

**LOWELL PLAN COMMISSION SPECIAL MEETING
OCTOBER 29, 2012
5:00 P.M.**

President Kelley called the Lowell Plan Commission Special Meeting to order at 5:00 P.M. The Pledge of Allegiance was recited. Recording Secretary Gena Knapp called the roll. Members answering the roll call were James Konradi, Richard Kelley, Robert Philpot, Edgar Corns, Don Parker, Eli Carras, and Matt Felder. Also present were Planning Consultant Jim Mandon, Attorney Larry Steele, Building Official Tom Trulley, two citizens, and one member of the media.

PUBLIC HEARING

Petitioner: PC #12-014 DVG, INC. 11065 Broadway, Suite D, Crown Point, IN 46307
Request: Plat of Vacation of a previously platted subdivision, and Preliminary Plat Approval for Non-Residential
Purpose: To construct the Lowell Professional Center at 4500 E. 181st St., Lowell, IN 46356

Jeff Bann, 11065 Broadway, Suite D, Crown Point, Project Engineer, introduced himself to the board. Mr. Kelley then opened the public hearing for the plat of vacation. With no one to speak for or against the petitioner for the plat of vacation, Mr. Kelley closed the public hearing. Mr. Kelley then turned to the board for any questions. Mr. Steele suggested Mr. Bann give a small presentation about the vacation.

Mr. Bann stated the existing parcel is a partial subdivision plat, which was created about fifteen years ago. The shape and size of the subdivision does not meet today's need for that particular parcel of land. We are asking that you erase all of the previously platted parcel lines to create another metes and bounds description as it was prior. We also have another petition for a one-lot subdivision on that land that you will be hearing in a little bit. That twenty acres as it is currently platted will then have no platting after your action, if you so choose, and we will move forward with something that is more appropriate for today's market place. We would like to make it known that we have made the proper notifications and filings for this petition.

Mr. Parker made a motion to approve the plat of vacation, seconded by Mr. Philpot, and carried by voice vote.

Mr. Kelley stated that there is a second request for a preliminary plat approval for non-residential, to construct the Lowell Professional Center, as well. Mr. Bann stated there were a few items that needed to be taken care of before we could make this request, the first being the plat of vacation, and the second being cooperation between this property and the development of Spring Run, LLC. We have been working on an agreement with Mr. Lotten of Spring Run that would provide both parties with respective easement rights, most important being drainage related to storm water management and

conveyance to get some of his storm water from his east property line across our property to get to the Spring Run ditch. Currently it is in a very unsafe condition. We have prepared a document that we wanted to review with Mr. Lotten, but he has been out of the country for the past few weeks. We have forwarded the document to him, and if you were to approve the preliminary plat, we ask that you do so with two conditions. First would be completing the easement document with Mr. Lotten, and also we have some off-site utilities that come from Speedway and we need to finalize easement agreements with them and the adjacent trust property. Mr. Steele stated he would also add in to the motion that the agreement on the water easement needs to be approved by the correct Town official as well before the subdivision is allowed to move forward. Mr. Bann stated this agreement addresses the drainage issues from the standpoint of storm water management volume, conveyance, and the inner connection of Spring Run Lane.

Mr. Kelley opened the public hearing. Linda Armstrong, Representative of the Trust 5500 that owns the adjacent property, stated she has spoken with Mr. Bann about the easements that need to come across for utilities. She stated her only concern is that there is some sort of access to roadways that is provided in the final plans so that our property does not end up landlocked. Mr. Kelley asked which property she was talking about. Ms. Armstrong stated it is about a ten-acre parcel between Speedway, and the doctors' property. Mr. Bann showed on a map where exactly the parcel was. Mr. Carras asked if Mr. Bann was going to provide access for Ms. Armstrong's property. Mr. Bann stated when we met a month ago, we did talk about that, and since we have had conversations with the hospital. We are not sure how it will work from a safety perspective because we have one lot and it is a parking lot. We will be exploring some different ideas with the hospital, developer, and property owners. Mr. Philpot asked if anyone has contacted the County or State to see if they would be denied entrance under the proposed. Ms. Armstrong stated she did not personally, but there have been potential buyers in the past that have petitioned for access to Route 2 and they were only going to allow them one cut, but for any development there needs to be two access points. Mr. Mandon stated prior to final approval, the staff intends to talk to the three property owners that will be impacted by the access in the area. There are also some engineering issues that need to be worked out, but those can be taken care of between the preliminary and final approval. Once the preliminary approval is in place, we know the size and location of the lot and we have an idea of what kind of easements will be necessary and at that point the Town's consulting engineer can review from a capacity standpoint and serviceability standpoint and make suggestions as to where the utilities should be located, their size, and their capability to be extended further. Once the preliminary is approved and the engineering is approved, the petitioner can install the utilities in advance of final approval, getting bonded for those improvements, or installing part of them and bonding for the remainder. We will be talking about shared access soon with them. With no further questions or comments from the public, Mr. Kelley closed the public hearing.

Mr. Kelley turned to the board for any questions or comments. Mr. Parker asked if the temporary drainage easement would eventually be some sort of storm sewer pipe. Mr. Bann stated that was correct. Right now we do not want to put a 48" storm sewer in the middle of the doctors' property to find out their future development plan does not fit with

where the storm sewer is. What we have created is a temporary storm sewer easement for the temporary ditch line, and when the doctors' plan is finalized, that 48" storm sewer would be put in to a permanent underground storm sewer that will be whatever size it needs to be for their future development. Mr. Parker stated on page four, section five that is the agreement to open the road to tie in to Spring Run subdivision. Mr. Bann stated that was correct. Mr. Parker stated there was talk about lift stations and he was wondering if it should be discussed here. Mr. Bann stated it is not in this location, but if we need to put it in, we can do that. Mr. Corns asked Mr. Trulley if there was ever a thought of having a frontage road. Mr. Mandon stated he was not a fan of frontage roads. They tend to cause disruption and difficult turning movements near the highway you are trying to relieve. A better scenario would be behind the first tier of lots. It is better to get those shared access roadways at least 300 feet away from the road you are trying to relieve. Mr. Bann stated that is one of the things we have initiated discussion with Franciscan Alliance. One of the comments on the engineering is that we did not follow what we were going to do. We need to revise our drainage of the inlets at the Brandywine Drive connection with the state road. Our low point is not where the inlets are at and we need to revise the profile of our road.

Mr. Parker made a motion to approve the request for a one-lot subdivision contingent on the following: that the terms and agreements of all parties be completed and signed, also the discussion of the lift stations being resolved, and the Town officials approving the easement agreement and other engineering aspects related to the development. The motion was seconded by Mr. Carras, and carried by voice vote.

ADJOURNMENT

Mr. Parker made a motion to adjourn the meeting at 5:19 P.M., seconded by Mr. Carras, and carried by voice vote.

Richard Kelley, President

Elias Carras, Secretary

Note: The above-proposed minutes are submitted for review and approval as the official minutes by the Plan Commission.

Gena Knapp – Recording Secretary