

MUNSTER PLAN COMMISSION
MINUTES OF REGULAR MEETING
December 10, 2024

The Munster Plan Commission held its regularly scheduled meeting on December 10, 2024, at Munster Town Hall in the main meeting room.

Call to Order: 7:49 pm by President Baker

Pledge of Allegiance

Members in Attendance:

Bill Baker, President
Rachel Branagan
Joseph Hofferth
George Shinkan
Jonathan Petersen (Phone)
Roland Raffin, Vice President

Members Absent:

Jennifer Johns

Staff Present:

Jennifer Barclay, HWC Planner (Phone)
David Wickland, Attorney
Denise Core, Administrative Assistant

Approval of Minutes:

Motion: Vice President Raffin moved to approve the October 29, 2024, minutes.

Second: Commissioner Shinkan

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

Commissioner Petersen could not vote since he was not seen on video.

Preliminary Hearings: None

Public Hearings:

President Baker introduced agenda item PC Docket No.24-007 PUD AMENDMENT: Andrew Qunell of VRQ, LLC representing Power's Health is requesting an amendment to COMMUNITY HOSPITAL PLANNED UNIT DEVELOPMENT to add a CHP (CoGeneration Unit) to the northeast side of Community Hospital located at 901 MacArthur.

Ms. Barclay summarized the petition referencing the following, which is an excerpt from the staff report.

Community Hospital is requesting 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 aisle would change from two-way to one-way. The addition would construct a 22-foot-tall masonry wall, and the CHP will be housed behind it. At the very northern end, there are some mechanicals that will be housed outside the wall. The proposal does include landscaping and installation of 5-foot sidewalk along parking lot. A sound test was completed and the completed report may be found in the appendix, however, it was determined that the noise generated from this unit will not increase from what is in place today.

The Plan Commission may recommend the establishment of the proposed SD-PUD Planned Unit Development Special District or amendment to SD-PUD Planned Unit Development Special District,

provided that it finds that the petition establishes that:

I. The proposed Development in the SD-PUD Planned Unit Development Special District or amended SD-PUD Planned Unit Development Special District will not detrimentally affect present or potential property values or Uses of Adjacent property or elsewhere in Town.

II. The proposed Development in the SD-PUD Planned Unit Development Special District or amended SD-PUD Planned Unit Development Special District adequately takes into account existing and proposed conditions and character of the land, Uses, Buildings, and Development proposed to be subject to the SD-PUD Planned Unit Development Special District or amended SD-PUD Planned Unit Development Special District and within all Adjacent Districts.

III. The proposed Development in the SD-PUD Planned Unit Development Special District or amended SD-PUD Planned Unit Development Special District will have a beneficial effect on the Town, which could not be achieved if the SD-PUD Planned Unit Development Special District or amended SD-PUD Planned Unit Development Special District were not approved and that such Development was developed under the standards of any other District.

IV. Any deviation from the standards or requirements that otherwise would be applicable with another District is warranted by the design and amenities incorporated in the Development Plan.

V. The SD-PUD Planned Unit Development Special District or amended SD-PUD Planned Unit Development Special District is necessary to address unique site conditions that are not characteristics of other sites in the Town and the application and Development Plan adequately address the same.

VI. The proposed SD-PUD Planned Unit Development Special District or amendment to SD-PUD Planned Unit Development Special District and the Development proposed therein are:

- 1) either compatible with the land and existing or anticipated Development Adjacent to such SD-PUD Planned Unit Development Special District or the land and existing or anticipated Development Adjacent to such SD-PUD Planned Unit Development Special District can be planned in coordination with the proposed Development within such SD-PUD Planned Unit Development Special District
- 2) the most desirable Development and Use(s) for which the property subject to the proposed SD-PUD Planned Unit Development Special District or amended SD-PUD Planned Unit Development Special District is adapted; and
- 3) constitute responsible growth and Development.

VII. The proposed SD-PUD Planned Unit Development Special District or amendment to SD-PUD Planned Unit Development Special District is in conformance with the general intent of this Article and the Comprehensive Plan.

VII. Existing and proposed Thoroughfares are suitable and adequate to carry anticipated traffic within the proposed SD-PUD Planned Unit Development Special District or amended SD-PUD Planned Unit Development Special District and its vicinity.

VIII. Existing and proposed utility services are adequate for the proposed Development within the proposed SD-PUD Planned Unit Development Special District or amended SD-PUD Planned Unit Development Special District.

IX. Each phase of the proposed Development within the proposed SD-PUD Planned Unit Development Special District or amended SD-PUD Planned Unit Development Special District, contains the required parking spaces, and landscape and utility areas necessary for creating and sustaining a desirable and stable environment.

X. The proposed SD-PUD Planned Unit Development Special District or amended SD-PUD Planned Unit Development Special District and all proposed Buildings, parking accommodations, and landscape and utility areas therein can be completely Developed within five (5) years of the initial establishment of the district.

XI. All conditions and requirements of Sections 26-6.804.L.9.a -.k have been satisfied. It is noted that the applicant has addressed these criteria in the attached application. Based on the standard of review set forth in the preceding Section 26-6.804.L.9.k.xiii, its findings, and any conditions, restrictions, and requirements it may establish pursuant to Section 26-6.804.L.9.k.xviii, the Plan Commission shall recommend to the Town Council that the application and Development Plan be approved, approved with modifications, or disapproved. The Plan Commission shall enter its findings and reasons for such action in its records. Review, hearing, and recommendation by the Plan Commission pursuant to this Section 266.804.L shall constitute submission to, and public notice, hearing and recommendation by the Plan Commission required pursuant to Section 26-6.804.L.9.k.xii-.xiii.

In conclusion, staff is encouraged to see investment and improvements in property. Overall, staff is satisfied with the application. Staff recommendation is the Plan Commission may wish to consider this motion: Approval as submitted.

President Baker asked the Board if they had any questions for Ms. Barclay. When there were none, he asked if there was anyone who wished to speak on behalf of the petitioner.

Mr. Jeff Ban of DVG at 1155 Troutwine Road, Crown Point, said he was filling in for Andy Qunell, the applicant of this petition, who was unable to attend this meeting. He said the sound studies, calculations, elevations, and other information that the Commission has requested has been provided. He concluded by stating that the influence of the roadway and traffic has more impact on the sound levels in this area than this equipment, which is specified and regulated.

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

Vice President Raffin stated that he has spent considerable time over the past few months researching this project. He added that he also has professional experience with this technology. He made a motion to send a favorable recommendation to the Town Council for approval of the amendment to the PUD.

Commissioner Hofferth stated that he was at the sound study. He said the petitioners have presented calculations on the expected noise levels. He asked the petitioners what actions they might take if the equipment, after installation, doesn't perform as promised and the noise exceeds their expectations. He added that there are 10-12 ambulances arriving every night and he is concerned that this unit may be louder and more disturbing to the neighbors than has been presented.

Mr. Ban stated that the hospital provides an important service to the community. They will, if necessary, make adjustments to the screening or other measures.

Motion: Vice President Raffin moved to send a favorable recommendation to the Town Council for PC Docket No. 24-007 amending the PUD for the additional use of a CHP (Cogeneration Unit).

Second: Commissioner Shinkan

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

Commissioner Petersen could not vote since he was not seen on video.

President Baker introduced agenda item PC Docket No.24- 012 DEVELOPMENT PLAN REVIEW: Tony Gierczyk with E. Anthony Inc. for OSNI (Orthopedic Specialists of Northwest Indiana) is proposing to

amend a previously approved Development Plan impacting the building facade and site updates, including the interior renovation of a 10,000 SF church building into a medical office facility at 9900 Columbia Avenue.

Ms. Barclay summarized the petition referencing the following, which is an excerpt from the staff report.

Tony Gierczyk with E. Anthony Inc., for OSNI (Orthopedic Specialists of Northwest Indiana) is representing OSNI (Orthopedic Specialist of Northwest Indiana) Dyer & Associates, LLC (Sunil Dedhia, MD). OSNI has interest in the renovation of 9900 Columbia Avenue, the current home of The Gate Church. The proposed renovation and expansion are planned in two phases. In phase 1, OSNI is proposing to renovate the existing 9,844 SF religious use structure into a medical and office facility, expand the existing parking facility to accommodate 63 parking spaces, including 4 ADA parking spaces: from the required 46 parking spaces, including 3 ADA parking spaces (Medical = 5.7 per 1,000SF floor area). Other site improvements include a half-acre off-site detention area to manage 58% lot coverage runoff (2.69 acres/1.57 acre impervious). OSNI plans to accomplish the proposed renovation and site improvements through compliance with the character-based zoning code and granted Developmental Standards Variances approvals for building setback, parking locations, screening, entrance location, and sidewalk requirement.

The Munster Character Based Zoning codes from which the petition has received variances from are:

1. 26-6.405. A-7 DISTRICT STANDARDS, Setbacks-Principal Building, Principal frontage and Secondary Frontage
2. 26.6.405. A-7 DISTRICT STANDARDS, Building Standards (continued) Entrances
3. 26-6.405. A-7 DISTRICT STANDARDS, Vehicular Parking Requirements, Off-street Parking Location
4. 26.6.405. A-7 DISTRICT STANDARDS, Screens, Types of Screens (Enhanced Hedge), Specific Standards (Where Screen is Required and Permitted Screen Type)
5. 26-6.405. S. 2. DISTRICT STANDARDS, Streetscape Repairs, Replacement & Improvements

The Development Plan Standards Requires are:

SECTION 26-6.804. G. 5. Applicability; Types of Site Plans. (MZC pg. 382)

- a. In all Zoning Districts other than Districts CD-3, CD-3.R1, CD-3.R2, and CD-3.R3, Site Plan approval from either the Plan Commission or the Zoning Administrator, as applicable under paragraph i or ii below, must be obtained:
 - i. from the Plan Commission prior to any of the following and for any plan or proposal pursuant to which any of the following is to be erected, Developed, re-Developed, Improved, Substantially Modified, or occur:
 - i. a Structure other than a Single-Family Detached Dwelling or Two-Family Detached Dwelling
 - ii. a Parking Area or Parking Lot
 - V. any Use of vacant land
 - VIII. a change in Use that will affect the characteristics or impact to the site or the Town with respect to traffic, access, drainage, utilities, or Town services, as determined by the Planning Director
 - IX. Facade improvements for which a Building Permit is required and which affect greater than fifty percent (50%) of any street-facing Facade, excluding Ordinary Maintenance and Repair

ii. from the Zoning Administrator prior to any of the following and for any plan or proposal pursuant to which any of the following is to be erected, Developed, re-Developed, Improved, modified, or occur:

I. any change of Use of any part of an existing Building other than a change of Use described in

Section 26-6.804.G.5.a.i; or

II. any Alteration or modification to a parcel of land, such as changes to parking layout, Driveways ,landscaped areas, Screening, Wall, or fences, or public walkways other than those described in Sections 26-6.804.G.5.a.i.; or

III. any modification to a Building or other Structure other than Ordinary Maintenance or Repair or a Substantial Modification.

In review of the Development Plan Application and supporting documents, staff is requesting additional information regarding the lighting plan to include pole detail and head type, as well as the proposed sign package. The applicant has submitted additional information regarding site lighting plan and monument signage. Staff is unclear if the monument sign plan is current because the plans identify an expanded parking lot and future phase 2 of a building. The applicant should provide clarification on the monument plan submitted, one or two monument signs. The monument sign specs submitted appear to meet the zoning standards of 6' maximum height and 18 square foot sign area. Sign material has not been identified and may require a Developmental Standards Variance upon review of a submitted sign permit application. In addition, wall signage will need clarification regarding quantity, size, and material. Additional information may require a Developmental Standards Variance upon review of a submitted sign permit application; particularly, where an internally lit logo over existing cross is referenced. In addition, staff has noted that the proposed light head type, color temperature and overall height do not comply with the zoning code standards. The proposed light heads are cobra style and not colonial, coach, or acorn style. The overall height is 23 feet and the required height is 20 feet. The color temperature is 4000K and code requires 3000K. The applicant will need to seek approvals through Developmental Standards Variances or comply with the town zoning code.

In conclusion, staff recommends compliance with the Munster Character Based Zoning Code or seek approval from the Board of Zoning Appeals to vary from the proposed lighting code. The Plan Commission may consider the motion to approve PC24-012 Development Plan for 9900 Columbia Avenue with the condition that all lighting specs and signage comply with the character based zoning code, including all discussion and findings.

President Baker asked if there were any questions for Ms. Barclay. There were none. President Baker asked if there was anyone who wished to speak on behalf of this petition.

Tony Gierczyk of E. Anthony, Inc. at 18521 Spring Creek Drive, Tinley Park, IL stated that they are looking for the Development Plan approval. He said they had supplied all the information that was requested. He added that the project is almost complete and the medical equipment is being moved in. He stated that it is lit up and landscaped. He said they need to be completed by the end of the year.

Vice President Raffin asked how this was allowed to move forward without the Plan Commission approval of the development plan; the exterior side was not permitted to be done.

Mr. Gierczyk stated that everything was done with the support of the Building Department. He said the original project was approved by the Plan Commission and was started and then there was a reduction in the scope of the project. He added that they came to the Site Review Committee in June. He said DVG had done the stormwater management, the site plan had exploratory information, and they had all the landscaping. He said they had submitted all the documents, theirs and the ones from the original contractor.

President Baker opened the public hearing. There were no public comments. President Baker closed the public hearing.

President Baker asked Mr. Wickland how the Commission could move forward; they have different plans, different architects, maybe new owners and are moving in. He said all this work was being done without the Plan Commission approval puts the Commission in an uncomfortable situation.

Mr. Wickland stated he didn't know.

Mr. Gierczyk stated the owner has not changed from the original project that was approved by the Plan Commission, just the size of the project has changed. He stated that they had inspections for every single thing, that they do nothing without getting the inspections.

Vice President Raffin made a motion to table this petition until January.

Motion: Vice President Raffin moved to table PC Docket No. No. 24-012.

Second: Commissioner Hofferth

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

Commissioner Petersen could not vote since he was not seen on video.

Findings of Fact:

President Baker introduced agenda item PC Docket No.24-010 DEVELOPMENT PLAN REVIEW: Jim Glascott with WT Group, for Munster High School received approval to reconfigure and install synthetic turf at the baseball and soccer field at John E Friend Athletic Complex at 8823 Columbia Avenue.

Motion: Commissioner Branagan motioned to approve the Findings of Fact for PC Docket No. 24-010.

Second: Commissioner Hofferth

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

Commissioner Petersen could not vote since he was not seen on video.

Continued Discussion Items/Other Business:

President Baker introduced agenda item PC Docket No.24-011 DEVELOPMENT PLAN REVIEW: Devarshi Patel, property owner, is proposing demolition of the existing bank structure and construction of a 2-story 12,664 square feet Medical Office Building at 10020 Calumet Avenue.

Commissioner Petersen declared that he has a professional relationship with the petitioner and would recuse himself and remove himself from the conversation; and since this was the last order of business, he would not be returning to the meeting.

Ms. Barclay presented this petition referencing the following, which is an excerpt from the staff report.

The applicant is proposing to demolish the existing structure and parking surfaces and replace them with an approximately 25,000 square foot office building with associated parking lot. The building will be two stories and located at the southeast corner of property. The plan shows that 110-parking spaces will be provided and 4 of those spaces are designated for ADA access.

In reviewing, recommending, and taking action on a Site Plan, the recommending and the Decision-Making Authority shall take into consideration all relevant and material factors and shall ensure that the Site Plan and Site Plan application comply with all of the following, and shall establish any appropriate conditions and safeguards in harmony with the general purpose and intent of this Article:

- a. Compliance with Comprehensive Plan, this Article, Subdivision Regulations, & Building Code. The proposed Development and the Site Plan and Site Plan application must comply with the Town Comprehensive Plan, this Article, the Town Subdivision Regulations, the Town Building Code.
- b. Public services.
 - i. The proposed Development shall not pose an undue burden on police or fire services.
 - ii. If the Development results in a significant increase for parks, school, or other public services, property.
 - iii. dedicated for these purposes shall be required as a condition of Development.
 - iv. Appropriate right-of-way and Easement dedications shall occur in order to provide necessary access
 - v. for proper utility maintenance.
 - vi. Streets internal to a Development may be dedicated or private, depending on their design and
 - vii. function.
- c. Supplemental Development Standards.

Without limitation to Sections 26-6.804.G.8.a-b, the proposed Development, Site Plan, and Site Plan application must comply with the following:

- I. The Supplemental Development Standards of Section 26-6.602 (Site Grading). The Supplemental
- II. Development Standards of Section 26-6.603 (Site Drainage).
- III. The Supplemental Development Standards of Section 26-6.604 (Sewage).
- IV. The Supplemental Development Standards of Section 26-6.605 (Utilities).
- V. The Supplemental Development Standards of Section 26-6.606 (Traffic Circulation).
- VI. The Supplemental Development Standards of Section 26-6.607 (Facilities for Persons with
- VII. Disabilities).
- VIII. The Supplemental Development Standards of Section 26-6.608 (Preservation of Natural Features).
- IX. The Supplemental Development Standards of Section 26-6.609 (Areas of Special Flood Hazard).

Staff finds that documents requested by the plan commission and comments offered at the 10/29/24 Special Meeting of the Plan Commission were submitted. See following responses:

1. Architecture and building elevation with material identified as well as interior floor plan. **See excerpt IMAGE 1 and EXHIBIT E for full plans.**
2. Revised Site Plan with Hagburg Dr. entrance eliminated, increased building setback, dumpster relocation. **See excerpt IMAGE 2 for dumpster relocation and EXHIBIT H for full plans. Building setbacks cannot be accomplished without an approved Developmental Standards Variance from the BZA. The applicant would like to stay in compliance with the current codes and not seek a variance.**
3. Landscape plan with enhanced buffer screening. **See excerpt IMAGE 3 and EXHIBIT F for full plans. Landscape plan may not have been updated because dumpster location has not been relocated and enhanced buffer has not been identified. Discussion and clarification should occur clarification and compliance.**
4. Light plan with photometrics, parking lot lights standards including, head type and color temperature. **See excerpt IMAGE 4 and EXHIBIT G for full plans. Light head type, color temperature, and pole height should be discussed to confirm compliance. If not in compliance, a Developmental Standards Variance is required.**
5. Sign package to include location and size. **See excerpt IMAGE 5 and EXHIBIT E for conceptual signs. Proposed Sign package is tentative and may require Developmental Standards Variances approval from the BZA before a sign permit can be released.**

In conclusion, the Plan Commission may wish to consider the following motion:

Motion to approve PC 24-011, a Development Plan for a medical office building contingent on an enhanced buffer screening be installed and the private lighting standards comply with the height, head type, and cutoff standards, including all discussion and findings.

President Baker asked if there were any questions for staff.

Commissioner Branagan asked for clarification on the signs; she counted 3 tenant spaces and 5 different signs. Vice President Raffin stated that he counted 8 signs. Ms. Barclay stated that Development Plans do not include signage; signage is part of the permit process.

Commissioner Branagan stated her preference for the placement of the dumpster as far from Café Borgia as possible.

Vice President Raffin stated that the entrance should be moved to the west.

President Baker stated his preference to align the front of the building with the neighboring businesses as opposed to the current code which puts new building close to Calumet Avenue. He stated that this push up to the road was intended for Ridge Road Development. This is a different submarket and there needs to be extensive meetings focusing on these different areas.

President Baker asked if there was anyone who wished to speak on behalf of the petitioner.

Mr. Don Torrenge of Torrenge Engineering Inc. at 907 Ridge Road, introduced himself and said he had the owner, the builder and the architect present to answer any questions the Commission may have. He said he couldn't answer the sign questions. He stated that there are 2 entrances, and they want 2 entrances; there could be ramifications if they change the entrances, they will lose parking spaces and

not meet the requirement. He stated that they originally had the building placed further back from the street but they were told they needed to move it toward the street to comply with the current code. He stated that Café Borgia is 40 feet from the road and has no objection to their building closer to the road as required by code.

Vice Chairman Raffin stated that the 2nd entrance had been for a small single serve bank.

Mr. Matt Rossman of ICS at 11035 Broadway, Crown Point, brought a sample of the brick material to the Commissioners. It was noted that it was real brick material. Mr. Rossman said the signs on the plans were for the future. They are there so they can meet the future electric needs for the signs.

Commissioner Branagan stated that they are not allowed backlit signs so no power should be needed.

Mr. Ted Rohn, architect with Precision Construction at 9616 Indianapolis Boulevard, Highland, stated the construction is a steel frame building with brick veneers, anodized metal panels, and ACM panels. He said they are not hiding mechanicals; the bar joists system is decorative. This is a this is a feature that cuts through the middle of the building, the parapet can be seen through the center. He said there are 3 main parapet heights. He concluded by stating that that they built this building at 119th and Broadway.

Vice President Raffin expressed his concerns about the curb cut and traffic stacking up. Commissioner Hofferth said why not suggest a new entrance.

Mr. Rohn said there is no stacking at the other building in Crown Point where there are 3 tenants that are professional or medical.

Vice President Raffin asked Mr. Torrenga what the best-case entrance scenario would be.

Mr. Torrenga said the only option to move the entrance back would be to move it 36 feet further to the west and have the same width as it is now.

Vice President Raffin noted that is where the island is.

Commissioner Branagan said the aesthetics and materials work for her. She asked if the glass was mirrored or tinted.

Mr. Rossman said it is not mirrored, it is clear with a slight, undetectable black tint.

Vice President Raffin stated that the landscaping and lighting meet (code), the sidewalks are all in and around, and he likes the dumpster location in image 2 in masonry to match. He asked if it could be moved to the fence, as far from the eating area as possible. He also asked if the entrance could be moved.

Motion: Vice President Raffin moved to approve PC Docket No. 24-011 with the following conditions:

1. The entrance is moved to the west.
2. The dumpster is positioned as shown in Dumpster Image 2.
3. No signage is included in this approval. Signage will be presented or permitted separately.

Second: Commissioner Shinkan

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

ORDINANCE 1830: Policy by which members of the boards and commissions may participate by electronic means of communication.

MUNSTER CHARACTER BASE ZONING CODE, SECTION 26-6.804.g.7.e.ii: Review of Site/Development Plan Process: Code, Application, Meeting Schedule.

Next Meeting: President Baker announced the next regular business meeting will be held on January 14, 2025.

Adjournment:

Motion: Vice President Raffin moved to adjourn.

Second: Commissioner Shinkan

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

Meeting adjourned at 9:40pm

President Bill Baker
Plan Commission

Date of Approval

Executive Secretary Sergio Mendoza
Plan Commission

Date of Approval