

Planning Department

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www.valpo.us

AGENDA

VALPARAISO PLAN COMMISSION

Tuesday - December 12th, 2017

7:00 PM - City Hall Council Chambers

- I. Pledge of Allegiance
- II. Roll Call
- III. Minutes of the November 14th meeting
- IV. Old Business

AA17-003 A public hearing on a petition filed by Roger Perlstein, 2802 Kickbush Drive, Valparaiso, IN 46385. The Petitioner is seeking relief from the Plat Committee's decision to approve the Minor Subdivision (lot split) of lot 51 in Beauty Creek Villas.

V. New Business

SP17-008 A petition filed by SJBZ Porter Holdings , LLC c/o Richard Anderson, Anderson and Anderson, 9211 Broadway, Merrillville, IN 46410. The petitioner requests approval of a secondary plat for Business Park Area Phase 4, within the Lakes of Valparaiso PUD Subdivision.

- VI. Staff Items
- VII. Adjournment

NEXT REGULAR PLAN COMMISSION MEETING:

JANUARY 9TH 2017 - 7:00 PM - CITY HALL COUNCIL CHAMBERS, 166 LINCOLNWAY

VALPARAISO BOARD OF PLAN COMMISSION Regular Meeting Minutes November 14, 2017

The regular meeting of the Valparaiso Plan Commission was held at 7:00 p.m. on Tuesday, September 12, 2017 in the Valparaiso City Hall Council Chambers. Bruce Berner presided.

Members present were: Christa Emerson, Matt Evans, Diane Worstell, Tim Burkman, Trista Hudson, and Bruce Berner. Also present were Attorney Scott Bozik, Tyler Kent, citizens, and representatives of the press.

MINUTES:

Matt Evans noted that the heading of the September 26, 2017 meeting minutes should read "Special Meeting Minutes" not Regular Meeting Minutes. Diane Worstell made a motion to approve both the September 12, 2017 as written and the September 26, 2017 Special Meeting Minutes with the one amendment indicated by Mr. Evans. Trista Hudson seconded the motion. A voice vote was taken and unanimously carried.

OLD BUSINESS:

None.

NEW BUSINESS:

RP17-003 – The petitioner, Family Express Corporation, 213 South State Road 49, Valparaiso, IN 46383, requests approval of a plat amendment to Lots 2 and 3 of the LaPorte Center Subdivision. McMahon and Associates presented. The property is located at the corner of Silhavy Road and John Howell Drive. Lots 2 and 3 are on the northwest corner of the subdivision. Lot 2 currently serves as storm water management and open space. Lot 3 is a buildable lot. We are requesting to switch the uses of those two lots. The buildable area for lot 2 is more beneficial and there is more retention area on lot 3. Along with this we will revise the easements platted in 1996. The cemetery easement will be moved to the east side of lot 3 and we will get rid of the landscape and buffer easement. A potential site plan was sent to City Engineer Tim Burkman and includes a small pond that will still allow for a 40-foot road to serve the properties.

Tim Burkman advised that the petitioner is swapping the location of the retention basin. The City would like to see ingress and egress easements to reserve the strip for future development and set the groundwork for that to occur. Ownership of maintenance needs to be added, including the retaining wall, and needs to be maintained by a Property Owners Association. The address for lot 2 should be 2901 John Howell Drive, and lot 3 should be 2905 John Howell Drive. Approval is subject to revision of the aforementioned items, including review and approval of the drainage report, and Board of Works approval.

<u>Motion:</u> Tim Burkman made a motion to approve RP17-003 subject to revision of the aforementioned items, including review and approval of the drainage report by the City Engineering Department, and Board of Works approval. Christa Emerson seconded the motion. A roll call vote was taken and unanimously carried.

MS17-008 – The petitioner, Chester Inc, 555 Eastport Centre Drive, Valparaiso, IN, requests approval of a minor subdivision, lot split of lot 37 in Eastport Centre. Mr. Steve DeBold presented. Chester Inc has a potential purchaser of lot 37 in Eastport Centre. Splitting lot 37 will allow for the potential purchaser to have a parcel 3.64 acres in size while leaving another parcel 2.12 acres in size. The address for lot 37A will be 3705 Bowman Drive and the address for lot 37B will be 3715 Bowman Drive and these will be updated on the plat.

<u>Motion:</u> Tim Burkman made a motion to approve MS17-008 subject to Board of Works approval. Matt Evans seconded the motion. A roll call vote was taken and unanimously carried.

<u>SP17-005</u> – Petition filed by Pepper Ridge, LLC and Mr. and Mrs. Stitscak, c/o Robert V. Coolman, 359 S. Franklin Street, Valparaiso, IN. The petitioner requests approval of a secondary plat for 47 lots within the Pepper Ridge Subdivision. Ms. Kelly Kaminski presented. This is the secondary plat for Pepper Ridge Subdivision and no changes have been made. It is 47 lots total. We are adding verbiage to the easement designations and a maintenance per Mr. Burkman's request prior to this meeting. We will provide that information prior to Board of Works approval.

Tim Burkman advised that the side yard storm water sewer that runs between two lots will be maintained by the Property Owners Association and he discussed adding the language for this with Ms. Kaminski prior to the meeting as well.

Tim Burkman questioned if the wetlands area will have a fence/barrier installed to protect the wetlands from encroachment by future lot owners, and if so, whose responsibility will it be? Ms. Kaminski stated there will be a barrier of a small fence and warning signage installed and it will be the responsibility of the Property Owner's Association.

Q: Will the buffer yard along County Road 375 be installed by Coolman Communities?

A: Yes.

Q: Will it be listed in the covenants and restrictions?

A: Yes.

<u>Motion</u>: Tim Burkman made a motion to approve SP17-005 secondary plat for 47 lots within the Pepper Ridge Subdivision subject to Board of Work approval of the plat, and receipt of performance surety acceptable in form and amount to the Board of Works covering the remaining infrastructure improvements in accordance with the approved construction plans. Diane Worstell seconded the motion. A roll call vote was taken and unanimously carried.

<u>SP17-006</u> – Petition filed by Pepper Cove Development, LLC c/o Ed Recktenwall, 8051 Wicker Avenue, Suite A, St. John, IN. The petitioner requests approval of a secondary plat of 32 single family lots and 18 duplex lots (Phase I) in Pepper Cove Subdivision. Mr. Ed Recktenwall presented. This is the secondary plat for Pepper Cove Subdivision including 54 total lots, 32 single family and 18 duplex. No changes have been made since the primary plat was approved. This is phase I of II.

Tim Burkman clarified that this development ties into Pepper Ridge and where the Pepper Cove roads dead end, a type "T" turnaround will be provided until Phase II begins.

Tyler Kent questioned if the landscape buffer along County Road 375 and Froberg Road would be installed by the developer? Mr. Recktenwall stated Olthoff Homes will be installed that landscape buffer. Will it be listed in the covenants and restrictions as to who is responsible for the maintenance of that area? Yes.

Motion: Tim Burkman made a motion to approve SP17-006 secondary plat (Phase I) of the Pepper Cove Subdivision subject to Board of Works approval of the plat, and receipt of performance surety acceptable in form and amount to the Board of Works covering the remaining infrastructure improvements in accordance with the approved construction plans. Christa Emerson seconded the motion. A roll call vote was taken and unanimously carried.

<u>SP17-007</u> – Petition filed by Mistwood Development, LLC, c/o Ed Recktenwall, 8051 Wicker Avenue, Suite A, St. John, IN. The petitioner requests approval of 50 single family lots (Phase II, Unit II) in Mistwood Subdivision. Mr. Ed Recktenwall presented. This is the final phase of Mistwood Subdivision consisting of 50 single family lots. Since the primary plat the number of lots has been decreased by one. The original primary plat was approved in 2005 or 2006 and we did another one more recently.

Q: Lot 99 appears to have a small building envelope what is being done here?

A: It has been reviewed and is being restricted to the builder's narrowest footprint and in doing so will meet all other standards.

- Q: What about lot 61?
- A: That lot has the standard depth and is buildable.
- Q: Will the landscape buffer be installed by Olthof Homes?
- A: Yes.
- Q: Will it be listed in the covenants and restrictions with regards to maintenance?
- A: Yes.
- C: This development plans to continue to the pathway connection to the Vale Park West Pathway. That is a great feature and appreciated.
- Q: It appears that the pathway connection is broken at one point on the map, can you explain that?
- A: It goes through the hammerhead of a public outlot so no pathway easement is required at that point.
- Q: Lot 125 has existing landscaping that appears to have been modified. This needs to be recorded on the landscape plan and sent to Tyler Kent?
- A: Noted.

Motion: Tim Burkman made a motion to approve SP17-007 approval of 50 single lots (Phase II, Unit II) in the Mistwood Subdivision subject to Board of Works approval of the plat, and receipt of performance surety acceptable in form and amount to the Board of Works covering the remaining infrastructure improvements in accordance with the approved construction plans. Matt Evans seconded the motion. A roll call vote was taken and unanimously carried.

AA17-003 - Public hearing on a petition filed by Roger Perlstein, 2802 Kickbush Drive, Valparaiso, IN. The petitioner is seeking relief from the Plat Committee's decision to approve the Minor Subdivision (lot split) of lot 51 in Beauty Creek Villas. Bruce Berner advised this is an appeal request of a decision that was made by the Plat Committee. Presenting tonight are Roger and Laura Perlstein, 2802 Kickbush Drive, Valparaiso, Attorney Jim Weiser for Naples VPZ Development, Attorney Patrick Lyp, City Engineer Tim Burkman, and City Planner Tyler Kent. Also noting City Building Commissioner Vicki Thrasher is a member of the Plat Committee but not present this evening. Bruce Berner advised that the Plat Committee made the decision to allow the split of a lot because it is a duplex lot that is going from one owner to two owners. The duplex itself is not in question and is appropriate for the lot. Only the ownership is changing. Mr. Roger Perlstein presented. He is requesting that the lot split not be approved to prevent the applicant and developer from further damaging his property. Mr. Perlstein states that during the building of this duplex there was inadequate silt fencing, no birm, a large mound of dirt with no protection to his yard. This caused a lot of silt migration. Currently there is no seeding of the soil and still no birm therefore soil continues to wash into his yard. Mr. Perlstein has contacted the City on a number of occasions and that resulted in the builder being contacted. This has been ongoing since 2014. At this time the builder has significantly change the elevations of the property so water no longer flows across the back of their yard but rather now it flows at an angle to Mr. Perlstein's property. This has resulted in flooding of Mr. Perlstein's yard, garage, and damage to his own rock garden dry well area making it non-functional. Now Mr. Perlstein has received a letter that the developer wants to split the lot. This will greatly improve the value of the parcel for the current occupant and we want some way to control that all the damage that has been done is rectified. The builder has since asserted that they have no obligation to provide for the damage to Mr. Perlstein's property and that they no longer own the property that was the source of the damage. Mr. Perlstein states that he was advised by the City that an occupancy permit would not be granted until the builder remedied the situation. This was not the case and an occupancy permit was granted. The Perlstein's are now asking that the lot split be denied until the developer fixes the problems they created.

Attorney Patrick Lyp advised that the City does not dispute the fact and accuracy of the Petitioner's statements this evening. There is an issue here. Attorney Lyp acknowledges that he did speak with Mr. Perlstein prior to the meeting commencing and discussed the role of the Plan Commission. The City can't explain why this happened. We are not sure why a stop work order was not served or citations given. The question tonight, however, is if a lot should be split. If the petitioner meets the requirements of code and state law

the issues raised are important but not relevant if the lot should be split. The Plat Committee has this in mind when they made the decision to allow the split.

Tim Burkman advised that while this is an unfortunate situation, staff does try to stay on top of projects. This site was visited and we corresponded with the builder many times. The builder was responsive to the City's requests. Currently grass is in and some regrading has been done. The Plat Committee was asked to look at allowing the split of the lot, nothing else.

Attorney Jim Weiser, Naples VPZ states that 15 lots were replatted at the end of 2016 and this was approved. It was supposed to be 16 lots. This one lot was missed because it was on a different street. Staff pointed out that we missed it so we submitted a request to the Plat Committee. Mr. Perlstein's request is against the builder not us. We only develop and sell the lots. We are the applicant for the split lot, we are not the builder. We believe Mr. Perlstein has a valid argument for a civil case against the builder but not here and not against us. We sold the lot with no grading, no building, etc. Nothing was done by us. We encourage Mr. Perlstein to pursue his complaint with the builder.

Mr. Perlstein states that if the City had done proper enforcement in the first place then we might not be in the position we are. We are asking the City of hold the builder accountable by requiring the builder to remedy the situation prior to the lot split.

Mr. Berner noted that not allowing the lot split does nothing for Mr. Perlstein's situation. It is irrelevant that the builder states they no longer own the property, this was done as a result of their actions and they should be held accountable. The builder is not requesting the lot split, however, the developer is. The builder is accountable regardless of the lot split.

Mr. Perlstein maintains that he developer receives a lot of value with the lot split.

- Q: Who owned the property when the lot split was requested?
- A: The builder.
- Q: The City allowed the lot split with all these non-compliance issues?
- A: The property originally was under County jurisdiction. Upon annexation requirements for duel owners came into place. Allowing the lot split brought the property into compliance.
- Q: Are there two owners now?
- A: Yes. One private owner on one side and Luxor Home owns the other side.
- Q: How could half the lot be sold to an individual owner if it wasn't even split?
- A: That side was purchased in 2015 and deeded to one owner for one side.
- Q: Has an occupancy permit been granted for the side the Luxor owns?
- A: No
- Q: Why was an occupancy permit granted for the other side if the builder was non-compliant?
- A: A temporary permit was granted based on the structure. A final permit is granted once the yard and everything else is completed. The individual owner still does not have final occupancy. She currently only has temporary occupancy. We would not grant occupancy for the other side either.

Trista Hudson noted that the item before us tonight is not the non-compliance of the builder. Although Mr. Perlstein has a valid case we are here to determine if the lot split requested by the developer, not the builder, is allowable and in compliance and it is.

<u>Motion:</u> Trista Hudson made a motion to approve the Plat Committee's decision to allow the split of the property because that is what the law mandates as such. No one seconded the motion, therefore, the motion fails for lack of a second.

<u>Motion:</u> Christa Emerson made a motion to reverse the decision of the Plat Committee and not allow the split of the property. No one seconded the motion, therefore, the motion fails for lack of a second.

Bruce Berner advised this matter will be tabled to the December 12, 2017 meeting.

STAFF ITEMS: None.	
ADJOURNMENT: The November 14, 2017 Plan Commission meeti	ng adjourned at 8:36 p.m.
	Bruce Berner, President
Tyler Kent, Executive Secretary	



NOV 1 0 2017

Instructions for filing a petition before the CITY OF VALPARAISO PLAN COMMISSION

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The Petitioner is responsible for providing all documents and requested information with surer the petition on or before the deadline for the Commission meeting. The information and documents must contain accurate information and must be submitted to the Planning Department prior to the scheduled meeting. The decision of the Commission depends on a concise and clear understanding of the Petitioner's request. It is strongly recommended that the Petitioner begin collecting the documents prior to the date of the deadline. If a petition is not complete or is filed late it will be placed on the Agenda for the following month. The required filing fee as indicated below must be paid to the City Clerk-Treasurer upon filing a complete petition. Please submit twelve (12) copies of your petition. If you require assistance in completing this form or would like a copy of the application in an alternative format, please call the Planning Department at (219) 462-1161.

STEP ONE: APPLICATION AND CHECKLIST

In order for a petition to be considered complete it shall include at a minimum the following (Check all Items provided):

1X	Application Fee . Submitted to Clerk/Treasurer's Office by no later than 4:00 PM on the day of the posted Deadline for the desired Plan Commission meeting.
2. <u>x</u>	Complete petition and checklist. Petition is attached.
3	Vicinity Map. A vicinity map for the purpose of locating the subject property within the City of Valparaiso.
4	Site Plan/Concept Plan. The site plan <u>must</u> be to scale and include all present and proposed buildings and structures, parking areas, location and name of all adjacent streets and roads (whether public or private), and a north arrow. Easement information must also be provided if easements exist or are proposed on the property in question.
5	Written Description of Project. There should be a written description of the proposed project attached with the site plan. The written description allows the Plan Commission and the Planning Department to better understand the proposed project.
6	Commitments/Restrictions/Covenants. Proposed Commitments/Restrictions/Covenants for the property or subdivision must be provided for reference if the Petitioner intends to require them as a condition of sale or development of property.
7. <u> </u>	Legal Description. A legal description for the property must be either written in the space provided or attached. The legal description can be found on the Deed for the property or potentially within a recorded mortgage. The abbreviated version of the legal description on the property tax bill is <u>not sufficient</u> . If necessary, the Petitioner can obtain a

copy of the Deed from the Porter County Recorder's Office located in the Porter County Administration Building in Valparaiso.

8. ____

Surrounding Property Owner List. If a public hearing is required for your requested action. The names and addresses of all the property owners within 300 feet in all directions from the subject parcel shall be provided. See application type on Petition form to determine if a public hearing is required. Information concerning the owners of property within 300 feet can be obtained through a title company or the Petitioner may obtain such information from the Porter County Auditor's Office. Owners of property within a 300-foot radius of the lot lines of the subject parcel must receive notice. All property owner information (including those owned by the City, State, etc.) must be submitted as part of the application. Please be advised that it is the Petitioner's responsibility to obtain this information. Indiana law and the Rules and Procedures of the Valparaiso Plan Commission require timely notice to all affected property owners. Should a property owner not receive timely notice, such could result in your request being denied, delayed, or potentially revoked at some later date.

9. ____

Petitioner's Affidavit of Notice and Consent of Property Owner. See the attached Form and Petition form to determine if a public hearing is required. As part of the Plan Commission application process, the Petitioner is required to execute an affidavit indicating that notification of affected property owners has been completed in a timely manner. Letters of notification shall be mailed to property owners within 300 feet of the Petitioner's property, which is the subject of the requested Plan Commission action. The letter of notification shall be sent via certified mail, return receipt requested, and must be postmarked a minimum of ten (10) days prior to the Plan Commission hearing. A form letter for your use is attached to this application. The Petitioner will bring all the original certified "green cards" to the Plan Commission hearing. Upon inspection by the Plan Commission and its attorney, the cards will be returned to the Petitioner. It is highly recommended that the Petitioner retain these cards as proof that all property owners received notice. Any objection as to failure to notify a property owner within 300 feet will be the responsibility of the Petitioner.

10. _____

Annexation Documentation (If applicable). If the petition is submitted for an annexation request, refer to the annexation application requirements sheet in addition to this information. Failure to provide all necessary information by the dates required will result in a delay in processing your request. Please contact the Planning Department to obtain a copy of this information.

STEP TWO: PUBLIC NOTIFICATION REQUIREMENTS

Notification by Newspaper - NWI Times

After it is determined that your application is complete, Planning staff will submit a public hearing notice in compliance with applicable State Statutes to the Northwest Indiana Times newspaper if your request requires a public hearing. The bill for publication and a Last updated 12/13/16

PETITION #: SPIT-108 (staff use only)

Last updated 12/13/16

VALPARAISO PLAN COMMISSION PETITION FOR PUBLIC HEARING

The undersigned applicant respectfully petitions the City of Valparaiso Plan Commission: (CHECK ALL THAT APPLY) PUBLIC HEARING REQUIRED - See Items #8 and #9 in Application Checklist To rezone said property from the ____zoning district to ___zoning district To approve a Primary Plat To approve a Planned Unit Development (PUD) To approve a Major Planned Unit Development Amendment To annex property into the City of Valparaiso, Indiana – Checklist item #10 To vacate alley NO PUBLIC HEARING REQUIRED To approve a Minor Subdivision (Lot Split) x To approve a Final Plat To approve a Plat Amendment Design/Architectural Approval in _____ Overlay District Please provide the following information: (print or type) SJBZ Porter Holdings, LLC 104 S. Michigan Ave., Suite 1300, Chicago, IL 60603 (312) 754-3300 Owner of property Address Phone Richard E. Anderson (219) 769-1892 randerson@andersonandersonpc.com Contact person Phone Email Applicant is (check one): X Sole Owner __Joint Owner __Tenant __ Agent __ Other SJBZ Porter Holdings, LLC 104 S. Michigan Ave., Suite 1300, Chicago, IL 60603 (312) 754-3300 Petitioner Address Phone Address or description of location of property: See attached Exhibit "A" Parcel/Tax Duplicate Number Part of 64-10-17-201-019.000-029 Subdivision (if Applicable) Lakes of Valparaiso P.U.D. Business Park Area Phase 4 This property is located on the west side of Memorial Pkwy. Street/Road 400 N between (streets) and Evans Avenue

Current Zoning of Property PUD Ord. #	#8, 2014	Propos	sed Zoni	ng of Prop	erty ^{PUD Ord.} #8, 2	2014
Zoning of Adjacent Properties:	North	RR (County)	South _	PUD		
	East _			RR (County)	Other	
Other information:						
Dimensions of property: Frontage_		D	epth	**************************************	_	
Property Area (sq. ft./acres)4.52 a	acres					
Present use of property:						
Vacant			WARRANCE CALL			
Proposed use of property:						
Veterinary Clinic						
Proposed Variances or Waivers (PUI	D or Su	bdivisio	n Plats)			
						_
Legal description for property: (Exhib	it # _A_	_)				
		***************************************			***************************************	

ALL OWNERS OF RECORD OF THE ABOVE-REFERENCED PROPERTY MUST SIGN THE PETITION FOR PUBLIC HEARING. The owner(s), by signing this Petition for Public Hearing, represent to the City of Valparaiso – Plan Commission, that he/she/it has the necessary legal authority to request action to be taken on the above-referenced property. If the name of the Petitioner is different from the property owner, the Plan Commission shall accept the requests and representations of the Petitioner and the property owner shall be bound by such requests and representations via the Attached Affidavit of Consent of Property Owner.

PETITION FEES (CHECK ALL THAT APPLY) Rezoning: \$150 Subdivision Primary Plat: \$150 + \$10 per lot Lots X \$10 = Subdivision Amendment \$100 + \$5 per lot Lots X \$5 = Planned Unit Development (PUD): \$500 + \$10 per lot Lots X \$10 = Major PUD Amendment \$250 + \$5 per lot Lots X \$5 = Minor Subdivision (Lot Split) \$150 100 + 5 per lot $\frac{2}{2}$ Lots X = 10.00Subdivision Final Plat Minor PUD Amendment \$150 Annexation: \$500 + Cost of Fiscal Plan*** Design/Architectural Approval \$150 Overlay District Special Meeting Fee \$1500 **Text Amendment** \$250 Comprehensive Plan Amendment \$250 Vacation 110.00 \$100 ***The Plan Commission requires that all fiscal plans be prepared by a municipal advisor firm approved by the Planning Department. The applicant is solely responsible for the cost of the preparation of the fiscal plan. The fiscal plan must be submitted together with the applicant's petition for public hearing. The fiscal plan must comply with the requirements of Ind. Code § 36-4-3-13(d). Signature of owner/Delitioner SJBZ Porter Holdings, LLC by Robert Sotak, Authorized Representative Printed name Subscribed and sworn to before me this 10 November 2017 DENISE KESSLER NOTARY PUBLIC STATE OF INDIANA **Notary Public** PORTER COUNTY COMM. # 684980 COMM, EXPIRES 06-25-2024 My Commission Expires: STAFF USE ONLY Date received: Names and addresses of property owners within 300 feet provided ___Plot Plan attached Legal Description provided Petition filled out completely Date approved for public hearing: ______ Date of public hearing: _____

Date legal notice mailed: Date to be published:

Date property owner notices mailed:

Additional information:

EXHIBIT "A"

A part of the North Half of the North Half of Section 17, Township 35 North, Range 5 West, Washington Township, Porter County, Indiana, being more particularly described as follows:

Commencing at the Northeast Corner of the Northwest Quarter of the Northeast Quarter of said Section 17-35-5; thence North 89°25'47" West along the north line of said Northwest Quarter 718.63 feet to the centerline of Memorial Parkway as platted in The Lakes of Valparaiso P.U.D. and recorded as Document Number 2015-005420 in the Porter County Recorder's Office; thence along said centerline the following two courses:

- 1. South 0°18'36" West 302.94 feet to a curve to the right having a radius of 475.00 feet and a central angle of 19°27'20";
- 2. along said curve an arc length of 161.29 feet;

thence North 75°37'02" West 66.76 feet (66.91 feet per plat) to the West right-of-way line of Memorial Parkway as shown on said The Lakes of Valparaiso P.U.D. and the Point of Beginning of the herein described tract; thence South 14°05'40" West 30.00 feet; thence North 75°37'02" West 31.87 feet to the point of curvature of a curve to the left having a radius of 120.00 feet and a central angle of 14°04'56"; thence along said curve an arc length of 29.49 feet; thence North 89°41'58" West 257.10 feet to a curve to the left having a radius of 120.00 feet and a central angle of 66°27'09"; thence along said curve an arc length of 139.18 feet; thence South 23°50'53" West 77.60 feet; thence North 66°09'07" West 376.95 feet to the east line of land conveyed to the State of Indiana by Document Number 2000-001841 as recorded in said Recorder's Office; thence North 6°17'34" East along said east line 262.77 feet to the southwest corner of land conveyed to the State of Indiana by Deed Record 475, Page 395 as recorded in said Recorder's Office; thence along the perimeter of said land the following two courses:

- 1. South 89°34'20" East 214.53 feet;
- 2. North 0°25'40" East 108.75 feet to the south right-of-way line of Vale Park Road as per Document Number 2000-001841 as recorded in said Recorders Office;

thence North 86°27'46" East along said right-of-way line 225.12 feet; Thence South 0°47'44" West 333.52 feet to a point on a non-tangent curve concave to the south having a radius of 180.00 feet and a central angle of 7°13'21"; thence along said curve an arc length of 22.69 (said curve being subtended by a chord having a bearing of North 86°41'21" East and a distance of 22.68 feet); thence South 89°41'58" East 257.10 feet to a curve to the right having a radius of 180.00 feet and an arc length of 44.24 feet; thence South 75°37'02" East 31.57 feet to the west right-of-way line of the aforementioned Memorial Parkway; thence South 14°05'40" West along said west right-of-way line 30.00 feet to the Point of Beginning, containing 4.52 acres, more or less.

		(Curve Table		
Curve #	Length	Radius	Chord Bearing	Chord Length	Delta
C1	161.29	475.00	N10°02'16"E	160.52	19*27'20"
C2	44.24	180.00	N82°39'30"W	44.13	14°04'56"
С3	73.11	180.00	S71°26'34"W	72.60	23°16'14"
C4	112.97	180.00	S41°49'40"W	111.13	35°57'34"
C5	173.97	150.00	S57°04'27"W	164.38	66°27'09"
C6	36.87	150.00	N82°39'30"W	36.77	14°04'56"
C7	29.49	120.00	N82°39'30"W	29.42	14°04'56"
C8	139.18	120.00	S57°04'27"W	131.51	66°27'09"

FLOOD STATEMENT:

ACCORDING TO THE NATION FLOOD INSURANCE RATE MAP, COMMUNITY NO. 180425B, PANEL 0070, DATED 4-01-1982, THE PARCEL SHOWN HEREON IS IN FLOOD ZONE "C", AREA OF MINIMAL FLOODING, AND IS NOT IN AN AREA OF 100 YEAR FLOOD OR FRINGE.

RECORDED BOUNDARY SURVEY STATEMENT

IN ACCORDANCE WITH IAC TITLE 865, ARTICLE 1, CHAPTER 12 "RULE 12" AND THE CITY OF VALPARAISO UNIFIED DEVELOPMENT ORDINANCE, AN ALTA/ACSM LAND TITLE SURVEY WAS PREPARED BY MCMAHON, CERTIFIED BY RANDELL S. PETERSON, LS20400012, DATED DECEMBER 27, 2012.

Surveyor's Certification

I, RANDELL S. PETERSON, HEREBY CERTIFY THAT I AM A LAND SURVEYOR, LICENSED IN COMPLIANCE WITH THE LAWS OF THE STATE OF INDIANA AND THAT THIS PLAT REPRESENTS A SURVEY COMPLETED BY ME OR UNDER MY DIRECT SUPERVISION ON DECEMBER 27, 2012. THE MONUMENTS SHOWN ACTUALLY EXIST AND THE SIZE, MATERIAL AND TYPE ARE AS INDICATED.



RANDELL S. PETERSON, L.S. #20400012

Monument Legend

- - 5/8" x 24" REBAR WITH ID CAP STAMPED "FIRM #0050", SET
- MONUMENT FOUND
- SECTION CORNER MONUMENT FOUND

Legal Description

A PART OF THE NORTH HALF OF THE NORTH HALF OF SECTION 17, TOWNSHIP 35 NORTH, RANGE 5 WEST, WASHINGTON TOWNSHIP, PORTER COUNTY, INDIANA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

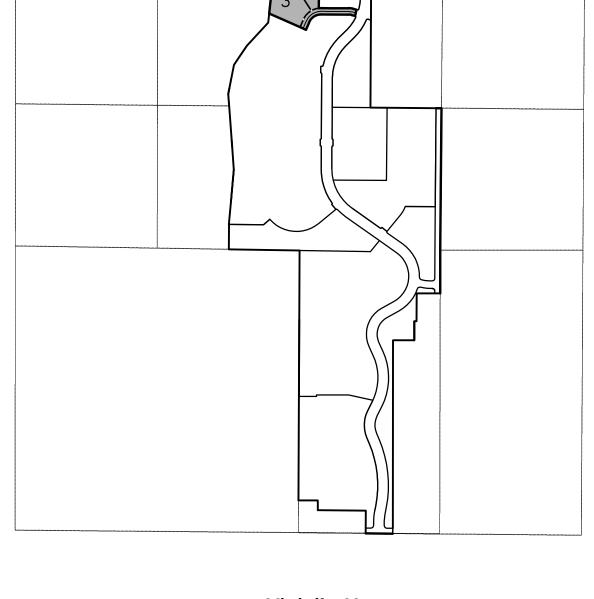
COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 17-35-5; THENCE NORTH 89°25'47" WEST ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER 718.63 FEET TO THE CENTERLINE OF MEMORIAL PARKWAY AS PLATTED IN THE LAKES OF VALPARAISO P.U.D. AND RECORDED AS DOCUMENT NUMBER 2015-005420 IN THE PORTER COUNTY RECORDER'S OFFICE; THENCE ALONG SAID CENTERLINE THE FOLLOWING TWO COURSES:

- 1. SOUTH 0°18'36" WEST 302.94 FEET TO A CURVE TO THE RIGHT HAVING A RADIUS OF 475.00 FEET AND A CENTRAL ANGLE OF 19°27'20";
- 2. ALONG SAID CURVE AN ARC LENGTH OF 161.29 FEET;

THENCE NORTH 75°37'02" WEST 66.76 FEET (66.91 FEET PER PLAT) TO THE WEST RIGHT-OF-WAY LINE OF MEMORIAL PARKWAY AS SHOWN ON SAID THE LAKES OF VALPARAISO P.U.D. AND THE POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT; THENCE SOUTH 14°05'40" WEST 30.00 FEET; THENCE NORTH 75°37'02" WEST 31.87 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 120.00 FEET AND A CENTRAL ANGLE OF 14°04'56"; THENCE ALONG SAID CURVE AN ARC LENGTH OF 29.49 FEET; THENCE NORTH 89°41'58" WEST 257.10 FEET TO A CURVE TO THE LEFT HAVING A RADIUS OF 120.00 FEET AND A CENTRAL ANGLE OF 66°27'09"; THENCE ALONG SAID CURVE AN ARC LENGTH OF 139.18 FEET; THENCE SOUTH 23°50′53" WEST 77.60 FEET; THENCE NORTH 66°09′07" WEST 376.95 FEET TO THE EAST LINE OF LAND CONVEYED TO THE STATE OF INDIANA BY DOCUMENT NUMBER 2000-001841 AS RECORDED IN SAID RECORDER'S OFFICE; THENCE NORTH 6°17'34" EAST ALONG SAID EAST LINE 262.77 FEET TO THE SOUTHWEST CORNER OF LAND CONVEYED TO THE STATE OF INDIANA BY DEED RECORD 475, PAGE 395 AS RECORDED IN SAID RECORDER'S OFFICE; THENCE ALONG THE PERIMETER OF SAID LAND THE FOLLOWING TWO COURSES:

1. SOUTH 89°34'20" EAST 214.53 FEET; 2. NORTH 0°25'40" EAST 108.75 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF VALE PARK ROAD AS PER DOCUMENT NUMBER 2000-001841 AS RECORDED IN SAID RECORDERS OFFICE;

THENCE NORTH 86°27'46" EAST ALONG SAID RIGHT-OF-WAY LINE 225.12 FEET; THENCE SOUTH 0°47'44" WEST 333.52 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE TO THE SOUTH HAVING A RADIUS OF 180.00 FEET AND A CENTRAL ANGLE OF 7°13'21"; THENCE ALONG SAID CURVE AN ARC LENGTH OF 22.69 (SAID CURVE BEING SUBTENDED BY A CHORD HAVING A BEARING OF NORTH 86°41'21" EAST AND A DISTANCE OF 22.68 FEET); THENCE SOUTH 89°41'58" EAST 257.10 FEET TO A CURVE TO THE RIGHT HAVING A RADIUS OF 180.00 FEET AND AN ARC LENGTH OF 44.24 FEET; THENCE SOUTH 75°37'02" EAST 31.57 FEET TO THE WEST RIGHT-OF-WAY LINE OF THE AFOREMENTIONED MEMORIAL PARKWAY; THENCE SOUTH 14°05'40" WEST ALONG SAID WEST RIGHT-OF-WAY LINE 30.00 FEET TO THE POINT OF BEGINNING, CONTAINING 4.52 ACRES, MORE OR LESS.



Vicinity Map Section 17-35-5 (n.t.s.)

Deed of Dedication

NORTH LINE, NORTHWEST QUARTER

NORTHEAST CORNER

NORTHWEST QUARTER NORTHEAST QUARTER

SECTION 17-35-5

BERNTSEN MONUMENT, FOUND

WE, THE UNDERSIGNED FOR AND ON BEHALF OF SJBZ PORTER HOLDINGS, LLC, OWNER OF THE REAL ESTATE SHOWN AND DESCRIBED HEREIN, DO HEREBY CERTIFY THAT IT HAS LAID OFF PLAT AND SUBDIVIDED SAID REAL ESTATE IN ACCORDANCE WITH THE ATTACHED PLAT. THIS SUBDIVISION SHALL BE KNOWN AND DESIGNATED AS THE LAKES OF VALPARAISO PLANNED UNIT DEVELOPMENT PHASE 4. ALL STREETS AND ALLEYS SHOWN AND NOT HERETOFORE DEDICATED ARE HEREBY DEDICATED TO THE PUBLIC. FRONT AND SIDE YARD BUILDING SETBACK LINES ARE HEREBY ESTABLISHED AS SHOWN ON THIS PLAT. THERE ARE STRIPS OF GROUND VARYING IN WIDTH AS SHOWN ON THIS PLAT AND MARKED "EASEMENT", RESERVED FOR THE USE OF PUBLIC UTILITIES FOR THE INSTALLATION OF MAINS, POLES, DUCTS, LINES, AND WIRES, SUBJECT AT ALL TIMES TO THE PROPER AUTHORITIES AND TO EASEMENT HEREIN RESERVED. NO PERMANENT OR OTHER STRUCTURES ARE TO BE ERECTED OR MAINTAINED UPON SAID STRIPS OF LAND, BUT OWNERS OF LOTS IN THIS SUBDIVISION SHALL TAKE THEIR TITLES SUBJECT TO THE RIGHTS OF THE PUBLIC UTILITIES AND TO THE RIGHTS OF THE OTHER LOTS IN THE SUBDIVISION.

BEFORE ME, A NOTARY PUBLIC, IN AND FOR THE SAID COUNTY AND STATE, PERSONALLY _OF SAID SJBZ PORTER HOLDINGS, LLC AND ACKNOWLEDGED THE EXECUTION OF THE APPEARED_____ FOREGOING AS HIS VOLUNTARY ACT AND DEED.

WITNESS OUR HANDS AND SEALS THIS _____ DAY OF _____ 2017.

	CAPACITY:
ATTEST: COUNTY OF RESIDENCE STATE OF INDIANA) COUNTY OF PORTER)	CAPACITY:
THIS DAY OF	, 2017.
NOTARY PUBLIC	
PRINTED NAME	
MY COMMISSION EXPIRES:	

Plan Commission Certificate

SHARON M. SWIHART

CLERK/TREASURER

UNDER AUTHORITY PROVIDED BY INDIANA CODE 36-7-4, ET CEQ. ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF INDIANA AND ORDINANCE ADOPTED BY THE COMMON COUNCIL OF THE CITY OF VALPARAISO, THIS PLAT WAS GIVEN APPROVAL BY THE CITY AS FOLLOWS: APPROVED AS ORDINANCE NO. 8 OF 2014 BY THE VALPARAISO PLAN COMMISSION AT A REGULAR MEETING HELD ON MARCH 25, 2014.

) BY

BILL OEDING, MEMBER

MATT MURPHY, MEMBER

GRAPHIC SCALE (IN FEET) 1 inch = 60 ft.

NO. REVISION DESCRIPTION:

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EVELC VALPA S PARI SEC THE

MDR **DESIGNED BY:**

PM REVIEW: QA/QC REVIEW: RSP

11/3/2017

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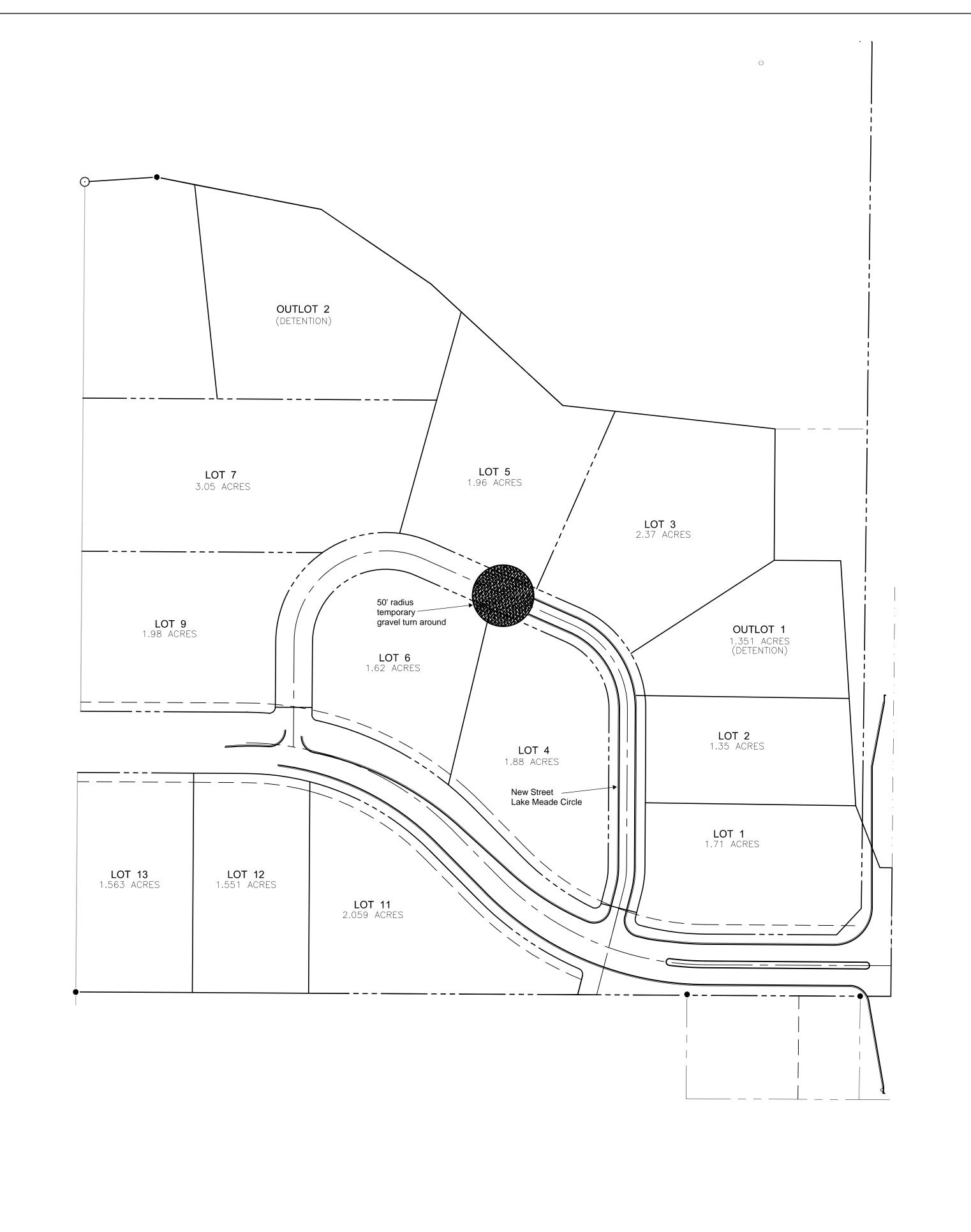
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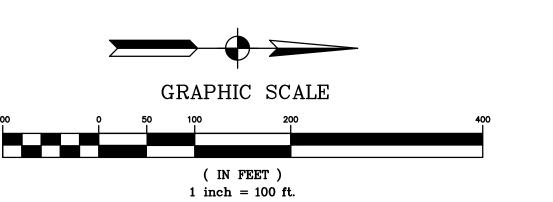
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PLANNED UNIT DEVELC
CITY OF VALPARAISIO, I

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S DRAWN BY: **NFT**

DESIGNED BY:

PM REVIEW:

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QA/QC REVIEW:

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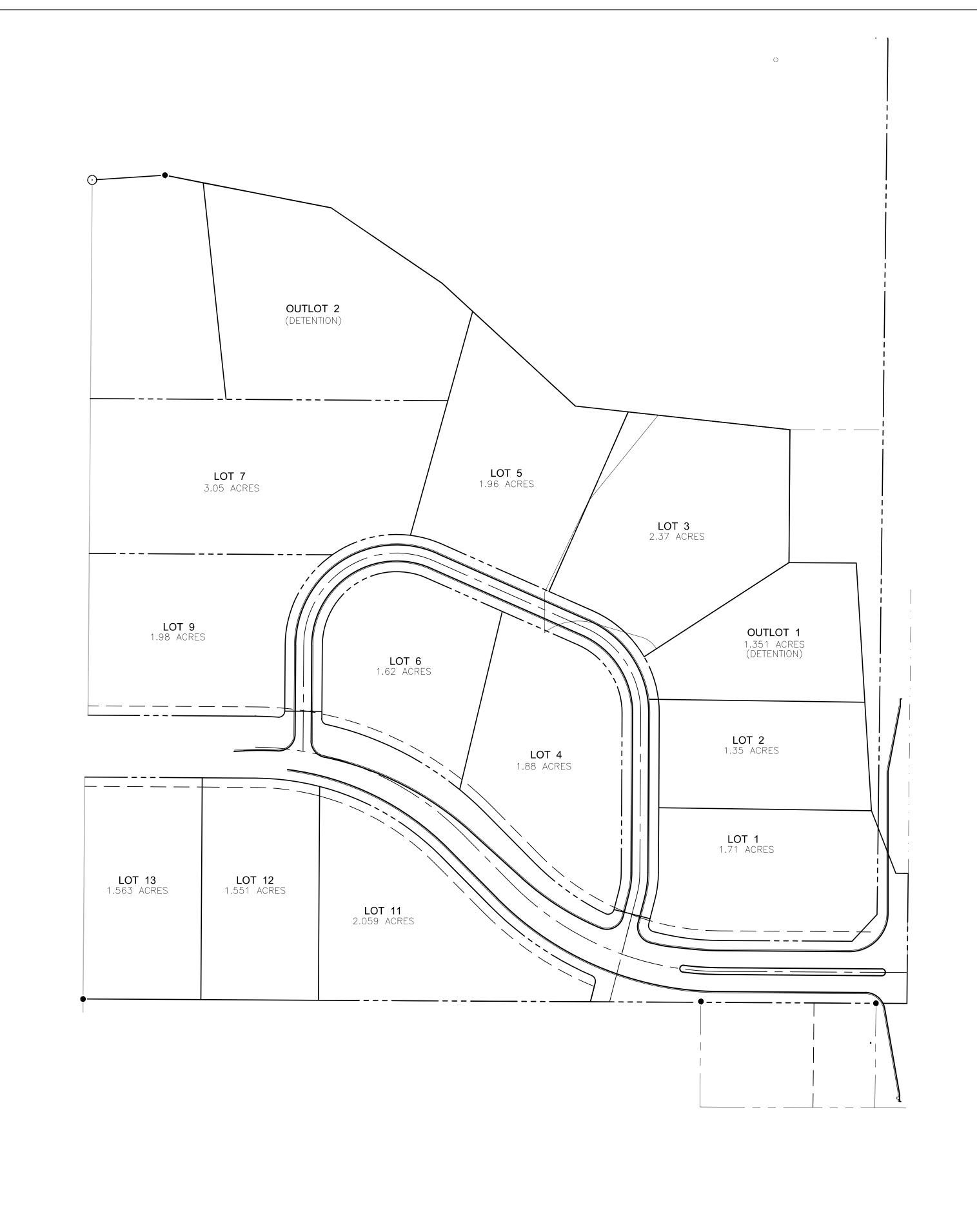
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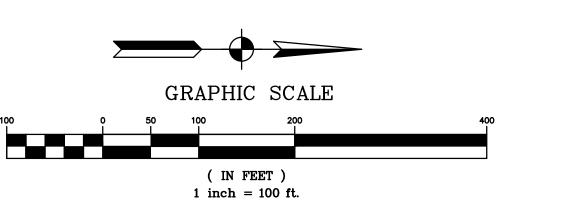
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DESIGNED BY:

PM REVIEW: QA/QC REVIEW:

12/02/2015

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