



PLAN COMMISSION STAFF REPORT

To: Members of the Plan Commission

From: Tom Vander Woude, Planning Director

Meeting Date: October 11, 2022

Agenda Item: PC Docket No. 22-019

Application: **Zoning Map Amendment**

Hearing: **PUBLIC HEARING**

Summary: Fadi Layous requesting a zoning map amendment, changing the zoning of the property at 500 45th Street from SD-M Manufacturing to CD-4.B General Urban - B District with the Special Requirement: Ground Floor Residential/Dwelling Use Restriction.

Applicant: Fadi Layous represented by The HOH Group, Inc.

Property Address: 500 45th Street

Current Zoning: SD-M Manufacturing

Adjacent Zoning: North: SD-M
South: CD-4.B
East: SD-M
West: SD-M

Action Requested: Recommendation to Town Council

Additional Actions Required: Findings of Fact
Town Council Approval

Staff Recommendation: **Favorable Recommendation**

Attachments: Narrative Statement prepared by The HOH Group, Inc. dated 08.29.2022
A.L.T.A./N.S.P.S. Land Title Survey prepared by Glenn Kracht Associates dated 04.08.2022
Layous Medical Group Pulmonary Clinic Remodel plans prepared by The HOH Group, Inc. dated 08.26.2022
Town of Munster Zoning Map

BACKGROUND



Figure 1 Subject property outlined in red.

Fadi Layous has purchased the property located at 500 45th Street and has presented plans to use the property for a medical office. A medical office is not a permitted use in the SD-M Manufacturing District so the applicant is seeking a zoning map amendment to change the zoning of the property from SD-M Manufacturing to CD-4.B General Urban - B District with the Special Requirement: Ground Floor Residential/Dwelling Use Restriction.

The subject property contains an approximately 8,000 square foot building built in 1980 and a 150' tall communications tower constructed in 1996. It was most recently used by the Miner Electronics Company. The applicant has presented plans to improve the property and remodel the building into a medical office. Conceptual plans are attached to this memo. The development plan will require a separate approval by the Munster Plan Commission.



Figure 2 Recent Google street view of property

1005 Ridge Road • Munster, IN 46321 • (219) 836-8810 • Police/Fire Emergencies 911

Police Non-Emergency (219) 836-6600 • Fire Non-Emergency (219) 836-6960

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The Plan Commission heard this petition at a preliminary hearing on September 13, 2022. The attached plans are unchanged from the preliminary hearing.

ZONING CONTEXT

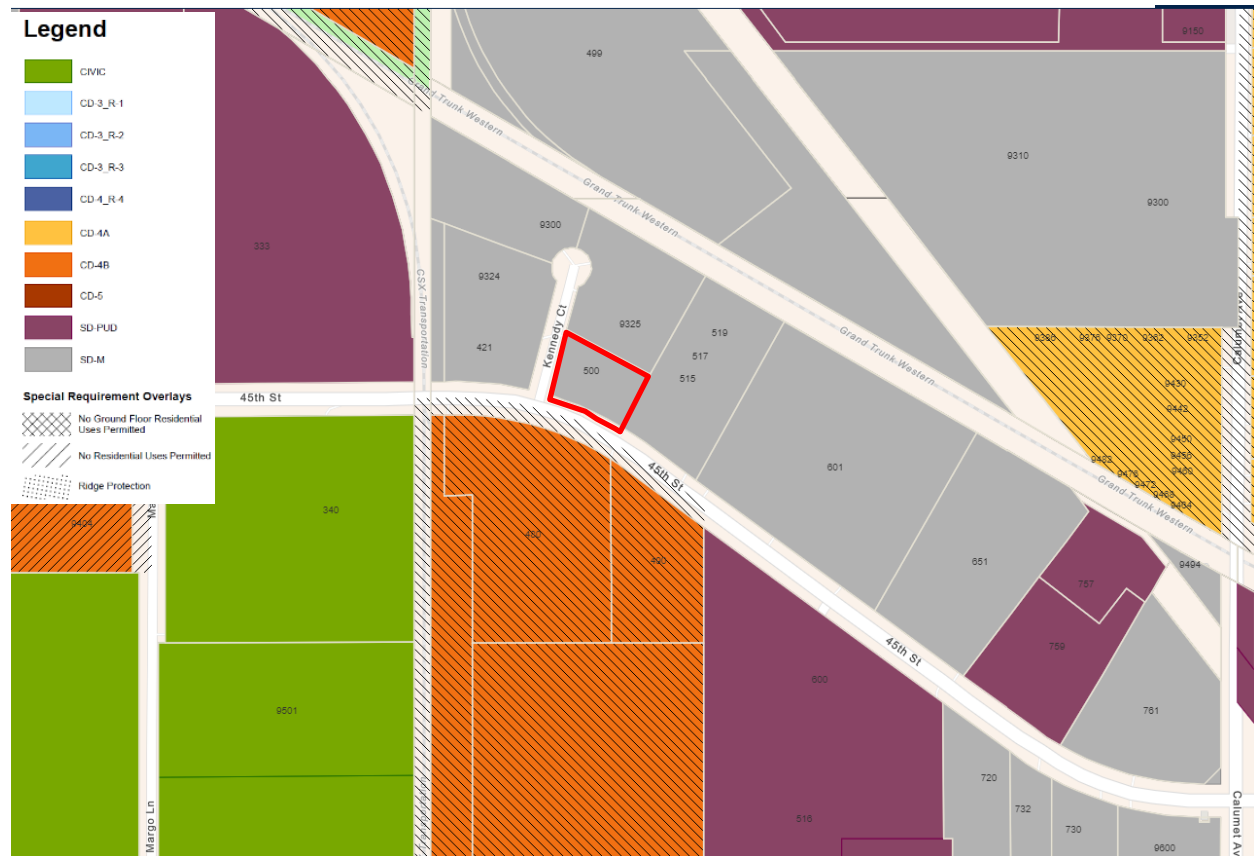


Figure 3: Zoning context

Like the subject property, the properties to the west, north, and east are zoned SD-M. The SD-M zoning district permits light industrial uses and some limited commercial uses, such as garden centers, dry cleaners, and others. A Medical Office use is not permitted. The property to the south containing the former Whole Foods warehouse is zoned CD-4.B with a *Special Requirement overlay No Ground Floor Residential Uses Permitted*. The Franciscan hospital Planned Unit Development is located to the southeast, an additional Franciscan medical PUD is located four parcels to the east and the remainder of the parcels are zoned SD-M.

LAND USE CONTEXT

The subject property is adjacent to a mixture of commercial and light industrial uses that line the 45th Street corridor. Along Kennedy Court, Humane Indiana, an animal shelter and clinic, is located to the west; Regional Cremation Service, a crematorium with an RV and boat storage yard to the rear, is located to the northwest; and Velko Hinge, a hinge manufacturing facility, is located to the north. Royal Brush Manufacturing Inc. is directly east of the subject property and the Times of Northwest Indiana

corporate headquarters is beyond that. Additional medical uses are clustered on both sides of 45th near Calumet Avenue.



Figure 4 Land Use Context

ANALYSIS

IC 36–7–4–603 states that in considering zoning map amendments, *the plan commission and the legislative body shall pay reasonable regard to:*

- (1) *the comprehensive plan;*
- (2) *current conditions and the character of current structures and uses in each district;*
- (3) *the most desirable use for which the land in each district is adapted;*
- (4) *the conservation of property values throughout the jurisdiction; and*
- (5) *responsible development and growth.*

Staff has made the following findings with respect to these criteria:

- (1) *the comprehensive plan;*

The comprehensive plan is silent on the subject of the zoning of this area.

- (2) *current conditions and the character of current structures and uses in each district;*

The neighboring properties contain a mixture of commercial, medical, and light industrial uses.

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(3) the most desirable use for which the land in each district is adapted;

The neighboring properties contain a mixture of commercial, medical, and light industrial uses.

(4) the conservation of property values throughout the jurisdiction; and

The neighboring properties contain a mixture of commercial, medical, and light industrial uses. An additional medical use will not be detrimental to property values.

(5) responsible development and growth.

The property has been in use as a low-intensity light industrial/commercial use since 1980 and is served by adequate infrastructure.

MOTION

The Plan Commission may wish to consider the following motion:

Motion to forward a favorable recommendation to the Town Council to approve a a zoning map amendment, changing the zoning of the property at 500 45th Street from SD-M Manufacturing to CD-4.B General Urban - B District with the Special Requirement: Ground Floor Residential/Dwelling Use Restriction.

08.29.2022

Dear City of Munster planning review Committee,

The purpose of our design on this property is intended for the client to use this building as a Medical Clinic. The property is currently zoned SD-M for Manufacturing. We are seeking approval to change the zoning to CD-4 to allow for the use of a Medical Clinic. The current building is 8,000 SF, to satisfy the City of Munster Zoning Ordinance for the new CD-4 use, the property will increase the number of parking spaces from 22 to 45. Adjustments to the driveway will be also made. The new driveway will be relocated to Kennedy Court from 45th street. Trees will be added every 30 feet. A new garbage enclosure will be constructed with materials that match the buildings renovated exterior finish. A new fence and landscaping will be constructed to screen the parking from the street and site utilities will remain as is and will not need to be altered.

ALTA/NSPS SURVEY

LOT 1
VELKO ADDITION
VELKO HINGE INC.
45-06-25-402-001.000-027

PROPERTY ADDRESS:
500 WEST 45TH AVENUE MUNSTER, IN 46321

LEGAL DESCRIPTION:
LOT 6 IN KENNEDY COURT RESUBDIVISION OF PART OF BLOCK 2 OF
MIDWEST CENTRAL BUSINESS PARK TO THE TOWN OF MUNSTER, AS PER
PLAT THEREOF, RECORDED IN PLAT BOOK 51 PAGE 84, IN THE OFFICE OF
THE RECORDER OF LAKE COUNTY, INDIANA, AND AMENDED BY A
"CERTIFICATE OF CORRECTION" DATED JANUARY 16, 19850 AS DOCUMENT
NO. 569136.

Parcel No. : 45-06-25-402-002.000-027

NOTES CORRESPONDING TO SCHEDULE "B" PART II :
CHICAGO TITLE INSURANCE COMPANY
LIBERTY TITLE & ESCROW CO. LLC
ORDER NO. : NW122003324 DATE: DEC. 23, 2021.

ITEM NO.:
17. The easements for ingress egress and drainage etc. in the 1977 Document are
superceded by the Recorded Plat for the subdivisions developed on the parcels.
18. The document is for an agreement for Miner to build the building per the terms
of the agreement.
19. The document lays out the original easements to Exhibit B.
20. The documents create additional Lease areas by descriptions
21. The document reiterates the Lease Easement areas.

SURVEYOR REPORT :
This Reconcom Survey of Lot 6 was performed at the Request of Diana Damm of Berkshire Hathaway Homeservices Executive
Really on behalf of the buyer of the parcel. The purpose of this survey is to locate the boundary along with improvements according to the
ALTA/ACSM Land Title Survey Standards.

REFERENCE SURVEYS:
1. Plat of Survey by Alan V. Fisk of Subject Parcel filed in the Office of the Recorder of Lake County IN, in Survey Book 04 page 38.
2. Final Plat of KENNEDY COURT RESUBDIVISION as shown in Plat Book 51 page 84 in the Office of the Recorder of Lake County.

MONUMENT AVAILABILITY:
Iron Rods bearing Torrence Surveying ID Caps were found at the SW corner and SW PC of Lot 1, as well as at the NE Corner of Lot 2. A
Rod bearing Handley Surveying ID Cap was Found at the SE Corner of Lot 3. And An Iron pipe was found in the Vicinity of the SW
Corner of Lot 6.
All of the monuments found were in good condition and close to the surface.

THEORY OF LOCATION:
A traverse was run between the found monumentation. All of the monuments found measured within tolerance of the record
dimensions on the above mentioned reference survey; EXCEPT the Iron Pipe which was found to be 2.6' South and 9.6' West of Said lot
corner. The survey was rotated to the Plated Azimuths (which were Converted to Bearing Calls for This Survey and the corners of Lot 6
were computed based on the traverse run. The corners were all within close proximity of buried cables, so no iron rods were set.
POSSESSION LINES:
There is a Concrete standing curb running along the North Line of Lot 6. No evidence of encroachment onto the property was visible.

DESCRIPTIONS:
Upon examination of the adjoining deeds no gaps or overlaps were discovered.
The Survey performed meets the requirements of an Urban Survey per 865 IAC 1-12-7.
The acceptable relative positional accuracy of an Urban Survey is 0.07 feet plus 50 parts per million.
The bearings are based on the Recorded Plat of the Kennedy Court Resubdivision.

PROPERTY IS LOCATED IN FLOOD ZONE: "X" PER
FEMA COMMUNITY-PANEL NO. 18089 C 0117 E

CERTIFICATION:

TO: Fadi Layous and Maria Layous
Chicago Title Insurance Company

This is to certify that this map or plat and the survey on which it is based
were made in accordance with the 2021 Minimum Standard Detail Requirements
for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA,
and NSPS and includes items 1-4, 11 & 13 of Table "A" thereof.
The fieldwork was completed on March 25, 2022.

Dated this: 8th Day of April, 2022

Glenn H. Kracht IN. LS 29400001



SCALE : 1" = 20'

LEGEND:

- IRS IRON ROD SET W/ I.D. CAP
- IRF IRON ROD FOUND
- ▲ MAG NAIL FOUND
- LIGHT STANDARD
- SAN SEWER M.H.
- C.B. CATCH BASIN

GLENN KRACHT
ASSOCIATES
GKA
314 FAIRFIELD DRIVE CROWN POINT, IN 46307
PHONE: 219.663.8623
FAX: 219.663.8645

A.L.T.A. / N.S.P.S.
LAND TITLE SURVEY
500 W. 45TH AVENUE MUNSTER, IN 46321

OWNER: MINER ELECTRONICS LLC
BUYER: FADI & MARIA LAYOUS

DATE:
APRIL 8, 2022

JOB NO. : 225845
SHEET 1 of 1



LAYOUS MEDICAL GROUP

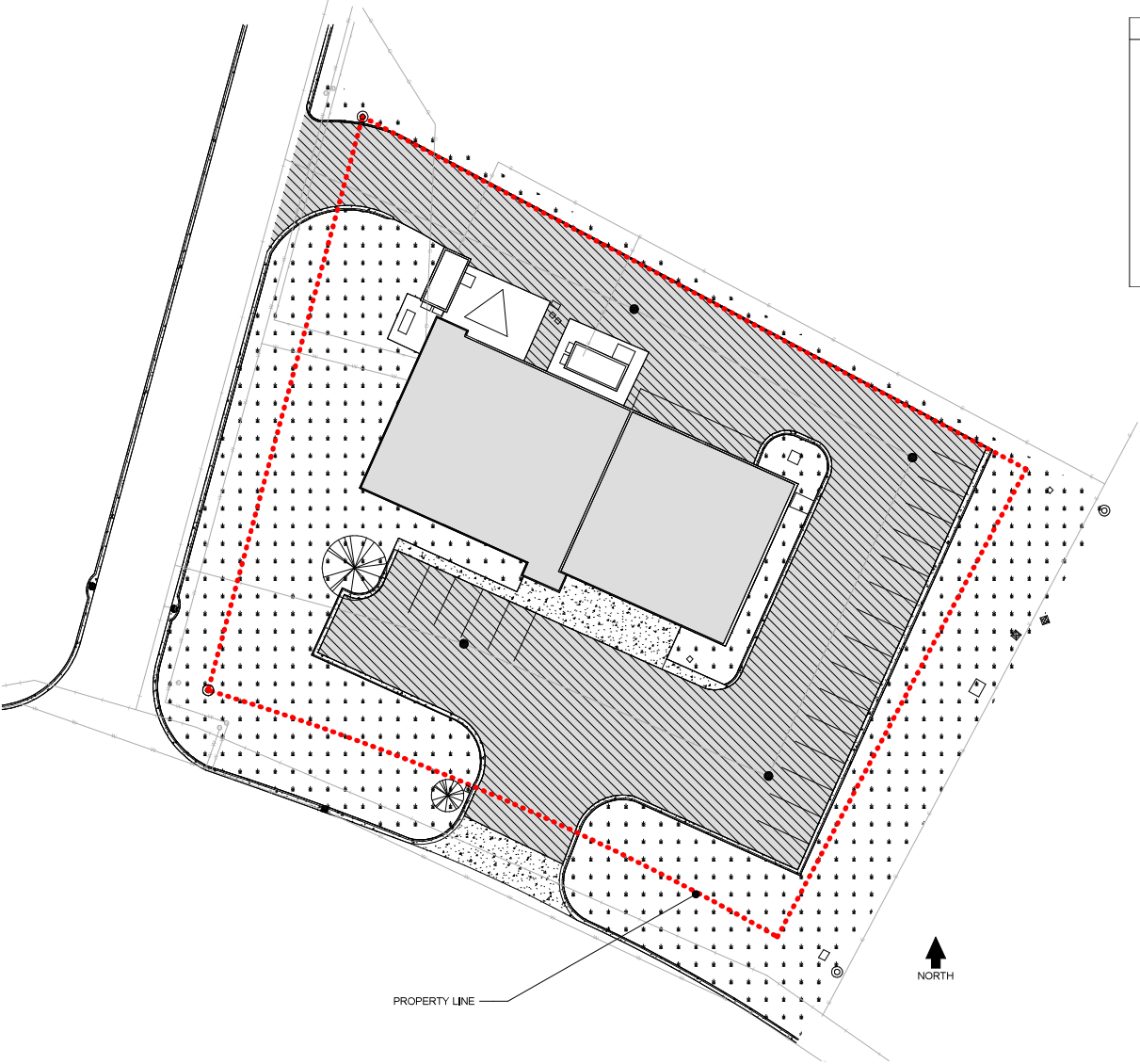
PULMONARY CLINIC REMODEL

500 45TH STREET
MUNSTER, IN 46321

08.26.2022

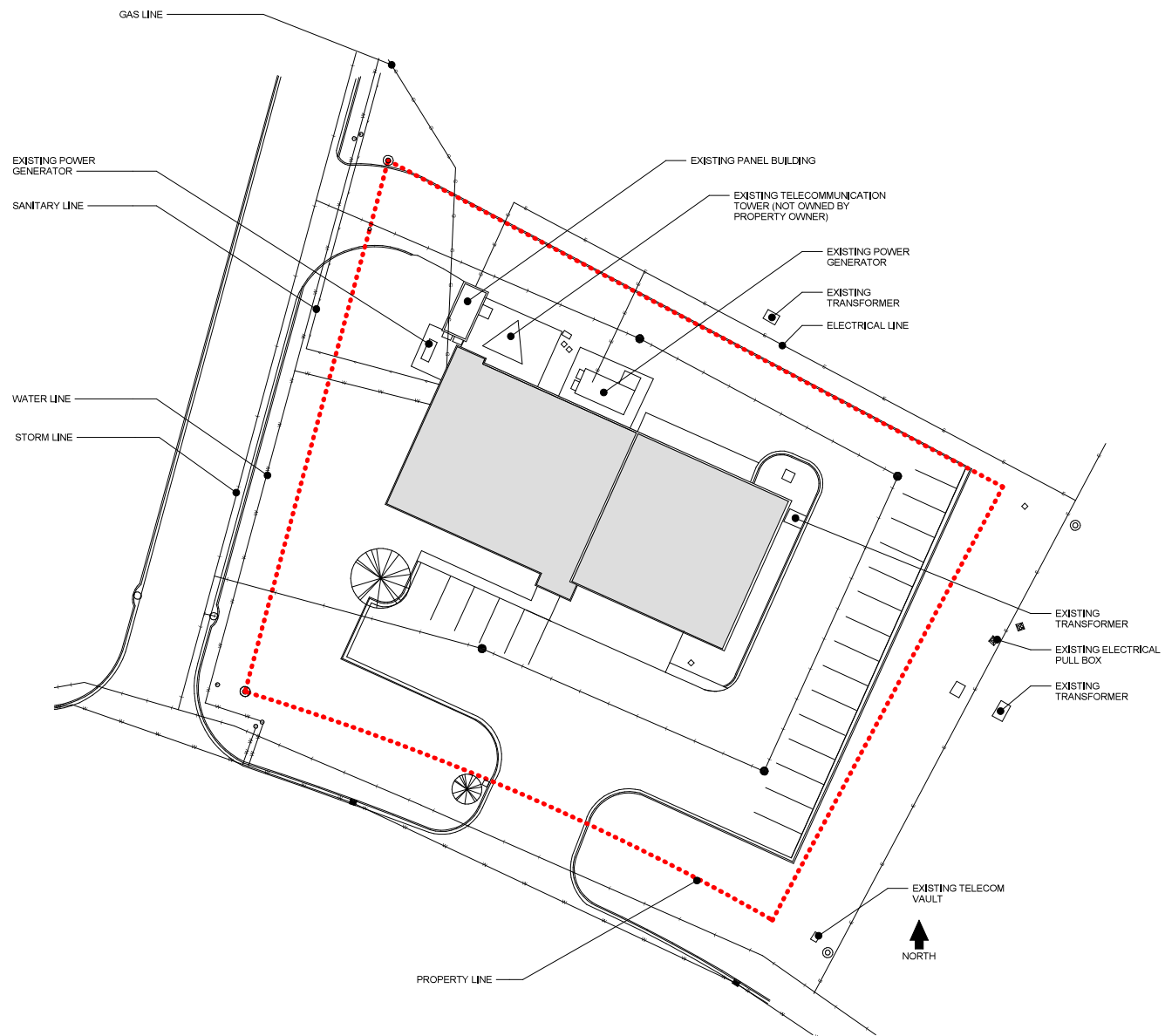


CURRENTLY ZONED AS: SD-M
CURRENT TOTAL PARKING: 22

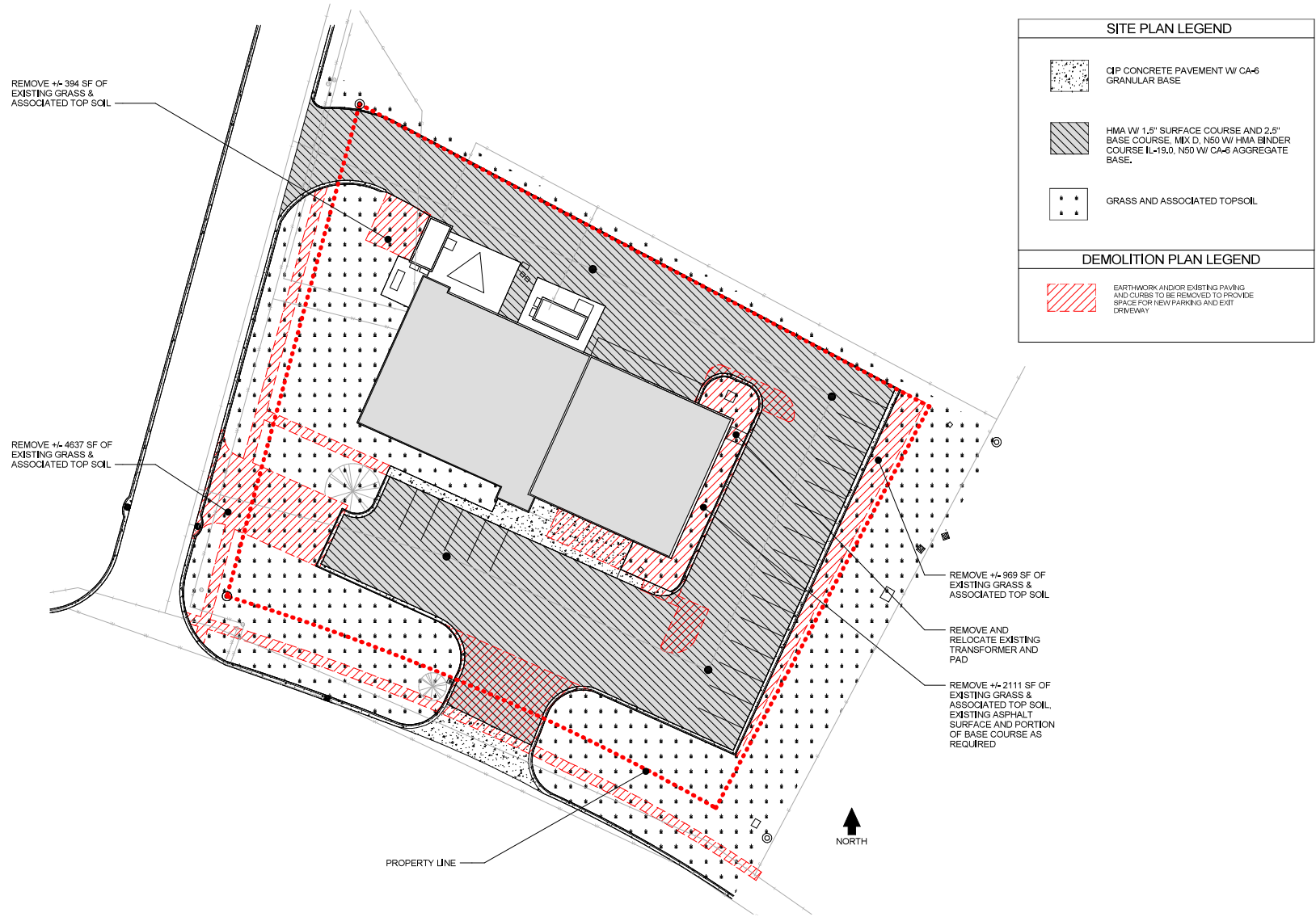


SITE PLAN LEGEND	
	C/P CONCRETE PAVEMENT W/ CA-6 GRANULAR BASE
	HMA W/ 1.5" SURFACE COURSE AND 2.5" BASE COURSE, MIX D, N50 W/ HMA BINDER COURSE IL-19.0, N50 W/ CA-6 AGGREGATE BASE.
	GRASS AND ASSOCIATED TOPSOIL

SITE PLAN - EXISTING
1" = 20' -0"



SITE PLAN - UTILITY
1" = 20' - 40"



SITE PLAN - DEMOLITION
1" = 20' -0"


PROPOSED TO BE ZONED AS: CD-4

TOTAL REQUIRED PARKING BASED ON CURRENT MUNSTER ZONING CODE:
5.7 SPACES PER 1000SF OF FLOOR AREA =
(8,000 SF X 5.7 SPACES) / 1000 SF = 45 PARKING SPACES
(INCLUDING THE MINIMUM NUMBER OF ADA PARKING SPACES)


PROPOSED TOTAL PARKING: 45

SOURCE: TABLE 26-6, 405.0-1 VEHICULAR PARKING REQUIREMENTS ON PAGE 242 OF THE CURRENT MUNSTER ZONING CODE FOR MEDICAL/OUTPATIENT CLINIC


PROPOSED SITE PLAN LEGEND



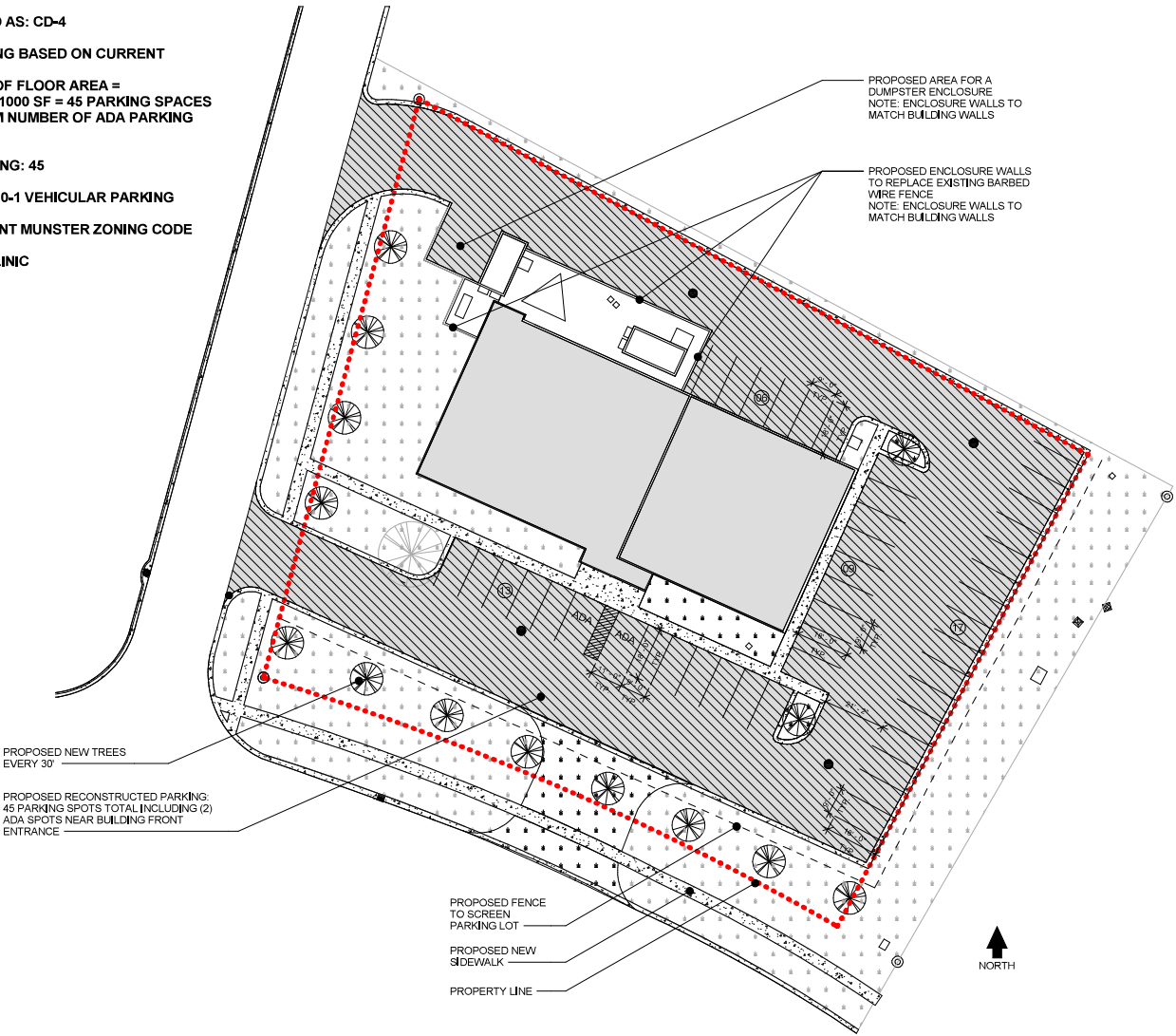
NEW CIP CONCRETE PAVEMENT W/
CA-6 GRANULAR BASE



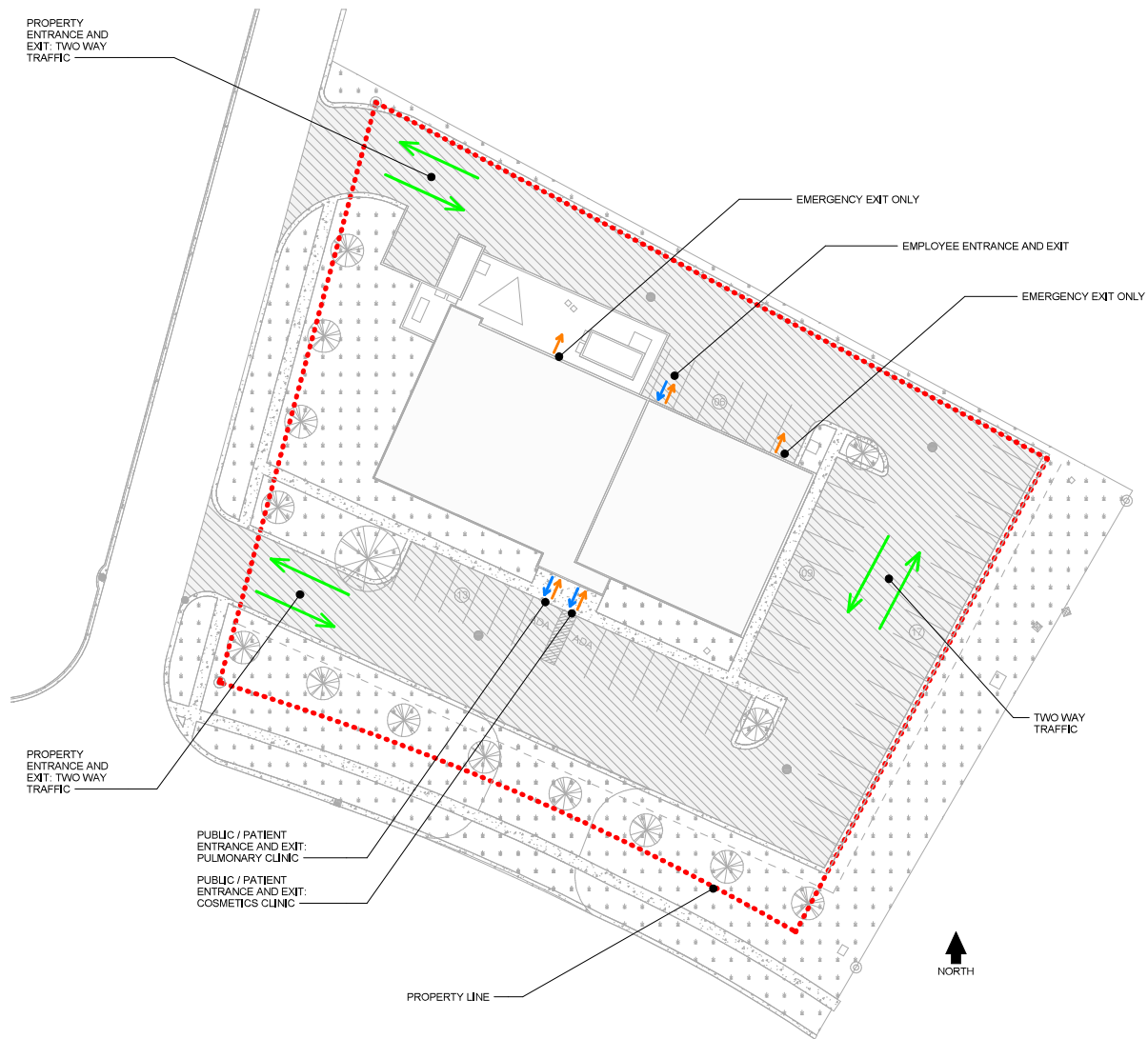
NEW HMA W/ 1.5" SURFACE COURSE AND
2.5" BASE COURSE, MIX D, N50 W/ HMA
BINDER COURSE IL-19.0, N50 W/ CA-6
AGGREGATE BASE.



NEW GRASS AND ASSOCIATED TOPSOIL.



SITE PLAN - PROPOSED
1" = 20' -0"



CIRCULATION LEGEND	
→	VEHICLE TRAFFIC - CIRCULATION
→	FOOT TRAFFIC - EGRESS
→	FOOT TRAFFIC - INGRESS

SITE PLAN - PROPOSED CIRCULATION
1" = 20' -0"



PROPOSED DESIGN - 3D RENDERING - AERIAL VIEW

ALUMINUM COMPOSITE
METAL (ACM) PANELS

PAINTED GLAZING OVER
EXISTING BRICK



PROPOSED DESIGN • 3D RENDERING

