

CITY OF HOBART PLAN COMMISSION
MINUTES OF MARCH 3, 2022

Maria Galka called the meeting to order at 7:05 p.m. with the recitation of the Pledge of Allegiance. Members in attendance: Stuart Allen, Lloyd Emig, Michael Chhutani, Rich Lain, Jason Spain, Maria Galka, Dave Vinzant and Phil Gralik, City Engineer. Member absent: Craig Brooks. Also in attendance: Ross Pietrzak, City Planner and Joy Respecke, Recording Secretary.

Approval of Minutes: Mr. Lain motioned to approve the minutes of February 3, 2022 as presented, seconded by Mr. Chhutani. All ayes, motion carried. (8-0)

Communications/Acceptance of Agenda: Mr. Allen motioned to approve the agenda as presented, seconded by Mr. Chhutani. All ayes, motion carried. (8-0)

Business of the Day

- 1. **21-34B** Indiana Becknell Investors 2011 LLC (Petitioner/Owner) located 800' east from the NE corner of 69th Ave. & Mississippi St. zoned PUD (M-1), 48.18 acres

Request: Tabled: Northwind Crossings South 2nd Replat

Purpose: Proposed 1-lot subdivision

Final Plat X Denied ____ Deferred ____ Vote 8-0

Paul Thurston, Becknell Services, explained the proposed 1-lot was a consolidation of two parcels for a project located on 69th Avenue. It was originally platted for a 1-lot, then revised for a 2-lot for the Phase I building construction and is now platting back to the original 1-lot. Mr. Allen motioned to Grant Final Plat Approval for Petition 21-34B including all discussion and Findings & Decisions seconded by Mr. Spain. All ayes, motion carried. (8-0)

- 2. **22-02** J. Mark Shapland/Becknell Services, LLC (Petitioner/Agent) located on the SE corner of 61st Ave. & Colorado St. zoned R-3, 155.99 acres

Request: Tabled: Rezone R-3 to M-1

Purpose: Proposed light manufacturing

Favorable Rec. ____ Unfavorable Rec. ____ Deferred X Vote 7-0

Mr. Allen recused himself. Paul Thurston, Becknell Services, provided a revised site plan addressing concerns that were discussed during last month's meeting. He stated the set back from the current 61st Ave. right of way line was relocated to approximately 357' from the previous 200'. In order to fit the proposed project, the future 62nd Ave. will move farther to the south and the ponds will be relocated from the middle of the site to the north side of the property and serve as an additional barrier. The top of the berms will be

heavily landscaped and increase from 4' to 8' in height. Mr. Pietrzak stated that the Commission could approve a partial rezone that excludes the northern 318' from the 61st Avenue right of way. He also noted that the revised proposed project is still encroaching into the R-3 zoned buffer/transition area by 32'. Mr. Thurston stated a traffic study was conducted and, based on the amount of truck traffic, determined a roundabout will be required at the 61st Ave. & Colorado St. intersection along with improvements to Colorado St. Mr. Gralik proposed that Colorado St. will be widened to at least 3 lanes from 62nd Ave. to 61st Ave. and possibly 5 lanes south to 69th Ave. He informed the public that the railroad crossing on Colorado St. will be removed and replaced with an overpass with the future goal of diverting the traffic to 69th Ave. to a new I-65 interchange. Merrillville is currently under design for a multi-lane roundabout at 69th Ave. and Mississippi St. Mr. Pietrzak reminded the Commission if they were comfortable with the setback dimensions, a partial rezone was appropriate and could recommend eliminating permitted uses they were not comfortable with. Attorney McCarthy recommended to table the rezone and provide notification for a new public hearing for the April 7th meeting in light of receiving revised preliminary concept plans and due to the number of concerned residents in attendance. Mr. Chhutani motioned to Table Petition 22-02 until the April 7th meeting at which time a public hearing will be held including all discussion, seconded by Mr. Lain. All ayes, motion carried. (7-0)

3. 22-08 Hareh Patel (Petitioner/Owner) 4716 W. 61st Ave. located NW of the 61st Ave. & Marcella Blvd. intersection, zoned B-3, 6.4 acres

Request: Public Hearing: Site Plan

Purpose: Proposed 2,323 sq. ft. Dunkin' quick service restaurant

Granted ___ Denied ___ Deferred X Vote 8-0

In attendance and representing the petitioner was William Stonehouse, Scott Architects. It was noted that the petitioner did not provide the Commission with their packets. Mr. Stonehouse proposed to demolish the existing vacant automotive center and to construct a Dunkin Donuts. Mr. Pietrzak explained the proposed facility is paired up with the roundabout and as part of the roundabout, will be a right of way dedication, a temporary easement for grading purposes for the future Marcella Blvd. and a driveway to the site and a perpetual easement for stormwater and drainage. Mr. Stonehouse agreed to coordinate with the fire department for a requested fire hydrant on the southeast corner of the development. Mr. Gralik mentioned that a proprietary system of a precast interlocking underground detention is proposed under the parking lot. He stated the two storm sewers on the north end of the property exceed the maximum velocity. One is at a 2.7% slope and the other one is at a 9% slope and will need to be flattened. He also felt the 1% slope for the sanitary sewer was excessive. Mr. Allen questioned whether the property was a subdivision or a meets and bounds lot and if they should be required to create a 1-lot subdivision. Mr. Pietrzak stated the parcel is meets and bounds and that the City recognizes it as a lot of record. It was felt that although the development will not encroach into the creek, wetland or the natural areas to the north a written conservation easement will be required as part of the site plan. Mr. Vinzant asked if a soil test was completed due to allegations that the previous business allegedly did not dispose their byproducts properly. Mr. Stonehouse stated a geotechnical survey was completed but was not aware there was a need for a ground field remediation. Mr. Spain felt a Phase 1 Environmental Assessment may be necessary. Staff was asked to research if there were complaints filed against the business. A concern was brought up regarding cars stacking on the proposed Marcella Blvd. Mr. Stonehouse replied there will be a 2nd by-pass lane which will allow vehicles to wrap around the building preventing cars from stacking into the road. Mr. Pietrzak also mentioned that due to the proximity of the roundabout, traffic will not only enter and exit from Marcella Blvd. but will provide a right out only on 61st

Ave. to the west. Mr. Gralik stated the petitioner asked to coordinate and schedule their construction during the roundabout construction and to open at the same time. Mr. Allen questioned whether Dunkin Donuts has legal access for the ingress/egress-private drive. Ms. Galka opened the public hearing for Petition 22-08. *Phil Potocki/ PK Properties, 4590 W. 61st Avenue stated he owns the property to the north behind Wendy's, as well as, the private drive and there has been no right of way established. He stated the proposed entrance is on his property beyond what the City is proposing to acquire. He has not at any time granted any ingress/egress or cross access easement.* Hearing no further public comments, Ms. Galka closed the public hearing. Discussion ensued for the creation of a subdivision, to provide a revised site plan in relation to the current 61st Ave. and prior to the road project, to provide clarity to the ingress/egress access, to complete a title search and provide a Phase 1 Environmental Assessment. Mr. Vinzant motioned to Table Petition 22-08 including all discussion, seconded by Mr. Allen. All ayes, motion carried. (8-0)

4. **22-09** Steiner Homes LTD, (Petitioner/Agent) located approximately 400' west & north from the 61st Ave. & Arizona St. intersection, zoned R-1, 15 acres +/-
- Request:** Public Hearing: Rezone from R-1 (Single Family Residential) to R-3 (Single to Four Family Residential)
- Purpose:** To allow a proposed mixed residential subdivision consisting of an estimated 69 lots
- Favorable Rec. X Unfavorable Rec. Deferred Vote 8-0

Present were Attorney Todd Leeths, Dan Steiner and John Hannon, Great Lakes Engineering. Mr. Pietrzak noted the packet received by the Commission included the original legal description that included a tail on the curved street to the southeast. In his discussion with Attorney Leeths, he asked that they stub the street providing better access to the adjacent southeast parcel and a straight line extending all the way to the southeast. A revised legal was provided correcting the street. Attorney Leeths mentioned the rezone will comprise of 15 acres +/- for the construction of duplexes and townhomes but the overall proposed project will involve 59 acres with an estimated 69 lots. He felt a mixed housing subdivision allows for a variety of types, prices and styles, giving the developer a broader market to offer buyers a different housing style due to their lifestyles. Mr. Vinzant inquired if there were plans to extend to the north. Attorney Leeths stated he was not aware of plans for extension to the north but a road will be stubbed for the possible development of that land. Mr. Steiner mentioned he proposes to construct a large buffer along 61st Avenue and plant pine trees to screen the rear of the townhomes. Attorney Leeths stated that the proposed townhomes along 61st Avenue will offer architectural diversity. When asked about whether the proposed industrial development on the south of 61st Avenue will have an impact to his proposed residential development, Mr. Steiner replied that he has always been aware of the possible industrial use and that it did not cause a concern to him. Ms. Galka opened the public hearing for Petition 22-09. *Jean & John Rokoczy, 3600 E. 61st Avenue. Ms. Rakoczy stated they own the land to the north which is classified as one of the biggest wildlife areas in NW Indiana. They were not opposed to townhomes along 61st Avenue but were not in favor of the north/south R-3 zoning. She questioned that at the time Amber Creek was developed, there was to be an access road to allow their property from being landlocked. She mentioned the only access was to their northern property was the stubbed street within the proposed development. She stated they were informed that if they were to develop their property they would need a lift station and she didn't see any indication for that. She also mentioned there was an arrangement with Amber Creek for a split rail fence to deter people from coming on their property. She requested a fence to complement the existing fence along the non-existing access road. Christine Ramirez, 1641 Amber Dr. (via Zoom) was opposed to the R-3 zoning behind the single family*

homes in Amber Creek. She was not opposed to multi-family along 61st Avenue. Victor Sandaval, 1766 Imperial Dr. inquired if there will be an access off Arizona St. Hearing no further public comments Ms. Galka closed the public hearing. Attorney Leeths stated an unimproved 60' right of way to the west is proposed to be incorporated into the subdivision and access will be provided to the north from the street within the proposed subdivision. He also noted utilities will be engineered at a later date. The creek, at this time, prevents expansion to Arizona Street. Discussion ensued regarding the placement of the multi-family units. Mr. Pietrzak mentioned that when the City bid the project there was a request for mixed uses and this proposal is achieving that request. Mr. Vinzant motion for a Favorable Recommendation to the Common Council for Petition 22-09 including all discussion and Findings of Fact, seconded by Mr. Chhutani. All ayes, motion carried. (8-0)

5. 22-10 Woolpert/Chris Perry (Petitioner/Agent) 2831 E. 80th Ave. located 0.2 miles west from the NW corner of US 30 & Colorado St., zoned PUD, 36.63 acres.

Request: Public Hearing: Site Plan

Purpose: A proposed Chipotle Restaurant (formerly Don Pablo restaurant)

Granted X Denied _____ Deferred _____ Vote 8-0

Present and representing Schottenstein Property Group was Chris Perry, Woolpert, 1815 South Meyer Road, Oakbrook Terrace, IL. Proposed is a ground lease for the construction of a 2,365 sq. ft. Chipotle with an outdoor dining area that will fit within the footprint of the former Don Pablo's Restaurant site. The drive thru lane "Chipotlane" will be for the convenience of on-line pick up orders only; a typical drive thru lane will not be available. Mr. Gralik addressed typos under the General Notes #5 and under the Grading Notes #11 indicating the City of Hammond instead of the City of Hobart. He felt the ADA ramp should not face the parking lot and need to be in closer proximity to the ADA parking spaces, also based on the number of parking spaces that remain from the previous use, a third ADA parking space is required. Mr. Perry replied that the ADA parking spaces are ramped up to the sidewalk with parking bumpers and the one to the south will be an additional ramp. Ms. Galka opened and closed the public hearing for Petition 22-10 without public comments. Mr. Pietrzak added the Fire Department requested an additional fire hydrant on the property and one will be incorporated on the far northeastern island on the northern edge of the property. Mr. Gralik motioned to Grant Site Plan for Petition 22-10 contingent on correcting the typos under the General Notes #5 and under the Grading Notes #11 indicating the City of Hammond instead of the City of Hobart, the additional ADA parking space and blue striping in the ADA spaces, the minimum 12" storm sewer size and the additional fire hydrant including all discussion, seconded by Mr. Vinzant. All ayes, motion carried. (8-0)

Consultation/Discussion: PC 18-06A Cressmoor Estates Phase I, *Certificate of Amendment*

Mr. Allen recused himself. Mr. Pietrzak stated a Certificate of Amendment was completed by Torrenga to amend the street name from Aviana North to Aviana Ave. and from a small portion of Aviana South to Cressmoor Blvd. in Cressmoor Estates, Phase 1. This will bring the rest of the subdivision into compliance. Signatures were acquired from the existing 2 property owners in Phase 1. He asked the Plan Commission to approve and sign the Certificate of Amendment. Mr. Vinzant motioned to Approve PC 18-06A Certificate of Amendment for Cressmoor Estates, Phase 1 including all discussion, seconded by Mr. Lain. All ayes, motion carried. (7-0)

Mr. Vinzant requested to incorporate in The Rules of Practice & Procedures signs are not allowed in the room during the meeting. He felt they are disrespectful and inappropriate. Mr. Vinzant motioned to incorporate verbiage for the prevention of signs into The Rules of Practice & Procedures including all discussion, seconded by Mr. Allen. Discussion ensued regarding infringing on free speech. Motion withdrawn.

Jeff Strickley, Construction Manager for St. Mary's Hospital, stated they are proposing a morgue cooler expansion adjacent to the loading dock. Proposed is a 14.8'x10' foundation wall with slab on grade with minor electric relocation for an existing condensing unit and a concrete stoop & ramp. The addition will increase the morgue capacity from 2 to 6 individuals. Mr. Pietrzak explained that the purpose of this discussion was due to their prior proposal for the addition of the MRI/CT scanner, at which time, they were informed an update to their PUD Amendment was necessary and is still in the process of being completed. He asked if the Commission was comfortable entertaining this request prior to the completion of the PUD Amendment and if so, would this be considered a major or minor site plan. Mr. Allen, Torrenge Surveying, stated whether the proposed addition was completed or not, it will be reflected on the PUD Amendment when submitted in June. The Commission felt the petitioner could move forward with the project and submit for a minor site plan.

There being no further comments or discussion Mr. Vinzant motioned to adjourn, seconded by Mr. Gralik. All ayes, motion carried. (8-0) Meeting adjourned at 9:40 p.m.



Maria Galka, President



Jason Spain, Secretary