

**PLAN COMMISSION
STUDY SESSION NOTES
April 5, 2021**

I. Call To Order

The Plan Commission Study Session was called to order at 6:25 P.M. by President Thomas Anderson at the Schererville Town Hall, 10 E. Joliet St.

A. Pledge of Allegiance

President Anderson stated that the Pledge was already recited.

B. Roll Call

President Anderson stated that the Roll Call would stand from the Plan Commission Meeting.

II. Commission Business

A. Caribbean Pools Second Addition

General Location: 28 E. U.S. 30 – Schererville Manor, Lot C, Block 3

Petitioner(s): Frank Giberson, Caribbean Pools

Represented by: Gary Torrenga, Torrenga Engineering

Request: 1-Lot (R-1) Residential Subdivision

Mr. Gary Torrenga from Torrenga Engineering represented the Petitioners; and Mr. Frank Giberson was also in attendance. Mr. Torrenga said that Caribbean Pools was built back in 1991 and is growing, and that the parking is outmoded.

Mr. Torrenga said that they are taking the property to the west between this property and the church; and that there is a single-family home on said property. Mr. Torrenga explained that the home is inhabited and rented by employees of Caribbean Pools and that is where they would like to expand their parking. Mr. Torrenga pointed out that Caribbean pools has gained quite a fleet over the years which are parked in the area behind the building; and that with the employees parking, the area is just not adequate. Mr. Torrenga said that the area in front is taken up by customer parking; and that Mr. Giberson wants to maximize the parking on the lot next door. Mr. Torrenga said they first came up with a plan that showed no vehicular access between the existing building on the east nor pedestrian access to the parking area. Mr. Torrenga explained that the vehicular access would have been from the existing driveway from the house out on U.S. 30 which was not acceptable. Mr. Torrenga stated that they changed the plan to a commercial drive which would incur probably \$100,000 of work along U.S. 30, so they modified the plan to eliminate the residential drive completely and connect the two parking areas not only in the rear, but in the front utilizing Mr. Giberson's existing commercial drive which was built during the original construction. Mr. Torrenga said that this would add seventy parking spaces to what he currently has.

Mr. Torrenga stated that the storm water all drains to the north; and that to the rear of the existing building is an east/west detention pond which they would expand to the west to the new lot changing the capacity. Mr. Torrenga further stated that they would bring the water and sanitary from the existing house and the existing building.

President Anderson explained that at the western border of the property is a regulated drain which would require them to appear before the Lake County Drainage Board because it looks like they would be going right up the property line. Mr. Torrenga replied that they won't be going through any jurisdiction of either FEMA or the Lake County Drainage Board. Mr. Torrenga added that those maps were changed and that the property used to be in a flood plain, but no longer is. President Anderson said that he was under the impression it is a regulated drain. Mr. James Gorman interjected that it is, and that it was confirmed to him by the Lake County Surveyor's Office. Mr. Torrenga replied that it is to the west of their property. Mr. James Gorman said that they are close to the drain and need to leave 75' on either side. Mr. Torrenga said that with 75' the County doesn't

mind as long as you don't change the elevation with the 75' easement. Mr. Torrenga said that the whole idea is that in 1942 they established legal drains in Indiana, and said that they need 75' on each side of those so they can get in to keep the drains clear and that they would be happy to have it paved. President Anderson said he was just bringing up the point that was brought up to him.

President Anderson said that he understands not wanting to install excel and decal lanes for a parking lot, and asked if the current driveway would be removed. Mr. Torrenga replied yes. President Anderson asked for confirmation that it would not be able to be used. Mr. Torrenga replied that is correct.

Mr. Alex Gorman asked if there had been any thought in designating the new parking lot as either customer or employee parking or just having it open to anyone. Mr. Torrenga replied that most likely Mr. Giberson would label the northern portion parking lot connecting to his existing parking of his vehicles for employees only; but that they haven't at this point put together a plan showing such signage.

President Anderson asked about lighting; and added that he is aware the majority of their season is daylight when they are working, as they aren't working in November and December when it gets dark real early. Mr. Torrenga replied that they don't plan any lighting. Mr. Torrenga added that they build them in the spring and occasionally one or two in the fall; with other operational items done from May to the middle of October.

Mr. Jarvis asked if they had checked the percentage of greenspace yet. Mr. Torrenga replied he did not, but that most likely they would be fine. Mr. Torrenga added that they have a large greenspace in front by the U.S. 30 right-of-way stop, and also have a greenspace in the back. Mr. Jarvis asked if the residence would still be occupied. Mr. Torrenga conferred with Mr. Giberson and replied yes. Mr. Jarvis asked if they planned on having cross-easements on the Plat for Caribbean Pool. Mr. Torrenga replied absolutely. Mr. Jarvis said he would suggest a floating cross-easement on the west side in case they would ever connect to that part. President Anderson pointed out that the west side is a ditch.

Mr. Thomas asked if they would do landscaping along U.S. 30 to dress it up a little. Mr. Torrenga replied that they can, and added that the front of Mr. Giberson's place is landscaped right now. Mr. Torrenga further stated they can put in some trees and flowers. President Anderson said he thinks they have enough greenspace because along the house there is a lot of room between 30 and the parking lot; and that some plantings would be nice to dress it up a little bit and look nice.

Mr. Kouros asked if the residential house played a roll with having the parking. Ms. Sulek replied no.

President Anderson asked for questions from Staff. Mr. James Gorman asked if they were going to completely remove the driveway and have it seeded so that it would be grass. Mr. Torrenga replied yes; and that the plan in front of them shows that it would be blocked and that the State wants it to be removed. President Anderson interjected that we would like it to be removed also. President Anderson said he believes they have their direction. Mr. Torrenga thanked the Board. .

B. Lowe's Home Improvements Proposed: Tool Rental Building Expansion

General Location: 637 U.S. 41 – Lowe's Subdivision, Lot 1

Petitioner(s): Lowe's Home Centers, Inc.

Represented by: Christopher C. Perry, Wolpert Engineering

Request: U.S. 41 Commercial Corridor Overlay District Development plan Review

President Anderson read correspondence from Neil Simstad, Town Engineer, stating that the proposed building addition will be within the existing 30' setback line; no conflict with the water main being outside their parcel on the Oak St. right-of-way; but that there may be a couple of grading issues that will need to be discussed with the Petitioner's Engineer after they have been reviewed at Staff level.

Engineer Richard Gerdeman, Team Leader at Wolpert Engineering, represented the Petitioners. Mr. Gerdeman stated that the expansion would be on the impervious area.

President Anderson stated that it would be a 3200 S.F. expansion on the north side of the property, and asked for questions from Board members. Mr. Jarvis asked if the front of the building would have an access point to the tool rental portion through the store and then out the front. Mr. Gerdeman said that shoppers can go through the store and go to the tool rental and that there is also access in the back of the store. Mr. Gerdeman added that there is a small outdoor storage area that is covered as well as a small outdoor staging area that is fenced. Mr. Jarvis asked if that area would be sprinkled. Mr. Gerdeman said they would follow suit with whatever safety requirements they needed to. Mr. Jarvis said it is because there would be units or machines with fuel. Mr. Gerdeman said he believed that the fueling doesn't take place inside the store, but only in the landscape area. Mr. Jarvis asked if none of the units inside the building would have any fuel in them. Mr. Gerdeman said he couldn't confirm that. Mr. Jarvis said that he is pretty sure that they will.

President Anderson said that the east end it looks like there is an underground electric and metal cabinet in their right-of-way; and asked if that would be moved. Mr. Gerdeman replied that there is nothing planned to be done with that; and that most likely it is a utility cabinet. President Anderson asked about the gray area on page C200. Mr. Gerdeman said that it is asphalt pavement. President Anderson asked if that was where the people would pick up their items. Mr. Gerdeman replied yes and that the outdoor storage area and entrance area on the east side are concrete with the remaining areas being bituminous asphalt.

Mr. Immig asked where the outdoor equipment will be displayed and if it is already in place. Mr. Gerdeman replied that is an area where they bring out a piece of equipment and show a vehicle to the back of the building. Mr. Gerdeman said that there is nothing there currently and that it is a new area. Mr. Jarvis interjected that he believes trailers are there currently. President Anderson said that they are further west. Mr. Jarvis said that general area has items there already.

Mr. Thomas asked if there would be outside lighting along that area. Mr. Gerdeman replied that there is currently wall packs on the back; and that he didn't believe there would be any additional lighting. Mr. Gerdeman added that they can adjust the original configuration with whatever the lighting requirements are.

President Anderson said it is a nice proposal which will give them more space to do more business. President Anderson said there are a few things needing to be done with engineering, and asked if they had a time table. Mr. Gerdeman said he didn't know, but that it was probably yesterday. President Anderson said that we will see them back after they advertise.

C. Boulevard Square – Region Ale

General Location: 1080 U.S. 41 – Boulevard Square, Lot 1

Petitioner(s): Steve Martinez, President, Region Ale, LLC

Request: Outdoor Dining Patio Expansion – U.S. 41 Commercial Corridor Overlay District Development Plan Review

President Anderson stated that they want to expand the existing patio over two more parking spaces. Mr. Steve Martinez, President of Region Ale and representing the Petitioners, stated that is correct and referred to their plan depicting the existing patio and the proposed expansion. Mr. Martinez explained that they would be eliminating the curbside pickup spot and expand over the adjacent two parking spaces to meet their customers' demand to be outside due to COVID.

Mr. Martinez pointed out that he was unaware they were non-compliant with their prior patio project because they didn't have bolt-down bollards until speaking with Mr. Volkmann; and that he has included those with this proposal. President Anderson asked how far apart those bollards would be. Mr. Martinez replied that they should be approximately 6' apart with a minimum of eight bollards and possibly a ninth.

President Anderson asked for questions from the Board. Mr. Hansen asked if there would be fencing around it. Mr. Martinez replied yes, and added that there is already a 4' high slat fencing with 2" posts between the sections which will be detached. Mr. Martinez said that those posts will be taken down and reattached with new posts around

the patio; but that it would remain 4' high slats which was originally approved by the State for alcohol purposes.

Mr. Kouros asked what the capacity would be for outdoor dining. Mr. Martinez replied that currently it is approximately at twenty-eight, and that this expansion would add about twenty to twenty-two more. Mr. Jarvis asked if there would be any type of awning to go over people or umbrellas. Mr. Martinez replied that there is no immediate plans for the awnings, but that the tables do have holes for umbrellas. Mr. Martinez added that they bring in and out two or three umbrellas every single day; and that they would like in the future to add an awning if they can afford it, but not at this time.

President Anderson asked their time table. Mr. Martinez replied that the concrete works said they could do it sometime in May and should be ready to use in June. President Anderson asked if they are looking at being on the May Agenda. Mr. Martinez replied yes.

Mr. James Gorman said regarding safety, he wanted to know if they were taking the bollards from the store front along the west side, along the north side, and then back down along the east side. Mr. James Gorman also questioned if only eight bollards would be enough. Mr. Martinez replied that he didn't think they would go along the east side because that is just going to be another parking space. Mr. Martinez added that it was planned for the west side and for the north side; and that the first one would be 6' off the building and then go around the corner. Mr. James Gorman asked how a bolt-on bollard would protect somebody if a car goes through it. Mr. Martinez replied that by having the fence sections and bollards is what has been used typically, and that they will have the 2" posts and the bollards. President Anderson said that they could do permanent bollards implanted into the concrete. Mr. Martinez said that they could do that in the new concrete, but not the older concrete area; and that in the new section, there would probably be two or three.

Mr. James Gorman asked if there is a space between the existing fence on the left side where the landscaping is. Mr. Martinez replied for a portion of it at that angle which is a little triangle that goes from about 8" to 1 1/2'. Mr. Martinez added that there is a higher curb on that side. Mr. James Gorman said he thought that they could get a bolt-down and some kind of cross section on it. Mr. James Gorman added it didn't seem feasible from a safety standpoint because when a car comes at it, would a bolt-down bollard be able to stop a car. Mr. Martinez replied that as far as cars, he believed that a more significant thing would be to have a speedbump or something in that section or a stop sign at that corner which are more significant as far as the development in total. Mr. Martinez pointed out that they have had that open for four years and haven't had one single issue. President Anderson said that they also didn't have Up Your Alley open and some of the other places. President Anderson said they are now at maximum capacity on that property now; and that if something is going to happen, now is the time it would happen. President Anderson said that he would recommend permanent implanted bollards when the new area concrete is poured; and bolt-down bollards for the existing area. President Anderson asked other member's opinions. Mr. Jarvis said that the bollards were supposed to be put in originally anyway; and that even the original ones were supposed to be put in the concrete. Mr. Jarvis said definitely the new area should be put in the concrete. Mr. Martinez said that the concrete guy will address that with this quote for sure. Mr. Martinez added that he is agreeable to putting in the bolt-down bollards with the original project because at that time they stated it could be bolt-down. Mr. Martinez stated that he sees the logic in the new concrete section being poured for sure, and why not do the bolt-downs in that section for sure at the same time.

Ms. Sulek said that when they come back to the Plan Commission with their Development Plan, they need to put it together with pictures of what they had before, and basically have the specs on the bollards as to what will be installed along with the type of fencing included with the site plan showing what is proposed. Ms. Sulek said he will have it in front of the Board in May. Mr. Immig asked if there were design specs that we mandate on the bollards like rebar in there, poured concrete, diameters, etc. President Anderson replied no. Ms. Sulek said that typically they are safety bollards like they did at Five Guys who had a spec drawing showing what they were installing and how the safety bollards were going to be implemented. Ms. Sulek added that we will have to have that when they come back in again in May.

D. Plaza 833, Lot 3 – Burger Haus

General Location: 813 U.S. 30 – Plaza 833, Lot 3

Petitioner(s): Costas Restaurant Group, LLC – Evan Costas, Managing Member

Request: Outdoor Dining Patio Expansion – U.S. 30/41 Commercial Corridor Overlay District Development Plan Review

Mr. Evan Costas represented the Petitioners. Mr. Costas stated that they have not had a patio since opening in 2016, but that they have always wanted to add one. Mr. Costas added that they have been working with the building owner Matt Kimmel on adding a patio and he is willing to do that. Mr. Costas pointed out that with COVID, everyone wants to be outside and that they hadn't been able to do that. Mr. Costas said they would like to team up with Redwood and create a really neat, private, and beautiful space that compliments the existing building with the same quality they put into the interior build-out. Mr. Costas said that this will add roughly twenty-eight seats. Mr. Costas said that if the Board has any questions about the construction, Mr. Crayton Caudill from Redwood Landscape is in attendance and is willing to answer.

President Anderson stated that a year or two ago that Burger Haus was before the Board and looking to put it on the north side. Mr. Costas replied that is correct, and that initially they wanted to just put up a fence and get some tables out there, but that they kind of strayed away from that idea, and that they want to do something with more quality. Mr. Costas added that Mr. Kimmel would like to do something on the other side of the building and that he agrees with him on that because the north side is kind of like a wind tunnel and where the sun is at and hits the building and will hit the patio, and that they feel the east side would be a better option for them. Mr. Costas explained that they would create a door there by taking out a window for easy access and control.

Mr. Kouros asked if it starts a little bit north of the battery store door and comes all the way to their entrance. Mr. Costas replied that it lines up with office space that they lease so that they wouldn't infringe on the battery store. Mr. Kouros said it starts a little from there and goes all the way to the front of their door. Mr. Costas said that their door is at an angle, but basically it is flush to where it angles.

President Anderson said it looks nice. Mr. Thomas asked what their reasoning is for the south entrance there and asked if there were entrances on both sides of the patio. Mr. Costas said they are on the south side because they have the ramp for wheelchairs and want to be ADA compliant with the back opening. Mr. Costas asked Mr. Caudill if they were putting an opening on the north end of the patio. Mr. Caudill replied that there is an opening on both sides of the patio that will fit a wheelchair, and a door on the south east side will have a device so the doors open and close for wheelchairs and will be ADA compliant. Mr. Caudill said it will be an open space, not enclosed, and an exit that will open.

Mr. Kouros asked if four bollards would be enough for that length. Mr. James Gorman asked what the length was. Mr. Caudill replied 36'. Mr. James Gorman replied that it should be enough. Mr. Caudill added that it will be 4' deep with concrete and 8" wide bollards anchored in; that they will keep the existing curb which will allow some landscape there; a 3' seat-wall in brick to match the existing building; and that the pergola will have four main posts that will be built into pillars with footings that are 4' deep. Mr. James Gorman said that if a car backed into a spot it would hit the curb before anything else.

President Anderson said he thinks it looks great and that it is a real big step up from what they looked at last year. Mr. Costas said that they want it to be nice. Mr. Costas added that their busy time is in the winter; and that in the summer people will go to places like Ciao Bella and other places because they want a nice outdoor dining experience, and that they wanted to build something to fit that need. President Anderson reiterated that it looks great and that people do want to be outside.

Mr. Immig referred to the rendering of a fireplace and asked where it was going. Mr. Caudill replied that there is no fireplace, and that the rendering is an example of a pergola that was previously done elsewhere to show the thickness of the post and the details of the craftsmanship they provide.

Mr. James Gorman asked if the planters come out. Mr. Caudill said that the planters come out and that they will tap into the electric with two to three outlets, and that they will irrigate the plantings between the wall and curb which will be softened up and will be maintained all year round.

President Anderson asked what their time table was. Mr. Costas replied that they would like to start as soon as possible and be functional by Memorial Day. President Anderson said to get with Ms. Sulek to get on the May 5 Agenda.

III. ADJOURNMENT

There being no further business, the meeting was adjourned at 7:11 P.M.