



**MINUTES OF THE REGULAR MEETING OF THE
MICHIGAN CITY PLAN COMMISSION
SEPTEMBER 23, 2025**

The Michigan City Plan Commission held their regular monthly meeting in the Common Council Chambers, City Hall, 100 East Michigan Boulevard, Michigan City, Indiana, on Tuesday, September 23, 2025, at 6:00 p.m. local time; the date, hour, and place duly established for the holding of said meeting. Access LaPorte County Media recorded the meeting and is available for viewing on their website.

CALL TO ORDER

President de'Medici called the meeting to order at approximately 6:00 p.m.

ROLL CALL

Mr. York called the roll.

Commissioners present: Ross Balling, Bryant Dabney, Bruce de'Medici, Steve DePalma, Fred Klinder, Rose Tejeda, Timothy Werner – 7 (all in person)

Commissioners absent: Antonio Conley, Roscoe Hoffman – 2

Also in attendance: Redevelopment Executive Director Skyler York, Attorney Steven Hale, Public Works Director Wendy Vachet, Redevelopment Business Manager Debbie Wilson

APPROVAL OF AGENDA

With no amendments to the agenda, a motion was made by Commissioner Tejeda and seconded by Commissioner Dabney approving the agenda for the September 23, 2025, meeting as presented. The roll was called and the vote taken: (Ayes) Commissioners Balling, Dabney, de'Medici, Klinder, Tejeda, Werner – 6; (Nays) None – 0; (Abstain) Commissioner DePalma. With 6 in favor, 0 opposed, and 1 abstention, the MOTION CARRIED.

MINUTES

With no corrections or amendments to the minutes, a motion was made by Commissioner Klinder and seconded by Commissioner Balling approving the minutes of July 22, 2025, regular hybrid meeting as submitted. The roll was called and the vote taken: (Ayes) Commissioners Balling, Dabney, de'Medici, DePalma, Klinder, Tejeda, Werner – 7; (Nays) None – 0. With 7 in favor and 0 opposed, the MOTION CARRIED.

PETITION(S)

Petition P-101-25: Shad Brennan Investing Partnership requesting to Rezone from M2 to R1C, at 504 Eastwood Road 46-01-24-100-004.000-022 (5 acres – residence); 46-01-24-100-068.000-022 (15 acres – small structures), to either remodel or rebuild structures on the 15 acres. Represented by Attorney Anthony G. Novak

Attorney Hale stated that he reviewed the notice documentation provided by the Petitioner and advised that it is in conformance with the notice requirements, so the Plan Commission is free to consider this matter tonight.

Anthony Novak (in person) introduced himself stating that he is an attorney with Newby Lewis Kaminski and Jones in LaPorte, and he is present tonight on behalf of the Petitioner, Shad Brennan Partnership. He acknowledged Leslie Shad and Joe Brennan (the partners) being present in person.

Mr. Novak stated that this is a simple rezoning request from M2 to R1C. It is two parcels of land, totaling 20 acres. He pointed out that it is likely M2 because it is just west of Highway 212, adjacent to Midwest Metal and Sanlo Manufacturing, although across Eastwood Road to the east it is zoned R1C.

Mr. Novak gave a background on the Petitioners stating that their primary focus in retirement is preservation and restoration of natural areas. Mr. Brennan is an active member of the Shirley Heinze Land Trust and Ms. Shad was on the National Wildlife Federation for ten years. In 2015 she founded and continued to lead Natural Habitat Evanston, a community group in Evanston, Illinois that restores tree canopies, parks, and undisturbed neighborhoods, and encourages pollinator gardens instead of turf grass.

Mr. Novak stated that this property used to be known as Clark's Secret Garden, a landscaping and nursery business. Mr. Brennan and Ms. Shad purchased the property in 2014, with the overall objection to preserve it for their children in the future and to restore the native habitat for birds and pollinators; never to develop it commercially. There is a residence and other small structures on the property, apparently constructed by Clark's and possibly used as their primary residence. In 2024, Mr. Brennan and Ms. Shad got estimates for repairs to the residence, but the contractor indicated that it needs to be torn down. When talking to Planning staff, their options were to leave it zoned M2 and try to get a variance to build a new residence or seek a rezoning. The Petitioners do not

ever want it to be commercial and want it to stay as natural as possible, so they decided to seek a rezoning. They have no current plans other than to preserve its natural beauty and are hoping to build a residence on it in the future, thus the request to rezone from M2 to R1C.

Commissioner de'Medici asked Mr. Novak to explain for general knowledge purposes why they would need to get a rezoning when this is a less restrictive use.

Mr. Novak stated that he is not sure it is a permitted use to build a residence in an M2. Knowing that if they got it down zoned and would not need a variance was their main drive, and they liked the idea that they could make the property more restrictive in the future if it ever changed hands.

Mr. York added to comments, explaining that it is pyramidal and hierarchical the way the zoning code is, and at B2 all residential use drops out. Also, he explained that if they repair the house and it burned down, they will have a tough time building it back; mortgages become restrictive. He said he has also seen banks not go with variances.

Mr. Novak also pointed out that without the Petitioners having plans for placement and setbacks of a structure on the property, it would be difficult to request a variance. The rezoning gave them more options.

Mr. York agreed that it does protect the land.

Mr. York read the staff report into the record (attached hereto and made a part of this record [1]), recommending approval and forwarding the request to the City Council with a favorable recommendation.

Attorney Hale read his report into the record (attached hereto and made a part of this record [2]). He outlined the process the Plan Commission must follow which includes holding a public hearing and certifying the proposed change in zoning to the Common Council. The Common Council changes the zoning designation, not the Plan Commission. The Plan Commission shall certify to the Common Council the request to rezone the property with either a favorable recommendation, an unfavorable recommendation, or no recommendation.

The chair opened the hearing to public comment.

Tommy Kulavik (in person) 1316 Ohio Street suggested that the petitioners put it in their will to donate the property to the Shirley Heinze Land Trust.

Scott Meland (in person) 200 Kenwood Place, commented that he is a fan of both development and private property rights. He stated that he supports their goals. His concern is that this property is surrounded by M2 and questioned how that would impact

them later. He suggested that the City down zone this entire M2 pocket for future residences.

Commissioner Klinder asked for clarification from Mr. Novak on the conflict between the petition write up on the agenda indicating remodeling/rebuilding of the structures versus the presentation indicating that they are not planning to do anything as far as redevelopment.

Mr. Novak explained that the description is misleading or inaccurate. There are structures on both parcels – a home on the 5 acres and smaller structures on the 15 acres. There are no current plans, but if they do build a residence, it would be on 5 acres, and the other 15 acres would not have a residence on it.

A motion was made by Commissioner Klinder and seconded by Commissioner Werner approving Petition P-101-25 for Rezoning from M2 to R1C at 504 Eastwood Road and forward it onto the Common Council with a favorable recommendation based on the findings in the staff report, along with the Plan Commission Certification and attached proposed ordinance (attached hereto and made a part of this record [3]). The roll was called and the vote taken: (Ayes) Commissioners Balling, Dabney, de'Medici, DePalma, Klinder, Tejeda, Werner – 7; (Nays) None – 0. With 7 in favor and 0 opposed, the MOTION CARRIED.

OLD BUSINESS / NEW BUSINESS

Discussion of Zoning Ordinance Amendments:

Due to technical issues, Mr. York could not show the presentation, although he distributed a hard copy of it to Commissioners for their review. He indicated that at the next meeting they will have an ordinance prepared and he would like to show this presentation and go over it again.

Mr. York explained that there is a lot of development happening in Michigan City. Even though they are all great, the neighborhoods have been overlooked; what it takes to get housing (infill housing) back into our neighborhoods, how to get non-conforming lots back into conformance, and how to encourage development back in there. He pointed out that this code already exists in the current code as part of the R1C and is referred to as the Neighborhood Preservation Ordinance. The goal of that was to allow flexibility in some of the previous subdivided lots, but only in the R1E area (Sheridan Beach, back of the dunes...) mainly to defer a lot of variances. He said his goal of the Preservation Ordinance was always to expand it.

Mr. York pointed out that when Michigan City was developed over time, there was a first ring suburb which had gridded street patterns and 40'-45'x100' lots on a block with roads, streets, and sidewalks in between and infrastructure either in the alley or street. This encouraged density in the neighborhoods. He explained that the problem now is if someone wants to buy these lots and build on it, our minimum required square footage is

1,000 square feet with setbacks of 20' in the front and rear and 5' on the sides. As a result, they would need to get a variance to build on one of these older neighborhood lots. He said it is a deterrent for people to reinvest in our downtown and historic neighborhoods. The Redevelopment Commission does not have enough resources to get things back in order like they used to be. To do this, Mr. York said we need to create flexible code to allow this. Flexibility allows investment in the form of new homes in older neighborhoods; it creates a by right process which means if it meets the code, a permit can be issued; it preserves neighborhood character; it allows smaller homes that fit into the neighborhoods; without flexibility, people that want to build new homes would have to go through the Board of Zoning Appeals process. Mr. York said he had used this code to get homes into block faces where there were vacant lots. There needs to be flexible standards for the R1E and R1D districts. Flexibility already exists in the R1E; it allows flex for the front, side, and corner setbacks. Mr. York said he added in a minimum square footage of a home. Current standards in the R1E and R1D without flexibility are a 20' setback, a corner lot (2 front yards) 20' on the side and 20' in the front. This makes a 40-45' lot unbuildable without a variance. The minimum square footage is 1,000 square feet. Mr. York referred to his presentation and explained how he has determined the setbacks in these older neighborhoods by taking an average of the setbacks in a block using the lots only with houses on them. All the vacant lots would use the average setback. He also averaged their square footage based off the average setback. This allows for homes to be built on these lots in the older neighborhoods. He explained how he determines the square footage for the lots as well as how he determines standards for a corner lot by maintaining 10' between houses and at the corner which would leave a 1,000 square foot box to build in.

Mr. York talked about the benefits of doing this stating that it creates sustainable development because the infrastructure is already there; it allows the re-use of land without annexation and provides more assessed value within our city; it creates a by right process for infill development without the need for variances and establishes a clear direction for builders, it creates faster development for infill homes paving the way to get homes in the historic neighborhoods.

Mr. York mentioned that alternative standards are not meant to be used holistically, they are meant to be al a carte; not all new homes require the use of all new standards. The overall goals are to encourage reinvestment in the older neighborhoods and preserve community character; allow flexibility but maintain an equitable approach that will allow new homes to fit into the neighborhoods. He said this would be very advantageous on the east and west sides of the city.

Commissioner DePalma asked if this would apply to all lots.

Mr. York replied affirmatively but pointed out that it only applies in the R1E and R1D districts because those are the smaller lots within the first historic ring around the city. This would make 90% of those lots buildable, although there will always be that anomaly.

Commissioner Tejeda asked if the 1,000 square feet refers only to the footprint, so if there is a second level it could double the square footage.

Mr. York explained that as it is now, if there is a second level the square footage on the footprint could be reduced. In response to Commissioner Tejeda, he said he is only speaking about the footprint, not total gross square footage.

Commissioner Klinder asked if there is a way to make the variance procedure simpler so people would not be so overwhelmed by it.

Mr. York replied that this is the way to do it; it is a by right process. This is so people do not have to go through that variance process.

Attorney Hale added that a lot of these standards we have are set by state statute so there would not be the possibility of granting relief in some of the cases. The Zoning Ordinance could be changed to grant relief, but we would still have to work within the state statutes.

Commissioner de'Medici gave an example of someone wanting to buy three lots to build one very large home. He asked if what Mr. York spoke about would impact that.

Mr. York said if they bought three lots, they would have plenty of space, although they could use the setback relief if they wanted to so it would fit more into the character of the neighborhood. But if they have 7,500 square feet of a block, they probably will not need a square footage reduction.

Commissioner de'Medici commented that it sounds like one of the positive byproducts of what Mr. York is proposing is that you would get a certain standardization and a better aesthetic for the block. He asked if that is a fair vista.

Mr. York replied that it is a 100% fair vista, stating that it starts building back the neighborhoods that were there. He said the zoning code has been standardized so that it has become cumbersome to build back into the historic neighborhoods.

Public Works Director Wendy Vachet spoke in support of Mr. York. She said that this is progress to her even though it seems small in comparison to what the Plan Commission has dealt with. This is making sure Michigan City is affordable. There is a demand for smaller homes, but we currently cannot accommodate that. She attended an APA conference, and this subject was all over the place, so it is not just Michigan City. She said the more by right with flexibility also saves on staff time. This makes it doable for a lot of people and offers an affordable way to build houses, and that is what sustainability is all about.

Mr. York said he would bring this presentation and proposed ordinance back to the Commission next month.

PUBLIC COMMENTS

Tommy Kulavik (in person) 1316 Ohio Street announced the county tax sale on October 4th. He questioned if tiny houses would be allowed to be built.

Scott Meland (in person) 200 Kenwood Place thanked Mr. York and commented that this smart planning and is the most sensible thing he has heard from a government official. He questioned how many parcels are affected by this. He pointed out that variances are subject to denial, so to have matter of by right is stronger for private property. He said in his opinion that they should allow what is buildable on that lot. He affirmed his support for this.

Commissioner Werner commented that not only do we get another house on the tax rolls, but we also get another customer on the water system without having to modify the water system and another customer on the sanitation system without having to modify the sewer system.

COMMISSIONER COMMENTS

Ms. Vachet talked about some other issues staff have been dealing with, so they will be bringing some code updates to the Plan Commission in the coming months. One of those deals with the landscaping ordinance, particularly the tree protection code, as well as Transit Oriented Development (TOD) and Transit Development Districts (TDD).

Commissioner Klinder asked if there are any codes on maintaining property – lawns, building exteriors, etc.

Ms. Vachet replied that there is. She has been working with Code Enforcement, Planning, and Inspection on the unsafe building code. She will provide updates soon.

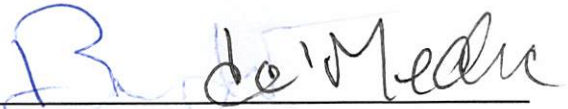
Mr. York wanted it to be clear that it is not part of the zoning code, it is part of code enforcement.

ADJOURNMENT

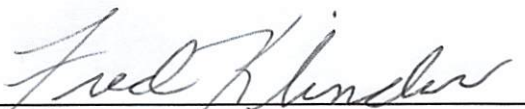
The chair entertained motion to adjourn.

A motion to adjourn was made by Commissioner Tejeda – seconded by Commissioner DePalma and unanimously approved.

The chair declared the meeting adjourned at approximately 7:15 p.m.


Bruce de'Medici, President

ATTEST:


Fred Klinder, Secretary

ATTACHMENTS

- [1] P-101-25 Staff report
- [2] P-101-25 Attorney report
- [3] P-101-25 Plan Commission Certification & proposed Common Council ordinance

PLAN COMMISSION MINUTES 9/23/2025

ATTACHMENTS 1-3

9/23/2025

**STAFF REPORT ON THE PETITION P-101-25
SHAD BRENNAN INVESTING PARTNERSHIP
504 EASTWOOD ROAD + ADDITIONAL 15 ACRES**

Request:

Rezoning of two contiguous parcels from M2 Heavy Industrial to R1C Single-Family Residential

Staff Analysis:

Two parcels of land, 20 acres total. The current most recent use as residential land, currently taxed as such. North M2 (use is residential); East M2; South M2 (use is residential); West R1C.

According to 36-7-4-603, the Planning Commission will give consideration to the following:

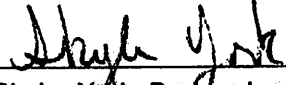
- 1) Comprehensive Plan;
- 2) Current conditions and character, structures and uses;
- 3) The most desirable use for the land in each district;
- 4) The consideration of property values throughout; and
- 5) Responsible growth and development.

The Comprehensive Plan calls for this specific area and parcels as rural undeveloped/rural residential.

- 1) The proposed use is consistent with the future land use map;
- 2) The requested change in zoning is consistent with the current character of surrounding structures and uses;
- 3) The requested rezoning will not be injurious to the surrounding property values in the area;
- 4) The area identified is suitable for the requested rezoning;
- 5) That this is not spot zoning and is consistent with adjacent zoning
- 6) That the rezoning will promote and facilitate development of property and preservation values and uses.

Staff Recommendation:

Staff has reviewed the requested rezoning and recommends approval and forwarding the request to the City Council with a favorable recommendation.


Skyler York, Redevelopment Director

Attorney Report

Petition No.: P-101-25
Petitioner/Applicant: Shad Brennan Investing Partnership
Owner: Shad Brennen Investing Partnership
Request: Rezoning from M2 to R1C
Location: 504 Eastwood Road

Also known as Parcel Numbers:

46-01-24-100-004.000-022 and
46-01-24-100-068.000-022

The Petitioner is requesting a rezoning from M2 Heavy Industrial District to R1C Single Family Residential District to either remodel or rebuild the structures on the 5 acre parcel (46-01-24-100-004.000-022) and to conserve the natural beauty of both parcels rather than to develop for manufacturing or other intensive uses, having no specific plans, but would like to preserve the flexibility (non-binding) to build a small residence for family to stay there in the future.

The Plan Commission must follow the procedures set out in Indiana Code 36-7-4-602(c) as well as the procedures set out in the Michigan City Zoning Ordinance, and, following a public hearing, certify the proposed change in zoning to the Michigan City Common Council for its decision to pass or not pass an ordinance establishing the new zoning designation. It is the Common Council that changes the zoning designation, the Plan Commission studies the request and makes a recommendation to the Council. See Indiana Code 36-7-4-604 for the requirement of a public hearing and the notice requirements.

In considering the rezoning request, the Plan Commission "shall pay reasonable regard to": the comprehensive plan; current conditions, and current structures and uses, in the zoning district; the most desirable use for the property; the conservation of property values throughout the city; responsible development and growth; the topography, soil conditions and physical features of the Property; the request will not confer a special benefit on a small parcel "without commensurate benefit to the community" (i.e. no spot zoning); and the neighborhood plan. See Indiana Code 36-7-4-603 and Section 30.07 of our Zoning Ordinance for these decision criteria.

Following the public hearing, the Plan Commission shall certify to the Common Council the request to rezone the Property:

- (1) with a favorable recommendation; or,
- (2) with an unfavorable recommendation; or,
- (3) with no recommendation.

See Indiana Code 36-7-4-605(a)(3) and Section 30.04 of our Zoning Ordinance.

In addition to any recommendation, a Petitioner may be required by the Plan Commission to make a commitment. See Indiana Code 36-7-4-1015 and Section 30.08 of our Zoning Ordinance regarding commitments.

The record includes:

1. The materials submitted by the Petitioner, including:
 - (a) Instructions for filing a Petition before the City of Michigan City Plan Commission.
 - (b) Michigan City Plan Commission Petition for Public Hearing for rezone from M2 to R1C signed by Applicant/Owner "Petitioner" Leslie Shad, Partner of Shad Brennan Investing Partnership.
 - (c) Exhibit 1A - Broad map (Beacon map) showing relative location of property.
 - (d) Exhibit 1B - Zoomed map (Beacon map) showing property.
 - (e) Exhibit 1C - Map (Beacon map) showing zoning of nearby properties.
 - (f) Exhibit 2 - Written description of project.
 - (g) Exhibit 3 - Deed from Clark to Petitioner recorded as 2014R-13232 with legal description.
 - (h) Exhibit 4A - Map showing properties within 300'.
 - (i) Exhibit 4B - Owners and addresses of properties within 300'.
2. Planning Department Report dated September __, 2025.
3. This Report.
4. Materials and testimony that may be presented at the public hearing to be held September 23, 2025.

Respectfully submitted,

Steven A. Hale

1.

CERTIFICATION OF THE
PLAN COMMISSION OF THE CITY OF MICHIGAN CITY, INDIANA

WHEREAS, Shad Brennan Investing Partnership, Petitioner, filed a Petition ("the Petition"), namely Petition P-101-25, with the Michigan City Plan Commission seeking a change in the zoning designation for certain real property as described and shown on Exhibit A attached hereto and made a part hereof (referred to herein as the "Real Estate") from M2 to R1C and,

WHEREAS, after the giving of notice as required by law, the Michigan City Plan Commission conducted a public hearing on the Petition on September 23, 2025; and,

WHEREAS, having given due consideration to how the proposed zoning change will affect or conform to: (1) the City's Comprehensive Plan; (2) the current conditions and the character of current structures and uses in the affected zoning district; (3) the most desirable and reasonable uses for which all property in the affected zoning district is adapted; (4) the need to conserve property values throughout the City and in the affected zoning district; (5) whether the proposed zoning change is consistent with responsible development and growth in the City of Michigan City; and, (6) other applicable matters set out in Indiana Code 36-7-4-603 and Section 30.07 of our Zoning Ordinance; and,

WHEREAS, having given due consideration to the input, opinions, statements and remonstrances of the public as well as the recommendation and presentation of its staff regarding the Petition, as this was presented to the Plan Commission during the public hearing; and,

WHEREAS, the Plan Commission made the following findings of fact concerning the Petition:

1. That the Petition concerns a request to rezone two lots: at 504 Eastwood Road and is also known as Parcel Nos. 46-01-24-100-004.000-022 and 46-01-24-100-068.000-022; and,
2. That the Real Estate to be rezoned consists of adjacent lots; and,
3. That the Real Estate is currently zoned as M2; and,
4. That the Petitioner requests that the Real Estate be rezoned to R1C; and,

5. That the requested change in zoning will be consistent with the Michigan City Comprehensive Plan; and,
6. That the requested change in zoning will be compatible with the conditions and character of current structures and uses in the general neighborhood of the Real Estate; and,
7. That the requested change in zoning will provide for the most reasonable uses for which the Real Estate is adapted and the proposed land use will not have an adverse effect on surrounding property; and,
8. That the requested change in zoning will not be injurious or detrimental to the surrounding property values and will further the conservation of property values throughout the general neighborhood of the Real Estate; and,
9. That the requested change in zoning will promote orderly and responsible community growth and development and will not adversely affect the community nor the nearby neighborhood; and,
10. That the Real Estate, as well as its location and nearby zoning districts, is suitable for the proposed zoning change; and,
11. That the requested change in zoning is not "spot zoning" which will confer a special benefit on a relatively small tract without commensurate benefit to the community; and,
12. That the requested change in zoning will not disrupt or destroy any neighborhood or corridor plan; and,
13. That the requested change in zoning will better promote and facilitate the development of the Real Estate and the preservation of property values, environment and uses in the surrounding area; and,
14. That this location is close to nearby residential development which is compatible with the project set out in the Petition.

WHEREAS, upon motion duly made and seconded, the Plan Commission adopted the above findings, approved the Petition, and passed a motion to forward the Petition to the Common Council of the City of Michigan City, Indiana with a favorable recommendation for the approval by said Common Council, by a vote of 1 ayes and 0 nays.

NOW THEREFORE, the Plan Commission of Michigan City, Indiana hereby certifies to the Common Council of the City of Michigan City, Indiana, the attached Petition P-101-25, which is seeking a change in the zoning designations for the Real Estate described herein and on Exhibit A, attached and made a part hereof, from M2 to R1C, and recommends that the Common Council approve the Petition to rezone the Real Estate as requested.

Dated this 23rd day of September, 2025.

THE ABOVE CERTIFICATION IS HEREBY PRESENTED TO THE COMMON COUNCIL OF THE CITY OF MICHIGAN CITY, INDIANA AS THE FAVORABLE RECOMMENDATION OF THE PLAN COMMISSION OF MICHIGAN CITY, INDIANA.

PLAN COMMISSION OF THE CITY OF MICHIGAN CITY, INDIANA

By:


Bruce de'Medici, President

Attest:

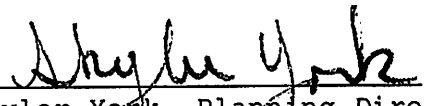

 Skyler York, Planning Director

EXHIBIT A
Ordinance No. _____
Legal Description

Parcel I: Part of the South 1/2 of the Southwest 1/4 of the Northwest 1/4 of Section 24, Township 38 North, Range 4 West of the 2nd Principal Meridian, LaPorte County, Indiana, being more particularly described as follows: Commencing at the West 1/4 corner of said Section 24, for the place of beginning; thence Northerly along the West line of said Section 24, a distance of 467.17 feet to a point; thence Easterly parallel with the East and West centerline of said Section 24, a distance of 467.17 feet to a point; thence Southerly parallel with the West line of said Section 24, a distance of 467.17 feet to a point on the East and West centerline of said Section 24; thence Westerly along said East and West centerline, a distance of 467.17 feet to the place of beginning.

Parcel II: The South 1/2 of the Southwest 1/4 of the Northwest 1/4 of Section 24, Township 38 North, Range 4 West of the 2nd Principal Meridian, LaPorte County, Indiana.

EXCEPT THEREFROM THE FOLLOWING DESCRIBED PARCEL:

Part of the South 1/2 of the Southwest 1/4 of the Northwest 1/4 of Section 24, Township 38 North, Range 4 West of the 2nd Principal Meridian, LaPorte County, Indiana, being more particularly described as follows: Commencing at the West 1/4 corner of said Section 24, for the place of beginning; thence Northerly along the West line of said Section 24, a distance of 467.17 feet to a point; thence Easterly parallel with the East and West centerline of said Section 24, a distance of 467.17 feet to a point; thence Southerly parallel with the West line of said Section 24, a distance of 467.17 feet to a point on the East and West centerline of said Section 24; thence Westerly along said East and West centerline, a distance of 467.17 feet to the place of beginning.

MICHIGAN CITY COMMON COUNCIL

ORDINANCE NO. _____

AMENDING THE ZONING MAP OF THE CITY OF MICHIGAN CITY, LAPORTE COUNTY, INDIANA TO REZONE REAL PROPERTY LOCATED at 504 EASTWOOD ROAD FROM THE M2 (HEAVY INDUSTRIAL DISTRICT) ZONING DISTRICT CLASSIFICATION TO RIC (SINGLE FAMILY RESIDENTIAL DISTRICT) ZONING DISTRICT CLASSIFICATION

WHEREAS, on July 15, 2025, Shad Brennan Investing Partnership ("Property Owner" and "Petitioner") filed a Rezoning Application ("Application") and a Petition for Public Hearing (together the "Petition"), with the Plan Commission ("Commission") of the City of Michigan City, LaPorte County, Indiana ("City") to seek an amendment to the Zoning Map of the City for certain real property located at 504 Eastwood Road, with property identification numbers (PIN) of 46-01-24-100-004.000-022 and 46-01-24-100-068.000-022, and as described in Exhibit A attached hereto and referred to as the "Real Estate"; the Petition seeks to rezone said Real Estate from its current M2 (Heavy Industrial District) Zoning District classification to RIC ((Single Family Residential District) Zoning District classifications; and,

WHEREAS, the Plan Commission assigned the Petition filed as Petition No. P-101-25 and scheduled a public hearing on the Petition for September 23, 2025; and,

WHEREAS, the Commission found that the Petitioner properly provided the necessary notice to the persons, organizations, or entities via USPS certified mail/return receipt: (i) who own property within a 300 foot radius of the Real Estate (the "Affected Parties") which the Petitioner requested to be rezoned and (ii) who were required to be given notice of the filing of the Petition pursuant to the Plan Commission's Application for Public Hearing with such notice identifying the date and time of the hearing thereon pursuant to I.C. 5-3-1-1 et seq., upon submission of the Petitioner's Affidavit of Service as notarized and the USPS return receipts; and

WHEREAS, prior to the public hearing, the Commission found that the Petitioner properly gave the necessary notice of the filing of the Petition and of the date and time of the public hearing thereon by publication in the LaPorte Herald-Dispatch on _____, 2025 in the manner prescribed by the Plan Commission's Application for a Public Hearing and I.C. 5-3-1-1 et seq.; and,

WHEREAS, upon proper notification and publication, the Plan Commission conducted the public hearing on the Petition to rezone the Real Estate pursuant to the Petition, and following said public hearing, determined that an amendment to the Zoning Map is appropriate for the Real Estate as described in Exhibit A to be rezoned from the current M2 zoning classification to RIC zoning classifications, all as permitted by the Joint Zoning Ordinance and

- E. The topography, soil condition, and other physical features of the Real Estate are suitable for the proposed land use and the amendment to the Zoning Map and the change in zoning district classification for the Real Estate described in Exhibit A; and
 - F. The amendment to the Zoning Map and the change in zoning district classification for the Real Estate described in Exhibit A is not "spot zoning" which will confer a special benefit on a relatively small tract without commensurate benefit to the community; and
 - G. The amendment to the Zoning Map and the change in zoning district classification will not disrupt or destroy any official neighborhood plan of the Plan Commission.
 - H. The Common Council finds and determines that it is in the best interests of the City and its citizens that the Common Council accept and approve the recommendation of the Plan Commission that the Petitioner's request for an amendment to the Zoning Map and the change in zoning district classification be approved by the Common Council.
2. The Common Council now adopts, approves and enacts the zoning map change whereby:
- A. The zoning district classification for the Real Estate located in the City of Michigan City, LaPorte County, State of Indiana, commonly known as 504 Eastwood with PINs of 46-01-24-100-004.000-022 and 46-01-24-100.068.000-022, is hereby changed from its current M2 zoning district classification to R1C zoning district classifications.
 - B. The official Zoning Map of the City is hereby amended to reflect this change in the zoning district classification for the Real Estate; and the amended zoning map shall hereafter be available in the office of the Plan Commission and the City Clerk for public inspection, review and copying.
 - C. The City Clerk shall furnish a certified copy of this Ordinance to the LaPorte County Recorder and require that the same be placed of record in the records of the Recorder's Office.

Introduced by:

 , Member
 City of Michigan City Common Council

 Printed Name: _____, Member
 City of Michigan City Common Council

EXHIBIT A
Ordinance No. _____
Legal Description

Parcel I: Part of the South 1/2 of the Southwest 1/4 of the Northwest 1/4 of Section 24, Township 38 North, Range 4 West of the 2nd Principal Meridian, LaPorte County, Indiana, being more particularly described as follows: Commencing at the West 1/4 corner of said Section 24, for the place of beginning; thence Northerly along the West line of said Section 24, a distance of 467.17 feet to a point; thence Easterly parallel with the East and West centerline of said Section 24, a distance of 467.17 feet to a point; thence Southerly parallel with the West line of said Section 24, a distance of 467.17 feet to a point on the East and West centerline of said Section 24; thence Westerly along said East and West centerline, a distance of 467.17 feet to the place of beginning.

Parcel II: The South 1/2 of the Southwest 1/4 of the Northwest 1/4 of Section 24, Township 38 North, Range 4 West of the 2nd Principal Meridian, LaPorte County, Indiana.

EXCEPT THEREFROM THE FOLLOWING DESCRIBED PARCEL:

Part of the South 1/2 of the Southwest 1/4 of the Northwest 1/4 of Section 24, Township 38 North, Range 4 West of the 2nd Principal Meridian, LaPorte County, Indiana, being more particularly described as follows: Commencing at the West 1/4 corner of said Section 24, for the place of beginning; thence Northerly along the West line of said Section 24, a distance of 467.17 feet to a point; thence Easterly parallel with the East and West centerline of said Section 24, a distance of 467.17 feet to a point; thence Southerly parallel with the West line of said Section 24, a distance of 467.17 feet to a point on the East and West centerline of said Section 24; thence Westerly along said East and West centerline, a distance of 467.17 feet to the place of beginning.