

**CITY OF HOBART, INDIANA**  
**ORDINANCE NO. 2023-21**

**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, 1995 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. 23-17** 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:

LOTS 1 AND 2 IN THE FOURTH AMENDED FINAL DEVELOPMENT PLAN, ST. MARY MEDICAL CENTER CAMPUS, A PLANNED UNIT DEVELOPMENT IN THE CITY OF HOBART, LAKE COUNTY, INDIANA, AS PER PLAT THEREOF, RECORDED IN PLAT BOOK 116 PAGE 54, IN THE OFFICE OF THE RECORDER OF LAKE COUNTY, INDIANA.

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

6<sup>th</sup> day of September, 2023

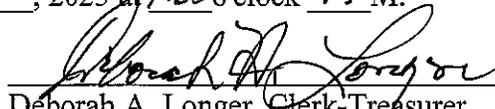
  
\_\_\_\_\_  
Brian K. Snedecor, Presiding Officer

ATTEST:

  
\_\_\_\_\_  
Deborah A. Longer, Clerk-Treasurer

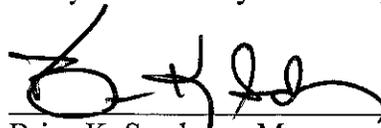
Presented by me to the Mayor of the City of Hobart, Indiana, for his approval and signature this

6<sup>th</sup> day of September, 2023 at 7:05 o'clock P. M.

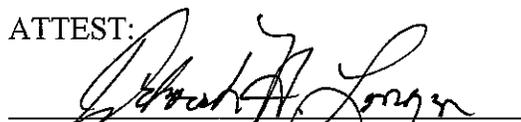
  
\_\_\_\_\_  
Deborah A. Longer, Clerk-Treasurer

APPROVED and SIGNED by me, the Mayor of the City of Hobart, this 6<sup>th</sup> day of

September, 2023.

  
\_\_\_\_\_  
Brian K. Snedecor, Mayor

ATTEST:

  
\_\_\_\_\_  
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: Connor Miller, Zoning Administrator

RE: Proposed 5<sup>th</sup> Amendment to PUD for St. Mary Medical

DATE: August 16, 2023

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 the eastern canopy and improvements around the canopy including the storm sewers

PLAN COMMISSION PETITION NO: 23-17

DATE OF PLAN COMMISSION ACTION: August 3, 2023

DEADLINE FOR COMMON COUNCIL ACTION: November 14, 2023

**CERTIFICATION**

**ACTION TAKEN BY PLAN COMMISSION:**

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

VOTE: 5-0

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



\_\_\_\_\_  
Connor Miller, Zoning Administrator  
City of Hobart

ST MACY  
5th AMENDMENT

PC 23-17

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.

To amend the PUD to include recent changes made to St. Mary Medical Center Campus.

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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 update is to reflect recent changes to it.

\_\_\_(c) the land involved is suitable for the proposed land change because:  
The hospital campus exists and this is to update to reflect recent changes.

\_\_\_(d) the topography is suitable for the proposed land use without adverse effect upon the surrounding land because: The hospital campus exists and as such 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

David J. Olt  
Signature of Petitioner/Agent

5/5/2023  
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 1st day of June, 2023 by a majority vote of the Hobart Advisory Plan Commission.

Maria Gulka  
Plan Commission President

Attest: Jaime L. Spier CM  
Plan Commission Secretary/Zoning Official

PLEASE ADD TO YOUR AGENDA  
THANK YOU

Regular meetings are held on the 1<sup>st</sup> and 3<sup>rd</sup> Wednesdays of each month in the Council Chambers, 2<sup>nd</sup> floor, Hobart City Hall

**CITY OF HOBART**

**AGENDA ITEM REQUEST FORM**

(PLEASE PRINT)

MEETING DATE: AUGUST 16, 2023

BOARD OF PUBLIC WORKS (3:30 p.m.)

COMMON COUNCIL (6:00 p.m.)

ITEM TO BE ADDED TO AGENDA PC 23-17 ST. MARY MEDICAL  
THE PROPOSED 5TH AMENDMENT TO THE PUD FOR ST. MARY MEDICAL CENTER

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SUPPORTING DOCUMENTATION ATTACHED MEMO/MINUTES, ORDINANCE  
CERTIFICATION & REPORT & FINDINGS OF FACT

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REQUEST SUBMITTED BY JOY  
ADDRESS (DEPARTMENT) PLANNING/ZONING  
PHONE NUMBER (EXT) \_\_\_\_\_

DATE SUBMITTED AUGUST 16, 2023

## MEMORANDUM

**DATE:** AUGUST 16, 2023

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

**FROM:** CONNOR MILLER, ZONING ADMINISTRATOR

**RE:** PETITION TO AMEND PUD  
PLAN COMMISSION PETITION 23-17

Attached please find a Certification and Proposed Ordinance for your consideration regarding Plan Commission Petition 23-17, a petition request to Amend the PUD to include the eastern canopy and improvements around the canopy including the storm sewers at 1500 S. Lake Park Ave. located west of Lake Park Ave., south of 14<sup>th</sup> St. and north of 61<sup>st</sup> Ave., zoned PUD, 36.93 acres

PUBLIC HEARING MINUTES OF THE JUNE 1, 2022 PLAN COMMISSION MEETING:  
Mr. Allen recused himself. In attendance was Jeff Strickley, Construction Manager for St. Mary Medical Center proposing to redesign the east canopy by extending it into the parking lot, install curbs & gutters, an additional walk section and landscaping. Mr. Olesker noted his concerns are that the northern crosswalk leading into the parking lot ends at a curbed landscaped area without a ramp and into a parking stall and recommended it be removal. Mr. Allen explained that the existing crosswalk is a designated pathway to safely allow pedestrians to cross the drive lane into the parking lot. Mr. Gralik mentioned the concern is if a visually impaired individual were able to decipher the crosswalk, would they be able to determine they are in a parking lot and traffic? It was suggested to install a depressed curb and sidewalk to meet the sidewalk for the existing crosswalk to the north. Mr. Gralik also mentioned that in the past 5 years or so the Commission has approved several projects for the hospital and, as of yet, is still not in compliance with the Sanitary Industrial Pre-treatment Program. He stated that Staff's position is to set a specified allotted time for the hospital to be in compliance. The Commission felt 90 days (September 1<sup>st</sup>) was sufficient. A meeting is scheduled for next Tuesday, June 6<sup>th</sup> and he felt it would be appropriate to be able to inform the hospital of the deadline. Mr. Strickley stated that although he is not associated with the project, he was informed the electric and concrete pads have been installed and Gasvoda has ordered the equipment. The three (3) monitoring locations are in the west parking lot, on the north and by the pond in the northeast corner of the hospital. ALS will be sampling and monitoring the sanitary discharge. Ms. Galka opened and closed the public hearing for Petition 23-17 without public comments. Mr. Gralik motioned for a Favorable Recommendation to the Common Council for Petition 23-17 contingent on the hospital being in compliance with the Industrial Pretreatment Program by September 1, 2023 including all discussion and Findings of Fact, seconded by Mr. Emig. All ayes, motion carried (7-0)

DRAFT MINUTES OF THE AUGUST 3, 2023 PLAN COMMISSION MEETING: Mylars were available and signed at the end of the meeting. Mr. Olesker noted the project was approved contingent on receiving the IPP Permit and he was informed that the permit was issued today. He also noted that additional storm sewers were included for puddle popping that pertains to the eastern canopy and the improvements around the canopy.