

Sponsors: Councilwoman Janet Venecz
Councilman Anthony Higgs
Petitioner: Hammond Redevelopment Commission

ORDINANCE No. 9378

AN ORDINANCE AMENDING ORDINANCE NO. 8514, ALSO KNOWN AS THE HAMMOND ZONING ORDINANCE, FOR PURPOSES OF REZONING PROPERTY AT 6600 INDIANAPOLIS BLVD TO PLANNED UNIT DEVELOPMENT DISTRICT (PUD) AND ADOPTING A PLANNED UNIT DEVELOPMENT DISTRICT ORDINANCE FOR HAMMOND SPORTSPLEX PLANNED UNIT DEVELOPMENT DISTRICT AS A SUPPLEMENT TO THE ZONING ORDINANCE

WHEREAS, in said Ordinance 8514 the following described property was classified as C-2 Shopping Center District:

Lot 1 Woodmar Center Addition to the City of Hammond, Lake County, Indiana, as per plat thereof, recorded in Plat Book 104, Page 82 in the Office of the Recorder, Lake County, Indiana

and also known as 6600 Indianapolis Blvd.; and

WHEREAS, the City Plan Commission of the City of Hammond, Lake County, Indiana, having held a public hearing and on the 15th day of May, 2017, did recommend that said above described real estate is to be reclassified from C-2 Shopping Center District to PUD Planned Unit Development District, to construct, operate, and maintain a sports complex facility; and

WHEREAS, the City Plan Commission did also recommend on the 15th day of May, 2017 for the adoption of further amendments to Zoning Ordinance 8514 to establish applicable zoning provisions for the development of the sports complex by adopting the Hammond Sportsplex Planned Unit Development District Ordinance as

a supplement to the main zoning ordinance; and

WHEREAS, the Common Council of the City of Hammond, Lake County, Indiana, pursuant to its authority and powers vested by ordinance and statute has determined that the changing of said property from class C-2 Shopping Center District to PUD Planned Unit Development District, is more consistent with the surrounding zoning and prospective uses in the area; and

WHEREAS, the Common Council of the City of Hammond, Lake County, Indiana, pursuant to its authority and powers vested by ordinance and statute has further determined that adopting the Hammond Sportsplex Planned Unit Development District Ordinance and associated amendment to Title XXX Planned Unit Development Districts Identification

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Hammond, Lake County, Indiana that Ordinance No. 8514 be hereby amended and modified and that the land hereinafter described lying within the municipal corporate limits of the City of Hammond, Indiana, be put from a class C-2 Shopping Center District to PUD Planned Unit Development District, which land is more particularly described as follows:

Lot 1 Woodmar Center Addition to the City of Hammond, Lake County, Indiana, as per plat thereof, recorded in Book 104, Page 82 in the Office of the Recorder, Lake County, Indiana
and also known as 6600 Indianapolis Blvd.

NOW, THEREFORE, BE IT FURTHER ORDAINED by the Common Council of the City of Hammond, Indiana, that Ordinance 8514 shall be amended by the

establishment of the Hammond Sportsplex Planned Unit Development District Ordinance as a supplement to the Zoning Ordinance 8514 (Section 1) and associated amendment to Title XXX Planned Unit Development Districts Identification (Section 2), as follows:

Section 1 Amend PUD Supplement by adding a new section as follows:

PUD Supplement 4 Hammond Sportsplex Planned Unit Development District

PS4-100 Intended Purposes

The Hammond Sportsplex Planned Unit Development District is established to provide for the development of an enclosed sports facility that includes various sporting opportunities for youth and adults with the associated complementary support services and to maintain the previously existing multi-story commercial building.

PS4-101 Location and Legal Description

The Hammond Sportsplex PUD district is bounded by Indianapolis Blvd. on the east, 167th Street on the south, the western property line of Lot 1 Woodmar Center Addition on the west, and the north property line of Lot 1 Woodmar Center Addition on the north. The district is divided into a single lot with a total acreage of 13.239 acres, more or less. The site is the former location of Woodmar Mall that was built in 1954, but substantially demolished in 2006. The Carson's Building at 6600 Indianapolis Blvd remains.

The legal description of the Hammond Sportsplex Planned Unit Development is Lot 1, Woodmar Center Addition to the City of Hammond, Lake County, Indiana, as per plat thereof, recorded in Plat Book 104, page 82, as in the Office of the Recorder of Lake County, Indiana.

PS4-102 Supplemental Zoning Provisions

The zoning provisions established herein constitute the Plan of PUD for the Hammond Sportsplex PUD district and govern the development as a whole and for final development plan approval process. Any provisions not specified herein are governed by the applicable provisions otherwise specified in the Zoning Ordinance as may be amended from time to time for C-2 Shopping Center District, or other applicable provisions within the Zoning Ordinance. For any provisions in conflict, the strictest provision shall govern.

PS4-103 Review of Development Plans of PUD

The review of a Preliminary and Final Development Plan of PUD is subject to Title XVI PUD Planned Unit Development District Procedures and Title XXVII Development Plans.

PS4-104 Permitted Uses

A building or structure may be erected, altered, or used and a lot may be used or occupied for any of the following:

- 1) Community meeting/gathering rooms;
- 2) Fitness facilities, Wellness Support Services, medical clinic;
- 3) Indoor sports fields/facilities including, but not limited to, soccer, basketball, walking/running;
- 4) Office for management, operations, and security services;
- 5) Retail/commercial/office/department store uses;
- 6) Services supporting the sports facility, concessions, ancillary storage;
- 7) Other similar uses of the same general character as the above permitted uses, as determined by the Plan Commission.

PS4-105 Prohibited Uses

A building or structure shall not be erected, altered, or used and a lot shall not be used or occupied for any of the following:

- 1) Adult Entertainment Businesses
- 2) Fireworks (Consumer and/or Special)
- 3) Fueling Station
- 4) Industrial uses
- 5) Pawn shop or alternative financial business
- 6) Residential uses
- 7) Vehicle sales
- 8) Other similar uses of the same general character as the above prohibited uses, as determined by the Plan Commission

PS4-110 Developmental Provisions

PS4-110.01 Parcel Size

The size of the parcel is +/- 13.239 acres.

PS4-110.02 Building Coverage

No more than 45 percent of the area of the lots shall be occupied by buildings.

PS4-110.03 Building Setback/Yard Requirements
Primary Front yard 50' (Indianapolis Blvd.)
Secondary Front Yard: 35' (167th Street)
Side Yard: 50' (north lot line)
Rear Yard: 50' (west lot line)

PS4-110.04 Permitted buildings

- A) The number of buildings permitted is 2.
 - Building A: Sportsplex Building
 - Building B: Detached Commercial Building
- B) Building A:
 - Maximum Height: Not to exceed 45 feet in height.
 - Building Size: Up to 120,000 Sq. Ft.
 - Tenant space Addition: Up to an additional 16,500 Sq. Ft.
- C) Building B:
 - Maximum Height: 3 stories, not to exceed 60 feet in height.
 - Building Size: Up to 44,000 Sq. Ft First Floor Footprint

PS4-110.05 Parking Requirements

- A) Building A, including tenant addition: 1 space per 300 GSF.
Building B: 1 space per 250 GSF.
- B) A cross-parking agreement between Building A and B is in effect.
- C) Collective Provisions for the calculation of parking in 20.30.04 does apply.
- D) Employee parking under T/S 20.40.01 does not apply.
- E) Accessible parking is based on Americans with Disabilities Act Accessibility Guidelines and T/S 20.40.02.

PS4-110.06 Parking Area Design

- A) Minimum parking space size is 9'x19'.
- B) Minimum aisle width is 22'.
- C) Van accessible spaces are 11' wide for the vehicle and 5' for the accessible/striped area. Other accessible spaces are 9' wide for the vehicle and 5' for the accessible/striped area.
- D) Parking areas shall be setback a minimum of 3' from Indianapolis Blvd. and 167th Street.
- E) The design of the parking areas is subject to T/S 20.32 et seq. including, but not limited to, applicable landscape provisions, pedestrian way, and the ADAAG.

PS4-111 Landscaping and Open Space Requirement

PS4-111.01 PUD Open Space requirement.

The total acreage of the PUD is 13.324 acres. Under T/S 16.02, a minimum of 8% is to be set aside as open spaces which can be a combination of recreational areas, natural areas, common acres, drainage acres, or similar areas approved by the Plan Commission. The 8% restricted open space is waived because the primary use of the property within the PUD is for sports facilities which is compensatory to the open space requirement.

PS4-111.02 Minimum required landscaping

The minimum area of landscaping (or pervious surfaces) for the site is 10% (1.324 acres). Landscaping shall meet the requirements set forth in T/S 22.50 et seq. Landscaping areas shall include, at a minimum, the areas around the perimeter of the parking field, tree islands, and planting areas around free-standing signs.

PS4-111.03 Installation of Landscaping

All required landscaping shall be installed within one year of the issuance the Improvement Location Permit, unless otherwise authorized by the Plan Commission.

PS4-111.04 Maintenance of landscaping

The landscaping shall be properly maintained at all times, upon installation and thereafter. Proper maintenance includes, but is not limited to, replacing dead plantings with identical varieties or a professionally acceptable substitute, proper pruning, provision of adequate water, and keeping the area free of refuse and debris.

PS4-112 Screening

PS4-112.01 Dumpster enclosures, recyclable enclosures

All dumpsters, central trash receptacles, refuse areas, recycling receptacles shall be screened and surrounded by an approved enclosure.

PS4-112.02 Location of Enclosure

Enclosures shall be located:

- 1) on an impervious surface; and
- 2) a minimum of 1 foot from any property line.

Enclosures shall not be located:

- 1) on a required parking space;
- 2) within any corner vision obstruction triangle (T/S 18.20).

PS4-112.03 Material of enclosures

The materials of an enclosure shall be:

- 1) of an opaque material such as brick, painted precast concrete panels, CMU/masonry products, wood, PVC, sustainable materials or similar materials architecturally compatible with the design and materials of the building or overall development.
- 2) accessed by a gate of an opaque architecturally compatible material.

PS4-113 Architectural Character

The architectural design within the PUD is to use consistent materials, color and design to create a harmonious unified appearance, yet balanced with a sense of variety.

The primary exterior materials for Building A are a combination of painted smooth finished structural precast concrete, single skin metal panels, and wood panels as accent materials.

The primary exterior material for Building B is brick.

PS4-114 Lighting

PS4-114.01 Lighting Plan

As a part of the final development plan, a lighting plan, including photometrics, shall be submitted to and approved by the Plan Commission. The lighting plan shall show layout, spread, and intensity of all site lighting and include:

- 1) Parking lot and service/storage area lighting,
- 2) Architectural display lighting,
- 3) Security lighting,
- 4) Lighting of sidewalks and pathways, and
- 5) Landscape lighting.

PS4-114.02 Lighting conformance

All on-site lighting shall conformance with the requirements in the Zoning Ordinance or as otherwise specified herein. The stricter provision shall govern.

PS4-114.03 General Design standards

A. All site lighting shall be coordinated throughout and be of uniform design, color, and materials. Special attention shall be given to the intensity, function, and appearance of lighting to be installed

- B. Light sources shall be located in such a way that minimizes light spilling over onto contiguous properties to a level no greater than 3 foot-candles at the property line.
- C. Lighting shall be installed so as to reflect away from adjoining properties. Covers shall be installed on lighting fixtures to limit the upward disbursement of light. Lamps shall not extend below the bottom of such covers.

PS4-114.04 Standards for Buildings

- A. Building entrances will be lighted in such a way to maintain a minimum of one-half (.5) foot-candles at the entrance.
- B. Direct upward lighting and lighting aimed at structures are prohibited except as follows:
 - 1) Accent lighting of architectural features provided that no glare or off-site light spillover is produced. Lamps must be low intensity and emit less than 1,600 lumens.
 - 2) Other lighting aimed against a structure provided that the light is contained by the structure, no glare is visible off-site and the fixture is fully shielded so none of the light emitted above the horizontal plain of the fixture crosses over the property line.
- C. Any fixture attached to the building shall not exceed the height of the building. Wall sconces are permitted.

PS4-114.05 Standards for the site, parking lot, landscape areas.

- A. Freestanding fixtures shall not exceed 33 feet in height as measured from grade to the top point of the fixture.
- B. The light shall be focused down and otherwise shielded to not allow light spread or spillover towards the sky.
- C. Low voltage landscape light (or similar) for the purpose of lighting shrubbery, trees, walkways, etc.) shall be permitted provided that
 - 1) the lighting is not mounted on a pole or building,
 - 2) it is shielded to eliminate glare and/or light spillover.
 - 3) the fixture/lamp emits a maximum of 750 lumens.

PS4-115 Signs

PS4-115.01 Sign Plan

A sign plan shall be provided to the Plan Commission as a part of the development plan review process. The sign plan shall include the dimensions, square footage, location of all signs and sign structures, illumination, and lettering typeface. The Plan Commission shall review and approve the sign plan in accordance with the applicable provisions of

Title XXI Sign and the provisions herein. For any regulations or provisions in conflict, the strictest shall govern.

PS4-115.02 General design criteria.

- A. All lines of sign lettering shall run horizontally.
- B. All lettering shall be upper case or lower case or combinations thereof.
- C. All free-standing signs are subject to a 10' setback from any property line and are subject to the requirements of the corner vision obstruction triangle (T/S 18.20).
- D. Signs, illuminated only by non-flashing light with no moving parts are permitted, subject to applicable regulations set forth elsewhere in the Ordinances of the City of Hammond. A sign in direct line of vision of any traffic signal shall not have red, green, or amber illumination that would cause a visual conflict with the traffic signal.
- E. Programmable message display signs are subject to T/S 21.26. The programmable message display area shall not be greater than 50% of the total sign area to which it is a part.

PS4-115.03 Wall signs

- A. Building A is allowed up to 800 square feet total that may be apportioned for one or more signs on the exterior walls for the use of the sportsplex and the tenant space.
- B. Building B is allowed up to 750 square feet for one or more signs on the walls

PS4-115.04 Free-standing monument signs

- A. Building A is allowed up to 150 square feet total that may be apportioned for one or more signs freestanding on the property.
- B. Building B is allowed up to 75 square feet total.
- C. Signs shall not be taller than 25 feet.

PS4-115.05 Public Safety signs

Signs that are necessary to protect the public safety and welfare and serve the compelling governmental interest of protecting traffic safety, serving the requirements of emergency response, and protecting property rights or the rights of persons on property. These signs are in addition to signs allowed in PS4-115.03 and PS4-115.04.

1. Traffic control signs and devices on private or public property including the public right-of-way that are erected and maintained to comply with the Manual on Uniform Traffic Control Devices or required by federal, state, and local laws or regulations. Individual signs shall not exceed 2 square feet.
2. Property address numerals not to exceed 30 square feet.

3. Signs that warn of danger or to prohibit access to a property either generally or specifically, as required under federal, state, or local law and in compliance with said laws.
4. Signs required under the American with Disabilities Act and the ADAAG.

PS4-115.06 Modifications of sign plans

Through the final development plan approval process, the Plan Commission may modify or reallocate the square footage of the signage as to the location and type of signs to the extent that the maximum signage allowable based on the above provision is not exceeded and that the reallocation is in keeping with the approved architectural, character, or style of the development.

PS4-115.07 Temporary signs

- A. Temporary signs as identified and restricted in T/S 21.11 are permitted.
- B. Signs installed during the initial period of construction and project marketing period are allowed along Indianapolis Blvd. These signs are exempt from permits, but are subject to the approval by the Planning staff as to materials, size, height, number, and location and in accordance with T/S 21.02 General Provisions

PS4-115.08 Window Signs

Window signs (temporary or permanent), consisting of paper, cardboard, painted letters, etched in glass, or other material hung inside the window that is intended to be viewed from the outside are allowed to the extent that they do not cover more than 25% of the window.

PS4-115.09 Maintenance and design

Signs shall be maintained in an attractive and structurally safe condition. All exterior parts shall be painted, coated, or made of rust inhibitive material. Any supporting structure shall be free of any bracing such as guy wires or cables and shall be designed as an architectural feature of the building. Defects in signage (i.e. damage, deterioration, structurally unsafe, etc.) shall be corrected, fixed, replaced, or otherwise rectified within the shortest time frame possible.

Section 2 Amend Title XXX Planned Unit Development Districts Identification by adding a new section as follows:

Section 30.09 Hammond Sportsplex PUD

The Hammond Sportsplex PUD was established in 2017 to provide for the development of an enclosed sports facility that includes various sporting opportunities for youth and adults with the associated complementary support services and to maintain the previously existing multi-story commercial building and is governed by provisions in PUD Supplement 4. The boundaries of the PUD is Indianapolis Blvd., 167th Street, the west property line of Lot 1 Woodmar Center Addition, and the north property line of Lot 1 Woodmar Center Addition.

Section 3 Severability

Severability

- A. If any Court of competent jurisdiction shall adjudge any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance, or amendment thereto, to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this Ordinance, or amendment thereto, not specifically included in said judgment. It is expressly declared that this Ordinance and each section, subsection, paragraph, sentence, clause and phrase would have been adopted regardless of the fact that any one or more sections, subsections, paragraphs, sentences, clauses, or phrases might be declared invalid or unconstitutional.
- B. If any Court of competent jurisdiction shall adjudge invalid the application of any provision of this Ordinance, or amendment thereto, to a particular property, building, or other structure, such judgment shall not affect the application of said provision to any other property, building, or structure not specifically included in said judgment.
- C. If any Court of competent jurisdiction shall determine that any word, clause, phrase, sentence, paragraph, or subsection of the Ordinance, or amendment thereto, is unconstitutional as worded, the court shall first attempt to construe or interpret such unconstitutional provision so as to enable the same to be constitutional as so narrowed or construed. If the court cannot so limit or construe such word or provision narrowly so as to render the same constitutional, it shall strike or modify only the minimum number of words, phrases, clauses, sentences, or paragraphs as will be absolutely necessary to render the remainder constitutional. In no case shall a subordinate clause, phrase, or word render the attached major section or provision unconstitutional, but instead such subordinate clause, phrase, or word shall be severed there from, unless such severance renders the remainder wholly meaningless or unconstitutional.

BE IT FURTHER RESOLVED by the Common Council of the City of Hammond that this Ordinance shall be in full force and effect from and after its passage by the Common Council, signing by the President thereof, and approval by the Mayor.

Janet Venecz, President /s/

Attest:

Robert J. Golec, City Clerk /s/

PRESENTED BY ME, the undersigned City Clerk of the City of Hammond to the Mayor of said City, for his approval on the 13th day of June, 2017.

Robert J. Golec, City Clerk /s/

The foregoing Ordinance No. 9378, consisting of twelve (12) pages, including this page was approved by the Mayor on the 13th day of June, 2017.

Thomas M. McDermott, Jr., Mayor /s/
City of Hammond, Indiana

PASSED by the Common Council on the 12th day of June, 2017 and approved by the Mayor on the 13th day of June, 2017.

Robert J. Golec, City Clerk /s/