

Minutes - Goshen Plan Commission
Tuesday, July 17, 2007, 4:00 p.m.
Council Chambers, 111 E. Jefferson Street
Goshen, Indiana

- I. The meeting was called to order with the following members present: Connie Garber, Bill Bloss, Bob McCoige, Jim Wellington, Kelly Huffman, John King and Jim Smith. Also present were City Planner Joe Haufldre and City Attorney James Kolbus.
- II. Ms Garber pointed out two errors in the minutes from 6/16/2007. Corrections are as follows:
- pg. 3, paragraph 3 – “contract” to “contrast”
 - pg. 6, paragraph 7 – “... and that is cannot be...” to “...and that it cannot be...”

The minutes of 6/16/2007 were approved with the addition of the two corrections – Bloss/Garber, 7

III. The Zoning/Subdivision Ordinances were unanimously filed into Record, Huffman/Bloss, 7-0.

IV. **Postponements/Withdrawals – none.**

V. **Minor Change to Keystone Square PUD - not a public hearing item**

07-01MI Windshire Corporation and Paragon LLC request a minor change to allow two freestanding signs 20' in height and 90 square feet in area where 60 square feet is allowed, with an electronic message center where an electronic message center is allowed on a monument sign, and to allow a second freestanding sign where one freestanding sign is allowed. The subject property is generally located at the corners of Lincolnway East and Keystone Drive and zoned Commercial B-3 PUD.

VI. **Major Change to Keystone Square PUD – public hearing item**

07-03MA Windshire Corporation requests a major change to allow two freestanding signs, 20' in height and 90 square feet in area where 60 square feet is allowed, one with an electronic message center where an electronic message center is allowed on a monument sign, and to allow a second freestanding sign on each of two zoning lots where one freestanding sign is allowed. The subject property is located at the corners of Lincolnway East and Keystone Drive and zoned Commercial B-3 PUD.

Petitioner Presentation

Adlai Schrock, owner of Schrock Homes at 2325 Messick Drive, stated that he is working with Paragon to develop the Keystone Square property. He stated that they, at the advice of Mr. Haufldre, are requesting that their request for a minor change be dismissed and that it instead be considered a major change.

A motion was made and seconded, Bloss/Wellington, to dismiss 07-01MI. The motion passed unanimously, 7-0.

Mr. Smith explained the circumstances of the case to the Commission members. He stated that they will first decide upon what will be allowed for the site and then whether it will be considered a minor or major change. By filing it as a major change, they are ensuring that a decision can be made on the matter today.

Mr. Hauflaire stated that this major change has been advertised and public notices were sent out as required. He stated that they are asking for two freestanding signs on each lot at the entrance of Keystone Drive along Lincolnway East. He advised that one of the signs on each lot will be an identification sign listing all of the businesses within the PUD. The other sign on each lot will be a monument sign for the businesses located on the lot. He advised that 60 sq ft is what would be permitted and that they are requesting 90 sq ft for the identification signs. Mr. Hauflaire advised that it appears to be a major change if approved as proposed. He stated that he would consider it a minor change if the second sign on each lot would be a directional sign as opposed to a monument style sign. He stated that a directional sign would be allowed to be up to 8 sq ft with 20% of the face being advertisement. Mr. Hauflaire pointed out that they are also requesting a monument style sign for each additional lot throughout the development. He stated that each sign would be appropriate at a size of 48 sq ft with no more than 20 sq ft being advertising.

Mr. Schrock pointed out for the Commission that the signs have always been planned this way and depicted on their drawings. He stated that it was their error that they were not addressed at the same time as the original PUD presentation. He stated that they are hoping to establish guidelines for the signs within the development now. He pointed out that everyone within the development is requesting signs to help customers and patients locate their buildings. He pointed out that there are currently 14 medical facilities and their names would all be listed on the identification sign located on the lot south of the future Walgreen's site. He provided for the Commission a drawing of the monument style sign that they are proposing for Walgreen's and stated that all of the signs within Keystone Square would look the same to provide continuity. He pointed out that the sign height for the monument signs meets the ordinance requirements.

Mr. McCoige questioned whether or not the signs along Lincolnway East will line up. Mr. Schrock advised that they will line up and that there will be approximately 150' between the businesses.

Ms. Huffman inquired as to whether or not they are planning on having signs on the buildings. Mr. Schrock stated that, thus far, signs on the buildings have not been allowed. He stated, however, that they are considering permitting some type of directional arrows and wording on the buildings to facilitate the patients and customers in finding the locations that they are looking for.

Mr. Hauflaire questioned whether or not Walgreens will have wall signs. Mr. Schrock stated that they will most likely have wall signs. Mr. Schrock pointed out for the Commission that the corner lots where there will be two signs have nearly 500' of frontage due to having frontage on both Lincolnway East and Keystone Drive.

Ms. Garber inquired as to the purpose of having two large signs located so close to one another. Mr. Schrock stated that there are several businesses within the development and the space is needed to provide a place to list each one. He stated that there are already 14 medical facilities and that they are also planning for additional medical resources and commercial uses.

Mr. McCoige asked whether or not the sign on each lot would be the same on both sides. Mr. Schrock stated that each sign will have the same information on both the north and south faces.

William Wilson, president of Paragon, LLC, 7320 E. 86th Street, Suite 100, Indianapolis, stated that he is working with Schrock Homes on the development of the Keystone Square PUD. He stated that the integrity of the project is strong and that they are working to build good character and quality throughout the development. He stated that they are planning to develop the retail portion in the same way that the medical and professional offices have been developed. He stated that they are looking to limit what type of signs will be allowed throughout the property and stated that they want to keep the signs as they have been proposed. He stated that they do not wish to shrink them down as recommended in the Staff Report. He stated that they would be willing to compromise and bring

the monument signs down from 5'6" to 5' if allowed to keep them as monument style signs as opposed to directional signs.

Mr. Hauflaire questioned the area of the sign face for the monument signs. Mr. Schrock stated that the full area of the sign would be 43 sq ft with a sign face of roughly 12 sq ft.

Mr. King inquired as to the difference between a monument sign and a directional sign. Ms. Huffman explained the purpose of the directional sign as opposed to a monument sign. Mr. Hauflaire added that the maximum square footage for a directional sign would be 8 sq ft with a height of no more than 3'.

Audience Comments – There was no one to speak to the petition.

The public hearing was closed.

Staff Report and Discussion

Mr. McCoige pointed out to the Commission that the developers do not currently own all the adjacent properties and that there is a chance that, if purchased by other developers, they may choose to have a different type of sign. He stated that it is impossible to control the continuity entirely.

Mr. Bloss questioned who will be building the Walgreen's Pharmacy. Mr. Wilson stated that it is being developed by both Windshire Corporation and Paragon. Mr. Schrock stated that he feels that the development of the property is crucial and that the building aspect would be considered not such a critical part of the process as the major decisions have already been made.

Ms. Huffman requested clarification on the criteria for determining whether this would be a major or minor change. Mr. Hauflaire explained that there is no clear and definitive answer. He stated that, in this particular case, several minor changes equal a major change to the PUD. If it is determined to be a major change, the case would then proceed to City Council with a recommendation from the Plan Commission.

Ms. Huffman stated that she would consider this to be a decision that the Plan Commission would be able to make. She stated that the size of the changes to be made in comparison to the size of the development would indicate to her that it should be a minor change.

Action

A motion was made and seconded, McCoige/Huffman, to consider the current petition with the amendment from a 5'6" monument style sign to a 5' monument style sign a minor change. The motion passed unanimously, 7-0.

A motion was made and seconded, Wellington/McCoige, to approve the petition 07-03MA granting the changes as a minor change to the Keystone Square PUD with the conditions listed in the Staff Report and the amendment in the monument style sign height. The motion passed unanimously, 7-0.

VII. Minor Subdivision - public hearing item

07-05SUB Dennis Beadle & Wightman Petrie, Inc. request the approval of a three (3) lot minor industrial subdivision. The subject property is generally located at the southeast corner of Eisenhower Drive North and Dierdorff Road and zoned Industrial M-1.

Petitioner Presentation

Peter Schnaars, Wightman Petrie, 4703 Chester Drive, Elkhart, stated that he is present to represent Dennis Beadle. He advised that the purpose of the minor subdivision is to properly separate the parcel from one lot with three building to three lots with one building per lot.

Mr. McCoige advised the Commission that the Engineering Department received new plans for the site today and pointed out that anything that is approved needs to be contingent upon Engineering approval. Mr. Hauflaire explained that today's decision is regarding only the plat and not the site plan so any changes received by their department should not affect today's matter.

Mr. Hauflaire advised that Lots 1 and 3 have shared access and pointed out that the access is completely on Lot 3. Mr. Schnaars pointed out on a diagram that there is an easement on Lot 3 for the benefit of Lot 1. Attorney Kolbus advised that there needs to be something in writing on the deed in addition to being shown on the plat. He stated that it needs to be documented in both places due to the fact that it is a private easement.

Mr. Hauflaire inquired as to whether or not they are planning to remove the gravel drive along the north side of the property. Mr. Schnaars advised that they are planning to remove that area. Mr. Hauflaire stated that he would recommend making that #6 of the Staff Report.

Mr. Hauflaire questioned the Commission about whether or not this would be a suitable time to require that sidewalks be constructed. He advised that this topic was not listed in the Staff Report and he asked for input from the members. He suggested that it would be stated that sidewalks shall be built to city specifications along all public streets in the right of way at the cost of the owner at such time that the city determines sidewalks will benefit the neighborhood or when sidewalks are constructed on either side.

Mr. McCoige inquired as to whether or not it would be stated that it needs to be done now. He pointed out that the area is already developed and there is nothing that will occur in the future that would be a valid trigger to require the construction of the sidewalks at a later date.

Ms. Huffman stated that, although she sees sidewalks as a positive thing for the industrial park, she doesn't think it would be fair to make certain developments have them while others are not required to do so. She inquired as to what width of sidewalk would be required and a guess on what the cost would be do have them constructed. Mr. McCoige stated that roughly \$24,000 would be a reasonable guess. Ms. Huffman commented that investing that much into a sidewalk that doesn't connect to any other sidewalks doesn't seem logical.

Mr. Schnaars inquired as to whether the sidewalks would be required within the public right of way or on private property. Mr. Hauflaire clarified that it would be within the right of way and Mr. Schnaars stated that they currently have retention ponds planned to go up to the right of way line.

Mr. McCoige advised that he is uncomfortable with adding a condition regarding sidewalks and the Commission members agreed. Mr. King stated that he feels there should be a larger initiative to address the sidewalk matter in that area and that it should not be a Plan Commission decision. The decision was made to strike any type of sidewalk requirements.

Audience Comments – There was no one to speak to the petition.

The public hearing was closed.

Action

A motion was made and seconded, McCoige/Wellington, to approve petition 07-05SUB with the five conditions listed in the Staff Report and the addition of a sixth condition requiring that the gravel drive along the north side of the property be removed. The motion passed unanimously, 7-0.

VIII. Minor Change to the Meijer PUD – not a public hearing item

07-03MI Meijer Realty Company requests a minor change to the Meijer PUD to construct an addition of 32' x 23'4" to the existing gas station. The subject property is generally located at 4522 Elkhart Road and zoned Commercial B-3 PUD.

Petitioner Presentation

Deb Gosselin, The Gosselin Group, Grand Rapids, Michigan, stated that she and Jackie VanderPloeg, one of the architects that have been working on this project, are at the meeting to answer any questions that the Commission may have about the minor change. She advised that they are making chain-wide changes to their service stations and adding additional cooler space.

Mr. McCoige stated that he would like to see a condition added stating that all existing utilities shall be shown on the site plan. Ms. Gosselin advised that she provided that information for the Engineering Department today but has no complaints with it being added as a condition.

Action

A motion was made and seconded, Wellington/Garber, to approve petition 07-03MI with the conditions listed in the Staff Report and the addition of a third condition requiring that all existing utilities be shown on the site plan. The motion passed unanimously, 7-0.

IX. Secondary Plat Approval – not a public hearing item

Park West 6th Addition.

Petitioner Presentation

Barry Pharis, Brads-Ko Engineering & Surveying, 1009 S. 9th Street, stated that that he is representing Bill Long. He stated that they are now ready to move forward on the next eight lots within the subdivision and are asking for secondary approval. He stated that they are in agreement with the Staff Report.

Mr. Smith noted that there are no landscaping requirements being made. Mr. Pharis stated that the developer plants one tree per lot even though it is not required. Mr. McCoige stated that, although it may go without saying, it might as well be included as a condition.

Action

A motion was made and seconded, King/Bloss, to grant secondary plat approval for Park West 6th Addition with the four conditions listed in the Staff Report and the addition of a fifth condition stating that the landscaping shall meet the ordinance requirements. The motion passed unanimously, 7-0.

X. Audience Items - none

XI. Staff/Board Items

Mr. Hauffaire stated that the new Walgreens development located in the County Home subdivision is proposing a new exterior treatment for their building. He advised that it is up to the Commission to determine whether or not it would be a major or minor change so that the developers know how to proceed. He showed examples to the members of what was approved originally and what is being proposed.

Action

A motion was made and seconded, McCoige/Wellington, to consider any changes to the exterior treatment of the development a major change that would require a public hearing. The motion passed unanimously, 7-0.

XII. Adjournment – 5:35 PM

Respectfully Submitted:

Becky Hershberger, Recording Secretary

Approved By:

Jim Smith, President

Lovina G. Rutt, Secretary