

#### City of La Porte Plan Commission Meeting Agenda

Tuesday, August 8, 2023 at 6:00 PM

City Hall Council Chambers, 801 Michigan Ave.

www.cityoflaporte.com

(219) 362-8260

#### **MEETING NOTES:**

Individuals needing assistance, pursuant to the Americans with Disabilities Act, should contact the City of La Porte Office of Community Development & Planning at (219) 362-8260 by 10:00 am, Friday, preceding the meeting to make any necessary arrangements.

#### Regular Meeting Agenda Items

Members of the public should understand the Plan Commission members may be unable to thoroughly review and consider materials delivered by the day of the public hearing. The order of business shall be:

A. Applicant Presentation

B. Staff Report Presentation

C. Public Comment

D. Applicant Response

E. Board Discussion/Action

ITEM 1. Call Meeting to Order

ITEM 2. Roll Call & Determination of Quorum

ITEM 3. Approval of Minutes: July 25, 2023 Meeting Minutes

# ITEM 4. ZONE MAP CHANGE #23-02 PETITION TO RE-ZONE FROM THE B1 NEIGHBORHOOD COMMERCIAL DISTRICT TO THE B2 GENERAL COMMERCIAL DISTRICT

Petitioner: Great Development, LLC (Todd Leeth, Attorney Representative)

Property Owner: same

Location: 2435 and 2437 Monroe Street

Staff Report: David Heinold

ITEM 5. Old Business

a. Trails, Greenways, & Blueways Master Plan Update (Informational only)

ITEM 6. New Business

ITEM 7. Other Business

a. Public Comments on Non-Agenda Items

ITEM 8. Adjournment



#### City of La Porte Plan Commission Meeting Minutes

Tuesday, July 25, 2023 at 6:00 PM

City Hall Council Chambers, 801 Michigan Ave.

www.cityoflaporte.com

(219) 362-8260

A meeting of the City of La Porte Plan Commission was held at City Hall on Tuesday, July 25, 2023 at the hour of 6:00 PM, ("local time"), pursuant to notice duly given in accordance with the rules of the Commission and the Indiana Open Door Law.

ITEM 1. Call Meeting to Order

The meeting was called to order by President Jerry Jackson at 6:00 PM.

ITEM 2. Roll Call & Determination of Quorum

On a call of the roll, the members of the Plan Commission were shown to be present or absent as follows:

Members Present:	Members Absent:	Staff Present:			
Jerry Jackson, President	Vickie Gushrowski	Mark Worthley, BZA Attorney			
ete Saunders Councilman Paul Vincent		David Heinold, City Planner			
David Porter		Craig Phillips, CDP Director			
Miles Fettinger					
Councilwoman Julie West					

#### ITEM 3. Approval of Minutes: May 9, 2023 Meeting Minutes

President Jerry Jackson called for any changes or corrections to the May 9, 2023 Meeting Minutes. There being no changes or corrections to the meeting minutes, Dr. David Porter made a motion to **approve the May 9, 2023 Meeting Minutes** and the motion was seconded by Councilwoman Julie West. The motion passed 5-0.

## ITEM 4. ZONE MAP CHANGE #23-01 PETITION TO RE-ZONE FROM THE R1C SINGLE FAMILY RESIDENTIAL DISTRICT TO THE R3A LOW-RISE MULTIPLE FAMILY RESIDENTIAL DISTRICT

Petitioner: HOI-Ivy Flats, LLC (Jordan Stanfill, CEO, Housing Opportunities, Inc.)

Property Owner: La Porte Community School Corporation

Location: 205 Rumely Street Staff Report: David Heinold

#### **Applicant Presentation**

President Jerry Jackson called for the petitioner to present the Zone Map Change Petition.

Jordan Stanfill, identified himself as the CEO of Housing Opportunities, Inc., who submitted the petition for zone map change on the property located at 205 Rumely Street. Mr. Stanfill explained the project for the adaptive reuse of the former coca cola bottling facility and the reason for the zone map change request to allow multiple family dwellings within the existing building.

#### Staff Presentation

President Jackson called for a staff report presentation.

David Heinold, Assistant City Planner, presented the staff report and recommendation for the Zone Map Change Petition.

Jerry questioned if there is an existing facility similar to this request on Michigan Avenue.

Mr. Stanfill explained that there is an existing facility that was recently completed with eight apartments located at 1106 Michigan Avenue, La Porte, Indiana that operates in a similar way as the proposed facility for 205 Rumely Street.

Miles Fettinger asked the petitioner if they will be the ones to manage the facility.

Mr. Stanfill explained that they will provide the initial approximately \$7 million dollar budget for rehabilitation of the existing building and the rent generated from the apartment units will be used for ongoing maintenance of the facility. He further explained more about how the nonprofit operates the facility. Mr. Stanfill continued to explain that they want to be part of the neighborhood and assist with revitalization efforts in the community.

Jerry questioned how to contact the building operator if there are any issues.

Mr. Stanfill explained that there will be a 24/7 emergency line available to tenants for any issues that arise.

Jerry asked the petitioner if they know of a need for this type of facility.

Mr. Stanfill responded that they have a waiting list of approximately 300 people that are in need of studio to 2 bedroom units in the area as well as a list of approximately 160 households that need supportive services.

Miles Fettinger questioned if there are any requirements for green space with this development.

Craig Phillips, Community Development & Planning Director, explained that there are no green space requirements for the proposed development since it is an adaptive reuse of an existing structure and site.

Dr. David Porter asked the petitioner how many parking spaces there are on the subject property.

Mr. Stanfill explained that there are 28 parking spaces now, but they plan to reconfigure the parking area to 32 spaces. He continued to mention that this type of facility usually expects one parking space per unit plus parking area for on-site staff support.

#### **Public Comment**

President Jackson opened the meeting to public comment and called for public comments either for or against the Zone Map Change Petition.

Lisa Pierzakowski, 1108 West State Road 2, identified herself as the Center Township Trustee and spoke in favor of the proposed rezoning. She mentioned that this is the type of facility that La Porte desperately needs and that clients have not had any problems living in the existing facility located on Michigan Avenue.

Ron Clark, 304 Talley Street, asked what kind of residents will live in the proposed facility.

Aurelio Melgoza, 204 North Street, spoke in remonstrance to the petition and questioned if this facility will be Section 8 Housing. Mr. Melgoza mentioned that he does not want Section 8 Housing here for the potential of unwanted individuals in the neighborhood.

Mr. Stanfill explained that the proposed facility is not Section 8 Housing, but may have individuals with vouchers in the apartment dwellings.

Keri Marrs-Barron, 205 North Street, spoke in remonstrance to the petition and mentioned that she has lived in the neighborhood for 25 years. She stated concerns about impact of locating the multifamily apartments in the single family neighborhood. She mentioned that she is concerned about the potential for multifamily apartments to add more trash and other issues in the neighborhood.

Andy Karagias, 306 Maple Avenue, questioned if the organization will be tax exempt and how does that work with the increase in taxes on his property. Andy mentioned that if this facility is such a good idea, then why not build in a different area other than this location.

Mr. Stanfill responded that the organization will be tax exempt.

Regina Wawok, 211 Allen Street, spoke in remonstrance to the petition and mentioned concerns about lots of extra traffic in the neighborhood.

Councilman Roger Galloway, 608 Tecumseh Street, identified himself as the City Council representative for this Ward. Councilman Galloway mentioned that he appreciates people in the neighborhood showing up tonight and voicing concerns.

Jake, 715 East Jefferson Avenue, asked the petitioner about the capacity per apartment unit and whether pets will be allowed in the facility.

Eujeana Mangold, 302 Rumely Street, spoke in remonstrance to the petition and mentioned concerns about the proposed location for this facility. She mentioned that the neighborhood is a quiet place and considered about traffic safety in the neighborhood.

Kim Logwood, 104 West Greenlawn Drive, mentioned that she is speaking in remonstrance for her mother who lives on East Jefferson Avenue. She stated concerns that lower income housing will have a significant impact on the neighborhood property values for people who have improved their houses. She mentioned that we should look at the landlord issue if there is problem with affordable housing.

Mayor Tom Dermody mentioned that the City does more than anything to help one another. Mayor Dermody added that he has personally been out in the neighborhood and seen the issues. He provided a few examples of similar facilities in other areas that show that property values won't go down as result of completing the proposed project for multifamily residential dwellings and support services. Mayor Dermody stated that we will take the time to answer questions from residents about their concerns. He added that the community needs to stay together on projects like this for helping individuals with disabilities find a place to live.

President Jackson called for additional public comment. There being no further public comment, President Jackson closed the floor to public comment.

#### **Applicant Response**

President Jackson called for the applicant to respond to public comment and questions.

Mr. Stanfill explained that the one-bedroom apartments will not have more than 3 occupants and no more than 5 occupants in the two-bedroom apartments. He continued to mention that there will be no pets, except for service animals as requested.

President Jackson explained that he knows that sewer will not be an issue with the proposed facility.

Miles Fettinger questioned if background checks are conducted for each of the tenants.

Dr. Porter asked the petitioner if there will be maintenance and support services staff at the facility.

Mr. Stanfill explained that they will have background checks and maintenance/support services staff at the facility. He continued to mention that they strive to blend into the neighborhood while helping residents in the community.

<b>Board Discussion/Action</b>	Roard	Discu	ssion	Action
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President Jackson explained the process for Zone Map Change Petitions to everyone.

There was discussion amongst the Plan Commission members about the Zone Map Change Petition.

Miles Fettinger made a motion for **favorable recommendation of Zone Map Change #23-01 Petition** and the motion was seconded by Councilwoman Julie West. The motion for **favorable recommendation** passed 5-0.

### Zone Map Change #23-01 Petition – Favorable Recommendation

ITEM 5. Old Business

David provided the Plan Commission with an update that the Trails, Greenways, and Blueways Master Plan is wrapping up and will be before the Plan Commission in the next month or two for review prior to City Council adoption early this fall.

ITEM 6. New Business

There was no new business.

ITEM 7. Other Business

A. Public Comments on Non-Agenda Items

There was no public comments on non-agenda items.

ITEM 8. Adjournment

Pete Saunders made a motion to **adjourn** and the motion was seconded by Dr. David Porter. The motion to **adjourn** passed 5-0. The meeting was **adjourned** at 6:40 pm.

Pete Saunders, Chair	David Heinold, Secretary



#### ITEM 4. Zone Map Change # 23-02 Petition

to Re-Zone from the B1 Neighborhood Commercial District to the B2 General Commercial District

Type of Request: Zone Map Change

Staff Report: David Heinold

#### **APPLICANT**

Name - Great Development, LLC (Todd Leeth, Attorney Representative)

#### PROPERTY OWNER

Name - Great Development, LLC

#### PREMISES AFFECTED

Parcel Number - 46-11-06-101-003.000-058 & 46-11-06-101-118.000-058					
Actual/approximate address or location from major streets – 2435 & 2437 Monroe Street					
Subdivision – Laketon Subdivision			Lot Number(s) -		
Total Acreage – 7.86 Acres Flood Zone on Site		? – No			
Zoning of Subject Property – B1		Use of Subject Property – Commercial Buildings			
Proposed Zoning – B2 Proposed Land Us		– Commercial			
Zoning of Adjacent Properties	North: R3A	South: B1	East: B1	West: B1/R1B	
Land Use of Adjacent Properties	North: Townhouse Residential	South: Church/ Medical	East: Office/ Medical	West: Retail/ Residential	

**SUMMARY:** The petitioner proposes to Re-Zone the two parcels from the B1 Neighborhood Commercial District to the B2 General Commercial District.

**CONCURRENCE:** The Zoning Ordinance allows for rezoning following a public hearing, Plan Commission review and recommendation, and adoption by the City Common Council.

<u>HISTORY OF SITE:</u> Per the site aerial image, the total area for the subject property is 7.86 acres and is currently zoned B1 (Neighborhood Commercial District). Historically, the property has been used as for commercial operations. Currently, there are retail commercial businesses on the subject property. The subject property lies on the north side of Monroe Street.

**SITE REVIEW FINDINGS:** Site Review is not required for Zone Map Change applications.

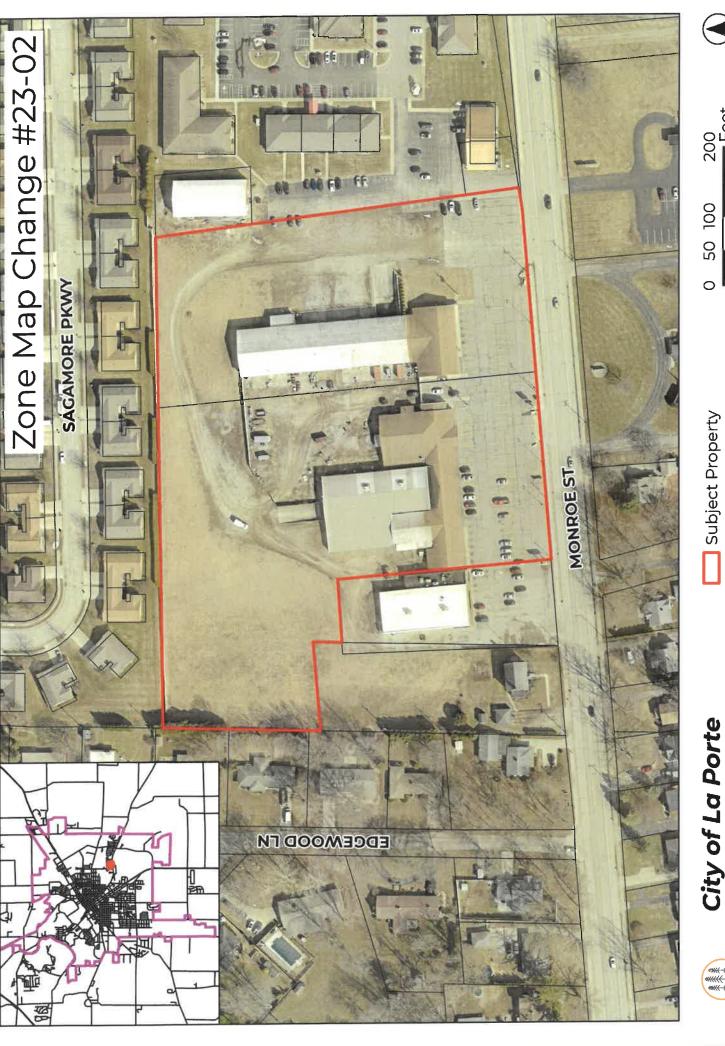
**STATEMENT OF COMPLIANCE:** Section 27.12 of the 2017 Revised Joint Zoning Ordinance states that the Plan Commission shall be guided by and give consideration to the general policy and pattern of development set out in the County Land Development Plan.

#### **STAFF ANALYSIS:**

The proposed rezoning would greatly expand the list of permitted and special exception land uses beyond the intent of the current B1 Neighborhood Commercial District. There would be a significant negative impact on the surrounding residential land uses with an increase in the amount of customers and noise concerns typical of land uses found in the B2 General Commercial District. Staff finds that the proposed Re-Zone from the B1 Neighborhood Commercial District to the B2 General Commercial District is not appropriate for the surrounding area and generally not compatible with the La Porte County Land Development Plan Strategic Goals and Objectives. The Plan encourages the maintenance of neighborhood commercial zoning in otherwise residential areas.

#### **STAFF RECOMMENDATION:**

Staff finds that the proposed rezoning from B1 Neighborhood Commercial District to the B2 General Commercial District is not compatible with the goals and policies of the County Land Development Plan to maintain neighborhood commercial areas. Staff recommends **denial** of the Re-Zone request from the B1 Neighborhood Commercial District to the B2 General Commercial District.





Location Map Plan Commission

Subject Property City Limits

200 50 100

Date Created: July 27, 2023

### Attachment D: Standards for Evaluating a Zone Map Change

The PC's recommendation and the City Council's decision shall be based upon how each of the following statutory requirements is justified in the request. Use this form or attach a separate sheet that thoroughly itemizes, explains, and justifies each of the following criteria:

# 1. The requested zoning change is consistent with the Comprehensive Plan because...

- a. The B-2 District will not infringe on or impair any other property owner from so that adequate light, air, convenience and access, and safety from fire, flood and other danger may be secured; that congestion in the public streets may be lessened or avoided; that the local environmental heritage be enhanced and protected; and that the public health, safety, comfort, morals, convenience and general public welfare may be promoted.
- b. After paying reasonable regard for the existing conditions and the type, number, scope and purposes for the existing building improvements on Petitioner's property, the most desirable and best suited uses are those found in the B-2 District.
- c. The large parcel size, significant building improvements, location on a major thoroughfare all support the zone map amendment to conserve property values throughout the entire City.

# 2. The requested zoning change will not have a negative impact on the current conditions and the character of current structures and uses in each district because...

- a. Petitioner's real estate is located on Monroe Street (State Highway 4), a major and principal thoroughfare which can adequately accommodate any new limited amount of traffic generated by the potential allowable uses in the B-2 District.
- b. The granting of map amendment will not adversely affect the safety of vehicular traffic by reducing or obstructing the line of sight at intersections of public or private roads or driveways. The vision is unobstructed both east and west. There are no hills or valleys in the road to limit visibility of on oncoming traffic or to obstruct the view of entering vehicles.

# 3. The requested zoning change will result in the most desirable use for which the land in each district is adapted because...

- a. The building improvements located on Petitioner's parcel, the subject property, are best suited for the range of allowable uses in the B-2 District and when built were utilized for uses consistent with the B-2 District.
- b. The subject property can accommodate and will employ screening and other measures to address conflict with neighboring uses to the rear of the subject property.

# 4. The requested zoning change will not negatively affect the property values throughout the City of La Porte because...

- a. The granting of the map amendment will not restrict or hamper access by emergency apparatus or personnel to the proposed structure or any other structure.
- b. The Petitioner's parcel has over 780 lineal feet of frontage on Monroe Street a major thoroughfare in the community and is well suited for the all potential uses in the B-2 District.

# 5. The requested zoning change promotes responsible development and growth because...

- a. The granting of the map amendment will not alter the essential character of the locality as the potential uses were generally are and has been in existence for an extended period of time.
- b. The granting of the variance will not substantially increase noise, light, traffic, drainage or other development standards within the Monroe Street corridor which is a major thoroughfare.
- c. The Petitioner's potential uses will be located on a very large parcel approximately 7.861 acre in size and is well suited for the potential uses.

Respectfully submitted;

Electronic Senature

By:

Todd A. Leeth Leeth Law LLC 2700 Valparaiso St., #2412 Valparaiso, Indiana 46384

Attorney for Petitioner

This Instrument Prepared By:

TODD A. LEETH LEETH LAW LLC 2700 VALPARAISO St., #2412 VALPARAISO, INDIANA 46384



7/17/2023 11:18 PM

https://leethlaw.sharepoint.com/sites/LeethLaw/Shared Documents/Client Folders/Echo/Engstrom, Greg 14462/LaPorte - 2435-2437 Monroe Street/Documents/Engstrom Attachment B-C-D 2023-07-18.docx

## Beacon<sup>™</sup> LaPorte County, IN



Overview

Legend

Parcels

Parcel ID

461106101118000058

Alternate ID 46-11-06-101-118.000-058

3.358

Owner Address Great Development Llc

Sec/Twp/Rng Property Address 2437 MONROE ST

06-36N-02W

Class COMMERCIAL OTHER RETAIL STRUCTURES 1415 Lincolnway Valparaiso, IN 46383

LA PORTE

District

Laporte Pleasant

**Brief Tax Description** 

57-11-06-101-118 MID PT W 1/2 NW1/4 S6 T36 R2 3.358 AC SANI ASSMT #88

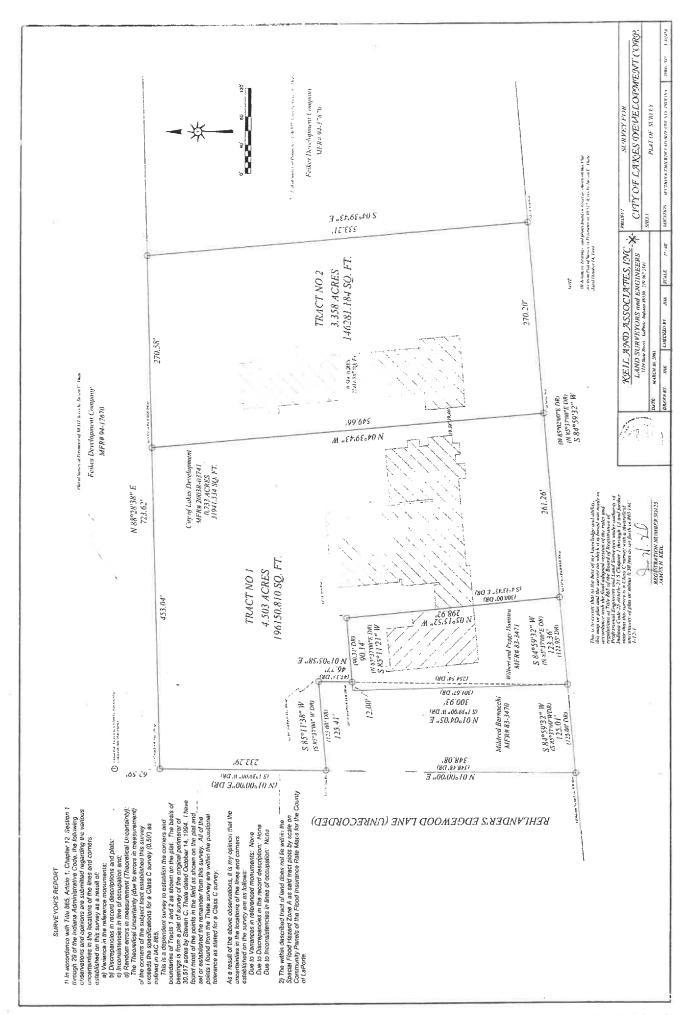
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Acreage

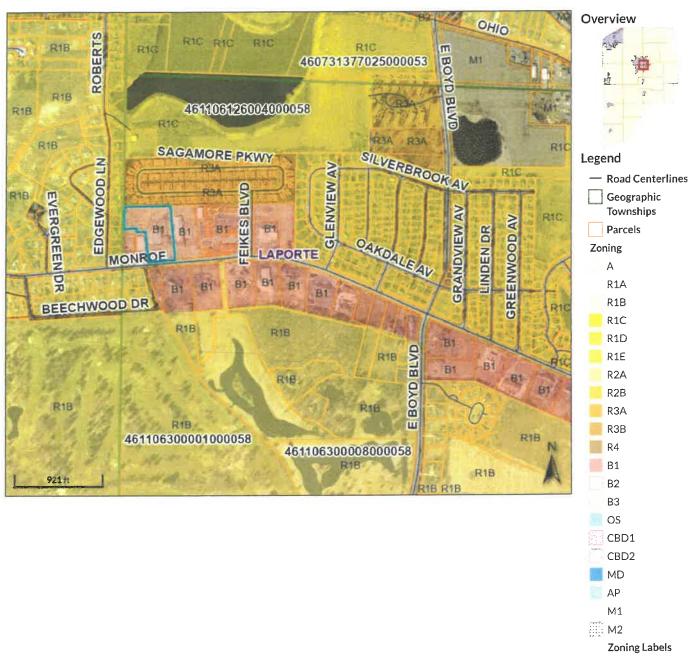
Date created: 7/10/2023

Last Data Uploaded: 7/10/2023 6:39:38 AM

Developed by Schneider



### Beacon<sup>™</sup> LaPorte County, IN



Parcel ID

461106101003000058

Alternate ID 46-11-06-101-003.000-058

Owner Address Great Development Llc

Sec/Twp/Rng Property Address 2435 MONROE ST

06-36N-02W

Class Acreage COMMERCIAL OTHER RETAIL STRUCTURES 4.503

1415 Lincolnway Valparaiso, IN 46383

LA PORTE

District

Laporte Pleasant

**Brief Tax Description** 

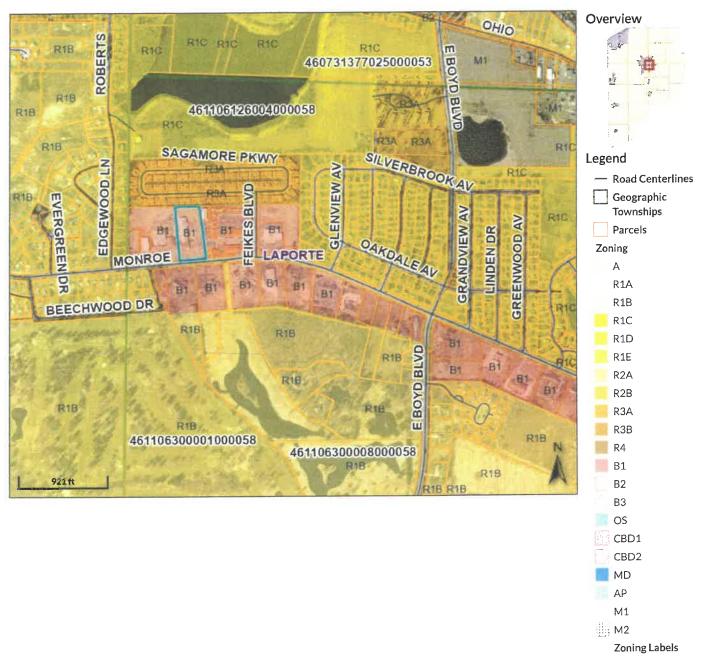
57-11-06-101-003 PCE IN W 1/2 NW 1/4 S6 T36 R2 4.503 AC PER SURVEY & DEED SANI ASSMT #88

(Note: Not to be used on legal documents)

Date created: 7/9/2023 Last Data Uploaded: 7/7/2023 8:05:29 PM



### Beacon<sup>™</sup> LaPorte County, IN



Parcel ID 461106101118000058 Alternate ID 46-11-06-101-118.000-058 Owner Address Great Development Lic Sec/Twp/Rng 06-36N-02W Class COMMERCIAL OTHER RETAIL STRUCTURES 1415 Lincolnway Valparaiso, IN 46383

LA PORTE

District Laporte Pleasant

Brief Tax Description 57-11-06-101-118 MID PT W 1/2 NW1/4 S6 T36 R2 3.358 AC SANI ASSMT #88

(Note: Not to be used on legal documents)

Date created: 7/9/2023 Last Data Uploaded: 7/7/2023 8:05:29 PM





#### Plan Commission Application **ZONE MAP CHANGE**

City Planner David Heinold, AICP dheinold@cityoflaportein.gov www.cityoflaporte.com

City Hall 801 Michigan Ave. La Porte, IN 46350 (219) 362-8260

For Office Use Only Fee: 2500 Receipt: 4860	
File 7/18/8/3 File #: 223-RZ-	02
Site Review:	
Date of PC mtg: 8/8/2023	
Decision:	
Date of CC mtg:	
Decision:	

This application is being submitted for a Zone Map Change				Decision:_			
Applicant				Į			
Name Great Development LL	C						
Street Address c/o Todd A. Leeth	n, Leeth Law LLC, 2	700 Va	alparaiso Stre	et, #2412			
City, State, Zip Valparaiso, Indian	na 46384						
Primary Contact regarding this pe	etition						
Phone (219) 250-6501			Email todo	Email todd@leeth.law			
Engineer Preparing Plans Not Applicable			Email	Email			
Others to be Notified			Email				
Applicant is (check one): Sole	Owner Doint Ow	ner	Tenant (	Agent	Othe	er	
Property Owner (if different t	than above)					10	
Name Same as Applican	t						
Street Address			Phone	Phone			
City, State, Zip			Email	Email			
Premises Affected							
Parcel ID Number 46-11-06-10	1-118.000-058 a	and 4	6-11-06-101	-003.000	-058		
Address or General Location 2	435-2437 Monroe	St.					
Total Acreage 7.861 Floor			ood Zone?	od Zone?			
Current Zoning B-1 Lan			and Use Mixed	nd Use Mixed business uses			
Proposed Zoning B-2							
Zoning of Adjacent Properties	North: R3A	South	;B-1	East: B-1		West: B-1 + R1C	
Land Use of Adjacent Properties	North: 2 Fam. Res.			East: Business		West: Business + Re	
The above information and attached exhibits, to m	y knowledge and belief, are tru	ie and co	ect.			IMBERLY S. WERNER otary Public, State of Indiana	
Todd A. Leeth Attorney for Applicant	Notary Public's Name	e (printed)		T LI	SEAL CO	Porter County ommission Number NP0685608 My Commission Expires	
	•			JULY 1	Millian .	May 20, 2024	

Subscribed and sworn to before me this \_\_\_\_ day of 20 23