

PLAN COMMISSION

March 14, 2022

REGULAR MEETING

ROLL CALL

The meeting was called to order at 7:00p.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 Sauerman, Chad Jeffries, Richard Day, Scott Evorik

Members Absent: None

Staff Present:

Commission Attorney Joe Irak, Mayor David Uran, City Attorney Alex Kutanovski, Executive Secretary Anthony Schlueter, Recording Secretary Jenni Pause, Communications/Media Manager Mary Freda

Mayor David Uran came before the Board and asked for a moment of silence in remembrance of Developer, Bob Rossman.

APPROVAL OF MINUTES

President John Marshall asked the Commission to approve the February 14, 2022, meeting notes. Scott Evorik noted the meeting date should be 2022 not 2021. Evorik motioned to approve the February 14 meeting minutes with date change. Daniel Rohaley seconded the motion. A roll call vote was taken, by a vote of 7 Yeas, 0 Nays, 0 Abstentions, the motion unanimously passed, and the meeting notes are now official record of the body.

OLD BUSINESS

22-04 Crown Point Community School Corporation, Petitioner/Owner

Request: Site Development

Purpose: Timothy Ball Grade School Building Additions and Improvements

Location: 720 West Summit Street

Don Torrenga, 907 Ridge Rd., Munster, IN, came before the Board and provided an overview of the petition which will include remodeling of the current building, additions to the building, parking lots and 2 additional detention ponds. Torrenga stated the additions on the east and west side are all classroom additions. Torrenga stated they are also adding soft play areas to both east & west sides. Torrenga state they will also be improving the road in the rear and adding a new completely enclosed trash containment area.

Executive Secretary Anthony Schlueter reported on the location, proposed additions & improvements, additional parking, and detention areas. Schlueter reported the drainage improvements will bring the site up to current standards. Schlueter reported the expanded parking does encroach into the setbacks and will require a BZA variance. Schlueter reported new and improved sidewalks will also be installed around the entire site. Schlueter reported the landscaping plan was deferred to next month. Schlueter reported the plans were reviewed by the Fire, Utility and Engineering Departments and recommended approval of the petition subject to the BZA variance approval.

Daniel Rohaley asked for verification of the road improvements and asked if that will be the drop off area. Torrenga clarified the road and confirmed that is the drop off area. Torrenga detailed where the bus drop off/parking will be and where the vehicle parking/drop off will be. Rohaley asked if the big turnaround on the north side is for the bus turnaround. Torrenga confirmed.

Scott Evorik asked if the improvements and/or additions will affect the baseball fields. Torrenga asked where the baseball fields were. Evorik stated there are practice fields on the west side not fully developed fields. Torrenga stated there will still be considerable open area on the west side because it isa a low-lying wetland area.

Laura Sauerman asked if T-Ball was one of the schools that receive complaints about traffic and if they have accommodated all the backup/pick up traffic so it is not backed up on Summit St. Schlueter stated he will look into it but feels this is a definite improved traffic flow for the school. Sauerman reminded Schlueter that they ae wanting the schools to use their own land to accommodate traffic problems. Schlueter reported he will check with the police dept.

Torrenga stated the drop off and pick up area on the east side holds approximately 60-65 stacked cars which is considerably better than what they have now.

Marshall stated he is happy to see the school adding on and thinks they have a pretty good plan.

Marshall entertained a motion for Petition #22-04. Rohaley motioned to approve Petition # 22-04 subject to Staff comments and the approval of the variance for the encroachment of the east & south parking lots. Day seconded the motion. With no further discussion. Marshall called for roll call. With a roll call vote of 7 Ayes, 0 Nays, and 0 Abstentions, Petition #22-04 was approved.

NEW BUSINESS

22-05 ALKA Properties, LLC, Petitioner/Owner

Request: Change of Zone R-1 to I-1

Purpose: Parking Lot

Location: 1600 North Main Street

Alex Kutanovski, 1504 N Main St. came before the Board as a rep and provided an overview of the petition as a representative and owner of ALKA Properties. Kutanovski stated they have received approval from the DNR and the County Drainage Board. Kutanovski stated the plan has also been reviewed by the city Engineering and the County for the final use which will be a parking lot. Kutanovski stated the DNR is requesting the parking lot be a gravel parking lot for the time being because it is located in the flood plain and they want to see what is going to happen with the drainage before any hardscape is put down. Kutanovski informed the Board because of this he will need a waiver for the paving, striping, and curbing.

Schlueter reported on the location, zoning, and surrounding properties. Schlueter reported the zone change would allow for his entire parcel to have the same zoning. Schlueter reported the main access will come from the existing access off Main St. where the Carroll Chevrolet Building is located. Schlueter reported the city feels this area is undevelopment for anything other than a parking lot and is in favor of matching the I-1 Industrial zoning for the entire parcel. Schlueter recommended approval of the petition subject to a waiver granted for a gravel lot.

Michael Conquest stated he originally had some concerns about I-1 but then Schlueter explained the property could never be anything besides a parking lot. Conquest stated he likes that the parking lot will be pervious material. Conquest stated because they cannot put anything else there it does not matter what it is zoned.

Rohaley stated this is probably the best use for this property.

Kutanovski stated the DNR has a set plan for the landscaping at the top of the berm. Kutanovski stated the parking lot will not encroach on the berm.

Chad Jeffries asked how the pedestrian foot traffic from lot to lot will work. Kutanovski stated there is an existing sidewalk along Main St that can be used. Kutanovski stated after the parking lot goes in, he would like to make an approach to the drainage board to put a metal bridge across that.

Marshall opened the public portion of the meeting.

Douglas Gossage, property owner directly to the north, came before the Board and voiced his concern with this property being rezoned to Industrial. Gossage stated the owners of this property gave him a lot of grief for wanting to put his preferred business on his property and he just wants to make sure they are not trying to do something else. Gossage stated he wants to make sure they are not going to try to build something else industrial down the road. Gossage asked Schlueter to verify that the rest of the property is Industrial. Schlueter confirmed. Gossage stated he has no issues with a parking lot.

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

Kutanovski stated the property sits within 75' of a drainage easement so there is no way the County would approve any type of building. Kutanovski stated the only intention is to use that area for a parking lot.

Marshall entertained a motion for Petition #22-05. Rohaley motioned to approve Petition # 22-05 subject to Staff comments with the waiving of the paving, striping, and curbing of the parking lot. Conquest seconded the motion. Jeffries asked the petitioner to verify that the intention is to eventually pave the parking lot once he receives approval from the DNR. Kutanovski confirmed he would prefer it to be paved and will ask for permission after the gravel has been down for awhile. With no further discussion. Marshall called for roll call. With a roll call vote of 7 Ayes, 0 Nays, and 0 Abstentions, Petition #22-05 was approved.

22-06 CP Prairie, LLC, Petitioner/Owner

Request: Primary Subdivision (75 Lots)

Purpose: The Orchard Subdivision

Location: Southeast corner of 109th Avenue and Iowa Street

Schlueter informed the Board that the petitioner would like to defer for 30 days, but they would like to go ahead and hold the public hearing for anyone that showed up.

Jeffries asked if they could hear public comment on a petition that is not technically before them. Irak stated it is the Board's decision on whether they want to hear public comment. Alex Kutanovski asked Irak if they can open the public hearing, just not close it and defer it to the next meeting. Irak stated they do not have Engineering it is a component that is missing. Marshall and Evorik stated they are ok with hearing the presentation. Jeffries stated if they are going to take comment on it they should allow the petitioner to present his presentation.

Ryan Fleming, 219 N. Main St., came before the Board and provided an overview of the petition. Fleming detailed the location and design of the proposed development. Fleming stated there has been a slight change to the plan and they were able to enlarge some of the lots on Mowery Ct. but will not affect the Engineering. Fleming detailed some of the planned amenities. Fleming detailed the landscaping for the development. Fleming detailed the monument sign. Fleming detailed the proposed screening.

Marshall asked Schlueter if he has a Staff Report. Schlueter stated he does not.

Rohaley state he is happy to see two entrances.

Marshall opened the public portion of the meeting.

David Uran, 218 Sheridan St., came before the Board and commended Fleming and his team on this development. Uran stated the development helps Crown Point continue to be diversified with housing and adds to the quality of life for the City.

Media Director, Mary Freda read a question from Facebook asking if more land was acquired. Freda stated another person voiced their concern with visibility issues if trees are planted along Iowa St.

Brent Stacks, 2064 E 11th Ct., came before the Board via Zoom. Stacks stated originally, he thought the development was approved for 53 homes, how did it go to 75 homes. Stacks stated in the meeting last year he asked Schlueter how this development will affect the drainage and the pond in Niles Creek that he owns part of. Stacks stated he still has not seen anything on how this development will affect that pond by flooding or draining. Schlueter reported that the petition is being deferred for that reason because the drainage plan has not been fully approved. Schlueter stated once it is approved Stacks can come into his office and he will show him how it is all going to work. Stacks asked when that will be ready to review, he has been waiting since last September. Schlueter reported the petitioner changed the plan so when it is ready for review Schlueter will reach out to Stacks so they he can review it as well.

Fleming addressed the visibility on Iowa stating the trees are set back off the road and will not be located in the right of way so they should not be visibility issue. Fleming stated the trees and design will have to be approved by the Tree Board. Fleming stated no additional land has been purchased for this project. Fleming stated Comprehensive hydrology has been done for the site and they have taken into consideration the watershed that accounts for Niles Creek Subdivision, and everything Stacks mention is part of the comprehensive engineering that has been done.

Marshall entertained a motion for Petition #22-06. Rohaley motioned to defer Petition # 22-06 and leave the public hearing open. Evorik seconded the motion. With no further discussion. Marshall called for roll call. With a roll call vote of 7 Ayes, 0 Nays, and 0 Abstentions, Petition #22-06 was deferred for 30 days.

Scott Evorik recused himself from the Board

22-07 Watermark Properties, Petitioner/DC3, LLC, Owner

Request: Change of Zone B-3 to R-3

Purpose: Single Family Subdivision

Location: 12510 & 12319 Delaware Parkway

John VandeVoorde, 858 Happy Canyon Rd. Suite 230, Castlerock, CO, came before the Board and provided an overview of the petition. VandeVoorde provided an overview of the company, what a single family leased home family community is, what the typical residential profile looks like, what Watermark communities look like and what they envision the community in Crown Point to look like. VandeVoorde provided a history of Watermark. VanderVoorde stated their communities are A+ Communities. VandeVoorde detailed the type of people that typically lease from their company which included, young professionals, seniors looking to downsize and minimize maintenance, veterans' families, medical professionals, and people relocating looking for short term to find their forever home within the community. VanderVoorde stated the average annual income of their families is \$175,000.00 which tells them people choose to be in their communities they are not there because have to be. VandeVoorde provided examples of their current single family leased communities and renderings of possible examples for the proposed development in Crown Point. VandeVoorde detailed the amenities that will

be included in the community which will include parks, walking trails, dog parks, workout centers, and recreational buildings.

VandeVoorde stated most of the property is already zoned properly for the development, they are just looking to rezone 14 additional acres to the R3 zoning to complete the development.

VandeVoorde stated they are looking to centralize the green space in the development, and they see the importance in making sure there are large outdoor gathering spaces for their residents.

VandeVoorde detailed their proposed buffer, park space and landscaping plan. VandeVoorde stated they anticipate a 3-season community barn, community trails, community pool, pergolas, yoga lawns, linear park and other neat things like that.

VandeVoorde briefed on the 6 different product types and multiple colors. VandeVoorde detailed some of the possible elevations, architecture, and color schemes.

VandeVoorde detailed how this plan meets the city's comprehensive plan.

Schlueter reported on the location, zoning, surrounding properties and history of approvals. Schlueter reported on the proposed development. Schlueter reported that the city has filed for a federal grant for road improvements which would include an overpass and a roundabout. Schlueter reported with this development the east side of Delaware St would be required to be full improved with curbs and storm drains and accel/decel lanes. Schlueter reported the Planning Dept. feels this type of single-family development would be more favorable than the multi-family, high density communities existing and being proposed along I-65. Schlueter recommended a favorable recommendation to the City Council.

Rohaley asked Schlueter to verify that this is more of a clean up that is bringing a parcel of land that was under a commercial development and bringing it together to make the whole parcel R3. Schlueter confirmed.

Marshall asked if the development would be owned as one lot or will each house have its own parcel id. VandeVoorde stated they intend to comply to the R3 zoning which would require individually platted lots all under one ownership. Marshall asked if they would keep it all under one ownership or will they sell it. VandeVoorde stated their intention is to hold on to it, they are long time holders of all of their communities.

Sauerman stated R3 is a pretty tough zoning for her, and she is concerned with this getting rezoned, and nothing happens with this development and something else comes in. Sauerman asked Schlueter if they could come in with a PUD so that the city would have some additional control. Schlueter asked Sauerman what her concern with an R3 zoning is. Sauerman stated her greatest concern is the density. Sauerman stated she is not excited about the leasing. Schlueter stated any zoning class requires a special use for multi-family use. Sauerman asked again about the PUD.

Jeffries stated he agrees with Sauerman about a PUD. Jeffries voiced his concern with changing the zoning and then someone else coming in and doing something completely different than what the petitioner is proposing. Jeffries voiced his concern with if Watermark sold the entire property and if there is not HOA language in place it could become a major issue. Jeffries asked what the safeguard would be if Watermark chose to sell. VandeVoorde stated that would not be any different than any other subdivision where people decide to sell. Jeffries stated the difference is those other subdivisions would have an HOA in place. VandeVoorde stated the way they manage their properties their management have those rules and those standards stay in place as long as the development stays a leasing property. Jeffries stated the HOA is basically a civil contract between the property owner and the HOA. Jeffries stated they need a safeguard in case Watermark decided to sell off the property. Jeffries stated making the property a PUD would give the city more control over situations like that.

Freddie Ellis, of Watermark, came before the Board and stated their average lease cost will be around \$3,000/month so if things are not maintained they are going to hear about it from their residents. Ellis stated if they were to sell, they would more than likely sell at a 20-30% premium meaning the new owners will have every interest to ensure that the maintenance and everything continues to be topnotch. Jeffries stated he just wants to make sure if they go this route the city has some safeguards in place to assure their bases are covered if the property should sell. Ellis stated essentially their HOA is in their resident's lease agreements and if they sold the new owner would have to own those leases. Jeffries asked what the typical timeframe for the leases are. Ellis stated there is a minimum of one year and they keep them between 12-18 months.

Conquest stated like everyone else he has some question because this is a new concept. Conquest asked what the average turnover rate for a community is. Ellis stated 15%, with 85% of the residents staying. Conquest asked how long those 85% stick around. Ellis stated he would guess around 3 years. Ellis stated the main reason a resident leaves their lease is because they buy a house within that community. Ellis stated they get a lot of empty nesters that do not want to leave the community but are sick of the upkeep and maintenance. Conquest asked if the houses are furnished or unfurnished. Ellis stated they are mostly unfurnished. Ellis stated residents are not allowed to make changes in the house. Conquest stated his greatest concern is drainage because that piece of property has been accused of causing flooding problems and they are coming in with an awful lot of hardscape. Conquest asked what they have in mind for improvements for the road because they are definitely going to need to answer that when they come back. Ellis stated they are just there for a zone change and they will dive into road improvements and drainage issues when they come back. Conquest stated with ownership comes a vested interest. Ellis stated in this day and age some people just want to live this way, they value the convenience, they don't want the maintenance and upkeep. Ellis stated Watermark is the owner and they have a vested interest, and they want to enhance the community.

Richard Day asked what the largest property they have in their portfolio right now. Ellis stated 281. Day asked what kind of vacancy they have. Ellis stated once they are built and stabilized almost 100% occupied.

Marshall asked how many developments they have. Ellis stated they have 14 active with 1500 homes and another 3000 in production. Marshall asked how long they have been renting their properties. Ellis stated since 2016. Marshall asked if they have sold any of those communities. Ellis stated they have sold some of the communities. Ellis stated though now how they are financed they are a forever owner. Marshall stated his concern is with the rental aspect. Marshall asked how it works if they sell and someone else decides they are not going to do the same level of maintenance and upkeep. Ellis stated in terms of the economics if they were to sell down the road it would be at such a price that any future owner, they would lose their money if they neglected their home. Marshall asked if the roads are privately owned or will they be dedicated to the city. VandeVoorde stated they will be dedicated to the city. Marshall asked how that will work that the city is going to plow and maintain roads in a rental community. Schlueter stated it will be like any other subdivision in the city. Marshall stated he agrees with the other Board members and is hesitant about this development. Ellis what his reservation is. Marshall stated he has rentals, and his renters are terrible because they do not take care of things. Ellis stated they have never had an issue with a home turnover when a resident leaves.

Rohaley stated currently there is a severe inventory shortage on houses. Rohaley stated their reservation is if Watermark turns around and sells all the houses.

Conquest asked how much of this will be spec building. Ellis stated essentially the whole community. Conquest asked if they would put everything in at once. Ellis stated pretty much.

Marshall stated the issue is right now they are just talking about a rezone of those 14 acres. Schlueter stated that is correct. Schlueter stated a PUD is possible when they come back and if the PUD never goes in everything reverts back to what it was before.

Sauerman asked who owns the rest of the R3 property to 231. Schlueter reported DC3 owns all the property.

Marshall opened the public portion of the meeting.

Beth Uram, 12461 Pennsylvania Pl, came before the Board and agreed that PUD might be the best option to consider. Uram stated her frustration with trying to find information on the current property owner and Watermark properties. Uram stated one of the two companies took out 2 PPE loans totaling \$600,000.00 and she feels that is a red flag. Uram stated her concern with something else being developed here. Uram voiced her concern with school age children being brought into the school system that will not be contributing. Uram stated she likes the look of the development. Uram stated she is majorly concerned with the flooding because that is her backyard. Uram stated currently that area is a pond for the geese because it floods so bad. Uram stated she would like to see the flooding fixed before anything comes in because she does not want to see the same thing happen that happened with Stillwater. Uram stated she would just like to see the city have more control.

Amanda Mollencopf, 12854 Connecticut, came before the Board and voiced her concern with this development because it is a short-term lease community. Mollencopf stated she feels they could learn

something from Munster who allowed this. Mollencopf stated tenants see property as a throw away commodity because they are just leasing. Mollencopf voiced her concern with the entrance being directly across from their development, Schmidt Farms. Mollencopf voiced her concern with the fact that the petitioner cannot say with any type of certainty that they are not going to sell this development down the road. Mollencopf stated she could not find DC3 or Watermark on the Secretary of State website. Mollencopf voiced her concern with her having to pick up the per student capital for the school age children that will be in this development. Mollencopf stated they cannot build what they want without this rezoning. Mollencopf voiced her concern with the city losing control once the development goes in. Mollencopf stated she is concerned that there will not be an HOA just a management board and lawyers. Mollencopf stated she has not seen any long-term feasibility of these particular type of developments. Mollencopf voiced her concern with this becoming a transient community.

Dave Moore, 12637 Pennsylvania, came before the Board as the President of the Schmidt Farms POA and stated Mollencopf expressed most this and the HOA Boards concerns. Moore stated he does not feel like these leasing trends are good for society. Moore stated he does not feel like the corporately owned housing is good for the community or the young home buyers. Moore stated leasing is just a fancy word for renting and renters do not invest in the property they are renting. Moore stated he sees trouble 15-20 years down the road when these homes are not being taken care of by the renters.

Cassandra Schmidt, 12527 Pennsylvania, came before the Board and stated she also feels there is a lot that they can learn from Munster, they left Munster and came to Crown Point because of the rentals in Munster. Schmidt stated there is a huge amount of crime when you start to have a lot of rental housing. Schmidt voiced her concern with the constant flooding in the fields near the proposed development. Schmidt stated in order for them to develop that they will need to raise the ground and she voiced her concern with where the water will then go. Schmidt voiced her concern with the adjacent properties flooding because of the runoff from this property. Schmidt voiced her concern with the additional traffic as well as the burden on the schools.

Todd Kleven came before the Board as a developer and a resident of Crown Point. Kleven stated he is an adjacent property owner to this property. Kleven stated in 14 years he has seen at least 5 different plans come before the Board for this property and stated he feels this is a great plan. Kleven stated most of the property is already zoned R3 and he gives the developer a lot of credit for not going ahead and developing it because they could do that. Kleven stated they could develop and not disclose that it is rentals because they do not have to. Kleven stated what he does not want to see is a semi coming out from Delaware. Kleven stated they should be happy that there is a residential plan in front of them instead of commercial which is what it is currently zoned for. Kleven stated the flooding is depressionable flooding and will all be managed with the engineering of the subdivision. Kleven stated this is a great plan, it is not apartments, and it is not high density. Kleven stated he was very fortunate when he graduated college and again when he got a divorce that he was able to find rentals in the community so him and his kids could stay where they were born and raised.

Tim Alspeck, 12687 Pennsylvania, came before the Board and voiced his concern with the burden on traffic. Alspeck stated he would hope the road improvements would be done before the development

starts. Alspeck stated the traffic is an absolute mess and needs to be addressed before any building is done.

Lawrence Crisswell, 13131 Delaware, came before the Board and asked Schlueter if they decide to sell, and the new owner decides to tear all the houses down and build apartments is there any recourse. Schlueter reported that is not possible. Crisswell asked if there has been a traffic study done on Delaware. Schlueter reported the Planning Dept has approval for a comprehensive corridor plan for 231 and anything intersecting including Delaware. Schlueter reported there is an understanding that the road improvements are for Delaware and as development comes the road improvements are performed by the developers. Schlueter reported they have already applied for grants and to be eligible for the grants they need to be able to show there is development coming to the area. Crisswell asked about the R3 zoning. Schlueter stated they are not going to get a development like Schmidt Farms on the east side of Delaware because of the proximity to I65 so R3 was the appropriate zoning. Schlueter reported in the past what has been proposed for this same property was 6-8 cluster townhomes, this plan is not that, it is single family homes. Schlueter stated he feels this plan is more acceptable than the plans that have been brought to them in past and what could possibly come in the future.

Dennis McGarel, 12630 Pennsylvania, came before the Board and voiced his concern with the development being a leasing community. McGarel stated he feels the development itself is very nice, but not sure about the price point, he thinks it might be somewhat of a reach for this area. McGarel stated he likes the concept. McGarel voiced his concern with Watermark selling the development down the road.

Mary Freda read a question from someone on facebook asking if the zoning of R3 would change the amount of property tax to the city and/or school. Schlueter reported it would be more property tax. Ellis stated that is a good point to bring up when they are talking about the schools because this development will actually be paying double the property tax than that an average owner-occupied single-family home.

Freda read a comment from zoom that stated Watermark stated there would be 6 color choices but all the renderings show one color, and asked how Crown Point would be different. VandeVoorde stated the color schemes are up to the individual municipality.

Freda read another zoom comment voicing their concern with the impact on the already problematic traffic and the lack of sidewalks.

Freda read another comment voicing their concern with this development harming the property values of residents in Schmidt Farms.

Freda read a question asking if there will be a requirement for the houses to be similar in value and design to the surrounding properties.

Marshall read an email remonstrating from Tom Turry voicing his concern with the police currently not doing anything about the speeding motorists on Delaware and the heavy trucks damaging the road. Turry voiced his concern with rentals home decreasing the home values. Turry stated if they want to do this they should have to put in a frontage road along I65.

David Uran, 218 Sheridan St., came before the Board. Uran stated he appreciated the resident bringing up the flooding and noted his house was built way before Schmidt Farms and he does not blame that subdivision for his flooding it is just the way things happen. Uran stated the city is working on the flooding issues in the city. Uran stated addressing the flooding in the city has always been one of his missions since he was elected. Uran detailed some of the flooding in the area and how the drainage works. Uran commended the residents for coming out and being part of the process and speaking their minds. Uran stated the Comprehensive Plan has this property as a R3 subdivision. Uran stated when you look at what Watermark has proposed which is a higher scale R3 development with \$400-500,000 homes, it is much better than \$150-250,000 that they could be putting in. Uran stated they have seen their communities which are higher scale developments in very similar communities to Crown Point. Uran addressed the property taxes and the fact that Watermark will have to pay 2% because the homes are not owner-occupied homes. Uran stated the argument that the schools are going to be negatively affected is incorrect. Uran stated the schools are investing \$215 million dollars into the renovations of their schools. Uran detailed the school improvements. Uran encouraged people to speak with the school superintendent because the schools want more housing in their district in Crown Point. Uran stated PUD or not, something could be developed on this property that is less desirable that would diminish property values. Uran stated if they start putting in grant applications without the developments going in, the applications will be dead in the water. Uran detailed how road improvements are funded. Uran stated the City needs to have diversified housing. Uran stated his daughter rented in another state and 18 months later bought her first home in that same community. Uran stated fair housing has to be measured by the same standard as other municipalities. Uran stated they have to make that needle move a little because they have said no to apartments, but they can't keep saying no with fair housing laws or they are going to come back and bite you.

Kleven recommended a zoning commitment letter with certain conditions.

Jeff Ban, 698 Davis Ct., came before the Board and stated there is a need for this type of housing. Ban stated all the big projects coming before this board create a need for a human resource component. Ban stated all of us want this great stuff, but all this great stuff doesn't come with single-family homes that are ½ million-dollar homes on ½ acre lots and above. Ban stated he just attended a conference that had a whole host of presentations from a lot of different regional economic development organizations including GNIAR, that spoke about the need for a variety of different housing options. Ban stated he has demographic studies on our communities and Crown Point continues to get older and because of the decisions that are being made they are zoning out a generation. Ban provided examples of his son and sister who currently both lease properties in their communities for various reasons. Ban stated this community needs a variety of housing for a variety of people.

Freda read a question asking if these will be government housing. Ellis stated they will not be.

Conquest stated the mayor brought up a good point, if the Board votes no, realistically the petitioner could come back in a month with a smaller version of the same thing and there is nothing the Board can do to stop it. Conquest stated he is a pro build person but wants to see it done properly. Conquest addressed the drainage and flooding and asked the petitioner to do their homework. Conquest stated the flooding is sheet flow and something must be done with it. Conquest stated something must be done with the roads. Uran stated the city will hold the petitioner to a high standard and the engineering will need to meet or exceed the ordinance.

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

Rohaley stated the state of Indiana has given the Board some zoning laws that they have to go by and there is criteria they have follow. Rohaley read the criteria. Rohaley stated he believes the petitioner has met all the criteria and based on that Rohaley motioned to approve Petition # 22-07. Day seconded the motion. Jeffries stated this is just a rezone they will still need to come back to discuss roads, design and stormwater retention. Marshall stated the Board is not voting on the project, they are voting on the rezone. With no further discussion. Marshall called for roll call. With a roll call vote of 5 Ayes, 1 Nays, and 0 Abstentions, Petition #22-07 was approved.

Evorik returned to the Board

22-08 PMB Crown Point, LLC, Petitioner/SLD Land Trust and I-65 Beacon Hill Partners, LLC, Owner

Request: Secondary Subdivision (2 Lots)

Purpose: Parkways of Beacon Hill – Phase 2

Location: 10855 Virginia Street

Jake Rohe, 3394 Carmel Mountain Rd, San Diego, CA, came before the Board as a representative for the petitioner Rohe stated they are going to present #22-08 and 22-09 together. Rohe provided an overview of the petitions. Rohe introduced the team for the project which included PMB, the developer, DVG, local civil engineer, Perkins & Will, Walsh Construction and University of Chicago Medicine. Rohe detailed the percentage of NWI residents that seek medical care outside of the region and the percentage of NWI residents that are employed by University of Chicago. Rohe detailed the project location, total acreage, surrounding properties, proposed square footage, parking and use of the building. Rohe detailed the two accesses off Virginia Street, the building parking, main building entry, drop off canopy and lot stacking. Rohe stated the loading, materials management, trash, and supply chain would be located in the rear of the building facing I-65. Rohe provided a rendering of the proposed site plan.

Russ Pozen, of DVG 1155 Troutwine Rd., came before the Board and provided details regarding the plat and the 2-lot subdivision. Pozen detailed the no access easement that is defined on the plat. Rohaley asked Pozen to verify that it will be a no access all the way across. Pozen confirmed it will be a no access all the way along 109th. Jeffries asked how far off is the access on Virginia St. Pozen stated it is more than 900'. Schlueter reported that they have required an additional west bound turn lane. Pozen detailed the

traffic study findings. Pozen provided details regarding the sidewalks, the detention areas, buffer year, and landscaping. Rohaley asked if they plan to do berming. Pozen stated there is a natural berm already there. Pozen detailed the parking and roadway access. Schlueter asked if the grading plan they submitted would demonstrate the natural berm. Pozen stated it would. Pozen detailed the monument signs and went over the variances needed for those. Schlueter asked Pozen to verify the sign to the south is 28 ½' ft high. Pozen confirmed and stated both signs are the same height. Schlueter stated understands the necessity for the height on the sign near I-65 but does not see the need for the other sign to be that tall. Rohe stated signs are an amenity especially for this site because of the Emergency Room which needs to be seen. Schlueter asked Rohe if they think they can accomplish what they need to with a 20' high sign. Rohe stated he will take it back to the team to look at. Schlueter recommended making that monument sign 20'. Pozen detailed the on building signage. Pozen stated there was a previous question about the emergency rooms and how UC will handle this. Pozen stated they submitted a letter regarding that.

Marco Capicchioni, 1133 W Elmwood, Oak Park, IL, came before the Board and detailed how they analyzed the marketplace and the product they were going to bring to this area. Capicchioni stated they own 5 emergency rooms but they wanted to make sure they did this right. Capicchioni stated they joined together with Kovider which is a company that has done 40 micro hospitals with emergency departments in 8 different states. Capicchioni stated Kovider analyzed and did the calculations properly to make sure they could operate this micro hospital in a very safe manor. Capicchioni stated the letter they submitted was to help assure the Board that they did their homework and feel confident they can deliver safe care to the City of Crown Point that they deserve.

Conquest stated he is very excited about the cancer center. Conquest detailed the research he did. Conquest stated he spoke with ambulance drivers that stated in an area like this they would not go to a micro hospital they would go on to the full-service hospitals. Conquest asked if all of this will be under one license and will UC be the license holder. Capicchioni state UC will be the sole license holder. Conquest asked if this will be a fully equipped and fully staffed emergency room. Capicchioni confirmed they will be fully equipped and fully staffed.

Anthony Schlueter reported the plat does meet the minimum standards for the Crown Point zoning and subdivision code. Schlueter recommended approval of the petition.

Marshall entertained a motion for Petition #22-08. Evorik motioned to approve Petition # 22-08 subject to all Staff comments. Rohaley seconded the motion. With no further discussion. Marshall called for roll call. With a roll call vote of 7 Ayes, 0 Nays, and 0 Abstentions, Petition #22-08 was approved.

22-09 PMB Crown Point, LLC, Petitioner/SLD Land Trust and I-65 Beacon Hill Partners, LLC, Owner
Request: Site Development
Purpose: University of Chicago Micro Hospital
Location: 10855 Virginia Street

Anthony Schlueter reported the site plan does meet the minimum standards for the Crown Point zoning and subdivision code. Schlueter reported the plan was reviewed by the Fire, Engineering and Public Works Departments. Schlueter recommended approval of the petition.

Marshall entertained a motion for Petition #22-09. Rohaley motioned to approve Petition # 22-08 subject to all Staff comments. Sauerman seconded the motion. With no further discussion. Irak reminded the Board that the petitioner has agreed to work with Schlueter on the one sign height and it should be added to the motion. Rohaley amended the motion to include the height of the sign being lowered to 20". Marshall called for roll call. With a roll call vote of 7 Ayes, 0 Nays, and 0 Abstentions, Petition #22-09 was approved.

22-10 Lennar Homes of Indiana, Petitioner/Owner

Request: Secondary Subdivision

Purpose: Heather Ridge Phase 3

Location: Southwest Corner of 109th Avenue & Iowa Street

Todd Kleven, 250 E. 123rd Pl., came before the Board and provided an overview of the petition. Kleven stated this is a continuation of a subdivision originally approved in 2019. Kleven stated Lennar has agreed to install a culvert under 109th Ave. to provide additional emergency overflow backup in the case that all systems were to fail.

Schlueter asked if the lots along the south were taken into account for when they went for the variance because of the pipeline issue. Kleven stated they did. Kleven stated potential homeowners will be made aware of the restrictions of those 10 lots and they will have it in writing. Schlueter reported on the proposed plan, detention, drainage and stormwater. Schlueter reported both outlots will be owned and maintained by the HOA. Schlueter reported the city has been holding off on approval of this petition due to stormwater compliance, but the petition now meets with Engineering and stormwater code. Schlueter reported the secondary plat does meet the minimum standards of the zoning and subdivision code and consistent with primary plat approval. Schlueter recommended approval subject to no Certificate of Occupancies being issued until the installation of the required stormwater infrastructure.

Marshall entertained a motion for Petition #22-10. Evorik motioned to approve Petition # 22-10 subject to all Staff comments. Conquest seconded the motion. With no further discussion. Marshall called for roll call. With a roll call vote of 7 Ayes, 0 Nays, and 0 Abstentions, Petition #22-10 was approved.

22-11 Tim Heidbreder, LLC, Petitioner/KAPDEN, LLC, Owner

Request: Site Development

Purpose: Law Office

Location: 333 East Summit Street

Tim Heidbreder, 647 Brookside Dr., came before the Board and provided an overview of the petition.

Schlueter reported on the location, history of approvals, design, materials, parking, monument sign, and sidewalks. Schlueter reported the site plan does meet the minimum standards for the Crown Point zoning and subdivision code. Schlueter reported the plan was reviewed by the Fire, Engineering and Public Works Departments. Schlueter recommended approval of the petition subject to a waiver being granted for the sidewalk requirement along Merrillville Rd.

Rohaley asked about the sidewalk. Schlueter reported they work with the petitioner on making sure the sidewalk is installed appropriately and lines up correctly.

Marshall entertained a motion for Petition #22-11. Conquest motioned to approve Petition # 22-11 subject to all Staff comments and waiver for the sidewalk on the east side. Rohaley seconded the motion. With no further discussion. Marshall called for roll call. With a roll call vote of 7 Ayes, 0 Nays, and 0 Abstentions, Petition #22-11 was approved.

22-12 Smith Farm, LLC, Petitioner/Owner

Request: Workshop

Purpose: Single Family Subdivision

Location: 3905 West 133rd Avenue

Ryan Fleming, 219 N. Main St., came before the Board and provided an overview of the petition. Fleming stated they are currently working on coming up with a design for the 80 acres. Fleming stated they have hired a land architect to assist in working through the topography and design. Fleming detailed the mature trees they plan to try and keep. Fleming stated from the property they have access to 133rd and 136th Ln. Fleming stated they are looking at about 49 lots. Fleming stated they are looking to make sure there is a dedicated pipeline through the site and looking at improved parkways with storm water basins in the middle. Fleming stated they will set exceptional architectural standards for this subdivision.

Schlueter asked Fleming to verify where the access points are prosed. Fleming showed them on 133rd and 136th Ln. Fleming stated 136th Ln goes through an unincorporated subdivision, but the right of way dead ends to their property. Fleming stated it was intended for an extension.

Evorik asked if the two ponds are already there. Fleming stated they would be new and used as possible detention basins. Fleming stated they have one pond.

Schlueter asked if this is the entire subdivision for all the property that was annexed. Fleming stated this is the 80 acres that they are able to develop.

Sauerman stated she loves that they are working with the natural topography and trying to save those trees.

Rohaley asked what the approximate lot size is. Fleming stated they are 120 x 200, about a ½ acre.

Schlueter asked Fleming to verify that every lot will meet the R1 requirement. Fleming confirmed. Fleming stated once the Engineering gets worked through, they may be reduced to 47 lots.

22-13 Alek County Trust Co. Tr, Petitioner/Owner

Request: Workshop

Purpose: Mixed Use Development

Location: Southwest corner 109th & I-65

Jeff Ban, 1155 Troutwine, came before the Board and provided an overview of the petition. Ban introduced his team. Ban stated the property is about 37 acres. Ban stated this will be a mix of neighborhood business retail which will include retail, offices, and restaurants and (4) 10-unit residential townhomes. Ban detailed the access points and driveways Ban stated they would need a BZA variance for the length of the proposed cul-de-sac. Ban detailed the proposed utilities and their locations. Ban stated the service lines are oversized for the site. Ban stated the architecture is not fully developed but they are trying to create more of a contemporary feel.

Eric Carr, 231 Public Square, Franklin, TN, came before the Board and stated they feel this property is perfectly positioned for providing necessary high-class amenities and higher end retail. Carr stated they feel there is a shortage of high-end retail in the area. Carr stated their goal is to bring things to the community that are essential, so they are working with national tenants to bring to Crown Point.

Schlueter stated he is very excited about the retail development to the north but has some questions about the townhomes.

Evorik stated he is glad they are gearing towards high end retail because he is not ready for big box stores. Evorik stated this could be a nice community center with nice restaurants and retail. Evorik stated he would like to see more career businesses in Crown Point vs just jobs. Carr stated the larger proposed area is intended more for a grocery store business. Evorik asked if they would need another access for the townhomes. Rohaley stated the code requires a second access for anything over 10 lots. Ban and Schlueter stated it is 40 units.

Rohaley stated he thinks they will do well in the location and having the higher end retail will go great. Rohaley stated the only thing he is not a fan of is all the townhomes.

Evorik asked if they have done any soil tests. Ban stated they have not. Evorik asked Ban what his thoughts are on it. Ban stated he thinks it is going to be really good material. Carr stated they have been up here when it has rained, and the property has drained really well. Ban stated the public soil survey reports shows there is good dirt.

Conquest stated he thinks it is a good plan and he does not have a problem with the townhomes. Conquest stated a wild thought is if the Fire Dept was not crazy about the cul-de-sac there are some other options.

Sauerman stated she loves the idea of two fronts and appreciates that they saw that as an important view because they do not want it opt look like an alley. Sauerman stated she feels the architecture matches the area.

Marshall stated he feels it is a good plan for kind of an odd piece of property.

Jeffries stated looking at the renderings it appears there is a large water feature and asked the petitioner to verify that it is all going to be regraded and finished off. Ban confirmed. Jeffries stated everyone needs to cognizant that the townhomes are going to back up against to \$300-400,000 homes. Jeffries stated since the townhomes will back up against those homes, they need to make sure they are going to compliment those homes. Carr stated they have already talked about very high design standards to match the development and compliment the residential homes. Carr stated they plan connect the high-end retail and townhomes with walking paths and walkable feature for the people that live in those homes.

Schlueter asked Ban if there is any way to expand the roadway for the townhomes to make additional parking or something that does not jam up the area when they have visitors. Ban stated the road is a 35 ½' roadway.

Jeffries asked if they plan for the road to be a private road. Ban stated the thought is the road will be a public road, built to public road standards. Jeffries stated plowing that road would be a nightmare. Ban stated they have done a ton of research on the Buckeye pipeline and what they have learned is they do not want to see any hardscape on their pipeline, so they have put the curb line a couple feet off the north easement line and tried to position the buildings, so they are not too far into the water. Ban stated the driveways will provide parking for pretty close to 4 cars and there is space along the side. Ban stated the city standard street allows for parking as well. Ban discussed a couple options they can look into. Schlueter stated he thinks it is definitely something they need to look into further to come up with a solution.

MISC. AND PUBLIC COMMENT

No Public.

Freda read a comment from facebook comment voicing their concern and frustration with the current traffic and flooding issues near Schmidt Farms and asked why they feel the need to pave every inch of greenspace in the city. The facebook user stated part of the appeal to moving to Covington was the greenspace south of their subdivision.

Evorik stated the Council is the only board that says that people cannot speak for more than five minutes. Evorik asked if they could make that a rule for every single board. Marshall stated he is not ok with that because he thinks they need allow people to speak. Marshall stated he does not feel people are going over 5 minutes now. Evorik stated he saw 16 people today go over and that is ridiculous. Marshall stated you have to let them talk because they pay taxes. Day agreed with Marshall. Jeffries

stated he feels it shows transparency. Marshall stated he is not going to sit there with a stopwatch. Evorik stated they repeat themselves over and over again.

ADJOURNMENT

At 10:42p.m. Jeffries motioned to adjourn, seconded by Marshall.

ATTESTMENTS OF MEETING MINUTES

The above minutes were approved and adopted by majority on the _____ day of _____, 2022.

John Marshall, President

Anthony Schlueter, Executive Secretary