

**VALPARAISO BOARD OF PLAN COMMISSION**  
**Regular Meeting Minutes**  
**April 13, 2021**

A regular meeting of the Valparaiso Plan Commission was held at 5:30 p.m. on Tuesday, April 13, 2021 in Valparaiso City Hall Chambers, 166 Lincolnway, Valparaiso, IN. Matt Evans presided.

Members present were: T.J. Edwards, Peter Anderson, Diane Worstell, Tim Warner, Vic Ritter, Jim Mooney, Mike Jabo, Al Shields, and Matt Evans. Also present were Attorney Scott Bozik, Beth Shrader, Carley Lemmon, citizens, and representatives of the press.

**MINUTES:**

Jim Mooney made a motion to approve the March 9, 2021 meeting minutes as submitted. Vic Ritter seconded the motion. A voice vote was taken and unanimously carried 9-0.

**OLD BUSINESS:**

**ZO21-002** – A petition filed by the City of Valparaiso, 166 Lincolnway, Valparaiso, IN 46383. The petitioner requests approval of the proposed Zoning Map changes to accompany the Unified Development Ordinance. The proposed zoning changes will apply to an area of Heavy Industrial (INH) and Light Industrial (INL) zoned properties bounded by Evans Ave on the north, Garfield Ave on the east, Elm St on the south and Madison St on the west; and a parcel containing the Valpo Transit parking lot south of the Chicago, Fort Wayne, and Eastern Railroad tracks bounded by Campbell St extended on the east and Kinsey St on the west. City Planner Beth Shrader presented.

These zoning map changes were presented last month, and there was some remonstrance with. The Plan Commission is being asked to certify this to City Council with a favorable recommendation, unfavorable recommendation, or no recommendation. City Council is the body that takes action to adopt or reject the proposal. The areas being considered do not follow the current vision and the zoning changes help to resolve that. The City recognizes that legal-non-conforming uses will be created. If the non-forming use is not actively in use for 180 consecutive days, then the use will revert to the underlying zoning. There is a path property owner may take through the Board of Zoning Appeals that allows for variance provisions. The Plan Commission's roll is to paint with a broad brush and be comprehensive, but the Board of Zoning Appeals can look at individual uses and properties. Plan Commission may also make recommendation to the Board of Zoning Appeals. Ms. Shrader requests a favorable recommendation to City Council.

Attorney Glenn Kucklanger, representing Janet Froberg-McNair, property owner at 560 Bond Avenue, Valparaiso addressed the Board stating their request to be excluded from these amendments stands. They can work with the City, however, are not guaranteed that the BZA would approve their variance request.

Ms. Shrader advised, if we remove it completely, City Council does not get to weigh in on it at all. A Special Use permit would be better.

**Motion:** Mike Jabo make a motion to favorably recommend ZO21-002 to City Council with a special consideration recommendation of 560 Bond Avenue particularly given its use and special use permit. Jim Mooney seconded the motion. A voice vote was taken and carried 8-1 (Edwards).

**ZO21-001** – A petition filed by the City of Valparaiso, 166 Lincolnway, Valparaiso, IN. The proposed text amendments would apply to all properties throughout the City of Valparaiso. The petitioner is requesting approval of amendments to the Valparaiso Unified Development Ordinance regarding the following:

- *Article 2 Permitted Uses and Supplemental Standards*
- *Article 5 Signs*
- *Article 8 Streets and Utilities*
- *Article 9 Parking, Loading, Access and Lighting*
- *Article 10 Landscaping*
- *Article 11 Design Standards*

- *Article 15 Permits and Procedures*
- *Article 18 Definitions.*

Carley Lemmon presented. Text amendments were presented last month. Mr. Ritter's recommendations were updated. Favorable recommendation to City Council is requested.

Vic Ritter advised he is comfortable with the changes.

Mike Jabo, City Engineer, advised engineering and other departments were involved in this process and support the updates.

Motion: Jim Mooney made a motion to favorably recommend ZO21-001 to City Council as presented. Vic Ritter seconded the motion. A roll call vote was taken and unanimously carried 9-0.

**NEW BUSINESS:**

**MS21-001** – A petition filed by Russ Pozen, DVG Team, 1155 Troutwine Rd, Crown Point, IN. The petitioner requests approval of a minor subdivision of two (2) lots. The property is located at 708 Evans Avenue. Mr. Russ Pozen with DVG Team presented. As requested, this is a minor replat of three (3) parcels combined into two (2) lots. The larger lot is the home of the future Boys and Girls Club of Valparaiso and the smaller lot is being set aside for a future senior center. This request has been reviewed by staff. Drainage easements will be accessible from both lots and proper easements will be provided for both lots

Staff: City Planner Beth Shrader advised this request is appropriate. City Engineer Mike Jabo advised this request was reviewed by engineering staff, and staff worked with the petitioner on stormwater management. To clarify, Mike Jabo questioned the petitioner if they're intent is to have shared drainage between the two (2) lots and the petitioner confirmed that is the case. Beth Shrader also noted this petition will be go to the Board of Zoning Appeals for variance requests as well.

Motion: Mike Jabo made a motion to approve MS21-001 as presented and recommend the petitioner seeking future variance requests through the Board of Zoning Appeals. Vic Ritter seconded the motion. A roll call vote was taken and unanimously carried 9-0.

**STAFF ITEMS:**

None.

**ADJOURNMENT:**

There being no further business, the April 13, 2021 Plan Commission meeting was adjourned at 6:31 p.m.

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Matt Evans, President

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Beth Shrader, Executive Secretary