

AGENDA
CITY OF ELKHART PLAN COMMISSION
TUESDAY, SEPTEMBER 8, 2026 AT 1:45 P.M.
COUNCIL CHAMBERS – MUNICIPAL BUILDING

This meeting can also be accessed electronically via Teams.

To join, go <https://teams.microsoft.com/join/241873474263866?p=BYFw7W1HlkNgcXXoE2>, enter

241 873 474 263 866 as the meeting number and “**XJ3BC9W4**” as the password. Attendees may preregister or enter during the meeting. Comments and questions may be submitted to Carla.Lipsey@cityofelkhartin.gov prior to the meeting.

1. **ROLL CALL**
2. **APPROVAL OF AGENDA**
3. **APPROVAL OF PROOFS OF PUBLICATION**
4. **NEW BUSINESS**

26-Z-01 PETITIONER IS HMS ELKHART LLC

PROPERTY IS LOCATED AT Part of 20-06-07-431-013.000-012; 1800 Fourteenth Street

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.

26-ANX-03 PETITIONER 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.
Parcel number - 20-06-20-226-001

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.

26-SUB-06 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 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.

5. **STAFF ITEMS**

26-SI-08

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

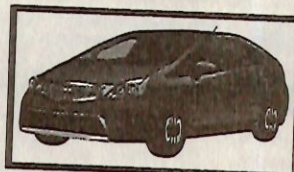
<u>Name</u>	<u>Term</u>	<u>Appointed By</u>
Jeff Schaffer, President	August 4, 2025- December 31, 2029	City Civil Engineer
Aaron Mishler, Vice President	February 7, 2022 – December 31, 2026	City Council
Dave Osborne	January 1, 2023 – December 31, 2026	Mayor
Andy Jones	September 16, 2025- December 31,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

The Elkhart Truth

CLASS

Classified Desk: 1-855-317-4292

Hours: Monday - Friday 9am-2pm EST



SEEKING MBE/WBE SUB-CONTRACTORS R. Yoder Construction, Inc. an EEO Employer is seeking qualified MBE/WBE Subcontractors for the following project – Indiana Army National Guard – Elkhart Readiness Center Modernization. Bid Date: September 9, 2026, EST 9:00 am EST. Anyone interested in bidding on this project should call: 574-773-3502 or email: estimating@ryoderconstruction.com for plans and specifications.

LEGAL NOTICE #26-Z-03

Hearing on proposed Rezoning #26-Z-03

NOTICE is hereby given that the City of Elkhart Plan Commission will meet in the Council Chambers on the second floor of the Municipal Building, 229 South Second Street, Elkhart, Indiana on **TUESDAY, SEPTEMBER 8, 2026, at 1:45 P.M.** concerning the following request:

A public hearing will be conducted on Rezoning 26-Z-03

Petitioner: 5211 Middlebury Street-Elkhart LLC and Shah Land Development LLC

Request: 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.

Location: 5211 Middlebury Street and 1133 County Road 17

Zoning: PUD, Planned Unit Development and R-1, One-Family Dwelling District

To join, go <https://teams.microsoft.com/meet/241873474263866?p=BYFw7W1HkNgcXXoE2>, enter 241 873 474 263 866 as the meeting number and “XJ3BC9W4” as the password. Attendees may preregister or enter during the meeting. Comments and questions may be submitted to Carla.Lipsey@cityofelkhart.in.gov prior to the meeting

LEGAL DESCRIPTION:

The Southeast Quarter of the Northeast Quarter of Section 12, Township 37 North, Range 5 East, Concord Township, Elkhart County, Indiana, containing 40 Acres more or less.

EXCEPTING THEREFROM THE FOLLOWING:

A part of the Southeast Quarter of the Northeast Quarter of Section 12, Township 37 North Range 5 East, Concord Township, Elkhart County, Indiana, more particularly described as follows:

The South 10 Acres in the Southeast Quarter of the Northeast Quarter of Section 12, Township 37 North, Range S East, Concord Township, Elkhart County, Indiana.

ALSO:

The Northeast Quarter of the Northeast Quarter of Section 12, Township 37 North, Range 5 East, Concord Township, Elkhart County, Indiana, containing 40 Acres, more or less.

Arguments for and against the granting of the above designated petition will be heard at this meeting.

PLEASE NOTE: A copy of this petition is on file in the Planning Office for public examination prior to the hearing. Written objections to this petition which are filed with the Secretary of the Commission, located in the Planning Office, prior to the hearing will be considered. The hearing may be continued from time to time as may be found necessary.

Dated at Elkhart, Indiana this 20th day of August 2026, by the City of Elkhart, Plan Commission.

Publication Date: 8/25/2026

LEGAL NOTICE #26-SUB-06

Hearing on proposed Major Subdivision #26-SUB-06

NOTICE is hereby given that the City of Elkhart Plan Commission will meet in the Council Chambers on the second floor of the Municipal Building, 229 South Second Street, Elkhart, Indiana on **TUESDAY, SEPTEMBER 8, 2026, at 1:45 P.M.** concerning the following request:

A public hearing will be conducted on Major Subdivision #26-SUB-06

Petitioner: 5211 Middlebury Street-Elkhart LLC and Shah Land Development LLC

Request: Per Article 4 of the Subdivision Ordinance, approval of a Preliminary Plat for a 6-1ot, +/- 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.

Location: 5211 Middlebury Street and 1133 County Road 17

Zoning: PUD, Planned Unit Development and R-1, One-Family Dwelling District

To join, go <https://teams.microsoft.com/meet/241873474263866?p=BYFw7W1HkNgcXXoE2>, enter 241 873 474 263 866 as the meeting number and “XJ3BC9W4” as the password. Attendees may preregister or enter during the meeting. Comments and questions may be submitted to Carla.Lipsey@cityofelkhart.in.gov prior to the meeting.

LEGAL DESCRIPTION:

The Southeast Quarter of the Northeast Quarter of Section 12, Township 37 North, Range 5 East, Concord Township, Elkhart County, Indiana, containing 40 Acres more or less.

EXCEPTING THEREFROM THE FOLLOWING:

A part of the Southeast Quarter of the Northeast Quarter of Section 12, Township 37 North Range 5 East, Concord Township, Elkhart County, Indiana, more particularly described as follows:

The South 10 Acres in the Southeast Quarter of the Northeast Quarter of Section 12, Township 37 North, Range S East, Concord Township, Elkhart County, Indiana.

ALSO:

The Northeast Quarter of the Northeast Quarter of Section 12, Township 37 North, Range 5 East, Concord Township, Elkhart County, Indiana, containing 40 Acres, more or less.

Arguments for and against the granting of the above designated petition will be heard at this meeting.

PLEASE NOTE: A copy of this petition is on file in the Planning Office for public examination prior to the hearing. Written objections to this petition which are filed with the Secretary of the Commission, located in the Planning Office, prior to the hearing will be considered. The hearing may be continued from time to time as may be found necessary.

Dated at Elkhart, Indiana this 20th day of August 2026, by the City of Elkhart, Plan Commission.

Publication Date: 8/25/2026

DLC#: 1280-459

STATE OF INDIANA) IN THE ELKHART SUPERIOR COURT 2
)SS:
COUNTY OF ELKHART) CAUSE NO.:20D02-2607-MF-000131

U.S. BANK NATIONAL ASSOCIATION,
Plaintiff,

0900 LEGALS

**STATE OF INDIANA
IN THE ELKHART
CIRCUIT SUPERIOR COURT
COUNTY OF ELKHART**

**CAUSE NO.
20002-2007-00-000131**

**IN RE: THE ESTATE OF:
ANATOLY KHALO**

**NOTICE OF ESTATE
ADMINISTRATION**

Notice is hereby given that Daniel Khalo was, on the 4th day of August 2026, appointed Personal Representative of the Estate of Anatoly Khalo, deceased, who died on April 24, 2026.

All persons having claims against the Estate, whether or not now due, must file the claim in the office of the Clerk of this Court within three (3) months after the date of the first publication of this Notice, or nine (9) months after death, or the claims will be forever barred pursuant to IC 29-1-7-7.

The Estate is being administered without court supervision.

Dated: August 5, 2026

/s/ Patricia Pickens
Clerk of the Elkhart Superior Court

/s/ Jeffrey J. Stasiak
Jeffrey J. Stasiak (10870-46)
PFCIFER MORRAN & STEGAK
3500 N. Townsend Road
South Bend, IN 46635
Telephone: (574) 272-0370
Facsimile: (574) 271-4230
jstasiak@lawyers.com

**MAKE
SOME
MONEY**



**IN THE
CLASSIFIEDS
TODAY!**

**TO THE OWNERS OF THE WITHIN DESCRIBED REAL ESTATE
AND ALL INTERESTED PARTIES**

NOTICE OF SHERIFF'S SALE

By virtue of a certified copy of a decree to me directed from the Clerk of the Superior Court of Elkhart County, Indiana, in Cause No. 20002-2002-MF-000045 wherein Wells Fargo Bank, N.A. was Plaintiff, and Brenda K. Price, FKA Brenda K. Mason, The United States of America, Securities of Housing and Urban Development, Mechana Physical Medicine, Medical Credit Management, Inc., and Marine Finance were Defendants, requiring me to make the sum as provided for in said Decree with interest and cost, I will expose at public online sale to the highest bidder on the 23 day of September, 2026, at the hour of 10:30am with a closing time of 11:30am, or as soon thereafter as is possible, at www.zusauction.com, the fee simple of the whole body of Real Estate in Elkhart County, Indiana

Commencing at a stone at the Southeast corner of said Section 36; thence North 27°23' East to a cross at in Elkhart County Highway No. 45; thence North 49° 02' West, 101.22 feet to a cross at in said Elkhart County Highway No. 45; thence North 49° 37' West, 1201.07 feet to a cross at in said Elkhart County Highway No. 45; thence North 50° 04' West, 870.50 feet to a cross at in said Elkhart County Highway No. 45; thence North 50° 21' East, a distance of 200 feet to a spike set in the centerline of Elkhart County Highway No. 17; thence North 55° 21' East along the centerline of said Elkhart County Highway No. 17, 119.25 feet to a spike set in said County Road 143, being the place of beginning of land here described; thence South 37° 30' West, 198 feet to an iron stake; thence North 54° 33' East, 143.45 feet to an iron stake; thence South 37° 52' East, 200.00 feet to a spike set in the centerline of said Elkhart County Highway No. 17; thence South 55° 21' West, along the centerline of said Elkhart County Highway No. 17, to the place of beginning of this tract. Being a part of a tract in the Northeast Quarter of Section 36, Township 37 North, Range 5 East.

More commonly known as: 59927 County Road 117, Goshen, IN 46526
Parcel No. 20-06-06-004-000-000-009

Together with rents, issues, income, and profits thereof, said sale will be made without relief from valuation or appraisal laws.

Subject to all liens, encumbrances and easements of record not otherwise extinguished in the proceedings known as Cause 20002-2002-MF-000045 in the Superior Court of the County of Elkhart, Indiana.

Attorney for Plaintiff: Stephanie A. Reinhardt, J.A. Siegel
ATTORNEY NO. 25071-00 Sheriff of Elkhart County
MDK Legal
P.O. Box 150528 Concord Township
Columbus OH 43216-0528
59927 County Road 117
Street Address

The Sheriff's Department does not warrant the accuracy of the street address published herein.

**ELKHART COUNTY SHERIFF'S DEPARTMENT
TO THE OWNERS OF THE WITHIN DESCRIBED REAL ESTATE
AND ALL INTERESTED PARTIES**

NOTICE OF SHERIFF'S SALE

Sheriff's File Number:
Date of Sale: September 23, 2026 at 10:30 AM.
Goshen News

Judgment to be Satisfied:
By virtue of a certified copy of a decree to me directed from the Clerk of Elkhart Superior Court 2 of Elkhart County, Indiana, in Cause No. 20002-2500-MF-000146

Plaintiff: Freedom Mortgage Corporation

Defendant: Kim A. McIntire and Summit Account & Computer Services, Inc.

required me to make the sum as provided for in said Decree with interest and cost, I will expose at public sale to the highest bidder, at the hour of 10:30 AM of said day later above, at www.zusauction.com, the fee simple of the whole body of Real Estate in Elkhart County, Indiana.

Lot Numbered 131 as shown on the plat of Kenwood Addition recorded March 28, 1926 in the Office of the Recorder of Elkhart County, Indiana in Deed Record 73, page 369.

More commonly known as 125 Kenwood Ave, Elkhart, IN 46516-4410
Parcel No. 20-06-04-252-010-002-012

Together with rents, issues, income, and profits thereof, said sale will be made without relief from valuation or appraisal laws. This Notice shall also represent service of Notice of Sale of the above-described real estate upon the owners, pursuant to requirements of IC 32-29-7-3.

/s/ BRYAN K. REDMOND
BRYAN K. REDMOND, Plaintiff Attorney
Attorney # 22108-23

FEWELL & HANNON, P.C.
8415 Allison Pointe Blvd., Suite 400
Indianapolis, IN 46250

Concord Township

The Sheriff's Department does not warrant the accuracy of the street address published herein.

**NOTICE
FEWELL & HANNON, P.C. IS A DEBT COLLECTOR**

0900 LEGALS

**STATE OF INDIANA
IN THE ELKHART
CIRCUIT SUPERIOR COURT
COUNTY OF ELKHART**

**CASE NO.
20006-2006-MF-000221**

**IN RE THE NAME CHANGE
OF A MINOR
Dayle Sue Riffe
Minor Child**

/s/ Erin Donclivio
Mother, Petitioner Filing

**NOTICE OF PETITION FOR
CHANGE OF NAME**

Notice is hereby given that Petitioner, Erin Donclivio, as self-represented filer, filed Verified Petition to change the name of Dayle Sue Riffe to Dayle Sue Donclivio.

Petition will be scheduled for hearing in the Elkhart County Court Complex on September 22, at 1:45 p.m. Any person has the right to appear at the hearing and to file written objections on or before the hearing date.

Date: June 15, 2026

/s/ Patricia Pickens
Clerk, Elkhart Superior Court

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**ELKHART COUNTY SHERIFF'S DEPARTMENT
TO THE OWNERS OF THE WITHIN DESCRIBED REAL ESTATE
AND ALL INTERESTED PARTIES**

NOTICE OF SHERIFF'S SALE

Sheriff's File Number:
Date of Sale: September 23, 2026 at 10:30 AM.
Goshen News

Judgment to be Satisfied:
By virtue of a certified copy of a decree to me directed from the Clerk of Elkhart Superior Court 2 of Elkhart County, Indiana, in Cause No. 20005-2403-MF-000054

Plaintiff: Citibank, N.A., in its individual capacity, but solely as owner trustee of the New Residential Mortgage Loan Trust 2015-1

Defendant: Rhonda Phillips, OneMain Financial Group, LLC */s/la OneMain Financial Services, Inc. */s/la OneMain Financial of Indiana, Inc. */s/la American General Financial Services, Inc. and Indiana Housing & Community Development Authority***

required me to make the sum as provided for in said Decree with interest and cost, I will expose at public sale to the highest bidder, at the hour of 10:30 AM of said day later above, at www.zusauction.com, the fee simple of the whole body of Real Estate in Elkhart County, Indiana.

Lot Numbered One Hundred One (101), One Hundred Two (102), One Hundred Three (103) and One Hundred Four (104) as the said Lots are known and designated on the recorded Plat of RIVERDALE, a Subdivision in Concord Township; said Plat being recorded in Plat Book 2 page 29 in the Office of the Recorder of Elkhart County, Indiana.

More commonly known as 57839 Yukon St, Elkhart, IN 46516-6401
Parcel No. 20-06-14-352-015-000-009

Together with rents, issues, income and profits thereof, said sale will be made without relief from valuation or appraisal laws. This Notice shall also represent service of Notice of Sale of the above-described real estate upon the owners, pursuant to requirements of IC 32-29-7-3.

/s/ Matthew S. Love
MATTHEW S. LOVE, Plaintiff Attorney */s/ J. A. Siegel, Sheriff*
Attorney # 18702-29
FEWELL & HANNON, P.C.
8415 Allison Pointe Blvd., Suite 400
Indianapolis, IN 46250
(317) 237-2727

Concord Township

The Sheriff's Department does not warrant the accuracy of the street address published herein.

**NOTICE
FEWELL & HANNON, P.C. IS A DEBT COLLECTOR**

**TO THE OWNERS OF THE WITHIN DESCRIBED REAL ESTATE
AND ALL INTERESTED PARTIES**

NOTICE OF SHERIFF'S SALE

By virtue of a certified copy of a decree to me directed from the Clerk of the Superior Court of Elkhart County, Indiana, in Cause No. 20002-2002-MF-000031 wherein Wells Fargo Bank, N.A. was Plaintiff, and Bryan L. Good and Navy Federal Credit Union were Defendants, requiring me to make the sum as provided for in said Decree with interest and cost, I will expose at public online sale to the highest bidder on the 23 day of September, 2026, at the hour of 10:30am, with a closing time of 11:30am, or as soon thereafter as is possible, at www.zusauction.com, the fee simple of the whole body of Real Estate in Elkhart County, Indiana.

A part of the Northwest Quarter (NW 1/4) of Section 35, Township 37 North, Range 5 East, Concord Township, Elkhart County, Indiana, more particularly described as follows:

Commencing at an iron pin in the concrete pavement marking the Northwest corner of said Northwest Quarter (NW 1/4); thence South 89 degrees 40 minutes 00 seconds East along the North line of said Northwest Quarter (NW 1/4) a distance of 1500.41 feet to a cross at in the concrete bridge deck marking the Northeast corner of a parcel of land conveyed to Harold G. and Lois E. Wiggins and recorded in the Office of the Recorder of Elkhart County in Warranty Deed Record Volume 290, Page 505, said cross also as one of the points of beginning of this description; thence South 55 degrees 41 minutes 00 seconds East along the East line of said Wiggins parcel and the centerline of the Yellow Creek a distance of 72.26 feet; thence South 24 degrees 07 minutes 00 seconds East along the East line of said Wiggins parcel and the centerline of the Yellow Creek a distance of 374.16 feet; thence North 89 degrees 40 minutes 00 seconds West parallel with the North line of said Northwest Quarter (NW 1/4) a distance of 219.83 feet to a nail; thence North 17 degrees 12 minutes 00 seconds West a distance of 400.00 feet to a p.s. nail on the North line of said Northwest Quarter (NW 1/4); thence South 89 degrees 40 minutes 00 seconds East along the West line of said County Road #20, being parallel with and 20.00 feet South of as measured at right angles to the North line of the Northwest Quarter (NW 1/4) of said Section 35, a distance of 116.7 feet to the point of beginning of this description.

LESS AND EXCEPTING THE FOLLOWING:

A part of the Northwest Quarter (NW 1/4) of Section 35, Township 37 North, Range 5 East, Concord Township, Elkhart County, Indiana, being more particularly described as follows:

Commencing at a County Monument marking the Northeast corner of the Northwest Quarter (NW 1/4) of said Section 35; thence South 89 degrees 34 minutes 00 seconds East (assumed bearing) along the North line of the Northwest Quarter (NW 1/4) of said Section 35, and the centerline of County Road #20, a distance of 1409.41 feet to the Northwest corner of a parcel of land conveyed to Jim and Kathy Torrey as described and recorded in the Office of the Recorder of Elkhart County in Instrument #91 01721; thence South 17 degrees 50 minutes 00 seconds East along the West line of said County Road #20, being parallel with and 20.00 feet South of as measured at right angles to the North line of the Northwest Quarter (NW 1/4) of said Section 35, a distance of 20.07 feet to the South right of way line of said County Road #20 and the point of beginning of this description; thence continuing South 7 degrees 10 minutes 00 seconds East along the West line of said County Road #20, a distance of 10.49 feet; thence South 89 degrees 34 minutes 00 seconds East parallel with and 20.00 feet South of as measured at right angles to the North line of the Northwest Quarter (NW 1/4) of said Section 35, a distance of 114.68 feet to the Easterly line of said Torrey parcel; thence North 89 degrees 34 minutes 00 seconds West along the Easterly line of said Torrey parcel, a distance of 10.06 feet to the South right of way line of said County Road #20; thence North 89 degrees 34 minutes 00 seconds West along the South right of way line of said County Road #20, being parallel with and 20.00 feet South of as measured at right angles to the North line of the Northwest Quarter (NW 1/4) of said Section 35, a distance of 116.7 feet to the point of beginning of this description.

More commonly known as: 23720 County Road 20, Elkhart, IN 46517
Parcel No. 20-06-25-126-001-000-009

Together with rents, issues, income, and profits thereof, said sale will be made without relief from valuation or appraisal laws.

Subject to all liens, encumbrances and easements of record not otherwise extinguished in the proceedings known as Cause 20002-2002-MF-000031 in the Superior Court of the County of Elkhart, Indiana.

Attorney for Plaintiff: Stephanie A. Reinhardt, J.A. Siegel
ATTORNEY NO. 25071-00 Sheriff of Elkhart County
MDK Legal
P.O. Box 150528 Concord Township
Columbus OH 43216-0528
23720 County Road 20
Street Address

The Sheriff's Department does not warrant the accuracy of the street address published herein.

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DEC 2001600

The Elkhart County Board of Commissioners is planning to undertake a bridge replacement project funded in part by the Federal Highway Administration. The project is located on CR 31 over Hydraulic Canal in Elkhart County. The project will involve the replacement of the Elkhart County Bridge 335 over Hydraulic Canal, located 0.2 mile north of CR 46.

The project will require the acquisition of 0.72 acre of permanent right of way (ROW) and 0.17 acre of temporary ROW from Elkhart County Park. The property affected is the River Preserve County Park, which is a recreational facility that is open to the public. The designed action will not adversely impact the activities, features, and attributes that qualify the property for protection under Section 4(f) of the Department of Transportation Act of 1960 and in accordance with SAFETEA-LU Section 6009 (a). As such, it is the intent of the Indiana Department of Transportation (INDOT), along with the Federal Highway Administration (FHWA), to issue a finding of de minimis, in accordance with SAFETEA-LU Section 6009 (a), the views of the public are being sought regarding the effect of the proposed project on the public recreational area. Please respond with any comments no later than September 21, 2026 to the contact information below.

Christian Radloff
Environmental Project Manager and Permitting Specialist
SICA Inc cradloff@sica.com; (317) 566-0629
9102 N Meridian St, Suite 200
Indianapolis, Indiana, 46203

LEGAL NOTICE #26-201

Hearing on proposed Rezoning #26-201

NOTICE is hereby given that the City of Elkhart Planning Commission will meet in the Council Chambers on the second floor of the Municipal Building, 229 South Second Street, Elkhart, Indiana, on TUESDAY, September 8, 2026, at 1:45 P.M. concerning the following request:

A public hearing will be conducted on Rezoning #26-201.

Petitioner: HMS Elkhart, LLC

Request: 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.

Location: Part of 20-06-07-431-013-000-012; 1800 Fourteenth Street

Zoning: M-2, General Manufacturing District

To join, go
<https://teams.microsoft.com/join/2418734742036607p-0YFw7W7H1kNqXx0e2>, enter 241 873 474 263 866 as the meeting number and "XJ3BCGW4" as the password. Attendees may pre-register or enter during the meeting. Comments and questions may be submitted to Carl.Linsley@cityofelkhart.in.gov prior to the meeting

LEGAL DESCRIPTION:
A PART OF THE SOUTHEAST QUARTER OF SECTION 7, TOWNSHIP 37 NORTH, RANGE 5 EAST, CITY OF ELKHART, CONCORD TOWNSHIP, ELKHART COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 349 IN ELLINGTON ADDITION, TO THE CITY OF ELKHART; SAID PLAT BEING RECORDED IN DEED RECORD 111, PAGE 188 IN THE OFFICE OF THE RECORDER OF ELKHART COUNTY, INDIANA; THENCE NORTH 74° 10' 00" EAST ALONG THE EAST LINE OF SAID LOT 349, 119.98 FEET TO THE SOUTHEAST CORNER OF LOT 348, BEING A POINT ON THE NORTH RIGHT OF WAY LINE OF LEONARD AVENUE; THENCE NORTH 89° 10' 38" WEST ALONG THE NORTH LINE OF SAID RIGHT OF WAY, 159.76 FEET; THENCE NORTH 90° 20' 00" WEST PARALLEL WITH THE EAST RIGHT OF WAY LINE OF FOURTEENTH STREET, 120.00 FEET TO A POINT ON THE NORTH LINE OF LOT 352, BEING A POINT ON THE EAST LINE VACATED ALLEY; THENCE SOUTH 89° 10' 25" EAST ALONG THE SOUTH LINE OF SAID VACATED ALLEY, 67.41 FEET; THENCE NORTH 00° 20' 00" WEST PARALLEL WITH THE EAST RIGHT OF WAY OF FOURTEENTH STREET, 64.10 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF WEST WOLF AVENUE; THENCE NORTH 89° 05' 00" EAST ALONG THE SOUTH LINE OF SAID RIGHT OF WAY LINE, 83.83 FEET TO THE NORTHEAST CORNER OF A PARCEL OF LAND CONVEYED TO JOHN REINER IN INSTRUMENT #2008-05913; THENCE SOUTH 00° 13' 00" EAST ALONG THE WEST LINE OF SAID REINER PARCEL AND THE PROJECTION THEREOF, 65.51 FEET TO A POINT ON THE NORTH LINE OF LOT 349; THENCE SOUTH 89° 10' 25" EAST ALONG THE NORTH LINE OF SAID LOT 349, 8.84 FEET TO THE POINT OF BEGINNING OF THE DESCRIBED CORNERING 2.612 SQUARE FEET OR 0.065 ACRES, MORE OR LESS, BEING SUBJECT TO ALL EASEMENTS, RESTRICTIONS AND RIGHTS OF WAY OF RECORD.

Arguments for and against the granting of the above designated petition will be heard at this meeting.

PLEASE NOTE: A copy of this petition is on file in the Planning Office for public examination prior to the hearing. Written objections to this petition which are filed with the Secretary of the Commission, located in the Planning Office, prior to the hearing will be considered. The hearing may be continued from time to time as may be found necessary.

Dated at Elkhart, Indiana this 14th day of August 2026, by the City of Elkhart, Planning Commission.

Publication Date: 8/21/2026

LEGAL NOTICE #26-ANX-03

Hearing on proposed Annexation #26-ANX-03

NOTICE is hereby given that the City of Elkhart Planning Commission will meet in the Council Chambers on the second floor of the Municipal Building, 229 South Second Street, Elkhart, Indiana, on TUESDAY, SEPTEMBER 8, 2026, at 1:45 P.M. concerning the following request:

A public hearing will be conducted on Annexation #26-ANX-03.

Petitioner: Lighthouse Vineyard Church, Inc.

Request: As prescribed by Section 29.11.b, a request to annex 3300 Denham Avenue, land containing 3.9 acres.
Parcel number - 20-06-20-226-001

Location: 3300 Denham Avenue

Zoning: R-1, One Family Dwelling District

To join, go
<https://teams.microsoft.com/join/2418734742036607p-0YFw7W7H1kNqXx0e2>, enter 241 873 474 263 866 as the meeting number and "XJ3BCGW4" as the password. Attendees may pre-register or enter during the meeting. Comments and questions may be submitted to Carl.Linsley@cityofelkhart.in.gov prior to the meeting

LEGAL DESCRIPTION:
A part of the Northeast Quarter of Section 20, and the Southeast Quarter of Section 17, Township 37 North, Range 5 East, more particularly described as follows:

Commencing at a cross on the brick pavement at the Northeast corner of said Section 20; thence South 1 degree 1 minute East along the East line of said Section 20, 223.74 feet to a cross on the brick pavement at the intersection of the East line of said Section 20, with the centerline of the Mishawaka Road; thence North 70 degrees 46 minutes West along the centerline of said road, 303.74 feet to a railroad spike; thence North 70 degrees 29 minutes West along the centerline of said road, 433.17 feet to a railroad spike; thence North 70 degrees 13 minutes West along the centerline of said road, 180 feet to a railroad spike for the beginning point of this description; thence North 70 degrees 13 minutes West along the centerline of said road, 405.57 feet to a railroad spike that is South 78 degrees 15 minutes East, 41.02 feet from a railroad spike at the intersection of the centerline of the said Mishawaka Road and the centerline of Denham Avenue; thence South 1 degree 3 minutes East, 225.34 feet to an iron stake at the point of curvature of a curve bearing to the left and having a radius of 1073.68 feet; thence Southwesterly along said curve, 146.78 feet to an iron stake at a point of reverse curvature; thence Southwesterly along a curve bearing to the right and having a 1073.68 foot radius, 146.78 feet to an iron stake at the point of tangency of said curve; thence North 88 degrees 00 minutes West along the last mentioned curve, 180 feet to an iron stake; thence North 83 degrees 00 minutes East, 170 feet to an iron stake; thence Northwesterly along said curve, 177.0 feet to an iron stake at the point of tangency of said curve; thence North 11 degrees 47 minutes East, 125 feet to the place of beginning.

Arguments for and against the granting of the above designated petition will be heard at this meeting.

PLEASE NOTE: A copy of this petition is on file in the Planning Office for public examination prior to the hearing. Written objections to this petition which are filed with the Secretary of the Commission, located in the Planning Office, prior to the hearing will be considered. The hearing may be continued from time to time as may be found necessary.

Dated at Elkhart, Indiana this 14th day of August 2026, by the City of Elkhart, Planning Commission.

Publication Date: 8/21/2026



Staff Report

Planning & Zoning

<u>Petition:</u>	26-Z-01
<u>Petition Type:</u>	Rezoning
<u>Date:</u>	September 8, 2026
<u>Petitioner:</u>	HMS Elkhart, LLC
<u>Site Location:</u>	Part of 20-06-07-431-013.000-012; 1800 Fourteenth Street
<u>Request:</u>	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.
<u>Parcel I.D. Number(s):</u>	20-06-07-431-013.000-012
<u>Existing Zoning:</u>	M-2, General Manufacturing District
<u>Size:</u>	+/- 1.19 Acres
<u>Thoroughfares:</u>	14 th Street and Leonard Avenue and West Wolf Avenue
<u>School District:</u>	Elkhart Community Schools
<u>Utilities:</u>	Available to site
<u>Surrounding Land Use & Zoning:</u>	The property is located amongst a mix of manufacturing and residential uses zoned R-2, One Family Dwelling District and M-2, General Manufacturing District.
<u>Applicable Sections of the Zoning Ordinance:</u>	See enumerated in request.
<u>Comprehensive Plan:</u>	The Comprehensive Plan calls for this area to be developed with industrial and residential uses.
<u>Plan Commission Action:</u>	Recommendation to Common Council.



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.

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.

Photos



Looking South from Wolf Avenue



Looking Northeast from Leonard of proposed zoned area

Attachments

Petition, appeal letter, affidavit, and site plan.



Staff Report

Planning & Zoning

<u>Petition:</u>	26-ANX-03
<u>Petition Type:</u>	Annexation Request
<u>Date:</u>	September 8, 2026
<u>Petitioner:</u>	Lighthouse Vineyard Church, Inc.
<u>Site Location:</u>	3300 Benham Avenue
<u>Request:</u>	As prescribed by Section 29.11.B, a request to annex 3300 Benham Avenue, land containing 3.9 acres.
<u>Parcel number -</u>	20-06-20-226-001.000-009
<u>Existing Zoning:</u>	R-1, One Family Dwelling District (Elkhart County Zoning)
<u>Size:</u>	+/- 3.9 Acres
<u>Thoroughfares:</u>	West Mishawaka Road and Benham Avenue and Valley View Drive
<u>School District:</u>	Concord Community Schools
<u>Utilities:</u>	Available and provided to the site.

Surrounding Land Use & Zoning:

Land to the west is residential zoned R-1 residential zoned in the Elkhart County and R-1, One Family Dwelling District in the City of Elkhart. Land to the south is residential zoned R-1 residential zoned in the Elkhart County. Land to the east is residential zoned R-1 residential zoned in the Elkhart County. Land to the north is residential zoned R-1 residential zoned in the Elkhart County.

Applicable Sections of the Zoning Ordinance:

Section 29: Administration and Enforcement, 29.11 Amendments

Comprehensive Plan:

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

Plan Commission Action:

Recommendation to Common Council



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.

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.

Photos



Looking East from south end of intersection of Mishawaka & Benham



Looking South from Mishawaka at Large front yard



Looking West from Valley View Drive @ Church

Attachments

Petition, Legal Description, narrative, affidavit, site plan, and Fiscal Plan.

PETITION #: 26-Annex-03 FILING FEE: \$ 200

PETITION to the PLAN COMMISSION

PETITION TYPE: ANNEXATION

This action requires final approval from the Common Council

Property Owner(s): Lighthouse Vineyard Church, Inc.; Clint Schwartz, President

Mailing Address: [REDACTED]

Phone #: [REDACTED] Email: [REDACTED]

Contact Person: Clint Schwartz, Pastor

Mailing Address: Same as above

Phone #: _____ Email: _____

Subject Property Address: 3300 Benham Avenue, Elkhart, Indiana 46517

Zoning: R-1, Single-Family Residential (Existing Elkhart County); SUB-R, Suburban Residential (Proposed City of Elkhart)

Present Use: Place of Worship Proposed Use: Place of Worship

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

PROPERTY OWNER(S) OR REPRESENTATIVE (PRINT): Clint Schwartz, President
Lighthouse Vineyard Church, Inc.

SIGNATURE(S): [Signature] [Signature] DATE: 7/1/26

STAFF USE ONLY:

Staff Checklist for the applicant's submittal of a complete Petition to the Plan Commission docket:

X One copy of the Appeal Letter signed in ink by the owner (or representative) of the property.

X A completed Petition form signed by the legal owner of record (or approved representative).

N/A If any person other than the legal owner or the legal owner's attorney files the appeal, written and signed authorization from the property owner must be supplied.

X A full and accurate legal description of the property.

X One to scale drawing of the property, measuring 11" x 17" or smaller. If larger than 11" x 17", 25 copies must be submitted.

X Any other information listed in the Instructions and Filing Procedure for this type of Petition.

Ordinance Requirement: Section(s): _____

Map #: _____ Area: _____

RECEIVED BY: _____ DATE: _____

ANNEXATION PETITION

DATE: July 31, 2026

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

RE: Petition for Annexation, 3300 Benham Avenue, Elkhart, Indiana

The undersigned petitioner respectfully shows the Plan Commission and Common Council:

1. I, Clint Schwartz, President of Lighthouse Vineyard Church, Inc., is the owner of the following described real estate located in Concord Township, Elkhart County, State of Indiana, to-wit:

Parcel Number 20-06-20-226-001.000-009

A part of the Northeast Quarter of Section 20, and the Southeast Quarter of Section 17, Township 37 North, Range 5 East, more particularly described as follows:

Commencing at a cross on the brick pavement at the Northeast corner of said Section 20; thence South 1 degree 1 minute East along the East line of said Section 20, 223.74 feet to a cross on the brick pavement at the intersection of the East line of said Section 20, with the centerline of the Mishawaka Road; thence North 70 degrees 46 minutes West along the centerline of said road, 303.74 feet to a railroad spike; thence North 76 degrees 29 minutes West along the centerline of said road, 438.17 feet to a railroad spike; thence North 78 degrees 13 minutes West along the centerline of said road, 180 feet to a railroad spike for the beginning point of this description; thence North 78 degrees 13 minutes West along the centerline of said road, 406.57 feet to a railroad spike that is South 78 degrees 13 minutes East, 41.02 feet from a railroad spike at the intersection of the centerline of the said Mishawaka Road and the centerline of Benham Avenue; thence South 1 degree 3 minutes East, 225.34 feet to an iron stake at the point of curvature of a curve bearing to the left and having a radius of 1073.68 feet; thence Southwardly along said curve, 146.78 feet to an iron stake at a point of reverse curvature; thence Southwardly along a curve bearing to the right and having a 1073.68 foot radius, 146.78 feet to an iron stake at the point of tangency of said curve; thence North 88 degrees 57 minutes East at right angles to the last mentioned curve, 180 feet to an iron stake; thence North 83 degrees 7 minutes East, 170 feet to an iron stake; thence North 6 degrees 53 minutes West at right angles to the last described line, 112.32 feet to an iron stake at the point of curvature of a curve which bears to the right and has a radius of 546.08 feet; thence Northwardly along said curve, 177.9 feet to an iron stake at the point of tangency of said curve; thence North 11 degrees 47 minutes East, 125 feet to the place of beginning.

2. The above-described real estate presently has a zoning classification of R-1, Single-Family Residential District under the Elkhart County Zoning Ordinance.
3. The petitioner presently occupies the above-described property in the following manner as a Place of Worship.
4. The petitioner desires to annex and rezone said real estate to SUB-R, Suburban Residential District, under the City of Elkhart Zoning Ordinance for that purpose.

5. The petitioner has presented evidence to the City Engineer's representative that the property to be annexed is approximately 14.1% percent contiguous to the City Limits and therefore eligible for annexation.
6. The petitioner believes the annexation will be mutually beneficial due to the following:
- The petitioner is currently a City of Elkhart water customer and desires to connect to the City of Elkhart wastewater collection system.
 - When annexed, though a tax-exempt non-profit, the petition would pay stormwater fees to the City of Elkhart.
 - The petitioner intends to improve the above-described real estate with a proposed building and parking lot addition.
 - The petitioner's ministries are a benefit to the residents of the City of Elkhart.

WHEREFOR, the petitioner prays and respectfully requests a hearing on this annexation request and that after such hearing, the Plan Commission make a do pass recommendation and the Council, after hearing, pass on the appropriate ordinance annexing the above-described parcel of land located in Concord Township, Elkhart County, State of Indiana.

Signature of Property Owner: Clint Schwartz

Printed Name and Title: Clint Schwartz, President, Lighthouse Vineyard Church, Inc.

Contact Person: Clint Schwartz, Pastor

Company Name: Lighthouse Vineyard Church, Inc.

Address: 3300 Benham Avenue, Elkhart, Indiana 46517

Telephone: [REDACTED]

Email: [REDACTED]

AFFIDAVIT IN SUPPORT OF ANNEXATION PETITION

I, Clint Schwartz, being first duly sworn upon his oath, deposes and says that he is familiar with and has personal knowledge of the facts herein and, if called as a witness in this matter, would testify as follows:

1. I am over eighteen (18) years of age and am competent to testify to the matters contained herein.
2. I make this affidavit in support of my annexation petition filed contemporaneously herewith.
3. I am now and at all times relevant herein have been President of Lighthouse Vineyard Church, Inc., the owner of record of the property located at 3300 Benham Avenue, Elkhart, Indiana.
4. Further affiant sayeth not.

Executed on the 1st day of July, 2026.

Signed: _____

Printed Name: Clint Schwartz, President, Lighthouse Vineyard Church, Inc.

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

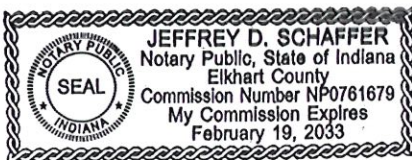
Signed: _____

Printed Name: Clint Schwartz, President, Lighthouse Vineyard Church, Inc.

STATE OF INDIANA)
) SS:
COUNTY OF ELKHART)

Before me the undersigned, a Notary Public in and for the State of Indiana, personally appeared Clint Schwartz, who is personally known to me, and acknowledged his execution of the forgoing.

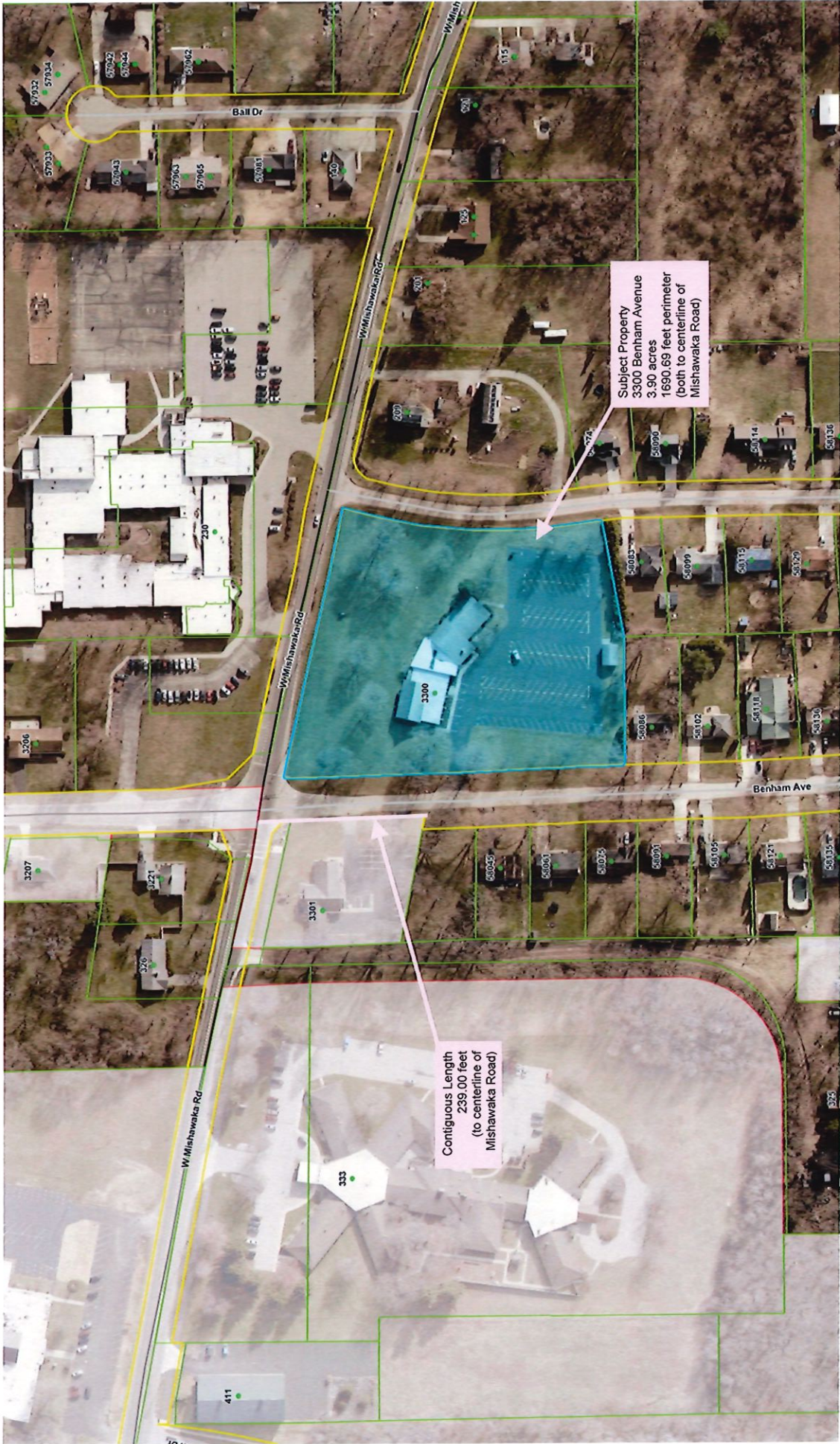
Subscribed and sworn to before me on the 1st day of July, 2026.



Signed: _____

Printed Name: Jeffrey Schaffer, Notary Public

Lighthouse Vineyard Church, Inc. | Annexation Petition



**ANNEXATION FISCAL PLAN
FOR THE
CITY OF ELKHART**

**Lighthouse Vineyard Church, Inc.
Annexation**

August 31, 2026

Prepared by:



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INTRODUCTION

The following fiscal plan (the "Fiscal Plan") is for the proposed annexation of a parcel to the east of the existing corporate limits on the south side of Elkhart (the "Annexation Area"). The requirements of the Indiana Code mandate the development and adoption of a written fiscal plan and the establishment of a definite policy by resolution of the City Council. The Indiana Code states that this fiscal plan must include and provide:

- 1) The cost estimates of planned services to be furnished to the territory to be annexed. The plan must present itemized estimated costs for each municipal department or agency;
- 2) The method or methods of financing the planned services. The plan must explain how specific and detailed expenses will be funded and must indicate the taxes, grants and other funding to be used;
- 3) The plan for the organization and extension of services. The plan must detail the specific services that will be provided and the dates the services will begin;
- 4) That planned services of a non-capital nature, including police protection, fire protection, street and road maintenance and other non-capital services normally provided within the corporate boundaries will be provided within one (1) year after the effective date of annexation and that they will be provided in a manner equivalent in standard and scope to those non-capital services provided in areas within the corporate boundaries regardless of similar topography, patterns of land use and population density;
- 5) That services of a capital improvement nature, including street construction, street lighting, sewer facilities, water facilities and storm water drainage facilities, will be provided to the annexed territory within three (3) years after the effective date of the annexation in the same manner as those services are provided to areas within the corporate boundaries, regardless of similar topography, patterns of land use and population density and in a manner consistent with federal, state and local laws, procedures and planning criteria;
- 6) The estimated effect of the proposed annexation on taxpayers in each of the political subdivisions to which the proposed annexation applies, including the expected tax rates, tax levies, expenditure levels, service levels, and annual debt service payments in those political subdivisions for four (4) years after the effective date of the annexation;
- 7) The estimated effect the proposed annexation will have on municipal finances, specifically how municipal tax revenues will be affected by the annexation for four (4) years after the effective date of the annexation;
- 8) Any estimated effects on political subdivisions in the county that are not part of the annexation and on taxpayers located in those political subdivisions for four (4) years after the effective date of the annexation; and

INTRODUCTION

- 9) A list of all parcels of property in the annexation territory and the following information regarding each parcel:
- (A) The name of the owner of the parcel.
 - (B) The parcel identification number.
 - (C) The most recent assessed value of the parcel.
 - (D) The existence of a known waiver of the right to remonstrate on the parcel.

This Fiscal Plan may include additional materials in connection with the foregoing. It was developed through the cooperative efforts of the City's various administrative offices and the City's financial advisors, Baker Tilly. This Fiscal Plan is the result of an analysis of the proposed Annexation Area.

The Annexation Area is contiguous to the City for the purposes of Indiana Code 36-4-3-1.5, and there is a written Fiscal Plan, herein provided, that has been approved by the City Council.

SECTION I

AREA DESCRIPTION

A. Location, Area Size and Contiguity

The proposed Annexation Area is located to the east of the existing corporate boundaries on the south side of the City. A map and legal description of the area to be annexed has been included in attached Appendix II.

The Lighthouse Vineyard Church, Inc. Annexation Area is approximately 4 acres. The perimeter boundary of the Annexation Area is over 12.5% contiguous to the existing corporate boundaries of the City.

B. Current Land Use

The Annexation Area consists of a place of worship.

C. Zoning

Existing Zoning: Single-Family Residential (R-1)

Proposed Zoning: Suburban Residential (SUB-R)

D. Current Population

The current population of the Annexation Area is estimated at 0, as there are no occupied homes within the Annexation Area.

E. Real Property Assessed Valuation

The estimated net assessed valuation for land and improvements in the Annexation Area is \$0. This represents the net assessed value as of January 1, 2025, for taxes payable 2026. This property has a gross assessed value of \$637,000, but this value will not be added to the City's assessed value due to the tax-exempt nature of the property; therefore, the net value is considered to be \$0.

SECTION II

NON-CAPITAL SERVICES

A. Cost of Services

The current standard and scope of non-capital services being delivered within the City and the Annexation Area were evaluated by each municipal department to determine the personnel and equipment necessary to provide such non-capital services in a manner equivalent in standard and scope to services that are currently provided within the existing City's municipal boundary.

The City will make all non-capital services available to the Annexation Area within one (1) year after the effective date of the annexation in a manner equivalent in standard and scope to those non-capital services provided to areas within the City regardless of topography, patterns of land use, and population density.

B. Police Protection

The Elkhart County Sheriff's Department currently provides police protection and law enforcement services to the Annexation Area. However, all non-capital services of the Elkhart Police Department will be made available in the Annexation Area within 1 year of the effective date of this annexation and will be extended in a manner equivalent in standard and scope to the services provided to the other areas within the corporate boundaries of the City.

The City of Elkhart Police Department's primary purpose is the prevention of crime. The department is manned 24 hours per day, and it consists of over 100 officers. The Police Department consists of several divisions with many specialty units. For example, the patrol division includes a special response team, an explosive ordnance disposal unit, a dive team and a canine unit. The Police Department patrols within the boundaries of the City on a daily basis and responds to all alarm calls. In addition, the Police Department provides other services such as detection and apprehension of offenders, traffic control and preservation of civil order. The Police Department does not distinguish between different areas of the City. The same services are provided throughout the City. Due to the location and character of the Annexation Area, the City does not anticipate needing to hire additional officers as a result of the annexation. There will be no increase in fuel and vehicle maintenance as a result of the annexation.

C. Fire Protection and Emergency Medical Services

The Annexation Area is currently served by the Concord Township Fire Department. However, all non-capital services of the Elkhart Fire Department ("E.F.D.") will be made available in the Annexation Area within 1 year of the effective date of this annexation and will be extended in a manner equivalent in standard and scope to the services provided to the other areas within the corporate boundaries of the City. It is anticipated that there will be no additional costs to the City as a result of the annexation.

D. Communications Center

Any dispatch calls within the Annexation Area are currently handled by Elkhart County 9-1-1 Communications Center. This will not change as a result of the annexation; therefore, there will be no additional costs for the provision of services upon annexation.

SECTION II

(Cont'd)

NON-CAPITAL SERVICES

E. Street Maintenance

The Annexation Area does not contain any additional streets that the City will be responsible for maintaining; therefore, there will be no additional street maintenance costs as a result of the annexation.

F. Stormwater and Drainage

Stormwater and drainage facilities throughout the Annexation Area will be consistent with the City's current stormwater and drainage system throughout the City. The City and County have maintained their drainage areas very similarly; therefore, it is not anticipated that there will be any additional cost to the City. Any future development in the area will have to have its stormwater plan approved by the City Engineer or the City's Department of Stormwater Management, and any associated stormwater and drainage costs will be borne by the developers. All non-capital services of the Department of Stormwater Management will be made available in the Annexation Area within 1 year of the effective date of this annexation and will be extended in a manner equivalent in standard and scope to the services provided to the other areas within the corporate boundaries of the City.

G. Parks

There are currently nineteen community parks, ten neighborhood parks, one water park and one swimming pool within City limits. High Dive Park and McNaughton Park are both located along the riverfront and have amenities for tennis, hiking and fishing, as well as pavilions with full kitchens. Studebaker Park features a soccer field, tennis courts, a basketball court, a baseball diamond, a large multi-purpose field, playgrounds and trails for hiking. Ideal Beach is also part of the City's park system. It is a large water park that contains a wading pool, water slide, swimming beach, sand volleyball court, miniature golf, a public boat ramp and concessions. The NIBCO Ice & Water Park is another featured destination of the Parks Department with skate rentals, an outdoor ice path, picnic areas and concessions. It is anticipated that no additional parks will be added as a result of annexation; therefore, there will be no additional costs to the City.

Nevertheless, all non-capital services of the Parks Department will be made available in the Annexation Area on the date the annexation becomes effective and will be extended in a manner equivalent in standard and scope to the services provided to the other areas within the corporate boundaries of the City.

H. Street Lighting

Elkhart County does not provide street lights in the Annexation Area. After annexation, the City may approve street lighting on a case-by-case basis. If approved, the City pays all costs for installation and maintenance of streetlights. At this time, the City does not anticipate adding any streetlights within the Annexation Area. Therefore, there will be no additional costs to the City related to street lighting.

SECTION II

(Cont'd)

NON-CAPITAL SERVICES

I. Building and Code Enforcement

The Building and Code Enforcement Department of the City of Elkhart is responsible for conducting building, electrical, plumbing, HVAC and structural inspections. It is anticipated that any additional costs associated with inspections in the Annexation Area will be offset by revenues from the associated building permits.

J. Governmental Administrative Services

The City does not anticipate that the addition of the Annexation Area will result in a demand for Governmental Administrative Services that cannot be met by the existing staffing of the City's offices, agencies and departments. All non-capital services of the administration of the City will be made available in the Annexation Area on the date the annexation becomes effective and will be extended in a manner equivalent in standard and scope to the services provided to the other areas within the corporate boundaries of the City.

The Governmental Administrative Services of the City include, but are not limited to, the services provided by the following:

- | | |
|-----------------------------------|-------------------------------------|
| - Mayor's Office | - Finance Department |
| - City Council | - Human Resources |
| - Redevelopment Commission | - Planning and Zoning Department |
| - Elkhart Environmental Center | - Emergency Management Department |
| - Economic Development Commission | - Information Technology Department |

SECTION III

CAPITAL IMPROVEMENTS

A. Cost of Services

The Annexation Area was evaluated to determine the services and facilities required to provide the same type of services in the same manner as services that are currently provided within the existing City's corporate limits.

The City will provide the following capital services to the Annexation Area no later than three (3) years after the effective date of the annexation in the same manner as those capital services provided to areas within the City regardless of topography, patterns of land use and population density and in a manner consistent with federal, state and local laws, procedures and planning criteria. It is currently assumed that the annexation will be effective no later than December 31, 2026.

B. Water Service

The Annexation Area is already served by Elkhart Municipal Water Utility. This will not change as a result of the annexation.

C. Wastewater Service

The Annexation Area is not currently served. The Elkhart Municipal Sewage Works provides wastewater service in the immediately surrounding area and has the capacity and capability to provide service to the Annexation Area if and when connection is desired. It is anticipated that new customers will pay the applicable tap fee and sewer assessment charges. It is important to note that the Sewage Works is a separate proprietary fund of the City that maintains separate books and records, and extensions in service are typically borne by the respective property owner or developer. Regardless, all capital services of the Wastewater Department will be extended to the Annexation Area within 3 years of the effective date of this annexation in the same manner as those services are provided to areas inside the corporate limits and in a manner consistent with federal, state and local laws, procedures and planning criteria.

D. Stormwater and Drainage

Stormwater and drainage facilities throughout the Annexation Area will be consistent with the City's current stormwater and drainage system throughout the City. The City and County have maintained their drainage areas very similarly; therefore, it is not anticipated that there will be any additional cost to the City. Any future development in the area will have to have its stormwater plan approved by the City Engineer or the City's Department of Stormwater Management, and any associated stormwater and drainage costs will be borne by the developers; therefore, it is not anticipated that any additional costs will be required to improve them to City standards.

CAPITAL IMPROVEMENTS

E. Street Construction

Construction of any new streets within the developments in the Annexation Area will be the responsibility of the appropriate developer in accordance with the applicable City Code. There are currently no existing streets within the Annexation Area that the City is not already maintaining. Regardless, all capital services of the Street Department, including evaluation and construction services, will be extended to the Annexation Area within 3 years of the effective date of this annexation in the same manner as those services are provided to areas inside the corporate limits and in a manner consistent with federal, state and local laws, procedures and planning criteria.

SECTION IV

FISCAL IMPACT

As a result of this annexation, there will be no increase in the City's assessed valuation, as the property is exempt from taxation based on its use for religious purposes.

It is assumed that the effective date of this annexation will be as soon as practically possible, but no later than December 31, 2026. Based on the assumed effective date, Annexation Area property owners will not pay property taxes to the City unless the property is no longer considered tax-exempt. However, the City will begin providing non-capital municipal services to the property owners within one (1) year after the effective date of the annexation, and it will begin providing capital municipal services to the property owners within three (3) years after the effective date of the annexation.

It is anticipated that there will be no additional costs to the City as a result of the annexation. Also, it is anticipated that the City will not realize an increase in its levy as a result of the annexation; therefore, there is not anticipated to be a tax rate increase as a direct result of this annexation. If there is a shortfall in revenue from the annexation, the services described in this plan can be provided using funds on hand.

Due to the tax-exempt status of the property in the Annexation Area, it is anticipated that there will be no impact to tax rates or tax levies of other taxing units in the district.

SECTION V

ASSUMED INDEBTEDNESS

As required by Indiana Code 36-4-3-10, the City will assume and pay any unpaid bonds or other obligations of Concord Township existing at the effective date of the annexation of the Annexation Area in the same ratio as the assessed valuation of the property in the Annexation Area bears to the assessed valuation of all property in Concord Township, as shown by the most recent assessment for taxation before the annexation, unless the assessed property within the City is already liable for the indebtedness.

There is no debt currently outstanding for Concord Township.

Appendix I

CITY OF ELKHART, INDIANA

Lighthouse Vineyard Church, Inc. Annexation

PARCEL LIST

<u>Parcel ID</u>	<u>Owner</u>	<u>'25 Pay '26 Net Assessed Value</u>	<u>Remonstrance Waiver</u>
20-06-20-226-001.000-009	Lighthouse Vineyard Church, Inc	<u>\$0 *</u>	No

*The above parcel has a gross assessed value of \$637,000, but this value is not taxable and will not be added to the City's assessed value due to the tax-exempt nature of the property; therefore, the net assessed value is considered to be \$0.

Appendix II

[illegible]

A part of the Northeast Quarter of Section 20, and the Southeast Quarter of Section 17, Township 37 North, Range 5 East, more particularly described as follows:

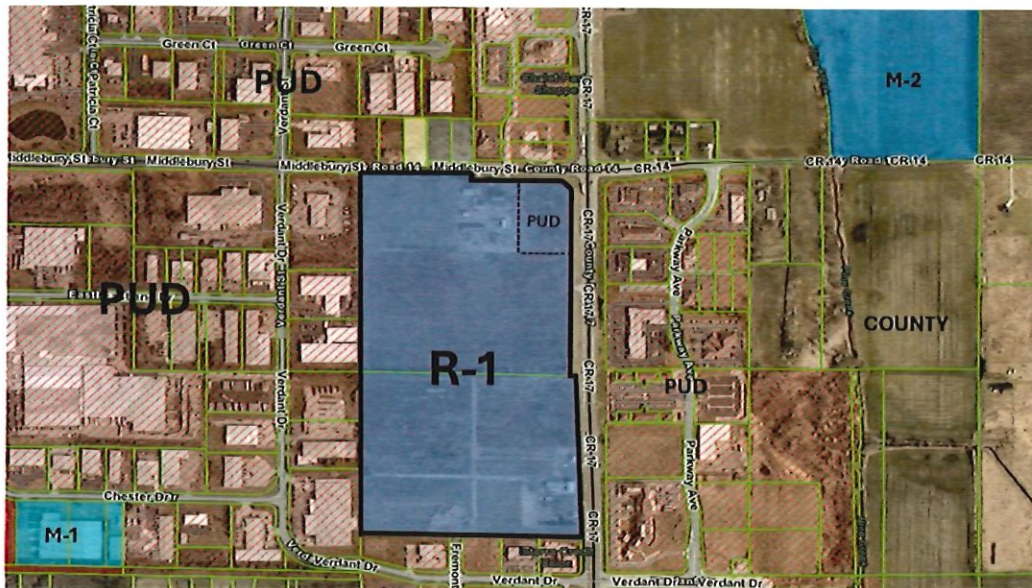
Commencing at a cross on the brick pavement at the Northeast corner of said Section 20; thence South 1 degree 1 minute East along the East line of said Section 20, 223.74 feet to a cross on the brick pavement at the intersection of the East line of said Section 20, with the centerline of the Mishawaka Road; thence North 70 degrees 46 minutes West along the centerline of said road, 303.74 feet to a railroad spike; thence North 76 degrees 29 minutes West along the centerline of said road, 438.17 feet to a railroad spike; thence North 78 degrees 13 minutes West along the centerline of said road, 180 feet to a railroad spike for the beginning point of this description; thence North 78 degrees 13 minutes West along the centerline of said road, 406.57 feet to a railroad spike that is South 78 degrees 13 minutes East, 41.02 feet from a railroad spike at the intersection of the centerline of the said Mishawaka Road and the centerline of Benham Avenue; thence South 1 degree 3 minutes East, 225.34 feet to an iron stake at the point of curvature of a curve bearing to the left and having a radius of 1073.68 feet; thence Southwardly along said curve, 146.78 feet to an iron stake at a point of reverse curvature; thence Southwardly along a curve bearing to the right and having a 1073.68 foot radius, 146.78 feet to an iron stake at the point of tangency of said curve; thence North 88 degrees 57 minutes East at right angles to the last mentioned curve, 180 feet to an iron stake; thence North 83 degrees 7 minutes East, 170 feet to an iron stake; thence North 6 degrees 53 minutes West at right angles to the last described line, 112.32 feet to an iron stake at the point of curvature of a curve which bears to the right and has a radius of 546.08 feet; thence Northwardly along said curve, 177.9 feet to an iron stake at the point of tangency of said curve; thence North 11 degrees 47 minutes East, 125 feet to the place of beginning.



Staff Report

Planning & Zoning

<u>Petition:</u>	26-Z-03
<u>Petition Type:</u>	Rezoning
<u>Date:</u>	September 8, 2026
<u>Petitioner:</u>	5211 Middlebury Street-Elkhart LLC and Shah Land Development LLC
<u>Site Location:</u>	5211 Middlebury Street and 1133 County Road 17
<u>Request:</u>	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.
<u>Parcel I.D. Number(s):</u>	20-06-12-226-001.000-011 and 20-06-12-276-001.000-011
<u>Existing Zoning:</u>	PUD, Planned Unit Development and R-1, One-Family Dwelling District
<u>Size:</u>	+/- 65.73 Acres
<u>Thoroughfares:</u>	Middlebury Street and County Road 17
<u>School District:</u>	Concord Community Schools
<u>Utilities:</u>	Available to site
<u>Surrounding Land Use & Zoning:</u>	The subject property is surrounded by industrial and commercial and residential uses. Land to the north are residential zoned R-1, One Family Dwelling and PUD, Planned Unit Development; Land to the east and west and south are zoned PUD, Planned Unit Development.
<u>Applicable Sections of the Zoning Ordinance:</u>	See enumerated in request.
<u>Comprehensive Plan:</u>	The Comprehensive Plan does not take this area into account but is anticipated to call for the land to be developed with commercial and industrial uses.
<u>Plan Commission Action:</u>	Recommendation to Common Council.



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.

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.

Photos



Looking North from Fremont/Verdant St @ 65 acre site



Looking West from CR 17 @ 65 acre site



Looking South from Middlebury Street @65 acre site

Attachments

Petition, appeal letter, affidavit, and site plan.

PETITION #: 26-2-03

FILING FEE: \$ 400.00

PETITION to the PLAN COMMISSION

PETITION TYPE: REZONING

This action requires final approval from the Common Council

Property Owner(s): 5211 Middlebury Street-Elkhart LLC and Shah Land Development LLC

Mailing Address: [REDACTED]

Phone #: [REDACTED] Email: [REDACTED]

Contact Person: Amit Shah, Manager

Mailing Address: [REDACTED]

Phone #: [REDACTED] Email: [REDACTED]

Subject Property Address: 5211 Middlebury Street and 1133 County Road 17

Zoning: Currently PMZ. Zone Change Petition for B-3 and M-1

Present Use: Agriculture Proposed Use: Retail and Light Manufacturing

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

PROPERTY OWNER(S) OR REPRESENTATIVE (PRINT): Amit Shah, Manager

SIGNATURE(S): [Signature] DATE: 7/28/26

STAFF USE ONLY:

Staff Checklist for the applicant's submittal of a complete Petition to the Plan Commission docket:

- ☐ One copy of the Appeal Letter signed in ink by the owner (or representative) of the property.
- ☐ A completed Petition form signed by the legal owner of record (or approved representative).
- ☐ If any person other than the legal owner or the legal owner's attorney files the appeal, written and signed authorization from the property owner must be supplied.
- ☐ A full and accurate legal description of the property.
- ☐ One to scale drawing of the property, measuring 11" x 17" or smaller. If larger than 11" x 17", 25 copies must be submitted.
- ☐ Any other information listed in the Instructions and Filing Procedure for this type of Petition.

Ordinance Requirement: Section(s): _____

Map #: _____ Area: _____

RECEIVED BY: _____ DATE: _____

AFFIDAVIT IN SUPPORT OF REZONING PETITION

I, Amit Shah, being first duly sworn upon his/her oath deposes and says that he/she is familiar with and has personal knowledge of the facts herein and, if called as a witness in this matter, would testify as follows:

1. I am over eighteen (18) years of age and am competent to testify to the matters contained herein.
2. I make this affidavit in support of my rezoning petition filed contemporaneously herewith.
3. I am now and at all times relevant herein have been, the owner of record of the property located at
5211 Middlebury Street and Elkhart, Indiana.
1133 County Road 17
4. FURTHER AFFIANT SAYETH NOT.

EXECUTED on the 27 day of July, 2026.

X
Printed: Amit Shah, Manager

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

X
Printed: Amit Shah, Manager

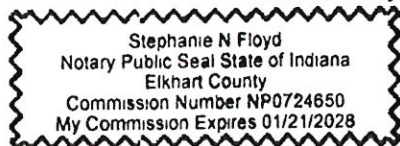
STATE OF INDIANA)

) SS:

COUNTY OF ELKHART)

Before me the undersigned, a Notary Public in and for the State of Indiana, personally appeared
Amit Shah, and acknowledged his/her execution of the foregoing. Subscribed and sworn to

before me this 27 day of July, 2026.



My Commission Expires:

1-21-2028

Stephanie N. Floyd
Printed: Stephanie N. Floyd

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

Date: July 31, 2026
To: Honorable Members of the Plan Commission and Common Council
Regarding: Zone Change Petition for 5211 Middlebury Street and 1133 County Road 17 from PMZ to B-3 and M-1

The undersigned petitioner respectfully shows the Plan Commission and Common Council:

1. I, Amit Shah, am the owner of the following described real estate located within the City of Elkhart, Concord Township, Elkhart County, State of Indiana, to-wit:

See Exhibit A

2. The above-described real estate presently has a zoning classification of PMZ on the Zoning Map of the City of Elkhart.

3. Petitioner proposes to occupy the above-described property in the following manner:
Future B-3 uses for property with frontage on County Road 17. Proposed and future M-1 uses for property along west property line and with frontage on Middlebury Street.

4. Petitioner desires to rezone said real estate as follows:
Lots 1 and 3: Light manufacturing and warehouse uses
Lots 2, 4, 5 and 6: Business and retail uses

5. Using the standards from page 3, address each standard.

1. The Comprehensive Plan:

The B-3 zone for the east part of the property would be consistent with the current use on the east side of County Road 17. Similar types of uses to the property east of County Road 17 are planned for Lots 2, 4, 5 and 6.

The M-1 zone for the west part of the property would be consistent with the current uses north, west and south of the property. Similar types of uses to the properties north, south and west are planned for Lots 1 and 3.

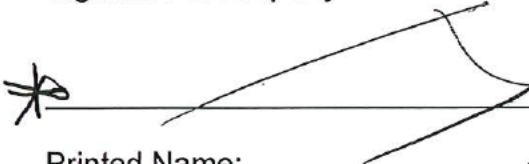
2. Current conditions and the character of current structures and uses in each district;

The property was most recently used for agricultural purposes. There are no current business or manufacturing uses on the property.

3. The most desirable use for which the land in each district is adapted;
The most desirable use for this property is related to the adjacent property uses.
The future B-3 uses for the lots on County Road 17 would be similar to current uses on the east side of County Road 17.
The future M-1 uses for Lots 1 and 3 would be similar to the light manufacturing and warehouse uses on property north, south and west of this property.
4. The conservation of property values throughout the jurisdiction;
B-3 uses along the County Road 17 lots will conserve property values east, north and south of the property. M-1 uses for the west lots will conserve property values north, south and west of the property. The property is large enough to serve as a transition between the two uses.
5. Responsible growth and development.
It is responsible growth and develop to designate property zones that agree with current uses.

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

Signature of Property Owner:

_____

Printed Name:

Amit Shah, Manager

Contact Person:

Amit Shah, Manager



2023-03936

ELKHART COUNTY RECORDER
KAALA BAKER
FILED FOR RECORD ON
03/14/2023 09:52 AM
AS PRESENTED

NOTICE OF LAND CONTRACT

THIS NOTICE OF LAND CONTRACT (this "Notice") acknowledges and hereby places all persons on notice that an Installment Land Contract (the "Contract"), effective as of January 2, 2023, has been entered into by and between Three Cousins', Inc. ("Seller"), and 5211 Middlebury Street-Elkhart LLC ("Buyer") as to certain real estate located at 5211 Middlebury St., Elkhart, IN 46516, and legally described on attached Exhibit A.

This Notice is made for the purpose of giving public notice of the Contract and for no other purpose. The provisions of this Notice will not in any way change or affect the provisions of the Contract.

Signed and Dated: December 22, 2022

SELLER
Three Cousins', Inc.

Dean Vello
By: Dean Vello Sec-7 Res
Its: _____

State of Indiana, St. Joseph County, ss: The foregoing instrument was acknowledged before me on December 22, 2022, by Dean Vello, the Sec-7 Res of Three Cousins', Inc.

MELISSA L. KELLY
NOTARY PUBLIC
SEAL

Signed and Dated December 22, 2022
STATE OF INDIANA
Commission Number 683858
My Commission Expires 06/05/2024

Melissa L. Kelly
Notary Public Melissa L. Kelly

BUYER
5211 Middlebury Street-Elkhart LLC

Signed and dated December 9, 2022 By: Amit Shah, Manager

State of Indiana, Elkhart County ss: The foregoing instrument was acknowledged before me on December 9, 2022, by Amit Shah, Manager of 5211 Middlebury Street-Elkhart LLC.

Stephanie N Floyd
Notary Public Seal State of Indiana
Elkhart County
Commission Number NP0724650
My Commission Expires 01/21/2028

Stephanie N. Floyd
Notary Public

This instrument prepared by George S. Cressy, III, 53149 Discovery Dr., Elkhart, IN 46514. I affirm under penalties for perjury that I have taken reasonable care to redact each Social Security Number in this document, unless required by law. /s/George S. Cressy, III

DM

KK

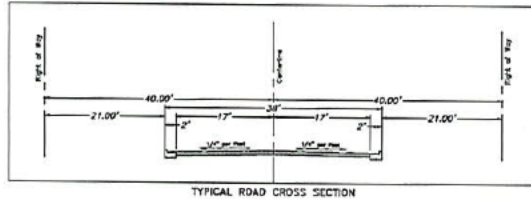
20-06-12-226-001.000-011

DISCLOSURE FEE PAID

Mar 14 2023

Page 1 of 2

DNCR

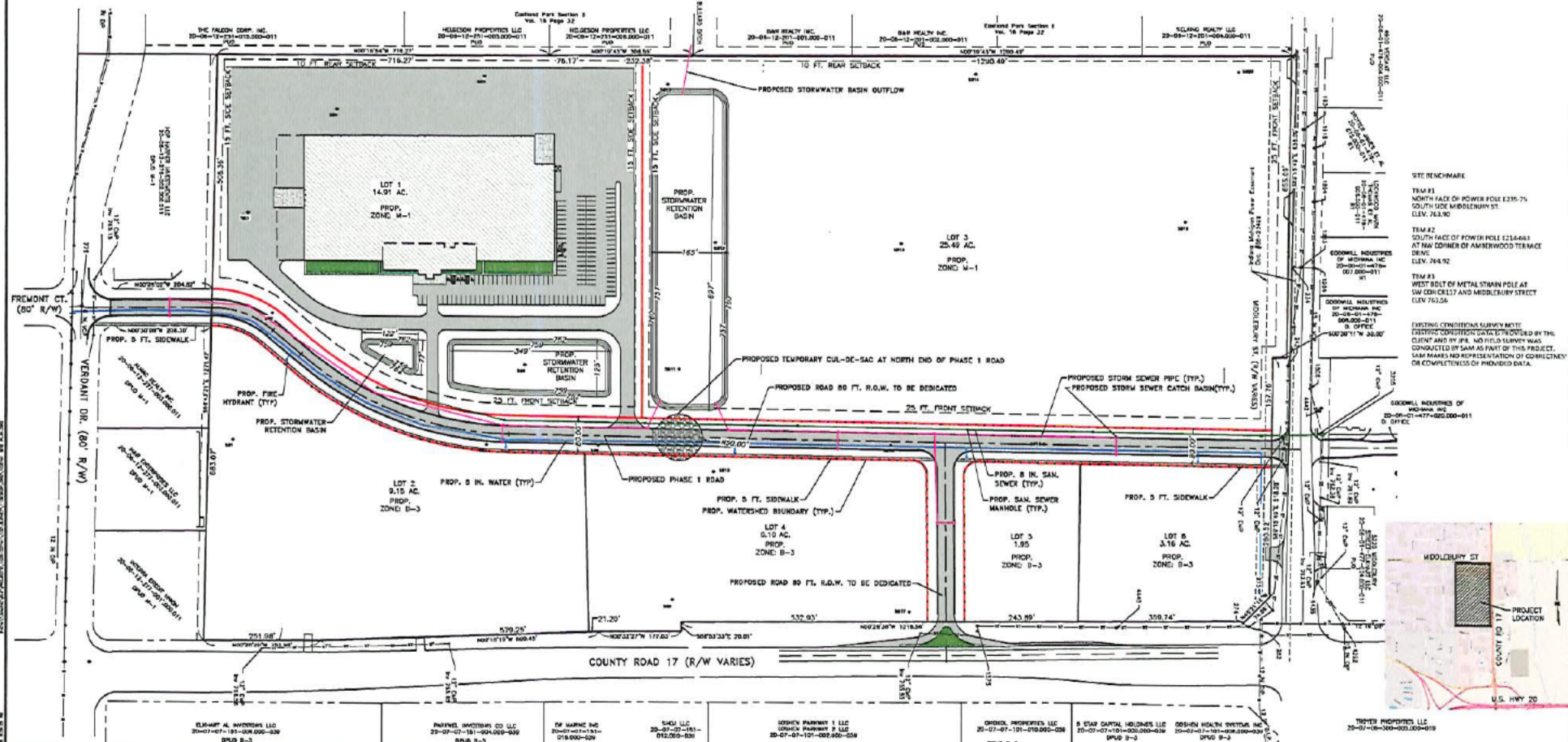


Determination of Coefficient "C" for Proposed Watersheds							
Watershed	Roof (sf)	Pavement (sf)	Previous (sf)	Total Area (sf)	Impervious x 0.9	Previous x 0.30	Weighted Total Area (sf)
Lot 1	147,921	298,067	203,349	649,337	491,229	61,004	552,233
Brook ROW	0	115,806	100,926	216,732	195,225	30,270	1,34,503
Lot 2	0	0	1,110,344	1,110,344	0	333,103	333,103
Lot 3+ROW	0	118,898	1,211,279	1,330,177	124,225	393,351	487,576
Total	147,921	413,872	1,414,816	1,976,609	806,679	424,285	1,231,364

Proposed Retention Area Calculations					
Watershed	Area (sf)	Developed C (weighted)	Rainfall (ft)	Total Required Volume (sf)	Total Provided Volume (sf)
Lot 1	649,335	0.71	0.25	115,598	125,271
Lot 3+ROW	1,330,177	0.35	0.25	118,602	311,412

Proposed North Retention Basin Lot 1			Proposed South Retention Basin Lot 1			Proposed Retention Basin Lot 3		
Elevation	Area (sf)	Volume (sf)	Elevation	Area (sf)	Volume (sf)	Elevation	Area (sf)	Volume (sf)
762	42,001	40,276	762	6,843	6,191	760	113,573	110,289
761	30,450	40,276	761	5,528	6,191	759	107,004	110,289
760	25,018	26,754	760	4,334	4,738	758	100,537	103,771
759	31,047	33,330	759	3,520	3,782	757	94,176	97,354
Total Volume:		110,262	Total Volume:		14,900	Total Volume:		311,412

- SIDE PLAN NOTES**
1. DEVELOPER: SHAH LAND DEVELOPMENT LLC AND 5211 MIDDLEBURY STREET-ELKHART, IN 46514
 2. CIVIL ENGINEER AND LAND SURVEYOR: SURVEYING AND MAPPING LLC, 2810 DOCTOR DRIVE, ELKHART, IN 46514
 3. TOTAL ACROSS: 82.73 AC.
 4. ELKHART CITY LIMITS INCLUDES ENTIRE PROPERTY
 5. PROTECTIVE COVENANTS: NONE
 6. SANITARY SEWER SERVICE BY CITY OF ELKHART
 7. WATER SUPPLY SERVICE BY CITY OF ELKHART



- SITE REFINISHING**
- TEAM #1: NORTH FACE OF POWER POLE E235-75, SOUTH SIDE MIDDLEBURY ST. ELEV. 763.80
 - TEAM #2: SOUTH FACE OF POWER POLE E235-75, AT NW CORNER OF AMMERHOUT TERRACE DRIVE. ELEV. 764.92
 - TEAM #3: WEST SLOPE OF METAL STRAIN POLE AT SW COR. E235-75 AND MIDDLEBURY STREET DRIVE. ELEV. 763.56
- EXISTING CONCEPTUAL SURVEY NOTE**
 EXISTING CONCEPTUAL DATA IS PROVIDED BY THE CLIENT AND BY PLS. NO FIELD SURVEY WAS CONDUCTED BY SAM AS PART OF THIS PROJECT. SAM MAKES NO REPRESENTATION OF CORRECTNESS OR COMPLETENESS OF PROVIDED DATA.



NO.	REVISIONS	DATE
1		
2		
3		
4		
5		
6		
7		

SAM

**BLUE GRASS CROSSING
PROPOSED SITE DEVELOPMENT PLAN**

SHAH LAND DEVELOPMENT LLC & 5211 MIDDLEBURY STREET-ELKHART, IN 46514
 CIVIL ENGINEER AND LAND SURVEYOR: SURVEYING AND MAPPING LLC, 2810 DOCTOR DRIVE, ELKHART, IN 46514
 TOTAL ACROSS: 82.73 AC.
 ELKHART CITY LIMITS INCLUDES ENTIRE PROPERTY
 PROTECTIVE COVENANTS: NONE
 SANITARY SEWER SERVICE BY CITY OF ELKHART
 WATER SUPPLY SERVICE BY CITY OF ELKHART

**SHEET 1
OF 2**

DRAWING FILE: 103741 SITE PLAN.DWG

CERTIFICATION DATE: 07/29/2026

HORIZONTAL SCALE: 1"=100'

VERTICAL SCALE: NONE

ENGINEER: Debra S. Hughes, P.E.

TECHNICIAN: AKM

JOB NUMBER: 1025163741

SANITARY SEWER STRUCTURE DATA

SANITARY MANHOLE 776
RIM 765.64
INV 762.70 - 8" VCP N
INV 762.65 - 8" VCP E
INV 762.59 - 8" VCP S
INV 762.60 - 8" VCP W

SANITARY MANHOLE 1806
RIM 763.05
INV 762.39 - 15" VCP NE
INV 762.39 - 15" VCP NW
INV 762.39 - 15" VCP SE
INV 762.39 - 15" VCP SW

SANITARY MANHOLE 1804
RIM 763.28
INV 761.78 - 15" VCP E
INV 761.64 - 15" VCP W
INV 761.95 - 8" VCP S
INV 761.38 - 15" VCP W

STORM SEWER STRUCTURE DATA

SANITARY MANHOLE 3205
RIM 763.68
INV 763.37 - 8" PVC N
INV 763.86 - 12" PVC WSW

SANITARY MANHOLE 4292
RIM 763.37
INV 763.37 - 12" DIP E
INV 763.37 - 12" DIP WSW

SANITARY MANHOLE 4135
RIM 763.35
INV 763.35 - 12" DIP NE
INV 763.35 - 12" DIP W

SANITARY MANHOLE 4442
RIM 764.53
INV 762.06 - 8" PVC E
INV 762.82 - 8" VCP N
INV 762.82 - 8" VCP W

STORM MANHOLE 242
RIM 763.83
INV 762.34 - 12" PVC WSW
INV 762.34 - 12" PVC L

STORM MANHOLE 1805
RIM 763.23
INV 762.94 - 15" PVC W
INV 762.94 - 15" PVC N
INV 762.94 - 12" PVC L
INV 762.94 - 12" PVC S

STORM MANHOLE 1934
RIM 764.64
INV 762.27 - 15" PVC E
INV 762.27 - 15" PVC W
INV 762.27 - 15" PVC N
INV 762.27 - 15" PVC S

STORM CATCH BASIN 234
RIM 763.93
INV 763.42 - 12" PVC N
INV 763.42 - 12" PVC S

STORM CATCH BASIN 236
RIM 763.85
INV 763.35 - 12" PVC S

SITE BENCHMARKS

TBM #1
NORTH FACE OF POWER POLE (234-75)
SOUTH-SIDE MIDDLEBURY ST.
ELEV. 763.09

TBM #2
SOUTH FACE OF POWER POLE (234-60)
AT NW CORNER OF AMBLINWOOD TRAIL
DRIVE
ELEV. 764.82

TBM #3
WEST SLOPE OF METAL STRAIN POLE AT
NW CORNER OF AMBLINWOOD TRAIL
DRIVE
ELEV. 763.56

EXISTING CONDITIONS SURVEY NOTE
EXISTING CONDITIONS SURVEY WAS CONDUCTED BY SAM AS PART OF THIS PROJECT. SAM MAKES NO REPRESENTATION OF CORRECTNESS OR COMPLETENESS OF PROVIDED DATA.

NRCS Soil Map Legend

Map Unit Symbol	Map Unit Name	Capacity of the most limiting layer to transmit water	Depth to water table (feet)
Dmka	Drainy sandy loam, 0 to 1 percent slopes	High (2-6 in/hr)	1.0
DmkA	Drainy sandy loam, 0 to 1 percent slopes	High (2-6 in/hr)	2.5
BuA	Brown sandy loam, 0 to 1 percent slopes	High (1.89-5.95 in/hr)	2
CmB	Clayey sandy loam, 0 to 1 percent slopes	High (1.42-14.17 in/hr)	>6.50
Gsa	Clayey sandy loam, 0 to 2 percent slopes, gravelly subsoil	Moderately low to high (0.14-14.17 in/hr)	0
GsaA	Clayey sandy loam, 0 to 1 percent slopes, gravelly subsoil	Moderately low to high (0.14-14.17 in/hr)	0.23
MsaA	Moraine loamy sand, 0 to 2 percent slopes	Moderately high to high (1.42-14.17 in/hr)	?
Qmka	Drainy sandy loam, 0 to 1 percent slopes	High to very high (6-20 in/hr)	4.76
TruA	Tyne loamy sand, 0 to 1 percent slopes	High to very high (6-20 in/hr)	>6.50
UgaA	Urban land-Grass complex, 0 to 1 percent slopes	High (2-6 in/hr)	>6.50
UgaB	Urban land-Grass complex, 0 to 1 percent slopes	High to very high (6-20 in/hr)	>6.50

Horizontal Manometer
Casting Measurement (Open Junction)
Urban Overpass Manometer
Water and Gas Set
S/W Manometer
Pit Level Measurement
Measured Elevation
Observed Elevation
Min. Barrels
Clean Oil
Sanitary Manhole
Catch Basin
Road Curb
Iron Gate
Storm Manhole
Gas Valve

Legend

Gas Valve
Gas Meter
Air Conditioner Unit
Control Cabinet
Electric Meter
Gas Appliance
Power Pole
Street Pole
Tie Rod Light
Telephone Handhole
Telephone Pole
Water Valve
Well
Post

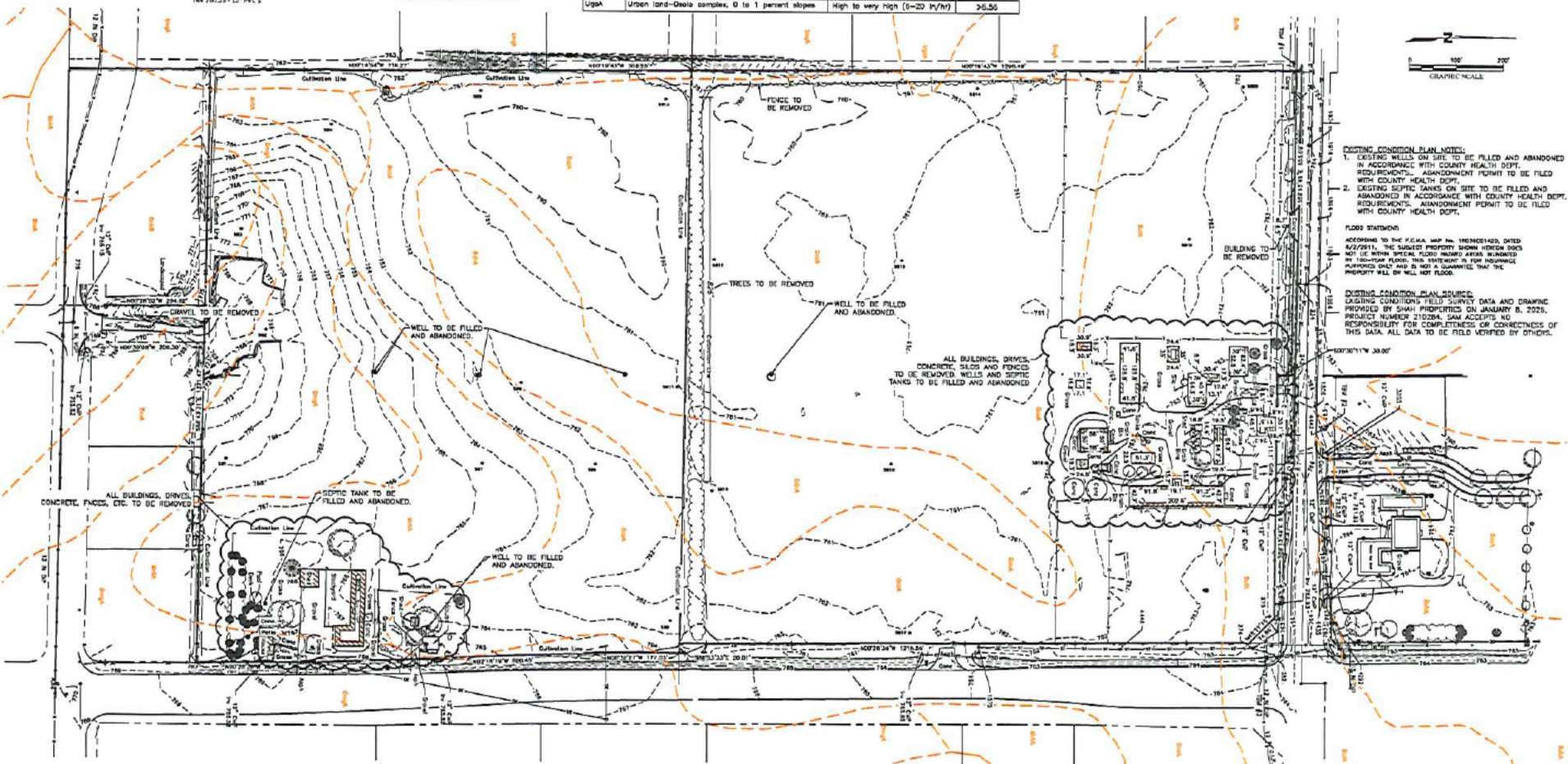
Sanitary Line
Storm Line
Gas Line
Overhead Line
Electric Line
Fiber Optic Line
Telephone Line
Wood Fence
Form Field Type Fence
Tree



EXISTING CONDITIONS SURVEY NOTES:
1. EXISTING WELLS ON SITE TO BE FILLED AND ABANDONED IN ACCORDANCE WITH COUNTY HEALTH DEPT. REQUIREMENTS. ABANDONMENT PERMIT TO BE FILED WITH COUNTY HEALTH DEPT.
2. EXISTING SEPTIC TANKS ON SITE TO BE FILLED AND ABANDONED IN ACCORDANCE WITH COUNTY HEALTH DEPT. REQUIREMENTS. ABANDONMENT PERMIT TO BE FILED WITH COUNTY HEALTH DEPT.

FLOOD STATUSES:
ACCORDING TO THE FEMA MAP NO. 17050H040, DATED 8/2/2011, THE SHOWN PROPERTY SHOWN UNDER ZONE X (1) WITH SPECIAL FLOOD HAZARD AREAS. SHOWN BY SHOWN FLOOD. THIS STATEMENT IS FOR INFORMATION PURPOSES ONLY AND IS NOT A WARRANTY THAT THE PROPERTY WILL OR WILL NOT FLOOD.

EXISTING CONDITIONS SURVEY SOURCE:
EXISTING CONDITIONS SURVEY DATA AND DRAWING PROVIDED BY SHAH PROPERTIES ON JANUARY 8, 2025. PROJECT NUMBER 1025163741. SAM ACCEPTS NO RESPONSIBILITY FOR COMPLETENESS OR CORRECTNESS OF THIS DATA. ALL DATA TO BE FIELD VERIFIED BY OTHERS.



NO.	REVISIONS	DATE
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DRAWING FILE: 102741 EXISTING.DWG
CERTIFICATION DATE: 07/29/2026
HORIZONTAL SCALE: 1"=100'
VERTICAL SCALE: NONE
ENGINEER: Deora S. Hughes, P.E.
TECHNICIAN: BEL



EXISTING CONDITIONS PLAN
SHAH LAND DEVELOPMENT LLC & 5211 MIDDLEBURY ST-ELKHART LLC,
1133 OR 17 & 5211 MIDDLEBURY ST., ELKHART,
PT. NE 1/4, SEC. 12, T37N, R5E,
CONCORD TWP., ELKHART CO., INDIANA
JOB NUMBER: 1025163741

Commencing at the North corner of said Northeast quarter, thence North 89°09'00" West along the North line of said Northeast Quarter, 23 feet, thence North 60°02'00" West and parallel with the East line of said Northeast Quarter, 1239 feet to the South line of property described in Deed Record 344, East 1/2 of said Northeast Quarter, South 1/2 of said East 1/2, 75 feet thence North 89°05'00" East and parallel with said East line of said Northeast Quarter, 1239 feet to the North line of said Northeast Quarter, 1239 feet, thence North 89°06'00" West and parallel with the North line of said Northeast Quarter, 520 feet, thence North 36°56'00" West and parallel with the North line of said Northeast Quarter, 1239 feet, thence North 36°56'00" West to the point of beginning of this description, thence South 5 feet thence North 89°04'00" West, 663.07 feet, more or less, to the West line of the Northeast Quarter of said Northeast Quarter, thence north along said West line 5 feet to the existing Right of Way of Midlebury Street [County Road 14], thence South 89°05'00" East, parallel with the North line of said Northeast Quarter and along said existing Right of Way, 955.00 feet, more or less, to the point of beginning of this description, returning 338.99 feet, more or less.

[illegible]

SHEET 2.1
OF 2



City of Elkhart

Staff Report

Planning & Zoning

<u>Petition:</u>	26-SUB-06
<u>Petition Type:</u>	Subdivision
<u>Date:</u>	September 8, 2026
<u>Petitioner:</u>	5211 Middlebury Street-Elkhart LLC and Shah Land Development LLC
<u>Site Location:</u>	5211 Middlebury Street and 1133 County Road 17
<u>Request:</u>	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.
<u>Existing Zoning:</u>	PUD, Planned Unit Development and R-1, One-Family Dwelling District
<u>Size:</u>	+/- 65.73 Acres
<u>Thoroughfares:</u>	Middlebury Street and County Road 17
<u>School District:</u>	Concord Community Schools
<u>Utilities:</u>	Available and provided to site.
<u>Plan Commission Action:</u>	Approval or disapproval with conditions; Final Plat submitted to Plat Committee for final approval.

Surrounding Land Use & Zoning:

The subject property is surrounded by manufacturing, business and residential uses. Land to the north are residential zoned R-1, One Family Dwelling, PUD, Planned Unit Development and OP, Office Park District; Land to the east and west and south are zoned PUD, Planned Unit Development.

Applicable Sections of the Zoning Ordinance:

Article 4 of the Subdivision Ordinance

Comprehensive Plan:

The Comprehensive Plan does not take this area into account but is anticipated to call for the land to be developed with business and manufacturing uses.



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.

Photos



Looking North from Fremont/Verdant St @ 65 acre site



Looking West from CR 17 @ 65 acre site



Looking South from Middlebury Street @65 acre site

Attachments

Petition and primary plat.

PETITION #: 26-Sub-06 FILING FEE: \$ 500.00

PETITION to the PLAN COMMISSION

PETITION TYPE: MAJOR SUBDIVISION

Property Owner(s): 5211 Middlebury Street-Elkhart LLC and Shah Land Development LLC

Mailing Address: _____

Phone #: _____ Email: _____

Contact Person: Amit Shah, Manager

Mailing Address: _____

Phone #: _____ Email: _____

Subject Property Address: 5211 Middlebury Street and 1133 County Road 17

Zoning: Currently A-1. Zone Change Petition in process for B-3 and M-1

Present Use: Agriculture Proposed Use: Retail and Light Manufacturing

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

PROPERTY OWNER(S) OR REPRESENTATIVE (PRINT): Amit Shah, Manager

SIGNATURE(S): _____

DATE: 7/23/26

STAFF USE ONLY:

Staff Checklist for the applicant's submittal of a complete Petition to the Plan Commission docket:

- _____ A completed Petition form signed by the legal owner of record (or approved representative).
- _____ A completed Application for Approval of a New Subdivision.
- _____ If any person other than the legal owner or the legal owner's attorney files the appeal, written and signed authorization from the property owner must be supplied.
- _____ A full and accurate legal description of the property.
- _____ One to scale drawing of the property. If larger than 11" x 17", 12 copies must be submitted.
- _____ One copy of the Appeal Letter signed in ink by the owner (or representative) of the property. (Optional)
- _____ Any other information listed in the Instructions and Filing Procedure for this type of Petition.

Ordinance Requirement: Section(s): _____

Map #: _____ Area: _____

RECEIVED BY: _____ DATE: _____

City of Elkhart

Application for Approval of a New Subdivision in the City of Elkhart

Date: 07-31-2026

City of Elkhart Plan Commission
Municipal Building
229 S. Second Street
Elkhart, Indiana 46516

Dear Plan Commission:

Preliminary approval is hereby requested for a subdivision to be known as:
Blue Grass Crossing

Said Subdivision is legally described as follows: (attach legal description).

See Attachments

July 31, 2026

To: Plan Commission Members, City of Elkhart, Indiana

Re: Major Subdivision Petition for Elkhart IN

I am the authorized agent for 5211 Middlebury Street-Elkhart LLC which is the owner of the property at 5211 Middlebury Street, Elkhart IN.

Parcel ID Number is 20-06-12-226-001.000-011.

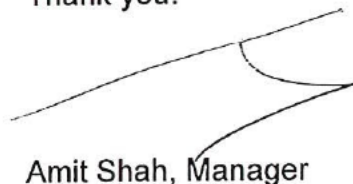
I am also the authorized agent for Shah Land Development LLC which is the owner of the property at 1133 County Road 17, Elkhart IN.

Parcel ID Number is 20-06-12-276-001.000-011.

I authorize Surveying And Mapping LLC (SAM) to submit a Major Subdivision Petition on the behalf of both ownership entities.

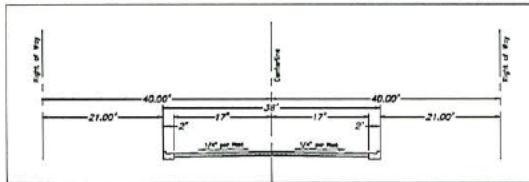
Please contact me if there are any questions.

Thank you.



Amit Shah, Manager





TYPICAL ROAD CROSS SECTION

Watershed	Roof (sf)	Pavement (sf)	Pervious (sf)	Total Area (sf)	Impervious x 0.8	Pervious x 0.38	Weighted total area	Average C
Lot 1	147,321	298,967	203,348	649,635	481,388	81,864	462,393	8.71
Moist W/AN	0	115,806	199,924	315,730	0	104,225	104,225	0.42
Lot 2	0	0	1,180,344	1,180,344	0	333,903	333,903	0.30
Lot 3+ROW	0	118,806	1,211,270	1,330,076	104,225	363,381	467,606	0.36
Total	147,321	413,873	1,414,816	1,976,009	481,388	478,569	959,957	0.47

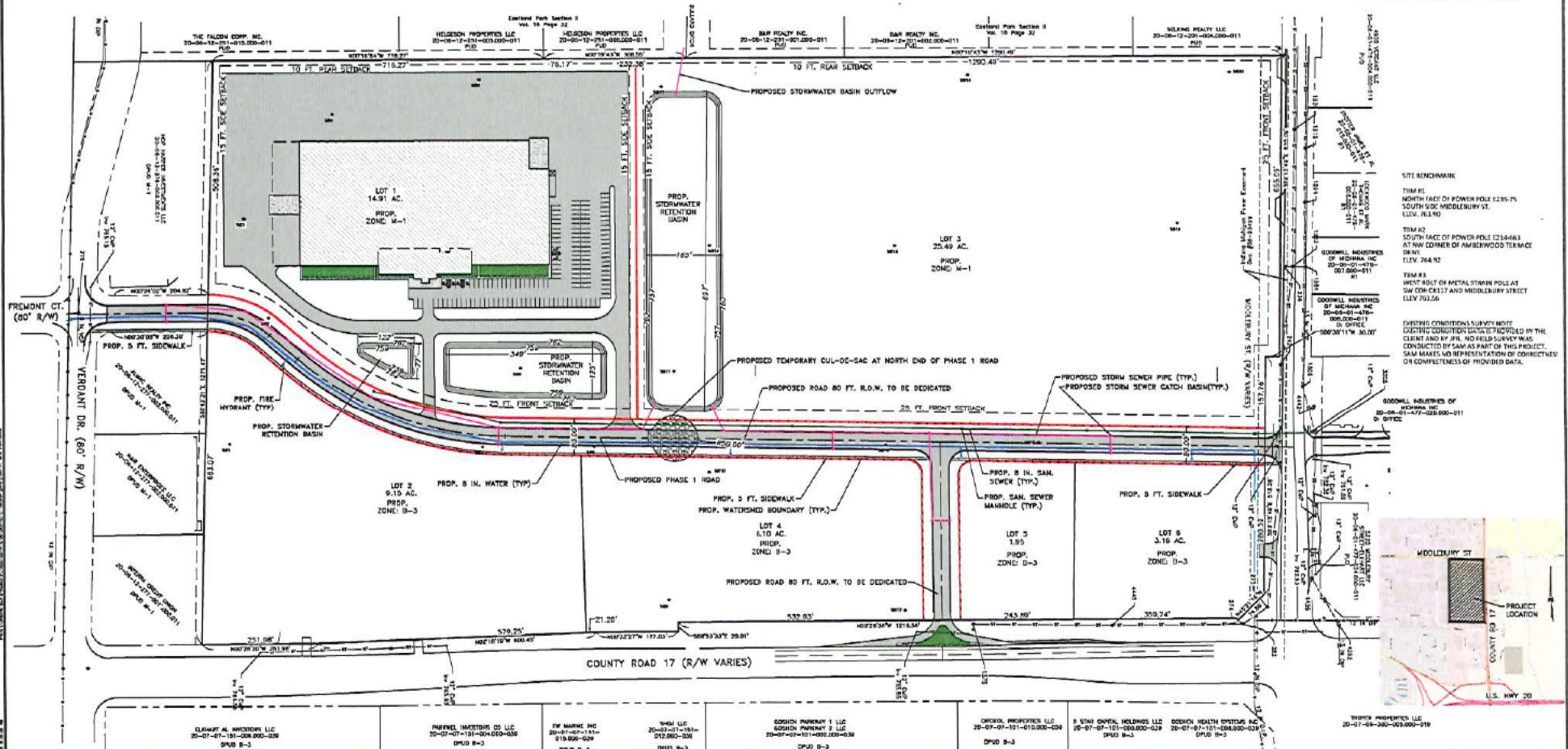
Watershed	Area (sf)	Developed C (weighted)	Rainfall (ft)	Total Required Volume (sf)	Total Provided Volume (sf)	% Provided
Lot 1	649,635	0.71	0.25	115,508	115,508	100%
Lot 2	1,180,344	0.30	0.25	1,180,344	1,180,344	100%
Lot 3+ROW	1,330,076	0.36	0.25	1,180,344	1,180,344	100%

Elevation	Area (sf)	Volume (sf)
702	42,001	28,400
701	38,400	25,276
700	35,410	23,704
709	31,647	20,333
Total Volume:	110,262	

Elevation	Area (sf)	Volume (sf)
702	0,643	0,428
701	1,338	0,891
700	4,330	2,886
709	3,330	2,170
Total Volume:	14,999	

Elevation	Area (sf)	Volume (sf)
700	113,543	75,695
709	100,004	66,669
708	100,537	67,051
707	94,170	62,714
Total Volume:	314,254	

- SITE PLAN NOTES**
1. DEVELOPER: SHAH LAND DEVELOPMENT LLC AND 5211 MIDDLEBURY STREET-ELKHART, IN 46514
 2. CIVIL ENGINEER AND LAND SURVEYOR: SURVEYING AND MAPPING LLC, 2810 DORTCH DRIVE, ELKHART IN 46014
 3. TOTAL ADJACENT 15.75 AC.
 4. ELKHART CITY LIMITS INCLUDES ENTIRE PROPERTY
 5. PROTECTIVE COVENANTS: NONE
 6. SANITARY SEWER SERVICE BY CITY OF ELKHART
 7. WATER SUPPLY SERVICE BY CITY OF ELKHART



NO.	REVISIONS	DATE
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SAM

DRAWING FILE: 103741 SITE PLAN.DWG

CERTIFICATION DATE: 07/20/2026

HORIZONTAL SCALE: 1"=100'

VERTICAL SCALE: NONE

ENGINEER: Debra S. Hughes, P.E.

TECHNICIAN: AKM

BLUE GRASS CROSSING

PROPOSED SITE DEVELOPMENT PLAN

SHAH LAND DEVELOPMENT LLC & 5211 MIDDLEBURY ST-ELKHART, IN 46514

PT. NE 1/4, SEC. 12, T37N, R5E, CONCORD TWP., ELKHART CO., INDIANA

JOB NUMBER: 1025103741

SHEET 1

OF 2

SANITARY MANHOLE 770
RIM 768.04
INV 762.70 - 8" VCP N
INV 762.65 - 8" VCP E
INV 762.59 - 8" VCP S
INV 762.60 - 8" VCP W

SANITARY MANHOLE 1180
RIM 763.85
INV 752.30 - 15" VCP NE
INV 752.30 - 15" VCP W

SANITARY MANHOLE 1185
RIM 763.28
INV 751.74 - 15" VCP E
INV 751.54 - 15" DIP W
INV 751.95 - 8-10" VCP S

SANITARY MANHOLE 191
RIM 763.69
INV 751.39 - 15" DIP E
INV 751.38 - 15" VCP W

STORM MANHOLE 242
RIM 763.84
INV 757.34 - 15" PVC W
INV 757.32 - 12" PVC E

STORM MANHOLE 1863
RIM 763.23
INV 756.94 - 15" PVC W
INV 756.34 - 15" PVC N
INV 756.94 - 12" PVC E
INV 756.35 - 12" PVC S

STORM MANHOLE 1934
RIM 764.04
INV 756.27 - 15" PVC E
INV 756.07 - 15" PVC W

STORM CATCH BASIN 234
RIM 762.93
INV 759.41 - 12" PVC N

STORM CATCH BASIN 394
RIM 763.05

TBM #1
NORTH FACE OF POWER POLE E235-75
SOUTH SIDE MIDDLEBURY ST.
ELEV. 763.90

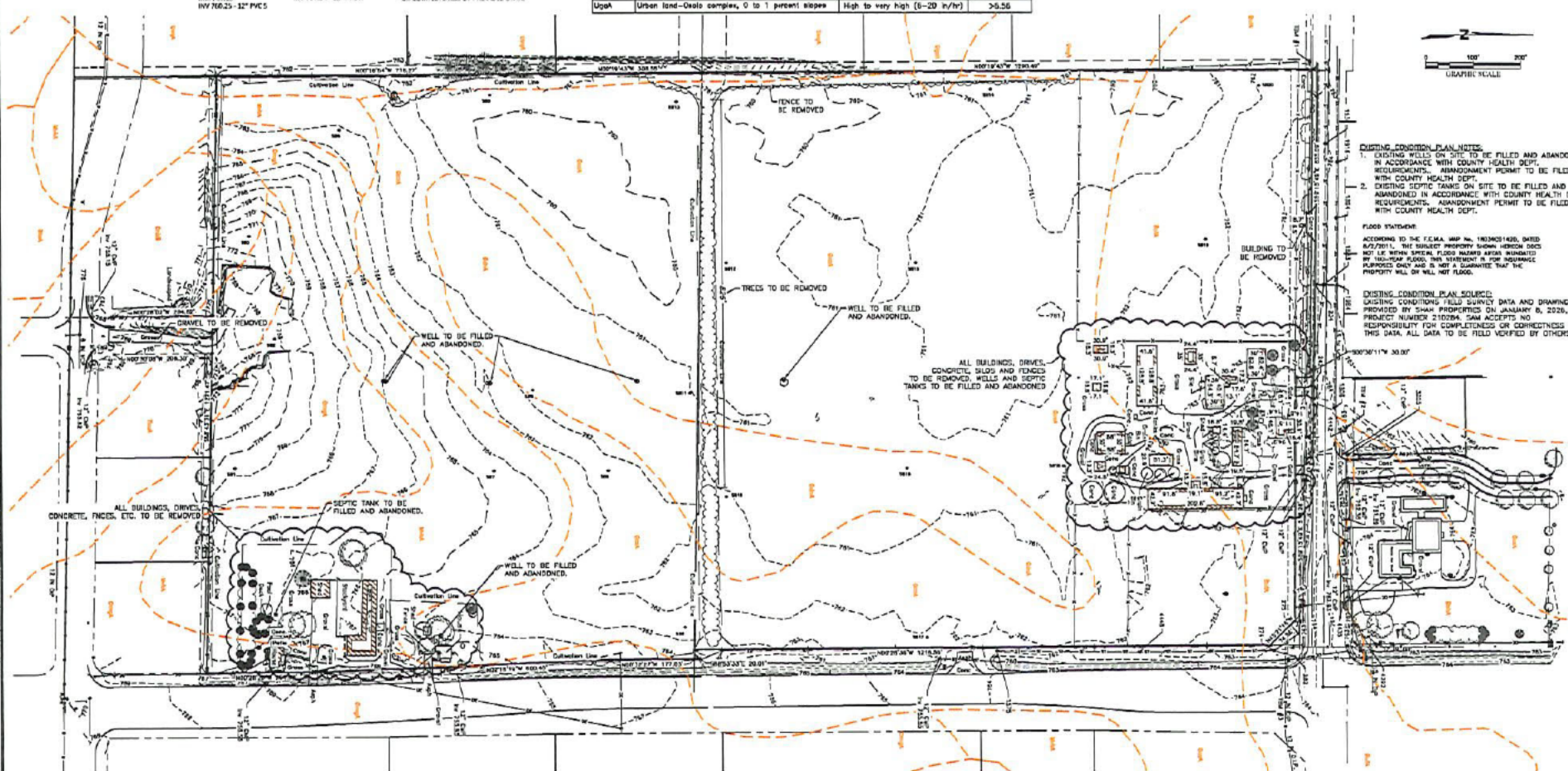
TBM #2
SOUTH FACE OF POWER POLE E234-963
AT NW CORNER OF ANSLAWOOD THURACE
DRIVE
ELEV. 764.92

TBM #3
WEST END OF METAL STRAIN POLE AT
SW COR CR17 AND MIDDLEBURY STREET
ELEV 768.56

EXISTING CONDITIONS SURVEY NOTE
EXISTING CONDITION DATA IS PROVIDED BY THE
CLIENT AND BY ARI. NO FIELD SURVEY WAS
CONDUCTED BY SAM AS PART OF THIS PROJECT.
SAMS MAKES NO REPRESENTATION OF CORRECT-
NESS OR COMPLETENESS OF PROVIDED DATA.

Map Unit Symbol	Map Unit Name	Capacity of the most limiting layer to transmit water	Depth to water table (feet)
B1aA	Udely sandy loam, 0 to 1 percent slopes	High (2-6 in/hr)	1.0
B1aB	Drema loamy sand, 0 to 1 percent slopes	High to very high (5-20 in/hr)	2.5
B1b	Dremen sandy soil, 0 to 1 percent slopes	High (3.05-9.92 in/hr)	2
CuA	Colomo sand, 2 to 5 percent slopes	Moderately high to high (1.42-15.17 in/hr)	>5.50
GeA	Gifford sandy loam, 0 to 2 percent slopes, gravelly subsoil	Moderately low to high (0.14-14.17 in/hr)	0
GeB	Gifford musky sandy loam, 0 to 1 percent slopes, gravelly subsoil	Moderately low to high (0.14-14.17 in/hr)	0.23
GnA	Monroe loamy sand, 0 to 2 percent slopes	Moderately high to high (1.42-14.17 in/hr)	1
OmpA	Ossola loamy sand, 0 to 1 percent slopes	High to very high (5-20 in/hr)	4.76
TuAa	Tyner loamy sand, 0 to 1 percent slopes	High to very high (5-20 in/hr)	>5.50
TuB	Ursen loam-Gifford complex, 0 to 1 percent slopes	High (2-6 in/hr)	>5.50

Legend		
Get Value		Modules
Get Meter		Isol Rating
Get Condition Unit		Sign
Gettime Cabinet		True
Electric Meter		Flow
Get Anchors		
Power Pico		Sanitary Line
Shut Valve		Steam Line
Vertical Vent		Gas Line
Telephone Handline		Overhead Line
Telephone Protected		Electric Line
Flow Optic Marker		Flow Optic Line
Water Hydrant		Telephone Line
Water Valve		Wood Fence
Well		Iron Pipe Type Taps
Post		Tree Line



NO.	REVISIONS	DATE
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DRAWING FILE: 103741 EXISTING.DWG
CERTIFICATION DATE: 07/29/2026
HORIZONTAL SCALE: 1"=100'
VERTICAL SCALE: NONE
ENGINEER: Debra S. Hughes, P.E.
TECHNICIAN: BEL



EXISTING CONDITIONS PLAN

SHAH LAND DEVELOPMENT LLC & 5211 MIDDLEBURY ST-ELKHART LLC,
1133 CR 17 & 3211 MIDDLEBURY ST., ELKHART,
PT. NE 1/4, SEC. 12, T37N, R3E,
CONCORD TWP., ELKHART CO., INDIANA

JOB NUMBER: 1023163741

Legal Description From Formerly Deed 2674-2680

1133 County Road 17, Elkhart, Indiana

The Southeast Quarter of the Northeast Quarter of Section 12, Township 37 North, Range 5 East, Concord Township, Elkhart County, Indiana, containing 40 Acres more or less.

EXCEPTING THEREFROM THE FOLLOWING:

A part of the Northeast Quarter of Section 12, Township 37 North Range 5 East, Concord Township, Elkhart County, Indiana, more particularly described as follows:

Commencing at a point on the East line of said Quarter Section, said point being 208 feet north of the Northeast corner of the Northeast Quarter of Section 12, thence West, parallel with the South line of said Quarter Section, 20 feet to the point of beginning of this description, thence South 7 degrees 3 minutes 29 seconds East, assumed to be parallel with the East line of said Quarter Section, 890 feet to the North line of the Northwest Quarter of the Northeast Quarter of Section 12, thence West 60 feet along said North line, thence South 0 degrees 3 minutes 29 seconds West, 160.00 feet, thence South 1 degree 01 minutes 13 seconds East, 628.30 feet, thence South 0 degrees 3 minutes 29 seconds West, 225.29 feet, thence East 39 feet to the point of beginning, containing 0.996 Acres, more or less.

ALSO EXCEPTING:

The South 18 Acres in the Southwest Quarter of the Northeast Quarter of Section 12, Township 37 North, Range 5 East, Concord Township, Elkhart County, Indiana.

Legal Description from Notice of Land Contract 2025-0300

6211 Middlebury Street, Elkhart IN

For APN#P0001 (D. 25-06-12-326-609,300-811)

The Northeast Quarter of the Northeast Quarter of Section 12, Township 37 North, Range 5 East, Concord Township, Elkhart County, Indiana, containing 40 Acres, more or less, excepting therefrom the following 2 tracts:

Tract One:

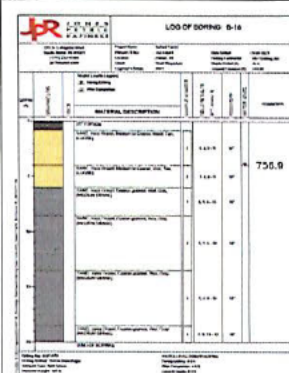
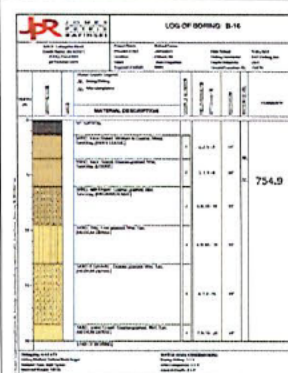
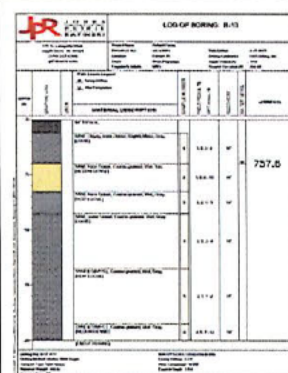
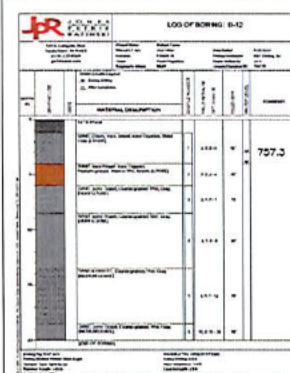
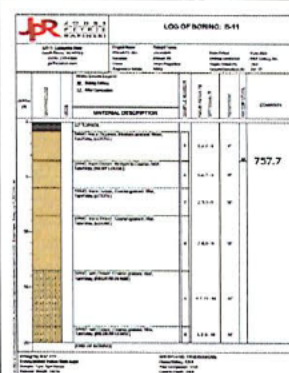
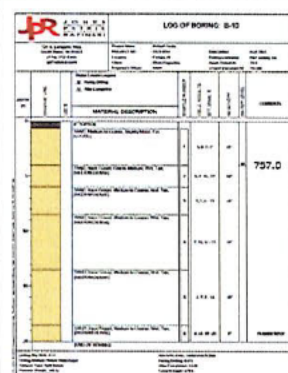
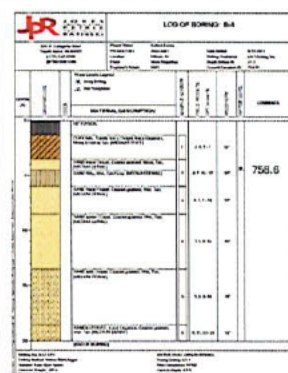
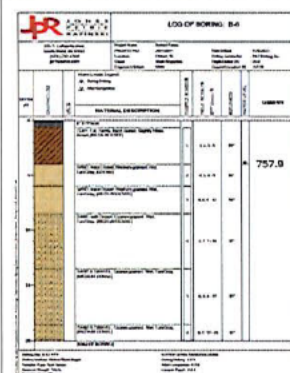
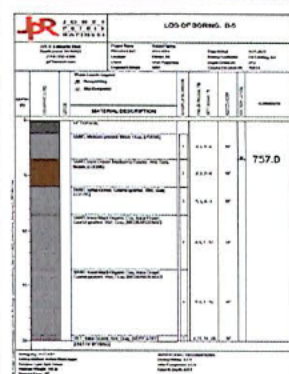
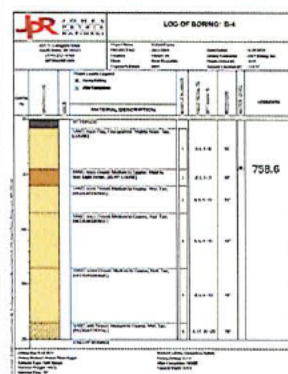
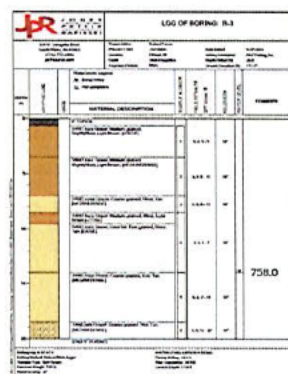
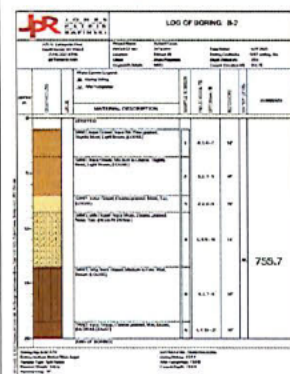
A part of the Northeast Quarter of Section 12, Township 37 North, Range 5 East, Concord Township, Elkhart County, Indiana, more particularly described as follows:

Commencing at a point on the west line of said quarter section, said point being the northeast corner of Section 12, thence West, along the North line of said quarter section, 70 feet, thence South 0°30'30" West, assumed to be parallel with the East line of said quarter section, 28 feet to the point of beginning of this description, thence South 89°32'50" West, 1295 feet to the South line of the property described in Deed Record 348, Page 76, thence West, along the South line of said property, 70 feet, thence North 89°32'50" East, 1210 feet, thence North 44°51'20" West, 73.82 feet, thence North 89°49'50" West, assumed to be parallel with the North line of said section, 523 feet, thence North 89°49'50" West, 8148'50" East, 543 feet to the point of beginning, containing 2.561 acres, more or less.

Tract Two:

A part of the Northeast Quarter of Section 12, Township 37 North, Range 5 East, Concord Township, Elkhart County, Indiana, more particularly described as follows:

Commencing at the Northeast corner of said Northeast quarter, thence North 89°46'00" West along the North line of said Northeast Quarter, 73 feet, thence South 0°32'20" West and parallel with the East line of said Northeast Quarter, 1320 feet to the South line of property described in Deed Record 348, Page 76, thence West along said South line, 73 feet, thence North 89°32'20" East and parallel with said East line of said Northeast Quarter, 1210 feet, thence North 44°51'20" West, 73.82 feet, thence North 89°46'00" West and parallel with the North line of said Northeast Quarter, 523 feet, thence North 39 feet to the point of beginning of this description, thence South 5 feet, thence North 89°46'00" West, 663.39 feet, more or less, to the West line of the Northeast Quarter of said Northeast Quarter, thence North along said West line 1/4 mile to the existing right of way of Middlebury Street (County Road 14), thence South 89°46'00" East parallel with the North line of said Northeast Quarter and along said existing right of way, 693.07 feet, more or less, to the point of beginning of this description, containing 2330 square feet, more or less.



NO.	REVISIONS	DATE
1		
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SAM

DRAWING FILE: 103741 EXISTING.DWG
 CERTIFICATION DATE: 07/29/2026
 HORIZONTAL SCALE: NONE
 VERTICAL SCALE: NONE
 ENGINEER: Debra S. Hughes, P.E.
 TECHNICIAN: AKM



LEGAL DESCRIPTIONS
 SELECTED SOIL BORINGS
 SHAH LAND DEVELOPMENT LLC & 5211 MIDDLEBURY ST-ELKHART LLC,
 1133 CR 17 & 5211 MIDDLEBURY ST., ELKHART,
 PT. 1/4, SEC. 12, T37N, R5E,
 CONCORD TWP., ELKHART CO., INDIANA
 JOB NUMBER: 1025103741

SHEET 2.1
 OF 2

2023-03936

ELKHART COUNTY RECORDER
KAALA BAKER
FILED FOR RECORD ON
03/14/2023 09:52 AM
AS PRESENTED

NOTICE OF LAND CONTRACT

THIS NOTICE OF LAND CONTRACT (this "Notice") acknowledges and hereby places all persons on notice that an Installment Land Contract (the "Contract"), effective as of January 2, 2023, has been entered into by and between Three Cousins', Inc. ("Seller"), and 5211 Middlebury Street-Elkhart LLC ("Buyer") as to certain real estate located at 5211 Middlebury St., Elkhart, IN 46516, and legally described on attached Exhibit A.

This Notice is made for the purpose of giving public notice of the Contract and for no other purpose. The provisions of this Notice will not in any way change or affect the provisions of the Contract.

Signed and Dated: December 22, 2022

SELLER
Three Cousins', Inc.

Dean Vellos
By: Dean Vellos Sec-Tres
Its: _____

State of Indiana, St. Joseph County, ss: The foregoing instrument was acknowledged before me on December 22, 2022, by Dean Vellos, the Sec-Tres of Three Cousins', Inc.

MELISSA L. KELLY
NOTARY PUBLIC
SEAL

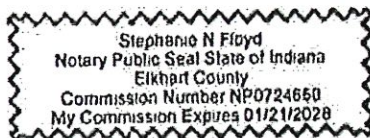
Melissa L. Kelly
Notary Public Melissa L. Kelly

~~Signed and Dated: December 22, 2022~~
My Commission Expires 06/05/2024

BUYER
5211 Middlebury Street-Elkhart LLC

Signed and dated December 4, 2023 By: Amit Shah, Manager

State of Indiana, Elkhart County ss: The foregoing instrument was acknowledged before me on December 4, 2022, by Amit Shah, Manager of 5211 Middlebury Street-Elkhart LLC.



Stephanie N. Floyd
Notary Public

This instrument prepared by George S. Cressy, III, 53149 Discovery Dr., Elkhart, IN 46514. I affirm under penalties for perjury that I have taken reasonable care to redact each Social Security Number in this document, unless required by law. /s/George S. Cressy, III

DM

KK

20-06-12-226-001.000-011

DISCLOSURE FEE PAID

Mar 14 2023

DNCR

Page 1 of 2



Staff Report

Planning & Zoning

Petition: 26-SI-08

Petition Type: Staff Item - Addressing

Date: September 8, 2026

Petitioner: City of Elkhart Planning & Zoning Department

Site Location: City of Elkhart

Plan Commission Action:

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
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Industrial

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

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