



**TOWN OF CEDAR LAKE – PLAN COMMISSION
AMENDED WORK SESSION MINUTES
June 3, 2020 - 7:00 P.M.**

Call to Order (Time): 7:01 p.m.

Wilkening read the following information off of the agenda, "In accordance with the Governor's Executive order relating to COVID-19, in-person attendance of tonight's Plan Commission meeting will be limited. We have arranged a live stream of the meeting so those interested can view it from home. The meeting is slated to start at 7 pm. You can view the meeting via our website at <https://cedarlakein.org/view-town-meetings/>, then click on "View Broadcast" under the Live Broadcast. You must join the meeting through the link to participate during public comment. You can raise your hand electronically to participate during Public Comment. Due to the unique nature of this meeting, the Town of Cedar Lake will accept public comment submitted electronically. If you have a question or comment about an item on the agenda, please email that question or comment to michelle.bakker@cedarlakein.org. Ms. Bakker will ensure that all submissions are shared with the board members and that the submission will also be entered into the minutes of the meeting. Please keep your comments civil and constructive to the policy issues on the agenda."

Pledge to Flag

Roll Call:

Present Heather Dessauer*

Present Chuck Becker

Present John Kiepora

Present John Foreman

Present Richard Sharpe*

Present Jerry Wilkening

Present Robert Carnahan*

Present Donald Oliphant, Town Engineer – CBBEL*

Present David Austgen, Town Attorney

Present Tim Kubiak, Director of Operations

Present Michelle Bakker, Building Administrator

Present Sarah Rutschmann, Recording Secretary

**Indicates member present electronically*

OLD BUSINESS:

1. Henn – Commercial Subdivision

Owner/Petitioner: Richard Henn, PO Box 502, Cedar Lake, IN 46303

Vicinity: 13301 Lincoln Plaza, Cedar Lake, IN 46303

Legal Description: PT. E2 N2 NE NE S.28 T.34 R.9 '114.47X185X152.58X185FT. Ex. W.50ft
SUBJECT TO STS. & ALLEYS. 0.35Ac

Tax Key Number(s): 45-15-28-228-006.000-014

**Request: Petitioner is requesting Preliminary Plat for 1-Lot Subdivision
Deferred from March 18, 2020 & May 20, 2020**

1. Petitioner's Comments: Richard and Robert Henn were present tonight on behalf of Henn & Sons. Richard spoke about the concerns with the alley noting prior intended use of the daycare utilizing the alley for ingress/egress and parking lot. With the plan of use changing to professional office location, the alley is no longer needed and access is no longer necessary. Richard stated the quote for the work was \$12,000. He said he would be willing to pay half if Millennium and the Township Trustee went in on the cost as well. Richard stated the existing

concrete is 4" and Oliphant's notation for 6" for the parking lot seemed excessive. Richard said he was willing to work on the cost of the alley but did not want it to be excessive. Richard felt there was plenty of parking and no additional parking was necessary. Robert stated they wanted to get the building finished and the parking lot completed and indicated the alley could be removed from this approval with the intention of doing it at a later time.

2. Town Engineer's Comments: Oliphant clarified for Foreman that the old pavement guidelines were 1" and 2", in comparison to the improvement completed by Summer Winds and Tech Credit at 1" and 3". Richard and Robert agreed that Oliphant's letter was straightforward and agreed there were a couple of items needing addressed before the next meeting. Oliphant explained the 6" of concrete could be an engineering waiver. Oliphant agreed with Richard that there are a lot of utilities in a small space of that location, indicating a storm structure in that location would be very snug.
3. Building Department Comments: Kubiak spoke about the Town obtaining the easement but believed it had not been accomplished yet. He said an issue with paving the alley right now is obtaining the water to service those three buildings, a 2" water main running down the entirety and possibly a 6" stub to install a fire hydrant on 133rd, stressing it would be properly done and at the same time. Kubiak stated the storm water is there because it's in a low spot, stated there is a storm drain along Broadway. He stated the water is going to where it needs to go and doesn't believe there is a need to add additional storm drainage.
4. Commission's Discussion: Foreman agreed with Richard that it is an alley at best, there is a significant amount of stone on it, does not feel it necessary to go to the new specifications on it and for the expense. Foreman asked Richard if he would be willing to do the whole alley. Richard stated he has already put a lot of money into the building and they no longer need the access to the alley like they would have with the daycare. He felt the other entities who use the alley (Millennium and Trustee) should be partners in the project and cost. Richard replied to Kiepora that he did not need to use the alley. Carnahan inquired about Richard agreeing to do the alley in the past and even though the use has changed the cost would be lower now than in the future if the future use changed. Richard agreed but indicated they did not need it now. Sharpe felt if they did not need it now, there was no need to improve the alley. Oliphant clarified for Wilkening regarding stormwater to the south that grading in the frontage would need to be addressed. Becker inquired if the alley is torn up, would the Town pay half. Austgen indicated it is the intent that the Town would eventually own the alley and indicated that Dr. McDermott spoke with him regarding his concerns with the utility underground perspective and the ingress/egress. Foreman stated when you exit the alley to the north, it is dangerous and would need to be a one-way going south. He inquired to Oliphant a) if paved, it would look nice and the whole area is developing into a nice area and b) and if we owned the alley and we were to pave it ourselves and it not be for commercial or thru traffic, how many inches of asphalt would go on top of stone that has been there for 50+ years. Oliphant stated it could be taken down to the stone, proof rolled and it could have a weight restriction noted with signage. Wilkening asked Oliphant if there were any elevation that could be dealt with as far as stormwater in the alley. Oliphant stated there was one inlet in the alley off 133rd, it could have a grade south and north but would be difficult to get to some spots and might be too high and discussed installing a reverse crown. Austgen confirmed to Wilkening that if a decision is shared somehow, it would be done at a Town Council level. Austgen stated because the scope was not clear, it would need to be indicated in order to have some sort of agreement considered. Austgen agreed with Richard Henn stating the alley would need to be dedicated. Foreman agreed with Robert Henn stating that he felt the alley could be removed from this approval. Austgen stated that the agreement of the arrangement needs to be identified and documented. Richard stated he would pay his fair share. Wilkening asked Oliphant to come up with a figure

for the entire alley tied to the approval. Foreman asked Oliphant if he would come up with two estimates for the next meeting: Plan A to include 1-1/2" and 3-1/2" and Plan B to include 1" and 2" for the entire alley.

NEW BUSINESS:

1. Birchwood – Final Plat – Phase I

Owner/Petitioner: Hanover Development LLC, 8051 Wicker Avenue, Suite A, St. John, IN 46373
Vicinity: 12400 Wicker Avenue, Cedar Lake, IN 46303
Legal Description: N.505ft of S1/2 SE1/4 S.17 T.34 R.9 Ex E.548.75ft 24.273 Ac and 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 and 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 34.91 AC
Tax Key Number(s): 45-15-17-476-009.000-014 and 45-15-17-476-010.000-014 and 45-15-17-476-007.000-014

Request: Petitioner is requesting Final Plat for 36 lots and 3 outlots

1. Petitioner's Comments: Jeff Yatsko from Olthof was present tonight on behalf of Birchwood. Yatsko indicated they were seeking approval for Final Plat for Phase 1 that contains 36 lots with 3 outlots. He stated they have received Oliphant's letter containing 2 minor comments that will be addressed. They were working on the Letter of Credit and would be paving by the end of the week. Yatsko stated that in regards to the dedication of the lift station, sometimes it can be placed in the Plat, but often times it gets lost during the recording process. He said he would rather hold onto it with Hanover Development, let it get recorded, then upon acceptance of the lift station, deed it to the Town for a true chain of title. Austgen and Oliphant agreed. Austgen requested a copy of the deed be placed in the files.
2. Town Engineer's Comments: Oliphant confirmed to Wilkening that the partially addressed items should be taken care of. Oliphant had concerns about how the deed to the lift station parcel would be handled. He stated the Letter of Credit change was due to the laying of pavement. He stated the as-built was not part of this Letter of Credit and they were actually ahead of schedule.
3. Building Department Comments: Bakker stated items changed would need to be re-recorded into Ordinance Number 1318.
4. Commission's Discussion: Sharpe and Carnahan noted as long as the items would be addressed, they were ok with moving forward. Yatsko confirmed to Carnahan there would be 36 lots for this phase but the total lots was 137.

2. Papiese – Rezone

Owner/Petitioner: Richard & Karen Papiese, 9710 Geneieve Dr., St. John, IN 46373
Vicinity: 8029 Lake Shore Drive, Cedar Lake, IN 46303
Legal Description: PT. E2. NE. S.22 T.34 R.9 .58 A
Tax Key Number(s): 45-15-22-228-004.000-014

Request: Petitioner is requesting a Rezone from R-M to R-2

1. Petitioner's Comments: Petitioners are not present.

2. Town Engineer's Comments: None.
3. Building Department Comments: None.
4. Commission's Discussion: Austgen confirmed to Wilkening the drawing has been done and is good for the roadway. He stated he has been in communication with Stuart Allen at Torrenga Surveying who provided him with plats and depictions of the parcel. The Town Council has checked off and he will take to the Town Council for signature execution for drive access. Bakker confirmed to Carnahan the rezone would have to go to the Town Council. Kubiak confirmed to Dessauer, if a necessity at the time of the driveway was present for signage, he would take care of signage issues.

3. Beacon Pointe East – Subdivision & Rezone

Owner/Petitioner: Beacon Pointe of Cedar Lake LLC, 8900 Wicker Ave, St. John, IN 46373
Vicinity: 9000 W 141st Ave, Cedar Lake, IN 46303
Legal Description: Pt of SW1/4 S.27 T.34 R.9 Ly'g South of ditch & East of RR 50.34 Ac
Tax Key Number(s): 45-15-27-376-002.000-014

Request: Petitioner is requesting a Preliminary Plat for a 159 lot Subdivision & Rezone to PUD

1. Petitioner's Comments: Jack Slager of Schilling Development and Jack Huls of DVG were present tonight on behalf of Beacon Pointe East. Slager stated they will be requesting Rezone from R-M and R-T to PUD. He stated the plan has not changed. Advertising noted for meeting in two weeks. He wanted to follow up with the Commission on two things that previously had come up at the last meeting. He has been working with the builder, as far as Commission stating they would like to see a variety in the plan. He indicated he received a report from Ron McFarland from McFarland Homes that they would add a number of architectural detail variations to their available models. In addition, the current section of Beacon Pointe offers 8 colors. They will open the color palate in this location to 28 colors for a variety. He stated they received the review from Oliphant today and felt items could be addressed by the time of the next meeting. Slager addressed the park dedication concerns, noting over 10 acres of open space with berms along 141st, preserving trees along the creek, a large pond with fountain at the entrance, up to 3 acres of flat grass area that would be open space and walking park on north/south/west sides that would allow for a walk around the pond. The plan would be to come in with 8" of stone and 2-3" of asphalt to make it a paved asphalt walking trail, noting it would be installed in Phase 1. He said a nice walking path would go along the open space, jog through the trees in the back and open along the back. A bid from Walsh and Kelly indicated \$54,000 to install. He said that combined with the 1 acre of open grass should meet the Town's requirement for park dedication. He reminded the Commission that the targeted demographic was the empty-nester or retiree.
2. Town Engineer's Comments: Oliphant stated they were required to have 2.132 acres and calculated useable green space came out to 1.6 acres in addition to 1500 feet of path. Slager confirmed to Oliphant Outlot B would be grass and a path. He stated benches could easily be added if requested in the north area. Oliphant inquired about if the Subdivision would be required to have an acceleration/deceleration lane and right turn in. Slager stated the plan does not show acceleration or deceleration lanes into the main entrance after having DVG's traffic engineer do an analysis of recent traffic counts and showing it was not warranted. He indicated the report broke down the study and showed 75% of the traffic was going west and turning west. He suggested a passing blister on the south side where traffic can go around the

car. Oliphant stated he was not sure if it was necessary, and possibly make the turning radius slightly larger. Oliphant confirmed for Wilkening there would be no center turn lane.

3. Building Department Comments: None
4. Commission's Discussion: Carnahan asked for clarification from Slager on restrictions and allowing pets. Slager stated dogs and cats were permitted and same covenants would be used as Beacon Pointe, clarifying there would be no fences, no pools, no shed and maintenance free through the HOA providing snow plowing and lawn mowing. Oliphant clarified for Carnahan that most of the homes were on a slab and did not have a basement, therefore no pumping would be permitted into a drain area. Slager indicated to Oliphant there was a basement option, but it would have access to a nearby storm sewer that a storm tap could be run unground into the sewer to avoid sump pump discharge on surface. Slager clarified for Wilkening the second entrance would contain sanitary sewer and the undeveloped property zoning on the west was R-T and R-2 on east. He noted he talked to Huls previously about the possibility of adding a cul-de-sac to the north and only using it as an easement. Slager indicated they could explore that option and noted the second entrance would be installed during the second phase. Carnahan expressed his concerns about having the Fire Chief involved and provide input in regards to the second entrance. Slager confirmed to Kiepora that it would become a dedicated road. Multiple discussions took place regarding larger vehicles with possible trailers and the future planning. Carnahan mentioned Oliphant has been working with the State and NIRPC to get a stop light put at 129th and 41. Oliphant stated there will be a turn lane at that location in the next two years as part of an INDOT project. Multiple members liked the idea of the passing lane.

4. Crossroads YMCA – Concept Plan

Owner: John Hays, South Shore Country Club, 144000 Lake Shore Drive, Cedar Lake, IN 46303
Petitioner: Crossroads Young Men's Christian Association, Inc., 100 W. Burrell Drive, Crown Point, IN 46307
Vicinity: 14400 Lake Shore Drive, Cedar Lake, IN 46303
Legal Description: N. 161/2FT. NE. NW. S.2 T.33 R.9 .50A. and S1/2 SW.SW. & S.PT.N1/2 SW.SW.S.35 T.34 R.9 31.213 AC. and PT. GOV.LOT 2 S1/2 NW.S.35 T.34 R.9 & Vac. Lake Shore Dr. 29.0 AC. and PT.E2. S2. SW.NW. S.35 T.34 R.9 .032AC. and S.104.15 FT. OF E.389.21 FT. OF N. 781.70FT. OF GOV.L.2 NW. S.35 T.34 R.9 .932A. and E2. SW. (EX.NE. COR. 145 X 155 FT.) S.35 T.34 R.9 79.49A.
Tax Key Number(s): 45-19-02-100-002.000-058 AND 45-15-35-351-001.000-043 AND 45-15-35-185-006.000-043 and 45-15-35-185-007.000-043 and 45-15-35-185-008.000-043 and 45-15-35-326-003.000-043

Request: Petitioner is requesting a Concept Plan

1. Petitioner's Comments: Jeff Ban, Principal and Owner from DVG introduced himself and the team present tonight including; Jim Wieser, Legal Counsel from Wieser & Wyllie LLP Law Office; Jay Buckmaster, CEO of the Crossroads YMCA; Todd Sevens, Chief Operating Officer of the Crossroads YMCA; Gerry Steiner, Crossroads YMCA Board Member; and Les Dewes, Senior Project Manager representing Crossroads YMCA. Ban stated they were present tonight to talk about their concept plan for the Crossroads YMCA for the Cedar Lake Camp and YMCA Program Center. It will be designed as a destination outdoor and indoor recreational center of excellence. The new Cedar Lake campus will be developed with year-round programs to round and shape children and adults to build better families and a caring community. The actual site and facilities will work in conjunction with the YMCA program curriculum serving the south Lake

County population with day and resident camp experiences, a variety of experiential learning programs and challenging, fun and recreational activities. Ban stated the YMCA is proposing development on the current South Shore Country Club that contains 141 acres and read the geographical location boundaries contained within the acreage. The project is intended to be developed in multiple phases beginning with the parcel north of 145th Ave. The property is currently zoned R-1 Residential and for the project to be implemented, they would request rezone to PUD that would be flexible for activities to grow, adapt and change over time. Buckmaster stated this opportunity came out of the South Lake YMCA, after finding there was a need for accessible and affordable programs and activities for kids and families. That YMCA serves a large portion of Cedar Lake and the surrounding community and he felt it was a great opportunity to continue to expand opportunities to expand those services. Buckmaster stated they intend to start the phase with destination day camp that is not just 12-week program. The program-centered piece would allow for the activity center to provide year-round programs. He indicated in Phase 1, the golf clubhouse would be renovated for dining and transition or multi-use space for inclement weather. During this phase, they would develop the water front so they could have opportunities for kids to be able to learn how to swim and be safe around water and water activities such as canoeing, kayaking, sails, and allowing them confidence around the water front. He added the possibility of walking paths, pier and a beach. They would install a multi-use, 20,000 to 25,000 square foot indoor pavilion space for programming and activities for the kids, as well as Cedar Lake residents such as basketball, volleyball, climbing, target sports, retreats, team building, events or reunions. Another aspect is program villages that would allow kids an opportunity to explore choices in things like woodworking, arts and music. The campus would have connection trails for better walkability and contain support facilities for equipment, parking and restrooms. After answering Commission's questions on Phase 1, Buckmaster gave a brief overview of Phase 2 including cabin villages allowing residents to stay overnight and possibly a mini-YMCA.

2. Town Engineer's Comments: Oliphant noted his concern regarding both vehicular and pedestrian traffic flow crossing 145th between Phases 1 & 2. Wilkening suggested redoing the bridge allowing pedestrians to walk under the bridge. Oliphant recommended the petitioner be prepared to consider screening when it gets to the point where Public Notice comments/remonstrators would occur.
3. Building Department Comments: Kubiak told Wilkening it was still early for an infrastructure plan, as they were just in the concept plan phase.
4. Commission's Discussion: Wilkening asked Buckmaster when things would appear on a Plat for the Commission to review. Buckmaster stated they take the planning process seriously and took a trip to one of the best day camp facilities in Nashville, Tennessee, brought in an architect from Michigan and are working out the details that they need in order to provide more indoor space for year-round programming. Carnahan addressed his concern for lack of parking; Buckmaster indicated they would address that with the Site Plan. Carnahan indicated the name of the Town Council President needed updated. Buckmaster replied to Dessauer that the timeline would be by the end of the golf season (within the next couple of months) that the process could be worked through with the renovation of the clubhouse, waterfront upgrades and the indoor shelter space would be done before next summer and Phase 1 being completed within two years. Buckmaster confirmed to Kiepora that the pond would stay and would like to see it enlarged. He confirmed to Foreman they were wanting to seek the Commissions opinion in order to better determine moving forward with the rezone from R-1 to PUD to finalize the purchase of the property. Austgen confirmed to Kiepora that the property that is currently a metes and bounds property would need to be a 2-lot subdivision. Buckmaster clarified to Wilkening that a berm and fencing would be placed around the perimeter. Buckmaster told

Dessauer they would house up to 181 kids overnight. Buckmaster told Kiepura the cabins would look traditional/rustic, stick built – not tents with one bathroom in each cabin and shower facilities that would go inside of each village. Ban clarified for Kiepura they are evaluating the wells and as they go through the details, they will determine if the existing wells will be able to service the whole campus or parts of it. Ban confirmed to Kiepura there was a sanitary sewer to manage with adequate capacity for the proposed waste. Austgen confirmed to Kiepura that there was capacity and obtaining a report could be accomplished. Foreman reminded the Commission this being a conceptual plan but that infrastructure is a concern. Buckmaster confirmed to Kiepura that they were a 501C3 organization with no sales tax and confirmed a 520 foot well on the property. Buckmaster clarified for Carnahan there would be a designated location for family camping, including programs on learning how to camp. Buckmaster explained for Carnahan that they follow American Camping Association (ACA) guidelines, as they do at the other locations in 5 branches, stating they had about 800 kids a day pre-COVID and have a 1:10 ratio, with programmed base and highly trained staff. Ban clarified for Carnahan they would be requesting rezone from R-1 to PUD and the survey shows 141 acres. Ban agreed with Foreman that they would work with the Fire Chief on hydrants and firefighting along with the Town for infrastructure to support the location. After notation from Dessauer on a previously proposed campground across from the Chamber, Buckmaster and Ban stated they would not be running a camp grounds, but rather a curriculum-based camp destination with public education opportunities.

UPDATE ITEMS:

1. Beacon Pointe Unit 1A – Performance Letter of Credit – Expires August 5, 2020
2. Beacon Pointe Unit 2 – Performance Letter of Credit – Expires August 6, 2020
3. Centennial Phase 8 – Maintenance Letter of Credit – Expires August 8, 2020
4. Centennial Phase 9 – Maintenance Letter of Credit – Expires August 8, 2020
5. Summer Winds Unit 1 – Performance Letter of Credit – Expires August 15, 2020

Oliphant addressed all of these items collectively. He stated they have been keeping track of these Letters of Credit, noting months ahead of time and all developers have been notified.

Public Comment:

Wilkening mentioned at the last meeting, in regards to Beacon Pointe East, Oliphant mentioned no stormwater issues were present. He wanted reference made to Sleepy Hollow Ditch and that if any work needs to be done, it be completed before Beacon Pointe East development is done.

Austgen stated the Town is currently in a petition with Indianapolis for review of water rates in furtherance of expanding the Capital Improvement Plan by capital financing of development of infrastructure including the water tower by Krystal Oaks and updating outdated and improper water mains in the west side of Utopia and, at the same time, in the process of remotely negotiating a water supply on this side. He stated the key to the development of this community in the next 20-30 years is based upon getting that water supply in the right places, in the ground and used and would require planning. Austgen reminded the Commission the Crossroads YMCA project PUD would permit them to negotiate and mandate items specifically related to connection and expansion of utilities/infrastructure especially in light of the organization being a not-for-profit. Austgen clarified for Kiepura that Crossroads would still get the services but not paying the tax for it and that the benefit for the Town would be the destination use and draw into Town. Dessauer expressed her concern for the condition of Lauerman and Morse. Oliphant stated a project in the next 2 months would present an opportunity to improve Morse and 145th. Foreman stated they would lose part of TIF district; Oliphant added TIF district stops at 145th. Foreman stated the

proposed plan would be a professional plan projected at \$25-30 million. Austgen clarified for Becker they would still pay for utilities. Multiple conversations ensued regarding the water and wells in various places in Town, what the cost will be now and future to/for this Town and creative negotiations for public safety, infrastructure and possibly fees/services in lieu of taxes.

At the June 17, 2020 Plan Commission Meeting, Wilkening noted during the motion to approve the minutes that the minutes be amended to include the email from Colleen Schieben to Michelle Bakker dated June 3, 2020 at 9:10 pm as part of the record.

Michelle Bakker

From: Colleen Schieben <schiebenauto@yahoo.com>
Sent: Wednesday, June 03, 2020 9:10 PM
To: Michelle Bakker
Subject: Re: Ymca

[Sent from Yahoo Mail on Android](#)

On Wed, Jun 3, 2020 at 8:18 PM, Colleen Schieben
<schiebenauto@yahoo.com> wrote:

This is Colleen Schieben. Town Council ward 6. This directly affects my ward and the majority of people living here are completely opposed to the YMCA!

[Sent from Yahoo Mail on Android](#)

Adjournment: 9:15 pm.

Press Session:

Next Meetings: Plan Commission Public Meeting – June 17, 2020 at 7:00 p.m.
Plan Commission Work Session – July 1, 2020 at 7:00 p.m.

Chuck Becker

Robert Carnahan

Heather Dessauer

John Foreman

John Kiepura

Richard Sharpe

Jerry Wilkening

Attest: Sarah Rutschmann, 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.