

**MINUTES OF THE PLAN
COMMISSION PUBLIC MEETING
DECEMBER 5, 2022**

I. CALL TO ORDER

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

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. Alex Gorman, Mr. Drew Thomas, Mr. Chris Rak, and Mr. Tom Kouros. Staff present: Director of Operations James Gorman, Planning Coordinator/Office Manager Denise Sulek, Acting Recording Secretary Megan Schiltz, Attorney Alfredo Estrada, Councilman Caleb Johnson, and Engineer Mike Helmuth. Absent was Town Manager Bob Volkmann.

C. Approve Minutes of the Plan Commission Public Meeting of November 7, 2022.

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

II. PUBLIC ACTION AND PUBLIC HEARINGS

A. P.C. Case #22-12-21 CANYON CREEK PLANNED UNIT DEVELOPMENT, PHASE 2

General Location: 7095 Burr St.

Petitioner(s): Olthof Homes

Represented by: Jeff Yatsko, Project Manager

Request: Secondary Approval of a 68-Lot (Residential PUD) containing 5-outlots

Mr. Jeff Yatsko from Olthof Homes requested secondary plat approval for Phase 2 of Canyon Creek to include 63 homes with 5 outlots. This will be the north side lots of the east side of Canyon Creek making a total of 135 lots all together leaving 65 lots yet to be developed. Mr. Yatsko confirmed that nothing has changed since Primary Approval. Mr. Anderson read correspondence regarding P.C. Case #22-12-21 from Neil J. Simstad, P.E. stating that based on the application of the Subdivision Control Ordinance No. 1095, the submittal for Canyon Creek PUD, Phase 2 is in compliance for consideration by the Schererville Plan Commission for Secondary Approval.

There being no questions from the Staff or Board, Mr. Jarvis made a motion to approve P.C. Case #22-12-21 pursuant to all State, Federal, and Local Regulations; and that all fees to the Town of Schererville be kept current.

B. P.C. Case # 22-12-22 TYLERS ADDITION

General Location: 126 W. Joliet St.

Petitioner(s): Lotton Developments – Steve Kil/Tyler Hatfield

Request: Primary Approval of a 1-Lot (R-2) Residential Subdivision W/Waiver of Storm Drainage Control Ordinance No. 1708/1708A Regulations

Attorney Estrada stated Proof of Publications are in order. Mr. Anderson read a letter from Neil J. Simstad of Nies Engineering stating that based on the application of the Subdivision Control Ordinance No. 1095, the submittal for Tyler's Addition is in compliance for consideration by the Plan Commission for Primary Approval of a 1-Lot (R-2) Residential Subdivision for P.C. Case #22-12-22 with the Waivers of Ordinance 1708/1708A requested.

Mr. Tyler Hatfield of Lotton Development asked the Board for Primary as well as Secondary plat approval and to suspend the rules and grant both plat approvals and to withhold the signatures for 30 days per statutory requirements. Per Attorney Estrada the Commission has the authority to suspend the rules; however, that has never been presented as long as he has sat as the Attorney. Ms. Sulek stated this request is to have Secondary extended to Staff after the 30 day period signing of the mylars. Attorney Estrada recommends the Board first address the Primary; then if the Board wishes to address or defer to Staff for the Secondary, it can be made in a separate motion.

There being no questions from Staff or the Board, Mr. Jarvis made a motion to approve P.C. Case #22-12-22 pursuant to all State, Federal, and Local regulations, and that all fees to the Town of Schererville be kept current. This was seconded by Mr. Thomas and carried 7-0. Mr. Jarvis then made a motion to move Secondary to Staff level after the 30 days. This was seconded by Mr. Thomas and carried 7-0.

**C. P.C. Case #22-12-23 HAYLEE JO ANNEX ADDITION
(Proposed: Dr. Torie's Dental Shoppe Building Addition)**

General Location: 130 & 136 E. Joliet St. – Schererville Lot 5, Block 21 & Schererville Lot 6, Block 21

Petitioner(s): DTDS, LLC – Dr. Viktoria A. Cox

Represented by: Torrenga Engineering and Henn & Sons, Rob Henn

Request: Primary Approval of a 1-Lot (C-2) Community Commercial Subdivision and Joliet Street Overlay District Development Plan W/Waiver of Storm Drainage Control Ordinance No. 1708-1708A, Title X, Section 8 – Entitled: General Detention Basin Design Regulations

Mr. Anderson read a letter from Neil J. Simstad of Nies Engineering stating that based on the application of the Subdivision Control Ordinance No. 1095, the submittal for Haylee Jo Annex Addition is in compliance for consideration by the Plan Commission for Primary Approval of a 1-Lot (C-2) Community Commercial Subdivision in P.C. Case #22-12-23 with the waivers of Ordinance 1708/1708A requested.

Mr. Don Torrenga, representing Dr. Cox and Mr. Rob Henn, stated to the Board that Dr. Cox owns Lot 6, where her office is currently located as well as vacant Lot 5. He is proposing to combine Lots 5 & 6 into 1-Lot calling it the Haylee Jo Annex Addition. This would be adding an additional 1600 sq. ft. to her existing 12,000 sq. ft. building. Mr. Torrenga also asks to get deferred to the staff level, so they would not need to come back. There being no comments from the floor, this matter was returned to the Board.

Mr. Jarvis asked if there would be concrete bumpers in the rear of the East side and West side of the parking lot. Mr. Torrenga stated that bumpers could definitely be put in, and that he will add them to the plan. Dr. Cox informed the Board her 2 garbage cans as well as her recycling bin would remain where they are now, and that they would not be needing a dumpster. Attorney Estrada stated that even though this is in an Overlay and not necessary, Proofs of Publications are in order.

Mr. Jarvis made a motion to approve Case #22-12-23 pursuant to all State, Federal, and Local regulations; that all fees to the Town of Schererville be kept current; and that parking blocks be installed on the rear parking lot. This was seconded by Mr. Rak and carried 7-0. Mr. Anderson then asked the board to move secondary to staff level. Mr. Kouros stated his

concern that if moved to staff level, this would be setting a dangerous precedence. Mr. Jarvis made a motion to move secondary to staff level. This was seconded by Mr. Rak and carried 6-1.

**D. P.C. Case #22-12-24 FOUNTAIN PARK SUBDIVISION, LOT 1
(Proposed: Drive & Shine Building Addition)**

General Location: 1350-1380 U.S. 41 – Fountain Park Subdivision, Lot 1

Petitioner(s): PYR HT4, LLC – Frank Hatami

Represented by: DVG Engineering, Russ Pozen

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

Mr. Russ Pozen from DVG, and owner Frank Hatami reminded the Board that they are looking to do a 4,000 sq. ft. building addition to convert current detailing portion of the carwash to a larger internal system with a more self-functioning detailing facility. Mr. Pozen stated that since the Study Session there have been a few changes, mainly just cleaning up the site plan with the flow being adjusted for more movability. With no comments from the floor, the matter was returned to the Board.

Mr. Jarvis asked and was assured by Mr. Hatami that bollards would be added to the front of the building. Mr. Hatami states he has 5 or 6 other locations using this system that run smoothly, and all the customers seem to love it. Mr. Immig asked if this would be a 2 story building or if it would be opened. Mr. Hatami stated that the building would be an open 2 story floor ceiling to make it look nicer. Mr. Kouros made a motion to approve P.C. Case #22-12-24 pursuant to all State, Federal, and Local regulations and that all fees to the Town of Schererville be kept current. This was seconded by Mr. Thomas and carried 7-0.

**E. P.C. Case #22-12-25 FOUNTAIN PARK SUBDIVISION, LOT 2
(Proposed: Twin Peaks Restaurant – F/K/A: Houlihan's)**

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

Petitioner(s): Fieldstone Architects & Engineering – Joe Caine

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

Mr. Caine informed the Board that he is proposing a 1,050 sq. ft. enclosed patio addition with an exterior facade renovation, including the Board's recommendations for a barrier free parking space on the North side, and bollards in front of the patio. Mr. Caine stated 11 parking spaces will be removed with a 5 ft. sidewalk, 9.5 ft. depth of landscaping including large boulders, and a ½ patio wall of landscaping; This will also include illuminated traffic impact bollards in the landscaping. Mr. Caine stated that he will be relocating the bar. Mr. Jarvis asked if the outdoor patio will include any heaters. Mr. Caine assured there will be heaters mounted to the ceiling structure. Mr. Thomas made a motion to approve P.C. Case #22-12-25 pursuant to all State, Federal, and Local regulations and that all fees to the Town of Schererville be kept current. This was seconded by Mr. Rak and carried 7-0. With no conditions placed on primary, Mr. Thomas made a motion to move Secondary to staff level. Mr. Kouros again voiced his opinion on setting a dangerous precedence. This was seconded by Mr. Gorman and carried 6-1.

III. COMMISSION BUSINESS

- A. Reschedule January 2, 2023 Plan Commission Public Meeting and Plan Commission Study Session to January 9, 2023

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

B. Findings of Facts:

1. P.C. Case #22-9-13 AHLBORN'S SCENIC ADDITION, LOT 1
(Proposed: Lansing Heating & Air Conditioning)
Primary Approval of a U.S. 41 Commercial Corridor Overlay District Development Plan
APPROVED (6-0) 11/7/22

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

2. P.C. Case #22-11-20 PLAZA HEIGHTS, LOT 2
(Proposed: Outdoor Seating – Glorious Coffee/Jamba Juice)
Primary Approval of a U.S. 41 Commercial Corridor Overlay District Development Plan
APPROVED (6-0) 11/7/22

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

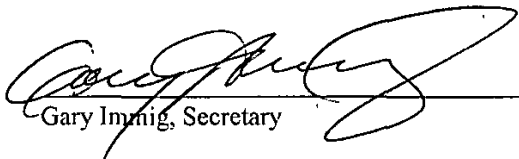
C. Correspondence

There was none.

IV. **ADJOURNMENT**

There being no further business, the meeting was adjourned at 6:41 P.M.

Respectfully Submitted:



Gary Imming, Secretary