

**TOWN OF ST. JOHN, LAKE COUNTY, INDIANA**

**ORDINANCE NO. 1753**

**AN ORDINANCE CONCERNING AMENDMENT TO THE ORDINANCE NO. 1483, AS AMENDED, THE SAME BEING AN ORDINANCE CLASSIFYING, REGULATING AND RESTRICTING THE LOCATION, HEIGHTS, AREA, BULK AND USE OF BUILDINGS AND STRUCTURES AND THE USE OF LAND IN THE TOWN OF ST. JOHN, AND DIVIDING THE TOWN INTO DISTRICTS, FOR THE PURPOSE OF APPROVING A CHANGE IN THE ZONING DISTRICT AND A PUD DEVELOPMENT PLAN**

This is a Planned Unit Development District Ordinance, as defined by Ind. Code §36-7-41503, to amend the Zoning Ordinance of the Town of St. John, Lake County, Indiana, enacted by the Town Council of the Town of St. John, Lake County, Indiana, pursuant to its authority under the laws of the State of Indiana, Ind. Code § 36-7-4 et seq., as amended.

**WHEREAS**, the Town of St. John, Lake County, Indiana (the "Town") has adopted Ordinance No. 1483, which Ordinance establishing the comprehensive zoning regulations for the Town (the "Zoning Ordinance"); and

**WHEREAS**, Diamond Peak Homes, LLC, as the owner of the parcel of land hereinafter described in attached Exhibit A (the "Real Estate") did submit a PUD Development Plan and Application for Change of Zone District Classification (Application No. 2021-17) to the Plan Commission of the Town of St. John, Lake County, Indiana, (the "Plan Commission") for the rezoning of such parcel from Open Space (OS) District to RC-2 PUD (Residential Conservation PUD District), for a development to be known as Astoria Planned Unit Development; and

**WHEREAS**, the Plan Commission considered said PUD Development Plan and Application for Change of Zone District Classification and did on the 1st day of November 3, 2021, hold a public hearing pursuant to notice as prescribed by Ind. Code §36-7-4-1505 on such application and other matters pertaining thereto; and

**WHEREAS**, the Plan Commission has: (1) reviewed the PUD Development Plan, a copy of which is attached hereto, made a part hereof, and marked as Exhibit B; (2) made special Findings of Fact as required by Chapter 9 of the St. John Zoning Ordinance, a copy of which is attached hereto, made a part hereof, and marked as Exhibit C; and (3) certified a favorable recommendation to the Town Council of the Town of St. John that said PUD Development Plan be approved and the application for rezoning be granted, subject to those conditions and restrictions set forth in said Findings of Fact and the PUD Development Plan; and

**WHEREAS**, the Plan Commission of the Town of St. John, Lake County, Indiana, in accordance with Indiana Code §36-7-4-608, as required by Indiana Code §36-7-4-1505, has favorably recommended that Town Ordinance No. 1483, as amended, be further amended and modified to change the zone maps and rezone the Real Estate from Open Space (OS) District to RC-2 PUD (Residential Conservation PUD District); and

**NOW, THEREFORE, BE IT ORDAINED** by the Town Council of the Town of St. John, Lake County, Indiana, as follows:

**Section 1. Applicability of Ordinance.**

1.1 The Zoning Ordinance and Zoning Map are hereby changed to designate the Real Estate as a Planned Unit Development District to be known as the "Astoria PUD District" (the "District").

1.2 Development of the Real Estate shall be governed by (i) the provisions of this Ordinance and its exhibits, including but not limited to the PUD Development Plan, and (ii) the provisions of the Zoning Ordinance, as amended, as made applicable to a Planned Unit Development District, except as modified, revised, supplemented or expressly made inapplicable by this Ordinance.

1.3 Chapter ("Chapter") and Article ("Article") cross-references of this Ordinance shall hereafter refer to the section as specified and referenced in the Zoning Ordinance.

1.4 All provisions and representations of the Zoning Ordinance that conflict with the provisions of this Ordinance are hereby made inapplicable to the Real Estate and shall be superseded by the terms of this Ordinance.

**Section 2. Definitions.** Capitalized terms not otherwise defined in this Ordinance shall have the meanings ascribed to them in the Zoning Ordinance.

2.1 **Dominant Exterior Material.** The Exterior Material that occupies not less than thirty percent (30%) the surface area of a Front Building Facade, exclusive of doors, windows and garage doors, unless as otherwise provided in the PUD Development Plan. The Dominant Exterior Material shall be identified on the elevations filed as part of an application for an improvement location permit.

2.2 **Exterior Material.** The separate architectural siding materials and patterns on a Front Building Facade such as Masonry Materials, horizontal siding, shake siding, vertical siding, and board & batten siding (each of the foregoing are examples of separate Exterior Materials).

**Section 3. PUD Development Plan.** The PUD Development Plan, attached hereto as Exhibit B, is hereby incorporated in accordance with Chapter 9 of the Zoning Ordinance. The Real Estate shall be developed in substantial compliance with the PUD Development Plan.

**Section 4. Permitted Uses.** The residential uses allowed in accordance with Chapter 9 of the Zoning Ordinance, and as set forth in the PUD Development Plan, shall be permitted.

**Section 5. General Regulations.** The standards of Chapter 9 of the Zoning Ordinance shall apply to the development of the District, except as otherwise modified herein.

**Section 6. Development Standards.** The standards of Chapter 9, Section D of the Zoning Ordinance, entitled “Residential Standards,” shall apply to the development of the District, except as otherwise modified below.

**Section 7. Design and Architectural Standards.** The design and architectural standards set forth in the PUD Development Plan, as set forth in attached Exhibit B, shall apply to the development of the District.

**Section 8. Landscaping Standards.** The Landscaping Requirements and Standards set forth in Chapter 13 of the Zoning Ordinance shall apply, except as otherwise modified or enhanced by the PUD Development Plan.

**Section 9. Infrastructure Standards.** The PUD District's infrastructure shall comply with the Zoning Ordinance and the Town's Subdivision Control Ordinance, unless otherwise approved by the Plan Commission or Department of Public Works in consideration of the preservation of the natural topography and environment and inconsideration to the unique design intent of the District.

**Section 10. Lighting Standards.** The lighting standards set forth in Chapter 14 of the Zoning Ordinance shall apply to the development of the PUD District, except as otherwise modified below.

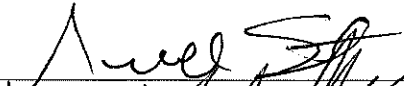

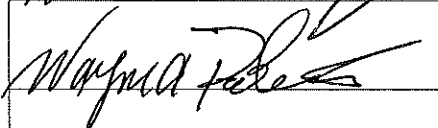
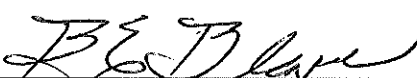
**Section 11. Additional Standards.** The following additional standards shall apply to the PUD Development District.

ALL OF WHICH IS ORDAINED by the Town Council of the Town of St. John,  
Indiana, this 26<sup>th</sup> day of January, 2022.

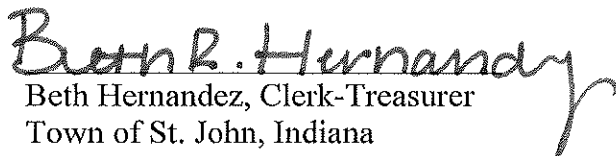
**TOWN COUNCIL OF THE TOWN OF ST. JOHN, LAKE COUNTY, INDIANA**

**AYE**

**NAY**

	Gerald Swets, President	
	Michael Schilling, Vice President	
	Wayne Pondinas, Member	
	Michael Aurelio, Member	
	Bryan Blazak, Member	

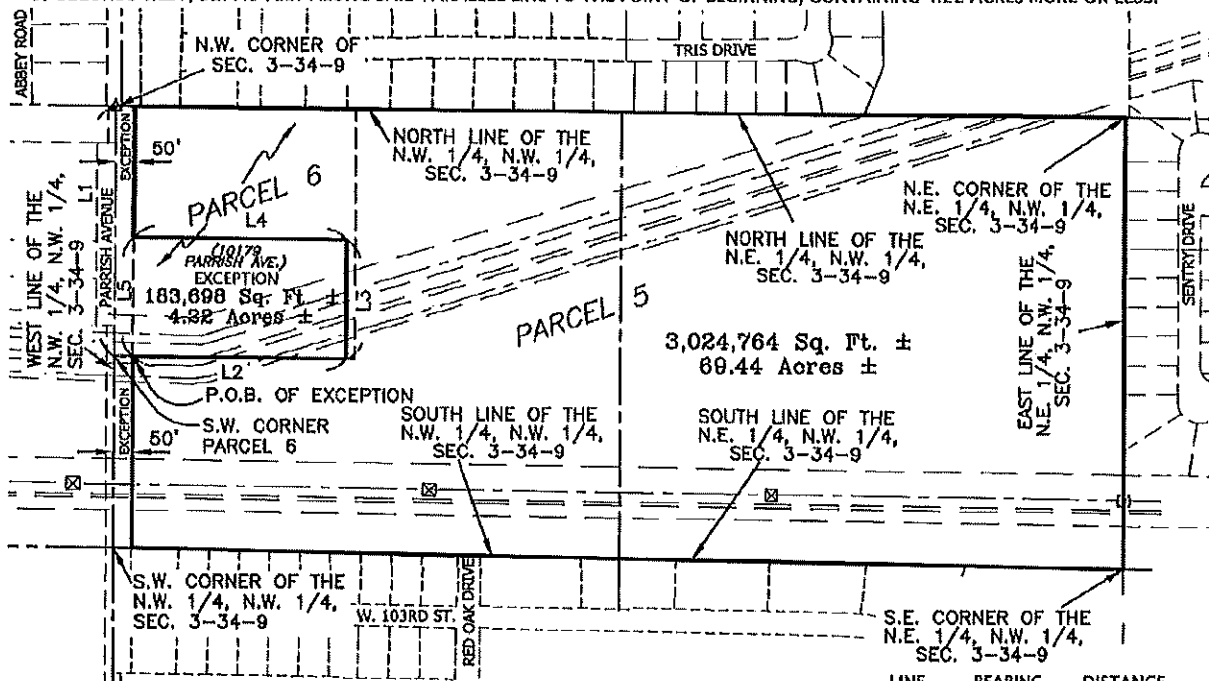
ATTEST:

  
Beth Hernandez, Clerk-Treasurer  
Town of St. John, Indiana

## EXHIBIT A

**PARCEL DESCRIPTION:** A PARCEL OF LAND BEING ALL OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER AND ALL OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 3, TOWNSHIP 34 NORTH, RANGE 9 WEST OF THE SECOND PRINCIPAL MERIDIAN IN THE TOWN OF ST. JOHN, LAKE COUNTY, INDIANA, AND SURVEYED AS PARCELS 5 AND 6 ON A PLAT OF SURVEY BY PLUMB, TUCKETT AND ASSOCIATES, INC., JOB NUMBER S06585, DATED JUNE 27, 2006 AND RECORDED IN SURVEY BOOK 15, PAGE 19 AS DOCUMENT NUMBER 2006 056450 ON JUNE 29, 2006 IN THE RECORDER'S OFFICE OF SAID COUNTY, EXCEPTING THEREFROM THE WEST 50 FEET THEREOF AND ALSO EXCEPTING THE FOLLOWING DESCRIBED PARCEL:

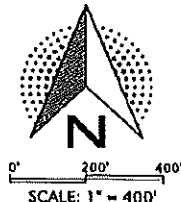
A PARCEL OF LAND LYING IN THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 3, TOWNSHIP 34 NORTH, RANGE 9 WEST OF THE SECOND PRINCIPAL MERIDIAN IN THE TOWN OF ST. JOHN, LAKE COUNTY, INDIANA AND PART OF LAND SURVEYED AS PARCEL 6 ON A PLAT OF SURVEY BY PLUMB, TUCKETT AND ASSOCIATES, INC., JOB NUMBER S06585, DATED JUNE 27, 2006 AND RECORDED IN SURVEY BOOK 15, PAGE 19 AS DOCUMENT NUMBER 2006 056450 ON JUNE 29, 2006 IN THE RECORDER'S OFFICE, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 50 FEET EAST OF THE SOUTHWEST CORNER OF SAID PARCEL 6 WHICH IS SOUTH 00 DEGREES 12 MINUTES 07 SECONDS WEST (BASIS OF BEARINGS IS ASSUMED), 687.50 FEET AS MEASURED ALONG THE WEST LINE OF SAID NORTHWEST QUARTER OF THE NORTHWEST QUARTER FROM THE NORTHWEST CORNER OF SAID SECTION 3, THENCE SOUTH 89 DEGREES 29 MINUTES 37 SECONDS EAST, 560.93 FEET ALONG THE SOUTH LINE OF SAID PARCEL 6; THENCE NORTH 00 DEGREES 12 MINUTES 07 SECONDS EAST, 327.49 FEET PARALLEL WITH SAID WEST LINE; THENCE NORTH 89 DEGREES 29 MINUTES 37 SECONDS WEST, 560.93 FEET PARALLEL WITH SAID SOUTH LINE OF PARCEL 6 TO A LINE PARALLEL WITH AND 50 FEET EAST OF SAID WEST LINE; THENCE SOUTH 00 DEGREES 12 MINUTES 07 SECONDS WEST, 327.49 FEET ALONG SAID PARALLEL LINE TO THE POINT OF BEGINNING, CONTAINING 4.22 ACRES MORE OR LESS.



TAX ID. NO. 45-15-03-100-001.000-015 (PARCEL 6)  
TAX ID. NO. 45-15-03-100-002.000-015 (PARCEL 5)

PARCEL 5 & 6 DESIGNATIONS ARE PER PLAT OF SURVEY BY PLUMB, TUCKETT AND ASSOCIATES, INC. DATED JUNE 23, 2006, JOB NO. S06585, RECORDED IN SURVEY BOOK 15, PAGE 19 AS DOCUMENT NUMBER 2006 056450 ON 6/29/2006.

Reference Name: DIAMOND  
PEAK/ HUSEMAN  
Survey Job No: S21-1311  
Eng. Job No. 21-1006  
Drawn By: G.B.  
Date: 7/17/21  
/21-1311/OVERALL PARCEL  
EXHIBIT.DWG  
Sec. 3-34-9  
Lake County, IN



*Glen E. Boren*

LINE	BEARING	DISTANCE
L1	S 00°12'07" W	687.50'
L2	S 89°29'37" E	560.93'
L3	N 00°12'07" E	327.49'
L4	N 89°29'37" W	560.93'
L5	S 00°12'07" W	327.49'

THIS DRAWING IS NOT INTENDED TO BE REPRESENTED AS A RETRACEMENT OR ORIGINAL BOUNDARY SURVEY, OR A SURVEYOR LOCATION REPORT.

DVG TEAM, Inc  
1155 Troutwine Road  
Crown Point, IN 46307  
Phone: (219) 662-7710  
Fax: (219) 662-2740  
www.dvgteam.com



Commonly known as 10122 and 10179 Parrish Ave., St. John, IN 46373  
Parcel ID Nos. 45-15-03-100-002.000-015 and 45-15-03-100-001.000-015

## **EXHIBIT B**

### **TOWN OF ST. JOHN DEVELOPMENT PLAN FOR ASTORIA**

#### **I. STATEMENT OF PURPOSE & INTENT**

Astoria, located in St. John, Indiana, is an approximate 69.44-acre residential community consisting of single-family residential homes. Astoria's goal is to provide attractive housing serving residents' needs.

#### **II. AUTHORITY/DEFINITIONS**

Authority. The standards in this Development Plan will apply to all property contained within the Astoria Planned Unit Development. The Development Plan will become the governing standards for review, approval and modification of development activities occurring on the property. The subdivision and authority and zoning ordinances and regulations for the Town of St. John will apply where the provisions of this guide do not address a specific subject.

##### Definitions.

1. "HOA" – Homeowner's Association
2. "Planned Unit Development (PUD)" - This RC-2 Planned Unit Development provides a maximum degree of flexibility to accommodate Single Family Residential as shown on the drawing attached to the PDR Ordinance.
3. "Single Family Residential" - Single Family Residential is a single family detached dwelling.

#### **III. GENERAL LOCATION, LAND USE, AND LEGAL DESCRIPTION**

Location and Surrounding Land Uses. The proposed community is approximately 69.44 acres and is located North of U.S. Route 231, South of 101st Avenue, and East of Parrish Avenue. The property is presently undeveloped.

Access. Primary access to the development will be through entrances on Parrish Avenue as well as via existing subdivisions north and south of the development.

Legal Description. See below.

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A PARCEL OF LAND LYING IN THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 3, TOWNSHIP 34 NORTH, RANGE 9 WEST OF THE SECOND PRINCIPAL MERIDIAN IN THE TOWN OF ST. JOHN, LAKE COUNTY, INDIANA AND PART OF LAND SURVEYED AS PARCEL 6 ON A PLAT OF SURVEY BY PLUMB, TUCKETT AND ASSOCIATES, INC., JOB NUMBER S06585, DATED JUNE 27, 2006 AND RECORDED IN SURVEY BOOK 15, PAGE 19 AS DOCUMENT NUMBER 2006 056450 ON JUNE 29, 2006 IN THE RECORDER'S OFFICE, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 50 FEET EAST OF THE SOUTHWEST CORNER OF SAID PARCEL 6 WHICH IS SOUTH 00 DEGREES 12 MINUTES 07 SECONDS WEST (BASIS OF BEARINGS IS ASSUMED), 687.50 FEET AS MEASURED ALONG THE WEST LINE OF SAID NORTHWEST QUARTER OF THE NORTHWEST QUARTER FROM THE NORTHWEST CORNER OF SAID SECTION 3, THENCE SOUTH 89 DEGREES 29 MINUTES 37 SECONDS EAST, 560.93 FEET ALONG THE SOUTH LINE OF SAID PARCEL 6; THENCE NORTH 00 DEGREES 12 MINUTES 07 SECONDS EAST, 327.49 FEET PARALLEL WITH SAID WEST LINE; THENCE NORTH 89 DEGREES 29 MINUTES 37 SECONDS WEST, 560.93 FEET PARALLEL WITH SAID SOUTH LINE OF PARCEL 6 TO A LINE PARALLEL WITH AND 50 FEET EAST OF SAID WEST LINE; THENCE SOUTH 00 DEGREES 12 MINUTES 07 SECONDS WEST, 327.49 FEET ALONG SAID PARALLEL LINE TO THE POINT OF BEGINNING, CONTAINING 4.22 ACRES MORE OR LESS.

#### **IV. PLANNED UNIT DEVELOPMENT (PUD) PLAN**

Astoria provides flexibility to accommodate various types and styles of Single Family Residential as described herein. The land uses identified on the Planned Unit Development (PUD) Plan allows for flexibility to respond to market conditions while maintaining the character and integrity of the development plan. Land use boundaries are conceptual and subject to alteration through approval of final plat. An approved final plat will determine the actual boundary of each parcel.

Transfer of density is permitted between parcels but in no instance will the total density of the entire community exceed approximately 1.40 units per acre.

#### **V. PLANNED UNIT DEVELOPMENT (PUD) PERMITTED USES**

Single Family Residential. (Identified as Lots 1-90 on Preliminary Plat of Astoria, a Planned Development prepared by DVG Team, Inc.)

Permitted Uses:

Single Family Detached Dwellings

Special Conditions:

1. Typical Lot Area: 10,800 square feet (80' width x 135' depth)
2. Lot Width: 80' minimum
3. Building Setbacks:
  - a. Front Yard: 30'
  - b. Side Yard: 8'
  - c. Rear Yard: 30'
4. Drainage and Utility Easements: where indicated on the Plat

Open Space. (To be identified as Outlots on Preliminary Plat of Astoria, a Planned Development, prepared by DVG Team, Inc.)

The following standards will apply for all uses in the Open Space.

Permitted Uses:

Bicycle and walking trails, detention/retention areas, wetlands, wetland buffers, environmental areas, landscape buffers, screening buffers, playgrounds, ball fields, and open space on lots the primary function of which is to serve the residents and guests of the Planned Unit Development.

## **VI. COMMUNITY DEVELOPMENT REGULATIONS**

### General Development Regulations.

1. The community will be subject to a declaration of covenants and restrictions establishing procedures for architectural and landscape review and maintenance obligations of the Homeowners' Association (HOA) established.
2. The HOA will have the obligation to maintain common area facilities, landscaping, entries, signage, trails, and detention areas, including the proposed bike path running east-west on the Outlots located at the south end of the development.
3. Sales offices in unsold units are permitted in each type of housing for the duration of the sale of the overall community.
4. Roads and other physical attributes shown on the PUD site plan are conceptual only, and their exact placement may be modified during the construction-plan review process.
5. Separate construction entrances may be established and maintained throughout the buildout of the community.



### PD Roadway Standards.

1. Single Family Residential Home
  - 60' Right-of-Way – 60' Standard
  - 30' Roadway Width - Back-to-Back of Curb – 30' Standard
  - 5' Sidewalk at Right-of-Way Line
2. Entrances
  - 80' Right-of-Way
  - 24' Wide Lanes In & Out
3. Cul-de-Sacs
  - 60' radius for Right-of-Way – 65' standard
  - 45' radius for Roadway – 50' standard

### **VII. MINIMUM ARCHITECTURAL STANDARDS**

No residence shall be permitted to be constructed upon a Lot which shall fail to comply with the following minimum requirements:

- (a) Minimum Finished Floor Area. The minimum finished floor area (as hereinafter defined) of each residence on a Lot shall be as follows:
  - (1) All one (1) story residences shall have a minimum finished floor area of one thousand nine hundred (1,900) square feet.
  - (2) All one and one-half (1-1/2) story residences shall have a minimum finished floor area of two thousand two hundred fifty (2,250) square feet.
  - (3) All two (2) story residences shall have a minimum finished floor area of two thousand four hundred (2,400) square feet.
- (b) Requirements Applicable to all Residence Construction.
  - (1) All residences shall be required to have at least an attached two (2) car garage, which garage, as indicated below, shall not be included when computing the finished floor area. All overhead garage doors shall include glass windows;
  - (2) At least thirty percent (30%) of the front exterior of the residence ("Dominant Exterior Material") shall be masonry, brick, or stone, unless a variance is approved by the Plan Commission; provided, however, that Frank Lloyd Wright style homes shall have at have least twenty percent

(20%) of the front exterior of such homes be of masonry, brick or stone, and Modern Farm House style homes shall have at least ten percent (10%) of the front exterior of such homes be of masonry, brick, or stone. Masonry, brick and stone corners must be returned by at least two feet (2') on elevation corners to ensure that the masonry, brick or stone, as the case may be, does not stop on an outside corner and appear as if it is "applied." All other exterior wall surfaces ("Exterior Material") shall be of LP siding and trim.

(3) All driveways and service walks shall be of concrete or brick pavers. During construction, each Owner must install, at its expense, a five foot (5') public sidewalk of poured concrete along all street frontages and within the public right-of-way as shown on the engineering plans. All public sidewalks shall comply with the construction standards of the Town of St. John.

(4) No panel sidings, such as plywood, aluminum or masonite, may be used as an Exterior Material unless a variance is approved by the Plan Commission.

(5) No building previously constructed elsewhere shall be moved upon any Lot within the Subdivision. Pre-fabricated and modular homes are prohibited, as well as all bi-level, tri-level, and quad-level style homes; provided, however that panel homes shall be allowed.

(6) All foundations shall be poured concrete.

(7) All plumbing stacks and roof vents or ventilators shall be located in the rear of the residence roof.

(8) All Lots shall be landscaped and shall include a grass sodded front yard five feet (5') past the front elevation of the residence, as well as grass sodded or seeded side yards and rear yard. A landscaped border of no less than thirty-six inches (36") shall be maintained around the front elevation of the residence, which shall consist of not less than twenty-two (22) shrub/flower plantings and two (2) trees. All landscaping must conform minimally to the Town of St. John landscape requirements. Street trees shall be planted as part of the individual Lot home construction. The installation will be required as part of the requirements to receive a Certificate of Occupancy in accordance with the Town of St. John Zoning Ordinance, Subdivision Control Ordinance and Building Code, and shall be of a type of deciduous trees then approved by the Town.

(c) For purposes of this Section, the following definitions are applicable:

(1) A one (1) story residence is defined as a dwelling having all living area on one (1) floor. The living area floor level is at or slightly above the exterior grade level.

(2) A one and one-half (1-1/2) story residence is defined as a dwelling having one and one-half (1-1/2) floors of living area, both above grade, with the second floor of living area consisting of approximately one-half (1/2) of

the size of the ground level.

(3) A two (2) story residence is defined as a dwelling having two (2) floors of living area, both above grade and both approximately the same size.

(4) Finished floor area is defined as finished living room, bedroom, kitchen, dining room, family room, closets, utility rooms, entry ways and bath usage, but shall specifically exclude attached garages, carports, open terraces, porches, basements and breezeways. To qualify as finished floor area the interior finish must be of a manner and quality of materials in keeping with the other rooms.

### **VIII. ACCESSORY BUILDINGS**

Any accessory buildings must be approved by the Declarant and/or the Architectural Review Committee, and must be in accordance with Town of St. John ordinances and specifications. All such accessory buildings may only be erected in the rear portion of a Lot, and may not exceed ten feet (10') by sixteen feet (16') floor dimension. The maximum wall height shall be eight feet (8'), with a maximum roof height of fourteen feet (14'). Any accessory building shall have exterior finishes that match the residence constructed on such Lot. No metal, fiberglass or "one-piece" vinyl accessory buildings shall be allowed.

### **IX. FENCES**

Any fence must be approved by the Declarant or Architectural Review Committee as to size, location, height and composition before it may be installed. Only aluminum open-picket fences will be allowed, and in any and all occasions, wood, vinyl, chain link fences and privacy fences are prohibited from use anywhere in the Subdivision, including dog runs and pet enclosures. All fences approved by the Declarant or Architectural Review Committee must also be located in the rear of a Lot and approved and permitted by the Town of St. John.

### **X. EXTERIOR POST LIGHTS**

As required by the terms of the Declaration of Covenants, Conditions, Restrictions and Easements for Astoria, there shall be installed on each Lot a standard post and post light for the Subdivision, to be purchased, installed and maintained by each Lot Owner at such Owner's expense. Such post lights are required on a Lot. All exterior post lights which are installed shall be illuminated from dusk to dawn, be located five (5') feet from the driveway and five (5') feet from the public sidewalk toward the middle of the Lot, and contain the illumination at a minimum of a sixty (60) watt incandescent bulb. In the event that the exterior post or exterior post light is lost, damaged, or destroyed, the Owner shall purchase and install a replacement exterior post and/or post light at the Owner's expense.

## **XI. DOWNSPOUT DISCHARGE**

Based on the size of the side yards in Astoria, the downspouts will release at grade at least 5 ft. from adjacent property boundaries.

## **XII. MAILBOXES**

As required by the terms of the Declaration of Covenants, Conditions, Restrictions and Easements for Astoria, there shall be installed on each Lot a standard mailbox and post for the Subdivision, to be purchased, installed and maintained by the Lot Owner at such Owner's expense. No Owner may install or use a mailbox or mailbox post that is composed of brick, stone, plastic, rubber or wood. In the event a mailbox or mailbox post is lost, damaged or destroyed, the Owner shall install a replacement mailbox and mailbox post, which the Owner shall install at the Owner's expense.

## **X. OUTLOT LANDSCAPING REQUIREMENTS**

No trees or shrubs shall be on the Town of St. John prohibited species list.

Detailed landscape plans shall be presented at final plat.

Areas of all Outlots that are disturbed by construction activity and are not below a normal water level shall be permanently seeded.

Permanent seeding shall be a turf grass mix or Town approved native grasses unless otherwise noted.

## EXHIBIT C



### FINDINGS OF FACT FOR PLANNED UNIT DEVELOPMENT - REZONING

Upon review of the PUD plan of Astoria PC 2021-17, and the request to re-zone to PUD classification, The St. John Plan Commission does make the following Findings of Fact pursuant to I.C. 36-7-4-100 et seq., and the Town of St. John, Lake County, Indiana, Zoning Ordinance:

1. That the uses proposed (~~will~~ will not) be detrimental to the property values of surrounding uses, (~~will~~ will not) impair the use or enjoyment of surrounding properties, but (~~will~~ will not) have a beneficial effect which could not be achieved under any other non-PUD zoning district.
2. That any amendment to the requirements of this Zoning District (~~is~~ is not) warranted by the design and amenities incorporated in the Development Plan which shall be substantial as compared to requirements for a development that is not within a PUD zoning district;
3. That land surrounding the proposed development either (~~can~~ cannot) be planned in coordination with the proposed development, or (~~will~~ will not) be compatible in use;
4. That the proposed change to a Planned Unit Development zoning district (~~is~~ is not) in conformance with the general intent of the Comprehensive Master Plan;
5. That existing and proposed streets (~~are~~ are not) suitable and adequate to carry anticipated traffic within the proposed district and within the vicinity of the proposed district;
6. That existing and proposed utility services (~~are~~ are not) adequate for the proposed development;
7. That each phase of the proposed development, as it is proposed to be completed (~~contains~~ does not contain) the required parking spaces, landscape, and utility areas necessary for creating and sustaining a desirable and stable environment if applicable;
8. That the proposed Planned Unit Development District and all proposed buildings, parking spaces, landscape, and utility areas (~~can~~ cannot) be completely developed within five (5) years of the establishment of the Zoning District;
9. That the Proposal (~~will~~ will not) preserve natural features such as streams, wetlands, woodlands, topographic features, geological features and scenic vistas;
10. That the amount, location and species of the perimeter landscaping (~~will~~ will not) be sufficient to buffer adjoining properties from uses within the PUD if applicable;
11. That the proposed PUD (~~will~~ will not) impose an undue burden on public services such as police and fire protection, schools, parks, and libraries;
12. That the PUD (~~will~~ will not) be of a visually pleasing design with varied building types and quality building materials; and

The following Conditions / Contingencies (if any) are hereby made a part of the record:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_

Accordingly, the PUD rezoning petition of Astoria, for the reasons stated aforesaid, is made as follows to the Town Council of the Town of St. John:

☒ FAVORABLE RECOMMENDATION      ☐ UNFAVORABLE RECOMMENDATION      ☐ NO RECOMMENDATION

DATE: Dec. 1, 2021

ATTEST:

Robert Bickman  
ST. JOHN PLAN COMMISSION, PRESIDENT  
Vice President

Dana Smith  
ST. JOHN PLAN COMMISSION, SECRETARY

STATE OF INDIANA       )  
                                  ) SS:  
COUNTY OF LAKE       )

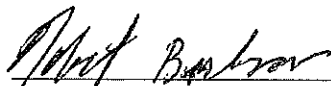
CERTIFICATION

TO: TOWN COUNCIL, TOWN OF ST. JOHN, LAKE COUNTY, INDIANA

Pursuant to the requirements of I.C. §36-7-4-605, et seq., as made applicable by I.C. §36-7-4-608 and §36-7-4-1505, the Plan Commission of the Town of St. John, by its duly designated member below, hereby certifies to the Town Council a favorable recommendation for adoption of the PUD district ordinance, including the PUD Development Plan and Application for Change of Zone District Classification (Application No. 2021-17) for Astoria Planned Unit Development, all as same was presented and reviewed by the Plan Commission at the regular meeting held on December 1, 2021, which favorable recommendation was approved by a vote of 5 in favor and 0 against, upon motion duly made and seconded, following conclusion of the public hearing held on November 3, 2021, and public meeting action at the regular meeting of the Plan Commission on December 1, 2021.

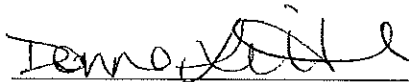
TOWN OF ST. JOHN, LAKE COUNTY,  
INDIANA, PLAN COMMISSION

By:



Robert Birlson, Vice President

Attest:



Dated: December 16, 2021