

HIGHLAND PLAN COMMISSION

Minutes of the Meeting of
Wednesday, July 20, 2022

The Highland Plan Commission met in regular session on July 20, 2022. The Pledge of Allegiance was led by Commissioner Zemen. The meeting opened at 7:00 P.M. led by Commissioner Turich.

ROLL CALL: Present on roll call: Commissioners Turich, Grzymiski, Kissee, Martini, Zemen and Briseno. Also present Ken Mika, Building Commissioner/Zoning Administrator, Plan Commission Attorney John Reed and Town Engineer Derek Snyder. Commissioner Balczo was absent.

MINUTES: Are there any deletions, additions or corrections to the minutes of June 15, 2022 regular meeting? If none, they will stand approved as posted.

ANNOUNCEMENTS: The next study session will be held on August 3, 2022 at 6:30 P.M. The next business meeting will be held on August 17, 2022 at 7:00 P.M.

COMMUNICATION: None

NEW BUSINESS: Docket 2022-01 Public Hearing for Rich Clousing of R & T Industries to request a Public Hearing for next month concerning a proposed major modification to an existing PUD at the Nevers Cove Subdivision located at 2515-2525 Longwood Dr. The petitioner has filed a petition to change the original PUD from (4) eight unit Condominium buildings to (2) four unit Townhomes with attached garage on the two remaining lots.

Attorney Adam Sworden was present to represent Rich Clousing of R & T Industries. Mr. Sworden spoke of the major modification to the PUD, that they are requesting to build (2) four unit townhomes, as opposed to what already exists, that being (4) eight unit condominium buildings. He spoke of the H.O.A. which would be its own stand-alone association and be responsible with maintaining their own properties. Mr. Sworden states he has attempted to reach out to the Longwood H.O.A. to no avail. He said the new proposed town homes will share the private drive that is currently there and will be responsible to maintain the drive as well. He mentioned the aesthetic aspect of the proposed townhomes. They would have front loading garages which would break up the façade. He then asked for approval from the Plan Commission based on submissions to the Town for the modification to allow for essentially replacing the same foot print as the condominium units with the town home units.

Attorney John Reed approved the proofs of publication and Mr. Mika said the signs were properly posted.

Commissioner Turich asked for motion. Commissioner Kissee made a motion for the Public Hearing for Rich Clousing. Commissioner Briseno seconded.

Commissioner Turich asked if there were any comments from the Board. Commissioner Grzymksi said he felt they should discuss with the developer the building materials to be used, the fire sprinkler system and the curb line that would match up with the existing condominiums issues that were discussed during the study session.

Mr. Mika said it may be beneficial to the petitioner if they have renderings of what they are proposing to show to the Commissioners prior to opening up the Public Hearing. Commissioner Turich asked the petitioner if he had any items to present to the Commissioners. Mr. Clousing responded he may have some items in his car. Mr. Clousing's partner had some items to present, those being the stone façade and some samples of siding from Menards.

Commissioner Kisse thought the samples presented were what the Commissioners were shown previously. One of the questions Commissioner Kisse believed the Commissioners had, that regarding the PUD, was what type of quality and what materials would be used. Mr. Clousing referenced the sample Commissioner Kisse was holding, that being stone for the façade and there would be vinyl for the sides of the Town Homes. The stone sample for the facade he was holding was white.

Commissioner Turich asked if Mr. Clousing had any kind of presentation for the Commissioners. Mr. Clousing thought he didn't need to have those items or to give a presentation since those topics were discussed at the previous study sessions. Commissioner Turich explained that it is a repetitive process, but this is what the Public Meetings are for, and also gives the Public present to learn of what the petitioner is requesting.

Mr. Clousing responded by reviewing what Attorney Sworden spoke of at the beginning of the meeting, that being referencing the style of the town homes and flooding being eliminated due to there being no attached garages.

Commissioner Turich said the Commissioners had some questions. The first being the design of the building, what type and grade of material is going to be used, referencing vinyl siding or aluminum siding or Hardie Board, brick or stone, etc. Mr. Clousing said the original condominiums were done with vinyl siding and a brick front. He said they wanted to replicate that to keep a uniform look, however they would use stone instead of brick. The vinyl would be a .046 panel with a lifetime warranty. Commissioner Turich asked if the petitioner had reviewed the requirements needed for the thickness of the vinyl, Mr. Clousing responded yes. Commissioner Turich asked for some documentation regarding the materials that would be used. Mr. Clousing asked if the minutes would suffice and Commissioner Turich said he would require documents from the petitioner that should have been given to the Commission during this meeting. The attorney said there are specifications for both the siding and stone that have been reviewed for the Town's standards which will be cited in the written commitment just like the sprinkler system and they are prepared to do that tonight. He furthered what is being presented is not an obsolete product and again said it could be entered into the written commitment. Commissioner Turich asked if the curb line would be extended to align with the existing buildings. Mr. Clousing said it exists now, that they would just keep it there. Attorney Sworden expanded on that comment and said it was in the existing site plan.

Commissioner Turich open the Public Hearing.

Eugene Reeves of 2525 Longwood Drive spoke of concerns that the new town homes would usurp the current addresses of the Longwood Condominiums, as their addresses were used for agenda/notifications. Mr. Clousing's partner explained that was the way the County has it until the parcel is subdivided. Mr. Reeves asked what a PUD is, Commissioner Turich said it was a Planned Unit Development and Attorney Reed explained further that it is a zoning category that allows multiple uses and varies from what would otherwise be allowed under a more rigid zoning code.

Mr. Reeves also had concerns about dust being an issue once the construction begins and utilization of the existing driveway by the new town homes occupants. He also had concerns about lack of communication between Mr. Clousing and the Longwood Condominiums HOA.

The resident of 9128 Spring St. had concerns about the repaving of the road, that there are more cars than parking slots available at the Longwood Condominiums and was concerned about future parking with the new town homes and asked if the new town homes would be owner occupied or would they be rentals. Mr. Clousing said their intent was for the town homes to be owner occupied.

Cindy Parker of 2537 Martha asked if the street that is used for the condos could be made into a public street. Mr. Mika explained that when the subdivision was approved under the PUD, it was approved under lesser standards than what the Town would have approved for a street, so it has to remain as a private drive. She, as her husband, were hoping it could be made into a public street so the Town would have to plow it when it snows, as the Town has issues with plowing Martha due to the logistics of Martha and Longwood Condos private drive. Mr. Mika mentioned that Public Works should be plowing Martha all the way up to the tracks and if there are issues with that, they should call Public Works.

Concerns were mentioned regarding the dust and noise that occurs with construction. Mr. Clousing said he was hoping construction would not start until around 8:00 am and be completed by between 3:00 & 5:00 pm. Mr. Mika relayed that regarding the noise that the Town's ordinance states that construction can occur between the hours of 7:00 am to 7:00 pm. He continued that regarding dust in construction there is no limiting it, however as part of the construction there will have to be soil erosion controls measures that will have to be placed on the whole perimeter of the property, including spoil piles and cement discharge locations, so that should eliminate some problems. Mr. Mika continued that anything that is brought off of the site onto the private drive and the public street, has to be cleaned up on a daily basis.

There were concerns brought up regarding traffic and parking issues that are bad now and that they will be worse with the new construction and more residents. It was mentioned the parking issues could have been worse if there were more condominiums being built instead of the townhomes as there would be less residents occupying the townhomes than if condominiums were being built.

Beverly Phillips asked if the green space could possibly be a playground and the reply was that it was private property and could not be made into a playground. She also wanted to make sure that area would be maintained and the reply was that would be part of the landscaping agreement.

There was an inquiry about other green space nearby and that green space was actually the detention basin.

Hearing no more remonstrators, the Public Hearing was closed.

Commissioner Turich at this point asked for a motion.

Commissioner Kissee motioned for a Favorable Recommendation to the Town Council for a major modification to an existing PUD.

Mr. Mika wanted to clarify some items prior to a second motion being made. He asked that with the existing residents homeowners that were present at the meeting, that did not know about the attempts by Mr. Clousing to reach out to them to attempt to establish some communication with a common covenant, he wondered if that is still possible. Attorney Sworden said he could address some of those things. He mentioned the garages, brought up snow issues, spoke of green spaces, the detention pond, roads being paved and speed bumps. Mr. Reeves said there was some communication about the HOA covenant, but felt they should have their lawyer review so they would not be at a disadvantage. Both the petitioner's lawyer and Mr. Reeves agreed it would be good to have a conversation regarding the covenant.

It was determined that Mr. Clousing would be the acting general contractor for the project.

There was a question about the parking again, and Mr. Clousing stated his project would allow for four cars per unit off street and two in the garage and two in front of the garage in the driveway. Mr. Clousing parking plan exceeds the parking ordinances requirements.

Commissioner Zemen mentioned speaking to the Public Works Director Mark Knesek about the snow plowing situation at Longwood Condominiums.

Commissioner Kissee again motioned for a Favorable Recommendation to the Town Council for a major modification to the existing PUD at the Nevers Cove Subdivision. Commissioner Martini seconded. There was an amendment to confirm the installation of the fire suppression sprinkler system to the motion. The vote was taken and it unanimously passed with a roll call vote of 6 - 0.

NEW BUSINESS: Docket 2022-02 Preliminary Hearing for F&E Ventures represented by Attorney Scott Yahne for a proposed Auto Spa to be located at 8945-8955 Indianapolis Blvd. The petitioner has filed a petition before the Plan Commission for a one lot Subdivision, and Indianapolis Blvd. Zoning Overly District Development Plan.

Attorney Yahne was present to request a Public Hearing for the proposed Auto Spa to be located at 8945-8955 Indianapolis Blvd. He stated that he would present all plans, building materials,

etc. at the Plan Commissions Public Hearing in August. He said there was storm water drainage board meeting in Lake County in the morning and they obtained the Board's approval. He said they would share all details at the Plan Commission meeting next month. Mr. Mika wanted to confirm that Attorney Yahne would be responsible for the public notice and posting of the sign. Attorney Yahne responded yes. There was some conversation about Plat adjustments.

Commissioner Grzymiski motioned to approve the Public Hearing request for F&E Ventures for the proposed Auto Spa to be located at 8945-8955 Indianapolis Blvd., for a one lot Subdivision, and Indianapolis Blvd. Zoning Overlay District Development Plan. Commissioner Briseno seconded and it unanimously passed with a roll call vote of 6 – 0.

BUSINESS FROM THE FLOOR: None

ADJOURNMENT: There being no further business to come before the Board, Commissioner Zemen moved to adjourn. Commissioner Martini seconded. Meeting adjourned at 8:02 P.M.