



Goshen Common Council

6:00 p.m., December 4, 2023 Regular Meeting

Council Chamber, Police & Court Building, 111 East Jefferson Street, Goshen, IN

Call to Order by Mayor Gina Leichty

Pledge of Allegiance led by Ainsley McPhail

Roll Call:

Megan Eichorn (District 4) **Julia King** (At-Large) **Doug Nisley** (District 2)
Gilberto Pérez, Jr. (District 5) **Donald Riegsecker** (District 1)
Matt Schrock (District 3) **Council President Brett Weddell** (At-Large)
Youth Adviser Jessica Velazquez Valdes (Non-voting)

Approval of Minutes: Oct. 30, 2023 Regular Meeting

Approval of Meeting Agenda

Privilege of the Floor

1) Presentation: Kid Mayor and Kid Councilors

The mayor will introduce candidates, announce the Mayor and Council winners, facilitate the Oath of Office for the students, and present each with a signed copy of their oath.

Candidates:

- a. **Amari Stoll**, Chamberlain Elementary School
- b. **Lincoln Tolin**, Model Elementary
- c. **Christopher Budiardja**, Chamberlain Elementary School
- d. **Phillip Gingerich**, Chamberlain
- e. **Elyana Rojas Lopez**, Parkside Elementary
- f. **Ainsley McPhail**, Prairie View Elementary

2) Resolution 2023-22 – Category Transfers

3) Ordinance 5172 – Establishing a Technology Department



4) Ordinance 5174 - Amend Ordinance 5168, 2024 Compensation Ordinance for Police Department Employees

5) Ordinance 5173 - Amend Ordinance 3011 by Rezoning Real Estate Hereinafter Described from Residential R-3 District to Residential R-3 District with a Planned Unit Development (PUD) Overlay District, to be Known as the Cherry Creek PUD, and Amend Ordinances 3384 and 3970, Known as the Waterford Commons PUD (Planned Unit Development)

Elected Official Reports

Adjournment



GOSHEN COMMON COUNCIL

Minutes of the OCTOBER 30, 2023 Regular Meeting

Convened in the Council Chambers, Police & Court Building, 111 East Jefferson Street, Goshen, Indiana

Mayor Gina Leichty called the meeting to order at 6:01 p.m. Assisted by the Mayor, Carly Sensenig led the Pledge of Allegiance. Carly, a sixth-grader, is the daughter of Jesse and Amanda Sensenig of Goshen.

At 6:03 p.m., Mayor Leichty asked Clerk-Treasurer Aguirre to conduct the roll call.

Present: Megan Eichorn (District 4) Julia King (At-Large) Doug Nisley (District 2)
Gilberto Pérez Jr. (District 5) Donald Riegsecker (District 1) Matt Schrock (District 3)
Council President Brett Weddell (At-Large)
Youth Adviser Jessica Velazquez Valdes (Non-voting)

Absent: None

Approval of Minutes:

Mayor Leichty asked the Council's wishes regarding the minutes of the Oct. 16, 2023 Regular Meeting. Councilor Nisley moved to accept the minutes as submitted. Councilor Pérez seconded the motion. The motion passed 7-0 on a voice vote.

Approval of Meeting Agenda:

Mayor Leichty presented the agenda as submitted by the Clerk-Treasurer. Aguirre with one requested change – a presentation by Dan Hedden, a partner with Baker Tilly Municipal Advisers, about the City's wage and compensation study. Councilor King moved to accept the agenda as suggested. Councilor Eichorn seconded the motion. The motion passed 7-0 on a voice vote.

Privilege of the Floor:

At 6:04 p.m., Mayor Leichty invited public comments about matters not on the agenda.

Terry Hartman of Goshen said he wanted to address an item discussed during the Council's Oct. 16 meeting, as reflected in the meeting minutes. He said his comments could overlap with an item on this evening's agenda. Hartman said he knew there was discussion about raising the Mayor's salary and he wanted to caution the Council about doing so without providing more information to the public and conducting more research on the issue. Hartman said it would be a "hard sell" trying to persuade residents that \$105,638 is not enough compensation for the Mayor. He said he doesn't know how much work the Mayor and Deputy Mayor do, but this is among factors the public should be informed about before raising the Mayor's salary. Hartman said there was some Council discussion comparing the job of the Mayor to comparable positions in the private sector, but the public needs to be informed of this before any increase. He also said the work of the Deputy Mayor needs to be examined.

Mayor Leichty responded that the conversation at the last Council meeting actually concerned a proposed decrease in the Mayor's pay. Hartman said a pay increase also was discussed by retaining a longevity bonus for the Mayor.



Glenn Null of Goshen said wanted to raise a few concerns. He said on Indiana Avenue, between Berkey Avenue and Plymouth Avenue, a sign has been placed warning of a “bump” in the road. He said the bump actually consists of a few inches of steel plating placed on the road. He said it soon will start snowing and he is concerned about the impact of the steel plates on snowplows. He said the road had been repaired and it now has many holes. He said he hopes it will be adequately repaired. Null asked how soon the steel plates will be replaced. He also raised a concern about a vehicle that has been speeding through his neighborhood. He said he would like there to be more police patrols in the area.

Council President Weddell asked **Null** to provide more information on the vehicle so he can bring it to the attention of the City Traffic Commission and Police. **Null** said he would seek additional information. **Mayor Leichthy** encouraged **Null** to ask neighbors to report the vehicle to the non-emergency police phone number.

Councilor Schrock said he has noticed increased monitoring of speed by police officers on Chicago Avenue, East Lincoln Avenue and West Wilden Avenue. He thanked Police for this extra attention.

Mayor Leichthy asked **Director of Public Works & Utilities Dustin Sailor** to comment on the Indiana Avenue work. **Sailor** said NIPSCO is doing the work with a City permit. He said he hasn't received an update on when the work will be completed, and the steel plates removed. **Sailor** said he will check on the repair schedule.

There were no further public comments, so the Mayor closed Privilege of the Floor at 6:12 p.m.

1) Presentation by Dan Hedden, a partner with Baker Tilly Municipal Advisers, about the City's wage and compensation study

Mayor Leichthy asked **Dan Hedden, a partner with Baker Tilly Municipal Advisers**, to make his presentation.

Hedden began by introducing **Jada Kent**, a director with Baker Tilly's public sector human capital advisory practice, who was participating in the Council meeting via Zoom. **Hedden provided the following information:**

- Baker Tilly essentially has completed the City's wage and compensation study. Once the City completes a few more steps, Baker Tilly can conclude the final steps to close out the study with a final report and the provision of a tool for use by the City's Human Resource Office to maintain the work that has been done.
- More specifically, the City needs to approve proposed job title classifications changes and the pay plans and job grade assignments that were approved by the City's working group and approve the City's implementation plan for this year and future years.
- Those elements were developed over many months, and Hedden acknowledged that the study took too long. He said several factors were responsible for the delay and some of those factors could have been addressed at the start of the process. Hedden said Baker Tilly should have spent more time at the start because there were many decisions the City had to make about such things as job title classifications and changes and job descriptions.
- The study overhauled all of those components and standardized job descriptions and their format. Afterward, the working group determined that the job descriptions were not accurate, so Baker Tilly reviewed the entire process. He said job descriptions have now been improved, and the data is available.
- The salary ordinances before the Common Council tonight reflect the work and findings of the study. And whatever is approved by the Council will fit within the framework of the ordinance. The Council also has before it ordinances that reflect the positions and pay ranges developed by the study.



Hedden concluded his presentation by welcoming Council questions about the work done by Baker Tilly and the logic behind it. He invited additional comments from **Jada Kent**, who responded that she had nothing to add.

Mayor Leichty thanked **Hedden** for being present tonight and making himself available to answer questions. She said she wanted Councilors to have a common understanding of the study and the process. Mayor Leichty said Councilors had a data sheet made available by Baker Tilly in June and information about the 150 City job descriptions that Baker Tilly evaluated as well as recent updates.

Mayor Leichty said Councilors tonight will be passing salary ordinances under the current pay and compensation system. Before the end of the year, she will be bringing the salary ordinances back to the Council for consideration of an amendment that would implement the wages and compensation as determined by the Baker Tilly study. Essentially, **Mayor Leichty** said the City would like to take the 36 current wage categories and classifications and reduce them to 24. She said Baker Tilly has determined that all of the proposed changes fit within the classifications the Council is being asked to approve tonight. She said there would not be changes in overall classifications, but some jobs will have different numbers and overall salaries won't be affected.

Councilor King confirmed with the **Mayor** that the City will be reducing 36 classifications to 24.

Council President Weddell confirmed with the **Mayor** that classifications would be adjusted, but there would be no need to appropriate more funds for employee salaries.

Councilor King also confirmed that the Council will tonight be designating some of the \$200,000 that was passed in the 2024 budget for employee salary increases. **Mayor Leichty** affirmed that understanding.

Councilor Pérez asked why the Council needed to vote tonight instead of waiting for the completion of the Baker Tilly wage and compensation study.

Hedden responded that there is a statutory requirement that salary ordinances must be approved by Nov. 1, except for elected officials, whose salary ordinance must be approved by Dec. 31.

Councilor Pérez said the Council needs to comply with state law and take action tonight even though Councilors haven't seen the completed written study. **Hedden** responded that the study is essentially completed and has been reviewed by the City's working group.

Council President Weddell asked the Mayor to name the members of the City's working group. **Mayor Leichty** said the group consisted of the Mayor, the Human Resources Manager, the City Attorney, the Clerk-Treasurer, the Deputy Clerk-Treasurer, and the Deputy Mayor.

1) Ordinance 5166, 2024 Compensation for Civil City and Utilities Employees (Second Reading)

Mayor Leichty called for the introduction on Second Reading of Ordinance 5166, *2024 Compensation for Civil City and Utilities Employees*. Council President Weddell asked the Clerk-Treasurer to read Ordinance 5166 by title only, which was done.

Weddell/Pérez moved to approve Ordinance 5166 on Second Reading.

BACKGROUND:

Before the Council, for second reading, was Ordinance 5166, the City of Goshen's proposed 2024 Compensation for Civil City and Utilities Employees, including wages and benefits, as fixed by the Mayor, except for Police and Fire Department employees.



Ordinance 5166 is a 17-page document, with 14 pages of attachments, which sets forth the employees covered by the ordinance, lists positions, classifications, grades and wages, describes how and when wages are paid, pension and health insurance benefits, vacation leave, sick leave, holidays (13), floating holidays, increment pay, longevity bonuses, funeral leave, court duty pay, paid leave, clothing and fitness allowances, CPA license pay, state certification bonuses, cell phone stipends, collective bargaining agreement provisions, overtimes compensation and other provisions. Attached to Ordinance 5166 were five exhibits (documents) which list: all City positions, by Department, classifications and grades; the 2024 wages for all grades; the 2024 hourly wages for Teamster employees; the 2024 wages for ungraded positions; and the 2024 wages for certain temporary, intermittent or seasonal positions.

SUMMARY OF OCT. 16, 2023 COUNCIL DISCUSSION AND FIRST READING OF ORDINANCE 5166:

Mayor Leichy and Councilors, led by **Councilor Nisley**, engaged in an extensive conversation about the disparity in longevity bonuses paid to non-union vs. union employees in the City of Goshen.

Mayor Leichy Councilors also discussed the pay increases, included in the 2024 City budget for City employees. They also discussed the pending study of employee compensation by Baker Tiller Municipal Advisers. And they discussed union vs. non-union membership by City employees.

Mayor Leichy said the City was trying to look holistically at salaries and benefits to make sure there was an equitable distribution of funds for compensation. She also said some unions gave up some benefits and negotiated for other benefits, so the benefits are not equal for all employees now.

Councilor Pérez and other **Councilors** asked if it would be possible to determine the number of City employees who are not eligible to join unions. **Councilor Pérez** said this could address **Councilor Nisley's** concern about the disparity in longevity pay. **Mayor Leichy** said she would get that information for the Council.

There were no further Council questions, so Mayor Leichy invited public comments about Ordinance 5166.

Theresa Sailor, the Grant Writer and Educator for the City Environmental Resilience Department, said Exhibit A, the listing of 2024 positions, classifications and grades for City positions, was missing a current employee – a Forestry Assistant, who was not listed under the Department of Environmental Resilience.

Tara Hetler, an employee with the City Engineering Department, discussed what non-represented employees feel – disappointment for only getting a 3.5% salary increase. She said she knew union employees were getting bigger pay increases than non-union employees. Hetler said she has had a higher workload because of absences in the Engineering and Building Departments. Even though her job title is administrative assistant, she said also functioned as the City's technical review coordinator for the City and coordinates all plan reviews for commercial projects, provides technical support for the City's online permitting system, trains staff and provides support for department employees.

Councilors expressed sympathy for **Hetler's** situation. There were no additional Council comments and **Council President Weddell** said Councilors were ready to vote.

On a voice vote, Councilors unanimously passed Ordinance 5166, 2024 Compensation for Civil City and Utilities Employees, on First Reading by a 7-0 margin, with all Councilors present voting yes.

Council President Weddell said there was not unanimous consent by Councilors to consider on Second Reading Ordinance 5166, putting it before the Common Council on Oct. 30, 2023.



After the passage on First Reading of Ordinance 5166, 2024 Compensation for Civil City and Utilities Employees, there was a further review of the Ordinance by Mayor Leichthy and City staff. The following were suggested amendments to Ordinance 5166:

- (1) Move to amend Ordinance 5166, Exhibit A, 2024 Positions, Classifications and Grades, by:
 - (a) Deleting “Engineering; Utilities City Engineer, 70% Water & Sewer Utilities/30% Stormwater Utility; Covered, Exempt (Salary); 30”, and adding “Engineering; Utilities City Engineer, 30% Civil City/70% Water & Sewer Utilities; Covered, Exempt (Salary); 30.”
 - (b) Deleting “Engineering; Asset Manager, 50% Civil City/50% Water & Sewer Utilities; Covered, Non-Exempt (Hourly); 12”, and adding “Engineering; Asset Manager, 60% Civil City/40% Water & Sewer Utilities; Covered, Non-Exempt (Hourly); 12.”
 - (c) Adding “Engineering; Inspector I, 50% Water & Sewer Utilities/50% Stormwater Utility; Covered, Non-Exempt (Hourly); 10.”
- (2) Move to amend Ordinance 5166, Exhibit B, 2024 Wages for All Grades, by deleting Exhibit B that is based on a 3.5% wage increase, and adding Exhibit B that is based on a 5% wage increase.
- (3) Move to amend Ordinance 5166, Exhibit D, 2024 Wages for Ungraded Positions, by deleting Exhibit D that is based on a 3.5% wage increase, and adding Exhibit D that is based on a 5% wage increase.

Note, there are no changes to Exhibit C, 2024 Hourly Wages for Teamster Employees, and Exhibit E, 2024 Wages for Certain Temporary, Intermittent, or Seasonal Positions.

The proposed amended version of Ordinance 5166 was attached to the Council meeting packet and posted online.

OCT. 30, 2023 COUNCIL DISCUSSION AND SECOND READING OF AMENDED ORDINANCE 5166:

As the meeting began, Mayor Leichthy distributed to Councilors a memorandum, dated Oct. 30, that was titled “Report on Union vs. Non-Union Employees by Department” (EXHIBIT #1)

Mayor Leichthy told Councilors that on page 48 of the Council meeting packet was a memorandum from **City Legal Compliance Administrator Shannon Marks** outlining proposed amendments to Ordinance 5166, 2024 Compensation for Civil City and Utilities Employees. The Mayor said staff members realized there were some corrections that needed to be made to Ordinance 5166 before final passage.

Mayor Leichthy said that to implement the recommendations of the Baker Tilley wage and compensation study, there were also proposed changes in Ordinance 5166 that she was bringing to the Council. Reading from Shannon’s memo, the Mayor summarized and explained the proposed changes to Ordinance 5166, including a 5% wage increase to all Civil City employees.

Mayor Leichthy asked if Councilors had any questions or comments about Ordinance 5166.

Council President Weddell said Councilors first had to amend Ordinance 5166 as suggested by the Mayor. He suggested that be done through a series of motions.

Council President Weddell/Councilor Eichorn then made a motion to amend Ordinance 5166 as described by **City Legal Compliance Administrator Shannon Marks** by incorporating the suggested deletions and additions detailed in point 1, Exhibit A, 2024 Positions, Classifications and Grades, sections A, B, C of her Oct. 30, 2023 memorandum.

There were no Council questions or comments, so at 6:27 p.m., Mayor Leichthy invited public comments on the Weddell/Eichorn motion to amend Ordinance 5166. There were none.



Council President Weddell indicated that Councilors were ready to vote on the amendment.

On a voice vote, at 6:27 p.m., Councilors unanimously passed the Weddell/Eichorn motion to amend Ordinance 5166, 2024 Compensation for Civil City and Utilities Employees, by incorporating the suggested deletions and additions detailed in point 1, Exhibit A, 2024 Positions, Classifications and Grades, sections A, B, C of City Legal Compliance Administrator Shannon Marks' Oct. 30, 2023 memorandum to the Council.

Council President Weddell/Councilor Nisley then made a motion to amend Ordinance 5166 as described by City Legal Compliance Administrator Shannon Marks in her Oct. 30, 2023 memorandum to the Council by incorporating the suggested deletion and addition detailed in point 2, Exhibit B, 2024 Wages for All Grades, which substituted a 3.5% wage increase with a 5% wage increase for Civil City employees.

Mayor Leichy asked if Councilors had any questions or comments.

Council President Weddell said it appeared that the Council would be passing the salary ordinance to meet a state-mandated deadline and also amending it to implement one of the recommendations of the Baker Tilly wage and compensation study without actually reviewing the study. He asked if the study was finalized.

Dan Hedden, a partner with Baker Tilly Municipal Advisers, said the work has been completed and the written report would conform to the action on compensation taken tonight by the Council. He said data and other elements of the report were available now.

Mayor Leichy said administratively, the City has the data needed to make budgetary decisions and the City has used the data provided by Baker Tilly in its financial recommendations.

Hedden said in some respects this was similar to any other supporting documentation the Council would have for a budget it was considering. He said the only difference in this case is that the Council will be getting a final report after passing the salary ordinances.

Council President Weddell said the difference in this case is he hasn't seen the underlying data.

Councilor Eichorn said she believed she reviewed the data. **Mayor Leichy** clarified that Councilors haven't seen all the data.

Council President Weddell said Councilors have trusted Baker Tilly for years and also trust the Mayor. However, he said it seemed "out of sorts" to be taking action before reviewing all of the data.

Councilor Eichorn said the Council set aside \$200,000 for employee raises and would only be expending half of that. **Mayor Leichy** said the City budgeted adequate funds to provide a 5% salary increase for employees and may be proposing additional pay raises for some employees. In response to a question from **Councilor Schrock,** **Mayor Leichy** confirmed non-union employees will get a 5% wage increase.

Council President Weddell asked if the 5% increase had to be approved tonight or could it wait for further action on wages in November or December.

Hedden said Councilors could approve a 3.5% or 5% increase or something else tonight. He added that Baker Tilly conceded that the final report was not available, but added it will conform to the action the Council takes tonight.

Council President Weddell said it was possible the Council might not be making the best decision by taking action tonight, but was being asked to trust that it was the right decision. **Councilor King** acknowledged Weddell's concerns, said that Baker Tilly is a trusted firm, the Council will get access to the study and could take further action.

Councilor Nisley asked if the recommendation before the Council included a larger longevity bonus for non-union employees.



Mayor Leichty said there was enough room in budget to make that adjustment for 16 people who would be affected. She said she believe that was included in the amended ordinance. **City Attorney Bodie Stegelmann** said he didn't believe that provision was included in the proposed amendments to Ordinance 5166.

Council President Weddell reminded Councilors of the pending motion to amend Ordinance 5166. Councilors Riegsecker and Pérez asked questions clarifying the 5% increase, which the **Mayor** addressed.

There were no further Council comments, so at 6:38 p.m., Mayor Leichty invited public comments on the proposed amendment to Ordinance 5166 by Councilors Weddell and Nisley.

James Loewen of Goshen said he got the impression that Councilors were being asked to vote based on incomplete information. He asked about the penalties for non-compliance. He also asked if provisional action could be taken that would allow a later amendment.

Councilor Eichorn affirmed the question and asked about the penalties for non-compliance; not passing a salary ordinance by Nov. 1.

Hedden said he didn't know the answer. However, he said if the salary ordinance isn't passed by Nov. 1, the existing salary ordinance will remain in effect. He said he would seek to confirm that information.

Councilor King asked if further action could be taken after reviewing the final Baker Tilly report. **Hedden** said he believed that would be the case. **Clerk-Treasurer Aguirre** said the salary ordinance must be approved by Nov. 1 and it can be amended, but whatever the City does will be subject of an audit by the State Board of Accounts.

Glenn Null of Goshen noted that the Teamsters union negotiated a 5% for its workers, who paid dues to the union to represent them. He said if he was one of those union members, he wouldn't be happy if all other City employees also got a 5% wage increase. He also cautioned Councilors about taking action without reviewing all necessary information. He suggested that Councilors approve a 3.5% increase now and raise it later if adequate funds were available or provide the money as a one-time bonus.

Mayor Leichty responded that the City's union members negotiated for other benefits besides wages that other city employees do not receive. She also said not all City employees are eligible to join a union and that the City was seeking to treat all employees equitably. She also said City staff have carefully evaluated data and were making a careful recommendation.

There were no further public comments. There also were no further Council comments. Council President Weddell said Councilors were ready to vote on the amendment and he requested a roll call vote.

On a roll call vote, at 6:45 p.m., Councilors by a 6-1 margin passed the Weddell/Nisley motion to amend Ordinance 5166 as described by City Legal Compliance Administrator Shannon Marks in her Oct. 30, 2023 memorandum to the Council by incorporating the suggested deletion and addition detailed in point 2, Exhibit B, 2024 Wages for All Grades, which substituted a 3.5% wage increase with a 5% wage increase for Civil City employees. Councilors Eichorn, King, Pérez, Riegsecker, Schrock and Weddell voted "yes and Councilor Nisley initially voted "pass." Asked if he wanted to change his vote, Councilor Nisley changed his "pass" vote to "no," making the final vote 6-1.



Council President Weddell and Councilor Pérez then made a motion to amend Ordinance 5166 as described by City Legal Compliance Administrator Shannon Marks in her Oct. 30, 2023 memorandum to the Council by incorporating the suggested deletion and addition detailed in point 3, Exhibit D, Wages for Ungraded Positions, that was based on a 3.5% wage increase and adding a new Exhibit D with a 5% wage increase for Civil City employees.

Mayor Leichty asked if Councilors had any questions or comments.

Council President Weddell explained his previous concerns about taking action without all available data.

At 6:47 p.m., Mayor Leichty asked if there were any audience comments on the Weddell-Perez motion to make a third amendment to Ordinance 5166. There were none.

Councilor Nisley said he wanted to explain his “no” vote on the previous amendment. He said he didn’t want his vote to be interpreted as indicating that he didn’t believe City employees deserved a 5% raise. Instead, he said he wanted to have the completed Baker Tilly study before him before taking that action.

Council President Weddell requested a roll call vote.

On a roll call vote, at 6:48 p.m., Councilors by a 6-1 margin passed the Weddell/Pérez motion to amend Ordinance 5166 as described by City Legal Compliance Administrator Shannon Marks in her Oct. 30, 2023 memorandum to the Council by incorporating the suggested deletion and addition detailed in point 3, Exhibit D, Wages for Ungraded Positions, that was based on a 3.5% wage increase and adding a new Exhibit D with a 5% wage increase for Civil City employees. Councilors Eichorn, King, Pérez, Riegsecker, Schrock and Weddell voted “yes and Councilor Nisley voted “no.”

In response to a question from **Council President Weddell, City Attorney Stegelmann** said the version of Ordinance 5166 now before the Council did not make any changes in increment pay for longer-term employees, meaning that non-union employees would still receive a smaller amount than union employees.

Stegelmann said Councilors could amend the Ordinance by amending Section 10, paragraph D as follows:

“Each employee in a position scheduled to work at least two thousand eighty (2,080) hours each year shall receive an annual increment pay bonus of One Hundred Dollars (\$100) per calendar year of continuous service, up to a maximum of Two Thousand Dollars (\$2,000) per year.”

Councilor Nisley and Council President Weddell made a motion to amend Section 10, paragraph D of Ordinance 5166 so that “Each employee in a position scheduled to work at least two thousand eighty (2,080) hours each year shall receive an annual increment pay bonus of One Hundred Dollars (\$100) per calendar year of continuous service, up to a maximum of Two Thousand Dollars (\$2,000) per year.”

Mayor Leichty asked if Councilors had additional comments or questions.



Council President Weddell thanked **Mayor Leichy** for providing information about the number of non-union employees who would have received less increment pay if this provision was not amended. He said 16 employees would be affected and the total cost to the City would be \$4,800.

Councilor Pérez pointed out that the Council had to vote on the amendment.

At 6:52 p.m., Mayor Leichy asked if there were questions or comments from the public on the proposed Nisley-Weddell amendment to Ordinance 5166. There were none.

In response to a question from **Councilor Eichorn, Mayor Leichy, City Attorney Stegelmann and Council President Weddell** clarified the wording of the motion and commented on its impact.

On a voice vote, at 6:53 p.m., Councilors unanimously passed the Nisley/Weddell motion to amend Section 10, paragraph D of Ordinance 5166 so that “Each employee in a position scheduled to work at least two thousand eighty (2,080) hours each year shall receive an annual increment pay bonus of One Hundred Dollars (\$100) per calendar year of continuous service, up to a maximum of Two Thousand Dollars (\$2,000) per year.”

Having approved four amendments, Mayor Leichy asked if Councilors had any final comments or questions before a Second Reading vote on Ordinance 5166, as amended. There were none.

At 6:54 p.m., Mayor Leichy invited public comments on the amended version of Ordinance 5166, 2024 Compensation for Civil City and Utilities Employees, which was before the Council for Second and Final Reading. There were none.

Council President Weddell said Councilors were ready to vote.

On a voice vote, Councilors unanimously passed Ordinance 5166, 2024 Compensation for Civil City and Utilities Employees, as amended, on Second Reading by a 7-0 margin, with all Councilors present voting yes at 6:54 p.m.

2) Ordinance 5165 – 2024 Compensation for Elected Officials (Second Reading)

Mayor Leichy called for the introduction on Second Reading of Ordinance 5165, *2024 Compensation for Elected Officials*. Council President Weddell asked the Clerk-Treasurer to read Ordinance 5165 by title only, which was done.

Weddell/Eichorn moved to approve Ordinance 5165 on Second Reading.

BACKGROUND:

Before the Council, for second reading, was Ordinance 5165, the City of Goshen’s proposed 2024 Compensation for Elected Officials, including wages and benefits.

Under Ordinance 5165, Goshen elected officials would receive the following bi-weekly salaries in 2024:



(A) **Mayor – \$4,063 bi-weekly.** The salary shall be paid 60% from the general fund of the Civil City and 40% from the funds of Water and Sewer Utilities.

(B) **Clerk-Treasurer –\$3,097 bi-weekly.** The salary shall be paid 70% from the general fund of the Civil City and 30% from the funds of Water and Sewer Utilities.

(C) **Judge – \$2,225 bi-weekly.** The salary shall be paid 100% from the general fund of the Civil City.

(D) **Common Council Members – \$647 bi-weekly.** The salary shall be paid sixty percent 60% from the general fund of the Civil City and 40% from the funds of the Water and Sewer Utilities.

Ordinance 5165 also: establishes additional compensation for a Common Council member serving on a collective bargaining unit negotiation team (\$500 stipend); sets the longevity pay increases for the Mayor (\$5,000 each year commencing at the beginning of the Mayor’s fifth year in office); and describes the Public Employee’s Retirement Fund benefits for the Mayor, Clerk-Treasurer and Judge.

Ordinance 5165 also: describes the health insurance benefits for the Mayor and Clerk-Treasurer; sets the cell phone stipends for the Mayor, Clerk-Treasurer and Judge (\$50 maximum per month) and establishes the annual technology stipend (\$500) for Common Council members.

SUMMARY OF OCT. 16, 2023 COUNCIL DISCUSSION AND FIRST READING OF ORDINANCE 5165:

Councilor King said she was “dissatisfied” that Councilors didn’t have the final Baker Tilly study for this Council conversation and prior to voting on the salary ordinances. **Councilor King then made a motion to remove SECTION 2 Additional Compensation (B) – the longevity pay for the Mayor. Councilor Nisley seconded the motion.**

Councilors and the **Mayor** engaged in extended discussion about the merits of the motion. The discussion included affirmation about the need to review the salary study as well as differing viewpoints about whether the Mayor was paid an adequate salary. **Mayor Leichty** invited public comments.

Goshen City Court Judge Richard L. Mehl said it didn’t seem fair for the Mayor to receive a longevity bonus, but not the Judge, the Clerk-Treasurer and Council members. He said the longevity bonus should apply to all elected officials because all of them are likely underpaid. While he said the provision was legal, it was unfair to others. Some **Councilors** responded that they were sympathetic to **Judge Mehl’s** argument. **Council President Weddell** said for years he has advocated to raise the Mayor’s salary, but the proposal never passed. He said he supported the longevity pay provision because implementing it was the only way to increase the Mayor’s salary.

There were no further public or Council comments and Councilors indicated they were ready to vote.

On a roll call vote, Councilors deadlocked 3-3-1 on the King/Nisley motion to amend Ordinance 5165 by removing “SECTION 2 Additional Compensation (B) – Longevity pay for the Mayor” with Councilors King, Nisley and Schrock voting “yes,” Councilors Eichorn, Perez and Weddell voting “no” and Councilor Riegsecker voting “pass.” Asked if he wanted to change his vote, Councilor Riegsecker voted “no,” and the amendment was defeated by a 4-3 margin.

After various **Councilor comments** about the just-concluded discussion, **Mayor Leichty** invited public comments on Ordinance 5165, which was before the Council for First Reading. There were none.

There was some **Council discussion** about whether the amendment could be reconsidered and the impact of not passing Ordinance 5166. **Council President Weddell** said Councilors were ready to vote.

On a roll call vote, Councilors unanimously passed Ordinance 5165, 2024 Compensation for Elected Officials, on First Reading by a 7-0 margin, with all Councilors present voting yes.



Councilors declined to give unanimous consent to proceed with the Second Reading of Ordinance 5165. 2024 Compensation for Elected Officials, putting it back before the Council for Second Reading on Oct. 30, 2023.

OCT. 30, 2023 COUNCIL DISCUSSION AND SECOND READING OF ORDINANCE 5165:

Mayor Leichty asked if Councilors had questions or comments about Ordinance 5165.

Councilor King made a motion to amend Ordinance 5165, SECTION 2, Additional Compensation, paragraph B, Longevity Increase in Pay, by changing the wording as follows: “Commencing at the beginning of the Mayor’s fifth (5th) year in office as Mayor, the Mayor shall receive a longevity increase in pay in the amount of zero dollars (\$0) during each year the Mayor serves as Mayor,” thus eliminating the current \$5,000 increase after five years. **Councilor Schrock** seconded the motion.

Councilor King said the motion was in no way a reflection on any individual mayor, past, present or future. She said this was about ensuring the same due diligence when it came to compensation for the Mayor as any other City employee. She said she has discussed the issue with **Councilor Riegsecker**, who would be providing some data to the Council. She said she previously examined data from many cities about mayoral salaries and housing costs.

Councilor Riegsecker said his decision to vote “pass” and then “no” on this issue at the last Council meeting was a tough one because he was struggling and didn’t have enough information to make an informed decision. He said that he has since done several hours of research and evaluation.

Councilor Riegsecker said he agreed with **Councilor King** that his position was not a reflection on the mayor, and he understood that **Council President Weddell** wanted the Goshen Mayor to have the same salary comparable to other Indiana mayors.

Councilor Riegsecker then distributed to Councilors a spreadsheet that he prepared that showed the 2022 salaries of mayors of 21 Indiana cities, including Goshen. The spreadsheet included the names of the cities, their populations, their counties, the 2022 salaries and descriptive notes for 10 of the cities (**EXHIBIT #2**)

Councilor Riegsecker provided an overview of his findings, as reflected on the spreadsheet, as well as how he compiled the information. He said there were many variables when it came to mayoral compensation, including how much of health insurance is paid, vacation, longevity pay and whether the City has a deputy mayor. Some communities also had town or city managers. He also added the populations of selected cities and found the salaries on Indiana Gateway, a state website that collects data on Indiana cities.

Councilor Riegsecker said he determined that the average mayoral salary in 2022 of the 21 surveyed was \$98,524, compared to the Goshen mayor’s salary of \$104,318. The average adjusted salary, population seven above and seven below, was \$95,420. And the average adjusted salary, removing the four large city areas, was \$90,969.

Councilor Riegsecker said he may have voted differently at the last meeting if he had been aware of this data. He said he concluded that Goshen’s mayor is compensated fairly and that a longevity bonus would increase the salary to above the state average. **Councilor Riegsecker** said he supported dropping the longevity bonus to zero since the Council didn’t have the option of removing the provision since that motion didn’t pass at the last meeting.

Councilor Pérez said he appreciated **Councilor Riegsecker**’s good work. He said it was helpful to see the data and the average adjusted salaries.

Councilor Schrock said the Council could consider this issue again after receiving the Baker Tilly study.

Mayor Leichty said the salaries of elected officials were not part of the Baker Tilly study.



Mayor Leichty said **Councilor Riegsecker**'s data was somewhat dated. She noted that Elkhart's mayor is now paid more than \$117,000 as compared to the 2022 listed salary of \$109,789.

Councilor Riegsecker acknowledged that point, but said he compiled the best data available and that he assumed any salary increases would be about the same for most cities.

Council President Weddell noted that **Councilor Riegsecker** works for a major company. He asked if **Councilor Riegsecker** knew how much the CEO of a \$70 million company with more than 300 employees would be paid.

Councilor Riegsecker said he didn't, but added that wouldn't be an "apples to apples" comparison. He added that the private sector is different than the public sector, with different responsibilities and a different level of reporting and accountability.

Council President Weddell asked **Jada Kent**, a director with Baker Tilly's public sector human capital advisory practice, if the wage study just looked at government compensation. **Kent** said the study included an analysis of both government and private sector compensation.

Council President Weddell asked if the City was just in competition with other cities or also with the private sector to hire the best employees, top to bottom. He said if the City only plans to compare the salaries of employees who work for government, the City appears to have wasted a lot of hours and money on the Baker Tilly study.

Councilor King said the Baker Tilly study didn't analyze the compensation of elected officials. If that is desired, a study of that type should be requested. She said it has seemed arbitrary to increase the mayor's salary based on an "apples to oranges" comparison of public vs. private compensation. Councilor King also said that in determining the appropriate salary for the mayor, other data should be considered, including area median income and housing costs. She added that she didn't want to "shortchange" the mayor, but said the current compensation was fair.

Council President Weddell said will never run for mayor, but believes the mayor's pay should be higher because of the mayor's responsibilities and work.

Councilor King said she was grateful for the mayors Goshen has had.

Councilor Riegsecker said he understood **Council President Weddell**'s position, but said the City should focus on the compensation of City employees compared with those in other cities. He said he has concluded Goshen pays a fair wage to the Mayor and doesn't need to provide longevity pay. He said a future Council could re-examine the issue and perhaps even raise the salary if that is considered fair and shouldn't do so through a longevity increase.

Councilor Eichorn said she was struggling with this issue because if the City was just comparing the compensation of Indiana mayors, Goshen's mayor is paid fairly. But having worked in the public sector as long as she did, Councilor Eichorn said it can be difficult to accept less pay for working in the public sector for work that is as difficult as in the private sector. She said it's hard work and one must go into it knowing that there will be less pay than in the private sector. She said it's especially true for positions, like that of the mayor, which require great skill. Councilor Eichorn said she didn't know how she will vote on this motion, but was concerned about the issue of comparing public vs. private sector compensation.

There were no further Council comments, so at 7:11 p.m., Mayor Leichty accepted public comments on the King-Schrock motion to amend Ordinance 5165 – 2024 Compensation for Elected Officials (Second Reading).

Terry Hartman of Goshen commended **Councilor Riegsecker** for his research. He said comparing the CEO of a city to the CEO of a company was comparing apples to oranges. He said a CEO in the private sector is rewarded for generating revenue for sales of a product and that can't be compared to the success of a mayor running a city and generating revenue by taxing citizens. He said such comparisons were inaccurate.



There were no further public comments, so Mayor Leichty closed the public comment period at 7:12 p.m.

Council President Weddell asked if Councilor Riegsecker's research included the \$5,000 in longevity pay that **Mayor Stutsman** received, which would not apply to the current Mayor. **Councilor Riegsecker** said he didn't subtract that in his analysis. **Council President Weddell** that would mean Goshen's mayor current pay would be \$99,318, which would be just over the average paid to mayors in the 21 cities surveyed by **Councilor Riegsecker**.

There were no further Council comments. Mayor Leichty asked if Councilors were ready to vote.

In response to a question from **Councilor Nisley**, **Mayor Leichty** and **City Attorney Stegelmann** clarified the motion before the Council and its potential impact. **Councilor King** explained how her new motion differed from the one that she made at the last Council meeting.

Mayor Leichty asked the Clerk-Treasurer to conduct a roll call vote.

On a roll call vote, at 7:15 p.m., and by a 5-2 margin, Councilors passed the King-Schrock motion to amend Ordinance 5165, SECTION 2, Additional Compensation, paragraph B, Longevity Increase in Pay, by changing the wording as follows: "Commencing at the beginning of the Mayor's fifth (5th) year in office as Mayor, the Mayor shall receive a longevity increase in pay in the amount of zero dollars (\$0) during each year the Mayor serves as Mayor," thus eliminating the current \$5,000 increase. Councilors King, Nisley, Pérez, Riegsecker and Schrock voted "yes" and Councilors Eichorn and Weddell voted "no."

Mayor Leichty asked if Councilors were no ready to vote on the motion to pass Ordinance 5165, 2024 Compensation for Elected Officials on Second Reading. Council President Weddell indicated that they were.

Clerk-Treasurer Aguirre asked for a clarification on the 2024 pay increase for elected officials. He noted that in the past, the pay increase for elected officials was tied to the increase given to Civil City employees, which previously would have been 3.5% but because of the Council's vote on Ordinance 5166 would now be 5% for 2024. He asked if elected officials would receive a 3.5% increase.

Mayor Leichty said that was correct and that was her recommendation. She said some members of collective bargaining units, including the Police Chief and Assistant Police Chiefs, made a sacrifice and agreed to accept a smaller increase and to allocate some of their bonus to their employees. In solidarity, the Mayor said she proposed that elected officials accept a smaller, 3.5%, increase.

Clerk-Treasurer Aguirre asked if Ordinance 5166 had to be amended to reflect that elected officials would not be receiving the same percentage increase as Civil City employee, as in the past.

City Attorney Stegelmann said each of the salary ordinances stands alone. He said to provide a 5% increase to elected officials would require raising all of the salaries in Ordinance 5166. And a motion would have to be made to do so. **Mayor Leichty** said she wasn't recommending that.

Stegelmann said that at the last Council meeting, Councilors approved Ordinance 5166 on first reading, with a 3.5% increase. So, to raise salaries by 5% would require a motion to do so.



There were no further Council comments Councilors indicated they were ready to vote.

On a voice vote, Councilors unanimously passed Ordinance 5165, 2024 Compensation for Elected Officials, as amended, on Second Reading by a 7-0 margin, with all Councilors present voting yes at 7:19 p.m.

3) Ordinance 5167 – 2024 Compensation for Fire Department Employees (Second Reading)

Mayor Leichty called for the introduction on Second Reading of Ordinance 5167, 2024 Compensation for Fire Department Employees. Council President Weddell asked the Clerk-Treasurer to read Ordinance 5165 by title only, which was done.

Weddell/Schrock moved to approve Ordinance 5167 on Second Reading.

BACKGROUND:

Before the Council, for Second Reading, was Ordinance 5167, the City of Goshen’s proposed 2024 Compensation for Fire Department Employees, including wages and benefits.

Ordinance 5167 is a 12-page document that set forth a wide range of compensation provisions for Fire Department employees, including who is covered, wages, benefits, vacation and sick leave, holiday compensation, longevity increases in pay, uniform allowances, certification pay, classification pay, and more.

	2024 Base Wages:	
Fire Chief	\$3,822.48 Bi-weekly	
Assistant Fire Chief	\$3,577.38 Bi-weekly	
Certified Chief Inspector	\$38.31 per hour	
Chief Inspector	\$35.52 per hour	
Inspector I	\$32.71 per hour	
Inspector II	\$30.87 per hour	
	Annual Base Salary	Base Wage per Hour
Battalion Chief	\$84,398	\$30.62 per hour
Captain	\$71,832	\$26.06 per hour
Ambulance Captain	\$71,832	\$26.06 per hour
Lieutenant	\$68,205	\$24.75 per hour
Ambulance Lieutenant	\$68,205	\$24.75 per hour
Sergeant	\$64,397	\$23.37 per hour
Ambulance Sergeant	\$64,397	\$23.37 per hour
Private	\$62,780	\$22.78 per Hour
Probationary Private	\$62,780	\$22.78 per hour

SUMMARY OF OCT. 16, 2023 COUNCIL DISCUSSION AND FIRST READING OF ORDINANCE 5167:

Mayor Leichty invited comments or questions by Councilors about Ordinance 5167. There were none. There also were no public comments.



On a voice vote, Councilors unanimously passed Ordinance 5167, 2024 Compensation for Fire Department Employees, on First Reading by a 7-0 margin, with all Councilors present voting yes.

After the passage on First Reading of Ordinance 5167, 2024 Compensation for Fire Department Employees, an oversight was discovered, making it necessary to amend Section 5, Firefighters' Pension and Disability Fund. The following was the suggested motion for the amendment:

Move to amend Ordinance 5167, Section 5, Firefighters' Pension and Disability Fund, by deleting the following text from the second sentence, "and the city will pay one percent (1%) of the employee's contribution to the pension plan to the extent the contribution is required by Indiana Code § 36-8-8-8."

The proposed amended version of Ordinance 5167 was attached to the Council meeting packet and posted online.

OCT. 30, 2023 COUNCIL DISCUSSION AND SECOND READING OF ORDINANCE 5167:

Mayor Leichty asked Councilors if they had any questions or comments about Ordinance 5167. There were none.

At 7:19 p.m. Mayor Leichty asked if there were any public comments about Ordinance 5167. There were none. Mayor Leichty asked if Councilors were prepared to vote.

Clerk-Treasurer Aguirre noted that there was a requested amendment to Ordinance 5167 that needed to be considered.

City Attorney Bodie Stegelmann said **City Legal Compliance Administrator Shannon Marks** submitted a memorandum (included in the Council packet). He said that during negotiations with the firefighters union, one item negotiated was the removal of a provision that the City will pay 1% of the employee's contribution to the pension plan to the extent the provision is required by Indiana Code § 36-8-8-8. When Marks prepared Ordinance 5167, Stegelmann said she overlooked that provision of the contract, so the current version of Ordinance 5167 still contains the provision.

Weddell/Nisley moved the amend Ordinance 5167, 2024 Compensation for Fire Department Employees, as proposed by **City Legal Compliance Administrator Shannon Marks**. The motion would amend Ordinance 5167, Section 5, Firefighters' Pension and Disability Fund, by deleting the following text from the second sentence, "and the city will pay one percent (1%) of the employee's contribution to the pension plan to the extent the contribution is required by Indiana Code § 36-8-8-8."

Mayor Leichty invited Council or public comment on the motion to amend Ordinance 5167. There were none.

On a voice vote, Councilors unanimously passed the Weddell-Nisley motion to amend Ordinance 5167, 2024 Compensation for Fire Department Employees, by a 7-0 margin, with all Councilors present voting yes at 7:21 p.m.

Mayor Leichty asked is Councilors were prepared to vote on final passage of Ordinance 5167. Councilors indicated they were.



On a voice vote, Councilors unanimously passed Ordinance 5167, 2024 Compensation for Fire Department Employees, on Second Reading by a 7-0 margin, with all Councilors present voting yes, at 7:21 p.m.

3) Ordinance 5168, 2024 Compensation for Police Department Employees (Second Reading)

Mayor Leichty called for the introduction on Second Reading of Ordinance 5168, 2024 Compensation for Police Department Employees. Council President Weddell asked the Clerk-Treasurer to read Ordinance 5168 by title only, which was done.

Weddell/Nisley moved to approve Ordinance 5168 on Second Reading.

BACKGROUND:

Before the Council, for second reading, was Ordinance 5168, the City of Goshen’s proposed 2024 Compensation for Police Department Employees.

Ordinance 5169 is an 11-page document that sets forth a wide range of compensation provisions for Police Department employees, including who is covered, wages, benefits, vacation, sick and personal leave, holiday compensation, longevity increases in pay, clothing allowances, technical skills pay, specialty pay, shift differentials, court time pay, a residency bonus, a hiring bonus, and more.

2024 Base Wages:

POLICE OFFICERS

Bi-Weekly Salary

Police Chief	\$3,737.08
Assistant Police Chief	\$3,538.77
Division Chief	\$3,376.82

Annual Base Salary Base

Wage per hour

Captain	\$77,557	\$36.83
Lieutenant	\$72,519	\$34.43
School Resource Officer	\$72,519	\$34.43
Detective	\$72,519	\$34.43
Sergeant	\$70,471	\$33.46
Patrol Officer	\$68,045	\$32.31
Probationary Patrol Officer	\$60,386	\$28.67

CIVILIAN EMPLOYEES

Base Wage per Hour

Special Police Officer	\$26.97
Special Police Officer – Investigations & Community Relations	\$27.51
Secretary	\$24.11



SUMMARY OF OCT. 16, 2023 COUNCIL DISCUSSION AND FIRST READING OF ORDINANCE 5168:

Mayor Leichty invited comments or questions by Councilors about Ordinance 5168. There were none. There also were no public comments.

On a voice vote, Councilors unanimously passed Ordinance 5168, 2024 Compensation for Police Department Employees, on First Reading by a 7-0 margin, with all Councilors present voting yes.

Council President Weddell asked if there was unanimous consent by Councilors to proceed to Second Reading of Ordinance 5168, *2024 Compensation for Police Department Employees*. There was not, putting Ordinance 5168 back before the Common Council for Second Reading on Oct. 30, 2023.

OCT. 30, 2023 COUNCIL DISCUSSION AND SECOND READING OF ORDINANCE 5168:

Mayor Leichty asked Councilors if they had any questions or comments about Ordinance 5168.

Council President Weddell said there were no proposed amendments to Ordinance 5168 in the Council packet.

Mayor Leichty asked if there any public comments on Ordinance 5168, *2024 Compensation for Police Department Employees*, which was before the Council for Second Reading. There were none.

Mayor Leichty asked if Councilors were prepared to vote. Councilors Weddell and Eichorn indicated Councilors were ready to vote.

On a voice vote, Councilors unanimously passed Ordinance 5168, 2024 Compensation for Police Department Employees, on Second Reading by a 7-0 margin, with all Councilors present voting yes at 7:22 p.m.

4) Ordinance 5169, Authorization to Appoint Police Reserve Officers and Payment of Compensation in 2024 (SECOND READING)

Mayor Leichty called for the introduction on Second Reading of Ordinance 5169, *Authorization to Appoint Police Reserve Officers and Payment of Compensation in 2024*. Council President Weddell asked the Clerk-Treasurer to read Ordinance 5169 by title only, which was done.

Weddell/Pérez moved to approve Ordinance 5169 on Second Reading.

BACKGROUND:

Before the Council, for first passage, was Ordinance 5169, the City of Goshen's proposed Authorization to Appoint Police Reserve Officers and Payment of Compensation in 2024.

Ordinance 5169 would authorize the City Board of Public Works and Safety to appoint up to 10 Police Reserve Officers to be utilized by the Goshen Police Department. It also would establish the compensation for Police Reserve Officers, which would include a uniform allowance (\$500), court appearance compensation (which is the current overtime rate per hour for a Probationary Patrol Officer) and coverage and pay for a duty-related illness or injury.

SUMMARY OF OCT. 16, 2023 COUNCIL DISCUSSION AND FIRST READING OF ORDINANCE 5169:

Mayor Leichty invited comments or questions by Councilors about Ordinance 5168. There were none. There also were no public comments.



On a voice vote, Councilors unanimously passed Ordinance 5169, *Authorization to Appoint Police Reserve Officers and Payment of Compensation in 2024*, on First Reading by a 7-0 margin, with all Councilors present voting yes.

Council President Weddell asked if there was unanimous consent by Councilors to proceed to Second Reading of Ordinance 5169, *Authorization to Appoint Police Reserve Officers and Payment of Compensation in 2024*. There was not, putting Ordinance 5169 back before the Common Council for Second Reading on Oct. 30, 2023.

OCT. 30, 2023 COUNCIL DISCUSSION AND SECOND READING OF ORDINANCE 5169:

Mayor Leichty asked Councilors if they had any questions or comments about Ordinance 5169.

Councilors Weddell and Eichorn said they didn't see any proposed amendments to Ordinance 5169.

At 7:23 p.m., Mayor Leichty invited public comments on Ordinance 5169, *Authorization to Appoint Police Reserve Officers and Payment of Compensation in 2024*, which was before the Council for Second Reading. There were none.

Mayor Leichty asked if Councilors were prepared to vote. Council President Weddell said they were.

On a voice vote, Councilors unanimously passed Ordinance 5169, *Authorization to Appoint Police Reserve Officers and Payment of Compensation in 2024*, on Second Reading by a 7-0 margin, with all Councilors present voting yes at 7:23 p.m.

Elected Official Reports:

Councilor Nisley offered his congratulations to the Bethany Christian boys' soccer team for winning the Class 1A state championship, which was the schools first state championship in any sport.

Council President Weddell offered congratulations to the Goshen High School marching band and individual cross country runners who also competed in a state championship.

Councilor Riegsecker said it benefitted the Council to be able to consider the salary ordinances during a second Council meeting instead of approving them at a single meeting. He said this delay provided more time for the Mayor and staff to provide more information to the Council. He said the additional time was beneficial.

Council President Weddell thanked **Councilors King** and **Riegsecker** for working together and providing more information to the Council.

Councilor Pérez said he felt good about the Council's work with the **Mayor** and City staff on complex issues tonight. He said the Council didn't have all of the information it would have wanted, but there was a spirit of trust. He said he hopes the next Council has that same relationship.

Councilor Nisley said he wanted to say that his "no" votes earlier in the evening were not because he didn't trust or disagreed with others, but because he wanted to have all of the facts before him, including the completed Baker Tilly study, before final votes.



Councilor King said there is a concept of “trust but verify.” She added that there still will be an opportunity for the Council to take further action on employee salaries when more information is available.

Councilor Riegsecker said he wanted to echo **Councilor Pérez’s** comments. He said he appreciated the **Mayor** reaching out when she has questions or wants to relay information. He said this facilitates the sharing of ideas. He said that is the basis of a good relationship for the **Council** and the **Mayor**.

Mayor Leichty said she appreciated all of the **Councilors** as well as everyone present tonight.

Mayor Leichty asked if there were additional reports/comments by **Councilors**. There were not.

Councilor Nisley made a motion to adjourn the meeting, which was seconded by **Councilor Pérez**.
Councilors unanimously approved the motion to adjourn the meeting.

Mayor Leichty adjourned the meeting at 7:26 p.m.

EXHIBIT #1: A memorandum, dated Oct. 30, 2023, that was titled “Report on Union vs. Non-Union Employees by Department” which was prepared by Mayor Leichty and distributed before the meeting to Councilors for consideration of agenda item 1) Ordinance 5166, 2024 Compensation for Civil City and Utilities Employees (Second Reading).

EXHIBIT #2: A spreadsheet prepared and distributed to Councilors by Councilor Riegsecker that showed the 2022 salaries of mayors of 21 Indiana cities, including Goshen. The spreadsheet included the names of the cities, their populations, their counties, the 2022 salaries and descriptive notes for 10 of the cities. It was distributed during the Council’s consideration of agenda item 2) Ordinance 5165, 2024 Compensation for Elected Officials (Second Reading).

APPROVED:

Gina Leichty, Mayor of Goshen

ATTEST:

Richard R. Aguirre, City Clerk-Treasurer



Meet the Kid Mayor Finalists

Amari Stoll attends Chamberlain Elementary School. Amari enjoys academics, being outside, and joking around with her siblings. Amari says she would make a good Kid Mayor because she is good at being organized and professional.

Lincoln Tolin attends Model Elementary. Lincoln describes himself as kind, helpful, responsible, respectful, and generous to all people in the world. Lincoln loves basketball, football, math, and spending time with his family and friends.

Christopher Budiardja is a student at Chamberlain Elementary School. Christopher loves to play soccer during recess with his classmates. He plays violin and likes to help others. Christopher would like to become the Kid Mayor because he loves Goshen and wants it to be the best community it can be.

Philip Gingerich is a student at Chamberlain. Philip describes himself as funny, smart, and creative. He enjoys spending time with his family. Philip would like to be elected Kid Mayor because he believes he could make a big impact on Goshen.

Elyana Rojas Lopez is a student at Parkside Elementary, where she is an ambassador. She likes reading and can speak both Spanish and English. She would like to be a marine biologist. Elyana would like to be Kid Mayor because she loves to help her community.

Ainsley McPhail attends Prairie View Elementary. Ainsley loves to stay active and play volleyball. She is also a big Baby Yoda fan. Ainsley thinks she would be a good Kid Mayor because if she is elected, she will be responsible and kind.

The election will take place on December 1st. The new kid mayor will be announced at the December 4th city council meeting.



City Clerk-Treasurer

CITY OF GOSHEN

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TO: Mayor Gina Leichty and the Goshen Common Council

FROM: Jeffery Weaver, Deputy Clerk-Treasurer

RE: Proposed Council Resolution 2023-22, Category Transfer

DATE: December 4, 2023

Thank you for considering Resolution 2023-22, Category Transfer, which requests authorization from the Council and Mayor to move available resources between major categories within the City's funds. The Mayor and Clerk-Treasurer requested this resolution because the Common Council is the City's fiscal body which authorizes the City's budget and any budget adjustments.

An appropriation is "permission to spend available money" and is tied to a specific fund. Within a fund there are four spending categories and multiple accounts. The Department of Local Government Finance ("DLGF") requires Council approval to move an appropriation from one category to another. The Council can approve this when a department needs additional room to spend in one category and has available appropriations in another category.

By moving an appropriation from one category to another, the Council is only changing the category from which the City pays an expenditure. The Council is not approving any additional spending, so the fund's total appropriation remains the same.

For each of the category transfers in Resolution 2023-22, a department head recognized a need in one of their budget categories, reported the need to the Mayor and Clerk-Treasurer, and request that the Council approve the transfer so they can continue their operations:

- Central Garage encountered unforeseen costs in outside services,
- The Police Department encountered unexpected equipment and ammunition costs.

If the Council approves the proposed category transfers, the Clerk-Treasurer will then register the adjustments in the City's books and communicate the transfers to the departments. These category transfers are adjustments that only require Council approval to be final, and do not require notification to the DLGF.

**GOSHEN COMMON COUNCIL
Resolution 2023-22**

Category Transfer

WHEREAS it is necessary to transfer funds budget categories to cover expenses.

WHEREAS certain existing budget appropriations have unobligated funds that are available for the category transfer.

NOW, THEREFORE, BE IT RESOLVED that the Goshen Common Council approves the transfer of funds between the following budget categories:

GENERAL FUND CATEGORY TRANSFER FROM:

Budget Category: Personnel
Line Number: 101-510-18-411.0130
Line Name: Central Garage / Full Time Personnel
Amount of the Transfer: (\$10,000.00)

GENERAL FUND CATEGORY TRANSFER TO:

Budget Category: Other Services & Charges
Line Number: 101-510-18-436.0202
Line Name: Central Garage / Outside Services
Amount of the Transfer: \$10,000.00
Purpose of Transfer: To fund unforeseen outside repairs and costs

GENERAL FUND CATEGORY TRANSFER FROM:

Budget Category: Personnel
Line Number: 101-520-11-413.0701
Line Name: Police / Clothing Allowance
Amount of the Transfer: (\$12,000.00)

GENERAL FUND CATEGORY TRANSFER TO:

Budget Category: Supplies
Line Number: 101-520-11-422.0154
Line Name: Police / Other Equipment
Amount of the Transfer: \$12,000.00
Purpose of Transfer: To fund additional equipment for the Police Department

GENERAL FUND CATEGORY TRANSFER FROM:

Budget Category: Personnel
Line Number: 101-520-11-413.1100
Line Name: Police / 2002 Benefit
Amount of the Transfer: (\$20,000.00)

GENERAL FUND CATEGORY TRANSFER TO:

Budget Category: Other Services & Charges
Line Number: 101-520-11-439.0912
Line Name: Police / Education and Promotion
Amount of the Transfer: \$20,000.00
Purpose of Transfer: To fund an ammunition purchase for the Police Department

PASSED by the Goshen Common Council on December _____, 2023.

Presiding Officer

ATTEST:

Richard R. Aguirre, Clerk-Treasurer

PRESENTED to the Mayor of the City of Goshen on December _____, 2023, at _____
a.m./p.m.

Richard R. Aguirre, Clerk-Treasurer

APPROVED and ADOPTED on December _____, 2023.

Gina Leichty, Mayor

ORDINANCE 5172

Establishing a Technology Department

WHEREAS, I.C. § 36-4-9-4 allows a city to establish executive departments necessary to efficiently perform the administrative functions required to fulfill the needs of the city's citizens.

WHEREAS, the City of Goshen has employed both full- and part-time technology employees to provide City departments, staff, and residents with technology-based infrastructure, support, and services since at least 2012.

WHEREAS, the funding for the technology employees, as well as hardware, software licensing and other technology-based infrastructure, support, and services has been included under various City department budgets.

WHEREAS, Mayor Leichty recommends the establishment of a stand-alone Technology Department to more efficiently perform the administrative functions related to technology-based infrastructure, support, and services that are required to fulfill the needs of the City's departments and staff, as well as City of Goshen residents.

NOW THEREFORE, BE IT ORDAINED by the Goshen Common Council that:

SECTION 1. Establishment

A Technology Department is established as one of the executive departments of the City of Goshen.

SECTION 2. Administrative Functions

In an effort to provide efficient, secure, and innovative services to the City of Goshen's departments, staff and residents, while continuously adapting to an increasingly digital world, the administrative functions of the Technology Department shall include, but not be limited to, the following:

- (a) **Infrastructure Management:** The Technology Department will oversee the digital infrastructure crucial for the City's operations, including networks, data centers, and communication systems. This infrastructure supports essential City services like emergency response systems, public utilities, and transportation, as well as internal communication.
- (b) **Data Management and Security:** The City of Goshen generates and stores vast amounts of data, ranging from personal information of residents to operational data of public services. The Technology Department will ensure this data is securely stored, processed, and used in compliance with privacy laws and regulations.
- (c) **Service Delivery and Efficiency:** The Technology Department will play a key role in making City services more efficient and accessible. Online portals for paying bills, submitting applications, and accessing information reduce the need for physical visits to City offices and streamline processes.
- (d) **Smart City Initiatives:** The Technology Department will work to adopt smart City technologies to improve quality of life, sustainability, and economic development. This may include implementing smart grids and data analytics to optimize city services.

- (e) Public Engagement and Communication: The Technology Department will help in developing and maintaining digital platforms for public engagement, allowing residents to interact with City officials, access information about City events and initiatives, and provide feedback.
- (f) Innovation and Future Planning: Keeping abreast of technological advancements, the Technology Department will help plan and implement forward-thinking initiatives, ensuring the City remains competitive and can adapt to future challenges.
- (g) Emergency and Disaster Response: Technology is vital in emergency and disaster response, from ensuring robust communication systems to deploying resources effectively. The Technology Department will play a crucial role in maintaining and upgrading these critical systems.
- (h) Budget and Cost Management: The Technology Department will assist the City of Goshen in achieving cost savings and better budget management, automating processes, and reducing the need for manual intervention.

SECTION 3. Appointment of Technology Director

- (a) The Technology Department shall be administered by a Technology Director. This department head position shall be appointed by and serve at the pleasure of the Mayor.
- (b) The Technology Director shall have such duties and responsibilities as are reasonably necessary to perform the administrative functions of the Technology Department.

SECTION 4. Effective Date

This ordinance shall be in full force and effect from and after its passage, approval and adoption according to the laws of the State of Indiana.

PASSED by the Goshen Common Council on _____, 20____.

Presiding Officer

ATTEST:

Richard R. Aguirre, Clerk-Treasurer

PRESENTED to the Mayor of the City of Goshen on _____, 20____, at the hour of _____:_____m.

Richard R. Aguirre, Clerk-Treasurer

APPROVED and ADOPTED on _____, 20____.

Gina M. Leichty, Mayor

ORDINANCE 5174

Amend Ordinance 5168, 2024 Compensation for Police Department Employees

WHEREAS, Ordinance 5168, 2024 Compensation for Police Department Employees, was passed by the Goshen Common Council on October 30, 2023.

WHEREAS, City administration discovered that the 2024 base wages per hour for the civilian employees' positions were increased 3.5% from 2023 base wages per hour rather than 5%.

NOW, THEREFORE, BE IT ORDAINED by the Goshen Common Council that Ordinance 5168, 2024 Compensation for Police Department Employees, EXHIBIT A, 2024 Base Wages, shall be amended by increasing the 2024 base wages per hour for the civilian employees' positions 5% from the 2023 base wages per hour. The amended 2024 base wages per hour are set forth in the attached EXHIBIT A, 2024 Base Wages.

PASSED by the Goshen Common Council on December _____, 2023.

Presiding Officer

ATTEST:

Richard R. Aguirre, Clerk-Treasurer

PRESENTED to the Mayor on December _____, 2023, at the hour of _____: _____ .m.

Richard R. Aguirre, Clerk-Treasurer

APPROVED and ADOPTED on December _____, 2023.

Gina M. Leichty, Mayor

EXHIBIT A
2024 Base Wages
(As Amended by Ordinance 5174)

POLICE OFFICERS

		<u>Bi-Weekly Salary</u>
Police Chief		\$3,737.08
Assistant Police Chief		\$3,538.77
Division Chief		\$3,376.82
	<u>Annual Base Salary</u>	<u>Base Wage per Hour</u>
Captain	\$77,557	\$36.83
Lieutenant	\$72,519	\$34.43
School Resource Officer	\$72,519	\$34.43
Detective	\$72,519	\$34.43
Sergeant	\$70,471	\$33.46
Patrol Officer	\$68,045	\$32.31
Probationary Patrol Officer	\$60,386	\$28.67

CIVILIAN EMPLOYEES

	<u>Base Wage per Hour</u>
Special Police Officer	\$27.36
Special Police Officer – Investigations & Community Relations	\$27.91
Secretary	\$24.45



Rhonda L. Yoder, AICP
PLANNING & ZONING DEPARTMENT, CITY OF GOSHEN
204 East Jefferson Street, Suite 4 • Goshen, IN 46528-3405

Phone (574) 537-3815 • Fax (574) 533-8626 • TDD (574) 534-3185
rhodayoder@goshencity.com • www.goshenindiana.org

MEMORANDUM

TO: Goshen Common Council
FROM: Rhonda L. Yoder, City Planner
DATE: December 4, 2023
RE: Ordinance 5173 – Cherry Creek PUD

The Goshen City Plan Commission met November 21, 2023, in regular session and considered a rezoning from Residential R-3 to Residential R-3PUD (Planned Unit Development), a PUD major change for property zoned R-3PUD to be incorporated into the new Cherry Creek PUD, and PUD preliminary site plan approval, for an R-3 area ±211 acres and an R-3PUD area ±24.4 acres, with adjacent right of way and parcels intended for right of way, generally located west of Dierdorff Road, north of Waterford Mills Parkway, east of Regent Street, and south of Waterford Mills Parkway on both sides of Regent Street, with the following outcome:

Forwarded to the Goshen Common Council with a favorable recommendation by a vote of 7-0.

The recommendation is based upon the following:

1. The proposed Cherry Creek PUD is consistent with the existing mixed use land development within the adjacent Waterford Commons PUD.
2. The proposed development is consistent with the Comprehensive Plan, including:
 - Neighborhoods & Housing, Goal N-7: Expand housing options and opportunities.
 - Neighborhoods & Housing, Goal N-6: Encourage compact and connected residential development.
 - Land Use, Goal L-7: Encourage small-scale, neighborhood commercial development.
 - Transportation, Goal T-4: Increase pedestrian/biking options.

With approval the following PUD standards shall apply:

1. Except as modified by specific PUD conditions, the approved PUD preliminary site plan is *Cherry Creek Planned Unit Development, Sheets 1-12*, dated 10-30-2023, by Abonmarche Consultants, Inc.
2. Cherry Creek PUD is a mixed use, residential and commercial development, and permitted and conditional uses will follow the R-3 District and the B-2 District, with the following exceptions:
 - Restaurants with drive-through permitted;
 - Landscaping companies (non-retail) permitted;
 - Bus terminals prohibited;
 - Gas stations prohibited;
 - Land reclamation projects prohibited.
3. Maximum residential unit density will be calculated using the overall Cherry Creek area, including common areas but excluding public right of way.
4. Sidewalks and trails will be installed generally per Exhibit G, Active Transportation Network, with final locations determined during subdivision review. In phase two, the trail along the north property line, adjacent to Villas at Waterford Commons Second, should be relocated south of the berm/landscaping.
5. Minimum parking requirements will be calculated as follows:
 - One vehicle space per 400 square feet of commercial gross floor area;

- Two bicycle spaces per 10,000 square feet of commercial gross floor area;
 - Stacking spaces for drive through uses per the Zoning Ordinance;
 - No minimum parking for common area uses;
 - Residential parking per the Zoning Ordinance; and
 - On street parking spaces included in total space count for provided parking.
6. Partial landscaping will be implemented with two options, option one following the Zoning Ordinance formula and option two an undulating berm with one evergreen tree for every 25' of applicable lot line, with grouped planting.
 7. Maximum building length up to 400' is permitted for mixed use buildings.
 8. Signs will follow the PUD Narrative (pages 9-14, to be incorporated into the PUD ordinance). Signs for phase two mixed-use buildings will follow signs as proposed for the phase one mixed use buildings. Changes to the sign plan shall be reviewed by the Plan Commission as a minor change.
 9. For mixed use buildings, lighting shall be directed down and away from adjacent residential properties, and shall minimize illumination, glare or reflection onto adjacent residential properties, with a lighting plan required as part of the PUD final site plan submittal.
 10. Lot size, lot width, building height, building coverage and setbacks are not subject to specific standards, but provided lot size, lot width, setbacks and building coverage must ensure adequate space to meet all developmental requirements, such as landscaping and parking, and to maintain access for all services (fire protection, utilities, mail delivery, trash collection, for example).

Review process conditions include:

1. The overall primary subdivision, and the secondary subdivision for each phase, shall be reviewed and approved before development occurs, excluding earth work with an approved permit.
2. A PUD final site plan, including landscaping and lighting plans, shall be submitted with each subdivision phase, and approved prior to a zoning clearance form/building permit being issued.
3. Site plan approval by Goshen Engineering is required for site drainage, post construction, site utilities and right-of-way access, as applicable, before a zoning clearance/building permit is issued.
4. The Goshen Fire Department shall approve the plan for fire protection (including hydrant placement and access) as part of PUD final site plan approval.

Prior to the Plan Commission meeting, one inquiry was made to the Planning office asking for more details about the PUD rezoning process.

At the Plan Commission meeting, there were several comments related to heavy traffic on County Road 40, and the need for a traffic light at County Road 40 and US 33 (which is a State intersection). In response to the traffic light comment, Public Works Director Dustin Sailor stated that INDOT is looking at a signal at US 33 and County Road 40, possibly around 2027.

Please Note: Exhibits A-1, B and C of Ordinance 5173 are not duplicated in the Staff Report.

Ordinance 5173

Amend Ordinance 3011 by Rezoning Real Estate Hereinafter Described from Residential R-3 District to Residential R-3 District with a Planned Unit Development (PUD) Overlay District, to be Known as the Cherry Creek PUD, and Amend Ordinances 3384 and 3970, Known as the Waterford Commons PUD (Planned Unit Development)

WHEREAS Cherry Creek, LLC, Waterford Commons Business Park, LLC, and City of Goshen submitted an application on the 1st day of November 2023 to rezone the real estate hereinafter described from Residential R-3 District to Residential R-3 District with a Planned Unit Development (PUD) Overlay District, and to allow a major change to previously approved Planned Unit Development (Overlay) ordinances, and the Goshen City Plan Commission did after proper legal notice conduct a hearing on said Petition as provided by the Law on the 21st day of November 2023, and did recommend the adoption of this Ordinance by a vote of 7-0.

NOW, THEREFORE be it ordained by the Common Council of the City of Goshen, Indiana, that:

Property generally located west of Dierdorff Road, north of Waterford Mills Parkway, east of Regent Street, and south of Waterford Mills Parkway on both sides of Regent Street, including adjacent right of way and City parcels intended for public right of way, containing ± 211 acres, and more particularly described as follows:

A PART OF THE SOUTH HALF OF SECTION 27 AND A PART OF THE WEST HALF OF SECTION 26, ALL IN TOWNSHIP 36 NORTH, RANGE 6 EAST, CITY OF GOSHEN, ELKHART TOWNSHIP, ELKHART COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHEAST QUARTER; THENCE NORTH 01 DEGREE 04 MINUTES 08 SECONDS WEST ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 250.00 FEET TO THE NORTHEAST CORNER OF A TRACT OF LAND DESCRIBED IN INSTRUMENT NUMBER 94-009769 IN THE OFFICE OF THE ELKHART COUNTY RECORDER AND THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE SOUTH 89 DEGREES 19 MINUTES 17 SECONDS WEST ALONG THE NORTH LINE OF SAID TRACT, ALONG THE NORTH LINE OF SOUTHSIDE ESTATES SUBDIVISION AS RECORDED IN PLAT BOOK 13, PAGE 28, IN THE OFFICE OF THE RECORDER OF ELKHART COUNTY, AND ALONG THE NORTH LINES OF THOSE TRACTS DESCRIBED IN INSTRUMENTS NUMBERED 2000-14804, 2004-22086, AND DEED RECORD 371, PAGE 358 IN THE OFFICE OF THE RECORDER OF ELKHART COUNTY, A DISTANCE OF 2301.82 FEET TO THE EAST LINE OF A TRACT OF LAND DESCRIBED IN INSTRUMENT NUMBER 2000-28350 IN THE OFFICE OF THE RECORDER OF ELKHART COUNTY; THENCE NORTH 01 DEGREE 02 MINUTES 18 SECONDS WEST ALONG SAID EAST LINE, 50.00 FEET TO THE NORTHEAST CORNER OF SAID TRACT; THENCE SOUTH 89 DEGREES 19 MINUTES 17 SECONDS WEST ALONG THE NORTH LINE OF SAID TRACT AND ALONG THE NORTH LINE OF A TRACT OF LAND DESCRIBED IN INSTRUMENT NUMBER 2002-45062 IN THE OFFICE OF RECORDER OF ELKHART COUNTY, 325.01 FEET TO THE WEST LINE OF SAID SOUTHEAST QUARTER; THENCE NORTH 01 DEGREE 02 MINUTES 18 SECONDS WEST ALONG SAID WEST LINE, 134.19 FEET TO THE NORTHEAST CORNER OF PLEASANT PRAIRIE SUBDIVISION AS RECORDED IN PLAT BOOK 3, PAGE 122, IN THE OFFICE OF THE RECORDER OF ELKHART COUNTY, INDIANA; THENCE SOUTH 89 DEGREES 09 MINUTES 13 SECONDS WEST ALONG THE NORTH LINE OF SAID PLEASANT PRAIRIE SUBDIVISION, 1000.35 FEET TO THE NORTHEAST CORNER OF LOT 8 IN SAID SUBDIVISION; THENCE SOUTH 89 DEGREES 09 MINUTES 13 SECONDS WEST ALONG SAID NORTH LINE, 21.41 FEET TO A POINT ON THE CURVED EASTERLY BOUNDARY ON REGENT STREET AS DEDICATED AND DESCRIBED IN INSTRUMENT NUMBER 2003-14265; THENCE NORTHERLY ALONG SAID EASTERLY BOUNDARY 607.90 FEET ALONG A NON-TANGENT ARC TO THE RIGHT HAVING A RADIUS OF 2759.89 FEET AND SUBTENDED BY A LONG CHORD BEARING NORTH 06 DEGREES 26 MINUTES 03" EAST, 606.67 FEET TO THE SOUTH CORNER OF A TRACT OF LAND DESCRIBED IN INSTRUMENTS NUMBERED 2001-42758 AND 2001-42579; THENCE NORTH 59 DEGREES 55 MINUTES 11

SECONDS EAST ALONG THE SOUTHEASTERLY LINE OF SAID TRACTS, 108.20 FEET; THENCE NORTH 89 DEGREES 24 MINUTES 48 SECONDS EAST ALONG THE SOUTH LINE OF SAID INSTRUMENTS, 165.83 FEET; THENCE ALONG THE FOLLOWING TWENTY COURSES, SAID COURSES BEING ALONG THE SOUTH LINE OF SAID CITY OF GOSHEN, INDIANA TRACTS; THENCE NORTH 89 DEGREES 47 MINUTES 39 SECONDS EAST, 104.02 FEET; THENCE NORTH 60 DEGREES 18 MINUTES 28 SECONDS EAST, 234.99 FEET; THENCE SOUTH 79 DEGREES 41 MINUTES 43 SECONDS EAST, 125.01 FEET; THENCE NORTH 12 DEGREES 12 MINUTES 50 SECONDS WEST, 175.01 FEET; THENCE NORTH 24 DEGREES 44 MINUTES 47 SECONDS EAST, 370.10 FEET; THENCE NORTH 52 DEGREES 50 MINUTES 22 SECONDS EAST, 250.01 FEET; THENCE SOUTH 60 DEGREES 09 MINUTES 38 SECONDS EAST, 200.00 FEET; THENCE SOUTH 05 DEGREES 09 MINUTES 38 SECONDS EAST, 165.00 FEET; THENCE NORTH 65 DEGREES 05 MINUTES 22 SECONDS EAST, 120.00 FEET; THENCE SOUTH 79 DEGREES 24 MINUTES 38 SECONDS EAST, 170.00 FEET; THENCE SOUTH 15 DEGREES 24 MINUTES 38 SECONDS EAST, 190.00 FEET; THENCE SOUTH 77 DEGREES 09 MINUTES 38 SECONDS EAST, 260.00 FEET; THENCE SOUTH 36 DEGREES 09 MINUTES 38 SECONDS EAST, 150.00 FEET; THENCE NORTH 29 DEGREES 50 MINUTES 22 SECONDS EAST, 285.00 FEET; THENCE NORTH 43 DEGREES 15 MINUTES 22 SECONDS EAST, 370.00 FEET; THENCE NORTH 53 DEGREES 42 MINUTES 07 SECONDS EAST, 40.41 FEET; THENCE NORTH 07 DEGREES 59 MINUTES 59 SECONDS WEST, 120.00 FEET TO A REBAR; THENCE NORTH 26 DEGREES 45 MINUTES 01 SECOND EAST, 150.00 FEET; THENCE NORTH 65 DEGREES 30 MINUTES 01 SECOND EAST, 150.00 FEET; THENCE SOUTH 77 DEGREES 59 MINUTES 59 SECONDS EAST, 180.00 FEET TO THE MOST EASTERLY CORNER OF SAID CITY OF GOSHEN, INDIANA PARCEL; THENCE SOUTH 26 DEGREES 59 MINUTES 59 SECONDS EAST ALONG THE WESTERLY LINE OF A PARCEL OF LAND CONVEYED TO THE GOSHEN COMMUNITY SCHOOLS AS DESCRIBED AND RECORDED IN THE OFFICE OF THE RECORDER OF ELKHART COUNTY IN INSTRUMENT NUMBER 2004-35409, A DISTANCE OF 150.00 FEET TO THE SOUTHWEST CORNER OF SAID GOSHEN COMMUNITY SCHOOLS PARCEL; THENCE NORTH 88 DEGREES 57 MINUTES 41 SECONDS EAST ALONG THE SOUTH LINE OF SAID GOSHEN COMMUNITY SCHOOLS PARCEL, A DISTANCE OF 830.89 FEET TO THE SOUTHEAST CORNER OF SAID GOSHEN COMMUNITY SCHOOLS PARCEL; THENCE NORTH 00 DEGREES 42 MINUTES 46 SECONDS WEST ALONG THE EAST LINE OF SAID GOSHEN COMMUNITY SCHOOLS PARCEL AND THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 26, A DISTANCE OF 735.01 FEET TO THE WEST QUARTER CORNER OF SECTION 26, TOWNSHIP 36 NORTH, RANGE 6 EAST; THENCE NORTH 00 DEGREES 52 MINUTES 41 SECONDS WEST ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 26, 496.54 FEET TO THE SOUTHWEST CORNER OF THE RECORD PLAT OF THE VILLAS OF WATERFORD COMMONS SECOND PUD AS RECORDED IN PLAT BOOK 36, PAGE 71, IN THE OFFICE OF THE RECORDER OF ELKHART COUNTY; THENCE NORTH 89 DEGREES 31 MINUTES 40 SECONDS EAST ALONG THE SOUTH LINE OF SAID PLAT AND THE EASTERLY EXTENSION THEREOF, 1272.70 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF DIERDORFF ROAD; THENCE CONTINUING NORTH 89 DEGREES 31 MINUTES 40 SECONDS EAST, 47.50 FEET TO THE CENTERLINE OF DIERDORFF ROAD; THENCE SOUTH 00 DEGREES 38 MINUTES 19 SECONDS EAST ALONG SAID CENTERLINE, 3142.18 FEET TO A POINT ON THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 26; THENCE SOUTH 89 DEGREES 15 MINUTES 58 SECONDS WEST ALONG SAID SOUTH LINE, 694.71 FEET TO THE EAST LINE OF SOUTHSIDE MINOR SUBDIVISION AS RECORDED IN PLAT BOOK 22, PAGE 56 IN THE OFFICE OF THE RECORDER OF ELKHART COUNTY; THENCE NORTH 01 DEGREE 04 MINUTES 08 SECONDS WEST ALONG SAID EAST LINE, 230.00 FEET TO THE NORTHEAST CORNER OF SAID SOUTHSIDE MINOR SUBDIVISION; THENCE SOUTH 89 DEGREES 15 MINUTES 58 SECONDS WEST ALONG THE NORTH LINE OF SAID SUBDIVISION, 330.01 FEET TO THE EAST LINE OF A TRACT OF LAND DESCRIBED IN INSTRUMENT NUMBER 96-01755 IN THE OFFICE OF THE RECORDER OF ELKHART COUNTY, INDIANA; THENCE NORTH 01 DEGREE 04 MINUTES 08 SECONDS WEST ALONG SAID EAST LINE, 20.00 FEET TO THE NORTHEAST CORNER OF SAID TRACT; THENCE SOUTH 89 DEGREES 15 MINUTES 59 SECONDS WEST, 290.00 FEET TO THE POINT OF BEGINNING. CONTAINING 199.72 ACRES, MORE OR LESS.

And

A PART OF THE SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 36 NORTH, RANGE 6 EAST, CITY OF GOSHEN, ELKHART TOWNSHIP, ELKHART COUNTY, INDIANA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT NUMBER ONE (1) AS THE SAID LOT IS KNOWN AND DESIGNATED ON THE PLAT OF PLEASANT PRAIRIE SUBDIVISION, A SUBDIVISION IN ELKHART TOWNSHIP, SAID PLAT BEING RECORDED IN THE OFFICE OF THE RECORDER OF ELKHART COUNTY IN PLAT BOOK 3, PAGE 122; THENCE ON AN ASSUMED BEARING ALONG THE EAST LINE OF THE RIGHT OF WAY OF THE C. C. C. & ST. LOUIS RAILROAD, 599.44 FEET TO THE SOUTHWEST CORNER OF A PARCEL OF LAND CONVEYED TO THE CITY OF GOSHEN, INDIANA AS DESCRIBED AND RECORDED IN THE OFFICE OF THE RECORDER OF ELKHART COUNTY IN INSTRUMENT NUMBER 2008-19890; THENCE NORTH 89 DEGREES 26 MINUTES 23 SECONDS EAST ALONG THE SOUTH LINE OF SAID CITY OF GOSHEN PARCEL, 868.26 FEET TO THE SOUTHEAST CORNER OF SAID CITY OF GOSHEN PARCEL; THENCE SOUTHERLY ALONG THE WESTERLY RIGHT OF WAY LINE OF REGENT STREET, A SIXTY FOOT RIGHT OF WAY AS DEDICATED TO THE CITY OF GOSHEN, INDIANA IN A DOCUMENT RECORDED IN THE OFFICE OF THE RECORDER OF ELKHART COUNTY IN INSTRUMENT NUMBER 2003 14265, BEING ON THE ARC OF A 2819.89 FOOT RADIUS CURVE TO THE LEFT, CONCAVE TO THE EAST, 606.34 FEET (CHORD BEARING SOUTH 06 DEGREES 39 MINUTES 14 SECONDS WEST, CHORD DISTANCE 605.17 FEET) TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 00 DEGREES 29 MINUTES 41 SECONDS WEST ALONG THE WEST LINE OF THE RIGHT OF WAY OF SAID REGENT STREET, 0.02 FEET TO THE NORTH LINE OF THE PLAT OF AFORESAID PLEASANT PRAIRIE SUBDIVISION; THENCE SOUTH 89 DEGREES 30 MINUTES 32 SECONDS WEST ALONG THE NORTH LINE OF THE PLAT OF SAID PLEASANT PRAIRIE SUBDIVISION, 791.35 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION. CONTAINING 11.278 ACRES, MORE OR LESS.

All of the above shall be rezoned from Residential R-3 District to Residential R-3 District with a Planned Unit Development (PUD) Overlay District, and the zone maps designated and referred to in Ordinance No. 3011 shall hereby be amended and ordered amended to reflect such classification and rezoning of said real estate.

AND

NOW, THEREFORE be it ordained by the Common Council of the City of Goshen, Indiana, that:

Ordinances 3384 and 3970 of the Waterford Commons PUD be amended as follows:

1. That the Goshen Plan Commission did after a public hearing determine the amendment to be a major change.
2. That the PUD major change removes the following described property from the Waterford Commons PUD and incorporates the following described property into the Cherry Creek PUD:

A PART OF SECTION 27, TOWNSHIP 36 NORTH, RANGE 6 EAST, ELKHART TOWNSHIP, ELKHART COUNTY, INDIANA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A STEEL PLATE MARKING THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 27; THENCE NORTH 89 DEGREES, 39 MINUTES, 36 SECONDS WEST, 1700.87 FEET, ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER, AND COUNTY ROAD 38; THENCE SOUTH 00 DEGREES, 06 MINUTES, 15 SECONDS WEST, 211.71 FEET, ALONG THE CENTERLINE OF WEYMOUTH BOULEVARD, TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 770.0 FEET AND A DELTA ANGLE OF 14 DEGREES, 29 MINUTES, 29 SECONDS; THENCE SOUTHWARDLY AND SOUTHWESTWARDLY, 194.75 FEET, ALONG SAID CURVE AND CENTERLINE, TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 14 DEGREES, 35 MINUTES, 44 SECONDS WEST, 319.31 FEET, ALONG SAID CENTERLINE, TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 1546.92 FEET AND A DELTA ANGLE OF 45 DEGREES, 19 MINUTES, 09 SECONDS; THENCE SOUTHWESTWARDLY,

SOUTHWARDLY, AND SOUTHEASTWARDLY, 1223.57 FEET, ALONG SAID CURVE AND CENTERLINE, TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 30 DEGREES, 43 MINUTES, 25 SECONDS EAST, 128.9 FEET, ALONG SAID CENTERLINE, TO THE POINT OF INTERSECTION OF THE CENTERLINE OF WEYMOUTH BOULEVARD WITH THE CENTERLINE OF REGENT STREET; THENCE SOUTH 59 DEGREES, 07 MINUTES, 27 SECONDS WEST, 330.06 FEET, ALONG THE CENTERLINE OF REGENT STREET, TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 4218.54 FEET; THENCE SOUTHWESTWARDLY, 21.2 FEET, ALONG SAID CURVE AND CENTERLINE; THENCE SOUTH 31 DEGREES, 09 MINUTES, 50 SECONDS EAST, 30 FEET, ALONG A LINE RADIAL TO SAID CURVE, TO A REBAR ON THE SOUTHEASTERLY RIGHT-OF-WAY OF REGENT STREET, MARKING THE NORTHERNMOST CORNER OF WATERFORD CROSSING; THENCE SOUTHWESTWARDLY, 1249.72 FEET, ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 4188.54 FEET AND A DELTA ANGLE OF 17 DEGREES, 05 MINUTES, 42.5 SECONDS, TO A REBAR MARKING THE WESTERNMOST CORNER OF WATERFORD CROSSING, THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE SOUTH 38 DEGREES, 53 MINUTES, 39 SECONDS EAST, 330.00 FEET, TO A REBAR; THENCE NORTH 64 DEGREES, 38 MINUTES, 02 SECONDS EAST, 342.67 FEET, TO A REBAR; THENCE SOUTH 33 DEGREES, 44 MINUTES, 57 SECONDS EAST, 325.91 FEET, TO A REBAR; THENCE SOUTH 78 DEGREES, 44 MINUTES, 59 SECONDS EAST, 182.34 FEET, TO A REBAR; THENCE SOUTH 19 DEGREES, 51 MINUTES, 13 SECONDS EAST, 268.86 FEET, TO A REBAR; THENCE SOUTH 77 DEGREES, 56 MINUTES, 50 SECONDS EAST, 216.85 FEET, TO A REBAR; THENCE NORTH 34 DEGREES, 13 MINUTES, 30 SECONDS EAST, 641.01 FEET, TO A REBAR; THENCE NORTH 74 DEGREES, 01 MINUTE, 26 SECONDS EAST, 350.42 FEET; THENCE SOUTH 26 DEGREES, 59 MINUTES, 59 SECONDS EAST, 200.0 FEET; THENCE NORTH 77 DEGREES 59 MINUTES, 59 SECONDS WEST, 180.0 FEET; THENCE SOUTH 65 DEGREES, 30 MINUTES, 01 SECOND WEST, 150.0 FEET; THENCE SOUTH 26 DEGREES, 45 MINUTES, 01 SECOND WEST, 150.0 FEET; THENCE SOUTH 07 DEGREES, 59 MINUTES, 59 SECONDS EAST, 120.0 FEET; THENCE SOUTH 53 DEGREES, 42 MINUTES, 07 SECONDS WEST, 40.41 FEET; THENCE SOUTH 43 DEGREES, 50 MINUTES, 22 SECONDS WEST, 370.00 FEET; THENCE SOUTH 29 DEGREES, 50 MINUTES, 22 SECONDS WEST, 285.0 FEET; THENCE NORTH 36 DEGREES, 09 MINUTES, 38 SECONDS WEST, 150.0 FEET; THENCE NORTH 77 DEGREES, 09 MINUTES, 38 SECONDS WEST, 260.0 FEET; THENCE NORTH 15 DEGREES, 24 MINUTES, 38 SECONDS WEST, 190.0 FEET; THENCE NORTH 79 DEGREES, 24 MINUTES, 38 SECONDS WEST, 170.0 FEET; THENCE SOUTH 65 DEGREES, 05 MINUTES, 22 SECONDS WEST, 120.0 FEET; THENCE NORTH 05 DEGREES, 09 MINUTES, 38 SECONDS WEST, 165.0 FEET; THENCE NORTH 60 DEGREES, 09 MINUTES, 38 SECONDS WEST, 200.0 FEET; THENCE SOUTH 52 DEGREES, 50 MINUTES, 22 SECONDS WEST, 250.01 FEET; THENCE SOUTH 24 DEGREES, 44 MINUTES, 47 SECONDS WEST, 370.1 FEET; THENCE SOUTH 12 DEGREES, 12 MINUTES 50 SECONDS EAST, 175.01 FEET; THENCE NORTH 79 DEGREES, 41 MINUTES 43 SECONDS WEST, 125.01 FEET; THENCE SOUTH 60 DEGREES, 18 MINUTES, 28 SECONDS WEST, 234.99 FEET; THENCE SOUTH 89 DEGREES, 47 MINUTES, 39 SECONDS WEST, 270.14 FEET; THENCE SOUTH 60 DEGREES, 18 MINUTES, 02 SECONDS WEST, 108.2 FEET, TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF REGENT STREET; THENCE NORTHEASTWARDLY, 1343.69 FEET, ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 2759.89 FEET AND A DELTA ANGLE OF 27 DEGREES, 53 MINUTES, 42 SECONDS, TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 41 DEGREES, 01 MINUTE, 13 SECONDS EAST, 76.95 FEET, ALONG SAID RIGHT-OF-WAY, TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 4188.54 FEET AND A DELTA ANGLE OF 00 DEGREES, 43 MINUTES, 15 SECONDS; THENCE NORTHEASTWARDLY, 52.7 FEET, ALONG SAID CURVE AND RIGHT-OF-WAY, TO THE POINT OF BEGINNING CONTAINING 26.3 ACRES, MORE OR LESS.

LESS AND EXCEPTING:

A PART OF THE SOUTH HALF (S 1/2) OF SECTION 27, TOWNSHIP 36 NORTH, RANGE 6 EAST, ELKHART TOWNSHIP, ELKHART COUNTY, INDIANA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A HARRISON MONUMENT FOUND FLUSH WITH THE ASPHALT MARKING THE NORTHEAST CORNER OF SECTION 27, TOWNSHIP 36 NORTH, RANGE 6 EAST, ELKHART TOWNSHIP, ELKHART COUNTY, INDIANA. THENCE NORTH 89 DEGREES 39 MINUTES 36 SECONDS WEST ALONG THE NORTH LINE OF THE NORTHEAST QUARTER (NE 1/4) OF SAID SECTION 27, A DISTANCE OF 1700.87 FEET, TO THE CENTERLINE OF WEYMOUTH BOULEVARD; THENCE SOUTH 00 DEGREES 06 MINUTES 15 SECONDS WEST ALONG THE SAID CENTERLINE OF WEYMOUTH BOULEVARD, A DISTANCE OF 211.71 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, CONCAVE TO THE NORTHWEST; THENCE ALONG SAID CURVE TO THE RIGHT (RADIUS=770.00 FEET, ARC=194.75 FEET, DELTA=14 DEGREES 29 MINUTES 29 SECONDS, CHORD=194.35 FEET, CHORD DIRECTION=SOUTH 07 DEGREES 21 MINUTES 16 SECONDS WEST), A DISTANCE OF 194.75 FEET; THENCE CONTINUING ALONG THE CENTERLINE OF WEYMOUTH BOULEVARD ON A BEARING OF SOUTH 14 DEGREES 35 MINUTES 44 SECONDS WEST, A DISTANCE OF 319.31 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, CONCAVE TO THE EAST; THENCE ALONG SAID CURVE TO THE LEFT (RADIUS=1546.92 FEET, ARC=1223.57 FEET, DELTA=45 DEGREES 19 MINUTES 09 SECONDS, CHORD=1191.92 FEET, CHORD DIRECTION=SOUTH 08 DEGREES 03 MINUTES 51 SECONDS EAST), ALONG SAID CENTERLINE, A DISTANCE OF 1223.57 FEET; THENCE SOUTH 30 DEGREES 43 MINUTES 25 SECONDS EAST, ALONG SAID CENTERLINE, A DISTANCE OF 128.90 FEET TO THE INTERSECTION OF SAID CENTERLINE OF WEYMOUTH BOULEVARD WITH THE CENTERLINE OF REGENT STREET; THENCE SOUTH 59 DEGREES 07 MINUTES 27 SECONDS WEST ALONG THE CENTERLINE OF SAID REGENT STREET, A DISTANCE OF 330.06 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, CONCAVE TO THE SOUTHEAST; THENCE ALONG SAID CURVE TO THE LEFT (RADIUS=4218.54 FEET, ARC=21.20 FEET, DELTA=00 DEGREES 17 MINUTES 17 SECONDS, CHORD=21.20 FEET, CHORD DIRECTION=SOUTH 58 DEGREES 58 MINUTES 49 SECONDS WEST), A DISTANCE OF 21.20 FEET; THENCE SOUTH 31 DEGREES 09 MINUTES 50 SECONDS EAST, A DISTANCE OF 30.00 FEET TO A POINT ON THE SOUTHEASTERLY RIGHT OF WAY LINE OF SAID REGENT STREET; THENCE SOUTHWESTERLY ALONG SAID SOUTHEASTERLY RIGHT OF WAY LINE OF REGENT STREET AND BEING ALONG A CURVE TO THE LEFT, CONCAVE TO SOUTHEAST (RADIUS=4188.54 FEET, ARC=1249.72 FEET, DELTA=17 DEGREES 05 MINUTES 43 SECONDS, CHORD=1297.16 FEET, CHORD DIRECTION=SOUTH 49 DEGREES 55 MINUTES 41 SECONDS WEST), A DISTANCE OF 1249.72 FEET TO THE WESTERN MOST CORNER OF WATERFORD CROSSING, LLC AS RECORDED IN INSTRUMENT NUMBER 0099-21688 IN THE OFFICE OF THE RECORDER OF ELKHART COUNTY; THENCE SOUTH 38 DEGREES 53 MINUTES 39 SECONDS EAST, A DISTANCE OF 330.00 FEET TO A SET REBAR WITH CAP STAMPED BRADS-KO 0041 AND BEING THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE NORTH 64 DEGREE 38 MINUTES 02 SECONDS EAST, A DISTANCE OF 342.67 FEET TO A SET REBAR WITH CAP STAMPED BRADS-KO 0041; THENCE SOUTH 33 DEGREE 44 MINUTES 57 SECONDS EAST, A DISTANCE OF 325.91 FEET TO A SET REBAR WITH CAP STAMPED BRADS-KO 0041; THENCE SOUTH 78 DEGREES 44 MINUTES 59 SECONDS EAST, A DISTANCE OF 66.88 FEET TO A SET REBAR WITH CAP STAMPED BRADS-KO 0041; THENCE SOUTH 11 DEGREES 26 MINUTES 45 SECONDS WEST, A DISTANCE OF 95.37 FEET TO A SET REBAR WITH CAP STAMPED BRADS-KO 0041; THENCE NORTH 82 DEGREES 12 MINUTES 30 SECONDS WEST, A DISTANCE OF 339.65 FEET TO A SET REBAR WITH CAP STAMPED BRADS-KO 0041 AND ALSO BEING THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, CONCAVE TO THE NORTHEAST; THENCE ALONG SAID CURVE TO THE RIGHT (RADIUS=220.00 FEET, ARC=172.56 FEET, DELTA=44 DEGREES 56 MINUTES 24 SECONDS, CHORD=168.17 FEET, CHORD DIRECTION=NORTH 59 DEGREES 54 MINUTES 14 SECONDS WEST), A DISTANCE OF 172.56 FEET TO A SET REBAR WITH CAP STAMPED BRADS-KO 0041; THENCE NORTH 37 DEGREES 26 MINUTES 02 SECONDS WEST, A DISTANCE OF 56.26 FEET TO A SET REBAR WITH CAP STAMPED BRADS-KO 0041, ALSO BEING THE POINT OF CURVATURE OF A CURVE TO THE LEFT, CONCAVE TO THE SOUTHWEST; THENCE ALONG SAID CURVE TO THE LEFT (RADIUS=80.82 FEET, ARC=33.30 FEET, DELTA=23 DEGREES 36 MINUTES 35 SECONDS, CHORD=33.07 FEET, CHORD DIRECTION=NORTH 47 DEGREES 36 MINUTES 05 SECONDS WEST), A DISTANCE OF 33.30 FEET TO A SET REBAR WITH CAP STAMPED BRADS-KO 0041; THENCE NORTH 56 DEGREES 45 MINUTES 59 SECONDS WEST, A DISTANCE OF 25.65 FEET TO

A SET REBAR WITH CAP STAMPED BRADS-KO 0041; THENCE NORTH 51 DEGREES 06 MINUTES 21 SECONDS EAST, A DISTANCE OF 30.92 FEET TO THE AFOREMENTIONED POINT OF BEGINNING, CONTAINING 2.663 ACRES, MORE OR LESS.

The Cherry Creek PUD includes the following specific PUD standards:

1. Except as modified by specific PUD conditions, the approved PUD preliminary site plan is *Cherry Creek Planned Unit Development, Sheets 1-12*, dated 10-30-2023, by Abonmarche Consultants, Inc., incorporated as Exhibit C.
2. Cherry Creek PUD is a mixed use, residential and commercial development, and permitted and conditional uses will follow the R-3 District and the B-2 District, with the following exceptions:
 - Restaurants with drive-through permitted;
 - Landscaping companies (non-retail) permitted;
 - Bus terminals prohibited;
 - Gas stations prohibited;
 - Land reclamation projects prohibited.
3. Maximum residential unit density will be calculated using the overall Cherry Creek area, including common areas but excluding public right of way.
4. Sidewalks and trails will be installed generally per Exhibit B, Active Transportation Network, with final locations determined during subdivision review. In phase two, the trail along the north property line, adjacent to Villas at Waterford Commons Second, should be relocated south of the berm/landscaping.
5. Minimum parking requirements will be calculated as follows:
 - One vehicle space per 400 square feet of commercial gross floor area;
 - Two bicycle spaces per 10,000 square feet of commercial gross floor area;
 - Stacking spaces for drive through uses per the Zoning Ordinance;
 - No minimum parking for common area uses;
 - Residential parking per the Zoning Ordinance; and
 - On street parking spaces included in total space count for provided parking.
6. Partial landscaping will be implemented with two options, option one following the Zoning Ordinance formula and option two an undulating berm with one evergreen tree for every 25' of applicable lot line, with grouped planting.
7. Maximum building length up to 400' is permitted for mixed use buildings.
8. Signs will generally follow the PUD sign plan in Exhibits A and A-1. Signs for phase two mixed-use buildings will follow signs as proposed for the phase one mixed use buildings. Changes to the sign plan shall be reviewed by the Plan Commission as a minor change.
9. For mixed use buildings, lighting shall be directed down and away from adjacent residential properties, and shall minimize illumination, glare or reflection onto adjacent residential properties, with a lighting plan required as part of the PUD final site plan submittal.
10. Lot size, lot width, building height, building coverage and setbacks are not subject to specific standards, but provided lot size, lot width, setbacks and building coverage must ensure adequate space to meet all developmental requirements, such as landscaping and parking, and to maintain access for all services (fire protection, utilities, mail delivery, trash collection, for example).

PASSED by the Common Council of the City of Goshen on _____, 2023.

Presiding Officer

Attest:

Richard R. Aguirre, Clerk-Treasurer

PRESENTED to the Mayor of the City of Goshen on _____, 2023 at _____ a.m./p.m.

Richard R. Aguirre, Clerk-Treasurer

APPROVED AND ADOPTED by the Mayor of the City of Goshen on _____, 2023.

Gina Leichty, Mayor

Exhibit A
Cherry Creek Signs

SIGNAGE

THE FOLLOWING IS A PRELIMINARY SIGNAGE STRATEGY FOR CHERRY CREEK PUD. GENERAL SIGN LOCATIONS ARE INCLUDED ON THE SITE PLAN (EXHIBIT C). IN ADDITION, WALL SIGNS ARE IDENTIFIED ON THE PRELIMINARY EXTERIOR ELEVATION SHEET 200 PROVIDED BY ANCON (SEE EXHIBIT A-1). THESE PLANS ARE NOT FINAL BUT PROVIDE THE BEST AVAILABLE INFORMATION FOR WALL SIGNAGE AT THIS TIME.

3-MONUMENT-STYLE, FREESTANDING SIGNS WILL BE INSTALLED, ONE AT EACH ENTRANCE INTO THE SUBDIVISION AS INDICATED ON THE SITE PLAN (LOCATED ON WATERFORD MILLS PARKWAY, DIERDORFF ROAD, AND REGENT STREET). THESE SIGNS WILL HAVE EXTERIOR ILLUMINATION FROM SPOTLIGHTS THAT WILL BE FOCUSED DIRECTLY ON THE SIGN FACE. THESE SIGNS WILL BE LOCATED IN THE DEDICATED MEDIAN AT EACH ENTRANCE INTO THE COMMUNITY. THE SIGNS WILL LOOK SIMILAR BUT THE MAIN ENTRANCE SIGN LOCATED ON WATERFORD MILLS PARKWAY WILL BE LARGER (F-1) WHILE THE OTHER TWO WILL BE SLIGHTLY SMALLER (F-2).

A PROTOTYPE FOR MONUMENT-STYLE, FREESTANDING SIGN



F-1 MONUMENT-STYLE, FREESTANDING SIGN – MAIN ENTRANCE

THE MAIN ENTRANCE WILL BE LOCATED ON WATERFORD MILLS PARKWAY. THIS SIGN AREA IS PROPOSED TO BE 6 FEET HIGH BY 13 FEET WIDE UP TO 80 SQUARE FEET. A PROTOTYPE FOR THE SIGN FACE OF THE MONUMENT-STYLE, FREESTANDING SIGN FOR THE MAIN ENTRANCE IS PROVIDED BELOW. PROPOSED LOCATIONS FOR THESE SIGNS ARE SHOWN ON THE SITE PLAN (EXHIBIT C).



F-2 MONUMENT-STYLE, FREESTANDING SIGNS – SECONDARY ENTRANCES

THE SECONDARY ENTRANCES WILL BE LOCATED ON DIERDORFF ROAD AND REGENT STREET. EACH OF THESE SIGN AREAS ARE PROPOSED TO BE 5 FEET HIGH BY 11 FEET WIDE UP TO 55 SQUARE FEET. A PROTOTYPE FOR THE SIGN FACE OF THE MONUMENT-STYLE, FREESTANDING SIGN FOR THE SECONDARY ENTRANCES IS PROVIDED BELOW. PROPOSED LOCATIONS FOR THESE SIGNS ARE SHOWN ON THE SITE PLAN (EXHIBIT C).



EACH MONUMENT SIGN SHALL PROVIDE A MINIMUM OF 2 SQUARE FEET OF LANDSCAPE AREA ALONG THE BASE OF THE SIGN FOR EVERY 1 SQUARE FOOT OF SIGN FACE. MONUMENT SIGN LANDSCAPE AREAS SHALL BE COMPRISED OF A MIX OF SHRUBS, ORNAMENTAL GRASSES, AND FLOWERING PERENNIALS. LANDSCAPING IN AREAS WILL BE DESIGNED, INSTALLED AND MAINTAINED BY THE DEVELOPER UNDER THE APPROVED ECONOMIC DEVELOPMENT AGREEMENT.

F-3 FREESTANDING TEMPORARY SIGNAGE

TWO TEMPORARY SIGNS TO BE DISPLAYED DURING CONSTRUCTION WILL BE INSTALLED AT THE CORNER OF DIERDORFF AND WATERFORD MILLS PARKWAY AND THE CORNER OF WATERFORD MILLS PARKWAY AND REGENT STREET. THESE SIGNS WILL BE IN PLACE DURING CONSTRUCTION AND REMOVED WHEN THE PERMANENT ENTRANCE SIGNS ARE INSTALLED. THEY WILL BE STANDARD CONSTRUCTION STYLE SIGNS NO GREATER THAN 4 FEET WIDE BY 8 FEET LONG. ALUMINUM COMPOSITE ON WOOD POSTS. PROPOSED LOCATIONS FOR THESE SIGNS ARE SHOWN ON THE SITE PLAN (EXHIBIT C).

PROTOTYPE FOR TEMPORARY FREESTANDING SIGN



F-4 FREESTANDING PARKING LOT AND WAYFINDING SIGNAGE

UP TO 8 SIGNS WILL BE INSTALLED TO PROVIDE INFORMATION FOR VISITORS TO THE COMMUNITY ON WHERE TO FIND PARKING AS WELL AS TO IDENTIFY DIRECTIONS TO THE MIXED-USE BUILDINGS. THESE SIGNS WILL BE NO MORE THAN 32 SQUARE FEET OR 8 FEET IN HEIGHT. CURRENT SIGNS PROPOSED TO BE 3 FEET WIDE BY 6 FEET HIGH OR 18 SQUARE FEET.

PROPOSED LOCATIONS FOR THESE SIGNS ARE SHOWN ON THE SITE PLAN (EXHIBIT C).

PROTOTYPE FOR FREESTANDING PARKING LOT AND WAYFINDING SIGNAGE



P-1 PROJECTING SIGNS

ONE-PROJECTING SIGN WILL BE INSTALLED FOR EACH STORE FRONT. THE SIGN WILL NOT EXCEED 2 FEET HIGH BY 3 FEET WIDE OR 6 SQUARE FEET. THE SIGN WILL BE MOUNTED UNDER THE AWNINGS ON THE FIRST FLOOR OF THE MIXED USED BUILDINGS. THE LOWEST POINT OF THE SIGN WILL NOT BE LESS THAN 8 FEET ABOVE GRADE. THESE SIGNS MAY BE ILLUMINATED, AS THEY WILL BE LOCATED UNDER THE AWNING THERE SHOULD BE NO IMPACT ON THE RESIDENTIAL UNITS IN THE MIXED-USE BUILDING. NONE OF THESE SIGNS WILL FACE RESIDENTIAL UNITS. PROPOSED LOCATIONS FOR THESE SIGNS ARE SHOWN ON THE MIXED USE BUILDING ELEVATIONS (EXHIBIT A-1).

PROTOTYPE FOR PROJECTING SIGNS



W-1 BUILDING IDENTIFICATION WALL SIGNS (STREET FRONT)

AT THE CORNER OF EACH BUILDING, A WALL-MOUNTED BUILDING IDENTIFICATION SIGN WILL BE INSTALLED. THE SIGN WILL BE LOCATED EITHER ON THE AWING FACE OR ON THE WALL. AS THE FINAL BUILDING FAÇADE AND AWNINGS HAVE NOT BEEN DESIGNED, THE FINAL SIGN LOCATION CANNOT BE DETERMINED. EITHER THE WALL OR AWNING WILL BE SIGNED, NOT BOTH. THESE SIGNS WILL BE 3 FEET BY 7 FEET OR 21 SQUARE FEET AND WILL NOT BE ILLUMINATED. PROPOSED LOCATIONS FOR THESE SIGNS ARE SHOWN ON THE MIXED USE BUILDING ELEVATIONS (EXHIBIT A-1).

PROTOTYPE FOR W-1 BUILDING IDENTIFICATION WALL SIGNS



W-2 BUILDING IDENTIFICATION WALL SIGNS (PARKING LOT SIDE)

ALONG THE REAR OR SIDE OF EACH OF THE MIXED-USE BUILDINGS ALONG THE PARKING LOT, A BUILDING IDENTIFICATION WALL-MOUNTED SIGN WILL BE INSTALLED. THESE SIGNS WILL BE 2 FEET BY 16 FEET OR 32 SQUARE FEET AND WILL NOT BE ILLUMINATED. PROPOSED LOCATIONS FOR THESE SIGNS ARE SHOWN ON THE MIXED USE BUILDING ELEVATIONS (EXHIBIT A-1).

PROTOTYPE FOR W-2 BUILDING IDENTIFICATION WALL SIGNS



W-3 PARKING ENTRANCE/EXIT WALL SIGNS (PARKING LOTS ON THE FIRST FLOOR OF EACH MIXED-USE BUILDINGS)

EACH OF THESE SIGNS WILL BE 3.5 FEET BY 15 FEET OR A MAXIMUM OF 53 SQUARE FEET AND WILL NOT BE ILLUMINATED. THESE WALL SIGNS WILL BE PLACED ABOVE THE ENTRANCE/EXIT DOOR INTO EACH OF THE MIXED-USE BUILDING PARKING AREAS. AS THESE WILL BE PRIVATE PARKING SPACES, IT WILL BE NECESSARY TO INFORM DRIVERS THEY CANNOT ACCESS THE LOT UNLESS THEY HAVE A RESERVED SPACE. PROPOSED LOCATIONS FOR THESE SIGNS ARE SHOWN ON THE MIXED USE BUILDING ELEVATIONS (EXHIBIT A-1).

PROTOTYPE FOR W-3 PARKING ENTRANCE/EXIT WALL SIGNS



W-4 WINDOW SIGNS

EACH OF THE BUSINESSES IN THE COMMERCIAL STORE FRONTS IN THE MIXED-USE BUILDINGS WILL BE ALLOWED TO HAVE WINDOW SIGNS PROVIDED THAT THE SIGN DOES NOT OCCUPY MORE THAN TWENTY-FIVE PERCENT (25%) OF THE TOTAL AREA OF THE WINDOW FACING THE STREET FRONTAGE UP TO A MAXIMUM OF 20 SQUARE FEET IN AREA.

W-5 WALL SIGNS FOR BUILDINGS ON MAINTENANCE LOT

ONE IDENTIFICATION SIGN PER BUILDING WILL BE INSTALLED ON THE 3 NON-RESIDENTIAL BUILDINGS ON THE MAINTENANCE LOT. SIGNS WILL BE 2 FEET BY 3 FEET – 6 SQUARE FEET AND WILL NOT BE ILLUMINATED.

EXHIBIT A-1



1 WEST ELEVATION
A200 SCALE: 1/16" = 1'-0"



W-3 Building Identification Sign



2 SOUTH ELEVATION
A200 SCALE: 1/16" = 1'-0"



3 EAST ELEVATION
A200 SCALE: 1/16" = 1'-0"



W-1 Building Identification Sign



4 CORNER ELEVATION
A200 SCALE: 1/16" = 1'-0"



5 NORTH ELEVATION
A200 SCALE: 1/16" = 1'-0"



ANCON CONSTRUCTION

BEFORE WE DESIGN,
BEFORE WE BUILD...
WE LISTEN

100% EMPLOYEE OWNED

ANCONCONSTRUCTION.COM

2146 ELKHART RD.
GOSHEN, INDIANA 46526

PHONE: (574)533-9561
FAX: (574)534-5546

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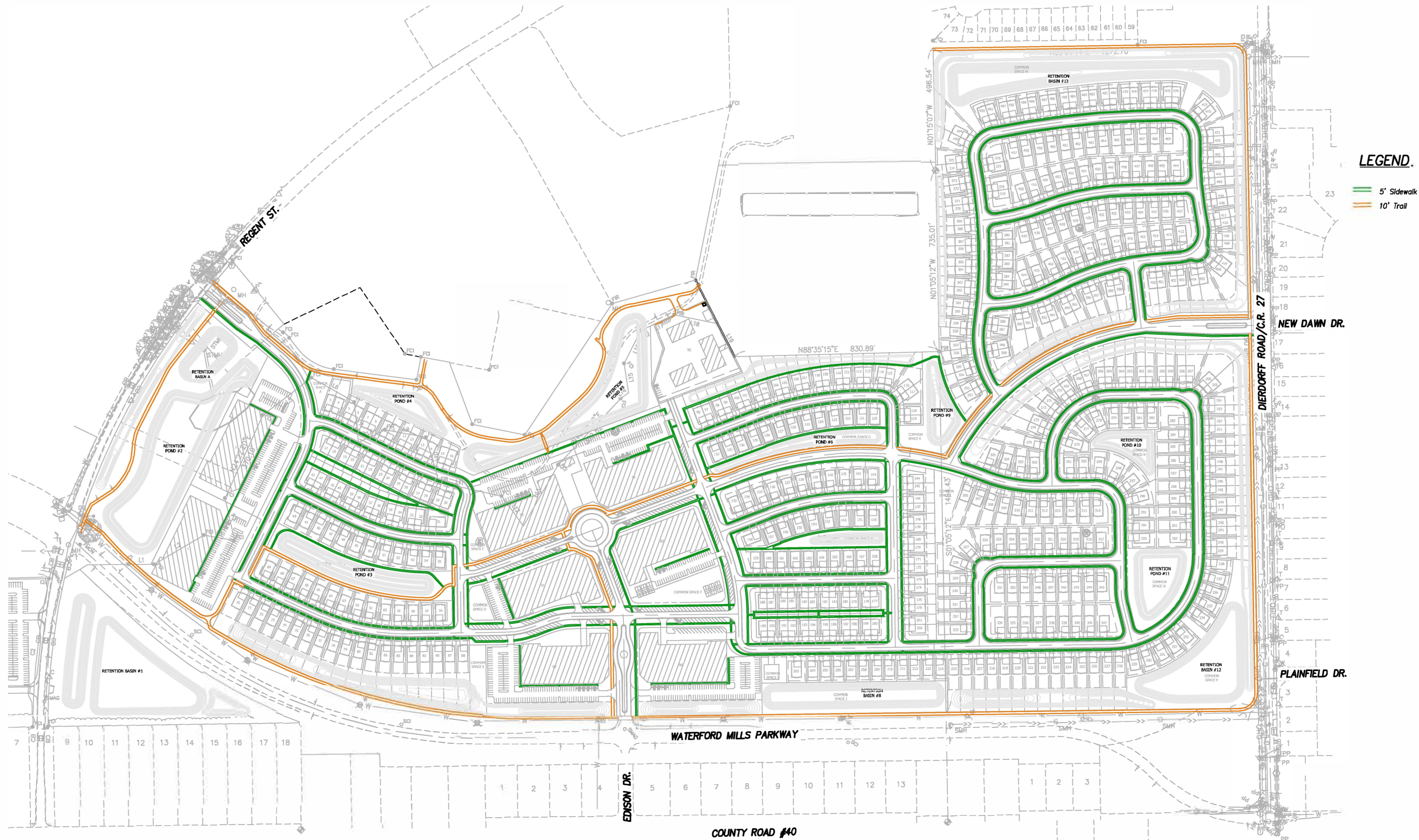
NOT FOR CONSTRUCTION DRAWINGS

ISSUE DATE	
PROGRAMMING EXHIBIT	09.29.2023

NEW CONDOMINIUM BUILDING
CHERRY CREEK DEVELOPMENT
GOSHEN, INDIANA
EXTERIOR ELEVATIONS

JOB NUMBER
23.5008
SHEET NUMBER
A200

Exhibit B: Active Transportation Network



LEGEND

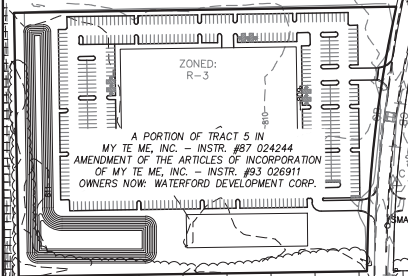
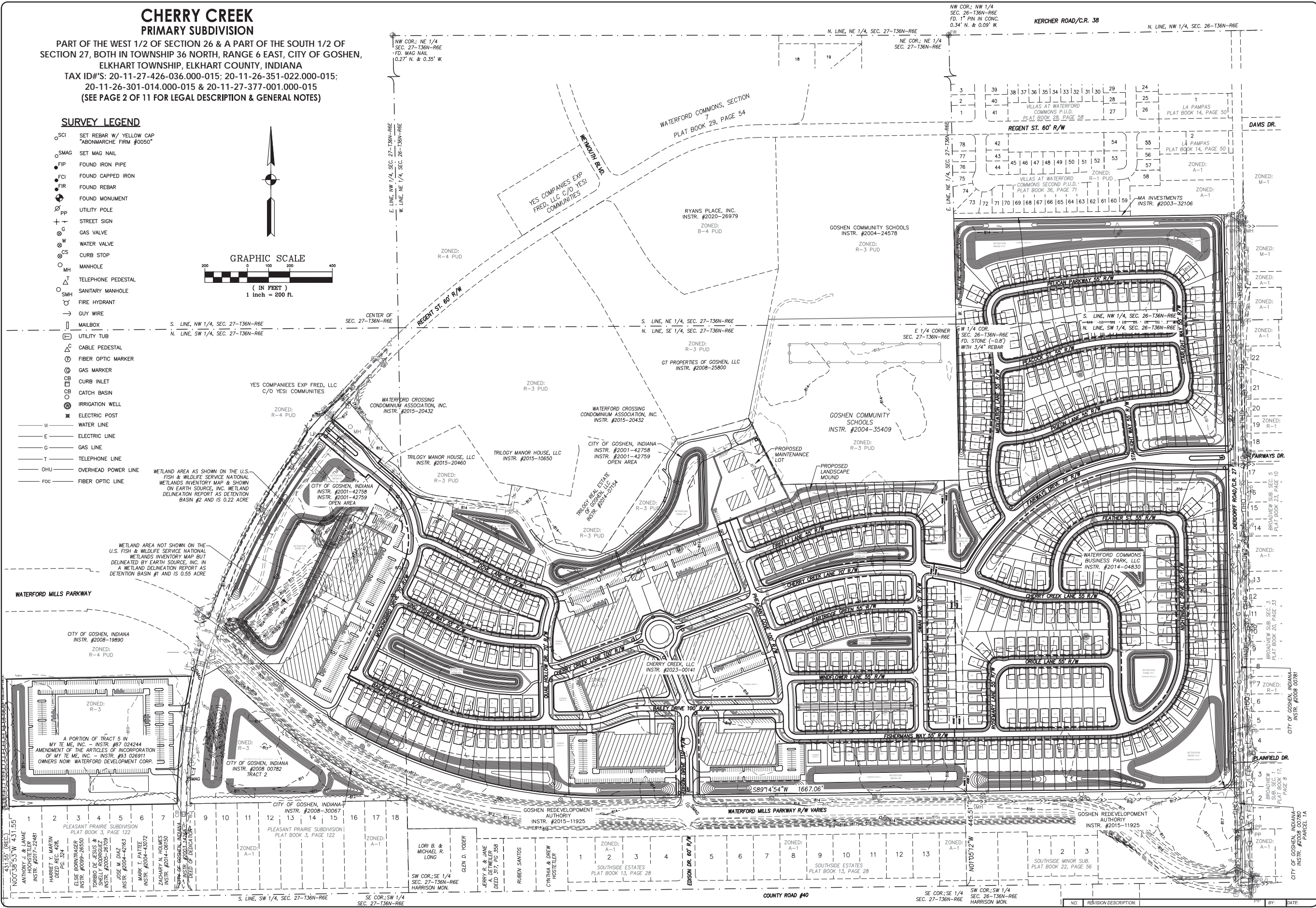
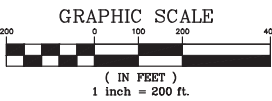
- 5' Sidewalk
- 10' Trail

CHERRY CREEK PRIMARY SUBDIVISION

PART OF THE WEST 1/2 OF SECTION 26 & A PART OF THE SOUTH 1/2 OF SECTION 27, BOTH IN TOWNSHIP 36 NORTH, RANGE 6 EAST, CITY OF GOSHEN, ELKHART TOWNSHIP, ELKHART COUNTY, INDIANA
TAX ID#S: 20-11-27-426-036.000-015; 20-11-26-351-022.000-015; 20-11-26-301-014.000-015 & 20-11-27-377-001.000-015
(SEE PAGE 2 OF 11 FOR LEGAL DESCRIPTION & GENERAL NOTES)

SURVEY LEGEND

- SCI SET REBAR W/ YELLOW CAP "ABONMARCHÉ FIRM #0050"
- SMAG SET MAG NAIL
- FIP FOUND IRON PIPE
- FCI FOUND CAPPED IRON
- FIR FOUND REBAR
- FIM FOUND MONUMENT
- PP UTILITY POLE
- G STREET SIGN
- V GAS VALVE
- W WATER VALVE
- CS CURB STOP
- MH MANHOLE
- TP TELEPHONE PEDESTAL
- SMH SANITARY MANHOLE
- FHY FIRE HYDRANT
- GW GUY WIRE
- M MAILBOX
- C CABLE PEDESTAL
- FOM FIBER OPTIC MARKER
- GI GAS INLET
- CB CATCH BASIN
- IW IRRIGATION WELL
- EP ELECTRIC POST
- WL WATER LINE
- EL ELECTRIC LINE
- GL GAS LINE
- TL TELEPHONE LINE
- OHP OVERHEAD POWER LINE
- FOC FIBER OPTIC LINE



1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
PLEASANT PRAIRIE SUBDIVISION PLAT BOOK 3, PAGE 122																	
PLEASANT PRAIRIE SUBDIVISION PLAT BOOK 3, PAGE 122																	

ABONMARCHÉ
 303 River Race Drive, Unit 208
 Goshen, IN 46526
 Phone: 765.233.9111
 Fax: 765.233.9113
 abonmarc@abonmarc.com

CHERRY CREEK
 WATERFORD MILLS PARKWAY
 REGENT STREET/DIERDORFF ROAD
 GOSHEN, IN 46526

PROJECT:
 PLANNED UNIT DEVELOPMENT

SHEET TITLE:
 DRAWN BY: TRM/KG
 DESIGNED BY: KG
 PM REVIEW: BEM
 QA/QC REVIEW: RAN
 DATE: 09-27-2023
 SEAL:

SIGNATURE:
 DATE: 10-30-2023
 SCALE: 1" = 200'
 ACI JOB #: 22-1784
 SHEET NO: 1 of 12

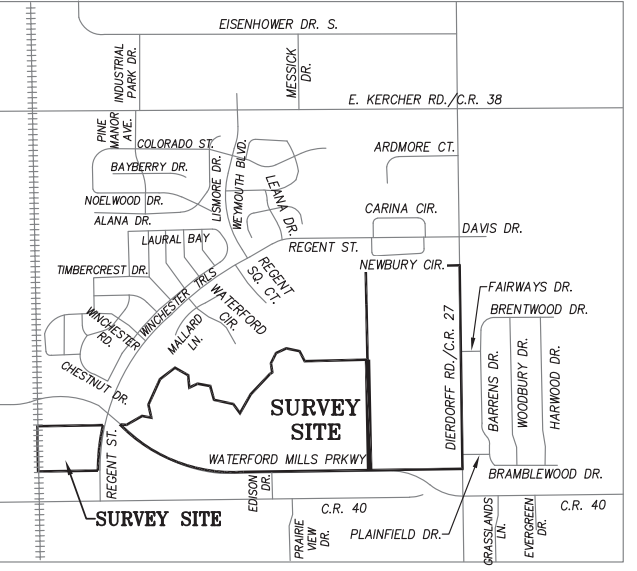
CHERRY CREEK PRIMARY SUBDIVISION

PART OF THE WEST 1/2 OF SECTION 26 & A PART OF THE SOUTH 1/2 OF SECTION 27, BOTH IN TOWNSHIP 36 NORTH, RANGE 6 EAST, CITY OF GOSHEN, ELKHART TOWNSHIP, ELKHART COUNTY, INDIANA
TAX ID#S: 20-11-27-426-036.000-015; 20-11-26-351-022.000-015; 20-11-26-301-014.000-015 & 20-11-27-377-001.000-015

OPEN AREA LEGAL DESCRIPTION

A PART OF SECTION 27, TOWNSHIP 36 NORTH, RANGE 6 EAST, ELKHART TOWNSHIP, ELKHART COUNTY, INDIANA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A STEEL PLATE MARKING THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 27; THENCE NORTH 89 DEGREES, 39 MINUTES, 36 SECONDS WEST, 1700.87 FEET, ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER, AND COUNTY ROAD 38; THENCE SOUTH 00 DEGREES, 08 MINUTES, 15 SECONDS WEST, 211.71 FEET, ALONG THE CENTERLINE OF WEYMOUTH BOULEVARD, TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 770.0 FEET AND A DELTA ANGLE OF 14 DEGREES, 29 MINUTES, 29 SECONDS; THENCE SOUTHWARDLY AND SOUTHWESTWARDLY, 194.75 FEET, ALONG SAID CURVE, TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 14 DEGREES, 35 MINUTES, 44 SECONDS WEST, 319.31 FEET, ALONG SAID CENTERLINE, TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 1546.92 FEET AND A DELTA ANGLE OF 45 DEGREES, 19 MINUTES, 09 SECONDS; THENCE SOUTHWARDLY, SOUTHWARDLY, AND SOUTHWARDLY, 1223.57 FEET, ALONG SAID CURVE AND CENTERLINE, TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 30 DEGREES, 43 MINUTES, 25 SECONDS EAST, 128.9 FEET, ALONG SAID CENTERLINE, TO THE POINT OF INTERSECTION OF THE CENTERLINE OF WEYMOUTH BOULEVARD WITH THE CENTERLINE OF REGENT STREET; THENCE SOUTH 59 DEGREES, 07 MINUTES, 27 SECONDS WEST, 330.06 FEET, ALONG THE CENTERLINE OF REGENT STREET, TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 4218.54 FEET; THENCE SOUTHWARDLY, 21.2 FEET, ALONG SAID CURVE AND CENTERLINE, THENCE SOUTH 31 DEGREES, 09 MINUTES, 50 SECONDS EAST, 30 FEET, ALONG A LINE RADIAL TO SAID CURVE, TO A REBAR ON THE SOUTHEASTELY RIGHT-OF-WAY OF REGENT STREET, MARKING THE NORTHERNMOST CORNER OF WATERFORD CROSSING; THENCE SOUTHWARDLY, 1249.72 FEET, ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 4188.54 FEET AND A DELTA ANGLE OF 17 DEGREES, 05 MINUTES, 42.5 SECONDS, TO A REBAR MARKING THE WESTERMOST CORNER OF WATERFORD CROSSING, THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE SOUTH 38 DEGREES, 53 MINUTES, 39 SECONDS EAST, 330.00 FEET, TO A REBAR; THENCE NORTH 64 DEGREES, 38 MINUTES, 02 SECONDS EAST, 342.67 FEET, TO A REBAR; THENCE SOUTH 33 DEGREES, 44 MINUTES, 57 SECONDS EAST, 325.91 FEET, TO A REBAR; THENCE SOUTH 79 DEGREES, 44 MINUTES, 59 SECONDS EAST, 162.34 FEET, TO A REBAR; THENCE SOUTH 19 DEGREES, 51 MINUTES, 13 SECONDS EAST, 268.86 FEET, TO A REBAR; THENCE SOUTH 77 DEGREES, 56 MINUTES, 50 SECONDS EAST, 216.85 FEET, TO A REBAR; THENCE NORTH 14 DEGREES, 13 MINUTES, 40 SECONDS EAST, 641.01 FEET, TO A REBAR; THENCE NORTH 74 DEGREES, 01 MINUTE, 26 SECONDS EAST, 350.42 FEET; THENCE SOUTH 26 DEGREES, 59 MINUTES, 59 SECONDS EAST, 200.0 FEET; THENCE NORTH 77 DEGREES 59 MINUTES, 59 SECONDS WEST, 180.0 FEET; THENCE SOUTH 65 DEGREES, 30 MINUTES, 01 SECOND WEST, 150.0 FEET; THENCE SOUTH 26 DEGREES, 45 MINUTES, 01 SECOND WEST, 150.0 FEET; THENCE SOUTH 07 DEGREES, 59 MINUTES, 59 SECONDS EAST, 120.0 FEET; THENCE SOUTH 53 DEGREES, 42 MINUTES, 07 SECONDS WEST, 40.41 FEET; THENCE SOUTH 43 DEGREES, 50 MINUTES, 22 SECONDS WEST, 370.00 FEET; THENCE SOUTH 12 DEGREES, 12 MINUTES 50 SECONDS EAST, 175.01 FEET; THENCE NORTH 79 DEGREES, 41 MINUTES 43 SECONDS WEST, 125.01 FEET; THENCE SOUTH 60 DEGREES, 18 MINUTES, 28 SECONDS WEST, 234.99 FEET; THENCE SOUTH 89 DEGREES, 47 MINUTES, 39 SECONDS WEST, 270.14 FEET; THENCE SOUTH 60 DEGREES, 18 MINUTES, 02 SECONDS WEST, 108.2 FEET, TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF REGENT STREET, THENCE NORTHWESTWARDLY, 1343.69 FEET, ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 2759.89 FEET AND A DELTA ANGLE OF 27 DEGREES, 53 MINUTES, 42 SECONDS; TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 41 DEGREES, 01 MINUTE, 13 SECONDS EAST, 76.95 FEET, ALONG SAID RIGHT-OF-WAY, TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 4188.54 FEET AND A DELTA ANGLE OF 17 DEGREES, 05 MINUTES, 42.5 SECONDS; THENCE NORTHWARDLY, 52.7 FEET, ALONG SAID CURVE AND RIGHT-OF-WAY, TO THE POINT OF BEGINNING CONTAINING 26.3 ACRES, MORE OR LESS.

EXCEPTION PARCEL A PART OF THE SOUTH HALF (S 1/2) OF SECTION 27, TOWNSHIP 36 NORTH, RANGE 6 EAST, ELKHART TOWNSHIP, ELKHART COUNTY, INDIANA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A HARRISON MONUMENT FOUND FLUSH WITH THE ASPHALT MARKING THE NORTHEAST CORNER OF SECTION 27, TOWNSHIP 36 NORTH, RANGE 6 EAST, ELKHART TOWNSHIP, ELKHART COUNTY, INDIANA, THENCE NORTH 89 DEGREES 39 MINUTES 36 SECONDS WEST ALONG THE NORTH LINE OF THE NORTHEAST QUARTER (NE 1/4) OF SAID SECTION 27, A DISTANCE OF 1700.87 FEET, TO THE CENTERLINE OF WEYMOUTH BOULEVARD; THENCE SOUTH 00 DEGREES 08 MINUTES 15 SECONDS WEST ALONG THE SAID CENTERLINE OF WEYMOUTH BOULEVARD, A DISTANCE OF 211.71 FEET TO THE CENTERLINE OF A CURVE TO THE RIGHT, CONCAVE TO THE NORTHWEST; THENCE ALONG SAID CURVE TO THE RIGHT (RADIUS=770.00 FEET, ARC=194.75 FEET, DELTA=14 DEGREES 29 MINUTES 29 SECONDS, CHORD=194.35 FEET, CHORD DIRECTION= SOUTH 07 DEGREES 21 MINUTES 16 SECONDS WEST), A DISTANCE OF 194.75 FEET; THENCE CONTINUING ALONG THE CENTERLINE OF WEYMOUTH BOULEVARD ON A BEARING OF SOUTH 14 DEGREES 35 MINUTES 44 SECONDS WEST, A DISTANCE OF 319.31 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, CONCAVE TO THE EAST; THENCE ALONG SAID CURVE TO THE LEFT (RADIUS=1546.92 FEET, ARC=1223.57 FEET, DELTA=45 DEGREES 19 MINUTES 09 SECONDS, CHORD=1191.92 FEET, CHORD DIRECTION= SOUTH 08 DEGREES 03 MINUTES 51 SECONDS EAST), ALONG SAID CENTERLINE, A DISTANCE OF 1223.57 FEET; THENCE SOUTH 30 DEGREES 43 MINUTES 25 SECONDS EAST, ALONG SAID CENTERLINE, A DISTANCE OF 128.90 FEET TO THE INTERSECTION OF SAID CENTERLINE OF WEYMOUTH BOULEVARD WITH THE CENTERLINE OF REGENT STREET; THENCE SOUTH 59 DEGREES 07 MINUTES 27 SECONDS WEST ALONG THE CENTERLINE OF SAID REGENT STREET, A DISTANCE OF 330.06 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, CONCAVE TO THE SOUTHEAST; THENCE ALONG SAID CURVE TO THE LEFT (RADIUS=4218.54 FEET, ARC=21.20 FEET, DELTA=00 DEGREES 17 MINUTES 17 SECONDS, CHORD=21.20 FEET, CHORD DIRECTION= SOUTH 38 DEGREES 53 MINUTES 39 SECONDS WEST), A DISTANCE OF 21.20 FEET; THENCE SOUTH 31 DEGREES 09 MINUTES 50 SECONDS EAST, A DISTANCE OF 30.00 FEET TO A POINT ON THE SOUTHEASTELY RIGHT OF WAY LINE OF SAID REGENT STREET; THENCE SOUTHWARDLY ALONG SAID SOUTHEASTELY RIGHT OF WAY LINE OF REGENT STREET AND BEING ALONG A CURVE TO THE LEFT, CONCAVE TO SOUTHEAST (RADIUS=4188.54 FEET, ARC=1249.72 FEET, DELTA=17 DEGREES 05 MINUTES 42 SECONDS, CHORD=1297.16 FEET, CHORD DIRECTION= SOUTH 49 DEGREES 55 MINUTES 41 SECONDS WEST), A DISTANCE OF 1249.72 FEET TO THE WESTERN MOST CORNER OF WATERFORD CROSSING, LLC AS RECORDED IN INSTRUMENT NUMBER 0099-21688 IN THE OFFICE OF THE RECORDER OF ELKHART COUNTY; THENCE SOUTH 38 DEGREES 53 MINUTES 39 SECONDS EAST, A DISTANCE OF 330.00 FEET TO A SET REBAR WITH CAP STAMPED BRADS-KO 0041 AND BEING THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE NORTH 64 DEGREE 38 MINUTES 02 SECONDS EAST, A DISTANCE OF 342.67 FEET TO A SET REBAR WITH CAP STAMPED BRADS-KO 0041; THENCE SOUTH 33 DEGREE 44 MINUTES 57 SECONDS EAST, A DISTANCE OF 325.91 FEET TO A SET REBAR WITH CAP STAMPED BRADS-KO 0041; THENCE SOUTH 79 DEGREE 44 MINUTES 59 SECONDS EAST, A DISTANCE OF 162.34 FEET TO A SET REBAR WITH CAP STAMPED BRADS-KO 0041; THENCE SOUTH 19 DEGREE 51 MINUTES 13 SECONDS WEST, A DISTANCE OF 268.86 FEET TO A SET REBAR WITH CAP STAMPED BRADS-KO 0041; THENCE SOUTH 77 DEGREE 56 MINUTES 50 SECONDS WEST, A DISTANCE OF 216.85 FEET TO A SET REBAR WITH CAP STAMPED BRADS-KO 0041; THENCE NORTH 14 DEGREE 13 MINUTES 40 SECONDS WEST, A DISTANCE OF 641.01 FEET TO A SET REBAR WITH CAP STAMPED BRADS-KO 0041; THENCE NORTH 89 DEGREE 47 MINUTES 39 SECONDS WEST, A DISTANCE OF 270.14 FEET TO A SET REBAR WITH CAP STAMPED BRADS-KO 0041; THENCE SOUTH 60 DEGREE 18 MINUTES 02 SECONDS WEST, A DISTANCE OF 108.2 FEET TO A SET REBAR WITH CAP STAMPED BRADS-KO 0041; THENCE NORTH 41 DEGREE 01 MINUTE 13 SECONDS EAST, A DISTANCE OF 76.95 FEET TO A SET REBAR WITH CAP STAMPED BRADS-KO 0041 AND BEING THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE NORTHWARDLY, 52.7 FEET, ALONG SAID CURVE AND RIGHT-OF-WAY, TO THE POINT OF BEGINNING CONTAINING 26.3 ACRES, MORE OR LESS, BEING SUBJECT TO ALL EASEMENTS, RESTRICTIONS AND PUBLIC RIGHTS OF WAY OF RECORD.



LOCATION MAP NOT TO SCALE

LEGAL DESCRIPTION WATERFORD COMMONS/WATERFORD MILLS PARKWAY/DIERDORFF ROAD

TRACT 1 A PART OF THE SOUTH HALF OF SECTION 27 AND A PART OF THE WEST HALF OF SECTION 26, ALL IN TOWNSHIP 36 NORTH, RANGE 6 EAST, CITY OF GOSHEN, ELKHART TOWNSHIP, ELKHART COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHEAST QUARTER; THENCE NORTH 01 DEGREE 04 MINUTES 08 SECONDS WEST ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 250.00 FEET TO THE NORTHEAST CORNER OF A TRACT OF LAND DESCRIBED IN INSTRUMENT NUMBER 84-029789 IN THE OFFICE OF THE ELKHART COUNTY RECORDER AND THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE SOUTH 89 DEGREES 19 MINUTES 17 SECONDS WEST ALONG THE NORTH LINE OF SAID TRACT, A DISTANCE OF 194.75 FEET TO THE NORTHEAST CORNER OF SAID TRACT; THENCE SOUTH 89 DEGREES 19 MINUTES 17 SECONDS WEST ALONG THE NORTH LINE OF SAID TRACT AND ALONG THE NORTH LINE OF A TRACT OF LAND DESCRIBED IN INSTRUMENT NUMBER 2002-45068 IN THE OFFICE OF THE RECORDER OF ELKHART COUNTY, 125.01 FEET TO THE WEST LINE OF SAID SOUTHEAST QUARTER; THENCE NORTH 01 DEGREE 02 MINUTES 18 SECONDS WEST ALONG SAID WEST LINE, 134.19 FEET TO THE NORTHEAST CORNER OF PLEASANT PRAIRIE SUBDIVISION AS RECORDED IN PLAY BOOK 3, PAGE 122, IN THE OFFICE OF THE RECORDER OF ELKHART COUNTY, INDIANA; THENCE SOUTH 89 DEGREES 09 MINUTES 13 SECONDS WEST ALONG THE NORTH LINE OF SAID PLEASANT PRAIRIE SUBDIVISION, 1000.35 FEET TO THE NORTHEAST CORNER OF LOT B IN SAID SUBDIVISION; THENCE SOUTH 89 DEGREES 09 MINUTES 13 SECONDS WEST ALONG SAID NORTH LINE, 21.41 FEET TO A POINT ON THE CURVED EASTERLY BOUNDARY OVERBENT STREET AS DEDICATED AND DESCRIBED IN INSTRUMENT NUMBER 2003-14265, THENCE NORTHERLY ALONG SAID EASTERLY BOUNDARY 607.90 FEET ALONG A NON-TANGENT ARC TO THE RIGHT HAVING A RADIUS OF 2759.89 FEET AND SUBTENDED BY A LONG CHORD BEARING NORTH 06 DEGREES 28 MINUTES 03 EAST, 606.67 FEET TO THE SOUTH CORNER OF A TRACT OF LAND DESCRIBED IN INSTRUMENTS NUMBERED 2001-42758 AND 2001-42579; THENCE NORTH 59 DEGREES 55 MINUTES 11 SECONDS EAST ALONG THE SOUTHEASTELY LINE OF SAID TRACTS, 108.20 FEET; THENCE NORTH 89 DEGREES 48 SECONDS EAST ALONG THE SOUTH LINE OF SAID INSTRUMENTS, 165.83 FEET; THENCE ALONG THE FOLLOWING TWENTY COURSES, SAID COURSES BEING ALONG THE SOUTH LINE OF SAID CITY OF GOSHEN, INDIANA TRACTS: THENCE NORTH 89 DEGREES 47 MINUTES 39 SECONDS EAST, 104.02 FEET; THENCE NORTH 60 DEGREES 18 MINUTES 28 SECONDS EAST, 234.99 FEET; THENCE SOUTH 79 DEGREES 41 MINUTES 43 SECONDS EAST, 125.01 FEET; THENCE SOUTH 12 DEGREES 12 MINUTES 50 SECONDS WEST, 175.01 FEET; THENCE NORTH 24 DEGREES 44 MINUTES 47 SECONDS EAST, 370.10 FEET; THENCE NORTH 52 DEGREES 50 MINUTES 22 SECONDS EAST, 250.01 FEET; THENCE SOUTH 60 DEGREES 09 MINUTES 38 SECONDS EAST, 200.00 FEET; THENCE SOUTH 05 DEGREES 09 MINUTES 38 SECONDS EAST, 165.00 FEET; THENCE NORTH 65 DEGREES 08 MINUTES 22 SECONDS EAST, 120.00 FEET; THENCE SOUTH 79 DEGREES 24 MINUTES 38 SECONDS EAST, 170.00 FEET; THENCE SOUTH 15 DEGREES 24 MINUTES 38 SECONDS EAST, 190.00 FEET; THENCE SOUTH 77 DEGREES 09 MINUTES 36 SECONDS EAST, 260.00 FEET; THENCE SOUTH 36 DEGREES 09 MINUTES 38 SECONDS EAST, 150.00 FEET; THENCE NORTH 29 DEGREES 50 MINUTES 52 SECONDS EAST, 285.00 FEET; THENCE NORTH 43 DEGREES 15 MINUTES 22 SECONDS EAST, 370.00 FEET; THENCE NORTH 53 DEGREES 42 MINUTES 07 SECONDS EAST, 40.41 FEET; THENCE NORTH 07 DEGREES 59 MINUTES 59 SECONDS WEST, 120.00 FEET TO A REBAR; THENCE NORTH 26 DEGREES 45 MINUTES 01 SECOND EAST, 150.00 FEET; THENCE NORTH 65 DEGREES 30 MINUTES 01 SECOND EAST, 150.00 FEET; THENCE SOUTH 77 DEGREES 59 MINUTES 59 SECONDS EAST, 180.00 FEET TO THE MOST EASTERLY CORNER OF SAID CITY OF GOSHEN, INDIANA PARCEL; THENCE SOUTH 26 DEGREES 59 MINUTES 59 SECONDS EAST ALONG THE WESTERLY LINE OF A PARCEL OF LAND CONVEYED TO THE GOSHEN COMMUNITY SCHOOLS AS DESCRIBED AND RECORDED IN THE OFFICE OF THE RECORDER OF ELKHART COUNTY IN INSTRUMENT NUMBER 2004-35409, A DISTANCE OF 150.00 FEET TO THE SOUTHWEST CORNER OF SAID GOSHEN COMMUNITY SCHOOLS PARCEL; THENCE NORTH 89 DEGREES 57 MINUTES 41 SECONDS EAST ALONG THE SOUTH LINE OF SAID GOSHEN COMMUNITY SCHOOLS PARCEL, A DISTANCE OF 830.89 FEET TO THE SOUTHEAST CORNER OF SAID GOSHEN COMMUNITY SCHOOLS PARCEL; THENCE NORTH 00 DEGREES 42 MINUTES 46 SECONDS WEST ALONG THE EAST LINE OF SAID GOSHEN COMMUNITY SCHOOLS PARCEL AND THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 26, A DISTANCE OF 755.01 FEET TO THE WEST QUARTER CORNER OF SECTION 26, TOWNSHIP 36 NORTH, RANGE 6 EAST; THENCE NORTH 00 DEGREES 52 MINUTES 41 SECONDS WEST ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 26, 496.54 FEET TO THE SOUTHWEST CORNER OF THE RECORD PLAT OF THE VILLAS OF WATERFORD COMMONS SECOND PUD AS RECORDED IN PLAY BOOK 36, PAGE 71, IN THE OFFICE OF THE RECORDER OF ELKHART COUNTY; THENCE NORTH 89 DEGREES 31 MINUTES 40 SECONDS EAST ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 26; THENCE SOUTH 89 DEGREES 15 MINUTES 58 SECONDS WEST ALONG SAID SOUTH LINE, 694.71 FEET TO THE EAST LINE OF SOUTHSIDE MINOR SUBDIVISION AS RECORDED IN PLAY BOOK 22, PAGE 56 IN THE OFFICE OF THE RECORDER OF ELKHART COUNTY; THENCE NORTH 01 DEGREE 04 MINUTES 08 SECONDS WEST ALONG SAID EAST LINE, 230.00 FEET TO THE NORTHEAST CORNER OF SAID SOUTHSIDE MINOR SUBDIVISION; THENCE SOUTH 89 DEGREES 15 MINUTES 58 SECONDS WEST ALONG THE NORTH LINE OF SAID SUBDIVISION, 330.01 FEET TO THE EAST LINE OF A TRACT OF LAND DESCRIBED IN INSTRUMENT NUMBER 96-01755 IN THE OFFICE OF THE RECORDER OF ELKHART COUNTY, INDIANA; THENCE NORTH 01 DEGREE 04 MINUTES 08 SECONDS WEST ALONG SAID EAST LINE, 20.00 FEET TO THE NORTHEAST CORNER OF SAID TRACT; THENCE SOUTH 89 DEGREES 15 MINUTES 59 SECONDS WEST, 290.00 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION, CONTAINING 199.72 ACRES, MORE OR LESS. SUBJECT TO ALL EASEMENTS, RESTRICTIONS, AND PUBLIC RIGHTS-OF-WAY OF RECORD.

TRACT 2 A PART OF THE SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 36 NORTH, RANGE 6 EAST, CITY OF GOSHEN, ELKHART TOWNSHIP, ELKHART COUNTY, INDIANA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF LOT NUMBER ONE (1) AS SAID LOT IS KNOWN AND DESIGNATED ON THE PLAT OF PLEASANT PRAIRIE SUBDIVISION, A SUBDIVISION IN ELKHART TOWNSHIP, SAID PLAT BEING RECORDED IN THE OFFICE OF THE RECORDER OF ELKHART COUNTY IN PLAY BOOK 3, PAGE 122; THENCE ON AN ASSUMED BEARING ALONG THE EAST LINE OF THE RIGHT OF WAY OF THE C. C. & ST. LOUIS RAILROAD, 599.44 FEET TO THE SOUTHWEST CORNER OF A PARCEL OF LAND CONVEYED TO THE CITY OF GOSHEN, INDIANA AS DESCRIBED AND RECORDED IN THE OFFICE OF THE RECORDER OF ELKHART COUNTY IN INSTRUMENT NUMBER 2008-19890; THENCE NORTH 89 DEGREES 26 MINUTES 23 SECONDS EAST ALONG THE SOUTH LINE OF SAID CITY OF GOSHEN PARCEL, 868.26 FEET TO THE SOUTHWEST CORNER OF SAID CITY OF GOSHEN PARCEL; THENCE SOUTHERLY ALONG THE WESTERLY RIGHT OF WAY LINE OF REGENT STREET, A SIXTY FOOT RIGHT OF WAY AS DEDICATED TO THE CITY OF GOSHEN, INDIANA IN A DOCUMENT RECORDED IN THE OFFICE OF THE RECORDER OF ELKHART COUNTY IN INSTRUMENT NUMBER 2003-14265, BEING ON THE ARC OF A 2819.89 FOOT RADIUS CURVE TO THE LEFT, CONCAVE TO THE EAST, 606.34 FEET (CHORD BEARING SOUTH 06 DEGREES 39 MINUTES 14 SECONDS WEST, CHORD DISTANCE 607.90 FEET) TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 00 DEGREES 29 MINUTES 41 SECONDS WEST ALONG THE WEST LINE OF THE RIGHT OF WAY OF SAID REGENT STREET, 0.02 FEET TO THE NORTH LINE OF THE PLAT OF AFORESAID PLEASANT PRAIRIE SUBDIVISION; THENCE SOUTH 89 DEGREES 30 MINUTES 32 SECONDS WEST ALONG THE NORTH LINE OF THE PLAT OF SAID PLEASANT PRAIRIE SUBDIVISION, 791.35 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION, CONTAINING 11.278 ACRES, MORE OR LESS. SUBJECT TO ALL EASEMENTS RESTRICTIONS, AND PUBLIC RIGHTS-OF-WAY OF RECORD.

GENERAL NOTES OVERALL PROJECT AREA THE PROJECT IS LOCATED ON ROUGHLY 204 ACRES IN SOUTHEAST GOSHEN. THE MAIN PROPERTY IS BOUNDED BY REGENT STREET ON THE WEST, DIERDORFF ROAD ON THE EAST, AND WATERFORD MILLS PARKWAY ON THE SOUTH. A LARGE RETENTION AREA AND ANOTHER DEVELOPMENT LOT ARE LOCATED SOUTH OF WATERFORD MILLS PARKWAY. THE PROPERTY IS A MIX OF R-3 AND R-3 PUD EXISTING ROADS FRONTAGE OF THE PROJECT DIERDORFF ROAD 2,674 +/- FEET WATERFORD MILLS PARKWAY 6,149 +/- FEET REGENT STREET 2,367 +/- FEET TOTAL 11,190 +/- FEET

DEVELOPMENT PROJECT OVERVIEW CHERRY CREEK WILL BE A MIXED-USE NEIGHBORHOOD THAT IS DESIGNED FOR AN ACTIVE LIFESTYLE WHERE LIVING, WORKING, AND PLAYING ARE ALL AVAILABLE WITHIN WALKING AND BIKING DISTANCE IN THE COMMUNITY. CHERRY CREEK WILL BE ABUNDANT WITH AMENITIES AND WILL BE COMPLETELY MAINTENANCE-FREE LIVING. HOMEOWNERS WILL HAVE A WIDE VARIETY OF ACTIVITIES AND AMENITIES THAT ARE INCLUDED IN A HOMEOWNERS ASSOCIATION FEE THAT WILL ALSO COVER OUTDOOR MAINTENANCE AND SNOW REMOVAL. AMENITIES PLANNED AT THIS TIME INCLUDE A DOG PARK, PARK AND RECREATION SPACES, A PAVILION AND LARGE OPEN SPACE, WIDE WALKING AND BIKING PATH CONNECTED TO THE CITY TRAIL TO GET DOWNTOWN, NUMEROUS PONDS WITH FOUNTAINS, FITNESS CENTER, CHILDCARE, RETAIL, BANK, 2-3 RESTAURANTS AND A RESTAURANT WITH A DRIVE THRU. LAND USE SUMMARY SINGLE-FAMILY RESIDENTIAL LOTS 83 ACRES +/- (41%) MIXED USE RESIDENTIAL AND COMMERCIAL 36 ACRES +/- (18%) MAINTENANCE FREE COMMON SPACES 2 ACRES +/- (1%) COMMON SPACES (CHERRY CREEK) 21 ACRES +/- (10%) OWNED BY CITY OF GOSHEN 24 ACRES +/- (12%) RIGHT OF WAY AND TRAIL OUT LOTS 37 ACRES +/- (19%) TOTAL 204 ACRES +/- (100%)

AS THE FINAL SUBDIVISION PLAN HAS NOT BEEN DESIGNED THE FOLLOWING ARE MAXIMUM NUMBERS FOR EACH USE TYPE. SINGLE-FAMILY DETACHED UP TO 270 UNITS SINGLE-FAMILY ATTACHED UP TO 245 UNITS MULTI-FAMILY CONDOMINIUMS UP TO 1,050 UNITS (IN 10 BUILDINGS) COMMERCIAL SPACE UP TO 170,000 SQUARE FEET THE DENSITY OF DWELLING UNITS PER ACRE ACROSS THE FULL CHERRY CREEK DEVELOPMENT WILL BE APPROXIMATELY 8 UNITS PER ACRE. WATER AND WASTEWATER THE CHERRY CREEK PUD WILL BE SERVICED BY THE CITY OF GOSHEN MUNICIPAL WATER AND SANITARY SEWER. EASEMENTS A SERIES OF EASEMENTS WILL BE ESTABLISHED THROUGH THE SUBDIVISION PLATTING PROCESS FOR THE CITY OF GOSHEN, UTILITY COMPANIES, AND CHERRY CREEK LLC. THESE EASEMENTS INCLUDE: STORMWATER DRAINAGE EASEMENTS GRANTED BY THE CITY OF GOSHEN FOR BENEFIT TO CHERRY CREEK LLC TO CONSTRUCT AND MAINTAIN RETENTION PONDS ON CITY OWNED PROPERTY FOR THE PROPOSED PROJECT AS OUTLINED IN THE APPROVED DEVELOPMENT AGREEMENT. STORMWATER DRAINAGE EASEMENTS WITHIN PROPOSED COMMON SPACES CONTAINING RETENTION IN CHERRY CREEK PUD OWNED BY CHERRY CREEK LLC FOR BENEFIT TO THE CITY OF GOSHEN TO CONSTRUCT AND MAINTAIN STORMWATER MANAGEMENT SYSTEMS, LANDSCAPING AND MOUNDING, AND TO PERFORM GENERAL MAINTENANCE. ACCESS EASEMENTS GRANTED BY CHERRY CREEK LLC FOR BENEFIT TO THE CITY OF GOSHEN AND PUBLIC FOR NON-DEDICATED TRAILS IN CHERRY CREEK. UTILITY EASEMENTS ADJACENT TO PUBLIC RIGHT-OF-WAY WHERE SPECIFIED ON THE SUBDIVISION PLAN.

PROJECT PHASING THE PROJECT IS DESIGNED TO BE CONSTRUCTED IN TWO MAJOR PHASES. DETAILS PROVIDED IN THE PUD NARRATIVE AND DEVELOPMENT STANDARDS DOCUMENT. SINGLE-FAMILY DETACHED HOMES WILL BE A MIX OF 2- AND 3-BEDROOM UNITS WITH THE POTENTIAL FOR AN EGRESS WINDOW TO ALLOW FOR ADDITIONAL BEDROOMS IN THE BASEMENT. SINGLE-FAMILY ATTACHED HOMES WILL BE A MIX OF 2- AND 3-BEDROOM UNITS. MULTI-FAMILY UNITS WILL BE A MIX OF 1-, 2- AND 3-BEDROOM UNITS. (SEE CHART ON THIS SHEET) ALLOWABLE USES IN COMMON SPACES AND COMMERCIAL SPACES AMENITIES PLANNED AT THIS TIME INCLUDE A DOG PARK, PARK AND RECREATION SPACES, A PAVILION AND LARGE OPEN SPACE, WIDE WALKING AND BIKING PATH CONNECTED TO THE CITY TRAIL TO GET DOWNTOWN, NUMEROUS PONDS WITH FOUNTAINS, FITNESS CENTER, CHILDCARE, RETAIL, BANK, 2-3 RESTAURANTS AND A RESTAURANT WITH A DRIVE THRU. PARKING SUMMARY PROPOSED NUMBER OF PARKING SPACES 3,994 SPACES. PARKING REQUIRED BASED ON CHERRY CREEK STANDARDS IS 3,078 SPACES. PARKING DETAILS PROVIDED IN THE PUD NARRATIVE AND DEVELOPMENT STANDARDS DOCUMENT. LIGHTING DETAILS PROVIDED IN THE PUD NARRATIVE AND DEVELOPMENT STANDARDS DOCUMENT. PROPOSED SIGNAGE SIGN DETAILS PROVIDED IN THE PUD NARRATIVE AND DEVELOPMENT STANDARDS DOCUMENT. LANDSCAPE LANDSCAPE DETAIL IS PROVIDED IN THE PUD NARRATIVE AND DEVELOPMENT STANDARDS DOCUMENT. AT THE TIME OF RECORDING OF THIS PUD, THE CITY OF GOSHEN ZONING ORDINANCE GENERALLY REGULATES LANDSCAPING AREAS OF FOUR SITE AREAS: STREETSIDE BUFFERZONES (OPTIONAL AND NOT INCLUDED IN THIS SUBMISSION) OFF-STREET PARKING AREAS FLOODPLAIN THE PROJECT IS NOT LOCATED IN A DELINEATED FLOOD HAZARD ZONE. POSSIBLE WETLANDS DETAILS PROVIDED IN THE PUD NARRATIVE AND DEVELOPMENT STANDARDS DOCUMENT. SOILS REPORT DETAILS PROVIDED IN THE PUD NARRATIVE AND DEVELOPMENT STANDARDS DOCUMENT. TRANSPORTATION REPORT SITE ACCESS THERE WILL BE THREE POINTS OF ACCESS TO THE MAIN PROPERTY AND TWO POINTS OF ACCESS TO THE LOT AT THE SOUTHWEST CORNER OF WATERFORD MILLS PARKWAY AND REGENT STREET (LOT 469). ROADWAYS THERE WILL BE A SERIES OF NEW STREETS FOR THIS PROJECT. ALL STREETS WITHIN THE DEVELOPMENT WILL BE DEDICATED TO THE CITY OF GOSHEN. SEE TYPICAL STREET CROSS SECTIONS IN EXHIBIT H. OVERVIEW OF STORMWATER PLAN STORMWATER RUNOFF GENERATED BY THE CHERRY CREEK PUD SHALL BE RETAINED ONSITE IN A SERIES OF DRY BASINS AND WET PONDS WITH CONVEYANCE BY SURFACE SWALES AND UNDERGROUND STORM SEWER PIPES AND STRUCTURES. PROPOSED RETENTION AREAS ARE SITUATED ON LAND OWNED BY BOTH CHERRY CREEK LLC AND THE CITY OF GOSHEN.

CHERRY CREEK DEVELOPMENT STANDARD SUMMARY TABLE with columns: SINGLE FAMILY DETACHED, SINGLE FAMILY ATTACHED, RESIDENTIAL IN MIXED USE BLDGS, COMMERCIAL IN MIXED USE BLDGS, MAINTENANCE LOT, PERMITTED USES, MAXIMUM BUILDING HEIGHT, MINIMUM LOT AREA, MINIMUM LOT FRONTAGE, FRONT YARD SETBACK, SIDE YARD SETBACK, REAR YARD SETBACK, ACCESSORY STRUCTURE SETBACK, MAXIMUM BUILDING COVERAGE, MINIMUM BUILDING SIZE, FENCE REGULATIONS, VISIBILITY REGULATIONS.

Table with columns: OFF-STREET PARKING REGULATIONS, SIGN REGULATIONS, SCREENING, MAXIMUM BUILDING LENGTH, LANDSCAPING REGULATIONS. Rows include 2 SPACES PER UNIT IN ATTACHED GARAGE, NO SIGNS PROPOSED, ARTICLE V SECTION 5190, 200 FEET, SEE LANDSCAPE NARRATIVE.

PREPARED BY ABONMARCHÉ CONSULTANTS, INC. 303 RIVER RACE DRIVE, UNIT 206 GOSHEN, IN 46526 PHONE: (574) 533-9913 FAX: (574) 533-9911 DEVELOPER CHERRY CREEK, LLC ATTN: TONYA DETWELLER 1630 TIMBERLINE DRIVE GOSHEN, IN 46526 PHONE: 574-370-7774 EMAIL: tonya@lediamondcommunities.com OWNERS CHERRY CREEK, LLC ATTN: TONYA DETWELLER 1630 TIMBERLINE DRIVE GOSHEN, IN 46526 PHONE: 574-370-7774 EMAIL: tonya@lediamondcommunities.com WATERFORD COMMONS BUSINESS PARK LLC 1738 W LINCOLN AVE GOSHEN, IN 46526-5906

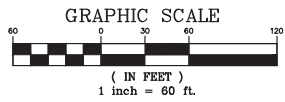
ABONMARCHÉ logo and contact information: 303 River Race Drive, Unit 206, Goshen, IN 46526. Phone: (574) 533-9913. Fax: (574) 533-9911. Website: abonmarche.com

CHERRY CREEK WATERFORD MILLS PARKWAY REGENT STREET/DIERDORFF ROAD GOSHEN, IN 46526. PLANNED UNIT DEVELOPMENT. SHEET TITLE: TRM/KG. DESIGNED BY: KG. PM REVIEW: BEM. QA/QC REVIEW: RAN. DATE: 09-27-2023. SHEET NO: 2 of 12.

EXHIBIT C

**CHERRY CREEK
PRIMARY SUBDIVISION**

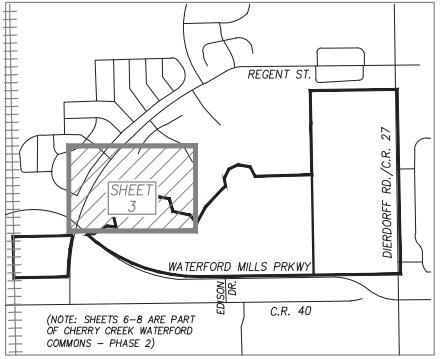
PART OF THE WEST 1/2 OF SECTION 26 & A PART OF THE SOUTH 1/2 OF SECTION 27, BOTH IN TOWNSHIP 36 NORTH, RANGE 6 EAST, CITY OF GOSHEN, ELKHART TOWNSHIP, ELKHART COUNTY, INDIANA
 TAX ID#S: 20-11-27-426-036.000-015; 20-11-26-351-022.000-015; 20-11-26-301-014.000-015 & 20-11-27-377-001.000-015
 (SEE PAGE 2 OF 11 FOR LEGAL DESCRIPTION & GENERAL NOTES)



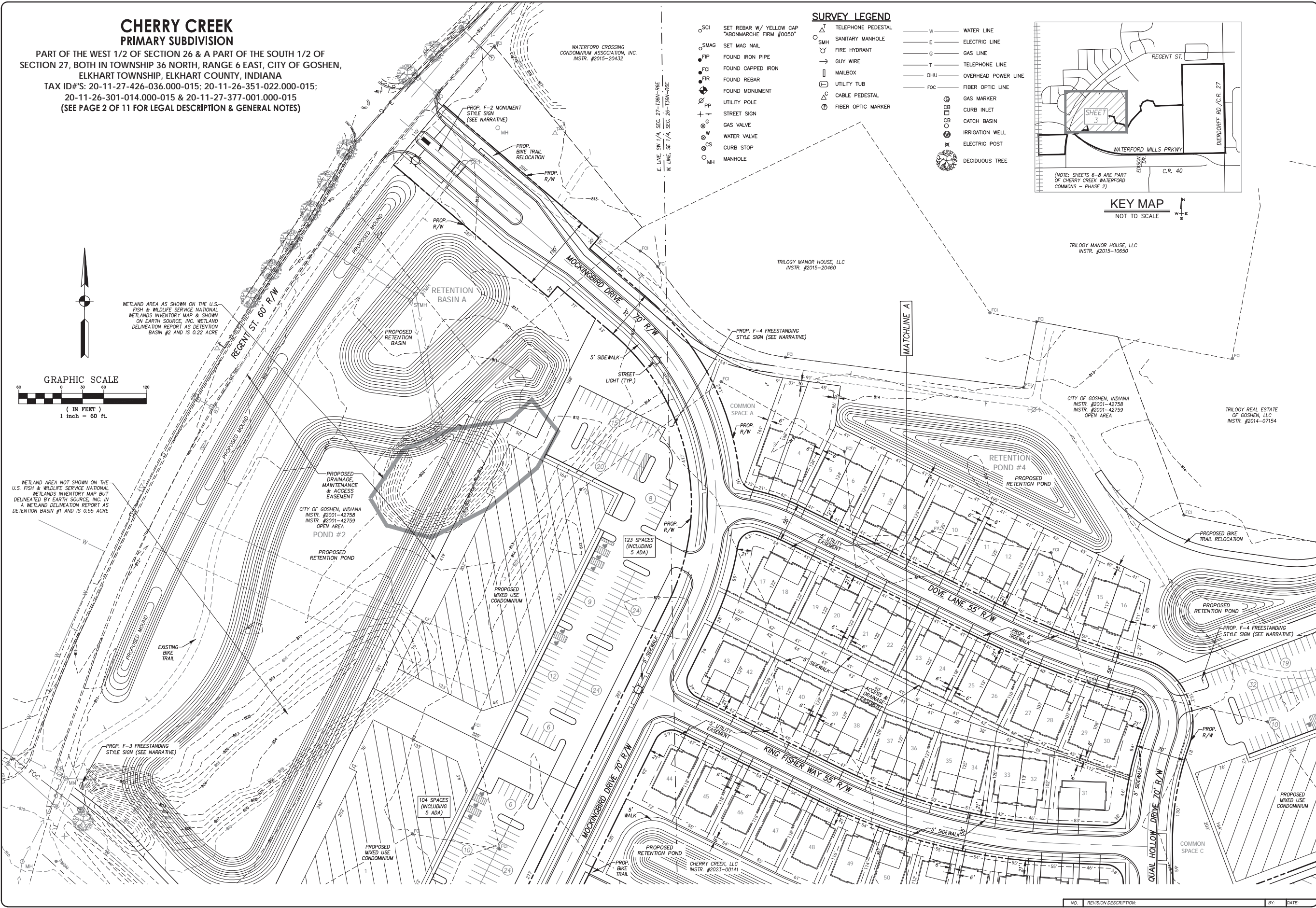
WETLAND AREA NOT SHOWN ON THE U.S. FISH & WILDLIFE SERVICE NATIONAL WETLANDS INVENTORY MAP BUT DELINEATED BY EARTH SOURCE, INC. IN A WETLAND DELINEATION REPORT AS DETENTION BASIN #1 AND IS 0.55 ACRE

WETLAND AREA AS SHOWN ON THE U.S. FISH & WILDLIFE SERVICE NATIONAL WETLANDS INVENTORY MAP & SHOWN ON EARTH SOURCE, INC. WETLAND DELINEATION REPORT AS DETENTION BASIN #2 AND IS 0.22 ACRE

- SURVEY LEGEND**
- SCI SET REBAR W/ YELLOW CAP "ABONMARCHE FIRM #0050"
 - SMAG SET MAG NAIL
 - FIP FOUND IRON PIPE
 - FCI FOUND CAPPED IRON
 - FIR FOUND REBAR
 - FM FOUND MONUMENT
 - UP UTILITY POLE
 - S STREET SIGN
 - G GAS VALVE
 - W WATER VALVE
 - CS CURB STOP
 - MH MANHOLE
 - △ TELEPHONE PEDESTAL
 - SMH SANITARY MANHOLE
 - FH FIRE HYDRANT
 - GW GUY WIRE
 - MB MAILBOX
 - UT UTILITY TUB
 - CP CABLE PEDESTAL
 - FOM FIBER OPTIC MARKER
 - W WATER LINE
 - E ELECTRIC LINE
 - G GAS LINE
 - T TELEPHONE LINE
 - OHU OVERHEAD POWER LINE
 - FOC FIBER OPTIC LINE
 - GM GAS MARKER
 - CI CURB INLET
 - CB CATCH BASIN
 - IW IRRIGATION WELL
 - EP ELECTRIC POST
 - DT DECIDUOUS TREE



KEY MAP
NOT TO SCALE



ABONMARCHE
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 Goshen, IN 46526
 Indianapolis
 Fort Wayne
 Lafayette

Engineering Architecture Land Surveying

CHERRY CREEK
 WATERFORD MILLS PARKWAY
 REGENT STREET/DIERDORFF ROAD
 GOSHEN, IN 46526

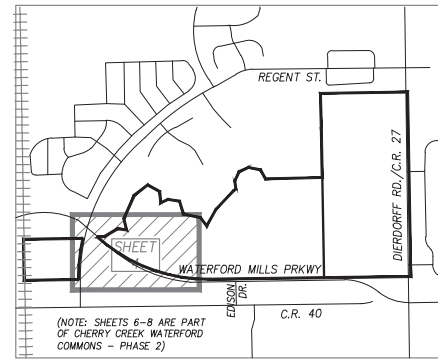
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SHEET TITLE:
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 DESIGNED BY: KG
 PM REVIEW: BEM
 QA/QC REVIEW: RAN
 DATE: 09-27-2023
 SEAL:

SIGNATURE:
 DATE: 10-30-2023
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 ACI JOB #: 22-1784
 SHEET NO:

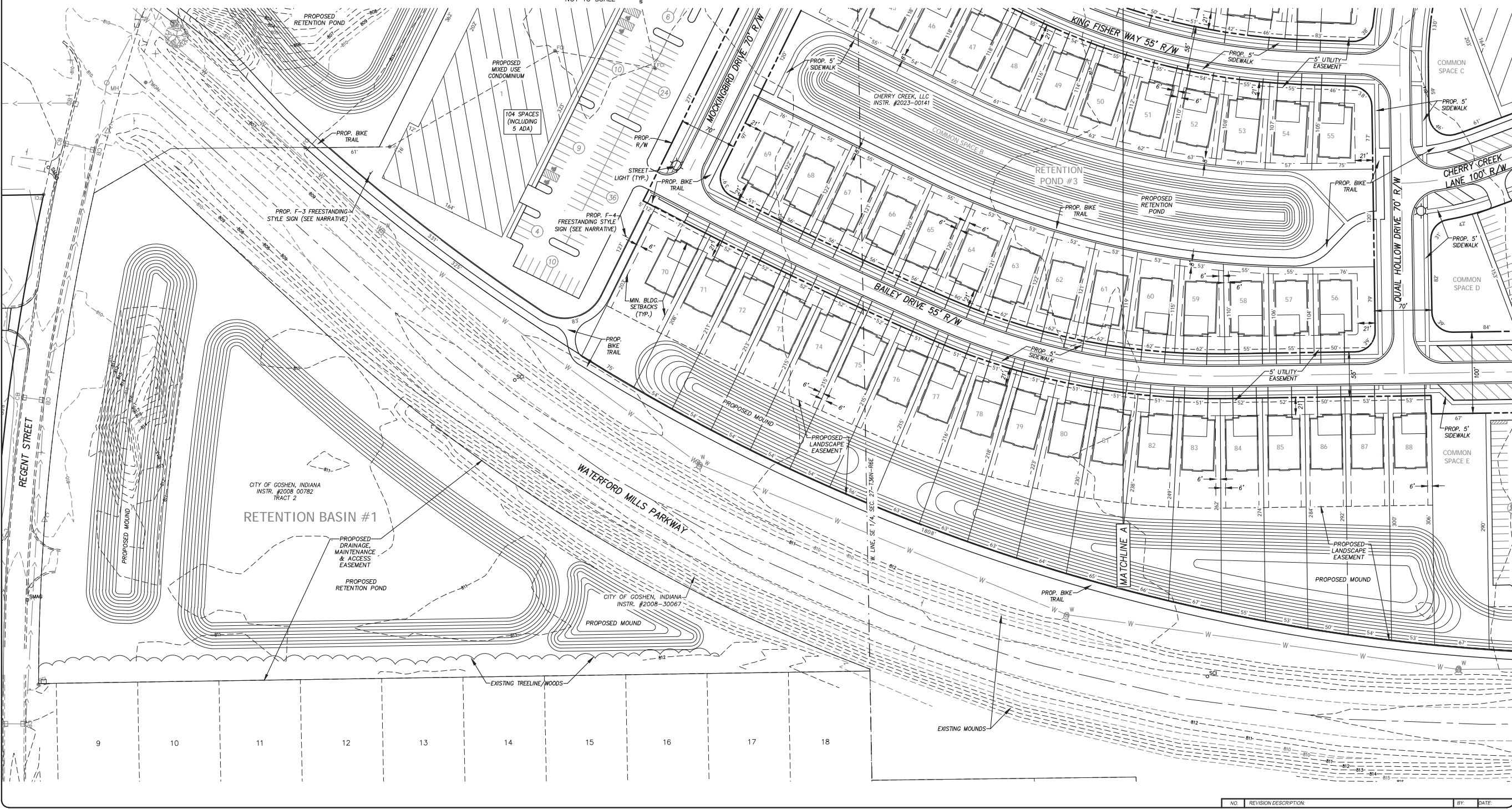
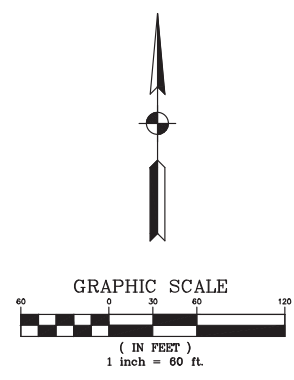
CHERRY CREEK PRIMARY SUBDIVISION

PART OF THE WEST 1/2 OF SECTION 26 & A PART OF THE SOUTH 1/2 OF SECTION 27, BOTH IN TOWNSHIP 36 NORTH, RANGE 6 EAST, CITY OF GOSHEN, ELKHART TOWNSHIP, ELKHART COUNTY, INDIANA
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 (SEE PAGE 2 OF 11 FOR LEGAL DESCRIPTION & GENERAL NOTES)



KEY MAP
NOT TO SCALE

SURVEY LEGEND			
○ SCI	SET REBAR W/ YELLOW CAP "ABONMARCHÉ FIRM #0050"	— W —	WATER LINE
○ SMAG	SET MAG NAIL	— E —	ELECTRIC LINE
● FIP	FOUND IRON PIPE	— G —	GAS LINE
● FCI	FOUND CAPPED IRON	— T —	TELEPHONE LINE
● FIR	FOUND REBAR	— OHP —	OVERHEAD POWER LINE
● FM	FOUND MONUMENT	— FOC —	FIBER OPTIC LINE
● PP	UTILITY POLE	⊙	GAS MARKER
⊕	STREET SIGN	⊙	CURB INLET
⊕	GAS VALVE	⊙	CATCH BASIN
⊕	WATER VALVE	⊙	IRRIGATION WELL
⊕	CURB STOP	⊕	ELECTRIC POST
⊕	MANHOLE		
△	TELEPHONE PEDESTAL		
○ SMH	SANITARY MANHOLE		
⊕	FIRE HYDRANT		
⊕	GUY WIRE		
⊕	MAILBOX		
⊕	UTILITY TUB		
⊕	CABLE PEDESTAL		
⊕	FIBER OPTIC MARKER		



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 abonmarc@abonmarc.com

Engineering - Architecture - Land Surveying

PROJECT:
CHERRY CREEK
 WATERFORD MILLS PARKWAY
 REGENT STREET/DIERDORFF ROAD
 GOSHEN, IN 46526

SHEET TITLE:
 PLANNED UNIT DEVELOPMENT

DRAWN BY: TRM/KG
 DESIGNED BY: KG
 PM REVIEW: BEM
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 DATE: 09-27-2023
 SEAL:

SIGNATURE:
 DATE: 10-30-2023
 SCALE: 1" = 60'

ACI JOB # 22-1784
 SHEET NO. 4 of 12

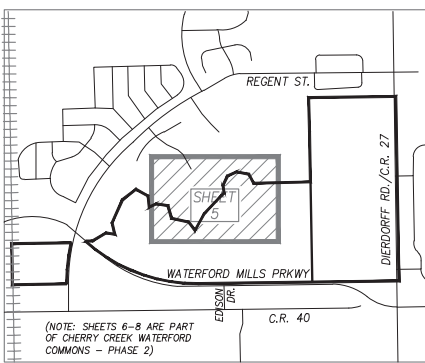
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CHERRY CREEK PRIMARY SUBDIVISION

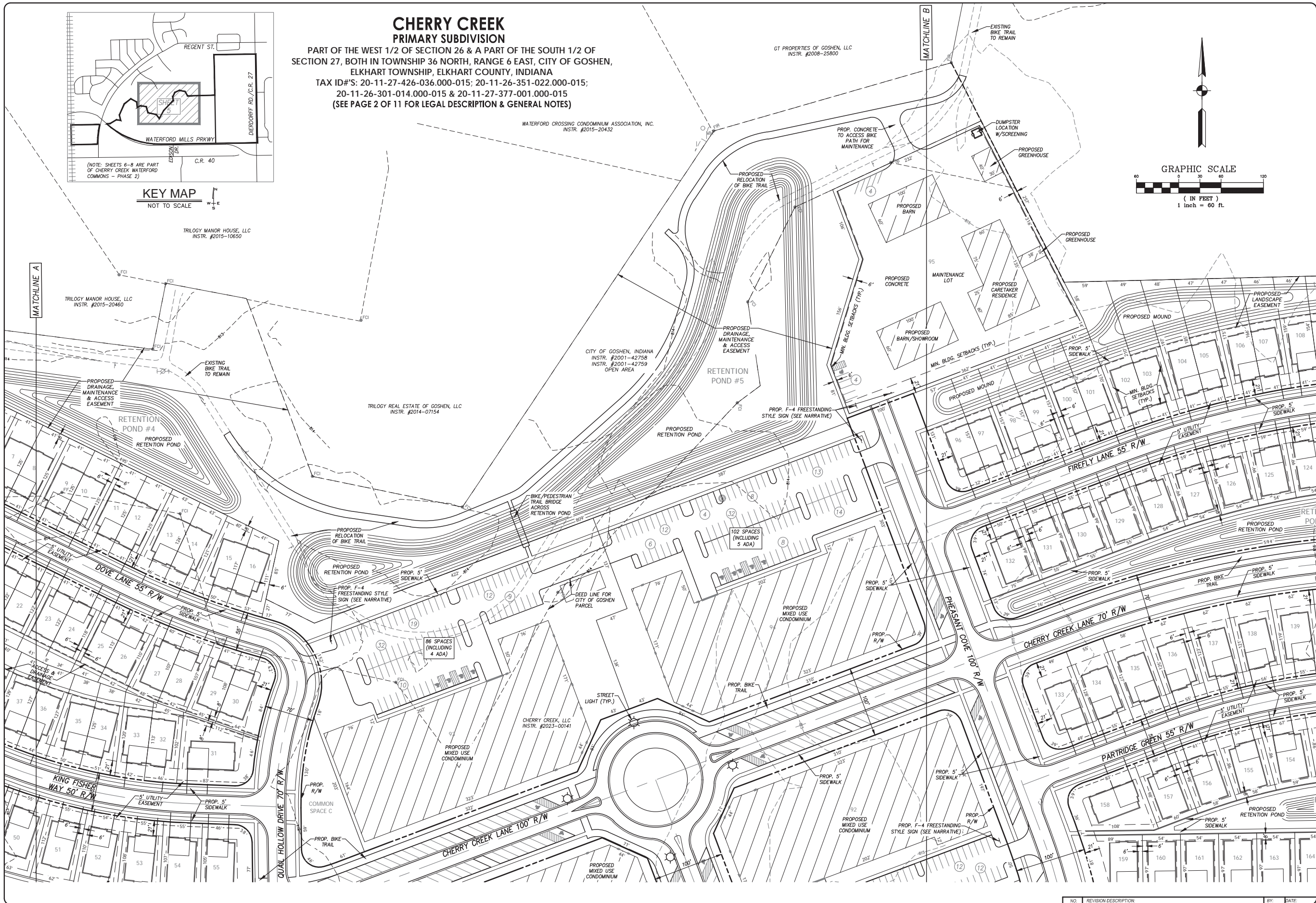
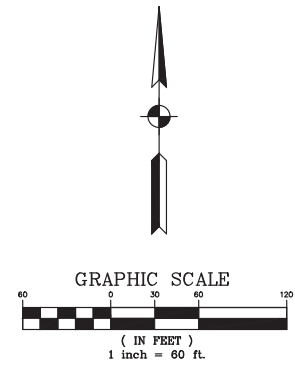
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 (SEE PAGE 2 OF 11 FOR LEGAL DESCRIPTION & GENERAL NOTES)

WATERFORD CROSSING CONDOMINIUM ASSOCIATION, INC.
 INSTR. #2015-20432

GT PROPERTIES OF GOSHEN, LLC
 INSTR. #2008-25800



KEY MAP
 NOT TO SCALE



ABONMARCHE
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 South Bend
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 Goshen, IN 46526
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 Fax: 765.233.9371
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CHERRY CREEK
 WATERFORD MILLS PARKWAY
 REGENT STREET/DIERDORFF ROAD
 GOSHEN, IN 46526

PLANNED UNIT DEVELOPMENT

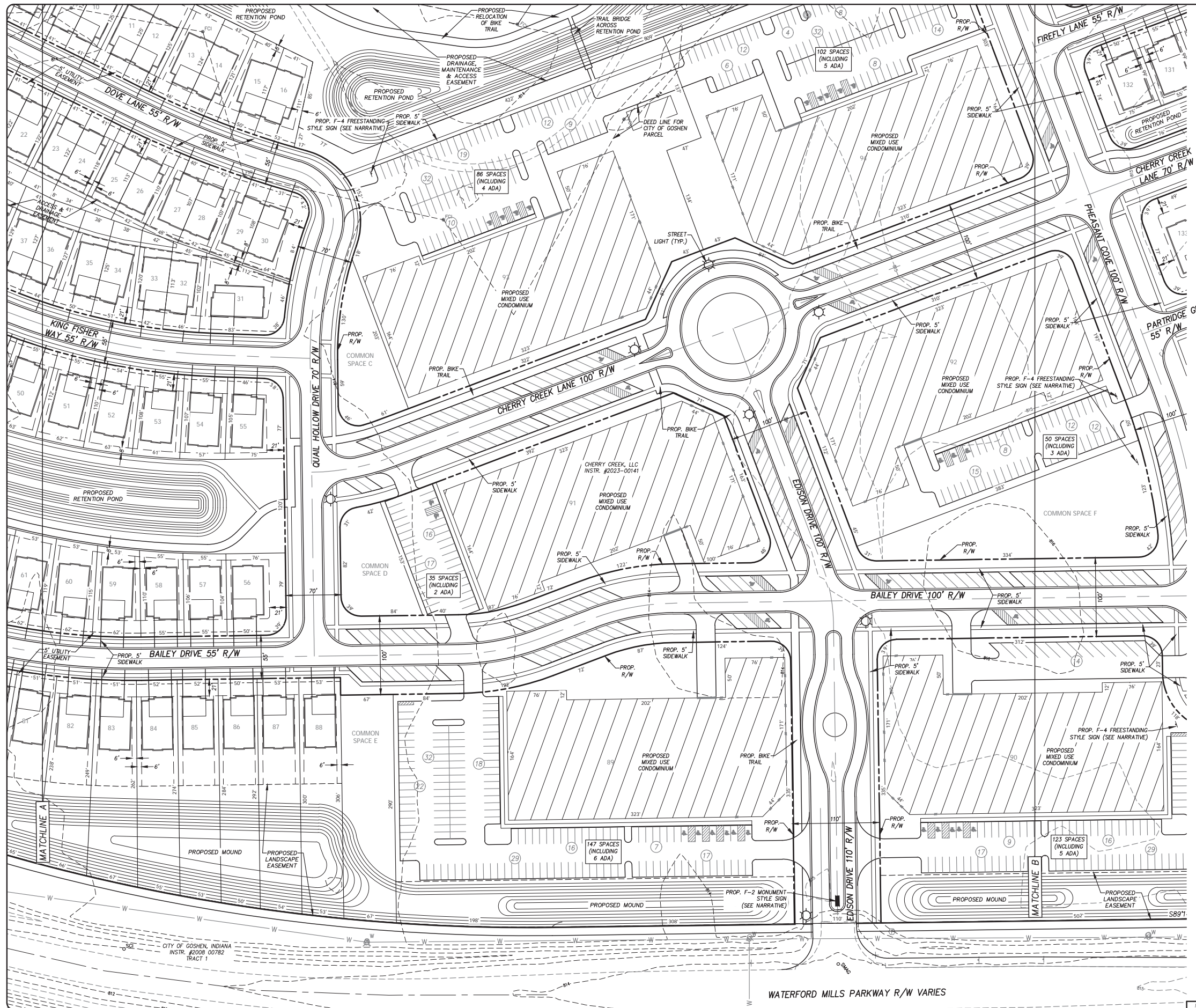
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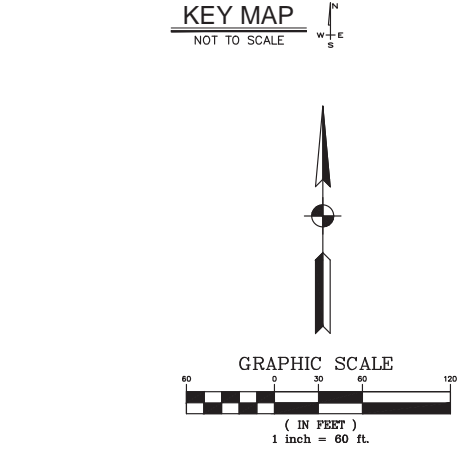
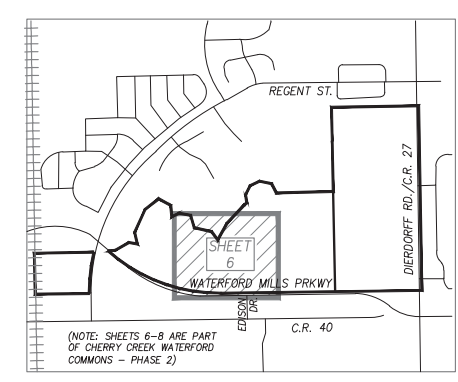
EXHIBIT C



**CHERRY CREEK
PRIMARY SUBDIVISION**
PART OF THE WEST 1/2 OF SECTION 26 & A PART OF
THE SOUTH 1/2 OF SECTION 27, BOTH IN TOWNSHIP
36 NORTH, RANGE 6 EAST, CITY OF GOSHEN,
ELKHART TOWNSHIP, ELKHART COUNTY, INDIANA
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20-11-27-377-001.000-015
(SEE PAGE 2 OF 11 FOR LEGAL DESCRIPTION
& GENERAL NOTES)

SURVEY LEGEND

○ SCI	SET REBAR W/ YELLOW CAP "ABONMARCHÉ FIRM #0050"	△ T	TELEPHONE PEDESTAL
○ SMAG	SET MAG NAIL	○ SMH	SANITARY MANHOLE
● FIP	FOUND IRON PIPE	⊕	FIRE HYDRANT
● FCI	FOUND CAPPED IRON	→	GUY WIRE
● FIR	FOUND REBAR	□	MAILBOX
⊕	FOUND MONUMENT	□	UTILITY TUB
⊕	UTILITY POLE	○	CABLE PEDESTAL
⊕	STREET SIGN	○	FIBER OPTIC MARKER
⊕	GAS VALVE	○	GAS MARKER
⊕	WATER VALVE	○	CURB INLET
○	MANHOLE	○	CATCH BASIN
		⊕	IRRIGATION WELL
		— W	ELECTRIC POST
		— E	WATER LINE
		— G	ELECTRIC LINE
		— T	GAS LINE
		— OHU	TELEPHONE LINE
		— FOC	OVERHEAD POWER LINE
			FIBER OPTIC LINE



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Vijayarao
Hobart
Srinivaso
Corbin
Lafayette
Grand Rapids

Engineering Architecture Land Surveying

**CHERRY CREEK
WATERFORD MILLS PARKWAY
REGENT STREET/DIERDORFF ROAD
GOSHEN, IN 46526**

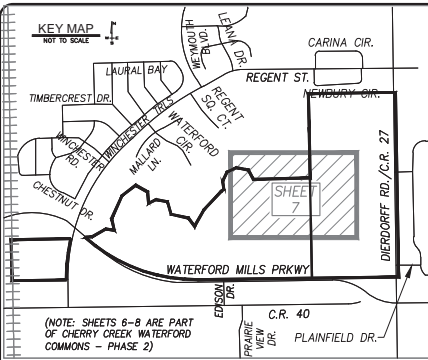
PROJECT:
PLANNED UNIT DEVELOPMENT

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KG
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RAN
DATE:
09-27-2023
SEAL:
SIGNATURE:
DATE:
10-30-2023
SCALE:
1" = 60'
ACI JOB #:
22-1784
SHEET NO:
6 of 12

NO.	REVISION DESCRIPTION	BY	DATE

CHERRY CREEK PRIMARY SUBDIVISION

PART OF THE WEST 1/2 OF SECTION 26 & A PART OF THE SOUTH 1/2 OF SECTION 27, BOTH IN TOWNSHIP 36 NORTH, RANGE 6 EAST, CITY OF GOSHEN, ELKHART TOWNSHIP, ELKHART COUNTY, INDIANA
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KEY MAP
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WATERFORD CROSSING CONDOMINIUM ASSOCIATION, INC.
INSTR. #2015-20432

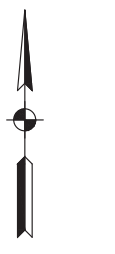
CITY OF GOSHEN, INDIANA
INSTR. #2001-42758
INSTR. #2001-42759

GT PROPERTIES OF GOSHEN, LLC
INSTR. #2008-23800

GOSHEN COMMUNITY SCHOOLS
INSTR. #2004-35409

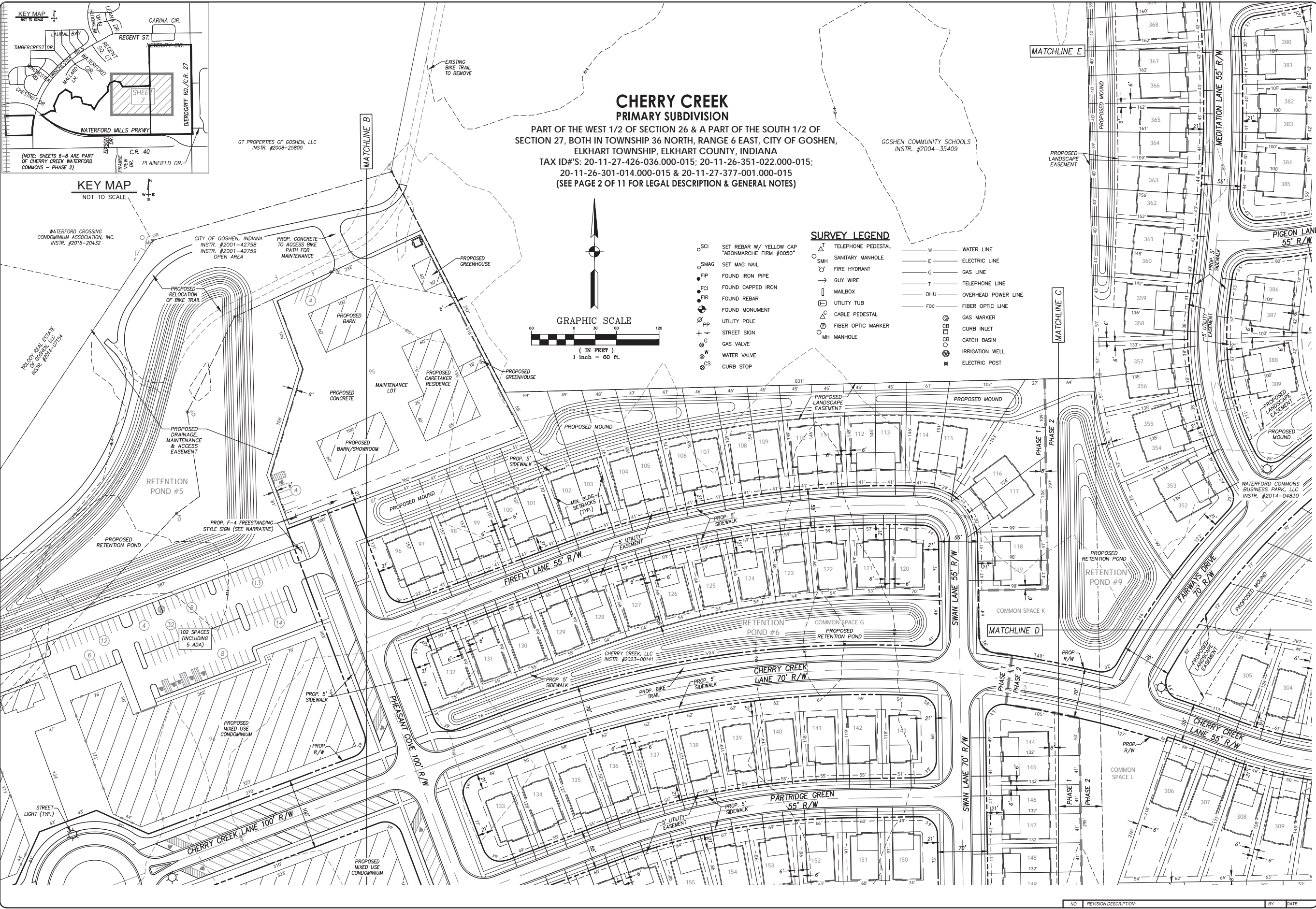
TRUDY REAL ESTATE OF GOSHEN, LLC
INSTR. #2014-07244

WATERFORD COMMONS BUSINESS PARK, LLC
INSTR. #2014-04830



GRAPHIC SCALE
(IN FEET)
1 inch = 60 ft.

- SURVEY LEGEND**
- SCI SET REBAR W/ YELLOW CAP "ABONMACHE FIRM #0050"
 - SMAG SET MAG NAIL
 - FIP FOUND IRON PIPE
 - FCI FOUND CAPPED IRON
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 - EP ELECTRIC POST



ABONMACHE
 Valparaiso
 Hobart
 South Bend
 Goshen, IN 46526
 Hammond
 Corydon
 Lafayette
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 abonmarcnc.com

PROJECT:
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WATERFORD MILLS PARKWAY
REGENT STREET/DIERDORFF ROAD
GOSHEN, IN 46526

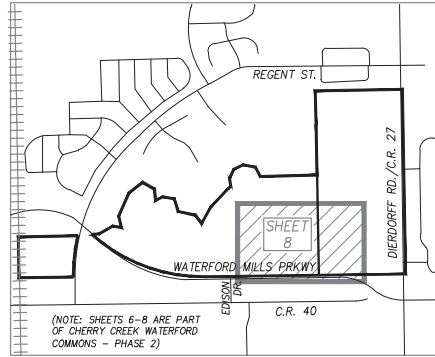
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NO.	REVISION DESCRIPTION	BY	DATE

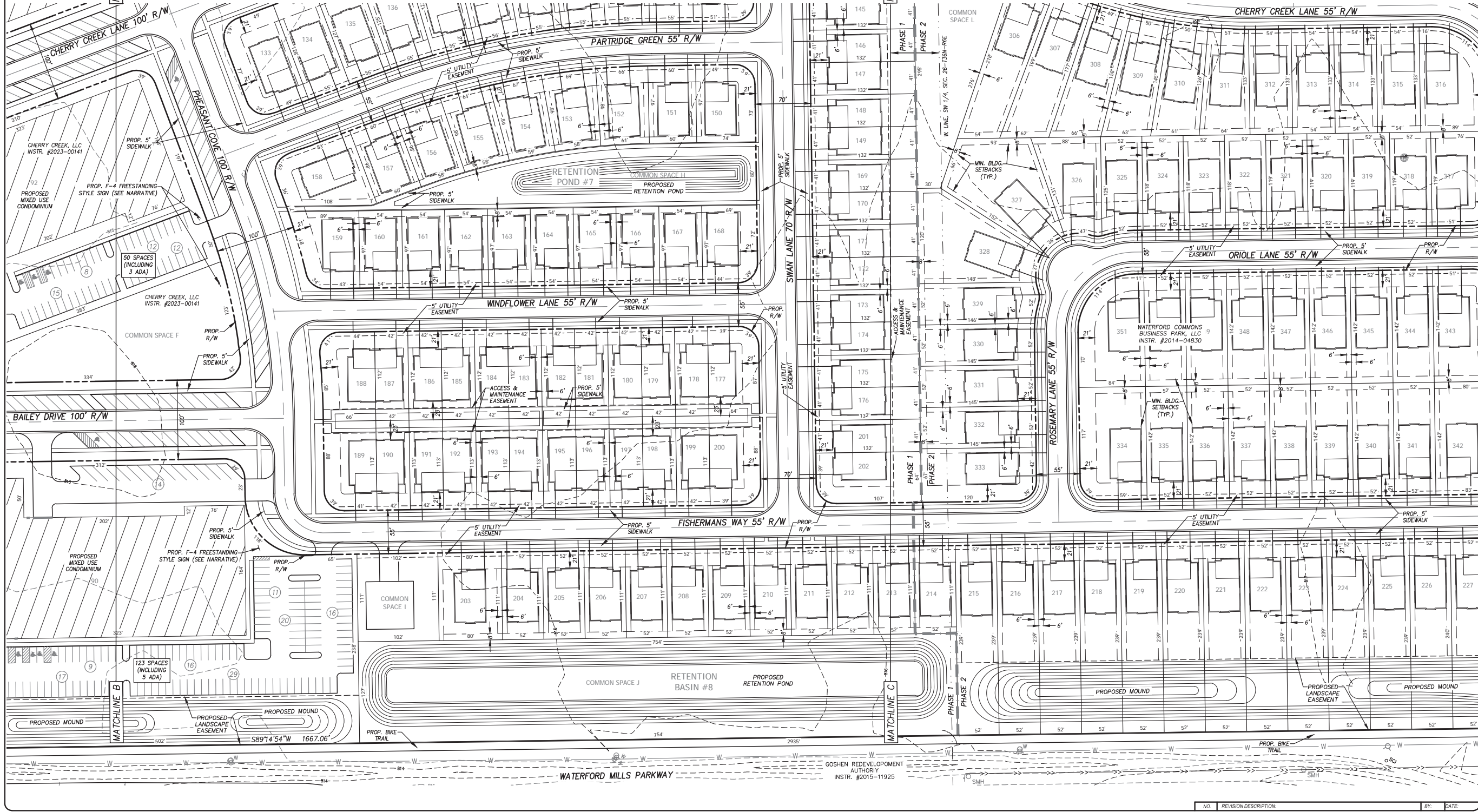
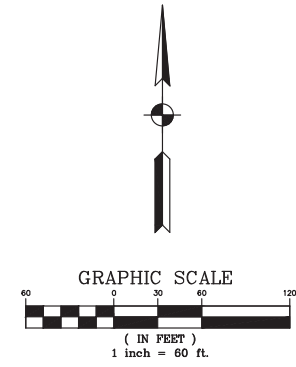
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SURVEY LEGEND

○ SCI	SET REBAR W/ YELLOW CAP "ABONMARCHÉ FIRM #0050"	△ TELEPHONE PEDESTAL	— W —	WATER LINE
○ SMAG	SET MAG NAIL	○ SMH	— E —	ELECTRIC LINE
○ FIP	FOUND IRON PIPE	○ FH	— G —	GAS LINE
○ FCI	FOUND CAPPED IRON	— T —	— T —	TELEPHONE LINE
○ FR	FOUND REBAR	— OHU —	— OHU —	OVERHEAD POWER LINE
○ FM	FOUND MONUMENT	— FOC —	— FOC —	FIBER OPTIC LINE
○ UP	UTILITY POLE	□ G	□ G	GAS MARKER
○ S	STREET SIGN	□ CB	□ CB	CURB INLET
○ G	GAS VALVE	□ C	□ C	CATCH BASIN
○ W	WATER VALVE	○ I	○ I	IRRIGATION WELL
○ CS	CURB STOP	○ E	○ E	ELECTRIC POST
○ MH	MANHOLE			



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PLANNED UNIT DEVELOPMENT

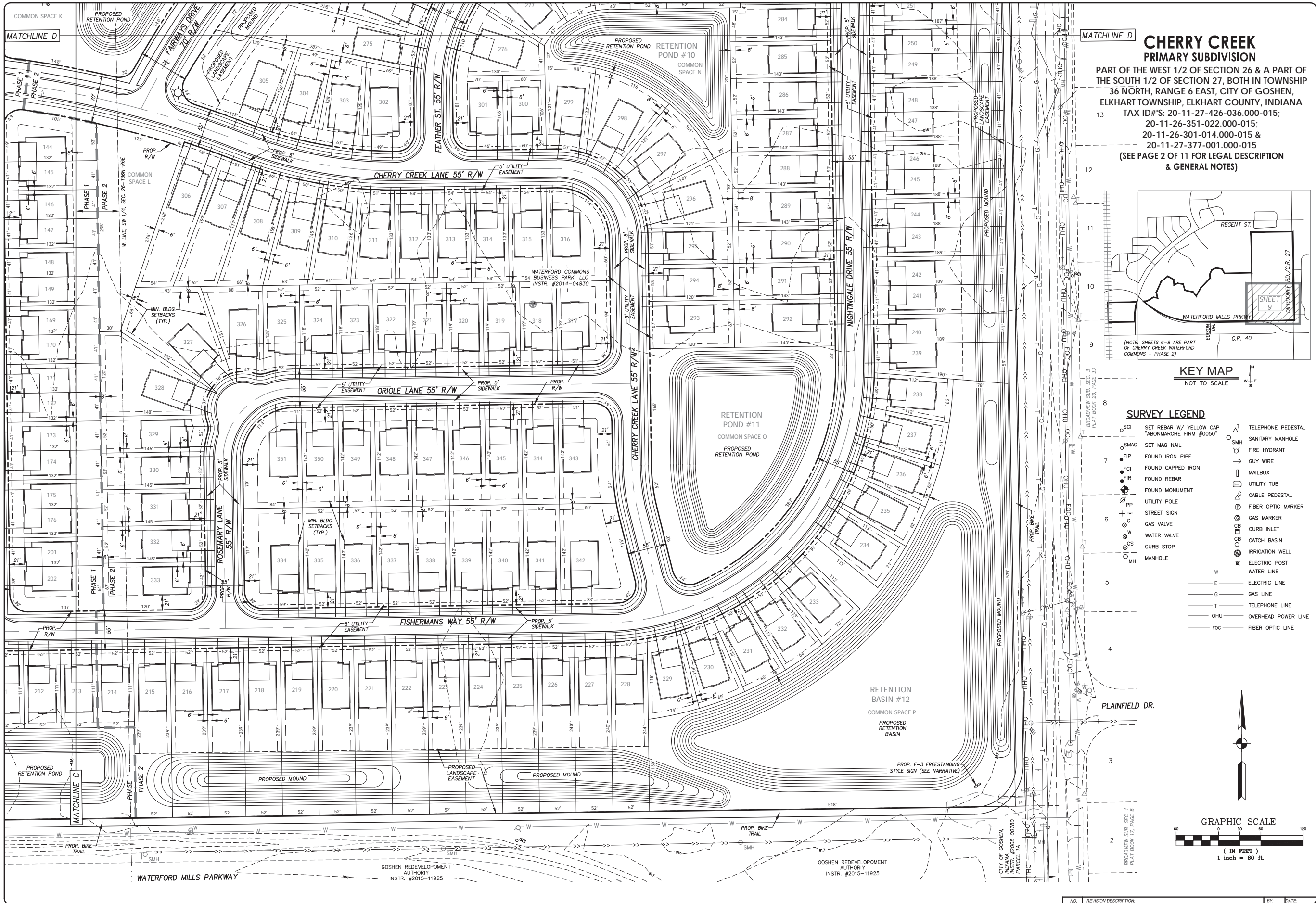
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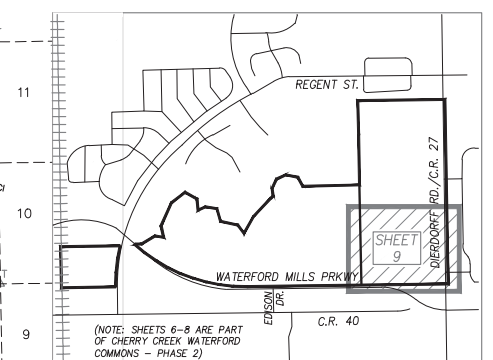
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SHEET NO. 8 of 12

NO.	REVISION DESCRIPTION	BY	DATE



**CHERRY CREEK
PRIMARY SUBDIVISION**
PART OF THE WEST 1/2 OF SECTION 26 & A PART OF
THE SOUTH 1/2 OF SECTION 27, BOTH IN TOWNSHIP
36 NORTH, RANGE 6 EAST, CITY OF GOSHEN,
ELKHART TOWNSHIP, ELKHART COUNTY, INDIANA
TAX ID#'S: 20-11-27-426-036.000-015;
20-11-26-351-022.000-015;
20-11-26-301-014.000-015 &
20-11-27-377-001.000-015
(SEE PAGE 2 OF 11 FOR LEGAL DESCRIPTION
& GENERAL NOTES)



KEY MAP
NOT TO SCALE

SURVEY LEGEND

○ SCI	SET REBAR W/ YELLOW CAP "ABONMARCHÉ FIRM #0050"	△ T	TELEPHONE PEDESTAL
○ SMAG	SET MAG NAIL	○ SMH	SANITARY MANHOLE
● FIP	FOUND IRON PIPE	→	FIRE HYDRANT
● FCI	FOUND CAPPED IRON	—	GUY WIRE
● FIR	FOUND REBAR	□	MAILBOX
● FOM	FOUND MONUMENT	□	UTILITY TUB
○ UP	UTILITY POLE	□	CABLE PEDESTAL
○ FOM	FOUND MONUMENT	○ FOM	FIBER OPTIC MARKER
○ S	STREET SIGN	○ G	GAS MARKER
○ W	WATER VALVE	○ C	CURB INLET
○ C	CURB STOP	○ CB	CATCH BASIN
○ MH	MANHOLE	○ IW	IRRIGATION WELL
— W	WATER LINE	— E	ELECTRIC LINE
— E	ELECTRIC LINE	— G	GAS LINE
— G	GAS LINE	— T	TELEPHONE LINE
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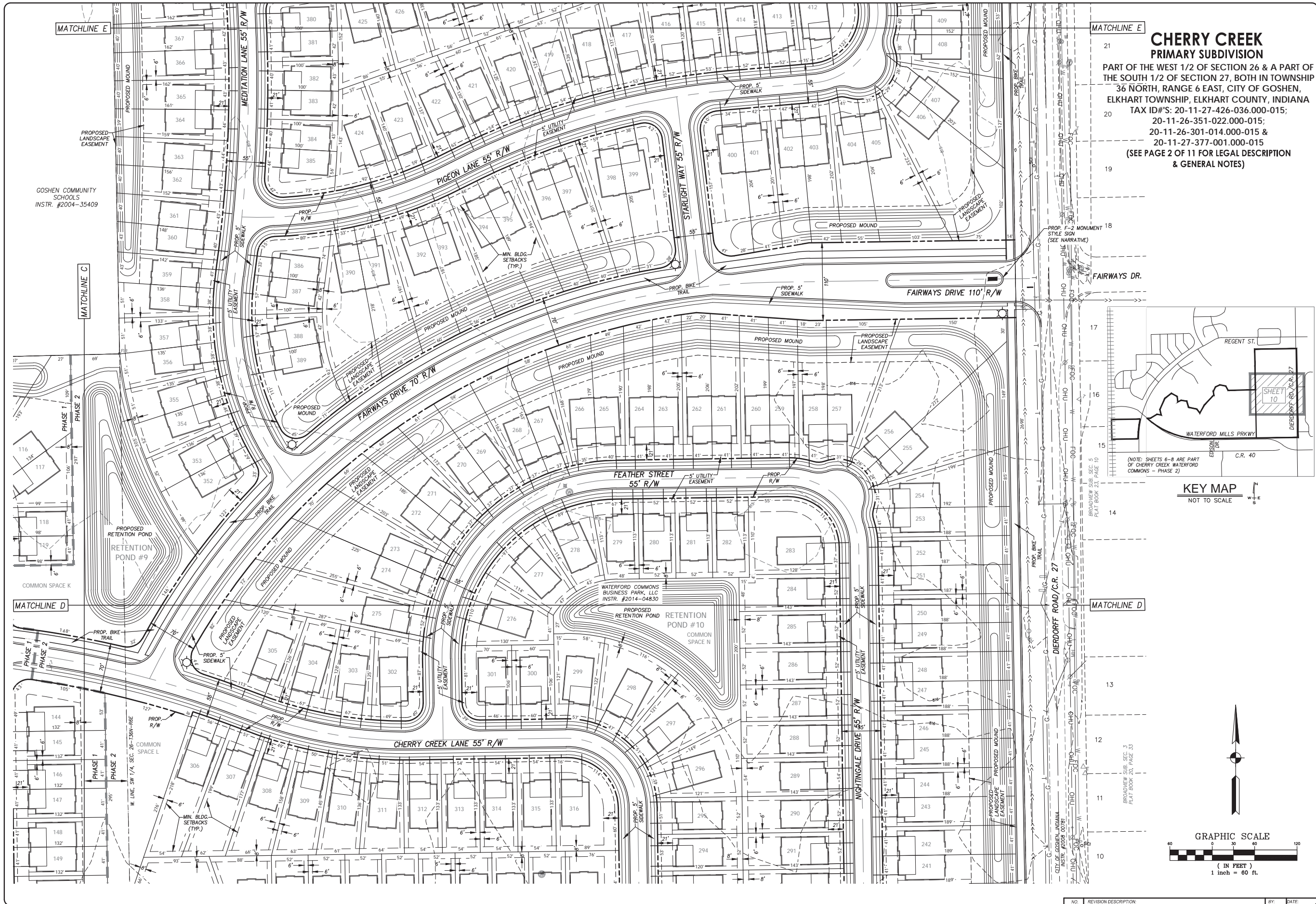
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Grand Rapids
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Engineering Architecture Land Surveying

CHERRY CREEK
WATERFORD MILLS PARKWAY
REGENT STREET/DIERDORF ROAD
GOSHEN, IN 46526

PROJECT:
PLANNED UNIT DEVELOPMENT

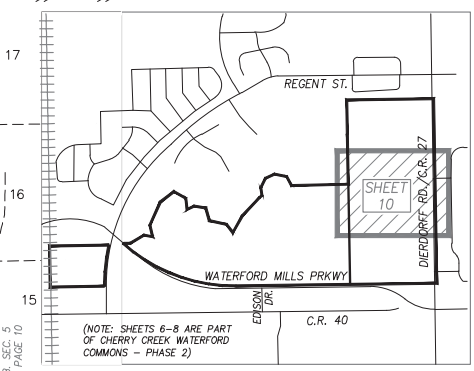
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NO REVISION DESCRIPTION BY DATE



GOSHEN COMMUNITY SCHOOLS
INSTR. #2004-35409

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CHERRY CREEK
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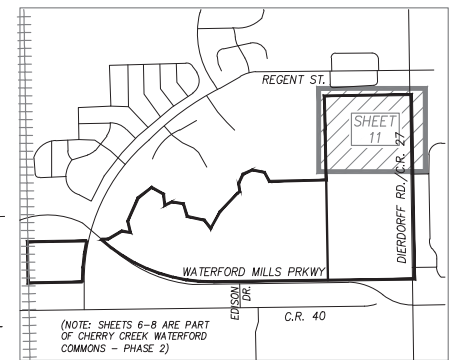
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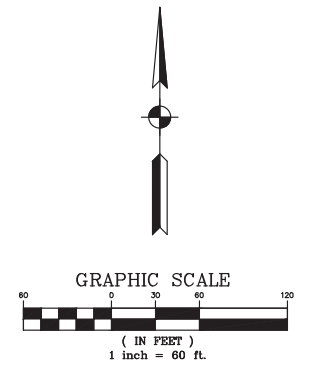
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● FIR	FOUND REBAR	—	MAILBOX
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—	GAS VALVE	—	GAS MARKER
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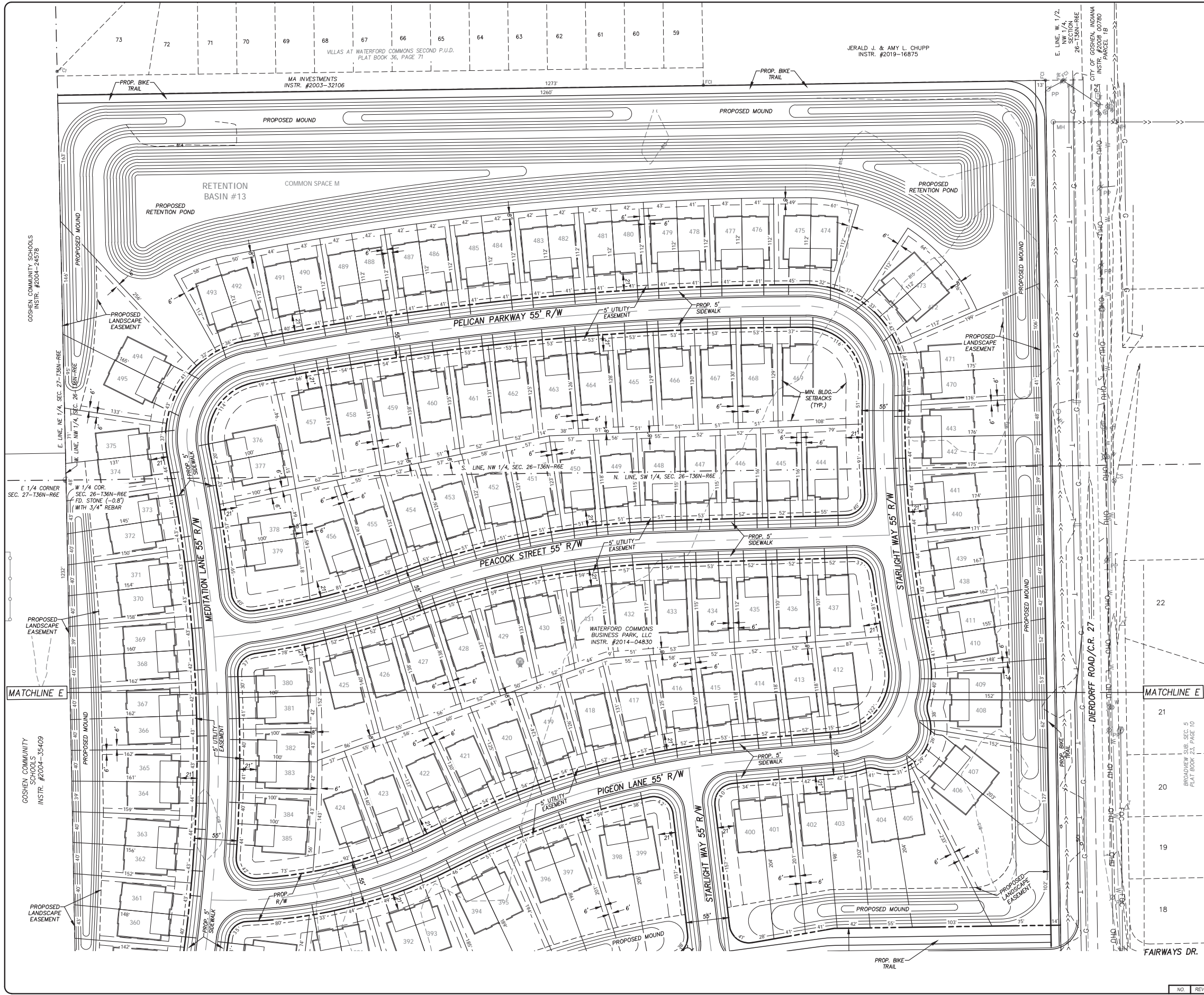
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CHERRY CREEK
WATERFORD MILLS PARKWAY
REGENT STREET/DIERDORFF ROAD
GOSHEN, IN 46526

PLANNED UNIT DEVELOPMENT

PROJECT TITLE: CHERRY CREEK PRIMARY SUBDIVISION

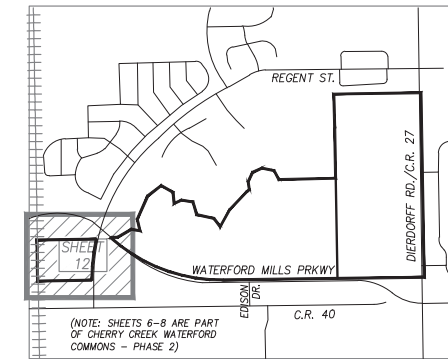
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NO.	REVISION DESCRIPTION	BY	DATE

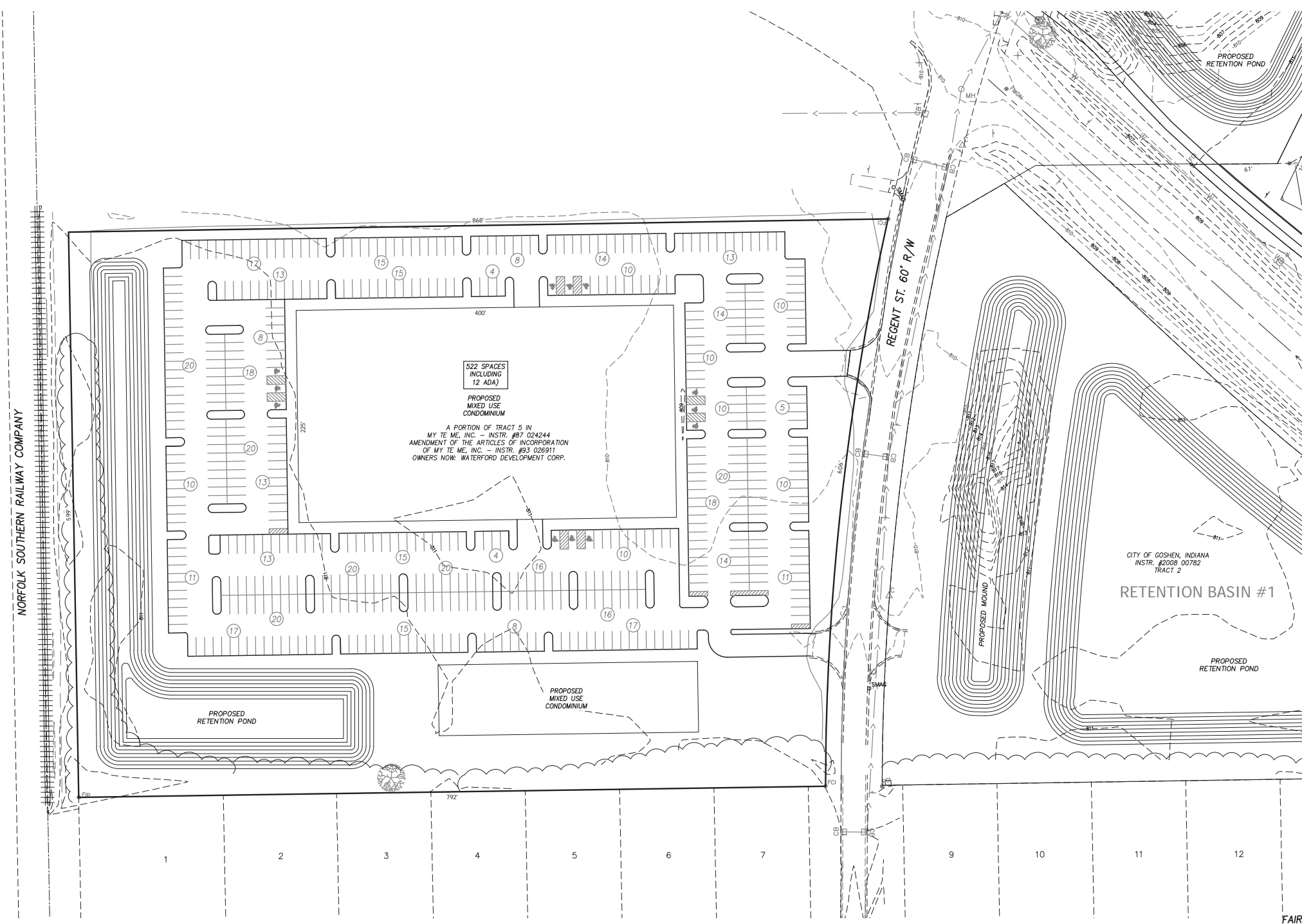
CHERRY CREEK PRIMARY SUBDIVISION

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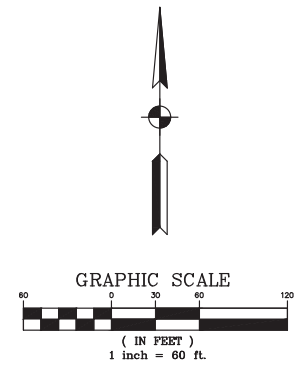


KEY MAP
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PROJECT:
CHERRY CREEK
 WATERFORD MILLS PARKWAY
 REGENT STREET/DIERDORFF ROAD
 GOSHEN, IN 46526

PLANNED UNIT DEVELOPMENT

SHEET TITLE:

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 SHEET NO: 12 of 12

BROADVIEW SUB. SEC. 5
 PLAT BOOK 231, PAGE 10

FAIRWAYS DR.

NO.	REVISION DESCRIPTION	BY	DATE

To: Goshen City Plan Commission/Goshen Common Council
From: Rhonda L. Yoder, Planning & Zoning Administrator
Subject: 23-03R & 23-02MA
Rezoning, PUD Major Change & PUD Preliminary Site Plan
Cherry Creek PUD, Dierdorff Road, Waterford Mills Parkway, Regent Street
Date: November 21, 2023

ANALYSIS

Cherry Creek, LLC, Waterford Commons Business Park, LLC, City of Goshen, and Abonmarche request a rezoning from Residential R-3 to Residential R-3PUD (Planned Unit Development), a PUD major change for property zoned R-3PUD to be incorporated into the new Cherry Creek PUD, and PUD preliminary site plan approval. The R-3 area is ±211 acres, and the R-3PUD area is ±24.4 acres, with adjacent right of way and parcels intended for right of way, generally located west of Dierdorff Road, north of Waterford Mills Parkway, east of Regent Street, and south of Waterford Mills Parkway on both sides of Regent Street. The Cherry Creek PUD proposes a mixed use residential/commercial development, with:

- Permitted and conditional uses following the Residential R-3 District and Commercial B-2 District, and allowing restaurants with drive-through and landscaping companies (non-retail);
- Minimum required commercial parking calculated at one (1) space per 400 square feet of gross floor area;
- No minimum parking required for common area uses (such as parks);
- Provided minimum parking spaces count to include on-street parking spaces;
- Maximum residential unit density calculated using overall Cherry Creek area, including common areas, but excluding public right of way; and
- Maximum building length allowed up to 400 feet.

The subject property includes an existing area of ±211 acres zoned Residential R-3 (including adjacent right of way and parcels intended for right of way), and an existing area of ±24.4 acres zoned R-3PUD. The existing primary use of the R-3 area is agricultural, with no buildings/structures. The R-3PUD area is part of the Maple City Greenway and is part of Waterford Commons PUD. The request includes:

1. Rezoning the R-3 area to R-3PUD, to establish the proposed Cherry Creek PUD;
2. A PUD major change for the R-3PUD area to remove it from the Waterford Commons PUD and incorporate it into the new Cherry Creek PUD; and
3. PUD preliminary site plan approval for the proposed Cherry Creek PUD.

The Cherry Creek PUD proposes a mixed use residential/commercial development, with ±179 acres, as follows:

- ±83 acres – single unit residential lots (detached and attached units, with 2 and 3 bedrooms)
- ±36 acres – mixed use buildings with residential units (1, 2 and 3 bedrooms) & commercial space
- ±2 acres – maintenance lot with single unit residence, equipment storage, greenhouse, real estate office, home design showroom, and landscaping company (non-retail)
- ±21 acres – common spaces, including recreation areas and drainage areas
- ±37 acres – right of way and trail out lots

A *Cherry Creek PUD, PUD Narrative and Development Standards* document was submitted with details, and the 29 text pages of the narrative are enclosed for reference.

The PUD proposes approximately 170,000 SF of commercial space (in 10 buildings), and approximately 1,565 residential units, with up to 270 detached single units, 245 attached single units, and 1,050 condo units (in 10 buildings). Typical lot layouts for attached and detached single unit residential are shown in Exhibit A, and elevations for the mixed use building are shown in Exhibit J.

Two phases are proposed, with the first phase ±89 acres on the west side of the main property on the north side of Waterford Mills Parkway. The first phase would include up to 220 attached/detached residential units, up to 760 condo units in 8 buildings, up to 120,000 SF of commercial space, and the maintenance lot. The first phase would include one access from Waterford Mills Parkway (an extension of Edison Drive) and one access from Regent Street. The first phase also includes off-site improvements on ±24 acres owned by City of Goshen.

When a PUD is developed, it contains specific use and developmental requirements that are in addition to, or in place of, the underlying zoning district requirements. A PUD is always tied to a site plan, with a PUD preliminary site plan adopted when a PUD is established or modified, and a detailed PUD final site plan reviewed as development occurs. PUD preliminary site plans require review as a public hearing at Plan Commission, with final approval by Council. A PUD is intended to streamline the review process and provide flexibility based on specific site conditions. In a PUD, lot size, lot width, building height, building coverage and setbacks are not subject to specific requirements, so standards for these items will not be included in the Cherry Creek PUD, but will be discussed.

Permitted Uses

The underlying zoning for the Cherry Creek PUD is Residential R-3, permitting a variety of residential uses, and no exceptions to permitted or conditional uses are proposed. For the commercial areas, the PUD proposes to allow permitted and conditional uses following the Commercial B-2 District. The B-2 District is a mixed use district, permitting a range of medium-intensity commercial uses, including retail, service, cultural, and office uses, for example.

Two proposed commercial uses that are not permitted in the B-2 District, restaurants with drive through and landscaping companies (non-retail), are requested to be added as permitted uses, and Staff recommends prohibiting three B-2 uses, Bus Terminals, Gas Stations, and Land Reclamation Projects, as these uses are not compatible with the proposed PUD.

Developmental Requirements

Density. In the R-3 District, residential unit density is permitted up to 20 units per acre. Maximum residential unit density for the Cherry Creek PUD is proposed to be calculated using the overall Cherry Creek area, including common areas but excluding public right of way, which based on approximately 142 total acres and 1565 total units would be 11 units per acre.

Access & Street Network. Proposed access points for the development include Waterford Mills Parkway (extending Edison Drive), Regent Street (at Winchester Drive), both in the first phase, and Dierdorff Road (extending Fairways Drive) in phase two. Phase two would also include two access points onto Regent Street for the southwest parcel. A Traffic Impact Study was prepared by LaCroix Traffic Engineering, dated March 2023, and the Executive Summary is enclosed as Exhibit B. Recommendations to be implemented include:

- Waterford Mills Parkway – Westbound right-turn lane and southbound approach with left-turn lane and separate shared thru/right-turn lane.
- Regent Street – Southbound left-turn lane and westbound approach with left-turn lane and separate shared thru/right-turn lane.
- Dierdorff Road – Southbound right-turn lane and eastbound approach with left-turn lane and separate shared thru/right-turn lane.

The final design details for the entrance improvements will be part of the subdivision plans. The internal street network will include new public streets, reviewed as part of the subdivision plans.

Sidewalks & Trails. Sidewalks (5' in width) and trails (10' in width) are proposed per Exhibit G, Active Transportation Network. Final locations will be determined during subdivision review. In phase two, the trail along the north property line, adjacent to Villas at Waterford Commons Second, should be relocated south of the berm/landscaping.

Parking. Residential parking is proposed following Zoning Ordinance requirements of two spaces for each single unit, 1.5 spaces for one and two bedroom condo units, and two spaces for three (or more) bedroom condo units. Commercial parking is proposed at one space per 400 square feet of gross floor area, with no parking requirements for common areas (such as parks), and with the overall parking space count to include on-street parking spaces. Bicycle parking is proposed at two spaces per 10,000 square feet of gross floor area of commercial space, with a minimum of three bicycle spaces for each mixed use building.

Zoning Ordinance parking requirements for typical B-2 commercial uses for floor area (usually display/sales area) ranges from 200 SF to 800 SF, plus one space per two employees. Applying one space per 400 SF of gross floor area to commercial uses will provide an adequate standard that is easy to implement, and which will not require new reviews when uses change, unless gross floor area changes, which will be unlikely to occur. All drive through uses will be subject to Zoning Ordinance stacking requirements.

Based on the proposed standards, the total residential units, and total commercial floor area, parking requirements will be met for all uses.

Landscaping. Typical proposed landscaping is shown in Exhibit E. Required landscaping includes streetside trees, bufferyard (partial landscaping adjacent to single and two family land use), and parking lot trees/islands. Streetside trees are proposed meeting the total required based on frontage, with some trees planted in alternative locations where the proximity of drives or utilities limits space for planting. The Zoning Ordinance allows an alternative plan for streetside trees, provided the total number of required trees is not diminished. Parking lot trees/islands are proposed meeting Zoning Ordinance requirements. Partial landscaping is proposed with two options, with option one following the Zoning Ordinance formula and option two an undulating berm with one evergreen tree for every 25' of applicable lot line, with grouped planting. Since partial landscaping does not require a berm, the addition of a berm option with fewer evergreen trees still meets the requirement of a partial visual barrier.

Building Length. In the R-3 District, maximum building length is allowed at 200 feet. The Cherry Creek PUD proposes a maximum building length up to 400' for the mixed use buildings. The 400' building length is consistent with adjacent buildings in Waterford Crossing.

Signs. Proposed signs are detailed in the PUD Narrative (pages 9-14), as follows:

- Illuminated Monument Sign (main entrance) - Waterford Mills Parkway, 80 SF area, 6' height
- Illuminated Monument Signs (secondary entrances) - Regent & Dierdorff, 1 at each entrance, 55 SF area, 5' height
- Temporary Freestanding Signs - Regent/Waterford Mills Parkway & Dierdorff/Waterford Mills Parkway, 1 at each location, to be removed when the permanent entrance signs are installed, 32 SF area, 8' height
- Internal Freestanding Signs – Phase one, mixed use buildings, up to 8 non-illuminated signs, 32 SF area, 8' height
- Projecting Signs – One illuminated sign for each store front, 6 SF area, mounted below awning
- Non-illuminated Wall Signs – Up to three signs for each mixed use building, ranging in area from 21 SF to 53 SF, and one sign 6 SF in area for each non-residential building on the maintenance lot
- Window Signs – One window sign per store front, not exceeding 25% of the window area up to a maximum area of 20 SF

Monument signs will provide landscaped area around each sign of 2 square feet for each 1 square foot of sign face (1 side). The number, type, size and height of proposed signs appears compatible with the scale of development. Signs for phase two mixed-use buildings will follow signs as proposed for the phase one mixed use buildings. Changes to the sign plan shall be reviewed by the Plan Commission as a minor change.

Lighting. Cherry Creek PUD lighting includes streetlights, private residential lighting, and building-mounted and pole lighting in parking lots for mixed use buildings. Lighting shall be designed and installed to be directed down and away from adjacent residential properties, and shall minimize illumination, glare or reflection onto adjacent residential properties.

Lot Size, Lot Width, Building Height, Building Coverage & Setbacks. Specific standards are not required in PUD districts for lot size, lot width, building height, building coverage and setbacks, but there are practical factors that will impact the location and size of structures, including the location of utilities, parking space length within a driveway (so vehicles are not over sidewalk, for example), mail delivery, and space for landscaping. Provided lot size, lot width, setbacks and building coverage must ensure adequate space to meet all developmental requirements, such as landscaping and parking, and to maintain access for all services (fire protection, utilities, mail delivery, trash collection, for example).

PUD Preliminary Site Plan (Exhibit K)

The PUD preliminary site plan for Cherry Creek PUD is shown in Exhibit K. Sheet 1 is an overall drawing, with the following sheets showing areas within the PUD in more detail. PUD preliminary site plan approval is a conceptual site plan approval, and PUD final site plan review, including landscaping and lighting plans, is required, which is submitted as part of the City's administrative site plan review process, Technical Review, and may be reviewed by Staff on behalf of the Plan Commission. Subdivision review is a separate process, which occurs after a PUD has been established.

RECOMMENDATIONS

Staff recommends the Plan Commission forward a favorable recommendation to Goshen Common Council for the rezoning, PUD major change, and PUD preliminary site plan for the proposed Cherry Creek PUD, based upon the following:

1. The proposed Cherry Creek PUD is consistent with the existing mixed use land development within the adjacent Waterford Commons PUD.

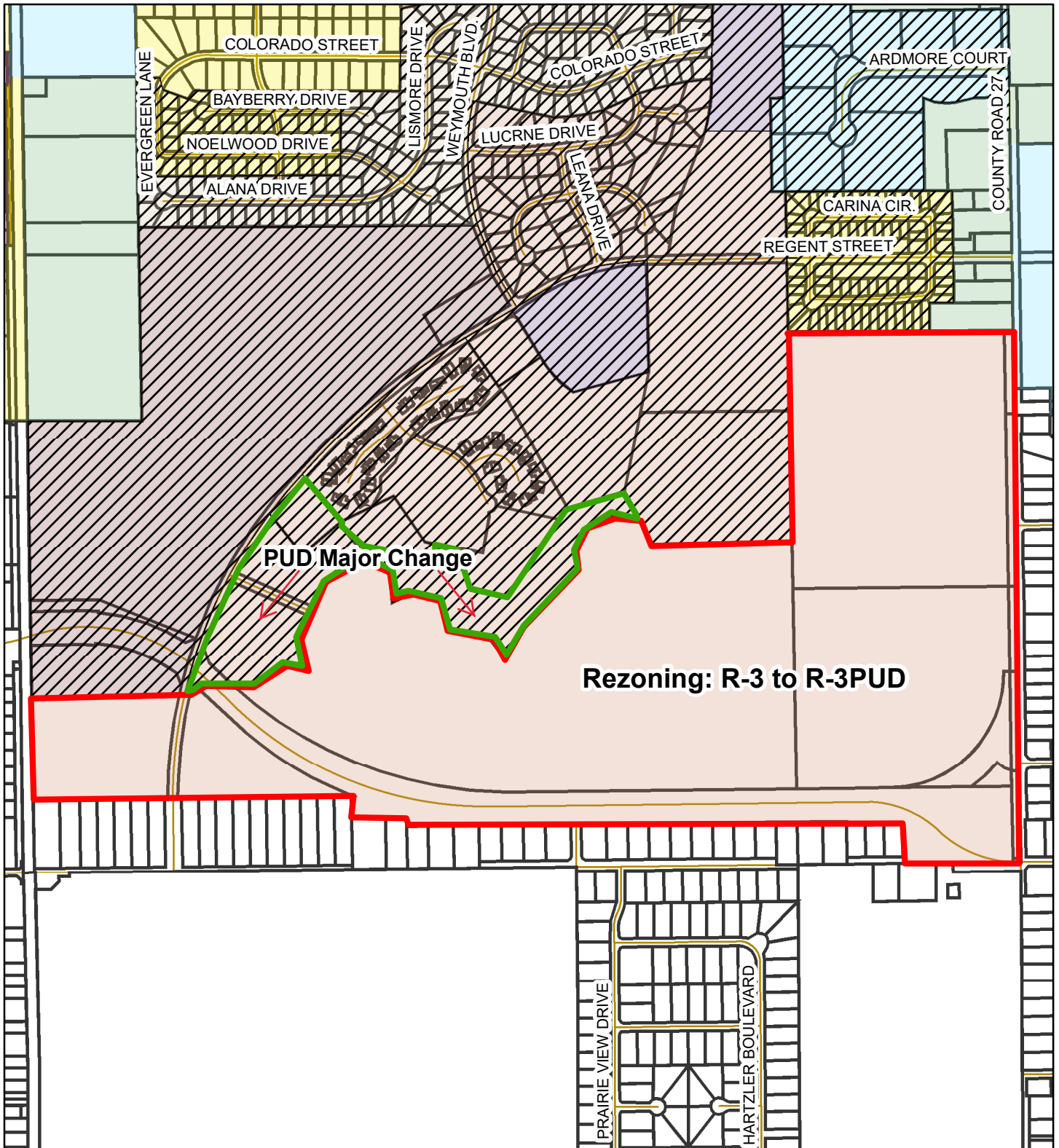
2. The proposed development is consistent with the Comprehensive Plan, including:
 - Neighborhoods & Housing, Goal N-7: Expand housing options and opportunities.
 - Neighborhoods & Housing, Goal N-6: Encourage compact and connected residential development.
 - Land Use, Goal L-7: Encourage small-scale, neighborhood commercial development.
 - Transportation, Goal T-4: Increase pedestrian/biking options.

The recommendation includes the following PUD standards:

1. Except as modified by specific PUD conditions, the approved PUD preliminary site plan is *Cherry Creek Planned Unit Development, Sheets 1-12*, dated 10-30-2023, by Abonmarche Consultants, Inc.
2. Cherry Creek PUD is a mixed use, residential and commercial development, and permitted and conditional uses will follow the R-3 District and the B-2 District, with the following exceptions:
 - Restaurants with drive-through permitted;
 - Landscaping companies (non-retail) permitted;
 - Bus terminals prohibited;
 - Gas stations prohibited;
 - Land reclamation projects prohibited.
3. Maximum residential unit density will be calculated using the overall Cherry Creek area, including common areas but excluding public right of way.
4. Sidewalks and trails will be installed generally per Exhibit G, Active Transportation Network, with final locations determined during subdivision review. In phase two, the trail along the north property line, adjacent to Villas at Waterford Commons Second, should be relocated south of the berm/landscaping.
5. Minimum parking requirements will be calculated as follows:
 - One vehicle space per 400 square feet of commercial gross floor area;
 - Two bicycle spaces per 10,000 square feet of commercial gross floor area;
 - Stacking spaces for drive through uses per the Zoning Ordinance;
 - No minimum parking for common area uses;
 - Residential parking per the Zoning Ordinance; and
 - On street parking spaces included in total space count for provided parking.
6. Partial landscaping will be implemented with two options, option one following the Zoning Ordinance formula and option two an undulating berm with one evergreen tree for every 25' of applicable lot line, with grouped planting.
7. Maximum building length up to 400' is permitted for mixed use buildings.
8. Signs will follow the PUD Narrative (pages 9-14, to be incorporated into the PUD ordinance). Signs for phase two mixed-use buildings will follow signs as proposed for the phase one mixed use buildings. Changes to the sign plan shall be reviewed by the Plan Commission as a minor change.
9. For mixed use buildings, lighting shall be directed down and away from adjacent residential properties, and shall minimize illumination, glare or reflection onto adjacent residential properties, with a lighting plan required as part of the PUD final site plan submittal.
10. Lot size, lot width, building height, building coverage and setbacks are not subject to specific standards, but provided lot size, lot width, setbacks and building coverage must ensure adequate space to meet all developmental requirements, such as landscaping and parking, and to maintain access for all services (fire protection, utilities, mail delivery, trash collection, for example).

Review process conditions include:

1. The overall primary subdivision, and the secondary subdivision for each phase, shall be reviewed and approved before development occurs, excluding earth work with an approved permit.
2. A PUD final site plan, including landscaping and lighting plans, shall be submitted with each subdivision phase, and approved prior to a zoning clearance form/building permit being issued.
3. Site plan approval by Goshen Engineering is required for site drainage, post construction, site utilities and right-of-way access, as applicable, before a zoning clearance/building permit is issued.
4. The Goshen Fire Department shall approve the plan for fire protection (including hydrant placement and access) as part of PUD final site plan approval.



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Rezoning: R-3 to R-3PUD (Planned Unit Development) & PUD Major Change

Zoning Map
 Printed November 1, 2023

The City of Goshen
 Department of
 Planning & Zoning
 204 East Jefferson Street, Goshen, Indiana 46528
 Phone: 574-534-3600 Fax: 574-533-8626

CHERRY CREEK, PUD

PUD NARRATIVE AND DEVELOPMENT STANDARDS



PREPARED FOR:

CITY OF GOSHEN
GOSHEN, IN 46526

PREPARED BY:

CHERRY CREEK LLC.
1630 TIMBERLINE DRIVE
GOSHEN, IN 46526
AND
ABONMARCHE CONSULTANTS, INC.
303 RIVER RACE DRIVE
GOSHEN, IN 46526
(574) 533-9913

NOVEMBER 1, 2023

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OVERALL PROJECT AREA

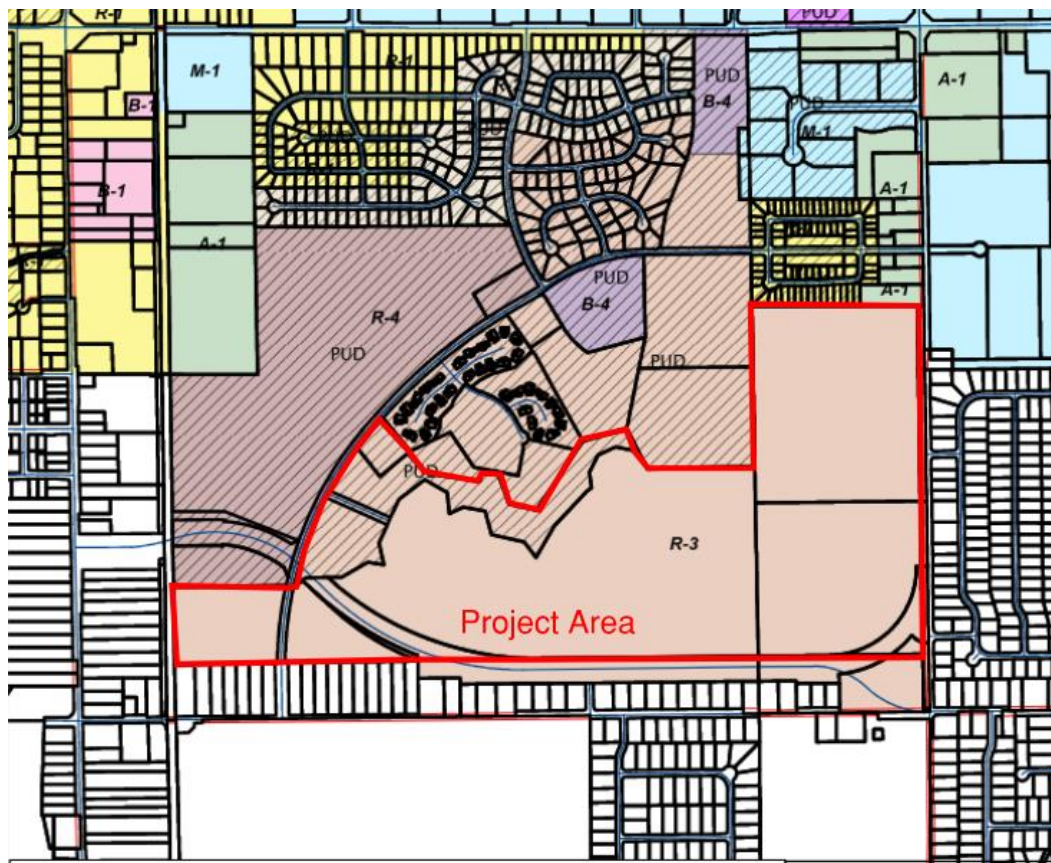
THE PROJECT IS LOCATED ON ROUGHLY 204 ACRES IN SOUTHEAST GOSHEN. THE MAIN PROPERTY IS BOUNDED BY REGENT STREET ON THE WEST, DIERDORFF ROAD ON THE EAST, AND WATERFORD MILLS PARKWAY ON THE SOUTH. A LARGE RETENTION AREA AND ANOTHER DEVELOPMENT LOT ARE LOCATED SOUTH OF WATERFORD MILLS PARKWAY.

LEGAL DESCRIPTION FOR AREA CURRENTLY ZONED R-3 TO REZONE TO R-3 PUD IS IN EXHIBIT A.

LEGAL DESCRIPTION FOR AREA CURRENTLY ZONED R-3 PUD FOR A PUD MAJOR CHANGE IS IN EXHIBIT B.

DEEDS FOR THE PROPERTIES IN THE PROPOSED CHERRY CREEK R-3 PUD ARE IN EXHIBIT C.

LETTERS OF AUTHORIZATION FOR ALL PROPERTIES ARE PROVIDED IN EXHIBIT D.



EXISTING ROADS FRONTAGE OF THE PROJECT	
DIERDORFF ROAD	2,674 +/- FEET
WATERFORD MILLS PARKWAY	6,149 +/- FEET
REGENT STREET	2,367 +/- FEET
TOTAL	11,190 +/- FEET

DEVELOPMENT PROJECT OVERVIEW

CHERRY CREEK WILL BE A MIXED-USE NEIGHBORHOOD THAT IS DESIGNED FOR AN ACTIVE LIFESTYLE WHERE LIVING, WORKING, AND PLAYING ARE ALL AVAILABLE WITHIN WALKING AND BIKING DISTANCE IN THE COMMUNITY.

CHERRY CREEK WILL BE ABUNDANT WITH AMENITIES AND WILL BE COMPLETELY MAINTENANCE-FREE LIVING. HOMEOWNERS WILL HAVE A WIDE VARIETY OF ACTIVITIES AND AMENITIES THAT ARE INCLUDED IN A HOMEOWNER'S ASSOCIATION FEE THAT WILL ALSO COVER OUTDOOR MAINTENANCE AND SNOW REMOVAL. AMENITIES PLANNED AT THIS TIME INCLUDE A DOG PARK, PARK AND RECREATION SPACES, A PAVILION AND LARGE OPEN SPACE, WIDE WALKING AND BIKING PATH CONNECTED TO THE CITY TRAIL TO GET DOWNTOWN, NUMEROUS PONDS WITH FOUNTAINS, FITNESS CENTER, CHILDCARE, RETAIL, BANK, 2-3 RESTAURANTS AND A RESTAURANT WITH A DRIVE THRU.

UP TO 120,000 SQUARE FEET OF COMMERCIAL SPACE WILL BE PROVIDED IN PHASE 1. AN ADDITIONAL 50,000 WILL BE PROVIDED IN PHASE 2.

LAND USE SUMMARY

SINGLE-FAMILY RESIDENTIAL LOTS	83 ACRES +/- (41%)
MIXED USE RESIDENTIAL AND COMMERCIAL	36 ACRES +/- (18%)
MAINTENANCE LOT	2 ACRES +/- (1%)
COMMON SPACES (CHERRY CREEK)	21 ACRES +/- (10%)
OWNED BY CITY OF GOSHEN	24 ACRES +/- (12%)
RIGHT OF WAY AND TRAIL OUT LOTS	37 ACRES +/- (19%)
TOTAL	204 ACRES +/- (100%)

AS THE FINAL SUBDIVISION PLAT HAS NOT BEEN DESIGNED THE FOLLOWING ARE MAXIMUM NUMBERS FOR EACH USE TYPE.

SINGLE-FAMILY DETACHED	UP TO 270 UNITS
SINGLE-FAMILY ATTACHED	UP TO 245 UNITS
MULTI-FAMILY CONDOMINIUMS	UP TO 1,050 UNITS (IN 10 BUILDINGS)
COMMERCIAL SPACE	UP TO 170,000 SQUARE FEET

THE DENSITY OF DWELLING UNITS PER ACRE ACROSS THE FULL CHERRY CREEK DEVELOPMENT WILL BE APPROXIMATELY 8 UNITS PER ACRE.

WATER AND WASTEWATER

THE CHERRY CREEK PUD WILL BE SERVICED BY THE CITY OF GOSHEN MUNICIPAL WATER AND SANITARY SEWER.

EASEMENTS

A SERIES OF EASEMENTS WILL BE ESTABLISHED THROUGH THE SUBDIVISION PLATTING PROCESS FOR THE CITY OF GOSHEN, UTILITY COMPANIES, AND CHERRY CREEK LLC. THESE EASEMENTS INCLUDE:

- STORMWATER DRAINAGE EASEMENTS GRANTED BY THE CITY OF GOSHEN FOR BENEFIT TO CHERRY CREEK LLC TO CONSTRUCT AND MAINTAIN RETENTION PONDS

ON CITY OWNED PROPERTY FOR THE PROPOSED PROJECT AS OUTLINED IN THE APPROVED DEVELOPMENT AGREEMENT.

- STORMWATER DRAINAGE EASEMENTS WITHIN PROPOSED COMMON SPACES CONTAINING RETENTION IN CHERRY CREEK PUD GRANTED BY CHERRY CREEK LLC FOR BENEFIT TO THE CITY OF GOSHEN TO MAINTAIN STORM SEWER DISCHARGE PIPES.
- ACCESS AND MAINTENANCE EASEMENTS GRANTED BY THE CITY OF GOSHEN FOR BENEFIT TO CHERRY CREEK LLC ON CITY OWNED PROPERTY INCLUDED IN THE CHERRY CREEK PUD AS OUTLINED IN THE APPROVED DEVELOPMENT AGREEMENT.
- ACCESS, DRAINAGE, LANDSCAPE, AND MAINTENANCE EASEMENTS ESTABLISHED ACROSS INDIVIDUAL LOTS WITHIN THE CHERRY CREEK SUBDIVISION PLAT FOR CHERRY CREEK LLC TO CONSTRUCT AND MAINTAIN STORMWATER MANAGEMENT SYSTEMS, LANDSCAPING AND MOUNDING, AND TO PERFORM GENERAL MAINTENANCE.
- ACCESS EASEMENTS GRANTED BY CHERRY CREEK LLC FOR BENEFIT TO THE CITY OF GOSHEN AND PUBLIC FOR NON-DEDICATED TRAILS IN CHERRY CREEK.
- UTILITY EASEMENTS ADJACENT TO PUBLIC RIGHT-OF-WAY WHERE SPECIFIED ON THE SUBDIVISION PLAT.

PROJECT PHASING

THE PROJECT IS DESIGNED TO BE CONSTRUCTED IN TWO MAJOR PHASES.

PHASE ONE

PHASE ONE IS 89 +/- ACRES OF PRIVATE PROPERTY ON THE WEST PORTION OF THE MAIN PROPERTY ON THE NORTHSIDE OF WATERFORD MILLS PARKWAY AND EAST OF REGENT STREET. THIS PHASE ALSO INCLUDES 24 +/- ACRES OF CITY OF GOSHEN OWNED PROPERTY. THIS PHASE WILL BEGIN IN 2024 WITH AN ANTICIPATED FULL BUILD-OUT BY 2034.

PROPOSED MIX PHASE ONE IS:

SINGLE-FAMILY DETACHED	UP TO 110 UNITS
SINGLE-FAMILY ATTACHED	UP TO 110 UNITS
MULTI-FAMILY CONDOMINIUMS	UP TO 760 UNITS (IN 8 BUILDINGS)
COMMERCIAL SPACE	UP TO 120,000 SQUARE FEET
MAINTENANCE LOT (MIXED USE)	1 RESIDENTIAL DWELLING UNIT, 1 GREENHOUSE, 1 BARN, 1 BARN WITH SHOWROOM

PHASE TWO

PHASE TWO IS 80 +/- ACRES ON THE EAST PORTION OF THE MAIN PROPERTY ON THE NORTHSIDE OF WATERFORD MILLS PARKWAY ON THE WESTSIDE OF DIERDORFF ROAD AND +/- 11 ACRES ON THE SOUTHWEST CORNER OF WATERFORD MILLS PARKWAY AND REGENT STREET. PHASE TWO INFRASTRUCTURE CONSTRUCTION IS ANTICIPATED TO BEGIN IN 2026 WITH FULL BUILDOUT BY 2042.

PROPOSED MIX FOR PHASE TWO IS:
 SINGLE-FAMILY DETACHED
 SINGLE-FAMILY ATTACHED
 MULTI-FAMILY CONDOMINIUMS
 COMMERCIAL SPACE

UP TO 160 UNITS
 UP TO 135 UNITS
 UP TO 240 UNITS (IN 1 BUILDING)
 UP TO 50,000 SQUARE FEET

SINGLE-FAMILY DETACHED HOMES WILL BE A MIX OF 2- AND 3-BEDROOM UNITS WITH THE POTENTIAL FOR AN EGRESS WINDOW TO ALLOW FOR ADDITIONAL BEDROOMS IN THE BASEMENT.

SINGLE-FAMILY ATTACHED HOMES WILL BE A MIX OF 2- AND 3-BEDROOM UNITS. MULTI-FAMILY UNITS WILL BE A MIX OF 1-, 2- AND 3-BEDROOM UNITS.

CHERRY CREEK DEVELOPMENT STANDARD SUMMARY					
	SINGLE FAMILY DETACHED	SINGLE FAMILY ATTACHED	RESIDENTIAL IN MIXED USE BLDGS	COMMERCIAL IN MIXED USE BLDGS	MAINTENANCE LOT
PERMITTED USES	RESIDENTIAL UNITS	RESIDENTIAL UNITS	RESIDENTIAL UNITS	ALL B-2 PERMITTED & CONDITIONAL USES	SEE MAINTENANCE LOT DETAILS
	ACCESSORY USES AND/OR BUILDINGS PER ARTICLE V	ACCESSORY USES AND/OR BUILDINGS PER ARTICLE V	ACCESSORY USES AND/OR BUILDINGS PER ARTICLE V	ACCESSORY USES AND/OR BUILDINGS PER ARTICLE V	ACCESSORY USES AND/OR BUILDINGS PER ARTICLE V
MAXIMUM BUILDING HEIGHT	THREE STORIES	THREE STORIES	70 FEET	70 FEET	THREE STORIES
MINIMUM LOT AREA	5,000 SQUARE FEET	2,000 SQUARE FEET	900 SQUARE FEET PER DWELLING UNIT	Dictated by Building Size	Dictated by Building Size
MINIMUM LOT FRONTAGE	36 FEET	20 FEET	25 FEET	25 FEET	25 FEET
FRONT YARD SETBACK	21 FEET	21 FEET	0 FEET	0 FEET	21 FEET
SIDE YARD SETBACK	5/5 FEET	0/5 FEET	0/0 FEET	0/0 FEET	5/5 FEET
REAR YARD SETBACK	8 FEET	8 FEET	0 FEET	0 FEET	0 FEET
ACCESSORY STRUCTURE SETBACK	5 FEET	5 FEET	5 FEET	5 FEET	5 FEET
MAXIMUM BUILDING COVERAGE	60%	60%	80%	80%	60%

MINIMUM BUILDING SIZE	720 SQUARE FEET	720 SQUARE FEET	720 SQUARE FEET + 360 SQUARE FEET PER ADDITIONAL UNIT	N/A	N/A
FENCE REGULATIONS	ARTICLE V SECTION 5130	ARTICLE V SECTION 5130	ARTICLE V SECTION 5130	ARTICLE V SECTION 5130	ARTICLE V SECTION 5130
VISIBILITY REGULATIONS	ARTICLE V SECTION 5180	ARTICLE V SECTION 5180	ARTICLE V SECTION 5180	ARTICLE V SECTION 5180	ARTICLE V SECTION 5180
OFF-STREET PARKING REGULATIONS	2 SPACES PER UNIT IN ATTACHED GARAGE	2 SPACES PER UNIT IN ATTACHED GARAGE	1.5 SPACE PER 1-2 BEDROOM UNIT, 2 SPACES PER 3+ BEDROOM UNIT	1 SPACE PER 400 SQUARE FEET OF GROSS COMMERCIAL SPACE	SEE MAINTENANCE LOT DEVELOPMENT STANDARDS PARKING NARRATIVE
SIGN REGULATIONS	NO SIGNS PROPOSED	NO SIGNS PROPOSED	SEE SIGN NARRATIVE	SEE SIGN NARRATIVE	SEE SIGN NARRATIVE
SCREENING	ARTICLE V SECTION 5190	ARTICLE V SECTION 5190	ARTICLE V SECTION 5190	ARTICLE V SECTION 5190	ARTICLE V SECTION 5190
MAXIMUM BUILDING LENGTH	200 FEET	200 FEET	400 FEET	400 FEET	400 FEET
LANDSCAPING REGULATIONS	SEE LANDSCAPE NARRATIVE	SEE LANDSCAPE NARRATIVE	SEE LANDSCAPE NARRATIVE	SEE LANDSCAPE NARRATIVE	SEE LANDSCAPE NARRATIVE

ALLOWABLE USES IN COMMON SPACES AND COMMERCIAL SPACES

AMENITIES PLANNED AT THIS TIME INCLUDE A DOG PARK, PARK AND RECREATION SPACES, A PAVILION AND LARGE OPEN SPACE, WIDE WALKING AND BIKING PATH CONNECTED TO THE CITY TRAIL TO GET DOWNTOWN, NUMEROUS PONDS WITH FOUNTAINS, FITNESS CENTER, CHILDCARE, RETAIL, BANK, 2-3 RESTAURANTS AND A RESTAURANT WITH A DRIVE THRU.

PARKING SUMMARY

PROPOSED NUMBER OF PARKING SPACES:

SINGLE FAMILY RESIDENTIAL GARAGE	972 SPACES
PHASE 1 MIXED USE LOTS	1,464 SPACES
PHASE 1 MIXED USE PARKING GARAGE	800 SPACES
PHASE 2 MIXED USE LOT	535 SPACES
ON STREET	215 SPACES
MAINTENANCE LOT	8 SPACES
PROPOSED TOTAL	3,994 SPACES

PARKING REQUIRED BASED ON CHERRY CREEK STANDARDS IS 3,078 SPACES.

EACH SINGLE-FAMILY LOT WILL ACCOMMODATE 2 PARKING SPACES AS REQUIRED BY GOSHEN STANDARDS. THESE SPACES WILL BE LOCATED IN THE ATTACHED GARAGE.

A TOTAL OF APPROXIMATELY 12.8 ACRES WILL BE DEVELOPED AS PARKING LOTS FOR THE MIXED USE RESIDENTIAL/COMMERCIAL LOTS. THIS IS 6.3% OF THE TOTAL SITE.

ON STREET PARKING WILL BE LOCATED IN THE RIGHT-OF-WAY.

THE MIXED-USE BUILDINGS ARE NOT COMPLETELY DESIGNED AT THIS TIME. THE PHASE ONE CURRENT PROPOSED BUILDING LAYOUT INCLUDES A PARKING LOT ON THE FIRST FLOOR OF EACH BUILDING THAT CAN ACCOMMODATE AN ESTIMATED 100 PARKING SPACES.

BICYCLE PARKING FACILITIES WILL BE PROVIDED AT A RATE OF 2 BICYCLE PARKING SPACES PER 10,000 SQUARE FEET OF GROSS FLOOR AREA OF DESIGNATED COMMERCIAL SPACE. EACH MIXED-USE BUILDING WILL PROVIDE A MINIMUM OF 3 BICYCLE PARKING SPACES.

THE MAINTENANCE LOT WILL PROVIDE 8 SPACES – 1 PER TWO EMPLOYEES (4 SPACES) AND 1 PER 400 SQUARE FEET OF THE PROPOSED 1,600 SQUARE FOOT SHOWROOM AND REAL ESTATE OFFICE (4 SPACES).

FOUR ADDITIONAL MAINTENANCE EMPLOYEES WILL PARK ON THE ADJACENT PROPERTY WHERE THE MAINTENANCE OFFICE LOCATED AT 1200 WATERFORD CIRCLE.

LIGHTING

STREETLIGHTS

PROPOSED STREET LIGHT LOCATIONS ARE INCLUDED ON THE SITE PLAN (SEE EXHIBIT K). THE PROPOSED NUMBER OF FIXTURES AND LOCATIONS WERE DETERMINED WITH CONSULTATION FROM THE CITY OF GOSHEN ENGINEERING DEPARTMENT. (PROPOSED NUMBER OF LIGHTING FIXTURES IS 15).

PRIVATE LIGHTING

LIGHTING ON PRIVATE PROPERTY IS DESCRIBED IN THE USE STANDARD SECTIONS FOR SINGLE-FAMILY, MIXED USE, AND THE MAINTENANCE LOT. IN GENERAL, BUILDINGS WILL HAVE WALL MOUNTED LIGHTING. ANY PARKING AREAS WILL ALSO HAVE STANDARD PARKING LOT STYLE POLE LIGHTING ALTHOUGH THE FIXTURE HAS NOT BEEN SELECTED AT THIS TIME. IN ALL CASES, THE LIGHTING PLAN WILL BE DESIGNED TO KEEP ALL LIGHT GENERATED FROM THE FIXTURES ON THE LOT TO REDUCE ANY LIGHT POLLUTION ONTO ADJACENT PROPERTY.

SIGNAGE

THE FOLLOWING IS A PRELIMINARY SIGNAGE STRATEGY FOR CHERRY CREEK PUD. GENERAL SIGN LOCATIONS ARE INCLUDED ON THE SITE PLAN (EXHIBIT K). IN ADDITION, WALL SIGNS ARE IDENTIFIED ON THE PRELIMINARY EXTERIOR ELEVATION SHEET 200 PROVIDED BY ANCON (SEE EXHIBIT J). THESE PLANS ARE NOT FINAL BUT PROVIDE THE BEST AVAILABLE INFORMATION FOR WALL SIGNAGE AT THIS TIME.

3-MONUMENT-STYLE, FREESTANDING SIGNS WILL BE INSTALLED, ONE AT EACH ENTRANCE INTO THE SUBDIVISION AS INDICATED ON THE SITE PLAN (LOCATED ON WATERFORD MILLS PARKWAY, DIERDORFF ROAD, AND REGENT STREET). THESE SIGNS WILL HAVE EXTERIOR ILLUMINATION FROM SPOTLIGHTS THAT WILL BE FOCUSED DIRECTLY ON THE SIGN FACE. THESE SIGNS WILL BE LOCATED IN THE DEDICATED MEDIAN AT EACH ENTRANCE INTO THE COMMUNITY. THE SIGNS WILL LOOK SIMILAR BUT THE MAIN ENTRANCE SIGN LOCATED ON WATERFORD MILLS PARKWAY WILL BE LARGER (F-1) WHILE THE OTHER TWO WILL BE SLIGHTLY SMALLER (F-2).

A PROTOTYPE FOR MONUMENT-STYLE, FREESTANDING SIGN



F-1 MONUMENT-STYLE, FREESTANDING SIGN – MAIN ENTRANCE

THE MAIN ENTRANCE WILL BE LOCATED ON WATERFORD MILLS PARKWAY. THIS SIGN AREA IS PROPOSED TO BE 6 FEET HIGH BY 13 FEET WIDE UP TO 80 SQUARE FEET. A PROTOTYPE FOR THE SIGN FACE OF THE MONUMENT-STYLE, FREESTANDING SIGN FOR THE MAIN ENTRANCE IS PROVIDED BELOW. PROPOSED LOCATIONS FOR THESE SIGNS ARE SHOWN ON THE SITE PLAN (EXHIBIT K).



F-2 MONUMENT-STYLE, FREESTANDING SIGNS – SECONDARY ENTRANCES

THE SECONDARY ENTRANCES WILL BE LOCATED ON DIERDORFF ROAD AND REGENT STREET. EACH OF THESE SIGN AREAS ARE PROPOSED TO BE 5 FEET HIGH BY 11 FEET WIDE UP TO 55 SQUARE FEET. A PROTOTYPE FOR THE SIGN FACE OF THE MONUMENT-STYLE, FREESTANDING SIGN FOR THE SECONDARY ENTRANCES IS PROVIDED BELOW. PROPOSED LOCATIONS FOR THESE SIGNS ARE SHOWN ON THE SITE PLAN (EXHIBIT K).



EACH MONUMENT SIGN SHALL PROVIDE A MINIMUM OF 2 SQUARE FEET OF LANDSCAPE AREA ALONG THE BASE OF THE SIGN FOR EVERY 1 SQUARE FOOT OF SIGN FACE. MONUMENT SIGN LANDSCAPE AREAS SHALL BE COMPRISED OF A MIX OF SHRUBS, ORNAMENTAL GRASSES, AND FLOWERING PERENNIALS. LANDSCAPING IN AREAS WILL BE DESIGNED, INSTALLED AND MAINTAINED BY THE DEVELOPER UNDER THE APPROVED ECONOMIC DEVELOPMENT AGREEMENT.

F-3 FREESTANDING TEMPORARY SIGNAGE

TWO TEMPORARY SIGNS TO BE DISPLAYED DURING CONSTRUCTION WILL BE INSTALLED AT THE CORNER OF DIERDORFF AND WATERFORD MILLS PARKWAY AND THE CORNER OF WATERFORD MILLS PARKWAY AND REGENT STREET. THESE SIGNS WILL BE IN PLACE DURING CONSTRUCTION AND REMOVED WHEN THE PERMANENT ENTRANCE SIGNS ARE INSTALLED. THEY WILL BE STANDARD CONSTRUCTION STYLE SIGNS NO GREATER THAN 4 FEET WIDE BY 8 FEET LONG. ALUMINUM COMPOSITE ON WOOD POSTS. PROPOSED LOCATIONS FOR THESE SIGNS ARE SHOWN ON THE SITE PLAN (EXHIBIT K).

PROTOTYPE FOR TEMPORARY FREESTANDING SIGN



F-4 FREESTANDING PARKING LOT AND WAYFINDING SIGNAGE

UP TO 8 SIGNS WILL BE INSTALLED TO PROVIDE INFORMATION FOR VISITORS TO THE COMMUNITY ON WHERE TO FIND PARKING AS WELL AS TO IDENTIFY DIRECTIONS TO THE MIXED-USE BUILDINGS. THESE SIGNS WILL BE NO MORE THAN 32 SQUARE FEET OR 8 FEET IN HEIGHT. CURRENT SIGNS PROPOSED TO BE 3 FEET WIDE BY 6 FEET HIGH OR 18 SQUARE FEET.

PROPOSED LOCATIONS FOR THESE SIGNS ARE SHOWN ON THE SITE PLAN (EXHIBIT K).

PROTOTYPE FOR FREESTANDING PARKING LOT AND WAYFINDING SIGNAGE



P-1 PROJECTING SIGNS

ONE-PROJECTING SIGN WILL BE INSTALLED FOR EACH STORE FRONT. THE SIGN WILL NOT EXCEED 2 FEET HIGH BY 3 FEET WIDE OR 6 SQUARE FEET. THE SIGN WILL BE MOUNTED UNDER THE AWNINGS ON THE FIRST FLOOR OF THE MIXED USED BUILDINGS. THE LOWEST POINT OF THE SIGN WILL NOT BE LESS THAN 8 FEET ABOVE GRADE. THESE SIGNS MAY BE ILLUMINATED, AS THEY WILL BE LOCATED UNDER THE AWNING THERE SHOULD BE NO IMPACT ON THE RESIDENTIAL UNITS IN THE MIXED-USE BUILDING. NONE OF THESE SIGNS WILL FACE RESIDENTIAL UNITS. PROPOSED LOCATIONS FOR THESE SIGNS ARE SHOWN ON THE MIXED USE BUILDING ELEVATIONS (EXHIBIT J).

PROTOTYPE FOR PROJECTING SIGNS



W-1 BUILDING IDENTIFICATION WALL SIGNS (STREET FRONT)

AT THE CORNER OF EACH BUILDING, A WALL-MOUNTED BUILDING IDENTIFICATION SIGN WILL BE INSTALLED. THE SIGN WILL BE LOCATED EITHER ON THE AWING FACE OR ON THE WALL. AS THE FINAL BUILDING FAÇADE AND AWNINGS HAVE NOT BEEN DESIGNED, THE FINAL SIGN LOCATION CANNOT BE DETERMINED. EITHER THE WALL OR AWNING WILL BE SIGNED, NOT BOTH. THESE SIGNS WILL BE 3 FEET BY 7 FEET OR 21 SQUARE FEET AND WILL NOT BE ILLUMINATED. PROPOSED LOCATIONS FOR THESE SIGNS ARE SHOWN ON THE MIXED USE BUILDING ELEVATIONS (EXHIBIT J).

PROTOTYPE FOR W-1 BUILDING IDENTIFICATION WALL SIGNS



W-2 BUILDING IDENTIFICATION WALL SIGNS (PARKING LOT SIDE)

ALONG THE REAR OR SIDE OF EACH OF THE MIXED-USE BUILDINGS ALONG THE PARKING LOT, A BUILDING IDENTIFICATION WALL-MOUNTED SIGN WILL BE INSTALLED. THESE SIGNS WILL BE 2 FEET BY 16 FEET OR 32 SQUARE FEET AND WILL NOT BE ILLUMINATED. PROPOSED LOCATIONS FOR THESE SIGNS ARE SHOWN ON THE MIXED USE BUILDING ELEVATIONS (EXHIBIT J).

PROTOTYPE FOR W-2 BUILDING IDENTIFICATION WALL SIGNS



W-3 PARKING ENTRANCE/EXIT WALL SIGNS (PARKING LOTS ON THE FIRST FLOOR OF EACH MIXED-USE BUILDINGS)

EACH OF THESE SIGNS WILL BE 3.5 FEET BY 15 FEET OR A MAXIMUM OF 53 SQUARE FEET AND WILL NOT BE ILLUMINATED. THESE WALL SIGNS WILL BE PLACED ABOVE THE ENTRANCE/EXIT DOOR INTO EACH OF THE MIXED-USE BUILDING PARKING AREAS. AS THESE WILL BE PRIVATE PARKING SPACES, IT WILL BE NECESSARY TO INFORM DRIVERS THEY CANNOT ACCESS THE LOT UNLESS THEY HAVE A RESERVED SPACE. PROPOSED LOCATIONS FOR THESE SIGNS ARE SHOWN ON THE MIXED USE BUILDING ELEVATIONS (EXHIBIT J).

PROTOTYPE FOR W-3 PARKING ENTRANCE/EXIT WALL SIGNS



W-4 WINDOW SIGNS

EACH OF THE BUSINESSES IN THE COMMERCIAL STORE FRONTS IN THE MIXED-USE BUILDINGS WILL BE ALLOWED TO HAVE WINDOW SIGNS PROVIDED THAT THE SIGN DOES NOT OCCUPY MORE THAN TWENTY-FIVE PERCENT (25%) OF THE TOTAL AREA OF THE WINDOW FACING THE STREET FRONTAGE UP TO A MAXIMUM OF 20 SQUARE FEET IN AREA.

W-5 WALL SIGNS FOR BUILDINGS ON MAINTENANCE LOT

ONE IDENTIFICATION SIGN PER BUILDING WILL BE INSTALLED ON THE 3 NON-RESIDENTIAL BUILDINGS ON THE MAINTENANCE LOT. SIGNS WILL BE 2 FEET BY 3 FEET – 6 SQUARE FEET AND WILL NOT BE ILLUMINATED.

LANDSCAPE

LANDSCAPE DETAIL IS INCLUDED IN EXHIBIT E.

AT THE TIME OF RECORDING OF THIS PUD, THE CITY OF GOSHEN ZONING ORDINANCE GENERALLY REGULATES LANDSCAPING AREAS OF FOUR SITE AREAS;

STREETSIDE

BUFFERYARDS

FOUNDATION (OPTIONAL AND NOT INCLUDED IN THIS SUBMISSION)

OFF-STREET PARKING AREAS

THIS SECTION PROVIDES FURTHER DETAILED BREAKDOWN OF MINIMUM LANDSCAPE STANDARDS TO BE APPLIED AT CHERRY CREEK.

MIXED USE MULTI-FAMILY RESIDENTIAL/COMMERCIAL (EXHIBIT E.1)

STREETSIDE CANOPY SHALL BE PROVIDED AT A RATE OF 1 CANOPY TREE PER 40 FEET OF STREET FRONTAGE, LESS AND EXCEPTING THE WIDTH OF ACCESS DRIVES, UP TO A MAXIMUM OF 24 FEET IN WIDTH. STREETS WITH OVERHEAD POWERLINES PRESENT AND/OR SPACE LIMITATIONS DUE TO STRUCTURES, UTILITIES, OR PAVING PREVENTING THE OPTIMAL DEVELOPMENT OF CANOPY TREE BRANCHING AND ROOT SYSTEMS MAY USE SMALLER ORNAMENTAL TREES IN LIEU OF CANOPY TREES.

SINGLE-FAMILY ATTACHED (EXHIBIT E.2)

SINGLE-FAMILY ATTACHED HOMES SHALL PROVIDE A MINIMUM OF 1 ORNAMENTAL TREE PER UNIT AS STREETSIDE TREES. TREES MAY BE PLACED DIRECTLY ON PROPERTY LINES SEPARATING LOTS IF UTILITY SERVICE STRUCTURES AND LINES PREVENT PLANTING TREES WITHIN LOT BOUNDARIES.

SINGLE-FAMILY DETACHED (EXHIBIT E.3)

SINGLE-FAMILY DETACHED HOMES SHALL PROVIDE A MINIMUM OF 1 CANOPY TREE PER UNIT AS STREETSIDE TREES. TREES MAY BE PLACED DIRECTLY ON PROPERTY LINES SEPARATING LOTS IF UTILITY SERVICE STRUCTURES AND LINES PREVENT PLANTING TREES WITHIN LOT BOUNDARIES. STREETS WITH OVERHEAD POWERLINES PRESENT AND/OR SPACE LIMITATIONS DUE TO STRUCTURES, UTILITIES, OR PAVING PREVENTING THE OPTIMAL DEVELOPMENT OF CANOPY TREE BRANCHING AND ROOT SYSTEMS MAY USE ORNAMENTAL TREES IN LIEU OF CANOPY TREES.

STREET SIDE TREES (EXHIBIT E.4)

FOR STREET FRONTAGES WITHOUT ADJACENCY TO THE UNIT TYPES NOTED ABOVE, STREETSIDE CANOPY SHALL BE PROVIDED AT A RATE OF 1 TREE PER 40 FEET OF STREET FRONTAGE, LESS AND EXCEPTING THE WIDTH OF ACCESS DRIVES, UP TO A MAXIMUM OF 24 FEET IN WIDTH. STREETS WITH OVERHEAD POWERLINES PRESENT AND/OR SPACE LIMITATIONS DUE TO STRUCTURES, UTILITIES, OR PAVING PREVENTING THE OPTIMAL DEVELOPMENT OF CANOPY TREE BRANCHING AND ROOT SYSTEMS MAY USE ORNAMENTAL TREES AT A RATE OF 1 TREE PER 30 FEET OF STREET FRONTAGE.

STREETSIDE TREE CALCULATIONS

USING THE STANDARD OF 1 CANOPY TREE PER 40 FEET OF STREET FRONTAGE LESS AND EXCEPTING THE WIDTH OF ACCESS DRIVES, UP TO A MAXIMUM OF 24 FEET IN WIDTH, IT WAS CALCULATED THAT 1,370 TREES WERE NEEDED FOR THIS PROJECT. AS DESCRIBED IN THE SINGLE-FAMILY SECTIONS ABOVE, WE HAVE REQUESTED 1 CANOPY TREE (SINGLE FAMILY DETACHED UNITS) OR 1 ORNAMENTAL TREE (SINGLE FAMILY ATTACHED UNITS) PER UNIT TO MEET THE STREETSIDE REQUIREMENT. THIS REQUEST IS BASED ON THE DETERMINATION THAT DUE TO THE PROXIMITY OF DRIVEWAYS, POTENTIAL CONFLICTS WITH UNDERGROUND UTILITIES, AND LIMITED PLANTING SPACE, IT MAY NOT BE PRACTICAL OR BENEFICIAL FOR THE HEALTH OF THE TREE TO PLANT A TREE EVERY 40 FEET IN THE TREE LAWN IN THESE SECTIONS OF THE DEVELOPMENT. THE REQUESTED PLANTING RATIO CREATES AN OVERALL DEFICIENCY OF 203 TREES FOR THE PROJECT. WE PROPOSE TO PLANT THE 203 TREES IN LANDSCAPED AREAS THROUGHOUT THE DEVELOPMENT OR AS ADDITIONAL STREETSIDE TREES IN THE RIGHT-OF-WAY. THIS SOLUTION WILL ENSURE THAT THE TOTAL NUMBER OF TREES IN THE PROJECT MEETS THE CITY STANDARD BUT IN A MANNER THAT REDUCES POTENTIAL CONFLICTS.

BUFFERYARD LANDSCAPING

A. OPEN LANDSCAPING AT LOT LINES ABUTTING PROPERTY WITH SIMILAR ZONING (EXHIBIT E.5)

OPEN LANDSCAPING SHALL BE PROVIDED AT DEVELOPMENT LOT LINES THAT ABUT SIMILARLY OR MORE INTENSE-USE ZONED PROPERTIES. OPEN LANDSCAPING SHALL CONTAIN A MINIMUM OF ONE (1) DECIDUOUS CANOPY TREE FOR EVERY FORTY (40) FEET OF APPLICABLE LOT LINE. TREES MAY BE EVENLY SPACED OR GROUPED TOGETHER; HOWEVER; IN NO CASE SHALL SPACING BETWEEN TREES EXCEED EIGHTY (80) FEET. DECIDUOUS ORNAMENTAL TREES MAY BE SUBSTITUTED FOR DECIDUOUS CANOPY TREES; HOWEVER; A MINIMUM OF ONE (1) ORNAMENTAL TREE SHALL BE PLANTED FOR EVERY TWENTY-FIVE (25) FEET OF APPLICABLE LOT LINE. ORNAMENTAL TREES MAY BE EVENLY SPACED OR GROUPED TOGETHER; HOWEVER; IN NO CASE SHALL SPACING BETWEEN TREES EXCEED FIFTY (50) FEET.

B. PARTIAL LANDSCAPING AT LOT LINES ADJACENT TO R-1 OR R-2 ZONING

ONE OF THE TWO FOLLOWING PARTIAL LANDSCAPING OPTIONS SHALL BE PROVIDED AT DEVELOPMENT LOT LINES THAT ABUT OR ARE ACROSS A STREET FROM A PROPERTY ZONED R-1 OR R-2:

1. OPTION 1 (EXHIBIT E.6): LANDSCAPING SHALL CONTAIN A MINIMUM OF TWO (2) EVERGREEN TREES FOR EVERY TWENTY-FIVE (25) FEET OF APPLICABLE LOT LINE. SUCH TREES SHALL BE EVENLY SPACED. A MINIMUM OF FOUR (4) SHRUBS SHALL BE PLANTED FOR EVERY TWENTY-FIVE (25) FEET OF APPLICABLE LOT LINE. SHRUBS MAY BE GROUPED TOGETHER; HOWEVER; IN NO CASE SHALL SPACING BETWEEN SHRUBS EXCEED FIFTY (50) FEET.
2. OPTION 2 (EXHIBIT E.7): LOT LINE SHALL INCLUDE A VERTICALLY UNDULATING EARTHEN BERM HAVING A MINIMUM MEAN HEIGHT OF SIX (6) FEET, WITH SLOPES OF 3:1 OR 4:1. EVERGREEN TREES SHALL BE PLANTED ON THE BERM AT A RATE OF ONE (1) TREE FOR EVERY TWENTY-FIVE (25) FEET OF APPLICABLE LOT LINE. TREES MAY BE EVENLY SPACED OR GROUPED TOGETHER; HOWEVER; IN NO CASE SHALL SPACING BETWEEN TREES EXCEED SIXTY (60) FEET.

OFF-STREET PARKING AREAS (EXHIBIT E.1)

OFF-STREET PARKING AREAS SHALL PROVIDE AT LEAST 1 INTERIOR LANDSCAPE ISLAND PER 20 SPACES. INTERIOR LANDSCAPE ISLANDS SHALL HAVE A MINIMUM SIZE OF 8 FEET BY 18 FEET. EACH LANDSCAPE ISLAND SHALL HAVE A MINIMUM OF 1 TREE. WHERE THE REQUIRED NUMBER OF ISLANDS CANNOT BE PROVIDED IN THE INTERIOR OF THE PARKING AREA, EQUIVALENT LANDSCAPING WILL BE PROVIDED ADJACENT TO THE PARKING AREA ALONG THE PERIMETER.

WHERE A PARKING AREA IS LOCATED ADJACENT OR CONTIGUOUS TO, OR ACROSS THE STREET FROM, A RESIDENTIAL USE, THE PARKING AREA WILL BE SCREENED BY A COMPACT ROW OF SHRUBS/HEDGE PLANTS, PLANTED FOUR FEET ON-CENTER (4' ON CENTER) A MINIMUM OF EIGHTEEN INCHES (18") IN HEIGHT AT THE TIME OF PLANTING AND LOCATED BETWEEN THE LOT LINE AND THE EDGE OF THE IMPROVED PORTION OF THE PARKING AREA.

MINIMUM PLANT SIZES AT TIME OF INSTALLATION:

SHADE TREES: 2" CALIPER AT 1' ABOVE GROUND

ORNAMENTAL TREES: 1-½" CALIPER AT 1' ABOVE GROUND FOR SINGLE-STEM SPECIES. 6' HEIGHT FOR MULTI-STEM/CLUMP SPECIES.

EVERGREEN TREES: 6' HEIGHT

SHRUBS: 18" HEIGHT

ORNAMENTAL GRASSES AND PERENNIALS: 1 QUART POT

DUMPSTER SCREENING

ALL DUMPSTERS VISIBLE FROM THE PUBLIC RIGHT-OF-WAY OR FROM ADJACENT PROPERTIES OUTSIDE OF THE DEVELOPMENT SHALL BE SCREENED ON AT LEAST THREE (3) SIDES WITH AN OPAQUE FENCE AT LEAST SIX (6) FEET IN HEIGHT.

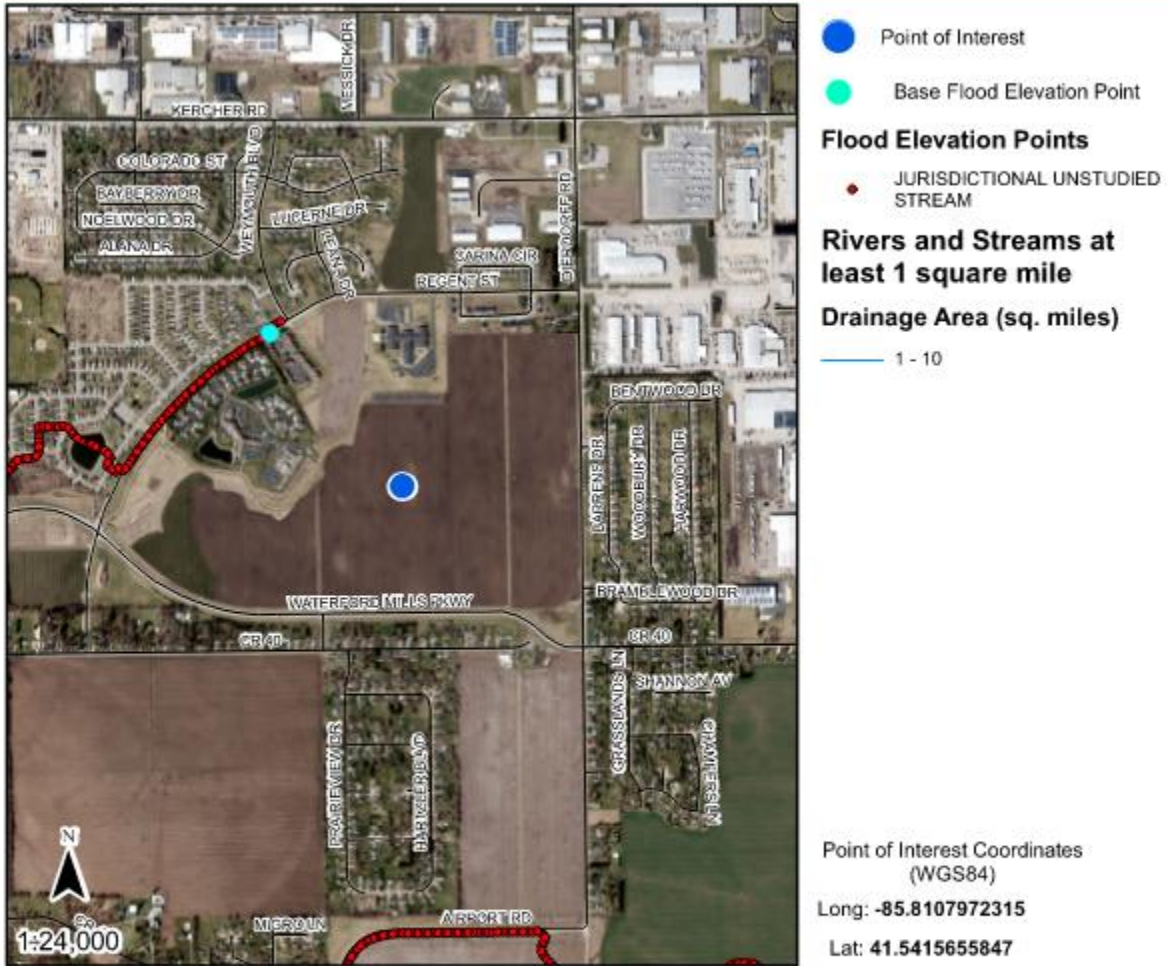
NATURAL FEATURES

FLOODPLAIN

THE PROJECT IS NOT LOCATED IN A DELINEATED FLOOD HAZARD ZONE.



Floodplain Analysis & Regulatory Assessment (FARA)



The information provided below is based on the point of interest shown in the map above.

County: Elkhart	Approximate Ground Elevation: 816.0 feet (NAVD88)
Stream Name: Unnamed Tributary	Base Flood Elevation: Not Available
	Drainage Area: Not available
Best Available Flood Hazard Zone: Not Mapped	
National Flood Hazard Zone: Not Mapped	

POSSIBLE WETLANDS

TWO EXCAVATED DRY STORMWATER RETENTION BASINS, TOTALING 0.77 ACRES, WERE IDENTIFIED ON THE WEST SIDE OF THE PROPERTY BY A DELINEATION PERFORMED BY EARTH SOURCE IN AUGUST 2023. THE NATIONAL WETLAND INVENTORY MAP PUBLISHED BY THE U.S. FISH & WILDLIFE SERVICE INDICATES A POSSIBLE WETLAND LOCATED IN THE SAME LOCATION ON THE PROPERTY.

THE TWO STORMWATER CONTROL MANAGEMENT FEATURES (BASINS) DO NOT APPEAR TO BE REGULATED BY THE U.S. ARMY CORPS OF ENGINEERS AND THE INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT. A SITE VISIT WAS RECENTLY PERFORMED IN OCTOBER 2023 BY THE U.S. ARMY CORPS OF ENGINEERS AND THERE IS NO CHANGE TO THE DELINEATION REPORT. THE REPORT IS CURRENTLY BEING REVIEWED BY THE U.S. ARMY CORPS OF ENGINEERS AND A CONCURRENCE LETTER IS ANTICIPATED TO BE RECEIVED SOON.

A CONCURRENCE LETTER SHALL BE PROVIDED TO THE CITY OF GOSHEN PRIOR TO ANY FINAL SUBDIVISION PLATTING OF THIS PART OF THE PROJECT. A COPY OF THE WETLAND DELINEATION REPORT IS ATTACHED IN EXHIBIT F.



SOILS REPORT

ACCORDING TO THE WEBSOIL SURVEY PUBLISHED BY THE UNITED STATES DEPARTMENT OF AGRICULTURE (USDA) AND THE NATIONAL RESOURCES CONSERVATION SERVICE (NRCS), THE PROJECT SITE IS COMPRISED OF VolA (VOLINIA LOAM), 0 TO 1 PERCENT SLOPES.

SOIL PERMEABILITY INFORMATION IS REFERENCED FROM THE SOIL SURVEY OF ELKHART COUNTY, INDIANA, PUBLISHED BY THE USDA AND NRCS.

VOLINIA LOAM, 0 TO 1 PERCENT SLOPE (VOLA)

0" -23" DEPTH:	0.6-2.00 IN/HR
23" -58" DEPTH:	6.00-20.00 IN/HR
58" -80" DEPTH:	20.00 IN/HR

TRANSPORTATION REPORT

SITE ACCESS

THERE WILL BE THREE POINTS OF ACCESS TO THE MAIN PROPERTY AND TWO POINTS OF ACCESS TO THE LOT AT THE SOUTHWEST CORNER OF WATERFORD MILLS PARKWAY AND REGENT STREET (LOT 469).

ACCESS TO PHASE ONE WILL INCLUDE TWO NEW INTERSECTIONS.

1. NEW INTERSECTION AT WATERFORD MILLS PARKWAY AND A PROPOSED EXTENSION OF EDISON DRIVE TO THE NORTH.
2. NEW INTERSECTION AT REGENT STREET AND PROPOSED NEW MOCKINGBIRD DRIVE (NAME TO BE FINALIZED WITH SUBDIVISION PROCESS)

ACCESS TO PHASE TWO WILL SEE THE ADDITION OF ONE NEW INTERSECTION AT DIERDORFF ROAD AND PROPOSED NEW FAIRWAYS DRIVE (NAME TO BE FINALIZED WITH SUBDIVISION PROCESS).

TWO ACCESS DRIVES ONTO REGENT STREET ARE PROPOSED FOR LOT 496 UTILIZING THE EXISTING CURB CUTS.

ACTIVE TRANSPORTATION

THE PROJECT WILL BE WALKABLE FOR RESIDENTS AND VISITORS WITH A NETWORK OF SIDEWALKS AND A NON-MOTORIZED TRAIL AS ILLUSTRATED ON THE SITE PLAN AND WHERE APPLICABLE ON THE ATTACHED TYPICAL STREET CROSS SECTIONS. ALL SIDEWALKS AND TRAILS WILL BE CONSTRUCTED TO MEET GOSHEN CITY STANDARDS AND DEDICATED IF IN THE RIGHT-OF-WAY. A MAP OF THE ACTIVE TRANSPORTATION NETWORK IS INCLUDED IN EXHIBIT G.

ROADWAYS

THERE WILL BE A SERIES OF NEW STREETS FOR THIS PROJECT. ALL STREETS WITHIN THE DEVELOPMENT WILL BE DEDICATED TO THE CITY OF GOSHEN. SEE TYPICAL STREET CROSS SECTIONS IN EXHIBIT H.

TRAFFIC STUDY

A TRAFFIC IMPACT STUDY WAS PREPARED FOR THE PROJECT BY LACROIX TRAFFIC ENGINEERING DATED MARCH 2023. A SUMMARY OF THE STUDY IS INCLUDED IN EXHIBIT I. THE STUDY INCLUDES RECOMMENDATIONS TO BE IMPLEMENTED TO THE NEW POINTS OF ACCESS TO MITIGATE THE IMPACT OF THE PROPOSED DEVELOPMENT AND IMPROVE OPERATIONS WITHIN THE STUDY AREA.

OVERVIEW OF STORMWATER PLAN

STORMWATER RUNOFF GENERATED BY THE CHERRY CREEK PUD SHALL BE RETAINED ONSITE IN A SERIES OF DRY BASINS AND WET PONDS WITH CONVEYANCE BY SURFACE SWALES AND UNDERGROUND STORM SEWER PIPES AND STRUCTURES. PROPOSED RETENTION AREAS ARE SITUATED ON LAND OWNED BY BOTH CHERRY CREEK LLC AND THE CITY OF GOSHEN.

DRAINAGE EASEMENTS WILL BE ESTABLISHED ON CITY LAND TO ACCOMMODATE STORMWATER RETENTION AS SPECIFIED IN THE EXECUTED DEVELOPMENT AGREEMENT. PLEASE REFER TO THE EASEMENTS SECTION OF THIS DOCUMENT FOR MORE INFORMATION.

ALL STORMWATER DESIGN TO BE SUBMITTED TO THE GOSHEN ENGINEERING DEPARTMENT FOR REVIEW AND ACCEPTANCE.

STORMWATER RETENTION STORAGE SHALL BE PROVIDED FOR THE 100-YEAR, 24-HOUR STORM EVENT, UTILIZING THE SCS CURVE NUMBER METHOD AND PUBLISHED NATIONAL OCEANIC ATMOSPHERIC ADMINISTRATION (NOAA) RAINFALL INTENSITIES FOR THE LOCAL AREA AS REQUIRED BY THE GOSHEN ENGINEERING DEPARTMENT.

A MINIMUM FREEBOARD OF 12 INCHES SHALL BE PROVIDED IN THE DESIGN OF BASINS AND PONDS ACCEPTING RUNOFF FROM PAVEMENTS. AMENITY WET PONDS NOT ACCEPTING RUNOFF DIRECTLY FROM PAVEMENTS SHALL HAVE A MINIMUM FREEBOARD OF 6 INCHES. ALL WET PONDS SHALL HAVE EMERGENCY OVERFLOW STRUCTURES SET AT DESIGN HIGH WATER ELEVATIONS WITH OUTLETS TO THE NEW STORM SEWER SYSTEM IN THE PUBLIC RIGHT-OF-WAY AND EASEMENTS OF CHERRY CREEK WITH DIRECT ROUTE TO THE PROPOSED DRY BASINS.

THE STORM SEWER SYSTEM WILL BE DESIGNED TO A 10-YEAR, 30 MINUTE STORM EVENT IN ACCORDANCE WITH THE PUBLISHED NOAA RAINFALL INTENSITIES FOR THE LOCAL AREA.

DOWNSPOUTS FROM THE MIXED-USE BUILDINGS WILL CONNECT DIRECTLY TO THE UNDERGROUND STORM SEWER SYSTEM. GROUND LEVEL INTERIOR PARKING IN THE MIXED-USE BUILDINGS WILL INCLUDE FLOOR DRAINS ROUTED THROUGH AN OIL-WATER SEPARATOR TANK NEAR EACH BUILDING BEFORE DISCHARGE INTO THE MUNICIPAL SANITARY SEWER SYSTEM.

THE EXISTING STORMWATER RETENTION BASIN LOCATED IN THE CHERRY CREEK PUD ON CITY LAND NEAR THE INTERSECTION OF REGENT STREET AND WATERFORD MILLS PARKWAY IS PROPOSED TO BE REMOVED FOR A NEW POND. TO CREATE A NEW POND IN THIS LOCATION, THE EXISTING STORM SEWER DISCHARGE FROM THE INTERSECTION SHALL BE RE-ROUTED ALONG AND BELOW WATERFORD MILLS PARKWAY INTO THE PROPOSED OFF-SITE RETENTION BASIN IN THE CHERRY CREEK PUD.

A PORTION OF CHERRY CREEK WILL ALSO DRAIN BELOW WATERFORD MILLS PARKWAY VIA NEW STORM SEWER PIPING (MULTIPLE PIPES) INTO THE PROPOSED OFF-SITE RETENTION BASIN MENTIONED ABOVE.

ALL NEW STORM SEWER PIPE CROSSINGS BELOW WATERFORD MILLS PARKWAY ARE PROPOSED TO BE INSTALLED BY THE OPEN CUT METHOD.

THE PROPOSED PROJECT LAYOUT WILL REQUIRE RE-CONFIGURATION OF AN EXISTING RETENTION BASIN LOCATED ON THE WEST SIDE OF THE CHERRY CREEK PUD CURRENTLY BEING UTILIZED BY THE CITY OF GOSHEN FOR REGENT STREET AND THE EXISTING WINCHESTER TRAILS MOBILE HOME COMMUNITY. THE RE-CONFIGURED BASIN WILL BE DESIGNED WITH EQUAL OR GREATER VOLUME THAN THE EXISTING BASIN WITH CALCULATIONS PROVIDED TO THE GOSHEN ENGINEERING DEPARTMENT FOR REVIEW AND ACCEPTANCE. THE NEW BASIN WILL BE SEPARATED FROM THE REST OF CHERRY CREEK AND NO RUNOFF FROM CHERRY CREEK WILL BE DIRECTED INTO THE RECONSTRUCTED BASIN.

SINGLE-FAMILY RESIDENTIAL DEVELOPMENT STANDARDS

CHERRY CREEK DEVELOPMENT STANDARD SUMMARY		
	SINGLE FAMILY DETACHED	SINGLE FAMILY ATTACHED
PERMITTED USES	RESIDENTIAL UNITS	RESIDENTIAL UNITS
	ACCESSORY USES AND/OR BUILDINGS PER ARTICLE V	ACCESSORY USES AND/OR BUILDINGS PER ARTICLE V
MAXIMUM BUILDING HEIGHT	THREE STORIES	THREE STORIES
MINIMUM LOT AREA	5,000 SQUARE FEET	2,000 SQUARE FEET
MINIMUM LOT FRONTAGE	36 FEET	20 FEET
FRONT YARD SETBACK	21 FEET	21 FEET
SIDE YARD SETBACK	5/5 FEET	0/5 FEET
REAR YARD SETBACK	8 FEET	8 FEET
ACCESSORY STRUCTURE SETBACK	5 FEET	5 FEET
MAXIMUM BUILDING COVERAGE	60%	60%
MINIMUM BUILDING SIZE	720 SQUARE FEET	720 SQUARE FEET
FENCE REGULATIONS	ARTICLE V SECTION 5130	ARTICLE V SECTION 5130
VISIBILITY REGULATIONS	ARTICLE V SECTION 5180	ARTICLE V SECTION 5180
OFF-STREET PARKING REGULATIONS	2 SPACES PER UNIT IN ATTACHED GARAGE	2 SPACES PER UNIT IN ATTACHED GARAGE
SIGN REGULATIONS	NO SIGNS PROPOSED	NO SIGNS PROPOSED
SCREENING	ARTICLE V SECTION 5190	ARTICLE V SECTION 5190
MAXIMUM BUILDING LENGTH	200 FEET	200 FEET
LANDSCAPING REGULATIONS	SEE LANDSCAPE NARRATIVE	SEE LANDSCAPE NARRATIVE

TYPICAL CONSTRUCTION SPECIFICATIONS

SINGLE-FAMILY DETACHED HOMES WILL BE A MIX OF 2- AND 3-BEDROOM UNITS WITH THE POTENTIAL FOR AN EGRESS WINDOW TO ALLOW FOR ADDITIONAL BEDROOMS IN THE BASEMENT.

PARKING

EACH SINGLE-FAMILY LOT WILL ACCOMMODATE 2 PARKING SPACES AS REQUIRED BY GOSHEN STANDARDS. THESE SPACES WILL BE LOCATED IN THE ATTACHED GARAGE.

LIGHTING

SINGLE-FAMILY ATTACHED AND SINGLE-FAMILY DETACHED WILL HAVE STANDARD RESIDENTIAL LIGHTING.

MAIL DELIVERY

MAIL WILL BE DELIVERED TO EACH SINGLE-FAMILY HOME.

TRASH COLLECTION

SINGLE-FAMILY HOMES WILL BE ELIGIBLE FOR TRASH COLLECTION THROUGH THE CITY OF GOSHEN'S CONTRACT.

MIXED-USE DEVELOPMENT STANDARDS

CHERRY CREEK DEVELOPMENT STANDARD SUMMARY		
	RESIDENTIAL IN MIXED USE BLDGS	COMMERCIAL IN MIXED USE BLDGS
PERMITTED USES	RESIDENTIAL UNITS	ALL B-2 PERMITTED & CONDITIONAL USES
	ACCESSORY USES AND/OR BUILDINGS PER ARTICLE V	ACCESSORY USES AND/OR BUILDINGS PER ARTICLE V
MAXIMUM BUILDING HEIGHT	70 FEET	70 FEET
MINIMUM LOT AREA	900 SQUARE FEET PER DWELLING UNIT	Dictated by Building Size
MINIMUM LOT FRONTAGE	25 FEET	25 FEET
FRONT YARD SETBACK	0 FEET	0 FEET
SIDE YARD SETBACK	0/0 FEET	0/0 FEET
REAR YARD SETBACK	0 FEET	0 FEET
ACCESSORY STRUCTURE SETBACK	5 FEET	5 FEET
MAXIMUM BUILDING COVERAGE	80%	80%
MINIMUM BUILDING SIZE	720 SQUARE FEET + 360 SQUARE FEET PER ADDITIONAL UNIT	N/A
FENCE REGULATIONS	ARTICLE V SECTION 5130	ARTICLE V SECTION 5130
VISIBILITY REGULATIONS	ARTICLE V SECTION 5180	ARTICLE V SECTION 5180
OFF-STREET PARKING REGULATIONS	1.5 SPACE PER 1-2 BEDROOM UNIT, 2 SPACES PER 3+ BEDROOM UNIT	1 SPACE PER 400 SQUARE FEET OF GROSS COMMERCIAL SPACE
SIGN REGULATIONS	SEE SIGN NARRATIVE	SEE SIGN NARRATIVE
SCREENING	ARTICLE V SECTION 5190	ARTICLE V SECTION 5190
MAXIMUM BUILDING LENGTH	400 FEET	400 FEET
LANDSCAPING REGULATIONS	SEE LANDSCAPE NARRATIVE	SEE LANDSCAPE NARRATIVE

COMMERCIAL SPACE

THESE SPACES WILL BE OCCUPIED BY A VARIETY OF USES AS ALLOWED IN THE B-2 ZONING DISTRICT.

PARKING

ALL PARKING SPACES WILL COMPLY WITH CITY OF GOSHEN STANDARD DIMENSIONS. ACCESSIBLE PARKING SPACES WILL BE PROVIDED IN ACCORDANCE WITH REQUIREMENTS OF THE AMERICANS WITH DISABILITIES ACT 2010 STANDARDS FOR ACCESSIBLE DESIGN.

MULTI-FAMILY PARKING WILL BE PROVIDED. ONE AND ONE-HALF PER ONE- OR TWO-BEDROOM DWELLING UNIT AND TWO PER THREE OR MORE BEDROOM DWELLING UNIT.

COMMERCIAL PARKING WILL BE PROVIDED ONSITE OR ON-STREET. AS SPECIFIC COMMERCIAL USES HAVE NOT BEEN DETERMINED AT THIS TIME, THE PARKING STANDARD FOR THE DEVELOPMENT WILL BE 1 PARKING SPACE PER 400 SQUARE FOOT OF GROSS FLOOR AREA OF DESIGNATED COMMERCIAL SPACE.

LIGHTING

MIXED USE BUILDINGS WILL HAVE LIGHTING ON THE BUILDING AS WELL AS IN THE PARKING LOTS. ALL LIGHTING SHALL BE DIRECTED INTO THE LOT AND NOT ONTO ADJACENT PROPERTY.

MAIL DELIVERY

MAIL WILL BE DELIVERED TO A COMMON MAIL AREA IN EACH MIXED-USE BUILDING.

TRASH COLLECTION

TRASH COLLECTION FACILITIES FOR EACH MIXED-USE BUILDING WILL BE LOCATED IN THE FIRST FLOOR INTERIOR PARKING AREA AND MANAGED UNDER A PRIVATE CONTRACT WITH THE DEVELOPER.

SIGNAGE

SEE NARRATIVE IN SIGN SECTION.

MAINTENANCE LOT DEVELOPMENT STANDARDS

MAINTENANCE OF THE DEVELOPMENT WILL BE BASED ON-SITE. THIS AREA WILL ALLOW UP TO FIVE BUILDINGS. THE LOT WILL PROVIDE STAGING AND STORAGE FACILITIES FOR EQUIPMENT AND INVENTORY RELATED TO MOWING, SNOW REMOVAL, AND LANDSCAPING ACTIVITIES. A GREEN HOUSE FOR PLANT MATERIALS WILL BE CONSTRUCTED AS WELL AS A CARETAKER RESIDENCE WILL ALSO BE PROVIDED ON THE SITE. THIS AREA WILL ALSO BE USED FOR A SALES OFFICE AND SHOWROOM FOR THE COMMUNITY.

CHERRY CREEK DEVELOPMENT STANDARD SUMMARY	
	MAINTENANCE LOT
PERMITTED USES	SEE DESCRIPTION BELOW
	ACCESSORY USES AND/OR BUILDINGS PER ARTICLE V
MAXIMUM BUILDING HEIGHT	THREE STORIES
MINIMUM LOT AREA	DICTATED BY BUILDING SIZE
MINIMUM LOT FRONTAGE	25 FEET
FRONT YARD SETBACK	21 FEET
SIDE YARD SETBACK	5/5 FEET
REAR YARD SETBACK	0 FEET
ACCESSORY STRUCTURE SETBACK	5 FEET
MAXIMUM BUILDING COVERAGE	60%
MINIMUM BUILDING SIZE	N/A
FENCE REGULATIONS	ARTICLE V SECTION 5130
VISIBILITY REGULATIONS	ARTICLE V SECTION 5180
OFF-STREET PARKING REGULATIONS	SEE MAINTENANCE LOT DEVELOPMENT STANDARDS PARKING NARRATIVE
SIGN REGULATIONS	SEE SIGN NARRATIVE
SCREENING	ARTICLE V SECTION 5190
MAXIMUM BUILDING LENGTH	400 FEET
LANDSCAPING REGULATIONS	SEE LANDSCAPE NARRATIVE

PERMITTED USES

SINGLE-FAMILY DWELLING UNIT
 GREENHOUSE
 LANDSCAPING COMPANIES NON-RETAIL
 REAL ESTATE OFFICE AND HOME DESIGN SHOWROOM

REAR YARD SETBACK DETAIL

A 0-FOOT REAR YARD SETBACK WILL ALLOW A DRIVE FROM THE PROPERTY TO CONNECT WITH THE TRAIL FOR MAINTENANCE AS OUTLINED IN THE APPROVED DEVELOPMENT AGREEMENT.

PARKING

ALL PARKING SPACES WILL COMPLY WITH CITY OF GOSHEN STANDARD DIMENSIONS. ACCESSIBLE PARKING SPACES WILL BE PROVIDED IN ACCORDANCE WITH REQUIREMENTS OF THE AMERICANS WITH DISABILITIES ACT 2010 STANDARDS FOR ACCESSIBLE DESIGN.

THE RESIDENTIAL UNIT WILL PROVIDE 2 PARKING SPACES AS REQUIRED BY GOSHEN STANDARDS IN THE ATTACHED GARAGE.

THE MAINTENANCE LOT WILL PROVIDE 8 SPACES – 1 PER TWO EMPLOYEES (4 SPACES) AND 1 PER 400 SQUARE FEET OF THE PROPOSED 1,600 SQUARE FOOT SHOWROOM AND REAL ESTATE OFFICE (4 SPACES).

FOUR ADDITIONAL MAINTENANCE EMPLOYEES WILL PARK ON THE ADJACENT PROPERTY WHERE THE MAINTENANCE OFFICE LOCATED AT 1200 WATERFORD CIRCLE.

LIGHTING

BUILDINGS IN THE MAINTENANCE LOT WILL HAVE LIGHTING ON THE BUILDING AS WELL AS IN THE PARKING LOTS. ALL LIGHTING SHALL BE DIRECTED INTO THE LOT AND NOT ONTO ADJACENT PROPERTY.

MAIL DELIVERY

MAIL WILL BE DELIVERED TO THE LOT.

TRASH COLLECTION

TRASH COLLECTION FACILITIES FOR THIS LOT WILL BE IN A COMMERCIAL DUMPSTER AND MANAGED UNDER A PRIVATE CONTRACT WITH THE DEVELOPER. DUMPSTER SCREENING DETAILS ARE INCLUDED IN THE LANDSCAPING SECTION.

SIGNAGE

SEE NARRATIVE IN SIGN SECTION.

LIST OF EXHIBITS

EXHIBIT A - LEGAL DESCRIPTION FOR AREA CURRENTLY ZONED R-3 TO REZONE TO R-3 PUD

EXHIBIT B - LEGAL DESCRIPTION FOR AREA CURRENTLY ZONED R-3 PUD FOR A PUD
MAJOR CHANGE

EXHIBIT C - DEEDS FOR THE PROPERTIES IN THE PROPOSED CHERRY CREEK R-3 PUD

EXHIBIT D - LETTERS OF AUTHORIZATION FOR ALL PROPERTIES OWNERS

EXHIBIT E – LANDSCAPE DETAIL (E.1-E.7)

EXHIBIT F – REQUEST FOR CORPS JURISDICTIONAL DETERMINATION AND WETLANDS
DELINEATION REPORT

EXHIBIT G - ACTIVE TRANSPORTATION NETWORK

EXHIBIT H - TYPICAL ROAD CROSS SECTIONS INCLUDING ACTIVE TRANSPORTATION IN THE
RIGHT-OF-WAY (H.1-H.4)

EXHIBIT I - OFF-SITE ROADWAY IMPROVEMENT SUMMARY AND TRAFFIC STUDY SUMMARY

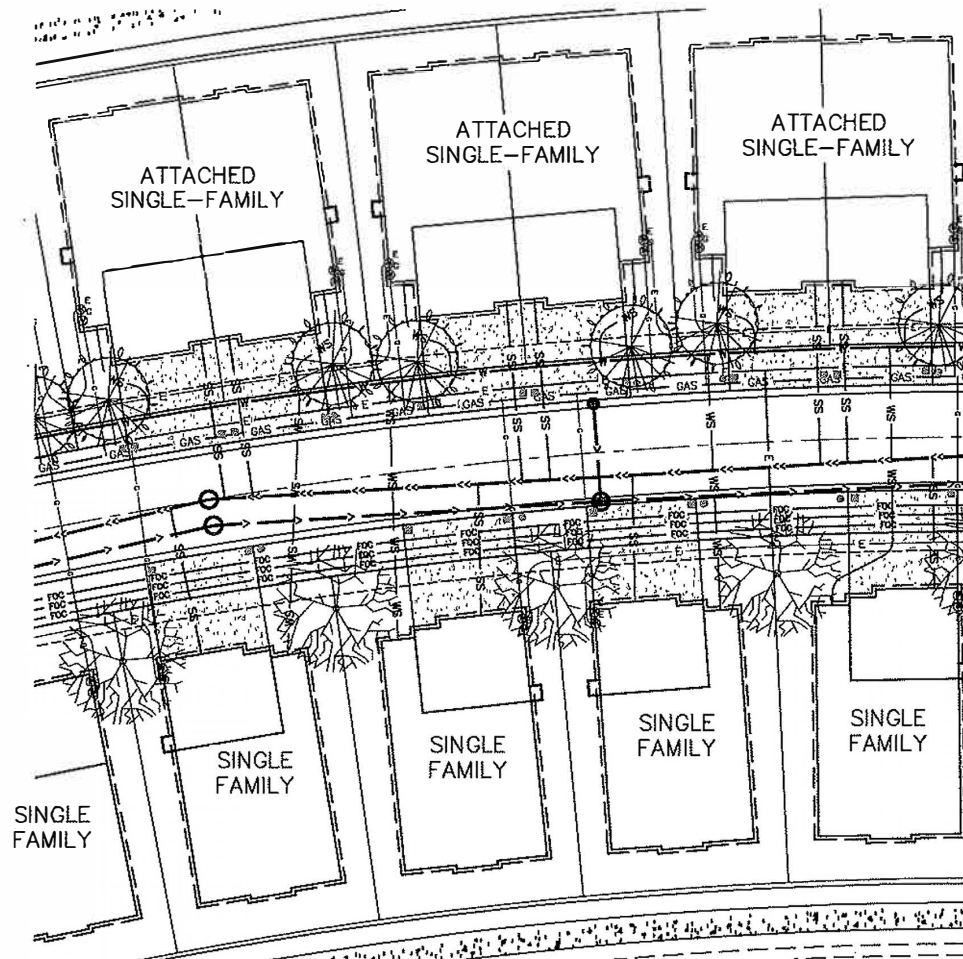
EXHIBIT J - PROPOSED WALL SIGN LOCATIONS

EXHIBIT K - PUD SITE PLAN

303 River Race Drive, Unit 206
 Goshen, IN 46526
 T 574.533.9913
 F 574.533.9911
 abonmarche.com

Benton Harbor Hobart
 Portage Lafayette
 Grand Haven South Bend
 Fort Wayne Valparaiso
 Goshen
 Engineering · Architecture · Land Surveying

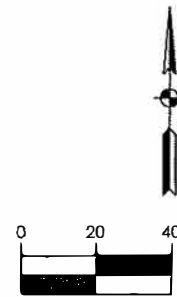
TYPICAL HOME UTILITY LAYOUT



LEGEND

- W — WATER MAIN
- WS — WATER SERVICE
- SS — SANITARY SEWER MAIN
- SS — SANITARY SERVICE
- S — STORM SEWER MAIN
- E — ELECTRIC MAIN CONDUIT
- E — ELECTRIC SERVICE
- GAS — GAS MAIN CONDUIT
- G — GAS SERVICE
- FOC — FIBER OPTIC CONDUIT
- ⊕ ELECTRIC TRANSFORMER
- ⊙ MAILBOX
- ⊙ TRASH/RECYCLING BIN
- ⊙ GAS METER
- ⊙ ELECTRIC METER
- ⊙ LIGHT POLE
- ⊙ CURB INLET
- ⊙ MANHOLE
- ⊙ ORNAMENTAL TREE
- ⊙ SHADE TREE

NOTE:
 Per Correspondence with NIPSCO, gas and electrical services can be installed with 24" min separation, and 18" min. from Buildings



SCALE: 1" = 40'
 BAR SCALE IN FEET

08/09/2023 09:02:02 - 1784 Cherry Creek - Cherry Creek Waterford Commons CAD - Civil Drawing (32-1784) - Typ Unit Layout.dwg, 5/20/2023 11:20:36 AM, Igesk, Previous paper size (8.50 x 14.00 inches), I11

PROJECT: CHERRY CREEK WATERFORD COMMONS
 PROJECT LOCATION:
 S 1/2 SEC. 27-T36N-R6E, CITY OF GOSHEN, ELKHART
 TOWNSHIP, ELKHART COUNTY, INDIANA

DATE OF FIELDWORK: N/A

DATE: 05/02/2023

FIELDBOOK: N/A

DRAWN BY: KG

REVIEWED BY: BEM

SECTION: 27-T36N-R6E

SCALE: 1" = 40'

SHEET 1 OF 2

JOB NO. 22-1784

EXECUTIVE SUMMARY

Introduction

Cherry Creek, LLC is proposing a mixed-use development project located on the north side of Waterford Mills Parkway between Regent Street and Dierdorff Road. An additional 11.2 acres of land on the southwest corner of the Waterford Mills Parkway/Regent Street intersection is also included in the project. The project includes a total of 1,653 residential units and 103,500 square feet of retail space. A mix of residential unit types is being proposed including 872 condo units, 343 townhomes, 183 duplexes, and 255 single family homes. While the exact users of the retail space are unknown at this time, it is anticipated the space will generally be occupied by small specialty retail shops and a couple of restaurants. The project is anticipated to be constructed in phases, with full build out completed within the next ten years.

The proposed site plan for the 11.2 acres on the southwest corner of the Waterford Mills Parkway/Regent Street intersection shows a total of 230 condo units. However, the “future development” area shown is anticipated to include an additional 42 condo units or a boutique hotel. For the purposes of this study, a total of 272 condo units was utilized.

Access to the site will be via five site driveways, three to Regent Street, one to Waterford Mills Parkway, and one to Dierdorff Road. The proposed driveway to Waterford Mills Parkway and Regent Street opposing Winchester Drive will be completed with the initial phase of the development. The driveway to Dierdorff Road is anticipated to be constructed in the next two to three years as construction continues on the site. The two site driveways to Regent Street south of Waterford Mills Parkway will be completed once construction begins on this portion of the site.

As part of the project approval process, the City of Goshen has requested a traffic impact study be prepared to quantify the impacts the project may have on the surrounding roadway network.

Study Area

The study area includes three existing unsignalized intersections and five proposed driveways as listed below.

- Dierdorff Road at Regent Street (Davis Drive)
- Dierdorff Road at Waterford Mills Parkway
- Waterford Mills Parkway at Regent Street
- Dierdorff Road at Proposed Driveway (Fairways Drive)
- Waterford Mills Parkway at Proposed Driveway (Edison Drive)
- Regent Street at Proposed Driveway (Winchester Drive)
- Regent Street at Proposed North Driveway
- Regent Street at Proposed South Driveway

Data Collection

Turning movement counts at the study area intersections were collected in August 2022 on a typical weekday as part of the County Road 40 & Dierdorff Road Corridor Study. These data were collected from 3:00 a.m. to 8:00 p.m.

The data show an early morning peak from approximately 3:45 – 4:45 a.m. which heavily favors traffic traveling into the adjacent industrial land uses. The typical morning peak hour (between 7:00 – 9:00 a.m.) generally occurred between 7:30 – 8:30 a.m. The afternoon peak hour traffic volumes generally occurred between 2:30 – 3:30 p.m. and were more balanced compared to the early morning peak hour.

Analysis

As the proposed site is not anticipated to generate many trips during the early morning peak hour between 3:45 – 4:45 a.m., the typical morning peak hour between 7:00 – 9:00 a.m. and the afternoon peak hour from 2:00 p.m. to 6:00 p.m. were chosen to be evaluated within this report. Three analysis scenarios were completed for the weekday morning and afternoon peak hours as part of the study as follows:

- Existing Conditions
- Background (2032) Conditions
- Future (2032) Conditions

An annual traffic growth rate provided by the Michiana Area Council of Governments (MACOG) was used to estimate background traffic growth at the study area intersections. The growth rate within the study area varied along the corridors with an anticipated annual growth rate of 1.48% along Dierdorff Road and 0.48% along Waterford Mills Parkway. There is also a significant amount of future background development planned within the study area over the next 20 – 25 years. In addition to the annual growth rate, a pro-rated portion of this future development traffic was added to the existing traffic volumes to determine the background (2032) traffic volumes at the study area intersections.

The City of Goshen is planning to reconstruct Dierdorff Road and County Road 40 (east of Dierdorff Road) within the study area in the next few years. While plans for the project are ongoing, the intent is to widen the existing roadways that are currently two lanes to three lanes with one lane in each direction and a two-way left-turn lane. In addition, specific improvements including auxiliary turning lanes and potential traffic signals at the Dierdorff Road intersections with Regent Street and Waterford Mills Parkway are being considered. These improvements were assumed to have been implemented within the study area by 2032.

Trips for the site were calculated for the typical weekday morning and afternoon peak hours based on the methods of the ITE Trip Generation Manual, 11th Edition, published by the Institute of Transportation Engineers (ITE). As the end user(s) for the proposed retail space are not known at this time, it was assumed two of the 6,000 square-foot retail spaces would be occupied by a restaurant. After accounting for internal trip reductions, the site is expected to generate approximately 971 new morning peak hour trips (318 inbound, 653 outbound) and 1,289 new afternoon peak hour trips (765 inbound, 524 outbound).

For the existing, background, and future (2032) conditions, capacity and queuing analyses were performed to determine the impacts the site may have on the roadways and intersections within the study area. Auxiliary lane and signal warrants were also performed at the study area intersections where appropriate.

Conclusions

Based on the analyses performed as part of this study, the proposed development will have some impacts to the surrounding roadway network. Findings of this study are as follows:

Existing Conditions

The existing peak hour capacity analyses show all controlled movements at the study area intersections currently operate at an acceptable LoS “D” or better during the morning and afternoon peak hours, except for the following:

Dierdorff Road at Regent Street (Davis Drive)

- The shared eastbound left/thru movement currently operates at LoS “F” during the afternoon peak hour. The 95th percentile queue is approximately 5 vehicles during the afternoon peak hour.
- The shared westbound left/thru movement currently operates at LoS “E” during the afternoon peak hour. The 95th percentile queue during this time period is approximately 6 vehicles.

Waterford Mills at Regent Street

- The northbound left-turn movement currently operates at LoS “F” during the afternoon peak hour; however, this is a low volume movement with only five northbound left turns during the afternoon peak hour.

Background (2032) Conditions

The future background development within the study area is anticipated to generate a significant number of trips throughout the day and during the morning and afternoon peak hours. These developments will play a significant role in the timing of future improvements within the study area, particularly the need for signalization at the study area intersections.

The background (2032) conditions analyses show the two future signalized intersections along Dierdorff Road at Regent Street and Waterford Mills Parkway are anticipated to operate at an overall LoS “B” or better during the morning and afternoon peak hours. All individual movements are also anticipated to operate at LoS “B” or better during the morning and afternoon peak hours.

The background (2032) conditions analyses show all controlled movements at the unsignalized Waterford Mills/Regent Street intersection are anticipated to operate at an acceptable LoS “D” or better during the morning and afternoon peak hours, except for the following:

- The northbound left-turn movement is anticipated to operate at LoS “F” during the morning and afternoon peak hours; however, this is a relatively low volume movement with an anticipated 95th percentile queue of less than two vehicles.

Future (2032) Conditions

The existing Dierdorff Road intersections with Regent Street and Waterford Mills Parkway are anticipated to operate acceptably assuming the future reconstruction of Dierdorff Road by the City of Goshen. With signalization, these intersections are anticipated to operate at an overall LoS “C” or better during the morning and afternoon peak hours. All individual movements are anticipated to operate a LoS “C” or better.

The Waterford Mills Parkway/Regent Street intersection is anticipated to operate poorly during the morning and afternoon peak hours without any additional improvements. The northbound left, thru, and right-turn movements are anticipated to operate at LoS “F” during the morning and afternoon peak hours with long 95th percentile queues. Similarly, the southbound left, thru, and right-turn movements are anticipated to operate at LoS “F” during the afternoon peak hour with long 95th percentile queues. With signalization, this intersection is anticipated to operate acceptably at an overall LoS “B” or better during the morning and afternoon peak hours. All individual movements are anticipated to operate at LoS “D” or better.

The left-turn movements exiting the proposed driveways at Dierdorff Road and Waterford Mills Parkway are anticipated to operate poorly without additional improvements. The eastbound left-turn movement at the Dierdorff Road/Proposed Driveway (Fairways Drive) intersection is anticipated to operate at LoS “E” during the afternoon peak hour with a 95th percentile vehicle queue of approximately 3 vehicles. Similarly, the southbound left-turn movement at the Waterford Mills Parkway/Proposed Driveway (Edison Drive) intersection is anticipated to operate at LoS “F” during the afternoon peak hour with a 95th percentile vehicle queue of approximately 4 vehicles. With signalization, these intersections are anticipated to operate acceptably at an overall LoS “B” or better during the morning and afternoon peak hours. All individual movements are anticipated to operate a LoS “D” or better.

The proposed driveway to Regent Street at Winchester Drive is anticipated to operate acceptably with all controlled movements operating at LoS "C" or better during the morning and afternoon peak hours. The two proposed driveways to Regent Street south of Waterford Mills Parkway are also anticipated to operate acceptably with all controlled movements operating at LoS "B" or better during the morning and afternoon peak hours.

The future (2032) traffic volumes at the proposed driveways show auxiliary lanes should be considered at several locations based on INDOT's guidelines as follows:

- A southbound right-turn lane should be considered at the proposed driveway to Dierdorff Road.
- A westbound right-turn lane should be considered at the proposed driveway to Waterford Mills Parkway.
- A southbound left-turn lane should be considered at the proposed driveway to Regent Street.

The future (2032) signal warrant analyses show the following intersections would meet the minimum volume thresholds to consider the installation of a traffic signal.

- The Dierdorff Road/Proposed Driveway (Fairways Drive) intersection is anticipated to meet 8 of the required 8 hours for Criteria 1, Condition A. Six of the required 4 hours are met for Criteria 2.
- The Waterford Mills Parkway/Proposed Driveway (Edison Drive) intersection is anticipated to meet 13 of the required 8 hours for Criteria 1, Condition A. Criteria 1, Condition B and Criteria 2 are also met at this intersection.
- The Waterford Mills Parkway/Regent Street intersection is anticipated to meet 9 of the required 8 hours for Criteria 1, Condition A. Criteria 1, Condition B and Criteria 2 are also met at this intersection. These results consider a 50% right-turn-on-red (RTOR) reduction for the southbound right-turn movement.

Recommendations

The recommendations listed below would be made to mitigate the impact of the proposed development and improve operations within the study area.

Waterford Mills Parkway at Regent Street

- Traffic volumes at the intersection should be monitored as the development progresses. Future traffic signal warrant analyses based on actual traffic volumes would be recommended to determine when/if a traffic signal should be installed at the intersection.
- The operation of this intersection, particularly the northbound approach, will depend on the timing of the portion of the development on the southwest corner of the intersection and the residential development on the south side of County Road 40. A traffic impact study for the residential site south of County Road 40 should be required when development plans are proposed.
- An updated traffic analysis, including signal warrants, would be recommended at the intersection based on new traffic volumes and updated site plan information once construction commences on the 11.2 acre site on the southwest corner. This analysis would aid in determining the potential timing for installing a new traffic signal at the intersection.

Dierdorff Road at Proposed Driveway (Fairways Drive)

- A southbound right-turn lane should be constructed at the proposed driveway. The length of the right-turn lane should be 280 feet based on the recommended deceleration distance for a design speed of 35 mph. Additional turn lane length for vehicle storage would not be recommended as the 95th percentile queue is anticipated to be less than one vehicle.
- The eastbound approach should include a separate 150-foot left-turn lane and a shared thru/right-turn lane.

- Traffic volumes at the intersection should be monitored as the development progresses. Future traffic signal warrant analyses based on actual traffic volumes would be recommended to determine when/if a traffic signal should be installed at the intersection.

Waterford Mills Parkway at Proposed Driveway (Edison Drive)

- A westbound right-turn lane should be constructed at the proposed driveway. The length of the right-turn lane should be 430 feet based on the recommended deceleration distance for a design speed of 45 mph. Additional turn lane length for vehicle storage would not be recommended as the 95th percentile queue is anticipated to be less than one vehicle.
- The southbound approach should include a separate 150-foot left-turn lane and a shared thru/right-turn lane.
- Traffic volumes at the intersection should be monitored as the development progresses. Future traffic signal warrant analyses based on actual traffic volumes would be recommended to determine when/if a traffic signal should be installed at the intersection.

Regent Street at Proposed Driveway (Winchester Drive)

- A southbound left-turn lane should be constructed at the proposed driveway. As Regent Street is a lower volume urban collector roadway, providing deceleration within the turn lane is not recommended. Therefore, a 100-foot long left-turn lane would be recommended at this intersection.
- The westbound approach should include a separate 100-foot left-turn lane and a shared thru/right-turn lane.

Regent Street at Proposed North and South Driveways

- The eastbound approaches at both driveways should include a single lane approach.

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MIXED USE MULTIFAMILY RESIDENTIAL/COMMERCIAL LANDSCAPE

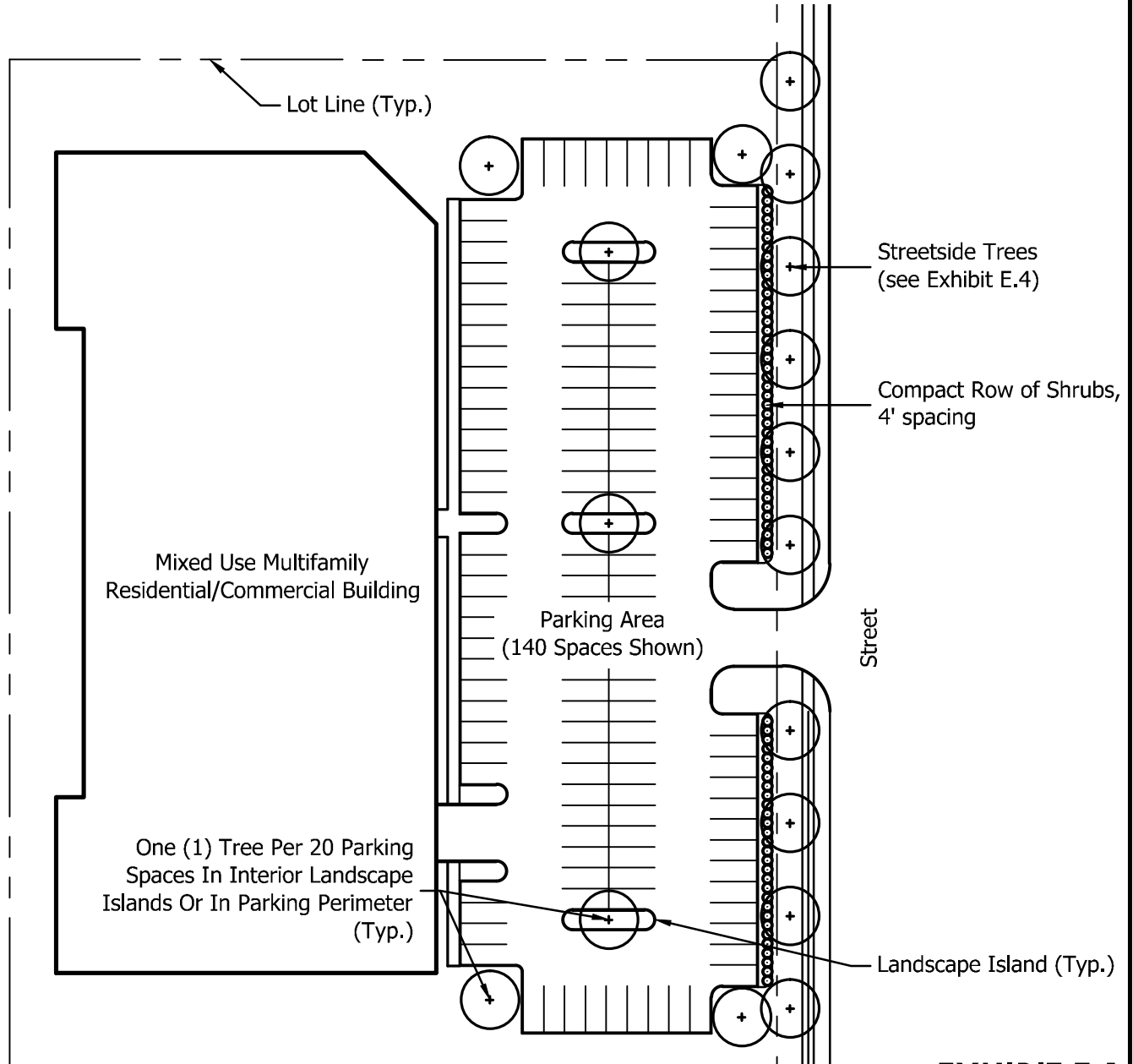


EXHIBIT E.1

PROJECT: CHERRY CREEK WATERFORD COMMONS

PROJECT LOCATION:
 S 1/2 SEC. 27-T36N-R6E, CITY OF GOSHEN, ELKHART
 TOWNSHIP, ELKHART COUNTY, INDIANA

COPYRIGHT 2023 - ABONMARCHE CONSULTANTS, INC.

DATE OF FIELDWORK: N/A

FIELDBOOK: N/A

REVIEWED BY: BEM

SCALE: NOT TO SCALE

DATE: 11/01/2023

DRAWN BY: TR

SECTION: 27-T36N-R6E

SHEET 1 OF 1

JOB NO. 22-1784

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SINGLE FAMILY ATTACHED RESIDENTIAL LANDSCAPE

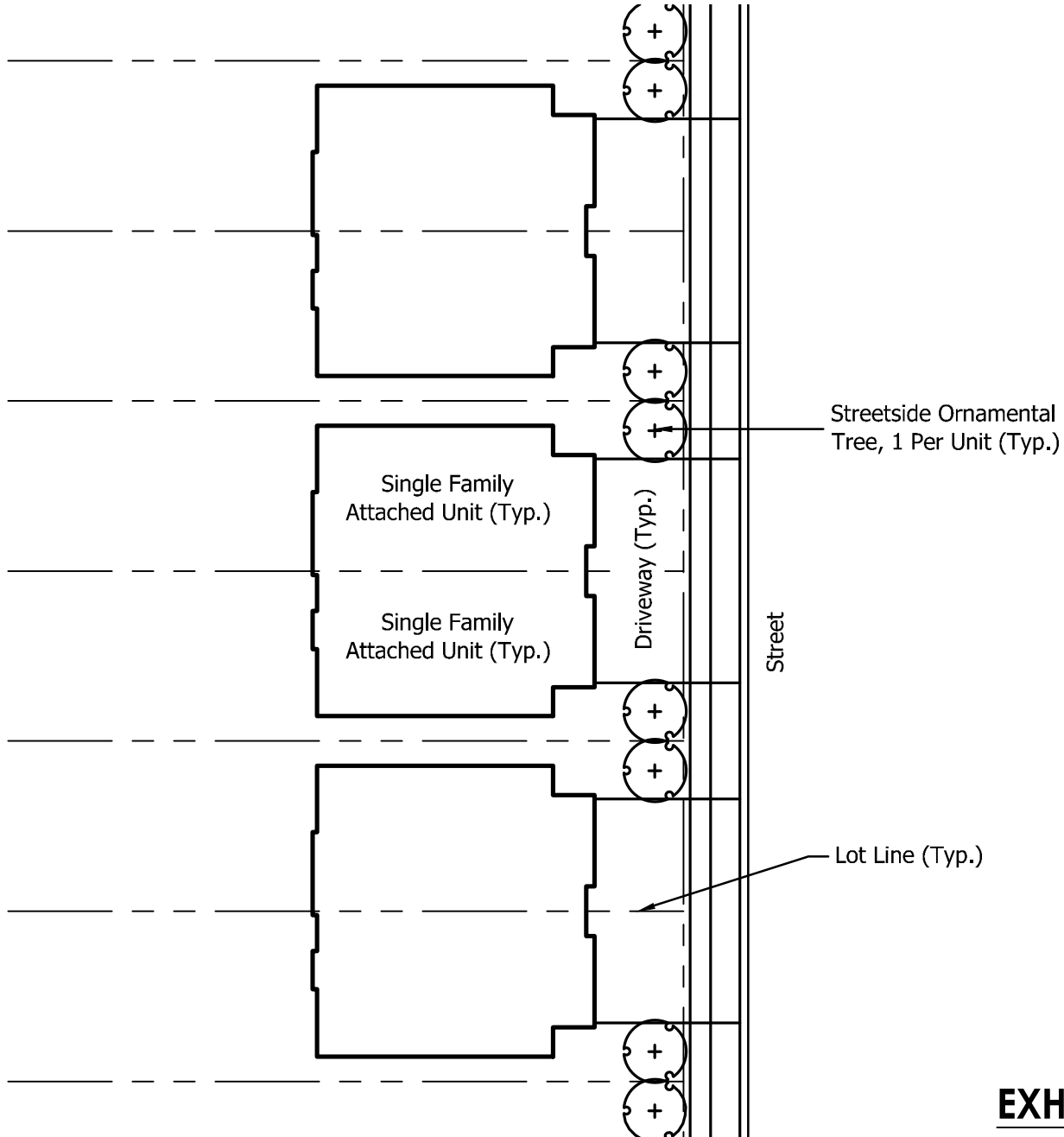


EXHIBIT E.2

PROJECT: CHERRY CREEK WATERFORD COMMONS

PROJECT LOCATION:
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DATE OF FIELDWORK: N/A

FIELDBOOK: N/A

REVIEWED BY: BEM

SCALE: 1"=40'

DATE: 11/01/2023

DRAWN BY: TR

SECTION: 27-T36N-R6E

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SINGLE FAMILY DETACHED RESIDENTIAL LANDSCAPE

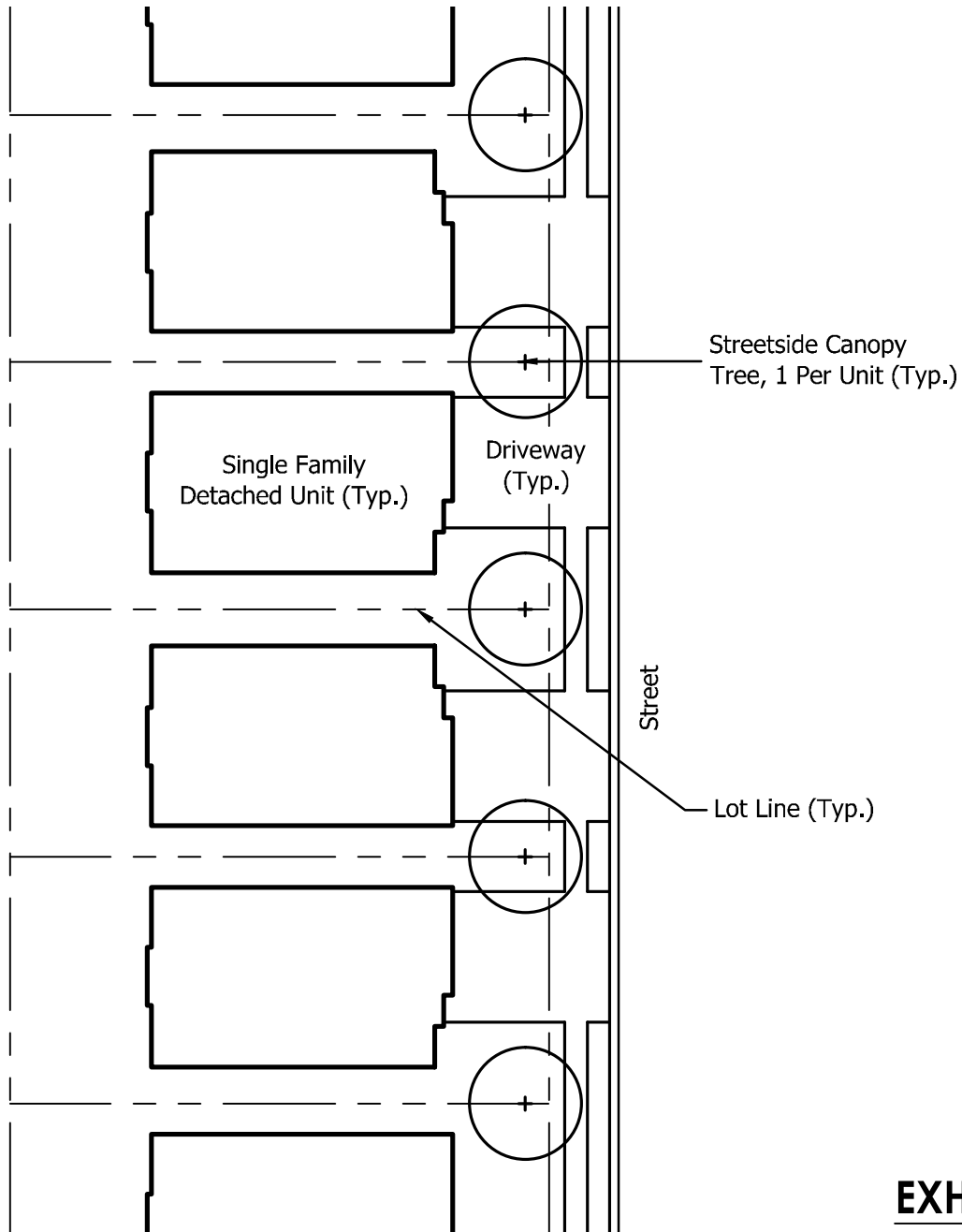


EXHIBIT E.3

PROJECT: CHERRY CREEK WATERFORD COMMONS

PROJECT LOCATION:
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DATE OF FIELDWORK: N/A

FIELDBOOK: N/A

REVIEWED BY: BEM

SCALE: 1"=40'

DATE: 11/01/2023

DRAWN BY: TR

SECTION: 27-T36N-R6E

SHEET 1 OF 1

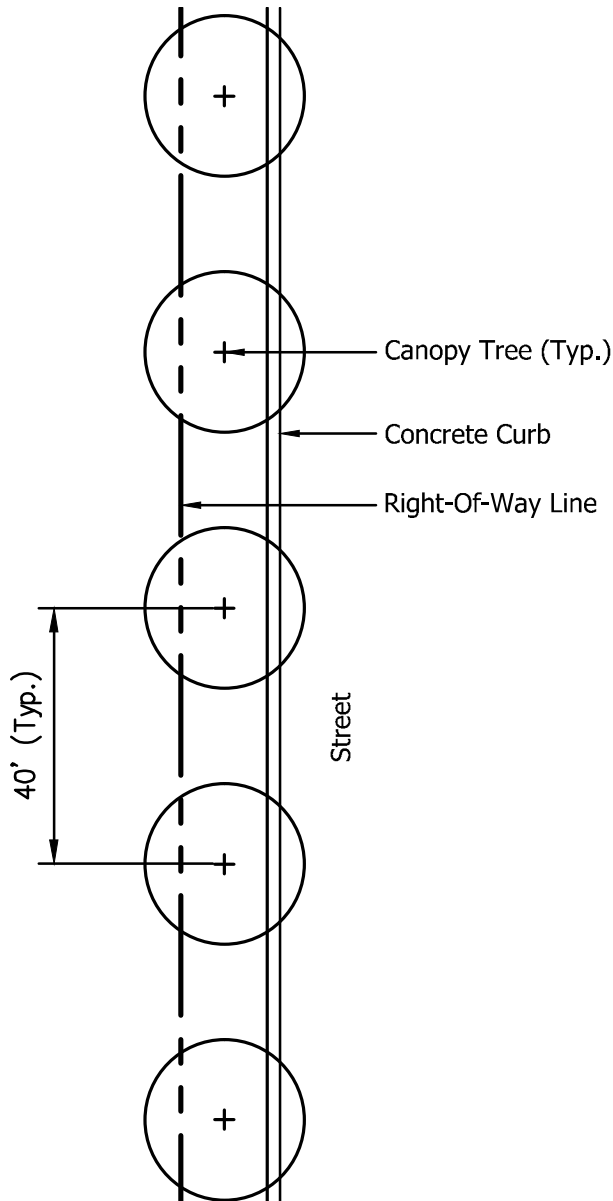
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TYPICAL STREETSIDE TREE PLANTING - CANOPY TREES



TYPICAL STREETSIDE TREE PLANTING - ORNAMENTAL TREES

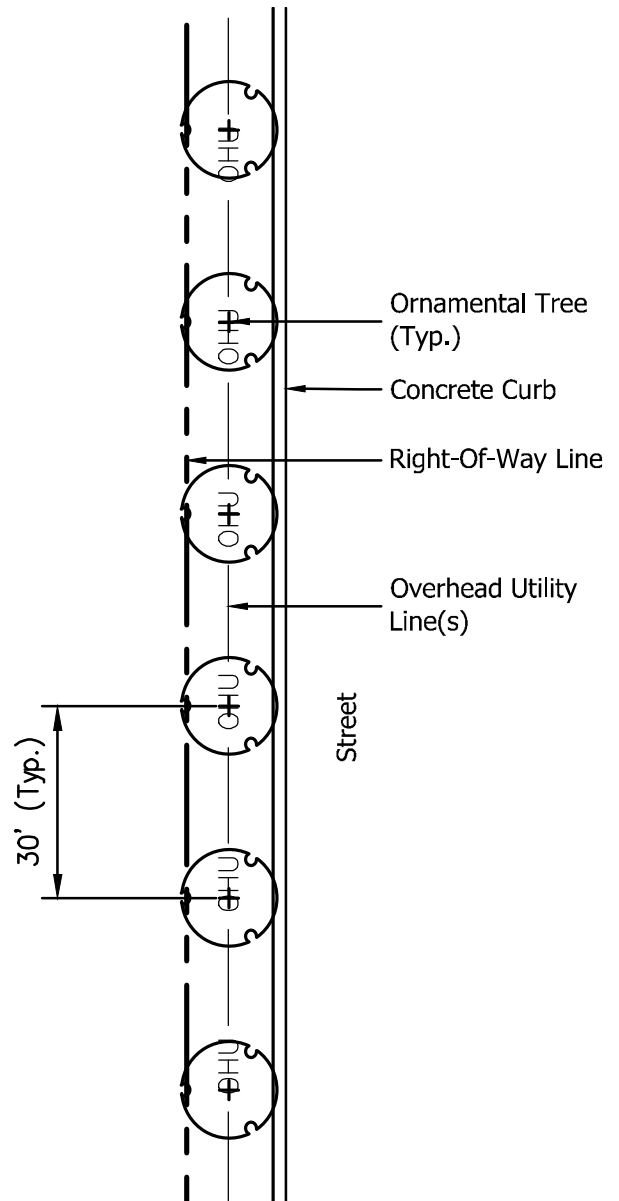


EXHIBIT E.4

PROJECT: CHERRY CREEK WATERFORD COMMONS

PROJECT LOCATION:
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DATE OF FIELDWORK: N/A

FIELDBOOK: N/A

REVIEWED BY: BEM

SCALE: 1" = 30'

DATE: 11/01/2023

DRAWN BY: TRR

SECTION: 27-T36N-R6E

SHEET 1 OF 1

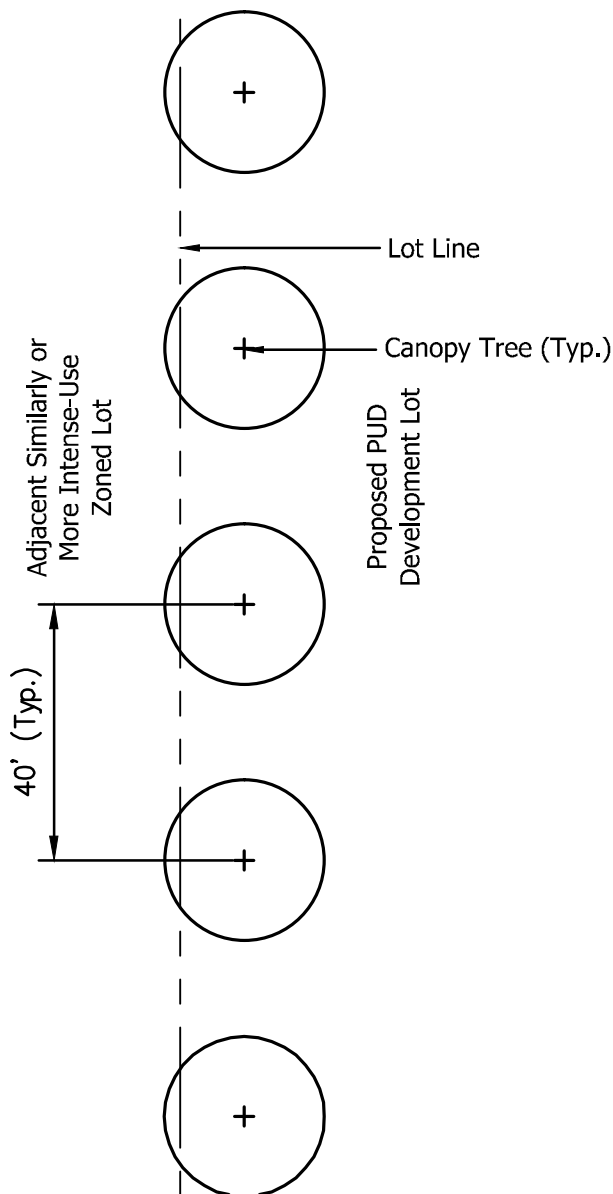
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BUFFERYARD LANDSCAPING - OPEN LANDSCAPING WITH CANOPY TREES



BUFFERYARD LANDSCAPING - OPEN LANDSCAPING WITH ORNAMENTAL TREES

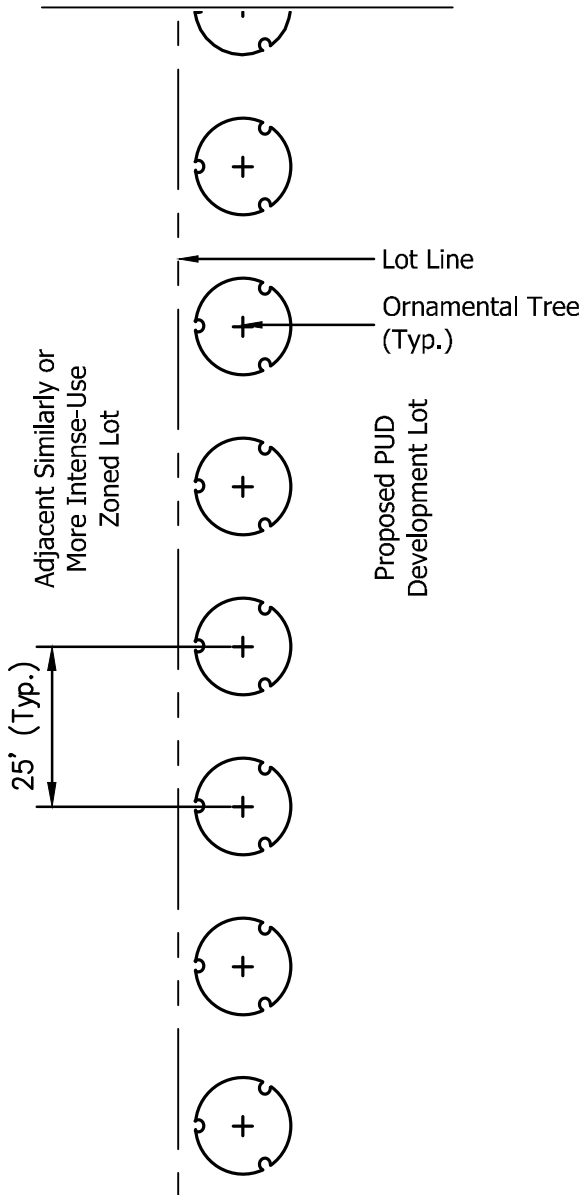


EXHIBIT E.5

PROJECT: CHERRY CREEK WATERFORD COMMONS

PROJECT LOCATION:
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DATE OF FIELDWORK: N/A

FIELDBOOK: N/A

REVIEWED BY: BEM

SCALE: 1" = 30'

DATE: 11/01/2023

DRAWN BY: TR

SECTION: 27-T36N-R6E

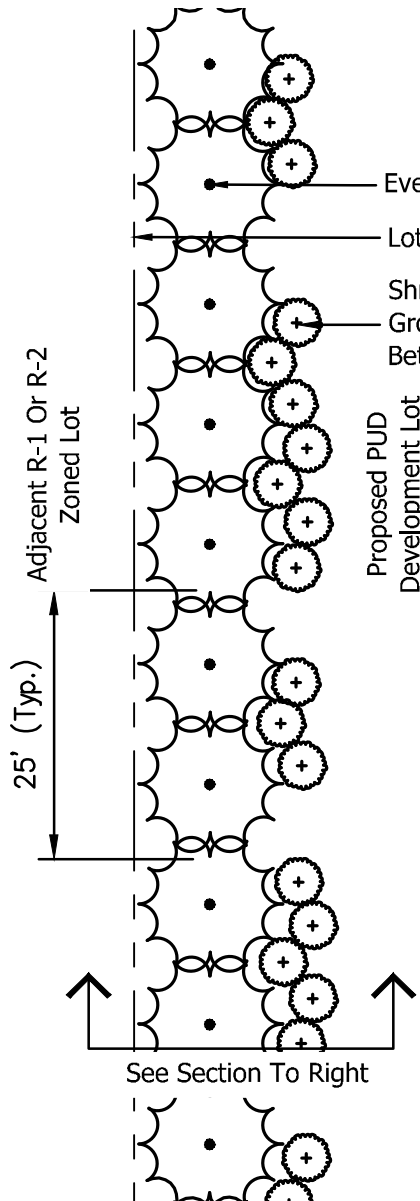
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JOB NO. 22-1784

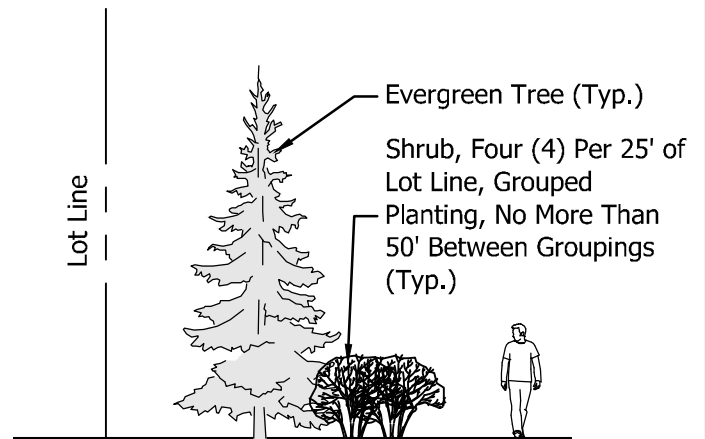
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BUFFERYARD LANDSCAPING - PARTIAL LANDSCAPING OPTION 1



PLAN



SECTION

EXHIBIT E.6

PROJECT: CHERRY CREEK WATERFORD COMMONS

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DATE OF FIELDWORK: N/A

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SCALE: 1" = 20'

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SECTION: 27-T36N-R6E

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BUFFERYARD LANDSCAPING - PARTIAL LANDSCAPING OPTION 2

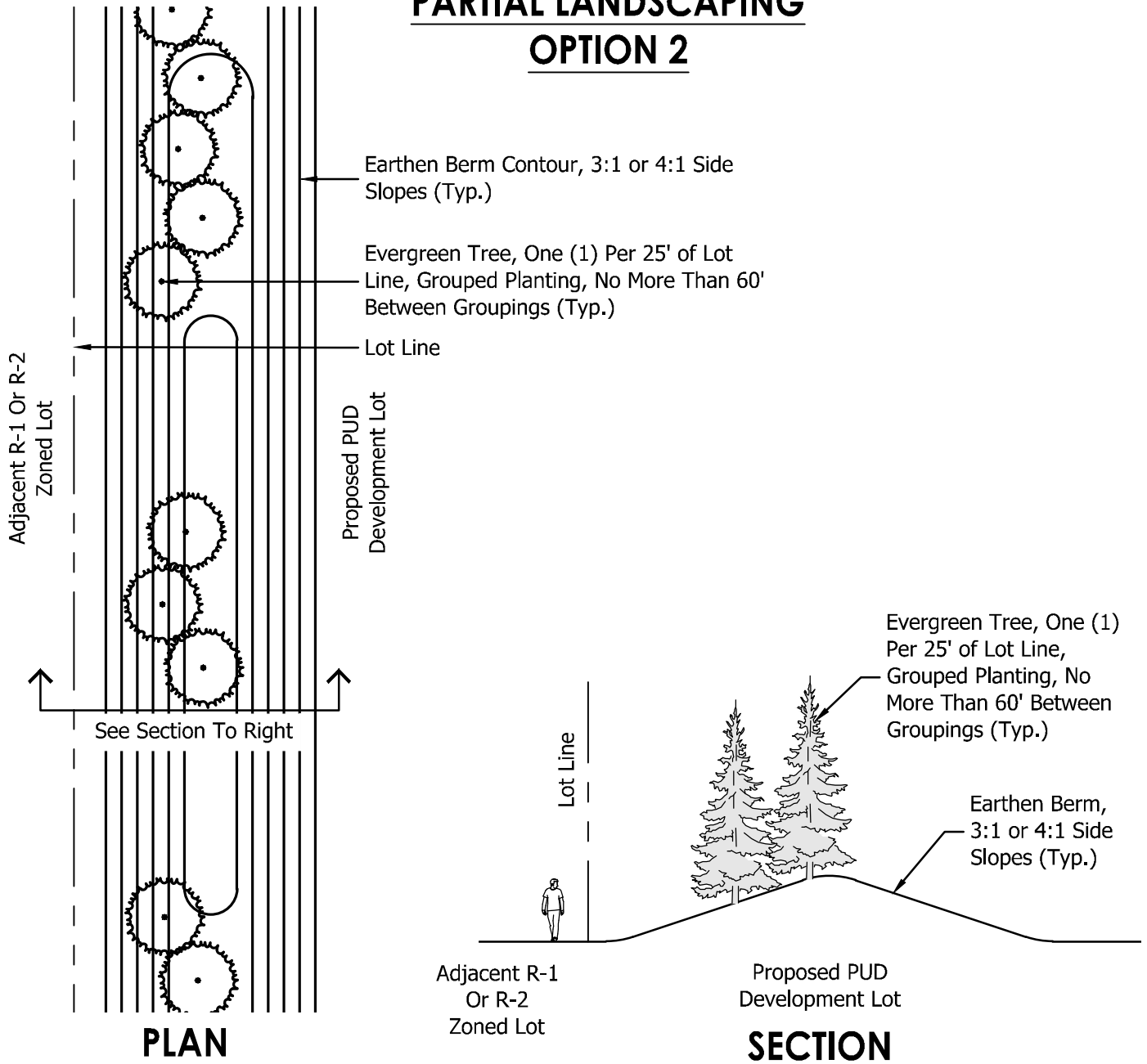


EXHIBIT E.7

PROJECT: CHERRY CREEK WATERFORD COMMONS

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DATE OF FIELDWORK: N/A

FIELDBOOK: N/A

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SECTION: 27-T36N-R6E

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JOB NO. 22-1784