

**MEETING:** Site Review Committee  
**SUBJECT:** Green Oaks of Valparaiso  
**ADDRESS:** 2550 Morthland Drive  
**PRELIMINARY SITE REVIEW**

**LOCATION:** Zoom  
**DATE:** September 14, 2021

**IN ATTENDANCE:**

Carley Lemmon, Asst. Planner  
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Bill Laird, Engineering Dept.  
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Nate McGinley, Water Dept.  
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Tony Fahel, Water Reclamation Dept.  
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Matt Zurbriggen, Engineering Dept.  
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**PRESENTERS:**

Todd Leeth, Hoepfner Wagner & Evans LLP  
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The following is a summary of discussion at this meeting.

**OPENING:** The Site Review Committee met to discuss the proposed Green Oaks of Valparaiso to be located at 2550 Morthland Drive. 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:** Chockley said the right side of the drawing shows the frontage road that parallels Morthland Drive. Everything to the left is north. At the southwest corner there is a shared access drive with Grace Point Church. They will be using the shared access to gain access to the parking lot that is on the south side of the building. There is a retention basin off the frontage road. Within the inside of the building there is a courtyard. There is another retention basin to the north of the building. There is an existing sanitary easement on the north side of the site. The sanitary line runs from the southwest to the northeast and then parallels the north end of the property. Chockley said the site is a little interesting because they have some off-site storm water drainage management issues that they need to deal with. On the south side of the property on the frontage road there is an existing 15" pipe that takes storm water from the swale that is on the north side of U.S. 30. Chockley stated that they had to calculate this for off-site storm water. They will be taking this water and running it through a system that runs along the east side of the building, then north into a retention basin. Chockley indicated a document was submitted to the City for the storm water management and how they will be dealing with it.

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Chockley indicated that at the beginning of the project there were discussions with Engineering for full transparency of what they are proposing on the site and what they are anticipating for storm water management. The plans show all the setbacks. Chockley stated that the plans show the extension of the shared access drive to the west of the building. There is also a smaller drive that goes to the dumpster enclosure on the back side of the building. The dumpster has been angled for ease of access for the garbage trucks, as well as for any deliveries at the back. The grease trap area is shown at the northwest corner. Chockley mentioned that they have had discussions with Grace Point Church regarding the extension of the shared access drive. The Church agrees with the extension. They will need to set up the necessary easements.

**STAFF COMMENTS:**

**ON BEHALF OF TIM STITES (FIRE DEPARTMENT):** The Fire Department follows the 2014 Indiana Building and Fire Codes. All inspections required during the construction phase of the project must be scheduled and coordinated with the Building Department. After construction, the facility will be subject to annual fire inspections. Stites requested that all fire protection contractors contact him before installation for the Fire Department Connection location and Knox Box placement. It will be necessary to review access around the building once more detailed plans are provided. Chockley mentioned that he discussed access, especially on the north side of the building with Stites. Chockley indicated they will be adding a fire connection and dry pipe at the extended driveway on the west side of the building that will take the Fire Department to the northeast corner of the building. Any questions should be directed to Sites at (219) 462 8325 or [tsites@valpo.us](mailto:tsites@valpo.us).

**ON BEHALF OF BRENT DICKSON (PUBLIC WORKS):** If the frontage road is damaged during construction, it will need to be repaired. The City arborist is in the process of reviewing the landscape plans and will be submitting comments and recommendations. Any questions should be directed to Dickson at (219) 462-4612 or [bdickson@valpo.us](mailto:bdickson@valpo.us). Chockley mentioned they have an updated Site Plan, and it is based on the discussions from the 2020 site review. Regarding the need for additional plantings based on the zoning ordinance, the plan has been updated to ensure they meet the standards. Lemmon interjected she will cover landscaping in the Planning comments.

**ON BEHALF OF VICI THRASHER (BUILDING COMMISSIONER):** A Construction Design Release from the State of Indiana will be required prior to issuance of Building Permits. The Site Permit application and Zoning Clearance application can be submitted with the Building Permit application. All contractors must be registered with the City prior to permit issuance. Approval and inspection by the Porter County Health department is required. This project will

be subject to Park Impact Fees. Any questions should be directed to Thrasher at (219) 462-1161 or [vthrasher@valpo.us](mailto:vthrasher@valpo.us).

**LAIRD:** Laird asked if a cross access agreement currently exists for the south half of the western drive aisle. Chockley confirmed there is an existing cross access, and they are in the process of negotiating the extension of the drive. Laird requested submittal of a copy of the existing cross access agreement, as well as a copy of the access agreement for the drive extension. Chockley indicated providing copies of these easements will not be a problem. Laird asked if the detention basin on the south side of the property between the frontage road and parking lot will be a wet basin or dry basin. The answer given is that the south basin is intended to be dry. Laird mentioned that in the City standards a detention basin, whether wet or dry, has to be one (1) full right-of-way width away from the road if it is adjacent to a road. Laird indicated that he is unclear what the right-of-way width is for a frontage road. The south basin is pretty close in proximity to the frontage road. Laird mentioned that he is aware they are seeking a variance for a 5 ft. landscape berm on the south end of the property. Engineering would like to have a conversation about their willingness to install a 2 ft. berm on the south side of the basin as a life safety measure to prevent anyone from sliding or driving off into the detention basin. Chockley advised that they will look at the space they have between the walkway that goes along the frontage road and the retention basin and see about installing a berm. There is a significant number of plants along the frontage that will help as a barrier, but they will also look at ways they can raise the elevation a little. Laird said Engineering did notice the number of trees and thought that it is a good attempt at creating a barrier. However, their thought was that a 2 ft. berm would satisfy some concerns. If more conversations are needed, they can be done off line. Isenthal mentioned that on July 20<sup>th</sup>, Mr. Leeth met with Beth Shrader to discuss the prior zoning approvals. During that discussion, Shrader commented that if they complied with the current landscape standards of the UDO, they would not need to request a variance for the berm. The berm wasn't necessarily a requirement but more of a request back at that approval. If there was a necessity for the retention, which there is, with the drainage and the pattern and they were able to comply with the landscaping, which they are doing now, then they would not need an actual variance. It is Isenthal's understanding they do not have to get a variance for the berm. Lemon interjected that it is a Class B bufferyard, so the berm is not required. Leeth advised that Chockley needs to vet out with the Engineering Department the 2 ft. berm is not a landscaping issue but a life safety issue. If it is possible to work with the City on this, a 2 ft. berm is not much, and they need to continue to work with the City.

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**ZURBRIGGEN:** The Engineering submittals are being reviewed. There will be a more detailed Engineering review for a follow-up. Chockley stated that he forgot to mention that on their plans they show a swale to capture any off-site storm water and put it in the retention. Chockley thinks when the carwash was constructed, they failed to put the swale in. Zurbriggen said they need to make sure this will not cause an issue as far as drainage on their site.

**FAHEL:** Fahel asked if there will be a central kitchen or will each unit have a kitchen. Chockley clarified that there is one commercial kitchen where everyone will have their three meals a day, but each unit will have a sink, microwave, counter top space to reheat food and small refrigerator. Fahel said the plan shows a 2,000-gallon grease interceptor and asked how they arrived at that size for the interceptor. The answer provided was that the grease trap is sized based on the Indiana Administrative Code Standard. A breakdown with all the factors can be emailed to Fahel. Fahel requested submittal of a detailed internal plumbing plan. Fahel also needs to know if any pharmaceuticals will be stored on site, how this will be handled and how they will dispose of used pharmaceuticals.

**MCGINLEY:** Utilities is involved with the water and sewer services to the facility. The connection points for the water and sewer are acceptable. However, McGinley will have additional detailed comments that will be sent to them. McGinley explained that typically he sends his comments to the Engineering Department so that they have all of their comments together and they are not chasing two sets of comments. McGinley conveyed that they ran modeling on the project, and the City sewer system does have the capacity to accept this 12,000+ GPE facility. McGinley included comments from Shaun Shifflett from the Metering Department. Per Shifflett, backflow prevention devices are required for fire, domestic, and irrigation, if irrigation is being considered. It will be necessary to contact Shifflett for metering install. Shifflett can be reached at (219) 462-6174 or [sshifflett@vlpo.us](mailto:sshifflett@vlpo.us). A Sewer Permit is required, and this permit will be obtained through the Engineering Department. Inspections for the sewer will be performed by Collections and Distribution. The water service installation to the City main needs to be coordinated through Collections and Distribution. Contacting either Mike Steege or McGinley will be necessary.

**LEMMON:** Most of what was discussed at the January 2020 site review still apply. Lemmon mentioned that a use variance has been granted to allow institutional residential within the U.S. 30/Morthland Drive Signature Corridor. A few development standard variances were granted. These include varying the required installation of a 6 ft. high opaque fence constructed between an institutional residential use and lots zoned/occupied by single-family dwelling units; a variance to allow a Gross FAR of .68; a variance to allow for a Net FAR

of .77; a variance to allow a building height of height of 36 ft.; a variance to vary the required 180 parking spaces, to allow for 90 parking spaces; a variance to vary the required 6 loading berths, to allow for 1 loading berth. Also, there are written commitments for landscaping and exterior design standards. Loading, truck access and solid waste should be located behind the principal building, similar to how it is being proposed. Lemmon asked if there are plans for landscaping surrounding the dumpster enclosure and the height when full grown. There will be landscaping, and it will be 15-20 ft. in height. The dumpster enclosure should be fully enclosed with landscaping and an opaque wall. Lemmon asked if there is a pedestrian door or just the front gates. There is a pedestrian access. Lemmon conveyed that the district intensity and bulk standards are found in Table 3.301. This includes LSR, Gross FAR, and Net FAR. Variances were received for Gross and Net FAR. The non-residential bulk standards are in Table 3.505 and include front, side, and rear yard setbacks, as well as building height. A variance was granted for the building height. Article 5 has all signage standards and will provide the allowable square footage for property. Lemmon asked what type of traffic will be anticipated for this site. There will be minimal traffic. The majority will be from the employees. There may be a little more traffic on Mother's Day and Christmas. Lemmon asked if there are any agreements with Grace Point for parking if their lot is full. They do not expect to exceed the parking they are providing. There is an agreement being discussed with Grace Point about allowing Grace Point to use more of Green Oaks' parking lot. Lemmon advised that submittal of a Photometric Plan is required. They conveyed that their Photometric Plan is page 11 of their plan set. Lemmon stated that we will need to see the rear as well and anything that leaves the property. If illumination goes on to the adjacent property, east and west, we need to see how it decreases. Lemmon said Table 9.501 shows maximum illumination at adjacent property lines. Spaces that adjoin residential zoning (there is residential zoning to the north) is a little stricter than towards the front. They need to ensure they meet the standards for lighting. Chockley said they only have parking lot lighting, and they need to work with the architecture to see what they have for wall packs. They will update the Photometric Plan. Lemmon conveyed that Article 9, Section 9.501 has all the non-residential lighting standards for parking lots, free-standing lights, etc. Lemmon asked if the lights will be dimmed at a certain time or point. Chockley said they do not have any plans to have the parking lot lighting to be dimmable. Lemmon conveyed that on-lot landscaping standards can be found in Section 10.301. The requirement for all uses in Commercial General is 9 large trees, 18 small trees and 50 shrubs per acre. The requirement for parking lots is 1 large tree per 8 spaces and 1 shrub, perennial, or ornamental grasses per 4 spaces. Lemmon mentioned they

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did receive a partial variance from the district boundary standards to the north. It is a CA buffer between Commercial General and General Residential to the north. The Green Oaks team mentioned that the Landscaping Plan has been updated since the package submittal. Lemmon said the Landscape Plan needs to include a table that shows a breakdown for on-lot and parking lot. The table needs to include the quantities of plant material. The Green Oaks Team stated that they included the buffer to the north, the trees have been sized up, the added some trees, the table, and the mature size for the trees. Lemmon advised the Landscape Plan will be reviewed through the Zoning Clearance Process. Lemmon asked if any existing trees will be removed from the site. Trees will be removed because they have a very complex storm water management plan for the site, and they have some concerns about some of the existing trees at the northeast corner. In order to meet their retention requirements and storm water conveyance, there will be almost a total site clearance. Lemmon asked if a tree survey has been done. No tree survey has been done. Lemmon advised that a tree survey will be required to ensure our tree protection standards are being followed. It will be necessary to refer to Division 10.600. Lemmon asked if they will be applying for the variance for a green roof. Chockley said his understanding is that this was an alternative in the written commitments. They comply with the UDO or they do the green roof. They will be doing the compliance rather than the green roof. Lemmon stated that if they decide to go for a variance, the deadline for October BZA is end-of-day this Friday. Article 11, Section 11.305 contains the U.S. 30/Morthland Drive standards and all the information regarding monument signs, and the height which is not more than 6 ft. It is also necessary to have 3 ft of landscaping around the monument sign. There are also standards for concerning a Class B bufferyard along the property line abutting the corrido. This is to the south.

**LEETH:** Attorney Leeth advised Lemmon that he sent the existing easement agreement with Grace Permit to her. Attorney Leeth requested that she share this with Engineering or anyone else who might need a copy.

**ISSUES TO BE RESOLVED:**

Landscaping Plan (with tree survey)  
Erosion Control Plan  
Rule 5 Permit  
Right-of-Way  
Detailed Site Plan  
Detailed Internal Plumbing Plan  
Provide List of Pharmaceuticals Stored on Site  
Provide Information on Disposal of Used Pharmaceuticals

Backflow Prevention (fire domestic, irrigation)  
Site Improvement Permit  
Provide Copies of Existing and New Cross Access Easement Agreements  
State Design Release  
Building Permit  
Contractors Registered with the City  
Contact Porter County Health Department  
Signage/Fencing Permit  
Submit Photometric Plan  
Zoning Clearance