Town of Griffith

Plan Commission

November 15, 2021

The September 20, 2021 Plan Commission meeting was called to order at 7:01p.m. by Chairman; Larry Ballah with members Rob Bubala, Dave Maglish, Rick Ryfa, Larry Stassin, and Jim Marker. Also present was Attorney Bob Schwerd, Plan Commission Engineer; Jake Dammarell, and Building Commissioner; Steve McDermott.

Minutes from the October 18, 2021 meeting were approved as written.

**OLD BUSINESS**

***Item #1 Indi Homes 200 LLC; 1001 E 40th Pl., Public Hearing to rezone the property form R2 to R3 to build townhomes.***

Mr. Jason Patrinos appeared before the board. He stated all mailings went out and that he hired an attorney to send them out. Mr. Schwerd stated that some of the notices to property owners were not sent out which is not in compliance with the rules. Mr. Ballah asked if we received the receipts of those who were notified, to which Mr. Schwerd stated yes. Mr. Ballah stated that everyone within 300ft of the property must be notified. Due to this, the proper notification was not provided. Mr. Ballah asked if he has something to provide at this time to the contrary. Mr. Patrinos stated there were three owners he was aware of, one who was on the other side of Colfax in Gary who were not necessary to notify, someone beyond 300 ft., and one who had been notified due to being on the list more than once. Mr. Ballah stated the individual beyond 300 ft., was fine to not be notified. Mr. McDermott stated that there were two lot owners in question, John Bathurst who has a mailing address outside of Griffith but the property is in fact in Griffith. The second was right on the edge of 300 feet. Mr. McDermott stated the list was generated by the County and he is unaware as to why the County would state it was within 300 ft. if it was not. Mr. McDermott stated we did not have any measurements to provide to clarify. Mr. Ballah stated that without clarification they would not be able to continue with the Public Hearing since qualifications we not met. Mr. Patrinos stated Bathurst owned multiple lots in the area and was a redundant mailing, so he should have received one. Mr. McDermott confirmed we did not have one. ***Mr. Ryfa made a motion*** to continue Indi Homes 200 LLC; 1001 E 40th Pl., to the December meeting**, *seconded by Mr. Marker. All favored, motion carried.*** Mr. Ballah then stated that the individuals who showed up to speak at the Public Hearing will have an opportunity to make Public Comments on record so they do not have to come back.

***Item #2 Petrogas Terminals LLC; 1800 W Ave H., Final Site Plan Review to build a commercial building for office and storage use.***

Mr. Tony Peuquet with Chester Inc. appeared before the board. Mr. Peuquet stated they are seeking Final Site Plan approval. They had gone through engineer review and received a response from the engineer that things were satisfactory as long as he follow through with the code requirement. He did get the septic holding tank approved and will have the final approval by the end of the week, which he will provide once received prior to getting permits. He also verified the water tap with the utility department. Mr. Ballah stated that with the two items, the proper connection to the water system and the septic approval from the county being provided to the building department.

***Mr. Ryfa made a motion*** granting Petrogas Terminals LLC; 1800 W Ave H., Preliminary Site Plan Approval contingent upon the proper connection to the water system and the septic approval from the county ***seconded by Mr. Bubala. All favored, motion carried.***

***Item #3 The Party Ave; 1915 W Glen Park Ave., Change of Use to operate a venue/banquet/event coordination center.***

Ms. Davetta Hawkins appeared before the board. Ms. Hawkins explained they plan to use the site to host various special occasions for family and friends. Mr. Ballah asked for an update on the items addressed at the last meeting, the state review, bathroom facilities, and a liquor license requirement. Ms. Hawkins stated she sent a plan review to the state to change the unit from mercantile to assembly as well as to add a second bathroom. Ms. Hawkins also stated that she met with excise who gave direction for the three-way liquor license which will be obtained once approval is granted. Until approval they intend to partner with a caterer to provide the services. Ms. Hawkins stated they also completed the Indiana Server Training Program and received a certificate from the ATC. They also obtained an amusement and entertainment permit from the Indiana Homeland Security that is valid until November 1, 2022. Ms. Hawkins stated they also sent the floorplan to Fire Chief Roy Schoon who advised their occupancy is 99 without sprinklers and up to 112 with sprinklers. He also indicated an inspection would be scheduled closer to the opening of the business. Ms. Hawkins also provided and gave Mr. Ballah a business plan. Mr. Ballah clarified the hours are 9:00 am to 12:00pm, Monday through Sunday. Mr. Ballah stated that initially they intended for individuals to bring their own alcohol and asked about the liquor license. Ms. Hawkins stated the excise officer went over the details of that and confirmed they would need a liquor license as people cannot bring drinks in. Mr. Maglish asked for clarification that they cannot get the liquor license without Plan Commission approval. Ms. Hawkins stated that was incorrect and that they will obtain the license upon approval due to the fees associated; until approval a catering service would provide the alcohol if needed until approval. Mr. Ballah asked Mr. McDermott if we received a copy of the state release to which Mr. McDermott stated he did not. Mr. Ryfa asked when the application was submitted. Ms. Hawkins stated November 2,2021. She received a response on November 12, 2021 with first glace issues. Ms. Hawkins then shared the email detailing issues that were sent to her with the board. After reviewing the email Mr. Ballah then confirmed they did not have an approved state release and that the email provided was just the initial red flags that were noticed and that follow up would be needed. Ms. Hawkins stated they did not meet the Chapter 34 review. Mr. Ballah then clarified they are in the process of getting state review and a liquor license. Mr. Ryfa then asked if they were under a lease currently. Ms. Hawkins stated they were not, they were waiting for approval until they sign a lease. Mr. Ryfa asked if they were aware of the type of business they were wanting to run to which Ms. Hawkins stated yes. Mr. Ryfa then suggested they provide a lease agreement or letter from the landlord for the parking issues. Mr. Ryfa stated there are two bars there currently, one carry out restaurant, and a liquor store. Ms. Hawkins stated that is one of the reasons they intend to close at midnight instead of later. Mr. Ryfa asked if they had the total number of parking spots. Ms. Hawkins stated there is 177 and additional parking in the back as well. Mr. Ryfa stated there is a total number of spots required and would like to see what the parking is like. Ms. Hawkins stated they did speak with owners on parking and they stated they haven’t run into any issues. Mr. Ryfa stated they would need clarification on the possible parking issues. Mr. Stassin then asked for clarification on what they mean by banquet and event center, that it would not be masquerading as a nightclub. Ms. Hawkins stated most of the events are private and only those invited would be allowed so it would not be open to the public. Mr. Ballah asked if they would be open all hours of operation, 9:00am to 12:00pm. Ms. Hawkins stated not when events are not booked. Mr. Stassin asked about the security, if it would be the contracting party’s responsibility or if they would provide it. Ms. Hawkins stated they would provide the security. Either owner would be present at the events as well as security staff. Mr. Ryfa asked what the name of the location in Illinois is. Ms. Hawkins stated the same name, The Party Ave. Mr. Ryfa then asked for the website, to which Ms. Hawkins provided thepartyave.com. Ms. Hawkins also stated she had a contract agreement and provided that to the board. She explained they have the right to shut down events that become too loud to respect the other tenants. Mr. Ryfa asked who they should communicate with on the parking issues. Ms. Hawkins stated Aaron McDermott or Miles. Mr. Ballah stated there are three issues to address, parking, the liquor license, and state approval. ***Mr. Ryfa made a motion*** continuing The Party Ave; 1915 W Glen Park Ave., to the December meeting, ***seconded by Mr. Stassin. All favored, motion carried.*** Ms. Hawkins asked what they were looking for with the parking issue. Mr. Ryfa stated the town ordinance requires x number of spots based upon occupancy. Ms. Hawkins stated that the owners said the tenants do not have allotted spaces but that parking is on a first come, first serve basis.

***Item #4 New Oberpfalz Brewing at 121 E. Main St., by Dan Lehnerer. Final Site Plan Review for a brewery addition.***

Mr. Ballah asked where it stands on the issues addressed at the last meeting. Mr. Dan Lehnerer appeared before the board. Mr. Lehnerer stated the architects sent the plans this afternoon. Mr. Ryfa stated they did not have a chance to look but mentioned looking at the brick requirement. Mr. Lehnerer stated it met that. Mr. Dammarell asked if there was a change in the façade as the new plan sent did not appear to show differences of the plans from August that has a lot of brick. Mr. Lehnerer stated it was the same façade. Mr. Dammarell then stated the minimum is 70% per ordinance and confirmed that has not changed. Mr. Lehnerer stated what was provided in August was the same as they are doing still. ***Mr. Maglish made a motion*** continuing New Oberpfalz Brewing at 121 E. Main St., to the December meeting ***seconded by Mr. Bubala. All favored, motion carried.***

**NEW BUSINESS**

***Item #1 I Dig Dinos; 100 S Broad St., Change of Use to operate a retail space.***

Mr. Kevin Pete and Mr. Ruben Luna appeared before the board. They explained that the location is an interactive dinosaur gift shop. He then provided a business plan. Mr. Pete stated they sell fossils, dinosaur toys, rocks, gems, minerals, they would also have an interactive activity like a fossil dig, gem mining, crack your own geode, sand art, make your own plush dinosaur, as well as riding of an animatronic dinosaur. Mr. Ballah asked if anyone had any questions. Mr. Ryfa sked what kind of occupancy they expected. Mr. Pete stated 30-40. Mr. Ryfa asked if they looked at the issue of no parking. Mr. Pete stated there are ten spaces behind and off-street downtown parking. Mr. Bubala stated the hours looked to be 10:00 am to 5:00pm. Mr. Pete stated they were every day. Mr. Bubala asked if this was their only location. Mr. Pete stated yes. Mr. Ryfa stated that pending approval the hours won’t be restricted to 10:00am to 5:00pm in case they decide to expand. ***Mr. Bubala made a motion*** granting I Dig Dinos; 100 S Broad St., Change of Use to operate a retail space ***seconded by Mr. Stassin. All favored, motion carried.*** Mr. Ballah asked if this was all that they needed to do. Mr. Schwerd stated there is not.

**COMMUNICATIONS**

Mr. Ballah communicated that since Stan Dobosz has retired from the Plan Commission, a new Secretary needed to be nominated. ***Mr. Stassin made a motion*** nominating Mr. Maglish for Plan Commission Secretary, ***seconded by Mr. Marker.* *All favored, motion carried.***

Mr. Ballah then opened up the floor for any comments on the preceding item, Item #1 Indi Homes 200 LLC; 1001 E 40th Pl. Mr. Darron appeared before the board. Mr. Darron stated that he had no issues with them building but wanted to know if they were connecting into where Wheeler ends. Mr. Patrinos stated that as of now that was not their plan. Mr. Darron then stated he had another question about adding a streetlight at the end of his street. Mr. Ryfa stated the Public Works Director Andy Raab would order that and that they would pass it along to the Town Council. Mr. Ryfa asked what the approximate address was. Mr. Darron stated the 1200 block. Mr. Ryfa asked if there were any other lights on the street. Mr. Darron stated around four houses down. Mr. Ballah then asked where Mr. Patrinos was on the Site Plan. He then asked if there would be one or two entrances. Mr. Patrinos stated the last plan had one entrance with a cul-de-sac. Mr. Patrinos then stated that referencing the three notifications in question, he is sure they are accurate and correct. Mr. Patrinos stated the Jerrell’s family has a mailing address in Chicago Heights but that the property is over 300 ft. He stated that the Bathurst property was located in Gary. He also stated the Maxwell and Wilds notice was sent and they had a ticket to show. Mr. Ballah stated the issue is that if the public hearing is not advertised correctly it comes back on the commission. He also stated that the information in our possession shows differently so we must proceed with caution. Mr. Ryfa stated this was the corner of Colfax and 40th Mr. Patrinos stated the other side of Glenwood is 360’ away. Mr. Ryfa asked if it was the edge of the property. Mr. McDermott stated the issue is that the county generated the list that says that any edge of the property is within 300 ft of any edge of their property. Mr. McDermott stated we would need something to show otherwise. Mr. Ryfa stated he wanted to see the list of property owners. Mr. McDermott stated that the Bathurst property is in Griffith within 300 feet, just that the mailing address is different. Mr. Patrinos stated Bathurst had two Gary addresses and a Griffith address. Mr. McDermott stated that when the parcel was checked it was Griffith. Mr. Ryfa stated he may want to have Mr. Torrenga look at the radius of the property lines. Mr. Patrinos stated each lot is 60 feet wide and there are five lots to Glenwood and the street width is 60 feet. Mr. Ryfa asked if he was still looking at Townhomes. Mr. Patrinos stated yes. Mr. Ryfa asked the square footage. Mr. Patrinos stated approximately 1400 sqft, but that they have not gotten that far yet. Mr. Patrinos briefly acknowledged the delay in the hearing and the extra cost of remailing the notices. Mr. McDermott then pulled up the properties in question and showed them to Mr. Patrinos. Mr. McDermott showed there are only four lots, not five, as the fifth lot is included in Mr. Patrinos’ parcel. Mr. McDermott then showed where Mr. Bathurst’s property was in relation to Mr. Patrinos’.

**BILLS AND EXPENDITURES**

***Mr. Maglish made a motion*** to approve a claim for the meetings held October 18, 2021 in the amount of $65.00 ***seconded by Mr. Bubala. 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 7:53p.m.

Respectfully Submitted

Dave Maglish, Secretary

Aubrey R. Stegall, Recording Secretary