

166 Lincolnway Valparaiso, IN 46383 (219) 462-1161 Valpo.us

### **MEETING AGENDA**

Valparaiso Plan Commission Tuesday, July 11, 2023, 5:30 PM Valparaiso City Hall – Council Chambers

- 1. Pledge of Allegiance
- 2. Roll Call
- 3. Adoption of Meeting Minutes April 4, 2023
- 4. Old Business None.
- 5. New Business

**A23-001** Annexation Petition filed by Family Express Corporation c/o Todd Leeth, Leeth Law, 2700 Valparaiso St., #2412, Valparaiso, Indiana 46384. Petitioner requests recommendation for annexation and zone assignment of INL – Light Industrial for a 20-acre parcel at the southwest corner of the intersection of IN-49 and Division Rd.

- 6. Staff Items Plat Committee Update
- 7. Adjournment

Matt Evans, President Beth Shrader, Planning Director

Next Meeting: August 16, 2023

Interested persons can view public meetings live on the City of Valparaiso website, <a href="www.valpo.us">www.valpo.us</a> or participate in the webinar by visiting <a href="bit!bit/ValpoPC2023">bit.ly/ValpoPC2023</a>. Requests for alternate formats please contact Planning Department at <a href="planningdepartment@valpo.us">planningdepartment@valpo.us</a> or (219) 462-1161.



# JUN 9 2023

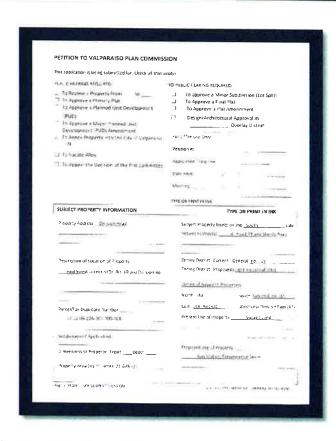
Clerk-Treasure

### RECEIPT FOR FILING

1. Application for Annexation - Family Express Corporation

(See Below)

- 2. Attachments:
  - a. Vicinity Map
  - b. Written Discription of Project
  - c. Property Owners List
  - d. Annexation Documents Required:
    - i. Property Record Card
    - ii. Site Plan
    - iii. Proof of Contiguity
    - iv. Map of Georgraphical Area Reperesentation
    - v. Deed of Owner (Legal Description)



# PETITION TO VALPARAISO PLAN COMMISSION

This application is being submitted for (Check all that a	oply):				
PUBLIC HEARING REQUIRED:	NO PUBLIC HEARING REQUIRED:				
<ul> <li>□ To Rezone a Property from to</li> <li>□ To Approve a Primary Plat</li> <li>□ To Approve a Planned Unit Development (PUD)</li> <li>□ To Approve a Major Planned Unit Development (PUD) Amendment</li> <li>☑ To Annex Property into the City of Valparaiso, IN</li> <li>□ To Vacate Alley</li> <li>□ To Appeal the Decision of the Plat Committee</li> </ul>	<ul> <li>□ To approve a Minor Subdivision (Lot Split)</li> <li>□ To Approve a Final Plat</li> <li>□ To Approve a Plat Amendment</li> <li>□ Design/Architectural Approval in</li> <li>_ Overlay District</li> </ul> For Office Use Only: Petition #:				
TYPE OR PRINT IN INK					
SUBJECT PROPERTY INFORMATION	TYPE OR PRINT IN INK				
Property Address: <u>Division Road</u>	Subject Property fronts on the <u>South</u> side between (streets) <u>St. Road 49 and Sturdy Road</u>				
Description of Location of Property	Zoning District (Current): <u>General Ind. (I2)</u> Zoning District (Proposed): <u>Light Industrial (INL)</u>				
	Zoning of Adjacent Properties:  North: INL South: General Ind. (I2)				
Parcel/Tax Duplicate Number:64-13-06-226-001.000-008	East: Gen. Ag (A1) West: Low Den. Sin Fam (R1)  Present Use of Property: Vacant Land				
Subdivision (if Applicable):  Dimensions of Property: Front:Depth:	Proposed Use of Property:				
Property Area (sq. ft./acres: <u>21.685 +/-</u>	Gas Station/Convenience Store				

PETITIONER INFORMATION		
Applicant Name: Family Express Corporation	Address: c/o Todd A. Leeth, Hoeppner Wagner & Evans	
	103 E. Lincolnway	
Phone: <u>219-464-4961</u>	Valparaiso, Indiana 46383	
Email:tleeth@hwelaw.com		
PROPERTY OWNER INFORMATION		
Applicant Name: <u>Division49 LLC</u>	Address: 8900 Wicker	
	St. John, Indiana 46373	
Phone:	· ·	
Email:		
See Attached		
PROPOSED VARIANCES OR WAIVERS: (EXHIBIT NO		
No variances at this time.		

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 difference from the property owner, the Plan Commission



### WRITTEN DESCRIPTION OF PROJECT

Proposed Family Express gas station/convenience store. Future development of remaining portion of the subject parcel is unknown.

	A	В	С	D	E
1	Parcel Number	Owner	Owner Address	Site Address	Legal Description
_2	64-13-05-100-008,000-008	Maxwell Property Investors LLC	9 S State Road 49 Valparaiso IN 46383	9 S St Rd 49 Valparaiso IN 46383	N1/2 NW ex parc in S185,57 N556,38 W235,21 5-34-5 83,07A Ditch
			155 Indiana Ave Rm 205 Valparaiso IN 46383	Division Rd Valparaíso IN 46383	S1/2 Sw Ex N300 W726 32-35-5 75A Ditch S578,78 W1079,72 Se 31-35-5
4	64-10-31-454-016.000-004	Wittmer Kathleen L	2201 Wittmer Ln Valparaiso IN 46383	Division Valparaiso IN 46383	14.34A
5	64-13-05-100-007,000-008	Maxwell Jane Life Est	9 S State Road 49 Valparaiso IN 46383	9 S St Rd 49 Valparaiso IN 46383	Parc in \$185.57 N556.38 W2 <b>35.21</b> N1/2 NW 5-34-5 1A Ditch
			PO Box 460049 c/o Ryan Tax Services Dept 501 Housto 188 E Division Rd Valparaiso IN 46383	197 E Division Rd Valparaiso IN 46383 188 E Division Rd Valparaiso IN 46383	Par In E1573.3 Se Ex Pars Sld 31- 35-5 87,19A 99-00271 P205 Ditch N250 E175 Nw Ne 6-34-5 1AC Ditch
. 8	64-13-06-200-008.000-008	Northern In Public Serv Co	Tax Dept PO Box 117 290 Nationwide Blvd Columbus O	St Rd 49 Valparaiso IN 46383	Ne Ne Ex N375.92 E1224.52 <b>6-34</b> -5 20,073A Ditch Dr312 P542
9	64-13-06-200-006,000-008	Northern In Public Serv Co	Tax Dept PO Box 117 290 Nationwide Blvd Columbus O		S49.97 N726.15 W79.46 E459.46 Ne Ne 6-34-5 ,091A Ditch Dr324 P575
10	64-13-06-200-014,000-008	Bauer Paul R & Ardell S/H&W	188 E Division Rd Valparaiso IN 46383		W1/2 NE ex pt in SW corn & ex pt in NE corn 6-34-5 77.9A
11	64-13-06-226-001.000-008	Division49 LLC	8900 Wicker Ave Saint John IN 46373	Division Rd Valparaiso IN 46383	Parc in N736.92 NE NE 6-34-5 21 <sub>-</sub> 685A Ditch
12	64-13-06-201-001,000-008	Bauer Trust	188 E Division Rd <b>Valparaiso</b> IN 46383	Division Rd Valparaiso IN 46383	S62 N312 E175 W1/2 NE 6-34-5 .25A

### FAMILY EXPRESS CORPORATION

# **ANNEXATION PETITION**

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### Names of Property Owners:

Division49 LLC 8900 Wicker Avenue St. John, Indiana 46383

### **Property Record Card:**

See Attached

### **Assessed Valuations:**

See attached Property Record Card

### Estimate of Value:

To be determined.

# **Development Plan/Site Plan:**

See Attached

### **Proof of Contiguity:**

Figure 1 depicts the perimeter dimensions of the Subject Property to be:

4,180.64 lineal feet.

Figure 2 depicts the current boundary of the City to be:

1,323.68 lineal feet.

1,323.68'/4,180.64' = 31.66%

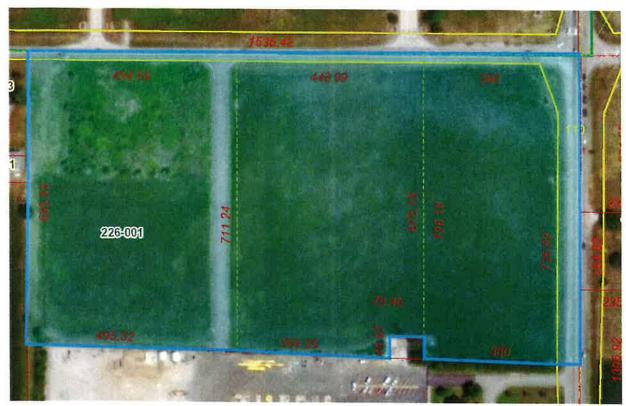


Figure 1



Figure 2

# Map of Geographical Area Representation:

See Attached

# **Deed of Ownership of Property to be Annexed:**

See Attached

June 9, 2023 https://hwelaw.sharepoint.com/sites/Clients/Shared Documents/F/Family Express Corp 4214/Division Road Annexation - X/Documents/Annexation Petition Requirements 2023-06-09.docx





FOR DATE CONCEPT 5.22.23

DRAWN: CMS JOB: D23 A001

CONCEPT SITE PLAN

SCALE: 1" = 40'-0"



Todd A. Leeth tleeth@hwelaw.com

Direct Dial: (219)465-1956

Porter County Office Chase Bank Building 103 East Lincolnway Valparaiso, Indiana 46383 (219) 464-4961

Fax: (219) 465-0603

Lake County Office Twin Towers-South 1000 East 80<sup>th</sup> Place, 6<sup>th</sup> Floor Merrillville, Indiana 46410 (219) 769-6552

Fax: (219) 738-2349

www.hwelaw.com

June 15, 2023

VIA EMAL – bshrader@valpo.us

Ms. Beth Shrader Planning Director City of Valparaiso 166 Lincolnway Valparaiso, Indiana 46383

Re: Application for Annexation

Petition of Family Express Corporation

Dear Ms. Shrader:

As you are aware, this office represents Family Express Corporation regarding its application currently pending before the City of Valparaiso Plan Commission seeking to annex into the City of Valparaiso City limits. Please consider this our request to seek the suspension of the rules for the Plan Commission's consideration of the Application for Annexation.

Thank you for your courtesies in this matter.

Very truly yours,

**HOEPPNER WAGNER & EVANS LLP** 

Electronic Signature

Todd A. Leeth Valparaiso Office

TAL/ksw

cc: Paul Kosteski via email <u>pkosteski@familyexpess.com</u> Raphael Omerza via email <u>romerza@familyexpress.com</u>