

Minutes - Goshen Plan Commission
Tuesday, February 20, 2018 - 4:00 pm
Council Chambers, 111 E. Jefferson Street
Goshen, Indiana

- I.** The meeting was called to order with the following members present: Connie Garber, Aracelia Manriquez, Jim McKee, Joe McCorkel, Leslie Biek, and Tom Holtzinger. Also present were City Planner Rhonda Yoder and Assistant City Attorney James Kolbus. Absent: Rolando Ortiz, John King, James Wellington
- II.** Approval of minutes of 1/16/18 – Holtzinger/McKee 6-0
- III.** The Zoning/Subdivision Ordinances and Official Staff Reports were unanimously filed into record: Holtzinger/Manriquez 6-0
- IV.** Postponements/Withdrawals
None
- V. Major Commercial Subdivision, Primary Approval (public hearing)**
18-01SUB – Tractor Supply Company and Danch, Harner & Associates request primary approval of a two lot major commercial subdivision, generally located at 2323 Lincolnway East and zoned Commercial B-3 District.

Staff Report:

Ms. Yoder explained this is primary subdivision approval which is a public hearing process, explaining that subdivisions are approved in two phases, primary and secondary. The primary approval is intended to show the entire development plan, noting the Plan Commission has exclusive control over both primary and secondary subdivision approvals. She explained conditions for granting approval.

Today's request is for an existing property that is proposed to be split into two lots. One lot has an existing commercial building, and the second lot would be for new commercial development. She pointed out there are some items to be addressed following review of the primary plan and gave a brief overview of the items. She noted that as proposed, the two lots meet the B-3 requirements for minimum lot area and frontage, but they will need to file with the Board of Zoning Appeals (BZA) for several developmental variances. She noted approval of the variances is required before this can be granted secondary subdivision approval.

Because the lots meet the B-3 requirements, Staff recommends primary approval be granted with the conditions listed in the Staff Report.

Petitioner Presentation:

Greg Shearon, 1643 Commerce Drive, spoke on behalf of the petitioner. He stated he is here representing Tractor Supply. He explained the first lot contains the Tractor Supply building and the second lot is for a new retail building. He stated they are in process of updating the plat and will complete that work before submitting for secondary approval. He is available to answer any questions.

Audience Comments:

There was no one to speak to the petition.

Close public hearing

Staff Discussion:

There was no discussion amongst Commission members.

Action:

A motion was made and seconded, Holtzinger/McKee, to grant primary approval for 18-01SUB, based upon the Staff Analysis and with the conditions listed in the Staff Report. The motion passed unanimously by a vote of 6-0.

VI. Rezoning, PUD Major Change & PUD Preliminary Site Plan Approval (public hearing items)
18-02R & 18-01MA – Spring Run Partners, LLC, and Progressive Engineering Inc., request a rezoning from Commercial B-1 PUD (Planned Unit Development) to Residential R-3PUD for Lots 1 & 2 in Pickwick Village Fourth, along with a PUD major change and PUD preliminary site plan approval to permit the change of use from commercial to residential within the PUD. The subject property is Lots 1 and 2 of Pickwick Village Fourth subdivision, with a common address of 2017 Wakefield Road, generally located on the west side of Wakefield Road and the north side of Wilden Avenue.

Staff Report:

Ms. Yoder explained this petition is a recommendation to the City Council. She gave background information on the establishment and zoning of the Pickwick Village PUD, pointing out the PUD requires a minimum front building setback of 30' and a minimum rear setback of 25' in R-3 areas and limits density to 6 ½ units per acre. Five subdivision phases have been approved and recorded since the PUD was established. The subject property is Pickwick Village 4th, and is zoned B-1PUD. In 1986 an office building was built on the single tract and in 2001, Lot B was divided into two lots. Today's request is to rezone from Commercial B-1PUD to Residential R-3PUD, with the commercial use changed to residential use. This change from commercial development to residential development is considered a major change. The preliminary site plan shows six lots with three single-family attached dwelling units, with each unit on its own lot. The area to be rezoned is adjacent to other R-3 areas and is consistent with existing land uses. As proposed, the lots meet the minimum R-3 requirements, but any developmental deficiencies will be addressed as part of the PUD major change. She noted one item that will need to be reviewed is the reduced setback for the driveways and it will have to be approved as part of the PUD major change. She explained that after the rezoning and PUD major change are in place, the subdivision will come back to the Plan Commission for the replat.

The lots, as proposed, meet the R-3 developmental requirements, but noted the landscape plan that has been submitted is insufficient and must be revised.

Staff recommends the Plan Commission forward a favorable recommendation to the City Council for the rezoning, along with the PUD major change and PUD preliminary site plan approval.

Petitioner Presentation:

Tanya Miller, 58640 State Road 15, Goshen spoke on behalf of the petitioner. She stated they might need a variance for the landscape trees.

Ms. Yoder responded that unless they are asking to not plant large trees or diverse species, this can likely be addressed administratively through site plan review.

Mr. Holtzinger questioned if there is room for anything other than retention in the area indicated as retention and common area.

Ms. Miller stated that area is fairly flat and something could be there, but it is her understanding it would be retention area with grass.

Audience Comments:

There was no one to speak to the petition.

Close public hearing

Staff Discussion:

There was no discussion amongst Commission members.

Action:

A motion was made and seconded, Holtzinger/McKee, to forward a favorable recommendation to the Goshen

Common Council for 18-02R, 18-01MA and the PUD preliminary site plan, based upon the Staff Analysis and with the conditions listed in the Staff Report. The motion passed unanimously by a vote of 6-0.

VII. Rezoning (public hearing)

18-01R – A proposed annexation area with property owned by Lippert Components Manufacturing, Inc., D-ACT-Z, LLC, Elkhart County & 4-H Agricultural Exposition, Inc., and Norfolk Southern Railway Company includes a rezoning upon annexation to Industrial M-1, from existing Elkhart County zoning of Industrial M-2 and Agricultural A-1. The property is approximately 333 acres, located east of and adjacent to the existing Goshen corporate boundary on the north and south sides of County Road 36 (College Avenue).

Staff Report:

Ms. Yoder explained when a rezoning is included with an annexation, the annexation ordinance goes to Council on first reading, then the Plan Commission hears the rezoning request, and the annexation ordinance then goes back to the Council for second reading. The Plan Commission makes a recommendation to the Council regarding the rezoning. She pointed out the current annexation ordinance was amended at first reading and that amendment occurred after the rezoning was in process. The rezoning included in the Staff Report reflects the initial total annexation area which may be different from what the Council approves at second reading. She provided a map for parcels 1, 2 and 3, marked as Exhibit A, to indicate the annexation area included by Council in their amendment. She further explained that the entire rezoning is part of this petition because the rezoning petition was already in process when the Council amended the annexation ordinance, and in order to meet required deadlines for public hearing notices and legal notice the petition has proceeded as originally submitted. She pointed out it is unlikely to be approved this way by the Council. She went on to explain the final rezoning will be part of the annexation ordinance adopted by Council.

The proposed zoning upon annexation is Industrial M-1 which will match adjacent City zoning. She explained that M-1 District standards will apply, including adjacent to residential land use. A conceptual site plan shows adequate area to meet all M-1 District requirements, including landscaping.

Staff recommends the Plan Commission forward a favorable recommendation to the City Council.

Petitioner Presentation:

John Simon, 2703 College Avenue, spoke on behalf of the petitioner. He provided a PowerPoint presentation which helped explain plans for the property. He referred to a conceptual drawing which indicates that the property meets the requirements for berms and landscaping. He stated they are aware of concerns regarding traffic along the county road and pointed out conceptual drawings show a turn lane with most of the right-of-way on the Lippert property as opposed to the south side of the road where the residential properties are located. He acknowledged the significant amount of residential use around this property and understands the concerns around traffic flow and the number of employees and trucks in and out of the property. Lighting concerns will be addressed to limit light on neighboring properties. Drainage is a big concern and they anticipate making significant improvements along CR 36. Some of the drainage will be redirected through the Lippert property and to the Rock Run Creek area and past the Horn Ditch.

He explained that there are specific automation plans for this location, including robotics and automated welding projects. This new building is needed to house the new technology and is the primary reason for the expansion. He stated they looked at other properties, but felt this was the best option.

Mr. McCorkel asked if they have looked for another location and a current facility.

Mr. Simon stated most of the Lippert facilities are at, or above capacity.

Mr. Holtzinger asked for clarification regarding what type of work will be performed here.

Mr. Simon stated it is light manufacturing, which would include welding and assembly process and housed totally inside the facility with nothing external to the facility. There will be no outside storage at this location.

Brad Mosness, Abonmarche Consultants, 1009 S 9th Street, Goshen, also spoke on behalf of the petitioner. He

stated they met with the City Engineering Department last week on the drainage. He said the City met previously with the County Surveyor's Office and it was determined there are two drains that run along County Road 36. In discussions with Lippert and City Engineering, they will look at creating new drainage across the front of Lippert's property to improve conditions in the area.

Audience Comments:

Brad Hooley, representing D-ACT-Z, spoke in favor of this petition. He stated they were originally part of the annexation, but expects the D-ACT-Z property to be removed from the annexation area. He stated he is familiar with the land and this area is more suited for an industrial use than for residential use. He pointed out that industry is adjacent to this property, west of the railroad tracks and it's obvious that transition is coming.

Steve Jenkins, Vice-President of Operations for Lippert Components, also spoke in support of the petition. He stated they are looking forward to a safe, efficient environment for their employees, in a location that has room for expansion.

Pamela Weishaupt, 916 Wilson Avenue, spoke in opposition to the petition. She stated her family lives at the corner of CR 36 and CR 31. She has participated in several meetings and feels there are better uses for the property than a manufacturing building and doesn't agree that this building is an indication of progress. She stated that while the pictures of the new building look nice, she fears it will eventually have trash blowing about like the other Lippert facilities on College Avenue. She voiced concerns regarding the railroad and accessibility for first responders, along with concerns regarding the additional amount of traffic. She asked that the Commission give an unfavorable recommendation to the Council.

Steve Salisbury, 16411 County Road 36, also spoke in opposition to the petition. He stated this property has flooding concerns and is afraid the proposed landscape berm will flood his and his neighbor's property. He stated the County has been unable to fix the flooding concerns and questions if the petitioner can adequately address it.

Jodi Salisbury, 16411 County Road 36, also spoke in opposition to the petition. She stated they have always had water issues and that is one of her main concerns. Her other concern is for the increase in semi-trucks, trailers, and employees that will be traveling this two lane road.

Curt Yoder, New Paris, also spoke in opposition to the petition. He stated his sister lives nearby and his concern is generally about the traffic. He would like to see more north/south roads in the area.

Petitioner Response:

Brad Mosness, Abonmarche, responded to audience comments. He stated the final drainage design would have to be reviewed by the City Engineering Department as well as the County Surveyor because they are regulated drains. The final design would have to be accepted by all parties or the project will not be allowed to move forward.

Close public hearing

Staff Discussion:

Mr. Holtzinger stated he understands drainage and traffic problems, but they get addressed and progress moves on. He pointed out that businesses should be allowed to expand within reason, provided they can meet all of the requirements.

Mr. McKee pointed out this is a difficult decision. He noted Lippert has made great strides over the past few years and if they make a twenty million dollar investment, it will be a nice facility.

Action:

A motion was made and seconded, Holtzinger/Manriquez, to forward a favorable recommendation to the Goshen Common Council for 18-01R, based upon the Staff Analysis. The motion passed by a vote of 5-1 (Garber, yes; Biek, yes; Holtzinger, yes; McKee, yes; Manriquez, yes; McCorkel, no).

VIII. PUD Minor Change (not a public hearing)

18-01MI - The Goshen Planning office requests a PUD minor change for Goshen Professional Park PUD (Planned Unit Development), Ordinance 3474, to allow Staff to review PUD final site plans, as allowed per the 2016 text amendments to the Zoning and Subdivision Ordinances.

Staff Report:

Ms. Yoder explained that in 2016 a text amendment to the Zoning and Subdivision Ordinance allowed Staff review of certain non-public hearing items. If a PUD ordinance stated that the Plan Commission must review PUD final site plans, a minor change must be approved by the Plan Commission to allow Staff to review. This request is for Goshen Professional Park PUD on South Main Street. This minor change is just to allow Staff review.

Staff Discussion:

There was no discussion amongst Commission members.

Action:

A motion was made and seconded, McKee/Holtzinger, to approve 18-01MI, a PUD minor change for Goshen Professional Park PUD (Planned Unit Development), Ordinance 3474, to allow Staff to review PUD final site plans, as allowed per the 2016 text amendments to the Zoning and Subdivision Ordinances. The motion passed unanimously by a vote of 6-0.

IX. Audience Items

None

X. Staff/Board Items

Ms. Yoder noted that the Comprehensive Plan Amendment for the bike and pedestrian plan is not on the agenda this month. There were a few things to finish up and it will likely be presented at the next meeting.

XI. Adjournment – 5:10 pm Holtzinger/McKee

Respectfully Submitted:

Lori Lipscomb, Recording Secretary

Approved By:

Connie Garber, President

Tom Holtzinger, Secretary