



<b>City of La Porte Plan Commission Meeting Minutes</b>	
<b>Tuesday, July 8, 2025 at 6:00 PM</b>	
<b>City Hall Council Chambers, 801 Michigan Ave.</b>	
<a href="http://www.cityoflaporte.com">www.cityoflaporte.com</a>	<b>(219) 362-8260</b>

A meeting of the City of La Porte Plan Commission was held at City Hall on Tuesday, July 8, 2025 at the hour of 6:00 PM, ("local time") immediately upon conclusion of the City of La Porte Plan Commission, pursuant to notice duly given in accordance with the rules of the Commission and the Indiana Open Door Law.

ITEM 1. Call Meeting to Order

The meeting was called to order by Jerry Jackson, President, at 6:00 PM.

ITEM 2. Pledge of Allegiance

ITEM 3. Roll Call & Determination of Quorum

On a call of the roll, the members of the Plan Commission were shown to be present or absent as follows:

<b>Members Present:</b>	<b>Members Absent:</b>	<b>Staff Present:</b>
Jerry Jackson, President	Councilwoman Julie West	Mark Worthley, BZA Attorney
Pete Saunders, Vice President		David Heinold, City Planner
Drew Buchanan, Councilman		Craig Phillips, CDP Director
Vickie Gushrowski		Josette Schoof, Eng. Coord.
Miles Fettingner		

ITEM 4. Approval of Minutes: October 8, 2024 Meeting Minutes

Jerry Jackson called for any changes or corrections to the October 8, 2024 Meeting Minutes. There being no changes or corrections to the meeting minutes, Vickie Gushrowski made a motion to **approve the October 8, 2024 Meeting Minutes** and the motion was seconded by Miles Fettingner. The motion passed 4-0.



**ITEM 5. Preliminary Plat # 25-01 Petition** to Allow Two (2) Lot Subdivision to be called J&B Subdivision

**Type of Request:** Preliminary Plat

**Staff Report:** David Heinold

## APPLICANT

Name – Bryon L. and Julie M. Eigenmann (David Ambers, Attorney Representative)

## PROPERTY OWNER

Name – Bryon L. and Julie M. Eigenmann

## PREMISES AFFECTED

Parcel Number - 46-10-02-103-025.000-043				
Actual/approximate address or location from major streets – 1421 2 <sup>nd</sup> Street				
Subdivision –			Lot Number(s) –	
Total Acreage – 0.90 acre		Flood Zone on Site? – no		
Zoning of Subject Property – R1B		Use of Subject Property – Residential		
Proposed Zoning – same as existing		Proposed Land Use – same as existing		
Zoning of Adjacent Properties	North: Railroad	South: R1B	East: R1B	West: R1B
Land Use of Adjacent Properties	North: Railroad	South: Residential	East: Residential	West: Residential

**SUMMARY:** The petitioner proposes to re-subdivide the existing lots into two (2) lots that will allow the existing single family residential dwelling and surrounding property to be split off and add an additional residential dwelling on the remaining land that is suitable for development.

**CONCURRENCE:** Chapter 82, Article V, Subdivisions of the City of La Porte Municipal Code allows the subdivider to present a preliminary plat to the Plan Commission and to the Board of Public Works and Safety. The rules and regulations contained in this article are adopted to secure and provide for:

- (1) The proper arrangement of streets or highways in relation to existing or planned streets or highways;
- (2) Adequate and convenient open spaces for traffic, utilities and access for firefighting apparatus, recreation, light and air; and

- (3) The avoidance of congestion of population; and the establishment of standards for the construction of any and all improvements as required in this article.

**HISTORY OF SITE:** Per the site aerial image, the total area of the parcel is about 0.90 acre and currently zoned within the R1B Single Family Residential District. Currently, the property is one lot with access to 2<sup>nd</sup> Street.

**SITE REVIEW FINDINGS:** Site Review was not required due to the current status of the site with utilities and infrastructure already in place.

**STATEMENT OF COMPLIANCE:** Section 27.12 of the 2017 Revised Joint Zoning Ordinance states that the Plan Commission shall be guided by and give consideration to the general policy and pattern of development set out in the Countywide Land Development Plan.

**STAFF ANALYSIS:**

Attorney David Ambers, on behalf of Bryon and Julie Eigenmann is presenting a Preliminary Plat for Plan Commission approval to allow a Two (2) Lot Subdivision in order to allow the existing single family residential dwelling and surrounding property to be split off and add an additional residential dwelling on the remaining land that is suitable for development. Each lot will have separate legal access from 2<sup>nd</sup> Street. The total square feet for Lot 1 is 25,000 square feet and Lot 2 is 13,000 square feet, which meet the minimum lot area requirements in the R1B Zoning District. The proposed subdivision is properly arranged for legal access to the two lots, which allows for adequate provisions for traffic safety and access for fire protection as well as public utility coordination.

**STAFF RECOMMENDATION:**

Staff finds that the proposed two lot subdivision conforms to the guidelines set forth in Chapter 82, Article V, Subdivisions of the City of La Porte Municipal Code. Staff recommends **approval** of Preliminary Plat #25-01 Petition to Allow a Two (2) Lot Subdivision to be called J&B Subdivision.

Submitted to the City of La Porte Plan Commission on July 2<sup>nd</sup>, 2025.



**ITEM 6. Final Plat # 25-01 Petition** to Allow Two (2) Lot  
Subdivision to be called J&B Subdivision

**Type of Request:** Final Plat

**Staff Report:** David Heinold

### APPLICANT

Name – Bryon L. and Julie M. Eigenmann (David Ambers, Attorney Representative)

### PROPERTY OWNER

Name – Bryon L. and Julie M. Eigenmann

### PREMISES AFFECTED

Parcel Number - 46-10-02-103-025.000-043				
Actual/approximate address or location from major streets – 1421 2 <sup>nd</sup> Street				
Subdivision –			Lot Number(s) –	
Total Acreage – 0.90 acre		Flood Zone on Site? – no		
Zoning of Subject Property – R1B		Use of Subject Property – Residential		
Proposed Zoning – same as existing		Proposed Land Use – same as existing		
Zoning of Adjacent Properties	North: Railroad	South: R1B	East: R1B	West: R1B
Land Use of Adjacent Properties	North: Railroad	South: Residential	East: Residential	West: Residential

**SUMMARY:** The petitioner proposes to re-subdivide the existing lots into two (2) lots that will allow the existing single family residential dwelling and surrounding property to be split off and add an additional residential dwelling on the remaining land that is suitable for development.

**CONCURRENCE:** Chapter 82, Article V, Subdivisions of the City of La Porte Municipal Code allows the subdivider to present a final plat to the Plan Commission and to the Board of Public Works and Safety. The rules and regulations contained in this article are adopted to secure and provide for:

- (1) The proper arrangement of streets or highways in relation to existing or planned streets or highways;
- (2) Adequate and convenient open spaces for traffic, utilities and access for firefighting apparatus, recreation, light and air; and
- (3) The avoidance of congestion of population; and the establishment of standards for the construction of any and all improvements as required in this article.

**HISTORY OF SITE:** Per the site aerial image, the total area of the parcel is about 0.90 acre and currently zoned within the R1B Single Family Residential District. Currently, the property is one lot with access to 2nd Street.

**SITE REVIEW FINDINGS:** Site Review was not required due to the current status of the site with utilities and infrastructure already in place.

**STATEMENT OF COMPLIANCE:** Section 27.12 of the 2017 Revised Joint Zoning Ordinance states that the Plan Commission shall be guided by and give consideration to the general policy and pattern of development set out in the Countywide Land Development Plan.

**STAFF ANALYSIS:**

Attorney David Ambers, on behalf of Bryon and Julie Eigenmann is presenting a Final Plat for Plan Commission approval to allow a Two (2) Lot Subdivision in order to allow the existing single family residential dwelling and surrounding property to be split off and add an additional residential dwelling on the remaining land that is suitable for development. Each lot will have separate legal access from 2nd Street. The total square feet for Lot 1 is 25,000 square feet and Lot 2 is 13,000 square feet, which meet the minimum lot area requirements in the R1B Zoning District. The proposed subdivision is properly arranged for legal access to the two lots, which allows for adequate provisions for traffic safety and access for fire protection as well as public utility coordination.

**STAFF RECOMMENDATION:**

Staff finds that the proposed two lot subdivision conforms to the guidelines set forth in Chapter 82, Article V, Subdivisions of the City of La Porte Municipal Code. Staff recommends approval of Final Plat #25-01 Petition to Allow a Two (2) Lot Subdivision to be called J&B Subdivision. Submitted to the City of La Porte Plan Commission on July 2nd, 2025.

**Applicant Presentation**

Dave Ambers, Attorney, mentioned that the Eigenmanns purchased property on 2<sup>nd</sup> Street that was fully remodeled and that it will soon be listed. Mr. Ambers mentioned that there is sufficient property that allows for another lot, and it will meet all the requirements of the master plan. Dave Ambers on behalf of the Eigenmanns requested preliminary and final approval of the plat. Mr. Ambers mentioned that a surveyor was currently working on an improved plat. Dave Ambers requested the potential approval be subject to the staff reviewing the final version of the plat once it is obtained from the surveyor. Dave Ambers briefly described the location of the J & B Subdivision that is on Second Street & Colfax Street. Mr. Ambers explained that lot one is where the existing home is and lot two is where the second home will go. Mr. Ambers mentioned there is no procedure under the master plan to do a small lot subdivision and that is why they are requesting a preliminary and final approval. Dave Ambers stated that utilities are already there, Mr. Minich approved the driveway spacing, and that everything should be good to go.

Jerry Jackson summarized that the existing house is on lot one and that the new lot would be adjacent to the east.

Dave Ambers stated, correct.

### **Staff Presentation**

David Heinold mentioned that the lot width minimum for the zoning district is 80 feet wide and that is what lot 2 is proposed to be. David Heinold mentioned that the first lot has an existing single-family dwelling on it. David Heinold mentioned that a site review is not required because utilities are already in place. David Heinold mentioned there is an existing road, but a new driveway has been requested by the Engineering Department. David Heinold stated that the staff does recommend approval of the proposed two-lot subdivision because it conforms to the guidelines set forth in Chapter 82 Article 5 of the City of La Porte Municipal Code.

### **Public Testimony**

Jerry Jackson opened the meeting to public comment and called for public comments either for or against the Preliminary Plat #25-01 Petition and Final Plat #25-01 Petition.

There being no further public comment, Jerry Jackson closed the floor to public comment.

### **Board Discussion/Action**

Miles Fettinger asked how wide starting from the east moving to the west would be the lot.

Dave Ambers stated it would be 80 feet and that the longest on the east line will be 146.5 feet back to the railroad. Dave Ambers mentioned along the west line it would be 118.6 feet.

There was continues discussion about the final plat.

Drew Buchanan, Councilman, requested permission from Mark Worthley to vote on Preliminary Plat #25-01 Petition and Final Plat #25-01 Petition at the same time. Approval was granted.

Drew Buchanan made a motion for **favorable recommendation to approve the staff recommendation and findings of fact for Preliminary Plat # 25-01 Petition and Final Plat #25-01 Petition** contingent on the final staff review of the final documents and the motion was seconded by Miles Fettinger. The motion passed 4-0.

<u>Yea</u> Jerry Jackson	<u>Yea</u> Vickie Gushrowski	<u>Yea</u> Pete Saunders
<u>Yea</u> Miles Fettinger	<u>Yea</u> Drew Buchanan	<u>Absent</u> Julie West

### **Preliminary Plat #25-01 Petition – Favorable Recommendation**

### **Final Plat #25-01 Petition – Favorable Recommendation upon final staff review of documents**



**ITEM 7. Zone Map Change # 25-01 Petition**

to Re-Zone from the B3 Highway Commercial District  
to the R3A Low-Rise Multifamily Commercial District

**Type of Request:** Zone Map Change

**Staff Report:** David Heinold

**APPLICANT**

Name – Lincolnshire Investment (Mike Sullivan) and Atrium Capital Partners (Ryan Metz)

**PROPERTY OWNER**

Name – Tellus Properties, LLC

**PREMISES AFFECTED**

Parcel Number - 46-06-14-100-012.000-043				
Actual/approximate address or location from major streets – Approximately located 0.40 mile South of Interstate 80/90 on the east side of State Road 39 North				
Subdivision –			Lot Number(s) –	
Total Acreage – 56.76 Acres		Flood Zone on Site? – No		
Zoning of Subject Property – B3		Use of Subject Property – Agriculture/Wetlands		
Proposed Zoning – R3A		Proposed Land Use – Low Rise Multifamily Residential Apartments		
Zoning of Adjacent Properties	North: B3	South: R1B/R2A	East: R1B	West: M2/B3
Land Use of Adjacent Properties	North: Agriculture	South: Residential	East: Agriculture	West: Agriculture

**SUMMARY:** The petitioner proposes to Re-Zone the parcel from the B3 Highway Commercial District to the R3A Low-Rise Multifamily Residential District.

**CONCURRENCE:** The Zoning Ordinance allows for rezoning following a public hearing, Plan Commission review and recommendation, and adoption by the City Common Council.

**HISTORY OF SITE:** Per the site aerial image, the total area for the subject property is 56.76 acres and is currently zoned B3 (Highway Commercial District). Historically, the property has been used as for agricultural land. Currently, there are a few wetlands on the national wetland inventory mainly on the

eastern side of the subject property. In addition, there is a gas pipeline running through the northern half of the property.

**SITE REVIEW FINDINGS:** A preliminary site review meeting was held on July 1, 2025 to discuss the proposed rezoning and general multifamily residential development concept with the City Departments. There were no issues identified from the site review meeting with the proposed rezoning from B3 Highway Commercial District to the R3A Low-Rise Multifamily Residential District.

**STATEMENT OF COMPLIANCE:** Section 27.12 of the 2017 Revised Joint Zoning Ordinance states that the Plan Commission shall be guided by and give consideration to the general policy and pattern of development set out in the County Land Development Plan.

**STAFF ANALYSIS:**

The proposed rezoning would provide additional multifamily residential development where it is possible to extend public utilities that is the most efficient use of land and minimize the costs of public services. Staff finds that the proposed Re-Zone from the B3 Highway Commercial District to the R3A Low-Rise Multifamily Residential District is appropriate for the surrounding residential area and generally compatible with the La Porte County Land Development Plan Strategic Goals and Objectives. The development of land for multifamily residential allows for the City of La Porte to meet the housing demand while minimizing the need for costly utility service expansion. The Plan encourages the majority of new development to take place in and near existing cities and towns, where residents will have easy access to a range of public and private services. The proposed rezoning to allow multifamily residential development in close proximity to existing commercial areas adjacent to the I80/90 toll road and North State Road 39 allows residents easy access to a range of public and private services in the City of La Porte.

**STAFF RECOMMENDATION:**

Staff finds that the proposed rezoning from B3 Highway Commercial District to R3A Low-Rise Multifamily Residential District is compatible with the Countywide Land Development Plan and surrounding existing single family and two family residential dwellings to the south at Briar Leaf golf course.

The proposed rezoning from B3 Highway Commercial to the R3A Low-Rise Multifamily Residential District provides an adequate transition between commercial property to the north along I80/90 toll road and the existing residential dwellings to the south. Staff recommends **approval** of the Re-Zone request from the B3 Highway Commercial District to the R3A Low-Rise Multifamily Residential District.

Submitted to the City of La Porte Plan Commission on July 2<sup>nd</sup>, 2025.

**Applicant Presentation**

Ryan Metz and Mike Sullivan with Atrium Capital & Lincolnshire Investment mentioned that they are focused on a 56-acre property on the north side of town that is currently zoned B3 Highway Commercial. Mike Sullivan mentioned that they are looking to change the zoning to R3A to allow for a multiple family buildout. Mike Sullivan mentioned that they are currently in the design phase of working with an architect and civil engineer. Mr. Sullivan stated that the main concept that they're looking at is called the big house and that it mimics a single-family two-story home design. Mike Sullivan mentioned that there will be 10 to 14 apartment units that look like a big house. Mike Sullivan stated that there will be 2 to 3 story conventional apartment homes that will be toward the center or north of the property. Mr. Sullivan mentioned that out of the 56 acres only 20 to 25 acres are buildable space and that the plentiful green space would be utilized for the build-out. Mike Sullivan mentioned that phase 1 of the initial design has about 200 units and that the potential full build capacity would be a little over 400 units in total. Mike Sullivan stated they're focusing on having a residential look with a green space and park



amenities. Mike Sullivan showed a picture of Hills of Aberdeen as an example of a similar structure. Mike Sullivan mentioned the specific layout and stated that it is very community oriented.

### **Staff Presentation**

David Heinold mentioned that the rezoning of B3 Highway Commercial District to R3 Low-Rise Multi Family Residential District is located about a half mile south of Interstate I 80-90. David Heinold mentioned that the zoning to the west is a combination of M2 and B3, stating that a portion of it was recently changed. David Heinold mentioned that the east is zoned as R1B that is in County. David Heinold mentioned that the south is zoned as R1B with a combination of R2A and has two different parcels there. David Heinold stated that the parcel with houses is zoned as R1B and that the R2A zoned parcel is vacant. David Heinold mentioned that the north is zoned as B3. David Heinold mentioned that the property has a few wetlands, utilities, natural gas pipelines, and overhead wires. David Heinold showed a few photos of the site, the images showed an existing agricultural field, location of the pipeline, and Highway 39. David Heinold stated that the staff finds that the proposed rezoning is adequate and that it meets the goals and objectives of the La Porte County Land Development Plan.

### **Public Testimony**

Diane Carpenter, who owns property on North 100 West to 450 South, questioned if Lincolnshire Investment is the right company for an important project such as this. Diane Carpenter asked if there's been any accommodation for all the school kids. Lastly, Diane Carpenter asked if the commission could insist that the homes be made affordable.

Alan Lang mentioned his wife Kathleen Lang had submitted some comments and requested that they be entered in the minutes.

David Heinold read Kathleen Lang's comments stated below:

"Craig, thank you for the phone call and information. Below is the information I sent to Mayor, Attorney Worthley, and Mr. Heinold. In addition, please include the following comment in the record. I am unable to attend today's meeting. Please accept the following comment for the record. I request that the petition for a change of zoning for land east of Highway North 39 south of I90 and north of Briar Leaf Golf Course be sent with a recommendation of denial or without recommendation to the city council. As adjacent landowners we have not had sufficient time to consider the petition, the standards for evaluating the zone map change, the summary of the project provided by the petitioners, and any related matters. We received notice on July 1<sup>st</sup> 2025. Even if the notice technically complies with legal requirements, a period of only seven days from receipt of notice to the hearing date, coupled with the intervening federal, state, and city holiday has made it difficult, if not impossible, to form a reasoned and informed position on the proposed zoning change. Additionally, I did not see evidence of notice visibly posted on the property. Thank you for your consideration. Kathleen Lang, property owners Kathleen and Alan Lang, 1589 West Kama Drive, La Porte IN 46350."

Alan Lang mentioned that in addition to Mrs. Lang's comments that only the adjacent property owners were notified and stated that this obviously impacts a much larger area. Alan Lang mentioned the traffic concerns regarding Highway 39 that can be difficult and dangerous to exit from Tiffany Woods Drive, the golf course traffic, the condos traffic, and traffic across the street from semis pulling out. Alan Lang expressed concern about the potential addition of 1200 people and asked what that means for the traffic situation.

Alan Lang mentioned that all of Tiffany Woods water drains into a pipe that goes along the property line and discharges into a wetland that floods when there's a hard rain. Alan Lang asked where all the extra water will drain to if 90% of it will be covered with concrete. Alan Lang continued to express concerns about the safety of 1200 people living next to an area that has a natural gas pipeline and an oil pipeline, asking how would you get them out if there's only an exit on 39.

Jerry Jackson reminded Alan Lang that he only has three minutes and has passed that time.

Diana Corley of 1541 West Kama Drive mentioned that she agrees with the prior comments, that she has a lot of questions, and would like more information about the project.

Bert Cook, the Executive Director of the La Porte Economic Advancement Partnership, wanted to share his appreciation with having the pleasure of working with Ryan Metz and Mike Sullivan for the last six or seven months as they really looked for a project in La Porte to invest in and help address some of the housing challenges. Bert Cook stressed that some of the issues that people had with timing are more related to the statutory requirements and that the decision is ultimately made by the City Council. Bert Cook mentioned that the City Council will consider an ordinance over two meetings over the course of the month that will give people time to get more information and share their comments. Bert Cook shared that putting a truck stop on that property would not feel right and that the new zoning would be much more appropriate to serve the neighborhood. Bert Cook mentioned that there will be steps that Ryan Metz and Mike Sullivan will need to pass and that this is the first of the steps.

Jose Rosario, the owner and steward of the Wynkoop Farmstead mentioned that this is a big project that is high density with a lot of issues and a lot of risks. Jose Rosarios mentioned that as a property owner he ought to know more details about this property and the impact it will have. Jose Rosario mentioned that he is in support of the zoning change because that is not the issue. Jose Rosario mentioned the issue is informing the property owners of what is at stake and that he supports all the comments previously made because he has the same concerns.

There being no further public comment, Jerry Jackson closed the floor to public comment.

### **Board Discussion/Action**

Vickie Gushrowski asked if the wetlands would stay intact and if the trees that are bordering Tiffany Woods stay.

Mike Sullivan mentioned that the wetlands and trees in the southwest and the northeast will stay. Mike Sullivan mentioned that they are not looking to remove anything to the south, especially near the wetlands and are hoping to plant trees and shrubs to add more green space. Ryan Metz mentioned that part of the plan is to engage a landscape engineer to ensure that the tree line to the south does not deteriorate.

Vickie Gushrowski reminded the public that this is just a vote on the zoning change, and that there will be other forums available for the public to have their concerns addressed.

Drew Buchanan mentioned that as a commission they are tasked with looking at the zone map and the use of this property can have a hotel and a 24-hour truck stop put there without any notice to the property owners, commission, and the council. Drew Buchanan mentioned that this is step one of many and that they are only looking at the zone map to determine what use is proper.

Miles Fettinger asked if it's better for a business to go into this spot or more people. Miles Fettinger expressed his concern that across the street there's a lot of heavy industry that can potentially be expanded with railroad being put there and more big trucks.

Jerry Jackson requested that the comment for public notice be addressed.

Mark Worthley, BZA Attorney, read aloud the following statute regarding public notice: The event is a public hearing or meeting concerning any matter not specifically mentioned in the previous subsequent subsections. Notice shall be published one time at least 10 days before the date of hearing or meeting. Mark Worthley mentioned that the zoning ordinance requires that the petitioner provides notice via certified mail to the adjacent homeowners.

Mark Worthley continued to explain that the people who received a certified letter, that was through the zoning ordinance and the publication 10 days prior is state statute. Mark Worthley stated that is the notice that is required under the laws of the State of Indiana.

Drew Buchanan made a motion for **favorable recommendation of Zone Map Change #25-01 Petition to re-zone the subject property from the B3 Highway Commercial District to the R3A Low Rise Multifamily Residential District** and the motion was seconded by Vickie Gushrowski. The motion passed 4-0.

Yea Jerry Jackson    Yea Vickie Gushrowski    Yea Pete Saunders  
Yea Miles Fettinger    Yea Drew Buchanan    Absent Julie West

### **Zone Map Change #25-01 Petition – Favorable Recommendation**

ITEM 8. Old Business

There was no old business.

ITEM 9. New Business

There was no new business

ITEM 10. Other Business

ITEM 11. Adjournment

The meeting was **adjourned** at 6:42 pm.

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Jerry Jackson, President

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Josette Schoof, Secretary