

MUNSTER PLAN COMMISSION
MINUTES OF REGULAR BUSINESS MEETING
Meeting Date: August 13, 2024

The Plan Commission meeting was held at Munster Town Hall, 1005 Ridge Road, Main Meeting Room and could be accessed remotely via Zoom, a video conferencing application.

Call to Order: 7:57 pm by President Baker

Pledge of Allegiance

Members in Attendance:

Bill Baker
Rachel Branagan
Joseph Hofferth
Jennifer Johns
Jonathan Petersen
George Shinkan
Roland Raffin

Members Absent:

Staff Present:

Sergio Mendoza, Planning Director
Jennifer Barclay, HWC Planner
David Wickland, Attorney
Denise Core, Administrative Assistant

Approval of Minutes:

June 11, 2024, Draft Minutes

Motion: Mr. Petersen motioned to approve the June 11, 2024, minutes.

Second: Ms. Branagan

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

Preliminary Hearings:

President Baker introduced item PC24-007 PUD AMENDMENT: Andrew Qunell of VRQ, LLC representing Powers Health is requesting an amendment to COMMUNITY HOSPITAL PLANNED UNIT DEVELOPMENT to add a CHP (Co Generation Unit) to the northeast side of Community Hospital located at 901 MacArthur.

Director Mendoza stated that this property was operating under a Planned Unit Development. The petitioners were asking for an additional use for a CoGeneration facility on the northeast side of the facility.

HWC Consultant, Ms. Barclay referenced the staff report which included the following information:

Community Hospital wishes to add a Cogeneration Unit (CHP) to the northeast corner of the current facility at Fisher St. and Columbia Ave. just north of the outpatient entrance. The applicant is proposing removing 4- electric charging, and 5-regular parking spaces and reconfiguring 2-ada parking spaces to make room for the addition. The parking isle would change from two-way to one-way. The addition would construct a 22-ft tall masonry wall, and the CHP will be housed behind the proposed 22-ft H masonry wall. On the very northern end there are some mechanicals that will be housed outside the wall. The proposal does include landscaping and installation of 5-ft sidewalk along parking lot drive aisle.

Staff recommendation: Overall staff is satisfied with the application and would request discussion on signage; questions remain about the signage planned for the east elevation. The Plan Commission may wish to consider the following motion: Recommend schedule public hearing

President Baker asked if there were any questions from staff. When there were no questions, he asked if anyone wished to speak on this petition.

Andrew Quinnell of 1938 Martha Street, Munster, IN introduced himself. He stated that Jay Ballard from Bernhard Engineering, whose corporate office is located at 1 Galeria Boulevard, Metairie, LA, was also in attendance. Mr. Quinnell stated that Bernhard Engineering was providing energy as a service to all the Powers-held facilities throughout Northwest Indiana. Mr. Quinnell stated they were proposing the addition of a 4,000-amp CoGen facility to the existing Community Hospital. This unit would be for use during peak hours, described as hours of high energy usage. He concluded by stating this unit would help shave peak energy use during peak use days, on 90-degree days with 100% humidity when everyone would be running their air conditioning, for example.

President Baker asked if this unit would replace the generators in this location of the hospital, whether a CoGen is the same as a backup generator and if it would be running at all times.

Mr. Quinnell stated that it is more efficient than a backup generator, it would be running during peak hours, which may be from 8:00am to 6:00pm or for 4 hours during that period.

President Baker asked what screening was planned for the rooftop units and the height of the rooftop units on the east elevation.

Mr. Quinnell stated there was an existing 22-foot wall in the location where they would be building a wall with doors. He added that the equipment needs free airflow to allow combustion. He stated the total height was 31 feet which will be 9 feet higher than the wall.

Mr. Raffin asked if they had considered a metal screen wall.

Mr. Quinnell stated that they could extend mesh or a metal screen with vines above the wall.

Mr. Raffin asked if they had done any sound studies to determine the expected decibel rating.

Mr. Quinnell stated it will be 72- 74 decibels from 60 feet when the unit is running.

Mr. Petersen stated he had studied this and had an opportunity to speak with one of his colleagues on Town Council, Mr. Nellans. He stated Mr. Nellans reminded him that the Pepsi plant had some type of similar device that would go off at midnight and could be heard all the way across town. He stated he found an example in a YouTube video of a CoGen unit. He played the sound bite for the meeting attendees. He stated his concern with the location which would be within 100 to 200 yards of the town pool, a couple hundred yards from the high school where the band practices, a day care facility run by Westminster Church with infants, toddlers and preschoolers across the street, and a neighborhood just to the east. He concluded that the petition did not address sound dampening or feedback from stakeholders from those nearby facilities.

Mr. Quinnell stated they could provide data on sound dissipation.

Mr. Raffin stated his company does sound studies at their facilities and compared some decibels levels to everyday items.

Mr. Ballard stated the walls will be high for the purpose of allowing airflow in to cool the system off, and the stacks will bring the noise up at a higher altitude so it would not carry down and across.

Mr. Raffin stated the noise and aesthetics were valid concerns that should be addressed to make sure this proposed equipment would be a good fit for the community.

Mr. Petersen asked what contractors would be doing the work.

Mr. Quell stated Bernhard Engineering was contracted by Powers Health; they are doing energy as a service at all of the Powers Health facilities throughout Northwest Indiana. He added that energy is one of the number one costs at the hospital so they are formulating plans to reduce energy usage at each and every one of their Powers Health facilities.

Mr. Petersen asked about the reduction in ADA parking spaces and charging stations for vehicles and what plans there were to replace them.

Mr. Qunell stated that prior to the construction of the new garage on the site, there were approximately 1,761 parking spaces; there are now 2,581 or 2,481. He stated they are adding more spaces including charging stations and handicapped spaces. He concluded by stating that over 600 parking spaces had been added.

President Baker asked about ingress and egress off of Fisher Street and the change of traffic flow planned to the site. There was a discussion on the current and proposed traffic patterns surrounding the proposed equipment area.

Ms. Johns asked if this type of CoGen unit was typically used in a residential area and if there were any concerns with combustion, equipment failure, or additional fire risk from this type of generation of power.

Mr. Ballard stated the risk is no different than the standard CoGen or generator sitting out on the street right now.

Dr. Hofferth stated he didn't know there was an effect on the energy he's using by running his air conditioner but when the power does go out, generators that run are annoying. He added there are differing versions of dryers.

Mr. Qunell stated that Mr. Raffin had mentioned data centers, and data centers are one of the largest consumers of power. He added that NIPSCO and all the public utilities have moved away from fossil fuels to generate our electricity and they are having the difficult time generating enough electricity to meet the demand of our residential and business communities. He concluded that Powers putting this in not just for their own benefit to shave their peak usage; it would also help the community because it would free up power for the rest of the community.

President Baker and Ms. Branagan asked if the equipment could go anywhere else on the property, possibly closer to the Calumet Avenue side.

Mr. Qunell stated that all the power is being fed to the proposed site; there is nothing near Calumet Avenue.

Mr. Petersen reiterated the importance of involving the other stakeholders. He added that additional steps needed to be taken to make sure these stakeholders are fully aware of this proposed project and how it may affect them. He identified the stakeholders as the Park Board or the manager of the Pool, the principal of the High School as well as the School Board, the Westminster Governor and/or the people operating the Day Care as well as the typical homeowner. Mr. Petersen concluded by suggesting that the Plan Commission table this petition for 30 days to allow that to occur before the Plan Commission considers setting for public hearing.

Mr. Raffin suggested sending the petition to a public hearing and having the stakeholders give their feedback at that time.

Mr. Petersen asked to do it in a study session and send it to a public hearing when the commission has all the information needed for the general public. Mr. Petersen asked Mr. Qunell if he would be okay with that.

Mr. Qunell stated that he could go to the School Board, the Park Board, and everybody now; he could get their input and have it ready for the public hearing at the next Plan Commission meeting. He stated that it wouldn't take long to meet with the School Board, and with Westminster.

Mr. Petersen stated that this study session will allow for the time needed to gather the stakeholders, weigh what they have to say, and have a thoughtful decision to send this to a public hearing. He asked Mr. Qunell if there was an urgency in terms of the time periods.

Mr. Qunell stated that the urgency is they need Plan Commission approval in order to file for downstate approval; every week they wait is another week they are not getting our approvals for their design release.

Further discussion ensued to determine the best course of action.

Mr. Petersen stated his motion was to set this over for another study session like the plan Commission was doing tonight but at next month's meeting adding that was the motion on the table.

President Baker asked Mr. Petersen to read his motion again. Mr. Petersen stated that his motion was to table this petition for a month to allow outreach to the Park Board, the Principal of Munster High School, the School Board, and the folks at Westminster and have them weigh in on this.

President Baker stated they had a motion, was there a second.

Dr. Hofferth seconded the motion.

President Baker asked if there was any further discussion.

Mr. Raffin asked Mr. Wickland if this study session would be incorporated into other items of business on the agenda to be able to have an open dialogue during the next meeting. Mr. Wickland said sure. Mr. Raffin stated he had no problem with the motion; the Plan Commission will have an open discussion at the next meeting; they will not be able to act.

Mr. Petersen asked that the petitioner be advised to reach out to the important stakeholders and make every effort to have them present because that is the reason for the study session.

President Baker said there was a motion to table this petition for 30 days. He asked Mr. Mendoza if that was his understanding as well. Director Mendoza said that was his understanding.

President Baker asked if there was any other discussion on that motion.

Ms. Barclay stated that there were some items that our Board attorney needed to address. The first was whether this body could meet in a session outside a public hearing. The second was whether there was a timeframe set out in the code from application to the time that their public hearing decision had to be made. She concluded that the Plan Commission should make sure they are meeting that timeframe.

President Baker asked Mr. Wickland if tabling this preliminary hearing could potentially cause a challenge to the due process.

Mr. Wickland stated he didn't think so as he sits here. He added that it may require further study, but no. He concluded by adding that the one thing everybody has to take into consideration is the noise.

Mr. Raffin stated that the Plan Commission would need to see a sound study. The petitioners would need to recreate a similar scenario on the same decimal rating and set up noise sensors on the perimeter of the property to get the decibels levels.

Ms. Branagan asked if the motion could be repeated one more time.

Director Mendoza stated that the motion was to table the item and hold a study session at the next Plan Commission meeting.

Ms. Branagan asked if the study session was just for Plan Commission members or could the stakeholders talk.

Mr. Wickland stated they could speak if allowed by the Plan Commission.

Motion: Mr. Petersen motioned to table PC Docket No.24-007 and hold a study session at the next Plan Commission meeting on September 10, 2024, where stakeholders may be called upon to speak.

Second: Dr. Hofferth

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

Public Hearings:

President Baker introduced item PC24-009 DEVELOPMENT PLAN REVIEW: Nick Georgiou of Region Contractors is proposing a Development Plan approval for an 11,476 SF addition to an existing 4918 SF CD-4.B building, including exterior facade, parking lot expansion, landscaping, sidewalks, and stormwater detention at 620 Progress Avenue.

Director Mendoza stated this petition was before the Commission for Development Review. He added that the petitioners had received Developmental Standard Variances and Use Variances, both with conditions attached.

Director Mendoza stated the Developmental Standards conditions were as follows:

1. Sidewalks are waived until such time as that the sidewalks adjacent to the property owner are installed.
2. Brick should be installed 8 feet high to match the existing brick facade on the structure
3. Two by four transom windows be added.

Under the Use Variance, the use was for Warehouse/Warehousing Facility Use with these conditions placed on the approval:

1. Restriction on outdoor storage
2. Restriction on long term semi-truck parking
3. The uses are to be reviewed by staff and must comply with the parking requirements as set forth for the use for their business license and registration.

Director Mendoza stated the petitioners were in attendance to present the site plan which would include lighting and landscaping. He added that the Board would see some of the differences that were made as part of the conditions but those changes might not all be shown. He concluded that the applicant would present the changes and any concessions. He asked if Ms. Barclay had anything to add.

HWC Consultant, Ms. Barclay stated she could add some clarification. She stated that the applicants were adding on to the south of the existing structure. She added there would be four different units for warehousing and office space. She stated there was parking is on the west side of the building that would accommodate some of the uses. She stated her concern with how parking would work on the entire site if high traffic volume uses were to go into all four units. She concluded by adding that they have the landscaping for the parking area, they have rear doors on the east side where the A/C units will be sitting, they have an A/C unit for each space, and in the front of the building, they will be fixing up some of the landscaping, but not much will be changing on the street façade.

Mr. Baker asked if there were any questions by the Commissioners before turning it over to the petitioners.

Mr. Raffin stated he didn't see screening for mechanicals or A/C units, noting they should be screened.

President Baker called on the petitioner to state his name and address for the record.

Nick Georgiou of Region Contractors, 912 West Avenue H, Griffith, Indiana, said he was representing the petitioner, 620 Progress, LLC and had representation from Torrenga Engineering with him as well. He stated they'd had several site drawings submitted. He stated that there were some concessions given at the BZA meeting. He stated that the existing building brick, at a height of approximately 8 feet tall, would now be extended around the entire perimeter of the new building and they will be adding windows on the west elevation. He added the proposed signage conforms to the square footage allowed on the west elevation. He stated that this would be set up for a maximum of four potential tenants, the parking was calculated as such with a mix of office and warehouse while considering it could be two tenants or three tenants. He stated they will be adding transom windows to the west elevation, screening of the mechanical units, and landscaping around those units. He stated that the owner would be fully supportive in prohibiting any kind of outdoor storage items or equipment, they would stipulate that if semi-trucks had to be delivered, they would back into the parking lot on the driveway side. He added they would indicate where that loading area will be; semi-trucks will come off the street, not be in the street. He stated the Plan Commission submission had the site photometrics included noting that the

site was tight relative to their parking but they were able to light with fixtures on the building rather than on poles which would potentially overflow the adjacent property.

President Baker asked about the occupancy for the 5 units.

Mr. Georgiou stated the owner occupies the existing unit but there are no full-time employees.

President Baker asked if the trash corral was intended for use by, and if it had sufficient capacity for, all five units.

Mr. Georgiou stated that it did.

Mr. Raffin stated their dumpster enclosure was all wood which is not to code.

Director Mendoza said the code requires that a dumpster enclosure match the materials of the primary structure.

Mr. Raffin stated that would be masonry on three sides and the gate up front.

President Baker asked if they planned for a semi-truck to back in past three other tenants to get to the tenant at the back.

Mr. Georgiou answered they did.

President Baker stated that could block the point of ingress and egress. He asked Director Mendoza if there was parking on the street in this area of town.

Director Mendoza stated that the last time he had visited the site, there was no yellow curb, so it would be a public street. He stated that it was his understanding that if there was an overflow, the police would visit the drivers and tell them to relocate those trucks into a parking lot; they are not designated parking spots.

President Baker stated the Plan Commission did not yet know the future tenants or the kind of businesses that would be going to be moving in; one of them could be a call center.

Director Mendoza stated that a call center would not meet the parking specifications and their business registration would be denied.

President Baker opened the public hearing. Hearing no comments, he closed the public hearing.

Motion: Mr. Raffin motioned to approve the Development Plan for PC Docket No. 24-009 with the following conditions:

1. The exterior façade meets the conditions of BZA Docket No. 24-006 approval
2. The parking lot expansion is approved
3. The landscaping meets the current code
4. Sidewalks will be installed when adjacent properties on either side add them at a future date. This condition should be recorded on the deed
5. Stormwater and detention meet code

6. Mechanical A/C units on the east side and dumpster enclosure on the west side meet code and in the same primary masonry and materials as the building
7. Tenants meet approval as required by BZA Docket No. 24-007 approval conditions

Second: Ms. Johns

Vote: Yes – 6 No – 1 Abstain – 0. Motion carries. Mr. Petersen abstained.

Findings of Fact: None

Other Items/ Additional Items for Discussion:

Nominations and Appointment of Plat Committee, per SCO 26-251 and IC 36-7-4-701 (e)

Director Mendoza stated the function of the Plat Committee according to the Indiana Code is to review and approve residential subdivisions of no more than two lots and may be comprised of up to three members of the Plan Commission. There was some discussion about the frequency of meetings and whether there were any upcoming cases. Director Mendoza stated the Committee would meet only as needed, typically on the evening of the scheduled Plan Commission meetings. He added that there were no cases currently pending but, administratively, the Plat Committee should be chosen.

Ms. Branagan nominated Mr. Raffin. She said she was on the Plat Committee previously and would nominate herself. Ms. Johns volunteered to serve.

Motion: Ms. Branagan moved to nominate Mr. Raffin and herself. Ms. Johns volunteered to serve. Appointees are as follows:

1. Mr. Raffin
2. Ms. Branagan
3. Ms. Johns

Second: Mr. Raffin

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

Next Meeting: President Baker announced that the next Regular Business Meeting of the Plan Commission will be September 10, 2024.

Adjournment:

Motion: Mr. Raffin moved to adjourn.

Second: Ms. Shinkan

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

Meeting adjourned at 9:07pm

President Bill Baker, Plan Commission

Date of Approval

Executive Secretary Sergio Mendoza, Plan Commission

Date of Approval