

PLAN COMMISSION

September 12, 2022

REGULAR MEETING

ROLL CALL

The meeting was called to order at 7:00p.m. and the assemblage was invited to stand and recite the Pledge of Allegiance. President John Marshall asked for the roll call to be conducted. Members in attendance and absent are listed below:

Members Present:

President John Marshall, Vice President Daniel Rohaley, Michael Conquest, Laura Sauerman, Chad Jeffries, Richard Day, Scott Evorik

Members Absent: None

Staff Present:

Commission Attorney Joe Irak, Executive Secretary Grace roman, Chief of Staff Anthony Schlueter, Assistant Planner Josh Watson, Recording Secretary Jenni Pause, Media Manager Mary Freda

APPROVAL OF MINUTES

President John Marshall asked the Commission to approve the August 8, 2022, meeting notes. Scott Evorik stated there is a correction on page 7 under Pettition #22-06, it should state there were 2 nays not 2 abstentions. Laura Sauerman motioned to approve the August 8, 2022 meeting minutes with correction. Michael Conquest seconded the motion. A roll call vote was taken, by a vote of 7 Yeas, 0 Nays, 0 Abstentions, the motion unanimously passed, and the meeting notes are now official record of the body.

OLD BUSINESS

None

NEW BUSINESS

22-31 Crown Point Community School Corporation, Petitioner/Owner

Request: Site Development Plan

Purpose: Eisenhower Elementary School Expansion

Location: 1450 South Main Street

Matt Mihalik, of Nies Engineering, 2421 173rd St., Hammond, IN, came before the board and provided an overview of the petition. came before the Board and provided an overview of the petition. Mihalik stated they will be adding 10 new classrooms and as well as additional parking. Mihalik stated the additional parking will allow for more cars off the street. Mihalik stated the new 20' sidewalks will be adjusted and reinforced to accommodate firetruck access in the rear. Mihalik detailed the additional drainage system that will be installed to accommodate the new additions. Mihalik detailed how the current drainage system works and how the additional one will work. Mihalik stated the work will not disturb the newly improved Burrell Dr. Mihalik stated they submitted the stormwater plan to Christopher Burke about 3 weeks ago and hope to have the review back soon. Mihalik stated they are looking for approval contingent upon that stormwater review as well as the update landscaping plan. Mihalik stated they are scheduled to be before the Tree Board in October.

Planning Administrator Grace Roman reported the petitioner is requesting site development approval for improvements and additions to Eisenhower Elementary, located at 1450 S Main Street. Roman reported these improvements include building additions and relocating the existing concrete walkway/fire lane, expansion of the front parking lot as well as upgrading of stormwater infrastructure. Roman reported the site received a variance from development standards to encroach the setbacks with the parking lot at the August BZA meeting. Roman reported the front parking lot shows an expanded layout, adding 18 additional parking spaces and extending the lanes for student pick-up & drop off. Two building additions will be added to the Southwest and Southeast corners of the current structure and the current 20' sidewalk/fire lane will be relocated to give access around the building. Roman reported these improvements will allow for a safer, more controlled parent/student pickup and drop off along with improving the fire safety of the property. Roman reported the site plan will improve traffic flow to a busy intersection during school pickup and drop off time. Roman reported the landscaping plan will be on the October Tree Board Agenda. Roman reported the site plan meets the minimum requirements of the Crown Point Zoning and Subdivision Code and the The Planning Department recommends approval of the petition.

Daniel Rohaley asked if the engineering has been on approved for this petition. Mihalik stated there is an understanding with Don Oliphant, of Christopher Burke and he is ok comfortable going forward with this subject to final Engineering, he just has not completely finished his review but there is an understanding that he has accepted this plan. Rohaley stated he thought the policy was that they were not going to hear petitions unless the engineering had been approved. Mihalik stated Oliphant is ok with this plan. Rohaley stated there is a parking lot with a lot of cars and asked if there is any way they can put a row of hedges in front of it to shield it from Main St. Mihalik stated they can make provisions to add hedges. Rohaley stated he would like to see the parking lot shielded along the whole frontage. Mihalik stated they can look into that and bring it up to the Tree Board.

Richard Day asked Mihalik to verify that there will be a new stormwater infrastructure installed and the existing will stay intact. Mihalik confirmed. Day asked if they know if the existing is at capacity. Mihalik stated it appears to be at or near capacity and that is why they are installing new for the additions. Day asked if the playground will be moved. Mihalik stated the playground will remain in place.

Michael Conquest asked if the new stormwater runoff will go to the detention pond. Mihalik confirmed it will. Conquest asked what the calculations were based on. Mihalik stated they were based on a 100 year storm. Conquest stated he has faith in Christopher Burke and he is ok with doing approval pending final engineering.

Rohaley just wants to make sure they have on record Oliphant's approval. Marshall stated he agrees with Rohaley on setting a procedure for these petitions. Marshall stated it seems like they are flip flopping around. Conquest stated the petition from last month that did not have final engineering had numerous other issues and was not as cut and dry as this petition. Marshall stated his concern is with setting procedure if they are going to wait for engineering done before they vote on it or if they will approve it subject to final engineering. Marshall stated he is fine either way it just needs to be uniform for all petitions. Conquest stated they have approved petitions before that did not have final engineering. Rohaley stated he thought they had decided not to hear petitions that did not have final engineering. Executive Secretary Anthony Schlueter reported the Engineering has been approved by Oliphant he just has not done the paperwork yet. Marshall stated he would approve based on Schlueter's recommendation he is just trying to figure out the procedure for petitions.

Laura Sauerman asked if things are typically delayed with engineering right now. Schlueter stated the delay was due to a change and the addition of the new stormwater system. Schlueter reported they are putting in a whole new pipe to handle the runoff opposed to running through an existing pipe.

Chad Jeffries asked if the pond has reserve for future expansion of the high school. Schlueter stated he is not sure. Mihalik stated he does not remember exactly how much capacity is left but believes there was several feet of freeboard left above the 100 ft flood elevation.

Marshall asked about the timeline of when they would like to get started. Mihalik stated he believes they would like to have shovels in the ground next month.

Conquest asked if they could get accurate bids without final engineering. Schlueter stated the submitted plans are the final plans. Mihalik stated if they have notes or recommendations from Oliphant it would end up being a change order. Mihalik stated the hope was the approval would go through with the contingency so that they could keep moving.

Rohaley stated they need to be consistent and cannot one month require engineering and then the next month approve without. Rohaley stated he is not comfortable going forward with this.

Marshall entertained a motion for Petition #22-31. Sauerman motioned to defer Petition # 22-31. Rohaley seconded the motion. With no further discussion. Marshall called for roll call. With a roll call vote of 5 Ayes, 2 Nays, and 0 Abstentions, Petition #22-31 was deferred

22-32 Olthof Homes, Petitioner/Marr & Anne Scheafer, Ginia Goggio/Gail Saivelias, Owner

Request: Preliminary PUD

Purpose: The Willows Residential Subdivision

Location: Delaware Parkway & 129th Avenue

Chip Kersemark, Olthof Homes, 8051 Wicker Ave., St. John, IN, came before the Board and provided an overview of the petition. Kersemark stated they were before the board in 2021 for a workshop but the project was delayed due to other projects and questions about improvements on Delaware. Kersemark provided details on the location and surrounding properties. Kersemark stated they plan to develop approximately 57 acres and will construct 211 units. Kersemark detailed the site layout and the different types of units that will be constructed. Kersemark stated they have received additional information on the future overpass and the water and sewer easement that will have to come across 65. Kersemark stated they had to make some changes to their ponds. Kersemark stated the plan is about 98% the same as what was presented before. Kersemark detailed some of the amenities as well as the green space. Kersemark detailed the proposed entrance. Kersemark stated the HOA will pay for and maintain the proposed outlots within the development. Kersemark detailed the proposed I65 buffer and landscaping. Kersemark stated they are big into anti-monotony. Kersemark provided information on the various models, floor plans, elevations and materials they will have available.

Roman reported the petitioner is requesting Preliminary PUD approval for a 210 Unit subdivision located at 129th and Delaware Parkway. Roman reported this petition appeared on the July 2021 PC meeting as a Workshop. Roman reported the preliminary development plan shows the concept plan calling for 147 Townhomes bordering the future extension of 129th Avenue and South along I-65 and the remainder of the property to contain 63 single family lots. Roman reported also included are the draft covenants, architectural elevations, and traffic analysis. Roman reported the East side of Delaware will be fully improved and brought up to city specifications for a standard road and a sidewalk will be installed the length of the property. Roman reported there will be accel/decel lanes at both entrances with a passing blister across from the secondary entrance and there will be a development agreement created to assist in the future traffic/intersection improvement.

Rohaley asked if the plan that was handed out is the same plan Kersemark is referring to because some of the parking spaces are shown in the 100' buffer. Kersemark stated they have been asked by the Fire Dept. to manipulate those parking spaces to make them face away from the buildings which will result in pushing some of them into the buffer. Rohaley asked for verification that part of their proposal is to have parking spaces in the buffer. Kersemark confirmed. Rohaley stated he does not know if they have ever approved parking spaces in the 100' buffer. Rohaley stated cannot support parking spaces in the buffer. Rohaley stated he feels the traffic study will be very important and will shed some light on how to move traffic through that area. Marshall stated he thinks they have put roads in the buffer before in Edgewater. Jeffries stated he believes they did it at Walkerton as well.

Jack, from DVG, came before the Board and detailed the feedback they have from received from the Fire Dept. Jack stated they were specifically asked to flip the road and parking from its current configuration because he does not want to have the firetrucks reaching over cars if there is a fire. Marshall asked how far into the 100' buffer area will the spaces be. Jack stated they will be about 20-25'. Jack discussed a Nipsco gasline located in the area as well that they need to be allowed to put grading over.

Marshall asked if the petitioner has a letter from the Fire Dept. requesting the relocation of the parking spaces. Jack stated he has an email from the Planning Dept. Marshall stated he has seen a lot of requests from the Fire Dept. but never a request to put the parking on the other side. Kersemark stated it seemed a little unusual, but they are not in a position to argue with the Fire Dept. Marshall asked for verification that they have done the same thing on the other side by 129th with the road and the parking spaces in the buffer. Kersemark confirmed. Jack stated it is a smaller impact in that area. Marshall asked if the gas line they are speaking about is along I65. Jack confirmed. Marshall asked if they have contacted NIPSCO about grading over the gas line yet. Jack stated on the Walkerton project they did not allow grading over top of the gas line, but the Hamilton Square project they did allow the grading. Jack stated they have been in contact with NIPSCO about crossing the gas line with the storm sewer but have not asked the grading question as of yet. Jack stated that is one of the things they will do as part of their final engineering.

Rohaley stated if they take one unit off each building everything should fit in there perfectly.

Marshall stated they are going to have to revisit this because he wants to see what NIPSCO has to say. Marshall stated he does not have a problem with the Fire Chief he just wants to understand his reasoning because it is different than they have ever seen.

Conquest stated it is no secret the housing market is getting soft and asked what if this gets started and but gets the brakes put on with dirt moved and the streets are torn up. Kersemark stated they certainly do not want to get ahead of themselves, and they intend to phase the project starting from the south moving north. Conquest stated at some point all of Delaware needs to be taken care of because that area is just going to continue to get busier and busier and he would hope that the petitioner would cooperate with that improvement. Conquest stated that area has been a flooding problem in the past and asked the petitioner to please make sure that their stormwater plan addresses the flooding issues. Conquest requested that they save as many of the trees as they possibly can instead of just clear cutting. Kersemark stated the only thing the traffic study recommend they do is if is possible to obtain right of way on the west side of Delaware for a passing blister to do that. Kersemark stated they have committed to doing that. Kersemark stated it also did recommend an acceleration/deceleration lane on the south entry, but they are going to do that. Kersemark it also does not recommend accel/decel at 129th, but they are going to do that. Kersemark stated they are trying to go above and beyond to anticipate some this stuff even though it is not called for or recommended. Kersemark stated he agrees with Conquest about the trees. Kersemark stated they have committed to making improvements to the east side of Delaware, but the challenge is going to be they only own about half of it, but they are going to work with the city to try figure out how to make that happen.

Marshall asked Schlueter if the city has any plans on Delaware St. Schlueter stated the plan is for them to do all the improvements to Delaware St and then the road will become a full city road to city specifications. Schlueter detailed the improvements that have already been made and the future improvements planned.

Jeffries asked the petitioner to verify that all the decel lanes will be installed as part of the road. Kersemark confirmed. Jeffries asked for verification that the petitioner plans to participate in the future roundabout on top of the other improvements. Schlueter confirmed they are creating a development agreement that they will have finalized by the time they come for final that they will be contributing to a future roundabout at 129th.

Sauerman stated she appreciates that the density has come down a bit. Sauerman stated she also has concerns with messing with the buffer with parking and roads.

Marshall opened the public portion of the meeting.

Lawrence Criswall, 13113 Delaware St., came before the Board and voiced his concerns with flooding when they change elevations and the impact it will have on his property. Meyers voiced his concerns with the entrance being so close to his driveway.

Don Meyers, 13209 Delaware St., came before the Board and voiced his concern an existing ditch and it flooding their property.

Joe Foster, 13164 Delaware St., came before the Board and voiced his concerns with drainage and water issues. Foster stated there has been major flooding issues in that area in the past. Foster stated there is no solid ditch for the water to drain out towards I65. Foster stated in normal rain conditions properties in the area flood so adding another subdivision will only make things worse. Foster stated the drainage issues need to be addressed.

Media Manager Mary Freda read comments from Facebook. Freda read the comments; Sandy Boyd voicing her concerns with all the lost farmland and the city not being able to handle expansion at this rate while playing catch up with infrastructure; Tony Englert voiced his concerns with how dangerous 125th and Delaware already is and the impact of additional traffic. Englert also stated Delaware St is a shameful road; Josh Landers recommended widening 231 and stated the traffic into Crown Point is heavy and at many times dangerous.

Marshall closed the public portion of the meeting.

Jack stated the drainage concerns are legitimate concerns and he has already started looking at regarding this project. Jack stated the first concern was the property lying north of Criswall's property where there is a farm wetland which they have accommodations regarding their storm sewer into that area. Jack stated they need to meet the existing grade that is there and is one of the reasons that there is green space there. Jack stated they are also going to be providing for future extensions of the roads they will need to provide drainage structures along the east side of Delaware which will be conveyed to their

storm sewer pond. Jack stated the City of Crown Point has a stormwater technical ordinance that requires a reduction in the runoff that they have to accommodate all of their stormwater that is generated by their site to make sure that it gets to their detention ponds and is properly maintained and released at the control release rate. Jack detailed all the proposed storm sewer, drainage, and detention throughout the entire site.

Day asked Jack to address the concern of the driveway to south. Jack stated there is 150' of frontage there and the entrance will be located somewhat in the middle of that so they will be about 100' to the north of the driveway. Jack stated they intend to either do improvements there or work out the arrangement with the city for that area. Jack stated they feel that is the best spot for the entrance given the right of way footage. Schlueter asked Jack if they can have it where they work with the property owner before they come back for final to make sure he is comfortable with the plan. Jack stated they would definitely want to have open communication with the adjacent property owners to make sure they are comfortable within the confines of what the petitioner is able to do and make sure they are aware of what they are planning to do.

Jeffries asked Jack about the south side of the south lots where the gentleman spoke about the ditch that comes into the east. Jeffries asked if all the south lots will have rear yard drains. Jack confirmed they will.

Kersemark asked if they were able to get the road and parking spaces out of the buffer if that would meet with their approval. Marshall and Rohaley stated they would be good with that. Kersemark stated he would be ok with saying they could make that happen. Rohaley stated any approval would need to be subject to that.

Schlueter stated he would like it noted that they have gone over and above what was recommended and/or requested after review of the traffic study.

Marshall entertained a motion for Petition #22-32. Rohaley motioned to send a favorable recommendation to the city Council for Petition # 22-32 subject to removal of all parking spaces and roads removed from the buffer and final Engineering approval. Sauerman seconded the motion. With no further discussion. Marshall called for roll call. With a roll call vote of 6 Ayes, 1 Nays, and 0 Abstentions, Petition #22-32 received a favorable recommendation.

22-33 Niemeyers landscaping Supply, Petitioner/L & N Property Group, Owner

Request: Site Development Plan

Purpose: Landscape Greenhouse

Location: 810 North Indiana Avenue

Nathan Niemeyer, came before the board and provided an overview of the petition. Niemeyer stated the new greenhouse will be better for customers and have improved parking.

Carmen Arvia, DVG Team, 1155 Troutwine, came before the Board and detailed the site development

plan for the new greenhouse. Arvia stated they are planning to construct a 6700 sq ft greenhouse and rehab their existing outdoor material storage yard. Arvia stated as part of the project they will improve the Summit St driveway and entrance. Arvia stated they are removing an existing entrance on Summit and Indiana that are no longer used. Arvia stated they will be installing 29 new parking spaces with this project. Arvia detailed the area they will turn into the aggregate detention facility and the drainage of the water from watering the trees and stated there will no longer be a problem of the water running out onto Summit St. Arvia stated the only request that they have from the Commission is they are looking to put up a 7' wrought iron fence 10' off the right of way which is allowed by ordinance with a design waiver from the Plan Commission.

Roman reported the petitioner is requesting site development for an extension of their landscape supply business with a greenhouse located at 810 North Indiana Avenue and are proposing to relocate the existing greenhouse on the West side of Indiana across the street onto their existing storage yard on the Southeast corner of Summit and Indiana Avenue. Roman reported the site plan shows a 6,700sqft greenhouse with ingress and egress from an existing entrance along Summit Street with 29 total parking spaces including 2 ADA spaces. Roman reported there is an oversized paver sidewalk along the East side of the greenhouse and a large concrete sidewalk along the South side. Roman reported stormwater detention requirements will be met through an underground aggregate detention basin and the entire site will be surrounded with a 6' high wrought iron fence. Roman reported the fence does encroach the front setback by 20' requiring a waiver by the Planning Commission. Roman reported the site plan meets the minimum requirements of the Crown Point Zoning and Subdivision Codes and recommended approval subject to a waiver for the fence encroachment.

Attorney Joe Irak read from the Ordinance which allows staff to administratively to determine fence locations, height, and construction. Irak stated the board has the ability to adjust said requirements. Irak stated in no case can the fence be closer than 10' to the right of way. Irak staff did not want to take it upon themselves to grant the waiver but instead wanted the board to vote on it and place any conditions upon their approval.

Arvia stated Niemeyer's property jogs at the intersection so site line issues should not be a problem. Rohaley stated that was going to be one of his questions, whether the site line would be impeded by the fence. Arvia stated it would not. Arvia stated actually it will be improved based on what is currently there because the giant monument sign and row of arbor vitae is going to be removed.

Rohaley asked if the intent of the fence is to secure the back half of the property. Arvia confirmed the back half will continue to be used as an outdoor storage space as it is utilized now. Arvia stated stuff will not be stacked higher than 6'. Rohaley asked if there will still be the parking on Indiana Ave. Arvia confirmed.

Conquest asked if the aggregate drainage system will be a French drain. Arvia stated it is not, it will have a positive outlet. Arvia detailed the drainage. Conquest voiced his concern with the pervious material getting clogged. Arvia stated as part of the Engineering review there was a request for an operations

and maintenance manual, and it is specified in there the regular inspection/cleaning of the storm sewers as well as an inspection of the aggregate detention bed over the course of time.

Sauerman asked if they have any renderings of the decorative fence. Niemeyer stated they are envisioning the same type of fence that goes around the fairgrounds.

Marshall stated he thinks it is a fantastic plan and is happy to see them expanding. Jeffries agreed with Marshall.

Marshall entertained a motion for Petition #22-33. Rohaley motioned to approve Petition # 22-33 with the waiver for 6' high wrought iron fence where 20' is required as presented on the site plan rendering. Day seconded the motion. With no further discussion. Marshall called for roll call. With a roll call vote of 7 Ayes, 0 Nays, and 0 Abstentions, Petition #22-33 was approved.

22-29 I65 Properties, LLC Petitioner/Owner

Request: Site Development

Purpose: McDonalds Restaurant with Drive Thru

Location: SE Corner of Delaware Parkway and 109th Avenue

Russ Pozen, of DVG, 1155 Troutwine came before the Board and provided an overview of the petition. Pozen detailed the existing site including sidewalks, signs, ingress/egress and one way traffic.

Scott Goodwin, CSK Architects, 6919 Lincoln Hwy, Crown Point, came before the Board and detailed the improvements they plan to make as well as their reasons behind the improvements. Goodwin detailed the materials and design of the proposed addition. Goodwin stated they have already sent the plans down state and they have already been approved. Goodwin stated this will be designed to be three tenant spaces but will currently be used one tenant.

Roman reported the petitioner is requesting site development approval for a building addition and parking lot expansion, located at 714 N. Main Street. Roman reported the building addition will add just over 700 square feet to the South side of Building and will be constructed with matching materials and architecture. Roman reported the south side parking lot shows an expanded layout, adding 6 additional parking spaces connecting the existing drive isle and parking lot. Roman reported the site plan meets the minimum requirements if the zoning and subdivision codes and recommended approval.

Jeffries stated he likes the renderings and appreciates that the buildings are nice looking buildings now. Jeffries stated he likes the whole concept of what they are planning on doing.

Sauerman stated she feels the aesthetics are really well done and the style fits that space.

Marshall agreed with Jeffries and Sauerman.

Conquest stated it is nice to see something on Main St.

Rohaley asked about the one way. Pozen stated there is a sign indicating the one way and if they come

that way they are breaking the law. Rohaley stated he thinks this is the best solution possible for that building.

Marshall entertained a motion for Petition #22-34. Jeffries motioned to approve Petition #22-34 subject to all staff comments. Day seconded the motion. With no further discussion. Marshall called for roll call. With a roll call vote of 7 Ayes, 0 Nays, and 0 Abstentions, Petition #22-34 was approved.

22-35 Drive & Shine, Petitioner/Tech Credit Union, Owner

Request: Workshop

Purpose: Automotive Service- Car Wash and Lube Facility

Location: SE Corner of 109th & Broadway

Jeff Ban, of DVG, 1155 Troutwine came before the Board as a representative of the petitioner and provided an overview of the petition. Ban detailed the property and the surrounding properties. Ban stated currently Tech Credit Union is located on this property and the new lot line for the property will be the current drive.

Haji Tehrani, 16915Clingmans Rd, Granger, IN, President of Drive and Shine, came before the Board and presented a power point presentation on what Drive and Shine does and the history of the company. Tehrani and Ban provided detailed slides of existing drive and shines showing their designs and materials. Tehrani detailed how the membership program for Drive & Shine works. Ban detailed the traffic flow of the site and how the site works for the various options.

Ban stated they are going to be creating a third lot and will need a variance to allow a lot of record to be developed that is not fronting a public right of way.

Ban detailed the existing access and stated they will be improving and widening that drive creating a shared improved drive with Tech. Ban detailed where all the various services will be located on the site including the lube center. Ban detailed the storm water detention center.

Marshall stated this is the third drive and shine the board has looked at and asked if this is the real one. Ban stated he feels the other sites were not the correct sites but this one is.

Day stated he likes the concept and they must be successful if they have done 10+ sites. Day stated he likes the looks of it.

Evorik stated he is sure the building and landscaping look great, but he does not feel this is the right location for it. Evorik stated it will be a nightmare trying to pull out of the site and go to the west. Evorik stated there are other sites that would be better for this use. Ban stated there is more than one drive in and out of this site, one on 109th and one on Broadway, so going west bound should not be a problem. Tehrani asked Evorik if he would prefer to see the entrance/exit on 109th a right out only. Evorik stated that would be a start. Tehrani stated he can provide details for a property they have in Michigan that is

on a state highway that has over 30,000 cars a day, that has the same design and set up as the proposed and has never had any issues.

Rohaley stated he has seen all different kind of car washes and he drives past the Drive & Shine in Schererville that has been there for a long time and it is always well maintained, always looks sharp, clean and never anything out of the way. Rohaley stated a traffic study would alleviate a lot of their fears. Rohaley stated this is what Crown Point really needs, a true full-service car wash. Rohaley stated he likes the plan. Terhani stated the location Rohaley referred to in Schererville is 20 Years old.

Marshall stated he would like to speak to Evorik's objection because the board allowed Tech Credit Union to take a portion of the building down and make this a commercial lot. Marshall stated this needs to be talked about the lot as a business property and the car wash doesn't have anything to do with it. Marshall stated he does not know how the car wash is going to generate any more traffic than any other commercial use. Marshall stated they knew what would happen if they let Tech tear down a portion of their building and let them split the property. Marshall stated the objection should have been brought up when Tech came before the board.

Conquest stated his gut reaction when he found out this was going to be a car wash was that it was not going to be good but then he googled drive & shine and was impressed with their product. Conquest stated in regard to what Evorik said he is right it is tough to make a left hand turn out of the property on 109th but there is another entrance /exit on Broadway where you can easily turn right and go to the light to head east on 109th. Conquest stated there are a lot of options for in and outs here. Conquest asked Ban to verify that he understands him correctly and they are creating a third lot. Ban confirmed and detailed the third lot. Rohaley asked Ban to verify that exit will go out to Broadway. Ban confirmed. Terhani stated there are over 6 acres.

Jeffries asked for verification of what the lube station entails. Jeffries voiced his concern with the lube station turning into more like tire rotations, mechanical repairs etc. Ban stated the lube service will have very limited service. Terhani stated the lube station in an ancillary business and convenient factor for their customer. Terhani stated the lube service will only do oil changes and flush transmissions, they do not sell tires or batteries. Terhani stated their service is a 10-minute oil change. Jeffries asked if the overhead doors are typically kept down. Terhani stated most of the time in the summer the doors are up but there is no noise with the oil change. Jeffries voiced his concern with the doors being up and people being able to see in from Broadway. Jeffries voiced his concern with oil change places adding more services and does not want to see this progress from anything other than an oil change place because this is right on the main entrance to the city. Ban stated they put the lube center on the east side so it would not be visible from 109th and Broadway.

Terhani stated he would like to add Drive & Shine burns their own oil on site to heat up their space which the EPA really likes.

Schlueter stated the new ordinance states a car wash is a permitted use and automobile service is a special use so the lube service will be coming before BZA, and they will really be looking at it in depth and putting conditions on it.

Sauerman stated they should consider putting some landscaping in front of the garage doors to camouflage and soften them. Sauerman asked how tall the glass building is. Terhani stated the glass building is 25' high. Ban stated no variance is required for that.

Conquest asked Irak if they need to address the private roads. Irak stated they do not need to address it right now but is definitely an issue that needs to be planned for. Ban stated they are speaking with Tech to figure out what kind of association will need to be created to help maintain the roads.

Pozen added that Drive & Shine exclusively designs their sites in concrete and they are proposing to share cost of the shared ingress/egress to make it concrete so the maintenance would be borderline zero.

MISC. AND PUBLIC COMMENT

Mary Freda stated there were comments on facebook about Petition #22-32 and asked whether she should read them or submit them to Jenni Pause for the record. Marshall stated they could be submitted for the record.

Freda read comments from Facebook regarding the Petition # 22-35 from Sandy Boyd who asked why they have to add more congestion to the Broadway area. Boyd asked if there is a need for the service and asked if there is a façade rule in this area.

Sauerman asked Freda if the comments regarding 22-32 were anything different from the concerns other than traffic and drainage. Freda stated there were concerns over cookie cutter homes and a lot of people wanting higher end homes in that area. Freda stated there were additional traffic concerns from the people.

Marshall stated he would like to add he was extremely happy with the stone they added to Tech and thought it looked great.

From the Facebook comments:

Patrick Werner stated you are not making the neighbors happy.

Teigs Zero stated great she won't be able to get out of her driveway

Cassandra Schmidt thanked Scott Evorik.

Anthony Gambino thanked Scott Evorik for standing up for the people that want higher end homes.

Muayad Musleh stated it is ridiculous to add more cookie cutter homes which will bring down the value of the Schmidt Farm homes

No Misc

ADJOURNMENT

At 9:43p.m. Day motioned to adjourn, seconded by Marshall.

ATTESTMENTS OF MEETING MINUTES

The above minutes were approved and adopted by majority on the _____ day of _____, 2022.

John Marshall, President

Anthony Schlueter, Executive Secretary