

**CITY OF HOBART PLAN COMMISSION  
MINUTES OF FEBRUARY 2, 2023**

Maria Galka called the meeting to order at 7:00 p.m. with the recitation of the Pledge of Allegiance. The mayor was present to welcome and introduce a new commission member, Matthew SeDoris. He stated Mr. SeDoris is a Hobart resident and is employed as a superintendent for Pepper Construction out of Chicago. Members in attendance: Stuart Allen, Lloyd Emig, Michael Chhutani, Rich Lain, Jason Spain, Maria Galka, Dave Vinzant and Matt SeDoris. Member absent: Phil Gralik, City Engineer. Also in attendance: Attorney Heather McCarthy; Ross Pietrzak, City Planner; Connor Miller, Zoning Administrator; Alex Olesker, Deputy Engineer and Joy Respecke, Recording Secretary.

Approval of Minutes: Mr. SeDoris recused himself. Mr. Allen motioned to approve the special meeting minutes of December 29, 2022 as presented, seconded by Mr. Emig. All ayes, motion carried. (7-0) Mr. Allen motioned to approve the regular meeting minutes of January 5, 2023 as presented, seconded by Mr. Emig. All ayes, motion carried. (7-0) Mr. Emig motioned to approve the special meeting minutes of January 17, 2023 as presented, seconded by Mr. Allen. All ayes, motion carried. (7-0)

Communications/Acceptance of Agenda: Mr. SeDoris recused himself. Mr. Spain requested to Table Petitions 22-08, 22-30 & 22-38. Mr. Chhutani motioned to approve the agenda as amended, seconded by Mr. Vinzant. All ayes, motion carried. (7-0)

**Old Business**

- 1.     **22-08**           Haresh Patel (Petitioner/Owner) 4716 W. 61<sup>st</sup> Ave. located NW of the 61<sup>st</sup> Ave. & Marcella Blvd. intersection, zoned B-3, 6.4 acres  
  
**Request:**     **Tabled:** Site Plan  
  
**Purpose:**       Proposed 2,323 sq. ft. Dunkin' quick service restaurant  
  
                  Granted \_\_\_ Denied \_\_\_ Deferred X Vote \_\_\_

Tabled at acceptance of agenda.

- 2.     **22-30**           Ryan Swanson (Petitioner/Agent) for property located approximately 330' from the SW corner of County Line & Ridge Rd. zoned B-3, 1.72 acres  
  
**Request:**     **Tabled:** Site Plan  
  
**Purpose:**       Proposed 10,640 sq. ft. Dollar General  
  
                  Granted \_\_\_ Denied \_\_\_ Deferred X Vote \_\_\_

Tabled at acceptance of agenda.

- 3. 22-38 Attorney Richard Anderson (Petitioner/Agent) for property located approx. 0.50 mile from the SE corner of Colorado St. & 61<sup>st</sup> Ave. zoned R-3, 67 acres

**Request:** Tabled: Rezone

**Purpose:** From R-3 to a proposed M-1

Favorable Rec \_\_\_ Unfavorable Rec \_\_\_ Deferred X Vote \_\_\_

Tabled at acceptance of agenda.

- 4. 22-51 David Lasser (Petitioner/Agent) for property bounded by approximately 700' east and 700' south from the SE corner of US 30 & Colorado Street, zoned B-3 and M-1, 23.43 acres

**Request:** Tabled: Bionic Park

**Purpose:** Final Plat 2-lot subdivision

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

David Lasser was present via Zoom. Mr. Pietrzak noted the mylars were available and provided the 20' perimeter drainage & utility easement that was requested during the preliminary plat approval. Mr. Vinzant motioned to Grant Final Plat Approval for Petition 22-51 including all discussion and Findings & Decision, seconded by Mr. Lain. All ayes, motion carried. (8-0)

**New Business:**

- 5. 23-03 Kyle Grothoff (Petitioner/Owner) 501 N Colorado St located on the NE corner of Colorado St. & 40<sup>th</sup> Ave. zoned R-2, 0.937 acre

**Request:** Public Hearing: Grothoff Subdivision

**Purpose:** Proposed 1-lot subdivision

Preliminary Plat Approval X Denied \_\_\_ Deferred \_\_\_ Vote 8-0

Present was Kyle Grothoff, 501 N. Colorado Street and stated currently his house and garage are on separate parcels and proposed to bring his 2 parcels into compliance with current regulations addressing non-conformity issue. He previously vacated an unimproved platted alley between his house and garage and a portion of Pennsylvania Street to the north of the properties with retaining a utility easement on the vacated portion of Pennsylvania Street. Ms. Galka opened and closed the public hearing for Petition 23-03 without public comments. Mr. Pietrzak noted he received two comments from our engineering draftsman to add a paragraph defining the purpose of the drainage/utility easement and to include the language "heretofore dedicated" on the Colorado St. & 40<sup>th</sup> Ave. right of ways. Mr. Allen motioned to Grant Preliminary Plat Approval for Petition 23-03 contingent on including on the plat "heretofore dedicated" on the Colorado

Street and 40<sup>th</sup> Avenue right of ways and add a paragraph to define the rights for the drainage & utility easement including all discussion, seconded by Mr. Vinzant. All ayes, motion carried. (8-0)

6.     **23-04**           Grant & Susan Liechty/Jason & Courtney Snyder (Petitioners/Owners) 936 Garfield St. & 1359 S. Lake Park Ave. located east of Lake Park Ave. between 13<sup>th</sup> Pl. & 14<sup>th</sup> St., zoned R-2, 8.579 acres

**Request:**        Public Hearing: Liechty Estates

**Purpose:**         Proposed 2-lot subdivision

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

Mr. Allen recused himself. Present were the two separate property owners Grant & Susan Liechty, 936 Garfield Street and Jason & Courtney Snyder, 1359 S. Lake Park Avenue requesting a proposed 2-lot subdivision. Mr. Liechty stated they were proposing to create the 2-lot subdivision by splitting off the Lake Park Avenue property owned by the Snyders from their property to the east to allow for the construction of their new home. He is proposing to dedicate approximately 30' x 690' of right of way from Fleming Street to their eastern property line for future 14<sup>th</sup> Street and the Snyders will dedicate 40' of right of way along Lake Park Avenue and dedicate a utility easement between the properties. A driveway will be installed off 13<sup>th</sup> Place through two vacant lots they recently purchased to provide access to the eastern property. Mr. Vinzant felt the City would want Fleming Street and Lake Street to connect and that right of way needs to be dedicated for it. Mr. Liechty mentioned he was informed by his surveyor that connecting the streets would be something the City would be interested in but that both families were against doing this. If Fleming Street was to be extended to Lake Street, he would lose appropriately 30% of his property. He stated Fleming Street and 13<sup>th</sup> Place are narrow roads with access to Lake Park Avenue and that the residents would not appreciate the additional traffic. He also said that the residents to the north would have no reason to drive through Barrington Ridge due to the winding roads. He originally preferred to enter his property from Lake Street but was advised it was not practical. Mr. Pietrzak noted that he has had several conversations with Mr. Liechty since 2019 regarding his proposed uses for the land in which he informed him that the connection between Fleming Street and Lake Street would be requested and that 14<sup>th</sup> Street would be dedicated and extended. One of the proposed plans showed the connection and extension. Mr. Liechty agreed the connections were shown when they proposed a multi-lot subdivision but was not able to continue with the plans. He was not aware that he would be required to dedicate Fleming Street for just one house. It was noted that the northern half of future 14<sup>th</sup> Street from Lake Park Avenue to Fleming Street is on the Karp's property and has not been dedicated and a parking lot encroaches on the southern half. Ms. Galka opened the public hearing for Petition 13-04. Frank Glanowski, 1353 S. Lake Park Ave. was not in favor of Fleming Street connecting to Lake Street. Hearing no further public comments Ms. Galka closed the public hearing. Mr. Pietrzak felt he was consistent in his conversations with the Liechtys regarding dedicating Fleming Street but they could request a waiver from installing the streets. He stated they included a waiver to not have to install any public improvements as part of the petition. Based on the language of the Subdivision Ordinance requesting the continuation of streets and on all conversations with the Liechtys, he feels the streets are to be connected. Mr. Olesker mentioned that the City Engineer would appreciate the connection of Fleming Street and Lake Street. Mr. Liechty asked for direction as to whether to pursue the 2-lots as presented or to reconfigure his request. In general discussion Mr. Chhutani and Mr. SeDoris did not feel the dedication of Fleming Street was necessary. Mr. Emig, Mr. Spain, Ms. Galka, Mr. Vinzant and Mr. Lain were in support of the dedication of Fleming Street. Mr. Olesker speaking on behalf of the Engineering Department requested Fleming Street to be dedicated. Mr. Pietrzak noted the proposed 2-lot subdivision will

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need to be tabled until after the Common Council holds its public hearing for the vacation of the alley scheduled for March 1<sup>st</sup>. Mr. Chhutani motioned to Table Petition 23-04 including all discussion, seconded by Mr. Lain. All ayes, motion carried. (7-0)

7. **23-04A** Grant & Susan Liechty (Petitioners/Owners) 936 Garfield St. located east of Fleming St. between 13<sup>th</sup> Pl. & 14<sup>th</sup> St., zoned R-2, 8.579 acres

**Request:** Recommendation (upon request from Common Council): Vacation of unimproved platted alley in South Side Addition, Block 2

**Purpose:** Proposed vacate 625' of unimproved platted alley

Favorable Rec \_\_\_ Unfavorable Rec \_\_\_ Deferred X Vote 7-0

Mr. Allen recused himself. Mr. Pietrzak noted per State Statute the Common Council is responsible for holding public hearings for all vacations. Moving forward, the Commission may make a recommendation only if requested by the Council. Mr. Vinzant motioned to Table Petition 23-04A including all discussion, seconded by Mr. Emig. All ayes, motion carried. (7-0)

8. **23-05** Robert Hennessey (Petitioner/Owner) for property located approx. 150' north from the NE corner of Lake Park Ave. & 10<sup>th</sup> St. zoned R-2, 0.3512 acre  
(Comp to PC 23-05A)

**Request:** Public Hearing: Rezone

**Purpose:** Proposed rezone from R-2 to PUD

Favorable Rec \_\_\_ Unfavorable Rec \_\_\_ Deferred X Vote 8-0

Present was Robert Hennessey, Hennessey Development, 10769 Broadway, Crown Point and proposed to rezone property to PUD for the construction of a three-unit townhouse. He stated the townhouses were approved by the Homeowner's Association (HOA) to be included under the existing Lake Park Woods Townhouse HOA but will be a stand-alone lot and not a part of the Lake Park Woods Townhome development. After reviewing the proposed building, Mr. Vinzant mentioned he does not support solid walls of siding and felt installing additional windows would help to increase the appearance of the building. Mr. Pietrzak noted in a PUD, the Commission has the ability to approve or deny a request if they feel it is not attractive. Mr. Hennessey stated there is no mention in the covenants determining the appearance of the buildings, only to similarly match what is existing. He mentioned that during his previous construction, he installed 2 storm sewers to manage the drainage on Penny Court and one on the end of Fleming Street for the buildings on Paula Court. Mr. Allen expressed his concerns regarding the drainage for the lot and Mr. Pietrzak noted it would be addressed during site plan approval. The Commission was not comfortable with a 10' side yard setback along Lake Park Avenue and required increasing to 20'. Ms. Galka opened the public hearing for Petition 23-05. *Joseph Larson, 1260 S. County Line Rd. was present and representing the property owners to the west. He stated there are existing drainage concerns which must be addressed and also felt the 10' side yard needed to be increased. He was opposed due to the proposed placement of the structure and drainage concerns. Attorney Nathan Vis, 12632 Wicker Avenue, Cedar Lake via Zoom and representing Lake Park Townhomes HOA stated while his clients are not opposed to incorporating Mr. Hennessey's proposed development into their HOA, there has been no correspondence between them since*

prior to the pandemic, approximately 2 ½ years ago nor a written agreement allowing him to be incorporated into their HOA. He suggested to defer action for the rezone pending an actual written agreement between the HOA and Mr. Hennessey. Hearing no further public comments Ms. Galka closed the public hearing. Mr. Hennessey stated he spoke with the HOA before Christmas and received a letter stating they will accept the proposed structure into their HOA. Mr. Vinzant mentioned that due not having been provided the written agreement from the HOA and modifications to the plan, he motioned to Table Petition 23-05 including all discussion, seconded by Mr. Allen. All ayes, motion carried. (8-0)

9. 23-05A Robert Hennessey (Petitioner/Owner) for property located approx. 150' north from the NE corner of Lake Park Ave. & 10<sup>th</sup> St. zoned R-2, 0.3512 acre

**Request:** Public Hearing: Replat of Lot 1 Robbins Addition

**Purpose:** Proposed 1-lot subdivision

Approved \_\_\_ Denied \_\_\_ Deferred X Vote 8-0

Mr. Vinzant motioned to Table Petition 23-05A. Motioned failed for lack of a second. Ms. Galka opened the public hearing for Petition 23-05A. *Joseph Larson, 1260 S. County Line Rd. representing the property owners to the west and inquired as to where the sidewalk will be required.* Mr. Pietrzak noted the only public right of way is along Lake Park Avenue. Hearing no further public comments Ms. Galka closed the public hearing. Mr. Vinzant motioned to Table Petition 23-05A including all discussion, seconded by Mr. Chhutani. All ayes, motion carried. (8-0)

Consultation/Discussion: *Additional monthly meetings*

Mr. Vinzant stated at the Council meeting he introduced the topic of the possibility of additional monthly meetings and that the Commissioners would probably want to be compensated for the additional meetings. Although the Mayor did not expect the Commissioners to volunteer their time, he would have to find additional money in the budget without making commitments. Mr. Pietrzak stated he did research as to whether a second meeting was warranted. The problem is how we determine what an acceptable agenda is and what is considered too much. He mentioned that by following the language in the ordinance, he has to allow petitioners to file petitions even though they are not complete, thus being tabled and on the agenda for several months waiting for the petitions to move forward. He feels overhauling and cleaning up the Subdivision Ordinance and Zoning Ordinance by simplifying the language may help prevent petitions from being tabled month after month. He also felt there needs to be a point in which the Plan Commission should deny the continually tabled petitions, inform the petitioners to refile once they have all the necessary information and to wave the ordinance to wait one year to refile. The Commission agreed that Mr. Pietrzak should offer his recommendation regarding the petitions.

There being no further comments or discussion Mr. Vinzant motioned to adjourn, seconded by Mr. Lain. All ayes, motion carried. (8-0) Meeting adjourned at 9:00 p.m.

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Maria Galka, President

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Jason Spain, Secretary