



**MEETING: Site Review Committee**  
**SUBJECT: Proposed restaurant**  
**ADDRESS: 61 Lincolnway**

**LOCATION: City Hall**  
**DATE: 11/22/05**  
**ZONING: C-4**

## PRELIMINARY SITE REVIEW

### IN ATTENDANCE:

Craig Phillips, Planning Director	(219) 462-1161
Tyler Kent, Asst. Planner	(219) 462-1161
Matt Kras, Stormwater Engineer	(219) 462-1161
Vicki Thrasher, Building Commissioner	(219) 462-1161
Daryl Brown, Water Department	(219) 462-6174
Chuck McIntyre, Water Department	(219) 462-6174
Jack Johnson, Fire Department	(219) 462-8325
Marv McDaniels, Collections Department	(219)-464-2346
Tony McGinley, Collections Department	(219)-464-2346
Bill Oeding, Public Works Director	(219) 462-4612
Steve Martinson, Parks Department	(219) 462-5144

### PRESENTERS:

Jerome Eastman  
 eMarketing Post, Inc.  
 847-251-2066

### Media

Email addresses for the above City of Valparaiso Departments can be found at:

<http://www.ci.valparaiso.in.us/>

The following is a summary of discussion at this meeting:

The Site Review Committee met to discuss the proposed restaurant at 62 Lincolnway.

Phillips stated that site review is not an approval. It is meant to be a preliminary discussion of the requirements and issues to be considered by the developer or owner and there may be some cases where it will need to come back before site review or to seek other approvals.

Mr. Eastman advised that the client owns several restaurants in the area and would like to open a steakhouse with a wine business connected to it so there are two parts to this plan. Since it is a three story building they have They have tried to provide an entrance that would allow people to go into the basement for a retail wine cellar at various times of the day. They would still have an airlock coming in that would allow the people to bypass the restaurant and go downstairs. They are showing the maximum number of seats that they could possibly get it but he does not think that they will want that many seats. There will be a small bar, two dining areas separated by the bar area and there will be a display kitchen in the back. They want people to be able to see what they are doing in the kitchen area. Beyond that you go into the back where the dishwashing and preparation areas will be. What has been planned to make this flow is that they need to get fire exiting out of the basement and from the upstairs so that it does not interfere with the restaurant. The addition on the back is centered around the fire exiting. It would be a staircase that would have three flights and two landings. The staircase to the basement is separated from the other

stairs. Currently there is a wooden porch on the back and they are proposing to remove that and relocate the entrance to the basement. In the area behind the new addition there would be parking for two cars and a dumpster area. The whole formula of making the business is trying to get enough seats to actually pay for the cost of the renovation and make some profit. This is projected at over \$500,000. If they do put people in the basement he realizes that they are going to have to air condition and make the mechanicals work for the floor. In order to make this happen he has shown two small handicapped bathrooms on the main floor and he is hoping that by code that will be acceptable. If they have to do additional bathrooms they would have to be in the basement and would not be handicapped.

Phillips asked if there would be areas in the basement that would be available to rent for functions. Eastman advised that he would probably do wine tasting and may be wine dinners. There will be no work done on the second floor. They are proposing to have the double hung display windows along the street.

Thrasher stated that there are several issues here. They will be changing the occupancy of the building so they will have to meet current codes, which is the 2000 IBC with Indiana amendments. They will need a minimum of a 3-hour separation between the restaurant and the residence use. The masonry wall should be sufficient for the wall separating this from the business next door. Based on the amount of seating which looks to be over 50 they will need to have two fire exits and the exit into the kitchen does not count as a fire exit. If they are going to use the basement there is no grade level exiting so they will have to have a sprinkling system in the basement. She will check on the restrooms. Eastman said the floor of the first floor seems to be a concrete floor and he has heard that if you put a sprinkling system in one section of a building and not in another, the insurance purposes are not served for sure. Thrasher said that a basement will require it if you are using it for commercial purposes and there are no grade level exits. An emergency exit onto the alley would be up to the Board of Works since that would be a safety issue. Thrasher stated that they could run a rated corridor through the kitchen and have it exit to the back that would protect the patrons going out that way. Eastman asked about a recessed exit that would open and you walk onto the alley. Eastman asked what Don Quixote does. Thrasher reiterated that if the occupancy were under 50 they would not need two exits. Plus, depending on how long they have been there, there could be some grandfathering existing. Eastman says that Bistro 157 is sandwiched between two buildings and does not have two exits onto the street. Again, Thrasher advised that this depends on how long they have been in business at that spot and if it was a restaurant previous to their moving in there. This situation requires that it be brought up to code. Eastman asked what constitutes a kitchen area. Thrasher stated that the display kitchen does constitute a kitchen. Eastman said that if they put a corridor through there they would lose half of the work area.

McIntyre stated that the fire service would be a problem. The water main is on the other side of Lincolnway. Eastman questioned the cost. McIntyre said that Lincolnway is still considered a State road and they are not going to let us open cut it so the cost will depend on how we are going to get the water there. There is not enough room to jack it or enough room to do a directional bore. This also goes back to what their water needs are going to be. There is probably a 1" service coming to the service now, which may not meet their needs. Eastman stated that they were planning on all new services. McIntyre said he would probably have to have a contractor come into the building after the locates are done to see what we can do to get water to the building in lieu of an open highway cut.

Thrasher advised that they would need a State Design Release prior to issuance of permits. Eastman asked if they sprinkled the whole building would it make a difference in terms of the fire exiting. Thrasher answered that it does not diminish the number of exits. It will allow them to use the basement and may lower the amount of separation they would need between the restaurant

and residential above. They would be able to put in a two-hour ceiling. Eastman asked what a 3 hour separation consists of. Thrasher said that it could be done with drywall but she cannot tell them what the construction would be since she does not know what is in the building. If the second floor became an office and not residential it would drop to a required two-hour separation and if the first floor was sprinkled it would drop to a one-hour separation. Johnson stated that if they sprinkle any portion of the building the travel distance to any exit increases. Thrasher said there are provisions where they design the whole building to the strictest occupancy of A-2 and they may be able to lower some separation. The owner would have to occupy the office, it could not be rented out. If the whole building is going to be classified as an A-2 and it meets all the requirements for that, they would not have to have separation between the restaurant and the office upstairs.

Eastman asked if they restrict this to no more than 50 seats would that trigger something. Thrasher advised that occupancy is based on the square footage. She stated that the restroom situation should be okay as he is showing it. Even with an A-2 code there can be no exiting through the kitchen. Eastman asked if they could get a variance to exit to the alley. Thrasher stated that the fire code would have to be consulted and then it an issue that has to go before the Board of Public Works. Thrasher said that in order to exit through the kitchen they would have to get a variance from the State. They do not typically grant those if there is a public safety issue. Johnson said that perhaps if it is designed correctly and used only as an emergency exit only that it could be considered. Phillips said that we would be willing to look into this. Johnson advised that the Fire Department would probably more willing to accept an exit onto the alley if the whole building were sprinkled.

Phillips asked what they are looking about time wise because this could possibly be done with construction that may already be taking place. They are looking at opening it in early summer. They may be held to doing their construction in conjunction with the streetscape project, which has not been put out for bid yet. McIntyre asked how accessible the basement is to getting any type of machinery, like a small bobcat, in it. Eastman said that currently they could do that. When they are done there is going to be a 42" wide stairway going down. McIntyre said that if they go with construction during the streetscape, the sidewalk in front of the building could be removed and a small jacking could set up in the sidewalk to go under the road. If it is done before or after the streetscape it is going to have to come from within the building. Eastman said that currently there is a 6' door to a steep stairway, which they were planning to excavate so in the construction they would have the whole use of the basement. The basement is a very well constructed basement. Eastman said that all of these factors tend to impinge on whether or not it is going to be an economically viable restaurant or not. Phillips said there needs to be more conversation in regard to fire exits and water.

Kent asked if there are going to be any outside improvements to the building. Eastman advised that there would be but they would mostly be to the first floor with new windows and doors. They are looking at restoring the building not changing it. The city is designing new design standards for downtown and incentives to go along with that so he may want to look at those. They will be allowed 3 square feet of signage for every one foot of linear building frontage. Eastman asked about signage in the windows. Phillips said that we are working on a new signage regulations for the downtown area so he cannot tell them what will be allowed. Dumpsters will have to be enclosed on three sides and needs to match the building. Any additions will have to match the building in materials.

Eastman asked what the streetscape project entails. Phillips advised that the entire sidewalk from the building to the curb would be replaced. It will be a construction area and could not hurt the opening if they plan it after the completion of the streetscape. There is always access to the

building. There will be a lot of planning in getting this project lined up with the streetscape project so Eastman needs to get together with the Water Dept as soon as possible.

McGinley advised that the sanitary sewer is located in the alley to the north. The building is probably tied into that but they will need a grease trap installed. Tony gave him the information regarding that.

Phillips advised that he would talk with him after this meeting in regard to the liquor license application.

Johnson said that he just wants to reiterate the Building Commissioners stand of the fire exits, fire separation, sprinkler systems. Any dumpsters need to be 5' away from the building, which includes overhangs or eaves. The idea of having a dumpster enclosed would be a nightmare for the fire department. Dumpsters inside a building are not permissible, period.

Brown advised that on there would be backflow protection required on the sprinkler system and on the dishwasher.

Eastman summed this up: He and McIntyre will meet to see how to make the project work along with the streetscape. The fire exiting to the alley will be discussed and Phillips will bring this up at the Public Works meeting. Maybe Mr. Eastman and the Fire Chief could both attend to make a decision. Phillips said that this may be a candidate for the new liquor license and he would like Eastman to contact Charlie McGill. Eastman advised that he has already talked with Charlie. Eastman asked if there is anything, such as tax credits, that they can apply for. Phillips advised that there might be some type of incentives in place by the time they are ready to start their project. There is also a possibility of abatements for some of the improvements. These things are all being worked out at this time.