

**CHESTERTON ADVISORY PLAN COMMISSION  
SEPTEMBER 20, 2018  
6:30 P.M.**

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

**APPROVAL OF MINUTES**

Member J. Kowalski moved approval of the minutes from August 16, 2018 seconded by member T. Kopko and passed by unanimous voice vote.

**COMMENTS FROM THE PUBLIC- None**

**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.** Attorney G. Boucher was present as legal representative for the petitioner. Attorney G. Boucher said they took some time to meet with staff and understanding of the way the site had been parceled out. The client is seeking to install a third freestanding sign on the parcel at the southwest corner of Indian Boundary Road and SR 49. Attorney Boucher distributed site plan depicting where the proposed freestanding sign would be installed. He told the board his client owns these corner parcels which are comprised of Walgreens and a small strip center which currently houses McColly Realty a discount cigarette shop and a few other units/businesses. There are currently two freestanding signs which incorporate some of the seventeen sites/businesses but not all. The freestanding sign nearest SR49 is located on the Trust 4965 parcel while the second parcel that contains the other units has no freestanding sign. All the sign spaces are taken by the different businesses and are included in a declaration. The strip center as a separate parcel does not have space on either of the two existing freestanding signs. The declaration from 1998 anticipated the need for a third sign to be located in the area shown on the site plan. The businesses that exist in that strip center have requested additional signage to stay competitive in the marketplace.

The owners are looking to amend the PUD to appease the current tenants as well as attract other national tenants. This pylon sign exposure would help keep the spaces fully leased and provide stability which keeps property values up. The variance request would increase the current signage to 240 square feet or 120 square feet of display surface per side. They would also be requesting a variance that would increase the height of the sign to 25 feet. Attorney Boucher told the board the perimeter wall that runs along SR49 and the rate of speed at which traffic travels necessitate this height increase. The proposed sign would be located 10 feet from the property line. He respectfully requested this item to be set for public hearing at the October meeting.

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President G. Stone clarified this signage would be for the building located on the most western portion of Site 9. He felt that the sign would be useless because by the time passersby would see the sign they would have already passed the way to get to the business. The sign would be more advertisement and not directional.

Attorney G. Bouwer said the proposed sign would get people into the site. The proposed location is far enough away from the other signs to make it pleasing and not look cluttered.

Town Engineer M. O'Dell said that when Cosmos made their request for the Holiday Inn Express they had proposed their sign to be placed in the same common area in that exact location.

Member J. Kowalski questioned the reasoning behind the 25-foot height request. He commented that he observed the proposed location of the sign and finds it to be excessive. He requested the petitioner to submit the exact location of the sign. He told the petitioner that the sign needs to be installed at ground level and not on the berm.

Member J. Kowalski moved to set this item for public hearing at the October meeting seconded by member J. Trout and passed by unanimous voice vote.

**CONCEPT REVIEW- John Nekus, Duneland Prairie Residences.** Attorney G. Babcock was present as legal representation for the petitioner. Mr. Nekus accompanied him. Attorney Babcock told the board this concept review is for a parcel of land that is approximately 11.8 acres. The site would be accessed by South Calumet just south of the U.S. Post Office. The parcel is also bordered by Pope O'Connor Ditch on the south. He mentioned that there is a portion of the parcel located in the flood plain. They revised their initial plan to construct 62 paired patio homes and 5 single units. They would return with a PUD and treat this as an R-2 Zone although its Zoned B-3.

Mr. Nekus of New Buffalo, Michigan was present. He told the board he has owned this parcel for 20 years. He sees a shortage in properties in the middle-income housing market. His market would include baby boomers wanting to downsize, professionals and empty nesters and perhaps first time home buyers. He was looking to create a quality product in the 1700 to 2800 square foot range that offers the opportunity to own and not rent in a unique environment. His vision is to create a community in a natural environment and provide a maintenance free situation to enjoy homeownership. He distributed pictures depicting two styles of homes in a natural environment. There would be covenants and restrictions from a design perspective. The development would have an HOA that would have ownership of the common space containing walking paths.

President G. Stone expressed concern about the self-contained type approach. He felt it would be a good idea to have emergency vehicle access off Richter Street.

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Attorney G. Bouwer was present as legal representation for the petitioners. They are seeking to amend the PUD Ordinance. The developer is now moving forward with the residential portion of the buildout. The detention pond has been expanded because of a wetland delineation thereby reducing the commercial portion of the project from 9.79 acres to 8.68 acres. There would be two separate detention ponds because of the wetlands. The second part of the request is to develop the site in phases. The residential portion would start upon approval. 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. He commented that the lot coverage is similar to other developments in the town. He respectfully requested that the board consider sending a favorable recommendation to the town council.

The secretary informed the board that proof of payment for publication of the notification had not been received. Attorney Bouwer told the board it would be paid.

Justine Sams of 1718 Crocker St., Chesterton, IN was present and expressed concerns about the wildlife that inhabited that area such as fox, birds and coyote. They are getting so limited on where can they roam. Furthermore, she expressed concerns about the build out of the commercial area. She wanted to see that kept to a minimum.

The public comment portion of the public hearing was declared closed.

Member Darnell asked engineering if they had any concerns regarding drainage issues.

Town Engineer M. O'Dell said that this PUD was approved 10 years ago. There have been changes made to the town standards which need to be looked at. Rear yard drains will be required. He said they need to look at drawings and make sure they are compliant with current standards. They would need to get a permit from the DNR for that wetland area.

Attorney C. Parkinson commented that M. O'Dell does need to see the plan of development drawings. It would not affect the variances the petitioner is seeking, it's a technical issue. Furthermore, if a preliminary plat is approved and more then two years goes by before a secondary plat is approved, you can require a petitioner to come back in and file a new preliminary plat. That's where the current town standards get implemented. He suggested the public hearing be continued until next month to give M. O'Dell an opportunity to make sure nothing is missing. The petitioner might also present an amended preliminary plat.

Member S. Darnell moved to continue the public hearing until the October meeting seconded by member J. Trout and passed by unanimous voice vote.

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**AIL Coffee Creek, LLC. / DBA Residence at Coffee Creek requesting an Amendment to Ordinance 2016-18 For Coffee Creek Center Phase A & B PUD.** Frank Jachim a representative from Residence at Coffee Creek was present. The amendment would reduce the number of Phase One onsite parking spaces from 116 to 88. These 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 Scherererville 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. If in the future they would expand the facility they would come before the board for additional parking. He respectfully requested the board to forward a favorable recommendation to the town council.

There was no one present to speak in support of the petition.

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

Attorney C. Parkinson said there had been a few changes to the ordinance that are really not of much substance. There were a few additions and deletions which do not affect the variances they are seeking.

Member F. Owens moved to close the public hearing and forward a favorable recommendation to the town council for this item seconded by member T. Kopko and passed by unanimous voice vote.

**OLD BUSINESS**

President G. Stone addressed comments from board members regarding revising the Comprehensive Plan. He reminded the board that initially the Comprehensive Plan was revised in house with several people working toward that common goal. The second revision was 10 years ago and it was handled by an outside consultant. He urged members of the board to read their entire Comprehensive Plan and talk to folks within the community and get their feelers out with specific suggestions for change. This item would be revisited in November.

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**NEW BUSINESS- None**

**MISCELLANEOUS BUSINESS- None**

**ADJOURNMENT**

There being no further business before the board member J. Trout moved adjournment seconded by member T. Kopko and passed by unanimous voice vote. The meeting adjourned at 8:03 P.M.

Respectfully submitted,

Gail A. Murawski, Secretary

Approved:

G. Stone, President