

Minutes - Goshen Plan Commission
Tuesday, June 16, 2020 - 4:00 pm
Council Chambers, 111 E. Jefferson Street
Goshen, Indiana

I. The meeting was called to order with the following members present via electronic communication: Rolando Ortiz, Jim Wellington, Richard Worsham, Josh Corwin, Aracelia Manriquez, Betsy Poling, and Tom Holtzinger. Member Jim McKee was physically present, along with City Planner Rhonda Yoder and Assistant City Attorney James Kolbus. Absent: Joe McCorkel

II. Plan Commission Appointment

Mr. McKee announced that Betsy Poling has been appointed by the Mayor to fulfill the remainder of John King's term, through 12/31/20.

Remote Meeting Statement

Ms. Yoder read the following emergency meeting notice: We begin this meeting during a declared public health emergency covering all of the State of Indiana.

Board members

- Richard Worsham
- Josh Corwin
- Aracelia Manriquez
- Betsy Poling
- Rolando Ortiz
- Jim Wellington, and
- Tom Holtzinger

are participating in this meeting by electronic communication pursuant to Governor Holcomb's Executive Orders 20-04, 20-09 and 20-30, as well as guidance from Indiana Public Access Counsellor Luke Britt. Board member Jim McKee is physically present in City Council Chambers as we begin this meeting.

Ms. Yoder reminded Commission members that because some members are participating via electronic communication, all votes must be roll call votes, including those for approval of the minutes, and filing ordinances and reports into record.

III. Approval of minutes of 5/19/20 – A motion was made and seconded, Holtzinger/Wellington, to approve the minutes as presented with the following outcome: Wellington, yes; Worsham, yes; Holtzinger, yes; Ortiz, yes; McKee, yes; Corwin, yes; Poling, yes; Manriquez, yes. The motion passed unanimously by a vote of 8-0.

IV. The Zoning/Subdivision Ordinances and Official Staff Reports were unanimously filed into record: A motion was made and seconded, Holtzinger/Wellington, to accept the Filing of the Zoning and Subdivision Ordinances and Official Staff Reports into record with the following outcome: Wellington, yes; Worsham, yes; Holtzinger, yes; Ortiz, yes; McKee, yes; Corwin, yes; Poling, yes; Manriquez, yes. The motion passed unanimously by a vote of 8-0.

V. Postponements/Withdrawals

None.

VI. Rezoning (public hearing)

20-03R –Mayra Garcia, Jones Petrie Rafinski, Julia Ann Ramer, and Elmer & Diane Stealy request a rezoning from Agricultural A-1 District to Residential R-3 District for ±3.93 acres, for the development of approximately 48 apartments in four buildings. The subject property is generally located on the east side of Indiana Avenue and the north side of Plymouth Avenue, with a common address of 1006 S Indiana Avenue.

Staff Report

Ms. Yoder explained this is a single tax parcel containing approximately 3.93 acres, with frontage along both Indiana and Plymouth Avenue. The undeveloped property is zoned Agricultural A-1 and surrounds an undeveloped one-acre parcel on the northeast corner of Indiana and Plymouth Avenue. She provided information on the mix of residential, institutional, and commercial properties in the area and gave background information on the present zoning. She noted the A-1 District permits detached single unit residential dwellings, but does not permit multi-unit residential uses. Today's rezoning request is to allow for the development of approximately 48 apartments in four buildings, noting that the R-3 district is the only zoning district permitting multi-unit residential development.

Ms. Yoder reviewed the developmental requirements with Commission members, which included setbacks, access, density, parking, sidewalks, and landscaping. She explained that in order to rezone, you must demonstrate that you can meet the developmental requirements of the district you're requesting and the site plan provided by the petitioner shows all building, parking, and driving aisle setbacks will be met. She explained one street access is proposed on Indiana Avenue which will align with the church's widened south access. The church would then close its north access. She explained the petitioner will be responsible for the cost of street improvements along Indiana Avenue, which include an added southbound left turn lane and an added northbound right turn lane.

Density was discussed, and Ms. Yoder noted the maximum allowed density for this development is 77 units. She pointed out that the 48 proposed units are well under the maximum allowed by the Zoning Ordinance.

Parking requirements are met with 110 proposed parking spaces where 76 spaces are required.

Sidewalks along Indiana Avenue will be retained and relocated as needed and a new sidewalk is shown along Plymouth Avenue.

A conceptual landscaping plan shows streetside trees along Indiana and Plymouth, parking lot trees, and partial landscaping adjacent to the residential land use to the north and east. A final landscape plan will be required with the site development.

Ms. Yoder remarked that the site and landscaping plans are not being reviewed by the Plan Commission or Council, but they demonstrate the R-3 requirements can be met. She noted one point of concern is that the development does not include the one-acre property on the corner of Plymouth and Indiana Avenue. She noted previous proposals have included both parcels and that is what we'd like to see happen now. She explained there have been some updates since the staff report was written and the petitioner can share that information. There was a concern about shared access for the corner parcel, and the conceptual plan allows for future access for the corner parcel.

Ms. Yoder noted the rezoning is consistent with the existing land use in the area and with the Comprehensive Plan. The R-3 District requirements will also be met.

Lastly, Ms. Yoder noted for the record that three email comments and a letter of coordination were received after the Staff Report was distributed, and those comments and letter were provided via email to Plan Commission members and petitioners prior to today's meeting.

Petitioner Presentation

Andrew Cunningham, Jones Petrie Rafinski, 325 S Lafayette Blvd, South Bend, spoke on behalf of the petitioner. He gave an overview of the site location, explaining the development would contain four, two-story buildings and a total of 48 units. Seventy-six parking spaces will be required and the proposed plan has 90 surface parking spaces and 20 garage parking spaces. He explained a conceptual landscape plan has been provided, which will create a buffer between the apartments and the surrounding neighbors. Two onsite retention basins will capture and maintain all stormwater. He explained the driveway access will come into the center of the apartment complex off of Indiana Avenue. He noted a traffic impact study was performed which did an in-depth study of the Plymouth/Indiana Avenue intersection, making sure the driveway was located far enough north and away from

the intersection. He stated that the study found turn lanes were not necessary, but in order to insure traffic safety, this development will include both a left and right turn lane and these lanes will line up with the church driveway across Indiana Avenue. He explained they have provided a centrally located driveway which also provides an access easement to the corner lot if and when its developed.

Mr. Wellington asked why the one-acre corner lot isn't included in this proposal.

Ms. Yoder responded that it has a separate owner and we can't force the owners to have a joint application.

Mr. Wellington asked if it was always a separate owner.

Ms. Yoder replied yes and explained that the two previous applications had two separate owners, but all of the owners joined the two previous petitions. She went on to say that late today a coordination letter was received, signed by the prospective owners, Jose and Myra Garcia, to coordinate with the development of the corner lot. Her understanding is that they have agreed to provide a cross access easement which would be recorded. The one-acre parcel would then have access through the apartment complex.

Mr. Wellington asked if that meant there would never be a curb cut for the one-acre parcel.

Ms. Yoder responded that's correct, provided everything goes according to plan. She said her point in raising concern was for access to the corner parcel and that appears to have been resolved, based on what the prospective owners are willing to provide to the owner of the corner property.

Mr. Wellington asked Ms. Yoder what the letter from Mr. Hoogenboom said.

Ms. Yoder stated that Mr. Hoogenboom's original email raised access as one of his concerns, but a letter from the prospective owners stated they will provide access for the corner parcel. Mr. Hoogenboom also received a copy of that letter and sent a second email to Ms. Yoder saying that based on this letter and the promised easement, he would not be at today's meeting.

Mr. Wellington stated he likes the proposal for apartments, but doesn't like that the corner lot is not part of the development.

Mr. Holtzinger asked how wide the sidewalk will be along Indiana Avenue.

Mr. Cunningham stated it will be 10' in width.

Mr. Cunningham summarized by saying that they would like to have included the corner lot, but the purchase price was too much.

Audience Comments

Timothy Moles, 815 W Plymouth Avenue, spoke to the petition. He noted that his neighbors are all property owners and not renters. He also asked when the traffic study was performed and if it was during school hours.

Beverly Moles, 815 W Plymouth Avenue, also spoke to the petition. She asked for clarification on the border landscaping.

Petitioner Response:

Mr. Cunningham stated the landscaping will consist of evergreen hedges and deciduous shrubs, planted in an area 4-5' in width. The traffic study was performed in February of this year, while school was in session and before any of the COVID-19 situation happened.

Attorney Kolbus asked how tall the bushes will be when planted.

Mr. Cunningham stated the evergreen trees will start out between 4' and 6' tall and be between 10' to 12' at maturity.

Close Public Hearing

Staff Discussion:

Ms. Yoder reminded Commission members that this is a recommendation to Council and they can forward a

favorable, unfavorable, or no recommendation to the Council.

Mr. Wellington asked Mr. McKee his thoughts on this request.

Mr. McKee stated this is a difficult piece of property and the Plan Commission has reviewed this property in the past. He stated that based on traffic, this is probably better than other proposals. He used the apartment complex on Lincolnway East as an example stating they have nearly 200 units and the intersection of Fairfield and Lincolnway East seems to navigate traffic well. He stated he too has concerns about the corner parcel, but realizes that can't hold up other projects.

Mr. Wellington asked Ms. Yoder if it's correct that there will never be another curb cut for the corner parcel.

Ms. Yoder replied that the way this is proposed, that's correct. She went on to say frontage on Plymouth is under the jurisdiction of the State of Indiana and they're not going to allow an access because it's in the intersection, as is Indiana Avenue. She stated the City wants shared access there and that's what is provided through the easement the prospective owners would grant to the corner parcel.

Mr. Wellington asked for clarification that whatever is eventually placed on the corner parcel would have access through the easement only.

Ms. Yoder responded that's correct.

Mr. Holtzinger stated he feels this is a good use for the property.

Action:

A motion was made and seconded, Wellington/Holtzinger, to forward a favorable recommendation to the Common Council for 20-03R, based upon the Staff Analysis. A roll call vote was requested with the following outcome: Wellington, yes; Worsham, yes; Holtzinger, yes; Ortiz, yes; McKee, yes; Corwin, yes; Poling, yes; Manriquez, yes. The motion passed unanimously by a vote of 8-0.

VII. Audience Items
None

VIII. Staff/Board Items

- Residency form for Betsy Poling

Ms. Yoder noted for the record that a residency form has been received from Betsy Poling.

IX. Adjournment – 4:40 pm Holtzinger/Worsham

Respectfully Submitted:

/s/ Lori Lipscomb

Lori Lipscomb, Recording Secretary

Approved By:

/s/ Jim McKee

Jim McKee, President

/s/ Tom Holtzinger

Tom Holtzinger, Secretary