

**MINUTES OF THE REGULAR MEETING OF THE  
MICHIGAN CITY PLAN COMMISSION  
JUNE 28, 2022**

The Michigan City Plan Commission held their regular monthly meeting in the Common Council Chambers, City Hall, 100 E. Michigan Boulevard, Michigan City, Indiana, on Tuesday, June 28, 2022, at 6:00 p.m. local time; the date, hour, and place duly established for the holding of said meeting. This meeting also being available via Zoom and streaming live on My Michigan City, Indiana Facebook. Zoom was hosted by Access LaPorte County Media.

Note: Public had the option to attend, participate, and/or observe the meeting via Zoom, Facebook, or calling in.

**CALL TO ORDER**

President Lawrence Zimmer called the meeting to order at approximately 6:05 p.m.

**ROLL CALL**

Mr. York called the roll with attendance noted as follows:

**Present:**

Ross Balling, Daniel Granquist, Michael Gresham, Fred Klinder, Philip Latchford, Lawrence Zimmer (all appearing in person) – 6

**Absent:**

Sean Fitzpatrick, and 2 vacancies – 3

**Staff Present:**

Planning Director Skyler York; Attorney Steven Hale; Administrative Assistant Debbie Wilson (all appearing in person)

**Staff Absent:**

None

**POLICY OF CONDUCT AND PROCEDURES**

The Policy of Conduct and Procedures for the Michigan City Plan Commission states that the Commission is composed of nine persons. By statute, five must vote affirmatively to approve a petition. Thus, whenever less than a full board is present, the petitioner may wish to continue his/her hearing. Anyone wishing to speak on a petition or to the board in general at the end of the meeting may do so by approaching the speaker's roster and giving his/her name and address. Comments should be addressed to the Plan Commission, not to a petitioner or remonstrator or others in the audience. The Plan Commission vote is based on the evidence presented.

**APPROVAL OF AGENDA**

The chair entertained a motion for approval of the agenda as presented.

***Motion made by Commissioner Balling – seconded by Commissioner Latchford approving the June 28, 2022, agenda as submitted. The roll was called, and the vote taken: (Ayes) Commissioners Balling, Granquist, Gresham, Klinder, Latchford, Zimmer – 6; (Nays) None – 0. With a vote of 6 ayes and 0 nays, the MOTION CARRIED.***

**APPROVAL OF MINUTES**

The chair entertained a motion for approval of the minutes of the regular hybrid meeting of May 26, 2022.

***Motion made By Commissioner Gresham – seconded by Commissioner Balling accepting the minutes of the regular hybrid meeting of May 26, 2022, as submitted. The roll was called, and the vote taken: (Ayes) Commissioners Balling, Granquist, Gresham, Klinder, Latchford – 5; (Nays) None – 0; (Abstain) Commissioner Zimmer. With a vote of 5 ayes, 0 nays, and 1 abstention, the MOTION CARRIED.***

**PETITION(S)**

The chair called for the first petition.

Mr. York read into the record, Petition 901-22(1) & (2): Request by Marquette Mall Properties & Sterling Capital Ltd. for Primary and Secondary Plat approval of a Minor Subdivision located on parcel 46-05-05-476-012.000-009 at 4027 Franklin Street. (Engineer Tony Hendricks – Hendricks & Associates; Attorney Christopher Willoughby – Continued from May

Attorney Christopher Willoughby (appearing in person) addressed the Commission stating that he is with the firm of Braje, Nelson, and Janes and is present on behalf of M. Jones Properties. He introduced one the of principals (Brandon Jones – appearing in person), and the project engineer (Tony Hendricks – appearing in person). Mr. Willoughby stated that he is also present on behalf of Marquette Mall Properties, Ltd and Sterling Capital, LP who are the owners of the parent parcel. Mr. Willoughby noted that he submitted a letter of authorization to the Commission’s counsel, as well as all their notices to abutting/adjoining owners and notice of publication.

Attorney Hale advised that he found the notice documentation to be in order, it satisfies the requirements, so the Commission is free to proceed and hear this petition.

Mr. Willoughby stated that they are asking for a minor subdivision of an out lot of approximately one acre in size that fronts Franklin Street and is located at the northwest corner of Franklin Street and Highway 421, generally between the strip mall and Walgreen’s. Mr. Willoughby continued, stating that the Jones family (Buffalo Wild Wings) has been a good citizen and company who is looking to build new and invest in

a property that is sorely in need of it. Mr. Willoughby stated they are requesting the Commission approve primary and secondary minor subdivision plat of this out lot. They believe the plan for this parcel complies with the standards of the Subdivision Ordinance, including the provisions of the Minor Subdivision Ordinance.

Mr. Willoughby stated that it was noted in the original submission that they were seeking some variances, but they believe since that time the sidewalks are not required, and they are otherwise not asking for any variances. Mr. Willoughby therefore respectfully requested the Commission consider approval of the primary and secondary plat.

The chair called for the department reports.

Mr. York read his report into the record (attached hereto and made a part of this record[1]), indicating that this property is located at what is commonly referred to as the Marquette Mall parking lot; they are requesting to subdivide a smaller out lot from the larger mother lot; the lot meets the minimum square footage and has adequate frontage to be subdivided. He noted that administrative and minor subdivisions are excluded from the sidewalk requirement. Staff recommended approval of the primary and secondary pending submission of a corrected primary plat, specifically in the Deed of Dedication, he asked that the language "front and side yard building lines are hereby established and shown on this plat" be excluded and exclude the dedications. If approved, Mr. York said he would sign off once the corrections are made.

Attorney Hale read his report into the record (attached hereto and made a part of this record [2]) summarizing that the petitioners, subdividers, and property owners are three entities – Marquette Mall Properties, Ltd, Sterling Capital, LP (owners of parent parcel) and M. Jones Properties, LLC (purchaser of an approximate one acre outlet). He noted that a recorded copy of the deed is included in the materials submitted to the Commission. Mr. Hale also noted that they provided a letter of authorization from Marquette Mall Properties, Ltd and Sterling Capital, LP giving M. Jones properties and Mr. Willoughby power to represent them and seek approval. Mr. Hale stated that the Commission may approve the minor subdivision application, approve it with certain modifications that would bring the application into compliance with the Subdivision Ordinance, or deny the application on the grounds that it does not comply with the Subdivision Ordinance.

The chair opened the hearing to questions/comments by Commissioner's.

Commissioner Gresham asked for clarification on the sidewalks for a minor subdivision.

Mr. York confirmed that sidewalks are specifically excluded from administrative subdivisions and minor subdivisions.

Commissioner Gresham asked if it also excludes landscaping requirements.

Mr. York replied that landscaping is part of the Zoning Ordinance. The Plan Commission cannot set that requirement, it would be under the purview of the Board of Zoning Appeals.

Commissioner Gresham asked if there are any modifications needed to this petition.

Mr. York replied that he did not think so and deferred to Attorney Hale.

Attorney Hale advised that he is not aware of any modifications needed to be made to bring the requested minor subdivision into compliance with the Subdivision Ordinance.

To be clear, Mr. Willoughby stated that they are withdrawing any reference to those variances.

Commissioner Gresham asked if this petition falls under the new or old petition process.

Mr. York replied that when they first applied for this they were vested, and it was done under the old process.

Commissioner Gresham commented that he thinks this is a wonderful opportunity for an underutilized property. He thanked the owners of Buffalo Wild Wings for working with school organizations, teams, etc.

Regarding sidewalks, Commissioner Zimmer stated that in the past the Commission talked about future plans for the 421 corridor and adding sidewalks.

Mr. York stated that it would be like what they are doing now on the south end of the 421 corridor, and they would need to work with Mr. Jones to figure out a way to do that. He said it may not be a sidewalk, but instead may be a pathway behind the building. He said they must start thinking more non-traditionally on the 421 corridor because there is not much right-of-way in some of the areas to work with. He said that fortunately in the South TIF project they do have the opportunity to acquire some property and put in some sidewalks, although they have not come this far north yet. He said it would be done in a similar manner as they have contemplated in the past. The goal always is more pedestrian access.

Attorney Hale asked Mr. Willoughby if he wants to include the plat of the parent parcel as part of their file.

Mr. Willoughby replied affirmatively.

Attorney Hale confirmed that the additional survey dated 6-28-22 will be added as part of the materials and record in the file.

The chair opened the hearing to the public. There being no comments, the public portion of the hearing was closed.

The chair entertained a motion.

***Motion by Commissioner Gresham – seconded by Commissioner Klinder approving Petition 901-22(1) & (2) by Marquette Mall Properties & Sterling Capital Ltd. for Primary and Secondary Plat approval of a Minor Subdivision located on parcel 46-05-05-476-012.000-009 at 4027 Franklin Street. The roll was called, and the vote taken: (Ayes) Commissioners Balling, Granquist, Gresham, Klinder, Latchford, Zimmer – 6; (Nays) None – 0. With a vote of 6 ayes and 0 nays, the MOTION CARRIED.***

The chair called for the next petition.

Mr. York read into the record, Petition 900-22(3): Request by WP21, LLC for Primary Plat approval of a 14 lot Major Subdivision (Beachwood Subdivision) located on an approximate 2.71 acre parcel situated generally between Jake Lane on the North, Washington Park Boulevard on the South, Loran Road on the West (east of residential lots), and Childers Lane on the East. (Represented by Attorney Daniel Granquist; John A. Doyle & Associates, Surveyor/Engineer)

Daniel Granquist, being the attorney for the petitioner, stepped down and recused himself from the Plan Commission.

It was noted that there was still a quorum, although a unanimous vote would be needed for the petition to pass.

Attorney Granquist approached the Commission, stating that he is representing the petitioner, WP21, LLC. He introduced the principal (Nazar Kryvko – appearing in person), the engineer/surveyor (John Doyle – appearing in person) and his assistant (Daryl Wright – appearing in person).

Mr. Granquist explained that this is a petition for primary plat approval. He recalled in April they had approval of their concept plan and development plan. This is vacant land, south of the Beachwalk Subdivision off Washington Park Boulevard. 14 lots are proposed along the north side of Washington Park Boulevard.

Mr. Granquist commented that this petition was filed under the new process, stating it is much more onerous than the previous process. Mr. Granquist requested the Commission's approval of this primary plat.

The chair called for department reports.

Mr. York read his report into the record (attached hereto and made a part of this record [3]), indicating this is a major 14 lot subdivision; the concept plan and development plan were approved by Plan Commission on 4/26/22 with a condition of reviewing drainage with Sanitary District; property is currently vacant and previously subdivided; zoning to the north, south, and west is R1E Single-Family Residential, and to the east is M2 Industrial; referenced standards applicable to the R1E; drainage has been reviewed by the Sanitary District; petitioner provided a traffic study which concluded no appreciable impact on existing traffic; sidewalks are required for all major subdivisions; no concerns with utility connections, 20' sanitary easement between lots 6 and 7 to service the subdivision; Sanitary District prefers the bioretention areas as shown on the proposed plat. Staff recommended approval of the primary plat with corrections to be made.

Attorney Hale read his report into the record (attached hereto and made a part of this record [4]), summarizing sections of the ordinance pertinent to the subdivision; summarizing the process; stating that the Plan Commission may approve the major subdivision application, approve it with certain modifications that would bring the application into compliance with the Subdivision Ordinance, or deny the application on the grounds that it does not comply with the Subdivision Ordinance, referencing sections of the ordinance for same. He pointed out that this is a primary plat, not a secondary plat. The ordinance only requires a public hearing during the primary plat process.

Attorney Hale commented on the new notice process requiring notification to everyone within a 300' buffer from the subject parcel rather than adjoining property owners, noting that there were approximately 60 property owners that had to be notified. This provides greater transparency and notice to the public at large. He advised that he reviewed the notice documentation for this petition and finds it to be in order, so the Plan Commission is free to consider this matter.

Attorney Hale stated that he is adding additional materials (from the Beacon website) that he used in addressing the notice documentation, into the file as part of the record.

Commissioner Gresham commented that the drainage plan was the one thing the Commission asked for. He asked if it was based on the 100 year flood.

Mr. Granquist replied that Mr. Doyle has calculations, and it has been reviewed by the Sanitary District.

Mr. Doyle confirmed that they did the basic drainage calculations based on what is required with the ordinance (100-year flood against the release rate, 2-year, 10-year), and it has all been approved by the Sanitary District. He noted that sewer and water are available at the site, along with other utilities.

Mr. York added that they also will be taking water off the street with sumps and bringing it onto the property.

Mr. Doyle confirmed that is correct, adding that when curb and gutter is in, there will be some inlets in the street and drywells behind to dissipate the water.

In reference to the statement about a 20' sanitary easement between lot 6 and 7 that will service this subdivision, Commissioner Klinder asked if that will be in effect or if it is just the easement, and if they are putting in a sanitary system.

In response, Mr. Doyle explained that they are going to put in a sanitary sewer that will drain back through that easement to the north into the system and the Beachwalk system which is under the Sanitary District control. There will be sewer built parallel to and 50' north of Washington Park Boulevard.

Mr. York added that during primary and secondary plat they will have to work with the Sanitary District to design and install that system. That gives them the buffer between primary and secondary plat. It will then be dedicated to the Sanitary District and will become a public utility to them.

Commissioner Zimmer asked how they plan to phase the building of the homes. He said he assumes it is not just going to be clear cut because then there would be lag time between when it is clear cut and the construction of the homes, and the new drainage would be implemented.

Mr. Granquist stated that if the primary plat is approved tonight, it would approve the 14 lots as platted out. The developer would typically start with one lot. If a developer is going to build, they will build spec homes, if they sell off the lots it would be to a new homeowner. He said there is no phases to this development, it is just one plat of 14 lots, and then they are developed by the developer and/or by prospective homeowners.

Mr. York added to keep in mind that they are free forming these bioretention areas, which means they will be retaining trees in these areas. This is the goal of free forming. They will not go in and clear cut these lots. Where the homes are built, some trees will be lost, but the goal is to use the bioretention as a true bioretention and the trees will absorb the water, hence the free forming of those.

The chair opened the hearing to public comments.

Steven Johnson (appearing in person) stated his address is 208 Mary Lane in Beachwalk. Regarding the sanitary, he asked if it ends at Jake Lane and where it t's off.

Mr. York replied that there is a stub that comes out of Jake Lane and comes over onto this property. He deferred to Mr. Doyle.

Mr. Doyle added that it breaks off at Mary Lane. He referred to the plat showing Mr. Johnson the location of the manhole and where it stubs out.

Out of curiosity of how effective the new mailings were, Commissioner Gresham asked if anyone who was not in the original notification for the concept and development plan, was included in the second group of notifications for tonight.

Mr. Johnson stated that Beachwalk as a whole got one for the first notification, and then he got one mailed to his home for the second notification. Mr. Johnson said the new notice requirement is a great idea because he lives in Illinois. He said he appreciates it.

Mr. Granquist added to comments, stating that Mary Lane is not adjacent to the property, so those addresses were not notified in the first notification, but they are within 300' so many of them have been notified this time with the new process. Previously the Property Owner's Association was notified for the concept and development plan. He said there is a lot more involved in notices and a lot more certified mail with this new process.

Commissioner Gresham asked Attorney Hale if there is a secondary step for the Commission to forward anything onto the Common Council, or if the Commission is either approving it, not approving it, or approving it with conditions.

Attorney Hale replied that the latter was correct. He added that at this point the petitioner has two years to put this in place and come back with final approval of the secondary plat. Once that is approved, it is recorded and becomes the official subdivision document. The City Council is not involved in this process; the Plan Commission approves these subdivisions.

Mr. York added that staff will receive as-builts once things are installed, but that will be later.

Edwin Ham (appearing via Zoom) stated his address is 714 Washington Park Boulevard. He noted that he is about a block down the street from this project and asked if he will be affected regarding water and sanitation. He asked if anything is going change at all from what he has now.

Mr. York replied that nothing will change regarding the water and sewer.

Mr. Ham asked if anything would change during the construction.



Mr. York replied that it will not; there are different stopgap mechanisms during construction to prevent interruption of service.

There being no other public comments, the chair closed the public comment period of the hearing.

The chair entertained a motion.

***Motion by Commissioner Gresham – seconded by Commissioner Klinder approving Petition 900-22(3): Request by WP21, LLC for Primary Plat approval of a 14 lot Major Subdivision (Beachwood Subdivision) located on an approximate 2.71 acre parcel situated generally between Jake Lane on the North, Washington Park Boulevard on the South, Loran Road on the West (east of residential lots), and Childers Lane on the East, as it meets the Subdivision Ordinance standards. The roll was called, and the vote taken: (Ayes) Commissioners Balling, Gresham, Klinder, Latchford, Zimmer – 5; (Nays) None – 0. With a vote of 5 ayes and 0 nays, the MOTION CARRIED.***

Mr. Granquist resumed his position on the Commission.

**NEW BUSINESS / OLD BUSINESS**

Mr. York reported that a new Assistant Planner and Associate Planner have been hired and will start in July. He will bring them to the next Plan Commission meeting to introduce them. Aaron Borngaber moved to another community.

**PUBLIC COMMENTS**

None.

**COMMISSIONER COMMENTS**

Commissioner Granquist stated that he would have some comments on the application process itself if the Commission would like to address it at a future meeting.

Mr. York stated that he has talked to Mr. Granquist about the process. They found some scrivener's errors, which will be corrected. He said it would be helpful to hear feedback. He added that he thinks it is a much better application.

Commissioner Klinder said it was good to hear that the person in the public thought the process was in good standing.

**ADJOURNMENT**

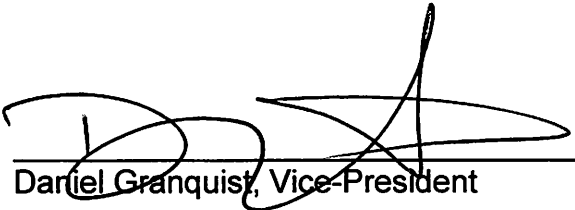
With no other business to come before the Commission, the chair declared the meeting adjourned at approximately 6:56 p.m.

**ATTACHMENTS**

- 1) 901-22(1) & (2) Staff report
- 2) 901-22(1) & (2) Attorney's report
- 3) 900-22(3) Staff report
- 4) 900-22(3) Attorney's report

  
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Lawrence Zimmer, President

ATTEST:

  
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Daniel Granquist, Vice-President

**MICHIGAN CITY PLAN COMMISSION**

June 28, 2022

**Case # 901-22 4027 Franklin Street- Minor Subdivision****Request**

The petitioner is requesting primary and secondary plat approval for a minor subdivision 4027 Franklin Street (Marquette Mall Parking Lot)

**Staff Analysis**

The property in question is an old mall with a large parking lot. The petitioner is requesting to subdivide a smaller outlot from the larger mother lot. This lot is located along the Franklin Street frontage area. The lot meets the minimum square footage and has adequate frontage to be subdivided.

The petitioner is also requesting a waiver for sidewalk at this location.

**Staff Recommendation**

Planning Staff has reviewed the proposed subdivision and finds the request to be in compliance with all applicable subdivision ordinance standards and recommends that the planning commission approve the primary and secondary request pending submission of corrected primary plat.

**Skyler York****Director of Planning and Redevelopment**  

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## Attorney Report

Petition No.: 901-22 (1) and (2)  
Petitioners/Subdividers: Marquette Mall Properties Ltd & Sterling Capital Ltd  
Property Owner: M Jones Properties LLC  
Engineer/Surveyor: Charles Hendricks & Associates P.C. CHAAPC  
Request: Minor Subdivision - Primary and Secondary Plat Approval  
Location: 4027 Franklin Street, Michigan City, Indiana, also known as Tax Parcel 46-05-05-476-012.000-009 ("the Property")

Petitioners are filing for Minor Subdivision approval (primary and secondary) for property located at 4027 Franklin Street, Michigan City, Indiana.

The provisions of the Subdivision Ordinance pertinent to a minor subdivision include: Section 1.08(a)(2) (general provision for minor subdivisions), Article 3 (general rules pertaining to minor subdivisions) and Article 6 (design standards).

The Plan Commission may approve the minor subdivision application, approve it with certain modifications that would bring the application into compliance with the Subdivision Ordinance or deny the application on the grounds that it does not comply with the Subdivision Ordinance. See the following Sections of our Subdivision Ordinance: Generally, Section 3.03(d); matters that the Plan Commission may consider are found at Section 3.03(e) and (f); the final plat is to include the information found at Section 3.08.

Our Subdivision Ordinance also provides that any requirements may be modified or waived by the Plan Commission as it has the power to waive ("grant modifications") the requirements of the Subdivision Ordinance as set out in Section 08.01. The necessary criteria to make such modifications are listed in Section 8.02. The Plan Department Report should indicate if any requirements are not met. It should be noted that, as set out in the Planning Department staff report, the proposed subdivision meets all of the requirements of our Zoning Ordinance and does not need any variances from the Zoning Ordinance development standards.

The submitted materials include:

- (a) Application For Minor Subdivision Within The Corporate Limits of Michigan City.
- (b) Property description.

- (c) Acknowledgment of Public Hearing Notice Requirements.
- (d) Overhead view of the Property.
- (e) Parcel Number, Names and Address of adjoining neighbors.
- (f) Beacon website list of adjoining neighbors.
- (g) Special Warranty Deed (9 pages).
- (h) Declaration of Easement (13 pages).
- (b) Plat of Survey prepared by Charles Hendricks & Associates P.C. CHAAPC dated 4/20/2022.

Respectfully submitted,

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Steven A. Hale

**MICHIGAN CITY PLAN COMMISSION**

June 28, 2022

**Case # 900-22 Beachwood Major Subdivision-Primary Plat****Request**

Primary Plat approval to create a new 14 lot subdivision located along Washington Park Blvd.

**Staff Analysis**

The property in question is currently vacant and was previously subdivided. The surrounding uses are single family residential and are zoned R1E to the north, south, and west and M2 Industrial to the east of the site.

Joint Zoning ordinance 04.04- Building Dimensional Requirements (I) Standards Applicable to the R1E District.

(1)Subdivision of Land. Any subdivision or re-subdivision of land shall require a concept plan followed by a development plan followed by a primary plat for review and approval by the Plan Commission at a public hearing in compliance with the requirements of the 1400 Series of Indiana Code 36-7-4 prior to submission of an application for Primary Plat review.

On April 26<sup>th</sup> the Planning Commission Granted approval of concept and development plan with conditions for drainage calculations to be reviewed by Sanitary District and surveyor/engineer.

Tonight, the petitioner is before the planning commission to ask for the Primary Plat approval.

The plan is to still move forward with 14 lots and drainage has been reviewed with the sanitation district.

The petitioner has provided a traffic study, completed by Primera Engineers which concluded that the development will not produce any appreciable impact on existing traffic conditions. No modifications to traffic controls will be required as well. It should be noted that the street width at this location is 56' of ROW and approximately 22' of pavement and two travel lanes.

Sidewalks are required to be installed for all Major Subdivisions.

On April 18, 2022, the petitioner did participate in Development Review committee and there were no concerns about the utility connections or proposed subdivision. There is a permanent 20' sanitary easement between lots 6 and 7 that will service the subdivision. Sanitary also commented that it preferred the bioretention areas as shown on the proposed plat.

**Staff Recommendation**

Staff has reviewed the subdivision and recommends approval of the primary plat.

Skyler York, Director of Planning and Redevelopment

**Attorney Report**

**Petitioner No.:** 900-22(3) Primary Plat "Beachwood Subdivision"  
**Petitioner:** WP21 LLC  
**Engineer/Surveyor:** John A. Doyle & Associates  
**Request:** Major Subdivision  
**Location:** An approximate 2.71 acre parcel of land situated generally between Jake Lane on the North, Washington Park Boulevard on the South, Loran Road on the West, and Childers Lane on the East

Petitioner is requesting primary plat approval of a Major Subdivision of 14 lots to be called "Beachwood Subdivision" and located generally between Jake Lane on the North, Washington Park Boulevard on the South, Loran Road on the West, and Childers Lane on the East. This subdivision consists of two parcels, namely Tax Parcel Nos. 46-01-21-476-110.000-022 and 46-01-21-476-006.000-022.

The provisions of the Subdivision Ordinance pertinent to a major subdivision include: Section 1.08(a)(3) (general provision for major subdivisions), Article 4 (general rules pertaining to major subdivisions) Article 5 (plat composition requirements) and Article 6 (design standards).

The process for a major subdivision includes: filing of a concept plan by the subdivider (together with any fee) and administrative review of the concept plan by our enforcement official; filing of an application for a primary plat by the subdivider, together with any fee, and administrative review of the application and proposed primary plat by our enforcement official; referral of the application to the Plan Commission for a public hearing; adoption of findings of fact and a decision by the Plan Commission. Section 4.03. Later, the Petitioner shall submit construction plans to the enforcement official for review and then submit an application and plat for secondary approval which shall be reviewed and considered for approval by the Plan Commission.

As for approval of the primary plat, the Plan Commission may approve the major subdivision application, approve it with certain modifications that would bring the application into compliance with the Subdivision Ordinance or deny the application on the grounds that it does not comply with the Subdivision Ordinance. See Section 4.03(f) of our Subdivision Ordinance. The issue for the Plan Commission in considering approval of the primary plat is: does it comply with the Subdivision Ordinance and our Zoning

Ordinance. See Section 4.03(f) of our Subdivision Ordinance. The Plan Commission must make findings of fact regarding such compliance as stated in said Section 4.03(f). A motion to approve or disapprove the primary plat may adopt any proposed findings submitted by the Petitioner or may adopt the Planning Department report and any findings or conclusions therein, or may adopt any findings of fact of the Board member making the motion or may adopt any appropriate combination of same. When pertinent, the matters that the Plan Commission may consider are found at Section 4.03(g) and (h) of our Subdivision Ordinance.

The required information to be found in the concept plan and the primary plat are found at Sections 5.01 and 5.02 respectively of the Subdivision Ordinance.

The record of this Petition includes:

(a) The materials submitted, which include:

1. Instructions for filing of a petition before the City of Michigan City Plan Commission.
2. "Michigan City Plan Commission Petition for Public Hearing" to approve a Primary Plat Major Subdivision signed by Petitioner's attorney, Daniel Grandquist.
3. Surrounding Property Owner List.
4. Acknowledgment of Public Hearing Notice Requirements, also signed by Petitioner's attorney, Daniel Grandquist.
5. Affidavit of Service, signed by Petitioner's attorney, Daniel Grandquist.
6. Exhibit #1 - Address or Description of Location of Property.
7. Exhibit #2 - Legal Description.
8. Exhibit #3 - Written Description of Project.
9. Exhibit #4 - Beacon Spatial Selection Mode Owners List and Buffer Map.
10. Exhibit #5 - Durable Limited Power of Attorney.



11. Exhibit #6 - Copy of email correspondence dated June 2, 2022 concerning submission of Notice for newspaper publication.
  12. Exhibit #7 - Copy of email correspondence dated June 3, 2022.
  13. Primary Plat DATED May 19, 2022 for "BEACHWOOD SUBDIVISION" prepared by John A. Doyle & Associates Incorporated.
  14. Notice documentations supplied by Petitioner.
- (b) Materials reviewed by the Planning Department staff, which include:
15. Additional Beacon materials referencing legal description and addresses.

Respectfully submitted,



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Steven A. Hale