

**CITY OF HOBART PLAN COMMISSION
MINUTES OF JULY 7, 2022**

Maria Galka called the Plan Commission meeting to order and noted that due to the length of the Board of Zoning Appeals meeting, the meeting began at 7:36 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 present: Ross Pietrzak, City Planner; Joy Respecke, Recording Secretary and via Zoom Alex Olesker, Deputy Engineer.

Approval of Minutes: Mr. Lain motioned to approve the minutes of the June 2, 2022 regular meeting as presented, seconded by Mr. Chhutani. All ayes, motion carried. (9-0) Mr. Chhutani motioned to approve the minutes of the June 9, 2022 special meeting, seconded by Mr. Gralik. All ayes, motion carried. (9-0)

Communications/Acceptance of Agenda: Mr. Spain requested to table Petitions 22-19 & 22-19A. Mr. Pietrzak requested to add under discussion the extension of the 60-day recording requirements for Petition 22-16, The Backwoods Subdivision & Petition 22-17A The Pomales Homestead and to review the site plan revisions for Petition 22-20. Mr. Chhutani motioned to approve the agenda as amended, seconded by Mr. Vinzant. All ayes, motion carried. (9-0)

Business of the Day

1. **22-08** Haresh Patel (Petitioner/Owner) 4716 W. 61st Ave. located NW of the 61st Avenue & Marcella Boulevard intersection, zoned B-3, 6.4 acres
- Request:** Tabled: Site Plan
- Purpose:** Proposed 2,323 sq. ft. Dunkin' quick service restaurant
- Granted ___ Denied ___ Deferred X Vote 9-0

Petitioner was not present nor were site plan updates provided. Mr. Gralik motioned to Table Petition 22-08 second by Mr. Brooks. All ayes, motion carried. (9-0)

2. **22-19** Cornerstone Partners V LLC (Petitioner/Agent) for property located 300' west & parallel to Ash Street, bounded between 12th & 13th Streets, zoned R-2, 0.412 acre
- Request:** Tabled: Vacate
- Purpose:** Proposed 30' by 599' +/- unimproved Connecticut Street ROW
- Favorable Rec. ___ Unfavorable Rec. ___ Deferred X Vote ___

Tabled at acceptance of agenda.

3. 22-19A Cornerstone Partners V LLC (Petitioner/Agent) for property located west of Ash Street, north and west of 12th & 13th Streets, zoned R-2, 4 acres

Request: Final Plat: Ash Commons

Purpose: Proposed 22-lot subdivision

Approved ____ Denied ____ Deferred X Vote ____

Tabled at acceptance of agenda.

4. 22-22 St. Mary Medical/David Otte (Petitioner/Agent) at 1500 S. Lake Park Ave. located west of Lake Park Ave., south of 14th St., north of 61st Ave. zoned PUD, 36.93 acres

Request: Public Hearing: Amend PUD

Purpose: Proposed 4th amendment to include additional buildings

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

Mr. Allen recused himself. Speaking on behalf of St. Mary's Medical was Mr. Allen, Torrenga Surveying, and explained that since the original PUD for St. Mary's was created in 1998, several improvements have been added to the site. In past years, these improvements were granted during site plan review and not through the correct channels of amending the PUD. He provided a current up to date survey for the entire site which includes the recent approved CT scanner and morgue additions. Ms. Galka opened and closed the public hearing for Petition 22-22 without public comment. Mr. Vinzant motioned for a Favorable Recommendation to the Common Council for Petition 22-22 including all discussion and Findings of Fact, seconded by Mr. Brooks. All ayes, motion carried. (8-0)

5. 22-23 Thomas Forbes (Petitioner/Owner) at 200 Main St. located on the SW corner of Main & 2nd Streets, zoned B-2, 0.18 acres +/-

Request: Site Plan Review

Purpose: A proposed restaurant/bar with outdoor dining

Granted X Denied ____ Deferred ____ Vote 9-0

Mr. Forbes stated he purchased the former Villa Del Sol Restaurant and is in the process of a total renovation in the building. He is proposing to tear out the existing floor of the patio and pour concrete beginning at 8" at the building and grade down to allow water to drain into the manholes in the rear alley. The rear door will also need to be raised approximately 12" to prevent water from draining into the basement. A 2' fence will be placed on the top of the north side retaining wall, 3' fence across the alley and the fencing along the south side will be removed and replaced with a wall of evergreens with parking bollards in front of the parking spaces. Mr. Gralik requested that the proposed evergreens are salt tolerant. The existing gates will be replaced with ADA compliant gates and installed to swing out with panic bars when exiting from the patio

area. Two sconces placed on the rear wall of the building and strings of lights will provide lighting for the patio area. He is anticipating seating capacity to eventually be 75 to 80 people. Mr. Pietrzak mentioned Mr. Forbes received approval from the Historic Preservation for the façade renovation and is seeking approval for the Façade Grant from the Redevelopment Commission. Mr. Allen motioned to Grant Site Plan Approval for Petition 22-23 contingent on working with staff to provide salt tolerant tree species, drainage plan and any issues pertaining to the grease trap including all discussion, seconded by Mr. Lain. All ayes, motion carried. (9-0)

6. 22-24 Joseph & Barbara Sandilla (Petitioners/Owners) located 150' west of the SW corner of Lake Park Ave. & 8th St., zoned R-2, 2.5 acres +/-

Request: Public Hearing: Replat of Lots 1 & 2 of Sandilla Manor

Purpose: Proposed 2 lot subdivision

Preliminary Plat Approval X Denied _____ Deferred _____ Vote 9-0

Joseph Sandilla stated they currently reside at 836 S. Lake Park Avenue and are relocating to 115 W. 8th Street. They are proposing to replat the existing subdivision by decreasing Lot 2 and increasing Lot 1. Ms. Galka opened and closed the public hearing for Petition 22-24 without public comment. Mr. Pietrzak requested a 90' drainage easement along the western property lines to allow the city, should there be a need, to access the creek and culvert. Mr. Gralik motioned for Preliminary Plat Approval for Petition 22-24 contingent on the petitioner work with staff in providing the drainage easement along the western property line including all discussion, seconded by Mr. Brooks. All ayes, motion carried. (9-0)

7. 22-25 Lineage Logistics LLC/Robert Sangdahl (Petitioner/Agent) located approx. 1,000' east of North Wind Parkway, zoned PUD & R-3, 46.87 acres

Request: Public Hearing: Rezone

Purpose: Proposed rezone from PUD & R-3 to M-1

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

Mr. Allen recused himself. Present were Robert Sangdahl, Lineage Logistics and Richard Desmeule. Mr. Sangdahl provided a presentation for their cold storage facilities. He stated they move food from the growers to customers and everything in-between. They are proposing a sprinkled, energy efficient 171,000 sq. ft. addition to the existing building. The freezer area is an automated facility with employees working in the dock area and small office space. Mr. Desmeule stated the 140' in height storage area is constructed with a racking system that holds the pallets and the skeleton of the building is covered with light-weight insulated architectural panels to maintain a thermal environment within the building. Their buildings are constructed taller to create a smaller footprint and be more energy efficient. Earlier at the Board of Zoning Appeals meeting, they were approved for a variance to exceed the 50' building height contingent on approval for the rezone. Proposed is a dawn to dusk 2-shift operation with approximately 75 to 100 trucks a day. Lighting will be designed to be compliant with the site plan regulations. Ms. Galka opened and closed the public hearing for Petition 22-25 without public comments. Mr. Pietrzak noted the fire department requested an additional access point to the building and will need to be provided during site plan review. He also noted if

the rezone is approved, they will return for site plan and a subdivision. Mr. Vinzant motioned for a Favorable Recommendation to the Common Council for Petition 22-25 including all discussion and Findings of Fact, seconded by Mr. Brooks. All ayes, motion carried. (8-0)

8. 22-26 Mark Hovanec (Petitioner/Agent) at 337 N. Liverpool Rd.
located 0.36 miles south from the SE corner of Liverpool & Old Ridge Rd.,
zoned M-1, 18.5 acres

Request: Site Plan Review

Purpose: Proposed concrete crushing facility

Granted ___ Denied ___ Deferred X Vote 9-0

Petition 22-28 for the referral of determination for the conditional use was heard during this presentation. Present was Randy Goldschmidt and Mark Hovanec. Provided were several site plans that were submitted over time from the previous petition which were denied. Mr. Pietrzak noted the only modification is the berms located in the inside of the easement along the east property line. Mr. Allen mentioned at the previous meeting, the BZA approved the conditional use to allow the operation of the concrete crushing facility for 30 days contingent on a favorable recommendation from the Plan Commission. He stated the facility has not been operating for the past 30 days due to a cease and desist order placed on the property. A 30 day relief period was approved with their assurance they would provide an appropriate site plan next month. The motion passed with a 3-2 vote. Ms. Galka reiterated Mr. Pietrzak's concern that a previous conditional use had also been approved contingent on providing an approved site plan. That was over 2 years ago and are still waiting for them to provide a site plan to approve. Mr. Hovanec clarified they will no longer accept any woodchips once the existing piles are sold. Mr. Pietrzak reviewed the outstanding code issues that were provided to the petitioner on February 20, 2021 regarding the SWPPP, berms, the storage of materials on site, and the screening along the drainage areas within the site. Other outstanding issues are the proposed easements are still not incorporating the entirety of the swale, the roads currently indicate aggregate and need to reference either concrete or asphalt, to clarify the separation between the gravel storage area and the aggregate road and the plans show a 15" CMP pipe & a 12" CMP pipe which is unclear as to the function or purpose of the pipes. Mr. Vinzant felt due to the size of the facility, the northern berm was not necessary. Mr. Allen felt to correct the swale in the middle to the property that does not match the location of the easement on the plat, to include an inscription and recorded easement. Doing this would illuminate the need for a replat and still allow the City access if there were a need for repairs. Mr. Goldschmidt noted in the past, there was confusion regarding whether a Rule 5 or Rule 6 Stormwater Permit was required. Mr. Gralik agreed stating that IDEM was back & forth whether it was a Rule 5 or Rule 6 Permit and ended up stating it was up to the City as a Rule 5 Permit. Mr. Spain motioned to Table Petition 22-26 including all discussion, seconded by Mr. Allen. All ayes, motion carried. (9-0)

9. 22-27 Global Engineering/Jeffrey Oltmanns (Petition/Agent) at 1700 E. State Rd. 130
located 0.2 miles south from the SE corner of State Rd. 130 & Cleveland Ave.,
zoned B-3, 1.009 acres

Request: Public Hearing: Site Plan

Purpose: 3 additional proposed buildings

Granted X Denied ____ Deferred ____ Vote 9-0

Present were Jeff Oltmanns/Global Engineering and Patrick McGill/Heartland Storage. Mr. Oltmanns proposed construction of three (3) additional storage buildings. Mr. Vinzant felt the one-way road inside the facility parallel to State Road 130 was too narrow, should be widened and to be a two-way road. He did not feel another entrance was necessary. Mr. Pietrzak noted he received a revised site plan in which they propose to convert the interior road to two way traffic and per the request of the fire department, to widen the road to 20' and install Knox boxes on the gates. He stated the driveway radii has not been addressed and the median in the proposed northern entrance should be eliminated. Ms. Galka opened and closed the public hearing for Petition 22-27 without public comments. Mr. Vinzant motioned to Grant Site Plan Approval for Petition 22-27 contingent on working with Staff pertaining to fencing and the proposed north curb cut to be used for emergency entrance only including all discussion, seconded by Mr. Allen. All ayes, motion carried. (9-0)

10. 22-28
Comp BZA 22-09

Mark Hovanec (Petitioner/Agent) at 337 N. Liverpool Rd. located 0.36 miles south from the SE corner of Liverpool & Old Ridge Rd., zoned M-1, 18.5 acres

Request: Referral for Determination: Conditional Use

Purpose: Proposed concrete crushing facility

Granted X Denied ____ Deferred ____ Vote 7-2

Mr. Chhutani motioned for a Favorable Recommendation to the BZA for Petition 22-28 including all discussion, seconded by Mr. Gralik. Motion carried. (7-2) Ms. Galka, nay; Mr. Spain, nay


Consultation/Discussion: *Petition 22-16 (The backwoods Subdivision) & Petition 22-17A (Pomales Homestead)* Mr. Pietrzak noted that due to addressing the issues of working through having mylars printed and providing a bond, the petitioners have exceeded the 60-day recording requirement for the mylars. The Clerk-Treasurer would prefer to have the extensions in place before moving forward to the Board of Works. Mr. Allen motioned to Grant a 60-day extension for Petition 22-16 including all discussion, seconded by Mr. Vinzant. All ayes, motion carried. (9-0) Mr. Allen motioned to Grant a 60-day extension for Petition 22-17A including all discussion, seconded by Mr. Vinzant. All ayes, motion carried. (9-0) Mr. Pietrzak mentioned it was found during the Pomales vacate process that per State Statute, the Common Council is required to hold public hearings for vacations and not the Plan Commission. He stated the City is looking into how to change this process.

Petition 22-20 (City Hall Site Plan): Mr. Pietrzak noted that when the plans were submitted for State Design Release the deck was located over an underground tunnel located at the basement rear door entrance. The State stated it would not hold up structurally and it had to be relocated. The revised site plan was presented. Mr. Allen motioned to the Grant revised site plan for Petition 22-20 including all discussion, seconded by Mr. Vinzant. All ayes, motion carried. (9-0)

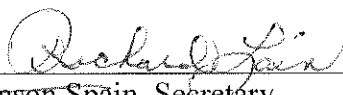
Site Plan Review/SWPPP Submittals: Mr. Pietrzak mentioned the most constant problem is that the SWPPP is submitted at or after the site plan is approved. In speaking with Phil and Tim he recommended SWPPPs

be submitted at the same time of the conceptual site plans to Tim or the Engineering Department for review. Prior to appearing before the Plan Commission Tim would review the site plan and provide documentation as to whether a SWPPP was either approved or not required. This would eliminate site plan approvals with contingencies or tabling due to drainage issues and put the responsibility on the petitioner to be working with Staff prior to filing. If the Commission felt modifications were needed, the petitioner would file a minor amendment to fix the SWPPP. Mr. Pietrzak requested to codify the site plan requirements to read that the Site Plan Committee is to review and approve prior to allowing petitions to be placed on the agenda.

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 9:50 p.m.



Maria Galka, President
DAVID VINZANT



Jason Spain, Secretary
REHARD HART