

Agenda
GOSHEN PLAN COMMISSION
Tuesday, December 19, 2023, 4:00 pm
Council Chambers, 111 E. Jefferson Street, Goshen, Indiana

****Please turn off all cell phones****

- I. Roll Call
- II. Approval of Minutes from 11/21/23
- III. Filing of Zoning/Subdivision Ordinances and Official Staff Reports into Record
- IV. Postponements/Withdrawals
- V. **Rezoning & PUD Preliminary Site Plan** (public hearings)
23-04R – JRT Realty, LLC, Marisa L Yoder, and SAM Companies request a rezoning from Residential R-1 to Commercial B-3PUD (Planned Unit Development) and PUD preliminary site plan approval, to establish the Yoder-Culp PUD to continue the existing funeral home use (currently non-conforming in the R-1 District), to add the property at 111 River Vista Drive to the funeral home use, to continue the residential use at 1901 S Main Street, and to allow a future office/specialty retail use at 1901 S Main Street. The subject property is generally located on the west side of S Main Street, south of Westwood Road and north of River Vista Drive, containing ± 2.77 acres, with common addresses of 1901 and 1911 S Main Street and 111 River Vista Drive.
- VI. **Primary Subdivision** (public hearing)
23-02SUB - AG Holdings, LLC, and Abonmarche Consultants request primary subdivision approval for a two-lot major commercial subdivision, Red Oak, to create a lot for a permanent conservation easement/tree preserve. The subject property is generally located on the south side of Eisenhower Drive North, west of Caragana Court, with a common address of 2312 Eisenhower Drive North, containing ± 1.8 acres, zoned Commercial B-3.
- VII. **Primary Subdivision** (public hearing)
23-03SUB - Dennis M Landis, Susan Mark Landis, and Abonmarche Consultants request primary subdivision approval for a two-lot major residential subdivision, Double Oak, to create a second residential lot. The subject property is generally located north of Lincoln Avenue and east of Steury Avenue, with a common address of 820 Steury Avenue, containing ± 26.77 acres, zoned Residential R-2.
- VIII. Audience Items
- IX. Staff/Board Items
- X. Adjournment

To: Goshen City Plan Commission/Goshen Common Council
From: Rhonda L. Yoder, Planning & Zoning Administrator
Subject: 23-04R, Rezoning & PUD Preliminary Site Plan Approval
1901 & 1911 S Main Street & 111 River Vista Drive
Date: December 19, 2023

ANALYSIS

JRT Realty, LLC, Marisa L Yoder, and SAM Companies request a rezoning from Residential R-1 to Commercial B-3PUD (Planned Unit Development) and PUD preliminary site plan approval, to establish the Yoder-Culp PUD to continue the existing funeral home use (currently non-conforming in the R-1 District), to add the property at 111 River Vista Drive to the funeral home use, to continue the residential use at 1901 S Main Street, and to allow a future office/specialty retail use at 1901 S Main Street. The subject property is generally located on the west side of S Main Street, south of Westwood Road and north of River Vista Drive, containing ± 2.77 acres, with common addresses of 1901 and 1911 S Main Street and 111 River Vista Drive.

The subject property is six tax parcels, containing Lots 1-6 of College Park Addition and an unplatted area at the southwest corner of Main and Westwood (1901 S Main Street). Under the current R-1 zoning, the funeral home use is non-conforming and has been expanded over the years through approvals by the Board of Zoning Appeals (BZA), going back to at least 1973.

The current request is to rezone from R-1 to B-3 and establish a Planned Unit Development (PUD), including the existing funeral home property (1901 & 1911 S Main Street, five tax parcels) and adding 111 River Vista Drive (1 tax parcel). The PUD would permit only the funeral home use, except to allow the existing residential use to continue at 1901 S Main Street and to allow a future office/specialty retail use at 1901 S Main Street. Funeral homes are a permitted use in the B-2 and B-3 Districts, and because the B-2 District is the Central Business District (downtown), the appropriate district is B-3. The PUD will limit permitted uses and facilitate the funeral home use as it changes over time.

When a PUD is developed, it contains specific use and developmental requirements that are in addition to, or in place of, the underlying zoning district requirements. A PUD is always tied to a site plan, with a PUD preliminary site plan adopted when a PUD is established or modified, and a detailed PUD final site plan reviewed as development occurs. PUD preliminary site plans require review as a public hearing at Plan Commission, with final approval by Council. A PUD is intended to streamline the review process and provide flexibility based on specific site conditions.

Permitted Uses. In a PUD, uses may be more or less restrictive than the underlying zoning district. The Yoder-Culp PUD will be limited to funeral home and associated uses, except to allow the existing residential use to continue at 1901 S Main Street and to allow a future office/specialty retail use at 1901 S Main Street.

Lot Size, Lot Width, Building Height, Building Coverage & Setbacks. Specific standards are not required in PUD districts for lot size, lot width, building height, building coverage and setbacks, but practical factors will impact the location and size of structures, including the location of utilities and space for landscaping, for example. The existing developed area of 1901 and 1911 S Main Street reflects expansions approved by the BZA, and the PUD will incorporate those approvals and allow the existing development to remain. A specific setback Staff recommends for the PUD is the B-3 required side setback (building/parking/aisle) of 20' adjacent to residential land use. This would apply to areas where there is new development, such as the 111 River Vista property.

Parking. Parking is proposed following Zoning Ordinance requirements, with the office/specialty retail at 1901 S Main Street calculated at 1 space per 2 employees plus 1 space per 400 square feet of office/display/sales area.

Access. The funeral home use is currently served by access points from Westwood Road, S Main Street, and River Vista Drive, and no changes are proposed to the existing access. A future driveway is proposed from River Vista Drive extending north to serve the residential use at 1909 S Main Street, which has no street frontage. The residential use at 1901 S Main Street has a driveway from Westwood Road, and when the residential use ends and the office/specialty retail use is established, the existing residential driveway will be required to be removed. All access and any new parking for the office/specialty retail use will be from within the PUD, with no new access permitted.

Landscaping. New landscaping will not be required for existing developed areas, but the expanded area at 111 River Vista will provide streetside trees along with partial landscaping adjacent to residential land use, generally as shown on the PUD preliminary site plan. Healthy, mature trees should be retained if at all possible. The future office/specialty retail at 1901 S Main Street will be required to meet streetside landscaping requirements.

Signs. The Yoder-Culp PUD will be considered a single zoning lot, and would be allowed a single freestanding sign. With two potential primary uses proposed and extensive street frontage, two freestanding signs are warranted, one for each use. No changes are currently planned to the existing freestanding sign. Staff recommends the freestanding sign for the office/specialty retail use be limited to 8' in height and 32 square feet in area, and that any future new freestanding sign for the funeral home use be limited to 12' in height and 50 square feet in area. All other signs will follow B-3 requirements.

PUD preliminary site plan approval is a conceptual site plan approval, and PUD final site plan review, including a landscaping plan, will be required, which is submitted as part of the City's administrative site plan review process, Technical Review, and may be reviewed by Staff, on behalf of the Plan Commission.

RECOMMENDATIONS

Staff recommends the Plan Commission forward a favorable recommendation to Goshen Common Council for the rezoning and PUD preliminary site plan approval, based upon the following:

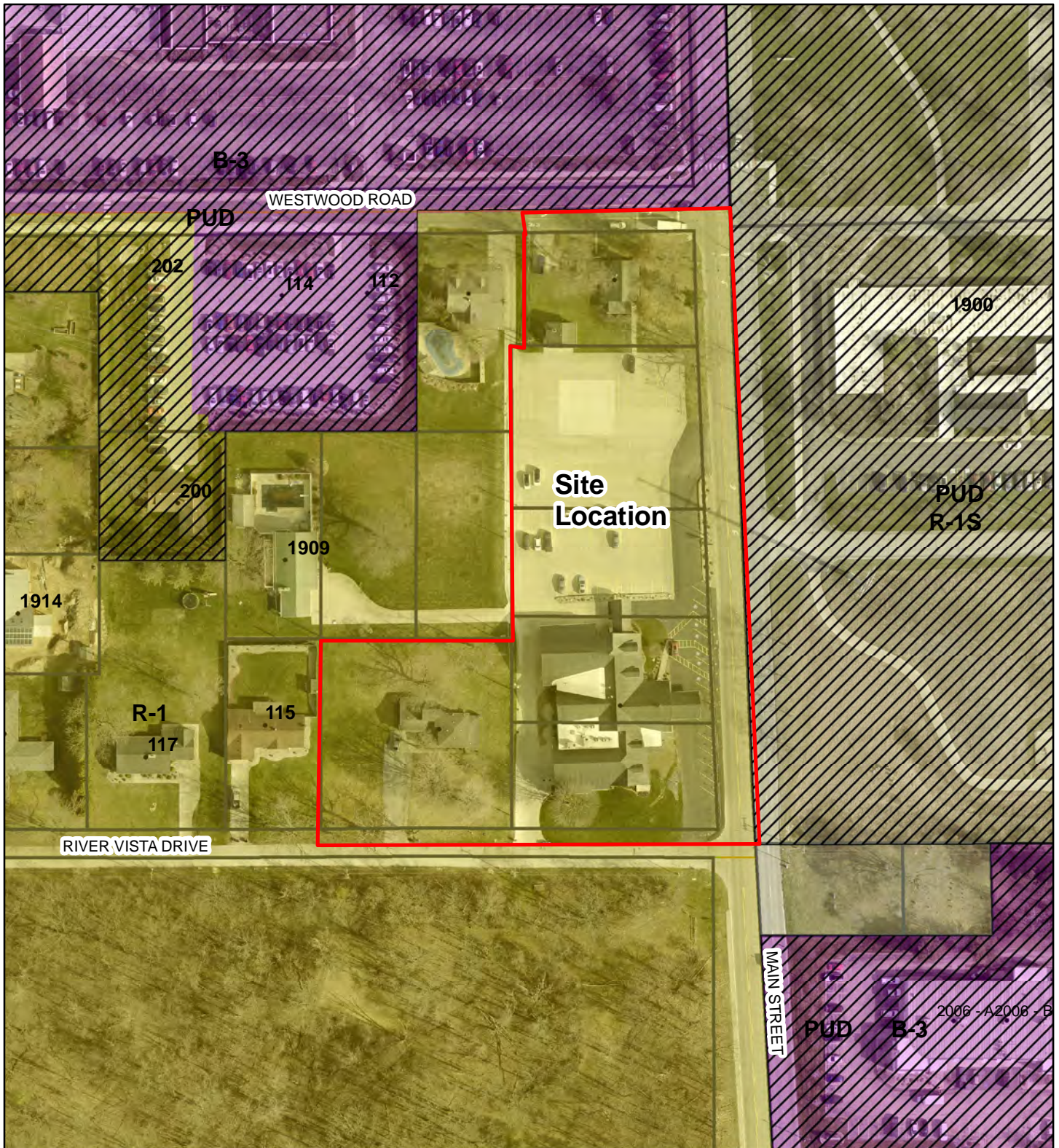
1. The proposed Yoder-Culp PUD continues a long-standing use with a small expansion that will provide adequate setbacks along with screening adjacent to residential land use.
2. The proposed development is consistent with the Comprehensive Plan, including:
 - Land Use, Goal L-1: Prioritize the reuse and redevelopment of existing land and structures.
 - Land Use, Goal L-7: Encourage small-scale, neighborhood commercial development.
 - Natural Environment, Goal NE-2.4: Direct growth toward existing development and away from undeveloped space such as farmland, wetlands and forests.

The recommendation includes the following PUD standards:

1. Except as modified by specific PUD conditions, the approved PUD preliminary site plan is *Yoder-Culp B-3 PUD, PUD Site Plan*, dated 11/14/23, by SAM.
2. The Yoder-Culp PUD will permit only funeral home and associated uses, except to allow the existing residential use to continue at 1901 S Main Street and to allow a future office/specialty retail use at 1901 S Main Street.
3. Lot size, lot width, building height, building coverage and setbacks are not subject to specific standards, but adequate space is required to meet all other developmental requirements, such as landscaping and parking, and to maintain access for all services. A side setback (building/parking/aisle) of 20' will be required adjacent to residential land use, in areas where there is new development.
4. The existing developed area of 1901 and 1911 S Main Street reflects expansions approved by the BZA, and the PUD incorporates those approvals and allows the existing development to remain.
5. Parking requirements will be calculated following Zoning Ordinance requirements, with the office/specialty retail at 1901 S Main Street calculated at 1 space per 2 employees plus 1 space per 400 square feet of office/display/sales area.
6. When the residential use ends and the office/specialty retail use is established, the existing residential driveway off Westwood Road shall be removed. All access and any new parking for the office/specialty retail use will be from within the PUD, with no new access permitted.
7. New landscaping is not required for existing developed areas, but the expanded area at 111 River Vista will provide streetside trees along with partial landscaping adjacent to residential land use, generally as shown on the PUD preliminary site plan. Healthy, mature trees should be retained if at all possible. The future office/specialty retail at 1901 S Main Street will be required to meet streetside landscaping requirements.
8. Two freestanding signs are permitted, with the freestanding sign for the office/specialty retail use limited to 8' in height and 32 square feet in area, and any future new freestanding sign for the funeral home use limited to 12' in height and 50 square feet in area. All other signs will follow B-3 requirements.

Review process conditions include:

1. A PUD final site plan shall be submitted following the Zoning Ordinance PUD regulations, approved before a zoning clearance form/building permit is issued.
2. Site plan approval by Goshen Engineering is required for site drainage, post construction, site utilities and right-of-way access, as applicable, before a zoning clearance/building permit is issued.
3. As needed, the Goshen Fire Department shall approve the plan for fire protection (including hydrant placement and access) as part of PUD final site plan approval.



The City of Goshen's Digital Data is the property of the City of Goshen and Elkhart County, Indiana. All graphic data supplied by the city and county has been derived from public records that are constantly undergoing change and is not warranted for content or accuracy. The city and county do not guarantee the positional or thematic accuracy of the data. The cartographic digital files are not a legal representation of any of the features depicted, and the city and county disclaim any assumption of the legal status they represent. Any implied warranties, including warranties of merchantability or fitness for a particular purpose, shall be expressly excluded. The data represents an actual reproduction of data contained in the city's or county's computer files. This data may be incomplete or inaccurate, and is subject to modifications and changes. City of Goshen and Elkhart County cannot be held liable for errors or omissions in the data. The recipient's use and reliance upon such data is at the recipient's risk. By using this data, the recipient agrees to protect, hold harmless and indemnify the City of Goshen and Elkhart County and its employees and officers. This indemnity covers reasonable attorney fees and all court costs associated with the defense of the city and county arising out of this disclaimer.



1 inch = 125 feet

1901 & 1911 S Main Street and 111 River Vista Drive

Rezoning (R-1 to B-3PUD) and PUD Preliminary Site Plan

Printed December 1, 2023

The City of Goshen
 Department of
 Planning & Zoning
 204 East Jefferson Street, Goshen, Indiana 46528
 Phone: 574-534-3600 Fax: 574-533-8626

To: Goshen City Plan Commission
From: Rhonda L. Yoder, Planning & Zoning Administrator
Subject: 23-02SUB, Primary Approval, Major Commercial Subdivision
Red Oak Subdivision
Date: December 19, 2023

ANALYSIS

AG Holdings, LLC, and Abonmarche Consultants request primary subdivision approval for a two-lot major commercial subdivision, Red Oak, to create a lot for a permanent conservation easement/tree preserve. The subject property is generally located on the south side of Eisenhower Drive North, west of Caragana Court, with a common address of 2312 Eisenhower Drive North, containing ± 1.8 acres, zoned Commercial B-3.

According to the Goshen Subdivision Ordinance (SO), a major subdivision involves two or more lots along with the establishment of a new street or easement of access, and/or substantial changes to existing drainage systems. Major subdivision approval occurs in two phases, primary subdivision and secondary subdivision. The primary subdivision is intended to show a total development plan, including physical features, proposed lot layout, proposed street patterns, land to be reserved for public use, sewer and water extensions, and drainage facilities. The Plan Commission determines if the proposed development plan is suitable for the proposed site.

For a commercial subdivision, only the approximate number of lots needs to be shown on the primary subdivision drawing. The exact lot sizes and lot lines are shown on the secondary subdivision drawings, and secondary approval includes only the part of the subdivision to be built and recorded at that time.

The Plan Commission has exclusive control over primary and secondary subdivision approvals. Subdivision applications may be granted approval, granted approval with conditions, or disapproved (SO Section 530). Approval may be granted only if the conditions of the Goshen Subdivision Ordinance are met. The Plan Commission may waive only those conditions found exclusively in the Goshen Subdivision Ordinance, and may not waive any standards found in the Goshen Zoning Ordinance (ZO). A subdivision decision is not discretionary; if all requirements are met approval must be granted.

Lot 1 meets all B-3 requirements, but Outlot A has no street frontage, where 80' minimum is required, and does not have direct street access as required by Zoning Ordinance Section 5160. Access for Outlot A is proposed via an easement across Lot 1. The easement across Lot 1 will also include drainage and parking. An application has been made to the Goshen Board of Zoning Appeals (BZA) for a developmental variance to allow Outlot A with no street frontage and no direct street access. BZA approval of the variance is required before secondary approval may be granted.

Evaluation of the Primary Subdivision Plan

After reviewing the primary subdivision plan for Red Oak subdivision, and the Goshen ZO and SO standards, the following conditions are required as part of primary approval:

1. In the Legend, the reference for easement A should include access, parking and drainage (parking is missing).
2. Outlot A requires more detail about the restricted use, including reference to the permanent conservation easement.

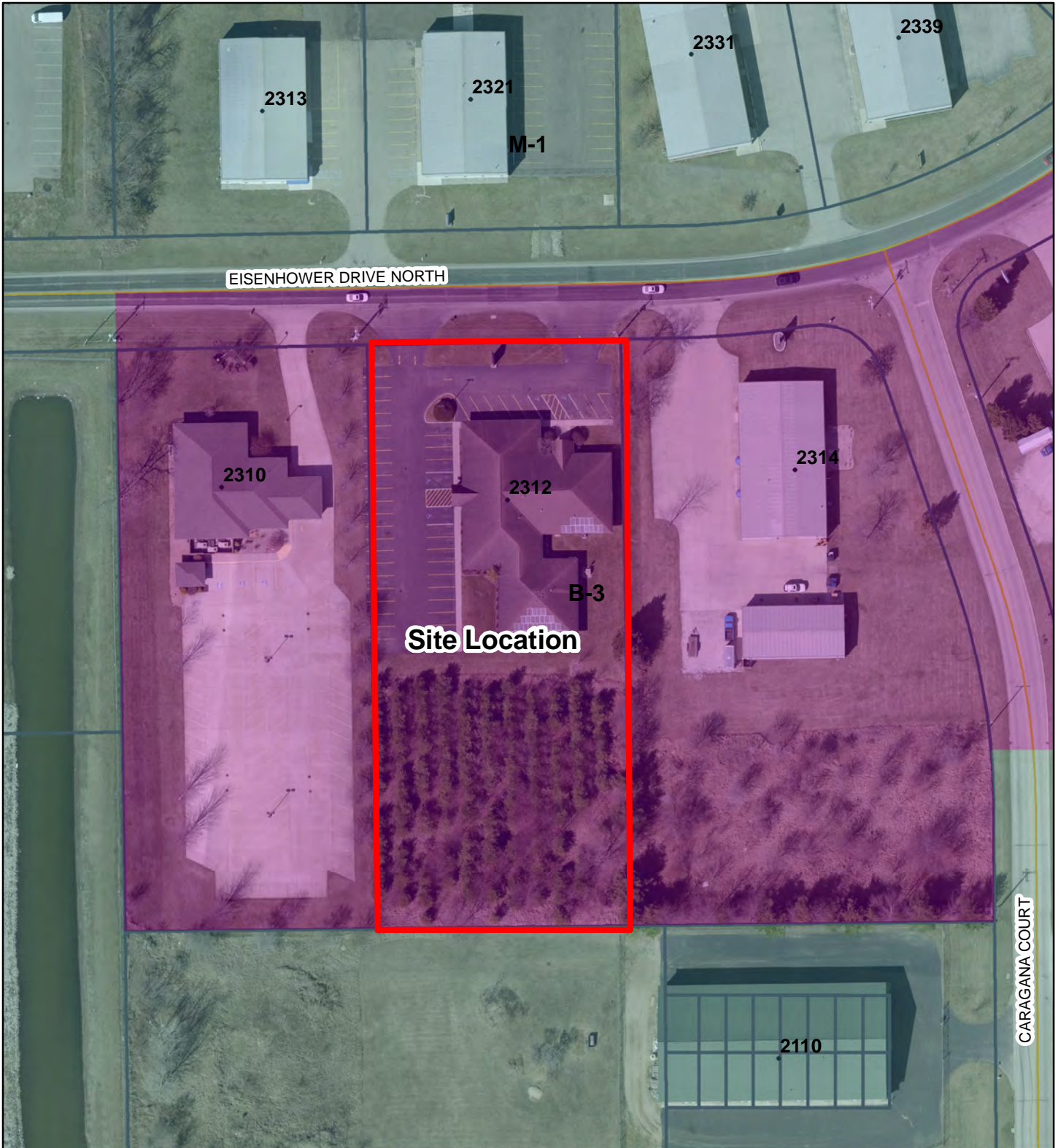
Conditions to be met prior to secondary approval are outlined in the following section.

RECOMMENDATIONS


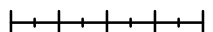
Staff recommends the Plan Commission grant primary approval of the two-lot major commercial subdivision, Red Oak, based upon the following, and including the following conditions, which shall be met before secondary approval is granted:

1. The B-3 requirements for minimum lot area and lot frontage are met for Lot 1.

2. Outlot A deficiencies of no street frontage and no direct street access shall be addressed through a developmental variance approved by the Board of Zoning Appeals before secondary approval is granted.
3. The drawings, application and fee for the secondary subdivision shall be submitted to the Planning office, and Staff may review on behalf of the Plan Commission. The secondary subdivision shall be submitted concurrently for Technical Review.
4. The secondary subdivision shall address the technical corrections identified in the above *Evaluation of the Primary Subdivision Plan* section along with Technical Review comments provided by Engineering, Stormwater, and Fire.
5. Per SO Sections 511.6 and 571.10, the final plat shall include all easements dimensioned and identified to their specific use, including all existing easements and all required new easements, for access, drainage and parking, for example.
6. Per SO Sections 512 and 812, an overall subdivision drainage plan shall be prepared and certified by a registered engineer or registered land surveyor, submitted to the City Engineer, and approved by the Board of Works before secondary approval is granted.
7. After all identified corrections are made, reviewed and approved, dedications and easements shall be accepted by the Board of Works per SO Section 820 before secondary approval is granted.
8. When secondary approval is granted, the signed plat will be provided to the applicant for recording, with two full size recorded copies provided to the City.



The City of Goshen's Digital Data is the property of the City of Goshen and Elkhart County, Indiana. All graphic data supplied by the city and county has been derived from public records that are constantly undergoing change and is not warranted for content or accuracy. The city and county do not guarantee the positional or thematic accuracy of the data. The cartographic digital files are not a legal representation of any of the features depicted, and the city and county disclaim any assumption of the legal status they represent. Any implied warranties, including warranties of merchantability or fitness for a particular purpose, shall be expressly excluded. The data represents an actual reproduction of data contained in the city's or county's computer files. This data may be incomplete or inaccurate, and is subject to modifications and changes. City of Goshen and Elkhart County cannot be held liable for errors or omissions in the data. The recipient's use and reliance upon such data is at the recipient's risk. By using this data, the recipient agrees to protect, hold harmless and indemnify the City of Goshen and Elkhart County and its employees and officers. This indemnity covers reasonable attorney fees and all court costs associated with the defense of the city and county arising out of this disclaimer.


 N
 Feet
 0 12.5 25 50 75 100

 1 inch = 100 feet

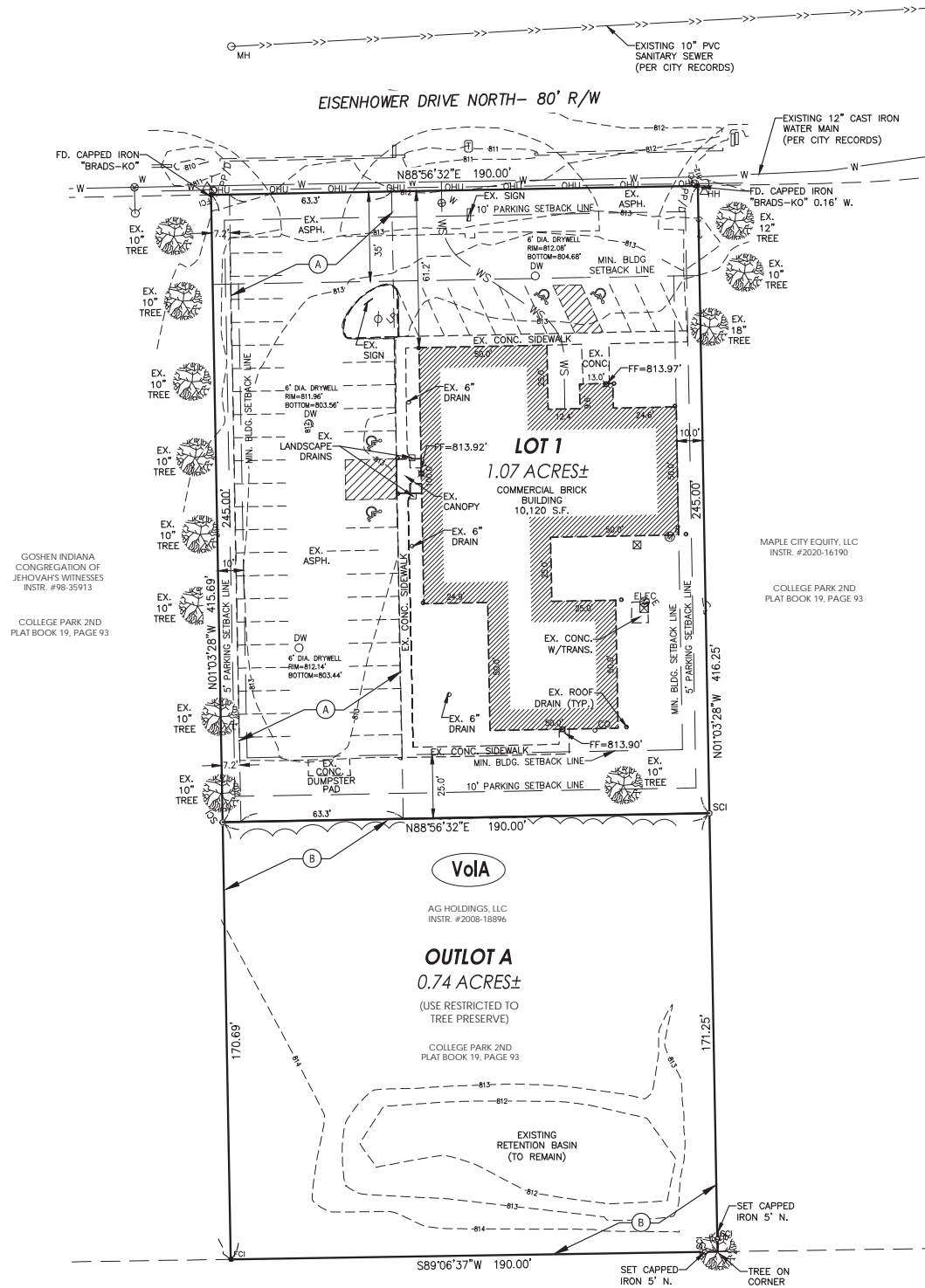
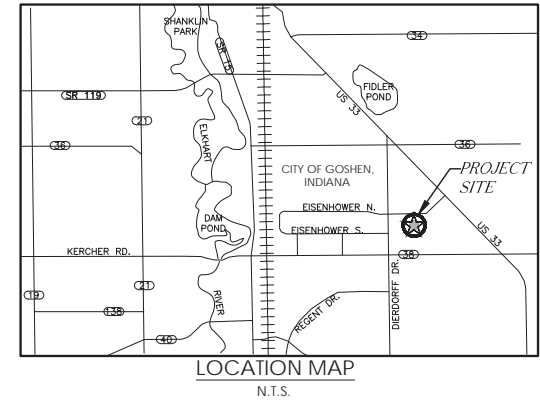
Red Oak Subdivision, 2312 Eisenhower Drive North

Zoning Map & 2021 Aerial
 Printed November 29, 2023

The City of Goshen
 Department of
 Planning & Zoning
 204 East Jefferson Street, Goshen, Indiana 46528
 Phone: 574-534-3600 Fax: 574-533-8626

RED OAK PRIMARY SUBDIVISION

A PART OF THE RECORDED PLAT OF COLLEGE PARK SECOND (PLAT BOOK 19, PAGE 93), SAID PLAT BEING SITUATED IN SECTION 23, TOWNSHIP 36 NORTH, RANGE 6 EAST, CITY OF GOSHEN, ELKHART TOWNSHIP, ELKHART COUNTY, INDIANA
ADDRESS: 2312 EISENHOWER DRIVE NORTH, GOSHEN, IN 46526
TAX ID#: 20-11-23-402-001.000-015



GENERAL NOTES

- SUBDIVISION AREA: 1.81± ACRES
LOT 1: 1.07± ACRES
OUTLOT A: 0.74± ACRES
- EXISTING LAND USE: BEACON OFFICES & HERTZLER SYSTEMS, INC. OFFICES.
- THE EXISTING BUILDING IS CURRENTLY SERVICED BY THE CITY OF GOSHEN MUNICIPAL SANITARY SEWER AND WATER.
- THE FOLLOWING DEVELOPMENTAL VARIANCES WILL NEED GRANTED BY THE CITY OF GOSHEN BOARD OF ZONING APPEALS (BZA) PRIOR TO THE SECONDARY PLAT BEING APPROVED AND RECORDED.
 - A) TO ALLOW FOR NO FRONTAGE ON OR DIRECT STREET ACCESS TO OUTLOT A.
 - B) TO ALLOW FOR ACCESS TO OUTLOT A THROUGH AN EASEMENT ON LOT #1.
 - C) TO ALLOW PARKING FOR OUTLOT A TO BE PROVIDED ON LOT #1.
- PROPOSED CROSS ACCESS, PARKING & DRAINAGE EASEMENTS WILL BE ESTABLISHED UNDER A PRIVATE AGREEMENT TO BE RECORDED AND REFERENCED ON THE SECONDARY PLAT.
- SETBACKS SHOWN ARE PER B-3 (COMMERCIAL-GENERAL)
 - FRONT YARD = 35 FEET ON ARTERIAL STREETS
 - SIDE YARD = 10 FEET
 - REAR YARD = 25 FEET
- PARKING:
 - NUMBER OF EMPLOYEES: 7-19
 - AREA OF OFFICE SPACE: 10,000 S.F.
 - SPACES REQUIRED: 29-35
 - SPACES PROVIDED: 47 (INCLUDING 4 ADA)

SOIL CLASSIFICATION

THE PROJECT IS COMPOSED OF VOLINIA LOAM WITH 0-1% SLOPE.

FLOOD NOTE

THE SUBJECT PARCELS ARE LOCATED IN ZONE X (AREA OF MINIMAL FLOOD HAZARD) PER PAF NUMBER 18039C02660 AND HAVING AN EFFECTIVE DATE OF 08-02-2011 OF THE NATIONAL FLOOD INSURANCE PROGRAM'S FLOOD INSURANCE RATE MAPS.

SITE IMPROVEMENTS

THE EXISTING BUILDING AND SITE IMPROVEMENTS, AS WELL AS ELEVATIONS SHOWN, ARE REFERENCED FROM A FIELD SURVEY/LOCATED BY ABONMARCHÉ CONSULTANTS FOR REPRESENTATION ON THE PLAN.

THE EXISTING IMPROVEMENTS SHOWN ON THIS PRELIMINARY PLAT WILL REMAIN IN PLACE WITH NO CHANGES (NO NEW CONSTRUCTION, ETC.) OCCURRING.

DRAINAGE EVALUATION - EXISTING SITE

THE EXISTING SITE IS CURRENTLY MANAGED BY (3) DRYWELLS IN THE PARKING LOT AND A STORMWATER RETENTION BASIN ON THE SOUTH SIDE OF THE PROPERTY ACCEPTING SURFACE RUNOFF. THERE ARE EXISTING YARD INLETS THAT APPEAR TO CONNECT TO THE EXISTING DRYWELLS BUT THE CONNECTIONS COULD NOT BE FIELD VERIFIED INSIDE THE DRYWELLS DUE TO CONFINED SPACE ENTRY REQUIREMENTS. THE EXISTING ROOF DOWNSPOUTS CURRENTLY DISCHARGE ABOVE FINISHED GRADE AND INTO THE PARKING LOT, EXISTING YARD INLETS, AND THE EXISTING RETENTION BASIN.

SINCE THERE ARE NO IMPROVEMENTS PROPOSED TO THE SITE WITH THIS SUBDIVISION AND THE OWNER HAS INDICATED NO DRAINAGE CONCERNS, THE FOLLOWING DRAINAGE EVALUATION PROVIDES THE CITY OF GOSHEN ENGINEERING DEPARTMENT A CURRENT DRAINAGE STATUS OF THE PROPERTY AND FOR USE WHEN REVIEWING ANY FUTURE SITE MODIFICATIONS TO HARD SURFACE.

SITE AREA = 1.81± ACRES

TABULATED SITE DATA

EXISTING BUILDING (C=1.00) = 0.23± Acres
EXISTING HARD SURFACE (C=0.95) = 0.46± Acres
OPEN SPACE (C=0.30) = 1.12± Acres
TOTAL = 1.81± Acres

MODIFIED RUNOFF COEFFICIENT CALCULATIONS

$$C = \frac{(0.23 \times 1.00) + (0.46 \times 0.95) + (1.12 \times 0.30)}{1.81} = 0.56$$

1.81± ACRES

CAPACITY OF EXISTING RETENTION BASIN

TOP OF BANK = 813.0
BOTTOM = 811.5 (DRY AT THE TIME OF SURVEY)

EXISTING RETENTION BASIN VOLUME		
VOLUME OF FRUSTUM FORMULA (PER CITY OF GOSHEN STORMWATER DRAINAGE POLICY) $V = \frac{1}{3} \times H \times (A_1 + A_2 + \sqrt{A_1 \times A_2})$		
Condition	Area (sq ft)	Volume (cu ft)
811.5	462	865
812.0	3,445	6,865
813.0	6,181	12,360
	Volume:	3,622 CFT

LEGAL DESCRIPTION-INSTR. #2008-18896

A PART OF THE RECORDED PLAT OF COLLEGE PARK SECOND AS RECORDED IN PLAT BOOK 19, PAGE 93 IN THE ELKHART COUNTY RECORDER'S OFFICE, BEING SITUATED IN A PART OF SECTION 23, TOWNSHIP 36 NORTH, RANGE 6 EAST, ELKHART TOWNSHIP, ELKHART COUNTY, INDIANA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID RECORDED PLAT, ALSO BEING THE SOUTHWEST CORNER OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 23; THENCE NORTH 00 DEGREES 08 MINUTES 16 SECONDS WEST ALONG THE WEST LINE OF SAID PLAT AND THE WEST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 623.19 FEET TO THE SOUTH RIGHT OF WAY LINE OF EISENHOWER DRIVE NORTH; THENCE NORTH 89 DEGREES 33 MINUTES 52 SECONDS EAST ALONG SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 170.00 FEET TO THE PLACE OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUING NORTH 89 DEGREES 33 MINUTES 52 SECONDS EAST ALONG SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 190.00 FEET; THENCE SOUTH 00 DEGREES 26 MINUTES 08 SECONDS EAST, A DISTANCE OF 416.24 FEET; THENCE SOUTH 89 DEGREES 43 MINUTES 57 SECONDS WEST PARALLEL WITH THE SOUTH LINE OF SAID RECORDED PLAT, A DISTANCE OF 190.00 FEET; THENCE NORTH 00 DEGREES 26 MINUTES 08 SECONDS WEST, A DISTANCE OF 415.69 FEET TO THE PLACE OF BEGINNING OF THIS DESCRIPTION.

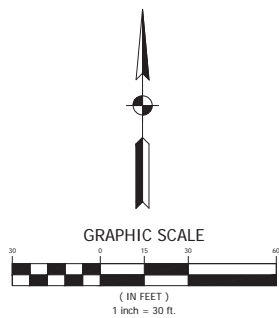
SUBJECT TO ALL EASEMENTS, RESTRICTIONS AND CONDITIONS OF RECORD.

LEGEND

- SCI - SET 5/8" REBAR, 24" LONG WITH ID CAP "ABONMARCHÉ FIRM #50"
- FCI - FOUND CAPPED REBAR
- FIR - FOUND IRON REBAR OR ROD
- (A) - PROPOSED ACCESS & DRAINAGE EASEMENT FOR THE BENEFIT OF THE OUTLOT
- DW - DRYWELL
- ELEC - ELECTRIC TRANSFORMER
- E - ELECTRIC METER
- HH - HANDHOLE
- M - MAILBOX
- S - SIGN
- PP/D - POWER POLE W/DROP
- AC - AIR CONDITIONER
- CO - CLEAN OUT
- W - WATER VALVE
- LP - LIGHT POLE
- G - GUYWIRE
- D - DRAIN
- xxx - EXISTING GROUND CONTOUR
- (A) - PROPOSED ACCESS & PARKING EASEMENT ACROSS LOT #1 FOR BENEFIT OF OUTLOT A.
- (B) - PROPOSED DRAINAGE EASEMENT ACROSS ENTIRE OUTLOT A FOR BENEFIT OF LOT #1.

PREPARED BY
ABONMARCHÉ CONSULTANTS, INC.
303 RIVER RACE DRIVE, UNIT 206
GOSHEN, IN 46526
PHONE: (574) 533-9913
FAX: (574) 533-9911

OWNER
AG HOLDINGS, LLC
2312 EISENHOWER DRIVE NORTH
GOSHEN, IN 46526



ABONMARCHÉ
303 River Race Drive, Unit 206
Goshen, IN 46526
Phone: (574) 533-9913
Fax: (574) 533-9911
abonmar@chs.com

Project: 2312 Eisenhower Drive, Goshen, IN 46526

Engineering - Architecture - Land Surveying

RED OAK
2312 EISENHOWER DRIVE
GOSHEN, IN 46526

PRIMARY SUBDIVISION

SHEET TITLE: RED OAK PRIMARY SUBDIVISION

DRAWN BY: TRM
DESIGNED BY:
PM REVIEW: CMWE
QA/QC REVIEW: BEM
DATE: 11-29-2023
SEAL: [Professional Engineer Seal for Craig S. Batdorf, No. 21200006, State of Indiana, Land Surveyor]

SIGNATURE: *Craig S. Batdorf*
DATE: 11-29-2023
SCALE: 1" = 30'
ACI JOB #: 23-1527
SHEET NO: 1 of 1

To: Goshen City Plan Commission
From: Rhonda L. Yoder, Planning & Zoning Administrator
Subject: 23-03SUB, Primary Approval, Major Residential Subdivision
Double Oak Subdivision
Date: December 19, 2023

ANALYSIS

Dennis M Landis, Susan Mark Landis, and Abonmarche Consultants request primary subdivision approval for a two-lot major residential subdivision, Double Oak, to create a second residential lot. The subject property is generally located north of Lincoln Avenue and east of Steury Avenue, with a common address of 820 Steury Avenue, containing ±26.77 acres, zoned Residential R-2.

According to the Goshen Subdivision Ordinance (SO), a major subdivision involves two or more lots along with the establishment of a new street or easement of access, and/or substantial changes to existing drainage systems. Major subdivision approval occurs in two phases, primary subdivision and secondary subdivision. The primary subdivision is intended to show a total development plan, including physical features, proposed lot layout, proposed street patterns, land to be reserved for public use, sewer and water extensions, and drainage facilities. The Plan Commission determines if the proposed development plan is suitable for the proposed site.

The Plan Commission has exclusive control over primary and secondary subdivision approvals. Subdivision applications may be granted approval, granted approval with conditions, or disapproved (SO Section 530). Approval may be granted only if the conditions of the Goshen Subdivision Ordinance are met. The Plan Commission may waive only those conditions found exclusively in the Goshen Subdivision Ordinance, and may not waive any standards found in the Goshen Zoning Ordinance (ZO). A subdivision decision is not discretionary; if all requirements are met approval must be granted.

The subject property is currently developed with a single unit residential home and includes two tax parcels. Only one tax parcel is proposed to be part of the subdivision. The subject property contains wetlands, regulatory floodplain and classified forest.

The proposed lots meet R-2 District requirements for minimum lot area, but both lots have the following deficiencies which require approval by the Board of Zoning Appeals (BZA) before secondary subdivision approval is granted:

- No street frontage;
- No direct access to a street; and
- No connection to City water.

The existing single unit residential development on the proposed Lot 1 was granted approval by the BZA on September 24, 2013, to allow development without City water and to permit access via a private easement, but the current subdivision request requires both lots to address all deficiencies.

Evaluation of the Primary Subdivision Plan

After reviewing the primary subdivision plan for Double Oak subdivision, and the Goshen ZO and SO standards, the following conditions are required as part of primary approval:

1. Explain the difference between the 25.67 acres in the legal description and the 26.77 acres in the General Notes.
2. Provide a copy of recorded document Instrument 2004-05504 that is referenced on the primary drawing.
3. Add the utility easement referenced in recorded document Instrument 2014-05503.
4. The proposed new 40' utility & ingress-egress easement within the Double Oak subdivision will be established through the plat, not through a separate recorded easement document. If the property owners wish to execute a separate easement agreement, that is a private matter.
5. The identified deficiencies for each lot of no street frontage, no direct access to a street, and no connection to City water require approval by the BZA following primary approval and before secondary subdivision approval is granted.

Conditions to be met prior to secondary approval, and requirements to be completed before a zoning clearance/building permit is issued for Lot 2 or any new development on Lot 1, are outlined in the following section.

RECOMMENDATIONS

Staff recommends the Plan Commission grant primary approval of the two-lot major residential subdivision, Double Oak, based upon the following and including the following conditions, which shall be met before secondary approval is granted:

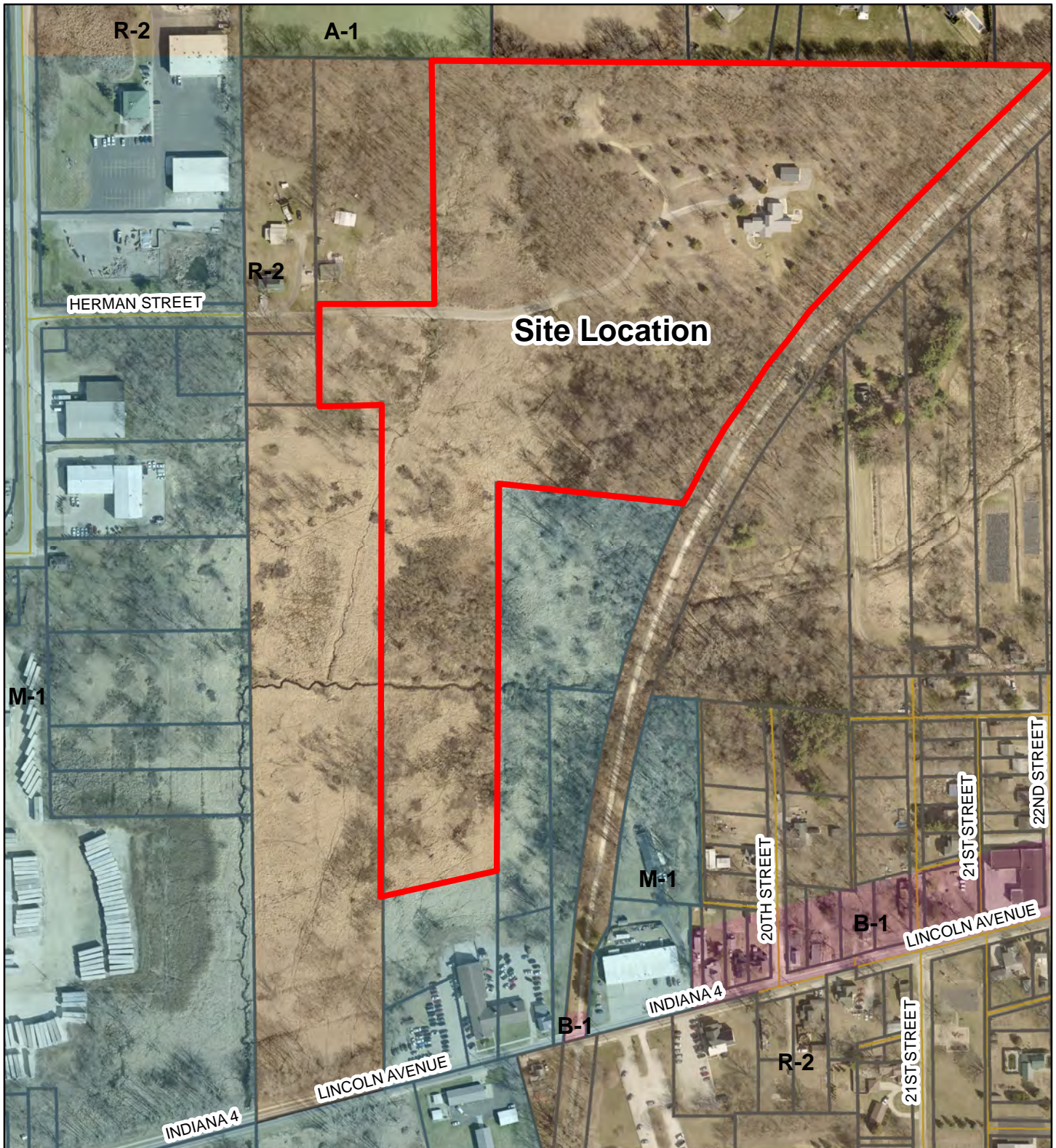
1. The R-2 requirement for minimum lot area is met for each lot.
2. The identified deficiencies for each lot of no street frontage, no direct access to a street, and no connection to City water require approval by the BZA following primary approval and before secondary subdivision approval is granted.
3. The drawings, application and fee for the secondary subdivision shall be submitted to the Planning office, and Staff may review on behalf of the Plan Commission. The secondary subdivision shall be submitted concurrently for Technical Review.
4. The secondary application shall include written approval from the US Army Corps of Engineers for the amended access (driveway and utilities) through the wetland.
5. The secondary subdivision shall address the technical corrections identified in the above *Evaluation of the Primary Subdivision Plan* section and Technical Review comments provided by Engineering, Stormwater, and Fire.
6. Connection to City sewer is required, noting:
 - Sewer extension plans for Lot 2 shall be approved by the City Utility Engineer before secondary approval is granted.
 - The existing lift station for Lot 1 does not function properly and requires third party evaluation, redesign of the existing lift station, and possible replacement. Recommendations from the third party evaluation shall be designed and submitted for review as part of the secondary application, and the fix for the Lot 1 lift station, along with a timeline for implementation, shall be approved by the City Utility Engineer before secondary approval is granted.
7. Review of infrastructure status will be required to determine if any new/relocated infrastructure is required, to determine if a performance bond/surety is required as part of secondary approval.
8. Per SO Sections 511.6 and 571.10, the final plat shall include all easements dimensioned and identified to their specific use, including all existing easements and all required new easements, including the new 40' utility & ingress-egress easement.
9. Per SO Sections 512 and 812, an overall subdivision drainage plan shall be prepared and certified by a registered engineer or registered land surveyor, submitted to the City Engineer, and approved by the Board of Works before secondary approval is granted. Any required drainage easements for a shared drainage system must be added to the plat, with review/approval by Goshen Engineering before the plat is accepted.
10. After all identified corrections are made, reviewed and approved, dedications and easements shall be accepted by the Board of Works per SO Section 820 before secondary approval is granted.
11. When secondary approval is granted, the signed plat will be provided to the applicant for recording, with two full size recorded copies provided to the City.

The following conditions shall be met before a zoning clearance/building permit is issued for new development:

1. The secondary subdivision shall be reviewed and approved and a recorded plat on file before a zoning clearance/building permit is issued for the new development on Lot 2.
2. Board of Works approval is required for the new gravel driveway on Lot 2 and for any expansion to or relocation of the existing gravel driveway on Lot 1 before a zoning clearance form is issued for either lot.

Along with all standard requirements, before a Certificate of Occupancy is issued for the new home on Lot 2:


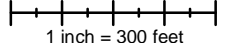
1. The City sewer connection must be operational and must have passed all required City inspections; and
2. The recorded revision to remove Lot 2 from the classified forest shall be submitted to the Planning office.



The City of Goshen's Digital Data is the property of the City of Goshen and Elkhart County, Indiana. All graphic data supplied by the city and county has been derived from public records that are constantly undergoing change and is not warranted for content or accuracy. The city and county do not guarantee the positional or thematic accuracy of the data. The cartographic digital files are not a legal representation of any of the features depicted, and the city and county disclaim any assumption of the legal status they represent. Any implied warranties, including warranties of merchantability or fitness for a particular purpose, shall be expressly excluded. The data represents an actual reproduction of data contained in the city's or county's computer files. This data may be incomplete or inaccurate, and is subject to modifications and changes. City of Goshen and Elkhart County cannot be held liable for errors or omissions in the data. The recipient's use and reliance upon such data is at the recipient's risk. By using this data, the recipient agrees to protect, hold harmless and indemnify the City of Goshen and Elkhart County and its employees and officers. This indemnity covers reasonable attorney fees and all court costs associated with the defense of the city and county arising out of this disclaimer.

Double Oak Subdivision, 820 Steury Avenue

Zoning Map & 2021 Aerial
 Printed November 29, 2023


 Feet
 0 4080 160 240 320

 1 inch = 300 feet

The City of Goshen
 Department of
 Planning & Zoning
 204 East Jefferson Street, Goshen, Indiana 46528
 Phone: 574-534-3600 Fax: 574-533-8626

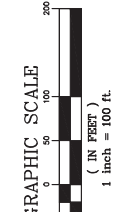
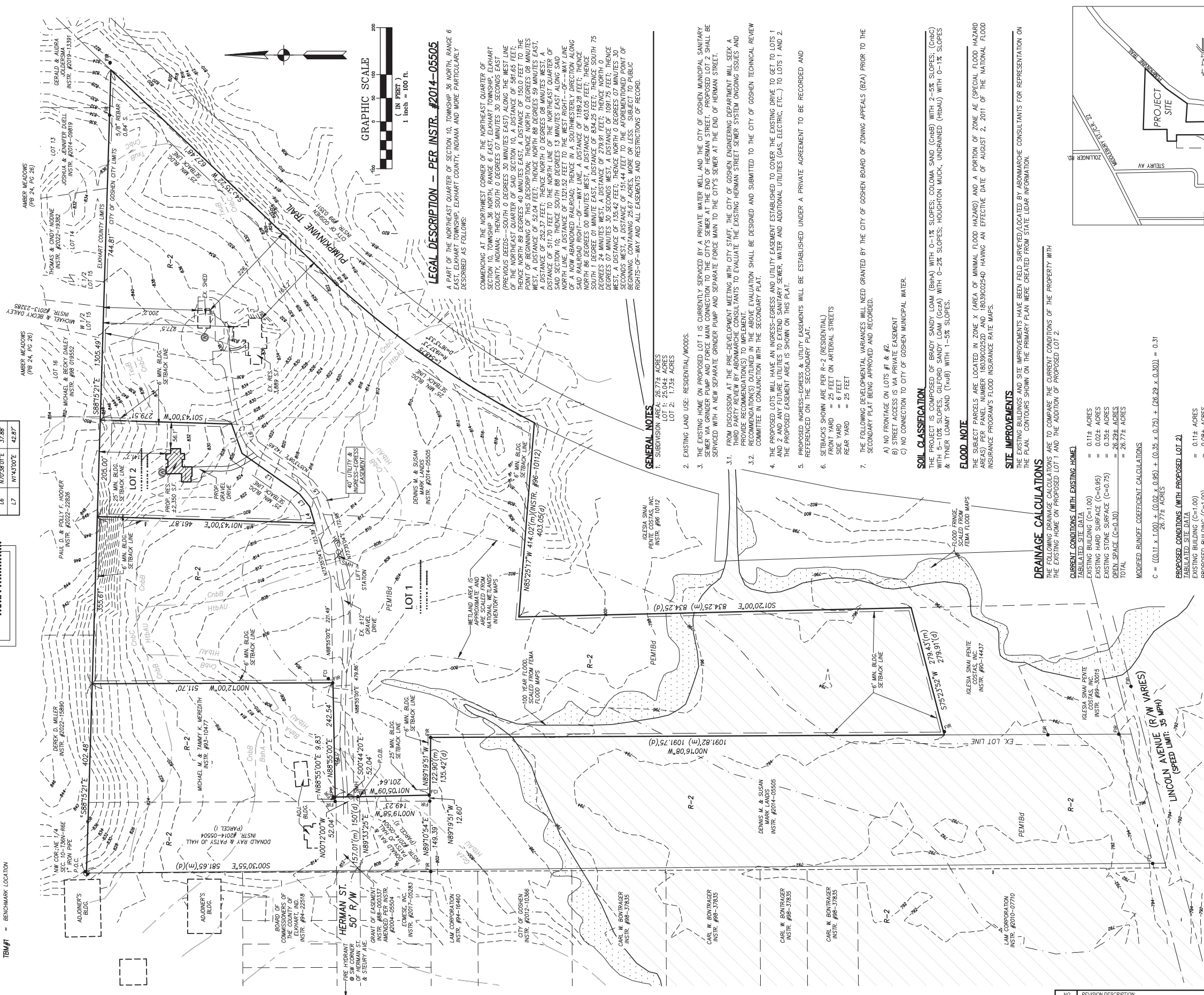
DOUBLE OAK
PRIMARY SUBDIVISION
 A PART OF THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 36 NORTH,
 RANGE 6 EAST, ELKHART TOWNSHIP,
 CITY OF GOSHEN, ELKHART COUNTY, INDIANA.
 ADDRESS: 820 STEURY AVENUE, GOSHEN, IN 46526
 TAX ID#S: 20-11-10-201-010.000-015

Line Table

Line #	Bearing	Length
L1	S70°30'01"W	66.07'
L2	S59°13'08"W	149.78'
L3	S87°16'33"W	34.39'
L4	S73°52'04"W	36.31'
L5	N97°16'33"E	47.92'
L6	N70°38'01"E	37.88'
L7	N1°42'00"E	42.87'

TOTAL SUBDIVISION AREA
 1,166.211 S.F.
AREA IN LOT #1
 1,000.893 S.F.
AREA IN LOT #2
 75.522 S.F.

- LEGEND**
- SC1 = SET 5/8" REBAR MARKED
 - ABONMARCHE FIRM 0050
 - FCI = FOUND CAPPED IRON
 - RR = FOUND REBAR
 - FP = FOUND IRON PIPE
 - G = GAS METER
 - TBM#1 = BENCHMARK LOCATION
 - XXX--- = CONTOURS
 - SMH = SANITARY MANHOLE
 - R-2 = ZONING
 - TxUB = SOIL DESIGNATION
 - PEMIBd = WETLAND DESIGNATION



LEGAL DESCRIPTION - PER INSTR. #2014-05505
 A PART OF THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 36 NORTH, RANGE 6 EAST, ELKHART TOWNSHIP, ELKHART COUNTY, INDIANA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 36 NORTH, RANGE 6 EAST, ELKHART TOWNSHIP, ELKHART COUNTY, INDIANA, AND MORE PARTICULARLY (PREVIOUS DEEDS--SOUTH 0 DEGREES 07 MINUTES EAST) ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 10, A DISTANCE OF 561.65 FEET; THENCE SOUTH 0 DEGREES 07 MINUTES EAST ALONG THE WEST LINE TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE NORTH 0 DEGREES 08 MINUTES WEST, A DISTANCE OF 52.04 FEET; THENCE NORTH 88 DEGREES 59 MINUTES EAST, A DISTANCE OF 292.37 FEET; THENCE NORTH 0 DEGREES 08 MINUTES WEST, A DISTANCE OF 91.70 FEET TO THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 10; THENCE SOUTH 89 DEGREES 13 MINUTES WEST ALONG SAID NORTH LINE TO THE WEST RIGHT-OF-WAY LINE OF THE WEST RAILROAD; THENCE SOUTH 86 DEGREES 00 MINUTES WEST, A DISTANCE OF 403.05 FEET; THENCE SOUTH 1 DEGREE 01 MINUTE EAST, A DISTANCE OF 834.25 FEET; THENCE SOUTH 0 DEGREES 07 MINUTES WEST, A DISTANCE OF 1091.75 FEET; THENCE SOUTH 0 DEGREES 07 MINUTES WEST, A DISTANCE OF 135.42 FEET; THENCE NORTH 0 DEGREES 07 MINUTES 30 SECONDS WEST, A DISTANCE OF 151.44 FEET TO THE AFOREMENTIONED POINT OF BEGINNING, CONTAINING 25.67 ACRES, MORE OR LESS, SUBJECT TO PUBLIC RIGHTS-OF-WAY AND ALL EASEMENTS AND RESTRICTIONS OF RECORD.

GENERAL NOTES
 1. SUBDIVISION AREA: 26.77± ACRES
 LOT 1: 25.14± ACRES
 LOT 2: 17.3± ACRES
 2. EXISTING LAND USE: RESIDENTIAL/WOODS.
 3. THE EXISTING HOME ON PROPOSED LOT 1 IS CURRENTLY SERVICED BY A PRIVATE WATER WELL AND THE CITY OF GOSHEN MUNICIPAL SANITARY SEWER VIA GRINDER PUMP AND FORCE MAIN CONNECTION TO THE CITY'S SEWER AT THE END OF HERMAN STREET. PROPOSED LOT 2 SHALL BE SERVICED WITH A NEW SEPARATE GRINDER PUMP AND SEPARATE FORCE MAIN TO THE CITY'S SEWER AT THE END OF HERMAN STREET.
 4. FROM DISCUSSION AT THE PRE-DEVELOPMENT MEETING WITH CITY STAFF, THE CITY OF GOSHEN ENGINEERING DEPARTMENT WILL SEEK A COMMITTEE OF CONSULTANTS TO EVALUATE THE EXISTING HERMAN STREET SEWER SYSTEM ONGOING ISSUES AND PROVIDE RECOMMENDATION(S) TO IMPLEMENT.
 5. COMMITTEE IN CONJUNCTION WITH THE SECONDARY PLAT.
 6. THE PROPOSED LOTS WILL HAVE AN INGRESS-EGRESS AND UTILITY EASEMENT ESTABLISHED TO COVER THE EXISTING DRIVE TO GET TO LOTS 1 AND 2 AND ANY FUTURE UTILITIES TO EXTEND SANITARY SEWER, WATER AND ADDITIONAL UTILITIES (GAS, ELECTRIC, ETC...) TO LOTS 1 AND 2. THE PROPOSED EASEMENT AREA IS SHOWN ON THIS PLAT.
 7. PROPOSED INGRESS-EGRESS AND UTILITY EASEMENTS WILL BE ESTABLISHED UNDER A PRIVATE AGREEMENT TO BE RECORDED AND REFERENCED ON THE SECONDARY PLAT.
 8. SETBACKS SHOWN ARE PER R-2 (RESIDENTIAL)
 FRONT YARD = 25 FEET ON ARTERIAL STREETS
 SIDE YARD = 6 FEET
 REAR YARD = 25 FEET
 9. THE FOLLOWING DEVELOPMENTAL VARIANCES WILL NEED GRANTED BY THE CITY OF GOSHEN BOARD OF ZONING APPEALS (BZA) PRIOR TO THE SECONDARY PLAT BEING APPROVED AND RECORDED.
 A) NO FRONTAGE ON LOTS #1 & #2.
 B) STREET ACCESS IS VIA PRIVATE EASEMENT
 C) NO CONNECTION TO CITY OF GOSHEN MUNICIPAL WATER.

SOIL CLASSIFICATION
 THE PROJECT IS COMPOSED OF BRADY SANDY LOAM (BbHA) WITH 0-1% SLOPES; COLOWA SAND (CbBb) WITH 2-5% SLOPES; (CbBc) WITH 5-10% SLOPES; GILFORD SANDY LOAM (Gc2a) WITH 0-2% SLOPES; HOUGHTON MUCK, UNDRAINED (HbAu) WITH 0-1% SLOPES & TYNER LOAMY SAND (TxUB) WITH 1-5% SLOPES.

FLOOD NOTE
 THE SUBJECT PARCELS ARE LOCATED IN ZONE X (AREA OF MINIMAL FLOOD HAZARD) AND A PORTION OF ZONE AE (SPECIAL FLOOD HAZARD AREAS) PER PANEL NUMBER 1803902052D AND 1803902054D HAVING AN EFFECTIVE DATE OF AUGUST 2, 2011 OF THE NATIONAL FLOOD INSURANCE PROGRAM'S FLOOD INSURANCE RATE MAPS.

SITE IMPROVEMENTS
 THE EXISTING BUILDINGS AND SITE IMPROVEMENTS HAVE BEEN FIELD SURVEYED/LOCATED BY REPRESENTATION ON THE PLAN. CONTOURS SHOWN ON THE PRIMARY PLAN WERE CREATED FROM STATE LIDAR INFORMATION.

DRAINAGE CALCULATIONS
 THE FOLLOWING DRAINAGE CALCULATIONS ARE TO COMPARE THE CURRENT CONDITIONS OF THE PROPERTY WITH THE EXISTING HOME ON PROPOSED LOT 1 AND THE ADDITION OF PROPOSED LOT 2.

CURRENT CONDITIONS (WITH EXISTING HOME)

TABULATED SITE DATA	= 0.11± ACRES
EXISTING BUILDING (C=1.00)	= 0.02± ACRES
EXISTING HARD SURFACE (C=0.95)	= 0.02± ACRES
EXISTING STONE SURFACE (C=0.75)	= 0.35± ACRES
OPEN SPACE (C=0.30)	= 26.29± ACRES
TOTAL	= 26.77± ACRES
MODIFIED RUNOFF COEFFICIENT CALCULATIONS	
C = ((0.11 x 1.00) + (0.02 x 0.95) + (0.35 x 0.75) + (26.29 x 0.30)) = 0.31	
26.77± ACRES	

PROPOSED CONDITIONS (WITH PROPOSED LOT 2)

TABULATED SITE DATA	= 0.11± ACRES
EXISTING BUILDING (C=1.00)	= 0.02± ACRES
PROPOSED HARD SURFACE (C=0.95)	= 0.02± ACRES
EXISTING HARD SURFACE (C=0.95)	= 0.02± ACRES
EXISTING STONE SURFACE (C=0.75)	= 0.35± ACRES
OPEN SPACE (C=0.30)	= 26.14± ACRES
TOTAL	= 26.77± ACRES
MODIFIED RUNOFF COEFFICIENT CALCULATIONS	
C = ((0.11 x 1.00) + (0.02 x 0.95) + (0.02 x 0.95) + (0.35 x 0.75) + (26.14 x 0.30)) = 0.31	
26.77± ACRES	

CONCLUSION
 THERE IS NO SIGNIFICANT CHANGE TO THE RUNOFF GENERATED FROM THE PROPERTY BY THE ADDITIONAL HARD SURFACE BEING PROPOSED ON LOT 2. STORMWATER RUNOFF FROM THE PROPERTY WILL CONTINUE THE EXISTING DRAINAGE PATTERN BY SHEET DRAINING IN THE SOUTHWESTERLY DIRECTION AND ULTIMATELY REACHING THE FLOODPLAIN PRESENT ON THE PROPERTY.

PREPARED BY:
 ABONMARCHE CONSULTANTS, INC.
 820 STEURY AVENUE, UNIT 206
 GOSHEN, IN 46526
 PHONE: (574) 533-9913
 FAX: (574) 533-9911

DEVELOPER/OWNER:
 DENNIS M. & SUSAN
 MARK LANDIS
 820 STEURY AVENUE, P.O. BOX 28
 GOSHEN, INDIANA 46527

I, THE UNDERSIGNED, AN INDIANA REGISTERED LAND SURVEYOR HEREBY CERTIFY THAT ON THE DATE SHOWN, A SURVEY WAS COMPLETED UNDER MY SUPERVISION, AND TO THE BEST OF MY KNOWLEDGE AND BELIEF THIS PLAT IS A REPRESENTATION OF SAID SURVEY.

GRAIG S. BENTRAGER, P.S.
 PROFESSIONAL SURVEYOR #LS2120006
 STATE OF INDIANA

ABONMARCHE
 303 River Race Drive, Unit 206
 Goshen, IN 46526
 Phone: (574) 533-9911
 Fax: (574) 533-9913
 abonmarcche.com

Also located at:
 Benton Harbor
 South Bend
 Fort Wayne
 Lafayette

Engineering - Architecture - Land Surveying

DOUBLE OAK
 820 STEURY AVENUE
 GOSHEN, IN 46526

PRIMARY SUBDIVISION

SHEET TITLE:
 DRAWN BY: TRM
 DESIGNED BY:
 PM REVIEW: BEM
 QA/QC REVIEW: MJR
 DATE: 11-27-2023
 SEAL:
 SIGNATURE:
 DATE: 11-27-2023
 SCALE: T' = 100'
 ACI JOB #: 23-0897
 SHEET NO: 1 of 1