



CEDAR LAKE PLAN COMMISSION WORK SESSION MINUTES
CEDAR LAKE TOWN HALL, 7408 CONSTITUTION AVENUE, CEDAR LAKE, INDIANA
JANUARY 5, 2022 at 7:00 pm

CALL TO ORDER:

Mr. Wilkening called the Plan Commission Work Session to order on Wednesday, January 5, 2022, at 7:13 pm, directly following the Special Public Meeting, with its members attending on-site and remotely.

ROLL CALL:

Members Present: John Foreman (via Zoom at 8:11 pm); Richard Sharpe; 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 (via Zoom); and Ashley Abernathy, Recording Secretary. **Absent:** Robert Carnahan; and Heather Dessauer.

1. Franciscan – Cedar Lake Health Center – Site Plan

Owner: R.M. Teibel & Associates, Inc.

Petitioner: Tonn & Blank Construction

Vicinity: 6831 West 133rd Avenue, Cedar Lake, IN 46303

Mr. Wilkening stated the first order of business for the Work Session was for the Site Plan for the approval for a 1,500 square foot addition by Petitioner Tonn & Blank Construction in the vicinity of 6831 West 133rd Avenue.

Mr. Larry Bala, Tonn & Blank Construction, stated they were hoping to seek approval for the Site Plan to build the addition onto the clinic.

Mr. Wilkening asked Ms. Murr if she had any new information on this item. Ms. Murr responded they had done some of the updates that were requested by Mr. Oliphant. Mr. Oliphant stated they issued a letter on January 4, 2022, there were a couple of small remaining comments about an erosion control blanket and a recommended waiver for stormwater detention.

Mr. Wilkening asked Mr. Oliphant if the pond to the west would handle all of the water from the property. Mr. Oliphant responded in the affirmative.

Mr. Kiepura asked if they were still doing the parking along the front. Mr. Oliphant responded in the affirmative and stated they moved one of the spots from the front to elsewhere on the lot to maintain the proper amount of parking.

Mr. Kiepora asked if the parking in the front was going to be fine by the road. Mr. Oliphant stated there is a 3-foot retaining wall about 18-inches from the sidewalk.

Mr. Wilkening asked the Commissioners if they had any further questions. None were had.

Mr. Wilkening advised the Petitioner to have all information in by Friday, January 14, 2022, by 12:00 pm.

2. Black River Bells, LLC – Preliminary Plat – One (1) Lot Subdivision & Site Plan

Owner: ARDT III

Petitioner: Black River Bells, LLC

Vicinity: 11109 West 133rd Avenue, Cedar Lake, IN 46303

Mr. Wilkening stated the next order of business was for the Preliminary Plat for a One (1) Lot Subdivision and a Site Plan by Petitioner Black River Bells, LLC in the vicinity of 11109 West 133rd Avenue.

Mr. Jeremy Wagner, Excel Engineering, was present on behalf of the Petitioner.

Mr. Oliphant advised Mr. Wagner has asked for the Plan Commission's review on a new Site Plan that was included in the Plan Commission's meeting packet. The new Site Plan provides more of a circular motion around the lot, eliminating anyone coming from the Auto Body shop. This prevents there from being two merging lanes of traffic going into two drive-through lanes. They are about done with their review. The Petitioner is still working on an ingress-egress agreement with the Auto Body shop. Currently, they show that as a one-way and he would recommend it remain a two-way.

Mr. Wilkening stated he thinks the access really needs to be considered with the property due to the potential traffic on 133rd Avenue. Mr. Oliphant stated it was potential. The access exists currently and if they go on the autobody parcel they can exit onto 133rd Avenue through CVS's entrance, directly onto 133rd, or go to Schneider Street to exit.

Mr. Wilkening asked if they would need to have an access agreement with both the Auto Body shop and CVS. Mr. Oliphant stated he believes it would just be the Auto Body shop. Mr. Wilkening commented about needing a right only exit onto 133rd Avenue.

Mr. Oliphant stated the ingress-egress would have to be between CVS and the Auto Body Shop. Mr. Wagner stated he believed they had an ingress-egress agreement. Mr. Oliphant asked if the ingress-egress easement was recorded on their plat or if it was a separate document. Mr. Wager stated he would have to look through the documents he has. Mr. Oliphant asked Mr. Wagner to send him copies of the ingress-egress documents. Mr. Wagner stated that he would.

Mr. Oliphant asked Mr. Wagner if the owner was still working on obtaining an ingress-egress agreement with the Auto Body shop. Mr. Wagner responded in the affirmative.

Mr. Oliphant asked if they had a preference on maintaining the two-way access pending the ingress-egress discussion, or if they wanted it to be a one-way access as shown on the Site Plan. Mr. Wagner stated he believes that a two-way access is doable and they can widen the one-way access in the back of the property.

Mr. Wilkening commented that turning left out of this area should not occur because of how close it is to the stacking lane to turn left onto U.S. 41. Mr. Oliphant stated his argument would be those are separate parcels and asked how would they restrict it. Mr. Austgen stated it could be considered a reasonable

condition. Discussion ensued regarding the ingress-egress for the property and the potential of determining the approval off of restricting how to exit onto 133rd Avenue.

Mr. Oliphant commented if there is an existing cross-access agreement between the Auto Body shop and CVS, both businesses would have to agree to cut the access off. Ms. Murr commented on the same. Mr. Wilkening commented then traffic would then go onto Schneider Street. Mr. Oliphant stated there was the entrance off of 133rd Avenue.

Mr. Wilkening stated there was bollards located at that entrance. Ms. Murr stated there were not bollards across the entrance, rather they were located at the corners. A street view of the entrance from the Auto Body shop was shown on the screen and further discussion ensued regarding the entrance off of 133rd Avenue and from the US 41 entrance.

Mr. Wilkening asked Mr. Oliphant to have the traffic reviewed for this item. Mr. Oliphant stated he does not disagree with a limitation in access, his hesitation is that it is occurring with a property that is not part of the petition.

Mr. Oliphant asked Mr. Wagner to see if any title work has been done for CVS or the Auto Body Shop. Mr. Wagner stated he will see if he has documents regarding the cross-access agreement and send Mr. Oliphant any documentation that he has.

Mr. Wilkening asked if any cross-access agreement is reached would the agreement run with the property if it is sold. Mr. Oliphant stated it should run with the property.

Mr. Wilkening asked Mr. Oliphant if the rest of the comments were minor in nature. Mr. Oliphant responded in the affirmative and stated the biggest comment was the revision to the Site Plan. He wanted the Plan Commission to review it and see if they were okay with it.

Mr. Wilkening asked Mr. Oliphant if the stormwater is good for the property. Mr. Oliphant responded in the affirmative. They have two above-ground basins and an underground system under the south east roadway.

Mr. Becker commented if the entrance is restricted would traffic from the westbound and east be able to get onto the property without having to go south to gain access with the right-in, right-out on U.S. 41. Mr. Wilkening stated the access easement with Auto Body shop would be in or out of the property. Mr. Oliphant stated if they are coming southbound off of U.S. 41, they would need turn on 133rd Avenue or do a U-Turn to gain access to the property.

Mr. Wilkening asked if there were any further comments from the Plan Commission. None were had.

3. Cedar View – Preliminary Plat – Two (2) Lot Subdivision & Site Plan

Owner: James & Samantha Brooker

Petitioner: Cedar Lake Property LLC

Vicinity 7936 Lake Shore Drive, Cedar Lake, IN 46303

Mr. Wilkening stated the next order of business was for the Preliminary Plat of a Two (2) Lot Subdivision and Site Plan by Petitioner Cedar Lake Properties LLC in the vicinity of 7936 Lake Shore Drive.

Mr. Jim Brooker, present on behalf of the Petitioner, stated they are seeking the approval for Preliminary Plat of a Two (2) Lot Subdivision and the Site Plan.

Mr. Wilkening asked Mr. Oliphant if there were any comments remaining. Mr. Oliphant stated there is two electrical or lighting comments and a revised plat. The Petitioner submitted a revised Site Plan and revised grading plan before Christmas. He has a couple of minor comments regarding the pork chop that is on the Site Plan.

Mr. Brooker commented he had not received the comments regarding the pork chop. Mr. Oliphant responded he emailed Mr. Homeier directly.

Mr. Wilkening asked if there was going to be a pork chop on the property. Mr. Oliphant responded in the affirmative. The revised plan and the comments he e-mailed Mr. Homeier are minor, and Mr. Homeier should be able to complete these items relatively quick. With Comment Nine they need a specific cut to see what the actual fixture will be to verify the photometrics and Comment Eight is typically taken care of with the Building Permit. Mr. Oliphant stated he would reach out to Mr. Homeier to see about getting a response. Mr. Brooker commented on the same.

Mr. Wilkening asked Mr. Austgen with the Site Plan and Two (2) Lot Subdivision they have no idea of what drive-through will be on the property. Mr. Austgen responded in the negative.

Mr. Wilkening asked if there was anything in writing regarding the reasonable requests, such as after-hours lighting. Ms. Murr responded in the negative and advised the Plan Commission all of the minutes from the BZA and Plan Commission meetings for this item have been compiled.

Mr. Wilkening asked Mr. Brooker if he had any questions. Mr. Brooker responded in the negative.

Mr. Kiepora commented his concerns were for having two drive-throughs. Mr. Oliphant commented it will only be one drive-through. Mr. Wilkening commented they do not know what the actual business will be. Discussion ensued about there being two tenants in the building and only one drive-through business.

Mr. Wilkening asked if there were any further comments from the Plan Commission. None were had.

Mr. Wilkening advised Mr. Brooker to have everything in by January 14, 2022, at 12:00 pm.

4. Schilling Distribution Center – Preliminary Plat – One (1) Lot Subdivision

Owner: Lake County LBM LLC

Petitioner: Schilling Development

Vicinity: 10501 West 133rd Avenue, Cedar Lake, IN 46303

Mr. Wilkening stated the next order of business was for the Preliminary Plat for a One (1) Lot Subdivision by Petitioner Schilling Development in the vicinity of 10501 West 133rd Avenue.

Mr. Slager, Schilling Development, present on behalf of this Petitioner, stated this is going to be a One (1) Lot Subdivision of their existing property where the Schilling Distribution Center is located. This was formerly the Grand Rapids Sash and Door and the property is currently metes-and-bounds. They are wanting to put an addition on the north side of the building and need a One (1) Lot Subdivision to do so.

Mr. Wilkening asked Mr. Oliphant if he had any comments on this item. Mr. Oliphant stated they issued a letter on December 23, 2021, with the biggest comment being a Zoning comment to do an interpretation of a M1 front building setback language. Mr. Oliphant discussed they have interpreted the front setback as needing 80 feet of frontage at the front building setback.

Mr. Slager discussed the shape of the parcel the building was constructed on. Mr. Oliphant commented it could be addressed off of Industrial. However, until the Zoning Ordinance is changed, the property currently has to be addressed off of a dedicated and improved roadway.

Ms. Murr advised they had found some old documents from Sash and Door and she would like to review the old minutes. Mr. Oliphant commented it would depend on how it is interpreted, it could require a waiver or wait for the change in the Ordinance.

Mr. Slager stated their preference would be to continue on the process and advertise for the Public Hearing to receive public comment. Then wait to finalize the plat until the new Ordinance takes effect. Discussion ensued regarding the address and if it would potentially need to change.

Mr. Wilkening asked Mr. Oliphant if the 80-foot needs to be on the north end of the building. Mr. Oliphant responded in the negative and commented the building setback is 30 feet off of the Right of Way limit, which is in the flag portion of the lot, which is 52 feet wide.

Mr. Wilkening asked if it would require a waiver for the front yard setback. Mr. Oliphant responded in the affirmative. Mr. Austgen asked if it would be a waiver or a variance. Mr. Oliphant responded it would be a variance.

Mr. Huls asked if they were to move the building setback further back than 30 feet would that be a variance or would it be something the Plan Commission could do. Mr. Oliphant stated it would be a Zoning Ordinance requirement, and would need to go through the Plan Commission.

Mr. Kiepora asked Mr. Oliphant if he is currently stating the addition would be built into the easement. Mr. Oliphant responded in the negative and stated the addition is well within the limits of the parcel. Mr. Slager commented that any platted lot in an industrial zone has to have 80 feet of frontage. Discussion ensued regarding the 80-foot frontage and the addressing of the property and if it would need to change.

Mr. Eberly commented Mr. Oliphant is correct with the proposed change to the Zoning Ordinance would allow for the property to be addressed off of an improved road versus an improved and dedicated road. He disagrees with Mr. Oliphant regarding the building line and the building line could be moved as far back as it's needed to bring it on the lot to establish the lot width.

Mr. Eberly stated the other concern would be if the property is addressed off of Industrial would it meet the rear yard setbacks. Mr. Oliphant responded he was looking at the same thing and that would be the only concern. Mr. Slager stated the rear yard setback for the property, if it is addressed off of Industrial, would be 30 feet.

Mr. Slager stated they could bring the building line back to where it is not located in the long strip of the property and take it to where the property widens up.

Mr. Wilkening asked the Plan Commission if they had any questions. None were had.

Mr. Slager stated he would like to proceed with the Public Hearing to get through the public comment of the petition.

Mr. Wilkening asked Mr. Austgen if he had any comments. Mr. Austgen responded in the negative.

Mr. Wilkening asked Ms. Murr if she had any further comments. Ms. Murr responded in the negative.

5. Oakwood Crossing – Preliminary Plat – 81 Lot Subdivision

Owner: Cedar Lake Residential LLC

Petitioner: Shilling Development

Vicinity: US 41 & 10918 West 129th Avenue, Cedar Lake, IN 46303

Mr. Wilkening stated the next order of business was for the Preliminary Plat of Oakwood Crossing by Petitioner Schilling Development in the vicinity of US 41 and 10918 West 129th Avenue. Mr. Wilkening stated this was the Preliminary Plat for an 81 Lot Subdivision, it has been discussed what would happen on U.S. 41 in the future with the northbound turn lane.

Mr. Slager, Schilling Development, representing the Petitioner, stated they did conduct the public hearing. Mr. Huls and Mr. Oliphant have been working on the engineering to complete the outstanding comments from Mr. Oliphant's last letter. The subdivision now has a Final Plat that has street names and addresses, and has been sent to Mr. Oliphant.

Mr. Slager stated the biggest change is a change of name from Oakwood Crossing to Oak Brook Planned Unit Development. Everything else has remained the same as previously discussed.

Mr. Wilkening asked if the language of Oak Brook of Cedar Lake displayed in the conceptual drawing will be what is displayed at the entrance. Mr. Slager responded in the affirmative.

Mr. Wilkening asked if everything else is remaining the same for this petition. Mr. Slager responded in the affirmative.

Mr. Wilkening asked if the monument sign is going to be in the split on the entrance onto the property. Mr. Slager responded in the affirmative. Mr. Oliphant asked if the monument sign was going to be lit. Mr. Slager responded in the affirmative.

Mr. Wilkening asked Ms. Murr if she had any comments. Ms. Murr stated she had consulted with Mr. Austgen regarding the name change and it appears to be ministerial. Mr. Austgen commented on the same.

Mr. Wilkening asked if they were going to expand upon the ditch on the property to help retain any stormwater. Mr. Slager responded in the negative and stated they wanted to try to keep all the trees along the ditch.

6. Stenger – 13418 Wicker Avenue – Final Plat

Petitioner: Gerald Stenger

Vicinity: 13418 Wicker Avenue, Cedar Lake, IN 46303

Mr. Wilkening stated the next order of business was for the Final Plat for a One (1) Lot Subdivision by Petitioner Mr. Gerald Stenger in the vicinity of 13418 Wicker Avenue.

Mr. Jack Huls, DVG Team, representing the Petitioner, stated they had sought a Preliminary Plat the previous month and recommendation for a rezone for a portion of the property. He believes that will be present on the upcoming Town Council Agenda. They are seeking the Final Plat approval at the Public Meeting in two weeks from the Plan Commission.

Mr. Wilkening asked Mr. Huls if the language will include the no access off of 135th Avenue. Mr. Huls responded it is shown on the plat that there is a 5-foot no access easement off of 135th Avenue.

January 5, 2022

Mr. Wilkening asked Mr. Austgen if that no access easement would run with the land. Mr. Austgen stated it would.

Mr. Wilkening asked Mr. Oliphant if he had any comments or concerns. Mr. Oliphant stated he did not anticipate any issues and they just received the Final Plat.

Mr. Wilkening asked the Plan Commission if they had any further comments. None were had.

Mr. Wilkening asked Ms. Murr if she had any further comments from the Building Department. Ms. Murr responded in the negative.

7. Perez – 13901 Laque Drive – Preliminary Plat

Petitioner: Ricardo Perez

Vicinity: 13901 Laque Drive, Cedar Lake, IN 46303

Mr. Wilkening stated the next order of business was for the Preliminary Plat of a Two (2) Lot Subdivision by Petitioner Mr. Ricardo Perez in the vicinity of 13901 Laque Drive.

Mr. Jack Huls, DVG Team, representing the Petitioner, stated the Perez family is present and they had been in front of the Plan Commission at the December Work Session to see how they would like the potential of creating Two (2) Lot Subdivision. DVG Team has provided the legal documents for them and the platting. They have completed a survey on a survey and created a Preliminary Plat for the Plan Commission's consideration. They would like to do a Two (2) Lot Subdivision in an R-2 Zoning District and both lots will exceed the R-2 Zoning requirements. Both lots will be 125 feet wide and close to nine tenths of an acre for each lot.

Mr. Foreman joined the meeting at 8:11 pm via Zoom.

Mr. Huls stated it was assumed that Binyon Road was a publicly dedicated road across the ditch crossing, and that is not the case. The Perez's own to the center line of the ditch, in order to make this a lot, they want to make that dedication of Binyon Road. There is an access, known as Laque Drive. They obtained an easement document from 1892 and have submitted a copy to Mr. Austgen. They are granting an ingress-egress easement to the individuals who live to the south on Laque Drive, and are not granting access to the public.

Mr. Huls commented there is a sanitary sewer located in Laque Drive and will be dedicating the easement to the Town for work on the sanitary sewer. They intend to construct a private drive to serve both lots on the southeast of the side. There would be different rights given to the private drive than the ingress-egress agreement for Laque Drive. They are also including a utility easement in there as well for utilities to be installed on that side of the property versus along the lake front.

Mr. Huls stated this property was similar to the distribution center, due to the proposed second lot not fronting on a dedicated and public roadway. Mr. Wilkening asked if Binyon Road is being dedicated would it not be a dedicated and improved road. Mr. Huls responded that gives access for Lot 1 but would not for Lot 2.

Mr. Wilkening asked if there would be an access agreement between Lot 1 and Lot 2. Mr. Huls stated what they are proposing is a private drive that would be improved across Lot 1 and Lot 2, to allow access for Lot 2. With the proposed Zoning Ordinance, it would allow for Lot 2 to become a lot of record.

Mr. Kiepura asked improved means the road has to be built to Town Standards. Mr. Huls stated he did not believe that was stated in the Ordinance. Mr. Austgen stated there is not driving standards in the Ordinance.

Mr. Kiepura asked what would improve mean for this petition. Mr. Oliphant commented that would need to be defined in the Ordinance.

Mr. Kiepura stated he had thought that Lot 2 was going to have a portion of the property to be able to touch Binyon Road. Mr. Huls stated if that was the pleasure of the Plan Commission, they could do that. The reason they did not do that is, it would create a flag lot and the lot frontage would come off of the Right of Way off of Binyon.

Mr. Kiepura commented he prefers what is being proposed with the Preliminary Plat presented. He wants for it to be current. Mr. Huls stated they have talked about this with Town staff and the recommendation is to wait until the Zoning Ordinance is potentially approved at the January Public Meeting. The new Ordinance would allow for Lot 1 and Lot 2 to occur in the fashion in which it is being presented. Discussion ensued on what would need to be considered for an improved road and what would need to be utilized for the Two (2) Lot Subdivision proposed.

Mr. Oliphant asked Mr. Huls if the ingress-egress easement on the southside of the property going to have similar language as the ingress-egress agreement for Laque Drive, to allow access for the properties to the west. Mr. Wilkening asked if there were utilities still located on that side of the property as well. Mr. Huls stated there are still utilities there. Regarding the ingress-egress easement for the property owners to the west, they cannot find any current rights for those owners to have access off of the drive.

Mr. Huls asked Mr. Perez if property owners to the west of him could access their properties off of his driveway connected to Binyon Road. Mr. Perez responded he did not believe so. Discussion ensued regarding the drive off of Binyon Road and the access for the ingress-egress off of the drive. Discussion also ensued regarding which utility easements would be needed and which would need to be public.

Mr. Kiepura asked if Laque Drive is an improved road. Mr. Huls stated it is currently paved and it is not in the Town inventory. Mr. Kiepura asked if it would qualify under the new Ordinance. Mr. Huls stated it could but they do not want it to. Mr. Oliphant stated they are claiming the improved will be to the south. Further discussion ensued regarding what would constitute an improved road and needing to define what an improved road would be.

Mr. Wilkening asked if the other utility easements on the east side of the property is for the back of the homes in the neighborhood. Mr. Huls responded they included a platted easement that they found.

Mr. Wilkening asked if they are proposing their own easement. Mr. Huls responded in the affirmative and stated they want to be able to get services to both of the properties.

Mr. Wilkening summarized the discussion of the petition for a Two (2) Lot Subdivision, with the existing house being structure being removed. Mr. Huls stated that was correct and advised the Plan Commission the current owners intended to remove they house before recording the plat.

Mr. Wilkening asked with the second lot is there any obligation to ensure there is not a utility easement for any properties to the south of Lot 2. Mr. Huls stated the utility easement goes to the property line.

Mr. Austgen asked if the discussion had tonight with the Plan Commission reflected in the draft Preliminary Plat included in the Plan Commission packet. Mr. Huls stated the 1892 Easement is not shown on the plat provided.

Mr. Oliphant asked if the 1892 Easement would be referenced by document number on the Final Plat. Mr. Huls responded in the affirmative and discussed he was wanting Mr. Austgen to review the document for some legal review.

Mr. Oliphant asked if they were going to defer this petition to the February meeting. Mr. Huls stated they would prefer to conduct the public comment and then request a deferral after that hearing. This would be contingent upon the Zoning Ordinance being addressed or examining a different route for connection for Lot 2.

Mr. Wilkening asked the Commissioners if they had any further comments. None were had.

8. Cedar Lake Ministries – Unit 2 – Final Plat – One (1) Lot Subdivision

Owner: Cedar Lake Ministries

Petitioner: Brett Knoll, Executive Director, Cedar Lake Ministries

Vicinity: 8816 West 137th Avenue, Cedar Lake, IN 46303

Mr. Wilkening stated the next order of business was for the Final Plat of Unit 2 for Cedar Lake Ministries by Petitioner Mr. Brett Knoll in the vicinity of 8816 West 137th Avenue.

Mr. Jack Huls, DVG Team, representing the Petitioner, stated one of the conditions of the PUD agreement was the Final Plat would be completed. They completed their survey work regarding the boundaries and a Final Plat has been prepared and submitted for approval. The boundary limits, conditions, and easement dedications remain the same. The building setback lines have been added and recorded for review.

Mr. Wilkening asked Mr. Oliphant if all the elevations are correct. Mr. Oliphant responded in the affirmative.

Mr. Wilkening asked Mr. Austgen if he was good with what was being presented. Mr. Austgen responded in the affirmative.

UPDATE ITEMS:

1. Wiers – Electric Power Solutions LLC – Preliminary Plat – One (1) Lot Subdivision & Site Plan – deferred to February

Mr. Wilkening stated the first order of business for Update Items was for the Preliminary Plat of a One (1) Lot Subdivision and Site Plan. Mr. Wilkening asked Mr. Eberly about the request for this item potentially changing because of business quantities. Mr. Eberly stated it had not been definitively defined how many units he was asking for. The advertisement for the original advertisement was for multiple units. There is the drainage issue on the property concerning the routing of the water and that will impact the size of the second building. His point is the proposed uses and square footages is going to determine the number of parking spaces and what type of uses can be utilized.

Mr. Wilkening commented things had changed due to stormwater. Mr. Eberly stated Mr. Oliphant was working with Mr. Marovich regarding the stormwater. Mr. Oliphant responded in the affirmative and they

had provided the basics to Mr. Marovich and he just needed to route it to obtain the limits of the stormwater. Mr. Huls stated this was the reason for the deferral request.

2. Resolution No. 2021-04 - Zoning Ordinance & Zoning Map

Mr. Wilkening stated the next order of business was for Resolution No. 2021-04 – Zoning Ordinance and Zoning Map. Mr. Wilkening commented he thinks the only issue was with the height and has been discussed to reduce it back to 30 feet.

Mr. Wilkening asked if this would be ready to go within two weeks. Mr. Austgen commented there would be periodic review and updates and he would go through it one more time with Mr. Eberly before his retirement.

Mr. Wilkening asked Mr. Austgen if it was highly probable it would be voted on in two weeks. Mr. Austgen stated it was probable. Mr. Foreman commented he would hope it would be voted on in two weeks.

Mr. Austgen advised the Plan Commission to review the Zoning Map and to have it present at the Public Meeting for viewing.

Mr. Oliphant asked with the Zoning map, as parcels are rezoned, what would allow for the change on the Zoning Map. Ms. Murr stated it is written as an administrative part of the Zoning Ordinance Amendment that the Zoning Map would be updated periodically.

3. Building Regulations and Fee amendment

Mr. Wilkening stated the next order of business was for the Building Regulations and Fee Amendment.

Mr. Austgen commented he discussed this item with Mr. Eberly the week prior. They will have something provided to them within the next month or so.

Ms. Murr advised the Plan Commission that Mr. Eberly had sent them an e-mail discussing the proposed changes, and came out after 5 pm. The review sent to them is similar to how the Zoning Ordinance changes were proposed with bold text, strike-through, and red text for additions. If anyone would like a printed copy, she can provide that for them. Mr. Wilkening and Mr. Kiepora stated they would like a hard copy.

Mr. Eberly advised Mr. Austgen the version he e-mailed to the Plan Commission was the version they had discussed. As Ms. Murr stated, he sent it after 5 pm, with a summary of the changes that are proposed for this Ordinance so they could review it before their February Work Session.

4. Subdivision Control Ordinance

Mr. Wilkening stated the next order of business was for the Subdivision Control Ordinance. Ms. Murr advised the Commissioners this was to keep it in front of them.

5. Oakwood Crossing – Preliminary Plat – 81 Lot Subdivision – January 19, 2022

Mr. Wilkening stated the next order of business was for the Oakwood Crossing Preliminary Plat. Ms. Murr advised the Commissioners this was already discussed tonight.

6. Fee in Lieu of Sidewalk – February 2, 2022 work session

Mr. Wilkening stated the next order of business was for the Fee in Lieu of Sidewalk. Ms. Murr advised this was deferred until the February Work Session for discussion.

Mr. Wilkening advised the Plan Commission he had a handout he would like for the Plan Commission to review.

PUBLIC COMMENT: Mr. Wilkening opened the floor for public comment. None was had.

ADJOURNMENT: Mr. Wilkening adjourned the meeting at 8:47 pm.

TOWN OF CEDAR LAKE PLAN COMMISSION

Jerry Wilkening, President

John Kiepora, Vice-President

Richard Sharpe, Member

John Foreman, Member

Robert Carnahan, Member

Heather Dessauer, Member

Chuck Becker, Member

ATTEST:

Ashley Abernathy, Recording Secretary

The Minutes of the Cedar Lake Plan Commission Work Session 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 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 section 3.5 or 3.6 of this chapter or any other statute that authorizes a governing body to conduct a meeting using an electronic means of communication.

Cedar Lake Plan Commission: Minutes of the Regular Work Session January 5, 2022.