

WARSAW PLAN COMMISSION

October 14, 2014

Present: Tom Allen, Rick Keeven, Jeff Grose, Jim Gast, Michael Klondaris, David Baumgartner, Jeff Beeler (Public Works), Mike Valentine (City Attorney), (Jeremy Skinner City Planner), Kim Arnold (Recording Secretary)

Absent: None

Call to Order

Allen called the meeting to order.

The September 08, 2014 meeting minutes were reviewed and presented for approval. Keeven made a motion to approve the September 08, 2014 meeting minutes as presented; Gast seconded the motion. The motion carried unanimously.

Oral and Written Reports

None

Unfinished Business

None

New Business

2014-10-01-Preliminary Plat – Mitchell Reserve-Biggs Inc.-

The preliminary plat for Mitchell Reserve has been submitted and reviewed for its conformity to the subdivision code. The preliminary plat meets the requirements of the subdivision ordinance. The lots are of adequate size, the layout for the roads are adequate in size and proposed connectivity. We are requesting an additional 15-feet for right-of-way along 225E, a right turn lane along 225E, and a 25-foot conservation easement abutting Shadow Lakes. Adequate space is provided for storm-water control design (Block A-E). Adequate utility design is provided for various public & private utility needs.

This is just the preliminary plat, but will allow the developer to move forward with design drawings to receive final plat approval once the design is completed and approved.

City Engineer James Emans has reviewed the plat and is comfortable with the layout. City Planner Skinner recommended the approval of the preliminary plat, Mitchell Reserve, by the Plan Commission.

Allen opened the meeting to any person wishing to speak in favor or opposition of the petition.

Kevin McDermit, of Loughheed and Associates, representing Biggs Properties, was present to explain the preliminary plat and answer questions.

John Mangun, a land owner in Shadow Lakes addition, was present to voice concerns of lower property values due to the rear of his property being adjacent to the proposed subdivision and the size of the homes.

Justin Love, resident of Shadow Lakes, inquired about the plans for a conservation easement of twenty-five feet. Kevin McDermit, of Loughheed and Associates confirmed he had spoken with the residents of Shadow Lakes and understood the twenty-five foot conservation easement to be agreeable to them. The easement will be uncleared, roughly wooded area showing as an easement on each lot. The easement, which cannot be developed, will be recorded on each lot deed. The covenants of the addition will express that the easement is to be left untouched. The stipulation will also be included in the final plat. Covenants are recorded with the plat. City Attorney, Mike Valentine, explained to the audience that covenants have nothing to do with the Plan Commission and the City will not enforce them. The individual Homeowners Association of the neighborhood will enforce them.

Dale Custer spoke in support of the development. He was approached by Biggs, Inc. and was under the impression everything had been worked out with the neighbors as well.

Greg Mitchell spoke in favor of the development. He sold a portion of the property for the development to Biggs, Inc. and, as an appraiser, felt the homes would be a good fit for the growing needs of Warsaw. The homes will be in the \$200,000 or less range, which he sees a huge need for.

City Planner Skinner shared a letter he received in opposition of the development. Mary Adrienne Krause, an adjacent property owner, wishes to keep the land agricultural, as it has been.

Allen closed the meeting to the public.

Discussion followed among Commission members. Jeff Beeler expressed concern with obstruction of vision at the location of the proposed entrance. Mike Klondaris questioned if there would be street lights and sidewalks. Sidewalks are a requirement and there will be lights but they will be addressed on the final plat. A motion was made by Gast to approve 2014-10-01-Preliminary Plat-Biggs Inc. Keeven seconded the motion. The motion carried unanimously.

2014-10-02-Preliminary and Final Plat- Kimal Shores-Kim Cox-

The preliminary & final plat for Kimal Shores has been submitted and reviewed for its conformity to the subdivision code. The preliminary plat meets the requirements of the subdivision ordinance. The proposed subdivision will create one new lot (4) on the proposed ingress/egress easement as depicted on the plat. The plat will provide the adequate means to ingress/egress and utility services.

The applicant is requesting both preliminary and final plat approval for this proposed subdivision. While this is not a typical subdivision and the City will not be responsible for any public utilities or infrastructure, I do not see any reason to not approve the proposed plat as it meets the intent of the subdivision ordinance. The plat approval would merely create the proposed lots 1-4, as depicted on the plat, it does not guarantee the lots can feasibly be constructed on. As any building application applied for would have to meet additional rules and regulations concerning wetlands, floodplain, and any adverse soil conditions. Due to the lack of public infrastructure and the minimal amount of lots per the proposed subdivision, the Plan Commission, if it so chooses, may approve the final plat. City Planner Skinner recommended the Plan Commission approve the Preliminary & Final Plat of Kimal Shores.

Allen opened the meeting to any person wishing to speak in favor or opposition of the subdivision.

Ken Strong spoke in favor of the petition. He wishes to build a home on lot #4.

Kim Cox spoke in favor of the petition. He wishes to deed lot #4 to Ken Strong for his personal home.

Dan Smith, not in favor or opposed, asked how many lots there would be. Kim Cox answered the question.

Allen closed the meeting to the public.

Discussion followed between Commission Members. Mike Klondaris asked about the presence of protected wetlands. City Planner Skinner explained that wetlands are not included on a plat. The plat can be approved but they may not be able to build if it is wetlands. Flood plains are not on a plat either but would be taken into consideration through the building process.

Motion was made by Keeven to approve 2014-10-02-Preliminary Plat- Kimal Shores-Kim Cox, seconded by Baumgartner. The motion passed unanimously.

A motion was made by Keeven to suspend the rules in order to approve the final plat, seconded by Klondaris. The motion passed unanimously.

Motion was made by Keeven to approve 2014-10-02-Final Plat- Kimal Shores-Kim Cox, seconded by Baumgartner. The motion passed unanimously.

Zoning Ordinance-

Addressed initially at the August meeting, discussion pertaining to the Zoning Ordinance continued. No approval is necessary at this time. Assistant City Planner Dombrosky, City Planner Skinner and Commission members discussed changes to fence and accessory structure restrictions. Comments and suggestions are encouraged to be brought to the attention of the Planning Department before the next meeting. Assistant City Planner Dombrosky will be working on refining the verbiage and preparing it for approval by the Plan Commission in Ordinance form.

Adjourn-

With no further business to come before the Commission, Keeven made a motion to adjourn the meeting; Gast seconded the motion. The motion passed unanimously.

OTHER MATTERS THAT MAY COME BEFORE THE BOARD

- The next regularly scheduled meeting will be Monday, November 10, 2014 at 7:00 p.m.

Tom Allen, President

Kim Arnold, Recording Secretary