

VALPARAISO BOARD OF PLAN COMMISSION
Regular Meeting Minutes
March 9, 2021

A regular meeting of the Valparaiso Plan Commission was held at 5:30 p.m. on Tuesday, March 9, 2021 remotely via Web-Conference – Valparaiso Now Facebook Page. Matt Evans presided.

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

MINUTES:

Tim Warner made a motion to approve the January 12, 2021 Meeting Minutes as submitted. Peter Anderson seconded the motion. A voice vote was taken and unanimously carried 8-0.

OLD BUSINESS:

A20-002/RZ20-002 (Second Reading) – A petition filed by the City of Valparaiso, 166 Lincolnway, Valparaiso, IN. The petitioner requests to rezone and annex a parcel of property to the City of Valparaiso. The parcel is currently zoned R1, Low Density Residential District in Porter County and the petitioner requests to zone the property as SR, Suburban Residential in the City of Valparaiso. The property is located North of Division Road, East of Sturdy Road, South of Meadow Glen Drive and West of State Road 49/Aldi Distribution Center. City Planner Beth Shrader presented. A public hearing on this case was held last month. Continuity is met and it meets the Comprehensive Plan. The City continues to work with residents regarding their concerns. Ms. Shrader respectfully requests a favorable recommendation to the City Council.

Motion: Vic Ritter made a motion to favorably recommend AZ20-002/RZ20-002 to City Council. Al Shields seconded the motion. A roll call vote was taken and unanimously carried 8-0.

PUD21-001 – A petition filed by ANCO Revitalization, LLC c/o Todd A. Leeth, Hoepfner Wagner & Evans LLP, 103 Lincolnway, Valparaiso, IN. The petitioner is requesting approval of rezoning property from INH, Heavy Industrial and CP, Central Place to PUD, Planned Unit Development. The property is located North of West Street, South of Indiana Avenue/Monroe Street, East of Washington Street, and West of Ruge Street. City Planner Beth Shrader advised that the petitioner requested a continuation of this case. Attorney Todd Leeth presented. This case is for the renovation of the Anco Building to Journeyman Distillery by way of PUD (Planned Unit Development) without a subdivision. Attorney Leeth gave a full presentation. Not all of the design is completed, but there will be an outdoor courtyard without plenty of seating, parking, distillery, brewery, demonstration kitchen and cigar bar. Parking is planned at 895 spaces. Suspension of the rules has been requested in order to adhere to some time constraint placed on us by the City.

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.

Attorney George Lepeniotis, representing L&S Metals noted his client is in favor but wants to have on record that the adjacent area to the West, where L&S Metals is located, is now and will continue to be industrial uses.

Mr. Bob Muciano, 2107 Shaker Drive, Valparaiso, is in favor of the project.

Carley Lemmon advised **Mr. Jesse Brown** commented on Facebook Live, he is in favor.

Attorney Leeth's rebuttal:

- The petitioner is aware of the surrounding properties and acknowledges that they are ongoing operations.

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

Ms. Beth Shrader advised the City is in favor of this petition and continues to work with the petitioner on the PUD Ordinance. Mr. Mike Jabo stated the Engineering office is comfortable with the plan as presented.

Motion: Al Shields made a motion to suspend the rules. T.J. Edwards seconded the motion. A roll call vote was taken and unanimously carried 8-0.

Motion: Mike Jabo made a motion to favorably recommend PUD21-001 to City Council with the condition that staff will continue to consult on the PUD with parking, stormwater management, utilities, and all expectations within the zoning district and noting the Plan Commission is supportive of the deviation of the design standard for the PUD. Vic Ritter seconded the motion. A roll call vote was taken and unanimously carried 8-0.

NEW BUSINESS:

SP21-001 – A petition filed by Downtown Valparaiso Partners, LLC c/o Todd A. Leeth, Hoepfner Wagner & Evans LLP, 103 Lincolnway, Valparaiso, IN. The petitioner requests approval of a Secondary (Final) Plat for the Calkins Hill Development. The properties are located at 301 & 302 Jefferson Street in the RT, Residential Transitional Zoning District. Attorney Todd Leeth presented. This is the secondary plat approval request for Calkins Hill. The secondary plat looks like the primary plat. Escrow deposit was made with bank vs a bond or letter of credit because the amount of surety is so small.

Motion: Tim Warner made a motion to approve SP21-001 as presented. Diane Worstell seconded the motion. A roll call vote was taken and unanimously carried 8-0.

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.*

PRESENTED TOGETHER WITH:

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 ZO21-001 and ZO21-002 together. For the areas listed, the City is seeking a downzone to a less intensive zone to be more compatible to the adjacent neighborhood zones. The existing businesses may continue to operate as legal-non-conforming but if they cease operations for 180 days or more then they are no longer legal-non-conforming and will have to comply with the standards of the new zone.

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.

Attorney Glen Kuchel, representing Janet Froberg-McNair, property owner at 560 Bond Avenue, Valparaiso is opposed. Ms. Froberg-McNair's property does not cause any negative impact on the neighborhood but a downzone could be devastating for her business.

Mr. David Smith, 602 Napoleon Street, Valparaiso, agrees with Attorney Kuchel regarding 560 Bond Avenue. He is a tenant there and is opposed to the downzone.

Chamber President, Rex Richards, stated he appreciates the process, and everything being done to have properly zoned areas throughout the City.

Mr. Paul Mateer, 805 Franklin Street, Valparaiso, opposes the change. His business, Mateer Oil, is being invested in, as well as the property, and a downzone would not be conducive to his business.

Mr. Adam Sworden, 901 Campbell Street, Valparaiso, is in favor of 560 Bond Avenue staying zoned as is. He is also opposed to so much Commercial-Neighborhood being proposed noting it is too much for the infrastructure and traffic.

Mr. John Albers, 401 Lafayette Street, Valparaiso, is concerned with Washington Street the most.

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

This is something that needs to be handled case by case and each property looked at individually.

With regards to ZO21-001 Carley Lemmon advised the Members have one month to review the text amendments prior to going before the City Council. The Engineering Department has consulted and given input where applicable.

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. No one spoke; therefore, the public hearing was closed, and questions/comments were heard from the Members.

Mike Jabo advised City Engineering is comfortable with all proposals.

Vic Ritter suggested in section 11.507(B6), the word architectural be added before composite metal.

President Matt Evans asked that all Members review all the proposed text amendments as presented and send your questions and/or comments to the Beth Shrader prior to the next regularly scheduled meeting.

STAFF ITEMS:

None.

ADJOURNMENT:

There being no further business, the March 9, 2021 Plan Commission meeting was adjourned at 7:30 p.m.

Matt Evans, President

Beth Shrader, Executive Secretary