

CITY OF GARY- PLAN COMMISSION MINUTES
Thursday, Sept 21, 2023
3:00 P.M. CT

Attendees:

PC members: William Cook, Lloyd Fisher, Alan Harrell, Willie Miller, Deputy Mayor Trent McCain, David Shilling, Tom Cera, Tai Adkins

Staff: Attorney Rodney Pol presided over the meeting for Zoning Administrator Shavon King

Meeting called to order and roll call, present were:

Vice President Tom Cera
Commissioner Lloyd Fisher
Commissioner Alan Harrell
Commissioner David Shilling
Commissioner Trent McCain
Commissioner Bill Cook

Absent

President Taryl Bonds
Commissioner Tai Adkins
Commissioner Willie Miller

Agenda

Motion to approve the PC Agenda: Commissioner Cook
2nd: Commissioner Fisher
Result of vote: motion carries 6-0

Member	Comm. Adkins	Comm. Cera	Comm. Cook	Comm. Fisher	Comm. Harrell	Comm. Miller	Comm. McCain	Comm. Shilling
Vote		Yes	Yes	Yes	Yes	-	Yes	Yes

NEW BUSINESS

- 1. Public Hearing: PC-23-04 (not referred to by PC number on the record, Site Plan / Planned Unit Development ("PUD") / Landscaping Ordinance)**

Introduction and Overview:

Vice President Cera asked for an overview. Attorney Rodney Pol opened up the public hearing portion of the meeting. Attorney Pol asked AJ Bytnar, a consultant with Redevelopment Commission, to provide an overview of the ordinance.

AJ Bytnar stated that the changes proposed in the ordinance pertain to site plan review, landscaping review, and the planned unit developments and ancillary changes. The changes come from comments from members of the public and public officials as well as industry standards that the city should adopt. The City has not adopt a development plan review process. Right now the City has an ad hoc process and is missing out on an opportunity to do storm water run-off, site design, landscaping review and other natures because our ordinance lacks in those regards. Mr. Bytnar says that this would help the City have better development processes on par with other communities. The drafting of this ordinance looked at communities adjacent to Gary and have taken some of the best parts and implemented them in the proposed ordinance. Staff is asking for comments of public and the commission so that they can be incorporated into the ordinance and to leave the public hearing open for the next meeting.

Commissioner Shilling pointed out that the comments in the proposed ordinance were made by himself and a planner in his office.

Attorney Pol asked Commissioner Shilling to discuss the comments made from his office about the ordinance. He stated that the comments were on areas that could be elaborated more.

Commissioner Cook said he wished he had an opportunity to review the ordinance. Vice President Cera asked if there was going to be an opportunity for questions at the next meeting. Attorney Pol and Mr. Bytnar stated yes.

Commissioner Cook asked for what the next steps were. Mr. Bytnar stated that any changes after the next meeting would need to come before the next meeting before a recommendation was made to council. He clarified that it does not have to go to the council after the next meeting if there is still work to be done on the ordinance. He also asked the public to also make comments before the meeting as well.

Vice President Cera echoed Commissioner Cook's comments. Attorney Pol clarified that this ordinance was provided to the Commission at the July Meeting. He stated that the public comment portion of the public hearing can be opened and that the commissioners could take those comments under consideration but that the meeting should remain open and further action deferred until the next meeting.

Vice President Cera opened the meeting for public comments:

Doreen Carey of 7304 Indian Boundary, Gary, IN stated that no mention of a public hearing being held on the website and no agenda published. The site plan review portion is important to her. She stated that she previously served on the site plan review committee and that they would meet monthly when she was the director of environmental affairs. She believes the committee has not met for a very long time. She stated all of the departments listed in the ordinance for site plan committee

and suggested that the building commissioner and environmental affairs department should be on the committee as well. She stated that the environmental impact needed to be determined first for any projects.

Attorney Pol stated the public notice was provided in the newspaper. Ms. Carey stated that people check the City website and that the notice should be there as well.

Vice President Cera asked for other comment during the meeting and none was made. AJ Bytnar reminded the commission to leave the public hearing open. Vice President Cera asked for a motion to defer the item and keep the public hearing open.

Motion to defer the **PC-23-04 (not referred to by PC number on the record, Site Plan / PUD / Landscaping Ordinance)**: Commissioner Cook

2nd: Commissioner McCain

Result of vote: motion carries 6-0

Member	Comm. Adkins	Comm. Cera	Comm. Cook	Comm. Fisher	Comm. Harrell	Comm. Miller	Comm. McCain	Comm. Shilling
Vote	-	Yes	Yes	Yes	Yes		Yes	Yes

2. **PC-2023-05: Petition to Vacate Carolina St.**

Introduction and Overview:

Vice President Cera introduced the petition to vacate. Attorney Pol provided an overview of the petition which seeks to vacate Carolina St. between Virginia St. (Malcolm X Blvd.) and Front St. The petition was submitted by St. John Homes. The packet included the plats with utilities and easements, the surveys, the sign offs from the utilities and the GIS maps that show where the vacated right of way is located. Attorney Pol stated that the property for the vacated petition is already fenced in.

The petitioners from St. John Homes were present virtually. Wes McClean and Matt Sorensen presented for St. John Homes and stated the right of way was part of their housing development and was really only used for parking on the site. Because it is a public right of way, the housing development does not meet the zoning requirements for parking. The petitioners intend to do a rehabilitation of the property and bringing in new lenders. In order to do so, they would need to vacate Carolina St. within the boundaries of the development so that they can fulfill the parking requirements.

Commissioner McCain pointed out that Virginia St. is now Malcolm X Dr. and asked that the plat include ("now known as") in parenthesis.

Attorney Pol stated that the petition would go to the council for a public hearing. As part of the requirements for a public hearing on a petition to vacate, the

adjacent landowners would get notice. He inquired as to whether the vacate would extend all the way to Front St. and thus require notice to those north of St. John Homes between their property and Front St. Matt Sorensen stated that the vacate stopped short of the abutting landowners at the alley that runs north of their property development.

Vice President Cera requested staff recommendations. Attorney Pol provided the three criteria for a petition to vacate. The staff recommendation was that the petition met all three criteria and was to approve the petition to vacate.

Motion to send a favorable recommendation to the council for the petition to vacate per **PC-2023-05**: Commissioner Shilling
 2nd: Commissioner McCain
 Result of vote: motion carries 6-0

Member	Comm. Adkins	Comm. Cera	Comm. Cook	Comm. Fisher	Comm. Harrell	Comm. Miller	Comm. McCain	Comm. Shilling
Vote		Yes	Yes	Yes	Yes		Yes	Yes

3. Public Hearing: PC-2023-06 Short-Term Rental Ordinance

Introduction and Overview:

Vice President Cera provided the introduction of the Short-Term Rental Ordinance stating that the ordinance had already been passed by the council but needed to go through the planning commission for a public hearing.

Attorney Pol stated that the public notice posted included the wrong title of this ordinance and asked that the public hearing be deferred to the next meeting. (The legal newspaper notice was valid, the public notice referred to the 48 hour notice).

Motion to defer the **PC-2023-06**: Commissioner McCain
 2nd: Commissioner Cook
 Result of vote: motion carries 6-0

Member	Comm. Adkins	Comm. Cera	Comm. Cook	Comm. Fisher	Comm. Harrell	Comm. Miller	Comm. McCain	Comm. Shilling
Vote	-	Yes	Yes	Yes	Yes		Yes	Yes

Motion to adjourn: Commissioner Cook
 2nd: Commissioner McCain