PLAN COMMISSION
-MINUTES-
Tuesday, September 8, 2026 - Commenced at 1:45 P.M. & adjourned at 2:33 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
Dan Boecher
Andy Jones
Diana Lawson
Dave Osborne
Rochali Newbill
Bil Murray
Jeff Schaffer

MEMBERS ABSENT
Aaron Mishler

REPRESENTING THE PLANNING DEPARTMENT
Eric Trotter, Assistant Director for Planning
Kyle Anthony-Petter- Planner II
Chris Godlewski- Planner I

LEGAL DEPARTMENT
Maggie Marnocha, Corporation Counsel

TECHNOLOGY STAFF
Ian Irizarry

RECORDING SECRETARY
Carla Lipsey

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

APPROVAL OF PROOFS OF PUBLICATION
Motion to approve by Lawson; Second by Jones. Voice vote carries.

26-Z-01 PETITIONER IS HMS ELKHART LLC
PROPERTY IS LOCATED AT 1800 Fourteenth St.
Per Section 29.11.B, Map Amendments, a request to rezone Part of 20-06-07-431-013.000-012; 1800 Fourteenth Street) from M-2, General Manufacturing District to R-2, One-Family Dwelling District.

STAFF ANALYSIS
Per Section 29.11.B, Map Amendments, a request to rezone part of 20-06-07-431-013.000-012; 1800 Fourteenth Street) from M-2, General Manufacturing District to R-2, One-Family Dwelling District.

The petitioner is requesting to rezone the 0.565-acre parcel from M-2, General Manufacturing District to R-2, One Family Dwelling District for the purpose of redeveloping the land for single family homes. The petitioner is looking to align the zoning request to match the land east of the property in question to R-2, One Family Dwelling District.

Staff support the request. The manufacturing zoning is no longer appropriate for the east side of the parcel. 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 within this neighborhood. Redevelopment of the site will be more welcoming and Elkhart community image as discussed in the Comprehensive Plan. City staff welcomes 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.

STAFF RECOMMENDATION

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

1. The proposed rezoning is compatible with the Future Land Use map, which calls for the area to be developed with residential 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-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 homes is permitted within the R-2 District.

Trotter states there were 23 letters mailed, 0 returned.

Schaffer asks if there are questions from the Commission.

Schaffer calls petitioner forward.

Crystal Welsh, located at 303 River Race Drive, Goshen, Indiana, is representing the petitioner, HMS. When HMS inquired about this parcel, they discovered an existing home on one of the lots. This prompted their request for rezoning to ensure that the home, which will be transferred to a family member, complies with the zoning ordinance.

This request is the second phase of a three-phase process. So far, we have approved an alley vacation, and if the rezoning is approved, we will proceed with a new minor subdivision consisting of three lots. This will allow the existing commercial and industrial building to remain and be redeveloped, facilitate the transfer of the home, and provide a third lot for additional development.

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

Schaffer closes the public portion of the meeting.

Schaffer calls for a motion.

Boecher makes motion to approve with a Do-Pass Recommendation to the Common Council; Second by Jones. Motion carries.

Boecher -Yes
Jones- Yes
Newbill-Yes
Lawson- Yes
Murray- Yes
Schaffer- Yes

Schaffer stated that he had a conflict of interest and would step out of the room, asking Dave Osborne to chair the meeting for the next item.

NEW BUSINESS

26-ANX-03PETITIONER IS Lighthouse Vineyard Church, Inc.

PROPERTY IS LOCATED AT 3300 Benham Avenue
As prescribed by Section 29.11.B, a request to annex 3300 Benham Avenue, land containing 3.9 acres.

STAFF ANALYSIS
This staff report is being prepared for annexation 26-ANX-03 to annex approximately 3.9 acres of land in Concord Township, that currently contains the Lighthouse Vineyard Church at the Southeast corner of Mishawaka Road and Benham Avenue.

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 petition is for the church to seek annexation for the ability to receive sanitary sewer service. The additional land not consumed by the septic system field will allow a larger buildable area if and when the church expands the building. The extension of sanitary service will be paid for by the church. City water service currently serves the property.

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 18% contiguous to the current city limit, which is 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.

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

1. The area to be annexed meets all applicable requirements of IC 36-4-3;

2. The Comprehensive Plan map has not been approved for this area; it is anticipated that the revised map will designate its future land use as residential;

3. The current conditions and the character of future structures is consistent and the City will be enhanced by the annexation;

4. The annexation is in accordance with the most desirable use;

5. The annexation will conserve property values throughout the jurisdiction; and

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

Schaffer asks if there are questions from the Commission.

Jones asked about the photos related to the current cases.

Godlewski responds that the corrected photos should be included with the staff report.

Schaffer calls petitioner forward.

Cliff Schwartz is the pastor of Lighthouse Church and is authorized to act on behalf of the church. We purchased the property in 2018, and we average around 213 members on Sunday mornings. We accept all conditions regarding our operations.

We are currently in the early stages of planning a building expansion. We are connected to city water, and this project would allow us to connect to the city sewer system. Additionally, we set aside 10 percent of all our income for outreach and mission efforts, investing throughout the city of Elkhart.

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

Schaffer closes the public portion of the meeting.

Schaffer calls for a motion.

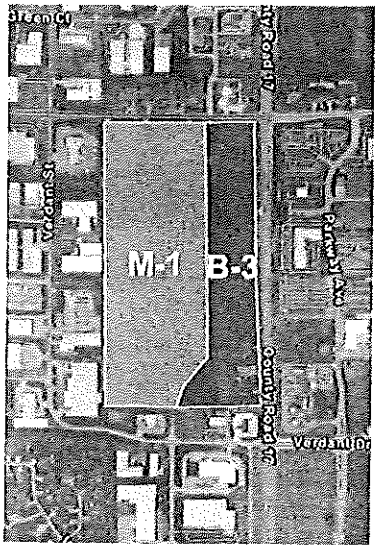
Lawson made a motion to approve the fiscal plan with a Do-Pass Recommendation to the Common Council, seconded by Boecher. Motion carries.

Osborne-Yes
Newbill- Yes
Jones- Yes
Boecher- Yes
Lawson- Yes
Murray- Yes

26-Z-03 PETITIONER IS 5211 Middlebury Street-Elkhart LLC and Shah Land Development LLC
PROPERTY IS LOCATED AT 5211 Middlebury Street and 1133 County Road 17
Per Section 29.11.B, Map Amendments, a request to rezone 5211 Middlebury Street and 1133 County Road 17 and – parcels- 20-06-12-226-001.000-011, 20-06-12-276-001.000-011, from PUD, Planned Unit Development District and R-1, One-Family Dwelling District to B-3, Service Business District and M-1, Limited Manufacturing District.

STAFF ANALYSIS
The petitioner is requesting Per Section 29.11.B, Map Amendments, a request to rezone 5211 Middlebury Street and 1133 County Road 17– parcels – 20-06-12-226-001.000-011 and 20-06-12-276-001.000-011, from R-1, One Family Dwelling District and PUD, Planned Unit Development to B-3, Service Business District and M-1, Limited Manufacturing District.

The land contained in this request was annexed to the city in 2015. At the time of petition, the land had a county zoning classification of A-1 and came into the city as an R-1 zoning as the city does not have an A-1 zoning classification. The corner parcel was rezoned earlier this year from R-1 to Planned Unit Development for a commercial development.



This rezoning will establish a new development called Blue Grass Crossing. The development is proposing light manufacturing with commercial and business uses that will integrate well into the existing CR 17 corridor development pattern. This development also calls for a proposed extension of Fremont Court that will run north and south between Middlebury Street and Verdant Drive. This new street will serve as the separation between the proposed manufacturing use to the west and the business/commercial uses on the east. The proposed B-3 rezoning will front CR 17 with the proposed M-1 District west of the new north-south Fremont Court extension. See graphic to the left.

This rezoning request will also rezone from PUD to B-3, the southwest corner of the intersection of CR 17 and Middlebury Street. The development that was proposed for the corner did not materialize and the developer has chosen an alternate path forward for the marketing of the land. The proposed business zoning district is similar to the business district uses across on the east side of CR 17 adjacent in the Parkway at 17 development.

This proposed 65-acre site fills an area void of manufacturing and business development. The immediate area flanked in the north, south and east all have developed in the last 20 years leaving this development as one of the last remaining vacant parcels.

STAFF 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 light manufacturing and service business uses;

2. Current conditions and the character of current structures and uses in each district will not be impacted because the proposed business and manufacturing development will blend well with the surrounding business and manufacturing uses;

3. The B-3, Service Business District and M-1, Limited Manufacturing 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 business and manufacturing uses;

5. The rezoning of the property to B-3, Service Business District and M-1, Limited Manufacturing District is compatible with the surrounding properties and does reflect responsible growth and development.

Trotter states there were 62 letters mailed, 0 returned

Schaffer asks if there are questions from the Commission.

Schaffer calls petitioner forward.

Debra Hughes from the Surveying and Mapping, located at 2810 Dexter Drive.

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

Schaffer closes the public portion of the meeting.

Schaffer calls for a motion.

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

Murray- Yes
Osborne- Yes
Boecher- Yes
Jones- Yes
Newbill- Yes
Lawson- Yes
Schaffer- Yes

26-SUB-06 PETITIONER IS 5211 Middlebury Street-Elkhart LLC and Shah Land Development LLC
PROPERTY IS LOCATED AT ADDRESS
Per Article 4 of the Subdivision Ordinance, approval of a Preliminary Plat for a 6-lot, +/- 65.73 acre major subdivision, to be known as 'Bluegrass Crossing,' a part of the Northeast Quarter of Section 12, Township 37 North, Range 5 East, Concord Township, Elkhart County, Indiana.

STAFF ANALYSIS
Per Article 4 of the Subdivision Ordinance, approval of a Preliminary Plat for a 6-lot, +/- 65.73 acre major subdivision, to be known as 'Bluegrass Crossing,' a part of the Northeast Quarter of Section 12, Township 37 North, Range 5 East, Concord Township, Elkhart County, Indiana.

The petitioner owns two parcels comprising approximately 65.73 acres, that they wish to develop as a 6-lot major subdivision for manufacturing and business uses.

The preliminary plat depicts a six (6) lot major subdivision with a new 80' right of way connector street extended north-south between Middlebury Street and Verdant Drive, as the extension of Fremont Court. A second connector street will connect the extended Fremont Court to County Road 17. The access point at CR 17 will be designed as limited access and will need to be approved by the Board of Public Works.

The storm water retention proposed for the new street (Fremont Court) will be accommodated in a new pond at the south end of the proposed Lot 3. That new pond will be designed with an overflow into the Bullard Ditch – which will need to be approved by County Surveyor's Office. The layout will also include five-foot sidewalks to facilitate pedestrian use. The developer intends to build the street in two phases. The preliminary subdivision calls out an area for a temporary cul-de-sac until the next section of road is built.

The final plat should have easements added for sanitary sewer and water connection as well as the storm water pond.

The petitioner also has a rezoning request (26-Z-03) filed that 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.

The project meets the requirements of the Zoning and Subdivision Ordinances including lot size, layout, and street width. It has not yet been submitted to the city's Technical Review for formal review. Staff has had the opportunity for preliminary review around the technical aspects of the project and no issues are anticipated.

STAFF RECOMMENDATION

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

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

The City of Elkhart Planning Staff has reviewed the subject petition and recommends **approval** a Preliminary Plat for a 6-lot, +/- 65.73 acre major subdivision, to be known as Bluegrass Crossing a part of the Northeast Quarter of Section 12, Township 37 North, Range 5 East, Concord Township, Elkhart County, Indiana.

The lots meet the minimum lot area requirements for the M-1, Limited Manufacturing District and B-3, Service Business District;

1. Lots 1 and 3 along Fremont Court proposed industrial lots meet all of the bulk standards of the M-1 Zoning District, Limited Manufacturing District, specifically, minimum lot size, lot frontage, and property development setbacks;

2. Lots 2,4,5, and 6 along County Road 17 proposed commercial lots meet all of the bulk standards of the B-3 Zoning District, Service Business 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 there were 62 letters mailed, 0 returned in favor

Schaffer asks if there are questions from the Commission.

Newbill is seeking clarification on the staff recommendation concerning IC 36-7-4-702. Is the correct number 26 or 36.

Petter replies 36

Schaffer points out in the staff report that the rezoning is currently pending. If the council decides not to proceed with the rezoning, the preliminary subdivision would become null and void, as we would not be able to sign a plat that does not comply with R1 zoning regulations.

Schaffer calls petitioner forward.

Debra Hughes Surveying and Mapping, located at 2810 Dexter Drive, is representing the petitioner in a subdivision proposal for six lots. This includes three B3 lots along the frontage of County Road 17 and two M1 lots on a new road that would extend Fremont Court northward on the west side of the property. These proposed lots reflect the adjoining land uses.

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

Schaffer closes the public portion of the meeting.

Schaffer calls for a motion.

Osborne makes motion to approve with a Do-Pass Recommendation; Second by Jones. Motion carries.

Osborne-Yes
Boecher-Yes
Newbill- Yes
Jones- Yes
Lawson-Yes
Murray- Yes
Schaffer-Yes

STAFF ITEMS

26-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

Residential Subdivision

Commercial

998 South Main Street	Electric Service Pedestal	20-06-08-231-013.000-012

Industrial

2325 County Road 6 West	Correction Certificate	20-01-25-200-014.000-006

Schaffer asks if there are questions from the Commission.

Schaffer calls for a motion.

Jones makes motion to approve; Second by Boecher. Motion carries.

ADJOURNMENT

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

Jeff Schaffer, President **Diana Lawson, Secretary**