

**CITY OF HOBART PLAN COMMISSION
MINUTES OF FEBRUARY 4, 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 (remote), Michael Chhutani, Rich Lain, Jason Spain, Maria Galka, Dave Vinzant (remote), Craig Brooks and Phil Gralik, City Engineer (remote). Also in attendance: Ross Pietrzak, City Planner and Joy Respecke, Recording Secretary.

Approval of Minutes: Mr. Lain motioned to approve the minutes of January 7, 2020 as presented, seconded by Mr. Allen. All ayes, motion carried. (9-0)

Communications/Acceptance of Agenda: Mr. Pietrzak requested to table Petition 21-01 and add Johnson's Farm under discussion. Mr. Chhutani motioned to approve the agenda as amended, seconded by Mr. Allen. All ayes, motion carried. (9-0)

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 _____ Deferred X Vote 9-0

Mr. Pietrzak mentioned it was his understanding that Mr. Hovanec would be present. Mr. Allen motioned to move Petition 21-03 to the end of the agenda, seconded by Mr. Lain. All ayes, motion carried. (9-0) Petition was revisited at the end of the agenda and petitioner was still not present. Mr. Allen motioned to Table Petition 20-03 including all discussion, seconded by Mr. Chhutani. All ayes, motion carried. (9-0) Mr. Spain noted this petition has been on Table for a year. Mr. Pietrzak stated he will check into the last time Mr. Hovanec was present at the meeting.

2. **20-18** Michael Kors (Petitioner/Owner) 4191 E. Lincoln Highway located 0.4 miles west from the SW corner of US 30 & Clay St. then south on private road, zoned PUD, 10.66 acres

Request: *Tabled: Site Plan Review*

Purpose: A proposed warehouse/office industrial development

Granted _____ Denied _____ Deferred X Vote 8-0

Mr. Allen recused himself. Mr. Kors was not present. Present was Pete Todosijevic. The Commission allowed Mr. Todosijevic to speak on behalf of Mr. Kors without a Power of Attorney. Mr. Todosijevic mentioned based on the appearance of his automobile dealerships Mr. Kors will continue to provide an equally pleasing development. Mr. Pietrzak mentioned an additional update was submitted and also

submitted the Design Matrix in which only 20 of the 46 required Design Guidelines were met but felt the plans were sufficient for review and discussion. He also mentioned there are binding issues with the site that have not been addressed pertaining to the zoning of the property. It is zoned PUD but refers to Lake County's BP-3 zoning which does not reflect to the site. He recommended to rezone the property to a PBP (Planned Business Park) or to amend the PUD for the proposed development which, at this time, does not meet the current standards. Mr. Todosijevic stated he prefers that the property remain a PUD. Mr. Spain advised Mr. Todosijevic's to inform his client to update the PUD to meet the current City requirements otherwise this proposed development cannot move forward. Mr. Spain motioned to Table Petition 20-18 including all discussion, seconded by Mr. Brooks. All ayes, motion carried. (8-0)

3. **20-25** Rise Commercial District/Jim Sapp (Petitioner/Agent) for property located west of Clay St. south of US 30 & north of 83rd Ave. zoned R-2 & B-3, 14.31 acres

Request: Tabled; Public Hearing: Rezone

Purpose: For a proposed rezone from R-2 & B-3 to PBP

Favorable Rec. Unfavorable Rec. Deferred Vote 9-0

Present via zoom were Attorney James Wieser, 429 W. Lincoln Hwy., Schererville and Jim Sapp. Mr. Sapp explained this will be the 10th proposed facility of its kind that offers renting co-warehousing for small businesses starting out and as they outgrow the location will relocate to a larger facility within the area. The proposed buildings are intended for storage while only 30% of the buildings will have offices. He noted there are conversations with the city regarding a frontage road. Mr. Vinzant requested clarification of the proposed development as to whether it is an office space or a storage facility. He noted parking was not adequate for employees and questioned whether the buildings will have retail customers and provide safety and security for the businesses. Mr. Sapp responded by saying there will be no retail and their traffic survey indicate approximately 100 vehicles enter the site daily either dropping off or picking up materials, as well as, UPS and Fed X deliveries. Hours of operation for staff is 8 a.m. to 4:30 p.m. but the tenants are able to access the property 24/7. There will be no hazardous or flammable materials allowed and the tenants are to provide a \$2 million insurance certificate. Ms. Galka opened the public hearing for Petition 20-25. Mark Hayes, 4200 Harms Rd. questioned how this will impact his neighbor's houses. Mr. Sapp stated there will be fencing and landscaping surrounding the proposed facility. Mark Kopil questioned whether MCD was contacted. He was informed this request is only for a rezone. Mr. Pietrzak read a letter received via email.

To whom it may concern,

I'd like to submit questions for the proposed business park rezone for petition 20-25 hearing.

My name is Tom Modica, I am the occupied owner of 4916 E 83rd Ave, Merrillville and I own 4900 East 83rd Avenue, my property is directly east of Clay Street from the proposed business park.

1. *The plan shows over 148 parking spaces. How much traffic is proposed to be at this complex?*
2. *Concerning traffic, will the stop signs at 83rd Ave and Clay Street be sufficient or will traffic lights be needed?*
3. *Will there be trucks and construction equipment running in and out of there as a part of daily operations for the businesses at the business park?*
4. *What type of businesses are being proposed to occupy and what type of noise will they be making?*
5. *Will the businesses be operating under normal business hours?*
6. *Will any businesses be using or storing any type of hazardous chemicals?*
7. *Will the Park/businesses house any type of in ground or above ground fuel tanks*
8. *Will there be any abnormal smells or smoke that will be released as part of business operations?*
9. *Will there be any type of significant overhead lighting that could possibly shine down on adjacent properties?*

- 10. What will be done to mitigate drainage/runoff and how will this affect adjacent property's concerning flooding and well water quality?
- 11. Will there be a plan to deal with trash that could blow over to adjacent properties?
- 12. Will the street have to be widened and will you have to exercise easement or eminent domain laws on property owners to do this?
- 13. To the petitioner, Is this the type of facility that you would want in your back yard?
- 14. Another concern is the displacement of wildlife that maybe be living on the property.

Thank you
Tom Modica

Attorney Wieser stated some of the questions were previously addressed that pertained to the rezone while others will be addressed during site plan review. Hearing no further public comments Ms. Galka closed the public hearing for Petition 20-25. Mr. Pietrzak informed the commission there have been conversations with the petitioner in regards to the continuation of the east/west frontage road along US 30 and stated the State indicated they do not want frontage roads connecting close to US 30 intersections and the continuation of the frontage road east is not a viable option. Discussions have included to bend the road south and then east along the property line of this development and the 2 properties to the north. The proposed development will be required to install half of the road and as development occurs to the north, that development will install the other half. Mr. Spain mentioned he understands this type of development is the future trend but he expressed his concerns whether this is the right location and if these buildings will continue to stand up over time. Mr. Chhutani motioned for a Favorable Recommendation to the Common Council for Petition 20-25 including all discussion and Findings of Fact, seconded by Mr. Vinzant. All ayes, motion carried. (9-0)

4. **21-01** Marco Tamayo (Petitioner/Owner) 7197 Mississippi Street located approx. 575 feet north from the NE corner of Mississippi St. & 73rd Ave. zoned R-2, 5.33 acres

Request: Tabled; Public Hearing: Site Plan

Purpose: For a proposed fill permit, driveway, parking area and ground cover

Granted ___ Denied ___ Deferred X Vote ___

Tabled at acceptance of agenda.

5. **21-02** Hector & Gloria Cornejo (Petitioner/Owner) 5500 E. 81st Ave. located approx. ½ mile west from the NW corner of 81st Ave. & Grand Blvd. zoned OS-1, 6 acres +/-

Request: Tabled; Site Plan Review:

Purpose: A proposed 9.5'x 6' monument sign

Granted X Denied ___ Deferred ___ Vote 9-0

Present were Hector Cornejo and Joshua Bennet, Service Doctor. Mr. Bennet spoke on behalf of Mr. Cornejo. Proposed was to install a monument sign on the west end of the property for the purpose of advertising spaces for the east/west building and possible consideration for the adjacent building to the west. Mr. Pietrzak mentioned he will only be able to approve the proposed signage pertaining to the east/west

building and if the abutting property to the west requests to advertise on this sign, they will need to file and receive approval for a variance for off-site advertising. Mr. Vinzant motioned to Grant Site Plan Approval for Petition 21-02 including all discussion, seconded by Mr. Brooks. All ayes, motion carried. (9-0)

6. 21-03 Price Point Bldrs./Bruce Young (Petitioner/Agent) for property located NW of 61st Ave. & Colorado St. zoned R-2, 4.29 acres

Request: Public Hearing: Hawks Crossing

Purpose: A proposed 6-lot subdivision

Preliminary Plat ___ Denied ___ Deferred X Vote 9-0

The application packets were not mailed to the Commissioners. Mr. Vinzant motioned to Table Petition 21-03, seconded by Mr. Emig. Mr. Spain felt since the petitioners were present, they could be heard. Mr. Vinzant motioned to Reconsider his previous motion, seconded by Mr. Chhutani. All ayes, motion carried. (9-0) Present were Jack Huls, DVG; Bruce Young, Price Point Builders and Pastor Sam Abbott, Southlake Church of God. Mr. Huls stated they are proposing a 6-lot subdivision which will be the first phase of a master development plan consisting of approximately 40 additional lots located on the NW corner of 61st Avenue & Colorado Street and adjacent to the Amber Creek Estates Subdivision. There is a tributary creek which runs through the property that connects to Turkey Creek and currently there are 3 residential lots and the church lot platted on the property with an ingress/egress easement on a separate parcel owned by the church. Lots 1, 2 & 3 are proposed east of the creek and along Colorado Street; Lots 4, 5 & 6 are proposed west of the creek and a City Standards street with a temporary hammerhead turn-around will be installed in place of the ingress/egress easement. A detention pond is proposed on Outlot A north of Lot 6 and the tributary creek will be on Outlot B that will be preserved as a conservation easement to be conveyed for the future wetland migration. The subdivision would connect into the existing sanitary sewer line on the northwest corner. Mr. Young proposed the cost of the housing will range from \$350,000 to \$375,000. Mr. Vinzant expressed his concerns regarding several proposed cul-de-sacs and also whether the 2 existing houses will be demolished. Mr. Young stated the houses will be removed and relocated. Mr. Allen requested to enlarge the street radius on 61st Avenue to match the other subdivisions and to connect the sidewalks to the east. Ms. Galka opened the public hearing for Petition 21-03. Mr. Pietrzak stated he received a comment from Holladay Properties who are the property owners on the southeast corner of 61st Avenue & Colorado Street noting their intentions of moving forward with a manufacturing/industrial park development along with a proposed concept plan. Hearing no further public comments Ms. Galka closed the public hearing for Petition 21-03. Mr. Pietrzak requested direction regarding the language for the drainage easement as it is vague and does not address the City's needs for the property. It states an easement is hereby granted to the City of Hobart for the installation of a drainage swale, ditch or waterway upon and along the strip or strips of land designated on the plat and marked "Drainage Easement" for the purpose of handling the storm water run-off. Mr. Spain mentioned the drainage easement does not need to be exclusive only to the City of Hobart. Options for the language were discussed. Mr. Huls stated he was under the impression that a Dedication Statement needs to have a grantor and a grantee and agreed to work with the City for the appropriate language. Mr. Allen motioned to Table Petition 21-03 including all discussion, seconded by Mr. Lain. All ayes, motion carried. (9-0)

7. 21-04 Mark Ungar/Crossings at Hobart LLC (Petitioner/Agent) 2652 E. 79th Ave. located north of US 30, west of Colorado St. & east of Mississippi St zoned PUD

Request: Site Plan Review:

Purpose: A proposed partial demolition for loading doc at the former Burlington Store

Granted X Denied Deferred Vote 9-0

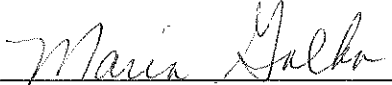
Brandon Garfield, telephonically, requested to renovate the former Burlington building by removing the existing entryway and installing 2 separate entryways for two proposed tenants and to demolish a portion of the rear building to create a second truck doc for Tenant A. A portion of landscaping will be removed and replaced with new landscaping along the front of the sidewalk. Mr. Allen motioned to Grant Site Plan Approval for Petition 21-04 including all discussion, seconded by Mr. Chhutani. All ayes, motion carried. (9-0)

Consultation/Discussion:

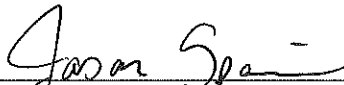
Resub. of Deep River Pointe, Phase 1, Lot 13 (Site Plan): Mr. Pietrzak stated he received house plans with a proposed side loading garage and after researching the history of the resubdivision through the Plan Commission, it was indicated that all the garages were to be front loaded. Although he did not have any concerns since it met all the setback requirements and that the HOA approved and signed off on the construction, it did not fit with the covenants or the PUD and was asking for a second look and approval from the Commission. The Commission approved the proposed construction with no concerns.

Johnson's Farm: Present were David Hill, M2Ke Design, 791 Lincoln St., and Jennifer Johnson. Mr. Hill stated Johnson's Farm was proposing to construct a retail barn for additional u-pick business. The R-1 zoned property has been used for farming, retail sales and agritourism and they are proposing to bring the property into compliance by rezoning it to PUD. Ms. Johnson stated that the property has been operating since 1947 and asked for direction from the Commission as to their thoughts for the property. Mr. Pietrzak explained they have been operating as a legal non-conforming use and since they are proposing to expand and incorporate other uses on the property they will need to bring the property into compliance. He also noted from April 2015 until September 2020, there has been an expansion of uses not approved for the residential zoning or approved by the City and it needs to be addressed. A PUD rezone is the best way to address the uses for the property, as well as, future plans for expansion. He stated not all the property needs to be rezoned since there is a lot of land that is farmed, but only the property where agritourism uses are occurring. Ms. Johnson also inquired if traffic could be re-directed from County Line Road. Mr. Galik noted that there were similarities with Erin's Farm in which the City required them to come into compliance.

There being no further comments or discussion, Mr. Lain motioned to adjourn, seconded by Mr. Allen. All ayes, motion carried. (9-0) Meeting adjourned at 9:30 p.m.



Maria Galka, President



Jason Spain, Secretary