



PLAN COMMISSION STAFF REPORT

To: Members of the Plan Commission

From: Sergio Mendoza, Planning Director

Meeting Date: November 18, 2025

Agenda Item: PC 25-021

Application Type: Subdivision/Replat

Hearing: Preliminary

Summary: Applicant is requesting to replat/resubdivide 11 acres known as 45th AVE ADDITION, Lot 1 into for four lots of record to be known as into 4 lots of record to be known as THE PAVILLION AT 45TH, LOTS 1-4.

Applicant: Scott Yahne, Attorney for G.H.K. Developments, Inc.

Property Address: 1830 45th Street

Current Zoning: CD-4 A (Commercial), active PUD

Adjacent Zoning: North: CD 4 A – General Commercial, active CD 4 R4 – Multifamily
South: CD-3. R2 (Single-Family Residential), active Rail Road ROW
East: CD-4 A (Commercial)
West: CD-4 A (Commercial)

Applicant Requesting: Public Hearing

Action Required: Schedule Public Hearing
Review of Subdivision Codes
Review of Preliminary Subdivision Plat

Staff Recommendation: Approve Preliminary Replat/Subdivision with Surety.

Attachments:

1. Application, Exhibit A
2. Alta Survey, Exhibit B
3. Concept Lots, Exhibit C
4. Aerial Overlay, Exhibit D
5. Preliminary Plat, Exhibit E

SITE LOCATION

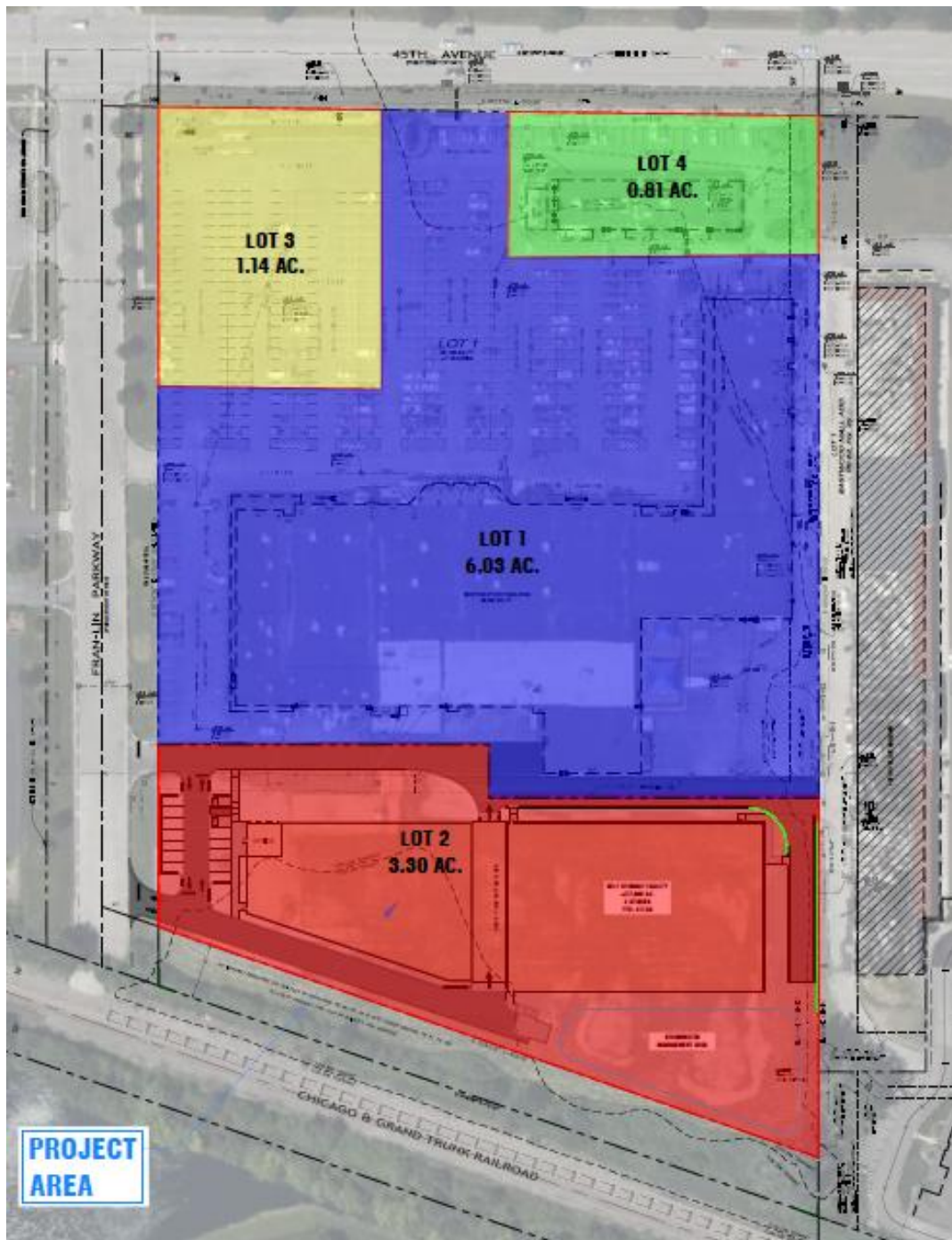
The proposed Subdivision/Replat is south of 45th Street, east of Fran-Lin Parkway, north of the Canadian National Railroad, and approximately 260 feet west of Wildwood Court. The property is a Lot of Record known as 45th Ave Addition Lot 1, approximately 11 acres with 590 feet of 45th Street frontage and 731 feet of Fran-Lin Parkway frontage. The property is commonly known as The Pavilion at 45th.



PROJECT BRIEFING

The Petitioner proposes to subdivide the existing single-lot Planned Unit Development (PUD) into a four-lot subdivision to support continued development in compliance with the PUD and Town of Munster Zoning

The Petitioner further seeks an amendment to the lot lines through an underlying PUD to incorporate the submitted Plat of Subdivision and to implement the accompanying proposed Design Standards. In addition, the Petitioner will adopt and record reciprocal easements to ensure the efficient use and shared access to common elements throughout the PUD.



LOT 1
(1800 45th)
(9700 Fran-lin)
49,727 SQFT
1.14 Acres

LOT 2
(1860 45th)
35,458 SQFT
0.81 Acres

LOT 3
(1830 45th)
263,428 SQFT
6.05 Acres

LOT 4
(9749 Fran-lin)
142,644 SQFT
3.27 Acres

PB44-022

PB44-028 ?

The resubdivision replat will require the installation of additional public improvements in the form of sidewalk connection and completion along 45th Street and and Fran-Lin Parkway.

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.

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 finds that the applicant and all interested parties have properly submitted a complete application and supporting documentation, including the Temporary Power of Attorney Affidavit. In addition, a review of Division 3 – Design Requirements of the Subdivision Control Ordinance is required to enable the Plan Commission to prepare written Findings and Decisions following the public hearing at its next regularly scheduled meeting. This review will allow the Commission to generally accept the layout as submitted, acknowledge requested waivers, or identify any necessary changes or revisions.

Finally, staff finds that the proposal complies with Sec. 26-277 of the Munster Subdivision Code and recommends that the Plan Commission consider scheduling a Public Hearing for PC 25-021, *The Pavilion at 45th, Lots 1–4 Subdivision*

Motion

Plan Commission may consider the following motion:

Motion to schedule PC 25-021, a proposed 1-Lot Subdivision for an October 14, 2025 Public Hearing, including all discussion and findings.