

ORDINANCE NO. 2022-11

**AN ORDINANCE OF THE CITY OF HOBART, INDIANA
PROVIDING THAT THE ZONING ORDINANCE OF THE CITY OF HOBART,
LAKE COUNTY, INDIANA BE AMENDED BY CHANGING AN
ESTABLISHED R-3 ZONE TO M-1 ZONE CLASSIFICATION**

WHEREAS, THE HOBART CITY PLAN COMMISSION by a majority vote recommended that its **Petition No. 22-02** be adopted and that the Council rezone this property.

NOW THEREFORE, BE IT ORDAINED by the Common Council of the City of Hobart, Indiana:

SECTION 1. That, the City Zoning Ordinance No. 93-59 as amended and readopted as amended under Ordinance No. 2001-41 and entitled "Zoning Ordinance of the City of Hobart, Indiana", and particularly the zone maps which are made a part of said Ordinance No. 93-59, be and the same is hereby amended by making certain changes as follows:

By changing the following described real estate on the zone maps from its established zoning R-3 (Single to Four-Family Residential District) classification to M-1 (Light Manufacturing District) zoning classification:

PARCEL A:

PART OF THE NORTHWEST 1/4 OF SECTION 12, TOWNSHIP 35 NORTH, RANGE 8 WEST OF THE SECOND PRINCIPAL MERIDIAN, IN LAKE COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID NORTHWEST 1/4; THENCE NORTH 89 DEGREES 43 MINUTES 17 SECONDS EAST, ALONG THE NORTH LINE OF SAID NORTHWEST 1/4, 25.00 FEET TO THE EAST RIGHT-OF-WAY LINE OF COLORADO STREET, THENCE SOUTH 00 DEGREES 04 MINUTES 55 SECONDS WEST, ALONG SAID EAST RIGHT-OF-WAY LINE, 143.90 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF 61ST AVENUE; THENCE THE FOLLOWING (5) COURSES ALONG SAID SOUTH RIGHT-OF-WAY LINE: NORTH 08 DEGREES 29 MINUTES 07 SECONDS EAST 95.72 FEET; NORTH 48 DEGREES 47 MINUTES 05 SECONDS EAST 44.18 FEET; SOUTH 89 DEGREES 52 MINUTES 08 SECONDS EAST, 627.96 FEET; SOUTH 84 DEGREES 23 MINUTES 23 SECONDS EAST, 50.27 FEET; NORTH 89 DEGREES 43 MINUTES 17 SECONDS EAST, 1889.32 FEET TO THE EAST LINE OF SAID NORTHWEST 1/4; THENCE SOUTH 00 DEGREES 03 MINUTES 07 SECONDS WEST, ALONG SAID EAST LINE, 1275.53 FEET TO A LINE BEING PARALLEL TO AND 1331.87 FEET NORTH OF THE SOUTH LINE OF SAID NORTHWEST 1/4; THENCE SOUTH 89 DEGREES 44 MINUTES 07 SECONDS WEST, ALONG SAID PARALLEL LINE, 2640.17 FEET TO THE WEST LINE OF SAID NORTHWEST 1/4; THENCE NORTH 00

DEGREES 04 MINUTES 55 SECONDS EAST, ALONG SAID WEST LINE, 1304.90 FEET TO THE POINT OF BEGINNING, CONTAINING 77.381 ACRES, MORE OR LESS.

PARCEL B-1:

PART OF THE NORTHWEST 1/4 OF SECTION 12, TOWNSHIP 35 NORTH, RANGE 9 WEST OF THE SECOND PRINCIPAL MERIDIAN, IN LAKE COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE NORTHWEST 1/4, THENCE NORTH 00 DEGREES 04 MINUTES 55 SECONDS EAST, ALONG THE WEST LINE OF SAID NORTHWEST 1/4, A DISTANCE OF 1331.89 FEET TO A LINE BEING PARALLEL WITH AND 1331.87 FEET NORTH OF THE SOUTH LINE OF SAID NORTHWEST 1/4, THENCE NORTH 89 DEGREES 44 MINUTES 07 SECONDS EAST, ALONG SAID PARALLEL LINE, A DISTANCE OF 2640.17 FEET TO THE EAST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 12; THENCE SOUTH 00 DEGREES 03 MINUTES 07 SECONDS WEST, ALONG THE EAST LINE OF SAID NORTHWEST 1/4, A DISTANCE OF 1170.24 FEET; THENCE NORTH 54 DEGREES 02 MINUTES 36 SECONDS WEST 72.86 FEET; THENCE NORTHWESTERLY ALONG A TANGENT CURVE TO THE LEFT, (SAID CURVE HAVING A RADIUS OF 90.00 FEET, A CHORD BEARING NORTH 71 DEGREES 41 MINUTES 22 SECONDS WEST, AND A CHORD LENGTH OF 54.56 FEET), AN ARC DISTANCE OF 55.44 FEET; THENCE NORTH 89 DEGREES 20 MINUTES 08 SECONDS WEST 111.69 FEET; THENCE SOUTHWESTERLY ALONG A CURVE TO THE LEFT (SAID CURVE HAVING A RADIUS OF 275.00 FEET, A CHORD BEARING SOUTH 64 DEGREES 44 MINUTES 33 SECONDS WEST, AND A CHORD DISTANCE OF 240.57 FEET) AN ARC DISTANCE OF 248.99 FEET, THENCE SOUTH 38 DEGREES 47 MINUTES 14 SECONDS WEST 157.34 FEET TO THE SOUTH LINE OF SAID NORTHWEST 1/4, THENCE SOUTH 89 DEGREES 44 MINUTES 07 SECONDS WEST, ALONG THE SOUTH LINE OF SAID NORTHWEST 1/4, A DISTANCE OF 2102.44 FEET TO THE POINT OF BEGINNING, CONTAINING 78.55 ACRES, MORE OR LESS.

SECTION 2. The City Council now finds that the above zone change will not be injurious to the public health, safety, morals and general welfare of the community and the use or value of the area adjacent to the property included in this Ordinance will not be affected in a substantially adverse manner and the need for the change in zoning herein arises from a condition peculiar to the property involved and the condition is not due to the general condition of the neighborhood. The Council further finds that the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property herein if this rezoning were not granted and this rezoning does not interfere substantially with the comprehensive plan.

SECTION 3. The Common Council of the City of Hobart finds the zone change will take effect upon the following conditions being fulfilled by the owner:

A 250' no build/no pavement easement south of 61st Ave., a 75' no build easement south of the 250' no build/no pavement easement and a use restriction to be the same as the Northwind Crossings South PUD, with said use restrictions attached as Exhibit A.

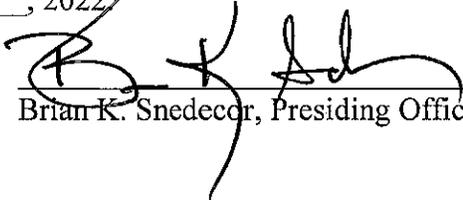
All buildings or uses permitted and placed upon said described real estate shall fully conform to all the provisions of the Zoning Ordinance of the City of Hobart, Indiana and shall have obtained the proper permits.

SECTION 4. That the City Engineer and/or Zoning Administrator is hereby authorized and directed upon the enactment and approval of this Ordinance, to cause a change to be made on the zone maps, to make certain notations in ink thereof and to record the date of passage of this Ordinance.

SECTION 5. Since an emergency exists for the immediate taking effect of this Ordinance, the same shall be in fully force and effect from and after its passage by the Common Council of the City of Hobart; upon the approval of the Mayor of the City of Hobart Indiana; and as soon thereafter as otherwise provided for by law.

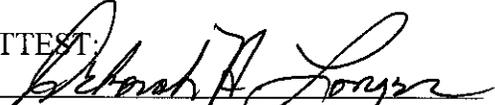
PASSED and ADOPTED by the Common Council of the City of Hobart, Indiana on this

15th day of JUNE, 2022



Brian K. Snedecor, Presiding Officer

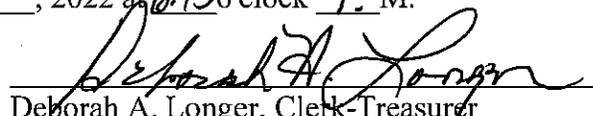
ATTEST:



Deborah A. Longer, Clerk-Treasurer

Presented by me to the Mayor of the City of Hobart, Indiana, for his approval and signature this

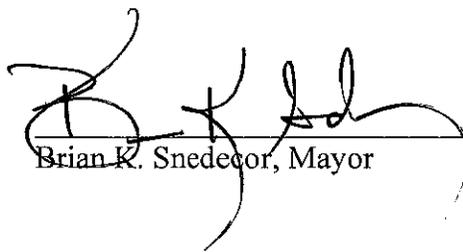
15th day of JUNE, 2022 at 6:45 o'clock P. M.



Deborah A. Longer, Clerk-Treasurer

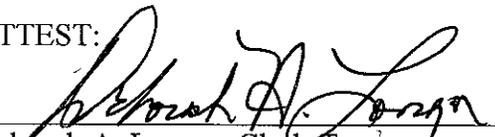
APPROVED and SIGNED by me, the Mayor of the City of Hobart, this 15th day of

JUNE, 2022.



Brian K. Snedecor, Mayor

ATTEST:



Deborah A. Longer, Clerk-Treasurer

EXHIBIT "A"

List 2 – M-1 Permitted Uses and Conditional Uses revised to comply with Northwind Crossings South PUD Permitted Uses and Use Exclusions (Ord. 2021-39)

§ 154.213 PERMITTED USES.

(A) Retail and service uses as follows:

- (1) ~~Auto service stations and truck stops;~~
- (2) ~~Building materials, sales;~~
- (3) ~~Car washes and auto supplies;~~
- (4) ~~Cartage and express facilities;~~
- (5) Contractor and construction shops;
- (6) Dry cleaning establishments and pressing plants;
- (7) ~~Fuel sales, with storage of fuel oils, kerosene, gasoline and other flammable products limited to 120,000 gallons per tank, with the total storage not to exceed 500,000 gallons;~~
- (8) ~~Garages, model display and sales;~~
- (9) Ice sales;
- (10) ~~Linen, towel, diaper and other similar services;~~
- (11) ~~Mobile home sales and house trailer sales;~~
- (12) ~~Motor vehicle sales, including storage, servicing and repairs;~~
- (13) ~~Office and household equipment and machinery, sales and service;~~
- (14) ~~Parking garages and parking lots, other than accessory; and~~
- (15) ~~Planned unit developments, industrial.~~

(B) Production, processing, cleaning, testing and repair, as follows:

- (1) Advertising displays;
- (2) Art needlework and hand weaving;
- (3) Awnings, draperies and venetian blinds;
- (4) Bakeries;
- (5) Beverages, non-alcoholic;
- (6) Blacksmith shops and ornamental ironworks;

- (7) Boat building and ~~boat repairs~~ of pleasure craft and other small craft, but not including ship building or shop repairs;
- (8) Book binding and tooling, hand and machine worked;
- (9) Bottling works, beverage;
- (10) Brushes and brooms;
- (11) Cameras and other photographic equipment and supplies;
- (12) Canvas and canvas products;
- (13) Ceramic products such as pottery and glazed tile;
- (14) Clothing;
- (15) Cosmetics and toiletries;
- (16) Data processing, hardware and software;
- (17) Dentures;
- (18) Drugs, compounding only;
- (19) Dry cleaning;
- (20) Electrical appliances, such as fixtures, home appliances and toys;
- (21) Electrical equipment assembly, such as television, radio and computer;
- (22) Electrical supplies, manufacture and assembly of, such as wire and cable assembly, switches, lamps, insulation and dry cell batteries;
- (23) Food products (except for meat or fish), processing and combining of, including baking, boiling, canning, cooking, dehydrating, freezing, frying, grinding, mixing and pressing;
- (24) Fur goods, ~~not including tanning and dyeing~~;
- (25) Glass products, from previously manufactured glass;
- (26) Hair, felt and feather products, (except washing, curing and dyeing);
- (27) Hat bodies of ~~fur~~, felt and cloth;
- (28) Hosiery;
- (29) Ice, dry and natural;
- (30) Ink mixing and packaging and inked ribbons;
- (31) Insecticides;
- (32) Jewelry;

- (33) Laboratories, medical, dental, research, experimental and testing; provided that, there is no danger from fire or explosion, nor of offensive noise, vibration, smoke, dust, odors, heat, glare or other objectionable influences;
- (34) Laundries;
- (35) Leather products, including shoes and machine belting;
- (36) Luggage;
- (37) Machine shops for tool, die and pattern making;
- ~~(38) Meat products;~~
- (39) Metal finishing, plating, grinding, sharpening, grinding, polishing, cleaning, rust proofing and heat treatment;
- (40) Metal stamping and extrusion of small products such as bottle caps, buttons, costume jewelry, kitchen utensils, pins and needles and razor blades;
- (41) Mobile homes and house trailers;
- ~~(42) Motor vehicle repair;~~
- (43) Musical instruments;
- (44) Orthopedic and medical appliances, such as artificial limbs braces, supports and stretchers;
- (45) Paper products, small items such as envelopes and stationery, bags, boxes, tubes and wallpaper;
- (46) Perfumes and perfumed soaps, compounding only;
- (47) Pharmaceutical products, compounding only;
- ~~(48) Poultry and meat processing and retail sale;~~
- (49) Precision instruments such as optical, medical, testing and measuring;
- (50) Products from finished materials, including, bone, cork, feathers, felt, fiber, fur, glass, hair, horn, leather, paper, plastic, rubber, semi-precious stones, shell or yarn;
- (51) Rubber products and synthetic treated fabrics, small items such as washers, gloves, footwear, bathing caps and atomizers;
- (52) Printing and newspaper publishing, including engraving and photoengraving;
- (53) Repair of household and office equipment;
- (54) Silverware, plate and sterling;
- (55) Soap and detergents, packaging only;
- (56) Soldering and welding;

(57) Sporting and athletic equipment such as balls, baskets, bats, cues, gloves racquets and rods;

(58) Statuary, mannequins, figurines and religious and church art goods, excluding foundry operations;

(59) Textiles, including spinning, weaving, manufacturing, dying, printing, knit goods, yarn, thread and cordage, but not including textile bleaching;

(60) Tobacco curing and manufacturing of tobacco products;

(61) Tools and hardware such as bolts, nuts and screws, doorknobs, drills, hand tools and cutlery, hinges, house hardware, locks, non-ferrous metal castings and plumbing appliances and fixtures;

(62) Toys;

(63) Umbrellas;

(64) Upholstering (bulk), including mattress manufacturing and rebuilding and renovating furniture;

(65) Vehicles, children's such as bicycles, wagons and baby carriages;

(66) Watches; and

(67) Wood products, such as furniture, boxes, crates, baskets, pencils and cooperage works;

(68) Brewery;

(Ord. 2012-38, § 3)

(69) Distillery;

(Ord. 2012-38, § 4)

(70) Winery.

(Ord. 2012-38, § 5)

(C) Wholesaling and warehousing, including motor freight terminals;

(D) Public and community service uses, as follows:

(1) Publicly-owned facilities and utilities;

(2) Private utilities providing service to the public; and

(3) Similar uses, as determined by the Plan Commission.

(E) Miscellaneous uses, as follows.

~~(1) Radio and television towers; and~~

(2) Signs, as regulated herein.

(F) Uses incidental to permitted uses, as follows:

- (1) Accessory uses;
 - (2) Temporary buildings or structures for construction purposes, for a period not to exceed the duration of the construction; and
 - (3) Eight-foot fence in height.
- (Prior Code, § 24-105) (Ord. 97-15; Ord. 2001-41; Ord. 2005-43)

§ 154.214 CONDITIONAL USES

(A) Establishments engaged in production, processing, cleaning testing or repair other than those specifically listed as permitted uses in M-1 districts, but not including any use first listed as permitted in an M-2 district;

~~(B) Airports and heliports;~~

~~(C) Bus terminals;~~

~~(D) Concrete and cement products, batch plants;~~

~~(E) Railroad freight terminals, railroad switching and classification yards, repair shops and roundhouses;~~

~~(F) Stadiums, auditoriums and arenas;~~

~~(G) Theaters, automobile drive-in;~~

~~(H) Recycling drop-off centers;~~

~~(I) Recycling stations; and (except paper products)~~

~~(J) Repealed.~~

~~(Repealed by Ord. 2008-17, § 1)~~

~~(K) Adult Entertainment Facilities and Uses: establishments identified as, but not limited to: lingerie stores, massage parlors/spas, body art and piercing or tattoo parlors/studios; and other establishments identified as, book stores, restaurants, dance clubs, nightclubs, bars/taverns, theatres, and dwelling units, operating in conjunction with the selling or renting of goods and service of persons or objects appearing in a state of nudity or depicting/describing or relating to sexual conduct or sexual excitement or similar demeanor determined by the Plan Commission.~~

REZONE
DOUBLE SPACE L
TACMS 4
HSE
HARRIS
PC 22-02

Findings of Fact

In the following space please provide the reason and concept of why you propose to amend the zoning map and provide justification. Consider the following in your response;

- (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.

New zoning is consistent with the comprehensive plan for this area (Jan 2016).

Developing this property will allow for more industrial development in this corridor, building upon the successful partnership between Becknell Industrial and the City of Hobart

The rezone should/should not be granted because; (Must meet all the following requirements.)

(a) the petition is not "spot zoning" which will confer a special benefit to the petitioner on a small tract of land with no commensurate benefit to the community.

(b) the comprehensive plan will not be disrupted or destroyed because:
Consistent with the comprehensive plan

(c) the land involved is suitable for the proposed land change because:
The land is intended for industrial development

(d) the topography is suitable for the proposed land use without adverse effect upon the surrounding land because: Suitable topography on site for industrial development

(e) the property value of adjacent property would not be decreased because:
Property values of adjacent property will be increased because of this development

[Signature]
Signature of Petitioner/Agent

12/6/21
Date

Decision:

After public hearing and review by the Hobart Advisory Plan Commission for the recommendation to rezone, the Plan Commission now finds that the Petition to Rezone **Does** or **Does Not** comply with the standards in the zoning ordinance.

All of which this 7th day of April, 2022 by a majority vote of the Hobart Advisory Plan Commission.

[Signature]
Plan Commission President

Attest:
[Signature]
Plan Commission Secretary/Zoning Official

**CERTIFICATION AND REPORT TO
COMMON COUNCIL OF THE CITY OF HOBART ON
ZONE MAP CHANGE**

CERTIFICATION TO: Common Council of the City of Hobart

FROM: Ross Pietrzak, City Planner

RE: Change to be made on the zone map.

DATE: April 21, 2022

PETITIONER: Becknell Services, LLC
2750 E. 146th Street, Suite 200
Carmel, IN 46033

REQUEST: Proposed rezone from R-3 (Single to Four-Family Residential District) to M-1 (Light Manufacturing District)

PROPOSED USE: Light manufacturing

GENERAL LOCATION: SE corner of 61st Avenue & Colorado Street

LEGAL DESCRIPTION: PARCEL A:
PART OF THE NORTHWEST 1/4 OF SECTION 12,
TOWNSHIP 35 NORTH, RANGE 8 WEST OF THE SECOND
PRINCIPAL MERIDIAN, IN LAKE COUNTY, INDIANA,
DESCRIBED AS FOLLOWS:

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THE SOUTH RIGHT-OF-WAY LINE OF 61ST AVENUE;
THENCE THE FOLLOWING (5) COURSES ALONG SAID
SOUTH RIGHT-OF-WAY LINE: NORTH 08 DEGREES 29
MINUTES 07 SECONDS EAST 95.72 FEET; NORTH 48
DEGREES 47 MINUTES 05 SECONDS EAST 44.18 FEET;
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PARCEL B-1:

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1/4, A DISTANCE OF 2102.44 FEET TO THE POINT OF BEGINNING, CONTAINING 78.55 ACRES, MORE OR LESS.

PLAN COMMISSION PETITION NO.: 22-02

DATE OF PLAN COMMISSION ACTION: April 7, 2022

DEADLINE FOR CITY COUNCIL ACTION: July 20, 2022

CERTIFICATION:

ACTION TAKEN BY PLAN COMMISSION:

Recommendation to the Common Council to **Approve** the change of zone requested
(**Favorable** recommendation)

CONDITIONS: A 250' no build/no pavement easement south of 61st Ave., a 75' no build easement south of the 250' no build/no pavement easement and a use restriction to be the same as the Northwind Crossings South PUD

VOTE: 6-1

I certify that the foregoing information accurately represents the action taken on this matter by the City of Hobart Plan Commission.

Ross Pietrzak, City Planner
City of Hobart

MEMORANDUM

DATE: APRIL 21, 2022

TO: HOBART COMMON COUNCIL MEMBERS
MAYOR BRIAN K. SNEDECOR
CITY ATTORNEY HEATHER McCARTHY

FROM: ROSS PIETRZAK, CITY PLANNER

RE: PETITION TO REZONE PROPERTY
PLAN COMMISSION PETITION 22-02

Attached please find a Certification and Proposed Ordinance for your consideration regarding Plan Commission Petition 22-02, a petition request to rezone from R-3 (Single to Four-Family Residential District) to M-1 (Light Manufacturing District), zoned PUD & R-3, 46.87 acres.

PUBLIC HEARING MINUTES OF THE PLAN COMMISSION MEETING OF JANUARY 6, 2022: Tabled at acceptance of agenda.

TABLED PUBLIC HEARING MINUTES OF THE PLAN COMMISSION MEETING OF FEBRUARY 3, 2022: Mr. Allen recused himself. Present was Ethan Frisch, Becknell Industrial proposing to rezone property to an M-1 district. Mr. Frisch presented a power point pertaining to their developments. Proposed is an approximate 2 million square foot 6 speculative building development to be constructed in phases. Proposed in the first phase will be the construction of two buildings, 325' setback from the north neighbor and 515' from the west neighbor, a pond and the extension of 62nd Ave. off Colorado St. to the east. Their off-site contributions will help fund the proposed city planned 61st & Colorado St. roundabout and Colorado St. widening. Mr. Pietrzak noted that according to the Future Land Use Map the intent was for office service along 61st Ave. corridor. Mr. Frisch stated there is a gas pipe line located under that property and they had no intension of using that property for office service. Ms. Galka noted that as of the end of business today, 48 letters were received from the public and have been available for the Commission's review. She asked for those wishing to speak, to avoid rereading letters and repeating comments of previous speakers. Additional comments are welcome. Ms. Galka opened the public hearing for Petition 22-02. All public comments were in opposition to the proposed rezone. Charles Gabriel, 2939 E. 62nd Pl. asked where the truck traffic will exit and what will the proposed development do to their home values. John Rakoczy, 3600 E. 61st Ave. owns 40 acres to the north of Amber Creek and questioned whether the proposed development will be tax abated and felt it will not do anything for the City unless real estate taxes are collected. Does not feel it is suitable for the property and that it will not help with property values. Cyndia Kramer, 1777 Amber Dr. spoke on behalf of the Amber Creek HOA and surrounding residents that were present. (Viola Love, 2921 Topaz Dr.; Marguerite McGhee, 360 W. 61st Ave.; Lou Mikolics, 6716 Colorado St.; Garry Mikolics, 7202 Colorado St.; Alex & Barbara Williams, 1775 Amber Dr. and Jean Rakoczy, 3600 E. 62nd Ave.) Ms. Kramer stated they were concerned the proposed industrial development would greatly impact the value of their homes, that it did not fit into the comfort or aesthetics of the residential area, additional traffic

will impact the 24/7 city emergency responders: fire, police, ambulance in addition to school buses. The additional truck traffic will deteriorate the roads. The preliminary perspective plans for screening were minimal and cheap. There will be children playing and family's barbecuing while dealing with a noisy/smelly trucks across the street. She stated the residents feel angry and betrayed by the City Council, Zoning Committee and City Representatives. She felt a residential development would be more pleasing. Was concerned that it will draw an undesirable element to their homes. Felt there was other properties within the City more appropriate for industrial development that would not encroach into residential neighborhoods in such a negative way. Sandra & Pedro Garcia, 2921 Diamond Dr. felt the rezone to be spot zoning and everyone in that area felt the property would remain farm land or residential. Also deteriorate their home values and felt traffic will be increased. Margaret Stalling, 39 Deep River Dr. stated she walks that area and questions whether she would continue to feel safe walking. Was concerned about the impact of the diesel trucks and pollution. Scott Seeley, 6126 Colorado St. stated he has lived in that area for 60 years and inquired about berms, swales, detention ponds, sound detention and the traffic demographics. He also inquired as to who will be responsible for damages occurring to the pipeline. Deborah Alsop, 2900 Emerald Dr. spoke on behalf of her and her neighbor Charles. They were opposed since they purchased their homes because of the wildlife and the trees. Joseph Arias, 1691 Ruby Ct. asked if the intent for Colorado St. is to become industrial like Mississippi St. He stated one of the reasons for the 61st Ave. widening project was to improve the primary services to the hospital and questioned the impact the industrial area will have. Joseph Conn, 910 Lake St. a reporter for the Post Tribune stated that spot zoning was not good planning. He also noted that area is one of the last remaining areas of agricultural land in the City limits. Victor Martinez, 1670 Colorado St. stated he moved here from Hammond and was opposed. Jake Cseke, 1205 Lincoln St. moved to Hobart 3 years ago for the unique downtown, access to natural areas, and its quiet, rural feel. He considers 61st Ave. the gateway to Hobart and instead of seeing farm fields and subdivisions, people will see very large industrial buildings. He stated he is not opposed to industrial developments, just not at this location. He feels there will be an increase in pollution, congestion, decrease in home values and appeal of Hobart and will have an impact to the wildlife. Chris Wells, 5th District Councilman, 2925 W. 38th Pl. stated that if the rezone is approved, it will increase the tax dollars for the city. He stated that the Future Land Use Map has had this area designed for light industrial for over 20 years. He noted that Becknell has built good projects and that he would not vote for something that was not good for the City. Oakley Molinaro, 135 W. 2nd St. stated that due to the impervious surfaces of the proposed development it will cause over one million gallons of runoff water to flow into the streams, tributaries and lake. Dan Simon, 2920 Emerald Dr. inquired if the property remains residential will the taxes go to Merrillville schools and if the property will be tax abated. Joshondra Perry, 1739 Gurney St. She stated she previously resided in a home on Colorado St. & 61st Ave. for 15 years and recently moved to a new home in Eagle Creek. She stated she would never have purchased a \$300,000+ had she known this was on the horizon. She questioned if another project of this type will go in across from her subdivision. Concerned about property values. Matthew Kaiser, 2951 Emerald Dr. stated he been a Hobart resident for over 20 years and also has environmental, traffic and property value concerns. John & Michel Corin, 2940 Emerald Dr.: Mr. Corin stated they could have purchased a home anywhere but chose Hobart to raise their family. Moved in 5 months ago, made a bad investment moving to Hobart and is irate with the rezone. Jan Babel, 6300 Colorado St. was unhappy that her children will be waiting for the school bus with the truck traffic. Jack Schwerin, 2963 E. 62nd Pl. Had concerns regarding the runoff water from the proposed development, the quality of their

well water and their failing septic systems. Charles Hence, 2861 Emerald Dr. moved to Hobart in 2002 and enjoyed driving on 61st Avenue prior to the 61st Ave. project. He stated that if this is built, nothing else will be built other than industrial on the entire farmland. His property values has increased and once this becomes industrial, his property values will decline. He agreed with the prior comments and is opposed to it. Terry McCaleb, 208 S. Wisconsin St. has been a resident of Hobart for 20 years and along with her husband, are real estate agents. She stated Hobart and Lake County are growing and need additional residential housing. She felt this area should not have been supported as industrial but residential instead. As a realtor, she found that people will not purchase homes with views of large buildings and that industrial development affects property values. Berms and planting trees will not hide these large buildings. Attorney Richard Anderson, 9211 Broadway, Merrillville, IN representing the property owner to the south of the proposed rezone property. He stated that they were not opposed to the rezone but provided proposed plans for continuing development and growth. He suggested that if the rezone were to move forward, his client would give Becknell a portion of land for a road to run parallel to Colorado Street that would go to a proposed 65th Avenue. He stated 65th Avenue would also have the potential to cross Colorado St. and extend to the west. Bill Stallings, 39 Deep River Dr. was concerned the speculative buildings will be constructed and no clients to occupy them. Sarah Ostrander, 7602 71st Ct. stated she will be moving into the Eagle Creek Subdivision. She stated in addition to Eagle Creek, Hawks Crossing is being developed and another proposed residential development both on the north side of 61st Avenue. She hoped the City would consider something other than industrial for the south side of 61st Avenue. Pilar Garcia, 1719 Gurney St. stated they are moving from Chicago and chose Hobart and was opposed to this project due to her son having environmental toxin issues. Robert Vann, 1571 Arizona St. stated he defined progress as public servants enhancing the life and quality of life for the citizens they represent and does not feel this project does that. He noted that he would like his children to remain in Hobart but if the city does not honor the expectations of the residents that make investments in the city based on a Comprehensive Plan, then that is a city that is not to be trusted and he would not expect his children to stay. Christine Ramirez, 1641 Amber Dr. stated she has lived in her house for 20 years and is completely opposed to the rezone like the other residents. Jennifer Williams, 1690 Sapphire Ct. she stated that Becknell's current development off Marcella Blvd. currently has three to four buildings that are not occupied. She questioned what environmental impact this proposed development may have on the nature preserve behind her house to the north. She also had concerns for the increased truck traffic, crime, safety, character change for the neighborhood, reduction in property values and noise pollution. Katie Ramirez, 1640 Amber Dr. stated she was happy with the outcry of opposition from the residents for the proposed rezone. Questioned how an industrial area would be allowed next to a nature district. Thomas Lozanovski, 588 Hidden Oak Drive did not feel Mr. Frisch, Becknell, presented a complete perspective of the proposed development. He felt the property should be developed for the use of the residents and not giant concrete boxes. Molly Arroyo, 1681 Ruby Ct. stated they moved from Portage in 2002. She was a teacher for 25 years and is now the principal at Trinity Lutheran School. She feels industrial in that area is reckless and upon purchasing her home in 2002 it was not with any anticipation that industrial would be proposed across the street. She also stated that it is unfair to develop industry across the street from an area full of families. Is opposed to the rezone. Hearing no further public comments, Ms. Galka closed the public hearing for Petition 22-02. Mr. Frisch stated he understood the resident's concerns but cannot adequately address them. He stated a lot of the comments pertain to site plan which will be presented to the Plan Commission at a later date with specific details of

the proposed development. They have reached out to the owners of the pipelines but cannot comment until the full engineering is complete. When asked about how the traffic will be directed, Mr. Frisch stated he would have to review the traffic study and was not able to provide an answer. When asked if they had other developments similar to this proposed development with residential on 2 sides, he was not able to speak on the effect of the home values. Mr. Frisch also stated they will go above and beyond in addressing the City Standards due to the abutting residential properties. When asked how they will connect to utilities, Mr. Frisch explained they proposed to extend the sewers from Arizona Street across the property and in the proposed 62nd Avenue to Colorado Street for future connections. Water will connect off of Colorado Street. Mr. Vinzant asked if Becknell had conversations with Merrillville since a portion of the property taxes will go to Merrillville and Mr. Frisch replied no. In regards to the number of vacant buildings in North Wind Crossings, Mr. Frisch did not know how many existing buildings/spaces were unoccupied. Mr. Frisch compared the under roof square footage for the proposed 150 acre development to their existing 250 acre site at North Wind Crossing as equal. Ms. Galka mentioned the Future Land Use Map supports office/commercial retail space along the 61st Avenue corridor to provide an approximate 400' buffer from the residential properties on the north side from the supported M-1 properties on the south and questioned why they were not exploring that option. Mr. Frisch explained Becknell was only industrial developers and felt the market was not in favor of office service. Mr. Pietrzak mentioned he would advise to table the rezone given the Commission's hesitation and concerns which will allow him to research if a partial rezone could occur as outlined in the Comprehensive Plan and to work with Becknell as to whether the partial rezone was viable for them to move forward. At which point, next month the Commission could base their findings for a favorable or unfavorable recommendation partial rezone. Mr. Lain motioned to Table Petition 22-02 to allow Staff time to review a partial rezone and to consult with the petitioner to determine whether the plan is feasible including all discussion, seconded by Mr. Vinzant. Roll Call Vote taken. All ayes, motion carried. (7-0)

MINUTES OF THE PLAN COMMISSION MEETING OF MARCH 3, 2022: Mr. Allen recused himself. Paul Thurston, Becknell Services, provided a revised site plan addressing concerns that were discussed during last month's meeting. He stated the set back from the current 61st Ave. right of way line was relocated to approximately 357' from the previous 200'. In order to fit the proposed project, the future 62nd Ave. will move farther to the south and the ponds will be relocated from the middle of the site to the north side of the property and serve as an additional barrier. The top of the berms will be heavily landscaped and increase from 4' to 8' in height. Mr. Pietrzak stated that the Commission could approve a partial rezone that excludes the northern 318' from the 61st Avenue right of way. He also noted that the revised proposed project is still encroaching into the R-3 zoned buffer/transition area by 32'. Mr. Thurston stated a traffic study was conducted and, based on the amount of truck traffic, determined a roundabout will be required at the 61st Ave. & Colorado St. intersection along with improvements to Colorado St. Mr. Gralik proposed that Colorado St. will be widened to at least 3 lanes from 62nd Ave. to 61st Ave. and possibly 5 lanes south to 69th Ave. He informed the public that the railroad crossing on Colorado St. will be removed and replaced with an overpass with the future goal of diverting the traffic to 69th Ave. to a new I-65 interchange. Merrillville is currently under design for a multi-lane roundabout at 69th Ave. and Mississippi St. Mr. Pietrzak reminded the Commission if they were comfortable with the setback dimensions, a partial rezone was appropriate and could recommend eliminating permitted uses they were not comfortable with. Attorney McCarthy recommended to table the rezone and provide notification for a new public

hearing for the April 7th meeting in light of receiving revised preliminary concept plans and due to the number of concerned residents in attendance. Mr. Chhutani motioned to Table Petition 22-02 until the April 7th meeting at which time a public hearing will be held including all discussion, seconded by Mr. Lain. All ayes, motion carried. (7-0)

DRAFT PUBLIC HEARING MINUTES OF THE PLAN COMMISSION MEETING OF

APRIL 7, 2022: Mr. Allen recused himself. Paul Thurston/Becknell Services presented a power point pertaining to their most recent revised conceptual site plan. Stormwater is proposed closer to 61st Ave. and Colorado St. to increase the bufferyards. They are now proposing a 325' no build zone to the north along 61st Ave., an 8' heavily landscaped berm, a 4' berm to the west along Colorado St. and the building façade will incorporate glass to give the appearance of an office building rather than an industrial building. He corrected the public's comments made during the February meeting regarding vacancies in their development and stated their buildings are 100% occupied. The buildings are oriented to locate the truck ports away from sight of 61st Avenue and Colorado St. Mr. Thurston mentioned the proposed development could produce 200 to 300 trucks over a 24 hour period once complete. He also stated that if the potential 69th Avenue exit/entrance to the I-65 interchange does not occur, 99% of the traffic will exit off I-65 travel east on 61st Ave. and south on Colorado St. to the development. Mr. Pietrzak explained the property was zoned R-3 through Lake County at the time Ross Township was annexed into Hobart. However, the Future Land Use Map identifies this area for industrial and office service uses. Under Indiana Code 36-7-4-603, the Plan Commission and 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. Also in consideration of a rezone, are Findings of Fact questions that the City is required to follow regarding map changes. The Indiana Code allows the Plan Commission to make 1 of 3 recommendations to the council of either a favorable recommendation, unfavorable recommendation or no recommendation based on the Findings of Fact. The Planning Staff has 10 days to certify the recommendation to the City Council at which time the council shall vote on the proposal within 90 days of either adoption, rejection or to take no action on the petition. He reiterated by explaining the same process that was followed for the first public hearing. Residents attending in person will complete the sign-in sheet with their name and address and will be heard in that order they signed in. Individuals on the Zoom call will state their name and address and be allowed to speak. Everyone will be allowed 3 minutes to speak their concerns. An individual representing a group can request additional time. In any case, names and addresses are to be provided for the record. Signs may be brought up to the podium when a resident is speaking, but it was requested not to display them in the audience to avoid a distraction. Correspondence submitted prior to the meeting was made available for review by the Commission. Also noted after the public hearing is closed, the petitioner will address questions/concerns mentioned by the public. Ms. Galka opened the public hearing for Petition 22-02. ***In support of the project:*** *Randy Palmateer, representing the NWI Building Construction Trades Council stated he is not a resident of Hobart but will provide a list of people he is speaking for. He stated Becknell has been a good neighbor to the City and the building trades. They have provided thousands of construction jobs over the years in past jobs. They put money back into the local economy. He feels that the Plan Commission, BZA, City Council and Becknell will satisfy all the concerns of the residents and tax payers of the City. Garry Mikolics, 7202 Colorado St. He stated that he and his father have farmed land that was*

sold to prosperous companies. He stated this development will provide 500 permanent jobs. Becknell's developments are clean and does not promote pollution. Lou Mikolics, 6716 Colorado St. He stated he has a great neighbor in Becknell and that utilities were installed with the anticipation for industrial development. He has seen a big investment with what they have brought into the City in jobs and infrastructure. His property value is increasing, not going down.

In opposition of the project: Lori Caldwell, 811 E. 6th St. stated she has lived in Hobart since 1977 and is a retired newspaper reporter and former editor of the Hobart Gazette and covered BZA, Plan Commission & City Council issues. She stated the elected city officials were careful of spot zoning. She understood looking to the future but as it stands, manufacturing is proposed in the middle of residential and considers the proposal currently to be spot zoning and is setting precedence for future industrial developments. Scott Cummings, 1120 S. Colorado St. stated he worked for the Public Works Dept. for 43 years as the Street Forman and is now retired. He stated that Colorado St. was an old farming road from the 1850s and cannot be widened but will need to be completely replaced. He stated he was present when 61st Avenue was opened under the administration of Director of Public Works Wayne Snyder and that 61st Ave. will need to be repaved. There were issues that should have been replaced at that time that never were addressed. He also noted the pavement by North Wind Crossing has been repaved 4 times and will have to be repaved again since it wasn't done correctly. There will be a major expense to the City just for the maintenance and as it stands right now, the fire stations are understaffed. Scott Seeley, 6126 Colorado St. agreed that Colorado Street was a farm road. He stated he owns industrial property in another state and it was his responsibility to pay for infrastructure for the project, not the taxpayers. He also inquired who will be responsible for maintenance of the pipeline. Helen Engstrom, 5308 E. 61st Ave. stated she has lived in Hobart for over 50 years and loves the wide open spaces. Upon retirement from teaching she was a member of the Hobart Redevelopment Commission and was involved with the 61st Avenue Development Project and city officials had a vision for a beautiful entranceway to the City. She felt Northwind Crossings is a nice industrial development area; just not in a residential area and felt Becknell needed to look elsewhere for their development. She feels the proposed development will affect the quality of life for the residents of Amber Creek and Eagle Creek. Ms. Engstrom also spoke for Jack Serletic, 6292 Waxwing Circle. She noted that based on the 200 to 300 trucks in a 24 hour period, it breaks down to 13 trucks an hour or approx. 1 truck for every 5 minutes. Research shows that people who live around open green spaces are healthier and live longer. Joseph Conn, 910 Lake St. has lived here since 1964 and was a reporter for 20 years and editor for the Hobart Gazette and covered municipal meetings. The Master Plan prior to the current one slated 60 acres by Mississippi Street with the property on 61st Ave. & Colorado St. recognized as R-3. He agreed with Ms. Engstrom regarding the entranceway to the city. He stated that the Master Plan is being revised and asked to wait for a decision until the public can participate in the new Master Plan. Bill Stalling, 39 Deep River Dr. questioned how the roundabout will affect the houses on the northeast, northwest and the southwest corner of 61st Ave. & Colorado St. Also asked if an environmental impact study was done to determine if the stream will be affected? Margaret Stalling, 39 Deep River Dr. appreciates the sidewalk and uses them all the time along 61st Ave. She noticed a lot of activity for the pipeline and asked if the rezone was already decided on and approved. In response to Mr. Palmateer's comments of support of the project, she asked how many union members live within a ½ to 1 mile of the proposed development. She questioned the Findings of Fact questions that did not include community input. She considered the revised façade as putting lipstick on a pig. Myra Cseke, 1205 Lincoln

St. moved to Hobart 3 years ago due to the feel of a Midwest town, the downtown area and the lake. She also agreed with previous comments that 61st Ave. is a gateway to the City. She didn't feel that the buildings are a sense of community pride and out of place being around by the existing and new residential developments especially with people building homes unaware of what is being proposed. She is opposed to an industrial development and the setbacks. Emily Gillette, 1670 Colorado St. stated that she takes her daughter to Michigan City for gymnastics. She stated that the road the gym is on is impassable ever since a carbon copy industrial development was built there last summer. She stated the City can't keep up with the maintenance of patching pot holes now so how will the future holes be maintained on the gateway to our community and who will be paying for it? She said that if they knew 20 years ago when they built their house this was proposed, they would not have built in Hobart nor do they know if they will continue to reside in Hobart. They do not want to live in an industrial area. Andrew Martinez, 1670 Colorado St. stated he was 15 years old and feels this is a horrible idea given other industrial areas have failed and with no guarantee for jobs. Would like to see a park, similar to one in Valparaiso, which will bring a sense of community. He asked how an industrial park is going to encourage wellness and promote family engagement to future generations of Hobart. Victor Martinez, 1670 Colorado St. has lived in Hobart for 20 years. Questioned whether the younger generation will want to live in an industrial city or something that will enrich their lives. Terry McCaleb, 208 S. Wisconsin St. A Hobart resident for 20 years and a full-time real estate broker for 8 years. She discussed how the proposed development will adversely impact the desirability and market value of the surrounding homes. She asked does the rezoning fit the current conditions and character of the surrounding area and answered it does not. She stated several tall massive manufacturing facilities in the middle of a residential area does not fit. She knows that as a realtor, buyers do not like the noise, traffic or looking at these types of structures from their homes. If buyers have a choice between purchasing a home within an industrial site or not, will almost always purchase the home not located by an industrial area. She stated any area in any town in any state, the homes close to industrial areas will have lower property values. She feels the rezoning of the land is not responsible development in growth for this area. Responsible development and growth would be what supports the current character and condition of the location being residential and agricultural. She also felt residential could go in that area despite being in the Merrillville school system. The average sale of a home in 2011 was \$108,000 and thus far in 2022 the average sale is \$207,000. Viola Love, 2921 Topaz Dr. Stated her husband has a breathing ailment and is on oxygen. Since they moved to the area 5 years ago, his breathing has improved. She asked to consider other health issues people may have in this area when making a decision. Joseph Arias, 1691 Ruby Ct. Stated the Future Land Use Map does not support the strip along 61st Avenue as manufacturing. It is zoned OS-1 and is not compliant. According to a University of Georgia study property values goes down to 19% in an OS-1 while manufacturing drops to 34%. He feels they could develop south since the improvements have already been made for manufacturing and gradually move north to allow additional input to the upcoming Future Land Use Map. Robert Vann, 1571 Arizona St., spoke on behalf of Pete & Olivia Garcia, 2921 Diamond Dr.; George & Betty Villareal, 233 Heather Ln.; Carol Presdorf, 1200 Lincoln St.; Doug & Petra Julian, 5545 S. Liverpool Rd.; Christine, Katie & Michael Ramirez, Raquel Ruiz, 151 N. Michigan Ave.; Aimee Tallian, 1571 Arizona St. & Nicholas Schiralli, 6184 Colorado St. Mr. Chhutani motioned to suspend the 3 minute time limit and extend to 30 minutes seconded by Mr. Lain. All ayes, motion carried. (7-0) Mr. Vann stated a case where zoning was held constitutional by the US Supreme Court. Mr. Vann shared and submitted for the record email correspondence between a

resident and Mr. Vinzant, her councilman and expressed concerns regarding his response which was not congruent with State Statute. Mr. Vinzant's response in the email correspondence was that the rule states if the rezone is consistent with the Land Use Map we have to let them rezone the property, it is their right. That they are bound by the laws of Indiana which states that if a rezone is consistent with the Master Plan, they must approve it. Mr. Vann stated it is not the law that the Master Plan is the only thing to consider but that they are aspirational, they are not set in stone, they can be changed and if no longer beneficial to the public, they should be changed. He reviewed the Indiana Code for preparing proposals. He requested an opportunity to readdress the Master Plan and change it back to residential, back to its historical roots and back to what the County envisioned. He also mentioned that Becknell's projects are nice, just not in an area surrounded by residential properties. He felt by approving the rezone will allow future M-1 use developments to occur for the entire corridor. It does not make sense for responsible growth in this area. To summarize he was not in favor of the rezone, it does not promote family values, it does not enhance community, it does not protect the biggest assets of the citizens, it does not build upon the investments of thousands of Hobart residents and it does not leave the proper legacy to the next generation. Matt Kaiser, 2951 Emerald Dr. agreed with Mr. Vann's comments. He does not want manufacturing and likes the farm field and residential homes. Jake Cseke, 1205 Lincoln St. requested to also speak on behalf of his brother Tom Cseke, 837 W. Cleveland Ave. Mr. Vinzant motioned to suspend the 3 minute time limit and extend to 6 minutes seconded by Mr. Lain. All ayes, motion carried. (7-0) He thanked the Commission for allowing another public hearing. He stated that the City has a friendly and successful relationship with Becknell. There are 19 current parcels built with their buildings and most are occupied. He feels if the rezone would be approved, it will be a domino effect for the entire area south of 61st Avenue and east of Colorado Street to become industrial. He expressed his concern with, not only the traffic for this proposed development of 200 to 300 trucks a day, but with future manufacturing developments. He expressed his concern for the nearby national park that will be greatly impacted by the air quality and the light pollution. He also cited under the M-1 District Sec. 154.211 which states care is taken to insure minimal land use and traffic conflicts and to provide adequate separation from residences. He feels this will impact the residential property values. He asked if the vision for the City was more industrial knowing that a petition was provided with 967 signatures and 150 residents in attendance that were largely opposed to the proposed rezone. He ended by asking how many of the Commissioners lived within a 1/2 mile to a mile of this area. Karl & Matt Langbehn, 7105 Colorado St. noted that at the time of the annexation 27 years ago, the mayor informed the residents that they would be provided city sewers, water and sidewalks. They are still waiting for water and sidewalks. Malcolm Halstead, 2209 E. 69th Ave. has issues with stormwater, speeding traffic on 69th Avenue and the deep manholes on the roundabout. Dan Leslie, 1349 S. Wabash St. stated as a state trooper the increased truck traffic on 61st Ave., Marcella Blvd. and Colorado St. will impact response time for emergency vehicles to the mall and hospital. He has reviewed over 6,000 accidents with most of them involving semis. He also noted that during the winter time, emissions will be increased since diesel trucks are left running. Noise is also a concern. Sandy O'Brien, 5500 S. Liverpool Rd. felt this to be a bad situation for the City to feel land south of 61st Ave. was not appropriate for residential due to the Merrillville School system and that it is not a good area next to residential and Deep River. She also felt that once the rezone is approved, it will continue with additional industrial developments. She stated that although berms and landscaping will be installed it is still not the right location next to residential and should be denied. Pete Voris, 983 W. 13th Pl. is opposed stating it is ugly, not wanting Hobart to be known

as industrial and also on a main thoroughfare into the City. He stated he owns a business on 37th Ave. and was told by the mayor that 37th Ave. is a main thoroughfare into the City and needs to look nice. Unfortunately with the potholes, it does not look nice. He asked if the Commission wanted 61st Ave. to eventually resemble 37th Ave. He feels Hobart should use developable land for residential. Jennifer Williams, 1690 Sapphire Ct. stated based on prior comments will probably lose \$20,000 to \$30,000 in their property value if the rezone is approved. She worries about the safety of her small children. She stated her son is asthmatic and it currently takes 3 minutes to get him to the hospital if he has an asthma attack. She worries with the additional traffic it will take longer. She feels people will not travel 61st Ave. to come downtown and the businesses will suffer. Attorney Sandra Garcia, 2921 Diamond Dr. stated that when she looked at the Comprehensive Plan on the City's website, she noticed the data was from the 1990 & 2000 Census and when it was updated in 2016 no data was inputted into the Comprehensive Plan to support that change. She stated that even if the change occurred in 2016, Eagle Creek, Hawks Crossing and most of the new residential developments were not in place at the time of the Future Land Use Map. She inquired how much weight the Comprehensive Plan is going to be given by the Commission. Because the Comprehensive Plan is one of the factors, a decision is based on the current circumstances, which is currently under review. At this time, the property surrounding these parcels is zoned residential, as is a park. She feels it would be detrimental to approve this rezone that is not based on current data and under review. She stated she read a Georgia study which states most light manufacturing locations are zoned in areas where it is anticipated that the property values will not increase, aka low income areas that they do not intend to develop for residential purposes. She asked the Commission to review the traffic study which anticipated that these developments would double the current traffic and according to Mr. Thurston's statement on the proposed truck traffic, it would be 9 times the traffic levels that the City anticipated under the study. She felt the request is not well thought out, not based on current data and should be denied at this time. Warren Enstrom, 5308 61st Ave. mentioned the berms will be built with the dirt removed from the retention ponds.

Participating via Zoom: Emma Ramirez, 1641 Amber Dr. had concerns regarding the wildlife. Just graduated from high school and will be attending college. Considered returning to Hobart to live and raise a family but will reconsider if this moves forward. She asked to consider putting the residents first and doing what is in their best interest. Bill Eich, 1777 Gurney St. moved into Eagle Creek six months ago. He stated he feels the Master Plan needs to be re-evaluated with the public's opinion, 61st Ave. is already deteriorating, locating closer to the US 30 corridor was more suited for M-1 zoning and this was not conducive. Pilar Garcia, 1719 Gurney St. stated she will be relocating from Chicago to the Eagle Creek subdivision and stated her son is immuno-compromised and was very concerned about the amount of truck traffic. She stated that the pollution from one semi equals 12 cars and up to 150 cars. Also concerned about her property value decreasing. She is reconsidering moving forward in Eagle Creek. Bernice Wright, 3025 Topaz Dr. was concerned about the truck traffic and her future safety. Nadiyah Dickson, 3143 E. 62nd Pl. was concerned about their peaceful lifestyle being changed. Cyndia Kramer, 1777 Amber Dr. felt crime will be increased due to drug, gun, human trafficking and prostitution. Can't understand why the city leaders want the worst for the community instead of being creative and innovative, making it stand out as a blue ribbon community. Moving forward with the rezone will drive homeowners out at an alarming rate; which has already started to happen. It's been perfectly clear the citizens do not want this development. Make the community a success, not a failure. Hearing no further public comments Ms. Galka closed the public hearing for Petition 22-02. Mr. Thurston stated he doesn't envy the Commission's decision.

This is bigger than Becknell and something they have to evaluate as a community but this will provide a huge tax base. Mr. Spain felt regarding the Findings of Fact, this is not spot zoning, follows the Comprehensive Plan and the topography is suitable for the proposed land change. He does struggle with the property values of the adjacent properties and was curious if Mr. Thurston had data on their other developments. Mr. Thurston stated they have not done a study of property values but looking on Zillow for property values on Liverpool Rd. which is adjacent to their existing development, and they have gone up. He felt property values go up due to people wanting to be close to their place of employment. Ms. Galka mentioned she agreed with Mr. Spain but is concerned about the traffic. Mr. Gralik mentioned that prior to his employment with the City this has been the plan. The City has spent millions of dollars doing studies, rebuilding 69th Ave., adding the roundabout and investing in the overpass over the railroad tracks to allow the traffic flow to the south. Beth Jacobson, Director of Development, mentioned should this development occur it will unfold over a number of years allowing time for the improvements to take place and to accommodate additional traffic. Ms. Galka stated that Becknell has come before the Plan Commission several times with high quality developments and are valuable partners in the City and helped increase the City's tax base. She is fully aware of the benefits that this will bring to the City but also aware of the good residential developments along 61st Ave. and the potential of others. She hears individuals say their children are not staying here and feels because there are not high quality residential developments to move in to because they are all full. She was shocked with the potential number of semi-trucks and should this pass, more industrial developments will come in doubling or tripling the number of semis and is struggling with her decision. Mr. Gralik mentioned a developer could approach the City requesting an apartment complex which would be a disaster as they are difficult, a drain on City services. He stated they have proposed this area to developers and they were not interested after hearing that it was not in the Hobart school system. He feels industrial is the best use for this property. There was discussion pertaining to striking out certain uses permitted in the M-1 zone. Mr. Thurston mentioned they target clean light industrial uses and felt truck terminals were a use to be stricken out from the permitted uses. Also discussed was the most recent revised concept plan showing a 325' setback from 61st Ave. which will continue to encroach approximately 50' to 70' into the northern strip along 61st Ave. Mr. Pietrzak asked if the Commission felt comfortable with the 250' setback revision. Mr. Gralik suggested to approve a partial rezone and leave that area an R-3 but the Zoning Ordinance requires buffering and screening to be on site and starting at the setback requirements. If that area is not rezoned, variances will be required to allow the berms and ponds be placed on the R-3 property. The easements shown on the revision would basically allow the rezone to the property line. He suggested to put the setbacks in place now with the easements to be recorded and when they submit for site plan and subdivision approval, the subdivision could update them to what the actual engineered plan show for the setbacks. Mr. Chhutani motioned for a Favorable Recommendation to the Common Council for Petition 22-02 with the stipulations of a 250' no build/no pavement easement south of 61st Ave., a 75' no build easement south of the no build/no pavement easement and a use restriction to be the same as the Northwind Crossings South PUD including all discussion and Findings of Fact, seconded by Mr. Emig. Motion carried. (6-1) Ms. Galka-nay