

Minutes - Goshen Plan Commission  
Tuesday, December 21, 2021 - 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, Richard Worsham, Josh Corwin, Tom Holtzinger, Hesston Lauver, and Doug Nisley. Also present were City Planner Rhonda Yoder and Assistant City Attorney James Kolbus. Absent: Aracelia Manriquez, Caleb Morris, and James Wellington

II. Approval of minutes of 11/16/21 – Holtzinger/Nisley 6-0

III. The Zoning/Subdivision Ordinances and Official Staff Reports were unanimously filed into the record: Holtzinger/Nisley 6-0

IV. Postponements/Withdrawals  
None

V. **PUD Major Change & PUD Preliminary Site Plan and Major Commercial Subdivision - Primary Approval** (public hearings)

**21-01MA & 21-03SUB** – Lowe’s Home Centers, Inc., and Weihe Engineers, Inc., request a PUD major change & PUD preliminary site plan approval and primary subdivision approval for Elkhart Road at Rieth Subdivision, A Replat of Elkhart Road P.U.D. – Phase I (Lot 1), to allow for outlot development for a restaurant. The PUD major change includes:

- To allow an outlot, and outlot access via adjacent Lot 1;
- 0’ internal parking/aisle setbacks between Lots 1 and 2;
- Allow existing parking spaces to continue along portions of Rieth Blvd and Elkhart Road for Lots 1 and 2, with 0’ parking/aisle setbacks, a portion of parking spaces in the right of way (where additional right of way was dedicated), and varying parking stall dimensions;
- No less than 10’ parking/aisle setback along Elkhart Road for Lot 2; and
- 22’ aisle width west of Rieth Blvd parking spaces for Lot 2.

The subject property is generally located at 2219 Rieth Blvd and is zoned Commercial B-3PUD (Planned Unit Development), part of Elkhart Road PUD.

*Staff Report*

Ms. Yoder explained today’s request is to approve the outlot and to address any developmental deficiencies, noting there are two separate components to this request; each requiring a separate decision.

She began by explaining the PUD major change and PUD preliminary site plan approval being discussed today are recommendations to the City Council. The request to approve a major subdivision and the replat of Lot 1 is a decision that remains with the Plan Commission. She gave background information on the establishment of the Elkhart Road PUD, noting it has been amended with minor changes from time to time and noting that generally, standards and uses follow the Commercial B-3 District. The major change and subdivision are requested to create Lot 2, an outlot for a drive-thru restaurant. She listed characteristics of a PUD major change, pointing out these are all part of the current request, and also pointed out that one of the reasons this is a major change is because the outlot was not shown on the PUD preliminary site plan when the Elkhart Road PUD was originally approved.

The following items listed in the Staff Report were discussed in detail:

- *Access and Traffic Circulation*
  - Lot 2 will have no direct access to a street. Access will be from Rieth Blvd; no direct access from Elkhart Road
  - No physical separation is proposed between lots, allowing 0' parking/aisle setbacks between Lots 1 and 2
- *Parking Spaces, Aisles, and Parking/Aisle Setbacks*
  - Existing parking spaces appear to extend slightly into the right-of-way along Rieth Blvd and Elkhart Road, caused when additional right-of-way was acquired following the platting of Lot 1
  - The major change allows the existing parking spaces to remain for both lots (except for Lot 2 along Elkhart Rd) including the slight right-of-way encroachment and a 0' parking/aisle setback where additional right-of-way was acquired.
  - Lot 2 along Elkhart Rd is proposed with a minimum 10' parking/aisle setback and a minimum 10' landscape buffer.
- *On-Site Parking*
  - Parking requirements will be met
  - Staff also requests that bicycle parking be required for the outlot
- *Landscaping*
  - Requirements will be met
- *Signs*
  - No sign information was submitted, so all signs will follow the B-3 and PUD requirements.

In summary, Ms. Yoder noted that Staff finds the proposed major change is consistent with the overall Elkhart Road PUD as established and amended. The use is permitted and developmental requirements will be met, except as modified by the PUD changes.

Mr. Corwin noted that the site plan shows vehicles queued into the Lowe's lot and asked if that is acceptable.

Ms. Yoder responded that she has recommended that a note be included on the plat acknowledging that parking and access across Lot 1 will likely take place for the benefit of Lot 2. She also noted that this drive-thru is not typical because you have to order ahead and then drive up to pick up your order.

Ms. Yoder continued by explaining the subdivision request and why it is classified as a major subdivision, noting that approval is granted in two phases. Primary approval is requested today. She pointed out that in the evaluation of the proposed subdivision, several deficiencies were found and are listed in the Staff Report.

Ms. Yoder reiterated that two motions are needed today. For the major change, Staff recommends the Plan Commission forward a favorable recommendation to the Council with the suggested conditions and final requirements.

The second decision relates to the primary approval of the 2-lot major commercial subdivision and Staff's recommendation is that the Plan Commission grant primary approval with the conditions listed in the Staff Report.

*Petitioner Presentation*

Bill Terry, 10505 N College Avenue, Indianapolis, IN, spoke on behalf of the petitioner. He stated Ms. Yoder did a good job of explaining the request. He confirmed there will be no menu boards at the drive-thru, explaining you order online and then present your barcode at the pickup location to receive your food. He also explained that a bicycle parking area has been included.

*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/Nisley, to forward a favorable recommendation to the Common Council for 21-01MA and Preliminary Site Plan Approval, based upon the Staff Analysis and with the conditions listed in the Staff Report. The motion passed unanimously by a vote of 6-0.

*Action:*

A motion was made and seconded, Holtzinger/Worsham, to grant primary approval for 21-03SUB, based upon the Staff Analysis and with the conditions listed in the Staff Report. The motion passed unanimously by a vote of 6-0.

**VI.** Audience Items  
None

**VII.** Staff/Board Items  
None

**VIII.** Adjournment – 4:23 pm Nisley/Holtzinger

Respectfully Submitted:

/s/ Lori Lipscomb

Lori Lipscomb, Recording Secretary

Approved By:

/s/ Rolando Ortiz

Rolando Ortiz, President

/s/ Tom Holtzinger

Tom Holtzinger, Secretary