

PLAN COMMISSION

April 15, 2009

The Plan Commission convened and was called to order by Chairperson-Mayor Marsh.

Present at roll call were: Members Mayor Ron Marsh, Nate Klassy, William Bethke, Keith Ingwell, Paul Sniff, & John Frantz. Also present were City Assessor Barb Berget, Engineering Supervisor Alan Gerber, Zoning Administrator Rex Henke, City Attorney Rex Ewald, Werner Rast with Rast Apartments, Dennis Oostdik with Oostdik Design, and Attorney Charles Wellington. Member Ronald Spielman was absent at roll call.

Purpose of Meeting:

1. Review and discuss PUD application for Northeast Park Condominiums and possibly take action
2. Review and recommend to Council an Ordinance Repealing and Recreating Subsections 5-15-1(E) (2), 5-15-3(A) (3), 5-15-8(A) (2) (d-e), and 5-15-8(C) (3) of the Monroe City Code: 2009 Floodplain Regulations Amendments

1. Review and discuss PUD application for Northeast Park Condominiums and possibly take action

City Attorney Rex Ewald provided background information regarding the Planned Unit Development document. This document has a similar format to similar projects that occurred in the past (Walmart, Ladwig, etc.). The PUD was drafted from the perspective of the proposal itself. The property presents a number of zoning challenges to overcome, but the PUD should address those problems. Attorney Ewald also believes that the document speaks for itself. He took pictures of the building for members to review in addition to photographs that Mr. Rast provided to him.

Ronald Spielman arrived at this time.

Attorney Charles Wellington spoke about the project. He said the property is aesthetically pleasing and conducive for a family environment. Mr. Rast has no intention to sell the property and Mr. Wellington has been involved in two similar sales of properties, which include Ableman properties and the Lee Geiger property. Attorney Wellington informed members of the present condition of those sales and that this remodeling would improve the already good neighborhood it is situated in. Werner Rast would like each unit to have a garage. Wellington informed members that Mr. Oostdik looked at the property and came up with the best situation for garages. As a safety measure, the garages will take cars off the street.

Engineering Supervisor Alan Gerber informed members that there are discrepancies with the condo plat. Discussion took place addressing measurements, garage door sizes, and possible rear entry into the building. Members questioned garage S-7-G because it is directly on the property line. Nate Klassy asked Attorney Ewald if it was the Plan Commission's responsibility to look into possible drainage problems. According to Attorney Ewald, it is the Plan Commission's obligation.

Alan Gerber asserted that a shift to the east might be a safety hazard.

Attorney Ewald explained that this is also a Specific Implementation Plan.

Nate Klassy addressed Item #8 (G) on Page 5 of the Agreement at this time. Mr. Klassy questioned City Assessor Barb Berget whether a concrete garage wall on the property line could affect the property value of the Riddle's property. The Riddles do not have that concern and are planning to build a privacy fence. However, if a garage is constructed it cannot be taken down.

Discussion took place at this time regarding Item #8 (C) on Page 5 of the Agreement. Mr. Klassy does not believe building a garage on the property line will be beneficial for the neighborhood. Werner Rast informed members that the Riddles would rather have a brick wall than a dumpster to look at.

Paul Sniff questioned whether the Condo Association would be responsible for maintenance of the grounds. According to Attorney Wellington, yes it would be.

Ronald Spielman feels the PUD and condo make sense, but the garage being up against the lot line makes him nervous. He feels that each unit having a garage is desirable.

Discussion regarding moving garage S-7-G off the property line and storm water runoff took place at this time.

Motion made by Nate Klassy and seconded by John Frantz to approve the PUD application for Northeast Park Condominiums with the addition of storm water calculations to see whether the storm sewer pipe that is currently present is adequate to address storm water and also not to build garage S-7-G in the location presented on the site survey, but rather build it on the east side next to S-8-G and S-9-G. Seconded by John Frantz. Motion carried.

Rex Ewald said that storm water part of motion is vague. Members want to prevent storm water problems that have been evident elsewhere in the City. Werner Rast does not want to build three garages. Wellington reasserts that garage S-7-G in the original design, is aesthetically pleasing, balanced, and the neighbor's do not have a problem with it. Attorney Ewald asked for a motion to structure the PUD document to include the option for garage S-7-G to not to be built at all.

Motion made by John Frantz and seconded by Nate Klassy to structure the PUD document to include the option for garage S-7-G to not be built at all. Motion carried.

Attorney Wellington asked if there could be a reconsideration of the original motion. No reconsideration was made.

2. Review and recommend to Council an Ordinance Repealing and Recreating Subsections 5-15-1(E) (2), 5-15-3(A) (3), 5-15-8(A) (2) (d-e), and 5-15-8(C) (3) of the Monroe City Code: 2009 Floodplain Regulations Amendments

Attorney Ewald informed members that the Judiciary and Ordinance Review Committee has reviewed the Ordinance, which is simply implementing changes that were made to the FEMA flood maps. According to Attorney Ewald, the statutes indicate that a zoning ordinance cannot be passed unless the Plan Commission recommends it. This is a very routine Ordinance.

Motion made by Nate Klassy and seconded by Ronald Spielman to recommend to Council an Ordinance Repealing and Recreating Subsections 5-15-1(E)(2), 5-15-3(A)(3), 5-15-8(A)(2)(d-e), and 5-15-8(C)(3) of the Monroe City Code: 2009 Floodplain Regulations Amendments. Motion carried.

No business by members.

Motion made by Paul Sniff and seconded by William Bethke to adjourn. Motion carried.

Darci J. Dammen - Secretary