

CITY OF HOBART PLAN COMMISSION
MINUTES OF MARCH 5, 2020

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

Approval of Minutes: Mr. Lain motioned to approve the minutes of February 6, 2020 as presented, seconded by Mr. Chhutani. All ayes, motion carried. (8-0)

Communications/Acceptance of Agenda: Mr. Spain requested to Table 19-30 and 20-03. Mr. Vinzant motioned to approve the agenda as amended, seconded by Mr. Lain. All ayes, motion carried. (8-0)

Business of the Day

1. 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: Reapproval for Final Plat Approval, Phase 1: Cressmoor Estates

Purpose: Proposed 37 lot

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

Mr. Allen recused himself. Mr. Hall explained that due to his lack of knowledge the previous Final Plat Approval for Phase 1 had expired. The bond has now been secured in the Clerk-Treasurer's office and new mylars have been prepared and present for approval and signatures. He stated that he will be able to break ground after receiving one more permit from the City. Mr. Mendoza stated that received were the mylars, bond form and surety and that everything was in order. Mr. Vinzant motioned for Final Plat Approval for Petition 18-06A including all discussion and Findings & Decision, seconded by Mr. Brooks. Mr. Chhutani inquired when he will begin construction. Mr. Hall explained he has received the first bids from the contractors and will receive the final permit from the City for the Stormwater Permit next Tuesday. Upon Board of Works approval and returning the recorded mylar to the City he will begin to order materials. All ayes, motion carried. (7-0)

2. 19-30 City of Hobart Plan Commission

Request: Tabled: Public Hearing Chapter 4, Existing Land Use

Purpose: Amend Comprehensive Plan

Favorable Rec. ____ Unfavorable Rec. ____ Deferred X Vote ____

Tabled at acceptance of agenda.

3. **20-02A** Millco 8150 Ridge Road LLC/Robert Miller (Petitioner/Agent) located 433' east from the NE corner of Ridge Road & Randolph Rd. zoned B-3, 2.32 acres
- Request:** **Tabled; Final Plat Approval:** Millco Hobart Subdivision
- Purpose:** A proposed 2-lot subdivision
Final Plat _____ Denied _____ Deferred X Vote 8-0

Mylars were not available. Mr. Pietrzak mentioned the maintenance agreement for the 2 parking lots are currently under review by the city attorney. Mr. Allen motioned to Table Petition 20-02A including all discussion, seconded by Mr. Vinzant.

4. **20-03** Mark Hovanec (Petitioner/Owner) 327/337 Liverpool Road located approx. 1/3 mile south from the SE corner of Liverpool & Ridge Roads zoned M-1, 18.72 acres
- Request:** **Tabled; Site Plan Review**
- Purpose:** Existing concrete recycling operations
Granted _____ Denied _____ Deferred X Vote 8-0

Tabled at acceptance of agenda.

5. **20-04** Jonathon Hollowell (Petitioner/Agent) 4433 E. 83rd Avenue located approx. 500' west from the SW corner of 83rd Ave. & Clay St., zoned A-1 & OS-1, 30 acres
- Request:** **Final Plat Approval:** Lone Oak Subdivision
- Purpose:** Proposed 3-lot subdivision
Final Plat X Denied _____ Deferred _____ Vote 8-0

Petitioner was not present but had provided the mylars. Mr. Vinzant motioned to Grant Final Plat Approval for Petition 20-04 including all discussion and Findings & Decision, seconded by Mr. Lain. All ayes, motion carried. (8-0)

6. **20-05** Marco Tamayo (Petitioner/Owner) 7197 Mississippi Street located 600' north from the NE corner of Miss. St. & 73rd Ave. zoned R-2, 5.3 acres
- Request:** **Tabled; Site Plan Review**

Purpose: Proposed approx. 700 cubic yards of fill

Granted _____ Denied _____ Deferred X Vote 8-0

Mr. Vinzant motioned to Table Petition 20-05, seconded by Mr. Gralik. All ayes, motion carried. (8-0)

7. **20-07** Becknell Industrial/Paul Thurston (Petitioner/Agent) located 800' east from the NE corner of 69th Ave. & Miss. St. zoned PUD (M-1), 51.96 acres

Request: *Tabled; Site Plan Review*

Purpose: Proposed 617,760 sq. ft. light manufacturing building with office

Granted X Denied _____ Deferred _____ Vote 8-0

Mr. Thurston reiterated by proposing a 617,000 sq. ft. pre-cast industrial warehouse and manufacturing facility on a 52 acre site north on 69th Avenue. On the southeast side of the facility will be approximately 33,000 sq. ft. for corporate offices with the shipping area on the northwest end of the building. 259 parking spaces expandable to 500 spaces are proposed for the site. Eight (8) drive-in doors in the front of the building and 11 truck docks in the rear. The right of way for the Liverpool Road extension will be increased and will relocate the eastern drive further to the west allowing them to maintain the existing trees. He stated if all goes well the project is slated for construction on April 1st. He also mentioned the Performance Bond for the sidewalk in front of the property has been signed and is in route. Mr. Vinzant motioned to Grant Site Plan for Petition 20-07 including all discussion, seconded by Mr. Chhutani. All ayes, motion carried. (8-0)

8. **20-07A** Becknell Industrial/Paul Thurston (Petitioner/Agent) located 800' east from the NE corner of 69th Ave. & Miss. St. zoned PUD (M-1), 51.96 acres

Request: *Tabled; Public Hearing*

Purpose: Amend PUD

Favorable Rec. X Unfavorable Rec. _____ Deferred _____ Vote 8-0

Mr. Pietrzak presented a power point indicating the proposed changes to the language to the PUD. He mentioned the amendments were based on the review of the site plan identifying conflicts to the PUD amendments. They are as follows:

- (1). Remove requirements for pedestrian access along west side of property VI.(D)(1)(a) Frontage roads, access roads, and other *public* internal drives shall be classified as major and minor arterials and major collector streets must be constructed to create a hierarchy of roads for safe on-site circulation. These *public* internal drives shall provide pedestrian access and landscaping.
- (2) Remove requirements for stub streets to future development parcels VI.(D)(4) ~~Stub streets shall be built in all cases where adjacent lots have reasonable potential for development;~~
- (3) Remove requirement for transit enhancement easement VI.(D)(7) ~~Additional easements for the provision of enhancement of transit shall be provided.~~
- (4) Clean up open storage requirements VI.(E)(2) Outside/outdoor sales, displays, and storage, uses, services,

processing or storage within ~~an office service, planned business park, and/or~~ a manufacturing/light industry use shall be conducted entirely within the rear yard as shown on the site plan attached herein ~~in completely enclosed buildings; except when outside/outdoor sales, and display are in conjunction with "drive-in:" "drive-thru" establishment type uses offering goods and services directly to customers waiting in parked motor vehicles;~~ and shall be in compliance with open lot selling guidelines when applicable as outlined in HMC Sec.154.307 OPEN LOT SELLING;

(5) Allow for parking in the front yard VI.(F)(1)(a) 2. Parking areas, whenever possible, shall be located to the side and rear of structures and away from streets and highways, thereby using buildings or other architectural elements as a visual barrier ~~or comply with a Type 3 Bufferyard as described in VI.(G)(5)(c).~~

(6) Allow bufferyards to be establish in the front yard and additional fence material VI(G)(5)(c) Type 3: Bufferyard Type 3 shall include a minimum buffer width of 25 feet ~~in addition to the yard setback otherwise required by the Design Guidelines.~~ Two broad-leaf deciduous canopy trees and two evergreen trees shall be planted parallel to the property line in the bufferyard for every 50 feet of boundary between the subject and adjoining properties. All evergreen trees shall be six feet in height at the time of planting. Shrubs shall be planted along 50 percent of the boundary. The plantings shall be supplemented by an earthen berm a minimum four feet in height and six foot high opaque fence/wall of wood, ~~vinyl, PVC, composite,~~ masonry or stone so that the overall effect is a minimum height screen of eight feet. A minimum of 75 percent of the plant material shall be located on the outside of the fence/wall. Landscaping may be used to mitigate breaks in the berm or fence. Ms. Galka opened the public hearing for Petition 20-07A. Mary Bhe, 2303 E. 69th Avenue questioned the public streets and snow removal. Mr. Pietrzak mentioned 69th Avenue will have sidewalks and remain a public street maintained by the City. The proposed amendment refers to the entrance cuts to the north of 69th Ave. within the actual property lines of the development that are private roads and will be maintained and improved by the property owner. The amendment removes the requirement to install sidewalks along the internal roads within the development and the future dedication of Liverpool Road to the east. *Mr. Spain read a correspondence from Steven Hovanec. He inquired that from the renderings provided by the developer it appears it will be 20 years before the screening requirements are met. I do not see in the ordinance where it states that the developer has years to meet the screening requirements. Would the Plan Commission consider require plantings of significant size to be the screening requirements within 18 months? I'm requesting the Plan Commission consider in the covenants to restrict night time operations on the south side of the building.* Mr. Mendoza mentioned the ordinance requires a 2" caliper for planting trees which provides more mature trees. Larger planted trees may not transition well depending on the soil and die. Mr. Mendoza stated that operations occurring in the evening are typically done so as to not violate the noise ordinance. Hearing no further public comments Ms. Galka closed the public hearing. Mr. Pietrzak felt that the stipulations in place to maintain the integrity of the PUD will continue to provide adequate screening and with the outdoor storage confined to the rear of the building, there were no significant changes. Mr. Vinzant motioned for a Favorable Recommendation to the Common Council for Petition 20-07A including all discussion and Findings of Fact, seconded by Mr. Lain. All ayes, motion carried. (8-0)

9. **20-07B** Becknell Industrial/Paul Thurston (Petitioner/Agent) located 800' east from the NE corner of 69th Ave. & Miss. St. zoned PUD (M-1), 51.96 acres

Request: **Final Plat Approval:** Northwind Crossings South

Purpose: Proposed 1-lot subdivision

Final Plat X Denied Deferred Vote 8-0

Mr. Thurston reiterated by proposing to combine 2 industrial lots into 1 parcel. Mylars were available for signatures. Mr. Mendoza noted that final plat approval should be contingent upon receiving the surety bond on or before March 11th to be forwarded along with the bond form and mylars for Board of Works approval. Mr. Vinzant motioned to Grant Final Plat Approval for Petition 20-07B contingent upon receiving the surety bond by March 11th including all discussion, seconded by Mr. Brooks. All ayes, motion carried. (8-0)

10. 20-08 Pete Voris (Petitioner/Owner) 3033 E. 37th Avenue located approximately 200' west from the SW corner of 37th Ave. & Liverpool Rd. zoned B-3, 0.172 acre

Request: Site Plan Review

Purpose: A proposed 6' privacy fence located on the western property line

Granted X Denied _____ Deferred _____ Vote 8-0

Mr. Voris requested to install a 6' privacy fence with a front double gate approximately 17' to the west and to the rear of the building. He stated that he repairs and sells hot tubs but due to an injury has not been able to move them into the building. He is proposing to screen the hot tubs as well as his trucks, etc. from the public. He stated that there is an existing semi-trailer parked behind the building on an improved surface that was left by the previous owner and will be parked outside the fenced area. He stated it is plated, operable and could be removed if necessary. Although it has not been currently used for storage he's proposing to use it for storage in the future. Discussion ensued that the trailer may be a code enforcement issue and that their only concern was whether to approve the fence. Also Mr. Vinzant stated the Common Council is actively working on ordinances to make sure these type of trailers are removed and not allowed for storage. Mr. Mendoza stated temporary structures are only allowed after obtaining a permit and identified as temporary and are to follow the setback requirements of 150' from any residence. Mr. Pietrzak noted staff had concerns after showing time lapsed photos regarding the property. Since Mr. Voris acquired the property it has become more cluttered and inquired as to whether the fence will serve to secure and benefit the property or to hide additional accumulated clutter. Mr. Voris stated that after receiving a visit from Code Enforcement he has cleared away the majority of the clutter from the property. He also stated that he was unaware that he owned an additional 5 lots to the west until he hired a surveyor and, depending on the cost of additional fencing, requested to enclose the additional 5 lots. Mr. Allen motioned to Grant Site Plan for Petition 20-08 allowing the petitioner to extend the fence to the western property line to include the 5 lots including all discussion, seconded by Mr. Chhutani. All ayes, motion carried. (8-0)

11. 20-09 Audi NWI/Van Gurley (Petitioner/Owner) 3990 E. Lincoln Highway located approximately 1/3 mile east from the NE corner of Lincoln Highway & Colorado St. zoned B-3, 2.42 acres

Request: Site Plan Review

Purpose: A proposed 542 sq. ft. addition to existing building

Granted X Denied _____ Deferred _____ Vote 8-0

Requested was to construct a proposed addition to the showroom and remodel the existing showroom following Audi's guidelines pertaining to tiles, fixtures, etc. Mr. Gralik questioned whether additional landscaping/trees will be added to soften the appearance along the US 30 corridor. Mr. Mendoza noted a change in the original landscape plan as well as additional asphalt to the east. Mr. Gurley mentioned approximately a year ago he removed the mulch and added stone with lilies. He also stated he hired a contractor to expand the asphalted area to the east. Mr. Pietrzak stated a permit was approved to only mill and replace the existing asphalted area and as a result, decreased green space with the additional asphalt has brought them out of compliance with the original approved site plan from 2000. Mr. Gurley stated he will incorporate some trees and shrubs on the west side of the property where there is still mulch and flowers. Mr. Pietrzak noted that Mr. Gurley has been in contact with Joshua Magner/Fire Department with regards to sprinkling the building. Mr. Mendoza noted that the site plan has changed significantly by encroaching into the eastern public right of way for additional parking where the original site plan indicated landscaping and is no longer compliant with what was approved. Mr. Vinzant felt the site plan could be approved by providing additional trees and bushes but they will need to appear before the Board of Works for approval on City right of way. Mr. Vinzant motioned to Grant Site Plan Approval for Petition 20-09 contingent upon working with staff to provide additional landscaping and to appear before the Board of Works for approval to encroach their parking on the City right of way including all discussion, seconded by Mr. Lain. All ayes, motion carried. (8-0)

12. 20-11 Hobart YMCA/Andrew Zimmer (Petitioner/Agent) 601 W. 40th Place located approximately 200' east from the SE corner of 40th Pl. & Wisconsin St. zoned R-2, 6.4 acres

Request: Site Plan Review

Purpose: A proposed approx. 1,800 sq. ft. pavilion & 43 parking spaces

Granted _____ Denied _____ Deferred _____ Vote _____

Mr. Chhutani recused himself. Representing Andrew Zimmer of the Hobart YMCA was Doug Homier, McMahon & Associates. Proposed is for an 1,800 sq. ft. pavilion to the south of the existing building and to expand the existing road that leads to the soccer/football field with parking spaces. Also proposed is to include additional 10'x18' parking spaces on the northern side of the north parking lot if money was available. He stated that he met and walked the site with Mr. Gralik and found drainage flowed south and then east. There are depressions in a couple areas that were found to hold water and Mr. Homier mentioned as the property is regraded the depressions will be smoothed out. Also requested was to connect an existing sidewalk to a 5' sidewalk across the southern parking lot. Mr. Pietrzak mentioned that should the site plan be approved it should be contingent upon submitting a new site plan with the code required parking space dimensions, the future addition of the southern parking spaces and the extension of the 5' sidewalk. Mr. Gralik requested in order for drainage to flow he suggested possibly raising the south end of the parking lot 6". Mr. Vinzant motioned to Grant Site Plan for Petition 20-11 contingent upon to provide revised plan to include future parking, to extend the 5' sidewalk and the dimensions of the parking spaces be extended from 18' to 20' and to work with staff to improve drainage issues including all discussion, seconded by Mr. Brooks. All ayes, motion carried. (7-0)

13. 20-12 Hobart Assembly of God Church/Ryan McDowell (Petitioner/Agent) 7547 E. Ridge Rd. located approx. ½ mile west from the SW corner of Ridge Rd. & St. Rd. 51, zoned R-2 & B-3, 8.8 acres.

Request: Public Hearing: Site Plan

Purpose: A proposed 13,085 sq. ft. addition to existing building and to increase parking lot size from 45,000 sq. ft. to 70,000 sq. ft.

Granted _____ Denied _____ Deferred X Vote 8-0

Present were John Hannon, Great Lakes Engineering; Jim Ramey, Jeffrey Parker Architects and Pastor Ryan McDowell. Pastor McDowell requested to expand their church and parking facility. It was noted they will return next month for a 1-lot subdivision and rezone request. Concerns were raised regarding the grading for the handicapped parking spaces as well as a swale or mound to prevent drainage from the parking lot to flow around the building. Also mentioned was the excessive amount of sheet drainage flowing to the property to the west. Provided were detention calculations but recommended a vegetative filter strip around the entire property that will drain into the wetlands located to the east and south. A Stormwater Permit and a Long Term Maintenance Agreement will be in place that the vegetated strip will be maintained in perpetuity. Ms. Galka opened the public hearing for Petition 20-12. Debra Hutman, 610 N. Kelly Street stated she lives behind the church and is concerned there will be additional drainage issues added to what she already has. Public hearing was left open. Mr. Vinzant motioned to Table Petition 20-12 to resolve the drainage issues including all discussion, seconded by Mr. Lain. All ayes, motion carried. (8-0)

Consultation/Discussion: PC 19-47A) Erin's Farm Site Plan: Mr. Pietrzak mentioned that Ms. Yanz requested to relocate the two permanent buildings located on the A-1 zoned parcel. She requested to amend the building height from a 20' to 12' and from 12' x 24' to 14' x 24' relocate it further south and the northern permanent building is proposed further north on the property. He noted that it there was no issue with her amended plan but felt the Commission should be aware of the changes. Mr. Vinzant motioned to Grant the amended Site Plan including all discussion, seconded by Mr. Allen. All ayes, motion carried. (8-0)

2) (Former Kaplan College) Bionic ADA Parking: Mr. Pietrzak mentioned the business makes prosthetics and their issue is the parking is located away from the main entrance and are requesting to remove a landscaped area and install handicapped parking for customers with disabilities. The question presented to him was whether if the proposed site plan was sufficient or if the Commission would require a more detailed site plan. Mr. Vinzant felt that if Staff visited the facility and felt it was adequate, a more detailed site was not necessary for filing.

3) Ms. Galka mentioned that the used car lot located on the corner of 37th Ave. & Colorado St. was approved contingent upon the vehicles being located on the west side of the building and that no vehicles were allowed along 37th Ave. Mr. Pietrzak stated he was aware of the situation and informed them that they were to file for an amended site plan by February. He sent a follow up letter informing them they will be brought in front the Board of Works for failure to comply with the approved site plan.

4) Morgan Wyatt Car Wash has not as yet complied with the installation of the sidewalks. Mr. Pietrzak mentioned he will inform the construction manager the Commission felt installing the sidewalk 3' off the curb will be adequate.

5) Also noted was the unkempt condition of the Main Street Auto Repair.

There being no further comments Mr. Lain motioned to adjourn, seconded by Mr. Allen. All ayes, motion carried. (8-0) Meeting adjourned at 9:12 p.m.

Maria Galka

Maria Galka, President

Jason Spain

Jason Spain, Secretary