

MUNSTER PLAN COMMISSION

PETITIONER:
1st Metropolitan Builders
400 Fisher St., Ste. J
Munster, IN 46321

PC DOCKET NO. 23-010

APPLICATION: Amend Approved
Development Plan for Lot 7,
Maple Leaf PUD (unsubstantial change)

OWNER:
Maple Leaf Crossing, LLC
400 Fisher St., Ste. J
Munster, IN 46321

PROPERTY:
Maple Leaf Crossing PUD
9450 Calumet Ave.
Munster, IN 46321

FINDINGS OF FACT

1. Maple Leaf Crossing, LLC is the owner of Lot 7 of Maple Leaf Crossing, located at 9450 Calumet Ave., in Munster, Indiana ("Property"). The Property is part of the Maple Leaf Crossing Planned Unit Development District (PUD).
2. Petitioner, 1st Metropolitan Builders, on behalf of Owner, Maple Leaf Crossing, LLC, requests to make unsubstantial modifications to the Development Plan for the Property, which was previously approved on July 17, 2023, under Planned Commission Docket No. 23-010. Petitioner requests to amend the Development Plan to:
 - A. Amend the use of the Property from Karma Cigar Bar to a 5-unit building for office, restaurant, and retail uses, as permitted per PUD Ordinance 1908;
 - B. Amend the building construction on the Property from a 3-story, 12,525 sq. ft. building with a first-floor patio, to a one-story, 6,500 sq. ft. building with 5 units (1,000 to 1,500 sq. ft. per unit), with the new building footprint to overlay the approved building footprint and patio, plus an additional 480 sq. ft. proposed on the northwest corner of the building; and,
 - C. Amend the Landscaping Plan to move the approved plantings out and around the additional 480 sq. ft. proposed on the northwest corner of the building.
3. Petitioner relied upon Munster Zoning Code, Section 26-6.804.G.12, entitled Modification of Site Plan, which authorizes a petitioner desiring to modify a previously approved, unexpired site plan to directly request the Plan Commission to determine whether the requested site plan modification is substantial or unsubstantial. Upon review, if the Plan Commission finds that the modification to be unsubstantial, the Plan Commission shall immediately approve or deny the requested change. If the Plan Commission finds that the modification to be substantial, then the petitioner shall submit a new site plan application and follow the complete site plan review process.
4. This matter came before the Munster Plan Commission on July 23, 2025. Petitioner appeared by its attorney, David Beach, and presented evidence, information, and documentation regarding its Application for Approval of Unsubstantial Modifications to Development Plan.
5. Based upon the testimony and evidence presented by Petitioner, and having given due consideration and paid reasonable regard to Section 26-6.804.G.12 of the Zoning Ordinance

of the Town of Munster, as amended from time to time, now by a vote of four (4) in favor, two (2) opposed, zero (0) abstained, and one (1) absent, upon motion duly made and seconded, the Plan Commission determined Petitioner's proposed modifications to the 2023 Development Plan to be *unsubstantial*.

6. Thereafter, based upon the testimony and evidence presented by Petitioner, and having given due consideration and paid reasonable regard to the requirements of the Subdivision Control Ordinance of the Town of Munster, as amended from time to time, now by a vote of four (4) in favor, two (2) opposed, zero (0) abstained, and one (1) absent, upon motion duly made and seconded, the Plan Commission voted to approve Petitioner's proposed modifications to the 2023 Development Plan.
7. In making such determination, the Munster Plan Commission makes the following written Findings of Fact, in accordance with I.C. §§ 36-7-4-1400 *et seq.*, 36-7-4-700 *et seq.*, and the Munster Subdivision and Zoning Ordinances, as amended from time to time, as follows:
 - A. The Plan Commission approved the Development Plan for Lot 7 of Maple Leaf Crossing PUD on July 17, 2023, under Plan Commission Docket No. 23-010, and made written Findings of Fact, as required by law, which are incorporated herein by reference;
 - B. The 2023 Development Plan for Lot 7 of Maple Leaf Crossing PUD is not expired;
 - C. Petitioner proposed modifications to the 2023 Development Plan are unsubstantial modifications;
 - D. The Development Plan, as amended, provides for acceptable setbacks, buffer yards, structure heights, lot coverage calculations, proposed buildings, structures, fences and walls, areas of outdoor storage, permanent dumpsters, and other improvements;
 - E. The Development Plan, as amended, provides for all proposed locations and dimensions of road accesses, interior drives, parking lots, loading docks or areas, sight visibility triangles, and interior sidewalks;
 - F. The Development Plan, as amended, provides for open spaces, all proposed locations of public and private utilities, proposed public improvements, and temporary uses; required and proposed landscaping in the site interior, in and adjacent to parking areas, in buffer yards and street trees;
 - G. The Development Plan, as amended, includes a site drainage plan, soil erosion control measures, and the details of any proposed construction site.
 - H. 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,
 - I. 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 is 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 four (4) in favor, two (2) opposed, zero (0) abstained, and one (1) absent, approved Petitioner's unsubstantial modifications to the approved 2023 Development Plan. The Munster Plan Commission took the above official action on July 23rd, 2025. Findings of Fact approved on the 12th day of August 2025.

MUNSTER PLAN COMMISSION

By: _____
William Baker, Chairman

ATTEST:

Sergio Carrera Mendoza, Executive Secretary