

Minutes - Goshen Plan Commission
Tuesday, June 19, 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, Jim McKee, Joe McCorkel, Leslie Biek, John King, Tom Holtzinger, and Aracelia Manriquez. Also present were City Planner Rhonda Yoder and Assistant City Attorney James Kolbus. Absent: James Wellington, Rolando Ortiz
- II.** Approval of minutes of 5/15/18 – Holtzinger/McKee 7-0
- III.** The Zoning/Subdivision Ordinances and Official Staff Reports were unanimously filed into record: Holtzinger/McKee 7-0
- IV.** Postponements/Withdrawals
None
- V. Text Amendment to the Goshen Zoning Ordinance** (public hearing item)
18-010A – The Goshen Common Council proposes a text amendment to the Goshen Zoning Ordinance, Ordinance 3011, to make updates to the definition and conditional use for child care homes to add A-1 as a permitted district, to remove the provider occupancy requirement, and to remove the requirement to meet all home occupation provisions and replace with two specific provisions.

Staff Report:

Ms. Yoder explained this proposal originated with the City Council and will return to the Council with a recommendation from the Plan Commission. She noted the proposed changes all relate to child care homes which is a conditional use, meaning it is permitted provided certain requirements are met. She explained there are two proposed changes today, the first being the definition which is found in Section 2110 of the Goshen Zoning Ordinance. The definition would keep the residential dwelling occupancy requirement, but remove the requirement that the dwelling be occupied by the child care home provider. She explained the change would require the residence to be occupied, but does not require that it be occupied by the child care home provider.

The second change is from Section 5200 of the Zoning Ordinance and would add the Agricultural A-1 District to the permitted districts. It would also remove the requirement that child care homes meet all home occupation provisions and would incorporate two specific provisions that would apply. Those provisions include that the child care home use is subordinate to the use of the dwelling unit as a residential dwelling and it would also allow one flush-mounted wall sign for the child care home.

Audience Comments:

There was no one to speak to the petition.

Close public hearing

Staff Discussion:

Mr. McCorkel asked what age groups are included.

Ms. Yoder responded that state regulations would apply.

Mr. Holtzinger noted that in many cases traffic has been a big neighborhood concern when variances are requested from the Board of Zoning Appeals.

Ms. Yoder replied that the provision now is that traffic is permitted as necessary during drop off and pick up times and that it would likely remain unchanged.

Mr. McCorkel asked if a permit is required from the City.

Ms. Yoder replied that a conditional use requires a one-time permit and that once the applicant provides information showing they meet the requirements the permit is issued by the Planning Office.

Ms. Garber asked why this change was brought up.

Ms. Yoder responded this began with a case in Councilman Orgill’s district and he came to Planning Staff with some proposed changes to child care homes and home occupations. She stated she and Attorney Kolbus met with him and suggested some alternate changes, which are basically the changes seen here today. She explained that he elected to take different changes to the Council, but was unable to garner enough support so the Council went back to Staff’s recommended changes.

Mr. Holtzinger noted the BZA had a case on North First Street.

Ms. Yoder responded the property at 427 N First Street does not apply to this because we found out after the fact that the dwelling unit is not occupied as a residence and only has a child care use.

Action:

A motion was made and seconded, Holtzinger/King, to forward a favorable recommendation to the City Council for 18-01OA, based upon the Staff Analysis. The motion passed unanimously by a vote of 7-0.

VI. Audience Items

None

VII. Staff/Board Items

Ms. Yoder advised Commission members that the Planning Office has been working on putting together a Zoning Ordinance Study Committee, noting that several topics have come up over the years. She stated that she, Mark Brinson, Jim McKee and Mayor Stutsman have been working on this and the first study committee is anticipated to begin in late July. She explained it will be composed of Plan Commission, BZA, City Council, neighborhood, and business persons. Any topics with changes will come back to the Plan Commission with recommendations for updates to the Zoning Ordinance.

VIII. Adjournment – 4:12 pm Garber/Holtzinger

Respectfully Submitted:

Lori Lipscomb, Recording Secretary

Approved By:

Connie Garber, President

Tom Holtzinger, Secretary