

Burns Harbor Advisory Plan Commission

Minutes of Monday, February 5, 2024

The Advisory Plan Commission of the Town of Burns Harbor, Porter County, Indiana met in a regular session on Monday, February 5, 2024, at the Burns Harbor Town Hall. The meeting was called to order by Advisory Plan Commission President, Jeremy McHargue at 7:00 pm.

The Pledge of Allegiance to the American Flag was recited.

Roll Call:

Jeremy McHargue	Present
Bernie Poparad	Present
Roseann Bozak	Present
Travis Dunlap	Present
Gordon McCormick	Present
Nicole Migliorini	Absent
Aaron Adcock	Present

Additional Officials Present

Attorney-Clay Patton; Secretary-Jill Sherrill; Building Commissioner- Chuck Hansen; and Councilman- Jack McGraw

Also Present

Jim Sata- Natron Corporation and Matt Ray- Architect for Taco Bell

Minutes

Bozak made a motion to approve the minutes of January 8, 2024. Poparad seconded the motion. Poparad-Aye. Bozak-Aye. Dunlap-Aye. McCormick-Aye. Adcock-Aye. Migliorini-Absent McHargue-Aye Motion passed.

Communication, Bills, Expenditures

Town Code Updates

Nothing to report.

Report of Officers, Committee, Staff

Building Commissioner Hansen stated he has drawings for the USW Training Center. They are doing some demolition and are working with Shem from Global Engineering on the drainage. He stated he doesn't know if this needs to come before the Plan Commission board. McHargue said he will review the drawings and documents to determine if this needs to come before the board.

Old Business

Town Code: Chapter 15 Temporary Use Permit (Construction Trailers)

McHargue handed out a revised copy of the Chapter 15 Temporary Use Permit Code update and asked if anyone had any thoughts. A discussion was had regarding some of the verbiage. McHargue said I will change the areas discussed under utility requirements and get this over to Attorney Patton for review.

Meeting Time Change

McHargue stated at the January council meeting the council said it was up to our board if we wanted to change the time. So, if everybody is still wanting to go with the proposed meeting at 6:00 P.M. as opposed to 7:00 P.M. moving forward then we can do so. A discussion was had and the board members agreed to change the Plan Commission meeting time from 7:00 P.M. to 6:00 P.M.

New Business

Review: Bonds, Maintenance Guarantees, Letters of Credit

None

Preliminary Hearing- Taco Bell

Matt Ray introduced him self as the architect for Natron Corporation along with Jim Sata who is the principal manager at Natron Corporation. Ray stated Sata owns 16 Taco Bell stores all along Interstate 94. In addition to the Taco Bell, we are wanting to add a storage/training facility for employees. We will be splitting off the vacant land next door to the Toyota Dealership. McCormick asked what the correct parcel for the property was. Ray said he will look into getting the correct parcel number for the property. Poparad asked if a wetlands delineation was done. Ray stated he did not see any wetland delineations on the county maps. McCormick asked what the State of Indiana has to say about the entrance and exit into the business. Ray said they have not approached the State Highway Department yet, although there is an existing curb cut that we are going to line up with. Attorney Patton asked how many entrances off of Highway 20 do you propose? Ray stated just the existing one. Poparad asked nothing off Old Porter Road? Ray asked is it possible to get an entrance off Old Porter Road? Dunlap asked what is the traffic volume they are anticipating? Sata said his experience with his other locations is about 300-400 cars a day. McCormick said his concern with the existing entrance is how close it is to the existing stop light at the Pilot Travel Center. It is 400 feet from the stoplight and with all of the trucks and cars trying to turn left into Taco Bell it could create a lot of problems. McHargue said while the traffic volume is a concern, it is ultimately up to the Indiana Department of Transportation to say if it is okay or not and if it meets their guidelines. Attorney Patton said there appears to be an existing entrance from the car dealership to this property, so maybe that could also be an access point if they would allow that. McHargue asked the board what is the issue with doing a rear exit on to Old Porter Road? McCormick said the trucks. The road is falling apart and can't handle the weight of the trucks. Adcock said I understand the concern, but there are tons of intersections around here with similar issues and you just have to be careful. McHargue said having an exit on Old Porter Road would help with the local traffic to Taco Bell and decrease some of that volume on US Highway 20. McHargue said the biggest thing right now is making sure INDOT allows this entrance based the estimated traffic data. We will just have to wait and see what INDOT comes back with and then we can move forward regarding the traffic concerns. Moving on from the traffic concerns our next one would be regarding the training facility. We would have to look into and make sure the setback for the secondary building is okay where it is or if that would have to be bumped back. In our town code it says all detached accessory buildings shall be behind the rear principal building line. We will get clarification on that and if it needs to be pushed back a little then we can have those drawings adjusted. Aside from the few things we've talked about here, do you anticipate making any significant changes to these drawings? Ray said besides possibly moving the accessory building back and any potential issues with the entrance it's not going to have much change. The floorplan and elevation in the buildings will all remain the same. McHargue said we will send over the drawings to our town engineer, Shem Khalil, with Global Engineering to see if he can identify any potential issues that we might have. This way if there are any minor corrections, we can get those addressed now rather than later. Dunlap asked what the extent of the training facility would be. Sata said he has 11 Taco Bell's in this area and a lot of mistakes are made especially with new employees and they get frustrated and quit. We are hoping

to bring new employees to this facility to let them learn the process without the frustrations of the busy environment for about a week and then we will put them into the store and hopefully they will feel more comfortable. Poparad asked what the store hours will be. Sata said we would like to open at 6:00 A.M. and then Taco Bell says we must stay open until midnight.

Good of the Order and Any Other Business

Councilman McGraw stated he wanted to bring up an issue with Cleveland Cliffs pulling building permits and not following through with having the inspections completed. Right now, they have 3 permits out that have accumulated over 16 inspections and now they are asking for a certificate of occupancy and they have never done any of the inspections. There seems to be a lack of communication between Cleveland Cliffs and the Town Burns Harbor as far as getting the inspections done. There isn't anything in our code book that states for them to call for an inspection after so long or after certain parts of the project are completed. I just want to know if I can get with someone to work on this and see if there is anything we can put into place so these inspections are being completed when they need to be. McHargue stated we need to define a process and make sure our code reflects that. I think over the next month we should all think about what kind of things we would like to see and figure out a way to close some of those loopholes. McGraw said he is going to call surrounding towns and see what they charge for commercial inspections so we have a basis on what to go on. McHargue said over the next month he will meet with Councilman McGraw to go over the code and what we can do moving forward to get these inspections completed and we can bring that back to the board at the next meeting.

Announcements

None

Adjournment

Bozak made a motion to adjourn at 8:16 p.m. Poparad seconded the motion. Bozak-Aye. Dunlap-Aye. Poparad-Aye. Adcock-Aye. McCormick-Aye. Migliorini-Absent. McHargue-Aye. Motion passed.

Approved: March 4, 2024

Jeremy McHargue, President

Jill Sherrill, Secretary