



PLAN COMMISSION STAFF REPORT

To: Members of the Plan Commission

From: Sergio Mendoza, Planning Director

Meeting Date: March 12, 2022

Agenda Item: PC 22-021

Application Type: None - CERTIFICATE OF AMENDMENT

Hearing: Other Business

Summary: Approval of a CERTIFICATE OF AMENMENT to change the address of a lot within a recorded subdivision: COMMUNITY FOUADATION INC. ADDITION, BLOCK 5, LOT 3, from 730 Treadway Drive to 10240 Calumet Avenue, located near the southwest corner of Calumet Avenue and Treadway Drive.

Applicant: Community Foundation of Northwest Indiana

Property Address: 10240 Calumet Avenue

Current Zoning: CD-4.B General Urban - B District

Adjacent Zoning:
North: CD-4.B General Urban - B District
South: CD-4.B General Urban - B District
East: CD-4.B General Urban - B District
West: CD-4.B General Urban - B District

Applicant Requesting: Approve Certificate of Amendment

Actions Required: Review of the Subdivision Control Ordinance (SCO)

Staff Recommendation: Approve Certificate of Amendment

Attachments:
1. Certificate of Amendment, Recorded – Exhibit A (pg 6)
2. Community Foundation Inc. Addition, Block 5 Subdivision, Recorded – Exhibit B (pg 7)

SITE LOCATION

Figure 1 Subject property location highlighted in blue.

BRIEFING

The Town of Munster approved a FINAL PLAT for Community Foundation Inc. Addition, Block 5 on November 15, 2022, which was recorded on December 14, 2022, see attached EXHIBIT A . The approval minutes are as follow:

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

15' UTILITY EASEMENT

N 88°08'43" W ~ 496.78'

243.20'

23'

DA 6 49.1

N 01°51'17" E ~ 509.67'

N 01°51'17" E ~ 509.67'

N 88°08'43" W ~ 638.23'

243.20'

730 Treadway Drive

LOT 3

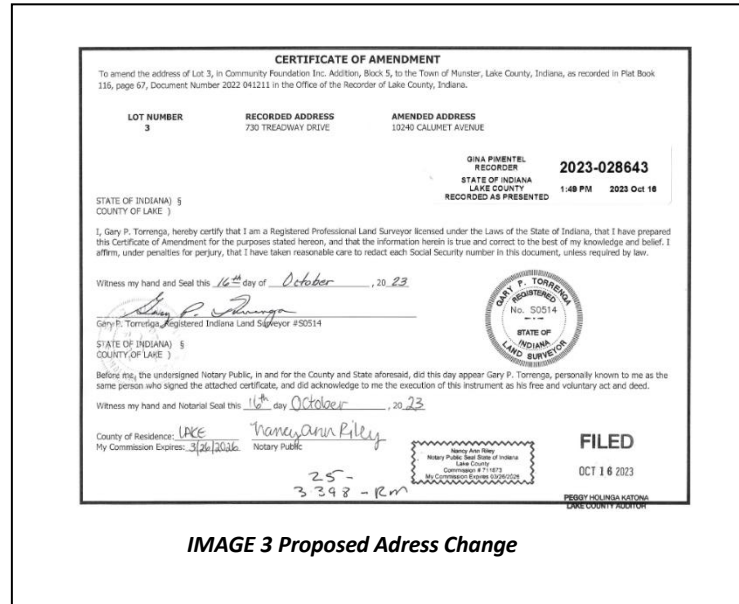
123,951 sq. ft.

2.85 acres

IMAGE 2. Lot address on recorded plat.

PROPOSAL

The property owners are requesting that the recorded plat be amended via a CERTIFICATE OF AMMENDMET (Image 3) , identified in Exhibit A (pg 6) to change the address of Lot 3 in COMMUNITY FOUADATION INC. ADDITION, BLOCK 5 to 10240 Calumet from 730 Treadway, see Image 2.

**CODE REVIEW****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. 26-292. Contents.

The final plat shall be prepared at the same scale as the preliminary plat and shall show:

...

- (21) Certificates for approval by the commission.

Sec. 26-294. Action by plan commission.

Within a reasonable time after application for secondary approval of the plat, the commission shall approve or disapprove the plat. If the commission approves the plat, it shall date it and affix the commission's seal upon the plat, together with the certifying signatures of its president and secretary. If the commission disapproves the plat, it shall set forth the reasons therefor in its records and provide the applicant with a copy of such findings. Recording of the plat with the county auditor is required prior to the town accepting the final plat as a legally executed plat.

STAFF FINDINGS AND RECOMMENDATION

Staff finds that the Plan Commission has authority over all plat amendments, replats, and plat vacations and that the proposed recorded Certificate of Amendment is a *plat amendment* to change a previously recorded subdivision plat.

Staff also finds evidence that the Plan Commission has previously taken appropriate action in meeting the public hearing requirements for granting final approval. And that the final plat was prepared and recorded the same as presented for preliminary review by the Plan Commission, and is in compliance with the Subdivision Control Ordinance and any waivers previously granted by the Plan Commission.

Finally, with no other proposed plat amendments, staff would recommend approval of the proposed and recorded Certificate of Amendment, found in Exhibit A, for Lot 3 of COMMUNITY FOUNDATION INC. ADDITION, BLOCK 5, on the following findings:

- Lake County Emergency Dispatch Center recognizes 10240 Calumet Avenue address.
- Agent of the property owner has indicated they have begun the process with the United States Postal Service to register the site as recognizes 10240 Calumet Avenue address.
- Munster Community Development Department has issued building permits under the 10240 Calumet Avenue address.
- Google Maps and Navigation recognize 10240 Calumet Avenue address, not 730 Treadway Drive.

RECOMMENDATION

The Plan Commission may consider the following motion:

Motion to approve the CERTIFICATE OF AMENDMENT for LOT 3 of COMMUNITY FOUNDATION INC. ADDITION, BLOCK 5 and recognize the recorded plat address be 10240 Calumet Avenue, including all discussion and findings.

EXHIBIT A

CERTIFICATE OF AMENDMENT

To amend the address of Lot 3, in Community Foundation Inc. Addition, Block 5, to the Town of Munster, Lake County, Indiana, as recorded in Plat Book 116, page 67, Document Number 2022 041211 in the Office of the Recorder of Lake County, Indiana.


LOT NUMBER 3	RECORDED ADDRESS 730 TREADWAY DRIVE	AMENDED ADDRESS 10240 CALUMET AVENUE
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2023-028643
 1:49 PM 2023 Oct 16
 GINA PIMENTEL
 RECORDER
 STATE OF INDIANA
 LAKE COUNTY
 RECORDED AS PRESENTED

STATE OF INDIANA)
COUNTY OF LAKE)

I, Gary P. Torrenqa, hereby certify that I am a Registered Professional Land Surveyor licensed under the Laws of the State of Indiana, that I have prepared this Certificate of Amendment for the purposes stated hereon, and that the information herein is true and correct to the best of my knowledge and belief. I affirm, under penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law.

Witness my hand and Seal this 16th day of October, 20 23


 Gary P. Torrenqa, Registered Indiana Land Surveyor #S0514

STATE OF INDIANA)
COUNTY OF LAKE)

Before me, the undersigned Notary Public, in and for the County and State aforesaid, did this day appear Gary P. Torrenqa, personally known to me as the same person who signed the attached certificate, and did acknowledge to me the execution of this instrument as his free and voluntary act and deed.

Witness my hand and Notarial Seal this 16th day of October, 20 23

County of Residence: LAKE
 My Commission Expires: 3/26/2026

Nancy Ann Riley
 Notary Public

Nancy Ann Riley
 Notary Public State of Indiana
 Lake County
 Commission # 711873
 My Commission Expires 03/26/2026

FILED
OCT 16 2023

PEGGY HOLINGA KATONA
LAKE COUNTY AUDITOR

25-
3398 - RM

Fountain View
Professional Center
Condominium
(P.B. 101, Pg. 39)

Part of Lot 2
Harris Addition
(Book 97, Page 94)

Lot 3
Harris Addition
(Book 97 Page 94)

EXHIBIT B

Page 7

2022-041211

BOOK 116 PAGE 67

DULY ENTERED FOR TAXATION SUBJECT
TO FINAL ACCEPTANCE FOR TRANSFER

DEC 14 2022
JOHN E. PETALAS
LAKE COUNTY AUDITOR
45-06-36-A26-00A-000-02

DESCRIPTION:
Part of the Southeast Quarter of Fractional Section 36, Township 36 North, Range 10 West of the Second Principal Meridian being more particularly described as follows:

commencing at the Southeast corner of said Southwest Quarter of Fractional Section 36; thence North 01°51'17" East, along the Eastern line of said Southwest Quarter, a distance of 1199.42 feet; thence North 88°08'43" West, a distance of 50.00 feet, to the Westerly right of way line of Calumet Avenue (100 foot wide right of way), said point being the point of beginning of this description; thence continuing North 88°08'43" West, along the last described line, a distance of 638.23 feet; thence North 01°51'17" East, a distance of 530.00 feet; thence North 88°08'43" West, along the last described line, a distance of 119.42 feet; thence North 01°51'17" East, (the chord of which bears North 05°59'53" West, a chord distance of 47.69 feet), an arc distance of 47.73 feet; thence North 10°08'29" East, a distance of 83.73 feet to a point of curve; thence Northwesterly along a curve concave to the Southwest, having a radius of 25.00 feet, (the chord of which bears North 18°16'08" West, a chord distance of 23.79 feet), an arc distance of 24.79 feet to a point of reverse curve; thence Northwesterly along a curve concave to the Southwest, having a radius of 20.23 feet, (the chord of which bears North 39°00'70" West, a chord distance of 20.17 feet), an arc distance of 20.23 feet to a point of reverse curve; thence Northwesterly along a curve concave to the South, having a radius of 25.00 feet, (the chord of which bears North 59°44'06" West, a chord distance of 23.79 feet), an arc distance of 24.79 feet; thence North 88°08'43" West, a distance of 28.00 feet; thence North 01°51'17" East, a distance of 119.42 feet; thence North 88°08'43" West, along the last described line, a distance of 119.42 feet; thence Northwesterly along a curve which is concave to the Northwest, having a radius of 20.50 feet, (the chord of which bears North 63°26'40" East, a chord distance of 19.51 feet), an arc distance of 20.33 feet to a point of reverse curve; thence Northwesterly along a curve which is concave to the Southeast, having a radius of 80.00 feet, (the chord of which bears North 55°30'59" East, a chord distance of 79.56 feet), an arc distance of 79.26 feet to a point of reverse curve; thence Northwesterly along a curve which is concave to the Northwest, having a radius of 20.50 feet, (the chord of which bears North 47°35'17" East, a chord distance of 19.51 feet), an arc distance of 20.33 feet; thence North 19°10'40" East, a distance of 12.00 feet; thence South 70°49'20" East, a distance of 4.50 feet; thence North 19°10'40" East, a distance of 147.42 feet; thence South 70°49'20" East, a distance of 60.00 feet; thence North 19°10'40" East, a distance of 147.42 feet; thence South 70°49'20" East, a distance of 60.00 feet; thence North 19°10'40" East, a distance of 100.00 feet, (the chord of which bears North 55°30'59" East, a chord distance of 118.13 feet), an arc distance of 126.38 feet; thence South 88°08'43" East, a distance of 70.00 feet; thence South 01°51'17" West, a distance of 424.34 feet; thence South 88°08'43" East, a distance of 205.31 feet to the Westerly right of way line of Calumet Avenue; thence continuing North 01°51'17" West, along the Westerly right of way line of Calumet Avenue, a distance of 759.26 feet, to the point of beginning, containing 12,812 acres, more or less, all in the Town of Munster, Lake County, Indiana

STATE OF INDIANA
COUNTY OF LAKE

It, the undersigned, Community Foundation of Northwest Indiana, Inc., owner of the real estate shown and described hereon, does hereby certify that it has laid off, platted and subdivided, and does hereby lay off, plat and subdivide said real estate in accordance with the plat hereon. This subdivision shall be known and designated COMMUNITY FOUNDATION INC. ADDITION, BLOCK 5, to the Town of Munster, Lake County, Indiana.

Dated this 13th day of December, 2022

By: Donald P. Fesko
Donald P. Fesko
Title: President & CEO

Attest: Brittany R. Fehri
B. Fehri

STATE OF INDIANA
COUNTY OF LAKE

Before me, the undersigned Notary Public, in and for the County and State aforesaid, personally appeared Donald P. Fesko and BRITANY R. FABIAN, personally known to me to be the same persons who signed the certificate hereon, who acknowledged that he/she signed and delivered the said instrument as his/her free and voluntary acts for the uses and purposes herein set forth.

Witness my hand and Notarial Seal this 13th day of December, 2022

My Commission Expires: 3/26/2026 Nancy Ann Riley
County of Residence: LARE Notary Public

Nancy Ann Riley
Notary Public Seal State of Indiana
Lake County
Commission # 711673
My Commission Expires 03/26/2026

STATE OF INDIAN
COUNTY OF LAKE

Submitted to, approved and accepted by the Plan Commission of the Town of Munster, Lake County Indiana, this 15th day of December, 2022.

PLAN COMMISSION OF THE TOWN OF MUNSTER, LAKE COUNTY, INDIANA

Chairman: _____

ATTEST: _____
Executive Secretary:

STATE OF INDIAN
COUNTY OF LAKE

I, Gary P. Torrence, hereby certify that I am a Registered Professional Land Surveyor licensed under the Laws of the State of Indiana; that I have prepared this document in accordance with a survey of the land performed by John Stuart Allen, L.S. # 200002025 and subdivided same as shown on the plat hereon drawn; that this plat correctly represents said survey and that all dimensions, linear and angular are correctly shown, and that all monuments or markers shown thereon actually exist, and that their locations, size, type and description are accurately shown.

Witness my hand and Seal this 13th day of December, 2022

TORRENGA ENGINEERING, INC.

Gary P. Torrenga - Registered L.S. #S0514

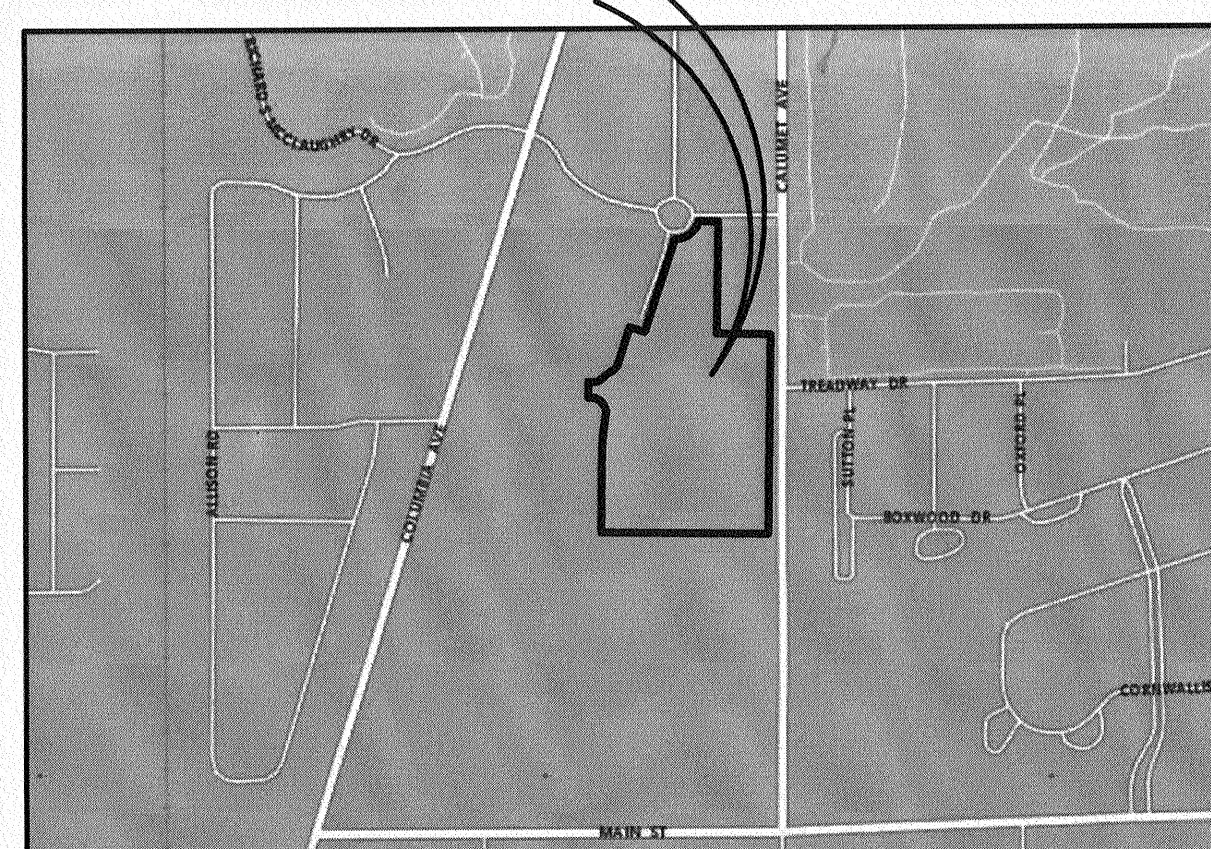
FLOOD STATEMENT:
This property is located in Flood Zone "X" (shaded) area of 0.2 % annual chance flood; area of 1 % annual chance flood with average depth of less than 1 foot or with drainage area less than 1 square mile, and areas protected by levees from 1 % annual chance flood, as per National Flood Insurance Rate Map (FIRM) for the Town of Munster, Lake County, Indiana, Map Number 18089C0119E, effective date Jan. 18, 2012. No floodways or floodplains fringes exist on this property.

UTILITY EASEMENTS:

An easement is hereby granted to the Town of Munster, Indiana, SCB, AT&T, Northern Indiana Public Service Company and other companies identified by the Munster Town Board, based on supplying public services, severally and jointly, to the residents of the subdivision. The easement shall include, but not be limited to, the removal, operation, maintenance and repair of power lines, gas lines, water lines, steam, cables, poles and wires, underground with all necessary braces, guy, anchors and other appliances, in, upon, along and over the strip or strips of land designated by dotted lines on the plat and marked "easements for public utilities." The easement shall include, but not be limited to, the installation, operation, maintenance and repair of telephone and television service, including aerial right as to streets where necessary with aerial service wires to adjacent lots, together with the right to enter upon the said easements for public utilities at all times for any and all purposes of serving the public to install, repair, water, gas, steam, cables, poles and wires, together with any such utility equipment. Any fences, trees, black topplings, vegetation improvements or other potential obstacles to the use of easements shown upon the subdivision plat shall be placed at the risk of the property owner and may be subject to removal in the event of any damage to the easement. The easement shall be subject to the easement shown on the subdivision plat and easements from those established upon the subdivision plat or noted on plats submitted and approved when building permits are issued that adversely impact drainage of adjoining lots shall be subject to regrading at the owner's expense. All designated utility easements are also hereby dedicated as


INGRESS-EGRESS EASEMENT:
Area shown in this plat as "INGRESS-EGRESS EASEMENT" are designated as access roadway or right-of-way and are not dedicated to the public, but remain private. Easements for the use of such roadways or right-of-way are granted to Lot 3 of this development (Community Development-Judicial District 10) for the use and benefit of the residents of the community, and the utility company and other companies identified by the Munster Town Board as supplying public service needs severally and their respective successors, assigns and private companies where they have a certificate of territorial authority to render service, severally and their respective successors and assigns for the purpose of providing utility service, and the Town of Munster for the purpose of providing police and fire protection and the performing of other governmental functions.

SITE ↗

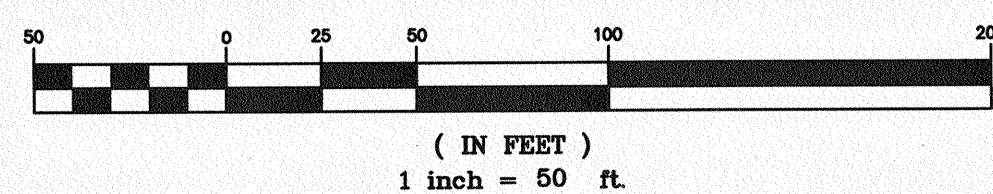


VICINITY MAP

NOT TO SCALE



NORTH
GRAPHIC SCALE



CURVE TABLE					
CURVE	LENGTH	RADIUS	TANGENT	DELTA	CHORD BEARING
C1	39.05'	270.00'	19.56'	87°12'	N 05°59'33" E = 39.02'
C2	26.79'	25.00'	13.52'	56°49'14"	S 83°13'05" E = 23.79'
C3	42.07'	75.50'	21.60'	37°55'39"	S 05°59'53" E = 41.53'
C4	26.79'	25.00'	13.52'	56°49'14"	N 63°26'40" E = 23.79'
C5	20.33'	20.50'	11.09'	56°49'14"	N 59°44'06" W = 19.51'
C6	8.82'	80.00'	4.42'	67°10'5"	S 12°20'02" W = 8.82'
C7	20.33'	20.50'	11.09'	56°49'14"	N 09°13'57" E = 19.51'
C8	43.39'	300.00'	21.23'	87°12'	N 05°59'33" E = 43.35'

TORRENGA ENGINEERING, INC.
CONSULTING ENGINEERS & LAND SURVEYORS
907 RIDGE ROAD, MUNSTER, INDIANA 46321
Tel. No.: (219) 836-8918
website: www.torrengea.com

COMMUNITY FOUNDATION INC. ADDITION, BLOCK 5
MUNSTER, LAKE COUNTY, INDIANA

CLIENT:
Community Foundation of
Northwest Indiana
10010 Donald S. Powers Drive
Munster Indiana 46321

JOB NO: 2017-5038/2022-5016

SHEET
1 OF 1