

Minutes - Goshen Plan Commission  
Tuesday, January 16, 2024 - 4:00 pm  
Council Chambers, 111 E. Jefferson Street  
Goshen, Indiana

**I.** The meeting was called to order with the following members present: Richard Worsham, Tom Holtzinger, Hesston Lauver, Doug Nisley, James Wellington, Aracelia Manriquez, Caleb Morris, and Rolando Ortiz. Also present were City Planner Rhonda Yoder and Assistant City Attorney James Kolbus.

**II.** 2024 Plan Commission Appointments

Ms. Yoder explained information was unavailable when the agenda was distributed, but Doug Nisley was appointed by the Common Council on January 8, noting his term is coextensive with his council appointment.

Richard Worsham was appointed by the Board of Public Works and Safety on January 11, noting this is an annual appointment.

Aracelia Manriquez has not yet been reappointed, but she is allowed to continue serving until she's reappointed (within 90 days).

**III.** Election of 2024 Officers

- *President*
- *Vice President*
- *Secretary*

*Action:*

A motion was made and seconded, Morris/Holtzinger, to appoint Richard Worsham as Plan Commission president. The motion passed unanimously by a vote of 8-0.

*Action:*

A motion was made and seconded, Holtzinger/Lauver, to appoint Rolando Ortiz, as Plan Commission vice-president. The motion passed unanimously by a vote of 8-0.

*Action:*

A motion was made and seconded, Nisley/Morris, to appoint Tom Holtzinger as Plan Commission secretary. The motion passed unanimously by a vote of 8-0.

**IV.** Approval of Minutes from 12/19/23 – Holtzinger/Lauver 8-0

**V.** Filing of Zoning/Subdivision Ordinances and Official Staff Reports into Record – Holtzinger/Manriquez 8-0

**VI.** Postponements/Withdrawals

**VII. Primary Subdivision (public hearing)**

**24-01SUB** – Cherry Creek, LLC, Waterford Commons Business Park, LLC, and Abonmarche Consultants request primary subdivision approval for a 483-lot major mixed use (residential & commercial) subdivision, Cherry Creek. The subject property is generally located west of Dierdorff Road, north of Waterford Mills Parkway, east of Regent Street, and south of Waterford Mills Parkway on the west side of Regent Street, containing ±180 acres, zoned Residential R-3PUD.

*Staff Report:*

Ms. Yoder reminded Commission members that the Plan Commission has exclusive control over primary and secondary subdivision approval. She explained the submittal for Cherry Creek primary subdivision included sheets 1-14 with layout details and overall subdivision drainage. These sheets and a preliminary phasing plan are all included in the packets. She also noted that during subdivision review, she had comments and questions regarding several of the subdivision standards and they'll need to be addressed before the secondary subdivision can be approved. She highlighted the following points from her staff report:

- 6 No lots on dead-end streets will be allowed as part of any secondary subdivision.

7. The maintenance lot and Common Space E appear to be part of Phase 1/Zone 1 but appear to be proposed with driveways and not street connections, and more details are required in order to determine how these driveway connections would be permitted. All lots and common spaces proposed for development within a subdivision section must be part of the secondary subdivision for that section.
10. Non-access easements 5' in width are required along each abutting arterial street, Waterford Mills Parkway and Dierdorff Road, and along any interior streets where access will be prohibited, such as Fairways Drive.
11. Easements and agreements required prior to secondary subdivision approval include:
  - Temporary construction easements
  - Off-site easement across City property (Waterford Mills Parkway, for example) for drainage pipes
  - Off-site drainage retention easements, with instrument numbers included on the secondary subdivision
  - Off-site drainage agreements, executed before secondary subdivision approval is granted
  - Trail access easements (on plat) for portions of trail on Cherry Creek property
13. Final roadway design as recommended by the *Cherry Creek Development Traffic Impact Study*, dated March 2023, is required as part of secondary subdivision submittal.

Staff recommends the Plan Commission grant primary approval with the conditions noted in the Staff Report.

*Petitioner Presentation:*

Andrea Milne, Abonmarche, 303 River Race Drive, spoke on behalf of the petitioner. She asked that the Plan Commission grant primary approval so they can move on to the next phase. She noted that Brad Mosness from Abonmarche is here to answer any technical questions and Cherry Creek's developer, Tonya Detweiler is also here and available to answer any questions.

Mr. Nisley asked Ms. Milne if they are ok with the recommendations.  
Ms. Milne acknowledged that they are.

*Audience Comments:*

None

*Close Public Hearing*

*Staff Discussion:*

There was no discussion amongst Staff members.

*Action:*

A motion was made and seconded, Wellington/Morris, to grant primary approval for 24-01SUB, based upon the Staff Analysis and with the conditions listed in the Staff Report. The motion passed unanimously by a vote of 8-0.

**VIII. Vacation (public hearing)**

**24-01V** - City of Goshen Department of Redevelopment, Cherry Creek, LLC, and Abonmarche Consultants request the vacation of unimproved public right of way generally located east of Regent Street, north of Waterford Mills Parkway. The right of way is ±0.79 acres and was dedicated in 2006 but has not been improved or used as right of way. It is within a City-owned retention area and an area to be developed as part of Cherry Creek subdivision.

*Staff Report:*

Ms. Yoder explained this is a recommendation to Council. She noted that during review of the Cherry Creek PUD and subdivision, a public right-of-way was discovered and it's outlined on the map included with the Staff Report. It's in an area that's part of Cherry Creek subdivision and also the City's retention area and bike path. The right-of-way was dedicated in 2006, but because there are no improvements and it provides no access, it needs to be vacated. Following the vacation, the vacated area will be transferred to the adjoining property owners which include the City of Goshen Department of Redevelopment and Cherry Creek, LLC. She also explained that no existing utilities were identified, so no utility easement is required as part of the vacation.

Based on this analysis, Staff recommends the Plan Commission forward a favorable recommendation to the Common Council.

*Petitioner Presentation:*

Andrea Milne, Abonmarche, 303 River Race Drive, spoke on behalf of the petitioner. She stated she is familiar with the Staff Report and has nothing to add.

Mr. Wellington asked what would happen if we didn't vacate this area.

Ms. Yoder explained this area has been transferred to Cherry Creek and if not vacated it would be under their development.

*Audience Comments:*

Dustin Sailor, Director of Public Works & Utilities, spoke to the petition. He stated his department manages public rights-of-way and confirmed that this needs to be vacated. He explained they have a statutory requirement that requires them to issue a permit within 30 days if someone comes in with a utility request that meets requirements.

*Close Public Hearing*

*Staff Discussion:*

There was no discussion amongst Commission members.

*Action:*

A motion was made and seconded, Wellington/Lauver, to forward a favorable recommendation for 24-01V to the Goshen Common Council, based on Staff recommendation with findings. The motion passed unanimously by a vote of 8-0.

**IX.** Audience Items  
None

**X.** Staff/Board Items  
None

**XI.** Adjournment – 4:17 pm Nisley/Holtzinger

Respectfully Submitted:

/s/ Lori Lipscomb  
Lori Lipscomb, Recording Secretary

Approved By:

/s/ Richard Worsham  
Richard Worsham, President

/s/ Tom Holtzinger  
Tom Holtzinger, Secretary