

City of New Plymouth
Planning and Zoning Commission
7:00 pm
28 December 2009

The New Plymouth Planning and Zoning Commission held their regular meeting at the New Plymouth City Hall on 28 December 2009 at 7:45 pm following a public hearing at 7 pm. Roll call was taken. Chairman Tegethoff was present as well as commission members Scheihing, Allen, Williamson, and Balcer in attendance. Commissioners Nay was absent from the meeting, later reported to have been ill and in the hospital. Commissioner Byers was also unable to attend. Staff member Leon K. Jensen, secretary of the commission was also present.

Guests included William V. Tuning, Eldon Isaak, Phil Rich and Sue Heitz. .

Commissioner Balcer moved to approve the agenda. The motion was seconded by Commissioner Williamson. The voting was unanimous in favor of the motion.

Commissioner Williamson moved to approve the minutes of the 28th of September 2009. The motion was seconded by Commissioner Balcer. There was no vote on the motion, therefore the motion stays on the table awaiting a vote.

New Plymouth Assembly of God Church – Requesting a zoning classification to Residential C, Single Family Duplex

Commissioner Balcer expressed continuing concerns regarding this request but did not have any reasoning but an uneasy feeling about the rezone.

Commissioner Williamson stated that enforcement turns to a legal battle when pursued.

Chairman Tegethoff stated that the land owners have the power to push enforcement.

Commissioner Allen stated that there are times when one must reach out and take a chance in order to make improvements. Commissioner Balcer stated that the commission needs to make sure that the zoning is correct because it will be difficult to undo. Commissioner Allen stated that there is ongoing change and that things change all the time. Commissioner Scheihing stated that the property needs to be spiffed up or it will go downhill. There was a general feeling that the commission would like to see the property cleaned up, improved or it will go downhill.

Commissioner Williamson moved to recommend to the City Council that the subject property be rezoned to Residential C. and that a development agreement be written for the applicant and the subject property. The motion was seconded by Commissioner Allen. Commissioners Scheihing, Williamson and Allen voted in favor of the motion. Commissioner Balcer voted in opposition to the motion. The motion passed in favor, 3-1.

The commissioners stated that the development agreement should contain the following language as conditions:

1. The property shall be restricted to a Four Plex.
2. The property shall be maintained with painting, landscaping and curb appeal (esthetically pleasing)

3. The property owner shall provide Covenants, Conditions, and Restrictions for the property.
4. Paving of the parking areas shall be done in a timely manner determined between the City Council and the applicant and presented in the applicant's site plan.
5. The building and grounds shall be properly maintained.
6. Ten parking areas shall be provided for the development in the rear of the building and eight shall be maintained in the front as presented in the site plan.
7. Playground grassy areas shall be enlarged and maintained.
8. Outreach activities currently used by the church shall be allowed.

Commissioner Williamson moved to adjourn the meeting, seconded by Commissioner Balcer. The voting was unanimous in favor of the motion.

The meeting adjourned about 8:30 pm.

Rod Tegethoff, Chairman

Leon K. Jensen, Secretary