

January 7, 2010

The Ellettsville, Indiana Plan Commission met in regular session on Thursday, January 7, 2010 in the Fire Department Training and Conference Room located at 5080 West State Road 46. Sandra Hash called the meeting to order at 6:02 p.m. with the Pledge of Allegiance.

Roll Call: Members present were: Sandra Hash, Don Calvert, Dan Swafford, and Ron Wayt.

Members Absent: Phillip Smith.

Sandra Hash reported that Terry Baker, President resigned in December 2009. He also served on the Board of Zoning Appeals and therefore someone from the Plan Commission would need to serve in his stead. Connie Griffin informed the Commission that there was only one meeting last year. Sandra Hash reported there was another vacancy on the Plan Commission since Frank Buczolich moved out of the area.

Election of Officers

Motion for President: Sandra Hash nominated Dan Swafford. Don Calvert seconded. Ron Wayt asked if this could be tabled since they were not at full capacity as a Commission. Sandra Hash responded they had a quorum and she felt they should at least elect a President. Ron Wayt stated as Vice-President, wouldn't she serve until election of another President. She stated her term as Vice-President has expired as well. Ron Wayt also asked if there was any conflict of interest since Dan Swafford was on Town Council also. Sandra Hash replied she knew of no stipulations preventing it. Don Calvert withdrew his second in light of the question. Dan Swafford stated he did not see an issue since two members of Council serve on this Board anyway. Don Calvert asked for clarification of Dan Swafford's position on Town Council. Dan Swafford replied he had not served as President last year. Don Calvert then re-entered his second of the nomination of Dan Swafford for President of the Plan Commission. Motion carried 4-0. Sandra Hash then surrendered the gavel to Dan Swafford as the new President.

Motion for Vice-President: Don Calvert nominated Ron Wayt. Dan Swafford seconded. Motion carried 4-0.

Motion for Secretary: Dan Swafford nominated Sandra Hash. Don Calvert seconded the motion. Motion carried 4-0.

Approval of the Minutes- November 5, 2009

Dan Swafford entertained a motion for approval of the November 5, 2009 minutes. Ron Wayt so moved. Dan Swafford seconded. Motion carried.

Conflict of Interest Statement

Dan Swafford asked the commissioners if there were any conflicts of interest with items listed on tonight's agenda. Don Calvert informed the Commission if the Centennial Park issue is going to be discussed, then he would have a conflict of interest because the

neighborhood he lives in backs up to this area. Rick Coppock responded the area is not adjacent to Mr. Calvert's neighborhood. It is north of the adjacent place. Don Calvert requested to see the areas on a map. Ron Wayt brought the area up on Google. In light of seeing the areas on the map, Don Calvert withdrew his conflict of interest statement. No conflicts of interest were stated by Plan Commission members.

New Business

John Williams Rezone Petition from R-1 to C-3, 4770 W. SR 46

Connie Griffin presented the request for rezoning by John Williams:

Mr. Williams is requesting rezoning of 4770 W. SR 46 from R-1 to C-3. It is located next to Fast Max and across from Putter's Park. Mr. Williams has met all of the protocol for a re-zone including certified, return receipt letters notifying adjacent property owners, the fee payment to the clerk, advertising the hearing notice on December 16, 2009 and has no observable code violations. The property is 1.59 acres and is located west of Autumn Hills Subdivision, north of State Road 46, east of the Assembly of God vacant property. In the future we could expect a buffering plan to be put into place between that C-3 and the Briargate area.

Dan Swafford asked if all the property owners behind him are zoned R-1. Connie Griffin replied there are Condos, then the R-1's behind that. Dan Swafford inquired about the set-back and he was informed it was 40 feet. He asked Mr. Williams if he was aware of that. He responded he was not aware of that. Connie Griffin informed the Commission Mr. Williams was not planning on being the developer of the property and it is up for auction towards the end of February. Dan Swafford asked how much road frontage was on Hwy. 46 and Mr. Williams responded it was 275 feet.

Deborah Hoffman remarked the Williams' and the Libkie's are good neighbors. She and her husband bought their retirement home adjacent to Mr. Libkie and have been there since 2002. Mrs. Hoffman informed the Commission she is a medical professional who works nights and she doesn't want the congestion, the bright lights and the noise. She also stated she is a small part of the issue being between Mr. Libkie's and Roberta Kelly's properties. Mrs. Hoffman stated she would prefer not to live behind a business and would prefer to sell her property instead. Ron Wayt asked if there were plans for the property at this time. It was clarified that Mrs. Hoffman lives behind Mr. Libkie and the property under discussion is Mr. Williams' property. Mr. Williams responded he has not made any decisions regarding plans for development.

Sandra Hash requested Rick Coppock explain the buffering which would be required for the transition from residential to commercial so Mrs. Hoffman will know she has some protection. Rick Coppock explained that anytime a developer comes into an area, he must present his plan to the Plan Commission and within that plan, there must be a green-space area of 40 feet between the residential property line and their business so that there would be some screening or buffering between a residence and another zoned property.

Dan Swafford entertained a motion to recommend to the Council to rezone the Williams property from R-1 to C-3. Ron Wayt made the motion that we recommend to Town Council to rezone John Williams' property from R-1 to C-3 at 4770 W. SR 46. Don Calvert seconded. Roll Call Vote: Sandra Hash – yes; Don Calvert – yes; Dan Swafford – yes; Ron Wayt – yes. Motion carried 4-0.

Everett Libkie Rezone Petition from R-1 to C-3, 4890 W. SR 46

Connie Griffin presented the request for rezoning by Everett Libkie.

The property is located at 4890 W. SR 46 near Fast Max across from Putter's Park. Mr. Libkie's property is zoned R-1 and he is petitioning before you this evening to be rezoned to C-3. Mr. Libkie has met all of the protocol for rezone including certified return receipt letters notifying adjacent property owners, fee payment to the clerk, advertising the public hearing notice on December 16, 2009, and has no observable code violations. The property is 1.85 acres and is west of Autumn Hills Subdivision, north of State Road 46, and east of the Assembly of God vacant property lot.

Everett Libkie presented to the Commission his reason for requesting this change at this time. He informed them he had lived on Hwy. 46 since 1932 and he sees it as inevitable that all these properties will eventually be zoned commercial. He appealed to the Commission to grant his request to rezone his property. He offered to answer any questions they might have. Dan Swafford asked how much road frontage he had and Mr. Libkie responded he had 200 feet and it is 317 feet deep. He said he had three parcels within that section all at the same address.

Deborah Hoffman spoke again regarding her desire not to live behind a business. She and her husband bought the property in 2002 as a retirement home and she is not particularly attached to the property. She voiced her concern regarding whether she should sell the property. She doesn't have her own access. She shares her access with her neighbor who actually owns the lane – Roberta Kelly. Her concern is the devaluation of her property and being unable to sell it to avoid living behind a business. Mr. Williams stated he thought the Condos, as well as Ms. Kelly and the Hoffman's were annexed into the Town at the same time as the other properties along State Road 46. Sandra Hash replied she was under the impression that it was just the Condos. It was determined using Monroe County GIS program 39 Degrees that those three residences were annexed into the Town of Ellettsville. Connie Griffin informed Mrs. Hoffman she was in the Town of Ellettsville and if she so desired she could petition for a change of zone from R-1 to C-3 at the next Plan Commission meeting.

Dan Swafford entertained a motion to recommend to the Council to rezone the Everett Libkie property at 4890 W. SR 46 from R-1 to C-3. Ron Wayt made the motion that we recommend to Town Council to rezone the Everett Libkie property at 4890 W. SR 46 from R-1 to C-3. Dan Swafford seconded. Roll Call Vote: Sandra Hash – yes; Don Calvert – yes; Dan Swafford – yes; Ron Wayt – yes. Motion carried 4-0.

Centennial Park Subdivision 12 Month Extension of the Preliminary Plat Approval

Connie Griffin stated on August 6, 2008 the group came before the Plan Commission and it was approved on September 4, 2008. The preliminary plat expires in March of 2010. It is a 78 lot, single family home subdivision located on 32 acres. November 25, 2009, we received a request for a 12 month extension of the preliminary plat approval in accordance with section 153.022, primary approval shall be effective for a maximum period of 18 months except that upon application the Plan Commission may grant an additional 12 month extension. Once extensions have been exhausted, the process must start over. Rick Coppock is representing the petitioner this evening.

Rick Coppock – The petitioner wanted to formally request the extension because they may start this year, but they're not sure because of the economy and the lack of market. They did build some of the sewer line on the very north end that tied into Woodgate because they had an easement. The request is for the bulk of the project. Sandra Hash requested to see Centennial on the map and Rick Coppock pointed that out to the Commission. Sandra Hash voiced her opinion that she did not see a problem extending the preliminary plat approval. Dan Swafford asked if adjacent property owners needed to be notified and Rick Coppock responded they did not because it was not a change in the plan.

Dan Swafford entertained a motion to grant the 12 month extension of the preliminary plat approval. Sandra Hash made a motion to approve the extension of the preliminary plat approval for Centennial Park Subdivision. Dan Swafford seconded. Roll Call Vote: Sandra Hash – yes; Don Calvert – yes; Dan Swafford – yes; Ron Wayt – yes. Motion carried 4-0.

Subdivision Ordinance

Connie Griffin – The I69 Community Development Grant stresses the importance of natural resource protection as well as natural features and environmentally sensitive areas. This goes along with being prepared for future development which are two main goals with which the grant is to help assist. A subdivision ordinance revision is required under the I69 Community Development grant. This was part of the original grant application and stated a revised subdivision ordinance would be prepared along with a green space inventory as part of the contractual deliverables on this particular grant. She stated she had the 152.129 code and she displayed it for the Commission. Dan Swafford noted a lot of those things were already in the Town Code. Connie Griffin replied that was correct and she was just seeking one modification. She pointed out it was in 152.129 under (B) to include natural resource protection. The natural resource protection could add karst topography, wetlands, steep slopes, protection of endangered and threatened species, protection of fauna and flora, and the identification and attention to alternative transportation in cooperation with the city of Bloomington and Monroe County. She went on to say she will be putting this into a more formal code revision and bringing it to the next meeting. Sandra Hash asked if that alone would make us compliant. Connie Griffin responded that it was a subdivision revision and that was what was stated by the former director.

Planning Department Updates

Ike Grimes Annexation

Mr. Grimes was not present and Dan Swafford entertained a motion to table the Ike Grimes annexation and zoning change request for 5027 N. Lakeview Drive. Sandra Hash so moved. Don Calvert seconded. Motion carried 4-0.

2010 Department Goals

Connie Griffin informed the Commission she presently has the department goals before the Town Council and her liaison. Once they have been reviewed and prioritized, they will be released through an article in The Journal. She added she has been reviewing some reports regarding any plans or reports for the town and looking for

common threads. She has another report which will come before them which summarizes those commonalities. She remarked that she is looking at whether those goals were attained, or should be revised, or whether they are still relevant to the community. She added they should be ready for their review at next month's meeting.

Grants

Connie Griffin reported on the Safe Routes to School Grant which is looking at sidewalk design along Ridge Springs Road. The consultant is waiting on a notice to proceed from INDOT. There is a concern about the budget and he has requested utility information from the Department of Planning and other items to assist with his work so that when he receives the okay from IDOT, he will be ready to proceed. Sandra Hash asked for confirmation that the sidewalks will not go along Sale Street, but in Ridge Springs. Connie Griffin confirmed that Mr. Kain and the consultant are looking at that area at this time due to right of way issues and funding.

Heritage Trails

Connie Griffin stated the request for proposals for the environmental review ends tomorrow. Letters of interest from consultants are starting to arrive. A selected group of scorers will review the information and score the consultants in the letters of interest. Once the scores are tabulated, they will be sent back to INDOT who will make sure the scores are correct. They will notify us with the number one selected firm and we will then be able to contact that firm so we can seek the environmental review to get started. Sandra Hash asked if agreement will be on Monday night's agenda with INDOT. Connie Griffin replied that it was on the docket.

I69 Community Development Grant

Connie Griffin reported we have the drafted capital improvement plan and it is now before Town Council. She stated she had received one comment back from the president, Dianna Bastin and she saw no changes. However, Connie Griffin informed the Commission once she started looking at some of the contractual deliverables on that grant, she needs to work on an Ellettsville Park and Recreation Plan which means we would have to have some sort of capital improvement listing in that five year plan. She has talked with Jim Ragle about having him add into the draft proposal some line items that they may need – play ground equipment or any type of maintenance concerns he sees in the next five years. That will go into this capital improvement plan. Dan Swafford asked if that would not be part of Parks & Recreation and she responded that it is, but it needs to be part of the capital improvement plan as well. She reported she met with the Park & Recreation Board and received their approval to start writing the recreation plan. They will also be working simultaneously on some goals and objectives and get those to her and she will then present a public hearing notice so if anyone would like to make any comments on the plan similar to what the Monroe County Plan Commission is doing with their comp plan. Sandra Hash asked if she could incorporate the Ball State Plan for the parks. Connie Griffin responded she hadn't really thought about it, she was mostly looking at streamlining it and putting in the information, such as demographics about the community and identifying all the green space. However, she said we could combine elements of that plan. Also,

the Wells Park study has an extension due to plant and animal dormancy concern and not being able to identify or classify the flora and fauna on the site. That work will be completed at the first part of Spring by the consultant.

Downtown Area Plan

Connie Griffin went on to say the I69 Grant deliverables has a lot of smaller elements and it also says we will produce a downtown area plan. She has been working with Jeana Kapczynski on that report. Sandra Hash mentioned there was a bit of a plan Bynum Fanyo had done when we had the downtown money for a shelter at the parking lot. There was a map at one time. Don Calvert reported that Jerry Pittsford took everything with him, but the highway changed all that anyway.

Administrative Assistant

Connie Griffin announced she had interviewed seven people on Tuesday and Wednesday and is waiting to hear if there will be a second interview with a Council member present. After that, it will be going before Council to request to hire.

Privilege of the Floor

Don Calvert remarked he wanted to publicly thank Terry and Frank for the years of service they gave us. They were two good men and two good leaders who were easy to work with. Dan Swafford agreed. Sandra Hash stated Frank served nine years on the Board and she wasn't sure how long Terry Baker served on the Board, but he was on in 1992 when she came as deputy. Dan Swafford asked if there was money for plaques to recognize them. Sandra Hash responded Plan Commission has no money, but they could do certificates.

Adjournment

Dan Swafford entertained a motion to adjourn. Don Calvert made the motion to adjourn. Ron Wayt seconded. Dan Swafford adjourned the meeting at 7:22 p.m. The next meeting will be February 4, 2010 at 6:00 p.m.

Dan Swafford, President

Ron Wayt, Vice President

Sandra Hash, Secretary

Don Calvert

Phillip Smith