

AGENDA  
LAKE COUNTY PLAN COMMISSION  
WEDNESDAY, MAY 20, 2026 - 5:30 P.M.

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MEETING CAN BE VIEWED BY GOING TO LAKECOUNTYIN.GOV

- I. Meeting called to order
- II. Pledge of Allegiance
- III. **Emergency exit announcement:** In case of an emergency, exit the Auditorium, proceed to the nearest exit, and exit the building. If you require assistance, a Plan Commission employee will escort or assist you. Please silence any cellular phones during this meeting. If you receive a call during this meeting, please excuse yourself with as little disruption as possible to these proceedings.
- IV. Record of those present
- V. Communications
- VI. Minutes
- VII. Old Business

1. **26-ZC-01 PC – Johnson Sunnybrook Farm, LLC, The Land Trust Company as Trustee Under Trust No. 4928 and Barnabas Foundation Properties, LLC, Owners and Dinwiddie Holdings, LLC, Petitioner**

Located approximately 2/10 of a mile east of Clay Street on the south side of E. 181<sup>st</sup> Avenue in Eagle Creek Township.

**Request:** Zone Change from A-1 (Agricultural Zone) to M-1 (Light Industrial Zone)

**Purpose:** To allow a proposed data center.

2/18/2026 Deferred by Plan Commission – Petitioner Requested Deferral

3/18/2026 Deferred by Plan Commission to May 20, 2026

favorable\_\_\_\_\_ unfavorable\_\_\_\_\_ deferred\_\_\_\_\_ vote\_\_\_\_\_

2. **26-ZC-02 PC – Tyler Jabaay – Jabaay Ventures, LLC, Owner and Vis Law, Petitioner**

Located at the northwest quadrant at the intersection of W. 45<sup>th</sup> Avenue and Hayes Street and located at the northeast and northwest quadrants at the intersection of W. 44<sup>th</sup> Avenue and Hayes Street in Calumet Township.

**Request:** Zone Change from R-3 (One to Four-Family Zone) and B-2 (Rural Business Zone to B-3 (General Business Zone)

**Purpose:** To allow a proposed landscaping business.

4/15/2026 Deferred by Plan Commission

favorable\_\_\_\_\_ unfavorable\_\_\_\_\_ deferred\_\_\_\_\_ vote\_\_\_\_\_

**VIII. New Business**

**1. 26-W-05 PC – 15205 Wicker Ave., LLC, Owner/Petitioner – Uncle John’s Self Storage Unincorporated Lake County**

Located approximately 1/10 of a mile south of W. 151<sup>st</sup> Avenue on the east side of Wicker Boulevard (US 41), a/k/a 15205 Wicker Boulevard in West Creek Township.

**Request:** Waiver from Title 154, Unified Development Ordinance, Article 12, Subdivision Design and Improvements, Chapter 40, Lots, Section (E) (1) Flag Lots.

**Purpose:** To allow a subdivision with a flag shaped lot.

approved\_\_\_\_\_denied\_\_\_\_\_deferred\_\_\_\_\_vote\_\_\_\_\_

**2. 26-PS-03 PC – 15205 Wicker Ave., LLC, Owner/Petitioner – Uncle John’s Self Storage Unincorporated Lake County**

Located as above

**Request:** Primary Approval

**Purpose:** Subdivision (2 lots)

approved\_\_\_\_\_denied\_\_\_\_\_deferred\_\_\_\_\_vote\_\_\_\_\_

**3. 26-XP-01 PC – Michael and Amanda Stevens, Owners/Petitioners – Pasture Paradise**

Located approximately 2/10 of a mile west of County Line Road on the south side of E. 137<sup>th</sup> Avenue, a/k/a 9311 E. 137<sup>th</sup> Avenue in Winfield Township.

**Request:** One (1) year Extension of Primary Plat Approval of Pasture Paradise.

**Purpose:** To allow a one (1) year Extension of Primary Plat

approved\_\_\_\_\_denied\_\_\_\_\_deferred\_\_\_\_\_vote\_\_\_\_\_

**4. 26-ZC-05 PC – Richard Plank and Ries Plank, Owners/Petitioners**

Located approximately 3/10 of a mile west of Arizona Street on the north side of E.145<sup>th</sup> avenue, a/k/a 3200 E. 145<sup>th</sup> Avenue in Eagle Creek Township.

**Request:** Zone Change from A-1 (Agricultural Zone) to RR (Rural Residential Zone).

**Purpose:** To allow a proposed residential subdivision.

favorable\_\_\_\_\_unfavorable\_\_\_\_\_deferred\_\_\_\_\_vote\_\_\_\_\_

5. **26-ZC-06 PC – John C. Brill, Owner/Petitioner**  
Located approximately 2/10 of a mile south of W. 173<sup>rd</sup> Avenue on the west side of Holtz Road in Cedar Creek Township.

**Request:** Zone Change from A-1 (Agricultural Zone) to R-1 (Residential Single-dwelling 1 Zone).

**Purpose:** To allow a proposed residential development.

favorable\_\_\_\_\_ unfavorable\_\_\_\_\_deferred\_\_\_\_\_ vote\_\_\_\_\_

6. **26-ZC-07 PC – Van Kalker Family Limited Partnership, Owner and Foundry Works Energy Storage, LLC, Petitioner**

Located approximately 2/10 of a mile north of E. 181<sup>st</sup> Avenue (State Road 2) on the east side of Clay Street in Eagle Creek Township.

**Request:** Zone Change from A-1 (Agricultural Zone) to CD (Conditional Development Zone).

**Purpose:** To allow a proposed Battery Energy Storage System (BESS).

favorable\_\_\_\_\_ unfavorable\_\_\_\_\_deferred\_\_\_\_\_ vote\_\_\_\_\_

7. **26-SE-03 BZA – Minerva Moya, Owner/Petitioner**

Located approximately 8/10 of a mile south of W. 197<sup>th</sup> Avenue on the east side of State Line Road, a/k/a 20407 State Line Road in West Creek Township.

**Request:** Special Exception from the Unincorporated Lake County Unified Development Ordinance, Title 154, Article 2, Agricultural and Residential Districts, Chapter 20, Principal Uses, (A), Agricultural and Residential District Use Table 2-2: Agricultural and Residential District Use Regulations; Agritourism permitted in an A-1 (Agricultural Zone) by Special Exception.

**Purpose:** To allow Agritourism-Agritainment uses.

favorable\_\_\_\_\_ unfavorable\_\_\_\_\_deferred\_\_\_\_\_ vote\_\_\_\_\_

8. **26-VAC-01 PC- Lowell Baseball Properties, LLC, Owner and Brooker Contracting, LLC, Petitioner**

Located approximately 3/10 of a mile south of W. 171<sup>st</sup> Avenue on the east side of Morse Street in Cedar Creek Township.

**Request:** Plat Vacation .

**Purpose:** For the purpose of vacating Woodland Manor Outlots 1, 2 and 3.

approved\_\_\_\_\_ denied\_\_\_\_\_deferred\_\_\_\_\_ vote\_\_\_\_\_

**IX. Study Session**

- 1. 26-SS-10 PC – Silver Rock Holdings, Owner and Schilling Development, Petitioner**  
Located approximately 3/10 of a mile south of W. 143<sup>rd</sup> Avenue on the west side of Wicker Boulevard (US 41), a/k/a 14520 Wicker Boulevard in Hanover Township.

**Request:** Study Session pursuant to Title 154-17-100, Special Exceptions, Chapter E. Pre-Application Meetings and Study Sessions, for the purpose of solid fill on a parcel greater than one acre.

**Purpose:** To provide an early opportunity for the Lake County Plan Commission to discuss the feasibility of the applicant's proposal and conduct a preliminary evaluation of possible land use impacts.

**X. Site Development Plans Approved by Plan Commission**

**XI. Site Development Plans Approved by Staff**

- 1. 26-SDP-08 PC – American Towner, Owner and MasTec, Petitioner**  
Located approximately one mile south of W. 141<sup>st</sup> Avenue on the west side of Clark Street, a/k/a 14602 Clark Street in Center Township.

**Purpose:** Modification at Existing Wireless Site 14602 Clark Road.

**XII. Public Comment**

## STAFF REPORT

**To:** Lake County Plan Commission

**Prepared by:** Steve Nigro & Ned Kovachevich

**Case number:** 26-ZC-05

**Date:** April 24, 2026

**Parcel Numbers:** 45-21-30-100-009.000-012  
45-21-30-100-002.000-012  
45-21-30-100-013.000-012  
45-21-30-400-001.000-012

### GENERAL INFORMATION:

**Owner:** Johnson Sunnybrook Farm LLC, The Land Trust Company as Trustee Under Trust No. 4928 and Barnabas Foundation Properties LLC.

**Petitioner:** Dinwiddie Holdings, LLC

**Requested Action:** Zone Change from A-1 (Agricultural Zone) to M-1 (Light Industrial Residential Zone)

**Purpose:** To allow a proposed data center

**Location:** Located approximately 2/10 of a mile east of Clay Street on the south side of E. 181<sup>st</sup> Avenue in Eagle Creek Township

**Size:** 162.639 acres

**Existing Zoning:** A-1 (Agricultural Zone)

**Surrounding Zoning and Land Use:** North: A-1 (Agricultural Zone) Farmland and Residential  
East: A-1 (Agricultural Zone) Farmstead with Farmland  
South: A-1 (Agricultural Zone); Farmland West: A-1 (Agricultural Zone); Farmland and CDD – Ordinance 2580 (Conditional Development District) Proposed Concrete Ready-Mix Plant

**Comprehensive Plan:**

**The majority of this property is targeted for agricultural use. The small area at the northwest corner calls for Residential.**

**AGENCY COMMENTS:**

**Health Department:**

No issues or concerns for zone change

**Highway:**

No objections to the zone change only.

**Surveyor:**

No comments on zone change.

**BACKGROUND INFORMATION:**

This zone change proposal was before the Plan Commission at the December 17, 2025 meeting for a Study Session as required for properties seeking a zone change from A-1, Agricultural to M-1, Light Industrial Zone. The zone change request to M-1 is the first step in seeking approvals to operate a data center on this property. If the zone change is successful, resulting in approval from the Lake County Council. The petitioners will be required to submit application for a Special Exception for the proposed data center. The proposal will be required to satisfy the Data Center Ordinance.

When considering such Zone Change proposals, the Plan Commission & Council shall pay reasonable regard to the following:

1. The Comprehensive Plan;
2. The current conditions and the character of current structures and uses in each district;
3. The most desirable use for which the land in each district is adapted;
4. The conservation of property values throughout the jurisdiction; and
5. Responsible development and growth.

The Proposed Land Use Map and Comp Plan call for the majority of this area to remain agricultural. There is a small portion of the property at the northwest corner that calls for the property to be used for residential purposes. This parcel contains an existing residence that was constructed in 1890 according to the records of the Lake County Assessor's Office.

The property located to the west of this parcel was re-zoned from A-1, Agricultural to CD, Conditional Development Zone (Ordinance #2582) for the purpose of a Concrete Ready-Mix Plant (Wille Brothers). That parcel contains just over 13-acres. The property is currently in process of subdivision approval, having been approved for a Subdivision Waiver for excessive lot depth to width ratio and Primary Subdivision Approval.

The ready-mix plant is located on a State Road (SR 2), and is in close proximity the stone quarry located on the west side Clay Street (Range Line Road) south of State Road 2.

Other than the approval of the CD zoning for the Concrete Ready-Mix Plant, there are mainly traditional farms and farmland surrounding these parcels.

Property to the north (across State Road 2) has property that is part of the proposed solar farm (Foundry Works). That property is zoned A-1, Agricultural.

**ANALYSIS:**

**Compliance with Comprehensive Plan:**

This property is targeted for Agricultural uses

**Compatibility with Neighborhood:**

The proposed subdivision is similar to the properties located west of this parcel.

**Environmentally Sensitive Areas:**

**Traffic implications:**

None.

**Access and street design**

N/A

**Stormwater management:**

N/A

**Infrastructure fees**

N/A

**DEFICIENCIES AND DISCREPANCIES:**

None observed

**ATTACHMENTS:**

Petitioner’s Findings of Fact  
ALTA Land Title Surveys  
Zoning Map  
Proposed Land Use Map

## **STAFF SUGGESTED COMMENTS, CONSIDERATIONS, COMMITMENTS, & CONDITIONS:**

First, changing the Zoning District Classification from A-1, Agricultural to M-1, Light Industrial on such large acreage, approximately 162 plus acres, seems excessive when the Comp Plan calls for the area to remain A-1, Agricultural. This is apparently a speculative request as there has been no disclosure of the **ultimate parent company or controlling entity** responsible for the Data Center. While we do not customarily approve such requests, the petitioners have identified their intended use. Due to many of the requirements contained in establishing a data center, large parcels are preferred by the intended users to mitigate setbacks, noise, environmental concerns, etcetera. These requirements are contained in the Special Exception, not the zone change, although the Plan Commission and Council may place any conditions or commitments on the zoning as they see fit.

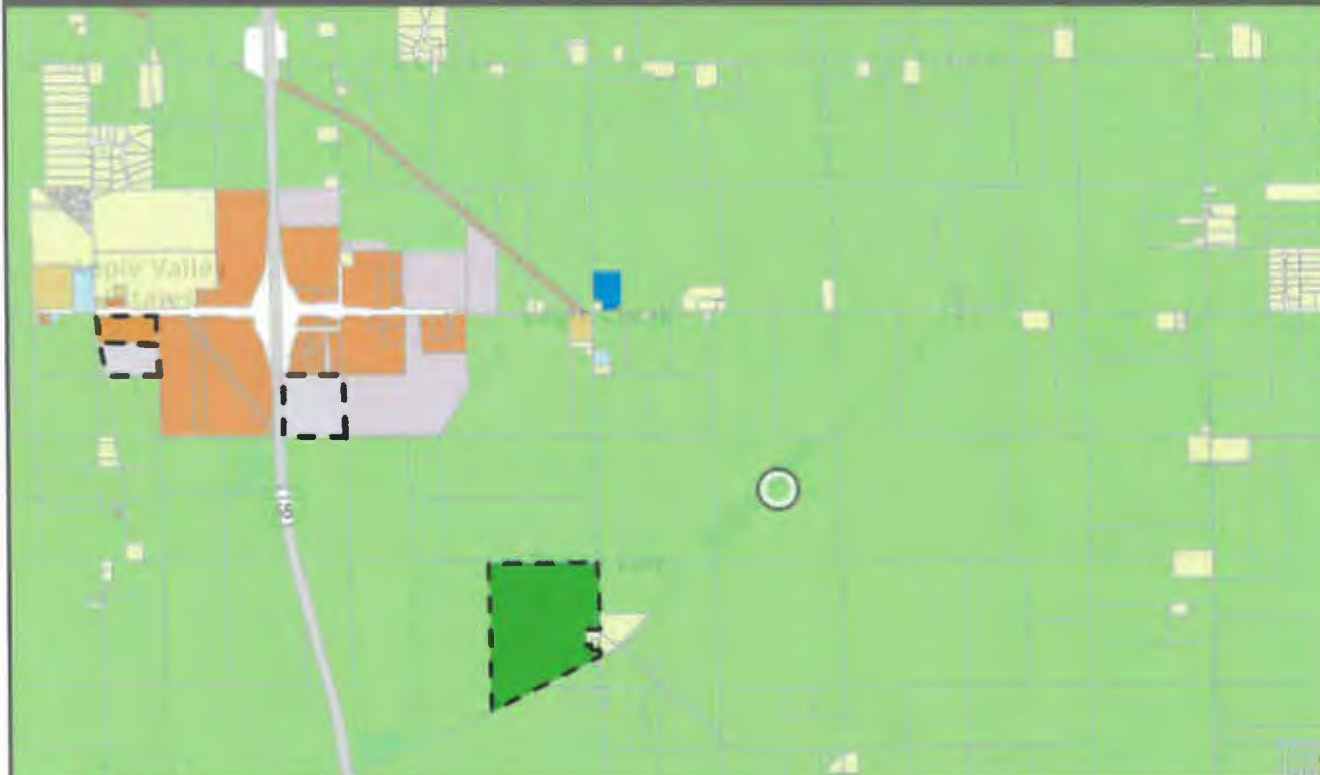
As mentioned above there are five tenants the Plan Commission & Council should consider in making their decision. If the Plan Commission feels that this request meets the criteria mentioned above regarding a change of zoning district classification, we would recommend **that a condition or commitment be enacted that the property be limited to a Data Center under the terms of the Unified Development Ordinance.** This would seem to limit the exposure to the County in case the proposed project ultimately fails and protect any other M-1, Light Industrial, use from attempting to use the property without Plan Commission and Council approval. Also, if this request for zoning is ultimately approved by the Council with any conditions or commitments, those prerequisites or preconditions would likely be tied to any data center development and no other M-1, light industrial use.

Among our responsibilities regarding land-use decisions is to protect the public health, safety, and welfare. Since our initial hearing in February concerns have been provided that we feel should be addressed by the Plan Commission, Council, and Board of Zoning Appeals, however not collectively. Since this is a multi-faceted approval process, each entity has a different responsibility under the UDO and the law.

Ultimately, it is the Council that has jurisdiction over our land use policies and it is up to them to change any zoning district classification. If and only if the Council decides to change the zoning to M-1, Light Industrial, only then would the petitioners be permitted to file for a Data Center as one of the uses identified in that zoning district.

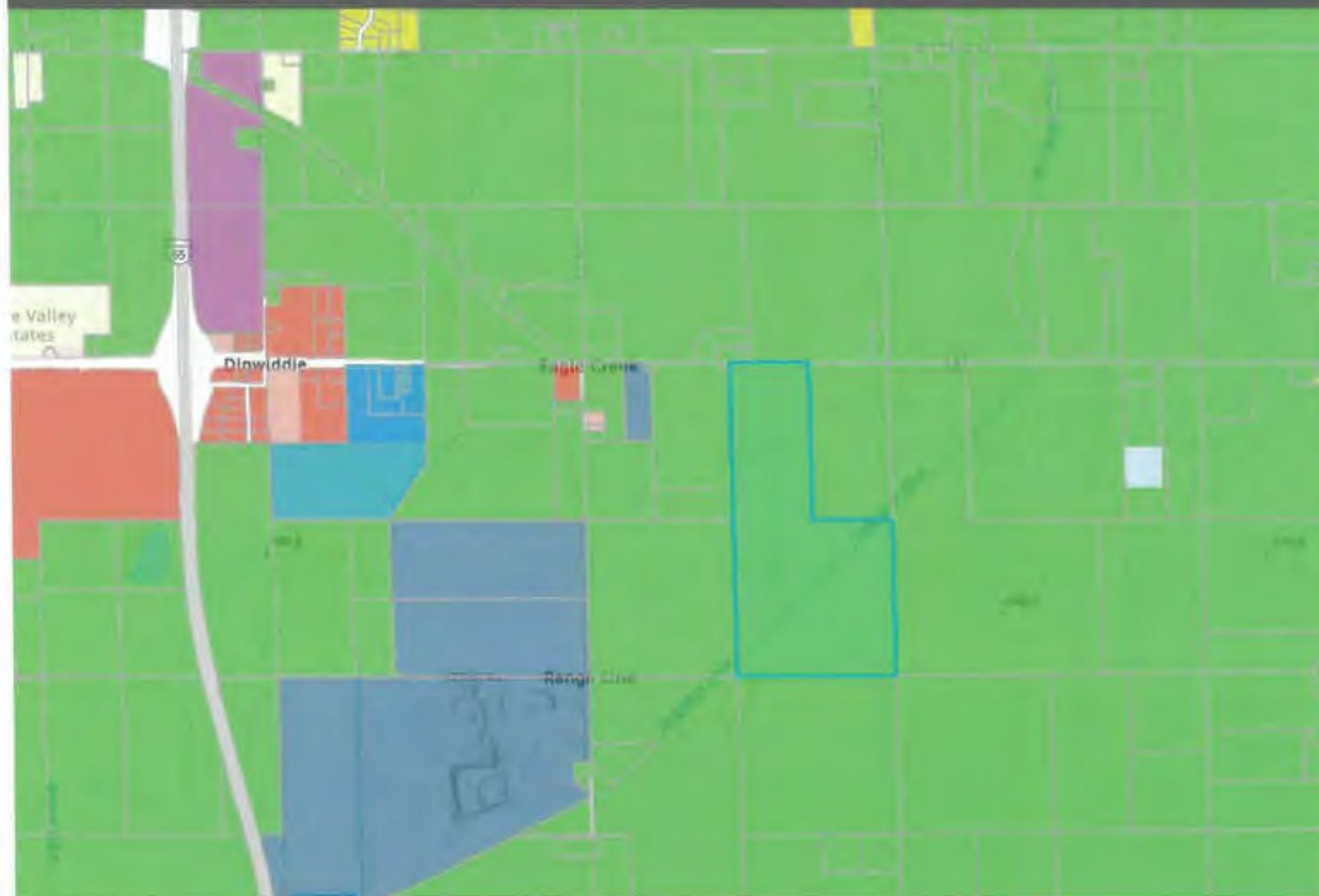
The discussion has centered on the ultimate intended use of the property, but this request is only a part of the entire process. What many feel may be missing from this Staff Summary are provisions, requirements, safeguards, performance standards, etcetera for a Data Center. These are items contained in the required Special Exception if the petitioners are successful in their petition for a zone change.

Again, even though the petitioners have identified their intended ultimate use of the property, this is a land use decision regarding the change of zoning district. That is the reason the Planning Staff has not commented on items relating to the Special Exception, nor have the petitioners been able to file any application since the property is not zoned properly. Simply put, if the change of zone is not granted, there is no reason to comment on anything else because the request cannot move forward.



### Proposed Land Use

- Residential
- County Neighborhood
- Agriculture
- Parks/Open Space
- Government
- Highway Commercial
- Commercial/Office
- Other
- Institutional
- Mixed Use Commercial

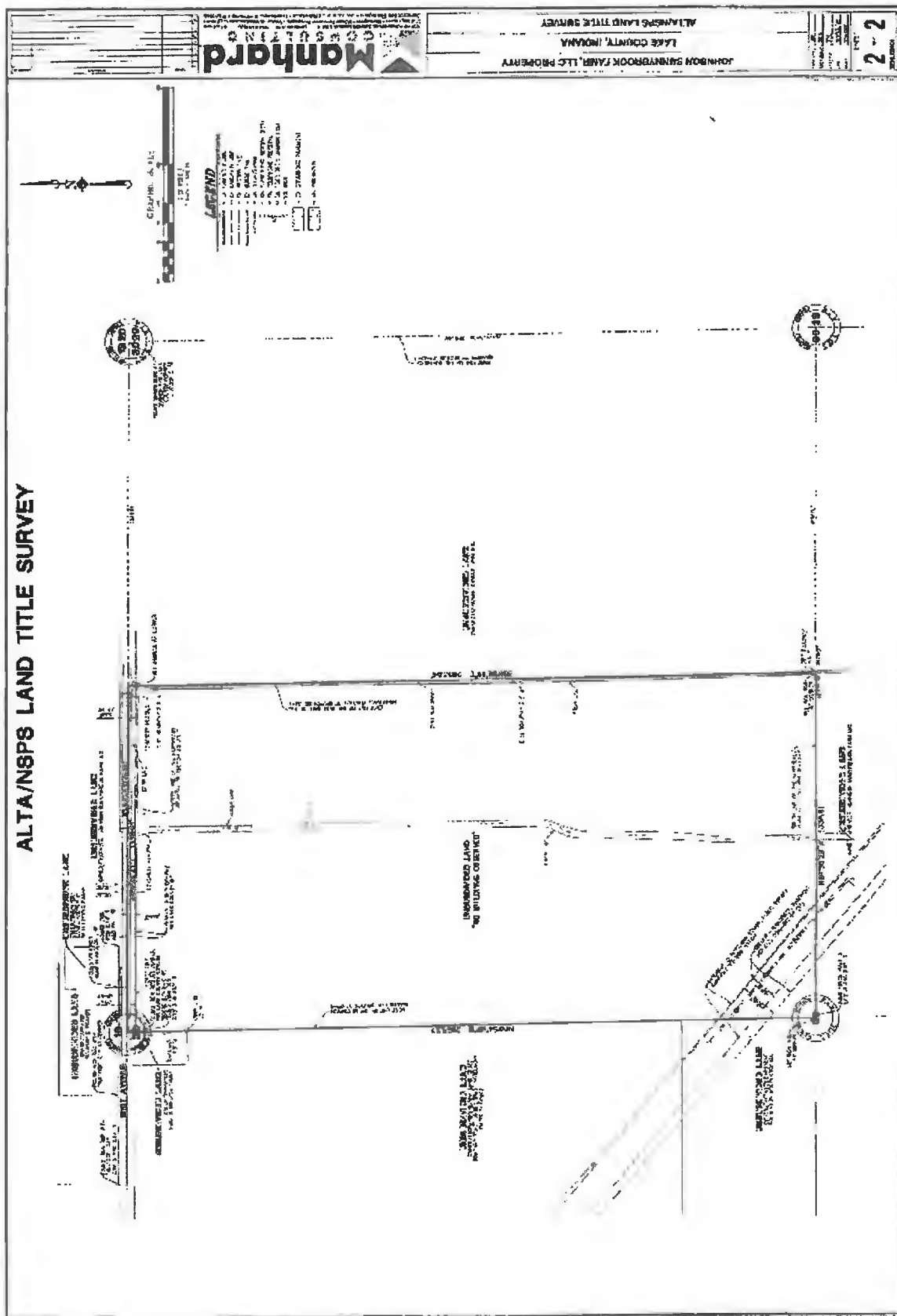


# Zoning Breakdown

- A 1
- B 1
- B 2
- B 3
- BP 1
- BP 2
- BP 3
- C 1
- C 1/C 2
- C 3
- CDD
- HS 1
- HS 2
- M 1
- M 2
- PIC
- PO
- PUD 1
- PUD 2
- R 1



# ALTA/NSPS LAND TITLE SURVEY



## LEGAL DESCRIPTION

# INDEX TO SCHEDULE B

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## SYMPTOM'S REPORT

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## BASIS OF PRINCIPLES

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**SURVEY PREPARED FOR**

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## SUMMARY NOTES

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**FLOOD HAZARD NOTE:**

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## SECTION DETAIL.

**SHEET INDEX**

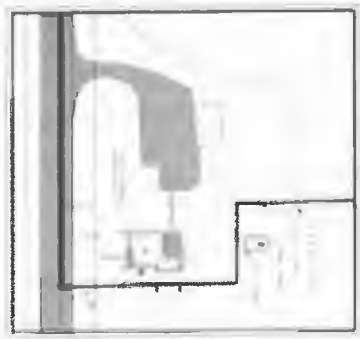
**XTONI LEHS**

1981



John A. Darden

ALTA/NSPS LAND TITLE SURVEY



DETAIL

## Findings of Fact

### ZONE CHANGE

In preparing and considering proposals under the law, the Lake County Plan Commission and our legislative body, the Lake County Council, shall pay reasonable regard to the following five items. Determining findings for the following criteria is required as part of the process. It is a requirement that each petitioner address the following items in order to apply for a Change of the Zone Map. If additional space is needed, you may use extra sheets of paper. Please make your answers as clear, concise and legible as possible.

- (1) The comprehensive plan - findings or reasons as to whether the request for the stated zone change meets the intent of the comprehensive plan;

No, But The two Bacre lots largely  
maintain the density and  
character of the scope  
; and,

- (2) Current conditions and the character of current structures and uses in each district - findings or reasons as to whether the request for the stated zone change is consistent with the current conditions and the character of current structures and uses in each district; and,

It is consistent with the  
district due to the Bacre lot  
density - character  
;

- (3) The most desirable use for which the land in each district is adapted - findings or reasons as to whether the request is consistent with the most desirable use for the land;

Due to conformity of the comprehensive  
plan + conservation of property  
value we believe it is the  
most desirable use for the land  
; and,

- (4) The conservation of property values throughout the jurisdiction;  
findings or reasons as to whether the request is consistent with  
the conservation of property values throughout the jurisdiction;

The property values will increase  
on each lot with high value homes  
; and,

- (5) Responsible growth and development – findings or reasons  
regarding whether the request represents responsible growth  
and development under the law;

Yes, exceeds minimum lot sizing  
- two single dwelling homes on 15  
acre parcels (each)

The Planning Staff acknowledges that additional evidence and comments  
will be made at the public hearing and may be included in the Plan  
Commission's recommendation to the Lake County Council. This portion of  
the application is to establish a basis for the requested Zone Change and its  
content may or may not be used by the Lake County Plan Commission in the  
formulation of their recommendation or by the Lake County Council as the  
basis of their decision.

## STAFF REPORT

**To:** Lake County Plan Commission

**Prepared by:** Steve Nigro

**Case number:** 26-ZC-02

**Date:** May 20, 2026

**Parcel number:** Various small parcels

### **GENERAL INFORMATION:**

**Owner:**

Tyler Jabaay – Jabaay Ventures, LLC

**Petitioner:**

Vis Law

**Request:**

Zone Change from R-3 (One to Four-Family Zone) and B-2 (Rural Business Zone) to B-3 (General Business Zone)

**Purpose:**

To allow a proposed landscaping business.

**Location:**

Located at the northwest quadrant at the intersection of W. 45<sup>th</sup> Avenue and Hayes Street and located the northeast and northwest quadrants at the intersection of W. 44<sup>th</sup> Avenue and Hayes Street in Calumet Township.

**Size:**

4.71 Acres +/-

**Existing Zoning and Land Use:**

R-3 and B-2, Commercial Storage

**Surrounding Zoning and Land Use:**

**North:** R-3, Vacant undeveloped

**East:** City of Gary Residential

**South:** R-3 and B-3; Residential and Commercial Storage

**West:** R-3, Residential

**Comprehensive Plan:**

This property is targeted for a mix of Commercial / Office and Residential

### **AGENCY COMMENTS:**

**Health:**

No issues or concerns for Zone Change.

**Highway:**

No objections to Zone Change only.

**Surveyor:**

No comments on Zone Change.

**BACKGROUND INFORMATION:**

The subject property has historically been used as commercial storage by previous land owners. The current owner is attempting to have the property re-zoned for proper compliance.

The property consists of a conglomeration of several subdivision lots where homes have been removed and commercial storage type uses have occurred.

The Comprehensive Land Use Plan calls out for both Commercial / Office and Residential uses on these properties.

If approved by the Lake County Council. The property will be subject to Site Development Plan Approval where the screening, landscaping and fencing requirements of the Unified Development Ordinance will need to be implemented as the properties are adjacent to residential properties.

When considering such Zone Change proposals, the Plan Commission shall pay reasonable regard to the following:

1. The Comprehensive Plan;
2. The current conditions and the character of current structures and uses in each district;
3. The most desirable use for which the land in each district is adapted;
4. The conservation of property values throughout the jurisdiction; and Responsible development and growth.

**ANALYSIS:**

**Compliance with Comprehensive Plan:**

Comprehensive plan states targeted land use is Commercial /Office and Residential Neighborhood

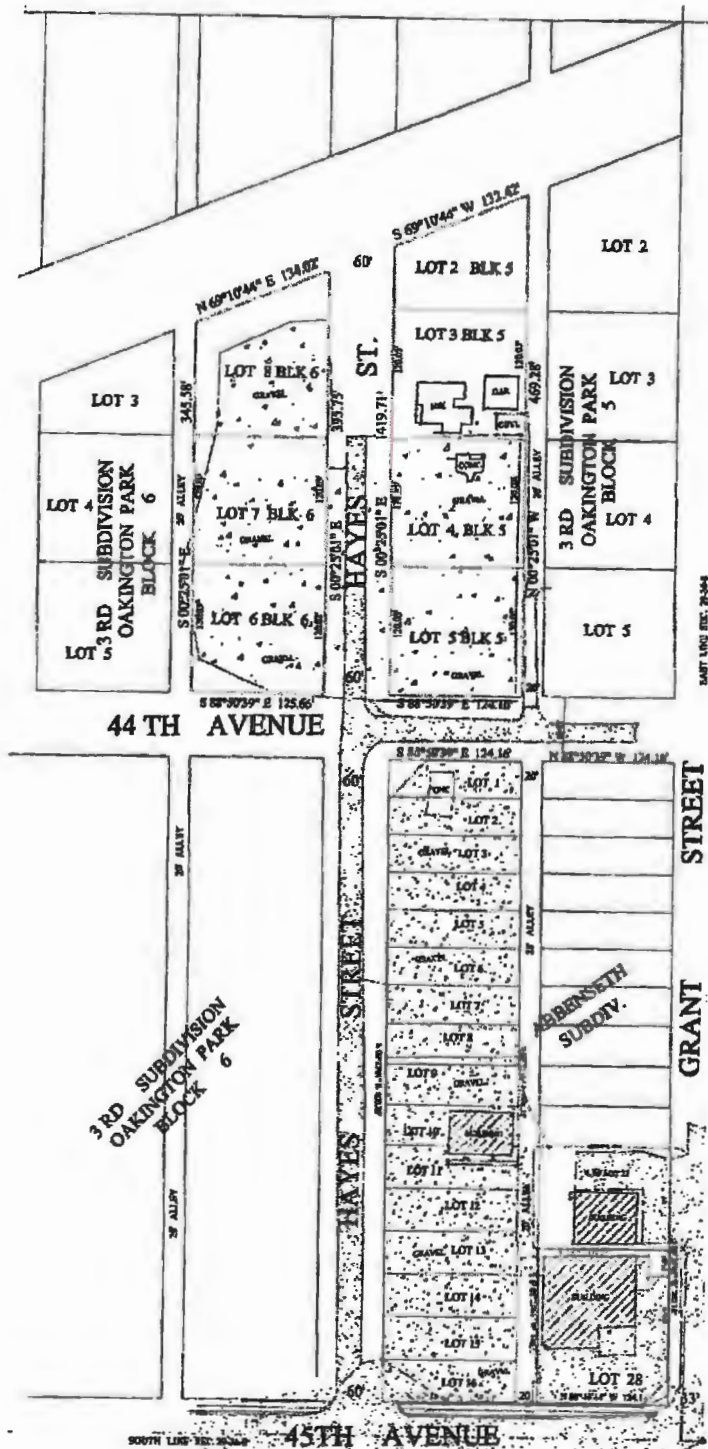
|                                                     |                                                             |
|-----------------------------------------------------|-------------------------------------------------------------|
| <b>Compatibility with neighborhood:</b>             | Area is a mix of residential as well as commercial storage. |
| <b>Environmentally Sensitive Areas:</b>             | None.                                                       |
| <b>Traffic implications:</b>                        | None as noted by the LC Highway Department                  |
| <b>Access and street design:</b>                    | N/A                                                         |
| <b>Stormwater management / Infrastructure Fees:</b> | N/A                                                         |

**DEFICIENCIES AND DISCREPANCIES:** N/A

**ATTACHMENTS:**

1. Plat of Survey
2. Vis Law Letter (November 26, 2025) includes Petitioner’s Findings of Fact
3. Proposed Land Use Map
4. Zoning Map

SCALE: 1" = 50'



**LEGAL DESCRIPTION:**  
 LOTS 4, 7 & 8 IN BLOCK 6 IN 3RD SUBDIVISION, CALENTON PARK ARPER PLAT THEREBY  
 RECORDED IN PLAT BOOK 13 PAGE 11 A, IN THE OFFICE OF THE RECORDER OF LAKE COUNTY,  
 INDIANA.  
 PARCEL NO: 45-08-20-42B-004-000-01

**LEGAL DESCRIPTION:**  
LOT 2 IN BLOCK 5 IN THE SUBDIVISION, OAKCREST PARKS PER PLAT TERMS OF  
RECORDED IN PLAT BOOK 13, PAGE 11 A, BY THE OFFICE OF THE RECORDER OF LAKE COUNTY,  
INDIANA.  
PARCEL NO: 44-00-09-180-00-00-001

**LEGAL DESCRIPTION:**  
LOT 5 IN BLOCK 5 IN RED BUD TOWNSHIP, OAKCREST PARK AS PER PLAT THEREOF  
RECORDED IN PLAT BOOK 13 PAGE 13 A, IN 7TH EDITION OF THE SOUTHERN CO. LAND COMPANY,  
INDIANA.  
PARCEL NO. 43-05-20-000-013-000-001

LEGAL DESCRIPTION:  
 LOTS 4 & 5 IN BLOCK 5 IN JUDGEMENSON, CANTONMENT WARE AS PER PLAT THEREOF  
 RECORDED IN PLAT BOOK 13 PAGE 41 A, IN THE OFFICE OF THE RECORDER OF LARUE COUNTY,  
 INDIANA.  
 PARCEL NO: 45-08-20-000-000-001

**LEGAL DESCRIPTION:**  
LOTS 13, 14 & 15 IN AMBERGIST'S SUBDIVISION AS PER PLAT THEREOF RECORDED IN  
PLAT BOOK 19 PAGE 26, IN THE OFFICE OF THE RECORDER OF LAKE  
COUNTY, OKLAHOMA  
PARCEL NO. 45-08-28-181-000-001

**LEGAL DESCRIPTION:**  
LOT 7 SHADENWATER SUBDIVISION AS PER PLAT THEREOF RECORDED IN  
PLAT BOOK 19 PAGE 66, IN THE OFFICE OF THE RECORDER OF LAKE COUNTY, OREGON.  
PARCEL NO. 45-08-03-001-007-000-001

**LEGAL DESCRIPTION:**  
LOT 8 IN A BUSHNETH SUBDIVISION AS PER PLAT THEREOF RECORDED IN  
PLAT BOOK 19 PAGE 26, IN THE OFFICE OF THE RECORDER OF LAKE COUNTY, INDIANA.  
PARCEL NO. 43-26-39-484-008-001

**LEGAL DESCRIPTION:**  
LOT 9 IN ABBEYDITH SUBDIVISION AS PER PLAT BOOK OF RECORDED IN  
PLAT BOOK 19 PAGE 66, IN THE OFFICE OF THE RECORDER OF LAKE COUNTY, INDIANA.  
PARCEL NO. 45-08-39-080-080-001

LEGAL DESCRIPTION:  
LOT 10 IN REDEVELOPMENT SUBDIVISION AS PER PLAT THEREOF RECORDED IN  
PLAT BOOK 10 PAGE 64, IN THE OFFICE OF THE RECORDER OF LAKE COUNTY, ILLINOIS.  
PARTS 762-65-08-32-084-518-000-001

LEGAL DESCRIPTION:  
LOTS 12,13,14,15 & 16 IN ABERDEEN SUBDIVISION AS PER PLAT THEREOF RECORDED  
IN PLAT BOOK 89 PAGE 96 IN THE OFFICE OF THE RECORDER OF LAKE COUNTY, IOWA.  
PARCEL NO. 42-06-28-04-013-000-001

**LEGAL DESCRIPTION:**  
 SOUTH 25 1/2 ACRES ALL OF LOT 28 IN ADDINGTON SUBDIVISION AS PER PLAT  
 THEREOF RECORDED IN PLAT BOOK 18 PAGE 10, IN THE OFFICE OF THE RECORDER OF LAKE  
 COUNTY, MINNAPOLIS, MINN.  
 HANCOCK INV. 45-68-30-456-017-000-001

**LEGAL DESCRIPTION:**  
NORTH 1/4 1/4 SEC 27 IN ARDENNEATH SUBDIVISION AS PER PLAT THEREOF RECORDED  
IN PLAT BOOK 18 PAGE 85, IN THE OFFICE OF THE RECORDER OF LAKE COUNTY, INDIANA.  
PARCEL ID# 43-08-28-384-001-000-001

[illegible]

1. Received Map of AVERETT'S SLIGHT TOWN. Recorded in Plot Book #9 page 10 Office of the Recorder Lake County, Indiana.  
2. Received Plot of JOHN KIMM CRAWFORD BARK. Recorded in Plot Book 14 page 11 Office of the Recorder Lake County, Indiana.  
3. Received amount of \$1000.00 from John Kimm Crawford on the Lake County Payroll Office.  
4. Received amount of \$100.00 from John Kimm Crawford on the Lake County Payroll Office.  
5. Lake County Auditor's Office opening on line.

[illegible]

**PROSECUTION NOTES:**  
There is further, unfiled peremptory and grand jury subpoenas on file. The other sign of litigation is a subpoena from Neal Davidson.  
The gaps or overlaps were discussed in review for his class and the upcoming discipline.

The witness Richard Jackson "BJP" due to nonpayment is disbarment of his services to the state bar as Substantive Service

[0.33] When [0] sample standard deviation is 0.34 [0.34] ("Business Research Agency" reports the value reported in Table 1) then the probability that the confidence interval is too narrow is the highest at any point as a survey statistic is any other point in the same range of the 95 percent confidence level.<sup>2</sup>

I, Clarence H. Krueh, a Registered Land Surveyor in the State of Indiana, hereby state that I supervised the completion of a survey of the above described parcel in accordance with Title 36S IAC 1-12 (Rule 12), and was the Plot person drawn, to the best of my knowledge, custody, representation and survey.

Glen H. Krech  
D.L.S. No. 7940000



PERFORMED FOR:  
VIS LAW, LLC  
OWNER:  
JABAY VENTURES I LLC  
29022 STATE LINE ROAD  
BEECHER, IL 60411

**PLAT OF SURVEY**  
3RD SUBDIVISION OAKINGTON PARK  
ABBENSETH'S SUBDIVISION  
CITY OF GARY  
LAKE COUNTY, INDIANA



**GLENN KRACHT  
ASSOCIATES**

314 FAIRFIELD DRIVE CROWN POINT, IN 46307 PHONE: 219-463-0822  
jplank@chicopointsof@gmail.com FAX: 219-463-1843

DATE: NOV. 24, 2003  
JOB NO.: 217023  
SHEET 1 of 1

2

**VIS LAW, LLC**  
**ATTORNEY AT LAW**  
Licensed in Illinois and Indiana

---

12692 Wicker Avenue, Cedar Lake, Indiana 46308  
Mailing Address: P. O. Box 980, Cedar Lake, Indiana 46308  
Telephone (219) 230-4533  
Facsimile (219) 533-4281  
[www.nvislaw.com](http://www.nvislaw.com)

**NATHAN D. VIS**  
[ndv@nvislaw.com](mailto:ndv@nvislaw.com)

**LISA KMETZ, PARALEGAL**  
[lisa@nvislaw.com](mailto:lisa@nvislaw.com)  
**RACHEL PHIPPS, PARALEGAL**  
[rachel@nvislaw.com](mailto:rachel@nvislaw.com)

November 26, 2025

**VIA HAND DELIVERY**

Lake County Planning Commission

**RE: Rezone Application Preliminary Hearing**

Dear Plan Commission:

Please find in following, Priority Landscape, LLC's application on the rezone of several parcels, located in unincorporated Gary, Indiana. See attached application. This follows an informal discussion/hearing we conducted, earlier this year.

Seventeen years ago, my client graduated from a local high school and began a small landscaping company. Today it has grown into a commercial landscape maintenance company, performing work in Illinois, Indiana, and Michigan, employing locally over 20 employees year-round.

In 2018, my client purchased the variety of parcels then owned by Jeff Cleary, located on and near 4470 Grant Street, Gary, Indiana. As you may know, Mr. Cleary had operated at this address, in excess of three decades, a heavy equipment crane maintenance, trucking and leasing company.

Since purchasing same via land contract, my client has engaged in a significant amount of clean-up on the property as well as improvements.

Currently, the property is utilized as the home-base for his commercial landscape maintenance and snow removal operations. Daily, approximately 10 to 15 employees gather at the facility before going out for the day. During winter months, approximately 10 employees may park their vehicles before traveling to the variety of sites where their equipment is located to perform work.

Recently, my client has commenced work to seek to further development aspects of this property. In so doing, it has come to light, that the zoning of the property needs amendment.

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Business. Real Estate. Estate Planning. Personal Injury.

[WWW.NVISLAW.COM](http://WWW.NVISLAW.COM)

In researching with County officials, much to all of our surprise, we have learned that this area is presently listed on County records to be zoned either R-3 or B-2. However, since 1995, the lots that my client now owns, was used for heavy equipment storage, maintenance, and semi/tractor trailer and crane storage and operations. It appears, based upon this extensive and ongoing use when my client purchased it, there was an expression that this use, or a less intrusive use could continue. To that end, my client is being proactive in seeking to rezone the property to B-3, to reflect its actual use as of the past three decades.

The proposed long-term use for the property includes a continued use for landscape maintenance and snow removal services. This includes housing/storage of a wide variety of related materials, whether it potentially be salt, aggregate, trees, mulch, and the like. In addition, this would also include storage of trailers, semis, and related work vehicles. In addition, my client has long-term plans for additional improvements on the property, which may include commercial structures, as well as outdoor trucking and equipment storage.

An initial question can be, with the location or the proposed business and use that my client is maintaining on this property, is what is the proximity to roadways that are available for said type of trucking traffic. My client's property is adjacent to the corner of Grant and 45<sup>th</sup> Avenue, both of which are sized for the traffic that comes from my client's business and proposed uses.

Long-term, then, five criteria are to be evaluated with the development/rezone of a property. This includes the following. (A) Comprehensive plan. (B) Current conditions and the character of current structures and uses in each district. (C) The most desirable use for which the land in each district is adapted. (D) The conservation of property values throughout the jurisdiction. (E) Responsible development and growth.

**A. Comprehensive plan.** The comprehensive plan calls for responsible residential and business growth alongside each other in this farther northeastern most reaches of unincorporated Gary. And, for the past several decades, the intermixing of commercial and residential has existed on these properties without hiccup or any issues, based on research with County records. Thus, the rezone to B3, which is the use that it has existed in excess of 3 decades, would meet and continue the comprehensive plan for the area.

**B. Current conditions and character of current structures and uses in each district.** As outlined above, the current characteristic of this neighborhood is an intermixing of business and residential alongside each other. Rezoning to B3 will be an official validation and recognition of the use of the property over the course of the past 3 decades. In addition, more formally changing the zoning to B3, will enable the County to enforce the requirements for screening and setbacks that come with said zoning change.

**C. The most desirable use for which the land in each district is adapted.** As the attached overview indicates, the area, over the course of the past many years, is a rough mix of housing, small business, and larger business development. Providing for B3 zoning is a reflection of how the most desirable use of these properties have developed over the course of the past 3 decades, providing a minimally intrusive business into a residential neighborhood, which is clearly aligned along the roadways designed for heavier traffic.

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**D. The conservation of property values throughout the jurisdiction.** Over the course of the past 8 years, my client has shown that by making steady improvements to the ground/buildings that he owns, this not only enhances the tax base for his properties, but improves the aesthetics and appeal of neighboring properties, to improve theirs as well. The rezone and allowance of my client to continue to make improvements and developments to his property creates a neighborhood which is not static, creates growth opportunities, and will only continue to improve the property values throughout the area.

**E. Responsible development and growth.** The reflection of the property zoning to B3 reflects responsible development and growth. As expressed, for several decades the property has been allowed to be used contrary to how it is zoned. Actually reflecting the zoning for how it has been used will enable both the owner and the County to collaborate together as they continue to seek improvements to the area.

Attached hereto is an overview of the area. As you can see, to the south portion are the maintenance and office buildings, while one travels north there are parking areas for equipment, and ultimately one ends up north of 44<sup>th</sup> Avenue. My client has purchased the residential home that is located on this parcel, and is slowly making improvements to clean up the area of the debris and other aggregate that was placed there prior to his use. The goal, for this northern section, is to utilize this area for outdoor storage, for overflow for his landscape and snow removal business, as well as to provide semi truck and trailer parking and commercial structures.

As indicated previously, both 45<sup>th</sup> Avenue and Grant Street are created/designated for semi traffic, and there is a straight shot down Hayes Street to 45<sup>th</sup> Avenue, which provides minimal impact to the roadway and no turning for semi traffic. In addition, it is quite apparent that several smaller residences in the neighborhood utilize this area to house their tractor trailer traffic/businesses. Within a two block radius are a wide variety of B-2 and B-3 zoned properties.

Additionally, long-term, what my client would also like to see is the vacation of Hayes Street north of 44<sup>th</sup> Avenue. This would provide my client the opportunity to further develop the area, take from County maintenance roles a street which is unusable, and allow proper development of this area.

Respectfully,

/s/Nathan D. Vis

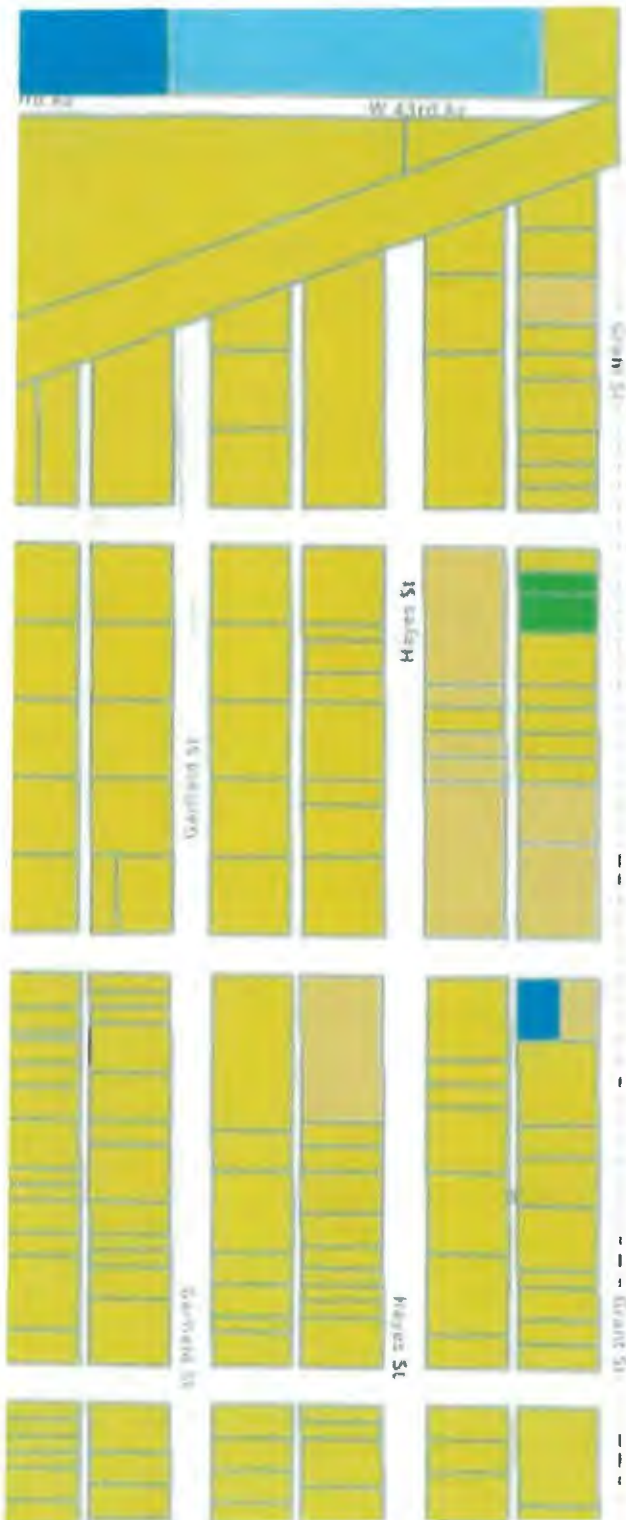
Nathan D. Vis

NDV/mjt  
Attachments

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W 43rd Ave

W 45th Ave

W 46th Ave

### New Land Use Zones - Overlays

-  Park
-  Business Park
-  Highway Commercial
-  Mixed Use Commercial

### Proposed Land Use

-  Residential
-  County Neighborhood
-  Agriculture
-  Parks/Open Space
-  Government
-  Highway Commercial
-  Commercial/Office
-  Other
-  Institutional
-  Mixed Use Commercial

W 47th Ave

W 48th Ave

W 49th Ave

4



- Legend**
- B 1
  - B 2
  - B 3
  - BP 1
  - BP 2
  - BP 3
  - C 1
  - C 1/C 2
  - C 3
  - CDD
  - CD
  - HS 1
  - HS 2
  - M 1
  - M 2
  - PIC
  - PO
  - FUD 1
  - FUD 2
  - R 1
  - R 2
  - R 3
  - B 1/R 2/R 3
  - R 5
  - R R
  - FIZP

## STAFF REPORT

**To:** Lake County Plan Commission

**Prepared by:** Steve Nigro

**Case number:** 26-W-05 & 26-PS-03

**Date:** May 20, 2026

**Parcel number:** 45-19-04-151-011.000-037

### **GENERAL INFORMATION:**

**Owner:** 15205 Wicker Ave, LLC

**Petitioner:** 15205 Wicker Ave, LLC

**Request (1):** Waiver from Title 154, Unified Development Ordinance, Article 12, Subdivision Design and Improvements, Chapter 40, Lots, Section (E) (1) Flag Lots.

**Purpose (1):** To allow a subdivision with a flag shaped lot

**Request (2):** Primary Approval - **Uncle John's Flea Market & Storage**

**Purpose (2):** Subdivision (2 lots)

**Location:** Located approximately 1/10 of a mile south of 151<sup>st</sup> Avenue on the east side of Wicker Boulevard (US 41), a/k/a 15205 Wicker Boulevard in West Creek Township

**Size:** 20.16 acres

**Existing Zoning and Land Use:** B-3 & CDD; Uncle John's Flea Market

**Surrounding Zoning and Land Use:**  
**North:** R-3; Residential  
**East:** R-1; Residential  
**South:** B-2 & R-3; Commercial – Redbud Landscaping  
**West:** R-3; US 41, Farmland

**Comprehensive Plan:** This property is targeted for Commercial / Office & Agricultural use

**AGENCY COMMENTS:**

**Health:** Primary approval has been granted per no use of sanitary sewers and sewage disposal system.

**Highway:** See letter attached dated March 3, 2026

**Surveyor:** See letter attached letter dated April 9, 2026

**Soils & Water:** See attached Primary Plan review dated 03/3/26

**BACKGROUND INFORMATION:**

After the requested zone change, the subject property is currently zoned CDD (Conditional Development District) in order to allow for the operation of Uncle John's Flea Market and B-3 (General Business).

As seen on the Petitioner's Plat of Survey and Property Aerial numerous structures are present onsite. These structures are currently used to facilitate flea market operations.

There is a large area at the rear (eastern portion) of the property that is currently unused. Since the zone change to B-3 was granted it is the Petitioner's intention to develop this area as a storage unit facility. In order to facilitate this request, subdivision approval along with a waiver must be granted.

While no proposed changes are intended for the existing flea market, the rezone from CDD to CDD was required to allow for the reduction in lot size. The CDD district will be reduced from the current 20.16 acres to 11.728 acres while the remaining portion will be used for the storage facility.

Storage unit facilities / mini storage units require a B-3 zoning district. As such, the Petitioner is requested and was approved for a Zone Change from CDD to B-3 on the southernmost and easternmost 8.430 acres of the parcel.

**ANALYSIS:**

**Compliance with Comprehensive Plan:**

This property is targeted for Commercial / Office & Agricultural use

**Compatibility with Neighborhood:**

The surrounding area is primarily Residential and Agricultural in nature

**Environmentally Sensitive Areas:**

None

**Traffic implications:**

None noted by the Lake County Highway Department. Access is off of U.S. #41.

**Access and street design**

The property is served by several existing entrances off of US 41. Based on the Petitioner's Site Plan, it does not appear that a new entry point is being proposed although the petitioner may require INDOT approval for the new storage facility.

**Stormwater management:**

While this issue will be further addressed by the Lake County Surveyor, the Lake County Highway Department has expressed concerns regarding drainage issues in the area and requires conformance with the County Drainage Ordinance and all amendments.

**Infrastructure fees**

N/A

**ATTACHMENTS:**

1. Primary Plat
2. GIS Aerial
3. Proposed Land Use Map
4. Zoning Map
5. March 3, 2026 LC Highway Letter
6. April 9, 2026 LC Surveyor Letter w/ DLZ review
7. LC Soils and Water Review

**STAFF COMMENTS:**

The subdivision received Primary Plat Approval on April 17, 2024. The previous approval lapsed since there was never a Secondary Plat submitted within the 12-month window following Primary Plat approval.

[illegible]

407075 1) THE CONTRACTOR IS RESPONSIBLE TO VERIFY ALL EXISTING BITE CONDITIONS AND SHALL NOTIFY THE ARCHITECT IMMEDIATELY IN WRITING OF ANY DISCREPANCIES BETWEEN THE EXISTING CONDITIONS AND ALL PROPOSED IMPROVEMENTS IN THE CORRECTION PROGRAM. 2) FOR EACH CONSTRUCTION ACTIVITY, THE CONTRACTOR SHALL REQUEST A FIELD INSPECTOR OR OTHER QUALIFIED PERSONNEL FROM THE WATER BUREAU TO OBSERVE THE WORK OR OTHER WATER PROTECTION ACTIVITIES IN AND AROUND THE PLANT. 3) ALL UNARMED STOWED BATTERIES SHALL HAVE A MINIMUM FLUORIDE CONCENTRATION OF 750 PPM. 4) EXISTING DRAIN TUBES TO BE USED FOR BATTERY CONNECTIONS. DRAIN TUBES SHALL BE INSTALLED IN A MINIMUM BATTERY OF BITE AND BE IDENTIFIED BY MARK OR COLOR.

[illegible]

CLIENT:  
15205 Wicker Avenue LLC  
2542 45th St  
Suite B  
Highland, IN 46322

JOB NO: 2022-5021

SCALE: 1"=60'

03-02-2026  
REVISIONS:  
DATE: 02-23-2026

PRIMARY PLAT

**TORRENGA ENGINEERING, INC.**  
CONSULTING ENGINEERS & LAND SURVEYORS  
907 RIDGE ROAD, MUNSTER, INDIANA 46321  
Tel. No.: (219) 836-8918 website: [www.torrenge.com](http://www.torrenge.com)



151ST AVE.

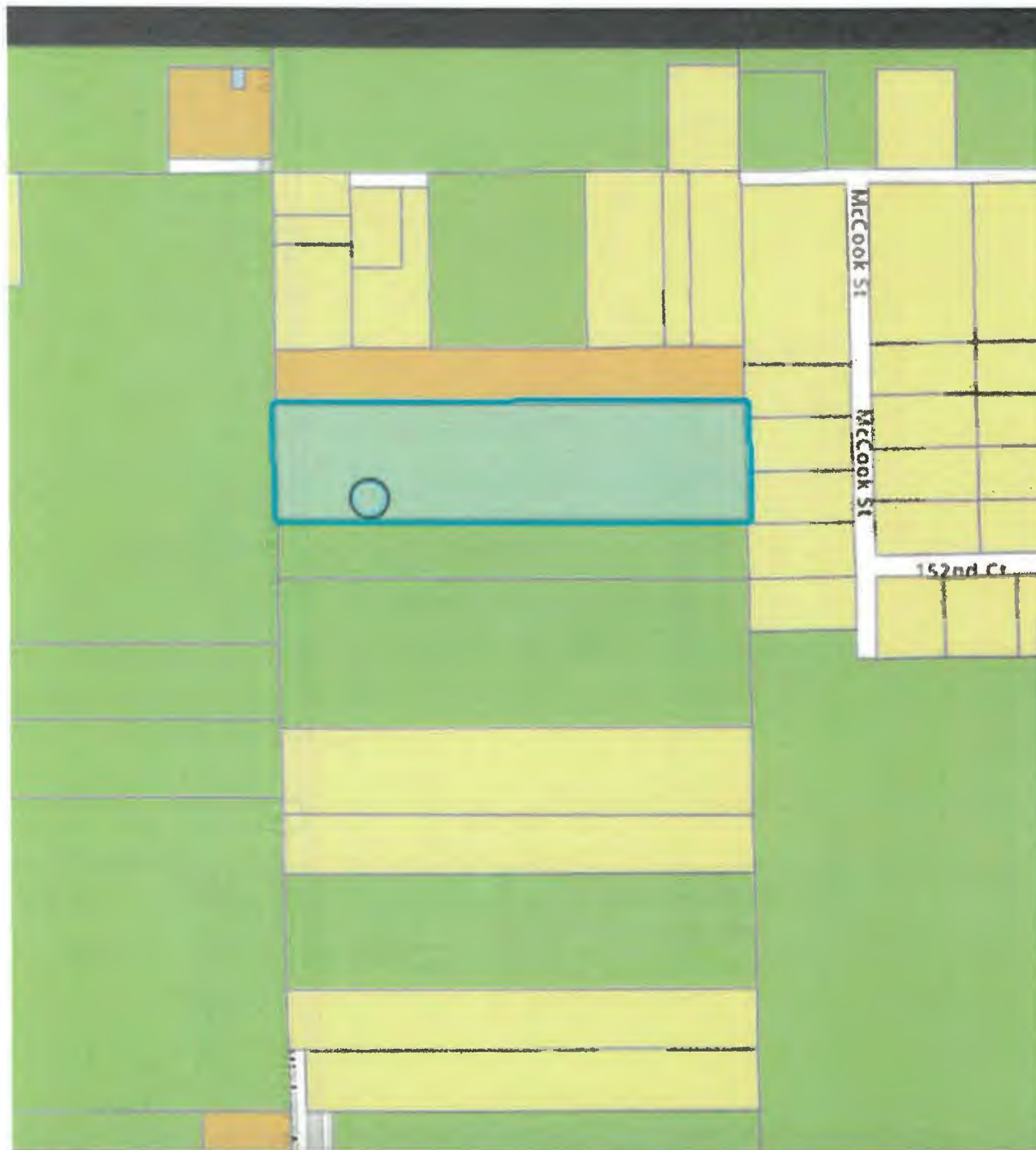
US 41 WIC

MCCOOK ST.

WEST CREEK  
ESTATES PHASE 1

152ND CT.





### Proposed Land Use

-  Residential
-  County Neighborhood
-  Agriculture
-  Parks/Open Space
-  Government
-  Highway Commercial
-  Commercial/Office
-  Other

### Proposed Land Use



PIN: 45-19-04-151-011.000-037

Address: 15205 WICKER

City: LOWELL

Existing Land Use: Commercial

Proposed Land Use: Commercial/Office





# Lake County Highway Department

Duane A. Alverson, P.E.  
Engineer



1100 E. Monitor Street  
Crown Point, Indiana 46307  
Phone: 219-663-0525  
Fax: 219-662-0497  
Email: [alverda@lakecountyin.org](mailto:alverda@lakecountyin.org)

March 3, 2026

Lake County Plan Commission  
Lake County Government Center  
2293 North Main Street  
Crown Point, IN 46307



ATTN: Steve Nigro, Planning and Building Administrator

RE: Primary Plan – Uncle John's Self Storage  
15205 Wicker Ave  
Cedar Lake, IN, 46303

MAR 3 2026

Dear Mr. Nigro:

The Lake County Highway Department has reviewed the **Primary Plan** and Application for Waiver from Unincorporated Lake County Subdivision Regulations for Irregular Shaped Lot submitted for **Uncle John's Self Storage**, and offers the following comments:

1. As long as the Off-Site water is be accommodated in accordance with Lake County Drainage Ordinance requirements I have no further comments.
2. Please coordinate with INDOT, as this project is off of State Road 41.

If you have any questions, please contact me.

Respectfully Submitted,

Duane A. Alverson

JMA

Duane A. Alverson  
Engineer





## Office of the Lake County Surveyor

Lake County Government Center • 2293 North Main Street • Crown Point, Indiana 46307  
Phone: (219) 755-3745 • Fax: (219) 755-3750

*Bill Emerson, Jr., P.E.*  
County Surveyor

April 9, 2026

Ned Kovachevich  
Director, Lake County Plan Commission  
2293 North Main Street  
Crown Point, IN 46307

Re: Uncle John's---SO File 22-033

1. Primary Review; Drainage: Conditional Recommendation for Approval
2. No Objection to Waiver for Irregular Lot

Dear Ned:

Please be advised that the above-captioned project complies with Lake County Ordinance 1500A and the Lake County Surveyor's Office is conditionally recommending consideration for approval, pending payment of the remaining balance of the review fees. The conditional recommendation for approval is based upon the initial plans, response to comments, revised plans for the above-captioned project at the direction of the Lake County Surveyor, and the review by the consultant to the Lake County Surveyor's Office, which review this Office adopts as its own. The review was primarily conducted with consideration to the overall project release rate and water quality practices. The final plans, studies/reports, and responses submitted concerning this project will satisfactorily meet the Ordinance standards when constructed.

The Lake County Surveyor's Office has no objection to a Waiver for an Irregular Lot.

Please note that, prior to the LCSO issuing its final approval letter, all review fees must be paid in full. The remaining Review Fee due for the project is **\$5,228.15** (Initial Deposit \$2,086.85; Total Review Cost: \$7,315.00). Until payment is received, the secondary and final plat will not be recommended for approval. The check should be made payable to the Lake County Surveyor and the applicant should forward the fee at its earliest convenience.

Thank you for your cooperation. Should you have any questions, please contact me.

Respectfully,  
*/s/Clifford E Duggan Jr,*  
Clifford E Duggan, Jr.  
MS4 Coordinator

Cc: Bill Emerson, Jr, PE, Lake County Surveyor  
Dan Gossman, Senior Drainage Administrator  
Chris Brown, Assistant Drainage Administrator  
Frank Stewart, DLZ, Lake County Surveyor consultant

Final Review fee Paid: \_\_\_\_\_

Receipt #: \_\_\_\_\_

Received by: \_\_\_\_\_

Date: \_\_\_\_\_



INNOVATIVE IDEAS  
EXCEPTIONAL DESIGN  
UNMATCHED CLIENT SERVICE

## FACSIMILE / EMAIL TRANSMISSION COVER SHEET

**Date:** March 19, 2026  
**To:** Cliff Duggan  
**Organization:** Lake County Surveyor's Office  
**Phone:** 219-755-3745  
**Fax:** 219-755-3750  
**From:** Frank Stewart

**Number of Pages Transmitted Including This Page:** 1

If there is any difficulty encountered with this transmission, please call (219) 836-5884

**Project:** Uncle John's Self Storage  
LCSO # 22-033  
**Subject:** Drainage review of above reference project

*Dear Cliff,*

*DLZ Indiana, LLC (DLZ) has reviewed the initial plans, response to comments and revised plans for the above referenced project at the direction of the Lake County Surveyor's Office (LCSO). The review was requested to determine compliance with the Lake County Ordinance 1500A (the Ordinance). The review was primarily conducted with consideration to the overall project release rate and water quality practices.*

*DLZ concludes the final plans, studies / reports and responses provided to DLZ with respect to this project will satisfactorily meet the ordinance standards when constructed. DLZ recommends consideration for approval.*

22-033  
1386



# Lake County Soil and Water Conservation District

2291 North Main Street - Crown Point, IN 46307-4848 - 219-663-7042

## Primary Plan

**TO:** Lake County Plan Commission

**DATE:** 3/10/2026

**RE:** Plat Review of: Uncle John's Flea Market & Storage

Sketch Plat: 1/13/26  
Primary Plat: 3/2/26  
Revised Primary Plat:  
Secondary Plat:

Civil Township : West Creek  
Total Acres: 20.158

### SOILS INFORMATION:

Lake County Soil Survey Sheet # 45

Soils: **El, Pc, MaB2**

**Prime Farmland:** Are there soils classified as prime farmland by the USDA Natural Resources Conservation Service?

- ☒ Yes Soils: **El, Pc, MaB2**  
☐ No

**Sanitary Facilities:** Are there soils that have limitations for conventional septic systems as described in the Lake County Soil Survey?

- ☒ Yes Wetness:  
☐ No Wetness, Percs Slowly: **El, MaB2**  
Wetness, Percs Slowly, Slope:  
Wetness, Poor Filter:  
Ponding:  
Ponding, Percs Slowly: **Pc**  
Ponding, Poor Filter:  
Poor Filter:  
Percs Slowly:  
Slope, Poor Filter:

**Building Sites:** Are there soils that have limitations for conventional building sites as described in the Lake County Soil Survey?

- ☒ Yes Wetness: **El**  
☐ No Ponding: **Pc**  
Shrink-swell: **MaB2**  
Wetness, Shrink-Swell:  
Wetness, Shrink-Swell, Slope:  
Ponding, Shrink-swell:  
Ponding, Low Strength:  
Slope:  
Wetness, Slope:

**Roads & Streets:** Are there soils that have limitations for roads and streets as described in the Lake County Soil Survey?

- ☒ Yes      Ponding:  
☐ No      Ponding, Frost Action:  
            Ponding, Frost Action, Low Strength: Pc  
            Ponding, Shrink-swell, Low Strength:  
            Frost Action:  
            Frost Action, Low Strength: El, MaB2  
            Frost Action, Shrink-swell:  
            Wetness:  
            Wetness, Frost Action:  
            Wetness, Slope:  
            Slope:  
            Low Strength, Slope:  
            Low Strength:

**WETLANDS:**

**Hydric Soils:** Are there hydric (wet) soils on the site?

- ☒ Yes      Soils: Pc  
☐ No

Do the U.S. Fish and Wildlife Service National Wetlands Inventory Maps indicate wetlands on the site?

- ☐ Yes      Quadrangle Map: # 12 Lowell  
☒ No

*(If yes, a permit may be needed from the U.S. Army Corps of Engineers Chicago Field Office 312.846.5530 and/or the Indiana Department of Environmental Management, Office of Water Quality, 317.233.8488. U.S. Fish and Wildlife Service National Wetland Inventory Maps are available at <https://www.fws.gov/wetlands/>.)*

**EROSION CONTROL:**

**Is an Erosion and Sediment Control Plan required?**

- ☒ Yes      **327 IAC 15-5 Storm Water Run-off Associated with Construction Activity Permit**  
☐ No      (commonly referred to as CSGP - Construction Stormwater General Permit, previously known as Rule 5)  
            *For more information or to obtain an Information Compliance Packet, contact the Lake County Soil and Water Conservation District Office at 219.663.7042; Indiana Department of Environmental Management Storm Water Permits Desk, 800.451.6027 or <https://www.in.gov/idem/stormwater/>.*
- ☒ Yes      **Lake County Surveyor's Office**  
☐ No      *For more information in regard to Lake County's Stormwater Management Ordinance or to obtain an Information Compliance Packet, contact the Lake County Stormwater Department located in the Lake County Surveyor's Office.*

**Waiver Requested:** The waiver to allow an irregularly shaped subdivision lot is acceptable by Lake County Soil & Water Conservation District.

## STAFF REPORT

**To:** Lake County Plan Commission

**Prepared by:** Steve Nigro

**Case number:** 26-ZC-05

**Date:** May 20, 2026

**Parcel numbers:** 45-16-36-100-007.000-012  
45-16-36-100-008.000-012  
45-16-36-100-006.000-012

### **GENERAL INFORMATION:**

**Owner:** Richard Plank and Ries Plank

**Petitioner:** Richard Plank and Ries Plank

**Request:** Zone Change from A-1 (Agricultural Zone) to RR (Rural Residential Zone)

**Purpose:** To allow for a proposed residential subdivision.

**Location:** Located approximately 3/10 of a mile west of Arizona Street on the north side of E.145<sup>th</sup> avenue, a/k/a 3200 E. 145<sup>th</sup> Avenue in Eagle Creek Township.

**Size:** 30.144 Acres +/-

**Existing Zoning and Land Use:** A-1, Farmland

**Surrounding Zoning and Land Use:** **North:** A-1 / RR, Residential (Galouzis Acres -1 Lot) and farmland  
**East:** A-1, Farmland  
**South:** A-1; Farmland  
**West:** A-1, Residential

**Comprehensive Plan:** This property is targeted for Agricultural

### **AGENCY COMMENTS:**

**Health:** Have no objections to Zone Change.

**Highway:**

No objections to Zone Change only.

**Surveyor:**

No comments on Zone Change. Parcels are not within a County regulated drain easement.

**BACKGROUND INFORMATION:**

The subject properties are three (3) 10-acre parcels currently zoned A-1. The owners are brothers Richard and Ries Plank. They would like to create a 2-lot subdivision. Their mother lives on the property located immediately to the west on a 10-acre parcel not included in this request.

The petitioners will bring these subject 30-acres together through this zone change and split the property down the middle and create 2 lots around 15-acres each before the required right-of-way dedication through the subdivision process.

The Comprehensive Land Use Plan calls for this property to remain Agricultural in use. However, two residential lots on 30-acres should not impact the existing agricultural uses in this area

When considering such Zone Change proposals, the Plan Commission shall pay reasonable regard to the following:

1. The Comprehensive Plan;
2. The current conditions and the character of current structures and uses in each district;
3. The most desirable use for which the land in each district is adapted;
4. The conservation of property values throughout the jurisdiction; and Responsible development and growth.

**ANALYSIS:**

**Compliance with Comprehensive Plan:**

Comprehensive plan targets the land use as Agricultural

**Compatibility with neighborhood:**

There is a one-lot subdivision of similar size located immediately north of these parcels.

**Environmentally Sensitive Areas:**

None.

**Traffic implications:** None as noted by the LC Highway Department

**Access and street design:** N/A

**Stormwater management / Infrastructure Fees:** N/A

**DEFICIENCIES AND DISCREPANCIES:** N/A

**ATTACHMENTS:**

1. Plat of Survey
2. Petitioner's Findings of Fact
3. Proposed Land Use Map
4. Zoning Map
5. Concept Plan

# PLAT OF SURVEY

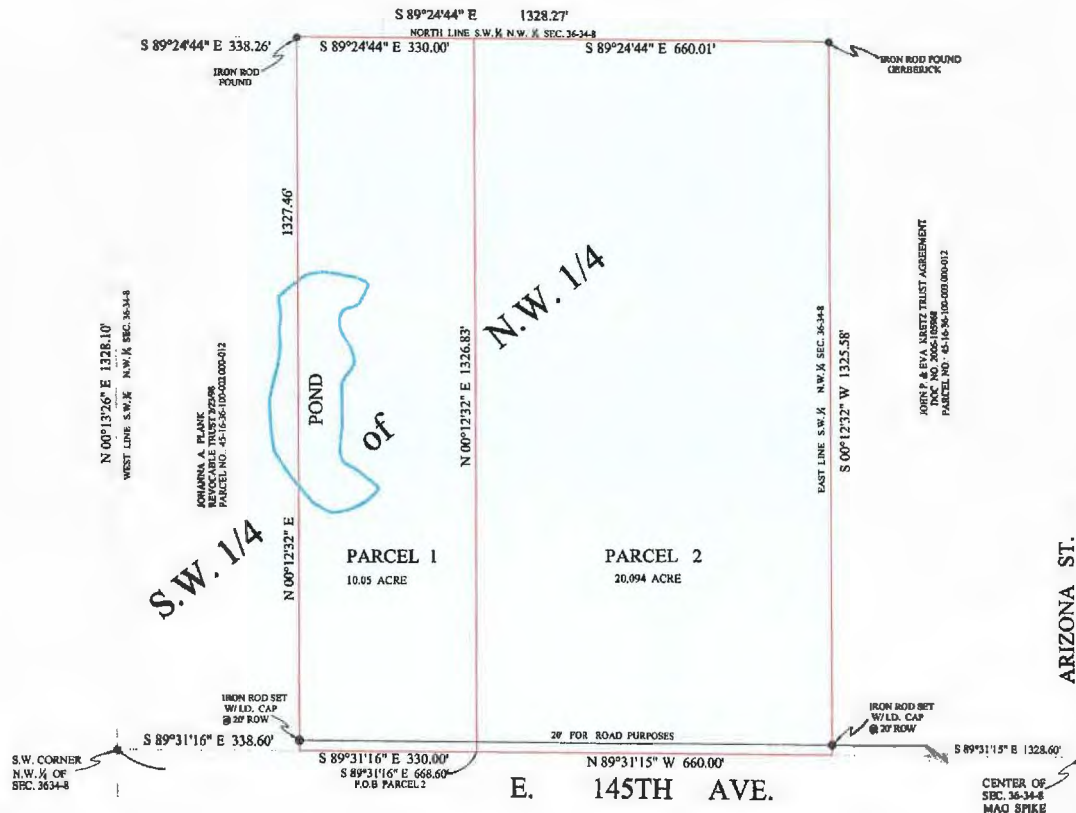
LOT 1  
GALOUZIS ACRES

SCALE: 1" = 100'



DAVID T. RENDINA  
PARCEL NO. 45-16-36-100-001-000-012

DEBORAH STACK  
PARCEL NO. 45-16-36-100-001-000-012



EATON JOINT REVOCABLE TRUST  
PARCEL NO. 45-16-36-300-001-000-012



VICINITY MAP  
N.W. 1/4 SEC. 36-34-8

PARCEL 1  
LEGAL DESCRIPTION:  
The West 330.00 feet of the East 990.00 feet of the Southwest Quarter of the Northwest Quarter of Section 36, Township 34 North, Range 8 West of the 2nd Principal Meridian, as measured parallel to the East line of the Southwest Quarter of the Northwest Quarter of said Section 36, in Lake County, Indiana, containing 18.05 acres more or less.  
Parcel No.: 45-16-36-100-001-000-012

PARCEL 2  
LEGAL DESCRIPTION:  
A part of the Southwest Quarter of the Northwest Quarter of Section 36, Township 34 North, Range 8 West of the 2nd Principal Meridian in Lake County, Indiana described as follows:

Commencing at an iron rod found at the Southwest corner of the Northwest Quarter of said Section 36; thence South 89°31'15" East a distance of 660.00 feet along the South line of said Northwest Quarter to the Point of Beginning; thence North 0°12'32" East a distance of 1326.83 feet, to the North line of said Southwest Quarter of said Northwest Quarter; thence South 89°24'44" East along the North line of said Southwest Quarter of said Northwest Quarter a distance of 660.01 feet to an iron rod found, being the Northeast corner of the Southwest Quarter of said Northwest Quarter; thence South 89°12'32" West along the East line of the Southwest Quarter of said Northwest Quarter a distance of 1325.58 feet to an iron rod found on the South line of Northwest Quarter of said Section 36; thence North 89°31'15" West along the South line of the Northwest Quarter of Section 36 a distance of 660.01 feet to the Point of Beginning containing 20.094 acres, more or less.  
Parcel No.: 45-16-36-100-001-000-012 & 45-16-36-100-001-000-012

CURRENT ZONE A1  
REQUESTED ZONE R.R.  
THE INTENTION IS TO CREATE TWO 15 ACRE LOTS  
FOR SINGLE FAMILY RESIDENCES.

## SURVEYOR REPORT

The Enclosed Survey was performed at the request of the owner of the property.  
The purpose of the Survey is to facilitate a Request for Zone Change.

## REFERENCES:

1. Plat of Survey of S.W. 1/4 N.W. 1/4 of Sec. 36-34-8 dated June 26, 1996 by Tri-County Surveying, Michael W. Gierke, PLS.
2. Plat of Survey of S.W. 1/4 N.W. 1/4 of Sec. 36-34-8 dated Aug. 12, 2013 by Landowner 3-D Surveying, Marlene D. Schmeiss, PLS.
3. Section corner monument records with State Plane Coordinates on file Lake County Surveyor's Office.

## MONUMENT AVAILABILITY & CONDITION:

Section corner monuments were found during the course of previous surveys. Due to Road construction the corners close to this property have been covered up, iron rods were found on the parcel in fair condition as shown on the Plat.

## THEORY OF LOCATION:

The State plane coordinates on file for the Section corners of Section 36 were entered into the survey. A proportionate breakdown of section 36 was performed. The resultant figures measured within tolerance of the referenced surveys and plats.

The S.W. 1/4 of the N.W. 1/4 was produced and the resulting figure agreed within tolerance of the 2 Surveys cited above.

Iron rods with I.D. caps were set as shown on the Plat.

## DESCRIPTIONS:

There were no discrepancies found with the descriptions. No gaps or overlaps were discovered with adjoining deeds.

## POSSESSION LINES:

No visible signs of encroachment onto the parcels was noted as time of survey.

The survey performed meets the requirements of a Suburban Survey per Title 86.5, Article 1, Rule 12 of the Indiana Administrative Code with an acceptable relative positional accuracy of 0.13 feet (40 millimeters) plus 100 parts per million.

BEARINGS ARE GASED ON THE LATEST RECENT PLAT IN SURVEY.

I, Glenn H. Kracht, a Registered Land Surveyor in the State of Indiana, hereby state that I supervised the completion of a survey of the above described parcel in accordance with Title 86.5 IAC 1-12 (Rule 12), and that the Plat herein drawn, to the best of my knowledge, correctly represents said survey.

Glenn H. Kracht IN L.S. No. 29400001

GLENN KRACHT  
ASSOCIATES  
GKA  
314 FAIRFIELD DRIVE  
CROWN POINT, IN 46007  
glennkrachtassociates@gmail.com  
IN 29400001

OWNER OF RECORD:  
RICHARD H. PLANK  
RIES M. PLANK  
ADDRESS  
.3200 E. 145TH AVE. CROWN POINT, IN 46007

PLAT OF SURVEY  
S.W. 1/4 N.W. 1/4 SEC. 36-34-8  
EAGLE CREEK TOWNSHIP  
LAKE COUNTY, IN.

DATE:  
FEB 10, 2026  
MARCH 3, 2026  
JOB NO. 207183  
SHEET 1 of 1

## Findings of Fact

### ZONE CHANGE

In preparing and considering proposals under the law, the Lake County Plan Commission and our legislative body, the Lake County Council, shall pay reasonable regard to the following five items. Determining findings for the following criteria is required as part of the process. It is a requirement that each petitioner address the following items in order to apply for a Change of the Zone Map. If additional space is needed, you may use extra sheets of paper. Please make your answers as clear, concise and legible as possible.

- (1) The comprehensive plan - findings or reasons as to whether the request for the stated zone change meets the intent of the comprehensive plan;

No, but the two 15 acre lots largely  
maintain the density and  
character of the scope  
\_\_\_\_\_ ; and,

- (2) Current conditions and the character of current structures and uses in each district - findings or reasons as to whether the request for the stated zone change is consistent with the current conditions and the character of current structures and uses in each district; and,

It is consistent with the  
district due to the 15 acre lot  
density & character  
\_\_\_\_\_ ;

- (3) The most desirable use for which the land in each district is adapted - findings or reasons as to whether the request is consistent with the most desirable use for the land;

Due to conformity of the comprehensive  
plan + conservation of property  
value we believe it is the  
most desirable use for the land  
; and,

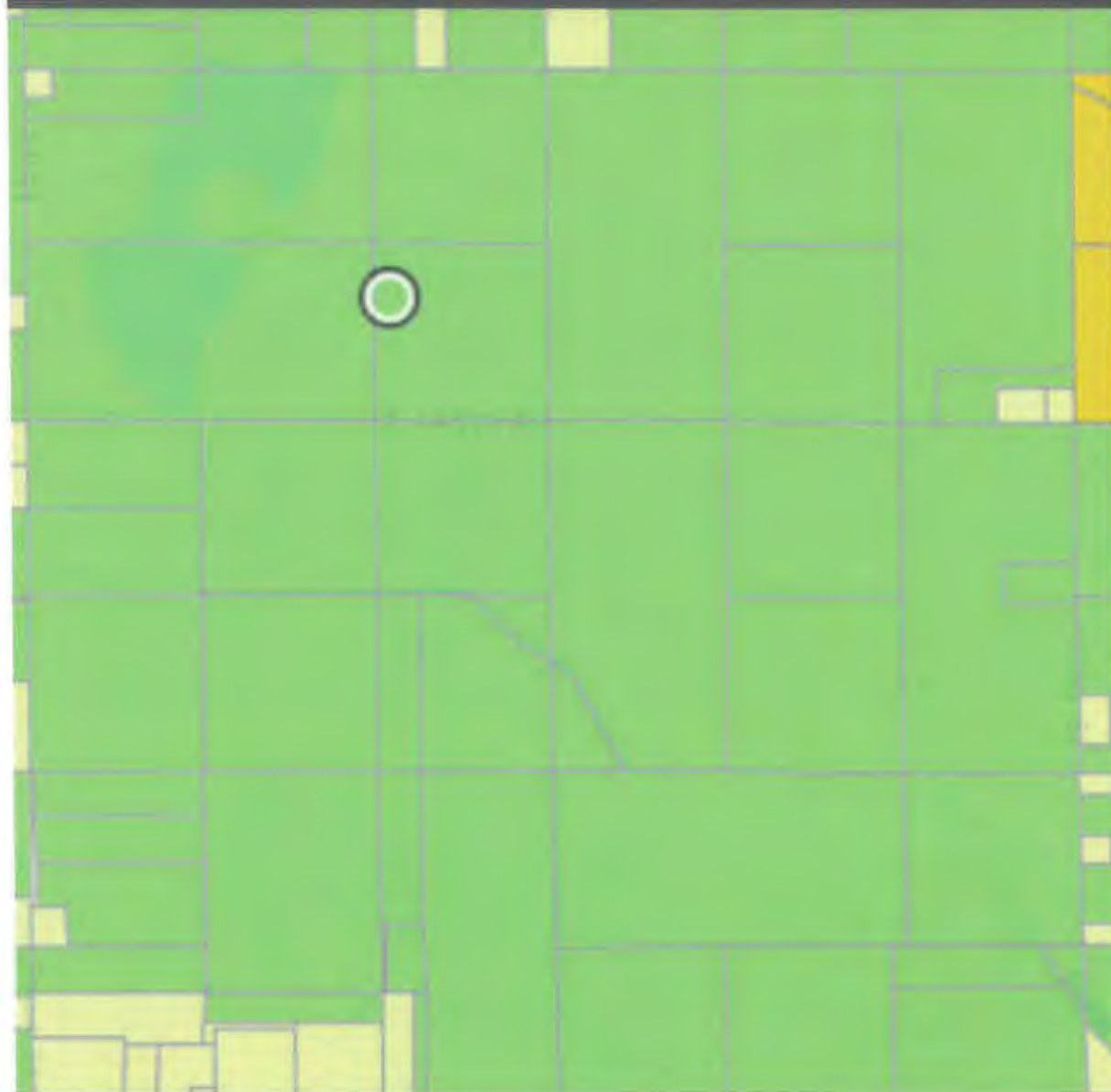
- (4) The conservation of property values throughout the jurisdiction;  
findings or reasons as to whether the request is consistent with  
the conservation of property values throughout the jurisdiction;

The property values will increase  
on each lot with high value homes  
; and,

- (5) Responsible growth and development – findings or reasons  
regarding whether the request represents responsible growth  
and development under the law;

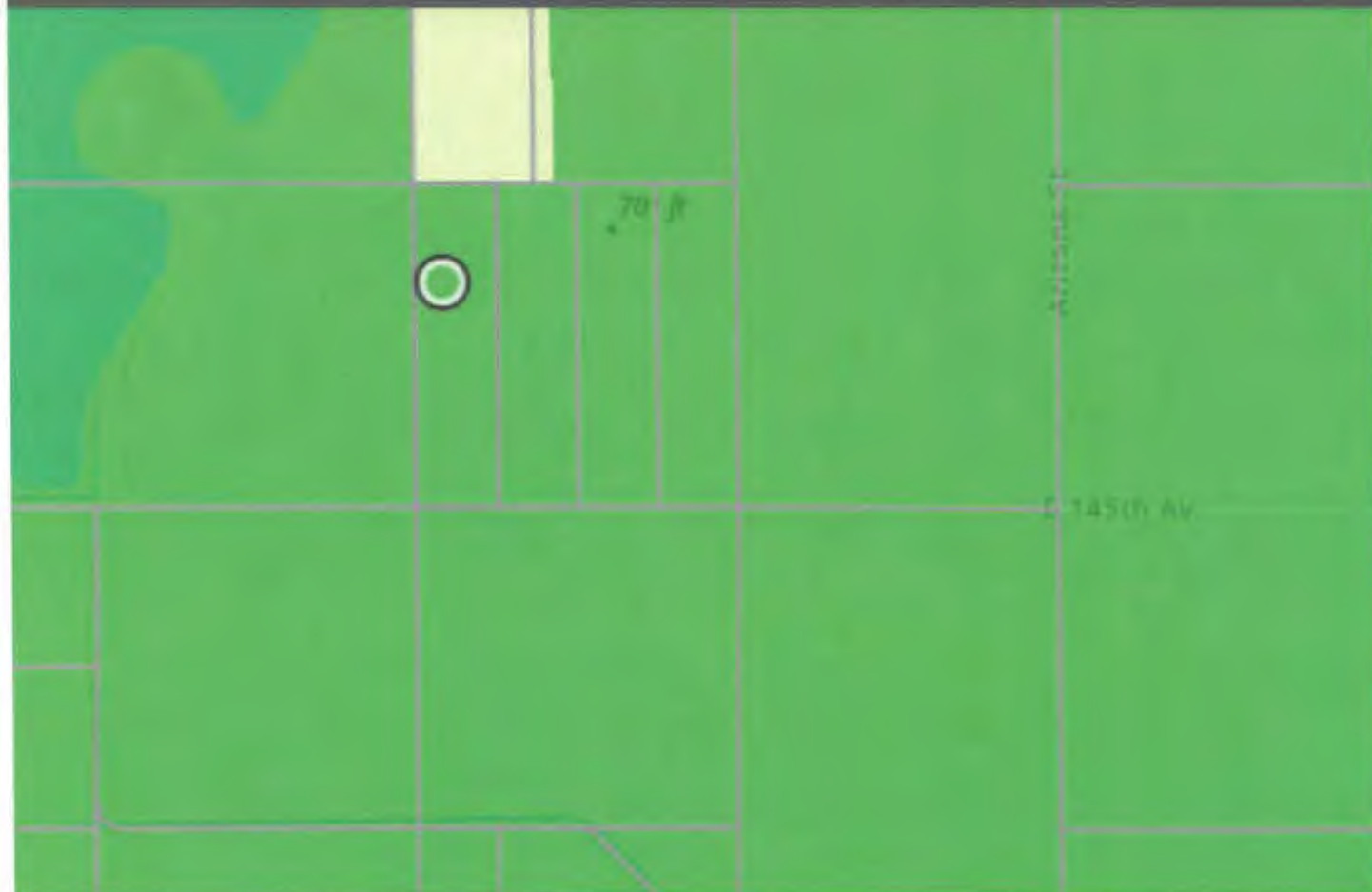
Yes, exceeds minimum lot sizing  
- two single dwelling homes on 15  
acre parcels (each)  
; and,

The Planning Staff acknowledges that additional evidence and comments  
will be made at the public hearing and may be included in the Plan  
Commission's recommendation to the Lake County Council. This portion of  
the application is to establish a basis for the requested Zone Change and its  
content may or may not be used by the Lake County Plan Commission in the  
formulation of their recommendation or by the Lake County Council as the  
basis of their decision.



## Proposed Land Use

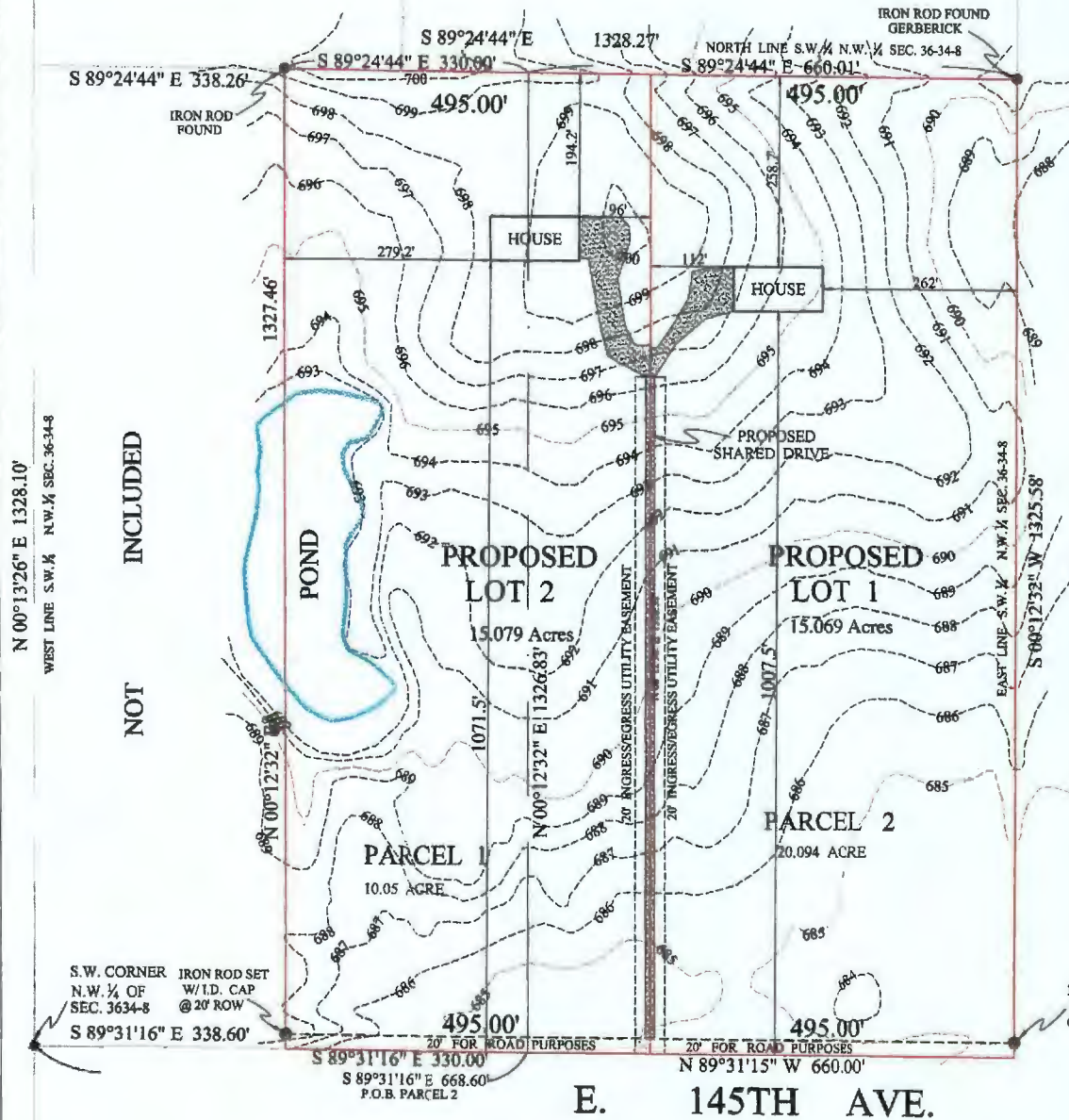
-  Residential
-  County Neighborhood
-  Agriculture
-  Parks/Open Space
-  Government
-  Highway Commercial
-  Commercial/Office
-  Other
-  Institutional
-  Mixed-Use Commercial



### Zoning Breakdown

-  A-1
-  B-1
-  B-2
-  B-3
-  BP-1
-  BP-2
-  BP-3
-  C-1
-  C-1/C-2

# SITE PLAN



VICINITY MAP  
N.W. 1/4 SEC. 36-34-8

**PARCEL 1**  
**LEGAL DESCRIPTION:**  
The West 330.00 feet of the East 900.00 feet of the Southwest Quarter of the Northwest Quarter of Section 36, Township 34 North, Range 8 West of the 2nd Principal Meridian, as measured parallel to the East line of the Southwest Quarter of the Northwest Quarter of said Section 36, in Lake County, Indiana, containing 10.05 acres more or less.  
Parcel No. : 45-16-36-100-007,000-012

**PARCEL 2**  
**LEGAL DESCRIPTION:**  
A part of the Southwest Quarter of the Northwest Quarter of Section 36, Township 34 North, Range 8 West of the Second Principal Meridian in Lake County, Indiana described as follows:

Commencing at an iron rod found at the Southwest corner of the Northwest Quarter of said Section 36; thence South 89°31'16\"

SCALE : 1" = 100'  
0.00 100.00 200.00 300.00



IRON ROD SET  
W/I.D. CAP  
@ 20' ROW

I, Glenn H. Kracht, a Registered Land Surveyor in the State of Indiana, hereby state that I supervised the completion of a survey of the above described parcel in accordance with Title 865 IAC 1-12 (Rule 12), and that the Plat herein drawn, to the best of my knowledge, correctly represents said survey.

Glenn H. Kracht (IN L.S. No. 29460001)



GLENN KRACHT  
ASSOCIATES



314 FAIRFIELD DRIVE CROWN POINT, IN 46307 PHONE: 219-663-8803 FAX: 219-663-8803

RICHARD H. PLANK  
PATNER:  
RIES M. PLANK  
3200 E. 145TH AVE.  
CROWN POINT, IN 46307

SITE PLAN  
S.W. 1/4 N.W. 1/4 SEC. 36-34-8  
EAGLE CREEK TOWNSHIP  
LAKE COUNTY, IN

DATE  
MARCH 5, 2026  
JOB NO. : 267183  
SHEET 1 of 1

## STAFF REPORT

**To:** Lake County Plan Commission

**Prepared by:** Steve Nigro

**Case number:** 26-ZC-06

**Date:** May 20, 2026

**Parcel number:** 45-20-19-176-001.000-007  
45-20-19-102-001.000-007  
45-20-19-126-002.000-007  
45-20-19-151-001.000-007

**Note:** This petition was before the Plan Commission for a Study Session (Petition 26-SS-05) at the March 18, 2026 meeting.

### **GENERAL INFORMATION:**

**Owner:** John C. Brill

**Petitioner:** John C. Brill

**Requested Actions:** Zone Change from A-1 (Agricultural Zone) to R-1 (Residential Single-dwelling 1 Zone)

**Purpose:** Residential development

**Location:** Located approximately 2/10 of a mile south of 173<sup>rd</sup> Avenue on the west side of Holtz Road, in Cedar Creek Township

**Size:** 54 acres

**Existing Zoning and Land Use:** A-1, Agriculture, woodland, & Red Wing Lake

**Surrounding Zoning and Land Use:**

|        |                                       |
|--------|---------------------------------------|
| North: | A-1, Rural Residential                |
| South: | <b>Town of Lowell</b> , Residential   |
| West:  | A-1, Residential on large wooded lot  |
| East:  | A-1, Agricultural & Rural Residential |

**Comprehensive Plan:** The property is targeted for Agricultural use

### **AGENCY COMMENTS:**

**Health:** Approved for zone changes

|                        |                                                                                                        |
|------------------------|--------------------------------------------------------------------------------------------------------|
| <b>Highway:</b>        | No objections to zone change only                                                                      |
| <b>Surveyor:</b>       | See attached dated 4/9/2026                                                                            |
| <b>Town of Lowell:</b> | <b>See attached Memo dated April 30, 2026 addressing connection to Town of Lowell Sanitary Sewers.</b> |

**BACKGROUND INFORMATION:**

The Petitioner is requesting a Zone Change from A-1, Agricultural Zone to R-1, One- Family Residential Zone. The property is currently zoned A-1, Agricultural, which does not allow for subdivisions. If a Zone Change is granted, the Petitioner’s intention is to submit an application to the Plan Commission for a 10-lot major subdivision.

This same property was annexed into the Town of Lowell. However, when the town sold their water utility to Indiana-American Water Company Inc. The layout of the water servicing the proposed development was not able to be serviced by the water utility. This prevented the Town of Lowell from being able to allow the petitioner to develop this property within the town’s guidelines.

The Petitioner understands that with a proposed 10-lot subdivision, interior streets constructed to county standards with two (2) points of access will be required

When considering such Zone Change proposals, the Plan Commission shall pay reasonable regard to the following:

1. The Comprehensive Plan;
2. The current conditions and the character of current structures and uses in each district;
3. The most desirable use for which the land in each district is adapted;
4. The conservation of property values throughout the jurisdiction; and Responsible development and growth.

**ANALYSIS:**

|                                            |                                              |
|--------------------------------------------|----------------------------------------------|
| <b>Compliance with Comprehensive Plan:</b> | The property is targeted for Residential use |
|--------------------------------------------|----------------------------------------------|

|                                         |                                                                                                   |
|-----------------------------------------|---------------------------------------------------------------------------------------------------|
| <b>Compatibility with neighborhood:</b> | This surrounding area is used primarily for agriculture and rural, large-lot residential pursuits |
| <b>Environmentally Sensitive Areas:</b> | None                                                                                              |
| <b>Traffic implications:</b>            | None noted by the Lake County Highway Department                                                  |
| <b>Access and street design</b>         | N/A                                                                                               |
| <b>Stormwater management:</b>           | N/A                                                                                               |
| <b>Infrastructure fees</b>              | N/A                                                                                               |

**DEFICIENCIES AND DISCREPANCIES:** None

**ATTACHMENTS:**

1. ALTA Survey
2. Petitioner's Findings of Fact
3. Memo - Town of Lowell
4. Highway Department Letter
5. LC Surveyor's Letter
6. Zoning Map
7. Proposed Land Use Map



## Findings of Fact

### Zone Change

In preparing and considering proposals under the 600 series, the plan commission and the legislative body shall pay reasonable regard to the following five items. Determining findings for the following criteria is required as part of the process. It is a requirement that each petitioner address the following items in order to apply for a change of the Zone Map.

- (1) The comprehensive plan - findings or reasons as to whether the request for the stated zone change **meets/** the intent of the comprehensive plan;

the proposed 10 lot subdivision is development within existing rural and large lot residential developments and home sites and prompted the extension of sanitary sewer facilities up Holtz Road to allow for cohesive and planned future residential development in a safe and efficient manner which also promotes preservation of surrounding farmland.-----and;

- (2) Current conditions and the character of current structures and uses in each district – findings or reasons as to whether the request for the stated zone change **is/** consistent with the current conditions and the character of current structures and uses in each district; and,

the proposed zone change matches the land uses, densities, and types of surrounding residential development in the County and does not negatively impact the character of current surrounding structures, development and land uses.----- and;

- (3) The most desirable use for which the land in each district is adapted - findings or reasons as to whether the request is consistent with the most desirable use for the land;

the proposed use is desirable as it is compatible with all immediate surrounding land uses, development, and types of residential structures and uses in a rural setting just outside the Town limited of the Town of Lowell. - - - - and;

- (4) The conservation of property values throughout the jurisdiction; findings or reasons as to whether the request **is/** consistent with the conservation of property values throughout the jurisdiction;

the proposed zone change will preserve the property values throughout the surrounding area comprised primarily of single family and/or rural residential homes and uses - - - ; and,

- (5) Responsible growth and development – findings or reasons regarding whether the request **does/** represent responsible growth and development;

the proposed subdivision is between pockets of existing residential uses and developments along Holtz Road and is close to Lowell High School (walking distance), and other infrastructure and destinations in the Town of Lowell. The property was originally to be in the Town of Lowell but due to unforeseen water access and change of ownership of water infrastructure, the development must be served by individual wells while maintaining sanitary sewer connectivity from the new lift station and sanitary lines installed by the property owner.



# Planning and Development

## Memorandum

To: JCB Companies

From: Richard Oman, Director of Planning and Development

Subject: Red Wing Lakes Estates – Sanitary Sewer

Date: April 30, 2026

---

### To Whom it may Concern:

The Town of Lowell will accept the sanitary sewer from the above referenced subdivision. The last set of plans the Town of Lowell reviewed and approved were under revision 1, dated May 6, 2021. However, the installed sanitary sewer system has not been tested and will not be accepted until all tests have been completed and the system has passed those tests. The required tests on the sewer lines are the mandrel and low pressure tests. Also, all structures have to pass a vacuum test. Once the Town of Lowell has witnessed the tests and they pass, all lines will need to be videoed, and a set of as-built plans will need to be delivered to the Town of Lowell planning department along with a thumb drive or disc with the video of the sanitary lines.

If you should have any questions or concerns, you can call my office at (219)-696-7794 Ext. 225.

Thank you,

Rich Oman

Director of Public Utilities

Director of Planning and Development



# Lake County Highway Department

Duane A. Alverson, P.E.  
Engineer

1100 E. Monitor Street  
Crown Point, Indiana 46307  
Phones: 219-663-0525  
Fax: 219-662-0497  
Email: [alverda@lakecountyin.org](mailto:alverda@lakecountyin.org)

April 6, 2026

Lake County Plan Commission  
Lake County Government Center  
2293 North Main Street  
Crown Point, IN 46307

ATTN: Steve Nigro, Planning and Building Administrator

RE: Application for Zone Change, AG to R-1  
17404-17614 Holtz Rd  
Lowell, IN, 46356

Owner: John C. Brill

The Lake County Highway Department has reviewed the Application for Zone Change from AG to R-1, for the properties located at 17404-17614 Holtz Rd and offers the following comments:

The Lake County Highway Department has no objections to the Zone Change only.

We will review further at Subdivision stage submittal.

If you have any questions, please contact me.

Respectfully Submitted,

Duane A. Alverson (JMA)

Duane A. Alverson  
Engineer





## Office of the Lake County Surveyor

Lake County Government Center • 2293 North Main Street • Crown Point, Indiana 46307  
Phone: (219) 755-3745 • Fax: (219) 755-3750

*Bill Emerson, Jr., P.E.*  
County Surveyor

**Petitioner:** John C. Brill  
**Petitioner's Address:** 337 W 806 N  
Valparaiso, IN 46385

**Owners Name:** JCB Companies (as listed in Lake County records)

**Address:** 17614 HOLTZ RD, LOWELL, IN 46356

**Parcel Numbers:** 45-20-19-151-001.000-007  
45-20-19-102-001.000-007  
45-20-19-126-002.000-007  
45-20-19-176-001.000-007

**Requested Change:** Current zoning – A1 to R-1

**Purpose:** Residential Subdivision

- 
1. Please note the proposed project will need to address multiple regulatory issues prior to approval of development. These issues include:
    - **Floodway** – Griesel Ditch Lateral 12 lies along the border of the site. This Lateral has been studied by the Indiana Department of Natural Resources (IDNR) and appears to have a floodway and floodplain. An approved floodplain permit will be required to be submitted to the County prior to approval of development.
    - **Wetlands** – The National Wetlands Inventory (NWI) indicates wetlands may be present. Preliminary investigation by the County indicates wetlands may be present on the site. A wetlands delineation, concurrence with the regulatory agencies (USACE and IDEM) will be required as well as approval any remedial activities will be required prior to approval of development.
    - **Regulated Drains** – Griesel Ditch Lateral 12 is a regulated drain and connections to county regulated drains require a separate Petition to the Lake County Drainage Board. Please contact Daniel Gossman, Drainage Administrator in the Surveyor's Office to submit that Petition.
  2. Please note Ordinance #1500A requires detention for all developments.
  3. The proposed project will disturb > 1 ac. A complete stormwater pollution prevention plan (SWPPP) will be required.

4. The proposed project will disturb > 1 ac and will need to address post-construction water quality as appropriate.
5. Occupancy Permit will not be approved until Petitioner:
  - a. Complies with the Lake County Stormwater Management Ordinance (1500A) including, but not limited to the submission of stamped "As-Built" Certification of Engineering Plans previously approved by Lake County Surveyor.

For future projects, vertical datum must be NAVD88 and horizontal datum must be Indiana State Plane Coordinates NAD83. The impending Lake County GIS will utilize this datum.

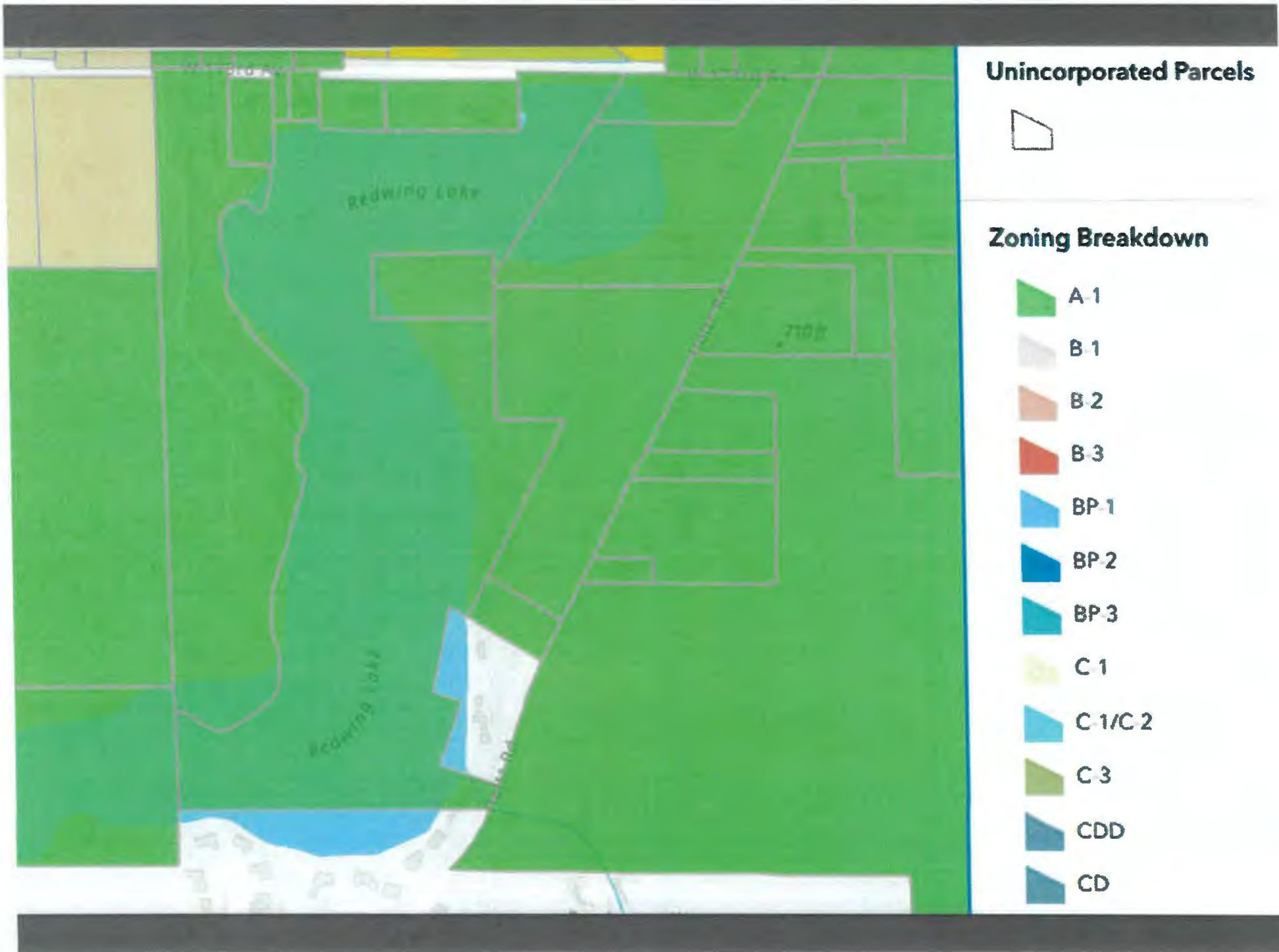
This review and comments reference the "Stormwater Management and Clean Water Regulations Ordinance, Ordinance No. 1500A" and the Lake County, Indiana "Stormwater Technical Standards and Clean Water Regulation Manual", are available in the Lake County Surveyor's Office.

Date: 4/9/2026



Bill Emerson, Jr., PE, Lake County Surveyor

cc: Dan Gossman, Drainage Administrator,  
Clifford Duggan, MS4 Coordinator





### Proposed Land Use

-  Residential
-  County Neighborhood
-  Agriculture
-  Parks/Open Space
-  Government
-  Highway Commercial

## STAFF REPORT

**To:** Lake County Plan Commission

**Prepared by:** Steve Nigro

**Case number:** 26-ZC-07

**Date:** May 20, 2026

**Parcel numbers:** 45-21-19-300-013.000-012

### **GENERAL INFORMATION:**

**Owner:** Van Kalker Family Limited Partnership

**Petitioner:** Foundry Works Energy Storage, LLC

**Request:** Zone Change from A-1 (Agricultural Zone) to CD (Conditional Development Zone)

**Purpose:** To allow for a Battery Energy Storage System (BESS).

**Location:** Located approximately 2/10 of a mile north of E. 181<sup>st</sup> Avenue (State Road 2) on the east side of Clay Street in Eagle Creek Township.

**Size:** 40.3 Acres +/-

**Existing Zoning and Land Use:** A-1, Farmland

**Surrounding Zoning and Land Use:**  
**North:** A-1, Farmland  
**East:** A-1, Farmland  
**South:** A-1; Church / Farmland  
**West:** A-1, Farmland

**Comprehensive Plan:** This property is targeted for Agricultural

### **AGENCY COMMENTS:**

**Health:** Have no objections to Zone Change.

**Highway:** No objections to Zone Change only.

**Surveyor:**

See attached letter dated April 9, 2026.

**BACKGROUND INFORMATION:**

The subject property is currently zoned A-1 (Agricultural Zone). The Petitioner is requesting a Zone Change to CD (Conditional Development Zone). The purpose is to allow a proposed Battery Energy Storage System (BESS). A BESS is permitted in a CD District Zone with the approval of a Special Exception for a BESS.

The parcel is a 40+ acres parcel carved out of the property approved for the Solar Farm petitioned by the same petitioner as the present re-zoning request.

If the subject zone change is approved by the Lake County Council; the project will require approval under a Special Exception petition. The petition will be reviewed by the Plan Commission, forwarded to the Zoning Appeals (BZA) and receive a final vote from the BZXA.

When considering such Zone Change proposals, the Plan Commission shall pay reasonable regard to the following:

1. The Comprehensive Plan;
2. The current conditions and the character of current structures and uses in each district;
3. The most desirable use for which the land in each district is adapted;
4. The conservation of property values throughout the jurisdiction; and Responsible development and growth.

**ANALYSIS:**

**Compliance with Comprehensive Plan:**

Comprehensive plan targets the land use as Agricultural

**Compatibility with neighborhood:**

The parcel was approved for a Solar Farm that project has yet to be developed. The BESS is necessary, according to the petitioner for the Solar Farm.

|                                                     |                                                                                                                                                                                                                                                 |
|-----------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Environmentally Sensitive Areas:</b>             | None.                                                                                                                                                                                                                                           |
| <b>Traffic implications:</b>                        | None as noted by the LC Highway Department                                                                                                                                                                                                      |
| <b>Access and street design:</b>                    | N/A                                                                                                                                                                                                                                             |
| <b>Stormwater management / Infrastructure Fees:</b> | N/A                                                                                                                                                                                                                                             |
| <b><u>DEFICIENCIES AND DISCREPANCIES:</u></b>       | N/A                                                                                                                                                                                                                                             |
| <b><u>ATTACHMENTS:</u></b>                          | <ol style="list-style-type: none"> <li>1. Plat of Survey</li> <li>2. Petitioner's Findings of Fact</li> <li>3. Proposed Land Use Map</li> <li>4. Zoning Map</li> <li>5. Development Plan</li> <li>6. LC Surveyor's Letter (4/9/2026)</li> </ol> |



## Findings of Fact

### Zone Change

In preparing and considering proposals under the 600 series, the plan commission and the legislative body shall pay reasonable regard to the following five items. Determining findings for the following criteria is required as part of the process. It is a requirement that each petitioner address the following items in order to apply for a change of the Zone Map.

- (1) The comprehensive plan - findings or reasons as to whether the request for the stated zone change **meets/does not meet** the intent of the comprehensive plan: See attached response.
- (2) Current conditions and the character of current structures and uses in each district – findings or reasons as to whether the request for the stated zone change **is/is not** consistent with the current conditions and the character of current structures and uses in each district: See attached response.
- (3) The most desirable use for which the land in each district is adapted - findings or reasons as to whether the request **is/is not** consistent with the most desirable use for the land: See attached response.
- (4) The conservation of property values throughout the jurisdiction; findings or reasons as to whether the request **is/is not** consistent with the conservation of property values throughout the jurisdiction: See attached response.
- (5) Responsible growth and development – findings or reasons regarding whether the request **does/does not**

Foundry Works Energy Storage LLC  
Application for Zone Change from A-1 to CD  
Findings of Fact

1. The comprehensive plan – findings or reasons as to whether the request for the stated zone change meets/does not meet the intent of the comprehensive plan:

**The rezoning from A-1 to CD zoning district is proposed for the development of the subject property for a battery energy storage system (“BESS”). Lake County recently amended its zoning ordinance to allow and establish standards for a BESS use. BESS facilities provide significant economic development benefits including construction and permanent jobs and new tax revenue. BESS facilities help stabilize the electrical grid and ensure that sufficient electricity is available, especially during peak electrical use, to serve electric utility customers. The zone change is therefore consistent with and meets the intent of the Lake County comprehensive plan, which provides that the “Land Use Plan will protect agricultural land while advancing new cutting-edge industries, provide the foundation for economic diversity, and drive new infrastructure investment in key growth areas.” (Lake County comprehensive plan, page 54). The zone change meets the intent of these goals, as it will only use approximately 40 acres of agricultural land, will allow for the development of an energy technology recently recognized by Lake County as a defined use and will promote economic diversity in Lake County. The zone change will allow Foundry Works Energy Storage to apply for a special exception permit, enabling new investment in energy infrastructure in Lake County that will serve the existing community and propel future growth.**

2. Current conditions and the character of current structures and uses in each district – findings or reasons as to whether the request for the stated zone change is/is not consistent with the current conditions and the character of current structures and uses in each district:

**The subject property proposed to host the BESS project is located adjacent to an existing NIPSCO switchyard and overhead electric transmission line, and the BESS facility is consistent with those immediately surrounding adjacent land uses. The BESS facility is located adjacent to the area previously approved by Lake County for a solar energy project, and the BESS facility’s subject property was originally part of that solar energy project. The BESS facility will be a compatible use with the future solar energy project. The current conditions and character of the nearby area generally consist of mostly agricultural uses, scattered residential uses, and some institutional, industrial and commercial uses. The zone change to CD is consistent with the variety of uses that exist in the surrounding area.**

3. The most desirable use for which the land in each district is adapted – findings or reasons as to whether the request is/is not consistent with the most desirable use for the land:

**The subject property for the zone change is located adjacent to an existing switchyard and overhead electric transmission line and is therefore an ideal location for energy production infrastructure, such as the BESS facility. The BESS facility is located adjacent to the area previously approved by Lake County for a solar energy project, and the BESS facility’s subject property was originally part of that solar energy project. The BESS facility will increase the availability of electricity during peak usage times, and that**

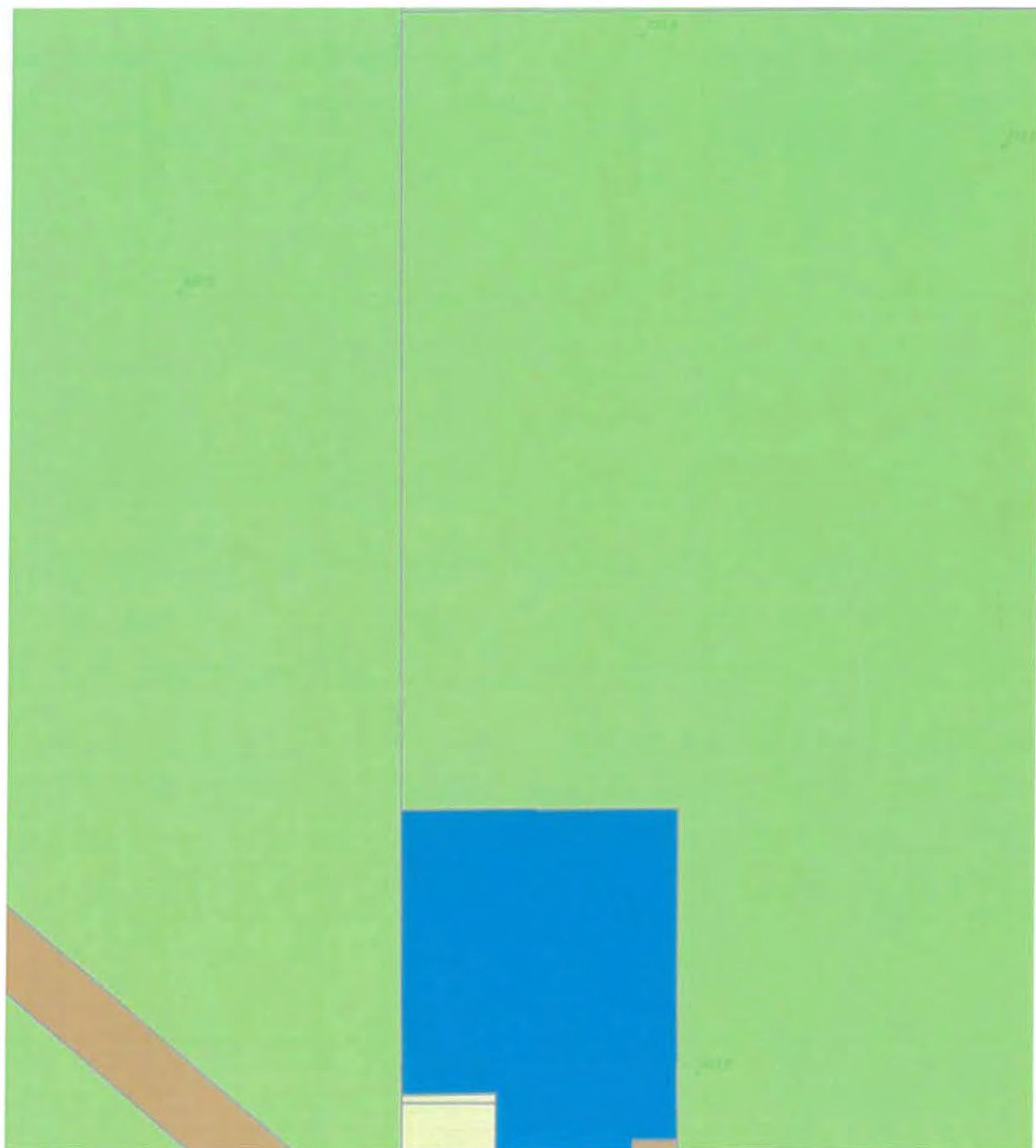
**benefit is critical for future economic growth in the Lake County area. The zone change and the use of the subject property for a BESS facility is therefore a desirable and beneficial use.**

4. The conservation of property values throughout the jurisdiction; findings or reasons as to whether the request is/is not consistent with the conservation of property values throughout the jurisdiction:

**The zone change and proposed use of the subject property for a BESS facility is consistent with the surrounding uses, and the BESS facility will not create adverse impacts upon surrounding properties. The agricultural uses near the subject property will not be affected by the zone change and the use of the subject property for a BESS facility. The proposed BESS facility will be setback at sufficient distances to avoid negative impacts on nearby residential and other uses and will be located more than 2,000 feet from the nearest non-participating residence. The BESS facility will not create any harmful noise, traffic, odors, dust or other impacts that could negatively affect the use, enjoyment and value of land used for residential and other purposes in the vicinity of the subject property. Accordingly, the zone change and proposed use of the subject property for a BESS facility will not have a detrimental impact upon surrounding property values.**

5. Responsible growth and development – findings or reasons regarding whether the request does/does not represent responsible growth and development:

**Stabilizing the electrical grid and providing energy to meet existing and future electricity demand is necessary and appropriate. It constitutes responsible growth and development in Lake County. The BESS facility is located adjacent to an existing NIPSCO switchyard and overhead transmission line, and it is therefore an appropriate location for the BESS facility. The BESS facility will only use approximately 40 acres of agricultural land which was originally part of the solar energy project. The zone change is accordingly a responsible and beneficial new development in Lake County.**





# Foundry Works Energy Storage Project

## Lake County, Indiana

### Civil Site Development Plan

#### 200 MW x 4HR (800MWh)

PREPARED FOR:

**Invenergy**

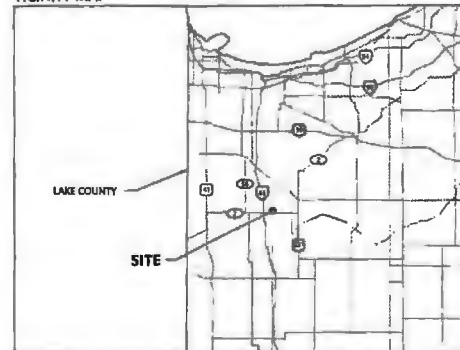
One South Wacker drive,  
Suite 1800, Chicago, IL 60606

DATE: 04/03/2026 BY: CDE, BJB  
A: 04/03/2026, 04/03/2026, 04/03/2026, 04/03/2026  
S: 04/03/2026, 04/03/2026, 04/03/2026, 04/03/2026

REGIONAL MAP



VICINITY MAP



| DATA SET INFORMATION |                                                                                                  |          |                        |
|----------------------|--------------------------------------------------------------------------------------------------|----------|------------------------|
| COORDINATE SYSTEM    | NSRS 2011 INDIANA STATE PLANES, WEST ZONE, US FOOT                                               |          |                        |
| BASE FILE            | FILE NAME / NOTES                                                                                | PROVIDER | DATE                   |
| AERIAL IMAGE         | 003581X-AIRALine                                                                                 | Westwood | 10/7/2020              |
| ALTA SURVEY          | 2020-10-08 Foundry Works ALTA-DRAFT.pdf<br>2020-09-23 Foundry Works Utility Discovery_Report.pdf | Westwood | 9/23/2020<br>10/9/2020 |
| TOPOGRAPHY           | Foundry_Works_Topography.dwg                                                                     | Westwood | 7/13/2020              |
| STREAMS/WETLANDS     | Foundry Works Wetlands Delineation_Report_FINAL_07.26.20                                         | ESP      | 7/26/2020              |
| CULTURAL RESOURCES   | Foundry Works Desktop Cultural Resources_FINAL_04.21.21                                          | ESP      | 4/21/2021              |
| GEOTECHNICAL REPORT  | Pending                                                                                          |          |                        |

| CONTACT INFORMATION |                 |          |                |
|---------------------|-----------------|----------|----------------|
| PROJECT ROLE        | CONTACT NAME    | COMPANY  | PHONE          |
| OWNER / DEVELOPER   | RYANSON WINKLES | WESTWOOD | (312) 438-2540 |
| PROJECT MANAGER     | HATCHELL CITY   | WESTWOOD | (800) 841-8800 |
| CIVIL ENGINEER      | BILLY MOON      | WESTWOOD | (608) 344-2518 |

| SHEET LIST TABLE |                                             |
|------------------|---------------------------------------------|
| SHEET NUMBER     | SHEET TITLE                                 |
| C001             | Cover Sheet                                 |
| C100             | Existing Conditions & Delineation Plan      |
| C200             | Site Plan                                   |
| C201             | Grading, Drainage, and Erosion Control Plan |
| C202             | Grading Profiles                            |
| C203             | Grading Profiles                            |
| C204             | Grading Massmap                             |
| C205             | Surfaceing Plan                             |
| C300             | Construction Notes                          |
| C301             | General Details                             |
| C302             | General Details                             |
| C303             | Erosion Control and BMP Details             |
| C304             | Erosion Control and BMP Details             |

**Foundry Works  
Energy Storage  
Project**  
Lake County, Indiana

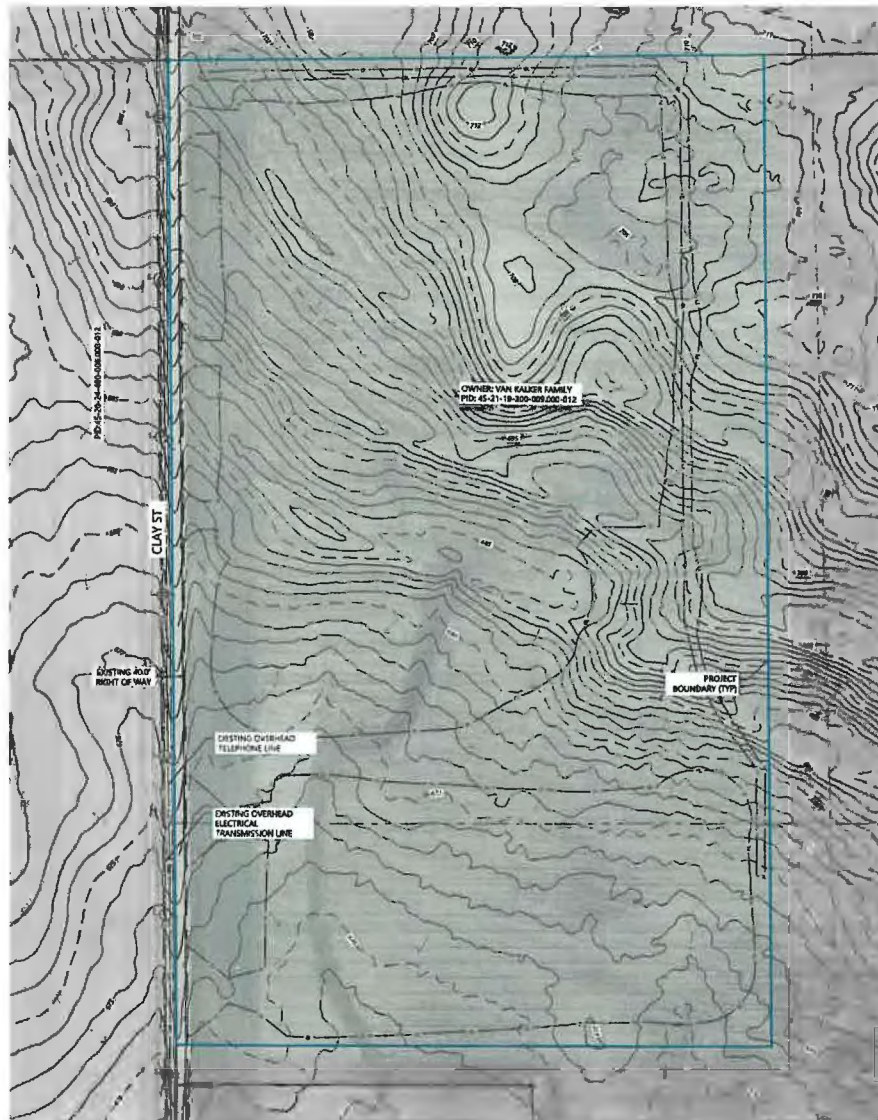
Cover Sheet

NOT FOR CONSTRUCTION

DATE: 04/03/2026

SHEET: C001

REV: B



#### LEGEND:

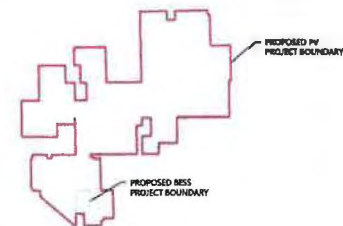
- BRS PROJECT BOUNDARY
- PARCEL LINE
- QUARTER SECTION LINE
- RIGHT-OF-WAY LINE
- EX. BASEMENT LINE
- EX. 3" INDEX CONTOUR
- EX. 1" INTERVAL CONTOUR
- EX. OVERHEAD POWER
- EX. OVERHEAD TELEPHONE LINE
- EX. GAS LINE
- EX. OVERHEAD TELEPHONE HARBOR
- EX. FLOW DIRECTION
- PROPOSED GRADING LIMIT

#### NOTES:

1. EXISTING INFRASTRUCTURE IS BASED ON UTILITY DISCOVERY AND ALTA SURVEY PERFORMED BY WESTWOOD, DATED 8/24/2021 AND 10/10/2021.
- 1.1. CONTRACTOR TO NOTIFY PROPERTY OWNER BEFORE THE START OF CONSTRUCTION ACTIVITIES.
- 1.2. CONTRACTOR TO VERIFY AND WALK THE SITE PRIOR TO CONSTRUCTION TO CONFIRM SITE CONDITIONS, NOTIFY ENGINEER OF ANY DISCREPANCIES.
2. PROJECT COORDINATE SYSTEM IS NAD83 2011 INDIANA STATE PLANNED WEST ZONE, US FOOT. PROJECT IS WITHIN FEMA FLOOD ZONE X, MINIMAL FLOOD HAZARD ZONE. SEE HYDROLOGY REPORT FOR MORE INFORMATION.
4. PLAN AND CONSTRAINTS ARE BASED ON DATA FROM SOURCES SHOWN IN THE DATA INFORMATION TABLE PROVIDED ON SHEET C01.

#### KEYMAP:

(SCALE: 1:12,500)



**Westwood**  
811 Know what's below.  
Call before you dig.

Westwood  
1000 S. 10th St.  
Westwood, WI 53190  
Westwood Group, Inc.

PROPOSED PV:

**Invenergy**

One South Wacker drive,  
Suite 1800, Chicago, IL 60606

DATE: 04/03/2026  
BY: J. J. J. J.  
CHECKED: J. J. J. J.  
APPROVED: J. J. J. J.

DATE: 04/03/2026  
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BY: J. J. J. J.  
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APPROVED: J. J. J. J.

## Foundry Works Energy Storage Project

Lake County, Indiana

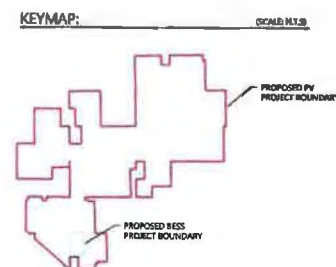
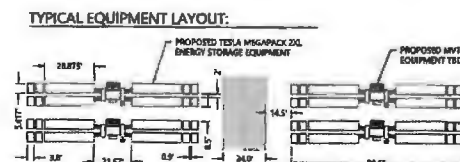
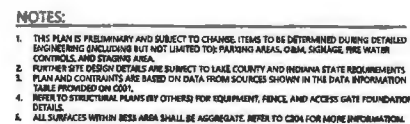
Existing Conditions &  
Demolition Plan

NOT FOR CONSTRUCTION

DATE: 04/03/2026

SHEET: C100

REV:  
B



| Q | Issue    | Company                     | EV C/S    |
|---|----------|-----------------------------|-----------|
| A | Chrysler | Chrysler Financial Services | 1.00 0.00 |
| B | Chrysler | Chrysler Financial Services | 1.00 0.00 |



Lake County, Indiana

### Site Plan

**NOT FOR CONSTRUCTION**

DATE: 04/03/2026

SHEET: C200

1





**Westwood**

Phone: 703.511.4000 10175 Church Rock Hwy, Suite 200  
 Fax: 703.511.4100 Greenwood, CO 80722  
 westwood@westwood.com  
 Westwood Professional Services, Inc.

PREPARED FOR:

**Invenergy**

One South Wacker Drive,  
 Suite 1800, Chicago, IL 60605

|             |                        |     |      |
|-------------|------------------------|-----|------|
| DESIGNED BY | CHIEF ENGINEER         | BY  | DATE |
| CHECKED BY  | PROJECT MANAGER        | NO. | REV. |
| APPROVED BY | SENIOR PROJECT MANAGER | NO. | REV. |

**Foundry Works  
 Energy Storage  
 Project**  
 Lake County, Indiana

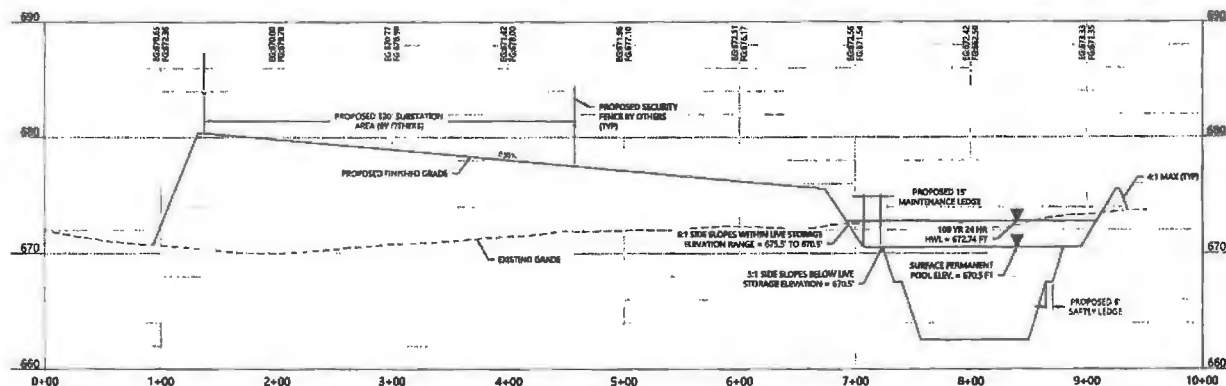
Grading Profiles

NOT FOR CONSTRUCTION

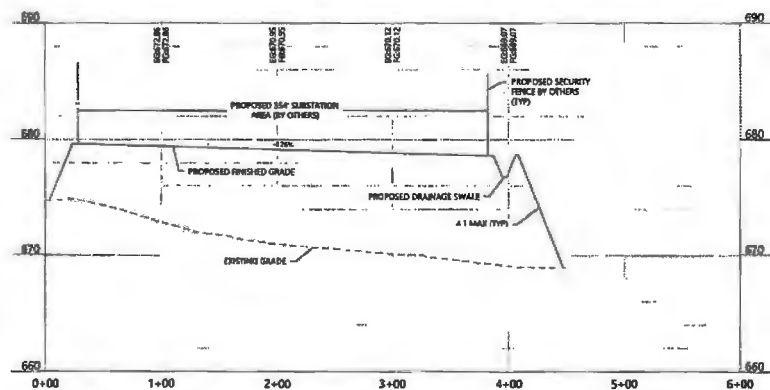
DATE: 04/03/2026

SHEET: C203

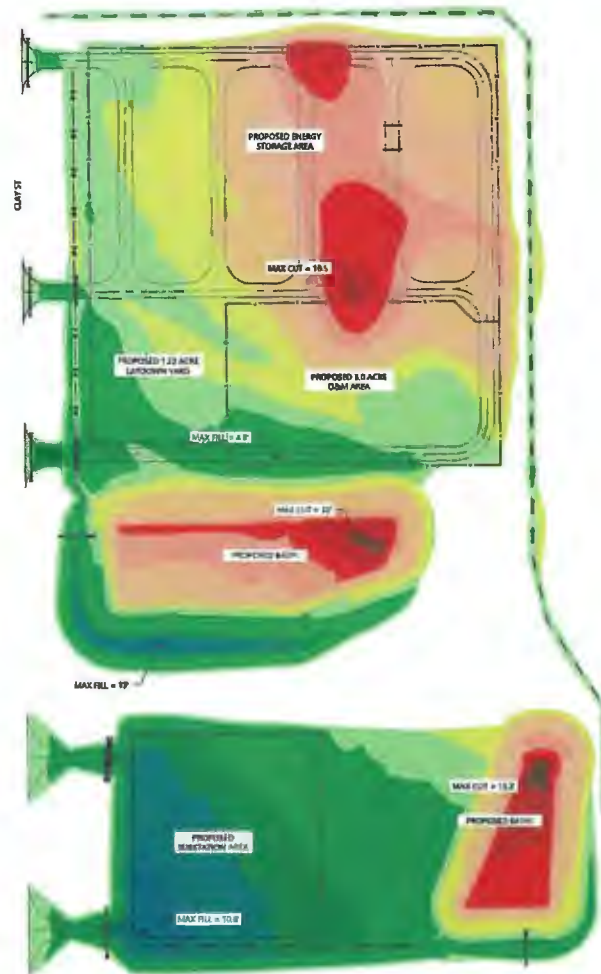
REV:  
 B



① PROFILE C (SEE SHEET C201)  
 H. SCALE: 1" = 60'; V. SCALE: 1" = 8'



② PROFILE D (SEE SHEET C201)  
 H. SCALE: 1" = 50'; V. SCALE: 1" = 8'



#### LEGEND:

- PROPOSED 24' ACCESS ROAD
- PROPOSED SECURITY FENCE
- PROPOSED DRAIN OR ROADSIDE DITCH
- PROPOSED GRADING LIMIT (SL)

#### CUT/FILL TO FINISHED GRADE:

|                 |
|-----------------|
| 14' to 12' Cut  |
| 12' to 10' Cut  |
| 10' to 8' Cut   |
| 8' to 6' Cut    |
| 6' to 4' Cut    |
| 4' to 2' Cut    |
| 2' to 0' Cut    |
| 0' to 2' Fill   |
| 2' to 4' Fill   |
| 4' to 6' Fill   |
| 6' to 8' Fill   |
| 8' to 10' Fill  |
| 10' to 12' Fill |

#### EARTHWORK QUANTITIES

| SURFACE AREA | 27.5         | ACRES |
|--------------|--------------|-------|
| RAW CUT      | 97,860       | CY    |
| RAW FILL     | 18,800       | CY    |
| RAW NET      | 14,000 (EST) | CY    |

NOTE: EARTHWORK QUANTITIES ARE PRELIMINARY PENDING GEOTECH REPORT, BASED ON PUBLIC TOPOGRAPHY. DO NOT INCLUDE SHRINK/SWELL FACTORS, AND DO NOT ACCOUNT FOR AGGREGATE OR TOPSOIL SECTIONS.

#### NOTES:

- THIS PLAN IS PRELIMINARY AND SUBJECT TO CHANGE. ITEMS TO BE DETERMINED DURING OPTIMIZED ENGINEERING (INCLUDING BUT NOT LIMITED TO: PASSING AREAS, O&M, SIGNAGE, FIRE WATER CONTROLS, AND STAGING AREA).
- FURTHER SITE DESIGN DETAILS ARE SUBJECT TO LAKE COUNTY AND INDIANA STATE REQUIREMENTS.
- ALL SITE EQUIPMENT TO BE A MINIMUM OF 2 FT ABOVE 100 YR 24 HR STORM HIGH WATER LEVEL BASED UPON FINAL HYDROLOGY REPORT.
- QUANTITIES ARE PRELIMINARY AND FOR ESTIMATING ONLY. QUANTITIES PROVIDED ARE SUBJECT TO CHANGE BASED ON REVISED LAYOUT, UPDATED CONSTRAINTS, AND FINALIZED DESIGN.

**Westwood**

Phone: 270 541-4000 16112 Church Branch Way, Suite 400  
16112 Hwy 1000, 27050-0000, INDIANAPOLIS, IN 46203  
westwoodinc.com

Westwood Environmental Services, Inc.

PROPOSED SITE

**Invenergy**

One South Wacker Drive,  
Suite 1800, Chicago, IL 60606

PROPOSED

A. SUBMITTED FOR REVIEW

B. PRELIMINARY FOR REVIEW

C. FOR REVIEW

D. FOR REVIEW

E. FOR REVIEW

F. FOR REVIEW

G. FOR REVIEW

H. FOR REVIEW

I. FOR REVIEW

J. FOR REVIEW

K. FOR REVIEW

L. FOR REVIEW

M. FOR REVIEW

N. FOR REVIEW

O. FOR REVIEW

P. FOR REVIEW

Q. FOR REVIEW

R. FOR REVIEW

S. FOR REVIEW

T. FOR REVIEW

U. FOR REVIEW

V. FOR REVIEW

W. FOR REVIEW

X. FOR REVIEW

Y. FOR REVIEW

Z. FOR REVIEW

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AC. FOR REVIEW

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BF. FOR REVIEW

BG. FOR REVIEW

BH. FOR REVIEW

BI. FOR REVIEW

BJ. FOR REVIEW

BK. FOR REVIEW

BL. FOR REVIEW

**Foundry Works  
Energy Storage  
Project**  
Lake County, Indiana

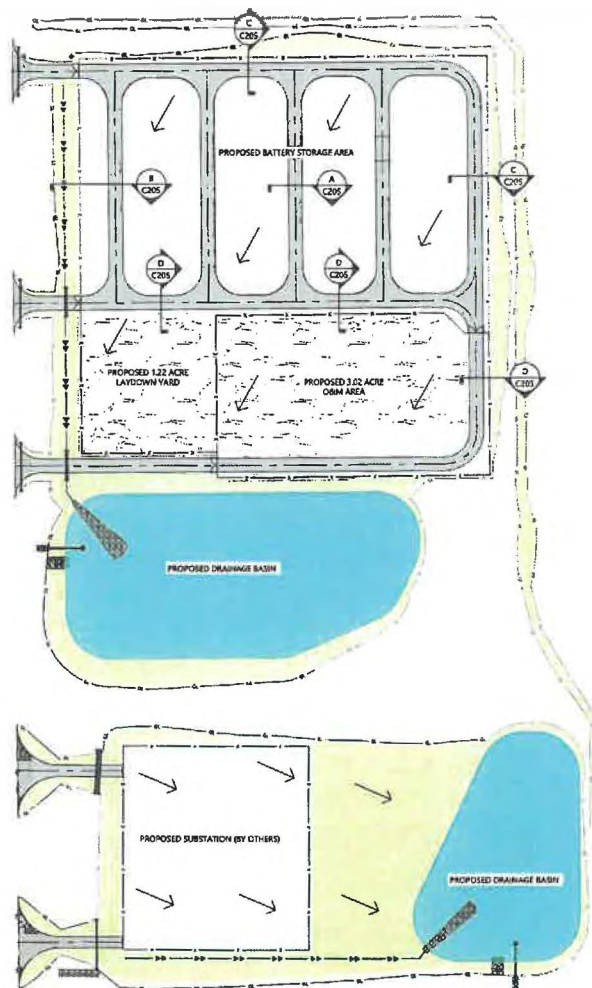
Grading Heatmap

NOT FOR CONSTRUCTION

DATE: 04/03/2026

SHEET: C204

REV: B



# LEGEND:

- BESS PROJECT BOUNDARY
- PROPOSED 8' ACCESS ROAD
- PROPOSED SECURITY FENCE
- PROPOSED DRAINAGE BASIN
- PROPOSED DRAINAGE BASIN
- PROPOSED CULVERT
- PROPOSED R/P RAP SECTION (VARIES, SEE DETAILS)
- PROPOSED GRADING LIMIT (GL)
- PROPOSED FLOW DIRECTION

# NOTES:

- REFER TO CONSTRUCTION SPECIFICATIONS, AGGREGATE REQUIREMENTS, AND TESTING REQUIREMENTS ON SHEET C300.
- STRUCTURAL SECTIONS SHOWN ARE THE MINIMUM THICKNESS DURING NORMAL FIELD CONDITIONS. THE SECTIONS MAY NEED TO BE INCREASED BASED ON ACTUAL FIELD CONDITIONS AT THE TIME OF CONSTRUCTION. CONDITIONS INCLUDE, BUT ARE NOT LIMITED TO, CONSTRUCTION IN UNUSUALLY WET PERIODS, IN COMPACT AREAS, AND SOFT SOILS.
- AGGREGATE DEPTHS SPECIFIED ARE DEPTHS REBANKING AT THE END OF CONSTRUCTION.
- EXTEND GRAVEL OUTSIDE OF ROAD EDGE PAST FENCE LINE FOR 5 FT PER SECTION BELOW AND TRANSITION SECTION B.
- FINAL AGGREGATE SECTIONS PENDING FINAL GEOTECH REPORT, ELECTRICAL STUDIES, AND SUBSTATION ROR.

# SURFACE SECTIONS:

## TEMPORARY LAYDOWN AND OBM



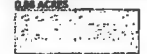
## BESS PAD AREA



## SITE ACCESS ROAD



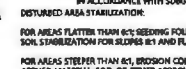
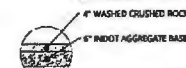
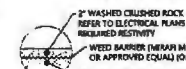
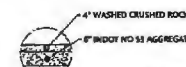
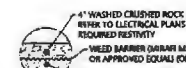
## GRAVEL TOPPING WITHIN ROR



## SUBSTATION PAD AREA

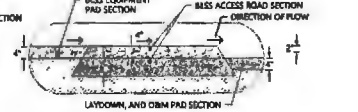
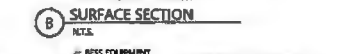
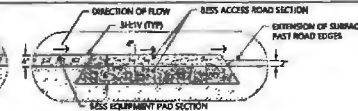
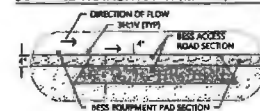


## STABILIZED/VEGETATED AREA



FOR AREAS FLATTER THAN 6% SLOPING FOLLOWED BY A CRIMPED MULCH APPLICATION IS THE PREFERRED METHOD OF SOIL STABILIZATION FOR SLOPES 6% AND FLATTER. SEE DETAILS SM-40.  
FOR AREAS STEEPER THAN 6%, EROSION CONTROL BLANKET (ECONOMY P80 OR APPROVED EQUAL), HYDRAULICALLY APPLIED MATERIAL, SOIL, OR OTHER APPROVED EROSION CONTROL MEASURE TO BE APPLIED TO SLOPES STEEPER THAN 6%. SEE DETAILS SM-01, SM-02, SM-03, SM-04, SM-05, AND SM-06.

# SURFACE TRANSITIONS:



**Westwood**

Phone: (781) 351-0000 1070 Quabbin Park, Suite 100  
Fax: (781) 351-0000 Westwood, MA 02091  
www.westwoodma.com

Westwood Professional Services, Inc.

PROPOSED ROR

**Invenergy**

One South Wacker drive,  
Suite 1800, Chicago, IL 60606

REVISIONS:

DATE: 04/03/2026 BY: CME/AM

DESCRIPTION: REVISIONS: M10, M11, M12

DATE: 04/03/2026 BY: CME/AM

DESCRIPTION: REVISIONS: M10, M11, M12

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DESCRIPTION: REVISIONS: M10, M11, M12

DATE: 04/03/2026 BY: CME/AM

DESCRIPTION: REVISIONS: M10, M11, M12

**Foundry Works  
Energy Storage  
Project**

Laure County, Indiana

Surfacing Plan

NOT FOR CONSTRUCTION

DATE: 04/03/2026

SHEET: C205

REV: B

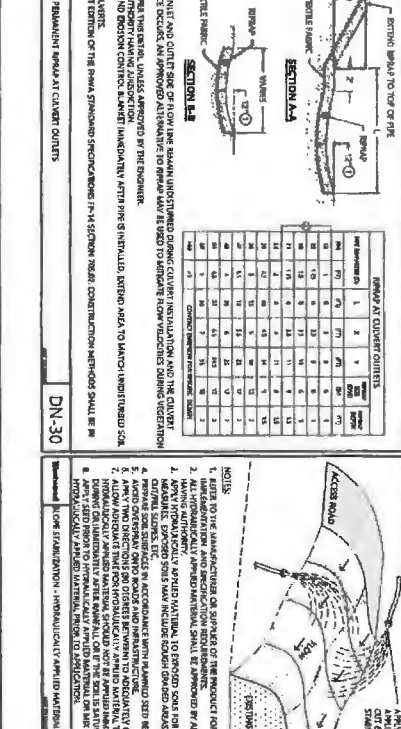
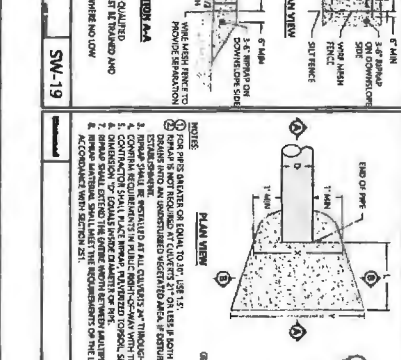
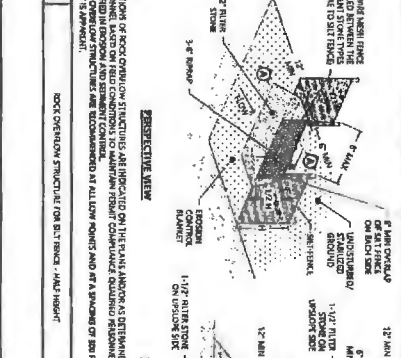
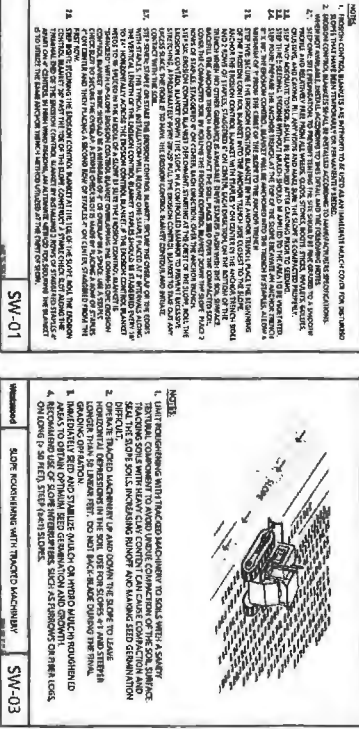
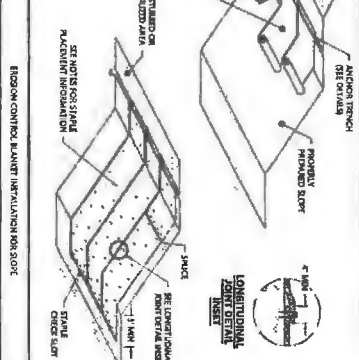
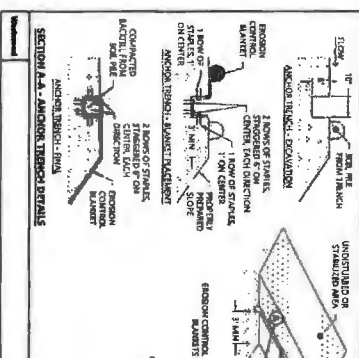
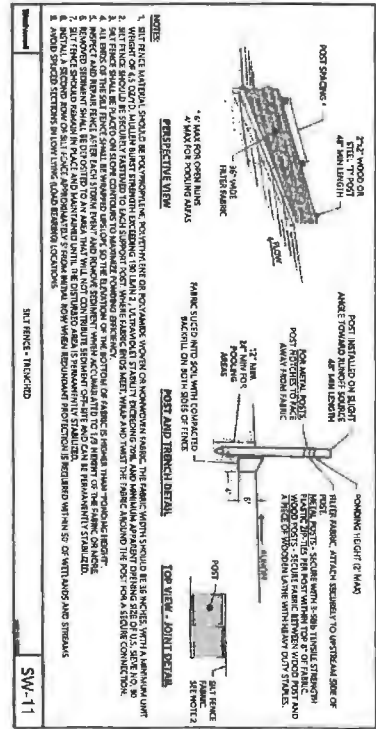
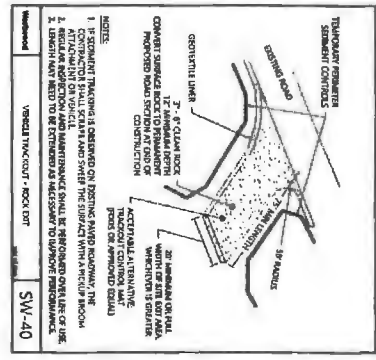
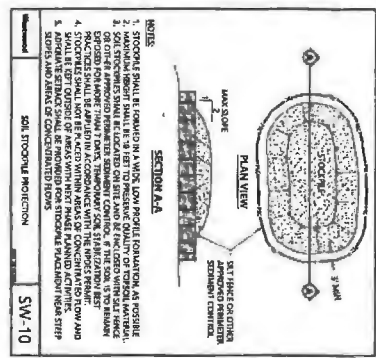




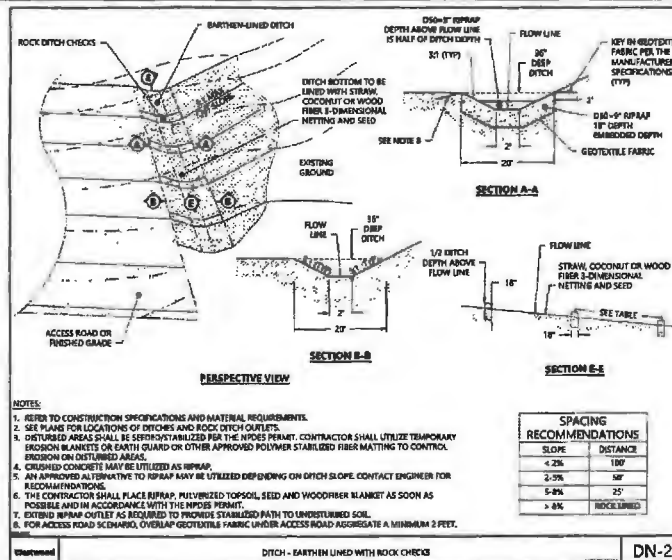
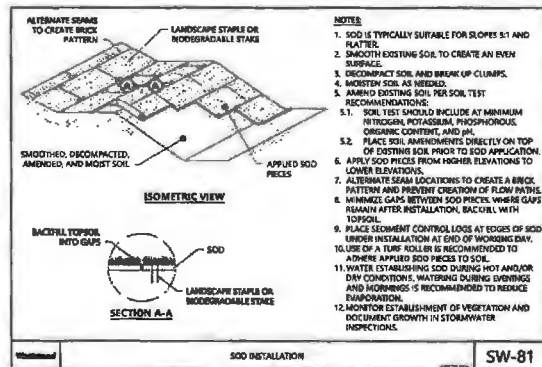
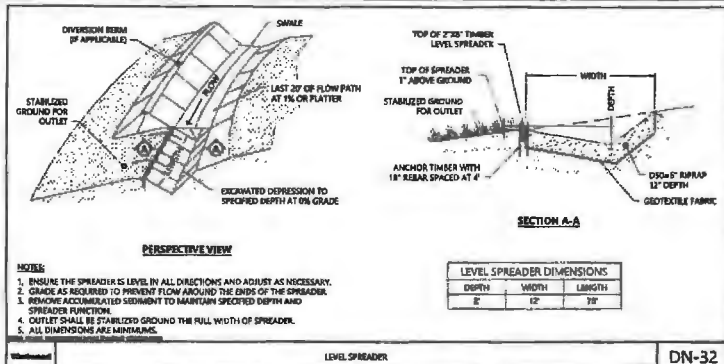
**Foundry Works  
 Energy Storage  
 Project**  
 Lake County, Indiana

**General Details**

**NOT FOR CONSTRUCTION**







**Westwood**  
 Phone: 800.551.8888 800.551.8888  
 Fax: 800.551.8888 800.551.8888  
 www.westwood.com

**Invenergy**  
 One South Wacker drive,  
 Suite 1800, Chicago, IL 60605  
 www.invenergy.com

**Foundry Works  
 Energy Storage  
 Project**  
 Lake County, Indiana

**Erosion Control and  
 BMP Details**

**NOT FOR CONSTRUCTION**

DATE: 04/03/2026  
 SHEET: C304  
 REV: B



## Office of the Lake County Surveyor

Lake County Government Center • 2293 North Main Street • Crown Point, Indiana 46307  
Phone: (219) 755-3745 • Fax: (219) 755-3750

**Bill Emerson, Jr., P.E.**  
County Surveyor

Petitioner: Foundry Works Energy Storage LLC  
Petitioner's Address: One S. Wacker Dr., Ste. 1500  
Chicago, IL 60606  
Owners Name: Van Kalker Family Limited Partnership  
Subject Address: No mailing address – Approx. 1000 feet north of 181<sup>st</sup> Ave on east side of Clay St.  
Parcel Numbers: Portion of 45-21-19-300-009.000-012  
Requested Change: Current zoning – A1 to CD  
Purpose: Battery energy storage system

1. Please note the proposed project must comply with the "Stormwater Management and Clean Water Regulations Ordinance, Ordinance No. 1500A" and the Lake County, Indiana "Stormwater Technical Standards and Clean Water Regulation Manual", which are available on the Lake County Surveyor's Office website. Please be ready to discuss containment of any hazardous contaminants within the units, as well as containment of runoff in the event of a fire.
2. Please note Ordinance #1500A requires detention for all developments.
3. The proposed project will disturb > 1 ac. A complete stormwater pollution prevention plan (SWPPP) will be required.
4. The proposed project will disturb > 1 ac and will need to address post-construction water quality as appropriate.
5. Occupancy Permit will not be approved until Petitioner complies with the Lake County Stormwater Management Ordinance (1500A) including, but not limited to the submission of stamped "As-Built" Certification of Engineering Plans previously approved by Lake County Surveyor.

For future projects, vertical datum must be NAVD88 and horizontal datum must be Indiana State Plane Coordinates NAD83.

Date: 4/9/2026

Bill Emerson, Jr., PE, Lake County Surveyor

cc: Dan Gossman, Drainage Administrator,  
Clifford Duggan, MS4 Coordinator

## STAFF REPORT

**To:** Lake County Board of Zoning Appeals

**Prepared by:** Kenneth Wolfrum

**Case number:** 26-SE-03

**Date:** May 20, 2026

### **GENERAL INFORMATION:**

**Owner:**

Minerva Moya

**Petitioner:**

Minerva Moya

**Requested Actions:**

Special Exception from the Unincorporated Lake County Unified Development Ordinance Title 154, Article 7, Use Categories, Chapter 80, Agricultural Use Category, Section I, Agritourism, Sub-Section 2, Agritainment.

**Purpose:**

To allow for rodeo shows

**Location:**

Located approximately 8/10 of a mile south of W 197<sup>th</sup> Avenue on the east side of State Line Road, aka 20407 State Line Road in West Creek Township

**Size:**

20 Acres

**Existing Zoning and Land Use:**

A-1, Agricultural

**Surrounding Zoning and Land Use:**

North: A-1 (Agricultural)  
East: A-1 (Agricultural)  
South: A-1 (Agricultural)  
West: IL

**Comprehensive Plan:**

The property is targeted for Agricultural use.

### **AGENCY COMMENTS:**

**Health:**

No Objections

**Highway (Lake):**

No comment or concerns, Maintained by IL

**Surveyor:**

Approval only for the above request

**Yellowhead Township IL Highway:**

**The Township is against this commercial use of the property. The roads are not built for a**

**commercial/ industrial facility and would put great burden upon the township to repair or replace these roadways.**

**BACKGROUND INFORMATION (Written by Kenneth Wolfrum in 2026):**

This property has appeared previously before the Plan Commission and Board of Zoning Appeals both for violations and study sessions regarding the existing and proposed use for this property. Since the previous comments were written, an amendment to the Unified Development Ordinance has included a category of uses only allowed by special exception on agriculturally zoned properties. The proposed use for the property for rodeos (the variant of which the petitioner is seeking a special exception for is known as “Charrería”) would fall under the category of “agricultural festivals” stated explicitly as an element under “Agritourism” in our Unified Development Ordinance. Since this use has gone without the prerequisite special exception for some time, and given the property’s previous violations for the sale of alcohol without a license, this petition required both a pre-application meeting with plan commission staff, and a study session to discuss the potential impacts of its approval.

*The comments below were written in regards to Moya’s previous petition for this use. Citations differ due to the application of a previous version of our UDO.*

**BACKGROUND INFORMATION (Written by Jacob Lenson in 2010):**

This property, once known as the “Love Farm” (owned by Richard H. Love), was granted a Special Exception in October 1985 which allowed the petitioners the right to raise, breed, and sell quarter horses; train and conduct horse shows. The property has since been sold and is now owned by Ms. Minerva Moya (the current petitioner/ owner). The current petitioner is seeking a revision to the existing Special Exception to allow her to conduct “rodeos” and sell alcohol. The petitioner has engaged in these acts over the past year causing many complaints by adjacent property owners and numerous citations

issued by Lake County Sheriff's Department. The first complaints came to the Plan Commission in late July; which prompted a site visit by Steve Nigro (Planning and Building Administrator) and Bob Bauer (Zoning Administrator), later followed by a meeting with Ms. Moya on August 5, 2010. On August 11, 2010, the Plan Commission issued a letter (included in summary) to Ms. Moya indicating the proper procedure in which she needed to follow to obtain a Class C Special Exception to allow her to continue operating a rodeo and selling alcohol on her property. The letter also stated if the owners continued to operate an illegal rodeo and sell alcohol on their premises it would result in fines up to \$300.00 for each offense with each day of the violation being deemed as a separate offense. After the petitioner received such letter, she kept operating the illegal rodeo and selling alcohol resulting in more complaints from neighboring property-owners. Ms. Moya was scheduled for court on October 20, 2010, where the Plan Commission staff asked to defer the case and allow Ms. Moya one final chance to apply for the required Special Exception. Ned Kovachevich (Director, Lake County Plan Commission) sent a letter to Ms. Moya on October 25, 2010 (included in summary), which allowed her 30 days to file for the Special Exception. Ms. Moya filed all of the required paperwork for the Special Exception (Class C, for rodeo and alcohol sales) with the Plan Commission on November 10, 2010.

I ask the board to please review the Unincorporated Lake County Zoning Ordinance, 2.10 (A) Special Exception, which states:

*Special Exceptions may be permitted by the Board in any zone where such uses will be deemed essential or desirable to the public convenience or welfare, and which will not adversely affect the use or enjoyment of property adjacent to the area of the proposed Special Exception and which will be in harmony with the various elements or objectives of the Master Plan, provided, however, that the location, plan, and character of development is first approved by the Commission. In the exercise of its approval, the Commission may impose such conditions regarding location, character, and other features of the*

*proposed use, buildings or structures, as it may deem advisable in the furtherance of the purposes of this Ordinance.*

**ANALYSIS:**

**Compliance with Comprehensive Plan:**

The property is currently targeted for agricultural use.

The property was previously targeted for parks and preserves, but it is currently zoned A-1 (Agricultural), and had an existing Recreational (Class B) Special Exception (October 1985) that allows the owner to raise, breed, and sell quarter horses; train and conduct horse shows.

**Environmentally Sensitive Areas:**

None

**Traffic implications:**

None noted by the Lake County Highway Department

**Access and street design**

N/A

**Stormwater management:**

N/A

**Infrastructure fees**

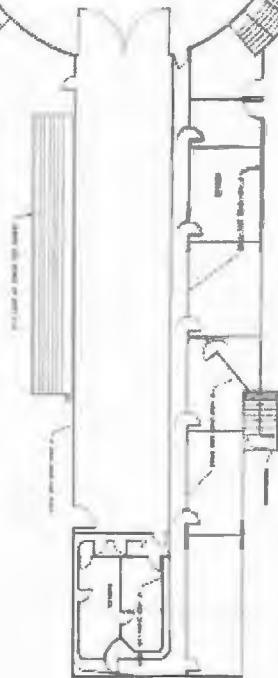
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**DEFICIENCIES AND DISCREPANCIES:**

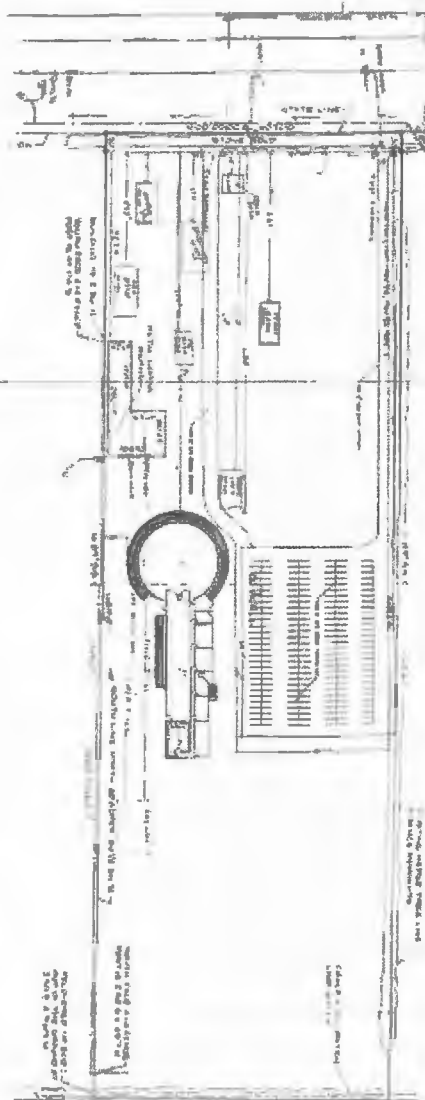
None

**ATTACHMENTS:**

1. Site Plan (to be distributed)
2. Aerial Photograph (to be distributed)
3. Findings of Fact
4. Comprehensive Land Use Plan



**FLOOR PLANS**



**SITE PLAN**

1. The first step is to identify the problem. In this case, the problem is that the company is not meeting its sales targets.

[illegible]

- [illegible]

[illegible][illegible]

PLANS AND DETAILS

A11.1



## Findings of Fact

### SPECIAL EXCEPTION

In preparing and considering proposals under the law, the Lake County Board of Zoning Appeals shall largely base their recommendation on the following three requirements. Determining findings for the following criteria is required as part of the process. It is a requirement that each petitioner address the following items in order to apply for a Special Exception. If additional space is needed, you may use extra sheets of paper. Please make your answers as clear, concise and legible as possible.

1. Approval of the Special Exception will be deemed essential or desirable to the public convenience or welfare because:  
the proposed location provides a safe, structured, and regulated environment for agricultural and equestrian activities that are consistent with the area's rural character. It would create a venue for community events & family oriented entertainment. Additionally contributing to the local economy by attracting visitors supporting businesses, contractors & vendors. and,
2. Approval of the Special Exception will not adversely affect the use or enjoyment of property adjacent to the area of the proposed Special Exception because:  
the property is located within a predominantly agricultural area, with surrounding uses consisting primarily of farmland and low density rural properties with substantial natural separation & minimizing potential impacts. Any activities will be conducted in a controlled & organized manner, with attention to reasonable hours of operation; and, limit noise during early morning, as well as traffic control & parking accomodation;
3. Approval of the Special Exception will be in harmony with the various elements or objectives Master Plan because:  
the proposed use supports & preserves the rural and agricultural character of the area. Being located within an agricultural setting the proposed exception, represents a low-intensity, seasonal use that complements existing land use rather than detracting from them. By providng agricultural entertainment & equestrian related activities, the use promotes agricultural awareness, education, and community engagement, which are consistent

with the goals of maintaining and supporting rural traditions.

The Planning Staff acknowledges that additional evidence and comments will be made at the public hearing and may be included in the Board of Zoning Appeal's recommendation to the Lake County Council. This portion of the application is to establish a basis for the requested Special Exception and its content may or may not be used by the Board of Zoning Appeals in the formulation of their recommendation or by the Lake County Council as the basis of their decision.

NO OBJECTIONS - R. Nutt  
ENVIRONMENTAL DEPT  
4-7-26  
219 755 3672

