

**MINUTES OF THE REGULAR MEETING OF THE  
MICHIGAN CITY PLAN COMMISSION  
MAY 25, 2021**

The Michigan City Plan Commission convened in a regular meeting via Zoom and streaming live on My Michigan City, Indiana Facebook, on Tuesday, May 25, 2021, at 6:00 p.m. local time; the date, hour, and place duly established for the holding of said meeting. The meeting was hosted by Kaleb Goodwin, City IT Department.

**CALL TO ORDER**

President Lawrence Zimmer called the meeting to order at approximately 6:00 p.m.

**ROLL CALL**

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

**Present:**

Bryant Dabney, Christina Espar (arrived after roll call), Braedan Gallas, Daniel Granquist, Fred Klinder, Jeffery Wright, Lawrence Zimmer (7) – All participating via Zoom with both video and audio, except for Fred Klinder who participated by audio only.

**Absent:**

Michael Gresham, Andy Sperling (2)

**Staff Present:**

Planning Director Skyler York, Associate Planner Lilliana Rosado, Attorney Steven Hale, Administrative Assistant Debbie Wilson – Skyler York and Steven Hale participating via Zoom with both video and audio, Lilliana Rosado observing the meeting via Zoom, and Debbie Wilson observing the meeting via Zoom and taking minutes.

**Staff Absent:**

None

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

**POLICY OF CONDUCT AND PROCEDURES**

The Policy of Conduct and Procedures for the Michigan City Plan Commission states that the Commission is composed of nine persons. By statute, five must vote affirmatively to approve a petition. Thus, whenever less than a full board is present, the petitioner may wish to continue his/her hearing. Anyone wishing to speak on a petition or to the board in general at the end of the meeting may do so by approaching the speaker's roster and giving his/her name and address. Comments should be

addressed to the Plan Commission, not to a petitioner or remonstrator or others in the audience. The Plan Commission vote is based on the evidence presented.

**APPROVAL OF AGENDA**

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

***Motion by Commissioner Granquist – seconded by Commissioner Klinder approving the May 25, 2021 agenda as presented. The roll was called, and the vote taken: (Ayes) Commissioners Dabney, Gallas, Granquist, Klinder, Wright, Zimmer – 6; (Nays) None – 0. With a vote of 6 ayes and 0 nays, the MOTION CARRIED.***

***IT SHOULD BE NOTED FOR VOTING PURPOSES THAT COMMISSIONER CHRISTINA ESPAR ARRIVED LATE AND WAS NOT INCLUDED IN THIS VOTE.***

**APPROVAL OF MINUTES**

***COMMISSIONER ESPAR ENTERED THE MEETING VIA ZOOM (BOTH VIDEO AND AUDIO) AND WAS NOTED PRESENT FOR THE RECORD.***

President Zimmer entertained a motion for approval of the minutes of the regular Zoom meeting of April 27, 2021.

Commissioner Granquist thanked the secretary for a nice thorough incorporation of minutes.

***Motion by Commissioner Granquist – seconded by Commissioner Espar approving the minutes of the regular Zoom meeting of April 27, 2021 as submitted. The roll was called, and the vote taken: (Ayes) Commissioners Dabney, Espar, Gallas, Granquist, Wright, Zimmer – 6; (Nays) None – 0; (Abstain) Commissioner Klinder – 1. With a vote of 6 ayes, 0 nays, and 1 abstention, the MOTION CARRIED.***

**PETITION(S)**

The chair called for the first petition.

Mr. York read, Petition 900-21: MC Self-Storage, LLC requests primary approval of a Minor Subdivision (Autumn Creek Subdivision) to create two lots located at 7008/7174 W. Highway 20, Parcel ID No. 46-05-02-428-022.000-009 (Represented by Attorney Anthony G. Novak). Mr. York noted that Attorney Jim Kaminski is representing this petition tonight.

Attorney Jim Kaminski appearing via Zoom, introduced himself indicating that he is filling in for his partner Anthony Novak because he had to attend a County Plan Commission meeting at the same time. He noted that the Affidavit of Publication and

notice to the adjoining property owners was previously submitted by Mr. Novak to the Planning staff. Mr. Kaminski stated that MC Self-Storage is requesting a two lot subdivision. The parcel was recently annexed into the city. It originally was three different legal parcels that became one tax parcel and it has multiple zoning classifications (business and residential). The request is to create a two lot minor subdivision. The proposed minor subdivision has a division by zoning classification so the proposed Lot 1 would be a lot of approximately 6 acres that has the B2 Business zoning classification; the proposed Lot 2 would be a separate lot for the residential piece of this parcel. The proposed Lot 1 previously received a Use Variance for storage units. The proposed subdivision has an access from Highway 20, which is the current access from Highway 20 that is servicing this parcel, so there would not be a new creation of an accessway from Highway 20 for this subdivision; they will be using the same access. There will be an easement extended by Lot 1 to service access to and from Lot 2 of the subdivision. It is planned that an existing roadway on the parcel would be used in part to serve as the accessway to and from Lot 1. Mr. Kaminski stated that the proposal is simple; it is to divide up the parcels to be consistent with the various zoning, using the same accessway. Their client believes it will help them in the future to move on any development that might come for Lot 2, which is unknown at this time. Mr. Kaminski noted that Shem Khalil from Global Engineering has prepared the proposed plat. They are only requesting primary approval tonight to get the Commission's comments and then will come back at a future meeting for secondary and final approval.

President Zimmer called for reports from the Planning staff and the attorney.

Mr. York read his report into the record (attached hereto [1] and made a part of this record) recommending approval of the primary plat with the easement as proposed.

Attorney Hale read his report into the record (attached hereto [2] and made a part of this record). He noted that proper notification documentation was supplied to the Planning staff; he had the opportunity to review that material and finds that the notice material is in order, so the Plan Commission is free to consider this petition.

Referring to the application filed, the agenda, and pursuant to the Beacon website, Attorney Hale stated everything indicates that the petitioner, subdivider, and property owner is MC Self-Storage, LLC, so he was not sure why Mr. York referred to it as Han Capital, LLC in his report.

Mr. York apologized, stating that he probably had the wrong name on it.

Attorney Hale asked Mr. Kaminski if it is correct that the petitioner is MC Self-Storage, LLC.

Attorney Kaminski confirmed that was correct.

Attorney Hale continued highlighting his report stating that our Subdivision Ordinance provides for and considers it a minor subdivision if someone wishes to take a single parcel of land and divide it into two parcels. In this case, the petitioner is requesting something that is specifically permitted under our Subdivision Ordinance. The Ordinance requires that a public hearing take place. The Commission is to consider whether the proposed plat meets all the requirements of the Subdivision Ordinance, of which Mr. York has indicated that it does. The Commission has the power to waive any requirements the Subdivision Ordinance contains, and they should also take into consideration whether the subdivision as proposed would meet the Zoning Ordinance requirements.

President Zimmer asked if there were any questions/comments from Commissioners.

Commissioner Granquist asked for clarification on the easement because it was discussed and described two different ways. One was that the easement was designed to serve that development of Lot 1; the other was that it was designed as an easement from Lot 1 to service Lot 2.

Mr. Kaminski responded, stating that the easement is to serve Lot 1 through Lot 2.

Commissioner Granquist confirmed that it is an easement from Lot 2 to Lot 1.

Mr. Kaminski stated that was correct.

Commissioner Granquist asked if it was correct that Lot 2 already has a couple access points from Highway 20.

Mr. Kaminski replied that was correct.

Commissioner Granquist confirmed that this would be using just one of those accesses from Lot 2 to give access to the back part of Lot 1.

Mr. Kaminski stated that was correct.

President Zimmer opened the hearing to public comments.

Commissioner Wright questioned what is required on the plat, stating that a couple of months ago there was another primary plat and it was required that all the certifications had to be on the drawing. He asked if those certifications are required to be on this drawing.

Mr. York replied that they are required on the secondary plat.

Commissioner Wright stated that he did not know if it is required to meet ordinance, but said the drawings he is looking at has text over text and there are bearings on lines that don't have any intersecting points to show where the change in the direction of those particular lines occurs. He asked if primary plats can be short on the technical accuracy of what is being presented.

Mr. York replied affirmatively, stating that between now and secondary, they will have to expend more economics into it, and they will have to refine anything the Commission asks of them. If the Commission asks them to make the lines different or look different on secondary plat, they would have to correct the lines.

Commissioner Wright asked if the secondary plat normally comes with all the contour lines.

Mr. York replied that secondary plat typically does not; it literally comes with a parcel and the certifications.

Commissioner Wright commented that the primary plat would be just for showing what the ground looks like; it is more of a concept sketch rather than for accuracy or detail.

Mr. York replied that was correct, stating that typically if it is a complicated subdivision or there are major concerns, they may come back with an updated primary plat to show the fixes and have a secondary plat showing whatever is required to be shown on it.

Commissioner Wright stated that it seems like the Commission would require the petitioners to come in with something more presentation-oriented; but he did not know if it is a requirement in the ordinance.

Mr. York replied that it is not required; the data is shown on the plat. The point of the primary plat is more of a concept plan to basically get the Commission's feedback.

There were no further comments from Commissioners or the public; therefore, President Zimmer closed the public portion of the hearing.

The chair entertained a motion.

***Motion by Commissioner Klinder – seconded by Commissioner Gallas approving Petition 900-21 MC Self-Storage, LLC for primary plat approval of a two lot minor subdivision at 7008/7174 W. Highway 20. The roll was called, and the vote taken: (Ayes) Commissioners Dabney, Espar, Gallas, Granquist, Klinder, Wright, Zimmer – 7; (Nays) None – 0. With a vote of 7 ayes and 0 nays, the MOTION CARRIED.***

Mr. Kaminski thanked the Commission, stating that they would take care of Commissioner Wright's concerns by the secondary plat.

**OLD BUSINESS**

**(Rezoning of area around former St. Anthony Hospital)**

Mr. York began discussion, recalling that this was a topic of conversation at the last Commission meeting, centering around Coleman Moore's petition which branched out to a broader discussion about changing the zoning that exists around the former St. Anthony Hospital from OS Office Service back to R1D Single-Family Residential or in some cases, B1 Neighborhood Commercial depending on how the property is being used. He stated that a public meeting was held last night with the neighborhood being invited. The meeting went well. There were Council members and Plan Commission members in attendance as well as residents of the neighborhood. He said he did not hear any negative comments from the neighborhood; they were all positive comments, although he said they were still taken aback that they did not know they were rezoned. Mr. York said regardless of what happened in the past, the City is going to get this corrected for them. He said he had a few phone calls today from residents which were positive. Overall, Mr. York said he thought it was a positive meeting and Council members were positive as well.

Commissioner Klinder stated that as Mr. York indicated, a lot of people were surprised to find out that their property was zoned different than what they knew. He noted that there is a state of urgency from the neighborhood to get this corrected before any catastrophic problems occur as a result of this; they want the City to move as quickly as they can.

Mr. York stated that tomorrow he will circulate to Commissioners a map of the OS area and a new map of what is proposed for the approximate 96 parcels. Mr. York stated that they had planned on holding a special meeting, but not knowing what will happen with the venue of future meetings (in-person or hybrid meetings) until 5/31, he did not want to have to re-notice again since it is an enormous noticing process; he felt it would be better to wait until the next regularly scheduled Plan Commission meeting on 6/22/21. Staff will send out certified mailings as required by law to the affected properties as well as the adjoining/abutting property owners. At that point, Mr. York said he will ask the Plan Commission to act at their 6/22/21 meeting, hopefully with a favorable recommendation to the Common Council for consideration at their first meeting in July.

Attorney Hale added to comments, pointing out that holding a workshop session for public comment is not required. However, Mr. York did so, having the meeting last night. He also pointed out that staff provided notice of that workshop to every homeowner by U.S. mail as well as having staff leaflet the area and knock on doors in the neighborhood.

Mr. York confirmed that he had two staff members canvas the affected properties in the entire neighborhood and talked to some of them answering questions.

Attorney Hale noted that it is important for the Commission to understand that although not required, the Planning staff went out of its way to try and provide additional notice to everyone in the neighborhood and provide them an opportunity to voice any concerns, comments, or opinions they had. He also pointed out that state law and our ordinance permit the City Council to initiate proposals; in this case the City Council sent the Plan Commission a resolution requesting they look into the rezoning of the former St. Anthony Hospital neighborhood. Based upon that, it is the Plan Commission's responsibility to consider that proposal expeditiously. It is incumbent upon the Plan Commission to take up a consideration of the rezone from OS Office Service to R1D Single-Family Residential for all the properties except for those that may be rezoned B1 Neighborhood Commercial. To do that, a petition should be formulated by the Planning staff that will be this body's petition to initiate this. It is requirement to provide notice as any other petitioner would provide notice, which is by certified mailings return receipt requested to all the affected property owners as well as all the adjoining property owners. That notice will be provided by Planning staff. Also, publication notice must be provided, which will be done for the 6/22/21 Plan Commission meeting. Mr. Hale advised that there is some sense of urgency, both statutorily and as a result of the resolution sent to the Commission by the City Council. He said it is his recommendation that this matter and the petition be placed on the 6/22/21 Plan Commission agenda. A public hearing is required; after which the Plan Commission may consider sending it back onto the City Council with a favorable recommendation, unfavorable recommendation, or no recommendation. He urged Commissioners to act expeditiously to move this matter to a conclusion at their June meeting. He said he is aware of the problems regarding giving notice for a special meeting, stating that it seems it would be impossible for staff to provide notice to have a special meeting more than a week before the regular meeting; therefore he recommended holding it over until the 6/22/21 regular meeting.

Mr. York pointed out that the proposed zoning map does not take into consideration the property owned by Franciscan (former St. Anthony Hospital). They asked that their property be left as is for future plans, and at that point if it requires a rezoning they will come back to the Commission.

Commissioner Klinder asked for clarification on the determination for future meetings and whether they will continue to be Zoom or in-person meetings.

Mr. York replied that legislation has been created and all boards and commissions are waiting to see what happens on May 31<sup>st</sup>. If the governor does not extend the Executive Order for Zoom meetings, all boards and commissions will have to decide on how they will conduct their meetings in the future.

Commissioner Wright questioned what is at risk if there is consideration of a special meeting, and if the residents are exposed to detriment on their part if something occurs.

He commented that the zoning has been in place for 10-11 years, so it sounds reasonable to him to hold off on the rezoning until June. Although in the last couple days he said he has been hearing that this is a priority to get it done, so he questioned what the risk is by holding off and bypassing a special meeting.

Commissioner Granquist responded, stating that the risk is what Coleman Moore presented at the last meeting indicating it is a problem if they are trying to refinance or sell their property; there are issues with the zoning relating to insurance and lending purposes. He indicated that it seems no one had any issues all this time until Mr. Moore pointed this out last month.

Mr. York agreed that was correct, stating that some people have refinanced with no problem, so he is not sure what the determining factor is.

Commissioner Klinder stated one thing mentioned at the meeting last night was that because of the zoning their insurance may not cover rebuilding their home if it burns down.

Mr. York stated that was correct if it is 50% loss.

Commissioner Zimmer asked Mr. York what the next step is.

Mr. York replied that staff must put publication out and notice to the affected and adjoining property owners for the June 22, 2021 meeting. Notice in the newspaper must be published twice within a certain time and notice to property owners also must be within a certain time.

Attorney Hale added comments, stating that it would be prudent for this body to pass a motion instructing the Planning staff to submit on their behalf a petition regarding the rezoning of the former St. Anthony Hospital neighborhood, and that it be placed on the June meeting agenda as a matter to be considered and determined.

The chair entertained a motion.

***Motion by Commissioner Granquist – seconded by Commissioner Klinder instructing Planning staff to submit a petition on behalf of the Plan Commission for the rezoning of the former St. Anthony Hospital neighborhood and placing it on the June 22, 2021 Plan Commission agenda for consideration and determination. The roll was called, and the vote taken: (Ayes) Commissioners Dabney, Espar, Gallas, Granquist, Klinder, Wright, Zimmer – 7; (Nays) None – 0. With a vote of 7 ayes and 0 nays, the MOTION CARRIED.***

**(Discussion regarding affordable housing)**



Mr. York recalled at the last Plan Commission meeting there was a discussion regarding tiny houses. He said he understands the need for tiny houses but felt the overarching subject matter they heard was affordable housing, not just tiny houses. He said that tiny houses will not solve affordability, it is just a piece of the spectrum. All these terms are mentioned interchangeably. Mr. York stated that he and Clarence Hulse (EDCMC) would like to wait and continue this discussion after the housing study is completed because there is a lot of good information in the study. This is not a nationwide study; it is very specific to what is affordable here in LaPorte County and includes Michigan City and nearby communities as well as LaPorte and Westville. He said Mark O'Neill from Greenstreet Ltd out of Indianapolis is the consultant and they would like to make a presentation to the Commission, delving into how to make things more affordable through transportation and connecting all these things that allow affordability to happen organically. Mr. York stated that the study is focused on all spectrums of housing with an affordability component to it. This study is an initiative through the Unity Foundation and Vibrant Communities. The larger cities get special treatment within that study. The study will give information about affordability and specifics on what we are lacking regarding townhomes, apartments, single-family housing, etc. This will help market our community as well, so we are ready for housing. Developers want to see those housing studies to see what the demands and needs are to determine if they want to invest in the community.

Commissioner Granquist asked the timeline for completion of this study.

Mr. York replied that he believes it is July. Commissioners can go to the Vibrant Communities website to see some of the presentations that were done on the housing study. Mr. York said he will check with Greenstreet to see if they would be available for a presentation at the Commission's July meeting.

Commissioner Dabney commented that Councilwoman Zygus shared the link for Vibrant Communities and the study - <https://vibrantlpcounty.com/resources/people/> .

Mr. York asked Commissioner Granquist if he was okay with calling it the Affordable Housing Commission rather than Tiny Houses Commission.

Commissioner Granquist replied that he was okay with it, adding that the main emphasis is affordability, whatever the size. He said that as mentioned last month there is an economic issue for many people to be able to afford homes. He stated that as Mr. York mentioned it also ties into availability of transportation, access to services, as well as other things.

Mr. York agreed that it is a multifaceted issue that is complicated. He said seeing the graphs in the presentation and how it all plays together is very interesting.

**PUBLIC COMMENTS**

Councilman Paul Przybylinski (via Zoom telephone link) spoke about rezoning of the neighborhood around the former St. Anthony Hospital, asking Mr. York if he located an old zoning map of the neighborhood prior to the one from 2011.

Mr. York replied that he has located it and he can have a copy of it.

Mr. Przybylinski asked if St. Anthony has provided a site plan that they have initiated with the deconstruction and the new utilization of their facility.

In response, Mr. York indicated that they have submitted plans for the PACE facility.

Mr. Przybylinski corrected himself, stating that he meant a master plan for the campus.

Mr. York replied that they have not submitted a master plan.

Mr. Przybylinski asked if they are regulated by our ordinance to do so.

Mr. York replied that they will be required to do so when they decide what they are going to put back.

Mr. Przybylinski commented that a lot of the residents are aghast that this happened. He thanked Mr. Hale for his discussions with himself on the process and helping people get this process going and understanding the process.

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Commissioner Wright commented that in today's society we should be able to be presented with a drawing that looks semi-professionally done. He referred to the plat the Commission just approved, stating that it may be technically right but felt the Commission deserves better than that; they deserve something that is reasonably presented and has drawing standards on there that convey the intent of the proposed subdivision, at least beyond what this is showing. He said he does not know how the Commission would implement that but said moving forward they should expect something a little more professionally presented. He said particularly with today's society and a \$5,000 CAD package, the Commission should be able to look at a drawing that is reasonably put together and professionally done, even though it does not need to have all the secondary plat stuff on it. He commented that he would rather see something drawn on a napkin than looking at a drawing like this that has text on top of text and different size text all globbed together.

**ADJOURNMENT**

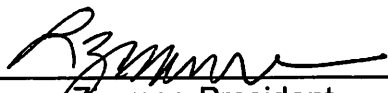
The chair entertained a motion to adjourn.

***Motion by Commissioner Klinder – seconded by Commissioner Dabney and unanimously approved by voice vote.***

With no further business to come before the Commission, President Zimmer declared the meeting adjourned at approximately 7:00 p.m. He announced the next regular meeting is scheduled for June 22, 2021 at 6:00 p.m. with the meeting venue yet to be determined.

**ATTACHMENTS**

- 1) Petition 900-21 Staff report
- 2) Petition 900-21 Attorney report

  
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Lawrence Zimmer, President

ATTEST:

  
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Christina Espar, Secretary

## MICHIGAN CITY PLAN COMMISSION

May 25, 2021

**Case # 900-21 Autumn Creek Subdivision- MC Self-Storage, LLC****Request**

The petitioner is requesting a minor subdivision for a piece of property located at 7008/7174 W Highway 20. The current piece of land will be subdivided into two lots, one new lot and a residual lot.

**Staff Analysis**

The property in question is currently vacant and unsubdivided and was recently annexed into the city in 2020. The surrounding uses are R4 Manufactured Housing Park District, R1B Single Family District, and B2 General Commercial District.

This piece of land will be used to extend the existing self-storage facility located along Highway 20. The petitioner has proposed an easement across their remaining land for access to the rear of the new storage facility expansion area.

Although the petitioner has provided an easement to the rear of the facility there is access directly from the existing facility to the expansion area. There is direct access to the expanded area from Highway 20.

**Staff Recommendation**

Staff recommends approval of the primary plat with the easement as proposed.

## Attorney Report

Petition No.: 900-21  
 Petitioner/Subdivider: MC Self Storage, LLC  
 Property Owner: MC Self Storage, LLC  
 Engineer/Surveyor: Global Engineering & Land Surveying, LLC  
 Request: Minor Subdivision - Primary Plat Approval  
 Location: 7174 West Highway 20, Michigan City, Indiana, also  
 known as Tax Parcel 46-05-02-428-022.000-009 ("the  
 Property")

Petitioner is filing for Minor Subdivision to subdivide one parcel into two parcels, which meets the requirements for a minor subdivision under Section 1.08(a)(2) of our Subdivision Ordinance.

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

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

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

The submitted materials include:

- (a) Application For Minor Subdivision Within The Corporate Limits of Michigan City signed by Attorney Anthony G. Novak;
- (b) Primary Plat of Autumn Creek Subdivision prepared by Global Engineering & Surveying, LLC dated 04/23/2021 (3 pages).

Respectfully submitted,

A handwritten signature in cursive script that reads "Steven A. Hale". The signature is written in black ink and is positioned above a horizontal line.

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Steven A. Hale