

HIGHLAND PLAN COMMISSION

Minutes of the Meeting of
Wednesday, June 21, 2017

The Highland Plan Commission met in regular session on June 21, 2017 in the meeting room of the Municipal Building, 3333 Ridge Road, Highland, Indiana. The Pledge of Allegiance was led by Commissioner Martini. The meeting opened at 7:00 P.M. led by Commissioner Schocke.

ROLL CALL: Present on roll call: Commissioners: Joseph Grzynski, Mario Martini, Doug Turich, Mark Kendra, Tom Vander Woude, Mark Schocke and Bernie Zemen. Also present: Ken Mika, Building Commissioner, Attorney Jared Tauber and Mike Phipps, Plan Commission Engineer, Nies Engineering. Also, in attendance were some residents from Whispering Oaks subdivision and other Highland residents.

MINUTES: Commissioner Schocke asked if there were any deletions, additions or corrections to the minutes of the May 17, 2017 regular meeting. Hearing none they were approved as posted.

ANNOUNCEMENTS: The next study session will be held on July 5, 2017 at 6:30 P.M. The next business meeting will be held on July 19, 2017 at 7:00 P.M.

COMMUNICATION: None.

OLD BUSINESS: **Approval of Findings of Fact for Docket # 2017-01** for an amendment to the zoning ordinance and Preliminary Planned Unit Development Plan for the proposed Main Street Project / Cardinal Campus of Highland located on the north side of Main just east of Prairie Avenue (2245 105th, 2209, 2213, 2235, 2237 Main Street) (5 adjacent lots) for the purpose of a proposed development of professional office buildings and a luxury boutique hotel (30 rooms). The petitioner CG Indiana Holdings, LLC, 1515 Busch Pkwy., Buffalo Grove, IL 60089 is requesting that the zoning be amended from a R-2 (Single & Two Family Residence) to B-PUD (Business Planned Unit Development). Petitioner is represented by Attorney Mr. James Wieser, Wieser & Wylie, LLP, 429 W. Lincoln Highway, Schererville, IN 46375.

Also, **Approval of Findings of Fact for Docket #2017-01** for the Preliminary Planned Unit Development Plan.

Commissioner Vander Woude motioned to approve the findings of fact that did contain contingencies. The motion was seconded by Commissioner Martini. Commissioner Vander Woude pointed out that there were a number of contingencies identified in the findings of fact that would need to be addressed by the petitioner prior to granting final approval. Mr. Mika stated the contingencies were the Plan Commission approval of the Final Planned Unit Development Plan and also their approval of the primary and secondary subdivision approval. He continued that we have received a draft copy of the declarations and they would be reviewed.

The motion was unanimously passed by a roll call vote of 7 – 0.

Public Hearing for Docket #2017-02 for primary plat approval for a one lot subdivision. The petitioner, CG Indiana Holdings, LLC, 1515 Busch Pkwy., Buffalo Grove, IL 60089. Petitioner is represented by Attorney Mr. James Wieser, Wieser & Wylie, LLP, 429 W. Lincoln Highway, Schererville, IN 46375.

Attorney Jared Tauber stated that the proofs of publication were in order.

Attorney Wieser stated that they had also posted the 8 signs on the property as they had previously done at Mr. Mika's direction. He referenced the subdivision plat that had been provided to the commissioners. He continued that there had been a lot of work done involving the engineering aspects of the project between Mr. Phipps, Nies Engineering, and Mr. Tom Price, their engineer since the study session. He submitted a written commitment that he said his client will sign that the ownership and the maintenance of the utilities would be private as opposed to public utilities. The document will be recorded and will run with the land and be binding.

He stated he believes that they are in compliance with the subdivision control ordinance and that any issues had been resolved in their entirety. Mr. Price spoke about some minor comments that have been addressed regarding the specific type of hydrants and the type of materials used for the storm sewer. They will be following the Town's standards in the public right of way. The plat that has been submitted is what they are seeking approval on.

Commissioner Schocke opened the public hearing, explaining that each speaker would have a two minute time limit to speak.

Ms. Carol Kerr, 2185 Timberidge Ln., spoke regarding the original detention basin situation. She stated that the residents had confirmed with the assessor's office that Whispering Oaks owned those detention ponds. She said that she talked to an engineer in Griffith who told her that they were going down stream to a detention area by Ramblewood. She said she believes that they will be going into the White Oaks of Highland pond now. She continued that there are now 5 homes for sale in her neighborhood including hers. She referenced a situation in St. John where the residents had not wanted more townhomes in the area and the Town had listened to them and the builder had changed his plans to single family homes and duplexes.

Mr. Mika said that very early on when they found out that the plan was to go into Whispering Oaks detention ponds, they were told that was not possible. He continued that the internal drainage system meets the Town's requirements essentially the built in paver system that discharges into a storm sewer that ties into an existing storm line which eventually goes into the Town's system and eventually the neighboring detention pond just as any other subdivision would.

Attorney Wieser brought up that it had been specifically pointed out to them by the Town regarding not being able to use the Whispering Oaks detention ponds. The White Oaks pond was sized and it is more than sufficient to handle the water when it eventually reaches it. Mr. Price explained that the drainage meets all the requirements and it discharges into an existing Town storm sewer that eventually will flow into the White Oaks pond. They have demonstrated that the discharge would not have an adverse effect on Whispering Oaks residents.

Commissioner Schocke said the Town's engineer did review all the calculations and the Commission has done their own due diligence.

Commissioner Schocke closed the public hearing.

Commissioner Vander Woude motioned to grant primary plat approval for a one lot subdivision with the following condition, that the document providing for the private utilities be subject to attorney review. The motioned was seconded by Commissioner Kendra and was unanimously passed by a roll call vote of 7 – 0.

NEW BUSINESS: Preliminary Hearing for primary plat approval for a one lot subdivision located at 3144 Condit for the purpose of building a new single family home. The petitioner is Jovan Lozevski of 521 Cochran

Dr., Crown Point, IN. 46307. Mr. Lozevski was present. He distributed some documents regarding the property to the members. He stated that he had already attended a study session. Mr. Lozevski requested a public hearing for July 19, 2017. Mr. Mika described the subdivision process. Mr. Lozevski stated that he is working with Torrenga Engineering to get the plat.

Commissioner Vander Woude motioned to grant the public hearing. The motion was seconded by Commissioner Martini was passed by a unanimous roll call vote of 7- 0.

Commission Schocke spoke regarding the Redevelopment Commission's Resolution #2017-03, a Declaratory Resolution of the Highland Redevelopment Commission Amending the Plans for the Highland Redevelopment Areas #I & #II. He described that this list is required in order for any future purchases using Redevelopment dollars. This resolution adds two new parcel, 8600 Kennedy Avenue and 2726 Garfield Avenue (Aide Rentals).

Commissioner Grzyski asked Attorney Tauber, if the owners of Aide Rentals were notified that they are on the list. Attorney Tauber stated that they were aware of this. Mr. Mika asked if this was part of the Theatre master plan. There was discussion as to other areas that the Redevelopment Commission may wish to acquire.

Commissioner Vander Woude motioned to approve the Redevelopment Commission's Resolution #2017-03. Commissioner Martini seconded the motion and it was passed with a roll call vote of 5 – 0. Commissioners' Grzyski and Turich were the no votes.

Commission Schocke asked if there was any discussion regarding a preliminary hearing for revisions to the Town of Highland's Zoning Ordinance. Mr. Mika requested a public hearing for July 19, 2017. He stated that this has been being worked on for close to two years.

Commissioner Grzyski motioned to approve the request for a public hearing. The motion was seconded by Commissioner Kendra and unanimously passed by a roll call vote 7 – 0.

BUSINESS FROM THE FLOOR: None.

ADJOURNMENT: There being no further business to come before the Board, Commissioner Martini moved to adjourn. Commissioner Turich seconded the motion and it was unanimously carried by a voice vote. Meeting adjourned at 7:28 P.M.