

MUNSTER PLAN COMMISSION

PETITIONER:

Munster MOB I LLC
c/o Scott Yahne, Attorney
9410 Calumet Ave., #203
Munster, IN 46321

PC DOCKET No. 25-008

APPLICATION: Amendment to Lake
Business Center PUD for Lot 4
(proposed: Midwest Orthopedics at
Rush, 9260 Calumet Ave.)

OWNER:

RXHST Munster, LLC
formerly, CAHST Munster, LLC
130 E. Randolph St., Ste. 2100
Chicago, IL 60601

PROPERTY:

Lake Business Center PUD
9200 Calumet Ave.
Munster, IN 46321

FINDINGS OF FACT

1. Application has been made to the Town of Munster Plan Commission requesting an amendment to the Lake Business Center Planned Unit Development (PUD) District Ordinance as to proposed Lot 4, the first resubdivision of Lot 3, of Lake Business Center, to be commonly known upon final platting as 9260 Calumet Ave., Munster, IN 46321 (hereinafter "Property"). The Property is currently part of Lot 3 of the Lake Business Center PUD, located at 9200 Calumet Ave., Munster, IN 46321, and identified by Parcel No. 45-06-25-276-014.000-027. (Petitioner has a pending application before the Plan Commission for Final Plat approval of the Property under PC Docket No. 25-010.)
2. Petitioner proposes Lot 4 of Lake Business Center PUD will include a new 30,000 ft.², two story medical office building on the 2.5-acre site. The building will have various medical services, including the lobby, physical therapy, gym, occupational therapy, advanced imaging, clinics, durable medical equipment, shop, and staff support. The project will also include related parking and infrastructure requirements. This orthopedic outpatient building will be the future site of Midwest Orthopedics at Rush.
3. The matter having come before the Munster Plan Commission on June 10, 2025 for Public Hearing. The Notices were examined for sufficiency. Publication pursuant to the Town of Munster's Zoning Ordinance was accomplished. Petitioner appeared by its attorney, Scott Yahne. Petitioner presented evidence, documentation, and information regarding its Application to Amend the Lake Business Center Planned Unit Development (PUD) District Ordinance as to proposed Lot 4, only. Petitioner presented proposed *Standards for Bulk, Design, and Uses for the proposed Lot 4 of Lake Business Center PUD*, dated 4/15/2025, which are attached hereto in 9 pages as "Exhibit A". The Public Hearing was opened. No remonstrances were heard. The Public Hearing was closed.
4. Based upon the testimony and evidence presented by Petitioner, and having given due consideration and paid reasonable regard to the requirements of the Zoning Ordinance of the Town of Munster, as amended from time to time, now by a vote of seven (7) in favor, zero (0) opposed, zero (0) abstained, and zero (0) absent, upon motion duly made and seconded, voted to send a favorable recommendation to the Munster Town Council to approve Petitioner's Application to Amend the Lake Business Center Planned Unit Development District Ordinance as to proposed Lot 4, only.

5. In making such determination, the Munster Plan Commission makes the following written Findings of Fact

- A. The Property is currently zoned Planned Unit Development (Ord 1311, dated 1/30/2006).
- B. Petitioner requests to amend the Lake Business Center PUD to now include the *Standards for Bulk, Design, and Uses for Lot 4*, dated 4/15/2025.
- C. The Plan Commission has paid reasonable regard to the following, as required by I.C. 36-7-4-603:
 - (1) The Comprehensive Plan and any other applicable, adopted planning studies or reports;
 - (2) The current conditions and the character of current structures and uses in each district;
 - (3) The most desirable use of which the land in each district is adapted;
 - (4) The conservation of property values throughout the Town; and
 - (5) Responsible growth and development.
- D. The Plan Commission has paid reasonable regard to the requirements of the Munster Zoning Code, Sec. 26-6.804.L.9., regarding amending an existing Planned Unit Development District.
- E. The Findings of the Munster Plan Commission are based upon and in accordance with the Munster Subdivision Control and Zoning Ordinances and Indiana state statutes, and shall not be construed or interpreted to be a determination by the Munster Plan Commission of compliance, or noncompliance, with covenants, restrictions, or limitations on the Property defined herein, if any; and,
- F. Petitioner shall comply with all requirements of the Munster Municipal Code and Indiana state statutes relating to the applicable building permits, licensing/registration of contractors, inspections, etc. that are required for construction as permitted herein. Additionally, no approval of the Munster Plan Commission shall be construed or interpreted as approval of any variance from the terms of the Munster Zoning Ordinance which are under the exclusive jurisdiction of the Munster Board of Zoning Appeals.

WHEREFORE, based upon the above evidence and Findings, the Town of Munster Plan Commission by a vote of seven (7) in favor, zero (0) opposed, zero (0) abstained, and zero (0) absent, sends a favorable recommendation the Munster Town Council to approve Petitioner's Application to Amend the Lake Business Center Planned Unit Development District Ordinance as to proposed Lot 4, only. The Munster Plan Commission took the above official action on June 10, 2025. Findings of Fact approved on the 23rd day of July 2025.

MUNSTER PLAN COMMISSION

By: 
William Baker, Chairman

ATTEST:


Sergio Carrera Mendoza, Executive Secretary

Attachment: Exhibit A – *Standards for Bulk, Design, and Uses* for Lot 4 of Lake Business Center PUD, 9200 Calumet Ave., Munster, IN 46321, dated 4/15/2025, in 9 pages.

MOR MEDICAL OFFICE BUILDING¹
STANDARDS FOR BULK, DESIGN, AND USES

SECTION A. LEGAL DESCRIPTION

LEGAL DESCRIPTION:

LOT 4 OF THE LAKE BUSINESS CENTER SUBDIVISION, FIRST RE-SUBDIVISION OF LOT 3, TO THE TOWN OF MUNSTER, AS PER PLAT THEREOF, AS RECORDED IN PLAT BOOK _____, PAGE _____ IN THE OFFICE OF THE RECORDER OF LAKE COUNTY, INDIANA.

COMMONLY KNOWN AS: 9260 CALUMET AVENUE, MUNSTER, IN. 46321

Exhibit A
to Munster Plan Commission Findings of Fact, PC Docket No. 25-008 (in 9 pages)

¹ Subject to review and approval by current owner of Property and as adjusted by Petitioner, as approved by Plan Commission.
April 15, 2025

SECTION B. INTRODUCTION

THE FOLLOWING STANDARDS, SPECIFICATIONS, AND REQUIREMENTS WILL BE USED FOR THE DESIGN AND LAYOUT OF THE USES OF THE PROPERTY IDENTIFIED IN SECTION A. LEGAL DESCRIPTION OF MOR MEDICAL OFFICE BUILDING. THESE STANDARDS AND REQUIREMENTS ARE ONLY TO AFFECT THE FUTURE DEVELOPMENTS ON THE PROPERTY AND NOT ANY OF THE OTHER SURROUNDING PROPERTIES, STRUCTURES, BUILDINGS, NOR THE EXISTING DEVELOPMENTS ON THE PROPERTY. THE EXISTING DEVELOPMENTS, BOTH SITE AND BUILDING, WILL REMAIN AS-IS UNLESS MODIFIED THROUGH A DEVELOPMENT PLAN APPROVED BY THE MUNSTER PLAN COMMISSION.

SECTION C. USES

THE PERMITTED USES OF THE PUD SHALL BE:

1. HEALTHCARE OUTPATIENT SERVICES
2. OUTPATIENT PROCEDURE AND TREATMENT SERVICES
3. THERAPY AND REHABILITATION SERVICES
4. MEDICAL LABORATORY SERVICES
5. COMMERCIAL OFFICE SPACE
6. EDUCATIONAL USE
7. FOODSERVICE, RESTAURANT AND CAFÉ
8. PHARMACY
9. PARKING LOT
10. PARKING STRUCTURE
11. MIXED OR FLEX USE TO BE LIMITED TO COMMERCIAL, MEDICAL OFFICE, OUTPATIENT CLINIC AND OTHERS AS LISTED ABOVE.

SECTION D. LOT

1. LOT SIZE IS 2.37 +/- ACRES.
2. THE NUMBER OF BUILDINGS ALLOWED ON THE LOT SHALL BE LIMITED TO (2) IN TOTAL. FUTURE DEVELOPMENTS ARE PERMITTED TO MODIFY THIS RESTRICTION THROUGH THE AMENDMENT OF THESE PUD STANDARDS.
3. A MINIMUM 5 FT BUILDING SETBACK SHALL BE REQUIRED ALONG ALL LOT LINES.
4. THE IMPERVIOUS COVERAGE SHALL NOT EXCEED 92% OF THE AREA OF THE LOT.

SECTION E. STORMWATER MANAGEMENT²

1. THE STORM SEWER SYSTEM OF LOT 4 SHALL TIE INTO THE STORM SEWER SYSTEM LOCATED IN THE ACCESS DRIVE IMMEDIATELY EAST OF THE SUBJECT PROPERTY. THE STORM WATER SHALL BE CONVEYED TO THE EXISTING LAKE BUSINESS CENTER STORM SEWER NETWORK.
2. THERE IS NO EXISTING STORM SEWER SYSTEM ON LOT 4 OF THE LAKE BUSINESS CENTER SUBDIVISION FIRST RE-SUBDIVISION OF LOT 3. THE EXISTING SITE DRAINS VIA SHEET FLOW TO THE EXISTING LAKE BUSINESS CENTER STORM SEWER NETWORK WHICH FLOWS NORTH ALONG THE PRIVATE ACCESS DRIVE EAST OF THE SITE.
3. FOR FUTURE DEVELOPMENT PLANS, A STORM SEWER NETWORK WILL BE INSTALLED TO COLLECT STORM WATER RUNOFF FROM THE PROPOSED SITE. THIS STORM SEWER NETWORK WILL CONNECT TO THE EXISTING LAKE BUSINESS CENTER STORM SEWER TO MAINTAIN EXISTING DRAINAGE PATTERNS. IF REQUIRED BY THE TOWN OF MUNSTER, AND IF THE SITE IS NOT TRIBUTARY TO THE EXISTING LAKE BUSINESS CENTER REGIONAL STORM WATER MANAGEMENT FACILITY, A STORM WATER DETENTION SYSTEM SHALL BE PROVIDED FOR ANY AREAS OF THE PROPERTY THAT ARE BEING DEVELOPED FROM EXISTING GREEN SPACE TO HARD SURFACES, SUCH AS PARKING LOT OR ROOF AREA.
4. THE STORM WATER FROM THE ROOF STORM DRAINS SHALL BE COLLECTED AND ROUTED THROUGH PIPING INTO THE STORM SEWER SYSTEM.

² Subject to adjustment by Petitioner, as approved by the Plan Commission.
April 15, 2025

SECTION F. BUILDING SIZE

1. BUILDINGS WILL BE LIMITED TO FOUR (4) STORIES FOR OCCUPIED USES. ONE ADDITIONAL STORY, ABOVE THE OCCUPIED FOUR (4) STORIES, IS ALLOWED FOR THE USE OF MECHANICAL PENTHOUSE OR STORAGE, AS THIS IS CONSIDERED UNOCCUPIED SPACE.
2. THE BUILDING HEIGHT SHALL NOT EXCEED 50 FT FROM THE EXTERIOR PARKING LOT OR ENTRANCE DRIVE GRADE TO THE FLOOR LEVEL OF THE ROOF, OR AN OVERALL TOTAL HEIGHT OF 70 FT (INCLUDING THE MECHANICAL PENTHOUSE).
3. MECHANICAL EQUIPMENT SHALL NOT BE VISIBLE FROM THE ADJACENT RIGHT-OF-WAY, OR SCREENING SHALL BE PROVIDED TO PROHIBIT THE VIEW FROM THE RIGHT-OF-WAY.
4. MECHANICAL FLUES, VENT PIPING, OR EXHAUST DUCTS SHALL NOT BE VISIBLE FROM THE ADJACENT RIGHT-OF-WAY, OR SCREENING SHALL BE PROVIDED TO PROHIBIT THE VIEW FROM THE RIGHT-OF-WAY.
5. THE MINIMUM FRONTAGE OF PRIMARY BUILDINGS ON THE LOT SHALL BE 100 FT., NOT INCLUDING ANCILLARY UNOCCUPIED STRUCTURES. EACH FUTURE BUILDING AND STRUCTURES WILL BE SUBJECT TO DEVELOPMENT PLAN SUBMISSION TO THE TOWN FOR REVIEW.
6. TELECOMMUNICATIONS, TRANSMITTING ANTENNAS, OR LIGHTNING PROTECTION POLES/RODS ARE ALLOWED TO EXTEND ABOVE THE MAXIMUM BUILDING HEIGHT ALLOWANCE.

SECTION G. BUILDING MATERIALS AND STANDARDS

1. THE EXTERIOR OF THE BUILDING SHALL BE PRECAST PANEL CLADDING, BRICK, STONE MASONRY, OR METAL PANELS.
2. WINDOWS AND CURTAIN WALL SHALL BE INSULATED 1" LOW-E GLAZING WITH TINTING AS DESIRED OR SPANDREL COATING TO INHIBIT VIEW TO THE INTERIOR. WINDOW OR CURTAIN WALL FRAMING ARE PERMITTED TO BE CLEAR ANODIZED ALUMINUM OR PAINTED. GLAZING SHALL BE INTEGRATED INTO THE FAÇADE DESIGNS IN A COMBINATION OF CURTAIN WALL, PUNCHED OPENINGS, AND RIBBON WINDOWS.
3. ENTRANCE DOORS INTO THE BUILDING AT THE MAIN ENTRANCE OR AUXILIARY ENTRANCE SHALL BE GLASS STOREFRONT DOOR WITH ALUMINUM FRAMING.
4. DOORS INTO MECHANICAL OR AUXILIARY ROOMS FROM THE EXTERIOR ARE PERMITTED TO BE HOLLOW METAL DOOR AND FRAME, AND SHOULD BE PAINTED TO BLEND IN WITH THE EXTERIOR OF THE BUILDING.
5. MECHANICAL LOUVERS ARE PERMITTED WHERE NECESSARY AND BE A COMPLEMENTARY COLOR TO THE EXTERIOR OF THE BUILDING OR CLEAR ANODIZED ALUMINUM WITH BIRD SCREENS ON THE EXTERIOR.
6. THE BUILDING ROOF SHALL BE GENERALLY BE A FLAT ROOF WITH INTERNAL ROOF DRAINAGE. DECORATIVE PITCH ROOFS OR CANOPIES ARE PERMITTED IN LIMITED AREAS, SUCH AS THE ENTRANCES OF THE BUILDINGS.
7. METAL OR GLASS CANOPIES ARE PERMITTED AT ENTRANCES. MINIMUM CLEARANCE HEIGHT FOR THE CANOPY SHALL ALLOW THE ACCESS OF TOWN OF MUNSTER FIRE DEPARTMENT AMBULANCES TO ACCESS WITH A MAXIMUM CLEARANCE HEIGHT OF 14 FT.

SECTION H. ENCLOSURES FOR DUMPSTERS AND EQUIPMENT

1. ENCLOSURES SHALL BE PROVIDED AROUND THE DUMPSTER OR WASTE DISPOSAL CONTAINERS ON SITE, AND SHALL BE A MASONRY WALL OR AN OPAQUE FENCE.
2. ENCLOSURES SHALL BE PROVIDED AROUND EMERGENCY POWER BACK-UP GENERATORS, COOLING TOWERS, MED GAS BULK STORAGE TANKS, OR OTHER MECHANICAL EQUIPMENT, AND THE ENCLOSURE SHALL BE CONSTRUCTED OF EITHER A MASONRY WALL, A FENCE, OR A LANDSCAPE HEDGE.
3. ALL ENCLOSURES SHALL BE TO A MINIMUM HEIGHT OF 6'0" AND A MAXIMUM HEIGHT OF 10'0" ABOVE GRADE.
4. ENCLOSURES CONSTRUCTED OF MASONRY OR FENCING MATERIALS SHALL BE MADE OF MATERIALS TO COMPLEMENT THE ADJACENT BUILDING, WEATHER RESISTANT MATERIALS THAT DO NOT DETERIORATE, AND ARE DURABLE.
5. ENCLOSURES CONSTRUCTED OF MASONRY OR FENCING SHALL COMPLETELY OBSCURE THE VIEW UP FOR A MINIMUM HEIGHT OF 6'0" AND A MAXIMUM HEIGHT OF 10'0" ABOVE GRADE.
6. THE GATES OF THE ENCLOSURE SHALL BE GALVANIZED METAL FRAMES WITH CEDAR, COMPOSITE, OR WEATHER RESISTANT DECK BOARDS.
7. THE DUMPSTER OR WASTE ENCLOSURE SHALL BE PROVIDED WITHIN THE LOT OF THE BUILDING IT SERVES.

SECTION J. PARKING

1. OFF-STREET PARKING SHALL BE PROVIDED FOR EACH BUILDING OF THE PUD AS REQUIRED BELOW.
2. THE PARKING PROVIDED FOR THE BUILDING MAY BE PROVIDED AS DEPICTED UPON THE ATTACHED SITE PLAN.
3. THE PARKING REQUIREMENTS FOR THE BUILDING SHALL BE BASED ON TOTAL FLOOR AREA OF THE BUILDING
4. PARKING SHALL BE PROVIDED ON A BASIS OF 4.5 SPACES PER EVERY 1,000 SQUARE FEET OF FLOOR AREA
5. THE AMOUNT OF PARKING PROVIDED MAY EXCEED THE REQUIRED NUMBER OF PARKING SPACES.
6. THE NUMBER OF HANDICAP SPACES SHALL MEET THE INDIANA ADA STANDARD MINIMUM AND MORE ARE PERMITTED AS BUILDING USE REQUIRES.
7. PARKING AREAS ARE PERMITTED TO BE RECONFIGURED WITH FUTURE DEVELOPMENTS.

SECTION K. LANDSCAPING

1. A LANDSCAPE BUFFER SHALL NOT BE REQUIRED ALONG THE NORTH, WEST, AND SOUTH SIDES OF THE PROPERTY AS THE PROPERTY DOES NOT FRONT ON PUBLIC RIGHT-OF-WAY AND IS WITHIN THE LAKE BUSINESS CENTER PLANNED UNIT DEVELOPMENT. PERIMETER TREES SHALL BE PLACED ALONG THESE FRONTAGES WHERE NOT IN CONFLICT WITH THE PROPOSED BUILDING TO PROVIDE SHADE AND A GREEN BUFFER BETWEEN PARCELS THAT IS CONSISTENT WITH THE SURROUNDING PROPERTIES.
2. A LANDSCAPE BUFFER SHALL NOT BE REQUIRED ALONG THE EAST SIDE OF THE PROPERTY AS THIS IS NOT PUBLIC RIGHT-OF-WAY FRONTAGE AND IS ENCUMBERED BY AN EXISTING ELECTRIC AND GAS EASEMENT. A 3 FT TO 4 FT TALL SHRUB ROW WILL BE PROVIDED ALONG THE EAST SIDE OF THE SITE ALONG WITH TREES IN THE PARKING LOT ISLANDS TO PROVIDE HEADLIGHT SCREEN AND SOFTEN THE PROPERTY FRONTAGE WITHOUT RESTRICTING VIEWS OF THE BUILDING OR PROHIBITING DRIVERS SIGHT LINES.
3. ALL NEW PLANT MATERIALS SHALL MEET THE MINIMUM CONTAINER SIZE REQUIREMENTS AS OUTLINED IN THE AMERICAN STANDARDS FOR NURSERY STOCK.

4. TREES SHALL BE A MINIMUM OF 1.5" – 2" CALIBER AT INSTALLATION AND SHALL BE NATIVE TO THE AREA.
5. LANDSCAPE ISLANDS SHALL ONLY BE REQUIRED AT THE CORNERS OF THE PARKING AREA AND AT THE END OF THE PARKING ROW. NO OTHER ADDITIONAL LANDSCAPE ISLANDS IN THE PARKING AREA SHALL BE REQUIRED.
6. EACH LANDSCAPE ISLAND SHALL CONTAIN A MINIMUM OF ONE (1) TREE.
7. THERE SHALL BE NO REQUIREMENT FOR THE MINIMUM DISTANCE FROM ANY PARKING SPACE TO THE NEAREST TREE.
8. TREES ARE TO BE STRATEGICALLY PLACED TO PROVIDE SHADE AND LANDSCAPE IMPROVEMENTS THAT ENHANCE THE EXTERIOR OF THE BUILDING. TREE PLACEMENT SHALL NOT PROHIBIT THE LINE OF SIGHT OF DRIVERS, THE VIEW OF THE EXTERIOR OF THE BUILDING OR FROM INSIDE THE BUILDING, OR CAUSE ROOT GROWTH TO DAMAGE SITE IMPROVEMENTS.
9. DECORATIVE STONE AND MULCH SHALL BE ALLOWED FOR GROUND COVER AROUND PLANTINGS AND LANDSCAPE ISLANDS.
10. DECORATIVE STONE SHALL BE PROVIDED AROUND THE PERIMETER OF THE BUILDING FOR A MINIMUM OF 1FT FOR DRAINAGE AND INSECT CONTROL.
11. LANDSCAPE PLANTINGS SHALL BE PROVIDED AROUND THE BASE OF THE MONUMENT SIGNS AND SHALL MATCH THE GROSS AREA OF ONE SIDE OF THE MONUMENT SIGN.
12. LARGE PLANTERS MAY BE PERMITTED AT ENTRANCES AND ALONG THE SIDES OF THE BUILDINGS.
13. ALL LANDSCAPING SHALL BE PROPERLY MAINTAINED.

SECTION L. SITE/PRIVATE LIGHTING STANDARDS

1. ALL PARKING AREAS AND WALK WAYS TO BE ILLUMINATED TO AN AVERAGE LEVEL OF 1.0 – 2.5 FOOT-CANDLES. A MINIMUM ILLUMINATION LEVEL OF 0.4 FC SHALL BE PROVIDED IN ALL PARKING AND WALKING AREAS.
2. THE MAX LIGHTING LEVEL AT THE PROPERTY LINES SHALL BE 2.0 FC.
3. THE LIGHT POLES SHALL BE OF A MAXIMUM HEIGHT OF 30 FT. AND TO HAVE A NATURAL ALUMINUM FINISH OR DARK BRONZE.
4. THE LIGHT FIXTURE HEADS SHALL BE CONSISTENT WITH THE COBRA TYPE HEAD, OR LITHONIA D-SERIES FIXTURES, OR SIMILAR TYPE LIGHTING FIXTURES, SO AS TO BE VISUALLY CONSISTENT WITH THE SURROUNDING PROPERTIES.
5. THE COLOR TEMPERATURE OF THE LIGHTING FIXTURES SHALL NOT EXCEED 3000K.
6. WALL MOUNTED FIXTURES MAY BE PROVIDED AS REQUIRED FOR SITE LIGHTING, WALKWAY ILLUMINATION, AND EGRESS MEANS AT DOORWAYS.
7. ACCENT LIGHTING AND BOLLARD LIGHTS AROUND THE BUILDING AT WALKWAYS SHALL BE PERMITTED.

SECTION M. SIGNAGE

ALL PERMANENT SIGNS LOCATED WITHIN THE DEVELOPMENT SHALL CONFORM TO THE FOLLOWING STANDARDS:

- I. GENERAL STANDARDS:
 - a. SIGNS NECESSARY TO INFORM THE PUBLIC, SUCH AS TRAFFIC CONTROL, STREET NAME, DIRECTIONAL AND SPECIAL PARKING RESTRICTIONS THAT ARE USED TO IMPLEMENT PUBLIC SAFETY AND WAYFINDING WITHIN THE DEVELOPMENT SHALL BE PROVIDED.
 - b. OBSTRUCTION OF VISION OF DRIVERS. NO SIGN HIGHER THAN 3½ FT SHALL BE PLACED IN SUCH A MANNER THAT IT WOULD BLOCK OR OBSCURE THE VISION OF THE DRIVER OF A VEHICLE STOPPED AT A STOP SIGN, TRAFFIC LIGHT, OR ENTRANCE TO A PUBLIC STREET FOR A SIGHT TRIANGLE DISTANCE OF 30 FEET IN WHICH THERE IS ONCOMING TRAFFIC.
 - c. SIGNAGE MATERIALS ALLOWED ARE AS FOLLOWS:
 - d. INTERNALLY ILLUMINATED FACES WITH TRANSPARENT PLASTIC FACES WITH LETTERING.
 - e. INTERNALLY ILLUMINATED LOGO FACE WITH TRANSPARENT PLASTIC.

- f. FACE LIT CHANNEL LETTERS.
- g. BACKLIT CHANNEL LETTERS.

II. SIGN CALCULATION STANDARDS:

a. SIGN AREA:

- i. THE AREA OF A SIGN AS REGULATED HEREIN SHALL BE THE PRODUCT OF THE TOTAL WIDTH AND THE TOTAL HEIGHT OF THE SMALLEST RECTANGLE THAT ENCOMPASSES ALL SUCH LETTERING, DEVICES OR GRAPHICS.
- ii. WHERE SAID DISPLAY AREA IS ON A BACKGROUND, THE BACKGROUND IS NOT INCLUDED IN THE COMPUTATION.
- iii. FOR SIGNS HAVING TWO (2) SIDES, THE MAXIMUM DISPLAY AREA SHALL BE PERMITTED ON BOTH SIDES AND THE TOTAL AREA OF ONE SIDE SHALL BE DEEMED TO BE THE TOTAL SIGN AREA.
- iv. THE SUPPORTING STRUCTURES AND MOUNTING HARDWARE SHALL NOT BE INCLUDED IN THE AREA COMPUTATION.

b. GROUND SIGN HEIGHT:

- i. THE VERTICAL DISTANCE MEASURES FROM THE HIGHEST POINT OF THE SIGN TO THE FINISHED GRADE OF THE GROUND IMMEDIATELY BENEATH THE SIGN.

III. PERMITTED SIGNAGE:

a. PRIMARY WALL SIGN. A SIGN THAT IS HUNG ON THE FAÇADE OF A BUILDING. THIS INCLUDES CHANNEL LETTER, RACEWAY, ROUTED SIGNS, ETC. THE SIGN MAY BE INSTALLED DIRECTLY TO THE FASCIA OF A BUILDING, ON A RACEWAY ATTACHED TO THE BUILDING, OR ON A DECORATIVE BACKER.

- i. QUANTITY (MAX): ANY (3) ELEVATIONS OF THE BUILDING
- ii. AREA: MAX. OF 300 SQUARE FEET PER ELEVATION
- iii. DEPTH (MAX): 12 IN
- iv. HEIGHT (MAX):

- 1. LETTER AND LOGO MAX. HEIGHT: 8 FT.

- v. MATERIAL: SHALL BE CHANNEL LETTERS, WOOD, METAL, ACRYLIC OR LIKE MATERIAL; OR ROUTED/ETCHED ON WOOD OR LIKE MATERIAL, OR STATIC NEON
- vi. ANY DECORATIVE BACKER OR BACKGROUND PANEL SHALL BE MADE OF METAL, WOOD, OR SIMILAR OPAQUE MATERIAL
- vii. ILLUMINATION: PERMITTED TO BE INTERNALLY ILLUMINATED INDIVIDUAL LETTERS, LOGOS, AND GRAPHICS

b. MONUMENT SIGN. A SIGN THAT IS GENERALLY PLACED PERPENDICULAR TO THE ROAD SO THAT IT IS VISIBLE TO BOTH DIRECTIONS OF TRAFFIC. MONUMENT SIGNS ARE A FREESTANDING SIGN SUPPORTED BY A CONCRETE FOUNDATION AND ARE TYPICALLY CONSTRUCTED OF DURABLE MATERIALS OF A PERMANENT NATURE THAT ARE SIMILAR TO THE TYPE AND COLOR AS THE BUILDING(S) THAT IT IDENTIFIES.

- i. QUANTITY: 1
- ii. AREA (MAX): 160 SF
- iii. HEIGHT (MAX): 8 FT

- iv. MATERIAL:
 - 1. THE MAIN SIGN PANEL IS PERMITTED TO BE INDIVIDUALLY MOUNTED CHANNEL LETTERS, SANDBLASTED, ROUTED ALUMINUM OR ACRYLIC, OR OTHER SIMILAR MATERIALS.
 - 2. BASE: SHALL BE CONSTRUCTED OF NATURAL MATERIALS (I.E. BRICK, NATURAL STONE, ETC.)
- v. ILLUMINATION: THE LETTERING MAY BE INTERNALLY LIT, EXTERNALLY LIT, OR NON-ILLUMINATED
- vi. LANDSCAPING: SHALL HAVE A LANDSCAPED GREEN AREA THAT IS EQUAL TO THE GROSS SURFACE AREA OF THE SIGN AT THE BASE OF THE SIGN.
- vii. LOCATION: SHALL BE A MINIMUM OF TEN (10) FEET FROM THE STREET RIGHT-OF-WAY AND A MINIMUM OF TEN (10) FEET FROM THE LEADING EDGE OF THE DRIVEWAY
- c. WINDOW SIGN. A SIGN THAT MAY INCLUDE LETTERS (SUCH AS VINYL LETTERING), LOGOS, OR GRAPHICS THAT ADHERE TO THE WINDOW, OR ARE ETCHED INTO THE GLASS.
 - i. QUANTITY (MAX): 1 PER WINDOW FRAME OR WINDOW WALL
 - 1. WINDOW FRAME: WINDOWPANE(S) SEPARATED BY MUNTINS WITHIN A FRAME.
 - 2. WINDOW WALL: WINDOW FRAMES SEPARATED BY MULLIONS WITHIN A WALL.
 - ii. AREA: 50% TOTAL OF THE WINDOW AREA ONTO WHICH THE SIGN IS APPLIED
 - iii. LOCATION: ON WINDOW AREA OR WITHIN 3 FEET OF WINDOW AREA.
 - iv. MATERIAL, PROHIBITED:
 - 1. HANDWRITTEN COPY.
 - 2. EXPOSED LED
 - v. ILLUMINATION, STATIC:
 - 1. EXTERNALLY ILLUMINATED
 - 2. FLASH OR STROBE PROHIBITED.
- d. AWNING OR CANOPY SIGN. AN AWNING OR CANOPY ATTACHED TO A BUILDING THAT CONTAINS LETTERING, LOGO OR GRAPHICS.
 - i. QUANTITY (MAX): 1 PER FAÇADE, NOT MORE THAN 2 PER BUSINESS.
 - ii. AREA: MAX. 50% OF THE AWNING OR CANOPY SURFACE AREA
 - iii. CLEARANCE (MIN): 7 FT ABOVE GRADE
 - iv. MATERIAL: METAL OR ACRYLIC LETTERING, LOGO, AND/OR GRAPHICS ATTACHED TO A CANOPY
 - 1. LETTERING, LOGO, AND/OR GRAPHICS PAINTED, SCREEN PRINTED OR APPLIED TO: MATTE, OPAQUE CANVAS, COTTON DUCK OR SIMILAR MATERIAL
 - 2. METAL AWNING
 - v. ILLUMINATION: IF ILLUMINATED, SIGN MAY BE EXTERNALLY ILLUMINATED
- e. DIRECTORY WALL SIGN. A SMALL SIGN, PLACED ON THE WALL BY THE PUBLIC ENTRANCE(S) TO AN INTERNALLY ACCESSED MULTI-TENANT BUILDING. IT IDENTIFIES THE TENANTS NAMES AND LOCATIONS.
 - i. QUANTITY (MAX): 1 PER GROUND FLOOR PUBLICLY ACCESSIBLE ENTRANCE
 - ii. AREA (MAX): 20 SF
 - iii. CLEARANCE (MIN): 3 FT FROM GRADE
 - iv. MATERIAL: WOOD, METAL, GLASS, ACRYLIC OR SIMILAR MATERIAL
 - v. ILLUMINATION: MAY PERMITTED TO BE INTERNALLY ILLUMINATED
 - vi. LOCATION: SHALL BE WITHIN SIX (6) FEET OF AN ENTRANCE TO THE BUILDING
- f. INTERNAL DIRECTORY GROUND SIGN. A SIGN USED TO IDENTIFY MULTIPLE BUSINESSES LOCATED IN THE SAME LOT.
 - i. AREA (MAX): 20 SF
 - ii. HEIGHT (MAX): 7 FT

- iii. MATERIAL:
 - 1. FACE: METAL, WOOD, GLASS, OR ACRYLIC
 - 2. BASE: MASONRY, STONE, OR METAL.
 - iv. ILLUMINATION: PERMITTED TO BE INTERNALLY ILLUMINATED OR EXTERNALLY ILLUMINATED.
 - v. LANDSCAPING: SHALL HAVE A LANDSCAPED GREEN AREA THAT IS EQUAL TO THE GROSS SURFACE AREA OF THE SIGN
 - vi. LOCATION: SHALL BE LOCATED INTERNAL TO A SITE AND SHALL NOT PROVIDE A VIEW OBSTRUCTION TO DRIVERS.
 - g. WALL SIGN AT A PUBLIC ENTRANCE (IN ADDITION TO PRIMARY WALL SIGN).
 - i. QUANTITY: ONE (1) WALL SIGN AT EACH PUBLIC ENTRANCE THAT IS LOCATED WITHIN 6 FT OF THE ENTRANCE.
 - ii. SIGN AREA (MAX): 1.5 SF PER LINEAR FEET OF ENTRANCE BAY
 - iii. ALL OTHER DIMENSIONAL AND MATERIAL STANDARDS TO FOLLOW PRIMARY WALL SIGN STANDARDS.
- IV. PERMITS. ALL PERMITS REQUIRED BY THE TOWN OF MUNSTER ARE TO BE SECURED PRIOR TO INSTALLATION OF ANY SIGNAGE.
- V. IF MULTIPLE FLAG POLES ARE PROVIDED IN CLOSE PROXIMITY, THE OWNER'S FLAG WITH NAME AND LOGO IS PERMITTED TO BE FLOWN WITH THE PRIMARY FLAG BEING THE US FLAG.

SECTION N. MISCELLANEOUS

- 1. SIDEWALKS, WHERE POSSIBLE, ARE TO BE CONNECTED. CROSSWALKS ARE ALSO TO BE UTILIZED TO CONNECT SIDEWALKS FOR COMMUTING PURPOSES.
- 2. SIDEWALKS SHALL BE PERMITTED AT THE BACKSIDE OF THE CURBS AS SPACE ALLOWS AND SHALL FOLLOW THE SITE PLAN DEVELOPMENT LAYOUT.
- 3. THE EXISTING DEVELOPMENT AREAS NOT CURRENTLY SHOWN TO BE MODIFIED OR IMPROVED SHALL BE ALLOWED TO REMAIN AND BE MAINTAINED UNTIL SUCH TIME THAT A NEW DEVELOPMENT PLAN IS SUBMITTED TO THE TOWN FOR APPROVAL.

SECTION O. NONCONFORMITIES

- I. LEGALLY EXISTING BUILDINGS, STRUCTURES, LOTS, AND USES.
 - a. EXCEPT AS OTHERWISE PROVIDED IN THIS ARTICLE, A USE, BUILDING, STRUCTURE, SIGN, OR LOT OF ANY OF THE FOLLOWING TYPES THAT LEGALLY EXISTED AS OF THE EFFECTIVE DATE OF THIS ARTICLE, ANY AMENDMENT OF THIS ARTICLE OR ANY AMENDMENT TO THE ZONING MAP MAY BE CONTINUED AS A LEGAL NONCONFORMITY IN ACCORDANCE WITH AND SUBJECT TO THE PROVISIONS OF THIS SECTION:
 - b. A LAWFULLY PERMITTED USE OF LAND, BUILDING, OR STRUCTURE,
 - c. A LAWFULLY PERMITTED BUILDING, STRUCTURE, OR SIGN, AND
 - d. A LAWFULLY PERMITTED LOT.
 - e. ANY BUILDING, SIGN, OR OTHER DESIGN ELEMENT STATED ABOVE THAT IS IN NON-CONFORMITY WITH THE DESIGN STANDARDS PROVIDED ABOVE, IS PERMITTED TO BE REMAIN IN USE AND BE MAINTAINED UNTIL SUCH TIME THAT THE AREA OF THE LOT OF SUCH BUILDING, SIGN, OR DESIGN ELEMENT IS RE-DEVELOPED, AT WHICH TIME THE AREA BEING REDEVELOPED SHALL FULLY MEET THE DESIGN STANDARDS.

SECTION P. ENFORCEMENT & PENALTIES

OWNER/PETITIONER AGREES TO COMPLY WITH ALL OF THE RULES, REGULATIONS AND REQUIREMENTS FOR PROJECT DEVELOPMENT IN THE TOWN OF MUNSTER, AS WELL AS ALL TOWN ORDINANCES (INCLUDING, BUT NOT LIMITED TO PROVISIONS RELATIVE TO VIOLATIONS AND ENFORCEMENT), AS SAME ARE ALL AMENDED FROM TIME TO TIME.

END OF PLANNED UNIT DEVELOPMENT STANDARDS.