

## PLAN COMMISSION STAFF REPORT

**To:** Members of the Plan Commission

From: Tom Vander Woude, Planning Director

Meeting Date: July 12, 2022

Agenda Item: PC Docket No. 22-011

Hearing: PRELIMINARY HEARING

Application Type: COMMERCIAL SUBDIVISION – PRELIMINARY PLAT

**Summary:** Time Equities, Inc. represented by Abonmarche requesting approval of a

preliminary plat for the Resubdivision of Lot 1 in Ridgewood Development a

two-lot commercial subdivision located at 300-332 Ridge Road.

**Applicant:** Time Equities, Inc. represented by Abonmarche

**Property Address:** 300-332 Ridge Road

**Current Zoning:** CD-5 Urban Center District

Adjacent Zoning: North: CD-5, CD-4.A

South: CD-3.R2

East: CZ-Civic, CD-3.R4

West: CZ-Civic

Action Requested: Schedule public hearing

Additional Actions Required: Findings of Fact

Approve final plat

Recommendation: Schedule public hearing

Attachments: Resubdivision of Lot 1 in Ridgewood Development final plat prepared

by Abonmarche dated 06.23.2022

300-330 Ridge Road ALTA/NSPS Land Title Survey prepared by

Abonmarche dated 04.21.2022



Figure 1 Subject property highlighted in blue.

#### **BACKGROUND**

Time Equities, Inc. represented by Abonmarche has presented plans to subdivide the 4.4 acre Ridgewood Development from one lot into two individual lots, separating the multitenant building on the west of the property from the Applebee's Restaurant building on the east. No changes are proposed to the site.

#### **DISCUSSION**

The Ridgewood Plaza development was approved as a Planned Unit Development in 1996. It contains two principal buildings, an approximately 32,000 square foot multitenant commercial building and an approximately 5,000 square foot standalone restaurant building. The property was rezoned to a CD-5 Urban Center district in 2019. Under current zoning, two principal buildings on the same lot are not permitted.

The proposed subdivision was designed to provide sufficient parking spaces for each building on their respective lots. Ingress/egress easements are provided within Lot 2 to access Lot 1 from Manor Avenue. No easements are provided within Lot 1 to access Lot 2 from Ridge Road or to provide access to the service areas to the rear of the building. The Munster zoning ordinance requires that cross access be provided in all developments.

Sec. 26-313 (b) of the Munster subdivision ordinance states that the depth-to-width ratio of the usable area of a lot shall be a maximum of 3.5 to 1.0, except no lot shall be more than 300 feet deep.

Both lots exceed 300 feet in depth and will require a subdivision waiver.

Sec. 26-340. (a) of the Munster subdivision ordinance states that At street intersections, property line corners shall be rounded by an arc of at least 20 feet in radius.

The plat must be revised to show a rounded corner at the northeast corner of Lot 2 at the intersection of Ridge Road and Manor Avenue.

#### **RECOMMENDATION**

The Plan Commission may wish to consider the following motion:

Motion to schedule a public hearing for Docket No. 22-011.

# FINAL PLAT:

# RESUBDIVISION OF LOT 1 IN RIDGEWOOD DEVELOPMENT

TO THE TOWN OF MUNSTER, LAKE COUNTY, INDIANA



## VICINITY MAP (N.T.S.)

### **DEED OF DEDICATION:**

I, THE UNDERSIGNED, ROBERT KANTOR, MANAGER(S) OF THE REAL ESTATE SHOWN AND DESCRIBED HEREON, DO HEREBY CERTIFY THAT I/WE HAVE LAID OFF, PLATTED AND SUBDIVIDED SAID REAL ESTATE IN ACCORDANCE WITH THE PLAT HEREON DRAWN. THIS SUBDIVISION SHALL BE KNOWN AND DESIGNATED AS "RESUBDIVISION OF LOT 1 IN RIDGEWOOD DEVELOPMENT". ALL STREETS SHOWN AND NOT HERETOFORE DEDICATED ARE HEREBY DEDICATED TO THE PUBLIC. BUILDING SET BACK LINES ARE HERE BY ESTABLISHED AS SHOWN ON THIS PLAT BETWEEN WHICH LINES AND THE PROPERTY LINES OF THE STREET THERE SHALL BE ERECTED OR MAINTAINED NO BUILDING OR STRUCTURE.

WITNESS	MY	HAND	AND	SEAL	THIS	DAY OF	
2022.							

### ROBERT KANTOR

STATE OF INDIANA COUNTY OF LAKE

BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC IN AND FOR THE COUNTY AND STATE, PERSONALLY APPEARED <u>ROBERT KANTOR</u>, ACKNOWLEDGED THE EXECUTION OF THE FORGOING INSTRUMENT AS THEIR VOLUNTARY ACT AND DEED FOR THE PURPOSES THEREIN EXPRESSED.

WITNESS MY HAND AND SEA	AL THIS	DAY OF	
2022.			
NOTARY PUBLIC			
A RESIDENT OF		COUNTY	
MY COMMISSION EXPIRES:			

### STATE OF INDIANA COUNTY OF LAKE

SUBMITTED TO, APPROVED AND ACCEPTED BY THE CITY PLAN COMMISSION OF THE TOWN OF MUNSTER, LAKE COUNTY, INDIANA,
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_\_, 2022.

PLAN COMMISSION OF THE TOWN OF MUNSTER, LAKE COUNTY, INDIANA.

CHAIRMAN:			

## EXECUTIVE SECRETARY:

# STATE OF INDIANA COUNTY OF LAKE S.S. .....

I, ANTHONY M. GREGORY, HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, LICENSED IN COMPLIANCE WITH THE LAWS OF THE STATE OF INDIANA; THAT THIS PLAT IS BASED UPON A SURVEY COMPLETED BY KRULL—ABONMARCHE ON JUNE 15, 2020, RECORDED IN BOOK 35, PAGE 22 AS DOCUMENT NO. 2022—049414; THAT ALL MONUMENTS SHOWN HEREON ACTUALLY EXIST AND THAT THEIR LOCATION, SIZE, TYPE, AND MATERIAL ARE ACCURATELY SHOWN. GIVEN UNDER MY HAND AND SEAL THIS 20TH DAY OF JUNE, 2022.

ANTHONY M. GREGORY, PS
agregory@abonmarche.com
PROFESSIONAL LAND SURVEYOR #80860005
STATE OF INDIANA



BY: DATE:

I AFFIRM UNDER THE PENALTIES FOR PERJURY, THAT I HAVE TAKEN REASONABLE CARE TO REDACT EACH SOCIAL SECURITY NUMBER IN THIS DOCUMENT, UNLESS REQUIRED BY LAW.

ANTHONY M. GREGORY ...

NO. REVISION DESCRIPTION:

FINAL PLAT SUBDIVISION O WOOD DEVELOI

**BONMARCHE** 

SHEET II	
DRAWN	BY:
	RAM

RAM
DESIGNED BY:

PM REVIEW:

MJR

QA/QC REVIEW:

AMG

DATE: 06/23/2022

signature:

HARD COPY IS INTENDED TO BE 24" X 36" WHEN PLOTTED. SCALE(S) INDICATED AND GRAPHIC QUALITY MAY NOT BE ACCURATE FOR ANY

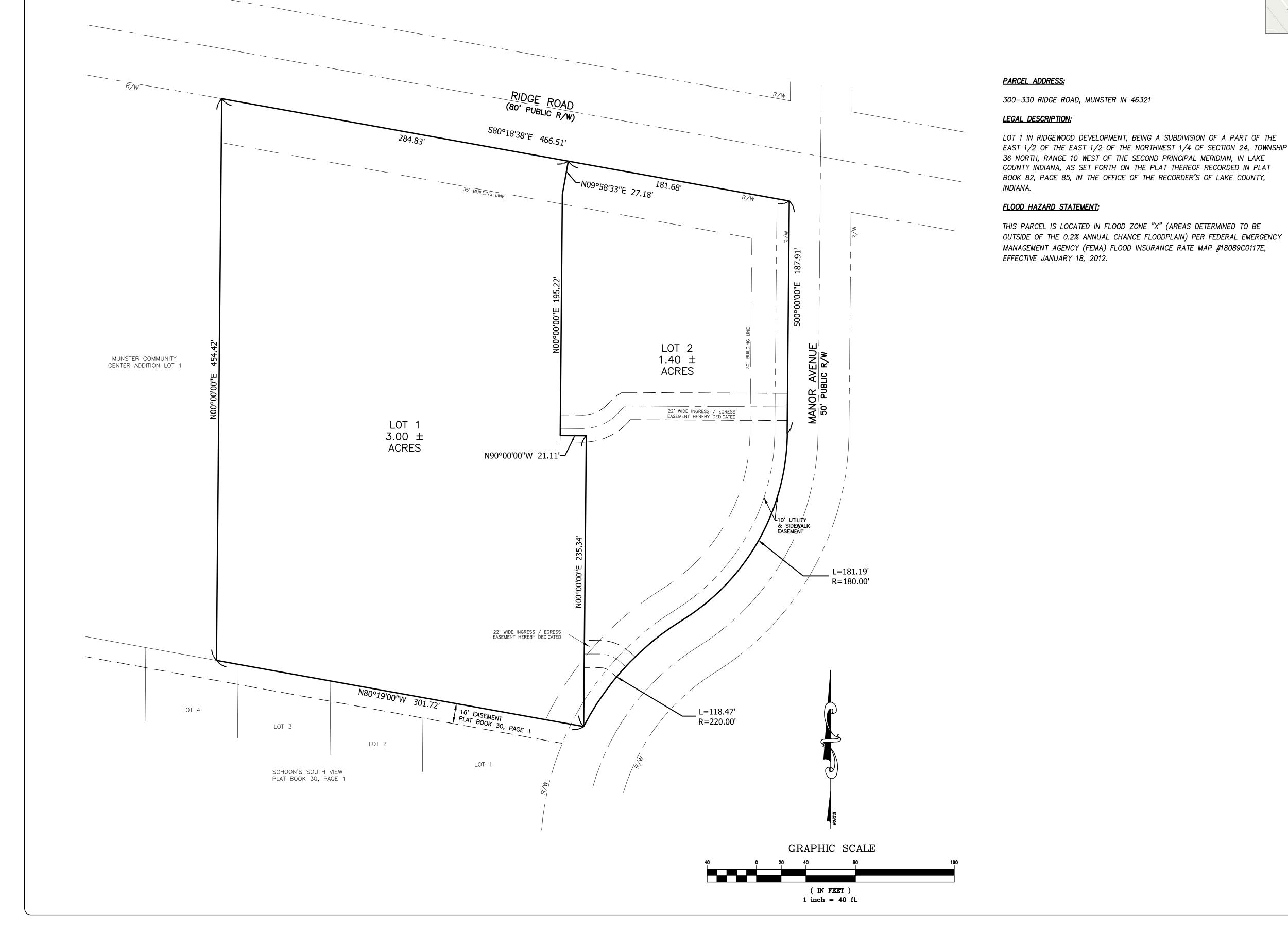
BE ACCURATE FOR ANY OTHER SIZES

SCALE:

HORZ: 1" = 40'

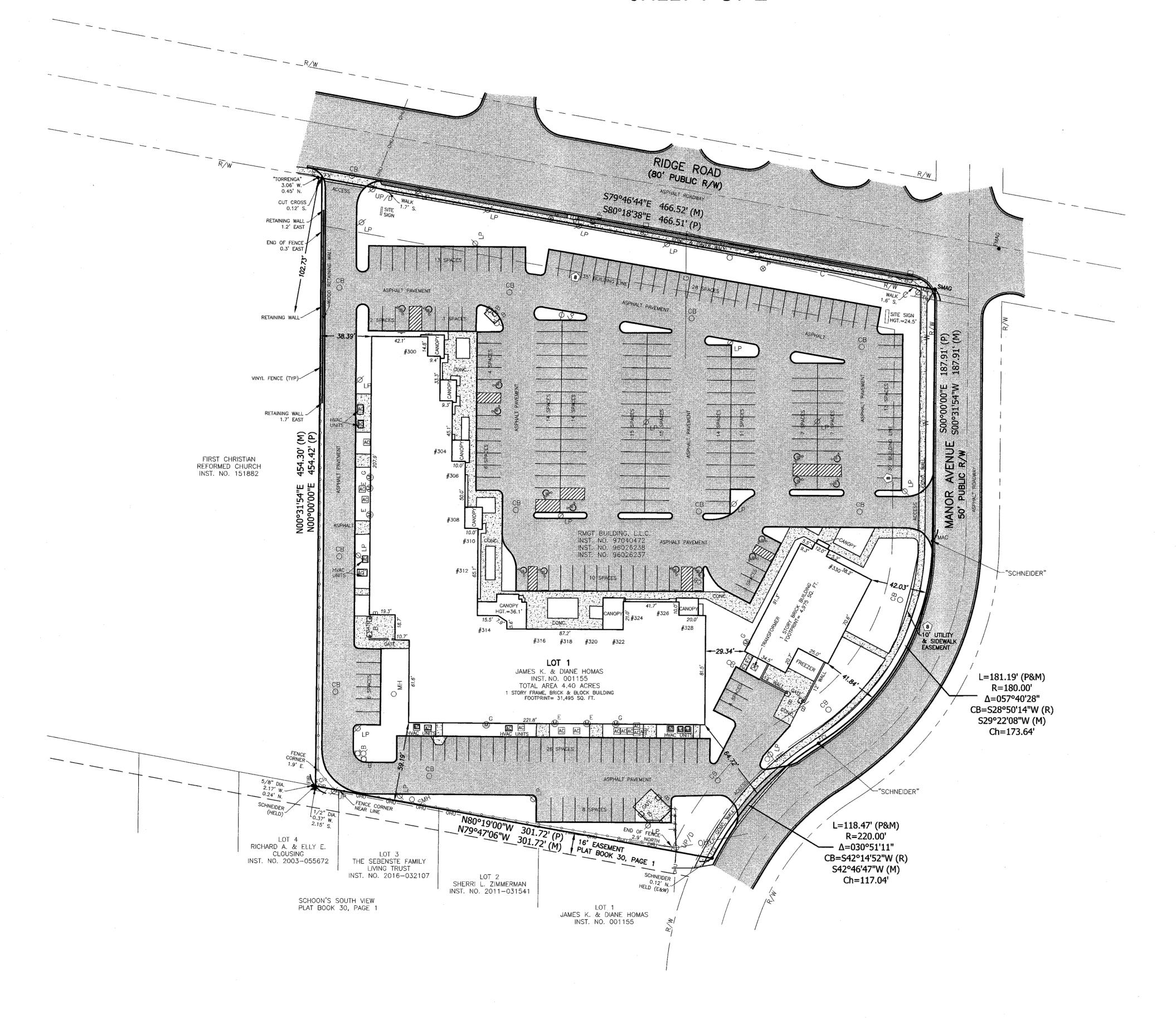
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ACI JOB #
22-0217

SHEET NO.



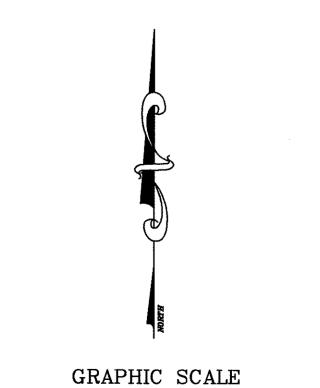
# ALTA/NSPS LAND TITLE SURVEY

SHEET 1 OF 2



SYMBOL LEGEND: = BOLLARD/GUARD POST = CABLE PEDESTAL = CURB CATCH BASIN = FOUND IRON ROD = SET CAPPED IRON (5/8" REBAR W/ABONMARCHE CAP) = SCHEDULE B ITEMS = TELEPHONE PEDESTAL

# LINETYPE & HATCH LEGEND: = OVERHEAD UTILITY = ASPHALT = CONCRETE



( IN FEET ) 1 inch = 40 ft.

NO. REVISION DESCRIPTION:

SCALE: VERT:

BY: DATE:

SHEET NO.

SIGNATURE:

ALTA/NSPS LAND TIT CLIENT: TIME EQUI SECTION 24-T361

GS / RAM

04/21/2022

DRAWN BY:

DESIGNED BY:

PM REVIEW:

DATE:

MJR QA/QC REVIEW:

**\*ABONMARCHE** 

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HORZ: 1'' = 40'

ACI JOB # 22-0217

# ALTA/NSPS LAND TITLE SURVEY

## SHEET 2 OF 2

LEGAL DESCRIPTION: (PER STEWART TITLE GUARANTY COMPANY COMMITMENT NO. 01219-21785, EXHIBIT "A")

LOT 1 IN RIDGEWOOD DEVELOPMENT, BEING A SUBDIVISION OF A PART OF THE EAST 1/2 OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF SECTION 24, TOWNSHIP 36 NORTH, RANGE 10 WEST OF THE SECOND PRINCIPAL MERIDIAN, IN LAKE COUNTY, INDIANA, AS SET FORTH ON THE PLAT THEREOF RECORDED IN PLAT BOOK 82, PAGE 85, IN THE OFFICE OF THE RECORDER OF LAKE COUNTY, INDIANA.

#### SURVEYOR'S REPORT:

THIS PLAT REPRESENTS A RETRACEMENT SURVEY DESCRIBED IN TITLE COMMITMENT NO. 01219-21785 BY STEWART TITLE GUARANTY COMPANY, DATED MAY 11, 2021 AT 8:00 AM.

THEORY OF LOCATION: THIS SURVEY IS BASED ON THE FOLLOWING:

- 1. PLAT OF RIDGEWOOD DEVELOPMENT
- 2. PREVIOUS SURVEYS AND NOTES
- 3. REFERENCE MONUMENTS FOUND AS SHOWN

REFERENCE MONUMENTS USED FOR THIS SURVEY ARE SHOWN AS HELD.

- A. CONDITION OF REFERENCE MONUMENTS: UNLESS OTHERWISE STATED ON THIS PLAT, MONUMENTS WERE FOUND AT OR NEAR GRADE, IN GOOD CONDITION OF THAT PART VISIBLE AND OF UNKNOWN ORIGIN. UNCERTAINTY IN LOCATION OF FOUND MONUMENTS MEASURED 2.15 FEET NORTH-SOUTH AND 3.06 FEET EAST-WEST.
- B. UNCERTAINTIES DUE TO SUBSTANTIAL OBSERVED OCCUPATION AND POSSESSION ARE:
- 1) FENCES WERE LOCATED AT OR NEAR THE WEST AND SOUTH LINES
- OF THE PARCEL AS SHOWN.

DESCRIPTIONS.

- 2) AN OVERHEAD UTILITY WAS LOCATED AT NEAR OR OVER THE SOUTH LINE OF PARCEL AS SHOWN. 3) A SIDEWALK WAS LOCATED OVER THE NORTH LINE AS SHOWN.
- C. THERE ARE NO APPARENT UNCERTAINTIES DUE TO LEGAL
- D. THE RELATIVE POSITIONAL ACCURACY (DUE TO RANDOM ERRORS IN MEASUREMENTS FOR THIS SURVEY, BASED ON EQUIPMENT AND PROCEDURES USED WAS WITHIN THE ALLOWABLE 0.07 FEET PLUS 50 PARTS PER MILLION) FOR A URBAN SURVEY, PER 865-IAC 1-12-7.

### REFERENCES:

- 1. PLAT OF RIDGEWOOD DEVELOPMENT
- 2. ALTA/NSPS SURVEY BY DAVID J. KUETHE, ON BEHALF BOCK & CLARK CORPORATION, DATED JUNE 28, 2021, PROJECT NO. 202103522-001 RRF
- 3. TITLE COMMITMENT NO. 01219-21785 FROM STEWART TITLE GUARANTY COMPANY
- 4. PARCEL AND ADJOINING DEEDS
- 5. LAKE COUNTY, INDIANA GIS WEBSITE

### TABLE A OPTIONAL SURVEY RESPONSIBILITIES AND SPECIFICATIONS:

- MONUMENTS FOUND/SET. AS SHOWN.
- PARCEL ADDRESS: 300-330 RIDGE ROAD MUNSTER, IN 46321 (PROVIDED IN TITLE COMMITMENT).
- PER FEMA MAP NUMBERS 18089C0117E, EFFECTIVE JANUARY 18, 2012, THIS PARCEL IS LOCATED IN FLOOD ZONE "X" (AREAS DETERMINED TO BE OUTSIDE OF THE 0.2% CHANCE ANNUAL FLOODPLAIN). THE ACCURACY OF ANY FLOOD HAZARD DATA SHOWN ON THIS PLAT IS SUBJECT TO MAP SCALE UNCERTAINTY OR ANY OTHER UNCERTAINTY IN LOCATION OR ELEVATION OF THE FLOOD INSURANCE RATE MAP (FEMA)
- PARCEL AREA = 4.40 ACRES ± CALCULATED
- BUILDING DIMENSIONS SHOWN AT GROUND LEVEL.
- BUILDING SQUARE FOOTAGE OF EXTERIOR FOOTPRINT SHOWN AT GROUND LEVEL.
- SUBSTANTIAL FEATURES OBSERVED. AS SHOWN.
- PARKING STALLS SHOWN ON PLAT. REGULAR STALLS = 223; HANDICAPPED STALLS = 16: TOTAL STALLS = 239, WITHIN PARCEL

#### TITLE COMMITMENT ITEMS:

THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY THE SURVEYOR. ALL INFORMATION SHOWN WAS GAINED FROM A TITLE COMMITMENT PROVIDED AND PREPARED BY STEWART TITLE GUARANTY COMPANY, TITLE COMMITMENT POLICY NUMBER 01219-21785, DATED MAY 11, 2021 AT 8:00 AM. THE FOLLOWING ARE THE ITEMS LISTED UNDER SCHEDULE B, PART II; EXCEPTIONS:

- DEFECTS, LIENS, CLAIMS SHOWN IN PUBLIC RECORDS -NON-SURVEY ITEM, NOT ADDRESSED
- RIGHTS OF TENANTS IN POSSESSION, AS TENANTS ONLY -NON-SURVEY ITEM, NOT ADDRESSED
- DISCREPANCIES, CONFLICTS, AND ENCROACHMENTS, IF ANY DISCLOSED IN SURVEY - SEE SURVEYOR'S REPORT
- LIENS, RIGHTS NOT SHOWN BY PUBLIC RECORD NO DOCUMENTS PROVIDED, NON-SURVEY ITEM, NOT ADDRESSED
- ITEM 5 EASEMENTS, CLAIMS NOT SHOWN BY PUBLIC RECORD - NO DOCUMENTS LISTED OR PROVIDED, NOT ADDRESSED
- TAXES, ASSESSMENTS NON-SURVEY ITEMS, NOT
- EASEMENTS, SETBACKS AND RESTRICTIONS, IF ANY, AS SET FORTH IN PLAT BOOK 82, PAGE 85 - AS SHOWN
- RIGHTS TO MINERALS, SUBSURFACE AND SURFACE SUBSTANCES, THAT MAY BE PRODUCED FROM THE LAND, WHETHER OR NOT APPEARING IN PUBLIC RECORDS. -NON-SURVEY ITEMS, NOT ADDRESSED
- ANY ACREAGE OR SQUARE FOOTAGE INDICATED IN THE LEGAL DESCRIPTION OR ADDRESS SHOWN ON SCHEDULE A, IS FOR IDENTIFYING TRACT OF LAND. NOT TO BE CONSTRUED AS INSURING THE QUANTITY OF LAND AS SET FORTH IN THE DESCRIPTION OF PROPERTY. ACREAGE SHOWN IS CALCULATED FROM BOUNDARY.
- A VINYL FENCE ENCROACHES THE SOUTHERN BOUNDARY LINE BY A MAX. DISTANCE OF 0.6 FEET FOR A LENGTH OF 51.5 FEET. - AS SHOWN ON ALTA/NSPS LAND TITLE SURVEY PREPARED BY DAVID J. KUETHE ON BEHALF OF BOCK & CLARK CORPORATION, DATED JUNE 28, 2021 AS PROJECT NO. 202103522-001 RRF. SHOWN HEREON.

### GENERAL NOTES:

- 1. EXCEPT AS SPECIFICALLY STATED OR SHOWN ON THIS PLAT. THIS SURVEY DOES NOT PURPORT TO REFLECT ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT REAL ESTATE: A) EASEMENTS, OTHER THAN THE POSSIBILITY OF EASEMENTS WHICH
- WERE VISIBLE BY PHYSICAL EVIDENCE AT THE TIME OF THIS SURVEY OR SHOWN BY DOCUMENT PROVIDED AND RECORDED PLAT. B) BUILDING SETBACK LINES, RESTRICTIVE COVENANTS, SUBDIVISION RESTRICTIONS, ZONING OR OTHER LAND-USE REGULATIONS, OTHER
- THAN THAT SHOWN ON THE RECORD PLAT. C) OWNERSHIP OR TITLE. 2. THIS SURVEY DOES NOT ADDRESS THE EXISTENCE, IF ANY, OF ITEMS THAT WOULD REQUIRE AN INTERPRETATION BY THE SURVEYOR. (I.E.
- COMPLIANCE WITH ALL ZONING REQUIREMENTS) EXISTENCE OF ITEMS BEYOND THE QUALIFICATIONS OF SURVEY (I.E. WETLANDS, HAZARDOUS MATERIAL) AND ITEMS NOT READILY VISIBLE DURING A REASONABLE INSPECTION OF SITE (PAST CEMETERIES, LANDFILLS, AND MINERAL RIGHTS). 3. PARCELS IDENTIFIED BY TITLE DESCRIPTION OR RECORD REFERENCES AS
- PER 865 IAC 1-12-13-(11) ARE OBTAINED FROM COUNTY AUDITOR'S OFFICE AND OR RECORDER'S OFFICE AND ARE NOT CERTIFIED. THE INFORMATION MAY OR MAY NOT REFERENCE THE MOST CURRENT DEED OF RECORD OR THE MOST CURRENT STATUS OR TITLE FOR THAT PARCEL.
- 4. NO ATTEMPT HAS BEEN MADE AT A PART OF THIS SURVEY TO OBTAIN DATA CONCERNING LOCATION OF UNDERGROUND UTILITIES AND/OR SIZE. DEPTH, CONDITION, CAPACITY OF ANY UTILITY LOCATED WITHIN THE PARCEL SURVEYED OR SERVING THE PARCEL, OTHER THAN WHAT INFORMATION THAT MAY BE SHOWN. SUBSTANTIAL ABOVE GROUND VISIBLE UTILITIES WERE LOCATED AND SHOWN. NO LOCATE SERVICES WERE CONTACTED BY THE SURVEYOR. BURIED UTILITIES/STRUCTURES MAY BE ENCOUNTERED, NO EXCAVATIONS OR PROBINGS WERE MADE DURING THE PROGRESS OF THIS SURVEY TO LOCATE BURIED UTILITIES/STRUCTURES.

- 5. THIS SURVEY MAY NOT REFLECT ALL UTILITIES OR IMPROVEMENTS IF SUCH ITEMS ARE HIDDEN BY LANDSCAPING OR ARE OBSCURED BY SUCH ITEMS AS DUMPSTERS, TRAILERS, CARS, DIRT, PAVING OR SNOW. AT THE TIME OF THIS SURVEY, NO SNOW COVERED THE SITE. LAWN SPRINKLER SYSTEMS, IF ANY, ARE NOT SHOWN ON THIS SURVEY.
- 6. BASIS OF BEARINGS: RECORDED PLAT OF RIDGEWOOD DEVELOPMENT.
- 7. THE FIELD WORK FOR THIS PROJECT WAS PERFORMED ON MARCH 28,



### LAND SURVEYOR'S CERTIFICATE:

TO: RIDGEWOOD PLAZA MILLIKAN 73 EQUITIES, LLC, AND RIDGEWOOD PLAZA MILLIKAN TEI EQUITIES, LLC; CMFG LIFE INSURANCE COMPANY, AN IOWA CORPORATION, ITS SUCCESSORS AND/OR ASSIGNS; STEWART TITLE GUARANTY

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1. 2. 3, 4, 7(a), 7(b)(1), 8, 9 FROM TABLE A. THE FIELD WORK WAS COMPLETED ON MARCH 28, 2022. THIS SURVEY TO THE BEST OF MY KNOWLEDGE IS IN ACCORDANCE WITH THE GUIDELINES SET IN TITLE 865 IAC-12 (RULE 12).

DATE: 04/21/2022

PROFESSIONAL SURVEYOR: KENNETH D. GEMBALA REGISTRATION NUMBER: S0568

kaembala@abonmarche.com STATE OF INDIANA



I AFFIRM UNDER THE PENALTIES FOR PERJURY, THAT I HAVE TAKEN REASONABLE CARE TO REDACT EACH SOCIAL SECURITY NUMBER IN THIS DOCUMENT, UNLESS REQUIRED BY LAW.

VICINITY MAP (N.T.S.)

E SURVE ES INC. R10W LAND WE EQUINATED IN THE METERS IN THE METER ALTA/NSPS L CLIENT: TIM SECTION

ULL \*ABONMARCHE

IKR

E ROAD 46321 INDIAN

300-330 RIDGE MUNSTER, IN 4 LAKE COUNTY, II

GS / RAM DESIGNED BY:

PM REVIEW: QA/QC REVIEW: KDG

04/21/2022

SIGNATURE:

HARD COPY IS INTENDED TO BE 24" X 36" WHEN PLOTTED. SCALE(S) INDICATED AND GRAPHIC QUALITY MAY NOT BE ACCURATE FOR ANY OTHER SIZES

SCALE: HORZ:

ACI JOB # 22-0217