

ST. JOHN PLAN COMMISSION
10955 W. 93RD AVENUE, ST. JOHN, INDIANA
REGULAR MEETING – NOVEMBER 4, 2015

Michael Forbes, President
Steve Hastings, Vice-President
Steve Kozel, Secretary
Tom Redar
Derwin Nietzel

Attorney Michael Muenich
Kenn Kraus
Steve Kil

CALL TO ORDER:

Mr. Michael Forbes called the St. John Plan Commission regular meeting to order on November 4, 2015, at 7:03 p.m.

(The Pledge of Allegiance was said.)

ROLL CALL:

Roll call was taken by Susan E. Wright, Recording Secretary, with the following Commissioners present: Michael Forbes, Steve Hastings, Steve Kozel, Tom Redar and Derwin Nietzel. Staff members present: Kenn Kraus. Steve Kil was present. Attorney Michael Muenich was present. Town Council liaison, Gregory Volk was present.

**APPROVAL OF THE MINUTES: SEPTEMBER 2, 2015 AND
OCTOBER 21, 2015,
REGULAR MEETINGS**

Mr. Forbes stated that the first item for the Board's consideration was approval of the minutes of the regular meeting of September 2, 2015 and October 21, 2015. He asked if there were any questions or comments on the meeting minutes. There were no questions or comments.

Mr. Forbes stated he would entertain a motion on the minutes of September 2, 2015 and October 21, 2015. "So moved," by Mr. Kozel. Mr. Redar seconded the motion. The motion was carried by voice vote (5/0). Ayes --- all. Nays --- none.

NEW BUSINESS:

A. HUPPENTHAL/HERMAN/THE PRESERVE --- PUBLIC HEARING
ZONE CHANGE FROM R-1 TO RC1-PUD --- JACK SLAGER.

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Mr. Forbes noted the first item under *New Business* was a public hearing for the Huppenthal/Herman/The Preserve development seeking a zone change from R-1 to RC-1-PUD.

Mr. Jack Slager, Schilling Development, appeared before the Board for the public Hearing. He cited a part of the Town's ordinance on RC-1 zoning districts as follows: *The purpose of the RC-1 zoning district is to provide for innovative residential environments by allowing a high degree of flexibility in the design of single-family subdivisions, encouraging more efficient use of the land through the introduction of open space and conservation of land within residential subdivisions while protecting remaining significant natural features within the district by emphasizing less intensive suburban land uses.* Mr. Slager stated that this description best summarizes the developer's intent, and after meeting with the Town, the developer felt this was the best zoning for this parcel

Mr. Slager stated by using this zoning much of the natural layout of the area will not be disturbed. He stated they will be preserving or enhancing over 100 acres of the 320 acre development. Mr. Slager stated he would be happy to answer any questions.

Mr. Forbes asked Mr. Slager to address the confusion associated with the RC-1 zoning of the development. Mr. Slager explained that the *RC-1* stands for *residential-conservation*. He stated that there will be no commercial development within the subdivision but only single family homes.

Mr. Forbes stated if there were no questions from the Board he would open the public hearing. There were no questions from the Board. Mr. Forbes opened the public hearing.

PUBLIC HEARING

Joe Hero, 11723 South Oak Ridge Drive:

Mr. Hero stated he objected to reducing this development to a different classification. He stated he believed that the R-1 classification preserves the values of homes in Town and the original zoning should be adhered to.

Mr. Hero stated his other concern was the traffic congestion which will be increased with the addition of this subdivision. He stated that the Town should look at developing the roads before adding subdivisions with more people in them.

Mr. Hero stated he objected to the cancellation of the Comprehensive Plan

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meeting that was scheduled for tonight. Mr. Forbes reminded Mr. Hero that this public hearing was for *The Preserves* development. Mr. Hero stated that this is a public hearing and “*You can’t shut me up. Okay. That’s the way it goes.*” He stated that there is no public comment scheduled on the agenda, and he wanted to know how this development will fit into the Comprehensive Plan.

Lisa Day 12699 West 101st Avenue:

Ms. Day stated she lives near the proposed development and she drives past it multiple times a day. She stated that without her stopping on the road she would never have noticed a sign posted. She stated her understanding is that this is the only way she would be notified of such a meeting. Ms. Day stated that this is an unfair practice if the sign is the best and only way to notify all of the residents who will be affected by the proposed development. She stated it was impossible to read the sign posted.

Jennifer Erickson, 9865 Rosewood Drive:

Ms. Erickson stated she agreed with the concerns of the previous two residents related to traffic on 93rd and White Oak. She wanted to know how this traffic will be patrolled. Ms. Erickson stated she is also concerned about the sewer system in St. John and would like to see how this issue would be addressed.

Mr. Forbes informed Ms. Erickson that she would have to divulge her address as it would be a part of the public record. Ms. Erickson complied.

Mr. Forbes called three times for additional public comment. There was no further public comment. Mr. Forbes closed the public hearing and brought the matter back before the Board.

Mr. Forbes asked the Board if there was additional discussion. There was no discussion. Mr. Forbes stated he would entertain a motion to send a favorable recommendation to the Town Council for the zone change from R-1 to RC-1 for the Huppenthal/Herman/The Preserve parcel, with the findings of fact included by reference.

Mr. Kozel made a motion to send a favorable recommendation to the Town Council for a change of zoning for R-1 to RC-1 PUD for the Huppenthal/Herman/The Preserve parcel, and incorporated the findings of fact by reference. Mr. Hastings seconded the motion. The motion was carried by voice vote. (5/0). Ayes --- all. Nays --- none.

B. MILL CREEK --- UNIT ONE --- FINAL PLAT APPROVAL --- JOE LENEHAN.

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Mr. Forbes moved on to Mill Creek, Unit One, for final plat approval. Mr. Joe Lenehan, Olthof Development, appeared on behalf of Mill Creek, Unit One, seeking final plat approval.

Mr. Lenehan stated that Mill Creek received primary plat approval and the developer has been working on Phase One. He stated the drawings have been engineer-reviewed and the bond has been posted and he believes everything is in order to proceed. Mr. Lenehan stated the first phase of the development includes 13 paired villa lots up near the future commercial areas, and the developer will continue to work their way south in developing the community.

Mr. Redar remarked that the development was not quite in compliance with the SWPP plan, he stated he requested that a publication be posted for the SWYPP plan along Route 231 and it has not been done. Mr. Redar stated that there are a few issues to be addressed to bring the SWYPP plan into compliance. Mr. Lenehan stated that these issues would be dealt with this week.

(General discussion ensued.)

Mr. Forbes stated if there were no questions or comments from the Board he would entertain a motion. There was no further discussion.

Mr. Redar made a motion to grant final plat approval to Mill Creek, Unit One, with the contingency that the SWYPP plan is adhered to including the posting of publications, and incorporating the findings of fact by reference Mr. Nietzel seconded the motion. The motion was carried by voice vote. (5/0). Ayes --- all. Nays --- none.

**C. KILKENNY HIGHLANDS, UNIT TWO --- PUBLIC HEARING FOR
PRIMARY SUBDIVISION APPROVAL --- DOUG RETTIG.**

Mr. Forbes noted the next item on the agenda was a public hearing for Kilkenny Highlands, Unit Two. Mr. Doug Rettig, Land Technologies, project engineer for Kilkenny Highlands, Unit Two, appeared before the Board.

Mr. Rettig stated he was present for the public hearing tonight on the 11 acre subdivision. He stated that there are R-1 sized lots in an area that is zoned R-2, so the lots are larger than what is required. Mr. Rettig stated that Kilkenny

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Estates, Unit Four, Block One was recently put in and now the developer is basically extending from there.

Mr. Rettig handed out plans to the Board. He stated that there is a creek that runs through the property, which allows the developer the opportunity to create some preservation areas. Mr. Rettig stated that there will be a culvert to cross the creek which will be landscaped. He stated the retention pond will be storing water for the whole general area including Unit Four, Block One.

Mr. Rettig stated that sanitary sewer and water are already stubbed. He stated that there is a temporary lift station in place. Mr. Rettig stated the lift station is going to have to be relocated until a permanent lift station is installed sometime in the future. He asked the Board if they had any questions on this project.

(General discussion ensued.)

Mr. Forbes asked the Board if they had any questions. The Board had no questions. Mr. Forbes opened the public hearing.

PUBLIC HEARING

MaryJo Knoezer, 8274 Columbia:

Ms. Knoezer stated her understanding was that this matter was set for hearing last month but there was no quorum. She asked why this matter was up for approval when there has not been a publication.

Mr. Forbes asked if the publications were in order. Mr. Kil reported that the matter had been properly republished. Ms. Knoezer asked if this matter was supposed to have been approved at the last hearing that was cancelled. Attorney Muenich explained that a brand new hearing date had been republished.

Mr. Forbes explained that all of the requirements had been covered. Ms. Knoezer replied, "*And I'm sure you won't cover any of the other requirements either because you didn't at the last part of ...*" (unintelligible word).

Mr. Forbes called twice for additional public comment. There was no further public comment. Mr. Forbes closed the public hearing and brought the matter back before the Board.

Mr. Forbes asked the Board if they had any additional comments or questions. There was no comment. Mr. Forbes stated he would entertain a motion. Mr. Kozel

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made a motion to approve preliminary plat for Kilkenny Highlands, Unit 2, and incorporated the findings of fact by reference. Mr. Redar seconded the motion. The motion was unanimously carried by voice vote (5/0). Ayes --- all. Nays --- none.

D. RENAISSANCE --- PERMISSION TO ADVERTISE FOR PUBLIC HEARING FOR PRIMARY APPROVAL ON DECEMBER 2, 2015.

Mr. Forbes moved on to Renaissance, who was seeking permission to advertise for a public hearing for primary approval on December 2, 2015. Mr. Doug Terpstra appeared on behalf of Renaissance seeking permission to advertise for preliminary approval for the final phase of Renaissance at Rose Gate on December 2, 2015.

Mr. Terpstra stated the hearing would address a couple of longstanding issues, most importantly, the closing off of Claremont Avenue and altering the development to add a couple of lots.

Mr. Forbes asked the Board if they had any questions. There were no questions. Mr. Forbes stated he would entertain a motion grant permission to Renaissance to advertise for a public hearing on December 2, 2015. *“So moved,”* by Mr. Kozel. Mr. Hastings seconded the motion. The motion was unanimously carried by voice vote (5/0). Ayes --- all. Nays --- none.

E. HUPPENTHAL/HERMAN/THE PRESERVE --- REQUEST PERMISSION TO ADVERTISE PRIMARY SUBDIVISION APPROVAL ON DECEMBER 2, 2015 --- JACK SLAGER.

Mr. Forbes moved on to Huppenthal/Herman/The Preserve, requesting permission to advertise for preliminary subdivision approval on December 2, 2015. Mr. Jack Slager, Schilling Development, appeared before the Board on behalf of Huppenthal/Herman/The Preserve.

Mr. Slager stated he was seeking permission to advertise for preliminary plat approval for Huppenthal/Herman/The Preserve on December 2, 2015, since the Board would be sending a favorable recommendation to the Town Council on the zoning change.

Mr. Forbes asked the Board if they had any questions. There were no questions. Mr. Forbes stated he would entertain a motion to grant permission to Huppenthal/Herman/The Preserve to advertise for preliminary subdivision approval on December 2, 2015. Mr. Kozel made a motion to grant Huppenthal/Herman/The Preserve permission to advertise for preliminary plat approval on December 2, 2015.

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Mr. Hastings seconded the motion. The motion was unanimously carried by voice vote (5/0). Ayes --- all. Nays --- none.

**F. GREYSTONE --- REQUEST PERMISSION TO ADVERTISE ON
DECEMBER 2, 2015 --- REZONING --- JACK SLAGER.**

Mr. Forbes noted Greystone was requesting permission to advertise for rezoning on December 2, 2015. Mr. Jack Slager, Schilling Development, appeared before the Board on behalf of Greystone.

Mr. Slager informed the Board that the Greystone development is located on both sides of Calumet Avenue, running south of 101st. He stated this property was annexed into the Town a number of years ago. Mr. Slager stated the developer would like to present a cohesive plan for the entire development including some multi-family dwellings, professional office buildings along Calumet Avenue, and some single family dwellings.

Mr. Forbes asked the Board if they had any questions. There were no questions. Mr. Forbes stated he would entertain a motion grant permission to Greystone to advertise for a rezoning at the December 2, 2015, meeting. Mr. Kozel made a motion to grant Greystone permission to advertise for rezoning at the December 2, 2015, meeting. Mr. Nietzel seconded the motion. The motion was unanimously carried by voice vote (5/0). Ayes --- all. Nays --- none.

ADJOURNMENT:

Mr. Forbes adjourned the meeting.

(The meeting was adjourned at 7:15 p.m.)

A TRUE COPY

Susan E. Wright, Recording Secretary
St. John Plan Commission

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