

**MUNSTER PLAN COMMISSION**  
**MINUTES OF REGULAR BUSINESS MEETING**  
Meeting Date: November 14, 2023

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

**Call to Order:** 9:01 pm

**Pledge of Allegiance**

**Members in Attendance:**

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

**Members Absent:**

Brian Specht

**Staff Present:**

Sergio Mendoza, Planning Director  
Jill DiTommaso, Deputy Town Manager  
David Wickland, Attorney

**Approval of Minutes:** None

**Preliminary Hearings:** None

**Public Hearings:**

- a. **PC23-024 Attorney Scott Yahne for Floyds Concern, LLC is requesting Preliminary Plat approval for a 2-lot subdivision, 3 FLOYDS SECOND CONSOLIDATION at 9750 Indiana Parkway.**

Mr. Mendoza said this request is to combine four lots of record into two lots of record, identifying it as 3 FLOYDS SECOND CONSOLIDATION. The request for this subdivision is to expand the existing use. There is a request for a Developmental Plan that follows this item. He said page 3 of the staff report identifies the existing lots of record. The exhibit on page 8 identifies the changes from two years ago. There will be a Final Plat request as well.

Scott Yahne of 9301 Calumet Avenue, Suite 2F, Munster, representing 3 Floyds said he had engineering and architectural teams behind him in addition to the 3 Floyds representatives to answer questions. He said they'd like to get going with this project. They have three things for the Board to consider this evening. Two are the combined Preliminary and Final Plat approval and Development Plan approval. He said Brian, the project manager, was in attendance and many of the questions may be for him. Mr. Yahne said that at the last meeting, Mr. Baker had asked them to identify the differences from what was proposed in 2018. He noted the red line version still on the screen from Mr. Mendoza's overview. He said this is a red line version that will show the updates that removed some of the public swaps of sidewalks and parking spaces that were no longer needed with this particular project. They're basically consolidating lots on the west side of Indiana Parkway. They can't bring in the fourth lot because it is separated by the public way and not contiguous so they will have a two-lot subdivision. They're looking to consolidate the lots on the west side. For the Development Plan, the Board will be hearing from the architects and engineers if they have specific questions. They are prepared to address and answer them. Mr. Tulowitzki asked them to explain the functional benefit of consolidating the west side. Mr. Yahne

said there are legal reasons to do so. They had acquired these lots at different times; it was always the intent to do that. They are not amending the Planned Unit Development. They have ratcheted it down to these developmental variances. If they ever did that (PUD), it would be beneficial to have it this way; it also makes taxation easier. There are all sorts of reasons but now you have the property owner identifying the buildings that straddle these lots all on a single lot. Mr. Baker said it is legal, not functional, so instead of three lots they are going to roll it into one lot on the west side of Indiana Parkway and create a campus.

Mr. Baker opened the public hearing. When there were no comments, he closed the public hearing.

**Motion:** Mr. Tulowitzki moved approve the preliminary plat for PC Docket No. 23-024.

**Second:** Dr. Koultourides

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

**b. PC23-026 Attorney Scott Yahne for Floyds Concern, LLC is requesting a Development Plan approval for a building addition and biergarten at 9750 Indiana Parkway.**

Mr. Mendoza said the petitioners received a Development Standard Variance earlier this evening. This request is to expand their Taproom and offer an outdoor venue as a Beer Garden.

Gabe McKee of 2717 Sutton Boulevard, St. Louis, Missouri, said this is a patio expansion and a reopening and reimagining of the tasting room. They are adding on to the old with a covered patio space and new entry. It will provide additional outdoor bar space that serves both the enclosed and outdoor covered patio and the outdoor Beer Garden. There are additional restrooms to facilitate that additional space. There will be a reworking of a small amount of parking, a new retaining wall, and a signage wall at the berms. The berms are part of the landscape design of the front lawn. The new south lot is being consolidated; the berms create the required visual barricade from the street for the beer garden. There will also be a native and perennial landscaping of naturally occurring, non-invasive species and will create a family and 21 and up atmosphere for all to have here. It is an expansion of the existing campus and the creation of a much more functional space for them. Mr. Baker said he sees the walkway coming off the parking lot to the grassy area. He asked if it is safe to assume that he is not going into the building to go outside, that he could go through the back door and get to the keg that way. Mr. McKee said that is a really long way to walk around but there are new entryways. Right in front, where there is 3 Floyds signage, there will be a new vestibule that will be entry to the brew pub. Off to the left-hand side, there will be another gate that will allow you to walk into the covered beer garden. Mr. Baker asked if they are going to allow people to site in the area that is bermed on the west side and landscaped on the right side. Could he sit there with his friends and smoke cigarettes? Mr. McKee said they would be carded to come into the beer garden. The gates in the berm area are for egress or exit only. You enter into the main entrance. You can't enter the beer garden or pub from the lawn area. Mr. Baker asked if they are illuminating the lawn area. Mr. McKee said it will be illuminated minimally, but they are illuminating the patio. The photometric plan was referenced. Dr. Koultourides asked about the noise level, whether there would be speakers outside during working hours. Mr. McKee said there would be a speaker system that would have music, but it would be controlled. It is facing toward the industrial side. There are walls blocking most of the patio space to the residential side and there are also railroad tracks. Everything is pretty much confined to their property. The noise level will be within reason. Ms. Branagan asked what would be happening to the lab now just north of the distillery where there are now mainly trailers. She said that every time she turns the corner there, she thinks that 3 Floyds has a

great venue, why is she looking at semi-trailers?

Nick Floyd, the founder of 3 Floyds, said the corridor Ms. Branagan is referring to is GE, they have thousands of trucks. He said that 3 Floyds owns the empty lot there at the end of Progress and Indiana. Instead of GE cramming their trucks everywhere on the streets so you can't even get in, they rent the vacant lot to them on a monthly basis except when they have Dark Lord Day or other special occasions. It was their attempt to remove as many semis as possible and hold them in their lot so they could get to the brewery and the Munster bus depot and the other businesses to the southwest. Mr. Baker said they have addressed this issue on a number of occasions. He asked how often those semis are causing angst in his world. Mr. Floyd said it depends on the day. What can you do against a trillion-dollar company that makes a billion and doesn't always pay taxes, it is they are like a fly. Mr. Baker asked how often they fill the area up with GE trucks. Mr. Floyd said for Dark Lord Day, they try to vacate them out for the end of April and May and a few other times of the year. They try to keep them in that lot, but they are also parking behind BMW. He said he is not complaining, it is an industrial park. There are a lot of trunks in industry. They are also parked in the back behind the water tower and the easement by the railroad tracks. Mr. Raffin said that is an enforcement issue with the Town of Munster is they are a nuisance in the community. Mr. Floyd said that is just the basic answer, it is a lot more complicated, a thousand shades of gray. He added that the future of getting this open will be unpacking. In the little advertising they do, they try to get people to go south from the Veteran's Memorial, down and passed the Jewish Center, then straight in. It is better to avoid Progress, they need to utilize the other streets. Mr. Baker said they were having the same conversation with the hospital because they were going to make a huge expansion as well. They are increasing the square footage significantly at that site. As that happens, and trucks continue to happen, and as 3 Floyds goes into this new phase, it is going to be interesting. That is a Town thing if ever there was one; how I that all going to work with GE cramming all those trucks in there. He said they had done a whole expansion thing at the entryway of the facility to get the trunks in and out quicker. They were supposed to have people out there to direct stuff. He doesn't know if that is happening. Mr. Floyd said it seems like it is getting better, but it is always a problem, and everybody is expanding. Mr. Tulowitzki said he knows there was a variance given for the lighting. He said there have been some other developments that have come through, Centennial Park, for instance, that have had other ideas for lighting. These looked more modern than the acorn styles that are in the code. He said he is just pointing this out because if the petitioner would like to put in more modern lighting, a precedence has been set for argument. Mr. McKee said at this phase of the project, it is more cost effective to continue the lighting in place to it all the same. They will keep that in mind for the future. Mr. Tulowitzki said on page 36 of the staff report, the entrance signage page shows the huge water tower. He said you can go around the country and see water towers that are really cool. He talked to someone who had just been to Denmark, and they told him that 3 Floyds was on tap there. In Munster, they have an iconic site. The Town is currently redoing the water towers as part of our maintenance plan. 3 Floyds knows how to make some iconic graphics. He would offer the slogan "The Town of Munster and 3 Floyds where we turn water into dust". As part of the maintenance project, an arrangement could be worked out with the Town Manager and the incoming Town Council.

Mr. Baker opened the public hearing. When there were no comments, he closed the public hearing.

**Motion:** Mr. Raffin moved to approve PC Docket No. 23-026, including all discussions and findings.

**Second:** Ms. Branagan

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

**Additional Business/Items for Discussion:**

- a. PC23-027 Attorney Scott Yahne for Floyds Concern, LLC is requesting Final Plat approval for a 2-lot subdivision, 3 FLOYDS SECOND CONSOLIDATION at 9750 Indiana Parkway.**

Mr. Mendoza said they have received Preliminary Plat approval, now they are requesting Final Plat approval. The request here is the subdivision, the proposal is in order. The only recommendation is for a formal Performance Surety to be posted as part of the application for sidewalks.

Mr. Yahne said they have submitted stormwater, and all the reports and the accoutrements they need to finalize this on the same night. He said Mr. Mendoza had discussed that they need a performance bond for the sidewalk. They have started down that road, they are trying to get an estimate so they can match that surety bond. He is waiting with the 3 Floyds folks, and they should have that shortly. They would like the final approval tonight; he brought the mylars so he can leave them. Mr. Mendoza will keep them and not release them to be recorded until they have a surety bond. Mr. Baker said the sidewalks are shown in the drawings, he thought the sidewalks were already in place. Mr. Mendoza said they are not; they would be including sidewalks to the south of the existing site connecting the existing sidewalk around the roundabout then to the west property line. Mr. Baker asked if it is the run for the beer garden and the grassy area. Mr. Mendoza confirmed it was. Mr. Modrow, President of 3 Floyds, said he is also at the parkway business address. He talked with the community previously about sidewalks and they appreciate the opportunity to connect that with what may be a future development plan with the railroad and the walkway. He understands that may be several years down the line. They are looking at plan approval tonight not to be conditional on any sidewalk performance from them. They are not holding the Town to any railroad plans. They would love that to take place; they would absolutely consider connecting the sidewalk in the future business which they have many for this development. They didn't want any conditions with the approval tonight. Mr. Mendoza said the request for a performance surety is part of the subdivision control ordinance. Mr. Baker asked if there was a timeline of when this work needs to be completed or would that be negotiable based on circumstances. Mr. Mendoza said the subdivision control ordinance reads that any public improvements may be installed prior to the Final Plat approval, or a surety be secured with the Town for Final Plat approval. Mr. Baker asked Mr. Raffin what factors into the dollar amount and the timing of those Surety bonds. Mr. Raffin said the bond is usually a percentage of the project. It is not the full cost of the project. Mr. Baker said they wanted to do this at the other developments including the hospital and putting in a sidewalk along 45<sup>th</sup> even though the majority of the buildings are south toward Progress. They want to put that in because getting folks back out after the construction isn't always easy. He said it should be duly noted that if you had some flexibility on when that could in, that would be helpful. Mr. Raffin moved to approve the Final Plat. Mr. Tulowitzki said there have been petitioners that have come before the Board where it doesn't make sense to put sidewalks because there may be heavy machinery. They have had the requirement deferred to when a future development is done. When his own company was purchased by a larger company, there was an agreement that if they were purchased again, they would lose the company name and have to change it. The Board could make it not contingent to put the sidewalk in now. They could make it contingent to have a sidewalk on the next future development. Mr. Wickland said he is not certain the Board can waive the requirement of a bond and he doesn't know if they should. Mr. Modrow said it would be in phase 2 to get the first half open and a year or 2 to develop the berm, the distillery and the truck parking. Mr. Tulowitzki said with Centennial Village, there

are a number of phases when buildings come on. You don't build the sidewalks because you've already put the building in that spot. Mr. Yahne said they do have a future phase they are brainstorming right now. That is to the point they are making tonight. It is in the green space that wasn't addressed. There may be other things going on back there. They could tie the sidewalk in to that. They don't want to put the sidewalks in and tear them out; right now, the sidewalk goes nowhere. They could make it conditioned upon any development or phase. Mr. Baker said the School Town of Munster does not have a sidewalk in front of their barn. Mr. Yahne said he had tried not to point those things out. Mr. Westland said he needed a week to research this. The Board can grant approval subject to legal approval. Mr. Yahne said even if the Final Plat were signed today (11/14/23), it would not be released until we've resolved this issue. Mr. Tulowitzki said everyone is really excited about this property and the events that could happen there. He said we are, as a Town trying to get people to connect to more of these communities, to ride their bikes more often. Bike access in this community is one more consideration for sidewalks. Mr. Baker said he wants an update on what the Town is doing with regards to this truck parking. If these folks are bringing more and more people into this particular part of Town, how will be handle all that? Mr. Wickland said GE is an issue and our policy needs to be reviewed. Mr. Baker said parking tickets may bring some light to this. Now there will be more people coming into the location, good luck getting from point A to point B. He asked if the Business License may be held up on this issue. 3 Floyds is a regional draw and that is not a good first impression.

**Motion:** Mr. Raffin moved to approve the Final Plat for PC Docket No. 23-027 conditioned upon legal review of the performance bond requirement for installation of sidewalks and that it be secured with the Town.

**Second:** Mr. Tulowitzki

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

#### **Findings of Fact:**

- a. **PC23-021 Matt Kimmel of Centennial Village LLC requesting an Amendment to the Centennial Village Planned Unit Development, revisions include Design Standards and Site Plan for the size, location, and shape of Building "O" located east of North Centennial Drive.**

**Motion:** Mr. Raffin moved to accept and approve the Findings of Fact for PC Docket No. 23-021.

**Second:** Mr. Tulowitzki

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

- b. **PC23-025 Timothy Lentz of Tonn and Blank Construction for Franciscan Health is requesting a Development Plan approval for a hospital addition, central utility plant, parking lot expansion, and heli-pad relocation at 701 Superior Avenue.**

**Motion:** Mr. Raffin moved to accept and approve the Findings of Fact for PC Docket No. 23-025.

**Second:** Mr. Tulowitzki

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

**Next Meeting:** Mr. Baker announced that the next Regular Business Meeting will be December 12, 2023.

**Adjournment:**

**Motion:** Mr. Tulowitzki moved to adjourn.

**Second:** Mr. Raffin

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

Meeting adjourned at 9:44 pm

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Chairman Bill Baker  
Plan Commission

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Date of Approval

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Executive Secretary Sergio Mendoza  
Plan Commission

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Date of Approval