

VALPARAISO BOARD OF PLAN COMMISSION
Regular Meeting Minutes
June 8, 2021

A regular meeting of the Valparaiso Plan Commission was held at 5:30 p.m. on Tuesday, June 8, 2021 in Valparaiso City Hall Chambers, 166 Lincolnway, Valparaiso, IN. Matt Evans presided.

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

MINUTES:

Mike Jabo made a motion to approve the May 11, 2021 meeting minutes as submitted. Vic Ritter seconded the motion. A voice vote was taken and unanimously carried 8-0.

OLD BUSINESS:

SP19-002 – A petition filed by UHV, LLC c/o Todd A. Leeth, Hoepfner Wagner & Evans LLP. The petitioner requests approval of a secondary plat of the Re-Subdivision of Lot 2 of Family Express Subdivision. Matt Evans recused himself as President of the Commission during this petition. Attorney Todd Leeth presented. The property was rezoned to General Commercial and is now known as Viking Place Business Park. Infrastructure is in place. The petitioner would like a re-subdivision of lot 2. Beth Shrader advised the request is still in keeping with the primary plat and the project was approved by Board of Works.

Motion: Diane Worstell made a motion to approve SP19-002 as presented. Jim Mooney seconded the motion. A roll call vote was taken and unanimously carried 8-0 (Evans abstained).

RZ21-001 – A petition filed by Robert and Melissa Wanek., 415 Madison St, Valparaiso, IN. The petitioner requests a rezone from Public Space (PS) to Neighborhood Conservation-60 (NC-60). The property is located at Lots 4,5, and 6 in Chautauqua Park. Mr. Bob Wanek presented. He owns the property located at 415 Madison Street. When he purchased the property four (4) years ago there were six (6) parcels totaling 2 acres. The property is adjacent to Jesse-Pifer Park and one of his parcels is incorrectly zoned Public Space. He has invested a lot of cost into maintaining the Public Space parcel over the years. He would now like to sell the property in its entirety and is requesting to rezone the Public Space portion of the land to Neighborhood Conservation-60 (NC-60). There is no current plan to build on the property.

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.

The following attendees spoke in opposition to the petition:

Mr. Ken Schroeder
 Ms. Anna Stewart
 Ms. Porche Novak
 Ms. Jackie Gray
 Mr. John Norris
 Mr. David Shelling
 Mr. Scott Gunderson
 Ms. Jane Jones
 Mr. Brett Miller
 Mr. Duane Davison
 Mr. Chris Pupillo
 Mr. Jonathan Bassist
 Mr. Greg Nagel-Johnson
 Ms. Phoebe Brink
 Ms. Deann Glowkin
 Ms. Julie Plumb (online)

A show of hand included approximately 30 attendees in opposition.

Comments included: inaccurate information provided by the petitioner, not wanting to disturb the park land, run off, drainage concerns, history of the park and the neighborhood, traffic, flooding, road conditions, altering the sledding hill to the park, property values, neighborhood values, and negative environmental impacts.

Suggestions included: allow time to let the neighborhood fundraise and possibly purchase the parcel adjacent to the park, involve the City and the City Park Department, delay any decision until the neighbors and/or the City can speak further with the petitioner and see what options there are.

Mr. Bob Wanek's rebuttal:

- A lot of time passed since the original petition was filed. Discrepancies at this point are due to the lapse in time and not for any malicious intent to fool anyone.
- When the letter was put together to send to the neighbors the City directed that this petition is about a rezone, not about building anything. NC-60 would allow someone to build, however, there are no plans to do so at this time.
- This petition does not change the park. This is private property, not park property. The park, and its boundaries, will remain as is.
- As the petitioners we are open to talking with the neighbors and the City of Valparaiso on any and all options.

The public hearing was closed, and questions/comments were heard from the Members.

Staff Comments:

- The property was zoned Residential prior to 2009. A zone map update was completed after that time and the privately owned property was incorrectly designated as Public Space.
- Public Space is designated to public schools and park owned property. This is not owned by a school or park and therefore should not be zoned Public Space.
- Developable or not is the question this evening.
- If development were to occur in the future, all of the development standards would have to be met and prove no negative impact.
- There is an extreme topography on this parcel including a 16-foot drop.
- The City Park Department would be the department to reach out to in order to have the parcel, or a portion thereof, brought into their park system and truly labeled Public Space.

Members:

Q: Did you know the side lot was zoned Public Space when you purchased the property?

A: No. At closing we were provided a plat survey that showed 6 parcels of land and no separate zoning.

Q: How did it go from 6 to 2 parcels?

A: There is a lot of inaccuracy. The City shows it as 2 parcels, but we pay 6 tax bills.

C: Beth Shrader noted the City shows 4 parcels and one zoned public space. The spirit of cooperation is appreciated.

Suspension of rules was not requested. This petition will be voted on at the July 13, 2021 meeting.

NEW BUSINESS:

FAC21-001 – Bruce Boyer with Blockhead presented regarding a façade improvement program request. All of the work has been done and façade grant monies are requested. Beth Shrader noted the work is in compliance with the Downtown Design Standards. Vic Ritter advised he reviewed the plan and the work and is comfortable with moving forward.

Motion: Vic Ritter made a motion to favorably recommend FAC21-001 to City Council. TJ Edwards seconded the motion. A roll call vote was taken and unanimously carried 8-0 (Warner abstained).

MS21-002 – A petition filed Adam McAlpine. The petitioner requests approval of a minor subdivision to combine three (3) lots into one (1) lot. The property is located at 701-705 Glendale Blvd in the Urban Residential (UR) Zoning District. Mr. Adam McAlpine presented representing MJF Development. The property is located just West of Walgreens at Glendale and Calumet Avenue and is 3-3/4 acres. There are two existing residence on the property. The plan is for a minor plat amendment to allow for 14 paired patio apartments for a total of 28 units with an internal private drive loop. There are three separate parcels that need to be combined into one that will be 703 Glendale and have 28 individual addresses. The petitioner will work with the City Engineering department on that. We are going to the Board of Zoning Appeals later this month for variance requests. A Landscape Plan and buffers are all included.

Beth Shrader advised the petitioner is coming the Board of Zoning appeals for PUD variances but none of those are required for this approval. Engineering has reviewed the project as well as City Utilities and everything meets City standards

Motion: Jim Mooney made a motion to favorably recommend MS21-002 to City Council. Mike Jabo seconded the motion. A roll call vote was taken and unanimously carried 9-0.

RZ21-002 – A petition filed by WTA Holding, LLC c/o Dave E. Woodward. The petitioner requests a rezone from Suburban Residential (SR) & Commercial General (CG) to Business Park (BP). The property is located at 1175 West Street, Valparaiso. Attorney Dave Woodward presented. The property is located on West Street by Sementos and Car Collision Center. Part of the property is SR and part of the property is CG. The petition would like to rezone all of the property to Business Park (BP). Site Review was held, and the petitioner was asked to address the zoning first and then come back to them. The petitioner is proposing to build 4 to 6 buildings with zero encroachment on any wetlands and they want to keep all of the wildlife aspects that they can. Suspension of the rules was requested.

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. Rob Hearth, 2655 Arran Quay Terrace, Assistant Director for Wingtip Aviation, states their company operates large business jets. Their current offices are located at 1755 Thornapple Way in Thornapple Plaza. They would like to relocate to this new property. There are approximately 40 employees, and this is the business headquarters. There are no planes on this property. He is in favor of this petition.

Ms. Misty Goetz, 1160 West Street, commented online concerns regarding her yard having standing water already and not wanting things to get worse. Where will the run-off be directed from this property? Will this change impact her residential property? Will she be required to hook up to City services? Will there be signage and lighting? What will the hours of operation be? Traffic is a concern.

Attorney Woodward rebuttal:

- There will be some engineering challenges on this site. We will need to meet all City standards or go before the Board of Zoning Appeals for relief.
- We will not have a negative impact on the neighborhood.

The public hearing was closed, and questions/comments were heard from the Members.

Beth Shrader advised the Comprehensive Plan adopted in 2013 recommends this property be zoned Commercial. Business Park seems to be a better fit, however, and much less intrusive on the neighbors. Office space fits into the Business Park designation very well.

Motion: Vic Ritter made a motion to suspend the rules. Jim Mooney seconded the motion. A roll call vote was taken and unanimously carried 9-0.

Motion: Jim Mooney made a motion to favorably recommend RZ21-002 from Suburban Residential (SR) & Commercial General (CG) to Business Park (BP) as requested and noting the petitioner will continue to work through the Site Review process. Tim Warner seconded the motion. A roll call vote was taken and unanimously carried 9-0.

STAFF ITEMS:

Secondary Plat Approval Process – Staff Authority to Grand Secondary Plat Approvals – Article 15, Section 15.805(B)(1) – The Plan Commission may grant secondary plat approval of a plat under this section or may delegate to the Plat Committee or staff the authority to grant such secondary approvals. Beth Shrader presented. Allowing staff or Plat Committee to grant secondary plat approvals will help lessen the load on the Commission and allow projects to move along slightly faster. Updates are tracked in the City Track-It software system and updates can be given at a regular meeting so they are recorded in the minutes.

Who is on the Plat Committee? Planning Director, Engineering Director, and the Building Commissioner.

Motion: Vic Ritter made a motion to activate the option to grand secondary plat approval of a plat under Section 15.805(B)(1) to the Plat Committee or staff. Al Shields seconded the motion. A roll call vote was taken and unanimously carried 9-0.

ADJOURNMENT:

There being no further business, the June 8, 2021 Plan Commission meeting was adjourned at 8:05 p.m.

Matt Evans, President

Beth Shrader, Executive Secretary