

**Town of Cedar Lake – Plan Commission  
Work Session Minutes  
November 6, 2013**

**Call to Order:** 7:00 p.m.

**Roll Call:**

Absent	Jim Hunley Member	Present	Donald Oliphant Town Engineer
Present	Julie Rivera Member	Present	Jeff Lowe Building Commissioner
Present	Greg Parker Member	Absent	Tim Kuiper Town Attorney
Present	Robert Carnahan Member	Present	Jessica Chick Recording Secretary
Present	Tim Kubiak Member	Present	Diane Cusack Member
Absent	John Foremen Member		

**New Business**

**1. Christine Gudas- Dental Office- Site Plan review**

Owner/Petitioner: Christine Gudas, 13963 Morse St., Cedar Lake, IN 46303

Vicinity: 13361 Lincoln Plaza Way, Cedar Lake, IN 46303

Request: Petitioner is requesting a site plan review.

- (1) Petitioner's Comments: Doug Hallmier with McMahon Associates is representing the petitioner. The petitioner is proposing putting her new dental office on lot 2 in Vanko subdivision. The building will be fifty-five (55) feet by fifty-eight (58) with access from Lincoln Parkway as well as from the road that goes from the south side of the building. Parking will be located on the north and the east side of the building. We are requesting a variance from the development standards from the setback; we are looking to have it twenty (20) feet from the private right of way access easement rather than thirty (30) feet. The reason being to allow room to back out of the parking lot since the access easement along the north side is unclear. This would also allow for some green space along the east side of the property line. Another variance requested is to install a privacy fence along the south side of the building, with a maximum of six (6) feet high. The fence would not hinder sight distance at the intersection and will go with the building. The review had been received from the town engineer with a few minor changes on the site plan.
- (2) Town Engineer's Comments: A letter had been issued on October 22, 2013. Most of the comments are minor dealing with revisions for details and specifications. The zoning had been noted issue at the front lot, it being a front lot; it is weird because it is platted all the way west of the plotted drive. With regards to the detention for this site, the site was intended to be included in what is now the current town pond. Considering how small this site is, it is only requiring .07 acres, we recommend that this requirement be waived.
- (3) Building Department's Comments: We had relocated the building, this allowed for some green space on the east side. We had also relocated the dumpster to improve the parking. Other than that everything looks good.
- (4) Commission's Discussion: The twenty (20) feet that is requested is off of the Lincoln Plaza Way, between the easterly edge of the right of way easement and the building. The easement is pretty much right at the curb line. There is a twenty (20) foot utility easement along there, which they will be just to the east side of that. The fence will be on the south side of the building, in line with it.

**2. Eugene Goc/ Terri Cox- Rezone**

Owner/Petitioner: Eugene Goc & Terri Cox, 8505 W. 139<sup>th</sup> St., Cedar Lake, IN 46303

Vicinity: 8600 W. 139<sup>th</sup> Ct., Cedar Lake, IN 46303

Request: Petitioner is requesting to rezone from R-2 to B-1 (Neighborhood Business)

- (1) Petitioner's Comments: not present.
- (2) Town Engineer's Comments:
- (3) Building Department's Comments:

- (4) Commission's Discussion: This business was never zoned for business use, it was apparently rezoned residential with the Town's comprehensive zoning took place. The petitioner had proposed a commercial use; working on boats, renting water toys, and possibly doing some auto work within the garage present. We had recommended applying for a B-1 zoning designation and then applying for a special use variance through the BZA. Because the current location is zoned as R-2 the only thing that can go into the building is a single family dwelling although it is not a housing unit.

### **3. Olthof Homes- Centennial Phase 6- Final Plat Approval**

Owner/Petitioner: Olthof Homes, 8051 Wicker Ave., St. John, IN 46373

Vicinity: Centennial Phase 6, Cedar Lake, IN 46303

Request: Petitioner is requesting a final plat approval.

- (1) Petitioner's Comments: Joe Lennaham with Olthof Homes is present representing the petitioner. They are requesting secondary plat approval for two lots in Centennial Subdivision. They are paired cottage lots; they were actually nearly fully developed with the phase one development. It was being developed when the housing market was going through drastic changes. The pavement was never installed for these two lots. We had received a letter from Christopher Burke Engineering recommending a bond amount as well as specifying the inspection fee. This will be done before the next Plan Commission meeting seeing as you are alright with the bond amount. With regards to phase seven, unfortunately because of the crash of the housing market we had to make some difficult decisions. One was to pair back the initial phase, and another was to delay some of the amenities planned for the community. Although they were not popular decisions, they were however necessary. The residents have been more than patient with us concerning this matter. We had hoped to be working on the clubhouse for Centennial this year, but it has been delayed until next year. The clubhouse will be completed before the end of next year. The playground, which is another amenity planned for the subdivision might possibly be moved somewhere close to the clubhouse. If this is approved than we would have it put in next year. Centennial phase seven, which is the construction of ten more homes, is another action item I would like to discuss. It has been raised as a concern about Flagstaff St., getting to be too long without another access to it from the other direction. My suggestion is to develop that road and extend it which turns into Richmond St., then connect it to Liberty Drive and put the lanes on that entrance. I had made the decision to move forward before speaking to the Plan Commission about it with hopes that you would approve upon this idea. I would be platting those ten (10) lots, and then platting the roadway going out.
- (2) Town Engineer's Comments: Seeing that improvements had already been built, we had went ahead and recommended the approval of the actual improvements which are a small piece of pavement, all of the existing sanitary and storm sewer manholes had been inspected by Public Works. This is typically done after final plat. Our letter specified that the plat is approved and also the public improvements had been approved as well. We had recommended a three (3) year maintenance bond in the amount of two thousand fifty-five dollars and seventy-five cents (\$2,055.75) also the three percent (3%) inspection fee of six hundred sixteen dollars and seventy-three cents (\$616.73).
- (3) Building Department's Comments: no comment.
- (4) Commission's Discussion: The concern at hand is that you have a road on private property that isn't platted or dedicated that people can use. There is no means of conveying ingress and egress though it legally. This is why it had been suggested to plat the road. As of the end of October of this year we have had over eighty (80) new homes in the Town of Cedar Lake in comparison to in 2012 on sixty-one (61). The idea of putting the playground adjacent to the clubhouse is a great idea.

### **4. Holy Name- Site Plan Review**

Owner: Wayne Stoll, 13237 Calumet Ave., Cedar Lake, IN 46303

Petitioner: Diocese of Gary, 11301 93<sup>rd</sup> Ave., St. John, IN

Vicinity: 11000 W. 133<sup>rd</sup> Ave., Cedar Lake, IN 46303

Request: Petitioner is requesting site plan review.

- (1) Petitioner's Comments: Ken Campala is present representing Holy Name church as well as Wayne Stall who is a member of the church. The area of concern that we would like to change is the parking area on the east side of the church, which is now gravel as well as where the Gerardo currently sits. We are not planning on doing anything else with the property. Since the church is growing it has resulted in the need for more parking, this is the reason for us being here today. We had met with the staff and they

had suggested we come here today for a site plan review. We would like to eventually blacktop the area, which would be phase two of this project. One of the only issues at hand is the drainage situation. For many of years the water flow has gone into the street while the rest of it goes into a lowland area adjacent to the property to the east side. This area will eventually be the detention pond for 133<sup>rd</sup>. It was suggested by the staff of Cedar Lake to place some structures in to catch as much water possible before it were to go out onto 133<sup>rd</sup>. Although all of the water ends up where the detention pond will be located, there is at times an issue with ice on the road from the water traveling across to the area. We are proposing to get a site plan review to get a site plan approval for stoning the first area for parking, phase one. Then also, a site plan approval to place the structures for detention once 133<sup>rd</sup> and the detention area are worked on, phase two. Then blacktopping the stoned areas. We have submitted engineering calculations and our engineer has given us a letter which most of the issues affect phase two of our proposed project. We would like at least start phase one of this project this year, weather permitting.

- (2) Town Engineer's Comments: We can take this design and forward it onto Structure Point to include it into the plans for that detention pond. This will help to stop the water from traveling over 133<sup>rd</sup>.
- (3) Building Department's Comments: no comment.
- (4) Commission's Discussion: The 133<sup>rd</sup> project will most likely start next year. Father Ed has done excellent things to help build the congregation.

**5. O'Reilly's Auto Parts- Maintenance Bond Review**

Owner/Petitioner: O'Reilly Automotive Stores, Inc., 233 S Patterson Ave., Springfield, MO 65802  
Vicinity: 10205 W 133<sup>rd</sup> St., Cedar Lake, IN 46303  
Request: Petitioner is requesting to establish a maintenance bond and release performance bond.

- (1) Petitioner's Comments: not present.
- (2) Town Engineer's Comments: no comments.
- (3) Building Department's Comments: no comments.
- (4) Commission's Discussion: The public improvements from the O'Reilly's Auto Store had cost around thirteen thousand dollars (\$13,000). Ten percent of that would come to about a thirteen hundred dollar (\$1,300) maintenance bond. This number is low in regards to what it would take to track and maintain a maintenance bond this small. The public improvements were sidewalk, driveway cut, and curbs which were filled in. Managing and administering maintenance bonds for all small projects are quite a task. For the cost of them to renew a maintenance bond for three years would most likely exceed what the maintenance bond is worth.

**Correspondence:** none.

**Public Comment:** none.

**Adjournment:** The meeting was adjourned approximately 7:50 p.m.

**Press Session:** Plan Commission Public Meeting- November 20, 2013 at 7:00 p.m.

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Jim Hunley

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Greg Parker

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Diane Cusack

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Robert H. Carnahan

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Julie Rivera

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Tim Kubiak

\_\_\_\_\_  
John Foreman

Attest: \_\_\_\_\_  
Jessica Chick, Recording Secretary