

**MINUTES OF THE PLAN COMMISSION  
PUBLIC MEETING  
OCTOBER 2, 2023**

**I. CALL TO ORDER**

The Plan Commission Public Meeting was called to order at 6:00 P.M. by President Tom 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**

Mr. Jarvis made a motion that in the absence of Secretary Gary Immig, that President Tom Anderson be the Secretary for this evening. This was seconded by Mr. Long and carried 4-0.

Roll Call was taken with the following members present: President Tom Anderson, Vice-President William Jarvis, Mr. Chris Rak, and Mr. Myles Long. Staff Present: Attorney Alfredo Estrada, Mr. Mike Helmuth from Nies Engineering, Planning & Building Administrator Denise Sulek, and Recording Secretary Megan Schiltz. Absent were Secretary Gary Immig, Mr. Tom Kouros, Mr. Robert Kocon, Town Manager James Gorman, and Director of Operations Andrew Hansen. In the audience were Councilmen Tom Schmitt and Caleb Johnson.

**C. Approve Minutes of the Plan Commission Public Meeting of September 11, 2023**

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

**II. PUBLIC ACTION AND PUBLIC HEARINGS**

**A. P.C. CASE #23-10-16 BOULEVARD SQUARE PLANNED UNIT DEVELOPMENT  
(Proposed: Stan's Donuts W/Drive-thru)**

General Location: 1020 U.S. Hwy. 41 – Boulevard Square P.U.D.

Petitioner(s): Boulevard Square, LLC – Al Krygier

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

Ms. Sulek stated that the petitioners were not here just yet. Mr. Anderson said that they will recall P.C. Case #23-10-16 and will move on to the next case.

Later in the evening, Mr. Anderson recalled **P.C. Case #23-10-16** and noted that no one was present for Stan's Donuts and went on to COMMISSION BUSINESS. Mr. Anderson once again recalled P.C. Case #23-10-16 and no one was present. Mr. Jarvis asked Mr. Anderson if he would entertain the thought to defer P.C. Case #23-10-16 to the next scheduled meeting. Ms. Sulek stated that there have been no changes to the plan. Mr. Anderson stated that the problem is that when they were given approval years ago, they were told to include sidewalks on the north and west end of the property; going on to say that all the sidewalks are now going in, and it would be the perfect time to get them done. Mr. Anderson continued to say that Mr. Gorman has called them and they did not respond, and this matter will not be entertained without those sidewalks being put in. Mr. Jarvis stated that he can also put that into the motion if they are looking to move to Primary. Mr. Anderson asked Attorney Estrada if the can approve it with the stipulations to do the sidewalks or should they defer it. Attorney Estrada stated that this is policy decision that the Board needs to make; and that generally when conditions are placed, the petitioner is asked if they agree; adding on that the petitioner would have 30 days to appeal any conditions placed by the Plan Commission but cannot imagine them being waived due to the petitioner not being present. Attorney Estrada said they could do either, they have the power to defer and require them to come in and discuss the situation, or place the stipulation and it be a law in the petition. Mr. Jarvis said to Attorney Estrada that this was in the original PUD that those sidewalks be installed and it was agreed upon, and secondly they have Secondary Approval that comes back to the Board and can ratify it at that point too. Attorney Estrada responded that it seems the Board is ratifying and



restating the conditions previously put on again and would be presented once again on Secondary; adding that it is rare that a petitioner does not show up for Primary. Mr. Anderson stated that his issue is that the Town Manager called Mr. Krygier a couple weeks ago and said that they are doing the sidewalks, and that now is the perfect time to get those in and there was no response whatsoever; and now they do not show up for the Primary and would rather defer this case and get them in front of the Board. Mr. Jarvis made a motion to defer which was seconded by Mr. Rak and carried 4-0.

**B. P.C. CASE #23-10-17 RESUBDIVISION OF LOT 1 OF LOWE'S SUBDIVISION  
(Proposed: Crew Carwash)**

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

Petitioner(s): Crew Carwash

Represented by: Attorney James L. Wieser of Wieser & Wyllie, LLP & Engineer,  
Gary Torrenga of Torrenga Engineering

Request: Primary Approval of a 2- Lot (C-3) Highway Commercial Subdivision and U.S. 41  
Commercial Corridor Overlay District Developmental Plan

Mr. Anderson read a letter from Mr. Neil J Simstad, P.E. from Nies Engineering stating that based on the application of Subdivision Control Ordinance No. 1095, the submittal for Crew Car Wash is in compliance for consideration by the Plan Commission for Primary Approval of a 2-Lot (C-3) Highway Commercial Subdivision. Attorney Jim Wieser from Wieser & Wyllie, LLP represented the petitioners. Attorney Wieser stated that for purposes of the record he would like to point out that this matter was originally with the Board of Zoning Appeals because it needed a Variance of Use due to it being in a U.S. 41 Commercial Corridor Overlay District, and they were successful in that. Attorney Wieser said that at the B.Z.A. meeting there was some back and forth with issues on the plat of the subdivision; adding on to say that the subdivision will be located in front of Lowe's and is currently Lowe's parking lot on the north west side of the development; and he believes that they have met all the requirements. Attorney Wieser went on to say that the issues with how the plat was laid out and the actual location of the boundaries were resolved between Staff, Simstad, P.E., and Torrenga Engineering. Attorney Wieser stated that the other issue was that during the Study Session a reference was made regarding signage which became a late issue. Attorney Wieser went on to say that the signage packet was provided late and that Mr. Gorman and Ms. Sulek didn't have time to review. Attorney Wieser said that it is the intent of Crew Carwash to comply with the signage requirements; and that in the event of a difference, they will adjust to what is permitted, and that it is not their intent to seek a variance on that.

Mr. Anderson asked if the shaded area on the plat provided that heads south from the Crew Carwash is an easement. Mr. Travis Smith, Director of Real Estate for Crew Carwash, stated that is correct, and that there are 2 access easements on the plat to show access. Mr. Jarvis requested that they go through the signage packet that was provided sheet by sheet since there was not enough time to review. Mrs. Kathryn Steiner from Crew Carwash stated that the renderings on the projector screen are not the current proposed signage, and that the packet hand out that was given is the most current and up to date proposals. Mrs. Steiner said that on the first sheet marked 0/0 is a site plan on all the informational signs to show where on the property they will be placed. Mr. Jarvis asked what 4 snap frames are. Mrs. Steiner responded that those are menu signs which inform the customers of the services provided along with the prices which will be placed under the canopy where the customers pull up when they enter. Mr. Anderson and Mr. Jarvis stated that they do not see any issues with the layout. Mr. Jarvis asked if on sheet 1/12, which has the sign being 12 ft. tall, what is the square footage of both the digital and permanent signs. Mrs. Steiner stated that the top cabinet is just the Crew Carwash logo, and the bottom is an electronic message center for the menu; adding that it will also be for informational purposes for the customers when running promotional sales. Mr. Jarvis asked if there will be any landscaping around these signs. Mrs. Steiner said yes there will be. Mr. Anderson stated that what is allowed is a 6x6, and these signs are 18x12 which 180 sq. ft. above what is allowed. Mrs. Steiner wanted to verify that they were discussing the pole signage. Mr. Anderson replied yes, this is pertaining to the pole signage. Mr. Smith asked if that is a part of the new signage ordinance. Mr. Anderson said it is. Mrs. Steiner stated that it is not a problem and they will revise the square footage. Mr. Jarvis asked if the new sign ordinance has been adopted. Ms. Sulek stated that this is based on current signage. Mrs. Steiner asked what the current ordinance allows. Ms. Sulek responded 6x6. Mrs. Steiner stated once again that they will revise. Mr. Anderson asked if they have a



location for the signs. Mrs. Steiner stated that on the mapping sheet it shows that they are located in the grass area with landscaping around it with one at each entrance, one being on Oak St. and the other on Indianapolis Blvd.

Mr. Jarvis said that on page 2/12 it seems to have the signage at the top of the building. Ms. Sulek stated the maximum allowance on the building is 150 sq. ft., adding that this a corner lot so they are allowed 150-200 sq. ft. on the US 41 side; adding there can be no more than 100 sq. ft. facing Oak St. Mr. Jarvis asked if they were in compliance. Mrs. Steiner stated that they have 2 channel letters on 2 sides of the tower; and then to reduce the square footage of what is allowed on the other ones, they just placed Crew on the brick of the building which is shown on page 3/12. Mr. Anderson stated that on page 4/12 it looks to be the directional signs which looks good. Mr. Anderson said that on page 5/12 it shows the monument sign. Mrs. Steiner stated it is a monument menu sign that displays pricing and is located on the "island" right where the customer pulls up for the carwash. Mr. Anderson asked if there were any questions on those. There were none. Mrs. Steiner said that page 6/12 and 7/12 shows the directional signs that go on the canopy to tell the customer where they should pull up under; adding there will be a cashier paying customer and an unlimited customer which has a reoccurring charge. Mrs. Steiner stated that on page 8/12 it is a safety sign for the customers so they do not enter the exit end of the tunnel. Mrs. Steiner said that on page 9/12 are the signs that were discussed at the beginning that shows the wash options with the pricing; adding it is bolted to the brick under the canopy. Mrs. Steiner went on to say that page 10/12 is another safety sign for the customers on what Crew Carwash is responsible for along with the weight and width of the vehicles allowed in the wash for the customers. Mrs. Steiner added that page 11/12 is the temporary construction sign that allows customers and the construction crew where they will be located, and that they will be coming soon to the Town. Mr. Jarvis asked if it will be coming down once the work is completed. Mrs. Steiner responded it would. Mr. Anderson stated that the last sign on page 12/12 is the vacuum sign. Mrs. Steiner stated it is another directional sign to let the customers know where to enter into "vacuum land." Mr. Anderson stated that the only issue is the main sign on page 1/12 that will be adjusted, and confirmed with Mrs. Steiner that there will be another one on Oak St. Mrs. Steiner said they will get rid of this all together and create 2 6x6 monument signs with landscaping all around it. Mr. Anderson opened the matter to the floor. There being no comments the matter was brought back to the Board. Mr. Jarvis made a motion to approve P.C. Case #23-10-17 pursuant to all State, Local, and Federal Regulations, that all fees be paid to the Town of Schererville, and that the sign per the Boards changes be adhere to. This motion was seconded by Mr. Long and carried 4-0.

### III. COMMISSION BUSINESS

#### A. FINDINGS OF FACTS:

1. P.C. Case #23-7-6 DC Commercial, Lot 2 (Proposed: 4-Unit Retail Building W/Drive-thru)  
Secondary Approval of a U.S. 30 Commercial Corridor Overlay District Development Plan  
APPROVED W/CONTINGENCIES (7-0) 9/11/23

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

2. P.C. Case #23-7-8 Falling Timbers (F/K/A: Sammons Division Street Industrial)  
Secondary 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  
APPROVED W/CONTINGENCIES (7-0) 9/11/23

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

3. P.C. Case #23-8-9 Memory Lane Addition  
Secondary Approval of a 1-Lot (IN) Institutional Subdivision and U.S. 30 Commercial Corridor Overlay District Developmental Plan  
APPROVED W/CONTINGENCIES (7-0) 9/11/23

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

4. P.C. Case #23-8-10 U-Haul of Pine Island  
Secondary Approval of a 2-Lot (B.P.) Business Park Subdivision W/Waiver of Storm Drainage Control Ordinance No. 1708/1708A  
APPROVED W/CONTINGENCIES (7-0) 9/11/23

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

5. P.C. Case #23-9-11 Fountain Park Subdivision Commercial (Proposed: D-Bat Training Facility/Exterior Renovations) Primary Approval of a U.S. 41 Commercial Corridor Overlay District Development Plan

APPROVED W/CONTINGENCIES (7-0) 9/11/23

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

6. P.C. Case #23-9-12 Perez Acres  
Primary Approval of a 2-Lot (R-1) Residential Subdivision W/Waivers of Storm  
Drainage Control Ordinance No. 1708/1708A

APPROVED W/CONTINGENCIES (7-0) 9/11/23

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

7. P.C. Case #23-9-13 Luke Gas Station/Wash Up – 2299 U.S. 30  
Primary Approval of a U.S. 30 Commercial Corridor Overlay District Development Plan

APPROVED W/CONTINGENCIES (7-0) 9/11/23

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

8. P.C. Case #23-9-14 Luke Gas Station (F/K/A: Go Lo/Zel's Roast Beef)  
Primary Approval of a U.S. 30 Commercial Corridor Overlay District Development Plan

APPROVED W/CONTINGENCIES (7-0) 9/11/23

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

9. P.C. Case #23-9-15 Plan Commission Resolution No. 2023-02  
Restatement and Replacement of the Town Zoning Ordinance and Zoning Map

FAVORABLE RECOMMENDATION TO TOWN COUNCIL (7-0) 9/11/23

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 6:32 P.M.

Respectfully Submitted:

  
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Gary Immig, Secretary