

September 6, 2012

The Ellettsville, Indiana Plan Commission met in regular session on Thursday, September 6, 2012, 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. Terry Baker led the Pledge of Allegiance.

Roll Call: Members present were: Terry Baker, Vice President; Phillip Rogers, Russ Ryle and Sandra Hash. Dan Swafford, Don Calvert and Phillip Rogers were absent. Connie Griffin, Director of Planning, and Rick Coppock, Bynum Fanyo and Associates, Town Engineer, were also present.

Approval of the Minutes – July 12, 2012 and August 2, 2012

Terry Baker entertained a motion for approval of the July 12, 2012 minutes. Phillip Rogers so moved. Russ Ryle seconded. Motion carried.

Terry Baker entertained a motion for approval of the August 2, 2012 minutes. Russ Ryle so moved. Phillip Rogers seconded. Motion carried.

Old Business

First Assembly of God Development Project Site, State Road 46; Discussion – Vegetative Cover for Bank Stabilization: updates

Connie Griffin, Director of Planning, explained the Petitioner had requested consideration to put down rip rap for the bank stabilization. Photographs of the site were presented. The site is starting to establish vegetation except in the slope area. The Petitioner is now considering grass to stabilize the slope area.

Justin White, Representative of the Assembly of God, explained the church board has decided not to terrace the hill. The original plan called for more of the east tree line to be removed and to push the grade farther back but most did not want to see it. He found another alternative called “No Mow Grass”. It is used in North America and is drought resistant. It grows two to six inches on average. This would handle the issue of mowing on a steep grade until they’re ready to finish the site. He has not discussed this with the entire church board but he doesn’t anticipate any problems.

Russ Ryle asked what the church board’s next step is. What should they do? Right now the site is incomplete and they state they’re not going to build a garage. If they go ahead and put the grass in that would be fine with the original plans. When they do decide to finish and start construction they will need to return to the Plan Commission for a modification to their plans. He questions what they really need to do at this point. Putting grass on the slope is what they’ve already been approved to do.

Terry Baker advised the only involvement the Plan Commission had was when they wanted to change and not put grass but rip rap or a retaining wall in. Since they’re going back to the grass they don’t need to do anything farther. Mr. White confirmed if they have any changes then they’ll submit them to the Plan Commission. Mr. Ryle reiterated if they decide to move more dirt or have other pre-construction changes to the original plan they will have to come back for an amendment or changes to the plans.

As-Built Certification Code; Greenwood Indiana Municipal code; Discussion

Connie Griffin, Director of Planning, explained they’ve been in the process of revising some of their codes, specifically §15, Land Usage. This would come under the subdivision control ordinance. This is in regard to As-Built Certification. A sample of an as-built certification is found in the Greenwood, Indiana Municipal code provided by Rick Coppock. This has not been posted as a public hearing. After it is published they will be looking at code revisions next month. A draft of the Commercial As-Built Certification form was provided. A

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checklist is involved in this project. Reviews of other communities were also provided and they include developed procedure, submittals, and recommendations for guidelines to follow.

Advertised Code Change, Chapter 152 Ellettsville Municipal Code, Home Occupations

Connie Griffin, Director of Planning, explained this is posted as a code change. This is a minor change. Under §152 there is a typographical error from when it was constructed in 2003 or 2005. It basically states there are certain home occupations that would have to petition to the Board of Zoning Appeals if they weren't listed. It stated "*All other uses listed must petition to the BZA for special exception.*" The only change is the word, "not". She is requesting a motion so it can take it to an ordinance reading for Town Council.

Terry Baker entertained a motion to move this forward to Town Council. Phillip Rogers made a motion to move this forward to Town Council for their decision. Russ Ryle seconded. Roll Call Vote: Terry Baker – yes; Phillip Rogers – yes; Russ Ryle - yes; Phillip Smith - yes and Sandra Hash – yes. Motion carried 4-0.

Planning Department Updates by Connie Griffin, Director of Planning

As discussed at the last meeting, monthly summaries will be given to Plan Commission members. They were provided at this meeting. It itemizes employees work hours, code enforcement issues and collection of fines.

The cases they're currently working on have been 84 complaints. Thirty-three complaints were called in by citizens, 63 have been resolved and 15 they're currently working on. Three are land use violations, sign violations, tall grass violations and yard sale sign violations. As far as building permits, they're seeing a strong trend in remodeling.

Privilege of the Floor

Connie Griffin, Director of Planning, introduced a project that will come before the next Plan Commission meeting, Richland Senior Center. They are at this meeting for a brief introduction to let them know what the project is about. There's a need for it in the community.

Dennis Fisher, Vice President of the Richland Senior Housing Project, explained they own about an acre of ground next to their units west of Ellettsville. They've been there 41 years and the first unit was paid off this year. They're working on some more. They have a need for senior housing which is for individuals 62 years of age and older. They bought a piece of property and removed the house because it was falling down. They have been working with Connie Griffin and Rick Coppock. The engineer and architect are also present. They're going to leave a set of plans for their review. They have been approved for a loan and would like to start before cold weather. The units will be the same as Phase 4 on Allen Street. The only changes are these units will each have a laundry room in each apartment. There is 100% rental assistance and is based on incomes. They are seeking approval by the next meeting.

Phillip Rogers asked if all the plans were up-to-date. If that's what they're going to build it could be approved at this meeting. Mr. Baker replied until they get a chance to look at the plans he doesn't think they can be approved. Mr. Fisher explained they were to be on the agenda for this month but they had to provide a complete set of plans. It's hard to come up with a complete set of plans because of water runoff and they had to be changed because of parking. They are issues that need to be worked out. They don't want anything approved until the Plan Commission looks it over and are satisfied. Mr. Rogers asked Rick Coppock if he had figured out the runoff.

Rick Coppock, Bynum Fanyo & Associates, Town Engineer, replied to Mr. Rogers question by explaining Bledsoe Riggert and Guerrettaz sent the calculations to him on September 5, 2012. He briefly looked at them. They had a meeting approximately one week before wherein they discussed how they wanted things to be done. They still need some additional time to go through the calculations. So far everything he's looked at seems pretty good.

Russ Ryle had an observation pertaining to their development. North Allen Street is the main egress for the development. West Grant Street dead ends. The way the lots are laid out is there the potential of having West Grant Street extend to North Matthews, for safety reasons, to give them a second way in? Is there any way to make it possible to let West Allen go to Matthews without running into a building? Mr. Fisher replied Grant Street stops where it's at and Allen goes up to the corner and stops. They border it but don't own the property. Fire Chief Jim Davis has requested they leave the route open so his trucks can get in and he gave them permission to get a gate. They don't really want thru traffic because they're dealing with senior citizens and don't want people flying through there. Mr. Ryle understands the issue of thru traffic. But when they get into the transportation master plan they're trying to have connectivity and access. If there would be a fire at one area and a medical emergency in one of their units they've got access problems. They can't build a building that would prevent some sort of back door access. They want some access for emergency equipment.

Bernie Guerrettaz, Bledsoe Riggert and Guerrettaz, outlined on a map the areas to be built and how fire engines could get out on Matthews through an existing drive. They're not planning on improving the driveway. That's where the emergency vehicles will be able to go through. Steve Miller, the architect, spoke to Ms. Griffin in May or June and he wasn't sure what the process was they're filing for. It's a zoned property, they weren't increasing the density and the use of the property is reasonable for what's expected. They didn't realize a change to the ordinance was passed that required development plans to go through two hearings. The plan hasn't changed tremendously. They're doing stormwater detention, stormwater quality and the driveway in Brown's right-of-way will be built to the Town's standards. Mr. Coppock just received the plans and hasn't had time to review them. They would like to consider October being their second meeting or the meeting they need for approval. They want to leave Brown's Drive where it is and they're going to keep the right-of-way where it is and they're going to build the street as required in the Town Code. The project is 1.24 acres and is an accepted use of the property. They have a responsible plan.

Terry Baker asked Ms. Griffin if it was published in the paper that they would be discussing the project during this meeting. Ms. Griffin replied no. Mr. Baker explained this can't be a first reading because it was not an agenda item and not published. This can't be considered a first meeting. Ms. Griffin added there's not been a technical review of the Plan Commissioners and there's not been a second review of the amendments in the new plan. This is the first set of plans. They're really looking at October as the first reading and then it will go to Town Council the first meeting in November.

Carson Hayes explained everything has been a down home Ellettsville process. All the board members are from Ellettsville and they have an approval from Owen County State Bank. The project is to be done in six months. Fifteen Section 8 vouchers, for people at or below 50% median income, have been set aside for Ellettsville. They will pay 100% of their utilities. There are approximately 60 people on their waiting list. One unit is barrier free and 100% of the units will be adaptable. All subcontractors will be 100% local. Is there anyway to set aside protocol to speed up the process? Mr. Baker replied they just started the new policy in July. It wouldn't be a good example to immediately start setting aside the policy. They haven't seen the plans and they don't know anything about the project. They need to look at the plans just like any project because that's the way it's set up. Mr. Hayes asked if there could be a special meeting. Mr. Baker replied they can schedule special meetings.

Russ Ryle said given this project is on the cusp of the transition he concurs they need to follow the new procedure but they could have staff work with these people and have a special meeting which could be advertised and could function for the first meeting. If that goes successfully, then the October regularly scheduled meeting would be the second reading on these plans. Ms. Hash asked if the requirement for the two meetings required them to do a publication or it is it just a listing on the agenda. Ms. Griffin responded it's just a listing on the agenda. They probably should discuss the project and have a technical review. At that time, they could schedule a public meeting after they've had a chance to review the plans. Mr. Baker added if there are any problems

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with the plans then they could get back to the petitioner before scheduling a public meeting. It can be fast tracked a little bit.

Sandra Hash asked since they have the plans can they have an initial look at them. Ms. Griffin replied this was an introduction. It's up to them what they choose to do as a board. She's not seen the revisions. There were several things discussed at a previous meeting. Technically, they need to allow her, as Planning Director, to review the plans with Rick Coppock according to protocol. The supervisors also need to look at the amended plans.

Carson Hayes thanked the Plan Commission for anything they've done or will do. They were on the agenda but didn't have a complete set of plans. They can't build anything without Plan Commission approval.

Commissioners Comments

Phillip Rogers commented Vine Street was closed and made a dead end. People are using the Village Inn driveway as a public access to get up to Temperance or to come from Temperance down to Vine. That's private property. Is the Town liable if someone gets hurt there? There needs to be signs that say "No Exit" because there are other ways they can then go through the parking lot. Mr. Coppock said there is a public right-of-way right in front of the Village Inn. Years ago they came to the Town to have it vacated and it never happened. But there's a private street right-of-way that runs right across the front entrance to the Village Inn. It still looks and is considered a private parking lot but there is a public right-of-way. It's never been used as a public street but there is a public right-of-way there. Probably someone needs to look into vacating it.

Russ Ryle said Vine Street was the terminus through Ellettsville of the Bloomington – Spencer pike. Temperance Street didn't punch through where it currently is as State Road 46 until the 1930s. It may be plotted in the 1842 County Survey and in the deeds. The

Town could vacate a street. Does that mean a barrier would need to be put up? Mr. Rogers stated he believes it will be a problem. Mr. Ryle asked how many accidents have been there in the last 10 or 11 years. Mr. Rogers said before the highway was put in there was a wreck there every day. Mr. Baker said this is really a Town Council issue. Ms. Hash commented it would be up to the Village Inn to make the request to vacate the road.

Sandra Hash asked Ms. Griffin how much time it would take for her and Rick Coppock to review the Richland Senior Center plans or set a meeting date. Ms. Griffin replied they would have to look at the scheduling because she didn't have her calendar with her. Ms. Hash asked Ms. Griffin if they can at least let them know they're going to try to accommodate their request to have a special meeting to do their preliminaries making the October meeting will be the finalization of the plans. Ms. Griffin responded that was correct.

Terry Baker announced their next meeting will be October 4, 2012, unless there is a special meeting.

Adjournment

Phillip Rogers made a motion to adjourn. Russ Ryle seconded. Terry Baker adjourned the meeting at 6:45 p.m.

Dan Swafford, President

Terry Baker, Vice President

Don Calvert

Sandra Hash, Secretary

Phillip Rogers

Phillip Smith

Russ Ryle