

**MINUTES OF THE REGULAR MEETING
OF THE CITY OF AUBURN PLAN COMMISSION
HELD ON OCTOBER 14, 2008**

The Plan Commission met for a regular meeting on October 14, 2008 at the hour of 6:00 p.m. The meeting was held at Auburn City Hall in the Council Chambers located at 210 E. Ninth Street, Auburn, Indiana.

All records and recordings from the October 14, 2008 meeting are on file in the Department of Building, Planning and Development office for review by the public. Not all conversation is included in the minutes.

Call to Order / Roll Call

The meeting was called to order at 6:00 p.m. by President Rick Ring.

Rick Ring, President for the Plan Commission asked Administrative Assistant, Michelle Lassiter to do roll call.

Present: Greg Kenner; Mike Likens; Richard McKean; Jerry Muzzillo; Don Myers; Richard Ring; Ellen Stahly; Barry Tilghman; and Mike Watson and DeKalb Co. Representative, Dan Crow.

Members and Staff absent: Steve Bruns; Al Wleklinski and Zoning Administrator, Vivian Likes.

Staff Present: Administrator, Bill Spohn; Administrative Assistant Michelle Lassiter and City Attorney, Erik Weber.

Minutes

Mike Watson moved to approve the regular minutes from the September 9, 2008 minutes. Greg Kenner seconded the motion. The motion was carried unanimously by a vote of the commission.

Old Business

1. None.

New Business

1. PC-Parking Lot - 2008-00000003 - Eckhart Public Library – 220 W. 12th St. (corner of 12th & Van Buren) - Phase 1 – Create a new parking area for library patrons.

President Rick Ring opened the public meeting and asked Administrator William Spohn to present the staff report for this application.

Administrator William Spohn informed the Commission that the property is located in an R-3/multi-family residential district; and that legal notice was not applicable in accordance with state statutes for this application.

Summary:

Eckhart Public Library proposes to construct their parking lot/area(s) in two (2) phases for library and patron use and they are request approval to construct Phase 1.

Phase 1 will involve removing an existing residential unit located at 220 W. 12th St. The parking lot/area will contain approximately 11 parking spaces and 1 space for motorcycles, mopeds and bikes. The current driveway from 12th St. will be utilized as the entrance and a new approach will be constructed to exit onto Van Buren Street.

On September 23, 2008 – BZA approved the following:

Phases 1 and 2:

- 1) Contingent Use Permits.

Phase 1 only:

- 2) Variances from the off-street parking requirements for the temporary surface:
 - (1) To allow stone/gravel surface for 1 year; then hard-surface the parking lot/area at a later date;
- 3) Variances from the 5 ft. buffering requirements to reduce two (2) buffering setbacks:
 - (1) 1 ft. buffer along 12th Street on the south side of the lot (4 ft. Variance).
 - (2) 2.125 ft. buffer adjoining the property located at 218 W. 12th St. (2.875 ft. Variance).

The BZA placed the following conditions on the application/petition for the Contingent Use Permit and Variances:

- 1) Shall hard-surface Phase 1 of the parking lot/area one (1) year from the plan commission approval date.
- 2) Complete Phase 1 parking lot/area one (1) year from the Board of Zoning Appeals date of approval. Date: September 23, 2009.
- 3) Install parking bumpers (curb stops/stones) on the north and south sides of the parking lot.
- 4) Acquire Plan Commission approval for Phase 1 parking lot/area.

Notes:

Phase 2 is not part of this proposal. It is for future growth and development. The BZA approved the Contingent Use Permit to utilize the existing dwelling unit located at 218 W. 12th St. for library office/space facility; and, at a future date to remove the structure for additional parking lot/area.

There was general discussion regarding the basketball pole encroachment and screening issues. The Library informed the board they could provide proof that this agreement for the basketball pole encroachment was between the previous property owner and Ohning's, and not with the Library. The board of zoning appeals asked staff that the screening and encroachment issues be resolved at the plan commission meeting.

A. Plan Review/Routing comments:

Planning Department:

1. If Plan Commission approves the parking lot plan, the applicant is required to obtain a site improvement permit from the planning department; and if applicable, other permits from the Building Dept for site work, etc.
2. Add handicap accessible parking space per meeting with project engineer on 10-9-2008.
3. If Plan Commission approves the parking lot plan, the applicant is required to contact the IUPPS – 1.800.382.5544 for utility locates and contact affected city departments prior to digging or constructing on site.

Police Dept.:

1. Any “handicapped parking” area/space is to be marked by posted sign and lot surface decal, for enforcement. (if applicable).

Engineering Dept.:

1. Provide final drainage construction details for review and approval by the City Engineering Department prior to any construction.
2. The drainage system is to be constructed when the temporary surface (gravel/stone) is installed.
3. Meet handicap accessibility requirements (if required) for the sidewalk construction at the corner of S. Van Buren and 12th Streets (northeastern side of street), as directed by Street and City Engineering Departments.

B. Plan Commission Application Review committee: Recommends approval.

C. Planning Staff Recommendation:

Approve the parking lot plan for Phase 1 from the Off-Street Requirements of the City of Auburn Zoning Code of Ordinances as well as the gravel/stone surfacing proposal with the following condition(s):

Conditions: Revised 10-9-2008

Boards of Zoning Appeals Conditions were as follows:

1. Shall hard-surface Phase 1 of the parking lot/area one (1) year from the plan commission approval date.
2. Complete Phase 1 parking lot/area one (1) year from the Board of Zoning Appeals date of approval. Date: September 23, 2009.
3. Install parking bumpers (curb stops/stones) on the north and south sides of the parking lot.

Plan Commission Conditions as follows:

1. Shall hard-surface Phase 1 of the parking lot/area by date specified:
Date: _____
2. The proposed fence to be used for screening along the north property line must be added to the parking plan and shall be a minimum of 4 ft. in height as required by the City of Auburn Zoning Code of Ordinances.
3. The lighting plan will be submitted to be reviewed and approved by the planning staff in accordance to the City of Auburn Zoning Code of Ordinances.
4. Provide final drainage construction details for review and approval by the City Engineering Department prior to any construction.
5. The drainage system is to be constructed when the temporary surface (gravel/stone) is installed.
6. Complete the project for Phase 1 with the date specified:
Date: _____
7. Acquire Plan Commission approval for the future parking lot/area for Phase 2. (when applicable)
8. Provide construction drawings for Phase 2 parking lot/area prior to any construction. (when applicable)

Mr. Ring asked if there were any comments or questions for Administrator William Spohn.

There were questions in regards to the fence as to what type and when it would have to be installed.

Mr. Spohn stated that the fence would have to be a solid fence and that it would have to be installed at the same time that the parking lot was under construction.

Mr. Spohn was questioned in regards to the handicap accessibility parking space. Mr. Spohn stated that the parking lot would need to have at least one handicap accessible parking space and that ADA standards are not set by proximity to the building.

The neighbor's basketball goal was discussed due to the pole being located on the Library's property. It was stated that the basketball goal would need to be removed due to the Library requesting the owner to remove it due to safety issues.

Mr. Ring asked if there were any further questions for Mr. Spohn. There being none, Mr. Spohn gave up the floor.

Mr. Ring then asked if anyone who wished to speak on behalf of the application.

The Library Director, Janelle Graber took the floor to speak on behalf of the application and reiterate Mr. Spohn's staff report.

Ellen Stahly asked if the one year time period would be sufficient time to complete the project.

Mrs. Graber responded in the affirmative. Mrs. Graber stated that Phase II will be forthcoming.

Mr. Ring then asked if anyone wished to speak for or against the application. There being none, Mr. Ring then closed the public meeting portion of the application.

Mr. Ring then asked if there was any discussion from the Commission on the application.

The Commission briefly discussed the merits of the need for the parking lot. It was suggested that the gravel be confined to the area that will eventually be hard surfaced, not the entire space through some type of edging.

Mr. Ring then asked if there was any further discussion on the application. There being none, Mr. Ring asked attorney, Erik Weber to read the Findings of Fact.

FINDINGS OF FACT:

1. Legal notice for this petition has been published and provided to adjoining landowners in accordance with the Indiana Code and local regulations.

No, this is not a public hearing, therefore; a legal notice is not applicable for the proposed parking lot plan.

2. The proposal made by the petitioner is consistent with the Comprehensive Plan of the City of Auburn; the 1987 Master Land Use Plan, and the 2005 Future Land Use Plan and the updated 1987/2008 Zoning Code of Ordinances.

Yes, the property is consistent with the plans and ordinances noted above. Also, this property was granted a Contingent Use Permit and Variances from the Off-street requirements on September 23, 2008 by the City of Auburn's Board of Zoning Appeals.

3. The petitioner has satisfied all standards and conditions prescribed for approval under the City of Auburn zoning and subdivision ordinances.

Yes, the proposed project has been reviewed by the City of Auburn Departments and the applicant will address comments in accordance with the City of Auburn Zoning Ordinance for the proposed parking lot plan.

4. The plan commission declares that this petition if approved will be subject to either:
 - B. All ordinances of the City of Auburn with the following exceptions:
 1. See Board of Zoning Appeals Variances of September 23, 2008.
5. The proposal is consistent with other uses in the area, provides for coordination with existing and proposed developments and will not be injurious to the public's health, safety and morals.

Yes, this parking lot would allow for patron parking as there is technically no off-street parking for the library employees and patrons. This proposed parking lot project should improve customer safety for this area and use.

6. The proposed development is not in a floodplain, and provides for adequate drainage.

Yes, the site is not in a floodplain.

7. The proposed development has access to all city utilities and thoroughfares.

Yes, the proposed parking lot plan's design will provide for access to all city utilities and thoroughfares.

8. The petitioner has made adjustments to the development to satisfy all the routing comments and concerns.

Yes, the petitioner has or will satisfy routing comments during the time of construction.

9. Due to the rapid development of the City of Auburn, the plan commission is required to monitor the extent and pace of development. The plan commission imposes the following time limitation upon the development plan approval:

**To complete the project by September 23, 2009.
(Renewable up to three years in compliance with Senate Enrolled Act No. 35)**

Mike Watson moved to approve application PC-Parking Lot - 2008-00000003 - Eckhart Public Library – 220 W. 12th St. (corner of 12th & Van Buren) - Phase 1 – Create a new parking area for library patrons, with the following condition(s) attached and/or notes attached:

Conditions:

Board of Zoning Appeals Conditions as follows:

1. Shall hard-surface Phase 1 of the parking lot/area one (1) year from the BZA September 23, 2008 approval date.
2. Complete Phase 1 parking lot/area one (1) year from the Plan Commission date of approval. Date: September 23, 2009.
3. Install parking bumpers (curb stops/stones) on the north and south sides of the parking lot.

Plan Commission Conditions as follows:

1. Shall hard-surface Phase 1 of the parking lot/area by date specified: Date: September 23, 2009
2. The proposed fence to be used for screening along the north property line must be added to the parking plan and shall be a minimum of 4 ft. in height as required by the City of Auburn Zoning Code of Ordinances.
3. The lighting plan will need be submitted for review and approval by the planning staff in accordance to the City of Auburn Zoning Code of Ordinances.
4. Provide final drainage construction details for review and approval by the City Engineering Department prior to any construction.
5. The drainage system is to be constructed when the temporary surface (gravel/stone) is installed.
6. Complete the project for Phase 1 with the date specified - Date: September 23, 2009.
7. Acquire Plan Commission approval for the future parking lot/area for Phase 2. (when applicable)
8. Provide construction drawings for Phase 2 parking lot/area prior to any construction. (when applicable)

ACTION OF THE COMMISSION. MOTION TO: Approve.

1. BZA Conditions 1 to 3.
2. Plan Commission Conditions 1 through 8.

Mike Likens seconded the motion and it was carried unanimously by a vote of the commission.

Other Business

1. Address Report – None.

Reports, Communications, Correspondence

1. President, Rick Ring – None.
2. Subcommittee Report – October Meeting Cancelled.
3. County Liaison to the City – Dan Crow – None.
4. City Liaison to the County – Don Myers – County Plan Commission Meeting October 15, 2008.
5. Attorney, Erik Weber – City Council Subcommittee Meeting October 21, 2008 – Topic Restriction of Number of Pets individuals may own.
6. Department Administrator, Bill Spohn:
Mr. Spohn informed the Commission that Kruse Auction Park and American Heritage Village is in the city's ETJ area and the city will need to look at zoning for the area, C-2 nor C-1 zoning fits the proposed use of the area. Mr. Spohn suggested that the best way to address zoning for the area would be to zone the area as a C-2 Planned Unit Development.
There was a discussion on the area and the proposed uses for the area.
7. Zoning Administrator, Vivian Likes – Absent.

Upcoming Scheduled Meeting Dates

1. Plan Commission: Nov. 11, 2008 at 6:00 p.m.
2. Plan Commission Review Committee: Oct. 16, 2008 at 8:00 a.m.
3. Board of Zoning Appeals: Oct. 28, 2008 at 6:00 p.m.
4. Board of Public Works and Safety: Oct. 23, & Nov. 13, 2008 at 9:00 a.m.
5. City Council: Oct. 21, and Nov. 4, 2008 at 6:00 p.m.

Mr. Ring then asked that if the November meeting is to be cancelled the members be notified by October 24, 2008.

Adjournment

There being no further business to come before the commission, a motion to adjourn the October 14, 2008 Plan Commission meeting was made by Greg Kenner and seconded by Mike Watson. The motion carried unanimously. The meeting adjourned at 7:16 PM.

Secretary: Al Wleklinski

Minutes prepared by Michelle Lassiter, Administrative Assistant for the Department of Building, Planning and Development.