

TOWN OF MUNSTER, LAKE COUNTY, INDIANA

ORDINANCE 2001

**AN ORDINANCE ADOPTING A PLANNED UNIT DEVELOPMENT DISTRICT
AND APPROVING THE ZONE CHANGE FOR THE *KENMARA TECHNOLOGY PARK PUD*,
A SPECIAL DISTRICT – PLANNED UNIT DEVELOPMENT,
AND ESTABLISHING THE PERMITTED USES THEREOF, AS A SUPPLEMENT TO THE ZONING
ORDINANCE OF THE TOWN OF MUNSTER, LAKE COUNTY, INDIANA**

WHEREAS, the Town of Munster established its Zoning Regulations, which are located in Chapter 26 of the Munster Code of Ordinances, which has been supplemented and amended from time to time; and

WHEREAS, SPIN Munster, LLC, by its representative, Gary Warfel, on behalf of Saxon Partners, seeks to rezone and establish the *Kenmara Technology Park Planned Unit Development District* for the parcel located at approx. "S of 400-440 Fisher Rd., Munster, IN 46321" (SW corner of Timrick Dr., Manor Ave., and Fisher St.), and identified by Parcel # 45-06-25-100-005.000-027, in the Town of Munster, Lake County, Indiana (hereafter referred to as the "Property"); approve the permitted uses for the planned unit development; and adopt a planned unit development district ordinance, in compliance with I.C. 36-7-4-1500 *et seq.*, and the Munster Zoning Code; and

WHEREAS, SPIN Munster, LLC, proposes the *Kenmara Technology Park Planned Unit Development District* as a Certified Technology Park established under Indiana Code § 36-7-32 for uses related to "high technology activity" in accordance with I.C. § 36-7-32-7; and

WHEREAS, SPIN Munster, LLC, proposes the *Kenmara Technology Park Planned Unit Development District* based on a draft Site Plan, draft *PUD Standards for Bulk and Design*, and draft revisions to the 2023 Development Plan and related Phase 1A Development Agreement between the Town of Munster and SPIN Munster, LLC, executed on July 17, 2023, all of which are proposed by SPIN Munster, LLC, and have not been finalized, accepted, or approved by the Town; and

WHEREAS, SPIN Munster, LLC, proposes approval of the *Kenmara Technology Park Planned Unit Development District*, rezoning of the Property, and establishment of the PUD permitted uses so that SPIN Munster, LLC may further develop detailed on-site engineered Site Plans, proposed amendments to the 2023 Phase 1A Development Agreement with the Town, proposed *Standards for Bulk and Design* for the PUD, and to facilitate leasing and future development of the Property; and

WHEREAS, the Plan Commission of the Town of Munster has heretofore on the 9th day of September 2025, held a Public Hearing pursuant to notice as prescribed by applicable law for Plan Commission Docket #2025-014, and after due deliberation, voted to send a favorable recommendation to the Town Council of the Town of Munster on the proposal to rezone and approve the *Kenmara Technology Park Planned Unit Development District* as a PUD zoning district, and to approve the proposed PUD uses for the *Kenmara Technology Park Planned Unit Development District*; and

WHEREAS, the adoption of the *Kenmara Technology Park Planned Unit Development District Ordinance* would be a supplement to the Town's Zoning Ordinance codified at Chapter 26 of the Munster Code of Ordinances.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MUNSTER, LAKE COUNTY, INDIANA:

1. The *Kenmara Technology Park Planned Unit Development* is hereby approved as a planned unit development district in the Town of Munster, pursuant to I.C. 36-7-4-1500 *et seq.* and the Munster Zoning Code.
2. The Property 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.

is hereby rezoned from a General Urban B Character District (CD-4.B.) to the *Kenmara Technology Park Planned Unit Development District* and the official Zone Map of the Town of Munster shall be amended accordingly to reflect this zone change.

3. The permitted uses for the *Kenmara Technology Park Planned Unit Development District*, as a Certified Technology Park established under Indiana Code § 36-7-32, are hereby

approved and shall be identified as “high technology activity,” in accordance with I.C. § 36-7-32-7, as amended, which shall mean one (1) or more of the following:

- A. Advanced computing, which is any technology used in the design and development of any of the following:
 - i. Computer hardware and software.
 - ii. Data communications.
 - iii. Information technologies.
 - B. Advanced materials, which are materials with engineered properties created through the development of specialized process and synthesis technology.
 - C. 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.
 - D. Electronic device technology, which is any technology that involves:
 - i. microelectronics, semiconductors, or electronic equipment;
 - ii. instrumentation, radio frequency, microwave, and millimeter electronics;
 - iii. optical and optic electrical devices; or
 - iv. data and digital communications and imaging devices.
 - E. Engineering or laboratory testing related to the development of a product.
 - F. 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.
 - G. 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.
 - H. Product research and development.
 - I. Advanced vehicles technology, which is any technology that involves:
 - i. electric vehicles, hybrid vehicles, or alternative fuel vehicles; or
 - ii. components used in the construction of electric vehicles, hybrid vehicles, or alternative fuel vehicles.
4. The Town of Munster Code of Ordinances is hereby supplemented by the establishment of the *Kenmara Technology Park Planned Unit Development District*, and permitted uses for a *Certified Technology Park*, per I.C. § 36-7-32, as amended, are hereby ordained and approved and shall be codified at Chapter 26 of the Town of Munster Code of Ordinances.
5. The Site Plan, *Standards for Bulk and Design*, and amendment(s) to the 1A Development

Agreement between the Town of Munster and SPIN Munster, LLC, executed on July 17, 2023, shall be finalized, approved, and incorporated into a supplemental amendment to this *Kenmara Technology Park Planned Unit Development District Ordinance* before the Town may issue permits or anyone may make improvements to the Property.

6. This Ordinance shall be recorded with the Office of the Lake County Recorder and shall further be identified on the Final Plat of Subdivision for the property by the Ordinance Number and the Lake County Recording Number.

DULY ORDAINED and **APPROVED** by the Town Council of the Town of Munster, Lake County, Indiana, this _____ day of _____ 2025 by a vote of _____ in favor and _____ opposed.

**TOWN OF MUNSTER, LAKE COUNTY, INDIANA
BY ITS TOWN COUNCIL:**

By: _____
George Shinkan, President

ATTEST:

Wendy Mis, Clerk-Treasurer

Attachment: None

I affirm under penalties of perjury that I have taken reasonable care to redact each social security number in this document, unless required by law. /s/ Nicole A. Bennett