

ORDINANCE NO. 2025-28 (As Amended)

**AN ORDINANCE OF THE CITY OF HOBART, INDIANA
PROVIDING THAT THE ZONING ORDINANCE OF THE CITY OF HOBART,
LAKE COUNTY, INDIANA BE AMENDED BY CHANGING AN
ESTABLISHED R-3 ZONE TO M-1 ZONE CLASSIFICATION**

WHEREAS, THE HOBART CITY PLAN COMMISSION by a majority vote recommended that its **Petition No. 25-24** be adopted and that the Council rezone this property.

NOW THEREFORE, BE IT ORDAINED by the Common Council of the City of Hobart, Indiana:

SECTION 1. That, the City Zoning Ordinance No. 93-59 as amended and readopted as amended under Ordinance No. 2001-41 and entitled "Zoning Ordinance of the City of Hobart, Indiana", and particularly the zone maps which are made a part of said Ordinance No. 93-59, be and the same is hereby amended by making certain changes as follows:

By changing the following described real estate on the zone maps from its established zoning R-3 (Single to Four-Family Residential District) classification to M-1 (Light Manufacturing District) zoning classification **limited only to the permitted use of a Data Center:**

PARCEL 1 (PROVIDED BY GREATER INDIANA TITLE COMPANY)

THAT PART OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 12, TOWNSHIP 35 NORTH, RANGE 8 WEST OF THE 2ND PRINCIPAL MERIDIAN, IN LAKE COUNTY, INDIANA, LYING NORTH OF THE RIGHT-OF-WAY OF THE GRAND TRUNK RAILROAD.

PARCEL 2

THAT PART OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF SECTION 12, TOWNSHIP 35 NORTH, RANGE 8 WEST OF THE 2ND PRINCIPAL MERIDIAN, IN LAKE COUNTY, INDIANA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SECTION 12; THENCE NORTH 89°44'07" EAST, ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 2102.38 FEET TO A POINT BEING 538.48 FEET FROM THE SOUTHEAST CORNER OF SAID NORTHWEST QUARTER, AND THE POINT OF BEGINNING; THENCE NORTH 38°47'14" EAST 157.39 FEET; THENCE NORTHEASTERLY ALONG A CURVE TO THE RIGHT (SAID CURVE HAVING A RADIUS OF 275.00 FEET, A CHORD BEARING OF NORTH 64°44'33" EAST, AND A CHORD DISTANCE OF 240.57 FEET) AN ARC LENGTH OF 248.99 FEET; THENCE SOUTH 89°20'08" EAST 111.69 FEET; THENCE SOUTHEASTERLY ALONG A CURVE TO THE RIGHT (SAID CURVE HAVING A RADIUS OF 90.00 FEET, A CHORD BEARING OF SOUTH 71°41'22" EAST AND A CHORD DISTANCE OF 54.56 FEET) AN ARC LENGTH 55.44 FEET; THENCE SOUTH 54°02'36" EAST 72.86 FEET TO THE EAST LINE OF SAID NORTHWEST QUARTER; THENCE SOUTH 00°03'07" WEST ALONG THE EAST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 161.63 FEET TO THE SOUTH LINE OF SAID NORTHWEST QUARTER; THENCE SOUTH 89°44'07" WEST ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER,

A DISTANCE OF 538.48 FEET TO THE POINT OF BEGINNING. CONTAINING 2.18 ACRES, MORE OR LESS.

THE WEST HALF, SOUTHWEST QUARTER SECTION 12, TOWNSHIP 35 NORTH, RANGE 8 WEST OF THE SECOND PRINCIPAL MERIDIAN, LYING NORTH OF THE GRAND TRUCK RAILROAD, LAKE COUNTY, INDIANA.

PARCEL A:

PART OF THE SOUTHWEST QUARTER OF SECTION 7, TOWNSHIP 35 NORTH, RANGE 7 WEST OF THE SECOND PRINCIPAL MERIDIAN AND PART OF THE NORTHEAST QUARTER AND PART OF THE SOUTHEAST QUARTER OF SECTION 12 AND PART OF THE NORTHEAST QUARTER OF SECTION 13 IN TOWNSHIP 35 NORTH, RANGE 8 WEST OF THE SECOND PRINCIPAL MERIDIAN, BEING MORE PARTICULARLY DESCRIBED AS BEGINNING AT A MONUMENT AT THE SOUTHWEST CORNER OF SECTION 7, TOWNSHIP 35 NORTH, RANGE 7 WEST OF THE SECOND PRINCIPAL MERIDIAN; THENCE SOUTH 00°-02'-07" EAST ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 13, A DISTANCE OF 506.17 FEET TO A SET CAPPED IRON ROD AT THE NORTHERLY LINE OF THE GRAND TRUNK RAILROAD (BASIS OF BEARINGS IS INDIANA WEST STATE PLANE COORDINATES); THENCE NORTH 78°-17'-27" WEST ALONG SAID NORTHERLY LINE, 1349.47 FEET TO A FOUND "KRULL" CAPPED IRON ROD; THENCE NORTH 00°-01'-59" WEST, 225.28 FEET TO THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 36 NORTH, RANGE 8 WEST OF THE SECOND PRINCIPAL MERIDIAN; THENCE SOUTH 89°-41'-43" WEST ALONG SAID SOUTH LINE 1060.69 FEET TO A FOUND 5/8" IRON ROD ON THE NORTHERLY RIGHT-OF-WAY LINE OF SAID GRAND TRUNK RAILROAD; THENCE NORTH 78°-17'-46" WEST ALONG SAID RIGHT-OF-WAY LINE, 266.07 FEET TO A FOUND 5/8" IRON ROD ON THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 12; THENCE NORTH 00°-00'-16" WEST ALONG SAID WEST LINE AND THE WEST LINE OF THE NORTHEAST QUARTER, 3241.72 FEET TO A SET CAPPED IRON ROD AT THE NORTHWEST CORNER OF THE SOUTH HALF OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF SAID SECTION 12; THENCE NORTH 89°-40'-24" EAST ALONG THE NORTH LINE OF SAID SOUTH HALF OF THE SOUTH HALF OF THE NORTHEAST QUARTER, 2640.80 FEET TO A FOUND IRON ROD ON THE EAST LINE OF SAID SOUTH HALF, SOUTH HALF, NORTHEAST QUARTER; THENCE SOUTH 00°-01'-59" EAST ALONG SAID EAST LINE, 659.87 FEET TO A SET CAPPED IRON ROD; THENCE SOUTH 89°-16'-24" EAST ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF SECTION 7, TOWNSHIP 35 NORTH, RANGE 7 WEST OF THE SECOND PRINCIPAL MERIDIAN, 1223.10 FEET TO A SET CAPPED IRON ROD ON THE WESTERLY LINE OF A 400 FOOT WIDE STRIP OF LAND. SAID STRIP OF LAND AS DESCRIBED IN A WARRANTY DEED TO DOUGLAS W. MORROW IN DOCUMENT NUMBER 2014-077553, RECORDED DECEMBER 5, 2014 IN THE OFFICE OF THE RECORDER OF LAKE COUNTY, INDIANA; THENCE SOUTH 07°-47'-16" EAST ALONG SAID WESTERLY LINE, 2667.71 FEET TO A FOUND 5/8" IRON ROD ON THE SOUTH LINE OF SAID SECTION 7; THENCE NORTH 89°-15'-41" WEST ALONG SAID SOUTH LINE, 257.41 FEET TO A FOUND 5/8" IRON ROD; THENCE NORTH 5°-04'-23" WEST, 639.53 FEET TO A FOUND 5/8" IRON ROD; THENCE NORTH 00°-01'-59" WEST, 359.47 FEET TO A FOUND "KRULL" CAPPED IRON ROD; THENCE NORTH 89°-15'-41" WEST, 934.16 FEET TO A FOUND 5/8" IRON ROD; THENCE SOUTH 00°-01'-59" EAST, 189.35 FEET TO A FOUND 5/8" IRON ROD; THENCE SOUTH 22°-58'-01" EAST, 114.99 FEET TO A FOUND 5/8" IRON ROD; THENCE SOUTH 00°-01'-59" EAST, 394.37 FEET TO A FOUND "KRULL" CAPPED IRON ROD; THENCE NORTH 89°-15'-41" WEST, 398.01 FEET, TO A FOUND "KRULL" CAPPED IRON ROD; THENCE SOUTH 25°-18'-16" EAST, 13.64 FEET TO A FOUND 5/8" IRON ROD; THENCE SOUTH 06°-18'17" EAST,

266.49 FEET TO A FOUND 5/8" IRON ROD; THENCE SOUTH 06°-18'-17" EAST, 29.96 FEET TO A SET MAG NAIL ON THE SOUTH LINE OF SAID SECTION 7; THENCE NORTH 90°-00'-00" WEST ALONG SAID SOUTH LINE, 20.34 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM PART OF THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 35 NORTH, RANGE 8 WEST OF THE SECOND PRINCIPAL MERIDIAN MORE PARTICULARLY DESCRIBED AS COMMENCING AT A MONUMENT AT THE SOUTHWEST CORNER OF SECTION 7, TOWNSHIP 35 NORTH, RANGE 7 WEST, BEING THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 12; THENCE SOUTH 89°-41'-43" WEST ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER OF SECTION 12, 40.00 FEET TO A SET MAG NAIL AT THE POINT OF BEGINNING OF SAID EXCEPTION; THENCE CONTINUING SOUTH 89°-41'-43" WEST ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER, 549.99 FEET TO A SET MAG NAIL; THENCE NORTH 00°-18'-17" WEST, 724.20 FEET TO A FOUND 5/8" IRON ROD; THENCE NORTH 89°-41'-43" EAST, 351.99 FEET TO A FOUND 5/8" IRON ROD; THENCE SOUTH 08°-48'-17" EAST, 169.45 FEET TO A SET CAPPED IRON ROD; THENCE; THENCE SOUTH 25°-18'-17" EAST, 340.00 FEET TO A FOUND 1/2" IRON PIPE; THENCE SOUTH 6°-18'-17" EAST, 280.0 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM A PART OF THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 35 NORTH, RANGE 8 WEST OF THE SECOND PRINCIPAL MERIDIAN AND PART OF THE SOUTHWEST QUARTER OF SECTION 7, TOWNSHIP 35 NORTH, RANGE 7 WEST OF THE SECOND PRINCIPAL MERIDIAN, MORE PARTICULARLY DESCRIBED AS COMMENCING AT A MONUMENT AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER OF SAID SECTION 7; THENCE NORTH 90°-00'-00" EAST, 20.34 FEET TO A SET MAG NAIL; THENCE NORTH 06°-18'-17" WEST 29.96 FEET; THENCE CONTINUING NORTH 06°-18'-17", 266.49 FEET TO A FOUND 5/8" IRON ROD; THENCE NORTH 25°-18'-16" WEST, 13.64 FEET TO A FOUND "KRULL" CAPPED IRON ROD; THENCE NORTH 25°-18'-17" WEST, 66.78 FEET TO A FOUND "KRULL" CAPPED IRON ROD AT THE POINT OF BEGINNING OF SAID EXCEPTION; THENCE CONTINUING NORTH 25°-18'-17" WEST, 260.92 FEET TO A FOUND "KRULL" CAPPED IRON ROD; THENCE NORTH 08°-48'-17" WEST, 170.11 FEET TO A FOUND "KRULL" CAPPED IRON ROD; THENCE NORTH 26°-31'-46" WEST, 148.91 FEET TO A FOUND "KRULL" CAPPED IRON ROD; THENCE NORTH 06°-46'-13" WEST, 456.65 FEET TO A FOUND "KRULL" CAPPED IRON ROD; THENCE SOUTH 48°-31'-47" EAST, 281.25 FEET TO A FOUND "KRULL" CAPPED IRON ROD; THENCE SOUTH 19°-48'-57" EAST, 113.93 FEET TO A FOUND "KRULL" CAPPED IRON ROD; THENCE SOUTH 05°-14'-05" WEST, 394.34 FEET TO A FOUND "KRULL" CAPPED IRON ROD; THENCE NORTH 72°-07'-49" EAST, 384.51 FEET TO A FOUND "KRULL" CAPPED IRON ROD; THENCE SOUTH 22°-58'-01" EAST, 115.00 FEET TO A FOUND "KRULL" CAPPED IRON ROD; THENCE SOUTH 00°-01'-59" EAST, 321.37 FEET TO A FOUND 5/8" IRON ROD; THENCE NORTH 89°-15'-41" WEST, 366.53 FEET TO THE POINT OF BEGINNING, ALL IN LAKE COUNTY, INDIANA, SUBJECT TO THE INTERESTS IN 69TH AVENUE.

SECTION 2. The City Council now finds that the above zone change will not be injurious to the public health, safety, morals and general welfare of the community and the use or value of the area adjacent to the property included in this Ordinance will not be affected in a substantially adverse manner and the need for the change in zoning herein arises from a condition peculiar to the property involved and the condition is not due to the general condition of the neighborhood. The Council further finds that the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property herein if this rezoning were not granted and this rezoning does not interfere substantially with the comprehensive plan.

SECTION 3. The Common Council of the City of Hobart finds the zone change will take effect upon the following conditions being fulfilled by the owner:

All buildings or uses permitted and placed upon said described real estate shall fully conform to all the provisions of the Zoning Ordinance of the City of Hobart, Indiana and shall have obtained the proper permits.

SECTION 4. That the City Engineer and/or Zoning Administrator is hereby authorized and directed upon the enactment and approval of this Ordinance, to cause a change to be made on the zone maps, to make certain notations in ink thereof and to record the date of passage of this Ordinance.

SECTION 5. Since an emergency exists for the immediate taking effect of this Ordinance, the same shall be in fully force and effect from and after its passage by the Common Council of the City of Hobart; upon the approval of the Mayor of the City of Hobart Indiana; and as soon thereafter as otherwise provided for by law.

PASSED and ADOPTED by the Common Council of the City of Hobart, Indiana on this

3rd day of September, 2025.


Josh Huddlestun, Presiding Officer

ATTEST:

Deborah A. Longer, Clerk-Treasurer

Presented by me to the Mayor of the City of Hobart, Indiana, for his approval and signature this

3rd day of September, 2025 at 8:30 o'clock P. M.


Deborah A. Longer, Clerk-Treasurer

APPROVED and SIGNED by me, the Mayor of the City of Hobart, this 3rd day of

September, 2025.


Josh Huddlestun, Mayor

ATTEST:

Deborah A. Longer, Clerk-Treasurer

**CERTIFICATION AND REPORT TO
COMMON COUNCIL OF THE CITY OF HOBART ON
ZONE MAP CHANGE**

CERTIFICATION TO: Common Council of the City of Hobart

FROM: Connor Miller, Zoning Administrator

RE: Change to be made on the zoning map.

DATE: August 15, 2025

PETITIONER: Wylie Capital
c/o Jason Simon
10 Parkway North Blvd., Ste. 120
Deerfield, IL 60015

REQUEST: Change zone from R-3 (Single to Four-Family Residential District)
classification to M-1 (Light Manufacturing District)

PROPOSED USE: Industrial (Data Center)

GENERAL LOCATION: SE corner of Colorado St. & 61st Ave.

LEGAL DESCRIPTION PARCEL 1 (PROVIDED BY GREATER INDIANA TITLE COMPANY)

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PLAN COMMISSION PETITION NO.: 25-24

DATE OF PLAN COMMISSION ACTION: August 7, 2025

DEADLINE FOR CITY COUNCIL ACTION: November 13, 2025

CERTIFICATION:

ACTION TAKEN BY PLAN COMMISSION:

Recommendation to the Common Council to Approve the change of zone requested
(Favorable recommendation)

CONDITIONS: None

VOTE: 9-0

I certify that the foregoing information accurately represents the action taken on this matter by the City of Hobart Plan Commission.

Connor Miller, Zoning Administrator
City of Hobart

MEMORANDUM

DATE: AUGUST 15, 2025

TO: HOBART COMMON COUNCIL MEMBERS
MAYOR JOSH HUDDLESTUN
CITY ATTORNEY HEATHER McCARTHY

FROM: CONNOR MILLER, ZONING ADMINISTRATOR

RE: PETITION TO REZONE PROPERTY
PLAN COMMISSION PETITION 25-24

Attached please find the Certification and Report and Proposed Ordinance for your consideration regarding a request for a Rezone from R-3 (Single to Four-Family Residential District) to M-1 (Light Manufacturing District) for property located SE corner of 61st Ave. & Colorado St., zoned R-3, 400.07 acres

DRAFT PUBLIC HEARING MINUTES OF THE AUGUST 7, 2025 PLAN COMMISSION MEETING: Present was Jason Simon, Wylie Capital and one of the land owners associated with the proposed rezone properties. He stated they are working with a company that is interested in developing the properties for a data center. He noted that the comprehensive plan supports this area as industrial with existing M-1 to the west and two recently rezoned parcels abutting to the north. This area is also adjacent to high transmission lines running north and south on the east side of the property and water is available. NIPSCO and American Water has confirmed they have the ability and desire to serve a large development at this site. The city and regional lift station has the ability for upgraded sanitary sewers, stormwater management. There is connectivity to a national fiber network that run along I-65, as well as, fiber that runs along the railroad to the southern boundary. Mr. Simon explained data centers store computers and IT infrastructure that facilitates communication of digital data that individuals, families and businesses depend on daily. A conceptual site plan lays out berms, setback, landscape screening and noise attenuation. The benefits of this type of development offer low impact of traffic and city services to the area; long term revenue generation of personal property tax revenue and high assessed real estate value; will create construction jobs and high paying skilled jobs and will attract future economic growth. He stated the rezone is the first step in moving forward with the proposed development. Ms. Galka opened the public hearing for Petition 25-24. *Randy Palmateer/Business Manager for NWIBCTC: was in support and noted there is misinformation regarding data centers and praised the city for doing their due diligent for this project. Bill Eich, 1777 Gurney St. requested to deny or table. He stated there is insufficient data available determining what environmental and utility impact is involved for the residential communities of Deep River Estates, Eagle Creek, Amber Creek and Hickory Hollow. He suggested to consider a site not adjacent to residential perhaps the former drag strip where it is more of a business/industrial friendly environment. He suggested hiring a data center consultant to explain the pros and cons of data centers. Helen Engstrom, 5308 61st Ave.219-707-1507 stated after serving on the Redevelopment Commission she commended the commissioners for their time and effort they put into serving on board. She felt people may have moved here to a quiet community*

and to get away from industrial areas only to find industrial properties are proposed next to their neighborhoods. She noted that the mayor and some councilmen went to Virginia and spoke with residents living next to the data centers. She thought it was interesting that according to the impact report in the July 29, 2025 Bloomberg News, a third of the Virginias data centers are located in residential areas due to inaccurate local planning and zoning. From construction to the operation of the data centers, residents have expressed it has taken a toll on their quality of life and the reality of their situation has become impossible to ignore, pushing many of the residents beyond their breaking point with each day more difficult than the last. Local activists point to the Virginia area as a cautionary tale for other communities and that the cost outweighs the benefits. Ms. Engstrom questioned why surrounding communities have denied or put data centers on hold and inquired if they know something we don't. Steve Muenstermann, 1119 Nevada Pl. Crown Point stated that he had been consulting for data centers for approximately a decade and that the sound and cooling systems have dropped dramatically. He is in favor of a better technology and data centers. Patricia Corey, 7203 Colorado St. 219-789-8533 does not like or want data centers and was against it. Mark Corey, 7203 Colorado St. worried about their well water and was against it. Joe Conn, 910 Lake St. stated he has invested in Hobart for many years and felt there are other areas that data centers can go and not in the middle of the city. He felt that the commission's job is to make recommendations to the council and envision what is best for the city. Beth Froedge, 5200 E 70th Ave. was not against data centers just the proposed location. They purchased their home as a retirement home for the peace and quiet and solitude of nature. She questioned how many people would still be in favor of the development if it were in their backyard. Roje Curtis, 3875 Evergreen St. 219-742-0747 stated he is a union employee and was in favor. Barbara Koteles, 6140 California St. 219-680-9751 stated Gov. Braun passed a bill that states data centers only pay for 80% of their operating costs and questioned who is responsible for the other 20%. She was not against data centers, only in residential areas, and was informed it could cause issues with people on well water. Deborah McCullough, 5307 E 61st Ave 219-945-0102 stated she was not against data centers just this location. She moved here for the quiet, friendship, agriculture and farmland. She has information that they destroy the natural habitat, wildlife and have a potential impact on farm animals, all of which she has. It will also affect the air quality. Josh Huddleston, 102 Pembroke Dr. 219-776-8548. Speaking as the mayor, he stated in 2022 he voted against the rezone on the SE corner of Colorado St & 61st Ave. after hearing the residents' comments against the truck/vehicular traffic. He stated when he took office, he had to find a use that would be least impactful to the residents in that area. He did a lot of research on data centers. Surrounding mayors in the area have reached out to him after learning he visited Virginia and he feels some of the municipalities that turned down data centers was due to the mayors not doing their research. He noted the article in Bloomberg News referred to the neighborhoods that were surrounded by data centers, which is not proposed here. He also stated that years prior to him, this area was proposed as an industrial park that matches the Comprehensive Plan. This proposed development will result in minor truck traffic, minor impact to the residents and will involve proper buffering. He stated Hobart's population has become stagnant and the school system is allowing open enrollment. He feels the development will produce jobs and bring people to Hobart. He ended by stating the development is the best and highest use with the least impact to the residents. Chuck Layhew, 5420 E 61st Ave. 219-942-2216 was not in favor of the location. Doug Morrow, 5411 W125S, Marion, IN 765-618-0735 stated he was one of the larger land owners requesting the rezone and has found it more difficult to farm the land in the 13 years of owning it. He gets numerous calls a week from individuals wanting to purchase his property

but never for residential development. He feels this proposed use will be a low impact development. Hearing no further public comments, Ms. Galka closed the public hearing. Mr. Simon addressed the public concerns by stating the development will follow federal and state guidelines. Indiana American Water has an enormous surplus of water and will not affect the well water. Mr. Emig stated the commission's job is to make sure the resident's concerns are addressed and met. He also noted the proposed development will be completed properly and safely and will not affect the electricity or water. Mr. Homoky motioned for a Favorable Recommendation to the Common Council for Petition 25-24 including all discussion and Findings of Fact, seconded by Mr. Kara. All ayes, motion carried. (9-0)