

**CITY OF HOBART PLAN COMMISSION  
MINUTES OF JANUARY 7, 2021**

Maria Galka called the meeting to order at 7:00 p.m. with the recitation of the Pledge of Allegiance. Members in attendance: Stuart Allen, Michael Chhutani, Rich Lain, Jason Spain, Maria Galka, Dave Vinzant (remote) and Phil Gralik, City Engineer (remote). Members absent: Lloyd Emig and Craig Brooks. Also in attendance: Ross Pietrzak, City Planner and Joy Respecke, Recording Secretary.

Election of Officers: Mr. Allen motioned to retain Maria Galka, President; Dave Vinzant, Vice-President and Jason Spain, Secretary, seconded by Mr. Chhutani. All ayes, motion carried. (7-0)

Approval of Minutes: Mr. Lain motioned to approve the minutes of November 5, 2020 as presented, seconded by Mr. Allen. All ayes, motion carried. (7-0)

Communications/Acceptance of Agenda: Mr. Spain requested to Table Petitions 20-03 & 20-25. Mr. Chhutani motioned to approve the agenda as amended, seconded by Mr. Lain. All ayes, motion carried. (7-0)

**Business of the Day**

1.     **20-03**           Mark Hovanec (Petitioner/Owner) 327/337 Liverpool Road located approx. 1/3 mile south from the SE corner of Liverpool & Ridge Roads zoned M-1, 18.72 acres

**Request:**        *Tabled: Site Plan Review*

**Purpose:**         Existing concrete recycling operations

Granted \_\_\_\_\_ Denied \_\_\_\_\_ Deferred X Vote \_\_\_\_\_

Tabled at acceptance of agenda.

2.     **20-18**           Michael Kors (Petitioner/Owner) 4191 E. Lincoln Highway located 0.4 miles west from the SW corner of US 30 & Clay St. then south on private road, zoned PUD, 10.66 acres

**Request:**        *Tabled: Site Plan Review*

**Purpose:**         A proposed warehouse/office industrial development

Granted \_\_\_\_\_ Denied \_\_\_\_\_ Deferred X Vote 6-0

Mr. Allen recused himself. In attendance were Pete Todosijevic and Michael Kors. Ryan Torrenga, Torrenga Engineering, was present telephonically. Revised plans were available for discussion. Mr. Torrenga stated they are proposing to extend 82<sup>nd</sup> Avenue from the west east to the private road, relocate the dumpsters from the drainage area to next to the buildings and provided a 20' drainage & utility easement

along the western property line. Mr. Pietrzak stated that he was not provided adequate time to review the revisions but noted the landscaping plan was still insufficient and the Matrix for the Design Guidelines have not been reviewed. He stated that 82<sup>nd</sup> Avenue has been addressed as were the traffic issues with entering and exiting on 82<sup>nd</sup> Avenue. He stated with the outstanding issues he does not feel confident moving forward and approving the site. When asked whether a monument sign is proposed Mr. Todosijevic stated in this type of development a small sign is placed over the office door of the businesses and that they are not proposing a monument sign. Mr. Vinzant motioned to Table Petition 20-18 including all discussion, seconded by Mr. Lain. All ayes, motion carried. (6-0)

3. 20-25 Rise Commercial District/Jim Sapp (Petitioner/Agent) for property located west of Clay St. south of US 30 & north of 83<sup>rd</sup> Ave. zoned R-2 & B-3, 14.31 acres

**Request:** Tabled; Public Hearing: Rezone

**Purpose:** For a proposed rezone from R-2 & B-3 to PBP

Favorable Rec.  Unfavorable Rec.  Deferred  Vote

Tabled at acceptance of agenda.

4. 21-01 Marco Tamayo (Petitioner/Owner) 7197 Mississippi Street located approx. 575 feet north from the NE corner of Mississippi St. & 73<sup>rd</sup> Ave. zoned R-2, 5.33 acres

**Request:** Public Hearing: Site Plan

**Purpose:** For a proposed fill permit, driveway, parking area and ground cover

Granted  Denied  Deferred  Vote 7-0

Present were Attorney Carrie Castro and Marco Tamayo. Speaking on behalf of Mr. Tamayo, Attorney Castro stated that a site plan was submitted to enable Mr. Tamayo to obtain a Fill Permit for the construction of his driveway, parking area and ground cover (landscaping) and changes that he occurred on the property. Mr. Vinzant inquired as to the intended purpose of the property and why the need for a site plan. Attorney Castro mentioned that Mr. Tamayo added fill to his primary residential property without obtaining the necessary permits and that the City required him to submit a site plan. She stated Mr. Tamayo placed fill on the property to construct a driveway from the front to the rear of the property and circles back around. The Army Corp of Engineers and IDEM are involved with permits for the rear property. Mr. Pietrzak noted the petition is to allow for a Fill Permit as it exceeds the 500 cubic yards that the city engineer is permitted to approve so it is required to come before the Plan Commission for review and approval. Once Mr. Gralik signs off on the Fill Permit, Mr. Tamayo is able to regrade his property. Mr. Gralik mentioned that approximately 2,000 cubic yards of fill has either been added or moved around but the major concerns are the drainage patterns and that the property line is trenched from 0 to 4' and there is no detail in the plans showing gradual sloping. He feels erosion will jeopardize the neighboring properties. The commission noted the petitioner did not provide them with the aerial photos showing the contours of the land. Ms. Galka opened the public hearing for Petition 21-01. Mr. Spain read the following letter for the record.

To: Plan Commission City of Hobart

December 26, 2020

From: David and Christine Kreuger 7191 Mississippi St City of Hobart

Subject: Site Petition proposed at 7197 Mississippi St

We are unable to attend public hearing on January 7, 2021.

Site plan that was e-mailed to us for review lacks information that we feel should be provided to us that affects the scope of work intended if site plan should be allowed to be approved. Some of our concerns that should be addressed are in the following list for review. In consideration of these concerns. I would like the Hearing to be continued to a date that would allow participation.

Front of property at 7197 Mississippi St.

A.) Will this work be done by a qualified contractor?

B.) Will the parking area meet code as an approved surface as not to raise continued dirt and dust?

C.) Can the parking area be limited to a reasonable number of vehicles and disallow business trucks?

Back of property at 7197 Mississippi St

A.) Will the fill material be limited to onsite excavated material with an exception for pea gravel for drain pipe installed?

B.) Have adequate hydraulic studies been submitted to eliminate the water retention that is to be filled in?

C.) Is the work to be done by a qualified contractor and over a reasonable time period?

D.) Will this end all mitigation for the illegal fill already brought to the property?

E.) Is there a time line to become code compliant as to storage of ex-conveying equipment and dump truck at this property?

F.) This site plan seems to require continued maintenance in order for my property to be protected from backup of drainage issues in the future will the city maintain that water run off of the surrounding properties follow the natural course to the wet lands without having to install manageable engineering in the future at property owner's expense?

Thank-You David & Christine Kreuger.

David Kreuger, 7191 Mississippi Street: (Telephonically) Mr. Kreuger stated he lives to the north which abuts approximately 950' of the property line to the east. He stated that Mr. Tamayo has disturbed a 4" drain that allowed water to flow to the lower area of the wetlands that acts as a retention area for the surrounding properties. The standing water has increased from 6" to 8" to now over 12" and flows north onto his property. He stated the fill that was added to Mr. Tamayo's property appeared to be from road grindings and building demolitions and stated that the Board of Works requested it be removed from the property but that he buried it instead. He also expressed his concerns regarding parking vehicles in the front yard. Carolyn & James Kirby, 7201 Mississippi Street: (Telephonically) Ms. Kirby stated they did not receive a certified mailing informing them of the meeting. Her concerns are that the driveway will remain graveled, the drainage from Mr. Tamayo's property will continue to flood their basement and property, excavating has destroyed their trees and landscaping and parking vehicles in the front yard. Mr. Allen motioned for the public hearing to remain open for Petition 21-01, seconded by Mr. Lain. Mr. Pietrzak noted the public hearing notice was appropriately published in the newspaper, the sign is posted on the property all the letters were mailed and only one was returned undeliverable which was across the street. Attorney Castro mentioned that Mr. Tamayo's intent is to move into compliance as he has applied for permits through the Army Corp of Engineers and IDEM for the rear of his property and hired an engineer to prepare a site plan. Mr. Galik mentioned the site plan that was submitted is not accurate. He stated it does not show the proposed contours, the proposed work along the property line to stabilize the cut and it needs to show drainage patterns with arrows. He noted swales are shown but it is not known if they are in the right areas and the right elevations and that additional information is needed from the engineer. It was felt to table the request with a recommendation to submit a proposed elevation plan, a plan indicating existing as well as proposed drainage and a Stormwater Pollution Prevention Plan. Mr. Allen motioned to Table and leave the public hearing open for Petition 21-01 pending a more detailed engineered plan with a proposed elevation

plan, a drainage plan indicating existing and proposed drainage and a SWPPP including all discussion, seconded by Mr. Lain. All ayes, motion carried. (7-0)

5.     **21-02**           Hector & Gloria Cornejo (Petitioner/Owner) 5500 E. 81<sup>st</sup> Ave. located approx. ½ mile west from the NW corner of 81<sup>st</sup> Ave. & Grand Blvd. zoned OS-1, 6 acres +/-

**Request:**        *Site Plan Review:*

**Purpose:**         A proposed 9.5'x 6' monument sign

Granted \_\_\_ Denied \_\_\_ Deferred X Vote 7-0

Petitioner was not present. Mr. Chhutani motioned to Table Petition 21-02, seconded by Mr. Vinzant. All ayes, motion carried. (7-0)

Consultation/Discussion: Mr. Pietrzak mentioned Letters of Determination will be prepared with a short synopsis informing the petitioners of the Commission's ruling and, if necessary, any future steps.

There being no further comments or discussion Mr. Chhutani motioned to adjourn, seconded by Mr. Lain. All ayes, motion carried. (7-0) Meeting adjourned at 8:05 p.m.

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Maria Galka, President

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Jason Spain, Secretary