

**CITY OF HOBART PLAN COMMISSION
MINUTES OF JANUARY 3, 2019**

Maria Galka called the meeting to order at 7:00 p.m. with the recitation of the Pledge of Allegiance. Members in attendance: Stuart Allen, David McEachern, Jim Jaracz, Rich Lain, Jason Spain, Maria Galka, Dave Vinzant, Craig Brooks and Phil Gralik, City Engineer. Also in attendance: Ross Pietrzak, Zoning Administrator/Planner 1 and Joy Respecke, Recording Secretary. Absent: Sergio Mendoza, City Planner.

Election of Officers: Mr. Vinzant motioned to retain the existing officers, seconded by Mr. Lain. All ayes, motion carried. (9-0) Maria Galka, President; Dave Vinzant, Vice-President and Jason Spain, Secretary

Approval of Minutes: Mr. Lain motioned to approve the minutes of December 6, 2018 as presented, seconded by Mr. Jaracz. All ayes, motion carried. (9-0)

Communications/Acceptance of Agenda: Mr. Spain requested to Table Petitions 18-06A, 18-30A & 19-01. Mr. Vinzant motioned to approve the agenda as amended, seconded by Mr. Lain. All ayes, motion carried. (9-0)

Business of the Day

- 1. **17-06B** Cameron Bernard (Petitioner/Owner) 7190 Grand Blvd. located North & West of Grand Blvd. & Ainsworth Rd., zoned R-3, 2.49 acres +/-
- Request:** *Site Plan Review & Extension Request*
- Purpose:** Amendment for proposed storage warehouses
- Granted _____ Denied _____ Deferred X Vote 9-0

Cameron Bernard requested to amend his previously approved site plan. He proposed to change the construction phasing by constructing Building A prior to Building E to provide more of a visible exposure to the development. Also proposed was to amend the size of Buildings B & D by increasing the width from 20' to 30'. Mr. Vinzant mentioned that although he was not opposed to the change in the construction phasing, was opposed to widening the buildings causing them to be located closer to the residents to the south where there is existing drainage concerns. It was noted there is a discrepancy with the dimensions of the proposed buildings and the drive lanes on the amended site plan than what was approved on the original site plan. It was requested to submit a revised drainage plan. Tim Kingsland, Stormwater Coordinator, recommended the site plan be tabled pending Staff resolving the drainage issues and potential Stormwater Permit concerns as the drainage is not functioning as designed. Mr. Gralik mentioned a letter was delivered to him from the resident that resides immediately south of the concrete pipe at the detention pond. It was found that although the pond holds water it slowly trickles out through the perforated spreader pipe and is concentrating the discharge 4' to 5' at the concrete pipe into the neighbor's yard. They stated that at this point it was unclear

whether the problem is due to a construction or design issue of the detention pond. At any rate, the detention pond is not functionally correctly. Mr. Bernard mentioned his intention is to be a good neighbor and suggested installing a French Drain with stone and drain tile and daylight it out into the ditch to alleviate drainage on his neighbor's property. Mr. McKown, 6148 Ainsworth Rd., 947-7440 stated he felt this would not solve the flooding problems due to the fact the ditch will continue to overflow onto his property. Mr. Vinzant motioned to Table Petition 17-06B including all discussion, seconded by Mr. McEachern. All ayes, motion carried. (9-0)

2. **18-06A** Randy Hall (Petitioner/Owner) located south of 37th Avenue, east of Wisconsin Street and west of Lake Park Avenue, zoned PUD, 113 acres +/-

Request: **Tabled: Preliminary/Final Plat** Cressmoor Estates

Purpose: Proposed 234+/- lot subdivision

Approved ____ Denied ____ Deferred X Vote ____

Tabled at acceptance of agenda.

3. **18-14A** Morgan Wyatt LLC/Scott Pritchett (Petitioner/Agent) 8585 E. 37th Avenue located approx. ¼ mile east from the SE corner of 37th Avenue & State Rd. 51, zoned B-3, 2.63 acres

Request: **Site Plan Review**

Purpose: Amend landscape & drainage plan

Granted X Denied ____ Deferred ____ Vote 9-0

Brian Hertz, Civil Engineer for MGA; Randy Travis, Morgan Wyatt, was present to address the concerns regarding the trees that were removed along the south side of the property. Mr. Hertz stated the trees were removed due to revising the detention ponds on the west and extending them further to the south to provide more adequate drainage issues. Proposed was to install a vinyl fence along the southern property line and to plant ten (10) 3" in diameter maple trees with additional landscaping along the medium to block vehicle headlights from the neighbors to the south. It was the consensus of the Commission that the proposed amended site plan was an improvement than originally approved. Mr. Allen motioned to Grant Petition 18-14A contingent upon the petitioner work with staff in staggering the maple trees to the south including all discussion, seconded by Mr. Gralik. All ayes, motion carried. (9-0)

4. **18-26** Jake Van Santen (Petitioner/Owner) 1239 S. Decatur St. for property at 2031 W. 37th Ave. located approx. 1,000' east from the SE corner of 37th Ave. & Roche St. zoned R-2, 5 acres +/-

Request: **Tabled; Public Hearing:** Rezone

Purpose: A proposed rezoned from R-2 to M-1

Favorable Rec. ___ Unfavorable Rec. ___ Deferred X Vote ___

Mr. Vinzant motioned to remove from table, seconded by Mr. Gralik. All ayes, motion carried. (9-0)

Mr. Van Santen requested to rezone property to the south of his existing business. He stated he operates a construction company and his intent is to remove his excavation equipment from the mill and store it on the proposed rezoned property. Mr. Vinzant noted photos presented to him regarding the appearance of the rear property referring it to the appearance of a junk yard. Mr. Kingsland, Stormwater Coordinator, mentioned that upon visiting the site he discovered environmental concerns on the property that it appears that more than an acre has been disturbed which requires a Stormwater Permit and that he has been in contact with the Army Corp of Engineers (ACOE) regarding potential wetlands. Mr. Van Santen noted he contacted Paul Leffler with the ACOE and Mr. Leffler stated after looking at his map did not see any problems with wetlands but if he wanted testing on the property, he suggested waiting until the spring. He also contacted the DNR and was told the well on the property is considered a bucket well and never designed for human consumption and to hire a licensed contractor to shock the well, test it and seal it up. He is expecting a well contractor to examine the well next week. Mr. Kingsland noted that he has spoken with IDEM and that the property is probably considered to be an isolated wetland and for the ACOE to determine the property is not a wetland, a wetland delineation of the area would need to be done first. It was also felt that a drainage plan is necessary for the property. Mr. Gralik reminded the commission that although they approved the fill permit the petitioner did not follow through with obtaining the necessary stormwater permit and that a certified letter was mailed to Mr. Van Santen informing him of this. Mr. Van Santen explained that the drainage was natural flowing to a middle drain and out the ends. He also stated that he felt he's improved the drainage by filling the flat areas and directing it toward the 3' wide, and 3' to 4' deep center drain. Ms. Galka opened the public hearing for Petition 18-26. *Sandy O'Brien, 219-743-0679: Ms. O'Brien stated that shocking a well is not the same as addressing ground water soil contamination from petroleum products and commented on a quote she received in 2009 for investigating the contaminated well in which it reported that petroleum products were found to be positive. She requested if the Commission approved the rezone that it would not impact the surrounding property. Dan Waldrop, 152 N. Michigan Ave., 219-746-0727: Mr. Waldrop also felt site review was necessary especially if it has any impact to the surrounding area.* Mr. Allen motioned for Petition 18-26 to remain open and to table including all discussion, seconded by Mr. Brooks. Discussion continued that prior to approval a site plan be presented, the property be cleaned up and the findings from the abutting agencies be received. All ayes, motion carried. (9-0)

5. **18-30A** Doug Babcock/Bailiwyck Properties (Petitioner/Owner) located approx. 200' NE of the 61st Ave. & Marcella Blvd. intersection, zoned PUD, 1.12 acres

Request: *Tabled; Site Plan Review*

Purpose: A proposed gas station/convenience store

Granted ___ Denied ___ Deferred X Vote ___

Tabled at acceptance of agenda.

6. 19-01 Karen Miller (Petitioner/Owner) 3950 W. 49th Avenue located 1/2 mile from the NW corner of 49th Ave. & Liverpool Rd. zoned R-2, 7.01 acres

Request: Site Plan Review

Purpose: Propose dirt track & amusement facility

Granted _____ Denied _____ Deferred X Vote _____

Tabled at acceptance of agenda.

7. 19-02 Aetna Development Corp/George Hanus (Petitioner/Agent) 4427 E. US Hwy 30 located approx. 1/3 mile east from the SE corner of Hwy 30 & Utah St. zoned B-3, 2.25 acres

Request: Site Plan Review

Purpose: A proposed retail development

Granted X Denied _____ Deferred _____ Vote 9-0

Present was David Mangurten, KMA & Associates, Inc. Architects, 1121 Lake Cook Rd., Deerfield, IL. Mr. Mangurten proposed is a 7,427 sq. ft. auto parts retail store. Proposed will be a fire hydrant along the north property line, landscaping and drainage for the proposed improvements will flow into the existing detention pond specific to this site. Mr. Gralik motioned to Grant Site Plan for Petition 19-02 including all discussion, seconded by Mr. Allen. All ayes, motion carried. (9-0)

8. 19-03 City of Hobart Plan Commission

Request: Public Hearing

Purpose: Proposed Thoroughfare Plan Update

Favorable Rec. X Unfavorable Rec. _____ Deferred _____ Vote 9-0

Mr. Pietrzak noted that this is the first amendment to the Thoroughfare Plan with another, more substantial amendment coming soon. The purpose of this amendment is to update the Thoroughfare Map and priorities listed in the Comprehensive Plan in order to meet a January 11th deadline to make certain projects eligible for federal funding. Mr. Gralik provided a background on the updates, maps and the projects that the City holds as its highest priorities. Ms. Galka opened the Public Hearing for Petition PC 19-03. Sandy O'Brien, 219-743-0679 voiced concern over thoroughfares being shown to cross through protected lands and wetlands. Mr. Allen stated that the plan is conceptual and that protected areas and wetlands would be considered with any thoroughfare shown on the plan and in general practice. The plan is meant to show the general vicinity of thoroughfares and the desired linkages between two areas, but not to show the actual physical layout or location of roads. Ms. Galka closed the Public Hearing for Petition PC 19-03 after receiving no further

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comments. Mr. Allen made a Favorable Recommendation to the Common Council for Petition PC 19-03 including all discussion, seconded by Mr. Gralik. All ayes, motion carried. (9-0)

Consultation/Discussion:

1) As Built Ordinance-Residential drainage: Mr. Vinzant presented a draft amendment to the Zoning Ordinance. Proposed amendments will include site plans for residential construction indicating a drainage plan, elevations, as built on the foundation and a final survey confirming the proposed building has been completed as originally submitted and approved. Also proposed is to provide a drainage plan for fill permits.

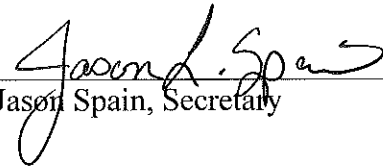
2) Becknell covenants: Mr. Pietrzak presented the aspirational Design Guidelines for review and inquired as to how to incorporate them into new developments moving forward. He noted issues may arise as to when and what may be appropriate and also Staff's concerns are that some of the Design Guidelines are intentionally vague and if they are to be incorporated into a potential development the language should be specific as to whether the petitioner has achieved that requirement. Mr. Pietrzak requested direction on how to incorporate these proposed guidelines into the existing guidelines for future developments. Petitioners will be provided a copy of the design guidelines and will complete a checklist indicating which guidelines they have applied to their projects and how. Staff will review the project and determine if the applied guidelines are actually met. The Plan Commission will compare the checklist to the list of applicable guidelines to the project and make a determination on the level of effort.

3) Include PC petition #s on plats: Mr. Pietrzak noted to provide another layer of record keeping we will be including petition numbers on the recorded mylars.

Hearing no further comments or discussion Mr. Gralik motioned to adjourn, seconded by Mr. Allen. All ayes, motion carried. (9-0) Meeting adjourned at 9:00 p.m.



Maria Galka, President



Jason Spain, Secretary