

PLAN COMMISSION

April 10, 2023

REGULAR MEETING

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, Chad Jeffries, Carol Drasga, Richard Day

Members Absent: Laura Sauerman

Staff Present:

Commission Attorney Joe Irak, Planning & Zoning Administrator Josh Watson, Recording Secretary Jenni Pause, Planning & Zoning Assistant Luke Fricke, Media Manager Mary Freda

APPROVAL OF MINUTES

President John Marshall asked the Commission to approve March 13, 2023, meeting notes. Chad Jeffries noted a correction on page 7, under Petition #23-12 Conquest not Jeffries stated he lived in the area. Jeffries motioned to approve the change. Carol Drasga seconded the correction. Jeffries motioned to approve the March 13, 2023, meeting minutes with correction. Mike Conquest 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.

Marshall stated the Board has received a letter from Don Oliphant Engineer with Christopher Burke stating all the petitions on the agenda are ready to move through the process. Marshall stated in the future any petitioner that does not have a letter from Christopher Burke will not be allowed to move forward.

OLD BUSINESS

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

Chip Krusemark of Olthoff Homes, 8051 Wicker Ave., St. John, IN, came before the Board and provided an overview of the petition.

Executive Secretary Josh Watson reported Olthoff homes is petitioning for the development of a 213 Unit subdivision located at 129th and Delaware Parkway. Watson reported this petition appeared on the July 2021 PC meeting as a Workshop and again in September 2022 for a preliminary PUD. Watson reported the preliminary development plan showed the concept plan calling for 147 Townhomes bordering the future extension of 129th Avenue and South along I-65. Watson reported the remainder of the property contained 63 single family lots for a total of 211 units. Watson reported the townhomes have been relocated to the Southeast corner of 129th and Delaware due to Engineer's request for an increase of right of way for the proposed I-65 overpass on 129th. Watson reported, per the Plan Commission's recommendation, the new layout changes the units to 140 townhomes, 67 single family homes, changing the total unit count to 207. Watson reported along with the requested changes, the developer is also making improvements to the property to the West of the subdivision to create a safer entryway for the neighboring resident. Watson recommended approval of the petition.

Daniel Rohaley asked if the proposed developed agreement regarding Delaware Pkwy has been updated. Krusemark stated that has all been taken care of.

Conquest stated he knows the petitioner has done all their due diligence but asked that they please make sure it stays dry out there some people are now planning for 500 year rains and he wants to make sure they work with the residents because as recently as yesterday there was water out there. Krusemark stated they will work with residents they do not want there to be flooding issues for their residents or the neighbors.

Marshall stated he feels they have made some good changes and thinks the townhomes are a good buffer for I65.

Marshall entertained a motion for Petition #22-49. Drasga motioned to approve Petition # 22-49. Richard Day 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 approved.

Krusemark thanked the Board and staff for working with them and stated Watson is a pleasure to work with and a great guy.

NEW BUSINESS

23-08 Kevko LLC, Petitioner/109th & Broadway, LLC, Owner

Request: Secondary Plat Approval

Purpose: Professional Office Buildings

Location: 10977 Broadway

Russ Pozen, of DVG. 1155 Troutwine, came before the Board and introduced Matt Rossman. Pozen provided an overview of the petition. Pozen stated since the last meeting they have had the access agreements reviewed, discussed and received sign off from Coyne to the north and the south piece of

the On Broadway development. Pozen stated those will be recorded with the proper exhibits upon this meeting to make sure there are no crazy changes required.

Watson reported the petitioner is requesting Secondary Plat Approval for the subdivision known as On Broadway North. Watson reported the subdivision would be a 2-lot development with access off Broadway just to the South of the Coyne Veterinary Clinic and to the North of the On Broadway Office Complex. Watson reported the petitioner received approval to allow development of 2 lot, one of which is not on a public or private street at the January 23, 2023, Board of Zoning Appeals Meeting. Watson reported the Petitioner received Primary Plat Approval at the March 13th, 2023, Plan Commission Meeting recommended approval of the petition.

Rohaley stated they have been waiting on the drainage plan and just received it that morning. Rohaley stated they are waiting on the access agreement with Coyne. Rohaley stated getting information has been like pulling teeth. Pozen stated they have a letter from Coyne's attorney stating they agree with the terms of the agreement.

Matt Rossman, 11035 Broadway came before the Board and stated they already have an agreement with Coyne and they are updating it to include this property. Rohaley asked for a copy of the agreement. Rohaley stated he is not willing to move forward with this petition until they have a copy of the agreement.

Conquest asked if the EMS and Fire Department's concerns have been taken care of. Pozen stated they have been taken care of.

Drasga agreed with Rohaley that the agreement is necessary.

Jeffries asked the petitioner to verify that there is a cross access agreement already presented. Pozen stated the original Coyne agreement was approved when Coyne went for site plan. Pozen stated he has that in his files back at the office.

Rossman stated time is an issue for the approval and if they must have a special meeting, he would like to discuss that. Drasga stated the cost of a special meeting would fall on the petitioner not the city.

Marshall entertained a motion. Rohaley motioned to defer Petition # 23-08 to the next meeting to allow the petitioner time to provide the shared access agreement. 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 #23-08 was deferred to the next meeting.

Jeffries asked what the process is if they would like to expedite this. Irak detailed the process. Irak stated realistically they are looking at 3 weeks. Pozen and Irak discussed the public notices.

Pozen asked what the city's protocol is for discussing the site development. Irak stated they should really have to wait for approval of the secondary before the site plan is heard.

23-09 Kevko, LLC, Petitioner/109th & Broadway, LLC, Owner
Request: Primary Subdivision Plat Approval
Purpose: Professional Office Buildings
Location: 10977 Broadway

Marshall entertained a motion. Rohaley motioned to defer Petition # 23-09. 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 #23-09 was deferred to the next meeting.

Jeffries asked Irak again for the process for a special meeting. Irak stated if the petitioner immediately requested the special meeting and did the public notices, they could potentially be heard 10 days later from then. Marshall stated he would not be opposed to a special meeting if they get everything in and get the public notices out. Marshall informed the petitioner they would need to contact Watson right away to get the process started.

23-13 M-Details, LLC, Petitioner/Owner

Request: Secondary Subdivision Plat Approval

Purpose: Caliber Collision Development

Location: 1018 E Summit Street

Russ Pozen, of DVG. 1155 Troutwine, came before the Board and provided an overview of the petition. Pozen introduced Cory Detamore, the owner, to the Board. Pozen detailed the location and the creation of the one lot subdivision. Pozen detailed the site plan proposal including the detention. Pozen stated the agreement includes language for the maintenance of the detention pond as well as the financial responsibility being on the owner of the lot.

Watson reported the petitioner is requesting Primary Plat Approval for the subdivision known as Summit Park. Watson reported the subdivision would be a 1-lot development with access to the North on Summit St. just to the West of Millennium Dr and to the East of Breuckman Dr. Watson reported if approved, the petitioner will be following up this petition with a petition to present a Site Development Application for Caliber Collision to go on the property. Watson reported the Primary Plat was approved at the March 13th, 2023, Plan Commission Meeting. Watson recommended approval of the petition.

Rohaley stated the detention easement is exactly what they want.

Marshall entertained a motion. Rohaley motioned to approve Petition # 23-13 subject Staff comments. Jeffries 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 #23-13 was approved.

23-14 M-Details, LLC, Petitioner/Owner

Request: Site Development

Purpose: Caliber Collision Development

Location: 1018 E Summit Street

Russ Pozen, of DVG. 1155 Troutwine, came before the Board and provided an overview of the petition. Pozen detailed the proposed design, materials, screening, and signage. Pozen detailed the location and surrounding properties. Pozen detailed the history of Caliber Collision.

Watson reported the petitioner is requesting site development approval for a commercial automotive repair facility. The site will contain a 16,109 +/- sq. ft. building and parking lot for customer parking and vehicle storage. Watson reported it is located on a lot that is 87,120 sq ft in size. Watson reported the plan commission approved the primary one lot subdivision, known as Summit Park, on March 13th of 2023. Watson reported the submission has been reviewed and approved by all involved departments.

Watson reported the Fire, Engineering, & Utilities have had any and all concerns addressed and rectified. Watson recommended approval of the petition.

Marshall entertained a motion. Day motioned to approve Petition # 23-14 subject Staff comments. 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 #23-14 was approved.

23-15 Mississippi Parkway Partners, LLC, Petitioner/Owner

Request: Primary Subdivision Plat Approval

Purpose: Proposed Business Park

Location: 2900 ft. south of 129th Avenue between I-65 & Iowa Street

Jeff Ban, of DVG, 1155 Troutwine, came before the Board as a representative for the petitioner. Ban provided an overview of the petition and a history of being before the Board. Ban stated the plan has changed because they have a prospective tenant that has a specific site need. Ban detailed the location, acreage, and surrounding properties. Ban stated they would like to plat the entire business park and then when users need a specific size of land they can come back before the Board to replat. Ban stated the variety of types of users have requested 10 – 100 acres. Ban detailed the area that they are requesting to vacate and the area they plan to plat. Ban stated they plan to leave Mississippi Pkwy in the same exact location with no modifications, it is in the same alignment. Ban stated they did make some minor changes to drainage. Ban detailed the drainage and stormwater plan. Ban stated the user for lot 1 will be on the May agenda for site plan approval. Ban stated they will be providing their own stormwater retention on Lot 1. Ban stated the stormwater report states each lot will be providing their own stormwater retention. Ban detailed the lots and outlots included in the plat. Ban stated there will be some common maintenance area which is included in their REA.

Watson reported Mississippi Parkway Partners, LLC is requesting primary resubdivision approval for a 2 - lot subdivision located 2900 ft south of 129th Avenue between I-65 and Iowa Street. Watson reported the subdivision will be known as Point 65 Business Park. Watson reported the existing subdivisions layout is being reconfigured for future development & to allow for wider development opportunities going forward. Watson reported the resubdivision vacates the previous lot 1 & 2 boundaries and retains the existing Mississippi Parkway right of way. Watson reported the entire area of the Point 65 Business Park received BZA variance to extend the building height to a maximum of 65' in height. Watson reported the first resubdivision includes Lot 1 at 38.66 acres, Lot 2 at 186.85 acres, and Lot 3 is 12.40 acres. Watson reported Lot 1 has been developed for a specific buyer, Lot 2 will be subdivided when future buyers determine their needs. Watson reported the stormwater plan will be addressed on all future sites and be site specific. Watson reported all outlots are labeled as detention and drainage easements which will contain drainage ponds for the purpose of stormwater management. Watson reported all outlots will be owned and maintained by the Point 65 Business Park POA. Watson reported the Point 65 Business Park First Resubdivision plat does meet the minimum requirements of the Crown Point Zoning and Subdivision Codes. Watson reported all notices have been properly sent out by certified mail, the notice has been published in the newspaper, and no letters of remonstrance or support have been received. Watson recommended approval of the petition.

Rohaley asked Ban if they are vacating the former plat in total. Ban confirmed and stated they will replat everything. Rohaley asked if this was advertised appropriately. Ban confirmed it was advertised properly. Rohaley asked Ban to verify that Mississippi is in the exact same location and has not changed at all. Ban confirmed it is in the exact same location with absolutely no change. Rohaley stated he was not fond of the outlots so making each lot owner responsible for their own detention was a great revision. Rohaley stated he feels this is a good plan.

Conquest asked if the traffic plan is the same plan. Ban confirmed it is. Ban stated they have been working with the city and Franciscan Alliance on some possible additional access points.

Rohaley asked Ban to verify that the right of way they are taking on Iowa St. is only 40'. Ban stated that is what was proposed. Rohaley asked Ban if they think truck traffic will come down Iowa. Ban discussed some of the options that have talked about including a roundabout at Iowa St. Ban stated he does believe some traffic will go there once the intersection is improved. Rohaley asked Ban if he thinks 40' is ok. Ban stated he does. Rohaley asked if 40' is sufficient for truck traffic. Ban stated they could make the approval condition on the developer and the city staff reevaluating if 50' is required and if the change is necessary, they will make the change. Rohaley asked if a traffic study has been done. Ban stated they did have a traffic study and the analysis was a trip generation of phase 1 only. Ban stated the chances of Lot 2 being developed as one are slim so they know they will be back before the Board and can analyze the impact of Lot 2 then.

Conquest stated he is excited about this project but has voiced his concerns before because there is going to potentially be a high school, a college, a clinic and a hospital in this area. Conquest stated he is concerned with truck traffic. Conquest stated this has got to be done right. Conquest stated at Ozinga they get a lot of semi traffic in and out and their entrances needed to be 60'.

Ban stated he has encouraged people to think about other quality business parks in the area and they want the same for this business park. Ban stated they have to have the right kind of user. Ban stated the strategy is not to bring in users that have 100 trucks per hour. Conquest detailed some of his experience and just reiterated it needs to be planned right.

Rohaley agreed with Ban that it really depends on the user.

Jeffries stated there is a pretty good size swale running through the property. Jeffries stated Ban said each lot owner will be maintain their own storm water management. Ban confirmed. Jeffries asked if that "swale" conveying the stormwater get put into the calculation of what they need to handle their own stormwater. Ban stated no they are keeping all the off-site water independent from those users stormwater. Ban stated the independent users will discharge into the swale, it's not going through their site, they have to store and then discharge it again. Ban stated they are providing the spine. Jeffries stated they all know how this goes everyone trying to save a buck moving dirt

Marshall opened the public portion of the meeting.

Bob Corbin, 1505 S Court St., came before the Board as a representative of Franciscan Alliance . Corbin stated Franciscan owns Tonn & Blank which owns to the north. Corbin detailed the history of the property bought by Franciscan and Tonn & Blank and what they envisioned for this area. Cornbin detailed some of the options they have discussed in adding access to the site and how traffic will flow.

With no other public coming forward, Marshall closed the public portion of the meeting.

Marshall entertained a motion. Rohaley motioned to approve Petition # 23-15. Drasga seconded the motion. Irak asked if the Board would like to include the possible expansion of right of way. Ban stated that is completely acceptable. Rohaley amended his motion to include the possible expansion of the right of way if the city deemed it necessary. Drasga seconded the amended motion. With no further discussion. Marshall called for roll call. With a roll call vote of 6 Ayes, 0 Nays, and 0 Abstentions, Petition #23-15 was approved with conditions.

23-16 HAS Commercial Real Estate, Petitioner/Lot 24, LLC, Owner

Request: Workshop

Purpose: Medical Office Building

Location: Lot 24 – SE Section of Broadway and Summit

Russ Pozen, of DVG, 1155 Troutwine, came before the Board and provided an overview of the petition. Pozen introduced John Wilson, 100 S Wacker Dr., Chicago, IL. Wilson detailed HAS, which is a Regional Healthcare Developer. Wilson provided some examples of sites and states they have worked in. Wilson detailed what the company does. Pozen detailed the proposed development, ingress/egress, design, materials and variance requirements.

Wilson detailed the proposed sq footage, materials, design, and canopy areas.

Pozen stated they are looking for feedback on the proposed development.

Day stated he likes the look of the building and is excited about a medical office building.

Drasga asked if they will require a variance for the building. Pozen stated the ordinance allows for 35' and they will be under 35'.

Rohaley stated he would be a little concerned with all the traffic along that small street there and it gets pretty busy.

Conquest stated he likes the building. Conquest asked if they are going to do a mini hospital. Wilson stated they will not be doing a mini hospital.

Jeffries stated he likes seeing more medical buildings. Jeffries asked for clarification on some of the rain panels. Wilson provided details about the rain screening. Wilson stated as they get farther along they can bring in samples.

Marshall agreed with the other Board members and likes the project.

MISC. AND PUBLIC COMMENT

No Public

Conquest stated the letter from Engineering is great. Conquest apologized to Rohaley. Conquest stated he has been going through their ordinances.

Drasga brought up not getting the drainage and cross access easement for one of the petitions heard and stated they should have been diverted because the information was not received in time. Drasga stated they should not be receiving information the day of the meeting.

Conquest spoke about the possibility of a waiver.

Day asked where the communication is when the Board has asked for things over and over again and they are not received on time.

Conquest stated they are all guilty of approving things pending items and then it is on staff to chase it down.

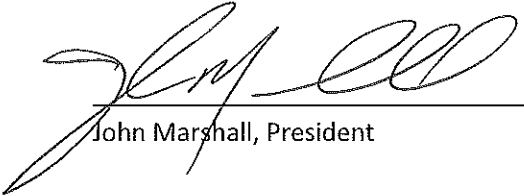
Board and Staff discussed the requirements.

ADJOURNMENT

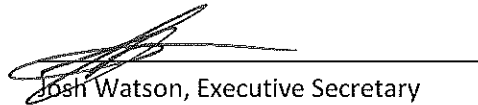
At p 8:17p.m. Rohaley motioned to adjourn Drasga, seconded by Rohaley.

ATTESTMENTS OF MEETING MINUTES

The above minutes were approved and adopted by majority on the 8 day of May, 2023.



John Marshall, President



Josh Watson, Executive Secretary