

**MINUTES OF THE REGULAR MEETING OF THE
MICHIGAN CITY PLAN COMMISSION
MAY 27, 2025**

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, May 27, 2025, at 6:00 p.m. local time; the date, hour, and place duly established for the holding of said meeting. The meeting was also available via Zoom and streaming live on the Access LaPorte County Facebook page. Access LaPorte County Media hosted Zoom.

CALL TO ORDER

Vice-President Bruce de'Medici called the meeting to order at approximately 6:05 p.m.

ROLL CALL

Commissioner de'Medici called the roll with attendance being noted as follows:

Commission Members Present:

Ross Balling, Antonio Conley, Bryant Dabney, Bruce de'Medici, Fred Klinder, Rose Tejeda, Timothy Werner – 7 (all in person)

Commission Members Absent:

Roscoe Hoffman, one vacancy – 2

Staff Present:

Planning Director Skyler York, Attorney Steven Hale, Public Works Director Wendy Vachet, and Redevelopment Business Manager Debbie Wilson (all in person)

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 members. By statute, five must vote affirmatively to approve a petition. Thus, whenever less than a full commission is present, the petitioner may choose to continue the hearing. Anyone wishing to speak on a petition, or to the commission in general at the end of the meeting, may do so in person by approaching the speaker's roster and stating their name and address, or, if on Zoom connection, by indicating their presence online and stating their name and address. Comments should be addressed to the Plan Commission, and 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.

A motion was made by Commissioner Dabney and seconded by Commissioner Klinder approving the 05/27/2025 agenda as submitted. The roll was called, and the vote taken: (Ayes) Commissioners Balling, Conley, Dabney, de'Medici, Klinder, Tejeda, Werner – 7; (Nays) None – 0. With 7 in favor and 0 opposed, the MOTION CARRIED.

APPROVAL OF MINUTES

The chair entertained a motion to accept the minutes of the regular hybrid meeting of April 22, 2025.

A motion was made by Commissioner Tejeda and seconded by Commissioner Dabney to accept the minutes of the April 22, 2025 hybrid meeting as submitted. The roll was called, and the vote taken: (Ayes) Commissioners Balling, Conley, Dabney, de'Medici, Klinder, Tejeda, Werner – 7; (Nays) None – 0. With 7 in favor and 0 opposed, the MOTION CARRIED.

PETITION(S)

Vice-President de'Medici read into the record, "Petition 902-25(1): GLI 275 US 20 LLC requesting Primary Plat approval of a Minor Subdivision to split the current parcel into two lots to create another buildable commercial lot, located at 201/275 W. Highway 20."

Attorney Steve Unger (in person) introduced himself, stating that he is from Bose McKinney & Evans in Indianapolis and is present on behalf of the petitioner GLI 275 US 20, LLC. He also introduced Jeff Wishek (in person) who is the managing member of the petitioner, as well as Tony Hendricks (in person) who is the surveyor on this project.

Mr. Unger noted that he provided a handout to Attorney Hale, indicating that the cover page is a picture of the proposed primary plat and the second page is an aerial taken from the LaPorte County GIS. Mr. Unger explained that this is a request for a minor subdivision where they propose taking a single parcel and seeking to split it into two parcels. The existing parcel is on the north side of US Highway 20. The address according to the GIS is 201 W. US Highway 20 although according to the postal service it is 275 W. US Highway 20. The existing building on the west side of the parcel is the former Tire Barn site which is currently vacant and in disrepair. The intention is to take that site, clean it up, and redevelop it into another auto shop. They are asking to split off the second parcel which would allow them to either sell it as a second developable lot or sell it back to the mall developers. There would not be a new building on the second parcel but it could be a parking lot for whatever happens to the mall. Mr. Unger stated

that in their view the proposed plat complies with the Subdivision Control Ordinance satisfying the lot size, restrictions, the minimal frontage, the dimension restrictions, having access, and they believe there is sewer and water already available at the site. Again, he stated that there are no specific plans for what would become the east parcel, but they would be able to sell it back to the mall developers.

Mr. Unger acknowledged that there were comments from staff, asking Mr. York the preference to address those.

Vice-President de'Medici directed Mr. York to read the reports and then he would ask the Commission for comments on how to handle it tonight.

Mr. Unger confirmed that he would be happy to answer questions, although their request is for primary plat approval tonight and then they would be happy to work through and address comments prior to secondary plat approval, which would be an administrative approval and would not require coming back to the Plan Commission.

Mr. York pointed out as information that primary plat approval is a 120-day approval period which would allow them to work with the various departments to satisfy answers to the liking of the departments.

Mr. York mentioned that he summarized the three comments of substance and incorporated them into his staff report. He acknowledged that the City Engineer is present as well as a representative of Sanitation/Stormwater. Mr. York read his report into the record (attached hereto and made a part of this record [1]). He read comments from the Fire Department (attached hereto and made a part of this record [2]), indicating no issues with the request at this time. Incorporated into his staff report, Mr. York read Sanitation, Water, and Engineering Department comments indicating their concerns and requests (also individually attached hereto and made a part of this record [3],[4],[5] respectively. There were questions regarding the location of stormwater, sanitary sewer, water lines, and cross access. Mr. York recommended approval of the primary plat with the condition that all department comments be addressed in full to satisfaction prior to secondary plat approval.

Attorney Unger again stated that they are happy to work with the departments to address the concerns. He commented on the access referring to the plat, explaining that when they purchased this property from the mall owners at the time, they worked out a specific access agreement. It was intentionally vague on where the access was so that they could develop the site and move the access if they needed to. He stated that it is their understanding, and expectation that there would never be a second curb cut on US Highway 20 at that location. He said the language in the access agreement indicates that access will be wherever they use their access; so the mall will have the ability to move their access as they redevelop that site, although they cannot cut access off entirely to each other. Mr. Unger stated that he has no problem recording the cross access

agreement for lot 1 and lot 2 which essentially says the same thing. As an example, he pointed out that if a specific area is identified through lot 2, it may limit the ability for whoever buys lot 2 to construct a building that complies with setback restrictions, etc. Mr. Unger stated that their preference would be to continue to be vague until they complete the development of their site and see what happens to the other lot so they do not completely cut off each others access, leaving the ability to relocate the access as needed.

In terms of utilities, Mr. Unger stated that they are happy to figure out and identify on their property where the utility lines are. He said it is clear to him that there is a water main that runs along Highway 20 because there are public hydrants. He pointed out that there is a private hydrant on the north side. His understanding from their surveyor is that there is a water line that goes all the way around the mall and a sewer line that goes all the way around the mall. Mr. Unger commented that although he is okay with identifying what is on their property, he does not feel it should be on them to identify where all the mall's infrastructure is. He feels it would be appropriate for whoever comes in to redevelop the mall site to identify it at that time. Mr. Unger stated that they believe the drainage goes up to the north and west; there is a drainage pond north of the former theater building. He said in their title work there are a series of cross access agreements and utility easements with the mall. He said they would be happy to pull that and try to identify where those easements are as well. Mr. Unger requested that they do not need to identify the mall's utilities, only the utilities on their site. Regarding the conditions, Mr. Unger again stated that they are happy to work with departments and Planning staff to get all this figured out and help however they can.

Vice-President de'Medici asked if there were comments/questions from the Commissioners.

Regarding comments by Mr. Unger about not identifying off-site facilities, Commissioner Werner (also City Engineer) explained that with the storm sewer, the receiving inlet will need to be shown. He stated there is an inlet in lot 1, an inlet in lot 2, there is an inlet about 5' immediately to the east of lot 2 (just south of the former Carson's building), and there is what they think is the receiving sewer. He said once those sewers are identified as far as entering and exiting the storm inlets, they will pretty much have an answer for the adjacent inlets on each side north of the parcels and to the east. Commissioner Werner said they would not want them to survey all the way to St. John Road, but get the structures identified immediately adjacent that would be receiving or delivering storm water to the parcels right now.

Commissioner Klinder asked Mr. Unger if they had to buy this whole piece of property from the mall instead of breaking it down to get just what they wanted (Tire Barn).

Mr. Unger replied that it was a single lot.

Commissioner Klinder questioned going through all of this and asked if they could just keep that lot.

Mr. Unger replied that for them to sell it back to the mall they would need to create a parcel split, or in order to build something else there would need to be a second developable lot; it makes the second half marketable.

With no other comments/questions from Commissioners, Vice-President de'Medici opened the hearing for public comments.

Tommy Kulavik (in person) 1316 Ohio Street, Michigan City, Indiana, noted that he was surprised to learn from the Beacon site that Tonn & Blank Construction purchased the mall property back on May 7th. He hopes something starts moving on that and hopes some of the old obsolete signs get removed. He said he hopes if a new automotive shop goes into the former Tire Barn, that they profit and thrive.

Scott Meland (in person) 200 Kenwood Place, Michigan City, Indiana, commented that he is pro development and does not like the standard hindrances that a developer must go through even though it is the process and is required. He stated that from an aerial view it looks like the Tire Barn itself is a lot, but apparently to the east it is part of the mall parking lot. He said if these subdivisions help redevelop the Tire Barn property he is 100% for it. He commented that his only concern is the new lot dimensions and parking requirements for commercial property and if the new lots would have the appropriate space. He felt the Commission should do anything to facilitate this as quickly as possible.

There were no further comments; Vice-President de'Medici closed the public portion of the hearing.

Referring to the staff recommendation, Commissioner de'Medici asked Mr. York if any of the comments made today were inconsistent with his recommendation that there be approval of the primary plat and the matters having to be addressed in full prior to secondary approval.

Mr. York replied that comments were not contrary with what was discussed in his report and he thinks everything was right on point. He pointed out that they have a good surveyor who knows where a lot of things are over there because he has previously done a lot of work around that site, and the developer is willing to work with the departments.

Commissioner Werner agreed.

Mr. York stated that he gets it now and likes the idea of the cross access easement across to their other lot. Mr. York said he now understands Mr. Unger's point with having it be a bit ambiguous to be able to be "moved" rather than having it defined on the plat and coming back through the administrative process to move it if needed. He agreed by

leaving it ambiguous to let the development define where the access goes because it will define itself. Mr. York felt it would be good to have the easement for whatever the new owners decide to do. If they close one access and cannot get another curb cut, they could at least get to their property and it is still valuable to the developer.

Mr. York reminded Commissioners that if they grant primary plat approval tonight it is good for 120 days, which sets out a timeframe so it is not left open ended.

The chair called for the Attorney's report.

Attorney Hale summarized his report into the record (attached hereto and made a part of this petition [6]), noting that primary and secondary plat approval have been split. He reminded Commissioners that this body has always split their vote on primary and secondary, requiring two votes. He pointed out that the request is for primary and secondary plat approval, although he recalled in the staff report and Mr. Unger's presentation they indicated they were initially seeking primary plat approval. Any motion should reference primary plat approval and any conditions imposed. Mr. Hale indicated that he had the opportunity to review the notice documents submitted by the petitioner and confirmed that they have met all notice requirements, so the Commission is free to consider this matter tonight. He highlighted the pertinent parts of the Subdivision Ordinance regarding minor subdivisions. Mr. Hale indicated that the Plan Commission may approve the minor subdivision, approve it with certain modifications that would bring it into compliance with the ordinance, or deny it on the grounds it does not comply with the ordinance. He noted that the Commission has the power to grant modifications. As part of the record, Mr. Hale alluded to the list of materials submitted by the petitioner, adding the documents (notice documents and handout) submitted by the petitioner this evening.

For clarification, Commissioner de'Medici asked Mr. York if his report was for both petitions.

Mr. York replied it was correct that he included both. He asked Attorney Hale what the appropriate vote would be since they are not denying it or continuing it. He questioned if it would be to allow Planning staff to approve secondary plat when the other departments sign off on it.

Attorney Hale advised that the secondary plat approval is typically done by the enforcement officer (Skyler York). He stated that given Mr. Unger's statement that he is looking tonight only for primary plat approval, there would be a vote taken on that motion and then convene later if they want to review what is submitted for secondary plat. Although, he said it sounds like from comments made by the City Engineer/Plan Commission member Mr. Werner, that there maybe some further modifications to the plat that is submitted. He said it might be appropriate to have the one vote.

Mr. Unger confirmed that they would be agreeable to a vote on the primary plat approval and taking no action on the secondary plat approval but working administratively through that without the need to come back to the Plan Commission unless there are substantial modifications.

The chair entertained a motion.

A motion was made by Commissioner Klinder and seconded by Commissioner Werner approving Petition 902-25(1) by GLI 275 US 20 LLC for Primary Plat approval of a Minor Subdivision to split the current parcel into two lots to create another buildable commercial lot, located at 201/275 W. Highway 20, with the condition recommended in the staff report that all department comments be addressed in full to satisfaction of the departments and planning office prior to secondary plat approval. The roll was called, and the vote taken: (Ayes) Commissioners Balling, Conley, Dabney, de'Medici, Klinder, Tejeda, Werner – 7; (Nays) None – 0. With 7 in favor and 0 opposed, the MOTION CARRIED.

After discussion, Attorney Hale advised that it would be appropriate for a motion to remove Petition 902-25(2) from tonight's agenda since the agenda was approved.

The chair entertained a motion.

A motion was made by Commissioner Werner and seconded by Commissioner Balling to remove Petition 902-25(2) by GLI 275 US 20 LLC for Primary Plat approval of a Minor Subdivision from tonight's agenda. The roll was called, and the vote taken: (Ayes) Commissioners Balling, Conley, Dabney, de'Medici, Klinder, Tejeda, Werner – 7; (Nays) None – 0. With 7 in favor and 0 opposed, the MOTION CARRIED.

NEW BUSINESS / OLD BUSINESS

Discussion/Approval – Stormwater Ordinance

Attorney Hale commented that the Commission has three documents. He explained that one of those documents is a proposed ordinance. Included in the ordinance are two exhibits (Exhibit A attached to the ordinance, and Exhibit B which is separate). Exhibit A is the proposed new Stormwater Management Ordinance which is a technical document with all the technical standards and language that will go into the City Code. Exhibit B relates to the Zoning Code and the Subdivision Code and contains the parts of the Zoning Code and Subdivision Code that must be adjusted to reflect the new Stormwater Code. Mr. Hale explained that the Stormwater Code will be taken from the existing Zoning Ordinance (deleting Article 20). To replace the Stormwater Ordinance contained in the Zoning Ordinance there will be a new ordinance in the City Code; it will not be part of the Zoning Code. He noted that there are many references throughout the Zoning and Subdivision Codes that make reference to the stormwater issues, mostly referencing Article 20 which will be removed, so it will now reference the new Stormwater

Management Code in the City Code. There are changes that must be made to the Zoning Code and Subdivision Code to eliminate references to the deleted Article 20, replacing the references with non-substantive language to direct persons/developers to the new Stormwater Management Code in the City Code. Attorney Hale stated that there is also a resolution and certification to the City Council. He explained that to change the zoning code, the Plan Commission does not have the authority to make that change. As part of an ordinance, it must be passed by the Common Council. The Plan Commission's function is to approve it and send it onto the Council with a favorable recommendation. The Plan Commission is primarily concerned with the changes to the Zoning Code and Subdivision Code.

Al Walus (in person) with the Michigan City Sanitation Department gave an update explaining that in December 2021 IDEM issued two new permits; one was a construction stormwater general permit and the other one was an MS4 municipal separate storm sewer system permit. Mr. Walus stated that those permits required MS4's across the state to update their stormwater ordinances. Some of the components of the current Michigan City Stormwater Ordinance date back to 2007, so this ordinance must be updated. He explained that Exhibit A (Stormwater Ordinance) is primarily a technical document which will go before the Common Council. The development of the technical nature of that ordinance was done by stormwater professionals and county surveyors across the state. They came up with a template ordinance under the direction of Purdue University. Mr. Walus stated that locally, they used that template ordinance to tailor it to Michigan City. It covers illicit discharges into the storm sewer, stormwater quantity, stormwater quality, procedures, etc. As Attorney Hale indicated, Mr. Walus stated that in the current Zoning and Subdivision Codes there are many references between those documents and the current Stormwater Ordinance. Exhibit B contains 43 different additions and deletions that detail what is currently in the Zoning and Subdivision Codes that must be changed to make it conform with the new Stormwater Ordinance.

Moving forward, Mr. Walus said with the technical nature of Exhibit A, some of that language was very specific to what is included in the IDEM permits. He said if the Commissioners have detailed questions, he suggested contacting him within the next couple of weeks to discuss it. He said there is some flexibility if the Commission decides to hold over a vote until their June meeting. If approved at the June Plan Commission meeting, there would be July and August to get it approved through the Common Council. He said they would not want to go past Labor Day to get everything finalized. Mr. Walus said they want to make sure they get everything right because ultimately developers coming before the Plan Commission will be using this ordinance.

Mr. York commented that this is a standard document used throughout other communities so it makes it easier for developers coming here to transition into something they are familiar with.

Mr. Walus indicated that was correct, adding that he attended the IDEM MS4 annual meeting a couple of weeks ago in Indianapolis. There were about 300 individuals in attendance from across the state (individuals who implement MS4 and developers). Some of the discussion was the mutual benefits to cities and developers having a consistent document that is in use across the state. He said the only reason that happened was because of the foresight of Purdue University through the Local Technical Assistance Program to prepare the template ordinance. He said it is a standard template and has helped resolve a lot of issues where one community might have one standard and going across corporate lines having a different standard. He said there was much discussion about using the template but tweaking it to make sure it addresses local conditions.

Commissioner Klinder commented that it looks like they will be putting a rubber stamp on these recommendations and that they must trust everyone involved has knowledge about this and that they are moving in the right direction. He said he does not have any doubt that all the references made indicate that. He said it is an interesting decision to make based on little or no knowledge.

Commissioner Dabney mentioned the same thing, adding that this is high level detailed stuff. He said when the Council sees this there is going to be a lot of reliance on the eyes that have seen this before it gets to them, and a lot of trust in the knowledge and what staff has done. He said he appreciates all the work that staff has put in to get this done.

Based on comments to allow more time to review, Attorney Hale advised that it would be appropriate for a motion to continue this to the next meeting if the Commission wishes to do so.

To be more efficient with time, Commissioner Tejeda asked if it would make sense to submit or collect their questions or issues that they might have when reviewing it, so that Mr. Walus has it before the Commission's June meeting.

Mr. York felt that would be helpful. He asked the Commissioners to send their questions by email to him and copy Debbie. He will forward them to Al Walus and Attorney Hale.

Mr. Walus suggested a deadline within the next two weeks. He said they will review them and if they think they are of a nature that might require a sit down meeting, they will organize that meeting and get everything answered before the June meeting.

Mr. York explained that there are a lot of things in this document that may not be technical in nature but it is the way that they write the ordinances and the way they are structured to be incorporated and adopted by the Council. He wanted Commissioners to keep in mind that there are structural things in this document (structured in the document in a certain way and written a certain way). He suggested that any questions be kept of technical nature rather than the structure of the paragraphs/language.

Commissioner Tejeda stated that she was envisioning it more like self education, and that it would make them better Commissioners.

The chair opened public comments.

Scott Meland (in person) 200 Kenwood Place, Michigan City, Indiana, commented that this is a 49 page ordinance, so it is complicated for everybody and every Councilperson and board that is involved with this. He said he has been following this and it is required based on the change of taking it out of the Zoning Code and putting it into the Municipal Code. He said he has seen a flowchart that really cleans a lot of things up. Mr. Meland said to keep in mind that they are not reinventing the wheel; this is using best practices and a state-wide template based on Purdue. He suggested not having a two week period to ask questions because he felt City Council members will also be confronted with this ordinance and instead suggested a stormwater workshop for all members involved in voting on this at any stage of its approval process.

Commissioner Dabney said he suggested staff put it in layman's terms/points as to what it is supposed to do and how it functions, rather than taking on the 49 pages. He said he is fine moving forward either way.

Mr. Meland again suggested a workshop, stating that if questions are answered before it reaches the Council it would speed its passage and make it easier for everyone involved.

Tommy Kulavik (in person) 1316 Ohio Street, Michigan City, Indiana, questioned if the stormwater ordinance also includes a stormwater fee.

In response to Mr. Kulavik, Mr. Walus stated that there is no stormwater fee associated with the stormwater drainage ordinance. The stormwater drainage ordinance is specifically for stormwater quantities, stormwater quality, and illicit discharge. He said there are fees the Sanitary District may assign to developers for stormwater plan review. As a developer wants to come to the city and create new impervious surfaces, the ordinance requires submittal of a drainage plan. All other cities have created a plan review fee. To summarize, he stated that there is not a general stormwater fee for any property holders in Michigan City; the only fees that may be associated with ordinance at some time would be if the Sanitary District requested a stormwater review fee to recoup the District's costs for staff or consulting engineers to review those documents.

Commissioner Tejeda commented that a workshop is not entirely a bad idea, but she also thinks that Mr. Walus explained it very well at previous meetings as to what the intent is and what the objective of this is. She said she does not know if they need to spend the time to rehash that. She reiterated that it is not about questioning the decisions that were made or how certain aspects of the code or ordinance were written, it is just to help them to understand why certain things are done so they have a better understanding.

The chair entertained a motion.

A motion was made by Commissioner Klinder and seconded by Commissioner Werner to continue the matter of the Stormwater Ordinance to the June 24, 2025 Plan Commission meeting, at 6:00 p.m. local time, in the City Hall Council Chambers, and to get any comments/questions back to Al Walus at the Sanitary District within two weeks. The roll was called, and the vote taken: (Ayes) Commissioners Balling, Conley, Dabney, de'Medici, Klinder, Tejeda, Werner – 7; (Nays) None – 0. With 7 in favor and 0 opposed, the MOTION CARRIED.

Mr. Walus thanked the Commission, stating that they have been very accommodating with their time allowing him to come before them at multiple meetings. He said he looks forward to working with Commissioners on any questions they have. Mr. Walus commented that because of the permit modifications in 2021, cities, towns, and counties will be required to review and update the Stormwater Ordinance every five years. As members of the Commission and Council are educated about stormwater issues, Mr. Walus said it will hopefully help facilitate future updates to the ordinance.

Commissioners thanked Mr. Walus for his work on this.

PUBLIC COMMENTS

(None)

COMMISSIONER COMMENTS / DIRECTOR'S COMMENTS

(None)

ADJOURNMENT


The chair entertained a motion to adjourn.

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

The chair declared the meeting adjourned at approximately 7:05 p.m.

ATTACHMENTS

- [1] 902-25(1) Staff report
- [2] 902-25(1) Fire Department report
- [3] 902-25(1) Sanitation Department report
- [4] 902-25(1) Water Department report
- [5] 902-25(1) Engineering Department report
- [6] 902-25(1) Attorney's report



Bruce de'Medici, President

ATTEST:



Fred Klinder, Secretary

ATTACHMENTS 1 – 6
PLAN COMMISSION MINUTES
MAY 27, 2025

MICHIGAN CITY PLAN COMMISSION

May 27, 2025

Case # 902-25 Minor Subdivision Primary and Secondary – 201/275 W. Hwy 20– GLI275 US 20 LLC**Request**

The petitioner is requesting the approval of a one (1) lot minor subdivision. Primary and secondary plat approval.

Staff Analysis

The property is located at 201 W. US Hwy 20, between Ohio Street and Franklin Street. This is a large parcel with a vacant former commercial structure located on it. The current zoning of the parcel is B2 General Commercial District Zoning. The uses allowed in this zoning district are those typically found in the general vicinity of the area of US 20 and Franklin Street. These are typically auto-oriented developments in larger lots with larger parking areas.

Department Comments from Water, Sanitation and Engineering:

1. Sanitation Dept: The sanitation Department does not object to the subdividing of the parcel, however, there appears to be unresolved issues with the location of stormwater infrastructure that crosses over the potential from proposed Lot 1 to proposed Lot 2, and from proposed Lot 2 to the adjacent parcel to the east of proposed Lot 2. Additionally, clarity is needed on the existing location of the sanitary sewer services for proposed Lot 1, whether that discharges into a private or public system, and how proposed Lot 2 will have access to sanitary sewer services.
2. Water Dept: The Department has no issue with the subdividing of land. However, the subdivision should be delayed until such time that water lines belonging to the mall have been identified and severed. There is a water shutoff manhole identified near the SW corner of proposed Lot 2. This structure is not part of the Departments facilities and is most likely part of an irrigation system for the mall property. We have no record of this structure being tied to the Departments water mains, so it is likely tied into the malls private water line, which is near the fire hydrant north of proposed lot 2, near the center. I would request that Marquette Mall ownership and or the new property owner shall provide a site utilities map or Alta survey showing the origin and termination of the lines attached to this structure, as well as the private lines within Lot 1 and within 20 feet of Lot 2 and then provide documentation that these lines have been severed outside of the proposed property lines for the proposed Lots 1 and 2. It is possible that these lines are pressurized and may cause issues and water loss if hit during construction.
3. Engineering Dept: The cross access should not be apparent but be dimensionally defined – at least in the northeast corner of Lot 2. There is a wide sidewalk in Lot 2 along with the south face of the former Carson's Building and very defined bi-directional travel lanes adjacent to this

sidewalk entering/exiting the eastern lot. The “apparent cross access use lane” running N-S on the east side of lot 1 should be removed –We do not believe that INDOT will allow 2 drives into this lot from US 20. There should be a maintenance agreement/easement for the storm sewers, though not shown, these storm sewers must cross into the adjacent lots.

Staff Recommendation

Based on the analysis and the information provided by other departments, the staff recommends approval of primary subdivision with the condition that all department comments be addressed in full to satisfaction of the departments and planning office prior to secondary approval.

PETITION RECOMMENDATIONS
PLANNING DEPARTMENT

PETITION NO: 902-25(1)&(2)

PETITIONER: GLI 275 US 20 LLC

REQUEST: Minor Subdivision – Primary & Secondary Plat

LOCATION: 201/275 W. Highway 20

Planning Department Observations:

The petitioner is requesting Primary & Secondary Plat approval of a Minor Subdivision to split the current parcel into two lots to create another buildable commercial lot. Please submit your comments to our office by May 5, 2025.

Date Forwarded: 3/10/2025

Fire Dept:

Fire has no issues with this request

Date Forwarded: 4/30/2025

Water Dept:

Click or tap here to enter text.

Date Forwarded: Click or tap to enter a date.

Sanitation Dept:

Click or tap here to enter text.

Date Forwarded: Click or tap to enter a date.

Attorney:

Click or tap here to enter text.

Date Forwarded: Click or tap to enter a date.

**PETITION RECOMMENDATIONS
PLANNING DEPARTMENT**

PETITION NO: 902-25(1)&(2)

PETITIONER: GLI 275 US 20 LLC

REQUEST: Minor Subdivision – Primary & Secondary Plat

LOCATION: 201/275 W. Highway 20

Planning Department Observations:

The petitioner is requesting Primary & Secondary Plat approval of a Minor Subdivision to split the current parcel into two lots to create another buildable commercial lot. Please submit your comments to our office by May 5, 2025.

Date Forwarded: 3/10/2025

Fire Dept:

Click or tap here to enter text.

Date Forwarded: Click or tap to enter a date.

Water Dept:

Click or tap here to enter text.

Date Forwarded: Click or tap to enter a date.

Sanitation Dept:

The Sanitation Department does not object to subdividing the parcel, however, there appear to be unresolved issues with the location of stormwater infrastructure that crosses over potentially from Proposed Lot 1 to Proposed Lot 2, and from Proposed Lot 2 to the adjacent parcel to the east of Proposed Lot 2. Additional clarity is needed on the existing location of sanitary sewer services for Proposed Lot 1, whether that discharges into a private or public system, and how Proposed Lot 2 would have access to sanitary sewer services. –Al Walus, Operations & Inspection Manager, MCSD

Date Forwarded: 5/7/2025

Attorney:

Click or tap here to enter text.

Date Forwarded: Click or tap to enter a date.

**PETITION RECOMMENDATIONS
PLANNING DEPARTMENT**

PETITION NO: 902-25(1)&(2)

PETITIONER: GLI 275 US 20 LLC

REQUEST: Minor Subdivision – Primary & Secondary Plat

LOCATION: 201/275 W. Highway 20

Planning Department Observations:

The petitioner is requesting Primary & Secondary Plat approval of a Minor Subdivision to split the current parcel into two lots to create another buildable commercial lot. Please submit your comments to our office by May 5, 2025.

Date Forwarded: 3/10/2025

Fire Dept:

Click or tap here to enter text.

Date Forwarded: Click or tap to enter a date.

Water Dept:

The Department has no issue with the subdividing of the land. However, the subdivision should be delayed until such time that water lines belonging to the mall have been identified and severed. There is a water shutoff manhole identified near the SW corner of proposed Lot 2. This structure is not part of the Department's facilities and is most likely part of an irrigation system for the mall property. We have no record of this structure being tied to the Department's water mains, so it is likely tied into the mall's private water line, which is near the fire hydrant north of proposed Lot 2, near the center. I would request that Marquette Mall ownership and/or the new property owner shall provide a site utilities map or Alta Survey showing the origin and termination of the lines attached to this structure, as well as the private lines within Lot 1 or within 20 feet of Lot 2 and then provide documentation that these lines have been severed outside of the proposed property lines for proposed Lots 1 and 2. It is possible that these lines are pressurized and may cause issue and water loss if hit during construction.

C.Johnsen, Superintendent

Date Forwarded: 5/7/2025

Sanitation Dept:

Click or tap here to enter text.

Date Forwarded: Click or tap to enter a date.

Attorney:

**PETITION
RECOMMENDATIONS
PLANNING DEPARTMENT**

PETITION NO: 902-25(1)&(2)

PETITIONER: GLI 275 US 20 LLC

REQUEST: Minor Subdivision – Primary & Secondary Plat

LOCATION: 201/275 W. Highway 20

Planning Department Observations:

The petitioner is requesting Primary & Secondary Plat approval of a Minor Subdivision to split the current parcel into two lots to create another buildable commercial lot. Please submit your comments to our office by May 5, 2025.

Date Forwarded: 3/10/2025

City Engineer:

I feel the Cross Access should not be "Apparent" but be dimensionally defined – at least in the northeast corner of Lot 2. There is a wide sidewalk in Lot 2 along the south face of the former Carson's building and very defined bi-directional travel lanes adjacent to this sidewalk entering/exiting this eastern lot. The "Apparent Cross Access Use Lane" running N-S on the east side of Lot 1 should be removed – I do not believe INDOT will allow 2 drives into this lot from US 20, but if they do, we should not! I think there needs to be a maintenance agreement/easement for the storm sewers – though not shown, these storm sewers must cross into the adjacent lots.

Date Forwarded: 4/29/2025

Fire Dept:

Click or tap here to enter text.

Date Forwarded: Click or tap to enter a date.

Water Dept:

Click or tap here to enter text.

Date Forwarded: Click or tap to enter a date.

Sanitation Dept:

Click or tap here to enter text.

Date Forwarded: Click or tap to enter a date.

Attorney:

Click or tap here to enter text.

Attorney Report

Petition No.: 902-25(1)&(2)
 Petitioner/Applicant: GLI 275 US 20, LLC
 Property Owner: GLI 275 US 20, LLC
 Engineer/Surveyor: CHAAPC Engineering and Land Surveying
 Request: Minor Subdivision - Primary and Secondary Plat Approval
 Location: 201/275 W. Highway 20, Michigan City, Indiana,
 also known as Tax Parcel 46-05-05-451-011.000-009 ("the Property")

Petitioner is filing for Minor Subdivision approval (both primary and secondary) for property located at 201/275 W. Highway 20, 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 provide 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) Instructions for filing a Petition before the City of Michigan City Plan Commission.

- (b) Michigan City Plan Commission Petition for Public Hearing.
- (c) Surrounding Property Owner List.
- (d) Acknowledgment of Public Hearing Notice Requirements, signed by Jeffrey, Managing Member of Owner/Applicant.
- (e) Notice of Public Hearing (date not filled in).
- (f) Affidavit of Service (blank, unsigned, not notarized).
- (g) Exhibit A, Legal Description for Property.
- (h) Exhibit B, Vicinity Map.
- (i) Exhibit C, Written Description of Project.
- (j) Exhibit D, Surrounding Property Owner List.
- (k) Exhibit E, Surrounding Property Owner Map.
- (l) Plat of Minor Subdivision dated 4/8/25 prepared by CHAAPC Engineering and Land Surveying.

Respectfully submitted,



Steven A. Hale