

PLAN COMMISSION

April 12, 2021

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, Executive Secretary Anthony Schlueter, Recording Secretary Jenni Pause

APPROVAL OF MINUTES

President John Marshall asked the Commission to approve the March 8, 2021 meeting notes. Richard Day motioned to approve the March 8th meeting minutes as presented. Scott Evorik 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

None

NEW BUSINESS

21-08 Lennar Homes of Indiana, Inc, Petitioner/Owner

Request: Secondary Plat Approval

Purpose: Heather Ridge Unit (79 Lots)

Location: SW Corner of 109th & Iowa Street

Tom McSherry, 19558 S. Old Coach Trail, Frankfurt, IL, came before the Commission and provided an overview of the petition. McSherry stated that this phase will include the extension of 110th all the way to Iowa Street.

Schlueter reported on the location, zoning, and history of approvals. Schlueter reported on the proposed design. Schlueter noted the exhibit does show the road improvements on Iowa St. at the

secondary entrance which include a decel lane and passing blister on the opposite side of the entrance Schlueter reported that the site plan does meet with the minimum requirements for the Crown Point zoning and subdivision code and is consistent with primary approval. Schlueter recommended approval subject to all Engineering findings.

Conquest stated that he is assuming that 110th Ln and 109th Pl tie into the first phase. McSherry confirmed.

Scott Evorik asked for a timeline for Mississippi. McSherry stated Mississippi is being completely concurrently with phase 2 improvements. McSherry stated they should have curbs by the end of the week. McSherry stated he is meeting with Buckeye to make sure that connection can be done in a manner consistent with their permit. McSherry stated he knows Mississippi must be completed and open by June and they are well within that schedule to have that done. McSherry stated it should be completed by the first week in May.

Rohaley asked if there is going to be water in Outlots C & E. McSherry stated there is going to be water in a portion of Outlot C because there are existing wetlands located within the outlot as well as water quality basins. McSherry stated Outlot E will not have any water, it will be ore of an access easement. Rohaley asked Schlueter if the language needs to be added for the city takeover of the outlots. Schlueter reported the language is already there in the dedication statement. Rohaley asked if that is their normal language. Schlueter reported it is. Rohaley asked if the 10" of dedication along Iowa St. is for the sidewalks. McSherry stated that dedication is for additional right of way and does believe there is going to be a sidewalk on that side. Schlueter reported the sidewalk will be located on the opposite side of the street. Rohaley asked if there are going to be sidewalks along Iowa. Schlueter confirmed there is but they will be located on the opposite side Iowa. Rohaley asked if they are waiving sidewalks for this plan and if there are going to be sidewalks along 109th. Schlueter stated there are going to be sidewalks on 109th up to a point. Schlueter reported there are only going to be sidewalks on the north side of 109th and the east side of Iowa. McSherry stated there are some sections along Iowa and 109th St where there is some substantial drainage, wetlands and open water which prevents the installation of sidewalks along those areas. Rohaley stated all the drawings he has seen, have sidewalks along the south side of 109th. Schlueter stated it was discussed with Engineering and due to the reasons McSherry stated they felt it best that the sidewalks be designed the way they have them now.

Conquest asked McSherry if the stormwater conveyance system drains to the wetlands. McSherry stated there is some overflow capacity there but ultimately this entire site is drained by a field tile that runs across the street and ultimately ends up in that creek. McSherry stated they worked with the farmer across the street to make sure there was a clear means of conveyance. McSherry detailed how the stormwater and drainage will work.

Jeffries asked if where Outlot C makes its way parallel to 109th if that is where the berm is located. McSherry confirmed.

Marshall entertained a motion. Chad Jeffries motioned to approve Petition # 21-08 subject to Staff comments. 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 #21-08 was approved.

21-09 Pat Connelly, Petitioner/Owner

Request: PUD Minor Change

Purpose: Fieldstone Crossing Unit 2

Location: 93rd Avenue & Tyler Street

Steve Frances, of Linden Group Architects, 10100 Orland Pkwy, Orland Park, IL, came before the Board and provided an overview of the petition. Frances introduced owner, Pat Connelly to the Commission. Frances provided a history of the property. Frances stated they have changed the floor plans and elevations to meet current market trends since what was originally approved was outdated. Frances stated they are not looking for any additional density. Frances detailed the units they are proposing consisting of mostly ranches and 1 ½ story townhomes. Frances detailed the proposed colors and materials for the townhomes. Schlueter reported that the current roads were installed years ago with just a binder coat and the city will require that they be redone to current city specs. Frances confirmed that is their plan as well as repairing the curbs.

Schlueter reported on the location, zoning, history of the development and history of approvals. Schlueter reported on the proposed design and materials. Schlueter recommended approval subject to all Engineering findings.

Conquest stated he is looking at the southeast corner and asked if 96th Ln is going to be private. Frances stated the horseshoe shaped drive is a private drive. Conquest stated he does not have a problem with it but wants to make sure that it is spelled out to people that that drive is private and not maintained by the city and is not the city's responsibility to plow or maintain in any way. Schlueter agreed that the city has problems with private drives because people think it is the city's responsibility, but it is not. Conquest asked if they drive will service 3 lots. Frances confirmed. Frances asked Connelly if they will be plowing that drive as well as the driveways. Connelly stated the development will be maintenance free and will include plowing of that drive as well as the lawn maintenance under the HOA. Connelly stated that area will also serve as overflow parking.

Evorik asked if there will be an HOA for those 3 lots. Frances asked Connelly if there will be a new HOA. Connelly stated he plans to have a separate HOA for this new phase. Connelly stated there will be an agreement between the HOA for phase 1 & 2 for shared access. Rohaley asked if they have seen the declarations for that for this phase. Schlueter stated they have not. Schlueter stated the original PUD called for everything to be under one HOA but understands that it makes sense to have them under two separate due to the age difference. Jeffries stated he is sure that they could both fall under a master for the entire development. Rohaley asked if the original is expandable. Frances stated he is not sure, and he will refer to the existing HOA. Schlueter asked Rohaley if depending on how it was originally set up, they might not be able to just add an amendment. Rohaley stated he is not sure how the original HOA

was set up and if it allows for them to just add that. Rohaley stated they just want to make sure that those private streets are maintained by the members not the city. Schlueter stated he believes that is how the original HOA was set up. Rohaley recommended confirming that they can add/amend the original HOA. Rohaley recommended making any approval subject to legal review.

Jeffries asked the earth movement for the 52 lots was done prior. Frances stated he is not sure, but he knows the infrastructure was put in. Frances stated he is not sure about the pad grading, but they are having Torrenga will do the plats for each pad as the develop them and determine the grading still works as intended. Jeffries asked if the renderings are going to be true to form; will there really be architecturally designed garage doors. Frances stated it should be the garage doors will be a wood grain to match the front doors. Jeffries asked if everything out there is asphalt drive. Jeffries stated he wants to make sure it is done correctly.

Marshall asked if there is a public hearing. Schlueter stated since it is a minor change, no public hearing is required.

Marshall entertained a motion. Rohaley motioned to approve Petition # 21-09 subject to Staff comments, final Engineering and Legal review of the master declarations to include a separate HOA for the new phase. Day seconded the motion. Jeffries asked if this something that they plan to start moving on this summer. Connelly stated they plan to move immediately. With no further discussion. Rohaley called for roll call. With a roll call vote of 7 Ayes, 0 Nays, and 0 Abstentions, Petition #21-09 was approved.

21-10 Chester, Inc., Petitioner/Lake Kagon, LLC, Owner

Request: Site Development

Purpose: Building Addition CDE Collision Center

Location: 1181 East Summit Street

President Marshall informed the Commission that the petitioner has requested a 30-day deferral.

Marshall entertained a motion. Laura Sauerman motioned to defer Petition # 21-10. Chad Jeffries 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 #21-10 was deferred to the next meeting.

Evorik asked that once the legal review has been done and the declarations have been changed if all members can receive a copy. Schlueter stated he will get everyone a copy.

MISC. AND PUBLIC COMMENT

Schlueter introduced the City of Crown Point new Assistant City Planner Grace Roman. The Commission welcomed Grace.

Public Hearing: Crown Point Zoning & Subdivision Code Update

Maura Rigoni, Robinson Engineering, 10045 W. Lincoln Hwy, Frankfurt, IL, came before the Commission and detailed some of the changes and corrections they have made to the Crown Point Zoning & Subdivision Code. Rigoni stated the process and procedures were discussed in great detail with Schlueter. Rigoni stated the R3 is going to stay the same. Rigoni stated the special uses are one area they decided to go back and change; residential will now be a permitted use.

Schlueter stated he feels this is ready for approval.

Rohaley thanked Rigoni for getting the billboard standards into the revision.

Jeffries asked about 150.31 regarding accessory structures. Jeffries asked if they ever came to a conclusion regarding HOA having its own rules and how to marry the language. Rigoni stated they spoke specifically about home rentals but in general they did not include a clause blanketly for accessory structures due to the fact the city does not have enforcement rights. Jeffries pointed out a typo on page 77. Schlueter stated him and Grace will go through the document line by line and check for typos and spacing issues so that the final that goes before City Council is free of those issues. Jeffries stated page on 89 on the pdf regarding PUD under "G' 6th line down it should read compliant not complaint. Jeffries asked for clarification regarding 116 under signs; sandwich boards are still not going to be allowed because they are everywhere. Rigoni deferred to Schlueter. Evorik stated they went over that for a year and half and they decided to keep it if they are not in the walkway. Jeffries stated they are not following the logic. Schlueter stated he felt like they were leaving it up to his discretion. Jeffries stated Schlueter will not always be the person sitting in that seat and he just wants to make sure there are no issues like they have had in the past. Staff and Commission discussed the options for sandwich boards. Sauerman stated in the code that sandwich boards are approved by the Board of Works not the Planning & Zoning Admin. Schlueter stated if the Commission is ok with it, they can amend it to say they can be approved through the Planning Dept. Schlueter reported they wanted to leave it in there so that if someone is abusing it, he has some recourse. Jeffries recommended putting a size and design restriction in there if they are going to codify that in case someone else has a different interpretation. Schlueter asked Irak his recommendation. Irak recommended changing it to subject to Planning Dept. approval. Rigoni stated if they could figure out a way to not allow just anything as a sandwich board. Rigoni stated she will speak to Schlueter about how to specifically word that change. Jeffries stated there is nothing concrete in the code update, but he knows they talked about a way to marry policy & procedure, so they do not get involved in another lawsuit with zone changes and special uses. Rigoni detailed what they looked at regarding that and what other municipalities do. Rigoni stated they decided to keep it in this fashion.

Conquest asked about 151.27 -151-29, page 27L, what exactly is Indiana standards. Rigoni stated it is a short term, defined in the definitions.

Rohaley asked about page 78, the PUD density bonus. Rohaley stated he thought they were not going to have that incorporated into the code update. Marshall stated he remembers that discussion about talking that out as well. Evorik stated he remembers it but does not have any notes on it. Rigoni stated they took out a lot of directive language out that talked about allowing for greater density. Rigoni

discussed how this will work and stated they have several options to allow for extra density. Rohaley stated he still has issues with page 31 that everyone comes in as R1A for annexation, he feels that is a mistake. Rohaley stated they heard from the Comprehensive Plan experts that the city should not be squandering their real estate close to the highways and does want this to come back and bite the m because of this. Evorik agreed with Rohaley.

Marshall asked if the Commission is ready to send this to Council. Schlueter recommended making the one change and sending it to Council.

Conquest asked if they wanted to have a default for property coming into the city. Conquest asked if property should really be brought in at the lowest value. Rigoni stated property should be brought in as the most restrictive. Rigoni detailed the reasoning behind bringing property into the city as R1A. The Marshall stated he felt they could control the rezoning more by bringing it in as such a restrictive zone. Irak stated he feels the R1a is the best zoning to bring annexed property into the city.

Irak recommended making any approval of sending it to the Council is subject to all the changes.

Marshall entertained a motion. Rohaley motioned to advance the draft copy of the Crown Point Zoning & Subdivision Code Update to the City Council subject to all amendments discussed and legal review. 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, the draft was approved to be forwarded onto the City Council.

Marshall thanked Rigoni for all her hard work and assistance.

Jeffries stated if they are going to use their iPad cameras for the zoom meetings while in person, they are going to have to have hard copy documents to look at instead of going back and forth. Schlueter stated that would be ok. Marshall stated he feels they should go back to packets because it is easier. Schlueter stated he will look into it and talk with his boss.

No Public Comment

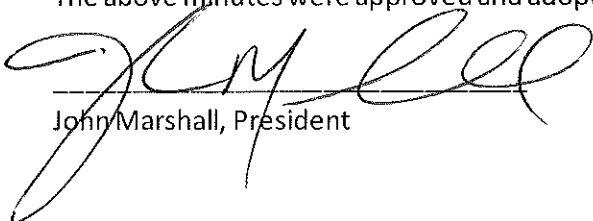
No Misc.

ADJOURNMENT

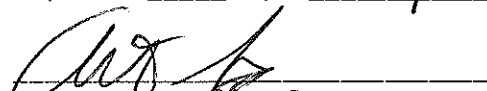
At 8:23p.m. Evorik motioned to adjourn, seconded by Sauerman.

ATTESTMENTS OF MEETING MINUTES

The above minutes were approved and adopted by majority on the 10th day of May, 2021.



John Marshall, President



Anthony Schlueter, Executive Secretary