

*Agenda*  
GOSHEN PLAN COMMISSION  
Tuesday, January 16, 2024, 4:00 pm  
Council Chambers, 111 E. Jefferson Street, Goshen, Indiana

**\*\*Please turn off all cell phones\*\***

- I. Roll Call
- II. 2024 Plan Commission Appointments
- III. Election of 2024 Officers
  - *President*
  - *Vice President*
  - *Secretary*
- IV. Approval of Minutes from 12/19/23
- V. Filing of Zoning/Subdivision Ordinances and Official Staff Reports into Record
- VI. Postponements/Withdrawals
- VII. **Primary Subdivision** (public hearing)  
**24-01SUB** – Cherry Creek, LLC, Waterford Commons Business Park, LLC, and Abonmarche Consultants request primary subdivision approval for a 483-lot major mixed use (residential & commercial) subdivision, Cherry Creek. The subject property is generally located west of Dierdorff Road, north of Waterford Mills Parkway, east of Regent Street, and south of Waterford Mills Parkway on the west side of Regent Street, containing ±180 acres, zoned Residential R-3PUD.
- VIII. **Vacation** (public hearing)  
**24-01V** – City of Goshen Department of Redevelopment, Cherry Creek, LLC, and Abonmarche Consultants request the vacation of unimproved public right of way generally located east of Regent Street, north of Waterford Mills Parkway. The right of way is ±0.79 acres and was dedicated in 2006 but has not been improved or used as right of way. It is within a City-owned retention area and an area to be developed as part of Cherry Creek subdivision.
- IX. Audience Items
- X. Staff/Board Items
- XI. Adjournment

**To:** Goshen City Plan Commission  
**From:** Rhonda L. Yoder, Planning & Zoning Administrator  
**Subject:** 24-01SUB, Primary Approval of a Major Subdivision, Cherry Creek  
**Date:** January 16, 2024

## ANALYSIS

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Cherry Creek, LLC, Waterford Commons Business Park, LLC, and Abonmarche Consultants request primary subdivision approval for a 483-lot major mixed use (residential & commercial) subdivision, Cherry Creek. The subject property is generally located west of Dierdorff Road, north of Waterford Mills Parkway, east of Regent Street, and south of Waterford Mills Parkway on the west side of Regent Street, containing ±180 acres, zoned Residential R-3PUD.

According to the Goshen Subdivision Ordinance (SO), a major subdivision involves two or more lots along with the establishment of a new street or easement of access, and substantial changes to existing drainage systems. Major subdivision approval occurs in two phases, primary subdivision and secondary subdivision. The primary subdivision is intended to show a total development plan, including physical features, proposed lot layout, proposed street patterns, land to be reserved for public use, sewer and water extensions, and drainage facilities. The Plan Commission determines if the proposed development plan is suitable for the proposed site.

The Plan Commission has exclusive control over primary and secondary subdivision approvals. Subdivision applications may be granted approval, granted approval with conditions, or disapproved (SO Section 530). Approval may be granted only if the conditions of the Goshen Subdivision Ordinance are met. The Plan Commission may waive only those conditions found exclusively in the Goshen Subdivision Ordinance, and may not waive any standards found in the Goshen Zoning Ordinance.

The Cherry Creek primary subdivision includes Sheets 1-14 with layout details and overall subdivision drainage (copies provided) and Sheets 15-28 with drainage, utility and grading details (copies not provided). A preliminary phasing plan is included.

The Cherry Creek PUD includes the following standards that impact subdivision review:

- a. Maximum residential unit density calculated using the overall Cherry Creek area, including common areas but excluding public right of way.
- b. Sidewalks and trails installed generally per Exhibit B of Ordinance 5173, Active Transportation Network.
- c. 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).

### Evaluation of the Primary Subdivision Plan

After reviewing the primary subdivision plan for Cherry Creek and the Goshen SO and Cherry Creek PUD standards, the following comments/questions must be addressed:

1. Add east-west match lines as needed for each secondary subdivision.
2. For each secondary subdivision, lot numbers must be consecutive within that section and into the next phase/section. In comparing the phasing plan and the primary subdivision, lot numbers are not always consecutive.
3. Remove building setback lines from plat (in Legend and on drawing) for each secondary subdivision.
4. Remove parking setback lines from plat (in Legend and on drawing) for each secondary subdivision.
5. Street Names
  - Starlight Way – Runs in two directions. Per SO, street names change with a major directional change.
  - King Fisher Way – If this is meant to be a bird name reference, it should be Kingfisher (one word) Way.
  - Pelican Parkway – Parkway denotes a wide street, so suggest changing to Pelican Way.

- Quail Hollow Drive – Hollow is a suffix type (like Drive), so could be shortened to Quail Hollow.
6. No lots on dead-end streets will be allowed as part of any secondary subdivision, and streets in each phase may not be constructed past an intersection. For example, between Phase 1 and the future Phase 2 on Fishermans Way, the street may not be extended past the intersection with Dove Lane, and therefore Lots 211, 212 and 213 will not be permitted as part of Phase 1.
  7. The maintenance lot and Common Space E appear to be part of Phase 1/Zone 1 but appear to be proposed with driveways and not street connections, and more details are required in order to determine how these driveway connections would be permitted. All lots and common spaces proposed for development within a subdivision section must be part of the secondary subdivision for that section.
  8. All streets with right of way at or exceeding 60' require a local street label as part of each secondary subdivision. For example, Mockingbird Drive 70' R/W (local).
  9. For each secondary subdivision, boundary and lot line dimensions must have exact dimensions in feet and hundredths thereof.
  10. Non-access easements 5' in width are required along each abutting arterial street, Waterford Mills Parkway and Dierdorff Road, and along any interior streets where access will be prohibited, such as Fairways Drive. The only exception to the non-access easements will be temporary construction entrances, permitted only when authorized by Goshen Engineering through approval of a right of way permit prior to installation.
  11. Easements and agreements required prior to secondary subdivision approval include:
    - Temporary construction easements
    - Off-site easement across City property (Waterford Mills Parkway, for example) for drainage pipes
    - Off-site drainage retention easements, with instrument numbers included on the secondary subdivision
    - Off-site drainage agreements, executed before secondary subdivision approval is granted
    - Trail access easements (on plat) for portions of trail on Cherry Creek property
  12. Dierdorff Road right of way dedication of City parcels is required before the first secondary subdivision is submitted for Phase 2.
  13. Final roadway design as recommended by the *Cherry Creek Development Traffic Impact Study*, dated March 2023, is required as part of secondary subdivision submittal.
  14. The mail delivery system must be confirmed in writing by the Goshen Post Office as part of secondary subdivision submittal.

Conditions to be met prior to secondary approval, and requirements to be completed before construction begins and before a zoning clearance/building permit is issued, are outlined in the following section.

## **RECOMMENDATIONS**

Staff recommends the Plan Commission grant primary approval with conditions for Cherry Creek subdivision, based upon the following and including the following conditions:

1. The Cherry Creek PUD, Zoning Ordinance, and Subdivision Ordinance requirements are met, except as noted.
2. The secondary subdivision shall address the identified technical corrections and Technical Review comments provided by Engineering, Stormwater, and Fire, including:
  - Add east-west match lines as needed for each secondary subdivision.
  - For each secondary subdivision, lot numbers must be consecutive within that section and into the next phase/section.
  - Remove building setback lines from plat (in Legend and on drawing) for each secondary subdivision.
  - Remove parking setback lines from plat (in Legend and on drawing) for each secondary subdivision.
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- All lots and common spaces proposed for development within a subdivision section must be part of the secondary subdivision for that section.
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  - For each secondary subdivision, boundary and lot line dimensions must have exact dimensions in feet and hundredths thereof.
  - Non-access easements 5' in width are required along each abutting arterial street, Waterford Mills Parkway and Dierdorff Road, and along any interior streets where access will be prohibited, such as Fairways Drive.
  - Easements and agreements required prior to secondary subdivision approval include:
    - Temporary construction easements
    - Easement across City property (Waterford Mills Parkway, for example) for drainage pipes
    - Off-site drainage easements, with instrument numbers included on the secondary subdivision plat
    - Off-site drainage agreements, executed before secondary subdivision approval is granted
    - Trail access easements (on plat) for portions of trail on Cherry Creek property
  - Dierdorff Road right of way dedication of City parcels is required before the first secondary subdivision is submitted for Phase 2.
  - Final roadway design as recommended by the *Cherry Creek Development Traffic Impact Study*, dated March 2023, is required as part of secondary subdivision submittal.
  - The mail delivery system must be confirmed in writing by the Goshen Post Office as part of secondary subdivision submittal.
3. The drawings, application and fee for the secondary subdivision shall be submitted to the Planning office, and Staff may review on behalf of the Plan Commission.
  4. Per SO Sections 511.6 and 571.10, the final plat shall include all easements dimensioned and identified to their specific use, including all existing easements and all required new easements, for access, drainage, and water/sewer, for example.
  5. Per SO Sections 512 and 812, an overall subdivision drainage plan shall be prepared and certified by a registered engineer or registered land surveyor, submitted to the City Engineer, and approved by the Board of Works before secondary approval is granted.
  6. All infrastructure improvements shall be designed and built according to the latest City standards, per SO Section 800.
  7. Connection to City water and sewer is required, and utility extension plans shall be approved by the City Utility Engineer.
  8. Per SO Section 812, construction drawings shall be submitted to the City Engineer showing all streets, all underground utilities, and all other required improvements, including fire hydrants and street and traffic control signs.
  9. The final street plan shall be reviewed and approved by the Goshen Fire Department to ensure that access is provided for fire trucks as each phase is constructed, including any required temporary turn-arounds.
  10. If the plat is to be finalized and recorded before infrastructure improvements are constructed and accepted for maintenance, a performance bond/surety shall be filed with and approved by the City Engineer and the Board of Public Works and Safety before construction begins and before secondary approval is granted.
  11. After all identified corrections are made, reviewed and approved, dedications and easements shall be accepted by the Board of Works per SO Section 820 before secondary approval is granted.
  12. When secondary approval is granted, the signed plat will be provided to the applicant for recording, with two full size recorded copies provided to the City or a clear, full-size PDF submitted via email.
  13. The secondary subdivision shall be reviewed and approved and a recorded plat on file before a zoning clearance/building permit is issued for any individual lot.
  14. Following secondary approval, a PUD final site plan, including landscaping, is required for each condo/commercial lot, to be reviewed by Staff on behalf of the Plan Commission, with concurrent review through Technical Review.

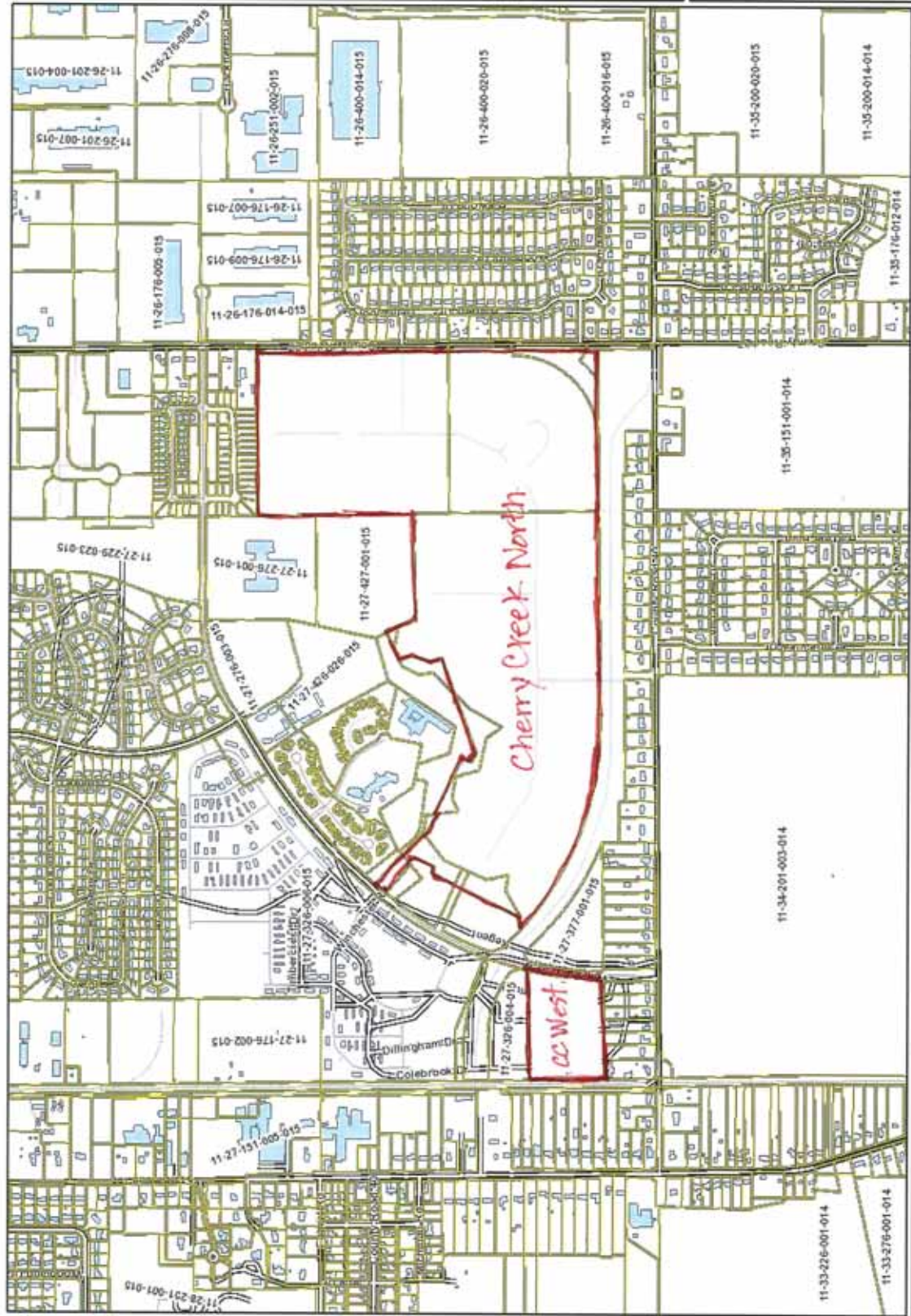
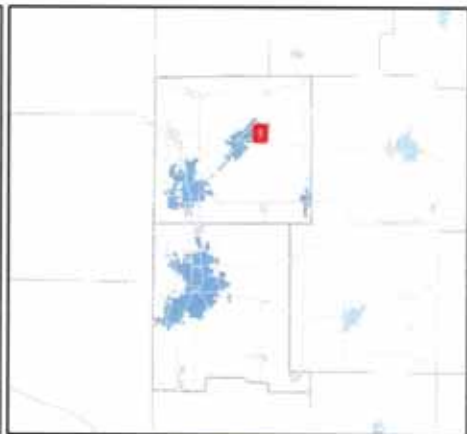


# Michiana Regional GIS Website

txtSubTitle

## Legend

- SJC Parcel Dimensions
- SJC Parcels
- ELK Parcels
- SJC Street
- ELK Street
- Building Footprint
- Railroad
- Abandoned Railroad
- Road Centerline
- Railroad Bridge
- Roadway Bridge
- Major Roads
- Primary Roads
- Secondary Roads
- Local Roads
- Rivers
- Local Roads
- SJC Street
- ELK Street
- SJC 2014 Parcel
- ELK 2014 Parcel
- Railroad
- Abandoned Railroad



Date Printed: 12/27/2023  
 Map Generated By: Public  
 Coordinate grid is based on Indiana East State Plane Coordinate System 1983 North American Datum.  
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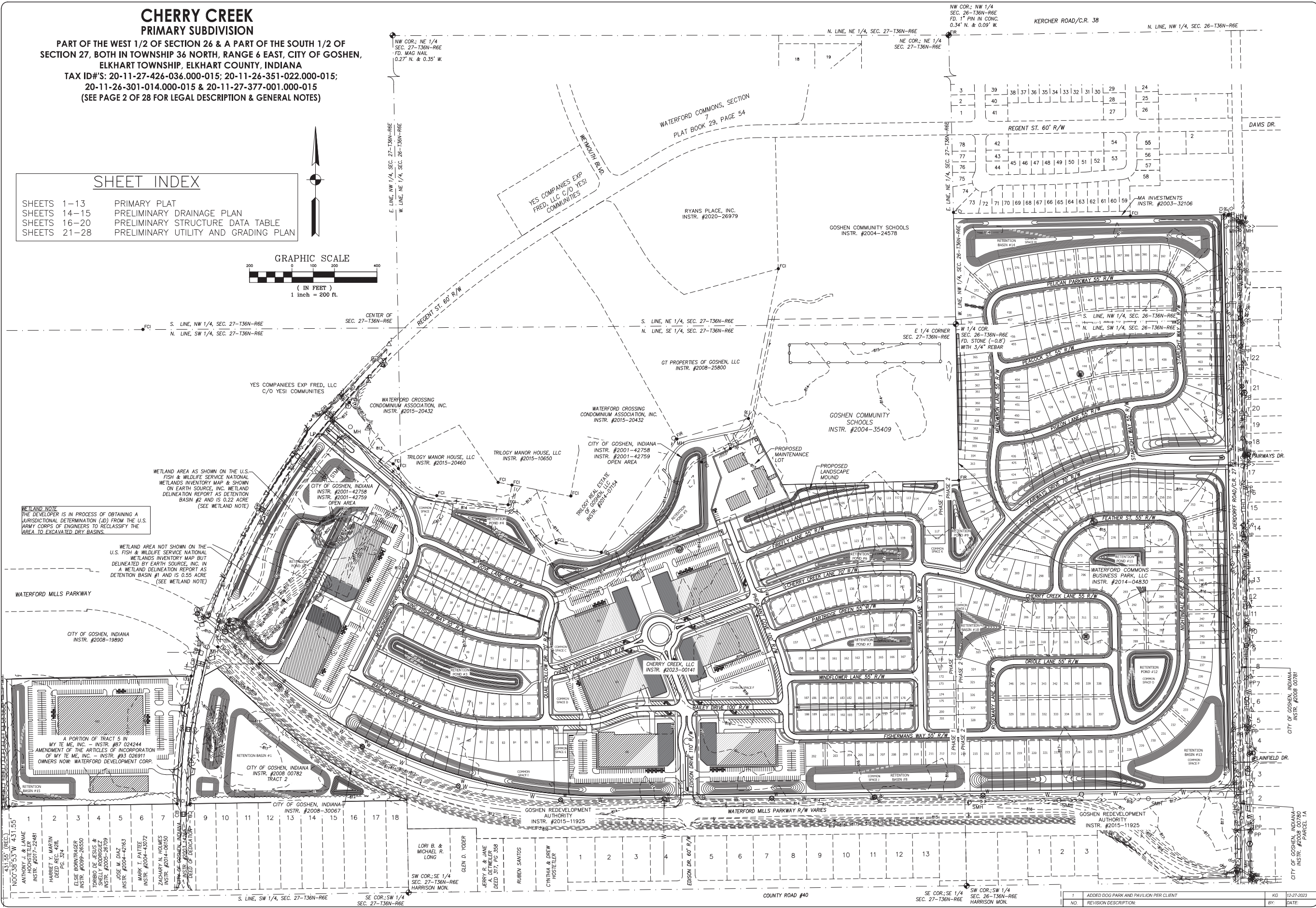
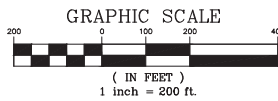


# CHERRY CREEK PRIMARY SUBDIVISION

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 28 FOR LEGAL DESCRIPTION & GENERAL NOTES)

## SHEET INDEX

SHEETS 1-13	PRIMARY PLAT
SHEETS 14-15	PRELIMINARY DRAINAGE PLAN
SHEETS 16-20	PRELIMINARY STRUCTURE DATA TABLE
SHEETS 21-28	PRELIMINARY UTILITY AND GRADING PLAN



**WETLAND NOTE**  
 THE DEVELOPER IS IN PROCESS OF OBTAINING A JURISDICTIONAL DETERMINATION (JD) FROM THE U.S. ARMY CORPS OF ENGINEERS TO RECLASSIFY THE AREA TO EXCAVATED DRY BASINS.

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 (SEE WETLAND NOTE)

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 (SEE WETLAND NOTE)

A PORTION OF TRACT 5 IN MY TE ME, INC. - INSTR. #87 024244 AMENDMENT OF THE ARTICLES OF INCORPORATION OF MY TE ME, INC. - INSTR. #93 026911 OWNERS NOW: WATERFORD DEVELOPMENT CORP.

1	ANTHONY J. & JAMIE GOSCHKE INSTR. #2012-22481
2	HARRIET V. MARTIN DEED REC. 428, PG. 324
3	ELISE ROHRTRAGER INSTR. #2009-06550
4	TORIBIO DE JESUS & ANITA M. DE JESUS INSTR. #2005-06709
5	JOSE L. DIAZ INSTR. #2004-02163
6	MARK T. PATTEE INSTR. #2004-43072
7	ZACHARY N. HOLMES INSTR. #2014-06155
8	CITY OF GOSHEN, INDIANA INSTR. #2003-14286 DEED OF DEDICATION
9	CITY OF GOSHEN, INDIANA INSTR. #2008-30067
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**ABONMARCHE**  
 303 River Race Drive, Unit 206  
 Goshen, IN 46526  
 Phone: 765.233.3333  
 Fax: 765.233.9391  
 abonmarcche.com

Valeriano Hobart  
 South Bend  
 Gary  
 Fort Wayne  
 Grand Rapids  
 Lafayette

Engineering - Architecture - Land Surveying

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

**PRIMARY PLAT**

SHEET TITLE:  
 DRAWN BY: TRM/KG  
 DESIGNED BY: KG  
 PM REVIEW: BEM  
 QA/QC REVIEW: BEM  
 DATE: 12-18-2023  
 SEAL:   
 SIGNATURE:   
 DATE: 12-27-2023  
 SCALE: 1" = 200'  
 ACI JOB #: 22-1784  
 SHEET NO: 1 of 28

NO	REVISION DESCRIPTION	BY	DATE
1	ADDED DOG PARK AND PAVILION PER CLIENT	KG	12-27-2023





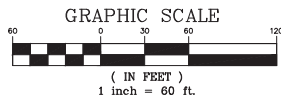


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 (SEE PAGE 2 OF 28 FOR LEGAL DESCRIPTION & GENERAL NOTES)

## LEGEND

- (S) MINIMUM BUILDING SETBACK (AS NOTED)
- (E) 5' ROADWAY MAINTENANCE, DRAINAGE & UTILITY EASEMENT
- (D) DRAINAGE, MAINTENANCE & ACCESS EASEMENT
- (R) RETENTION AREA/Common Area
- (W) SIDEWALK EASEMENT
- (L) DRAINAGE, LANDSCAPE & ACCESS EASEMENT
- (SS) SANITARY SEWER EASEMENT
- (U) UTILITY & ACCESS EASEMENT
- (A) ACCESS EASEMENT
- (P) 5' PARKING SETBACK



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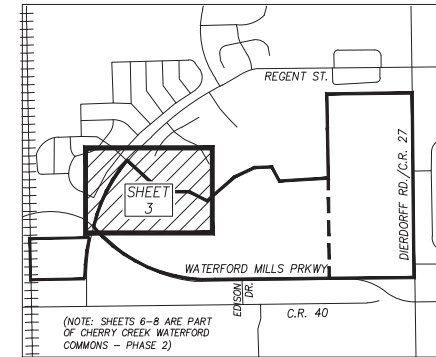
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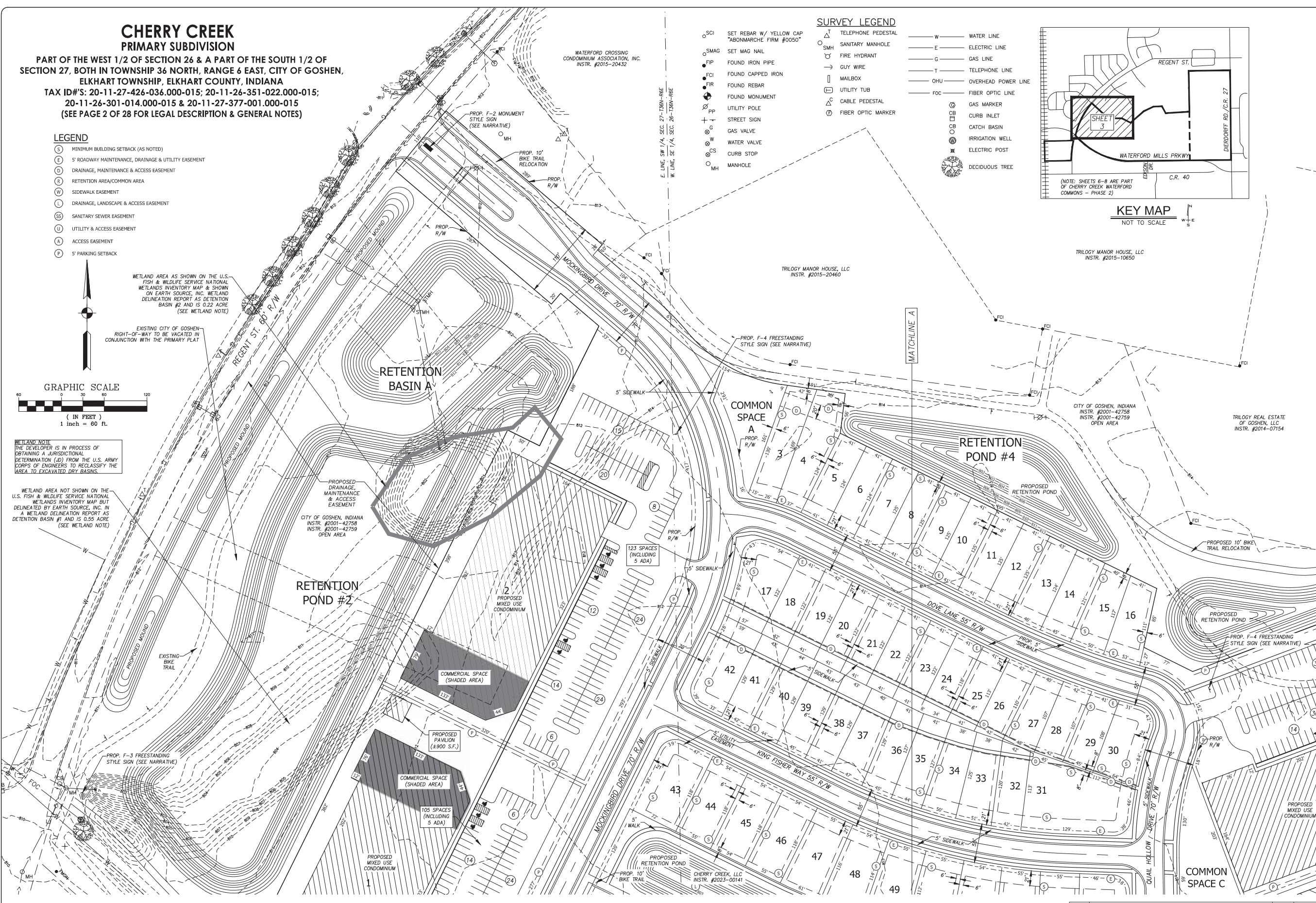
EXISTING CITY OF GOSHEN RIGHT-OF-WAY TO BE VACATED IN CONJUNCTION WITH THE PRIMARY PLAT

## 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
- FM FOUND MONUMENT
- UP UTILITY POLE
- GS GAS VALVE
- WV 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
- GMS GAS MARKER
- CI CURB INLET
- CB CATCH BASIN
- IW IRRIGATION WELL
- EP ELECTRIC POST
- DT DECIDUOUS TREE



**KEY MAP**  
 NOT TO SCALE



**ABONMARCHÉ**  
 Valparaiso  
 Benton Harbor  
 South Bend  
 Goshen, IN 46526  
 303 River Race Drive, Unit 206  
 Fort Wayne  
 Grand Rapids  
 Lafayette  
 abonmarche.com  
 317.433.9371

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

PROJECT:  
 SHEET TITLE:  
**PRIMARY PLAT**

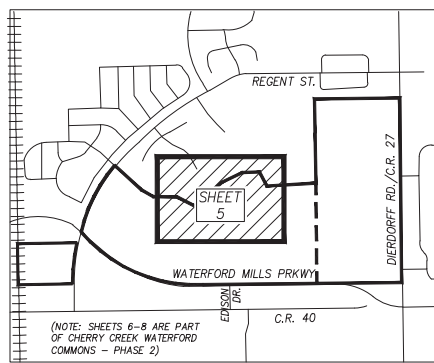
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 KG  
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 12-18-2023  
 SEAL:  
  
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 Craig S. Batdorff  
 DATE:  
 12-27-2023  
 SCALE:  
 1" = 60'  
 ACI JOB #:  
 22-1784  
 SHEET NO:  
**3 of 28**

NO	REVISION DESCRIPTION	BY	DATE
1	ADDED DOG PARK AND PAVILION PER CLIENT	KG	12-27-2023









**KEY MAP**  
NOT TO SCALE

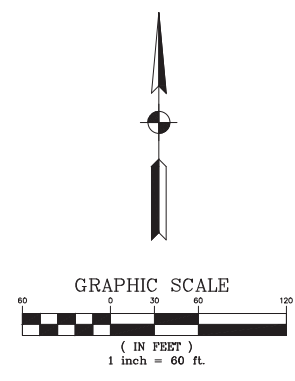
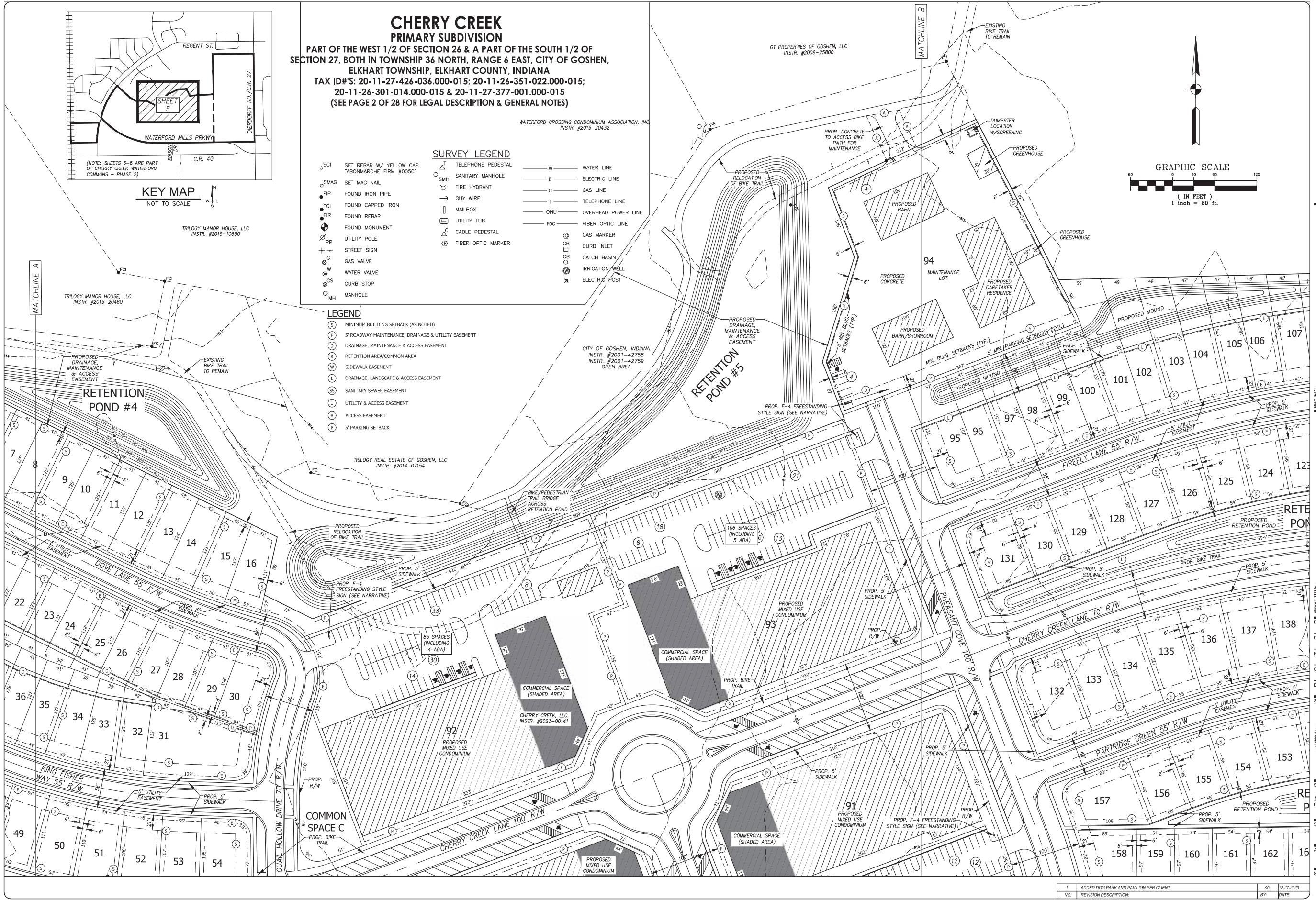
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20-11-26-301-014.000-015 & 20-11-27-377-001.000-015  
(SEE PAGE 2 OF 28 FOR LEGAL DESCRIPTION & GENERAL NOTES)

- |  |  |   |
|--|--|---|
| <ul style="list-style-type: none"> <li>○ SCI SET REBAR W/ YELLOW CAP "ABONMARCHÉ FIRM #0050"</li> <li>○ SMAG SET MAG NAIL</li> <li>● FIP FOUND IRON PIPE</li> <li>● FCI FOUND CAPPED IRON</li> <li>● FIR FOUND REBAR</li> <li>● FM FOUND MONUMENT</li> <li>○ PP UTILITY POLE</li> <li>○ S STREET SIGN</li> <li>○ G GAS VALVE</li> <li>○ W WATER VALVE</li> <li>○ CS CURB STOP</li> <li>○ MH MANHOLE</li> </ul> | <p><b>SURVEY LEGEND</b></p> <ul style="list-style-type: none"> <li>△ TELEPHONE PEDESTAL</li> <li>○ SMH SANITARY MANHOLE</li> <li>○ FIRE HYDRANT</li> <li>○ GUY WIRE</li> <li>○ MAILBOX</li> <li>○ UTILITY TUB</li> <li>○ CABLE PEDESTAL</li> <li>○ FIBER OPTIC MARKER</li> </ul> | <ul style="list-style-type: none"> <li>— W WATER LINE</li> <li>— E ELECTRIC LINE</li> <li>— G GAS LINE</li> <li>— T TELEPHONE LINE</li> <li>— OHU OVERHEAD POWER LINE</li> <li>— FOC FIBER OPTIC LINE</li> <li>○ G GAS MARKER</li> <li>□ CB CURB INLET</li> <li>□ CB CATCH BASIN</li> <li>○ W IRRIGATION WELL</li> <li>⊗ ELECTRIC POST</li> </ul> |
|--|--|---|

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  - (U) UTILITY & ACCESS EASEMENT
  - (A) ACCESS EASEMENT
  - (P) 5' PARKING SETBACK



**ABONMARCHÉ**

Valaraho  
Hobart  
Blain  
Harrison  
Fort Wayne  
Grand Rapids  
Lafayette

303 River Race Drive, Unit 206  
Goshen, IN 46526  
Phone: 765.233.3333  
Fax: 765.233.3331  
abonmarche.com

Engineering Architecture Land Surveying

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

**PRIMARY SUBDIVISION**

SHEET TITLE:

DRAWN BY: TRM/KG  
DESIGNED BY: KG  
PM REVIEW: BEM  
QA/QC REVIEW: BEM  
DATE: 12-18-2023

SEAL: CRAIG S. BATTOE, REGISTERED LAND SURVEYOR, LS21200006, STATE OF INDIANA

SIGNATURE: Craig S. Battoe  
DATE: 12-27-2023

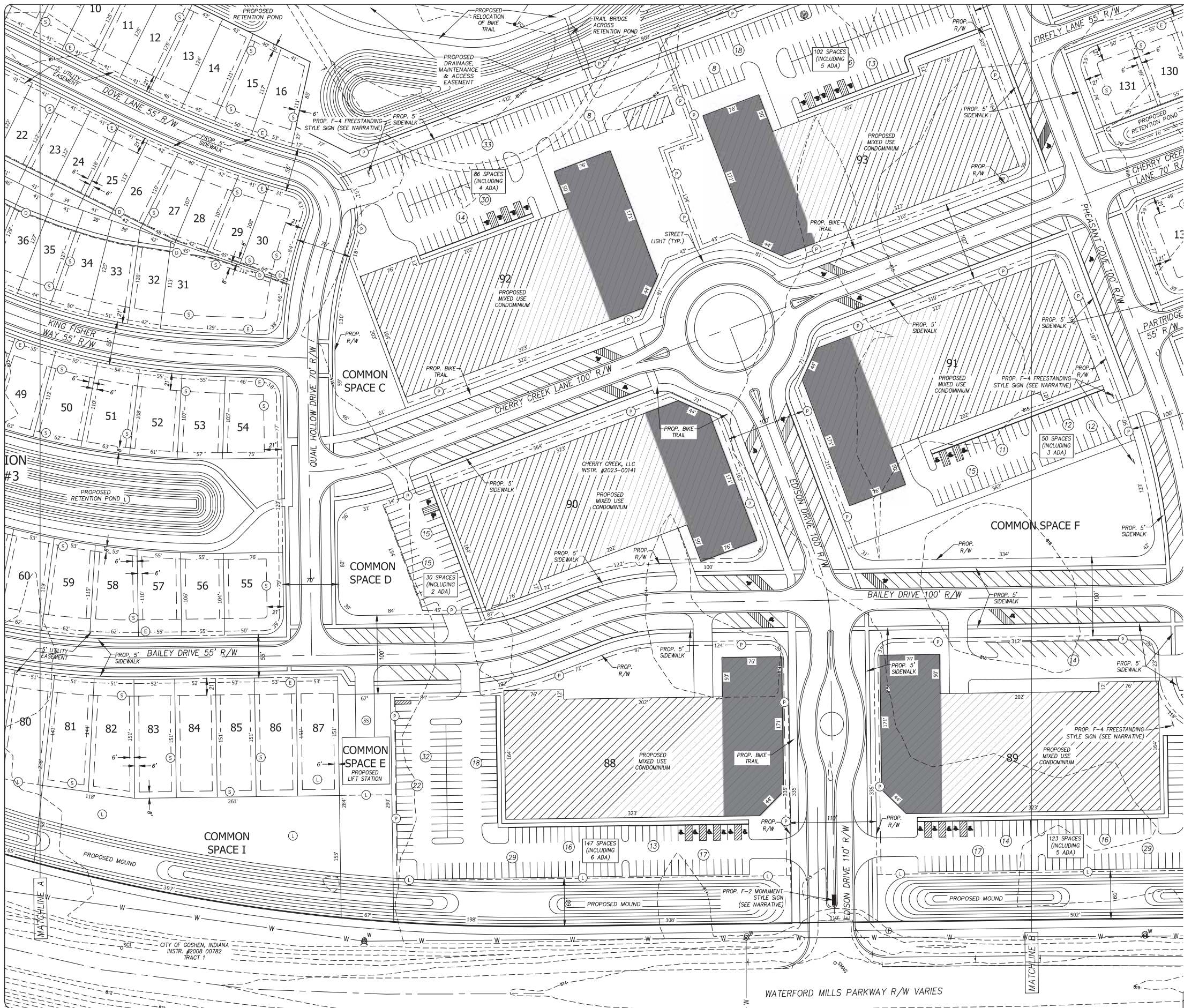
SCALE: 1" = 60'

ACI JOB #: 22-1784

SHEET NO: 5 of 28

NO	REVISION DESCRIPTION	BY	DATE
1	ADDED DOG PARK AND PAVILION PER CLIENT	KG	12-27-2023





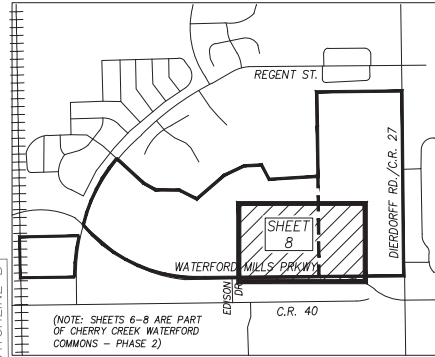






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NOT TO SCALE

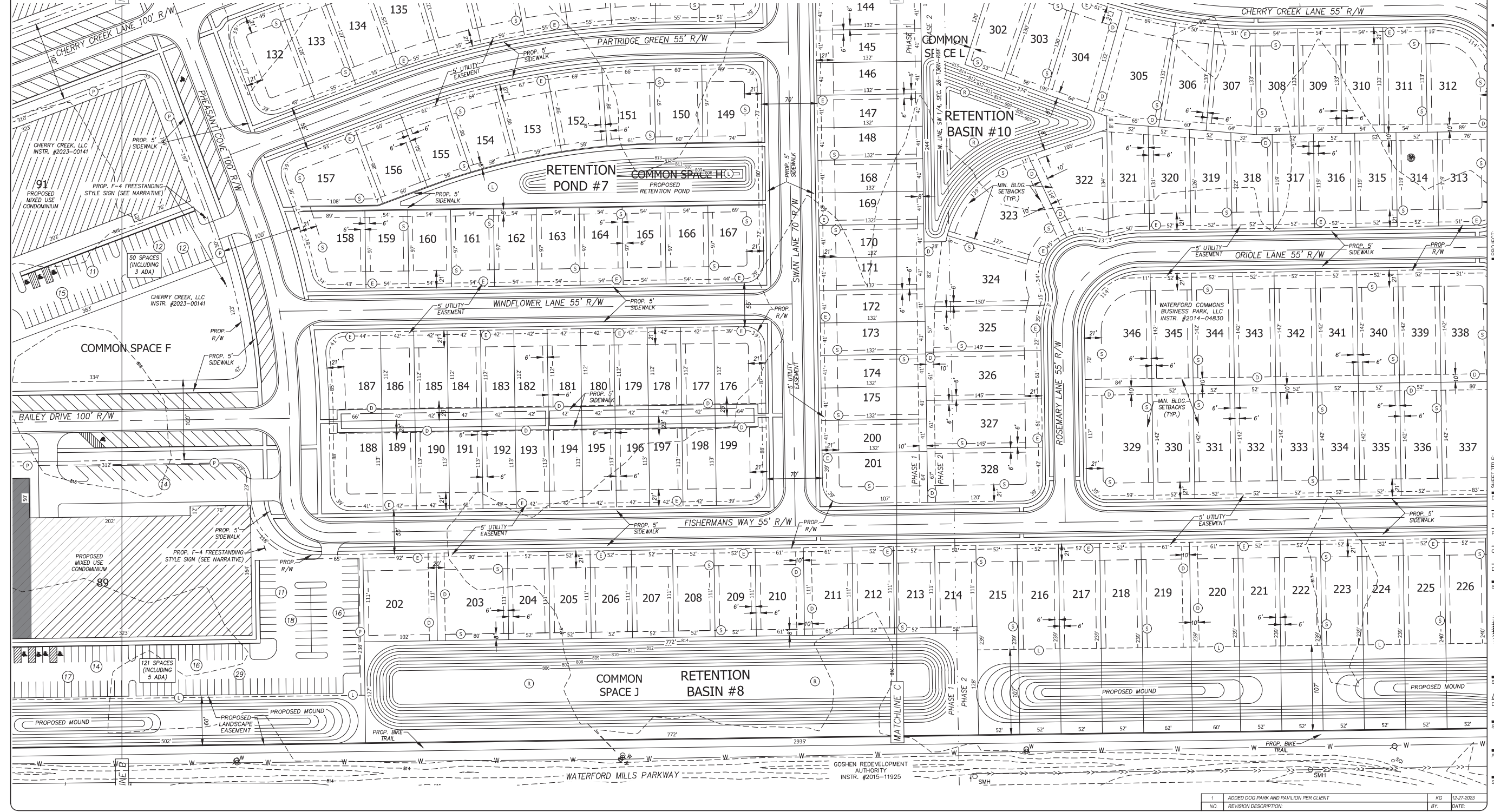
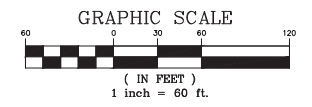
- SC1 SET REBAR W/ YELLOW CAP "ABONMACHE FIRM #0050"
- SMAG SET MAG NAIL
- FIP FOUND IRON PIPE
- FCI FOUND CAPPED IRON
- FIR FOUND REBAR
- FIM FOUND MONUMENT
- UPP UTILITY POLE
- SSS STREET SIGN
- GSV GAS VALVE
- WVW WATER VALVE
- CSW CURB STOP
- MH MANHOLE

## SURVEY LEGEND

- TELEPHONE PEDESTAL
- SANITARY MANHOLE
- FIRE HYDRANT
- GUY WIRE
- MAILBOX
- UTILITY TUB
- CABLE PEDESTAL
- FIBER OPTIC MARKER
- WATER LINE
- ELECTRIC LINE
- GAS LINE
- TELEPHONE LINE
- OVERHEAD POWER LINE
- FIBER OPTIC LINE
- GAS MARKER
- CURB INLET
- CATCH BASIN
- IRRIGATION WELL
- ELECTRIC POST

## LEGEND

- MINIMUM BUILDING SETBACK (AS NOTED)
- 5' ROADWAY MAINTENANCE, DRAINAGE & UTILITY EASEMENT
- DRAINAGE, MAINTENANCE & ACCESS EASEMENT
- RETENTION AREA/Common AREA
- SIDEWALK EASEMENT
- DRAINAGE, LANDSCAPE & ACCESS EASEMENT
- SANITARY SEWER EASEMENT
- UTILITY & ACCESS EASEMENT
- ACCESS EASEMENT
- 5' PARKING SETBACK



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 Goshen, IN 46526  
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 Fax: 773.533.9191  
 abonmache.com

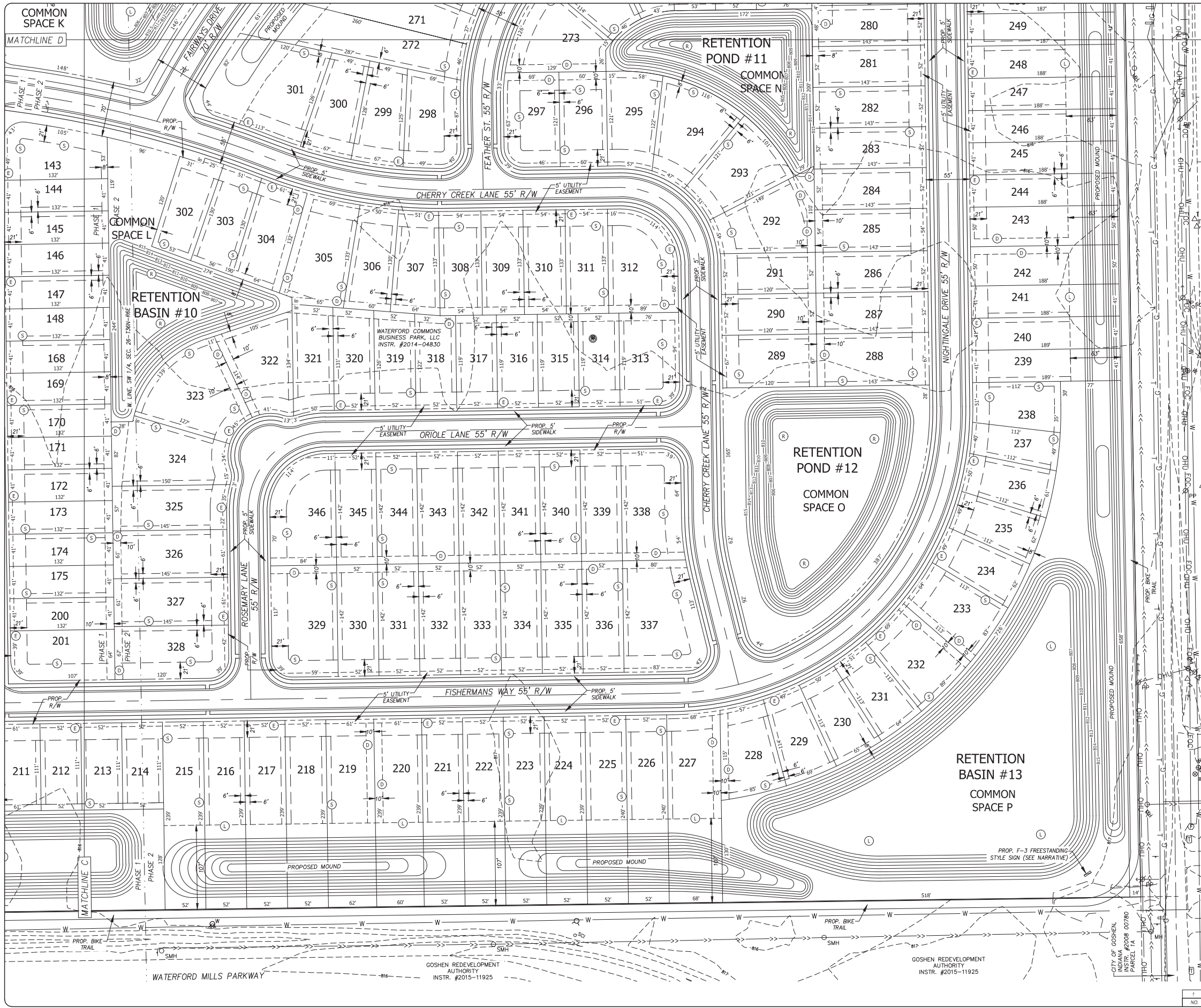
**CHERRY CREEK  
PRIMARY SUBDIVISION**  
 WATERFORD MILLS PARKWAY  
 REGENT STREET / DIERDORFF ROAD  
 GOSHEN, IN 46526

**PRIMARY PLAT**

SHEET TITLE:  
 DRAWN BY: TRM/KG  
 DESIGNED BY: KG  
 PM REVIEW: BEM  
 QA/QC REVIEW: BEM  
 DATE: 12-18-2023  
 SEAL: CRAIG S. BATDORFF, REGISTERED LAND SURVEYOR, STATE OF INDIANA, LS21200006  
 SIGNATURE: Craig S. Batdorff  
 DATE: 12-27-2023  
 SCALE: 1" = 60'  
 ACI JOB #: 22-1784  
 SHEET NO: 8 of 28

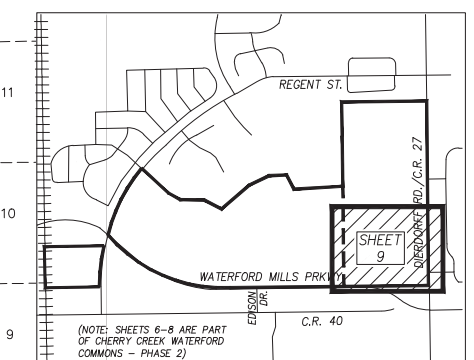
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NO	REVISION DESCRIPTION	BY:	DATE:





### 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 28 FOR LEGAL DESCRIPTION & GENERAL NOTES)



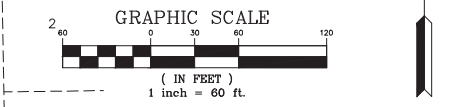
**KEY MAP**  
NOT TO SCALE

**SURVEY LEGEND**

○ SCI	SET REBAR W/ YELLOW CAP "ABONMARCHE FIRM #0050"	△ T	TELEPHONE PEDESTAL
○ S/MAG	SET MAG NAIL	○ SMH	SANITARY MANHOLE
● FIP	FOUND IRON PIPE	○ FH	FIRE HYDRANT
● FCI	FOUND CAPPED IRON	—	GUY WIRE
● FIR	FOUND REBAR	□ MB	MAILBOX
○ F/M	FOUND MONUMENT	□ UT	UTILITY TUB
○ U/P	UTILITY POLE	○ CM	CABLE PEDESTAL
○ S/S	STREET SIGN	○ FOM	FIBER OPTIC MARKER
○ W	WATER VALVE	○ GM	GAS MARKER
○ W	CURB VALVE	○ CI	CURB INLET
○ W	WATER VALVE	○ CB	CATCH BASIN
○ W	CURB STOP	○ IW	IRRIGATION WELL
○ MH	MANHOLE	○ EP	ELECTRIC POST

**LEGEND**

○ S	MINIMUM BUILDING SETBACK (AS NOTED)
○ E	5' ROADWAY MAINTENANCE, DRAINAGE & UTILITY EASEMENT
○ D	DRAINAGE, MAINTENANCE & ACCESS EASEMENT
○ R	RETENTION AREA/Common Area
○ S/E	SIDEWALK EASEMENT
○ L	DRAINAGE, LANDSCAPE & ACCESS EASEMENT
○ SS	SANITARY SEWER EASEMENT
○ U/A	UTILITY & ACCESS EASEMENT
○ A	ACCESS EASEMENT
○ P	5' PARKING SETBACK



**ABONMARCHE**  
 303 River Race Drive, Unit 206  
 Goshen, IN 46526  
 Phone: 773.233.8311  
 Fax: 773.233.8312  
 Email: abonmarc@abonmarc.com  
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**CHERRY CREEK  
PRIMARY SUBDIVISION**  
 WATERFORD MILLS PARKWAY  
 REGENT STREET / DIERDORFF ROAD  
 GOSHEN, IN 46526

**PRIMARY PLAT**

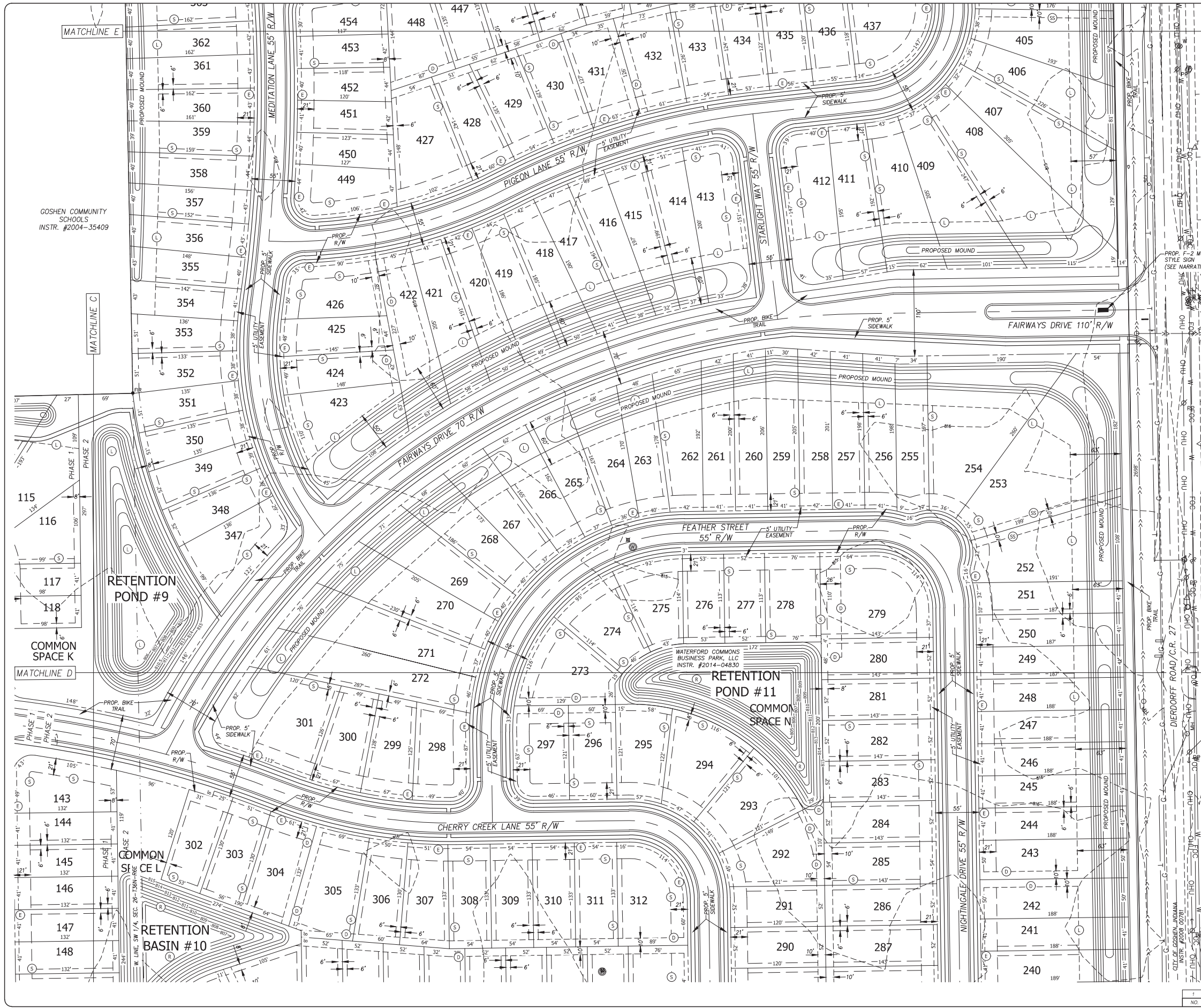
SHEET TITLE:  
 DRAWN BY: TRM/KG  
 DESIGNED BY: KG  
 PM REVIEW: BEM  
 QA/QC REVIEW: BEM  
 DATE: 12-18-2023  
 SEAL:  
 CRAIG S. BATCHELOR  
 REGISTERED PROFESSIONAL LAND SURVEYOR  
 LS21200006  
 STATE OF INDIANA

SIGNATURE:  
 DATE: 12-27-2023  
 SCALE:  
 1" = 60'  
 ACT. JOB #  
 22-1784

SHEET NO.  
**9 of 28**

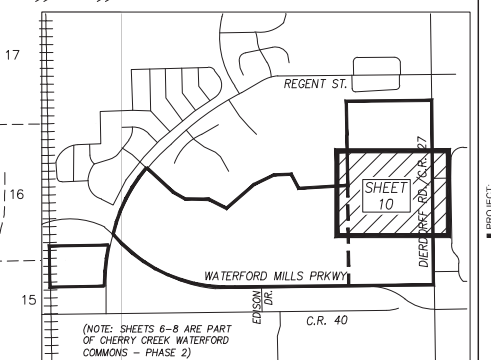
1	ADDED DOG PARK AND PAVILION PER CLIENT	KG	12-27-2023
NO	REVISION DESCRIPTION	BY:	DATE:





**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;  
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20-11-27-377-001.000-015  
(SEE PAGE 2 OF 28 FOR LEGAL DESCRIPTION & GENERAL  
NOTES)

- LEGEND**
- (S) MINIMUM BUILDING SETBACK (AS NOTED)
  - (E) 5' ROADWAY MAINTENANCE, DRAINAGE & UTILITY EASEMENT
  - (D) DRAINAGE, MAINTENANCE & ACCESS EASEMENT
  - (R) RETENTION AREA/Common Area
  - (W) SIDEWALK EASEMENT
  - (L) DRAINAGE, LANDSCAPE & ACCESS EASEMENT
  - (SS) SANITARY SEWER EASEMENT
  - (U) UTILITY & ACCESS EASEMENT
  - (A) ACCESS EASEMENT
  - (P) 5' PARKING SETBACK



- KEY MAP**  
NOT TO SCALE
- SURVEY LEGEND**
- SC1 SET REBAR W/ YELLOW CAP "ABONMARCHÉ FIRM #0050"
  - SMAG SET MAG NAIL
  - FIP FOUND IRON PIPE
  - FCI FOUND CAPPED IRON
  - FIR FOUND REBAR
  - FM FOUND MONUMENT
  - PP UTILITY POLE
  - STREET SIGN
  - GV GAS VALVE
  - WV WATER VALVE
  - CS CURB STOP
  - MH MANHOLE
  - TELEPHONE PEDESTAL
  - SMH SANITARY MANHOLE
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  - CATCH BASIN
  - IRRIGATION WELL
  - ELECTRIC POST
  - WATER LINE
  - ELECTRIC LINE
  - GAS LINE
  - TELEPHONE LINE
  - OHU OVERHEAD POWER LINE
  - FOC FIBER OPTIC LINE

**GRAPHIC SCALE**  
1 inch = 60 ft.

**SEAL:**  
CRAIG S. BATTOE  
REGISTERED PROFESSIONAL LAND SURVEYOR  
LS21200006  
STATE OF INDIANA

**SIGNATURE:**  
Craig S. Battoe

**DATE:**  
12-27-2023

**SCALE:**  
1" = 60'

**ACI JOB #**  
22-1784

**SHEET NO.**  
10 of 28

GOSHEN COMMUNITY SCHOOLS  
INSTR. #2004-35409

COMMON SPACE K

RETENTION POND #9

RETENTION BASIN #10

RETENTION POND #11

COMMON SPACE N

WATERFORD COMMONS BUSINESS PARK, LLC  
INSTR. #2014-04630

1	ADDED DOG PARK AND PAVILION PER CLIENT	KG	12-27-2023
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303 River Race Drive, Unit 206  
Goshen, IN 46526  
Phone: 765.233.3333  
Fax: 765.233.3331  
abonmarche.com

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

**PRIMARY PLAT**

**PROJECT:**  
CHERRY CREEK PRIMARY SUBDIVISION

**SHEET TITLE:**  
PRIMARY PLAT

**DRAWN BY:**  
TRM/KG

**DESIGNED BY:**  
KG

**PM REVIEW:**  
BEM

**QA/QC REVIEW:**  
BEM

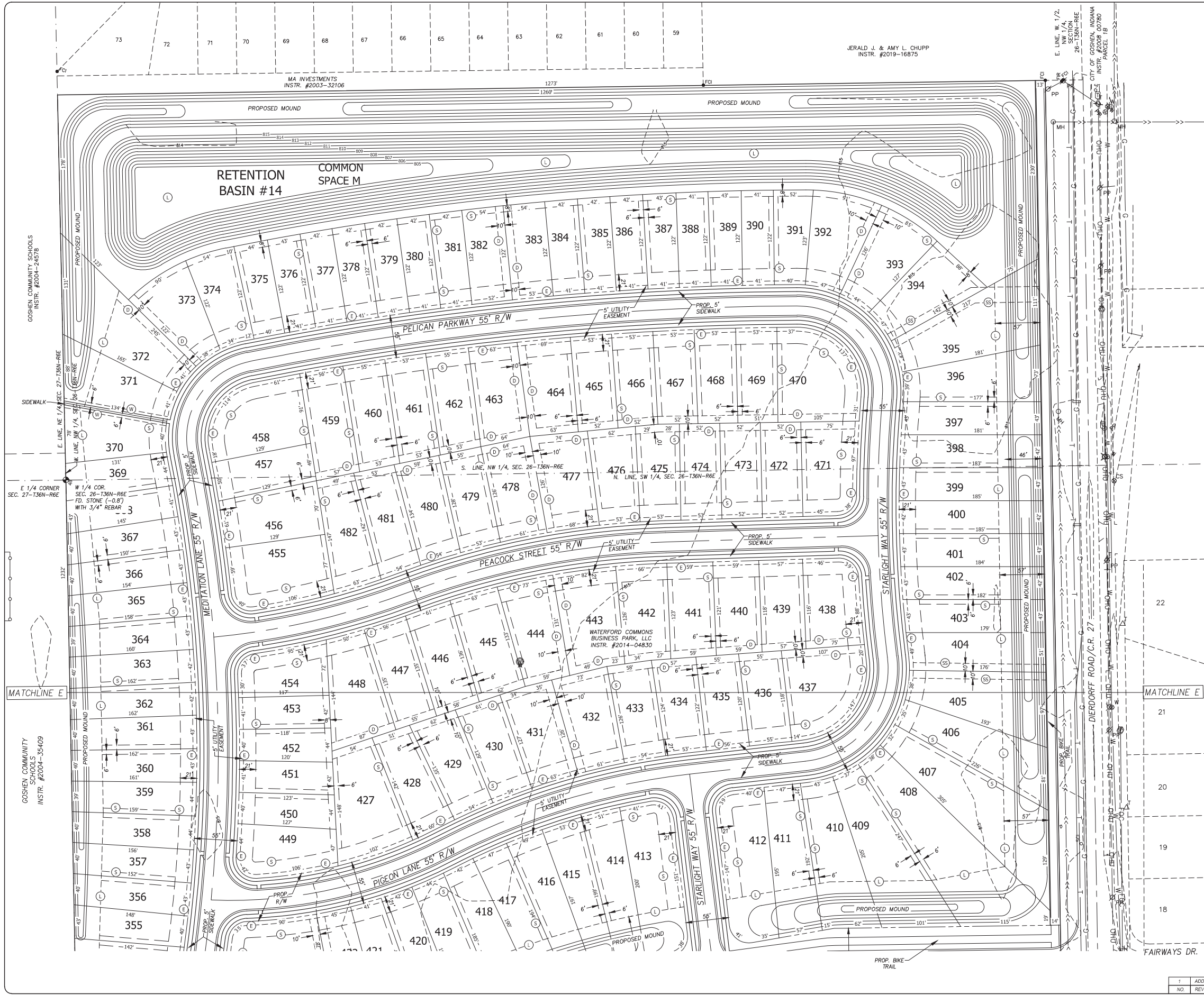
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12-18-2023

**SCALE:**  
1" = 60'

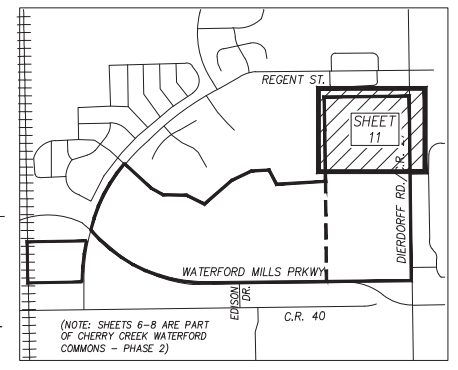
**ACI JOB #**  
22-1784

**SHEET NO.**  
10 of 28





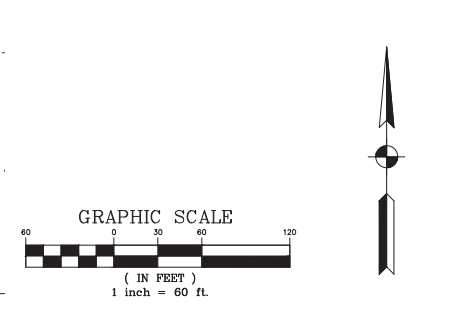
**CHERRY CREEK  
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(SEE PAGE 2 OF 28 FOR LEGAL DESCRIPTION & GENERAL  
NOTES)



**KEY MAP**  
NOT TO SCALE

- LEGEND**
- (S) MINIMUM BUILDING SETBACK (AS NOTED)
  - (E) 5' ROADWAY MAINTENANCE, DRAINAGE & UTILITY EASEMENT
  - (D) DRAINAGE, MAINTENANCE & ACCESS EASEMENT
  - (R) RETENTION AREA/Common Area
  - (W) SIDEWALK EASEMENT
  - (L) DRAINAGE, LANDSCAPE & ACCESS EASEMENT
  - (SS) SANITARY SEWER EASEMENT
  - (U) UTILITY & ACCESS EASEMENT
  - (A) ACCESS EASEMENT
  - (P) 5' PARKING SETBACK

- SURVEY LEGEND**
- SC1 SET REBAR W/ YELLOW CAP "ABONMARCHÉ FIRM #0050"
  - SMAG SET MAG NAIL
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  - FCI FOUND CAPPED IRON
  - FIR FOUND REBAR
  - PP FOUND MONUMENT
  - UTILITY POLE
  - STREET SIGN
  - GAS VALVE
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  - MH MANHOLE
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  - FIRE HYDRANT
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  - WATER LINE
  - ELECTRIC LINE
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**CHERRY CREEK  
PRIMARY SUBDIVISION**  
WATERFORD MILLS PARKWAY  
REGENT STREET / DIERDORFF ROAD  
GOSHEN, IN 46526

**PRIMARY PLAT**

SHEET TITLE:  
DRAWN BY:  
DESIGNED BY:  
PM REVIEW:  
QA/QC REVIEW:  
DATE:  
SEAL:



SIGNATURE:  
DATE:  
SCALE:  
ACI JOB #

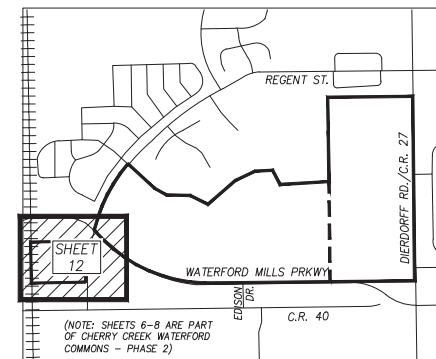
SHEET NO.  
**11 of 28**

1	ADDED DOG PARK AND PAVILION PER CLIENT	KG	12-27-2023
NO	REVISION DESCRIPTION	BY:	DATE:

# CHERRY CREEK PRIMARY SUBDIVISION

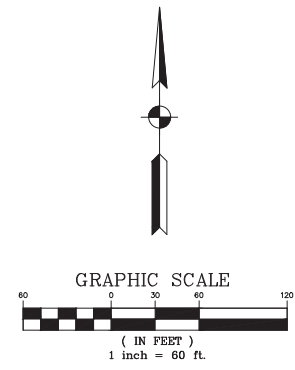
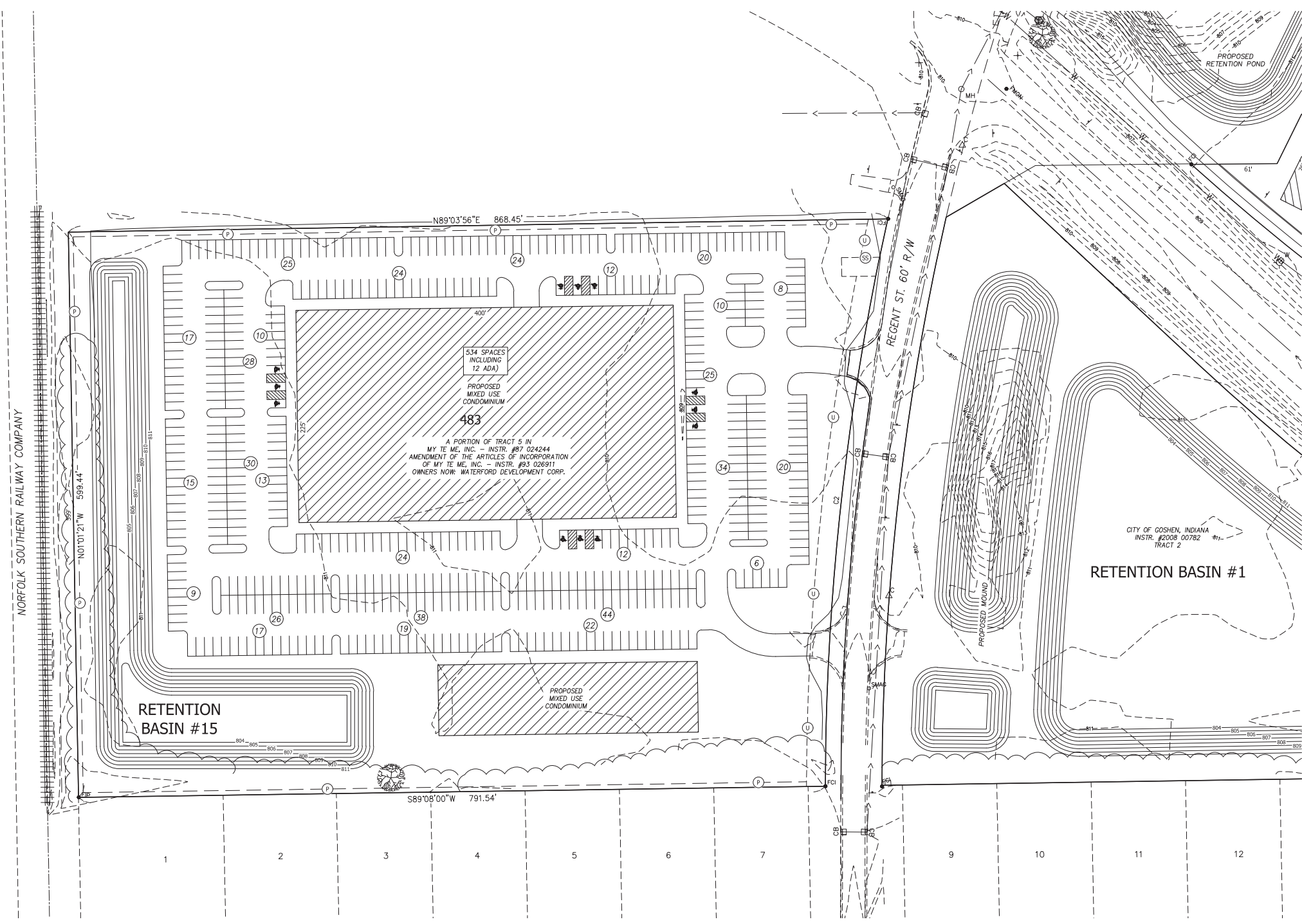
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 (SEE PAGE 2 OF 28 FOR LEGAL DESCRIPTION & GENERAL NOTES)

- LEGEND**
- (S) MINIMUM BUILDING SETBACK (AS NOTED)
  - (E) 5' ROADWAY MAINTENANCE, DRAINAGE & UTILITY EASEMENT
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  - (SS) SANITARY SEWER EASEMENT
  - (U) UTILITY & ACCESS EASEMENT
  - (A) ACCESS EASEMENT
  - (P) 5' PARKING SETBACK



**KEY MAP**  
NOT TO SCALE

- SURVEY LEGEND**
- |     |   |         |                     |
|-----|---|---------|---------------------|
| SC1 | SET REBAR W/ YELLOW CAP "ABONMARCHÉ FIRM #0050" | △       | TELEPHONE PEDESTAL  |
| G   | SET MAG NAIL                                    | SMH     | SANITARY MANHOLE    |
| FIP | FOUND IRON PIPE                                 | ○       | FIRE HYDRANT        |
| FCI | FOUND CAPPED IRON                               | →       | GUY WIRE            |
| FIR | FOUND REBAR                                     | □       | MAILBOX             |
| PP  | FOUND MONUMENT                                  | □       | UTILITY TUB         |
| UP  | UTILITY POLE                                    | △       | CABLE PEDESTAL      |
| +   | STREET SIGN                                     | ○       | FIBER OPTIC MARKER  |
| G   | GAS VALVE                                       | ⊕       | GAS MARKER          |
| W   | WATER VALVE                                     | □       | CURB INLET          |
| CS  | CURB STOP                                       | □       | CATCH BASIN         |
| MH  | MANHOLE   | ⊗       | IRRIGATION WELL     |
|     |   | ⊗       | ELECTRIC POST       |
|     |   | — W —   | WATER LINE          |
|     |   | — E —   | ELECTRIC LINE       |
|     |   | — G —   | GAS LINE            |
|     |   | — T —   | TELEPHONE LINE      |
|     |   | — OHU — | OVERHEAD POWER LINE |
|     |   | — FOC — | FIBER OPTIC LINE    |



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

**PRIMARY PLAT**

SHEET TITLE:  
 DRAWN BY: TRM/KG  
 DESIGNED BY: KG  
 PM REVIEW: BEM  
 QA/QC REVIEW: BEM  
 DATE: 12-18-2023  
 SEAL:   
 SIGNATURE: *Craig S. Batdorff*  
 DATE: 12-27-2023  
 SCALE: 1" = 60'  
 ACI JOB #: 22-1784  
 SHEET NO: 12 of 28

NO	REVISION DESCRIPTION	BY	DATE
1	ADDED DOG PARK AND PAVILION PER CLIENT	KG	12-27-2023

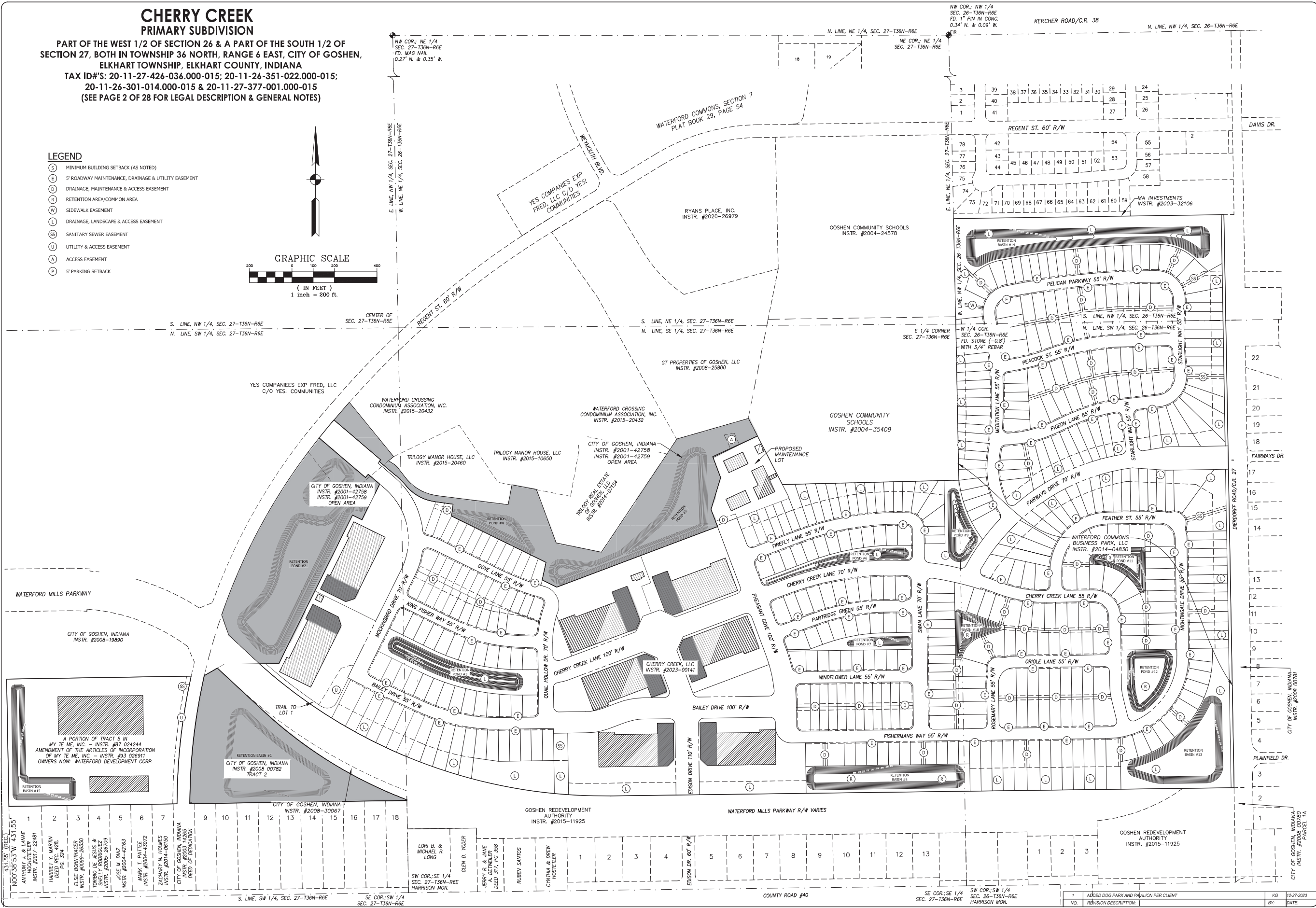
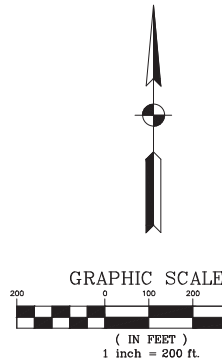


# CHERRY CREEK PRIMARY SUBDIVISION

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(SEE PAGE 2 OF 28 FOR LEGAL DESCRIPTION & GENERAL NOTES)

## LEGEND

- (S) MINIMUM BUILDING SETBACK (AS NOTED)
- (E) 5' ROADWAY MAINTENANCE, DRAINAGE & UTILITY EASEMENT
- (D) DRAINAGE, MAINTENANCE & ACCESS EASEMENT
- (R) RETENTION AREA/Common Area
- (W) SIDEWALK EASEMENT
- (L) DRAINAGE, LANDSCAPE & ACCESS EASEMENT
- (SS) SANITARY SEWER EASEMENT
- (U) UTILITY & ACCESS EASEMENT
- (A) ACCESS EASEMENT
- (P) 5' PARKING SETBACK



1	ANTHONY J. & JAMIE GOSCHEN, INC. INSTR. #2011-22481
2	HARRIET V. MARTIN DEED REC. 428, PG. 324
3	ELSE HORNTRAGER INSTR. #2009-06550
4	TORIBIO DE JESUS & ROSA M. DE JESUS INSTR. #2005-07709
5	JOSE D. DIAZ INSTR. #2004-02163
6	MARK T. PATTEE INSTR. #2004-43072
7	ZACHARY N. HOLMES INSTR. #2014-06150
9	CITY OF GOSHEN, INDIANA INSTR. #2003-14265
10	CITY OF GOSHEN, INDIANA DEED OF DEDICATION
11	CITY OF GOSHEN, INDIANA INSTR. #2008-00782
12	CITY OF GOSHEN, INDIANA INSTR. #2008-30067
13	LORI B. & MICHAEL R. LONG SW COR. SE 1/4 SEC. 27-136N-R6E HARRISON MON.
14	GLEN D. YODER
15	JERRY L. & JANE L. LANE DEED 317, PG. 368
16	RUBEN SANTOS
17	CHRISTINA & BREW HUSTLER
18	EDISON DR. 60' R/W

**ABONMARCHÉ**  
 Valparaiso  
 Hobart  
 Goshen, IN 46526  
 Phone: 317.333.9313  
 Fax: 317.333.9311  
 abonmarche.com

Engineering - Architecture - Land Surveying

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

**PRIMARY PLAT  
(PROPOSED EASEMENTS)**

SHEET TITLE: CHERRY CREEK PRIMARY SUBDIVISION PRIMARY PLAT (PROPOSED EASEMENTS)

DRAWN BY: TRM/KG  
 DESIGNED BY: KG  
 PM REVIEW: BEM  
 QA/QC REVIEW: BEM  
 DATE: 12-18-2023

SEAL: CRAIG S. BATHOFF, REGISTERED LAND SURVEYOR, STATE OF INDIANA, LICENSE NO. LS21200006

SIGNATURE: Craig S. Bathoff  
 DATE: 12-27-2023

SCALE: 1" = 200'

ACI JOB #: 22-1784

SHEET NO: 13 of 28

NO	REVISION DESCRIPTION	BY	DATE
1	ADDED DOG PARK AND PAVILION PER CLIENT	KG	12-27-2023



**GEOTECHNICAL EVALUATION REPORT**

A Geotechnical Evaluation Report was prepared by Weaver Consultants Group dated May 25, 2023, for the project that includes soil borings, design recommendations, and construction considerations. The groundwater depth referenced in each retention summary is estimated from this report.

**WETLAND NOTE**

Possible wetland located on the west end of the project as shown on the U.S. Fish & Wildlife Inventory Map. No work shall occur in the wetland area until required approvals are obtained. The Owner is in the process of obtaining a Jurisdictional Determination (JD) from the U.S. Army Corps of Engineers to reclassify the area to Excavated Dry Basin. Once the JD has been obtained from ACOE, earthwork activities in the wetland area may begin.

**RETENTION BASIN A**  
(Dry Bottom)

Top of Bank = 812.0  
Design High Water = 809.0  
Bottom = 801.0\*\*  
Side Slopes = 4:1  
\*\*Bottom elevation set by existing pipes to be intercepted

**RETENTION POND #2**  
(Wet Bottom)

Top of Bank = 811.0  
Design High Water = 810.0  
Normal Water (NW) = 807.0  
Safety Ledge = 804.5  
Bottom = 800.0  
Side Slopes (Above NW) = 4:1  
Side Slopes (Below NW) = 3:1  
Estimated Groundwater < 802.0±

**RETENTION POND #4**  
(Wet Bottom)

Top of Bank = 812.0  
Design High Water = 811.0  
Normal Water (NW) = 808.5  
Safety Ledge = 806.5  
Bottom = 802.0  
Side Slopes (Above NW) = 4:1  
Side Slopes (Below NW) = 3:1  
Estimated Groundwater < 803.0±

**RETENTION POND #5**  
(Wet Bottom)

Top of Bank = 812.0  
Design High Water = 811.0  
Normal Water (NW) = 808.5  
Safety Ledge = 806.0  
Bottom = 802.0  
Side Slopes (Above NW) = 4:1  
Side Slopes (Below NW) = 3:1  
Estimated Groundwater < 804.0±

**RETENTION POND #6**  
(Wet Bottom)

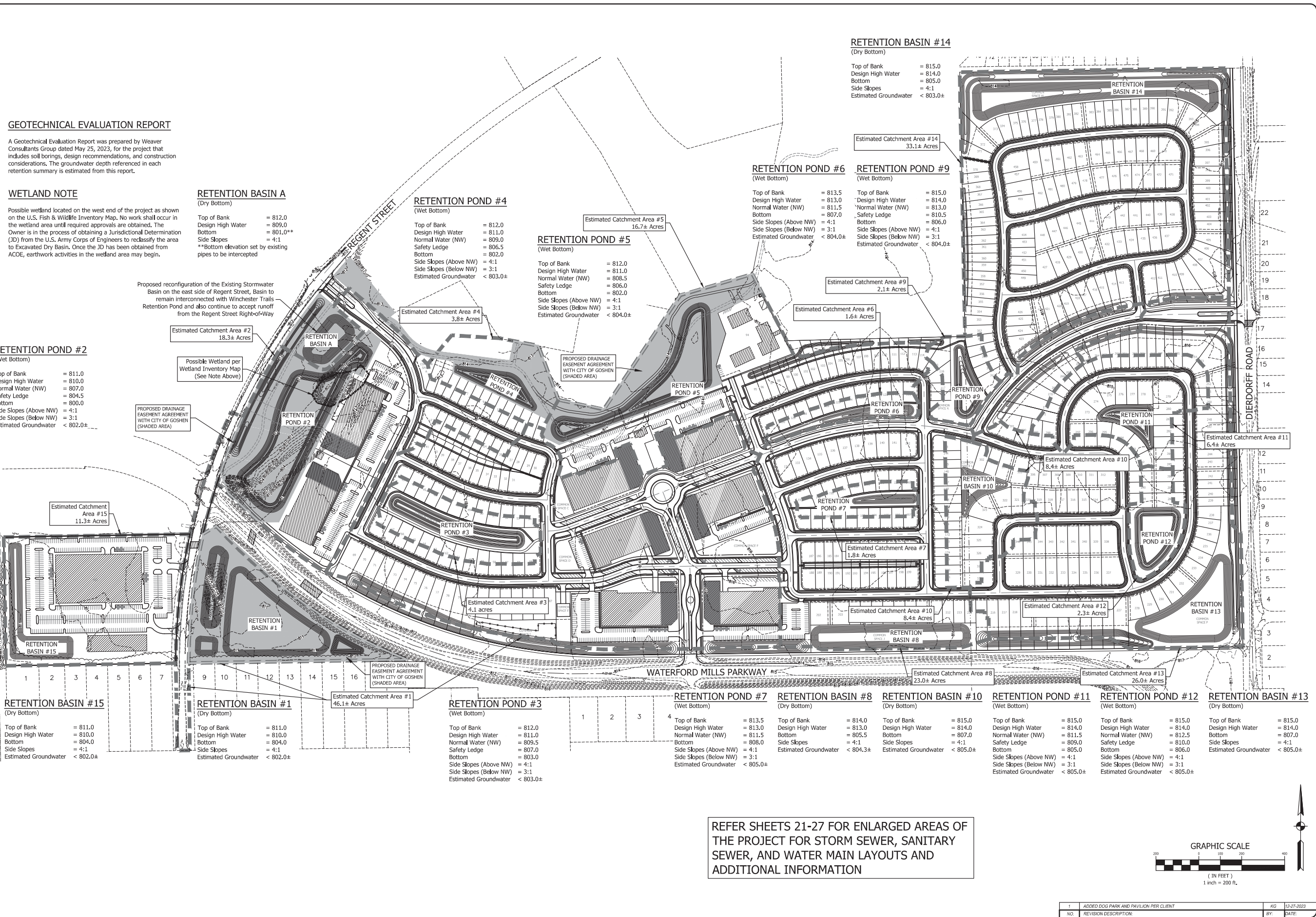
Top of Bank = 813.5  
Design High Water = 813.0  
Normal Water (NW) = 807.0  
Side Slopes (Above NW) = 4:1  
Side Slopes (Below NW) = 3:1  
Estimated Groundwater < 804.0±

**RETENTION POND #9**  
(Wet Bottom)

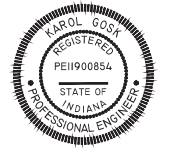
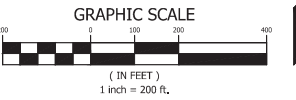
Top of Bank = 815.0  
Design High Water = 814.0  
Normal Water (NW) = 813.0  
Safety Ledge = 810.5  
Bottom = 806.0  
Side Slopes (Above NW) = 4:1  
Side Slopes (Below NW) = 3:1  
Estimated Groundwater < 804.0±

**RETENTION BASIN #14**  
(Dry Bottom)

Top of Bank = 815.0  
Design High Water = 814.0  
Bottom = 805.0  
Side Slopes = 4:1  
Estimated Groundwater < 803.0±

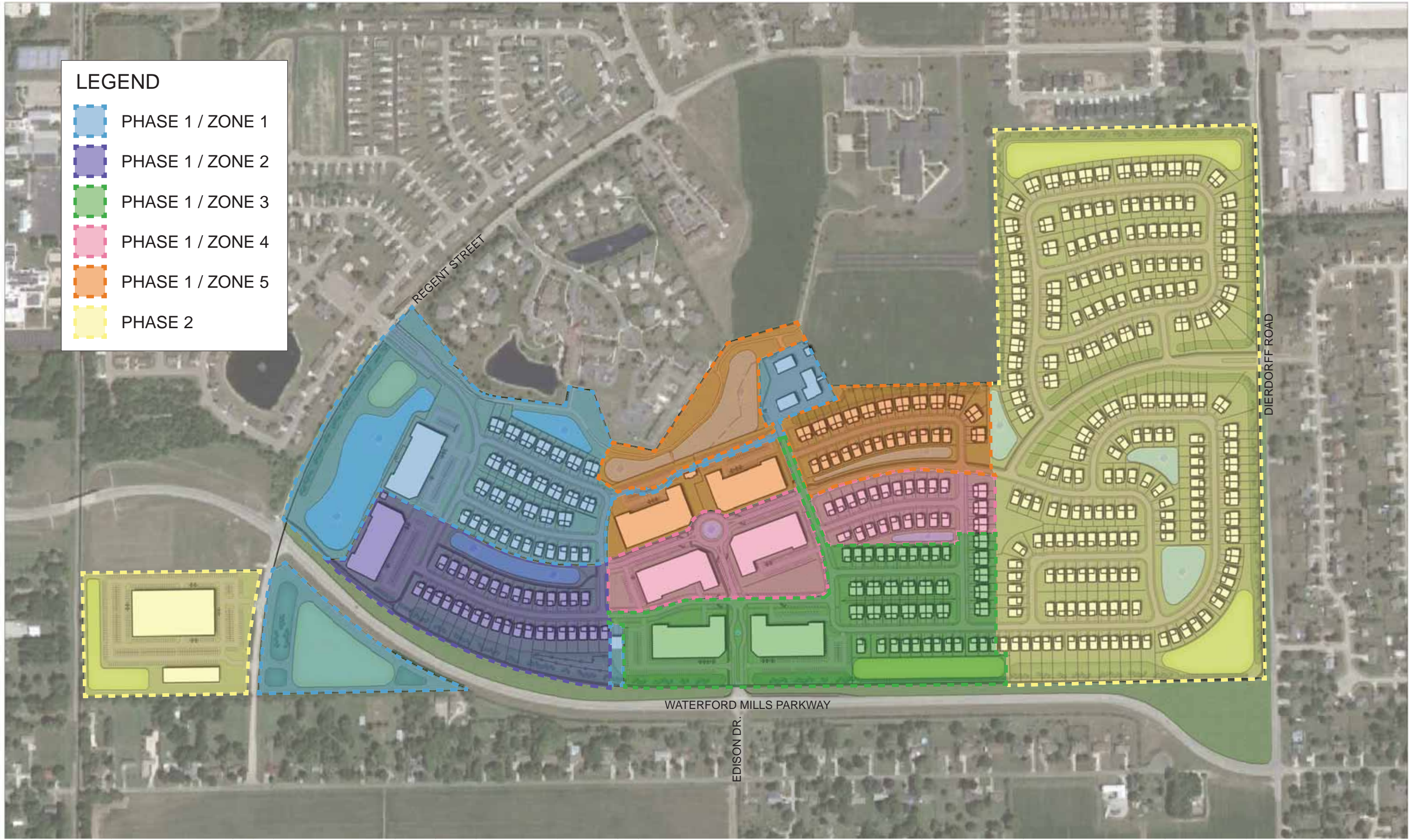


REFER SHEETS 21-27 FOR ENLARGED AREAS OF THE PROJECT FOR STORM SEWER, SANITARY SEWER, AND WATER MAIN LAYOUTS AND ADDITIONAL INFORMATION



1	ADDED DOG PARK AND PAVILION PER CLIENT	KG	12-27-2023
NO	REVISION DESCRIPTION	BY	DATE





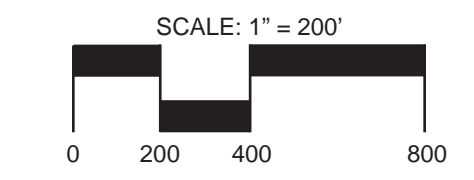
**LEGEND**

- PHASE 1 / ZONE 1
- PHASE 1 / ZONE 2
- PHASE 1 / ZONE 3
- PHASE 1 / ZONE 4
- PHASE 1 / ZONE 5
- PHASE 2



**CHERRY CREEK MASTER PLAN - PHASING PLAN**  
**GOSHEN, INDIANA**  
 PREPARED FOR: CHERRY CREEK, LLC  
 DATE: DECEMBER 27, 2023

PREPARED BY:  
**ABONMARCHE**



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**To:** Goshen City Plan Commission/Goshen Common Council  
**From:** Rhonda L. Yoder, Planning & Zoning Administrator  
**Subject:** 24-01V, Vacation of Unimproved Right of Way  
East of Regent Street, North of Waterford Mills Parkway  
**Date:** January 16, 2024

### **ANALYSIS**

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City of Goshen Department of Redevelopment, Cherry Creek, LLC, and Abonmarche Consultants request the vacation of unimproved public right of way generally located east of Regent Street, north of Waterford Mills Parkway. The right of way is ±0.79 acres and was dedicated in 2006 but has not been improved or used as right of way. It is within a City-owned retention area and an area to be developed as part of Cherry Creek subdivision.

No existing utilities have been identified in the area to be vacated, so the vacation may occur without a utility easement.

According to Indiana Code 36-7-3-13 remonstrance or objection to a vacation may only be filed on the following grounds:

- (1) *The vacation would hinder the growth or orderly development of the unit or neighborhood in which it is located or to which it is contiguous.*
- (2) *The vacation would make access to the lands of the aggrieved person by means of public way difficult or inconvenient.*
- (3) *The vacation would hinder the public's access to a church, school, or other public building or place.*
- (4) *The vacation would hinder the use of a public way by the neighborhood in which it is located or to which it is contiguous.*

The right of way to be vacated is unimproved and does not provide access, so the vacation will not impact access or use of the public way. Following the vacation, the vacated area will be transferred to the adjoining property owners, City of Goshen Department of Redevelopment and Cherry Creek, LLC.

### **RECOMMENDATIONS**

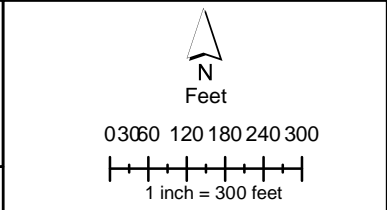
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Staff recommends the Plan Commission forward a favorable recommendation to Goshen Common Council for, and the Common Council approve, the vacation of unimproved public right of way generally located east of Regent Street, north of Waterford Mills Parkway, based upon the following:

1. The proposed vacation will not hinder the growth or orderly development of the neighborhood, as the right of way to be vacated has never functioned as public right of way.
2. The proposed vacation will not make access difficult or inconvenient, as the right of way to be vacated has never provided access.
3. The proposed vacation will not hinder access to a church, school or other public building or place, as the right of way to be vacated has never provided any of the described access.
4. The proposed vacation will not hinder the use of the public way, as the right of way to be vacated has never functioned as public right of way.
5. Because no existing utilities have been identified in the area to be vacated, the vacation may occur without a utility easement.



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Right of Way to be Vacated

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

2023 Aerial  
 Printed January 3, 2024