

**MINUTES OF THE PLAN COMMISSION  
PUBLIC MEETING  
SEPTEMBER 9, 2024**

**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

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

Mr. Jarvis made a motion to have President Anderson represent on behalf of Secretary Immig who was absent. This was seconded by Mr. Rak and carried 5-0.

C. Approve Minutes of the Plan Commission Public Meeting of May 6, 2024

Mr. Jarvis made a motion to approve which was seconded by Mr. Kocon and carried 5-0.

**II. PUBLIC ACTION AND PUBLIC HEARINGS**

**A. P.C. Case #23-11-20 Canyon Creek Planned Unit Development**

General Location: 7095 Burr St. – Canyon Creek Planned Unit Development

Petitioner(s): Olthof Homes

Request: Secondary Approval for Phase 3 (33-Lots) and Phase 4 (18-Lots) of the Planned Unit Development

Mr. Kevin Patsko from Olthof Homes represented the petitioners. Mr. Patsko stated that he was there for Secondary Approval for two phases in Canyon Creek; the first request would be for Phase 3, which comprised of seventeen 80 ft. wide lots. Mr. Patsko said the second request would be for Phase 4 which would be a total of thirty-two single family lots, one 80 ft. wide and thirty-one 70ft. wide lots. Mr. Patsko informed the board that he had also brought the mylars for Ms. Sulek. Mr. Anderson clarified that this would be Secondary Approval for the two phases. Mr. Patsko responded that was correct. Mr. Anderson asked if there had been any changes since Primary Approval. Ms. Sulek replied there have not been any changes. Mr. Anderson asked if there were any questions or comments from the staff or board. There were none. Mr. Jarvis made a motion to approve pursuant to all State, Local, and Federal Regulations and that all fees be paid to the Town of Schererville and be kept current. This was seconded by Mr. Long and carried 5-0.

**B. P.C. Case #24-9-5 Webb Genesis of Schererville**

General Location: 5800-5830 U.S. Hwy. 30 – Clarendale of Schererville, Outlot A

Petitioner(s): Webb Automotive Group

Represented by: Attorney, James L. Wieser – Wieser & Wyllie, LLP

Request: Primary Approval of the U.S. 30 Commercial Corridor Overlay District Development Plan

Mr. Anderson read correspondence from Neil J. Simstad, P.E. from NIES Engineering, which stated that the application for Subdivision Control and Stormwater Ordinances for Webb Genesis of Schererville is in compliance for consideration by the Plan Commission for Primary Approval of a U.S. 30 Commercial Corridor Overlay District. Attorney James Wieser stated that they were looking to construct a stand-alone Genesis Dealership on U.S. 30 on Outlot A, Clarendale of Schererville, and near Ziegler Subaru. Attorney Wieser went on to say that they had designed a Site Plan that they believed to be appropriate, not only for that location but also for the most effective use. Attorney Wieser said that both he and his clients were aware of some concerns that the Town of Schererville had, and wanted to discuss to work out an agreement. Attorney Wieser informed the board that present in the audience were Mr. Brian Webb from Webb Auto Group and Mr. Ryan Torrenga from Torrenga Engineering to respond to any questions or concerns. Mr. Anderson said that he believed there was an issue with the lighting that needs to be addressed with it being right next to a residential facility, and that it did not meet the standards of the town. Mr. Torrenga responded that as far as the Photometric Plan goes, the plan does not show all the way to the boundary of the site, and that they currently were having it updated to get accurate numbers at the boundary line, and determine if that meets town standards. Mr. Torrenga wanted to note that he does not think the Photometric Plan takes into account any of the landscaping that is going to be proposed; there is going to be a lot of trees and business along the north side in particular to block all site from the Clarendale residences.

Mr. Torrenga stated that the hardest area to meet standards would be the frontage along U.S. 30, because that would be the primary area to display the cars; adding that there are lights there that at the moment were higher than what is allowed by Schererville. Mr. Torrenga questioned what would need to be done to get acceptance of the higher than normal numbers. Mr. Anderson responded that if they were requesting a waiver, it would need to be before the hearing. Mr. Jarvis asked if a waiver could be provided at secondary. Attorney Estrada questioned if it wouldn't be a waiver or a variance that would be required. Mr. Gorman replied that it would meet the standard now, so it would need a variance. Attorney Estrada stated that if they were not going to comply with the ordinance, they would need to go before the BZA. Mr. Torrenga wanted to clarify that they would have to go through the BZA for the variance. Mr. Anderson responded that was correct. Mr. Torrenga said the question would then be is there a method of acceptance contingent upon them meeting the standards with the updated Photometric Plan at secondary. Mr. Gorman replied that it usually comes first with the BZA. Mr. Anderson asked if they were talking about making approval contingent on them meeting the Photometric Plan. Mr. Torrenga responded that was correct. Mr. Anderson replied that they would be able to do that before secondary. Mr. Torrenga then clarified that there was a method for them to modify and the Photometric Plan was much easier to change than other parts of the site. Mr. Anderson stated that they could grant approval contingent upon them meeting the standard. Mr. Gorman added that with the car dealership to the west of the proposed, they had a lot of complaints on how bright it was; they were able to modify it by "dimming it down" and would like for the petitioners to keep that in mind. Mr. Torrenga stated that he was not entirely sure about the lights and had been told that all the fixtures have a full cutoff time, but is not sure if that has anything to do with the dimming. Mr. Gorman stated that they proposed not only dimming those, but also had some kind of cover on it. Mr. Torrenga stated that the Photometric Plan they were endeavoring to modify, and they would see what could be done about the plans they had and the changes that need to be made in order to try and meet the standards.

Mr. Anderson asked if the size of the building; had changed since the Study Session. Mr. Torrenga replied that it had changed and that there was an increase of approximately 2,000 Sq. Ft. that added more service areas into the building, and that the shape slightly changed to allow a service door entrance on the rear side of the building. Mr. Anderson asked if that would be on the north end of the building. Mr. Torrenga replied that was correct and that the wings came out of the west and east of the building have been slightly enlarged, but the main area that the extra square footage is going to is the north side of the building; in particular the north east corner that extended out past where the building footing is. Mr. Anderson asked if that was still fine with engineering. Mr. Torrenga said the review by Mr. Simstad should have been on the current plans being presented. Mr. Anderson then asked if there were a second entrance added since the Study Session. Mr. Torrenga replied yes, the idea was to create an entrance where customers entering would be able to easily access the site and get to where they would need to be going. Mr. Torrenga went on to say that if there were only an entrance on the north side, people would wander around the parking lot to get to where they needed to be. Mr. Anderson stated that the entrance was pretty close to U.S. 30. Mr. Torrenga said that concern had been brought up and they currently were discussing about possible changes that may need to be made. Mr. Torrenga said one of which would be in order to help traffic in that area and to prevent people trying to turn left out of that entrance to get out onto U.S. 30, which is

probably the most dangerous aspect of it, and would be to make it a one way entrance only. Mr. Jarvis agreed that it was very close and asked if they were thinking of installing a pork chop.

Mr. Torrenga replied they were not, and planned to make it narrower so only one lane of traffic would be able to enter; adding that there would be signage as well to prevent anyone from going out that way. Mr. Torrenga went on to say that there was a deceleration lane on U.S. 30 already, and hoped that people wouldn't fly around the corner; but that would stop people from turning left out of that southern entrance and would alleviate some of the concerns about possible accidents. Mr. Torrenga continued that if the driver didn't see the customer coming through to pull left out of there to move all of that and the left turn to the north side, there should be plenty of stopping distance in site, so that anybody trying to turn left onto U.S. 30 would then be able to see somebody turning off of U.S. 30 onto that roadway. Mr. Jarvis asked what that would change with the entrance way as far as width. Mr. Torrenga replied that the width would probably be 12-15 ft. minimum, and the rear entrance would be the one designated for deliveries and car shipments and things like that, so the only people entering the southern entrance are possible employees; but any large traffic would be relegated to the back entrance. Mr. Jarvis then asked if there would be stripping on the black top reflect that. Mr. Torrenga replied that they could definitely put in arrows and one way signage, do not enter coming from the parking lot, so that anybody leaving the site would see that they shouldn't be going out that way, they would have to be diverted to the north entrance.

Mr. Anderson then opened the matter to the floor. There being no comments, the matter then returned to the board. Mr. Anderson stated that the building size would not be an issue because it meets engineering; if looking for approval for the lighting, it would need to be stipulated that the lighting would meet the ordinance. Mr. Anderson said he had no issues with the two entrances as long as customers could not make a left turn out of the south entrance; adding that if there were, he could see car crashes happening there. Mr. Jarvis asked if the signage would say DO NOT EXIT there and not a DO NOT ENTER because you do not want them to enter. Mr. Anderson agreed saying that they do not want them to make a left coming onto U.S. 30. Mr. Webb asked if they could widen the front entrance to make it easier to make a left hand turn out of there. Mr. Anderson stated that he believed that would be too close. Mr. Rak stated that he believed they need to worry about the traffic heading east trying to cut across the two lanes, those people are not going to see that entrance and are going to zoom across, and that is who they should worry about. Mr. Rak added that he understood what they were saying about the deceleration lane but the people who are waiting to turn north are not going to pay attention, they are just worried about that traffic coming west that they could beat; going on to say they are not going to wait for the wide opening to get across, they are going to try and sneak between cars, and did not think a left turn out of that entrance is a good idea. Mr. Jarvis added that there would not be room for stacking. Mr. Anderson agreed.

Mr. Gorman commented that with people leaving by the north entrance, they would have to drive through the entire parking lot; so if they are driving through it anyway, what would be the problem with driving through to get into the parking lot; adding that if you eliminated the south entrance, the customers would go through the parking lot, and then you would make them go through the lot to leave. Mr. Rak asked if they would be able to eliminate that one and just widen the north entrance. Mr. Torrenga responded that they were wanting the two entrances to not cause any traffic congestion from the deliveries, as there will be very large trucks pulling in with the cars. Mr. Rak went on to say that widening would help, and with the road coming in people are going to see and keep the exit further out and make the entrance almost two lanes wide, stripe it so that the truck coming in has more of a swing, and it pushes the exiting traffic further north and stripe that so it is visually there. Mr. Webb responded that the very front is the showroom, and on the left is the service drive entrance, so as far as customers coming in it does make sense. Mr. Webb added that they have six other locations and not one dealership has an entrance in the back, so it would make more sense for them to come into the front; if they enter in the back they would have to drive around to the front. Mr. Webb went on to say that as far as an exit, they could make that work if that is what you want; but believed it would create more congestion, and that is why they wanted to add the south entrance.

Mr. Jarvis made a motion to approve P.C. Case #24-9-5 pursuant to the photometric be brought into line with the ordinance or a variance from the B.Z.A., that the striping in the parking lot direct traffic to the north entrance way for exiting, and that there be signs posted DO NOT EXIT by the south entrance or exit, and that the drive on the south be narrowed to accommodate one lane of traffic in; pursuant to all State, Local, and Federal Regulations and that all fees be paid to the Town of Schererville and be kept current. Mr. Webb agreed to those conditions. This was seconded by Mr. Kocon and carried 4-1 with Mr. Rak denying.

**III. COMMISSION BUSINESS**

**A. Findings of Facts:**

1. P.C. Case #23-7-6 DC Commercial, Lot 2 (4-Unit Retail Building W/Drive-thru)  
Modification to the approved U.S. 30 Commercial Corridor Overlay District  
Development Plan Approved on September 11, 2023

APPROVED W/CONTINGENCIES (5-0) 5/6/24

Mr. Jarvis made a motion to approve which was seconded by Mr. Long and carried 5-0.

**B. Correspondence**

There was none.

**IV. ADJOURNMENT**

There being no further business, the meeting was adjourned at 6:28 P.M.

Respectfully Submitted:

  
Gary Immig, Secretary