MERRILLVILLE PLAN COMMISSION MINUTES
TUESDAY, JULY 16, 2024
6:30 PM

Plan Commission President Margaret Uzelac led the Meeting of the Merrillville Plan Commission at 6:30 O'clock P.M. to order and then led the group in the Pledge of Allegiance at the Merrillville Municipal Complex, 7820 Broadway, Merrillville, Indiana.

ROLL CALL:
Members in attendance were Mr. Luke Rich, Mr. Ric Holtz, Councilwoman Leona Chandler-Felton, Mr. Krisopher Mellon, Councilman Shawn Pettit. Plan Commission Vice President Brian Dering, and Plan Commission President Margaret Uzelac.

MINUTES: MAY 21, 2024
Councilman Shawn Pettit made a motion to approve the minutes. The motion was seconded by Mr. Krisopher Mellon. There was a unanimous voice vote of 6 – 0 to approve the minutes.

COMMUNICATIONS:
NONE

COMMENTS FROM CHAIRMAN
NONE

OLD BUSINESS
NONE

NEW BUSINESS

1. P4Z1-0724 KARIS ACQUISITION, LLC PETITIONER & INDIANA LAND TRUST CO. Tr # 123026OWNER
Located at the Northeast Corner of 101st and Deep River
Request: A Zone Change from A-1, Agricultural Zoning District to CIS/ Commercial Industrial Special Zoning District
Purpose: Proposed Data Center

Attorney Richard Anderson of 9211 Broadway, Merrillville, Indiana represented the petitioner and presented the case to the Plan Commission. He introduced some members of the Karis Acquisitions team.

Mr. David Dix, Development Manager for the Karis Acquisition came before the Plan Commission.

Mr. Matt Eagle is the Civil Engineer for this project and stated that the proposed site has 177 acres, and is located at the northeast corner of 101st and Deep River.
He explained that the sanitary sewer is from Merrillville Conservancy District, the water is Indiana American Water, and the concept is to extend the existing water main further to the east. He continued that the plan is to continue draining the storm water to Deep River. His team would plant street trees and a 3' tall berm with hedges along east 101st Avenue.

Attorney Richard Anderson stated that his petitioner is requesting the land use.

Mr. Ric Holtz inquired how close will this project be to the house to the east and Mr. Matt Eagle stated that the house is about 500' away from the proposed site.

Mr. David Dix stated that NIPSCO will conduct a feasibility study.

Plan Commission Brian Dering stated that the three detention areas look great, the distance to the road is a good distance, but he inquired if there will be insulation to keep the noise down, and Ms. Ivy Miller stated that sound walls could be installed to keep the noise in the site.

Plan Commission Vice President Brian Dering stated that the petitioner will need to follow with the light ordinance and must not let light bleed onto another property, and that the Plan Commission would like for the proposed project to have some screening with various trees and the berm, large fencing, a decorative fence on the 101st side of the building, and that the side of the building that faces the street should be attractive.

Attorney Richard Anderson stated that the petitioner will take this into consideration at the PUD petition.

Plan Commission Vice President Brian Dering commented that the proposed building will have ten HVAC systems, and inquired how will the petitioner be able to contain that noise from the cooling systems.

Councilman Shawn Pettit stated that he has met with Patrick Thomson before, and that the petitioner will need to repave 101st Avenue to the highest standards from Mississippi Street to Colorado Street according to Street Department Director Steve King. He continued that if the Karis family wanted to receive any tax incentives for this project, the Karis project would need to hire 10% Merrillville residents as their employees.

Attorney Richard Anderson informed the committee that each building is$100,000,000.00, and that there will be nine buildings.

Plan Commission President Margaret Uzelac informed the audience that Councilwoman Leona Chandler-Felton, Councilman Shawn Pettit, and Councilwoman Margaret Uzelac will be voting on this during the Town Council meeting, and that this project is in Councilman Shawn Pettit's ward.

Building Director Sheila Shine read the Staff Report.

Town Engineer Steve King stated that since this is currently a petition for a Zone Change he doesn't have comments at this time.

Mr. Bob Csanyi of Robinson Engineering had no comments at this time.

Mr. Matt Eagle stated that there will be a study to see if the site can handle the sewage.

A resident from the Summer Tree subdivision commented that there is flooding in his subdivision.

Councilman Shawn Pettit suggested that the person speak with the Crown Point Stormwater Director.

Mr. Matt Eagle stated that the water will flow into Deep River.

Councilman Shawn Pettit informed the audience that when this petition is at the Preliminary stage, there will be an 18point checklist that the petitioner must adhere to for a Preliminary PUD approval.

Plan Commission Vice President Brian Dering reiterated that if the Summer Tree residents have a flooding issue, they will need to contact Crown Point Stormwater.

Mr. Kristopher Mellon also reiterated that if the Crown Point residents experience flooding issues, they must contact Crown Point Stormwater.

A resident of Summertree commented that some of the residents are concerned about the noise from the proposed project.

Plan Commission Vice President Brian Dering stated that the petitioner will have to comply with the 18 points every step of the way.

Town Engineer Steve King stated that part of 101st Avenue is scheduled for the Community Crossing process for 2025 to be resurfaced.

Councilman Shawn Pettit explained that many residents didn't want an interchange at 101st Avenue.

Mr. Scott Gasche of 2707 East 101st Avenue inquired about the size and the type of the proposed building for this project, and how many employees will be working in the proposed buildings.

Councilman Shawn Pettit explained to Mr. Gasche the next steps for this petitioner.

A local resident inquired about the zoning for his property and about the heat that the proposed buildings will produce. He also inquired about the noise ordinance and if this proposed project would decrease his property value.

Councilman Shawn Pettit explained to the resident that this zone change is just the first step of this proposed project, and if the Plan Commission doesn't like with what the petitioner is proposing to do, this proposed project can be halted.

Ivy Miller stated that the adjacent property owner would have the right to request an assessment of their property.

Polly McCubbin of Summer Tree, Crown Point, Indiana inquired about the permitted uses for this proposed site if the petitioner is given the zone change.

Councilman Shawn Pettit stated that it is for a data center which will be written into the ordinance which will be presented to the Town Council and he also explained the procedure if a future petitioner wanted to change the permitted use for this proposed site.

Polly McCubbin also inquired why the proposed residential development isn't being pursued.

Plan Commission Vice President Brian Dering explained that previously in 2008 a developer was proposing to build on 750 lots for a residential development but that developer went bankrupt.

Polly McCubbin also inquired why the petitioner is wanting this property instead of another property for the proposed project and if there will be generators at the site.

There was no other public comment.

Councilman Shawn Pettit made a motion to approve this petition for a proposed data center. The motion was seconded by Councilwoman Leona Candler – Felton.
There was a unanimous voice vote of 7 – 0 to approve this petition.

Councilman Shawn Pettit made a motion to approve the zoning commitment as presented of four years. Plan Commission Vice President Brian Dering seconded the motion.
The Plan Commission voted 6 yes votes and 1 abstention.

Plan Commission Vice President Brian Dering explained that he needed to leave the meeting.

2. P5Fp2-0724 RANDY HALL C/O HALLMARK PETITIONER & OWNER (LIBERTY ESTATES)

Located East of Whitcomb & 87th Avenue South of 84th Place; West of Taney Street & North of 89th Avenue

Request: Final Planned Unit Development Approval – Phase 6 on 28.25 Acres in a Planned Unit Development Zoning District

Purpose: Commercial Development

Mr. Randy Hall presented his case before the Plan Commission and is requesting for some lot lines to be adjusted, and density in phases 5 & 7 and for a final PUD request for Phase 6. He stated that some of the modifications would be more beneficial for the Town, and that the proposed apartments would have frontage on Whitcomb Street as will have frontage near the detention pond. He is also proposing to have a round-about which is being reviewed by the Engineering team. He continued that he is reducing the amount of

commercial buildings for more residential. He stated that the curve on Whitcomb Street is being reviewed and he is proposing to optimize the road tie-ins and limiting the ingress/egress counts to best match the best future base.

Plan Commission President Margaret Uzelac expressed that she has visited Liberty Estates and that it is a nice development and inquired how many homes have been rented.

Mr. Randy Hall stated that some of the buildings are now occupied in the Liberty Estates and explained the roads and traffic for the development. He continued that everything in his development that is north of 84th will be apartments instead of commercial. Part of the new plan in his development is that all of the buildings that were north of 84th will not exist, and the road will be straighter.

Building Director Sheila Shine read the Staff Report.

Mr. Randy Hall stated that his team is not ready to discuss the park at this meeting.

Mr. Steve King inquired that since this development will have 200 vehicles traveling out on Whitcomb if another traffic study will need to be done, or if more infrastructure will need to be done on Whitcomb Street.

Mr. Randy Hall stated that his team did not think that another traffic study will need to be done or that more infrastructure will need to be added on Witcomb Street.

Mr. Kristopher Mellon made a motion to approve this petition. The motion was seconded by Councilman Shawn Pettit.
There was a unanimous voice vote of 6 – 0 to approve this petition.

Mr. Randy Hall requested if the Plan Commission would vote for the amended Phase 5 and Phase 7.

Councilman Shawn Pettit made a motion for discussion and the Plan Commission discussed that Phase 6 was reduced and took the land that was from Phase 6 and had put into Phase 5 and into Phase 7.

Mr. Kristopher Mellon amended his motion for Final PUD of Phase 6 with the amendments to Phase 5 and to Phase 7 which increases the areas of Phase 5 and of Phase 7. The motion was seconded by Councilwoman Leona Chandler-Felton.
There was a unanimous voice vote of 6 – 0 to approve this petition.

ADJOURNMENT
Councilman Shawn Pettit made a motion to adjourn the meeting. The motion was seconded by Councilwoman Leona Chandler-Felton.
The was a unanimous voice vote of 6 – 0 to adjourn the meeting.

The meeting was adjourned at approximately 8:20 O'clock P.M.

Respectfully Submitted,

Marie Wilson,
Recording Secretary