



# WINFIELD PLAN COMMISSION

## MEETING MINUTES

DECEMBER 8, 2022 @ 6:00PM

Pledge of Allegiance was recited.

The Winfield Plan Commission held a meeting on Thursday, December 8, 2022, at the Winfield Town Hall at 5:58 pm. Those present: Tim Clayton, Mark Nelson, Dave Anderson, Joe Gacsy and Jim Hajek. Also present: Town Engineer Mike Duffy; and Shaun Finney, DLZ; Attorney Ryan Deutmeyer, Austgen Kuiper Jasaitis P.C. and Town Administrator Nick Bellar, Anthony Clark, Public Works Director. Not present Gerald Stiener.

### **MINUTES TO BE APPROVED:**

Tim Clayton entertained a motion to accept the Minutes to be approved. Mark Nelson made a motion to accept the minutes from November 10, 2022. Dave Anderson seconded the motion. All were in favor. The motion carried 5-0.

### **OLD BUSINESS:**

#### **1. Docket PC 2022-12 – Primary Plat Approval – Jolakoski Estates – 2 lot subdivide**

This is the two lot subdivide for Miroslav & Danica Jolakoski. Nikolce (Nik) Jolakoski residing at 955 E 114<sup>th</sup> Place, Crown Point, IN. Nik Jolakoski presented additional requested documentation to the Plan Commission regarding the request for a 2 lot subdivide and zone change AG to R-1. Nick Bellar confirmed that the plat has been updated to reflect the comments of the plan commission from the meeting on November 10, 2022. Nick Bellar noted that the public hearing has been properly advertised. Attorney Ryan Deutmeyer and Nick Bellar mentioned that there was one minor irregularity in the notification in that there was a minor inversion or miss typing of a letter or a number. One of them has 10428 Arizona Street and one of them has 10425 Arizona Street. One of the addresses was just mistyped but the legal description is correct. The public hearing notices are all in order for this meeting. Dave Anderson asked for clarification on the blocking of the current access easement. Nick Bellar had discussions with Nik Jolakoski about the timing of the closing of the current easement and building of the new driveway. Nick Bellar suggested that the timing should be brought before the Planning Commission. Nik Jolakoski wanted clarification of when he needed to build the new driveway and when the old access easement needed to be closed. Nik Jolakoski stated that his parents are currently living in the back house and didn't want to them to lose access getting out while their house on the adjacent property was being constructed. Nik Jolakoski requested to build the driveway simultaneously while building the house and close the access easement at the same time.

Tim Clayton opened the public hearing on Docket PC 2022-12 – Primary Plat Approval – Jolakoski Estates – 2 lot subdivide. Della Vander Pol resident at 10328 Arizona Street had a question regarding the notice timing. She stated that she had not received notice until Tuesday. She said the post office had left a slip in her mailbox that she had a certified letter waiting at the post office. That was the first notice she had received. The letter was postmarked November 23, 2022, with a note scribbled over that said 11 29. She raised concern that one day notice was not adequate. Nick Bellar noted that the letters had been postmarked on November 23, 2022.



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Attorney Ryan Deutmeyer clarified that the notice was given in appropriate time. The notice was mailed in time and the Town of Winfield has no control over the timing of the USPS delivery. Della Vander Pol asked whether there was a change in the wetlands mapping in this area, as they were not allowed to fill in land in the front of their property or do other projects due to the wetland mapping. Is it no longer wetlands there? Della Vander Pol's husband previously stopped to ask about the wetlands and got some general information. Nick Bellar noted on the map that there is a wetland area in the northwest corner of proposed Lot 2. It is contained in drainage easement. Della Vander Pol's husband had stopped to ask when things were being filled in there. Nick Bellar clarified that the area Della Vander Pol is asking about is a property further down the road. Nick Bellar clarified that they are aware of that issue. And that it is at another location further south down the road. Della Vander Pol also asked for clarification of what was on the lot. Nik Jolakoski clarified that he owns the house on the back and will be building a house on the front of the property and adding a driveway for the house in the back. After the clarification of a driveway being built for the back house. Della Vander Pol indicated she was fine with that. She had misunderstood and that her concerns were for the other mentioned property located down the road with regards to the wetlands. Her other concern was the access to the back house was straight off Arizona Street. Which the back house currently is not.

Tim Clayton closed the public hearing on Docket PC 2022-12 – Primary Plat Approval – Jolakoski Estates – 2 lot subdivide. Dave Anderson asked when the driveway will be built. Tim Clayton would like to see the driveway built simultaneously as the access easement is removed. Nik Jolakoski would like to build the house then open the access. Dave Anderson stated that the driveway needs to be in place and the access easement needs to be closed when the occupancy permit is issued. Nik Jolakoski agreed with this. It was asked what type of driveway was going to be put in. Nick Bellar stated that a driveway of this length by Town of Winfield Building Code does not have to be asphalt. It was stated that there would need to be a driveway for construction access. Nik Jolakoski stated he would put a rock driveway down. It was discussed once that the rock driveway was in place that the access easement should be closed. To obtain an occupancy permit, both issues must be met. The drive must be in place and the easement access must be closed. Dave wanted it to be easy to track that both the new driveway was built, and the access easement was closed. Mike Duffy brought to the attention of the Town Council as per Attorney Ryan Deutmeyer that the secondary plat on lot 1 currently shows the access easement and that also needs to be removed on the secondary plat to show no access easement. Tim Clayton entertained a motion on Docket PC 2022-12 – Primary Plat Approval – Jolakoski Estates – 2 lot subdivide. Dave Anderson made a motion to approve on Docket PC 2022-12 – Primary Plat Approval – Jolakoski Estates – 2 lot subdivide under the following conditions: The new driveway installation on lot 1 is a condition of occupancy for any home constructed on lot 2. The use of the shared driveway on lot 1 must be discontinued upon the occupancy of any home constructed on lot 2. The access easement on lot 1 must be vacated at Secondary Plat Approval. The motion was seconded by Mark Nelson. The motion carried 5-0.



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#### **2. Docket PC 2022-13 – Zone Change – Jolakoski Estates – AG – R-1**

This is a zone change AG to R-1 for the two lot subdivide for Miroslav & Danica Jolakoski. Nikolce (Nik) Jolakoski residing at 955 E 114<sup>th</sup> Place, Crown Point, IN. Nik is requesting a zone change from AG to R-1 for lot 2. Tim Clayton opened the public hearing on Docket PC 2022-13 – Zone Change – Jolakoski Estates – AG – R-1. Nick Bellar stated this is property advertised. And for clarification stated that with lot 2 being less than 5 acres. Lot 2 is required to be changed to R-1; lot 2 can no longer have the AG zoning classification. With no one asking to speak; Tim Clayton closed the public hearing on Docket PC 2022-13 – Zone Change – Jolakoski Estates – AG – R-1. Nick Bellar stated that this would be the recommendation to the Town Council. Attorney Ryan Deutmeyer stated that as per Mike Duffy the Town Council would need to go back to Docket PC 2022-12 – Primary Plat Approval – Jolakoski Estates – 2 lot subdivide, the motion needed to include a reference to the waiver Nik Jolakoski was requesting on the frontage. Tim Clayton entertained a motion on Docket PC 2022-13 – Zone Change – Jolakoski Estates – AG – R-1. Jim Hajek made a motion to approve Docket PC 2022-13 – Zone Change – Jolakoski Estates – AG – R-1. Motion was seconded by Joe Gacsy. Motion carried 5-0

Dave amended his motion on Docket PC 2022-12 – Primary Plat Approval – Jolakoski Estates – 2 lot subdivide to include a waiver for the frontage on the primary plot. Motion was seconded by Jim Hajek. Motion carried 5-0.

#### **3. Modifications to Super Wash at 10720 Randolph Street.**

Nick Bellar has not received any additional requested information on the modifications and recommends to the Plan Commission to remove this from the docket until the requested information is received. Dave Anderson made a motion to remove Modifications to Super Wash at 10720 Randolph Street from the agenda until the requested information is received. The motion was seconded by Mark Nelson. Motion carried 5-0.

### **NEW BUSINESS:**

#### **1. Request for Public Hearing**

##### **Docket PC 2022-16-Zone Change – Winfield Commons – AG to C-3**

Russ Pozen, DVG Team, Inc., 1155 Troutwine Road, Crown Point, In. Civil Engineers for this project. Jim Lyons with Winfield Commons LLC and his partner Gerard Tucker 407 North Dunton Arlington Heights, IL. Russ Pozen is requesting a zone change AG to C-3. The C-3 zoning fits the development of this property. The subdivision is 21 acres with 6 lots. Lot 6 is the remainder of



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the subdivided lot and currently does not have a focus. He explained the drain utility easement to be reviewed by DLZ. Lot 1 shows a 60' ingress/egress easement and not currently a public right of way. It has a 76' set back. The 76' building set back is from the property line not the easement. It would leave a normal side yard set back of 16'. On the south side of lot 2 and lot 3 they have an ingress/egress easement. That is important that Walgreens has their own ingress/egress easement which they will be connecting to; to get to their ingress/egress easement on the west. Also, on Lot 2 and Lot 3 in the east west direction there is more ingress/egress easements and drainage easements. The intent is that these are commercial development their internal parking lots connected to each other allowing patrons access/movement between parking lots without having to go back out onto 109<sup>th</sup> Avenue or Randolph. The same is for the southeast lot 4 and lot 5 with another 60' ingress/egress easements off of Randolph. They will be dedicating portions of Randolph to meet the Town of Winfield's thoroughfare plans. They intend to as per the requirements of the subdivision, improve portions of Randolph along their frontage. They will have planned improvements along 109<sup>th</sup> Street also. They will be requesting frontage waivers on Lot 3 and Lot 4. They will be asking to go down from the 200' width to a 180' width and 160' width respectively. Because they are having all of the ingress and egress easements wider than they normally plan. Having the waiver will allow them to make the lots work for the subdivision. They believe the current plan will meet the Town's ordinances. Jim Lyons updated the Town Council on the progress of the development. Lot 3 is under contract with Auto Zone with the contingency of the waivers. Lot 2 is going under contract with Wendy's. Lot 1 is tentatively going under contract with a multi-tenant retail building with a high-end coffee shop and food store. Lot 4 has a contract; however, Lot 5 lost its contract due to the rate increases and Lot 4 cannot be developed without Lot 5 because Lot 5 needs to be developed for the proper ingress/egress easements for Lot 4. Dave Anderson questioned the issue of an improvement for the entrance and exit from the subdivision onto 109<sup>th</sup> and how patrons will exit out of the subdivision turning left or right onto 109<sup>th</sup>. Nick Bellar asked what the traffic study showed on this. Mike Duffy reported that the traffic study recognized a traffic light at Pike and 109<sup>th</sup>. Mike Duffy passed along the traffic study to Charles who generated the traffic master plan. Charles commented on the issue and that was forwarded Russ Pozen and asked them to work together to resolve the issues between the two sides. Dave Anderson raised concerns that it was not just the issue of the traffic light but also what is in the master plan for Randolph all the way to State. There are plans to develop at Green which will eventually lead to a three-lane area. Russ Pozen said they were aware of the school and subdivisions and that information is reflected in the report. Russ Pozen said he would be coordinating with DLZ's engineer who works on site for these developments. Russ



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Pozen feels that upon full development of their site a traffic light is warranted. Jim Lyons stated that they have a designated left- and right-hand turn lanes that O'Reilly's does not. Dave Anderson made the point that 109<sup>th</sup> and Randolph are completely different areas. Dave Anderson stated that whether it is fully developed, or it isn't fully developed that will be the sticking point. Getting the traffic flow in and out of the subdivision. Jim Lyons is concerned that if this decision is not made as part of the development; a business could contract with the assumption that a traffic light would be installed and then if that didn't happen the businesses would have problems. He also has plans to bring in 3 large medical developments behind Lot 1, 2 and 3. Without a traffic light that would not happen. The marketability of the developments goes up with the addition of a traffic light. Jim Lyons stated that he has invested a large amount of money in the infrastructure of this development and has told the businesses that they need to all to contribute to the traffic light. But he does not feel he should carry the entire expense of the traffic light on this development as this would be unfair. Jim Lyons said he is willing to raise money and solve this problem right now on the front end and commit to the light, right now. They could raise the money to put the light in and the Town could contribute the money when it goes in. Jim is requesting that it is agreed to that the traffic light will be installed and it is agreed to who will pay for it and how. Jim Lyons said that in his development there could be over 240,000 square feet of retail medical office on this site. Jim stated that the development could bring the possibility of \$1,200,000.00 in taxes. Given the higher rates right now. Jim Lyons said he is willing to contribute \$125,000 towards his share of the light. Jim Lyons estimated that would possibly be one-half the cost of the traffic light. Jim Lyons requested a meeting where they could hammer out the details. Dave Anderson clarified that currently the need is to have the property rezoned from AG to C-3. Dave Anderson the discussion of the traffic light could continue. Dave Anderson wants to make sure that as the area is developed it fits into the master plan for Randolph. Dave Anderson made a motion to approve the Request for Public Hearing Docket PC 2022-16 – Zone Change – Winfield Commons – AG to C-3. The motion was seconded by Mark Nelson. The motion carried 5-0.

- 2. Request for Public Hearing Docket PC 2022-15 – Primary Plat Approval – Winfield Commons – 6 lot subdivide.** Dave Anderson made a motion to approve the Request for Public Hearing Docket PC 2022-15 – Primary Plat Approval – Winfield Commons – 6 lot subdivide with waivers. Seconded by Jim Hajek. The motion carried 5-0.



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**STAFF/ATTORNEY REPORT**

None

With no further business before the Commission Dave Anderson made a motion to adjourn the meeting, which was seconded by Mark Nelson. All were in favor. Motion carried 5-0

**ADJOURNMENT:** 6:36 PM

Attest:

\_\_\_\_\_  
Plan Commission Secretary

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Plan Commission President

\_\_\_\_\_  
Transcriber: Pamela Spengler