



**CEDAR LAKE PLAN COMMISSION SPECIAL WORK SESSION MINUTES  
CEDAR LAKE TOWN HALL, 7408 CONSTITUTION AVENUE, CEDAR LAKE, INDIANA  
July 7, 2021, at 6:00 pm**

**CALL TO ORDER:**

Mr. Jerry Wilkening called the Plan Commission Special Work Session to order at 6:11 pm., on Wednesday, July 7, 2021, with Members attending on-site and remotely. The Pledge of Allegiance was recited by all.

**ROLL CALL:**

**Members Present:** Robert Carnahan; John Foreman (arrived at 6:25 p.m.); Richard Sharpe; Heather Dessauer; Chuck Becker (via Zoom); John Kiepora, Vice-President; Jerry Wilkening, President. A quorum was attained. **Also present:** Don Oliphant, Town Engineer; David Austgen, Town Attorney; Jill Murr, Planning Director; Rick Eberly, Town Manager; and Margaret Abernathy, Recording Secretary, Pro Tem. **Absent:** None.

**SPECIAL WORK SESSION – Zoning Ordinance Amendment:**

The Plan Commissioners and Staff discussed specific pages of the Zoning Ordinance for updates, starting with Chapter 5.5, page 23.

Mr. Eberly stated that we had left off here and were going to discuss this with Attorney Austgen to see if we had to allow manufactured housing districts. Attorney Austgen responded that the Town does have to allow Manufactured Homes.

Mr. Wilkening stated that they questioned what is considered a manufactured home. Attorney Austgen referenced the statutory definition. Mr. Eberly stated that mobile homes have been called manufactured homes since January 1, 1981.

Attorney Austgen asked if the terms and definitions have been checked against the statutes. Mr. Eberly responded in the negative.

Mr. Wilkening read the definition listed for a manufactured home and stated that Lennar is doing just that. They are building walls that have been erected in part and they bring the parts and are putting them together to make the whole house. Mr. Kiepora stated that he found a definition online, "A manufactured home, formerly known as a mobile home, is built to manufactured home construction and safety standards, HUD Code, and displays a red certification label on the exterior of each transportable section. Manufactured homes are built in a controlled environment of a manufacturing plant and are transported in one or more sections on a permanent chassis. What is the difference between manufactured and modular? Manufactured homes are constructed according to a code administered by the U.S. Department of Housing and Urban Development, HUD. The HUD Code, unlike conventional building codes, requires

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manufactured homes to be constructed on a permanent chassis. Modular homes are constructed to the same state, local, or regional building codes as site-built homes.”

Mr. Wilkening stated that a recreational vehicle is not built to federal manufactured housing construction and safety standard. Attorney Austgen confirmed the same.

Discussion ensued about modular and manufactured home facilities.

§D, the minimum manufactured home size was changed from more than 960 square feet to a minimum 1600 square feet with a minimum of a 10,000 square-foot lot.

It was noted that the larger home requirement could discourage developers who zone those from coming into the community. If it is the intent to discourage it, increase the standards.

§E should include “Resorts” as it is a residential use that is permitted.

§I the parking requirement for two off-street parking spaces was accepted.

§L referencing Chapter 15 regulations was accepted.

Chapter 6.1 Neighborhood Business Zoning District

§B-2 the text “consists of ninety percent (90%) new merchandise, and any goods produced on the premises shall” to be removed.

§C-31 The text “selling new merchandise exclusively and” to be removed.

Ms. Murr asked if the provision for drive-up windows requiring Plan Commission approval should remain as is. Mr. Wilkening responded in the affirmative to avoid issues like Tastee Top. Attorney Austgen advised that it is a common review for plan commissions.

§D Discussion regarding special exception use, and Attorney Austgen recommended getting rid of that category completely. The Plan Commission decided to eliminate §D Special Exceptions in its entirety.

§E-19 changed from “The maximum height of any building shall be two (2) stories, not to exceed forty feet (40’) to “The maximum height of any building shall not exceed thirty feet (30’).”

§E-20 changed from “A minimum lot area of not less than five thousand (5,000) square feet.”  
To “A minimum lot area of not less than ten thousand (10,000) square feet.”

Chapter 6.2 Community Business Zoning District

§B-2 remove the language “consist of ninety percent (90%) new merchandise, and any goods produced on the premises shall”.

§C-10 do not remove “Tailor Shop”.

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§C-13 add “Day Spa”.

§D Special Exceptions eliminate in its entirety.

§E-1 changed from “The maximum height of any building shall be two (2) stories, not to exceed forty feet (40’) to “The maximum height of any building shall not exceed thirty feet (30’).”

Chapter 6.3 General Business Zoning District

§B-2 the text “consists of ninety percent (90%) new merchandise, and any goods produced on the premises shall” to be removed.

§D Special Exceptions eliminate in its entirety.

§E-1 changed from “The maximum height of any building shall be two (2) stories, not to exceed forty feet (40’) to “The maximum height of any building shall not exceed thirty feet (30’).”

§E-2 changed from “lot area of not less than twenty thousand (20,000) square feet” to “lot area of not less than forty thousand (40,000) square feet” **and** eliminate “The Development Plan shall be of not less than ten (10) acres.”

Discussion ensued about screening. Attorney Austgen stated that form content might be of value. If there is a model for developers to follow, it takes the burden off of the Plan Commission. It was recommended that language be added that plantings are required to be a specific size at the time of planting, such as “Arborvitae to be 6-feet tall at the time of planting.” The Commission questioned if it be arborvitae and a fence or potentially a berm. Mr. Eberly recommended one or the other, not both. Commercial properties should be allowed to have an 8-foot fence or a screening of equal height.

Ms. Murr noted that Chapter 13 covers landscaping, so that will need to be updated to make everything consistent.

Attorney Austgen recommended using pictures.

Chapter 6.4 RS Planned Resort Zoning District

§B-3 correct “fear” to “rear”.

§C-6 the word “taverns” is left over from the discussions in 2017.

§C-7 the words “bed & breakfast, tourist homes” are left over from the discussions in 2017. Remove “Hotels, motels” and add “Bed & Breakfast and vacation rentals”.

**ADJOURNMENT:** Mr. Wilkening adjourned the Special Work Session at 6:55 p.m.

**TOWN OF CEDAR LAKE PLAN COMMISSION**

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Jerry Wilkening, President

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John Kiepura, Vice-President

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Robert Carnahan, Member

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John Foreman, Member

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Richard Sharpe, Member

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Heather Dessauer, Member

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Chuck Becker, Member

ATTEST:

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Margaret R. Abernathy, Recording Secretary

*The Minutes of the Cedar Lake Plan Commission Public Meeting are transcribed pursuant to IC 5-14-1 5-4(b), which states:*

*(b) As the meeting progresses, the following memoranda shall be kept:*

- (1) The date, time, and place of the meeting.*
- (2) The members of the governing body are recorded as either present or absent.*
- (3) The general substance of all matters proposed, discussed, or decided.*
- (4) A record of all votes taken, by individual members if there is a roll call.*
- (5) Any additional information required under IC 5-1.5-2-2.5.*

**Cedar Lake Plan Commission: Minutes of July 7, 2021, Special Work Session**

*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.*



**CEDAR LAKE PLAN COMMISSION SPECIAL PUBLIC MEETING MINUTES  
CEDAR LAKE TOWN HALL, 7408 CONSTITUTION AVENUE, CEDAR LAKE, INDIANA  
July 7, 2021, at 7:00 pm**

**CALL TO ORDER:**

Mr. Jerry Wilkening called the Plan Commission Special Public Meeting to order at 7:02 pm., on Wednesday, July 7, 2021, with its Members attending on-site and remotely. The Pledge of Allegiance was recited by all.

At the request of Councilman Robert Carnahan, a moment of silence for the Indiana State Trooper who had was shot and killed earlier that day in the line of duty was had.

**ROLL CALL:**

**Members Present:** Robert Carnahan; John Foreman; Richard Sharpe; Heather Dessauer; Chuck Becker (via Zoom); John Kiepura, Vice-President; Jerry Wilkening, President. A quorum was attained. **Also present:** Don Oliphant, Town Engineer; David Austgen, Town Attorney; Jill Murr, Planning Director; Rick Eberly, Town Manager; and Margaret Abernathy, Recording Secretary, Pro Tem. **Absent:** None.

**SPECIAL PUBLIC MEETING BUSINESS**

**1. Lakeview Business Park – Rezone, Preliminary Plat, and Site Plan  
Vicinity: 13735-13923 Wicker Avenue – Petitioner: CLBD South, LLC**

Mr. Wilkening advised the first item on the agenda of the special public meeting is the Petitioner CLBD South, LLC, seeking a rezone from Agriculture Zoning District to PUD, Preliminary Plat and Site Plan for Lakeview Business Park, located in the vicinity of 13735-13923 Wicker Avenue.

Attorney Greg Bouwer presented on behalf of the Petitioners expressed gratitude to the Town and Plan Commission for holding this Special Public Meeting and for the time invested in their petition. The property in question is 33.531 acres, which includes the 28.78 acres that were annexed into town and Lot 1 in the Bear's Den. They are proposing an 18-lot business park with an outlot, Outlot A, which will be a drainage facility onsite of 3.58 acres. The lots range in size from 1 acre to 2.4 acres. They have tendered the Development Agreement with a list of uses, a Development Plan, and a Waterline Development Agreement. Attorney Bouwer requested a favorable recommendation to the Town Council for the rezoning application. They are also requesting approval of the Preliminary Plat and Site Plan. The rezoning encompasses that Development Agreement and Development Plan.

Mr. Jack Huls of DVG and Mr. Peter Bultema of CLBD South, LLC, were also present to answer any questions.

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Attorney Austgen asked the Commission to consider this presentation a combined presentation. The zoning would be plat and Site Plan for the purposes of the record and propriety. This is an important, sizeable, and sophisticated project.

Mr. Wilkening stated that he believes everyone is good with the engineering at this point. Mr. Wilkening asked if there are any drawings that show how the businesses along U.S. 41 will be laid out for them to see. He asked if anyone would have an issue with an 8-foot privacy fence as a screening along the perimeter. There is residential to the south and likely to the east.

Discussion ensued as to whether or not this business park would fall under B-3 and whether or not the fence would be in lieu of the 10-foot conservation easement or in addition to it.

Mr. Oliphant advised that the lots along the southern boundary, specifically Lots 13-16, has a substantial grade change in excess of 10 feet, so those will sit quite a bit lower than the existing south line when developed, and the site line along those lots will be very different. The grade ties in a bit better around Lots 10-12. Discussion ensued. Mr. Oliphant stated that he believes the PUD document is written such that the Petitioners are asking for the 10-foot conservation easement in lieu of any further screening requirements. Attorney Austgen and Attorney Bouwer concurred. Discussion continued.

In response to being asked if there would be security fencing along the south and the east in the backs of the properties, Mr. Oliphant responded that it would be up to the individual lot owners.

Attorney Bouwer advised that there was input received from the Town to do the natural screening, and they felt it was a great idea to preserve the trees. What was originally an industrial park has shifted significantly to a business park. The list of uses has been pared down and any industry in there will be light industrial businesses. Right now, nothing backs up to anything in the town. One of their requests would be to make it the responsibility of the individual lot owners on a lot developed rather than a fence for no one, the style would have to meet specific criteria set forth. They could also add a stipulation that when residential properties are approved adjacent to a lot, the fencing would be required to be installed.

Mr. Wilkening stated that he is looking forward for the property to the east. Mr. Foreman stated that there is a lot of woods there and a lot of slow growing trees; he added that the entire south left as trees and perhaps half of the east side going to the north, and from that halfway point continuing north to behind Action Plumbing, that should be shielded. The Commission agreed that the screening should be 8 feet in height, which is 8 feet from the existing grade, so if there were to be a 4-foot berm, an additional 4 feet of screening would be required.

Mr. Carnahan asked what the 30-foot and the 75-foot setback lines means. Attorney Bouwer responded that all the lots in the subdivision will have a 30-foot setback line and the lots that front U.S. 41 will have a 75-foot setback line.

Mr. Oliphant explained that the setback along U.S. 41 will be roughly 175 feet from the center line. When a frontage road was mentioned, Mr. Oliphant stated that there is not enough room for that within that setback.

Attorney Austgen advised that proper notifications for the Public Hearing are in place for that to be conducted at this meeting.

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Mr. Wilkening opened the floor for Public Hearing at 7:21 p.m.

Elizabeth Canty, 13650 Wicker Avenue, stated that she did not receive a letter regarding this Public Hearing and spoke about the deer in the vicinity of the property. She commented that they can jump fences and suggested that the Plan Commission consider that problem now to make the fence high enough to deter that.

Attorney Austgen stated for the record that Ms. Canty is here now; she was here a month ago; any notice issues are waived as a consequence. There are no notice issues.

Having no one else coming forward to speak, Mr. Wilkening closed the Public Hearing and brought the matter back to the Plan Commission.

Attorney Austgen advised that the Public Hearing has been closed for both the zone change and the plat approval.

Mr. Wilkening asked if the Petitioners had requested any waivers. Mr. Eberly advised that there are no waivers in a PUD. Attorney Bouwer responded that as part of the Development Agreement, they are adhering to the B-3 standards. Mr. Eberly further advised that they can recognize where the PUD varies from the typical standard; however, the PUD process eliminates the need for waivers.

Attorney Austgen advised that there is a Development Agreement consist with Title XI of the Town Code addressing these items. Any motion that might occur could have some recommended conditions to consider. Mr. Foreman asked if it applies to the rezone or all of it. Attorney Austgen responded that it applies to everything because the Development Plan encompasses the zoning and the plat.

Mr. Wilkening asked if the Development Agreement, Item 9.A-F are all a part of this. Attorney Austgen responded that they are all part of the Development Agreement under the code it was developed. It is not necessarily final, but the Council and he have worked on this, and any approval recommendation tonight should be contingent upon completing this.

Mr. Oliphant advised that those items would be the “waivers” or differences from your typical portions of that Zoning Ordinance.

The Plan Commission discussed the language to be used in the motions as a contingency for certain modifications. Mr. Oliphant stated that it would be long-term planning for residential use. Attorney Bouwer requested that they specifically mention the applicable lot numbers on the east. He commented that there are thick woods on the southern portion of the land. The weak screening to the north of that, he asked for clarification. Mr. Wilkening recommended using the terminology “wherever there is residential backyard backing up requires 8-foot of screening”. If they put in arborvitae, they need to plant a wall of 8-foot-tall arborvitae at the time of planting. Mr. Oliphant recommended making it specific.

Attorney Bouwer stated that he is hearing a combination of the berm, fence, and opaque landscape screening is what he is hearing, and he believes it is acceptable. Attorney Austgen instructed Attorney Bouwer to draft it so that the Town can accept it.

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Mr. Wilkening asked if the document that Attorney Austgen handed out needs to be read into the record. Attorney Austgen responded in the affirmative and advised that it is the language what would be needed for the ordinance that will be coming before the Town Council and encompasses everything that is in the project. He furthered that any motion or approval should be based upon objective criteria and findings. The exhibits are not labeled as the Town Council and he would do that with the Development Agreement finalization. He wants to keep it clean until it is ready to be adopted and for the recording process.

Attorney Austgen recommended that it be read into the record and made a part of the record for motion making, document drafting coming up, and what will be needed going forward.

Mr. Foreman noted that under number 9, there is a typo: After the word "consultants at" should be CBBEL not "DLZ".

Mr. Wilkening asked that the document provided by Attorney Austgen be made a part of each of the three motions for this Petition. Mr. Oliphant requested that the July 6, 2021, letter from CBBEL also be included on any motion for all three items. (A copy of Mr. Oliphant's letter is attached hereto and made a part of the record herein as Exhibit No. 2021-07-07-PC1.)

Mr. Wilkening read the document into the record:

"That hereafter, upon approval and adoption of the Town Council of the Town of Cedar Lake, Lake County, Indiana, the Zoning District Classification of the subject parcel shall be identified Title XI – Lakeview Business Park Planned Unit Development (P.U.D.) Zoning District, subject to the conditions set forth hereafter, namely:

1. Compliance by the Developer with the Application herein;
2. compliance by the Developer with the Public Hearing and Public Meeting commitments (Public Meeting Minutes attached as Exhibit "\_\_\_\_\_");
3. Approval of the Project Parcel Site Plan (attached as Exhibit "\_\_\_\_\_");
4. Approval of subdivision plat applied for, and recordation of the same, in the Office of the Recorder of Lake County, Indiana;
5. Approval of the Planned Unit Developmental Development Agreement by each of the Plan Commission and Town Council;
6. Compliance with all Staff Review Recommendations for the proposed Project Development, including engineering comments and requirements of the Town Engineering Consultant, Christopher B. Burke Engineering, LTD;
7. Compliance by Developer with all Town regulations and requirements;
8. Compliance by the Developer with all Federal, State, County, and Local rules, regulations and permitting;
9. Approval by the Town, Plan Commission of primary and secondary subdivision plat approvals, in compliance with all specific and additional identified conditions of subdivision approval for the subject parcel, namely:
  - a. Review approval by Town Engineering Consultants at" ~~DLZ~~ CBBEL "regarding storm drainage requirements, and all other platting and developmental regulations in the Town, with a filed Report of Compliance by the Town Engineering Consultant, CBBEL;
  - b. Final check-off on engineering review by the Town Engineering Consultant, CBBEL:



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- c. Payment by Developer of all costs and expenses the Town incurred in processing review through approval, and is incurred through the entire project development;
  - d. Approval of an attachment of said agreed and approved PUD Development Plan and Agreement to the Zoning Map Amendatory Ordinance herein, in compliance with all terms provided for therein;
10. Compliance by the Developer with all conditions agreed upon at any Public Meeting of the Town Plan Commission with the Developer as evidenced by the terms set forth in approved Plan Commission meeting minutes of \_\_\_\_\_, 2021, which approved Meeting Minutes are attached hereto as Exhibit "\_\_\_\_\_".

Attorney Austgen additionally recommended that the Plan Commission direct the completion of the Development Plan in final form for the next meeting. He advised that they had a request at the last meeting by the Council for commencement of earth movement permitting for that based upon this approval or recommendation that you permit that to occur and direct the staff to proceed accordingly.

Mr. Foreman stated to grant permission for starting the project and let the attorneys work out the details of the fine print.

Mr. Wilkening asked for any further questions. Hearing none, he entertained a motion regarding the rezone from Agriculture to PUD of Lakeview Business Park.

A motion was made by Mr. Foreman and seconded by Mr. Sharpe to send a favorable recommendation to the Town Council to rezone this property from an Agricultural Zoning District to a PUD contingent upon the Developmental Agreement, the items read into the record, and the letter from Mr. Oliphant dated July 6, 2021, and to grant permission for Lakeview Business Park to commence earth movement and directing staff to proceed accordingly. Motion carried unanimously by roll-call vote:

Robert Carnahan	Aye
John Foreman	Aye
Richard Sharpe	Aye
Heather Dessauer	Aye
Chuck Becker	Aye
John Kiepora	Aye
Jerry Wilkening	Aye

A motion was made by Mr. Foreman and seconded by Ms. Dessauer to approve the Preliminary Plat for the 18-lot subdivision contingent upon the Developmental Agreement, the items read into the record, and the letter from Mr. Oliphant dated July 6, 2021, and to grant permission for Lakeview Business Park to commence earth movement and directing staff to proceed accordingly, as presented in the record. Motion carried unanimously by roll-call vote:

Robert Carnahan	Aye
John Foreman	Aye
Richard Sharpe	Aye
Heather Dessauer	Aye
Chuck Becker	Aye

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John Kiepora	Aye
Jerry Wilkening	Aye

Attorney Austgen asked Attorney Bouwer to include the 8-foot screening item under “Landscaping and Fencing” in the business plan. Attorney Bouwer agreed to adjust that language and asked for clarification on what area(s) to include, and Mr. Wilkening responded that it is just the eastern portion.

A motion was made by Mr. Sharpe and seconded by Mr. Becker to approve the Site Plan contingent upon the Developmental Agreement, the items read into the record, and the letter from Mr. Oliphant dated July 6, 2021, and to grant permission for Lakeview Business Park to commence earth movement and directing staff to proceed accordingly, as presented in the record, including the contents of Mr. Wilkening’s statement on the screening. Motion carried unanimously by roll-call vote:

Robert Carnahan	Aye
John Foreman	Aye
Richard Sharpe	Aye
Heather Dessauer	Aye
Chuck Becker	Aye
John Kiepora	Aye
Jerry Wilkening	Aye

**2. Henn – Final Plat – One-lot Subdivision**  
**Vicinity: 13301 Lincoln Plaza – Petitioner: Richard Henn**

Mr. Wilkening advised that the next item on the agenda is the Petitioner Richard Henn for a Final Plat of a one-lot subdivision for the property at 13301 Lincoln Plaza. Mr. Wilkening stated that there was one snag left with this project.

Mr. Richard Henn advised that he delivered the Final Plat to Ms. Murr’s office to be signed and notarized. Mr. Henn stated that Mr. Oliphant asked that a private yard grate be installed, which has been done, and Mr. Kubiak came and reviewed it.

Mr. Wilkening asked if everything is good. Ms. Murr responded in the affirmative. Mr. Eberly advised that Mr. Kubiak has confirmed the installation. Mr. Oliphant stated that he is satisfied as those items were addressed.

A motion was made by Mr. Carnahan and seconded by Mr. Becker to approve the Final Plat. Motion carried unanimously by roll-call vote:

Robert Carnahan	Aye
John Foreman	Aye
Richard Sharpe	Aye
Heather Dessauer	Aye
Chuck Becker	Aye
John Kiepora	Aye
Jerry Wilkening	Aye

**3. Henn – Preliminary Plat one-lot Subdivision and Site Plan**  
**Vicinity: 13324 Wicker Avenue – Petitioner: Rob Henn, Henn & Sons Construction**

Mr. Wilkening advised that the next item on the agenda is the Petitioner Rob Henn, Henn & Sons Construction for a Preliminary Plat of a one-lot subdivision with waivers and Site Plan for the property at 13324 Wicker Avenue. This is the All Tire property.

Mr. Richard Henn stated that he is present on behalf of Robert, who is in the hospital due to having a surgical procedure. Mr. Henn stated that Robert Henn is doing fine.

Mr. Wilkening stated that they had discussed the sidewalk. Everything else appears to be fine. Mr. Wilkening stated that Mr. Rob Henn has informed them that the cars in the car lot would be moving to the north piece of property.

Mr. Oliphant and Ms. Murr both confirmed that screening is not required for this property. Mr. Oliphant further confirmed that the storm water is not a waiver as there is no net increase of the impervious surface. He added that the only real waiver is the sidewalk waiver.

Attorney Austgen advised that the all items are in order for this Public Hearing to be conducted.

Mr. Wilkening opened the floor for Public Hearing at 7:49 p.m. Having no one come forward to speak, Mr. Wilkening closed the Public Hearing and brought the matter back to the Plan Commission.

Mr. Becker asked about the fee in lieu of a sidewalk. Mr. Wilkening responded that we don't have a fee in lieu of policy in place but Mr. Oliphant has a document with a mathematical equation. Mr. Oliphant advised that the cost is \$35 a linear foot.

Mr. Wilkening stated that Robert Henn and he had discussions about it being a sidewalk to nowhere, but at some point, it will be the taxpayers paying to put one in there in the future.

Mr. Becker commented that he wants to make sure we are consistent as we are making to school do it and all the houses along 133<sup>rd</sup> Avenue do it.

Mr. Wilkening stated that we don't have policy for it, but it has been the pleasure of the Plan Commission to follow that. Mr. Wilkening asked what the other mechanism is for a fee in lieu of policy.

Mr. Eberly responded that there a couple of mechanisms that could be used. If the plat meets the conditions of the Subdivision Control Ordinance, then approval of it is ministerial, and asked Attorney Austgen to weigh in on this. In this case, the Plan Commission may not be able to require a fee in lieu of in absence of an actual policy, but you can request that the Petitioner put up the cash equivalent in an escrow account or deny the request and require the sidewalk to be installed. Attorney Austgen confirmed the same.

Mr. Wilkening stated that screenings and the like are not something that the taxpayers should have to pick up the cost in the future.

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A motion was made by Mr. Foreman and seconded by Mr. Sharpe to approve the Henn Preliminary Plat for a one-lot subdivision with the sidewalk waiver granted. Motion carried 4 ayes to 3 nays by roll-call vote:

Robert Carnahan	Aye
John Foreman	Aye
Richard Sharpe	Aye
Heather Dessauer	Nay
Chuck Becker	Nay
John Kiepura	Aye
Jerry Wilkening	Nay

Mr. Wilkening asked Attorney Austgen if everything is fine with this request. Attorney Austgen stated that a Public Hearing is not required for the Site Plan. No staff comments were had.

A motion was made by Mr. Foreman and seconded by Mr. Kiepura to grant Site Plan approval. Motion carried 4 ayes to 3 nays by roll-call vote:

Robert Carnahan	Aye
John Foreman	Aye
Richard Sharpe	Aye
Heather Dessauer	Nay
Chuck Becker	Nay
John Kiepura	Aye
Jerry Wilkening	Nay

**ADJOURNMENT:** Mr. Wilkening adjourned the Special Public Meeting at 7:55 p.m.

Plan Commission Special Public Meeting  
July 7, 2021

Exhibit No. 2021-07-07-PC1



**Christopher B. Burke Engineering, LLC**

One Professional Center Suite 314 Crown Point, IN 46307 219.663.3410 cbbel-in.com

July 6, 2021

Town of Cedar Lake  
7408 Constitution Avenue  
P. O. Box 707  
Cedar Lake, Indiana 46303

Attention: Plan Commission

Subject: Lakeview Business Park (aka CLBD) – Preliminary Plat/Site Plan Review #2  
(CBBEL Project No. 060016.00183)

Dear Plan Commission Members:

As requested, Christopher B. Burke Engineering, LLC (CBBEL) staff has reviewed the submitted information for the proposed Lakeview Business Park (formerly referred to as CLBD South) located at 14520 Wicker Avenue in Cedar Lake, Indiana. The development consists of a commercial subdivision including 18 lots, roadways, watermain extension, utilities, detention basin, etc. The site will be mass graded in accordance with the plans and individual site plans will be provided for each lot. The development will be a Planned Unit Development (PUD). The submittal was provided by DVG Team, Inc. (DVG) and was reviewed for compliance with the Town of Cedar Lake's (Town) Stormwater Management Ordinance (No. 1218), Subdivision Ordinance (No. 498), Lighting Ordinance (No. 1264), Zoning Ordinance (No. 496), and associated standard engineering methods.

CBBEL received the following items to review:

- Development Agreement, dated July 2, 2021.
- IDEM NOI
- Stormwater Technical Report, prepared by DVG, excerpts dated July 2, 2021.
- Stormwater Checklist, prepared by DVG, excerpts dated July 2, 2021.
- "Lakeview Business Park" Primary Plat, prepared by DVG, dated June 29, 2021.
- "Lakeview Business Park" Plan Set, prepared by DVG, excerpts dated July 2, 2021.

CBBEL staff has reviewed the supplied information and concludes the Applicant has satisfactorily addressed previous comments. We recommend approval with the following contingencies:

1. The Applicant should obtain a jurisdictional determination for the project site prior to land disturbance.
2. The Applicant should provide the code to the Town's emergency services for the proposed gate located at the norther part of the site.

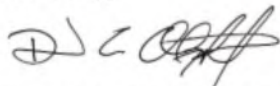
## Plan Commission Special Public Meeting

3. Project specific catalog cuts for all proposed lighting units and light poles should be provided by the Applicant during a shop drawing review prior to installation.
4. A Site Electrical Plan should be provided by the Applicant during a shop drawing review prior to installation. The Site Electrical Plan should include concrete foundation details, wire and conduit sizes and types, power source location and how the lighting is controlled.
5. The lighting plan shall include station and offset locations along with the setback distance from back of curb to center line of pole. This information should be included during a shop drawing review prior to installation.
6. The site is required to pay a MS4 inspection fee of \$1,500.
7. The operations and maintenance manual should be sign by the Owner.

All improvements shall be constructed in accordance with the Town's Development Standards and all applicable Town, County, State and Federal regulations. The Applicant is required to obtain all Town, County, State and Federal permits required for the construction of this project.

If you have any questions or concerns, please do not hesitate to call.

Sincerely,



Donald C. Oliphant, PE, CFM, CPESC  
Town Engineer

Encl: As noted.

cc: Town Manager (via email)  
Planning Director (via email)  
Building Administrator (via email)  
Director of Operations (via email)  
Town Attorney (via email)  
Jack Huls – DVG (via email)

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**TOWN OF CEDAR LAKE PLAN COMMISSION**

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Jerry Wilkening, President

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John Kiepora, Vice-President

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Robert Carnahan, Member

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John Foreman, Member

---

Richard Sharpe, Member

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Heather Dessauer, Member

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Chuck Becker, Member

ATTEST:

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Margaret R. Abernathy, Recording Secretary

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- (4) A record of all votes taken, by individual members if there is a roll call.*
- (5) Any additional information required under IC 5-1.5-2-2.5.*

*Cedar Lake Plan Commission: Minutes of July 7, 2021, Special Public Meeting*

*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.*