

22-10

Petitioners: Hoffman Street Partners, LLC
837 Hoffman Street, LLC

ORDINANCE NO. 9544

AN ORDINANCE RECLASSIFYING CERTAIN LANDS IN THE CITY OF HAMMOND FOR ZONING PURPOSES AND AMENDING ORDINANCE NO. 8514 (AN ORDINANCE ESTABLISHING A ZONING PLAN FOR THE CITY OF HAMMOND INCLUDING THE REGULATIONS AND MAPS TO ADMINISTER THE ZONING PLAN IN ORDER TO PROVIDE FOR ORDERLY GROWTH AND DEVELOPMENT WITHIN THE CITY, ALL IN ACCORDANCE WITH THE COMPREHENSIVE/LAND USE PLAN, AS AMENDED) FOR PROPERTY COMMONLY KNOWN AS: 831-849 HOFFMAN STREET, HAMMOND, IN, 46320.

WHEREAS, in said Ordinance the following described parcel was classified as

R-1U URBAN SINGLE FAMILY RESIDENTIAL DISTRICT:

Lots 20-30 in Block 4 of Birkhoffs Addition to the City of Hammond, as shown in the Recorder's Office of Lake County, Indiana.

Commonly Known as:

831-849 Hoffman Street, Hammond, Indiana

- Parcel Nos. 45-03-30-352-039.000-023
- 45-03-30-352-040.000-023
- 45-03-30-352-041.000-023
- 45-03-30-352-042.000-023
- 45-03-30-352-035.000-023
- 45-03-30-352-036.000-023
- 45-03-30-352-037.000-023
- 45-03-30-352-038.000-023

WHEREAS, the City Plan Commission of the City of Hammond, Lake County, Indiana, having held a public hearing and on the 22nd day of February, 2022 did recommend that said above described real estate is to be reclassified from R-1U URBAN SINGLE FAMILY RESIDENTIAL DISTRICT to C-1 LOCAL COMMERCIAL DISTRICT.

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 R-1U URBAN SINGLE FAMILY RESIDENTIAL DISTRICT to C-1 LOCAL COMMERCIAL DISTRICT, is more consistent with the surrounding zoning and prospective uses in the area.

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 R-1U URBAN SINGLE FAMILY RESIDENTIAL DISTRICT to C-1 LOCAL COMMERCIAL DISTRICT, which land is more particularly described as follows:

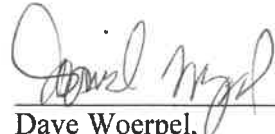
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45-03-30-352-035.000-023
45-03-30-352-036.000-023
45-03-30-352-037.000-023
45-03-30-352-038.000-023

Be it Further Ordained by the Common Council that this Ordinance shall have full force and effect from and after its passage and approval by the Common Council, signing by the President of the Common Council, and publication according to law.



Dave Woerpel,
Council President

ATTEST:



Robert J. Golec, City Clerk

The foregoing Ordinance No. 9544 consisting of three (3) typewritten pages, including this page was passed by the Common Council on the 28th day of March, 2022.



Robert J. Golec, City Clerk

**CP 22-01
831-849 Hoffman Street**

Proposal to reclassify property from
R-1U Urban Single-Family Residential District to C-1 Local Commercial District

BACKGROUND

Joint petitioners, Hoffman Street Partners, LLC and 837 Hoffman Street, LLC, as owners of the property have filed to rezone the property from R-1U to C-1. The property has an existing commercial building that was previously used as a dry cleaners. The east portion of the property was developed with housing but is now vacant. The property does contain contaminants from the dry-cleaning business and is in the process of finalizing its agreements with IDEM on the mitigation measures. As a part of those agreements, the petitioner has prepared an Environmental Restrictive Covenant. Within the language of the ERC, certain uses will be not allowed. These include: residential, child care facilities, and educational facilities (K-12). Additional restrictions on use include: sale of fireworks, firearms, and munitions. Agricultural uses, including the prohibition on the extraction of groundwater for human or animal consumption, gardening, and industrial processes, are also prohibited. The ERC also addresses the mitigation methodology for the remediation of the contaminants. The petitioners have been working with the City to address the situation.

SUBJECT PROPERTY AND ADJACENT PROPERTIES, PRESENT USE AND ZONING CLASSIFICATION

The subject property is currently zoned R-1U Urban Single-Family Residential District. The R-1U district extends to the north, west, and south of the subject property. On the east is Irving School which is zoned S-2 Institutional. On the southeast corner of Hoffman Street and Pine Avenue, the properties for three blocks on the south side of Hoffman are zoned C-1. Hoffman Street is a typical early 20th century neighborhood that has a mix of commercial or non-residential uses and residential uses. The zoning classifications between the R-1U and C-1 that currently exist was based on what was the prominent use found in each block as well as the zoning district history.

ANALYSIS

State statute identifies five criteria to be addressed when considering a zoning petition.

- 1) **Comprehensive Plan**
The subject property is located in Planning District II North Hammond Planning District. In the 2003 North Hammond Neighborhood Plan, this segment of Hoffman Street was identified as being a mixed use residential commercial area.
- 2) **Current conditions and character**
The subject property contains an existing commercial building with residential on the second floor. The remainder of the property is a parking lot for the commercial

building or is vacant. The previously existing single-family homes has been demolished. The building is in fair condition.

- 3) **Most desirable use for the property**
Due to the environmental restrictions against residential uses, it is appropriate to identify a use for the property that is compatible with the character of the neighborhood. Of the commercial zoning districts, the C-1 district is the most compatible in residential neighborhoods, especially in this situation, where the C-1 district currently exists along the street.
- 4) **Conservation of property values throughout the area**
Due to the negative impact that an environmental compromised parcel has on property values, it is important to seek an appropriate end use of the property that is in concert with the ERC use restrictions. A C-1 district is consistent with the neighborhood and new appropriate development would help to address the negative impacts on the property.
- 5) **Responsible development and growth**
This is a unique opportunity for Hammond to develop an attractive new commercial development that will transform this part of North Hammond.

As of February 16, the petitioner has recorded the ERC. The petitioner, Hoffman Street Partners, LLC, is sole owner of all of the subject property.

STAFF RECOMMENDATION

Staff recommends that the Plan Commission forward the petition to the City Council with a favorable recommendation.

If the Plan Commission agrees with the recommendation, the staff requests that this report is adopted by the Plan Commission as Preliminary Findings of Fact.