

**PLAN COMMISSION  
STUDY SESSION NOTES  
MARCH 16, 2026**

**I. CALL TO ORDER**

The Plan Commission Study Session was called to order at 6:00 P.M. by President Tom Anderson 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 Tom Anderson, Vice-President William Jarvis, Secretary Gary Immig, Mr. Myles Long, Mr. Robert Kocon, Mr. Chris Rak, and Mr. Tom Kouros. Staff present: Town Manager James Gorman, Director of Operations Andrew Hansen, Planning & Building Administrator Denise Sulek, Recording Secretary Megan Schiltz, and Mr. Mike Helmuth from NIES Engineering. In the audience were Councilmen Caleb Johnson and Tom Schmitt.

**II. COMMISSION BUSINESS**

**A. Pavic's Addition**

General Location: 1445 Lincoln Hwy. – Pavic's Addition

Petitioner(s): Dejan & Dragana Pavic

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

Request: Review of property for potential Rezoning

Attorney James Wieser represented the petitioners. Attorney Wieser began that this property had been an issue for many years, and that this was not the first time they had come before the board. Attorney Wieser said that the request is for the potential rezoning of the property to a commercial designation; however, there was a residential restriction that required that all development be residential. Attorney Wieser went on to say that they had gone back and forth with the town for some time and that the Town of Schererville Attorney David M. Austgen of Austgen Kuiper Jasaitis P.C. had recommended a proposed process that should be followed. Attorney Wieser continued that they would proceed in the appropriate manner by law with public notice; and if there were any objections, they would have the opportunity to be heard. Attorney Wieser said that he met with Project Manager Nick Georgiou and agreed to abide by that recommendation to get the Plan Commissions approval and proceed to file for rezoning. Mr. Anderson wanted to clarify that the first step would be a study session, then file a petition to remove the residential restrictive covenant which would then become a public meeting. Attorney Wieser responded that was correct. Mr. Anderson went on to say that if that were to be approved, they would then be given a certificate to take to the Lake County Recorder's Office, then come back for a recommendation to the Town Council which they would then take action based off of that recommendation. Attorney Wieser replied that was correct. Attorney Wieser added that Attorney Austgen had indicated that both petitions could be heard under separate cases at the same Plan Commission meeting and with separate action taken. Attorney Wieser stated that given the passage of time, it would be preferred to have two separate procedures that could be done at the same meeting.

Mr. Jarvis asked for the reasoning behind the rezoning. Attorney Wieser replied that they were not to that point yet, but that Mr. Dejan Pavic as well as the neighbors have indicated over the years, that they believed it would be consistent with the master plan and the nature of the development along U.S. 30 that it be zoned commercial. Mr. Anderson asked if there were any comments from staff. There were none. Mr. Anderson asked if there were any comments from the board. There were none. Mr. Anderson then asked if they had a timeline for advertising. Attorney Wieser replied that they would hope to be back in May, assuming that the board was

agreeable that they could proceed. Mr. Anderson responded that it seemed straightforward and that if Attorney Austgen felt this process would be the way to go, then that is what they would do. Attorney Wieser thanked the board and stated they would be back in May.

## **B. Family Express**

General Location: 751 Lincoln Hwy. – Resubd. Of Lot 1 Von Tobel Addition, Lot 3

Petitioner(s): Family Express Corp. – Pete Andreou, Vice-President of Development and Patrick Lyp, General Counsel

Represented by: Wieser & Wyllie, LLP – Attorney James L. Wieser and DVG Team, Inc. – Engineer, James Hus, Jr.

Request: 3-Lot (C-3) Highway Commercial Subdivision W/Waivers of Storm Drainage and U.S. 30 Commercial Corridor Overlay District Development Plan Review

Attorney James L. Wieser reminded the board that they had been at the previous study session on March 2, 2026, and it was requested that they return for another study session. Attorney Wieser went on to say that there had been some outstanding issues from that session that needed to be considered prior to the submittal for the public hearing. Attorney Wieser stated that although this would be a 3-Lot subdivision, they were currently only developing for Lot 1. Attorney Wieser said that there had been an issue raised about the potential implications with the drainage board which would be addressed, as well as permitting with INDOT. Attorney Wieser continued to say that they were making significant improvements to the south side, and that the Town had a plan to make significant improvements to the north side of Cline Ave.; and this would be critically important to the success of the project and for the flow of traffic. Attorney Wieser concluded that for those reasons, they needed to return to the board for discussion.

Engineer James Hus, Jr., from DVG Engineering informed the board that the updated packet provided showed additional materials related to the architectural renderings of the front of the building as well as the signage, landscaping, and photometric plan. Mr. Hus stated that they were platting 3 lots: Lot 1 being Family Express and with Lot 2 and Lot 3 would be adjacent to Turkey Creek. Mr. Hus went on to say that one of the items Town Engineer Neil J. Simstad, P.E. had mentioned, was that there is presence of a regulated drainage easement that was 75' on both sides; but in the case of Turkey Creek, when Lot 2 gets developed there would need to be a permit filed. Mr. Hus added that none of the work pertaining to Lot 1 is within the regulated drain easement; whoever develops Lot 2 would need to file for a permit. Mr. Hus said that they did not file for the permit because it was unknown if it would be developed by Family Express at a later date or by a third entity, and that Mr. Simstad seemed satisfied for that reason. Mr. Hus then stated that the second item that had been brought up was that the Town of Schererville has a requirement that cursory filing with IDEM be made; which they then did immediately; and it had been flagged with IDEM that there may be wetlands adjacent to Turkey Creek. Mr. Hus continued that in terms of what the Town requires, the developer would need to perform a wetland delineation and that a delineation could not be performed in the wintertime; therefore, one had not been done yet. Mr. Hus added that Family Express has a contract with Soil Solutions and are scheduled for them to perform on May 18<sup>th</sup>, 2026.

Mr. Hus said that similar to the comments about the Lake County Drainage Board, if there are any wetlands on the overall property, they are not on Lot 1 where Family Express is intending to do immediate work. Mr. Hus continued that as it pertains to the Overlay Development Plan, the platting of the subdivision would not be pertinent to Lot 1 because it's so far removed from the waterway. Mr. Hus stated that Nies Engineering did confirm that the Utility Plan was consistent with Town Development Standards. Mr. Hus added that there were a few soft spots related to lighting and the photometric plan, and if town staff would like them to go back before the B.Z.A. they would be willing to do so. Mr. Hus went on to say that Mr. Simstad seemed satisfied with the waiver request as it pertained to the storm water detention. Mr. Hus said that they would need to file for an INDOT permit, and that both he and Mr. Andrew Hansen have been in direct contact with traffic staff from INDOT. Mr. Hus informed the board that the collective agreed that the plan for Cline Ave. is sound and there was a consensus of important minds on that front. Mr. Hus continued that town staff had confirmed that the Stormwater Pollution Prevention Plan (SWPPP) was sufficient and would be useful if the town were to authorize any advanced demolition activities on the property. Mr. Hus concluded that the packet provided showed the building elevations and landscaping plan; and that although this is a study session, they hoped to be back at the next public hearing for the plat and Overlay Development Plan.

Mr. Anderson asked Mr. Mike Helmuth from Nies Engineering if he had anything to add to Mr. Hus' comments. Mr. Helmuth responded that to his knowledge of the conversation everything had been covered. Mr. Gorman asked if they would request a waiver at primary. Mr. Hus replied that they would be requesting two waivers at primary, one as it relates to the stormwater detention for all three lots, and the second would be a frontage waiver strictly for Lot 3 because it is not adjacent to the public right-of-way. Mr. Anderson verified that they would be coming before the board for all three lots but that only Lot 1 is being constructed in the beginning. Mr. Hus replied that was correct and that although there will be demolition work, the development plan is strictly for the building on Lot 1. Mr. Jarvis asked if where the property line is on Lot 2 would there still be enough room to meet the ordinance for the building that would exist. Mr. Hus replied yes because there is a 10' separation between the lot line and what will remain of the building on Lot 2. Mr. Jarvis then asked if the parking spaces in front of the Lot 2 building would be cross easement parking. Mr. Hus responded that there is a cross access that is basically across all three lots combined; technically there is not cross parking; but with the parking for Lot 2, it does make the building compliant for parking. Mr. Hus went on to say that the Lot 1 building is much larger so all parking east of that lot line is designated for Lot 1 to make the Lot 1 building compliant for parking. Mr. Jarvis said that to his understanding, the frontage was going to be the backside of the Family Express building. Mr. Hus stated that was incorrect, and on the east face of the Lot 2 building there would be a retaining wall that ranges in height between 3' - 6' to build that parking up for the Lot 1 building. Mr. Hus continued that the Lot 2 building will have potential for frontage on the north, west, and south side or some combination of that; adding that there is potential for three front doors. Mr. Jarvis questioned that it has not been determined at this point. Mr. Hus replied that was correct. Mr. Anderson asked if there would be all four sides for Lot 2. Mr. Hus responded that it would be a four sided building; in all likelihood the east face of the Lot 2 building would be nothing more than emergency exits and minimal windows given that it will front a retaining wall. Mr. Jarvis said he was just trying to make sure that parking does not get taken away from that building. Mr. Hus stated that the parking that exists on Lot 2 that is being platted would have enough spaces per the ordinance. Mr. Anderson asked if there were any more questions or comments.

Mr. Gorman asked if it was correct that they would seek primary approval on a plat for all three lots without the wetland delineation and all other permits that may or may not be needed. Mr. Hus replied that he would have to say yes and that all permits are actually for the work to be done on those lots, not necessarily for subdividing the property. Mr. Gorman said that only Lot 1 is being developed, then asked when the delineation came back with direction for permitting, they would apply for those permits when Lots 2 and 3 are developed. Mr. Hus replied yes, and that it is understood that whether it is Family Express or another party, no development plan would be approved for Lot 2 and Lot 3 without those in hand and the permits that apply to those lots in hand. Mr. Gorman stated that he knew it had been done in the past that primary be approved but secondary could not until the delineation was completed. Mr. Anderson responded that might be a question for the attorney. Mr. Jarvis said it had been done in the past where it was contingent upon with primary for approval. Mr. Anderson said that they are looking to get Lot 1 going now. Mr. Hus replied yes, and that is what made this a unique and unusual development; they wish to plot all the lots and potentially get to the final because typically they can't issue a development plan until a lot has been created; but you have to get the final to do that. Mr. Hus went on to say that the totality of Lot 1 is far away from areas that would require the permits that Mr. Gorman discussed; adding that if they were coming in for immediate work on Lot 2 and Lot 3, they would have a much different request. Mr. Jarvis asked if there were any wetlands that existed on Lot 1 currently. Mr. Hus replied that because it is almost completely paved, he was confident that it did not. Mr. Jarvis said that an approval on Lot 1 and contingent on Lot 2 and Lot 3 could be the movement of the plan commission so that they could begin Lot 1. Mr. Hus replied that was the idea. Mr. Anderson asked if they would be able to start work on Lot 1 if they were delayed with the wetland situation on 2 and 3. Mr. Jarvis stated that it could be a different developer altogether so they would be approving Lot 1; and that Lot 2 and Lot 3 would be contingent. Mr. Gorman said that they would hold secondary until the report from the wetland delineation came back; adding that it would be done on May 18<sup>th</sup>, and then we would know more once that is completed. Mr. Anderson clarified that the report done in May would be the subject of secondary. Mr. Gorman replied that was correct.

Mr. Immig asked Mr. Hus to review the parking issue that Mr. John Teibel had brought up via email at the previous study session. Mr. Hus stated that if you looked at the plans immediately south of the dumpster enclosure for Family Express, 100' due west of the carwash there are currently two rows of parking immediately north of the Grit Fitness building. Mr. Hus went on to say that the southern row of that building currently encroaches onto Family Express property by approximately 5'; the northern row of parking is completely on Family Express property. Mr. Hus added that it did not appear to be on the title for any legalized cross parking,

parking easement, or even cross access easement. Mr. Hus continued that Family Express had made it clear early on that they didn't have a need to eliminate both rows of parking because the parking is at a premium in that area. Mr. Hus stated that they had backed the curb line in a little bit; unfortunately, because of the stacking or queuing that is needed leading into the carwash, it necessitated them to put the dumpster enclosure where there previously was not any parking so a vehicle could go through there. Mr. Hus went on to say that Mr. Teibel brought up the fact that if a vehicle came along the north side of Grit Fitness to find that all the spaces are full, they would have to back all the way back out the front. Mr. Hus added that because of the spacing Family Express needs to accommodate the carwash, the dumpster would have to be where it is shown. Mr. Hus informed the board that the proposed solution would be to provide some pavement striping on the adjacent property at the cost of Family Express to stripe out an area where people aren't instructed to park; then they could use that area as a 3-point turn instead of backing all the way out. Mr. Hus stated it was not the perfect solution; but given that there were no rights to cross access and the goodwill of Family Express not taking all the property they have since purchased, that would be a good compromise.

Mr. Anderson asked if there was a cross access at the east end. Mr. Hus replied that there is absolutely is a legal cross access that is shown on the plat and extends further south onto Mr. Teibels property; but the only cross access is just west of the driveway on to Cline Ave. Mr. Anderson asked if they had received approval from INDOT on the improvements on Cline Ave. and Route 30. Mr. Gorman stated that they were still in communication with INDOT; adding that the Town of Schererville would have a permit and Family Express would have their own permit. Mr. Anderson stated that the Town would have one for the north side and Family Express would have one for the south side. Mr. Gorman replied that was accurate. Mr. Long asked if the improvement would be made in conjunction with Family Express. Mr. Gorman replied that if they get the permits, it would probably be at the same time as well as the work. Mr. Anderson asked Mr. Helmuth if he had any comments or concerns. Mr. Helmuth replied that he did not. Mr. Anderson asked staff if they had any comments. Mr. Gorman replied they were good with everything. Mr. Hus stated that they would be back for primary at the next public meeting.

#### **C. Steak N Shake – Refresh Program – (Exterior Façade & Signage)**

General Location: 312 U.S. 41 – Resubd. Of Lot 3, Block 3, Plum Creek Village Commercial Addition, Lot 2

Petitioner(s): Steak N Shake

Represented by: SES Branding Company – Nick McCurley and David Mikel – Field Operations

Request: U.S. 41 Commercial Corridor Overlay District Development Plan Review

Mr. David Mikel from SES Branding Company represented the petitioners. Mr. Mikel informed the board that Steak N Shake is looking to upgrade the signage for their location at 312 U.S. 41. Mr. Mikel stated that the package provided laid out all the signage as well as the bollards, dumpster, and traffic flow. Mr. Mikel went on to say that there are currently bollards at the corners of the building and at the ends of the parking spaces that abut the building; and that the circle of traffic is more of a one-way because of the skinny parking lot. Mr. Mikel said that they are proposing a channel letter set on the front of the building above the door to show customers where they should enter; and underneath will be canopy letters that say *FAMOUS FOR STEAKBURGERS BEEF TALLOW FRIES*. Mr. Mikel added that the canopy letters would be for the on-site motorists and pedestrians walking to the front door that are not familiar with Steak N Shake; the canopy signage is not visible from the road but brings more life to the building. Mr. Mikel stated that the existing signage had the red coloring but are now going for more of a sleek black and white look. Mr. Mikel then said that the current signage is more of a banner because they had taken down the original channel and canopy signage, not knowing they would need to go before the board with the new proposed signage. Mr. Mikel informed the board that they had been working with the Town in an effort to make the building appear more operational and could then be easily identified by motorists. Mr. Mikel continued on that the left elevation will have two more canopy signs and a set of channel letters that say *STEAK N SHAKE* to better alert drivers on where to turn. Mr. Mikel added that underneath the channel letters and the canopy letters will be another set of channel letters that say *HOME OF THE ORIGINAL STEAKBURGER* for on-site traffic. Mr. Mikel stated on the right side there will be canopy letters and another channel letter set showing *STEAK N SHAKE* positioned in the center of the building; because that is where customers approach the site and enter into the parking lot, coming in from the rear. Mr. Mikel added that this would be the sign that is most visible from both viewing corridors. Mr. Mikel then showed the proposed face replacements

for the existing pylon sign; and then stated that they would like to update the brand and cover up the bottom cabinet that would not be illuminated at night like the top cabinet. Mr. Mikel then showed the dimensions for all the proposed signage.

Mr. Anderson asked if there would still be an awning over the drive-thru. Mr. Mikel replied that he believed there would be but that it would look more like a sign band and not like the actual awning that they previously had. Mr. Mikel continued on that it would be more of a bump out where they could put the channel letters on to give the building more depth; and not a full canopy where it would be coming out to cover the entirety of the drive-thru lane. Mr. Jarvis asked what the bottom cabinet of the pylon sign would say and if it would be digital. Mr. Mikel replied that the pylon sign would be internally illuminated and that the bottom cabinet would be replaced with a blank dark color to match the updated branding and would not say anything. Mr. Jarvis asked if all the proposed signage would fit into the ordinance. Mr. Mikel replied that it does not. Mr. Anderson stated that in the sign packet it included the calculations. Mr. Jarvis then asked if he would need a waiver or if he would need to go before the B.Z.A. Mr. Anderson asked if that would be because it was located in the Overlay District. Ms. Sulek replied that it would still need to go before the commission. Mr. Gorman responded that if the commission approved the signage it would not require variances. Mr. Anderson said that because the signs go over the allowable size, the board needed to decide if they should come back for a public hearing or make them go to the B.Z.A. Mr. Gorman added that the applicant could even alter and return to another study session. Mr. Jarvis reiterated that if the commission does approve it then the petitioner would not need to go before the B.Z.A. Mr. Jarvis then asked what the orange pylons around the building was for in the photos provided. Mr. Mikel replied that they are no longer there because they have lot lines now. Mr. Long asked if the canopy signage would just be bumped out a little from the building. Mr. Mikel replied that was correct and that it was a sign band that would come off the wall and bump out a couple feet. Mr. Long then asked if it would be illuminated. Mr. Mikel replied that it would not. Mr. Anderson said that he did not see an issue with the signs. Mr. Jarvis agreed. Mr. Immig stated that this would be doubling what was allowed. Mr. Jarvis said that the problem was that originally the way the ordinance was set up it went by the size of the building; and with this building the narrow part is the front and not the sides so it restricts them. Mr. Jarvis went on to say that he did not see any issues. Mr. Anderson agreed and suggested they come back for a public hearing. Mr. Jarvis replied that he agreed as long as the banners were to come down and the orange cones are gone. Mr. Mikel replied that the cones are gone and that the banners would come down. Mr. Anderson said to get with Ms. Sulek and to come back for a public hearing.

### **III. CORRESPONDENCE**

There was no correspondence.

### **IV. ADJOURNMENT**

There being no further business, the meeting was adjourned at 6:52 P.M.