

**MINUTES OF THE MEETING
OF THE PLAN COMMISSION
VALPARAISO, INDIANA
March 7, 2023**

The Plan Commission of the City of Valparaiso, Indiana, met on Tuesday March 7, 2023, at 5:30 p.m. in City Hall. Matt Evans called the meeting to order. The Pledge of Allegiance was said. Present were Matt Evans, Diane Worstell, Clay Patton, Vic Ritter, Tim Warner, Mike Jabo, Harris Peterson, and Peter Anderson. Al Shields was absent.

MINUTES

January 3, 2023 minutes were presented for approval.

Motion: Mike Jabo moved to approve the January 3, 2023 minutes as presented. Harris Peterson seconded the motion. Upon voice vote, the motion passed with an 8-0 vote.

Old Business

PUD22-001 filed by Urschel Development Corporation c/o Todd A. Leeth/Katie L. Kopf, Hoepfner Wagner & Evans LLP, 103 Lincolnway, Valparaiso, IN 46383. The petitioner requests rezone to Planned Unit Development for five parcels with addresses 258-262, 354 Jefferson St and 106 Campbell St. Attorney Todd Leeth addressed the Board. The Petitioner is still working with the City on some issues. The Petitioner requests a continuance to the April 4, 2023 meeting.

Motion: Tim Werner moved to continue Case PUD22-001 to the April 4, 2023 meeting. Harris Peterson seconded the motion. So approved with a 7-0 vote. Clay Patton abstained.

Roll Call Vote:

Matt Evans – Yes	Peter Anderson – Yes
Tim Warner – Yes	Clay Patton – Abstain
Vic Ritter – Yes	Harris Peterson – Yes
Al Shields – Absent	Diane Worstell – Yes
Mike Jabo – Yes	

New Business

RP23 - 001 filed by Drive & Shine, Inc. c/o Todd A. Leeth, Hoepfner Wagner & Evans LLP, 103 Lincolnway, Valparaiso IN 46383. Petitioner requests a public hearing on a plat amendment affecting two parcels at 2501 and 2511 Calumet Rd to relocate a private road and reduce width of a storm sewer easement.

Attorney Todd Leeth presented and was joined by Russ Pozen of DVG. Their request is a plat amendment. The parcel in question is in Viking Place. Lot 1 will have an oil change facility and Lot 2 will have a car wash. This is just south of Family Express. Between the two buildings is a private drive that comes off of Calumet and goes back into Viking Place and separates these two lots. This is just the site plan. The property is zoned General Commercial. Both uses are allowed and permitted under the Ordinance. With any use with any lot comes a set of standards called Development Standards. He showed the Plat of Subdivision. Originally Family Express and the remaining 18 acres was one subdivision. This is the plat that separated the other 18 acres. Family Express is its own separate lot on the corner – if a roundabout can have a corner. This is the other 18 acres of the subdivision. An earlier version of the Site Plan called for several development standard variances. Working with Staff they have whittled down all the variances except for one. That was a front yard setback for the carwash. That was denied by the BZA earlier this year. That is what brings them here. They want to relocate the road ever so slightly. They want to shift the road and flatten it out. They are replating Lots 1 and 2 and moving the road slightly. He presented the new Site Plan. The front setback now meets the setback requirements. By moving the road slightly, they pick up the additional feet necessary to meet the setback. He presented the new subdivision plan that matches the new Site Plan with the road relocated. Lot 1 goes from 1.33 acres to 1.4 acres.

Public Hearing

Paul Kostas - 1106 Emma Court, Valparaiso. He is employed by Family Express. Personally and professionally he welcomes Drive and Shine to the community. They will bring a lot of growth to the community. This is the type of business we want here. They want to be here. They have been kicked down several times and could have gone somewhere else. But they are still wanting to be here.

Received By E-mail:

March 7, 2023

Beth Shrader, Planning Director

CITY OF VALPARAISO

Re: Petition# RP23-001

Dear Beth,

My name is Todd Gazdich and I am the owner and President of Brown Tire of Valparaiso, Inc., located at 2404 Calumet Avenue, Valparaiso, Indiana 46383. At Brown Tire, community is the biggest part of who we are. We have supported this community since 1958, over 65 years.

The purpose of this email is to share my opposition to Petition # RP23-001.

To date, there are two businesses offering oil changes within less than a half mile of our location: Midas, which is only 500 feet North of us, and Take 5 Oil Change, which is only 1500

feet North of us and already operates as a quick lube. In other words, in less than a half mile radius there are already three existing oil change facilities.

Also of note, there is Kennedy Mazda, Certified Auto and Trans, Busy Bee, Tom's Valpo Auto and C & C Auto from the railroad tracks North making a total of seven oil change places in a 1.6 mile radius. Seven small businesses, that pay taxes, that have employees depending on their jobs, and are invested in this community. We are all faced with a changing national trend towards the average vehicle requiring an oil change between 6500-7000 miles and newer vehicles requiring an oil change every 10,000 miles. We are watching the industry moving towards lowering oil consumption and carbon footprints. Why add another oil change business in such a small radius?

While Valparaiso continues to thrive and grow as a community, new businesses saturating an already full market just doesn't make sense.

Therefore, please let this email serve as my formal objection to Petition #RP23-001.

Should you have any questions, please do not hesitate to contact me.
Best regards,

Todd Gazdich
BROWN TIRE OF VALPARAISO, INC.
2404 Calumet Ave. Valparaiso, IN 46383
219-462-3109

Haji Tehrani – Owner of Drive and Shine. Expressed his thanks for all that has been done. He is looking forward to being in Valparaiso and a part of the community.

Seeing no one else wishing to address the Board, Matt Evans declared the Public Hearing closed.

Beth Shrader - Attorney Leeth did a good job of summarizing the history of this petition. This is a response to the denial by the BZA of a request for a setback reduction. They are making the lot fit the proposed use. They still must work toward various permits. Russ Pozen can you confirm for the board that all the existing utility locations are within the proposed utility easements? This project has been reviewed by Engineering, Planning, VCS, and all have a good comfort level with it.

Attorney Leeth – They moved the road but left the easements. The water line is in the old easement.

Beth Shrader – So the public access easement shrunk but the utility easement grew because it is maintained on the south side and grew more to the north side.

Russ Pozen – The access easement, which is 60’ total, moved. The existing easement on the south is changed to a drainage utility easement so the utilities that are there can stay there. The plat shows the easements. The Engineering plans show the easements as well.

Mike Jabo – He looks forward to their design plan showing that detail.

Clay Patton – The Agenda states “reduce the width of a storm sewer easement.” On the Staff Report it says to adjust the public access easements.

Beth Shrader – There are two easements in question. One grew in size and one that shrank. The one that shrank was 28’ and is now 20’. There is no issue with this shrinkage.

Peter Anderson – This resolves the issue and will not have to go back to the BZA?

Attorney Leeth - That is correct.

Matt Evans – He recused himself from the vote. He is an interested party.

MOTION: Diane Worstell moved to approve Case RP23 – 001 filed by Drive & Shine, Inc. Petitioner requests a public hearing on a plat amendment affecting two parcels at 2501 and 2511 Calumet Rd to relocate a private road and reduce width of a storm sewer easement. Harris Peterson seconded the motion. The motion unanimously passed with a 7-0 vote.

Roll Call Vote:

Matt Evans – Recused	Peter Anderson – Yes
Tim Warner – Yes	Clay Patton – Yes
Vic Ritter – Yes	Harris Peterson – Yes
Al Shields – Absent	Diane Worstell – Yes
Mike Jabo – Yes	

RES23-001 Plan Commission Resolution 1 – 2023 to rename a segment of County Road 325 E between Murvihill and the Norfolk Southern tracks from Montdale Rd to Slover Rd.

Beth Shrader – This comes from a long-standing need to clear up names in the area. The area is adjacent to Montdale Industrial Park and 325 East. It is the tradition of the city that once a segment of a road is incorporated into the street inventory, it is given its own name that is different from the County road system. At some point this was given a name. It has come to be known as Montdale Road or Montdale Drive which is confusing because there is a street that runs perpendicular which now touches this road and has a very similar name. It is known by various versions of this name. They hope this name change helps everyone involved. There is a new business locating in a section of this area. Property owners and businesses taking their addresses from this road will be notified. The Slover Road name change will be official over the next few months. A number of entities must be notified by the end of this month. The

recommendation from staff is to approve the Resolution as drafted. Slover is a family that farmed the area.

Clay Patton – Was it just not given a non-county name when it was annexed in 1989?

Beth Shrader – It is unclear.

Clay Patton – Are we changing it from County Road 325 E or from Montdale Road?

Beth Shrader – Different bodies call this road by different names. It has multiple names in City records. The previous UDO had this under the jurisdiction of the Engineering Department. Now it is under the jurisdiction of the Plan Commission. Once the Commission approves the name change, it will be official.

MOTION: Clay Patton moved to approve Case RES23-001. Harris Peterson seconded the motion. The motion unanimously passed with an 8-0 vote.

Roll Call Vote:


Matt Evans – Yes	Peter Anderson – Yes
Tim Warner – Yes	Clay Patton – Yes
Vic Ritter – Yes	Harris Peterson – Yes
Al Shields – Absent	Diane Worstell – Yes
Mike Jabo – Yes	

STAFF

The City Government Academy is being put together by Maggie Clifton. She encouraged the Board to participate. Everyone will learn something. Harris Peterson shared that he participated in 2021 and learned about every department in the city.

ADJOURNMENT:

Motion: Harris Peterson moved to adjourn the meeting. Mike Jabo seconded the motion. Upon voice vote the motion passed with an 8-0 vote. There being no further business, the meeting adjourned.



Beth Shrader, Executive Secretary



Matt Evans, President

Next Meeting: April 4, 2023