



# PLAN COMMISSION STAFF REPORT

**To:** Members of the Plan Commission

**From:** Sergio Mendoza, Planning Director

**Meeting Date:** June 10, 2025

**Agenda Item:** PC 25-007

**Application Type:** Subdivision/Replat

**Hearing:** Preliminary

**Summary:** Scott Yahne for Lake Business Center is requesting to subdivide/re-plat: LOT 3, OF LAKE BUSINESS CENTER SUBDIVISION, 2ND RE-SUBDIVISION OF LOT 1 to create a proposed: LOT 4, OF LAKE BUSINESS CENETER SUBDIVISION FIRST RE-SUBDIVISION OF LOT 3, to be commonly known as 9260 Calumet Avenue.

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**Applicant:** Scott Yahne, Attorney for MOB I LLC, representing RXHST MUNSTER LLC/CAHST MUNSTER LLC, Lake Business Center Development.

**Property Address:** 9200 Calumet Avenue – to be known as 9260 Calumet Avenue

**Current Zoning:** SD PUD - LAKE BUSINESS CENTER PLANNED UNIT DEVELOPMENT (PUD - LBC)

**Adjacent Zoning:** North: PUD- LBC  
South: M- Manufacturing  
East: PUD- LBC  
West: PUD- LBC

**Applicant Requesting:** Hold Public Hearing

**Action Required:** Open Public Hearing Review of Subdivision Codes



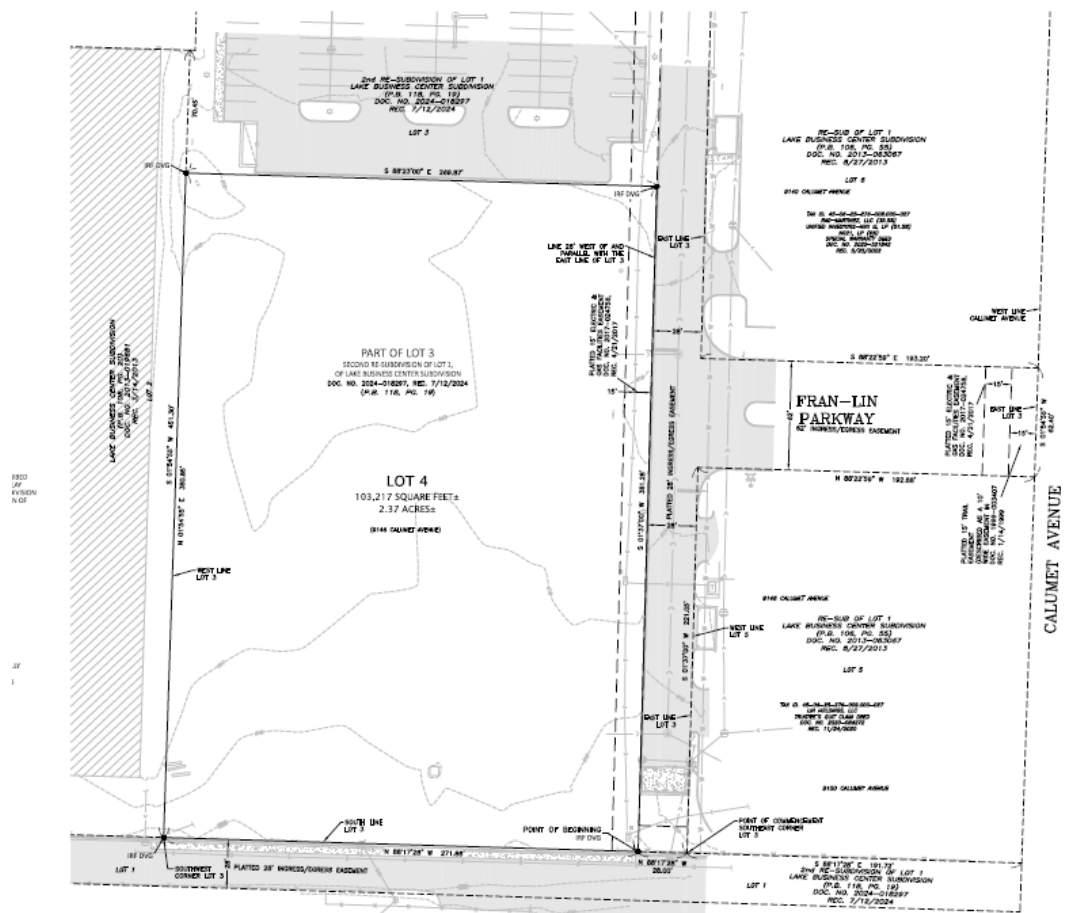
## PROJECT BRIEFING

The subject property is commonly known as 9200 Calumet Avenue, Lake Business Center Development. The current development site is approximately 55 acres of mixed warehouse, office, restaurant, and medical uses. On April 9, 2024 the Munster Plan Commission granted Final Plat Approval for the SECOND RE-SUBDIVISION OF LOT 1 OF LAKE BUSINESS CENTER SUBDIVISION, LOT 3 AND OUTLOT A.

Interested parties have now requested that the subject lot (LOT 3) be recognized by Town of Munster Plan Commission as proposed: LOT 4 OF LAKE BUSINESS CENTER SUBDIVISION FIRST RE-SUBDIVISION OF LOT 3, per Section 26-233 of the Munster Subdivision Code, Which reads: *"No plat or replat of a subdivision of land located within the territorial jurisdiction of the town plan commission shall be recorded until it shall have been approved by the plan commission and such approval shall have been entered in writing on the plat by the president and secretary of the commission."*

The purpose for subdivision is to create a 2.3 acre Legal Lot of Record and propose a 2-story, 30,000 SF Medical Office Building (MOB) to be known as Midwest Orthopedics at Rush (MOR), a Munster Ambulatory Facility at 9260 Calumet Avenue.

PRELIMINARY PLAT  
LAKE BUSINESS CENTER SUBDIVISION FIRST RE-SUBDIVISION OF LOT 3  
TO THE TOWN OF MUNSTER, LAKE COUNTY, INDIANA



**CODE REVIEW****TOWN OF MUNSTER CHAPTER 26 – LAND DEVELOPMENT CODE****ARTICLE V. SUBDIVISION****DIVISION 2 APPROVAL PROCEDURE****Subdivision II. Preliminary Plat****Sec. 26-274. Basic information.**

The preliminary plat of a subdivision shall contain the following information:

- (1)** The proposed name of the subdivision.
- (2)** The location by section, township and range or by other legal description.
- (3)** The name and address of the subdivider.
- (4)** The name, address and seal of the registered professional engineer or land surveyor preparing the plat.
- (5)** The scale of the plat or replat, including the graphic scale, north point and date.

**Sec. 26-278. Action by plan commission.**

After the public hearing provided for in section 26-277, the commission may, if it finds the preliminary plat meets all the requirements, take the following action:

- (1)** Grant primary approval as to the general acceptability of the layout as submitted.
- (2)** Introduce such changes or revisions as are deemed necessary to the interests and needs of the community.

**Sec. 26-277. Public hearing.**

- (a)** The plan commission shall consider the application for a subdivision and preliminary plat not later than the second regular monthly meeting following its proper submission. If the commission is satisfied that all conditions have been satisfactorily met by the subdivider, it shall set a date for a public hearing on the proposed plat, giving a written notification to the subdivider. The commission shall then publish a notice of the hearing at least ten days prior to the date set for the hearing. The cost of publishing such notice of the hearing shall be paid by the subdivider to the publisher at the time of inserting the notice.
- (b)** The applicant for subdivision approval shall provide notice of the public hearing on subdivision approval to all property owners who own property within 200 feet of the proposed subdivision at least ten days prior to the hearing. Additionally, the applicant shall cause a notice of the public hearing on the subdivision to be posted prominently on the property for at least ten days prior to the public hearing using a form and sign provided by the town for this purpose.

**Sec. 26-280. Findings of fact by plan commission.**

The plan commission shall adopt written findings of fact setting forth its reasons for approval or denial of the preliminary plat, and provide such findings to the applicant.

**INDIANA CODE TITLE 36. LOCAL GOVERNMENT****ARTICLE 7. PLANNING AND DEVELOPMENT****CHAPTER 4. LOCAL PLANNING AND ZONING****Section 707. Subdivision control; primary approval of plat; findings and decision**

- (a) If, after the hearing, the plan commission or plat committee determines that the application and plat comply with the standards in the subdivision control ordinance, the commission or committee shall make written findings and a decision granting primary approval to the plat. This decision, which must also specify any condition imposed or waiver granted under section 702 of this chapter, must be signed by an official designated in the subdivision control ordinance.
- (b) If, after the hearing, the plan commission or plat committee disapproves the plat, the commission or committee shall make written findings that set forth its reasons and a decision denying primary approval and shall provide the applicant with a copy. This decision must be signed by the official designated in the subdivision control ordinance.

**TOWN OF MUNSTER CHARACTER BASED ZONING CODE****Section 26-6. 405. O. 1. h. xiii Condition to Subdivision Approval**

- I. The parking requirements of this Section 26-6.405.O must be complied with before any subdivision may be approved, both for the subdivided Lot and for the Lot or Lots which remain the same.
- II. In the event that any Lot is unable to comply with such requirements, a Variance may be granted only if alternate parking spaces are provided or if it shall be shown that no such alternate spaces are available, that the Lot otherwise complies with this Article and that no economic return can be realized without the grant of Variance, and that the Variance granted is the minimum necessary.
- III. Where two Lots are in the same ownership and one of the Lots is undeveloped, those Lots shall be improved in a coordinated manner to provide parking required for both Lots.

**STAFF FINDINGS AND RECOMMENDATION**

Staff's review of Section 26-6. 405. O. 1. h. xiii of the Munster Character Based Zoning Code, *Condition to Subdivision Approval*, has determined that parking requirements were established within PUD Ordinance 1897 and an amendment is being proposed through PC25-008, an Amendment to the LAKE BUSINESS CENTER PLANNED UNIT DEVELOPMENT to comply with this section of the Zoning Code. Additionally, lot ownership is referenced on the proposed plat. However, staff find no provisions for NO ACCESS EASEMENT; CROSS PARKING EASEMENT; LANDSCAPE BUFFER EASEMENT; SHARED PARKING AGREEMENT on the proposed preliminary plat and complies with Sec. 26-274 as outlined in the Munster Subdivision Control Ordinance. Staff also finds this interest complies with Sec. 26-277 of the Munster Subdivision Code to include a complete application, supporting document, including affidavit rights, and Public Notice Requirements for the proposed 1-Lot Subdivision at Lake Business Center and may take action on written Findings and Decisions after the public hearing, at the next regularly scheduled Plan Commission meeting to generally accept the layout as submitted.

**Motion**

Plan Commission may consider the following motion:

Motion to Approve proposed Preliminary Plat for PC 25-007, a proposed 1-Lot Subdivision, including all discussion and findings.