



BOARD OF ZONING APPEALS STAFF REPORT

To: Members of the Board of Zoning Appeals

From: Rachel Christenson, AICP, On-call Planner for the Town of Munster

Meeting Date: May 9, 2023

Agenda Item: BZA Docket No. 23-002

Hearing: **PUBLIC HEARING**

Application Type: **Developmental Standards Variances**

Summary: HP Munster Investment LLC seeking multiple variances from TABLE 26-6.701.B WALL SIGN SPECIFIC STANDARDS to permit two nonconforming signs on a Hyatt Place Hotel at 9420 Calumet Avenue.

Applicant: HP Munster Investment LLC

Property Address: 9420 Calumet Avenue

Current Zoning: SD-PUD

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

Action Requested: Approve variances

Additional Actions Required: Findings of Fact

Staff Recommendation: Denial

Attachments: Hyatt Place sign renderings prepared by Transworld dated 05.17.2022

BACKGROUND

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

Amit Shah of HP Munster Investment LLC is seeking approval of 2 variances related to signage for a Hyatt Place hotel currently under construction at 9420 Calumet Avenue in the Maple Leaf Crossing Planned Unit Development. The applicant is seeking to install internally illuminated channel letter signs on the 2nd floor of the north and south sides of the hotel.

The Maple Leaf Crossing PUD is governed by the attached DEVELOPMENTAL STANDARDS FOR THE MAPLE LEAF CROSSING DEVELOPMENT AT THE MUNSTER BUSINESS COMPLEX PLANNED UNIT DEVELOPMENT AMENDED SEPTEMBER 19, 2022. There are no unique sign standards for Maple Leaf Crossing: the standards contain the following provision regarding signage:

IV. Signage Design Criteria

Signage shall be compliant with §26-6.701 unless a variance is obtained from the Board of Zoning Appeals.

DISCUSSION

The variances being requested in connection with this project are as follows.

Wall Signs

	Code Section	Standard	Permitted	Proposed
2	TABLE 26-6.701.B Sign Types – Wall Sign – Specific Standards	Additional standards	In addition to all other applicable standards, each Wall Sign allowed under this Article: a. shall be applied to the first Story Facade and not project vertically above the roof line	The applicant proposes that the wall sign on the north side be installed on the 4 th story.
3	TABLE 26-6.701.B Sign Types – Wall Sign – Specific Standards	Additional standards	In addition to all other applicable standards, each Wall Sign allowed under this Article: a. shall be applied to the first Story Facade and not project vertically above the roof line	The applicant proposes that the wall sign on the south side be installed on the 4 th story.

The size and location of the signs proposed for the subject property indicate that the intent is for the building to be identified from a distance, similar to tall pole signs.

To comply with the Munster zoning code, the applicant would be required to do the following:

- Relocate the wall signs on the north and south sides of the building to the first story. Alternatively, the applicant could remove the wall signs and replace them with a different sign type, such as a large projecting sign.

Examples of alternative sign types installed on existing Hyatt Place hotels are below.



Figure 2 Hyatt Place Bloomington, IN (Google Streetview)



Figure 3 Hyatt Place Bloomington, IN (Google Streetview)



Figure 4 Hyatt Place Hyde Park, Chicago, IL (Google Streetview)

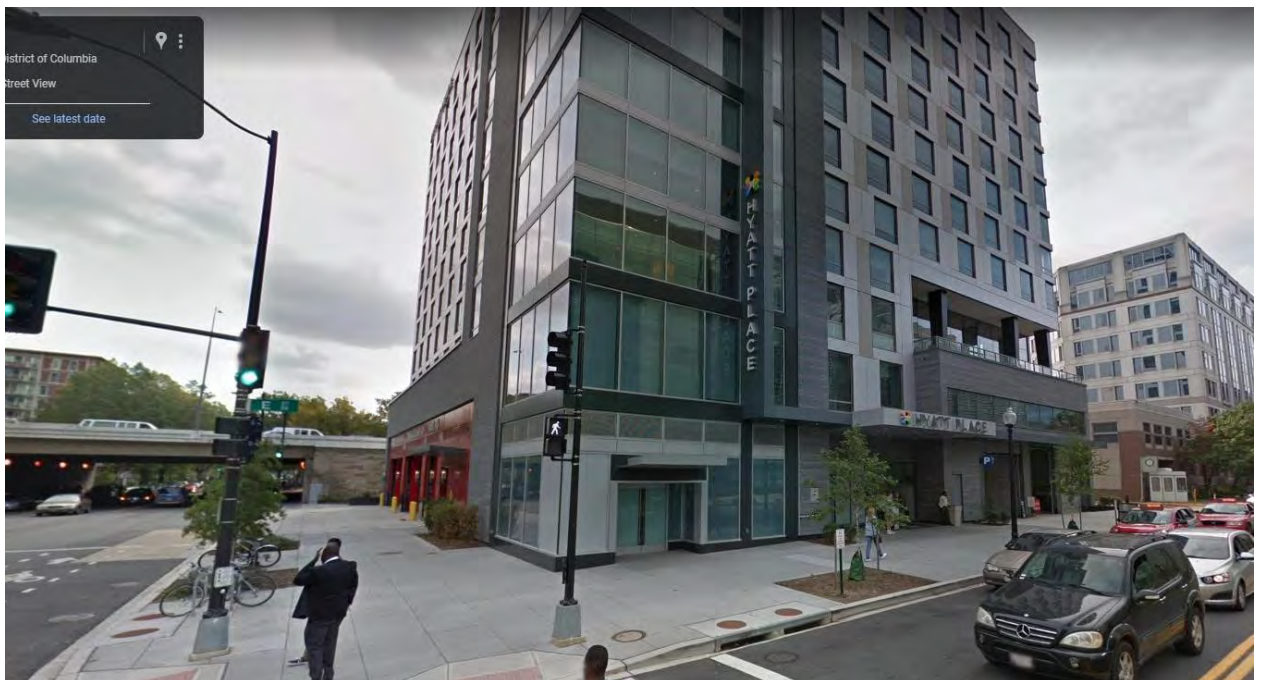


Figure 5 Hyatt Place Washington D.C. National Mall (Google Streetview)

1005 Ridge Road • Munster, IN 46321 • (219) 836-8810 • Police/Fire Emergencies 911
Police Non-Emergency (219) 836-6600 • Fire Non-Emergency (219) 836-6960
www.munster.org



Figure 6 Hyatt Place Florence, SC (Google Streetview)

The Munster zoning ordinance states that “A Variance may be granted only if... ii. such Variance is the minimum Variance that will relieve such practical difficulties or unnecessary hardships, as applicable;”.

The Munster zoning ordinance states that “A Variance may be granted only if... the practical difficulties or unnecessary hardships that would be incurred by strict application of the Use or Development standard, as applicable, are unique and not shared by all properties in the vicinity and are not self-imposed;”.

VARIANCE STANDARDS

The variance process is established to provide relief to a property owner when, due to unique circumstances, compliance with the zoning code imposes a hardship or practical difficulty on a property owner. The BZA is under no obligation to grant a variance. It is the petitioner's responsibility to prove a hardship or practical difficulty. The BZA should ask the petition to address the criteria listed below.

Sec. 26-6.804.I of the Munster Zoning Code states that the basis for a variance is as follows:

g. General Standards.

A Variance may be granted only if the Decision-Making Authority has made the following determinations for such Variance:

- i. the practical difficulties or unnecessary hardships that would be incurred by strict application of the Use or Development standard, as applicable, are unique and not shared by all properties in the vicinity and are not self-imposed;

Staff finds that the Hyatt Place hotel is a brand-new building with multiple options for signage, which were known at the time that the development plan for the building was approved by the Munster Plan Commission, and therefore it is difficult to conclude that any difficulties with installing code compliant signage are not self-imposed, which indicates that this criterion has not been met.

- ii. such Variance is the minimum Variance that will relieve such practical difficulties or unnecessary hardships, as applicable;

Staff finds that the petitioners are requesting 2 sign variances, which indicates that this criterion has not been met.

- iii. such Variance is in the spirit of the general purposes and intent of this Article as stated in Division 1; and

Staff finds that the general purpose of the zoning ordinance is to limit the amount of signage to specific sizes and types to improve the aesthetics of the Town, which indicates that this criterion has not been met.

- iv. such Variance is so designed as to provide reasonable consideration to, among other things, the character of the neighborhood, District, or Civic Zone, the conservation of property values in the vicinity, and the guidance of Development in accordance with the Comprehensive Plan.

Staff finds that the character of Maple Leaf Crossing is a pedestrian-oriented, mixed-use development, but the proposed signage is oriented to distant vehicular traffic rather than the pedestrian, which indicates that this criterion has not been met.

h. Specific to Development standards Variances:

A Variance from Development Standards may be approved or approved with conditions only if:

i. it will not be injurious to the public health, safety, morals, and general welfare of the community;

Staff finds no evidence that the proposed signage will be injurious to the community.

ii. the use and value of the area Adjacent to the property included in the Variance will not be affected in a substantially adverse manner; and

Staff finds no evidence that the proposed signage will adversely affect the use and value of the adjacent area.

iii. the strict application of the Development standards will result in practical difficulties in the use of the property.

Staff finds that Hyatt Place hotels in other locations have implemented compliant sign programs, which could be applied in this case as well.

The applicant has also addressed these criteria in the attached application.

MOTION

The BZA should make a motion indicating the specific variances that are approved or denied.



A1

South Elevation

Scale: 3/32" = 1'-0"



A2

North Elevation

Scale: 3/32" = 1'-0"

RENDERING / rendu



CONTACT

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Client

Hyatt Place

Site

Adr. / Add.

Munster, IN

Date

2022-05-17

Rep.

C. Gauvreau

Des.

CK

2022-06094-GDWG-ELEV

REVISIONS

		Des.	Date
01	New signs dimensions	CK	2023-04-14
02			
03			
04			
05			
06			

A1

A2

1X
each

ILLUMINATED CHANNEL LETTERS

WHITE DAY / WHITE NIGHT

HYATT PLACE LOGO

Aluminum filler, pre-painted [C1]
White acrylic faces with vinyl applied on first surface [C2 to C9]
Illuminated with white LEDs

LETTERS

Aluminum filler, pre-painted [C1]
White acrylic faces
Illuminated with white LEDs

MODEL 2

SCALE: 3/8" = 1'-0"

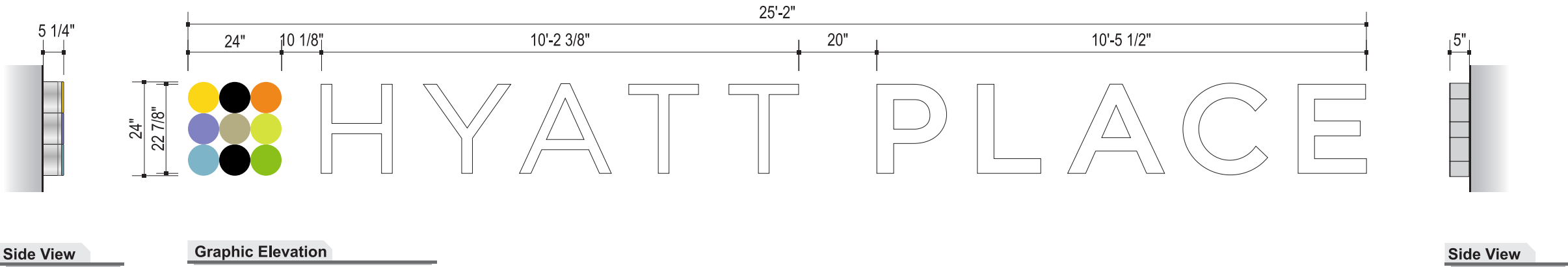
Area / Sup.	50.33 sq. ft.
Weight / Poids	
Illumination	LED
Voltage	120V
LED Temp.	6500K



Couleurs / Colours

Colours may not be exactly as shown on screen. Please refer to appropriate charts for exact colours.
Les couleurs illustrées à l'écran peuvent ne pas être exactes. Veuillez vous référer aux chartes appropriées pour les couleurs exactes

C1	Anodized alum. Alum. anodisé	
C2	Black / Noir	
C3	Yellow / Jaune	
C4	Lavender Lavande	
C5	Blue / Bleu	
C6	Pistachio Pistache	
C7	Orange	
C8	Lime Green Vert lime	
C9	Spring Green Vert printemps	



Day View

SCALE: NTS



Night View

SCALE: NTS

Client Approval / Approbation client

Signature: _____

Date: _____ / _____ / _____
YEAR / ANNÉE MONTH / MOIS DAY / JOUR

RENDERING / rendu



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Client

Hyatt Place	Site	
Adr. / Add.		
Munster, IN		
Date	Rep.	Des.
2022-05-17	C. Gauvreau	CK
2022-06094-GDWG-A1-A2-CHAN		

REVISIONS

	Des.	Date
01	New signs dimensions	CK 2023-04-14
02		
03		
04		
05		
06		