

PLYMOUTH PLAN COMMISSION

January 7, 2025

The Plymouth Plan Commission met in regular session in the Council Chambers of the City Building, 124 North Michigan Street, Plymouth, Indiana, on January 7, 2025, at 7:00 p.m.

Commission President Doug Feece called the meeting to order for Commissioners Alex Eads, Mark Gidley, Randy Longanecker, Shiloh Carothers Milner, Beth Pinkerton, Linda Secor, Dan Sellers, Paul Wendel, and Fred Webster answering roll call who were physically present. Commissioner Angela Rupchock-Schafer was absent. Others present were Building Commissioner Dennis Manuwal Jr., City Attorney Jeff Houin, Plan Director Ty Adley, and Mayor Robert Listenberger. The public was able to see and hear the meeting through Microsoft Teams.

Commissioners Webster and Longanecker moved and seconded to approve the minutes of the last regular meeting on December 3, 2024. The motion carried.

Deputy Clerk-Treasurer Williams Administered an Oath of Office to both Doug Feece and Beth Pinkerton.

Commission President Feece announced that the meeting would start with the reorganization of the commission.

Commissioners Gidley and Wendel moved and seconded to retain the current slate of officers. The motion carried.

Current Officers:

Doug Feece, President

Timothy A. Eads, Vice President

Fred Webster, Secretary

Commissioners Webster and Pinkerton moved and seconded to retain the same meeting days and times, the first Tuesday of each month at 7:00 p.m. in the City Council Chambers. The motion carried.

The discussion was had to retain Fred Webster as County Liaison and the appointed member to the Technical Review Committee.

The following legal notice was advertised in the Pilot News newspaper on December 20, 2024:

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Legals

**NOTICE OF
PUBLIC HEARING**
The Plan Commission of the City of Plymouth, Indiana will hold a hearing on January 7th, 2025, at 7:00 p.m. in the Council Chambers of the City Building, 124 N. Michigan St. (Garro St. entrance), Plymouth, Indi-

ana on the following matters:
PC 2025-01: CALI TO INDY LLC, 16214 Dogwood Lane, Plymouth, IN 46563: An Abatement of Development Standards to waiver and abatement of the requirement to install sidewalks, on parcel 50-42-32-301-108.000-019, located at 1400 N Oak Drive, Plymouth, IN 46563, zoned I, Industrial District.

Information on these matters may be obtained at the office of the Clerk-Treasurer, 124 N. Michigan St., Plymouth, IN and telephone #574-936-2124. Written objections to the proposal filed at the Clerk-Treasurer's office will be considered and oral comments will be heard. The hearing may be continued from time to time as may be found necessary.

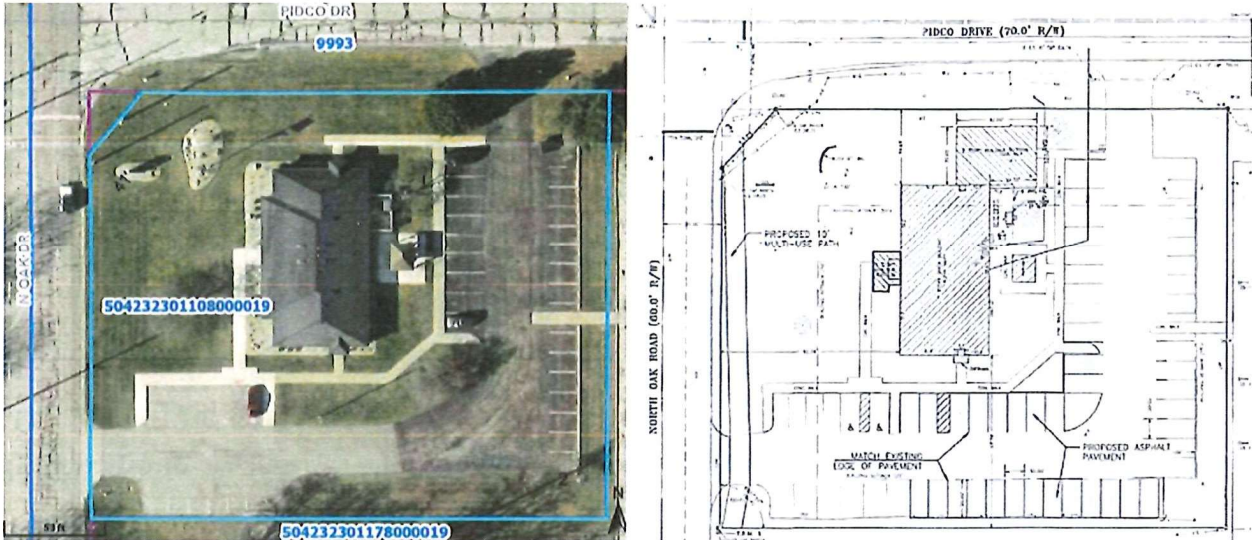
If you are disabled and need special accommodations, please call the ADA Coordinator at 574-936-2948. Kyle Williams, Recording Secretary, Plan Commission, December 20th, 2024.

PC 2025-01: CALI TO INDY LLC, 16214 Dogwood Lane, Plymouth, IN 46563: An Abatement of Development Standards to waiver and abatement of the requirement to install sidewalks, on parcel 50-

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42-32-301-108.000-019, located at 1400 N Oak Drive, Plymouth, IN 46563, zoned I, Industrial District.

Plan Director Adley reviewed the findings of fact and the request from the applicant. He shared the map below:



Pinkerton asked if it made sense to grant this while the city was awaiting a grant.

Adley replied that was why staff was recommending approval.

Feece reminded the board that they granted a lot of waivers/variances to this and that they were under the understanding that once the sidewalk would be put in that they would be responsible to pay for the sidewalk in front of their property. He stated it would not be a city thing at that point from his understanding. He stated they gave the waiver/variance to Beacon Credit Union, Mr. Storage, and Construction Management and Design (CMD).

Webster asked Houin if the Complete Streets Committee was working on this.

Houin replied that he wished to touch on what Feece said first. He explained that for Beacon Credit Union and Mr. Storage that they had did not have to build a sidewalk until an adjacent property was developed. He stated for CMD, when they built their project a year and a half ago that they did something different. He stated they were given the variance to not have to build a sidewalk in exchange for a 10-foot easement so when the city would be ready to develop Oak Drive, that they would have an additional 10 feet. He stated the largest issue on Oak Drive was that the city does not have enough right-of-way to install sidewalks on either side. He explained that the Complete Streets Committee was working with Troyer Group to develop some preliminary plans and there had not been a specific plan they have applied for yet. He stated that instead, they had asked Troyer Group to develop two sets of designs. He explained that the first set would be the most cost-effective, that would be simple and could be done as soon as possible. He stated that the second version would be the gold version for if time and money were not an issue, how should Oak Drive have been built. He stated that they have received each of those and they would like to incorporate some from each plan but still do something as soon as possible. He stated they are at the point where they need to identify funding sources and figure out

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where Oak Drive fits into the street improvement plans so they are not spending money that would be already budgeted or planned for. He stated that hopefully in the next couple years they would be able to move forward with a simpler version of that plan.

Webster asked how soon they would have a plan that would give them more background for what they could do with this.

Houin replied that we would be happy to provide them with some of those design drawings. He stated the simple plan would be to take the four lanes on Oak Drive and convert it into three lanes, which would be one drive lane in each direction with a center turn lane. He stated the fourth lane would be converted to a bicycle/pedestrian lane with delineators and marking for that so they could have bicycle and pedestrian access all along Oak Drive. He stated the plans currently show them how they could do that all the way from US 30 to the hospital.

Sellers commented that he would call them conceptual plans.

Houin stated that it would not be ready to start now but as soon as they could identify a funding source that they could develop those into more detailed plans and get started. He stated that they had a similar discussion with CMD on how the city does not have the ability to do much on Oak Drive without either purchasing additional right-of-way from all the property owners or rebuilding the curbs to narrow the street. He commented that both of those would be prohibitively expensive. He stated in the short term they could work out agreements like this so they could get that additional right-of-way with the permission of the property owners, so when they are ready to move forward with the plan, we would have the access to do it.

Feece stated if there was no separation between traffic or people riding their bicycles, that they would have a free for all. He explained there was already a free for all out there now because everyone races from the bypass to where it narrows down as they must be there first. He stated it was a real problem so if they put the bike lane on the side, without building something up, that they may as well let them walk down the center of the road like they are currently.

Houin stated that would be why there would be delineators or some type of separation. He stated they would like to do something that does not change the existing curb line, but that it does create an existing barrier to separate that pedestrian access.

Webster asked if there was a range for how much this would cost.

Houin replied that it could be as little as \$150,000 to do the preliminary work in just that section of Oak Drive.

Webster asked how far the section would be.

Houin replied that it would be from US 30 to Harrison Street to connect to the Harrison Street Trail that would be coming in the next couple of years.

Feece stated that it may be entirely impossible, but he has ran a business on Jefferson Street for many years and he would love to see a sidewalk there. He asked if there could be a way to get the two projects put together somehow, that it would be great.

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Houin stated that on a side note, there are two different studies that are in the works that would be evaluating Jefferson Street and Lincoln Highway from the western city limits to the eastern city limits. He stated they are taking the first steps of studying all those corridors and now that they have Adley on board, they would like to go faster and provide Sellers with some help to put more on his shoulders as well. He stated that since the Mayor took office, they have been doing a lot of work to study these different corridors and identify potential improvements.

Feece stated that he had pushed sidewalks for 20 years.

Houin replied that some of us had heard him, and they are trying to do something about it now.

Gidley asked if this involved any granting of any easement at this point.

Houin replied that what it involved was an agreement that the property owner would grant the city an easement. He stated the draft of that Memorandum of Understanding (MOU) was included in the application for this request. He stated the way it was worded was that if the request was approved that night, then the parties would execute that agreement for the easement.

Gidley asked if the agreement would be recorded.

Houin replied that the agreement itself probably won't be but as they figure out what the plans would be and determine the exact easement that the easement would be recorded.

Gidley asked Easterday what the makeup of the ownership of CALI TO INDY LLC was.

James Easterday (119 W. Garro Street, Plymouth, IN 46563)

Easterday replied that the owner was Doctor Louis Plumlee and it may include his wife but at that time he was not sure.

Gidley asked if Plumlee were to sell the property within the next three to five years, how could they ensure that this agreement transfers to the new owner if they do not record it.

Easterday replied that he personally did not have any problems with recording this but it was not an easement at this point in time. He stated he understood where Gidley was coming from.

Houin stated they could certainly make the agreement recordable and the reason they did not was that it was simply an MOU and until they know the plans moving forward, that it would be hard to know the exact boundaries of the easement.

Gidley stated that he was aware that they always put the Building Commissioner in a tough spot by making an exception or granting a variance and make him keep track of it.

Easterday stated that he would be inclined to prepare a MOU that would state they have in fact entered into an agreement and that has substantial lien rights against the property and then record the MOU so if anyone were to do a title search that they could find it.

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Wendel asked if there was enough room to put a sidewalk in on Pidco Drive with the addition and the power lines.

Easterday replied that it looked like it would go out around the power lines.

Wendel asked if the Pidco Drive portion was a part of this agreement.

Easterday replied that they would be asking for the entire thing as they are unsure about the sidewalk on Oak Drive, as it could be 5-10 feet back, so they are asking for an abatement of time for both of them.

Mayor Listenberger asked if there was enough right-of-way on Pidco Drive.

Houin replied that there was enough right-of-way but looking at the elevation that it would be complicated. He stated that the sidewalk ought to be where NIPSCO just put their poles and in this case, they would have torn up the sidewalk if there was one there.

Longanecker asked what would happen if the city could not get grant money for this project and where it would leave them. He asked if the applicant would still have to put a sidewalk in.

Houin replied that it would take time as it would be a matter of identifying funding sources through the budget process. He explained they are pretty hopeful that there are some grant opportunities coming up. He explained that the Complete Streets Committee works closely with Michiana Area Council of Governments (MACOG) and they helped them identify some potential funding sources. He stated it was in the works and at that time he could not give them any more information currently but they were working diligently to find something.

Commissioners Webster and Longanecker moved and seconded to open the public hearing. The motion carried.

Jeff Houin (124 N. Michigan Street, Plymouth, IN 46563)

Houin stated he wished to reiterate the city administration's support for this request as it fits into the plans, they are working for Oak Drive, and they believe it was a good compromise that benefits both the property owner and the city.

Commissioners Webster and Eads moved and seconded to close the public hearing. The motion carried.

Commissioners Eads and Webster moved and seconded to approve PC 2025-01 with the condition that the Memorandum of Understanding be recorded. The motion passed by roll call vote.

In Favor: Eads, Gidley, Longanecker, Milner, Pinkerton, Secor, Sellers, Webster, Wendel, and Feece

Opposed: None

Absent: Rupchock-Schafer

Other Business:

Feece stated they have quite a few empty trailers sitting around for storage and he had noticed some down by the Neighborhood Center, by Dennis Cripe's building on Lake Avenue, and the ones out by

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Holiday Inn. He explained that they either need to do something about this and uphold our standards or take it out so that people could put storage containers wherever they want. He stated that if it was out on public streets and out where it was visible that it would not be a good idea. He stated that the ones out there now are decent looking, but they do not stay that way for long, which ends up being an eyesore.

Webster asked Adley if he could enlighten them on what the County does.

Adley replied that by having intimate knowledge of the county ordinance in regulation to shipping containers, that they went through a process of allowing shipping containers to be permissible within certain districts. He stated that it was namely not permitted within the Lake Residential Districts and a couple others where people would be more sensitive. He stated they did allow a lot of their farming operations to have shipping containers to be able to use as storage for fertilizer, to be kept out of the weather, and locked down. He stated depending on what the acreage was, they would be able to get additional shipping containers and dependent upon what was desired, some people had to pursue a variance for essentially the number of containers. He stated it boiled down to the fact that the containers were well kept and painted in association with accessory structures matching the visual character of the property. He stated there were some shipping containers painted like what some of the metal pole barns looked like and as you were driving you would not see the difference unless you were looking for it. He stated shipping containers in transportation and semi-trailers fall into two different categories when you start to investigate them, especially when it comes to plating those trailers, as they become harder and harder to regulate. He stated if it was a semi-trailer used in operation with other semi-trailers that it becomes harder to manage those expectations of uses. He stated getting into the definition of temporary was something that you do not want to get into.

Longanecker asked if they could just sit there if they were not on a trailer without being plated or if they still had to be plated. He asked if they needed a permit like a shed if you had them.


Adley replied how they handled them at the county was that they required them to get a building permit for an accessory structure and you had to be able to anchor it down. He stated they were usually looking at some footing foundation on either end with the ability to lock them down. He stated that they were often permanent and not in transit operation.

Feece asked if that made them taxable.

Adley replied that he did not get into taxing too much and tried to stay in his lane.

Longanecker asked if they would require permits for them if they were not on a trailer and if not, they need to look at that.

With there being no other business to come before the Commission, Commissioners Webster and Pinkerton moved and seconded to adjourn the meeting. The motion carried, and the meeting adjourned at 7:32 p.m.



Kyle Williams, Recording Secretary