



**TOWN OF CEDAR LAKE – PLAN COMMISSION
WORK SESSION MINUTES
December 5, 2018 7:00 P.M.**

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

Pledge to Flag

Moment of Silence for George HW Bush

Roll Call:

Present Heather Dessauer

Absent Chuck Becker

Present John Kiepora

Absent John Foreman

Present Richard Sharpe

Present Jerry Wilkening

Present Greg Parker

Present Donald Oliphant, Town Engineer – CBEL

Present David Austgen, Town Attorney

Present Tim Kubiak, Director of Operations

Present Michelle Bakker, Building Administrator

Present Sarah Rutschmann, Recording Secretary

Introduction: Michelle Bakker introduced Sarah Rutschmann as the new recording secretary.

Old Business:

1. Birchwood Farms-Rezone

Owner: Hanover Farms, Inc., 8501 Wicker Ave., Ste. A, St. John, IN 46373
Petitioner: Jeff Yatsko, Olthof Homes, 8051 Wicker Ave., Ste. A, St. John, IN 46373
Vicinity: 12412 Wicker Avenue, Cedar Lake, IN 46303
Legal Description: N.159.88ft of S.824.13ft of W.2226.79ft of S.1/2 of SE.1/4 S.17 T.34 R.9 Ex E.416 of S.65.81ft 9.061 Ac; S.664.88FT OF SE1/4 S.17 T.34 R.9 EX. S.215FT OF E.416FT & EX. N.351.89FT OF E.416.0FT 34.91AC; N.505ft of S1/2 SE1/4 S.17 T.34 R.9 Ex E.548.75ft 24.273 Ac
Tax Key Number(s): 45-15-17-476-008.000-013; 45-15-17-451-002.000-013; 45-15-17-476-007.000-013

Request: **Petitioner is requesting a Rezone from Agriculture (A) Zoning District to Residential Planned Unit Development (PUD) Zoning District**

Deferred from July 18, 2018 Public Hearing

Deferred from August 15, 2018 Public Meeting

Deferred from September 19, 2018 Public Meeting

1. Petitioner's Comments: Jeff Yatsko notes that since last meeting, they had a preliminary meeting with INDOT. The new engineering drawings have been submitted for review show the driveways being reversed. INDOT has requested the main entrance be on the north end of the property and right in/right out on the south. The reason for this is they have funded the center turn lane for 41 being built in 2020 and they had a concern with the left turn on 125th not having enough space. Mr. Yatsko noted a vertical site difference and they need to go through the INDOT driveway permit process.
2. Town Engineer's Comments: No issues noted.
3. Building Department Comments: Tim Kubiak noted concerns about the hill on the crest and asked for it to be marked out.
4. Commission's Discussion: Greg Parker suggested that Jeff Yatsko have INDOT come out and review the area. Mr. Yatsko will arrange INDOT coming out and marking the driveway. Jerry Wilkening asked if there was a covenant for the location. Mr. Yatsko received the development agreement from the attorney, PUD ordinance, zoning commitment and covenants which include one HOA umbrella with 2 neighborhood associations for the type of neighborhood, which he will have by the end of the week. It was noted that fences included in the inclusions.
5. Commission's Recommendation to Town Council: Town Attorney David Austgen noted the annexation ordinance was conditioned upon completion of the land approval process. A communication would be needed from the company that it is waived. Mr. Yatsko also asked David Austgen about the Public Hearing; information would be needed by Thursday in order to be on the agenda. Mr. Yatsko does not need to return in 2 weeks unless something new needs reported about the entrances.

2. Summer Winds Commercial LLC-Final Plat

Owner/Petitioner: Summer Winds Commercial LLC, 11125 Delaware Parkway, Crown Point, IN 46307
Vicinity: 9730 Lincoln Plaza Way, Cedar Lake, IN 46303
Legal Description: Lincoln Plaza West Lot 4 and Lincoln Plaza West Lot 5 and Lincoln Plaza West Lot 6 Ex. S.123.43ft. and Lincoln Plaza West Lot 7 Ex. Pt. of S.243.43 ft.

Tax Key Number(s): 45-15-28-227-006.000-014; 45-15-28-227-007.000-014; 45-15-28-226-005.000-014; and 45-15-28-226-004.000-014.

Request: Petitioner is requesting Final Plat for a 1-lot Planned Unit Development (PUD) Subdivision

1. Petitioner's Comments:
2. Town Engineer's Comments:
3. Building Department Comments: Michelle Bakker stated she spoke with Jack Huls and he would like to be deferred to January.
4. Commission's Discussion:
5. Commission's Recommendation to Town Council:

New Business:

1. Lennar Homes – Rezone/Subdivision-Preliminary Plat

Owner: Duane and Corinne Fritz, 621 Hilbrich Ct., Dyer, IN 46311
Petitioner: Lennar Homes, Bill Robinson, 1141 East Main St., Ste. 108, East Dundee, IL 60118
Vicinity: 14325 Wicker Ave., Cedar Lake, IN, 46303
Legal Description: PT S1/2 NW & PT SW NE. S.33 T.34 R.9 E. OF RR. EX N. 995.2FT. 10AC and N1/2 NW. SE. S.33 T.34 R.9 20AC and NW NE & N.330FT. OF SW NE & N. 330FT. OF SE NW E. OF NYC. RR S.33 T.34 R.9 51.50 91038509 and PT SW NE & PT SE NW E OF RR S.33 T.34 R.9 EX N 330FT 22.95AC. EX. N. 330FT. 22.95A.
Tax Key Number(s): 45-15-33-200-003.000-013; 45-15-33-400-001.000-013; 45-15-33-200-001.000-013; and 45-15-33-200-002.000-013.

Presenting tonight: Bill Robinson from Lennar Homes, 1141 East Main St., Ste. 108, East Dundee, IL 60118 and Scott Guerard, Vice President of Land Acquisition from CalAtlantic/Lennar Homes, 1141 East Main St., Ste. 108, East Dundee, IL 60118 and Anthony Martini, Senior Project Manager from Mackie Consultants LLC, 9575 W. Higgins Road, Ste. 500, Rosemont, IL 60018 and Richard "Rich" Olson from Gary R Weber Associates, Inc., 402 W. Liberty Dr., Wheaton, IL 60187. Also present was their corporate attorney James Wheezer.

Request: Petitioner is requesting a Rezone to PUD & Petitioner is requesting a Preliminary Plat for a 357-lot Residential Subdivision

1. Petitioner's Comments: Bill Robinson introduced Rich Olson from Gary Weber Associates handed out packets for members to follow along with presentation to walk through the current plan and changes since they last presented. Mr. Olson noted a change from the original 357-lot to a reduced 352 lot which would include 121 traditional single family, 85 cottage age-targeted single family, 74 attached villa/duplex, and 72 town home; broken up into 3 pods separated by detention ponds, landscaping and including clubhouse, picnic pavilion, play lots, walking trails; including east and west access. Mr. Olson noted they increased the number of single family homes and decreased the number of multifamily homes from 181 to 209 and increased the larger size single family home. Base pricing was noted as single family \$310-320,000; patio/cottage \$240-255,000; duplex \$227,000 and townhomes \$190,000. Square footage: 1470-1758 townhomes; 1597-1754 duplex; 1250-1900 cottage home and 1900-3200 single family.
2. Town Engineer's Comments: Discussion was noted regarding no buffer being available on the east at this time. The buffer idea presented included a 6-8' fence with landscaping with evergreen and dense shade trees. Discussion also took place about the 4-unit paired villa/ option, noting roof pitch, side entrance, entrance to the garage, low profile, a more traditional set up (not urban design with entrance shared on back), all maintenance free and well landscaped with plants indigenous to the area. The plan is age targeted at 55+ with ranch style or ranch with loft option. Scott Guerard noted some of the preloaded options including Lennar's national contract with Amazon including heat mapping, Alexa, etc. that are base inclusions.
3. Building Department Comments: Tim Kubiak stated he had concerns about the island in the middle of the roundabout due to snow plows. Presenters noted the island could be eliminated. Island at the entry way was not a concern. Tony Martini noted they model the radius on fire trucks and could work with Public Works on snow plow issues. Mr. Kubiak spoke about the lot sizes and side yard requirements, especially the cottage homes, stating 70 foot wide lot was the size but noting the town's requirement was 85 foot with 8 foot side yards. In the cottage home lots, 6 foot could be possible. Scott Guerard requested a sliding scale for side lot based on the size of the home built and the lot or asked for 7 foot and 7 foot. Mr. Kubiak and Greg Parker agreed more on the 7 foot idea than a sliding scale. Utilities were also noted to primarily be on the side yard.

4. Commission's Discussion: David Austgen asked about thought consideration on the east side of the property having a buffer/open to the east. There is currently no plan for buffer available on the east. John Kiepura asked if Lennar owns the lot adjacent to the property and an opportunity to expand. Scott Guerard notes Lennar does not own or have the option on the property on either side of the land. Greg Parker noted it would be a stand-alone subdivision as proposed with no option to expand. Greg Parker asked if there was more demand for single family or multifamily, if this could be flexible. Mr. Robinson agreed there was flexibility and noted that 4 product types provide options for a more successful and desirable product. Jerry Wilkening and Don Oliphant spoke with Tony Martini about high-end lighting options for street lights. Concerns were discussed regarding the HOA and maintenance issues such as roof replacement being spelled out in the declarations. HOA fees were noted as being no more than \$400/year. Discussion regarding anti-monotony was reviewed noting similarity between products, color, size and type of home not being adjacent to or across the street from each other. No sheds would be permitted, however criteria could be developed for pools. Fences would only be permitted in the single family home location with criteria needing met as far as material, height, etc., that would all require approval through the town as well. John Kiepura asked Scott Guerard if they could not get the townhomes on board if they would not build. Mr. Guerard said they would not build if the townhomes were not included. Heather Dessauer asked how many bedrooms the townhomes included. Mr. Guerard noted they were 3 bedroom. Ms. Dessauer liked the better quality townhome model. Richard Sharpe noted he liked the project. David Austgen noted the town's protection in the amenities being delivered will be in the development agreement that appends approval including schedules of depictions, samples, etc. to make this clearer.
5. Commission's Recommendation to Town Council: Members noted they liked the concept of this style of higher end multi-family unit as opposed to the larger, lesser quality units and suggest moving forward. It was noted publication was already completed and fees were paid. Preliminary plan approval would be next step and recommended they return in January; Mr. Wieser requested defer next meeting in December and return in January. It was recommended to re-advertise and Lennar return January 16 for the Public Meeting.

Update Item:

1. **Centennial Phase 10-Performance Letter of Credit**-Don Oliphant stated the final coat of asphalt is down and repaired. On the next meeting, this item will be rotated from performance to maintenance.
2. **139th Place/Morse Street**-David Austgen stated the title work is in process.
3. **Great Oaks Acres – Letter of Credit**-Tim Kubiak noted nothing new. Michelle Bakker stated they were supposed to be digging 2 weeks ago. David Austgen recommended this item be removed from the agenda. Heather Dessauer agreed it be removed until it is ready. Michelle Bakker will obtain clarification for the next meeting.
4. **Hanover High School Lighting**-Don Oliphant stated KSA lighting contractors were going to retrofit two different ways to see about getting rid of the glare. They claim it may increase the back lighting.
5. **Midwest PGM**-Greg Parker asked Tim Kubiak for an update. Mr. Kubiak noted they applied for a permit for building. They have yet to provide as built survey for their detention pond. They have things they need to get up to date and get approved. David Austgen asked that it be added to the next agenda on Updated Items.

Public Comment: Greg Parker noted teaching children responsibility and work ethic, especially in regards to weekend activities and providing more life experience for children and less entertainment.

Adjournment: Meeting was adjourned at 8:43 p.m.

Press Session:

Chuck Becker

Heather Dessauer

John Foreman

Greg Parker

John Kiepura

Richard Sharpe

Jerry Wilkening

Attest: Sarah Rutschmann, Recording Secretary

Next Plan Commission Public Meeting – January 16, 2018 at 7:00 p.m.
Next Plan Commission Work Session – February 6, 2018 at 7:00 p.m.

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.