

The October 15, 2018 Plan Commission meeting was called to order at 7:09 p.m. by Chairman Larry Ballah with members Stan Dobosz, Dave Maglish, and Rick Ryfa. Also present was Town Attorney; Joseph Svetanoff, and Building Commissioner; Steve McDermott. Absent were members Rob Bubala, Tony Hobson, and Plan Commission Engineer; Jake Dammarell.

Minutes from the September 17, 2018 meeting were approved as written.

OLD BUSINESS

Item #1 Turnberry Phase 2 by Chris Kovich of Komark, LTD. No further communication from the petitioner. Mr. Maglish made a motion to continue Turnberry Phase 2 to the November 19, 2018 meeting *seconded by Mr. Dobosz. All favored, motion carried.*

Item #2 David Zielke/Oakwood Condo Association, 545 N Oakwood Ave., Apt #6. Requesting to rezone the property from R2; Single Family Residential to R4; Multi Family Residential. This item is continued.

Mr. McDermott stated this rezone will be addressed when the town updates the zoning map. Mr. Dobosz made a motion to continue David Zielke/Oakwood Condo Association, 545 N. Oakwood Ave., Apt #6 to the November 19, 2018 meeting *seconded by Mr. Maglish. All favored, motion carried.*

Item #3 Griffith BTS Retail, LLC (Griffith Dollar General) at East Main St., between Dwiggins and Colfax St. by AR Engineering, LLC. A Public Hearing to classify the property as B3; General business zoning. Currently not zoned.

Miss Whitney Pizzala of AR Engineering and John Wojtila of Zaremba Construction, appeared before the Commission. Miss Pizzala stated her client is proposing to construct a Griffith Dollar General located on the 2.34 acre parcel. The land currently doesn't have a zoning classification. The proposed zoning is B3; General Business. Mr. Ballah asked if all legal documentation was in order for the Public Hearing. Attorney Svetanoff stated all legal requirements were in order. Mr. Ballah then opened up the Public Hearing portion of the meeting. Ms. LeAnn Million; 1200 block of Lake St. questioned if an area to the east was included with the rezoning. Mr. Wojtila stated the property she spoke of was not part of the rezoning. Ms. Kristi Rogers; 110 N Oakwood asked if there are plans for a sound barrier/buffer. Mr. Ryfa stated that question can be heard during Item #4; Site Plan Review. Ms. Rogers also asked if there are plans for access into the neighborhood. Mr. Wojtila stated the access will be off of Main St. Ms. Caroline Grugel stated she was against the proposed location. Resident from 120 N Oakwood questioned if the addition would affect the property values. Ms. Theodozio; 110 N Jay also stated she was against the proposed location. Resident of 201 N Glenwood asked if the land had already been purchased. Mr. Wojtila stated the property is under contract, and the purchase is under contingency based on the result of the required town meetings. Resident; 109 N Jay stated her concern with an increase of theft in the neighborhood. There was questions if the Town of Griffith owned the property. Mr. Ryfa stated the Town of Griffith does not own the land and are not the sellers. No further remonstrators, Mr. Ballah then closed the Public Hearing portion of the meeting. Mr. Maglish asked if the property was listed for sale. Mr. John Jurisa; Relator, stated he is the agent that has listed the property. Mr. Ryfa asked Mr. Jurisa how much he expects the proposed development would increase the value of said property. Mr. Jurisa guessed that it may exceed a million dollars. Mr. Ryfa questioned if the property was connected to Wild Rose Brewery. Mr. Jurisa stated the property in question is the same depth as Wild Rose. Mr. Ryfa questioned if parking was determined as an issue, could it be moved. Mr. Wojtila stated it is a possibility, there are no environmental limitations, but they are hoping to avoid seeking a variance. Mr. Ryfa asked where the trucks will load/unload. Mr. Wojtila stated deliveries will take place in back, but the site plan can be adjusted, if needed. Mr. Ryfa asked how close the nearest residence is. Mr. Jurisa stated the southwest corner of the property is located at the end of Oakwood. That is approximately 130' (pavement to house is 90'). Mr. Maglish asked what makes this property desirable. Mr. Jurisa stated Dollar General gives coordinates and asks for something close to that location. Mr. Ryfa asked if a survey has been done. Mr. Jurisa stated it has. Mr. Ballah asked Attorney Svetanoff if mailings and publication were in order. Mr. Svetanoff stated all legal requirements were in order. Mr. Ryfa asked Mr. McDermott what Wild Rose is zoned. Mr. McDermott stated it is B3 zoning. Mr. Ryfa made a motion and recommendation to the Town Council to dedicate the property as B3; General Business Zoning (not industrial), *seconded by Mr. Dobosz. All favored, motion carried.* Attorney Svetanoff stated he would prepare the Findings of Fact for the Town Council.

Item #4 Griffith BTS Retail, LLC (Griffith Dollar General) at East Main St., between Dwiggins and Colfax St. by AR Engineering, LLC. Preliminary Site Plan Review was continued at the September 17, 2018 meeting to construct a retail store.

Mr. Ballah asked if the property is currently in meets and bounds or had it been previously subdivided. Mr. Jurisa stated he did not believe it had been subdivided. Mr. Ballah explained the property cannot be developed until it is made a 1 lot subdivision. Also, part of the property will require a dedicated right-of-way. The subdivision approval must be done before final approval is granted. Mr. Ballah stated a letter/contract from the current property owner allowing the petitioner to make the requests before the Town is required. There was then discussion regarding the drive entrance. Mr. Ballah asked if the proposed store is similar in size to the Highland location. Mr. Wojtila stated the Griffith site is smaller at only 9,100 square feet. Mr. Ryfa then mentioned the elevation and Griffith's brick ordinance. Mr. Wojtila stated the brick requirement shouldn't be a problem. There is a proposed block base with wall above. Mr. Ryfa questioned if the frontage is really the side (the front doesn't conform to the ordinance). Mr. McDermott stated Main St. would be considered the frontage. Mr. Ryfa questioned the "steel panels". Mr. Wojtila stated it is a concrete material that looks like brick. Mr. Ryfa stated his concern with the location as well as the

confusion on what the front/side of the building is. Miss. Pizzala asked if there was an issue with the rear/side lot lines. Mr. Ryfa questioned the landscape plans around the perimeter. Miss. Pizzala stated there will be trees and shrubs. Mr. Ryfa asked what the plans are for the back of the property. Miss. Pizzala stated there are plans for a 6' wood fence. Miss. Pizzala asked what the subdivision process entails and if the request for that public hearing could be made now. Mr. Ballah stated the request could be made. Attorney Svetanoff mentioned the zoning should be established first. Mr. Wojtila then requested a Public Hearing for a 1 Lot Subdivision. **Mr. Dobosz made a motion** granting permission to Griffith BTS Retail, LLC (Griffith Dollar General) at East Main St. to hold a Public Hearing on a 1 Lot Subdivision **seconded by Mr. Maglish. All favored, motion carried.** Mr. Ryfa suggested they get in contact with the Town Engineer.

Item #5 Family Express Corporation, 1208 45th Ave., by DVG. Final Site Plan Review to convert the property to a commercial convenience store and gas station.

Mr. Russ Prozen appeared before the Commission. Mr. Prozen stated he has been working with the Town Engineer to finalize the project in order to request final approval. Mr. Ballah stated the Commission has received a letter from the Town Engineer at BF&S. Mr. Ryfa asked if there are plans for landscape fencing. Mr. Prozen stated there will be a 6' white vinyl fence that matches the north residence. Mr. Ryfa asked about site lighting. Mr. Prozen stated the lighting plans meet town ordinance. Mr. Ryfa asked what the proposed business hours are. Mr. Prozen stated they will be open from 5-11. Mr. Dobosz asked about the location of the entrance/exit. Mr. Prozen stated it will be off of Colfax and the current egress will be slightly widened. Mr. Maglish questioned when truck traffic is expected. Mr. Prozen stated deliveries are expected during the day and early evening. Mr. Maglish asked if there are any after-hour deliveries. Mr. Prozen stated there are not. Mr. Maglish asked if they are open 7 days a week. Mr. Prozen stated that was correct. **Mr. Ryfa made a motion** granting Final Site Plan Approval to Family Express Corporation, 1208 45th Ave., by DVG to convert the property to a commercial convenience store and gas station **seconded by Mr. Dobosz. All favored, motion carried.**

Item #6 Tech Weigh, 1004 Reder Rd., by McMahon Engineering. Final Site Plan Review to construct a warehouse/shipping and receiving office.

Mr. Jack Clark of Tech Weigh appeared before the Commission. Mr. Clark stated they are still working on the retention pond but would like permission to start on the building pad. Attorney Svetanoff stated BF&S has performed a technical review and has provided written comment to recommend a continuance. Mr. McDermott read aloud items that still need to be addressed (sewer/septic with county, water and storm sewer drainage, downspouts, rerouting stormwater, drainage report, etc...). Mr. Ryfa asked what size the pad is that they would like to start on. Mr. Clark stated it is approximately 60' x 120'. Mr. Clark also stated there will be an 8" service drain with hydrant from the gate/town garage which feeds the property. Mr. Ryfa asked what the current square footage is. Mr. Prozen stated he has 32,000 square feet. Mr. Ballah asked if there are plans to increase the septic field. Mr. Clark stated there are plans for a new one. Mr. Ballah asked if plans for the septic field have been filled with the state. Mr. Clark stated they have. Mr. Ballah then asked how the land slopes. Mr. Clark stated it slopes North to South. There was then discussion regarding grade. **Mr. Ryfa then made a motion** to continue Tech Weigh, 1004 Reder Rd., final site plan review to the November meeting, but granted permission to start construction of the building posts/foundation, and all necessary permits and inspections are done **seconded by Mr. Maglish. All favored, motion carried.**

NEW BUSINESS

None.

COMMUNICATIONS

None.

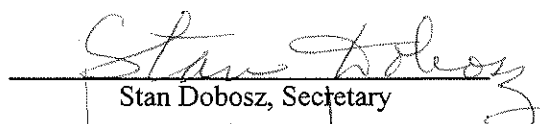
BILLS AND EXPENDITURES

Mr. Dobosz made a motion to approve a claim for the meeting held September 17, 2018 in the amount of \$65.00 **seconded by Mr. Maglish. All favored, motion carried.**

ADJOURNMENT

There being no further business to come before the Plan Commission, a motion was made and seconded to adjourn. The meeting was adjourned at 8:40 p.m.

Respectfully Submitted


Stan Dobosz, Secretary


Veronica L. Horoka, Recording Secretary

**TOWN OF GRIFFITH
PLAN COMMISSION**

REQUEST BY PETITIONER, GRIFFITH BTS RETAIL, LLC
(GRIFFITH DOLLAR GENERAL),
LOCATED BETWEEN DWIGGINS AND COLFAX, GRIFFITH, INDIANA,
TO ESTABLISH ZONING AS B-3.

FINDINGS OF FACT

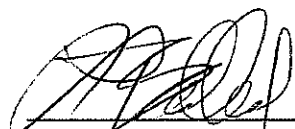
1. That on October 15, 2018, Petitioner appeared through Representatives from AR Engineering, LLC for a public hearing on its Petition to establish the zoning of the above-mentioned property to B-3. After Attorney Joseph C. Svetanoff advised the Board that all notices, publications and postings were in order (pending the return of any outstanding green cards), the Chairman then opened the public comment portion of the hearing for the change in zoning so the Petitioner can convert the current building from a video rental business to a gas station.
2. That Petitioner explained through his Attorney at the public hearing the proposed change in zoning and what type of plans were anticipated for establishment of a Dollar General Store at said location.
3. That there being six (6) remonstrators who made comment during the public comment portion of the hearing, the Chairman then closed the hearing to public comment.
4. That to obtain a zoning change the Petitioners are required under the Town of Griffith Zoning Ordinance and the Indiana Code §36-7-4-603, to demonstrate the following:
 - a) The request is consistent with the comprehensive plan;
 - b) The current conditions and the character of current structures and uses in each district will be maintained because the structures have been built or will be built to the applicable standards;
 - c) The zoning change for this property does contain the most desirable uses for which the land can be adapted because the redevelopment of the property should not negatively impact the surrounding residential uses;
 - d) The proposed zoning change will preserve the conservation of property values throughout the Town because the land will be developed to current standards and will be in active use; and
 - e) The change in zoning of the property, is more compatible with the surrounding properties and reflects responsible growth and development.
5. That as set out in the Town of Griffith Zoning Ordinance, the Board must make a recommendation to the Town Council by issuing a favorable, unfavorable, or no recommendation to grant the requested Change in Zoning. Commission Member, Mr. Ryfa moved for a FAVORABLE recommendation to the Town Council. The Motion was seconded by Commission Member, Mr. Dobosz. The vote then was taken with a unanimous approval.

This FAVORABLE recommendation will now be presented to the Town Council for further consideration.

6. That the Board then made the following Findings of Fact:
- a. The request made by this Petitioner is consistent with the comprehensive plan, in that, the zoning will remain consistent with business;
 - b. The current conditions and the character of current structures and uses in each district of this Petitioner is being maintained because the structures have been built or will be built to the applicable standards;
 - c. The zoning establishment for the property of this Petitioner contains the most desirable uses for which the land can be adapted because the redevelopment of the property will not negatively impact the surrounding residential uses;
 - d. The proposed zoning change for this Petitioner will preserve the conservation of property values throughout the Town because the land will be developed to current standards and will be in active use; and
 - e. The establishment of zoning for the property for this Petitioner to B-3, will be more compatible with the surrounding properties and will reflect responsible growth and development.

These Findings of Fact are approved and adopted this 19 day of November, 2018.

TOWN OF GRIFFITH
PLAN COMMISSION


Chairman, Larry Ballah