



CEDAR LAKE PLAN COMMISSION PUBLIC MEETING MINUTES
CEDAR LAKE TOWN HALL, 7408 CONSTITUTION AVENUE, CEDAR LAKE, INDIANA
February 21, 2024 at 7:00 pm

Call To Order:

Mr. Kiepura called the Plan Commission Public Meeting to order on Wednesday, February 21, 2024, at 7:33 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:** Chuck Becker; Greg Parker; Robert Carnahan; James Hunley; Heather Dessauer, Secretary; Jerry Wilkening, Vice President; and John Kiepura, President. A quorum was attained. **Also present:** Don Oliphant, Town Engineer; Ryan Deutmeyer, Town Attorney; Ashley Abernathy, Planning Director; and Cheryl Hajduk, Recording Secretary.

Absent:

Minutes:

Mr. Kiepura entertained a motion for the January 3, 2024 Special Public Meeting, and January 3, 2024 Work Session, a motion was made by Mr. Parker and seconded by Mr. Becker to approve the same. Motion passed unanimously by roll-call vote:

Mr. Becker	Aye
Mr. Parker	Aye
Mr. Carnahan	Aye
Mr. Hunley	Aye
Ms. Dessauer	Aye
Mr. Wilkening	Aye
Mr. Kiepura	Aye

Agenda:

1. 2023-30 – Torok – Final Plat

Owner/Petitioner: Andrea & Anita Torok, 1360 N. Sandburg Terr. Apt. 1202, Chicago, IL 60610
Vicinity: 8510 W. 146th Avenue, Cedar Lake, IN 46303

Mr. Kiepura stated the first order of business is for a Petition requesting a Final Plat for a One Lot Subdivision.

Ms. Andrea Torok, 1360 N. Sandburg Terr., Apt. 1202, Chicago, IL 60610, was present for the Petition.

Mr. Kiepura commented at the work session everything was in order and there weren't any questions or comments.

Mr. Oliphant commented we issued a letter on February 13, 2024 and we are submitting our approval and restating our contingencies that were on the Preliminary Plat for waivers for stormwater detention, park dedication, tree placement and sidewalks.

Ms. Abernathy commented the address has been corrected.

Mr. Wilkening asked there is a section on the GIS, will it get cleaned up, in the future, because the adjacent property to the North is a One-Lot Subdivision. Mr. Oliphant commented this will be a part of this Plat and as part of Pine Crest Marina Plat to the South.

Mr. Wilkening asked if anything will interfere with the dredging. Mr. Oliphant responded in the negative.

A motion was made by Mr. Carnahan and seconded by Mr. Wilkening to approve the Petitioner's request for a Final Plat for a One Lot Subdivision and to incorporate Christopher B. Burke's letter dated February 13, 2024. Motion passed unanimously by roll-call vote:

Mr. Becker	Aye
Mr. Parker	Aye
Mr. Carnahan	Aye
Mr. Hunley	Aye
Ms. Dessauer	Aye
Mr. Wilkening	Aye
Mr. Kiepura	Aye

2. 2023-31 Cedar Lake Storage – Rezone

Owner: Cedar Lake Storage, LLC, C/O Vis Law, 12632 Wicker Avenue, Cedar Lake, IN 46303

Petitioner: Nathan D. Vis, 12632 Wicker Avenue, Cedar Lake, IN 46303

Vicinity: 9019 W. 133rd Avenue, Cedar Lake, IN 46303

Mr. Kiepura stated the next order of business is for a Petition requesting a Rezone from M-1 to B-2. Mr. Deutmeyer advised legals are in order.

Mr. Nathan Vis, Vis Law, 12632 Wicker Avenue, on behalf of Cedar Lake Storage, commented my client is requesting to Rezone from M-1 to B-2. This has received prior approval and there was a final version with Ms. Abernathy, Mr. Austgen and myself as to the Zoning Commitment that was requested and public notices have been properly sent out and distributed. We are requesting the zone change with the contingency of the Zoning Use Commitment, as well as to be recorded against the property.

Mr. Kiepura asked if there were any Remonstrators for or against this Rezone. Seeing none; public comment is closed.

Ms. Abernathy commented the Zoning Commitment is finalized and it does not need to be contingent on any additional work. Any decision would be a recommendation to the Town Council and the Zoning Commitment to go with the Rezone.

A motion was made by Mr. Wilkening and seconded by Mr. Becker to send a favorable recommendation to the Town Council requesting a Rezone from M-1 to B-2 along with the Zoning Commitment. Motion passed unanimously by roll-call vote:

Mr. Becker Aye
Mr. Parker Aye
Mr. Carnahan Aye
Mr. Hunley Aye
Ms. Dessauer Aye
Mr. Wilkening Aye
Mr. Kiepura Aye

3. 2024-01 Faith Church – Site Plan

Owner/Petitioner: Faith Reformed Church Inc – Bryan Ford, 100 81st Ave, Dyer, IN 46311
Vicinity: 6729 W 133rd Avenue, Cedar Lake, IN 46303

Mr. Kiepura stated the next order of business is for a Petition requesting a Site Plan approval for an expansion on the existing Faith Church building and parking lot.

Mr. Jack Huls, DVG, Inc., representing the Petitioner, commented we are anticipating a building expansion and site improvements for additional parking, which include additional sidewalk around the building, curb and gutter, additional pavement, detention pond improvement, and sight lighting.

Mr. Kiepura stated there is a Variance granted from the BZA for the height of the building and it was contingent upon review of legals and Ms. Abernathy has stated this is all been cleared.

Mr. Oliphant commented we issued a letter on February 16, 2024, recommending approval with six contingencies. That is to record detention easements over the new detention layout in the South and the new detention basin on the North. Those will be recorded after they are constructed and will be part of the as built review. We will verify some downspout locations to verify some of their trip areas when they finalize their mechanical electrical plumbing plant and those will also support the photometrics we've seen. There is an as built contingency regarding their datum. We are recommending cash or check payment in the amount of \$3,821 for the remainder of the sidewalk extension from their entrance off of 133rd Avenue to the East property line. We are recommending that because we are going to be extending that water line, because the terminal water valve is in that radius and we are going to have to dig that up with the 133rd project. It would be a recommendation to include that sidewalk fee as part of that project whenever it goes, because otherwise, we are going to have to rip everything up that they put in. The other two contingencies are the formal signature on their Operation Maintenance Manual for their stormwater system and then an MS4 inspection fee of \$1,500 to be paid prior to building permit.

Mr. Wilkening asked is there a pond to the North. Mr. Oliphant commented they are going to be building a pond to the North. Mr. Huls commented the original pond supported parking lot expansions and it no longer serves the impervious area that is being developed. This current design considers all of the property to be in purpose and there is not a design for that right now. Discussion ensued.

Mr. Wilkening asked if the trees are going to stay in that area. Mr. Huls responded in the affirmative.

A motion was made by Mr. Parker and seconded by Mr. Wilkening to approve the Site Plan for an expansion on the existing Faith Church building and parking lot and contingent upon Christopher B. Burke's Letter dated February 16, 2024. Motion passed unanimously by roll-call vote:

Mr. Becker Aye
Mr. Parker Aye
Mr. Carnahan Aye
Mr. Hunley Aye
Ms. Dessauer Aye
Mr. Wilkening Aye
Mr. Kiepura Aye

4. Beacon Pointe East Unit 4 Reduction of Performance Letter of Credit

Mr. Kiepura stated the next order of business is for Beacon Pointe East Unit 4 Reduction of Performance Letter of Credit.

Mr. Oliphant stated they have a letter dated January 17, 2024. This is the North unit on Beacon East. We are recommending a reduction to the maximum allowable amount of \$359,608.00

Ms. Abernathy stated the bank is providing new letters for each reduction.

A motion was made by Ms. Dessauer and seconded by Mr. Becker to reduce the Performance Letter of Credit in the amount of \$359,608.00 in the CBB letter on January 17, 2024. Motion passed unanimously by roll-call vote:

Mr. Becker Aye
Mr. Parker Aye
Mr. Carnahan Aye
Mr. Hunley Aye
Ms. Dessauer Aye
Mr. Wilkening Aye
Mr. Kiepura Aye

5. Beacon Pointe Unit 6 Reduction of Performance Letter of Credit

Mr. Kiepura stated the next order of business is for Beacon Pointe Unit 6 Reduction of Performance Letter of Credit.

Mr. Oliphant commented this is the southern phase of Beacon Pointe West. We are recommending a reduction to the maximum allowable amount of \$133,733.95. We also have the January 18, 2024 letter.

A motion was made by Ms. Dessauer and seconded by Mr. Wilkening to approve the reduction of the Performance Letter of Credit in the amount of \$133,733.95 and referencing the CBB letter of January 18, 2024. Motion passed unanimously by roll-call vote:

Mr. Becker Aye
Mr. Parker Aye
Mr. Carnahan Aye
Mr. Hunley Aye
Ms. Dessauer Aye
Mr. Wilkening Aye
Mr. Kiepura Aye

6. Beacon Pointe Unit 7 Reduction of Performance Letter of Credit

Mr. Kiepura stated the next order of business is for Beacon Pointe Unit 7 Reduction of Performance Letter of Credit.

Mr. Oliphant stated this is North of Unit 6. We are recommending a reduction to the maximum allowable amount of \$309,673.13 from our January 18, 2024 letter.

A motion was made by Ms. Dessauer and seconded by Mr. Wilkening to approve the reduction of Performance Letter of Credit in the amount of \$309,673.13 and referencing the CBB letter of January 18, 2024. Motion passed unanimously by roll-call vote:

Mr. Becker Aye
Mr. Parker Aye
Mr. Carnahan Aye
Mr. Hunley Aye
Ms. Dessauer Aye
Mr. Wilkening Aye
Mr. Kiepura Aye

7. Lakeside Unit 2 Block 1 Reduction of Performance Letter of Credit

Mr. Kiepura stated the next order of business is for Lakeside Unit 2 Block 1 Reduction of Performance Letter of Credit.

Mr. Oliphant commented this is South of Lakeside and West of the pond. We are recommending a reduction to the maximum allowable amount of \$605,505.40 from our letter dated January 22, 2024.

A motion was made by Ms. Dessauer and seconded by Mr. Wilkening to approve the reduction of Performance Letter of Credit in the amount of \$605,505.40 and referencing the CBB letter of January 22, 2024. Motion passed unanimously by roll-call vote:

Mr. Becker Aye
Mr. Parker Aye
Mr. Carnahan Aye
Mr. Hunley Aye
Ms. Dessauer Aye
Mr. Wilkening Aye
Mr. Kiepura Aye

Update Items:

1. Beacon Pointe East Unit 5 – Performance Letter of Credit expires May 19, 2024

Mr. Oliphant stated we are holding at the minimum allowable reduction. They will probably do a reduction for six months, because they are not at 80 percent build out; to get pavement down.

2. Hanover Community School Corp - Performance Letter of Credit expires May 24, 2024

Ms. Abernathy commented she was finishing up the Fact Finding for the Town Council. Mr. Oliphant commented we were contacted by Mr. Stuart Allen from Torenga Engineering and they have been hired by Skillman to complete as built, but they said it will be likely 30 to 45 days. It will expire on May 24, 2024. We are anticipating punch list items.

Tabled:

2023-18 Bay Bridge

2023-19 Founders Creek

2023-20 Red Cedars

Public Comment: None was had.

Adjournment: Mr. Kiepura adjourned the meeting at 8:01 pm.

TOWN OF CEDAR LAKE PLAN COMMISSION

John Kiepura, President

Jerry Wilkening, Vice-President

Heather Dessauer, Secretary

James Hunley, Member

Robert Carnahan, Member

Greg Parker, Member

Chuck Becker, Member

ATTEST:

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 February 21, 2024.