

ORDINANCE NO. 2019-04

**An Ordinance Amending Planned Unit Development District Permitted Uses
for Pod "D" of Silverstone Crossing**

WHEREAS, the Common Council ("Council") of the City of Hobart, Indiana ("City") has received the recommendation of the City Plan Commission ("Commission") after public hearing, dated July 5, 2018, to amend the permitted uses and regulations applying to Pod "D" in the Planned Unit Development ("PUD") District containing the development known as Silverstone Crossing, as previously approved by the Commission pursuant to Petition No. 06-31 on January 10, 2008 and subsequently approved by the City Council; and

WHEREAS, the owner of the subject real estate, which includes Pod "D," seeks amendment of the permitted uses and regulations in this Pod to permit the construction of a multi-unit housing development to serve Veterans as adopted and recommended by the Commission. The amended list of uses and regulations, and the exact legal description of the areas in which they are intended to apply, are attached hereto and made a part hereof as Exhibit "A," and

WHEREAS, the Commission conditioned its recommended approval by requiring the owner to post a performance bond or bonds for "punch list" items required to be done on the Silverstone property as detailed in Board of Public Works and Safety Resolution No. 2016-04, as determined by the City Engineer, and

WHEREAS, the Council desires to adopt, approve and make effective said recommended amendment to the Silverstone Crossing PUD through the passage of this Ordinance.

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

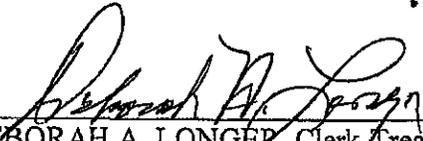
SECTION ONE. The Planned Unit Development District Ordinance governing Silverstone Crossing, as it solely relates to Pod "D" thereof, is amended by striking out the regulations and permitted uses governing the area of Pod "D" described in Exhibit "A," and inserting in lieu thereof those regulations and uses specified in Exhibit "A," attached. The owner shall, as a condition precedent to the effectiveness of this approval, post its undertaking supported by surety or other security acceptable to the City, to perform those "punch list items" referred to above, only to the extent and in the amount determined by the City Engineer.

SECTION TWO: All ordinances or portions thereof in effect prior to the effective date and in conflict with the provisions of this ordinance are hereby repealed.

ALL OF WHICH is PASSED and ADOPTED by the Common Council of the City of Hobart, Indiana on this 30th day of April, 2019.

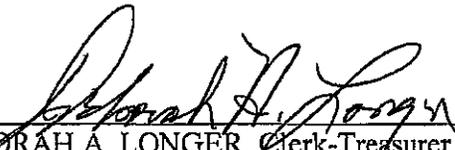


PRESIDING OFFICER

ATTEST: 

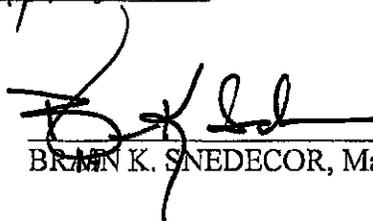
DEBORAH A. LONGER, Clerk-Treasurer

PRESENTED by me to the Mayor of the City of Hobart on the 3rd day of April, 2019 at the hour of 7:30 pm.



DEBORAH A. LONGER, Clerk-Treasurer

APPROVED, EXECUTED and RETURNED by me to the Common Council of the City of Hobart on this 3rd day of April, 2019.



BRIAN K. SNEDECOR, Mayor

ATTEST: 

DEBORAH A. LONGER, Clerk-Treasurer

EXHIBIT A

PUD VETERAN APARTMENT HOUSING DISTRICT

A PARCEL OF LAND LYING IN THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 35 NORTH, RANGE 8 WEST OF THE 2ND PRINCIPAL MERIDIAN, LAKE COUNTY, INDIANA, SAID PARCEL BEING PART OF DEVELOPMENT PARCEL D AS SHOWN IN SILVERSTONE CROSSING PHASE 1 IN PLAT BOOK 103, PAGE 78 IN THE OFFICE OF THE RECORDER OF SAID COUNTY, SAID SUBJECT PARCEL DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER OF SAID SECTION 23, THENCE SOUTH 00 DEGREES 10 MINUTES 31 SECONDS EAST (BASIS OF BEARINGS IS PER SAID SILVERSTONE CROSSING PLAT), 1320.03 FEET ALONG THE WEST LINE OF SAID NORTHEAST QUARTER TO A NORTHERLY LINE OF SAID DEVELOPMENTAL PARCEL D; THENCE SOUTH 89 DEGREES 29 MINUTES 57 SECONDS EAST, 473.80 FEET ALONG SAID NORTHERLY LINE TO AN EASTERLY LINE OF SAID DEVELOPMENTAL PARCEL D; THENCE SOUTH 00 DEGREES 11 MINUTES 04 SECONDS EAST, 341.37 FEET ALONG LAST SAID EASTERLY LINE TO A SOUTHERLY LINE OF SAID DEVELOPMENTAL PARCEL D; THENCE NORTH 88 DEGREES 46 MINUTES 51 SECONDS WEST, 473.97 FEET ALONG LAST SAID SOUTHERLY LINE TO SAID WEST LINE OF THE NORTHEAST QUARTER; THENCE NORTH 00 DEGREES 10 MINUTES 31 SECONDS WEST, 335.43 FEET ALONG SAID WEST LINE OF THE NORTHEAST QUARTER TO THE POINT OF BEGINNING, SAID PARCEL CONTAINING 3.68 ACRES MORE OR LESS.

I. USE AND BULK REGULATIONS.

- (A) Use, bulk, and design regulations applying specifically to this PUD are set forth in this subchapter.
- (B) Also applying this PUD are additional regulations set forth in other subchapters and sections of this chapter of the Hobart Municipal Code as follows:
 - (1) **Section 154.004, Zoning districts, establishment and application;**
 - (2) **Section 154.005, Rules and interpretation of district boundaries;**
 - (3) **Section 154.006, General provisions and supplementary district regulations;**
 - (4) **Section 154.007, Definitions;**
 - (5) **Sections 154.295 et seq., Planned Unit Development Districts;**
 - (6) **Sections 154.320 et seq., Mobile Homes and Mobile Home Parks;**
 - (7) **Sections 154.355 et seq., Off-Street Parking and Loading;**
 - (8) **Sections 154.375 et seq., Signs;**
 - (9) **Sections 154.420 et seq, Site Plan, Tree Preservation and Site Plan;**

(10) **Sections 154.460 et seq., Non-conforming Uses and Non-conforming Buildings;**
And

(11) **Sections 154.480 et seq., Administration and Enforcement.**

(Prior Code, § 24-102) (Ord. 97-15; Ord. 2001-41)

Citations to the Hobart Municipal Code above shall to apply to the version of the code in effect at the adoption date of this ordinance and to any revision of said code shall apply to the same or similar subject which may be in acted in the future.

II. PURPOSE.

To develop and construct quality veteran apartment housing through syndication proceeds from the sale of 4% Housing Tax Credits, grant funds from Lake County Community Economic Development Department; and other institution financing programs to be secured at a later date for homeless disabled (physical and/or mental illness) veterans in a growth areas with active retail/entertainment, employment centers, Transit opportunities, and within proximity of a medical community. The high-quality three-story rental units are to be managed and operated by a full-time, highly trained, and experienced individual(s) from A SAFE HAVEN, in collaboration with clinical and other homeless support services provided by the U.S. Department of Veterans Affairs (VA). The following sections within A SAFE HAVEN PUD VETERAN APARTMENT HOUSING DISTRICT. All said uses shall not violate any standards identified in Section I. Use and Bulk Regulations and including any standards listed in the following sections:

III. PERMITTED USES.

Permitted Uses are subject to the following:

- (A) Residential dwelling/living structures not to exceed:
 - (1) Three (3), Three-story residential apartment dwelling unit complex
 - (2) Eighty-Thousand (80,000) total Square Feet.
 - (3) Seventy-five (75) residential tenant rental units.
- (B) Residential recreational, common areas, and open or enclosed space amenities shall be privately maintained and operated for residential tenant use only include:
 - (1) Multi-purpose/community/meeting room(s).
 - (2) Kitchen/cooking room(s) and components.
 - (3) Laundry/restroom spaces and facilities.
 - (4) Education/training/computer room(s).

- (5) Patios, picnic shelters, and pavilions.
 - (6) Parking lot/spaces, bike racks, fences, transit shelters, and mailbox shelters.
 - (7) Parks/gardens, landscape/green areas, detention/retentions sites, and pools.
- (C) Residential ancillary use include:
- (1) On-site property manager/maintenance residential unit(s).
 - (2) Support services office space.

IV. LIMITATIONS OF USE.

Limitation of all uses are subject to the following:

- (A) No more than two tenants shall occupy each dwelling unit.
- (B) Any guest of the tenant shall not exceed visitation stay for more than two (2) weeks per year.
- (C) Home occupation with the cause of on-site client visitation for delivery of goods or services are prohibited, excluding any on site resident tenant occupation of goods or services delivered off site.
- (D) Detached accessory structures (garages, shed, storage facility, greenhouse etc.) are prohibited

V. MAXIMUM LOT SIZE.

All lot sizes shall not exceed four (4) acres.

VI. MAXIMUM FLOOR AREA RATIO.

Maximum floor area ratio of all buildings shall not exceed 0.5, fifty percent (50%).

VII. MINIMUM RESIDENTIAL UNIT FLOOR AREA.

All residential floor area per dwelling unit shall be as prescribed as a minimum of six-hundred (600) gross square feet, one-bedroom units.

VIII. MINIMUM FRONT YARD

All front yard requirements, minimum forty (40') feet from lot line.

IX. MINIMUM SIDE YARD

All side yard requirements, minimum fifteen (15') feet from lot line.

X. MINIMUM REAR YARD

All rear yard requirements, minimum thirty (30') feet from lot line.

XI. HEIGHT STANDARDS.

Maximum Building Height shall be determined by the vertical distance from the curb level, or its equivalent, opposite the center of the front of the structure to the highest point of the exterior of the structure and comply with the following:

- (A) Residential dwelling/living structures and uses shall not exceed forty-five feet (45') in height.

XII. DESIGN STANDARDS.

Minimum Design Standards shall meet all requirements listed to foster the maintenance of an attractive, healthy, efficient development.

- (A) Material, all structures, excluding fences:
 - (1) Minimum of fifty percent (50%) brick and/or stone combination shall be maintained on all structures in any vertical or horizontal combination.
 - (2) Minimum of twenty-five percent (25%) cement fiber board and/or split face block combination shall be maintained on all structures in any vertical or horizontal combination.
 - (3) Natural wood or eifs/stucco may be maintained as accents or architectural features on all structures in any vertical or horizontal combination.
 - (4) Cinder block, vinyl siding are prohibited.
- (B) Signs, minimum sign standards shall meet City of Hobart Municipal Code standards set forth in **Section 154.375 SIGNS**, and including the following:
 - (1) One (1) monument sign shall be permitted at each entrance adjacent to a public or private access right-of-way not to exceed thirty-two (32) square feet in area and not exceed than six (6) feet in height.
 - (2) One (1) wall sign shall be permitted on each structure not exceeding sixteen (16) square feet in area.
 - (3) Flashing signs are prohibited.
- (C) Parking
 - (1) Minimum of one (1) off street vehicular parking spaces per dwelling unit.
 - (2) Vehicular parking spaces shall be a minimum of fifteen (15) feet from all buildings and property lines.
 - (3) Vehicular parking stalls shall be a minimum of nine (9) feet by twenty (20) feet.

- (4) Concrete roll design curbs, shall be installed along all interior roads and parking lots and comply with city standards, except parking lot lighting shall be of ground level globe/bollard lighting design.
 - (5) Minimum of one (1) bicycle parking space shall be provided per fifteen (15) vehicle parking spaces.
 - (6) Bicycle parking spaces shall be located a minimum of sixty (60) feet from structure entrance(s).
 - (7) Interior parking lot, vehicular parking stalls, and bicycle parking spaces shall be privately maintained from debris and natural elements, including repair and accessible.
- (D) Fencing
- (1) Maximum Six (6') feet height.
 - (2) Decorative vinyl, aluminum, wrought iron, stone or brick fence material are permitted.
 - (3) Chain link and wood privacy are prohibited.
 - (4) Snow or sand fence or the like, are prohibited.
 - (5) Hog or chicken wire, or the like, are prohibited.
 - (6) Barb or twisted wire, or the like, are prohibited.
 - (7) Fences shall be privately maintained from debris and natural elements, including repair.
- (E) Circulation
- (1) Minimum of one forty feet (40') roadway entrance shall be permitted per use, not to be located closer than eighty feet (80') from any roadway or improved right-of-way intersection.
 - (2) Minimum five feet (5') wide sidewalk shall be installed adjacent all roadway entrances.
 - (3) Minimum five feet (5') wide sidewalk shall connect the primary facade entrance from a point along a sidewalk adjacent each roadway entrance.
 - (4) Minimum eight (8) foot wide multi-use path or trail, identified as part of a bicycle pedestrian master plan.

- (5) All sidewalks, trails, or multi-use path shall be privately maintained from debris and natural elements, including repair and accessible.

XIII. LANDSCAPE STANDARDS.

Minimum Landscape Standards shall meet City of Hobart Municipal Code standards set forth in Section 154.424 (F) *Landscaping*, 154.425 EXEMPT TREE LIST, 154.426 PRIORITY TREE LIST, 154.427 TREE PLANTING FOR SITE DESIGN, and including the following:

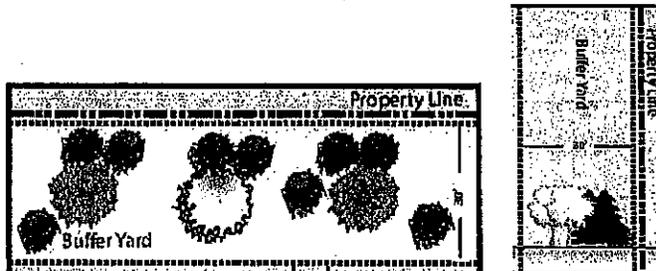
(A) Shrubs, Trees, Evergreens:

- (1) A minimum of one (1) shade tree shall be located within a parking island every eight (8) parking stalls.
- (2) All shrubs shall be a minimum of eighteen (18) inches in height at the time of planting, measured from the top of the rootball.
- (3) All deciduous trees shall have a trunk measuring a minimum of 2-1/2 inches in diameter at six (6) inches above the rootball at the time of planting.
- (4) All evergreen trees shall be a minimum of six (6) feet in height at the time of planting measured from the top of the rootball.
- (5) All trees, shrubs and emergent vegetation specifically selected for wetland, detention pond perimeters should be specified to enhance detention areas use and function.

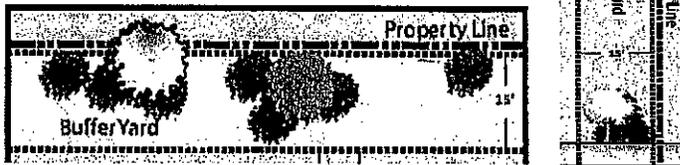
(B) Bufferyards and screening:

- (1) Thirty (30) foot landscape bufferyard shall be provided, entirely on the property, alongside, in proximity of buildings adjacent platted or existing roadways.

(a) Thirty (30) foot bufferyard Illustration.



- (b) Thirty (30) foot landscape bufferyard shall include a minimum of one (1) deciduous canopy tree, two (2) evergreen trees, and three (3) shrubs every linear forty (40) feet within the thirty (30) foot landscape bufferyard.
- (2) Fifteen (15) foot landscape bufferyard shall be provided, entirely on the property, alongside, in proximity of parking lots/parking spaces adjacent platted or existing roadways.
 - (a) Fifteen (15) foot bufferyard Illustration.



- (b) Fifteen (15) foot landscape buffer shall include a minimum of one (1) deciduous canopy tree, one (1) evergreen tree, and two (2) shrubs every linear fifty (50) feet within the fifteen (15) foot landscape bufferyard.

XIV STORMWATER.

Minimum Stormwater Standards shall meet the City of Hobart standards set forth in Chapter 152 of the Hobart Municipal Code

XV REFUSE DISPOSAL SERVICE

All refuse and recycling disposal for service, maintenance, and management shall be enclosed, screened, and maintained private.

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

CERTIFICATION TO: Common Council of the City of Hobart

FROM: Sergio Mendoza
City Planner

RE: Proposed amended PUD covenants uses in Pod D

DATE: March 8, 2019

PETITIONER: A Safe Haven Foundation/Ms. Neli Vazquez Rowland
2750 W. Roosevelt Road
Chicago, IL 60608-1094

REQUEST: Proposed amendments to PUD covenants in
Silverstone Crossing, Pod D by removing the language
regarding impact to the school system

PLAN COMMISSION PETITION NO.: 18-22A

DATE OF PLAN COMMISSION ACTION: March 7, 2019

DEADLINE FOR COMMON COUNCIL ACTION: June 5, 2019

CERTIFICATION

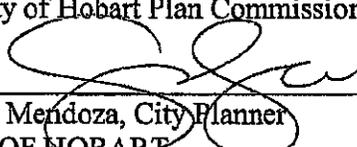
ACTION TAKEN BY PLAN COMMISSION:

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

CONDITIONS: Performance Bonds for punch list regarding Res.2016-04 and proposed
Veteran's Housing Development determined by City Engineer

VOTE: 8-0

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



Sergio Mendoza, City Planner
CITY OF HOBART