



## TOWN OF CEDAR LAKE – PLAN COMMISSION WORK SESSION

March 2, 2016 7:00 P.M.

Call To Order (Time): 7:02 p.m.

Pledge to Flag:

Roll Call:

Absent Diane Cusack

Present Chuck Becker

Present John Kiepura

Present John Foreman

Present Richard Sharpe

Present Jerry Wilkening

Present Greg Parker

Present Donald Oliphant, Town Engineer – CBBEL

Present Tim Kuiper, Town Attorney

Present Tim Kubiak, Director of Operations

Present Brooke Faber, Recording Secretary

### **Old Business:**

#### **1. Eugene Goc & Terri Cox-Rezone**

Owner: Eugene Goc & Terri Cox, 8505 W. 139<sup>th</sup> Street, Cedar Lake, IN 46303  
Petitioner: Eugene Goc & Terri Cox, 8505 W. 139<sup>th</sup> Street, Cedar Lake, IN 46303  
Vicinity: 8600 W. 139<sup>th</sup> Court, Cedar Lake, IN 46303  
Legal Description: LAKE SHORE ADD. L.7 BL.3 S'LY 90.65FT'W. LINE M.L.8 BL.3 S'LY 13 FT. L.9 BL.3  
Tax Key Number(s): 45-15-27-456-012.000-014

**Request:** Petitioner is requesting a change of zoning classification from R-2 to B-1

**Deferred to March 16, 2016 Public Meeting.**

1. Petitioner's Comments:
2. Town Engineer's Comments:
3. Building Department Comments:
4. Commission's Discussion:

#### **2. Schilling Development- Lakeside Subdivision-Preliminary Plat/Site Plan Approval**

Owner: Cedar Lake 133, LLC, PO Box 677, St. John, IN 46373  
Petitioner: Schilling Development, PO Box 677, St. John, IN 46373  
Vicinity: 5711 W. 133rd. Ave., Cedar Lake, IN, 46303  
Legal Description: THE EAST HALF (E ½) OF THE NORTHWEST QUARTER (NW ¼) OF SECTION TWENTY-FIVE (25), TOWNSHIP THIRTY-FOUR (34) NORTH, RANGE NINE (9) WEST OF THE SECOND PRINCIPAL MERIDIAN, CONTAINING EITHY (80) ACRES, MORE ORO LESS, IN LAKE COUNTY, INDIANA. (E2. NW. S.25 T.34 R.9 80A.)  
Tax Key Number(s): 45-15-25-100-001.000-043

**Request:** Petitioner is requesting Preliminary Plat approval, as required by Subdivision Control Ordinance No. 498. This is required to establish a two hundred (200) lot single-family subdivision that is currently zoned R2-Residential single family.

**Deferred 30 days to August 19, 2015 Public Meeting.**

**Deferred to September 16, 2015 Public Meeting.**

**Deferred to December 16, 2015 Public Meeting.**

**Deferred to March 16, 2016 Public Meeting.**

1. Petitioner's Comments: Jack Slager wanted to give an update on Lakeside Subdivision. Have been working on addresses and street names. The east/west streets through town are typically numbered, of course 133<sup>rd</sup> Avenue is at the north end of the site and any streets that line up with Robin's Nest, kept the same name and number. Two streets at the very north end that did not line up with anything in Cedar Lake, so went with a lake theme. The other major change, the park/well site was originally going to be on the north end of the lake, but after they did the fracture trace analysis, the ideal spot to drill the well was slightly north of the original location. So swapped out the four (4) lots on the corner and relocated the wells and park. They started drilling test well, hoping to get results in a week. Over all, two hundred (200) lots, the first phase is what will be

coming in, is the north two (2) streets. This broken up into two (2) sections, block one (1) and two (2). First part being the entrance road and twenty-three (23) lots, that will include the well site and half the detention pond. Would also like to put up a temporary development sign.

2. Town Engineer's Comments: Don Oliphant stated he is reviewing engineering.
3. Building Department Comments: None
4. Commission's Discussion: John Foreman asked how it works if the streets do not line up, how are they named. Tim Kuiper stated the subdivision ordinance calls for the streets to be named along with the county wide system grid that is established. In a case like this they are lining up with the streets that are already in town, the plan commission can approve that. Typically we don't want to cause any confusion, so if it is suppose to be 133<sup>rd</sup>, we are not going to call it George's Place. Usually emergency services gives a blessing on it, because you don't want the Fire Department, Police Department or Public Works Department having trouble locating something.

### **3. Richard and Robert Henn, Henns Transportation & Warehousing, LLC - Rezone**

Owner: Richard and Robert Henn, Henns Transportation & Warehousing, LLC, 13733 Wicker Ave., Cedar Lake, IN 46303  
Petitioner: Richard Henn, 13733 Wicker Ave., Cedar Lake, IN 46303  
Vicinity: 13109 Wicker Ave., Cedar Lake, IN 46303  
Legal Description: W.280FT & S.100FT LYG E OF W 280 FT OF PAR 531.9X495.3X534X495.3FT NW SW S.21 T. 34 R.9 EX TRI PAR 3.619A & TRI PAR 100X162.55X 127.25FT. .146A. **and** E. 7A. OF N. 30RDS. OF S. 130RDS. OF W. 80RDS. OF SW. S.21 T.34 R.9 7A. **and** PT. N. 25A. OF NE. SW. LY'G W. OF I.H. RR. & S. OF LINE 495FT. S. OF N. LINE N. 25A. S.21 T.34 R.9 1.766A. **and** PT. N1/2 SW ADJ. W. LINE CI & S.R.R 667.38X299.72X237X160.45X403.62X 139.25FT. S .21 T.34 R.9 3.024A. **and** EAST 424.50 OF THE W 923.90 OF THE NORTH 525.90 OF THE SOUTH 1659.25FT EX. S145. 40 OF THE E 212.20FT. SW1/4 S.21 T.34 R.9 4.417 AC. SUBJ. TO ROAD EASMT **and** E.249.7ft of W.499.49ft. of N.204ft of S.1329.01ft of SW.1/4 S.21 T.34 R.9 1.153 Ac **and** S. 50FT. OF N. 330FT. OF S. 1650 FT. OF W. 499.4FT. OF W1/2 SW. 50X499.4FT. E. 1 6FT. PUBLIC HWY S.21 T.34 R.9 .564A.  
Tax Key Number(s): 45-15-21-301-006.000-014 **and** 45-15-21-301-016.000-014 **and** 45-15-21-326-002.000-014 **and** 45-15-21-326-003.000-014 **and** 45-15-21-301-015.000-014 **and** 45-15-21-351-002.000-014 **and** 45-15-21-301-014.000-014  
  
**Request: Petitioner is requesting a change of zoning classification from R-2 and B-2 To B3**

#### **Deferred to March 16, 2016 Public Meeting**

1. Petitioner's Comments:
2. Town Engineer's Comments:
3. Building Department Comments:
4. Commission's Discussion:

### **4. Eric Lindemulder – Site Plan**

Owner: Eric Lindemulder, PO Box 2009, Cedar Lake, IN 46303  
Petitioner: Lindemulder Properties, LLC, PO Box 2009, Cedar Lake, IN 46303  
Vicinity: 12634 Wicker Ave., Cedar Lake, IN 46303  
Legal Description: Cedar Gardens BL.2 E.160ft of lots 5,6&7 Ex. S.30ft of lot 7  
Tax Key Number(s): 45-15-20-229-021.000-014

**Request: Petitioner is requesting a site plan approval**

1. Petitioner's Comments: Eric Lindemulder stated they are looking at the retention pond in the front. Eric Lindemulder stated this is preliminary, waiting for information from his engineer.
2. Town Engineer's Comments: Don Oliphant was concerned with pond being in the right of way. He also questioned if they were going to raise the site two (2) or three (3) feet to make this work. Would need to have a three (3) to one (1) transitional slope, so if you are three (3) feet above distant grade that is a nine (9) foot transition. There is a two and half foot retaining wall on the north property line and it is up against the property line. Eric Lindemulder asked if he talked to the neighbor and they were up for

increasing theirs higher. Don Oliphant stated the wall can work, do you want to see a giant wall and a site that is raised substantially higher than the surrounding property. The engineering works, just a matter of what you want to see.

3. Building Department Comments: None
4. Commission's Discussion: Tim Kuiper stated that it is important to get the detention and sloping issues figured out, because they can impact parking and right of way.

**Deferred to March 16, 2016 Public Meeting.**

**New Business:**

**1. Thomas Taylor & Kathryn Devine Taylor-Preliminary Plat/Site Plan Approval**

Owner: Thomas Taylor & Kathryn Taylor, 14801 Clark Rd., Crown Point, IN 46303  
Petitioner: Thomas Taylor & Kathryn Taylor, 14801 Clark Rd., Crown Point, IN 46303  
Vicinity: 13221 Colfax St., Cedar Lake, IN 46303  
Legal Description: E.110FT OF S.60RDS. EX. S.350FT. OF SE SE S.23 T.34 R.9 1.386A.  
Tax Key Number(s): 45-15-23-478-001.000-043

**Request:                   Petitioner is requesting to create a four (4) lot subdivision to separate existing house and garage and create three (3) scenic lots.**

1. Petitioner's Comments: Tom Taylor stated he wants to create three (3) additional lots on Colfax.
2. Town Engineer's Comments: Don Oliphant stated a four (4) lot subdivision, the biggest issue is there is not an improved roadway. It is only a twenty (20) feet right of way, town specs is thirty (30) feet wide pavement to pavement, thirty-three (33) feet wide curb to curb. They don't own the other side of the street to make it a full legal right of way. John Foreman stated the lots are one hundred (100) feet deep, by one sixty-five (165). Don Oliphant stated you will have to dedicate coming into it. Tom Taylor stated the existing street is fifteen (15) feet wide now and would need to be extended approximately three hundred (300) feet and were going to use the last lot to have a turn around for the town vehicles. Don Oliphant stated the problem is that Colfax does not line up with another improved street it dead ends and for some reason there is a lot in between where it is picked up again. It would need a cul-de-sac according to the ordinance and that is pretty wide, sixty (60) feet of radius and that has to be dedicated public right away. Greg Parker asked if a solution could be made with a variance. Tim Kuiper stated you can waive the subdivision requirements, but something this board has said we don't want to make things worse in town by what we are doing.
3. Building Department Comments: Tim Kubiak stated he thinks we need the extra ten (10) feet of right of way.
4. Commission's Discussion: The Board discussed would the amount to improve the streets to Town standards make it worth doing. Greg Parker stated he is all for cleaning things up, but wonders if there is too much requirement and makes property useless. Tim Kuiper stated that they have use of the property right now, they have a house and land there. They just have a deep lot. If you allow the other three (3) lots, you don't have passable lanes at twenty (20) feet. Not even going up to what the subdivision requires. You would want thirty (30) feet of right of way so you can put in twenty-four (24) feet of just asphalt. That is a reduction from the thirty-three (33), just so you have passable lanes. No good way to get this done. Don Oliphant stated that the twenty (20) feet right of way is the biggest concern. Greg Parker asked could it work if he gets the right of way across the street on the property he does not own. Don Oliphant stated there are several lots he would have to get it from. John Foreman stated that right now today, traffic could be impeded for getting past the first house. So today we are in a nonconforming situation. The mind set is don't continue more wrongs, by adding three more houses and not making the entrance wider. The board discussed the possibility of obtaining easements. Tim Kubiak stated realistically what is here is here, what if put in a twenty (20) foot road going back through and he dedicates an additional ten (10) feet on his four (4) lots, then you have a thirty (30) foot right of way after the Dust property. Twenty (20) feet of pavement all the way and improving the width of the road by five (5) feet, reasonably traffic can pass on a twenty (20) foot road. You need to look at the future expansion. Not a great idea for everywhere, but looking at the conditions of where this is and future traffic on this road, needs a decent dedication on the road to turn around. Other options were discussed on how to fix this issue. John Kiepora stated he doesn't think it can proceed, need to meet the thirty-three (33) feet requirements. The board continued to discuss different options. Will continue to next work session on April 6, 2016.

**2. Cedar Lake MHC, LLC-Subdivision/PUD**

Owner: Cedar Lake MHC, LLC, 11609 Woodmar Place, Cedar Lake, IN 46303  
Petitioner: Paul Kats, 10241 Idlewild Lane, Highland, IN 46322  
William Jansma, 11609 Woodmar Pl., Cedar Lake, IN 46303  
Vicinity: 9001 W. 133<sup>rd</sup> Place, Cedar Lake, IN 46303  
Legal Description: PT. N1/2 NW. S.27 T.34 R.9 6.504A. --X634.30X654.90X186X851.80X351X --  
X--FT. **and** TRI. PAR. 724.1X22X724.43FT. E. OF CI & L RR NW NW S.27  
T.34 R.9 .18A. PAR. 5 EX . N.120.3FT. **and** IRREG. PAR. VAC. R/W IN NE  
NW BET E. & W. CENT. LINE & N. LINE AVE. A. EXTENDED S.27 T.34  
R.9  
Tax Key Number(s): 45-15-27-127-005.000-014  
45-15-27-102-001.000-014  
45-15-27-127-013.000-014

**Request: Petitioner is requesting a one (1) lot subdivision and zone change to PUD**

1. Petitioner's Comments: Bill Jansma and Paul Kats were present. Bill Jansma stated they bought the mobile home park about a year ago and have been making improvements. Working on bringing in newer homes. It was a situation that nobody was paying attention to the park, but now that things are going into the park people are asking questions. The property itself has three (3) plats. The main plat is the mobile home park and then over the years two (2) railroad right of ways were turned over to the park and they are separate plats, but always used as part of the park. Are asking to combine those into the park and then split off a small section that is not contingent to the park and give to someone else at some point. Also would like to set guidelines and rules for the park, so we all know what lot is what, what size homes can go in and give us a platform to move forward. The request to bring in seventy (70) foot homes, is because they are buying used homes and if you are buying sixty (60) foot homes, they were built in the 1960's and 1970's.
2. Town Engineer's Comments: Don Oliphant stated he would like a surveyor to take a look at it.
3. Building Department Comments: Tim Kubiak stated they got rid of a lot of the bad stuff and are fixing it up. They have put a couple of new homes in by the lake, they are actually over the line onto the next piece of property. In the original approval from 1978 they were allowed five homes over sixty (60) feet. They are already over the number of trailers that size. After meeting with them, we decided for them to apply for a PUD, and set some guidelines. An actual PUD plat that would show us where everything would be. There is a gray area from what was approved in 1978. This way we would have something to enforce.
4. Commission's Discussion: John Foreman asked what it is zoned today. Answer is R-1. He also asked if they have ever considered making it something else. Bill Jansma stated, no this is their business. They have another park in Burnham, Illinois. John Foreman also asked how many trailers are currently on the property. Bill Jansma stated they currently have forty-nine (49). Jerry Wilkening asked how they control things in Burnham, so they don't fall into disarray. Bill Jansma stated they have a set of community rules. Tim Kuiper stated that the PUD would be the way to go with the residential being the underlying on it, would compare it to the conference grounds where you have a mess and this would be a good way to clean it up within the guidelines of the PUD. Keep the streets private, and establish different numbers. Greg Parker stated it will come down to the PUD and the contingencies that will be required to make sure it is maintained. Tim Kuiper stated that under the subdivision ordinance for a PUD there has to be a concept plan that is approved prior to going to the public hearing.

**3. Schilling Development – former Union Station property**

Owner: Philip C. Rietveld, 1664 Rietveld Dr., Crete, IL 60417  
Petitioner: Schilling Development, PO Box 677, St. John, IN 46373  
Vicinity: 9505 W. 137<sup>th</sup> Ave., Cedar Lake, IN 46303  
Legal Description: Part of W1/2 SW1/4 S.27 T.34 R.9 55.96 Ac  
Tax Key Number(s): 45-15-27-351-004.000-014

**Request: Petitioner is requesting possible rezone and discussion of site plan for former Union Station Parcel**

1. Petitioner's Comments: Jack Slager stated wanted to talk about the Union Station parcel. Was here in 2006, and the parcel was rezoned based on this layout. The zoning on the parcel currently with Parrish on the West, 141<sup>st</sup> on South, railroad down middle of property, fifty (50) acres on the west and fifty-five (55) on the east, zoning on west is

R-T, nothing was ever approved, but was engineered. Center section is R-T and the southwest corner was zoning B-2 and B-3. East side of tracks was divided into two (2) sections with a R-M zoning and R-T. Have gotten involved with McFarland Homes, they are doing Monastery Woods. Looking for a place to continue with the same or similar product, duplex, cottage, multi-family. Started looking at this site and have come up with a very similar scenario to what was originally proposed. Duplexes along Parrish, cottage homes in the center, and four plex, no commercial. Keep multi-family along the tracks and single family in the back section by the creek. Looking at four hundred twenty-five (425) units. All residential no commercial. Each product would have a separate area and entrance.

2. Town Engineer's Comments: The preliminary plat expired in 2010, they actually did get engineering approval. From a developmental stand point, Sleepy Hollow does have flood plain now.
3. Building Department Comments: None
4. Commission's Discussion: Greg Parker expressed concern with the water utility. John Foreman stated that he is encouraged by the fact that they are trying to use a nicer product for this land. Tim Kuiper stated would need to clean up the zoning and put some conditions on the R-M.

**Update Item:**

**1. Zoning & Lighting Ordinance Update - Ongoing**

**Public Comment:** Concern for Henn property.

**Adjournment:** 8:54 p.m.

**Press Session:** Plan Commission Public Meeting – March 16, 2016 at 7:00pm

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**Chuck Becker**

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**Diane Cusack**

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**John Foreman**

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**Greg Parker**

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**John Kiepura**

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**Richard Sharpe**

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**Jerry Wilkening**

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**Attest: Brooke Faber, Recording Secretary**