



**CEDAR LAKE PLAN COMMISSION PUBLIC MEETING MINUTES**  
**CEDAR LAKE TOWN HALL, 7408 CONSTITUTION AVENUE, CEDAR LAKE, INDIANA**  
**December 20, 2023 at 7:00 pm**

**Call To Order:**

Mr. Kiepura called the Plan Commission Public Meeting to order on Wednesday, December 20, 2023, at 7:03 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:** James Hunley; Heather Dessauer; Greg Parker, Vice President; and John Kiepura, President. A quorum was attained. **Also present:** Don Oliphant, Town Engineer; David Austgen, Town Attorney; Ashley Abernathy, Planning Director; and Cheryl Hajduk, Recording Secretary.

**Absent:** Robert Carnahan; John Foreman; Richard Sharpe, Secretary

**Minutes:**

Mr. Kiepura entertained a motion for the September 20, 2023 Public Meeting, October 4, 2023 Work Session, October 18, 2023 Public Meeting, November 1, 2023 Work Session, and November 1, 2023 Special Public Meeting minutes, a motion was made by Mr. Parker and seconded by Mr. Hunley to approve the same. Motion passed unanimously by roll-call vote:

Mr. Hunley	Aye
Ms. Dessauer	Aye
Mr. Parker	Aye
Mr. Kiepura	Aye

**Agenda:**

- 1. 2023-06 – Centennial – PUD Amendment & Reinstatement of Preliminary Plat**  
**Owner/Petitioner: 133 LMB LLC, 8900 Wicker Avenue, St. John, IN 46373**  
**Vicinity: 10702 West 141<sup>st</sup> Avenue, Cedar Lake, IN 46303**

Mr. Kiepura stated the first order of business is for a Petition requesting to amend the PUD Ordinance and to re-establish the Preliminary Plat for Centennial.

Mr. Richard Anderson, 9211 Broadway, Merrillville, IN, representing 133 LMB LLC, commented this is a 16.2-acre parcel. In 2006, there was a Planned Unit Development approved and we are asking for a re-amendment and reinstatement of that PUD which was approved then with some changes and improvements to it. The improvements and the highlights are to reduce the total density of Centennial Community from the original 20-units per acre to 8.03-units per acre. We have redesigned the townhome

look and the plans would increase the front and rear yards from 10-feet to 20-feet. The exteriors of the townhomes contain five color variations. The units are front-loaded instead of rear-loaded and there would be parking in the front. There would be a 6-inch-high PVC privacy fence along the North and West boundaries. The North boundary is zoned M-1 and along the tracks is also zoned M-1. The new units will be 1,543 square feet from the original 1,461 square feet. The front-loaded garage provides parking spaces for each unit and private space behind the unit. In the new plan, there is a roadway cut into the next subdivision so you can go North to get to King Street.

Mr. Oliphant stated we issued a letter on December 15, 2023 and there are five comments and they are minor in nature. We would like Plan Commission's input on the remaining grading plan comment. The plan has alleyways/driveways and we recommend they be encircled with either border curb or curb and gutter. We have not had luck with private roads like that because without the border curb, people have a tendency to drive off of the road. Discussion ensued regarding Plan Commission's input.

Ms. Abernathy commented they included the Rider that was requested by the Plan Commission that anybody who purchases along the railroad tracks or anywhere near the industrial area that they are made aware of it and there would be a form to sign. If any recommendation is made to the Town Council and is approved at Town Council, it will get recorded with the PUD document.

Mr. Austgen stated the legals are in order. The patience and pace this developer took this piece of long platted property and reformed it into a new plat, new project that modernized the amenities and criteria from the previous. It was called Centennial 17 and this is the last piece and they have done a really good job. This is a model example of how with a little bit of patience the process goes a lot smoother. You may not always agree, but you can disagree moving things forward and that happened. This has met all legal requirements and any motion that is made to include authorization of the execution of the Development Agreement documentation which is appended to the Ordinance and will be part of the approval.

Mr. Parker discussed the report from NIES Engineering and there is capacity for water and sewer in its current state without needing an addition to supply it. Mr. Austgen commented this is the opinion of the Engineering firm and we wouldn't be at this place if the developer hadn't gone over that hurdle.

Mr. Oliphant asked did we decide how we were moving forward with the revision to the Centennial Villas platting. Ms. Abernathy commented it will be a re-plat and Olthof will be here at the March 6, 2024 Plan Commission to do a two-lot resub to make the road connection. Mr. Oliphant commented Lot 19 is being eliminated and that will have to be stubbed through.

Mr. Kiepura asked if there were any remonstrators for or against this Petition.

Ms. Kathy Traina, 13674 Freedom Way, asked how is this going to run by our houses and how is the road going to connect to King Drive. Mr. Oliphant commented they are going to snake up from Prospect Drive and Freedom Way and that will go North and at the North part of the subdivision will turn into Centennial Villas in this location. Freedom Way will connect to 131<sup>st</sup> Street, which will connect into King Drive and it will be connected sometime next year.

Ms. Traina asked townhouses are going in and not the villas or single-family homes. Mr. Oliphant responded in the affirmative.

Ms. Traina asked how close will the townhomes be by Freedom Way. Mr. Oliphant stated there will be a detention basin separating that road on Freedom Way. There will be a detention basin in your backyard and then the townhomes North of that. Nothing will encroach on your lot or the out lot.

Ms. Sharon Delgado, 10354 138<sup>th</sup> Place, commented she lives next to the farmer's field. Is this where the townhomes are going up. Mr. Oliphant commented they will be built to your West.

Mr. Kiepura commented this was approved in 2008 and they made some upgrades.

Ms. Dessauer commented they did reduce density and there will be bigger setbacks. The original approval will go ahead with the building of townhomes.

Mr. Kiepura closed the portion of public comment.

A motion was made by Mr. Parker and seconded by Ms. Dessauer to send a favorable recommendation to the Town Council for the PUD Amendment contingent on Mr. Oliphant's letter of December 15, 2023 being addressed and the connection being made through Centennial Villas and the re-plat will be started at the March 6, 2024 Plan Commission Meeting with the two-lot subdivision. Motion passed unanimously by roll-call vote:

Mr. Hunley	Aye
Ms. Dessauer	Aye
Mr. Parker	Aye
Mr. Kiepura	Aye

A motion was made by Ms. Dessauer and seconded by Mr. Parker to approve the Preliminary Plat for the Centennial Subdivision contingent from the previous Planned Unit Development. Motion passed unanimously by roll-call vote:

Mr. Hunley	Aye
Ms. Dessauer	Aye
Mr. Parker	Aye
Mr. Kiepura	Aye

## **2. 2023-33 Bugaboo's Subdivision – Preliminary Plat Extension**

**Owner/Petitioner: Donald Frey, 332 East 125<sup>th</sup> Place, Crown Point, IN 46307**

**Vicinity: 13315 Lincoln Plaza Way aka 109 Broadway, Cedar Lake, IN 46303**

Mr. Parker stated the next order of business is for a Petition requesting a Preliminary Plat extension for a One Lot Subdivision.

Mr. Donald Frey, 332 East 125<sup>th</sup> Place, Crown Point, IN commented he bought property in Lincoln Plaza and it does not have a correct legal description. We had to do a survey to make it a legal lot of record, but in the process the person doing the survey passed away. We would like an extension for the Preliminary Plat to get everything completed.

Mr. Parker asked is this a metes and bounds lot. Mr. Austgen responded in the affirmative.

A motion was made by Mr. Parker and seconded by Ms. Dessauer to extend the Preliminary Plat for one year to December 21, 2024. Motion passed unanimously by roll-call vote:

Mr. Hunley      Aye  
Ms. Dessauer    Aye  
Mr. Parker      Aye  
Mr. Kiepura     Aye

**Update Items:**

1. Beacon Pointe East Unit 2 – Performance Letter of Credit expires January 30, 2024

Mr. Oliphant commented we issued a letter on December 20, 2023 and they completed all punch list items.

2. Beacon Pointe East Unit 1 – Performance Letter of Credit expires January 30, 2024

Mr. Oliphant comment this item will be extended.

3. Beacon Pointe East Unit 1A – Maintenance Letter of Credit expires January 30, 2024
4. Beacon Pointe East Unit 2 – Maintenance Letter of Credit expires January 30, 2024

Mr. Oliphant commented they are finishing up punch list items.

5. Summer Winds Unit 1 – Performance Letter of Credit expires February 15, 2024

Mr. Oliphant commented this item will get extended. We have been requested to do the inspections.

6. Cedar View – Performance Letter of Credit expires February 15, 2024

Mr. Oliphant commented this item will get extended.

**Tabled:**

**2023-18 Bay Bridge**

**2023-19 Founders Creek**

**2023-20 Red Cedars**

**Public Comment:**

Ms. Abernathy commented she presented all of the Commission members a Year End Report that I have created that was current as of November 15, 2023. It highlights the total amount of petitions that were submitted to the Planning Department or the Plan Commission. We had nine re-zones, seven Preliminary Plats, two reinstatement requests, five extension requests, nine final plats, two amendment requests, six Site Plans and eight Concept Plans and one Vacation Subdivision Plat.

Mr. Kiepura commented Mr. Parker is going to the Town Council and I wanted to thank him for his time, efforts, comments and his help since he has been on the Plan Commission.

**Adjournment:** Mr. Kiepura adjourned the meeting at 7:38 pm.

## TOWN OF CEDAR LAKE PLAN COMMISSION

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John Kiepura, President

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Jerry Wilkening, Vice-President

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Heather Dessauer, Secretary

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James Hunley, Member

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Robert Carnahan, Member

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Greg Parker, Member

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Chuck Becker, Member

ATTEST:

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Cheryl Hajduk, Recording Secretary

*These Minutes 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.*

*Minutes of December 20, 2023.*