

VALPARAISO PLAN COMMISSION
Regular Meeting Minutes
September 14, 2010

The regular meeting of the Valparaiso Plan Commission was held at 7:00 p.m. on Tuesday, September 14, 2010 in the Valparaiso City Hall Council Chambers. Bruce Berner presided.

Members present were: Diane Worstell, Mike Micka, Deb Butterfield, Bruce Berner, Jan Dick, Vic Ritter and Tim Burkman. Also present were Craig Phillips and Attorney Scott Bozik.

MINUTES:

Tim Burkman noted, for clarification, that under A10-002/RZ10-002/PP10-001, his recommendation was made to City Council not City County. Jan Dick made a motion to approve the April 13, 2010 minutes as amended. Seconded by Vic Ritter. A voice vote was taken and the motion unanimously carried.

OLD BUSINESS:

None.

NEW BUSINESS:

RP10-002 – Replat portions of 1st Addition to North Valparaiso and Thomas Subdivision – Lee I. Lane of Hoepner, Wagner & Evans for the owner Carbone Lorraine North America Corp. Request to replat portions of Blocks 5 and 6 of the First Addition to North Valparaiso and Thomas Subdivision located at 405 Elm Street on the north side of Elm between Calumet Avenue and Garfield in the INH Industrial Heavy District. Attorney Lee Lane presented. They are planning a division of the parcel resulting in a minor plat change. The division will result in Lot A including the existing building and a portion of the parking lot, Lot B to include the parking lot through lot 10, and Lot C to include the east building and previous parking lots 8 and 9. This replat is due to environmental issues and with regard to financing options. Lot B will be a restricted use retained for parking. A cross-easement agreement was considered to allow for parking access on Lot A, however, the merger clause will not allow for the granting of an easement to oneself. Therefore, there are written commitments that will allow for the granting of ingress and egress and parking.

Tim Burkman requested that the written commitments be recorded and added to the plat. Attorney Lane noted that if the Lots were sold to the same owner then the written commitments would not be relevant. Bruce Berner noted that commitments would make that clear. Attorney Lane noted that they are agreeable to the recording of the written commitments.

Attorney Scott Bozik noted that his firm would expedite the review of the written commitments.

Motion: Tim Burkman made a motion to approve RP10-002 subject to Attorney and Staff review and approval of the written commitments between Lots A and B and the recording of those written commitments. Seconded by Deb Butterfield. A roll call vote was taken and unanimously carried 7-0.

RP10-003 – Replat Lots 18 and 19 in Harlin Terrace – John Hannon for the owner Jason Carter. Request to replat Lots 18 and 19 in Harlin Terrace Subdivision located at 1100 Kentucky Street in the CN Commercial Neighborhood Commercial District. Petitioner was not present. By way of consensus the Board will continue RP10-003 to the October, 2010 meeting.

RP10-004 – Replat Lots 17, 19, 20, and 21 in Windsor Park Subdivision Phase 5 – Robert and Nancy Lorenzetti for various property owners of Lots 17, 19, and 20. Request to Replat Lots 17, 19, 20 and 21 in Windsor Park Subdivision Phase 5 and vacation of a 100' drainage easement on said lots. Properties are located at 2653, 2655, and 2751 Lois Drive and 3005 Prentiss Drive in the SR Suburban Residential District. Nancy Lorenzetti presented. They would like to install a pool. During the permit process it was discovered that there was a drainage easement to contend with. They went before the Porter County Drainage Board to request a vacation of that easement and their request was approved.

Tim Burkman noted that he has reviewed this petition and has spoken with the County Surveyor. This subdivision was originally developed in the County and later annexed into the City. A larger retention pond is shown on the plat than what was actually built and that is why there is such a large easement. Both the County and City are comfortable with the current basin sizes.

Any overflow would go to the road because the homes are higher than the road. This is a unique circumstance and because it is a regulated drain the County has jurisdiction. Functionally it works and meets design calculations as submitted in 1997. Porter County vacated 85 feet of the 100-foot drain leaving an easement of 15 feet and the City has no issue with that. Porter County Drainage Board only acted upon the request for Lot 21 at this time. Lots 17, 19, and 20 would need to petition the County individually if they wanted to build something in the same easement.

Craig Phillips advised that it was learned late in the process that this procedure requires a public hearing. He will work with the petitioner on proper advertising and paperwork, and requests that this petition be continued to the October, 2010 meeting.

By way of consensus, the Board continued RP10-004 to the October, 2010 meeting.

STAFF ITEMS:

EnVision Valparaiso 2030 Comprehensive Plan Re-write Process. Craig Phillips noted that there will be a public meeting and workshop regarding the Comprehensive Plan on Monday, September 20, 2010 at 6:30 p.m. at Valparaiso High School's Auditorium. This is a voluntary meeting and all are welcome to attend.

There are three other committees that will need member input. Steering Committee, US 30 Corridor and Airport Zone Development Plan. Craig Phillips recommends Vic Ritter, Bruce Berner and Deb Butterfield for the Steering Committee; Diane Worstell and Mike Micka for the US 30 Corridor; and Jim Mooney and Al Shields for the Airport Zone Development Plan. Kendig Keast Collaborative is on contract once again and work actually began back in May. There will be a series of meetings before the public hearing process and then the adoption process. Craig Phillips will send something out to everyone with their committee assignments on it.

Discussion re: various amendments to the Unified Development Ordinance. Craig Phillips asked to put this discussion on hold at this time. Basically the UDO is going through its annual tune up and Craig will be able to update everyone at a future meeting.

ADJOURNMENT:

There being no further business to discuss the September 14, 2010 Plan Commission meeting was adjourned at 7:45 p.m.