

CHESTERTON ADVISORY PLAN COMMISSION
AUGUST 16, 2018
6:30 P.M.

The meeting was called to order at 6:30 P.M. Present were members F. Owens, T. Kopko, S. Darnell, N. Cobbs, J. Kowalski and president G. Stone. Town Engineer M. O'Dell and Town Manager B. Doyle were in attendance. Attorney's C. Parkinson and C. Nolan were present as legal advisors. Member J. Trout was absent. The pledge of allegiance was recited.

APPROVAL OF MINUTES

Member T. Kopko moved approval of the minutes from July 19, 2018 seconded by member S. Darnell and passed by unanimous voice vote.

COMMENTS FROM THE PUBLIC

Frank Jachim a representative from Residence at Coffee Creek was present. He requested the board to consider waiving the submission requirements in order to submit a formal request to amend Ordinance 2016-18 for the Coffee Creek Center Phase A & B PUD. The amendment would reduce the parking lot area to promote additional greenspace.

Attorney C. Parkinson said he had an opportunity to review the amendment and found no problem.

The amendment would reduce the number of Phase One onsite parking spaces from 116 to 88. There spaces would serve residence housed within the facility which would contain 64 assisted living units and 48 assisted living memory care units. The 48 assisted living units with memory care are not permitted to have cars. Mr. Jachim commented that in their Schererville facility out of the 62 assisted living residence, only 3 or 4 residence actually drive. There would be plenty of available spaces for employees and visitors.

Member F. Owens moved to waive the rules for submission and allow the preliminary hearing to proceed seconded by member T. Kopko and passed by unanimous voice vote.

Town Engineer M. O'Dell commented that as this project opens up if there are a large number of cars parking on Village Point or Quail Trace they would need to add additional parking. He asked that a condition be added reflecting this parking availability. There would be a fire lane installed.

Attorney C. Parkinson called attention to condition contained in the Ordinance 2016-18, which would require the petitioner to come back with a plan for this board. He wondered if this petition would satisfy that requirement. He said that legal, the town and the petitioner would work together to accomplish this final review.

Member N. Cobbs moved to set this item for public hearing at the September meeting seconded by member F. Owens and passed by unanimous voice vote.

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PRELIMINARY HEARINGS

Lake County Trust Company, as Trustee under a Trust Agreement Dated 02/20/1998 and Known Trust No. 4965, Petition to Amend a Planned Unit Development District Ordinance. President G. Stone commented that there was no new material received on this matter as it was continued from the July meeting.

Attorney Greg Bouwer was present as representative for the petitioner. He respectfully requested a continuance until the September meeting.

Member F. Owens moved to continue this item until the September meeting seconded by member N. Cobbs and passed by unanimous voice vote.

Larry D. Wright, As Trustee of The Larry D. Wright Family Trust Dated October 2, 2014 and Olthof Homes, L.L.C. requesting an Amendment To The Springdale Subdivision PUD Ordinance No. 2007-29. Attorney Greg Bouwer was present as representative for the petitioner. He told the board the petition was submitted and then amended to comply with some suggestions from staff and Attorney Parkinson. The developer is now moving forward with the residential portion of the buildout. The detention pond has been expanded because of wetland delineation thereby reducing the commercial portion of the project. The second part of the request is to develop the site in phases. The residential portion would start upon approval. The detention pond in the commercial area would also be completed but the road that would front the commercial area would not be installed. The road would not pass Lot 70 and 71. They would be requesting 24 months to complete the residential portion. They would also be looking to increase lot coverage. When the project was first platted only the square footage of the house was taken into consideration. The amendment takes into consideration the house sidewalks and driveways.

Town Engineer M. O'Dell said lot coverage has always been defined by the Ordinance as the house, sidewalks, patio and driveways and sheds. He requested a floor plan for each model home the new developer would be constructing. He commented that the lot coverage request was in line with other paired patio homes being constructed.

Member S. Darnell commented that the representative from Olthof Homes has been in front of this board three times requesting an all residential buildout of this parcel. He voiced his concerns that this board is not "going with the flow" based on the northeast corner of 1050 North and 200 West being under development and this board didn't need that any longer. He encouraged this board to follow along with their plan to build a completely residential parcel. She said the Olthof representative lied to this board because the parcel he referenced as being under development is owned by herself.

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It was clarified once again that the commercial portion of the development would not be deleted. The commercial area was only reduced to expand the detention pond as dictated by the wetlands.

Member F. Owens moved to set this item for public hearing at the September 20, 2018 meeting seconded by member S. Darnell and passed by unanimous voice vote.

CONCEPT REVIEW- None

PUBLIC HEARINGS

Urschel Laboratories, Inc. requesting an amendment to the Third Addition To Coffee Creek Center, PUD (Sidewalks) Rules for conducting a public hearing were read aloud. The secretary verified proof of publication, notification and payment. Bill Arndt was present as a representative for Urschel Laboratories, Inc. He told the board they are interested in installing a new concrete sidewalk from the plant to the roundabout at the east end of Gateway. The sidewalk will provide a safe environment for their employees who enjoy walking during their breaks. They currently have been walking in the street. He respectfully requested the board to favorably consider their petition.

Katie Rizer, Executive Director for Coffee Creek Watershed Conservancy was present to speak in support of the petition. She said they are located on the other side of the proposed sidewalk and are thrilled to see Urschel employees use the conservancy before during and after work.

There was no one present to speak in opposition to the petition. The public comment portion of the hearing was declared closed.

Member T. Kopko moved to send a favorable recommendation to the town council regarding this petition seconded by member S. Darnell. The motion passed by a vote of 6 to 0.

Shinn Building and Developing Corporation, Petition for Change to The Chesterton Zoning Map. The secretary verified proof of publication notification and payment. Attorney Greg Babcock was present as legal representation for the petitioner. He was accompanied by Mr. and Mrs. Shinn. Attorney Babcock told the board they had filed a request to rezone property on South Calumet Road seven years ago. They took the six most western lots that were Zoned B-2 and converted them to R-2 and constructed single family residences. During that time Mr. Shinn marketed those three other lots for business use and never had any interest shown.

Mr. Paul Shinn of 2320 Arndt Street, Chesterton, IN. was present. He told the board He purchased this property in 2010 and since then 6 homes have gone up on the property. The frontage Lots 1, 8 and 9 have been listed commercially since they purchased the property. The

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commercial lots have had no one show interest, however, when it comes to single family there have been calls from people looking for single family lots in town.

Attorney Babcock gave a brief rundown of the assessed value the three lots would bring to the town if allowed to be developed as residential. Currently up and down South Calumet Avenue from Porter Avenue to the catholic cemetery there are 27 homes and 9 businesses. He believes the future use of the property in this location is more residential rather than business. They would like to proceed with their request to change the remaining three lots to R-2 with the same restrictions and commitment to build single family homes. He respectfully requested the board to consider sending a favorable recommendation to the town council.

A letter in support of the petition was received from Carol Brickey and Daniel Shepard, 111 Westchester Ave ., Chesterton. They had no objection to a zoning change from B-2 to R-2.

Mr. Emerson DeLaney 1559 N. 100 East, Chesterton was present to speak in support of the petition. He commented that Mr. Shinn gave it a good try to market the parcels as commercial but thinks it would now be a good infill project for an R-2 Zone with the commitment of building single family homes.

There was no one present to speak in opposition to the petition. The public comment portion of the public hearing was declared closed.

Town Engineer M. O'Dell commented that there may be some additional variances required if the board was so inclined to look favorable upon the petition. Lots 1 and 9 could have some setback issues.

President G. Stone commented that the comprehensive plan calls for Calumet Road to be a commercial street. He hated to keep whittling away at commercial property in order to sell property. When the initial parcel was converted to R-2 and these last lots remained B-2 there was no time limit set for these lots to remain commercial. He said he was troubled by the conflict of having a comprehensive plan and not holding it in higher regard. Perhaps the comprehensive plan needs to be looked at again.

Member T. Kopko echoed the same views as member Stone.

Member J. Kowalski commented that perhaps the comprehensive plan needs to be revised.

Member F. Owens commented that as a larger lot before the first zoning change was approved this parcel was a much more viable option for commercial use.

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Attorney C. Parkinson called attention to the written commitments as proposed by the petitioner. He advised the board that they may also want the petitioner to make commitments about the road cuts associated with any changes to the zoning as a part of this proposal.

Member S. Darnell moved to close the public hearing seconded by member T. Kopko and passed by unanimous voice vote.

Member N. Cobbs moved to send a favorable recommendation to the town council regarding this item seconded by member J. Kowalski.

Attorney C. Parkinson urged members of the board to make the written commitments a part of the proposal. The commitments were not a part of the petition last month and if it is the boards desire to include them they would be considered an amendment to the proposal.

Member N. Cobbs withdrew his initial motion.

Member N. Cobbs moved to accept the written commitments and send a favorable recommendation to the town council regarding this item seconded by member J. Kowalski.

Member S. Darnell asked for clarification from an engineering perspective.

Town Engineer M. O'Dell said they may need to seek variances from the BZA regarding setbacks but the decision about driveways and road cuts should not be a part of this decision.

Again, the motion to accept the written commitments and send a favorable recommendation was meet with a vote of 3 to 3. Members S. Darnell, Kowalski and Cobbs voting yes and members Kopko, Owens and Stone voting no.

Attorney C. Parkinson advised the board that they could take up another vote of forward the petition to the Town Council with no recommendation at all.

Attorney G. Babcock suggested a vote might be taken when board would have full membership representation.

Member J. Kowalski moved to send the petition for consideration to the Town Council with no recommendation from this board. There was no second on the motion.

Member S. Darnell moved to continue this item until the September meeting without a public hearing seconded by member F. Owens and passed by unanimous voice vote.

OLD BUSINESS- None

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NEW BUSINESS- None

MISCELLANEOUS BUSINESS

Member N. Cobbs said he would like to look into our comprehensive plan. He said he would be happy to be a part of a group review.

ADJOURNMENT

There being no further business before the board member T. Kopko moved adjournment seconded by member F. Owens and passed by unanimous voice vote. The meeting adjourned at 7:38 P.M.

Respectfully submitted,

Gail A. Murawski, Secretary

Approved;

G. Stone, President