

MINUTES
LAND AND TRAFFIC COMMITTEE

DECEMBER 9, 2014

LAND AND TRAFFIC COMMITTEE MEETING: 5:00 P.M., 1ST FLOOR CITY HALL AUDITORIUM.

PLEDGE ALLEGIANCE: Led by Councilperson Brad Polk.

Members Present: Mary Jo Barton and Brad Polk

Absent: Nora Powell

ORD. 43-14 AN ORDINANCE TO AMEND THE CITY OF MUNCIE COMPREHENSIVE ZONING ORDINANCE FROM THE R-3 RESIDENCE ZONE TO THE BV VARIETY BUSINESS ZONE ON PREMISES LOCATED AT 1724 E. 29TH STREET, MUNCIE, INDIANA. (APPLICANT-MUNCIE IMPORTS AND CLASSICS, LLC.)

From FC Tucker Ed Conatser states this is the northeast corner of Macedonia and 29th Street. For years the property had been an auto parts store and a house. The site is composed roughly of four acres. Currently two acres that boarder Macedonia and 29th Street are already zoned variety business. The balance is zoned r-3. That was the motivation to bring it to the Plan Commission and to City Council to bring it into compliance of the balance of the parcel. The front part that is already zoned variety business they are already under contract. It's a national account. It's a business that the south side would be appreciative of. It would also have \$30,000 to \$60,000 in real estate income from the taxes.

One the property is developed the owners of the finished product would be similar of the shops on the south east corner of the intersection. It would be retail or professional office. One thing it won't be is a bar, tavern, car lot or junkyard. The owners have taken great pride in the cleanup process thus far. They are members of the community and they want to see that intersection grow and prosper. They would like to move forward with the development. It has already been surveyed and getting it platted. The detention areas are already defined. They have done a lot of the preplanning going into the project to see it through for when they get the zoning and the balance of the property sold.

Barton states there was a favorable recommendation from the Planning Commission and she wanted to explain she didn't mean to be abrupt at the last meeting. There are several questions that were not answered. She feels as though they owe it to their constituents to try and get those questions answered. She states they look forward to adding jobs. They want progress to move forward and they want something there. Conatser apologizes because he didn't contact Marshall or Barton and they are the ones who represent the south side. He wasn't thinking at the time and there was no opposition with the Planning Commission and he should have made contact with some

of the council members to explain what they want to do. Barton states the misrepresentation was where it states Muncie Imports and Classics and some people thought it was going to be a car lot. She states BV Variety can turn into anything and that was her worry. That is why she asked if he could give them any type of answers. Polk states on the application it states that you have contacted at least by mail any property owners within three hundred feet and asked if there was no opposition with that.

Conatser states all the property to the north is zoned by the church. He has stopped in and spoken with the people with the church and the minister. He was told it would be addressed with the board and get back with him if there were any questions they would contact him and he hasn't heard anything. Conatser states they did follow the Metropolitan Planning Commission by providing a list and they did the mailing to the property owners within three hundred feet.

Doug Marshall 2708 S. Tacoma Avenue states he had a lot of questions. He states when the company that applied for the application was Muncie Imports and it threw up a red flat to the people in their district. He states people call him and ask questions. Marshall states he is on the unsafe building board and they have been dealing with this property since he first went on that board. He knows there were government dollars used on doing a Phase I and Phase II study on that land. That was one of his concerns. They invested that money into the land to make sure it was not contaminated and when the Muncie Imports acquired the property that is the first red flag that went up in that area because they thought it was going to be an auto repair or where they restore cars. They wanted to make sure to protect that land and make sure it was good to be used, they wanted to protect that.

That is the citizens tax dollars used for that and if they ask for answers than they are owed answers for what that property is being used for. He is putting his faith into the owners to make sure they do something good with it. If the deal was to fall through and they had to sell the land to someone else they had some say in it. If they give the green light to change the zoning they have given them the option to do what they want to the land. He is checking to see if they change the zoning if they can put stipulations on what type of business it can be if they are allowed to do this to this land.

Ed Conatser states his clients would entertain some covenant that would put a lot of restrictions on this property but the things mentioned such as tavern, bar, junkyard or auto repair. There wouldn't be any hesitation with the client agreeing with that kind of restriction. Barton states that is a wonderful thing to know because it has happened before and there is a church right there and he has talked with them and they weren't aware of that before the meeting. That gives pretty much a greenlight but as far as the government dollars.

Marshall states there was \$30,000 in additional tax revenue that was put into that ground and asks if this will pretty much cover that amount as far as putting the building there or extra buildings or retail space. Contaser states the plan would be to duplicate

something like the shops on the south east corner. Like additional commercial, professional, retail shops that would be basic store front shops that could be multi user tenants. That would be their impression of the finished product to wrap around the national tenant there now. Barton states by national tenant he can't mention who it is. Conatser states he had a meeting and they need a little additional time. He states as soon as it can be divulged he will let the council know.

Barton apologizes and states they do want business there. They don't want to see a vacant property there but it would nice to know what it is.

A motion was made by Polk and seconded by Barton Adjourn. Meeting Adjourned.

Chairperson: Mary Jo Barton

Member: Brad Polk