

CITY OF HOBART, INDIANA
ORDINANCE NO. 2021- 05

**AN ORDINANCE TO APPROVE A PRELIMINARY PLAN GOVERNING CERTAIN
PARCELS OF REAL ESTATE IN ESTABLISHED PUD (M-1) ZONING
CLASSIFICATIONS**

WHEREAS, the Common Council ("Council") of the City of Hobart, Indiana ("City") adopted Ordinance Number 2007-28 on August 15th, 2007 which rezoned a parcel of real estate in the City from Single to Four Family Residence District ("R-3") to Planned Unit Development District with Light Manufacturing uses (PUD M-1); and

WHEREAS, the Common Council ("Council") of the City of Hobart, Indiana ("City") adopted Ordinance Number 2019-30 on December 4th, 2019 which rezoned a parcel of real estate in the City from Single to Four Family Residence District ("R-3") to Planned Unit Development District with Light Manufacturing uses (PUD M-1); 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 HOBART CITY PLAN COMMISSION by a majority vote recommended that its **Petition No. 21-07** be adopted, contingent upon addressing the NIPSCO easement on the subdivision plat, and that the Council amend the Covenants and Restrictions governing aforementioned parcels of real estate; and

WHEREAS, the 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 adding to Ordinance No. 2007-28 an Exhibit "B" and attaching the approved preliminary plan attached herein as Exhibit "A;" for the following described real estate:

Northwind Crossings South, Lot 1

SECTION 2. 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 adding to Ordinance No. 2019-30 an Exhibit "B" and attaching the approved preliminary plan attached herein as Exhibit "A;" for the following described real estate:

Northwind Crossings South, Lot 1

SECTION 3. 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 4. The Common Council of the City of Hobart finds the zone change will take effect upon the following conditions being fulfilled by the owner:

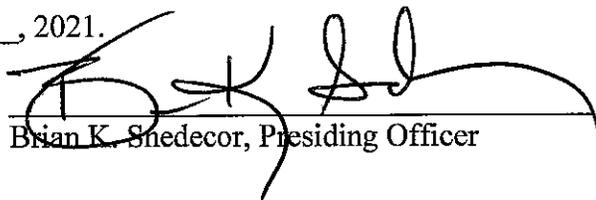
All buildings or uses permitted and placed upon said described real estate shall fully conform to all the provisions of the Zoning Ordinance of the City of Hobart, Indiana and shall have obtained the proper permits.

SECTION 5. 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.

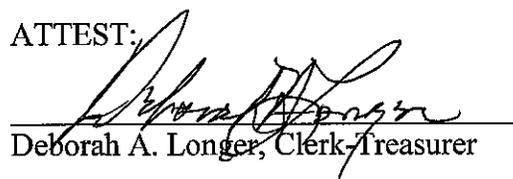
SECTION 6. Since an emergency exists for the immediate taking effect of this Ordinance, the same shall be in fully force and effect from and after its passage by the Common Council of the City of Hobart; upon the approval of the Mayor of the City of Hobart Indiana; and as soon thereafter as otherwise provided for by law.

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

17th day of MARCH, 2021.

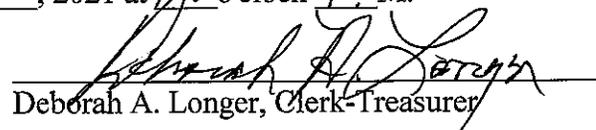

Brian K. Snedecor, Presiding Officer

ATTEST:


Deborah A. Longer, Clerk-Treasurer

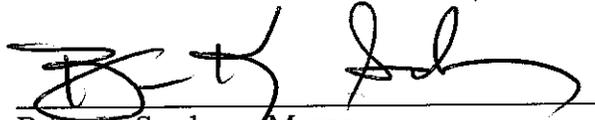
Presented by me to the Mayor of the City of Hobart, Indiana, for his approval and signature this

17th day of MARCH, 2021 at 7:35 o'clock P. M.


Deborah A. Longer, Clerk-Treasurer

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

MARCH, 2021.



Brian K. Snedecor, Mayor

ATTEST:



Deborah A. Longer, Clerk-Treasurer

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

CERTIFICATION TO: Common Council of the City of Hobart

FROM: Ross Pietrzak, City Planner

RE: Change to be made on the zone map.

DATE: March 10, 2021

PETITIONER: Indiana Becknell Investors 2011, LLC
Paul Thurston/ Joe Hallak
2750 East 146th St. Ste. 200
Carmel, IN 46033

REQUEST: Include the Preliminary Plan for the PUD

PROPOSED USE: Proposed industrial warehousing or manufacturing

GENERAL LOCATION: 800' east from the NE corner of 69th Avenue & Mississippi Street

LEGAL DESCRIPTION Northwind Crossings South, Lot 1

PLAN COMMISSION PETITION NO.: 21-07

DATE OF PLAN COMMISSION ACTION: March 4, 2021

DEADLINE FOR CITY COUNCIL ACTION: June 2, 2021

CERTIFICATION:

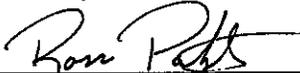
ACTION TAKEN BY PLAN COMMISSION:

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

CONDITIONS: Contingent upon addressing the NIPSCO easement on the subdivision plat

VOTE: 8-0

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

 3/10/21

Ross Pietrzak, City Planner
City of Hobart