

Withdrawn by Petitioner

ORDINANCE NO.: 25-2016

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF VALPARAISO, INDIANA, AMENDING THE CITY'S OFFICAL ZONING MAP AND REZONING LAND WITHIN THE CITY FROM NEIGHBORHOOD CONSERVATION ZONING DISTRICT ("NC-60"), TO CAMPUS ("CP") ZONING DISTRICT.

WHEREAS, Ind. Code § 36-7-4-600, *et seq.*, sets forth the procedures that govern the adoption and amendment of zoning maps (a/k/a rezoning) by municipalities located within the State of Indiana; and

WHEREAS, on May 31, 2016, The Luthern University Association., Inc., d/b/a Valparaiso University filed an application to rezone the property generally referred to as 352 Univerity Park Avenue, Valparaiso, Indiana, 46383, and consisting of approximately .197 acres ("Real Estate") from Neighborhood Conservation Zoning District ("NC-60") to Campus Zoning District ("CA"). The legal description for the Real Estate is attached hereto, incorporated herein and marked as *Exhibit "A"* to this Ordinance; and

WHEREAS, on September 12, 2016, the City of Valparaiso, Indiana, Planning Commission ("Plan Commission") held a duly advertised public hearing on the Petitioner's application; and

WHEREAS, on October 11, 2016, the Plan Commission voted to favorably recommend rezoning the Real Estate from Neighborhood Conservation Zoning District ("NC-60") to Campus Zoning District ("CA") by a vote of 6-0; and

WHEREAS, on October 24, 2016, the Common Council of the City of Valparaiso, Indiana ("Common Council") held a duly advertised public hearing on the Petitioner's application; and

WHEREAS, in accordance with Ind. Code § 36-7-4-603 in preparing and considering the Petitioner's application, both the Plan Commission and Common Council have paid reasonable regard to: (1) The City of Valparaiso, Indiana, Comprehensive Plan; (2) the current conditions and character of the current structures and uses in each district; (3) the most desirable use for which the land in each district is adapted; (4) the conservation of property values throughout the jurisdiction; and (5) responsible development and growth; and

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF VALPARAISO, INDIANA, THAT:

Section 1. Incorporation of Recitals. The foregoing Recitals (or whereas clauses) are incorporated herein by reference into this Ordinance as findings of fact.

Section 2. Amendment to Zoning Map. The Official Zoning Map of the City is hereby amended and the Real Estate legally described in *Exhibit "A"* to this Ordinance is

rezoned from Neighborhood Conservation Zoning District (“NC-60”) to Campus Zoning District (“CA”) in accordance with the terms and conditions of this Ordinance.

Section 3. Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval and publication according to law .

Passed by the Common Council of the City of Valparaiso, Indiana, by a _____ vote of all members present and voting this _____ day of November, 2016.

Jon Costas, Mayor

ATTEST:

Sharon Swihart, Clerk-Treasurer

Presented by me to the Mayor of the City of Valparaiso, Indiana, this __ day of _____, 2016, at _____ o'clock p.m.

Sharon Swihart, Clerk-Treasurer

This Ordinance approved/denied and signed by me this __ day of _____, 2016, at _____ o'clock p.m.

Jon Costas, Mayor

Exhibit A – Legal Description for the Real Estate

The North half of lots 1 and 2, Block 2 in Suman's Subdivision, in the City of Valparaiso, as plat thereof, recorded in miscellaneous record "E", page 206, in the Office of the Recorder of Porter County, Indiana.