

CITY OF HOBART, INDIANA
ORDINANCE NO. 2022-20

AN ORDINANCE OF THE CITY OF HOBART, INDIANA PROVIDING THAT THE ZONING ORDINANCE OF THE CITY OF HOBART, LAKE COUNTY, INDIANA BE AMENDED BY AMENDING THE PRELIMINARY PLAN FOR CERTAIN PARCELS OF REAL ESTATE IN AN ESTABLISHED PUD ZONING CLASSIFICATION

WHEREAS, the Common Council ("Council") of the City of Hobart, Indiana ("City") adopted Ordinance Number 1995-60 on December 6, 2015 which rezoned parcels of real estate in the City from Single Family Residence Districts ("R-1" and "R-2") to Planned Unit Development District (PUD); and

WHEREAS, Section 154.299(B) of the Hobart Municipal Code requires preliminary plans "be certified to the Council of the City of Hobart for adoption"; and

WHEREAS, the City of Hobart Plan Commission ("Commission") by a majority vote recommended that its **Petition No. 22-22** be adopted, and that the Council amend a portion of the PUD zoning districts governing aforementioned parcels of real estate; and

WHEREAS, the amended preliminary plan for said PUDs, as adopted and recommended by the Commission, is attached hereto and made a part hereof as Exhibit "A;" and

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 amending the preliminary plan to the plan attached herein for a portion of a PUD (Planned Unit Development) zoning district upon certain real estate described as follows:

(AS PER THE GREATER INDIANA TITLE COMPANY TITLE COMMITMENT NO. IN014574, DATED MARCH 3, 2022)

LOTS 1 AND 2 IN ST. MARY MEDICAL CENTER CAMPUS, IN THE CITY OF HOBART, AS PER PLAT THEREOF, RECORDED IN PLAT BOOK 83 PAGE 31, AND AS AMENDED BY PLAT OF CORRECTION RECORDED IN PLAT BOOK 84 PAGE 45, IN THE OFFICE OF THE RECORDER OF LAKE COUNTY, INDIANA, EXCEPTING THEREFROM THAT PART CONVEYED TO THE STATE OF INDIANA BY DEED DATED APRIL 8, 1998 AND RECORDED OCTOBER 8, 1999 AS DOCUMENT NO. 99083415, ALSO EXCEPTING THEREFROM THAT PART CONVEYED TO THE CITY OF HOBART, INDIANA BY DEED DATED AUGUST 12, 2014 AND RECORDED AUGUST 25, 2014 AS DOCUMENT NO. 2014-050913.

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:

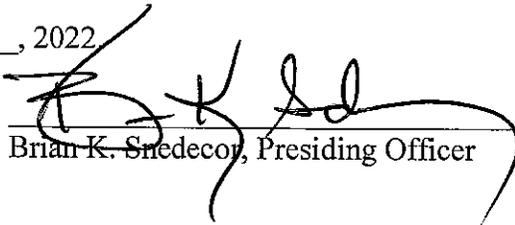
All buildings or uses permitted and placed upon said described real estate shall fully conform to all the provisions of the Zoning Ordinance of the City of Hobart, Indiana and shall have obtained the proper permits.

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.

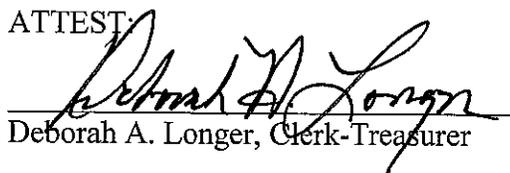
SECTION 5. Since an emergency exists for the immediate taking effect of this Ordinance, the same shall be in fully force and effect from and after its passage by the Common Council of the City of Hobart; upon the approval of the Mayor of the City of Hobart Indiana; and as soon thereafter as otherwise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

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

3rd day of August, 2022.


Brian K. Srededecy, 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

3rd day of August, 2022 at 6:45 o'clock P. M.

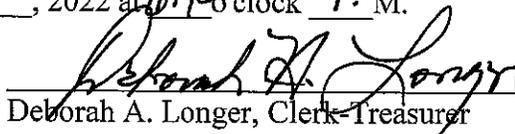

Deborah A. Longer, Clerk-Treasurer

EXHIBIT A

**CERTIFICATION AND REPORT TO
COMMON COUNCIL OF THE CITY OF HOBART ON
AMENDMENT TO THE PUD**

CERTIFICATION TO: Common Council of the City of Hobart

FROM: Ross Pietrzak, City Planner

RE: Proposed 4th Amendment to PUD for St. Mary Medical

DATE: July 13, 2022

PETITIONER: St. Mary Medical Center, Inc.
David Otte
1500 S. Lake Park Avenue
Hobart, IN 46342

REQUEST: St. Mary Medical Amendment to PUD to include additions

PLAN COMMISSION PETITION NO: 22-22

DATE OF PLAN COMMISSION ACTION: July 7, 2022

DEADLINE FOR COMMON COUNCIL ACTION: October 11, 2022

CERTIFICATION

ACTION TAKEN BY PLAN COMMISSION:

Recommendation to the Common Council to Approve the change as requested
(Favorable Recommendation)

VOTE: 8-0

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

St. Mary Medical PC 22-22

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.

The current PUD development does NOT include buildings that have since been added to the St. Mary Medical Center Campus. This amended PUD is to update and include those new buildings

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:

The current hospital campus exists and this is to update to reflect newly added

(c) the land involved is suitable for the proposed land change because: buildings

The hospital currently exists and this is to updated to include new buildings

(d) the topography is suitable for the proposed land use without adverse effect upon the surrounding land because: The hospital campus currently exists as such and will have no effect

(e) the property value of adjacent property would not be decreased because:

The hospital campus currently exists and this will have no effect on property values

x David J. Ott
Signature of Petitioner/Agent

5/5/2022
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 July, 2022 by a majority vote of the Hobart Advisory Plan Commission.

Maria Gallo

Plan Commission President

Attest:

James A. Spain
Plan Commission Secretary/Zoning Official

MEMORANDUM

DATE: JULY 13, 2022

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

FROM: ROSS PIETRZAK, CITY PLANNER

RE: PETITION TO AMENDMENT PUD
PLAN COMMISSION PETITION 22-22

Attached please find a Certification and Proposed Ordinance for your consideration regarding Plan Commission Petition 22-22, a petition request to Amend the PUD to include additional buildings at 1500 S. Lake Park Ave. located west of Lake Park Ave., south of 14th St. and north of 61st Ave., zoned PUD, 36.93 acres

DRAFT PUBLIC HEARING MINUTES OF THE JULY 7, 2022 PLAN COMMISSION

MEETING: Mr. Allen recused himself. Speaking on behalf of St. Mary's Medical was Mr. Allen, Torrenga Surveying, and explained that since the original PUD for St. Mary's was created in 1998, several improvements have been added to the site. In past years, these improvements were granted during site plan review and not through the correct channels of amending the PUD. He provided a current up to date survey for the entire site which includes the recent approved CT scanner and morgue additions. Ms. Galka opened and closed the public hearing for Petition 22-22 without public comment. Mr. Vinzant motioned for a Favorable Recommendation to the Common Council for Petition 22-22 including all discussion and Findings of Fact, seconded by Mr. Brooks. All ayes, motion carried. (8-0)