



MEETING: Site Review Committee
SUBJECT: Wier's Club Car
ADDRESS: 1056 South State Road 2

LOCATION: City Hall
DATE: November 29, 2011

PRELIMINARY SITE REVIEW

IN ATTENDANCE:

Craig Phillips, Planning Director	(219) 462-1161
Tim Burkman, Engineering Director	(219) 462-1161
Ed Pilarski, Water Reclamation Dept.	(219) 464-4973
Chuck McIntire, Water Dept.	(219) 462-6174
Vicki Thrasher, Building Commissioner	(219) 462-1161
Matt Evans, Public Works	(219) 462-4612
Jack Johnson, Fire Department	(219) 462-8325
Adam McAlpine, Engineering Dept.	(219) 462-1161
Media	

PRESENTERS:

John P. Fulkerson, The Hamstra Group, Inc.
 (219) 863-8023 / jfulkerson@hamstragroup.com

William A. Ferngren, Ferngren Law Offices, LLC
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Email addresses for the above City of Valparaiso Departments can be found at www.valpo.us.

The following is a summary of discussion at this meeting:

OPENING: The Site Review Committee met to discuss a proposed Wier's Club Car, located at 1056 South State Road 2. Phillips stated that site review is not an approval. Rather, it is a preliminary discussion of the requirements and issues to be considered by the developer or owner. It is possible it will need to come back before site review or to seek other approvals.

EXPLANATION OF PROJECT: This project is located in the former Tractor Supply Store and is approximately 16,000 square feet of retail space. This building has been vacant for some time. Before and after photos were provided. Ferngren stated there had been some preliminary conversations and miscommunications about what was required and what needed to be done. However, construction went forward and modifications were made to the building. Although improvements have been made, it is still the same basic façade. Partition walls have been added. No new plumbing was added. This is mainly a refurbishing of the structure to make way for the new user which is Club Car. Club Car is a golf cart retail merchant and sells products related to golf carts. A floor plan was presented. The east side of the building has been cleaned up and partition walls were added. One partition wall separates the structure somewhat, but it still is kind of an open concept. The idea is to have the brand new golf carts up in the front. Used golf carts and related products will be kept in the rear of the structure. The parking lot has been repaved and striped. Ferngren mentioned he has no answers concerning State Design Release. Ferngren stated that he realized there is discomfort concerning moving forward with the project without permits; however, no one was trying to avoid a process. There was simply miscommunication, but the permitting process should have been done. Ferngren feels that the work that has been done is an improvement.

STAFF COMMENTS:

JOHNSON: Johnson stated that there are several concerns. Johnson asked how much of the

building would be used. Fulkerson said the entire 16,000 sq. ft. would be used. The first concern is whether this is a change of use occupancy from business or mercantile to a F1 or F2. This must be investigated. There is also an issue concerning storage requirements for any storage that will be used regarding high-rack storage. This needs to follow Chapter 23 of the International Fire Code. Fulkerson stated there is no high-rack storage, but there would possibly be short racks for parts storage and these would be between 6 ft. and 8ft high. Johnson explained that 6 ft. is the maximum. Fulkerson stated this would be fine and the racks would go no higher than the 6 ft. maximum. Since this building is not sprinklered, there will be some restraints concerning storage. Johnson asked if any hot work, body work or painting would be done in the building. Fulkerson stated there is a small area that will be used for changing batteries, tires and also installing rear seats or golf cart racks when requested by a customer. Ferngren stated that this is the same area that was used to work on mowers when the building was Tractor Supply. Johnson said that none of the inspectors who inspected this building during the last 5 to 8 years as TSC could recall any mechanical type work. Johnson asked if there would be an alarm system, or if there were any plans to sprinkle the building in the future. Fulkerson stated there were no plans to do either. Johnson reserves the right to do some code research regarding golf carts and battery storage. It will be necessary to know the quantities of batteries that will be stored on site. Knowing how on-site fuel storage will be handled in regards to fire code is necessary. Fulkerson explained there is a pole building at the back and this is where the vast majority of gas carts will be stored. There will be no gasoline or flammable liquids in the main building. There is a possibility that 1 or 2 gas carts could be in the showroom; however this really isn't any different from TSC having ATV's or lawn mowers in the building. A walk-through by the Building and Fire Departments is strongly recommended. Further comments will be reserved until this walk-through has been completed.

MCINTIRE: McIntire is aware that this is currently well and septic. McIntire stated there is water available in the front. McIntire should be contacted if they wish to install a fire service, or if the well fails. Something can be worked out since there is water available. McIntire stated that in the event the well fails a new well cannot be installed. Options would have to be discussed at that time.

EVANS: Since this all on private property, Public Works has no comments.

MCALPINE: Since there will be no site improvements and no changes have been made to the drainage, there are no comments.

PHILLIPS: This project is zoned Commercial General District. The closest fit in terms of this type business is vehicle sales, rental and service. This is based on the fact that the definition includes automobiles and recreational vehicles. It is permitted as long as certain conditions are met. The conditions include Section 2.535 of the Unified Development Ordinance, Limited Use Standards for vehicle sales, rental and service. The criteria to be met include that repair bays to do not face adjacent residential areas and according to what has been submitted this is not an issue to this site. The repair bays appear to face Pepe's. There can be no more than one elevated display on the site and can be no more that 3 ft. off the ground. This property needs to be brought up to conformity with regard to lighting standards. These standards are located in Article 9, Division 9.5, specifically Non-residential Lighting Standards. Division 9.501 needs to be adhered to.

Landscaping of any areas outside the building that are used for the storage of golf carts for the purpose of display and sale needs to be discussed. These areas need to be landscaped in accordance with a combination of standards in Article 10, which are the overall landscaping standards for the city, as well as, Article 11, Division 11.3, which is the Signature Corridor Overlay District Standards, since this is on State Road 2, which is one of the Corridor Overlay Districts. There are very specific landscaping standards that need to be met. This issue needs further discussion. Phillips stated that he had been contacted concerning the Sales License for this facility. Phillips will go along with whatever the States says or needs in terms of this license; however, since these are location specific, Phillips questions that a signature from the City is not needed on a new license for this facility. It was explained that there was a conversation with the State about this Sales License and that it would basically be allowed to ride the coattails of the

location in DeMotte. Ferngren asked what license Phillips was talking about. Phillips said it is the State Vehicle License that is signed by Phillips whenever a new vehicle sales business establishes a new location in the City. These are location specific because they require zoning approval. Phillips is curious as to why this is not the case in this situation. Clarification on this subject is needed. In order to receive Phillips' signature, if required, the above mentioned standards need to be met. This is necessary for any vehicle sales establishment regardless of location. Since only ascetic and maintenance improvements are being made to the property, there are no other issues in terms of zoning requirements. Phillips asked about dumpsters and solid waste recycling would be handled. If dumpsters already exist, or if they are to be brought onto the property, they will need to be screened in accordance with Section 2.406 of the UDO. The signage allowance is based on 3 sq. ft. per linear foot of building frontage. In this case, the building is 100 feet across the store front, therefore, 300 sq. ft. maximum is allowed on the building and the site. No vehicle storage is allowed in the right of way. If any sort of golf cart or recreational vehicle is found in the right of way, notification will be given and the City has the right to remove these if necessary. Fulkerson asked about specific landscaping requirements. Phillips explained that these are too detailed to go into at this time and would be happy to discuss this further. Basically these are requirements for screening along the frontage of the property. If the intention is to display golf carts for sale along the frontage of the property, then this area will need to be landscaped. Phillips stated that he would need to know where golf carts will be stored or displayed on the exterior portion of the property. Phillips is aware that there is an enclosed yard with chain link fencing; however, the main concern is with the frontage of the property. Phillips stated that the drawing submitted shows that the edge of the pavement coincides with the right of way line and it appears there is a 60 ft. right of way for State Road 2 in this location at the time the building was built. Phillips said he did not know whether it had been widened or not. The big question is the definition of this type of use and the standards that need to be complied with. This needs more discussion. Pursuant to the comments regarding right of way dedication, it appears there are 45 parking spaces on site. If is necessary to remove the right of way, 12 spaces will be lost; however, parking would still be well within parking requirements for this type of use.

BURKMAN: Since there are no improvements or changes being done to the site, comments are relatively limited. There is a 40 ft. right of way dedication required from the center line of State Road 2. If what is shown on the drawing is current being 30 ft. on either side of center, a 10 ft. right of way dedication will be required. This is tied to the Building Permit that is required. Burkman asked about a pathway requirement. Phillips stated there was no pathway requirement because there was no site work being done. Burkman said if there was a possibility of reducing excess pavement for the purpose of green scape it would be viewed as a benefit from the storm water perspective and would be highly encouraged. Burkman asked about the condition of the septic system. Fulkerson stated it was working. Burkman mentioned there is a sanitary sewer serving Pepe's. Fulkerson said this is a private sewer and Pepe's will not discuss tying into this line. Fulkerson further stated they would like to hookup to City water and sewer, but it is not cost effective to run a new sewer all the way down Horse Prairie. Burkman stated there is sewer available on the north side of Sager Run. Fulkerson said he has spoken to them, but because of the ditch it becomes problematic. Burkman suggested this be considered as an option in order to get rid of the septic system. Fulkerson would appreciate any assistance that could be given concerning tying into the Pepe's sanitary sewer. Burkman stated other options will be pursued further and shared with Fulkerson.

THRASHER: It appears that the current use, since it has already been remodeled, becomes a B and an S2 classification, as opposed to an M. This fits in better with what the codes show. This will require a one-hour separation between the areas. The code states a two-hour separation for regular motor vehicles; however, Thrasher is letting it go as private and pleasure vehicles and requires only one-hour separation. The amount of walls added exceeds 100 ft. For these two reasons, the project needs to go down State for plan review. Ferngren questioned the two

classifications because the area classified S2 is not really storage but rather sales. Thrasher explained that if it is all classified B, it will be necessary to sprinkler the building because of the square footage. It is actually better to do it this way because it exceeds the 12,000 sq. ft. allowed. Ferngren stated he was puzzled about the change of use designation. Thrasher explained the previous use and the current proposed use are not the same. TSC was more of pure retail business offering a variety of items and was not strictly vehicles. Ferngren requested a copy of the code. Thrasher will provide this. Thrasher reiterated that with the amount of work that was done State approval is required and a Building Permit was required prior to construction. Right of way dedication will be required before permit issuance. Thrasher asked if pavement exists in the dedicated right of way will it have to be removed. Burkman stated that since there is not a pending project it will be allowed to remain; however, if in the future a project does come along that will require the widening of the area and as U.S. 30 and certainly the intersection of State Road 2 and Washington are evaluated, it is possible a project could come down this far. At such time the City would have the right to remove this pavement to complete required work. Thrasher stated that since no inspections have been done, at best a final inspection can be done in conjunction with the Fire Department. Any Occupancy Permit issued would have language stating that inspections were not performed. A permit application was received for the pole sign only. A permit application has not been submitted for the wall sign. Until this application is received, no sign permits can be issued. Typically, the Building Permit is not issued until the State has finished their review of the project. Currently, it is taking approximately three weeks for the State review process. This project needs to be submitted as soon as possible. Johnson asked if there are any separation issues between the CVS and the storage. Thrasher stated it appears they are independently constructed and the walls should be fine. There is a separation of approximately 2 ft. and Thrasher assumes this was taken into account when they were constructed.

PILARSKI: To expand on what Burkman had touched on, Chapter 51 of the Municipal Code requires a structure used for human occupancy within the City of Valparaiso's corporate limits to tie into our sanitary sewer system if they are within 300 ft. of such sewer. This facility is not and it is within corporate limits. The other exception on this is the fact that there is a septic system which is allowed, but it must be in good operating condition. A copy of the most recent report showing that the septic system is good operating condition is required. There is an oil and grease interceptor on the site. Pilarski asked when this interceptor was last serviced. Fulkerson stated he did not know. Pilarski stated that a service report for this oil and grease interceptor is necessary.

ISSUES TO BE RESOLVED:

Landscaping Plan	Dumpster Screening
Right-of-way	Lighting Upgrade
Detailed Site Plan	State Vehicle License Clarification
State Design Release	
Building Permit	
Signage / Fencing Permit	
Zoning Clearance	
Septic System Report	
Oil and Grease Interceptor Service Report	
Fire Department/Building Department Inspection	
Definition of Use Clarification	