

AGENDA

VALPARAISO PLAN COMMISSION

Tuesday - January 14th, 2020
7:00 PM - City Hall Council Chambers

- I. Pledge of Allegiance**
- II. Roll Call**
- III. Minutes of the December 20th, 2019 Meeting**
- IV. Election of Officers for 2020**
- V. Old Business**

- VI. New Business**

MS19-005 – A petition filed by McMahon Associates, 952 S. State Rd. 2, Valparaiso, IN 46383. The petitioner requests approval of the replat of Lot 6 and a plat amendment to vacate the five (5) foot no-access easement along Murvilhill Rd, located on the west of the regulated drain easement.

PP19-005 - A petition filed by Weiss Entities LLC, 104 S Michigan Ave, Suite 1300, Chicago, IL 60603. The petitioner requests approval of a primary plat for a two (2) lot subdivision to be known as Wise Guys Minor Subdivision.

VII. Staff Items

Request approval of 2020 Plan Commission Application and Meeting Dates

VIII. Adjournment

NEXT REGULAR PLAN COMMISSION MEETING:

TBD - 7:00 PM – VALPARAISO CITY HALL, 166 LINCOLNWAY

****Requests for alternate formats please contact
Tyler Kent at tkent@valpo.us or (219) 462-1161. ****

PETITION #: MS19-005
(staff use only)

**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
- To appeal the decision of the Plat Committee

NO PUBLIC HEARING REQUIRED

- To approve a Minor Subdivision (Lot Split)
- To approve a Final Plat
- To approve a Plat Amendment
- Design/Architectural Approval in _____ Overlay District

Please provide the following information:
(print or type)

4501 Airport LLC	4501 Airport Drive, Valparaiso, IN 46385	(219) 405-0217
Owner of property	Address	Phone
Jason Gilliana	(219) 405-0217	jason@gilliana.net
Contact person	Phone	Email

Applicant is (check one): Sole Owner Joint Owner Tenant Agent Other

McMAHON Associates	952 S. State Road 2, Valparaiso, IN 46385	(219) 462-7743
Petitioner	Address	Phone

Address or description of location of property: 4602 Murvhill Road, Valparaiso, IN 46385

Parcel/Tax Duplicate Number 64-10-33-103-001.000-029

Subdivision (if Applicable) The Replat of Lot 6 in Airport Industrial Park East to the City of Valparaiso

This property is located on the West side of County Road 325 E. Street/Road

between (streets) Murvihill Road (C.R. 100 N.) and U.S. Highway 30

Current Zoning of Property INH Proposed Zoning of Property INH

Zoning of Adjacent Properties: North I2 (P.C.) South INH
East MHP (P.C.) West I1 (P.C.) Other _____

Other information:

Dimensions of property: Frontage 658.94 Depth 215 to 234.99

Property Area (sq. ft./acres) 3.30

Present use of property:

Vacant

Proposed use of property:

Multi-Tenant Building

Proposed Variances or Waivers (PUD or Subdivision Plats)

N/A - We ask to vacate the 5' No-Access Easement along Murvihill Road, located west of
the regulated drain easement

Legal description for property: (Exhibit # _____)

Lot 6B and 6C in the Replat of Lot 6 in Airport Industrial Park East to the City of Valparaiso, Indiana
as per plat thereof, recorded August 14, 2018 in Plat File 51-C4-A as document 2018-018536,
in the Office of the Recorder of Porter County, Indiana.

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)

<input type="checkbox"/> Rezoning :	\$150
<input type="checkbox"/> Subdivision Primary Plat:	\$150 + \$10 per lot ___ Lots X \$10 = ___
<input checked="" type="checkbox"/> Subdivision Amendment	\$100 + \$5 per lot <u>1</u> Lots X \$5 = <u>\$105.00</u>
<input type="checkbox"/> Planned Unit Development (PUD):	\$500 + \$10 per lot ___ Lots X \$10 = ___
<input type="checkbox"/> Major PUD Amendment	\$250 + \$5 per lot ___ Lots X \$5 = ___
<input type="checkbox"/> Minor Subdivision (Lot Split)	\$150
<input type="checkbox"/> Subdivision Final Plat	\$100 + \$5 per lot ___ Lots X \$5 = ___
<input type="checkbox"/> Minor PUD Amendment	\$150
<input type="checkbox"/> Annexation:	\$500 + Cost of Fiscal Plan***
<input type="checkbox"/> Design/Architectural Approval	\$150
<input type="checkbox"/> _____ Overlay District	
<input type="checkbox"/> Special Meeting Fee	\$1500
<input type="checkbox"/> Text Amendment	\$250
<input type="checkbox"/> Comprehensive Plan Amendment	\$250
<input type="checkbox"/> Vacation	\$100
<input type="checkbox"/> Plat Committee Appeal	\$200

TOTAL FEE _____

***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/Petitioner

12/19/19
Date

4501 Airport LLC
Printed name

Subscribed and sworn to before me this 19 day of December, 2019.

Brenda Wolf
Notary Public

My Commission Expires:
8/11/2024



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: _____

Affidavit of Consent of Property Owner

(To be presented with application for Plan Commission Action)

McMAHON Associates, Inc., being dully sworn upon his/her oath, being of sound mind and legal age deposes and states:

1. That he/she is the authorized Petitioner Agent (agent, attorney, other – Please indicate) of the property described in the attached notice which an application for a Plan Commission action has been filed before the Plan Commission of the City of Valparaiso, Indiana.

Theresa Coan
Petitioner

12/19/2019
Date

Subscribed and sworn to before me this 19 day of December, 2019.

Brenda Wolf
Notary Public

My Commission Expires:

8/11/2024



**NOTICE OF PUBLIC HEARING
CITY OF VALPARAISO PLAN COMMISSION**

Dear Property Owner:

This letter is to notify you that the City of Valparaiso Plan Commission will contact a public hearing on Petition Number _____ on the ___ day of _____, 20__ at 7:00 pm at Valparaiso City Hall, 166 Lincolnway, City Council Chambers, to consider a request for Plan Commission action (insert requested action here) _____.

The Petitioner for the requested action is _____
of (address here) _____

The property is located in the _____ Zoning District. The subject parcel is located at (Address or Location) _____ and includes the following tract of land:

Legal Description

(Please type the street address and legal description here or attach to the letter)

You are sent this notice as a property owner within 300 feet of the parcel. Your view on this petition may be submitted in writing to the Planning Director, or you will be given an opportunity to be heard at the above-mentioned time of the Public Hearing. All interested property owners are invited to attend. To review the petition and detailed site plans contact the Planning Department between 8:30 a.m. and 4:30 p.m. Monday through Friday.

Correspondence to:

Tyler Kent, Planning Director

Valparaiso City Hall

166 Lincolnway

Valparaiso, IN 46383

Phone: (219) 462-1161 **Fax:** (219) 464-4273

e-mail: tkent@valpo.us

(all electronic mail must include name, address, and telephone number)

Respectfully,

Petitioner

Petitioner

Petitioner

Petitioner

Affidavit of Proper Public Notice for Public Hearing

(To be presented to Plan Commission staff or attorney at Public Hearing)

_____, being dully sworn upon his/her oath, being of sound mind and legal age deposes and states:

1. That he/she is the _____(agent, attorney, owner) of the property described in the attached notice which an application for a variance has been filed before the Board of Zoning Appeals of the City of Valparaiso, Indiana

2. That on the ____ day of _____, _____, did mail at least ten (10) days prior to the scheduled Public Hearing, postage paid, by certified mail, returned receipt requested, a letter explaining the proposed change, time, date and place of hearing and attached hereto, to all of the property owners within three hundred (300) feet from the lot lines of described real estate, as follows.

(Please attach legal description)

List the name the address of all property owners who have received notification below:

(Please print)

Please Attach a copy of the Surrounding Property Owners List.

Petitioner

Date

Subscribed and sworn to before me this ____ day of _____, _____.

Notary Public

My Commission Expires:

Date

Affidavit of Consent of Property Owner

(To be presented with application for Plan Commission)

4501 Airport LLC, being duly sworn upon his/her oath, being of sound mind and legal age deposes and states:

1. That 4501 Airport LLC ("Owner") (is/are) the legal owner(s) of real property that is the subject of a Petition before the Plan Commission.
2. That Owner authorizes McMAHON Associates, Inc. ("Petitioner") to seek the relief sought in the Petition filed before the Plan Commission. Petitioner is further authorized to commit to any reasonable restriction requested by the Plan Commission or proposed by the Petitioner.

[Signature]
Property Owner

12/19/19
Date

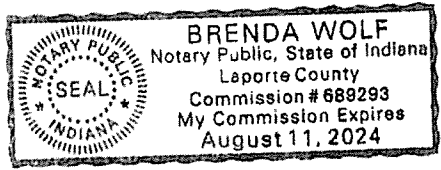
Property Owner

Date

Subscribed and sworn to before me this 19 day of December, 2019.

[Signature]
Notary Public

My Commission Expires:
8/11/2024
Date





Replat of Lots 6B & 6C of the Replat of Lot 6 in Airport Industrial Park East

30 15 0 30

SCALE - FEET

Property Address

4602 Murvihill Road (County Road 100 N.), Valparaiso, Indiana 46385

Legal Description

Lot 6B and 6C in the Replat of Lot 6 in Airport Industrial Park East to the City of Valparaiso, Indiana, as per plat thereof, recorded August 14, 2018 in Plat File 51-C-4A as document 2018-018536, in the Office of the Recorder of Porter County, Indiana.

Deed of Dedication

We, the undersigned 4501 Airport LLC, owners of the real estate shown and described herein, do hereby certify that we have laid off, platted, and subdivided said real estate in accordance with the attached plat. The subdivision shall be known and designated as Replat of Lots 6B & 6C in Airport Industrial Park East Administrative Subdivision. All streets and alleys shown and not heretofore dedicated are hereby dedicated to the public. There are strips of ground of various widths shown on this plat and labeled as easements for various purposes. Utility easements are 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 the easement herein reserved. Drainage easements are reserved for the use of the city, homeowners, and/or the property owner's association to provide for the construction, maintenance, and operation of drainage conduits, swales, channels, overflows, detention basins, or other runoff management facilities. No permanent or other structures are to be erected or maintained upon said easements. Owners of lots in this subdivision shall take their titles subject to the rights of the public utilities and to the rights of the owners of other lots in this subdivision.

Witness my Hand and Seal this _____ day of _____

4501 Airport LLC

State of Indiana)
County of Porter) SS

Before me, a Notary Public, in and for the said County and State, personally appeared 4501 Airport LLC and acknowledged the execution of the foregoing as their voluntary act and deed

This _____ day of _____, 2020 My Commission Expires: _____

Notary Public _____ Printed Name _____

Plan Commission Certificate

Under authority provided by Indiana Code 36-7-4, et seq., 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 by the Valparaiso Plan Commission at a regular meeting held on _____

President - Bruce Berner

Executive Director - Tyler Kent

Board of Public Works and Safety Certification

This plat was examined by the Board of Public Works and Safety of the City of Valparaiso for compliance with the Standards Manual, and approved this _____ day of _____

Jon Costas, Mayor

Bill Oeding, Member

Matt Murphy, Member

ATTEST: Sharon Swihart, Clerk-Treasurer

Surveyor's Certification

I, Douglas F. Homeier, hereby certify that I am a Land Surveyor licensed in compliance with the laws of the State of Indiana, and that to the best of my knowledge, this plat conforms to the requirements of the City of Valparaiso Unified Development Ordinance, and the Standards Manual; that the markers and monuments shown on the plat actually exist; and that their location, size, type and material are accurately shown.

Given under my hand and seal this 19th day of December, 2019

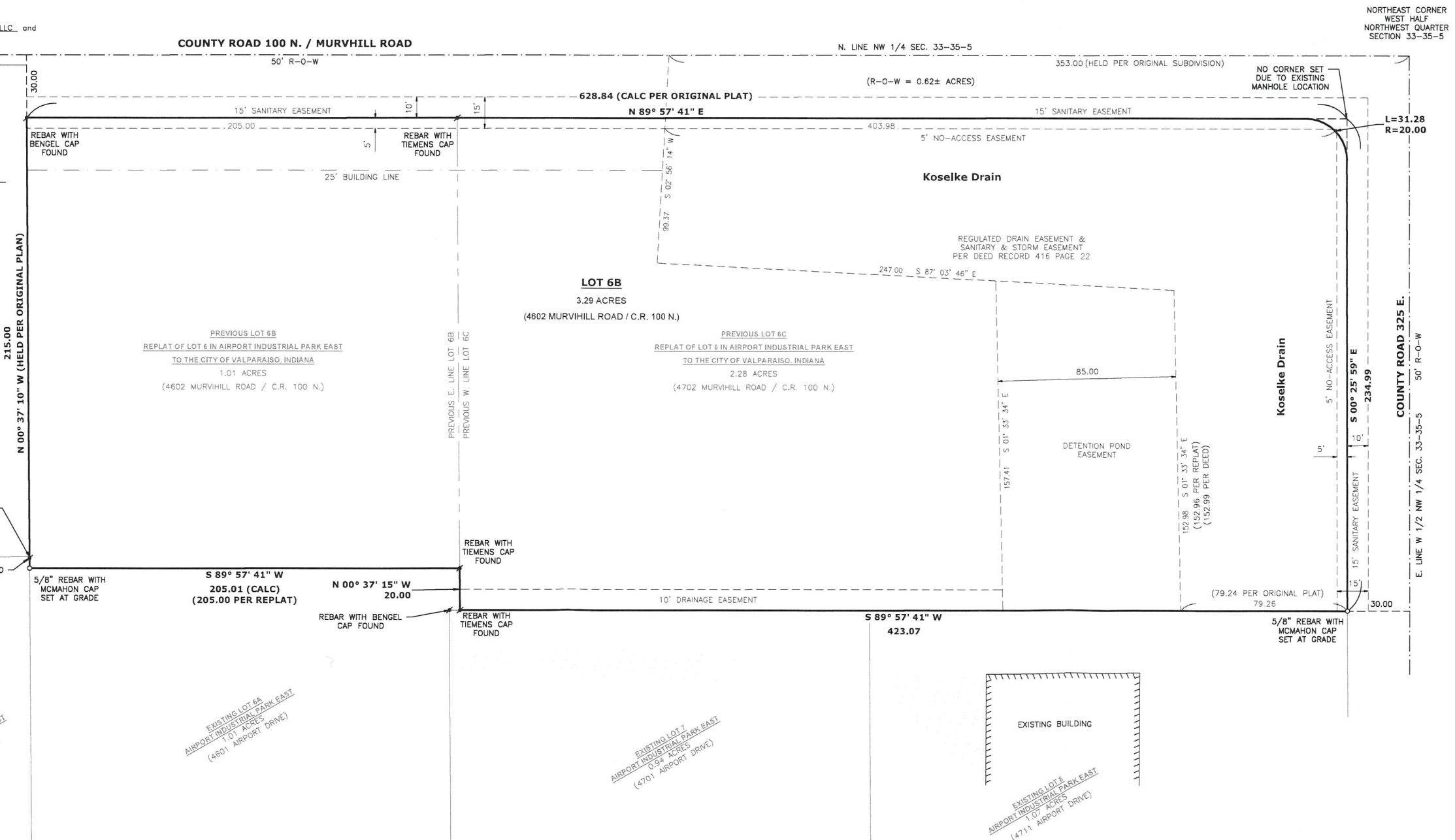
Douglas F. Homeier

Douglas F. Homeier, Registered Land Surveyor #20300033

"I affirm, under the penalties for perjury, that I have taken reasonable care to redact each social security number in this document, unless required by law."

Douglas F. Homeier

Douglas F. Homeier



1/2" REBAR FOUND
0.21 NORTH
0.16 EAST

REBAR FOUND
0.65 SOUTH

EXISTING BUILDING

EXISTING LOT 5
AIRPORT INDUSTRIAL PARK EAST
1.07 ACRES
(4501 AIRPORT DRIVE)

EXISTING LOT 6A
AIRPORT INDUSTRIAL PARK EAST
1.01 ACRES
(4601 AIRPORT DRIVE)

EXISTING LOT 7
AIRPORT INDUSTRIAL PARK EAST
0.58 ACRES
(4701 AIRPORT DRIVE)

EXISTING BUILDING

EXISTING LOT 8
AIRPORT INDUSTRIAL PARK EAST
1.07 ACRES
(4711 AIRPORT DRIVE)

McMAHON
ENGINEERS ARCHITECTS
952 South State Road 2
Valparaiso, Indiana 46385
Tel: (219) 462-7743 Fax: (219) 464-8248
mcm@mcgrp-in.com

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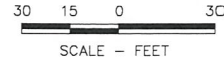
NO.	DATE	REVISION

4602 Airport Drive, Valparaiso, Indiana 46383
Replat of Lots 6B & 6C of the Replat of Lot 6 in Airport Industrial Park East

DESIGNED KMC	DRAWN KMC
PROJECT NO. F5001-5-19-00251	
DATE 12/19/2019	
SHEET NO. SP	



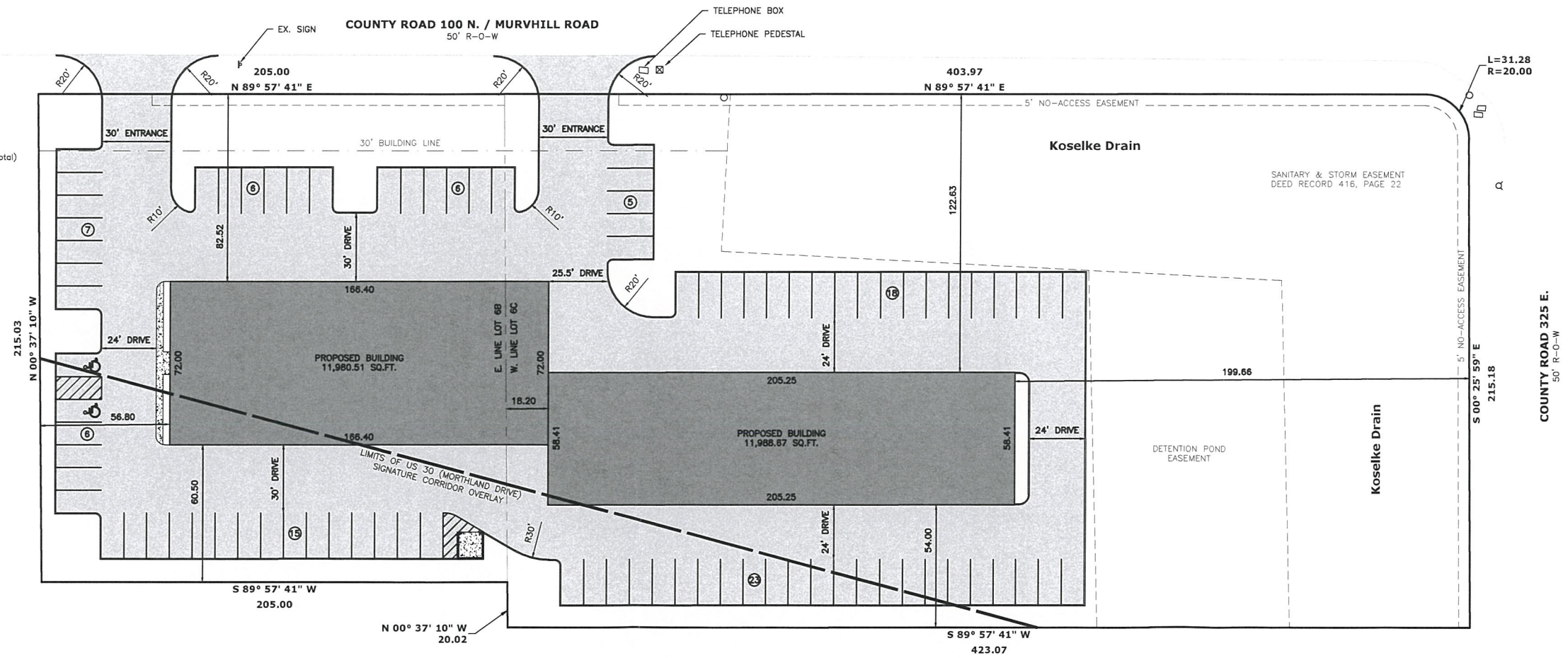
Proposed Building Concept Plan



Notes

- Written Description of Project: Lots 6B and 6C in the Replat of Lot 6 in Airport Industrial Park East have been resubdivided into a new Lot 6B. This site consists of 3.29 acres of grassed vegetation that includes the subdivision pond and the Koselke Ditch Legal Drain. The site plan proposed will consist of two (2) multi-unit buildings and associated parking and drainage.
- Property is Zoned: INH - Heavy Industrial
 LSR: 0.30
 Gross FAR: 0.431
 Net FAR: 0.615
 Front Yard Setback: 25 feet
 Side Yard Setback: 15 feet
 Rear Yard Setback: 30 feet
 Max Building Height: 4 stories or 50', whichever is lower
- Property is partially in Signature Corridor Overlay District: US 30 (Morthland Drive)
 US 30 Setback: 600' from US 30 (Morthland Drive) R-O-W
 Landscaping: 15' wide greenbelt across front yard
 Parking: Located behind principal building where possible
 Site Setback: Front-65' or 75', Side-10', Rear-15'
 Lot Coverage: 75% Maximum (25% LSR)
- Parking Standards (based on "Heavy Industry"):
 Required
 General Stalls: 2.5 Spaces / 1,000 ft² + 1 Space / Vehicle (23,969.18 sq.ft./1000) x 2.5 = 59.9 = 60 stalls
 Loading Stalls: 1 / 15,000 ft² or 1.25 / Bay (greater of either)
 Planting Islands: 324 sq.ft. per 16 spaces
 90 spaces / 16 = 5,625 areas of 324 sq.ft. (1,822.5 sq.ft. total)
 Provided
 General Stalls: 86
 Loading Stalls: 6 areas (1,894 sq.ft. total)
 Planting Islands: 6 areas (1,894 sq.ft. total)
- Area Information (Includes all proposed and existing entities):
 Site Area: 143,522.83 sq.ft. (3.29) Acres
 Impervious Area: 73,974.17 sq.ft. (51.5%)
 Green Area: 69,548.66 sq.ft. (48.5%)
 Building Area: 23,969.18 sq.ft. (16.7%)
- Site is grass covered and currently vacant of buildings.

Proposed Site Legend	
Asphalt Pavement	
Building	
Concrete	
Handicap Parking	



McMAHON
 ENGINEERS ARCHITECTS
 952 South State Road 2
 Valparaiso, Indiana 46385
 Tel: (219) 462-7743 Fax: (219) 464-9248
 mcm@mcmgrp-in.com

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NO.	DATE	REVISION

Airport Industrial Park East, Replat of Lot 6
4601 Airport Drive, Valparaiso, Indiana 46383
Proposed Building Concept Plan

DESIGNED KMC	DRAWN KMC
PROJECT NO. F5001-5-19-00193	
DATE 10/01/2019	
SHEET NO. C1.0	

FILED

PETITION #: PP19-005
(staff use only)

PS

DEC 13 2019

C

D 4/15/19

Sharon Emma Stewart

Clerk-Treasurer

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
- To appeal the decision of the Plat Committee

NO PUBLIC HEARING REQUIRED

- To approve a Minor Subdivision (Lot Split)
- To approve a Final Plat
- To approve a Plat Amendment
- Design/Architectural Approval in _____ Overlay District

Please provide the following information:
(print or type)

Indiana Land Trust Company f/k/a Lake County Trust Company, as Trustee of Trust #1080, c/o Weiss Entities LLC, 104 S. Michigan Ave., Ste. 1300, Chicago, IL 60603, 219.313.8420

Owner of property	Address	Phone
Bob Billick	219.313.8420	bbillick@weissentities.com
Contact person	Phone	Email

Applicant is (check one): Sole Owner Joint Owner Tenant Agent Other

Weiss Entities LLC, 104 S Michigan Ave Ste 1300 Chicago IL 60603, 219.313.8420	
Petitioner	Phone

Address or description of location of property: 2164 US Hwy 30, Valparaiso, IN 46385

Parcel/Tax Duplicate Number 64-09-27-226-007.000-004

Subdivision (if Applicable) N/A

This property is located on the North side of U.S. Hwy. 30 Street/Road
between (streets) Coolwood Drive and Thornapple Way

Current Zoning of Property CG Proposed Zoning of Property CG

Zoning of Adjacent Properties: North SR South County R1 (Low Density
Single Family Res. District)
East CG West CG Other _____

Other information:

Dimensions of property: Frontage Approx. 284' Depth Approx. 687'

Property Area (sq. ft./acres) Approx. 4.85 acres

Present use of property:

McDonalds, driveway and parking, recycling bins, Goodwill, and unimproved portion

Proposed use of property:

McDonalds, driveway and parking, new retail store, and new retention area

Proposed Variances or Waivers (PUD or Subdivision Plats)

Legal description for property: (Exhibit # _____)

Legal description is on attached plat.

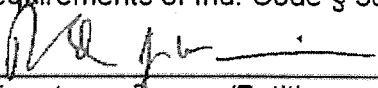
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PETITION FEES (CHECK ALL THAT APPLY)

<input type="checkbox"/> Rezoning:	\$150
<input checked="" type="checkbox"/> Subdivision Primary Plat:	\$150 + \$10 per lot <u>2</u> Lots X \$10 = <u>\$20</u>
<input type="checkbox"/> Subdivision Amendment	\$100 + \$5 per lot <u> </u> Lots X \$5 = <u> </u>
<input type="checkbox"/> Planned Unit Development (PUD):	\$500 + \$10 per lot <u> </u> Lots X \$10 = <u> </u>
<input type="checkbox"/> Major PUD Amendment	\$250 + \$5 per lot <u> </u> Lots X \$5 = <u> </u>
<input type="checkbox"/> Minor Subdivision (Lot Split)	\$150
<input type="checkbox"/> Subdivision Final Plat	\$100 + \$5 per lot <u> </u> Lots X \$5 = <u> </u>
<input type="checkbox"/> Minor PUD Amendment	\$150
<input type="checkbox"/> Annexation:	\$500 + Cost of Fiscal Plan***
<input type="checkbox"/> Design/Architectural Approval	\$150
<input type="checkbox"/> <u> </u> Overlay District	
<input type="checkbox"/> Special Meeting Fee	\$1500
<input type="checkbox"/> Text Amendment	\$250
<input type="checkbox"/> Comprehensive Plan Amendment	\$250
<input type="checkbox"/> Vacation	\$100
<input type="checkbox"/> Plat Committee Appeal	\$200

TOTAL FEE \$170

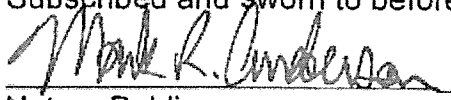
***The Plan Commission requires that all fiscal plans be prepared by a municipal advisor firm approved by the Planning Department. The applicant is solely responsible for the cost of the preparation of the fiscal plan. The fiscal plan must be submitted together with the applicant's petition for public hearing. The fiscal plan must comply with the requirements of Ind. Code § 36-4-3-13(d).


Signature of owner/Petitioner

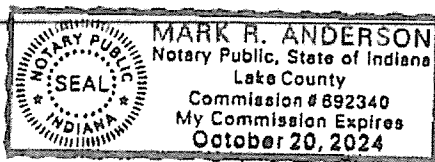
12/11/19
Date

Donald Weiss, Authorized Representative of Weiss Entities LLC
Printed name

Subscribed and sworn to before me this 11th day of December, 2019.


Notary Public

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: _____

LEGAL DESCRIPTION

A PARCEL OF LAND IN THE SOUTHEAST QUARTER (SE $\frac{1}{4}$) OF THE NORTHEAST QUARTER (NE $\frac{1}{4}$) OF SECTION THIRTY-ONE (31), TOWNSHIP THIRTY-FIVE (35) NORTH, RANGE FIVE (5) WEST OF THE SECOND PRINCIPAL MERIDIAN IN CENTER TOWNSHIP, PORTER COUNTY, INDIANA, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST (SE) CORNER OF SAID SOUTHEAST QUARTER QUARTER (SE $\frac{1}{4}$ $\frac{1}{4}$); THENCE NORTH 89 DEGREES 48 MINUTES 17 SECONDS WEST ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER QUARTER (SE $\frac{1}{4}$ $\frac{1}{4}$), 115.13 FEET TO THE POINT OF BEGINNING, SAID POINT OF BEGINNING BEING DESCRIBED IN DEED RECORDED 369, PAGE 196, IN THE RECORDER'S OFFICE OF PORTER COUNTY, INDIANA; THENCE NORTH 04 DEGREES 18 MINUTES 39 SECONDS WEST, 1111.43 FEET; THENCE NORTH 00 DEGREES 38 MINUTES 10 SECONDS EAST, 217.89 FEET TO THE NORTH LINE OF SAID SOUTHEAST QUARTER QUARTER (SE $\frac{1}{4}$ $\frac{1}{4}$); THENCE NORTH 89 DEGREES 48 MINUTES 29 SECONDS WEST ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER QUARTER (SE $\frac{1}{4}$ $\frac{1}{4}$), 1131.50 FEET TO THE NORTHWEST (NW) CORNER OF SAID SOUTHEAST QUARTER QUARTER (SE $\frac{1}{4}$ $\frac{1}{4}$); THENCE SOUTH 00 DEGREES 03 MINUTES 13 SECONDS EAST ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER QUARTER (SE $\frac{1}{4}$ $\frac{1}{4}$), 1325.83 FEET TO THE SOUTHWEST (SW) CORNER OF SAID SOUTHEAST QUARTER QUARTER (SE $\frac{1}{4}$ $\frac{1}{4}$); THENCE SOUTH 89 DEGREES 48 MINUTES 17 SECONDS EAST ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER QUARTER (SE $\frac{1}{4}$ $\frac{1}{4}$), 1211.38 FEET TO THE POINT OF BEGINNING.

EXCEPT:

A STRIP OF REAL ESTATE IN THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 31, TOWNSHIP 35 NORTH, RANGE 5 WEST OF THE SECOND PRINCIPAL MERIDIAN IN THE CITY OF VALPARAISO, PORTER COUNTY, INDIANA, SAID STRIP BEING A PART OF A PARCEL OF LAND DESCRIBED IN A TRUSTEE'S DEED TO LDCC, LLC, DATED MAY 18, 2011, AND RECORDED MAY 20, 2011, AS DOCUMENT NUMBER 2011-010461 IN THE OFFICE OF THE RECORDER OF PORTER COUNTY, INDIANA, SAID STRIP DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER; THENCE NORTH 89 DEGREES 48 MINUTES 17 SECONDS WEST 115.13 FEET ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER TO THE POINT OF BEGINNING (SAID POINT OF BEGINNING BEING DESCRIBE IN DEED RECORD 369, PAGE 196, IN THE OFFICE OF THE RECORDER OF PORTER COUNTY, INDIANA); THENCE NORTH ALONG THE EAST LINES OF SAID PARCEL DESCRIBE TO LDCC, LLC, THE FOLLOWING 2 COURSES (1) NORTH 04 DEGREES 18 MINUTES 39 SECONDS WEST 1111.43 FEET AND (2) NORTH 00 DEGREES 38 MINUTES 10 SECONDS EAST 217.89 FEET TO THE NORTH LINE OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER; THENCE NORTH 89 DEGREES 48 MINUTES 29 SECONDS WEST 68.73 FEET ALONG SAID NORTH LINE; THENCE SOUTH 00 DEGREES 52 SECONDS WEST 218.58 FEET; THENCE SOUTH 03 DEGREES 55 MINUTES 38 SECONDS EAST 1010.00 FEET; THENCE SOUTH 07 DEGREES 24 MINUTES 18 SECONDS WEST 100.73 FEET TO SAID SOUTH LINE; THENCE SOUTH 89 DEGREES 48 MINUTES 17 SECONDS EAST 97.00 FEET ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING. SAID STRIP OF REAL ESTATE CONTAINING 97,421 SQUARE FEET / 2.236 ACRES MORE OR LESS.

Parcel Number	Owner	Owner Address	City	State	Zip Code
64-09-26-101-001.000-004	Curfin Property Holding Inc	8401 Roosevelt Rd	Forest Park	IL	60130
64-09-23-351-001.000-004	Valparaiso City Of	166 Lincolnway	Valparaiso	IN	46383
64-09-27-228-001.000-003	Rich James & Roberta/H&W	851 Coolwood Dr	Valparaiso	IN	46385
64-09-22-481-007.000-004	Moore Aaron C	2053 Marshall Dr	Valparaiso	IN	46385
64-09-22-481-004.000-004	Pancini John M	2153 Marshall Dr	Valparaiso	IN	46385
64-09-27-228-002.000-003	Wanat Susan M	2101 Coolwood Dr	Valparaiso	IN	46385
64-09-22-481-006.000-004	Will Leland C & Janet H	2055 Marshall Dr	Valparaiso	IN	46385
64-09-22-481-003.000-004	White Thomas P & Pamela S	2155 Marshall Dr	Valparaiso	IN	46385
64-09-27-227-003.000-003	Baker George & Mildred /H&W	852 Coolwood Dr	Valparaiso	IN	46385
64-09-22-481-002.000-004	Delaney Daniel J & Kieffer I/H&W	2251 Marshall Dr	Valparaiso	IN	46385
64-09-22-479-022.000-004	Schiesser Larry & Penny J	2056 Marshall Dr	Valparaiso	IN	46385
64-09-22-478-009.000-004	Wells James L & Marye/H&W	122 Wheatridge Rd	Valparaiso	IN	46385
64-09-27-228-003.000-003	Cyprian Cynthia T	2051 Us Highway 30	Valparaiso	IN	46385
64-09-27-226-007.000-004	Lake County Trust Cotrust #1080 % D	104 S Michigan Ave Ste 1300	Chicago	IL	60603
64-09-22-478-010.000-004	Bennett Gordon David	2154 Marshall Dr	Valparaiso	IN	46385
64-09-22-481-005.000-004	Baggs Gregory L & Barbara	2057 Marshall Dr	Valparaiso	IN	46385
64-09-22-481-008.000-004	Reyes Rudy & Cindi/H&W	2051 Marshall Dr	Valparaiso	IN	46385
64-09-27-226-008.000-004	Coolwood Delaware Llc	104 S Michigan Ave Ste 1300	Chicago	IL	60603
64-09-22-479-023.000-004	Kusiak Joseph V & Roberta L/H&W	2054 Marshall Dr	Valparaiso	IN	46385
64-09-22-479-024.000-004	Pullins Patti Ann	2052 Marshall Dr	Valparaiso	IN	46385
64-09-27-226-006.000-004	Sophia Ventures LLC	19329 251st Ave	Bettendorf	IA	52722
64-09-22-478-008.000-004	McGowan Janet May w/Life Estate to	355 Coolwood Dr	Valparaiso	IN	46385
64-09-22-481-001.000-004	Shearer Kelly & Shearer Marsha/JT	2253 Marshall Dr	Valparaiso	IN	46385

Affidavit of Consent of Property Owner

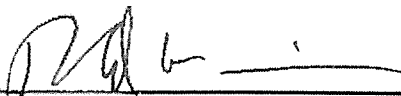
(To be presented with application for Plan Commission Action)

Donald Weiss, as Authorized Representative of Weiss Entities LLC, being dully sworn upon his/her oath, being of sound mind and legal age deposes and states:

1. That he/she is the authorized Petitioner's Representative (agent, attorney, other – Please indicate) of the property described in the attached notice which an application for a Plan Commission action has been filed before the Plan Commission of the City of Valparaiso, Indiana.

Petitioner

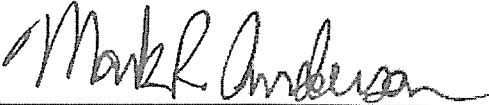
Weiss Entities LLC



Donald Weiss, Authorized Representative

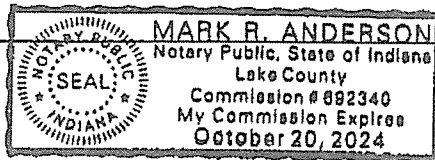
December 11, 2019
Date

Subscribed and sworn to before me this 11th day of December, 2019.



Notary Public

My Commission Expires:



**NOTICE OF PUBLIC HEARING
CITY OF VALPARAISO PLAN COMMISSION**

Dear Property Owner:

This letter is to notify you that the City of Valparaiso Plan Commission will contact a public hearing on Petition Number _____ on the ___ day of _____, 20__ at 7:00 pm at Valparaiso City Hall, 166 Lincolnway, City Council Chambers, to consider a request for Plan Commission action (insert requested action here) _____.

The Petitioner for the requested action is _____
of (address here) _____

The property is located in the _____ Zoning District. The subject parcel is located at (Address or Location) _____ and includes the following tract of land:

Legal Description

(Please type the street address and legal description here or attach to the letter)

You are sent this notice as a property owner within 300 feet of the parcel. Your view on this petition may be submitted in writing to the Planning Director, or you will be given an opportunity to be heard at the above-mentioned time of the Public Hearing. All interested property owners are invited to attend. To review the petition and detailed site plans contact the Planning Department between 8:30 a.m. and 4:30 p.m. Monday through Friday.

Correspondence to:

Tyler Kent, Planning Director
Valparaiso City Hall
166 Lincolnway
Valparaiso, IN 46383

Phone: (219) 462-1161 **Fax:** (219) 464-4273

e-mail: tkent@valpo.us

(all electronic mail must include name, address, and telephone number)

Respectfully,

Petitioner

Petitioner

Petitioner

Petitioner

Affidavit of Proper Public Notice for Public Hearing

(To be presented to Plan Commission staff or attorney at Public Hearing)

_____, being dully sworn upon his/her oath, being of sound mind and legal age deposes and states:

1. That he/she is the _____ (agent, attorney, owner) of the property described in the attached notice which an application for a variance has been filed before the Board of Zoning Appeals of the City of Valparaiso, Indiana
2. That on the ____ day of _____, _____, did mail at least ten (10) days prior to the scheduled Public Hearing, postage paid, by certified mail, returned receipt requested, a letter explaining the proposed change, time, date and place of hearing and attached hereto, to all of the property owners within three hundred (300) feet from the lot lines of described real estate, as follows.

(Please attach legal description)

List the name the address of all property owners who have received notification below:

(Please print)

Please Attach a copy of the Surrounding Property Owners List.

Petitioner

Date

Subscribed and sworn to before me this ____ day of _____, _____.

Notary Public

My Commission Expires:

Date

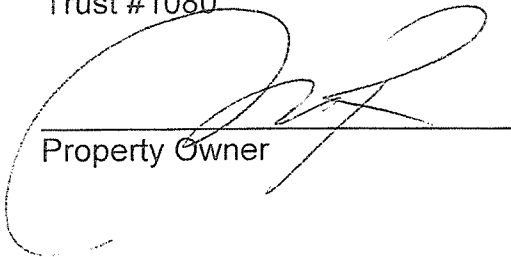
Affidavit of Consent of Property Owner

(To be presented with application for Plan Commission)

Indiana Land Trust Company f/k/a Lake County Trust Company, as Trustee of Trust #1080, being duly sworn upon his/her oath, being of sound mind and legal age deposes and states:

1. That Indiana Land Trust Company f/k/a Lake County Trust Company, as Trustee of Trust #1080 ("Owner") (is/are) the legal owner(s) of real property that is the subject of a Petition before the Plan Commission.
2. That Owner authorizes Weiss Entities LLC ("Petitioner") to seek the relief sought in the Petition filed before the Plan Commission. Petitioner is further authorized to commit to any reasonable restriction requested by the Plan Commission or proposed by the Petitioner.

Indiana Land Trust Company f/k/a Lake County Trust Company, as Trustee of Trust #1080


Property Owner

12/11/2019
Date

Subscribed and sworn to before me this 11 day of December, 2019.


Notary Public

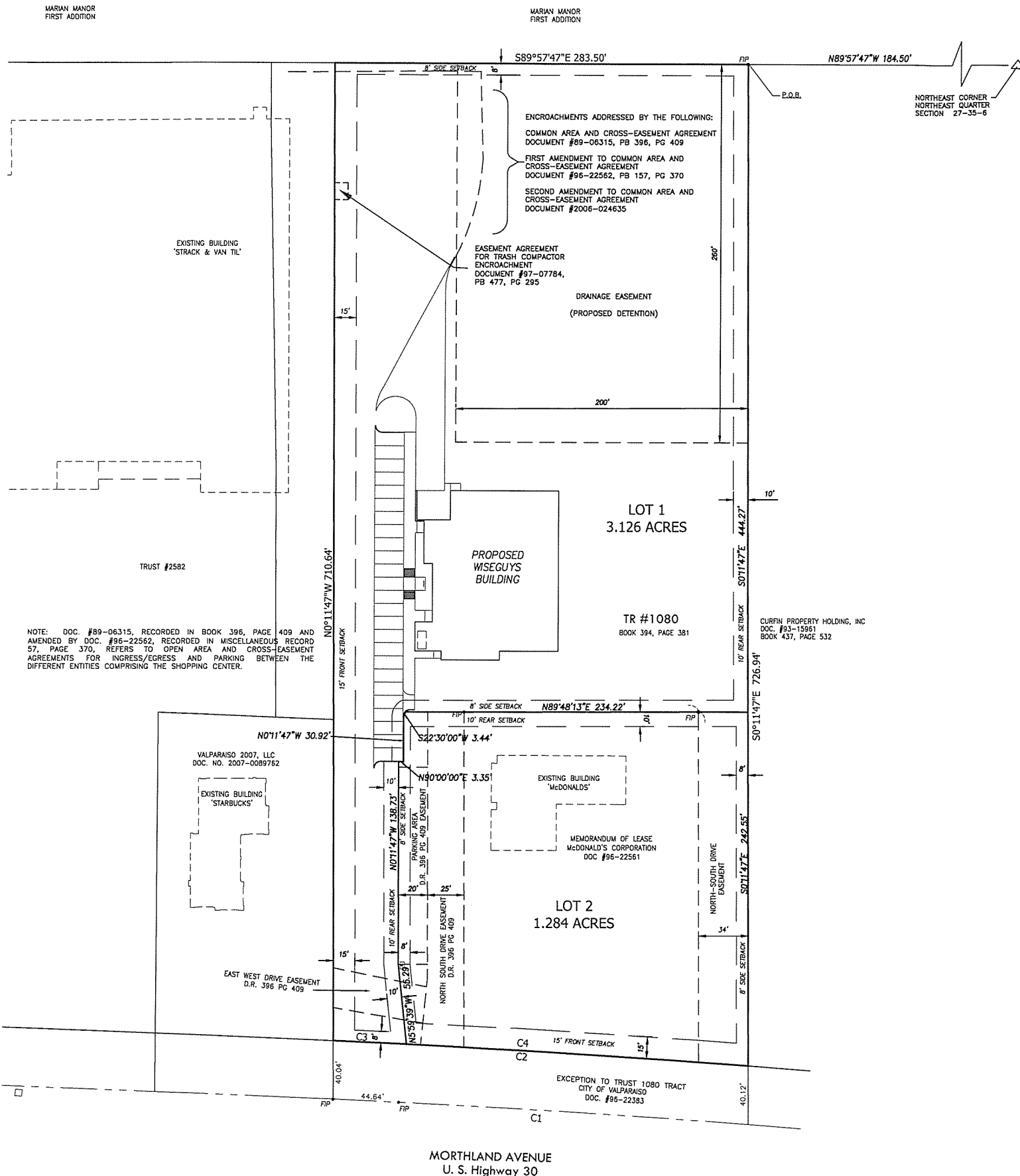
My Commission Expires:
3/18/2027
Date

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*****
* OLA MAE CAULEY-JOHNSON *
* Notary Public - Seal *
* Lake County - State of Indiana *
* Commission Number NP0719258 *
* My Commission Expires March 18, 2027 *
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The information contained in this certification has been furnished to the land trustee by the beneficiaries of trust no. 1080, and the certification is made solely in reliance thereon and no responsibility is assumed by the trustee in its individual capacity, for the truth or accuracy of the facts therein stated.



NOTE: DOC. #89-06315, RECORDED IN BOOK 396, PAGE 409 AND AMENDED BY DOC. #96-22562, RECORDED IN MISCELLANEOUS RECORD 57, PAGE 370, REFERS TO OPEN AREA AND CROSS-EASEMENT AGREEMENTS FOR INGRESS/EGRESS AND PARKING BETWEEN THE DIFFERENT ENTITIES COMPRISING THE SHOPPING CENTER.

RECORD LEGAL DESCRIPTION (BOOK 394, PAGE 381)

PARCEL TRUST 1080 TRACT
 A PARCEL OF LAND IN THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 35 NORTH, RANGE 6 WEST OF THE SECOND PRINCIPAL MERIDIAN, PORTER COUNTY, INDIANA, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT A POINT ON THE NORTH LINE OF SAID NORTHEAST QUARTER WHICH IS 184.50 FEET WEST OF THE NORTHEAST CORNER OF SAID QUARTER SECTION, THENCE SOUTH 00 DEGREES 11 MINUTES 47 SECONDS EAST ALONG THE EAST LINE OF THE WEST 283.5 FEET OF THE EAST 28.25 RODS (PROPORTIONAL) OF SAID NORTHEAST QUARTER SECTION 727.24 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY OF U.S. HIGHWAY NUMBER 30, SAID POINT BEING ON A CURVE TO THE LEFT HAVING A RADIUS OF 8695.0 FEET A CHORD BEARING NORTH 86 DEGREES 41 MINUTES 03 SECONDS WEST AND A CHORD LENGTH OF 284.04 FEET TO THE WEST LINE OF THE EAST 28.25 RODS (PROPORTIONAL) OF SAID NORTHEAST QUARTER SECTION, THENCE NORTH 03 DEGREES 11 MINUTES 47 SECONDS WEST 710.91 FEET TO THE NORTH LINE OF SAID NORTHEAST QUARTER SECTION, THENCE ALONG SAID NORTH LINE SOUTH 89 DEGREES 57 MINUTES 47 SECONDS EAST 283.50 FEET TO THE POINT OF COMMENCEMENT, EXCEPTING THEREFROM THAT PORTION OF LAND CONVEYED TO CITY OF VALPARAISO, IN DEED OF DEDICATION, RECORDED SEPTEMBER 12, 1996 AS DOCUMENT NO. 96-22383, IN DEED RECORD 471, PAGE 389, DESCRIBED AS FOLLOWS:

A PART OF THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 35 NORTH, RANGE 6 WEST, SITUATE IN CENTER TOWNSHIP, PORTER COUNTY, STATE OF INDIANA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 27; THENCE NORTH 89 DEGREES 57 MINUTES 47 SECONDS WEST ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 27 A DISTANCE OF 184.50 FEET TO AN IRON STAKE MARKING THE NORTHEAST CORNER OF LAND CONVEYED TO LAKE COUNTY TRUST COMPANY IN DEED RECORD 394, PAGE 381; THENCE SOUTH 0 DEGREES 11 MINUTES 47 SECONDS EAST ALONG THE EAST LINE OF THE WEST 283.5 FEET OF THE EAST 28.25 RODS (PROPORTIONAL) OF THE NORTHEAST QUARTER OF SAID SECTION 27 AND ALONG THE EAST LINE OF SAID TRUST LAND A DISTANCE OF 687.12 FEET TO A POINT, SAID POINT BEING 40 FEET NORTH (MEASURED RADIALY) OF THE NORTH RIGHT-OF-WAY LINE OF U.S. HIGHWAY 30 AND ALSO BEING THE PLACE OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUING SOUTH 0 DEGREES 11 MINUTES 47 SECONDS EAST ALONG THE EAST LINE OF SAID TRUST LAND A DISTANCE OF 40.12 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY 30; THENCE WESTWARDLY ALONG A CURVE TO THE LEFT ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY 30 (R = 8695 FEET) A DISTANCE OF 284.05 FEET (CHORD = NORTH 86 DEGREES 41 MINUTES 03 SECONDS WEST-284.05 FEET) TO A POINT; THENCE NORTH 0 DEGREES 11 MINUTES 47 SECONDS WEST ALONG THE WEST LINE OF THE WEST 283.5 FEET OF THE EAST 28.25 RODS (PROPORTIONAL) OF THE NORTHEAST QUARTER OF SAID SECTION 27 A DISTANCE OF 40.04 FEET TO A POINT, SAID POINT BEING 40 FEET NORTH (MEASURED RADIALY) OF THE NORTH RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY 30; THENCE EASTWARDLY ALONG A CURVE TO THE RIGHT CONCENTRIC WITH AND 40 FEET NORTH (MEASURED RADIALY) OF THE NORTH RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY 30 (R = 8735 FEET) A DISTANCE OF 284.05 FEET (CHORD: SOUTH 86 DEGREES 42 MINUTES 01 SECONDS EAST) TO THE PLACE OF BEGINNING OF THIS DESCRIPTION.

DEED OF DEDICATION:

WE, THE UNDERSIGNED INDIANA LAND TRUST COMPANY F/K/A LAKE COUNTY TRUST COMPANY, AS TRUSTEE OF TRUST #1080, OWNERS OF THE REAL ESTATE SHOWN AND DESCRIBED HEREIN, DO HEREBY CERTIFY THAT WE HAVE LAID OFF, PLATTED, AND SUBDIVIDED SAID REAL ESTATE IN ACCORDANCE WITH THE ATTACHED PLAT. THIS SUBDIVISION SHALL BE KNOWN AND DESIGNATED AS WISEGUYS MINOR SUBDIVISION.

THERE ARE STRIPS OF GROUND OF VARIOUS WIDTHS SHOWN ON THIS PLAT AND LABELED AS DRAINAGE AND UTILITY EASEMENTS FOR VARIOUS PURPOSES. UTILITY EASEMENTS ARE RESERVED FOR THE USE OF PUBLIC UTILITIES FOR THE INSTALLATION OF WATER MAINS SUBJECT AT ALL TIMES TO THE PROPER AUTHORITIES AND TO THE EASEMENT HEREIN RESERVED. DRAINAGE EASEMENTS ARE RESERVED FOR THE USE OF LOT 2 SHOWN HEREON AND THE CITY TO PROVIDE FOR THE CONSTRUCTION, MAINTENANCE, AND OPERATION OF DRAINAGE CONDUITS, SWALES, CHANNELS, OVERFLOWS, DETENTION BASINS, OR OTHER RUNOFF MANAGEMENT FACILITIES. (IF OTHER EASEMENTS ARE SHOWN, STATEMENTS REGARDING THEIR PURPOSE AND TO WHOM THEY ARE GRANTED SHALL BE ADDED HERE.) NO PERMANENT OR OTHER STRUCTURES ARE TO BE ERRECTED OR MAINTAINED UPON SAID EASEMENTS. OWNERS OF LOTS IN THIS SUBDIVISION SHALL TAKE THEIR TITLES SUBJECT TO THE RIGHTS OF THE PUBLIC UTILITIES AND TO THE RIGHTS OF THE OWNERS OF OTHER LOTS IN THIS SUBDIVISION.

WITNESS OUR HANDS AND SEALS THIS ____ DAY OF _____ 2019.

OFFICER

STATE OF INDIANA)
) SS:)
 COUNTY OF PORTER)

BEFORE ME, A NOTARY PUBLIC, IN AND FOR THE SAID COUNTY AND STATE, PERSONALLY APPEARED _____ AND ACKNOWLEDGED THE EXECUTION OF THE FOREGOING AS HIS VOLUNTARY ACT AND DEED ON THIS ____ DAY OF ____ 2019.

NOTARY PUBLIC

PRINTED NAME

MY COMMISSION EXPIRES: _____

THIS PLAT WAS EXAMINED BY THE PLAT COMMITTEE OF THE CITY OF VALPARAISO FOR COMPLIANCE WITH THE STANDARDS MANUAL, AND APPROVED THIS ____ DAY OF ____ 2019.

TYLER KENT, MEMBER

ADAM MCALPINE, PE, MEMBER

VICKI THRASHER, MEMBER

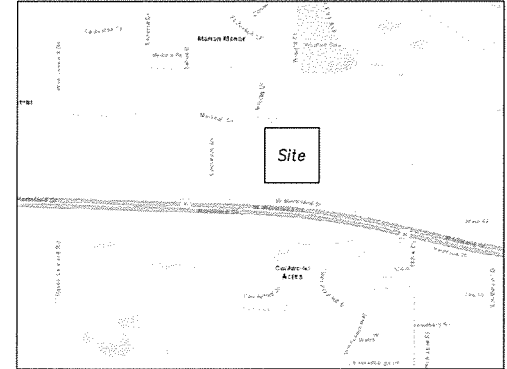
ATTEST:

SHARON SWIHART, CLERK-TREASURER

LAND SURVEYOR CERTIFICATE:

I, RANDALL S. PETERSON, HEREBY CERTIFY THAT I AM A LAND SURVEYOR LICENSED IN COMPLIANCE WITH THE LAWS OF THE STATE OF INDIANA, AND THAT TO THE BEST OF MY KNOWLEDGE, THIS PLAT CONFORMS TO THE REQUIREMENTS OF THE CITY OF VALPARAISO UNIFIED DEVELOPMENT ORDINANCE, AND THE STANDARDS MANUAL, THAT THE MARKERS AND MONUMENTS SHOWN ON THE PLAT ACTUALLY EXIST; AND THAT THEIR LOCATION, SIZE, TYPE AND MATERIAL ARE ACCURATELY SHOWN.

RANDALL S. PETERSON, PS
 ipeterson@abonmarche.com
 PROFESSIONAL LAND SURVEYOR #20400012
 STATE OF INDIANA



Vicinity Map (not to scale)

NOTES

- THIS PLAT IS BASED ON AN ALTA/ACSM LAND TITLE SURVEY PREPARED BY MCMAHON CERTIFIED BY RANDELL S. PETERSON, PS, JOB NO. D0532-52-0184-00, DATED NOVEMBER 29TH, 2012, AND FURTHER VERIFIED BY ABONMARCHÉ CONSULTANTS, INC.
- ALL KNOWN INSTRUMENTS OF RECORD AND EASEMENTS ARE SHOWN ON THIS PLAT.
- PROPERTY IS ZONED CG.

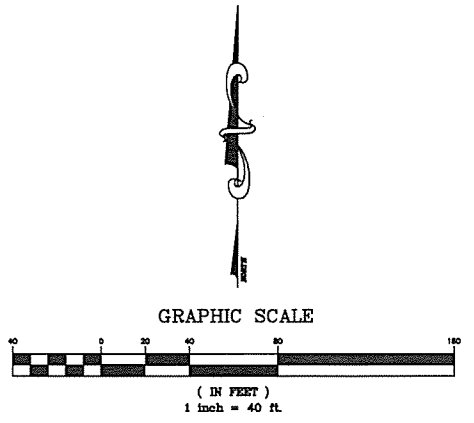
LEGEND

● FIP IRON PIPE, FOUND

WRITTEN DESCRIPTION OF PROJECT

PETITIONER PROPOSES TO SUBDIVIDE THE CURRENT METES AND BOUNDS PARCEL INTO TWO LOTS, ONE OF WHICH WILL CONTAIN THE EXISTING MCDONALD'S BUILDING AND RELATED IMPROVEMENTS, AND THE SECOND OF WHICH IS PROPOSED TO HAVE A RETAIL STORE AND DETENTION AREA.

LINE NAME	RADIUS	LENGTH	CHORD	CHORD LENGTH
C1	8695.00'	284.05'	N86°41'05"W	284.04'
C2	8735.00'	284.04'	N86°41'05"W	284.03'
C3	8375.00'	50.00'	N86°41'05"W	50.00'
C4	8375.00'	234.04'	N86°41'05"W	234.03'



ABONMARCHÉ
 17 N. Washington Street
 Marion Harbor
 46883
 Valparaiso, IN 46383
 219.940.0424
 219.850.4625
 abonmarche.com
 Engineering Architecture Land Surveying

**WISEGUYS
 MINOR SUBDIVISION
 SEC 31-35-5
 VALPARAISO, INDIANA**

PRIMARY PLAT

DRAWN BY: **JRM**
 DESIGNED BY: **JRM**
 PM REVIEW: **RSP**
 QA/QC REVIEW:

DATE: **12/13/2019**

SIGNATURE:

DATE:

HARD COPY IS INTENDED TO BE 24" X 36" WHEN PLOTTED. SCALES INDICATED AND GRAPHIC QUALITY MAY NOT BE ACCURATE FOR ANY OTHER SIZE.

SCALE:
 HORIZ: 1" = 40'
 VERT: N/A

ACI JOB #
19-1709

SHEET NO.
1 of 1