

MUNSTER PLAN COMMISSION
MINUTES OF REGULAR BUSINESS MEETING
Meeting Date: July 12, 2022

The announced meeting location was Munster Town Hall and could be accessed remotely via Zoom, a video conferencing application.

Call to Order: 7:57pm

Pledge of Allegiance

Members in Attendance:

Lee Ann Mellon
Roland Raffin
Brian Specht
William Baker
Andy Koultourides
Rachel Branagan

Members Absent:

Steve Tulowitzki

Staff Present:

Tom Vander Woude, Planning Director
David Wickland, Attorney

Approval of Minutes:

Motion: Mr. Koultourides moved to approve the minutes of the May 24, 2022, meeting.

Second: Mr. Baker

Vote: Yes – 6 No – 0 Abstain – 0. Motion carries.

Preliminary Hearings:

- a. **PC Docket No. 22-011 Time Equities, Inc. represented by Abonmarche requesting approval of a preliminary plat for the Resubdivision of Lot 1 in Ridgewood Development a two-lot commercial subdivision located at 300-332 Ridge Road.**

Mr. Vander Woude said the applicant is requesting that the property currently known as Ridgewood Plaza, a single lot, be subdivided into 2 lots. There is an Applebee's restaurant on the east side of the property and a multi-tenant retail center on the west side. Easements are being provided on Lot 2 to provide access into Lot 1. The applicant is seeking waivers from the maximum 300' lot depth for both lots and from the requirement that property lines at corners be rounded by an arc of at least 20' radius, which is the intersection of Manor and Ridge Road. Mr. Vander Woude said staff advised the applicant to include cross-access easements on Lot 1 as well.

Richard Piazza, of 111 E. 3rd Street, Hobart, IN of Abonmarche said they would comply with the rounding of the corner by dedicating additional right-of-way and would provide the requested easements on Lot 1.

Motion: Mr. Baker moved to set PC Docket No. 22-022 for a public hearing.

Second: Mr. Specht

Vote: Yes – 6 No – 0 Abstain – 0 Motion carries

- b. PC Docket No. 22-013 Maple Leaf Crossing LLC requesting approval of an amendment to the Maple Leaf Crossing Planned Unit Development to permit a restaurant and cigar lounge on Lot 7 in the Maple Leaf Crossing PUD at 9410-9470 Calumet Avenue.**

Mr. Vander Woude said the subject property was rezoned a PUD in July 2020. He said the applicant is seeking to develop Lot 7 with a 64,000 SF cigar bar and restaurant. He said the original plans approved in 2020 showed a 27,000 SF pub. He said the applicant is seeking to amend the PUD site plan and ordinance. Mr. Vander Woude said the applicant has provided an updated parking study that indicates that the parking on this site is still sufficient even though the building is growing from 27,000 SF to 64,000 SF. Mr. Vander Woude said that the use is specifically classified in the Indiana state law as a cigar bar. Mr. Vander Woude said the differences between the previously approved use as a pub and the proposed use is that smoking is permitted of cigars only, there are walk-in humidors, a private members only smoking lounge, massive ventilation elements, and it is restricted to 21 and older. He said the use is not prohibited specifically in the ordinance, nor is it permitted. Ms. Branagan said she likes the looks of the building. The large expanse of glass makes up for the concrete and the entrance is fine.

Applicant David Beach of 1630 Cherry Blossom Drive said Lot 7 has not changed at all, the footprint of the building has increased from 27,000 SF to 64,000 SF. He said the owner of the business is a local fellow who has been running a business in Northwest Indiana. He said the rooftop opens and because of that, the mechanicals are not on the top of the building, but in the interior of the building. He said the Town Council passed ordinance 1855 in February 2022 which allows cigar smoking in an establishment per State code. Ms. Mellon said she loves the building and prefers it at 3 stories over the 27,000 SF pub; it is much more unique. She asked if they are keeping the 10 containers. Mr. Jay Lieser said the containers will be on Lot 4. Ms. Mellon said that is really important to the development and she doesn't want to lose that component. Mr. Lieser said those will be there and everything will coordinate with those containers. Mr. Baker asked the applicant to provide more detail on the location and shielding of the mechanicals for the next meeting. Mr. Beach said the new parking study they had commissioned projects a peak of 295 cars with 358 parking spaces. He said the Karma Cigar bar's primary usage is from 5:00 pm to 10:00 pm. He said the study projects that they will need 100% of their parking spaces from noon to 2:00 pm but they believe that overstates the volumes. Mr. Raffin asked what time the business closes on weekend and weeknights. Mr. Beach said he believes 11:00 pm. Mr. Raffin said when they started this, they talked about families coming here, but now the use has changed from a pub. Mr. Raffin asked if their will be family-oriented uses. Mr. Lieser said they will have the primary restaurant in the front and there will be a School of Rock in Lot 5. He said the change from a pub to a cigar bar is not that big a change of use. He said the uses in the front will be family friendly.

Motion: Mr. Specht moved to set PC Docket No. 22-013 for a public hearing.

Second: Ms. Mellon

Vote: Yes – 6 No – 0 Abstain – 0 Motion carries

Public Hearings:

- a. PC Docket No. 22-007 Paul Kats on behalf of Munster Church, Inc. requesting approval of a development plan to permit the construction of an addition to the Munster Church, the construction of a new multipurpose accessory building, and associated site modifications at 214 Ridge Road.**

Mr. Vander Woude said this is a continued public hearing. He said the applicant is seeking to demolish 3 buildings at their site at 214 Ridge Road and construct a 13,350 SF addition with a 7140 SF multipurpose accessory building. He said they plan to narrow the existing Ridge Road driveway, improve the landscaping along the Ridge Road frontage, add and relocate the new parking lot light fixtures, add parking lot landscaping, and install a storm water retention pond at the southwest corner of the property. He said that a neighbor had spoken during the initial public hearing requesting that the parking area on the east side be screened from the residential properties to the south. He said the applicant has amended the plan to show a 6' vinyl fence proposed in that location. He said there was also a question from the member of the Plan Commission about the location of a dumpster enclosure which was not shown on the plans as submitted last month. He said it is now shown on the plans at the southeast corner of the property. He said a revised landscaping plan was submitted that includes an additional 5 shade trees along the Ridge Road frontage. He said that the applicant received variances from lighting, landscaping, and architectural standards and some of the frontage requirements. He said that with the approved variances, the project complies with the zoning codes. Mr. Vander Woude stated that he recommends approval upon the condition that the plans be reviewed by the Town Engineer.

Ted Rohn of Rohn and Associates Architects, introduced himself. He said he is joined by Pastor Jim Hollendonner and Paul Kats representing the Church, Don Torrenge, and Fred Krooswyk, the landscape designer. He said they would like to begin work on the outbuilding as soon as they receive approval. Mr. Baker said he is concerned about curb cuts on Ridge Road and said it would be beneficial for the long-term flow of Ridge Road if the Church would consider closing the curb cut. Mr. Raffin said that in the future, that curb cut could possibly be narrowed when the Town implements the streetscape plan. Mr. Vander Woude the church is proposing to narrow it to 24' which would be the Town's maximum width for a 2 way curb cut in a commercial district. Mr. Baker asked if the curb cut could be realigned to the street to the north, Meadow Lane. Mr. Rohn said the building expansion would be across from Meadow Lane. Mr. Baker suggested a right-in, right-out. Mr. Rohn said they need 2-way access from Ridge Road. He said he hasn't heard of any safety issues with the full access driveway. Mr. Raffin opened the public hearing. There were no comments. Mr. Raffin closed the public hearing. Mr. Vander Woude said that the drive aisles between the 2 parking lots are very narrow so the circulation between the 2 parking lots is very restricted and it is very difficult to navigate from Hohman Avenue into that east parking lot and especially if it is busy. Mr. Raffin suggested including a sidewalk that will connect to the front of the church. Mr. Baker asked if the staff was comfortable with the stormwater runoff. Mr. Vander Woude said the plans show a concrete curb to channel water to the west. Mr. Torrenge said the concrete curb will replace an asphalt curb that was damaged by plows.

Motion: Ms. Mellon moved to approve PC Docket No. 22-007, Paul Kats on behalf of Munster Church, Inc. requesting approval of a development plan to permit the construction of an addition to the Munster Church, the construction of a new multipurpose accessory building, and associated site modifications at 214 Ridge Road with the condition that the final engineering plans be reviewed and approved by the Town Engineer.

Second: Mr. Baker.

Vote: Yes – 6 No – 0 Abstain – 0. Motion carries.

- b. PC Docket No. 22-008 SPIN Munster, LLC represented by Gary Warfel requesting approval of a preliminary plat for the Kenmara Addition to the Town of Munster a commercial subdivision located at the southwest corner of Timrick Dr., Manor Ave., and Fisher Street (formerly the Lansing Country Club).**

Mr. Vander Woude presented his report stating that the petition is to subdivide the former Lansing Country Club into 7 lots, 2 small outlots, and a lot being reserved for a subsequent phase of development. He said that the plat was revised after the last meeting. The property line corners are shown to have an arc of at least 20' in radius. The right-of-way is shown to be 76' wide which corresponds to our thoroughfare standards. He said the applicant is seeking waivers from Section 26-335B for a right of way for a major access or business street of less than 100' and from Section 26-313B which requires that lots be no deeper than 300". The staff recommendation is that all easement agreements and approvals both by the Town and 3rd parties be made and approved with the completion of Phase 1A and Phase 1B as shown on the development plans, a utility easement be provided along the east edge of Lot 9, and all storm water plan be subject to a final review by the Town Engineer.

Gary Warfel of Saxon Partners, 25 Recreation Park Drive, introduced himself. He said they are asking for the subdivision of Phase 2 prior to Phase 1A and Phase 1B. He said the only portion they are developing is the 59 acres on the southeast quadrant. There are only 2 parcels in Indiana, the 59 acres they are discussing and one to the north which contains a lake and trails. He said they are planning to keep that clear open space and they intend to open the Pennsy greenway. He said phase 1A and 1B are the offsite work extending Fisher Street and Maple Leaf Crossing to provide access to the site. He said both cross utility lines and they have a letter of intent from NIPSCO and are ready to prepare an agreement with NIPSCO. He said they are focusing on Phase 2 at this time; they are calling Phase 3 a separate lot; it is 21 acres. Phase 2 includes 300,000 square feet of commercial space. He said they divided Phase 2 and Phase 3 because if they exceed 300,000 square feet of commercial space, they will need to make improvements to Fisher Street and Calumet Avenue. Mr. Raffin asked if their intention is to do Phase 1, get the roads done and Phase 2 100% done before moving on to Phase 3. Mr. Warfel confirmed and said they are not sure how Phase 3 will be developed. He described the bicycle and trail connections in the development. He said that they have redesigned the intersection of Manor and Timrick in response to public comment at the previous hearing to slow down traffic and eliminates the headlights into neighbor's homes which was commented on last time. He said that after they have the subdivision plat approved, they intend to complete all the engineering for the Fisher Street extension to Maple Leaf Boulevard and have that all submitted as a plat to the commission for approval. Mr. Baker asked what role the Plan Commission has in the approval of the access points. Mr. Vander Woude said Phase 1a and Phase 1b will have to be platted. He said that the Plan Commission will also have to approve development plans for each lot and the plat for Phase 3 and can review the traffic situation at that time. Mr. Baker suggested that the Town review the overall traffic in Town. Mr. Raffin suggested that the Town review the traffic when each building is submitted for approval. Mr. Specht asked how close the Town is to completing the development agreement. Mr. Vander Woude said it is in preliminary review, but he does not have a projected date for its approval. Ms. Mellon said they would not be seeing buildings coming back to the Plan Commission for approval until they had that development agreement. Mr. Warfel said they have plenty of work to do in parallel with the development agreement. The development agreement is not a critical path right now. A critical path is the subdivision preliminary plat approval so they can go back to NICTD, NIPSCO, and Pepsi and nail down all the access agreements. He said that when they do the Fisher Street extension, they'd like to be doing it in parallel with the NICTD grade crossing so when that part of town gets torn up, it is torn up once and the same for Maple Leaf Boulevard.

Mr. Raffin opened the public hearing.

On Zoom, Chris Ylo of 46 Timrick Dr. asked how many homes will be constructed in Phase 3. Mr. Warfel said he thinks they could comply with the zoning with 282 small lot townhomes, a housing type typically

with 6 adjacent townhomes with shared walls, small lots, garages, and small yards. Mr. Ylo said for potential residents there, the only entrance and exit would be Fisher and Maple Leaf and asked if they are considering anything going through Illinois. Mr. Warfel said once they bring Phase 3 into the conversation, they have to take a much deeper dive into traffic. Mr. Ylo said he prefers the first design of Fisher and Timrick because Timrick dead ends. He said with the second design it just becomes a pass through again. He said he is biased because he lives on Timrick.

Barbara Whitaker of 1921 Alta Vista said she is encouraged to hear that Phase 3 might be residential, hopefully with something for seniors. She thinks seniors are really neglected in this town. She said seniors contribute to schools; we don't use schools. She asked how they arrived at the Kenmara name. Mr. Warfel said they just made it up. Ms. Whitaker asked if Munster ever conducted a needs assessment. She said the cigar bar sounds beautiful and asked if we need it. Mr. Raffin said the Town has had comprehensive plans which guide development, but we don't control the land. Ms. Whitaker asked if they had solicited the community and residents. Mr. Raffin said the Plan Commission and Town Council meetings are always open to the public. Ms. Whitaker asked if there was a broad survey. Mr. Raffin said everything is on social media, you hear everything nowadays on wants and needs. Ms. Whitaker said maybe they don't want social media. Mr. Vander Woude said that that the Town is beginning a comprehensive plan this August which will include opportunities for the residents to provide input on the types of uses that they would like to see in Munster. He said there will be public meetings, a website, and online engagement opportunities.

On Zoom, Michael Goepfert of 10380 Oxford Place, said he mentioned this the last time that this came before the committee that they have spent a lot of money on an underpass that was supposed to alleviate traffic on Calumet Avenue. Here we are adding quite a bit of traffic back onto Calumet Avenue. He knows that this come before the committee and was not well received to open an entry/exit to the Illinois side on Wentworth. It seemed like people weren't comfortable with that. As a south side Munster resident, Wentworth is not a secret to them at all. People down there are already using it. To have that access point to him seems to make sense so they are not dumping so much traffic on Calumet Avenue. He knows this walkable, bikeable community that is being talked about tonight sounds great, but he has yet to see the sidewalks nearly as filled as our streets and much less so in winter.

Ryan Reyes of 6 Timrick Drive said we talked about people speeding down the side streets. He has a suggestion of installing speed bumps or speed humps. He said that the side streets in Chicago have speed humps and they slow people down. Mr. Raffin said in his neighborhood, they are trying striping and cones to make the road a little narrower and they are trying to address this issue in some of the neighborhoods.

Mr. Raffin closed the public hearing.

Motion: Mr. Koultourides moved to approve PC Docket No. 22-008 granting approval of the preliminary plat of Kenmara addition to the Town of Munster with the following waivers:

1. From Section 26-335B of the Munster subdivision ordinance which states that a major access or business street have a right of way width no less than 100'.
2. From Section 26-313B which states that the depth to width ratio of the usable are of the lot shall be a maximum of 3.5-1.0 and no lot shall be more than 300' deep.

And upon the following Conditions:

1. All necessary easements agreements approved by both the town and third parties have been made and approved for the provision of Phase 1A and Phase 1B and the development plans for

providing access to the Kenmara addition from Fisher Street and Maple Leaf Crossing to the satisfaction of the Town of Munster Plan Commission.

2. A utility easement on the east edge of Lot 9 and as determined by the Town Engineer to be sufficient for accessing the Town's water main be dedicated to the town.
3. All storm water and engineering plans be subject to the final review by the Town Engineer.

Second: Mr. Baker

Vote: Yes – 6 No – 0 Abstain – 0 Motion carries

c. PC Docket No. 22-010 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

Mr. Vander Woude said earlier this evening there was a public hearing for a Maple Leaf Crossing PUD amendment to revise Lot 7 to include a Cigar Bar and Lounge at 9450 Calumet Avenue. The 2nd piece of this application is the approval of the development plan. He said the proposed landscaping plan is substantially similar to what was proposed for the pub, with landscaping around the foundation as well as trees and grass. He said the updated building plans show that the building materials are limestone and metal panels. He said his recommendation is to either approve the development plan conditioned upon the final approval of the PUD by the Town Council or that it be tabled until such time as the Town Council could approve the PUD. Mr. Vander Woude said the public hearing for the PUD amendment is scheduled for August.

Joe Svetanoff from the law firm of Kopka Pinkus Dolin located at 9801 Connecticut Drive, Crown Point, introduced himself as a representative of Karma Cigar Bar, LLC aka Karma Piano Bar and Cigar Lounge and Bistro located at 9450 Calumet Avenue, which would be located within Maple Leaf Crossing. He said Karma will be located on Lot 7. The post structure located on this site will be approximately 6400 square feet of enclosed space with an open air roof top concept. He said the proposed Piano Bar and Cigar Lounge Bistro will encompass a first floor gastro pub piano bar where food will be served and it will be smoke free from 11:00 am to 8:00 pm, a 2nd floor cigar lounge where food is also available, a 3rd floor terrace area, and a 4th floor open air concept and rooftop that can be used for dining, entertainment, and private events where food will also be served. He said they provided the development plan of Karma, the renderings of Karma, the Maple Leaf Crossing traffic and parking study, the proposed revision to the Maple Leaf Crossing development standards, Lot 7 Maple Leaf Crossing master site plan, and the Maple Leaf Crossing PUD ordinance. He said they are passing out a revised development plan of Karma and rendering of Karma. He said the hours of operation of the facility are 11:00 am to 11:00 pm daily and the approximate investment into this building is going to be at least \$3 million. He introduced the owner, Dhirien Shaw, the developer, Jay Lieser, the attorney for the developer, Dave Beach, and the architect Vaushali Katyarmal.

Dhirien Shaw of Karma Cigar Bar, 1050 Doe Path Lane, introduced himself and said he has owned the business since 2004. He converted his dad's business into a cigar bar in 2016. Mr. Raffin asked if, as a resident, he would have access to the entire place, the rooftop, or are there areas for members only. Mr. Shaw said the second floor would be half for members and half for non-members; the rest is open to the public. Mr. Raffin asked what made him look at Munster for this kind of concept. Mr. Shaw said Munster is a beautiful community. Ms. Mellon said it is a beautiful building. She asked what the food offerings are. Mr. Shaw said they are offering a gastropub menu. It will be seasonal, they are still contemplating with the chefs, but they are going to have good food. Ms. Branagan asked whether the roof top would be open to the public without a cover charge. Mr. Shaw said, it is open to the public aged 21 and over. Mr. Baker asked if the dumpster would have to be rolled across the sidewalk.

Ms. Katyarmal said the dumpster is accessed from the one-way access road. Mr. Baker asked if the truck will have to drive over the sidewalk. Ms. Katyarmal said they will sort this out with the engineer Torrenga. Ms. Katyarmal said that this is a modern glass structure. The most common material they are using is limestone panels. They are also using metal accent panels that were part of the original concept of the containers,

Mr. Raffin asked how they are screening the mechanicals for the building. Ms. Katyarmal said some of the materials are going under the deck area. The 3rd floor is exclusively a utility floor. Ms. Katyarmal said they would be screening the mechanicals, but the plans are preliminary. Mr. Raffin asked for additional screening information to be provided to the board. Mr. Specht said they just want to make sure the building looks like that when they see it. Mr. Beach said that the ventilation system system is high tech, cutting edge because they want to make sure when people come into the facility, there is no smell of smoke or anything else. Mr. Beach said they are spending a tremendous amount of money on those filtration systems to make sure they keep the air clean. Mr. Raffin opened the public hearing. There were no comments. Mr. Raffin closed the public hearing.

Motion: Mr. Baker made a motion to approve PC Docket 22-010 approving the Karma Bistro and Cigar Lounge development plan at 9450 Calumet Avenue described in the staff report updated July 12, 2022, with the following conditions.

1. That the Town Council approves the proposed amendment to the Maple Leaf Crossing planning and development to allow a restaurant and cigar bar submitted under PC22-013.
2. Final engineering review of the site plan for Lot 7
3. Plan Commission approval of the internal water feature and the screening of the building mechanicals.

Second: Mr. Koultourides

Discussion: Mr. Raffin said he would like to see a presentation of the actual building materials.

Vote: Yes – 6 No – 0 Abstain – 0 Motion carries

Findings of Fact:

a. PC 20-009 Guy Costanza

Motion: Mr. Specht moved to approve PC 20-009

Second: Ms. Mellon

Vote: Yes – 6 No – 0 Abstain – 0 Motion carries

b. PC 22-005 CFNI Preliminary Plat

Motion: Mr. Specht moved to approve PC 22-005

Second: Ms. Mellon

Vote: Yes – 6 No – 0 Abstain – 0 Motion carries

c. PC 22-009 CFNI Development Plan

Motion: Mr. Specht moved to approve PC22-009

Second: Mr. Koultourides

Vote: Yes – 6 No – 0 Abstain – 0 Motion carries

Additional Business/Items for Discussion:

a. Comprehensive Plan Update

Mr. Vander Woude reported that the comprehensive plan will be kicking off next month and there will be a series of public and stakeholder meetings. Mr. Vander Woude reported that the Town had applied for a RAISE grant for the Ridge Road portion of the Ridge-Calumet streetscaping plan.

b. Security Cameras

Mr. Raffin said he had a discussion with Mr. Vander Woude about rewriting the ordinance about requiring when buildings come in front of the Plan commission for security cameras on corners, entrances, and parking lots.

Next Meeting: Mr. Raffin announced that the next regular business meeting will be August 9, 2022, at 7:30 PM

Adjournment

Motion: Mr. Specht moved to adjourn.

Second: Mr. Koultourides

Vote: Yes –6 No – 0 Abstain – 0. Motion carries.

Meeting adjourned at 10:12 pm

President Roland Raffin
Plan Commission

Date of Approval

Executive Secretary Thomas Vander Woude
Plan Commission

Date of Approval