

166 Lincolnway Valparaiso, IN 46383 (219) 462-1161 Valpo.us

### Valparaiso Board of Zoning Appeals Meeting Agenda

Tuesday, May 21, 2024, 5:30 p.m. City Hall, 166 Lincolnway, Valparaiso, IN 46383 Council Chambers

- 1. Pledge of Allegiance
- 2. Roll Call
- 3. Adoption of Meeting Minutes April 16, 2024
- 4. Old Business
- 5. New Business with Public Hearing

### **VAR24-008**

A petition filed by Luke Land II, LLC. The property is located at 2803 Calumet Ave. The petitioner requests the following variances from the Valparaiso Unified Development Ordinance (UDO), which relate to the construction of a 2,350sf standalone Chipotle quick service restaurant with drive-thru:

- (1) Section 9.303(B)(4) to omit the required eight-foot wide bypass lane:
- (2) Table 11.306(A) to reduce the minimum landscaped yard along the Calumet Avenue Signature Corridor from 30ft to 16ft and to reduce planting requirements of the standard 30ft landscaped yard by one large tree (from 3 to 2) and one evergreen tree (from 2 to 1). (All other planting requirements within this area are exceeded.);
- (3) Table 10.301 to reduce the minimum on-lot landscaping standards by two large trees (from 4 to 2) and four small trees (from 8 to 4). (Other planting requirements within this area are exceeded.);
- (4) Section 11.502(A) to increase the maximum allowable length of uninterrupted horizontal dimension (per plan provided); and
- (5) Table 11.506 to reduce the required transparency along the private drive lane frontage from 30% to 0%, providing a spandrel window (per plan provided).
- 6. Other Business
- 7. Staff Items
- 8. Adjournment

Kyle Yelton, President – Board of Zoning Appeals Beth Shrader, Planning Director

Next Meeting: Tuesday, June 18, 2024, 5:30 p.m.

Interested persons may attend in person, view the meeting live on the city's website (www.valpo.us), participate via web conference (bit.ly/ValpoBZA2024), or submit written comments (with name, address and telephone number) to the Planning Director prior to the hearing date (planningdepartment@valpo.us or City Hall address provided above).

PETITION TO VALPARAISO BOARD OF ZONING APPEAL	For Office Use Only:		
This application is being submitted for (Check all that a	Petition #:		
Use Variance	Application Type:		
Development Standards Variance Special Exception/Special Use	Application Filing Fee:		
Relief to Administrative Decision	Date Filed:/		
Conditional Use Wireless Communications Facility	Meeting:/		
	Meeting/		
SUBJECT PROPERTY INFORMATION	TYPE OR PRINT IN INK		
Property Address:	Subject property fronts on the West		
2803 Calumet Ave.	side between (streets) Vale Park Rd.		
Valparaiso, IN 46383	& Cumberland Crossing Dr.		
	Zoning District: GC (General Commercial)		
PETITIONER INFORMATION			
Applicant Name:	Address:		
Luke Land II, LLC (c/o Daniel Tursman)	3592 N. Hobart Rd.		
Phone:	Hobart, IN 46342		
219-654-4821			
Email:			
dtursman@lukebrands.com			
PROPERTY OWNER INFORMATION			
Applicant Name:	Address:		
Luke Land II, LLC	3592 N. Hobart Rd.		
Phone:	Hobart, IN 46342		
219-962-7676	_		
Email:			
tmcollins@lukebrands.com			
SECTIONS OF UDO FROM WHICH A VARIANCE, SPECIA	T		
Article: 9 Section: 303 Paragraph: B Item: 4			
Article: 11 Section: 306 Paragraph: A _Item:			
Article: 10 Section: 301 Paragraph: Item:			
Article: 11 Section: 502 Paragraph: A Item:	Article:Section:Paragraph:Item:		

LEGAL DESCRIPTION OF SUBJECT PROPERTY: (OR EXHIBIT NO)
LOT 3 A IN NORTH CALUMET 2015 SUBDIVISION AS SHOWN IN PLAT 57-C-1, RECORDED OCTOBER 25, 2017 AS DOCUMENT NO. 2017-026223 IN THE RECORDER'S OFFICE OF PORTER COUNTY, INDIANA.
DESCRIPTION OF PROPOSED PROJECT: (OR EXHIBIT NO)
Construction of a 2,350 SF standalone Chipotle quick service restaurant with drive-thru mobile order pick-up window and associated site work.

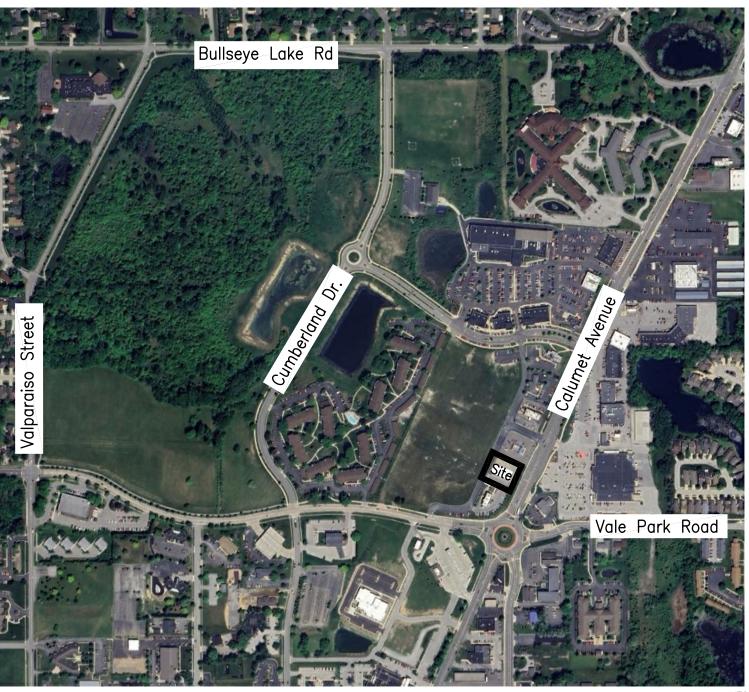
### Variance from Development Standards Petitioner's Proposed Findings of Fact

### Petitioner submits that:

- A. The proposed variance from the Development Standards will not be injurious to the public health, safety, morals, and general welfare of the community because:
  - a. 9.303(B)(4): Omission of a drive-thru by-pass lane will not interfere with the access of all emergency response personnel and will allow more space for better circulation around the site overall.
  - b. 11.306(A) & Table 10.301: Reduction of minimum landscape yard and number of trees will allow adequate space for safe travel circulation and parking around the site.
  - c. 11.502(A) & Table 11.506: Reduction in the allowable length of uninterrupted horizontal dimension and required transparency are architectural design elements that do not have an impact on the public health and safety. All state and local building codes as well as ADA requirements will be met.
- B. The use and value of the area adjacent to the property included in the proposed variance will not be affected in a substantially adverse manner because:
  - a. 9.303(B)(4): The drive-thru is utilized by customers of this property only, and omission of a by-pass lane will have no impact on the adjacent areas.
  - b. 11.306(A) & Table 10.301: The property line for this site does not extend all the way to the sidewalk in the right of way. Reduction of the front landscape yard will have less noticeable impact because the additional 8' to 9' of greenspace in the right of way gives the appearance of more landscape area. Reduction in the number of trees allows adequate space for the trees that are included in the reduced area to fully mature.
  - c. 11.502(A): Reduction in the allowable length of uninterrupted horizontal dimension will not hinder the architectural appeal of the proposed building. Architectural details and offsets have been included in the design at all elevations.
  - d. Table 11.506: Reduction of Transparency along the access drive will obscure views from adjacent areas into undesirable areas of the building (i.e. mechanical rooms, storage areas, etc.)
- C. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property included in the proposed variance because:
  - a. 9.303(B)(4) & 11.306(A): The property is a vacant infill lot within an existing development. Due to the size limitations, omission of the drive-thru bypass and reduction of the front yard landscape buffer are necessary for the property to be redeveloped.
  - b. Table 10.301: Reduction in the landscape buffer limits the space available for the trees included in the landscape design to fully grow and mature.
  - c. 11.502(A): The functionality of certain design elements (i.e. Drive-thru Window, Utility Services / meters, etc.) limit the placement of wall offsets in certain areas. Adherence to the uninterrupted horizontal dimension would interfere with these necessary functions.

a. Table 11.506: The secondary frontage for this property is a private access drive facing the rear of the building. There are no other practical areas to relocate the unsightly mechanical services and storage areas necessary for the operations of the facility.

The petitioner carries the burden of proving to the Board of Zoning Appeals the existence of each and every one of the elements listed above.



Location Map

# Proposed Site Plan

Address: 2803 Calumet Avenue, Valparaiso, Indiana

Legal Description:

Lot 3 in North Calumet 2015 Subdivision as shown in Plat 57—C—1, recorded October 25, 2017 as Document No. 2017—026223 in the Recorder's Office of Porter County, Indiana.

Zoning Information

CG - General Commercial

PARKING ANALYSIS

RESTAURANT parking based on 1 space per 75 sf=31 Useable Floor Area=1,612 sf / 75=22

22 TOTAL PARKING SPACES REQUIRED

21 PARKING SPACES

2 HANDICAP SPACES

23 TOTAL SPACES PROVIDED

1 bicycle space per 10 parking spaces=3

4 BICYCLE SPACES PROVIDED

Site Requirements:

<u>Site Design:</u>

 $\underline{Parcel Area} = 0.52 Acres$ 

 $\underline{Parcel Area} = 0.52 Acres$ LSR: = 0.097 Acres

FAR: = 0.053/0.52 = 0.103Net FAR: = 0.053/(0.52-.078)=0.120

1. Refer to Architectural Plans for details, description, and dimensions of all improvements within the curb line around the building.

2. Site curbs shown are 18—inch curb and gutter,

3. See Photometric and Landscape Plan by Others.

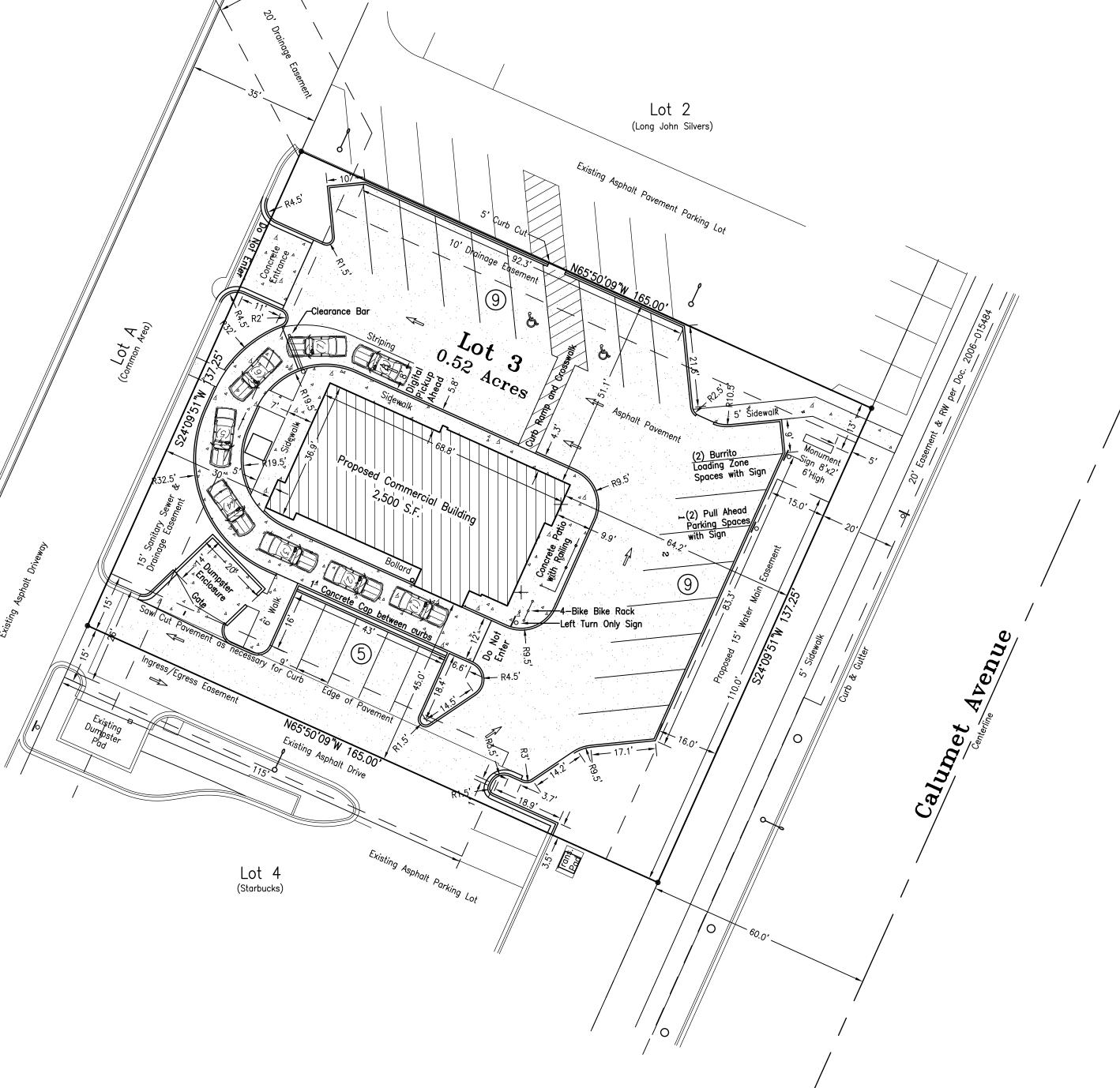
unless otherwise noted.

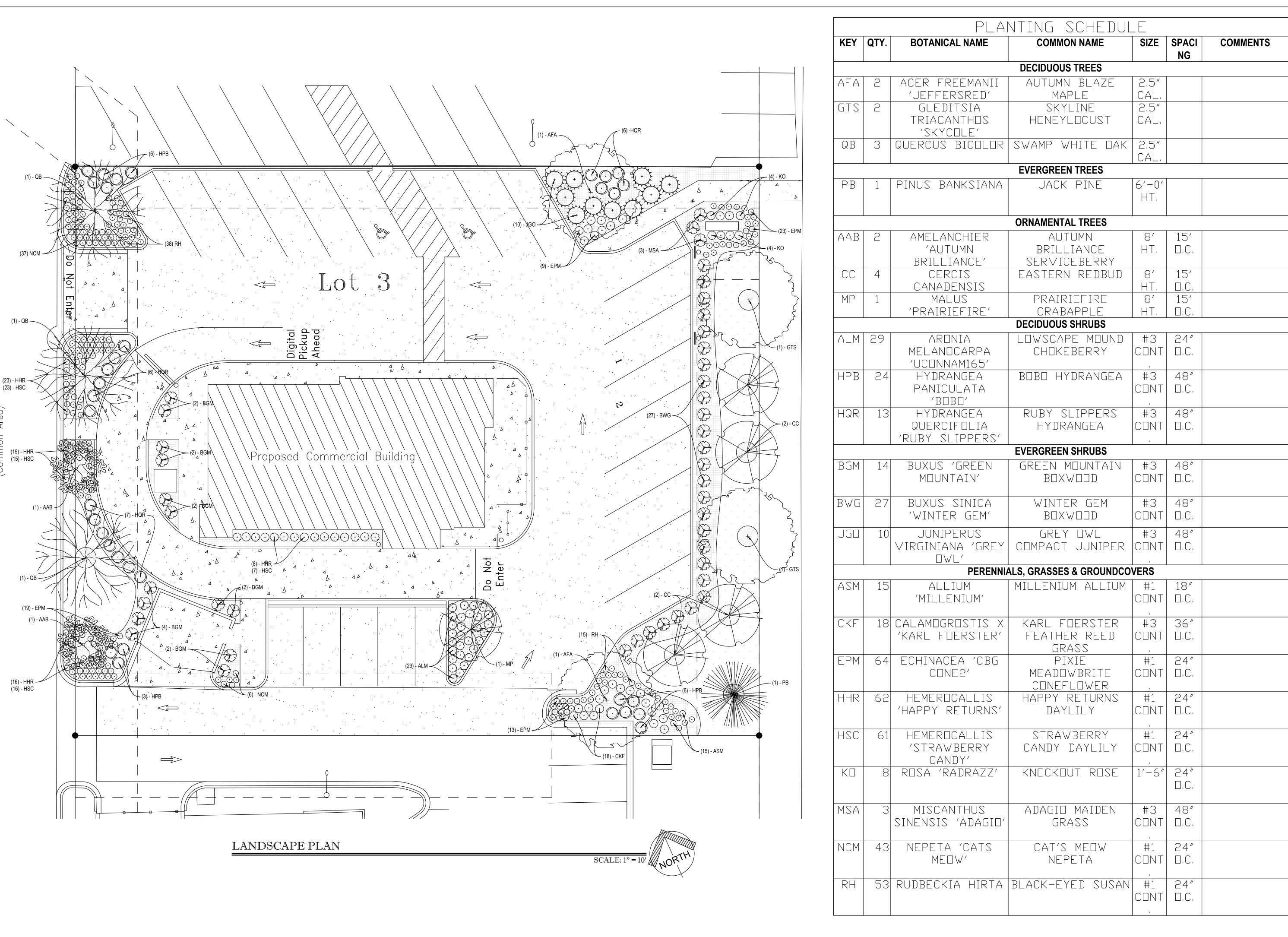
LSR: 0.15 \* 0.52 = 0.078 Acres <u>FAR:</u> 0.280 <u>Net FAR</u>: 0.329

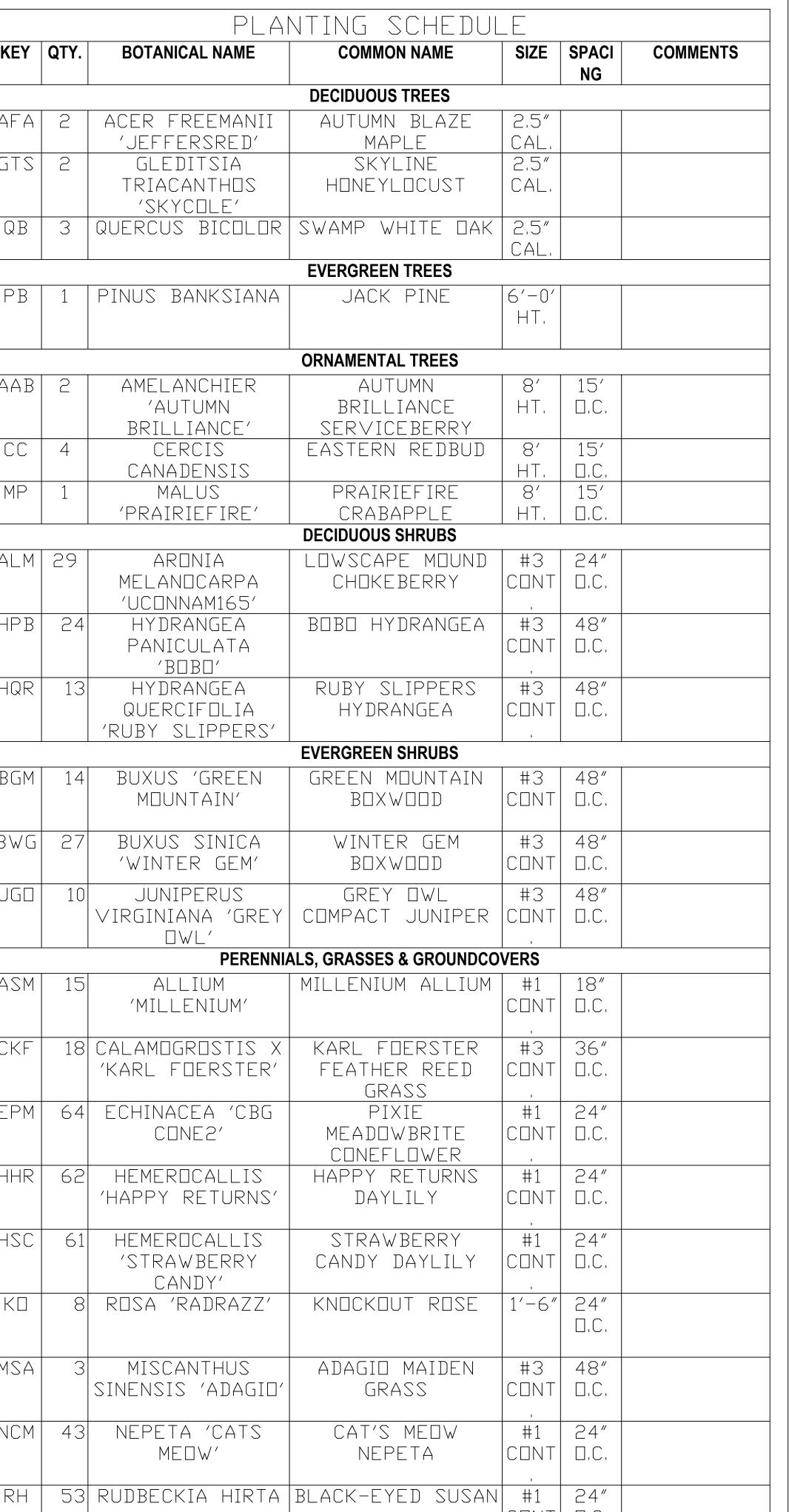
Lot 3 Prepared

Tiemens Nagai Su 220 3rd C DeMotte, Phone:

Proposed Site Plan









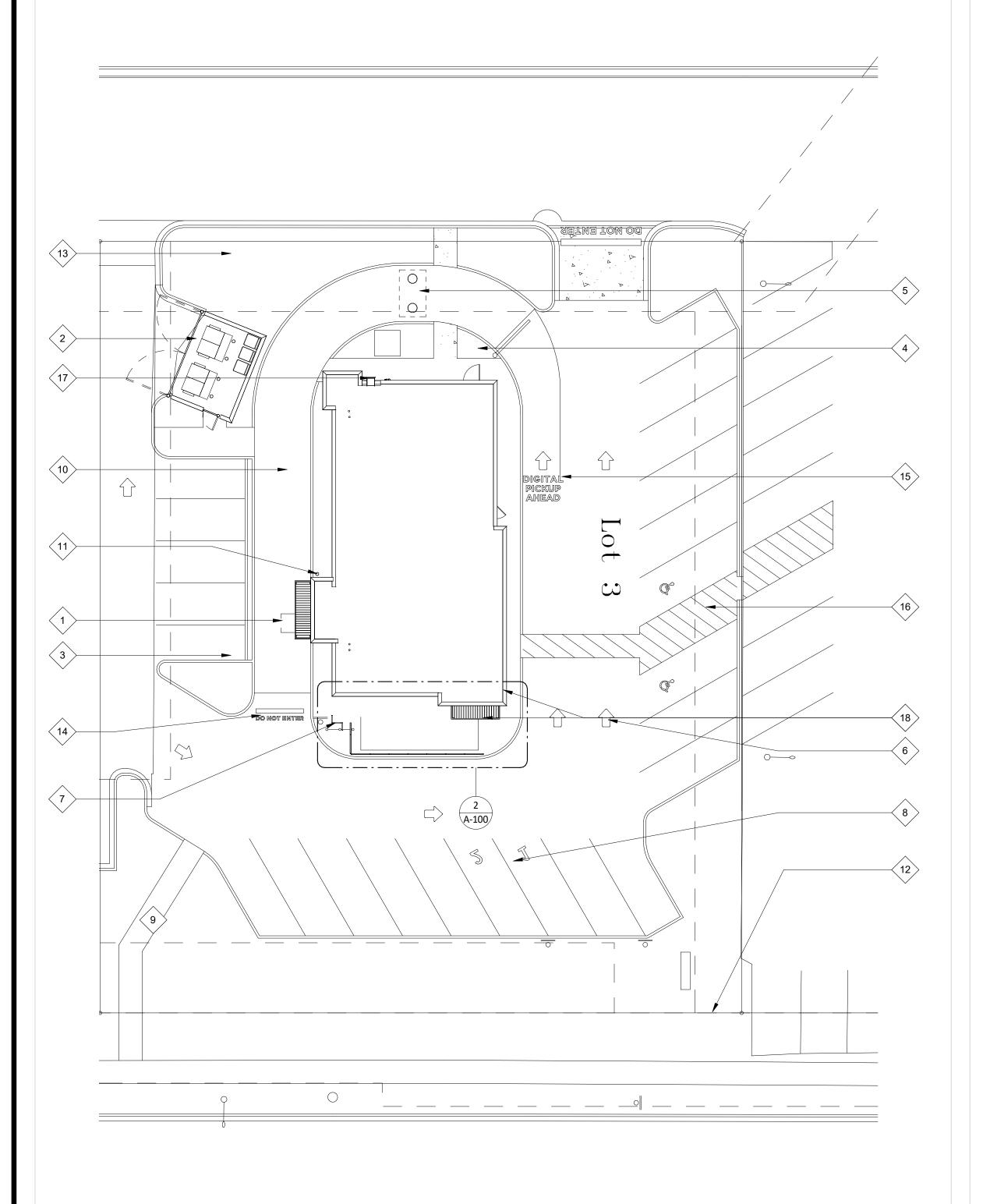


98 #2 Store MBERLA 28 Va

	الحصي حصي حصي المستحد				
ISSUE FOR:					
3/20/24	Review				
4/11/24	Review				
5/15/24	Permit				
LANDSCAPE PLAN					

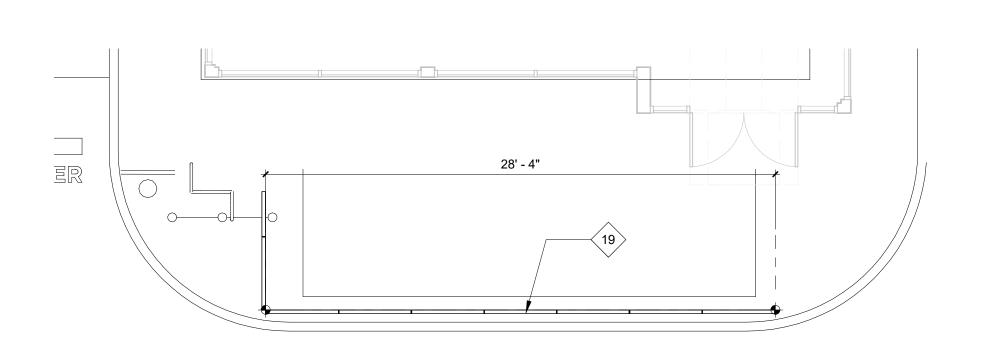
L100

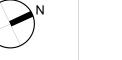
SCALE: AS NOTED PROJECT No.: DJT



ARCHITECTURAL SITE PLAN

SCALE: 1/16" = 1'-0"





# SITE PLAN GENERAL NOTES

- CONTRACTOR SHALL PROTECT ADJACENT LANDS AND STRUCTURES FROM DAMAGE DURING CONSTRUCTION. ANY OFF-SITE AREAS DISTURBED SHALL BE RETURNED TO A CONDITION EQUAL TO OR BETTER THAN THE EXISTING CONDITION.
- NECESSARY PERMITS FOR SITE WORK AND CONSTRUCTION SHALL BE OBTAINED BY THE GENERAL CONTRACTOR PRIOR TO BEGINNING OF WORK.
- NECESSARY BARRICADES, SUFFICIENT LIGHTING, SIGNS AND OTHER TRAFFIC CONTROL METHODS MAY BE NECESSARY FOR THE PROTECTION AND SAFETY OF THE PUBLIC SHALL BE PROVIDED AND MAINTAINED THROUGHOUT THE LIFE OF THE CONSTRUCTION.
- COORDINATE WITH THE LOCAL AUTHORITY HAVING JURISDICTION PRIOR TO ANY CONSTRUCTION IN THE PUBLIC RIGHT OF WAY.
- NO DEMOLITION MATERIALS SHALL BE DISPOSED ON ON-SITE. ALL DEBRIS SHALL BE HAULED OFF-SITE TO A RECYCLING AREA APPROVED BY THE LOCAL AUTHORITY HAVING JURISDICTION FOR THE HANDLING OF DEMOLITION DEBRIS.
- GENERAL CONTRACTOR IS RESPONSIBLE TO COORDINATE THE LOCATION OF THE EXTERIOR GREASE INTERCEPTOR AND FIELD VERIFY EXISTING SITE CONDITIONS THAT COULD IMPACT THE LOCATION DURING THE BIDDING PHASE OF THE PROJECT AND ASSIGN THE APPLICABLE COSTS. THE LOCATION SHALL NOT INTERFERE WITH ANY EXISTING SETBACKS, EASEMENTS, UNDERGROUND UTILITIES OR OTHER SIDE FEATURE.
- STENCILS FOR PARKING MARKINGS AVAILABLE FROM PAVEMENT STENCIL COMPANY, PHONE: (800) 250-5547, EMAIL: STENCILS@PAVEMENTSTENCIL.COM.

# KEYNOTE LEGEND

- 1 PROVIDE ONE (1) 1" CONDUIT FOR FUTURE LOOP DETECTOR CENTER ON PICK-UP WINDOW.
- 2 DUMPSTER ENCLOSURE, PAD, APRON AND BOLLARD REFER TO
- SITE LIGHTING LOCATIONS ARE REFERENCED ONLY REFER TO CIVIL FOR ADDITIONAL INFORMATION.
- 4 PROVIDE ONE (1) 1" CONDUIT FOR FUTURE DIRECTIONAL SIGNAGE.
- 5 1,500 GALLON GREASE INTERCEPTOR.
- 6 GENERAL DIRECTIONAL PAVEMENT MARKINGS
- 7 BIKE RACK(S).
- TWO (2) PULL-AHEAD PARKING SPACES MARKED WITH POLE MOUNTED SIGNS AND WHITE NUMBERS CENTERED IN SPACE.
- PROVIDE ONE (1) 1" CONDUIT TO GENERAL LOCATION FOR SIGNAGE GENERAL CONTRACTOR TO 9 PROVIDE CONCRETE BASE/PAD AS REQUIRED FOR FUTURE SIGNAGE.
- 10 HIGH DENSITY CONCRETE LOCATION REFER TO CIVIL ADDITIONAL REQUIREMENTS AND EXTENTS.
- 11 BOLLARD PAINT PPG 'KNIGHT'S ARMOR'.
- 12 DASHED LINE INDICATES EXTENTS OF PROPERTY LINE.
- 13 SEE CIVIL DRAWINGS FOR ANY IRRIGATION AND LANDSCAPING REQUIREMENTS.
- 14 DO NOT ENTER' STRIPING AND BAR LOCATION.
- 15 DIGITAL PICKUP AHEAD' STRIPING
- ACCESSIBLE PARKING LOT STRIPING, CROSSWALK, SIGN POSTS AND SIGNS REFER TO CIVIL FOR ADDITIONAL INFORMATION.
- 17 LOCATION OF ROOF ACCESS LADDER
- 18 FUTURE BUILDING SIGNAGE BY SIGN VENDOR. BLOCKING AND ELECTRICAL ACCESS REQUIRED
- PATIO RAILING BY LANDLORD PER LAYOUT OF TENANT PLANS. ARCHITECTURAL AND CIVIL TO COORDINATE FINAL DESIGN

<Client Representative> <Client Company> <Client Street Address> <City, ST Zip Code>

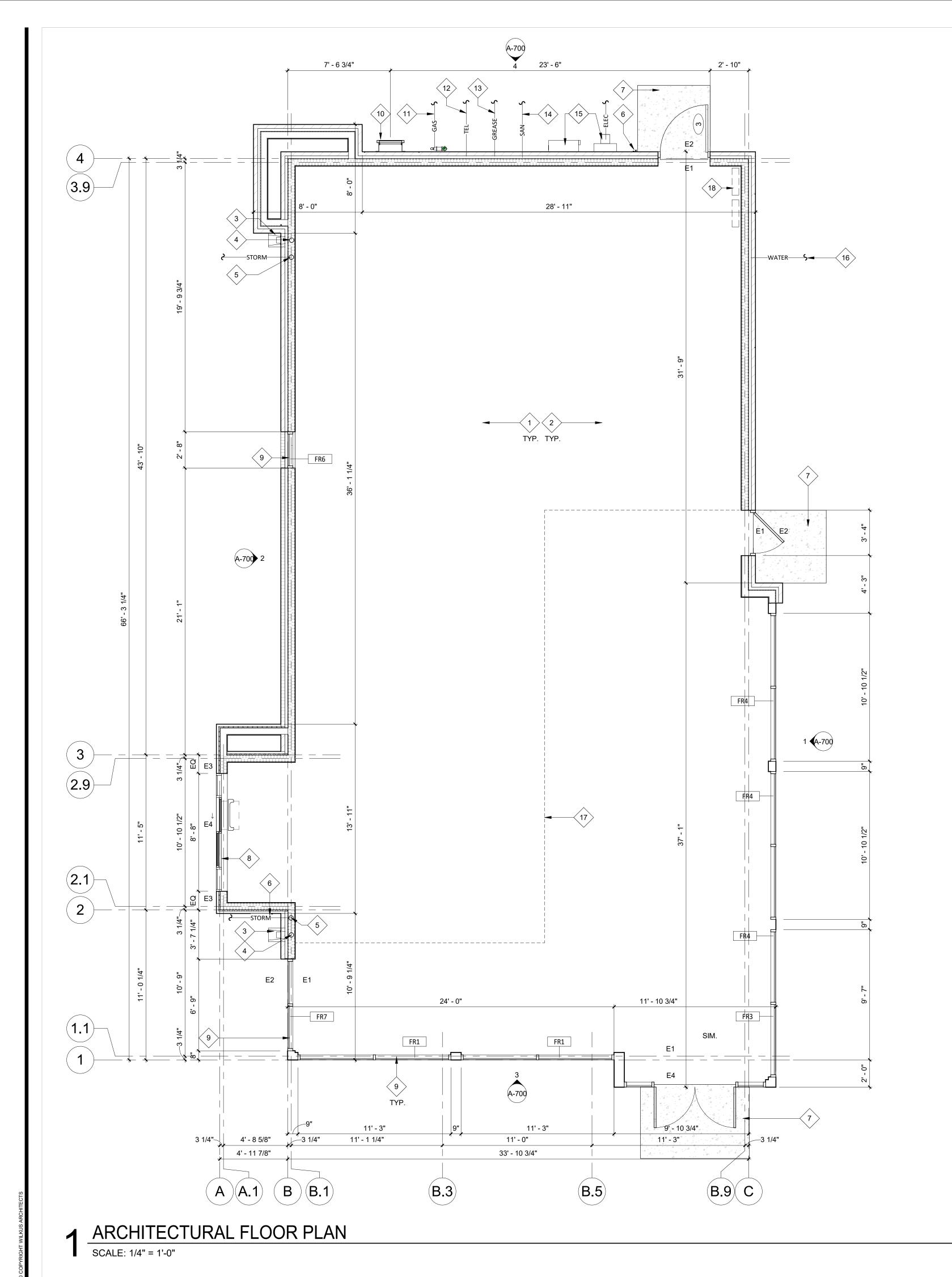
PROJECT INFORMATION

PROJECT NO. 2024-0050

DRAWN BY TRC CHECKED BY KAM

DATE **ENTITLEMENTS** 

ARCHITECTURAL SITE PLAN





# GENERAL NOTES - FLOOR PLAN

- A. SAFETY GLAZING SHALL BE PROVIDED AT HAZARDOUS LOCATIONS, INCLUDING, BUT NOT LIMITED TO, GLAZING WITHIN 18" OF WALKING SURFACE, GLAZING IN DOORS AND AT WINDOWS ADJACENT TO DOORS
- B. DIMENSION NOTES:

A). ALL STRUCTURAL GRID DIMENSIONS ARE FROM CENTERLINE OF EXISTING STRUCTURAL ELEMENTS UNLESS NOTED OTHERWISE.

B). ALL DIMENSIONS ARE TAKEN TO OUTSIDE FACE OF SHEATHING OF WALL ASSEMBLY UNLESS NOTED OTHERWISE.

C. ANY NEW EXTERIOR LANDINGS SHALL BE FLUSH WITH THE INTERIOR FINISHED FLOOR SLAB AND SLOPE AWAY FROM THE FACE OF THE BUILDING TO PROVIDE POSITIVE DRAINAGE.

- D. OPEN EXTERIOR JOINTS AROUND WINDOW AND DOOR FRAMES, BETWEEN WALL ASSEMBLIES AND FOUNDATIONS, BETWEEN WALL AND ROOF ASSEMBLIES, BETWEEN WALLS PANELS, AT PENETRATIONS FOR UTILITY SERVICES, FLOOR ASSEMBLIES AND ROOF ASSEMBLIES OR ANY OTHER OPENING IN THE EXTERIOR ENVELOPE SHALL BE SEALED, CAULKED, GASKETED AND/OR WEATHER-STRIPPED TO LIMIT AIR LEAKAGE.
- E. PROVIDE VERTICAL AND HORIZONTAL CONTROL JOINTS IN GYPSUM BOARD SURFACES AT 30'-0" ON CENTER MAXIMUM.
- . GENERAL CONTRACTOR TO INSTALL METAL CORNER BEADS AT OUTSIDE CORNERS OF GYPSUM BOARD SURFACES, UNLESS NOTED OTHERWISE.
- G. USE ONLY NON-CORROSIVE FASTENERS ON PRESSURE TREATED LUMBER.
- H. LAP WEATHER RESISTANT BARRIERS AND THRU-WALL FLASHING IN A WATER SHEDDING FASHION. TAPE ALL EXPOSED EDGES.
- I. REFER TO STRUCTURAL SHEETS FOR STUD FRAMING CONFIGURATIONS, SIZES AND SPACING.
- J. FLASHING AND SEAMS BETWEEN SHEATHING IN COMPOSITE WOOD STUD WALL CONSTRUCTION CONDITIONS TO BE TAPED AND SEALED WITH TAPE SEALANT
- K. ALL EXTERIOR WOOD BLOCKING TO BE MOISTURE RESISTANT PRESERVATIVE TREATED (P.T.).

### LIGHTING FIXTURE SCHEDULE

ITEM	QTY.	MOUNT	DESCRIPTION	MANUFACTURER	MODEL
E1	4	VARIOUS	WHITE EXIT LIGHT - STANDARD RED LETTERS	EXITRONIX	CLED-U-WH
E2		SURFACE	EMERGENCY LIGHT - SINGLE HEAD	EXITRONIX	CLED-BL-WP with PMC-B-1 Mounting Plate
E3	2	SURFACE	WALL PACK	RAB LIGHTING	WPLED10Y
E4	4	SURFACE	LED CHANNEL LIGHT	PARADIGM LED	PL-FLEXSR590

## KEYNOTE LEGEND

- EXTENTS OF SLAB LEAVE-OUT REFER TO STRUCTURAL DRAWINGS FOR ADDITIONAL INFORMATION.
- 1/2" EXPANSION JOINT TO BE INSTALLED AROUND ENTIRE PERIMETER AT TIME OF SLAB POUR CUT EXPANSION JOINT DOWN 1/2" MINIMUM AND PROVIDE ROD AND CAULK TO SEAL.
- 3 CONCRETE SPLASH BLOCK.
- 4 INTERIOR OVERFLOW ROOF DRAIN LEADER WITH STAINLESS STEEL COWS TOUNGE.
- 5 INTERIOR ROOF DRAIN LEADER CONNECT TO STORM SEWER BELOW GRADE.
- 6 FROST PROOF WALL HYDRANT.
- 7 CAST-IN-PLACE CONCRETE ENTRY STOOP LIGHT BROOM FINISH SLOPE STOOP AWAY AT 1/4" PER 12" AWAY FROM FACE OF THE PROPOSED BUILDING TO ENSURE POSITIVE DRAINAGE.
- PREFINISHED DARK BRONZE ALUMINUM PASS-THRU WINDOW WITH INTEGRATED INTERIOR AIR CURTAIN, TRANSOM AND SIDELITES CAULK AROUND ENTIRE PERIMETER OF OPENING.
- THERMALLY BROKEN ANODIZED ALUMINUM STOREFRONT SYSTEM WITH 1" INSULATED GLAZING -
- 9 CAULK AROUND ENTIRE PERIMETER OF OPENINGS.

  10 EXTERIOR ROOF LADDER WITH LOCKING GATE
- 11 LOCATION OF GAS METER COORDINATE WITH CIVIL DRAWINGS FOR ADDITIONAL INFORMATION.
- LOCATION OF INCOMOING TELECOMMUNICATION ENTRY POINT COORDNIATE WITH CIVIL DRAWINGS FOR ADDITIONAL INFORMATION.
- LOCATION OF GREASE WASTE ENTRY POINT COORDINATE WITH CIVIL DRAWINGS FOR ADDITIONAL INFORMATION.
- LOCATION OF SANITARY SEWER ENTRY POINT COORDNIATE WITH CIVIL DRAWINGS FOR ADDITIONAL INFORMATION.
- 15 ELECTRICAL METER AND DISCONNECT.
- LOCATION OF DOMESTIC WATER SERVICE ENTRY POINT COORDINATE WITH CIVIL DRAWINGS FOR ADDITIONAL INFORMATION.
- 17 DASHED LINE INDICATES LOCATION OF OPEN CEILING ABOVE.
- LOCATION OF FUTURE TENANT ELECTRICAL PANELBOARDS GENERAL CONTRACTOR TO PROVIDE CONDUCTORS TO LOCATION.

CONSULTANT



NT

ROJECT INFORMATION

# "VALPO WEST SHELL BUILDIN 2803 CALUMET AVE.

CONSTRUCTION CONSTRUCTION

IECT NO.	2024-0050
VN BY	TRC

CHECKED BY KAM

ENTITLEMENTS 02/27/24

REVISION DA

FLOOR PLAN

**A-210** 



EXTERIOR MATERIAL TAKEOFFS
EIFS - 167 SF
METAL PANEL - 103 SF
FIBER CEMENT - 126 SF

(MTL-2)

**EXTERIOR ELEVATION** 

METAL CANOPY IS AVAILABLE FROM AMERICAN PRODUCTS, INC. (API), PHONE: (813)-925-0144, E-MAIL:

KEYNOTE LEGEND

2 EIFS JOINT - REFER TO MANUFACTURER'S RECOMMENDATION FOR SPACING REQUIREMENTS

PREFINISHED DARK BRONZE ALUMINUM PASS-THRU WINDOW WITH INTEGRATED INTERIOR AIR

DASHED AREA INDICATES EXTENTS OF BLOCKING TO BE PROVIDED BY GENERAL CONTRACTOR 14 PROVIDE ELECTRICAL ACCESS AS REQUIRED - COORDINTE ADDITIONAL REQUIREMENTS WITH

20 INSULATED HOLLOW METAL DOOR AND FRAME - CAULK AROUND ENTIRE PERIMETER OF OPENING.

2 PT-2 23 PT-2

21

**EXTERIOR ELEVATION** 

22

EXTERIOR FINISH SCHEDULE COLOR
TO MATCH PPG#1001-6 "KNIGHTS ARMOR" TO MATCH ADJACENT FINISH MTL-2 PREFINISHED METAL COPING PPG #1001-6 "KNIGHT'S ARMOR" TO MATCH ADJACENT FINISH FLAT FINISH

> 3 (MTL-2) 3 (MTL-1) 5 PT-2 PROJECT NO. 2024-0050 1 (PT-1) DRAWN BY TRC CHECKED BY KAM ISSUE ENTITLEMENTS EXTERIOR MATERIAL TAKEOFFS
> EIFS - 255 SF
> BRICK - 459 SF
> METAL PANEL - 98 SF
> FIBER CEMENT - 18 SF

**EXTERIOR ELEVATIONS** 

DATE

<Client Representative>

<Client Company>

<Client Street Address> <City, ST Zip Code>

**A-700**