



CEDAR LAKE PLAN COMMISSION WORK SESSION MINUTES
CEDAR LAKE TOWN HALL, 7408 CONSTITUTION AVENUE, CEDAR LAKE, INDIANA
May 3, 2023 at 6:00 pm

Call To Order:

Mr. Kiepura called the Plan Commission Work Session to order on Wednesday, May 3, 2023 at 6:03 pm with its members attending on-site. The Pledge of Allegiance was said by all.

Roll Call:

Members Present via Zoom: None. **Members Present On-Site:** Robert Carnahan; John Foreman; James Hunley; John Kiepura, President. A quorum was attained. **Also present:** Don Oliphant, Town Engineer; David Austgen, Town Attorney; Chris Salatas, Town Manager; Ashley Abernathy, Planning Director; and Cheryl Hajduk, Recording Secretary.

Absent: Heather Dessauer, Richard Sharpe, Secretary

1. 9720 W 133rd Avenue – Rezone, Preliminary Plat & Site Plan

Owner: Howard J. & Susan L. Skorka, 15714 Colfax Street, Lowell, IN 46356

Petitioner: Boyer Construction Group Corp., 9901 Express Drive, Highland, IN 46322

Vicinity: 9720 W 133rd Avenue, Cedar Lake, IN 46303

Mr. Kiepura stated the first order of business is for Petitioners are requesting a Rezone from B-1 and B-3 to Commercial PUD, a Preliminary Plat for a two (2) lot subdivision, and Site Plan approval.

Mr. Bruce Boyer, Boyer Properties, stated they wanted to see if there were any outstanding issues with this project. This is a two-lot parcel of land at 9720 W. 133rd Avenue. We are proposing a commercial Plan Unit Development and one lot will be a Centier Bank and the other lot will be a small retail building. This has gone through reviews and other than the photometrics plan comments we received that haven't been addressed yet. Mr. Oliphant commented we issued the April 26, 2023 letter and followed up with a revision on May 1, 2023 to incorporate photometrics.

Mr. Kiepura asked if signage was ok. Ms. Abernathy stated it looks like they are covering everything. They are asking for a one and a half square foot ratio to one linear square feet, which differs from ours and 1:1 ratio, but they are asking as long as photometrics are ok, they built in language for the electronic message sign that is to be turned off by 11:00 pm and cannot be turned on before 5:00 am. Some of the variances are reduction in front yard setback, parking in front yard, reduction in side and rear yard setbacks. Most of the comments were making sure the language is in there to cover the things that were done at previous BZA meetings for electronic message board signs. Mr. Kiepura asked does the signage fit the requirements for our Town. Mr. Austgen stated if you agreed to the proposal that was presented that is what the PUD is about in terms of deviations or slight adjustments. Ms. Abernathy stated it is under our maximum height for full size of 25-feet. That is our maximum height per our Ordinance. They will be under by constructing a 17-feet, 6-inches sign.

Mr. Austgen stated he is finishing drafting the Ordinance and documents and the reviews have been completed. This is ready to go to hearing.

Mr. Carnahan asked in Section 2, paragraph 2.1 in the Ordinance on permitted use. Is that for the second building. Mr. Boyer responded in the affirmative and we do not know what is going in there as of yet. Mr. Carnahan commented the setbacks require 50 feet and the request is 30-foot setback and most of the buildings in that area have a 30-foot setback. Mr. Boyer commented we are preparing for the size of the lot and we need the drive through lanes for the bank.

Mr. Kiepura asked if this will be ready in two weeks. Mr. Austgen responded in the affirmative and would be a recommendation to the Town Council.

Mr. Carnahan commented this will bring some money to the TIF District.

2. 2023-03 – Obadiah Taylor – Vacation of Subdivision

Owner/Petitioners: Michael & Nanci Shander, 3452 Sally Dr., Steger, IL 60475 & Batz Enterprises, LLC, 7329 McConnell Ave., Lowell, IN 46356

Vicinity: 13221 Colfax Street, 13131 Colfax Street, 13137 Colfax Street & 13177 Colfax Street, Cedar Lake, IN 46303

Mr. Kiepura stated the next order of business is for Petitioners are requesting a vacation of the Obadiah Taylor Subdivision.

Ms. Abernathy stated the Petitioners are not here nor is their attorney. Ms. Abernathy stated she tried to get in contact with them, but there has been no correspondence.

Mr. Austgen advised at the next meeting; it is recommended to remove this matter from the agenda.

Mr. Foreman commented he disagrees with removing this from the next meetings agenda. They bought a subdivision they thought they can do something with. We have had a nice discussion at the last meeting and it's important for these people to vacate this subdivision that was made a few years back. They do not want to put in an entire road in but if they can improve the road into their driveway. It is a great lot and it would be an asset.

Mr. Parker commented the easiest solution would be for the Town to pave the street. The Town owns the street and is platted and if the street is paved it removes the issues.

Mr. Austgen stated it is a four-lot subdivision and they can do a simple re-plat so they take the lot lines away and create three lots and ask for a waiver of other technical requirements. Mr. Kiepura asked if they do a re-plat wouldn't they need to bring the road to the end of their property. Mr. Austgen commented they can ask for a waiver and the Plan Commission has the authority to grant waivers from the strict terms and conditions of the Subdivision Ordinance.

Mr. Oliphant commented a lot of waivers would have to be reinstated. Discussion ensued.

Mr. Foreman commented to put this on the agenda for the next meeting and then make a decision then to defer to the work session.

Mr. Parker commented with approvals like this there should be an expiration on the performance. If somebody doesn't complete what they say they are going to do and they get their approval in a certain amount of time and that is with any of them. This happened with Rose Gardens and leaving it hang out there creates a situation and if there is no action by whoever is requesting these types of things then given a certain amount of time, it needs to expire automatically without having to re-visit it. If the Plan Commission moves forward with any approval, they need built in expirations. Mr. Oliphant commented they do, but his one fell through the cracks. When the final plat is done, you take the Letter of Credit with it. There wasn't a Letter of Credit with this one. Discussion ensued.

Mr. Kiepura stated make an attempt to contact the owners and their attorney. If they do not show at the next work session next month, we will take it from there.

3. 2023-04 Kolber – 10833 W 133rd Ave – Concept Plan

Owner: Industrial Drive Properties LLC, 11363 W 135th Pl, Cedar Lake, IN 46303

Petitioner: Steven Kolber, 828 Davis Street, Suite 300, Evanston, IL 60201 on behalf of CWK

Properties: Cedar Lake LLC. 0 7949 W 79th Street, Unit 2, Bridgeview, IL 60455

Mr. Kiepura stated the next order of business is for Petitioner is requesting a Concept Plan for a Site Plan for a two (2) unit restaurant.

Mr. Steven Kolber, 828 Davis Street, Evanston, IL, stated we have a site plan for a two-tenant building for two restaurants. The restaurants will be a Wing Stop and a Jets Pizza which will be carry out and delivery only and Wing Stop will have limited seating. CWK are the owners and franchise of both.

Mr. Carnahan asked are the entrances on Osborne and 133rd. Mr. Kolber responded in the affirmative.

Mr. Kiepura asked what the variances are. Ms. Abernathy stated they will need a reduction of what would be considered their side yard off of Osborne from the 30-feet that would be required for rear yard to approximately five-foot setback. They will need front-yard setback and Mr. Kolber is aware of the variances needed. Ms. Abernathy discussed the Zoning Ordinance having language for one primary use and one primary structure per lot which is where our multi-use variances have come from. The language that requires one primary use per lot has been removed from 1402 and it just requires one primary structure. For multi-use where a two-unit is proposed, as long as it gets site plan approval, parking and meets the requirements and it would not need that multi-use variance that we have done in the past.

Mr. Kiepura asked if the parking spaces are ok with the square footage of the building. Mr. Kolber stated they are one shy. A variance for that we are ok with.

Mr. Kiepura asked does this go to the BZA. Ms. Abernathy responded in the affirmative.

Mr. Kiepura commented in Mr. Oliphant's letter buffer zones were mentioned. What is the intention along the residential on the southside and eastside. Mr. Kolber stated we will put up density landscape and a fence.

Mr. Oliphant commented there is an entrance off of Osborne Street which is a residential street. How does the Board feel about it. They are also showing a no left turn on Osborne as an exit. That road is not in good shape. Mr. Foreman asked do we own Osborne Street. Mr. Oliphant commented we own it. Mr. Kiepura commented we don't want to make the road worse. Mr. Oliphant commented there is no curb

and gutter on that road. Mr. Carnahan asked the other restaurants over there enter Osborne and 133rd. Mr. Oliphant responded in the affirmative.

Mr. Foreman stated because it is residential, it would be better to have cars enter and exit off of 133rd. Discussion ensued.

Mr. Austgen asked will there need to be two entrances and exits on 133rd. Mr. Oliphant stated by the letter of the Subdivision Ordinance, probably unless they get a waiver from it. Discussion ensued regarding entrance points.

Mr. Oliphant asked how are they going to provide stormwater detention. Mr. Kolber stated whatever would need to be done and put in underground.

4. 2023-05 – Lakeview Business Park – PUD Amendment

Owner: E3, LLC, 1341 McCoy Drive, Schererville, IN 46375

Petitioner: CLBD South, LLC, P.O. Box 488, Dyer, IN 46311

Vicinity: 13735-13923 Wicker Avenue, Cedar Lake, IN 46303

Mr. Kiepura stated the next order of business is for Lakeview Business Park – PUD Amendment

Mr. Andrew Bultema, CLBD South, LLC., stated we would like a PUD Amendment and this is based off of lot sales and sales in process at this time. This is to cover any opportunities the land owners would have.

Mr. Kiepura commented there are multiple buildings on these lots. Mr. Bultema stated the PUD is set up for one building per lot and we are having inquiries of putting one or two buildings per lot as long as they fit in the lot coverage requirement. Mr. Carnahan asked there are 18 lots. Mr. Bultema responded in the affirmative, but not all 18 will have multiple buildings. It will be certain lots. Mr. Carnahan asked the one on Route 41 will be commercial. Mr. Bultema stated those will be commercial retail, mixed use between restaurants, coffee shop type places. They are looking to do a smaller footprint building but multiple buildings on one lot.

Mr. Kiepura asked what size are the lots. Mr. Bultema commented they vary from one acre and up.

Mr. Parker commented it provides versatility for different types. Mr. Bultema commented they are looking to bring in as much business to that area and the renderings show two businesses right next to each other.

Mr. Carnahan commented businesses pay 3% and that will increase the tax rate and residential will take a decrease. Mr. Salatas stated they do pay 3% and any addition would help the overall tax burden to County.

Mr. Kiepura asked if they combine two lots, do they have to make it into a one-lot subdivision. Ms. Abernathy stated that is part of what the request is. This is to allow them to pave over lot lines. It will stay four separate distinct lots but then allow for a continuous flow throughout the lots to allow paving over all to one large strip mall, storage. They are building in a cross-over easement between the two lots.

Mr. Austgen commented he liked that Ms. Abernathy and Mr. Salatas had gotten comments and inquiries from people doing due diligence and asking questions about procedures, ownership and responsibilities.

Mr. Oliphant stated the monument sign would have to be moved and that would be dependent on the site plan.

Mr. Austgen commented they can be on the Public Meeting agenda in two weeks and determine if it is a substantial change or not for the terms in the PUD. If it is, then a Public Hearing is required. If it is not, then it would require a Public Meeting vote to amend and then the PUD Agreement can be amended. This is not major, but it went through the processing the PUD plan and it was a lot more than this. This is prepared for action of that and prospect fully for us, staff, petitioners and that we do this uniformly and is done the same every time. If the Board thinks is substantive, it is easier to have a public hearing than to not. If this is fine, and acceptable and if the changes are ministerial and making the project work; then, act to approve. Mr. Austgen suggested that Mr. Bultema and his attorney add an amendment to the PUD and this can go on the agenda two weeks from now.

The Plan Commission determined it was not a substantial change and requires a Public Hearing.

5. 2023-06 – Centennial – Concept Plan

Owner: 133 LBM LLC, 8900 Wicker Avenue, St. John, IN 46373

Petitioner: Olthof Homes, Chip Krusemark, 8051 Wicker Avenue, St. John, IN 46373

Vicinity: 10702 W 141st Avenue, Cedar Lake, IN 46303

Mr. Kiepora stated the next order of business is for a Concept Plan for Centennial.

Mr. Chip Krusemark, 8051 Wicker Avenue, St. John, IN, stated this is a Centennial Townhome Project, North of 141st and West of Parrish. Originally, this was a 138-acre PUD was approved back in 2006 located at the Northwest corner. The area is a 17-acre parcel we are discussing today. As part of the PUD that was originally set up and approved for townhomes, but due to the economy at the time, it did not happen. We have that property under contract and we would like to move forward with the townhomes. We have had conversation with staff and with Mr. Oliphant about this site. On the handout I gave, the orange area highlights the section of the project where the original townhomes were going to be and where we would like to build them. We put together a Concept Plan of how this may lay out, but staff wants a second access egress from the site. At the Northeast corner, we made an access going out and it goes through where we have our duplex units and we will be losing a lot to allow a second access point. The third image in the packet shows how it was originally laid out but now shows the second access point and the other images show the townhome product with a front load garage.

Mr. Krusemark commented we believe this parcel is in the process of being rezoned back to the PUD. Mr. Austgen stated in 2006 there was an annexation of this parcel in the Town so Centennial became part of Cedar Lake. The annexation occurred with zoning appended to it. Pod C in that legal description on subject parcel on the proposed project is what we are talking about. They need a Public Hearing to what is being deposited and we have all of the salient information.

Mr. Parker asked this was zoned PUD and the zoning got changed. Mr. Austgen commented it was zoned into Town contemporaneously with the annexation as four pods. Discussion ensued. Mr. Austgen commented there was a Town initiative to acquire and improve Industrial Drive. There is private ownership with that road but appears to be a public way. There was an original developer and they started splintering. Mr. Carnahan commented the density will go down because it calls for 166 single family, 88 pair villas and 210 townhomes which will be 464 and the maximum with the PUD was 610. Mr. Salatas stated the maximum density was 20 units per acre.

Mr. Krusemark stated the original PUD called for a front yard setback of 10 feet and we are going to make it 20 feet and the original rear yard setback was 10 feet and we are going to make those 30 feet. It will be fewer units. One of the reasons for the larger front yard setback is to allow a second car to get into the driveway because it is a single car garage.

Mr. Krusemark asked if this goes back to the original PUD zoning as was originally proposed for this 17-acre property, would this be considered a PUD Amendment. Mr. Austgen responded in the affirmative. The terminology is different today than it was back then. It was described in the parcels as Pods and

described individually as Subdivision Units. We made sure it was accurate as to being described and presented. You are accurate on the schematic and highlighted the area and we matched up the legal description against that from the annexation documents.

Mr. Kiepura asked we just need to approve the updated plans for that section. Mr. Austgen commented things have changed and the codes have changed. The proposed uses have changed. The accommodation is the second entrance is needed pursuant to your codes and for safety reasons as ingress and egress is for safety.

Mr. Kiepura asked how is traffic going to be handled on 141st Avenue. How is this going to impact the traffic problem with school, Railside Park and Rose Garden. Mr. Foreman stated people will exit on the North exit and go North to 133rd through Summer Winds or Beacon Point West. Mr. Oliphant commented exiting can go through Beacon West, out to Parrish and then out to 133rd then South on 141st.

Mr. Oliphant stated the way this was platted out 15 years ago, it was platted in 15 phases. They did reduce density to remove some duplexes and put in some single-family homes. This has been reduced over time from the initial PUD. Mr. Oliphant asked what the initial density for the 17-acre parcel. Mr. Krusemark commented single family attached for 20 units per acre.

Mr. Austgen stated we have in our files an email from INDOT regarding Railside and it is indicated if traffic control is needed at Route 41 and 141st Avenue that INDOT would take this on. Discussion ensued.

Mr. Carnahan stated we were going to charge Railside the cost of putting that turn lane in on US 41 and then we heard the State was going to cover that, so we reduced the cost on Railside. Mr. Austgen commented this is the email we received and Mr. Oliphant commented County is putting the turn lane in.

Mr. Oliphant asked do they still have to go through preliminary plat and final plat. Mr. Austgen responded in the affirmative. Discussion ensued.

6. 2023-07 – Bank Shots Bar & Grill – Concept Plan

Owner/Petitioner: Bank Shots Bar & Grill Inc, 875 Berkshire Pl, Crete, IL 60417

Vicinity: 8120 Lake Shore Drive, Cedar Lake, IN 46303

Mr. Kiepura stated the next order of business is for a Concept Plan for Bank Shots Bar & Grill.

Mr. Samuel Leonhardt, 875 Berkshire Pl, Crete, IL and Mr. Joe Lopez, 1130 West US Highway, Schererville, IN, stated in our Concept Plan we put in the parking, entrance and exit and it is a one way in and a one way out. The parking lot is awkward and the way we had it measured out there is parking all the way around the building and you would come out the east side. We have another lot in the back that we would like to utilize also. Mr. Carnahan asked the one is off of Lake Shore Drive and the other one is on the east side of the building. Mr. Leonhardt commented both entrances will be off of Lake Shore Drive. A fence will be going on the residential side of the property. The neighbors on that side are fine with the fence.

Mr. Leonhardt commented we built a retaining wall for safety reasons. Behind the retaining wall we want to put concrete barriers. We would like to fence the whole property around.

Mr. Kiepura asked what is the distance off of 133rd to Lake Shore to the outside deck. Mr. Leonhardt stated around 15 to 20 feet. Mr. Kiepura asked how many tables would be out there. Mr. Leonhardt stated six tables.

Mr. Kiepura asked how many parking spaces are there. Mr. Leonhardt commented 32 spaces. Discussion ensued. Mr. Leonhardt commented we can make adjustments based off of what the Plan Commission says.

Mr. Parker asked why is the fence in the front. Mr. Leonhardt stated it is just a concept and does not need to be there.

Mr. Oliphant commented it looks like the fence line is at the edge of the pavement and would be in the public right of way and the deck is in the right of way. Discussion ensued. Mr. Oliphant commented they may be able to get 20 parking spaces in the parking lot.

Mr. Parker commented maybe move the deck to the east side of the building, but how much would that affect the parking. Discussion ensued regarding the parking and deck.

Mr. Oliphant asked how many parking spaces are needed for this square footage. Ms. Abernathy commented it depends how many seats are in the restaurant and would be determined how many tables are in there and how many seats are in there. They are going to need subdivision, variances, and go through the whole process.

Mr. Kiepora stated there shouldn't be anything on the south side along Lake Shore Drive. It is too close to the right of way. The fence needs to be adjusted from the line of sight for safety. What is the square footage of the building. Mr. Leonhardt stated 1,800 square feet.

Ms. Abernathy asked how many parking spaces are anticipated. Mr. Leonhardt commented it is two seats per parking spot, but whatever needs to be done. More discussion ensued regarding the site plan.

7. Beacon Pointe West, Unit 5 Performance Letter of Credit Extension Request

Ms. Abernathy stated they are looking to extend the Letter of Credit to May 2024, and they are looking at reducing it to \$212,835.71. This can go on the public meeting agenda for approval. Mr. Oliphant commented this reduction is 25% of the original Letter of Credit.

8. Lakeview Business Park – Conversion of Performance Letter of Credit to Maintenance Letter of Credit

Mr. Oliphant stated is rotating from Performance into Maintenance and everything is done. The lights are in and final inspection passed. This will rotate for three years at \$217,777.62.

9. Ord 1458 – 133rd Commercial Corridor Overlay District

Ms. Abernathy conducted a presentation for the 133rd Commercial Corridor Overlay District, presenting the intent of the Overlay District.

Mr. Kiepora opened the floor for public comment.

Ms. Cheryl Parker, 7227 W. 136th Court, commented in the presentation there is a 25, 75 and how did that number get arrived at. Ms. Abernathy looked at what would be easiest for the individuals in the Building Department to determine about if a quarter is in or is a quarter of it out. It is easier to look at something by quarters versus a different number. Ms. Parker asked if this is a set number. Ms. Abernathy commented this is a suggestion that was made and any feedback is welcome.

Mr. Austgen stated if the 25, 75 is not a bottom number, but one we can work with to create a formula so that we are doing things uniformly.

Mr. Joe Siwinski, 13825 Huseman Street, commented he wanted to say thank you for doing this presentation and putting the time in. Maybe an incentive can be considered for people who may have something that doesn't fit there or don't want to move on to a different spot in town so that they can be kept within the community so that the business is here.

Mr. Austgen commented from the staff's perspective it would be fair to say we are still working on this and is not ready for any action.

Mr. Foreman asked the people that live in the house that is zoned B-3, will that remain a B-3 or an R-2 special use. Mr. Austgen stated it will remain a B-3 and legal non-conforming. Mr. Foreman stated if it is below the 40,000 square feet then if he sells to a commercial person and wants to do something B-3 and if it is 41,000 square feet and he/she qualifies for the B-3, then would he/she be able to buy it and build a true B-3 business or no. Ms. Abernathy commented it depends if the Overlay District is a recommendation to the Town Council is favorable or no recommendation and then adopted by the Town Council. If the Overlay District does not pass then he would need to get variances to make it a workable B-3. If the Overlay District is passed, then it puts additional requirements on as it needed to comply with anything B-2 or less. If they want B-3, then they need a Variance of Use to meet all of the requirements.

Mr. Carnahan commented if someone buys a non-conforming business and continues to do that business there, they can continue to operate as long as it hasn't been closed for six months.

Mr. Austgen commented there is incentive for a property owner that owns a house that he/she lives in the Overlay District. If they sell the house, move the house in a transaction and change the use and they will make the deal they need to make, but the benefit to the Town becomes that the gradual transformation of the corridor occurs in change of Zoning District. It is a way overtime when change occurs of having a Zoning District classification to change with it.

Mr. Salatas commented we have contemplated a B-3 overlay from the 41 District as recommended by the Comprehensive Plan so there is an incentive with a B-3 overlay on 41 to migrate those businesses onto an area that appropriate for businesses that are geared towards motor traffic versus pedestrian traffic.

Mr. Todd Jenkins, 1805 W. 133rd Avenue, asked can there be a combination of the neighbors' lots and if someone wanted to come in and buy all of them and do a B-3 business there, can that be done. Mr. Parker stated as long as it is 40,000 square feet and meets the requirements. Ms. Abernathy commented if the Overlay District passes then it restricts it to B-2 uses or B-1 uses. If they want to combine the three lots, they would do a B-3 use, they would need to petition the Board of Zoning for a Variance of Use which goes to the Town Council for approval by way of a recommendation.

Mr. Oliphant asked would you have to combine two existing B-3 uses that are active today. Mr. Foreman stated the three properties would be greater than the 40,000 square feet and they are zoned B-3. Mr. Jenkins commented if someone comes in and tears them down and wants to build a Speedway, they would have the proper zoning unless the Overlay is passed. Mr. Foreman responded he thought that is what it is. Mr. Carnahan asked can we put that in there with the Overlay. Ms. Abernathy stated you could but that is the purpose of creating a B-2 Overlay District in this area. The intent and purpose that has been contemplated in the Comprehensive Plan because they have done their reading and 133rd Avenue is to be more pedestrian friendly and more walkable friendly businesses. The B-3 is not pedestrian friendly. Mr. Foreman asked is a gas station a B-3. Ms. Abernathy commented we do not have gas station in our Zoning Ordinance. Discussion ensued regarding the different uses in the Overlay District.

Mr. Austgen stated we were going to beta test some of the parcels in the corridor. We were going to run through some scenarios. We are not in a position to answer some of these questions as of yet. Mr. Parker commented if it is B-3 now and any overlay is going to affect based on the value of the zoning that goes with it. Discussion ensued.

Mr. Salatas stated per the Zoning Ordinance there are 13 additional allowed uses from B-2 to B-3. There isn't a gas station in the allowed uses. Everything that is stated as permitted use within the Zoning District has to receive a Variance of Use.

Mr. Jenkins commented the compensation part is an investment on our behalf. Are you going to take that away from us; there should be something in there for that.

Mr. Kiepura commented at the next work session we will have this on the agenda for comments, questions and to come up with the best solution.

Ms. Abernathy stated she will upload the presentation to the website. The current Ordinance and map are uploaded to our Town website. There is a new link for public hearings on the website.

Update Items:

1. Building Regulations & Fee Amendment

Mr. Salatas stated this is still under review and it will be closer to July.

2. Hanover Community School Corp – Performance Letter of Credit expires May 24, 2023

Ms. Abernathy commented she emailed the President of the Board of Trustees, the Superintendent, their CFO. I included their General Contractor and our Town Attorney and Town Manager and have not received anything back other than the Contractor asking about the outstanding issues remaining.

3. Perez – Performance Letter of Credit expires June 14, 2023

They are looking to extend and to get the letter in before expiration date.

4. Cedar Lake Storage – Public Performance Letter of Credit expires July 1, 2023

Mr. Oliphant commented there is nothing from them yet and will reach out to them again.

5. Beacon Point East, Unit 2 – Performance Letter of Credit expires July 28, 2023

Mr. Oliphant commented they are working on it.

6. Beacon Pointe Unit 1A – Maintenance Letter of Credit expires August 5, 2023

7. Beacon Pointe Unit 2 – Maintenance Letter of Credit expires August 6, 2023

Mr. Oliphant commented they are coming to the end of their Maintenance Letter of Credit phase. The Final inspections on that subdivision are for Public Works and our team above ground will take place in the next couple of weeks.

8. Rose Garden Estates Unit 3 – Performance Letter of Credit expires August 22, 2023

Mr. Oliphant commented they have a full punch list for above ground items and underground. Units 2 and 3 have not been initiated yet. Phase 1 is not completed. There are 85 field items and several as built outstanding items for Unit 1. Mr. Austgen asked how much is being held on this Performance. Mr. Oliphant commented close to 9 million for the three units and nothing has been reduced.

Public Comment: Mr. Foreman commented he wanted to do public comment as a resident. His address is 12745 Parrish Avenue. I moved back to this town because of relationships. I was raised here and love

this town. Last night I lost the game, but I'll be back. The Hammond Times newspaper was disgraceful, deceitful, untruthful and defamation. Mr. Parker made accusations about me and I'm not going to get irate or point fingers. I got accused of seeing the plans for South Shore which is false and about having a developer purchase the Monestary Friary to keep trees by my house from being cut down. Discussion ensued regarding the zoning from years past. I am proud of how I ran my campaign and took money from no one. I forgive anyone and want to continue to live here. A thought of mine is to get additional land and do a 30-foot drop from Morse to here for an underground parking garage. People can park their car, walk around and the parking garage would be hidden and serves police and fire and someday maybe the new Public Works building.

Adjournment: Mr. Kiepura adjourned the meeting at 7:58 pm.

TOWN OF CEDAR LAKE PLAN COMMISSION

John Kiepura, President

Greg Parker, Vice-President

Richard Sharpe, Secretary

John Foreman, Member

Robert Carnahan, Member

Heather Dessauer, Member

Jim Hunley, Member

ATTEST:

Cheryl Hajduk, 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 Work Session Meeting May 3, 2023.