

AGENDA

VALPARAISO PLAN COMMISSION

Tuesday - March 10th, 2020
7:00 PM - City Hall Council Chambers

- I. Pledge of Allegiance**
- II. Roll Call**
- III. Minutes of the February 11th, 2020 Meeting**
- IV. Old Business**
- V. New Business**

SP20-001 – A petition filed by Weiss Entities LLC, 104 S Michigan Ave, Suite 1300, Chicago, IL 60603. The petitioner request approval of secondary plat. The property is located at 2164 US HWY 30.

- VI. Staff Items**
- VII. Adjournment**

NEXT REGULAR PLAN COMMISSION MEETING:

APRIL 14TH, 2020 - 7:00 PM – VALPARAISO CITY HALL, 166 LINCOLNWAY

****Requests for alternate formats please contact
Beth Shrader at bshrader@valpo.us or (219) 462-1161. ****

FILED

PETITION #: SP 20-001
(staff use only)

FEB 14 2020

VALPARAISO PLAN COMMISSION
PETITION FOR PUBLIC HEARING

Donna Taylor
Clerk-Treasurer

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
<u>Bob Billick</u>	<u>219.313.8420</u>	<u>bbillick@weissentities.com</u>
Contact person	Phone	Email

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

<u>Weiss Entities LLC, 104 S Michigan Ave Ste 1300 Chicago IL 60603, 219.313.8420</u>		
Petitioner	Address	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.

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	
<input checked="" type="checkbox"/> Subdivision Final Plat	\$100 + \$5 per lot	<u>2</u> Lots X \$5 = <u>\$10</u>
_____ 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	\$100	
_____ Plat Committee Appeal	\$200	

TOTAL FEE \$110

***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). ***

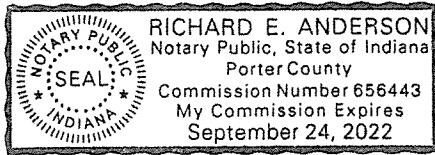
Donald J. Weiss _____ 2/13/2020
 Signature of owner/Petitioner Date

Donald J. Weiss, Authorized Representative of Weiss Entities LLC
 Printed name

Subscribed and sworn to before me this 13th day of February, 2020.

Richard E. Anderson
 Notary Public

My Commission Expires:
9-24-2022



• Legal Description

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 41MINUTES 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 00 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 RADially) 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 RADially) 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 RADIALLY) 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.

Parcel "D": A parcel of land lying in the Northeast Quarter of Section 27, Township 35 North, Range 6 West of the Second Principal Meridian, Porter County, Indiana, being more particularly described as follows: Commencing at the Northeast corner of said Northeast Quarter; thence North 89 degrees 57 minutes 47 seconds West 468.0 feet along the North line of said Northeast Quarter; thence South 0 degrees 11 minutes 47 seconds East 207.41 feet; thence North 89 degrees 57 minutes 47 seconds West 32.75 feet to the point of beginning; thence South 0 degrees 09 minutes 34 seconds East 68.86 feet; thence South 89 degrees 50 minutes 26 seconds West 6.78 feet; thence North 1 degree 12 minutes 53 seconds West 235.0 feet; thence North 89 degrees 50 minutes 26 seconds East 11.11 feet; thence South 0 degrees 09 minutes 34 seconds East 166.25 feet to the point of beginning.

Parcel "E": A parcel of land lying in the Northeast Quarter of Section 27, Township 35 North, Range 6 West of the Second Principal Meridian, Porter County, Indiana; Commencing at the Northeast corner of said Northeast Quarter; thence North 89 degrees 57 minutes 47 seconds West 468.0 feet along the North line of said Northeast Quarter to the point of beginning; thence South 0 degrees 11 minutes 47 seconds East 450.84 feet to the Northeast corner of a parcel of land quit claimed to Wiseway Partnership by Lake County Trust Company, Trust 2482, recorded in Book 346, page 49, on December 16, 1982; thence North 87 degrees 45 minutes 41 seconds West 39.61 feet along the North line of said parcel quit claimed to Wiseway Partnership; thence North 0 degrees 11 minutes 47 seconds West 173.18 feet to the Southeast corner of the proposed addition to an existing Wiseway Food Store; thence North 1 degree 12 minutes 53 seconds West 235.0 feet along the East wall line of said proposed addition to the Northeast corner of said proposed addition; thence North 0 degrees 11 minutes 47 seconds West 41.20 feet to the North line of said Northeast Quarter; thence South 89 degrees 57 minutes 47 seconds East 43.76 feet along the North line of said Northeast Quarter to the point of beginning, excepting therefrom that part lying within Parcel "D".

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)

Donald J. 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.

Weiss Entities LLC

Donald J. Weiss
Petitioner
Donald J. Weiss, Authorized Representative

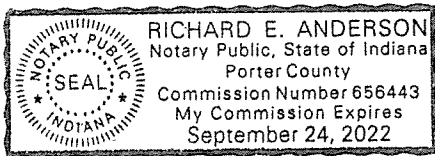
2/13/2020
Date

Subscribed and sworn to before me this 13th day of February, 2020

Richard E. Anderson
Notary Public

My Commission Expires:

9-24-2022



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

[Signature]
Property Owner

02/13/2020
Date

The information contained in this certification has been furnished to the land trustee by the beneficiaries of trust no. _____, and the certification is made solely in reliance thereon and no responsibility is assumed by the trustee

Property Owner

Date

in its individual capacity for the truth or

Subscribed and sworn to before me this 13TH day of FEBRUARY, 2020.

[Signature]
Notary Public

My Commission Expires:

3/18/2027
Date

This instrument is executed by the undersigned Land Trustee, not personally but solely as Trustee in the exercise of the power and authority conferred upon and vested in it as such Trustee. It is expressly understood and agreed that all the warranties, indemnities, representations, covenants, undertakings and agreements herein made on the part of the Trustee are undertaken by it solely in its capacity as Trustee and not personally. No personal liability or personal responsibility is assumed by or shall at any time be asserted or enforceable against the Trustee on account of any warranty, indemnity, representation, covenant, undertaking or agreement of the Trustee in this instrument.

OLA MAE CAULEY-JOHNSON
Notary Public - Seal
Lake County - State of Indiana
Commission Number NP0719258
My Commission Expires March 18, 2027
