

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

MEETING AGENDA

Valparaiso Plan Commission Tuesday, November 1, 2022, 5:30 PM Valparaiso City Hall – Council Chambers

- 1. Pledge of Allegiance
- 2. Roll Call
- 3. Adoption of Meeting Minutes October 4, 2022
- 4. Old Business

PUDA22-001 filed by The Brooks Land, LLC. c/o Todd A. Leeth/Katie L. Kopf, Hoeppner Wagner & Evans LLP, 103 Lincolnway, Valparaiso, IN 46383. The petitioner requests Approval of Alternate Plan and Change in Development Standards for one parcel of The Brooks PUD located on about 3.45 acres on the north side of Vale Park Rd extended between Windsor Tr and Winter Park Dr. This is the second meeting for this matter.

5. New Business

A22-001 "IN-49 and Vale Park Rd Annexation," filed by City of Valparaiso Redevelopment Commission, Patko III, Sosnowski Family Land Trust, and Vansland, LLC. The petitioners request annexation and zone assignment for parcels within an approximately 203-acre irregularly shaped area around the intersection of IN-49 and Vale Park Rd. Plan Commission recommends zoning for Common Council's Annexation Ordinance.

- 6. Staff Items Addl info on IN-49 and Vale Park Rd Annexation
- 7. Adjournment

Matt Evans, President Beth Shrader, Planning Director

Next Meeting: December 6, 2022

Interested persons can view public meetings live on the City of Valparaiso website, www.valpo.us or participate in the webinar by visiting bit!ly/ValpoPC2022. Requests for alternate formats please contact Planning Department at planningdepartment@valpo.us or (219) 462-1161.

THE BROOKS AT VALE PARK

DEVELOPMENT PLAN



Alternate Plan to Amend Conceptual Site Plan for Trailside Duplexes

This is an amendment to Ordinance No. 11, 2019 (hereinafter referred to "The Brooks PUD Ordinance") and Schedule 1 thereto, the Planned United Development known as The Brooks at Vale Park within the City of Valparaiso, Indiana amending portions of Conceptual Site Plan therein, and for other purposes.

WHEREAS, Article 15, Division 15.500 of the Unified Development Ordinance entitled "Procedures and Administration for Planned Unit Development Approval" permits the establishment in the City of Valparaiso of planned unit developments ("PUDs"), and an application for approval of The Brooks at Vale Park PUD District was filed by VJW Limited, LLC (on behalf of VJW The Brooks, LLC hereinafter sometimes referred to as "Developer"); and

WHEREAS, the Valparaiso Plan Commission and the Common Council for the City of Valparaiso, after all proper legal notice, did conduct a public hearing and other procedural requirements of the Indiana Code and the Unified Development Ordinance for the City of Valparaiso for the consideration of the application and the establishment of the PUD District; and

WHEREAS, on July 22, 2019, the Common Council did adopt The Brooks PUD Ordinance by a vote of 6-0 and said The Brooks PUD Ordinance was duly recorded on January 31, 2020 in the Office of the Recorder of Porter County, Indiana as Document No. 2020-002278; and

WHEREAS, pursuant to Section 17 of Schedule 1 to The Brooks PUD Ordinance, the Plan Commission, may approve a development standard or an alternate plan that is not included in, or is different from, those set forth in this The Brooks at Vale Park PUD Ordinance or which is different than previously approved by the Plan Commission; and

WHEREAS, the Developer did seek and the Plan Commission did approve an Alternate Plan to The Brooks at Vale Park PUD on November 10, 2020 which plan is set forth on Exhibit B

hereto modifying the area marked as Amendment Area thereon to be Multi-Family Residential District, Muli-Plex Subdistrict; and

WHEREAS, the Developer proposes to further modify and alter Exhibit C, the Conceptual Site Plan for The Brooks at Vale Park PUD set forth in Schedule 1 of The Brooks PUD Ordinance only as to that real estate depicted on Exhibit B attached hereto and incorporated herein and designated as the "Amendment Area"; and

WHEREAS, the Exhibit A attached hereto and incorporated herein depicts the changes to the proposed Conceptual Site Plan as to the Amendment Area which shall now include nine (9) separate two-family residential buildings (duplexes) generally as shown on said Exhibit A; and

NOW, THEREFORE, The Brooks PUD Ordinance provides and allows for the amendment of development standards and approval of alternative plans upon petition of the VJW The Brooks, LLC, its successors and assigns, the Developer defined in The Brooks PUD Ordinance and Developer has petitioned for and seeks the following amendment and alternative plan to The Brooks PUD Ordinance.

- **Section 1. Incorporation of Recitals**. The above and foregoing recitals are hereby incorporated in this instrument by reference.
- <u>Section 2.</u> <u>Definitions.</u> Terms defined in the The Brooks PUD Ordinance which are used in this Amendment shall have the meaning as set forth in the The Brooks PUD Ordinance unless otherwise expressly specified herein or the context expressly provides otherwise.
- Section 3. New Subdistrict. This amendment shall add a new Twin House Subdistrict to The Brooks at Vale Park PUD reasonably consistent with Exhibit A and the Exhibit B to Schedule 1, the Land Use Map for The Brooks PUD Ordinance is amended to reflect that the Amendment Area be and is hereby designated the Twin House Subdistrict. In the event that any standard, requirement or restriction is not specifically set forth in this amendment (or The Brooks PUD Ordinance) for the Twin House Subdistrict, the corresponding standard, requirement or restriction of the Multi-Family Residential District shall apply.
- Section 4. Utilities. Sheets 3, 4 and 5 of the Marbach-Palm Inc. plans incorporated in Schedule 1, Exhibit C of The Brooks PUD Ordinance shall be modified only as to the Amendment Area to be consistent with Exhibit C to this Alternate Plan for Trailside Duplexes attached hereto and incorporated herein showing proposed Storm Sewer Main Plan, Sanitary Sewer Main Plan, and the Water Main Plan
- Section 5. Default Zoning District. The default zoning district for the Twin House Subdistrict to The Brooks at Vale Park PUD shall be the Urban Residential (UR) District and Table 4.13 shall be modified as follows:

Table 4.13 Default Zoning Districts		
Use Area Within A District	Default Zoning District Within UDO	
Regional Storm Water Management District	PS District	
Single-Family Residential District – Traditional Subdistrict	SR District	
Single-Family Residential District – Cottage Subdistrict	GR District	
Multi-Family Residential District (all subdistricts)	UR District	

<u>Section 6.</u> On-Lot <u>Landscaping within the Twin House Subdistrict.</u> On-lot landscaping shall be provided as described in the amended Table 4.14I set out below for each of the Districts within the Development.

Table 4.14I On-Lot Landscaping Standards					
PUD District Large Trees Small Trees Shrubs					
Regional Storm Water Management. District	3/Acre	6/Acre	40/Acre		
Multi-Family Residential District Townhome Subdistrict	14/Acre	28/Acre	58/Acre		
Multi-Family Residential District Multiplex Subdistrict	7/Acre	14/Acre	58/Acre		
Multi-Family Residential District Twin House Subdistrict	1	1	N/A		
Single-Family Residential District Cottage Home Subdistrict	1	1	N/A		
Single-Family Residential District Traditional Home Subdistrict + Flex Area	2/Lot	4/Lot	N/A		

Section 7. Twin House Subdistrict. To the extent that this amendment is inconsistent with Schedule 1 to The Brooks PUD Ordinance, the following shall modify Sections 7.1, 7.2, and 7.4 therein only to the extent that they are inconsistent with the following:

(a) <u>Multi-Family Residential District.</u> The Multi-Family Residential District shall include an additional Subdistrict to be known as the Twin House Subdistrict. A Twin House is a two-family dwelling. The twin house may be divided into lots for

- individual fee simple ownership. Within the Twin House Residential Subdistrict, only Twin Homes shall be permitted consistent with this amendment and Exhibit A.
- (b) <u>Subdistricts.</u> Within the Multi-Family Residential District, there shall be three (3) subdistricts which shall permit three (3) unique and different housing styles.
- (c) <u>Development Standards</u>. Table 7.4 is hereby amended to add the following development standards for the Twin House Subdistrict established by this amendment which shall apply to the Twin House Subdistrict.

Table 7.4 Multi-Family Residential District Development Standards						
PUD Subdistrict	Min. Lot Size (Sq. Ft.)	Minimum Yards			Height	Max. Lot
PUD Subdistrict		Front	Rear	Side/Ea.	(feet)	Coverage
Multiplex Subdistrict	See Exhibit B	10'	20'	5'	37	40%
Townhome Subdistrict	See Exhibit B	30'	20'	10'	37	40%
Twin House Subdistrict	See Exhibit A	10'	5'	0/5'	37	85%

(d) Architectural Design Standards. Only within the Twin House Subdistrict, the requirement in Section 7.5(b)(1) requiring sixty percent (60%) of the first floor of all elevations, excluding windows, doors and similar appurtenances, to be brick, stone or cultured stone shall not apply. The Twin House architecture shall be one-story craftsman style design which does not lend itself to masonry as the primary siding material. It is anticipated that Hardie board, or a similar product, will be the primary siding material for the Twin House Subdistrict duplex homes.

<u>Section 8.</u> <u>Private Streets.</u> Within the new Twin House Subdistrict, all streets, parking areas and associated driveways shall remain private and not dedicated to the public.

Section 9. Consideration of Amendment by Plan Commission. On or about August 2, 2022, the Plan Commission did conduct a public hearing pursuant to the rules of the Plan Commission to consider the amendment to the Conceptual Site Plan, and after hearing Developer's arguments and evidence in support of the amendment, remonstrance and opposition or the opportunity for the receipt thereof, and comments, reports or recommendations of staff and others, the Plan Commission for the City of Valparaiso, Indiana now finds and determines that the amendment and alternate plan to the Amendment Area set forth on Exhibit A hereto:

- (i) will not substantially affect the integrity of the Site Improvement Plans for the Property;
- (ii) is appropriate for the site and its surrounding;
- (iii) is compatible and consistent with the intent of the stated standards or Site Improvement Plans.
- <u>Section 10.</u> <u>Severability.</u> The invalidity of any section, clause, sentence or provision of this amendment shall not affect the validity of any other part of this amendment which can be given effect without such invalid part or parts.
- <u>Section 11.</u> <u>Effective Date.</u> This amendment and alternative plan shall be in full force and effect after its passage and approval by the Plan Commission for the City of Valparaiso.

APPROVAL

This Alternate Plan for Trailside Duplexes was approved by the Plan Commission for the City of Valparaiso, Indiana this _____ day of October, 2022.

Matt Evans, President Plan Commission City of Valparaiso

This Instrument Prepared By:

Todd A. Leeth Hoeppner Wagner & Evans LLP 103 E. Lincolnway Valparaiso, Indiana 46383



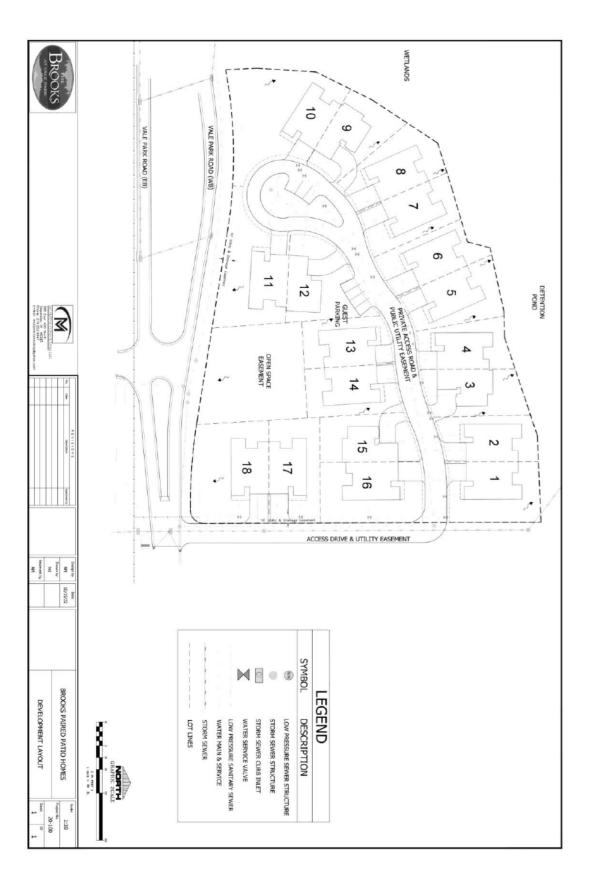
October 17, 2022

X:\TCW Development 19369\Beauty Creek Project -1\Trailside Duplexes\PUD Amendment Trailside Duplex - The Brooks of Vale Park 2022-10-17 docx

EXHIBIT LIST

- A Concept Development Layout Plan Trailside Duplexes
- B District Land Use Map Amendment Area Depicted
- C Conceptual Utility Plan

EXHIBIT A



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EXHIBIT B

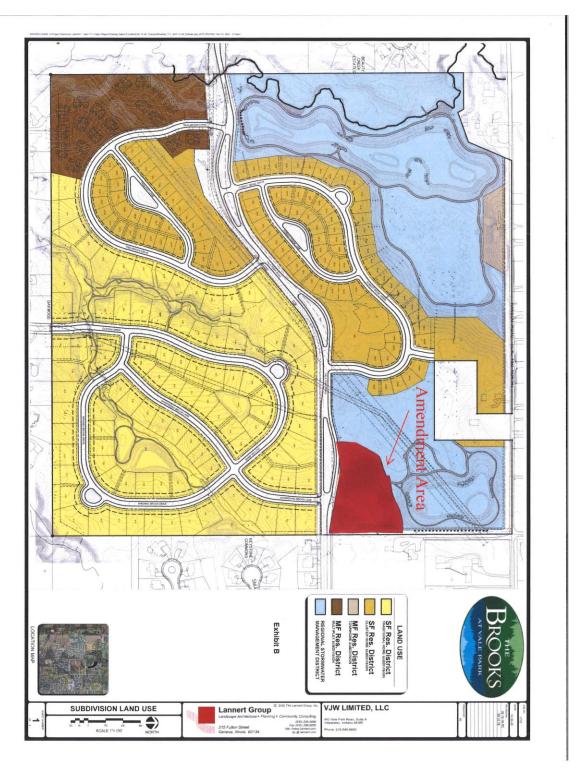
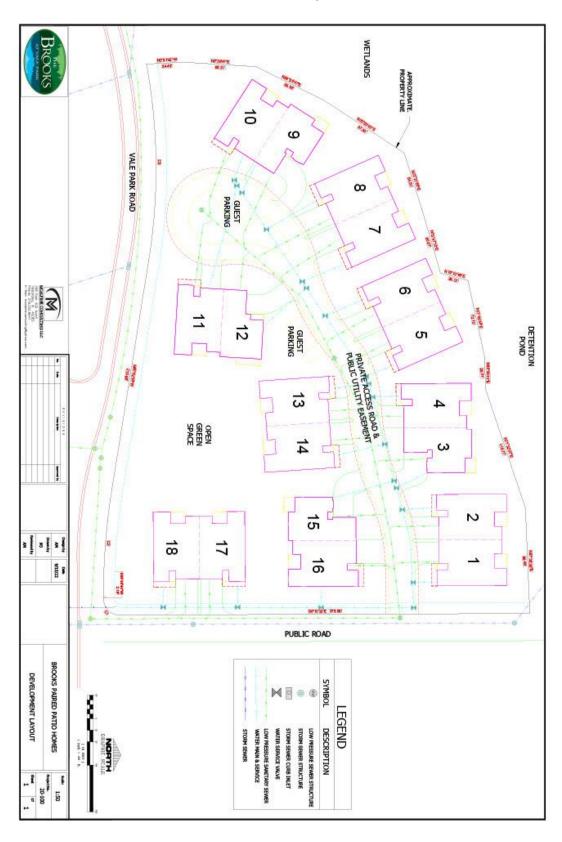


EXHIBIT C



Page 9

To: City of Valparaiso, Indiana c/o Planning Director 166 Lincolnway Valparaiso, IN 46383

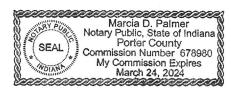
The undersigned Petitioner(s), certify that we are owners of the Property described on attached **Exhibit A**, and do hereby petition for the annexation of said Property into the City of Valparaiso (City) with the zoning classification(s) as requested herein.

List owner(s) and source of title (include copies of deed(s) and/or purchase contract):

City of Valparaiso Redevelopment Commission

Executed this day of	, 202 <u>2</u>
Drich Sarlisian	
Owner and Petitioner	Owner and Petitioner
Trish Sarkisian - President Name and title printed	Name and title printed
llolo I in oal	•
Address Address	Address
Valparaiso, IN 46383	
(

The Petitioner(s) is/are (check one) individual(s), partnership, Indiana corporation Indiana limited liability company or other legal entity.
If the Petitioner is an Indiana corporation, have the Petitioner initial the following:
As signatory to this Petition, I represent that I have the legal authority to execute this Petition on behalf of the Indiana corporation. Initials :
If the Petitioner is an Indiana limited liability company, have the Petitioner initial the following:
As signatory to this Petition, I represent that I have the legal authority to execute this Petition on behalf of the Indiana limited liability company. Initials :
If the Petitioner is a partnership, have the Petitioner initial the following:
As signatory to this Petition, I represent that I have the legal authority to execute this Petition on behalf of the partnership. Initials :
If the Petitioner is a married couple or the property is otherwise held jointly, all individuals with an ownership interest must execute this Petition.
State of S.S. County of
Before me the undersigned, a Notary Public for <u>Parter</u> County, State of <u>Indiana</u> , personally appeared the above signed and acknowledged the execution of this document this
14 rd day of <u>July</u> , 2022.
Marcia D. Palmer Marcia D. Palmer Signature Name printed
seal My commission expires March 24, 2024.



Robbert of 1

Agent for Petitioner: If an agent is listed below, all written correspondence and notices from the City will be sent to that individual and notice will be considered sent to the petitioner(s).

George Douglas, Director Name printed
Name printed
166 Lincolnway
Address /
Valparaiso, IN 46383
·
(219) 402-1161 x334Z
Telephone Fax
gdorglas @valpo.us

Notes and Conditions:

- 1. If the petition involves multiple parcels, a legal description combining said parcels shall be provided. Said description shall be prepared by an Indiana Professional Land Surveyor and shall include references to the title(s) of the Property described.
- 2. If the property proposed for annexation does not comply with the contiguity or other requirements of Indiana law, the City may elect to defer the petition to some date future. Written notice of such deferral will be sent to the Petitioner. The Petition shall remain valid during the deferral period.
- 3. The City may combine this Petition with those for other parcels in order to meet contiguity requirements and/or present a proposal more consistent with the City's Annexation Policy.

Other items and supporting data to be included with the Petition:

- A. Filing Fee of \$500 by cash or check payable to the "City of Valparaiso".
- B. Auditor's card (printout) for each parcel included in the proposed annexation.
- C. Assessed valuations (land and improvements) for all parcels included in the proposed annexation.
- D. If the Property are proposed for development or re-development, an estimate of the value of the improvements proposed to be made.
- E. Names and addresses of the owners of all parcels located, in whole or in part, within 300 feet of any part of the boundary of the land(s) to be annexed. Include parcels owned by the State, County or City. Do not include road rights-of-way. Note: if the ownership information is not complete or is lacking it could delay or void the annexation process.

To: City of Valparaiso, Indiana c/o Planning Director 166 Lincolnway Valparaiso, IN 46383

The undersigned Petitioner(s), certify that we are owners of the Property described on attached **Exhibit A**, and do hereby petition for the annexation of said Property into the City of Valparaiso (City) with the zoning classification(s) as requested herein.

List owner(s) and source of title (include copies of deed(s) and/or purchase contract):

Patko III, LLC

Executed this9 day ofSeptember	_ , 202 <u>2</u> .
PATKO III, LLC	
By: Fry Slagger	
Owner and Petitioner	Owner and Petitioner
SURJIT PATHEJA, ITS MEMBER	
Name and title printed	Name and title printed
622 Killarny Dr	
Address	Address
Dyer, IN 46311	

	retitioner(s) is/are (check one) individual(s), partnership, Indiana corporation X na limited liability company or other legal entity.
If the	Petitioner is an Indiana corporation, have the Petitioner initial the following:
	gnatory to this Petition, I represent that I have the legal authority to execute this Petition on f of the Indiana corporation. Initials :
If the follow	e Petitioner is an Indiana limited liability company, have the Petitioner initial the ving:
	gnatory to this Petition, I represent that I have the legal authority to execute this Petition on f of the Indiana limited liability company. Initials :
If the	Petitioner is a partnership, have the Petitioner initial the following:
	gnatory to this Petition, I represent that I have the legal authority to execute this Petition on f of the partnership. Initials :
	Petitioner is a married couple or the property is otherwise held jointly, all individuals an ownership interest must execute this Petition.
State of Count	of Indiana S.S. ty of Porten
person	e me the undersigned, a Notary Public for County, State of nally appeared the above signed and acknowledged the execution of this document this day of Septembers, 202
GEO Notal	Name printed Name printed V-9-202 PRIL 9, 2023 PRIL 9, 2023

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To: City of Valparaiso, Indiana c/o Planning Director 166 Lincolnway Valparaiso, IN 46383

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The undersigned Petitioner(s), certify that we are owners of the Property described on attached **Exhibit A**, and do hereby petition for the annexation of said Property into the City of Valparaiso (City) with the zoning classification(s) as requested herein.

List owner(s) and source of title (include copies of deed(s) and/or purchase contract):

Owners:Sosnowski Family Land Trust - Source of Title: Personal Representative Deed

Executed this 149 day of July,	. 202 <u>2</u> .
Sosnowski Family Land Trust	
Sosnowski FamilyLand Trust Owner and Petitioner Trustee of the Joanna Sosnowski Sosnowski Family Trust	Owner and Petitioner
Name and title printed	Name and title printed
5267 Clewlake Drive	
Address Cincinnati, DH 45247	Address
Jososnowske small.com	

The Petitioner(s) is/are (check one) individual(s), partnership, Indiana corporation Indiana limited liability company or other legal entity.
If the Petitioner is an Indiana corporation, have the Petitioner initial the following:
As signatory to this Petition, I represent that I have the legal authority to execute this Petition on behalf of the Indiana corporation. Initials:
If the Petitioner is an Indiana limited liability company, have the Petitioner initial the following:
As signatory to this Petition, I represent that I have the legal authority to execute this Petition on behalf of the Indiana limited liability company. Initials:
If the Petitioner is a partnership, have the Petitioner initial the following:
As signatory to this Petition, I represent that I have the legal authority to execute this Petition on behalf of the partnership. Initials:
If the Petitioner is a married couple or the property is otherwise held jointly, all individuals with an ownership interest must execute this Petition.
State of S.S. County of
Before me the undersigned, a Notary Public for Ham HorCounty, State of Ohio, personally appeared the above signed and acknowledged the execution of this document this
14 day of $July$, 2022.
Maranda Briskin Signature Name printed
Maranda Briblin commission expires 01-20-2024 Notary Public, State of Ohio My Commission Expires: 01/20/2026

To: City of Valparaiso, Indiana c/o Planning Director 166 Lincolnway Valparaiso, IN 46383

The undersigned Petitioner(s), certify that we are owners of the Property described on attached **Exhibit A**, and do hereby petition for the annexation of said Property into the City of Valparaiso (City) with the zoning classification(s) as requested herein.

List owner(s) and source of title (include copies of deed(s) and/or purchase contract):

Vansland, LLC

11

Executed this 14 Th day of Septen Ser	, 202 <u>2</u> .
In Vandatil	
Owner and Petitioner	Owner and Petitioner
Name and title printed	Name and title printed
6801 Hunters Run Pl	
Address	Address
frospect, Ky 40059	
jvandentolle yahoo. com	

The Petitioner(s) is/are (check one) individual(s), partnership, Indiana corporation Indiana limited liability company or other legal entity.
If the Petitioner is an Indiana corporation, have the Petitioner initial the following:
As signatory to this Petition, I represent that I have the legal authority to execute this Petition on behalf of the Indiana corporation. Initials :
If the Petitioner is an Indiana limited liability company, have the Petitioner initial the following:
As signatory to this Petition, I represent that I have the legal authority to execute this Petition on behalf of the Indiana limited liability company. Initials :
If the Petitioner is a partnership, have the Petitioner initial the following:
As signatory to this Petition, I represent that I have the legal authority to execute this Petition on behalf of the partnership. Initials :
If the Petitioner is a married couple or the property is otherwise held jointly, all individuals with an ownership interest must execute this Petition.
State of Kentucky
State of Kentucky S.S. County of Jefferson
Before me the undersigned, a Notary Public for <u>Jeffesso</u> County, State of <u>Kuntucky</u> , personally appeared the above signed and acknowledged the execution of this document this
day of <u>September</u> , 202 2
Signature Name printed Name printed
seal My commission expires 01-04-2025.



