

**MINUTES OF THE PLAN COMMISSION
PUBLIC MEETING
JULY 3, 2023**

I. CALL TO ORDER

The Plan Commission Public Meeting was called to order at 6:00 P.M. by Vice-President William Jarvis 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: Vice-President William Jarvis, Mr. Robert Kocon, Mr. Myles Long, and Mr. Chris Rak. Staff present: Town Manager James Gorman, Attorney Alfredo Estrada, Planning & Building Administrator Denise Sulek, and Acting Recording Secretary Megan Schiltz. Absent was President Thomas Anderson, Secretary Gary Immig and Mr. Tom Kouros. In the audience was Councilman Caleb Johnson.

C. Approve Minutes of the Plan Commission Public Meeting of June 5, 2023

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

II. PUBLIC ACTION AND PUBLIC MEETINGS

**A. P.C. CASE #23-7-6 DC COMMERCIAL, LOT 2
(Proposed: 4-Unit Retail Building W/Drive-thru)**

General Location: 275 U.S. 30 – DC Commercial, Lot 2

Petitioner(s): Jim O'Mally – Sumac, Inc.

Request: Primary Approval of a U.S. 30 Commercial Corridor Overlay District Developmental Plan

Mr. William Jarvis asked if Proofs of Publication are in order. Attorney Estrada responded this is in the Overlay District so proofs of publication are not required. Mr. Nicholas Georgiou from Sumac, Inc. represented the petitioners. Mr. Georgiou reminded the Board that during the last study session it was stated they are going back to the original plan of having a 4 unit 9,300 sq. ft. multi-tenant retail center due to several site issues with the ambulatory service. Mr. Georgiou added that the endcap of the building will still be Dunkin Donuts with the other 3 units open and not yet leased. Mr. Georgiou went on to say 40 parking spaces are provided, exceeding the 34 required spaces for retail and restaurant use. Mr. Georgiou stated the monument sign will be on the access road coming off of Route 30; adding that this is unique because it has double elevations since there is a front on both the access road as well as Route 30 on the north side, which is technically the back of the building. Mr. Georgiou went on to say normally on a strip center there will be a CMU wall on the backside, however in this case the backside is on Route 30 and will have metal panels on the inset.

Mr. Georgiou stated that there will be signage on both the north and south sides of the building in addition to the monument sign on the corner, and apologized for not providing the signage summary. Mr. Jarvis asked Mr. Georgiou if he plans to come back with the signage, or if it will conform to the ordinance. Mr. Georgiou stated the intent is to conform to the ordinance; however he does not know the total square footage calculations and what is allowable with the sign ordinance. Mr. Gorman stated its 1 sq. ft. for every linear ft. of each

tenant space. Mr. Georgiou added that it would be 30 sq. ft. for each unit on the front, and then 30 sq. ft. for each on the back and if it does not conform and needs to resubmit then so be it. Ms. Sulek added this could be addressed with the Overlay plan that is submitted, whatever he is proposing per tenant is allowed 1 linear ft. per ft. that they occupy for each tenant space; adding if there is 30 ft. for each one, 120 sq. ft. signage across the front and on the back. Mr. Georgiou stated that even the signage on the south side exceeds that. Mr. Gorman added that if he makes it a part of the plan that 30 ft. for each unit on the back, and 30 ft. for each unit on the front then they can approve that, adding it is unfortunate that it does not show it for the primary approval. Mr. Georgiou added that he would like it to be very clear on what is proposed for the signage; the landlord and the tenants would like signage on both the front and the back that exceeds what is allowed. Mr. Jarvis asked if he is ok with 30 ft. on the front and 30 ft. on the back for each unit because it can be incorporated in the motion. Mr. Georgiou stated he is unsure based of what it looks like they were proposing. Mr. Jarvis asked Attorney Estrada if Mr. Georgiou can adjust the numbers "on the fly", or can a motion be made for accommodating some sq. ft. Attorney Estrada answered that a motion can be made with any reasonable conditions, if the Board finds it necessary to defer and get the information prior to making a decision, or to approve the primary with final signage to be provided at secondary; adding the Board has the discretion to do either. Mr. Georgiou stated he would be more comfortable to defer.

Mr. Jarvis opened the matter to the floor. There being no comments from the floor the matter was brought back to the Board. Mr. Rak made a motion to defer P.C. Case #23-7-6 which was seconded by Mr. Long and carried 4-0.

**B. P.C. CASE #23-7-7 U-HAUL OF PINE ISLAND
(Proposed: Conversion of storage warehouse into office/showroom)**

General Location: 5048 W. Lincoln Hwy.

Petitioner(s): Foster 81st LLC/U-Haul Co. of Northern Indiana and South Cook County –
Rick Rottweiler, Area District Vice President

Represented by: Michael D. Cook, P.E. – Cook Engineering Group

Request: Primary Approval of a U.S. 30 Commercial Corridor Overlay District
Developmental Plan

Mr. Michael Cook from Cook Engineering Group represented the Petitioners. Mr. Cook reminded the Board that they were here at the Study Session last month. Mr. Cook stated they have already received approval for the interior work and are now seeking approval for exterior without changing the footprint, adding they are really just looking to "clean up" the site and the signage. Mr. Jarvis asked and Mr. Cook confirmed the showroom currently being used is too small, so they are seeking to move into a larger warehouse with handicap access and adding more customer parking. Mr. Rak asked if there were any changes since the last time they were in front of the Board. Mr. Cook replied there have not been any changes, and that everything is still the same. Mr. Jarvis opened the matter to the floor. There being no comments from the floor the matter was brought back to the Board. Mr. Rak made a motion to approve P.C. Case #23-7-7 pursuant to all State, Local, and Federal regulations and that all fees to the Town of Schererville be kept current. This was seconded by Mr. Kocon and carried 4-0.

Mr. Cook asked if it would be possible to defer to Staff for secondary approval so they can expedite a start date. Ms. Sulek informed the Board that the building permit for the exterior has been held up due to it needing to come before them, and that adding Mr. Cook is really just looking to start the exterior prior to secondary. Mr. Jarvis stated he is not comfortable with moving secondary to Staff level with such a big project, adding it would be ok to get started but would like all final details to come before the Board.

C. P. C. CASE #23-7-8 FALLING TIMBERS

General Location: 204 W. Division St.

Petitioner(s): Sammons Grantor Trust

Represented by: Torrenga Engineering

Request: Primary Approval of a 4-Lot (G.I.) General Industrial Subdivision W/Waiver of Storm Drainage Control Ordinance No. 1708/1708A, Title X, Section 8: General Detention Basin Design Requirements

Mr. Gary Torrenga from Torrenga Engineering represented the petitioners. Mr. Torrenga informed the Board that they are intending to make 4 Lots on this property. Mr. Torrenga continued to say in the center of the lot there is a building that is being used as an office; and that on the east portion of the lot it comes to a point along Division St. with the Schererville ditch on the north side of that which provides drainage for the area. Mr. Torrenga went on to say that on the northwest corner of the property there is a large pond that the water also drains into, adding more buildings and pavements would not affect the pond at all. Mr. Torrenga stated they are requesting that the proposed development would not require any additional stormwater detentions due to "the pond being like putting your water into Lake Michigan." Mr. Torrenga went on to say that with a 24 hour period on a 100 year storm, the pond would not be affected or raised substantially. Mr. Torrenga showed the Board that on the flood plan elevation from the ditch along the North is at 627.6, and would not be anywhere near that; and that the pond would not overflow into the ditch and vice versa.

Mr. Torrenga stated there is an existing water main along the north side of Division, and they intend to extend the water main to the east to the excepted parcel and will not extend all the way down to the point. Mr. Torrenga added the existing ditch has a floodway where no buildings can be built as well as a floodway fringe. Mr. Torrenga went on to say the water main exists on the north side of Division St. and does not plan to tap into it for the existing building which is on well; continuing they do plan to have the new buildings tapped into the water main extension. Mr. Torrenga informed the Board the addition located on the west side of Gatlin Rd. originally planned to have a sanitary sewer that could serve this area, but did not due to a considerable number of oil pipelines they would have to cross. Mr. Torrenga stated they have now put a pump on the very Eastside of Gatlin Rd. that would go underneath the pipelines, back up, and into the sanitary sewer they extended west of Gatlin Rd.

Mr. Jarvis verified with Attorney Estrada that proofs of publication were in order. Mr. Jarvis asked if any of the buildings were on top of the flood fringe. Mr. Torrenga replied they are on top of the flood fringe, however there wouldn't be a basement and they would be the minimum of 2ft. above the 100 year flood. Mr. Jarvis opened the matter to the floor. There being no questions or comments the matter returned to the Board. Mr. Rak verified with Mr. Torrenga that the existing residence is on both a well and septic. Mr. Rak then asked if the proposed building for Lot 4 would be a storage building because he does not see a tap for water or sanitary service. Mr. Torrenga replied that the building would be a storage building. Mr. Jim Gorman informed Mr. Jarvis that typically in these cases there would be an approval letter from the Engineer that has not yet been received; continuing they have been going back and forth with Torrenga and the Town Engineer and still have some unanswered utility questions. Mr. Gorman suggested to defer this to next month, after the questions from the Engineer that have been sent over to Mr. Torrenga's office gets answered and discussed. Mr. Torrenga stated they do not have any serious questions from Nies Engineering - who want the utilities extended all the way down to a point where they will never tie into anything, which will be so expensive they would not be able to build anything, and they don't agree with that. Mr. Gorman stated that this is a part of the subdivision ordinance and needs to be discussed which is why they need to meet at Staff level and hash it out.

Mr. Rak made a motion to defer P.C. Case #23-7-8 contingent upon a meeting between Staff and Petitioner. This was seconded by Mr. Long and carried 4-0.

III. COMMISSION BUSINESS

A. Findings of Facts:

1. P.C. Case #15-12-19 Fountain Park Subdivision, Lot 2 (Monument Sign)
(Resubdivision of Lot 5 Part of Lot 8)
Modification to the approval U.S. 41 Commercial Corridor Overlay District Development
Plan APPROVED W/CONTINGENCIES (7-0) 6/5/23

Mr. Rak made a motion to approve which was seconded by Mr. Kocon and carried 4-0.

2. P.C. Case #22-9-13 Ahlborn's Scenic Addition, Lot 1
(Lansing Heating & Air Conditioning – Monument Sign)
Modification to the approval U.S. 41 Commercial Corridor Overlay District Development
Plan APPROVED W/CONTINGENCIES (6-0) 6/5/23

Mr. Rak made a motion to approve which was seconded by Mr. Long and carried 4-0.

3. P.C. Case #23-3-2 Ingram's Addition
(White Stone Real Estate/Northwest Indiana Concrete Cutting)
Secondary Approval of a U.S. 30 Commercial Corridor Overlay District Developmental
Plan APPROVED W/CONTINGENCIES (6-0) 6/5/23

Mr. Rak made a motion to approve which was seconded by Mr. Long and carried 4-0.

4. P.C. Case #23-6-3 TRC Total Roofing & Construction Services, Inc.
Primary Approval of a U.S. 41 Commercial Corridor Overlay District Development Plan
APPROVED W/CONTINGENCIES (6-0) 6/5/23

Mr. Rak made a motion to approve which was seconded by Mr. Long and carried 4-0.

5. P.C. Case #23-6-4 Dunkin/Baskin Robbins
Primary Approval of a U.S. 41 Commercial Corridor Overlay District Development Plan
APPROVED W/CONTINGENCIES (7-0) 6/5/23

Mr. Rak made a motion to approve which was seconded by Mr. Kocon and carried 4-0.

6. P.C. Case #23-6-5 Plan Commission Resolution No. 2023-01
A Resolution approving a Revised Park Impact Fee for the Town of Schererville
FAVORABLE RECOMMENDATION TO TOWN COUNCIL (7-0) 6/5/23

Mr. Rak made a motion to approve which was seconded by Mr. Long and carried 4-0.

B. Correspondence

There was no correspondence.

IV. ADJOURNMENT

There being no further business, the meeting was adjourned at 6:48 P.M.

Respectfully Submitted:


Gary Immig, Secretary