

MEMORANDUM

TO: Manager, Mayor & Members of City Council
FROM: Brent N. Damman, Zoning Administrator
SUBJECT: Final Plat of German Mutual Subdivision
MEETING DATE: March 16, 1998 @ 8:00 pm
HEARING #: PC 98/02

BACKGROUND:

An application for public hearing has been filed by Germann Mutual Insurance Co. Napoleon Ohio. The applicant is requesting Final Plat approval of a three (3) lot subdivision of a 24.059 acre parcel of land recently annexed into the City of Napoleon. The parcel is located directly north of Napoleon High School and is bordered by Westmoreland Ave. right of way. The request is pursuant to City Code Chapter 1105 entitled subdivision control code.

RESEARCH AND FINDINGS:

1. The preliminary plat for this subdivision was approved on 10/07/96. The only change from the preliminary is that lot number 1 is slightly smaller and the frontage of lot number 3 along Westmoreland was increased.
2. The public improvements for the most part have been completed. The only items left to complete are misc. grading/cleanup and seeding. (See attached report from the City Engineer).

Note; County Road 15 as shown on the plat will eventually be dedicated to the City and be an extension of Westmoreland Ave.

ADMINISTRATIVE OPINION AND RECOMMENDATIONS:

The developers have complied with all applicable City regulations. Therefore, I am recommending the Planning Commission approve the subdivision plat as submitted. In an effort to simplify the procedure, Dave & I developed the attached Resolution PC98/02, all that you need to do is vote on it.

PLANNING COMMISSION RECOMMENDATION:

That City Council approve the final plat in accordance with Resolution PC98/02 with the condition:

That the strip of land shown on the plat as reserved for the future extension of Briarheath Avenue be re-worded to read "Permanent easement to the City of Napoleon for roadway and utility purposes".

MINUTES OF THE CITY OF NAPOLEON PLANNING COMMISSION HEARING # PC 98/02 HELD ON MARCH 10, 1998 @ 5:11 PM (attached)

MEMBERS PRESENT: Acting Chairman Ann Luzny, Acting Mayor-Acting Council President Terri Williams, Larry Haase, Secretary Brent Damman.

OTHERS PRESENT: Ron Sonnenberg (developers engineer), Ned Giffey (representative for German Mutual). Mike DeWit arrived at 5:27PM.

Luzny: Opened meeting, performed a mass swore in Mr. Giffey and Mr. Sonnenberg. Read public notice and ask if everyone was notified of the hearing.

Sec: Answered yes those affected were notified and received no opposition. Read research, findings of fact and staff recommendation.

Luzny: Asked if anyone would like to speak in favor of the proposal.

Sonnenberg: Explained that he was there to answer questions that they may have.

At this point there was considerable discussion regarding the area of land shown as reserved for the future extension of Briarheath Ave. and that it was important to make sure that area was properly secured. It was determined that the language should be changed to read; "Permanent easement to the City of Napoleon for roadway and utility purposes". This then would be consistent with Ordinance 103-96 which approved the Preliminary Plat.

Sonnenberg: Stated that he would make the change as requested. Mr. Giffey agreed on behalf of German Mutual.

Luzny: Requested a motion to close testimony.

Motion by: Williams

Seconded by: Haase

VOTE CAST

Williams - In Favor
Haase - In favor
Luzny - In Favor

Luzny: Requested a motion approving the request and the resolution PC98/02.

Motion by: Williams to approve the request with the change as discussed related to Briarheath Ave. extension, so the language is the same as is written in Ordinance 103-96.

"Permanent easement to the City of Napoleon for roadway and utility purposes"

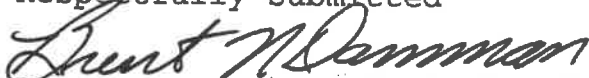
Seconded by: Haase

VOTE CAST

Williams - In Favor
Haase - In favor
Luzny - In Favor

*Note Mr. DeWit was not sworn in nor was he seated with the Commission nor a part thereof in these proceedings.

Respectfully Submitted



Brent N. Damman
Building & Zoning
Administrator

