

**CITY OF HOBART PLAN COMMISSION  
MINUTES OF FEBRUARY 3, 2022**

Maria Galka called the meeting to order at 7:00 p.m. with the recitation of the Pledge of Allegiance. Members present: Stuart Allen; Lloyd Emig, via Zoom; Michael Chhutani; Rich Lain; Jason Spain; Maria Galka; Dave Vinzant and Craig Brooks. Member absent: Phil Gralik, City Engineer. Also present: Ross Pietrzak, City Planner; Heather McCarthy, City Attorney and Joy Respecke, Recording Secretary.

Approval of Minutes: Mr. Allen motioned to approve the minutes of January 6, 2022 as presented, seconded by Mr. Lain. All ayes, motion carried. (8-0)

Communications/Acceptance of Agenda: Mr. Spain requested to table Petition 21-34B and withdraw Petition 21-38A. Mr. Chhutani motioned to approve the agenda as amended, seconded by Mr. Vinzant. All ayes, motion carried. (8-0)

Due to the large number of citizens in attendance, Ms. Galka reviewed the public hearing procedure. She requested those wishing to speak, to fill out the sign-in sheets in the hallway and she will acknowledge them when the public hearings are opened. Once the residents attending in person have spoken, she will acknowledge the residents that were present telephonically.

**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 & Ridge Roads zoned M-1, 18.72 acres

**Request:**     Tabled: Site Plan Review

**Purpose:**     Existing concrete recycling operations

Granted \_\_\_\_\_ Denied X Deferred \_\_\_\_\_ Vote 8-0

Petitioner was not present. Mr. Allen stated that Mr. Hovanec has started construction of the berm and felt it was appropriate to table. Mr. Vinzant agreed but with the stipulation the petitioner is aware that next month a motion will be made to either approve or deny the site plan. Mr. Allen motioned to table Petition 20-03 with the caveat that next month the Commission will hear the evidence and make a ruling including all discussion, seconded by Mr. Brooks. Mr. Pietrzak noted that without an approved site plan tonight, the Conditional Use expires. He stated that Mr. Hovanec did not request an extension from the Board of Zoning Appeals and has not been responsive to staff requests for meetings or updates on his progress for the site plan. The site plan has not been updated and remains incomplete as it does not provide the drainage calculations, barriers for the materials that are exposed and that the drainage shown is not in the correct

location. He did not feel that tabling the site plan will help since it is already outside the time limit of the approval. Mr. Allen withdrew his previous motion. Mr. Pietrzak stated that the Commission could suspend the Policies and Procedures Rule for waiting to refile for one year and allow Mr. Hovanec to refile once he has a completed an appropriate site plan for review. Until such time, the concrete recycling facility operating on the property is considered to be an illegal use. Mr. Vinzant motioned to Deny Petition 20-03 including all discussion, seconded by Mr. Chhutani. Roll Call Vote taken. All ayes, motion carried. (8-0)

2. 21-34B Indiana Becknell Investors 2011 LLC (Petitioner/Owner) located 800' east from the NE corner of 69<sup>th</sup> Ave. & Mississippi St. zoned PUD (M-1), 48.18 acres

**Request:** Tabled: Northwind Crossings South 2<sup>nd</sup> Replat

**Purpose:** Proposed 1-lot subdivision

Final Plat \_\_\_ Denied \_\_\_ Deferred X Vote \_\_\_

Tabled at acceptance of agenda.

3. 21-38A Storebuild, LLC (Petitioner/Agent) at 3801 & 3823 E. Lincoln Hwy. located on the SW corner of Lincoln Hwy. & Utah St. zoned B-3, 5.97 acres

**Request:** Public Hearing: Site Plan Review

**Purpose:** A proposed motor vehicle sales facility

Granted \_\_\_ Denied \_\_\_ Deferred \_\_\_ Withdrawn X

Withdrawn at acceptance of agenda at Petitioner's request.

4. 22-02 J. Mark Shapland/Becknell Services, LLC (Petitioner/Agent) located on the SE corner of 61<sup>st</sup> Ave. & Colorado St. zoned R-3, 155.99 acres

**Request:** Tabled; Public Hearing: Rezone R-3 to M-1

**Purpose:** Proposed light manufacturing

Favorable Rec. \_\_\_ Unfavorable Rec. \_\_\_ Deferred X Vote 7-0

Mr. Allen recused himself. Present was Ethan Frisch, Becknell Industrial proposing to rezone property to an M-1 district. Mr. Frisch presented a power point pertaining to their developments. Proposed is an approximate 2 million square foot 6 speculative building development to be constructed in phases. Proposed in the first phase will be the construction of two buildings, 325' setback from the north neighbor and 515'

from the west neighbor, a pond and the extension of 62<sup>nd</sup> Ave. off Colorado St. to the east. Their off-site contributions will help fund the proposed city planned 61<sup>st</sup> & Colorado St. roundabout and Colorado St. widening. Mr. Pietrzak noted that according to the Future Land Use Map the intent was for office service along 61<sup>st</sup> Ave. corridor. Mr. Frisch stated there is a gas pipe line located under that property and they had no intension of using that property for office service. Ms. Galka noted that as of the end of business today, 48 letters were received from the public and have been available for the Commission's review. She asked for those wishing to speak, to avoid rereading letters and repeating comments of previous speakers. Additional comments are welcome. Ms. Galka opened the public hearing for Petition 22-02. All public comments were in opposition to the proposed rezone. Charles Gabriel, 2939 E. 62<sup>nd</sup> Pl. asked where the truck traffic will exit and what will the proposed development do to their home values. John Rakoczy, 3600 E. 61<sup>st</sup> Ave. owns 40 acres to the north of Amber Creek and questioned whether the proposed development will be tax abated and felt it will not do anything for the City unless real estate taxes are collected. Does not feel it is suitable for the property and that it will not help with property values. Cyndia Kramer, 1777 Amber Dr. spoke on behalf of the Amber Creek HOA and surrounding residents that were present. (Viola Love, 2921 Topaz Dr.; Marguerite McGhee, 360 W. 61<sup>st</sup> Ave.; Lou Mikolics, 6716 Colorado St.; Garry Mikolics, 7202 Colorado St.; Alex & Barbara Williams, 1775 Amber Dr. and Jean Rakoczy, 3600 E. 62<sup>nd</sup> Ave.) Ms. Kramer stated they were concerned the proposed industrial development would greatly impact the value of their homes, that it did not fit into the comfort or aesthetics of the residential area, additional traffic will impact the 24/7 city emergency responders: fire, police, ambulance in addition to school buses. The additional truck traffic will deteriorate the roads. The preliminary perspective plans for screening were minimal and cheap. There will be children playing and family's barbequing while dealing with a noisy/smelly trucks across the street. She stated the residents feel angry and betrayed by the City Council, Zoning Committee and City Representatives. She felt a residential development would be more pleasing. Was concerned that it will draw an undesirable element to their homes. Felt there was other properties within the City more appropriate for industrial development that would not encroach into residential neighborhoods in such a negative way. Sandra & Pedro Garcia, 2921 Diamond Dr. felt the rezone to be spot zoning and everyone in that area felt the property would remain farm land or residential. Also deteriorate their home values and felt traffic will be increased. Margaret Stalling, 39 Deep River Dr. stated she walks that area and questions whether she would continue to feel safe walking. Was concerned about the impact of the diesel trucks and pollution. Scott Seeley, 6126 Colorado St. stated he has lived in that area for 60 years and inquired about berms, swales, detention ponds, sound detention and the traffic demographics. He also inquired as to who will be responsible for damages occurring to the pipeline. Deborah Alsop, 2900 Emerald Dr. spoke on behalf of her and her neighbor Charles. They were opposed since they purchased their homes because of the wildlife and the trees. Joseph Arias, 1691 Ruby Ct. asked if the intent for Colorado St. is to become industrial like Mississippi St. He stated one of the reasons for the 61<sup>st</sup> Ave. widening project was to improve the primary services to the hospital and questioned the impact the industrial area will have. Joseph Conn, 910 Lake St. a reporter for the Post Tribune stated that spot zoning was not good planning. He also noted that area is one of the last remaining areas of agricultural land in the City limits. Victor Martinez, 1670 Colorado St. stated he moved here from Hammond and was opposed. Jake Cseke, 1205 Lincoln St. moved to Hobart 3 years ago for the unique downtown, access to natural areas, and its quiet, rural feel. He considers 61<sup>st</sup> Ave. the gateway to Hobart and instead of seeing farm fields and subdivisions, people will see very large industrial buildings. He stated he is not opposed to industrial developments, just not at this location. He feels there will be an increase in pollution, congestion, decrease in home values and appeal of Hobart and will have an impact to the wildlife. Chris Wells, 5<sup>th</sup> District Councilman, 2925 W. 38<sup>th</sup> Pl. stated that if the rezone is approved, it will increase the tax dollars for the city. He stated that the Future Land Use Map has had this area designed for light industrial for over 20 years. He

noted that Becknell has built good projects and that he would not vote for something that was not good for the City. Oakley Molinaro, 135 W. 2<sup>nd</sup> St. stated that due to the impervious surfaces of the proposed development it will cause over one million gallons of runoff water to flow into the streams, tributaries and lake. Dan Simon, 2920 Emerald Dr. inquired if the property remains residential will the taxes go to Merrillville schools and if the property will be tax abated. Joshondra Perry, 1739 Gurney St. She stated she previously resided in a home on Colorado St. & 61<sup>st</sup> Ave. for 15 years and recently moved to a new home in Eagle Creek. She stated she would never have purchased a \$300,000+ had she known this was on the horizon. She questioned if another project of this type will go in across from her subdivision. Concerned about property values. Matthew Kaiser, 2951 Emerald Dr. stated he been a Hobart resident for over 20 years and also has environmental, traffic and property value concerns. John & Michel Corin, 2940 Emerald Dr.: Mr. Corin stated they could have purchased a home anywhere but chose Hobart to raise their family. Moved in 5 months ago, made a bad investment moving to Hobart and is irate with the rezone. Jan Babel, 6300 Colorado St. was unhappy that her children will be waiting for the school bus with the truck traffic. Jack Schwerin, 2963 E. 62<sup>nd</sup> Pl. Had concerns regarding the runoff water from the proposed development, the quality of their well water and their failing septic systems. Charles Hence, 2861 Emerald Dr. moved to Hobart in 2002 and enjoyed driving on 61<sup>st</sup> Avenue prior to the 61<sup>st</sup> Ave. project. He stated that if this is built, nothing else will be built other than industrial on the entire farmland. His property values has increased and once this becomes industrial, his property values will decline. He agreed with the prior comments and is opposed to it. Terry McCaleb, 208 S. Wisconsin St. has been a resident of Hobart for 20 years and along with her husband, are real estate agents. She stated Hobart and Lake County are growing and need additional residential housing. She felt this area should not have been supported as industrial but residential instead. As a realtor, she found that people will not purchase homes with views of large buildings and that industrial development affects property values. Berms and planting trees will not hide these large buildings. Attorney Richard Anderson, 9211 Broadway, Merrillville, IN representing the property owner to the south of the proposed rezone property. He stated that they were not opposed to the rezone but provided proposed plans for continuing development and growth. He suggested that if the rezone were to move forward, his client would give Becknell a portion of land for a road to run parallel to Colorado Street that would go to a proposed 65<sup>th</sup> Avenue. He stated 65<sup>th</sup> Avenue would also have the potential to cross Colorado St. and extend to the west. Bill Stallings, 39 Deep River Dr. was concerned the speculative buildings will be constructed and no clients to occupy them. Sarah Ostrander, 7602 71<sup>st</sup> Ct. stated she will be moving into the Eagle Creek Subdivision. She stated in addition to Eagle Creek, Hawks Crossing is being developed and another proposed residential development both on the north side of 61<sup>st</sup> Avenue. She hoped the City would consider something other than industrial for the south side of 61<sup>st</sup> Avenue. Pilar Garcia, 1719 Gurney St. stated they are moving from Chicago and chose Hobart and was opposed to this project due to her son having environmental toxin issues. Robert Vann, 1571 Arizona St. stated he defined progress as public servants enhancing the life and quality of life for the citizens they represent and does not feel this project does that. He noted that he would like his children to remain in Hobart but if the city does not honor the expectations of the residents that make investments in the city based on a Comprehensive Plan, then that is a city that is not to be trusted and he would not expect his children to stay. Christine Ramirez, 1641 Amber Dr. stated she has lived in her house for 20 years and is completely opposed to the rezone like the other residents. Jennifer Williams, 1690 Sapphire Ct. she stated that Becknell's current development off Marcella Blvd. currently has three to four buildings that are not occupied. She questioned what environmental impact this proposed development may have on the nature preserve behind her house to the north. She also had concerns for the increased truck traffic, crime, safety, character change for the neighborhood, reduction in property values and noise pollution. Katie Ramirez, 1640 Amber Dr. stated she was happy with the outcry of opposition from the residents for the proposed rezone. Questioned how an

industrial area would be allowed next to a nature district. Thomas Lozanovski, 588 Hidden Oak Drive did not feel Mr. Frisch, Becknell, presented a complete perspective of the proposed development. He felt the property should be developed for the use of the residents and not giant concrete boxes. Molly Arroyo, 1681 Ruby Ct. stated they moved from Portage in 2002. She was a teacher for 25 years and is now the principal at Trinity Lutheran School. She feels industrial in that area is reckless and upon purchasing her home in 2002 it was not with any anticipation that industrial would be proposed across the street. She also stated that it is unfair to develop industry across the street from an area full of families. Is opposed to the rezone. Hearing no further public comments, Ms. Galka closed the public hearing for Petition 22-02. Mr. Frisch stated he understood the resident's concerns but cannot adequately address them. He stated a lot of the comments pertain to site plan which will be presented to the Plan Commission at a later date with specific details of the proposed development. They have reached out to the owners of the pipelines but cannot comment until the full engineering is complete. When asked about how the traffic will be directed, Mr. Frisch stated he would have to review the traffic study and was not able to provide an answer. When asked if they had other developments similar to this proposed development with residential on 2 sides, he was not able to speak on the effect of the home values. Mr. Frisch also stated they will go above and beyond in addressing the City Standards due to the abutting residential properties. When asked how they will connect to utilities, Mr. Frisch explained they proposed to extend the sewers from Arizona Street across the property and in the proposed 62<sup>nd</sup> Avenue to Colorado Street for future connections. Water will connect off of Colorado Street. Mr. Vinzant asked if Becknell had conversations with Merrillville since a portion of the property taxes will go to Merrillville and Mr. Frisch replied no. In regards to the number of vacant buildings in North Wind Crossings, Mr. Frisch did not know how many existing buildings/spaces were unoccupied. Mr. Frisch compared the under roof square footage for the proposed 150 acre development to their existing 250 acre site at North Wind Crossing as equal. Ms. Galka mentioned the Future Land Use Map supports office/commercial retail space along the 61<sup>st</sup> Avenue corridor to provide an approximate 400' buffer from the residential properties on the north side from the supported M-1 properties on the south and questioned why they were not exploring that option. Mr. Frisch explained Becknell was only industrial developers and felt the market was not in favor of office service. Mr. Pietrzak mentioned he would advise to table the rezone given the Commission's hesitation and concerns which will allow him to research if a partial rezone could occur as outlined in the Comprehensive Plan and to work with Becknell as to whether the partial rezone was viable for them to move forward. At which point, next month the Commission could base their findings for a favorable or unfavorable recommendation partial rezone. Mr. Lain motioned to Table Petition 22-02 to allow Staff time to review a partial rezone and to consult with the petitioner to determine whether the plan is feasible including all discussion, seconded by Mr. Vinzant. Roll Call Vote taken. All ayes, motion carried. (7-0)

5.      22-05            Daniel Tursman (Petitioner/Agent) located approx. 200' northeast of the 61<sup>st</sup> Ave. & Marcella Blvd. intersection, zoned PUD, 1.12 acres

**Request:**        Public Hearing: Site Plan

**Purpose:**           Proposed 3,960 sq. ft. automobile fueling station & convenience store

Granted  X  Denied      Deferred      Vote  8-0

Present was Dan Tursman on behalf of Luke Family Brands proposing a 6 pump fueling station with a 3,900 sq. ft. +/- convenience store. Ms. Galka opened and closed the public hearing for Petition 22-05 without public comments. Mr. Pietrzak mentioned he received a comment of concern that there was insufficient right of way dedicated for the roundabout and requested the petitioner to dedicate an additional 5' of right of way. Mr. Tursman agreed to the additional 5' right of way request. Mr. Allen motioned to Grant Petition 22-05 contingent on dedicating an additional 5' of right of way including all discussion, seconded by Mr. Brooks. Roll Call Vote taken. All ayes, motion carried. (8-0)

6. 22-06 Daniel Tursman (Petitioner/Agent) located on the SE corner of Cleveland Ave. & State Rd. 130 zoned B-3, 2.40 acres

**Request:** Public Hearing: Site Plan

**Purpose:** Proposed 3,960 sq. ft. automobile fueling station & convenience store

Granted X Denied \_\_\_\_\_ Deferred \_\_\_\_\_ Vote 8-0

Dan Tursman on behalf of Luke Family Brands proposed a fueling station with a 3,900 sq. ft. +/- convenience store. Mr. Tursman mentioned they received approval in 2019 for a fueling station/convenience store/car wash but because of the roundabout improvements at the intersection, they decided to delay construction. The development has been revised to not include the car wash at this time. Mr. Pietrzak noted that the petitioner is responsible for installing the sidewalks and curbs but is discouraging installing them in the portion within the roundabout until the intersection improvements have been completed. Ms. Galka opened and closed the public hearing for Petition 22-06 without public comments. Mr. Allen motioned to Grant Petition 22-06 contingent on working with staff and the engineer that is designing the roundabout to ensure the sidewalks and curbs align with the intersection improvements including all discussion, seconded by Mr. Chhutani. Roll Call Vote taken. All ayes, motion carried. (8-0)

7. 22-07 Kyle Grothoff (Petitioner/Owner) 501 N. Colorado St. located on the NE corner of Colorado St. & 40<sup>th</sup> Ave., zoned R-2, 1 acre

**Request:** Public Hearing: Vacate

**Purpose:** Proposed 40' of unimproved Penn. Ave. right-of-way & 15' of unimproved alley

Favorable Rec. X Unfavorable Rec. \_\_\_\_\_ Deferred \_\_\_\_\_ Vote 8-0


The plat of vacation was distributed at the meeting. Mr. Pietrzak mentioned that the City requested a 25' drainage & utility easement along the north/northeast property line that will retain the City's ability to install a force main or utilities, which is an option that was discussed in the Northside Master Plan. Ms. Galka opened the public hearing for Petition 22-07. *Barbara Tinoco, 460 N. Delaware Street inquired as if the 3 stop signs and street light will remain at the southeast intersection. She also inquired as to the procedure of vacating property.* She was informed the proposed vacation will not affect the existing stop signs and street

light and that they will remain. Mr. Allen explained during a vacation request, the City typically does not have any use for the property other than a possible easement that they will retain and that the vacated property becomes the ownership of the adjacent owners. In this case, the northern property owner does not want the property. *Councilman Chris Wells, 2925 W. 38<sup>th</sup> Place did not feel there were any issues with the vacation.* Hearing no further public comments Ms. Galka closed the public hearing. The easement on proposed Parcel A will be addressed when the petitioner returns for their 1-lot subdivision. Mr. Vinzant motioned to Approve Petition 22-07 including all discussion, seconded by Mr. Allen. Roll Call Vote taken. All ayes, motion carried. (8-0) Mr. Vinzant motioned for a Favorable Recommendation to the Common Council for Petition 22-07 including all discussion, seconded by Mr. Allen. Roll Call Vote taken. All ayes, motion carried. (8-0)

Consultation/Discussion: Mr. Pietrzak mentioned Becknell will return for their 69<sup>th</sup> Avenue development due to adding an additional truck door on the front of the building and mechanical equipment added to the east of the building. He asked if it was the Commission's intent that they file for a minor or major site plan or a PUD Amendment. They felt a minor site plan was sufficient.

There being no further comments or discussion Mr. Lain motioned to adjourn, seconded by Mr. Brooks. All ayes, motion carried. (8-0) Meeting adjourned at 10:15 p.m.

  
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Maria Galka, President

  
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Jason Spain, Secretary