MINUTES OF THE MEETING OF THE
PLAN COMMISSION
JUNE 5, 2006

I. CALL TO ORDER

The meeting was called to order at 6:00 p.m. by Vice-President William Jarvis at the Schererville Town Hall, 10 E. Joliet St.

A. The Pledge of Allegiance was recited.

B. Roll call was taken with the following members present: Vice-President William Jarvis, Secretary Juanita Dills, Robert Volkmann, Rodney Langel, Jerry Tippy and Tom Malinowski. Absent: President Tom Anderson. Staff present: Ed Malinowski, Director of Planning & Building, Denise Sulek, Assistant to the Planning & Building Administrator, Attorney Daniel Bartnicki, Tim Werner, Engineer, and Karen Moffett, Recording Secretary.

C. There being no additions, deletions or corrections to the minutes of the meeting of May 1, 2006, they were approved as submitted on motion by Mr. Volkmann, seconded by Mrs. Dills and unanimously carried.

II. PUBLIC ACTION

A. PLAN COMMISSION CASE #06-1-2, LUBOVICH'S ADDITION

General Location: East of Lundeburg Manor and Sheila Dr.
Petitioner: George Lubovich
Request: Secondary Approval of a 2 Lot R-1 Subdivision
Purpose: Residential Development

Attorney Ken Reed and Brent Torrenga of Torrenga Engineering represented the petitioner, George Lubovich, present in the audience. Mr. Torrenga reported that all engineering had been completed and plans submitted and that they were seeking secondary approval. Mr. Malinowski advised there were no outstanding concerns and that a memo was received from Mr. Werner indicating all previous engineering issues had been satisfactorily addressed. He also noted that all Plan Commission members had received a letter dated May 9, 2006, from the adjoining property owners. Mr. Jarvis directed Staff to review the letter and address the issues with the petitioner. Mr. Malinowski agreed.

There being no further questions or comments, Mr. Volkmann moved to grant secondary approval for Plan Commission Case #06-1-2, Lubovich's Addition, subject to the contingencies of primary approval. Mr. Tippy seconded the motion and suggested it be amended to reflect the additional condition of discussion between Staff and the adjoining property owners of the issues contained in their May 9th letter. Mr. Volkmann so amended his motion. Voting yes: Mr. Tippy, Mr. Malinowski, Mr. Langel, Mr. Volkmann, Mrs. Dills and Mr. Jarvis. Voting no: None. Motion carried 6-0-0.

B. PLAN COMMISSION CASE #06-6-9, TRI-TOWN COMMONS

General Location: 8025 Wicker Ave.
Petitioner: K & D Development Company, Inc.
Request: Primary Approval of a 1 Lot C-2 Subdivision
Purpose: Commercial Development

Mr. Bartnicki reviewed the proofs of publication, certified list of adjoining property owners, and notices to property owners, and advised that the notice requirements had been met for the public hearing.

Brent Torrenga of Torrenga Engineering represented Lance Dabrowski and Ken Krysinski of K & D Development, who were present in the audience, and sought primary approval for a one lot commercial subdivision located between the Olthof

office and Town's water tower on U.S. 41. He advised that the development would contain a professional office/retail condominium. He reported that a review was made by Mr. Werner of McDonough Assoc. and all engineering issues were adequately addressed.

Mr. Jarvis opened the hearing to the floor. There being no questions or comments, the public portion of the hearing was closed.

Mr. Werner commented that the issues discussed in his memo had been satisfied, but requested clarification on the matter of the proposed retaining wall on the north side of the building. He explained that it would be approximately 2' wide and questioned if it would cause the paved area between the building and north property line to be narrowed down. Mr. Torrenga indicated he could not give a definitive answer but added that discussions took place between Town staff and the petitioners, and an agreement was made to allow temporary work and off-site material storage on the Town's water tower property. Mr. Volkmann also commented that he spoke to Gary Torrenga about the use of the Town's property for a secondary access. Mr. Jarvis directed Mr. Torrenga to provide an answer prior to secondary approval and to also provide cross access agreements to the north and south. He also suggested the petitioner provide a gravel drive during construction to manage soil erosion and to prevent mud from being tracked onto U.S. 41.

There being no further questions or comments, Mr. Volkmann moved to grant primary approval for Plan Commission Case #06-6-9, Tri-Town Commons, subject to: 1) all applicable federal, state and local approvals; and 2) prior to secondary approval, language for cross access and temporary construction easements to be worked out. Motion seconded by Mr. Malinowski. Voting yes: Mr. Tippy, Mr. Malinowski, Mr. Langel, Mr. Volkmann, Mrs. Dills and Mr. Jarvis. Voting no: None. Motion carried 6-0-0.

C. **PLAN COMMISSION CASE #06-6-10, RESOLUTION NO. 2006-1**
Amendment to Ord. #1046, pertaining to building construction along U.S. 30 and U.S. 41

Mr. Bartnicki reviewed the proofs of publication for notice to taxpayers and advised that the notice requirements had been met for the public hearing.

Mr. Malinowski advised that the ordinance amendment had been revised and included all suggestions made by the Plan Commission at the last study session. He added that it had also been reviewed by the Plan Commission Attorney, and the certification was prepared and ready to be forwarded to the Town Council. Mr. Bartnicki advised that the language had been changed to clarify that the requirement for the buildings was tied to the property.

Mr. Jarvis opened the hearing to the floor. There being no questions or comments, the public portion of the hearing was closed.

Mr. Volkmann moved to adopt Plan Commission Resolution No. 2006-1 and to forward a favorable recommendation to the Town Council for the amendment to Ord. #1046 pertaining to building construction along U.S. 30 and U.S. 41. Motion seconded by Mrs. Dills. Voting yes: Mr. Tippy, Mr. Malinowski, Mr. Langel, Mr. Volkmann, Mrs. Dills and Mr. Jarvis. Voting no: None. Motion carried 6-0-0.

D. **PLAN COMMISSION CASE #06-6-11, RESOLUTION NO. 2006-2**
Amendment to Ord. #1401, which amends Ord. #1046, pertaining to 9' maximum garage door height

Mr. Bartnicki reviewed the proofs of publication for notice to taxpayers and advised that the notice requirements had been met for the public hearing.

Mr. Jarvis reported that several variance requests had recently been heard before the B.Z.A. to exceed the 8' maximum garage door height and advised that the amendment would accommodate SUV's and larger vehicles.

Mr. Jarvis opened the hearing to the floor. There being no questions or comments, the public portion of the hearing was closed.

Mr. Volkmann moved to adopt Resolution No. 2006-2 and to forward a favorable recommendation to the Town Council for the amendment to Ord. #1401, which amends Ord. #1046, pertaining to 9' maximum garage door height. Motion seconded by Mr. Malinowski. Voting yes: Mr. Tippy, Mr. Malinowski, Mr. Langel, Mr. Volkmann, Mrs. Dills and Mr. Jarvis. Voting no: None. Motion carried 6-0-0.

III. COMMISSION BUSINESS

A. Findings of Fact

The Findings of Fact for Secondary Approval for Plan Commission Case #06-4-8, Resubdivision of Lot 1, Alek Addition, were approved as submitted on motion by Mrs. Dills, seconded by Mr. Malinowski, and unanimously carried.

The Findings of Fact for Primary Approval for Plan Commission Case #06-1-2, Lubovich's Addition, were approved as submitted on motion by Mr. Volkmann, seconded by Mr. Malinowski, and unanimously carried.

B. July Plan Commission Schedule

Mr. Malinowski advised that the regularly scheduled Plan Commission public meeting was scheduled for July 3rd and suggested it be changed to avoid any conflict with the Fourth of July holiday. The members agreed to change the meeting to July 10th. Mrs. Dills so moved to change the meeting from July 3rd to July 10th. Motion seconded by Mr. Langel and unanimously carried by voice vote.

C. Correspondence

None.

IV. ADJOURNMENT

There being no further business, the meeting was adjourned at 6:20 p.m. by Mr. Jarvis.

Respectfully submitted,

Juanita Dills

Juanita Dills, Secretary