



**To:** Members of the Board of Zoning Appeals

**From:** Tom Vander Woude, Planning Director

**Date:** November 7, 2019

**Re: PUBLIC HEARING**

BZA Docket No. 19-008 Ryan Hyllested of Kimley-Horn and Associates on behalf of Target Corporation requesting developmental standards variances from Section 26-1302 of the Munster Land Development Code to waive the requirement to install and maintain landscaping for a remodeling project at 8005 Calumet Avenue at a cost that exceeds \$10,000.00.

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**Applicant:** Ryan Hyllested of Kimley-Horn and Associates, Saint Paul, MN

**Property Owner:** Target Corporation, Minneapolis, MN

**Property Address:** 8005 Calumet Avenue

**Current Zoning:** C-1 – Highway-Oriented, General Business District

**Adjacent Zoning:** North: C-1  
South: R-2  
East: C-1, PUD  
West: C-1

**Action Requested:** Approve variances

**Additional Actions Required:** Findings of Fact

**Attachments:** Memorandum from Ryan Hyllested of Kimley-Horn dated 10.10.2019  
Focused Site/Landscape Plan prepared by Kimley-Horn and Associates  
Letter from Attorney David Wickland to Amy Henry, Kimley-Horn,  
dated October 30, 2019



Figure 1: Subject Property

## Background

Target Corporation has presented plans to modify the façade and the signage at the Target store located at 8005 Calumet Avenue. The plans are part of a national rebranding initiative which includes adding façade treatments, eliminating the word “Target” in most of their signs, and changing the color of signs from red to white. In the past months, the BZA has granted multiple sign variances and the Plan Commission has granted approval of a development plan for the project.

Target Corporation has stated that the project cost will exceed the \$10,000.00 trigger to install landscaping in accordance with Article X of the Munster municipal code. The petitioner has requested developmental standards variances from Section 26-1303 (2) of the Munster Land Development Code to waive the requirement to install a seven-foot wide perimeter landscaped area as well as from Section 26-1303 (3) to install less than 10% internal landscaped area and install fewer trees.

Munster Land Development Code *Article X: Landscaping Regulations* states the following:

*Sec. 26-1302. - Applicability.*

*(a) Building projects that are required to install and maintain landscaping:*

*... (3) Repair or rehabilitation of a building if the cost exceeds \$10,000.00 of the building's replacement cost, whichever is greater.*

*Section 26-1303 (2)*

*(2) Parking lot and vehicular use area screening shall be required as follows:*

*a. Seven-foot wide perimeter landscaped area (two-foot car overhang, five-foot area).*

*b. Tree planting required in perimeter landscaped area at a rate of one per 30 feet of linear frontage. This requirement may be combined with the parkway tree requirement, as long as one continuous line of trees is planted.*

(3) *Parking lot and vehicular use area internal planting:*

*a. Required landscaped area of parking lots and other vehicular use areas to vary as a function of size. Parking lots below 3,000 square feet: No internal landscaped area required. Parking lots between 3,000 and 4,500 square feet: Internal landscaped area equal to five percent of total area. Parking lots between 4,500 and 30,000 square feet: Internal landscaped area equal to seven and one-half percent of total area. Parking lots above 30,000 square feet: Internal landscaped area equal to ten percent of total area.*

*b. One tree per 125 square feet of required internal landscaped area, exclusive of tree planting required in perimeter landscape area.*

A detailed memo from the petitioner is attached to this report.

The subject property contains landscaping around the perimeter and on parking lot islands. However, since it was developed prior to the enactment of the current Munster landscaping ordinance, it does not comply strictly with the code standards.

Target has provided a landscaping plan that improves the existing landscaping and adds a section of new landscaped area along the south edge of the building, but they cannot comply completely without substantially altering the building (either by demolishing and reconstructing, reducing the size, or relocating it) or eliminating parking spaces. The existing building is 122,628 square feet. The Munster zoning ordinance requires 552 parking spaces. The petitioner has calculated that conforming to the landscaping ordinance would require the removal of 62 spaces.

The BZA has on multiple occasions granted variances from the landscaping ordinance when it conflicts with the zoning ordinance minimum parking requirements.

The BZA discussed the petition at a preliminary hearing held on October 16, 2019. At that time, a suggestion was made that the applicant consider providing a monetary donation to the Town in connection with the variance request. Staff discussed this idea with legal counsel and in response, BZA Attorney David Wickland has drafted a letter to the petitioners indicating that *neither the Town nor the BZA are requesting or encouraging Target to make a contribution of any kind as a condition to the granting of your variance request.*

The plans attached here are unchanged from those presented at the preliminary hearing.

## **Variance Standards**

The variance process is established to provide relief to a property owner, but the BZA is under no obligation to grant a variance. It is the petitioner's responsibility to prove a hardship or practical difficulty. The BZA should ask the petition to address the criteria listed below.

Sec. 26-456 of the Munster Municipal Code states that the basis for a variance is as follows:

Where by reason of exceptional narrowness, shallowness or shape of a specific piece of property, or by reason of exceptional topographic conditions or by reason of any other extraordinary and exceptional situation or condition of such piece of property, the strict application of any regulations enacted under this article would result in peculiar and exceptional practical difficulties to or exceptional and undue hardship upon the owners of such property...

Sec. 26-456 also states:

No relief may be granted or action taken under the terms of this section unless such relief can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the master plan and this article.

When considering a request for a variance, the BZA should consider the following:

1. The specific provisions and requirements of [Sec. 26-456 – discussed above] pertaining to the specific subject matter of the application, petition or appeal.
2. The general provisions and requirements, intent and purpose of [Sec. 26-456 – discussed above].
3. The provisions, requirements, intents and purposes of other ordinances of the town which may be applicable thereto.
4. The effect on the public health, safety and welfare of the citizens of the town, specifically including, but not limited to, fire and traffic safety, considering the requirements, regulations and standards of any town, county or state health, fire, traffic or safety agency or commission.
5. The effect upon the sound economic development of the community.
6. The effect upon adjoining or other property in the community, recognizing the right of adjoining or other affected property owners to the peaceful and quiet enjoyment of their property, and including the effect upon the desirability or use of adjoining or nearby residential property, and bearing in mind whether or not such proposed action will be consistent with the development and growth of the town as a restricted residential community.
7. The existence, nature and degree of any hazards, odor, dust, gas, noise, smoke, fumes, light, glare or vibrations which may be attendant thereto.
8. The existence and degree, if any, of burdens which may be imposed upon police, fire, school or other facilities of the community.

Indiana Code 36-7-4-918.5 identifies the legal criteria for a developmental standards variance:

- (1) The approval will not be injurious to the public health, safety, morals, and general welfare of the community
- (2) The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner
- (3) The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property

## **Recommendation**

The Board of Zoning Appeals may wish to consider the following motion:

*Motion to approve BZA Docket No. 19-008 granting Target Corporation developmental standards variances from Section 26-1302 of the Munster Land Development Code to waive the requirement to install and maintain landscaping for a remodeling project at 8005 Calumet Avenue at a cost that exceeds \$10,000.00, on the condition that landscaping be installed in accordance with the attached “Focused Landscaping Plan”.*



## MEMORANDUM

To: Town of Munster- Board of Zoning Appeals

From: Ryan Hyllested  
Kimley-Horn and Associates, Inc.

Date: October 10<sup>th</sup>, 2019

Subject: Munster, IN Target (T1913) Remodel | Landscape Variance

Dear Mr. Vander Woude,

Kimley Horn is requesting a landscape variance on behalf of Target Corporation for the store located at 8005 Calumet Avenue. The requested variance is for internal landscape area and required internal trees. Applicability has been triggered by Sec 26-1302 (a) which requires a review of site landscaping when the cost of any repair or rehabilitation of a building exceeds \$10,000 of the building's replacement cost, whichever is greater. Target is planning to remodel the interior and exterior of the building at costs exceeding \$10,000.

Target is therefore proposing the following remediation and improvements to landscaping to come as close to compliance as is possible given hardships discussed herein:

- add 1,126 sf landscape area to the south of the building
- replace missing tree within existing landscape island near the front of the store
- plant additional trees, shrubs, vines, and perennials throughout the site
- add two green screens and additional planting areas at the front of the building (see attached Focused Site/ Landscape Plan)

Table 1 shows the Munster Code of Ordinances Landscape Regulations, existing conditions, and proposed conditions.

*Table 1 - Landscaping Regulations, Existing Conditions, and Proposed Conditions*

Code Section	Regulation	Existing Condition	Proposed Conditions
<b>Sec 26-1303 (3)(a)</b>	internal landscape area to be 10% or 23,451 sf (234,510 sf parking lot area * 0.1)	5.53% or 12,976 sf	6.01% or 14,102 sf
<b>Sec 26-1303 (3)(b)</b>	188 trees (23,451 sf landscape area/ 125 sf)	64 trees	73 trees

Practically the strict conformance to the terms of the zoning ordinance would result in a drastic loss of parking stalls (approximately 62+ stalls) to accommodate the addition of 124 trees and nearly double the internal landscape areas. This parking loss would make the shopping center deficient based on City Municipal Code as well as the private development agreement with the shopping center. The shopping center Operating Easement Agreement requires a 4.6 parking ratio and this loss would put Target in default at a 3.8 parking ratio. Additionally, the loss of parking stalls to meet this code would cause the economic loss of business, particularly in the 4<sup>th</sup> Quarter, when holiday shoppers are at their peak.

We respectfully offer the following narrative to explain how the proposed landscape variance meets the required standards for approval, using the standards set forth in the Board of Zoning Appeals Application attached.

**Standard #1. The approval will not be injurious to the public health, safety, morals and general welfare of the community**

The variation proposed to allow for less landscaping than is required by Code will not be injurious to public health, safety, morals, or community welfare. The retail site landscaping proposed will add screening and aesthetics to the site, while maintaining safe driving and walking conditions for those both on and driving past the site.

**Standard #2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner**

The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner, because the variance will allow for the property to be improved upon by adding landscape to the fullest extent possible, given the use and layout of the property.

**Standard #3 The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property**

As discussed herein, the strict application of the terms of the landscape ordinance would require reductions in parking spaces on the site which would make the shopping center deficient based on City Municipal Code as well as the private development agreement with the shopping center. Additionally, the loss of parking stalls to meet this code would cause the economic loss of business.

Target is requesting Town acceptance of this Focused Site/ Landscape Plan which allows the store a financially feasible scope as part of the remodel and maintains an acceptable parking capacity based on both Town Municipal Code and shopping center requirements.

Regards,

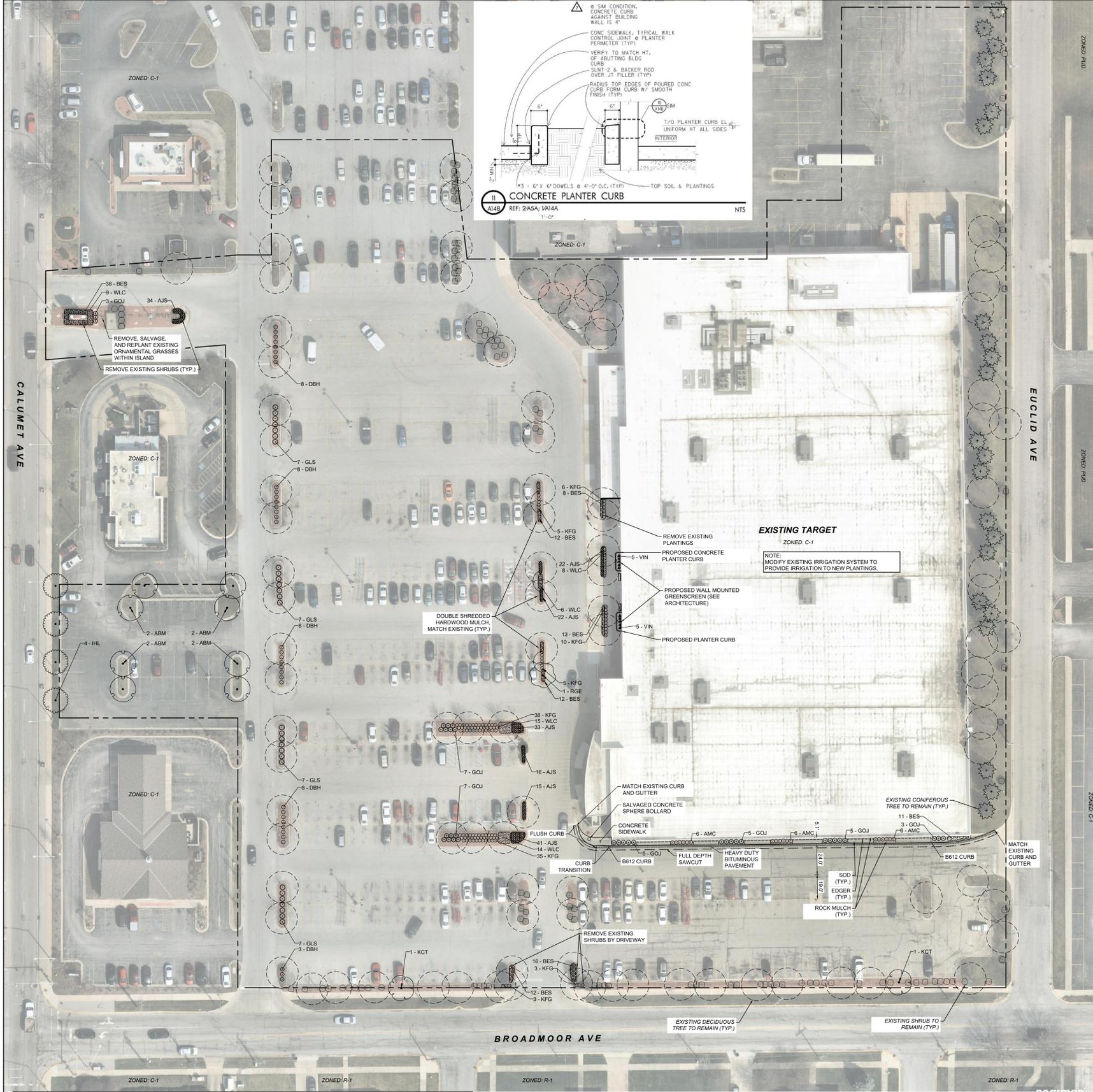


**Ryan Hyllested**

Kimley-Horn and Associates, Inc.

Phone: (612) 568-0698

Email: [ryan.hyllested@kimley-horn.com](mailto:ryan.hyllested@kimley-horn.com)



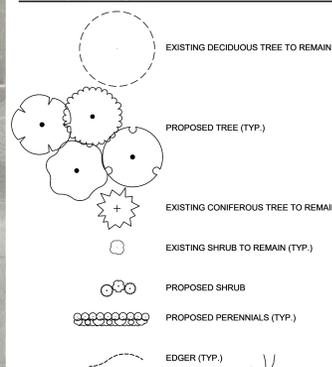
TREES	QTY	BOTANICAL NAME	COMMON NAME	CONT	CAL	SIZE
ABM	4	ACER X FREEMANNI 'JEFFREY'	AUTUMN BLAZE MAPLE	B & B	2" CAL.	
IHL	4	GLEDITSIA TRIACANTHOS INERMIS 'IMPCOLE'	IMPERIAL HONEYLOCUST	B & B	2" CAL.	
KCT	2	GYMNOCLADUS DIOICA 'ESPRESSO'	ESPRESSO KENTUCKY COFFEETREE	B & B	2" CAL.	
RGE	1	ULMUS X 'REGAL'	REGAL ELM	B & B	2" CAL.	
DECIDUOUS SHRUBS	QTY	BOTANICAL NAME	COMMON NAME	CONT	SPACING	SIZE
DBM	35	DIERVILLA LONICERA	DWARF BUSH HONEYSUCKLE	#5 CONT.	3' O.C.	
GLS	28	RHUS AROMATICA 'GRO-L'OW'	GRO-L'OW FRAGRANT SUMAC	#5 CONT.	5' O.C.	
AMS	16	ARONIA MELANOCARPA 'AUTUMN MAGIC'	AUTUMN MAGIC BLACK CHOKEBERRY	#5 CONT.	5' O.C.	
CONIFEROUS SHRUBS	QTY	BOTANICAL NAME	COMMON NAME	CONT	SPACING	SIZE
GOJ	35	JUNIPERUS VIRGINIANA 'GREY OWL'	GREY OWL JUNIPER	#6 CONT.	4' O.C.	
PERENNIALS	QTY	BOTANICAL NAME	COMMON NAME	CONT	SPACING	SIZE
KFG	105	CALAMAGROSTIS X ACUTIFLORA 'KARL FOERSTER'	KARL FOERSTER FEATHER REED GRASS	#1 CONT.	30" O.C.	
VINE	QTY	BOTANICAL NAME	COMMON NAME	CONT	SPACING	SIZE
VIN	10	PARTHENOCISSUS QUINQUEFOLIA 'ENGELMANNI'	ENGELMAN IVY	#1 CONT.	PER PLAN	
GROUND COVERS	QTY	BOTANICAL NAME	COMMON NAME	CONT	SPACING	SIZE
AJS	183	SEDUM X 'AUTUMN JOY'	AUTUMN JOY SEDUM	#1 CONT.	18" O.C.	
BES	123	RUBICEKIA COLOSTYRUM	BLACK EYED SUSAN	#1 CONT.	18" O.C.	
WLC	52	NEPETA X FAASSENI 'WALKERS LOW'	WALKERS LOW CATMINT	#1 CONT.	30" O.C.	

**Certified Statements**  
 The undersigned acknowledges that the landscape plan shown on the attached landscape plan(s) for the property at 8005 Calumet Ave., Town of Munster, Indiana has to the best of the undersigned's knowledge, been designed and will be installed, maintained and replaced as required by current and subsequent owners in accordance with the requirements of the Town of Munster Municipal Code, the landscaping standards of the Town of Munster Zoning Ordinance, and the Guide to the Town of Munster Landscape Ordinance.  
 Existing parkway and on-site interior trees are to be protected while project is under construction and will be replaced by current and subsequent owner if damaged.  
 Target Corporation  
 Sworn statement by registered landscape architect commits to the preparation of the landscape plan in the following form:  
 The undersigned landscape architect, registered in the State of Indiana, acknowledges that the landscape plan and construction details shown on the attached landscape plan(s) for the property at 8005 Calumet Ave., Town of Munster, Indiana has been designed in accordance with the requirements of the Town of Munster Municipal Code, the landscaping standards of the Town of Munster Zoning Ordinance, and the Guide to the Town of Munster Landscape Ordinance.  
 Keith Demchinski, PLA

**LANDSCAPE NOTES**

- CONTRACTOR SHALL CONTACT COMMON GROUND ALLIANCE AT 811 OR CALL 811.COM TO VERIFY LOCATIONS OF ALL UNDERGROUND UTILITIES PRIOR TO INSTALLATION OF ANY PLANTS OR LANDSCAPE MATERIAL.
- ACTUAL LOCATION OF PLANT MATERIAL IS SUBJECT TO FIELD AND SITE CONDITIONS.
- NO PLANTING WILL BE INSTALLED UNTIL ALL GRADING AND CONSTRUCTION HAS BEEN COMPLETED IN THE IMMEDIATE AREA.
- ALL SUBSTITUTIONS MUST BE APPROVED BY THE LANDSCAPE ARCHITECT PRIOR TO SUBMISSION OF ANY BID AND/OR QUOTE BY THE LANDSCAPE CONTRACTOR.
- CONTRACTOR SHALL PROVIDE TWO YEAR GUARANTEE OF ALL PLANT MATERIALS. THE GUARANTEE BEGINS ON THE DATE OF THE LANDSCAPE ARCHITECT'S OR OWNER'S WRITTEN ACCEPTANCE OF THE INITIAL PLANTING. REPLACEMENT PLANT MATERIAL SHALL HAVE A ONE YEAR GUARANTEE COMMENCING UPON PLANTING.
- ALL PLANTS TO BE SPECIEM GRADE, INDIANA-GROWN AND/OR HARDY. SPECIEM GRADE SHALL ADHERE TO, BUT IS NOT LIMITED BY, THE FOLLOWING STANDARDS:  
 ALL PLANTS SHALL BE FREE FROM DISEASE, PESTS, WOUNDS, SCARS, ETC.  
 ALL PLANTS SHALL BE FREE FROM NOTICEABLE GAPS, HOLES, OR DEFORMITIES.  
 ALL PLANTS SHALL BE FREE FROM BROKEN OR DEAD BRANCHES.  
 ALL PLANTS SHALL HAVE HEAVY, HEALTHY BRANCHING AND LEAFING.  
 CONIFEROUS TREES SHALL HAVE AN ESTABLISHED MAIN LEADER AND A HEIGHT TO WIDTH RATIO OF NO LESS THAN 5:3.
- PLANTS TO MEET AMERICAN STANDARD FOR NURSERY STOCK (ANSI Z60.1-2014 OR MOST CURRENT VERSION) REQUIREMENTS FOR SIZE AND TYPE SPECIFIED.
- PLANTS TO BE INSTALLED AS PER ANSI STANDARD PLANTING PRACTICES.
- PLANTS SHALL BE IMMEDIATELY PLANTED UPON ARRIVAL AT SITE. PROPERLY HEEL-IN MATERIALS IF NECESSARY; TEMPORARY ONLY.
- PRIOR TO PLANTING, FIELD VERIFY THAT THE ROOT COLLAR/ROOT FLAIR IS LOCATED AT THE TOP OF THE BALLED & BURLAP TREE. IF THIS IS NOT THE CASE, SOIL SHALL BE REMOVED DOWN TO THE ROOT COLLAR/ROOT FLAIR. WHEN THE BALLED & BURLAP TREE IS PLANTED, THE ROOT COLLAR/ROOT FLAIR SHALL BE EVEN OR SLIGHTLY ABOVE FINISHED GRADE.
- OPEN TOP OF BURLAP ON BB MATERIALS, REMOVE POT ON POTTED PLANTS, SPLIT AND BREAK APART PEAT POTS.
- PRUNE PLANTS AS NECESSARY - PER STANDARD NURSERY PRACTICE AND TO CORRECT POOR BRANCHING OF EXISTING AND PROPOSED TREES.
- WRAP ALL SMOOTH-BARKED TREES - FASTEN TOP AND BOTTOM. REMOVE BY APRIL 1ST.
- STAKING OF TREES AS REQUIRED, REPOSITION, PLUMB AND STAKE IF NOT PLUMB AFTER ONE YEAR.
- THE NEED FOR SOIL AMENDMENTS SHALL BE DETERMINED UPON SITE SOIL CONDITIONS PRIOR TO PLANTING. LANDSCAPE CONTRACTOR SHALL NOTIFY LANDSCAPE ARCHITECT FOR THE NEED OF ANY SOIL AMENDMENTS.
- BACKFILL SOIL AND TOPSOIL TO ADHERE TO BE LOCAL FERTILE AGRICULTURAL SOIL FREE OF CLAYS, ROOTS, ROCKS LARGER THAN ONE INCH, SUBSOIL DEBRIS, LARGE WEEDS, AND OTHER IMPURITIES. MINIMUM 4" DEPTH TOPSOIL FOR ALL LAWN GRASS AREAS AND 12" DEPTH TOPSOIL FOR TREES, SHRUBS, AND PERENNIALS.
- MULCH TO BE AT ALL TREE, SHRUB, PERENNIAL, AND MAINTENANCE AREAS. TREE AND SHRUB PLANTING BEDS SHALL HAVE 4" DEPTH OF DOUBLE SHREDDED HARDWOOD MULCH. DOUBLE SHREDDED HARDWOOD MULCH TO BE USED AROUND ALL PLANTS WITHIN TURF AREAS. PERENNIAL AND ORNAMENTAL GRASS BEDS SHALL HAVE 2" DEPTH DOUBLE SHREDDED HARDWOOD MULCH. MULCH TO BE FREE OF DELETERIOUS MATERIAL AND COLORED RED, OR APPROVED EQUAL. ROCK MULCH TO BE BUFF LIMESTONE, 1 1/2" TO 3" DIAMETER, AT MINIMUM 3" DEPTH, OR APPROVED EQUAL. ROCK MULCH TO BE ON COMMERCIAL GRADE FILTER FABRIC, BY TYPAR, OR APPROVED EQUAL WITH NO EXPOSURE. MULCH AND FABRIC TO BE APPROVED BY OWNER PRIOR TO INSTALLATION. MULCH TO MATCH EXISTING CONDITIONS (WHERE APPLICABLE).
- EDGING TO BE COMMERCIAL GRADE VALLEY-VIEW BLACK DIAMOND (OR EQUAL) POLY EDGING OR SPADED EDGE, AS INDICATED. POLY EDGING SHALL BE PLACED WITH SMOOTH CURVES AND STAKED WITH METAL SPIKES NO GREATER THAN 4 FOOT ON CENTER WITH BASE OF TOP BEAD AT GRADE, FOR MOWERS TO CUT ABOVE WITHOUT DAMAGE. UTILIZE CURBS AND SIDEWALKS FOR EDGING WHERE POSSIBLE. SPADED EDGE TO PROVIDE V-SHAPED DEPTH AND WIDTH TO CREATE SEPARATION BETWEEN MULCH AND GRASS. INDIVIDUAL TREE, SHRUB, OR RAIN-GARDEN BEDS TO BE SPADED EDGE, UNLESS NOTED OTHERWISE. EDGING TO MATCH EXISTING CONDITIONS (WHERE APPLICABLE).
- ALL DISTURBED AREAS TO BE SODDED OR SEEDED, UNLESS OTHERWISE NOTED. PARKING LOT ISLANDS TO BE SODDED WITH SHREDDED HARDWOOD MULCH AROUND ALL TREES AND SHRUBS. SOD TO BE STANDARD INDIANA GROWN AND HARDY BLUEGRASS MIX, FREE OF LAWN WEEDS. ALL TOPSOIL AREAS TO BE RAKED TO REMOVE DEBRIS AND ENSURE DRAINAGE. SLOPES OF 3:1 OR GREATER SHALL BE STAKED. SEED AS SPECIFIED AND PER INDOT SPECIFICATIONS.
- PROVIDE IRRIGATION TO ALL PLANTED AREAS ON SITE. IRRIGATION SYSTEM TO BE DESIGNED BY LANDSCAPE CONTRACTOR. LANDSCAPE CONTRACTOR TO PROVIDE SHOP DRAWINGS TO LANDSCAPE ARCHITECT FOR APPROVAL PRIOR TO INSTALLATION OF IRRIGATION SYSTEM. CONTRACTOR TO PROVIDE OPERATION MANUALS, AS-BUILT PLANS, AND NORMAL PROGRAMMING. SYSTEM SHALL BE WINTERIZED AND HAVE SPRING STARTUP DURING FIRST YEAR OF OPERATION. SYSTEM SHALL HAVE ONE-YEAR WARRANTY ON ALL PARTS AND LABOR. ALL INFORMATION ABOUT INSTALLATION AND SCHEDULING CAN BE OBTAINED FROM THE GENERAL CONTRACTOR.
- CONTRACTOR SHALL PROVIDE NECESSARY WATERING OF PLANT MATERIALS UNTIL THE PLANT IS FULLY ESTABLISHED OR IRRIGATION SYSTEM IS OPERATIONAL. OWNER WILL NOT PROVIDE WATER FOR CONTRACTOR.
- REPAIR, REPLACE, OR PROVIDE SOD/SEED AS REQUIRED FOR ANY ROADWAY BOULEVARD AREAS ADJACENT TO THE SITE DISTURBED DURING CONSTRUCTION.
- REPAIR ALL DAMAGE TO PROPERTY FROM PLANTING OPERATIONS AT NO COST TO OWNER.

**LANDSCAPE LEGEND**



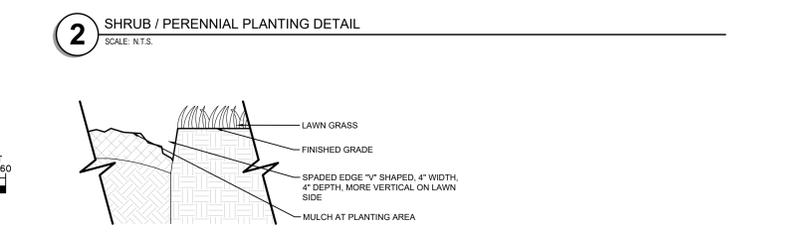
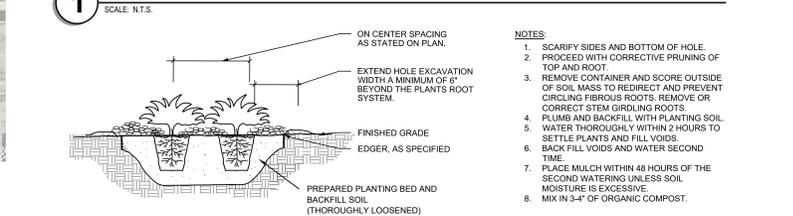
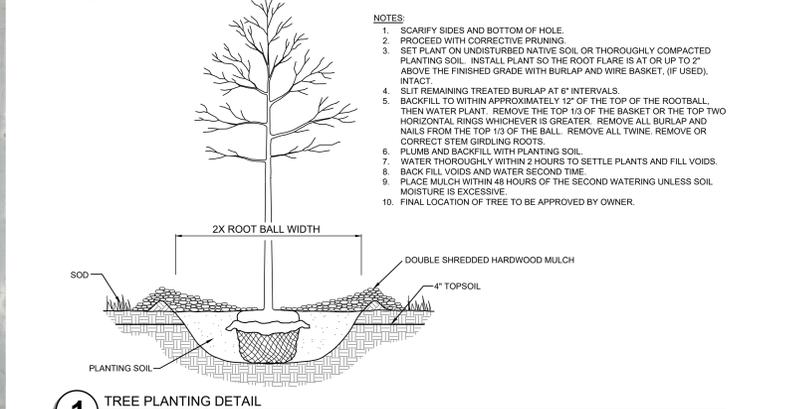
**LANDSCAPE SUMMARY**

**PARKWAY PLANTING**  
 REQUIRED TREES: CALUMET AVE 4 TREES= (175 LF/30)  
 BROADMOOR AVE 20 TREES= (602 LF/30)  
 EUCLID AVE 26 TREES= (771 LF/30)  
 PROVIDED TREES: CALUMET AVE 4 TREES\*  
 BROADMOOR AVE 20 TREES (18 EXISTING, 2 PROPOSED)  
 EUCLID AVE 41 TREES (41 EXISTING)

**PARKING LOT SCREENING PLANTING**  
 REQUIRED TREES: 1 TREE PER 30 LF\*\*  
 PROVIDED TREES: SEE PLAN

**INTERIOR PARKING LOT AND VEHICULAR USE AREA INTERNAL PLANTING\*\*\***  
 REQUIRED LANDSCAPE AREA: 23,451 SF (234,510 S.F. PARKING LOT AREA \* 0.1)  
 REQUIRED TREES: 188 TREES (23,451/125)  
 PROVIDED LANDSCAPE AREA: 12,976 SF  
 PROVIDED TREES: 13 TREES (84 EXISTING, 9 PROPOSED)

\*FRONTAGE ALONG CALUMET AVE. IS UNABLE TO SUPPORT 6 TREES DUE TO MAIN ENTRY DRIVE INTO COMMERCIAL DEVELOPMENT AND EXISTING UTILITIES IN AVAILABLE PLANTING SPACE.  
 \*\*REQUIREMENT MAY BE COMBINED WITH PARKWAY PLANTING REQUIREMENT AS LONG AS ONE CONTINUOUS LINE OF TREES IS PLANTED.  
 \*\*\*DUE TO EXISTING SITE CONSTRAINTS, INTERNAL PLANTING REQUIREMENT NOT ABLE TO BE MET. LANDSCAPE ADDED WHERE ABLE TO AMEND EXISTING CONDITIONS.



Date	No.	Description
10/04/19	0	LANDSCAPE VARIANCE APPLICATION
10/10/19	1	LANDSCAPE VARIANCE APPLICATION



Project Number **T-1913**  
 Proto:P400 Version:V13A Config:RL  
 Drawn By **KML**  
 Checked By **RAH/KED**

**FOCUSED SITE/  
 LANDSCAPE PLAN**

**L100**

**DAVID E. WICKLAND**

ATTORNEY AT LAW  
PROFESSIONAL CORPORATION  
8146 CALUMET AVENUE  
MUNSTER, INDIANA 46321  
(219) 836-8766  
FAX (219) 836-8826

October 30, 2019

**Sent via Email**

Ms. Amy Henry, CFM  
Kimley-Horn  
767 Eustis Street, Suite 100  
St. Paul, MN 55114

Re: Town of Munster - Target BZA Docket No. 19-008

Dear Ms. Henry:

I am in receipt of your recent email regarding your above-referenced petition. Please be advised that your petition will be heard at the next Board of Zoning Appeals (BZA) meeting on November 12, 2019, and will be required to stand on its own merits.

As you know, I did not attend the last BZA meeting held on October 16, 2019, but it is my understanding that you are seeking a developmental standards variance(s) from Section 26-1302 of the Munster Land Development Code to waive the requirement to install and maintain landscaping for a remodeling project at 8005 Calumet Avenue, at a cost that exceeds \$10,000.00. There will be no request from the BZA or the Town that Target provide a gift or a contribution for this project.

For your information, Indiana Code I.C. 36-7-4-918.5 provides that the BZA may impose reasonable conditions as a part of the Board's approval. There is also law in Indiana that the parties can agree to a condition. Once again, in your case, neither the Town nor the BZA are requesting or encouraging Target to make a contribution of any kind as a condition to the granting of your variance request.

I trust the above and foregoing is satisfactory, but should you have any further questions, please feel free to contact me.

Very truly yours,

/s/David E. Wickland

DEW:slq

cc: David W. Westland  
Dustin Anderson  
Tom Vander Woude  
Jonathan Petersen