

Minutes - Goshen Plan Commission
Tuesday, April 18, 2017 - 4:00 pm
Council Chambers, 111 E. Jefferson Street
Goshen, Indiana

I. The meeting was called to order with the following members present: Rolando Ortiz, Jim McKee, Joe McCorkel, Leslie Biek, Aracelia Manriquez, John King, and Tom Holtzinger. Also present were City Planner Rhonda Yoder and Assistant City Attorney James Kolbus. Absent: James Wellington, Connie Garber

II. Approval of minutes of 3/21/17 – Holtzinger/Biek 7-0

III. The Zoning/Subdivision Ordinances and Official Staff Reports were unanimously filed into record: Holtzinger/King 7-0

IV. Postponements/Withdrawals: None

V. Subdivision Replat (public hearing)

17-03SUB – Trinity Development Group, LLC, and Abonmarche Consultants, Inc., request approval of a replat of Lot 3 of Gateway South subdivision to reconfigure a drainage easement. The subject property is currently undeveloped, generally located on the east side of Gateway South Drive, south of Eisenhower Drive North, and zoned Commercial B-3PUD (Planned Unit Development) District.

Staff Report:

Ms. Yoder explained this replat is for Lot 3 of Gateway South Subdivision and follows minor subdivision requirements. She noted that primary and secondary subdivision approval is required and can occur concurrently if primary approval can be granted with no conditions. She explained the large drainage easement is being reconfigured to facilitate construction of a parking lot. Goshen Engineering has reviewed and approved the reconfigured drainage easement. Because there are no other conditions of approval, Plan Commission may grant primary and secondary approval, noting that the Board of Works accepted the plat at yesterday's meeting. Because all requirements have been met, Staff recommends primary and secondary approval be granted.

Ms. Garber joined the meeting at 4:05 pm.

Petitioner Presentation:

Barry Pharis, Abonmarche Consultants, Inc., 1009 S 9th Street, spoke on behalf of the petitioner. He stated because this is the number one Wings store in the franchise, they would like to expand the building. He pointed out that Lot 3 was originally reserved for a couple small businesses, but that will not happen. He stated there is a large retention area that serves all lots, allowing Wings, Etc. to expand Lot 3 into a larger parking lot. He asked that Commission members grant primary and secondary approval, as recommended by Staff.

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 and secondary approval for 17-03SUB, based upon Staff Analysis. The motion passed unanimously by a vote of 8-0.

VI. PUD Major Change (public hearing)

17-02MA – Silverwood Mennonite Church and Abonmarche Consultants, Inc., request approval of a PUD major change to permit a columbarium and to close the Clinton Street access. The subject property is part of Dellameade PUD, generally located on the north side of W Lincoln Avenue, and on the south side of W Clinton Street, containing ± 6.738 acres, and zoned Residential R-3PUD (Planned Unit Development) District.

Staff Report:

Ms. Yoder explained this property is part of the Dellameade PUD and is considered a PUD major change because of the addition of a columbarium and because the Clinton Street access will be closed. She explained what a columbarium is and that it is not a permitted use in PUD districts. She referred Commission members to a drawing included in the packets, noting that the columbarium will meet all setbacks.

She explained the petitioner's request to close the Clinton Street access, noting that the driveway would be removed and grass planted. She pointed out this access is used as a shortcut through church property and has become a safety concern. She noted preliminary meetings have been held with City departments and final plans will need to be approved by both Goshen Engineering and Goshen Fire Department. She went on to say if any improvements are required on Lincoln Avenue, the applicant would be responsible for the cost. It also appears there may be inadequate right-of-way on Clinton Street, with 20 feet where 30 feet is required. The approval would require dedication of additional right-of-way.

She noted for the record there were three inquiries regarding this case, all requesting additional information. There were no concerns. Staff recommends the Commission forward a favorable recommendation to the Council.

Petitioner Presentation:

Barry Pharis, Abonmarche Consultants, Inc., 1009 S 9th Street, spoke on behalf of the petitioner. He stated his client would like to build a columbarium, located next to the building, with space for 108 urns. There are several mature trees in this area and they will save as many as possible in order to provide screening for all neighbors. The columbarium will have no impact on the soil or groundwater.

In regards to traffic, he stated his client has taken several steps to lessen the amount of traffic that cuts through their parking lot, but nothing seems to work and it has become dangerous. He stated they will work with the Engineering and Planning Departments to make sure additional right-of-way is dedicated if it is required. A new curb cut on Lincoln Avenue will not be necessary as there is an existing curb cut which will become their only access point. He asked that this be forwarded to the Council with a favorable recommendation.

Mr. Holtzinger asked if they anticipate any future expansion of the columbarium.
Mr. Pharis stated he is not aware of any future plans.

Mr. McKee asked if an additional traffic lane would be required along Lincoln Avenue.

Mr. Pharis stated they will work with Goshen Engineering to determine requirements.

Ms. Biek stated a preliminary review of the plans indicate there might be enough room to add a turn lane.

Mr. Pharis reiterated his client is willing to work with the City Engineering Department to meet the requirements.

Audience Comments:

Jeremy Shue, Silverwood Mennonite Church, spoke to the petition. He stated he is the pastoral team lead at the church and has a young son. He stated cars cut through the parking lot daily, including on Sunday when the lot is full. They feel this has become a safety issue.

Close public hearing

Staff Discussion:

Mr. McKee questioned what would happen to the remains in the columbarium if the church moves or goes out of business.

Tim Wall, 20570 County Road 38, stated he worked with the design committee for the columbarium. He pointed out that the niches are above ground and if the church were to move, it would be easy enough to remove the ashes if needed.

Action:

A motion was made and seconded, King/Holtzinger, to forward a favorable recommendation to the Goshen Common Council for 17-02MA, based upon Staff Analysis and with conditions listed in the Staff Report. The motion passed unanimously by a vote of 8-0.

VII. Rezoning, PUD Major Change & PUD Preliminary Site Plan Approval (public hearings)

17-02R & 17-03MA – Greencroft Goshen and Abonmarche Consultants, Inc., request a rezoning from Residential R-1 District and Residential R-1PUD (Planned Unit Development) District to Residential R-3PUD (Planned Unit Development) District for an approximate 7.13-acre tract of land along the south side of College Avenue and for an approximate 4.412-acre tract of land along the west side of Dierdorff Road. A PUD major change is requested to add the areas not currently included in the Greencroft PUD, along with PUD preliminary site plan approval for the new areas and those areas not updated since the last overall PUD site plan was adopted in 1972.

Staff Report:

Ms. Yoder explained the conceptual plan shows the following changes:

- extending the existing commercial area along the south side of College Avenue to the east side of Greencroft Blvd;
- limited commercial uses along Dierdorff Road using Greencroft Parkway for access;
- a private RV park for visitors of Greencroft residents and for potential residents, with access along Dierdorff Road; and
- independent housing on both sides of Greencroft Parkway

She explained that the Greencroft PUD was established in October 1972, but that PUD plan did not include the area along College Avenue or the large tract of land along the west side of Dierdorff Road. She noted the areas along College Avenue subsequently received a series of approvals to allow limited commercial uses. Most of the land was incorporated into the PUD, but additional land has been acquired along College Avenue where they want to expand commercial uses. Land along Dierdorff Road would be rezoned from R-1 to R-3PUD and added to the Greencroft PUD.

Preliminary site plan approval also includes the areas that were not included in the 1972 site plan. The College Avenue rezoning contains 12 tax parcels and most of the surrounding area has received previous approvals for commercial uses. She noted the right-of-way along College Avenue requires further evaluation, and the possible dedication of right-of-way to total the required 80 feet. The rezoning along Dierdorff is for two tax parcels. She noted that 40' of right-of-way is required from the centerline west along Dierdorff Road to meet requirements of an arterial street.

She explained that the major change will incorporate all of the rezoned land into the PUD and update the 1972 site plan, establish uses, address vehicular and pedestrian access and establish standards for signs.

She explained that the underlying uses of the R-3 district are permitted. In a PUD residential districts allow commercial and institutional uses that serve the PUD.

When the PUD was established in 1972, it was discussed that no more than 20 percent of the PUD area would be used for non-residential uses, but that was never included in the PUD ordinance. She recommended Commission members include that provision at this time. She noted the majority of the new PUD area will be used for independent housing and listed proposed uses for non-residential areas along College Avenue and Dierdorff Road.

Staff recommends the Commission forward a favorable recommendation to the Council with conditions listed in the Staff Report.

Petitioner Presentation:

Barry Pharis, Abonmarche Consultants, Inc., 1009 S 9th Street, spoke on behalf of the petitioner. He gave an overall description of the proposal, explaining that they are updating the PUD from the 1972 approvals. He explained the proposed RV park will be private and used solely for visitors to Greencroft and prospective residents. The site will be a maximum of two acres and will have direct access to Dierdorff Road. The park will be served by City services.

He asked for clarification on the College Avenue and Dierdorff Road right-of-ways and restrictions on wall signs.

Ms. Yoder explained the right-of-way requirements and advised an identification wall sign would be permitted at the entrance to a building.

He noted there are some issues along College Avenue that will need to be addressed with Engineering.

Ms. Garber asked for clarification of where the RV park will be located.

Mr. Pharis indicated on a site map where the park will be located and asked if any calls were received from residents of Keystone Pointe.

Ms. Yoder responded that five inquiries were received by the Planning Office, two of which were residents from Keystone Pointe.

Mr. Pharis stated Keystone Pointe is a combination of single family, single family attached, and villas. The proposal today is for single family attached, adjacent to Keystone Pointe. He pointed out the RV park will be located far to the south, so the direct access will not impact Keystone Square to the east or the medical facility to the south.

Mr. Holtzinger asked if the RV park will be fenced.

Mr. Pharis stated it will be fenced.

Joe Schrock, Director of Maintenance for Greencroft, spoke to the petition. He stated the RV park will be in a wooded area and fairly hidden from neighboring properties. He stated they would like to develop the properties along College, to the east of the Greencroft entrance. He stated they have a demand for additional independent housing units, similar to the housing on Magnolia Court.

Ms. Garber asked how many spaces will be included at the RV park.

Mr. Schrock stated that the number of spaces have not been determined.

Ms. Yoder responded that at this point it is not to exceed two acres in area.

Audience Comments:

Everett Thomas, 1817 Woodgate, spoke in support of the petition. He stated he lives in Keystone Pointe and feels very positive about this development near his home. He went on to say he feels the proposed houses will fit in nicely with the existing homes in Keystone Pointe.

Dwight Gerber, 1508 Oak Leaf Lane, spoke to the petition. He stated he would like more information regarding the RV park, specifically how long RV's would be permitted to stay.

Mr. Schrock responded the RV park will be for visitors, and, while rules have not been set, the intention is for temporary use, for possibly up to three weeks. The RV park will not be used for storage or long-term use.

Ms. Yoder noted if this is a concern, condition number ten could add that this use is for short term occupancy only.

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 17-02R and 17-03MA, based upon Staff Analysis, amending condition number ten to include that RV parking is for short term use only. The motion passed unanimously by a vote of 8-0.

VIII. *Audience Items*

None

IX. *Staff/Board Items*

None

X. *Adjournment* – 4:53 pm

Respectfully Submitted:

Lori Lipscomb, Recording Secretary

Approved By:

Connie Garber, President

Tom Holtzinger, Secretary