

**LOWELL PLAN COMMISSION SPECIAL
MEETING JUNE 30TH, 2022**

John Alessia called the meeting to order at 6:05pm. The Pledge of Allegiance was recited, and a moment of silence was held. Recording Secretary Dianna Cade called the roll. Members answering the roll call were John Alessia, Shane Tucker, John Gruszka, Shane Lawrence, and Greg White. Jim Konradi and Manny Frausto were absent. Also, present was Craig Hendrix, Town Engineer and Manager and Town Attorney Nicole Bennett.

NEW BUSINESS:

PC #22-011 - Approx. 5920 Belshaw Rd. AKA: Stephan-Reif Farm

consider an application to request a rezone from AG (agriculture) to PUD (Planned Unit Development) on parcels within the Town boundaries of Lowell. Petition has been filed by Providence Real Estate, 700 Springer Dr. Lombard, IL 60148 for property located at approx. 5920 Belshaw Rd. AKA: Stephan-Reif Farm, 45-19-36-126-001.000-008. This parcel consists of approximately 193 acres and is currently zoned AG.

Attorney Jim Wieser, Wieser & Wyllie, Schererville, IN. Attorney Wieser stated he is the attorney for the project. He stated this is petition is to request a zone change from AG The property is currently farmed. They are requesting a zone change to PUD residential. The only specific reason they are before the Plan Commission tonight is for a zone change. He stated there were reps from Providence in attendance tonight to answer any questions. He stated the property is approximately 193 acres. He discussed the zoning areas that border these parcels. He stated his client would like to develop the property consistent with the zoning that is already present and allowed in this area. He stated the county subdivision that borders this property does have larger lots than these will but the lots being proposed that surround that subdivision will be larger and consistent with the town's R1 zoning. He presented the concept plan, and it was displayed on the large monitor for the Commission and members of the audience to view. This is concept plan only and if the zoning is approved a subsequent meeting with a public hearing will be held to discuss engineering. The hearing tonight centers on use of the land. The Plan Commission forwards a recommendation to the Town Council either, favorable, not favorable or no recommendation. The Town Council will make the final decision. He discussed the Indiana statute regarding the responsible regard to the 5 criteria that need to be addressed and meet by the petitioner.

1. Current condition and uses in the area. He stated that this concept plan is consistent with the products in the area.
2. Is it consistent with Lowell's comprehensive plan? He stated yes, it is and discussed their reasonings.
3. What is the most desirable use for the property? Their contention is that given the surrounding development around it, the best use for it is single family.
4. Conservation of property values. He stated their experience as developers is that this will clearly conserve property value.
5. Orderly and responsible growth. He stated they feel developing a single-family community here is consistent with the town's growth.

He stated this is what they are required to demonstrate this evening. They feel they have satisfied the required criteria.

Mr. Doug Ehens, Providence Real Estate, 700 Springer Dr., Lombard, IL. He stated they have meet with staff numerous times on this concept plan and this is the 3rd or 4th iteration of it. He stated one of the goals was keeping uses adjacent to uses. He went through each section of the plan and discussed the proposed products for each area. He discussed the area in the NE corner that they are contemplating donating to the school since it is adjacent to their maintenance building. He stated the east line of the property that goes north, and south is restricted due to the interceptor sewer and water main that is located there. He stated Burr St would be extended as a collector street. No individual lots will have driveways onto Burr. He discussed a NIPSCO gas line running through the property. He discussed the tree line that they are trying to preserve that is in the northwest corner and adjacent to town owned grounds that are wetlands. There are approx. 2 miles of walking paths that will be incorporated into the community.

President Alessia went over the rules for the public hearing portion. President Alessia acknowledged a letter that was sent in for public hearing from Barbara Bialon, 5515 Belshaw Rd. He stated that letter would be part of the file. President Alessia opened the public hearing.

John Sheets, 5438 W 173rd Pl. Mr. Sheets stated that his families farm borders the south section. He asked about drainage. He stated in this area where his farm is there is a big concern. Discussion on the county jurisdiction for drainage issues. President Alessia stated this is a zoning only meeting tonight.

Royce Bialon, 5515 Belshaw Rd. He asked if there was any other PUD zoning adjacent to property. He stated it does not appear there is. He asked why a more defined zoning classification for each area of the development is not being used? He stated in the town plan Belshaw Rd was a truck route has this changed? President Alessia asked Mr. Hendrix to address the PUD zoning. Mr. Hendrix stated the nearest PUD would be Spring Run. President Alessia asked Mr. Hendrix to elaborate on a PUD zoning. Mr. Hendrix stated this PUD will be residential it is all single-family housing. He discussed the open space that will be awarded because of the PUD zoning. He discussed the attached housing. Mr. Bialon stated the PUD zoning is not clear to the public, if it was zoned by area the plan would be more understandable for us. Mr. Hendrix stated this concept plan that we are showing you tonight is very specific. Attorney Bennett discussed the specific of a PUD.

Doug Smith, 18914 Dallas Ct., Lowell. Mr. Smith stated they are on the west side of Joe Martin Rd. The proposed homes by him would be the larger single-family lots, he continued one of his and his neighbors' concerns is the tree line that runs along side the back of his property. He stated they were told the tree line was going to stay. This would be beneficial for us as it would create a barrier between us and the new homes. Mr. Hendrix stated the staff has had discussions with the developer on this item. Mr. Hendrix continued, that they could try and put a conservation easement around this area but ultimately, the trees can be cut down by the new homeowners they will be on their property. He stated he is not

sure how this would get administered. He stated staff has asked the developer to save as many trees as possible. Mr. Hendrix stated these brown lots will be some of the largest lots we have in town. Mr. Smith stated his neighborhood is well and septic the town staff has told them that they will not have to hook up to town utilities. President Alessia stated I can tell you it is not the intention of the Lowell Town Council to annex anyone who does not want to be annexed. Mr. Smith asked if they were intending on building on top of the gas line that runs through the property. Mr. Ehens indicated on the concept plan where that gas line was for all to see. He stated they will work with NIPSCO to have walking trails and road crossings only this gas line is in an easement. Mr. Smith asked what the timeline was for the subdivision. Mr. Ehens stated maybe some grading in early fall, but nothing more until spring of 2023.

Mike Stephan 6116 W 190th Ave, Lowell. He asked for clarification on annexation. President Alessia stated essentially if you do not want to be annexed, we will not annex you. Mr. Stephan asked if his subdivision would connect to this one in any way. President Alessia stated he believes the town would have to get county approval to connect any roads. (the road being discussed is 190th Ave.) Mr. Hendrix stated the town has no intention of connecting the road. He stated the county cul-de-sac does show a ROW going out to the end of development, but the plan does not show a road connecting it he does not see a reason to connect it. He stated the road is not connected through and we are not anticipating it unless you want it. The crowd is heard yelling no. Mr. Stephan asked about the larger lots (brown color on the plan) and their size. Discussion on these lots and his property lines. Mr. Stephan stated he does not want anything on his property. Mr. Hendrix stated they cannot take your property. Mr. Hendrix stated the goal was to limit drives on Joe Martin and no drives on Burr.

Alan Mathias, 18915 Dallas Ct. Lowell. Mr. Mathias asked when the property was annexed into town. Attorney Bennett stated July 2021. He asked about the stormwater and drainage. He discussed the retention pond on the upper left of the plan, and he stated it is not big enough. President Alessia stated with all due respect you are not an engineer, and neither am I. With any new subdivision new infrastructure is required and will make these issues better. The county subdivisions have very little drainage infrastructure in them. President Alessia stated this meeting tonight is for zoning only. Mr. Mathias stated the next opportunity we have to talk about this it will be a done deal. Except that it is already a done deal.

Terry House, 19135 King Pl. Lowell. He stated he is the corner house, and his back yard is the retention pond. He stated it drains down to Joe Martin and into the orange indicated area on this concept plan. He asked where the water from their subdivision is going to go once these homes are built. He stated at times the retention pond gets within a foot of the top and it takes 4 days to drain. President Alessia stated the meeting tonight is for zoning only. Mr. House stated if everything is developed there will be no where for the water to go. He stated this is a concern for everybody in this neighborhood. President Alessia stated but you are on county property, I just want to stress that. Mr. Hendrix discussed the town's standards for stormwater. He stated the developer is allowed to drain water where it is going currently. He further discussed the town's stormwater ordinances.

Virgil Davis, 1124 Driftwood Dr. Lowell. He stated he is at the NE corner of the woods coming off Ironwood. He showed the Commission his house on the map. He stated everything drains down. He stated when the rain is going down his driveway it is about a 2" 12 ft/. wide runoff and it is moving fast. He asked what the town was going to do about the water coming out of the woods. He stated right know the vegetation soaks a lot of it up. Mr. Hendrix stated we just put curb in that area? Mr. Davis stated yes, it is. Mr. Hendrix stated he could speak to Mr. Davis after the meeting. Mr. White discussed the rear yard drainage that is a town requirement. It was agreed they would talk after the meeting.

Barb Mathias, 18915 Dallas Ct., Lowell. She stated her husband spoke earlier. Her main concern is traffic in the area. It is mostly agricultural, and the area homes are larger lot sizes and not as many homes there is not much traffic. She discussed the increase amount of traffic.

John Sheets, asked about the field tile that was in the current farm area. President Alessia stated it will be dug up and storm sewer will be installed. Discussion.

President Alessia asked Providence if they did research on the demand for the various products that they are proposing for this development hence, the different types of single-family homes being proposes. Mr. Ehens stated that is correct. He did not know what the percentage is. Discussion.

No one was on-line. President Alessia closed the public hearing.

Attorney Wieser stated Providence will be doing a traffic study.

President Alessia stated I understand that it can be frustrating that our community is growing the way it is. But the reality is you cannot stop progress. He stated if they meet the statutory requirements, they have a right to develop the property as they see fit. It is the obligation of the Town Council to address the water and traffic issues. He discussed the water issues that are stemming from lack of infrastructure from many years ago that they are addressing.

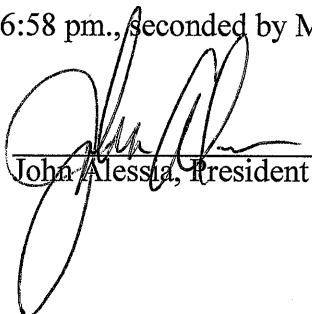
Mr. Tucker made a motion to send a favorable recommendation for PUD zoning to the town council, seconded by Mr. Lawrence and carried with a roll call vote of all ayes. Mr. Gruszka, made a motion to accept the staff report as the Findings of Fact, seconded by Mr. Lawrence, and carried with a voice vote of all ayes.

DISCUSSION: NONE

PUBLIC COMMENT: None is heard in person or on-line

ADJOURNMENT:

With no further comments or questions, Mr. White made a motion to adjourn the meeting at 6:58 pm., seconded by Mr. Lawrence and carried by a voice vote of all ayes.



John Alessia, President



John Gruszka, Secretary