Town of Griffith
Plan Commission
July 17, 2023

The July 17, 2023, Plan Commission meeting was called to order at 7:04 p.m. by Vice Chairman; Rob Bubala with members Dave Maglish, Jim Marker, Rick Ryfa, and Larry Stassin. Also present was Plan Commission Engineer Jake Dammarell, Attorney; Bob Schwerd, and Building Commissioner; Steve McDermott and new member; Danny Blount. Absent was member; Larry Ballah.

The minutes from the June 19, 2023, meeting were approved as written.

OLD BUSINESS

Item #1 Indi Homes 200 LLC; 1001 E 40th Pl., Rezone property from R2 to R3 to build townhomes; MOU conditions continued.

Mr. McDermott stated the petitioner has requested a continuance. ***Mr. Stassin made a motion*** to continue Indi Homes 200 LLC; 1001 E 40th Pl., to the August 21, 2023, meeting. ***Motion was seconded by Mr. Maglish, all favored, motion carried.***

Item #2 Turnberry at Trail Creek; Turnberry Rd., & Glasgow Dr. Rezone the property from R1 to R3. The public hearing has been closed. Petitioner has requested a continuance.

Mr. Bubala stated the petitioner has requested a continuance. ***Mr. Marker made a motion*** to continue Turnberry at Trail Creek to the August 21, 2023 meeting. ***Motion was seconded by Mr. Bubala, all favored, motion carried.***

Item #3 Turnberry at Trial Creek; Turnberry Rd., & Glasgow Dr. Preliminary Site Plan Review. Petitioner has requested a continuance.

Mr. Bubala stated the petitioner has requested a continuance. ***Mr. Ryfa made a motion*** to continue Turnberry at Trail Creek to the August 21, 2023 meeting. ***Motion was seconded by Mr. Stassin, all favored, motion carried.***

Item #4 Gene Berryman; 1033 Reder Rd. Rezone the property from I1 to R1. The public hearing has been closed.

Mr. Berryman appeared before the Commission. Mr. Berryman stated he has decided to sell the property, but selling will be difficult if a rezone is not granted. Attorney Greg Bower appeared on behalf of Austgen's (neighboring industrial property owner). Austgen's will be placing an offer on the property based on its zoning status; I1. Mr. Maglish asked what the market difference is with residential vs. industrial zoning. Mr. Bower stated he was unsure. Mr. Bower stated the Austgen's intention is to clean up the area and tie into Griffith's water/sewer. Mr. Stassin asked why the Austgen's haven't made offers to all the residential property owners then this would be a non-issue. Mr. Bower stated the best use for the property is industrial. The house was built in 1860 and is most likely at the end of its useful life. Mr. Maglish asked how much of the nearby properties are owned by the Austgen's. Mr. Bower stated they own the corner parcel and multiple lots further down the road, possibly 5-7 lots total. Mr. Ryfa asked Mr. Bower if he had looked at the listing online. Mr. Bower stated he had not. Mr. Ryfa stated the house does not appear to be at the end of its use or run down due to its age. Mr. Ryfa stated decades ago the Town of Griffith had taken areas of town and rezoned some areas as industrial or business. More recently the town has begun correcting issues from the Master Plan. Mr. Ryfa suggested the Commission waits to see what happens with the sale of the property, the town might not need to get involved. Mr. Berryman stated he is not expecting a reasonable offer from the Austgen's and asked if a determination could be decided and not continued. Mr. Ray White appeared before the commission to speak in favor of the zoning change to residential. ***Mr. Stassin made a motion to grant a favorable recommendation*** to Gene Berryman; 1033 Reder Rd. to rezone the property from I1 to R1. ***Motion was seconded by Mr. Maglish.*** Mr. Ryfa then listed reasons why commission is granting a favorable recommendation. 1. The property next door had previously been allowed to rezone to residential. 2. The house is more valuable than the industrial area. 3. The changes in Master Plan were done long before the Griffith housing market was at a high like it is now. ***All favored, motion carried.*** Attorney Schwerd stated he will prepare Findings of Fact and asked for a motion to do so. ***Mr. Stassin made a motion*** to allow Attorney Schwerd to prepare Findings of Fact for Gene Berryman; 1033 Reder Rd., rezone from I1 to R1. ***Motion was seconded by Mr. Maglish. All favored, motion carried.***

#5 Menards; 430 W Ridge Rd. Site Plan Review for retail store. Petitioner has requested a continuance.

Mr. Stassin made a motion to continue Menards; 430 W Ridge Rd. to the August 21, 2023 meeting. ***Motion was seconded by Mr. Ryfa. All favored, motion carried.***

NEW BUSINESS

Item #1 Tac Auto Sales, Inc. 928 W Ave H; Change of Use to open a used car dealership. Property is zoned I2

Mr. Ahmad Chaaban appeared before the Commission. Mr. Chaaban stated he would like to open a used car dealership with offices. There will be customer parking on the side of the building, there is another building on site where he will perform car detailing. Most of the sales will be online transactions, as well as all dealings with finance companies. Mr. Bubala stated cars cannot be parked on Avenue H because the frontage does not have the approval needed. Mr. Chaaban stated the property is fenced and all transactions will be done behind the fenced area. Mr. Bubala asked if the property currently has concrete, gravel or asphalt. Mr. Chaaban stated there is gravel, but there are plans to eventually improve the surface. Mr. Stassin asked Mr. Dammarell if there is an ordinance on what the surface can be. Mr. Dammarell stated this project will need a site plan review, and the ordinance states the vehicles need to park on an improved surface (concrete or asphalt), stone is not acceptable. The surface improvement must take place before the dealership can open. Cars must be stored or parked on an improved surface. Mr. Dammarell stated storm water drainage will also need to be reviewed. Mr. Ryfa asked if the vehicles are purchased and sit on the property until sold, or are the vehicles brought on site once purchased. Mr. Chaaban stated he will purchase the vehicles and they will then be posted online. Mr. Ryfa suggested the anticipated max carload is reflected on the site plan. Mr. Ryfa stated ingress and egress should also be considered. Mr. Dammarell stated it would start at Avenue H, meaning the driveway apron must be an improved surface as well. Mr. McDermott explained that the apron must be concrete. ***Mr. Maglish made a motion*** to continue Tac Auto Sales, Inc., 928 W Ave H to the August 21, 2023 meeting. ***Motion was seconded by Mr. Stassin.*** Mr. Ryfa clarified the petitioner should request a Site Plan Review separate from the Change of Use. ***All favored, motion carried.***

Item #2 Dennis Uniform Mfg., LLC, 1915 W Glen Park Ave.: Change of Use to open an apparel store. Property is zoned B3.

Ms. Vicky Vicksinich; Manager of Dennis Uniform appeared before the Commission. Ms. Vichsinich stated the company is based out of Portland, Oregon, and has been in business since 1920. There are 40 stores throughout the U.S. Mr. Bubala asked what type of uniforms are sold. Ms. Vicksinich stated they sell uniforms to parochial schools in the area. Mr. Stassin asked if it will be located in the Griffland Plaza. Ms. Vicksinich stated that was correct. Mr. Stassin asked how the deliveries are made. Ms. Vicksinich stated UPS deliveries will be received in the back. Mr. Stassin asked if there will be semi-truck deliveries. Ms. Vichsinich stated there are not. ***Mr. Stassin made a motion*** granting Dennis Uniform Mfg, LLC, 1915 W Glen Park Ave., permission for a Change of Use to open an apparel store. ***Motion was seconded by Mr. Blount. All favored, motion carried.***

Item #3 Esthetics by Klarissa, LLC, 425 N Broad St.: Change of Use to open an esthetician studio. Property is zoned PB

Ms. Klarissa Jimenez appeared before the Commission. Ms. Jimenez stated her business will offer full body waxing and fascial services. Ms. Jimenez has held an esthetician license since 2015, her previous location was in Crown Point. Mr. Bubala asked if there will be injections of any kind. Ms. Jimenez stated there will not. ***Mr. Ryfa made a motion granting*** Esthetics by Klarissa, LLC, 425 N Broad St., a Change of Use to open an esthetician studio. ***Motion was seconded by Mr. Stassin. All favored, motion carried.***

Item #4 Shine Recovery Café, 1195 E Ridge Rd.: Change of Use to open a not-for profit adult recovery facility. Property is zoned B3.

Ms. Sade Carrasquillo appeared before the Commission. Ms. Carrasquillo stated the café is a community space for people in recovery from substance abuse, mental health issues, trauma, and grief loss. A free meal is provided and recovery group circle will meet weekly. The café will be open 3 days a week. Everything will be free (coffee, meal, and any classes offered). She will also be partnering with other government agencies to provide services. Mr. Bubala asked what the square footage is of the facility. Ms. Carrasquillo believes it is 2,800 sq. ft. Mr. Stassin asked if food preparation would be done onsite. Ms. Carrasquillo stated food is provided from restaurants or catering services. Mr. Bubala asked how many people could be there at one time for a session. Ms. Carrasquillo stated it is a membership model and is hopeful to have 30 members within the first year. There will be volunteers from local churches and other not-for profits organizations. Mr. Bubala asked if the business hours are 10:00am – 8:00pm. Ms. Carrasquillo stated those are the office hours. The café will be open 4-8 on Tuesday and Thursday, Saturdays are 10-2. Other days of the week will be random. ***Mr. Stassin made a motion*** granting Shine Recovery Café, 1995 E Ridge Rd. a Change of Use to open a not-for profit adulty recovery facility. ***Motion was seconded by Mr. Blount. All favored, motion carried.***

Item #5 Paul Conroy for E Stone, Inc., 820 S True St.: Preliminary Site Plan Review for a power room expansion and generator upgrade. Property is zoned I2.

Mr. Paul Conroy from E Stone appeared before the Commission representing Comcast. Mr. Conroy stated they plan to upgrade the current 1.5 meg generator that's on site by installing two 500 meg generators. The current building is not large enough, there is a proposed addition to the power room to help with the maintenance wraps to the bypass wraps. Mr. Bubala asked if both the generators would be on at the same time. Mr. Conroy stated they both ramp up, and one will turn off. Mr. Dammarell asked if there is an erosion control plan for the site, and asked if the generators are diesel. Mr. Conroy stated that was correct. Mr. Dammarell asked what kind of fuel containment is in place and how they are filled. Mr. Conroy stated there is an EPA plan with Arcadis for spill control and they are double walled tanks. Mr. Conroy asked if the town prefers 142 or 1085. The 1085 are considered full-proof tanks. Mr. Maglish asked if they are above ground tanks. Mr. Conroy stated they are. Mr. Conroy stated the total fuel usage will match what's on site currently. Mr. Dammarell stated the town's main concern is spill prevention. Mr. Conroy stated they are double walled tanks, with nothing on the soil at all. Mr. Dammarell asked about the fueling. Mr. Conroy stated there is a spill kit built in. Mr. Dammarell asked if it's unimproved earth under the tanks. Mr. Conroy stated there is a concrete slab. Mr. Dammarell stated there should be something around the perimeter of the tanks. Mr. Conroy understood. Mr. Dammarell also stated the plans show storm water run off going to the west but directing it north would keep it on the same property. Mr. Bubala questioned decibel levels. Mr. Conroy stated the average is 72dB at 21' with a level 2 enclosure. Mr. McDermott stated emergency services will advise before the next meeting. ***Mr. Maglish made a motion*** granting preliminary site plan review pending the engineering comments to Paul Conroy for E Stone, Inc., 820 S True St. for a power room expansion and generator upgrade. ***Motion was seconded by Mr. Bubala. All favored, motion carried.***

COMMUNICATIONS

None.

BILLS AND EXPENDITURES
Mr. Maglish made a motion to approve a claim for meeting minute preparation for the meeting held June 19, 2023, in the amount of $65.00. ***Motion was seconded by Mr. Stassin. 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 7:43p.m.

~~Dave Maglish, Secretary~~ Robert Bubak, Vice Chairman

Veronica L. Horka, Recording Secretary

Town of Griffith

Plan Commission
111 N. Broad St.
Griffith, IN 46319

To the Griffith Town Council:

Please consider this communication as certification that at the duly advertised public meeting on July 17, 2023 the Griffith Plan Commission unanimously passed a motion to make a recommendation to the Griffith Town Council to rezone the property located at 1033 Reder Road from I1 to R1.

The Plan Commission considered the following before passing the motion to recommend the rezoning of the property to the Council:

1. The commission determined that the Town's Comprehensive Plan was out dated in light of the remarkable changes that have taken place concerning real estate development within the Town's corporate limits. Unfortunately the old Comprehensive Plan does not address the these changes. Further, the Plan did not take into consideration that there was a 100 plus year old residence on the subject property.

2. the current conditions and the character of the structures are such that the rezoning of the subject property where a residence has existed for well over a 100 years will not interfere with the remaining property that is zone I1, since the Town's Ordinances require a buffer zone between R1 and I1 Zoning Districts. Further, another residence in close proximity to the subject property was previously rezoned to RI. The Commission also took note that recently large portions of the of the real estate south of the subject property has been developed into residential subdivisions.

3. The most desirable use for which the land in each district is adapted is such that the property with the 100 plus year old home on it clearly should be zoned R1 and the remaining property should remain I1. The building of residential subdivisions in close proximity to the subject property must be considered in deciding the most desirable use of the property.

4. There is no evidence that the rezoning of the subject property will not have a negative effect on properties throughout the Town.

5. The subject property was an existing residence when that area of the Town was rezoned I1 and in keeping with the responsible development and growth the property should never have been rezoned I1.

Dated this 11th of August, 2023.

Respectfully Certified,

Larry Ballah, President

Griffith Plan Commission