

June 1, 2006

The Ellettsville, Indiana Plan Commission met in regular session on Thursday, June 1, 2006, in the Fire Department Training and Conference Room located at 5080 West State Road 46. Frank Buczolich called the meeting to order at 7:00 p.m. leading the Pledge of Allegiance.

Roll Call: Frank Buczolich, President; Terry Baker, Don Calvert, William Evans and Dennis Williamson. Sandra Hash, Secretary; Rick Coppock, Town Engineer and Frank Nierzwicki, Director of Planning Services were also present. Ed Bitner, Vice President was absent.

Approval of the Minutes

Terry Baker made a motion to approve the minutes of the May 11, 2006 meeting. William Evans seconded. Motion carried.

Old Business

Erosion Control – Public Right of Way Excavations Ordinance

Rick Coppock, Bynum Fanyo and Associates passed out and reviewed copies of the changes to the ordinance pertaining to Grading and Erosion Control:

- The maximum fee for a grading permit is \$500.
- The Town may proceed against responsible party by issuing a Citation for Violation ticket for \$100 per day.
- If a project does not comply with control plan the Planning Director may draw on the developer's letter of credit
- A bond is required for Erosion Control aspect of any project using the same standards of the county and city.

This ordinance would bring our Code up to date with common practices and also give us an ability to enforce erosion control. Following Plan Commission approval, Rick will forward the Ordinance to Mike Spencer to review the changes and make sure it is in proper form before going to the Town Council.

William Evans made a motion we adopt Erosion Control – Public Right of Way Excavations Ordinance with the stipulation they are sent on to our Legal Counsel for legal approval. Terry Baker seconded. Roll call vote: Terry Baker – yes; William Evans – yes; Frank Buczolich – yes; Don Calvert – yes; Dennis Williamson – yes; Sandra Hash – yes. Motion carried.

Parking Zones – Enforcement Issues

A request was made to move this discussion to later in the agenda.

New Business

Rezoning request at 7350 West SR 46 from R-1 to C-3

Frank Nierzwicki, Director Planning Services requested petitioner's property 7350 West SR 46 rezoned from residential R-1 to commercial C-3.

- This property is consistent with current and future development along SR 46. The petitioner would like to have a business located at this location. There is currently a gas station-restaurant within a block of this location.
- The petitioner has not decided what type of business he would like to establish at this location. The neighborhood is concerned about how a commercial zone would affect their lifestyle. The type of business that locates at this location will most likely determine the reactions of the neighborhood.
- The petitioner may want to consider a lower commercial zone, C-2, at this location. The C-2 zone would

exclude the following business: Heating/Air Conditioning, laundry, printing plant, tavern and warehouse among others.

- If this parcel is rezoned to commercial, the petitioner would need to include buffering between his property and residential neighbors.
- Once a property is rezoned to commercial it does not mean approval for any type of business use. The petitioner would have to submit to the Planning Department development plans before a building permit is granted. Items such as parking and safety would be considered before permission would be granted by the Planning Department.
- Water, sewer connections and water retention are not issues at this site.
- No sign plan has been submitted.

Don Calvert requested in the future a Preliminary Plan be submitted with a zoning change request.

Dana Kerr, attorney for petitioner Lester Wood, spoke with Frank on some issues and discussed them with his client. Mr. Wood would like to proceed with the C-3 status as opposed to C-2. The petitioner understands and accepts that issues will need to be addressed later concerning buffering, safety and parking. If the petitioner is allowed to rezone the property to C-3 it does not mean he can automatically put anything in. A rezone will make the property more valuable, profitable and marketable for the owner if he decides to sell. The petitioner purchased the property from the state. This property is located right on SR 46 and is a little over one acre in size which will limit the type of use.

Don Calvert asked if owner purchased this property as an investment to sell. The owner surely has an idea of what he wants to do with the land. Mr. Kerr spoke with the owner who first questioned putting in a beauty shop but is really unsure of what he wants to do with the property at this point. There is more value and options if zoned C-3. He did speak with his client on the differences in C-2 and C-3. C-2 by definition is a "Tourist Commercial District" and C-3 is "General Commercial District". William Evans would like to know what will go in there before making a decision. Mr. Kerr reiterated it is easier to buy and sell property if it is already zoned commercial. Mr. Wood's property is presently at a disadvantage because it is located right on SR 46, in an area with median turn lanes designed to handle commercial development. It seems compatible to make it C-3.

Sandra Hash stated there have been a number of people who requested zoning changes for Main Street and none of them have sold for commercial development. Mr. Kerr added some of the other properties that have been changed have other limitations which make them undesirable such as being in the flood zone. Regardless of the zoning, chances are they would be very difficult to improve. Opening up West State Road 46 to a little commercial development will not hurt the growth of Ellettsville. There is residential zoning to the north, south, east and west but contiguous across Maple Grove Road is C-3. Frank Nierzwicki pointed out between a commercial and residential there will be a double set back requirement along with buffering. William Evans asked if Mr. Kerr's client knows the Plan Commission could still turn down his plan for development. Mr. Kerr said his client is aware of that and understands.

Duane Hornick, 6455 Barbara Street is adjacent to this property. He is concerned about putting commercial development in a quiet residential neighborhood. There is 3.5 miles between Judy Street and Smith Road with over 30 places available today for development on West State Road 46. They are already zoned with existing buildings or store fronts. In the last two years there have been only two new businesses come into town: Blue Sky Diner and one next to Doughworks. There are all sorts of shapes and sizes with 2.2 acres on the corner of SR 46 and Ridge Springs. He went on to list the buildings for sale or available to rent:

- Barber Shop by Edgewood Drive
- Thrasher Building (came down in price)
- 7-11
- Village Inn
- Building in front of the Eagle's Landing and also inside
- 3.7 acres next to Economy Fireplace
- Old Third Base Lounge
- Old Harley Motorcycle building & lot next door to it
- 3 spaces in Tescano Mall & the lot next door
- Quick Change next to Swifty & lot next door

- Lot next to Fast Lube
- Cedar Bluff
- Out lots by Arby's with 5 empty store fronts
- Old Speedway station
- Lot next to RBB Healthcare
- Lot and building next to Videos To Go
- Jack's Defeat Creek Mall empty store front

He is not seeing too many people rushing to develop. Commercial space at 7350 West State Road 46 would cause more noise, traffic and will lower residential values (according to realtors he spoke with). He is asking the Board to consider if this was their neighborhood, would they want this?

Denny O'Mullane, 7366 W. Maple Grove Road received a letter a few years ago when the State and County reconfigured Maple Grove Road. They took one neighbor's house and cut another residents property in half because the new highway was going through. They said it would relieve congestion where Maple Grove, Red Hill and West State Road 46 all came together. The new center turn lane adjacent to the property requesting the rezone is an accident waiting to happen.

Duane Hornick questioned the property address for the rezoning. It was listed on the agenda, in a letter and in the paper as 7199 Judy Drive. Sandra Hash showed Mr. Hornick a map of the property that was submitted. There are two lots; one where a house was removed and the blue house. Dana Kerr stated the deed of the property shows 19,635 square feet of lot 6 in Briarwood Estates and 26,323 square feet of lot 7 in Briarwood Estates. Based on the map the property goes from Judy to Maple Grove Road and encompasses 1.05 acres combined. There was discussion as the audience reviewed the map.

Frank Buczolic made it clear zoning is only one part of the process and does not guarantee anything.

Tim Hudson asked where Mr. Wood would apply for a business permit. Frank Nierzwicki answered a development plan would have to come through the Planning Department. The issue is the property is R-1 and not zoned for a business. Mr. Hudson read in The Journal two weeks ago Mr. Lester Wood had asked for a permit to put a business in on that property to work on cars and was told he could not apply for anything until all the neighbors were notified. Mr. Hudson thinks Mr. Wood does have an idea of what he wants to do there but is not saying. Frank Nierzwicki spoke with Mr. Wood 4 to 5 months ago but did not hear that. All building permits through Frank Nierzwicki's office and all inspection are done by the Monroe County Building Department so he is unclear where that information came from. Mr. Hudson has been in his house for 25 years, in a quiet neighborhood that does not need anymore traffic. Depending on the type of business there might be flood lights, security lights or even security cameras and that is not what he wants to look at while sitting on his back patio.

Tonya Hudson's concern is for the children living at home. Presently the children can ride their bikes on the side street and walk on the sidewalk to the library. If a business is allowed, her children will be limited to what they can do. After she was married, they decided to stay at the house and add on to make room for every one instead of moving. They liked the neighborhood being quiet and peaceful. They did not have to worry about the safety of the children. They would not have invested money into their house if they would have known a commercial business could be put in.

Don Calvert commented Mr. Kerr on the appearance of his business. When Mr. Kerr came before the Planning Board they knew what was going in. When people buy a home, they look at the surroundings and the surroundings were residential and not commercial. Directly across the street is a development with planned residential and commercial. When people decide to buy a home there; they will know they are buying a lot next to a commercial area because all that was preplanned and laid out in front of the Planning Board. He does not want to open the door for future problems. Commercial falls under a different set of laws that he does not always agree. Making this change would open a can of worms.

William Evans asked if INDOT would allow anymore driveway cuts to be made along West State Road 46. Frank Nierzwicki said as far as access points INDOT will look at how close they are to each other and if it is on a curve (which it is). It is not impossible to get a commercial cut but it is a long process. William agreed with Don on knowing

what is going to be there before making a decision.

Dana Kerr stated the concerns are safety, traffic and lighting. These practical concerns are not being approved tonight. The Planning Department has jurisdiction to control all those concerns. He agrees the size of the property will limit what it can be used for because of buffer zones and set backs. The majority of the concerns will be addressed at a future time when a purpose for the property is known. The property was for sale from the State and Mr. Wood obtained it at a fair price and no one wanted to purchase it for residential use. This property is located right on West State Road 46, across from Maple Grove Road with other commercial properties down the street from Smithville Telephone where commercial makes sense. There are some things in C-3 that would not be bad neighbors and based on the site restrictions, a heavy use type commercial business could not be put there. Change happens and everybody is against change. Mr. Kerr gave a personal example of his neighborhood being hooked to another and then another. He lives on a corner, has three children and traffic going passed the front of his house. He accepted it because the purpose outweighed his immediate concerns. Change does happen and Ellettsville is growing but there are not many properties available on the west side. A lot of the concerns will need to be addressed with Planning but by approving C-3 does not mean that you will have all the problems. He does not feel this is opening a can of worms because the Planning Department is in control of the can.

Duane Hornick commented the blue house was residential until the State used it for an office. In doing so they tore out a lot of the inside to make it compatible for their use. When the house went up for sale it was not looked at as a good house to invest in.

They were told the State was going to tear it down. The reason development to the west is not commercial is because it has been residential except for a few properties that have been there for years. Most people bought on the west side knowing the few commercial properties were there. The east side of town needs to be developed first since there are over 37 properties (10 per mile) either developed, could be developed or have empty store fronts.

David Drake, former Plan Commission member, currently on the Redevelopment Commission and Board of Zoning Appeals, remembers a similar situation with the property on the North West corner of West State Road 46 and the entrance to Spring Valley. In many cases commercial development along West State Road 46 is appropriate but Mr. Wood's property has the same problem as the one off of Spring Valley. The reason the Plan Commission did not approve commercial development was due to the fact that the only access was off Deer Park Drive. It was not appropriate to have commercial development accessing off residential streets. He also remembers they were not able to get a cut onto West State Road 46. He thinks this property will have the same problem. This should be addressed before any consideration for rezoning. He is all for development when it is appropriate along the highway but unfortunately with this spot the main problem would be access through Judy Street a residential Street.

Frank Nierzwicki gave the Plan Commission their options:

- Approve the petition as presented
- Deny
- Not taking action and pass on to Town Council
- Approve with stipulations

Denny O'Mullane stated the petitioner may have honorable intentions for this piece of property but once he sells it to the next person, anything goes with a C-3 zone.

Norma Stevens lives on Maple Grove Road across from the property. She informed the Commission the State owns a small piece of land that is for sale. Mr. Wood could buy it, have more ground and then access out in front of her property. This is a quiet neighborhood and we do not need this.

Sandra Hash commented on the existing commercial zoned property on the corner of West State Road 46 and Ridge Springs. Once it is made commercial, the Plan Commission does not have control on what goes in. If the property meets all the zoning requirements, the Plan Commission can add restrictions, buffers and set backs but can not deny the use if it is within the allowed zoning. There was considerable out cry from that neighborhood after the property was developed.

Frank Buczolic called for a motion concerning the rezoning petition at 7350 West State Road 46.

Terry Baker made a motion that we deny it. William Evans seconded. Roll call vote: Terry Baker – yes; William Evans – yes; Frank Buczolic – yes; Don Calvert – yes; Dennis Williamson – yes; Sandra Hash – yes. Motion carried to deny the C-3 zoning request.

Annexation request at 314 Depot Road, Wever Property, approximately 12.18 acres

Frank Nierzwicki explained this property is requesting voluntary annexation. He read the Staff Report:

The land, once annexed, would be zoned C-3 commercial. The property is adjacent to the Town with access from SR 46 via Depot Road.

The petitioner and the Plan Commission should consider PUD zoning as a possibility for the parcels that are not adjacent to SR 46. The PUD zoning for these parcels would allow more of a transitional space between the SR 46 commercial areas and the residential zones in the Paddington Park area. If the Plan commission allows all of these parcels to be zoned commercial then buffering should be required between residential and commercial zones.

The Staff recommends conditional approval. According to Ellettsville Utilities, public water and sewer is available on-site. Therefore, no private water wells or septic systems will be permitted on this site.

Water Retention: Before any development activity could occur at this site the Town Engineer, Developer and the Director of Planning Services will need to review the on-site retention plan.

Since no development plan has been submitted, there has been no sign plan submitted.

Financial Cost: There would not be an added financial cost for the Town to annex this parcel. Water service, sewers, police and fire protection are already in the area of this parcel. The total assessed evaluation of these parcels, with improvements, is listed at \$226,800. The parcel will also produce additional annual revenue of \$3,854.60 for the Town per year at the current rate.

General Information: Single-family residential to the north; Commercial C-3 to the south; Monroe County single-family dwelling to the east and Commercial C-3 to the west.

Frank Nierzwicki handed out a map of the location with the four parcels and also pictures of the parcels.

Don Calvert needs to see a plan. This property will become C-3 once it is annexed. He asked if the two residential neighbors agree with the voluntary annexation. Is there anyone in the audience who oppose the annexation?

Andreas Michel, resident of 725 Hanover Glen, asked what “Voluntary Annexation” means? How does it work?

Frank Nierzwicki explained Voluntary Annexation is when 100% of the property owners request to be annexed into the Town. By Indiana State Code 1/8 of the border needs to be contiguous with the Town Border. In this case it is over 30%. Property owners ask and volunteer to be annexed in for various reasons.

William Evans asked if letters were sent out and Frank Nierzwicki said yes and he does have the receipts. William commented no one has opposed this. Frank showed on the map the property is adjacent to Paddington Park and an open undeveloped area to the east which might be the reason there has been lack of interest. There are not a lot of small lot owners adjacent to this property.

Dennis Williamson clarified this property is currently under Monroe County jurisdiction with a zoning of residential reserve/farm. He asked if we brought this in as a C-3 or PUD we could possibly get some roads put in. Frank Nierzwicki said with a PUD, depending on the area, we could get development with a street system through this area depending on the adjacent property owners and if they want to develop. Funding has been received by the Metropolitan Planning Organization to do a thoroughfare plan next year so connections would be of interest. This area is close to West State Road 46 and has opportunity to expand with the land to the east. The Planning Department is conscience of natural buffering keeping existing vegetation in place with transitional space. He reviewed the difference of a C-3 and a PUD. With a PUB the Town of Ellettsville has more opportunity to negotiate with the developer on the type of

development.

Frank Buczolic stated the chair would entertain a motion to, as the staff recommends, conditional approval of the voluntary annexation petition.

William Evans made a motion to approve the annexation request at 314 Depot Road the Wever Property of approximately 12.18 acres as a Planned Unit Development zoning. Dennis Williamson seconded. Roll call vote: Terry Baker – yes; William Evans – yes; Frank Buczolic – yes; Don Calvert – no; Dennis Williamson – yes; Sandra Hash – yes. Motion carried 5-1.

Sandra Hash asked if the Annexation Fiscal Plan is going to be discussed. Frank Nierzwicki said it has been approved and there was some editing done since last night. The present document has been clarified and he will work with Sandra to make the changes before presenting it to the Town Council.

Annexation request at 4747 West SR 46, Putter's Park, approximately 2.76 acres

Frank Nierzwicki requested one parcel located at the southeast corner of West State Road 46 and Ridgewood Drive be annexed into the Town. The land, once annexed, would be zoned C-3, commercial. This property is adjacent to the Town with access from West State Road 46. According to Ellettsville Utilities, water and sewer is available. The issue with this property tonight is the annexation into Town and the type of zone they are requesting. He will review any building permits and resolve any outstanding permits with Monroe County. Monroe County will be handling the building inspections. There has not been a sign plan submitted. There would not be an added financial cost to the Town for this parcel to be annexed. Water service, sewer, police and fire protection are already in the area of this parcel. The total assessed valuation of this parcel, with improvements, is \$493,800. The parcel will also produce annual revenue of \$11,150.50 at the current tax rate for the Town. Sandra made the remark that revenue is figured correctly unfortunately the State of Indiana does not allow the Town to have that amount so it shows an inflated figure. The Town has a fixed increase allowed each year. Last year it was 3.9% increase of our current levy. It does not matter how much property we take it, we are tied to the levy restriction. The property increases our assessed evaluation which reduces the amount of taxes everyone in Town has to pay. This is a good thing but you can not say it will bring \$11,150.50 new revenue to the Town.

The existing land use surrounding this parcel is: Single-family Residential/Commercial to the North; Monroe County Single-family dwelling to the South, East and West.

Don Calvert asked what the distance was from this piece of property to the Ellettsville Town limits. Frank Nierzwicki said the whole Northern part of this property is adjacent to Town. Sandra added we are adjoining across the highway and a small section of Ridgewood. Don then asked what the possibility of making this commercial C-2 instead of C-3. Sandra answered this is already an existing use and doesn't know if it fits into our C-2 classification. Don's concern is there are no plans submitted with single-family residential close by. Frank Nierzwicki explained this is more complicated than the others. This property has a plan submitted to Monroe County but not to the Town. They are requesting for a C-3 zone to accommodate a restaurant/pub at this location. Once this is annexed, he will review and approve the building permit. He has seen more with these plans and has a much better idea of what they are looking at. Sandra asked ultimately what their reason to be annexed into the Town is. They are a commercial property they are self sufficient and the Town would not have to provide them with any services.

John Hood explained he built the little building in front of Putter's Park for the putt-putt. The double doors going into the building will be the restaurant dining area with the kitchen on the Southeast corner. He is currently zoned for putt-putt and a snack bar in Monroe County.

Sandra asked if he has petitioned Monroe County to change his zoning. John Hood felt he would be able to be annexed into Ellettsville quicker than rezoning in Monroe County. Frank Nierzwicki contacted Monroe County and they will not change the zoning on this because there is limited business and they have more zones than Ellettsville. There are advantages with the County system having more precise type of zoning but it is so specific it limits activity in areas. Ellettsville is broad and allows different activities in their zones. Monroe County wants to limit some business activities along the corridor adjacent to Ellettsville due to a rural development plan. Sandra reiterated Ellettsville has

more flexibility with zoning and as a Plan Commission member she feels we have paid for some of that flexibility lately. Don Calvert said when this was first brought up there were people and letters in the paper opposed to drinking at this establishment. Some of the people involved in businesses we have seen tonight need to get things in order before they make a commitment and expect somebody else to adjust. The people tonight have done this, this and this expecting the zoning to be changed C-3. Frank Nierzwicki said this property wants to be annexed into Town and requests a C-3 zone which allows a tavern. There is commercial along West State Road 46 with a mix of properties in and out of the county. Sandra spoke with Ed Bitner on this topic when he called to inform her he would not be able to attend this meeting and Ed asked Sandra to share how he felt about this. This is Ed's opinion: *In November or December Putter's Park requested to be annexed into Town. There was some discussion if it were annexed at that time; there were no alcohol permits available in Town so the request was withdrawn. Putter's Park received their alcohol beverage permit through the County. Now they have their permit they want to be annexed in. He felt they were manipulating the situation because there were no more permits for alcohol available in Ellettsville and they received one in the County; then requested to be annexed, it would be grandfathered and they would not lose their alcohol permit.* That was Ed's opinion and Sandra wanted to add there is a reason it was called "Putter's Park and Snack Bar" because that is a family oriented business. Jiffy Treat is one of the biggest businesses in Ellettsville that draws families in. There are two bars in Ellettsville that are both isolated from residential and she feels Putter's Park is surrounded by homes. There is a difference between having putt-putt with a snack bar than a restaurant with a pub.

John Hood explained he has known Walt at Jiffy Treat for years and does not want to compete against him in selling hot dogs. John stated he has had his licenses for years. As far as the bar, he leased the bar at Econo Lodge (Varsity Club) with no problems. He would like to open a nice restaurant with breakfast, lunch and steak dinners. Sandra asked about having a bar. John said the bar would be in the bottom of the building. Even if the bar wasn't there he wouldn't want the children with golf clubs coming in and disrupting families while they were eating. He had a building built outside to house the putt-putt, snack bar and restroom. It has already been proven the existing use will not pay for itself. Frank Nierzwicki has been to the property and explained the upper level portion of the building would be the family style dining room (example Olive Garden) with alcohol served. The lower level would have a separate entrance for age 21 and older as required by the State of Indiana. He has not seen the development plan, but has seen the building. There is a hard, concrete surface parking lot. John has spoken with the neighbors and the only complaint he received was regarding the speakers hanging from the corner of the building which he has removed. If anyone complained about lights he would move them or dim them. Frank would work to make sure there was a vegetation barrier. He went on to explain the back of the property slopes away and falls off. The putt-putt area is in the flood plain. The parking lot slopes away from State Road 46 toward the South. There would not be any permanent structures except the light house in the flood plain. Frank would work with the petitioner on that. John made some recommendations on the parking.

William Evans stated in the recent past we have zoned and accepted Hoosier Bar & Grill into Town. We had "Third Base" who served beer and liquor who have since closed down. He thinks Mr. Hood is making an attempt to separate that. He feels we should zone this with the Director of Planning Services approval on what they can do.

Ron Mansell, resident 4685 Westbrook Downs lives across from the Putter's Park parking lot. He did not attend this meeting to oppose the annexation. He never officially heard what they were going to with Putter's Park. He commented about Ellettsville not having smoking restrictions. He assumes Mr. Hood is anticipating the revenue from the bar and restaurant will overcome the higher taxes. In term of the annexation itself, their fear is to be annexed in themselves which they do not want for the fear of higher taxes. The other fear is having the bar adjacent to his home and value being lowered which a realtor told him would be likely. He reviewed what happened in the past and what he hopes will happen in the future once the bar and restaurant is opened. Putter's Park was built in 1983-1984 by Don and Barbara Headdy. It was approved as an A-frame building to house putter's patron, storage of equipment and snack bar. When they owned it, they did as they desired; built the lighthouse, ran their construction company out of it (they were cited) and rented rooms out for meetings. They went bankrupt; Mr. Cowden purchased it and it remained empty for a few years. Mr. and Mrs. Farkas bought it and they did what ever they wanted to. They had large gatherings utilizing the green space (which is owned by someone else). There was a pizza parlor, they put up large speakers and Lisa Farkas Mortgages was operated out of there which was against the rule. When it was sold in the summer of 2005 to Ms. Claire Kerr and Mr. Hood; Mr. Mansell spoke with Mr. Hood. Mr. Hood asked if they would object to a family restaurant and it was indicated to be okay if regulated properly. They also spoke about past owners and infractions

especially the speaker on the south west corner of the building and a lack of a tree buffer that was suppose to be taken care of in 1984 by the Headdy's. Mr. Hood has done a lot of work with Putter's Park. Mr. Mansell and his wife do not care what they do with Putter's Park as long as they do not affect their house with light, sound or smell. Mr. Mansell spent thousands of dollars on trees in front of his home on Ridgewood Drive. His concern is what will happen to the restrictions to the green space when Ellettsville takes it over. He discussed this with County Attorney, Don Schilling, who said this will be up to Ellettsville as to what will be done.

Frank Buczulich asked Frank Nierzwicki to address concerns on enforcement. Frank Nierzwicki has issues with migration of light and trash in the area. He talked about Ellettsville regulations. He has a good relationship with Monroe County Planning Department and they work together on developments across boundary lines. He will work with the neighbors even though they are not in the Ellettsville town limits and work with Monroe County on cross jurisdiction issues. He is also working on transitional space to have buffering between different types of usage.

Don Calvert asked what the bar operating hours would be. Mr. Hood answered "11 a.m. to 11 p.m."

Everett Libkie lives across the highway of Putter's Park. He came to find out what was going on. He has learned a lot this evening and does not have any particular objections. The lights do not bother him but he does get a lot of litter when the park is open.

Frank Buczulich stated there are no preliminary plans and the hours being 11 a.m. to 11 p.m. where most bars are opened later. Mr. Hood added insurance would be 50% cheaper by closing early. There will be no smoking in the restaurant and on the putt-putt course.

William Evans made a motion to accept the annexation request of Putter's Park with the consideration that the Director of Planning Services monitors the necessary zoning issues. Frank Buczulich clarified the zoning as C-3. Dennis Williamson seconded. Roll call vote: Terry Baker – yes; William Evans – yes; Frank Buczulich – yes; Don Calvert – abstained; Dennis Williamson – yes; Sandra Hash – no. Motion carried 4-1; one abstain.

This will go to the Town Council for a first reading and second reading with a motion on the second reading. Frank Nierzwicki said there will be a 60 – 90 day transitional period with the county.

There was a 5 minute intermission.

Parking Zones – Enforcement Issues

Frank Nierzwicki explained the parking zone draft. The Commission requested a plan that would have three zones and explain the criteria for each of these zones.

- Zone 1 – Old Ellettsville. The location would be bounded by homes on either side the streets listed in the draft. The type of parking permitted in this zone would be: (1) on existing driveways (2) on extended driveways – parking areas per Town Code (3) on streets – minimum street width of 26 feet. Minimum street width would include two nine foot travel lanes and one eight foot parking lane. On street parking would require Fire, Street and Police Department approval.

The American Association of Highway and Transportation officials have a green book on standards of parking lanes.

- Zone 2 – Older Subdivision. The locations would include Richland Manor, School view/Southwest Manor, Arrowhead and Kelli Heights. The type of parking permitted would be (1) on existing driveways (2) on extended driveways (3) on street width would include two ten foot travel lanes and one eight feet parking lane. On street parking would require Fire, Street and Police Department approval.
- Zone 3 – New Ellettsville. The locations not listed in Zone 1 or 2. Type of parking permitted is on existing driveways.

He reviewed the Hours of Enforcement, Notification of Parking Violation, Disability Parking, Special Situations and Parking Ticket Appeal Process. He is working with the GIS to get a draft Parking Zone Map.

William Evans stated he does not want to see any parking on the streets. In a perfect world the dimensions on the street

would come out so a fire truck, car and parked car could share the road but in real life it will not happen that way. Sandra said it might slow down traffic. Frank Nierzwicki suggested parking on the street in the Meadowlands on an alternating pattern might be preferable. There was a discussion on different parking issues and street size.

Meeting Dates: Ellettsville Sign Ordinance and Meadowlands Speeding

Frank Nierzwicki announced the Ellettsville Sign Ordinance meeting will be held June 20, 2006 at 7:00 p.m. at the Fire Department meeting room with the local businesses on what is legal and illegal.

The Meadowlands meeting will be June 22, 2006 at 7:00 p.m. in the same room.

Edgewood Village Update

Frank Nierzwicki will be holding a meeting June 6, 2006 with the neighbors and the new owners of the properties on the south side of Mustang Drive regarding time schedule, progress, objectives and fencing. Jeff Fish, Frank Nierzwicki and the neighbors will be attending. The meeting will be held at 7:00 p.m. in the Fire Department meeting room.

Privilege of the Floor – non Agenda Items

Sandra Hash requested the Resolutions passed at the last meeting be accepted again by Resolution number for tracking purposes.

William Evans made a motion to approve the Ellettsville Plan Commission Resolution 01-06 concerning Parking Zone Enforcements. Terry Baker seconded. Motion carried.

Terry Baker made a motion to approve the resolution concerning Sign Enforcement Resolution 02-06. William Evans seconded. Motion carried.

Dennis Williamson thanked Sandra Hash for the copy of the comprehensive plan.

Sandra Hash made a remark about the Citco gas station. When Citco came in the Town requested a landscape buffer be put in because the neighbors behind the gas station complained about lights. She has not seen any landscaping yet. Frank Buczolic stated they have a year from approval to complete that and they will be notified. They had three issues to take care of immediately and two of them were corrected. Frank Nierzwicki will check on it and report back to the commission.

Adjournment

Terry Baker made a motion for the meeting to be adjourned. Don Calvert seconded. Motion carried. Meeting adjourned 9:40 p.m.