



# PLAN COMMISSION STAFF REPORT

**To:** Members of the Plan Commission

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

**Meeting Date:** July 12, 2022

**Agenda Item:** PC Docket No. 22-010

**Application:** **Development Plan Approval**

**Hearing:** **PUBLIC HEARING**

**Summary:** Karma Cigar Bar LLC represented by Joseph Svetanoff requesting approval of a development plan for a restaurant and cigar lounge at 9450 Calumet Avenue in the Maple Leaf Crossing PUD

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**Applicant:** Karma Cigar Bar LLC represented by Joseph Svetanoff

**Property Address:** 9450 Calumet Avenue

**Current Zoning:** Planned Unit Development

**Adjacent Zoning:** North: SD-M  
South: SD-M/PUD  
East: CD-4.A  
West: SD-M

**Action Requested:** Approval of Development Plan

**Additional Actions Required:** Findings of Fact  
Approval of PUD Amendment

**Staff Recommendation:** **Approval with conditions**

**Attachments:**

1. Karma Bistro & Cigar Bar plans prepared by Studio Silver dated 2022.06.29
2. Karma Piano/Cigar Bar Restaurant renderings undated
3. Maple Leaf Crossing Traffic and Parking Study prepared by Ciorba Group dated 2022.07.06
4. Proposed revisions to Maple Leaf Crossing Development Standards undated

5. Lot 7 Maple Leaf Crossing Master Site Plan prepared by Torrenga Engineering dated 06.29.2022
6. Lot 7 Maple Leaf Crossing Site Plan prepared by Torrenga Engineering dated 06.29.2022
7. Maple Leaf Crossing PUD Ordinance 1803
  - a. Exhibit A: Development Plan (engineering plans prepared by Torrenga Engineering dated 06.26.2020
  - b. Exhibit B: Development Requirements (DEVELOPMENTAL STANDARDS FOR THE MAPLE LEAF CROSSING DEVELOPMENT AT THE MUNSTER BUSINESS COMPLEX PLANNED UNIT DEVELOPMENT
  - c. Exhibit C: Landscape Plan prepared by Planned Environment Associates, dated 06.29.2020
8. Maple Leaf Crossing Partial Site Plan prepared by Borderline Design LLC dated 03/09/2020

## BACKGROUND



Figure 1: Maple Leaf Crossing PUD outlined in red. Subject property highlighted in blue.

Karma Cigar Bar LLC represented by Attorney Joseph Svetanoff has presented plans for a cigar bar and restaurant at 9450 Calumet Avenue on Lot 7 of the Maple Leaf Crossing PUD. The plans show a four-story, 6400 square foot building with over 8,000 square feet of verandas and other outdoor spaces. The building will contain a piano bar and cigar lounge on the first floor, a private members-only cigar lounge on the 2nd floor with members' private humidor, and a cigar-party rental room on the 4th floor/roof. All floors will have indoor and outdoor spaces. The establishment will have a small menu, serve and sell cigars, and serve "high-end" bourbons and scotches. Customers must be age 21 or over. Memberships are available for a minimum spend of \$3500 annually. Proposed hours are 11 AM to 11 PM, Monday through Saturday and noon to 8 PM on Sunday.

The building is proposed to face east towards Calumet Avenue with service and delivery doors on the north facing the Hyatt Place hotel and a covered patio on the south side. A dumpster enclosure is located to the west of the building. A landscaping plan has been prepared that shows the installation of foundation plantings around the building and dumpster enclosure, turf grass, and seven shade trees.



Figure 2: Subject property outlined in red

This project is governed by Ordinance 1803 which established the Maple Leaf Crossing Planned Unit Development at 9352-9482 Calumet Avenue, an approximately 6-acre parcel located at the northeast quadrant of the intersection of Calumet Avenue and the CN Railroad tracks. The ordinance was adopted in July 2020 by the Munster Town Council, on the recommendation of the Plan Commission. The

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approved PUD includes site engineering plans, a set of development standards, and a site-wide landscaping plan, which are attached to this memo.

The approved site plan includes the following:

- A four-story, approximately 60,000 square foot professional office building;
- A four story, approximately 71,000 square foot Hyatt Place hotel
- A 2,710 square foot pub
- Two 7,774 square foot, single story office buildings
- A 4,623 square foot restaurant
- An area designated for at least 10 shipping container retail spaces
- A new public road, Maple Leaf Boulevard, along the north edge of the site that provides access to Calumet Avenue

Ordinance 1803 specifies that Lot 7 will be developed with a 2710 square foot pub and repurposed shipping containers. The developers are seeking an amendment to the Maple Leaf Crossing PUD development standards and approved site plans to replace the 2,710 square foot pub and shipping containers with the proposed cigar bar. The proposed amendment would supersede any previously adopted landscape plans and architectural and design standards for Lot 7.

Per the PUD ordinance and in keeping with the Munster zoning ordinance, development plans for all buildings and lots shall be submitted to the Plan Commission for approval.

## Analysis

### PROPOSED USE

The Maple Leaf Crossing PUD development standards include a list of permitted uses under Section I.A. A cigar bar is not listed specifically as a permitted use, but Section I.A.34 permits *Such other uses as approved by the Plan Commission or Town Council*.

### DESIGN STANDARDS



The standards for the Plan Commission's review are included in the Development Standards for the Maple Leaf Crossing Development document. That document states: *"The development standards for zoning district CD-4.A set forth in Zoning Ordinance 1788, Table 26-6.405.A-6 shall apply to matters not addressed in the Approved Development Plan and Development Standards."*

The proposed PUD amendment is seeking to supersede any of the previously adopted design standards with respect to Lot 7, but they are listed below for discussion. Certain standards are identified in the last column as being clearly met while others are identified as requiring a determination by the Plan Commission. Staff requests that the members review these items and determine whether they have met the intent of the zoning ordinance and the PUD ordinance adopted by the Town. Any recommended changes to the plans may be included as conditions of the approval.

Code / Ordinance	Section	Standard	Proposed	Meets Code
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Ord. 1803	I.4	<b>Height Regulations</b> No building shall exceed four stories in height and a maximum of 60 feet.	Top of Parapet 51.5'	Yes
Ord. 1803	I.5	<b>Screening of Mechanicals</b> All mechanical equipment will be screened as to not be visible by those at street level on all sides of the building.	No mechanical equipment is visible.	Yes
Ord. 1803	III.2	<b>Materials and Details</b> Building materials shall consist primarily of glass, steel, brick, stone, and shipping containers for accents and small businesses as contemplated by the Development Agreement.	The façade is glass and stone.	Yes
Ord. 1803	III.3	<b>Permitted Materials</b> The following is a list of permitted materials, subject to Town approval during the review process: a. Painted aluminum or steel; b. Stainless steel; c. Solid brass, bronze, copper or pewter; d. Enamel coated steel; e. Textured or brushed stainless steel; f. Galvanized, sandblasted or etched metals; g. Natural stone; h. Full size brick; i. Painted or stained wood in limited amounts j. Porcelain, ceramic or glass	The façade is glass and stone.	Yes
Ord. 1803	III.4	<b>Metals</b> High quality is expected for all metal applications. Metal such as shop-painted aluminum and steel, stainless steel, solid brass, bronze, copper, pewter, or enamel coated steel may be used for hardware, trim and panels when well designed and detailed.		Yes
Ord. 1803	III.5	<b>5. Natural Stone</b> a. Granite, marble, limestone, slate and other natural stone materials may be used in building applications. Stone may be polished, unpolished, sandblasted, flamed, honed, split face or caved. Careful, craftsman-like attention to detail is required at all connections and transitions to other materials.	No stone is proposed.	Yes
Zoning Ordinance	TABLE 26-6.405.A-6 DISTRICT STANDARDS	<b>Building Composition</b> Each Principal Building must have an identifiable Base, Middle, & Cap	The building is broken up into distinct levels.	Yes

Zoning Ordinance	TABLE 26-6.405.A-6 DISTRICT STANDARDS	Main Entrance must be clearly distinguishable from other parts of the Building through the use of architectural design, elements, and treatment, including its detail and relief and use of architectural elements such as lintels, pediments, pilasters, columns, and other elements appropriate to the architectural style and details of the Building.	<p>Main entrance is set on the southeast side of the building, within a forecourt, but is not visible from the parking area.</p> 	Needs Plan Commission Determination.
Zoning Ordinance	TABLE 26-6.405.A-6 DISTRICT STANDARDS	<b>Blank Walls</b> Not Permitted at Frontage	<p>Few ground floor windows on North facade.</p> 	Needs Plan Commission Determination.
Zoning Ordinance	TABLE 26-6.405.A-6 DISTRICT STANDARDS	<b>Facade Void Areas</b> 20-60% of total Facade area, except for first Story of Shopfront Frontages, where it must be $\geq 70\%$ min	Not calculated but appears to exceed the maximum on the east facade.	Needs Plan Commission Determination.
Zoning Ordinance	TABLE 26-6.405.A-6 DISTRICT STANDARDS	<b>Facade Openings</b> Windows and/or doors spaced $\leq 20$ ft. apart. Square or vertical in proportion except for transoms and sidelights. Windows in the Facade and 1st and 2nd Lot Layers shall be single- or double-sashed, casement, awning, or fixed types. In Stories above first, Facade openings must be $\leq 50\%$ of total Facade area.	Not calculated but appears to exceed the maximum on the east facade.	Needs Plan Commission Determination.
Zoning Ordinance	TABLE 26-6.405.A-6 DISTRICT STANDARDS	<b>Window Alignment</b> Upper floor windows and other features must be aligned with those of first floor.	Aligned.	Yes.
Zoning Ordinance	TABLE 26-6.405.A-6 DISTRICT STANDARDS	<b>Facade Articulation</b> A Facade greater than 100 ft. in width must be differentiated so that it appears to be comprised of two or more Adjacent Buildings, by dividing such Facade into two segments each of which includes a separate Main Entrance and (1) differs from each of the other segments with respect to all of the following: (a) a change in shape, sill, and header height, detail, size, spacing, rhythm, and muntin pattern of windows; (b) a change of Building	North facade differentiated by building materials on upper floor, but ground floor is not differentiated.	Needs Plan Commission Determination

		or cornice height; (c) a change in cornice details; (d) a change of Wall material or Wall color; a change in trim courses and other horizontal elements; (e) a change in dormer or balcony design, if any, and (f) providing or changing pilasters, columns, or other Facade elements; and (2) is composed with a defined center and edges.		
Zoning Ordinance	TABLE 26-6.405.A-6 DISTRICT STANDARDS	Roof Type & Roof Pitch Permitted: Flat, Hip, Gable	Flat	Yes

### PARKING

The 358 parking spaces within the Maple Leaf Crossing PUD are shared among all users. At the time of approval of the PUD, a parking study was submitted which calculated that 350 total shared spaces were required for the development. For Lot 7, developed as a 2710 square foot pub, 40 parking spaces are required.

A revised study was provided in connection with the PUD amendment to permit the cigar bar. The study indicates that 52 spaces (12 additional) will be required for the proposed cigar bar. The study also reduced the number of spaces required for the hotel from 86 to 75 and the number of spaces required for the proposed restaurant from 56 to 32. With these modifications, the number of parking spaces required for the entire development is calculated to be 364. An additional analysis based on anticipated weekday peak parking demand by time of day indicates that the largest overlap between users occurs between 12 PM and 2:00 PM during which 295 spaces will be required. Based on this analysis, the 358 spaces within the Maple Leaf Crossing PUD will be sufficient to accommodate the proposed cigar bar.

A bike parking area with seven spaces is provided onsite west of the building.

### MOTION

The Plan Commission may wish to consider the following motion:

*Motion to approve PC Docket No. 22-010, approving the Karma Bistro & Cigar Lounge development plan and the proposed use for Lot 7 in the Maple Leaf Crossing Planned Unit Development at 9450 Calumet Avenue described in the staff report dated July 12, 2022, with the following conditions:*

- 1. Town Council approval of the proposed amendment to the Maple Leaf Crossing Planned Unit Development to permit a restaurant and cigar lounge on Lot 7 submitted under PC Docket 22-013;*
- 2. Final engineering review of the site plan for Lot 7;*
- 3. Additional conditions as determined by the Plan Commission.*