

The meeting of the Plan Commission of the City of Hammond, Indiana was held on Monday, September 16, 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	ABSENT	ALSO PRESENT
Roger Brock (IP)	Michael Dye	Brian L. Poland, AICP
Ronald Sims (IP)	Marcus Taylor	Director of City Planning
William Hutton (IP)		
Thomas Kazmierczak (IP)		Tom Novak
Dan Spitale (IP)		Asst. City Planner
Thomas Dabertin (IP)		
Dean Button (IP)		Dave Westland
		Plan Commission Attorney

PRESENT – 7

ABSENT – 2

QUORUM

APPROVAL OF MINUTES

President Button called for a motion to table the minutes of the August 19, 2024 meeting. Mr. Kazmierczak so moved, seconded by Mr. Brock. Roll call vote. Roger Brock/yes, Ronald Sims/yes, William Hutton/yes, Dan Spitale/yes, Thomas Dabertin/yes, Dean Button/yes. Seven “Ayes”, Zero “Nays”, Two “Absent”, and Zero “Abstentions”. Motion passed.

OLD BUSINESS

There was none.

NEW BUSINESS

CP-24-07

Petition of NH Vegas, LLC for Approval of a 1 Lot Subdivision Known as Luke’s 267 Station Addition to the City of Hammond Located at 1051 and 1053 Indianapolis Boulevard which is Zoned C-4 within the City of Hammond

Dan Tursman, Luke Land, LLC, 3592 N. Hobart Road, Hobart, IN 46342, represented the petitioner. The petitioner requested preliminary and final approval of the plat of subdivision for 1051 Indianapolis Boulevard. A project at this property was presented to the Plan Commission last year. The project proposed to raise and rebuild the site with two (2) separate buildings on the property a new gas station/convenience store and a commercial retail building. Mr. Tursman further stated there was more analysis with the cost and it was decided to table the project and abandon the idea of the second building.

The process of getting the subdivision approved to create the second lot was completed. The current request was to approve a new plat that would reverse the parcel back to a

single parcel and release the easements that were created for the cross-access and for the shared utilities. The existing buildings would still be demolished and the site would be rebuilt with new fuel equipment and a new convenience store.

Mr. Tursman stated the site would be oriented different for visibility, and the City's right-of-way. There have been requests made to the utility companies to release the easements and responses have been received. The only exception was NIPSCO. The electric has been approved and the gas easement release was pending. The final step would be to record those documents.

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

Mr. Poland revisited the request to have the language for the removal of the access easement on the old property to make sure it would be clear on the new plat.

President Button asked if there were any additional questions for the petitioner. 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. There were none.

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

BACKGROUND

The petitioner is seeking to resubdivide the existing two-lot subdivision into a single lot. The property was resubdivided into two lots in 2022 as the Resubdivision of Luke's 267 Addition. The original one-lot Luke's 267 Addition was approved in 2009. The parcel is 2.01 acres, more or less.

The property was rezoned to C-4 General Commercial in 2022 and is the location of an existing gasoline fueling station. The 2022 plans were to construct a new fueling station and a separate multi-tenant retail building. This proposal was not completed. The petitioner has decided not to construct the retail building. Instead it intends to construct a differently configured gas station. In 2022, the conditional use for the gas station on Lot 1 of the Resubdivision plat was approved by the BZA. With the consolidation, the conditional use will need to be amended to cover the entire new single lot and the revised site plan.

The proposed single lots will be 2.01 acres. The most of the access and utility easements that were created for the 2 lot Resubdivision plat are no longer necessary as this is

intended to be a single lot. The petitioner is seeking release and termination of the utility easements from the utility companies. The 15' utility easement along Indianapolis Blvd. will remain. The access easement that was on the 2 lot Resubdivision plat is no longer necessary and will be terminated by the new subdivision plat.

STAFF RECOMMENDATION

The subdivision plat was not sent out for agency review. The petitioner is responsible for obtaining the release and termination of the identified utility easements.

An issue from the previous subdivision approval (CP-22-15) for potential INDOT ROW matter at the traffic signal is resolved.

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:

- 1) Receiving and recording the release of the utility easements and adding the recordation information to the subdivision plat.
- 2) Noting the release of the access easement on the plat. And
- 3) Any technical corrections.

If the Plan Commission agrees with the staff report, it is recommended that the staff report is adopted as 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 that the Plan Commission accept the subdivision plat for preliminary and final approval subject to the three (3) conditions. Mr. Kazmierczak so moved, seconded by Mr. Brock. Roll call vote. Roger Brock/yes, Ronald Sims/yes, William Hutton/yes, Dan Spitale/yes, Thomas Dabertin/yes, Dean Button/yes. Seven "Ayes", Zero "Nays", Two "Absent", and Zero "Abstentions". Motion passed.

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

CP-24-09 Petition of the Plan Commission to Review the Amending Declaratory Resolution 2024-11 of the Hammond Redevelopment Commission Regarding Amending the East Hammond Urban Renewal Area and the Urban Renewal Plan for the East Hammond Urban Renewal Area, IND. R-91, (NPD) Area 2) to Modify the Boundary Description

Mr. Poland requested to act as the petitioner and the reviewer. There were no objections.

Brian L. Poland, City of Hammond, Director of City Planning, 5925 Calumet Avenue, Room G-17, Hammond, IN 46320. Mr. Poland stated this was step one of a larger project for creating a new redevelopment area. The larger project for the new redevelopment areas would be referred to as the City Hall Redevelopment Area. This area would run along Calumet Avenue from 165th Street to 150th Street. The intent would be to take all of the commercial properties abutting those street and capturing them into a new redevelopment district.

A review of the other redevelopment areas and the other urban renewal areas took place and it was discovered that the boundary of the East Hammond Urban Renewal Area that was originally created in 1972, and amended in 1975 and 1977, and some of the commercial property on the east side of Calumet Avenue between Kenwood Street and Highland Street overlapped in the boundaries for the new redevelopment area. Mr. Poland further stated the amending declaratory resolution was intended to amend the boundary of the East Hammond Urban Renewal Area to take out the commercial property along Calumet Avenue. This would be added back into the new City Hall Redevelopment Area.

A technical flaw was discovered through the process in the boundary description. The area south of Field Street to Menards was captured in the Pullman Standard Redevelopment Area, and then incorporated into the Hammond Central Redevelopment Area. Mr. Poland further stated this was the second step of the process to amend the boundaries of the Urban Renewal Redevelopment area. The Plan Commission's role was to determine if the proposal from the Redevelopment Commission was in compliance with the Comprehensive Plan. The Plan Commission was the sending body for the City Council with a resolution that would confirm that the Plan Commission's determination did not conflict with the Comprehensive Plan. The City Council resolution would go back to the Redevelopment Commission for a Confirmatory Resolution.

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

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

BACKGROUND

In 1972, the East Hammond Urban Renewal Area was established. It was amended in 1975 and 1977. The boundaries of the East Hammond Urban Renewal Area are roughly Calumet Avenue and the Erie Lackawanna Railroad ROW (now Erie Lackawanna Linear Park and Bike Trail) on the west; 165th Street, Howard Avenue and the alley south of 164th Place on the South; Columbia Avenue on the east; and Highland Street on the north. The boundaries also included the frontage property on the east side of Columbia Avenue south of Field Street and the Pullman-Standard neighborhood on the east side of Columbia.

The Redevelopment Commission is seeking to create a new Redevelopment Area for the frontage property on both sides of Calumet Avenue from 165th Street to 150th Street. It has been determined that the east side frontage of Calumet Avenue between Conkey Street and Highland Street that was in the East Hammond Urban Renewal Area and overlapped the proposed boundaries of the redevelopment area along Calumet Avenue.

As a first step in creating a new Redevelopment Area for Calumet Avenue (to be known as City Hall Redevelopment Area) from 165th Street to 150th Street, the overlap area is being removed from the East Hammond Urban Renewal Area in order to be added into the proposed City Hall Redevelopment Area through a separate process.

The Redevelopment Commission resolution 2024-11 also addresses a conflict in the boundaries of the East Hammond Urban Renewal area and the Hammond Central Redevelopment Area. The frontage properties on Columbia Avenue south of Field Street that were included in the boundaries for the Pullman-Standard Redevelopment Area and as incorporated into the Hammond Central Redevelopment Area are being removed from the East Hammond Urban Renewal Plan

ANALYSIS AND FINDINGS OF FACT

In accordance with the statute governing Redevelopment Areas, the Plan Commission is to review the proposed Amended Urban Renewal Plan for consistency with the Comprehensive Plan (1992). The amendment amends the boundaries of the East Hammond Urban Renewal Area and there are no changes to the other provisions of the amended 1997 Urban Renewal Plan.

The Plan Commission finds that the Amending Declaratory and amendments to the Urban Renewal Plan for the East Hammond Urban Renewal Area:

- a) includes land uses and general design guidelines that pursue the objectives of the Comprehensive Plan;
- b) does amend or modify the boundaries established in 1977 for the East Hammond Urban Renewal Area by removing the properties on the east side of Calumet Avenue between Conkey Street and Highland Street and removing the properties on the east side of Columbia Avenue south of Field Street;
- c) does not significantly amend or modify Plan Actions for the original 1977 East Hammond Urban Renewal Area;

- d) does not amend or modify the Land Use Plan for original 1977 East Hammond Urban Renewal Area;
- e) does not amend and modify the Budget for the 1977 East Hammond Urban Renewal Area;
- f) does not propose to amend or modify the original Urban Renewal Plan in a way that changes:
 - 1) parts of the Original Urban Renewal Area that are to be devoted to a levee, sewerage, park, playground, or other public purposes;
 - 2) the proposed uses of the land in the Original Urban Renewal Area; or
 - 3) the requirements for rehabilitation, building requirements, proposed zoning, maximum densities, or similar requirements. Some basic design guidelines are in the plans for the subarea.
- g) does not amend the parts of the original plan devoted to a public way.

STAFF RECOMMENDATION

The staff recommends that the Plan Commission adopt a first motion to:

- 1) make a determination that the amendment to the Urban Renewal Plan for the East Hammond Urban Renewal Area is in conformity with the 1992 Comprehensive Plan;
- 2) adopt this report as its Findings of Fact;
- 3) adopt Plan Commission Resolution 2024-01; and
- 4) determine that both this report as its Findings of Fact and PC Resolution 2024-01 constitute the Plan Commission's Written Order for compliance with the Official Plans of the City of Hammond in accordance with IC 36-7-14-16(a).

Further staff recommends that the Plan Commission adopt a second motion to:

- 1) forward the Plan Commission's Written Order and the proposed Council Resolution to the Common Council with favorable recommendation.

Mr. Poland concluded the staff report.

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

President Button called for a motion that the Plan Commission 1) make a determination that the amendment to the Urban Renewal Plan for the East Hammond Urban Renewal Area is in conformity with the 1992 Comprehensive Plan; 2) adopt this report as its Findings of Fact; 3) adopt Plan Commission Resolution 2024-01; and 4) determine that both this report as its Findings of Fact and PC Resolution 2024-01 constitute the Plan Commission's Written Order for compliance with the Official Plans of the City of Hammond in accordance with IC 36-7-14-16(a). Mr. Dabertin so moved, seconded by Mr. Kazmierczak. Roll call vote. Roger Brock/yes, Ronald Sims/yes, William Hutton/yes, Dan Spitale/yes, Thomas Dabertin/yes, Dean Button/yes. Seven "Ayes", Zero "Nays", Two "Absent", and Zero "Abstentions". Motion passed.

President Button called for a motion that the Plan Commission forward the Plan Commission's Written Order and the proposed Council Resolution to the Common Council with favorable recommendation. Mr. Spitale so moved, seconded by Mr. Brock. Roll call vote. Roger Brock/yes, Ronald Sims/yes, William Hutton/yes, Dan Spitale/yes, Thomas Dabertin/yes, Dean Button/yes. Seven "Ayes", Zero "Nays", Two "Absent", and Zero "Abstentions". Motion passed.

CORRESPONDENCE

There was none.

COMMISSIONER'S COMMENTS

There were none.

STAFF COMMENTS

Mr. Poland stated he did not anticipate an October Plan Commission meeting. Mr. Poland further stated the Commissioners would be advised of the November meeting date once the City Council determines the November Council meeting date.

PUBLIC COMMENTS

There were none.

ADJOURNMENT

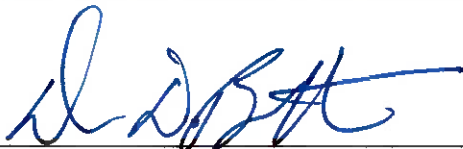
President Button called for a motion to adjourn, Mr. Dabertin so moved, seconded by Mr. Spitale. The meeting adjourned at 6:25 p.m. "Ayes" all. Motion carried.

PREPARED BY



Shannon Morris-Smith,
Secretary to Plan Commission

APPROVED BY THE PLAN COMMISSION



Dean Button, President

Date Approved: 10-21-24