EST. 1836

MICHIGAN CITY

INDIANA

# MINUTES OF THE REGULAR MEETING OF THE MICHIGAN CITY PLAN COMMISSION OCTOBER 28, 2025

The Michigan City Plan Commission held their regular monthly meeting in the Common Council Chambers, City Hall, 100 East Michigan Boulevard, Michigan City, Indiana, on Tuesday, October 28, 2025, at 6:00 p.m. local time; the date, hour, and place duly established for the holding of said meeting. Access LaPorte County Media recorded the meeting and it is available for viewing on their website.

## CALL TO ORDER

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

## ROLL CALL

Public Works Director Wendy Vachet called the roll.

Commissioners present: Ross Balling, Bryant Dabney, Bruce de'Medici, Steve DePalma, Roscoe Hoffman, Fred Klinder, Rose Tejeda (via Zoom audio/video), Timothy Werner – 8 (all in person unless otherwise noted)

Commissioners absent: Antonio Conley – 1

Also in attendance: Redevelopment Executive Director Skyler York (via Zoom – audio), Attorney Steven Hale, Public Works Director Wendy Vachet, Redevelopment Business Manager Debbie Wilson (all in person unless otherwise noted)

## APPROVAL OF AGENDA

***With no amendments to the agenda, a motion was made by Commissioner Werner and seconded by Commissioner Dabney approving the agenda for the October 28, 2025, meeting as presented. The roll was called and the vote taken: (Ayes) Commissioners Balling, Dabney, de'Medici, DePalma, Hoffman, Klinder, Tejeda, Werner – 8; (Nays) None – 0. With 8 in favor and 0 opposed, the MOTION CARRIED.***

## MINUTES

***With no corrections or amendments to the minutes, a motion was made by Commissioner Dabney and seconded by Commissioner Klinder approving the minutes of the September 23, 2025, regular hybrid meeting as submitted. The roll was called and the vote taken: (Ayes) Commissioners Balling, Dabney, de'Medici, DePalma, Hoffman, Klinder, Tejeda, Werner – 8; (Nays) None – 0. With 8 in favor and 0 opposed, the MOTION CARRIED.***

## PETITION(S)

**Petition 905-25(1): Ameriplex Marquette JV, LLC is requesting Primary & Secondary Plat approval of a Minor Subdivision, replat of Lot 2 to subdivide it into two separate parcels to develop a proposed flex industrial building, located at 6101 Cleveland Avenue, parcel 46-05-09-127-031.000-009. Represented by Ryan Kelly of Holladay Properties.**

Ryan Kelly (in person) addressed the Commission stating he is with Holladay Properties representing the landowner, which is Ameriplex Marquette JV, LLC. He said they are requesting primary and secondary plat approval of a Minor Subdivision to subdivide Lot 2 into two separate parcels. As it exists today, Lot 2 is an 8.61 acre parcel and has a 64,000 square foot flex industrial building on one half of it. They would like to subdivide that into two parcels so that on the newly created 4 acre parcel they could develop a 54,000 flex industrial building to compliment the existing building on the site.

Mr. Kelly stated that they went before the Development Review Committee with their plans, and at that time the Water Department had requested that they adjust an easement to make it wider and to call it out as opposed to just a utility and access easement. Mr. Kelly acknowledged that they did make that update and he brought revised copies of the plat.

President de'Medici asked Attorney Hale if there were any legal points in terms of this petition moving ahead.

Attorney Hale advised that the Petitioner has provided copies of the notice documentation and he had an opportunity to review those documents. He stated that the Petitioner has provided all the necessary notice documentation and has met the notice requirements, so the Commission is free to hear the petition.

Commissioner Klinder asked where this property is located.

Mr. Kelly explained that it is basically located at the southwest corner of Highway 20 and Cleveland Avenue. The David Taylor auto dealership is at the corner and directly south of that is the existing Haskell Building which fronts on Cleveland Avenue. Directly west of that building is the site of the proposed new building. Mr. Kelly provided Commissioners

with a drawing showing where the new building would be. He explained that when they developed the existing building it was always their intention to build a second building behind it.

Commissioner Werner pointed out that on the north of the new lot there is an existing stormwater pond for the original development. He asked if the capacity of that pond is satisfactory for both the existing and proposed development.

Mr. Kelly replied affirmatively, stating that it was originally designed for both developments.

Commissioner de'Medici stated he senses that part of the logic of accomplishing the secondary subdivision is that it clarifies the rights and responsibilities for each property in the event there is a future lease or sale of the lot.

Mr. Kelly replied that it was correct.

President de'Medici acknowledged that there may be some issues in addressing the secondary plat.

Mr. Kelly indicated that he was not made aware of that.

Mr. York asked Attorney Hale to explain the legal description issue. He pointed out that the issue can be easily fixed and it will not preclude the Commission from voting on the Primary Plat tonight.

Attorney Hale began with reading his report into the record (attached hereto and made a part of this record [1]). He pointed out that the wrong report was sent to Commissioners in error. He noted the provisions of the Subdivision Ordinance pertinent to a Minor Subdivision, stating 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. Requirements may be modified or waived by the Commission. He explained that a Minor Subdivision is a subdivision from which a parent parcel (single parcel) is subdivided into no more than two parcels. The parent parcel can remain, so, you could end up with three parcels. Mr. Hale explained the process, stating that a petitioner applies for approval of the Primary Plat, and that approval must be at a public hearing. Following approval of a Primary Plat, a petitioner would file for Secondary Plat approval which also comes before the Plan Commission, and even though it is held at a public meeting, a public hearing is not required. He recalled in the past, the Commission has considered and approved both primary and secondary plat at the same time. Attorney Hale indicated as noted in the staff report, the proposed subdivision meets all requirements of the Zoning Ordinance and does not need any variances from the development standards. He mentioned the application materials submitted, adding the notice documents to the record.

Regarding the plat submitted, Attorney Hale stated that he would like to see on the secondary plat a legal description of the two new lots that are being created. He recalled a while ago that the Petitioner got a subdivision of the Ameriplex Marquette Subdivision. There were three lots in that subdivision, now they are asking to take one of those lots (Lot 2) and cut it in half. Referring to the plat submitted, there is Lot 1 and Lot 2. The Subdivision Ordinance requires that the legal description be included on the plat. He said the information is all there but there will be a new legal description of what had been Lot 2 under the last subdivision. Now they are creating two new lots from Lot 2 which cannot have the same name, so it will be Lot 1 of the Replat of Lot 2 Ameriplex Marquette Minor Subdivision. Attorney Hale said the other thing he would like to see is the existing building shown on the plat. He would also like shown on the plat, the access to the two streets (Cleveland Avenue and Ameriplex Drive).

Attorney Hale stated that this plat is ready for Primary Plat approval this evening if the Commission is so inclined. The Petitioner could file for Secondary Plat approval at a future meeting.

Mr. York stated that he was not sure about including the access to Ameriplex Drive because he thinks it is inherently understood that there will be access to Ameriplex Drive. There will also be cross access from Cleveland Avenue. It will be up to the City Engineer to grant that curb cut because it is a public road.

Mr. York read the staff report into the record (attached hereto and made a part of this record [2]). He gave a history of the site and indicated that at the time of the original subdivision in 2016, a full Geotech was completed on the property along with an agreement with the Michigan City Redevelopment Commission to design and construct Ameriplex Drive when the second building was built. Currently, only half of Ameriplex Drive has been constructed, although the entire road has been designed. The Redevelopment Commission has engaged the original engineers to bid and procure the construction of the remaining Ameriplex Drive. Construction on the road will not stop the petitioner from constructing the building; they still have access via Cleveland Avenue and can come across the southern side of that lot with construction access. From comments made at the development review meeting, the petitioner is aware that they must provide a stormwater agreement to Sanitation, they have adjusted easements for the Water Department, and they adjusted inlets for the City Engineer. This property is zoned M1 Light Industrial and is intended to be used for light industrial flex space. Mr. York recommended approval of the primary plat with any of the corrections the Plan Commission would like to add. He suggested that they make those conditional conditions of the secondary plat and the petitioner would come back and file for secondary plat approval making those amendments.

After discussion, it was agreed by all to vote only on the primary plat to allow the petitioner time to make the adjustments to the secondary plat.

Commissioner Werner pointed out that currently there is a stormwater pond on a single lot. Now, the stormwater pond will be shared by two separate lots. He asked if an outlot would need to be created and have an agreement for shared maintenance between the two lots for this stormwater pond.

Attorney Hale asked Mr. Kelly if it is intended for Lot 1 and Lot 2 to subsequently be at some point in time owned by two different parties.

Mr. Kelly replied that it could, and that there definitely would be an easement and maintenance agreement in place.

The chair opened the meeting for public comments.

Scott Meland (in person) stated his address is 200 Kenwood Place. He noted his confusion in the difference of primary and secondary plat, stating that it sounds like the same thing being approved twice. He said it is a good plan and that it should go forward. Regarding the stormwater pond, Mr. Meland said an outlot would be needed, which would be another subdivision. He commented on the naming of the lots, commented that the cross-connect access is important to have, as well as a maintenance agreement for the retention pond.

There were no other comments, therefore public comments were closed.

Mr. York clarified that another lot for the pond is not needed; an agreement is needed that covers the easements to that pond from all the lots. If they were to create another lot, then it would be creating two extra lots. Mr. York said they just need to make sure an agreement is in place and everything is covered in that agreement.

Attorney Hale advised that the Commission could not proceed this evening if another lot is added; consideration of the primary plat would have to be deferred. Although, from a legal standpoint he said some sort of cross easement could be used between the two lots. He said that has happened many times before, and he also felt with the new stormwater ordinance, the agreements are much tighter than they used to be. He advised that further discussion regarding maintenance could be deferred to secondary plat review.

Discussion took place regarding the conditions for primary plat approval.

***A motion was made by Commissioner Klinder and seconded by Commissioner Werner approving Petition 905-25 Ameriplex Marquette Minor Subdivision Primary Plat with the condition that before secondary plat approval: 1) The legal description on the plat is corrected to include both Lot 1 and Lot 2; 2) the existing building on Lot 1 is shown on the plat; 3) a cross-access easement is provided between the two buildings and shown on the plat; and 4) a stormwater maintenance agreement is provided. The roll was called and the vote taken: (Ayes) Commissioners Balling,***

***Dabney, de'Medici, DePalma, Hoffman, Klinder, Tejeda, Werner – 8; (Nays) None – 0. With 8 in favor and 0 opposed, the MOTION CARRIED.***

## OLD BUSINESS / NEW BUSINESS

**Discussion of Zoning Ordinance Amendments:**
Mr. York apologized for the technical malfunction at the last meeting and that he is present via Zoom at this meeting. He said he would like to hold this discussion over to the next meeting so he can give the full PowerPoint presentation.

***A motion was made by Commissioner Klinder and seconded by Commissioner Dabney to postpone the discussion of Zoning Ordinance amendments to the November 25, 2025 meeting. The roll was called and the vote taken: (Ayes) Commissioners Balling, Dabney, de'Medici, DePalma, Hoffman, Klinder, Tejeda, Werner – 8; (Nays) None – 0. With 8 in favor and 0 opposed, the MOTION CARRIED.***

## PUBLIC COMMENTS

Scott Meland (in person) stated his address is 200 Kenwood Place. He apologized for complicating things with comments he made about an outlot and that it may need to be a parcel. He questioned if a maintenance agreement would go on the title or deed so that it exists in perpetuity and is not forgotten about years later when they go to sell the building. He said a maintenance agreement is a piece of paper that is forgotten about, but the title is where these requirements should go. He encouraged the Commission to make sure that happens because there have been problems in the past with retention pond maintenance agreements.

## COMMISSIONER COMMENTS

Commissioner Klinder commented that he went to Chicago last week on the South Shore train. He felt the double track did not work as originally anticipated because it was only ten minutes quicker. He said that NICTD divided Michigan City in half so they would have less maintenance on their roads. He talked about the fences they put up, stating that it is slowly becoming a distraction, reminding him of riding through Gary with the weeds, trash, and junk between and around the fences. In many areas, the sidewalk is not wide enough for two people to walk next to each other. Commissioner Klinder said he wants the City to be aware that they must make NICTD responsible for maintaining that area. He mentioned the Blocksom factory which was agreed to being moved 20 years ago but because everything was not written in the contract, it is still here. He indicated that he wants to make sure everything is correct and nothing is overlooked so things get done.

## ADJOURNMENT

The chair entertained motion to adjourn.

A motion to adjourn was made by Commissioner Werner – seconded by Commissioner Balling.

The chair declared the meeting adjourned at approximately 6:55 p.m.

Bruce de'Medici, President

ATTEST:

Fred Klinder, Secretary

## ATTACHMENTS

[1] 905-25(1)&(2) Attorney report
[2] 905-25 Staff report