

MERRILLVILLE PLAN COMMISSION MEETING
May 19, 2015
6:30 PM

Mr. Dering called the Meeting of the Merrillville Plan Commission of May 19, 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, Mrs. Palmateer here, Mr. Dering present, President Pettit absent and Mr. Widing absent. Staff present was Dorinda Gregor, Attorney Touchette and Bob Csanyi, Robinson Engineering.

MINUTES: March 21, 2015
April 21, 2015

Both minutes were approved by Mr. Hardaway and second by Mr. Holtz

COMMUNICATIONS:

None

OLD BUSINESS

None

NEW BUSINESS

P4Ps-0515 CYPRESS/MERRILLVILLE I, LTD, PETITIONER, Located at 1488 East 79th Avenue for a Preliminary 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

Attorney Richard Anderson introduced the gentlemen with him tonight at the meeting: Mr. Harper who is with Cypress Equities, I have Jim Keilman who is the architect and I have Dough Homier who is the engineer. Basically we are talking about 1488 East 79th Avenue it is between Costco and Lowes. It is this piece right here in orange. It is 4.618 acres it is currently zoned C-3. The old subdivision that was vacated was Pleasant Dale subdivision and the legal description that show up right now as Pleasant Dale lots. I have been in communication with both the town and the county auditor's office and basically in the mapping department we found the document from 1998 where the plan commission recorded a vacation which basically has worked for all the different lots in here as Pleasant Dale was small residential lots prior to the time this became commercial. So what the county is telling me now is with that document even thou it talks in terms of colored areas which are not attached that the county will be able to record the plat based on the fact of a vacation by the plan commission and then the new subdivision. So I just want you to know even though the legal that we are using is the outside edge of the property that will then take care of that. As we know the preliminary PUD with regards to this area which was the whole area expired and the present petition is a preliminary subdivision of 1 lot. Basically it is going to be used for proposed use is Bob's Discount furniture. It was established in 1991 Bob's was on the web site it has 57 show rooms in 11 states in the northeast and the mid-Atlantic region. We had talked at the study session about how we were going to get from lot to lot and

so what I did is have a drawing prepared showing all the different accesses. So basically you can see from that drawing you start on the north end that is behind the building and so then the truck traffic will go back behind the building and the middle of the building that would be the lineup of the front of the stores so there is a crossing in that area and then there is a cross if you look on the eastern which would be at the right hand side at the bottom a little bit up that is an existing cross between that and Lowes. Now each of the driveways going up is right now there is Costco and the Pancake House have their drive which is the drive used for this which is 30 feet wide as you wanted to know what the width was and then on the other side the Pancake side it will also be 30 foot wide so basically we have two entrances on 79th and then you could cross in the back or through the parking lot. The drainage is basically flowing to the Outlot A which is the big pond behind Costco and we are working with the engineering department as far as the final of that and anything tonight would be subject to final drainage by the time we come in for final subdivision approval but basically that is where the drainage is going to go that was where it was calculated to go at the time when Cypress originally did most of this. Sewer is from MCD and they have given us a Sewer availability letter and then we talked about the fact that in the northern part that you would notice that water was standing in there so basically what we are going to do about that is even though we think it is non hydraulic we also think that it is not identified on the wet land maps but we are going to hire a Soil Solutions out of Valparaiso so that they can come in and tell us since they are the experts as far as what needs to be done with that part of the lot. So that we won't do anything in that part of the lot until such time as they give their blessing or whoever else has to give their blessing based on what they say. We want to make sure that is covered. We are going to be on the agenda as I indicated at the study session for next Wednesdays meeting because the frontage on a public street instead of being the 100 feet it has to be 63 feet because this is the residential parcel and then secondly the lot depth ratio because of the way it is laid out. So what we are doing is filling in a lot that exists with one building and a requesting preliminary approval and it can be subject to drainage and it could be subject to the actions of the BZA so that basically this store can be built.

Mr. Dering said before we open it up to the plan commission we will let Dorinda read her staff report.

Mrs. Gregor read her staff report.

Mr. Dering said thank you Dorinda. Ok I would like to open this up to the Plan Commission for any questions

Mr. Holtz said you said the area to the north is wet. According to your one map is saying the traffic will go across the back.

Mr. Anderson said it is either a wet land or it isn't an if it is it has to be mitigated So I mean it will one way or another we will handle the situation once we know exactly what it is. I mean if we have to basically will mitigate it because we can't move it if it is less than a ½ acre you can mitigate it on site. There again since I am not an expert in wetland we will hire someone that really is and then let them look at it and during the time that we are doing this of course we wouldn't be doing any building in that area until this is determined because you can't.

Mr. Dering said Richard I am still concerned with this access I mean we can cause all the truck traffic to go to the back that is one thing but will they number 1 and number 2 I just don't know you showed traffic through the IHOP that I don't think that people will be cutting through the island in IHOP and the parking lot of IHOP to go from side to side that 30 foot driveway I really think that we are trying to shoe horn something in here.

Mr. Anderson said basically 30 foot driveway is a fairly wide driveway because public streets are 24 feet wide so when we are talking about these driveways we are talking about oversized driveways.

Mr. Dering said right but you are also talking about people going in and picking up furniture. You will be talking about trucks going in and out of there.

Mr. Anderson said that is about what you use that is 15 foot per lane and basically what you have is if you look you have the traffic on the outside is in the Costco parking lot. Ok on the Costco side and then you have part of it on the IHOP going in the other side so you have a.

Mr. Dering said but you also have concrete abutments there on either side that are going to cause them to funnel.

Mr. Anderson said the subdivision ordinance we have 3 different ways to get in here so I mean that the traffic flow. Right now Costco can go in the same entrances they are going into the same ones by the Pancake House.

Mr. Dering said I don't think very many use that one by the Pancake House I think they go past Baby's R Us and go around that way toward the gas station and that to go in the front door of Costco.

Mr. Anderson said but they have the ability

Mr. Dering said yes. The footprint of the building is 30,000 square feet. How large is that going to be and how close to the lot lines on either side? What kind of distance are we going to have from side to side east to west?

Mr. Anderson replied basically you are going to have access on both sides the width would be at least 30 + feet on each side of the building.

Mr. Dering said Bob's will be able to have all of their vendors bring their semi's in the back so that we don't tear up the main road and cause traffic jams trying to cut that corner by IHOP.

Mr. Anderson said can we promise that every truck will do that no. Can we say that we have cross easements so that you can come behind Lowe's and get there the answer is yes?

Mr. Touchette said the staff report just so I am clear on the dimensions says there should be a minimum of 100 feet frontage road.

Mr. Anderson said no it is 100 foot on a lot frontage.

Mr. Touchette asked what the lot frontage is

Mr. Anderson said 67.05 feet and that is what the variance is for.

Mr. Touchette asked how deep is the lot.

Mr. Anderson replied basically it is 686.15 feet on the west side and 909.95 on the east side.

Mr. Dering asked if there are any other comments or questions. We have a motion to approve by Mr. Hardaway.

Mr. Anderson said this is a public hearing

Mr. Dering said right that was going to be my next.

Mrs. Palmateer seconded the motion

Mr. Dering said this is a public meeting I would open it up at this time for any comments from the gallery. Any comments from the gallery and comments from the gallery seeing none we will close the public meeting. We have a motion and a seconded to approve P4pS-0515. Roll call please

Ric Holtz yes, Richard Hardaway yes, Robert Bigelow said luckily yes, Pam Palmateer yes, Brian Dering yes.

Motion carries 5-0

Mrs. Gregor said with the conditions that the drainage is met at the final approval stage as well as the BZA approval.

Mr. Dering said we have amended the conations and the approvals that this will be pursuant to engineering, drainage and the BZA Variance.

Mr. Anderson replied yes. Thank you very much

P5pS-0515 TMC INDIANA 2,LLC., PETITIONER & OWNER, Located at 8005 Broadway for a Preliminary 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.

Attorney Enslin 142 Rimbach Hammond. I am the attorney representing TMC Indiana. As you know CVS is interested in constructing a 13,000+ square foot store at the corner of Broadway and Rte. 30. The property consists of two lots. Number 1 is where Pepe's is presently located the other lot is where the Fanny May is located. Fanny May lot is a meets and bounds legal description which has never been subdivided into an actual lot and the purpose of our application is to get it subdivided into a lot so that we can then construct the stores across the two lots between Pepe's and the Fanny May. We have submitted all of our engineering plans and I think that Robinson has approved all of those engineering plans. We have the appropriate sewer capacity from Merrillville Conservancy district and I believe all of our drainage has also been approved for the site with that I would answer any questions that you have for this development. It is an upgraded CVS store. I know when I was here at the study session I was asked a question is it going to look like the Dyer store and it will not necessarily look like as I explained

it was a different kind of development but as I said it is an upgraded store. The actual size is 13,225 square feet. The Fanny May store would be located on the east which is the effectively the southeast side of the building. It will be adjoining side of the CVS store. It would not be a separate store.

Mr. Dering said very good Dorinda if we could have the staff report please.

Mrs. Gregor read the staff report.

Mr. Dering asked if there are any questions or comments from the Plan Commission.

Mr. Holtz asked if they would have access to I go to the PNC for the bank. That parking lot there

Attorney Enslin said I think there is a north access on this property that would come up that way.

Mr. Holtz asked if you got an approval from Catch 22

Attorney Enslin said we do not we are still negotiating for cross access easement.

Mr. Holtz said is there still enough time left to demolish and have it built by October.

Attorney Enslin said it is very questionable if we will meet those time frames because of how late we are in the year at this point in time. If we cannot meet those the construction would start in the spring of next year with approximately a year from now or maybe a little sooner than that according to the winter weather.

Mr. Dering said on your thumb nail here where you have the drive thru going through on the east side then it cuts the corner going around to the north end of the building what is that structure. It looks like a 12 foot opening is that the delivery entrance and that won't impede people coming around from the drive thru.

Attorney Enslin said I discussed that with Robinson Engineering.

Mr. Dering asked is there any other questions or comments from our engineer.

Mr. Csanyi said no at this point everything seems to be according to the Town ordinances.

Mr. Dering asked any questions. Since this is an advertised meeting again are there any comments from the gallery for the petition for the CVS at the corner of Rte. 30 and Broadway. Any comments from the gallery, any comments from the gallery. Seeing none what is your pleasure.

Mrs. Palmateer said I propose to make a motion for approval.

Mr. Bigelow seconded the motion

Mr. Dering said we have a motion and a second for P5pS-0515 any amendments or anything to add on. Seeing none roll call please.

Ric Holtz yes, Richard Hardaway yes, Bob Bigelow yes, Pam Palmateer yes and Brian Dering yes.

Motion carries 5-0

Attorney Enslin said we will keep you posted on what we are doing.

P6rS-0515 1550 E 81ST AVENUE, MERRILLVILLE LLC, PETITIONER & OWNER, Located at 1550 East 81st Avenue for a Re-subdivision approval of Mississippi Addition into two (2) additional lots in a C-3, Highway Commercial zoning district on 6.57 acres for proposed commercial (Retail/Restaurant development).

Ryan Marovich from DVG 11065 Broadway in Crown Point. We are coming before you well before I start I want to apologize I missed the workshop it was a mix up on my part so I apologize. The owner who is in California couldn't make the meeting tonight I believe he spoke to Mr. Pettit beforehand so we are asking for your approval on a plat of a 6.1 acres parcel 3 lot subdivision. The final plat for the one lot on this was approved in I believe in January. All we would be doing is carving out the two out lots on the south part. The site has been engineered with the out lots in mind from day one so this would be basically a formality of carving out those two out lots. All utilities are present on all three lots and there is access. As Mr. Dering said we are proposing for restaurant/retail use so with that I would be open to questions.

Mr. Dering said if we could get the staff report

Mrs. Gregor read the staff report.

Mr. Dering said thank you. Any comments or questions for the petitioner.

Mr. Touchette asked if they have any users yet for these two

Mr. Marovich said I am not sure but I think they are still negotiating with those but I can't say at this time.

Mr. Dering said what are we looking at time table wise we should be right on board with getting all the work on Mississippi Street done for the traffic flow.

Mr. Marovich said everything was kind of known that there would be two lots we have been planning.

Mr. Dering said the building came down quick.

Mr. Marovich said yes it did. It looks a lot different.

Mr. Dering said so this is pretty much cleaning up for those 2 out lots. Any questions from engineering.

Mr. Csanyi said no we don't have any further comments or question.

Mr. Holtz said I know they're saying for proposed restaurant/retail or what if it is two restaurants instead of retail doesn't it matter.

Mr. Marovich said it could be but probably lot 2 would be retail like it could be two restaurants and we are actually going in front of the BZA later this month for the Special Exception for that.

Mr. Dering said that is restaurant row along there. Are there any comments.

Mr. Bigelow said lot 1 is to be. What is the purpose for lot 1?

Mr. Marovich said that will be the site of the Ashley Store.

Mr. Dering said so Ashley Furniture is number 1, and 2 and 3 would be restaurant/retail and whatever vendor you would want to get in there

Mr. Marovich replied correct.

Mr. Bigelow said I don know it just appears to me that there might be a parking problem on lots 2 and 3 with proper access to get back to lot 1. I don't know the size of the buildings that you are purposing.

Mr. Marovich said with the furniture store on lot 1 because the peak hours of operation there would be shared parking so some of the parking on Lot 1 would be shared by Lot 2 and 3. So during diner hours the furniture store tends to have a lower parking usage so there would be sharing of parking.

Mr. Dering said your main access are both off of the cut on Mississippi Street farther down than what it is now that we are closing the frontage road. You will access going over toward Car Max and American Sales coming across even thou the frontage road is closed coming out on Mississippi.

Mr. Marovich said you would have 3 access points and it would be moved further north and there would be more storage for that turn lane in and one here on Indiana and then the frontage road would connect and then there would an ingress/egress easement across that would connect that.

Mr. Touchette asked if there would be a shared parking agreement.

Mr. Marovich replied yes

Mr. Dering asked if there are any other questions or comments.

Mr. Bigelow said I see but I don't see where it goes because when you get into Cypress Equities portion.

Mr. Marovich said over here

Mr. Bigelow replied yes

Mr. Marovich said Indiana Street is being constructed and will connect with the parking lot.

Mr. Dering said so that will be behind the Culvers

Mr. Marovich replied correct.

Mr. Dering said help refresh my memory what is the business right behind Culvers.

Mr. Holtz replied Richards Pools

Mr. Dering said yes the pool shop.

Mrs. Gregor said there is actually another vacant lot owned by Cypress Equities and then Richards Pools

Mr. Dering said so then Indiana Street that is going in is at the end of the lot line for Culvers before you get into that next lot and Richards Pools.

Mr. Bigelow said how does Indiana Street fit in I see there are off sets in the lines With the property to the north. We have like 55 feet of access on there. Ok that was part of my question as to where it was coming in and fitting up with that line. Thank you

Mr. Dering asked any other questions or comments. Seeing none we will open it up to the public any comments from the galley do it one more time and the third and last time no comments from the gallery. What is your pleasure Ladies and Gentlemen?

Mr. Hardaway made a motion to approve

Mr. Holtz seconded the motion

Mr. Dering asked and amendments

Mrs. Gregor said with the BZA approval of the cross over agreement for extra parking.

Mr. Hardaway said with the conditions.

Mr. Dering said we have a motion approval including an amendment pursuant to the BZA approval for the cross parking. Roll call please.

Ric Holtz yes, Richard Hardaway yes, Robert Bigelow yes, Pam Palmateer yes and Brian Dering yes.

Motion carries 5-0

P7fS-0515 CVP DEVELOPMENT CO., INC PETITIONER & OWNER,

Located at the northeast corner of Merrillville Road and West 86th Avenue for Final subdivision approval for Phase 1 of North Hunters Glen consisting of 15 Lots (1-11, 28-31) and Outlot A on 10.85 acres in a R-3, Two Family Residential zoning district for a two family residential development consisting of 30 units.

Mr. Jeff Ban I am a project manager and principle with DVG at 11065 Broadway Suite D in Crown Point. As Ryan indicated we also again apologize for not being here for the workshop. The election being on your normal day of the workshop meeting kind of caused us a little confusion. We should have done a better job both Ryan and I both again apologize for not being there. We have been here plenty for this project throughout the years in front of your commission we were before you at the end of last year and received a preliminary Plat approval on the Hunter Glen total project which consist of nearly 19 acres. I am here tonight representing Hunter Glen the ownership is Craig Van Prooyen. Craig is the developer of this project and Glen Boren is also here this evening from Plumb Tuckett our team surveyor. We have been before you a lot and we have worked through a lot of details both infrastructure access and coordinating activities with the Hindu Cultural Center to our south all those details have been adequately and sufficiently taken care of which led to your preliminary plat approval at the end of last year. What we would like to do is get an approval on what we are calling Phase I as Brian indicated it consists of 15 lots for a total of 30 units on 10.85 acres. Basically it is the western half of the entire project that we would be building this year and putting up for sale in terms of marketing the lots. The total plan includes 62 units with 31 lots and the submittal that we made consists of all of the conditions that were part of your preliminary plat and just recently today we received the approval letter recommending approval that is from Robinson Engineering on the infrastructure plans that have been submitted and reviewed revised resubmitted etc. I think technically from the engineering perspective drainage, utility service and access all those issues have been rectified. A couple of conditions that still probably that are outstanding that we still need to continue to work with Robinson and your office of Planning & development that the town continues to design 86th Avenue and establish the final grades we need to review our grading plan with the towns engineering consultant to make sure that our back yards are properly graded into the grade set for the 86th Avenue and we think they are pretty close based on some of the preliminary design that we have done over the years so I don't think that there is going to be a lot of requirements for changes. If you do make an approval you should have that carried on as a condition to continue to work with Robinson on that. So with that I think that this is an execution of what was approved at Preliminary Plat and we ask for acceptance and approval for a Phase I Plat.

Mr. Dering said Thanks Jeff. Dorinda the staff report.

Mrs. Gregor read her staff report.

Mr. Dering said before I open it up to the Plan Commission. Can we get some comments from Robinson please? I know that we have some extensive sheets included in our packets as far as grading, storm water pollution prevention plan etc. If you could make your comments on that that might answer a few questions that we have up here.

Mr. Csanyi stated that the information that was part of the packet that was a resubmittal review and since then DVG has come back and followed up and followed through on those comments. Those were reviewed and as Mr. Ban has indicated that the approval has went out and they are in receipt of that so I had also talked to Matt Lake and we had a combination of things and all those were suppressed as well.

Mr. Dering said so the three pages from Robinson have all been

Mr. Csanyi said they are all approved and addressed.

Mr. Ban said we also received today from Matt Lake's office a Merrillville Storm Water permit so we are complying with all the storm water management of the functions of the project.

Mr. Dering asked if there were any comments or questions from the Plan Commission.

Mr. Hardaway said what about the condition for the green space that you talked to Chris about.

Mr. Ban said yes as we were asked under preliminary plat was to sit down with the Councilperson representing this area and what we would propose to do is to make a cash donation in lieu of park plan donation so that the plan that the town would have instead of having little small pockets in each little small neighborhood is to look more globally and try to identify some locations and create I guess Sedona doesn't have a park at all and the development that is on 87th Avenue that connects Merrillville Road and Broadway just to the south of us has no park area. We are 18 acres and those projects are much larger than us and so what we suggested was that we would make a cash donation in lieu of giving land for a park so that the town can start looking at this area in a bigger picture and she was understanding and acceptable of that.

Mr. Hardaway said I would like for it to be a condition.

Mr. Dering said and that is acceptable to Councilperson Barron

Mr. Hardaway said I spoke with her and Jeff said she is ok with the cash donation.

Mr. Touchette asked if there has been discussion of amount.

Mr. Ban said no it is by ordinance so we have done our calculations so I don't have that amount.

Mr. Touchette asked there won't be an argument later.

Mr. Ban replied no there won't be an argument later it is what the ordinance requires.

Mr. Holtz said three years ago I thought that they would be able to put the extension thru but would cost a lot more that what they are getting away with now.

Mr. Dering said then would they be able to generate out of the homes.

Let me ask this I am not on the Redevelopment Commission and Shawn is not available this evening. Do we have any comments or have we received any time table when the road would be going through.

Mr. Touchette said that was my question. What is the time table for 86th Avenue and how does that relate to your time table to start construction.

Mr. Ban said great question. Part of the plans that we have prepared provides for a roadway extension to get into Jackson Street which is our main road access off of 86th the westerly north south running road so it is part of our plan we will have an asphalt quality road to be able to get to the development in the event that 86th Avenue is not done and so has 86th Avenue is complete that will be our road access.

Mr. Dering said that will include the little half of street that is actually working as the entrance to the Hindu Cultural Center right now.

Mr. Ban said it is widening that it is thickening that and it is improving it so there is adequate save travel to this new neighborhood as well as the cultural center. That is great Thank you.

Mr. Csanyi said we actually started the design on 86th Avenue as we speak so as Mr. Ban said we will be working together to make sure that what they put in and what we are purposing is going to work well together.

Mr. Touchette said so what is the time table on 86th as far as this year next year.

Mr. Csanyi said from a financial standpoint I am not sure. The design should be done later this summer and construction should go out for bidding and so forth construction could start later this fall but realistically it might not be until next spring.

Mr. Touchette asked Jeff what is your time table.

Mr. Ban said hopefully with approval tonight the plan is to begin construction of the infrastructure, the underground utilities and roadways this summer so that we could have sellable lots by the end of the fall.

Mr. Dering said now the one access point that is going to be basically turned into 86th Avenue/entrance to the Cultural Center that you are going to be putting in. Is that going to take out of your truck traffic? Are you going to have a secondary road going around the back?

Mr. Ban said as part of our swift plan we include a construction entrance off the end of the existing asphalt so we will be constructing accessing the site through that after the site majority has been complete and asphaltting of our neighborhood is purposed to happen we would also include preparing and paving that roadway in accordance with the temporary access road as.

Mr. Dering said until 86th is put through. Fantastic

Mr. Ban asked as a part of 86th is there going to be a stop light.

Mr. Csanyi said I believe so we are looking into that.

Mr. Holtz said there was a concern a few years ago Chrissy didn't really want one there but

Mr. Dering said but it is getting pretty busy there Now as far as the orientation of the entrance of the Cultural Center because I know that they had some questions about that where it is not lined up with the entrance of the Temple. We worked all that out is there any kind of is there anything that we need to do on their part.

Mr. Csanyi said I am not aware of anything. I will verify with the design engineer and make sure. You said you had discussions with them and make sure they are part of this whole project.

Mr. Touchette said wasn't there some sort of landscaping buffer or something.

Mr. Ban said our landscaping plan show a berm and screening from Jackson Street south across 86th so that headlights don't shine on their church facility their worship facility and then as far as their access drive we are maintaining as part of the condition and part of the preliminary plat approval included both left hand and right hand turn movements out of their parking lot on to 86th so those conditions have been made a part of the plans and part of the approval.

Mr. Dering asked if there are any other comments for this petitioner, questions.

Mr. Holtz said the infrastructure as far as the sewers on the south side. I know I was going through the old record and seeing that the way you had to move the sewer lines to allow the Cultural Center are these going to be put in before the road gets put in.

Mr. Ban replied yes, Phase I which you are approving tonight includes the engineering to include the sanitary sewer main stub to the south side of 86th Avenue so that stub will be there so it will be up to the Cultural Center to make the condition but the permits from the State have been received for sanitary sewer construction and when the construction is done we will make sure it was done in accordance with MCD approvals and inspections and then once they take ownership the new center can tie into it.

Mr. Holtz said you can also tie in if you if you decide to do the south end.

Mr. Ban said different line. Phase II when we will be back hopefully in a year on Phase II section the east half that will have the sanitary sewer line that extends to what we are calling Hunters Glen South.

Mr. Dering said Bill putting on your other hat isn't the Cultural Center already hooked up to MCD to a main line.

Mr. Touchette said they have a little forced main system it never intended to be permanent solution.

Mr. Ban said it is an unusual condition. They are a customer of MCD. The sanitary sewer line that services the Cultural Center comes down 85th Drive up in

here (map) this is where we are tying into somewhere off of the northeast corner of our site. This is the western half and here is our eastern half not on this board but the sanitary line comes down Jackson Street and comes across 86th and there is a tie in for the Cultural Center. Our Hunters Glen South area south of 86th will be coming through a gravity sewer line that ties in along the east half that is what is happening two branches of the sewer lines.

Mr. Dering said it looks like it is going to be very attractive. I am glad that we got away from the little Cul da Sacs that you have to back the trucks down that sort of thing. It is all going to be curb side trash pick up and all of that so ok fantastic. Any other comments or questions for this petitioner.

Mr. Holtz said just one more as far as lot 1 does that gives the people enough room to if they are turning into their driveway that the car behind them doesn't rear end then or anything.

Mr. Ban said you are probably off 86th Avenue about 100 feet.

Mr. Dering said I would like to say I know that Mr. Van Prooyen is in the audience tonight and I appreciate you coming. I appreciate and all of us appreciate that you worked with Cultural Center and got all of these issues worked out for us. I know it was a lot of work on your guy's part and we really do appreciate it. Thank you very much and thank you again for another nice subdivision. With that being said this is again an advertising public meeting. I would like to open this up for public comments for P7fS-0515 anyone from the gallery for or against. Anyone from the gallery, anyone from the gallery Chas, the Post Tribune no, nobody See none we will close that portion. What is your pleasure ladies and gentlemen?

Mr. Holtz said I just have more question. Since you are going to be doing part of 86th are you thinking are you going to get with Robinson before you even build it or are you going to build it and then they're going to say no it doesn't meet our design

Mr. Ban said the 86th situation is part of the plans part of the reiterations back and forth and the current plans reflect the proper with your engineers review access from a temporary perspective. Grading location with pavement depth etc.

Mr. Hardaway made a motion to approve with conditions

Mrs. Palmateer seconded the motion

Mr. Dering said we have a motion by Richard and a second by Pam to approve P7fS-0515 with the condition of all the engineering, the parks space with cash to cover and I think that is it. Is there any other seeing none roll call please.

Ric Holtz yes, Richard Hardaway yes, Bob Bigelow yes, Pam Palmateer yes and Brian Dering yes.

Passes 5-0

Mr. Ban thanked the commissioner and I wish everyone a happy Memorial Day weekend and just by the reflection of Brian's shirt I think I will be over on Monday.

P8AP-0515 TRI-LAND DEVELOPMENT, INC, PETITIONER & OWNER,

Located at the southeast corner of U.S. Route 30 & Broadway for a Plat amendment approval (fourth) to a Planned Unit Development on 47.3 acres in a PUD/C-3, Planned Unit Development/Highway Commercial zoning district for the removal of access roads and driveways from “Outlot” Tracts and create a new tract (18) north of Staples.

Good Evening I am Mike Slipco with Tri-Land 1 East Oak Hill West Mont Illinois and that is our request. We are requesting to amend certain tracts to remove drive isles and interior drives and the likes from the outside tract to better line the tracts with the actual properties and the second part is to create a new tract which is 18 which is north of Staples. If there are any questions.

Mr. Dering asked for the Staff report please.

Mrs. Gregor read her staff report

Mr. Dering thanked Mrs. Gregor. Are there any question from the Plan Commission? Just reiterate the gentlemen just about two weeks ago basically we are not taking away any roads this is just cleaning up the lot lines for whoever is leasing or buying property from you so that we don't have a lot line in the middle of a roadway leading out to Broadway or Route 30.

Mr. Slipco replied that is accurate.

Mr. Dering said you still don't have anyone in mind yet for the tract up north of Staples we are just cleaning that up also for future development.

Mr Slipco replied no one specific at this point.

Mr. Dering asked if there is any question from the Plan Commission. Any questions from the audience. We have a question from the audience. Please come to the front and state your name and address and make your comments.

Good Evening Greg Bouwer my address is 425 Joliet Suite 425 Dyer, Indiana. I represent the owner immediately to the east of tract 18 and we are encouraged by the development and happy for our neighbor to the west. We are simply concerned that about tract 18. Is there any intention to change any of the access to tract 18 right now? Probably 10 to 15 years ago my client went through a lot of hearings and issues with respect to the access and routing the access my client is simply concerned that 81st Place stays exactly as it is and that this tract 18 does not impact my clients immediately to the east. If you could respond to the questions about your intentions for the tract or if this changes any access.

Mr. Slipco said I think that the expectation is that any access to that tract would be from within our property. I would not expect it to change or impact the access to the property to the east.

Mr. Dering said just to be clear the property to the east was the old Bank of Indiana property.

Mr. Slipco asked did I identify my client is Dr. Mark Kendra for the record. And then if that is the access is simply to that and there is no re-alinement of any access we fully support the petitioner and what they are trying to do here.

Mr. Dering said correct me if I am wrong ladies and gentlemen last week when the other gentlemen was here two weeks ago we did go over the part that the one way entrance leading from the next to the gas station going in and ending at Staples would remain open so we are still planning on keeping that one way access because that is a very popular way to get into Portillos when it is backed up before the Shell station.

Mr. Slipco said yes the access would still remain.

Mr. Dering said now if you do build there would there be any access off of the one way into your property. Is that also considered accessing from your internal road structure as the gentlemen asked the question?

Mr. Slipco said as far as having any final plans at this point I would be speculating but I would expect that the access would not come off of that one way entry road.

Mr. Dering said I would hate to see that one way entry way closed because that elevates a lot of problem trying to get into your northern part of your property off of Rt 30. Ok we are still open for public comment. Any further public comment for this petitioner corner of 30 and Broadway. Any further comment. No further comment ok we will close that portion. Ladies and gentlemen what is your pleasure for this petitioner?

Mr. Hardaway made a motion to approve with conditions.

Mr. Holtz seconded the petition.

Mr. Dering said we have a motion to approve by Richard and a second by Ric with the conditions that all internal road structures remain the same. No access from 81st Place or from the one way. That is amenable

Mr. Slipco replied yes.

Mr. Dering called for a vote

Ric Holtz yes, Richard Hardaway yes, Bob Bigelow yes, Pam Palmateer yes, and Brian Dering yes.

Passes 5-0

Mr. Dering said that brings us to other business we have none scheduled is there anything for the Plan Commission. Nothing for the Plan Commission

Mr. Holtz made a motion to adjourn

Mr. Hardaway second.

Mr. Dering said motion to adjourn at 7:30

Meeting adjourned at 7:30

Respectfully submitted
Janet Rosko