

**MERRILLVILLE PLAN COMMISSION MINUTES  
TUESDAY, MARCH 21, 2023  
6:30 PM**

Plan Commission President Margaret Uzelac led the Meeting of the Merrillville Plan Commission at 6:30 PM to order and then led the group in the Pledge of Allegiance.

**ROLL CALL:**

Members in attendance were Mr. Luke Rich, Mr. Ric Holtz, Councilman Shawn Pettit, Plan Commission Vice President Brian Dering, and Plan Commission President Margaret Uzelac.

**MINUTES: FEBRUARY 21, 2023**

Councilman Shawn Pettit made a motion to approve the minutes. The motion was seconded by Plan Commission Vice President Brian Dering. The Plan Commission voted 5 – 0 to approve the minutes.

**COMMUNICATIONS:**

None

**COMMENTS FROM CHAIRMAN**

None

**OLD BUSINESS**

None

**NEW BUSINESS**

1. **PIPs1-0323**    **9450 MISSISSIPPI STREET LLC, PETITIONER AND OWNER**  
Located at 9450 Mississippi Street  
Request: Preliminary ( 3 ) Lot Subdivision Approval in a M-2, Industrial Zoning District on 3.74 Acres  
Purpose: Commercial Warehouse/Office

Gary Ratke and owner Jake Quenzler came before the Plan Commission. Mr. Jake Quenzler stated that he plans on dividing the property into three lots, lot number two is currently on contract and the future owner is proposing to have a pickle ball facility. Mr. Quenzler stated that it is uncertain at the time what the plans are for lot number three.

Plan Commission Vice President Brian Dering expressed that there is a drainage pond on lot one and on lot two, there is also a crosstie and along with the proposed detention pond on lot three, he inquired if this would allow for proper drainage.

Mr. Jake Quenzler stated that currently everything is draining into the existing drainage pond and the other drainage pond will be for lot number three.

Mr. Bob Csyani of Robinson Engineering stated that he's sure that Robinson Engineering and the petitioner will be able to work thru the comments. He continued that the majority of the comments have been addressed by the petitioner and that the current comments will be moderate.

Attorney Joseph Svetanoff expressed that the engineering team will need to monitor if the comments have been addressed.

Plan Commission Vice President Brian Dering commented that the petitioner is proposing to move one building farther to the west, the two parking lots have been split so there will not be cross parking between lots two and lots three.

Councilman Shawn Pettit stated that the estimated amount of investment in this project could be three million dollars. He also confirmed if the aprons off of Sammies Drive will be concrete.

Mr. Csyani expressed that there will be curbs on the south side.

Sheila Shine read the Staff Report.

There was no public comment.

Councilman Shawn Pettit made a motion to approve this petition with the condition that this will have the approval from the Town Engineering. Mr. Luke Rich seconded the motion. The Plan Commission voted 5 – 0 to approve this petition.

**2. P2Pp1-0323 EP MSS, LLC PETITIONER AND OWNER**

Located at 3950 West 73<sup>rd</sup> Avenue  
Request: Preliminary Planned Unit Development Approval in a C-2, Community Commercial Zoning District on 4.78 Acres  
Purpose: To Allow Storage

Mr. Jim Sayegh of Elmdale Partners came before the Plan Commission.

Mr. Don Torrenza explained that a previous owner of this property had developed the back portion of the property with several storage buildings positioned north to south, a drainage pond had been installed, and the storm sewer had been put in also. He continued to state that the petitioner is proposing to demolish the buildings on the front of the property and wants to construct two cold storage facilities with large garage doors, and a second detention pond which will outlet into the storm sewer which flows to the north. Adjacent property owners on the east side and on the west side of the new buildings will see the landscaping which will be at the rear of the buildings. He continued to state that he had received comments from Robinson Engineering, but he has not had a chance to address the comments.

Mr. Robert Csanyi of Robinson Engineering stated that Robinson Engineering will be monitoring the comments and will communicate with John Dykstra, and also wants to be sure that the existing detention pond and other matters are accounted for.

Attorney Greg Bouwer explained that the petitioner has a letter from the adjacent Homeowners Association stating that the HOA has no objection to the proposed project.

Mr. Don Torrenza stated that the roofs on the existing storage buildings are higher than the proposed buildings.

Attorney Greg Bouwer stated that the petitioner has no problem with the comments from Robinson Engineering except for the comments from John Dykstra.

Attorney Joseph Svetanoff inquired if the comments from Robinson Engineering and the and the answers from the petitioner be handled.

Mr. Robert Csanyi stated that it can be worked out.

Councilman Shawn Pettit stated that this is a PUD change that will have to be presented before the Town Council and if the petitioner does not meet the conditions, then this petition can be tabled at the Town Council meeting.

The petitioner stated that each building will have fifty units on each drive aisle.

There was a discussion about the storm sewer and the detention pond.

Plan Commission Vice President Brian Dering stated that there are various reasons that he is objected to this proposed project which are that the back portion of the property is not secured, the drainage pond on the north end is overgrown, the fencing does not look good, and there should not be signage on the fence. He continued that this petitioner should be required to have a performance bond.

Attorney Greg Bouwer stated that the petitioner is making a \$1,800,000.00 investment in this proposed project. Part of the delay of investing in this project was due to the Covid pandemic, and planning for the front portion of this property. There will be no parking in

the front of the property, and he agreed that it would be more appealing to have a decorative fence and to have decorative landscaping on the site.

Councilman Shawn Pettit stated that that if the ordinance has passed that the ordinance is the law that the petitioner should follow for this project such as no parking vehicles in the front and no recreational vehicles or boats outside.

Plan Commission Vice President Brian Dering expressed that a performance bond should be required to ensure that the petitioner will complete the demolition, the improvements, the drainage, the security of the property, and the landscaping, but the performance bond should not cover the construction of the buildings.

Mr. Bob Csanyi stated that Torrenga Engineering would calculate the amount of the performance bond and then the calculations would be reviewed by Robinson engineering to see if it is an adequate amount.

Attorney Joseph Svetanoff stated that it should be reviewed not just for the amount of the performance bond but also for the duration of the performance bond.

The petitioner does not favor having a performance bond, but will go thru with a performance bond so the petition will be approved.

Attorney Svetanoff stated that the performance bond helps so that the requests are secured and performed as promised. He continued to ask about the length of time for the performance bond for the petitioner to complete what is requested.

The petitioner inquired at what point would the petitioner be required to start the performance bond.

Councilman Shawn Pettit stated that he is proposing to vote for this petition, but the petitioner needs to be ready for this project, and needs to follow thru with this project.

Plan Commission Vice President Brian Dering expressed that if the project is not completed when the time has expired then the Town will pull the performance bond and will complete the project.

Attorney Svetanoff stated that the Town will determine the duration of the performance bond, and the Engineering team will determine the amount of the performance bond.

The petitioner said that a two year duration for the performance bond would be fair.

Plan Commission Vice President Brian Dering expressed that a PUD should be for the benefit of the Town.

Sheila Shine read the Staff Report.

Cheryl Rhodes of 4040 West 73<sup>rd</sup> Avenue stated the existing storage units butts up against her property line, and that the water from the retention pond flows onto her property. She was concerned that the existing retention pond is not deep enough. She continued that she has seen various activity at the petitioners' site after business hours, she has seen people climbing over the existing fence or walking around the fenced in area. She stated that people are going in and around the existing houses that are on the petitioners' property. She requested that this proposed project needs to be done correctly. She stated that there are some holes/open sections of the existing fencing that needs to be fixed. She stated that some landscaping trees were to have been planted on the proposed site, but had not been planted, nor has the asphalt been completed. She continued that she is in favor of this proposed property if this project will not damage her property.

Councilman Shawn Pettit inquired if the petitioner owns the houses on the site.

Mr. Jim Sayegh stated that he does own the houses on the proposed site, he was not aware of the activity at the houses on the site, but he will inquire about it with his operations staff. He continued that he is within thirty days of a close out on this property and that he intends to install fencing/gate to secure the property, and that when the asphalt plants open up he intends to have the asphalt paving done.

Councilman Shawn Pettit inquired if the petitioner will need the PUD Ordinance in order to get the financing for this project.

The petitioner explained that once the petition is approved, then he will get the financing, and that he does have the equity to fix the items. He continued that it is an active construction site and that many of the items that were requested to be done have been done such as repair the fencing, clean up the wood chips, and plant the arbovite and that other items will be done as construction is finished.

Cheryl Rhodes stated that the back retention pond is her main concern.

Councilman Shawn Pettit made a motion to approve this petition and for a list of items to be completed within sixty days. This petition will go before Town Council.

Mr. John Jurisa of 4120 West 73<sup>rd</sup> Avenue asked the petitioner about a retention pond.

Councilman Shawn Pettit made a motion to approve this petition with the caveat the existing improvements be made before the ordinance is heard by the Town Council meeting and inspected by Sheila Shine, Mr. Dan Brown, Mr. Bob Csanyi and by Mr. Steve King. All improvements are to be made within sixty days.

1. Clean out the retention pond per Mr. Matt Lakes' standards.
2. Finish the asphalt paving,
3. Finish fencing that needs to be done in the first phase.
4. A performance bond needs to be submitted per the engineers' calculations.
5. The performance bond should be for a two year span after the approval is given.
6. Make sure the lighting is functioning.
7. Make sure that the security cameras are on and functioning.

The motion was seconded by Mr. Ric Holtz. The Plan Commission voted 4 – 1 to approve this petition.

**3. P3Pa1-0323    MECA ENGINEERING PETITIONER & NIKITA TURIK  
(HAN CAPITAL) OWNER**

Located at 808 and 850 East 61<sup>st</sup> Avenue  
Request:            Plat Amendment Approval to the Existing Planned Unit Development  
                          On 3.72 Acres in a Planned Unit Development  
Purpose:            To Allow Storage

James Knuth with MECA Engineering represented Patrick McGill of HAN Capital. Mr. Knuth stated that the petitioner is proposing to have four storage buildings which will not be climate controlled.

Mr. Ric Holtz inquired if the buildings will fit adequately on the property.

The petitioner stated that there is enough room on the property for the four buildings.

Plan Commission Vice President Brian Dering stated that the project looks good.

Sheila Shine read the Staff Report.

Mr. Bob Csanyi of Robinson Engineering stated the plat is acceptable as presented by the surveyor and then depending on the direction of the Plan Commission the next step may be to review the civil plans.

Plan Commission President Margaret Uzelac inquired about the dollar amount of this project and the petitioner stated that the project is valued at \$750,000.00.

Councilman Shawn Pettit made a motion to approve this petition. Plan Commission Vice President Brian Dering seconded the motion. The Plan Commission voted 5 – 0 to approve this petition.

**OTHER BUSINESS**

Plan Commission Vice President Brian Dering suggested that the Commission members look at the great job that was done at the location south on Whitcomb Street.

Councilman Shawn Pettit explained to the Commission members that there was a Plat Committee meeting earlier which replatted the property at the corner of 98<sup>th</sup> Avenue and Georgia Street which is owned by Crow Holdings.

Britney Curry of 1711 West 53<sup>rd</sup> Place came before the Plan Commission and had a concern about a business on Broadway.

**ADJOURNMENT**

Councilman Shawn Pettit made motion to adjourn the meeting. Plan Commission Vice President Brian Dering seconded the motion. The meeting was adjourned.

Respectfully Submitted,

Marie Wilson,  
Recording Secretary