

**MINUTES OF THE PLAN COMMISSION
PUBLIC MEETING
APRIL 6, 2026**

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.

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, Attorney Christian Bartholomew, and Mr. Mike Helmuth from NIES Engineering. In the audience was Councilmen Caleb Johnson and Tom Schmitt.

C. Approve Minutes of the Plan Commission Public Meeting of March 2, 2026

Mr. Robert Kocon 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 #26-3-2 Gallas 6th Addition – Maintenance Building

General Location: 350-370 E. U.S. Rte. 30 – Gallas 6th Addition, Lot 1

Petitioner(s): Brian Gallas

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

Mr. Brian Gallas stated for the record that there were a few changes from primary. Mr. Gallas said that at the request of the board he had added bollards and relocated the plants from the west side to the south side. Mr. Gallas added that there were no other changes. Mr. Anderson asked if there were any questions or comments from the board or staff. There were none. Mr. Anderson then opened the matter to the floor. There being no comments, the matter was closed to the floor and returned to the board. Mr. Jarvis made a motion to approve P.C. Case #26-3-2 pursuant to all State, Local, and Federal regulations and that all fees paid to the Town of Schererville be kept current. The matter was seconded by Mr. Rak and carried 7-0.

B. P.C. Case #26-4-4 Red Alert Addition, Lot 2

General Location: 1415-1445 Eagle Ridge Dr.

Petitioner(s): Tauber Law Offices

Represented by: Attorney Jared R. Tauber, Tauber Law

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

Attorney Rhett L. Tauber said that he would be representing on behalf of Tauber Law Offices as well as the owner of the building, Red Alert Properties. Attorney Tauber stated that the signage request was for a tenant that is occupying approximately 3,800 sq. ft. on the first floor of the building. Attorney Tauber then mentioned that it previously had been occupied by C. Tumacder MD, PC for several years. Attorney Tauber went on to say that the initial request at

the study session was to have signage on the front of the building, on the west side which faced Eagle Ridge Dr., and a replacement panel on the monument sign. Attorney Tauber went on to say the general consensus at that meeting was that the signage for the monument sign as well as on the front of the building looked good; then added that the issue was the west sign that faced Eagle Ridge Dr. Attorney Tauber said that as the landlord of the building he was in agreement with the boards' decision. Attorney Tauber stated for the record that the request at this time is to have an outdoor sign on the front of the building and on the monument sign. Attorney Tauber concluded that the Autism Care Facility would provide a good service for the community and this would be a great location for them. Mr. Anderson asked if there were any questions or comments from the board or staff. There were none. Mr. Anderson then opened the matter to the floor. There being no comments the matter was closed to the floor and returned to the board. Mr. Rak made a motion to approve P.C. Case #26-4-4 pursuant to all State, Local, and Federal regulations and that all fees paid to the Town of Schererville be kept current. The motion was seconded by Mr. Long and carried 7-0.

Mr. Anderson asked if the matter could go to staff for secondary. Mr. Gorman replied that it could. Mr. Jarvis made a motion to move secondary to staff level. The motion was seconded by Mr. Rak and carried 7-0.

C. P.C. Case #26-4-5 Steak N Shake – Exterior Façade & Signage

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

Petitioner(s): SES Branding Company – Nick McCurley and David Mikel, Field Operations

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

Mr. David Mikel represented on behalf of the Steak N Shake located at 312 U.S. 41. Mr. Mikel stated for the record that after the previous study session they had removed the cones that were located around the drive-thru; and that they do not intend to have them back. Mr. Mikel said that on the site plan it showed that the traffic followed a circular pattern where customers could see the front of the building driving down the road; but would then need to turn off and approach the building from the rear to get onto the property. Mr. Mikel went on to say that the left elevation showed the sign on the front of the building, so that there would be visibility on the other side of the road; that way the customer could make the decision to turn onto the property. Mr. Mikel continued that there would also be signage on the front and right but would not have any on the rear of the building. Mr. Mikel added that there would be more onsite signage around the canopy and above the windows that state *beef, tallow, fries, homemade milkshake, and home of the original steak burger*; there would not be any more awnings, it would just be a foot bump out to add more personality to the building. Mr. Mikel stated that the existing free-standing sign would have a panel upgrade to match the new brand; and that the bottom cabinet would say *original steak burger* or might have some seasonal menu items. Mr. Mikel added that it would not be an electronic display. Mr. Mikel concluded that the intent of the new signage would be to make the building more identifiable.

Mr. Rak asked if there had been a comment made during the study session that the dimensions were oversized. Mr. Anderson replied that was correct and that they had decided to leave it up to the board so that if it gets approved the petitioner go before the B.Z.A. Mr. Anderson opened the matter to the floor. There being no comments the matter was closed to the floor and returned to the board. Mr. Anderson asked if there were any comments from the board or staff. There were none. Mr. Jarvis made a motion to approved P.C. Case #26-4-5 pursuant to all State, Local, and Federal Regulations; that the signage be exactly what was presented; and that the cones do not reappear. The motion was seconded by Mr. Rak and carried 7-0.

D. P.C. Case #26-4-6 Family Express Schererville

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

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

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

Request: Primary Approval of a 3-Lot (C-3) Highway Commercial Subdivision W/Waivers:

- 1) Storm Drainage Ordinance No. 2009, Chapter Three – Methodology For Determination Of Retention/Detention Storage Volumes – Requesting Waiver from providing the required volume of stormwater storage;
- 2) Subdivision Control Ordinance No. 1095, Title V, Section 5, Paragraph A – Regarding Public Access For Lot 2 and Lot 3 – Requesting to provide access to public rights-of-ways by ingress/egress easements; And

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 of the Town of Schererville Subdivision Control Ordinance, the Preliminary Plat is in compliance for consideration by the Plan Commission for Primary Approval of a 3-Lot C-3 Highway Commercial Subdivision in P.C. Case #26-4-6, with waivers requested. The correspondence went on to say that the site development plan related to grading plan, sanitary sewer, storm water, and water utilities for Family Express, is in order for consideration by the Plan Commission for the U.S. 30 Commercial Corridor Overlay District in P.C. Case #26-4-6 with following items for consideration as being contingent.

- Lake County Drainage Board easement width review considerations for Lots 2 & 3.
- IN Waterways Review, Wetland and Floodplain direction, letter dated 10/15/2025, on file.
- Lighting photometric plan is not consistent with applicable Town Code. “Outdoor lighting shall be designed so that any overspill of lighting onto adjacent properties shall not exceed three-tenths (3/10) foot-candle, measure vertically, and three-tenths (3/10) foot-candle, measured horizontally, on adjacent properties; per Zoning Ordinance 2004, Title XVII, Section 15 E. (4).”
- INDOT permits concern regarding the US 30 access.

Mr. James Hus from DVG Engineering stated that they are looking to receive primary approval of a 3-Lot Subdivision; and that they are repurposing the Von Tobel Addition into three development lots, one of which would be occupied by Family Express. Mr. Hus added that Lots 2 & 3 would be marketed for development either by Family Express or by another potential user. Mr. Hus went on to say that as discussed at the previous study sessions the overall plan for the property with the various ingress, egress, and utility easements are on the plat before them. Mr. Hus said that the Family Express team appreciated the very prompt review by NIES Engineering and would like to discuss a few of the conditional items that had been brought up. Mr. Hus informed the board that they are aware that the development plan and modifications for Lots 2 & 3 would require consultation with the Lake County Drainage Board; the development plan being presented is exclusive to Lot 1 with minor utility installations on Lots 2 & 3. Mr. Hus added that it would not be the holistic installation of pavement, curb, gutter, etcetera at this current time. Mr. Hus continued that at the study session it was also mentioned that they have not touched on the wetlands because it is outside of the growing season; but that Family Express had already contracted with a sub-consultant for the wetland delineation to be performed at the earliest date available and would share the findings with the Town. Mr. Hus went on to say that if there are wetlands on the property they would be at the waterway and very far away from Lot 1; which was the development plan being discussed for primary approval. Mr. Hus informed the board that he could go into as much or as little as they would like, reiterating that they had been to a few study sessions for this development. Mr. Hus stated that the core of this development is to take a 1-Lot Subdivision and turn it into 3-Lots and to repurpose as much of the infrastructure and buildings that Von Tobel had spent a lot of money on. Mr. Hus added that they are trying to keep the tax base in the town with doing as little impact to the property as possible. Mr. Hus went on to say that the development would include a 5' right-of-way grant on Cline Ave. and the commitment by Family Express to do their half of widening Cline Ave. Mr. Hus continued to say that Family Express would do what could be done within the context of being adjacent to Route 30 to improve access on the site; and to decrease the delay to motorists as best as they could even though they would not be customers of Family Express.

Mr. Hus informed the board that one of the waivers being requested is from providing stormwater detention because there would not be room to construct a pond or any underground facilities. Mr. Hus said that if they were to build a pond it would result in the demolition of one to two buildings; which would not meet the goals of keeping the valuation of this property high and keeping the buildings where they are. Mr. Hus went on to say that the other waivers are for access to the public right-of-way. Mr. Hus stated that both Lot 2 and Lot 3 do not have direct connectivity to a driveway on their property to Route 30 and INDOT would never grant another driveway. Mr. Hus continued to say that they were requesting the same waivers for Lots 2 & 3 as the Trek Store whether they received those waivers or not; if they were to come in today they would be requesting the same exact waiver given that they do not have access to

Route 30. Mr. Hus said that they had submitted a full development plan package that included the landscaping and signage plans, as well as architectural elevations of what the repurposing of the Lot 1 building will look like once it is occupied by Family Express.

Mr. Hus added that one of the items from the letter submitted by NIES Engineering mentioned the lighting photometric plan. Mr. Hus reminded the board that when they had gone before them at the first study session their vision was laid out; given that this is a very complicated property, they had gone before the Board of Zoning Appeals for twenty variances. Mr. Hus went on to say that at that time they had identified twenty variances to repurpose the property; and that repurposing anything is difficult to comply with code explicitly. Mr. Hus added that they had come up with twenty variances that they had received and that four or five of which were related to lighting. Mr. Hus stated that they had a photometric plan developed by Walsh Long & Co. and identified four other areas that do not comply; and that they will be going before the board to request those supplemental variances at the end of the month. Mr. Hus said that there were three very minor areas where they exceeded the property line that were not identified originally. Mr. Hus informed the board that if they received approval for tonight, they certainly understood it might be contingent on receipt of said variance at the end of the month.

Mr. Anderson opened the matter to the floor. Mr. Anderson then asked if proofs of publication were in order. Attorney Bartholomew replied that all notices were in order. Mr. Anderson asked Mr. Mike Helmuth if he was satisfied with Mr. Hus' comments regarding the letter from NIES. Mr. Helmuth replied yes. There being no comments from the floor the matter was closed to the floor and returned to the board. Mr. Immig questioned if the issue on lighting was cost prohibited to keep it in compliance with the ordinance. Mr. Hus replied that the variances were for three specific issues. Mr. Hus said that the proximity of the canopy to the Cline Ave. right-of-way line was being moved 5' west from its current position with the right-of-way grant. Mr. Hus went on to say that there would be a very small spillage at the sliver of space where they would go to 5 foot-candles at the new right-of-way line. Mr. Hus stated that the second spillage variance was east of the Lot 3 building where they intend to light the parking spaces; but that there is some slight spillage into the back of the Grit Fitness building which was just grass and there are not any doors or windows. Mr. Hus continued to say that there would not be any inconvenience with that light because it was a spillage of only 2 foot-candles or less. Mr. Hus added that realistically by the time you get out of the building that nobody is coming out of, it goes back down to the ordinance. Mr. Hus then stated that the most mathematically severe variance is the area between the Lot 1 dumpster enclosure and the carwash. Mr. Hus added that they intend to put a double headed light fixture there but could change that if need be. Mr. Hus informed the board that for both security reasons and customer experience, Family Express would like to light up the carwash area; because that area is so close to the lot line and the existing parking spaces. Mr. Hus said that there would be spillage around that south lot line but should be a pro for Grit Fitness because most businesses like to light up their parking spaces. Mr. Hus stated that if there were any issues, whether from a Board of Zoning Appeals member or a remonstrator, they could then redesign things to have fixtures that only illuminate straight down to stay on Family Express property. Mr. Hus went on to say that they had gone with the most standard fixture to serve the neighbor to the south because there were existing lights in that parking area that already light up those spaces. Mr. Hus then said for the record that the fourth variance related to the uniformity ratio of how bright the brightest spot would be versus how bright the darkest spot is on the light. Mr. Hus continued on that the Town of Schererville Ordinance has a 12:1 ratio where that Lots 2 & 3 do comply; however, Lot 1 sits at about 16:1. Mr. Hus then stated that meeting a uniformity ratio is difficult because they have a large building and lighting was limited. Mr. Hus concluded that none of the variances that are being requested have anything to do with the cost.

Mr. Anderson stated for the record that this meeting would just be for the approval for Lot 1 and that Lots 2 & 3 would be later down the road. Mr. Hus responded that was correct. Mr. Rak asked if they would need to place any contingencies on the motion for the photometric study. Mr. Anderson replied that they would be going before the Board of Zoning Appeals for the study and would not have to mention it in the motion. Mr. Jarvis made a motion to approve P.C. Case #26-4-6 pursuant to all State, Local, and Federal Regulations; that all fees paid to the Town of Schererville be kept current; contingent upon the conditions as noted by Nies Engineering; the additional 5' of right-of-way to be granted from Family Express for roadway improvements; and the roadway improvements as submitted per plans by Family Express. Mr. Rak seconded the motion and carried 7-0.

III. COMMISSION BUSINESS

A. Findings of Facts:

1. P.C. Case #26-1-1 Shoppes of Schererville – Crunch Fitness
Petitioner(s): Fit Fusion Team – Bart Jackson/Chirag Patel
Secondary Approval of the U.S. 41 Commercial Corridor Overlay District Development Plan
APPROVED W/CONDITIONS (5-0) 3/2/26

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

2. P.C. Case #26-3-2 Gallas 6th Addition – Maintenance Building
Petitioner(s): Brian Gallas
Primary Approval of the U.S. 41 Commercial Corridor Overlay District Development Plan
APPROVED W/CONDITIONS (5-0) 3/2/26

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

B. Correspondence

There was no correspondence.

IV. ADJOURNMENT

There being no further business, the meeting was adjourned at 6:33 P.M.

Respectfully Submitted:


Gary Immig, Secretary