

**MINUTES OF THE PLAN COMMISSION  
PUBLIC MEETING  
JUNE 5, 2023**

**I. CALL TO ORDER**

The Plan Commission Public Meeting was called to order at 6:00 P.M. by President Thomas Anderson at the Schererville Town Hall, 10 E. Joliet St., Schererville, IN.

A. Pledge of Allegiance

The Pledge of Allegiance was recited.

B. Roll Call

Roll call was taken with the following members present: President Thomas Anderson, Vice-President William Jarvis, Secretary Gary Immig, Mr. Myles Long, Mr. Robert Kocon and Mr. Chris Rak. Mr. Tom Kouros was not present during roll call, arriving at 6:18 P.M. Staff present: Town Manager James Gorman, Director of Operations Andrew Hansen, Planning & Building Administrator Denise Sulek, Acting Recording Secretary Megan Schiltz, and Attorney Alfredo Estrada. In the audience was Councilman Caleb Johnson.

C. Approve Minutes of the Plan Commission Public Meeting of April 3, 2023

Mr. Gary Immig made a motion to approve which was seconded by Mr. Chris Rak and carried 6-0.

**II. PUBLIC ACTION AND PUBLIC HEARINGS**

**A. P.C. CASE #15-12-19 FOUNTAIN PARK SUBDIVISION, LOT 2  
(MONUMENT SIGN)**

General Location: 1532-1550 U.S. 41 – Fountain Park Subdivision Lot 2 –  
(Resubdivision of Lot 5 and Part of Lot 8)

Petitioner(s): Schererville Foundation, LLC

Represented by: Derek Davis, Landmark Sign Group

Request: Modification to the approved U.S. 41 Commercial Corridor Overlay  
District Developmental Plan

Because the Petitioner had not arrived yet, President Anderson stated we would move on to the next case.

**B. P.C. CASE #22-9-13 AHLBORN'S SCENIC ADDITION, LOT 1  
LANSING HEATING & AIR CONDITIONING (MONUMENT SIGN)**

General Location: 8016 U.S. 41 – Ahlborn's Scenic Addition, Lot 1

Petitioner(s): Todd Botma

Request: Modifications to the approved U.S. 41 Commercial Corridor Overlay  
District Development Plan

Mr. Botma informed the Board that he is requesting a variance for the Lansing Heating & Air Conditioning Inc. sign. Mr. Botma stated that the lot to the south has a higher elevation, making it so there is no visibility of the sign whatsoever. Mr. Botma continued that he is looking to raise up with a 6 ft. 6 in. base so that it is above ground level. Mr. Anderson stated that he is surprised this did not come up initially. Mr. Botma said he believes Roeda did not realize the elevation change; adding the sign will still be smaller than the other businesses. Mr. Jarvis asked if the landscape will be done how it is in the plans provided. Mr. Botma confirmed.

There being no questions or comments from Staff or Board, Mr. Jarvis made a motion to approve P.C. Case #22-9-13 pursuant to all State, Federal, and Local regulations; and that the landscaping shown be adhered to which was seconded by Mr. Rak and carried 6-0.

**C. P.C. Case #23-3-2 INGRAM'S ADDITION  
WHITE STONE REAL ESTATE/NORTHWEST INDIANA CONCRETE CUTTING**

General Location: 1110-1114 U.S. 30 – Ingram's Addition, Lot 1

Petitioner(s): White Stone Real Estate, LLC/Northwest Indiana Concrete Cutting –  
John & Stacey Baaske

Request: Secondary Approval of a U.S. 30 Commercial Corridor Overlay District  
Development Plan

Mr. Anderson verified that the Petitioners would not be present. Mr. Anderson asked if there was any changes from Primary. Ms. Sulek responded there was not. There being no comments or questions from the Staff or Board, Mr. Jarvis made a motion to approve P.C. Case #23-3-2 pursuant to all State, Federal, and Local regulations; and anything from the Primary be carried onto the Secondary. This was seconded by Mr. Rak and carried 6-0.

**D. P.C. CASE #23-5-3  
TRC TOTAL ROOFING & CONSTRUCTION SERVICES INC.**

General Location: 2211 U.S. 41 – Oakside Square, Lot 1

Petitioner(s): Greg Cooper – Emerald Management Inc./TRC Total Roofing &  
Construction Services, Inc.

Request: Primary Approval of a U.S. 41 Commercial Corridor Overlay District  
Developmental Plan

Mr. Cooper is looking for a Variance to “clean up” the exterior of his building prior to Secondary Approval. Mr. Cooper went on to say there are no changes to the building and that it will remain the same size. Mr. Cooper stated they are currently working on the interior build out and would like to get started on the roof to protect the inside. Mr. Cooper continued that because it is old, he would also like to dig out the parking lot and redo it leaving it as the same footprint as it was. Mr. Anderson stated this was at the Study Session last month where he was not present; asking if this is just an exterior remodel of the same building to suit his purposes. Mr. Cooper confirmed. Mr. Anderson asked if there was a monument sign previously. Mr. Cooper said there was. Mr. Anderson opened this matter to the floor. There being no comments from the floor it returned to the Board.

Mr. Jarvis asked if the bottom part would still be a brick fascia which was said during the Study Session. Mr. Cooper responded that it will with all stone and metal on top. Mr. Jarvis then asked if the side of the property by Oakside Dr. would be fenced in as stated in the Study Session. Mr. Cooper said yes because people cut through the back, and he would like to polish it up to make it look clean. Mr. Cooper added that he will not be leasing any of the offices in the building. Mr. Jarvis asked if they will still be landscaping the whole property. Mr. Cooper stated he would.

There being no questions from the Staff or Board, Mr. Jarvis made a motion to approve P.C. Case #23-5-3 pursuant to all State, Local, and Federal regulations; that the guidelines be set by the drawings that were submitted. This was seconded by Mr. Rak and carried 6-0.

**E. P.C. CASE #23-6-4 DUNKIN/BASKIN ROBBINS**

General Location: 1695 U.S. 41 – Tippy, Teibel, & Buth Subdivision, Lot 2, Ex. W'ly. 5 ft.

Petitioner(s): Ailan 1, LLC

Represented by: Architect, Peter G. Paraskis

Request: Primary Approval of a U.S. 41 Commercial Corridor Overlay District  
Developmental Plan

Mr. Bill Baldwin represented on behalf of Mr. Paraskis. Mr. Baldwin stated that about every ten years Dunkin Donuts does a remodel. Mr. Baldwin continued to say they would like

to do a basic remodel of the inside, and re-do the whole exterior. Mr. Baldwin went on stating they are leaving the masonry block and would like to paint over it. Mr. Baldwin continued to say they will be tearing down all the metal siding on top and put up EIFS with score lines to “jazz it up.” Mr. Anderson reminded the Board that this went before them at the previous Study Session. Mr. Anderson opened the matter to the floor. There being no comments from the floor the matter was brought back to the Board.

Mr. Anderson asked if anything has changed since the Study Session 2 weeks ago. Mr. Baldwin stated they have not. Mr. Jarvis said that to his understanding, they would be changing the digital menu board. Mr. Baldwin stated that yes, it would be 2 digital screens. Mr. Jarvis reminded that there isn’t really anything that can be done with the drive-thru since it is hampered by the lot itself; going on to ask if there are plans to redo the sealcoat on the blacktop. Mr. Baldwin responded that they will be redoing the seal coating and striping. Mr. Baldwin went on to say that not much will be done on the outside other than the blacktop and the new menu boards. Mr. Jarvis asked if the sign will follow the new guidelines for Dunkin Donuts. Mr. Baldwin verified that it will for the pylon sign as well as the fascia.

There being no further comments from the Board, Mr. Anderson asked if there was anything from the Staff. Mr. Gorman clarified that the petitioner is requesting to begin exterior renovation prior to secondary approval. Mr. Jarvis asked Attorney Estrada if he would like to move Secondary to Staff level. Attorney Estrada replied yes, it is appropriate with course of action to move to staff level whenever Commission sees fit due to cosmetic work. Mr. Jarvis then asked if it would be limited to anything in particular. Attorney Estrada stated it does not. Mr. Gorman added this was also questioned by the previous petitioner on Case #23-5-3 and does not believe it was ever answered. Mr. Anderson responded they can re-open that matter.

There being no further questions from the Staff or Board, Mr. Jarvis made a motion to approve P.C. Case #23-6-4 pursuant to all State, Federal, and Local regulations and that they would follow the guidelines on the drawings that were submitted; and that the ability be able to start immediately is approved by the Plan Commission. This was seconded by Mr. Rak and was carried 6-0. Mr. Jarvis made a motion to move Secondary to Staff level. This was seconded by Mr. Rak and carried 6-0.

Mr. Anderson let the record know that Mr. Tom Kouros was now in attendance.

Mr. Anderson announced they are now re-opening P.C. Case #23-5-3; requesting to begin work on the parking lot, before Secondary Approval. Mr. Jarvis asked Mr. Anderson if this would be limited to just the parking lot. Mr. Anderson replied since this is just cosmetic work as well, it would not be limited to just the parking. Mr. Jarvis made a motion that they can start immediately on updates for the building per the drawings they provided, and whatever they are able to do before Secondary. This was seconded by Mr. Rak and carried 7-0.

**F. P.C. CASE #23-6-5 PLAN COMMISSION RESOLUTION NO. 2023-1**

A Resolution Approving a Revised Park Impact Fee for the Town of Schererville, Lake County, Indiana

Mr. Anderson asked Attorney Estrada if this was advertised. Attorney Estrada answered that Attorney Austgen took the lead on behalf of the Town; continuing that he is in attendance and can be asked if any questions on the resolution and the impact fee. Attorney Austgen informed the Board that the resolution before them is required by the Indiana code on provisions pertaining to park impact fees; Attorney Austgen continued that what is being presented is through the course of study, evaluation, and report recommendation. Attorney Austgen went on to say that once the Board gives favorable or unfavorable recommendation, it will go to the Town Council to consider and act upon a like resolution that is adoptive in nature.

Mr. Anderson asked if this was required to be advertised and if proofs of publication were in order. Attorney Austgen said that this does need to be advertised, it has been advertised, and he believes it was published by Staff. Mr. Gorman responded that proofs of publication are in order. Mr. Anderson let the record know that the packet given to them does not show a change in the impact fee from the previous 5 year period. Attorney Austgen suggested all further comments and questions go to Mr. Taghi Arshami.

Mr. Arshami, a proprietor with the Arsh Group which is a planning firm in Merrillville, IN, stated that he is here to give a synopsis of the 2023 Schererville Impact Fee Study Report. Mr. Arshami further stated that the State requires that the Town review this study every five years. Mr. Arshami went on to say all fees need to be calculated and established, and is governed by certain laws of what the State dictates. Mr. Arshami added that the study is done by a 5

member Advisory Committee that is appointed by the Town Council. Mr. Arshami continued the impact fee is only applicable to new residential development and does not cover any other land use. Mr. Arshami went further to say it is a charge that is applied to new development and the impact on the park services that are provided Town wide; every new single family home or residential development that comes in will be paying their fair share of park services that the tax payers in previous years have paid. Mr. Arshami informed the Board that this is calculated by the total value of the park assets of the Town, and is divided by the total number of park service units. Mr. Arshami stated the authority of imposing the fee is given by the State, however does require both Federal and Local jurisdictions. Mr. Arshami said one of the State law requirements is the fee must be based on "equitable" determination of impact of new residential development; Mr. Arshami went on to say the analysis must identify all of the park's assets that the community has and divide that by the total number of park service units to get the impact fee. Mr. Arshami informed the Board that there are different types of residential units translated into a common unit of measurement called Equitable Dwelling Unit (EDU). Mr. Arshami stated the total number of service units is a function of existing number of housing units multiplies by the EDU factor. Mr. Arshami explained using different calculations the total EDUs for an existing park service unit is \$12,350. Mr. Arshami went further on to say the total number of park assets valuation went up from \$19,000,000 in 2018 to \$31,037,674 for 2023; and the park cost per service unit is \$2,139.75 with all housing units the same. Mr. Arshami said the Advisory Committee reviewed the options for different levels of fee assessment as well as fees in other communities, and determined the most appropriate method for Schererville will be to recommend a single rate for all housing types based on prevailing housing construction trends. Mr. Arshami went on to say that a single family residence gives a proposed fee of \$2,170.33, with 95% equalized value. Mr. Arshami informed the Board that it was the Committee's unanimous decision that a fee equal to 95% of equalized value of the park services for a single family home was appropriate, and the recommended fee is proposed at \$2,270.33 for all housing types for the next five years.

Mr. Jarvis asked if that the overview of Joliet St. is to have retail on the bottom and housing units on the top, how will this be affected with those properties. Mr. Arshami responded that only the upper floors would be charged. Mr. Jarvis then asked if the retail portion would be divided off or does the land carry the fee. Mr. Arshami replied that only the units would carry the fee. Mr. Anderson opened this matter to the floor. There being no questions or comments, it was brought back to the Board. Mr. Kouros asked if the number of \$2,274.28 is the highest amount charged, how can Carmel have a fee of \$2,972 and is that determined by the State. Mr. Arshami stated that it is their process, and that every case is different with the process of analyzing. Mr. Kouros then asked if it was determined by the Committee that with all of the improvements that the Parks Department has done and with all of the funds and investment made, they would like to keep the same fee 5 years later. Mr. Arshami confirmed it was, and added it is competitive with other communities. Mr. Jarvis questioned that if for example the total assets of \$2,972 exceeded the \$31,000,000, the payout amount would be much higher. Mr. Arshami stated yes, it is a formula guided by the state.

Mr. Jarvis made a motion for a favorable recommendation to the Town Council of P.C. Case #23-6-5. This was seconded by Mr. Rak and carried 7-0.

Mr. Anderson recalled P.C. Case#15-12-19. Mr. Derek Davis from Landmark Sign Group represented the petitioners. Mr. Davis informed the Board they are requesting to replace the entire sign can, because the electronic message center that is currently on the sign is outdated and parts are not available. Mr. Davis continued that they would like to have more tenant panels and will be eliminating the message center altogether to redo the entire sign; and that the sign and square footage will not change, just giving it a face-lift. Mr. Anderson stated that the make-up of the mall has changed, instead of having one large building, it will have more tenants needing more panels and wanted to verify that there will be no electronic concept to it at all. Mr. Davis replied there will not be a message center, they will be only updating the internal illumination. Mr. Jarvis stated that he counts there are 12 units for individual businesses, and asked if that is need enough for all the units. Mr. Davis replied that currently it is right at enough panels for that. Mr. Jarvis questioned that if a 13<sup>th</sup> unit opens up what will you do. Mr. Davis said it will not change it will stay the same; continuing they can change the panel within and would have to do a face replacement at that point, but it would depend on the tenant if they would like to pay for that panel or not. Mr. Immig wanted to verify that Landmark will be doing the sign and Mr. Jarvis asked if Landmark did these individual signs in the past. Mr. Davis replied they did not do the original sign, but they have maintained it over the past 5 years and did face repairs. Mr. Jarvis questioned if they will do a better job on the sign because it is currently hodge podge. Mr. Davis said that yes, everyone is getting replaced and there will be some uniformity with a white background. Mr. Anderson opened this matter to the floor.

There being no comments it was brought back to the Board. There being no further comments from the Staff or Board, Mr. Jarvis made a motion to approve P.C. Case#15-12-19 pursuant to all State, Federal, and Local regulations and that the digital sign be removed and that there is to be panel signs installed with a white background. This was seconded by Mr. Long and was carried 7-0.

### **III. COMMISSION BUSINESS**

#### **A. Finding of Facts:**

1. P.C. Case #23-2-1 22 West Place Addition  
Secondary Approval of a 1-Lot (C-2) Community Commercial Subdivision W/ Waiver of Storm Drainage Control Ordinance No. 1708/1708A Regulations  
APPROVED W/ CONTINGENCIES (7-0) 4/3/23

Mr. Jarvis made a motion to approve which was seconded by Mr. Rak and carried 7-0.

#### **B. Correspondence**

There was no correspondence

### **IV. ADJOURNMENT**

There being no further business, the meeting was adjourned at 6:54 P.M.

Respectfully Submitted:

---

Gary Immig, Secretary