

Sponsor: Barry Tyler Jr.
Petitioner: Huhtamaki, Inc.

ORDINANCE NO. 9571

22-40

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 6539 INDIANAPOLIS BOULEVARD,

WHEREAS, in said Ordinance 8514 the following described property was classified as C-4 General Commercial District:

A PARCEL OF LAND IN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 36 NORTH, RANGE 9 WEST OF THE SECOND PRINCIPAL MERIDIAN IN THE CITY OF HAMMOND, LAKE COUNTY, INDIANA, WHICH LIES SOUTH OF THE SOUTH RIGHT-OF-WAY LINE OF THE NEW YORK CENTRAL RAILROAD, WHICH PARCEL IS MORE PARTICULARLY DESCRIBED AS: BEGINNING AT A POINT WHICH IS THE INTERSECTION OF THE NEW YORK CENTRAL RAILROAD COMPANY RIGHT OF WAY AND THE EAST LINE OF INDIANAPOLIS BOULEVARD; THENCE SOUTH ALONG THE EAST LINE OF INDIANAPOLIS BOULEVARD A DISTANCE OF 300 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE FROM SAID POINT OF BEGINNING SOUTH ALONG THE EAST LINE OF INDIANAPOLIS BOULEVARD A DISTANCE OF 250 FEET; THENCE EAST PARALLEL WITH THE SOUTH LINE OF THE NEW YORK CENTRAL RAILROAD COMPANY RIGHT OF WAY A DISTANCE OF 148 FEET MORE OR LESS TO THE WEST FACE OF AN EXISTING 6 FOOT HIGH CHAIN LINK FENCE; THENCE IN A STRAIGHT LINE NORTHERLY ALONG THE SAID WEST FACE OF A 6 FOOT HIGH CHAIN LINK FENCE 208.8 FEET MORE OR LESS TO A POINT WHICH IS 341.2 FEET SOUTH OF THE SOUTH RIGHT OF WAY LINE OF AFOREDESCRIBED RAILROAD AND WHICH POINT IS 148.5 FEET EAST OF THE EAST RIGHT OF WAY LINE OF INDIANAPOLIS BOULEVARD; THENCE EAST ALONG THE NORTH FACE OF A CHAIN LINK FENCE AND ON A LINE PARALLEL TO THE SOUTH LINE OF AFOREDESCRIBED NEW YORK CENTRAL RAILROAD RIGHT OF WAY 1.5 FEET; THENCE NORTH ON A LINE PARALLEL TO THE EAST RIGHT OF WAY OF INDIANAPOLIS BOULEVARD 41.2 FEET; THENCE WEST PARALLEL TO THE SOUTH

LINE OF SAID NEW YORK CENTRAL RAILROAD COMPANY, 150 FEET TO THE POINT OF BEGINNING;

and also known as 6539 Indianapolis Boulevard, Hammond, Indiana 46320.

WHEREAS, the City Plan Commission of the City of Hammond, Lake County, Indiana, having held a public hearing and on the 19th day of September, 2022, did recommend that said above-described real estate is to be reclassified from C-4 General Commercial District to I-2 Manufacturing District to construct, operate, and maintain Huhtamaki Inc.'s Indiana manufacturing facility.

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-4 General Commercial District to I-2 Manufacturing 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 a class C-4 General Commercial District to I-2 Manufacturing District, which land is more particularly described as follows:

A PARCEL OF LAND IN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 36 NORTH, RANGE 9 WEST OF THE SECOND PRINCIPAL MERIDIAN IN THE CITY OF HAMMOND, LAKE COUNTY, INDIANA, WHICH LIES SOUTH OF THE SOUTH RIGHT-OF-WAY LINE OF THE NEW YORK CENTRAL RAILROAD, WHICH PARCEL IS MORE PARTICULARLY DESCRIBED AS: BEGINNING AT A POINT WHICH IS THE INTERSECTION OF THE NEW YORK CENTRAL RAILROAD COMPANY RIGHT OF WAY AND THE EAST LINE OF INDIANAPOLIS BOULEVARD; THENCE SOUTH ALONG THE EAST LINE OF INDIANAPOLIS BOULEVARD A DISTANCE OF 300 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE FROM SAID POINT OF BEGINNING SOUTH ALONG THE EAST LINE OF INDIANAPOLIS BOULEVARD A DISTANCE OF 250 FEET; THENCE EAST PARALLEL WITH THE SOUTH LINE OF THE NEW YORK CENTRAL RAILROAD COMPANY RIGHT OF WAY A DISTANCE OF 148 FEET MORE OR LESS TO THE WEST FACE OF AN EXISTING 6 FOOT HIGH CHAIN LINK FENCE; THENCE IN A STRAIGHT LINE NORTHERLY ALONG THE SAID WEST FACE OF A 6 FOOT HIGH CHAIN LINK FENCE 208.8 FEET MORE OR LESS TO A POINT WHICH IS 341.2 FEET SOUTH OF THE SOUTH RIGHT OF WAY LINE OF AFOREDESCRIBED RAILROAD AND WHICH POINT IS 148.5 FEET EAST OF THE EAST RIGHT OF WAY LINE OF INDIANAPOLIS BOULEVARD; THENCE EAST

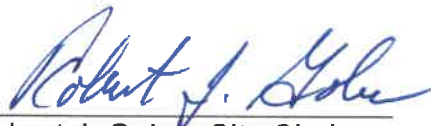
ALONG THE NORTH FACE OF A CHAIN LINK FENCE AND ON A LINE PARALLEL TO THE SOUTH LINE OF AFOREDESCRIBED NEW YORK CENTRAL RAILROAD RIGHT OF WAY 1.5 FEET; THENCE NORTH ON A LINE PARALLEL TO THE EAST RIGHT OF WAY OF INDIANAPOLIS BOULEVARD 41.2 FEET; THENCE WEST PARALLEL TO THE SOUTH LINE OF SAID NEW YORK CENTRAL RAILROAD COMPANY, 150 FEET TO THE POINT OF BEGINNING;

and also known as 6539 Indianapolis Boulevard, Hammond, Indiana 46320.

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. 9571 consisting of three (3) typewritten pages, including this page was passed by the Common Council on the 11th day of October, 2022.


Robert J. Golec, City Clerk

Petitioner: *Huhtamaki, Inc.*

**STATE OF INDIANA
CITY OF HAMMOND**

PETITION OF HUHTAMAKI, INC.)
TO RECLASSIFY PROPERTY AT 6539)
INDIANAPOLIS BOULEVARD FROM)
C-4 GENERAL COMMERCIAL DISTRICT TO)
I-2 MANUFACTURING DISTRICT)
TO CONSTRUCT, OPERATE AND MAINTAIN)
HUHTAMAKI INC.'S INDIANA MANUFACTURING)
FACILITY WITHIN THE CITY OF HAMMOND,)
LAKE COUNTY, INDIANA)

P E T I T I O N

TO THE COMMON COUNCIL OF THE CITY
OF HAMMOND, LAKE COUNTY, INDIANA

Huhtamaki, Inc., the petitioner herein, respectfully represents and shows:

1. Petitioner is a for-profit corporation, incorporated under the laws of the State of Kansas. Petitioner owns and maintains a packaging supply manufacturing facility known as Huhtamaki, 6629 Indianapolis Boulevard, Hammond, IN, 46320.

2. The names and addresses of the person(s) and attorney(s) for petitioner duly authorized to represent petitioner and to accept notifications in this proceeding for the petitioner are:

Katie L. Kopf
Hoeppner Wagner & Evans LLP
103 East Lincolnway
Valparaiso, Indiana 46383

3. The Legal Description of the subject property is:

A PARCEL OF LAND IN THE NORTHWEST QUARTER OF THE
NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 36 NORTH,
RANGE 9 WEST OF THE SECOND PRINCIPAL MERIDIAN IN THE CITY
OF HAMMOND, LAKE COUNTY, INDIANA, WHICH LIES SOUTH OF THE


SOUTH RIGHT-OF-WAY LINE OF THE NEW YORK CENTRAL RAILROAD, WHICH PARCEL IS MORE PARTICULARLY DESCRIBED AS: BEGINNING AT A POINT WHICH IS THE INTERSECTION OF THE NEW YORK CENTRAL RAILROAD COMPANY RIGHT OF WAY AND THE EAST LINE OF INDIANAPOLIS BOULEVARD; THENCE SOUTH ALONG THE EAST LINE OF INDIANAPOLIS BOULEVARD A DISTANCE OF 300 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE FROM SAID POINT OF BEGINNING SOUTH ALONG THE EAST LINE OF INDIANAPOLIS BOULEVARD A DISTANCE OF 250 FEET; THENCE EAST PARALLEL WITH THE SOUTH LINE OF THE NEW YORK CENTRAL RAILROAD COMPANY RIGHT OF WAY A DISTANCE OF 148 FEET MORE OR LESS TO THE WEST FACE OF AN EXISTING 6 FOOT HIGH CHAIN LINK FENCE; THENCE IN A STRAIGHT LINE NORTHERLY ALONG THE SAID WEST FACE OF A 6 FOOT HIGH CHAIN LINK FENCE 208.8 FEET MORE OR LESS TO A POINT WHICH IS 341.2 FEET SOUTH OF THE SOUTH RIGHT OF WAY LINE OF AFOREDESCRIBED RAILROAD AND WHICH POINT IS 148.5 FEET EAST OF THE EAST RIGHT OF WAY LINE OF INDIANAPOLIS BOULEVARD; THENCE EAST ALONG THE NORTH FACE OF A CHAIN LINK FENCE AND ON A LINE PARALLEL TO THE SOUTH LINE OF AFOREDESCRIBED NEW YORK CENTRAL RAILROAD RIGHT OF WAY 1.5 FEET; THENCE NORTH ON A LINE PARALLEL TO THE EAST RIGHT OF WAY OF INDIANAPOLIS BOULEVARD 41.2 FEET; THENCE WEST PARALLEL TO THE SOUTH LINE OF SAID NEW YORK CENTRAL RAILROAD COMPANY, 150 FEET TO THE POINT OF BEGINNING.

4. This property is commonly known as 6539 Indianapolis Boulevard, Hammond, Indiana 46320.

5. The Petitioner proposes to develop the property for the purpose of complementing the current facility located at 6629 Indianapolis Boulevard.

6. Finally, attached hereto and made a part hereof, is a proposed form of Ordinance for enactment by the Common Council of the City of Hammond, Lake County, Indiana, upon granting of this petition.

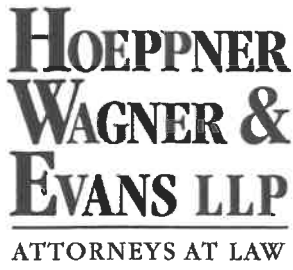
WHEREFORE, petitioner prays that this petition be approved, that the Common Council of the City of Hammond grant a reclassification of 6539 Indianapolis Boulevard from C-4 General Commercial to I-2 Manufacturing District located within the corporate limits of the City of Hammond, Lake County, Indiana.



Electronic Signature

BY: _____

Katie L. Kopf
Attorney At Law
Hoeppner Wagner & Evans LLP



Katie L. Kopf
kkopf@hwelaw.com
Direct Dial: (219)465-1847

Porter County Office
Chase Bank Building
103 East Lincolnway
Valparaiso, Indiana 46383
(219) 464-4961
Fax: (219) 465-0603

Lake County Office
8585 Broadway
Suite 790
Merrillville, Indiana 46410
(219) 769-6552
Fax: (219) 738-2349

www.hwelaw.com

COVER LETTER

Date: August 17, 2022

Case No.: CP-22-13

Owner: Huhtamaki, Inc.

Petitioners: Huhtamaki, Inc.
c/o Katie L. Kopf, Hoeppner Wagner & Evans LLP
103 E. Lincolnway
Valparaiso, Indiana 46383

Petitioner is requesting a zoning reclassification from the C-4 General Commercial District to the I-2 Manufacturing District.

The property is located at 6539 Indianapolis Boulevard, Hammond, Indiana.

The purpose of the petition is to seek approval of the zoning reclassification so the property will have the same zoning classification as Huhtamaki's current manufacturing facility located at 6629 Indianapolis Boulevard, Hammond, Indiana.

Petitioner's Representative:
Katie L. Kopf
Hoeppner Wagner & Evans LLP
103 E. Lincolnway
Valparaiso, Indiana 46383
(219) 464-4961
kkopf@hwelaw.com

Respectfully Submitted:


Electronic Signature

By: _____

Katie L. Kopf
Hoeppner Wagner & Evans LLP

**CP 22-13
6539 Indianapolis**

Proposal to reclassify property from
C-4 General Commercial District to I-2 Manufacturing District

BACKGROUND

Huhtamaki is petitioning to rezone the property at 6539 Indianapolis. The subject property is the former location of the Pizza Hut building. Huhtamaki is embarking upon a \$100 million expansion. They acquired the property with the vacant building. A final use or demolition of the structure has not been determined. The petition is to eliminate two difference zoning classifications on the same property.

SUBJECT PROPERTY AND ADJACENT PROPERTIES, PRESENT USE AND ZONING CLASSIFICATION

The subject property is currently zone C-4 General Commercial. The property to the north with the Taco Bell Restaurant is C-4. The property on the west side of Indianapolis Blvd is zoned PUD for the Sports Facilities development. The property on the east and south is zoned I-2 and is the Huhtamaki facility.

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 V Woodmar Planning District in the 1992 Comprehensive Land Use Plan. The proposed land use plan was for Light Industrial development.
- 2) **Current conditions and character**
The former Pizza Hut building is vacant. The parking lot is being used for the construction trailers for the larger Huhtamaki construction project as well as a portion of the parking lot being used as temporary outdoor storage for the paper material used in the plant.
- 3) **Most desirable use for the property**
The appropriate use for the property would be either for commercial or industrial uses.
- 4) **Conservation of property values throughout the area**
The proposed development for Huhtamaki takes into consideration streetscape and improving the appearance of the area. New development will raise and stabilize the areas property values.

- 5) Responsible development and growth
The expansion of Huhtamaki with the expansion of the Sportsplex and the new YMCA will be a great benefit to the Woodmar section of Hammond.

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.

