

PLAN COMMISSION

February 13, 2023

REGULAR MEETING

John Marshall informed the Board that Carol Drasga will be taking Scott Evorik's place on the Plan Commission effective immediately.

ROLL CALL

The meeting was called to order at 7:00 p.m. and the assemblage was invited to stand and recite the Pledge of Allegiance. President John Marshall asked for the roll call to be conducted. Members in attendance and absent are listed below:

Members Present:

President John Marshall, Vice President Daniel Rohaley, Michael Conquest, Laura Sauerma n, Chad Jeffries, Carol Drasga

Members Absent: Richard Day

Marshall announced that Grace Benninger has resigned from her position and Josh Watson was appointed as the new Planning & Zoning Administrator and Luke Frick as the new Assistant Planner.

Staff Present:

Commission Attorney Joe Irak, Chief of Staff Anthony Schlueter, Planning & Zoning Administrator Josh Watson, Recording Secretary Jenni Pause, Planning Intern Luke Fricke

Marshall requested a motion to appoint a new Executive Secretary. Carol Drasga motioned to elect Josh Watson as the Executive Secretary. Daniel Rohaley seconded the motion. With a roll call vote of 6 Ayes, 0 Nay, and 0 Abstentions, Watson was elected as the Executive Secretary for the Historic Preservation Commission.

APPROVAL OF MINUTES

President John Marshall asked the Commission to approve January 9, 2023, meeting notes. Sauerma n motioned to approve the January 9, 2023 meeting minutes as presented. Rohaley seconded the motion. A roll call vote was taken, by a vote of 6 Yeas, 0 Nays, 0 Abstentions, the motion unanimously passed, and the meeting notes are now official record of the body.

OLD BUSINESS

21-39 Smith Farm LLC, Petitioner/Owner

Request: Primary Subdivision Plat Approval

Purpose: The Greensward Subdivision

Location: 1500 South Main Street

Marshall informed the Board that the petitioner is requesting a 30-day deferral. Attorney Joe Irak stated this petition has been deferred a number of the times and recommended encouraging the petitioner to get the engineering completed by the next meeting or have the petition removed from the agenda. Irak stated once removed the petitioner would just need to readvertise to have the petition added back to the agenda. Irak stated he hates to keep carrying this item over and have public show up expecting to hear the petition just to hear it has been deferred again. Irak stated at some time the petition needs to be removed and readvertised for further proceedings. Irak encouraged the petitioner getting all their items completed by the next meeting.

Marshall stated he feels that is a fair request.

Rohaley stated he does not feel the petitioner will be able to complete the engineering in 30 days. Irak stated that is fine but then the petition should be removed until it is completed and then they can readvertise the petition.

Marshall stated Watson should reach out to the petitioner and make them aware that the petition will be removed from the agenda if they are not ready for the next meeting. Irak stated the petition will stay active it just will be removed from the agenda, and they will have to readvertise when everything is completed.

Sauerman asked for verification that it is the petitioner's engineering that is holding up this petition not the city's. Watson confirmed it is on the petitioner.

Marshall entertained a motion for Petition #22-39. Rohaley motioned to defer Petition # 22-39 and have Watson let the petitioner know if the petition is not ready for the next meeting it will be removed from the agenda and they will need to readvertise when everything is completed. Drasga seconded the motion. With no further discussion. Marshall called for roll call. With a roll call vote of 6 Ayes, 0 Nays, and 0 Abstentions, Petition #22-39 was deferred to the next meeting.

22-49 Olthof Homes, Petitioner/Marr & Anne Sheaffer & Ginia Goggio/Gail Siavelis, Owner

Request: Final P.U.D. Approval

Purpose: The Willows

Location: Delaware Parkway & 129th Avenue

Marshall informed the Board that the petitioner is requesting a 30-day deferral.

Marshall entertained a motion for Petition #22-49. Sauerman motioned to defer Petition # 22-49. Rohaley seconded the motion. With no further discussion, Marshall called for roll call. With a roll call vote of 6 Ayes, 0 Nays, and 0 Abstentions, Petition #22-49 was deferred to the next meeting.

NEW BUSINESS

23-05 Two Hearts Holding, Petitioner/Feather Rock Development, LLC, Owner

Request: Primary Subdivision Plat Approval.

Purpose: Canvas at Crown Point

Location: Southeast of East 125th Avenue & Delaware Street

Edward McCracken, 1900 Lake St Unit 1, Dyer, IN came before the Board and introduced his attorney, Adam Swarden. Swarden, 450 Vale Park Rd. Suite E, Valparaiso, IN, came before the Board and Provided a brief overview of the petition. Swarden stated they have been waiting for approval for Nipsco for them to put the parking lot over the utility easement. Swarden stated they received the approval for electric but have not received approval for the gas portion yet.

Watson reported Two Hearts Holdings is requesting Site Development approval for an assisted living facility located at 1600 S Feather Rock Drive. Watson reported the petitioner is proposing to construct a new multi-tenant living facility, known as Two Hearts for Seniors. Watson reported Two Hearts Home for Seniors was created to address the need for an assisted living facility located in Indiana that felt more like a home. Watson reported the petitioner has obtained approval for Variance of Use to operate an assisted living facility in an OS-1 Office Service District at the July 27, 2022, Board of Zoning Appeals meeting and Council approval at the July 5th City Council meeting. Watson reported the petitioner has also obtained Variance of Development Standards approvals for trash enclosure encroachment on a drainage easement and minimum parking space requirements, both of which were approved at the Board of Zoning Appeals meeting on November 11th, 2022. Watson reported the site plan meets the minimum requirements of the Crown Point Zoning and Subdivision Codes and was reviewed by the Fire, Utilities and Public Works Departments. Watson recommended approval of the petition.

Drasga asked how many residents they expect. McCracken stated 16. Drasga stated she feels this is greatly needed in the area.

Rohaley asked for verification that the only condition they are waiting on is the gas line approval from Nispco. Watson confirmed the petitioner has met all other conditions of the BZA approval.

Jeffries agreed with Drasga. Jeffries stated it is a very good-looking building.

Conquest agreed with Drasga.

Conquest motioned to approve Petition # 23-05 subject to approval from Nipsco for the gas line. Drasga seconded the motion. With no further discussion, Marshall called for roll call. With a roll call vote of 6 Ayes, 0 Nays, and 0 Abstentions, Petition #23-05 was approved.

23-06 Warhorse Venture Partners, Petitioner/Lake County Trust Co., LLC, Owner

Request: Workshop

Purpose: Mixed Use PUD

Location: Northwest and Southwest Corners of 109th & Mississippi Street

Jeff Ban, of DVG 1155 Troutwine, came before the Board and introduced Eric Carr and Dan Quering with Warhorse Partners provided an overview of the petition. Ban provided an overview of the petition as well as the history of this property and the work the petitioners have done for it. Ban detailed the proposed design of the development, and the uses contain within the development. Ban provided renderings of the proposed development and detailed what would be included, which are a commercial retail area, specialty grocer, multi-tenant retail, restaurants, multi-tenant office building and residential townhomes. Ban stated they are still playing around the type of retail, but they would all be allowed uses within the B3 zoning. Ban detailed the two proposed entrances and the improvements that would need to be included for extra lanes and/or turning lanes. Ban stated there has been attempt to tie back into the south but do not have the property rights, so they think the cul-de-sac works in this situation.

Jeffries stated he believes they had a discussion at the last workshop about the cul-de-sac and stated he would like to hear from Public Works and the Fire Dept. to make sure that works for everyone. Jeffries stated the cul-de-sac potentially poses a problem for emergency vehicles being able to turn around once snow has been pushed. Ban stated they will get feed back from Public Works and the Fire Dept. on the cul-de-sac. Ban stated the townhome road would be a public road and would need approval from the city.

Rohaley asked if the townhomes will have an HOA. Ban confirmed they will.

Drasga asked if there will be sidewalks for connectivity. Ban confirmed.

Conquest asked if there have been any water studies. Ban stated they have not done any stormwater detail design. Ban stated they will be looking at the current lake and modifying to accommodate the additional water. Ban stated they will follow the city's ordinances regarding stormwater and would need sign off from the city for the stormwater design.

Ban stated they have spoke a lot with the Planning Dept about the Northwest corner about what to do and how to do it. Ban stated there is a triangular piece of property in the way of getting center line driveway onto center line of 107th Ave. Ban stated that property is owned by the Waterside Crossing HOA and they have tried to either obtain a portion of that property or get permission to access part of it but there is no organized Waterside Crossing HOA. Ban stated they found out from the Secretary of State's office that the HOA has been dissolved. Ban stated they are trying to figure out how to obtain rights to that property and have a legal team working on it. Ban stated this is one of the reasons they have not been before the Board. Ban discussed the options they have if they can not obtain access over the property. Ban addressed the secondary access off 109th. Ban stated there is an opening that they can use for access off 109th and the rest of the property along 109th would be no access. Ban detailed what might be included in this portion of the development which will include a hotel, office buildings, a climate-controlled storage building, a pre-school, and a few restaurants. Ban stated they would need to extend the concrete median westerly to a length agreed upon by everyone to create a right in/right out only access for the development off 109th. Rohaley stated it would probably have to be a pretty good distance. Ban agreed. Ban stated they will create a list of uses that would be good for that location and create lots within the development to fit those uses. Ban stated some of the buildings would need some variances.

Eric Carr, 231 Public Square, Franklin, TN, of Warhorse Ventures came before the Board and touch on the design of the development. Carr stated they will be going for higher end design standards for all the buildings and uses included because of the location. Carr stated they are trying to bring developments to the east side of Crown Point, so they do not have to cross over Broadway.

Jeffries asked if they foresee something like a black rod iron fence around the storage facility. Carr stated they have been approved for similar facilities in Murfreesboro, TN and Whitestown, IN. Carr stated they will be more like a PVC material and meant to feel more like an office. Carr stated the area where they would have RV and boat storage would be fenced off. Carr stated they have already signed an operating agreement for this property and there is some security parameters that would need to be provided but would high end looking. Carr stated they would not do anything to make it look prison-like. Carr stated they will consider what the city would like for design standards.

Sauerman stated she would need to be convinced for the storage facility especially with the height. Sauerman stated the 109th access would be a big deal as well. Sauerman stated it is very important to pursue the property off Mississippi St to make sure the access is not awkward. Sauerman stated she would be curious to hear what Public Works has to say about the long cul-de-sac.

Rohaley asked how long ago the HOA was defunct. Carr stated a couple years ago. Rohaley stated he likes the idea of a PUD. Rohaley asked why 107th Ave. is n so wide. Ban stated he does not know. Rohaley asked if there is a ditch along the east they would need to go over. Ban stated there is not it is a tree line. Rohaley asked if the interior roads would be private and have an HOA. Ban confirmed. Rohaley asked about the storage facility. Rohaley stated there is a storage building in St John that is really nice and would like to see something like that. Carr stated he thinks they will be pleased with the renderings. Rohaley asked about the buffer along the east side. Rohaley stated he was looking at GIS and there is a lot of floodways. Ban stated there is but it is shallow and detailed the 100 year flood plain. Ban stated they have done some preliminary studies and it is not as ominous as you think. Ban detailed how they might handle that. Rohaley asked if Cube Smart is the storage company. Carr stated they will be the operator.

Conquest stated when he looked at this what jumped out was the 109th access. Conquest stated he is ok as long as they extend that median a pretty good distance. Conquest stated he does not consider any storage facility to be high end and is anxious to see what they come in with.

Ban stated they may have to encroach the buffer zone along the ramp. Ban stated they will come up with some ideas when they come before them for the PUD.

Jeffries stated a lot of the developments have one road that is exceptional wide. Jeffries asked if it makes sense to match the width at 107th so if Mississippi ever goes through it would cause less issues. Ban stated they can take a look at that. Ban stated as they work through the details with the city for that intersection, they can work on the design to make it look proper. Ban agreed it would be a good idea to look at matching those up. Ban and Jeffries discussed how the intersections should be designed and lined up. Ban discussed the various options with the Board.

Dan Quering, 231 Public Square, Franklin, TN, came before the Board and stated they have a legal team working on how to purchase or obtain access to the property that is owned by the defunct Waterside Crossing HOA to make the access and intersections ideal.

Rohaley asked if they have some other sites they could provide to the board as examples of what these developments are going to look like. Carr stated they can send over some packets for them to look at along with renderings of the storage facility.

Jeffries stated he looked up some renderings of Cube storage and there does not seem to be any type of branding. Carr detailed some of the storage facilities they are constructing, and they are high end sites with consistent elevations.

Quering detailed some of the other locations where they have similar developments going up including Whitestown, IN. Quering state Cube Storage is a third-party company they have hired to operate the storage facility, they are not using their branding.

MISC. AND PUBLIC COMMENT

No Public

Watson recommended changing the 2023 meeting dates agenda to include the verbiage filing dates do not dictate meeting dates. The Board agreed this is a great idea.

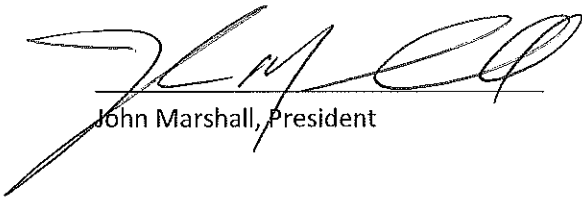
Watson recommended another code review because of issues that have come up.

ADJOURNMENT

At 8:07p.m. Rohaley motioned to adjourn, seconded by Drasga

ATTESTMENTS OF MEETING MINUTES

The above minutes were approved and adopted by majority on the 13 day of March, 2023.



John Marshall, President



Josh Watson, Executive Secretary