

**Town of Porter
Plan Commission
Meeting Minutes
October 15, 2014
7:00 p.m.**

- A. Meeting was called to order at 7:00 p.m.
- B. Pledge of Allegiance
- C. Roll Call/Determination of Quorum
 - Present: Kremke, Timm, Wagner, Eriksson, Wodrich, Brueckheimer, Spanier
 - Absent: Mr. Barry
 - Also Present: Ms. Frost, Mr. Mandon, Ms. Sufana
- D. Quorum-There are enough present for a quorum.
- E. Consideration of Minutes from September 17, 2014 meeting
 - Mr. Eriksson made a motion to accept the minutes of September 17, 2014 as submitted.
 - Mr. Timm seconded the motion.
 - Motion approved 7 -0
- F. Audience Participation-NONE
- G. Old Business-
 - Attorney Greg Babcock appeared representing Mr. Carney for Mineral springs Development.
 - Mr. Babcock stated that there are 191 different uses between the B1 classification to the I1 classification. Mr. Babcock would like to for board to reconsider moving the public hearing from November 19 until December 17. This way the Petitioner will have time to work through list of proposed uses, design the sign, develop the text of the ordinance, and have another TAC meeting before the matter is brought for Plan Commission approval.
 - Mr. Timm made a motion to vacate November 19 public hearing and reset the public hearing for December 17.
 - Mr. Eriksson seconded the motion.
 - Motion passed 7-0
- H. Preliminary Hearing-NONE
- I. Public Hearing
 - 1. Mineral Springs Porter, LLC
 - Application to Amend Ordinance No. 2006-05/2010-3 for Mineral Springs Villa Planned Unit Development
 - Mr. Larry Gough appeared on behalf of the Petitioner, Mineral Springs Porter, LLC. Mr. Gough explained that the application for amendment of the Mineral Springs Villas PUD Ordinance requested the following changes to the PUD Ordinance:
 - Single family detached residential units or paired patio style homes may be constructed on lots 7-12

Single story, one and one-half story and two story residences are permitted

The roads of the Mineral Springs Villas development to be dedicated to the Town and also maintained by town

Mr. Gough, stated that the Petitioner met with the TAC committee today and have new proposals, as follows:

The first being the remaining lots 7-12 be single family homes no paired patio.

The type of structures will be single story, one and one-half story, and two story. The principal structure of a two-story would have a side yard setback of 6ft, and the accessory structure (garage) would have a 3ft side yard setback.

The final amendment that the roads be dedicated to the Town contingent on satisfactory core sampling, roads be brought up to Town standards including signage and road striping.

Mr. Gough explained that the Petitioner is agreeable to those conditions and that with those conditions; we request you approve the Ordinance.

Mr. Mandon would like to clarify the conditions that were agreed upon today in TAC. The TAC would support single family as opposed to paired patio.

The second being TAC would support two story structures as long as they are at least 12ft apart

Thirdly, regarding public dedication of the streets, the compromise would be to immediately accept the roadways with the maintenance bond be extended until 50% of development is done. This way if there is any damage from construction equipment it will be fixed.

The Public Hearing was opened at 7:20 p.m. No one appeared to speak in favor of petition. No one appeared to speak in opposition to the petition.

The Public Hearing was closed at 7:21 p.m.

Mr. Kremke clarified the applicable procedure for PUD amendments: what happens is that the Plan Commission's decision is a recommendation, and the recommendation is sent to the town Council to make the final approval decision.

Mr. Eriksson stated that he would like to see the development go forward but wants to make sure it is done correctly.

Mr. Timm asked Mr. Mandon if the bond was adequate. Mr. Mandon said that yes it was.

Mr. Kremke went over what the Plan Commission is being asked to approve, as follows:-

Remainder of lots to be single family homes with no paired patio homes,;

3 types of houses to be allowed: one story, one and one-half story, and two story with side yard setbacks of 6ft on structure side and 3ft on accessory side; and

The roads to be dedicated to the Town subject to: an adequate core sample result; completion of striping, and installation of no parking signs as designated by the street department,; and the Petitioner's maintenance guarantee remain in effect until 50% of the development is completed.

Ms. Brueckheimer made a motion to make a favorable recommendation to the Town Council to approve the following amendments to the Mineral Springs Villa PUD Ordinance, subject to the following conditions and subject to Plan Commission review and approval of the proposed text of the amendatory Ordinance at the Plan Commission's next meeting which the Petitioner is to submit:

Remainder of lots to be single family homes with no paired patio homes,

3 types of houses are to be allowed: one story, one and one-half story, and two story.

The side yard setbacks shall be 6ft on the structure side and 3ft on the accessory side,

The roads are to be publicly dedicated to the Town, subject to the following conditions: submission of adequate core sample result,; completion of striping in designated parking areas and installation of no parking and other signs in accordance with street department requirements,; and the Petitioner's maintenance guarantee is to remain in effect until 50% of development is completed.

Mr. Wagner seconded the motion.

Motion passed 5-2 Mr. Timm and Mr. Eriksson were against

2. Ordinance No 2014-02 to change the fence ordinance

The Public Hearing was opened at 7:49 p.m. No one appeared in favor of the proposal. No one appeared to speak in opposition to the proposal.

The Public Hearing was closed at 7:49 p.m.

Mr. Timm made a motion to send a favorable recommendation for Ordinance No 2014-02 to the Town Council

Mr. Wagner seconded the motion

Motion passed 6-1 Mr. Spanier was against

J. Final Hearing-none

K. Findings of Fact-none

L. Other Business-

Update from Attorney-None

Board Comments-Mr. Spanier would like to request a possible time change from 7 pm to 5:30 pm for monthly meetings.

Ms. Brueckheimer made a motion to change meeting times from 7 p.m. to 5:30 p.m. starting with the November 19, 2014 meeting.

Mr. Eriksson seconded the motion

Motion passed 7-0

M. Ms. Brueckheimer made a motion to adjourn meeting at 7:50 p.m. Mr. Eriksson seconded the motion.

Motion 7-0

Next Meeting will be held on November 19, 2014



President

Date 11-19-14



Secretary

Date 11-19-14