



**TOWN OF CEDAR LAKE – PLAN COMMISSION
WORK SESSION MINUTES
APRIL 5, 2017 7:00 P.M.**

Call To Order (Time): 7:00 p.m.

Pledge to Flag:

Roll Call:

Present Heather Dessauer

Present Chuck Becker

Present John Kiepura

Absent Jerry Wilkening

Present Richard Sharpe

Absent John Foreman

Absent Greg Parker

Present Donald Oliphant, Town Engineer – CBEL

Present David Austgen, Town Attorney

Absent Tim Kubiak, Director of Operations

Present Michelle Bakker, Building Administrator

Present Brooke Faber, Recording Secretary

New Business:

1. Centennial Subdivision Phase 8– Performance Letter of Credit

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

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

Vicinity: Centennial Phase 8, Cedar Lake, IN 46303

Request: Owner would like to transfer the current Performance Letter of Credit in the amount of \$272,464.50 to Maintenance Letter of Credit

1. Petitioner's Comments: None
2. Town Engineer's Comments: Don Oliphant stated they are transferring and accepting the roads in Phase 8 and 9 of Centennial. They have passed all inspections and repaired everything we asked them too. They are asking for a transfer from Performance to Maintenance Letter of Credit. Have letters for Phase 8 and 9 stating how much the three year maintenance bond will be. For Phase 8 \$19,496.09. The reason Phase 8 is so small is it had the portion of Parrish widening on it, they credited the town for the work the town completed. The maintenance bond for Phase 9 will be \$41,579.89
3. Building Department Comments: None
4. Commission's Discussion: None

2. Centennial Subdivision Phase 9 – Performance Letter of Credit

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

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

Vicinity: Centennial Phase 9, Cedar Lake, IN 46303

Request: Owner would like to transfer the current Performance Letter of Credit in the amount of \$114,344.70 to Maintenance Letter of Credit

1. Petitioner's Comments: None
2. Town Engineer's Comments: Don Oliphant covered this item above.
3. Building Department Comments: None
4. Commission's Discussion: None

3. Rossman Partners, LLC-Site Plan

Owner: Cedar Lake Ventures One, LLC, 20001 51st St. W, Bradenton, FL 34209

Petitioner: Rossman Partners, LLC, 11061 Broadway, Crown Point, IN 46307

Vicinity: 9708 Lincoln Plaza, Cedar Lake, IN 46303

Legal Description: PT N.904.77FT OF NE1/4 NE1/4 S.28 T.34 R.9 0.828Ac

Tax Key Number(s): 45-15-28-228-023.000-014

Request: Petitioner is requesting site plan approval

1. Petitioner's Comments: Jack Huls, this parcel is just north of Stracks, proposing a fitness club on the open space. Want to create a one (1) lot subdivision. A 60x120 building, there is existing sanitary sewer and water main there, no sewer, so no public infrastructure that needs to be associated with the one (1) lot subdivision.
2. Town Engineer's Comments: Don Oliphant stated there are seventeen (17) easements.

3. Building Department Comments: None
4. Commission's Discussion: None

4. Rossman Partners, LLC-1-Lot Subdivision

Owner: Cedar Lake Ventures One, LLC, 20001 51st St. W, Bradenton, FL 34209
Petitioner: Rossman Partners, LLC, 11061 Broadway, Crown Point, IN 46307
Vicinity: 9708 Lincoln Plaza, Cedar Lake, IN 46303
Legal Description: PT N.904.77FT OF NE1/4 NE1/4 S.28 T.34 R.9 0.828Ac
Tax Key Number(s): 45-15-28-228-023.000-014

Request: Petitioner is requesting a Preliminary Plat & 1-Lot Subdivision

1. Petitioner's Comments: Jack Huls, list of easements and map showing where they are. There was a title search done on this property and there are a number of easements that affect this parcel. Discussion on the easements ensued. Are addressing the easements to clean up the title. Will keep town utility easements. David Austgen stated will need to review the title work. The petitioner has hired an attorney to address all the easements, intend to have documents that will prepare and have copies of exhibits for the plat of vacations. The utility easements are on the perimeter of the site. When look at site plan do not affect the building. At the May meeting for final plat would have documents for signatures and approval, which would be the vacations, would be recorded prior to final plat. All easements will be gone except for the Town's.
2. Town Engineer's Comments: Don Oliphant asked if he could get preliminary plat approval without all the easements cleaned up? David Austgen stated no. Don Oliphant asked when they submit a site plan, can they zoom out from that particular parcel, it would be nice to know where some of the utilities are coming off at in case need to keep something. Major sticking point will be the utility information.
3. Building Department Comments: None
4. Commission's Discussion: John Kiepora stated in two weeks cannot really do anything, unless easements are cleared up. David Austgen stated that if you are vacating a public way or easement it is a public hearing process and conducted by the Town Council. He stated this is a complicated piece of land. Discussion on public water main location ensued. Should have a utility review.

5. Schilling Development- Lakeside Subdivision-Final Plat

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 Final Plat Unit 1, Block 1

1. Petitioner's Comments: Jack Slager with Schilling Development, representing Cedar Lake 133, LLC. Did receive primary approval just over a year ago on Unit 1. Were in last month requesting an extension because it would have expired and were granted an additional one year extension. Would like to come in on the 19th and request a Final Plat, Lakeside Unit 1, Block 1, which will consist of the first twenty-three (23) lots. Lots 1-23 along with outlot A & B. Outlot A is half of the retention pond that is being constructed. Outlot B is a park and future well site. Both will be dedicated with this phase along with the complete dedication of 133rd Avenue and fifty ft. (50) right of way dedication. The main entrance Lakeside Boulevard will loop around the first twenty-three (23) lots. At this point the majority of the sewer and water has been installed. Will work with Don on the letter of credit requirements.
2. Town Engineer's Comments: Don Oliphant stated just received the plat on Monday, have not looked at it yet. Letter of Credit working on the cost estimate. Discussion on the water ensued.
3. Building Department Comments: None
4. Commission's Discussion: None

6. Lynnsway Unit 1 – Rezone

Owner: Lynnsway Development, LLC, 1313 White Hawk Dr., Crown Point, IN 46307
Petitioner: Diamond Peak Group, 1313 White Hawk Dr., Crown Point, IN 46307
Vicinity: Lynnsway Unit 1-Lots 1-4, 7-10, & 13-23

Request: Petitioner is requesting a Rezone from RM to R2

1. Petitioner's Comments: Jack Huls, here last month and presented this project, Lynnsway Unit 1 is a previously recorded subdivision. Is currently zoned from current RM and see if could build single family homes in that zone with variances. Was recommended we change the zone to R2 and seek variances for front yard setbacks, side yard setbacks, and lot size. Have filed for public hearing for the April 13, BZA meeting. Here to request to be heard at the next Plan Commission to be rezoned from RM to R2. In the original packet there were a couple of fifty (50) foot wide lots, took five (5) foot from lots to the north and south and made those all just a little over sixty (60) to make the product more consistent. The density for this product is about half of the current RM zoning that is there. Todd Kleven, 1313 White Hawk Dr., Diamond Peak Homes is the home builder for this subdivision. A few years back Diamond Peak came in with the partner of Schilling Development and replatted the southwest corner of the subdivision. Want to bring in cottage homes and reduce the density by about half. We are allowing fences just in the back of the house, not on the side. Right now there are ninety-two (92) units left to be built reducing to forty-eight (48). All the infrastructure is currently in, will have it inspected again. Do plan to issue a performance bond for the new infrastructure that needs to go in and a maintenance bond. Will be renaming it through the replat, it is currently designated as Lynnsway Unit 1, we are going to call it Ledgestone just for marketing purposes.
2. Town Engineer's Comments: Don Oliphant stated at last meeting had a discussion about already installed utilities, that were likely part of previous bonding that is been pulled on, not for that reason, but it expired in 2011 when roads were finished. Are they responsible for carrying these utilities within this phase in their letter of credit. David Austgen stated yes, until the project is off the ground and past that point. Discussion on what has been installed and on bond that was pulled. Mr. Kleven stated the town did place some restriction on this portion specifically stating if and when this would be developed a new performance bond would need to be in place before started.
3. Building Department Comments: Michelle Bakker stated the variances to be heard at the April 13, 2017 BZA meeting are for lot size of 6500 sq. ft., a lot width of no less than fifty-five (55), a front yard setback of twenty-five (25) feet instead of thirty (30), side yards of five (5) ft. with no fences on the side, rear yard of twenty-five (25) feet and lot coverage of forty-five (45) percent was the biggest house.
4. Commission's Discussion: None

Update Item:

1. **Zoning Ordinance**-David Austgen stated we have completed the outline of the index for the to be reconstructed zoning ordinance. Half way through definitions and identified areas we are not going to change.
2. **Resolutions for Lighting Ordinance**-Will have this for the next meeting.
3. **Watt Holdings, LLC – Preliminary Plat/3-Lot Subdivision-Deferred to May 3, 2017**
4. **Centennial Liberty Street – Performance Letter of Credit-Expires June 15, 2017**

Public Comment: None

Adjournment: 8:04 p.m.

Press Session: Plan Commission Public Meeting – April 19, 2017 at 7:00pm

Chuck Becker

Heather Dessauer

John Foreman

Greg Parker

John Kiepura

Richard Sharpe

Jerry Wilkening

Attest: Brooke Faber, Recording Secretary

The Town of Cedar Lake is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend this meeting and who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding accessibility of the meeting or the facilities, please contact the Town Hall at (219) 374-7400.