

ORDINANCE NO. 1272-A  
OF THE TOWN OF MUNSTER, INDIANA

An Ordinance Reclassifying Certain Real Estate  
In The Town of Munster, Indiana,  
For Zoning Purposes and Amending  
The Town of Munster Zoning Ordinance

**WHEREAS**, the Town Council of the Town of Munster, Indiana (hereinafter the "Council"), did previously adopt an ordinance known as the Munster Municipal Code Chapter 29, Section 26-401, and also known as the Town of Munster, Indiana, Municipal Code of 1985 (hereinafter the "Zoning Ordinance"); and

**WHEREAS**, Community Foundation of Northwest Indiana, Inc. (hereinafter the "Petitioner") filed an Amended Petition with the Plan Commission of the Town of Munster, Indiana (hereinafter the "Plan Commission"), in order to cause certain real estate within the Town of Munster to be rezoned to R-3 Dwelling House District zoning classification for the uses allowed in Chapter 26 of the Zoning Ordinance, which Real Estate (hereinafter "Parcel One") is described as follows:

That part of Fractional Section 36, Township 36 North Range 10 West of the Second Principal Meridian more particularly described as follows: Beginning at the Southwest corner of Lot 1, Hartsfield Village, a Planned Unit Development to the Town of Munster as shown in Plat Book 83, page 28 in the Office of the Recorder of Lake County, Indiana; thence South 88° 17' 05" East, along the South line of said Lot 1, a distance of 185.64 feet; thence South 09° 12' 03" East, a distance of 154.24 feet, to a point lying on a curve; thence Southwesterly along said curve, which is concave to the Southeast, having a radius of 80.00 feet, an arc distance of 110.42 feet (the chord of which bears South 41° 15' 26" West, distance of 101.86 feet); thence South 01° 42' 55" West, a distance of 2237.22 feet, to a point of curve; thence Southeasterly along said curve, which is concave to the Northwest having a radius of 80.00 feet, an arc distance of 55.07 feet (the chord of which bears South 18° 00' 24" East, a chord distance of 53.99 feet, thence South 52° 16' 18" West, a distance of 217.83 feet to the Easterly right of way line of the Seaboard System, formerly Louisville and Nashville, Railroad; thence North 01° 42' 55" East, along said Easterly right of way line, a distance of 2656.44 feet, to the point of beginning, containing 9.149 acres more or less; and

WHEREAS, Community Foundation of Northwest Indiana, Inc. filed an Amended Petition with the Plan Commission of the Town of Munster, Indiana in order to cause certain real estate within the Town of Munster to be rezoned to R-2 Dwelling House District zoning classification for the uses allowed in Chapter 26 of the Zoning Ordinance, which Real Estate (hereinafter "Parcel 2") is described as follows:

That part of Fractional Section 36, Township 36 North, Range 10 West of the Second Principal Meridian, more particularly described as follows: Commencing at the Southwest corner of Lot 1, Hartsfield Village, a Planned Unit Development to the Town of Munster as shown in Plat Book 83, page 28 in the Office of the Recorder of Lake County, Indiana; thence South  $88^{\circ} 17' 05''$  East along the South line of said Lot 1, a distance of 185.64 feet, to the point of beginning; thence continuing South  $88^{\circ} 17' 05''$  East, along said South line of Lot 1, a distance of 260.95 feet, to a point on a curve; thence Easterly, along a curve which is concave to the North, having a radius of 213.50 feet, an arc distance of 246.13 feet (the chord of which bears South  $82^{\circ} 59' 32''$  East, a chord distance of 232.73 feet), said curve also being the South line of Lot 1; thence North  $63^{\circ} 58' 52''$  East, along the South line of Lot 1, a distance of 31.29 feet, to a point of curve; thence Southeasterly along a curve which is concave to the Southwest, having a radius of 50.00 feet, an arc distance of 66.67 feet (the chord of which bears South  $77^{\circ} 49' 12''$  East, a chord distance of 61.84 feet), to a point of reverse curve, said curve also being the South line of Lot; thence Southeasterly along a curve which is concave to the Northeast, having a radius of 220.00 feet, an arc distance of 285.18 feet (the chord of which bears South  $76^{\circ} 45' 26''$  East, a chord distance of 265.63 feet), said curve also being the South line of Lot 1; thence North  $66^{\circ} 06' 26''$  East, along said South line of Lot 1, a distance of 141.55 feet, to a point of curve; thence Northeasterly, along a curve which is concave to the Southeast, having a radius of 270.00 feet, an arc distance of 202.97 feet (the chord of which bears North  $87^{\circ} 38' 33''$  East, a chord distance of 198.22 feet), said curve also being the South line of Lot 1; thence South  $70^{\circ} 49' 20''$  East along said South line of Lot 1, a distance of 38.63 feet, to a point of curve; thence Southeasterly, along a curve which is concave to the Southwest, having a radius of 25.00 feet, an arc distance of 8.67 feet (the chord of which bears South  $60^{\circ} 53' 02''$  East, a chord distance of 8.63 feet) said curve also being the South line of Lot 1, to the Westerly right of way line of Columbia Avenue (66 feet wide); thence South  $19^{\circ} 10' 40''$  West, along said Westerly right of way line, a distance of 382.78 feet; thence North  $70^{\circ} 49' 20''$  West, a distance of 156.00 feet; thence South  $19^{\circ} 10' 40''$  West, a distance of 304.47 feet; thence North  $82^{\circ} 46' 13''$  West, a distance of 418.95 feet; thence South  $07^{\circ} 13' 47''$  West, a distance of 434.22 feet; thence South  $82^{\circ} 46' 13''$  East, a distance of 486.52 feet, to the Westerly right of way line of Columbia Avenue; thence South  $19^{\circ} 10' 40''$  West, along

said Westerly right of way line, a distance of 1751.29 feet, to the North line of the South 80 acres of said Fractional Section 36; thence North 88° 24' 11" West, along said North line of the South 80 acres, a distance of 541.94 feet, to the Easterly right of way line of the Seaboard System, formerly Louisville and Nashville, Railroad; thence North 01° 42' 55" East, along said Easterly right of way line, a distance of 74.26 feet; thence North 52° 16' 18" East, a distance of 217.83 feet, to a point on a curve; thence Northwesterly along a curve which is concave to the Northeast, having a radius of 80.00 feet, an arc distance of 55.07 feet (the chord of which bears North 18° 00' 24" West, a chord distance of 53.99 feet); thence North 01° 42' 55" East, a distance of 2237.22 feet, to a point of curve; thence Northeasterly along a curve which is concave to the Southeast, having a radius of 80.00 feet, an arc distance of 110.42 feet (the chord of which bears North 41° 15' 26" East, a chord distance of 101.86 feet); thence North 09° 12' 03" West, a distance of 154.24 feet, to the point of beginning, containing 44.652 acres more or less; and

**WHEREAS**, following notice by publication and notice to interested parties as required by Indiana Code 36-7-4-604(b) and Indiana Code 5-3-1-2(b), a public hearing was held by the Plan Commission on November 23, 2004; and


**WHEREAS**, the Plan Commission, after said public hearing, has recommended that the Zoning Ordinance be amended, and has certified said recommendation to the Council pursuant to Indiana Code 36-7-4-605, as required by Indiana Code 36-7-4-608(b), so as to provide that Parcel 1 of the Real Estate described herein be classified as R-3 Dwelling House District and that Parcel 2 of the Real Estate described herein be classified as R-2 Dwelling House District.

**NOW, THEREFORE, BE IT ORDAINED** by the Council that the Zoning Ordinance is hereby amended and modified and that Parcel 1 of the Real Estate described herein, all lying within the municipal corporate limits of the Town of Munster, Lake County, Indiana, be rezoned as a R-3 Dwelling House District and that Parcel 2 of the Real Estate described herein, all lying within the municipal corporate limits of the Town of Munster, Lake County, Indiana be rezoned as a R-2 Dwelling House District.


**PASSED AND ADOPTED** by the Town Council of the Town of Munster, Lake County, Indiana, this \_\_\_\_\_ day of December, 2004.

Adopted by a vote of 5 in favor and 0 against.


TOWN COUNCIL OF THE TOWN OF  
MUNSTER, LAKE COUNTY, INDIANA

By:   
President

ATTEST:

By:   
Clerk-Treasurer

# MEMORANDUM

To: Town Council, Town Manager  
From: James M. Mandon, PE, Town Engineer   
Subject: Plan Commission Petition 2004-008  
Meeting Date: November 30, 2004

At the November 23 meeting, the commission voted to recommend approval of a rezoning petition for property west of Columbia Avenue, south of McClaury Drive, east of the L&N Railroad, and beginning 33 feet north of the south corporate limits, from R4 and C1 to R2 and R3.

Enclosed for the Council's consideration are:

- A certification of the action taken by the Plan Commission;
- A copy of the petition;
- A copy of a possible development plan;
- Minutes of the November 23 meeting.

Please note that this property must also go through the subdivision process before development can occur. This is the stage in the process when street layout, utilities, drainage, and other issues will be addressed.

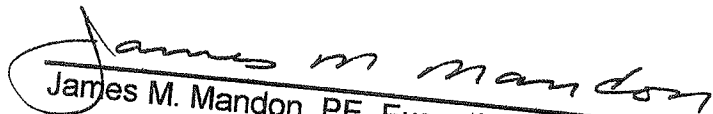
**Recommendation:** The Staff recommends that Petition 2004-008 be approved.

TOWN OF MUNSTER)  
LAKE COUNTY ) SS:  
)

CERTIFICATION

The undersigned states that he is duly appointed Executive Secretary of the Munster Plan Commission, and certifies to the Town Council of the Town of Munster, Indiana that a petition to amend the zoning map, filed by Community Foundation of Northwest Indiana, Inc., was considered by the Munster Plan Commission on the 23<sup>rd</sup> day of November, 2004, after due notice and hearing, and received a favorable recommendation to the Town Council of Munster, Indiana by a vote of 7 in favor and 0 opposed.

Dated this 30<sup>th</sup> day of November, 2004

  
James M. Mandon, PE, Executive Secretary, Munster Plan Commission

PC 04 008  
DATE 10/20/04  
FEE \$ 200.00

### TOWN OF MUNSTER PETITION TO REZONE

NOTE: PETITION MUST BE COMPLETED AND FILED WITH THE CLERK-TREASURERS OFFICE, 1005 RIDGE ROAD, MUNSTER INDIANA, AT LEAST 10 DAYS PRIOR TO PLAN COMMISSION MEETING AT WHICH THE COMMISSION IS TO CONSIDER SUCH PETITION. IF THE APPLICANT IS OTHER THAN THE OWNER OF THE PROPERTY, OWNER MUST ALSO SIGN THE PETITION, OR SUBMIT A LETTER AUTHORIZING PETITIONER TO ACT ON OWNER'S BEHALF.

TO: THE TOWN OF MUNSTER PLAN COMMISSION

I HEREBY PETITION YOU TO AMEND THE ZONING MAP OF THE TOWN OF MUNSTER, INDIANA  
Community

PETITIONER Foundation of Northwest Indiana, Inc. PHONE 836-0130

ADDRESS 905 Ridge Road

PROPERTY Community Foundation of Northwest Indiana,  
OWNER Inc. & Mercantile National Bank as Trustee of PHONE same  
Trust No. 4893 of which CFNI is the beneficial owner

OWNER-S  
ADDRESS same

GENERAL LOCATION OF SUBJECT PROPERTY West of Columbia, South of McClaury Drive,  
East of the L & N Monon tracks and to a line approximately 33 feet North of  
the Munster-Dyer Border see Attachment B)

LEGAL DESCRIPTION OF  
PROPERTY See Attachment A

CONTAINING 50+ ACRES FROM R4 and C1 TO R3  
(AREA) (CURRENT ZONING) (REQUESTED ZONING)

FOR THE FOLLOWING PROPOSED USE Single family and duplex residential development.

I AM REQUESTING THE REZONING FOR THE FOLLOWING REASON See attached (reduce potential  
density under current zoning and provide for development consistent with  
area)

ATTACHMENTS: PETITIONER MUST SUBMIT TEN (10) COPIES OF THE LEGAL PLAT IN ACCORDANCE WITH THE REQUIREMENTS LISTED IN THE TOWN OF MUNSTER ZONING ORDINANCE.

SIGNATURE OF PETITIONER *C. Zic* DATE 10/20/04  
Cheryl A. Zic  
Singleton, Crist, Austgen & Sears, LLP  
Counsel for CFNI

SINGLETON, CRIST, AUSTGEN & SEARS, LLP

ATTORNEYS AT LAW

THE FAIRMONT

SUITE 200

9245 CALUMET AVENUE

MUNSTER, INDIANA 46321

PALMER C. SINGLETON, JR.  
OF COUNSEL

TELEPHONE 219-836-0200

CHICAGO LINE 773-731-9567

FACSIMILE 219-836-2544

STEVEN R. CRIST  
TERENCE M. AUSTGEN  
MICHAEL D. SEARS  
ELIZABETH M. BEZAK\*  
JASON M. MASSARO  
CHERYL A. ZIC

MARYANN K. MCCAULEY  
JILL M. GRECCO  
JACQUELYN S. PILLAR

\*ALSO LICENSED IN ILLINOIS

October 20, 2004

**Via Hand Delivery**

Town of Munster

Town Council

Plan Commission

1007 Ridge Road

Munster, IN 46321

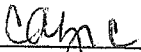
**Re: Community Foundation of Northwest Indiana, Inc.  
Petition to Rezone**

Dear Ladies and Gentlemen:

On behalf of our client, Community Foundation of Northwest Indiana, Inc., we are presenting herewith ten (10) copies of a Petition to Rezone along with its attachments for presentation for preliminary approval by the Plan Commission at its next meeting scheduled for Tuesday, October 26, 2004. We are also enclosing herewith our firm's check in the amount of \$100.00 representing the petition fee.

Should you have any questions or concerns regarding the packages prior to the meeting or need additional information, please do not hesitate to contact me.

Very truly yours,

  
\_\_\_\_\_  
Cheryl A. Zic

CAZ/lb  
Enclosures



SINGLETON, CRIST, AUSTGEN & SEARS, LLP

ATTORNEYS AT LAW

THE FAIRMONT

SUITE 200

9245 CALUMET AVENUE

MUNSTER, INDIANA 46321

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\*ALSO LICENSED IN ILLINOIS

October 19, 2004

Town of Munster  
Town Council  
Plan Commission  
1007 Ridge Road  
Munster, Indiana 46321

**RE: Petition to Rezone**

Mesdames & Sirs:

Community Foundation of Northwest Indiana, Inc. (CFNI) by its attorneys, Cheryl Zic and Palmer C. Singleton, Jr. of Singleton, Crist, Austgen & Sears, LLP respectfully petitions that a rezoning from R-4 and C-1 to R-3 of certain real estate in the Town of Munster be granted and in support thereof states:

1. The real estate herein after described is located south of Hartsfield Village, east of the Chicago, Indianapolis, Louisville Railroad (Monon), west of Columbia Avenue and approximately thirty-three feet north of the southern boundary of the Town of Munster.
2. Submitted herewith is the legal description of the real estate in question marked as "Attachment A" and a plat of the real estate in question marked "Attachment B".
3. Designated on said plat as Parcel 2 is real estate the legal description of which is set forth in "Attachment A". Title to said Parcel 2 is held by CFNI. Said Parcel 2 is presently zoned R-4.
4. Designated on said plat as Parcel 6 is real estate the legal description of which is set forth in "Attachment A". Title to said Parcel 6 is held by Mercantile National Bank of Indiana under Trust No. 4893, of which CFNI is the sole beneficiary. Said Parcel is presently zoned R-4.

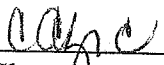
*Town of Munster  
Town Council  
Plan Commission  
October 19, 2004  
Page Two*

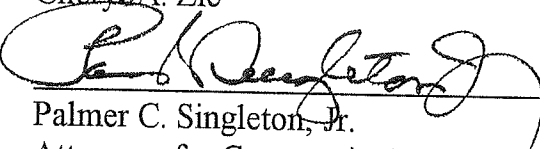
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5. Designated on said plat as Parcel 5 is real estate the legal description of which is set forth in "Attachment A". Title to said Parcel 5 is held by CFNI. Said Parcel is presently zoned C-1.
6. Parcels 1, 3 and 4 designated on said plat are not owned or controlled by CFNI.
7. The total acreage involved for which rezoning is sought amounts to 53.80 acres.
8. CFNI intends to sell the real estate in question for the development of duplex lots along the Monon Railroad tracks and single family lots for the balance of the real estate, all of which is permissible under R-3.
9. A tentative, preliminary plat of the contemplated subdivision is submitted and marked "Attachment C".

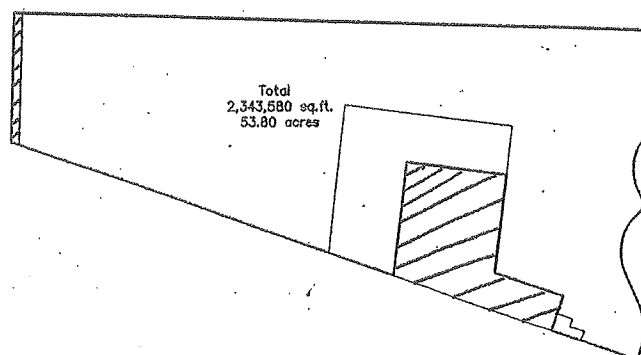
Respectfully the Petitioner, CFNI, requests that the Town Council enact a rezoning ordinance as requested after a favorable review and recommendation of the Plan Commission following a public hearing, pursuant to the provisions of Section 26 - 437 of the Town of Munster Zoning Ordinance.

Submitted,

  
\_\_\_\_\_  
Cheryl A. Zic

  
\_\_\_\_\_  
Palmer C. Singleton, Jr.  
Attorneys for Community Foundation of  
Northwest Indiana, Inc.

Attachment "A"



Parcel 2:

**DESCRIPTION:** the South 776 feet of that part of the South 80 acres of Section 36, Township 36 North, Range 10 West of the Second Principal Meridian, which lies to the East of the right of way line of the Chicago, Indianapolis and Louisville Railroad and to the West of the center line of the highway running through said tract known as Columbia Avenue, excepting therefrom the South 33 feet of said land, in Lake County, Indiana.

Parcel 5:

**DESCRIPTION:** That part of Fractional Section 36, Township 36 North, Range 10 West of the Second Principal Meridian, in the Town of Munster, Lake County, Indiana, bounded and described as follows:

Commencing at the intersection of the centerline of Columbia Avenue with the North line of the South 80 acres of Fractional Section 36, Township 36 North, Range 10 West of the Second Principal Meridian, said intersection being 845.36 feet East of the Centerline of the Chicago, Indianapolis and Louisville Railroad, measured on said North line; thence North 17 degrees 33 minutes 30 seconds, East along said centerline of Columbia Avenue, forming an angle of 107 degrees 33 minutes 30 seconds with said North line of the South 80.00 acres, measured from West to Northeast 628.61 feet to a point in the centerline of Columbia Avenue, being the point of beginning of the hereinafter described Parcel of Land; thence North 84 degrees 23 minutes 27 seconds West, a distance of 664.78 feet to a point 664.30 feet North of the North line of said South 80.00 acres and 371.80 feet East of the centerline of said Chicago, Indianapolis and Louisville Railroad; thence North 5 degrees 33 minutes 40 seconds East a distance of 732.95 feet to a point 1,393.80 feet North of the North line of the aforementioned South 80.00 acres and 442 feet East of the centerline of the Chicago, Indianapolis and Louisville Railroad (said railroad centerline being a straight line forming an angle of 89 degrees 54 minutes 00 seconds with said North line of the South 80.00 acres aforesaid at their point of intersection as measured clockwise from North to East); thence South 84 degrees 23 minutes 23 seconds East a distance of 208.00 feet to a point; thence South 5 degrees 33 minutes 40 seconds West on a line parallel with the last described 732.95-foot line a distance of 434.22 feet to a point on a line 298.73 feet North of and parallel with the aforesaid 664.89-foot line; thence South 84 degrees 23 minutes 27 seconds East on the last described line a distance of 520.25 feet to a point on a centerline of said Columbia Avenue; thence South 17 degrees 33 minutes 30 seconds West on the last described centerline a distance of 305.35 feet to the point of beginning, in Lake County, Indiana.

Parcel 6:

The South 3,258.46 feet of that part of Section 36, Township 36 North, Range 10 West of the Second Principal Meridian, lying North of the South 80 acres of said Section 36, lying West of the West line of Columbia Avenue, and lying East of the East line of the Seaboard System, formerly Louisville-Nashville Railroad,

EXCEPTING THEREFROM that part of fractional Section 36, Township 36 North, Range 10 West of the Second Principal Meridian, described as follows:

Commencing at the intersection of the centerline of Columbia Avenue with the North Line of the South 80 acres of Fractional Section 36, Township 36 North, Range 10 West of the Second Principal Meridian, said intersection being 845.36 feet East of the centerline of the Chicago, Indianapolis and Louisville Railroad, measured on said North line; thence Northeasterly, along said centerline of Columbia Avenue forming an angle of 107 degrees 33 minutes 30 seconds with said North line of the South 80 acres measured from West to Northeast 628.61 feet to a point in the centerline of Columbia Avenue, being the point of beginning; thence continuing Northeasterly on said Road center line 1143.71 feet; thence Northwesterly at right angles to said centerline 75.00 feet; thence Southwesterly at right angles to last described line and parallel to said road centerline 60.00 feet; thence Northwesterly at right angles to last described line 35.00 feet; thence Southwesterly, at right angles to last described line and parallel to said road center line 70.00 feet; thence Northwesterly at right angles to last described line 79.00 feet; thence Southwesterly at right angles to last line and parallel with said road centerline 304.47 feet; thence Northwesterly along a line forming an angle of 258 degrees 03 minutes 07 seconds with the last described parallel line as measured clockwise from Northeasterly to Northwesterly, a distance of 629.95 feet to a point 1,393.80 feet North of the North line of the aforementioned south 80 acres and 442.00 feet East of the centerline of the Chicago, Indianapolis and Louisville Railroad, (said Railroad centerline being a straight line forming an angle of 89 degrees 54 minutes 00 seconds with said North line of the South 80 acres aforesaid at their point of intersection, as measured clockwise from North to East); thence Southwesterly at right angles to last described line 733.00 feet to a point 664.30 feet North of the North line of said South 80 acres and 371.80 feet East of the center line of the Chicago, Indianapolis and Louisville Railroad; thence Southeasterly at right angles to the last described line 665.00 feet to the point of beginning, all in Lake County, Indiana;

ALL EXCEPTING THEREFROM that part of fractional Section 36, Township 36 North, Range 10 West of the Second Principal Meridian, lying North of the South line of Lot 1 in Hartsfield Village, a Planned Unit Development to the Town of Munster, as per plat thereof, recorded in Plat Book 83, page 28 in the Office of the recorder of Lake County, Indiana.

North Line of the South 776' of the South 80 Acres of Fractional Section 36-36-10

848.38'

788.15'

40' STANOLIND PIPELINE EASEMENT  
 North Line of the South 80 Acres of Fractional Section 36-36-10

Pipeline Easement dated May 17, 1948, Recorded May 28, 1948 in Misc. Record 407, page 581, and Re-Recorded June 21, 1946 in Misc. Record 451, page 261.

PIPELINE ASSESSOR

Chicago, Indianapolis & Local

Chicago, Indianapolis & Local

1954.50'

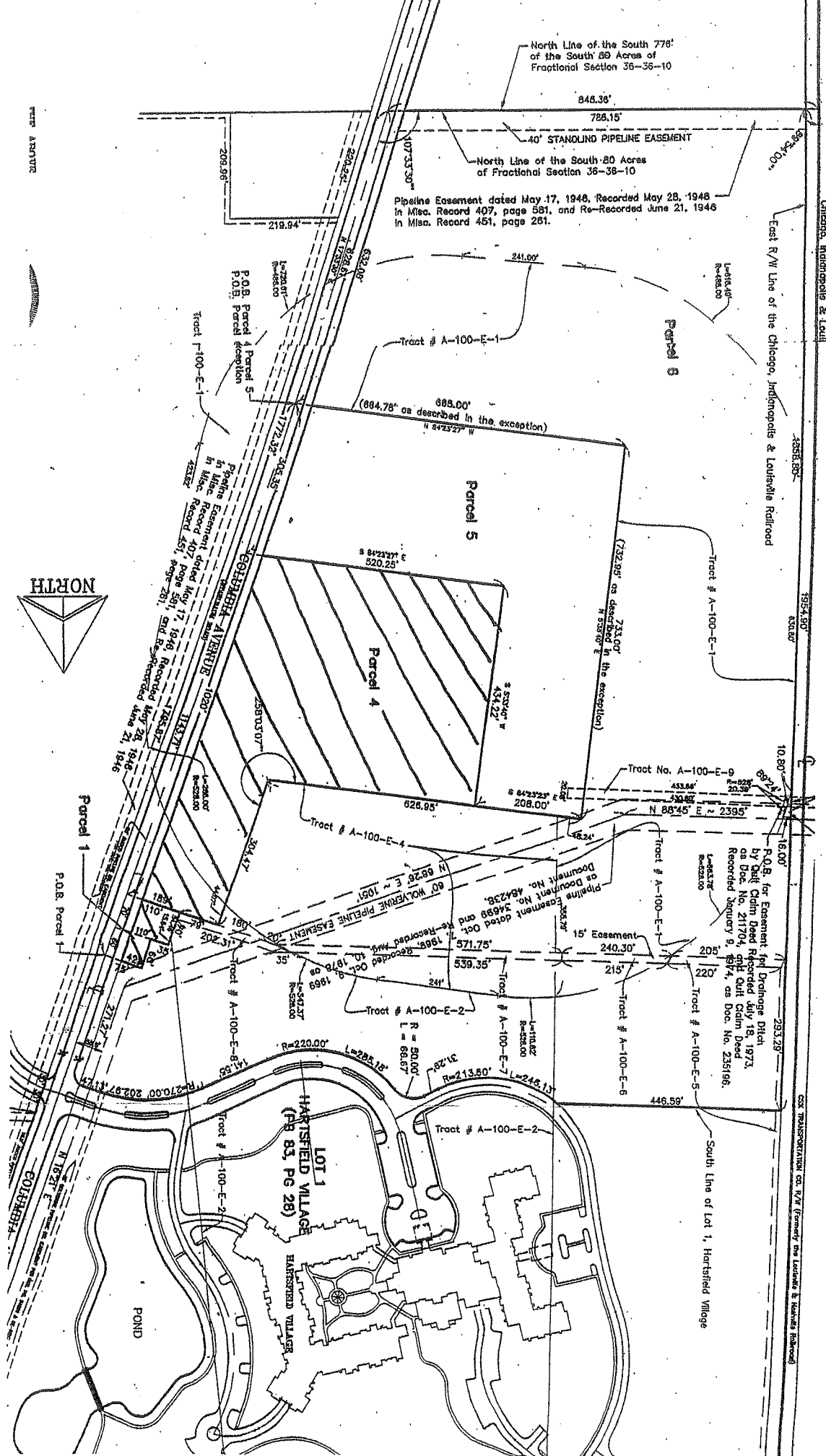
1954.50'

10.80'

16.00'

283.28'

CSX TRANSPORTATION CO. R/R (Formerly the Louisville & Nashville Railroad)



P.O.B. Parcel 4 Parcel 5

Tract # A-100-E-1

Parcel 3

Parcel 5

Parcel 4

Parcel 1

P.O.B. Parcel 1

LOT 1  
 HARTSFIELD VILLAGE  
 (Pg 83, Pg 28)

HARTSFIELD VILLAGE

POND

COLESBERG AVENUE

COLESBERG AVENUE

Pipeline Easement dated May 17, 1948, Recorded May 28, 1948 in Misc. Record 407, page 581, and Re-Recorded June 21, 1946 in Misc. Record 451, page 261.

Pipeline Easement dated Oct. 1, 1987, Recorded Oct. 10, 1978 as Document No. 484238.

P.O.B. for Easement for Drainage Ditch by Carl Cahn filed Recorded July 18, 1973, as Doc. No. 241704, Carl Cahn Claim Deed Recorded January 9, 1974, as Doc. No. 235198.

R=220.00' L=288.18'

R=213.80' L=246.13'

R=80.00' L=86.87'

N 88°28' E ~ 109'

S 84°23'27" E 520.25'

N 84°23'27" W (884.78' as described in the exception)

N 84°23'27" E 731.00'

885.00'

332.00'

219.94'

209.96'

241.00'

884.78' as described in the exception

732.98' as described in the exception

626.95'

571.75'

539.35'

446.99'

202.97'

202.97'

202.97'

202.97'

**MUNSTER PLAN COMMISSION  
REGULAR MEETING MINUTES  
TUESDAY, NOVEMBER 23, 2004, 7:30 P.M.  
MUNSTER TOWN HALL**

**1. Call meeting to order** - The meeting was called to order at 7:30 p.m. by Mr. Glendening, Chairman of the Plan Commission.

<b><u>2. Roll call</u></b> -	<b><u>Members present:</u></b> Richard Cantwell John Edington Stuart Friedman George Glendening Robert Mangus Michael Mellon Dale Schoon	<b><u>Members absent:</u></b>	<b><u>Staff present:</u></b> Steve Kennedy James Mandon
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**3. Approval of Minutes** – Mr. Schoon made a motion to approve the minutes of the October 26 meeting, with the correction of the spelling of Gus Bock's. The motion was seconded by Mr. Friedman, and then approved by unanimous vote of the members present.

**4. Preliminary Hearing** –

**Petition 04-009** – Glen Patterson, representing Hartsfield Village, presented the request to modify a Planned Unit Development for the purpose of reducing a 5.881 acre parcel from the original PUD, and increasing assisted living units from 65 to 142, on property previously a part of the Hartsfield PUD. He said the PUD was originally approved in 1996, as Ordinance 1054. Members asked a few questions about the petition, and then Mr. Cantwell made a motion to move this petition to public hearing on December 23. The motion was seconded by Mr. Mangus, and approved unanimously by the members present.

**Petition 04-010** – David Wickland, representing Petitioner Joe Williamson, explained a request to approve a Planned Unit Development named Hartsfield West for the purpose of establishing a 5.881 acre, 39-units low-density town home development, on property previously a part of the Hartsfield PUD. In response to a question from one of the commission members, Joe Williamson said that the units would range in price from \$250,000 to \$350,000, and square footage from 1,400 to 1,700. Don Torrenga said that detention for this development was factored into the original pond built for Hartsfield Village. Mr. Schoon then made a motion to move this petition to public hearing on December 23. The motion was seconded by Mr. Cantwell, and approved unanimously by the members present.

**Petition 04-011** – Les Dreischerf, representing Illiana Surgery and Medical Center, presented a request to amend the Planned Unit Development for the purpose of establishing a Planned Signage District at 701 Superior Avenue. Mr. Friedman said that he thought the letters on the building were too large. Mr. Cantwell said he thought it was important to get BZA input on this request. He then made a motion to move this petition to public hearing on December 23, and to ask the Board of Zoning for a recommendation. The motion was seconded by Mr. Mangus, and approved unanimously by the members present.

**Petition 04-012** – Petitioner Bruce Wei, representing N. W. Enterprises, Inc., said he is requesting an amendment to the Planned Signage District to add a sign to the 45<sup>th</sup> Street building façade, for Little Tokyo Japanese Restaurant, at the 45<sup>th</sup> Street Shopping Center. Mangus made a motion to move this petition to public hearing on December 23, and to ask the Board of Zoning for a recommendation. The motion was seconded by Mr. Friedman, and approved unanimously by the members present.

## 5. Public Hearings –

**Petition 04-006** – Neil Hirsch, representing St. Andrews Properties, Inc explained the request for an amendment to the Planned Unit Development for the purpose of establishing a Planned Signage District at the Calumet Shopping Center. He described the type and size of each sign requested, and the size of the façade on which the sign would be placed. Mr. Schoon reported that the BZA made a favorable recommendation, without amendment or condition, to the Plan Commission. Mr. Mandon said the staff team also recommends approval primarily due to the distance from Calumet Avenue to the store fronts, and the fact that only Dollar Junction and Radio Shack will have added signage on the shopping center sign. Also the uses on the out lots partially screen the store fronts. Mr. Kennedy said that the notification requirements for the public hearing had been satisfied. Mr. Glendening then opened the public hearing. There being no one wishing to speak, he then closed the public hearing. Mr. Schoon then made a motion to approve the petition. The motion was seconded by Mr. Cantwell, and approved unanimously by the members present.

**Petition 04-007** – Terry Doyle, representing Brian McShane, presented an amended request for a Planned Signage District at the 45<sup>th</sup> Street Shopping Center. Mr. Doyle indicated that the Ace Hardware portion of the Gus Bock's sign was reduced in size from 6'-3 5/8" to 5'-8" in height, and from 35'-3 1/8" to 30'-8 1/2" in width, as instructed by the BZA. Mr. Schoon confirmed that once reduced to sign received a favorable recommendation from the BZA. In addition, Mr. Mandon said the staff team also favored the reduction in size. Mr. Kennedy said that the notification requirements for the public hearing had been satisfied. Mr. Glendening then opened the public hearing. There being no one wishing to speak, he then closed the public hearing. Mr. Cantwell then made a motion to approve the petition, as amended. The motion was seconded by Mr. Friedman, and approved unanimously by the members present.

**Petition 04-008** – Palmer Singleton and Cheryl Zic, representing Community Foundation of Northwest Indiana, Inc presented the request to rezone property from R4 and C1 to R2 and R3, for the purpose of establishing a low density single and two-family residential neighborhood on property located south of Hartsfield Village, adjacent to the Louisville and Nashville Railroad, fronting on Columbia Avenue. Attorney Zic presented a tentative subdivision plan showing duplex lots near the L&N Railroad, with the remaining lots being developed as single-family lots. Mr. Kennedy said that the notification requirements for the public hearing had been satisfied. Mr. Glendening then opened the public hearing. Catherine Sipes, resident at 10450 Columbia Avenue, said she had questions about drainage, traffic, and utilities. Mr. Mandon indicated that the petition before the Plan Commission was for a rezoning, and the questions she raised should be addressed at the time the property is subdivided. There being no one else wishing to speak, Mr. Glendening then closed the public hearing. Mr. Cantwell then made a motion to recommend approval of the petition to the Town Council. The motion was seconded by Mr. Schoon, and approved unanimously by the members present.

**6. Adjournment** - The meeting was adjourned by Mr. Glendening at approximately 9:15 p.m.

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George Glendening, Chairman, Munster Plan

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Date

