

MEETING: Site Review Committee
SUBJECT: Luke Oil Store #223
ADDRESS: 815 Lincolnway
PRELIMINARY SITE REVIEW

LOCATION: Zoom
DATE: June 29, 2021

IN ATTENDANCE:

Beth Shrader, Planning Director
(219) 462-1161 / bshrader@valpo.us
Carley Lemmon, Asst. Planner
(219) 462-1161 / clemmon@valpo.us
Vicki Thrasher, Building Commissioner
(219) 462-1161 / vthrasher@valpo.us
Bill Laird, Engineering Dept.
(219) 462-1161 / blaird@valpo.us
Matt Zurbriggen, Engineering Dept.,
(219) 462-1161 / mzurbriggen@valapo.us
Nate McGinley, Water Dept.
(219) 462-6174 / nmcginley@valpo.us
Tony Fahel, Water Reclamation Dept.
(219) 464-4973 / tfahel@valpo.us
Matt Murphy, Mayor

PRESENTERS:

Daniel Tursman, Luke Family of Brands
(219) 654-4821 / dtursman@lukebrands.com

The following is a summary of discussion at this meeting.

OPENING: The Site Review Committee met to discuss the proposed Luke Oil Store #223 to be located at 815 Lincolnway. Lemmon 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: Tursman explained that Luke Family of Brands wants to build a new convenience store/gas station at 815 Lincolnway. This will be an all masonry building and it will be approximately 4,000 sq. ft. in size. Preliminary plans were submitted and are based on a typical prototype building for Luke. There will also be four (4) fueling pumps and underground storage tanks. Tursman said he is familiar with the overlay district ordinance and some of the design criteria. They are currently working on some modifications to meet the spirit of the ordinance and design criteria. Tursman mentioned that he has discussed some of the site challenges have been discussed with the Planning Department. Luke was initially looking at potentially requesting a variance for a rear yard setback. There is a residential neighborhood to the north and they need to be sensitive to this area. Luke is working on adjusting the building prototype plan to decrease the building depth to eliminate the need for the

setback variance. They have not gotten through the architectural process to actually make changes, but it is their intent. Buffering and landscaping requirements have also been discussed. They plan to create a visual barrier along the north property to include privacy screening and privacy fence with masonry piers and additional landscaping to achieve the buffer requirements necessary between the two zoning applications. Preliminary traffic studies have been done to address some of the traffic concerns with ingress/egress onto Lincolnway. These preliminary findings have been submitted. They would like feedback from Engineering before finalizing the complete, comprehensive traffic study.

STAFF COMMENTS:

MCGINLEY: McGinley mentioned that he deals with the water and sewer services. There is an 8" sanitary sewer main to the north of this property and it will be necessary to tie-in at this point. It is a clay line and a portion will have to be cut out and a new wye will have to be installed. The water main is on the south side of Lincolnway (across the street). It is a 10" water main and it will be necessary to tie-in at this point for the water service. The Water Department does not want to open-cut Lincolnway, so it will be a bore job. The Water Department will either work with Luke to hire a contractor on their end to do the directional bore, or the Water Department has a contractor they use for directional boring. Once the size of the service is established by Luke, the Water Department will provide pricing for metering and the service installation. Tursman said for the convenience store it will typically be a 2" line. McGinley mentioned that Shaun Shifflett, Metering Department, indicated that backflow will be required for the building. It will be necessary to work with Shifflett for the meter and backflow. Mr. Shifflett can be contacted at 219-462-6174, Ext. 1322, or sshifflett@valpo.us. Tursman asked about a grease interceptor. McGinley said it will be necessary to discuss this issue with the Water Reclamation Department.

FAHEL: Fahel asked if a car wash is being considered now or in the future for the site. Tursman said there is no room for a car wash. However, there is a stand-alone kitchen. There will be a three-bay sink and there will be a need for a grease interceptor for the site. Fahel stated it will be necessary to see what type of food preparation will be done and then make a judgement based on their menu. Fahel said it is possible they may only need a small 50-gallon or smaller internal grease trap. Fahel asked if the building is a single level. Tursman said there is no basement or second level. Fahel advised that submittal of an internal plumbing plan will be necessary. Fahel would also like an internal equipment list and a copy of their menu. Tursman said it will not be a problem to supply these items.

ZURBRIGGEN: Zurbruggen stated that he and Mike Jabo, Engineering Director, have not reviewed the information submitted for the preliminary traffic study. Zurbruggen suggested that once the information has been reviewed, they meet to further discuss this issue. It will be necessary to submit a grading plan for the site. Zurbruggen is aware that the site is pretty much an impervious area. Storm water is an important issue. Runoff rates need to be addressed. Engineering also wants to know how the site ties-in to the storm sewer connection. How will hydrocarbons be addressed? It will be important to keep these out of the storm system. Tursman stated that what they have done in the past is to use a separator structure/interceptor structure for any runoff around the field canopy or in the forecourt, and in this case all the parking lot. Tursman said as this moves forward, he can supply information and work with Engineering unless there is a certain type of structure that is preferred. Zurbruggen said they do not have a specified structure but will work with Luke's engineer to make sure it meets the City's standards. Also, if there is going to be some on-site detention it will be necessary to have a discussion concerning detention. Tursman mentioned there will be green space on both sides of the convenience store. There is space for on-site detention. It is a matter of the trade-off. There are some pretty extensive landscaping requirements. Detention may be possible on the east or west side.

LAIRD: The Engineering Department will require a Site Permit, Erosion Control Permit, Right-of-Way Cut Permits for the driveway cuts on Lincolnway, and a Sanitary Sewer Permit. These permits are all part of the permitting package, but they are all directly out of the Engineering Department.

THRASHER: A Construction Design Release from the State for the building, canopy, tanks, and hood system is required. Local Building Permits are required. Submittal of one set of paper plans and one pdf copy will be required with the permit submittal. A list of contractors must be included with the submittal and contractors must be registered with the City. Signage will require a separate permit. Contacting the Porter County Health Department concerning the kitchen is necessary.

ON BEHALF OF TIM STITES (FIRE DEPARTMENT): All initial inspections required during the construction phase must be scheduled and coordinated through the Building Department. After occupancy, the facility will be subject to annual fire inspections. Any questions should be directed to Stites at tstites@valpo.us or 219-462-8325. Tursman asked if there is a permit review process with the Fire Department. Thrasher conveyed the Fire Department does not have a permitting process.

SHRADER: Shrader mentioned there have been several discussions concerning this project and believes they have identified variances that will be required. The property is zoned Commercial General (CG). Light automobile service is a land

use and is a limited use in this zoning district. The limited use standards are located in Section 2.552 of the Unified Development Ordinance. The standard for pump and canopy setbacks is 15 ft. from all street frontages. This appears to be met. The standards indicate that the canopy shall use a similar architectural style, materials, and roofing as the principal building. The canopy shall not be used as an extension of signage beyond that which is allowed in Article 5, Signs. The colors of the corporate logo (except white or black) shall not be painted on the canopy or trim outside of the area allowed for signage. Tursman asked if gray is an acceptable color. Shrader stated is not an acceptable color; however, if Luke wishes to seek a variance for this they can. Tursman asked if a vinyl application was acceptable. Shrader said the use of vinyl is acceptable. The trim of the canopy shall not be internally or externally illuminated. Shrader conveyed that the canopy cannot be used to display the gas prices. With the standard for similar architectural style and materials, the way this has been interpreted is that there does need to be some sort of masonry wrap that matches the building on the supporting columns of the canopy. Shrader mentioned that they will have to be mindful of the site distance requirements in Article 8, Section 8.215. It appears this standard is met. Figure 8.215B shows how this is applied. Luke appears to be 24 ft. away from pavement edge, which puts them outside of this. Shrader indicated that she has not reviewed the traffic study. Parking appears to be sufficient. As discussed, the access spacing is problematic. This happens frequently with infill sites. We will look to the traffic study for more information so that the Board of Zoning Appeals members will have good information to base their decision on. Tursman asked if a variance for access spacing is required or is it an Engineering approval. Shrader said the BZA relies on input from the Engineering Department and it will need to be part of the variance request. Shrader recommended they start with the district bufferyard for landscaping. In the case of an infill development like this, if the required bufferyard is greater than 15% of the site area then the infill standards come into play. (The site area is based on the site after the additional 7 ft. of right-of-way is dedicated to the City.) Class A bufferyards are reduced from a 10 ft. width to a 4 ft. width with a wall. However, as discussed, a wall does not make sense on the east side even though that is the standard. The recommendation was made that Luke seek a variance to not put a wall on the east side. It is zoned differently which is why there is the bufferyard requirement, but the actual use is not incompatible with what it proposed. However, on the north side it will be necessary to follow the reduction of width and requirement for a wall. If there is any relief from this it would be in order to accommodate tree roots. There is the drip line of some mature trees in the area that may belong to the neighbors and may be on the Luke property that would be affected by the foundation

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required for the wall. The masonry piers and privacy fence at the required height would be an appropriate variance for this location in order to preserve the existing tree canopy. After the bufferyards are taken care of, it will be necessary to look at parking lot landscaping standards. Referring to Table 10. 304 is recommended. After the parking lot landscaping, it will be necessary to look at the on-lot landscaping. This standard is based on the acreage of the site and the standards are in Table 10.301. Shrader said when calculating the on-lot landscaping, any of the landscape area devoted to bufferyards or to parking lot landscaping should be subtracted. Paved surfaces and buildings are included in the calculation. The Overlay District Standards were used for design standards, and as discussed there is a specific goal for the Eastgate Overlay District to have a traditional look. The current prototype conflicts with required standards. However, Luke is looking at some older prototypes that do have a more traditional look and trying to incorporate some of the elements, so it meets the standards of the Eastgate Overlay District as closely as possible. From discussions it appears Luke is moving in a good direction. Shrader indicated that one of the challenges will be transparency because there is a great transparency requirement. As long as Luke shows that they have been doing their best effort to meet the standards, they can expect staff to help support any variances required. The discussion for signage is that it is important that the City not have new signs that are larger than what is permitted. It is very important to keep the 6 ft. height for the sign in the Overlay District and along our Signature Corridors. Shrader realizes causes a conflict with what is proposed for the sign at the southwest corner of the property. If Luke feels they will not get what they need with a 6 ft. sign, it seems like the best location is probably going to be on the building. Shrader understands that this may come into some conflict with meeting all the design standards for transparency, but she thinks it will be best overall for signage and the building design. Tursman there is a concern about the need for a lot of landscaping around the sign which will eliminate a good portion of the 6 ft. Shrader said the landscaping around the sign does not have to be a specific height, the standard is more that there is landscaping around the base. The height of the landscaping can be kept to whatever is not going to be a functional part of the sign. It could essentially be ground cover and it will meet the requirement. Lighting will be important, especially to the neighbors. The neighbors will be very interested in this project and have a lot of opinions. Lighting will have to be appropriately screened so it does not get into residential areas. If it is possible to employ light dimming or turning off certain lights when not needed, this needs to be considered. Reducing driveways has been discussed. Shrader is aware that Tursman has had conversations with the property owners to the east but they are not interested. If there is documentation

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concerning the conversations, it is important for us to have the dialogue with them in our files. Also, any documentation of the conversations with the neighbors to the west about shared drive access is important to have too. Tursman stated that the property owner to the east, although supporting the project and being happy to work with them, is very adamant about not sharing access. She feels the shared access will create an issue with her business operation. In looking at the property to the west, the only way to create shared access will cause a loss in their parking. It does not appear to be beneficial to anyone's use. Given the various uses, they are complimentary but there is not a lot of synergy. People will not be going from one business to the next. Tursman reiterated that it will not be beneficial and there would be some sacrifices to connect the drive lanes. Shrader stated that it is still important to have the conversations. There needs to be a balance with the number of drives in the area. When there are so many drives overall, there is a desire to eliminate some of them. However, the conversations will show that Luke at least made the effort. Shrader said Luke seems to have a pretty good idea of the variances needed. Planning will double check and add any variances or remove any that are not necessary. Tursman said there are a lot of elements that need to be ironed out. He will work with Engineering and Planning to meet the requirements to be able to move forward.

LEMMON: Pedestrian access for the site is important in Eastgate. These standards can be found in Section 11.403. Shrader interjected that the sidewalk along the parking area behind the dumpsters is a short distance from the paved surface of the neighbors. This may be an opportunity to connect the two for pedestrians. Lemmon indicated that a Zoning Clearance will be required in the Building Permit process. The deadline for the August 18th BZA meeting is July 16th.

ISSUES TO BE RESOLVED:

- Landscaping Plan
- Submit Grading Plan
- Erosion Control Permit
- Right-of-Way Cut Permit
- Sanitary Sewer Permit
- Site Permit
- Detailed Site Plan
- Backflow Prevention
- Submit Internal Plumbing Plan
- Submit Internal Equipment List
- Submit Copy of Menu

State Design Release
Building Permit (include one set of paper plans and a pdf copy)
Contractors Registered with the City
Contact Porter County Health Department
Signage/Fencing Permit
Required Variances
Zoning Clearance