

**TOWN OF NEWBURGH
PLANNING COMMISSION
Minutes May 5, 2014**

MEMBERS PRESENT: Matt Pressley, Candi Burress, Anne Rust Aurand, Hap Hanson, Jim Moore, Josh Claybourn, Kris Setzekorn

ADMINISTRATIVE PRESENT: Lori Buehlman, Town Manager; Chris Wischer, Town Attorney

CALL TO ORDER

Mr. Moore called the meeting to order at 5:30 p.m.

MINUTES

Motion to adopt April 7, 2014 minutes made by Mr. Hanson. Mrs. Burress seconded and the motion carried.

REPORTS

Town Council Liaison

Mrs. Aurand said the Town Council returned the electronic sign ordinance revision back to Planning Commission with the request to change the distance between signs from the proposed 200 feet to 400 feet.

Staff

Ms. Buehlman introduced Matt Pressley who is filling out the term of David Rice, who moved outside town limits.

There were 17 permits in April for 15 projects. Fees collected totaled \$1,115 for a valuation of \$56,010. For the year, there have been 55 permits issued for 40 projects. Fees collected total \$2,959 for a valuation of \$210,144.

NEW BUSINESS

Rezoning petition for 5 W. Jennings

Jim Seibert asks to have the property rezoned from C1 to R1. His original plans for a new building included only 760 square feet for commercial use, he said, and other zoning requirements, such as sprinkler system, etc., were going to add \$30,000 to construction costs. He could not meet the ADA requirements.

The house next to this lot is zoned R1, as is the structure diagonal to his property.

If approved, the new residence will be three floors. Mr. Wischer said if the zoning is approved, a variance will still be needed from the BZA for lot size, stairs, etc.

Mr. Wischer explained the process. If the Planning Commission votes in favor of rezoning the property, the vote is to favorably to the Town Council, which will either approve the application or not. If approved there, then Mr. Seibert would file an application for the needed variances with the Board of Zoning Appeals. Since this property lies within the Historic District, the Historic Preservation Commission would have to approve the plans, as well.

Ms. Buehlman said all adjacent property owners have been notified and she has the mail receipts.

From the audience, Leanna Hughes, a downtown property owner and business owner, said she opposes the change in zoning because there is so little commercial property available as it is. She said Mr. Seibert knew the property was zoned commercial when he bought it.

Mrs. Aurand said the previous building on the property stood vacant much of the past 30 years before it was demolished. It was the previous site of Town Hall and the Police and Fire departments. She said it is good to have something built on that property.

Motion to approve the application to rezone the property made by Mr. Pressley. Mrs. Burress seconded the motion and it carried.

Mrs. Setzekorn abstained because she was late arriving and did not hear the discussion; however, there were still enough votes to send the recommendation to Town Council with a favorable rating.

Amended Electronic Sign ordinance

Mr. Wischer explained the amendment is to the sign ordinance to allow electronic signs under certain circumstances and with BZA approval for conditional use. This amendment is not site specific. Anyone who wants a sign may apply. First to file gets first consideration. If not approved, the next application would be considered.

The Town Council returned the amendment to the Planning Commission with the recommendation to further amend Section 7 to increase the distance from sign to sign from 200 feet to 400 feet.

Mr. Claybourn moved to increase the distance between signs to 400 feet. Mr. Hanson seconded the motion. By name and vote: Mrs. Burress, aye; Mr. Hanson, aye; Mrs. Setzekorn, nay; Mr. Moore, aye; Mr. Claybourn, aye; Mr. Pressley, aye; Mrs. Aurand, nay. With a five to 2 vote, the recommendation moves to Town Council with a favorable rating (with four or more needed to tip the recommendation either way).

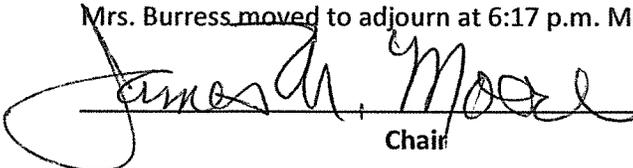
Mr. Hanson asked if anything more has been done about the proposed sign for the Nazarene Church.

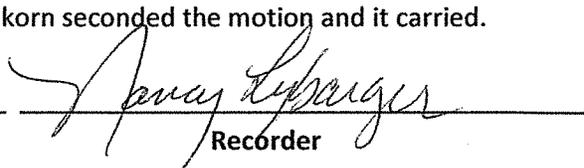
Ms. Buehlman said she's not heard any more about it.

The arrow sign is still up at Knob Hill and is past its expiration date. Ms. Buehlman will contact the owner. There also will be a letter going out for another banner.

ADJOURN

Mrs. Burress moved to adjourn at 6:17 p.m. Mrs. Setzekorn seconded the motion and it carried.


Chair


Recorder