

MERRILLVILLE PLAN COMMISSION MEETING
June 16, 2015
6:30 PM

President Shawn Pettit called the Meeting of the Merrillville Plan Commission of June 16, 2015 at 6:30 PM to order and then led the group in the Pledge Allegiance.

ROLL CALL:

Members in attendance were Mr. Holtz here, Mr. Hardaway here, Mr. Bigelow here. Mr. Widing here, Mrs. Palmateer here, Mr. Dering present, President Pettit here. Staff present was Dorinda Gregor, Attorney Touchette and Robert Csanyi, Robinson Engineering.

President Pettit said we have seven members we have a quorum. Next item on the agenda Minutes.

MINUTES: May 19, 2015

President Pettit asked for a vote on the minutes.

Mr. Hardaway so moved.

Mr. Bigelow seconded the motion.

President Pettit said we have a motion by Mr. Hardaway and seconded by Mr. Holtz to approve the minutes as presented is there any further discussion. Seeing none all those in favor Signy by saying aye. Commission all stated aye no opposed. Motion carries.

COMMUNICATIONS: None

OLD BUSINESS

None

NEW BUSINESS

P9fS-0615 TMC INDIANA 2, LLC, PETITIONER & OWNER, Located at 8005 Broadway for a Final one (1) lot subdivision approval in a C-3, Highway Commercial zoning district on 1.26 acres to be known as CVS #10176 for a proposed CVS and Fannie May store.

President Pettit said good evening Mr. Enslin.

Good evening Mr. Pettit. William Enslin for the petitioner. We have submitted to your engineer and your planning department the final Mylar's for approval. Robinson submitted an approval for those yesterday.

Mr. Csanyi replied that is correct.

Mr. Enslin said there has been no changes to from what we presented to you at the study session at this point so we are asking for your approval.

President Pettit asked Dorinda to read the staff report into the record.

Mrs. Gregor read the staff report.

Mr. Widing made a motion to approve.

Mr. Dering seconded the motion

President Pettit asked if there are any comments to approve P9fS-0615. Is there any other discussion. Seeing none Mr. Secretary roll call.

Mr. Hardaway yes, Mr. Holtz yes, Mr. Bigelow yes, Mr. Widing yes, Mrs. Palmateer yes, Mr. Dering yes and Mr. Pettit yes.

President Pettit stated motion carries 7-0

Mr. Enslin said he just wanted to thank you and your staff have been great to work with and I appreciate your professionalism.

P10fS-0615 CYPRESS/MERRILLVILLE 1, LTD, PETITIONER & OWNER,

Located at 1488 East 79th Avenue for a Final one (1) lot subdivision approval in a C-3 Highway Commercial zoning district on 4.618 acres to be known as Cypress Equities Phase VII Subdivision for a proposed retail development (Bob's Discount Furniture).

Good Evening Mr. Anderson

Mr. Anderson stated we are talking about the lot between Costco and Lowes. It is a one lot subdivision basically we have talked about pretty much all of it at the meetings in regards to the subdivision in addition the past subdivision you had some questions which that I think that I can answer tonight. The minimum investments is going to be 3 ½ to 4 million. The number of trucks will be one per day or less. The Army Corp is now approved which I can give to Dorinda so she could put it in the file for when we go to the actual building permit stage.

President Pettit asked Dorinda if she would like to read the staff report.

Mrs. Gregor read the staff report.

Mr. Csanyi said there are a few things that we will have to work on. As part of the attachment was the plat I just had some questions on the plat I talked to Mr.

Mr. Anderson said on the legal description I have the Mylar's and I figure they can work out the legal. The legal is what it is so before the Mylar is signed we will make sure that the legal but I think that they are going to talk after the meeting

Mr. Csanyi said I actually sent it over to my surveyor to get his input.

President Pettit asked does it close Bob.

Mr. Csanyi replied no there are some things in there that are pending town engineer approval of lot. Designation and survey and engineering approval.

President Pettit said alright Richard. I just want to make sure it closes so we don't have another yes we thought it closed how many years go did you and I go down that road with Tris Miles.

Mr. Csanyi said what I would like to do is get together with Doug and his information and then I would like to sit down with my surveyor and make sure that this is

Mr. Bigelow said it is not just a lot number.

Mr. Csanyi said it is referenced on page but not under the property legal description.

President Pettit said well we had this problem out there before Rich when we went to do the Ashley stuff Dorinda with the multiple phases of Cypress on Indiana street and what right of way did and did not get dedicated and we ended up with the first group and go back to Culvers and get that right of way fixed because it showed on one phase and then when they came into to do Culver's plat it was taken off and it wasn't dedicated and we ended up having to go back to Mr. Terpstra and he graciously granted the right of way so we could punch Indiana through go into Ashley's parking lot and they have that cross access through Ashleys parking lot.

Mr. Anderson said 79th Avenue was created as part of Auto Nation. It has one lot that goes back. Bill your question basically the legal description

Mr. Dering said well Richard it is obvious that I am not a fan of this project. I think that we are shoe horning something in there and I don't like the reduction. You got it I have to live with it but I really do not like the reduction in the footprint I don't like the reduction on the frontage I don't like having go around IHOP. I would like to know where customer pick up is going to be rather than I don't want to see stuff going out the front door and people tripping all over. They have to have a dedicated customer pick up.

Mr. Anderson said Brian that is part of the site plan approval process not the subdivision. The subdivision is the box now I will tell you that if you look back at the PUD that we have been looking at because of the fact that looking at all the drainage goes into the big pond they are actually going to be two buildings in here so we should be happy that there is only one because if the PUD would have continued there would have been two.

Mr. Dering said yes but would they have been like small restaurants size or professional buildings.

Mr. Anderson said bigger than what we got.

Mr. Dering replied bigger than what we got. I wasn't here when they originally approved this so I can't speak to what they did. A lot of things that were done back then I have not been a big fan of and I have been on the record for many years Needless to say you got it.

Mr. Anderson said it is a 4 million dollar project I think that the Town could always use tax dollars my understanding is. Maybe not

President Pettit asked if there are any other questions for Richard.

Mr. Hardaway said if we look in the past the problems that we have with the lots.

President Pettit said Rich I was going to ask Bill how the motion whoever makes the motion how do we want to phrase it with Bob and Doug Homier have to go through.

Mr. Anderson said I think what he could do as far as I think that you would agree with the drainage with the lot since we have sleepy's over there who is actually sheet draining. We are going to internally create the drainage for the lot you are reviewing that and then there is no question that the drainage calculations for this area go into that pond.

Mr. Csanyi said I haven't seen the new information that Doug has acquired.

Mr. Anderson replied he went to Dorinda and pulled out all of the files so she could look them up.

President Pettit said I guess the other question then Bob and I have had brief discussions with Bruce and 1st Group. Repair and additional storm sewers are part of the 79th project because I double checked with Bruce to make sure we are paving all the way back to Sleepy's in front of Costco's and all the curbing and everything. Those drains going to handle. I just don't want any drainage problems.

Mr. Anderson said ours is going north

Mr. Dering said Richard that was what I was going to ask I was out there oh I want to say in the middle of last week and I know it is not a designated wetland obviously the Army Corp did there due diligence but if you go out there today after the rain that we have had all that land to the north all that swampy area I betcha if you walked out there you would be at least shin if not knee deep in water. Because you have to be real careful on the back of this property.

Mr. Anderson said that is going to be taken care of as part of the drainage for this lot. What the Army Corp said is when you pile the spoils up from the other lot that is what you get.

Mr. Hardaway said what happens if we table this until they get the stuff resolved.

Mr. Anderson said I think it is a problem because of construction. I mean we are trying to build the building this year.

Mr. Touchette said it wouldn't take much time to get the legal description

Mr. Anderson said if he wants to make it subject to looking at the old drawings and then if he doesn't see it then I will come back to you with all the old drawings and go over them because this was in there. It was planned for this I don't care

Mr. Touchette said I am not arguing about that

Mr. Anderson said I agree

Mr. Touchette said I am talking the legal description.

Mr. Anderson said the legal description is only matters when you go to record the plat before the plat is recorded you can make them subject to them approving their legal and working out with Doug.

Mr. Touchette said how long is it going to take to get the legal straight. Send a surveyor out to survey it.

Mr. Anderson said oh no, no this is a drawing

Mr. Touchette said you've got your surveyor here

Mr. Anderson said this is a drawing

Doug Homier said the description on there is exactly what is on the title work that I got. When we measured we found some and then we set the rest of it. It fits in between all the other ones so legal is what it is but I was taught when I was in school that you don't mess with a legal description and change it when you have title work.

President Pettit said back up a second guys when we approve this PUD Rich we approved the Costco lot so it is legally subdivided as a lot it is part of the PUD.

Mr. Anderson said so is the Lowe's.

President Pettit said so it is lot 1, Lowe's is going to be lot 3

Mr. Anderson said no they are 6 or 7

President Pettit said whatever their number is is irrelevant I guess my point is why didn't either we catch it or Cypress this remnant parcel you said we have two lots on it. We obviously gave you preliminary PUD back in the day right.

Mr. Anderson said you know what happened after that the economy went

President Pettit said so they didn't record the Final PUD on this parcel.

Mr. Anderson replied no they didn't even have this there was no Final PUD on this it was only a preliminary.

Mr. Dering said so there is no final PUD on this.

Mr. Touchette replied no that is what they are subdividing.

President Pettit said the PUD is gone now it is only a C-3.

Mr. Anderson said we are talking about a one lot subdivision which basically says this is the box. If you want to make it subject I just don't want to blow a month here in the construction season.

Mr. Csanyi said how long is it going to take your surveyor to get it.

Mr. Homier said I can get it tomorrow it isn't a big deal.

Mr. Touchette said I am hearing from my engineer that it doesn't close is that right

President Pettit said here is the bottom line number 1 Brian and I aren't signing the Mylar unless it closes Rich. I am not going through Twin Acres and you know exactly what I am talking about. I am not going through Don Weiss again. Right Dorinda

Mrs. Gregor replied right.

President Pettit said secondly she is not going to issue you a building permit until the Mylar is signed. Bob is going to tell Brian and I when to sign the Mylar that is simple.

Mr. Anderson said yes that is great. I have no problem with that.

Mr. Homier said you shouldn't sign off until he has checked it.

Mr. Dering said then a motion to approve pending Town engineer approval and along with the drainage.

Mr. Anderson said put any conditions you want on it.

Mr. Csanyi said as far as the drainage the lot to the north which is the drainage for this subdivision is that been dug out and computations made of the volume and things like that

Mr. Anderson said yes

Mr. Homier replied that set of computations I have.

Mr. Anderson said he is going to have to go through and show them what they found in Dorinda's office. Dorinda luckily has been here long enough that she can find any files.

Mr. Csanyi said we have also had another subdivision Mr. Brant trying to get straighten out some ponds done correctly. It is easy to say we will get to that later but give us what we want tonight but.

Mr. Anderson said oh no you can make the approval to I am telling you again it is not going to take that long to show him what is in I mean basically what you are going to find with Sleepy's there is no internal drainage on the lot I am not even sure how it was approved without any storm drains inside the lot but it was

Mr. Dering said so verbiage pending any motion to approve would be pending Town Engineer approval of the lot designation and survey and the engineer's approval of drainage.

Mr. Widing said that also that pond the water level has been going down and down it was bone dry not to. I don't think that there is a problem with holding that drainage.

President Pettit said if I am not mistaken Doug that the borders are bike paths. It is a ballast for the railroad for the old C & L which we are going to be developing here in the late fall and all of next year. I don't know if plans are to raise on to the ballast. Obviously you are going to have asphalt.

Mr. Anderson said yes we are ok with those two conditions.

Mr. Widing said I will make a motion of approval with the two conditions.

Mrs. Palmateer seconded the motion.

President Pettit said we have a motion from Mr. Widing and a second from Mr. Palmateer to approve P10fS-0615. Any further discussion seeing none Mr. Secretary roll call.

Mr. Holtz yes, Mr. Hardaway no, Mr. Bigelow no, Mr. Widing yes, Mrs. Palmateer yes, Mr. Dering no, Mr. Pettit sigh

Mr. Widing said remember the press is here and this is a 4 million dollar investment in the Town.

President Pettit said I am going to vote for it any ways because they can't get a building permit folks until Brian and I sign that Mylar and Richard knows that and I am going to be a stickler about that thing closing.

Mr. Anderson said a subdivision is a administrable act so basically is once we have a box and it does close that is what it is.

Mr. Dering said vote is 4-3 out of 7. It passes.

Mr. Anderson said Thank you very much.

President Pettit asked Dorinda if we have any other business.

Mr. Dering asked if there is any update to the blood bank.

Mrs. Gregor said I have a little bit of information. I have contacted the Planning Department to see if there are any violations. He said there were none in his office he suggested that I contact the Hammond Police Department and I received a call back and they have nothing on record. That stereotype of Plasma Center of the past should be erased from your mind. Loitering because this is a business center there was maybe a car accident out in front of the building.

President Pettit said Dorinda forwarded me a couple and I got a couple of E-Mails from Mr. Bouwer and I made it crystal clear believe to Gregg that the council is going to be watching this Richard. Specifically mentioned you and I have two businesses e-mailing me this is company is not a taxpayer yet that I know of I was told that they were leasing the building is that correct and so we will have to wait and see.

Mr. Hardaway asked they are not buying it.

President Pettit said they are not buying it. It is a LLC out of Chicago owns it.

Mr. Dering said the owner of the building is going to demolish the back portion of the building and they are going to dedicate that pass through for the Towns usage.

Mr. Holtz asked if they signed the cross. I thought that they already had a permit

Mrs. Gregor said they only have for the demolition of the rear building. No construction for interior remodel or anything.

Mr. Dering said I did a little bit of research not much just on this company but Plasma Centers and Dorinda is right there is basically two types the stereotype that we all got and then there are some in creditable well run all over the United States and they turn in to really going concerns like clean like she said no loitering no problems no issues so I think that if we are in the same thing let's give it a chance. It does fill an empty building on Broadway and it could be a beautiful facility we just go to see what happens.

President Pettit said another business real quick we have a couple more minutes here. I don't know if we talked about Royal Brush Manufacturing did we Dorinda. I mentioned it ok Dorinda has got that as a Use Variance.

Mrs. Gregor said that will be coming up

President Pettit said the other two that she send me happen to be in my ward correct me if I am wrong. One is ITT Technical Institute over in 84th wants to put in some wind turbines.

Mr. Hardaway said yes I saw that.

Mrs. Gregor said they want to teach their students on how to erect them, the purpose for them, etc. They will be filing a Use Variance also.

President Pettit said I ran into Ryan Reithel at the Crown Point corn roast Friday night and mentioned it was coming up and he said he would talk to Randy and they would work with them if they needed any help so.

Mrs. Gregor said they will be taken up and taken down every semester because the new class will learn how to put them up.

President Pettit asked what was the address on the Haunted Hills.

Mrs. Gregor said that is Ray's Movers on 6490 Broadway the old Handy Andy Building.

President Pettit said alright I have an issue with that then. The issue I have got guys is actually Ron's ward is with all due respect to John he came up here and he told us that he was going to use the whole building did he not Rich and Ron. We gave him a facade grant and now because you haven't leased any spaces you need to make some money.

Mr. Widing said he did say he was going to rent some of it out for storage but that was all he mentioned.

President Pettit said this is obviously September and October.

Mrs. Gregor said I don't think he is going to do anything this year. If come through it will probably come next year.

President Pettit said I don't know if you remember this but down south where Hobart meets in my area on Randolph they used to the folks that ran Hobart Meats had a pumpkin and hay rides that kind of thing and I think it only went for two or three years

Mr. Widing said it kept flooding

President Pettit said yes it kept flooding so maybe lets

Mrs. Gregor said it will just go by the way side.

President Pettit said I can't think of the other. That is the only e mail right just the two.

Mr. Widing said when I was in the Jaycees a long time ago we did the Haunted House at Hidden Lake Park and it was going. We would draw 10,000 people a year and we made some real good. It was in the big barn that is on the east end of the park. We used to divide that up and had coffins and everything and the Jaycees for 30 years did that.

Pettit said I think that they will need a Use Variance that's why she forwarded me the e-mail.

Mr. Dering said I think that it would be a good thing as long as they ran it kind of like we use to run it. Knock on wood we never had problems.

President Pettit said just like the Plasma Center Brian so long as we don't have calls for Joe and the guys going out there and as long as John maintains the property again and the façade we all drive by that and I am not seeing anything John you need to get something going.

Mr. Dering said I have more questions over by Broadmoor which is not under construction yet. There is that business just to the east of it just pass the insurance company I think that it is a church based business of some kind. Every day when I drive pass there on Rt 30 they have a trailer out front with furniture on it.

President Pettit said I saw that.

Mr. Widing said they put cars out there for sale.

Mr. Dering said once for a special sale like the Greek Church I can understand that but every day of the week 5 days a week I don't understand that it is not permitted.

President Pettit said next month Dorinda and I will be able to report we are having a meeting tomorrow about the 16 acres there in the back. A group of Doctors are looking at that to resurrect project. We will see were that goes.

President Pettit said anything else.

Mr. Hardaway made a motion to adjourn

Mr. Dering seconded the motion.

Meeting adjourned at 7:04PM

Respectfully Submitted
Janet Rosko