

June 5, 2014

The Ellettsville, Indiana Plan Commission met in regular session on Thursday, June 5, 2014, in the Fire Department Training and Conference Room located at 5080 West State Road 46. Terry Baker called the meeting to order at 6:00 p.m. Don Calvert led the Pledge of Allegiance.

Roll Call: Members present were: Terry Baker, President; Russ Ryle, Vice President; Don Calvert, David Drake, Pat Wesolowski and Sandra Hash. Dan Swafford was absent. Connie Griffin, Director of Planning, Rick Coppock, Bynum Fanyo and Associates, Town Engineer, and Darla Brown, Town Attorney, were also present.

Monthly Conflict of Interest Statement

Don Calvert advised Cedar Bluff Gardens connects to the neighborhood he has lived in for over ten years therefore he will abstain from participation in this matter. He moved to the audience during the discussion.

Approval of the Minutes – May 1, 2014

Terry Baker entertained a motion for approval of the minutes for the regular meeting on May 1, 2014. David Drake so moved. Pat Wesolowski seconded. Motion carried.

New Business

Petition 06052014-1 Rubicon Investments, Planned Unit Development Rezone Request – 4210 W. SR 46 (Former Cedar Bluff Gardens) – Steven A. Brehob and Michael Eaton

Connie Griffin, Director of Planning, explained the petition for a rezone was signed on May 5, 2014, and the fee of \$375 has been paid. The Planned Unit Development (“PUD”) application has been submitted, the public notice has been published and adjacent property owners have been contacted by certified mail. A more detailed plan will follow at the development approval stage of the project. There will be an estimated increase of \$7,490 in property taxes. The site will be re-developed and in character with the commercial properties along the corridor. The development is proposing 1.9 acres of multi-family residential, 5.52 acres of commercial use and .5 acres of common ground. Indiana Department of Transportation traffic counts for 2011 were over 28,000 daily in the area of the development. The site has been vacant for eight to nine years and has affected the surrounding areas and appearance of the community and it is currently a code enforcement problem. She is giving a positive recommendation to approve the PUD rezone.

Sandra Hash asked if the purpose of this meeting is for the zoning change. Ms. Griffin replied that was correct. Mr. Ryle asked if it is proper to recommend the PUD to include any restrictions in the development plan. He is specifically looking for permeable pavement. Ms. Griffin replied it will be 20%.

Steve Smith, representing Rubicon Investments, advised 20% of the parking lot areas will be permeable pavers. Everything doesn’t have to be permeable but if they provide 20% it will drain most of the parking lot. Water that falls on the asphalt can run over to the permeable. They have also included conditions requiring bio filtration and rain gardens for any water that doesn’t get caught by the permeable pavers. Mr. Ryle noted an area to the east drains across their property. Looking at their site development drainage area they’re at the mercy of 80 to 90 acres. Mr. Smith said that’s correct. Mr. Ryle continued. With a four inch rainfall they have a bit of water that will come on the property. Mr. Smith stated the water will pass through the site which will catch, clean and retain the water. The 20% and the commitments they made are part of the PUD.

David Drake explained annexing the property and developing it won’t be a great financial boon to the Town of Ellettsville due to tax levy caps and circuit breakers. It may raise the assessed valuation of the

Town but it doesn't necessarily correlate to more tax dollars for the Town. It spreads the tax levy out in more of an assessed valuation hopefully resulting in reduced tax rates for everybody. Ms. Hash agreed. It spreads the taxes amongst more people and lowers the rate. Each year, the state determines through a formula the growth quotient and it's been running 2.6% to 2.9%. They take the current year's levy and multiply it by that percentage and that is all the Town gets. It doesn't matter how much the Town grows. If the Town can prove it costs substantially more because of the development it can do a levy appeal. Since it's a commercial development it will help rather than add to the Town's cost. It may pick up more fire and police protection but it's not a huge cost. Mr. Drake noted it's not to be a negative toward the development. He's all for development but he doesn't want people to think the Town gets any more money. Mr. Smith said the real affect is to hold down tax increases for everybody.

Pat Wesolowski asked if it will be rezoned for the development or can the petitioner change their mind about the development. Mr. Smith replied the drawing is illustrative of how the site might develop given all the conditions of the plan which they have to meet. Now, it is a C-3 and the amount of the commercial area is the same. Their commitment reduces the number of uses. Mr. Drake said making the development a PUD is a benefit to the Town because it is currently zoned C-3. His concern is the buffering to the northern neighborhoods. Mr. Smith stated the whole project serves as a buffer between the highway and residences. There will be a landscape buffer in the back. Mr. Wesolowski asked if there will be a merging lane. Mr. Smith replied they do not know at this time. There may not be one because there are five lanes with a center turn lane. Ms. Hash asked if the residential will be determined by how well it's rented out for commercial. Mr. Smith answered it depends on the individual uses because the prime use of the front lots is commercial. If the opportunity presents itself it will be there but most retail won't want anyone above them. Ms. Hash asked if this is the suggested plan but they will build to suit. Mr. Smith replied that's correct.

Kayle Lewis is concerned about the drainage pond and the creek that runs into it. It has oil on the top and floods. What will happen with the runoff and drainage? She doesn't want to look at the back of a building. How will the building affect the wooded area that is a sound barrier for the highway? Mr. Baker explained the pond will be moved to another area. It's an irrigation pond that was put there by Cedar Bluff. Ms. Lewis asked about the drainage issue because it floods. Mr. Smith replied the existing pond was there to catch water for Cedar Bluff Gardens. It will be filled in and another area will become the detention basin. The water does come across the back of the lots. They will maintain and open up the channel so it continues to flow smoothly. They will have basins and rain gardens so the water from their site will come off more slowly. A complete drain study will be done to make sure it gets from the big box culvert to the drain on the other side of the property.

Russ Ryle asked the capacity of the storm culvert. Mr. Smith replied the study hasn't been done yet. They will do a full study of the stormwater and submit it to Bynum Fanyo for review. Mr. Ryle noted if there is a flooding issue the current culvert is not an adequate size to handle a substantial rain. Mr. Smith stated there is a lot going on and until they get there they really don't know. Mr. Wesolowski asked if the retention pond only takes care of part of the property. Mr. Smith replied everything works together and the permeable pavers, rain gardens and detention basin will slow the water down.

Julie Faulstich is concerned about drainage. A ton of water flows through from the Woodgate subdivision. The creek drains into a natural spring and it floods the neighboring area with five to six feet at a time. She's hoping the redevelopment will alleviate the flooding. There have been severe beaver issues. Another concern is the buffer. She doesn't want to lose the trees on the property line which is their buffer with the gas station. She would like a retaining wall. In the winter when the leaves are gone the gas station puts out a lot of light and noise and they can hear the dryer from the car wash.

Terry Baker entertained a recommendation to forward a positive recommendation to the Town Council. David Drake made a motion for a favorable recommendation to Town Council for Petition 06052014-1 of the Planned Unit Development Rezone Request for the former Cedar Bluff Gardens. Pat Wesolowski

seconded. Roll Call Vote: Terry Baker – yes; Russ Ryle – yes; Don Calvert – abstained; David Drake – yes; Pat Wesolowski – yes and Sandra Hash - yes. Motion carried 5-0 with one abstention.

Petition 06052014-2 Hearne Development, LLC, Preliminary and Final Plat Approval, Re-Plat of Lot 1, Phase 3, Litten Estates (21 Lots), W. State Road 46 – Phillip Tapp and Brian Hearne

Connie Griffin, Director of Planning, explained this is a 21 lot subdivision, Lots 25 through 45, 7.95 acres and is on State Road 46. The existing land use is pasture. All lots are larger than 10,000 square feet. Ms. Griffin answered yes. Ms. Griffin advised the site plan has been approved. New streets consisting of 0.19 miles will be added to the Town. The public hearing notice was published and adjacent property owners have been notified. The fees have been paid for the preliminary and final plats and current zoning is a Planned Unit Development (“PUD”) with a mixture of commercial and residential. A bond will be put in place to cover landscaping, signage, sidewalk and pavement. One public comment was received by a resident on Birch Street and is as follows: *“The back of my house is next to Litten Estates. I can’t attend the meeting of Thursday, June 5, 2014. My question is where will the water go that comes down Birch across my yard and into Litten Estates? The person that builds a house behind her will not want water. My next question is are you going to back the water up onto my yard?”* The resident included a few photos which were presented. Photos show the water behind and in front of her house and water going into Litten Estates.

Phillip Tapp advised this is not the first time these questions have been asked by this resident. In the past they weren’t developing in that area. The water in the resident’s back yard comes through their property. When they put in the roads they will add to the storm sewers. All of that water continues downhill to their detention facility in the original portion of the development. They will be conveying the water and have no intention of water backing up and leaving it there. Now that they are developing this phase, they do not and never have intended on backing water up into the resident’s yard.

Carey Marks, Litten Estates, explained a ton of water comes off of the horse pasture. When the rains are heavy it is like a river. He doesn’t see a lot of water in the retention pond and doesn’t know if the water is getting to it.

Terry Baker asked Mr. Tapp if there is a way he could check the drains to make sure they are not clogged so that water filtrates to the retention pond. Perhaps put some dye in it and that will tell you whether or not there is a problem in the line. Mr. Tapp said they will confirm the lines are cleaned out. More storm sewers will be added on the new streets and inlets to collect the water. There is a lot of water that comes through and when they sized the storm pipes they accounted for it and will continue with it. Mr. Wesolowski asked if it goes into a swale. Mr. Tapp replied that is correct. There are actually a couple of swales. Ms. Hash said the yard that is flooding is not in Litten Estates but in the existing subdivision that was there before they built. Mr. Tapp added they’re below the lot of the resident. Her water is coming on to Litten Estates. Mr. Drake noted Birch Street slopes down to the dead end and is higher from Violet Court to the south.

Sandra Hash said the Town redid its Thoroughfare Plan since the addition was first approved. The road narrows from the Ridge Springs subdivision in to their subdivision. Since the new Thoroughfare Plan has been passed will this section fall under new rules? Ms. Griffin replied this was an approved plan but is uncertain as to the date. She thinks they would be required to do at least what they did last time. If they choose to go above and beyond it would be up to them. Ms. Hash asked if the entire subdivision was previously approved and they’re asking for final plat approval on just these lots. Ms. Griffin answered yes, they’re doing a preliminary because they’re subdividing it into 21 lots and they’re also going to do a final plat and bond for the remainder of the infrastructure. Ms. Hash asked if the streets will be wider than the other portion of Litten Estates. Mr. Tapp replied the section they are proposing is the same section they have been using. It is 28’ wide, back of curb to back of curb, and there are sidewalks on both sides of the street. It is the equivalent of what is there now which is what was approved. Mr. Wesolowski asked if

Phase 3 is commercial. Mr. Tapp answered the commercial portion is out front and are not included at this time.

David Drake asked if people know when they buy a lot in the cul-de-sac that the land behind them is zoned commercial. There is a sign that says it is commercial but five years from now when they want to start building on the commercial portion people are not going to like it. Mr. Tapp said Brian Hearne put in a berm and planted trees to start a buffer behind the commercial development. Mr. Drake remarked by having this subdivision it has added to the values of surrounding subdivisions. It is one of the nicest subdivision in Town limits. Mr. Wesolowski asked if the lots are presold before they build or are they building specs.

Brian Hearne answered it's a combination of both. His plan is to start with one or two specs to get Phase 3 rolling. Someone can build on a lot with another builder as long as they meet the covenants and restrictions.

Terry Baker entertained a recommendation to forward a positive recommendation to the Town Council. David Drake made a motion to forward Petition 06052014-2 for the Hearne Development for final plat approval to Town Council with a positive recommendation. Pat Wesolowski seconded. Roll Call Vote: Terry Baker – yes; Russ Ryle – yes; Don Calvert –yes; David Drake – yes; Pat Wesolowski – yes and Sandra Hash - yes. Motion carried 6-0.

Ellettsville Planning Commission Rules of Procedure Revision – Connie Griffin and Terry Baker

Terry Baker explained an orderly well run meeting is better for the officers and those attending. More business will get done in a shorter time and everyone will be happier. Meetings limited to one or two hours have much better luck in getting people to return to the next meeting. Ms. Griffin added a public notice has been published and this update is to moderate discussion. Like most rules they are put in place for control as well as board member protocol. *Robert's Rules of Order ("RONR")* makes reference to asking that commission members wait to be recognized prior to speaking; intervene when necessary to prevent more than one speaker from talking at one time; ask staff for information or clarification, as necessary; and intervene when speakers ramble or get away from the issues. As far as recording the minutes, when multiple people are speaking at one time and interrupting, the minutes become dissected with incomplete sentences. Often, those thoughts are eliminated because of that reason and become non-contributing comments. Therefore, she drafted the following statement, *"The Plan Commission is appreciative of the time required for everyone to participate in discussion of agenda items and maximize opportunities for input from members, staff, and the public. Plan Commission member comments should be limited to five minutes for discussion points of agenda items, and shall refrain from unnecessary discussions and avoid repeating comments. If the discussion is determined by the Plan Commission President to have drifted off course, he or she will request the member or members to repose and return to the agenda item."* This is like any other rule. If they have an exception occurring the President will intervene. If it is not drifting too far along then it might be necessary. Just like anything else there have to be rules to control the situation.

Sandra Hash personally thinks it's sad to have a rule limiting the comments a Plan Commission member can make. They are all volunteers, giving of their own time, and they're not overly compensated for attending meetings. She agrees they do need to move swiftly and should stay the course but sometimes there's a need to ask questions that may not be on point. As a Plan Commission member, she hates to feel there is a rule that is going to be made that can stifle her voice. Mr. Baker remarked it is not to stifle her voice but to keep on a path so they don't ramble and get done what they're supposed to. When people go off on tangents they don't get anything accomplished and it takes forever. It is one of those things that has to be. If there is something on the agenda it is what they need to talk about and not something in the past or future. Ms. Hash asked if this has become such a problem in the meetings they feel there needs to be a

rule to control it. Mr. Baker replied yes, it has several times. The last meeting he had to bring them back on course because they were drifting off. Ms. Hash has no objection to him bringing them back on course but they don't follow *RONR*. The rules are very precise and she thinks they should be polite and should not interrupt speakers. **Pat Wesolowski** agrees somewhat with Ms. Hash. Such as at this meeting, everyone would have liked to have asked more questions on Cedar Bluff but they could be here all night and wouldn't accomplish what they need to. However, there are other times that maybe the agenda isn't so full and they may have questions. Ms. Hash reiterated she doesn't mind staying on point and does have a couple of questions on the PUD and will ask them at the next meeting. She can't imagine her or anyone else speaking for five minutes on anything. She hates to see a rule put in place that limits their time. There are issues that have to be discussed and none of them want to be here all night. As a record, the meetings are pretty well organized and to the point. Mr. Baker stated when there is not much on the agenda they can talk more. When they're doing two petitions they don't know how long it is going to take for each one. This is the reason for wanting the rules. Previously, they met for three hours or more and it could have been accomplished in one and a half hours. Ms. Hash said there have been times when things were passed and they didn't know exactly how it was going to be because that topic wasn't discussed. Then, you see the finished product and as a Plan Commission member you're surprised. The two that come to mind are the roads in Litten Estates because she did not know they were going to be narrower than the existing roads they're connected to. The second is the gas station in front of the PUD presented at this meeting. She was on the Plan Commission when the gas station was approved. The first time she came in from Bloomington and saw the lights were so bright she was shocked. Mr. Baker acknowledged this and said it was something they have learned from and now address. They are not always going to make the right decision but it will be based on what they see.

David Drake has been back on the Plan Commission for three or four meetings. He hasn't noticed any problems with getting through the agenda. He hates to limit Plan Commission members to a certain term of minutes. It may depend on how complex the issue is and some things may require more time than others. Personally, he thinks it is up to the President to make the determination that too much time has been spent and has gone too far left field. If people don't agree with the President then it's up to the rest of the Commission to vote to either continue or cut off that particular tangent. He really hates to set a hard and fast rule for a commission member who may have legitimate concerns and questions that need to be answered. He would rather deal with it on a case by case basis. Mr. Baker added as long as it is pertinent to what they're discussing he doesn't have a problem with this. It's when they go off on things they have no input on. They can't decide things without input. In the same token they can't be going off in several different tangents on the subject they're discussing. Mr. Drake understands this. If it happens then the President should say "we've gone too far and let's get back on track." If the rest of the Commission members disagree then they can take a vote and decide whether or not they're going to continue. His whole point is he doesn't want to set a hard and fast rule when there are so many different types of situations.

Don Calvert doesn't have any comment other than the President is in charge.

Pat Wesolowski concurs with Mr. Drake. An individual should have the right to ask questions as long as they stay on the subject. They're trying to find out information to make a decision. If a person is limited to three or five minutes to make a decision he doesn't think that is fair. He should have the right to ask the questions to get enough information so he can make an intelligent decision. Mr. Baker pointed out standard procedures say the time can be extended. Ms. Griffin agreed. Mr. Wesolowski used the PUD as an example. Before the PUD comes up on the agenda would they have to vote for more time? Or, do they vote on it during the PUD presentation? Mr. Drake replied it would be voted on when the person's time is up. They would probably save more time by voting to tell someone to be quiet when they've gone too long rather than voting to extend the time. Mr. Wesolowski asked how many times he has told someone they've exceeded their time. Mr. Baker replied they normally don't. It's a buffer to keep it from going forever. They can't answer the same question or have the same comments over and over again. Mr.

Drake said the problem with that is if there is a rule and it isn't enforced fairly amongst everyone every time then they're opening themselves up to problems. Mr. Hash thanked Mr. Drake for his eloquent comments.

Russ Ryle thanked Mr. Drake and Mr. Wesolowski for their comments. He proposed the second sentence of §2.10(e) be changed to read "*Plan Commission members' comments should refrain from unnecessary discussions and avoid repeating comments. If the discussion is determined by the Plan Commission President to have drifted off course, he or she will request the member of members to repose and return to the agenda item.*" Ms. Hash likes this.

Russ Ryle made a motion to approve paragraph §2.10(e) as modified eliminating the second sentence wording of ". . . *being limited to five minutes for discussion points of agenda items and shall . . .*" and approve it as shortened. Don Calvert seconded. Motion carried.

Old Business

Comprehensive Plan Town of Ellettsville, Indiana

Russ Ryle struggled with the Principals and Policies ("Framework") section he was requested to look at. The points of this section were in no order, priority or importance. He is curious about the whole focus of the Comprehensive Plan ("Plan"). He reviewed previous plans going back to 1963. In looking at them in hindsight, you have the advantage of knowing what history has done to the Town and what is missing in the Plan. They were written for the world the Town was in at that period of time and not with a framework or structure for the future. He is wondering if there should be a priority list of the 18 elements or could they have 12 elements. What are the most important elements that need covered in the Plan? Most of the statements are generic. From a planning standpoint are they really action points?

Pat Wesolowski clarified when it was revised it was for the present and not the future. Mr. Ryle replied yes. The Framework is boilerplate because it describes any town. He would say they have to have a tax base or we don't have Ellettsville, you have to have dry ground or we don't have Ellettsville, and so on. Ellettsville is struggling with its transportation needs because it was built in the era of horse and buggies. Then there is the issue of what happens if it is upgraded. What's their vision for where they're going to be in 20 years? What's the Town's priorities? What is the framework for dealing with flooding and the tax base?

Terry Baker thinks there are enough priorities. There are things that should be as a priority such as environmental and intergovernmental coordination which are not mentioned anywhere. With these things they're still looking into the future. They're trying to control the water with the things they're doing now. In the past, they hadn't looked at it that long. They're also addressing signage, infrastructure and Parks and Recreation which they had not done in the past. If you break them down into priorities and there are more of them you can fine tune a particular area. If there is one big area where they're all lumped together then you can't fine tune them. Mr. Ryle said a lot of items in his section are nice wishes. They need to concentrate on what is key for the survival of Ellettsville in 20 years and beyond and maintaining a viable political and economic entity. Mr. Baker suggested setting priorities. Not every priority will be addressed every time. Whenever something comes up that will affect any of those priorities they will have to decide what to do to make this a certain way.

Sandra Hash attended a meeting on an urbanized area plan in the two mile fringe around Bloomington. One of the things they showed were Karst areas. Those are things they've never looked at as a Plan Commission and have never asked developers to identify. For example, the PUD that came before them at this meeting. They have to take the word of developers about how they will handle stormwater. How will they know that? Mr. Ryle noted an inch of rain will send 3 million gallons of water off site. Mr. Baker said the water on that site is coming from behind them. Mr. Ryle remarked a gallon of water is 7.25 cubic feet. If they're talking per inch of rain and 3 million gallons, that's a lot of water. Ms. Hash suggested

one of the principals would be to identify Karst areas within the Town so they are known before a developer approaches them. Mr. Baker asked who will pay for the Karst study. Mr. Ryle replied that information exists in the Indiana Geological Department. They have a Karst analysis of southern Indiana and Monroe County. The Natural Cave Rescue Association has excellent underground mapping of all caves and Karsts.

Rick Coppock, Bynum Fanyo and Associates, Town Engineer, stated the Town does not have an ordinance about Karst topography but it goes by the Monroe County Drainage Ordinance. Whenever anybody submits a plan there are contours on it that identify Karst areas. There are areas that have been identified in the past and they were set aside. As for the PUD presented at this meeting, they will review their drainage calculations and areas to verify they meet the Monroe County Drainage Ordinance standards. There is also the National Wetlands Inventory. Karst areas can be identified on the USGS map in tenth scale. On the plans, when the contours are going down that identifies a Karst area. There are a few developments around Town that have Karst areas. Everybody uses the same calculations as far as methods because they're use to submitting them to the City of Bloomington or Monroe County for approvals. Ms. Hash doesn't want to be in a situation if they can avoid it after the developments go in. They have to depend the professionalism of Mr. Coppock and the developers. The Town doesn't have a map illustrating caves or sinkholes. She reiterated this is one of the things the Plan Commission needs to look at. Mr. Coppock noted developers want to use as much land as they can because they pay a lot of money for it. Sometimes when they do the design they lose something because of things that create a bigger problem in developing an area. For example, the PUD presented at this meeting may have some problems with the ditch and the springs. There are a lot of springs in the back yards of the houses. There are some things that will come up they will have to make decisions on how to deal with them.

Pat Wesolowski asked Mr. Coppock if a development is ready to go in do they look at the plans to see if what they're doing is in the five year Comprehensive Plan. How do they know a developer can do what they say? Mr. Coppock answered that Bynum Fanyo and Associates is the Town Engineer. The developer will submit a drainage report that outlines areas as the basin. They have a person who goes through the calculations, checks pipe size and verifies it meets the code. They also look at street and sidewalk widths and other things to make certain they meet the code. Then they give a written report of their findings and recommendations before the Plan Commission meets. Ms. Hash mentioned there can be problems with best laid plans. Everyone knows Ellettsville has a problem with water and that should be a priority in plans. Mr. Coppock stated they do listen to what people say about their water issues. Mr. Ryle stated 70 to 80 years ago, there was probably one-third the square footage of pavement and rooftops in the floodplain feeding Jack's Defeat Creek. There has been a three-fold increase in non-permeable surfaces which has resulted in a larger volume of water not sinking in and going straight down the creek. They still have one to two square miles of land that is still fields and forests that at some point when it is developed will triple the amount of non-permeable surfaces forcing rain into downtown Ellettsville. Thirty years from now when they look at the Comprehensive Plan is it practical to say downtown is going to be viable from a drainage standpoint? They've doubled the water going through downtown Ellettsville in the last 40 years and everybody is up to code. Ms. Hash said this is the difference with the urbanized planning meeting she went to. They're looking at the land around Bloomington to find out what would be best suited for it. The Town doesn't seem to have that kind of vision. The Town reacts whenever the plans come to them and accept them as the developer wants to develop them. They don't look at how much water it will add when the ground is removed that is absorbing the water. Mr. Ryle stated the Town's Comprehensive Plan is a reactive document.

Terry Baker suggested this topic be moved to next month's meeting under Old Business. Mr. Ryle would like to see Mr. Baker's list of priorities.

Privilege of the Floor

Ms. Brummet from the audience asked what a PUD meant. Mr. Ryle replied Planned Unit Development. Mr. Baker explained it gives the Plan Commission more control over everything going in. Mr. Coppock explained it is a mixed use development that has residential, single family or multi-family or commercial. Ms. Brummet has property across the road from Cedar Bluff Gardens and in 44 years it has covered the bridge one time. Is Cedar Bluff going to get rid of the pond? Mr. Coppock replied they will get rid of the pond as it is now. Most of the time their pond will not have water standing in it. They will have another area that gathers all of the water to slow it down before it drains out. Mr. Baker added it will be a true retention pond.

Rick Coppock provided a plat for the Pines subdivision to be discussed at the next meeting. It has new ownership and they want to use a zero lot line concept, split the buildings and make them into individual lots so each side would be able to be sold. It is similar to what has been done in Forestview Subdivision. The lot line goes through the center of the building. Instead of the original five lots there will be ten lots such as 1a, 1b, 2a, 2b and so forth. They can be purchased individually and become singly family homeowners. They had to survey the lots and inside the buildings to get the common wall location. Ms. Hash asked if there was a fire wall in the buildings. Mr. Coppock isn't positive but thinks it's what the multi-family dwelling code calls for. Mr. Ryle wants to see a statement verifying the existing structures are built according to the fire code. Mr. Coppock said they're the same use and occupancy as they are now. Mr. Drake doesn't think they can make them go back and do that after it has been built. How does it affect it whether they rent or own half of the building? They want to promote single family ownership over renting where possible. By making that requirement he doesn't know what they would gain if they decided not to do it. It would be extremely expensive to build a new fire wall between each building. Mr. Coppock will check on this but it may be a question for Assistant Chief Jim Davis because he probably did the original inspections. Mr. Wesolowski remarked if he owned the place he would take better care of it than if he rented. Mr. Baker thinks the duplexes have firewalls in them. Mr. Ryle is concerned about attic exposure. Ms. Hash thinks it would be the buyer's responsibility to have the house inspected. Mr. Drake would be concerned about this if they were being built brand new. People will still be in the buildings whether this change is approved or not. Mr. Coppock stated the occupancy classification determined the building code and it is still the same now as it was before. He will check with the architect as to what the code required. Ms. Brown advised if it is at code when it was built then that is all that is required. Mr. Ryle asked when the development was built. Ms. Hash answered between 1992 and 1999.

Adjournment

Terry Baker entertained a motion to adjourn. Pat Wesolowski made a motion to adjourn. Russ Ryle seconded. Motion carried. Terry Baker adjourned the meeting at 7:47 p.m.

Terry Baker, President

Russ Ryle, Vice President

Sandra Hash, Secretary

Don Calvert

Pat Wesolowski

David Drake

Dan Swafford