

**PLAN COMMISSION  
STUDY SESSION NOTES  
APRIL 1, 2024**

**I. CALL TO ORDER**

The Plan Commission Study Session was called to order at 6:53 P.M. by President Tom Anderson at the Schererville Town Hall, 10 E. Joliet St.

A. Pledge of Allegiance

President Anderson stated that the Pledge of Allegiance was already recited at the Plan Commission Public Meeting.

B. Roll Call

President Anderson stated that the Roll Call would stand from the Plan Commission Public Meeting.

**II. COMMISSION BUSINESS**

A. Luer's Farm Planned Unit Development

General Location: SE Quadrant of Town – 91<sup>st</sup> Avenue to 101<sup>st</sup> Avenue

Petitioner(s): Stars & Stripes 4M, LLC

Request: Amended Development Agreement and Revised Development Plan for the Residential Planned Unit Development

Mr. Gerry Wright from St. Bourke represented the petitioners on behalf of Drapac. Mr. Wright stated that they are there in response from the previous Study Session in February; adding that they had taken the Board and staffs comments into consideration and have revised the master plan to deflect those changes. Mr. Wright said that the previous plan had approximately 329 units for the 70' wide lots, and have now decreased it back to only 225 lots. Mr. Wright stated the number of 70' wide lots now is in accordance with the original Development Agreement to not exceed 30% of 70' wide lots. Mr. Wright went on to say that per the request of staff they are extending the unloaded road from 91<sup>st</sup> to 101<sup>st</sup> and have even softened the curves to better the flow. Mr. Wright added that connecting the road was not part of the original Development Agreement, but have done so on request by staff. Mr. Wright stated that the previous master plan had 10 cul-de-sacs which have now been reduced to 7 cul-de-sacs; adding that each cul-de-sac has a spot for snow to be pushed and stored. Mr. Trevor Murphy from Manhard Consulting stated that he has been in contact with Mr. Dwayne Alverson from the Lake County Highway Department and shared the preliminary drawings and concept plans of the intersection for preliminary feedback. Mr. Murphy said that the response is that it is a concept of nature, and won't be able to provide detailed comments until we have more detailed engineering; going on to say it was noted that they would need a minimum of a 50' right-of-way dedication along 101<sup>st</sup>. and anticipate passing blisters. Mr. Murphy stated that until they have a more detailed plan for the engineering, there is not much more notes they can gather from Lake County. Mr. Murphy went on to say that there is additional room to accommodate space on 101<sup>st</sup> on the north side and further west on the south side if needed. Mr. Murphy stated that at this time they are anticipating passing blisters and other auxiliary improvements, but nothing major. Mr. Murphy said that regarding the Army Corps of Engineers and other drainage items like the Lake County Drainage Board, they have a wetland delineation which was completed by local consultant Mr. Gary Webber in January of 2024 which the Army Corps have yet to review; adding that they are anticipating the JD in the next 2-3 months to confirm the several wetlands on site that are going to be under the Army Corps jurisdiction. Mr. Murphy went on to say they are avoiding impacts to all of the wetlands other than the Creek Crossing, which they anticipate doing with a bridge and avoiding any actual impacts as much as possible; going on to say that most of the wetlands on site are mainly going to be isolated wetlands and that they will meet all permit requirements once they are further along. Mr. Murphy stated that they have also been in contact with Lake County Drainage Administrator Dan Gossman, who had noted that they will need to get the crossing permitted with the Drainage Board and that it would probably

require a Drainage Board permit for the detention pond outlets; adding that at this stage there is not much else they can do without a more finalized plan.

Mr. Anderson asked about Nipsco and the pipelines. Mr. Wright replied that Nipsco is fully on board and has been working with them on tying in the trails, but they have yet to finalize any documentation. Mr. Wright added that even if Nipsco would not approve there is space within the property to do it; the Plan Commission requested that it be ran through with Nipsco and so they will continue to work on that. Mr. Wright said that they have also been in contact with Lake Central Director of Business Services Rob James, and he is completely on board and will provide any documentation needed. Mr. Wright went on to say that Mr. James has plans for it, is looking forward to it, and has the capacity to expand the LC schools as far as needed to accommodate this subdivision. Mr. Wright stated that the staff had requested a few more things, one being sidewalk connectivity throughout the entire development. Mr. Wright said they plan to have the sidewalks up to code, the only concern is the unloaded road and any sidewalks on the east side of the property; adding that he believes that can be worked out with staff. Mr. Wright went on to say that it was also requested for a parking area by the amenity community garden, so a parking field was added; also agreeing to widen the roads around the silo park so there can be parallel parking. Mr. Wright then stated that there is a meeting scheduled with staff to hopefully get the amendment rolling for the Development Agreement.

Mr. Anderson stated that this has been before the Board numerous times even with other developers, and in the past it was advantageous if Colfax at the northwest property line was developed into a full intersection. Mr. Anderson went on to say that the property owner back then had conversations with Olthof Homes about selling some of that property to enable that intersection; asking if they have had any conversations about that. Mr. Wright replied that they have had a conversation, however the addition of the unloaded road that was requested added and additional \$1.5 – \$2,000,000 to this project and at this time it does not make sense economically. Mr. Jarvis asked if along 101<sup>st</sup> there is an 80' right-of-way because he is concerned that will become a major arterial there. Mr. Murphy stated that right now there is 25' on either side with a total of 50' of right-of-way, going on to say that they will be dedicating 5' to make it 75' of right-of-way total. Mr. Jarvis asked if they had 5 more ft. to dedicate because per the Ordinance major arterial must be 80' and suggests they plan for the future. St. Bourke Development Manager Dan Mason stated that they could add an additional 5' of right-of-way and that would not be an issue. Mr. Mason went on to say that they own the property on the north side of 101<sup>st</sup> further east and then south side further west. Mr. Mason added that dedicating that additional right-of-way will skew, so the additional right-of-way will probably be needed from the property on the north side of 101<sup>st</sup> directly west of this development. Mr. Mason stated that they can change the 50' right-of-way. Mr. Jarvis said he believes that would be the best thing to do. Mr. Mason stated they can plan to add to make a total of 80' width.

Mr. Long asked Mr. Rak if the change of the number of cul-de-sacs and plowing is better for Public Works. Mr. Rak replied that it was much better. Mr. Anderson asked if the Original Development Agreement was still amongst the attorneys. Mr. Gorman replied that it was with staff attorneys. Mr. Anderson asked Attorney Estrada if he was involved. Attorney Estrada replied that he was not, Town Attorney Dave Austgen is taking care of this project. Mr. Kouros stated that at the last Study Session there was a lot of back and forth, and asked Mr. Gorman if he was pleased. Mr. Gorman stated that the agreement still needs to be reviewed in detail but as far as the Concept Plan he is. Mr. Anderson stated that they are pleased that discussions have been started with Nipsco, Army Corp, Lake County Drainage and Lake County Highway; adding that last time there was nothing. Mr. Anderson went on to say that they are unable to move along until there is a Development Agreement and until the other outside entities are going to work with this project. Mr. Gorman added engineering as well, even though the Concept Plan is needed first. Mr. Gorman then stated that last week an email was sent in regards to a few more parks plus the block, asking if they were good with that and not just the main park. Mr. Wright replied yes, they are good with the parallel parking. Mr. Gorman responded that even though it is in the Master Plan, he just wanted to make sure. Mr. Wright replied yes it is all good.

Mr. Anderson stated that he does not know how long the attorneys will take, but there is a lot of moving parts with engineering being a big one. Mr. Gorman asked once engineering is done, the Concept Plan and the Amended Development Agreement gets approved, is there any indication on when they will come to Primary with the plans. Mr. Murphy replied that they hope to immediately, maybe 8-12 weeks. Mr. Hansen stated that they should probably have another Study Session before Primary. Mr. Gorman agreed and said the Agreement needs to be down pat. Mr. Anderson added that he is sure Mr. Helmuth and his team will do a great job with reviewing everything. Mr. Gorman went on to say that everything is

contingent on the Development Agreement. Mr. Long asked if the residents will take care of the community garden, or if it would be put on the Parks Department. Mr. Mason replied that the hopes are for residents to have individual gardens that would be managed by the HOA. Mr. Anderson read a letter from Mrs. Patty Byers at 9111 Cline Ave. stating that there is an issue; Sludge from East Chicago was put on this land in April of 1986, and the mineral count for several medals was very high, with lead being one of them. The letter went on to say that this matter was brought to the Town several years ago, and asked that the Town can investigate before giving permission for a new development. Mr. Gorman stated that this had come up in 2017 and the Town went back through email threads with staff and the City of East Chicago, and have no records of this. Mr. Gorman went on to say that every land that sludge is applied to has to be approved and permitted through the State and they have no record of ever applying sludge to that property. Mr. Gorman continued to say that the Town has correspondence from East Chicago and they do not have any records; adding it does not mean that they did not put it there. Mr. Gorman suggested that they do their diligence and look into this.

### **III. ADJOURNEMENT**

There being no further business, the meeting was adjourned at 7:17 P.M.