



**MEETING: Site Review Committee**  
**SUBJECT: Lawn and Garden Center**  
**ADDRESS: 815 Calumet Avenue**

**LOCATION: City Hall**  
**DATE: December 1, 2009**

### PRELIMINARY SITE REVIEW

#### IN ATTENDANCE:

Craig Phillips, City Planner	219-462-1161
Tyler Kent, Asst. City Planner	219-462-1161
Matt Kras, Storm Water Engineer	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
Jim Pingatore, Water Dept.	219-462-6174
Vicki Thrasher, Building Commissioner	219-462-1161
Ron DeTorrice, Public Works Director	219-462-4612
Jack Johnson, Fire Department	219-462-8325
Marv McDaniels, Collections Dept.	219-464-2346

#### PRESENTERS:

Robert Schwerd, Attorney  
 219-406-4628 / CASchwerd@comcast.net

Email addresses for the above City of Valparaiso Departments can be found at [www.valpo.us](http://www.valpo.us).

The following is a summary of discussion at this meeting:

The Site Review Committee met to discuss a proposed lawn and garden center. 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.

Schwerd explained the facility will transition into a lawn and garden center. Merchandise will consist of lawn furniture, grills, and outdoor items. The building was purchased almost 2 years prior, although the building has been vacant. Opportunity Enterprises had used the facility for storage at one time however; they currently have their own large building. At one point in time there had been 2 approved office buildings. The infrastructure had been put in by VonTobels but never had been built. Since the sizes are favorable, Schwerd utilized the outline. The building is approximately 21,000 SF. The opening target date is spring of 2010.

McDaniels stated that without a manhole, this is a very long stretch. The sewer line is proposed to go up to Billings Street. Since this is approximately 10' deep and the line is 48", it may be complicated. Access to the manhole behind the warehouse is necessary if the City is going to be in charge. Checking into this further is essential. Phillips said there is an easement associated with a rear access drive that goes with the former property. This has since been refurbished and converted in a mini strip mall. Schwerd added that their plans involve restroom facilities at the front of the building although; they currently exist at the NE end of the building. McDaniels commented that dyeing is necessary in order to determine where this goes.

Pilarski expressed concern as to what will be discharged into the sanitary sewer. Schwerd clarified that the warehouse itself is going to be refurbished and very little interior work will take place. The idea of garden classes is anticipated for 1 of the unfinished rooms. The back portion is intended for storage. Pilarski pointed out that an interior plumbing schematic is needed for review in order to verify what exactly will be discharged into the sanitary sewer system for the facility. Contacting Von Tobels is suggested since they should have a copy of this plan. Contacting Pilarski is also needed in order to perform a spot inspection of the facility.

Burkman is aware the back portion is an outdoor storage area for trees, shrubs, plantings etc. and the construction of greenhouses is a possibility in the future. Burkman commented that sanitary sewer access may be needed if greenhouses were part of the project at this time. The City standards require that parking lots be paved. In reference to the entrance, access off of Calumet isn't favorable when traffic is northbound and ready to make a left

turn. The close proximity to the railroad tracks also creates concern. Promoting access off of Franklin Street is advised in order to remedy this situation. Since the building is so close to Calumet Avenue, a site obstruction is created when trying to look at the southbound traffic coming from the left when exiting. Burkman strongly encouraged access and the connection of the road to Franklin Street. It's also important not to encroach onto the railroads right-of-way with the proposed parking that's shown on the south side of the site. Schwerd inquired whether or not crushed stones could be used for parking in the additional parking area. Burkman said he will check into this and explained that crushed stone is evaluated the same as a paved surface. Once it gets compacted, it doesn't accept rain water and still creates runoff.

Schwerd conveyed to Thrasher that they will not be constructing any walls however; constructing a handicap accessible washroom is intended. There will not be any additional toilets or sinks. Thrasher stated that a building permit will be needed although a State Design Release isn't necessary. A permit is also required for any fencing or signage. Phillips added that any additional buildings in the future will require a permit at that point in time.

Kras expressed concerns with drainage in this particular area. Other than the inlets that are currently placed in the gravel parking lot, there is no other drainage or storm water management on the site. Since parking will be added, this will need to be addressed. Some standing water occurs in that area and Burkman pointed out that an effective way to manage it is essential. Perhaps something can be installed within the structure to filter out oils and greases coming from the parking lot. Rather than pavement or gravel, the placement of green areas on the site is favorable. Kras commented that perhaps having pervious pavement may also help since this will allow water to flow through. Bulking up on areas that allow for landscaping is strongly advised. Phillips added that there may be an opportunity to install a rain garden or something similar along the area by the tracks. Since the building has a gabled roof, the installation of a cistern system was suggested. Kras stated an erosion control plan is required to ensure that sediment will remain on the site.

Phillips is aware that the areas on the plans indicating trees, shrubs, plantings, etc. are currently not building spaces but rather yard space. Schwerd clarified that he was working from VonTobels plan and other than fences or arbor vitae, nothing is located there. Phillips stated the use is described in the ordinance as "heavy retail". Heavy retail has some minimum standards and as a result, a developmental standards variance may be required. There is a 2 acre minimum size requirement for property to be used as a heavy retail facility. Phillips based his comments on a 1.39 acre site. If the building will be used as is without further improvements in terms of added building space or structures, additional standards will need to be addressed. There are 4 residential lots to the north and there is a 300' separation requirement from residential properties. A variance will also be required for added buildings or additional areas that are not currently under roof. Currently there is roughly 22,800 SF between the existing building and the barn therefore; the property is within the allowable square footage. The floor area ratio cannot exceed .507, which is 50.7% coverage of the lot with buildings. The current ratio is approximately 45%. A variance will be required if this ratio exceeds 50.7%. The pedestrian sidewalk located in the front will remain the same. Further information is necessary regarding the dimensions and setbacks from the lot lines. At the northeast corner there appears to be an encroachment of the building. Phillips said that some indication is needed as to how far it is from the building to the existing right-of-way. The survey indicates a few areas of encroachment along the north building line. Phillips strongly suggests that a standard pavement is provided. Regular standard pavement that can withhold a certain amount of traffic associated with this type of business is necessary if using access to the west of Franklin Street, for the purpose of a drive lane. There is a requirement that all surfaces for parking and driving be paved. The surface material used must be approved by the Engineering Department. Phillips assumes that east of the gate there are about 24 parking spaces. Whatever is proposed for the western portion of the property will have to be factored in accordingly. A 15% landscape ratio will have to be maintained for the site if there are any expanded or additional areas in the future. All green areas will have to total at least 15% otherwise a variance is needed. If additional landscaping takes place that exceed the existing gravel, pavement, and building areas, a landscape plan will then be needed. If a rain garden is intended, a landscape architect must provide that plan. Contacting Phillips is suggested if any future expansion takes place since there are some on lot landscape requirements. Currently there are no trees between the street and the sidewalk. Due to safety concerns and complexity of the site location, Phillips said this specification may be waived. There is a 15' landscape buffer between this property and the residential properties. This buffer may need to be provided in the future if any new construction takes place. There are other standards regarding this and another site review will be needed. Based on the existing buildings, the parking requirement is 43 spaces. Parking will need to be provided as show on the drawing along with a few additional spaces. Perhaps the outdoor storage area can be designed to accommodate the extra parking that's necessary. Any future expansion will also require additional parking. Further discussion at that point in time will be needed. The installation of a decorative type of fence is recommended to deter access to the tracks. The area east of the gate is especially important because of the visibility. Phillips said the 300' separation requirement may not apply unless the site is expanded.

Kent stated an application for a variance has already been submitted to the BZA and the project is on the December 15<sup>th</sup> agenda. Schwerd explained that heavy stone, dirt, mulch, etc. isn't anticipated to be stored on this site. The business will not be noisy or unclean and the only tractor on site will be used to pull a few things only when needed.

Pingatore said he has no issues regarding this project.

McIntire stated that the water must be brought up to backflow code therefore; a backflow preventer will need to be installed.

DeTorrice inquired whether there is a gutter system since collecting rain water would be beneficial. The City doesn't provide solid waste services to a business and Schwerd explained a dumpster will be located in the back which will be picked up weekly or bi-monthly. DeTorrice encouraged recycling and commented that this may then allow for a smaller dumpster. Using containers on wheels was also a suggestion and these could then be stored inside the facility.

Phillips said that any dumpster installed that isn't currently there, will need to be screened with fencing or similar building material as well as with an arbor vitae type of hedge. Article 2 of the ordinance explains the specific standards regarding the screening of dumpsters. The location and visibility of the dumpster is important. A solid fence that's 6' or taller with opaque gates may be needed. DeTorrice added that the rear corner is a favorable area for a dumpster because of the green space. Rather than placing the dumpster on asphalt, a concrete pad is a better idea.

Johnson stated that the Fire Department requests the road be cut into Franklin Street and that it is paved at a minimum of 20'. Since the building is on the ISO list, providing as many possible ways to support water flow from as many hydrants as possible is essential. A Knox Box is also required. In order to prevent any issues after opening, contacting the Fire Department will be necessary with regards to storing and display systems. There will be occupancy issues and adding another emergency exit is strongly encouraged. Schwerd said there are some previous exits that have been barricaded and Johnson said they will take a look at this and provide recommendations. Thrasher didn't believe that a State Design Release would be necessary.

In order to prepare for the BZA meeting, Phillips said to review the 3 points of State law that coordinate with the developmental standards variance. Providing information about the business, and pictures of the type of materials that will be sold on the site is also beneficial. A sit plan indicating how things will flow and where things are located will be helpful as well. Phillips said there may be some flexibility in order to provide the 5 additional parking spaces needed. The placement of parallel parking was suggested. A variance request may also be needed for this as well.

#### ISSUES TO BE RESOLVED:

- Landscaping plan (with Tree Survey)
- Erosion Control Plan
- Right-of-way
- Detailed Site Plan
- Sanitary/Sewer
- Interior Plumbing Schematic
- Backflow Prevention
- Site Improvement Permit
- Building Permit
- Signage / Fencing Permit
- Zoning Clearance
- Variance
- Knox Box