



City of Valparaiso Plan Commission

166 Lincolnway, Valparaiso, IN 46383

(219) 462 – 1161

www.valpo.us

MEETING AGENDA

Valparaiso Plan Commission Tuesday,

May 3, 2022, 5:30 PM

Valparaiso City Hall – Council Chambers

1. Roll Call
2. Adoption of Meeting Minutes – March 1, 2022
3. Old Business – None
4. New Business

SP22-001 – A petition for secondary development plan approval filed by SJBZ Porter Holdings, LLC c/o Richard Anderson. The property is proposed as Lot 5 in the Business Park zone of the Lakes of Valparaiso PUD, to be addressed as 3520 Lake Mead Circle. The petitioner requests secondary development plan approval to plat one development parcel of approximately two acres.

5. Staff Items – New staff introduction
6. Adjournment

Matt Evans, President – Valparaiso Plan Commission
Beth Shrader, Planning Director

Next Meeting: **June 7, 2022**

Interested persons can view the public hearing Live on the City of Valparaiso Website, www.valpo.us or via web conference at <https://tinyurl.com/459srsrf>. Requests for alternate formats please contact Planning Department at planningdepartment@valpo.us or (219) 462-1161.

**MINUTES OF THE MEETING
OF THE PLAN COMMISSION
VALPARAISO, INDIANA
March 1, 2022**

The Plan Commission of the City of Valparaiso, Indiana, met on Tuesday March 1, 2022, at 5:30 p.m. in City Hall. Matt Evans called the meeting to order. The Pledge of Allegiance was said. Present were Matt Evans, Vic Ritter, Diane Worstell, Clay Patton, Harris Peterson and Mike Jabo. Absent: Al Shields, Peter Anderson, and Tim Warner.

MINUTES:

February 1, 2022 minutes were presented for approval.

Motion: Diane Worstell moved to approve the February 1, 2022 minutes as presented. Vic Ritter seconded the motion. Upon voice vote, the motion passed with a 6-0 vote.

NEW BUSINESS:

RZ22-001 – A petition filed by Kamber Properties, LLC c/o Jon Schmaltz. The property is located at 2006 Warbler Dr. in the Campus (CA) Zoning District. The petitioner requests approval to rezone a property from Campus (CA) to Commercial General (CG) Zoning District.

Jon Schmaltz, Burke Costanza and Carberry, 156 Washington, Valparaiso, Indiana 46383 presented. This is a games accessory business which designs and produces small game accessories for tabletop gaming. This is not heavy manufacturing. It uses very simple material in the process. This property has been owned and operated by Valparaiso University. This facility was used as a mail service and distribution facility. The building is very well suited for this new operation. There are very few modifications that need to be done. The only request tonight is to rezone.

Public Hearing:

Ken Litko addressed the Board. He is the owner of the business in question. He will answer any questions. This will be a small e-commerce business. Seeing no one else wishing to address the Board, the Public Hearing was closed, and questions/comments were heard from the Members.

Staff:

Beth Shrader advised she talked with the Petitioner before they purchased the property. This type of business is not in the UDO. She feels it most closely correlates with a copy center. This request seems reasonable. The Comprehensive Plan supports this change. The Plan Commission makes a recommendation to the City Council. Typically, the Plan Commission hears rezones over two meetings. Public Hearing is at the first meeting and a decision is rendered at the second meeting. The decision is forwarded to the City Council which makes a final determination based on the recommendation from the Plan Commission.

Q: Clay Patton asked about traffic.

A: Jon Schmaltz responded there is no retail traffic. There will be periodic delivery of materials.

Q: Matt Evans asked how many employees will be there.

A: Ken Litko replied they have five employees. He plans to add two more. They use the Postal Service which makes one stop a day. UPS and FedEx can make a few stops. An occasional semi would drop off materials.

Q: Clay Patton asked what alterations need to be made if any.

A: Ken Litko replied the building was used as a mail distribution center. This is set up for the type of operations they do. Clay Patton asked if they are asking to be fast tracked tonight. Jon Schmaltz replied if the Commission is willing, they would like to request suspension of the rules.

Motion: Vic Ritter moved to suspend the rules so they can vote on this tonight. Diane Worstall seconded the motion. Upon roll call vote the motion passed with a 6-0 vote.

Roll Call Vote:

Matt Evans – Yes	Peter Anderson – Absent
Tim Warner – Absent	Clay Patton – Yes
Vic Ritter – Yes	Harris Peterson – Yes
Alvin Shields – Absent	Diane Worstall – Yes
Mike Jabo – Yes	

Motion: Mike Jabo moved to forward this to the Council with a favorable recommendation. Vic Ritter seconded the motion. Upon roll call vote the motion passed with a 6-0 vote.

Roll Call Vote:

Matt Evans – Yes	Peter Anderson – Absent
Tim Warner – Absent	Clay Patton – Yes
Vic Ritter – Yes	Harris Peterson – Yes
Alvin Shields – Absent	Diane Worstall – Yes
Mike Jabo – Yes	

STAFF ITEMS:

Carley Lemon announced she has accepted a position in Louisville. This will be her last meeting. All wished her the best.

ADJOURNMENT:

There being no further business, a motion was made and seconded to adjourn the March 1, 2022, Plan Commission meeting.

Matt Evans, President

Beth Shrader, Executive Secretary

Next Meeting: April 5, 2022

PETITION TO VALPARAISO PLAN COMMISSION

This application is being submitted for (Check all that apply):

PUBLIC HEARING REQUIRED:

- To Rezone a Property from ____ to ____
- To Approve a Primary Plat
- To Approve a Planned Unit Development (PUD)
- To Approve a Major Planned Unit Development (PUD) Amendment
- To Annex Property into the City of Valparaiso, IN
- 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

For Office Use Only:

Petition #: _____
 Application Filing Fee: _____
 Date Filed: ____ / ____ / ____
 Meeting: ____ / ____ / ____

SUBJECT PROPERTY INFORMATION	TYPE OR PRINT IN INK
Property Address: <u>Lake Meade Circle,</u> <u>Valparaiso, IN 46383</u>	Subject Property fronts on the <u>North and West</u> side between (streets) <u>on Lake Meade Circle</u>
Description of Location of Property: <u>Lakes of</u> <u>Valparaiso Business Park</u>	Zoning District (Current): <u>P.U.D. Ord. #8, 2014</u> Zoning District (Proposed): <u>P.U.D. Ord. #8, 2014</u>
Parcel/Tax Duplicate Number: <u>Part of</u> <u>64-10-17-126-002.000-029</u>	Zoning of Adjacent Properties: North: <u>P.U.D. Ord. #8, 2014</u> South: <u>P.U.D. Ord. #8, 2014</u> East: <u>P.U.D. Ord. #8, 2014</u> West: <u>P.U.D. Ord. #8, 2014</u>
Subdivision (If Applicable): <u>Lakes of Valparaiso</u> <u>P.U.D. Business Park Area Phase 5</u>	Present Use of Property: <u>Vacant</u>
Dimensions of Property: Front: _____ Depth: _____ <u>Irregular Shape</u>	Proposed Use of Property: <u>Animal Boarding and</u> <u>Grooming Facility</u>
Property Area (sq. ft./acres): <u>2.00 acres</u>	

PETITIONER INFORMATION

Applicant Name: SJBZ Porter Holdings LLC
c/o Richard E. Anderson

Address: 9211 Broadway
Merrillville, IN 46410

Phone: 219-769-1892

Email: randerson@andersonandersonpc.com

PROPERTY OWNER INFORMATION

Applicant Name: SJBZ Porter Holdings LLC

Address: 104 S. Michigan Ave., Ste. 1300
Chicago, IL 60603

Phone: 312-754-3300

Email: _____

LEGAL DESCRIPTION OF SUBJECT PROPERTY: (EXHIBIT NO. A)

PROPOSED VARIANCES OR WAIVERS: (EXHIBIT NO. _____)

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.

DMJL

Signature of owner/Petitioner

April 1, 2022

Date

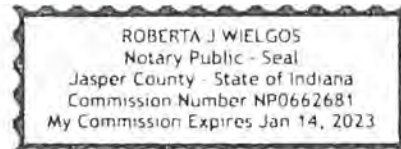
SJBZ Porter Holdings LLC as Manager by Donald J. Weiss, Manager

Printed name

Subscribed and sworn to before me this 1 day of April, 2022.

Roberta J. Wielgos

Notary Public



My Commission Expires: 1-14-23

Exhibit "A"

THE LAKES OF VALPARAISO PUD – LOT 5

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 $89^{\circ}25'47''$ 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 $0^{\circ}18'36''$ WEST 302.94 FEET TO A CURVE TO THE RIGHT HAVING A RADIUS OF 475.00 FEET AND A CENTRAL ANGLE OF $19^{\circ}27'20''$;
2. ALONG SAID CURVE AN ARC LENGTH OF 161.29 FEET TO THE CENTERLINE OF LAKE MEAD CIRCLE AS PER PLAT RECORDED AS DOCUMENT NUMBER 2018-009169;

THENCE NORTH $75^{\circ}37'02''$ WEST ALONG SAID CENTERLINE 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.;

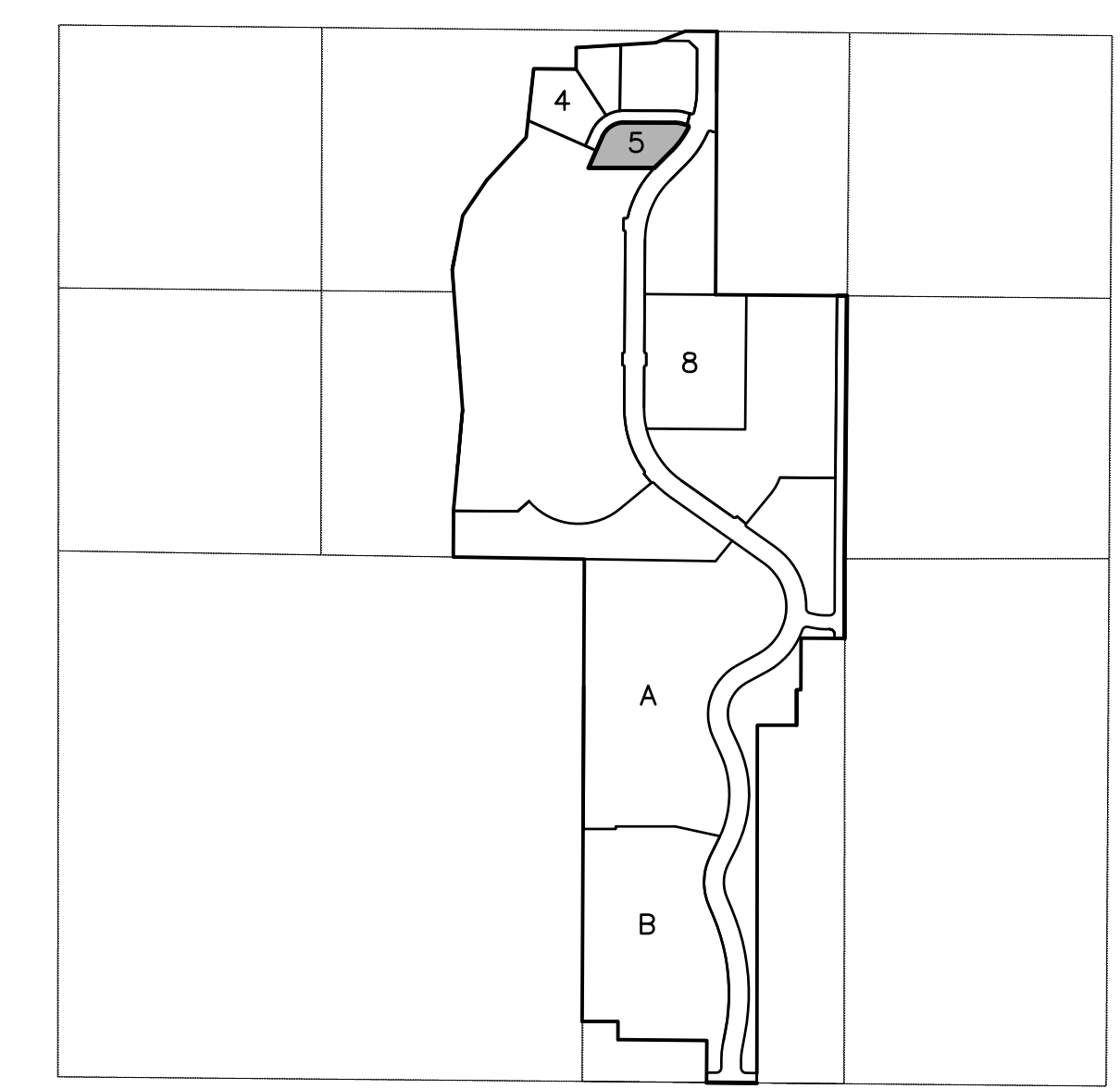
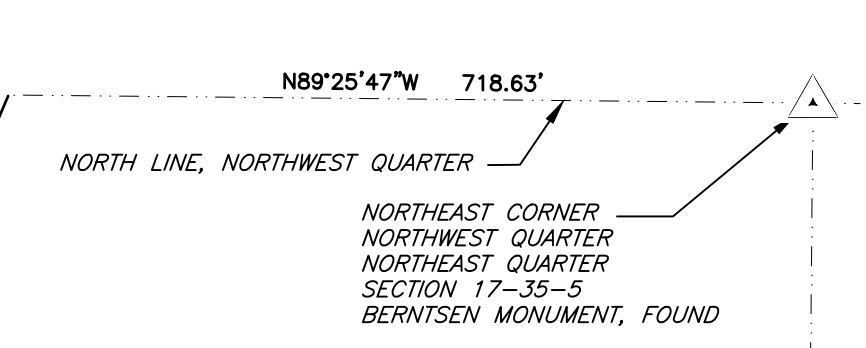
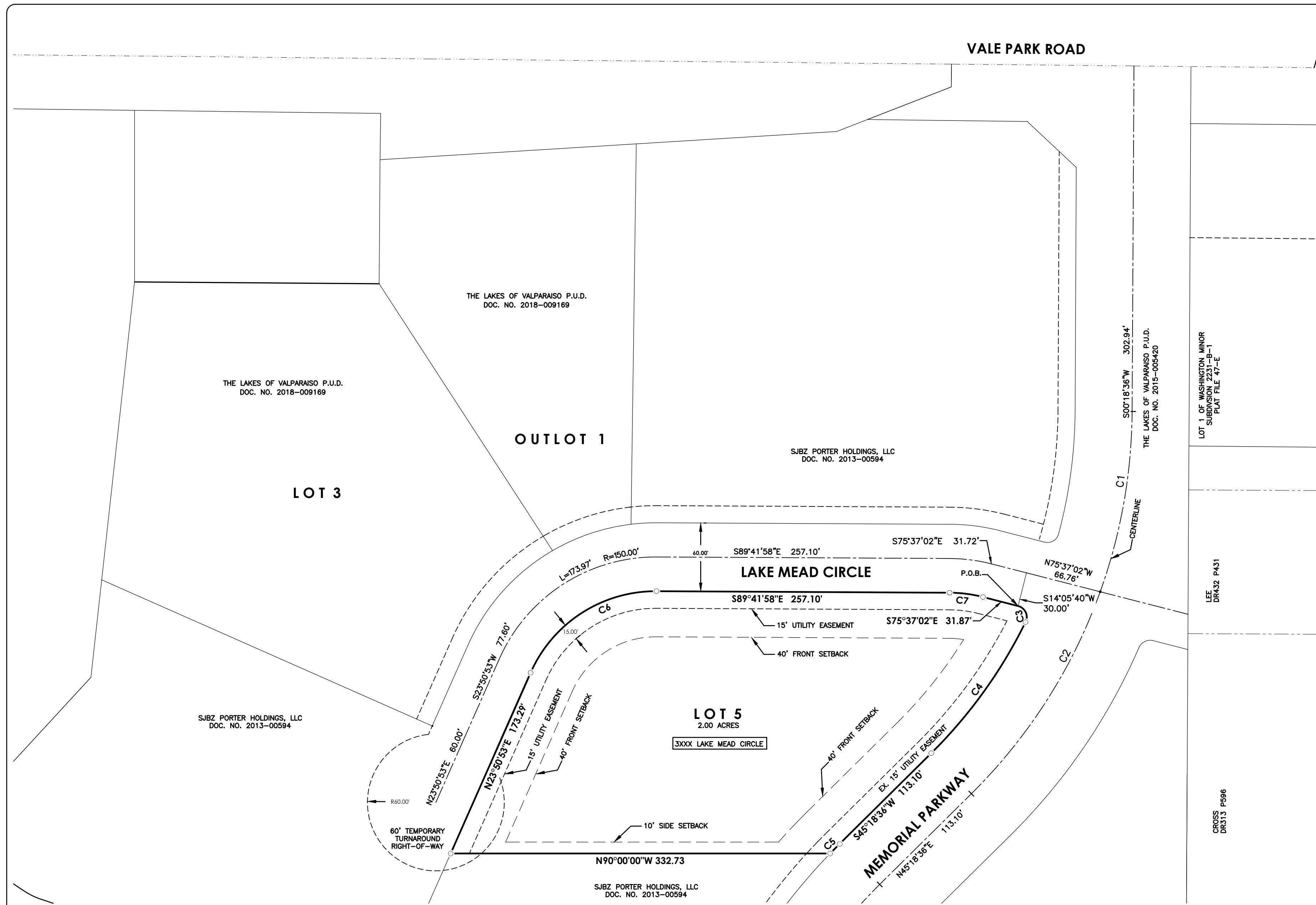
THENCE SOUTH $14^{\circ}05'40''$ WEST 30.00 TO THE POINT OF CURVATURE OF A NON-TANGENT CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 10.00 FEET AND AN INTERIOR ANGLE OF $101^{\circ}45'25''$ (SAID CURVE BEING SUBTENDED BY A CHORD HAVING A BEARING OF SOUTH $24^{\circ}44'20''$ EAST AND A DISTANCE OF 15.52 FEET) BEING ON THE SOUTH RIGHT-OF-WAY LINE OF LAKE MEAD CIRCLE AND THE WEST RIGHT-OF-WAY LINE OF MEMORIAL PARKWAY AND THE POINT BEGINNING OF THE HEREIN DESCRIBED TRACT;

THENCE ALONG SAID WEST RIGHT-OF-WAY LINE THE FOLLOWING 4 COURSES:

1. ALONG SAID CURVE AN ARC LENGTH OF 17.76 FEET TO THE POINT OF COMPOUND CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 425.00 FEET AND A CENTRAL ANGLE OF $019^{\circ}10'14''$;
2. ALONG SAID CURVE AN ARC LENGTH OF 142.20 FEET;
3. SOUTH $45^{\circ}18'36''$ WEST 113.10 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 525.00 FEET AND A CENTRAL ANGLE OF $01^{\circ}17'25''$;
4. ALONG SAID CURVE AN ARC LENGTH OF 11.82 FEET;

THENCE NORTH $90^{\circ}00'00''$ WEST 332.73 FEET TO THE EAST RIGHT-OF-WAY LINE OF LAKE MEAD CIRCLE; THENCE ALONG SAID RIGHT-OF-WAY LINE THE FOLLOWING 5 COURSES:

1. NORTH $23^{\circ}50'53''$ EAST 173.29 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 120.00 FEET AND A CENTRAL ANGLE OF $66^{\circ}27'09''$;
2. ALONG SAID CURVE AN ARC LENGTH OF 139.18 FEET;
3. SOUTH $89^{\circ}41'58''$ EAST 257.10 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 120.00 FEET AND A CENTRAL ANGLE OF $14^{\circ}04'56''$;
4. ALONG SAID CURVE AN ARC LENGTH OF 29.49 FEET;
5. SOUTH $75^{\circ}37'02''$ EAST 31.87 FEET TO THE POINT OF BEGINNING, CONTAINING 2.000 ACRES MORE OR LESS.



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

Deed of Dedication

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 5. 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 "UTILITY 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 ERRECTED 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.

OPERATION AND MAINTENANCE OF DETENTION FACILITIES IN OUTLOT A SHALL BE BY THE BUSINESS PARK IN THE LAKES OF VALPARAISO ASSOCIATION, INC. ("ASSOCIATION"). IN THE EVENT OF AN EMERGENCY WHERE PROPERTY DAMAGE OR PERSONAL INJURY MAY RESULT FROM THE ASSOCIATION'S FAILURE TO MAINTAIN OR REPAIR SAID FACILITIES, THE CITY SHALL HAVE THE RIGHT TO ENTER UPON THE PROPERTY, MAKE ANY NECESSARY CORRECTIONS TO REMEDY THE SITUATION AND THEN RECOVER ALL ADMINISTRATIVE, LEGAL, ENGINEERING, AND CONSTRUCTION COSTS FOR SAID WORK FROM THE ASSOCIATION OR BY SPECIAL ASSESSMENT OF THE BENEFITTED PROPERTY OWNERS.

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

WITNESS OUR HANDS AND SEALS THIS _____ DAY OF _____, 2022.

CAPACITY:

ATTEST: _____
COUNTY OF RESIDENCE

STATE OF _____ }
COUNTY OF _____ } SS:

THIS _____ DAY OF _____, 2022.

NOTARY PUBLIC

PRINTED NAME

MY COMMISSION EXPIRES:

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 AS ORDINANCE NO. 8 OF 2014 BY THE VALPARAISO PLAN COMMISSION AT A REGULAR MEETING HELD ON APRIL 5, 2022.

VALPARAISO PLAN COMMISSION

BETH SCHRADER - PLANNING DIRECTOR

DON LORNTZEN - TRANSIT MANAGER

Board Of Public Works And Safety Certificate

UNDER THE AUTHORITY OF ORDINANCE 18, 1974, AS AMENDED, THE PLAT WAS EXAMINED BY THE BOARD OF PUBLIC WORKS AND SAFETY OF THE CITY OF VALPARAISO AND APPROVED THIS _____ DAY OF _____, 2022.

ATTEST: _____ MATT MURPHY, MAYOR

HOLLY TAYLOR CLERK/TREASURER STEVE POULOS, MEMBER

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:

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5. SOUTH 75°37'02" EAST 31.87 FEET TO THE POINT OF BEGINNING, CONTAINING 2.000 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'	019°27'20"
C2	211.77'	475.00'	N32°32'16"E	210.02'	025°32'40"
C3	17.76'	10.00'	S24°44'20"E	15.52'	101°45'25"
C4	142.20'	425.00'	S35°43'29"W	141.54'	019°10'14"
C5	11.82'	525.00'	S44°39'55"W	11.82'	001°17'25"
C6	139.18'	120.00'	N57°04'27"E	131.51'	066°27'09"
C7	29.49'	120.00'	S82°39'30"E	29.42'	014°04'56"

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.

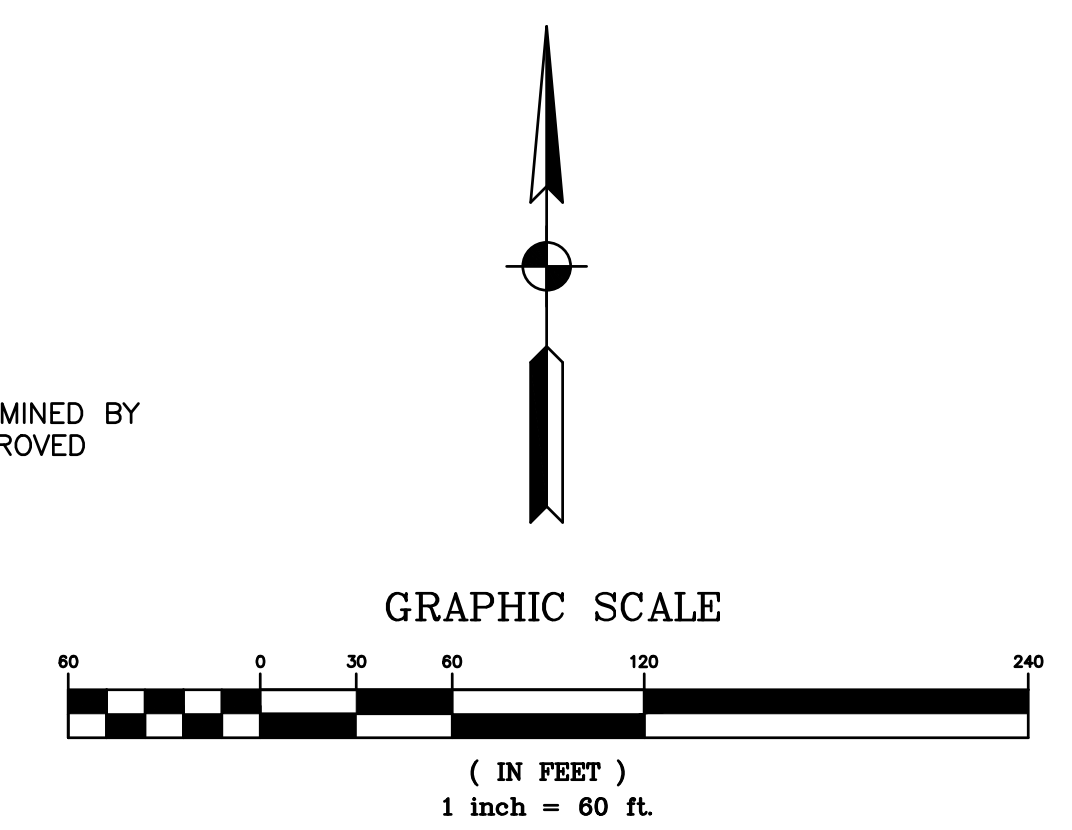
TEMPORARY TURNAROUND STATEMENT
THERE IS A 60-FOOT RADIUS RIGHT-OF-WAY AS SHOWN ON THE PLAT FOR THE PURPOSES OF TEMPORARY VEHICULAR TURN AROUND. THIS TEMPORARY RIGHT-OF-WAY SHALL REMAIN IN FULL FORCE AND EFFECT UNTIL SUCH TIME THAT LAKE MEAD CIRCLE IS EXTENDED SOUTHERLY AND THE RIGHT-OF-WAY DEDICATION IS RECORDED IN THE PORTER COUNTY RECORDER'S OFFICE, AND THE CONSTRUCTED ROADWAY EXTENSION IS ACCEPTED BY THE CITY OF VALPARAISO BOARD OF PUBLIC WORKS AND SAFETY INTO THE STREET SYSTEM.

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 MARCH 31, 2022. THE MONUMENTS SHOWN ACTUALLY EXIST AND THE SIZE, MATERIAL AND TYPE ARE AS INDICATED.



RANDELL S. PETERSON, L.S. #20400012



NO.	REVISION DESCRIPTION:	BY:	DATE:
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ABONMARCHÉ
17 N. Washington St.
Valparaiso, IN 46383
P 317.852.4625
abonmarche.com

Coates Creek
Hobart
Benton Harbor
South Haven
Valparaiso

Engineering - Architecture - Land Surveying

PROJECT:
**THE LAKES OF VALPARAISO
PLANNED UNIT DEVELOPMENT
CITY OF VALPARAISO, INDIANA**

SHEET TITLE:
**SECONDARY DEVELOPMENT PLAN
THE LAKES OF VALPARAISO P.U.D.
BUSINESS PARK AREA
PHASE 5**

DRAWN BY:
TLB

DESIGNED BY:

PM REVIEW:
RSP

QA/QC REVIEW:
RSP

DATE:
04/01/2022

SEAL:

SIGNATURE:

DATE:

HARD COPY IS INTENDED TO BE 24" X 36" WHEN PLOTTED. SCALE(S) INDICATED AND GRAPHIC QUALITY MAY NOT BE ACCURATE FOR ANY OTHER SIZES.

SCALE:
HORZ: 1"=60'
VERT:

ACI JOB #
22-0265

SHEET NO.