

LOWELL PLAN COMMISSION MEETING

July 9th, 2020

President Konradi called the meeting to order at 7:02pm. The Pledge of Allegiance was recited and a moment of silence was held. Recording Secretary Dianna Cade called the roll. Members answering the roll call were, John Alessia, Shane Lawrence, Greg White Chris Salatas, and LeAnn Angerman. Eric Newell was absent Also, present was Rich Oman, Director of Planning and Development, Rich Oman and Town Attorney Nicole Bennett.

Mr. Konradi read the rules for participation:

GUIDELINES FOR PARTICIPATION:

Town of Lowell – Plan Commission

Meeting participants, staff and Commission members shall practice social distancing guidelines including hand washing, wearing face masks, cough and sneeze etiquette and distancing.

1. The meeting room will be limited to 25 occupants at any time including Commission members, staff, petitioners and audience.
2. The petitioner shall be limited to two persons. One shall be the owner or the owner's representative.
3. Because of the meeting room limitation, audience members wishing to witness a petitioner's presentation or comment about the petition may be required to take turns listening/speaking then leaving the meeting room to allow others to listen/speak. All those wishing to comment will be heard.
4. To conserve space in the meeting room, the Commissioners suggest that audience members limit their participation to the petition they are interested in to allow others to occupy the meeting room.
5. Audience members wishing to comment publicly should address Commission members only and keep their comments concise, courteous and constructive.

APPROVAL OF MINUTES:

Mr. Lawrence made a motion to approve the regular meeting minutes of June 18th, 2020, seconded by Mr. White and carried with a voice vote of all ayes.

OLD BUSINESS:

Appoint a Plan Commission member to the the TRC for the remainder of 2020: Discussion ensued on the time of day of the meetings and the web based video conferencing currently being held for these meetings. Mr. Salatas stated if the meetings are continued through an on line platform he can participate. Mrs. Angerman nominated Mr. Salatas, seconded by Mr. Alessia and varied with a roll call vote of all ayes.

Public hearing continued from 6/18/20: PC #20-016 797 W. COMMERCIAL AVE - to consider an application to request a Planned Unit Development – Business establishing additional uses on a parcel within the Town boundaries of Lowell. Petition has been filed by MCA MP 797 LLC 801 E. Main St., Griffith, IN for property located at 797 W. Commercial parcel # 45-19-27-201-018.000-038.

Attorney Greg Bouwer, stated he is here on behalf of the petitioner MCA MP 797 LLC. He stated that this is a continuation of the meeting from June. He stated they have worked on the uses with the staff and also set forth specifications for signage. He stated the purpose of the PUD is to be more inviting for business who would like to come to Lowell and it will allow a more wide range of perspective tenants and delete the need to come in front of the BZA for special or use variances. He continued that the signage request will be consistent with the current tenant who received a variance for signage through the BZA earlier this year. Staff and petitioner have worked together to garner a list of permitted, not permitted and special uses that is agreeable to both. He referred to a spreadsheet that staff had complied with those uses listed. He stated the petitioner thinks it is a good list moving forward along with the signage request.

Mr. Konradi continued the public hearing, no remonstrators were heard.

Mr. Alessia asked if there was updates from the last meeting. Mr. Oman discussed the revisions he made to the previous list. He discussed the mini storage units outside that were added. He stated they will be limited to 180 linear feet. This is due to the emergency access between the 2 lots. Referring to the plat he showed the Commission where that access point was and discussed the need for this exit between the 2 lots one of which fronts Oakley and will be residential. Mr. Oman discussed the process for use or special use variances through the BZA.

Mr. Oman discussed the spread sheet and how he laid out the special, permitted and not permitted uses on the it. He discussed his strategy which included looking at the parking needed for each use. Mrs. Angerman stated she was not here at the last meeting and asked if the storage was on the list at the previous meeting. Mr. Oman stated the inside storage was; the outside storage is a new addition to the PUD tonight. Mrs. Angerman asked what was dicussed at the last meeting in regards to storage. Mr. Oman stated the outside storage would be along the back line of the property. He indicated on the county GIS where the units would be. Mr. Austgen stated the units would probably be 15x20.

Attorney Bennett stated last year the site plan was approved for the 2 lot subdivision. She stated last month a favorable recommendation was sent to the town council for the Oakley lot residential PUD that would allow for townhomes on that portion of the plat. She discussed the concern last year from the public safety chiefs in regards to limited access during emergencies in between the 2 lots. She discussed the plan that was approved last year for that access which included no trees or bushes in between the 2 lots to allow for an emergency exit. She stated the standards that Mr. Oman is proposing is the B2. Discussion followed.

Mr. Salatas asked the petitioner what the exterior appearance of the outside storage units would be. Mr. Austgen stated there would be a restriction that they would have to be block foundation, metal would not be allowed. Mr. Austgen stated the storage units could not be accessed through the residential side, only from the commercial side. Mr. Oman discussed the landscape buffer required which would separate the 2 zoning disctricts. Mr. Salatas asked how the emergency access would look between the 2 sites. Mr. Austgen stated they come in on the corners, which is on the plat. He stated the curb is reduced along the entire back side. Attorney Bennett stated she reviewed the plat approval from last year which was for a roll type curb and the access easement is the entire length of the property. This area would be be constructed of reinforced turf. Attorney Bennett stated for clarification on the plat there is not a lane it is across the entire back section of the lots. Discussion followed. Mr. White stated this was reviewed in the TRC meeting and the

safety chiefs did not have an issue with it as long as the storage units do not come up past the corner to block the access. He stated fire also stated hazardous materials would not be allowed in the units. Mr. Salatas asked about the material being used to reinforce the access point. Mr. White stated it is probably going to be like a plastic geo turf, that will match the grass. Discussion followed. Mr. Saltas asked how wide the access point is. Mr. Oman stated 10', which would allow one emergency vehicle. Attorney Bennett asked if the intention of the petitioner was to have the access point at this location whether or not the storage units are there. Mr. Austgen stated yes. Discussion followed. Mr. Bouwer stated the storage units are not exclusive to the tenants only.

Attorney Bennett directed the Commission to the last page of the petitioners amended petition. She stated the signage request is in the last paragraph which addresses the signage on all units. She referred to the drawing that shows the 6 units layout. Mr. Oman stated our ordinance currently does not allow signage on the side of the building. Discussion followed. Attorney Bouwer stated that the current tenant in the building has the signage that they are requesting to be part of the PUD allowed signage. If the tenant use is industrial then a lighted sign would not be necessary. Attorney Bennett stated the rear 3 units because they have no front façade with the current ordinance they would not be allowed any signage.

Mr. White made a recommendation to send a favorable recommendation to the Town Council approving the PUD, which is commercial, for lot 1 only in Meadowdale of Lowell Unit 3, with the stated conditions, seconded by Mr. Salatas and carried with a roll call vote of all eyes.

Mr. Lawrence made a motion to adopt the staff report as the Findings of Fact, seconded by Mr. Alessia and carried with a roll call vote of all eyes.

Attorney Bennett stated that the residential PUD would be forwarded to the Town Council for the July 13th meeting, but the business one whose motion was made tonight, will not be forwarded until the minutes from this meeting are approved.

NEW BUSINESS:

PC #20-018 SITE PLAN – 790 W. Commercial Ave – Perfection Bakeries (Aunt Millies)

Attorney Bouwer stated he is here tonight to represent Aunt Millie's they are seeking site plan approval. The plat was approved at the Plan Commission meeting in June. He stated they worked with the staff to address their concerns and the site plan submitted tonight is the result of those conversations. He stated there will be a land swapage between his client and the town. The project will add 50,000 sq. ft. of building and approximately 125 jobs. Attorney Bouwer stated Mr. Chad Dalton was here tonight from Aunt Millies to answer any questions.

Mr. Salatas asked how high the berm would be to the east. Doug Homier with McMahon Engineering, 952 S. St. Road 2, Valparaiso stated what they are intending on doing is allowing enough room east of the berm to provide drainage swales so that no water will accumulate behind them and going up at a 4 to 1 slope on the other side and make it as high as they can. The new

pond will make room for a lot more storage. There will also be a row of trees planted. He stated the berm is drawn in at 6-7 ft.

Mr. White asked for page C 4.1 to be displayed on the monitor. Mr. White asked Mr. Homier about the increase in impervious surface as it relates to the increase in the size of the pond. He continued by asking about the BMP's that were being installed to control the run off from the pond. Mr. Homier stated the existing pond has 3.5 acres of storage. With the impervious surface that is getting added to the site multiplied by the amount of rain that could come down in a 100 year rain event which is 5.38 inches, would add another acre of water to it. The pond will be enlarged with the remodel and add around 6.5 acre feet of storage which is enough for this parcel. This will help surrounding areas also. The off site water from Indian Heights was also accounted for. This should alleviate downstream issues. Mr. Oman used the monitor to show the Commission the size of the current pond versus the new one. Mr. White stated the street dept maintains the pond currently it is owed by the Town. He stated it is a constant battle, from a staff perspective this is a welcome improvement to the town. Mr. White stated once the pond is renovated and the land swap is done the pond will be still owned by the Town. Discussion followed.

Mr. Salatas made a motion to approve PC #20-018, site plan for 790 W. Commerical Ave. AKA: Aunt Millies, seconded by Mr. Alessia and carried with a roll vote of all ayes.

Mr. White made a motion to adopt the staff report as the Findings of Fact, seconded by Mr. Salatas and carried with a roll call vote of all ayes.

DISCUSSION: NONE

ANNOUNCEMENTS: Next regularly scheduled meeting is on August 13th, 2020

PUBLIC COMMENTS: NONE

ADJOURNMENT:

With no further comments or questions, Mr. Salatas made a motion to adjourn the meeting at 8:01pm, seconded by Mr. Lawrence and carried with a voice vote of all ayes.

Jim Konradi, President

LeAnn Angerman, Secretary