The regular meeting of the Board of Zoning Appeals of the City of Hammond was held on Tuesday, June 3, 2025 at 6:00 p.m., Council Chambers, 2nd Floor, Hammond City Hall, 5925 Calumet Avenue, Hammond, IN 46320, and via www.Zoom.us

Kathleen Hill called the meeting to order at 6:00 p.m. Ms. Hill led the reciting of the Pledge of Allegiance.

PRESENT	ABSENT	ALSO PRESENT
Roger Brock (IP)		Brian L. Poland, AICP
William Hutton (IP)		Director of City Planner
Cynthia Jasso (IP)		
Dan Faulkner (IP)		Tom Novak
Kathleen Hill (IP)		Assistant City Planner
		Shannon Morris-Smith
		BZA Recording Secretary

PRESENT: FOUR (5) ABSENT: ONE (0) QUORUM

APPROVAL OF MINUTES

Chairperson Hill called for a motion to approve the minutes for April 29, 2025. Mr. Hutton so moved, seconded by Mr. Brock. Roll call vote. Roger Brock/yes, William Hutton/yes, Cynthia Jasso/Yes, Dan Faulkner/yes, Kathleen Hill/yes. 5 "Ayes", 0 "Nays", 0 "Abstentions" 0 "Absent". Motion carried.

OLD BUSINESS

There was none.

NEW BUSINESS

Z-25-05 Petition of Gorman and Company, LLC. for a conditional use regarding T/S 6.11(5) to allow for construction of a 3 story Senior Residential Building located at 5911 Noble Avenue in a R-4 High Density Residential District in the City of Hammond

Z-25-06 Petition of Gorman and Company, LLC. for a developmental variance regarding T/S 20.41.01 (E) to allow for parking at a ratio of 0.7 stalls for each unit plus 10% of visitors and staff at property located at 5911 Noble Avenue in an R-4 High Density Residential District in the City of Hammond

Chairperson Hill asked the secretary if the notification requirements had been met. Ms. Morris-Smith stated "Yes".

Matt Burbach, Dan O'Mara, and Ron Clewer, Gorman & Company, 200 N. Main Street, Oregon, WI 53575, represented the petitioner. Mr. Burbach stated the petitioner was proposing a 134-unit apartment building in the Memorial Park Addition. There would be two phases. The first phase would construct a 120-unit senior building. The project would entail 50% studios and 50% 1-bedroom apartments. The age group of 55+ would be served. Mr. Burbach further stated the development was working with IHCDA to obtain low income housing tax credits. An application to ICHDA was anticipated to be submitted in July 2025.

Mr. O'Mara stated parking was one of the issues before the Board. A majority of the senior developments have below one parking stall per unit. There were transportation services offered to the residents to various places for healthcare and community events. Most residents do not drive. These were the reasons for the developmental variance request.

In addition, the number of people that occupy the building were important for density. The cost per unit could be lowered and fill in the community. This would be a positive factor for the residents.

Mr. Burbach commented that the site would pay homage to Memorial Park through an architectural design as well as a potential monument.

Mr. Burbach concluded his presentation.

Chairperson Hill asked if there were any questions from the Board. Chairperson Hill asked if the purchase of the property was contingent upon the Board's approval of the cases before the BZA tonight. Mr. Burbach stated "Yes". Chairperson Hill asked if the bus service included providing transportation to the grocery store to the residents. Mr. Burbach stated "Yes". The company has provided this service in their portfolio and was looking into providing the service at this site. Chairperson Hill further asked if the parking number would require additional parking spaces when the project was expanded. Mr. Burbach stated the parking factors in the entire 134 units. Chairperson Hill asked in experience do the residents have a lot of visitors. Mr. Burbach stated the project has incorporated parking for visitors.

There was a discussion on clarifying the number of units. The information provided to staff and the Board stated 120 units. Mr. Burbach corrected the 134 units to 120 units. The total number would be 120 units after Phase II has been completed.

Mr. Clewer further clarified that the total number of units for both phases was 120, and the parking ratio was based on 120 units. Mr. Clewer advised the Board that Pastor Polk was a partner with the project through his church. In addition, Pastor Polk has been a guide for the type of amenities that would be available for the residents. This would include, but not limited to a computer, community room, exercise facility, supportive services, onsite property management offices, and other amenities.

The interior décor would pay homage to Hammond Area Veterans. The Hammond Veteran's Associations would be the resource used to identify those veterans.

Mr. Poland stated the property was in the ownership of the Hammond Redevelopment Commission. The petitioner was a contingent purchaser. The petitioner has been given permission by the Executive Director of Planning & Development to act as the petitioner for this project.

The conditional use was the first case. The language of the R-4 District and the Memorial Park Addition has changed with the subdivision plat and rezoning that was approved by the Plan Commission and the City Council. This was a multiphase development of single-family housing, a senior building, and duplexes in Phase II. There were four (4) out lots. Three (3) would serve as detention basins. One (1) would be a part of the recreational space. This was located next to a proposed building. The streets were extensions of the existing street systems and were currently under construction. Mr. Poland further stated the single-family houses covenants were still being worked on. The bids were anticipated to be available to the public for purchase later this year.

The third floor was the subject of the conditional use. The act of the Board was a conditional use to allow the third floor. The second case was the parking variance ratio. The current ratio for senior housing independent living was one parking space per unit plus employees and visitors. The variance was more of combining visitors and employees in the 10% category.

Chairperson Hill asked if there were any additional questions from the Board. There were none.

Chairperson Hill opened the floor for public comments. There were none.

Chairperson Hill closed the floor for public comments.

Chairperson Hill asked if there were any additional questions from the Board members.

Chairperson Hill asked for staff to read the staff report recommendations (Z-25-05), however it is included in its entirety.

Zoning Citation

Title VI R-4 High Density Residential District, **Section 6.11** Conditional Uses,
(5) "Multi Family residential structures three stories or more"

Background

The subject property, commonly known as 5911 Noble Ave, is an approximately 167' x 655' (132,970 SF, 3.05-acres) irregularly shaped parcel. The property is Lot 1 Memorial Park Addition which is located at the north end of the subdivision. The subject property was rezoned R-4 in March, 2025. The Memorial Park Addition is located east and north of the Pullman-Standard National Register Historic District which is zone R-1U and R-2 and the Ophelia Steen Center, zoned S-2. To its south will be 28 new single family homes (zoned R-1U) and a row of 8 duplex units (zoned R-2.) To its north is a mix of wooded open land and a portion of the Norfolk Southern rail line zone S-1. To the east is zone I-2.

The site will be accessed from local arterial road Columbia Ave. primarily via Lyons St. to Ray Ave. to Noble Ave. At this time, the roadway and utilities are being installed to extend Ray Ave. and Noble Ave. and Sagamore St. to provide site access. The new streets are 50' right-of-way and the street is standard city width of 31' back of curb to back of curb. The new streets are wider than the existing streets in the Pullman-Standard neighborhood.

Petition

Petitioner is Gorman & Company, based in Oregon, WI. They have entered into a contingent purchase agreement with the City of Hammond Redevelopment Commission. They are seeking approval from the IHCDA to build a three-story, 120-unit senior living facility in two phases. Phase 1 is 84 units. Phase 2 is 34 units.

The petition is a request for a conditional use to construct a three-story building in a R-4 High Density Residential District, as is required for multi-family residential structures of three stories or more under T/S 6.11(5).

A parking lot of 94 spaces to the south and west of building is proposed. Related matters of parking are being considered in the developmental variance of concurrent BZA case Z-25-06.

Analysis

The location of the property and its R-4 zoning district is in-line with similar high-density apartment complexes throughout the City. That is, these developments are usually on the outer edge of a traditional single family neighborhood and not far from a local arterial road. Examples of this include Tanglewood Apartments on 167th St. off Indianapolis Blvd, Kennedy Crossing on 169th St, Silver Birch Assisted Living Facility on Sohl Ave, Golden Manor Senior Apartments at 175th St. and Columbia Ave, or a number of apartment complexes at the Cline Ave. (IN-912) and 169th St. interchange in Hessville. Petitioner's proposal will lie on the northern edge of a new traditional residential neighborhood that is being developed, Memorial Park Addition, with two of subject parcel's four sides facing undeveloped or non-residential land. The height of the building should not interfere with sunlight or aesthetics for the homes nearby.

Some attempt has been made to attribute traditional residential dwelling features to the building's design, including gable roof peaks, board & batten and lap siding, and a brick wainscot along the base. Elevation drawings have been provided. The peak roof height will be over 32' but will be well under the 96' allowed under T/S 6.20. The minimum setbacks and lot area and acreage to number of unit's ratios under Title VI will be met.

The impact to existing and planned infrastructure should not be an issue if construction and operations are handled as described by petitioner. The Memorial Park Addition anticipates 31' wide roadways and has set aside outlots for the detention of stormwater. The sanitary sewer mains this facility and the new neighborhood will connect to have been calculated to be sufficient. NIPSCO and other utility access and accommodations will not be an issue.

Project is intended to meet the approval of the Indiana Housing & Community Development Agency (IHCDA) for Phase I. It is noted 25 of these 120-units are ADA accessible and 91,are ADA adaptable. If approved, construction is set to begin in 2026.

East Hammond has been an underserved population and the facility proposed will help address the urgent need for additional senior housing in the city. Its three-story footprint maximizes the number of senior residents it can accommodate while minimizing its use of land.

The subject property lies within a "Recreational" land use designation in the 1992 Comprehensive Land Use Plan. However, this designation is in reference to Memorial Park.

Reviews and Approvals

City Planning Staff has reviewed materials provided by the petitioner.

There were no objections from the Building Commissioner, Chief Fire Inspector, City Engineer, Superintendent of Wastewater Management, Director of the Hammond Department of Environmental Management (HDEM), nor Director of Community Development.

Standards for Granting a Conditional Use

1) The approval will not be injurious to the public health, safety, morals, and general welfare of
the community.
2) The use and the value of the area adjacent to the property related to the conditional use will not be affected in a substantially adverse manner.
3) The approval will not have an adverse effect on the density of the adjacent area and the area will not be burdened by an excessive number of similar uses in the area.
4) The approval will not have an adverse impact on the transportation network, public utilities and educational facilities.
5) The approval will not have an adverse impact on the environment or natural resources.
6) The approval will not have an adverse impact on historical, architectural, cultural and archaeological resources.
7) The approval does not substantially interfere with the Comprehensive City Zoning Plan.
8) The approval will be in compliance with applicable provisions established elsewhere in the Zoning Ordinance.
9) The approval shall provide for reasonable accommodation pursuant to Section 24.53.

Staff Recommendation

Staff has reviewed the petitioner's request and recommends that the BZA grant the conditional use should the Board feel the petitioner has met the standards, subject to the following conditions:

1.) Approval of the developmental variance case known as Z-25-06, and compliance with all of those cases' conditions;

2.) Final technical review and approval of plans by City Staff.

Mr. Novak concluded the reading of the recommendation section of the staff report.

Chairperson Hill asked if there were any questions from the Board members. There were none.

Chairperson Hill asked if there were any other additions or amendments to the findings of facts. There were none.

FINDINGS OF FACT

1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community.

a) The third story will allow the facility to serve more seniors on its existing footprint; it is located among an underserved population within a mixed-use neighborhood.

b) Approval will be received from the State of Indiana for a Construction Design Release (CDR) and from the Indiana Housing & Community Development Agency (IHCDA.)

c) Petitioner will maintain their required licenses and permits with the State of Indiana and with the Lake County Health Department.

d) 25 of the 120-units are ADA accessible and 91 are ADA adaptable.

2. The use and the value of the area adjacent to the property related to the conditional use will not be affected in a substantially adverse manner.

a) This will be a multi-million-dollar investment with modern amenities.

b) The facility is located 670' southeast from a Medicare-approved medical clinic and is located 260' northeast of the community center and medical clinic Ophelia Steen Center.

3. The approval will not have an adverse effect on the density of the adjacent area and the area will not be burdened by an excessive number of similar uses in the area.

a) The closest senior living facility, Mt. Zion Pleasant View Plaza, is 3/5th of a mile away.

b) East Hammond is an underserved population for senior living facility options.

4. The approval will not have an adverse impact on the transportation network, public utilities and educational facilities.

a) A senior living facility is a key component to the Memorial Park Addition and this was considered by the City of Hammond when planning the infrastructure build-out.

b) The volume of traffic will not be a substantial increase, as their clientele will have a lower-than-average car ownership rate and shuttle bus service is planned for residents.

c) Development is exclusively for seniors (55+) and not located near educational facilities.

5. The approval will not have an adverse impact on the environment or natural resources.

a) The natural and open areas on the perimeter of and surrounding the property will not be disturbed and thus natural habitat for wild animals will be maintained.

b) The existing tree line will be maintained.

c) Adverse environmental conditions, if any, will be fully addressed.

6. The approval will not have an adverse impact on historical, architectural, cultural and archaeological resources.

a) The property is currently open space and has no known historical, architectural, cultural nor archaeological resources.

b) Properties in the adjacent Pullman Standard Historic District will not be affected.

7. The approval does not substantially interfere with the Comprehensive City Zoning Plan.

a) The subject property sits within a "Recreational" land use designation in the 1992 Comprehensive Land Use Plan; however, this designation is in reference to Memorial Park, which was undedicated leading up to the platting of the Memorial Park Addition.

b) A senior living facility has been a key component of the Memorial Park Addition since its conception; an RFP was issued by the City of Hammond to construct one on Lot 1.

8. The approval will be in compliance with applicable provisions established elsewhere in the Zoning Ordinance.

a) The development meets the requirements of the R-4 zoning district

b) The property's three-story height is being addressed in concurrent BZA Case No. Z-25-05.

9. The approval shall provide for reasonable accommodation pursuant to Section 24.53.

a) Senior housing is subject to Federal Housing Administration (FHA) guidelines.

b) Senior housing will address a need of the underserved population of East Hammond.

Chairperson Hill asked for a motion to accept the staff report into the record subject to the two (2) conditions as presented by staff and to adopt the Finding of Fact as presented into the record (Z-25-05). Mr. Brock so moved, seconded by Ms. Jasso. Roll call vote. Roger Brock/yes, William Hutton/yes, Cynthia Jasso/yes, Dan Faulkner/yes, Kathleen Hill/yes. 5 "Ayes", 0 "Nays", 0 "Abstentions" 0 "Absent". Motion carried.

Chairperson Hill asked for a motion to approve the conditional use (Z-25-05), subject to the two (2) conditions. Mr. Brock so moved, seconded by Ms. Jasso. Roll call vote. Roger Brock/yes, William Hutton/yes, Cynthia Jasso/yes, Dan Faulkner/yes, Kathleen Hill/yes. 5 "Ayes", 0 "Nays", 0 "Abstentions" 0 "Absent". Motion carried.

Chairperson Hill asked for staff to read the staff report recommendations for the parking variance (Z-25-06), however it is included in its entirety.

Zoning Citation

Title XX Off Street Parking and Off Street Loading, **Section 20.41.01(E)** Independent Living Senior Multiple Family Dwellings, which reads as follows:
"One space per unit, plus 10% for visitors, plus parking for employees"

Background

The subject property, 5911 Noble Ave, is Lot 1, located at the north end of the planned Memorial Park Addition. To its south will be 28 new single family homes (zoned R-1U) and a row of 8 duplex units (zoned R-2.) To the lot's west and southwest is the Pullman-Standard National Register Historic District, zoned R-1U and R-2, and the Ophelia Steen Center, zoned S-2. To its north is a mix of wooded open land and a portion of the Norfolk Southern rail line zone S-1. To the east is zone I-2.

This is the second petition regarding the same subject property.

Petition

Petitioner is Gorman & Company, based in Oregon, WI. They have entered into a contingent purchase agreement with the City of Hammond Redevelopment Commission. They are seeking approval from the IHCDA to build a three-story, 120-unit senior living facility in two phases. Phase 1 is 84 units. Phase 2 is 36 units. There is a combination of studios and one bedroom units.

This petition is a request for a developmental variance to decrease the ratio of parking required under T/S 20.41.01(E) for independent living senior multiple family dwellings.

T/S 20.41.01(E) as written requires one parking space per one dwelling unit with an additional 10% of parking for visitors and one additional parking space for each employee. The required parking would be 132 spaces plus employees. Petitioner is requesting the ratio decrease to 0.7 parking spaces per dwelling unit plus an additional 10% to cover both visitors and employees. The requested variance is for both Phase 1 and Phase 2 for 120 units.

A parking lot of 94 stalls to the south and west of building is proposed. Standard spaces to be 9'6" x 20'. Drive aisles to be 20' wide. There are three points of access to parking lot on its south side. Six of these stalls are ADA compliant including 2 van accessible spaces. The proposed 0.7 ratio means 84 parking spaces are required for residents of the 120-units, plus an additional 8 spaces (10%) to cover visitors and employees. Thus, the 94 spaces proposed meets the 92 requested per the developmental variance.

Analysis

While the building will be constructed in two phases, the parking lot of 94 spaces will be completed in its entirety during Phase 1.

In the Columbia Center Planned Unit Development District, the Plan Commission approved a 0.70 spaces per unit ratio for the Golden Manor Senior Building (T/S PS1-104). In the Douglas Pointe Planned Unit Development, the Plan Commission approved one space per three units plus 10% for visitors for the Silver Birch Assisted Living Facility [T/S PS2-205(g)]. These approvals were based on the availability of public transit, facility provided transportation services for off-site destinations, and the nature of the access needed by the residents based upon whether it was independent living or assisted living. Gorman & Company has extensive experience developing senior living facilities, and they have stated the average parking-spaces-to-dwelling-unit ratio at these facilities is 0.5 spaces per unit.

The volume of traffic through the neighborhood will not be a substantial increase, as their clientele of adults aged 55+ will have a lower-than-average car ownership rate. A shuttle bus service is planned for residents. Less than 1000' away to the southwest is a bus stop for the Gary Public Transit Corporation's (GPTC) service at Highland St. and Columbia Ave.

A site plan has been provided, and if approved by the BZA, then engineered drawings including drainage, SWPPP, photometric, and landscaping will be submitted for

technical review by City Staff. The site plan also shows 2 loading zones for drop off and entry.

Reviews and Approvals
City Planning Staff has reviewed materials provided by the petitioner.

There were no objections from the Building Commissioner, Chief Fire Inspector, City Engineer, Superintendent of Wastewater Management, nor Director of the Hammond Department of Environmental Management (HDEM.)

Standards for Granting a Developmental Variance
1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community.
2. The use and the value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.
3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property.

Staff Recommendation
Staff has reviewed the petitioner's request and recommends that the BZA grant the developmental variance should the Board feel the petitioner has met the standards, subject to the following conditions:
1.) Approval of the conditional use case Z-25-05, and compliance with its conditions of approval;
2.) Final technical review and approval of plans by City Staff.

Mr. Novak concluded the reading of the recommendation section of the staff report.

Chairperson Hill asked if there were any questions from the Board members. Mr. Hutton asked if the 9'6" x20' parking space was correct on a 20' drive aisle. Mr. Poland stated "Yes".

Chairperson Hill asked if there were any other additions or amendments to the findings of facts. There were none.

FINDINGS OF FACT

1. **The approval will not be injurious to the public health, safety, morals, and general welfare of the community.**

a) The parking lot will be well lit without disturbing neighboring properties.
b) Limiting the size of paved surfaces will lessen then the impact of stormwater being diverted from these paved surfaces and will leave the site with more aesthetically-pleasing open space and landscaping.

2. The use and the value of the area adjacent to the property related to the conditional use will not be affected in a substantially adverse manner.

a) The population of the senior living facility will be 55+ years old and have a less-than-average car ownership rate.
b) Complimentary shuttle bus service will be provided to residents.
c) Less than 1000' away to the southwest is a bus stop for the Gary Public Transit Corporation's (GPTC) service at Highland St. and Columbia Ave.
d) This will be a multi-million-dollar investment with modern amenities which balances the need for parking with the desire to leave the site aesthetically-pleasing.
e) Sufficient landscaping is planned for the site.
f) A senior living facility is a key component to the Memorial Park Addition and this was considered by the City of Hammond when planning the subdivision and the infrastructure build-out.

3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property.

a) The 3.05-acre property has been designed to minimize the footprint of the 120-units and to leave as much open space as possible.
b) The reduced ratio is in keeping with similarly approved senior facilities and in recognition of the projected demand of the residents based on their need.

Chairperson Hill asked for a motion to accept the staff report into the record subject to the two (2) conditions as presented by staff and to adopt the Finding of Fact as presented into the record (Z-25-06). Mr. Brock so moved, seconded by Ms. Jasso. Roll call vote. Roger Brock/yes, William Hutton/yes, Cynthia Jasso/yes, Dan Faulkner/yes, Kathleen Hill/yes. 5 "Ayes", 0 "Nays", 0 "Abstentions" 0 "Absent". Motion carried.

Chairperson Hill asked for a motion to approve the developmental variance (Z-25-06), subject to the two (2) conditions. Mr. Brock so moved, seconded by Mr. Faulkner. Roll call vote. Roger Brock/yes, William Hutton/yes, Cynthia Jasso/yes, Dan Faulkner/yes, Kathleen Hill/yes. 5 "Ayes", 0 "Nays", 0 "Abstentions" 0 "Absent". Motion carried.

COMMISSIONER COMMENTS

There were none.

STAFF COMMENTS

Mr. Poland advised the Board there would not be a June 2025 BZA meeting.

PUBLIC COMMENTS

There were none.

ADJOURNMENT

Chairperson Hill called for a motion to adjourn the meeting at 6:27 p.m. Mr. Brock so moved, seconded by Ms. Jasso.

PREPARED BY:

Shannon Morris-Smith

Shannon Morris-Smith
Secretary to the Board of Zoning Appeals

APPROVED BY THE BOARD OF ZONING APPEALS:

Kathleen Hill

Kathleen Hill
Chairperson

Date Approved: 7/29/25