

Minutes - Goshen Plan Commission  
Tuesday, October 18, 2016 - 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, John King, and Tom Holtzinger. Also present were City Planner Rhonda Yoder and Assistant City Attorney James Kolbus. Absent: James Wellington, Rolando Ortiz, Aracelia Manriquez
- II.** Approval of minutes of 9/20/16 – Holtzinger/McKee 5-0
- III.** The Zoning/Subdivision Ordinances and Official Staff Reports were unanimously filed into record: Holtzinger/McKee 5-0
- IV.** Postponements/Withdrawals: None
- V. Rezoning** (public hearing)  
**16-05R** - The City of Goshen Department of Redevelopment, MA Investments, and Brad Emmert request the rezoning of three parcels of land from Commercial B-3 District (two parcels) and Commercial B-1 District (one parcel) to Residential R-3 District, for the development of approximately 194 apartments. The subject properties are generally located at 1375 Lincolnway East, two parcels containing  $\pm$  8.937 acres and zoned Commercial B-3 District, and one parcel adjacent to the south, containing  $\pm$  6.402 acres and zoned Commercial B-1 District.

*Staff Report:*

Ms. Yoder explained this rezoning request is for the development of an apartment complex at 1375 Lincolnway East and a vacant parcel to the south. The subject property is three tax parcels, two of which are zoned Commercial B-3, with frontage along Lincolnway East and Fairfield Avenue. The third parcel is zoned Commercial B-1 District with no frontage along a public street. If the project proceeds, the three parcels would be considered one zoning lot and developed as one overall site. The site plan provided indicates the R-3 developmental requirements will be met; and the site plan is only for the rezoning and does not include all details regarding landscaping and other requirements. Those detailed plans will be submitted for review if the rezoning is granted. She pointed out the plans show access to Fairfield Avenue only. The City has met with INDOT regarding this project and the new hotel located across the street, noting that a traffic study is being conducted to determine what improvements may be required along US33 related to these two projects. She explained that the proposed rezoning is consistent with the existing zoning and land use in the area and the development also supports several goals of the Comprehensive Plan. She asked that a favorable recommendation be forwarded to the Goshen City Council.

*Petitioner Presentation:*

Barry Pharis, 1009 S 9<sup>th</sup> Street, Goshen, spoke on behalf of the petitioner. He stated his firm met with Terrace Green Homeowners Association last week and explained to them that there will be no access from this proposed site to Winsted Drive. He also noted these are market rate apartments with no Section 8 housing. The majority of the units will also have garages. He explained there is currently a row of trees between them and the homes to the south and east. He stated these trees will remain and in fact, additional trees will be planted. He also discussed an easement which runs through the subject property and provides utilities for that subdivision. There is also a 30' emergency access noted on the plat which has never been used, but as these lots are developed, this emergency access easement will connect to the apartment complex's parking lot and drive. He noted that Phase I of this project is the existing hotel site and the small building in front, which will both be demolished soon. The southern parcel will be Phase II. He asked that the Plan Commission forward a favorable recommendation to the City Council.

*Audience Comments:*

Ervin Beck, 1402 Pembroke Circle, spoke to the petition. He stated he is president of the College Green Homeowner's Association and confirmed that they met with Mr. Pharis last week regarding plans for the apartment complex. He noted they expressed their opposition to any curb cuts onto Winsted Drive and that they do not want to see any trees removed as part of this development. He stated that provided these conditions are met, they have a positive outlook towards this development.

*Close public hearing.*

*Staff Discussion:*

Mr. Holtzinger asked how long it will take to complete Phase I.

Mr. Pharis stated they hope to have Phase I completed in the next couple years. They are presently waiting on demolition of the existing buildings, will then need to go onsite to confirm elevations and complete the design. Their goal is to go through technical review with the City in the spring of 2017. It is hoped Phases I and II can be completed within five years.

*Action:*

A motion was made and seconded, King/Holtzinger, to forward a favorable recommendation to the Goshen Common Council for 16-05R, based upon the Staff Analysis. The motion passed unanimously by a vote of 5-0.

**VI. PUD Minor Change** (not a public hearing)

**16-04MI** - The Goshen Planning office requests a PUD minor change for Elkhart Market Centre PUD (Planned Unit Development), Ordinance 4855, to allow Staff to review PUD final site plans, as allowed per the recent text amendments to the Zoning and Subdivision Ordinances.

*Staff Report:*

Ms. Yoder explained this minor change is required because within the PUD ordinance for Elkhart Market Centre, there is a provision that the PUD final site plan for each outlot must be reviewed by the Plan Commission. This requirement was in place at the time the major change was adopted. The subsequent Zoning and Subdivision Ordinance amendments allow Staff to review the PUD final site plan, so as part of this PUD minor change the Plan Commission must grant permission allowing staff to review final site plans.

*Staff Discussion:*

There was no discussion amongst Commission members.

*Action:*

A motion was made and seconded, King/Holtzinger, to allow Staff to review PUD final site plans for Market Centre PUD, as allowed per the recent text amendments to the Zoning and Subdivision Ordinances for 16-04MI, based upon the Staff Analysis. The motion passed unanimously by a vote of 5-0.

**VII. PUD Minor Change** (not a public hearing)

**16-05MI** - The Goshen Planning office requests a PUD minor change for Lippert-Penrod PUD (Planned Unit Development), Ordinance 4761, to allow Staff to review PUD final site plans, as allowed per the recent text amendments to the Zoning and Subdivision Ordinances.

*Staff Report:*

Ms. Yoder explained this is the same request as above, but for a different PUD. She indicated on the map attached to the Staff Report where the PUD is located and asked that this PUD minor change be approved.

*Staff Discussion:*

There was no discussion amongst Commission members.

*Action:*

A motion was made and seconded, McKee/Holtzinger, to allow Staff to review PUD final site plans for Lippert-Penrod PUD, as allowed per the recent text amendments to the Zoning and Subdivision Ordinances for 16-05MI, based upon the Staff Analysis. The motion passed unanimously by a vote of 5-0.

**VIII.** *Audience Items*

None

**IX.** *Staff/Board Items*

None

**X.** *Adjournment* – 4:23 pm McKee/King

Respectfully Submitted:

---

Lori Lipscomb, Recording Secretary

Approved By:

---

Connie Garber, President

---

Tom Holtzinger, Secretary