

MINUTES
WHITLEY COUNTY PLAN COMMISSION
REGULAR MEETING

April 20, 2022

7:00 p.m.

Whitley County Government Center
Lower Level, Meeting Room A/B

MEMBERS	PRESENT	ABSENT	STAFF
Dane Drew	X		Nathan Bilger
Brent Emerick	X		Brent Bockelman
Thor Hodges	X		
Mark Johnson	X		LEGAL COUNSEL
Kim Kurtz-Seslar	X		Elizabeth Deckard
George Schrupf	X		
Joe Wolf	X		NONVOTING ADVISOR
Doug Wright	X		John Woodmansee (Absent)
<i>Vacant</i>			

AUDIENCE MEMBERS

The audience list of in-person and electronic guests is attached below.

CALL TO ORDER/ROLL CALL

Mr. Hodges called the meeting to order at 7:00 p.m. and led the Pledge of Allegiance.
Mr. Bockelman read the roll call with members present and absent listed above.

CONSIDERATION OF PREVIOUS MEETING MINUTES

The minutes for the March 16, 2022, regular meeting and workshop were presented for consideration. Mr. Hodges asked if members required time to review the minutes. Hearing nothing, he called for a motion. Mr. Emerick made a motion to accept the minutes as presented. Mr. Drew seconded. Motion passed 8-0 by roll call vote.

ADMINISTRATION OF OATH

Ms. Deckard administered the oath to audience members wishing to speak.

OLD BUSINESS

There was no old business.

NEW BUSINESS

22-W-SUBD-3, Primary Approval, “Eric Kesling Addition”

Eric Kesling requested preliminary plat approval of a 2-lot subdivision to be known as “Eric Kesling Addition” The property was located on the east side of 300 West, on the northeast corner of the intersection of Buckles Road and 300 West in Section 25 of Etna-Troy Township.

Mr. Bilger presented the staff report for 22-W-SUBD-3. He explained the project, giving details of the configuration of the two lots involved. The right-of-way for 300 West would be dedicated through the southwest corner of the property, leaving what was labeled as “Block A”. He provided aerial views of the property for reference. The following conditions were recommended for the petition:

1. Add notation or covenant that Block A must be owned in common with Lot 2 or a parcel adjacent to the west or south
2. Secondary Plat approval delegated to the Plan Commission Staff.

Mr. Hodges asked the petitioner to speak. Eric Kesling, 8260 N 300 West, addressed the Commission and explained his plan for the property.

Mr. Hodges asked for public comment. Hearing none, he asked for a motion.

Ms. Kurtz-Seslar made a motion to approve 22-W-SUBD-3 with staff recommendations. Seconded by Mr. Wolf. Motion passed 8-0 by roll call vote.

22-W-REZ-1, Joseph Decuis Wagyu Farm, LLC

Joseph Decuis Wagyu Farm, LLC, requested an amendment to the Whitley County Zoning Map to reclassify the 108± acre real estate described from the AG, Agricultural District, to PUD, Planned Unit Development. The property was located on 900 South approximately 1870 feet west of 700 East in Columbia City, in Section 23 of Jefferson Township.

Mr. Bilger presented the staff report. The current uses and special exceptions were discussed. He explained the intended use of the property and the request to establish a mixed-use zoning that would permit a mix of residential, agricultural, commercial, and conservation uses. A description of a Planned Unit Development (PUD) was given. Indiana Code and Chapter 6 of the zoning code were reviewed.

Mr. Bilger displayed aerial views of the property and explained the surrounding area. He referenced the zone map and both the current and proposed Comprehensive Plan maps. Summary and guidelines of land character were discussed. The site plan of proposed use areas was presented along with a table showing the uses proposed uses in the different areas. Definitions for the PUD were presented of agritourism events and complementary on-site services. AG permitted uses and special exception uses were also given.

Development standards were discussed. Explanation of a modification to parking standards was given. The review criteria for the zone map amendment were presented with items detailed to pay reasonable regard to.

Mr. Hodges asked the petitioner or their representative to speak. Bob Eherenman, 444 East Main Street, Fort Wayne, addressed the Commission as representative of the petitioner. He provided a presentation and packet for the Commission to review [this was added to the file record]. Mr. Eherenman described and explained the proposed Planned Unit Development and the future use of the property. He stated the Planned Unit Development would allow for creative land use, continue the current operations, and plan for the future agritourism development of the property.

Pete Eshelman, 6755 E. 900 South, addressed the Commission. He discussed the history of the property, his family’s history, and the current workings of the farm including the residences, a working farm with Wagyu cattle, smaller livestock, and vegetables, a bed and breakfast, special

events, education, media, and conservation of nature and wildlife. He also explained their mission to showcase the family farm, highlight Indiana's agriculture to the world, and contribute to America's agricultural culture, community, and economy by showcasing the Whitley County farm. He described the mixed uses on the property and what the PUD benefits would be.

Mr. Eherenman discussed the intention of the Planned Unit Development. He described the definition of "Agritourism" to be used in this PUD as an agriculturally based commercial enterprise that is conducted for: (a) the enjoyment, education and/or active involvement of visitors; (b) raising the interest in agriculture; (c) promoting learning about how and where food is grown; (d) providing a unique culinary experience and related events; and (e) providing complimentary personal services. He continued with explanation of activities on the property and the different districts of the PUD.

Mr. Eshelman and Mr. Eherenman gave details of the current uses and future activities in the different districts. Slides and photos were displayed to provide visuals of the areas.

Mr. Eherenman discussed the comprehensive plan and how this Planned Unit Development meets the criteria.

Mr. Eshelman discussed the testimonials provided by others in support of this zoning request and summarized the request.

Mr. Eherenman presented the conclusion and asked for a favorable recommendation to the Whitley County Commissioners.

Mr. Hodges asked for questions from the Commission.

Mr. Emerick inquired how Mr. Eherenman could promote this particular family farm after objecting to other family farms' proposals over the past five years. Mr. Eherenman stated that, as legal counsel, it was his responsibility to represent his client on legal matters.

Mr. Drew asked about the residential properties around the pond and how it would be handled if the family member passed that lived in the home on the property. Discussion was made on that, and the property would be part of the farm.

Mr. Bilger stated that the proposed residential properties were not clearly stated in the proposal, and he discussed the need for additional development standards dealing with the subdividing of the property.

Ms. Kurtz-Seslar asked about the special exceptions that were in place now and future activities that would be outside of those parameters.

Mr. Eherenman explained that they were trying to make the PUD broad enough that more special exception requests would not be needed in the future.

Mr. Hodges opened the public hearing.

Christopher Judy, 10527 W. Mohawk Ct. Fort Wayne, addressed the Commission and stated his support for a favorable recommendation for the zoning request.

Ronda Salge, 5465 N. 650 East, addressed the Commission. She provided a statement for the record and spoke on the PUD presented. She stated her support for the Eshelman's zoning request. She stated details and reasons for her support. She described suggested commitments that could be put into place for this request to better describe and limit it.

Mr. Eshelman, in response to some of Ms. Salge's questions, stated that the water is tested quarterly, operate under excise, must meet fire code, and acquire entertainment permits from Homeland Security to operate.

Paul Lagemann, 5904 Sundance Dr. Fort Wayne, spoke in support of the zoning request. He explained his reasons for support and positive aspects of the current operation to the community.

Karen Crandall, 5820 E. 900 South, addressed the Commission. She shared her concerns about traffic during events and expressed that there should be plans for better traffic control.

Jennifer Esterline, 8324 W. State Road 14, addressed the Commission. She described her background, history, education, and experience in agritourism. She stated her support for the zoning request and expressed how important it would be to the growth of the County.

Joe Lopez, 5300 N. 250 West, addressed the Commission. He stated his support for the idea. He stated that he felt that negativity toward other farmers was unnecessary.

Davis Lamm, 3150 Mallard Cove Dr. Fort Wayne, addressed the Commission. He stated his support for the zoning request.

Sonya Emerick, 5865 E. State Road 14, addressed the Commission. She asked why Mr. Bilger referred to the adjacent cemetery as an "old cemetery". Mr. Bilger explained it was an adjective he chose to use since it was old, but he did believe that it was still active. Ms. Emerick explained that the cemetery still had plots available and that it was an active cemetery. She stated that this should be taken into consideration by the Commission as it has done with other requests in the past. She asked for the state definition of agritourism and if it would be used in the PUD. Mr. Bilger stated that the definition of "agritourism" for the purpose of this PUD would be what it was stated in the definitions. Ms. Emerick expressed her concern on signage for notification, as no sign was placed on the property on the south side of 900 South. She expressed her concern on projects on the property being done before approval had been acquired. She shared her concern with tiles, drainage, current buildings being inspected and up to code, and parking. Signage and temporary signs were discussed. She stated possible issues with bridges built on ditches on the property. She suggested not approving the request without having more clarification on details.

Diane Kennedy, 8801 S. 700 East, addressed the board and stated her support, as a neighbor, for the zoning request.

Mr. Hodges called a 10-minute recess to the meeting as a restroom break. Upon resuming the meeting, it appeared there were no further public comments, so Mr. Hodges closed the public hearing and opened discussion of the Commission.

Mr. Emerick stated his concerns on the definition of agritourism. Mr. Schrupf read the Indiana Department of Agriculture's definition of agritourism for reference. The Commission discussed the definition.

Ms. Deckard asked if Mr. Hodges desired to permit rebuttal from the petitioner. He stated that he would and reopened the public comment.

Mr. Eherenman stated that the definition of agritourism for the PUD would be defined and specific to the PUD only.

Ronda Salge stated that the definition given for agritourism in this ordinance would only apply to this Planned Unit Development.

Jennifer Esterline provided an agritourism description from the USDA.

Sonya Emerick stated that Whitley County already had agritourism and suggested that more research be done on the nature of agritourism before considering approval.

Ms. Kurtz-Seslar asked about the changing of a PUD being difficult, as suggested by Ms. Salge. Mr. Bilger explained that the PUD could be amended or rezoned from in the future by the property owner, but a PUD would not be subject to Commission-initiated zone map changes.

Ms. Kurtz-Seslar explained that she was interested the existing special exceptions. Mr. Johnson asked if the Special Exceptions would go away with approval of the zoning request and that he would like to know the Special Exceptions that were in place. He stated that he would like to get more information before he could make a recommendation.

Mr. Hodges described the Plan Commission's responsibility in a situation like this to make a recommendation to the Whitley County Commissioners and not a final decision. He felt they should make the final choices in the nature of the proposal.

Mr. Emerick stated that he felt that the Plan Commission's recommendation would be taken into great consideration by the Commissioners. Mr. Schrupf agreed that the Commissioners would heavily consider the recommendations of the Plan Commission.

Mr. Johnson discussed the standards put in place for the PUD and that more details were needed.

Mr. Emerick agreed that things needed to be more detailed and tightened up on the proposal.

Mr. Emerick made a motion to continue to the May meeting to get more information and time to research the PUD information given. Mr. Johnson seconded. Motion passed by roll call vote, 7-1 with Mr. Hodges voting against the motion.

OTHER BUSINESS

Mr. Bilger asked the Commission about having a special workshop dedicated to discussing a solar code in order to get that moving forward. After discussion, the Commission agreed to hold a workshop on May 5 at 6:00 P.M., with the meeting not to last longer than two hours.

ADJOURNMENT

Having no further business, Mr. Hodges adjourned the meeting at 10:26 P.M.

GUEST LIST

1. Alice Eshelman6755 E. 900 South
2. Pete Eshelman6755 E. 900 South
3. Davis Lamm.....3150 Mallard Cove Drive, Fort Wayne
4. Robert Eherenman444 E. Main Street, Fort Wayne
5. Joe Lopez5300 N. 250 West
6. Jennifer Esterline8324 W. State Road 14
7. Hilary Eshelman.....6755 E. 900 South
8. Christopher Judy10527 W. Mohawk Court, Fort Wayne
9. Dan Strack.....6396 E. 900 South
10. Sally Strack6396 E 900 South
11. Karen Crandall5820 E. 900 South

12. Ronda Salge5465 N. 650 East
13. Eric Kesling8260 N 300 West
14. Sonya Emerick5865 E. State Road 14
15. Brian Johnson.....7725 E. 800 South
16. Randy Merry31225 Portside Drive, Novi, MI
17. Joan Null8099 S. 200 East
18. Paul Lagemann.....5904 Sundance Drive, Fort Wayne
19. Diane Kennedy.....8801 S. 700 East
20. Joe Kennedy8801 S. 700 East

GUEST LIST-ELECTRONIC

21. Robert Kehmeyer8411 S. 600 East
22. Judy Kehmeyer8375 S. 600 East
23. Alayne Johnson6906 E 150 North
24. Timothy Eshelman7375 E. 900 South
25. Kurt Kehmeyer.....8244 S. 600 East
26. John Meister.....5995 S. Woodstrail Drive-57