

ORDINANCE NO. 2023-23

**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 PUD ZONE TO A NEW PUD ZONE CLASSIFICATION**

WHEREAS, THE HOBART CITY PLAN COMMISSION by a majority vote recommended that its **Petition No. 22-46** be adopted and that the Council rezone this property, and

WHEREAS, The Regulations and Design Standards for the PUD, as recommended by the Commission, are attached hereto and made a part hereof as Exhibit "A".

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 PUD (Planned Unit Development) zoning classification to a new PUD (Planned Unit Development) zoning classification:

THAT PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 35 NORTH, RANGE 7 WEST OF THE SECOND PRINCIPAL MERIDIAN BEING THAT PARCEL SURVEYED BY GLEN E. BOREN, INDIANA PROFESSIONAL SURVEYOR NUMBER LS20000006 AND SHOWN ON A PLAT OF SURVEY CERTIFIED ON MAY 13, 2022 AS DVG TEAM, INC., JOB NUMBER S21-2299, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF U.S. HIGHWAY NUMBER 30 AND THE WEST LINE OF SAID SOUTHEAST QUARTER, SAID INTERSECTION BEING THE SOUTHWEST CORNER OF LOT 6 IN THREE CREEKS SUBDIVISION UNIT 1 RECORDED AS DOCUMENT NUMBER 1998-086037 ON OCTOBER 30, 1998 IN PLAT BOOK 85, PAGE 54 IN THE OFFICE OF THE RECORDER OF SAID COUNTY, THENCE NORTH 00 DEGREES 09 MINUTES 13 SECONDS WEST, 330.02 FEET ALONG SAID WEST LINE TO THE INTERSECTION WITH A LINE 30 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF VACATED SOUTH CREEK DRIVE (VACATED BY ORDINANCE 2004-24, RECORDED AS DOCUMENT NUMBER 2004-069255 ON AUGUST 13, 2004 IN SAID RECORDER'S OFFICE), SAID INTERSECTION MARKED BY A 5/8-INCH REBAR WITH CAP STAMPED "DVG TEAM INC FIRM NO. 0120" (HEREINAFTER REFERRED TO AS A DVG REBAR), SAID INTERSECTION ALSO BEING THE POINT OF BEGINNING; THENCE CONTINUING NORTH 00 DEGREES 09 MINUTES 13 SECONDS WEST, 889.57 FEET ALONG SAID WEST LINE TO THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER; THENCE SOUTH 89 DEGREES 25 MINUTES 39 SECONDS EAST, 972.46 FEET ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER TO THE WEST LINE OF THE EAST 350 FEET OF SAID

SOUTHEAST QUARTER; THENCE SOUTH 00 DEGREES 10 MINUTES 30 SECONDS EAST, 433.38 FEET ALONG LAST SAID WEST LINE TO A LINE THAT IS 785 FEET NORTH OF AND PARALLEL WITH SAID NORTH RIGHT OF WAY LINE; THENCE SOUTH 89 DEGREES 29 MINUTES 45 SECONDS EAST, 350.02 FEET ALONG SAID LINE BEING 785 FEET NORTH OF AND PARALLEL WITH SAID NORTH RIGHT OF WAY LINE TO THE EAST LINE OF SAID SOUTHEAST QUARTER; THENCE SOUTH 00 DEGREES 10 MINUTES 30 SECONDS EAST, 405.03 FEET ALONG SAID EAST LINE; THENCE SOUTH 89 DEGREES 29 MINUTES 45 SECONDS WEST, 50.00 FEET TO THE INTERSECTION OF THE NORTH LINE OF SAID VACATED SOUTH CREEK DRIVE AND A LINE 50 FEET WEST OF AND PARALLEL WITH SAID EAST LINE OF SAID SOUTHEAST QUARTER, SAID INTERSECTION BEING THE BEGINNING OF A CURVE CONCAVE SOUTHEAST, HAVING A RADIUS OF 350.00 FEET AND A CHORD THAT BEARS SOUTH 80 DEGREES 52 MINUTES 55 SECONDS WEST, 117.01 FEET; THENCE WESTERLY 117.56 FEET ALONG SAID CURVE TO A DVG REBAR; THENCE SOUTH 71 DEGREES 15 MINUTES 34 SECONDS WEST, 7.59 FEET TO A DVG REBAR AND THE BEGINNING OF A CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 500.00 FEET AND A CHORD THAT BEARS SOUTH 80 DEGREES 52 MINUTES 55 SECONDS WEST, 167.15 FEET; THENCE WESTERLY 167.94 FEET ALONG LAST SAID CURVE TO A DVG REBAR ON SAID NORTH LINE OF THE SOUTH 30 FEET OF VACATED SOUTH CREEK DRIVE; THENCE NORTH 89 DEGREES 29 MINUTES 45 SECONDS WEST, 984.87 FEET ALONG LAST SAID NORTH LINE TO THE POINT OF BEGINNING, SAID PARCEL CONTAINING 23.29 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:

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

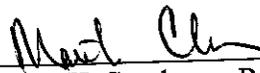
SECTION 4. That the City Engineer and/or Zoning Administrator is hereby authorized and directed upon the enactment and approval of this Ordinance, to cause a change to be made on the zone maps, to make certain notations in ink thereof and to record the date of passage of this Ordinance.

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 FEBRUARY, 2023.

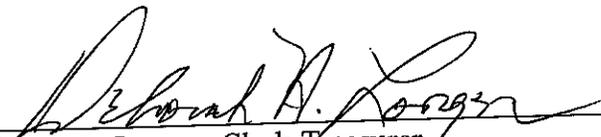

~~Brian K. Snedecor~~, Presiding Officer
MATTHEW CLAUSSEN,

ATTEST:


Deborah A. Longer, Clerk-Treasurer

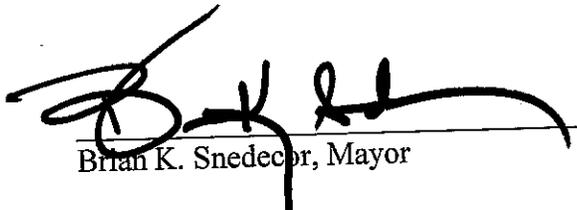
Presented by me to the Mayor of the City of Hobart, Indiana, for her approval and signature this

15th day of FEBRUARY, 2023 at 6:45 clock P.M.


Deborah A. Longer, Clerk-Treasurer

APPROVED and SIGNED by me, the Mayor of the City of Hobart, this 17th day of

FEBRUARY, 2023.


Brian K. Snedecor, Mayor

ATTEST:

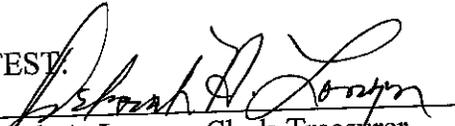

Deborah A. Longer, Clerk-Treasurer

EXHIBIT "A"

Redwood Hobart West Lincoln Highway IN
Planned Unit Development
Development Standards & Design Guidelines

I. PURPOSE.

Redwood Hobart West Lincoln Highway IN (the "Project") is a PUD consisting of approximately 23.4 acres within the City of Hobart corporate limits. The Project Parcel is more specifically described in Exhibit A herein ("Property") and more specifically defined in the proposed concept plan ("Plan of Development") attached hereto as Exhibit B.

II. USE AND BULK REGULATIONS

- (A) Use and bulk regulations applying specifically to this PUD are set forth in this ordinance.
- (B) Also applying to this PUD are additional regulations set forth in other subchapters and sections of the Hobart Municipal Code as follows:
- (1) Section 154.004, Zoning districts, establishment and application;
 - (2) Section 154.006, General provisions and supplementary district regulations;
 - (3) Sections 154.040 et seq., R-1 and R-2 Single Family Residence Districts;
 - (4) Section 154.0909 et seq., R-4 Multiple-Family Residence & PUD Districts;
 - (5) Sections 154.295 et seq., Planned Unit Development Districts;
 - (6) Sections 154.355 et seq., Off-Street Parking and Loading;
 - (7) Sections 154.375 et seq., Signs;
 - (8) Section 154.514 et seq., Site Plan; and,
 - (9) Sections 154.480 et seq., Administration and Enforcement.
- (C) When regulations for PUD districts are not identified in the Hobart Municipal Code sections referenced in section (B) above, this PUD shall abide by the regulations applicable to the R-4 District.
- (D) Citations to the Hobart Municipal Code in section (B) above and throughout this ordinance shall apply to the version of the code in effect at the adoption date of this ordinance and any revision of said code shall apply to the same or similar subject which may be enacted in the future.

III. LIMITATIONS OF USE.

Uses within the PUD shall be restricted to those described in Section IV herein.

IV. PERMITTED USES.

(A) 4 – 8 family, dwelling units

(B) Uses Incidental to Permitted Uses:

1. Accessory Uses customarily incidental to the listed Use, including a leasing office
2. Off-street parking (unenclosed) for motor vehicles; one leasing office with attached garage; one mail kiosk
3. Temporary buildings or structures for construction purposes, for a period not to exceed the duration of such construction

V. PERFORMANCE STANDARDS.

While generally not applicable to residential neighborhoods, the storm pond shall be inspected and maintained as described on Exhibit C herein.

VI. YARDS AND SETBACKS

(A) MINIMUM FRONT YARD.

30 feet

(B) MINIMUM SIDE YARD.

20 feet

(C) MINIMUM REAR YARD.

20 feet

(D) NATURALLY SENSITIVE AREAS.

25 feet

VII. MAXIMUM HEIGHT. The maximum building height (from grade to the top of the building) is 20 feet.

VIII. LOT STANDARDS.

Lot Standards dictate the minimum and/or maximum standards that apply to this PUD.

- (A) Minimum Lot Area: 20 acres.
- (B) Minimum Lot Width: 400 feet. The minimum lot width is the allowable horizontal distance between the side property lines of a lot measured at right angles to its depth along a straight line parallel to the front lot line at the front setback line.
- (C) Minimum Lot Frontage: 400 feet. The minimum length of a lot frontage shall be measured between side lot lines at the street right-of-way or private street easement.
- (D) Maximum Lot Coverage: 40% (for all primary and accessory structures, drives and parking areas).
- (E) Maximum Floor Area Ratio: The maximum floor area ratio of all buildings and structures on a zoning lot shall not exceed 0.25.

IX. DESIGN GUIDELINES

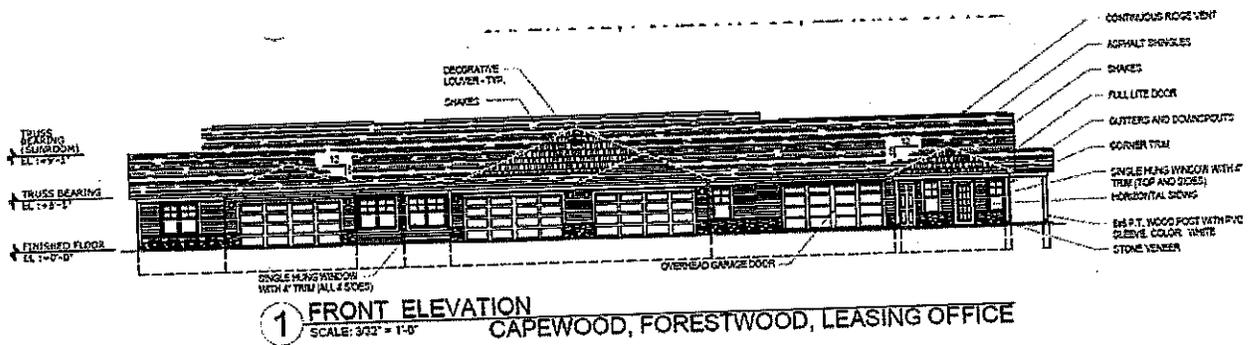
(A) Landscape Design Standards. Landscaping shall be designed and installed to enhance the building and site improvements and shall be tolerant of the Northwest Indiana climate. All landscaping shall comply with the City of Hobart Municipal Code Section 154.423. Landscaping within the PUD shall also comply with the following additional requirements:

- (1) The Landscape Plan for the Project shall include with a "Unit Landscape Plan" for each building, as shown on Exhibit D, attached hereto and incorporated herein.
- (2) Minimum Tree Sizes shall be 2-inches in diameter for deciduous overstory trees, 1 ½-inches in diameter for ornamental deciduous trees and 6-foot in height for coniferous trees.
- (3) All planted landscape material shall be properly irrigated.
- (4) All planted landscape material that perishes shall be replaced during the next planting season.
- (5) All planted landscape material shall be installed immediately after construction of building and site improvements on each Lot, weather permitting.
- (6) Project site shall utilize a combination of sod, seed, and areas of no mow/low mow grass. Areas directly adjacent to the structures shall be installed with sod to promote a positive and instantaneous aesthetic and maintain erosion control. Seed shall be utilized in larger open areas between buildings, around retention basins, and in programmed open lawn areas. All remaining areas shall utilize a no mow/low mix of grass.

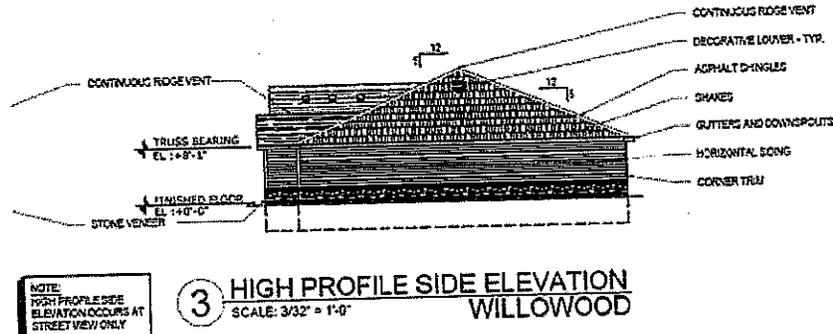
(B) Building Design Standards. Building Design Standards are established to create design consistency and architectural unity within the PUD. All buildings within the PUD shall be designed and constructed (i)

according to the residential building codes in effect with the City at the time of construction; and (ii) using the following standards:

(1) Finished exterior building materials shall consist of two "Building Materials," vinyl siding and manufactured stone, of which siding will be the predominant material. Colors shall be neutral, harmonious and compatible with colors of the natural surroundings and other adjacent Buildings. Façade articulation may consist of changes in material variation and/or color variation. Accent Materials shall include the manufactured stone accents at the garage fronts, the vinyl shake siding in the garage gables, and the faux louvers installed in large gable ends. Front building elevations shall be in substantial compliance with the following elevations:



(2) Building side elevations visible from private drive aisles shall have higher levels of architectural detail, generally as depicted below:



(3) The design of roofs on Buildings should address the functional needs and the massing, materials, context and size of the Building, including:

- a. Sloped roofs at a 5:12 roof pitch
- b. Where topography dictates, breaks in the roof line will occur.
- c. Roofs shall be covered with architectural dimensional shingles.

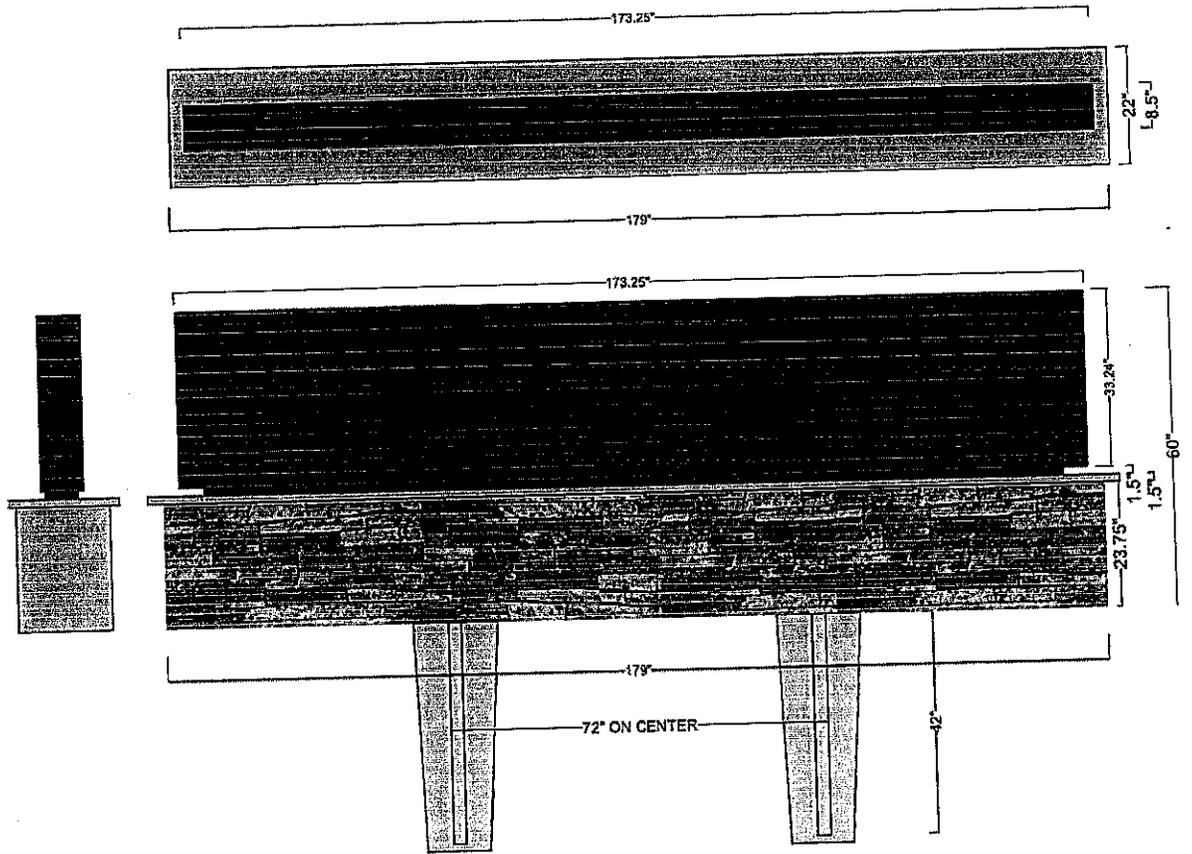
(4) Doors and Windows should be designed in a visually organized and balanced manner. Windows shall have a 4" accent trim. Front entry doors shall be a half-glass, two-panel door.

(C) Signage Standards. All signage within the PUD shall comply with the following requirements:

(1) Monument Sign. The Project shall be permitted one permanent, double-sided monument sign designed as follows:

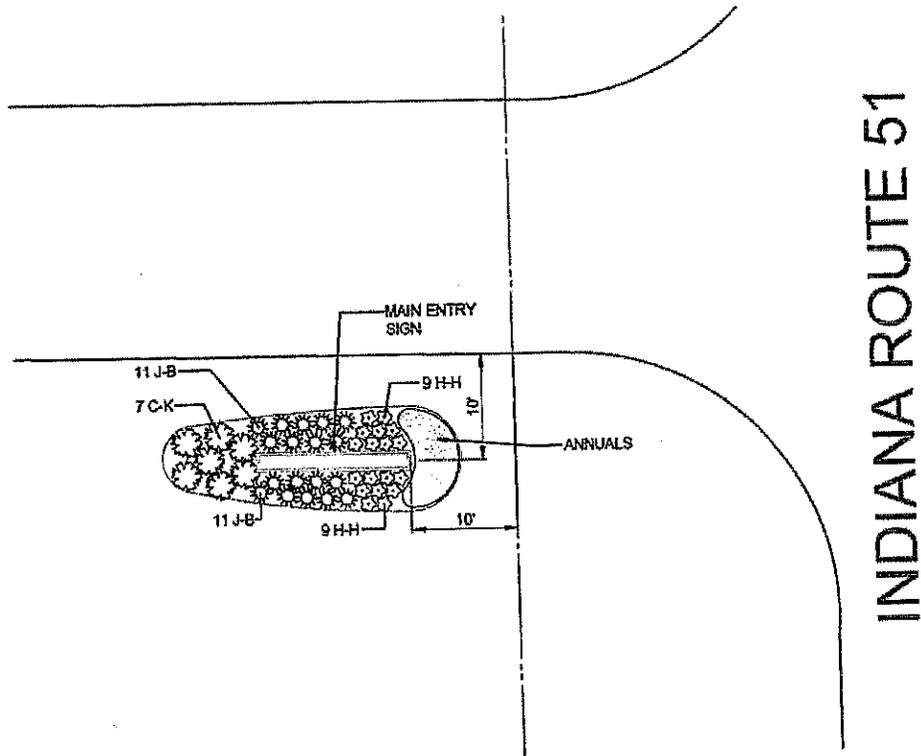
40 Square Foot Double-Sided Sign

- Aluminum Sign Cabinet
 - Painted Mathews to match PMS 7427C & PMS 490C
 - Internally illuminated with 120v
- Dimensional Elements
 - Redwood: 3" deep channel letters, internally lit
 - Apartment Neighborhoods: ½" push through, internally lit
 - Tree: 3" deep channel, internally lit
 - Returns of letters to be white
- Aluminum Base
 - Aluminum Base with "cut granite"
 - High Density Urethane (HDU) attached
 - HDU panel matches prototype sign design



40 SQUARE FOOT

The monument sign shall be landscaped in accordance with the detail below:



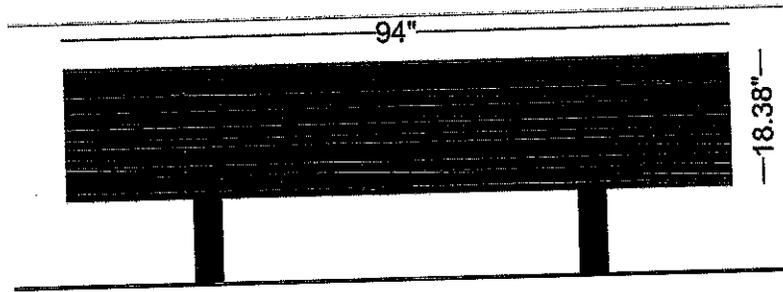
MAIN ENTRY PLANT MATERIAL LIST

QTY.	KEY	BOTANICAL NAME	COMMON NAME	SIZE	NOTES
18	H-H	HEMEROCALLIS 'HAPPY RETURNS'	HAPPY RETURNS DAYLILY	#1 CONT.	CLUMP
22	J-B	JUNIPERUS S. 'BROADMOOR'	BROADMOOR JUNIPER	18" WIDE	B&B
7	C-K	CALAMAGROSTIS X AC 'KARL FOERSTER'	KARL FOERSTER REED GRASS	#2 CONT.	CLUMP

(2) Secondary Sign. The Project shall be permitted one permanent secondary sign designed as follows:

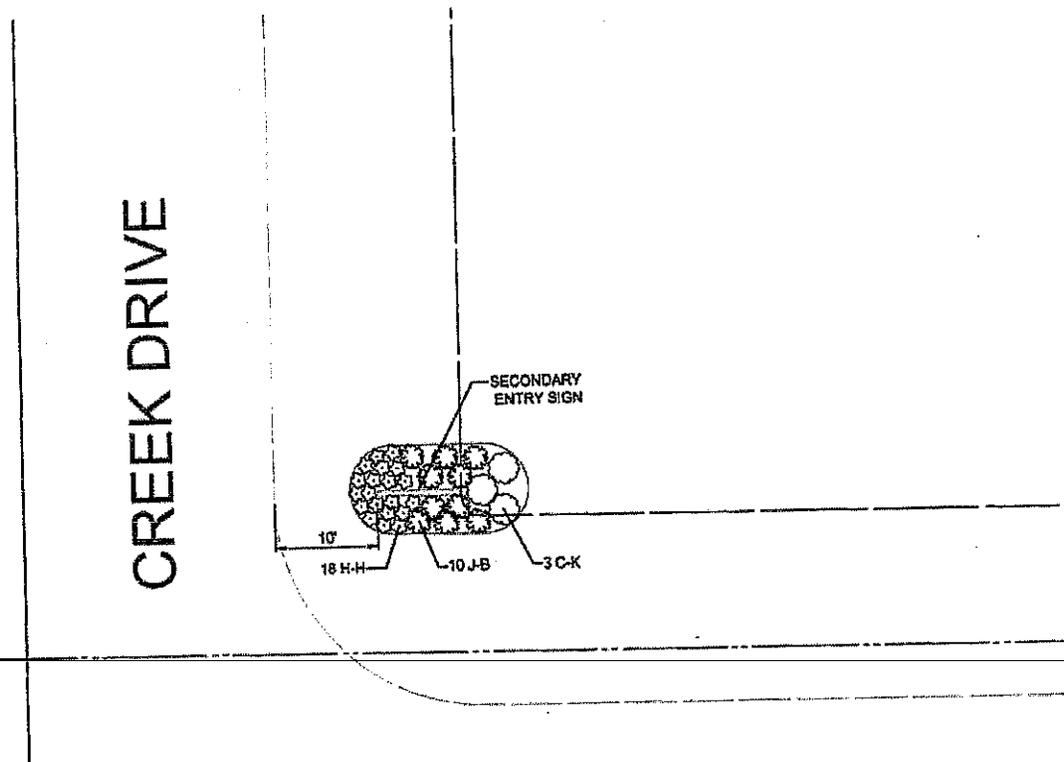
12 Square Foot Single-Sided Sign

- Polymetal Sign Blade
 - Painted Mathews to match PMS 7427C & PMS 490C
 - Installed on two metal 4x4' posts



Dimensional HDU

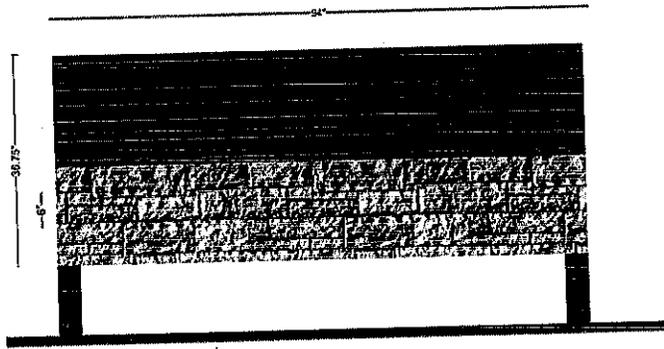
The secondary sign shall be landscaped in accordance with the following detail:



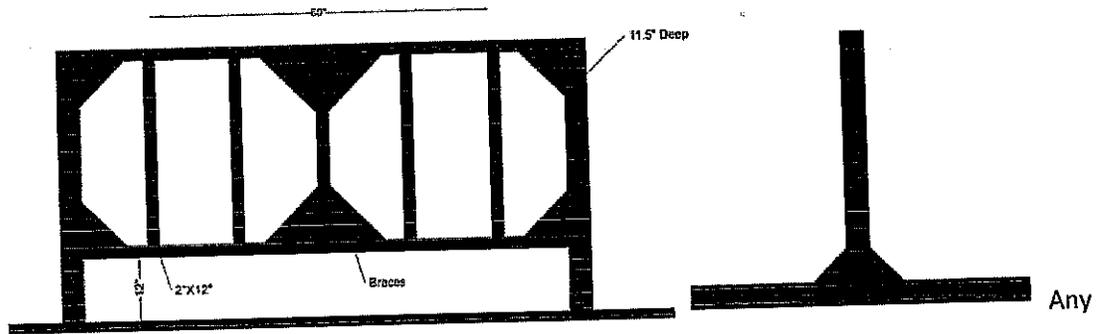
SECONDARY ENTRY PLANT MATERIAL LIST

QTY.	KEY	BOTANICAL NAME	COMMON NAME	SIZE	NOTES
18	H-H	HEMEROCALLIS 'HAPPY RETURNS'	HAPPY RETURNS DAYLILY	#1 CONT.	CLUMP
10	J-B	JUNIPERUS S. 'BROADMOOR'	BROADMOOR JUNIPER	18" WIDE	B&B
3	C-K	CALAMAGROSTIS X AC 'KARL FOERSTER'	KARL FOERSTER REED GRASS	#2 CONT.	CLUMP

(3) Temporary Sign. The Project shall be permitted two temporary signs designed as follows:



- 1/4" Polymetal with printed graphics.
- 2"x12" Studs and frame with black stain.
- Treated 6"x6" with 2"x12" black stained skids.



Any temporary sign installed pursuant to this section shall be removed within 30 days of the installation of the Monument Sign.

(4) Internal Sign Package. The Project shall be permitted to install an internal sign package of directional, no parking, leasing, traffic, and safety signs. A sign package illustrating the proposed signs shall be submitted to the City for review and approval prior to any internal sign's installation.

(5) Off-Site Signage. The Project shall be permitted one off-site sign along US Route 30 provided that the Project Developer first obtains a license or easement from the appropriate off-site property owner for such sign and that such off-site owner provides for off-premise signage allowance in its zoning

(D) Lighting Design Standards.

(1) Garage-Mounted Lighting. Lighting in the neighborhood shall be provided by garage-mounted lights on timers or photocells as illustrated below. Such lights shall illuminate the street number appearing on each garage face as illustrated below:

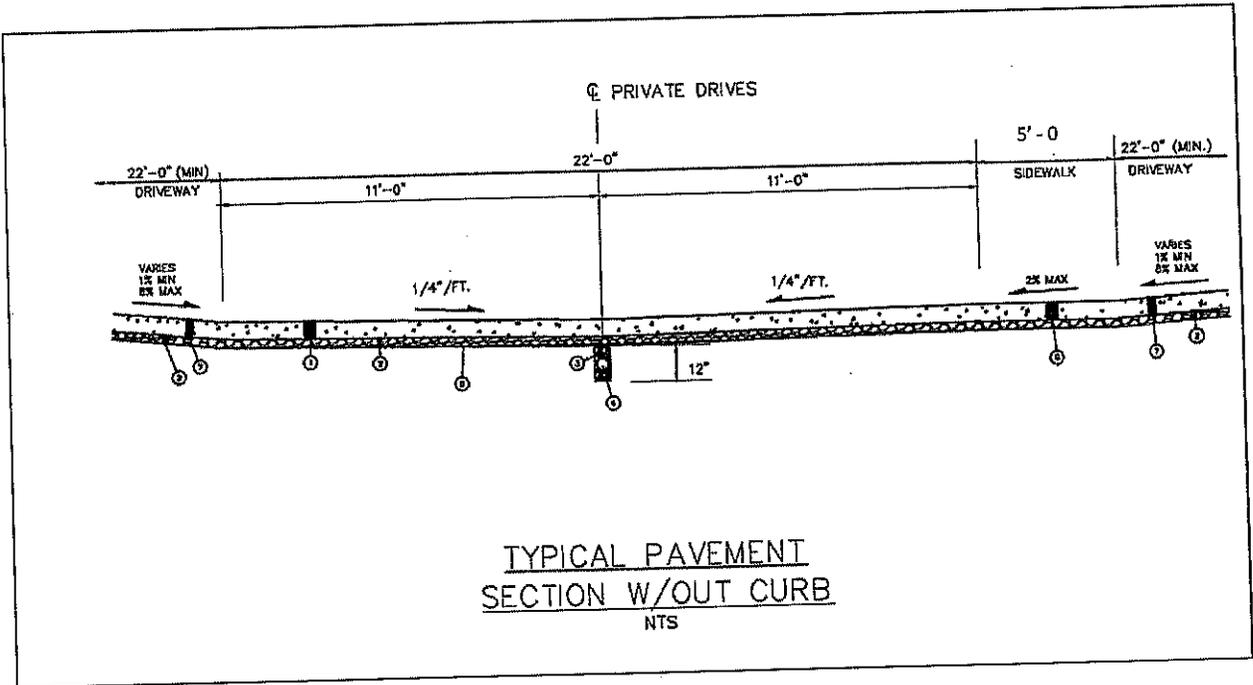


(2) Street Lighting. Developer shall provide streetlights at the first intersection from the public right of way. Such streetlights shall be traditional, colonial, lantern-style LED lighting in accordance with the following detail or similar, as allowed by the authority having jurisdiction:



(E) Site Design Standards

(1) Vehicular egress throughout the PUD shall be on private drive aisles owned and maintained by the Property Owner. Sidewalks shall be 5' wide, integral to the private drive aisle, and situated on one of side of such private drive aisles. The private drive aisles and sidewalks shall be designed in accordance with the following:



LEGEND

DESCRIPTION

1. 6" FIBER-REINFORCED CONCRETE PAVEMENT
2. 3" AGGREGATE BASE
3. AGGREGATE
4. 4" PIPE UNDERDRAIN (ONLY IF RECOMMENDED BY GEOTECH)
5. SUBGRADE COMPACTION (ONLY IF RECOMMENDED BY THE GEOTECH)
6. 6" FIBER-REINFORCED STAINED CONCRETE PAVEMENT
7. 4" PORTLAND CEMENT CONCRETE

NOTES

1. PAVEMENT THICKNESS SHOWN HERE ARE MINIMUM STANDARDS. IF GEOTECHNICAL REPORT SPECIFIES THICKER SECTION, DEFAULT TO REPORT.

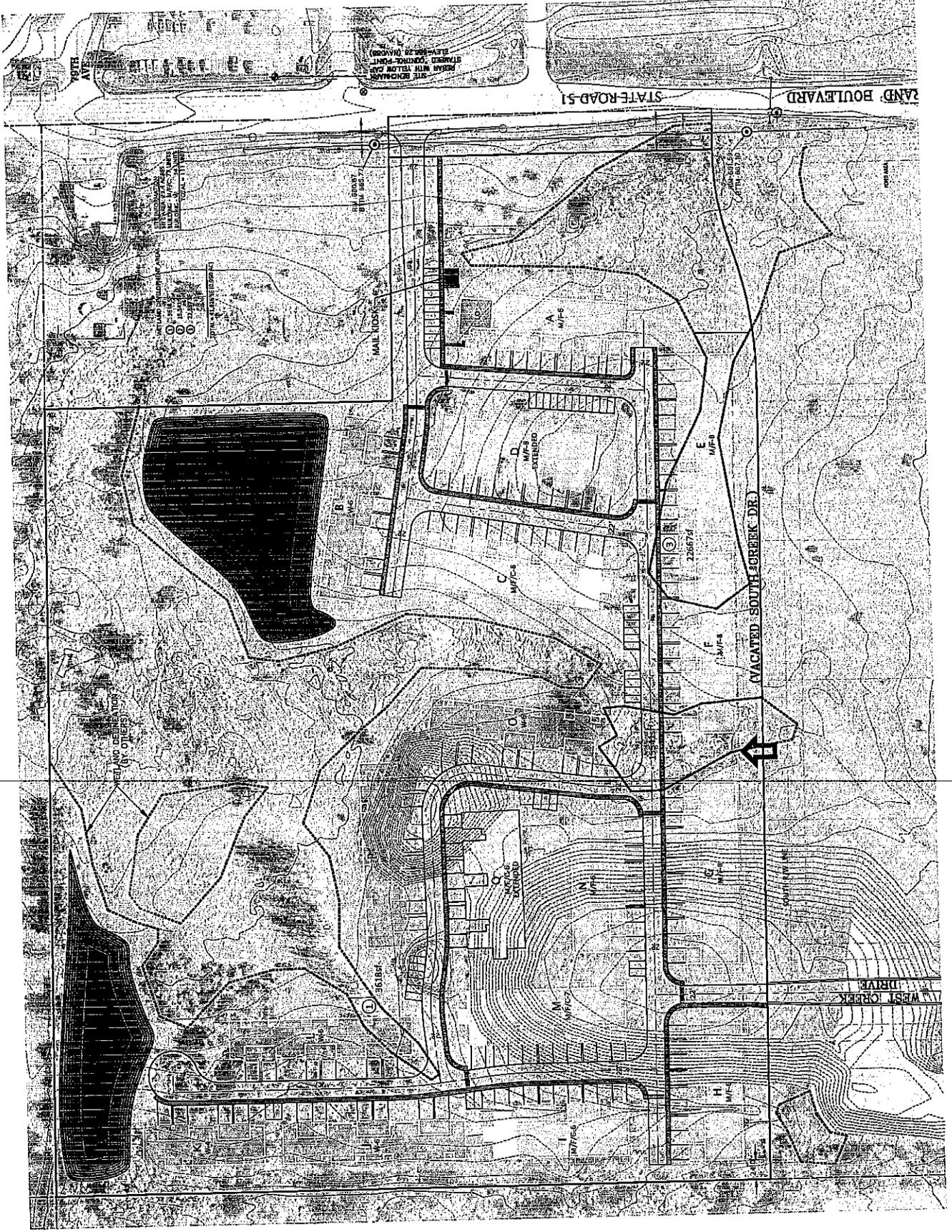
Exhibit A

The Property

PARCEL DESCRIPTION (NON-RECORD, CREATED TIS SURVEY AND SHOWN IN EXHIBIT "A" IN TITLE COMMITMENT REFERENCED HEREON):

THAT PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 35 NORTH, RANGE 7 WEST OF THE SECOND PRINCIPAL MERIDIAN BEING THAT PARCEL SURVEYED BY GLEN E. BOREN, INDIANA PROFESSIONAL SURVEYOR NUMBER LS20000006 AND SHOWN ON A PLAT OF SURVEY CERTIFIED ON MAY 13, 2022 AS DVG TEAM, INC., JOB NUMBER S21-2299, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF U.S. HIGHWAY NUMBER 30 AND THE WEST LINE OF SAID SOUTHEAST QUARTER, SAID INTERSECTION BEING THE SOUTHWEST CORNER OF LOT 6 IN THREE CREEKS SUBDIVISION UNIT 1 RECORDED AS DOCUMENT NUMBER 1998-086037 ON OCTOBER 30, 1998 IN PLAT BOOK 85, PAGE 54 IN THE OFFICE OF THE RECORDER OF SAID COUNTY, THENCE NORTH 00 DEGREES 09 MINUTES 13 SECONDS WEST, 330.02 FEET ALONG SAID WEST LINE TO THE INTERSECTION WITH A LINE 30 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF VACATED SOUTH CREEK DRIVE (VACATED BY ORDINANCE 2004-24, RECORDED AS DOCUMENT NUMBER 2004-069255 ON AUGUST 13, 2004 IN SAID RECORDER'S OFFICE), SAID INTERSECTION MARKED BY A 5/8-INCH REBAR WITH CAP STAMPED "DVG TEAM INC FIRM NO. 0120" (HEREINAFTER REFERRED TO AS A DVG REBAR), SAID INTERSECTION ALSO BEING THE POINT OF BEGINNING; THENCE CONTINUING NORTH 00 DEGREES 09 MINUTES 13 SECONDS WEST, 889.57 FEET ALONG SAID WEST LINE TO THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER; THENCE SOUTH 89 DEGREES 25 MINUTES 39 SECONDS EAST, 972.46 FEET ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER TO THE WEST LINE OF THE EAST 350 FEET OF SAID SOUTHEAST QUARTER; THENCE SOUTH 00 DEGREES 10 MINUTES 30 SECONDS EAST, 433.38 FEET ALONG LAST SAID WEST LINE TO A LINE THAT IS 785 FEET NORTH OF AND PARALLEL WITH SAID NORTH RIGHT OF WAY LINE; THENCE SOUTH 89 DEGREES 29 MINUTES 45 SECONDS EAST, 350.02 FEET ALONG SAID LINE BEING 785 FEET NORTH OF AND PARALLEL WITH SAID NORTH RIGHT OF WAY LINE TO THE EAST LINE OF SAID SOUTHEAST QUARTER; THENCE SOUTH 00 DEGREES 10 MINUTES 30 SECONDS EAST, 405.03 FEET ALONG SAID EAST LINE; THENCE SOUTH 89 DEGREES 29 MINUTES 45 SECONDS WEST, 50.00 FEET TO THE INTERSECTION OF THE NORTH LINE OF SAID VACATED SOUTH CREEK DRIVE AND A LINE 50 FEET WEST OF AND PARALLEL WITH SAID EAST LINE OF SAID SOUTHEAST QUARTER, SAID INTERSECTION BEING THE BEGINNING OF A CURVE CONCAVE SOUTHEAST, HAVING A RADIUS OF 350.00 FEET AND A CHORD THAT BEARS SOUTH 80 DEGREES 52 MINUTES 55 SECONDS WEST, 117.01 FEET; THENCE WESTERLY 117.56 FEET ALONG SAID CURVE TO A DVG REBAR; THENCE SOUTH 71 DEGREES 15 MINUTES 34 SECONDS WEST, 7.59 FEET TO A DVG REBAR AND THE BEGINNING OF A CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 500.00 FEET AND A CHORD THAT BEARS SOUTH 80 DEGREES 52 MINUTES 55 SECONDS WEST, 167.15 FEET; THENCE WESTERLY 167.94 FEET ALONG LAST SAID CURVE TO A DVG REBAR ON SAID NORTH LINE OF THE SOUTH 30 FEET OF VACATED SOUTH CREEK DRIVE; THENCE NORTH 89 DEGREES 29 MINUTES 45 SECONDS WEST, 984.87 FEET ALONG LAST SAID NORTH LINE TO THE POINT OF BEGINNING, SAID PARCEL CONTAINING 23.29 ACRES MORE OR LESS.

Exhibit B
The Plan of Development
[on following page]



DATE	REVISIONS AND NOTES

Redwood Living, Inc.
 7510 East Pleasant Valley Road
 Independence, OH 44131

Redwood - Hobart, IN
 Redwood - Hobart, IN
 Conceptual Plan

APPROVED FOR THE CITY OF HOBART, IN
 DATE: 09-22
 BY: DVC
 PROJECT NO.: 22-0002
 SCALE: 1" = 50'
 SHEET: 1 OF 1

DVC
 DESIGN & CONSTRUCTION
 155 North Main Street
 Columbus, OH 43215
 Phone: 614.266.7110
 Fax: 614.266.7113
 www.dvcinc.com

Exhibit C

Storm Pond Maintenance

[see following pages]

STORMWATER BASIN INSPECTION PROGRAM



Inspection Date: _____

I. Project Information

1. Property Owner:
Redwood Apartment Neighborhoods
7007 East Pleasant Valley Road
Independence, Ohio 44131
Inspection Date _____
2. Facility name: _____
3. Facility Address:
 - a. Street _____
 - b. City _____
 - c. State/Zip Code _____
4. Inspection performed by:
 - a. Name _____
 - b. Title _____
 - c. Email _____
 - d. Phone _____
5. Reason for Inspection:
 - Initial
 - Response to complaint
 - Major Storm (Post storm inspection within 72 hours of event)
 - Annual Inspection (Due by May 1st)
6. Basin #: _____
 - a. (Identify by attaching a site map with basin(s) labeled)

II. Inspection Checklist (All questions are to receive an answer, do not leave any blanks)

1. Inlet Device(s):
 - a. Are there any obstructions preventing flow? ___ YES ___ NO ___ N/A
 - b. Are there any signs of excessive deterioration? ___ YES ___ NO ___ N/A
 - c. Are there any signs of erosion? ___ YES ___ NO ___ N/A
 - d. Any cracking or settling of inlet dam or headwall(s)? ___ YES ___ NO ___ N/A
 - e. Has excessive sedimentation inhibited flow? ___ YES ___ NO ___ N/A
 - f. List the general condition: ___ Good ___ Fair ___ Poor
 - g. Is there stagnant water present? ___ YES ___ NO ___ N/A
 - h. Are there any safety concerns? ___ YES ___ NO ___ N/A
2. Outlet Device(s):
 - a. Are there any obstructions preventing flow? ___ YES ___ NO ___ N/A
 - b. Are there any signs of excessive deterioration? ___ YES ___ NO ___ N/A
 - c. Are there any signs of erosion? ___ YES ___ NO ___ N/A
 - d. Any cracking or settling of outlet dam or headwall(s)? ___ YES ___ NO ___ N/A
 - e. Has excessive sedimentation inhibited flow? ___ YES ___ NO ___ N/A
 - f. List the general condition: ___ Good ___ Fair ___ Poor
 - g. Is there stagnant water present? ___ YES ___ NO ___ N/A
 - h. Are there any safety concerns? ___ YES ___ NO ___ N/A

3. Concrete/Gravel Trough(s):

- a. Are there any obstructions preventing flow?
- b. List the general condition:

___ YES ___ NO ___ N/A
 ___ Good ___ Fair ___ Poor

4. Emergency Spillway:

- a. Are there any obstructions preventing flow?
- b. List the general condition:
- c. Does it appear to function as intended?

___ YES ___ NO ___ N/A
 ___ Good ___ Fair ___ Poor
 ___ YES ___ NO ___ N/A

5. Upstream/Downstream Channels:

- a. Are there any obstructions preventing flow?
- b. List the general condition:
- c. Does it appear to function as intended?

___ YES ___ NO ___ N/A
 ___ Good ___ Fair ___ Poor
 ___ YES ___ NO ___ N/A

6. General:

- a. Is there evidence of stagnant water within the basin?
- b. Is there excessive debris within the basin?
- c. Are there signs of excessive sedimentation?
- d. Are there any safety concerns?
- e. Does the basin need to be mowed?
- f. Is there any visual evidence of mosquitoes?
- g. Has the pond management company properly maintained this basin as contracted?
- h. Are there any obstructions to access easements? _____

___ YES ___ NO ___ N/A
 ___ YES ___ NO ___ N/A

*Please attach photographs of all basin components for all inspections to work orders.

CORRECTIVE ACTIONS:

- a. Describe corrective actions needed: _____
- _____
- _____
- _____

Attach additional pages if necessary

The information provided in this inspection form is an accurate and current description of the basin structure as noted.

Signature of person completing this form

Date

***Inspection form is to be filed permanently in the STORMWATER INSPECTION NOTEBOOK with a signed copy supplied to the Neighborhood Manager for the Neighborhood's files.**

***The Neighborhood Manager is to be notified immediately of any "NO", "FAIR", or "POOR" responses listed on this report.**



General Maintenance and Inspection Schedule

<ul style="list-style-type: none"> • Remove trash and debris from pond • Ensure that orifices/openings are not clogged in any way on a regular basis 	<p>As needed- NO report filed</p>
<ul style="list-style-type: none"> • Check banks of pond as well as upstream and downstream channels for erosion or gullyng and ground cover • Check concrete structure(s) for cracks, heaving, etc. • Inspect inlets and outlets for any blockage 	<p>Semi-annual (On or around Nov 1 and during annual inspection) and after all heavy storms- Report to be prepared within 72 hours</p>
<ul style="list-style-type: none"> • Inspect for sediment buildup that shall be cleared away when needed to maintain proper depth and clearance to any overflow and drain structures • Perform an ANNUAL REPORT on or before May 1st of each year, of the year's findings, repairs, notes, etc. (along with the dates of each performance) 	<p>Annual- Report to be prepared</p>
<ul style="list-style-type: none"> • A survey shall be performed if needed to determine the amount of available sediment storage space. If sediment pool volume (20% WQV) is reduced significantly, the sediment accumulations must be removed and taken to a secure landfill, in a manner that meets all applicable city, state, and federal regulations. The sediment storage volume shall be restored to no less than 20% WQV • Provide detailed information of sediment accumulation and/or disposal activities in the ANNUAL REPORT 	<p>Every 5 years- Report to be prepared</p>

Exhibit D
Unit Landscape Plans
[on following page]

Redwood

REZONE

PC22-46

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.

Please see attached Findings of Fact.

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 plan aligns with Comprehensive Plan goals.

(c) the land involved is suitable for the proposed land change because: the plan aligns with Comprehensive Plan goals and current zoning.

(d) the topography is suitable for the proposed land use without adverse effect upon the surrounding land because: it can contain topography-related impacts within the site's boundaries.

(e) the property value of adjacent property would not be decreased because: please see item 4 on the enclosed Findings of Fact.

Kelli M. Iron 10/10/22
 Signature of Petitioner/Agent 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 5th day of January, 2023 by a majority vote of the Hobart Advisory Plan Commission.

Maria Gallo
 Plan Commission President

Attest:

Joom L. Spain
 Plan Commission Secretary/Zoning Official

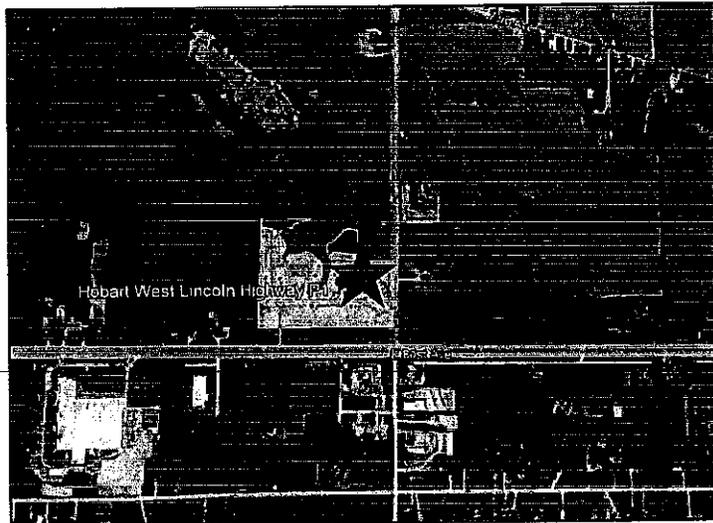
PUD Zone Change ("Zone Change") Application
Parcel Numbers & Findings of Fact
Redwood USA LLC
10/10/22

Parcel Numbers:

45-13-19-276-001.000-046
45-13-19-276-004.000-046
part of 45-14-19-277-001.000-046
part of 45-13-19-278-001.000-046
part of 45-13-19-278-002.000-046
part of 45-13-19-278-003.000-046
part of 45-13-19-278-004.000-046
part of 45-13-19-278-005.000-046

About the Property

The application concerns approximately 23.4 acres of land at the northeast corner of US Route 30 and Route 51 (the "Property"):

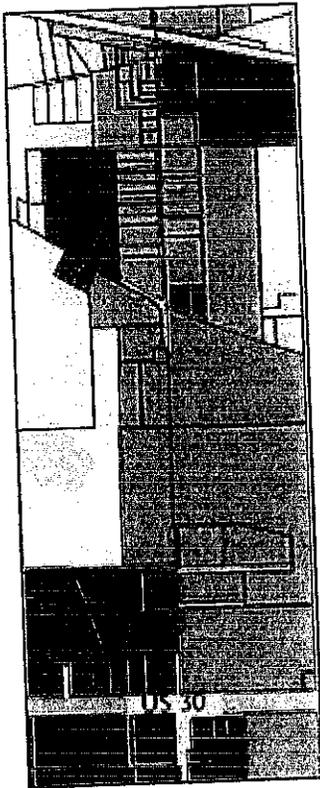


The Zone Change seeks to allow a neighborhood of 4 – 8 family detached buildings on the site. The proposed homes are single-story, single-family townhomes that will be owned and maintained by Redwood Living. Please note that the land fronting US Route 30 will remain commercial.

Findings of Fact

1. **The Proposed Zone Change Aligns with the Goals of the City's Comprehensive Plan for Future Land Use.**
 - a. **The Zone Change Aligns with the Comprehensive Plan 2003 Needs**

The City's Future Land Use Map contemplates a General Business use on the Property (blue star, below):



Future Land Use

-  Agriculture
-  Park
-  Single Family
-  Multi Family - low density

-  Multi Family - moderate density
-  Institutional
-  Office/Service
-  Central Business
-  General Business
-  Industrial

However, the City's Comprehensive Plan recognizes that multi-family land uses have historically received low placement on the land use hierarchy (*Comprehensive Plan 2003, Chapter 4(11)*). The Comprehensive Plan also acknowledges a preponderance of "unattractive 'strip' developments" along US 30, which "aggravate traffic capacity on the arterials they front." (*Comprehensive Plan 2003, Chapter 4(3)*). The Comprehensive Plan notes the "lack of transitional land uses" generally (*Comprehensive Plan 2003, Chapter 4(2)*), and that land along Route 30 can no longer be considered "under-retailed." (*Comprehensive Plan 2003, Chapter 4(3)*).

The proposed Zone Change creates an opportunity for a **4 – 8 family detached buildings with a single-family townhome product**. Although set back from Route 30 by General Business use, the proposed zoning would **break up the preponderance of strip developments along the Route with an attractive, consistently-maintained residential neighborhood**. And, because of the empty-nester population that Redwood neighborhoods typically draw, the Project is **unlikely to negatively impact traffic service levels**. Across its portfolio, Redwood typically has 1.65 residents and 1.5 cars per home. Additionally, Redwood residents tend to travel at non-peak traffic hours. As a result, its traffic impacts are typically less than commercial, traditional multi-family, or single family communities. (See, *Redwood Trip Generation Summary Comparison*).

Finally, as noted in Section 3 below, the Project would create a transition between future low intensity uses and existing, high intensity uses while still being harmonious with the area.

b. The Proposed Zone Change Aligns with the Goals Contemplated During the City's Comprehensive Plan Update Process.

Hobart's current Comprehensive Plan expires in 2023. In 2022, the City began the process of updating the Plan (the "Update"). In the Comprehensive Plan Update Steering Committee meeting on January 13, 2022, the Steering Committee identified preliminary goals for the Update, including:

- Taking advantage of market opportunities;
- Drawing people from Chicagoland and Northern Indiana;
- Compatible land uses; and,
- Acknowledging heavy interest in residential north of 30.
- From *Steering Committee Kick-off Meeting Minutes 01/13/22*

At the March 9, 2022 joint City Council/Plan Commission meeting regarding the Update, stakeholders raised additional priorities, including:

- Considering trends resulting from the pandemic
- Providing market-based, realistic concepts for key areas and corridors; and,
- Visionary land use and zoning.
- From *Joint Hobart City Council/Plan Commission Meeting Notes 03/09/22*

The Zone Change promotes initial Update goals because it allows for a unique housing option that does not currently exist in Hobart-- single-story, market rate apartment homes that provide an age-in-place solution for current residents (*interest in residential use north of 30, visionary land use and zoning*). Across Redwood's 14,000+ home portfolio, approximately 70% of its residents are empty-nesters, with an average age in the early 50s. Most residents come from within a 3-mile radius of the neighborhood (*drawing people from Northern Indiana*). FHA-compliant in all its rental practices, Redwood is experienced and successful at providing attractive, thriving age-in-place neighborhoods for municipalities (*drawing people from Northern Indiana, providing market-based, realistic concepts*). Notably, each apartment home has its own private entrance, allowing for social distancing for immunocompromised individuals in non-pandemic times and for all residents in pandemic circumstances (*considering trends resulting from the pandemic*).

Redwood neighborhoods are not age restricted. Instead, they are built in a way that is tried-and-tested attractive to people looking to age in place (*market-based, realistic concepts; taking advantage of market opportunities*). Redwood apartment homes are ADA compliant. They have zero entry from the attached garage into the kitchen. Doors have lever handles instead of doorknobs. Baths are plumbed for grab bars. There are no high HOA fees or bloated maintenance fees built into the rent. These amenities, along with the high service level Redwood provides, make Redwood neighborhoods very attractive to empty-nesters

who choose to age-in-place in an open-age neighborhood that provides the flexibility to respond nimbly to population and market changes (*market-based, realistic concepts, visionary land use, interest in residential north of 30; taking advantage of market opportunities*).

c. The Zone Change Aligns with the Comprehensive Plan: Demographics & Market-Based Planning

Conversations around the Update identify a need to be responsive to the market. Hobart demographics indicate an opportunity to serve the City’s aging population, who increasingly wish to unburden themselves from the aspects of single-family home ownership that no longer fit their lifestyles. In fact, 46% of the population in the Project Area (and 45% of people within a 5-mile circle of the Property) is already in the empty-nester age group:

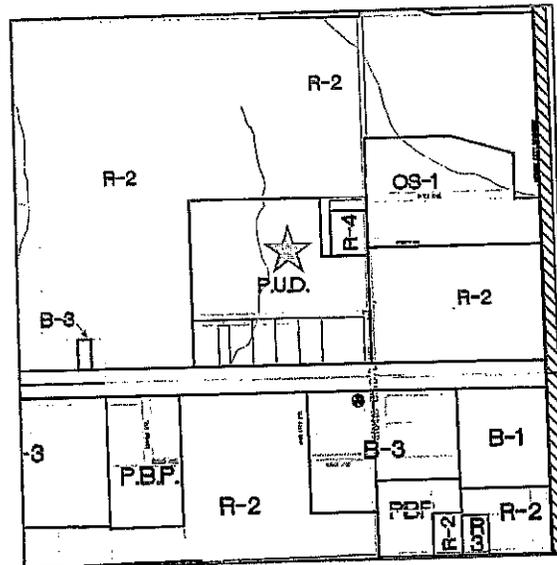
The Property	1 mi radius		3 mi radius ("Project Area")		5 mi radius	
Total Age Distribution (2020)						
Total Population	695		8,062		54,236	
Age Under 5 Years	36	5.2%	400	5.0%	2,925	5.4%
Age 5 to 9 Years	38	5.5%	458	5.7%	3,289	6.1%
Age 10 to 14 Years	38	5.4%	441	5.5%	3,409	6.3%
Age 15 to 19 Years	38	5.5%	439	5.4%	3,256	6.0%
Age 20 to 24 Years	38	5.4%	478	5.9%	3,047	5.6%
Age 25 to 29 Years	42	6.0%	533	6.6%	3,481	6.4%
Age 30 to 34 Years	42	6.1%	522	6.5%	3,530	6.5%
Age 35 to 39 Years	46	6.6%	560	7.0%	3,689	6.8%
Age 40 to 44 Years	47	6.8%	528	6.6%	3,425	6.3%
Age 45 to 49 Years	37	5.3%	437	5.4%	3,204	5.9%
Age 50 to 54 Years	47	6.7%	503	6.2%	3,308	6.1%
Age 55 to 59 Years	59	8.4%	607	7.5%	3,765	6.9%
Age 60 to 64 Years	51	7.3%	558	6.9%	3,708	6.8%
Age 65 to 69 Years	54	7.8%	577	7.2%	3,239	6.0%
Age 70 to 74 Years	34	4.9%	403	5.0%	2,547	4.7%
Age 75 to 79 Years	25	3.7%	285	3.5%	1,766	3.3%
Age 80 to 84 Years	11	1.6%	158	2.0%	1,226	2.3%
Age 85 Years or Over	12	1.7%	175	2.2%	1,420	2.6%
Total:		47.4%		45.9%		44.6%

*REGIS Demographic Profile, July 1, 2020

The Zone Change allows a use that responds to this market need-- Redwood’s single-story, townhome design and proven attractiveness to empty-nesters.

2. The Proposed Zone Change Is Consistent with the Current Conditions and the Character of Current Structures and Uses in Each District.

The Property is zoned PUD, as shown below. The Property is indicated by the blue star:



The Property is consistent with current conditions because it is already zoned PUD.

The Property is also consistent with the current uses by which it is surrounded-- it is bounded on three sides by the same or more intense uses:

- ✓ West Boundary: Adjacent to an existing B3 district.
- ✓ South Boundary: Adjacent to an existing PUD.
- ✓ East Boundary: Bounded Route 51, an R4 district, an Office Services use, and an undeveloped R2 district.
- ✓ North Boundary: Adjacent to an undeveloped R2 district.

The Zone Change will provide a more intuitive zoning transition from the single family use on the north to the more intense office, B3 and R4 uses to the east, south, and west. Gradually increasing the intensity of the uses from its northerly single family neighbors to the more intense uses in the area, aligns with good zoning practices.

Finally, the Zone Change is consistent with the character of the few existing structures because it allows only for single-story homes, which mirrors existing buildings.

3. The Proposed Zone Change Is the Most Desirable Use for the Property.

The Zone Change allows the most desirable use for the Property because:

- The Zone Change serves needs identified in the Comprehensive Plan;
- The Zone Change serves initial goals identified for the Comprehensive Plan Update;

- The Zone Change improves upon the current zoning by allowing a more intuitive transition from less to more intense uses; and,
- Under the current zoning, the Property has remained undeveloped, despite being situated in a high-traffic location. This indicates that the current zoning use is not suitable for the Property. The Zone Change allows the Property to be utilized in a desirable way.

4. The Proposed Zone Change Will Not Be Detrimental to the Conservation of Property Values Throughout the Jurisdiction.

The proposed Zone Change will not impair adjacent property values. First, most of the area surrounding the Property is undeveloped. Second, by driving new density to the area, the Zone Change has the potential to increase the value of adjacent land to future commercial users. Finally, multiple macro- and micro- market studies repeatedly demonstrate that apartment home neighborhoods do not affect the property value of neighboring single family homes. (Note that the closest single-family home is over 200 feet away from the Property's closest boundary, and almost 400 feet away from the closest proposed home. It is also substantially buffered by existing wetlands that are intended to remain undisturbed).

5. The Proposed Zone Change Promotes Responsible Development and Growth.

Under the existing zoning, the Property has failed to develop, despite its location in a high-traffic area. The proposed Zone Change promotes responsible growth because it permits development of an attractive, proven residential neighborhood concept that serves Comprehensive Plan goals and is consistent with current, surrounding zoning.

**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/Zoning Administrator

RE: Change to be made on the zone map.

DATE: January 19, 2023

PETITIONER: Redwood USA, LLC
7007 East Pleasant Valley Road
Independence, Ohio 44131

REQUEST: Rezone existing PUD (Planned Unit Development District) to a new PUD (Planned Unit Development)

PROPOSED USE: A 4 to 8 family rental townhome development

GENERAL LOCATION: Located on the NW corner of Grand Blvd. & US 30

LEGAL DESCRIPTION:

THAT PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 35 NORTH, RANGE 7 WEST OF THE SECOND PRINCIPAL MERIDIAN BEING THAT PARCEL SURVEYED BY GLEN E. BOREN, INDIANA PROFESSIONAL SURVEYOR NUMBER LS20000006 AND SHOWN ON A PLAT OF SURVEY CERTIFIED ON MAY 13, 2022 AS DVG TEAM, INC., JOB NUMBER S21-2299, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF U.S. HIGHWAY NUMBER 30 AND THE WEST LINE OF SAID SOUTHEAST QUARTER, SAID INTERSECTION BEING THE SOUTHWEST CORNER OF LOT 6 IN THREE CREEKS SUBDIVISION UNIT 1 RECORDED AS DOCUMENT NUMBER 1998-086037 ON OCTOBER 30, 1998 IN PLAT BOOK 85, PAGE 54 IN THE OFFICE OF THE RECORDER OF SAID COUNTY, THENCE NORTH 00 DEGREES 09 MINUTES 13 SECONDS WEST, 330.02 FEET ALONG SAID WEST LINE TO THE INTERSECTION WITH A LINE 30 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF VACATED SOUTH CREEK DRIVE (VACATED BY ORDINANCE 2004-24, RECORDED AS DOCUMENT NUMBER 2004-069255 ON AUGUST 13, 2004 IN SAID RECORDER'S OFFICE), SAID INTERSECTION MARKED BY A 5/8-INCH REBAR WITH CAP STAMPED "DVG TEAM INC FIRM NO. 0120" (HEREINAFTER REFERRED TO AS A DVG REBAR), SAID INTERSECTION ALSO BEING THE POINT OF BEGINNING; THENCE CONTINUING NORTH 00 DEGREES 09 MINUTES 13 SECONDS WEST, 889.57 FEET ALONG SAID WEST LINE TO THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER; THENCE SOUTH 89 DEGREES 25 MINUTES 39 SECONDS EAST, 972.46 FEET ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER TO THE WEST LINE OF THE EAST 350 FEET OF SAID SOUTHEAST QUARTER; THENCE SOUTH 00 DEGREES 10 MINUTES 30 SECONDS EAST, 433.38 FEET ALONG LAST SAID WEST LINE TO A LINE THAT IS 785 FEET NORTH OF AND

PARALLEL WITH SAID NORTH RIGHT OF WAY LINE; THENCE SOUTH 89 DEGREES 29 MINUTES 45 SECONDS EAST, 350.02 FEET ALONG SAID LINE BEING 785 FEET NORTH OF AND PARALLEL WITH SAID NORTH RIGHT OF WAY LINE TO THE EAST LINE OF SAID SOUTHEAST QUARTER; THENCE SOUTH 00 DEGREES 10 MINUTES 30 SECONDS EAST, 405.03 FEET ALONG SAID EAST LINE; THENCE SOUTH 89 DEGREES 29 MINUTES 45 SECONDS WEST, 50.00 FEET TO THE INTERSECTION OF THE NORTH LINE OF SAID VACATED SOUTH CREEK DRIVE AND A LINE 50 FEET WEST OF AND PARALLEL WITH SAID EAST LINE OF SAID SOUTHEAST QUARTER, SAID INTERSECTION BEING THE BEGINNING OF A CURVE CONCAVE SOUTHEAST, HAVING A RADIUS OF 350.00 FEET AND A CHORD THAT BEARS SOUTH 80 DEGREES 52 MINUTES 55 SECONDS WEST, 117.01 FEET; THENCE WESTERLY 117.56 FEET ALONG SAID CURVE TO A DVG REBAR; THENCE SOUTH 71 DEGREES 15 MINUTES 34 SECONDS WEST, 7.59 FEET TO A DVG REBAR AND THE BEGINNING OF A CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 500.00 FEET AND A CHORD THAT BEARS SOUTH 80 DEGREES 52 MINUTES 55 SECONDS WEST, 167.15 FEET; THENCE WESTERLY 167.94 FEET ALONG LAST SAID CURVE TO A DVG REBAR ON SAID NORTH LINE OF THE SOUTH 30 FEET OF VACATED SOUTH CREEK DRIVE; THENCE NORTH 89 DEGREES 29 MINUTES 45 SECONDS WEST, 984.87 FEET ALONG LAST SAID NORTH LINE TO THE POINT OF BEGINNING, SAID PARCEL CONTAINING 23.29 ACRES MORE OR LESS.

PLAN COMMISSION PETITION NO.: 22-46
DATE OF PLAN COMMISSION ACTION: January 5, 2023
DEADLINE FOR CITY COUNCIL ACTION: April 19, 2023

CERTIFICATION:

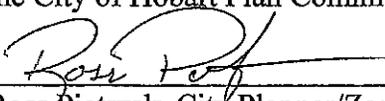
ACTION TAKEN BY PLAN COMMISSION:

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

CONDITIONS: 4' wide sidewalks to 5', a minimum of 5' wide sidewalks to Grand Blvd. and to modify the concept plan to include the extension of a 5' sidewalk to the property line to the south

VOTE: 9-0

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/Zoning Administrator
City of Hobart

MEMORANDUM

DATE: JANUARY 19, 2023

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

FROM: ROSS PIETRZAK, CITY PLANNER

RE: TO REZONE ESTABLISHED PUD TO A NEW PUD

Attached please find a Certification and Proposed Ordinance for your consideration regarding Plan Commission Petition 22-46, located on the NW corner of Grand Blvd. & US 30, zoned PUD, 23.4 acres +/-

PUBLIC HEARING MINUTES OF THE PLAN COMMISSION MEETING OF NOVEMBER 3, 2022: Present was Jeff Ban, DVG, and Ali Karolczak, Redwood USA. Mr. Ban proposed to rezone 23 acres to a PUD to allow for a 111-unit multi-family rental housing development consisting of 4, 6, and 8 units per building. Also located on the property will be a maintenance garage and next to the leasing office, a mail kiosk. Ms. Karolczak mentioned Redwood has been in business for 30 years and are proposing to expand to northwest Indiana. She mentioned their products are single story, 2 bedroom, 2 bathroom with attached garages and are strictly rental homes. Redwood is the sole owner and maintains the units inside and provides lawn care, landscaping and snow removal. The 22' wide streets will be private and parking is not permitted on the streets but will have designated guest parking lots throughout the development for additional parking. Also 4' walkways will be provided throughout the development. Ms. Galka opened and closed the public hearing for Petition 22-46 without public comments. Mr. Pietrzak amended the Development Standards & Designs Guidelines to include:

II. Use and Bulk Regulations (C) the PUD shall abide by the regulations applicable to R-4 Districts;

IV. Permitted Uses (A) 4, 6, 8 family, detached dwelling units; IX. Design Guidelines (A) (1) amend language to *unit landscape plan and will include their provided example to the PUD*; (4) to change all planted dead/dying landscaping from 2-year period to *perpetuity*; (B) Building Design Standards *referencing Indiana Building Codes will be stricken & replaced with "all buildings will be designed and constructed according to the residential building codes in effect at the time of construction & using the following standards;"* (C) Signage Standards *will remove their content and replace and include the City's Sign Standards*; (4) Internal Sign Package *we don't need to regulate internal directional, no parking, leasing, traffic and safety signs, only clarity on the leasing sign*; (5) Off-Site Signage *the PUD cannot be used to allow for off-site signage on property outside the PUD. Will require Plan Commission determination*; (C) Lighting Design Standards per the Fire Department's request, *additional lighting shall be needed to illuminate addresses from the private drives*. Per the Police Department *street lights at the first intersections off Grand Blvd. & US 30*. Mr. Pietrzak mentioned, although the petitioner is responsive with the changes, he has not received the final Development Standards & Design Guidelines for the proposed development. Mr. Ban stated since this is the first time the

Commission has reviewed this development, he did not want them to feel uncomfortable by approving the rezone and felt it was acceptable to table. Mr. Chhutani motioned to Table Petition 22-46 including all discussion, seconded by Mr. Allen. All ayes, motion carried. (7-0)

MINUTES OF THE PLAN COMMISSION OF DECEMBER 1, 2022 MEETING:

Tabled at acceptance of agenda.

DRAFT MINUTES OF THE PLAN COMMISSION OF JANUARY 5, 2023 MEETING:

Present were Kelly McIvor and Jeff Ban, DVG. Ms. McIvor reiterated by saying they are proposing a multi-family rental development and addressed 3 issues that were discussed during the November meeting. (1). Installing sidewalks along Grand Blvd., State Rd. 51. She mentioned the State is responsible for installing sidewalks since Grand Blvd. is a state highway but they would install them if the City required them. (2). Receiving updated Design Standards in which she stated they have been provided to Mr. Pietrzak. (3). The width of the interior sidewalks. Ms. McIvor stated they are proposing 22' wide streets and barrier-free access to FHA/ADA 4' sidewalks. Mr. Allen mentioned he was not comfortable with 22' wide streets and 4' sidewalks especially when the City requires 5' sidewalks. Anticipating the Commission would request the increased width, their engineer informed her they had one additional foot to work with. The Commission felt comfortable with the proposed 22' wide streets, to increase the sidewalk width to 5' and to install to their property line a 5' sidewalk on the proposed north/south West Creek Drive. Mr. Vinzant motioned for a Favorable Recommendation to the Common Council for Petition 22-46 with the revisions of the 4' wide sidewalks to 5', a minimum of 5' wide sidewalks to Grand Blvd. and to modify the concept plan to include the extension of a 5' sidewalk to the property line to the south including all discussion and Findings of Fact, seconded by Mr. Allen. All ayes, motion carried. (9-0)

