

MUNSTER PLAN COMMISSION
MINUTES OF REGULAR BUSINESS MEETING
Meeting Date: July 11, 2023

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

Call to Order: 7:30pm

Pledge of Allegiance

Members in Attendance:

Steve Tulowitzki
Roland Raffin
Bill Baker
Lee Ann Mellon
Brian Specht
Andy Koultourides
Rachel Branagan

Members Absent:

Staff Present:

Jill DiTommaso, PE, Deputy Town Manager
Rachel Christianson, HWC Engineering
David Wickland, Attorney

Approval of Minutes:

a. June 13, 2023, Regular Plan Commission Meeting

The need for a correction was noted on page 4 under Additional Business/Items for Discussion, item b. The second instance of the restaurant name should have been "Meatheads". This has been corrected.

Motion: Mr. Raffin moved to approve the June 13, 2023, meeting minutes as amended.

Second: Mr. Tulowitzki

Vote: Yes – 7 No – 0 Abstain – 0. Motion carries

Public Hearings:

a. PC23-012 Dave Otte/Community Foundation of NWI, Inc. is requesting approval of an amendment to Ordinance 1206: The CFNI Business Planned Unit Development to accommodate an addition to the existing Diagnostic Center Building in Block 2.

Mr. Baker changed the order of the hearings to hear this one first since Mr. Otte was in the room. Ms. Christianson said we saw this at the preliminary hearing last month. There have been a few items that were clarified since that time. There was a discrepancy in the size of the sidewalk. This has been changed by the petitioner. There was some clarification made on the screening material. It will be PVC decking boards that will have a look similar to the enclosures on the west side of the structure so it will be consistent throughout the site. The remaining issue they'd asked the petitioner to address was the location of a light pole that was directly east of an entry to the structure. They responded that their design team was working on this and is planning to eliminate the light pole and provide wall pack lights

along the new addition instead. There had been some concerns that there would be an accessibility issue. With these changes, the staff is recommending approval as presented.

Dave Otte of 15014 West 153rd Lane, Cedar Lake and representing Community Foundation of NWI said they are seeking approval for a 1,900 square foot addition to the CDC building at 10020 Don Powers Drive for an MRI/CT addition. The building will exactly match the existing masonry, roofing material, and structural steel. They feel they have adequate spaces for parking and would like to get started right away.

Mr. Baker opened the public hearing. Hearing no comments, Mr. Baker closed the public hearing.

Motion: Mr. Specht moved to recommend approval of PC Docket No. 23-012 to amend ordinance 1206: The CFNI Business Planned Unit Development to accommodate an addition to the existing Diagnostic Center Building in Block 2.

Second: Mr. Koultourides

Vote: Yes – 7 No – 0 Abstain – 0. Motion carries

Preliminary Hearings:

- a. **PC23-013 Matt Kimmel/Centennial Village LLC, is requesting approval of an amendment to the Centennial Village Planned Unit Development, revisions to the CV Design Standards and Site Plan to include revisions to the size, location, and shape of Buildings "I" and "M".**

Ms. Christianson said there is an outline of the Centennial Village Planned Unit Development in its entirety in the staff report. The area of discussion is along the south side of 45th Street on the southeast quadrant of Calumet Avenue and 45th Street. There is a summary chart of the changes requested on page 3 of the staff report. On Building I, the pad will rotate and the use will change from a retail, single tenant structure to a commercial, multi-tenant structure, the number of floors will increase from 1 story to 3 stories, the maximum building height will increase from 25 feet to 55 feet, the square footage will increase from 5,200 square feet to 22,188 square feet. With the increase in the number of floors, the building materials on the exterior of the 2nd through 4th floors will be Class 3 and 4. On Building M, the building pad will be reduced and moved to the west, the use will change from residential, multi-family to retail, single tenant, the number of floors will be reduced from 3 stories to 2 stories. A 6,900 square foot structure is proposed. A parking lot in this area is reconfigured to accommodate the structure location changes. She summarized the differences between the original PUD standards and the proposed changes. She added staff comments where appropriate. She said everything in building materials and architectural standards is consistent with the rest of the site so there are no concerns with those changes. The only concern is with parking; that there is enough parking with the change of structure use. Her staff recommendation is to move the petition to a public hearing.

Matt Kimmel of Centennial Village, 631 Quarry Drive, introduced himself. Russ Pozen of DVG Team. 1155 Troutwine Road, Crown Point is also representing Centennial Village. The only clarification they made is that Building I is a proposed 3 story building, not 4. All the other things are generally consistent. Mr. Kimmel said Building M was moved because the Town approached him and asked him to rethink how the Village parkway lined up with Building M; Building M was the big building on the lake. They had asked if it could be separated and switched so the village site lines down the parkway would be from Calumet Avenue to the lake.

There was additional discussion about the upcoming development.

Motion: Mr. Tulowitzki moved to set PC Docket No.23-013 to a public hearing at the July 11, 2023, Plan Commission meeting.

Second: Mr. Koultourides

Vote: Yes – 7 No – 0 Abstain – 0. Motion carries

- b. PC23-014 Matt Kimmel/Centennial Village LLC, is requesting approval of a subdivision, replat of Lot A to create two new Lots (Lot 8 and Lot 9) Centennial Village Planned Unit Development.**

Ms. Christianson reported that this is a request to replat Lot A to create Lot 8 and Lot 9. In reviewing this petition, she said she has some concerns with the irregular lot shape the petitioner is proposing. The boundary line that is dividing Lot and Lot 9 is a stair step pattern. When you look at the development plans the petitioner has submitted in the next petition, this stair step pattern cuts through the parking lot that is being proposed in that area. She read through the Centennial Village PUD design standards and she understands there is not a homeowner's association but there is a Centennial Village Association that is supposed to take care of snow removal. It wasn't 100% clear to her if that includes the maintenance of the parking lots. It is a concern because you have a parking lot with a property line that cuts through it. She understands that there is one owner for both lots today but, in time, that land is going to be transferred to someone else. There is a provision for the shared parking agreement but she wants to know how maintenance will be handled. Usually, lot lines follow an easement or a parking lot, that may be done here. She clarified that this petition is to divide Lot A into Lot 8 and Lot 9.

Mr. Kimmel said that dividing this particular lot by an easement is not practical because it would leave Lot 8 much too small. He explained that he has a process in place on each lease so maintenance is shared. The maintenance includes snow removal and landscaping. Ms. Christianson said there are future implications with subdividing land like this. There have been situations when associations like this cease to exist in the future, possibly in the very far future. Following much discussion, she offered the suggestion that the cross access language could be written into the revised preliminary plat. It can then be recorded on the plat. It should then be recorded in the PUD.

Mr. Baker asked if they were planning to do anything with the bike plan at this stage of development. Mr. Kimmel said that the base has already been set for the trail. The crushed rock is in place to get from point A to point B.

Motion: Mr. Raffin moved to set PC Docket No.23-014 to a public hearing at the July 11, 2023, Plan Commission meeting.

Second: Ms. Mellon

Vote: Yes – 7 No – 0 Abstain – 0. Motion carries

Public Hearings:

- b. PC23-013 Matt Kimmel/Centennial Village LLC, is requesting approval of an amendment to the Centennial Village Planned Unit Development, revisions to the CV Design Standards and Site Plan to include revisions to the size, location, and shape of Buildings "I" and "M".**

Ms. Christianson summarized the changes proposed to the PUD. They would be changing the conceptual plan that is part of the PUD standards. Building I has multiple changes proposed. She thinks the most significant one is the rotation of the pad, the number of floors would change 1 story to 3 stories, and the square footage would change from 5,200 to 22,188. Building M will be reduced and moved to the west, the change is going from a residential, multi-family to a retail, single tenant use, the number of floors will be reduced from 3 stories to 2 stories, and that structure will be approximately 6,950 square feet. The parking lot will be changing to accommodate the structure location changes. The old and the new plans are shown in the staff report as is a comparison between the two plans with staff comments. She pointed out that the purpose of the conceptual plan of the Centennial Village design standards and conceptual plan is to provide the Town of Munster with a sustainable, mixed use, and walkable community that is adjacent to the key regional thoroughfares of Calumet Avenue and 45th Street. The Pennsy Greenway is a major design element that goes through the site. That walkable and livable community is important to remember as we walk through this. Her recommendation is to be consistent throughout the document and use the word “retail” as opposed to “commercial” as the petitioner has proposed. A small but significant change is that Building F is listed in the document as a single tenant use but it is occupied as a retail, multi-tenant use. Staff would like that change reflected in the document. That was not something the petitioner requested, it was likely an oversight, but the language should show what the actual use is. They also understand that the petitioner has additional changes to the conceptual plan that will be presented at a later date but those are already being shown on the updated conceptual plan the petitioner has submitted with this application. To clarify and reduce confusion, they’d like to request a revised conceptual plan to illustrate only the changes being sought as part of this petition. Alternatively, for example, where the hotel is, put a hatch over it and label it “excluded at this time”. They want to be clear as to what is being approved if anything. She further clarified that this petition covers the size, location and shape of Building I and Building M.

There was additional discussion about all of the upcoming developments.

Mr. Baker opened the public hearing.

Melvin Bareng of 920 Camellia Drive joined the meeting via Zoom. He said he is a condominium owner and received a letter regarding a PUD amendment, he asked what that is. Ms. Christianson explained a this is an amendment to the Planned Unit Development, which is what they have been discussing. A Planned Unit Development is a special ordinance that is a special set of rules that is different from the Munster Zoning ordinance. It is a special zoning ordinance just for that area. Mr. Bareng asked if this means they are being pushed out as owners of the condo. He asked what was going to happen, whether they were going to be offered the value of the condo. Ms. Christianson said we are not pushing them out. What is being discussed is two new buildings; future Building M and future Building I and how those buildings will look on the site. Mr. Baker explained that what happens in a development like this, property owners within a certain distance get a letter so the neighbors know what is going on in their community. In this case, he is within a certain distance from this development which is Centennial Village. He asked Mr. Bareng if he had been there, Mr. Bareng said he walks there every night after work. He said is a very nice, developed area. He said as a bike rider, he said it would be nice if they’d build the sidewalk out. He said that was his only concern.

Mr. Baker closed the public hearing.

Motion: Mr. Tulowitzki moved to recommend approval of PC Docket No. 23-013 to amend the Centennial Village Planned Unit Development to allow revisions to the Centennial Village Design

Standards and Site Plan to include revisions to the size, location, and shape of Buildings “I” and “M” with the following conditions:

1. Revisions to the proposed building and land use language for consistency purposes within the document change the term “commercial” to “retail”.
2. Revisions to the proposed conceptual plan to show only the changes requested to Buildings “I” and “M” and the associated parking lot to make clear the changes are limited to that area within the red box.
3. Revisions to any references to Building “F” to be a retail, multi-tenant rather than a single retail tenant to reflect how it is actually being used.

Second: Mr. Koultourides

Vote: Yes – 7 No – 0 Abstain – 0. Motion carries

- c. PC23-014 Matt Kimmel/Centennial Village LLC, is requesting approval of a subdivision, replat of Lot A to create two new Lots (Lot 8 and Lot 9) Centennial Village Planned Unit Development.**

Ms. Christianson said we are subdividing a lot into Lot 8 and Lot 9. She said following the discussion in the preliminary hearing, the staff wants to get a revised preliminary plat that shows the proposed improvements, to show where the structures and where the parking lot will be. The lot lines will be overlaid on the site plan so we can see where that parking lot falls in. There will be some language that on the preliminary plat that address the cross access agreement so when this goes to final plat and gets recorded, it is all part of that final plat.

Mr. Pozen of DVG , 1155 Troutwine Road, Crown Point, said they have done the cross access language on the plat and the final plat showing the proposed conditions before and he thinks he and his client can accommodate that on the plat.

Mr. Baker opened the public hearing. Hearing no comments, Mr. Baker closed the public hearing.

Mr. Kimmel clarified that Lot A is much larger than new Lot 8 and Lot 9. They are taking only a portion of Lot A. Lot A extends much further to the south, there is about 10 acres that is all part of Lot A.

Motion: Mr. Koultourides made a motion to approve PC Docket No. 23-014, a replat of a portion Lot A to create two lots, Lot 8 and Lot 9, on the Centennial Village PUD with the condition that a preliminary plat is submitted showing the parking lot and the structures in relation to the new lot lines. The revised plat is to include the cross access agreement language.

Second: Mr. Tulowitzki

Vote: Yes – 7 No – 0 Abstain – 0. Motion carries

- d. PC23-015 Matt Kimmel/Centennial Village LLC, is requesting approval of a development plan of Building M within Centennial Village Planned Unit Development.**

Ms. Christianson said she went through each section of the design standards. She asked whether the most up to date plans had been included in this petition submittal since there may be some recommendations that have already been addressed. Mr. Kimmel said this is not the most up to date. She said they would have to review those most recent drawings. She explained that Section 4 addresses building materials and architectural design standards and Section 6 addresses building design elements.

She said they are proposing a single retail for a single tenant use for building M within the PUD. The petition says that Building M will be a 2 story structure. The renderings that have been submitted with this application appear to be in line with these standards. When we do the building permit, we will check to make sure that is in line with these standards. For site circulation, one of things that has already been discussed, Building M has been pulled off the Pennsy Greenway and moved further to the west but the set of drawings she reviewed did not have the sidewalk on the south side of the property. Mr. Pozen said that the sidewalk was removed from the development plan. Ms. Christianson said she would like to see the site plan modified to show how pedestrians using Building M would navigate to Building I because that is a missing piece that is in the set of drawings that she reviewed. There is a connection shown to the future Pennsy Greenway and to the planned development to the south from Building M but there is not a clear path to Building I. Regarding parking, the cross access agreement discussed earlier would work. Otherwise, they are meeting parking requirements for the planned uses based on the calculations. She expects Building I will likely meet the requirements so there are no parking concerns. The landscaping plan has been included with the set of drawings. There are some trees that are indicated on the landscaping plan that are not on the approved tree list for parking lot islands or for general landscaping. She recommends a revised landscaping plan that shows trees from the list. If those trees are not available from the nurseries, an email from the petitioner explaining the reason why they are not using those trees should be submitted to see if it is acceptable. On the design standards, section 14 addresses fixtures and equipment and it talks about having a standard set of those fixtures throughout the entire PUD and that there should be a plan that shows the locations of bike racks, decorative trash receptacles, benches, and plant containers. She will be requesting that those be shown on a future site plan. For utility service, during site plan review, it was requested that the water main be relocated to the utility easement to the west. One of the questions we have is why this request could not be accommodated. In terms of stormwater management, the maintenance of the hydrodynamic separator is not included in the post-construction stormwater management plan. We would request that this addition be made to the drawing set. That concluded her staff analysis. Her staff recommendation is included in the staff report to include all the points she made. Mr. Baker asked if the plan requires irrigation. Every other development in town has an irrigation requirement for landscaping. He asked if that is applicable to a PUD or would that have to be put in specifically as a part of that program.

Mr. Kimmel said he doesn't believe it is specified in the development standards or the design standards that they have to have irrigation although they do. Centennial Village does have irrigation. He addressed the question of the connection between Building M and Building I. He said it was on the updated landscaping plan on page 27 of the staff report. They will have striped access on the pavement between Building M and Building I. Mr. Pozen said an earlier plan sidewalk on 45th was found to be unsafe. A sidewalk would run into the wall of the tunnel bridge. He explained exactly how pedestrians will navigate the entire site.

Mr. Baker opened the public hearing. Hearing no comments, Mr. Baker closed the public hearing.

Motion: Mr. Tulowitzki made a motion to approve PC Docket No. 23-015, approving a development plan of Building M within Centennial Village Planned Unit Development with the following conditions:

1. Approval of PC Docket No. 23-013 and 23-014 and any conditions that are part of those approvals.
2. The sidewalk network around Building M will be modified to connect to the future Building I and the rest of the Centennial Village pedestrian network.

3. A Cross Access Easement for shared parking between Lots 7 and 8 is developed and recorded with the Final Plat for the subdivision of Lot A.
4. Replacement of landscape materials to meet the approved tree and shrub lists found in the Centennial Village PUD Design Standards.
5. The locations of site furnishings and fixtures will be shown on the site plan (including bicycle racks, decorative trash receptacles, pedestrian benches, and decorative plant containers).
6. Maintenance of the hydrodynamic separator in the Post-Construction Stormwater Management Plan.
7. Irrigation for landscaping will be included on the site.

Second: Ms. Mellon

Vote: Yes – 7 No – 0 Abstain – 0. Motion carries

Mr. Raffin said although everyone wants to try to move processes along, he would strongly discourage holding Preliminary and Public hearings in the same meeting. He doesn't think things are better from a Plan Commission perspective. It is not enough time to review all the documents and do the due diligence necessary. He highly recommends doing the Preliminary Hearing in one month and the Public Hearing the following month.

Findings of Fact:

- a. **PC23-010 Jay Lieser of Maple Leaf Crossing LLC requesting approval of an amendment to the Maple Leaf Crossing Planned Unit Development to add parking spaces and modify Lots 2-7 and Outlots A and B.**

Motion: Ms. Mellon moved to approve the Findings of Fact for PC Docket No. 23-010 granting approval of an amendment to the Maple Leaf Crossing Planned Unit Development to add parking spaces and modify Lots 2-7 and Outlots A and B.

Second: Ms. Branagan

Vote: Yes – 7 No – 0 Abstain – 0. Motion carries

- b. **PC23-011 Jay Lieser of Maple Leaf Crossing LLC and HP Munster LLC are requesting approval of a subdivision, a replat of the Maple Leaf Crossing PUD to modify Lots 2, 3, 4, 5, 6, 7, and Outlots A and B.**

Motion: Mr. Specht moved to approve the Findings of Fact for PC Docket No. 23-011 granting approval of a subdivision, a replat of the Maple Leaf Crossing PUD to modify Lots 2, 3, 4, 5, 6, 7, and Outlots A and B.

Second: Ms. Mellon

Vote: Yes – 7 No – 0 Abstain – 0. Motion carries

Additional Business/Items for Discussion: None

Next Meeting: Mr. Baker announced that the next Regular Business Meeting will be August 8, 2023.

Adjournment:

Motion: Mr. Specht moved to adjourn.

Second: Ms. Mellon

Vote: Yes – 7 No – 0 Abstain – 0. Motion carries.

Meeting adjourned at 9:40 pm

Chairman Bill Baker
Plan Commission

Date of Approval

Executive Secretary Dustin Anderson
Plan Commission

Date of Approval