developer will have had time to refine the phasing for the project.

Currently the zoning ordinance permits the smallest dwelling unit size of 750 square feet. This project is requesting as part of the approval to have the smallest studio unit be 550 square feet and the smallest one-bedroom unit be 720 square feet. The request is in keeping with other new apartment complex developments that have been approved within the last two years.

Primary access will be from Emerson Drive. That entrance provides connections to signalized intersections both at Cassopolis Street and County Road 6. The secondary exit will be by way of Karen Drive. In 2022, the city along with the two commercial auto dealers, negotiated the dedication of the first 525 feet Karen Drive from Cassopolis Street, between those two property owners. The plan is to connect the proposed development to the dedicated right of way portion of Karen Drive. The city has engaged a consultant to negotiate with the remaining three property owners.

This project will add an additional 336 housing units to the community. These units will fill a need and are targeted for workers between 80% to 120% Area Median Income. The Zimmerman Volk Housing study, updated in 2022, highlighted the need for housing for every income level and type for the city.

Recommendation

The Staff recommends approval of the Major Amendment to the Planned Unit Development per Section 20.4.B and 20.10.B.1, Ordinance 4143 and 4360, as a conceptual planned unit development, to add land not previously included in the Northfield Market PUD, approximately 16.62 acres to the PUD, to allow for the uses and the construction of: a 336 unit apartment complex (R-4, Multi Family Dwelling District) and a climate controlled self-storage facility (B-3, Service Business District). To also permit a minimum dwelling unit size of 550 square feet (for a studio) and 720 square feet (for one bedroom), where 750 square feet is the minimum dwelling unit size, based on the following findings of fact:

- 1) The Comprehensive Plan calls for this area to be developed with mixed land uses. The proposed apartment complex is compatible with the current commercial uses that surround a majority of the site.
- 2) The proposed apartment complex, storage facility and amended unit size should not impact the other permitted uses approved for this PUD or have a substantial negative effect on the surrounding uses.
- 3) The proposed apartment complex, storage facility and amended unit size will not adversely impact the land within the area of the Planned Unit Development as the proposed uses are already permitted within the Northfield Market Planned Unit Development.

19 letters were mailed, and two responses were returned, neither in favor, accompanied by comments:

We border the property for which you are planning a Planned Unit Development (PUD), and we would like to voice our objections. We are not in favor of this development and will be attending the meeting in person.

Our primary concerns include the retention ponds near Christiana Creek, as this is a source of Elkhart City water. Additionally, we require a real privacy fence (no chain-link fence) along our property line. This would help reduce noise and provide security. Currently, we experience many trespassers from the neighboring apartments, and there have been numerous police chases through our woods directly to our home and North Drive. Some of these incidents have been very serious. This area has become an escape route for criminals, and we need the privacy fence to protect ourselves and our property.

We are also extremely concerned about light pollution. The situation has become unbearable due to the bright lights from the car lots and homes on Karen Drive and North Drive. These should not have been permitted.

When Walter Compton owned this land, he intended for it to remain a wildlife refuge. The development will disrupt the local wildlife.

We, Vickie Kidder and Perry Germann, are not in favor of this project.

2. Tom Hatfield notes that since the opening of Highlands Apartments, vandalism has increased in the neighborhood.

Schaffer asks if there are questions from the Commission.

Mishler asks whether we are making a final decision or providing a recommendation to the BZA or Common Council.

Trotter replies to the recommendation of the Common Council.

Mishler continues to add infrastructure on Karen Drive as an alternative route capable of supporting emergency vehicles and other traffic volumes.

Trotter explained that this route is a secondary access point for the complex, with the primary access being from Emerson. The plan is to negotiate with the previous property owners to secure proper access from the area now designated for Karin to the back end of the development.

Schaffer calls the petitioner forward.

Sharon Krone and Scott Krone of Cribb Holdings, located at 1189 Wilmette Ave, Suite 295, in Wilmette, Illinois. We would like to extend our condolences on the passing of Ron Davis, a member of the planning commission. The petitioner is seeking to expand the Northfield Market Planned Unit Development by adding land to construct a 336-unit apartment complex. This complex will be situated on the south side of Emerson Drive, west of Cassopolis Street. The proposal includes seven buildings, each with 48 units, offering studio, one-bedroom, and two-bedroom apartments.

The complex will feature a clubhouse with a pool and pickleball courts, along with additional amenities such as a dog run, a grilling area, gathering pavilions, and a one-mile walking trail encircling the perimeter.

Schaffer asks if there are questions from the Commission.

Mishler asks if there has been any direct outreach to the neighbors, such as going to their homes, calling, or sending letters.

Krone confirmed that we reached out and explained the development design.

Mishler continues to inquire about the meaning of the term "market rate" when discussing rent.

Krone replies will have one type of studio, three types of one-bedroom apartments (one with a den), and two types of two-bedroom apartments.

Mishler inquires about the specific price range.

Krone replies that what sets our program apart is our unique approach to creating housing solutions for those working in Elkhart. We have established a program in which a nonprofit organization will contribute \$700 per month toward rent for each unit for 15 years.

For example, if the market rent is \$1,500 per month, the nonprofit will cover \$700, leaving the tenant responsible for \$800. This arrangement ensures that the tenant's payment falls below the federal requirement of 80% of the Area Median Income (AMI).

Mishler continues to inquire whether you are requesting any financial assistance from the municipal government, such as TIF funds, matching funds, or gap coverage.

Krone replies yes

Boecher asks if the units affordable to 80/20 AMI have income restrictions for residency in the development.

Krone explains that it is a market-rate apartment complex. If someone does not work in Elkhart, they would simply pay the market rent. However, if an individual does work in Elkhart and meets the financial qualifications, they would automatically qualify to live there. This includes teachers, doctors, first responders, and employees of any local company.

Boecher emphasizes that the federal government does not fund this.

Krone responds with a no.

Boecher states that he has never come across a project like this, emphasizing its uniqueness.

Krone states that we are applying for a patent for it since we created it.

Schaffer asks whether you are proposing a market-rate apartment complex and whether you have a unique financing approach to accompany it. He suggests that if, for some reason, that financing approach fails, you will still have a market-rate apartment complex, as the land use for the Planned Unit Development (PUD) supports that. Is that a fair statement

Krone replies Yes.

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

I, Chad Rapp, of 218 Karen Drive, do not approve the use of Karen Drive for this project. The easements do not permit gates or Gurley Leep access. We never received any information regarding this project and how it affects Karen Drive's use as a secondary access road. My concern is the level of crime in our neighborhood. As residents of Karen Drive, we need to be taken care of.

Joe Geyer, of 200 Karen Drive: I am not in favor of this project. I am concerned about the wildlife and the width of the road. If it is intended only as a secondary road, the responsible action would be to find an alternative route. We need to prioritize taking care of the current residents first by facilitating buyouts, and then proceed with the construction.

Perry Germann, of 150 North Drive, mentioned that Senator Bontrager bought this house to preserve it for wildlife. I have had to act as a policeman to stop bad individuals; I've encountered stolen cars, which is just one example of the many issues we've faced. We haven't seen any drawings or plans regarding what is being proposed. Where will the watershed be. Christiana Creek has been essential for Elkhart. We are requesting a fence around my property to keep these people out.

Schaffer closes the public hearing.

Schaffer asks if there are questions from the Commission.

Mishler states that what we are voting on today is a recommendation to the common council. It will go to the common council, which will have the final vote, allowing the public to know what we are voting on today.

Schaffer asks the petitioner about how critical the plan on Karen Drive is.

Krone explains that there are two components to consider: the utility service and fire and safety requirements. To establish a looped water service, the city wants the water to enter from Cassopolis and exit through Karen Drive. This setup is intended to prevent stagnant water and ensure the safety of the fire department and ambulance services. They requested two access points. We believe that for all the parking and apartments located south of Karen, the closer access point should be off Emerson.

Schaffer briefly discusses the security measures for residences, specifically addressing the question about fences. Krone mentioned that we consulted with the residents regarding a bike trail, and I said I would look into it. We made efforts to reach out by calling and leaving messages; however, if we called the wrong numbers, we may have misdialed.

From a security standpoint, we are implementing the highest level of technology available. There will be cameras on-site, and a fob system will control access to the building and apartments. With this combination of security measures, we will ensure the highest level of safety.

Jones inquires if there are any objections to erecting the fences as proposed by the gentlemen.

Krone replied that they are open to exploring the idea. However, they are not entirely familiar with the topography at the far end of the south, as all of their efforts have been focused on the north. If they decide to make any developments in that area, they want to ensure that they do not cause any negative impacts. They are open to installing a fence, but the details would need to be worked out during the technical review. Additionally, they are unsure of the creek's exact location because the survey does not clearly mark it.

Jones suggests that since you weren't successful in speaking with those individuals, perhaps you could have a conversation or meeting with them.

Krone replies with complete certainty.

Schaffer mentioned that Osborne has a question for Trotter.

Osborne asks Trotter if the city has engaged a consultant to negotiate with the three remaining property owners. Did this address the issue, or did you get a separate consultant for the negotiations.

Trotter mentioned that the city's redevelopment team is collaborating with a consultant to accomplish this.

Schaffer mentioned, I don't believe any of that outreach has taken place yet.

Schaffer closes the public hearing.

Jones inquires about the date of the first reading for the common council.

Schaffer asks Trotter when it will go to the Common Council.

Trotter indicates that if the November meeting does not go to a committee, the first reading will be on the 20th, followed by the second reading later in the month. I am uncertain if it is scheduled for the third.

Maggie Marnocha, Plan Commission Attorney: I want to clarify that we do not have the necessary right-of-way to extend Karen Drive. I recommend including this as a condition in your recommendation to the council. Otherwise, if you send it to the council and they approve it without this agreement, we may encounter issues later on.

Schaffer states that Mishler inquires about how to include the recommendation that Marnocha suggests regarding the motion. Schaffer believes it should be recommended to the council that, if they choose to rezone this and approve the PUD amendment, the city legal should work with them. He suggests that the connection to Karen Drive must be completed before the technical review is approved. Therefore, if you would like to make a motion, it should be in favor of recommending approval of the PUD amendment as presented by the staff, with the condition that the common council considers the connection to Karen Drive prior to any development. Subsequently, the common council and legal can collaborate on this matter.

Schaffer calls for a motion.

Mishler makes a motion to approve 25-PUDA-02 with a Do-Pass recommendation to the Common Council, adding that the right-of-way must be affirmed for the project prior to passage; the motion was seconded by Osborne, and the motion carries.

Osborne-Yes
Boecher-Yes
Jones-Yes
Lawson-Yes
Mishler-Yes
Schaffer-Yes

25-Z-01 PETITIONER IS Steven Merle Anderson and Linda Anderson

PROPERTY IS LOCATED AT VL 600bl Mishawaka Street

Per Section 29.11.B, Map Amendments, a request to rezone VL Mishawaka Street (02-32-352-016), from M-1, Limited Manufacturing District to R-3, Two-Family Dwelling District

Staff Analysis

Per Section 29.11.B, Map Amendments, a request to rezone VL Mishawaka Street (02-32-352-016), from M-1, Limited Manufacturing District to R-3, Two-Family Dwelling District.

The petitioner is requesting to rezone the .45-acre parcel from M-1, Limited Manufacturing District to R-3, Two Family Dwelling District for the purpose of redeveloping long vacant land for two duplexes. The petitioner seeks to align the zoning request with the land east and north of the property in question, which is zoned R-3, Two-Family Dwelling District.

The proposed duplexes will face Mishawaka Street with alley access to the north for parking. The platted alley runs east and west from Michigan Street to Edwardsburg Avenue.

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

This request will allow the property to be redeveloped and continue to chip away at the shortage of housing in our community as outlined in the Zimmerman Volk Housing study. The city needs housing at every level, and this request helps the city in supporting redevelopment on infill lots throughout the city

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 mixed land uses;
- 2) Current conditions and the character of current structures and uses in each district will not be impacted because the proposed use will blend well with the surrounding commercial and existing residential uses;

- 3) The R-3, Two Family Dwelling District does allow for the most desirable uses for which the land can be adapted;
- 4) The proposed rezoning will preserve the conservation of property values throughout the City because it is adjacent to other residential uses;
- 5) The rezoning of the property to R-3, Two Family Dwelling District is compatible with the surrounding properties and does reflect responsible growth and development, because the redevelopment as two duplexes is permitted within the R-3 District.

There were 26 letters mailed: 2 returned in favor and 1 returned not in favor with comments.

John and Robin Slauf express our opposition to this development because we have lived in this neighborhood for over 35 years. It has transformed from a nice, quiet, decent area to one that is no longer quiet and well-maintained. We don't need more construction, especially after the recent addition of three duplexes directly across the street from us. Therefore, we oppose any further development.

Schaffer asks if there are questions from the Commission.

Mishler inquires about the property's prior use.

Trotter mentioned that he believes the area was vacant and used for overflow parking. A development proposal to the west was proposed, but it did not materialize. Currently, the remaining areas to the north and east are all zoned R3.

Mishler continues: the only reason I ask is that, going from manufacturing to residential, any potential environmental contamination is considered by the staff in the zoning process, along with the history.

Trotter is unaware and believes that it has always been vacant.

Schaffer inquires if the hand-drawn sketch included in the staff report complies with the zoning ordinance.

Schaffer calls the petitioner forward.

Steven Merle Anderson, located at 21520 Channel Parkway, and Ashley Pilot, at 465 Simpson Ave, Unit 3-3, are petitioning to rezone a 0.45-acre parcel from M-1 (Limited Manufacturing District) to R-3 (Two Family Dwelling District). The purpose of this rezoning is to redevelop long-vacant land for the construction of two duplexes. The petitioner aims to align the zoning request with the existing R-3 zoning of the properties to the east and north of the site in question.

Schaffer asks if there are questions from the Commission.

Mishler asks whether these will be rental units or whether they plan to sell the property once it is complete.

The pilot responded that it would be a rental.

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

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

Schaffer closes the public hearing.

Mishler makes a motion to approve 25-Z-01 with a Do-Pass Recommendation to Common Council; seconded by Jones. Motion carries.

Jones-Yes
Boecher-Yes
Lawson-Yes
Osborne-Yes
Mishler-Yes
Schaffer-Yes

Schaffer mentions that he has spoken with our attorney and Trotter regarding this matter. I previously had a financial interest that I no longer hold. After discussing this with them, we agreed that the best course of action is for me to continue as the presiding officer. However, I will abstain from voting on this issue. Even though I no longer have a financial interest, it's important to note that there are only five members, and all must agree on this matter.

25-Z-02 PETITIONER IS Jenway Majestic, LLC and Wrangler Real Estate, Inc.
PROPERTY IS LOCATED AT VL Vernon Avenue and Greenleaf Boulevard

Per Section 29.11.B, Map Amendments, a request to rezone Vacant Land Vernon Avenue – parcels – 20-02-35-351-017, pt. of 20-02-35-352-035, pt. of 20-02-35-352-033, from R-1, One Family Dwelling District to R-2, One Family Dwelling District.

Staff Analysis

The petitioner is requesting Per Section 29.11.B, Map Amendments, a request to rezone Vacant Land Vernon Avenue – parcels – 20-02-35-351-017, pt. of 20-02-35-352-035, pt. of 20-02-35-352-033, from R-1, One Family Dwelling District to R-2, One Family Dwelling District.

The land that is a part of the rezoning request is the land in the extended Vernon Avenue preliminary subdivision that will be known as Vernon's Reserve that will have 21 lots for one family residential development. The request is based on a number of factors.

The cost of residential development is considerable. Infrastructure costs which include design and materials for the water and sanitary sewer have made the ability to develop land for residential uses far more challenging than in past years. By allowing the developer to meet the R-2 standards four (4) more lots can be accommodated within the proposed subdivision thus lowering the per lot cost.

The proposed 21 lots at the R-2 density allow the city to continue to address the housing shortage in our community. Elkhart needs new housing at every income level as outlined in the Zimmerman Volk Housing Study updated in 2022. Last, due to the right-way for the extended Vernon Avenue places limitations on the depth of the lots as only one side of the road could meet the R-1 development standard.

The pending Unified Development Ordinance (UDO) zoning ordinance depicts the updated lot width as 60 feet – which is the current R-2 development standard. The standard was lowered in part to meet the need for more developable lots for new housing and to also acknowledge the increasing cost of infrastructure by allowing a slight increase of density for the developer.

Recommendation

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

- 1) The Future Land Use map for this area has not yet been adopted. It is envisioned the map, when adopted, will call for low density residential uses;
- 2) Current conditions and the character of current structures and uses in each district will not be impacted because the proposed single-family development will blend well with the surrounding residential uses;
- 3) The R-2, One Family Dwelling District does allow for the most desirable uses for which the land can be adapted;
- 4) The proposed rezoning will preserve the conservation of property values throughout the City because it is adjacent to other residential uses;
- 5) The rezoning of the property to R-2, One Family Dwelling District is compatible with the surrounding properties and does reflect responsible growth and development, because the redevelopment as single family housing is permitted within the R-2 District.

A total of 26 letters were mailed, and 2 were returned, which were not in favor.

Schaffer asks if there are questions from the Commission.

Mishler asks whether the change in lot size affected the homes' square footage.

Trotter responds that it will probably not affect the sizes of the houses.

Schaffer calls the petitioner forward.

Crystal Welsh from Abonmarche, located at 303 River Race Drive, is representing the petitioner. The petitioner is requesting to rezone the vacant land on Vernon Street from R-1 (One Family Dwelling District) to R-2 (One Family Dwelling District). The proposed change would apply to the northern end of the property, specifically the Vernon Street extension.

The request includes 60 feet of frontage and a reasonable lot size, consistent with urban development in this area. The location is suitable for connecting to sewer and water services, enabling smaller lot sizes. The homes planned for this area are designed to be between 1,300 to 1,500 square feet, in keeping with existing structures. This development will offer homes on varying lot sizes, including smaller, medium, and larger options.

Schaffer asks if there are questions from the Commission.

Osborne inquires whether there will be street parking available.

Welsh states that the streets will be designated as city streets and will meet all city requirements. Each unit will accommodate two parking spots, but parking is designated by the city. The development will be designed to city standards.

Osborne seems to be at a dead end in that cul-de-sac. I just want to ensure that fire trucks and first responders can get through.

Welsh replies that the engineering department will decide once the street is dedicated, as the cul-de-sac hasn't been designed to accommodate life safety vehicles.

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

Sara Mitchell, 3325 Vernon Avenue: This started as a 7-lot cul-de-sac and has now expanded to 25 lots. Can you explain that to me.

Schaffer explains that the plan commission cannot clarify this, but we can ask the petitioner to provide an answer.

Mitchell continues to inquire about an entrance to Greenleaf in the 25-lot neighborhood.

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

Schaffer requests that the petitioner respond to the public comments at this time.

Welsh explains that last year, the developer submitted a request to annex and subdivide a portion of the property we are discussing today. Since then, the adjacent acreage to the east, which was within the county limits, was annexed earlier this year. As a result, we are now considering a larger piece of property, which allows us to add 14 lots off Vernon Avenue and an additional 4 lots on Greenleaf. It is important to note that there is no access to the rear property on Greenleaf. In total, there will be 5 new lots; one has already been platted, and 5 additional lots on Greenleaf will provide access to this subdivision primarily from Vernon Avenue.

Schaffer closes the public hearing.

Mishler makes a motion to approve 25-Z-02 with a Do-Pass Recommendation to Common Council; seconded by Jones. Motion carries.

Boecher-Yes

Jones- Yes

Lawson-Yes

Osborne-Yes

Misher- Yes

Schaffer- Abstain

25-SUB-01 PETITIONER IS Jenway Majestic, LLC and Wrangler Real Estate, Inc.

PROPERTY IS LOCATED AT VL Vernon Avenue and Greenleaf Boulevard

Per Article 4 of the Subdivision Ordinance, approval of an amended Preliminary Plat for subdivisions known as 'Greenleaf Place Subdivision and Vernon's Reserve Subdivision,' to add an additional seventeen (17) lots to the original eight (8)-lot subdivision request; a part of the Southwest Quarter of Section 35, Township 38 North, Range 5 East, Osolo Township, Elkhart County, Indiana..

Staff Analysis

Per Article 4 of the Subdivision Ordinance, approval of an amended Preliminary Plat for subdivisions known as 'Greenleaf Place Subdivision and Vernon's Reserve Subdivision,' to add an additional seventeen (17) lots to the original eight (8)-lot subdivision request; a part of the Southwest Quarter of Section 35, Township 38 North, Range 5 East, Osolo Township, Elkhart County, Indiana.

The preliminary plat depicts Vernon Avenue continuing to a cul de sac at that would terminate at the eastern end of the proposed subdivision – that part of the development would be known as Vernon's Reserve for a total of twenty-one (21) lots for the extension of Vernon Avenue. The four lots to front on Greenleaf Boulevard would be known as Greenleaf Place for a total of five (5) lots fronting on Greenleaf Boulevard.

The retention proposed for the new street will be accommodated in roadside swales – one on each end of the extended Vernon Avenue. The layout design will include five-foot sidewalks to facilitate pedestrian use. The plat includes required setbacks that demonstrate that each lot is buildable. There will also be a sanitary sewer easement for the purpose of extending a sewer connection to Greenleaf Boulevard and the extended Vernon Avenue.

The petitioner also has a rezoning request (25-Z-02) filed for the portion of the subdivision for the area known as Vernon's Reserve – the street extension of Vernon Avenue. The petitioner is seeking to rezone that portion of the land from R-1, One Family Dwelling District to R-2, One Family Dwelling District for the purpose of providing developmental parcels that meet the current R-2 standards. The pending Unified Development Ordinance (UDO) (zoning ordinance update) depicts the updated lot width as 60 feet – which is the current R-2 development standard. The standard was lowered in part to meet the need for more developable lots for new housing and to also acknowledge the increasing cost of infrastructure by allowing a slight increase of density for the developer. The rezoning request will be heard under a separate petition. The secondary plat will remain pending until the common council hearing. Should the request be granted, the petitioner may move forward with the final plat. Should the rezoning be denied, the petitioner will be required to refile the preliminary plat depicting larger lots.

The Broadmoor Subdivision to the west of the area that is part of this petition and incorporates much of the area for Neff, Calumet and Vernon, the original platting for that area with lot at 50 x 125. The way the area developed had two or more platted lots assembled to develop the suburban style home popular in the 1950's through the 1970's. It is safe to assume the original intent of the greater Broadmoor Subdivision was to have a greater density than what was subsequently built and developed.

The project meets the requirements of the Zoning and Subdivision Ordinances including lot size, layout, and street width. It has not been submitted yet to the city's Technical Review process but will be required to do so and pass prior to construction. Staff has had preliminary review around the technical aspects of the project and no issues are anticipated.

Recommendation

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

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

The City of Elkhart Planning Staff has reviewed the subject petition and recommends approval a Preliminary Plat per Article 4 of the Subdivision Ordinance, which is approval of an amended Preliminary Plat for subdivisions known as 'Greenleaf Place Subdivision and Vernon's Reserve Subdivision,' to add an additional seventeen (17) lots to the original eight (8)-lot subdivision request; a part of the Southwest Quarter of Section 35, Township 38 North, Range 5 East, Osolo Township, Elkhart County, Indiana.

The lots meet the minimum lot area requirements for the R-1 and R-2, One-Family Dwelling District.

- 1) Lots 1-4 along Greenleaf Boulevard proposed single-family lots meet all of the bulk standards of the R-1 Zoning District, One-Family Dwelling District, specifically, minimum lot size, lot frontage, and property development setbacks;
- 2) Lots 5-25 along Vernon Avenue proposed single-family lots meet all of the bulk standards of the R-2 Zoning District, One-Family Dwelling District, specifically, minimum lot size, lot frontage, and property development setbacks;
- 3) In review of the proposed preliminary plat for a new major subdivision, Staff finds the petitioner has demonstrated compliance with all the enacted regulations of both the City of Elkhart Zoning and Subdivision Control Ordinance.

Conditions

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

Trotter states that 25 letters were mailed, but 1 was returned, and it was not in favor.

Schaffer asks if there are questions from the Commission.

Schaffer notes that this will not go before the Common Council; it will be a final vote with the Plan Commission.

Schaffer calls the petitioner forward.

Crystal Welsh, representing the petitioner, is with Abonmarche at 303 River Race Drive. If you have any questions, I would be happy to answer them.

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

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

Schaffer closes the public hearing.

Boecher makes a motion to approve 25-SUB-01 with a Do-Pass Recommendation for Preliminary Plat; seconded by Jones. Motion carries.

Lawson- Yes
Boecher- Yes
Jones- Yes
Osborne-Yes
Mishler- Yes
Schaffer-Yes

25-SI-08

Approval of proposed addresses for the City of Elkhart.

Staff Analysis

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

Residential

1580 West Franklin Street New Single-Family Dwelling 20-06-07-252-033.000-012
2401 Waterbend Drive New Single-Family Dwelling 20-05-12-201-005.000-006
826 Cleveland Avenue New Single-Family Dwelling 20-06-08-329-016.000-012
3900 Bent Oak Trail New Single-Family Dwelling 20-06-20-353-023.000-011

Commercial

699 South 3rd Street-Traffic Signal Box-City of Elkhart

Industrial

2943 Lavanture Place-For Emergency Services for guard shack

Recommendation

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

Schaffer calls for the motion

Mishler makes a motion to **approve** 25-SI-08 with a Do-Pass Recommendation; seconded by Lawson. Motion carries.

ADJOURNMENT

Schaffer makes a motion to adjourn; Second by Mishler. Motion carries

Trotter states that there will be a special plan commission meeting on October 20th. We need five members present, and there will be two petitions.

Jeff Schaffer, President

Aaron Mishler, Vice-President

DRAFT

PLAN COMMISSION

-MINUTES-

Monday, October 20, 2025 - Commenced at 1:45 P.M. & adjourned at 2:32 P.M.
City Council Chambers – Municipal Building

The Elkhart City Plan Commission was called to order by Jeff Schaffer at 1:45 P.M.

MEMBERS PRESENT

Diana Lawson
Rochali Newbill
Andy Jones
Dave Osborne
Bil Murray
Aaron Mishler
Jeff Schaffer

Members Absent

Dan Boecher

REPRESENTING THE PLANNING DEPARTMENT

Eric Trotter-Asst. Director of Planning

LEGAL DEPARTMENT

Maggie Marnocha, Corporation Counsel

RECORDING SECRETARY

Jen Drlich

APPROVAL OF AMEND AGENDA

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

APPROVAL OF AGENDA

Motion to approve by Lawson; seconded by Mishler.

APPROVAL OF PROOF OF PUBLICATION

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

NEW BUSINESS

25-PUDA-02 PETITIONER IS Emerson North Creek Development and Northern Investments, LLC
PROPERTY IS LOCATED AT VL Emerson Drive and Karen Drive

Request for clarification regarding the conditions made in the motion

Mishler makes a motion to table 25-PUDA-02 until council is present; Seconded by Jones. Motion carries

Irwin calls the petitioner forward.

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

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

Irwin closes the public hearing.

Irwin calls for a motion.

Mishler makes a motion to approve 25-FSP-03 with a Do-Pass Recommendation; Second by Boecher. Motion carries

Osborne- Yes

Boecher- Yes

Lawson- Yes

Mishler- Yes

Irwin- Yes

25-ANX-03 PETITIONER IS City of Elkhart Board of Works (Michael C Machlan)

PROPERTY IS LOCATED AT E Hively Avenue – Prairie Street Cemetery Areas

As prescribed by Section 29.11.B, a request to annex land south of Hively Avenue, including both developed and undeveloped land for the Prairie Street Cemetery, land containing approximately 25.85 acres, including right of way.

Staff Analysis

This staff report is being prepared for annexation 25-ANX-03 to annex approximately 25.85 acres of land in Concord Township, that currently contains the Prairie Street Cemetery as well as vacant land for the purpose of cemetery expansion.

The land is currently zoned R-1, One Family Dwelling District in Elkhart County and will remain the R-1 zoning after the annexation. The purpose of this annexation petition is for the city bring the city cemetery into the municipal city boundary. For future expansion -

The annexation request is voluntary. The property meets the contiguity requirement in order to file a petition to seek annexation. The territory to be annexed is 33.55% contiguous to the current city limit, which more than the 12.5% contiguous to the current City limits as required in Indiana Code.

As identified in the Fiscal Plan prepared by Baker Tilly, the property is tax-exempt. The annexation will result in no impact to the tax rate or tax levy of other taxing units.

Recommendation

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

1. The area to be annexed meets all applicable requirements of IC 36-4-3;
2. The Comprehensive Plan map has not been approved for this area; it is anticipated that the revised map will designate its future land use as residential;
3. The current conditions and the character of future structures is consistent and the City will be enhanced by the annexation;
4. The annexation is in accordance with the most desirable use as an existing cemetery;

5. The annexation will conserve property values throughout the jurisdiction; and bring the city cemetery into our community;

6. The annexation represents responsible growth and development of the City of Elkhart

Schaffer asks if there are questions from the Commission.

Mishler is asking if there is a timetable for the expansion.

Trotter responds to the chief of staff will address.

Schaffer calls the petitioner forward.

Megan Erwin, the chief of staff for the city of Elkhart, stated that there is currently no timeline for the prairie expansion due to the city's financial situation with SEA1. We are currently evaluating all of our capital projects for funding and considering a phased approach to the expansion based on what the city can afford in the coming months.

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

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

Schaffer calls for a motion.

Mishler makes a motion to approve 25-ANX-03 with a Do-Pass Recommendation to the Common Council; Second by Lawson. Motion carries

Osborne- Yes

Newbill- Yes

Jones -Yes

Lawson- Yes

Murray- Yes

Mishler- Yes

Schaffer- Yes

Schaffer calls for a motion

Mishler makes a motion to remove 25-PUDA-02 from the table; seconded by Jones. Motion carries

Schaffer calls Maggie Marnocha to come forward.

Schaffer expressed concern that Trotter is not fully clear on the conditions included in the motion voted on a couple of weeks ago. Mishler made the motion to open the discussion, and I understood it to be a recommendation from the Plan Commission that the PUD Amendment should go to the Common Council with a "do pass" recommendation. However, the Common Council should not approve it until the Karen Drive access is established. All members present agreed.

Marnocha clarified that the motion was presented differently than the president stated, to ensure everyone understood what they were voting on.

25-TXT-01 PETITIONER IS City of Elkhart

PROPERTY IS LOCATED AT All properties located within the City of Elkhart

The City of Elkhart seeks the review and adoption of updated language found in Unified Development Ordinance (UDO).

Staff Analysis

The purpose of updating the current zoning ordinance to a Unified Development Ordinance was to make sure the City remains competitive from an economic development standpoint and to ensure we regulate land use efficiently and effectively. With that stated purpose, a number of goals were developed to guide the process of the update. Those original goals were - Create a more user/business-friendly ordinance that can be understood by all; Simplify regulations and remove inconsistencies and redundancies to result in more concise standards; Re-organize the ordinance to make it easier for the public to find the information they're looking for; Add more graphics, tables, and charts to better convey the regulations in the ordinance; Increase flexibility within the ordinance to allow planning staff to work with the applicants to get the best outcome based on site conditions, Add districts or standards to address new development types while removing regulations that are no longer applicable; Ensure consistency with changes in state and federal law; and Ensure consistency with the vision and policies of the comprehensive plan.

While the original goals of this update have remained the same, which was to make sure our City remains competitive from an economic development standpoint and to ensure we regulate land use efficiently and effectively - a number of circumstances caused us to reevaluate and expand the original scope. The largest of which were the new neighborhood plans (River District, Downtown and Benham) that were drafted over the last two and a half years to three years. They focused on neighborhood identity, density and design, walkability and an emphasis on housing which helped to guide the development of the UDO.

Over the course of the project, public input was gathered during in-person meetings, public engagement at the Farmer's Market, online survey and project website. Dozens of hours were spent receiving feedback, compiling responses and incorporating them into the document. Updates were provided to the Plan Commission at intervals along the way.

The final update created a more user/business-friendly ordinance that can be understood by all, simplified regulations and removed inconsistencies and redundancies to result in more concise standards, re-organized the ordinance to make it easier for the public to find the information they're looking for and added more graphics, tables, and charts to better convey the regulations in the ordinance. The document also increased flexibility within the ordinance to allow planning staff to work with the applicants to get the best outcome based on site conditions, added districts or standards to address new development types while removing regulations no longer applicable, ensures consistency with changes in state and federal law, and ensures consistency with the vision and policies of the comprehensive plan.

Chapter 1 General Provisions –

The General Provisions chapter outlines the statutory authority to adopt the Unified Development Ordinance under state law, the UDO's purpose to promote public health, safety, morals and general welfare for land use and development in the City of Elkhart. This chapter also outlines the interpretation and conformance with the Comprehensive Land Use Plan, provides for severability language that should any part of the UDO be declared invalid, such declaration shall not affect the validity of the UDO as a whole or in part.

Chapter 2 Applicability and Conformity –

This chapter outlines in part the Jurisdiction – which applies to all land, uses and structures within the city's planning jurisdiction; Compliance Requirements – no building or structure shall be occupied, no excavation, no building enlarged unless in conformity with this ordinance; Permits and Certificates – require permits be approved and obtained prior to work commencing. This chapter also describes the purpose of Nonconformities in order to establish clear and consistent methods of addressing nonconforming lots, uses, structures and signs resulting from an interpretation or amendment of the regulations or the zoning classification or reclassification of a property.

Chapter 3 Zoning District –

This chapter establishes the Official Zoning Map for the City and prescribes how Zoning Map Amendments are made. The chapter also determines how Zoning District Boundaries are made and located. The chapter establishes the number of base zoning districts which have been reduced to 10 with four (4) overlay districts and two (2) form based districts. The reduction in the number of districts was made by combining districts that share similar characteristics to each other and had similar impacts to adjacent land uses. Two zoning classifications were eliminated because they were not used and could be easily incorporated into other zoning classifications. All the remaining zoning districts have been renamed to be more descriptive of the districts' intent and purpose. The new nomenclature is an effort for the name to be more in line and reflect the type of activities occurring in these districts. Each base district provides the districts' intent and the type of use typically occurring in the district, the building types – provides a brief listing of buildings found in district, uses – chart of permitted uses and special exception uses, development standards – chart of the dimensional standards for the district, and development conditions specific within each district.

Overlay districts and Form based districts prescribe specific uses, development standards, and architectural standards. Overlay districts establish special considerations for areas of the city regarding uses and development standards to allow for greater flexibility and focus on the character of development. Some overlay districts are more restrictive to development because of sensitive natural features or federal laws – i.e. Airport Overlay District, Riverfront Overlay District, Wetland Conservation Overlay District and Special Flood Hazard Area Overlay District, which are existing and have remained unchanged. The Historic Conservation Overlay District has been updated to reflect the new boundaries of the historic conservation district.

Chapter 4 Use Specific Conditions –

This chapter provides in chart form all of the uses found within the UDO as the Table of Uses. This table consolidated all uses into a chart is new as the prior ordinance listed the uses separately within each chapter. Uses included have been re-named and combined use categories of similar activities with comparable impacts found in the previous ordinance to reflect current land uses. The Table of Uses makes it easier for the user to find and determine which districts a specific use is allowed. Also new to the UDO, the Use Conditions which have been consolidated together in one area of the chapter. Now each use is listed alphabetically with the special development conditions associated with each specific use. The previous ordinance had the use conditions listed by district which was more cumbersome when developing a site plan. Meaningful integration of residential and commercial uses by site, and by building has been incorporated for greater emphasis on development character.

Chapter 5 Building Typologies –

This entirely new chapter provides regulations that establish the scale and design of buildings that are unique to the City of Elkhart in each zoning and overlay district. These regulations are intended to improve the physical quality of the buildings that contribute to the overall character of the City, which emphasizes the importance of how buildings relate to the public right of way. Building Typology separates the uses from the building types which will allow for greater development flexibility by placing a larger focus on the structure. Seventeen building types were developed for the UDO. Staff helped to determine which building type was appropriate for each district based on description and intent. Building types are not intended to limit permitted uses, but to prescribe building characteristics based on their zoning district or overlay district with use as secondary to the building.

Chapter 6 General Regulations –

This chapter establishes standards that apply universally to all land, structures, and uses subject to the UDO. This chapter covers specifically the requirements for the construction of any structure on a lot of record, what are encroachments and how are they measured, development access regulations and addressing as regulated by the Plan Commission. Newly added to the UDO for the benefit of the user is – Rules of Measurement. This part of the chapter outlines the common development standards that staff must perform that require some computation to complete. This allows the user to know exactly how each computation is made and applied. Examples found in the UDO are setback, corner side yard setback, building height, lot coverage and floor area ratio. This chapter is also where the lighting

regulations and requirements are found. It provides standards for all exterior lighting related to height of fixture and light intensity.

Chapter 7 Parking and Loading –

This chapter is to maintain public health, safety, and welfare – the regulations of this chapter establish standards regulating off street parking and loading in accordance with the uses permitted in this Ordinance for the enhancement of the community. This chapter provides the parking standards and regulations for all off street parking area development in the city. Tables have been added by use which shows the minimum parking and bicycle standard for each use. This will make it easier for the user to have the requirement for development in one location. Newly added standards and regulations to the UDO are removal of parking lots for discontinued uses with no primary building, defining storage versus parked for recreational vehicles, flexibility for parking reductions when adjacent to public parking, shared parking credits and updated stacking requirements for commercial drive through establishments. Also added to the UDO is Electric Vehicle charging station language for permitted location, equipment standards and signage. The chapter provides standards for areas that are exempt from minimum parking and parking requirements for change of use.

Chapter 8 Landscaping, Buffers, and Open Space –

This chapter supplements the district regulations for landscape and required buffers in all districts. Landscaping shall be provided for an improved aesthetic quality of development, a visual barrier to partially or completely screen the view of structures or activities or as an acoustic screen to aid in absorbing or deflecting noise. This chapter consolidates all landscape, buffering and screening requirements into one place in the UDO. Much of the information that was carried over from the previous document have been placed in tables to aid the user's ability to find information quickly. A number of graphic examples have been added to provide a visual understanding of the regulation being covered. New requirements added are intended to ensure the ongoing maintenance and survival of landscape and buffering material is irrigation for commercial sites larger than one acre and reducing the spacing of tree placement in required perimeter yards. The fencing regulations have also been updated for corner side yards. This is a direct result of the goal of reducing the number of cases heard by the Board of Zoning Appeals.

Chapter 9 Design Standards –

This chapter's purpose is to promote the orderly development throughout the City of Elkhart. The subdivision layouts shall be of such character to protect the health, safety and general welfare of residents. This chapter incorporates the subdivision standards and regulations that had previously been contained in a separate ordinance. The regulations have been updated to reflect the current statutory requirements. All design elements related to lot and block design, lot arrangement and general site arrangement. The chapter clarifies and requires sidewalks as a means of providing pedestrian accessibility for all residential and commercial development proposals as a part of infrastructure improvements within the public right of way. This chapter also incorporates new types of development types to allow greater flexibility in design and produce innovative residential environments – cluster developments and cottage courts. Cluster Developments provides for more efficient uses of land to protect topographic features (wetlands or scenic views) to permit common areas and open space to remain with clustered residential. Cottage Courts layout as smaller dwellings around an internal courtyard to provide more efficient uses of land and allow for greater density. This chapter also provides each site developed to meet the Public Works Standards for storm water, sewer and water supply systems.

Chapter 10 Design Criteria for Development Plans –

This chapter's purpose recognizes that certain geographic areas have a major impact on the visual and physical character of the City. Many of these geographic areas bisect many different zoning classifications. Geographic areas are established which require higher development standards and increased level of review. This chapter contains the façade element standards for the architectural design standards. Included now for greater clarification are various graphic examples and photographs of each design element to assist the user in understanding what is being depicted.

Chapter 11 Sign Standards –

This chapter establishes a comprehensive system for the regulation of sign within the City of Elkhart to protect the health, safety and general welfare of the city and its residents. To allow the adequate opportunity for free speech in the form of messages or images displayed on signs, while balancing the interest against public safety and aesthetic concerns impacted by signs. To not interfere with traffic safety or otherwise endanger public safety, enhances and protects the aesthetic value of the City by reducing visual clutter that is potentially harmful to property values, economic development and quality of life. This chapter has established a list of signs that do not require permits, signs that are prohibited, prohibited sign locations, establishes sign design standards and measurement rules (sign area, measured sign height, sign setback). There are also extensive charts and graphs that depict by district, the permitted sign types. This will assist business owners and contractors by showing what signs are permitted within each district.

Chapter 12 Environmental Protection & Hazard Mitigation –

This chapter provides regulations and standards for Cultural Resource protection for the repair or rehabilitation of historic structures. Included in the chapter is Grading, Drainage and Erosion Control by providing general standards for construction, performance principles for minimizing erosion and grading for drainage. Two sections that did not change and were carried over intact from the previous ordinance were the Wetland Conservation Overlay District and the Special Flood Hazard Area District and Flood Damage Prevention District. As a community that participates in the National Flood Insurance Program (NFIP) it was essential that the previously approved model ordinance language approved in 2024 remained. This allows the city the ability to receive disaster funding in the event of a natural disaster.

Chapter 13 Development Types –

This chapter provides the development standards for Planned Unit Developments (PUD), Mobile Home Parks (MHP) and Recreational Vehicle Parks and Campgrounds. The Planned Unit Development District is designed to encourage quality land development and site design without the use of typical zoning standards. Mobile Home Parks have specific development standards in part that provide for setback, recreation, street requirements, pedestrian ways, utilities and lighting. Newly added is specific development standards for RV Parks and Campgrounds and design standards to ensure quality development.

Chapter 14 Administrative Procedures & Processes –

This chapter provides detailed explanation of roles and responsibilities of the Planning Director, Common Council, Technical Review Committee, Plan Commission, Plat Committee, Board of Zoning Appeals, Historic and Cultural Preservation Commission and (newly established) Hearing Officer. This chapter also describes and defines pursuant to Indiana Code financial conflicts of interest for members of the Common Council, Plan Commission, Board of Zoning Appeals and Historic and Cultural Preservation Commission. The chapter also provides regulations for Administrative Decisions for development plans and processes for approval. Newly created for the UDO are Allowable Minor Waivers to UDO standards. This process is intended to provide greater flexibility without requiring a formal zoning amendment or variance. This chapter also contains the Subdivision Approval regulations and process which has been updated to meet current state statute.

Chapter 15 Historic and Cultural Preservation Commission Ordinance –

This chapter provides regulations and standards for Cultural Resource protection for the repair or rehabilitation of historic structures. These guidelines aim to support a vision for preserving the historic buildings and structures in the city by identifying places that tell the history of Elkhart. This chapter provides the powers and duties of the Historic & Cultural Preservation Commission and the processes in place that govern the Commission. The chapter also provides regulations for establishing districts, activities that require a Certificate of Appropriateness (COA), what activities can be approved by staff as Staff Approvals. Listed within provides for Development Standards and the necessary Maintenance in order to preserve a historic property. The chapter has criteria for considering effects of actions on historic buildings and visual compatibility when working on a historic building or in the district. Also included is the List of Designated Preservation and Conservation Districts which will make determining the status of a designated property easier.

Chapter 16 Enforcements and Penalties –

This chapter provides for who can enforce the terms and provisions found within the UDO in accordance with Indiana law – Building Department, Department of Code Enforcement, Plan Commission, and the Staff of each department are designated. Determination of a Violation describes who and how can determine a violation, Inspection and Investigation is a new tool that permits a right of entry to investigate as a part of enforcement duties, Initiation of Enforcement Action outlines who and which board may institute a suit or injunction for violating the provision of the UDO, Types of Violations describes the various violations: development standards, use, conditions and commitments. The chapter also covers the Notice of Violation, Types of Remedies and Penalties.

Chapter 17 Language Rules and Definitions –

This chapter provides the Rules of Language Construction which defines the meaning and intent of the words and phrases found in the UDO, the computation of time, the tenses and usages of words and the meaning and usage of conjunctions. This chapter also provides the definitions of terms to ensure clarity and consistency throughout the entire document.

Recommendation

Staff recommends approval of case 25-TXT-01, the proposed zoning ordinance text amendment to a Unified Development Ordinance (UDO), as described above, and send to the Common Council with a “Do Pass” recommendation.

Schaffer asks if there are questions from the Commission.

Schaffer asks Trotter for descriptions of the newer districts in the city. Can you provide us with 30-second explanations about their locations and relevance.

Trotter mentions that Cynthia Bowen and Allison Richardson from REA are also in the audience. The form-based districts are primarily located in the downtown area and the Benham neighborhood. These districts focus on the physical form of development rather than the specific land uses. While some uses may be excluded, the emphasis is on how to redevelop and enhance street frontages and their interaction with the public right-of-way.

Schaffer highlights that developers have raised questions about lot width in single-family residential areas. To help lower infrastructure costs for developers, we are considering reducing lot widths in these residential zones.

Trotter agrees that in our residential districts, we should reduce the number of cases that go before the Board of Zoning Appeals. To achieve this, we will narrow the development width and convert some non-conforming lots to conforming ones. We have reduced the development width in certain districts to allow for by-right development.

Schaffer continues to inquire about the Chapter 7 parking standards you mentioned. What areas are exempt from the minimum parking requirements. I am assuming these are related to the form-based codes downtown and similar regulations.

Trotter primarily serves the downtown area. I would add that it exempts our areas from commercial development that existed before the ordinance was enacted.

Schaffer discusses my last question from chapter 14 regarding how an applicant can apply for a minor waiver and the approval process.

Eric responded that we need to establish a policy and procedure. We have new guidelines related to this, and regarding the hearing officer position, we must adopt certain procedures that this body will approve on how we handle and address those issues moving forward.

Mishler discusses Chapter 14, which covers the administrative procedures and processes. It provides a detailed explanation of roles and responsibilities, so I assume this is for board training. However, my question is: where is the funding coming from.

Trotter responds using funds from the development services budget.

Mishler continues to ensure that everything complies with the council rules outlined in the UDO. I would like to meet with Trotter, as Mishler serves as the Parliamentarian, to ensure consistency across the board.

Newbill inquires about Chapter 15 regarding Historic and Cultural Preservation. There is a building on the corner of Middlebury and Prairie that I believe was a school at one time.

Trotter replied that it is the old Middlebury school.

Newbill continues to inquire whether this falls under the historical classification. Is it a part of Benham or downtown.

Trotter replies that it is not part of either; it stands alone because it is outside of those areas.

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

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

Schaffer closes the public hearing.

Schaffer calls for a motion.

Mishler makes a motion to approve 25-TXT-01 with a Do-Pass Recommendation to Common Council; seconded by Lawson. Motion carries.

Osborne-Yes

Newbill-Yes

Jones-Yes

Lawson-Yes

Murray-Yes

Mishler-Yes

Schaffer-Yes

Schaffer would like to thank Eric Trotter and the staff at REA for all their hard work this week, and I hope it goes well at the council meeting.

STAFF ITEMS

Assign a number to a previously approved plan commission resolution.

Staff Analysis

Resolution of the City of Elkhart, Indiana, Redevelopment Commission designating and declaring the Boulder Run economic development area, and approving an economic development plan. Unfortunately, the original number designated for this resolution was incorrect. Today, we will update the public record by assigning a new resolution number: Resolution No. 4. This change is necessary because the previous number, which carried over from the redevelopment process, must be replaced with our designated number.

Schaffer calls for a motion.

Jones made a motion to approve and assign the Resolution to 04 with a Do-Pass Recommendation, which was seconded by Lawson. The motion carries.

ADJOURNMENT

Jones makes a motion to adjourn; Second by Mishler. Motion carries

Jeff Schaffer, President

Aaron Mishler, Vice-President

DRAFT

2026 ELKHART CITY PLAN COMMISSION CALENDAR

<u>FILE BY DATE:</u>	<u>MEETING DATE:</u>
November 26, 2025	January 5, 2026
December 26, 2025	February 2, 2026
January 30, 2026	March 2, 2026
February 27, 2026	April 6, 2026
March 27, 2026	May 4, 2026
April 24, 2026	June 1, 2026
May 29, 2026	July 6, 2026
June 26, 2026	August 3, 2026
July 31, 2026	September 8, 2026*
August 28, 2026	October 5, 2026
September 25, 2026	November 2, 2026
October 30, 2026	December 7, 2026
November 25, 2026	January 4, 2027

Note: All meetings are held in the Council Chambers, 2nd floor City Municipal Building, at 1:45 p.m. the 1st Monday of each month unless indicated with an asterisk (*).

Reviewed and adopted by the City of Elkhart Plan Commission at its regular meeting on December 1, 2025.

Jeff Schaffer, President

Aaron Mishler, Vice-President



Staff Report

Planning & Zoning

Petition: 25-SI-10

Petition Type: Staff Item - Addressing

Date: December 1, 2025

Petitioner: City of Elkhart Planning & Zoning Department

Site Location: City of Elkhart

Plan Commission Action:

Staff Analysis
Approval of proposed addresses for the City of Elkhart.

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

Residential

1416 Krau Street	New Single-Family Dwelling	20-06-07-277-019.000-012
515 East Street	Residential Apartments	20-06-05-479-008.000-012
1922 Oakland Avenue	New Single-Family Dwelling	20-06-08-354-006.000-012
1809 Stevens Avenue	New Single-Family Dwelling	20-06-09-353-011.000-012

Residential Subdivision

Commercial

2108 Airport Drive H#31-New Hanger

1631 Fieldhouse Avenue- New Service

5150 County Road 6 Change of Addresses annexed Commercial building

1914 Cassopolis Street- New Commercial building

Industrial

2900 Independence Court Change of Addresses annexed Industrial building

2917 Independence Court Change of Addresses annexed Industrial building

Recommendation

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