

MUNSTER PLAN COMMISSION

PETITIONER:

Gary Warfel
SPIN Munster, LLC
c/o Saxon Partners
25 Recreation Park Drive, Ste. 204
Hingham, MA 02043

PC DOCKET No. 25-014

APPLICATION: Rezone to
Kenmara Technology Park PUD

OWNER:

SPIN Munster, LLC
c/o Saxon Partners
25 Recreation Park Drive, Ste. 204
Hingham, MA 02043

PROPERTY:

S of 400-440 Fisher Rd.,
Munster, IN 46321
(SW corner of Timrick Dr., Manor Ave.
& Fisher St.)

FINDINGS OF FACT

- I. Application has been made to the Town of Munster Plan Commission by Applicant, Gary Warfel, on behalf of Owner, SPIN Munster, LLC, requesting to rezone the former Lansing Country Club parcel from CD-4.B, a General Urban B Character District to a Planned Unit Development Zoning District to be known as the Kenmara Technology Park Planned Unit Development (PUD). The parcel is identified as Tract 1, with a common address of "S of 400-440 Fisher Rd., Munster, IN 46321", Parcel # 45-06-25-100-005.000-027, and legally described as follows:

THAT PART OF THE FRACTIONAL NORTHWEST QUARTER AND THAT PART OF THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 36 NORTH, RANGE 10 WEST OF 2ND PRINCIPAL MERIDIAN, BORDERED ON THE NORTH BY THE NORTHERN INDIANA PUBLIC SERVICE COMPANY'S RIGHTS OF WAY AS CONVEYED IN DEED RECORD 343, PAGE 497, BORDERED ON THE WEST BY THE INDIANA-ILLINOIS STATE LINE, BORDERED ON THE SOUTH BY THE GRAND TRUNK RAILROAD, BORDERED ON THE EAST BY THE LOUISVILLE AND NASHVILLE RAILROAD, FORMERLY THE CHICAGO, INDIANAPOLIS AND LOUISVILLE RAILROAD, AND BORDERED ON THE NORTHEAST BY THE PENN-CENTRAL RAILROAD, ALL IN TOWN OF MUNSTER, LAKE COUNTY, INDIANA. LESS AND EXCEPTING THAT PORTION OF LAND CONVEYED TO NORTHERN INDIANA PUBLIC SERVICE COMPANY, AN INDIANA CORPORATION BY THAT CERTAIN DEED OF CONVEYANCE RECORDED JANUARY 10, 1980, AS INSTRUMENT NO. 568251 OF THE LAKE COUNTY RECORDS AND DESCRIBED AS FOLLOWS:

PART OF FRACTIONAL SECTION 25, TOWNSHIP 36 NORTH, RANGE 10 WEST, SITUATE IN NORTH TOWNSHIP, LAKE COUNTY, STATE OF INDIANA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN IRON ROD MARKING THE SOUTHEAST CORNER OF SAID FRACTIONAL SECTION 25; THENCE NORTH 1°-54'-30" EAST ALONG THE EAST LINE OF SAID FRACTIONAL SECTION 25 A DISTANCE OF 1151.50 FEET TO A POINT ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF THE PENN CENTRAL RAILROAD, SAID POINT BEING 50 FEET (MEASURED AT RIGHT ANGLES) FROM THE CENTERLINE OF THE SOUTHWEST PENN CENTRAL RAILROAD TRACK; THENCE NORTH 36°-18'-10" WEST ALONG THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF SAID PENN CENTRAL RAILROAD A DISTANCE OF 4032.91 FEET TO THE INTERSECTION OF THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF SAID PENN CENTRAL RAILROAD AND THE WEST RIGHT-OF-WAY LINE OF THE LOUISVILLE AND NASHVILLE RAILROAD, SAID POINT BEING 25 FEET (MEASURED AT RIGHT ANGLES) FROM THE LOUISVILLE AND NASHVILLE RAILROAD TRACK, SAID POINT BEING THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUING NORTH 36°-18'-10" WEST ALONG THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF SAID PENN CENTRAL RAILROAD A DISTANCE OF 1029.88 FEET TO A POINT, SAID POINT BEING 190 FEET (MEASURED AT RIGHT ANGLES) FROM THE NORTH LINE OF SAID FRACTIONAL SECTION 25; THENCE NORTH 88°-17'-20" WEST PARALLEL WITH THE NORTH LINE OF SAID FRACTIONAL SECTION 25 A DISTANCE OF 215.77 FEET TO A POINT, SAID POINT BEING 170 FEET (MEASURED AT RIGHT ANGLES) FROM THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF SAID PENN CENTRAL RAILROAD; THENCE SOUTH 36°-18'-10" EAST PARALLEL WITH AND 170 FEET (MEASURED AT RIGHT ANGLES) FROM THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF SAID PENN CENTRAL RAILROAD A DISTANCE OF 1380.02 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SAID LOUISVILLE AND NASHVILLE RAILROAD; THENCE NORTH 1°-44'-20" EAST ALONG THE WEST RIGHT-OF-WAY LINE OF SAID LOUISVILLE AND NASHVILLE RAILROAD A DISTANCE OF 275.87 FEET TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION.

(Hereinafter referred to as the "Property.")

- II. Petitioner proposes the Kenmara Technology Park PUD based on a draft Site Plan and a proposed revision to the 2023 Development Plan related to the Phase 1A Development Agreement between the Town of Munster and SPIN Munster, LLC, executed on July 17, 2023. The PUD will consist of larger-scale buildings consistent with a Certified Technology Park established under Indiana Code § 36-7-32 for larger lot size and increased block perimeter. The proposed PUD Rezone will not include residential, retail, or personal service use. The project will reduce traffic significantly from the current zoning classification because of the lower number of anticipated employees and less required parking spaces that are generated by technology parks.
- III. Petitioner is working with the Town to finalize the *Standards for Bulk and Design* for the proposed PUD to be presented to the Plan Commission and the Town Council for approval. However, preliminary PUD approval is required for Petitioner to further develop detailed on-site engineered site plans to marry up to Phase 1A infrastructure plans and to facilitate leasing and future development.
- IV. *Permitted Uses* in the Kenmary Technology Park PUD shall be Certified Technology Park uses, identified as "high technology activity" in accordance with I.C. § 36-7-32-7, and shall mean one (1) or more of the following:
 - (1) Advanced computing, which is any technology used in the design and development of any of the following:
 - (A) Computer hardware and software.
 - (B) Data communications.
 - (C) Information technologies.
 - (2) Advanced materials, which are materials with engineered properties created through the development of specialized process and synthesis technology.
 - (3) Biotechnology, which is any technology that uses living organisms, cells, macromolecules, microorganisms, or substances from living organisms to make or modify a product, improve plants or animals, or develop microorganisms for useful purposes. Biotechnology does not include human cloning or stem cell research with embryonic tissue.
 - (4) Electronic device technology, which is any technology that involves:
 - (A) microelectronics, semiconductors, or electronic equipment;
 - (B) instrumentation, radio frequency, microwave, and millimeter electronics;
 - (C) optical and optic electrical devices; or
 - (D) data and digital communications and imaging devices.
 - (5) Engineering or laboratory testing related to the development of a product.

- (6) Technology that assists in the assessment or prevention of threats or damage to human health or the environment, including environmental cleanup technology, pollution prevention technology, or development of alternative energy sources.
 - (7) Medical device technology, which is any technology that involves medical equipment or products other than a pharmaceutical product that has therapeutic or diagnostic value and is regulated.
 - (8) Product research and development.
 - (9) Advanced vehicles technology, which is any technology that involves:
 - (A) electric vehicles, hybrid vehicles, or alternative fuel vehicles; or
 - (B) components used in the construction of electric vehicles, hybrid vehicles, or alternative fuel vehicles.
- V. The matter having come before the Munster Plan Commission on September 9, 2025 for Public Hearing. The Notices were examined for sufficiency. Publication pursuant to the Town of Munster's Zoning Ordinance was accomplished. Petitioner appeared in person and by his attorney, Scott Yahne. Petitioner presented evidence, documentation, and information regarding his Application to Rezone the Property from CD-4.B to a Planned Unit Development Zoning District to be known as the Kenmara Technology Park PUD. The Public Hearing was opened. Remonstrances were heard. The Public Hearing was closed.
- VI. 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 Rezone the Property from CD-4.B to a Planned Unit Development Zoning District to be known as the Kenmara Technology Park PUD for certified technology park uses in accordance with I.C. § 36-7-32. In making such determination, the Munster Plan Commission makes the following written Findings of Fact
- A. The Property is currently zoned CD-4.B, a General Urban B Character District.
 - B. Petitioner requests to rezone the Property to a Planned Unit Development Zoning District to be known as the Kenmara Technology Park PUD for certified technology park uses in accordance with I.C. § 36-7-32.
 - C. Petitioner and the Town are working together to finalize the *Standards for Bulk and Design for the proposed PUD*, which shall be approved before Petitioner may make any improvements to the Property.
 - D. 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.
- E. The Plan Commission has paid reasonable regard to the requirements of the Munster Zoning Code, Sec. 26-6.804.L.9., regarding a Planned Unit Development District.
- F. 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,
- G. 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 request to rezone the Property to a Planned Unit Development Zoning District to be known as the Kenmara Technology Park PUD for certified technology park uses in accordance with I.C. § 36-7-32.

The Munster Plan Commission took the above official action on September 9, 2025. Findings of Fact approved on the 14th day of October 2025.

MUNSTER PLAN COMMISSION

By: 
William Baker, Chairman

ATTEST:


Sergio Carrera Mendoza, Executive Secretary

Attachments: None