

Minutes - Goshen Plan Commission
Tuesday, August 19, 2025 - 4:00 pm
Council Chambers, 111 E. Jefferson Street, Goshen, Indiana

- I.** The meeting was called to order with the following members present: Richard Worsham, Tom Holtzinger, Hesston Lauver, Doug Nisley, Dustin Sailor, and Rolando Ortiz. Also present were City Planner Rhonda Yoder and Assistant City Attorney Don Shuler. Absent: Aracelia Manriquez and James Wellington
- II.** 2025 Plan Commission Appointments
- *Annual Appointment by the Board of Public Works & Safety - vacant*
- III.** Approval of Minutes from 6/17/25 – Holtzinger/Lauver 6-0
- IV.** Filing of Zoning/Subdivision Ordinances and Official Staff Reports into Record: Holtzinger/Nisley 6-0
- V.** Postponements/Withdrawals – None
- VI. Rezoning** (public hearing item)
- 25-02R** – DJSJ, LLC, Wightman, and Creative Design Solutions Inc., request a rezoning from Commercial B-1 District to Residential R-3 District for development of a two-story apartment building with 24 units. The subject property is generally located at 1423 Lincolnway East and is zoned Commercial B-1 District.

Staff Report

Ms. Yoder explained the purpose of this rezoning request is to allow for multi-unit residential development, using the existing 2-story building, for 24 studio and one-bedroom units. She pointed out that area zoning is a mix of many different zoning districts, noting that the subject property meets the R-3 district requirements for minimum lot area and all R-3 developmental requirements can be met. She explained partial landscaping is required adjacent to single unit and two-unit residential land use, and if this proceeds a detailed landscape plan will be required at the time of site plan review. Staff recommends the Plan Commission forward a favorable recommendation to the Goshen Common Council for this request.

One call was received by the Planning Office asking for additional information for this request.

Petitioner Presentation:

Terry Lang, 1402 E Mishawaka Ave, South Bend, spoke on behalf of the petitioner. He stated this is the former Commodore building and the new owner would like to remodel the interior of the existing building for residential apartments. He explained they will add all required landscaping and provide necessary drainage items as required by the Engineering department. They will also meet any other requirements that might be brought up later. He noted the existing parking lot will be utilized and updated as necessary.

Audience Comments:

Susan Smith, 1406 Ashton Court spoke to the petition. She asked how the landscaping would be addressed along the tree line, noting that historically pedestrians cross from the site through their neighborhood.

Steven Fath, 1511 Garland, also spoke to the petition. He reiterated the previous comments and asked if some sort of barrier will be in place to prevent people from entering neighboring private property.

Petitioner Rebuttal:

Mr. Lang stated he understands the residents to the south are concerned about residents tracking through their neighborhood. He stated they hope to save as many of the existing pine trees as possible that separate the properties; they will also be adding additional landscaping and install a fence if necessary. He noted they want to be a good neighbor and will try to do whatever they need to do to reduce or eliminate the foot traffic through the neighboring properties.

Susan Smith asked what type of management will be in place and if there will be someone locally they can contact.

Mr. Lang explained the property owner is a local resident and any concerns will be handled locally.

Close Public Hearing

Staff Discussion:

Mr. Nisley stated that he received calls from several neighbors with concerns about foot traffic through their neighborhood and questioned if there will be a manager on site daily or if there will only be an on-call person.

Mr. Holtzinger questioned if they should ask the petitioner to install a fence.

Ms. Yoder responded that this is a straight rezoning request, so conditions cannot be added. The petitioner stated they may consider installing a fence and have also stated they want to be a good neighbor and have agreed to do the required partial landscaping.

Mr. Nisley asked if this moves forward could the City look at it and require a fence as part of the landscaping.

Ms. Yoder replied that partial landscaping is a mix of evergreens and shrubs and does not require a fence. They could install a fence and partial landscaping, but if they wanted to install a fence only, they would need a variance.

Action:

A motion was made and seconded, Holtzinger/Sailor, to forward a favorable recommendation to the Goshen Common Council for 25-02R based on Staff analysis. The motion passed by a vote of 5-1. (Nisley voted no.)

VII. Primary Subdivision (public hearing)

25-01SUB – HHI Kercher Rd Properties 24, LLC, Lassus Bros. Oil, Inc., Jones Petrie Rafinski, and Yoder, Ainlay, Ulmer & Buckingham, LLP, request primary subdivision approval for a two-lot major industrial subdivision. The subject property is generally located at the northeast corner of Lincolnway East and Kercher Road, and on the west side of Supreme Court, containing ±8.3 acres, zoned Industrial M-1.

Staff Report

Ms. Yoder explained the subject property is two unplatted tax parcels and the proposed subdivision will create a 4.48 acre lot from the south parcel and combine the remainder with the north parcel for a second lot of 3.08 acres. She explained the existing right-of-way along Kercher Road does not meet arterial road standards and the subdivision will include dedication of right-of-way, 40' from the centerline, north along Kercher Road, to meet the requirement.

She reminded Commission members that the Plan Commission has exclusive control over primary and secondary subdivision approvals and approval must be granted if the requirements are met. She noted there are several technical corrections that need to be made, and they will be corrected as part of the secondary subdivision submittal. Staff recommends the Plan Commission grant primary approval of the two-lot major industrial subdivision and listed the basis for her recommendation, along with recommended conditions of approval.

She advised the Planning Office received one phone call requesting additional information on this request.

Petitioner Presentation:

Sam Schenkel, 1800 Magnavox Way, Fort Wayne, spoke on behalf of the petitioner. He provided background information on Lassus convenience stores, noting that they opened their first Goshen store in 2021 at 1001 Pike Street. They realized over a year ago that they would like to expand and looked for a second location on the southeast side of town. The vacant parcel they've found contains approximately 8.3 acres which would be subdivided into two lots and redeveloped. Lot 1 would contain approximately 4.48 acres, and the remaining Lot 2 will contain approximately 3.08 acres. He explained the two lots will be completely independent of each other through separate ownership and there will be no shared improvements, utilities, or drainage facilities after the subdivision process has been completed. He went on to say that Lot 1 will be purchased by Lassus and redeveloped for its new store. Ownership of Lot 2 will remain with HHI with no known plans for future use, sale, or redevelopment at this time.

Mr. Schenkel stated they have been working with Goshen staff to meet all City requirements, including the requested dedication of additional right-of-way along the north side of Kercher Road.

Mr. Holtzinger asked if they're concerned with a competitor across the road.

Mr. Schenkel stated it's not unusual to have nearby competitors.

Audience Comments:

Jamie Richardson, 861 Park Avenue, Elkhart, spoke in opposition to the request. She stated she's an attorney representing Thirty-Three Real Estate LLC, owners of the property across the street at 2429 Lincolnway East. She stated there are a lot of conditions to be met with the development of this property and this competing business is within 500' of her clients established business which is not permitted under the zoning ordinance. She went on to say there is a lot of industry and manufacturing nearby and feels this will add additional traffic to an already busy area.

Mr. Holtzinger asked if a competitor moving in across the street might force the state of Indiana to improve the intersection.

Ms. Richardson stated that could happen but questioned how and when that would occur.

Mr. Sailor advised that INDOT already has plans to make this 5-lanes along this corridor.

Mr. Holtzinger questioned if this will be adequate.

Ms. Yoder pointed out that the developer will be required to have a traffic study and must meet INDOT's requirements.

Petitioner Rebuttal:

Mr. Schenkel stated he understands the opposition to them locating across the street, but there are always threats from competition. The reality of business is that there is always competition in a free market.

Regarding the utilities, Mr. Schenkel stated that they currently run along the front and back side of the property. He anticipates they will tap into the back side of the property, along Supreme Court, which will be simpler and not require disruptions along the front. They've also had communication with INDOT, and they understand in the next two to three years INDOT hopes to begin the widening project along Lincolnway. Their traffic impact study has been submitted to INDOT and is currently under review. He went on to say the traffic won't increase because they're there; the traffic is already there and that's one of the reasons they want to locate in this area.

Audience Comments:

Allison Sisson, no address given, representing Thirty-Three Real Estate, stated that although the budget to widen the road has been approved, it doesn't mean there's an actual start date. She stated she's not concerned with the competition but is concerned about the aesthetics of the area and that the ordinance prohibits gas stations within 500' of another station.

Petitioner Rebuttal:

Mr. Schenkel stated they have no control over INDOT's timing, so they can only rely on the information INDOT has provided to them, explaining they've had several conversations. He also mentioned that all the aesthetics, including landscaping, lighting, etc., will be similar to what they have done at the Pike Street location.

Close Public Hearing

Staff Discussion:

Attorney Shuler advised Commission members that the only thing they're considering here today is the approval or disapproval of the subdivision; not deciding the eventual use of the property. This case will be heard next week at the BZA meeting regarding the eventual use.

Action:

A motion was made and seconded, Nisley/Holtzinger, to grant primary approval for 25-01SUB, based upon the Staff analysis and with the conditions listed in the Staff Report. The motion passed unanimously by a vote of 6-0.

VIII. Primary Subdivision (public hearing)

25-02SUB – Meijer Stores Limited Partnership, First Federal Savings Bank, and Abonmarche request primary subdivision approval for a two-lot major commercial subdivision, Replat Lot 1 Meijer Subdivision. The subject property is generally located at 4522 Elkhart Road, Lot 1 of Meijer Subdivision, and is zoned Commercial B-3PUD (Planned Unit Development), part of the Meijer PUD.

Staff Report

Ms. Yoder reminded Commission members that the Plan Commission heard this case recently for a PUD major change and it was approved by the Council. This proposed subdivision is to create the outlot and establish the remainder of Lot 1. She explained some technical corrections are required as part of the primary approval and they're listed in the staff report. She recommended the Plan Commission grant primary approval of the 2-lot major commercial subdivision, based on the conditions listed in the staff report.

Petitioner Presentation:

Crystal Welsh, 303 River Race Drive, spoke on behalf of the petitioner. She stated this project will be for a new bank in the Meijer parking lot. She stated they are working with Meijer to get easements and other items sorted out so the outlot can be created and the bank can establish a new facility for their customers.

Audience Comments:

None

Close Public Hearing

Staff Discussion:

None

Action:

A motion was made and seconded, Nisley/Holtzinger, to grant primary approval for 25-02SUB, based upon the Staff analysis and with the conditions listed in the Staff Report. The motion passed unanimously by a vote of 6-0.

IX. Audience Items
None

X. Staff/Board Items
None

XI. Adjournment – 4:46 pm Nisley/Holtzinger

Respectfully Submitted:

/s/ Lori Lipscomb

Lori Lipscomb, Recording Secretary

Approved By:

/s/ Richard Worsham

Richard Worsham, President

/s/ Tom Holtzinger

Tom Holtzinger, Secretary