

Minutes - Goshen Plan Commission
Tuesday, April 20, 4:00 pm
Council Chambers, 111 E. Jefferson Street
Goshen, Indiana

- I. The meeting was called to order with the following members present: Kelly Huffman, Connie Garber, Mary Cripe, Jim Wellington, Tom Holtzinger, Jim McKee and Angela McKenna. Also present were City Planner Joseph Hauflaire and Assistant City Attorney Don Shuler.
- II. The minutes of 3/16/2010 were approved – Holtzinger/Garber 7-0.
- III. The Zoning/Subdivision Ordinances and Official Staff Reports were unanimously filed into Record – Holtzinger/Garber 7-0.
- IV. Postponements/Withdrawals: None
- V. **Neighborhood Association Recognition**
Chamberlain Neighborhood Association

Assistant City Planner, Rhonda Yoder advised that the Plan Commission adopted a formal recognition program in August, 2005 for neighborhood associations. She pointed out that one benefit to neighborhood associations is that they receive regular notices and agendas for upcoming Plan Commission and Board of Zoning Appeal meetings. At the time the recognition program was begun, it was hoped the City would be able to obtain funding for neighborhood associations. As of this date, no funding has been obtained, but there have been eight neighborhoods out of fourteen neighborhoods recognized. Anyone interested in obtaining information on setting up neighborhood associations, should contact Julia King with LaCasa for assistance.

Julia King, LaCasa, 202 N. Cottage Ave, noted that neighborhood associations recognized by the City are also allowed access to the City website.

Commission member John King advised that the City website has a drop-down list on the left side of the page with information for neighborhood associations concerning boundaries, contact persons, etc.

Kalaine Fields, 416 N 7th St. is the Chamberlain neighborhood representative. She explained the neighborhood is made up of houses, work release, LaCasa, schools, etc.

Ms. Huffman suggested Ms. Fields contact the local newspapers and ask them to write a story on the neighborhood association as there were no members of the media present.

A motion was made and seconded, Garber/Holtzinger to approve the Chamberlain Neighborhood Association. The motion passed, 7-0.

- VI. **Minor Change to the PUD & Final PUD Site Plan Approval** (not public hearing items)
10-01 MI & 10-01 FSA – Dr. Christopher Peers and Brads-Ko Engineering & Surveying, Inc. request a Minor Change to PUD Ordinance No. 3474 to allow for an 840 square foot addition to the south side of the existing Building One, Unit III and Final PUD Site Plan Approval. The subject property is generally located at 2012 S. Main Street and zoned Commercial B-3 PUD.

Mr. Hauflaire advised each case before the Commission today are public meeting items, but no legal ads were sent out as today's items are minor changes only.

Petitioner Presentation

Barry Pharis, Brads-Ko Engineering & Surveying, 1009 S. 9th St., Goshen, spoke on behalf of the petitioner. He noted the property is a planned unit development and condominium. Dr. Peers owns Unit 2 and other units are owned through an LLC. The expansion area will be used for cosmetic surgery and has received verbal approval from the hospital pending formal approval from the Plan Commission. Dr. Peers will have the contractor submit final drawings. These will also be sent to the hospital for their approval. Mr. Pharis noted the expansion will not be noticeable to those driving by as the contractor will try to use matching siding, trim, shingles, color scheme, etc. The site plan shows negligible impact to the site. He stated this is a favorable site recommendation and hopes the Plan Commission will agree and give their approval.

Audience Comments

There was no one to speak to the petition.

Staff Report & Discussion

There was no discussion amongst the Commission members.

Action

A motion was made and seconded Wellington/King to approve the 840sf addition to 10-01MI and the final PUD site plan, 10-01FSA. The motion passed 7-0.

VII. Minor Change to the PUD & Final PUD Site Plan Approval (not public hearing items)

10-02 MI & 10-02 FSA – Goshen General Hospital and Schrock Commercial request a Minor Change to PUD Ord. 3896 to allow for a 4,757 sq. ft. building addition and to permit 107 parking spaces where 137 are required. Final PUD Site Plan Approval is also requested. The subject property is generally located at 1824 Dorchester Ct. and zoned Commercial B-3 PUD.

Mr. Hauflaire advised this case is similar to the previous case as they are requesting minor change and final site plan approval. This change will involve reconfiguring onsite parking. The original ordinance was first approved in June, 1999. The site plan meets requirements and it's recommended the Plan Commission adopt the minor change.

Petitioner Presentation

Jeff Schrock, 2523 Messick Dr., spoke as representative for Goshen General Hospital. Mr. Schrock noted the building is currently occupied and that usage will remain the same. This building was recently divided into suites. The proposed 4757sf addition will be to Suite B which was previously the physical therapy area. It will be occupied by Goshen Center for Rehabilitation. The proposed addition will take away 16 existing parking spaces, but through added parking in various other areas, there will be a net gain of three additional parking spaces. The building owner conducted a parking study and felt parking needs will be met. This will be subject to engineering approval.

Audience Comments

There was no one to speak to the petition.

Staff Report & Discussion

There was no discussion amongst the Commission members.

Action

A motion was made and seconded Holtzinger/McKenna to approve the 4757 sq ft addition to 10-02MI and Final PUD Site Plan Approval 10-02FSA. The motion passed 7-0.

VIII. Final PUD Site Plan Approval (not a public hearing item)

10-03 FSA – Centers Investments, Inc. and Wightman Petrie request Final PUD Site Plan Approval for property generally located at 2400 E. College Ave. and zoned R-3 PUD.

Mr. Hauflaire advised this was presented at the February 16, 2010 Plan Commission and City Council meeting regarding the assisted living expansion. Final site plan approval is requested at this time. The parking ratio is less than required for the number of units, but appears to meet the need in this instance. It is felt the parking restrictions can be relaxed as most residents are elderly and not typically drivers. He pointed out that several things need to happen before building permits can be issued, including right-of-ways, engineering and sewer issues. Plan Commission can give final site plan approval, but a zoning clearance will not be issued until these matters have been resolved.

Petitioner Presentation

Chris Chockley, Wightman Petrie, 4703 Chester Drive, Elkhart spoke on behalf of the petitioner. He noted a decision was made to use landscaping instead of fencing.

Audience Comments

There was no one to speak to the petition.

Staff Report & Discussion

Mr. King questioned if a fence was required or if landscaping would suffice.

Mr. Hauflaire answered that the decision was made to follow the landscaping ordinance as an alternative to putting up a vinyl fence. Landscaping would include evergreens and shrubs.

Action

Ms. Garber recused herself from voting. A motion was made and seconded King/Wellington to grant petition 10-03 FSA as recommended by Staff. The motion passed 6-0.

IX. Audience Items – none

X. Staff/Board Items

Mr. Hauflaire asked permission to bring an amended zoning ordinance before the Plan Commission regarding human directional signs. This is something the Staff can't do without approval of the Commission and he is requesting permission to bring this before the Commission next month. He added that there must be a motion to bring before the Commission and that this will be advertised as a public hearing item.

Mr. KcKee asked if we might be opening a can of worms, as it appears the Commission is targeting businesses.

Mr. Wellington asked what wording Mr. Hauflaire is thinking of.

Mr. Hauflaire responded the proposed ordinance won't mention costumes, but mostly actions and activity of the persons involved. He will also include wording regarding the distance the human signs can be from the establishments they are advertising for.

Mr. Mckee noted we don't want to limit free speech.

Mr. Hauflaire commented this is a public safety issue and he doesn't want to limit free speech either. This will address people on private property only, as sidewalks are another issue.

Ms. Cripe noted there may be a difference between state right-of-ways and local right-of-ways.

Mr. McKee acknowledged he's not a fan of human signs, but doesn't know if this is a good thing or not. We need to be careful.

Ms. Huffman expressed her thanks to Mr. Hauflaire for warning the Commission this issue would be addressed at a future meeting.

Action

A motion was made and seconded Garber/Wellington to allow the Staff to introduce a new ordinance at the May Plan Commission meeting. The motion passed 7-0.

Ms. Huffman requested an update from the Commission's representative to the Historical Preservation Committee, Mr. McKee. Mr. McKee informed the Commission that the Committee is trying to get their website ready so people restoring older homes or businesses will have a source for information. The Committee is also considering a home or business of the month to help with morale. They hope to announce the first home or business of the month in June.

Ms. Huffman asked if the Historical Preservation Committee might be able to link from the City website, as this is in the City's best interest. Ms. Cripe questioned the capacity of the City's website and suggested they might check with the Chamber of Commerce. Ms. Garber volunteered to talk to the Chamber about using their website.

Ms. Cripe announced the City applied in February to become a recognized Bicycle Friendly Community. She also announced the City would like to make a path from Monroe Street through Abshire Park so RV's can park at the fairgrounds and go to Abshire Park for registration for biking events. The Goshen to Shipshewana bike trail is scheduled to be completed by 2014. Mayor Kauffman will announce that May 24th through May 28th will be bike to work week.

XI. Adjournment – 4:47 P.M.

Respectfully Submitted:

Lori Lipscomb, Recording Secretary

Approved By:

Kelly Huffman, President

Tom Holtzinger, Secretary