



MICHIGAN CITY INDIANA

Planning Department ~Skyler York, Planning Director ~ ph: 219-873-1419 ~ fax: 219-873-1580 ~ syork@emichigancity.com

April 30, 2025

The Planning and Zoning Resources Company
1300 South Meridian Avenue, Suite 400
Oklahoma City, OK 73108

RE: Zoning Verification Letter –Federal Mogul – 402 Royal Road, Parcel 460126400008000022

This letter will serve to confirm that the above list address and parcel are within the corporate city of Michigan City, Indiana. They are under zoning review of the city and the current underlying zone is M1- Light Industrial District.

The owner at this time has requested a zoning verification letter to provide to proposed users of the property. Those uses include:

- Warehousing
- Indoor storage
- Data center use

Although Data Center Use is not found in our zoning code as it was adopted in 2012. Section 02.06 - District Use Regulations, states the following: “A use that is not listed in any zoning district may be permitted upon determination by the enforcement official that the use is clearly similar in nature and compatible with a use that is listed in a particular district. In making this determination, the enforcement official shall consider the following:

- (a) The enforcement official shall consider specific characteristics of the proposed use and compare them to the characteristics of the uses that are listed in the zoning ordinance. Characteristics considered shall include, but are not limited to, traffic generation, types of services offered, types of goods produced, methods of operation, noise, hours of operation and building characteristics.
- (b) If the enforcement official determines that the proposed use is consistent and compatible with a permitted use, the use shall be permitted under that use category. If the enforcement official determines that the proposed use is consistent and compatible with a special exception use, the use shall be allowed with special exception approval. The use shall be subject to all requirements of the similar use.

ANGIE NELSON DEUITCH– MAYOR

City of Michigan City ~ City Hall ~ 100 East Michigan Boulevard, Michigan City, IN 46360 ~ ph: 219-873-1400 ~ fax: 219-873-1515
web: emichigancity.com ~ e-mail: mayorangie@emichigancity.com

(c) A proposed use shall not be permitted in a district where the use is specifically listed in any other district, as shown in Appendix A, or where the enforcement official determines that the use is more similar in nature and compatible with uses listed in another district.

(d) The use determination of the enforcement official may be appealed to the board of zoning appeals for an interpretation of the use provisions of the zoning ordinance.”

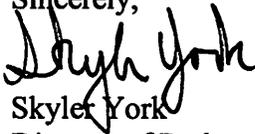
At this time the enforcement official makes the determination that the Data Center Use is similar to many other uses found in the current M-1 zoning district and, in the research, which was conducted, a majority of municipalities classify this use as Light Industrial Use.

This use is similar in nature to Warehousing and Indoor Storage.

Also, the location in question is not in a floodplain or floodway hazard area and the site is also outside the historic districts as well.

Please let me know if you require any further clarification or additional information.

Sincerely,



Skylet York

Director of Redevelopment

100 E Michigan Boulevard | Michigan City, IN 46360



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The Planning & Zoning Resource Company
1300 South Meridian Avenue, Suite 400
Oklahoma City, OK 73108

ATTN: Mercedes Semeria
Ref. No. 179767-13
RE: Phoenix Michigan City Industrial Investors LLC (DE), 402 Royal Rd,
Michigan City, Indiana
Add'l Info. 46-01-26-400-008.000-022

**The current zoning classification for the
subject property is:**

M1 Light Industrial District

**Adjacent property zoning
designations:**

North: M1 Light industrial

South:

R1C single family
residential

East:

R1C- Single Family
residential

West: R1B&R1C- Single family Residential

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Is the subject property part of a Planned Unit Development?

_____ Yes, part of a PUD (See comment)

XX _____ No, not part of a PUD

Comment: _____

Is the subject property part of an Overlay District?

_____ Yes, within an Overlay District

XX _____ No, not within an Overlay District

Comment: _____

The subject property is currently regulated by:

XX _____ Article 09 of the Zoning Ordinance
e

_____ Planned Unit Development _____ (copy attached)
Ordinance No.

_____ Site Plan Approval _____ (copy of plan and case
Case No. _____ attached)

Comment: _____ Controlled
by Article
09 of the
zoning
ordinance

According to the zoning ordinances and regulations for this district, the use of the subject property is a:

XX Permitted Use by Right
 Permitted Use by Special/Specific Use Permit

XX Copy Attached
 Copy Not Available (see comment)

 Legal Non-Conforming Use (no longer permitted by right due to amendments, re-zoning, variance granted or other changes. See comments)
 Non-Permitted Use

Comment: Please see attached letter

The subject structure(s) was developed:

XX In accordance with Current Zoning Code Requirements and is
 Legal Conforming

 Non-Conforming (see comments)

 In accordance with Previous Zoning Code Requirements (amendments, rezoning, variance granted) and is Legal Non-Conforming to current zoning requirements

 Prior to the adoption of the Zoning Code and is

 Grandfathered/Legal Non-conforming to current zoning requirements.

 In accordance with Approved Site Plan and is Legal Conforming to approved site plan. If any nonconforming issues exist with respect to current zoning requirement; the subject property would be considered legal non-conforming.

Comment: _____

Rebuild: In the event of casualty, in whole or in part, the structure located on the subject property:

XX May be rebuilt in the current form (i.e. no loss of square footage, same footprint, with drive through(s), if applicable.

 May not be rebuilt in its current form, except upon satisfaction of certain conditions, limitations, or

requirements. Please see
section _____ of the current zoning code/ordinance for
Comment: details.

Please call the undersigned at 2198731419 , _____ extension _____ 2024 if you have questions or concerns.

Sincerely:

Name: Skyler York

Department: Planning and Inspections

Title: Director of
Redevelopment

Email: syork@emichigancity.com