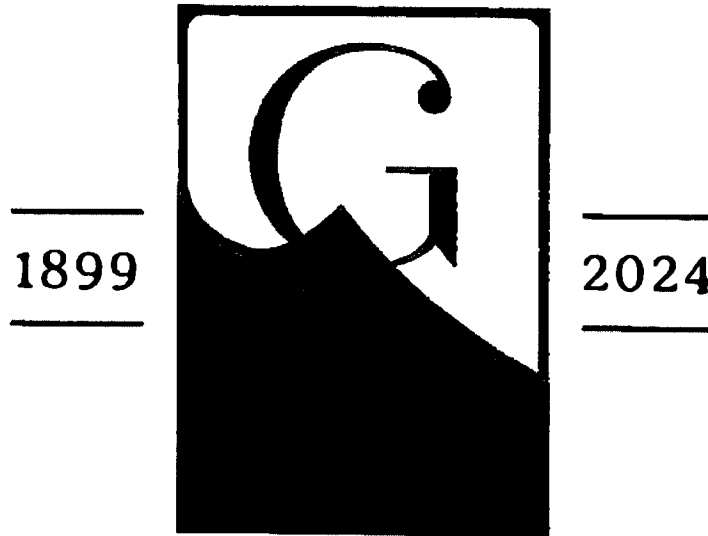




GRAND
GARDNER
HOTEL

A PLANNED UNIT DEVELOPMENT

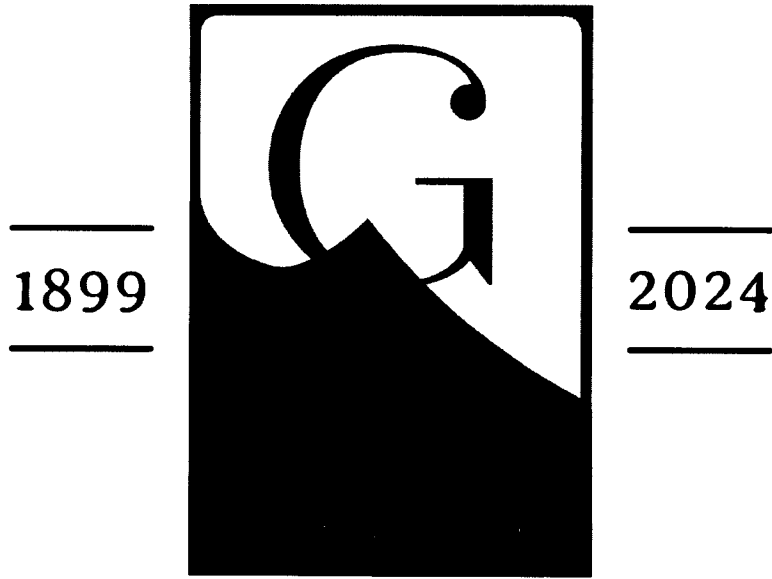
FILED

Jun 08 2023

Karen M Martin

AUDITOR PORTER COUNTY

Todd A. Leeth
Hoeppner Wagner & Evans, LLP
103 Lincolnway
Valparaiso, Indiana 46383



GRAND
GARDNER
HOTEL

A PLANNED UNIT DEVELOPMENT

Todd A. Leeth
Hoepfner Wagner & Evans, LLP
103 Lincolnway
Valparaiso, Indiana 46383

ORDINANCE No. 19, 2023

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF VALPARAISO, INDIANA, ADOPTING THE GRAND GARDNER HOTEL PLANNED UNIT DEVELOPMENT (PUD).

WHEREAS, on December 6, 2022, Urschel Development Corporation (hereinafter referred to as "Petitioner" or "Developer") presented a rezoning Petition to the Valparaiso Plan Commission, which included a public hearing following proper notice;

WHEREAS, on April 4, 2023, the Valparaiso Plan Commission forwarded a favorable recommendation for the adoption of the Grand Gardner Hotel PUD District Ordinance to the Common Council of the City of Valparaiso by a vote of 7 in favor and 0 in opposition to said favorable recommendation and the Petition was certified to the Common Council thereafter;

NOW, THEREFORE, BE IT ORDAINED, by the Common Council of the City of Valparaiso, Indiana, under authority granted by Ind. Code 36-7-4-600 *et seq.* and Ind. Code 36-7-4-1500 *et seq.* and Article 15, Division 15.500 of the Unified Development Ordinance entitled "Procedures and Administration for Planned Unit Development Approval" as follows:

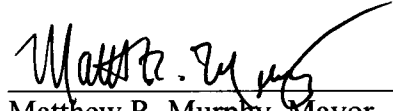
1. Grand Gardner Hotel PUD District Ordinance is established as an amendment to the Unified Development Ordinance and the Official Zoning Map of the City of Valparaiso, pursuant to and subject to the terms, conditions, stipulations and requirements of this Ordinance by the Common Council of the City of Valparaiso, Indiana.

2. The attached Schedule 1 (with Exhibits) is a true and accurate copy of the terms, conditions, stipulations and requirements of the Grand Gardner Hotel PUD District Ordinance.

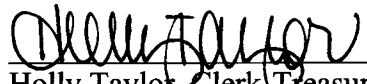
3. The Official Zone Map for the City of Valparaiso shall be amended whereby the real property, legally described on Exhibit A-1 and depicted on Exhibit A-2 which is attached hereto and incorporated herein by reference, shall be classified from its current zoning classification of Neighborhood Conservation District (NC60) to and it shall be and is hereby classified as the Grand Gardner Hotel PUD District on the Official Zoning Map of the City of Valparaiso.

4. This Ordinance shall be in full force and effect from and after its passage by the Common Council as required by law.

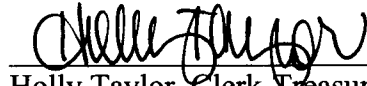
DULY PASSED AND ADOPTED this 22nd day of May, 2023, by the Common Council of the City of Valparaiso, Porter County, Indiana, having been passed by a vote of 7 in favor and 0 opposed.


Matthew R. Murphy, Mayor
Presiding Officer

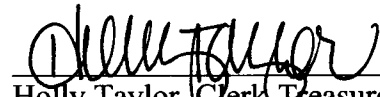
ATTEST:


Holly Taylor, Clerk-Treasurer

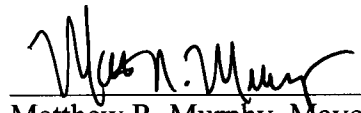
This Ordinance presented by me, the Clerk-Treasurer of the City of Valparaiso, Indiana to the Mayor for his approval this 22nd day of May, 2023.


Holly Taylor, Clerk-Treasurer

Presented by me to the Mayor of the City of Valparaiso, Indiana, this 22nd day of May, 2023 at the hour of 7:04 o'clock p.m.


Holly Taylor, Clerk-Treasurer

This Ordinance approved and signed by me this 22nd day of May, 2023 at the hour of 7:04 o'clock p.m.


Matthew R. Murphy, Mayor

SCHEDULE 1

TO

ORDINANCE NO. 19, 2023

**AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY
OF VALPARAISO, INDIANA, ADOPTING THE GRAND
GARDNER HOTEL PLANNED UNIT DEVELOPMENT (PUD).**



GRAND GARDNER HOTEL

A PLANNED UNIT DEVELOPMENT



STATE OF INDIANA)
)
PORTER COUNTY)

**BEFORE THE COMMON COUNCIL
FOR THE CITY OF VALPARAISO, INDIANA**

The Common Council of the City of Valparaiso, Indiana, in adopting Ordinance No. 19, 2023 under authority granted by Ind. Code 36-7-4-600 *et seq.* and Ind. Code 36-7-4-1500 *et seq.* and Article 15, Division 15.500 of the Unified Development Ordinance entitled “Procedures and Administration for Planned Unit Development Approval” that Grand Gardner Hotel PUD District is established as an amendment to the Unified Development Ordinance and the Official Zoning Map for the City of Valparaiso, pursuant to and subject to the following terms, conditions, stipulations and requirements:

Section 1. Legislative Intent. Having given reasonable regard to the Comprehensive Plan and the other matters specified in Article 15, Division 15.500 of the Unified Development Ordinance (the “UDO”), the intent of the Common Council in adopting this Ordinance is (i) to determine that the existing urban project, Grand Gardner Hotel, is saving the architecturally significant Gardner School building and providing for a needed lodging use in close proximity to the downtown area which is in the best interest of the City of Valparaiso; (ii) to insure that the increased flexibility and design regulations over the land development authorized herein are carried out under administrative standards and procedures in a matter consistent with the goals and policies of the City of Valparaiso; and (iii) to define that this Ordinance and the project proposed to be developed here under satisfies all Indiana statutes and the Valparaiso ordinances relating to planned unit developments. Developer shall have the right to seek joinder of additional parcels of land contiguous to the District as part of the District, which such joinder shall occur only upon the approval by the Common Council on such terms and conditions as the Common Council may establish following the written application by Developer and review and recommendation of the Valparaiso Plan Commission.

Section 2. Change of Zoning Classification to PUD District:

- (a) Change to Planned Unit Development. The parcel of real property in the City of Valparaiso, Indiana, legally described on Exhibit “A-1” and depicted on Exhibit “A-2” which is attached hereto and incorporated herein and currently classified on the Official Zoning Map of the City of Valparaiso, as follows:

Current Zoning

Neighborhood Conservation
District (NC60)

The real estate described on Exhibit "A-1" is hereby rezoned and reclassified as Grand Gardner Hotel PUD District. The Official Zoning Map for the City of Valparaiso, Indiana is hereby amended to incorporate this change. Development in the District shall be governed by the provisions of this Ordinance together with the provisions of the Unified Development Ordinance, where (a) this Ordinance specifically references and incorporates the UDO, or (b) this Ordinance is silent or does not generally address procedures or development standards; then the UDO shall provide such terms and conditions, as may be enacted from time to time. The Plan Commission shall have the right to initiate litigation in any Court of competent jurisdiction to enforce and compel the Developer's compliance with all of the terms and provisions of this Ordinance.

- (b) Controlling Ordinance. Development of the Property shall be governed entirely by the provisions of this Grand Gardner Hotel PUD Ordinance except to the extent reference is made to the Unified Development Ordinance.
- (c) Exhibits. Attached to this PUD Ordinance is a series of exhibits to supplement and describe the PUD District and the improvements anticipated and allowed therein. The following are the exhibits which are hereby incorporated herein and made a part of the PUD Ordinance:

- A-1 Legal Description
- A-2 Depiction of PUD District
- B Site Plan (Abonmarche)
- C Schematic Design - Cover + 7 Sheets (Ratio Architects)
- D Building Renderings - 5 Sheets (Ratio Architects)
- E Landscape Plan - 3 Sheets (Lakeshore Landscaping)

- (d) Conflict. In the event of a conflict between this PUD Ordinance and the Unified Development Ordinance the provisions of this PUD Ordinance shall apply. If this PUD Ordinance is silent on any development standard and the applicable UDO standard is not incorporated by reference herein, then the UDO shall control and govern all development standards not set forth herein, as the UDO may be amended from time to time. In the event, any conflict between the narrative terms of this PUD Ordinance and the Site Plan, and demonstrative exhibits attached hereto, the Site Plan and exhibits shall govern and control.

Section 3. Permitted Principal Uses.

- (a) The intended permitted principal use in this District is Commercial Lodging which is defined as the following:

Commercial Lodging means places that offer overnight accommodations for short-term rental, including hotels and motels. The phrase "commercial lodging" also includes hotels that offer

convention facilities or meeting rooms. Commercial Lodging shall also include typical and customary ancillary uses such as a spa, restaurant, snack bar, tavern or bar, and fitness center.

- (b) The following alternative permitted principal uses shall be allowed in this District, subject to the limitations of subsection (d) below:

Senior Care Facility	Senior Care Facility means a skilled care nursing home, assisted care living facilities and congregate care facilities, and/or independent senior living.
Places of Public Assembly	Places of Public Assembly means a place where the people assemble for civic, educational, social, or day care purposes. This use includes the following: 1. Places of worship; theaters; conference centers; 2. Cultural or arts centers; museums; and aquariums; 3. Libraries; 4. Elementary and middle schools; 5. High schools; 6. Adult day care; and child care centers.

- (c) In the event that the land within the District is redeveloped or developed without joint ownership with the Gardner School building, the use and development standards shall default to the current zoning of Neighborhood Conservation District (NC60).
- (d) In the event that Developer or Developer's successor owner of all or a portion of the real property within the District elects to use its real property for one of the alternative permitted uses in (b) above, the development standards of the UDO shall apply and any relief shall be considered pursuant to the Major Modification process, further detailed in the Conformity with Plans section herein.
- (e) A proposed principal or alternative permitted use shall be allowed if it is a functionally similar use to a listed permitted use (described in (a) or (b) above) if the proposed use is functionally similar, or similar in nature and scope to the permitted uses; and has no greater impacts than the permitted uses.

Section 4. Building Within the District. The District is currently improved with the former Gardner School which was built in 1899 and was re-purposed in 1972 as the home of the Boys and Girls Club. The Gardner School is an architectural treasure built in the Romanesque style. The Boys and Girls Club added an approximately 6,000 square foot gymnasium on the east end of the building. This gymnasium addition has been removed and razed to make way for the new additions to the main building. The District is approximately 1.5 acres in size with building

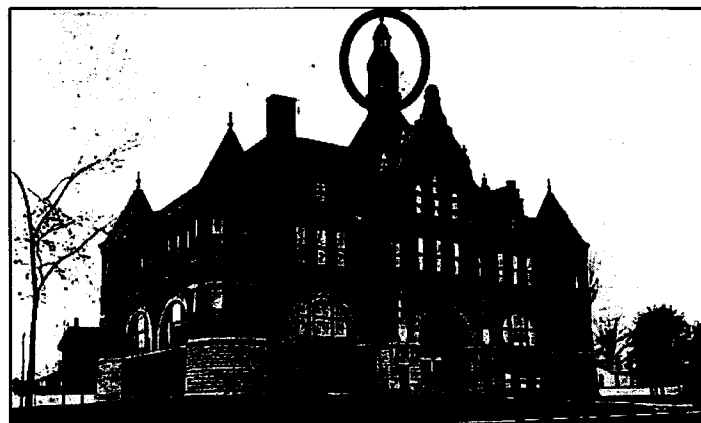
Grand Gardner Hotel PUD District Ordinance

and site improvements generally depicted on the Site Plan attached hereto and incorporated herein as Exhibit "B". The site will be developed at one time and therefore, no phasing plan is required.

The building improvements proposed for the District will be renovation and refurbishing of the Gardner School building as a boutique hotel with building wing additions on the east and west sides for a total gross building size of approximately 65,000 square feet. The schematic design of the proposed building improvements and space usage are shown on Exhibit "C". Building improvement design, architecture, materials, fenestration, and overall appearance are depicted in the exterior elevation renderings attached as Exhibit "D". There shall be no window tint or mirror effect for nonresidential buildings.

The gross floor area ratio and net floor area ratios are elevated over current UDO standards. The overall site is a redevelopment of a site with added lots or parcels, but still within limits of existing alley rights-of-way and two dedicated public streets and located in a residential zoning classification district. The proposed finished building is three main floors with limited usable space on a fourth floor. The building heights shown on Sheet A-200 as part of Exhibit "C" are allowed within the District. The building wing additions are not taller in height than the existing Gardner School building.

Developer may, but is not required to erect a bell tower in keeping with the features which once adorned the roof of the Gardner School Building. The bell tower shall be architecturally consistent with the building and the original bell tower shown in the photograph in Figure 4.1. Developer may, but is not required to erect the "tombstone" shaped cap on the top of the front or Jefferson Street façade wall depicted in the photograph in Figure 4.2. The cap wall shall be architecturally consistent with the building and the original façade wall; however, this feature may incorporate tasteful logo signature signage. If signage is incorporated in the cap façade wall, the sign portion shall count towards the allowable maximum wall signage set forth in Section 18.



Gardner School, Valparaiso, Indiana

Figure 4.1



Gardner School, Valparaiso, Indiana

Figure 4.2

The Schematic Design plans (Exhibit C) and the Building Renderings (Exhibit D) do not show or depict the bell tower or façade wall cap.

Latitude shall be permitted to allow minor deviations in building design, material selection, architectural intensity, and other architectural decisions to accommodate constraints due to building material shortages, increased cost of selected materials, and availability during timely construction deadlines, consistent with Section 21, Conformity of Plans.

No accessory structures (buildings or otherwise) are planned with the permitted use of the Commercial Lodging use proposed (the boutique hotel). Should such structure/structures be needed in the District in the future, it/they shall be architecturally compatible with related primary structure, including building materials and color. Restrictions as to size and quantity permitted shall be the same as the most restrictive adjacent zoning district at the time of proposal.

Section 5. Placement of Buildings. The existing building will be modified such that the former Gardner School building built in the 1890s will generally be preserved, existing or new additions to this old building will be removed and razed to make way for new building additions to the east and west of the school building. The Site Plan shows the overall placement of building additions and improvements, parking fields and other improvements to be located within the District for the Commercial Lodging use permitted by Section 3.

Section 6. Intensity. Developer's initial improvements shall be in accordance with the conceptual and detailed plans and specifications for the Property and attached hereto as Exhibits A-1, B, C, D, and E and incorporated herein by reference. As for the permitted principal and alternative uses described Section 3(a), all requirements of the Unified Development Ordinance relating to intensities for the uses within the existing floor area for building are satisfied or waived.

Section 7. Water/Sewer Utilities. The existing building is connected to municipal utilities. Developer shall confirm the sanitary sewer collection system and water department have

capacity to serve the development and redevelopment of the District for all uses. Developer shall seek approval of the City for water and sewer utilities connections and service and bear the cost for adequate connection and service that exclusively benefit the District.

Section 8. Storm Water Management. It is the intent of this PUD Ordinance to provide a storm water management system generally meeting the requirements of the Unified Development Ordinance and Stormwater Technical Standards Manual of the City of Valparaiso, except where provided otherwise by this PUD. Developer shall seek approval of the City for final storm water management strategy plan.

Section 9. Soil Erosion Plan. Grand Gardner Hotel PUD District shall satisfy the requirements of Article 7, Stormwater Management of the Unified Development Ordinance and the requirements of the Construction Site Run-off general permit for construction activity (which includes clearing, grading, excavation and other land-disturbing activities) that results in the disturbance of one (1) acre or more of total land area pursuant to Indiana Department of Environmental Management Rule 5 (327 IAC 15-5).

Section 10. Environmental Areas. There are no known environmental areas or features within the District, such as forested areas, streams, ponds, lakes, dunes, or other environmental features or areas that are critical habitat for endangered species. The District does not have any known jurisdictional wetlands, flood plains, or regulated drains.

Section 11. Intentionally Omitted.

Section 12. Landscape Plan. The proposed landscaping for the District, as shown on the Landscape Plan attached hereto as Exhibit "E", shall satisfy the requirements of Articles 10 and 11 of the UDO for the Commercial Lodging use of the District, including all requirements for buffering (bufferyard requirements), screening, on-lot landscaping, plantings, or other general landscaping standards or requirements. Other than the use as Commercial Lodging, the District shall comply with Article 10 landscaping standards of the UDO. Permitted principal uses other than Commercial Lodging, the District shall comply with landscaping standards of the UDO, as amended from time to time.

Section 13. Border Fences. For all uses allowed in Section 3(a) or (b) herein, Developer shall erect and maintain a fence at the location generally shown on the Landscape Plan along the eastern District boundary. In addition to the east border fence, Developer commits to offering to the owners of the lots or parcels located on the south side of Chicago Street from Campbell St. to the north-south alley on the east the option to allow Developer to erect the fence described herein to be located along the north side of the east-west alley and located within neighboring lot owner's property. The proposed north border fence shall be a style and design chosen by Developer which must be a solid privacy fence no less than 6 feet in height. Developer's commitment is conditioned by and subject to the following:

- Developer shall tender a written offer to erect the fence for each owner of a benefitted lot or parcel described above which shall be tendered by

Developer at any time but not later than thirty (30) days after the issuance of the Certificate of Occupancy for the commercial lodging use permitted by Section 3(a) and developed in conformity with the plans and exhibits to this PUD Ordinance. The offer shall include a reasonable description of the fence and its proposed location on the owner's lot.

- The owner of a benefitted lot shall consent to the Developer's fence construction and grant such written permission as Developer may require to enter upon owner's land to erect the fence. If owner does not consent, Developer's obligation to erect a fence for such owner is excused. If the owner does not respond within thirty (30) days of Developer's offer, the owner shall be deemed to have rejected or refused to consent to the fence.
- Developer shall not be responsible for any site preparation, grading, or the installation of retaining walls.
- Developer shall have no obligation to maintain, repair or replace the fence, or pay for the maintenance, repair or replacement of the fence.

Section 14. Public Streets. No new streets are proposed in the District. Additional right-of-way width along Campbell Street may be dedicated not to exceed twenty-five feet (25') from the centerline of the existing right-of-way. Any dedication of such right-of-way will be determined during project engineering and shall not impact the location of the building improvements.

Section 15. Adjacent Alley. The District is bounded by two public alley rights-of-way. Developer shall maintain the width of the alleys and will not impair vehicular access and movement to, from and within the alley without the advance approval of the Board of Works and Safety. Developer is in discussions with NIPSCO regarding the adjustment or relocation of existing poles in the east-west alley. Developer shall repair any damage to alley pavement that results from the development of the District.

Section 16. Sidewalks and Pathways. Developer shall repair any damage to existing sidewalks or construct new sidewalks as part of the development of the improvements within the District (or the adjacent rights-of-way) anticipated by this PUD Ordinance and shown on the Exhibit "B", the conceptual Site Plan. Developer shall cooperate with the City in widening the sidewalk along Jefferson Street if it is determined that vehicle parked in the new angle parking will overhang the proposed sidewalk.

Section 17. Lighting.

- (a) **Street Lighting.** The District does not include public rights-of-way, therefore there will be no street lighting provided by Developer.

- (b) **On-Site Lighting.** Any on-site lighting (including on the building) will be of a style that complements the architecture of the building. The height of any freestanding lighting fixtures will be of a pedestrian scale.. Maximum footcandles contributed by proposed lighting shall be .3 at neighbor's property lines and shall otherwise meet the standards of the Unified Development Ordinance (UDO). Neon lighting or similar which could be a distraction to the residential community shall not be permitted to be visible exterior to the building(s).

Section 18. Signs. Signs within the District shall be governed by the following:

- (a) **Prohibited Signs.** Regulations for Prohibited Signs shall follow those within the UDO as may be amended from time to time.
- (b) **Exempt Signs.** Exempt signs shall be permitted and are excused from restrictions or regulations under this District Ordinance. Exempt Sign shall have the same meaning as that term is defined in the UDO as amended from time to time. Directional signage shall be Exempt Signs.
- (c) **Ground Sign.** One (1) ground sign shall be permitted to advertise the business(es) in the District. Such ground sign shall be located at least five (5) feet from the back of any sidewalk, property line, right-of-way, or driveway. The location shall be reviewed with sign permit to verify sight lines for traffic are not of issue. The maximum height of the ground sign (including ground sign structure) shall be 6ft. The maximum square footage of signage on the ground sign shall be thirty-six (36) square feet. Such ground sign shall have a landscaped perimeter of at least three (3) feet.
- (d) **Wall Signage.** Wall signage shall be permitted to advertise the business(es) in the District. Such wall signage shall not be located within one (1) foot of any roofline or architectural detail on a building. No roof signage will be allowed.. A wall sign may be allowed on the north elevation of the building facing the alley, provided the entire sign is not more than sixty-five feet (65') from the Campbell Street right-of-way. Otherwise, no wall signage shall be permitted along the remaining alleys. The maximum square footage of total wall signage on the building shall be 1 square foot per linear frontage of elevations the building facing Campbell Street and Jefferson Street plus sixty-five square feet representing the allowable alley signage, or a total of 478 square feet for the building improvements depicted on Sheet A-101 of Exhibit "C".
- (e) **Illumination.** Illuminated signs are permitted, however, internally illuminated and cabinet style signs are not permitted. If a sign is illuminated by light beamed or reflected upon it, direct rays of light shall not beam upon any part of any other lot nor into a street. A sign in direct line of vision of a traffic signal shall not be red, green, or amber in color. Internally illuminated signs are prohibited.

- (f) **Projecting Signs.** Regulations for Projecting Signs shall follow those within the UDO as may be amended from time to time, following the CBD restrictions.
- (g) **Movable Sign Boards.** Regulations for Movable Sign Boards shall follow those within the UDO as may be amended from time to time.
- (h) **Durability and Installation.** Signage shall be constructed of high-quality, durable materials. Signage shall be designed and installed by a registered sign contractor with a permit issued by the Building Department.

Section 19. Parking. The Grand Gardner Hotel PUD District shall provide the following vehicle parking, as shown on Exhibit B (Site Plan):

On-Site Spaces	47
Adjacent Street Parking	17
Total Parking Spaces	64

In order to anticipate and accommodate parking overflow situations, Developer will evaluate hotel operations and initiate alternate parking options when a parking overflow situation is likely to occur. Parking overflow situations are characterized by full or nearly full guest reservations coinciding with a booked banquet room event at the hotel.

When determining the likelihood of a parking overflow situation, the Developer may consider such information as the percentage of booked rooms, the size and time of the booked event, the potential for crossover where a booked guest is attending the booked banquet room event, daily and seasonal trends in operations and other such considerations. Alternate parking options include parking services, shuttle transportation, and/or other ride service options to off-site parking lots. Off-site parking lot arrangements will be coordinated with the owner of the lot.

The City may retain a qualified traffic engineer to review the parking demand forecast and provide recommendations as part of a parking study. Developer agrees to cooperate with the City in the parking study and once complete, the parking study shall be approved by the Board of Public Works and Safety. Developer and the City will collaboratively work together to implement recommendations of the parking study in and around the District to address parking needs in a way that protects the surrounding neighborhood. Recommendations will be finalized in the parking study, but may include street parking restrictions, valet service, shuttle transportation, ride service options to off-site parking lots, or other innovative methods to address parking demand.

Developer shall continue to cooperate with the City to take advantage of opportunities for expansion of parking alternatives when they become available in the future, including connection to interconnected lots, pedestrian circulation improvements, bicycle parking, cross-access and/or

parking easements, enhanced or extension of permit parking in proximity to the District, or other innovative methods to address parking demand.

Bicycle parking is provided on the Site Plan, with the exact location subject to change.

Section 20. Proposed Restrictive Covenants. Ownership shall remain with Developer, or its successor and assigns. No subdivision of ownership of the District is anticipated. Therefore, there will be no private covenants, conditions, or restrictions for the District. Developer reserves the right and opportunity to impose future covenants and restrictions upon the sale of all or a portion of the District by agreement and by recording an instrument in the public records of the Office of the Recorder for Porter County, Indiana, the terms of which shall be subject to its sole and absolute discretion.

Section 21. Subdivision of the District Real Estate. The District is intended to remain as one parcel. Any subdivisions of lots in the District shall comply with the Unified Development Ordinance standards and procedures for subdividing real estate (*see* Division 15.800 of the Unified Development Ordinance) or the division of ownership under the Indiana Condominium Act (Ind. Code §32-25-1-1 *et seq.*).

Section 22. Conformity with Plans. With the exception of the restoration of the bell tower described in Section 4 and depicted on Figure 4, the Grand Gardner Hotel PUD District shall be developed in accordance with all sheets and drawings of the conceptual and detailed plans and specifications for the Property and attached hereto as Exhibits A-1, B, C, D, and E and incorporated herein by reference. Any conflict between this PUD Ordinance and the Exhibits, the Exhibits shall control and be superior to the narrative PUD Ordinance. Any changes, modifications, or amendments to the plan for development of the District will be reviewed and considered based on the following procedures:

(a) **Administrative Modifications.**

1. The Planning Director is delegated the authority to approve an application to modify this PUD District Ordinance if it is demonstrated that the proposed modification will result in substantial adherence to the PUD District Ordinance, as demonstrated by the following:
 - a. Development intensity has not increased, in that:
 - i. The height of the building addition(s) (separately) are the same or less.
 - ii. The building coverage and floor area ratio (gross and/or net FAR) (building in total) is not increased by more than 6%.
 - iii. The lot coverage is not more than 2% greater (not inclusive of any right-of-way adjustments determined during project engineering).

b. Design has not materially changed, in that:

- i. The parking areas are in the same general location and configuration as shown on Exhibit B (Site Plan).
- ii. The building setbacks (existing building and each building addition reviewed separately) are the same or greater distance from perimeter property lines (not inclusive of any right-of-way adjustments determined during project engineering).
- iii. The District landscape plan's planting material is in the same general locations, is within 10% of the specified quantities, all plant substitutions are of similar size and habit, and the substituted species are found in the UDO's permitted plant list.
- iv. The proposed perimeter walls and/or fences are in the same general location and of a comparable type and design as previously approved.
- v. Elevations and renderings of the building have substantially similar architectural expressions as those shown on the approved plans.
- vi. Lighting illumination regulations for this neighborhood have changed, and after careful examination by the Planning Director, are deemed appropriate for the District.
- vii. Signage illumination regulations for this neighborhood have changed, and after careful examination by the Planning Director, are deemed appropriate for the District.

c. The proposed changes do not have the effect of creating any noncompliance or nonconformity with the strict application of the UDO that were not previously approved at public hearing, or of expanding the scope of existing variances or other approvals such that they would differ to a greater degree from the strict application of the UDO.

2. The Planning Director, in his or her discretion, may refer any application for modification under the Planning Director's jurisdiction to the Plan Commission for review and decision.

(b) Minor Modifications.

1. A minor modification is any change to this PUD District Ordinance that is not an administrative modification, a major modification, or a major conceptual modification. Minor modifications do not alter the concept or intent of the PUD District Ordinance (including the maps).
2. The Plan Commission is authorized to approve minor modifications without public hearing.

(c) **Major Modifications.**

1. A major modification is any change which alters the overall concept of the PUD District Ordinance, including:
 - a. Increase in height of existing building and/or building addition(s);
 - b. Increase in building intensity (gross and/or net floor area ratio (FAR)) by more than 6%;
 - c. Increase in lot coverage more than 2%;
 - d. Changes in sequence of development; or
 - e. Review of development standards for permitted uses other than Commercial Lodging. (The Plan Commission shall, after review of any parking related matter, forward the matter with a (favorable/unfavorable/no) recommendation to the Board of Works for final determination.)
2. The Plan Commission is authorized to approve major modifications after duly noticed public hearing.

(d) **Major Conceptual Modifications.**

1. At any time after Common Council approval of this PUD District Ordinance, no major conceptual change may be made without the approval of the Common Council following a recommendation from the Plan Commission. A major conceptual change is defined as any of the following:
 - a. The land area covered by the PUD District Ordinance is changed;
 - b. A use previously not permitted is added;
 - c. Any other change which so modifies the intent or concept of the PUD District Ordinance that the Plan Commission determines that the Common Council should take action on the change.
2. This process shall be the same as for the creation of the PUD District Ordinance with duly noticed public hearing.

Section 23. Other Ordinances. Any Ordinance of the City of Valparaiso in conflict with the provisions of any Ordinance is hereby superseded by this Ordinance.

Section 24. Severability. The invalidity of any section, clause, sentence or provision of this Ordinance shall not affect the validity of any other part of this Ordinance which can be given effect without such invalid part or parts.

Section 25. Effective Date and Suspension of Rules. This Ordinance shall be in full force and effect after its passage and approval by the Common Council for the City of Valparaiso and publication as may be required by law.

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each social security number in this document, unless required by law. *Todd A. Leeth*

This Instrument Prepared By:

Todd A. Leeth
Hoeppner Wagner & Evans LLP
103 E. Lincolnway
Valparaiso, Indiana 46383

**HOEPPNER
WAGNER &
EVANS LLP**
ATTORNEYS AT LAW

5/23/2023 2:04 PM <https://hwelaw.sharepoint.com/sites/Clients/Shared Documents/354 Jefferson, LLC> 20106/Jefferson St Development -1/Documents/PUD Ordinance/PUD Ordinance Grand Gardner Hotel 2023-05-23.docx

EXHIBIT SCHEDULE

A-1	—	Legal Description
A-2	—	Depiction of PUD District
B	—	Site Plan
C	—	Building Schematic Design Plan
D	—	Building Exterior Elevation Plan
E	—	Landscape Plan

Exhibit A-1

Legal Description

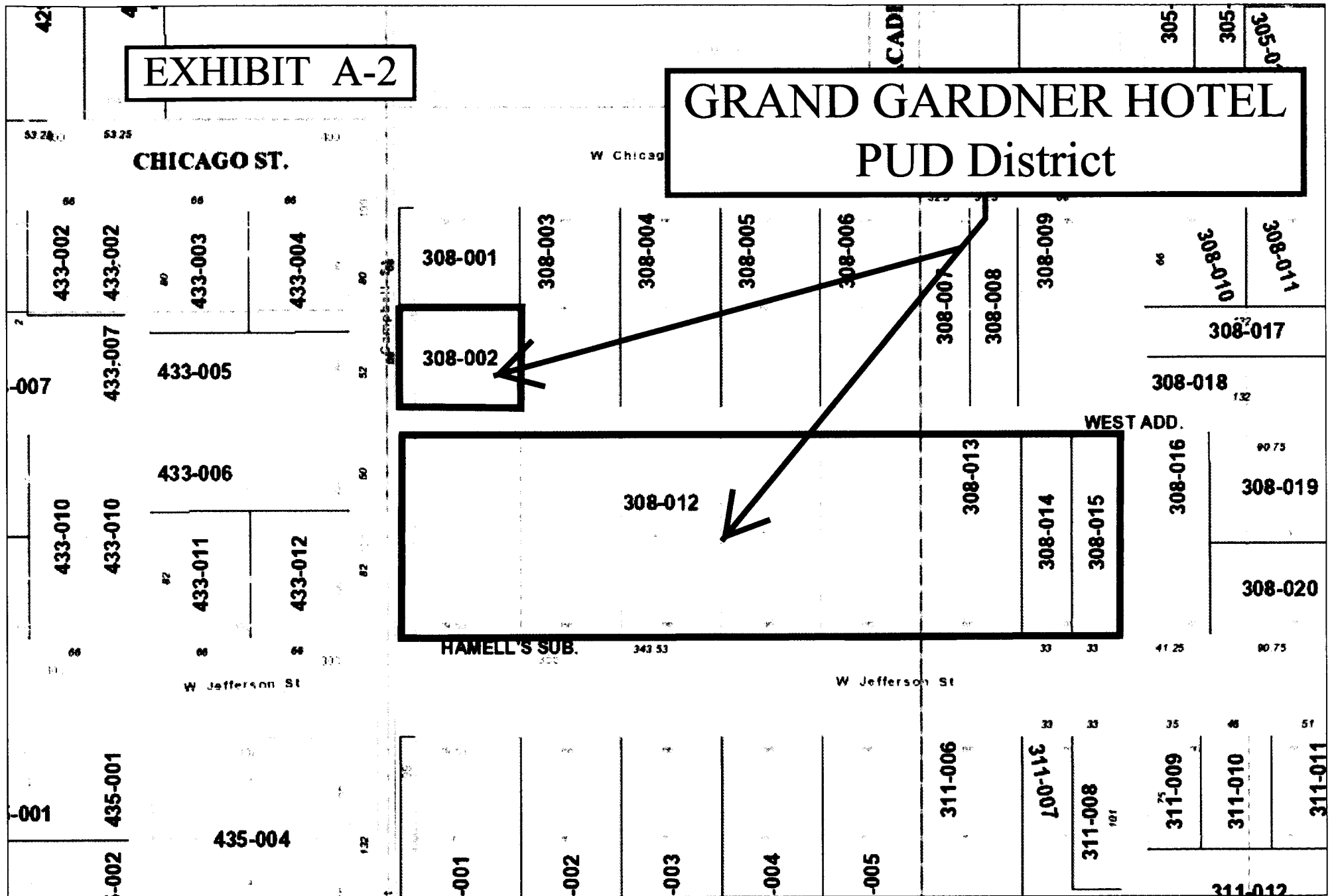
Lots 6, 7, 8, 9, 10 and the South one-half of Lot 5 in Hammell's Subdivision of Outlot 19 in the Original Addition of Outlots to the Town, now City, of Valparaiso, as per plat thereof, recorded in Miscellaneous Record "E", page 356, in the Office of the Recorder of Porter County, Indiana, except a strip one rod in width off of the West side of said Lot 6.

Lot Numbered 5 in Block 40 as shown on the recorded plat of The Original Survey of the City of Valparaiso recorded in Deed Record "A" page 352 in the Office of the Recorder of Porter County, Indiana.

Lot 6 in Block 40 in the West Addition to the Original Survey of the Town (Now City) of Valparaiso, as per plat thereof, recorded in Deed Record "A", page 352 in the Office of the Recorder of Porter County, Indiana.

EXHIBIT A-2

GRAND GARDNER HOTEL PUD District



Enter Map Title...

Web Print: 10/28/2022

0 112 224 Feet

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.



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EXHIBIT B

Site Plan (Conceptual) Abonmarche

EXHIBIT C

Schematic Design
Ratio Architects

Owner:
URSCHEL DEVELOPMENT CORPORATION
1200 Cutting Edge Drive
Chesteron, IN 46304

Architect
RATIO
101 South Pennsylvania Street
Indianapolis, Indiana 46204
317-633-4040

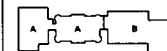
Structural Engineer
LYNCH HARRISON BRUMBLE
550 Virginia Avenue
Indianapolis, IN 46203-1744
317-423-1550

Mechanical / Electrical Engineer
CIRCLE DESIGN GROUP
9229 Delegates Row #150
Indianapolis, IN 46240

Civil Engineer
ABONMARCHÉ
17 N. WASHINGTON STREET
Valparaiso, IN 46383
574.232.8700

Landscape Architect
LAKE SHORE LANDSCAPING, INC.
P.O. Box 1310
Valparaiso, IN 46384
219-482-9555

Kitchen Consultant
C&T DESIGN AND EQUIPMENT
2750 Tobey Drive
Indianapolis, IN 46219
800-896-3374



 KEY PLAN

SEAL | DATE

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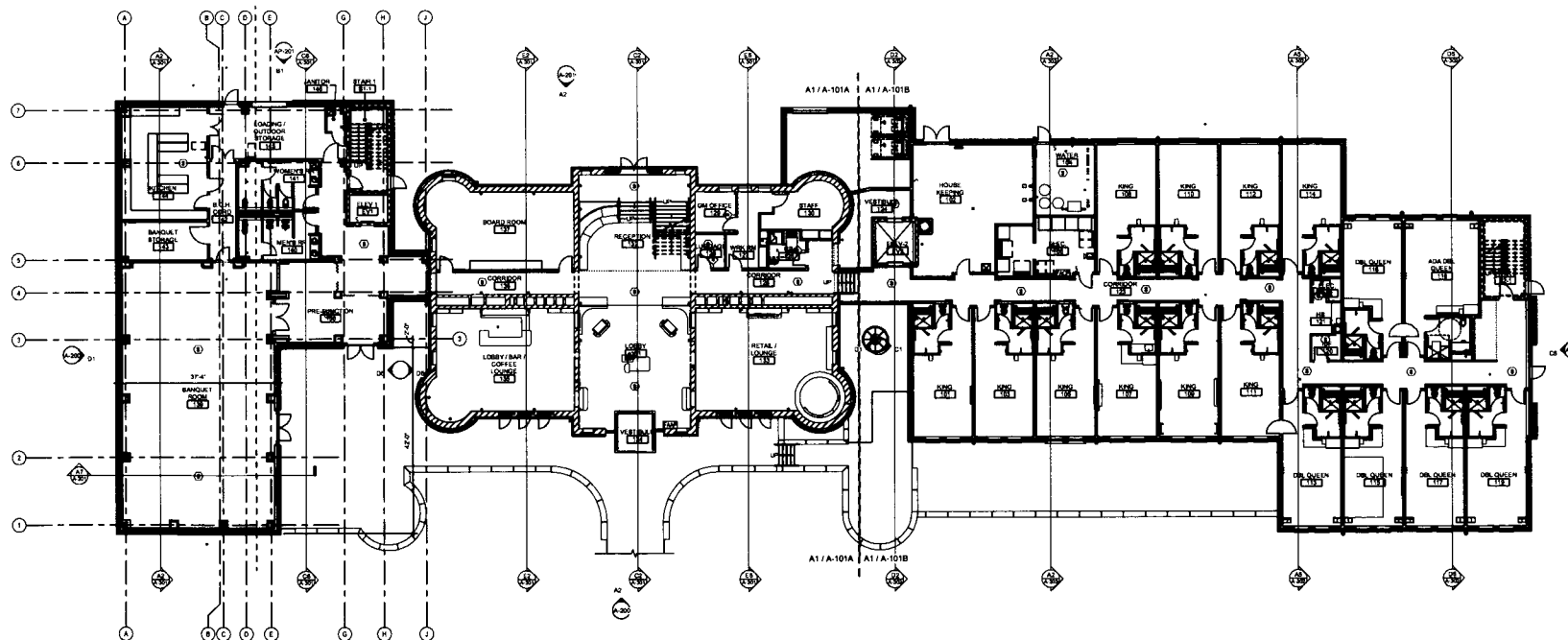
RATIO

PROJECT NO. 22013.00

SHEET TITLE
FIRST FLOOR
OVERALL PLAN

SHEET NUMBER

A-101



FIRST LEVEL FLOOR PLAN
3/32" = 1'-0"

NOT FOR CONSTRUCTION

3/24/2023 11:28:20 AM

Kitchen Consultant
C&T DESIGN AND EQUIPMENT
2750 Tobey Drive
Indianapolis, IN 46219
800-886-3374



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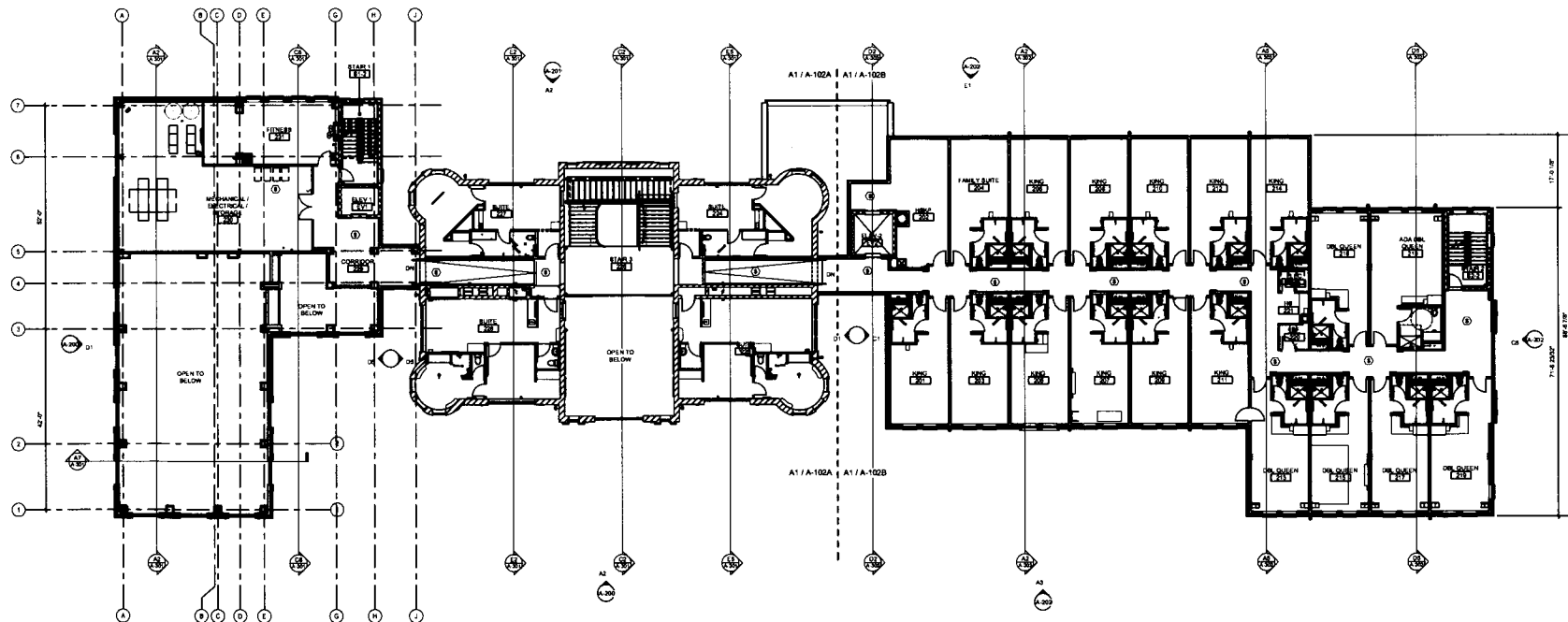
RATIO

PROJECT NO. 22013.000

SHEET TITLE
**SECOND FLOOR
OVERALL PLAN**

SHEET NUMBER

A-102



SECOND LEVEL FLOOR PLAN
3/32" = 1'-0"

NOT FOR CONSTRUCTION

**Grand Gardner
Hotel**
354 West Jefferson St
Valparaiso, IN 46383

Owner:
URSICHEL DEVELOPMENT CORPORATION
1800 Cutting Edge Drive
Chesterton, IN 46304

Architect:
RATIO
101 South Pennsylvania Street
Indianapolis, Indiana 46204
317-633-0340

Structural Engineer:
LYNCH HARRISON BRUMLEY
550 Virginia Avenue
Indianapolis, IN 46203-1744
317-423-1560

Mechanical / Electrical Engineer:
CIRCLE DESIGN GROUP
8228 Delaware Row #150
Indianapolis, IN 46240

Civil Engineer:
ABONMARCHÉ
17 N WASHINGTON STREET
Valparaiso, IN 46383
574-232-8700

Landscape Architect:
LAKEHORE LANDSCAPING, INC.
P.O. Box 1310
Valparaiso, IN 46384
219-462-8555

Kitchen Consultant:
CAT DESIGN AND EQUIPMENT
2750 Toney Drive
Indianapolis, IN 46219
800-666-3314



KEY PLAN

SEAL / DATE

SHEET ISSUE	
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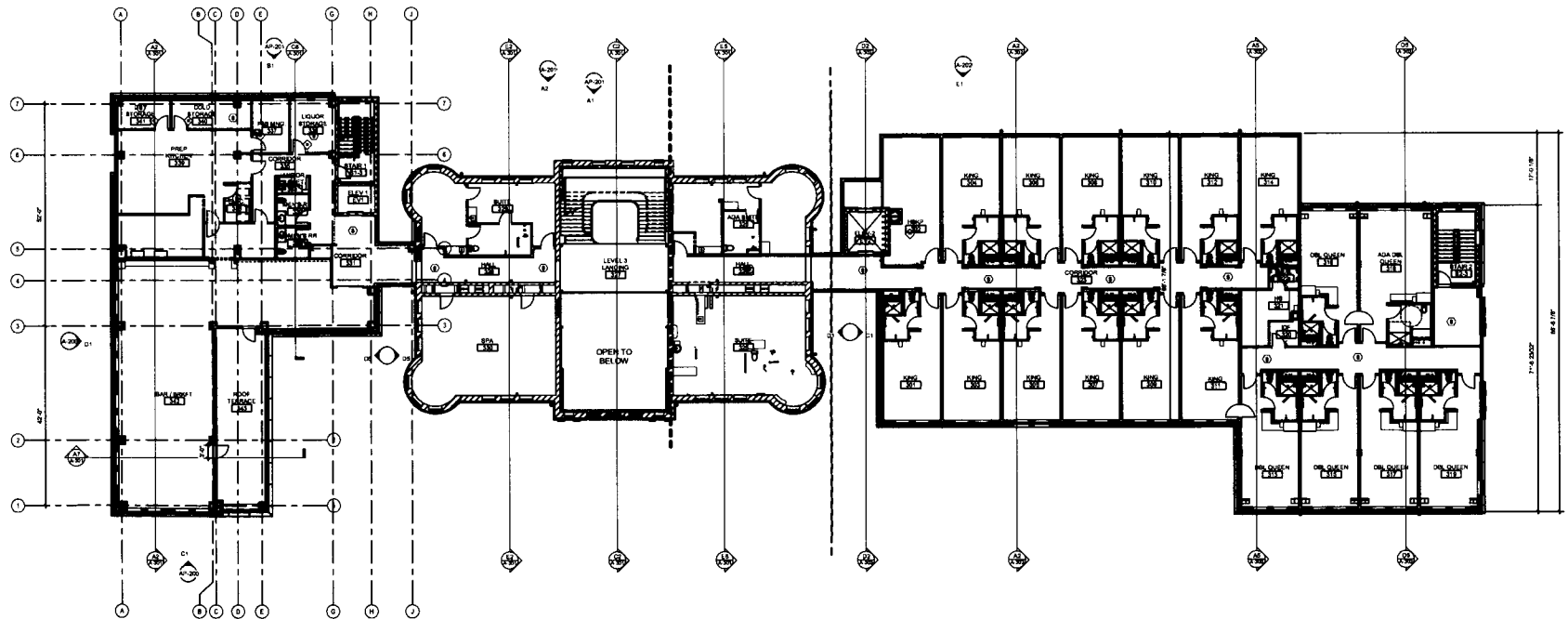
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PROJECT NO. 22013.000

SHEET TITLE
**THIRD FLOOR
OVERALL PLAN**

SHEET NUMBER

A-103



THIRD LEVEL FLOOR PLAN
3/27/10 11:26:48 AM

NOT FOR CONSTRUCTION

Owner
URSHEL DEVELOPMENT CORPORATION
1200 Cutting Edge Drive
Chesteron, IN 46304

Architect
RATHO
101 South Pennsylvania Street
Indianapolis, Indiana 46204
317-633-4040

Structural Engineer
LYNCH HARRISON BRUMBLE
550 Virginia Avenue
Indianapolis, IN 46203-1744
317-423-1550

Mechanical / Electrical Engineer
CIRCLE DESIGN GROUP
 9229 Delegates Row #150
 Indianapolis, IN 46240

Civil Engineer
ABONMARCHÉ
 17 N WASHINGTON STREET
 Valparaiso, IN 46383
 574 232 8700

Landscape Architect
LAKE SHORE LANDSCAPING, INC.
P.O. Box 1310
Valparaiso, IN 46384
219-462-9555

Kitchen Consultant

C&T DESIGN AND EQUIPMENT
2750 Tobey Drive
Indianapolis, IN 46219
800-886-3374



SEAL | DATE

[illegible]

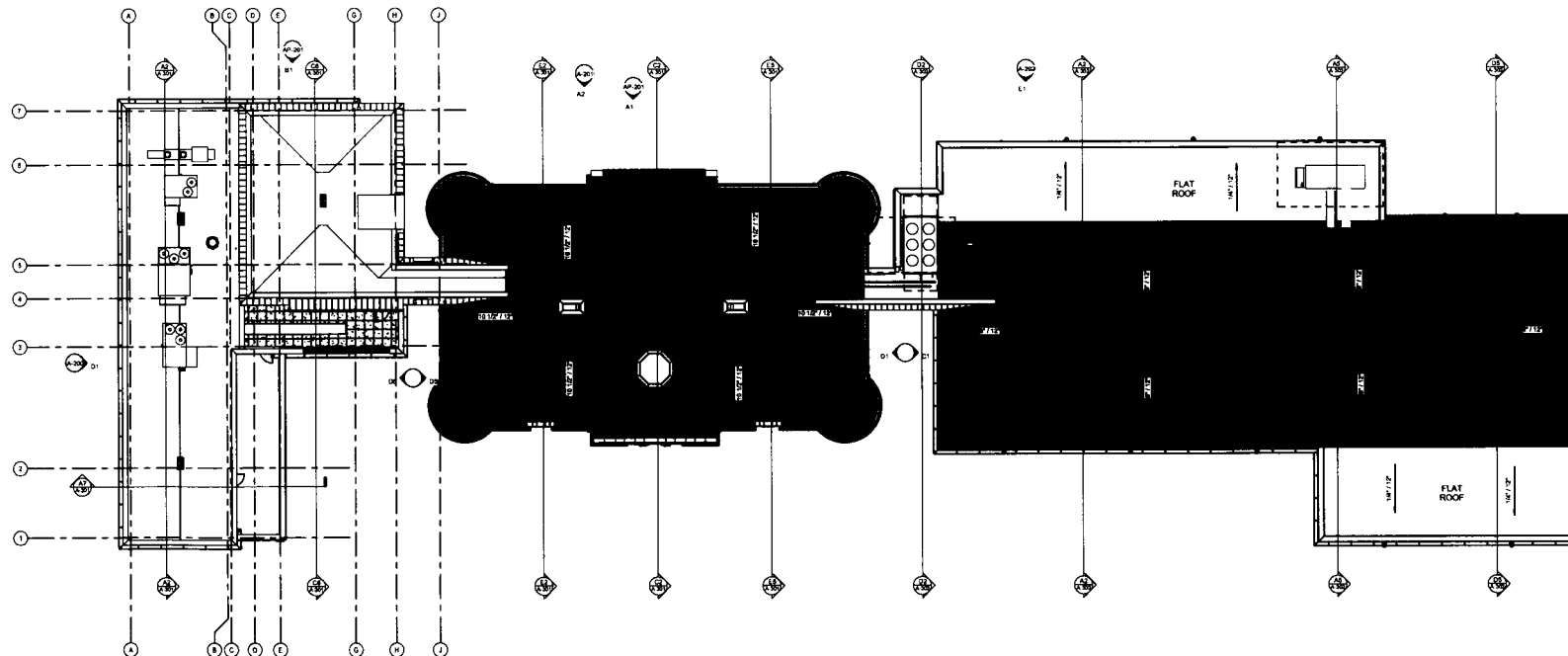
RATIO

PROJECT NO. 22013.000

**OVERALL ROOF
PLAN**

SHEET NUMBER

NOT FOR CONSTRUCTION



BASE- Roof Level OVERALL
2.02' = 1'-0"

3/24/2023 11:27:09 AM

KEYNOTES (SPEC BASED)

ITEMS	
081204 05	
042300 A61	FACE BRICK
042300 A62	CAST STONE TIRM
042300 A63	STAIR ROSE STONE CLADDING SYSTEM
	LIMESTONE
047200 A01	CAST STONE TIRM
087311 0251	SHORT MOUNDED GLASS RAIL
073111 A02	ALUMINUM RAILING
073111 A03	METAL BRIMOLA STEEL
094113 18 A01	WAFERING BEAM METAL ROOF PANELS
094000 0251	HANDLING GUTTER
079800 0251	CONCRETE
073111 A02	CONCRETE DETAIL MANUFACTURED
084113 B01	GLAZED ALUMINUM CURTAIN WALLS - FRAME
	GLASS PER ALUMINUM CURTAIN WALLS
084113 B04	ALUMINUM WINDOW - FOLD
084113 B05	GLASS COVER - EXTRUDED ALUMINUM, 800
	CONCRETE

**Grand Gardner
Hotel**
354 West Jefferson St
Valparaiso, IN 46383

Owner
URSHEL DEVELOPMENT CORPORATION
1200 Cutting Edge Drive
Chesterton, IN 46304

Architect
RATIO
101 South Pennsylvania Street
Indianapolis, Indiana 46204
317-633-4040

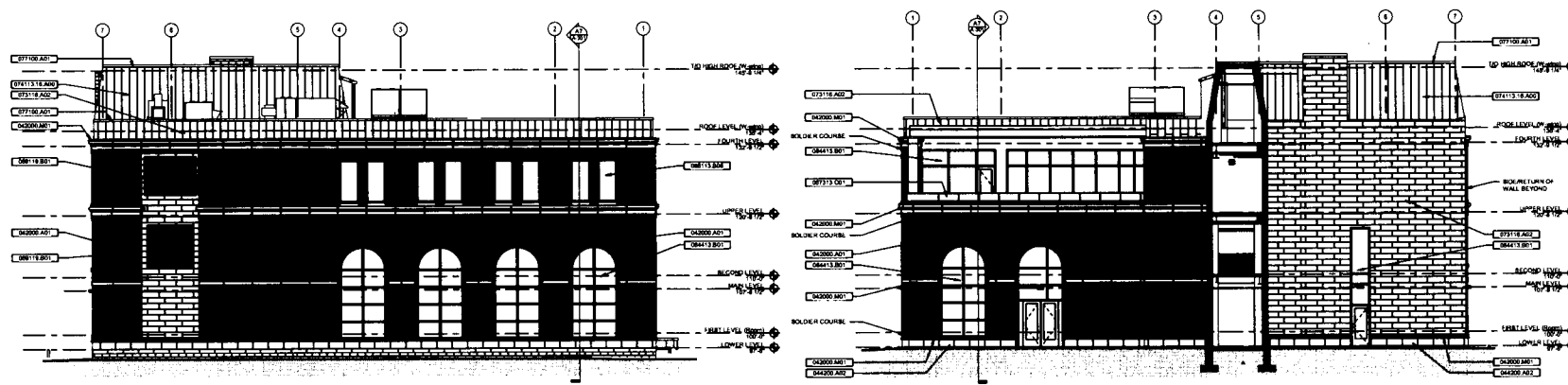
Structural Engineer
LYNCH HARRISON BRUMBLEY
530 Virginia Avenue
Indianapolis, IN 46203-1744
317-423-1550

Mechanical / Electrical Engineer
CIRCLE DESIGN GROUP
9229 Delaware Row #150
Indianapolis, IN 46240

Civil Engineer
ABONMACHE
17 N. WASHINGTON STREET
Valparaiso, IN 46383
317A 232 8700

Landscape Architect
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Valparaiso, IN 46384
219.462.0555

Kitchen Consultant
C&T DESIGN AND EQUIPMENT
2750 Tobey Drive
Indianapolis, IN 46219
800-666-3374



WEST ELEVATION - WEST ADDITION

EAST ELEVATION - WEST ADDITION



SOUTH ELEVATION - WEST ADDITION

NOT FOR CONSTRUCTION

A-200

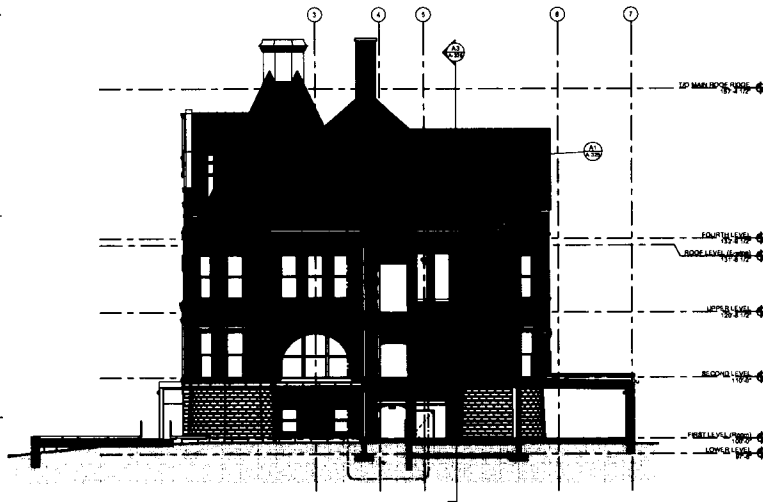
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PROJECT NO. 22013.0

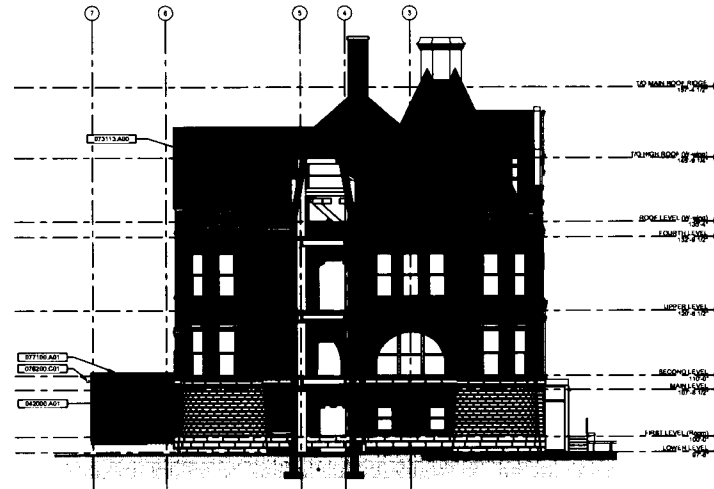
SHEET TITLE
**EXTERIOR
ELEVATIONS**

SHEET NUMBER

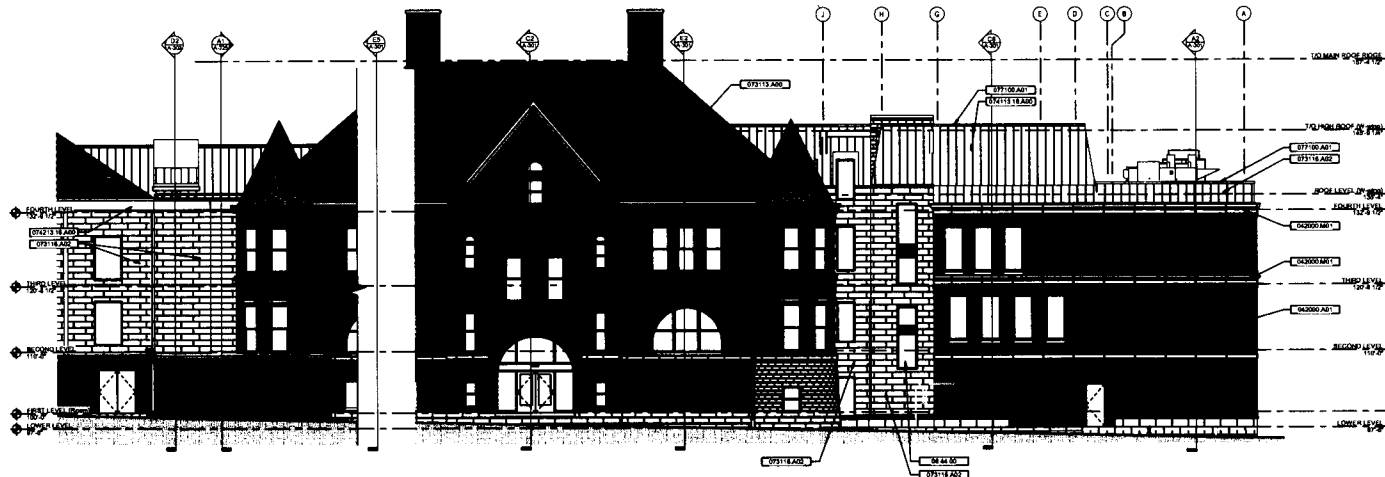
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D1
EAST ELEVATION - EXISTING BUILDING
1/8" = 1'-0"



D2
WEST ELEVATION - EXISTING BUILDING
1/8" = 1'-0"



A2
NORTH ELEVATION - WEST ADDITION
1/8" = 1'-0"

KEYNOTES (SPEC BASED)

KEYNOTE	DESCRIPTION
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**Grand Gardner
Hotel**
354 West Jefferson St
Valparaiso, IN 46383

Owner:
URSHEL DEVELOPMENT CORPORATION
1300 Cutting Edge Drive
Chandler, IN 46304

Architect:
RATIO
101 South Pennsylvania Street
Indianapolis, Indiana 46204
317-433-4040

Structural Engineer:
LYNCH HARRISON BRUMLEY
550 Virginia Avenue
Indianapolis, IN 46203-1744
317-423-1300

Mechanical / Electrical Engineer:
CIRCLE DESIGN GROUP
9228 Delamater Road #150
Indianapolis, IN 46240

Civil Engineer:
ABONMARCHÉ
1716 Washington Street
Valparaiso, IN 46383
317-232-8720

Landscape Architect:
LAKEHURST LANDSCAPING, INC.
P.O. Box 1310
Valparaiso, IN 46384
219-482-9555

Kitchen Consultant:
CAT DESIGN AND EQUIPMENT
2750 Today Drive
Indianapolis, IN 46219
800-966-3374

SCALE / DATE

SHEET ISSUE

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RATIO
101 South Pennsylvania Street
Indianapolis, Indiana 46204
317-433-4040

PROJECT NO. 22013.000

SHEET TITLE
EXTERIOR ELEVATIONS

SHEET NUMBER

A-201

NOT FOR CONSTRUCTION

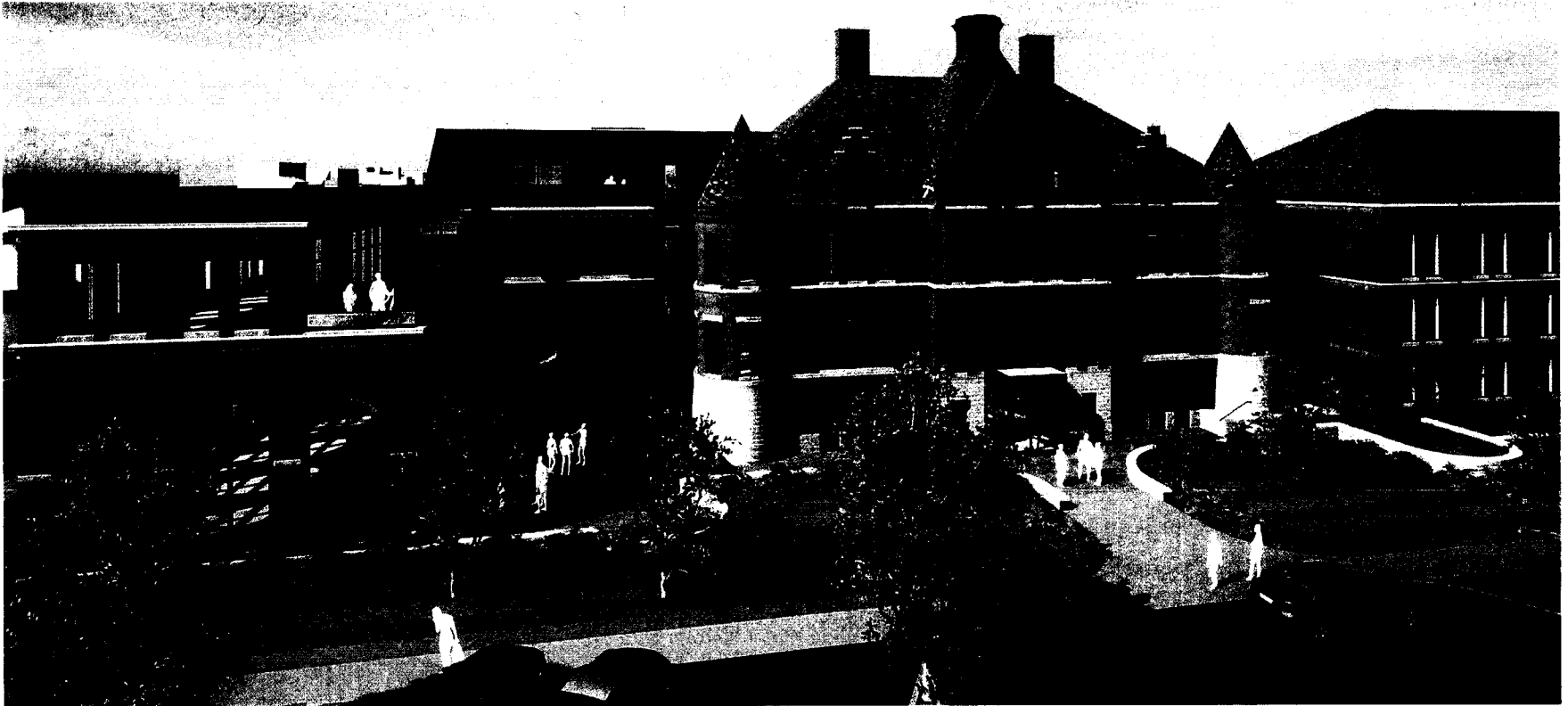
A-202

NOT FOR CONSTRUCTION

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EXHIBIT D

Building Renderings



SOUTHWEST AERIAL

RATIO


GRAND GARDNER HOTEL 4/18/2023



SOUTHEAST PERSPECTIVE

RATIO
□



SOUTH AERIAL

RATIO


GRAND GARDNER HOTEL 4/18/2023

EXHIBIT E

Landscape Plan Lakeshore Landscaping

Grand Gardner Hotel Landscaping

Landscape Plan

36" Egress

Fountain w/ planting beds

Hardwood Bark Mulch (TYP)

Perennials with 15' Maintenance gravel strip (TYP)

Parking lot screening consists of a fence, trees, and ornamental grasses.

New Parking

Limestone Mortarless Block Retaining Wall

Jefferson Street

Hydroseed (area)

Parking lot screening consists of a fence, trees, and ornamental grasses.

- Fountain w/ planting beds

Perennials
with 1.5'
Maintenance
gravel strip
(TYP)

36°
Egres

Limestone -
Mortarless Block
Retaining Wall

Jefferson Street



Plant Schedule

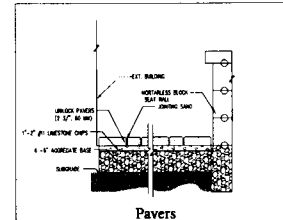
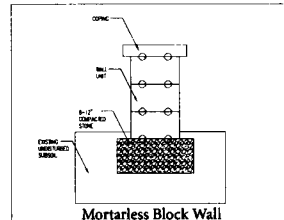
THROW	CODE	BOTANICAL NAME	COMMON NAME	SIZE	CONTAINER	QTY	
	QLE	<i>Glossy Starburst</i>	Honey Locust	1.5' Cal	968	3	
	OLR	<i>Gymnocladia dioica</i>	Radiata Catalpa	2.5' Cal	968	3	
	MYB	<i>Hyacinthoides</i>	Tulips	2.5' Cal	968	3	
	QBC	<i>Quercus bicolor</i>	Burpee White Oak	2.5' Cal	968	3	
	THROWING THORN <td>BOTANICAL NAME</td> <td>COMMON NAME</td> <td>SIZE <td>CONTAINER</td> <td>QTY</td> </td>	BOTANICAL NAME	COMMON NAME	SIZE <td>CONTAINER</td> <td>QTY</td>	CONTAINER	QTY	
	ACX	<i>Actinidia chinensis</i>	Brewing Maple	---	---	3	
	SHRUB THORN <td>BOTANICAL NAME</td> <td>COMMON NAME</td> <td>SIZE <td>CONTAINER</td> <td>QTY</td> </td>	BOTANICAL NAME	COMMON NAME	SIZE <td>CONTAINER</td> <td>QTY</td>	CONTAINER	QTY	
	AAM	<i>Amelanchier canadensis</i>	Autumn Brilliance Apple Brambleberry	1.5' Cal	968	9	
	CRB	<i>Cornus canadensis</i>	Spotted Redbud	1.5' Cal	968	6	
	MAG	<i>Magnolia x soulangiana</i>	Bouder Magnolia Multi-Floral	1.5' Cal	968	6	
	STR	<i>Syringa reticulata</i>	Japanese Tree Lilac	1.5' Cal	968	6	
	VB	<i>Viburnum lentago</i>	Nannyberry	1.5' Cal	968	3	
	SHRUBS <td>BOTANICAL NAME</td> <td>COMMON NAME</td> <td>SIZE</td> <td>CONTAINER</td> <td>QTY</td>	BOTANICAL NAME	COMMON NAME	SIZE	CONTAINER	QTY	
	ARD BOW	<i>Ardisia cuneata</i>	Low Spine Hedge Bush Cherryberry	3 gal	Pat	18	
	HAR	<i>Hydrangea macrophylla</i>	Anabelle Hydrangea	3 gal	Pat	24	
	HYCZ	<i>Hydrangea macrophylla</i>	Tulsi-n-Bloom Hydrangea	3 gal	Pat	18	
	PP	<i>Philadelphus</i>	Berry Poppins Weiberry	3 gal	Pat	22	
	PP	<i>Philadelphus</i>	Mr. Poppins Weiberry	3 gal	Pat	2	
	PHN	<i>Phytolacca dioica</i>	Heavy Metal Bush Grass	3 gal	Pat	30	
	SHRUBS AND	BOTANICAL NAME	COMMON NAME	SIZE	CONTAINER	SPACING	QTY
	ABT	<i>Abutilon</i>	Peace Blossom Asters	1 gal	Pat	11 1/2' x 12' x 6"	92
	GER	<i>Geranium</i>	Beverly Hills Super Geranium	1 gal	Pat	11 1/2' x 12' x 6"	60
	HAC	<i>Hemerocallis</i>	Pardon My Chilly	1 gal	Pat	11 1/2' x 12' x 6"	62
	PCB	<i>Penstemon</i>	Blue Penstemon	1 gal	Pat	11 1/2' x 12' x 6"	67
	PPC	<i>Philadelphus</i>	Angel Chorus Penstemon	1 gal	Pat	11 1/2' x 12' x 6"	62
	PCB	<i>Penstemon</i>	Lambert's Chorus Penstemon	1 gal	Pat	11 1/2' x 12' x 6"	67
	RBC	<i>Rubus</i>	Goldmine Rubus	1 gal	Pat	11 1/2' x 12' x 6"	62
	RA	<i>Rosa</i>	My Rose	1 gal	Pat	11 1/2' x 12' x 6"	62
	SHR	<i>Shrub</i>	Big Rose Lady's Eye	1 gal	Pat	11 1/2' x 12' x 6"	62

NOTE: Plant availability subject to nursery stock inventory. Appropriate substitution will be applied in the event that these plants are unavailable.

UDO Calculations					
Grand Quarter Total:					
<u>PLANTS REQUIRED</u>					
(No-Lot Landscaping)					
		LARGE	SMALL	SHRUBS or PERENNIALS	
TOT	Per Acre	8	10	136	
	Aspen	9	10	110	
	Limbed	2	11	148	
	Powdered				
<u>Parking Lot Landscaping Standards</u>					
		TREES	Ornamental where CREU	SHRUBS or PERENNIALS	
	Per Space				
51	New Parking Spaces	7	0	14	
	Lot Powdered	7	8	11	
	Street Trees				
		LARGE	Ornamental where CREU		
	40'		See 4.1		
791	Limbed Post	10			
	Dense Spaced	0	5		
	Transit Powerline	0	0		
	Medium River	0	0		
<u>PLANTING STANDARDS</u>					
		LARGE	SMALL	SHRUBS	
		71	16	141	
		11	71	(8)	
<u>SECTORS</u>					
<u>PROVIDED</u>					

PLANTS REQUIRED				SHELBS or PERLENAIOALS	
On-Set Landscaping					
Per Acre				LARGE	SMALL
				6	16
120	Acres			9	16
	Planted			9	16
	Provided			2	11
Per Set Landscaping Standards					148-
Per 8 spaces				TRIPS	1
				Optional when CPU	SHELBS or PERLENAIOALS
11	New Parking Space			9	14
	Planted			9	14
	Provided			2	11
Shrub Tree					
				LARGE	Optional when CPU
722	Landscaping	60	Run s.c.		
	Plant Spacing	10	0		
	Tree Spacing	2	0		
	Shrub Tree	2	0		
				LARGE	SMALL
					SHELBS
SHELBS				71	71
SHELBS				16	16
SHELBS				16	16

Hardscape Details



Planting Details

River Rock Maintenance Strip

1/2" Gravel Permeable
1/2" on center

Proposed Tree

12"

Flowering Perennial/River Rock Maintenance Strip Detail - (no scale)

12"

Tree Planting Detail

1/2" Trunk

1/2" Root Ball

1/2" Root Ball

Shrub Planting Detail

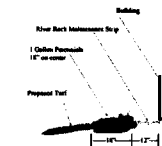
1/2" Trunk

1/2" Root Ball

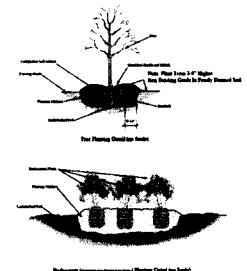
1/2" Root Ball

LAKESHORE LANDSCAPING, INC.

2012 STATE OF MICHIGAN



Flowering Perennial/River Rock
Maintenance Strip Detail - (no scale)



LAKE SHORE
LANDSCAPING, INC.