

## **PLAN COMMISSION**

July 11, 2022

REGULAR MEETING

### **ROLL CALL**

The meeting was called to order at 7:01p.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, Chief of Staff Greg Falkowski, Recording Secretary Jenni Pause, Communications/Media Manager Mary Freda

### **APPROVAL OF MINUTES**

President John Marshall asked the Commission to approve the June 13, 2022, meeting notes. Laura Sauerman motioned to approve the June 13<sup>th</sup> meeting minutes as presented. 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**

#### **22-06 CP Prairie, LLC, Petitioner/Owner**

**Request:** Primary Subdivision (75 Lots)

**Purpose:** The Orchard Subdivision

**Location:** Southeast corner of 109<sup>th</sup> Avenue and Iowa Street

Executive Secretary Anthony Schlueter informed the Board that the petitioner has requested the petition be deferred to the next meeting to allow for the County Drainage e Board decision.

Marshall entertained a motion for Petition #22-06. Scott Evorik motioned to defer Petition # 22-06. 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 #22-06 was deferred.

### **NEW BUSINESS**

#### **22-21 Crown Point Center, LLC, Petitioner/Owner**

**Request:** Secondary Re-Subdivision  
**Purpose:** Caliber Collision Auto Body Repair  
**Location:** Southwest Corner of Levin Place & Superior Drive

Marshall informed the Board that the petitioner has requested that the petition be withdrawn.

Marshall entertained a motion for Petition #22-21. Evorik motioned to withdrawal Petition # 22-21. 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 With a roll call vote of 7 Ayes, 0 Nays, and 0 Abstentions, Petition #22-21 was withdrawn.

**22-22 Crown Point Center, LLC, Petitioner/Owner**

**Request:** Site Development  
**Purpose:** Caliber Collision Auto Body Repair  
**Location:** 1217 North Main Street

Marshall informed the Board that the petitioner has requested that the petition be withdrawn.

Marshall entertained a motion for Petition #22-22. Rohaley motioned to withdrawal Petition # 22-22. Sauerman 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 #22-22 was withdrawn.

**22-23 Mississippi Parkway Partners, LLC, Petitioner/Owner**

**Request:** Primary Subdivision  
**Purpose:** Point 65 Business Park (2 Lots)  
**Location:** South of 129<sup>th</sup> between I-65 & Iowa Street

Jeff Ban, of DVG Engineering, 1155 Troutwine, came before the Board and provided an overview of the petition. Ban stated what is before the Board is the 60-acre phase 1 parcel. Ban detailed why they need to design the lots this way to make them more marketable. Ban detailed the proposed stormwater pond being installed and how drainage will work on the site. Ban detailed how they are trying to correct a current water issue. Ban detailed the proposed water and sewer lines. Ban stated they have met with the city and County highway to discuss the roads and their plans.

Schlueter reported the petitioner is requesting phase one primary subdivision approval for a 2 - lot subdivision located 2900 ft south of 129th Avenue between I-65 and Iowa Street. Schlueter reported the subdivision will be known as Point 65 Business Park and the entire area of the Point 65 Business Park received BZA variance to extend the building height to a maximum of 65' in height. Schlueter reported Phase 1 includes Lot 1 at 14.02 acres and Lot 2 at 17.08 acres and both lots to house large warehousing distribution center type buildings and all outlots are labeled as detention and drainage easements which will contain drainage ponds for the purpose of stormwater management. Schlueter reported all outlots will be owned and maintained by the Point 65 Business Park POA. Schlueter reported the plan does meet the minimum requirements of the Crown Point Zoning and Subdivision Codes and recommended approval of the petition.

Rohaley asked if there will be a Property Owners Association. Rohaley pointed out some language on the plat that needs to be changed. Ban stated that would be done by secondary.

Michael Conquest stated he is happy to see them back before the Board for this. Conquest voiced his concern with semi-truck traffic. Conquest asked Ban if they envision that with the two lots. Ban and Conquest discussed the traffic options. Ban stated there is not as much truck traffic as people imagine and he does not think it will become an issue. Rohaley stated his office is right next to the Ameriplex and he does not see a lot of semi-trucks and does not see them causing issues. Conquest voiced his concern with the possibility of numerous warehouses in this complex and whether Mississippi Can handle the truck traffic. Ban stated he can speak to that because he was involved in the construction of the street that was built in excess of city standards.

Evorik asked what is going on with INDOT and getting the infrastructure on 231 started near Delaware. Chief of State Greg Falkowski reported on the infrastructure updates that they plan to start in 2024 or 2025. Falkowski stated anytime you have an INDOT project it is usually 4 years from plan stage to finish. Evorik stated that is the only thing that concerns him with this project.

Rohaley asked Ban if the Mississippi Pkwy roundabout has been approved. Ban stated they are working through those things with INDOT and the second phase is what would trigger an improvement.

Chad Jeffries stated he feels like he is missing a section. Rohaley agreed that is what he was referring to and Ban has committed to catching up with that on secondary. Ban stated he will get that corrected by secondary. Jeffries asked if the stormwater would service future development as well. Ban stated the stormwater has been designed in excess. Ban stated the ponds have been designed to expand. Ban stated they are trying to create some flexibility for roads and stormwater. Ban stated they are not building 100% of the ponds with phase 1. Jeffries stated he knows it is kind of tricky when you try to install ponds near wetlands. Ban detailed some of the pond expansion areas. Jeffries agreed there needs to be flexibility with a project like this.

Marshall opened the public portion of this meeting.

Ron Ingebretsen, 2121 E. 137<sup>th</sup> Ave., came before the Board and asked for confirmation that nothing is going to be done along 137<sup>th</sup> Ave at this point. Ban confirmed. Ingebretsen asked Ban if he has any idea when they will put the pond in on the corner. Ingebretsen stated the corner floods horribly and his front yard floods all the time. Ingebretsen asked if the roads can handle the weight and if semitrucks will be allowed on 137<sup>th</sup>.

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

Ban stated they will fix the flooding issues when they install the stormwater and drainage for the site. Ban stated he hopes the market does really well and they can fix that issue in the next 2-3 years. Ban stated they have not talked about restricting traffic on 137<sup>th</sup> yet because their design is not there yet.

Ban stated they are testing the roads for structural strength. Ban stated he does not feel their team would have an issue with restricting traffic on that road.

Marshall entertained a motion for Petition #22-23. Rohaley motioned to approve Petition # 22-23 subject to complete set of CCR's before secondary, corrected dedication language on the plat and 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 #22-23 was approved.

**22-24 I-65 Properties, LLC, Petitioner/Owner**

**Request:** Primary Subdivision

**Purpose:** Beacon Hill South (5 Lots)

**Location:** 607 East 109<sup>th</sup> Avenue

Jeff Ban, of DVG Engineering, 1155 Troutwine, came before the Board and provided an overview of the petition. Ban detailed the proposed subdivision and some of the possible future tenants for the site. Ban detailed the proposed public road to access all sites in the subdivision. Ban detailed the planned improvements for the area once construction is completed. Ban detailed the variances they applied and were approved for. Ban detailed the proposed stormwater and utilities. Ban stated the plan has been reviewed by city staff and consultants.

Schlueter asked Ban to go over the bike path and sidewalk plan. Ban stated he did not bring the plan with him but detailed the proposed plan the best he could on the renderings. Marshall asked Ban to verify that they are installing a sidewalk along 109<sup>th</sup> Pl. Ban confirmed.

Schlueter reported I-65 Properties, LLC is requesting primary approval for a 5 - lot subdivision located at Southwest of I-65 & 109th Avenue and the subdivision will be known as Beacon Hill South. Schlueter reported this subdivision appeared before the Plan Commission as a workshop where street design and lot layout were discussed and due to the hardship, this property has due to the recent expansion/improvements to 109th Avenue and the location/relocation of the Buckeye Pipeline, the subdivision received multiple variances from development standards. Schlueter reported the variances include reduction of the 109th Place right of way width from 50' to 60', reduction of the front setback to 5' along 109th Place, reduction of the front setback to 10' along 109th Avenue and I-65 Landscape Buffer Encroachment. Schlueter reported the drainage easements located on lots 4 & 5 contain the subdivision retention ponds and the owners of lots 4 & 5 will be responsible for the maintenance of the ponds. Schlueter reported all lots on the primary plat meet the minimum standards of the Crown Point zoning and subdivision codes for a B-3 Subdivision and the Planning Department recommends approval of the petition.

Rohaley asked for clarification for the location of the sidewalk easement on 109<sup>th</sup> Pl. Ban stated it is not there but will be on secondary plat. Rohaley asked if there is a sidewalk easement on 109<sup>th</sup> Ave. Ban stated it will be in the right of way. Rohaley asked if there will be a no access easement along 109<sup>th</sup> Ave. Ban stated there is not one there, but they can put one in. Rohaley commended Ban on his work on this property.

Marshall agreed with Rohaley that Ban did a good job.

Conquest recommended extending the bike trail. Ban detailed the sidewalk that could also be used.

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

Marshall entertained a motion for Petition #22-24. Rohaley motioned to approve Petition # 22-24 subject to the placement of a no access easement along 109<sup>th</sup> Ave., the amendment of the detention pond easement and dedication of the sidewalk easements that designated on the plan. Sauerman 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 #22-24 was approved.

**22-25 Martha Wheeler, Petitioner/Owner**

**Request:** Secondary Subdivision

**Purpose:** Wheeler Fields Subdivision (9 Lots)

**Location:** East of Delaware Street between 113<sup>th</sup> Avenue & 118<sup>th</sup> Avenue

Glenn Kracht with Kracht & Associates, 314 Fairfield Dr., came before the Board as a representative for Martha Wheeler and provided an overview of the petition. Kracht stated they have all the improvements in and the grading is just getting finalized. Kracht stated they have all the agencies approval and are before the Board for final plat approval.

Schlueter reported the petitioner is requesting secondary subdivision approval of a 10-lot single family subdivision known as Wheeler Estates, located between 113<sup>th</sup> and 118<sup>th</sup> along the West Side of Delaware Parkway. Schlueter reported lots 1-8 have frontage along Delaware. Lots 9 & 10 have Broadway access and the drainage and detention easements within lots 3 & 4 contain the subdivision detention ponds. Schlueter reported the owners of lots 3 & 4 will be responsible for pond maintenance. Schlueter reported the Secondary Plat for Wheeler Estates meets the minimum requirements of the Crown Pont Zoning and Subdivision Codes and recommended approval of the petition.

Kracht stated there will be a no access easement along lots 9 & 10 for Broadway.

Rohaley stated he really likes the way they did the outlots and commended the petitioner on it.

Marshall entertained a motion for Petition #22-25. Rohaley motioned to approve Petition # 22-25 subject to Staff comments. Sauerman 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 #22-25 was approved.

**MISC. AND PUBLIC COMMENT**

No Public

No Misc

**ADJOURNMENT**

At 8:08p.m. Sauerman motioned to adjourn, seconded by Evorik.

**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