

PLAN MINUTES
ELKHART COUNTY PLAN COMMISSION MEETING
HELD ON THE 13TH DAY OF JULY 2023 AT 9:30 A.M. IN THE
MEETING ROOM OF THE ADMINISTRATION BUILDING
117 N. 2ND ST., GOSHEN, INDIANA

1. The regular meeting of the Elkhart County Plan Commission was called to order by the Chairman, Roger Miller. The following staff members were present: Mae Kratzer, Plan Director; Jason Auvil, Planning Manager; Danny Dean, Planner; Adam Coleson, Planner; Laura Gilbert, Administrative Manager; and James W. Kolbus, Attorney for the Board.

Roll Call.

Present: Phil Barker, Steve Edwards, Steve Warner, Lori Snyder, Roger Miller, John Gardner, Brad Rogers.

Absent: Steve Clark, Brian Dickerson.

2. A motion was made and seconded (*Edwards/Rogers*) that the minutes of the last regular meeting of the Elkhart County Plan Commission, held on the 8th day of June 2023, be approved as submitted. The motion was carried with a unanimous vote.

3. A motion was made and seconded (*Warner/Snyder*) that the Elkhart County Zoning Ordinance and Elkhart County Subdivision Control Ordinance be accepted as evidence for today's hearings. The motion was carried with a unanimous vote.

4. The application for a zone map change from M-1/R-2 to B-1, for DSJ Property, LLC represented by Freedom Builders, on property located on the northeast corner of Lawrence St. & Wayne St., common address of 304 W. Lawrence St. in Middlebury Township, zoned M-1, R-2, was presented at this time.

Jason Auvil presented the Staff Report/Staff Analysis, which is attached for review as *Case #RZ-0323-2023*.

According to Brad Rogers, the Pumpkin Vine Trail is located to the east of the property. He inquired about whether this would have any effect on the use of the trail. Mr. Auvil responded that it should not but cautioned that people might attempt to park in their parking lot.

Jeremiah Hoschtetler, Freedom Builders, 54824 CR 33, Middlebury, was present representing the petitioner. Mr. Hoschtetler shared that the property is currently divided into different zones, and they would like to unify it under one zone. He suggested that B-1 would be a good fit as it would allow for both parking and office space. When Mr. Miller inquired about any potential changes to the property, Mr. Hoschtetler mentioned that the petitioner plans to construct a new office building.

There were no remonstrators present.

A motion was made and seconded (*Edwards/Gardner*) that the public hearing be closed, and the motion was carried with a unanimous vote.

The Board examined said request, and after due consideration and deliberation:

Motion: Action: Approve, **Moved by** Brad Rogers, **Seconded by** Steve Edwards that the Advisory

Plan Commission recommend to the Board of County Commissioners that this request for a zone map change from M-1/R-2 to B-1 be approved in accordance with the Staff Analysis.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Phil Barker, Steve Edwards, Steve Warner, Lori Snyder, John Gardner, Roger Miller, Brad Rogers.

5. The application for a zone map change from A-1 to GPUD B-3 to be known as NORTH TRACE RV RESORT GPUD B-3, for North Trace RV Resort, LLC represented by Surveying and Mapping LLC, on property located on the west side of CR 29, 1,240 ft. south of CR 56, in Benton Township, zoned A-1, was presented at this time.

Jason Auvil presented the Staff Report/Staff Analysis, which is attached for review as *Case #GPUD-0376-2023*.

Deb Hughes, Surveying and Mapping, 2810 Dexter Dr., Elkhart, was present representing the petitioner. She mentioned that they had a meeting with Mr. Auvil in March to discuss the best way to proceed with the property. Mr. Auvil suggested taking a preliminary step to gauge the level of support for the zone change. They determined if there isn't enough support, spending time on a detailed design would be pointless. Mrs. Hughes reiterated that the proposed change would be to a B-3 zone, permitting the construction of a luxurious resort campground as envisioned by the petitioner. She also mentioned that this zoning is identical to that of the mobile home park situated to the east of the property. Mrs. Hughes indicated that everyone should have the GPUD report as well as the copy of the site plan that was distributed with the application. According to her, the petitioner is a luxury RV enthusiast who also owns a dealership called Showalter RV in Nappanee. She added his family has traveled to various locations, including luxury RV resorts, and there are no similar options in the vicinity. Mrs. Hughes emphasized that this is not a typical trailer park for seasonal rentals, but rather for high-end travel trailers. She also stated that the town of Syracuse has been highly supportive and committed to expanding the; sewer and water facilities to the site, which will be paid for and maintained by the petitioner. Additionally, Mrs. Hughes highlighted the park's amenities and design, as well as the various phases of development. She further noted that the primary access point will be on CR 29, that the property spans 45 acres, and 36% of that will be open space. During the meeting, Mr. Miller inquired about the submission of a DPUD for the project. Mrs. Hughes confirmed that the regulations mentioned would apply to the site once the DPUD is submitted.

Steve Showalter, 23571 CR 38, Goshen, stated he and his family have been avid RV enthusiasts for a long time, traveling to various breathtaking locations across the country. He stressed he stressed prefer high-end resorts with top-notch amenities. However, he continued they noticed that there are no luxury camping sites for luxury RVs in the Elkhart County area. He added they believe that this project will boost the local economy of Elkhart County. As a long-time business owner he stressed, they aspire to create a first-class operation and seek the support of the community to proceed with this venture. Mr. Gardner asked what the property was currently being used for. Mr. Showalter stated the land is currently being used for farming. Mr. Rogers raised a question about the southwest section of the property. Mr. Rogers inquired if the wooded area, which is planned to be cut down, is a wetland area. Mr. Showalter replied that it is high ground, but clearing it is necessary to ensure proper drainage and elevation. He also mentioned that a tree would be planted at each site and provided additional details about the proposed landscaping. Mr. Rogers then asked if campfires would be allowed, and if there would be designated spots for them. Mr. Showalter confirmed that campfires

would be allowed and stated that there would be a designated fire ring at each site. Another topic of discussion was the gated entrance to the north and who would be using it. Mr. Showalter explained that it will be used for maintenance purposes, and all guests will enter through the main entrance. Mr. Rogers focused on the different amenities indicated on the site plan, particularly the pool located by residents with a buffer. He expressed his concern and suggested that the pool be relocated to a different area. Mr. Showalter was open to suggestions and stated that he would consider it. Mr. Rogers also mentioned that he was curious to hear what the remonstrators would have to say. During a discussion with Mr. Miller, Mr. Showalter was asked about the anticipated number of lots. In response, Mr. Showalter expressed the desire to have as many as possible without overcrowding. Mr. Miller then enquired about the regulations regarding "high-end" standards. Mr. Showalter explained that this would involve eliminating seasonal sites, providing paved roads, and a higher cost per night. He also clarified that no tents would be permitted, and RV units would need to be 10 years old or newer, with the possibility of prior approval for older units. During the conversation, Mrs. Snyder mentioned that there is only one location similar to the proposed campground in Elkhart County near CR 6, which is the Elkhart Campground. She stated that the new campground would be a significant upgrade compared to what is currently available in the area. Mr. Showalter added that their proposed campground would be unrivaled by any other park in the vicinity. Mrs. Snyder also pointed out that the region continues to attract tourists, but there are limited options for accommodations. Mr. Rogers inquired about the ability of motor homes to travel on local roads. Mr. Showalter responded by stating that the proximity to local highways would make travel easier. Mr. Warner then questioned whether RVs towing a vehicle would be able to access the site, to which Mr. Showalter assured that such vehicles would be accommodated. According to Mrs. Hughes, Mr. Showalter held a meeting at his RV dealership to discuss the project with the local neighbors. Mrs. Hughes stated Mr. Showalter has reached out to local neighbors and the community.

Matt Rose, Indiana Camp Ground Owner's Association/Recreation Vehicle Indiana Council, 3210 Rand Rd., Indianapolis, was present in favor of this request. He stated discussions about a proposed park in Indiana, it was mentioned that there is a significant need for such a facility in the state. He noted the closest comparable park is located in Bloomington, Indiana or Michigan. He emphasized that current campgrounds in the state were built during the Eisenhower administration and are smaller in size. Therefore, he stated there is a definite need for larger, modern campgrounds. He added the proposed park would be a tremendous asset to the city of Syracuse and Elkhart County, and it is estimated that the average family would spend \$200 per day in the local economy. Mr. Miller compared the proposed park to Lazy Days in Florida, and this was confirmed by Mr. Rose.

Dan Armbruster, 16224 CR 56, Syracuse, was present in remonstrance to this request. Mr. Armbruster stated he is a farmer from the area. He expressed his concern about the significant loss of agricultural land to industrial and recreational purposes in the United States. He emphasized that farmers are responsible for feeding the world but are now required to do so with less land. He further explained that their livestock graze on the pastures, which can produce unpleasant odors and attract flies. He questioned whether this would be compatible with the proposed upscale RV park. Additionally, he mentioned that their animals sometimes cross the road, and the increased traffic would be a major issue. Mr. Miller stated in the state of Indiana farmers are protected.

Andrew Rumfelt, 16050 CR 56, Syracuse, was present in a remonstrance to this request. He stated he is also representing Karen Currey, 15856 CR 56, Syracuse, by reading her letter in remonstrance [Attached to file as Remonstrator Exhibit #1]. During the discussion, Mr. Rumfelt voiced his

concerns regarding children accessing his private pond without permission. He explained that he owns a shooting range where he provides instruction to various government agencies. He added that he is under contract with the US Government to teach tactics that cannot be observed by the general public, in order to ensure the safety of the teams and individuals being trained, as well as national security. Mr. Rumfelt expressed that his secluded private range has allowed him to teach these tactics for many years, but if the park is built, his privacy will be compromised. He stressed will not be able to teach these tactics safely. He also worries that children may wander onto the shooting area without his knowledge. Additionally, he raised concerns about the future of the land if the park fails, as low-income housing may be built there. Mrs. Snyder inquired if his training crosses over into the Armbruster's property. Mr. Rumfelt confirmed that it does. He concluded by stating that property values, privacy, and neighborhood safety would all be negatively affected if the park is constructed.

Ella Haltman, 16083 CR 56, Syracuse, was present in remonstrance to this request. She highlighted the hazards of the intersection at CR 56 and CR 29. She expressed that the corn in the field and weeds along the roadside obstruct visibility to the north, making it necessary for drivers to pull out onto CR 29 to get a clear view. She added that due to a small dip in the road, two cars cannot be seen at a time. Mrs. Haltman, who happens to be a school bus driver, emphasized that the intersection is already dangerous, and the presence of RV traffic will only exacerbate the situation.

Ross Munn, 16133 CR 56, Syracuse was present in remonstrance to this request. He presented two photographs [*Attached to file as Remonstrator Exhibit #2*] at the intersection of CR 56 and CR 29, and expressed his concern about how busy and hazardous the area is. He also expressed worry about the potential increase in traffic from the Indianapolis area due to the new overpass by Milford. Mrs. Snyder added that INDOT and County Highway will get involved if this request goes further.

Aaron Meyer, 807 Harkless Dr., Syracuse, owner of 15716 CR 56, Syracuse, was present in remonstrance to this request. He expressed his belief that the project should not be located in this area. He argued that visitors would spend their money in Syracuse rather than Elkhart County, estimating an average of \$200 a day. Additionally, he mentioned that golf carts are forbidden on county roads or any roads with a speed limit exceeding 35 mph, posing a challenge for those traveling to Syracuse. He also pointed out that CR 29 experiences significant traffic due to the RV industry, and he expressed concern about the safety of the roads with the added RV traffic.

Susan Bubb, 72821 CR 29, Syracuse, was present in remonstrance to this request. She complained about the heavy traffic on CR 29.

Catherine Rumfelt, 16050 CR 56, Syracuse, was present in remonstrance to this request. According to Mrs. Rumfelt, this particular community is based on familiarity and trust amongst its members. She stressed the influx of hundreds of unknown transient individuals would disrupt this dynamic and have a significant impact on the community. She further explained that rezoning would bring about change that would affect generations of families who have lived in this community.

Mr. Showalter came back on and stated no one likes changes, but there will be a lot of mutual respect that will need to happen to grow. He went on to say as a good neighbor they want to do their part and listen to the concerns of neighbors, if there are issues they want to fix it. Mr. Miller stated his concern regarding the check-in process and how that would work. He stressed he is concerned RVs will be lined up on the road waiting to check in. Mr. Showalter stated that currently as the plan shows check-ins will be three lanes wide that are 200 ft long. He further stated the plan is to have an app that will allow customers to precheck in prior to arrival. Mr. Miller asked again that this site is not in a wetland area. Mr. Showalter stated this is not a wetland area.

Mrs. Hughes came back on and stated there is a sidewalk along CR 29 (Huntington St.), and they are collaborating with the Town of Syracuse to expand the sidewalk for an off-road pathway. She stated that the park would undoubtedly transform the area. However, the question remains as to whether or not the Plan Commission would like to support this new use in the region. Regarding the wetlands, she stated there is a county drain that passes through the entrance area, and a hydraulic study would be conducted to determine if a bridge or culvert with proper drainage is necessary. She explained wetlands exist along the waterway, which would be avoided. Furthermore Mrs. Hughes mentioned that they deliberately avoided the intersection at CR 29 and CR 56 for the reasons that were discussed. Lastly, she noted the site distance at the driveway's location is more than sufficient for a 45 mph design speed. Mr. Rogers inquired if traffic would be routed properly, and if signage could aid in directing it accordingly. Mr. Showalter acknowledged the concern raised and explained that as a class A owner, it is customary to refer to the park's website for the best route. He suggested that they could include this information on their website and also inform the client at the time of reservation. Mr. Showalter suggested that neighbors should show mutual respect and work together. Mr. Rogers brought up the issue of Mr. Armbruster's livestock and how it affects the environment, stating that it should be expected. Mr. Showalter agreed with this statement.

A motion was made and seconded (*Gardner/Rogers*) that the public hearing be closed, and the motion was carried with a unanimous vote.

Mr. Rogers acknowledged that traffic concerns will inevitably increase with area development. However, he suggested that speed limits and safety measures could help mitigate these issues. The Tech Committee for Highway and INDOT will review the DPUD and potentially implement restrictions that require improvements. Additionally, the Tech Committee will ensure proper drainage is in place. Mr. Rogers encouraged input from remonstrators and expressed openness to hearing everyone's perspective. However, he did not find the arguments presented during the meeting convincing enough to deem the petition a bad idea. He acknowledged concerns about the pool and other aspects of the proposed plan, but assured that proper buffers would be put in place and many issues would be addressed during the design process. He emphasized that the Detailed Planning Unit Development would address concerns brought up during the meeting, and pointed out that similar issues would arise if a subdivision were proposed for this site. Mr. Miller pointed out that when an area like this is highlighted for development, it often attracts businesses and leads to further road improvements. Mr. Rogers responded to a comment about the possibility of low-income housing being built, clarifying that this was not accurate. He explained that any proposal for this site would need to be presented to the Plan Commission and the Board of County Commissioners for approval.

The Board examined said request, and after due consideration and deliberation:

Motion: Action: Approve, **Moved by** Steve Warner, **Seconded by** Lori Snyder that the Advisory Plan Commission recommend to the Board of County Commissioners that this request for a zone map change from A-1 to GPUD B-3 to be known as NORTH TRACE RV RESORT GPUD B-3 be approved in accordance with the Staff Analysis.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Phil Barker, Steve Edwards, Steve Warner, Lori Snyder, John Gardner, Roger Miller, Brad Rogers.

6. The application for a zone map change from R-1 to R-3, for Swank & White, LLC represented by Abonmarche Consultants, on property located on the northwest side of SR 120, 3,105 ft. northeast of CR 19, common address of 20551 SR 120 in Washington Township, zoned R-1, was presented at this time.

Danny Dean presented the Staff Report/Staff Analysis, which is attached for review as *Case #RZ-0275-2023*.

Jeffery Schaffer, Abonmarche Consultants, 303 River Race Dr., Goshen, was present representing the petitioner. Mr. Schaffer stated the property is being annexed into the Town of Bristol. He continued the owner of the property has already approached the Town's leadership with plans to develop the property, but it cannot be developed in the desired way if it remains outside of the Town's limit. He stated the coordination of the development, including utility agreements and economic incentives, has been extensively discussed with the Town of Bristol. He added the project has already been presented to the Town council, who have taken initial votes on the annexation. He noted a neighborhood meeting was held two weeks prior to the June meeting, during which the plan was tabled. Mr. Schaffer stated he is aware of the concerns that have been raised by staff about different situations, which is why there is a need to rezone the area. He mentioned the question of whether a medium density residential development is appropriate for a multi-family residence, whether in one or multiple buildings, will be determined by future plans. He added the entire development timeline is expected to take until the end of the year. He stressed while there have been some concerns about multi-family units in the area, it is not a new issue and can be addressed later in the process. He stated designers are hired to work with the Zoning Ordinance and to help come up with a plan to address any other concerns. Mrs. Snyder inquired about the absence of a DPUD initially, and if it was to allow the owner the flexibility of the zone R-3, as they were not certain about the final project. Mr. Schaffer confirmed that her assumption was correct. He further mentioned that the property survey had not yet been conducted, and there was an evident division between the upland and the low land/wetland area. He clarified that this was a design-build project and suggested that if multi-family was the best use, it should be zoned as R-3 for multi-family. Mr. Gardner asked if Mr. Schaffer was confident that the property would be annexed. Mr. Schaffer confirmed that the council had already taken votes, but not all had been accounted for. He added that the votes to annex so far had been unanimous. Mr. Warner asked if the proposal provided river access. Mr. Schaffer replied that river access not a part of their proposal at the moment and, if it were to happen, it would be a lengthy process through DNR and Army Corp. Mr. Miller questioned why the decision couldn't wait until the property was annexed. Mr. Schaffer clarified that even if the property was annexed, the decision would still need to come to the county level. He explained that the recommendation would need to go through either the Town Council or the Commissioners.

Corey White, a representative of Swank & White, LLC located at 215 Prairie St. in Elkhart, was present for the petition and mentioned that he was not aware of the concerns raised by the planning staff. He explained that the property has a high and low bank with a twenty-foot elevation difference as shown by the contour map. He further added that there are 6 acres on the high bank and 6 acres of one hundred-year flood plains/wetlands. According to Mr. White, the wetlands inventory map is not entirely accurate and should not be used for regulatory purposes or ordinances, since it is not a substitute for site visits or wetland delineation studies. He clarified that the conceptual plan is entirely to the east of the house and not in the debated area for wetlands. He suggested that there is a

good four to six acres of land available to accommodate 2 story buildings consisting of 80 units without overcrowding. Additionally, he mentioned that Mike Yoder, the town manager, informed him that the railroad crossing at Longboat would be completed in October, and there would be a light to significantly slow down traffic. Mr. White believes that Elkhart County needs this project, especially since the area is at the center of twenty new factories, and no new homes are being provided. He also commended the town of Bristol for their cooperation throughout the project. Mr. Gardner inquired about the exact number of units intended for this project. In response, Mr. White revealed that they were aiming for approximately 70 to 80 units. Mr. White stated said making the numbers work was difficult, with the cost of everything.

Mike Yoder, Bristol Town Manager, 303 E. Vistula St., Bristol, announced that the annexation of the site would be done in two steps. The first annexation has already been completed, and the second will begin on July 20, 2023. Mr. Yoder stated that the entire site will be annexed within 60 days, and the town engineer has provided an estimate for extending water and sewer to the site. He added the developer and their financial team have met with the town and been approved for the project. He explained a TIF has been offered to help pay for some of the infrastructure costs, as it is expensive to run the infrastructure this far. He continued saying the town may also be able to offer additional incentives that the state is offering for this project. He stated this project will be built to the development standards of the zone, meeting all the stormwater and MS4 rules, with no shortcuts. Mrs. Snyder expressed concern about the vagueness of the current plan, and whether or not a DPUD would be better suited for this project. Yoder stated that, after working closely with the developer and considering the current standards for that zone, the town is fine with those developmental standards. Mr. Miller expressed concern about a straight rezoning with something of this size. He stated that traditionally, they request a DPUD. Mr. Yoder stated that he understands county policies and that the Zoning Ordinance was recreated with the intention of taking a step away from that, requiring the DPUD to streamline development. He continued to state that they went back to requiring DPUDs, and if the board wants to require that, they would be fine with that. Mr. Rogers expressed his support for high-density housing, stating that it meets a need in the county and is often discouraged by the government. He believes that this project would be a good use, for the property if they can make it work. Staff expressed a concern about utilities not being available, but Mr. Yoder confirmed that utilities would be provided with annexation. Mr. Rogers discussed various categories that the Town Council would need to review, such as protection of existing residences to the east, protection of natural resources to the north and west, and multiple dwelling units per zoning lot. Mr. Yoder stated that this is the first he had heard about multiple dwelling units not being allowed on a single zoning lot, but they cannot get a building permit until all the standards are met. Mr. Barker agreed that a permit cannot be given unless all the standards are met. He stressed the point of a DPUD is to state your plan and that you are committed to that plan. Mr. Yoder acknowledged that there are challenges to this site, but regulations and standards will have to be met. He added if the Board wants to maintain its policy in regard to wanting a DPUD, they can say no. Mr. Rogers expressed that the difference for him was that this property was going to be annexed, and some of the issues would be resolved. Mr. Miller stated that precedence wasn't being set, and Mr. Kolbus agreed. Mr. Rogers stated that a DPUD would be preferred. Mr. Barker asked if Longboat was being annexed. Mr. Yoder stated no, but if they asked, they would annex them. Barker expressed concern about rezoning to a straight R-3 next to a R-1 DPUD that is not completely built yet, which may cause issues. Mr. Yoder stated that there were some complaints at a Town Meeting, but buffering standards are currently in place between the

two.

A motion was made and seconded (*Rogers/Warner*) that the public hearing be closed, and the motion was carried with a unanimous vote.

Mrs. Kratzer expressed her support for the idea of constructing more residences in the county. However, she did have concerns about the process. She explained that due to the density of the development, each building would need to be on its own subdivision lot, requiring each building to have a subdivision. She added this would result in a lot of Developmental Variances that would have to go in front of the Board of Zoning Appeals (BZA). Mrs. Kratzer was concerned that this would not be a streamlined process and that it would instead be scattered between individual Minor Subdivisions along with Developmental Variances. Mrs. Snyder asked if there had been any calls from Longboat property owners regarding the proposal. Mrs. Kratzer responded that there had been no public feedback except for the neighbor who spoke last month.

The Board examined said request, and after due consideration and deliberation:

Motion: Action: Approve, **Moved by:** Brad Rogers, **Seconded by** John Gardner that the Advisory Plan Commission recommend to the Board of County Commissioners and the Town of Bristol that this request for a zone map change from R-1 to R-3 be approved.

Vote: Motion failed (**summary:** Yes = 4, No = 3, Abstain = 0)

Yes: Steve Warner, John Gardner, Roger Miller, Brad Rogers

No: Phil Barker, Steve Edwards, Lori Snyder

The Board examined said request, and after due consideration and deliberation:

Motion: Action: Approve, **Moved by:** Brad Rogers, **Seconded by** Steve Warner that the Advisory Plan Commission recommend to the Board of County Commissioners and Town of Bristol that this request for a zone map change from R-1 to R-3 be approved in accordance with the Staff Analysis.

Vote: Motion failed (**summary:** Yes = 4, No = 3, Abstain = 0)

Yes: Steve Warner, John Gardner, Roger Miller, Brad Rogers

No: Phil Barker, Steve Edwards, Lori Snyder

The Board examined said request, and after due consideration and deliberation:

Motion: Action: Moved by: Brad Rogers, **Seconded by** Steve Warner that the Advisory Plan Commission send this request for a zone map change from R-1 to R-3 to the Board of County Commissioners with out recommendation.

Vote: Motion carried by a unanimous roll call vote (**summary:** Yes = 7).

Yes: Phil Barker, Steve Edwards, Steve Warner, Lori Snyder, John Gardner, Roger Miller, Brad Rogers

7. *Board of County Commissioners Approvals Following Plan Commission Recommendations*

Jason Auvil reported on the County Commissioners approval report from June 2023.

8. Jason Auvil presented a minor change request for Terra Subdivision Section 2. He requested an extension of the primary approval, for two years extending it to October 14, 2025. Mr. Auvil explained that primary subdivisions are typically valid for two years, but they can be extended. He also mentioned that the subdivision is currently in discussions with the Highway Department regarding the road design, and the construction costs have caused some delays.

The Board examined said request, and after due consideration and deliberation:

Motion: Action: Approve, **Moved by:** Steve Edwards, **Seconded by** Steve Warner that this request for a minor change for Terra Subdivision Section 2 to have a two-year extension be approved.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Phil Barker, Steve Edwards, Steve Warner, Lori Snyder, John Gardner, Roger Miller, Brad Rogers.

9. Craig Buche, 130 N. Main in Goshen, presented a written order to amend the Northeast TIF District on behalf of the Elkhart County Redevelopment Commission. He explained that the amendment would serve a simple and single purpose of deleting a tax parcel from the Northeast TIF district. The parcel in question is located off Parkway Ave., north of US 20, and east of CR 17. Mr. Buche clarified that the TIF district amendment process requires a mandatory resolution from the Plan Commission to determine consistency with the Comprehensive Plan. He also explained the various bodies that the amendment would go through for approval. He noted that part of this district has already been annexed into the City of Elkhart for planning and zoning jurisdiction and development purposes. However, the parcel remains in the Northeast TIF district as Elkhart County established a bond issue in 2015 to preserve and protect its TIF revenue for the bond issue's length. Mr. Buche then revealed that the City of Elkhart has been working with a developer for a residential project in this area. In conferring with County Commissioners and County Council, it became clear that releasing the parcel from the TIF district and turning it over to the City of Elkhart would be the most expeditious way of accomplishing the project without Elkhart County interfering or being in the middle of the process. He pointed out that the proposed economic incentive here is different than what Elkhart County has traditionally been using for its TIF districts, and with a residential area, the City of Elkhart would be responsible for services to those residents in that area for the apartment complex. Therefore, it would be inconsistent for Elkhart County to negotiate an incentive where another governmental entity would be responsible for providing the services. In conclusion, Mr. Buche stated that considering all the various intricacies of this development of this area and the complications there, the Redevelopment Commission believed it would be the most appropriate to simply release that one single parcel.

The Board examined said request, and after due consideration and deliberation:

Motion: Action: Approve, **Moved by:** Phil Barker, **Seconded by** Steve Edwards that the written order to amend the Northeast TIF district be approved.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Phil Barker, Steve Edwards, Steve Warner, Lori Snyder, John Gardner, Roger Miller, Brad Rogers.

10. Mae Kratzer proposed a modification to the Rules and Procedures for Major and Minor

Subdivisions. She suggested that petitioners should submit CAD files to ensure that staff can accurately and efficiently capture the boundaries of the subdivisions. She added this will streamline the process and save time for everyone involved. Mrs. Kratzer suggested changes to exhibit B and C Rules of Procedures. This is to ensure that DPUDs and Minor/Major Subdivisions meet the required standards, especially in terms of private utilities not being placed in the right-of-way. She noted it is a recurring issue that needs to be addressed by making it a standard checklist item for every development that comes through. Mr. Miller inquired about the availability of a CAD file, to which Mrs. Kratzer confirmed that it is already made by the surveyor and can easily be required.

The Board examined said request, and after due consideration and deliberation:

Motion: Action: Approve, **Moved by:** John Gardner, **Seconded by** Steve Edwards that the request changes to the Rules and Procedures be approved.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Phil Barker, Steve Edwards, Steve Warner, Lori Snyder, John Gardner, Roger Miller, Brad Rogers.

11. Mrs. Kratzer discussed changes made by the State regarding reserve areas for septic. She explained that the Health Department can no longer require a reserved area for a septic, and that the Subdivision Control Ordinance already addresses the requirement for a reserved area for a septic. Mrs. Kratzer suggested that it may be beneficial to move this requirement to the Board's Rules of Procedures to align with the State's language. She also mentioned that the State Law prohibits the Ordinance from being put in any County Office, whether it is the Health or Planning Department. Mrs. Kratzer sought feedback from the Plan Commission on whether to move it to the Board's Rules of Procedures or amend the Zoning Ordinance to increase lot size in areas with poor soils. Mr. Rogers expressed concerns that the Board may be subjected to lawsuits if they pass the ordinance as it conflicts with state law. Mr. Kolbus suggested that putting it in the rules may create a hole and the statute may change in the future. He proposed to give the board time to look at the other option of mapping soils and lot sizes. Mrs. Kratzer agreed to discuss it further next month before taking any action. The Board also discussed the importance of septic inspections and planning for future utilities.

12. Lastly, Mrs. Kratzer shared information about virtual training that would be beneficial for the Board.

13. A motion was made and seconded (*Rogers/Gardner*) that the meeting be adjourned. The motion was carried with a unanimous vote, and the meeting was adjourned at 11:31 a.m.

Respectfully submitted,

Amber Weiss, Recording Secretary

Roger Miller, Chairman