

PLAN COMMISSION

June 14, 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, Assistant Planner Grace Roman

APPROVAL OF MINUTES

President John Marshall asked the Commission to approve the May 10, 2021, meeting notes. Richard Day motioned to approve the May 10th meeting minutes as presented. Michael Conquest 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

20-23 DVG Team, Inc., Petitioner/Diamond Peak Group, LLC, Owner

Request: Site Development

Purpose: Ironton Pointe Commercial/Professional Office Building

Location: 698 East 125th Avenue

Russ Pozen, DVG Team, Inc., 1155 Troutwine Rd., came before the Board and provided an overview of the changes to the original approved petition. Pozen stated they have reduced the size of the building and made it a one unit instead of a multi-unit. Pozen stated they have changed the detention from an underground system to normal above ground dry basin. Pozen stated they are still utilizing the existing drive off Burrell Dr. Pozen stated the berm will provide the proper safety cautions from the roadway to the detention basin. Pozen stated the building is the exact same building that was originally approved it has just been reduced in size. Pozen reported on the Landscaping plan.

Executive Secretary Anthony Schlueter reported originally this site was approved for 3 unit commercial office building but is now requesting a single unit standalone building. Schlueter reported the building

will have the same architectural features as originally approved. Schlueter reported on the ingress/egress, parking, trash enclosure and detention pond. Schlueter reported the dry detention pond will require a Plan Commission waiver to be located a minimum distant from the Grant St. right of way. Schlueter reported the waiver can be granted if an adequate berm exists between the pond and right of way providing safety from vehicular and pedestrian traffic. Schlueter reported the revised Landscaping Plan is on the July Tree Board agenda. Schlueter reported the site plan does meet the minimum requirements for the City's Zoning and subdivision code. Schlueter recommended approval of the petition subject to all engineering findings and Landscaping approval. Schlueter stated regarding the waiver, he did contact the city's engineering consultants to shed some light on the subject. Schlueter read a letter from Commonwealth engineering detailing what would be required and stating they feel the berm and spacing is adequate.

Scott Evorik asked Pozen to verify that there will be 33 parking spaces for the one-unit building. Pozen confirmed that was a request by the tenant.

Conquest asked Pozen about arrows on the south end of the basin. Pozen stated those represent emergency outflow. Pozen stated there is an existing ditch/culvert that the overflow can go into.

Daniel Rohaley stated he likes the parking in the back. Rohaley stated in the event that they wanted to expand the building they would have to come up with something to accommodate the detention basin. Pozen stated that has been discussed and the owner stated they do not want to expand the building at all. Rohaley stated he thinks the building looks great.

Marshall stated he feels this building fits better on the lot.

Sauerman asked Posen to detail which direction the elevations will face. Posen detailed the elevations stating the south elevation will face Burrell and the north will face the berm. Sauerman asked if they are adding height to the "berm". Posen confirmed.

Jeffries asked for verification of what sections from the original approved building will this be. Posen brought up the old rendering and detailed the sections. Tim Hayes came before the Board and stated the design and materials will be the same as what was originally approved.

Day asked what the timeline for this project is. Posen stated they would like to start building immediately.

Jeffries stated he likes the design and feels this fits the property.

Schlueter asked if the parking lot lights will be adjustable. Schlueter recommended that the lights point straight down and not be adjustable to avoid any issues with the lights shining into the residential neighborhood and feels any approval should be subject to the lights not being adjustable. Posen stated he does not believe the lights are adjustable. Jeffries agreed.

Attorney Irak recommended separate approvals for this petition. Irak stated the waiver should have its own approval separate from the site plan.

Marshall entertained a motion for the waiver for Petition #20-23. . Rohaley motioned to approve the waiver for Petition # 20-23. 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, the waiver for Petition #20-23 was approved.

Marshall entertained a motion for Petition #20-23. . Rohaley motioned to approve Petition # 20-23 site development as amended, as presented with the parking lot lights being not adjustable subject to Staff comments and Engineering findings. 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 #20-23 was approved.

NEW BUSINESS

21-12 Betty, LLC, Petitioner/Owner

Request: Primary Plat Extension

Purpose: Betty Court North (12 Lots)

Location: Intersection of Shannon Drive and Betty Court

Tom Fleming, 751 Lake Street, came before the Board and provided an overview of the petition. Fleming stated all the lots exceed the R-1 requirements. Fleming stated due to the pandemic they are behind and are looking for an extension.

Executive Secretary Anthony Schlueter reported on the location, zoning and history of approvals for the subdivision. Schlueter reported the plat has been updated with the newly adopted language regarding ownership and maintenance. Schlueter reported that the pat does meet the minimum standards for the city's zoning and subdivision code. Schlueter recommended approval.

Marshall stated it is nice to see a petitioner before the Board before the plat expires. Marshall stated he has no issues.

Marshall entertained a motion for Petition #21-12. Sauerma motioned to approve Petition # 21-12 for 12 months. 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 #21-12 was approved.

Marshall stated Petition #21-13 & #21-14 are related and will be heard together, but will vote on them separately.

21-13 Lennar Homes of Indiana, LLC, Petitioner/Lake County Trust Co. Trust No. 2247, Owner

Request: Vacation of Plat

Purpose: Vacation of Mississippi Street Right of Way

Location: 109th South to the South line of Lake Ventures Subdivision

Todd Kleven, of Lennar, 1141 E Main Street, East Dundee, IL, came before the Board and provided an overview of the petitions. Kleven stated there was a small portion of Mississippi Street was overlooked and this section is what is in front of the board. Kleven provided a history of the approvals for Mississippi Street. Kleven stated to let the record show the petitioner agrees with Marshall on combing the two petitions.

Schlueter reported on the location, zoning, subdivision, and history of approvals. Schlueter reported since the original approval Mississippi Street alignment has changed to coincide with the 109th traffic & safety improvement project along with the Heather Ridge Subdivision. Schlueter reported a section of Mississippi St. will need to be vacated. Schlueter reported the City Council will draft an ordinance vacating the right of way allowing for the resubdivision. Schlueter recommended a favorable recommendation to the City Council for the vacation of the right of way and recommended approval of the resubdivision subject to Council adoption of the ordinance.

Conquest asked Kleven to verify that north of the railroad is 80' wide and south of the railroad is about 55" wide. Kleven confirmed. Kleven stated they do not have road control east of that but luckily it fits in with the road improvements.

City Attorney Joe Irak stated he worked with the petitioner's attorney on this project and has reviewed everything. Irak stated he is good with the petition.

Marshall entertained a motion for Petition #21-13. Rohaley motioned to send a favorable recommendation to the City Council for Petition # 21-13 subject to Staff comments and Engineering findings. Rich 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 #21-13 received a favorable recommendation.

21-14 Lennar Homes of Indiana, LLC, Petitioner/Lake County Trust Co. Trust No. 2247, RH of Indiana, LP, Lennar Homes of Indiana, Inc., Owner

Request: Re-Subdivision

Purpose: Re-Plat of Lake Ventures Subdivision

Location: SE Corner of I-65 & 109th

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

Marshall entertained a motion for Petition #21-14. Rohaley motioned to send a favorable recommendation to the City Council for Petition # 21-14 subject to Staff comments, all Engineering findings, and the approval by the City Council for the vacation of the right of way. Rich 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 #21-14 was approved.

21-15 Lennar Homes of Indiana, LLC, Petitioner/Owner

Request: Workshop

Purpose: P.U.D

Location: Intersection of Cedar Lake Road and Burrell Drive

Todd Kleven, of Lennar, 1141 E Main Street, East Dundee, IL, came before the Board and provided an overview of the petition. Kleven stated the property is actually located in Unincorporated Lake County and he is bringing it before the Board to unveil it to get the Board's feedback to see if it is something they are interested in seeing come to Crown Point. Kleven provided details on the proposed design and layout. Kleven stated he reached out to Tom & Ryan Fleming to see if they would be interested in doing estate lots in the proposed subdivision. Kleven went over the lot size, layout, and possible prices for the proposed homes. Kleven detailed some of the hardships they are facing with the property. Kleven stated he has some ideas for solutions for sanitary sewer issues they have near the property. Kleven stated Lennar would be willing to participate monetarily in fixing some of the sanitary issues at the location. Kleven detailed the number of proposed units explaining everything is conceptual and has not been before an Engineer. Kleven detailed the proposed density. Kleven detailed the surrounding residential subdivisions as well as surrounding businesses. Kleven detailed the wetlands and stated they would remain wetlands. Kleven detailed the 2 proposed entrances. Kleven provided renderings of some of the proposed architecture. Kleven detailed the proposed lot sizes and square footage. Kleven stated he is looking for the Board's feedback on this proposal. Kleven stated due to the topography this project would be a PUD. Kleven stated their intention is not to disturb Hidden Lake nor would homes be built up to the lake or have any kind of individual ownership of the lake. Kleven stated the lake would be used as an amenity.

Day asked Kleven if the movement of water on this land has any certain direction. Kleven stated the water definitely moves and detailed the waters motion with everything eventually going south.

Conquest stated he likes the concept and thinks it is a great idea but thinks there will be problems with lots 48-63 because they abut an older neighborhood with issues.

Evorik stated bringing Fleming on for the more upscale homes around the lake is a great idea. Evorik stated he worries about lots 78-98 and the density. Evorik worries about having one side upscale and the other side a production builder depreciating values. Kleven stated Lennar is aware of the sewer issues and has the financial means to bring something to the area that a local developer might not have.

Conquest stated during the floods some people from Ellendale claimed the sewage from Hermits Lake was flooding them. Conquest asked if they would go due west then north. Conquest asked Kleven to verify that they are not going to try to go through Ellendale. Kleven detailed the sewer routes from Hermits. Kleven stated this proposed development would be pumped to the east through Feather Rock.

Jeffries asked about the entrance/exit points because he thought he saw three. Kleven stated there would be three but two specifically into the Hidden Estates. Jeffries stated maybe they could figure something out with the drainage that they have not discovered before.

Sauerman stated they have run into problems in the past where they have one odd piece of property surrounding by everything else. Sauerman voiced her concern with one of those pieces on the plat. Kleven explained why he thinks it is set up the way that it is.

Kleven informed the Board he is more concerned with how the Board feels about the concept and the products. Kleven asked the Board if it is something they feel they could welcome.

Evorik stated he feels there are a lot of variables that need to be worked out but there is a huge potential.

Rohaley asked Kleven how the sewage will run and will it run through Feather Rock. Kleven detailed the proposed route. Kleven stated it will go to Feather Rock and then out by the high school. Rohaley asked then where will it go? Jeff Ban detailed the route. Rohaley stated the Commonwealth report is really going to be telling on how this gets there with all the stormwater challenges as well as the sewage issues. Rohaley stated he feels it is a good mix of product if they can pull off the sewage.

Marshal stated he is glad they are not proposing any duplexes.

Board and petitioner discussed options for the subdivision.

Schlueter stated when they discussed the lots on the eastside, he just wanted to see those lots exceed the R2 minimum, and they do. Sauerman asked Schlueter if they will require any variances on the side lots. Schlueter reported they will not need any variances on the side lots their products will fit on the lots.

Conquest asked what the anticipated price range is for the east side. Kleven stated the average price on the east side will be \$430,000.00, with some starting at \$380-390,000 and some just under \$500,000.

Conquest detailed some of the improvements the city has made for drainage and wastewater.

Evorik stated the main concern would be the stormwater and sanitary.

Kleven detailed the process he needs to go through. Kleven asked Schlueter what zoning classification this property would be brought into the city as. Schlueter stated he believes an R1A. Kleven stated he would then start the rezone for a PUD.

Kleven asked Schlueter if they would like a meeting with Commonwealth. Schlueter stated there will be a lot of discussion with Commonwealth, he doesn't know why the Plan Commission would need a special meeting because their approval is part of the process.

21-16 CPD Partners, LLC, Petitioner/Robert & Linda Sons of Indiana, LLC, Owner

Request: Workshop

Purpose: Mixed Use P.U.D

Location: Northwest Corner of I-65 and State Road 231

Jeff Ban, DVG Team, 1155 Troutwine, came before the Commission and provided an overview of the petition. Ban stated CPD Partners is the project team for the Fountains, DVG Team and Torti-Gallas & Partners as well as the landowner Linda Sons. Ban detailed some of CPD's projects. Ban stated they need to have a discussion with the Board about a possible change of zone petition. Ban detailed the location, size and history of zoning and approvals. Ban stated they feel this development would be better under a PUD zoning vs having to seek several variances under a different zoning.

Ban reported the soil and drainage conditions support development as does utility service and transportation access. Ban stated the type of development they are proposing are a mixed-use development which blends residential, commercial, restaurants, cultural, office, entertainment, and public space into uses into one master plan neighborhood. Ban stated mixed use developments are walkable and pedestrian connections are vital. Ban defined what a mixed-use development is and where they are located. Ban detailed some of the other mixed-use developments they have been involved in. Ban detailed the traffic studies. Ban detailed the existing utilities and drainage. Ban stated they will be integrating the Lake County Park Trail into the development. Ban reported on the population data for a 5, 10 and 20 mile radius. Ban stated the development will includes local small shops, national brand outlet retailers, department stores, specialty grocers and signature restaurants. Ban detailed some of the other uses and amenities that will be integrated into the development. Ban detailed the proposed design of the development.

Ban provided information on Torti-Gallas and their past projects. Ban detailed some of the teams' strategies and goals for the development. Ban detailed how they feel this project will help the community grow. Ban stated they looked into what kind of tourism activity can they do within the development as well. Ban reported on some of the analysis that went into the planning of the development. Ban reported on some of the possible public areas of the development.

Ban stated they tried to create synergies between the different uses so that the physical location helps promote success for all the mixed uses.

Ban detailed the location, surrounding roads and intersections. Ban detailed the changes that would need to incur to make the site work which includes filling in an existing pond. Ban detailed the proposed roadways and roadway improvements to accommodate the development. Ban detailed the layout of the buildings and the reasoning for the proposed layout.

Ban detailed the proposed residential area of the development and provided examples of other developments that are set up similar. Ban detailed some of the shared open spaces.

Ban reported on the projected economic impact which included construction costs, site & infrastructure costs, and number of jobs that will be created.

Ban detailed the process and timeline for the next stages for the project. Ban stated they will be engaging with City Staff on the development of the site and design. Ban stated the PUD documents need to provide enough flexibility so that they can adapt to market changes.

Day asked Ban if he sees this being done in certain phases. Ban detailed phase 1 which would include the lots along 231, the hotels along I-65, component of the outlet center and a component of the townhome/condos. Ban stated they are not sure of how many units they are proposing. Day stated he feels a lot of the open space is key to the development. Day stated they want to see an upscale development on this site not just fill space. Day stated he would like to see them be selective about who comes into the development.

Evorik stated he will be here awhile, and he is not ready for a big box home improvement store. Evorik stated they need to be talking to INDOT on this project and has discussed it with Chief of Staff Falkowski. Evorik stated they are going to run into the same problems here as they did on Broadway. Evorik stated the road needs to be widened. Ban stated they recognize that 231 is going to have to be designed and built for this project to accommodate what this development creates. Evorik stated he does not want to see the townhomes become apartments down the road. Evorik stated he needs more insight on the residential townhomes dispersed around the site. Evorik and Ban discussed the lots. Ban stated the lots Evorik are referring to are a different color yellow and are not residential lots.

Rohaley stated he was excited about this project in 2018 and this reflects more of where the trend is going. Rohaley stated he is not sure about the home improvement in the back. Rohaley asked if it is designed for just the Fountains. Ban stated it is not just for the Fountains, it is for the entire community.

Marshall agreed with Rohaley, the overall plan is a good plan and would like to see it get started.

Conquest stated he is in favor of the project. Conquest stated he would not want to see a Home Depot maybe something unique.

Jeffries agreed with Day that he wants to see this be upscale and not just generalized retail. Jeffries stated he is curious about the four squared residential; are these the units that they were talking about with retail on the bottom and residential above. Ban stated they would be four stories of residential. Ban stated he does not feel this community is ready to buy a residential unit on the second floor above retail. Jeffries stated he feels the Melody Farms project seemed really bland and was his least favorite for design. Jeffries stated Ban had previously discussed having pocket parks and things for the community to come in and see but does not see any of those elements in this proposed development. Ban stated there will be something in the outlet section that will bring people in other than just retail. Jeffries stated he does not want to see a fun flatables or something in the storefronts that are supposed to be upscale retail. Jeffries asked if gas stations are proposed for the out lots towards 231. Jeffries asked are they looking at financial institutions. Ban stated there is not a plan for a gas station. Ban

stated if that is something that the Board does not want to see there should be dialogue about that. Jeffries stated he just wants to keep the front part of development attractive. Conquest stated there is already a gas station across the street. Jeffries agreed that 231 road improvements need to be done for this development to happen.

Sauerman stated she does not feel there is a plan in the world where she could get on board with a four-story residential building. Sauerman stated she could maybe be sold on the townhomes but feels there is going to be more than she will be ok with. Sauerman stated she feels a big box brings people in off the highway. Sauerman stated the Crown Point community is the type of consumer that wants to carry a Coach purse but buy it at Michigan City Outlet mall. Sauerman stated she will be interested in seeing what kind of tenants we will bring. Sauerman stated the residential density worries her. Sauerman asked for clarification on a section of the development. Ban detailed what is proposed, but stated it is not what is being proposed specifically. Sauerman stated she understands this development will not draw single family residents, but she is not ok with a four-story residential.

Day voiced his concern with how much parking will be available for the residential areas. Day stated if they are going upscale there really needs to be ample parking, he does not want to see cars lining the streets. Day asked why something like a top golf could not go here, what kind of demographics does it take to get something like that. Ban stated the problem with a top golf is the land mass. Ban stated they could evaluate that.

Ban detailed the next step in the process.

MISC. AND PUBLIC COMMENT

No Public Comment

No Misc

ADJOURNMENT

At 9:24p.m. Jeffries motioned to adjourn, seconded by Sauerman.

ATTESTMENTS OF MEETING MINUTES

The above minutes were approved and adopted by majority on the ____ day of _____, 2021.

John Marshall, President

Anthony Schlueter, Executive Secretary