

The MUNSTER BOARD OF ZONING APPEALS
MINUTES OF SPECIAL BUSINESS MEETING
Meeting Date: June 30, 2022

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

Call to Order: 6:45 PM

Pledge of Allegiance

Members in Attendance:	Members Absent:	Staff Present:
Sharon Mayer		Tom Vander Woude, Planning Director
Daniel Buksa		Dave Wickland, Attorney
Roland Raffin		
Brad Hemingway		
Brian Specht (Arriving late)		

Preliminary Hearings

- a. None

Public Hearings

- a. **BZA 22-010 Community Foundation of Northwest Indiana requesting approval of multiple variances from the Munster zoning ordinance including the following:**
 - **TABLE 26-6.405.A-7 DISTRICT STANDARD- Building standard roof pitch 8:12 required. Variance requested for 60% of roofs (3:12)**
 - **SECTION 26-6.405.O.2.a DISTRICT STANDARDS- Off-street loading space required. Variance requested to omit off-street loading space.**
 - **SECTION 26-6.405.01H.VII.I.11 -8' Wide sidewalk bisecting parking lot required. Variance requested.**
 - **TABLE 26-6.405.O-6 BICYCLE PARKING- 37 required. Variance requested for 32 spaces. 5 provided in plan.**
 - **TABLE 26.6.701.B 5 1 -MONUMENT SIGN- Request placement within civic space (Outlot A) with appropriate easement.**
 - **TABLE 26-6.701.B - SIGN TYPES WALL SIGN SPECIFIC STANDARDS- Quantity maximum of 1 per facade. Request placement on north, east and south side facade of building**
 - **TABLE 26-6.701.B SIGN TYPES WALL SIGN SPECIFIC STANDARDS- Additional Standard- a. shall be applied to the first story facade and not project vertically above the roof line. Request for placement on the 2nd story facade.**

In order to construct an Immediate care medical building at 10240 Calumet Avenue.

Mr. Vander Woude reported that the Community Foundation of NWI presented plans to subdivide and develop a portion of a 37 acre property under their ownership between Calumet Avenue and Don Powers Drive. The property in question is located to the west and to the south of the current Kidney

Dialysis Center which is located at the corner of Hagburg Drive and Calumet Avenue. There are also 2 outlots. They are planning to extend Treadway Drive to the west and extend Don Powers Drive south to the extent of the subdivision and to install a roundabout at the intersection of Don Powers and Treadway. They are seeking to construct a 31845 SF, 2 story immediate care building with a parking lot an Immediate care building located on Lot 3. He said they are seeking the following variances:

Variance 1 is from the building standards roof type and pitch; zoning code requires that the roof pitch of a commercial building be either flat or between 8:12 and 14:12 pitch. They are proposing a 3:12 pitch on one section. The second variance is from the landscaping requirement which requires a minimum of 30% of the first lot layer, or front yard, and 25% of that has to be covered with ground cover or evergreen shrubs and trees. He said he received an email from the applicant showing howt hey could potentially modify the site slightly in order to meet that standard. Mr. Vander Woude said he believes their intent is not to seek a variance for that, but it is listed in the report and on plans as shown. He said the third variance is from the standard that all parking lots must be screened from adjacent property and civic space. He said the plans have been revised so they no longer need this variance. He said the fourth variance is from the requirement that a parking lot with greater than 120 spaces include an 8-foot-wide pedestrian path through the center of the parking lot. The fifth variance is from the bicycle parking standard which requires 1 bike parking space for each 5 vehicle parking spaces. They are proposing 182 vehicles parking spaces and are required to have 36 bicycle parking spaces; they are proposing 5. The sixth variance is to permit 1.5" caliper birch and cypress trees to be planted, when the code requires a 2 1/2" caliper. He said the seventh variance is from the the requirement that off street loading spaces be provided for a commercial building; the applicant is not providing one.

Mr. Vander Woude said they are requesting four variances from the Town's lighting standards. The first is from the lighting fixture height; the code permits a maximum height of 20' and the plans do not show the height. The second is from the requirement that lighting standards be located at distances of 4 times their height. He said that since the height is not shown on the plan, they don't know if that is being met. The third variance is from the maximum color temperature of 3000K. The applicants are proposing light fixtures with a color temperature of 4000K. The fourth variance is from light fixture style. The code requires private lighting to be colonial, coach, or acorn style and the applicant is proposing standard shoebox style fixtures.

Mr. Vander Woude said they are also seeking variances for their sign plan. He noted that an updated sign plan had been submitted after the staff report was distributed. He said the first sign variance they are requesting is from the provision that a rear entrance door sign be no great than 6 SF. On the south elevation, the sign they are proposing is approximately 48 SF. He said the second variance is for the sign material. Code requires that signs be channel letters, black cut out acrylic, PVC, metal, wood or like material, routing etched on wood or like material, or static neon. The logo proposed by the applicant is a light box with a vinyl design on it, which is not permitted. The third variance is from the prohibition against vinyl being used to create a design, which is being proposed on their logo sign.

Mr. Vander Woude said they are seeking additional variance for their proposed monument sign. First from the prohibition against internal illumination. Second, from the prohibition against a cabinet style sign. Third from the maximum sign area of 18 square feet; they are proposing 29.38 square feet. Fourth, from the maximum letter height of 12 inches; they are proposing a logo 15 5/8 inches in height. Fifth from the requirement that the face of the sign be brick, stone, solid metal or wood with lettering, logo or branding made of solid metal or channel lettering; they are proposing a routed aluminum with black lettering.

Mr. Vander Woude said that there was no preliminary hearing for this application, and this is a public hearing. Mr. Dave Otte, presenting Community Foundation of NWI, said that in 2018, this was inches away from being passed. When they came back recently, they had to update everything to the new code. The building has had significant changes to accommodate. He said with the 8:14 pitch, it makes it very steep across the front and this area becomes very large and a huge snow load on the building. They would have had to redesign all the structural steel for that. They tried to accommodate, 40% of the roofs are 8:12 with the addition of all those dormers. It is a very elegant building with all the glass on all four sides. The signage is in a lot of places. This is a medical facility; they want to make sure people are aware of it and know where to stop. That is why the signage is in the locations where it is. They've added numerous trees as you can see from the landscaping plan. The signage being up slightly helps the visibility of it. Ms. Mayer said he if wants to go through all the variance requests, she won't stop him but there may be something he wants to share or reasons that they want certain things. Mr. Otte said that they have met most of them and have done their best to meet the intent all the way through. For the landscaping, if there are two trees, a cypress, and a birch, they will take them up to the required standard. For the bike rack, he doesn't think that he has ever been to a facility that has 1 bicycle rack for rack for each 5 parking spaces or 37 bike racks. They just don't see the need. Mr. Raffin said if it were a restaurant, bar, or other entertainment thing, it would need to be standard. Mr. Hemingway asked how many people that facility will employ. Mr. Otte said maybe in the neighborhood of 50. There are 182 parking spaces in the parking lot. One of the issues is that the new code calls for 5 options for parking and road types or 6, one is an alley. The other 5 require parallel parking along the road. With an immediate care facility, they have people that are injured, and they want to make sure they can safely enter the building. They felt it was best to provide the parking lot so they can enter safely. Ms. Mayer asked about the loading, is there a no loading dock or anything like that, are the trucks making deliveries are parking on Treadway. Mr. Otte said most of their deliveries are very early in the morning. Most of their staff starts at 5:00 AM so they have the receiving end at the north end of the building. They would just be parking there and unloading before normal business hours. All of their materials are received at their warehouse, broken down there and only smaller deliveries are taken to the facilities. Only when they receive the equipment to open up, you will see a flat bed. For their standard operations, you will not see trucks like that there. Ms. Mayer said then there would not be trucks backed up on Treadway. Mr. Otte said he can't imagine it would ever look like that. Mr. Raffin asked whether the retention pond on Calumet Avenue is a dry one and will be maintained to look like grass. Since it is such a visible area, they want to make sure it looks green in the summertime. Mr. Otte said it will be and there are trees every 30' all the way around it on both sides and shrubs on the west side of it. Mr. Buksa asked whether they could double the bike racks since he sees more and more bike paths in town. Ms. Mayer asked Mr. Vander Woude if there are any plans for bike paths in that area. Mr. Vander Woude said the subdivision plans show a multi-use path on the north side of Treadway. Ms. Mayer asked if they had any concern with adding an additional bike rack. Mr. Otte said if the need shows, they will. If they put it up and only see one there on a daily basis, they will stick with the one rack until there is an increase. If they see more there, they will add a second bike rack. Ms. Mayer said there may be younger people riding bikes more than they traditionally had been and she thinks there should be at least two bike racks. Mr. Raffin said it is not the best destination to ride your bike to an immediate care center. Ms. Mayer told Mr. Otte that if they increased the caliper of those two trees, that variance goes away. Ms. Mayer asked about the height of the lighting poles. Mr. Otte said in the parking lot, they have 33' high LEDs. Their concern is that if you use the lower lights in the parking lot and have a lot of tree coverage, they want to make sure for the employees and people coming in later in the evening, that it is illuminated well. They will also have security cameras that they have to work around and dodge all those trees. It is very important to them that the parking lot is well lit. Mr. Buksa asked if the cameras are going on the poles. Mr. Otte said

they put them on the poles, they put them on the buildings. They try to watch everything that is going on. They have over 250 cameras at Community Hospital and watch the parking lot 7/24. There is a guard that watches 3 screens in the security command center that watches everything that is going on in all their facilities. Security is of utmost importance to them. Ms. Mayer asked if a 33' light standard would have the ability to have a 3000K light fixture. Mr. Vander Woude said it shows that as an option on the documentation. Ms. Mayer said that the heads do not comply either. Mr. Otte said they have it in most of their parking lots and it has become their standard. Ms. Mayer asked about the variances for the wall signs. Mr. Otte said a 6' sign on the south side of the building doesn't provide enough signage for people who need to turn into immediate care. He said they will reduce the logo sign to 2 feet tall and the letters and everything will be plexiglass. Ms. Mayer said there are three identical signs. Mr. Vander Woude said that walls signs are permitted only on the street frontage. The north side sign would be permitted as shown but not those on the east side because they don't have frontage on the street and south sides because it is in the back of the building. They do allow for an additional sign on an entrance to the back of the building or an additional sign for people to identify the door for people who are already in the parking lot. It is not intended as an advertising sign visible from the street. Mr. Otte said their overall signage is below the allowed square footage. Mr. Vander Woude said the sign on the north elevation is below the permitted area, but the location of the sign on the second floor requires a variance. Mr. Otte said the difficulty is if you are traveling northbound on Calumet Avenue, you won't see what type of building it is until you have passed it. Mr. Buksa said he could see perhaps if they were larger on the north and south sides but not on the east. Mr. Vander Woude described the material requirements for wall signs. Ms. Mayer said what comes to mind is a medical facility on the corner of Fran Lin and Columbia where there is signage there of a similar nature that the Board rejected because it did not comply with the code not allowing the box type sign. Mr. Vander Woude said monument signs to be masonry with the letters and logo installed on the masonry.

Ms. Mayer opened the public hearing. No one in attendance commented and no one was on Zoom. Ms. Mayer closed the public hearing.

Motion: Mr. Buksa moved to approve 1,2,4,5

Second: Mr. Raffin

Vote: Yes –5 No – 0 Abstain – 0. Motion carries.

Motion: Mr. Buksa motioned to approve 7,8,9,10,11

Second: Mr. Hemingway

Discussion: Ms. Mayer said that the color temperature should not exceed 3000K. Mr. Buksa asked Mr. Otte if the petitioner would comply with that standard. Mr. Otte said they would comply with the 3000K.

Motion: Mr. Buksa amended his motion to approve variances 7,8,9 and 11.

Second: Mr. Hemingway

Vote: Yes –5 No – 0 Abstain – 0. Motion carries.

Motion: Mr. Buksa motioned to continue all the sign variances requests to the next BZA meeting.

Second: Mr. Raffin

Vote: Yes –5 No – 0 Abstain – 0. Motion carries.

Findings of Fact

a. None

Additional Business/Items for Discussion

a. None

Next Meeting: Ms. Mayer announced that the next regular business meeting will be July 12, 2022, at 6:45 PM.

Adjournment:

Motion: Mr. Raffin moved to adjourn.

Second: Mr. Specht

Vote: Yes – 5 No – 0 Abstain – 0. Motion carries.

Meeting adjourned at 7:39 PM

President Sharon Mayer
Board of Zoning Appeals

Date of Approval

Executive Secretary Thomas Vander Woude
Board of Zoning Appeals

Date of Approval