



CEDAR LAKE PLAN COMMISSION WORK SESSION MEETING MINUTES
CEDAR LAKE TOWN HALL, 7408 CONSTITUTION AVENUE, CEDAR LAKE, INDIANA
May 7, 2025 at 6:00 pm

Call To Order:

Mr. Kiepura called the Plan Commission Work Session to order on Wednesday, May 7, 2025, at 6:10 pm with its members attending on-site. The Pledge of Allegiance was said by all.

Roll Call:

Members Present via Zoom: None

Members Present On-Site: Chuck Becker; Greg Parker; James Hunley; Robert Carnahan; Jerry Wilkening, Vice-President and John Kiepura, President. A quorum was attained. **Also present:** Ben Eldridge, Town Manager; Don Oliphant and Luke Sherry, Town Engineers; David Austgen, Town Attorney; Tim Kubiak, Director of Operations; Terrence Conley, Planning Director; Cheryl Hajduk, Recording Secretary

Absent: None

Mr. Oliphant introduced Mr. Luke Sherry, who will be taking his place at Town Engineer. Mr. Sherry commented he will have a smooth transition and continue the great work Mr. Oliphant has done.

Old Business:

1. 2024-04 Kolber – Site Plan

Owner: CWK Properties – Cedar Lake LLC, 7949 W. 79th Street, Bridgeview, IL
Petitioner: Steven Kolber, 828 Davis Street, Evanston, IL 60201
Vicinity: 10833 W. 133rd Avenue, Cedar Lake, IN 46303

Mr. Kiepura stated the first order of old business is to allow the Petitioner to request approval for Jet's Pizza and Wingstop.

Mr. Steven Kolber, 828 Davis Street, Evanston, IL, commented we have been going back and forth with the Town and the Town Engineer's team and are addressing comments. We are looking to get shovels in the ground soon. Mr. Oliphant commented we issued a letter on May 5, 2025 and it was an incomplete submittal.

Mr. Kolber commented they responded back today and those should have been cleared up. Mr. Oliphant asked the Board wants to see sidewalk along Osbourne Street, is that correct. Mr. Kiepura responded in the affirmative.

Mr. Kolber commented we decided we did not need the exit on Osbourne Street, but the Commission asked if we were to use the exit, that we improve the street to 133rd Street.

Mr. Oliphant commented the dumpster enclosure will face West for spacing.

Mr. Oliphant commented we will get a review in by the next meeting, but most likely June. Discussion ensued regarding the grading.

Mr. Carnahan commented looking at the print, it will be one building with both businesses housed into one building. Mr. Kolber responded in the affirmative.

Mr. Carnahan asked are they equally spaced on the inside. Mr. Kolber commented the Wingstop is slightly bigger.

Mr. Oliphant commented Public Works should look at the water feeds in the back and it will probably need to be like Summerwinds Plaza. Mr. Oliphant commented there is a single tap off of the 133rd main and a B-box out front and we are not sure if it will support fire suppression.

Mr. Kubiak commented the concern is that there is a one-inch meter to serve both units. If there is room for exterior with a meter room, then there can be one large tap split off into two meters for each unit. Discussion ensued.

Mr. Kubiak commented the water main is under the main road and there is one tap on the main.

Mr. Becker commented about the grease trap and Mr. Oliphant commented there will need to be a separate grease trap for both units. Discussion ensued regarding sewer taps.

2. 2024-04 – Centennial Villas

Owner: Cedar Lake Development, LLC, 8051 Wicker Avenue, St. John, IN 46373

Petitioner: Olthof Homes, LLC, 8051 Wicker Avenue, St. John, IN 46373

Vicinity: 13614, 13604, & 13594 Freedom Way, Cedar Lake, IN 46303

Mr. Kiepora stated the next order of old business is to allow the Petitioner to request a re-subdivision of Lots 18, 19 and 20 in Centennial Villas.

Mr. Kevin Paszko, Olthof Homes, 8051 Wicker Avenue, St. John, IN, commented we would like to request Primary Plat and Final Plat approval for a re-plat of lots 18, 19, and 20 at Centennial Villas, Phase 2. We were at the March 4, 2024 session to discuss. There are three lots in Phase 2 of Centennial Villas that have been restricted and not built on, due to the need of a road connection into the Centennial town homes project directly West of these three lots. That project was approved in December of 2023 and the Primary Plat was extended in December of 2024 and is still active.

Mr. Paszko commented there are utility issues and the project has been on hold indefinitely until the issues are resolved, but the intention longer term would be received at a later date. The re-plat itself would entail converting Lot 19 into a section of a right-of-way that would create a sub road from Freedom Way to the westbound of Centennial Villas. The intent is to install those improvements as part of that and Lots 18 and 20 would become corner lots with the portion of Lot 19 that is not dedicated to a right-of-way. The thought process of putting in those improvements would be for the residents in this vicinity that a future project will be located directly West of them.

Mr. Paszko commented we would like to be back for the May 21, 2025 meeting for approvals. The Primary Plat would be approved in two weeks and we will wait 30-days for recording of the Final Plat.

Mr. Oliphant commented nothing much has changed since a year ago and Centennial Villas 2 is subdividing out into its own plat that will go to surface soon and they are above 80%. The water main improvements will eventually stub out into Centennial townhomes. We would like to have that connected up to Industrial Drive to close that loop off and it would provide pressure increases, but from their perspective, Centennial

Townhomes are on hold with the water issues. We need to include the infrastructure in some kind of assurity and the thought would be to be included in the maintenance assurity for Centennial Villas 2 and when it rotates into Maintenance.

3. 2025-08 – Henn Holdings, LLC – Site Plan for Railside, Lot 26

Owner/Petitioner: Henn Holdings, LLC, 13733 Wicker Avenue, Cedar Lake, IN 46303

Vicinity: Railside

Mr. Kiepura stated the next order of old business is to allow the Petitioner to request screening and lighting discussion for Railside, Lot 26.

Mr. Robb Henn, 13455 Parrish Avenue, Cedar Lake, IN, commented Lot 26 was approved last month and there was some confusion of the permitting on the screening.

Mr. Oliphant commented all of the necessary waivers and contingencies were done at the last meeting.

New Business:

1. 2025-20 – Yukon (Sworden) – Easement & ROW Inquiry

Owner: Yukon, Nicholas J. Living Trust dtd 10-10-22

Petitioner: Adam Sworden, 337 W. 806 N., Valparaiso, IN 46385

Vicinity: 13043 Polk Street, Cedar Lake, IN 46303

Mr. Kiepura stated the first order of new business is to allow the Petitioner to review Yukon Properties and to clean up of parcels.

Attorney Adam Sworden, Sworden Law PC, 337 W. 806 N., Valparaiso, IN 46385, commented he wanted to discuss what was in the Board's packet and explain the interesting things about this property relating to easements, right-of-ways and lake access. This is the property at 13043 Polk Street and southeast of Potawatomi Park. The old right-of-way that was vacated in exchange for a new easement at some point in time with the history of the property, where Polk Street used to bend around and come straight up. Item 5 in the packet, which is West, that is an access to Potawatomi Park that was done around the vacation of the right-of-way and that is the access people use to get into the park and Lot 3, which is near "no man's land" and it shows up in a recent survey as a dedicated park, but it is more designated as a parking area, because that is what happens there. This is a leftover piece as development happened over time related to where the current park actually sits.

Mr. Sworden commented the next piece of land has a gate at a sidewalk that goes East towards the lake that is not within an easement for public access, but this is the location that people have been using to get down to the lake versus the area to the North, which is the 2.7 feet wide only public access right-of-way down to the lake. Discussion ensued regarding the easement and the client's property. Mr. Sworden commented that maybe doing a swap, if appropriate with the Town, the south most portion of the client's property to the neighboring Lot 3 to the South, because that is what everyone has been using and it is on the edge of the property and it eliminates "no man's land" between the house and what is proposed to be the public access and there is a piece of land that is split up between the 2.7 feet and the land area on the other side.

Mr. Sworden commented there is a drainage area out where the abandoned right-of-way is and it looks like it may be a stormwater drain that drains to the lake and appears to be active or may be used as a clean-out. Mr. Parker commented there is a catch basin there. Mr. Sworden commented seeing where the water goes,

that it might actually go down through the public access right-of-way and it is possible that the 2.75 feet still exists. We are not opposed to re-routing the drainage there if it is part of the swap and moving that easement to make more sense to the public and to remove them from the main building on this parcel.

Mr. Sworden commented we are here because of the different easements; right-of-ways still exist and the triangle with the parking lot and what the Town may consider doing to clean this up and make it work better for the public and the property owner can potentially rehabilitate this site and do some work on the property.

Mr. Sworden commented it seemed appropriate to maintain public access to the one to the West and to the lake, because of the history of this location.

Mr. Oliphant asked when was the Vacation Ordinance. Mr. Sworden commented he wasn't sure.

Mr. Oliphant asked does Meyer Manor have an HOA. Mr. Sworden commented they used to.

Ms. Mary Joan Dixon commented that land is deeded to us.

Mr. Oliphant commented we need to pull the subdivision plat and see what the original language said and it would be difficult to vacate something like that with that type of language.

Discussion ensued regarding the swapping of land. Mr. Sworden commented the blue area #7 (on the map in packet), the walk is wider than the public access walk and there is a gate up there. We can formalize that and swap that, which would work better, because it is a bigger access and closer to the right-of-way. It is also the neighborhood and also public.

Mr. Kubiak commented if the Homeowner's Association owns that property, then we would have to make the swap with them. Mr. Sworden commented based off of the survey, it is dedicated to the public and they may have a Restrictive Covenant for lot utilization from the HOA standpoint. Right now, it is showing as a public access.

Ms. Dixon commented all of those accesses to the lake are in our original deeds when the first home was bought and she has a deed to her street and the next street over. The people on Polk Street have lake access and that is their right to the lake. We do not have an HOA. Discussion ensued.

Mr. Parker commented the HOA will probably need to be re-established. Mr. Austgen commented it may need to be. Discussion ensued.

Mr. Parker commented these old lakefronts subdivisions have a lot of (inaudible) to them.

Mr. Sworden commented the walkway varies a little, but it is four and half wide long. Mr. Kubiak asked is the proposal to trade four feet of property establishing what is already there on Lot 7 and then, in turn, remove the public access 2.7 feet for number 3. There would be a fence along the four-foot line. Discussion ensued regarding fencing.

Mr. Sworden commented the vacated right-of-way did not follow the access to the lake through the park. Mr. Parker asked if any Title Work has been done. Mr. Sworden commented his client just bought it and clarity on the HOA; there isn't any information on that.

More discussion ensued regarding the access in this area.

Mr. Parker asked does this have a legal description. Mr. Sworden commented for #3, there is not a separate legal description. Mr. Austgen stated there has to be a legal description and it will be needed for Title Work. Discussion ensued.

Ms. Dixon asked what steps do we take when we swap the 10-feet. Mr. Austgen commented it was under the statute of exchange of parcels. Ms. Dixon asked can we do the same. Mr. Austgen commented notice needs to be given to everyone affected regarding property rights.

2. 2025-21 – Damjanovic (JJ's) – Site Plan

Owner: Chris Damjanovic, 12203 White Oak Drive, Crown Point, IN 46307

Petitioner: Chris Damjanovic, 12203 White Oak Drive, Crown Point, IN 46307

Vicinity: 7936 Lake Shore Drive, Cedar Lake, IN 46303

Mr. Kiepura stated the next order of new business is to allow the Petitioner request a Site Plan & Development approval for a new business.

Mr. Chris Damjanovic, 12203 White Oak Drive, Crown Point, IN, commented we are looking for final approval for the Jimmy John's. The Building Department has the full set of plans and all of our documents are with the State for approval.

Mr. Becker commented trucks have been going through the round-about and come up East for the Dominoes because there is no left-hand turn. There is a lot of traffic with trailers and boats in the summertime, there will need to be a guarantee that truck can only come from the East. Discussion ensued regarding deliveries to Jimmy Johns.

Mr. Kiepura asked what will be the traffic flow. Mr. Damjanovic commented it looks like it will be more in the evening. Discussion ensued regarding traffic flow at the Jimmy John's.

Mr. Damjanovic commented they would like to have a drive-up window.

Mr. Wilkening asked how many cars will be anticipated per day. Mr. Damjanovic commented 100 cars on an average day. Mr. Wilkening asked how many delivery drivers will there be. Mr. Damjanovic commented three or four delivery drivers and we also use Doordash and Uber Eats.

Mr. Wilkening asked how many seats are inside. Mr. Damjanovic commented 22 seats. Discussion ensued regarding message board at location and parking.

Mr. Parker asked if this gets approved, can there be a contingency of how many deliveries cars Dominoes can have. Mr. Austgen commented legally that cannot be done.

3. 2025-22 – Henn Holdings LLC – Site Plan

Owner: Henn Holdings, LLC, 13733 Wicker Avenue, Cedar Lake, IN 46303

Petitioner: Henn Holdings, LLC, 13733 Wicker Avenue, Cedar Lake, IN 46303

Vicinity: 13861 Alexander Street, Cedar Lake, IN 46303

Mr. Kiepura stated the next order of new business is to allow the Petitioner request a Site Plan for Railside, Lot 22.

Mr. Jack Huls, DVG, commented he was representing the Petitioner and they submitted the plans and this is the same type of building that has been built on these lots in this development. We should have the photometrics and landscape plan. The property is under contract.

Mr. Andrew Moore, 2981 Hart Street, Dyer, IN, commented he will have a mobile locksmith business with trucks and the trucks will be house at this location.

Mr. Oliphant commented this is a three-tenant building.

Mr. Huls commented they will be back in two weeks at the Public Meeting.

Update Items:

1. Henn – 13212 Wicker Avenue – Maintenance Letter of Credit in the amount of \$868.00 to expire on May 13, 2025

Mr. Oliphant commented we issued a letter on May 7, 2025 and this is ready to go.

2. Hanover Community School Corp – Performance Letter of Credit in the amount of \$373,557.25 to expire on May 24, 2025

Mr. Oliphant commented this is for the elementary and middle school on 141st Street. This is related to the water main. Mr. Oliphant asked is the Town keeping ownership. Mr. Kubiak commented they were supposed to agree to give us something that said if there was ever an issue, they would be responsible for freezing and if that was the agreement that was settled on, but he wasn't sure if we received that.

Mr. Oliphant commented they are extending that full freight.

3. Perez – Performance Letter of Credit in the amount of \$4,430.25 to expire on June 14, 2025

Mr. Oliphant commented he doesn't believe the improvements had been done and will have to extend.

4. Cedar Lake Storage – Performance Letter of Credit in the amount of \$7,700.00 to expire on July 1, 2025

Mr. Oliphant commented he doesn't think they have done the public improvements yet and will need to be extended or get it done by July 1, 2025

5. Centier Bank – Boyer Construction – Performance Letter of Credit in the amount of \$71,467.00

Mr. Oliphant commented they have an outstanding as-built letter from July 18, 2025. Mr. Boyer understood what needed to be revised.

6. Beacon Pointe East – Unit 4 – Performance Letter of Credit in the amount of \$359,608.00 to expire on July 25, 2025

Mr. Oliphant commented this will rotate into Maintenance. We completed a binder inspection and a small punch-list went out.

7. Larson Danielson (Peoples Bank) – Maintenance Letter of Credit in the amount of \$2,732.10 to expire on August 8, 2025

Mr. Oliphant commented we need to look sidewalks.

8. Rose Garden Estates – Unit 3 – Performance Letter of Credit in the amount of \$1,913,079.85 to expire on August 22, 2025

Mr. Oliphant commented Pubic Works had Phase 1 inspections emailed to Mr. McSharry and they will work on that first before moving on to other phases.

Mr. McSharry commented the items from Unit 1 were sent to the contractor and they will be out to address them and when Public Works sends out list, they will be addressed.

Mr. Oliphant commented if Unit 3 does not rotate into Maintenance, it will be up for a reduction.

Tabled:
2023-18 Bay Bridge
2023-19 Founders Creek
2023-20 Red Cedars

Public Comment: None was had.

Adjournment: Mr. Kiepura adjourned the meeting at 7:23 pm.

TOWN OF CEDAR LAKE PLAN COMMISSION

John Kiepora, President

Jerry Wilkening, Vice-President

Pete Swick, Member

James Hunley, Member

Robert Carnahan, Member

Greg Parker, Member

Chuck Becker, Member

ATTEST:

Cheryl Hajduk, Recording Secretary

These Minutes are transcribed pursuant to IC 5-14-1.5-4(b) which states:

(b) As the meeting progresses, the following memoranda shall be kept:

(1) The date, time, and place of the meeting.

(2) The members of the governing body recorded as either present or absent.

(3) The general substance of all matters proposed, discussed, or decided.

(4) A record of all votes taken by individual members if there is a roll call.

(5) Any additional information required under section 3.5 or 3.6 of this chapter or any other statute that authorizes a governing body to conduct a meeting using an electronic means of communication.

Minutes of May 7, 2025