Town of Griffith
Plan Commission
June 20, 2022

The Plan Commission meeting was called to order at 7:03p.m. by Chairman; Larry Ballah with members; Dave Maglish, Rick Ryfa, and Larry Stassin, present. Also present was Attorney Bob Schwerd, Plan Commission Engineer; Jake Dammarell, and Building Commissioner; Steve McDermott. Absent was Jim Marker.

Minutes from the May 16, 2022, meeting were approved as written.

**OLD BUSINESS**

***Item #1 Indi Homes 200 LLC; 1001 E 40th Pl., Public Hearing to rezone the property from R2 to R3 to build townhomes;*** *public comment portion of the meeting has been closed; item continued to the September 19, 2022, meeting.*

The petitioner was not present. ***Mr. Maglish made a motion*** to continue Indi Homes 200 LLC; 1001 E 40th Pl., to the September 19, 2022, meeting, ***seconded by Mr. Bubala. All favored, motion carried.***

***Item #2 Turnberry at Trail Creek; Turnberry Rd., & Glasgow Dr., Final Site Plan Review.***

The petitioner was not present. Mr. Dammarell stated that they had a staff meeting and Mr. Kovich had not moved forward at that time with the comments and revisions from the engineers. ***Mr. Stassin made a motion*** to continue Turnberry at Trail Creek; Turnberry Rd., & Glasgow Dr., to the July 18, 2022, meeting, ***seconded by Mr. Bubala. All favored, motion carried.***

***Item #3 Turnberry at Trail Creek; Turnberry Rd., & Glasgow Dr., Public Hearing to Rezone/PUD;*** *public comment portion of the meeting has been closed.*

The petitioner was not present. Mr. Ballah asked if the issues were the same as the previous item. Mr. Dammarell confirmed. ***Mr. Bubala made a motion*** to continue Turnberry at Trail Creek; Turnberry Rd., & Glasgow Dr., to the July 18, 2022, meeting, ***seconded by Mr. Stassin. All favored, motion carried.***

***Item #4 Matt Murphy; 430 N Broad St., Public Hearing to Rezone the property from PB to R2.***

Mr. Matt Murphy appeared before the board. Mr. Murphy explained that he purchased the property in 2005 and has had renters there for around 10 years, he is wanting to rezone the property so he can sell it to the current tenant, who intends to remain there. Mr. Ballah asked if all items were in order, to which Mr. Schwerd stated they were. With no one to speak for or against the public hearing portion was closed. Mr. Ryfa asked if there was a pending sale. Mr. Murphy stated that he is still waiting on the tenants getting their finances together. ***Mr. Bubala made a motion*** granting Matt Murphy; 430 N Broad St, a favorable recommendation to rezone the property from PB to R2, ***seconded by Mr. Stassin. All favored, motion carried.***

***Item #5 Park West; 1800 Park West Blvd., Preliminary Site Plan Review for controlled access for residents, guests, and deliveries.***

Mr. Miljan Lukajic appeared before the board. Mr. Lukajic stated that its around ninety acres and they would like to revitalize the property. Mr. Lukajic stated they intend to add new controlled access on Arbogast and 35th Street as the main entrance, there are currently seven or eight entrances and only one with controlled access. Mr. Lukajic mentioned this would also include relocation of the mailboxes. Mr. Lukajic stated they will have a live security system as well such as license plate reading cameras that communicate with the police department. Mr. Ballah stated there are some concerns with the engineers, such as with the entrance being able to accommodate emergency vehicles. Mr. Lukajic stated they received the specifications of the fire trucks from the fire department to accommodate this. Mr. Lukajic stated all the entrances will remain open until and they possibly may eliminate two entrances as well. Mr. Ballah asked if they get any truck deliveries. Mr. Lukajic stated the entrances are closed at night but as the project continues, they will remain open. Mr. Dammarell said they did review the plans provided on June 9th and provided comments on June 16th. Mr. Dammarell said the most significant one was regarding the emergency response and turning radius. Mr. Dammarell said the radius is thirty feet and it necks down to eleven feet quickly for the gatehouse control. Mr. Dammarell said they requested some turning movements to get the fire trucks in when needed. Mr. Dammarell continued that they just need to ensure the entrance is compatible with the emergency vehicles. Mr. Dammarell also said he would like to see some traffic projections to see how the gatehouse backs up. Mr. Lukajic said they did receive the comments. Mr. Lukajic also stated the curb is already laid out, but they are willing to make changes if needed. Mr. Maglish asked if they were down to one primary entrance and exit. Mr. Lukajic stated yes but that they are not closing any permanently yet. Mr. Maglish asked if there is only one lane in and one out. Mr. Lukajic stated one out and two in. Mr. Lukajic also stated that the project is expected to have five phases and that they intend to communicate with their residents and educate them on the process as they continue.

***Mr. Bubala made a motion*** granting Park West; 1800 Park West Blvd., Preliminary Site Plan Review for controlled access for residents, guests, and deliveries, ***seconded by Mr. Stassin. All favored, motion carried.*** Mr. Lukajic then requested the Commission to suspend the rules and grant Final Site Plan approval. ***Mr. Maglish made a motion*** to suspend the rules, ***seconded by Mr. Bubala.*** Roll call was then taken. Mr. Ballah; in favor. Mr. Bubala; in favor, Mr. Maglish; in favor, Mr. Ryfa; in favor, and Mr. Stassin; in favor. ***All favored, motion carried to suspend the rules. Mr. Ryfa made a motion*** granting Park West; 1800 Park West Blvd., Final Site Plan Review for controlled access for residents, guests, and deliveries, contingent upon BF&S approval, ***seconded by Mr. Bubala.***

***Item #6 Nyce Styles Barber Salon; 844 Cline Ave., Change of Use to operate a barber shop and beauty salon.***

Ms. Terrilyn Stewart appeared before the board. Ms. Stewart stated they want to open a barber shop and salon. The property owner, Ms. Donna Burbridge, stated they came to an agreement with the church nearby regarding the issue of parking addressed at the last meeting. Ms. Burbridge stated they did not have anything in writing but through text and could provide that. Ms. Burbridge stated they would also have street parking. Mr. Ballah stated we would need something in writing. Ms. Burbridge said they would prefer a verbal and not a written agreement. Mr. Ryfa stated he does not think that would be acceptable. Mr. Schwerd stated they would need something on the church's letterhead with the agreement in writing for us to accept it. Mr. Ryfa stated this could also cause an issue with employees parking in residential streets, which could cause issues for the homeowners. Ms. Burbridge stated she is fine with allowing them to park in her lot and on her property. Mr. Ryfa stated they would need to review the parking in a residential neighborhood. Mr. Schwerd stated this has been an issue in the past and this in effect allows a business to operate on a residential street. Mr. Ryfa stated this could also trigger a variance process for the parking. Mr. Ryfa asked Mr. Dammarell if they have cross checked the parking with the ordinance. Mr. Ballah asked if they had spoken with the dentist in the building to see if they can designate spots for the salon. Mr. Ballah asked if there was a third tenant. Ms. Burbridge stated that they have not heard back from the covid business that did pursue the space as well. Mr. Dammarell stated that the notes he has indicated there are eleven spaces, the dentist is allowed six which leaves five with a requirement of nine needed per the square footage. Mr. Ryfa asked how many spots need to be available. Mr. Dammarell stated its based upon occupancy, the dentist is one space per two hundred square feet plus one per employee for a total of six. Mr. Ryfa said they could approve the Change of Use, but a variance would be needed for the parking. Mr. Ballah asked if they would pursue this. Ms. Burbridge stated yes. Mr. Ryfa asked if one space was what was in question. Mr. Dammarell stated two, they have six and need eight. Mr. Ryfa mentioned possibly approving contingent upon the parking being sorted, there is a possible issue with residential parking being used in this way. ***Mr. Bubala made a motion*** granting Nyce Styles Barber Salon; 844 Cline Ave., Change of Use to operate a barber shop and beauty salon, subject to offsite parking approval and an agreement with the current tenant, ***seconded by Mr. Ryfa. All favored, motion carried.***

***Item #7 Griffith Public Schools; 600 N Jay Ave., Public Hearing to Rezone the property from OS to R2.***

Mr. Joe Svetanoff appeared before the board. Mr. Svetanoff stated that they are rezoning a portion of the property that is zoned OS to R2. Mr. Svetanoff stated there was an issue with the public notice and requested a special meeting be set to have the Public Hearing. Mr. Svetanoff said they sent out sixty-eight letters and only received twenty-two back. Mr. Svetanoff also mentioned there was an issue with the publication in the Times as well. Mr. Ryfa expressed concern on the timeline for the publication. Mr. Svetanoff also offered the consultant to go over the project with the remonstrators that were present. Mr. Martin Sams, the engineer for the project, stated that the property is currently split zone and that the building takes up most of the space on the property. Mr. Sams said they are looking to unify the parcel as one zoning so they can add a 12-classroom addition as well as new parking, a new drive lane, and a new drop off area. Mr. Ryfa asked when they are looking to start the project. Mr. Sams stated as soon as possible. Griffith School Superintendent Leah Dumazich stated they would like it finished by fall break. Mr. Maglish asked if this was regarding the addition or the loading area. Mr. Sams stated they are just here for rezoning currently. Mr. Ryfa stated that another Plan Commission meeting would be needed for Site Plan so the special meeting would not be needed as both can be done at the next regularly scheduled meeting. Mr. Ballah asked where they are in the engineering process. Mr. Sams stated they had a preliminary plan approved by the school the prior week and that the civil engineer is working on the design documents now. Mr. Ballah asked if they could have these items finished by the next meeting date. Mr. Sams stated he was unsure. Mr. Svetanoff asked if they need to amend the application for the Site Plan. Mr. McDermott explained they are different applications. Mr. Ryfa stated that the biggest issue is the drainage and traffic. Mr. Sams stated they are planning a dry retention pond. Mr. Dammarell confirmed that the traffic is of concern such as how the pickup locations will funnel and separation of traffic, drainage, and a possible SWPP if needed. Mr. Ballah then asked if there were any public comments or questions. George; 514 Elm St., asked if this was just for a parking lot and drive. Mr. Sams stated the rezone is for a 2-story addition, parking, and an extension of the drive lane. Mr. George asked why they need an addition when they closed the school on Broad. Mr. George expressed he does not approve this rezoning and that they gave a good school to the YMCA that they did not need to. Mr. George said that the traffic is terrible on

Jay when the school lets out. Mr. Sams said that is part of what they are trying to fix. Mr. George said he is fine with a new drive but not a new building. Mr. Ballah stated this is regarding a rezone, not the actual plans. Mr. Ballah stated that the Site Plan, when they are ready to start it, is for the drive and parking area only which is so alleviate the traffic issues. Mr. Ryfa stated he thought they were only approving the driveway, he then asked for a description of what they intend to build when rezoned. Mr. Sams stated the modular classrooms were being installed over the summer which are on the existing pavement. Mr. Ryfa asked if the rezone would include the new addition. Mr. Sams stated yes. Mr. McDermott the next site plan should potentially include all site improvements. Mr. George asked what the meeting already had was regarding. Mr. Ryfa stated for temporary classrooms. Mr. George asked why they were not notified. Mr. Ryfa stated it does not require a public hearing. Mr. George asked why. Mr. Ryfa stated state law. Mr. Schwerd made a point of order that this is not a public hearing just a presentation but that a public hearing would happen at another date. Mr. George said they should put what the meetings are for when they send the letters out. Mr. Ballah stated that is what the public hearing is for, the issue was that it could not be held today due to the issues with the publication. Mr. Ryfa asked Mr. Schwerd to review the laws regarding the publications and what they need to include. Mr. Schwerd said the public notice requires the time, place, location, legal description of the property, and if it is a zoning or variance, etc. Mr. Schwerd stated the notice was fine it just was not executed properly. Mr. Ryfa asked if there was any requirement to state the intent. Mr. Schwerd stated no. Another remonstrator said she would prefer it be spelled out. Mr. Ballah asked if anyone else had a comment. Ajita Kelow; 609 N Jay St., Ms. Kelow stated the lights in the parking lot currently are on 24/7 and that she has been in contact to have this issue fixed but it has not, she asked if this new lot would mean more lighting. Mr. Sams stated any new lighting will follow the ordinances. Ms. Dumezich stated this is to deter damage and if this was the front or back lighting. Ms. Kelow stated the back on Jay. Mr. Sams stated they will make sure to take all of this into consideration with the new lights. Victor Ferrusqia; 604 W Elm St., stated he has the same issues with the lights from the pickleball court. Mr. Ferrusqia stated this is causing him issues at night when he is trying to sleep. Mr. Ballah stated those are park department lights and they had no control over due to no site plan review. Another remonstrator stated she has issues with the lighting from the pickleball courts as well. Mr. Ryfa asked Mr. Schwerd that since the park department failed to do a site plan for the installation of these lights could they do anything after the fact to ensure they do not shine into people's homes. Mr. Schwerd said he recommends a joint meeting be called with the park department to explain why the lights are on and if the issue is not corrected the nuisance ordinance can be enforced. Ms. Dumezich stated they have kept them on for safety reasons, but they should be cut off by 10 pm. Ms. Kelow stated she has tried to speak with numerous people regarding the lights being on for over two years straight now. Mr. Sams said they will try to make the next scheduled meeting for both Site Plan and the Public Hearing.

**NEW BUSINESS**

***Item #1 Windustrial; 1116 E Main St., Change of Use to operate a plumbing/HVAC wholesaler, previously vacant.***

Mr. Ryan Krejci appeared before the board. Mr. Krejci stated they are Winsupply Griffith, they are a national branch chain in wholesale who operates 640 locations. Mr. Krejci stated Winsupply acts as an equity partner for startup. Mr. Krejci stated they primarily deliver with minimal county business, they sell things like pvc pipes, gas pipes, copper pipes, water heaters, toilets, etc. for residential and commercial projects. Mr. Krejci stated that they have power racking going in currently and that the fire chief said there were no issues when he came through. Mr. Krejci stated they have around 1200 square feet of office space and around 9000 in the warehouse. Mr. Ballah asked if they would have any outdoor storage. Mr. Krejci stated yes, there is a small 50x60 gravel area in the back for trucks to turn around, there is a total of sixteen spaces in the front for parking and they intend to have no more than 5 or 6 employees at a time. Mr. Ballah asked if this was zoned property. Mr. McDermott stated yes, they just needed approval for the outdoor storage, he also mentioned that the gravel area will be asphalt but that its just not completed yet. ***Mr. Ryfa made a motion*** granting 1116 E Main St., Change of Use to operate a plumbing/HVAC wholesaler, previously vacant., ***seconded by Mr. Stassin. All favored, motion carried.***

***Item #2 Town of Griffith; 614 39th Ln., Preliminary Site Plan Review for new playground installation.***

Mr. Tim Diamond appeared before the board. Mr. Diamond they are installing a piece of playground equipment on one side of the property, the other will remain open, he also added that the castle there currently will remain, and the baby swings will be relocated. Mr. Diamond asked also asked for a suspension of the rules for final approval. Mr. Ballah asked if there was a fence. Mr. Diamond stated there was an existing fence that will remain. Mr. Ballah asked if they intend to add any lighting. Mr. Diamond stated no, there is just one existing light that will remain. Mr. Ryfa asked if there were any drainage issues. Mr. Dammarell stated he could not tell by the drawings provided. Mr. Dammarell asked Mr. Diamond what the surface that is being proposed. Mr. Diamond stated they want to make it level with no change in elevation, all mulch. Mr. Ryfa asked what the sub surface for the mulch would be. Mr. Diamond stated no. Mr. Dammarell stated sometimes the mulch can float if a bowl is created, he also asked if there was a plan for ADA access in the future. Mr. Diamond stated no. Mr. Ryfa asked what Mr. Dammarell thoughts were on approval. Mr. Dammarell stated he would like to look at it from an excavation standpoint to avoid any

issues, he would like to confirm all utilities are avoided. Mr. Diamond showed Mr. Dammarell a photo of the lot where the utilities are. Mr. Dammarell asked what the foundation sits on. Mr. Diamond stated its post mounted. Mr. McDermott asked how deep the concrete footings go. Mr. Diamond stated two feet. Mr. McDermott stated they need to be at 42". Mr. Dammarell asked if the playground company provided a schematic of any kind such as for anchoring. Mr. Diamond stated he would check. Mr. Maglish wanted to confirm if any gas or power lines would be infringed upon. Mr. Dammarell stated he did not know. Mr. Dammarell asked if the drainage structure was just in one yard drain that ties in to 39th lane. Mr. Diamond stated that was from Restaurant Depot, so he was unsure. ***Mr. Ryfa made a motion granting*** Town of Griffith; 614 39th Ln., Preliminary Site Plan Review for new playground installation pending further investigation from the engineers, ***seconded by Mr. Stassin. All favored, motion carried.*** Mr. Dammarell asked Mr. Diamond to provide him with the plans sent to the contractor to bid so they can review.

**COMMUNICATIONS**

**BILLS AND EXPENDITURES**

***Mr. Maglish made a motion*** to approve a claim for the meetings held May 16, 2022, in the amount of $65.00 ***seconded by Mr. Ryfa. 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 8:36p.m.

Respectfully Submitted

Dave Maglish, Secretary

Aubrey R. Stegall, Recording Secretary