



# PLAN COMMISSION STAFF REPORT

**To:** Members of the Plan Commission

**From:** Sergio Mendoza, Planning Director

**Meeting Date:** November 14, 2023

**Agenda Item:** PC 23-028

**Application Type:** Rezone

**Hearing:** Preliminary

**Summary:** The Town of Munster is requesting a zoning map amendment to restore a portion of previously zoned commercial property at 706 Ridge Road to be Rezoned from CD-3.R2 - Neighborhood - 60' Lot One Family Residence District to CD-4.A - General Urban - A Character District.

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**Applicant:** Town of Munster

**Property Address:** 706 Ridge Road

**Current Zoning:** CD-3.R2 - Neighborhood - 60' Lot One Family Residence District

**Adjacent Zoning:** North: CD-4.A. - General Urban - A Character District  
South: CD-3.R2 - Neighborhood - 60' Lot One Family Residence District  
East: CD-5 - Urban Center Character District  
West: CD-4.A. - General Urban - A Character District

**Action Requested:** Schedule Public Hearing

**Action Required:** Review Findings of Fact and Schedule Public Hearing

**Staff Recommendation:** Schedule Public Hearing

**Attachments:** 1. Proposed Rezone Plat, Exhibit A (pg 7)  
2. Rezone Application, Exhibit B (pg 8).

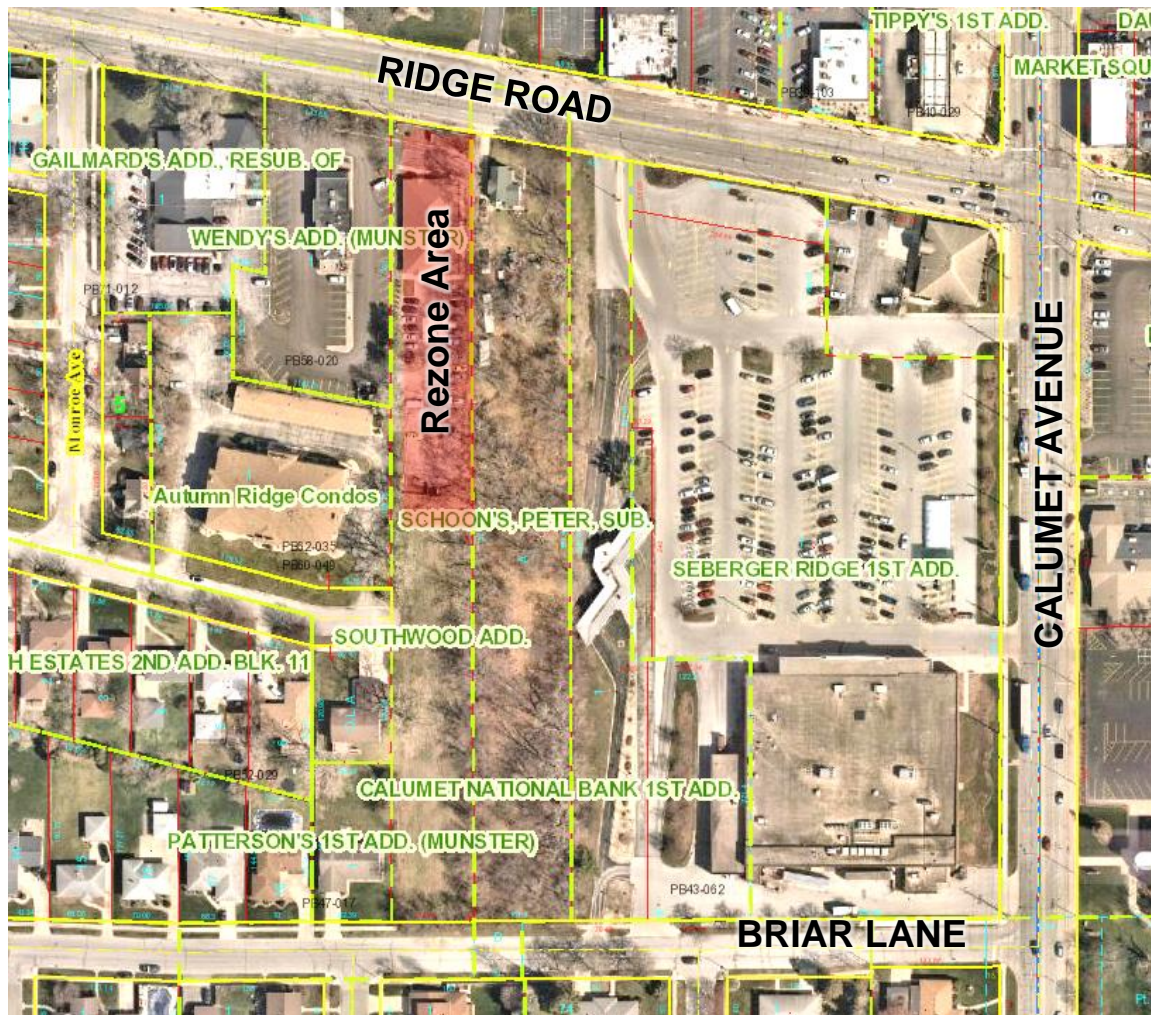
**SITE LOCATION**

Figure 1 Subject 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 [www.munster.org](http://www.munster.org)



**BRIEFING**

Property records show a transfer/acquisition/sale of 706 Ridge Road to Wadrak Investments LLC in 2019, under the control of Ahmad “Fred” Wardak. Approximately 6 months ago Mr. Wardak engaged in an appraisal process when the structure and use were identified as a Legal Non-Conforming due to its current residential zoning. Further review of the site identified that prior to 2019 the property had dual zoning with commercial zoning approximately 315 FT south of Ridge Road and residential zoning the remaining 550 FT extending to Briar Lane. The dual zoning recognized the structure and use as Legal Conforming until the Town of Munster updated its Zoning Codes and Zoning Map and perhaps inadvertently rezoned the entire subject property to a residential zone. Mr. Wadrak would like to continue with the appraisal of his property and has requested that the town assist him in recognizing the current structure and use as legal conforming within an appropriate Town zone classification. The Town has agreed to assist with this interest and initiate the rezone process and restore 706 Ridge Road to the previous zone classifications while maintaining the Town’s current zone classifications. Prior to the Zone Map update, the proposed commercial/medical/office zone was approximately 0.58 of the overall 1.59 acre parcel with approximately 5,000 SF of commercial/medical/office structure constructed in 1985, and approximately 13,500 SF of asphalt parking area.

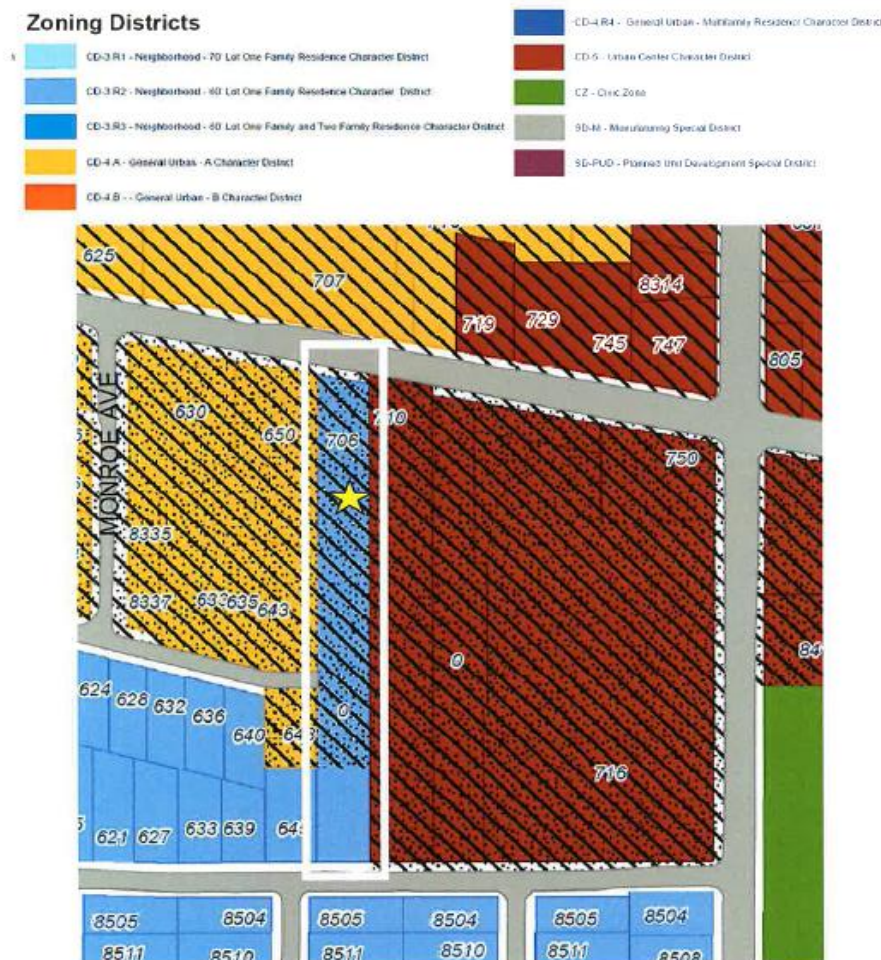


Figure 2 Current zone classification in 2019



Figure 3 Previous Zone classification in 2018

## **MUNSTER CHARACTER-BASED CODE REQUIREMENTS**

(DIVISION 8, ADMINISTRATION, PROCEDURE, & ENFORCEMENT):

### **26-6. 804.L**

#### **4. Petition Requirements.**

Any petition for a change in the Zoning Map shall include the following:

- The name of the property owner.
- A map accurately drawn to an appropriate scale, showing the proposed Zoning District boundary changes, property lines, tax lot identification, the calculated areas affected in acres or square feet, the Thoroughfare rights of-way in the immediate vicinity and the lands and names of owners Adjacent to (and extending within 100 feet of) all boundaries of the property to be rezoned.

#### **5. Plan Commission Action.**

No text or map amendment shall become effective unless the proposal shall first have been submitted to the Plan Commission, which after review, public notice, and hearing shall recommend to the Town Council approval, approval with conditions, or disapproval of the proposed amendment.

**6. Public Hearing.**

The Town Council, by resolution adopted at a stated meeting, shall fix the time and place of a public hearing on the proposed amendment.

**7. Public Notice.**

The public hearing shall be noticed in compliance with the public notice requirements set forth in Section 26-6.804.K.

**8. Entry in Town Council Minutes & Publication.**

Every adopted zoning law and every amendment thereto, including the Zoning Map, shall be entered in the minutes of the Town Council.

**INDIANA CODE TITLE 36. LOCAL GOVERNMENT ARTICLE 7.**

*(PLANNING AND DEVELOPMENT CHAPTER 4. LOCAL PLANNING AND ZONING):*

**IC 36-7-4-603. Zoning Ordinance; Preparation and Consideration of Proposals**

In preparing and considering proposals under the 600 series, 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 FINDINGS and RECOMMENDATION**

Staff finds that the application has been appropriately completed and provides the following findings with respect to IC 36-7-4-603 criteria:

*(1) the comprehensive plan;*

The current comprehensive plan is silent on the subject of this parcel. However, it does reference Ridge Road as “Munster’s historic Main Street” which is a vibrant commercial street that has retained its pedestrian character while carrying a significant volume of car traffic. It continues to support the concept of Main Streets for this corridor where buildings are along Ridge Road with parking to the rear and recommends that new development should maintain this character.

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

A portion of this property abuts commercial use to the north and west. In addition, commercial/medical/office zone classifications exist to the north, east, and west.

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

Commercial/medical/office use would be the most desirable land use along the Ridge Road primary arterial corridor.

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

Rezoning a portion of the subject property to CD-4.A will eliminate the legal non-conforming status for the property which will permit the property to be rebuilt as a commercial/medical/office use in the event of abandonment or destruction, which retains a higher value than residential.

*(5) responsible development and growth.*

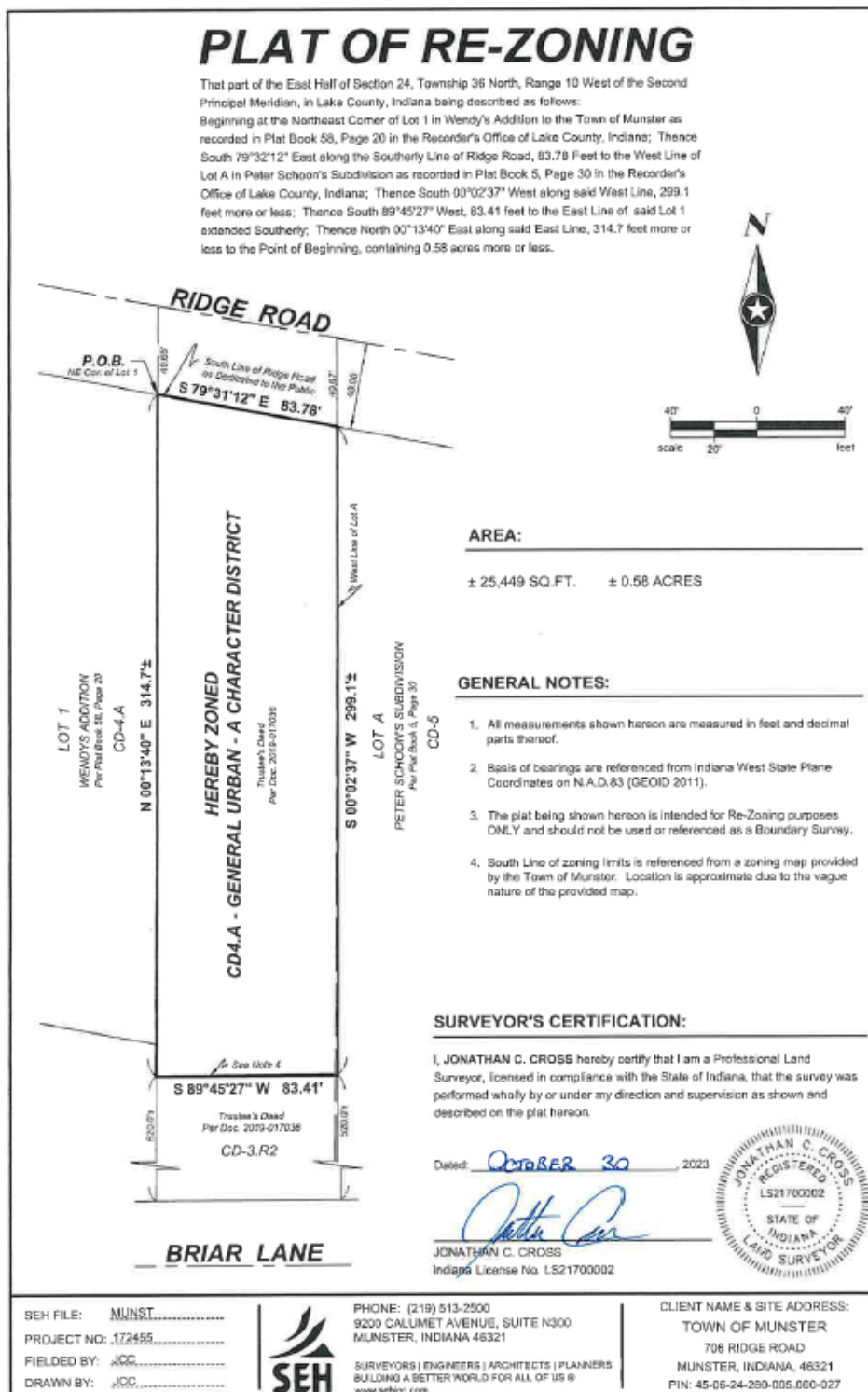
The area of property identified for rezone has been in continual use as a medical/office since its construction in 1985.

**MOTION**

The Plan Commission may consider the following motion:

*Motion to schedule PC23-028 for Public Hearing on January 9, 2024 - A proposed Amendment to the Zoning Map*

## EXHIBIT A REZONE PLAT





## EXHIBIT B REZONE APPLICATION



### Town of Munster Plan Commission Petition Application

**OWNER INFORMATION:**

**Petition PC** 23-020  
**Date:** 10.31.23  
**Application Fee:** \$ 0  
**Sign Fee:** \$ 0

**OWNER INFORMATION:**  
Wardak Investments LLC of Ahmad (Fred) Wardak  
Emily Djorovic  
219.513.0555  
**Name of Owner** **Phone Number**  
706 Ridge Rd, Munster, IN 46321  
afw1349@gmail.com  
emily.jones@urgentdent.com  
**Street address, City, ST, ZIP Code** **Email address**

**APPLICANT OR PETITIONER INFORMATION (if different than above):**

Town of Munster  
219.836.6990  
**Name of Applicant/Petitioner** **Phone Number**  
1005 Ridge Rd, Munster, IN 46321  
communitydevelopment@munster.org  
**Street address, City, ST, ZIP Code** **Email address**

**PROPERTY INFORMATION:**

706 Ridge Rd (see attached plat)  
CD-3 R-2  
**Business or Development Name (if applicable)** **Current Zoning**  
**Address of Property or Legal Description**

**APPLICATION INFORMATION:**

Please select what this Application is for:

- ☐ Subdivision      If yes, select one of the following:      ☐ Preliminary Plat      ☐ Final Plat  
☐ Development Plan Review

☒ Rezoning (including Planned Unit Development) – Proposed Zoning District

CD-3 R-2 to CD4. A  
Residential — commercial

**Brief Description of Project:**

Zoning Map Amendment

In 2019 the Town of Munster updated their zoning map. The  
subject parcel was inadvertently rezoned to residential. Said  
parcel/property already had a medical office use existing at the  
time of the zone map update. Town is restoring previous zone.

SEH - Jonathan Cross  
219.513.2500  
**Name of Registered Engineer, Architect or Land Surveyor** **Phone Number**  
9200 Calumet Ave. Ste. N300 Munster, IN  
jcross@sehin.com  
**Street address, City, ST, ZIP Code** **Email address**



Petition PC 23 - 028***Town of Munster Plan Commission Application Signature Page***

I hereby authorize Town of Munster to act on my behalf as my agent in this petition and to furnish, upon request, supplemental information in support of this petition application.

A handwritten signature in black ink, appearing to be "J. [unclear]".

Signature of Owner

11/01/2023

Date

A handwritten signature in blue ink, appearing to be "W. [unclear]".

Signature of Applicant

11/1/23

Date

## REQUIRED ATTACHMENTS

### Required Attachments for Plan Commission Applications

To ensure that adequate information is provided to the Plan Commission, please check off each of these items and provide documentation to the Community Development Department at the time of submittal of the application.

ALL APPLICATIONS	Included	N/A
Narrative statement describing project	✓	
Property owner consent (Signature page)		
Proof of Ownership (e.g. copy of tax bill)	✓	
Current <del>ATA</del> Survey <i>Plat of Re-zoning</i>	✓	
Vicinity Plan (A dimensioned drawing to scale of the planned building(s)/improvements in the context of the surrounding properties, including existing buildings and driveways at least one block in every direction)		

The following pages list the additional attachments required for specific applications. Please refer to your type of petition request and provide the additional required attachments.

SUBDIVISION - PRELIMINARY PLAT	Included	N/A
<b>Single-Family Residential Subdivision</b>		
Preliminary Plat		
Engineering Plans		
Storm Water Report		
<b>Commercial or Multi-Family Residential Subdivision</b>		
Preliminary Plat		
Engineering Plans		
Storm Water Reports		
Preliminary Development Plan containing:		
Boundary identification		
Fire hydrant locations		
Accessory structures		
Parking lot design		
Utility location		
Building footprints		
Proposed curb cuts		
Drainage/detention plans		
Traffic circulation		
Ingress/egress locations		
Major topographic information		
Infrastructure improvements		

<b>SUBDIVISION - FINAL PLAT</b>	<b>Included</b>	<b>N/A</b>
Final Plat		
Engineering Plans		
Stormwater report		
Special Studies as required – see Site Plan Review Committee minutes		

<b>REZONING (including PLANNED UNIT DEVELOPMENT amendments)</b>	<b>Included</b>	<b>N/A</b>
Preliminary Development Plan containing at a minimum:		
Boundary Identification	✓	
Fire hydrant locations		✓
Accessory structures	✓	
Parking lot design	✓	
Utility location	✓	
Building footprints	✓	
Proposed curb cuts	✓	
Drainage/detention plans		✓
Traffic circulation		✓
Ingress/egress locations	✓	
Major topographic information		✓
Proposed Use table	✓	
Stormwater report		✓
Special Studies as Required– see Site Plan Review Committee minutes		✓

<b>DEVELOPMENT PLAN</b>	<b>Included</b>	<b>N/A</b>
Detailed Site plan including:		
Boundary identification		
Fire hydrant locations		
Accessory structures		
Parking lot design		
Utility location		
Building footprints		
Proposed curb cuts		
Drainage/detention plans		
Traffic circulation		
Ingress/egress locations		
Major topographic information		
Infrastructure improvements		
Square footage of:		
Lot or parcel		
Existing impervious surface		
Proposed total impervious (existing plus current proposal)		
Existing building		
Proposed total building (existing plus current proposal)		

Existing parking and pavement		
Proposed total parking and pavement (existing plus current proposal)		
Relevant dimensions including:		
Buildings		
Parking stalls		
Driveway widths		
Setbacks to buildings and other improvements		
Parking lot aisles, turnarounds, turning radii, etc.		
Distance from driveway to street corner if less than 200'		
Sidewalk, walkway and handicap ramp widths and locations		
Widths of abutting R.O.W.'s, roadways, and terraces.		
Full color architectural renderings of all building elevations with materials identified		
Proposed lighting for site, including:		
Photometric Plan		
Location of all light fixtures		
Pole height		
Luminaire type and manufacturer's specifications for all exterior light fixtures		
Landscaping plan drawn to scale including:		
Common and Latin plant names		
Planting specifications		
Total number of trees provided		
Total square footage of landscaped area on site and internal to the parking lot		
Identification of area used to calculate internal parking lot landscaping		
Fence detail drawing		
Dumpster enclosure detail drawing		
Sign detail drawing		
Special studies as required— see Site Plan Review Committee minutes		

**NOTE: If you checked any exhibits "N/A", please explain:**

N/A = conditions pre Existed or  
information was/is not  
available (3)