

VALPARAISO BOARD OF PLAN COMMISSION
Regular Meeting Minutes
January 14, 2020

A regular meeting of the Valparaiso Plan Commission was held at 7:00 p.m. on Tuesday, January 14, 2020 in Valparaiso City Hall Council Chambers, located at 166 Lincolnway, Valparaiso. Matt Evans presided.

Members present were: Diane Worstell, Bruce Berner, Peter Anderson, Tim Warner, and Matt Evans. Also present were Attorney Scott Bozik, Tyler Kent, Carley Lemmon, citizens, and representatives of the press.

COMMUNICATIONS:

Tyler Kent welcomed and introduced new Member Councilman Peter Anderson. Tyler Kent also introduced new City Administrator Mike Jessen.

MINUTES:

Tim Warner made motion to approve the December 10, 2019 meeting minutes as submitted. Bruce Berner seconded the motion. A voice vote was taken and unanimously carried 5-0.

ELECTION OF OFFICERS:

President:

Motion to nominate Matt Evans President of the Plan Commission was made by Bruce Berner. Diane Worstell seconded the motion. A voice vote was taken and unanimously carried 5-0.

Vice-President:

Motion to nominate Tim Warner Vice-President of the Plan Commission was made by Diane Worstell. Bruce Berner seconded the motion. A voice vote was taken and unanimously carried 5-0.

Secretary:

Motion to appoint Helene Pierce Secretary of the Plan Commission was made by Tim Warner. Bruce Berner seconded the motion. A voice vote was taken and unanimously carried 5-0.

Attorney:

Motion to appoint the Law Office of Blachly Tabor Bozik and Hartman Council for the Plan Commission was made by Bruce Berner. Diane Worstell seconded the motion. A voice vote was taken and unanimously carried 5-0.

OLD BUSINESS:

None.

NEW BUSINESS:

MS19-005 – A petition filed by McMahon Associates, 952 S. state Road 2, Valparaiso, IN. The petitioner requests approval of the replat of Lot 6 and a plat amendment to vacate the five (5) foot no-access easement along Murvihill Road, located on the west of the regulated drain easement. Mr. Kevin Coros with McMahon Associates presented. Mr. Bob Gilliana was also present. Lot 6 initially was an “L” shaped lot that was divided into three (3) lots. Now the petitioner is requested to combine two of the three lots and request removal of the five (5) foot no-access easement. We reached out to the Porter County Planning office and they indicated they were agreeable to allowing Valparaiso City to handle this request. As well, we are not in violation of any airport codes.

Public Hearing:

Matt Evans asked if any of the public would like to speak in favor of or in opposition of this petition. Mr. Evans also asked that the public address their questions to the Board Members while at the same time the petitioner will take notes and respond at one time. No one spoke, therefore, the public hearing was closed, and questions/comments were heard from the Members.

C: Tyler Kent advised the City is comfortable with the replat request as proposed.

Motion: Bruce Berner made a motion to approve MP19-005 as proposed. Tim Warner seconded the motion. A roll call vote was taken and unanimously carried 5-0.

PP19-005 – A petition filed by Weiss Entities LLC, 104 S. Michigan Avenue, Suite 1300, Chicago, IL. The petitioner requests approval of a primary plat for a two (2) lot subdivision to be known as Wise Guys Minor Subdivision. Attorney Richard Anderson, Mr. Bob Bilic, and Mr. Randy Peterson presented. The property in question is 4.5 acres, zoned Commercial General (CG) off US Highway 30, east of the existing Strack and VanTil store and north of the existing McDonalds. We are requesting Primary Plat approval for a two (2) lot subdivision to be known as Wise Guys Minor Subdivision. Lot 2 is the existing McDonalds. Lot 1 will be a 10,000 square-foot Wise Guys Liquor Store. Lot 1 will include the building, retention area and stormwater management. Setbacks are met. There are already a number of easements in place. A letter was submitted to the Members from Currie Ford Motors indicating they are okay with the surface water plan. Tyler Kent advised that the petitioner was asked to do a parking study. By the standards, 41 parking spaces are required, however, the study indicates for this particular use only 24 are needed and that is what is being shown on the proposal. As well, they are considering having access from West Street being southbound only and at some point, will address Coolwood Drive and a dedication. Overall, this is a great project and staff is in favor of it.

Public Hearing:

Matt Evans asked if any of the public would like to speak in favor of or in opposition of this petition. Mr. Evans also asked that the public address their questions to the Board Members while at the same time the petitioner will take notes and respond at one time.

Mr. Lee Will, 2055 Marshall Drive, Valparaiso, asked when the project will break ground and suggested leaving at least a 60-foot greenspace buffer to the homes to the north. As well, the replacement of any trees removed with large arborvitae would be appreciated. How deep will the retention pond be, and how will it be drained?

Attorney Anderson's rebuttal:

- The maximum amount of water in the retention pond at any one time will be four to five feet.
- The pond is designed to be dry when it is not raining.
- The basin will be approximately four-feet deep.
- As designed currently, we will slow the rate of runoff by more than double and therefore improving the property's overall drainage.
- The Landscape Plan accounts for an 8-10-foot grade change from Mr. Wills' backyard and arborvitae will be planted.
- There is an approximate 293-foot buffer between the resident's homes and the business.
- We plan to have a groundbreaking as soon as we are approved.

President Evans advised that suspension of the rules was not requested, therefore, this matter will be voted on at the February 11, 2020 regular meeting.

STAFF ITEMS:

2020 Meeting Dates: Tyler Kent advised Members were provided a listing of the 2020 application deadline dates and 2020 meeting dates prior to the meeting. Regular meeting dates will remain the second Tuesday of each month.

Motion: Diane Worstell made a motion to approve the 2020 deadline dates and meeting dates as presented. Tim Warner seconded the motion. A voice vote was taken and unanimously carried 5-0.

Meeting Time: Tyler Kent asked Members to consider having a discussion regarding moving the start time of the Plan Commission meeting to an earlier time such as 5:30 or 6:00 p.m. The Members unanimously decided to further discuss this item at a future meeting when more Members are present.

ADJOURNMENT:

There being no further business, the January 14, 2020 Board of Zoning Appeals meeting was adjourned at 7:30 p.m.

Matt Evans, President

Tyler Kent, Executive Secretary