

Minutes - Goshen Plan Commission
Tuesday, March 18, 2008, 4:00 p.m.
Council Chambers, 111 E. Jefferson Street
Goshen, Indiana

I. The meeting was called to order with the following members present: Jay Rounds, Connie Garber, Lovina Rutt, Jim Wellington and Kelly Huffman. Also present were City Planner Joe Hauflaire and City Attorney James Kolbus.

Ms. Huffman acted as chair in Mr. Smith's absence.

II. The minutes of 2/19/2008 were approved - Rounds/Wellington, 5-0.

III. The Zoning/Subdivision Ordinances and Official Staff Reports were unanimously filed into Record - Rounds/Wellington, 5-0.

John King entered the meeting at 4:02 pm.

IV. Postponements/Withdrawals

Mr. Hauflaire pointed out the letter in the packets from Scott Jarrett requesting that 08-03R be withdrawn. He further advised that he has been talking with the petitioner and anticipates that this matter will be brought back in April as a larger project.

A motion was made and seconded, Rutt/Garber, to accept the petitioner's withdrawal as requested. The motion passed unanimously, 6-0.

V. **Rezoning**– public hearing items

08-03R – Scott Jarrett requests the rezoning of a single lot from Residential R-2 to Commercial B-3. The subject property is generally located on the west side of Lincolnway East and south of Plymouth Avenue with the common addresses of 921 Lincolnway East.

*** Withdrawn at the petitioner's request. ***

VI. **Ordinance Amendment**– public hearing items

08-01OA Subdivision and Zoning Ordinance Amendments regarding fee schedule changes

Petitioner Presentation

Mr. Hauflaire advised that the fee schedule issue was first presented to the Plan Commission in December 2007. He advised that the previous request was asking to remove the fee schedule from the Zoning Ordinance and Subdivision Ordinance and to place them into the Rules of Procedure. He advised that the matter has been researched and can be done but he advised that Staff is opting to keep them as is. He advised that the request is to instead make a recommendation to the Council on the matter. He advised that the second issue was that the Commission had asked that the Planning Department notify builders and developers around the community of the proposed changes to allow for input. He advised that a letter has been sent and was done so approximately ten (10) day prior to today's hearing. He advised that twenty-five (25) notices were sent. He advised that the office received a couple of affirmative comments in return.

Ms. Huffman asked if they had been given a copy of the responses. Mr. Hauflaire advised that they were telephone calls that were received by the Planning Department. Ms. Huffman further questioned who responded and Mr. Hauflaire advised that comments were made by Mike Stump with Forrest River and Ken Jones with Wightman Petrie. He advised that both considered the fee increases as acceptable and in line with the surrounding areas.

Mr. Hauflaire walked the members through the fee comparison information that was provided with the Staff Reports. He advised that Column 1 lists the current fees and that Column 2 shows the proposed fees. Mr. Hauflaire briefly went through the list and informed the Commission as to what items are handled through either Plan Commission, BZA or administratively. He stated that the things that currently list no fees will be new fees but stated that they do not feel that they are unreasonable. He informed the members that State law allows for a fee for services that are provided but pointed out that they are limited to prevent being excessive. He advised that the proposed fees will not pay for 100% of the services provided but will help cover the costs more than the current fees.

Ms. Huffman asked how often Mr. Hauflaire sees the fees being changed. Mr. Hauflaire stated that he would anticipate a fee increase approximately every five (5) years.

Mr. King stated that he feels that the homework was done well with regards to increasing the fees and further stated that he feels that the fees are currently too low.

Ms. Huffman stated that she is glad that the developers and builders were given an opportunity to respond to the proposed increase.

Audience Comments

There was no one to speak to the petition.

The public hearing was closed.

Staff Report & Discussion

Mr. Rounds asked if Staff has any feeling on how the Council will respond to the proposed increase. Mr. Hauflaire stated that he has not been given any feedback on the issue.

Mr. King noted that this is a good step in the right direction for helping to cover the services provided, especially with the city budgets and the changes that are being made.

Mr. Hauflaire clarified that the increase in fees will not cover the fees for the services provided. He advised that approximately \$7,000 was collected last year and that the proposed increase would likely double that figure. He pointed out that all money collected goes back into the general fund and does not stay within the Planning budget.

Bob McCoige entered the meeting at 4:10 pm.

Action

A motion was made and seconded, Wellington/Rutt, to pass along a favorable recommendation to City Council for 08-01OA. The motion passed, 5-0. Mr. McCoige did not vote due to his late arrival.

IX. Audience Items - *none*

X. Staff/Board Items

- *Peninsula Planning Task Force* (tabled from the 11/20/2007 meeting)

Mr. Hauflaire requested that the item be removed from the agenda with the option to bring it back at a later time if deemed necessary.

A motion was made and seconded, Rounds/Garber, to remove the item from the agenda and be brought back at a later date if needed. The motion passed unanimously, 6-0.

- *Sidewalk Ordinance*

Mr. Hauflaire requested the Commission's permission to bring the proposed Sidewalk Ordinance to the Plan Commission as an agenda item. He advised that he has provided the Chamber of Commerce with a copy and has also met with them regarding the proposal. He advised that it has also been sent to the Homebuilder's Association for review.

A motion was made and seconded, Garber/Rounds, to have the proposed Sidewalk Ordinance as an agenda item. The motion passed by a vote of 5-1 with Mr. McCoige voting against it.

In response, Mr. Hauflaire advised that the Commission will hear Engineering's comments at the public hearing. Mr. McCoige stated that they would like to address the issues that they have with the proposal prior to a public hearing. Mr. Hauflaire then advised that a copy of the proposal with Engineering's comments will be provided to the members as soon as possible.

- *Request for permission to propose minor ordinance amendments as needed.*

Mr. Hauflaire requested permission from the Commission to bring forward minor ordinance amendments as needed. He advised that such amendments would include things such as wording changes and definition clarifications.

A motion was made and seconded, Rounds/McCoige, to review minor ordinance amendments as needed. The motion passed unanimously, 6-0.

XI. Adjournment - 4:20 pm

Respectfully Submitted:

Becky Hershberger, Recording Secretary

Approved By:

Jim Smith, President

Lovina G. Rutt, Secretary