

The meeting of the Plan Commission of the City of Hammond, Indiana was held on Monday, May 20, 2024, in the Council Chamber, 2nd Floor, 5925 Calumet Avenue, Hammond, IN 46320, and via www.Zoom.us, at 6:00 p.m.

President Button called the meeting to order at 6:00 p.m. President Button led the Pledge of Allegiance. President Button called for the roll call.

PRESENT

Roger Brock (IP)
Michael Dye (IP)
Ronald Sims (IP)
William Hutton (IP)
Thomas Kazmierczak (IP)
Dan Spitale (IP) 6:02 p.m.
Thomas Dabertin
Marcus Taylor (IP)
Dean Button (IP)

ABSENT

ALSO PRESENT

Brian L. Poland, AICP
Director of City Planning

Tom Novak
Asst. City Planner

Shannon Morris-Smith
Secretary

Dave Westland
Plan Commission Attorney

PRESENT – 9

ABSENT – 0

QUORUM

APPROVAL OF MINUTES

President Button called for a motion to approve the minutes of the April 15, 2024 meeting. Mr. Dye so moved, seconded by Mr. Hutton. Roll call vote. Roger Brock/yes, Michael Dye/yes, Ronald Sims/yes, William Hutton/yes, Thomas Kazmierczak/yes, Thomas Dabertin/yes, Marcus Taylor/yes, Dean Button/yes. Eight “Ayes”, Zero “Nays”, One “Absent”, and Zero “Abstentions”. Motion passed.

OLD BUSINESS

There was none.

NEW BUSINESS

CP-24-03

Petition of Pipeline Realty-Indiana, LLC to Reclassify Property at 1424 Field Street from R-1U Urban Single Family Residential District and I-2 Manufacturing District to I-2 Manufacturing District to Continue and Expand Operating and Maintaining a Warehouse and Distribution Facility within the City of Hammond

President Button asked if the notification requirements had been met. Ms. Morris-Smith stated “Yes”.

James Yannakopoulos, Koransky, Bouwer, and Poracky, P.C., 425 Joliet Street, Suite 425, Dyer, IN 46311, represented the petitioner. Mr. Yannakopoulos stated the petitioner had an existing pipeline distribution warehouse facility on the southern half of the

property and purchased additional property to the north. The property was re-platted and unified into one lot. The City has requested that the zoning be unified into one classification. Most of the property was currently zoned I-2 Industrial Manufacturing District. There was a small strip of property that was located at the furthest western point along Willard Avenue that was residential. The property was an 88 foot wide residential strip of property that coincides with the landscape buffer easement that was previously approved by the Plan Commission. Mr. Yannakopoulos requested that the small strip of R-1U property along Willard Avenue be changed to I-2 Manufacturing District to make the zoning consistent.

President Button asked if there were any questions from the Commissioners. There were none.

President Button opened up the public hearing. There was none.

President Button closed the public hearing.

President Button asked if there were any additional questions from the Commissioners.

Mr. Poland summarized the staff report, but it is presented below in its entirety.

Mr. Poland corrected the staff report under the background section to remove "NH Vegas, LLC.

BACKGROUND

Pipeline Realty Indiana, LLC is the petitioner for the subject property at 1424 Field Street. The rezoning is for changing the existing two zoning classifications of R-1U Urban Single-Family District and I-2 Manufacturing District to a single classification of I-2 Manufacturing District. The property is the current location of the Texas Pipeline Facility and is for the new single lot from a recent combination resubdivision for their existing facility and the former Hammond Group property that they acquired. A plat of amendment was also recently approved.

Subject property and adjacent properties, present use and zoning classification

The subject property has two zoning classifications of R-1U and I-2 Manufacturing. The R-1U district area is on the east side of Willard Avenue. This dual zoning has existed at least since 2003. The majority of the property is zoned I-2 and continues to the east, south, and north of the subject property.

ANALYSIS

State statute identifies five criteria to be addressed when considering a zoning petition.

1) Comprehensive Plan

The subject property is located in Planning District III Central Hammond Planning District in the 1992 Comprehensive Land Use Plan. In the plan, the proposed land use for the entire property was industrial.

2) Current conditions and character

The subject property is vacant and well maintained. The area has been used as a landscape buffer for the previous Hammond Group facility.

3) Most desirable use for the property

The subject property has been used for industrial purposes for more than 100 years. It was originally a part of the Standard Steel Car Company, later Pullman-Standard company. It is on the periphery of the Pullman-Standard residential neighborhood originally constructed by the Standard Steel Car Company for worker housing. The desire to expand the residential neighborhood to the east side of Willard Avenue never materialized.

4) Conservation of property values throughout the area

Protection of the residential property and appropriate buffers are critical to maintaining the values and desirability of the Pullman-Standard neighborhood is critical. Finding the appropriate balance to allow for the expansion and development of the industrial property is important for the neighborhood.

5) Responsible development and growth

The proposed rezoning will eliminate the split zoning on the property, making the industrial property more desirable. The plat of amendment confirms the location of the landscape buffer which roughly corresponds to the boundary of the R-1U district boundary. A pending BZA case will further identify appropriate landscape buffers from the outdoor storage of materials for the Texas Pipeline Company expansion.

STAFF RECOMMENDATION

The petition for rezoning is in keeping for the current uses, corrects the two zoning classifications on the property, and provides a location for appropriate landscape buffers to the residential neighborhood.

Staff recommends that the Plan Commission forward the petition to the City Council with a favorable recommendation.

If the Plan Commission agrees with the recommendation, the staff requests that this report be adopted by the Plan Commission as Preliminary Findings of Fact.

The presentation was concluded.

President Button asked if there were any questions from the Commissioners. There were none.

President Button called for a motion to forward the petition to the City Council with a favorable recommendation. Mr. Dye so moved, seconded by Mr. Brock. Roll call vote. Roger Brock/yes, Michael Dye/yes, Ronald Sims/yes, William Hutton/yes, Thomas Kazmierczak/abstained, Dan Spitale/yes, Thomas Dabertin/yes, Marcus Taylor/yes, Dean Button/yes. Eight "Ayes", Zero "Nays", Zero "Absent", and One "Abstention". Motion passed.

President Button called for a motion that the Plan Commission adopt the amended staff report as preliminary findings of fact. Mr. Dye so moved, seconded by Mr. Spitale. Roll call vote. Roger Brock/yes, Michael Dye/yes, Ronald Sims/yes, William Hutton/yes, Thomas Kazmierczak/abstained, Dan Spitale/yes, Thomas Dabertin/yes, Marcus Taylor/yes, Dean Button/yes. Eight "Ayes", Zero "Nays", Zero "Absent", and One "Abstention". Motion passed.

Mr. Poland advised Mr. Yannakopoulos that the City Council meeting has been rescheduled to May 28, 2024, due to the holiday. Mr. Yannalopoulos should be present at the caucus meeting at 5:30 p.m.

CP-24-04 Petition of 6205 Indianapolis, LLC for a 2 Lot Subdivision Known as MRGG LLC Addition to the City of Hammond in an I-2 Manufacturing District Located at 2030 Summer Street and 6205 Indianapolis Blvd. within the City of Hammond

President Button asked the secretary if the notification requirements had been met. Ms. Morris-Smith stated "Yes".

Don Torrenga, Torrenga Engineering, Inc., 907 Ridge Road, Munster, IN 46321. Mr. Poland stated that Robert Tepperman, Owner, was online prior to losing the connection. Mr. Torrenga stated this would be a clean up of the southeast corner of Indianapolis Boulevard. There was a vacation of Kenwood Street years ago. In addition, there are six (6) outstanding easement releases from various utility companies. There is one (1) cross access easement that would need to be signed and recorded. There was recently an alley vacation that was identified on the plat.

Mr. Poland further stated it was contradictory as to whether or not the alley was vacated so it was safer to re-vacate the alley to make sure the records were clear. The Kenwood Street vacation occurred in 1970. There was not any release of easements done at that time. The plat cleans up the street dedications at Indianapolis Boulevard and Summer Street. Also, where Sherman Street intersects with Indianapolis Boulevard around where the former Kenwood Street used to be. This straightens out where the street that comes in at an angle was being properly dedicated.

Mr. Poland asked Mr. Torrenga if he had an update on when the cross-access agreement would be resolved. Mr. Torrenga stated that it was in Mr. Tepperman's possession. He was not able to give a date on when it would be signed.

President Button asked if there were any questions from the Commissioners. Mr. Spitale asked about the construction on Summer Street. President Button discussed the construction project. President Button also informed Mr. Spitale that the construction project was not related to this petition.

President Button asked what would happen if the cross-access easement or utilities did not get negotiated or recorded and the Plan Commission approved the subdivision. Mr. Poland stated it was not unusual that release of easements were not available at this time. The approval would have conditions that would place the plat on hold until all of the conditions have been met.

President Button asked if there were any additional questions from the Commissioners. There were none.

President Button opened up the public hearing. There was none.

President Button closed the public hearing.

President Button asked if there were any additional questions from the Commissioners.

Mr. Poland summarized the staff report, but it is presented below in its entirety.

BACKGROUND

The petitioner MRGG LLC is requesting a two-lot subdivision for property located at 2030 Summer Street and 6205 Indianapolis Blvd. The purpose of the subdivision is to memorialize the existing property lines, incorporate the recent alley vacation, and properly dedicate street right-of-way.

Proposed lot 1 (6205 Indianapolis Blvd.) is 1.558 acres. Proposed lot 2 (2030 Summer Street) is 1.967 acres. The property is zoned I-2 Manufacturing. A portion of Sherman Street and a portion at the SE corner of Summer Street and Indianapolis Blvd. are being dedicated. This is a clean-up of the legal description of the parent parcel to properly dedicate the street segments.

A portion of Kenwood Street that crosses through the property was vacated in 1970. No records were found as to whether the utility easements rights were ever released. A western portion of Kenwood Street was vacated in 2005 but retained a NIPSCO easement. A building has been constructed on top of the vacated street. The petitioner is seeking the release of easements. Upon recording of the easement releases, the recordation information will be added to the subdivision plat notes.

A cross-access and parking easement is identified on the plat across the two lots. The easement document has not been provided.

STAFF RECOMMENDATION

The subdivision plat has been sent out for agency review. Not all responses have been received. The petitioner has obtained most of the utility easement releases, but they have not been recorded. The petitioner and NIPSCO are discussing the release of easement for Kenwood Street and it is expected to be provided. No utility easement releases were requested for the vacated alley and it is identified on the plat as a utility easement.

The staff's opinion is that the plat meets the requirements set forth in the Subdivision Control Ordinance and recommends for preliminary and final approval of the subdivision plat, subject to the receipt of the recorded cross-access and parking agreement, recorded utility easement releases for Kenwood Street, and any other technical corrections.

If the Plan Commission agrees with the staff report as amended, it is requested that the amended staff report is adopted as findings of fact.

President Button asked for a motion to approve the preliminary and final subdivision plat, subject to the receipt of the recorded cross-access and parking agreement, recorded utility easement releases for Kenwood Street, and any other technical corrections. Mr. Dye so moved, seconded by Mr. Taylor. Roll call vote. Roger Brock/yes, Michael Dye/yes, Ronald Sims/yes, William Hutton/yes, Thomas Kazmierczak/abstained, Dan Spitale/yes, Thomas Dabertin/yes, Marcus Taylor/yes, Dean Button/yes. Eight "Ayes", Zero "Nays", Zero "Absent", and One "Abstention". Motion passed.

President Button called for a motion that the Plan Commission adopt the amended staff report as findings of fact. Mr. Dye so moved, seconded by Mr. Spitale. Roll call vote. Roger Brock/yes, Michael Dye/yes, Ronald Sims/yes, William Hutton/yes, Thomas Kazmierczak/abstained, Dan Spitale/yes, Thomas Dabertin/yes, Marcus Taylor/yes, Dean Button/yes. Eight "Ayes", Zero "Nays", Zero "Absent", and One "Abstention". Motion passed.

CP-24-05 Petition of Swanel Beverage, Inc. and Board of Public Works for a 2 Lot Subdivision Known as Central Fire Addition to the City of Hammond in an S-2 Institutional District and an I-1 Industrial District Located at 6110 Calumet Avenue and 6044 Erie Avenue within the City of Hammond

President Button asked the secretary if the notification requirements had been met. Ms. Morris-Smith stated "Yes".

Zach Obringer and Chris Moore, Nies Engineering, Inc., and Edward Roviario, Swanel Beverage, Inc., represented the petitioner. Mr. Obringer stated that a 2-lot subdivision has been created and proposed. The subdivision was called Central Fire Addition to the City of Hammond. The proposed Lot 1 would consist of the Central Fire station. Lot 2 would be Swanel Beverage. Mr. Obringer further stated the purpose of the subdivision would be to memorialize a ten (10) foot strip of land that's transferred from Central Fire station to Swanel Beverage. And to rededicate areas of Erie Avenue and Calumet Avenue that were adjoining Lot 1.

There was an ingress/egress easement that was the purpose of the ten (10) foot strip that was transferred to facilitate an ingress/egress easement for the north adjoiner of Swanel.

Mr. Poland asked if the easement would be kept as shown on the plat or would it be changed. Mr. Moore stated a determination would be made on whether or not the easement that runs behind the existing building would be utilized depending on if the trucks were able to get in and out of the area that they currently use on the north side of the property. If the trucks were able to get in and out the south part of the property would not be used. There would not be a change to anything. It would mean that the easement on the south would not be utilized now, but possibly in the future.

Mr. Poland asked if this would have an impact on where the pavement would go. Mr. Moore stated "Yes".

President Button asked if there were any questions from the Commissioners. Mr. Hutton asked when it would be known if the trucks were able to maneuver around the property. Mr. Moore stated the building would be constructed this year and in operation in the near future. Mr. Roviario stated trucks would begin moving out in January 2025. Mr. Hutton asked if a building would be built on a property without knowing if vehicle were able to get in and out of the property safely. Mr. Moore stated with the new plat trucks would move around the existing building and exit on the south side of the property.

President Button asked if there were any additional questions from the Commissioners. There were none.

President Button opened up the public hearing. There was none.

President Button closed the public hearing.

President Button asked if there were any additional questions from the Commissioners.

Mr. Poland summarized the staff report, but it is presented below in its entirety.

BACKGROUND

The petitioners Swanel Inc. and the Board of Public Works and Safety are requesting a two-lot subdivision for property located at 6110 Calumet Avenue and 6044 Erie Avenue. The purpose of the subdivision is to memorialize the existing property lines and the property transfer from one owner to the other, and properly dedicate street right-of-way.

Proposed lot 1 (6110 Calumet Avenue) is 2.39 acres. Proposed lot 2 (6044 Erie Avenue) is 1.54 acres. Proposed Lot 1 is zoned S-2 Institutional. Proposed Lot 2 is zoned I-1 Light Industrial.

Proposed Lot 1 was originally platted at Block C of the Franklin Addition. A 20' strip of land was sold off to Swanel, Inc. The Original Block C extended into portions of the Erie Avenue ROW and Calumet Avenue ROW. Proposed Lot 2 is an acreage parcel. An approximate 5600 SF triangle piece was separated from the parent parcel.

A 30' wide by 170'+/- section of Erie Avenue and a 10' x529' +/- of Calumet Avenue are being dedicated. An egress/ingress easement is being placed on Lot 2 to provide access to a new building being built to the north of Lot 2.

This plat is considered to be an interim subdivision to correct the original Block C legal description that extended into the streets, address the property transfer from Block C, and establish an ingress/egress easement on Lot 2 to serve the property to the north. This subdivision will be followed by a two-lot subdivision plat that will address the property transfer from proposed lot 2 to the parcel to the north.

STAFF RECOMMENDATION

The subdivision plat has been sent out for agency review. Not all responses have been received. Final NIPSCO comments have not been received regarding the utility easement in the vacated alley on the easterly side. No other objections were given.

The staff's opinion is that the plat meets the requirements set forth in the Subdivision Control Ordinance and recommends for preliminary and final approval of the subdivision plat, subject to technical corrections and resolution of NIPSCO's concerns. If the Plan Commission agrees with the staff report, it is requested that the staff report is adopted as findings of fact.

President Button asked for a motion to approve the preliminary and final subdivision plat, subject to technical corrections and resolution of NIPSCO's concerns.

If the Plan Commission agrees with the staff report, it is requested that the staff report is adopted as findings of fact. Mr. Dabertin so moved, seconded by Mr. Taylor. Roll call vote. Roger Brock/yes, Michael Dye/yes, Ronald Sims/yes, William Hutton/yes, Thomas Kazmierczak/abstained, Dan Spitale/yes, Thomas Dabertin/yes, Marcus Taylor/yes, Dean Button/yes. Eight "Ayes", Zero "Nays", Zero "Absent", and One "Abstention". Motion passed.

President Button called for a motion that the Plan Commission adopt the amended staff report as findings of fact. Mr. Dye so moved, seconded by Mr. Spitale. Roll call vote. Roger Brock/yes, Michael Dye/yes, Ronald Sims/yes, William Hutton/yes, Thomas Kazmierczak/abstained, Dan Spitale/yes, Thomas Dabertin/yes, Marcus Taylor/yes, Dean Button/yes. Eight "Ayes", Zero "Nays", Zero "Absent", and One "Abstention". Motion passed.

CORRESPONDENCE

There was none.

COMMISSIONER'S COMMENTS

President Button welcomed Mr. Dabertin and Mr. Sims to the Plan Commission.

STAFF COMMENTS

Mr. Poland stated that a June meeting was anticipated if documents were submitted from CP-24-05 within the next couple of days.

PUBLIC COMMENTS

There were none.

ADJOURNMENT

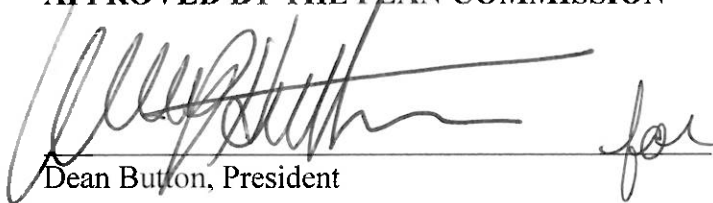
President Button called for a motion to adjourn, Mr. Dabertin so moved, seconded by Mr. Dye. The meeting adjourned at 6:40 p.m. "Ayes" all. Motion carried.

PREPARED BY



Shannon Morris-Smith,
Secretary to Plan Commission

APPROVED BY THE PLAN COMMISSION

 for
Dean Button, President

Date Approved: 6-25-24