

Minutes - Goshen Plan Commission
Tuesday, June 15, 2021 - 4:00 pm
Council Chambers, 111 E. Jefferson Street
Goshen, Indiana

I. The meeting was called to order with the following members present: Josh Corwin, Tom Holtzinger, Hesston Lauver, Aracelia Manriquez, Caleb Morris, Rolando Ortiz, Richard Worsham, and Jim McKee. Also present were City Planner Rhonda Yoder and Assistant City Attorney Don Shuler. Absent: James Wellington

II. Approval of minutes of 3/16/21 – Holtzinger/Manriquez 8-0

III. The Zoning/Subdivision Ordinances and Official Staff Reports were unanimously filed into record: Holtzinger/Lauver 8-0.

IV. Postponements/Withdrawals
None

V. Vacation (public hearing)

21-01V – LaCasa, Inc., William & Cheryl Shively, and Abonmarche Consultants request the vacation of the unimproved right of way of East Street between Arehart Street and N 7th Street, which appears as part of the subject property generally located at 715 N 7th Street, zoned Residential R-1 District. It was recently discovered the East Street right of way has not been vacated, even though a house was built on the right of way in 1943. Following the vacation, Arehart Street and N 7th Street will retain their existing rights of way, and the vacated area will remain part of 715 N 7th Street.

Staff Report

Ms. Yoder explained this property was recently purchased by LaCasa and it was assumed that the East Street right-of-way had been vacated at this property. She stated it was noted as such in multiple documents; however, when title work was performed, no reference for a vacation could be found. LaCasa's plan is to demolish the existing house and rebuild, but in order for them to move forward with redeveloping this site, the right-of-way needs to be vacated.

Ms. Yoder pointed out that during a normal vacation, the right-of-way is split 50-50 with adjacent owners, but that doesn't work in this case because LaCasa would have to give up the north one-third of the lot. The owners of the property to the north have agreed to allow the entire portion to remain with 715 N 7th Street.

Ms. Yoder noted that utility providers have been contacted and based on those responses, there are no existing utilities in the area, so no easement is required over the vacated area. She also pointed out that because a house has been there since 1943, the area has not functioned as public right-of-way and she questioned if East Street had ever been constructed on this end.

She reported that the Traffic Commission will review this request on Thursday, June 17th and their recommendation will be included in the recommendation to Council.

Staff recommends the Plan Commission forward a favorable recommendation to Council.

Petitioner Presentation

Crystal Welsh, 1009 S 9th Street, spoke on behalf of the petitioner. She stated after several conversations with the neighboring property owners and assurances that they are not losing any of their existing property, they agreed to relinquished their rights to half of the property, allowing the entire area to remain with 715 N 7th St.

Close Public Hearing

Staff Discussion:

There was no discussion amongst Commission members.

Action:

A motion was made and seconded, Holtzinger/Worsham, to forward a favorable recommendation to the Goshen Common Council for 21-01V based upon the Staff Analysis and with the conditions listed in the Staff Report. The motion passed unanimously by a vote of 8-0.

VI. Audience Items
None

VII. Staff/Board Items
None

VIII. Adjournment – 4:08 pm Holtzinger/Lauver

Respectfully Submitted:

/s/ Lori Lipscomb
Lori Lipscomb, Recording Secretary

Approved By:
/s/ Jim McKee
Jim McKee, President

/s/ Tom Holtzinger
Tom Holtzinger, Secretary