

Minutes - Goshen Plan Commission
Tuesday, December 20, 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, Rolando Ortiz, Jim McKee, Joe McCorkel, and Tom Holtzinger. Also present were City Planner Rhonda Yoder and Assistant City Attorney James Kolbus. Absent: James Wellington, Aracelia Manriquez, Leslie Biek, John King

II. Approval of minutes of 11/15/16 – Holtzinger/McCorkel 5-0

III. The Zoning/Subdivision Ordinances and Official Staff Reports were unanimously filed into record: Holtzinger/McKee 5-0

Leslie Biek joined the meeting at 4:02 pm

IV. Postponements/Withdrawals: None

V. Major Change (public hearing)

16-04MA - Jeffrey S. Burden requests a major change to a Special Use, Ordinance 2078, to add professional offices, including financial advising, as a permitted use, where the Special Use permits dental/medical uses only, and to permit an internally illuminated monument sign to serve all uses, up to 32 square feet in area and 8' in height. The subject property is generally located at 1100 College Avenue and is zoned Residential R-1 District.

Staff Report:

Ms. Yoder explained this request is a major change to a special use that was previously approved by an ordinance. The current special use is limited to medical and dental offices and this request to add professional offices, including financial advising, as a permitted use, requires a Plan Commission recommendation to Council.

She noted two phone calls were received from adjacent property owners, concerning this case. The first call was to express opposition to illumination of the sign, noting illumination would make the neighborhood feel more commercial. The caller did state that illumination during the daytime only would be more acceptable. The second caller questioned if the height of eight feet was appropriate for the neighborhood. She pointed out both calls regarded the sign and not the proposed use. She explained that parking has been reviewed and is sufficient for the existing dental office and the additional proposed office use.

She explained that the original approval included a landscape plan and a 2005 building expansion required landscaping to screen the parking lot from the street. She pointed out that the required landscaping has not been fully implemented, and this has been discussed with the owner who is willing to install the required landscaping as part of this approval.

A new sign is proposed with this application, as the existing sign on the property is a small sign serving one use. While the property is zoned Residential R-1 District, the Commercial B-1 zoning district (neighborhood commercial) would allow a non-illuminated monument sign of 32 square feet in area and eight feet in height. The drawing included with today's packet is what was proposed last year when discussion began about adding additional uses and is 28 square feet in area. She explained the Commission will need to evaluate the maximum area and the maximum height and will also need to determine if illumination of the sign will be allowed. Staff's recommendation is that illumination be allowed during business hours only.

Staff also recommends the Plan Commission forward a favorable recommendation to the City Council based on the conditions listed in the Staff Report.

Mr. Holtzinger noted for the record that he lives within the area that received notification. Attorney Kolbus asked Mr. Holtzinger if he felt this would have a financial impact on his property. Mr. Holtzinger responded, no, not financial.

Petitioner Presentation:

Dr. Jeff Burden, 1100 College Avenue, Goshen spoke on behalf of the petitioner. He stated originally there were two dental offices here, but half of the building has been empty for the past three to four years.

Mr. Holtzinger commented the sign seems large and questioned if the size of the sign could be decreased to look more compatible with the residential neighborhood.

Dr. Burden stated he feels an eight foot sign is too tall and prefers a shorter sign.

Mr. Holtzinger asked what size sign Dr. Burden has in mind.

Dr. Burden commented that he would prefer a sign possibly four feet in height and eight feet in width, explaining that he prefers a sign closer to the ground.

Mr. Holtzinger asked if the sign has to be illuminated.

Dr. Burden stated it does not, but noted the existing sign is illuminated by external spotlights. He commented it is nice to have the sign lit at night, but it is not a deal breaker. He stated his prospective tenant has agreed to follow the City's requirements.

Ms. Biek questioned what business hours are anticipated for the proposed tenant.

Dr. Burden stated he is not sure, but expects hours to be from approximately 8:00 am until six or seven pm.

Mr. McKee pointed out when the Martin's store opened, a time limit was placed on the sign where it could only be lit between certain hours and had to be turned off at night.

Dr. Burden stated that would be fine. He noted that would allow exposure without being lighted all night.

Audience Comments:

Adam Tice, 1612 S 14th Street, spoke in opposition to the petition. He stated he lives directly across the street and feels optimistic about what he has heard here so far. He stated this is a residential neighborhood and he has concerns regarding the lighting of the sign. He stated his preference is that the sign only be lit during normal business hours of 8:00 am to 5:00 pm. He does not feel an unlit sign will have much impact on the neighborhood. He stated he has no concerns regarding the proposed use and is happy to hear about the revised landscaping.

Close public hearing

Staff Discussion:

Mr. McKee stated he was unsure how they could make a motion regarding the size of the sign.

Ms. Yoder recommended they make the motion with the maximums that would be permitted. The sign can then be made smaller, but not larger than what is approved.

Mr. McCorkel stated based upon the type of business that is proposed, he doesn't feel it's necessary for the sign to be lit until 11:00 pm. He feels being lit until 9:00 pm would be adequate.

Ms. Garber stated she is not in favor of a lighted sign.

Reopen Public Hearing

Mr. McCorkel asked Dr. Burden what the dimensions are of the proposed sign.

Dr. Burden stated he has been told that 32 square feet is the maximum allowed.

Ms. Yoder pointed out the sign proposal in the packets is from a submittal last year and is not the exact sign.

Mr. McKee asked Dr. Burden if he felt it would be reasonable to allow the sign to be illuminated only until 9:00 pm.

Dr. Burden stated his dental office is closed in the evening and feels allowing the sign to be illuminated until 9:00 pm is adequate for any evening appointments the proposed Edward Jones office might have.

Reclose public hearing

Action:

A motion was made and seconded, McKee/McCorkel, to forward a favorable recommendation to the City Council for 16-04MA, based upon Staff recommendations and with the following amended conditions:

1. The proposed change is consistent with the Special Use adopted in 1972.
2. Adequate on-site parking is provided, with a total of approximately 18 spaces provided where 11 are required.
3. The following office uses, as listed in the Zoning Ordinance, shall be permitted, provided required on-site parking is met and all developmental requirements continue to be met:
 - Offices, Business
 - Offices, Chiropractor
 - Offices, Financial (no drive-through)
 - Offices, Governmental
 - Offices, Medical
 - Offices, Organizational
 - Offices, Professional
 - Offices, Real Estate
4. No drive-up or drive-through uses shall be permitted.
5. An updated landscape plan shall be required that combines the original landscape plan with the required landscaping from the 2005 approval, to be approved by the Planning office, and with landscaping fully installed no later than one year from approval of the major change.
6. One externally illuminated monument sign is permitted, serving all uses, up to 32 square feet in area and 6' in height, replacing the existing freestanding sign. Sign illumination shall be allowed Monday through Friday from 7:00 a.m. to 9:00 p.m. only.

The motion passed unanimously by a vote of 6-0.

VI. Audience Items
None

VII. Staff/Board Items
Ms. Yoder introduced the new Assistant Planner, Jon Hunsberger, to the Plan Commission members, noting he will be Staff to the Board of Zoning Appeals.

VIII. Adjournment – 4:25 pm Holtzinger/Biek

Respectfully Submitted:

Lori Lipscomb, Recording Secretary

Approved By:

Connie Garber, President

Tom Holtzinger, Secretary