

MUNSTER PLAN COMMISSION
MINUTES OF BUSINESS MEETING
Meeting Date: October 12, 2021

Call to Order: 7:30 PM

The announced meeting location was Munster Town Hall. In accordance with the Governor's Executive Orders 20-09 and subsequent orders related to the COVID-19 pandemic placing restrictions on the number of people allowed to gather in one location, some members attended the meeting remotely via Zoom, a video conferencing application.

Pledge of Allegiance

Members in Attendance:

William Baker
Stuart Friedman (via Zoom)
Lee Ann Mellon
Roland Raffin
Brian Specht
Steve Tulowitzki

Members Absent:

Chuck Gardiner

Staff Present:

Tom Vander Woude, Planning
Director
David Wickland, Attorney

Approval of Minutes:

a. September 14, 2021 Regular Meeting Minutes

Motion: Mr. Raffin moved to approve as presented.

Second: Ms. Mellon.

Resolved: Yes: 5. No: 0. Abstain: 0

Preliminary Hearings: None

Public Hearings:

a. PC 21-012 Planned Unit Development Amendment

PC 21-013 Commercial Subdivision Preliminary Plat

PC 21-014 Development Plan Approval

Hospitality Project Services requesting an amendment to the Lake Business Center PUD, approval of the 2nd Resub division of Lot 1 of Lake Business Center Subdivision, and approval of a development plan to permit the development of a Home2Suites hotel at 9200 Calumet Ave. in the Lake Business Center PUD.

Mr. Vander Woude said that this project came before the Planning Commission last month at a preliminary hearing. There are three actions requested: an amendment to the Lake Business Center Planned Unit Development, approval of a Development Plan for a 4 story- 107 room Home2Suites hotel, and a subdivision which would separate this parcel from the overall Lake Business Center parcel. The project is located on the northwest corner of the Lake Business Center. The proposal is to develop that corner with a 4- story hotel with a 21-space parking lot to the east. The lot is adjacent to an existing 99-room hotel and is currently vacant; there is a stormwater reservoir underneath the lot. The planned unit

development calls for a parking lot in this area. What they are proposing is not contemplated in the existing Lake Business Center PUD, which is the reason for the PUD amendment. With respect to the site plan, they are proposing 21 parking spaces on site. The remainder of the parking spaces are located in the hotel lot to the east and in the parking lot to the south. The entire PUD has shared parking.

He said the PUD doesn't have any separate design standards, so the building and landscaping have to comply with our zoning ordinance. He said at the last meeting of the Plan Commission, there was discussion of the utilization of the parking areas. There were two concerns raised: the sufficiency of the parking and secondly the view from the Cambridge Court Condominiums which are located to the north of the subject property. He said the applicant has provided a parking view analysis which was included in the staff report. It is an analysis of the utilization of the existing parking lot to the east of the building during day and night hours. It is meant to be a representation of the overall usage of the parking lot. He said the applicant can speak to this in greater detail. He said staff also provided comments to the applicant about the building standards mentioned in the last report including landscaping and sidewalks. Mr. Vander Woude said the revisions are shown in red in the plans. He said that the Town Engineer's concerns about the storm water and the overall capacity of the drainage system have not been resolved. This is a technical conversation being discussed between the Town Engineer and the project engineers which has to do with how capacity is calculated. He said that since this is still outstanding, he recommends approval only on the condition of final review and approval by the Town Engineer. With respect to two of the three petitions tonight- the development plans and the subdivision- he said his recommendation is to approve only upon final approval by the Town Planner and Town Engineer and approval of plans by the Town Council. Chairman Baker questioned whether this would be a final approval of the land development plan or if this would be a recommendation to the Town Council. Mr. Wickland clarified that the development plan and the preliminary plat would be approved by the Plan Commission, but the PUD amendment would be a recommendation from the Plan Commission to the Town Council. Chairman Baker asked if the three petitions must be done individually or if they could be done together. Mr. Wickland recommended separating them out.

Chairman Baker opened the public hearing. No comments. Mr. Baker closed the public hearing.

Chairman Baker asked whether the underground stormwater facility will be on the site of the hotel and whether there is sufficient capacity. Ms. Darci Pellom from Cripe said that the underground detention takes in 5.34 acres and it was put in with the Homewood Suites hotel and it was sized for an additional 2.64 acres, which is the Home2Suites and it seems to fit. She said they have met the release rates and they have two water quality devices. She said that is located under the parking lot on the site of the Home2Suites. She said they will not disturb the system, just move one of the water quality devices. Mr. Baker asked what is included in the new replat. Ms. Pellom said that it was only the lot and that the PUD includes the roadways and cannot be changed. Chairman Baker asked if the parking agreement is part of this plan. Ms. Pellom said there is a shared parking agreement with the Lake Business Center. Mr. Raffin said that due to the size of 75,000 feet of warehouse that could change use in the future, it may be shortsighted to approve a hotel when the area is already 481 parking spaces deficient. He said his concern is that they don't yet know the future of the warehouse; the parking analysis presented may have been outside the hours that the space will one day be used. Chairman Baker asked Mr. Vander Woude whether the PUD allows the developer to change the use later or if any use will require a PUD amendment. Mr. Vander Woude responded that parking is calculated based on the proposed use. A substantial change in use affecting parking needs would need to be reconsidered. Mr. Specht asked about the current vacancy of the warehouse space. Mr. Vander Woude said that the development is

nearly fully occupied, including the office space. Mr. Tulowitzki said that a comprehensive plan was done 11 years ago and has changed based on the South Shore Line and everything being built up. He said that to limit the access to parking now limits the potential use later. He said that more guidance is needed from the Town Council on their ideas for the town, especially given the parking deficit. Ms. Pellom noted that the parking for the two hotels and the proposed new hotel would meet the requirements of the ordinance. Chairman Baker asked if the petitioner and owner agree to the amendment of the PUD. Ms. Darci Pellom said that they agree. Mr. Raffin said that, in addition to the parking issues, there are now 4 hotels in Town and he doesn't see that as the best fit for the Town; he said he agreed with the need for a comprehensive plan before approving additional hotels. Ms. Mellon said that the section of Town is becoming a hotel campus which limits what can go forward in that area. Mr. Baker said that he's not opposed to a hotel there given the location in the back corner of the development and its proximity to the Lansing Country Club and the Town public works facility where there could be additional ingress and egress. Mr. Specht said that he would be concerned that the flagship agreement could run out and it could become something else down the road. He said that one hotel could be replaced but having 5 hotels could be more difficult. Mr. Tulowitzki said that he is neutral on the hotel, but would like to see a comprehensive plan in place before they approve it.

Motion: Mr. Raffin made a motion on PC21-012 to Motion to forward an unfavorable recommendation to the Town Council with respect to the amendment to the Lake Business Center to permit the development of a Home2Suites hotel at 9200 Calumet Avenue.

Second: Ms. Mellon.

Resolved: Yes: 5. No: 1. Abstain: 0

Motion: Mr. Raffin made a motion to table PC21-013 and PC21-014.

Second: Mr. Tulowitzki.

Resolved: Yes: 6. No: 0. Abstain: 0

b. PC 21-016 Community Resources Inc. requesting approval of a preliminary plat for Community Resources, Inc Phase 2

Mr. Vander Woude stated this is a new plat for the Community Resource Phase 2 subdivision, which is a 12- lot subdivision in Community Estates surrounded by the Community Development Phase 1. He said a preliminary plat was approved in 2008 but was never followed up on. He said the proposal includes an extension of Andrew Lane which terminates in a cul-de-sac, the platting of 12 lots, the expansion of the detention pond on the SW corner, and the dedication of a park area. He said the park is proposed adjacent to an existing park area and existing detention pond. He said they held a preliminary hearing last month. He said the staff report includes comments by the Park Board to Community Resources.

He said there are three items that need to be discussed. The first is the existing detention pond on either side of Donna Drive. He said the Town requires sidewalks to be adjacent to every right of way on public streets and they require a setback for a detention pond of 10' plus 2' for every 1' of depth of the pond. He said neither pond has the required setback, nor do they have level ground on which to construct a sidewalk. He said this has been the case since Phase 1 was completed in the mid-2000s. They are expanding this pond and making some adjustments to the subdivision; now would be the time for them to comply with the codes and standards which were in place when the subdivision was originally built. He said that Community Resources informed him that they have determined that it would be very difficult at this point to retrofit the ponds to meet the standards, because the grade falls very steeply.

Chairman Baker asked how this was allowed to happen. Mr. Vander Woude said that there were some questions about how the final plat was approved when the infrastructure was not complete for Phase 1. Mr. Vander Woude said the cul-de-sac they are proposing is about 650' and the town maximum is 600' so the Plan Commission will have to decide whether to waive that standard. He said the final question is the dedication of parkland. He said that recommendations from the Parks and Recreation Department were listed in a letter in the staff report, which include the ensuring the property is free from environmental contamination, accessible for pedestrians, has fencing along Columbia, that scrub trees be removed, and that the park land be graded.

Ms. Mellon asked whether sidewalks can be constructed across the pipeline to connect the two parks. Mr. Vander Woude confirmed that it could be and the issue is that Richard McLaughry Drive is a private road and does not have sidewalks. Mr. Raffin said that there is a relationship between Hartsfield and Community Resources and they should be able to get permission for a sidewalk. Mr. Specht noted that the property on the corner of Jenna and McLaughry Dr. extends to the curb so there is no space for a sidewalk.

Mr. Don Torrenga introduced himself and Dave Otte of Community Foundation. He said they could probably get permission to install a sidewalk in parallel to McLaughry Drive. The members of the Plan Commission agreed that the sidewalk should be extended to Columbia Avenue. He said that the 2008 plan included two cul-de-sacs, but the lots that they need for that have been sold so they have one 657-foot cul-de-sac, so they are asking for a variance. He said a shorter cul-de-sac would not allow the lots to meet the minimum width. He said they were unaware that the ponds were not setback far enough. He said the pond side slopes are very steep. They would like to regrade the slopes along Donna Drive and Megan Way to allow for sidewalks up behind the curbs instead of at the property lines. He said if there is an issue where the slope to the pond is too steep, they would install a railing. He said those are things they would like to do rather than comply with the standards. Along Barbara Way, the slope is not too steep to put the sidewalk at the property line, but there is a line of 6 or 7 very large pine trees, which would have to be removed or the sidewalks be moved. He said that if the ponds needed to be moved 25' from the right of way, they would lose a great deal of the detention capacity and would not meet the ordinance and there would be flooding in the subdivision. Ms. Mellon asked for clarification on the proposed location of the sidewalks. Mr. Torrenga said that a typical street in Munster has a 10' parkway between the sidewalk and curb but they are proposing to install the sidewalks directly next to the existing curb. Ms. Mellon said that the purpose of the parkway is for safety and for a place to plant trees. Mr. Torrenga said that if they were to be forced to install the sidewalks with parkways then they would have to regrade the entire pond, lose detention, and the all pipes that go into and come out of the pond would all have to be relocated. Mr. Freidman said that he is in favor of safe sidewalks with the proper distance from the street. Mr. Raffin said that he would be supportive of an ornamental style fence rather than a railing. He asked if the applicant will plant the trees that would have been in the parkway in the park area once the park has come up with a plan. Mr. Otte said that he would agree to that. Mr. Torrenga said that a tree study was completed and the ordinance requires that any trees taken out be replaced somewhere. Mr. Specht asked if the previous engineer approved the plan, why is the staff suggesting that they move the ponds and it seems like their changing the rules in the middle of the game, so he agrees with Mr. Raffin to install the sidewalks next to the curb and install a railing. Mr. Vander Woude said that his recommendation was not to move the pond but to install the sidewalks next to the curb. He said he brings up the standard so that they are aware that the standard was in place at the time the Phase 1 subdivision was constructed. Mr. Tulowitzki asked if the Fire Chief had an opinion

on the cul-de-sac. Mr. Vander Woude answered that during the site plan review Committee Meeting, the Fire Chief said that as long as the cul-de-sac met the minimum turning radius it was fine.

Mr. Tulowitzki asked how kids would access the park. Mr. Torrenga said that the Park Board letter said they frowned upon an easement between lots, but they could dedicate an easement along the west edge of lot 12. Mr. Raffin asked if the two ponds can handle the runoff from the new lots. Mr. Torrenga said that they would, and they are expanding the pond north of Donna Drive. Mr. Baker asked if the new train will be accessed from Donna Drive, since it's the southernmost entry point. Ms. Mellon said that Main Street will extend under the railroad tracks to a parking lot, which will have a walkway to the platform. She said there will be kiss and ride lot south of Main Street, so people could drop people off in Community Estates, but it would be just as convenient to do it elsewhere. Mr. Vander Woude said that the train station is being designed to discourage access from the east. Mr. Tulowitzki asked if additional safety measures could be added to Donna Drive to keep kids safe. Mr. Tulowitzki asked if there would be pedestrian access to the park from the north. Mr. Torrenga said that there is a previous dedication north of the proposed dedication that would provide access.

Mr. Baker opened the public hearing.

Ms. Tonya Kauffman-10230 Barbara Lane said she is concerned about the pine trees next to the pond. She said that they are the only mature trees in the neighborhood and she would like to keep them. She said she'd like to see all trees removed in building process be replanted elsewhere in the neighborhood, in parkways or parks. She said she is concerned about sidewalk safety, because they have a lot of traffic that speeds down Donna Drive and asked if the Town could narrow the road. She said that the railing discussed for the pond regrading will make the view appear closed off and she would like to see a visual of the railing. She asked what the outlot on Barbara is intended for.

Mr. Lee Salisbury-10245 Megan Way said that he would like to see access to parks through new lots 8 and 9. He asked whether he would have to change his sidewalk to match the sidewalk proposed next to the ponds. He asked if there was a way to limit access to make it harder to get to the train station.

Mr. Baker closed the public hearing.

Mr. Tulowitzki asked what thought was given to multi use paths in the neighborhood since there is limited park space. Mr. Baker asked if the subdivision has an HOA. Mr. Torrenga said it did not. Mr. Baker asked whether the town would be maintaining the ponds. Mr. Vander Woude said that the Town has an agreement to maintain a bubbler in the ponds.

Motion: Mr. Raffin moved to approve PC 21-016 approving the preliminary plat for Community Resources, Inc. Phase 2, waiving the 600-foot maximum length of a cul-de-sac to permit a 657-foot cul-de-sac, with the following conditions:

1. Sidewalks will be installed along Donna Drive and all retention areas in Phase 1 and Phase 2.
2. Sidewalks will be installed along Richard McClaughry Drive to Columbia Avenue.
3. Ornamental railings to be approved by the Planning Director will be installed where sidewalks are adjacent to retention areas that do not meet the Town's minimum setback requirements.
4. Pine trees will be preserved along Donna Drive.
5. Where sidewalks are constructed without parkways, the required parkway trees will be planted in the proposed park or other public land within the subject subdivision.

6. Where sidewalks are constructed without parkways, the sidewalk will be wider than 5', wide enough to accommodate two people walking past each other.
7. Public access easements with sidewalks will be provided along the north edge of lot 12 and between Donna Drive and Andrew Lane to provide access to the proposed park property.
8. All other recommendations of the Community Resources Phase 2 park land recommendation prepared by the Board of Parks and Recreation dated October 5, 2021 will be implemented.
9. A drainage report for the subdivision must be approved by the Town Engineer.
10. Fencing consistent with the existing fencing will be installed along Columbia Avenue.

Second: Mr. Tulowitzki.

Resolved: Yes: 6. No: 0. Abstain: 0.

- c. **PC 21-018 Town of Munster requesting zoning text amendments designating the Residence Portion of Live/Work, Mixed-Use, or Flex Building as a Conditional Use in CD-4.A, CD-4.B, and CD-5 districts.**

Mr. Vander Woude said this is a proposed set of text amendment to the Munster zoning ordinance to amend the tables to designate the residence portion of Live/Work, Mixed Use and Flex Building as a Conditional Use in CD-4.A, CD-4.B, and CD-5 districts. These districts are currently designated as permitted use. This would designate them as conditional use, requiring a public hearing before the Board of Zoning Appeals and approval by the Town Council. Four tables would be changed. He is asking for a public hearing tonight, then a motion to forward to the Town Council a recommendation to amend the zoning ordinance. Mr. Tulowitzki said it is good to designate this a conditional use until the Town can complete a new comprehensive plan. Chairman Baker asked when the last comprehensive plan was done and how often a plan should be updated. Mr. Vander Woude said it was last done in 2010 and 10 years is a good standard, but for a rapidly growing or changing community, you may want to update it more often. Mr. Baker asked how this is different from the zoning ordinance. Mr. Vander Woude said that a comprehensive plan is a policy document and the zoning ordinance implements it. Mr. Baker opened the public hearing. No comments. Mr. Baker closed the public hearing.

Motion: Mr. Raffin moved to forward a favorable recommendation to the Town Council to adopt the zoning text amendments designating the Residence Portion of Live/Work, Mixed-Use, or Flex Building as a Conditional Use in CD-4.A, CD-4.B, and CD-5 districts.

Second: Mr. Specht.

Resolved: Yes: 6. No: 0. Abstain: 0

Findings of Fact:

- a. **PC 20-009 Guy Costanza/GM Contracting requesting approval of a development plan for a commercial development at 407-411 Ridge Road.**

Motion: Ms. Mellon motioned to approve.

Second: Mr. Tulowitzki.

Resolved: Yes: 6. No: 0. Abstain: 0

- b. PC 21-009 Subdivision – Preliminary Plat**
Parth Patel requesting approval of a 1 lot subdivision and a development plan to construct a 3-unit commercial building including a Smoothie King at 8130-8138 Calumet Avenue.

Motion: Mr. Friedman motioned to approve.

Second: Mr. Tulowitzki.

Resolved: Yes: 6. No: 0. Abstain: 0

- c. PC 21-010 Development Plan Approval**
Parth Patel requesting approval of a 1 lot subdivision and a development plan to construct a 3-unit commercial building including a Smoothie King at 8130-8138 Calumet Avenue

Motion: Mr. Tulowitzki motioned to approve

Second: Ms. Mellon

Resolved: Yes: 6. No: 0. Abstain: 0

- d. PC 21-012 Planned Unit Development Amendment**
Hospitality Project Services requesting an amendment to the Lake Business Center PUD to permit the development of a Home2Suites hotel at 9200 Calumet Ave. in the Lake Business Center PUD.

Motion: Mr. Raffin motioned to table the findings of fact for PC 21-012.

Second: Mr. Specht

Resolved: Yes: 6. No: 0. Abstain: 0

- e. PC 21-018 Town of Munster requesting zoning text amendments designating the Residence Portion of Live/Work, Mixed-Use, or Flex Building in CD-4.A, CD-4.B, CD-5 as a Conditional Use in CD-4.A, CD-4.B, and CD-5 districts**

Motion: Mr. Tulowitzki motioned to approve.

Second: Ms. Mellon.

Resolved: Yes: 6. No: 0. Abstain: 0

Other Business/Additional Items for Discussion

- a. Centennial Village Building F Parking Spaces**

Mr. Vander Woude said that Building G of Centennial Village is moving forward and the developer is requesting approval to construct a portion of the parking located on the site of Building F, which is north of Building G. He said this would normally be approved as part of the Development Plan for Building F, which is why they are seeking Plan Commission approval. Mr. Raffin asked if they were going to put down binder. Mr. Jeff Ban introduced himself as the engineer for Centennial Village. He said that they will install the parking spaces and the curbing around the parking lot, but will not install the sidewalks for the future building F. Mr. Ban said that they are requesting to add these parking spaces to the existing approved development plans for buildings G and B. Mr. Baker asked if a motion is required. Mr. Wickland said no motion is required. Mr. Matt Kimmel introduced himself as the developer of Centennial Village. He updated the Commission on the progress of Centennial Village.

b. PC 21-015 Guy Costanza/GM Contracting requesting approval of a final plat for the Ridge Café Addition, a one lot subdivision at 407-411 Ridge Road.

Motion: Mr. Specht motioned to approve PC 21-015 granting approval of a final plat for the Ridge Café Addition, a one lot subdivision at 407-411 Ridge Road.

Second: Mr. Raffin.

Resolved: Yes: 6. No: 0. Abstain: 0

Next Meeting: Mr. Baker announced that the next regular business meeting will be November 9, 2021 at 7:30 p.m.

Adjournment:

Motion: Mr. Specht moved to adjourn the meeting.

Second: Ms. Mellon.

Resolved: Yes: 6. No: 0. Abstain: 0. Motion carries.

Meeting adjourned at 9:46 p.m.



President Bill Baker

Plan Commission



Executive Secretary Thomas Vander Woude

Plan Commission



Date of Approval



Date of Approval