

VALPARAISO PLAN COMMISSION
Regular Meeting Minutes
April 13, 2010

The regular meeting of the Valparaiso Plan Commission was held at 7:00 p.m. on Tuesday, April 13, 2010 in the Valparaiso City Hall Council Chambers. Bruce Berner presided.

Members present were: Jim Mooney, Diane Worstell, Mike Micka, Deb Butterfield, Al Shields, Bruce Berner, Jan Dick, Vic Ritter and Tim Burkman. Also present were Craig Phillips and Attorney Ethan Lowe.

MINUTES:

Jim Mooney made a motion to approve the March 9, 2010 minutes as submitted. Seconded by Al Shields. A voice vote was taken and the motion unanimously carried.

OLD BUSINESS:

A10-001/RZ10-001 – Caribbean Pools Annexation – Curtis Joiner - Request to annex land and rezone from CM Moderate Intensity Commercial District (County) to CG Commercial General District located at 3806 Murvihill Road between US 30 and CR 325 E. Mr. Curtis Joiner presented. The public hearing for this petition was held two months ago. The property is currently zoned CM Moderate Intensity Commercial District in the County and they are requesting annexation into the City with a zoning of CG Commercial General District.

Tim Burkman noted that there is some debate between the airport and the City regarding the ownership of the sewer that Mr. Joiner is going to tie into. We believe it to be public, however, there is another location he can tie into so this should not hold anything up.

Motion: Jim Mooney made a motion to favorably recommend petition A10-001/RZ10-001 and the proposed zoning as indicated the petition to City Council with the fiscal plan as presented. A roll call vote was taken and unanimously carried 9-0.

A10-002/RZ10-002/PP10-001 – Flat Rock Annexation – Coolman Communities – Request to annex land and rezone from R-1 Low Intensity Single Family Residential District (County) to GR General Residential District located at 453 Hayes Leonard Road between Calaveras Drive and

Morthland Drive/US 30. Mr. Bob Coolman presented. The public hearing for this petition was held last month. Since that time, a number of minor adjustments have been made to meet various requests. The one significant change is the requirement of a more restrictive discharge rate for offsite drainage so we have relocated some of the lots in order to expand the storm water retention. As well the tot lot was moved from the middle of the development to the southern edge near Hayes-Leonard School's property. The number of lots, streets, green space, etc. all remained the same.

Tim Burkman noted that this development was asked to meet the County standards for drainage because they are more restrictive and because of where the development is located. The developer willingly agreed to this.

Motion: Tim Burkman made a motion to favorably recommend petition A10-002/RZ10-002/PP10-001 to City County with the rezoning from R-1 to GR as proposed and subject to annexation into the City. Seconded by Jim Mooney. A roll call vote was taken and unanimously carried 9-0.

NEW BUSINESS:

Z10-002 – Wildwind Sub. Written Commitments – MPG I LLC – Request to amend Written Commitments associated with Ordinance 36-2009 related to the rezoning of land to be known as Wildwind Subdivision. This property is located at the Southeast corner of Silhavy and Vale Park Road. The developer had the property under contract and it was backed out of. They applied to change the zoning to CA last Fall and was approved subject to the developer taking all the property and they were unable to do that. Therefore the seller kept lot 1, and we would still like to change lots 2 and 3 to CA and would like the written commitments to reflect this.

Q: Are all three lots owned by the same owner?

A: Lot 1 is owned by First Source Bank and MPG I LLC/MS Valparaiso LLC owns lots 2 and 3. They have separate legal descriptions, but all three are subject to the written commitments.

Motion: Tim Burkman made a motion to favorably recommend to City Council the Written Commitments as amended in petition Z10-002. Seconded by Vic Ritter. A roll call vote was taken and unanimously carried 9-0.

STAFF ITEMS:

City of Valparaiso – Discussion re: regulation of outdoor/indoor vending machines –

Craig Phillips presented. Recently staff has had requests regarding self movie rental boxes such as Blockbuster and Redbox wanted space on the exterior of businesses. Staff is wondering how the members feel about this and other types of interior and exterior vending. At this time there does not seem to be any set regulations for our city. Some areas of concern mentioned that would need some provisions were parking, signage, drive-thru, outside vs. inside, pedestrian clearance, is it considered a separate use, etc. It was the consensus of the members that this is something that needs to be looked very broadly and not just specific to vending machines. It could be something else in the future. It needs to be looked at more as outside sales. It was also suggested that staff look into the Ordinances that other areas have in place as a starting place and be conservative. Craig Phillips advised, that given this discussion, he and staff will research this further and in the meantime treat these requests as accessory uses.

ADJOURNMENT:

There being no further business to discuss the April 13, 2010 Plan Commission meeting was adjourned at 7:56 p.m.