

MEETING: Site Review Committee
SUBJECT: East Valparaiso Office
Complex

LOCATION: Zoom
DATE: July 20, 2021

ADDRESS: To Be Determined
PRELIMINARY SITE REVIEW

IN ATTENDANCE:

Carley Lemmon, Asst. Planner
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Vicki Thrasher, Building Commissioner
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Bill Laird, Engineering Dept.
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Tim Stites, Fire Department
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Matt Zurbriggen, Engineering Dept.,
(219) 462-1161 / mzurbriggen@valpo.us
Will Rose, Engineering Dept.
(219) 462-1161 / wrose@valpo.us
Nate McGinley, Water Dept.
(219) 462-6174 / nmcginley@valpo.us
Tony Fahel, Water Reclamation Dept.
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Brent Dickson, Public Works Dept.
(219) 462-4612 / bdickson@valpo.us

PRESENTERS:

Jon Schmaltz, Burke, Costanza, Carberry
(219) 769-1313 / schmaltz@bbcclegal.com

The following is a summary of discussion at this meeting.

OPENING: The Site Review Committee met to discuss the proposed office complex to be located on Silhavy Road. 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: This site is immediately to the north of the Super 8 Motel at the end of the cul-de-sac that is John Howell Drive and immediately to the east of the TCU Credit Union branch, facing Silhavy. They are expecting the address of this property to be assigned by the Post Office as 302 Silhavy. Schmaltz will discuss a little later how they propose to access the site. They are proposing five (5), relatively small (approximately 4500 sq. ft.) in-line, commercial and office buildings, served by common parking directly to the south. Enough space will be left north of the buildings behind them for a

landscaped berm. The single-family residential subdivision to the north is kind of an island of unincorporated Porter County. In spite of its unincorporated status, they are treating it as the actual use it is and incorporating a landscape berm that is required by our existing UDO. As a result, and after having discussions with Beth Shrader, they do not believe that because of the way the site is laid out will, it will require variances. However, they do want to ascertain exactly what all the issues might be. The use of the buildings will be anything permissible under the existing zoning classification. They are anticipating the uses will be primarily low intensity commercial, including medical office and perhaps medical lab. There could possibly be retail or restaurant use; however, they are not necessarily anticipating or prioritizing this. Schmaltz conveyed that they are aware that if there was a restaurant use, the utilities would need to match that, including grease traps, etc. The site plan layout was designed by Jeff Lewis with Design Organization, Lewis was not able to attend this meeting, but will be available to answer any follow-up questions that would be appropriate for him to answer. Schmaltz said when the plan was developed, they looked for what they thought would be the most appropriate access points. There are reasons why the two access points proposed are located as they are. They came up with two access points. One is to the south, lining up with the cul-de-sac at the end of John Howell Drive. This access goes along the edge but is on the on the lot occupied by the Super 8 Motel. The access point to the west lines up with an existing drive-way for TCU Credit Union. With the credit union, there is an existing access easement for ingress/egress over the TCU parcel, on what is improved as that driveway. This was put in place when the credit union building was constructed. After speaking with some of the former officers employed by TCU at the time who were involved in this, Schmaltz was told that was by design and the intention of the easement. The easement was granted by the Valparaiso Department of Water Works. They anticipate that is where the water supply is for the credit union. Schmaltz does not know why that was the grantee on the easement agreement on the document. It is labeled as an ingress/egress easement and grants access. It is also, other than the access itself, the only one that would connect to a public right-of-way within the City. The access point to the south is actually over a strip of land that was reserved to be used for this purpose on the subdivision plat that includes the motel property. On the plat it refers to this access point as emergency ingress/egress, or an emergency access point for the parcel being considered today. Schmaltz stated they are proposing to actually use it as a secondary access and configure it with the location where it is, partly because of what is on the subdivision plat, but also because that is the natural point of access near the end of the cul-de-sac. They have reserved space at the eastern end of this parcel showing a detention basin.

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Approximately 11 years ago, an isolated wetland was delineated on a report. After Senate Bill 389 passed they do not necessarily expect that IDEM would insist on permitting that since it is isolated. They will go back and have a formal delineation report to IDEM. In spite of this, this will be the location of an engineered storm water detention pond.

STAFF COMMENTS:

LAIRD: The project plans will need to show more detailed grading information. The site geometry looks appropriate, but Engineering will be interested in seeing the proposed contour elevations and spot grades to understand the grading plan for the site, how storm water runoff will be handled and mitigated, the directions it will run, including utility plan information with the storm sewer infrastructure and associated sizing for the structures and pipes, the detention pond calculations, and the location of its outfall. Laird sees two points of access proposed. Currently, there is a north/south drive being proposed on the development to the south which will be at the western most end of the site being considered today. This proposed drive will kind of tee into where this project connects to the drive located in front of TCU. From a traffic flow perspective, this location may need to be examined if that is a tee intersection, especially with the angle of the drives. A cross-access agreement may need to be negotiated with that drive. It sounds like given the easement on the TCU drive a cross-access may not be required. However, this may require a little more research. Laird recommended a discussion with all the property owners to hash through what the development plans are and what access or shared access may be required. We need to make sure all the property owners are on the same page. The Engineering Department will require a Site Permit including erosion control, Rule 5 Permit with IDEM, the local Storm Water Permit will be issued through the Engineering Department and a Sanitary Sewer Permit. All of these permits will be submitted with the Building Permit application to the Building Department but reviewed and approved by Engineering. Schmaltz asked about the new proposed, driveway that might, if not connect, come up near the southwestern corner of their parcel that might form a tee intersection. Schmaltz asked if there was any particular person they could communicate with to get more details about what may be proposed there. Laird said he can share contact information. However, he did not have that information with him. Laird said the access road is a platted feature for the development to the south. Its extent into that parcel is unknown. This is why he is recommending a discussion with all the various property owners to iron out some of the wrinkles. Schmaltz agrees that this type of discussion is needed so that everyone can share their perspective on what will be most appropriate and if some private agreements are needed, what will be the best way to achieve this.

ZURBRIGGEN: It will be necessary to provide a copy of the delineation for the wetlands in the Drainage Report and engineered drawings. Zurbriggen stated that it will be necessary to follow the City's technical standards for release rates and detention sizing.

ROSE: The address of 302 Silhavy for the site is the address for the entire site in the County records. Rose said depending on the number of buildings, the final location of the access point, the addressing may likely change. Addressing is to be determined. Rose mentioned that Campbell Cemetery is located near the corner where the proposed access is shown (north/south road). This is a sensitive area. Rose is unsure if the fencing is secure. Rose does not know what work will be done in this area, but it could be an issue. Lemmon interjected that the cemetery sits within the Family Express property that is "L" shaped. Schmaltz said with respect to the cemetery this is a very good point. They are aware of this, but they do want to be sensitive about this. It is on the parcel that would be immediately to the west of the proposed drive to the south. Schmaltz believes this is under the Washington Township Trustee's maintenance; however, he has not confirmed this. They want to coordinate and understand their intentions and expectations. The general nature of the concept plan is that it is not detailed, and they understand, and anticipated that this would be a high-level discussion because they wanted to identify any major concerns before dialing in the detailed floor plans, utility plans, landscaping plans, etc. Laird conveyed that the maintenance of the cemetery is performed by the City and not the Washington Township Trustee's Office. Rose stated the City took over the cemetery a couple years ago. The maintenance falls under Public Works.

STITES: Stites asked how far away the berm will be from the building. What is the height of the proposed berm? Stites is concerned that the fire trucks will not be able to make the turn from the middle spot into the parking lot and at the very far eastern edge a turnaround will be needed. Stites mentioned that he will send Schmaltz the turning radius of their truck to see if it will be possible to get into the one access road. All initial inspections required during the construction phase of the project must be scheduled and coordinated through the Building Department. After occupancy the facility will be subject to annual inspections. Stites conveyed that a hydrant will be required towards Building E to the far east. It is almost 600 ft. from the existing hydrant near TCU. The Water Department will be able to tell them if it needs to be looped in.

THRASHER: Thrasher asked if the buildings will be built all at once, or in phases. Schmaltz said the thought right now is that they will be built all at once, but there is a possibility the project could be phased. Schmaltz stated they do not have any tenants locked in. Thrasher conveyed that a plan for each building must be submitted to the State for a Construction Design Release. Each building

will require its own permit. All contractors working on the site must be registered with the City. All signage will require separate permits. Thrasher advised that if there is a restaurant, it will have to be site reviewed independently. Thrasher is assuming each building will have its own address. Are these single-story buildings? Schmaltz confirmed they are single-story.

FAHEL: Since there is not a lot of detail on the plan, there are not a lot of comments to make. Fahel will need to see a detailed floor plan and internal plumbing plan for each building once it is determined what they will be used for.

ON BEHALF OF THE WATER DEPARTMENT (NATE MCGINLEY/MIKE STEEGE): There is not enough information provided to make comments on this project. It will be necessary to contact the Water Department concerning water and sanitary sewer services.

ON BEHALF OF BRENT DICKSON, PUBLIC WORKS: Will the new access road on the south end be public or private? Schmaltz said this access road will be designated as private.

LEMMON: Lemmon mentioned that some of the information given by Shrader in previous discussions may apply, but there may be some variations as well. This property is zoned Commercial General (CG) and it is located within the SR49 Signature Corridor. The list of permitted uses for Commercial General are located in Table 2.201B. Density and Bulk Standards are in Article 3, Table 3.505. This table will provide the lot widths, build to line, front yard setback, side yard setback, rear yard setback and maximum height of the buildings. Article 5 will provide information on signage. The allowance for Commercial General is 3 sq. ft. of signage per one linear foot of building frontage. Minimum parking requirements are in Table 9.201. For an office use the general requirement for parking is 3 spaces per 1,000 sq. ft. of useable floor area and 1 space per 33,000 sq. ft. for loading; commercial retail general requires 5 spaces per 1,000 sq. ft. of useable floor area and 1 loading space per 25,000 sq. ft.; heavy retail general requires 1 space per 400 sq. ft. and 1 loading space per 10,000 sq. ft.; services general is 2.5 spaces per 1,000 sq. ft.. 1 space per full time employee and 1 space per company vehicle. The parking table will give more specific information depending on the use. The lighting standards can be found in Section 9.501. A Photometric Plan will need to be submitted once they have decided on lighting. Article 10 provides information on the landscaping requirements. The on-lot landscaping for Commercial General will require 9 large trees, 18 small trees and 50 shrubs per acre. The parking lot landscaping can be found in Section 10.304. The requirement for Commercial General is 1 large tree per 8 spaces and 1 shrub, perennial or ornamental grasses per 4 spaces. This section will also provide information on how the landscaping needs to be setup across the parking and the requirement for planting islands (every 16 spaces). There is residential

to the north and she believes that Shrader has discussed the requirement for buffering. The requirements can be found in Table 10.403. Lemmon mentioned there is an allowance for a reduction in bufferyards if it exceeds 15% of the lot. It appears there is a good chance this could happen. There would be a reduction for Class C from 25 ft. to 18 ft., but it must include all required plantings for a Class C. With this lot being located in the SR49, Commercial Retail is a prohibited use. If they wish to continue with the Commercial Retail, use variances will be required. A list of prohibited uses is listed in Article 11. A Class D bufferyard must be provided and maintained along the property line (to the east of the property) abutting the corridor's right-of-way except at access points. The commercial and industrial setbacks for a yard abutting the corridor if buildings are 36 feet or less in height the setback is 90 feet and parking lots are setback 30 feet. The minimum lot dimension for commercial and industrial buildings is one (1) acre and the minimum lot width is 160 feet. The maximum lot coverage is 75% and the minimum landscape ratio is 25%. Article 11, Section 11.500, Nonresidential Design Standards, will provide building dimensions and 11.502 will provide requirements for uninterrupted walls, projections, and recesses. Architectural features will be covered in 11.503 and speaks to creating visual interest along the primary façade. This section also covers areas along parking, other facades facing streets, and blank walls. Building entries are in Section 11.504. Entries need to be clearly identifiable by building architecture. Transparency requirements are shown in Section 11.506. Permitted exterior building materials are listed in Section 11.507. This section will also list prohibited exterior materials. Roof structure and materials are in Section 11.508. this section speaks to creating designs that breakup the mass of the building, as well as screening any mechanical equipment. Section 11.509 will provide color requirements for the building. The use of high intensity colors, metallic colors, black, and fluorescent colors is prohibited. This section will also provide information about building accent colors and the percentages allowed. Lemmon advised that the owners of the property to the west have applied for a variance request for the August BZA meeting. Planning is working with the owners on the layout of the property. There might be some slight changes, but the intent is to connect to McGill.

ISSUES TO BE RESOLVED:

Landscaping Plan (with tree survey)
Erosion Control Plan
Property Owner Meeting
Rule 5 Permit
Detailed Site Plan

Backflow Prevention
Site Improvement Permit
Drainage Report
Provide Copy of Wetland Delineation
State Design Release (for each building)
Building Permit (for each building)
Contractors Registered with the City
Signage/Fencing Permit
Submit Floor Plans
Submit Internal Plumbing Plans
Zoning Clearance
Variances (if required)