

Minutes - Goshen Plan Commission
Tuesday, September 18, 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, Leslie Biek, John King, Aracelia Manriquez, Tom Holtzinger, Rolando Ortiz, and James Wellington. Also present were City Planner Rhonda Yoder and Assistant City Attorney James Kolbus. Absent: Joe McCorkel
- II.** Approval of minutes of 8/21/18 – Holtzinger/McKee 8-0
- III.** The Zoning/Subdivision Ordinances and Official Staff Reports were unanimously filed into record: Holtzinger/Wellington 8-0
- IV.** Postponements/Withdrawals - None
- V. Minor Subdivision** (public hearing), **PUD Minor Change & PUD Final Site Plan** (not public hearings)
18-05SUB & 18-04MI – Advanced Management Group, LLC, and Innovative Communities, Inc., request approval of a three-lot minor residential subdivision, The Gardens Seventh, along with a PUD minor change to allow development of single family detached units and to eliminate the partial landscaping requirement for Lot 134, and approval of a PUD final site plan, for property generally located on the east side of Tulip Blvd, south of Clinton Street, which is a portion of Lot 64 in The Gardens Fourth, zoned Residential R-3PUD (Planned Unit Development).

Staff Report:

Ms. Yoder explained the subject property is the undeveloped portion of Lot 64 in the Gardens Fourth subdivision which was platted in 2003 for attached single family development. Lot 64 is now being proposed to be divided into 3 lots to be developed with detached single family homes. All required public infrastructure, streets, water, sewer, and subdivision drainage, is existing. The PUD was specific to attached single family development and a minor change is needed to amend to single family use and relax the partial landscaping requirement along the south line since the same land use is adjacent. As proposed, the lots exceed minimum frontage and area requirements, and the PUD site plan shows that all developmental requirements will be met. The plat was accepted by the Board of Works on September 17, 2018.

Based on review of the Subdivision and Zoning Ordinance standards, Staff recommends the minor subdivision be granted approval as submitted, along with approval of the PUD minor change and PUD final site plan.

Petitioner Presentation:

Tim Sailor Innovative Communities, 697 Bungalow Drive, Nappanee, spoke on behalf of the petitioner. He stated Lot 64 was originally intended to be developed with four-plex condominiums, but the current market cost to construct the new four-plex is not financially viable. Single family lots are consistent with the remaining subdivision.

Audience Comments:

There was no one to speak to the petition.

Close public hearing

Staff Discussion:

Jim McKee recused himself from any discussion and the vote as he lives in subdivision.

Action:

A motion was made and seconded, Wellington/Holtzinger, to find with the recommendations and conclusions of the Staff Analysis and approve 18-05SUB, 18-04MI, and the PUD final site plan, with the conditions listed in the Staff Analysis. The motion passed unanimously by a vote of 7-0 (1 abstention).

VI. Vacation (public hearing)

18-02V - Clifford C. and Carol J. Wieland request a vacation of right of way for a portion of the 16.5' wide north/south alley located between Lots 31 through 33 and Lots 52 through 54 in the plat of Wurster's 2nd Addition, adjacent west of 901 E Madison Street, on the east side of the new extension of Lincolnway East, north of Madison Street.

Staff Report:

Ms. Yoder explained this request will be reviewed by the Traffic Commission on September 20, 2018, and the Plan Commission recommendation should be contingent on a favorable recommendation from Traffic Commission. Utility providers have been contacted and there are existing overhead and underground utilities in the public right of way in the area of the proposed vacation that requires a general utility easement be maintained over the entire area. NIPSCO raised a concern about future tree growth into the existing overhead power lines, so placement needs to be based on NIPSCO recommendations, which have been provided to the petitioner. Alley right of way to be vacated was originally located on land owned on both sides by the applicant, but the land adjacent to the west was acquired by INDOT as part of the US33 realignment project. One of the conditions of approval is that the city's approval is subject to any interest in the right of way that INDOT may have. The application was forwarded to INDOT for review and to date no specific information has been received from INDOT. The existing improved alley in the area of the proposed vacation is no longer needed to provide access to any of the properties.

Ms. Yoder explained the four statutory requirements that need to be met in order to approve the proposed vacation and handed out a memo with an update to the staff report which provided replacement wording for Condition #2. Staff recommends a favorable recommendation to council for the vacation.

Petitioner Presentation:

Steve Olsen, Yoder, Ainlay, Ulmer & Buckingham, 130 N. Main Street, spoke on behalf of the petitioner. He stated the alley is now a dead end. At this point it really serves no purpose other than to the property owner who is asking for the vacation. No curb cuts will be removed.

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, Wellington/Holtzinger, to forward a favorable recommendation to the Goshen Common Council for 18-02V, based on the Staff Analysis and with the listed conditions. The motion passed unanimously by a vote of 8-0.

VII. *Audience Items*

None

VIII. *Staff/Board Items:*

- 18-01CP, Review of Council amendment of the Comprehensive Plan amendment

Ms. Yoder explained the Council amended the amendment to the Comprehensive Plan to remove the high, medium, and low project priorities and to retain one large list of suggested projects. Because the plan was amended it has to come back to Plan Commission for review. A memo is included that shows the pages that have changed in the plan. In the original submittal, projects were prioritized, but now criteria will still be evaluated but projects are not in any specific order. The Plan Commission needs to decide if it wants to affirm the council amendment, and if so, a report will be made to council and the amended amendment will be effective.

Leslie Biek, Traffic Engineer, explained the changes and the reason for the changes. Not all criteria are created equal and a master project list will be more helpful when applying for grants.

Ms. Yoder said the priority scores were removed, but a list of the recommended projects with their evaluated criteria was retained.

Action:

A motion was made and seconded, Wellington/Holtzinger, to approve the Council's amendment to the Comprehensive Plan amendment as adopted by the Goshen Common Council on August 21, 2018. The motion passed unanimously by a vote of 8-0.

IX. *Adjournment* – 4:22 pm

Respectfully Submitted:

/s/ Tracee Norton

Tracee Norton, Recording Secretary

Approved By:

/s/ Connie Garber

Connie Garber, President

/s/ Tom Holtzinger

Tom Holtzinger, Secretary