

**CITY OF HOBART PLAN COMMISSION
MINUTES OF JUNE 3, 2021**

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, Lloyd Emig, Michael Chhutani, Rich Lain, Jason Spain, Maria Galka, Dave Vinzant, Craig Brooks and Phil Gralik, City Engineer. Also in attendance: Ross Pietrzak, City Planner and Joy Respecke, Recording Secretary.

Approval of Minutes: Mr. Vinzant motioned to approve the minutes of May 6, 2021 as presented, seconded by Mr. Chhutani. All ayes, motion carried. (9-0) Mr. Vinzant motioned to approve the special meeting minutes of May 27, 2021 as presented, seconded by Mr. Chhutani. All ayes, motion carried. (9-0)

Communications/Acceptance of Agenda: Mr. Spain requested to table Petition 21-16A. Mr. Allen motioned to approve the agenda as amended, seconded by Mr. Lain. All ayes, motion carried. (9-0) Ms. Galka noted that Mr. Brooks will be representing the Plan Commission on the Steering Committee for the Master Plan.

Business of the Day

1. **20-03** Mark Hovanec (Petitioner/Owner) 327/337 Liverpool Road located approx. 1/3 mile south from the SE corner of Liverpool & Old Ridge Roads, zoned M-1, 18.72 acres

Request: Tabled: Site Plan Review

Purpose: Existing concrete recycling operations

Granted _____ Denied _____ Deferred X Vote 9-0

Steve Hovanec, via Zoom, reported the fore-bays have been installed. He stated his engineer retired and the site plan has not been completed. He's waiting for topos showing the berms on the north/northwest of the drive off Old Ridge Road. Mr. Gralik mentioned Mr. Kingsland has not yet inspected the fore-bays. Mr. Allen motioned to Table Petition 20-03 including all discussion, seconded by Mr. Lain. All ayes, motion carried. (9-0)

2. **20-25A** Jim Sapp (Petitioner/Owner) for property located on the NW corner of Clay St. & Harms Rd., zoned PBP, 14.31 acres

Request: Tabled: Site Plan Review

Purpose: For a proposed office/warehouse facility

Granted _____ Denied _____ Deferred X Vote 9-0

Petitioner was not present.

3. **20-25B** Jim Sapp (Petitioner/Owner) for property located on the NW corner of Clay St. & Harms Rd., zoned PBP, 12.5 acres

Request: Tabled: Rise Hobart

Purpose: A proposed 1-lot subdivision

Preliminary Plat Denied Deferred Vote 9-0

Mr. Gralik motioned to Table Petition 20-25A & 20-25B including all discussion, seconded by Mr. Allen. All ayes, motion carried. (9-0)

4. 21-15 Cameron Bernard (Petitioner/Owner) 7190 Grand Blvd. located north & west of Grand Blvd. & Ainsworth Rd., zoned R-3, 2.5 acres

Request: Public Hearing: Site Plan Review

Purpose: For 4 additional proposed storage buildings & 200 sq. ft. of additional pavement for parking

Granted Denied Deferred Vote 9-0

Mr. Bernard requested approval for his storage facility after allowing his site plan to expire. He stated he has constructed 2 of the 6 proposed buildings and added asphalt in the front for parking. Mr. Vinzant noted, from the council standpoint, there are ongoing complaints from the neighbors stating they are experiencing more drainage than they are used to. He was uncertain as to what they considered more drainage and how it could be measured. Mr. Gralik mentioned this area is a difficult site to drain and that the ditch is on the neighbors' properties. They were not in support of the proposed development and did not provide an easement to Mr. Bernard for the ditch. As a result his engineer originally designed a pond with a level spreader to allow water to trickle out at a slow rate across the ground, but it failed. The pond was then modified with an outlet to flow northwest to the ditch along the railroad tracks alleviating most of the drainage issues. Mr. Gralik agreed with Mr. Vinzant that he was unclear as to what is more water than the neighbors are used to. Mr. Vinzant questioned the temporary trailer since it is not noted on the site plan. Mr. Bernard stated the trailer is not a permanent structure and that he was issued a temporary trailer permit from the Building Department. He meets with people by appointment only in the building and proposes to construct a permanent building when he develops the property to the north. He estimated utilizing the trailer for 4 years which needs to be renewed every year. The Commission felt, even though the trailer is temporary, it should be noted on the site plan. When questioned about the U Haul trucks that are parked on the front of the property, he stated the trucks are a business run by an employee conducted through her phone. Ms. Galka opened the public hearing for Petition 21-15. Andrew McKown, 6148 Ainsworth Rd., 219-947-7440 stated he cannot cut the grass after it rains. He also stated he owns the property to the south and west of the facility and can visibly see water running on his property. He stated asphalt grindings, not gravel, cover the entire storage facility and is approximately one foot higher than his property. He stated that 10 of his pine trees have died and he feels it may be due to the excessive water on his property or chemicals from the asphalt grindings. Drainage has not been corrected and the lights shine in the neighbors' windows. Mr. Gralik mentioned he will visit the site and feels the concrete pipe may be plugged preventing the water from draining through the corrugated pipes. Jacob McKown, 6208 Ainsworth Rd, 219-789-7793 also has complaints with the drainage and lighting and feels a privacy fence would be more beneficial in blocking the lights. He also mentioned the storage facility is at a higher elevation than his property due to the asphalt grindings. Mr. Pietrzak read an opposition letter:

Subject: Storage Units

I see that there is a petition request more storage buildings on Grand Blvd and Ainsworth Road. I am

asking that you please do not accept this. Take time to look at his original plans for the first set and how much the plans have changed or how many adjustments he has asked for on those original plans. When first asking to build at this location he stated he would have a privacy fence. He then requested to change that to a chain link fence with having trees/tall bushes/vegetation around the fence to help reduce noise and block the view. He does have chain link fence that he does not maintain around it. There are weeds all around it. He has not planted anything to help with noise or view. He again did not do what he said he would. I also do not understand how a business was placed on a state road without a deceleration or turning lane. I thought this was something that had to be done for business on a state road. There has been trees stumps and other things dumped on this property. His personal business vehicles (Tree Service) and equipment for his tree service has been parked there. As you see since the start of this he has continually asked for changes in his plans and it is far from the original plan. He removed so much vegetation and the noise from the train has increased because of this. We used to be able to have windows open in the fall and spring, but have not since he placed his business. I cannot begin to explain the noise level increase. I am asking that you do not approve his expansion on storage units and require him to follow through with what he was supposed to do. Plant the vegetation and ask that he does not run his other business out of this one. I also am asking why he is still allowed to have a temporary building for his business? I am asking that if he can expand the units why he can't place a building that is not temporary as this is a big eye sore and makes our town look bad. Would this be allowed for any other businesses in Hobart? If you have any questions please feel free to contact me at 219-512-6459 Heather Paulson

Hearing no further public comments, Ms. Galka closed the public hearing. Mr. Bernard agreed there was visible water draining from the concrete pipe but it has since been plugged and is fixed. Two city officials visited the site on a rainy day and confirmed water is no longer an issue. Mr. Gralik noted that due to there being asphalt grindings and the parking lot not yet been paved, the water may be soaking into the ground and going into the creek. Mr. Bernard noted that lighting is not installed on the rear building, only on the one in the front and is set on a timer from 7 p.m. to 9 p.m. The Commission noted a photometric plan has not been provided and that the presented site plan does not reflect the project. Discussion continued regarding the location and type of the fence, drainage and the design of the swale, whether there is adequate space for the Arbor Vitaes and the need for a possible retaining wall. Mr. Bernard mentioned that once the parking lot is paved, the sheet drainage will flow into the storm sewer catch drains. Mr. Spain noted there were several issues that need to be investigated and motioned to Table Petition 21-15 including all discussion, seconded by Mr. Vinzant. All ayes, motion carried. (9-0)

5. **21-16A** Area Sheet Metal/Dave Leonard (Petitioner/Owner) 400 S. Sullivan St. located 800' north from the NW corner of Sullivan St. & St. Rd. 130, zoned M-1, approx. 4 acres +/-

Request: Leonard's Subdivision

Purpose: Proposed 1-lot subdivision

Final Plat Denied Deferred Vote

Tabled at acceptance of agenda.

6. **21-17** Classic Car Wash/Terry Lahaie (Petitioner/Owner) 111 N. Lake Park Ave. located approx. 100' north from the NE corner of Lake Park Ave. & Old Ridge Rd., zoned B-3, 0.2 acres

Request: Site Plan Review

Purpose: To place a proposed 12'x20' shed on property line & replace 6'x20' black vinyl coated chain link fence with privacy slats around dumpster

Granted X Denied ____ Deferred ____ Vote 9-0

Mr. Lahaie, 313-3615, noted he received BZA approval for a 12'x20' shed to be located on the property line. He is proposing a 6'x20' black vinyl coated chain link fence with privacy slats around the dumpster adjacent to the proposed shed. He stated that due to the constraints of space, if needed, to have an option of relocating the dumpster to the southeast corner of the property next to the existing Family Express dumpster. Mr. Vinzant motioned to Approve Petition 21-17 including all discussion and Findings of Fact, seconded by Mr. Brooks. Mr. Pietrzak requested clarification of the dumpster enclosure for the presented location on file or on the southeast corner of the property. Mr. Vinzant stated whatever option works better for the petitioner. Mr. Lahaie requested the location that he originally presented and stated that he will contact Krull/Abonmarche Engineering to mark the exact property line and if that does not allow an adequate turn area for vehicles exiting the car wash he will relocate it to the southeast corner. Mr. Pietrzak felt comfortable with either location based on the determination of Krull/Abonmarche. He also noted conformation in writing will be required as to the more appropriate location. Mr. Vinzant amended his motion to Approve Petition 21-17 as presented contingent on the surveyor's determination for an adequate turn area in which case it will be allowed on the southeast corner of the property including all discussion and Findings of Fact, seconded by Mr. Brooks. All ayes, motion carried. (9-0)

- 7. 21-18 Corey & Helen Smith (Petitioner/Owner) 8304 Harms Road located on the SW corner of Harms Rd. & Clay St., zoned R-2, 3.93 acres

Request: Public Hearing: Smith Estates

Purpose: For a proposed 1-lot subdivision

Preliminary X Unfavorable Rec. ____ Deferred ____ Vote 9-0

Present were Mr. & Mrs. Smith. Mr. Smith explained they had received approvals from the BZA for the pole barns. He stated a building inspector had visited his property prior to construction inquiring as to the location of the pole barns and was unaware one of the pole barns was being constructed on a separate lot from the house. He was later informed he would need to remove the pole barn, request a variance or to combine his lots to create a 1-lot subdivision. Ms. Galka opened the public hearing for Petition 21-28. Mark Kopil, 7739 Dakota Street was in favor of the subdivision. Hearing no further public comments, Ms. Galka closed the public hearing. Mr. Galik mentioned that 30' of right of way was previously dedicated along 83rd Avenue and Clay Street but requested an additional 10' dedication for both the streets as they are classified as collector streets and 40' of right of way is required. Mr. Chhutani motioned to Grant Preliminary Plat Approval for Petition 21-18 contingent on the dedication of the additional 10' of right of way for both 83rd Avenue and Clay Street, including all discussion, seconded by Mr. Lain. All ayes, motion carried. (9-0)

- 8. 21-19 Abonmarche Consultants/Bill Oeding (Petitioner/Agent) 109-111 E. 3rd St. located approx. 700' west from the SW corner of 3rd & Main Streets, zoned B-2, approx. 0.46 acre

Request: Site Plan Review

Purpose: Proposed resurface of existing gravel lot and enclose with chain link fence w/landscaping

Granted X Denied Deferred Vote 9-0

Present was Bill Oeding/Abonmarche Engineering. He stated they are relocating from their current office on Lake Park Avenue to 109/111 E. 3rd Street and in order to provide a secure parking area for their work vehicles, are proposing a 6' black vinyl coated chain link fence. Arbor Vitae will be planted for additional screening. He mentioned he appeared before the Board of Works to allow the parking area to remain graveled and were approved for 18 months. Mr. Vinzant motioned to Grant Site Plan Approval for Petition 21-19 including all discussion, seconded by Mr. Gralik. All ayes, motion carried. (9-0)

- 9. **21-20** Chandler Signs/Laura Berjon (Petitioner/Agent) for the Crossings of Hobart located North of US 30, East of Mississippi St. & West of Colorado St., zoned PUD, 322 acres +/-

Request: Public Hearing

Purpose: Proposed amendment to PUD to incorporate Master Sign Plan

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

Laura Berjon, Chandler Signs, requested to amend the Master Sign Plan to provide guidelines necessary to achieve a visually coordinated, balanced and attractive sign environment for all tenants in the Crossings at Hobart development. She proposed to separate the tenants into three (3) classifications: out-lot tenants, main retail tenants and mid plaza tower tenant. Out-lot tenants will be allowed 1.5 sq. ft. of signage per 1 linear foot of tenant's elevations or 50 sq. ft., whichever is greater. No individual elevation should contain signage that exceeds 50% of permissible signage for the building. Multi-tenants total sign area of all signs for each tenant shall not exceed 2 sq. ft. per linear foot of leased storefront with signage to be located on each tenant leased store front. Letters on signage shall be no taller than 16" in height. The mid-plaza tower tenants shall be allowed an additional wall sign to be located on the tower meeting the following regulations: sign will consist of individual channel letters attached to a panel identifying the name of the tenant only, maximum panel height of 18" with a maximum letter height of 16", only 2 rows of letters and only one of the two adjacent tenants may have the sign. Mr. Pietrzak explained given the setbacks, he felt increasing the size of the signage was appropriate. He also stated that allowing for signage on the elevations will give retailers the opportunity to orient visibility within the shopping center. Mr. Vinzant felt he was not opposed to and stated that it may help the businesses to allow signage on all sides of the out-lot buildings as long as they did not exceed the permitted signage. Ms. Galka opened and closed the public hearing for Petition 21-20 without public comments. Mr. Chhutani motioned for a Favorable Recommendation to the Common Council for Petition 21-20 with the amended language of multi-tenants total sign area of all signs for each tenant shall not exceed 2 sq. ft. per linear foot of leased storefront with signage to be located on each "tenant's leased elevation," seconded by Mr. Lain. All ayes, motion carried. (9-0)

- 10. **21-21** Omar Alburei (Petitioner/Owner) 1165 W. 37th Avenue location on the SE corner of 37th Ave. & Colorado St. zoned B-3, 3.2 acres +/-

Request: Site Plan Review


Purpose: Proposed demolition of existing building, sidewalk & access driveway to allow for the expansion of a parking lot for used car dealership

Granted X Denied Deferred Vote 9-0

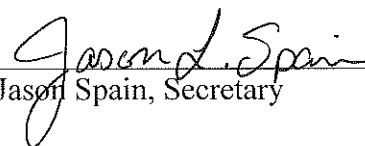
Present were Rich Piazza, Krull/Abonmarche, and Omar Alburei. Mr. Piazza stated Mr. Alburei is proposing to demolish the existing Red Rooster Restaurant and expand the parking lot for his used car dealership. He is also preparing to combine the 2 properties to create a 1-lot subdivision. Mr. Vinzant stated the proposed used vehicles sales area will be sealed and inquired if the 2 southern entrances will be gated. Mr. Piazza stated they will be gated. Ms. Galka was reassured that the vehicles they are selling will only be maintained in the proposed gated northern lot. The existing area on the west side of the building will be available for customer parking. Landscaping will be planted in the 7' buffer along 37th Avenue. Proposed along Colorado Street are curbs, a sidewalk and a landscaped buffer. Landscaped islands are proposed in the parking lot. Additional lighting is not proposed in the parking lot. The dealership will be utilizing the existing Red Rooster sign. Mr. Spain motioned to Grant Site Plan Approval for Petition 21-21 contingent on filing for the 1-lot subdivision and to show the location of the existing sign on the site plan including all discussion, seconded by Mr. Brooks. All ayes, motion carried. (9-0)

Consultation/Discussion: Mr. Pietrzak mentioned the RFQ for the Comprehensive Plan has been posted on the City's website and will be published in the newspapers on June 7th. Mr. Vinzant mentioned the Common Council passed a resolution identifying the rules to allow some remote attendance at council meetings once the governor removes the emergency conditions. He assumes this will relate to other boards and commissions and that the Plan Commission may consider to do the same.

There being no further comments or discussion Mr. Vinzant motioned to adjourn, seconded by Mr. Gralik. All ayes, motion carried. (9-0) Meeting adjourned at 9:05 p.m.



Maria Galka, President



Jason Spain, Secretary