

**MINUTES**  
**Goshen Planning Commission**  
**March 1, 2022 at 5:30PM**  
**Goshen Community Building, 244 Clark Street, or by Zoom**

**Call to Order:** Chairman Tom Hennelly called the meeting to order at 5:30PM.

**Roll Call and Declaration of Quorum:** James Gardner, Tom Hennelly, Levon Ogden, Lisa Skiles, Liz Mashie were present. Mike Hill and Scott Stokenbury were absent.

**Approval of Agenda:** The agenda was reviewed. Levon Ogden made a motion to approve the agenda. James Gardner seconded. The motion carried.

**Approval of Minutes:** A motion was made to accept as written the February 1, 2022 minutes by Liz Mashie, second by Levon Ogden. The motion carried.

**NEW BUSINESS**

**5A. Public Hearing: Conditional Use Permit to Allow Storage Units. Dr. Brian Buell, 180 N. Church Street, Parcel # 770-17502-000:** Dr. Buell presented. Buell talked to 17 owners around the proposed area, and presented documents indicating approval from the property owners.

Liz Mashie asked if the proposal was the same as before. Buell stated it was the same, without changes. City Attorney Hogue shared the history of the application process and stated this should be considered a new application.

Public comment was opened.

Winston Summers spoke. He lives near the property and is in support of the permit.

Mashie stated she appreciated the time Dr. Buell has put in on this permit request. She feels it is a good plan. Mashie stated having storage units close to City Hall is an effective use of police resources.

Lisa Skiles believes it is a good plan, but Goshen could end up with a high density of storage units in the city if this is approved, as subsequent applicants could be approved.

Mashie motioned to approve the conditional use permit, on the condition that the shell buildings at the front of the property be established concurrently or prior to the building of the storage units.

Lisa Skiles remarked a slab is not needed because mechanicals need to be plumbed up in various configurations.

The motion was seconded by James Gardner. The motion carried.

**5B. Public Hearing: Rezoning Request, R1 to B2. Hillary Blake Hannahs, 193 Blue Springs, Parcel # 770-17535-002:** Geoffrey Bates, Bates & Associates, Geoffrey Bates spoke. The request is to rezone for future self-storage units. Tom Hennelly asked for clarification regarding the Barrows-Thompson request, as he felt these requests were similar, using the same plat. Bates clarified that this is the strip that fronts on Bowen/Hwy 45.

Phil Thompson, from Barrows-Thompson LLC, stated the parcel is a little over six acres and runs along Blue Springs Road. The other parcel is 2.02 acres, that Barrow-Thompson currently owns, runs along Hwy 45. They were joined together as one parcel. He has a contract on the 6.02 acres on the Hannah property, subject to rezoning.

Hennelly clarified that Barrows-Thompson currently owns the 2.02 acres and there is a contract on the Hannah property.

Lisa Skiles requested affirmation these properties would be grouped together for access from the main arterial. Tom Hennelly stated these should be one application, on one piece of property of 8+ acres. The Hannahs need to sign the application to indicate Barrows-Thompson is authorized to bring this before the Planning Commission.

City Attorney Hogue stated that the purchase is contingent on zoning being approved. The Hannahs need to sign the application, Hennelly stated. Bates stated the Hannahs have signed the application. Hogue referenced item B is the Hannahs applying for it.

Hennelly states the application is to rezone from R1 to B2. The northern section of the Hannah property is zoned Rural Residential, not R1. There is a strip of R1 that runs through there. Hennelly asked if that is something that can be changed here.

Hogue stated what is being requested here can broadly be interpreted as an overall rezoning to B2. Hogue stated it requires the same notice to neighboring property owners, which has already been satisfied, this is a scrivener's error. Hennelly commented this must be in the minutes, and it is recognized and acknowledged by the Commission.

Public comment was opened.

John Chandler spoke. He owns the land to the west of it, and wonders what the screening will need to be if it is rezoned? Hennelly stated that the zoning standards would come in to play. Chandler asked if you are allowed to rezone it without knowing what will be put on it? Hennelly stated that uses permitted in the zoning code may only be discussed, and whether the Commission thinks the zoning and the uses are compatible. Anything that the applicant said about what they may intend to do is not relevant, as they need to come back before the Commission.

Lisa Skiles stated that general commercial rezoning (B2) is less compatible than B1 with residential. Conditional use is mini storage units, the only category that is listed for Goshen, and single-family residences. Hennelly reviewed the setback requirements.

James Gardner provided additional information regarding screening. Skiles stated this is what Dollar General did.

Hennelly asked for public input. None was offered.

Mashie asked about the accuracy of zoning indications on the map. She is concerned about not having more long-term plans, parcel-by-parcel rezoning and what they are creating – an R1 island off Blue Springs with a bunch of B2 around it.

Hogue stated that if there is a lack of clarity, the Commission needs to state that. If something does not get approved tonight, due to that lack of clarity, it needs to be put in writing, stating the specifics.

Skiles stated she is more comfortable with B1 off Blue Springs. Ideally, she would like to see that lot split and push commercial up against Hwy 45. The combination of the three lots creates an intense cutting off of the residential on the curb.

Gardner stated it makes a lot of sense. B1 shows intended for use in areas of transition between residential uses and general commercial areas. This is surrounded on both sides along Blue Springs.

Hennelly states that an issue is the original plat information does not include adjacent property owner information. Skiles asked if they have received notice.

Lora Nanak states there is documentation of notice being provided (proof of service).

Levon Ogden shared he is unclear, also. He believes B1 seems to be a better fit next to residential.

Bates does not think the County maps are updated. Skiles states the County is behind in updates. Hennelly shared Fayetteville's map is more up-to-date.

Mashie asked if the plan is to come back and do a lot-line adjustment. Mashie asked if this should be one action to make it clear.

Hennelly states there is a lot of confusion on this rezoning and recommends that GIS maps are used, including adjacent property owners, which will need to be re-notified of a new meeting. A new application to clearly identify the rezoning request was recommended by Hennelly.

Hogue clarified that if this issue is tabled, new notifications do not need to be sent.

Hennelly motioned this application should be tabled until next month, to show the zoning, proper zoning requests are reflected in all parcels.

Hogue stated it will need to remain as two applications, due to two separate owners. Hennelly stated the applications should have clarity regarding individual properties outlined on GIS map, and adjacent owners. Bates stated he will do this.

Hennelly motioned the Blake Hannahs rezoning should be tabled, until a plat is resubmitted that more clearly identifies only this property and the adjacent property owners around it. The application needs to reflect all three, or both zoning districts, Rural Residential and R1, and request that both of those be changed to, if you are still doing B2, then B2. Skiles seconded the motion. The motion carried.

Hogue stated that a written document needs to be submitted to the applicant on the reason for tabling within 15 days.

**5C. Public Hearing: Rezoning Request, R1 to B2. Barrows-Thompson LLC, W. Bowen Blvd. adjacent to Fast Trax, Parcel # 770-17514-003:** Bates stated this application was the same thing just discussed.

Public comment was requested. None was offered.

James Gardner shared he felt there was a little bit of difference between these applications; going for B2 versus B1. It appears the front part of the parcel is already B2.

Skiles stated that this was consistent with what happened with Dollar General.

Mashie asked when the tract was adjusted. Hennelly answered July 15, 2020.

Mashie motioned the 2.02 acres parcel be rezoned as B2, whichever portion is not already, to bring the entire parcel to B2. James Gardner seconded. The motion carried.

**5D. Minor Subdivision, Ricky Walden, 1590 E. Bowen, Parcel #'s 770-17390-002 & 770-17390-003:** Nikki Littrell, Blew & Associates – Nathan Crouch spoke. Walden combined a couple of lots due to a property line going through one of his structures, at the recommendation of the Commission. He understood the split count would not prevent him from doing this minor subdivision.

Public comment was requested. None was given.

Hennelly stated that all parcels should be listed as a minor subdivision - Lot 1, Lot 2, Lot 3. He does not see an access and utility easement; this needs to be added.

Gardner asked about the gravel road on the survey. Is that how to access for Lot 1 and the landowner behind? Crouch said the road is existing and would provide access. Gardner stated the road that is existing is not within the access easement. Crouch stated there is not another road.

Skiles asked if there is any septic for existing buildings. Crouch stated they can't find septic permits, but assumes it is there.

Mashie asked if it is currently a residence. Crouch did not know.

Gardner commented on a concern for access to the property behind, belonging to Rod Cameron. Crouch stated they will need to have the access maintained. Gardner asked what the strategy was, and Crouch stated he would prepare something.

Crouch stated the Commission asked the owner to combine lots. Skiles stated the shape was now cleaner, based on the old records.

Hennelly mentioned the flood zone statement on the plat does not specifically identify the storm occurrence. Hennelly would like the 100-year data included, not just the 500-year.

A motion was made by Tom Hennelly to approve this minor subdivision, subject to a revised plat being submitted that includes the title "Minor Subdivision"; that all parcels within the subdivision are listed as Lot 1, Lot 2, Lot 3; that both of the 30' foot existing access easements are redefined as 30' foot access and utility easements; the flood statement reference the 100-year event and whether it impacts the property at all; that either an access easement be provided for the existing gravel road or the gravel road be relocated to the southern access easement to the Rod Cameron property. The motioned was second by Lisa Skiles. The motion carried.

**5E. Minor Subdivision, Sara Wetzel, 351 Hale Road, Parcel # 770-17537-004:** Nikki Littrell, Blew & Associates. Nathan Crouch spoke. The content Jeff Hawkins shared with the Commission was shared with Nathan Crouch.

Mashie asked about the location of this property. This property is at the corner of Hale and Fire Tower.

Hennelly noticed on these 2.002 acre lots, the property line goes to the center line of the road and it seems like the Commission should require the right-of-way dedication with the tract split, of 30' from the center line, because both Hale and Fire Tower are minor collectors. This would adjust the acreage for these lots, putting them below two acres.

Hennelly noted the Certificate of Ownership states "City of Elkins", and needs to be updated. Tracts also read Tract 1, Tract 2, Tract 3, and need to be updated. This document also referenced the 500-year flood, and needs to have the 100-year referenced.

Gardner stated that dedicating the 30' of right-of-way puts both lots under two acres. Hennelly confirmed.

Mashie asked how this can be done, as the "too many split" rule would apply here. Crouch asked if the solution was a different type of plat. Hogue stated subdivision. This is not eligible for a minor subdivision since parent tract has been split. It will not meet the acreage requirements for a subdivision.

Public comment was requested. None was offered.

Liz Mashie moved to deny the application. The motion was seconded by Lisa Skiles. The motion carried.

**5F. Review of Planning Commission Financial Report:** Hennelly reviewed the report for February 1, 2022. Fees collected were \$600.00. Fees collected for 2022 were \$1,900.00. Fees collected for the same time last year were \$800.00.

Lora Nanak will provide copies for Hennelly to sign.

#### **OLD BUSINESS**

Hogue provided a copy of the draft on the time limit on lot splits to the Commission. This is basically a moving "10-year look back".

Hennelly asked that this be placed on the agenda for **NEW BUSINESS** at the next meeting. Hennelly stated that each Commissioner will individually review and email Lora Nanak on their opinion. If a consensus exists, a public hearing will be scheduled. Commissioners will email Lora Nanak by Friday, March 4, 2022.

Lisa Skiles stated Lora Nanak also received a letter from the Fire Department, approving the one access for the Riggins addition on the horizon.

Levon Ogden asked for pros/cons on the 10-year term. Many agreed that was a good minimum.

**Public Input:** Public comment was requested. None was given.

**Adjournment:** Lavon Ogden made a motion to adjourn. The motion was seconded by James Gardner. The motion carried and the meeting adjourned at 6:36PM.



**Mike Hill**  
**Secretary**