

**CITY OF HOBART PLAN COMMISSION
MINUTES OF JUNE 4, 2020**

Maria Galka called the meeting to order at 7:00 p.m. with the recitation of the Pledge of Allegiance. Attorney Heather McCarthy provided instructions pertaining to the procedure for processing public phone calls that may be received during the meeting and asked if callers would mute their phones until they are called on to speak. She also asked if petitioners would wait to speak until they are called on by the members of the commission. There have been problems in the past with being able to hear and wanted to make sure everyone is audible since the meeting is being recorded. 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: Attorney Heather McCarthy; Sergio Mendoza, City Planner; Ross Pietrzak, Zoning Administrator and Joy Respecke, Recording Secretary.

Approval of Minutes: Mr. Allen motioned to approve the May 7, 2020 zoom meeting as presented, seconded by Mr. Lain. All ayes, motion carried. (8-0)

Communications/Acceptance of Agenda: Mr. Spain requested to table Petitions 19-30, 20-03 & 20-14. Mr. Vinzant motioned to approve the agenda as amended, seconded by Mr. Gralik. All ayes, motion carried. (8-0)

Business of the Day

- 1. **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.

- 2. **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 ____

Tabled at acceptance of agenda.

3. 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

Neither Mr. Tamayo nor his engineer were present nor did they call in. Mr. Pietrzak noted that he emailed his engineer last week requesting an update for the project and has not received a response. He mentioned this is the second meeting in which there has been no communication from the petitioner pertaining to this project. Mr. Gralik mentioned the last contact he had from the engineer was March 26th after receiving an emailed topographic survey of the property that did not match the Woolpert contours on the city's GIS map. He has yet to respond back to address Mr. Gralik's questions. Mr. Mendoza stated staff will reach out to Mr. Tamayo informing him that if he fails to attend next month's meeting, he will be removed from the agenda for lack of prosecution and be forwarded to the Board of Works. Mr. Allen motioned to Table Petition 20-05 including all discussion, seconded by Mr. Chhutani. All ayes, motion carried. (8-0)

4. 20-10 Hobart Assembly of God Church/Ryan McDowell (Petitioner/Agent) 7547 E. Ridge Rd. located approx. 1/2 mile west from the SW corner of Ridge Rd. & St. Rd. 51, zoned R-2 & B-3, 9.177 acres

Request: Referral for Determination: Conditional Use

Purpose: To allow the operation of a church in a proposed B-3 zone

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

Present were Attorney Nancy Townsend, Krieg/Devault; Pastor McDowell and John Hannon, Great Lakes Engineering. Ms. Townsend mentioned that at their previous meeting the BZA approved the conditional use contingent upon receiving a favorable recommendation from the Plan Commission that the use of the church has no impact to the Comprehensive Plan and the proposed rezone to B-3. She stated that granting the conditional use will align with the general purpose served by the Hobart Municipal Code and zoning regulations and will not materially or permanently injure other property or uses proximate to the site. Churches are permitted with an approved conditional use in B-3, B-2 & B-1 zoned districts. She also noted the Comprehensive Plan supports B-3 uses along Ridge Road as there are current B-3 zoned districts to the Northeast, East and West. Companion applications for the rezone, site plan and subdivision have been filed concurrently. They are proposing to expand the existing church and parking lot. Mr. Vinzant motioned for a Favorable Recommendation to the BZA for Petition 20-10 determining BZA Petition 20-06 has no impact to the Master Plan and contingent upon approval of the proposed rezone including all discussion and Findings of Fact, seconded by Mr. Allen. All ayes, motion carried. (8-0)

5. 20-12 Hobart Assembly of God Church/Ryan McDowell (Petitioner/Agent) 7547 E. Ridge Rd. located approx. 1/2 mile west from the SW corner of Ridge Rd. & St. Rd. 51, zoned R-2 & B-3, 8.8 acres

Request: *Tabled; Site Plan Review*

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 X Denied _____ Deferred _____ Vote 8-0

During their appearance in March concerns were raised regarding the fire hydrant, sloping and drainage on the property and that the public hearing was left open. Mr. Hannon stated they had met with staff and revised the plan to include the placement of the fire hydrant, the drainage easement and vegetative strip. Pending is the Stormwater Permit. Ms. Galka opened and closed the public hearing for Petition 20-12 without public comments. Mr. Gralik inquired as to if the parsonage has had water runoff in the garage and Pastor McDowell stated he has not. Mr. Vinzant motioned to Grant Site Plan for Petition 20-12 contingent upon receiving the SWPP including all discussion, seconded by Mr. Lain. All ayes, motion carried. (8-0)

6. **20-13** 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, 5 acres

Request: *Public Hearing; Rezone*

Purpose: A proposed rezone from R-2 to B-3

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

Representing the petitioner was Attorney Nancy Townsend, Krieg/Devault. During a previous presentation she reviewed the Findings of Fact and asked they be incorporated in the record. She noted all the requirements have been met and requested a favorable recommendation be forwarded to the Common Council. Ms. Galka opened and closed the public hearing for Petition 20-13 without comments. Mr. Chhutani motioned for a Favorable Recommendation to the Common Council for Petition 20-13 including all discussion and Findings of Fact, seconded by Mr. Lain. All ayes, motion carried. (8-0)

7. **20-13A** 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, 9.177 acres

Request: *Public Hearing; Hobart Assembly of God Subdivision*

Purpose: A proposed 1-lot subdivision

Preliminary/Final Plat X Deferred _____ Vote 8-0

John Hannon, Great Lakes Engineering, noted currently there are three (3) tax parcels and requested to combine them to create a 1-lot subdivision. Ms. Galka opened and closed the public hearing for Petition 20-13A without public comments. As previously mentioned during site plan approval the drainage easements and sanitary sewer easements were added as requested. Mr. Pietrzak stated that since the sidewalk along 37th Page 3 PCmin 6/4/20

Ave./Ridge Rd. were included on the site plan, whether the Plan Commission would be in favor of recommending the Board of Works grant a Sidewalk Waiver. Mr. Gralik mentioned he was in favor of recommending a Sidewalk Waiver since currently there are no connecting sidewalks on the south side of the road. Mr. Pietrzak instructed the petitioner that he file with the Clerk-Treasurer's office and request to be added to the Board of Works agenda to be waived from installing the sidewalk. Mr. Spain motioned to Grant Preliminary and Final Plat for Petition 20-13A with the recommendation to support the Sidewalk Waiver to the Board of Works including all discussion and Findings & Decision, seconded by Mr. Gralik. Mr. Allen requested the drainage easement be more defined on the mylar. All ayes, motion carried. (8-0)

8. **20-14** 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: *Referral for Determination:* Conditional Use

Purpose: To allow the operation of a concrete recycling facility

Favorable Rec. Unfavorable Rec. Deferred Vote

Tabled at acceptance of agenda.

Consultation/Discussion:

To allow the extension of recording mylars approved March 5th for:

PC 20-04 Loan Oak Subdivision (83rd Ave.)

PC 20-07B NorthWind Crossing South (69th Ave.)

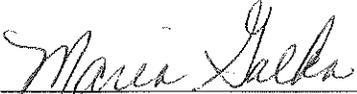
PC 18-06A Cressmoor Estates (Wisconsin St./Lake Park Ave.)

Mr. Mendoza explained that due to the pandemic the recording deadline for these mylars expired on May 4th and requested that the commission grant a 60 day extension to allow the applicants to take them to the County to get them recorded. The only contingency is for PC 18-06A (Cressmoor Estates) be held by the Board of Works until the Reimbursement Agreement has been executed at which time the Clerk-Treasurer will release the mylars. In June 2019th the Commission motioned to grant approval contingent upon a third party inspection agreement which has not yet been satisfied. Mr. Allen recused himself from PC18-06A. Mr. Vinzant motioned to provide a 60 day extension (August 3rd) for Petitions 20-04, 20-07B and 18-06A with the condition the mylars for PC18-06A will be held by the Board of Works until such time the Reimbursement Agreement is executed and received including all discussion, seconded by Mr. Lain. All ayes, motion carried. Petitions 20-04 & 20-07B (8-0) Petition 18-06A (7-0)

PC 04-02 JD Xpress Storage Site Plan Improvements-Shelby Street:

In 2004 a site plan was approved for enclosed storage units and a canopied structure. They are requesting to construct walls to the existing slab covered canopied structure and convert it to an enclosed storage unit. It was asked of the commission if they felt it needed to return for site plan review or if it was minor and be reviewed and approved by staff. It was determined site plan was not necessary as it will not affect drainage or parking. Mr. Vinzant motioned to give staff leeway to grant approval for the improvements for JD Xpress Storage Petition 04-02 including all discussion, seconded by Mr. Lain. All ayes, motion carried. (8-0)

There being no further no further comments or discussion Mr. Allen motion to adjourn, seconded by Mr. Gralik. All ayes, motion carried. Meeting adjourned at 7:30 p.m.



Maria Galka, President



Jason Spain, Secretary