

CITY OF BLOOMINGTON



July 25, 2013 @ 5:30 p.m.
COUNCIL CHAMBERS #115
CITY HALL

ROLL CALL

MINUTES TO BE APPROVED: May 23, 2013
No June meeting – no minutes

PETITION CONTINUED TO: August 22, 2013

- V-25-13 **Joseph Collison**
933 N. Walnut St.
Request: Variance from maximum parking standards.
Case Manager: Jim Roach

REPORTS, RESOLUTIONS, AND COMMUNICATIONS:

PETITIONS:

- V-29-13 **Med Express Urgent Care**
123 S. Franklin Rd.
Request: Variance from maximum parking standards to allow fifty (50) spaces for an urgent care clinic.
Case Manager: Eric Greulich
- CU/V-31-13 **Morton & Eleventh, LLC**
922 S. Morton St.
Request: Conditional use approval to operate a craft distillery as a heavy manufacturing use. Also requested is a variance from sidewalk requirements.
Case Manager: Jim Roach
- V-32-13 **John Lukens**
313 N. Lincoln St.
Request: Variance from maximum density standards to allow conversion of a law office building to allow six (6) multifamily units with 15 bedrooms.
Case Manager: Eric Greulich

BLOOMINGTON BOARD OF ZONING APPEALS
STAFF REPORT
Location: 123 S. Franklin Rd.

CASE #: V-29-13
DATE: July 25, 2013

PETITIONER: MedExpress
1751 Earl Cove Road, Morgantown, WV

CONSULTANT: Smith Neubecker & Associates, Inc.
453 S. Clarizz Blvd, Bloomington

REQUEST: The petitioner is requesting a variance from the maximum number of parking spaces for an immediate medical care clinic.

SITE DESCRIPTION: This 1.0 acre property is located at 123 S. Franklin and is zoned Commercial Arterial (CA). Surrounding land uses are predominately all restaurants with the Fire Station to the east.

The petitioner is in the process of remodeling a building that was most recently used as a restaurant to allow for a "MedExpress" immediate care clinic. This business specializes in the immediate treatment of minor health care needs and medical care. The building interior is 5,500 sq. ft in size and the clinic will have 10 treatment rooms. There will be a total of 12 employees including doctors and assistants on regular staff. The business is open 7 days a week from 8:00 AM to 8:00 PM.

The UDO allows for a maximum of one parking space per 300 sq. ft. of gross floor area for a "medical care clinic, immediate". Based on the size of the clinic (5,500 sq. ft.) the property would be allowed a maximum of 18 parking spaces. The former restaurant had a total of 87 parking spaces currently on site. The petitioner is requesting a variance from the maximum number of parking spaces to allow for 42 parking spaces. The petitioner has submitted a parking study to justify the requested number of spaces. That study has been included in the packet.

As part of the change in use from a restaurant to a clinic, the property must come into compliance with change in use requirements as outlined in the UDO. Required site improvements include new street trees along Fairfield Drive, installation of new landscaping throughout the property, installation of bike racks, and a dumpster enclosure.

SITE PLAN ISSUES:

Building Architecture/Design: As part of the change from a restaurant to a clinic, there were only a few minor changes to the exterior of the building and mostly interior remodeling required. There will be a total of 10 treatment rooms, along with an X-ray room, offices, and reception area. New cement fiber board siding was added along with awnings above the windows.

Access: A sidewalk connection has been shown from the front door to the sidewalk along Franklin Rd. This sidewalk extends all the way to 3rd Street. Vehicular access to

the property will be from a one-way entrance along Fairfield Dr. to the east and a two-way entrance from Franklin Rd. to the west. An existing drivecut on Franklin Rd. will be removed with this petition on the south side of the property. The location of the new one-way entrance on Fairfield Dr. does not meet the 100' setback requirement and a separate variance will be applied for to address that issue. Since Fairfield Dr. is a one-way north street and the entrance is one-way as well, the need for a 100' setback from Franklin Rd is not necessary and staff will be supportive of the variance request.

Landscaping: With the new use on the property, the property would be required to meet all landscaping requirements. The petitioner has submitted a landscape plan that meets UDO requirements. A rain garden will be installed on the west side of the property to provide stormwater quality improvements. New landscape islands are required as well and have been shown.

Parking: The UDO allows for a maximum of one parking space per 300 sq. ft. of gross floor area. Based on the size of the clinic (5,500 sq. ft.) the property would be allowed a maximum of 18 parking spaces. The petitioner is requesting a variance from the maximum number of parking spaces to allow for 42 parking spaces.

In order to justify such a large deviation from code, the petitioner has performed parking studies at several of their MedExpress clinics to provide parking usage data. These studies have been included in the packet. To summarize the data, the petitioner has submitted a graph of the average number of patients at 12 facilities from December 1, 2012 through January 31, 2013, which is during the flu season that occurs typically from November through March. Upon review by staff, this data indicates a sustained average of approximately 30 patients at peak hours during the course of each day. In addition to that data, the petitioner has also submitted actual parking counts taken at two MedExpress locations on May 31, 2013 which count the actual number of cars in the lot every 15 minutes during the course of the day. This data shows the maximum number of spaces used by employees and patients during the course of the day at the two facilities at 38 and 39 spaces for each. This parking count study was not done during peak flu season and could be higher during peak flu season. Staff and petitioner have also conducted parking counts at the local Promptcare Clinic. The Promptcare Clinic at W. 3rd Street is 4,500 sq. ft. in size and has 30 parking spaces, along with overflow parking along the interior drive aisle. The parking counts from Promptcare, during non-flu season and while students are gone, shows a parking need of around 1 space per 125 sq. ft. of floor area.

Staff believes that the petitioner's study, along with local observations, seems to indicate a consistent need for 30 spaces for patients and an additional 12 spaces for employees is an appropriate number of spaces. This is based on actual observed parking counts as well as patient data during peak flu season. Staff supports the variance request for 42 parking spaces. This ratio provides one space per 130 sq. ft. of floor area. Staff believes this ratio is consistent with previous approvals that analyze the typical needs and not just the limited peak usage times.

Pedestrian Facilities: There is a sidewalk along all property frontages that is in good condition. No new sidewalk connections are required.

Signage: A sign permit has been approved for the proposed signage and met the requirements of the UDO.

CRITERIA AND FINDINGS FOR DEVELOPMENT STANDARDS VARIANCE

20.09.130 e) Standards for Granting Variances from Development Standards: A variance from the development standards of the Unified Development Ordinance may be approved only upon determination in writing that each of the following criteria is met:

- 1) *The approval will not be injurious to the public health, safety, morals, and general welfare of the community.*

STAFF FINDING: The granting of the variance from the standards will not be injurious to the public health, safety, or morals. The proposed site plan will remove an existing drivecut along Fairfield Dr. This will allow for better and safer access management for the site.

- 2) *The use and value of the area adjacent to the property included in the Development Standards Variance will not be affected in a substantially adverse manner.*

STAFF FINDING: Staff finds no negative effects from this proposal on the use and value of the areas adjacent to the property. Staff does find a positive impact on the use and value of the adjacent areas due to the redevelopment of this property.

- 3) *The strict application of the terms of the Unified Development Ordinance will result in practical difficulties in the use of the property; that the practical difficulties are peculiar to the property in question; that the Development Standards Variance will relieve the practical difficulties.*

STAFF FINDING: Staff finds that the strict application of the UDO will result in practical difficulty in that the number of spaces allowed by code does not match the demonstrated needs of this use. A parking study was conducted by the petitioner and staff which found that immediate care clinics do have a parking need greater than the 1 space per 300 sq. ft. that the UDO would allow. Peculiar condition is found in the existing parking situation and the demonstrated need of the proposed use. The reduction from 87 to 18 spaces would result in a site that would be difficult to reuse as other permitted and appropriate uses such as a sit-down restaurant in the future. Rather, the variance is being requested to fulfill a parking need that is under-represented by the UDO. When developing maximum parking requirements of the UDO it was understood that some uses would be justified in seeking variances. Staff finds this to be one of those cases.

RECOMMENDATION: Staff recommends approval of the variance with the following conditions:

1. The location of the drivecut on Fairfield Drive must receive a variance or be adjusted to meet setback requirements.

Smith Neubecker & Associates, Inc.



"Providing professional land planning, design, surveying and approval processing for a quality environment."

Stephen L. Smith P.E., L.S.
Daniel Neubecker L.A.
Steven A. Brehob, B.S.Cn.T.

May 29, 2013

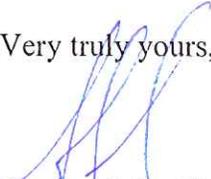
City of Bloomington Board of Zoning Appeals
C/o Eric Gruelic
Planning Department
Showers Building
Bloomington, Indiana

Re; Med Express Variance application

Dear Eric and Board Members,

This letter is being written in follow up to our conversations late last week and this week regarding a final parking space number and site configuration. The attached updated plan shows 42 spaces with the removal of a significant portion of the existing parking and drive aisle, changing the front entrance and substantial landscape improvements. We are amending our request to allow variance to have these 42 spaces generally as shown on the plan.

Very truly yours,


Stephen L. Smith
Smith Neubecker & Assoc., Inc.
Engineer for Med Express

Cc; file, Med Express
Encl



"Providing professional land planning, design, surveying and approval processing for a quality environment."

Stephen L. Smith P.E., L.S.
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Steven A. Brehob, B.S.Cn.T.

May 29, 2013

City of Bloomington Board of Zoning Appeals
C/o Eric Gruelic
Planning Department
Showers Building
Bloomington, Indiana

Re: Med Express Variance application

Dear Eric and Board Members,

Med Express is establishing a Bloomington clinic at 123 North Franklin Road on Bloomington's west side. The former Chinese restaurant site is in process of being converted as this application is being made. We are seeking a parking variance to allow 50 parking spaces for the 5500 square foot clinic. The site currently has 87 parking spaces. 37 spaces and one of the drive entrances are proposed to be removed and converted to landscaping and storm water bio-filtration areas.

Information about Med Express can be found at their web site medexpress.com. The site notes... *"we're a physician led neighborhood medical center providing wellness and preventative health care, treatment for illnesses and injuries and employer services. Open 7 days a week, 12 hours a day, we're here when you need us."*

The Med Express Model. This building is 5,500 square feet but the typical med express clinic is 5,000 square feet and is the model upon which this site is based. There are 10 patient rooms. There are 10 to 12 staff who are a mix of health care professionals; MD, PA, NP, nurses, medical techs and admin staff.

Basis for Request. The request for 50 spaces is to meet the expected parking demand for a typical Med Express clinic during the busy months of the year, the flu season. The data indicates that there will be times when we will need more than 50 spaces, but we understand that the local preference is



to deal with those situations as they arise rather than have empty spaces the remainder of the time. 50 spaces provides for the third quartile of maximum parking demand based on data from 12 Med Express sites for December 2012 and January 2013. This data is patient arrival data and length of visit data that Med Express had already accumulated.

Count Data. The Plan Staff has asked that we provide actual parking numbers for more than one site. We had counts taken at two West Virginia Med Express sites on Friday May 31 and found peak parking of 38 at one site and 39 at the second. These counts represent off peak periods during the clinics year.

Prompt-care Data. Several observations were also made at the prompt-care clinic in the west side K-mart center. On only four observations the peak parking was 29 cars. There are 30 spaces at this clinic. The staff (five to six cars) typically parks in the drive aisle making the 30 spaces available for patients. This observation suggests that prompt-care uses all of the 30 spaces at some time during the open hours plus 6 aisle spaces for a total of 36 spaces. These observations were also done in the off peak season and a generally slow period for Bloomington business. Prompt-care is 4,100 sf. The data suggests that Med Express at typically 5,000 sf would experience about 44 parked cars during this off peak period.

Site Plan. Med Express is making significant building and site improvements as the clinic occupies the old Chinese restaurant site. The building is being totally refurbished. 37 parking spaces and an entry drive are being removed and replaced with landscaping. The landscaping includes a rain garden. The existing landscaping is being removed or pruned as necessary to make it compliment the overall plan. New controlled down lighting is being added and the old uncontrolled lights removed.

The following items are being submitted with this variance request;

- Patient arrival and length of stay data for December 2012- January 2013 for 12 sites
- Parking counts for two sites on May 31, 2013
- Observations for prompt-care
- Site, landscape and lighting plans
- Application form and fee

Temporary Occupancy. The building remodeling and staff preparation will be complete and the facility ready to open in late July. The BZA hearing is also in late July. As follow-up to our conversation last week Med Express would like a 30 day temporary occupancy for substantial

Smith Neubecker & Associates, Inc.



completion of the site work and 60 days for completion of the landscaping. A definitive response on this question will allow planning of the opening of the facility.

Thank you for your assistance as we move this project towards final approvals and construction.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'S. L. Smith', is written over a faint, larger version of the signature.

Stephen L. Smith
Smith Neubecker & Assoc., Inc.
Engineer for Med Express

Cc; file, Med Express
Encl



Med Express Parking Variance

SNA Project #4943

6/20/2013

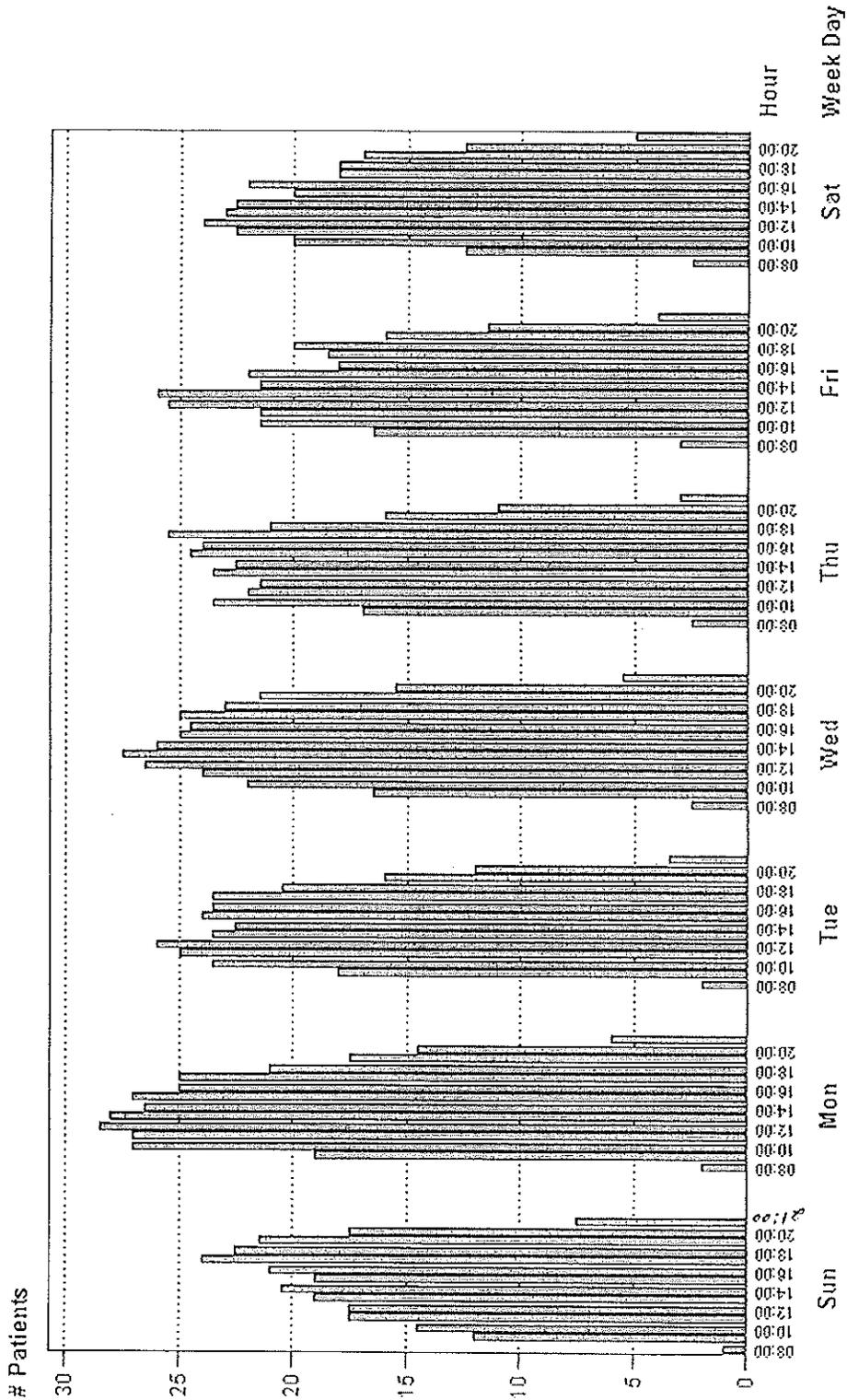
Med Express

Patient Arrivals and Average visit time for December 1, 2012 to January 31, 2013

<u>Location</u>	<u>Peak Arrivals (PA)</u>	<u>Average visit time (T) in minutes</u>	<u>Peak Parking demand PA x T/60</u>
1	28	74	34.5
2	42	52	36.4
3	33	71	39.1
4	33	64	35.2
5	26	56	24.3
6	48	53	42.4
7	22	95	34.8
8	24	48	19.2
9	24	58	23.2
10	25	61	25.4
11	36	72	43.2
12	28	63	29.4
Minimum Patient Parking Demand			19.2
Maximum Patient Parking Demand			43.2
Average Patient Parking Demand			32.3
3rd Quartile Patient Parking Demand			38.4
Staff Parking Demand			12
Total Parking Demand			50.4

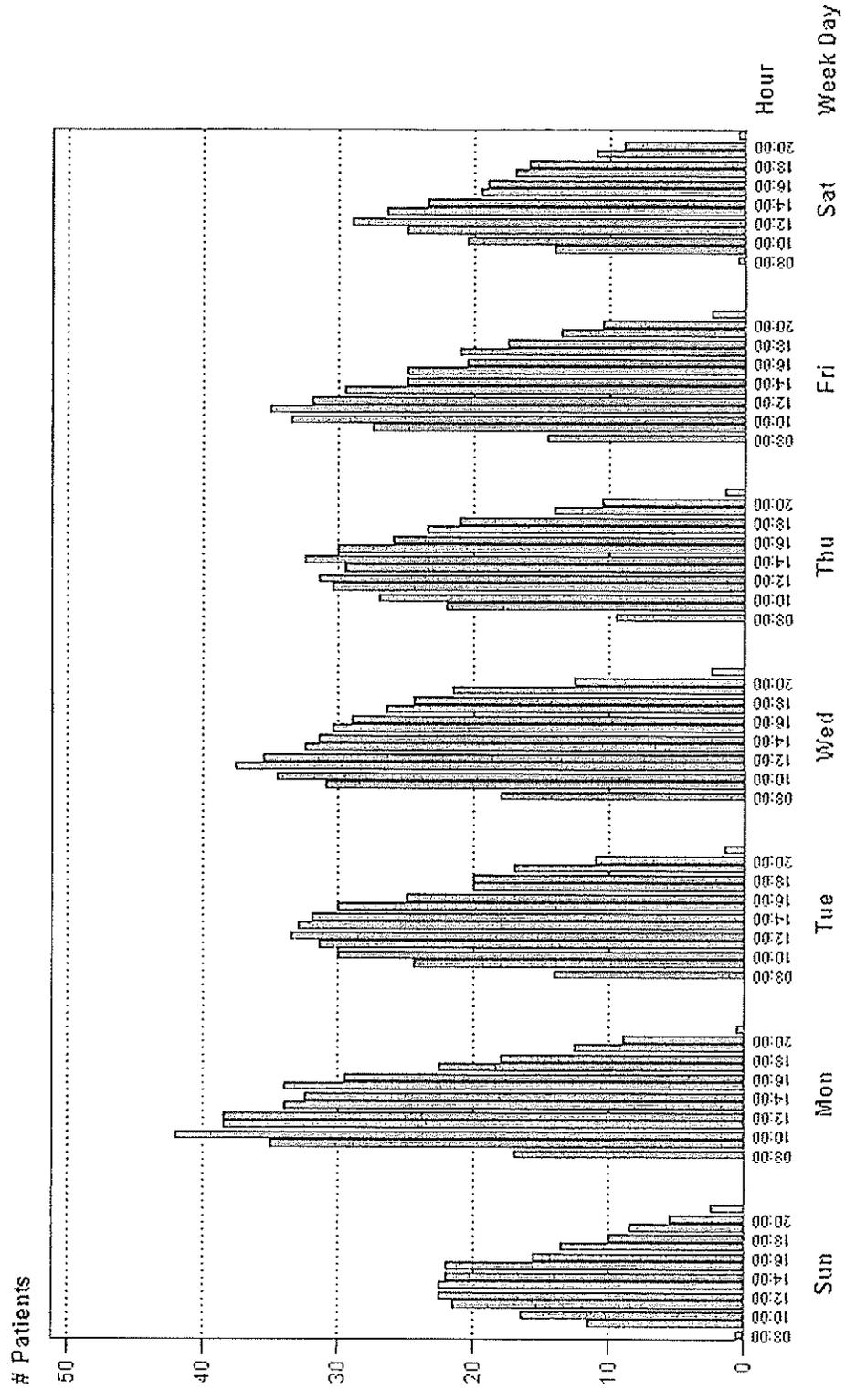
SITE 1
(check-in)

Average Number of Patients in Center by Hour
01Dec2012 - 31Jan2013



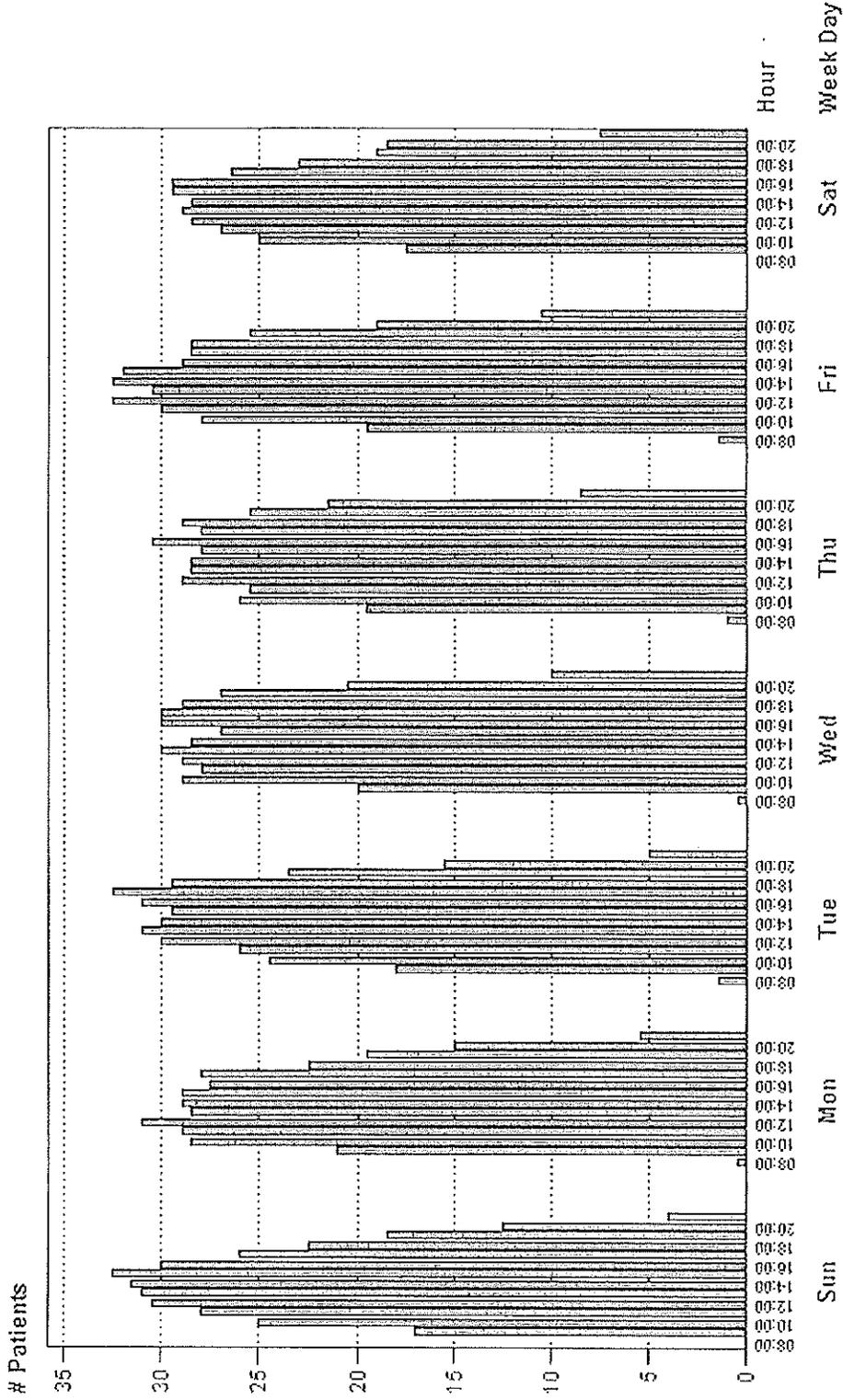
SITE 2

, WV: Average Number of Patients in Center by Hour
01Dec2012 - 31Jan2013



SITE 3

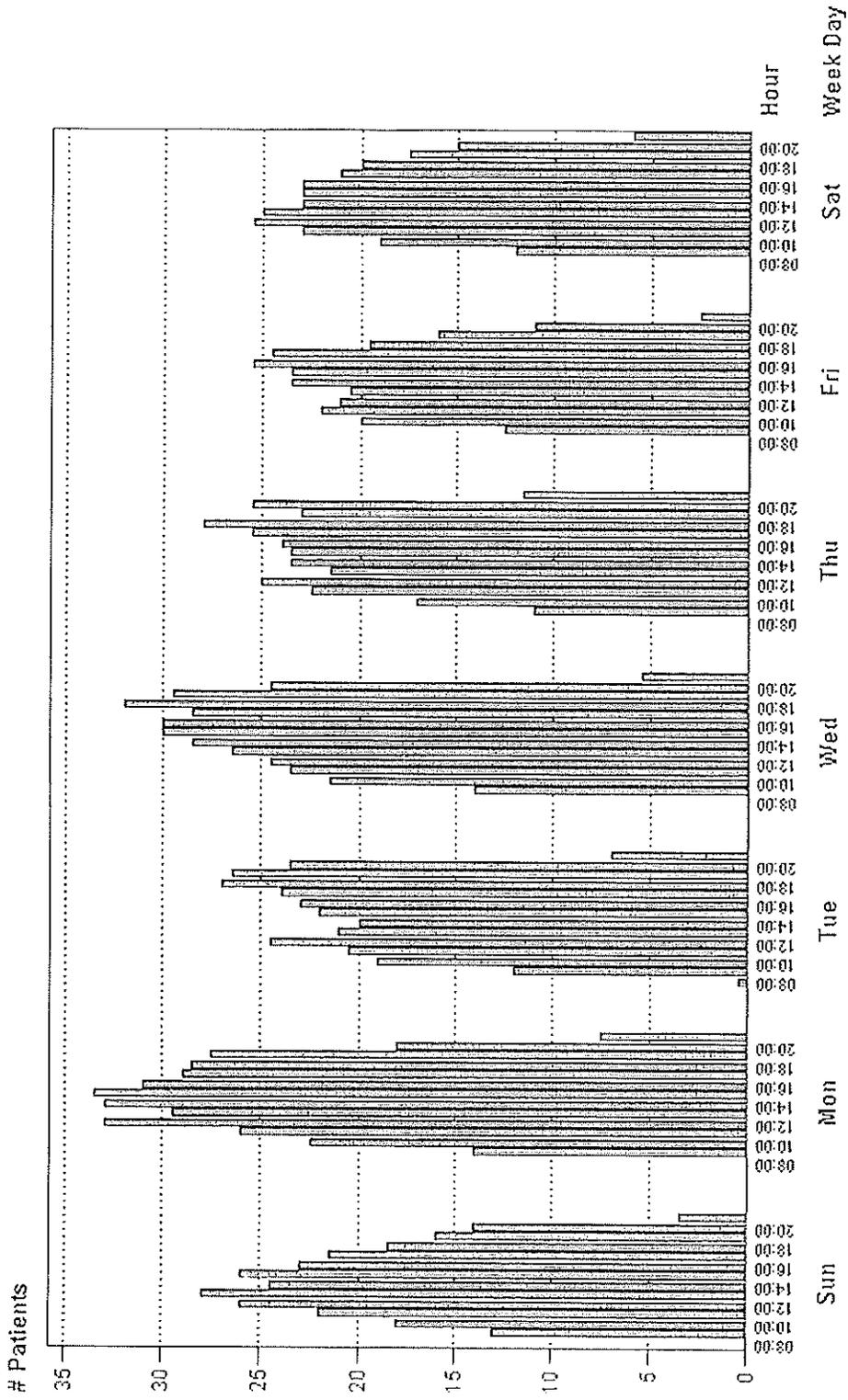
Average Number of Patients in Center by Hour
01Dec2012 - 31Jan2013



SITE 4

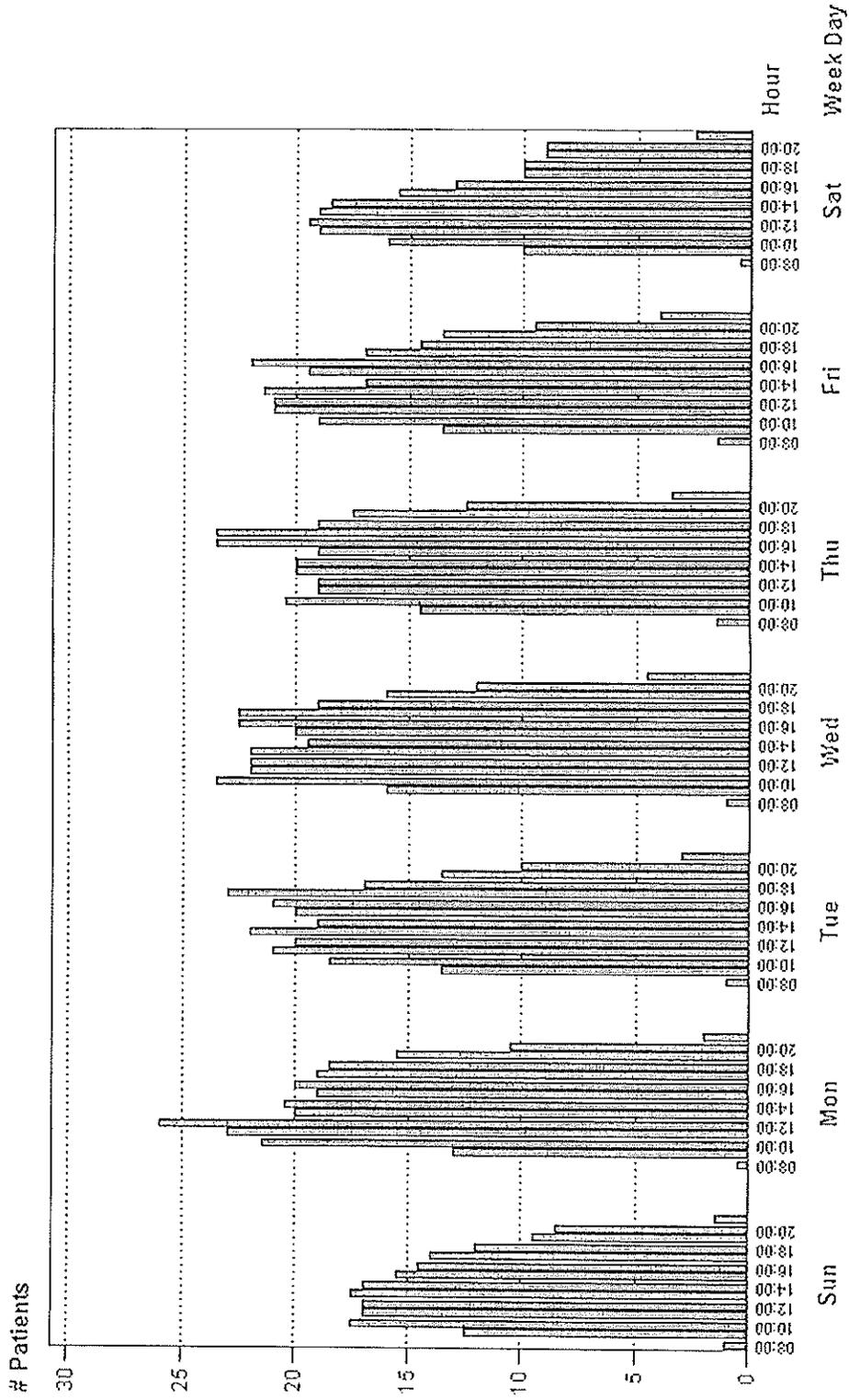
Average Number of Patients in Center by Hour

01Dec2012 - 31Jan2013



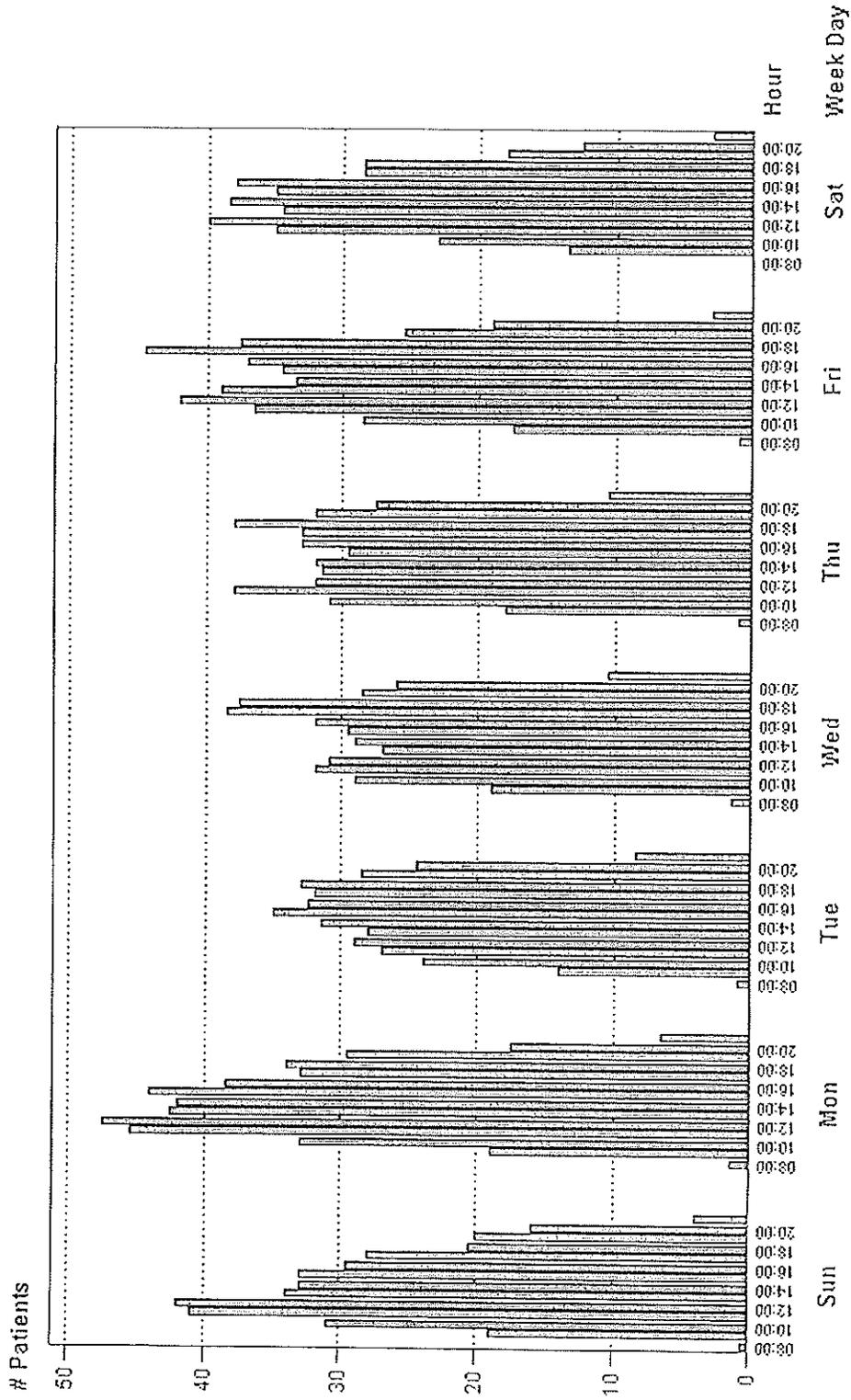
SITE 5

Average Number of Patients in Center by Hour
01Dec2012 - 31Jan2013



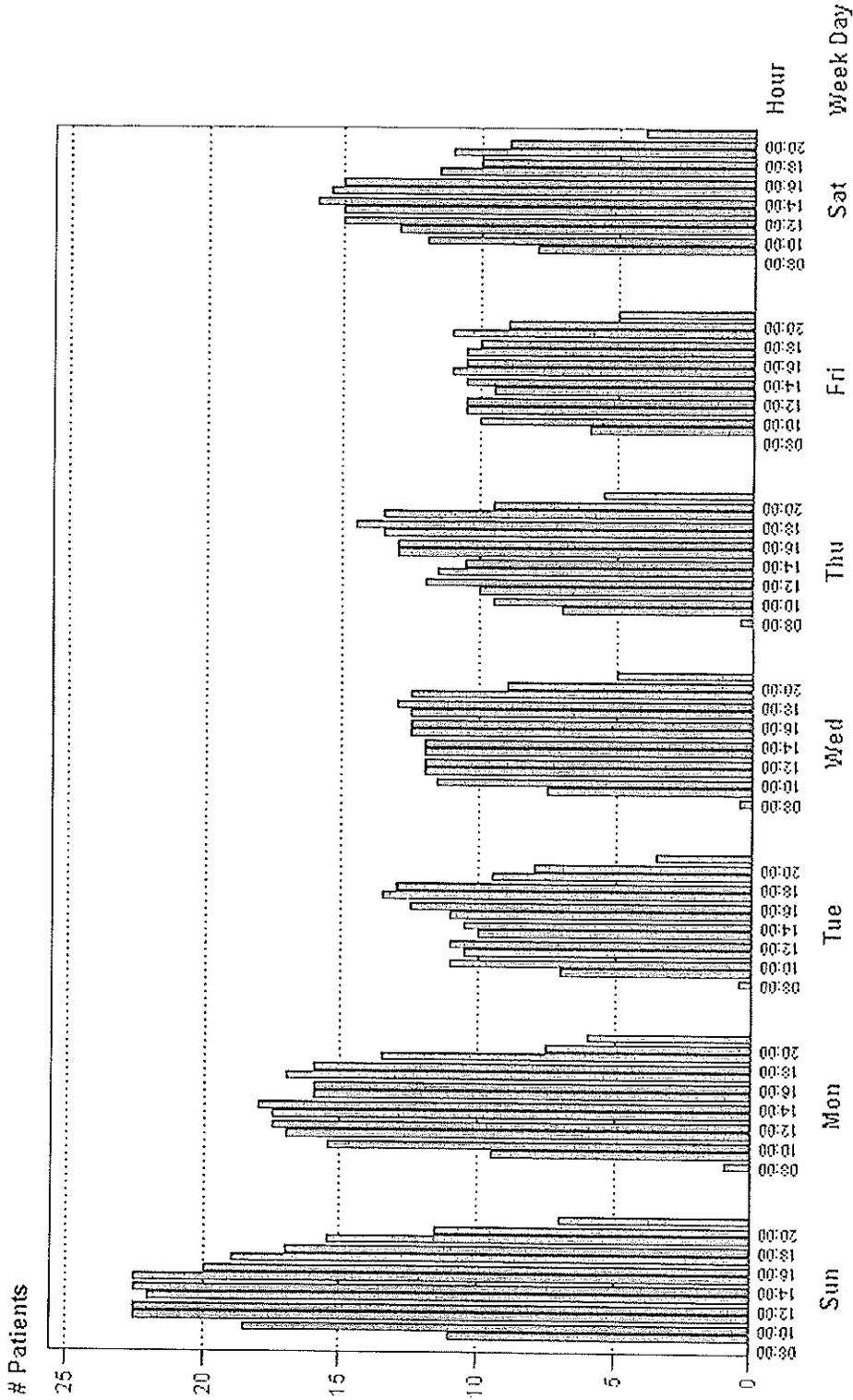
SITE 6

Average Number of Patients in Center by Hour
01Dec2012 - 31Jan2013



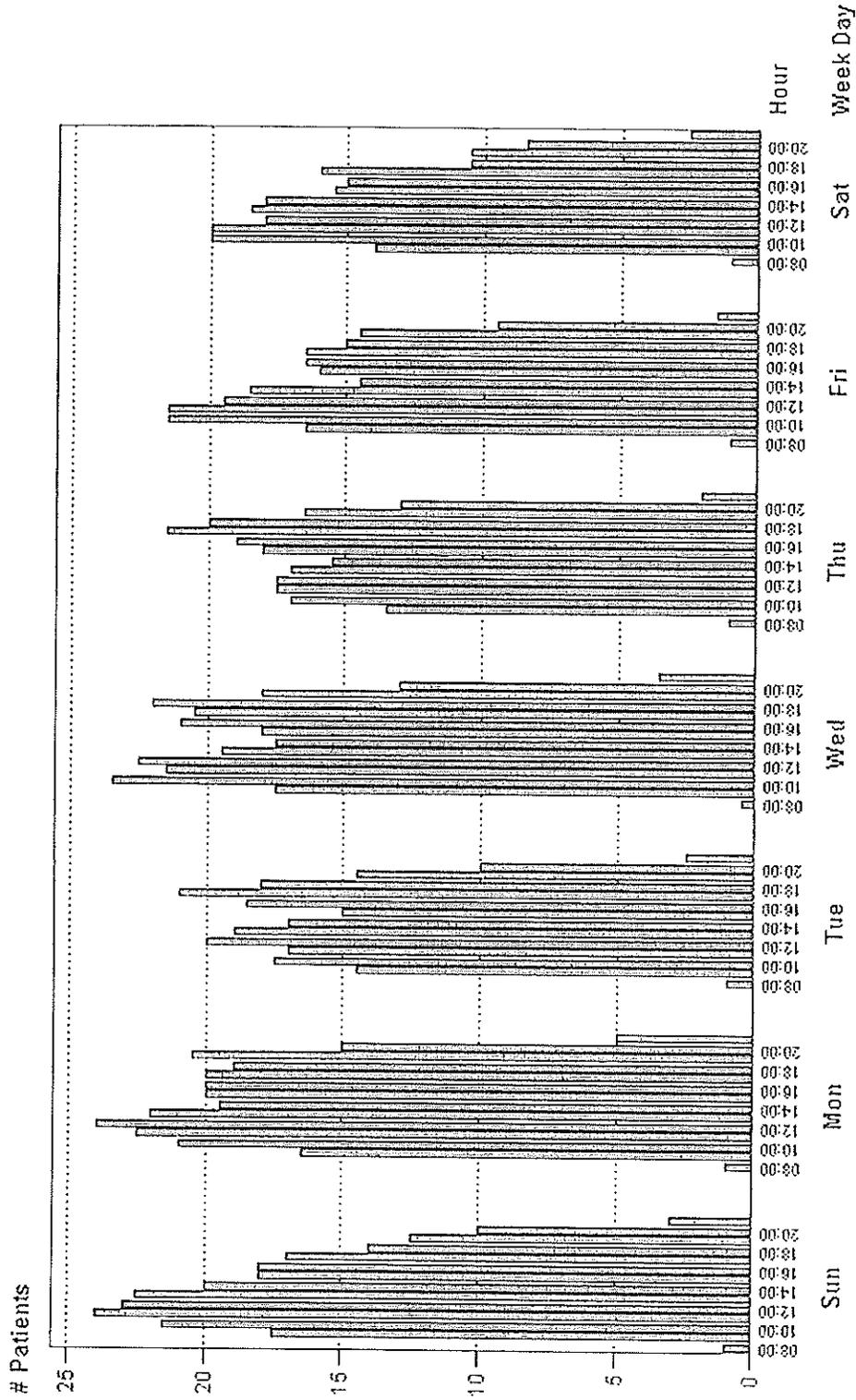
SITE 7

Average Number of Patients in Center by Hour
01Dec2012 - 31Jan2013



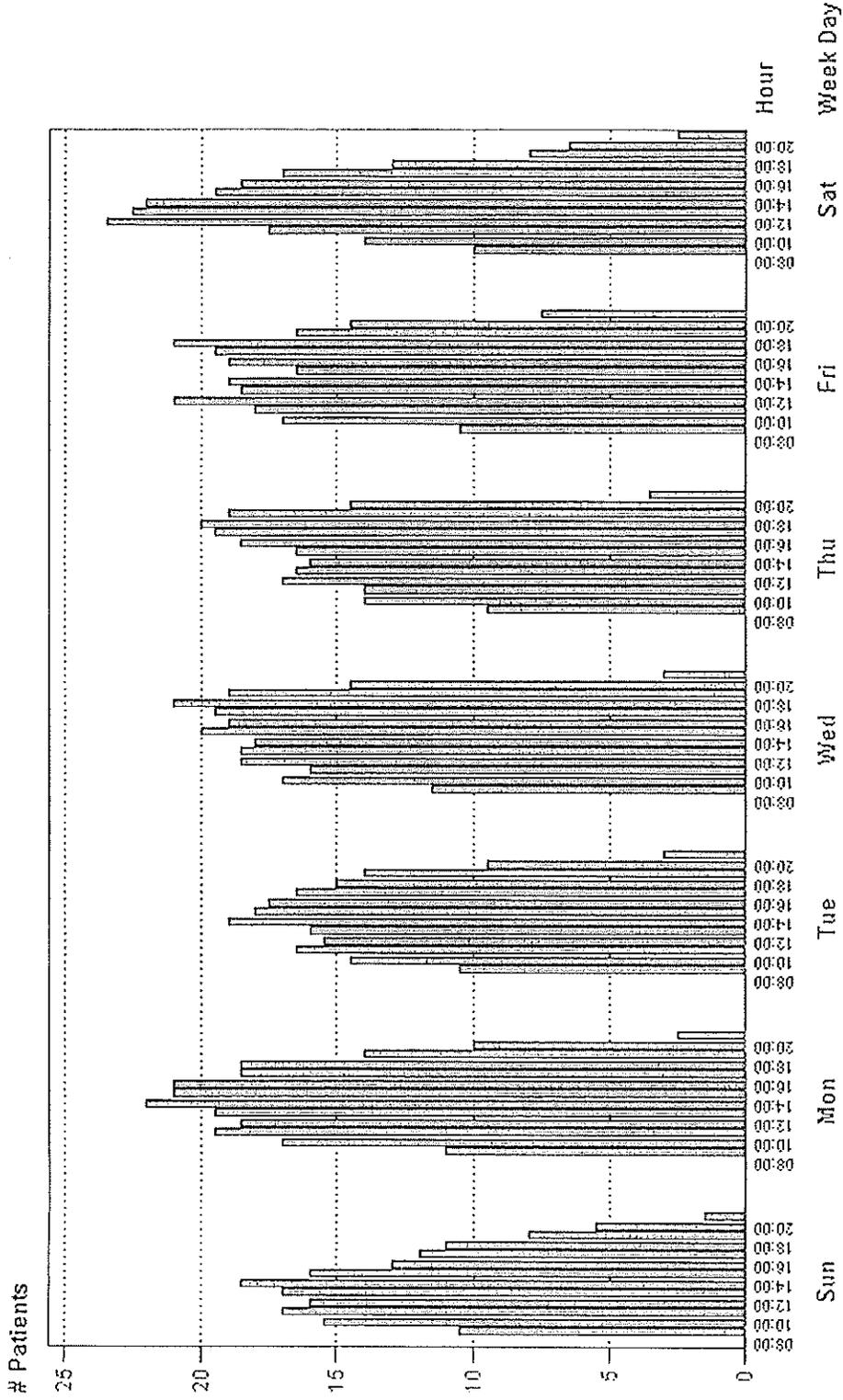
SITE 8

Average Number of Patients in Center by Hour
01Dec2012 - 31Jan2013



SITE 9

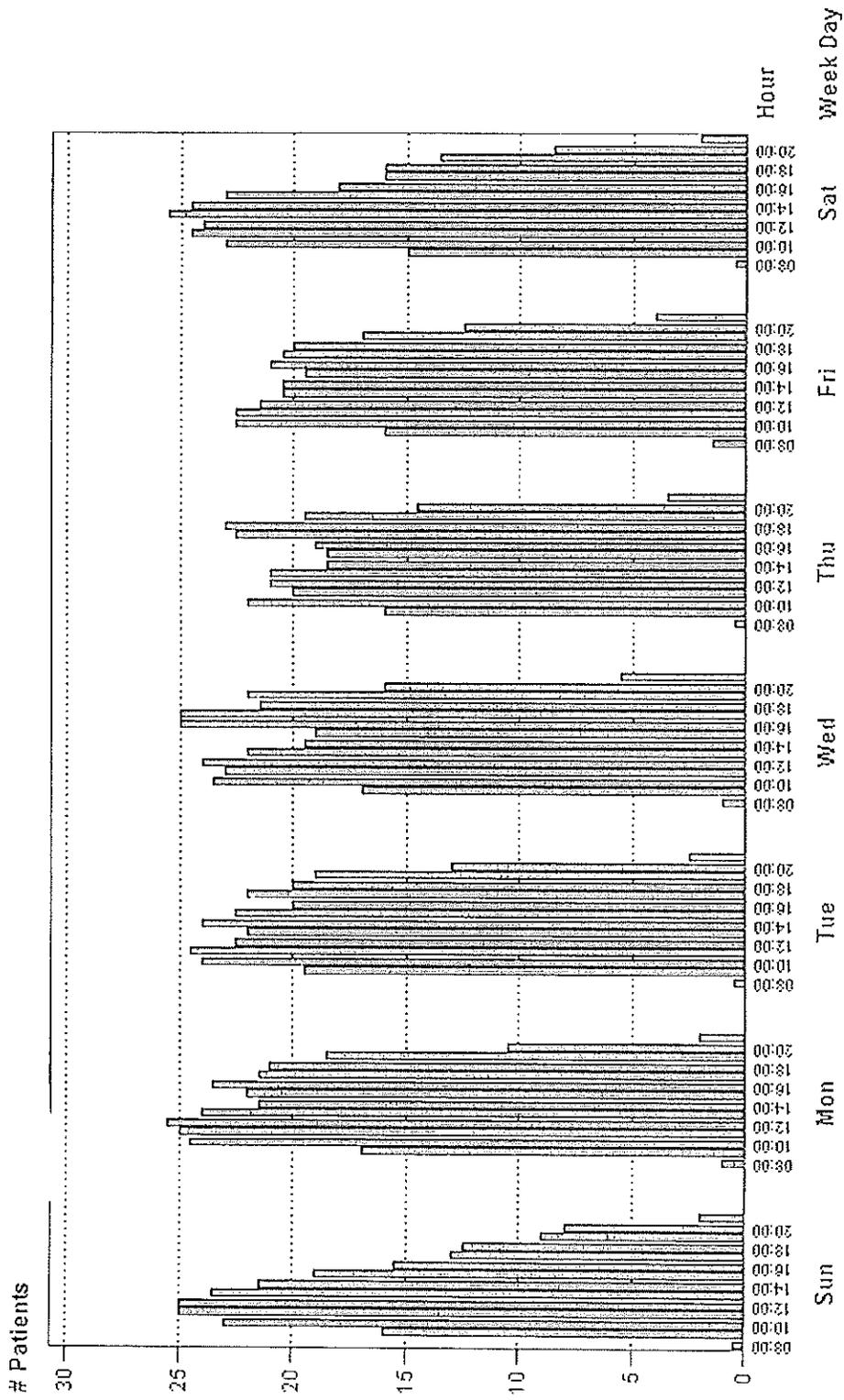
Average Number of Patients in Center by Hour
01Dec2012 - 31Jan2013



SITE 10

Average Number of Patients in Center by Hour

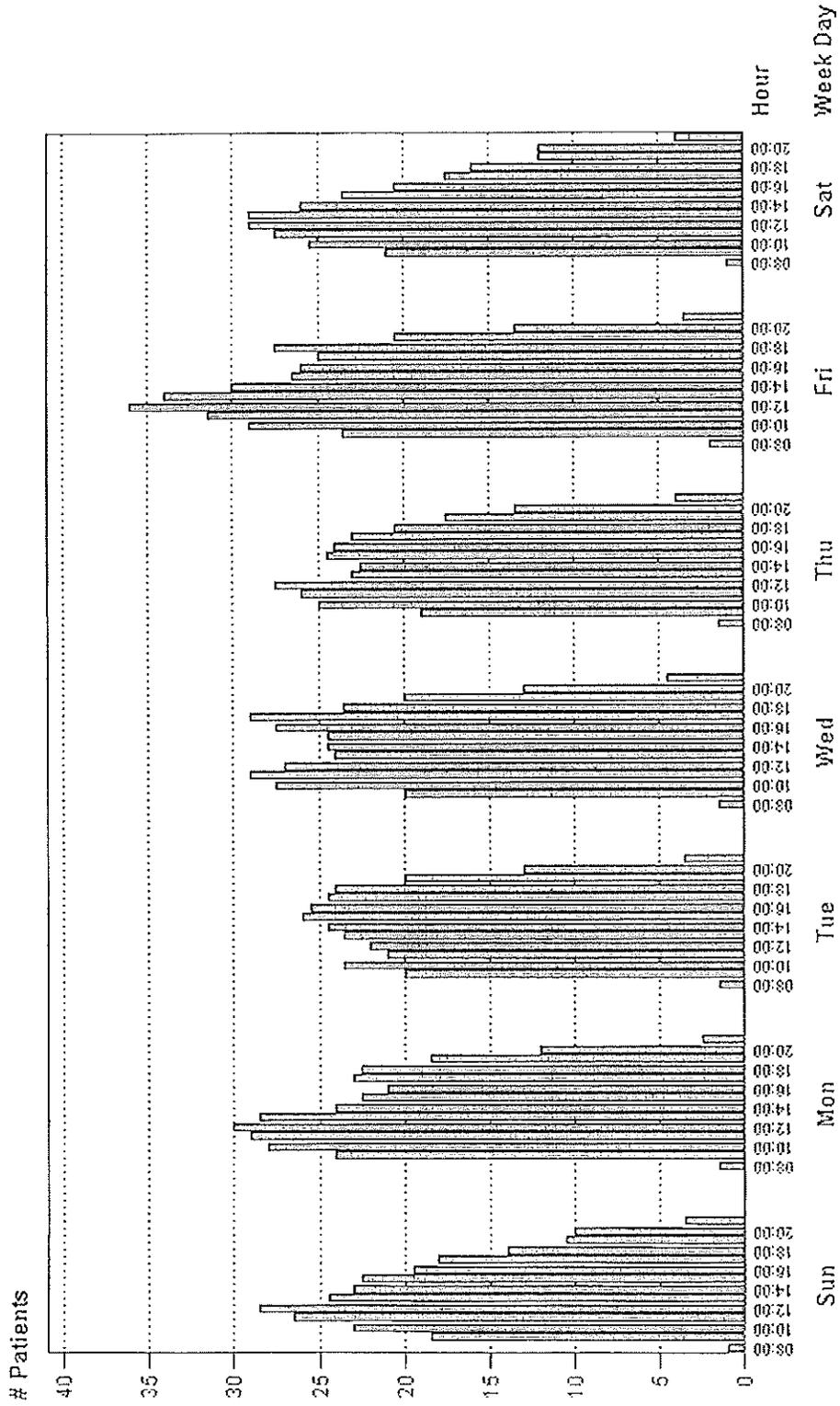
01Dec2012 - 31Jan2013



SITE 11

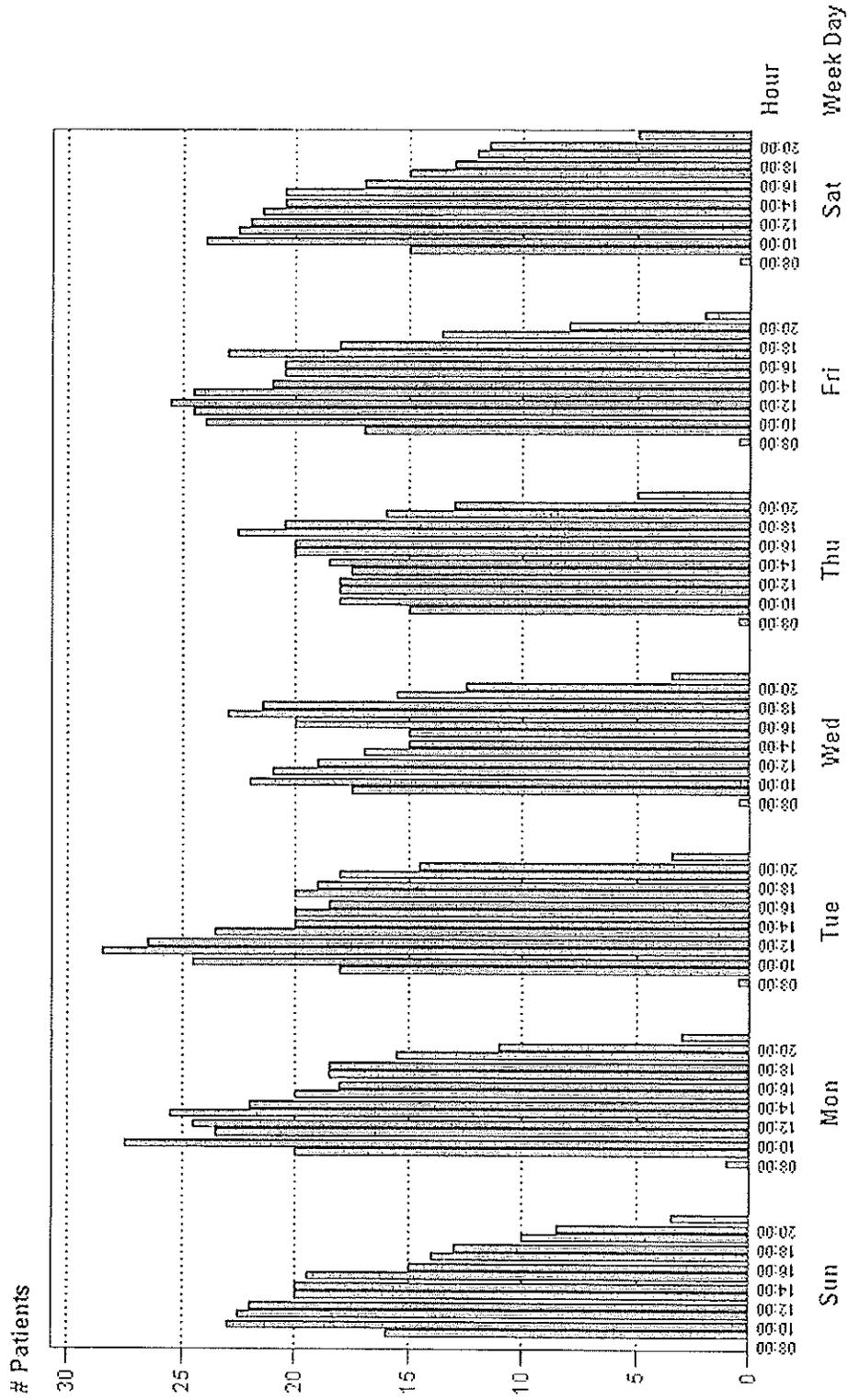
Average Number of Patients in Center by Hour

01Dec2012 - 31Jan2013



SITE 12

Average Number of Patients in Center by Hour
01Dec2012 - 31Jan2013





Med Express Parking Variance

SNA Project # 4943

6/20/2013

Parking Observation at Promptcare on west SR 48

Square feet 4100
 Parking Provided on site; 30

<u>Date</u>	<u>Time</u>	<u>Parked Cars</u>	<u>Comment</u>
5/24/2013	1:23	19	5 cars parked along aisle
5/24/2013	11:30	24	5 cars parked along aisle
5/22/2013		29	6 cars parked along aisle
6/3/2013	11:45	22	4 cars parked in the drive aisle

Med Express square feet 5580
 Med Express square feet typ 5000
 Size ratio to Promptcare 1.22

Comments;

Promptcare has 30 parking spaces but the staff consistently parks in the drive aisles. In only 4 observations the maximum parked cars observed was 29 which left 7 spaces open in the parking lot. I suspect that the parking lot fills or is very close to filling on a typical day or the staff would not perceive the need to park in the aisles. These 4 observations show a maximum of 29 parked cars but observation over several hours would most likely show a lot at or near capacity; that would be up to 36 parked cars.

These observations are in non flu season; off peak season and summer in this University Community

	Factored by 1.22 to compare with Med Express	
Observed maximum	29	35.38
Expected maximum	36	43.92

Employee Parking lot count every 15 minutes.

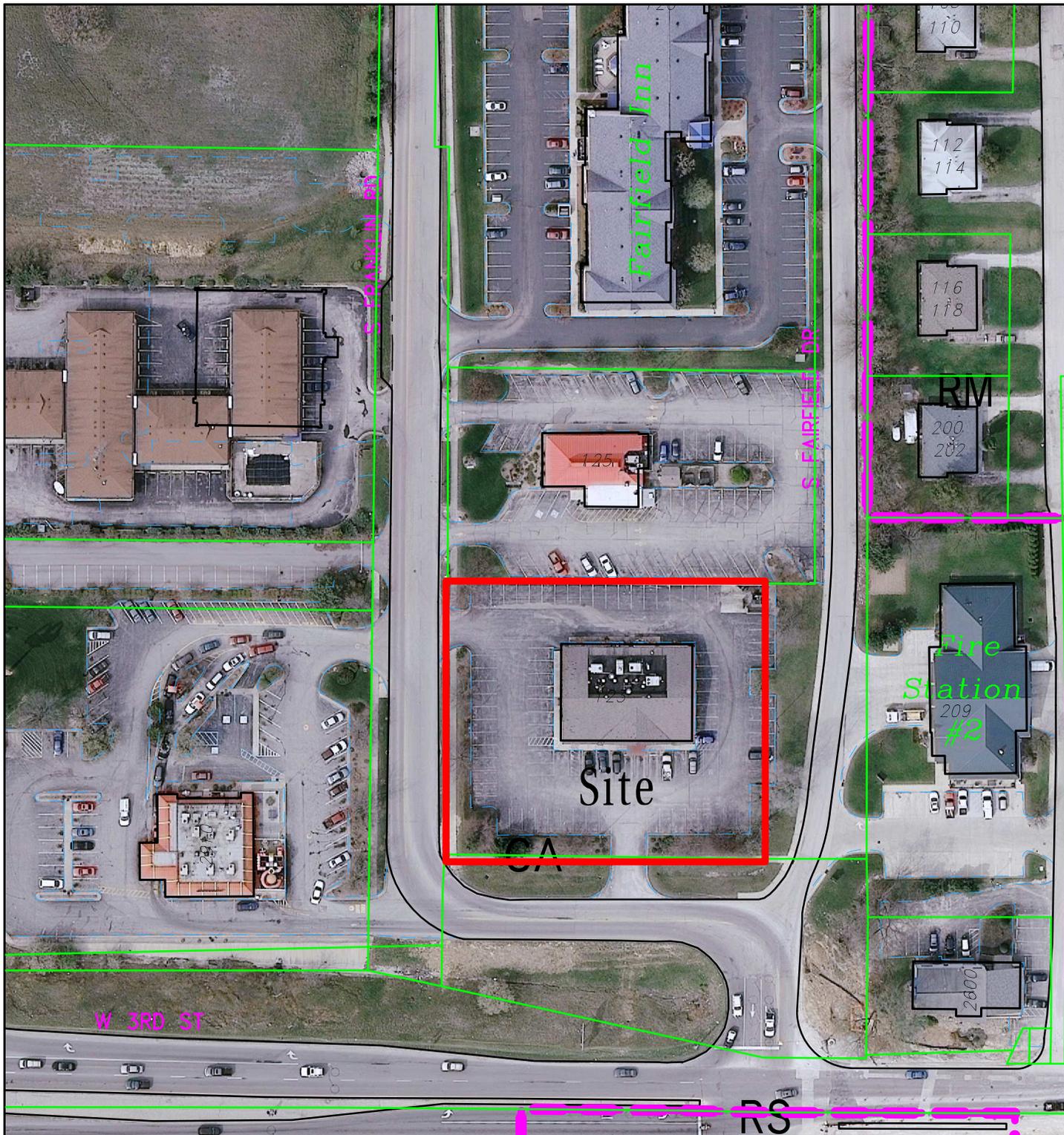
Site #1.

1. 16	13. 18	25. 19	37. 31
2. 20	14. 16	26. 18	38. 36
3. 21	15. 18	27. 19	39. 31
4. 19	16. 15	28. 20	40. 29
5. 26	17. 16	29. 18	41. 25
6. 30	18. 16	30. 18	42. 23
7. 38	19. 18	31. 20	43. 20
8. 29	20. 19	32. 21	44. 18
9. 24	21. 22	33. 24	45. 18
10. 20	22. 22	34. 25	46. 17
11. 18	23. 20	35. 27	47. 15
12. 20	24. 16	36. 30	48. 14

Employee Parking lot count every 15 minutes.

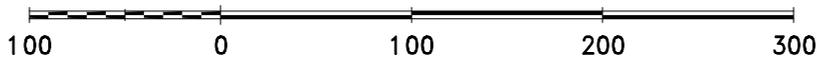
Site #1.

1. 19	13. 24	25. 19	37. 20
2. 23	14. 25	26. 19	38. 19
3. 24	15. 23	27. 17	39. 21
4. 24	16. 21	28. 18	40. 20
5. 28	17. 19	29. 20	41. 19
6. 29	18. 18	30. 21	42. 18
7. 31	19. 19	31. 21	43. 19
8. 33	20. 21	32. 23	44. 17
9. 39	21. 18	33. 20	45. 17
10. 36	22. 20	34. 21	46. 16
11. 32	23. 24	35. 23	47. 15
12. 30	24. 23	36. 20	48. 13

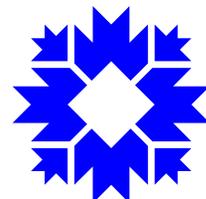


V-29-12 MedExpress
 123 S Franklin Rd
 Board of Zoning Appeals
 2010 Aerial Photograph

By: greulice
 18 Jul 13

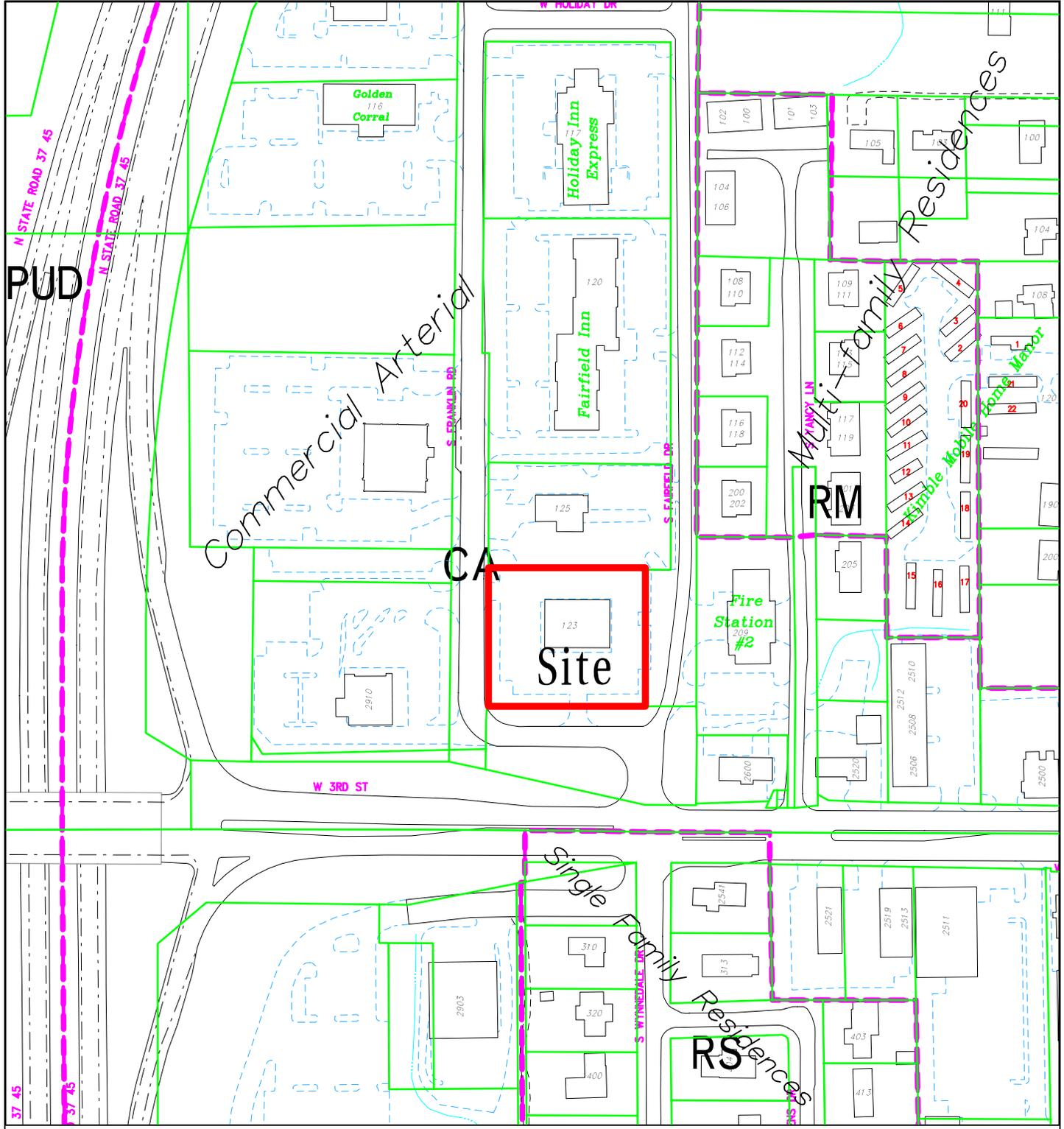


City of Bloomington
 Planning



Scale: 1" = 100'

For reference only; map information NOT warranted.



PUD

Commercial Arterial

CA

Site

RM

Multi-family

Residences

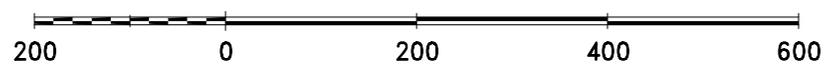
Mobile Home Manor

Single Family Residences

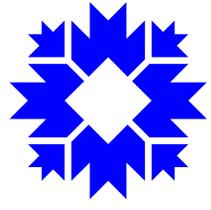
RS

V-29-13 MedExpress
 123 S Franklin Rd
 Board of Zoning Appeals
 Site Location, Zoning, Land Use, Parcels

By: greulice
 18 Jul 13



City of Bloomington
 Planning



Scale: 1" = 200'

For reference only; map information NOT warranted.

**BLOOMINGTON BOARD OF ZONING APPEALS
STAFF REPORT
LOCATION: 922 S. Morton Street**

**CASE#: CU/V-31-13
DATE: July 25, 2013**

PETITIONER: Morton & Eleventh LLC
1821 E. Ruby Lane, Bloomington

REQUEST: The petitioners are requesting conditional use approval to allow a Heavy Manufacturing use in an Industrial General (IG) zoning district. Also requested is a variance from sidewalk requirements.

REPORT SUMMARY: The property is located on the west side of S. Morton Street between W. Dodds Street and W. Allen Street. It is zoned Industrial General (IG) and has been developed with a one story commercial building currently being used for storage. The property is surrounded by single family residential uses to the north and west, an industrial use to the south and future single family uses in the B-Line Station development to the east. The property is within the McDoel Gardens Neighborhood and is located immediately west of the B-Line Trail.

Recent Indiana state law changes now allow for small scale distilleries with on-site sales and tastings. The petitioners propose to purchase the building, add a second floor and open a craft distillery. Because of the flammable nature of the process and product, the UDO defines this use as Heavy Manufacturing. This use requires conditional use approval in the IG district. The distillery would include approximately 2,600 square feet of production, bottling and storage area and approximately 2,300 square feet of retail, tasting, kitchen, and office space. Parking for heavy industrial uses is 1 space per employee on the largest shift. The petitioners anticipate 8-10 employees and are proposing 8 parking spaces. An existing loading area on the rear of the building would continue to be used. The petitioners also plan a 2-story outdoor deck on the front/east side of the building facing the B-Line Trail.

In addition to the conditional use approval for the use, the petitioners are also requesting a determinate sidewalk variance. There is 9+ feet of grade change in the 40 feet between the edge of Morton St. and the front of the building. If the petitioners were to build the required sidewalk, it would need to be a 6-foot wide monolithic sidewalk with a 2-4 foot tall retaining wall. It would require the relocation of at least one traffic sign and possibly a fire hydrant and a utility pole. The property to the North has similar grade issues. Connecting the front of the building to the street and sidewalk would also require a 120 foot long switchback ramp. There is no on-street parking on Morton St., there are no other sidewalks in this area of Morton St., and the B-Line Trail immediately to the east serves the vast majority of both the north and south bound pedestrian traffic in the area. Staff finds that an effective sidewalk network for this area would need to be designed and implemented in a more coordinated manner within the larger context of Morton St. to adequately address grade and barrier issues.

Bicycle and Pedestrian Safety Commission: This project was reviewed by the

Bicycle and Pedestrian Safety Commission (BPSC) at their meeting held on July 15th. The BPSC agreed that the steep grade on the site presents a challenge to constructing a sidewalk at this location and that the proximity of the site to the B-Line Trail, combined with low motor vehicle volumes and speeds on Morton St, provide good pedestrian access to the site.

McDoel Garden Neighborhood Association: The petitioners presented this project to the executive committee of the McDoel Gardens Neighborhood Association on July 9th. The committee asked questions about lighting, sidewalks, connections to the B-Line and parking, deliveries, trash and odor. In general, the committee was excited about the project and how this development, Monon Crossing and B-Line Station will encourage additional redevelopment and reinvestment.

Criteria and Findings for Conditional Use Permits

20.05.023(b) Conditional Use; General Standards

No Conditional Use approval shall be granted pursuant to *Chapter 20.09: Processes, Permits, and Fees* unless the petitioners shall establish that the standards for the specific Conditional Use are met and that the following general standards are met:

- 1) *The proposed use and development must be consistent with the Growth Policies Plan and may not interfere with the achievement of the goals and objectives of the Growth Policies;*

STAFF FINDING: The Growth Policies Plan identifies this area as “Employment Center.” The proposed Heavy Industrial use and the IG zoning district is consistent with this land use designation.

- 2) *The proposed use and development will not create nuisance by reason of noise, smoke, odors, vibrations, or objectionable lights;*

STAFF FINDING: All lighting on the property must meet UDO requirements for fixture type and glare. The petitioners have no immediate plans for brewing grains but may do this in the future. While brewing grains can create a sweet “bread baking” type smell, staff has never received odor complaints from the two brewpubs in the City. Staff finds no concerns regarding noise, smoke, or vibrations.

- 3) *The proposed use and development will not have an undue adverse impact upon the adjacent property, the character of the area, or the public health, safety and general welfare;*

STAFF FINDING: Staff finds no adverse impact from this use. This use is classified as a conditional use due to the flammable nature of the process and product. The petitioners and their architect are working closely with the County Building Department and City Fire Department to ensure that the use will meet all building

and fire codes for a use of this type. Other impacts of the use will be no more than a permitted industrial use in the IG district.

- 4) *The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities, stormwater management structures, and other services, or that the applicant will provide adequately for such services;*

STAFF FINDING: This use requires no additional infrastructure service improvements. The site is bordered by a public alley to the west and south. The petitioners plan to install a fence to screen the use from the homes to the west. Staff recommends that a survey be conducted prior to release of a building permit to ensure that the fence does not block access to the alley.

- 5) *The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets;*

STAFF FINDING: Because of the small size of the tasting room, the use will likely be a low traffic generator and will not draw significant amounts of traffic through the neighborhood streets to the west.

- 6) *The proposed use and development will not result in the excessive destruction, loss or damage of any natural, scenic, or historic feature of significant importance;*

STAFF FINDING: There are no natural, scenic, or historic features on the property.

- 7) *The hours of operation, outside lighting, and trash and waste collection must not pose a hazard, hardship, or nuisance to the neighborhood.*

STAFF FINDING: No special lighting or unusual hours of operation are proposed with this request. The business is not anticipated to operate after 8 PM.

- 8) *Signage shall be appropriate to both the property under consideration and to the surrounding area. Signage which is out of character, in the Board's determination, shall not be approved.*

STAFF FINDING: Specific signage has not been provided, but will need to meet the signage standards of the UDO.

- 9) *The proposed use and development complies with any additional standards imposed upon the particular use by Chapter 20.05; §CU: Conditional Use Standards.*

STAFF FINDING: There are no additional conditions for Heavy Industrial uses.

CRITERIA AND FINDINGS FOR SIDEWALK VARIANCE

Determinate Sidewalk Variances 12.04.005- Any person subject to the requirements of Sections 12.04.001 or 12.04.003 who believes it impractical to construct a sidewalk on the lot or tract at present may apply to the board of zoning appeals for a variance that is determinate with respect to the criteria for variance and the time period during which such criteria are in effect, and with respect to the time period during which the variance is effective. The board may grant a variance if construction of sidewalks appears impractical based upon, but not limited to, the following considerations:

- (1) *The adjacent lot or tracts are at present undeveloped, but it appears that at some future date these lots or tracts will be developed, increasing the need for sidewalks for the protection and convenience of pedestrians; or*

Staff Finding: The adjacent parcel to the north is also zoned IG, but currently contains a single family house. The property to the south is developed but includes a very wide open street cut. Redevelopment of these properties would make construction of a sidewalk more desirable.

- (2) *The location of the lot or tract is such that the present pedestrian traffic does not warrant the construction of sidewalks, but it appears that in the future the pedestrian traffic may increase; or*

Staff Finding: The presence of the B-Line Trail to the east serves the vast majority of pedestrian traffic in the area. Future redevelopment of S. Morton Street into consumer oriented businesses may make the need for additional pedestrian facilities on the west side of Morton Street more important.

- (3) *Uniformity of development of the area would best be served by deferring sidewalk construction on the lot or tract until some future date.*

Staff Finding: Construction of a sidewalk on this property should be delayed until such time as it is feasible to extend a sidewalk system to the north through construction of retaining walls on this and adjacent lots. Retaining walls will be essential to sidewalk construction and without additional land the sidewalk would end at the property line with a retaining wall blocking northbound pedestrians. Staff finds that a unified design for the larger streetscape would be a more appropriate and effective approach.

RECOMMENDATION: Based on the written findings above, staff recommends approval of CU/V-31-13 with the following conditions.

1. All site lighting must meet UDO standards for fixture type and glare.
2. Handicap accessible parking space should be moved further north to a spot with less slope to better accommodate wheelchair lifts.
3. Prior to the installation of any fence, the petitioners shall conduct a property survey to ensure the proposed fence is not within the public alley right-of-way.

4. The petitioners shall continue to work with City Staff to construct a connector path from the edge of Morton St. to the B-Line Trail.
5. Prior to release of a building permit, the petitioners shall execute and record a zoning commitment which states that a determinate sidewalk variance has been approved, and at some time in the future a concrete sidewalk along S. Morton St. and a connector sidewalk between the site and the street may be required.
6. Prior to release of a building permit, a revised landscaping plan must be submitted to meet UDO standards. This must include location of utility lines and specific planting species.
7. Final approval of utility connections and pre-treatment of wastewater from City of Bloomington Utilities is required prior to release of a building permit.

MEMORANDUM

TO: MEMBERS OF THE PLAN COMMISSION

FROM: VINCE CARISTO/BICYCLE AND PEDESTRIAN COORDINATOR
Planning Dept. liaison to the Bloomington Bicycle and Pedestrian Safety Commission

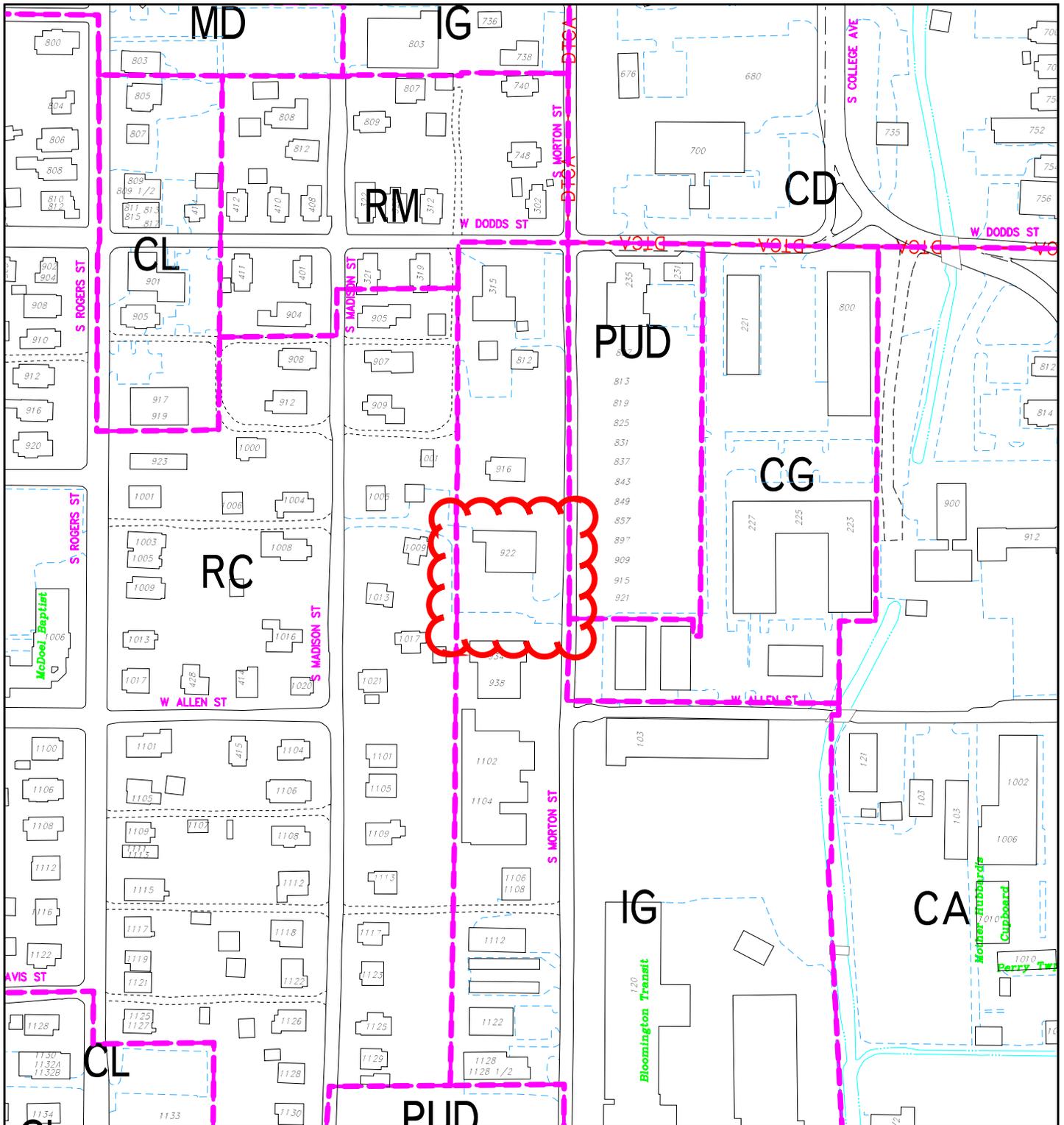
RE: 922 S. Morton Street

DATE: July 15, 2013

The Bloomington Bicycle and Pedestrian Safety Committee (BBPSC) reviewed the request for a determinate sidewalk variance at their regular meeting on July 15, 2013. The Commissioners agree that the steep grade on the site presents a challenge to constructing a sidewalk at this location. The proximity of the site to the B-Line trail, combined with low motor vehicle volumes and speeds on Morton St, provide good pedestrian access to the site.

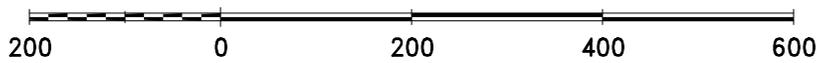
Recommendation

- The Commission supports the request for a determinate sidewalk variance at this location.

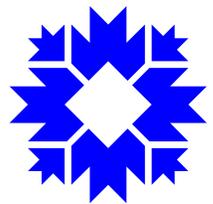


CU/V-31-13
Location Map

By: roachja
17 Jul 13



City of Bloomington
Planning



Scale: 1" = 200'

For reference only; map information NOT warranted.



June 25, 2013

Mr. James Roach, AICP
Senior Zoning Planner
City of Bloomington
401 N. Morton Street, Suite 160
Bloomington, IN 47402

RE: 922 S. Morton Street – Cardinal Spirits
Petitioner's Statement for Conditional Use Permit and Sidewalk Variance

Dear Jim:

As follow up to our recent meetings, we write to request approval of a conditional use permit and a sidewalk variance for the above referenced property.

By way of background, 922 S. Morton was formerly a sheet metal and roofing fabrication manufacturing facility. Since that business moved out the building has been used mainly for storage. Over time, maintenance has been deferred, and some vandalism has occurred. Cardinal Spirits will invest significantly in the building in order to make it suitable for its use and occupancy.

Cardinal Spirits' redevelopment and future use of the property is described in detail in the attached summary.

Conditional Use Permit

The proposed repurposing of 922 S. Morton meets the standards for Conditional Use Permits found in the UDO. Specifically:

- The Growth policies plan contemplates local business investment, job creation, and building redevelopment along the B-Line Trail;
- Production, storage, and on-site sales will be performed in a safe and environmentally sustainable manner, and otherwise in accordance with all applicable laws and regulations;
- Significant investment in the building and lot will have a positive impact on adjacent property and the character of the area;
- The building requires no additional public infrastructure or services, and Tenant will upgrade its water and wastewater facilities;
- The building is not on the historic survey and there are no natural features on the site that will be negatively impacted.
- There will be regular hours of operation. Initially, our hours are expected to be 3pm - 8pm on Monday through Saturday, and 10am - 8pm on Sundays.

Sidewalk Variance

Installation of a sidewalk on with west side of Morton will create practical difficulty. Accordingly, we request a variance so as not to require sidewalk installation.

A number of peculiar conditions exist. Morton Street is 18' wide in front of the building, and without curb and gutter. As a result of the narrow roadway, if a sidewalk is installed, pedestrian safety could be an issue. However, the very steep slope up from the edge of pavement to the building elevation makes pushing the sidewalk away from the street very difficult (a large retaining wall would be required). Furthermore, there is a fire hydrant and a utility pole located in the area where a sidewalk could be located. There are no other sidewalks on lots along Morton for several blocks, and the steep slopes at the edge of pavement continue northward for several blocks. Furthermore, the property to the north is residential and is unlikely to change in the near future meaning a connecting sidewalk might never be built.

Fortunately, Bloomington's premiere pedestrian path – the B-Line Trail – is immediately across the street. Morton is a low traffic count street, so crossing it is not difficult. As a result, the B-Line provides for adequate – in fact superior - alternative pedestrian traffic flow. Given the peculiar conditions of the site, pedestrian traffic should be encouraged on the B-Line, and discouraged on the west side of Morton.

Summary

Thank you for your assistance as we move forward. We are very excited about the prospect of investing and growing our local business at 922 S. Morton Street.

Sincerely,

Jeff Wuslich

Adam Quirk

Cardinal Spirits is a craft distillery planning to locate in downtown Bloomington, IN. We're excited to help revitalize a marginal area around the BLine, where we foresee exciting things happening in the coming decade.

Below we have detailed our production process, safety procedures and equipment, tasting room, existing building, and proposed renovations.

Our Process

The distilling process is inherently sustainable, and has remained an integral part of most European agricultural communities for centuries. Farmers who produce an excess of fruit or grain can preserve the value of their work by distilling these crops.

While we do not plan to initially brew or mash directly from grain at our location (we will instead contract with Upland or Bloomington Brewing Company), we do plan to ferment fruits for our liqueur and cordial products on site. This will produce light fruit aromas inside the building, but from our experiences at other distilleries across the country, this smell, while pleasant, is not potent enough to be detectable outside the distillery. Our distillery will produce no bothersome noise, smoke, odors, vibrations, or objectionable lights.

After fermentation and distillation of fruit, there are leftover solid organic materials called "stillage". This material is traditionally used by the same farmers the distiller purchased the crop from, to be incorporated as either compost or animal feed. This material is collected in a closed tank until the farmer can collect it.

Producing spirits involves six steps: mashing, fermenting, distilling, maturing, filtering, and bottling.

1. Mashing - A distiller first cooks (mashes) sweet or starchy raw materials to convert starch to sugar. With bourbon, the mash is corn with a blend of barley, rye, or wheat. The mash is strained and the resulting sweet liquid (wort) is cooled and transferred to fermenting tanks.
2. As mentioned, we will be doing very little mashing at our facility. We will contract with a local brewery for this part of the process. That removes any grain and beer smells from the process.
3. Fermenting - The cooled wort is inoculated with yeast in fermentation tanks at around 85°F. Yeast converts the grain sugars into water, alcohol, and carbon dioxide.
4. Distilling - Distillation separates and concentrates alcohol from the fermented mash. Water, alcohol, and fusel oils have different boiling points that separate when heated. As the mash is heated, alcohol vapors rise into a condenser, where circulating cool water causes the vapors to return to liquid form, falling into a collection vessel. The distiller removes undesirable runoffs. "Heads" are lighter; "tails" are low-boiling-point compounds below the minimum acceptable proof level. The number of rounds of distilling depends on the taste the distiller desires. Additional rounds of distilling produce a smoother, purer product.
5. Maturing - Maturation is the storing and aging of distilled alcohol in barrels or tanks. Generally this applies to whiskey and brandy, but not vodka or gin. Maturation is also when brown spirits attain their coloring.
6. Filtering - After aging in the warehouse, the distilled liquor is emptied into tanks and filtered through various media to further purify the product.
7. Bottling - We proof the final product (reduce the percentage of alcohol by adding water) and transfer it to

bottles for packaging and distribution.

Our Safety Procedures and Equipment

The safety of our employees, our guests, our building/equipment, and our neighborhood is of the utmost importance to us. Safety is priority number one. Here are a some of the ways we plan to ensure the safety of all the related parties.

1. We will have a fully automated sprinkler system that will meet NFPA (National Fire Protection Agency) standards.
2. We will have a security system that will notify relevant parties of any emergencies.
3. We will have web-accessible security cameras in both the production area and tasting room.
4. Ethanol sensors will monitor air quality. These sensors paired with large bay doors, open windows, and our industrial HVAC system will be able to change the air quickly preventing any build up of ethanol.
5. Our still is an unpressurized vessel. Ethanol produced in the pot travels into a condenser and returns to liquid form before exiting into our grounded collection vessel. There is no hazard of pressure buildup, which is a common misunderstanding. The still we are purchasing from Carl in Germany is one of the highest-technology stills available on the market today. We will have temperature gauges and liquid sensors with audible alerts to prevent alcohol from overflowing our collection vessel.
6. Spillage will be contained, diluted, and drained into our pre-sewer collection tank at low ABV. In the event of a spill, our first action is to hose with water, this immediately dilutes the alcohol, reduces vapour evaporation and increasing flash point.
7. While studying at the MSU Distilling courses, we saw the crew using grounding cords on all of the tanks they used for high-proof spirit when transferring from container to container, or container to still, etc. They grounded the tanks and the stills to eliminate the possibility of static discharge. We plan to do the exact same at our facility.

Our Tasting Room: “The Birdhouse”

The Birdhouse will primarily function as an educational and brand-awareness center for our company. Many citizens are not aware of the difference between craft or artisan spirits, and the spirits you can buy in plastic gallon jugs. We want to show people the difference in quality that a craft distiller can achieve with the use of high quality, local ingredients, and small batch processing. The Birdhouse will also be the entrance to our guided tours. Guests will be greeted by a welcoming Birdhouse employee who will invite them to sign up for the next tour. Our location will likely be open to the public from 3pm - 8pm on Monday through Saturday, and 10am - 8pm on Sundays.

At the Birdhouse tasting bar, guests can taste samples of our spirits and either relax at a table inside, or take them outside to our outdoor patio area during the warm months. Outside we will have several communal farm tables as well as a few four-tops and two-tops. Outdoor seating will look out over our front lawn with herb, shrub, and flower plantings to the B-Line trail. We plan to be a bicycle-friendly establishment, with ample bike parking near our entrance. The founders all ride to work, and will incentivize employees to do the same. This and our adjacency to the B-Line will help to mitigate our relatively small parking lot.

Our Proposed Location at 922 S. Morton St.

The property is located midway between W Dodds Street and W Allen Street on the west side of Morton Street

(directly across the BLine from the new BLine Station project). The lot is approximately 120' (north to south) by 145' (east to west) according to the most current GIS data available. The existing 1-story concrete masonry building is 60' x 70' (4200 sf) with a 333 sf concrete masonry addition and a 75 sf metal storage addition at the west (rear) of the main structure. The roof consists of a single slope membrane that drains to a gutter and downspouts at the rear.

The proposed building improvements include a new roof to be built approximately 10' above the existing roof to allow for needed equipment clearances in the production space, as well as a partial mezzanine level for offices and future growth. The new exterior wall construction would be consistent with the existing structure to allow for continuity and strength. New glazing and entries are proposed on the south and east sides of the facade to allow for light and ventilation as well as display of production and retail spaces. An exterior patio and upper level deck will provide additional seating and views of the BLine activity. Automobile as well as bike parking will be provided at the existing paved parking area to the south of the building. An exterior stair will connect the main entry to the public right of way at Morton Street with hopes to establish a future direct connection to the BLine.

ALLEY (UNPAVED)

PROPERTY LINE (+/-145')

SIDE PARKING SETBACK

POWER POLE

STEEP GRADE

ORNAMENTAL TREE

ORNAMENTAL TREE

ORNAMENTAL TREE

DEMO PAVING
- NEW GRASS

TRASH/
RECYCLING

SERVICE
ACCESS

EXISTING 4533 SF BUILDING
(PROPOSED DISTILLERY)

STOR.

PROPOSED
DECK ABOVE

CANOPY TREE

FIRE HYDRANT

(22) SHRUBS

CANOPY TREE

STEEP GRADE

PROPERTY LINE (+/-120')
SOUTH MORTON STREET

CANOPY TREE

ALLEY (PAVED)

PROPERTY LINE (+/-120')

NEW FENCE

20' REAR BUILDING SETBACK

(7) SHRUBS

6'-0"

18'-0"

24'-6"

PROPOSED 6' SIDEWALK

ENTRY

PROPOSED
PATIO

STEEP GRADE



BIKES

(17) SHRUBS

LARGE CANOPY TREE

STEEP GRADE

9'-0" 9'-0" 9'-0" 9'-0" 9'-0" 9'-0" 9'-0" 9'-0" 9'-0" 9'-0"

EXISTING PARKING
(8 SPACES, 1 ADA)

SIDE PARKING SETBACK

PROPERTY LINE (+/-145')

ALLEY (PAVED)

SITE PLAN

SCALE: 1" = 20'-0"



BUILDING & ZONING CODE STUDY:

CONSTRUCTION TYPE: VB (SPRINKLERED)

EXISTING OCCUPANCIES: S OR F-2(WAREHOUSE), B (OFFICE)

PROPOSED OCCUPANCIES: H-3 (PRODUCTION & STORAGE), B (OFFICES/CONFERENCE ROOMS), M (RETAIL/TASTING ROOM)

OCCUPANCY DEFINITIONS:

H-3 (HIGH-HAZARD - 3): MANUFACTURING, PROCESSING, GENERATION OR STORAGE OF MATERIALS (IN THIS CASE "CLASS IB FLAMMABLE LIQUID" - HAVING A FLASH POINT BELOW 73F AND BOILING POINT AT OR ABOVE 100F) THAT CONSTITUTE A PHYSICAL OR HEALTH HAZARD IN QUANTITIES IN EXCESS OF THOSE ALLOWED IN "CONTROL AREAS" (PER TABLE 307.1(1) MAX. IS 120 GAL./240 GAL. SPRINKLERED). H-3 INCLUDES CLASS I,II OR IIIA FLAMMABLE LIQUIDS THAT ARE USED OR STORED IN NORMALLY CLOSED CONTAINERS OR SYSTEMS PRESSURIZED AT 15PSI OR LESS.

B (BUSINESS): OFFICE

M (MERCANTILE): DISPLAY AND SALE OF MERCHANDISE AND INVOLVES STOCKS OF GOODS, WARES OR MERCHANDISE INCIDENTAL TO SUCH PURPOSES AND ACCESSIBLE TO THE PUBLIC.

FIRE SEPARATION REQUIRED: BETWEEN H-3 & B/M = 1 HR (SPRINKLERED) PER TABLE 508.4.

AUTOMATIC SPRINKLER SYSTEM: REQUIRED PER 903.2.5.

EGRESS REQUIREMENTS: BASED ON FLOOR AREAS PER OCCUPANCY (TABLE 1004.1.1). SEPARATE MEANS OF EGRESS FROM H-3 & M/B. SECOND LEVEL (IF NOT A MEZZANINE) WILL REQUIRE 2 MEANS OF EGRESS (1 CAN BE THROUGH INTERVENING SPACE).

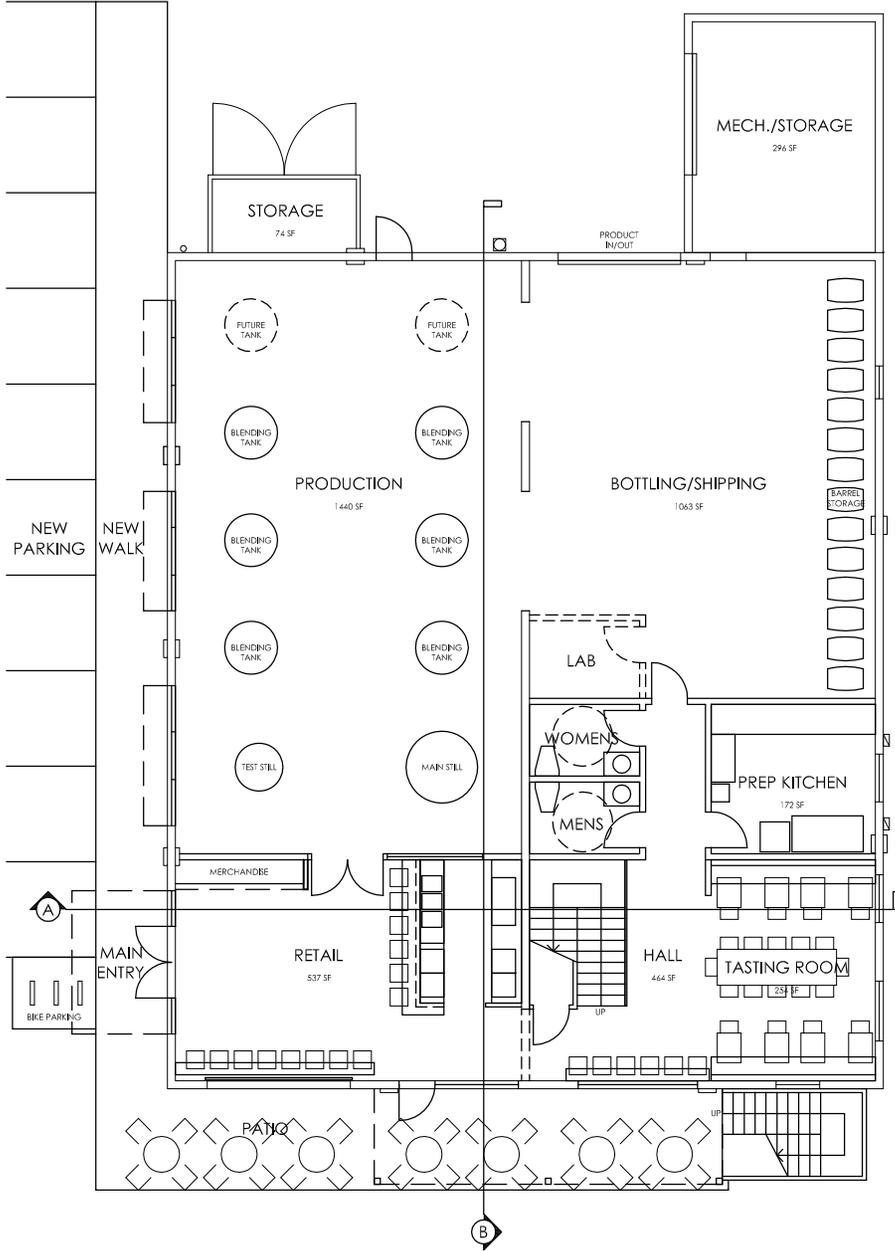
ZONING CODE:

CURRENT ZONE: IG - INDUSTRIAL GENERAL

PERMITTED USES: BEVERAGE BOTTLING, LIGHT MANUFACTURING, WAREHOUSE

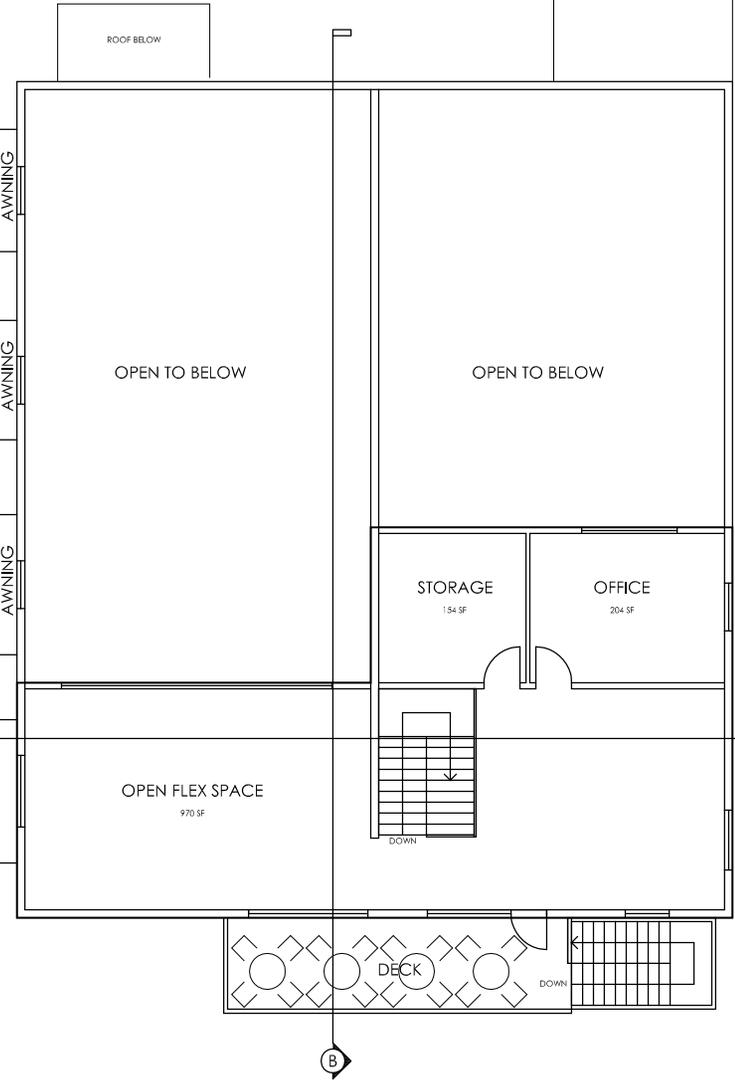
DEVELOPMENT STANDARDS:

25' MIN. FRONT BUILDING SETBACK
 20' MIN. SIDE & REAR BUILDING SETBACK
 25' MIN. FRONT PARKING SETBACK
 10' SIDE & REAR PARKING SETBACK
 70% MAX. IMPERVIOUS SURFACE COVERAGE (SITE = 17,520 SF. EXISTING IMPERVIOUS AREA = 12,480 SF = 71 %; PROPOSED ADDITIONAL PERVIOUS AREA = 323 SF = 69 % TOTAL IMPERVIOUS COVERAGE)
 60' MAX. PRIMARY STRUCTURE HEIGHT (PROPOSED STRUCTURE HEIGHT = 23')
 6' SIDEWALK ALONG MORTON (NO TREE PLOT)
 SIDEWALK CONNECTOR FROM BUILDING TO PUBLIC SIDEWALK
 LANDSCAPING TO MEET CITY U.D.O. STANDARDS (20.05.052)
 STREET TREES: MIN. (1) CANOPY TREE PER 40' OF PROPERTY ALONG RIGHT-OF-WAY.
 PARKING LOT PERIMETER PLANTINGS: LOTS WITH (4) OR MORE SPACES SHALL HAVE: (1) TREE PER (4) SPACES (MIN. 75% SHALL BE LARGE, CANOPY TREES) WITHIN 10' OF LOT EDGE; (3) SHRUBS PER (1) SPACE (MIN. 50 % EVERGREEN) WITHIN 5' OF LOT EDGE.
 INTERIOR PLANTINGS:
 TREES: AREAS NOT COVERED BY STRUCTURE, PARKING LOT, OR REQUIRED BUFFER YARD SHALL BE PLANTED WITH A MINIMUM OF (9) LARGE CANOPY TREES, (3) EVERGREEN TREES AND (3) MEDIUM OR SMALL CANOPY TREES PER ACRE.
 SHRUBS: (27) SHRUBS PER ACRE (MIN. 50 % EVERGREEN).
 3,667 SF LANDSCAPE AREA = .08 ACRE



FIRST FLOOR PLAN

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



SECOND FLOOR PLAN

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





CUV-31-13
Morton Street Grade, looking south



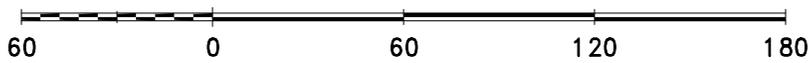
CU/V-31-13
Morton Street Grade, looking north



CU/V-31-13
Building rendering



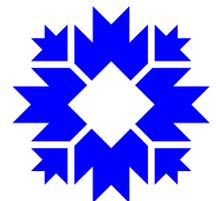
By: roachja
17 Jul 13



For reference only; map information NOT warranted.



City of Bloomington
Planning



Scale: 1" = 60'

BLOOMINGTON BOARD OF ZONING APPEALS
STAFF REPORT
LOCATION: 313 N. Lincoln Street

CASE #: V-32-13
DATE: July 25, 2013

PETITIONER: John Lukens (CJ Satellite LLC)
PO Box 337, Clear Creek, IN

REQUEST: The petitioner is requesting a variance from maximum density standards to allow an existing office to be used as multi-family apartments.

SUMMARY: This 0.15 acre property is located on the west side of N. Lincoln Street, midblock between E. 7th Street and E. 8th Street. The property is zoned Residential Multifamily (RM) and has been developed with a two-story office building with a basement along Lincoln St. and a surface parking lot along the rear. There are two adjacent alleys located immediately to the south and to the west. The property is surrounded by single and multi-family structures on all four sides. This property is also located within the Old Northeast Downtown neighborhood.

The property is currently occupied by a 5,184 square foot, two-story office building with a basement and a 13-space surface parking lot in the rear. The current occupants of the office are leaving and the owner would like to convert the structure into multi-family apartments. The petitioner proposes 3, 3-bedroom units and 3, 2-bedroom units for a total of 6 units and 15 bedrooms. The 0.15 acre lot is permitted to have up to 1.05 DUE's due to the RM zoning allotment of 7 units/acre. The DUE's for the proposed number of units and bedrooms calculates to 28 units/acre.

There will be some minor site improvements to the property to bring the property into compliance with current requirements. Additional landscaping will be installed throughout the property to supplement the current landscaping. There are street trees and a 5' concrete sidewalk along the property frontage on Lincoln Street that are in good condition and no improvements are necessary to the sidewalk or street trees. A bike rack will be installed to meet bike parking requirements. The parking area is paved and striped and no improvements are required for the parking area.

The petitioner is requesting a variance from maximum density standards to allow for 28 units/acre rather than the 7 units/acre that would be allowed.

SITE PLAN ISSUES:

Density: The 6 proposed units within the existing structure would create a density of 28 units/acre. This is more than the 7 units/acre that the RM zoning allows.

Staff has also analyzed the surrounding area and included a density map of the immediate surrounding area. The property is surrounded with larger multi-family structures to the west, south, and east. The multi-family properties immediately to the south and west have densities of approximately 49 and 22 units/ac respectively. The Omega Manor project to the southwest has a density of approximately 34 un/ac, the Pavilion Heights project immediately to the south has a density of 49 un/ac, and the recently approved petition for Chis Bomba to the southwest has a density of 22 un/ac.

Therefore, staff finds that the variance criteria can be met for the remodeling of the existing structure into an appropriate multi-family configuration. Staff finds that the remodeled home will substitute a non-conforming land use for a permitted land use and allow for appropriate use of property.

Parking: The existing site has 13 parking spaces that would remain with this petition. This proposal does not require any parking and would have a maximum parking allotment of 15 parking spaces.

Right-of-Way Improvements: There is an existing 5' wide concrete sidewalk and street trees along Lincoln St. that are in good condition and no changes are necessary. There is also street lighting along this frontage as well.

Stormwater/Utilities: No on-site detention is being required. The proposal will not increase the amount of impervious surface on the lot as no new construction is proposed. The petitioner has discussed all utility requirements of this project and can adequately serve the structure with public utilities.

CRITERIA AND FINDINGS FOR DEVELOPMENT STANDARDS VARIANCE

20.09.130 e) Standards for Granting Variances from Development Standards: A variance from the development standards of the Unified Development Ordinance may be approved only upon determination in writing that each of the following criteria is met:

- 1) *The approval will not be injurious to the public health, safety, morals, and general welfare of the community.*

STAFF FINDING: The granting of the proposed variances from these standards will not be injurious to the public health, safety, morals, and general welfare. The proposed density is consistent with those found in the immediately adjacent area.

- 2) *The use and value of the area adjacent to the property included in the Development Standards Variance will not be affected in a substantially adverse manner.*

STAFF FINDING: Staff finds no negative effects from this proposal on the areas adjacent to the property. The redevelopment of this property will allow the structure to be improved and remove a nonconforming land use. The proposed density is consistent with other structures in the immediate area. Furthermore, staff finds the lack of 4 and 5 bedroom units and adequate on-site parking will minimize potential impacts of this conversion.

- 3) *The strict application of the terms of the Unified Development Ordinance will result in practical difficulties in the use of the property; that the practical difficulties are peculiar to the property in question; that the Development Standards Variance will relieve the practical difficulties.*

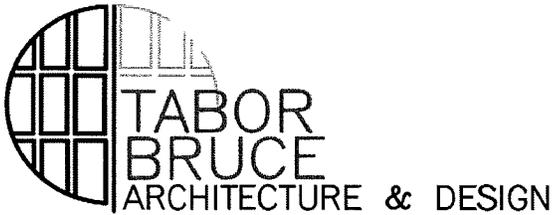
STAFF FINDING:

Density: As previously stated, the property is surrounded with several larger multi-family structures to the west and south, as well as within several adjacent blocks. The two multi-family properties immediately to the west have densities of approximately 22 and 29 un/ac respectively. The Omega Manor project to the southwest has a density of approximately 34 un/ac and the Pavilion Heights project immediately to the south has a density of 49 un/ac. When combined with the fact of replacing a non-conforming land use with a conforming use and the densities of the immediately surrounding areas, staff finds peculiar condition and hardship in not allowing the proposed reuse and remodeling of the structure in a reasonable fashion.

CONCLUSION: Even though the density of the proposed remodel would be greater than the permitted density in the area, this proposal allows for a reuse of an existing building for a permitted land use. No additions or changes to the exterior of the building are necessary or appropriate to allow for this reuse. There are enough on-site parking spaces to meet the needs of the tenants and the property without increasing the demand for on-street parking. This property is surrounded by several multi-family developments that have higher densities than what is currently allowed. This density would be consistent with several of the surrounding properties.

RECOMMENDATION: Based upon the written findings above, staff recommends approval of variance V-32-13 with the following conditions:

1. No lighting is approved with this request. Any future lighting shall meet current UDO standards.
2. The dumpster must have an enclosure as required by the UDO.
3. A minimum of 4 bike parking spaces are required.



1101 S Walnut Street Bloomington, Indiana. 47401 Ph. 812.332.6258 Fax 812.332.8658
 www.taborbruce.com E-Mail dbruce@taborbruce.com

BLOOMINGTON BOARD OF ZONING APPEALS

Petitioner's Statement

Concerning the petition of CJ Satellite LLC for the purpose of consideration of his Petition for the property located at 313 North Lincoln Street, Bloomington, Indiana.

Location

The project is an existing building located on an approximate .189 acre site currently used as a two story over basement law office building constructed in 1989 along Lincoln Street just 3 blocks from our downtown.

Design

Purpose The project is a 1,728 square foot footprint two story existing vinyl clad structure containing 5,184 total square feet. Currently, the site is zoned Multi Family but is a non conforming pre-existing use as an office building. This change in use will bring the structure into zoning compliance consisting of three upscale - 3 bedroom units and three upscale 2 bedroom units for a total of 6 units and 15 bedrooms. The existing building is extremely well built using all non combustible construction for the floors and walls and wood roof trusses for the roof.

Landscape Treatment. Landscaping will be added in grassy areas surrounding the existing parking lot and around the building as required. Some existing landscaping will be trimmed and maintained.

Access & Parking. The primary pedestrian entry to the existing offices are located on the South façade along the existing alley. The apartments will use this same entry. The existing 2nd story steel fire escape along the north façade will be removed. The existing asphalt parking lot will be striped and the owner will install pre cast concrete bumper blocks and bicycle racks on the site.

Architecture. The existing building conversion will require no exterior alterations to the structure. The structure is clad with vinyl siding and a sloped shingle hip roof. The existing windows are double hung windows and oversized and will remain.

Context. The lot is surrounded by many high density student apartments that are also several stories taller than the current structure. This project will convert the existing structure to a multi-family residential use but will not increase its height or footprint. The project will provide parking for the units as required per code. We strongly feel that this proposal and use fits the intentions of the RM district.

The RM (Residential Multifamily) District is intended to be used as follows:

- *Allow medium density residential development to ensure an adequate mix of housing types throughout the community.*
- *Facilitate compact development patterns in locations where there are high levels of public infrastructure capacity.*

Plan Commission/Board of Zoning Appeals Guidance:

- *Discourage the location of student-oriented housing distant from the main Indiana University Bloomington Campus.*
- *Restrict the location of new multifamily development to areas serviced by public transportation.*
- *Encourage proposals that further the Growth Policies Plan goal of sustainable development design featuring conservation of open space, mixed uses, pervious pavement surfaces, and reductions in energy and resource consumption*

This proposal places an existing under-utilized structure that is immediately adjacent to a higher density Commercial Downtown zoning district. Density for this project not only allows development next to high density projects, but it places it downtown where we maintain compact urban form and existing infrastructure. Reusing the existing building on the site as i.e. exists is a sustainable building practice that is greatly preferred over demolition and new construction, upgrades in energy efficient lighting and HVAC units will be an improvement over the existing offices 24 year old systems.

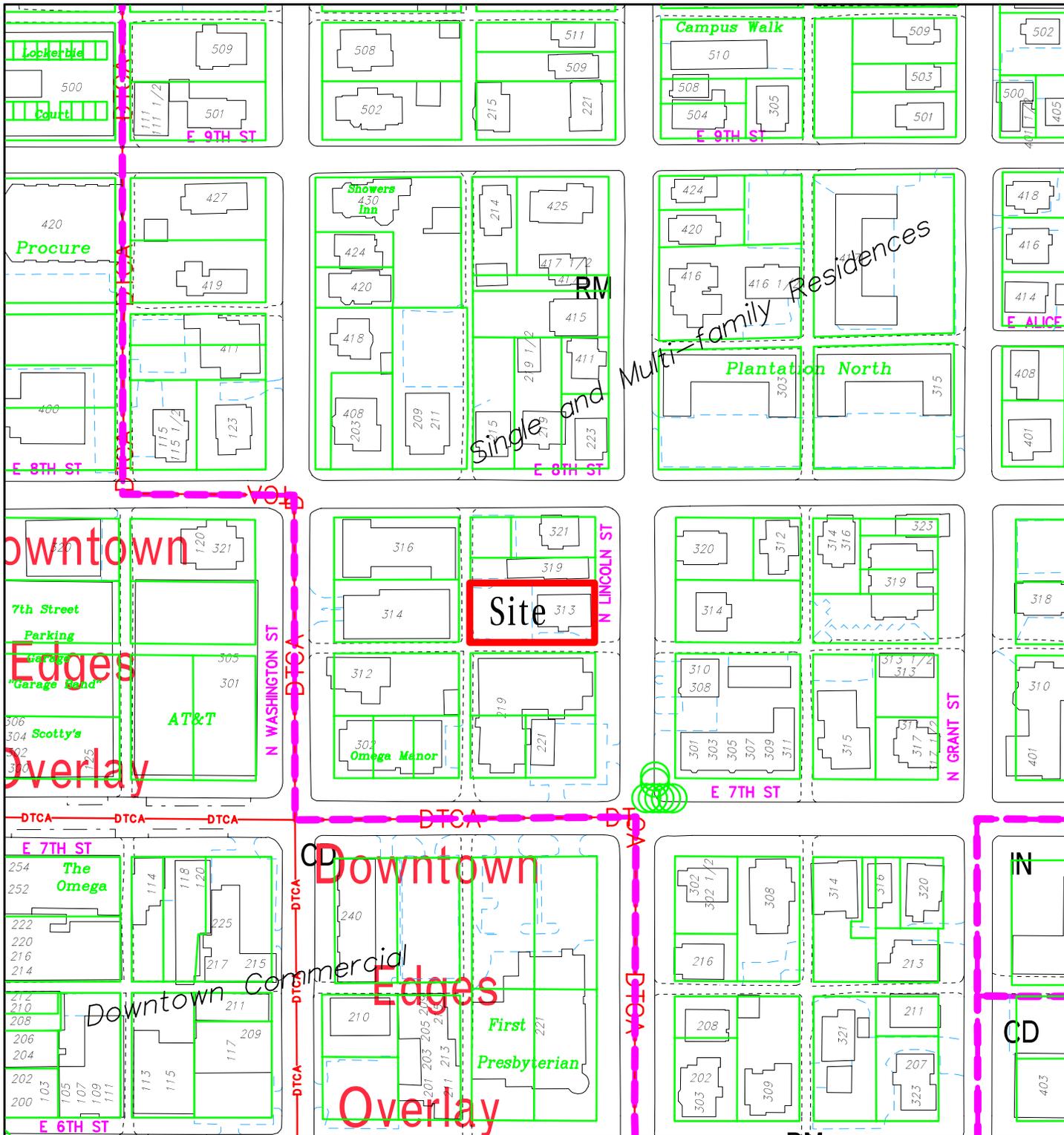
Thank you for the opportunity to submit the proposed development for review. We look forward to working together on this Development.

We kindly ask for your approval of our request.

Sincerely,

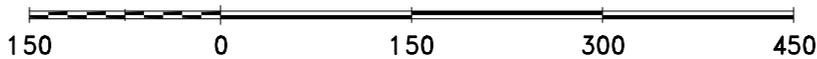


Doug Bruce NCARB-LEED AP
TABOR/BRUCE ARCHITECTURE & DESIGN, Inc.
1101 S Walnut Street
Bloomington, IN 47401
(812) 332-6258



V-32-13, John Lukens
 313 N Lincoln Street
 Board of Zoning Appeals
 Site Location, Zoning, Parcels, Land Use

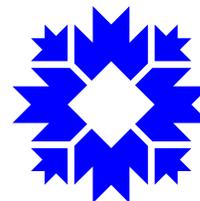
By: greulice
 18 Jul 13



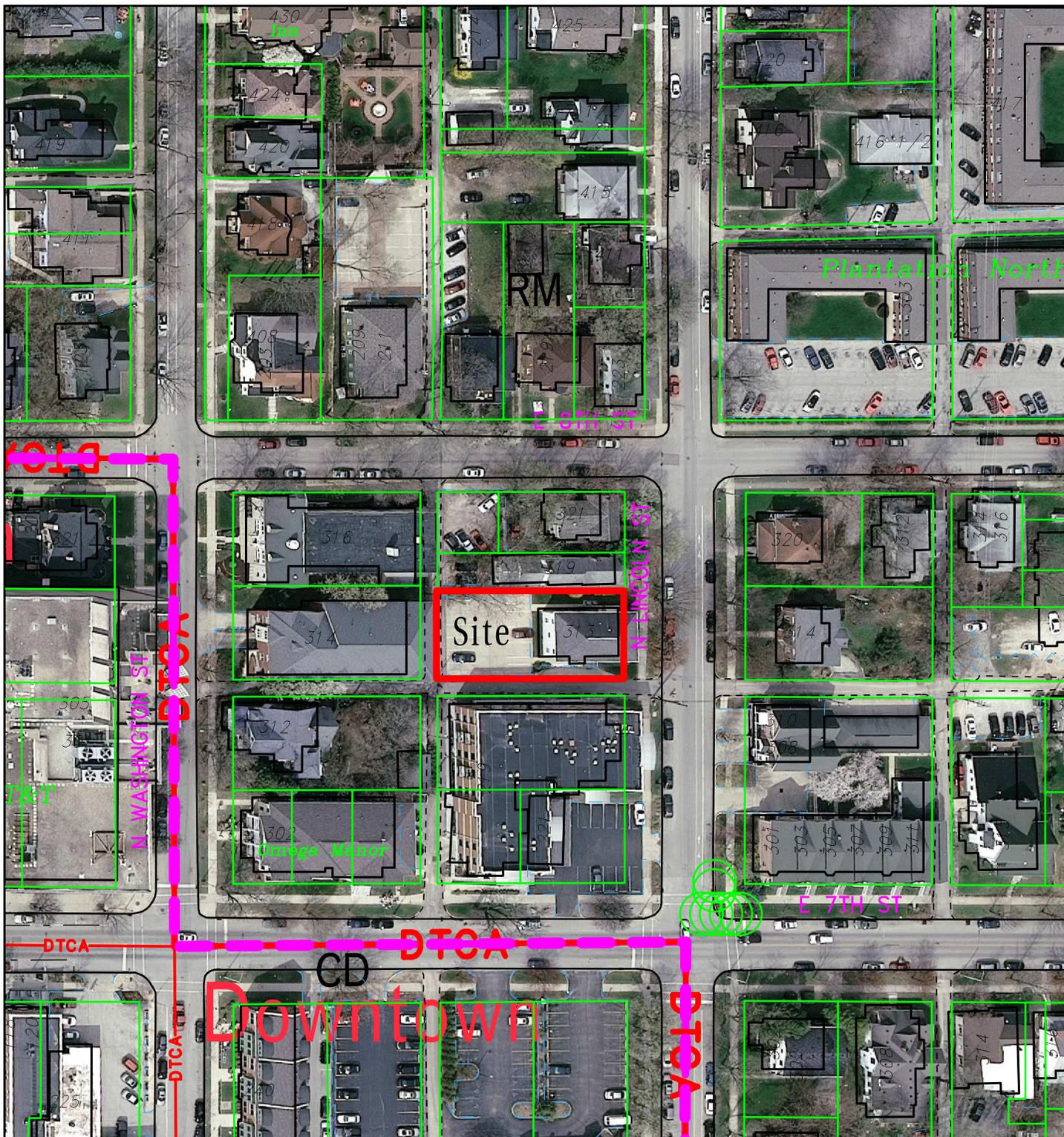
For reference only; map information NOT warranted.



City of Bloomington
 Planning

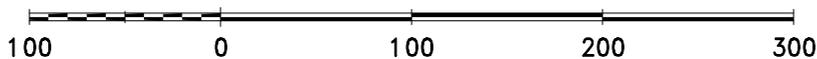


Scale: 1" = 150'

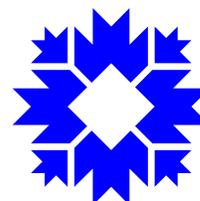


V-32-13 John Lukens
 313 N Lincoln Street
 Board of Zoning Appeals
 2010 Aerial Photograph

By: greulice
 18 Jul 13



City of Bloomington
 Planning



Scale: 1" = 100'

For reference only; map information NOT warranted.



V-32-13

Density map in Dwelling Unit Equivalents

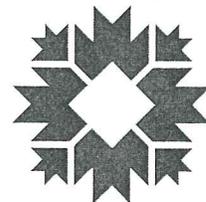
By: greulice

19 Jul 13



For reference only; map information NOT warranted.

City of Bloomington
Planning



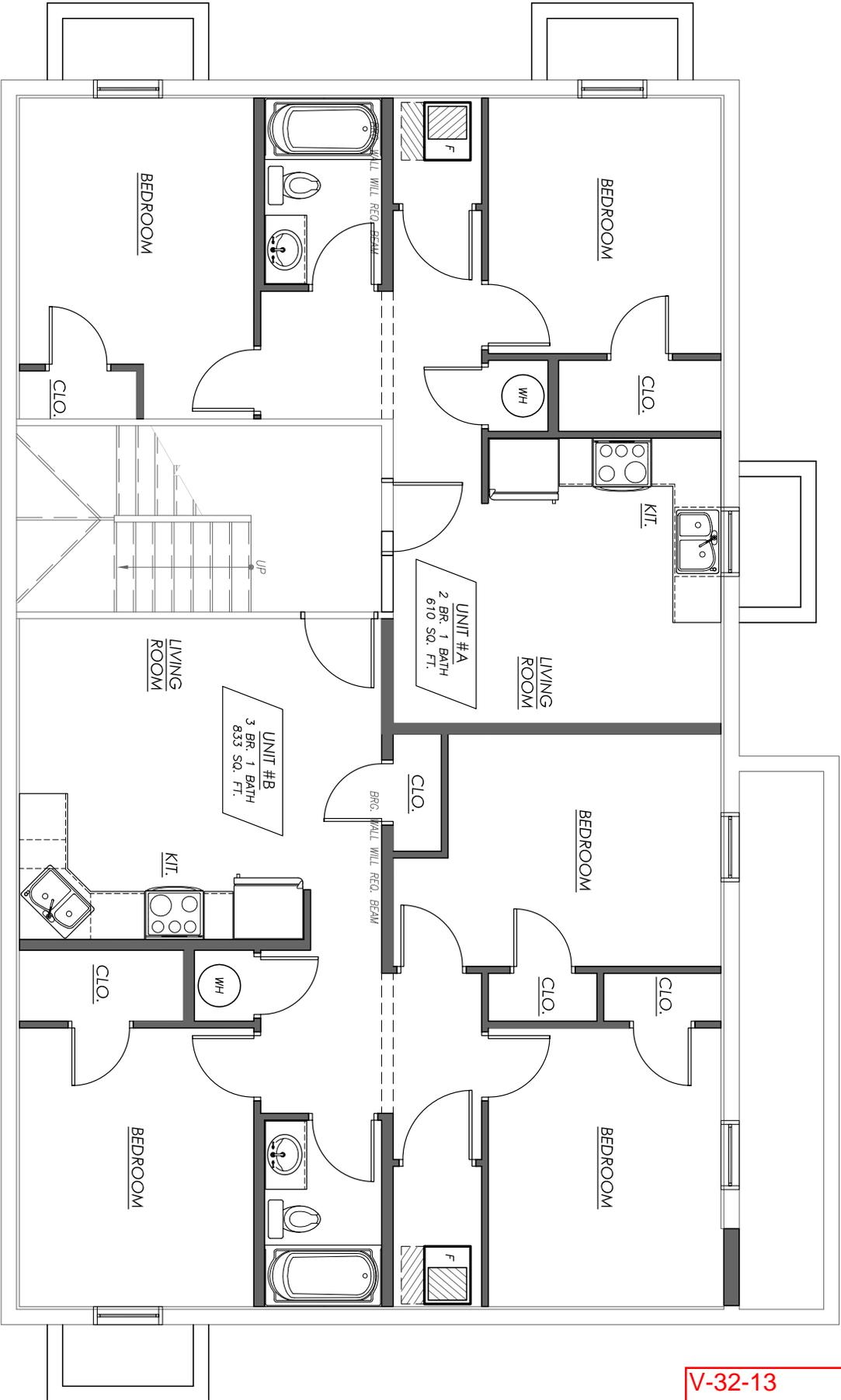
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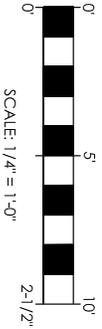


Lincoln Street

V-32-13
Site Photo (looking
northwest)



LOWER LEVEL FLOOR PLAN (2BR+3BR OPTION)



LUKENS

CONCEPT

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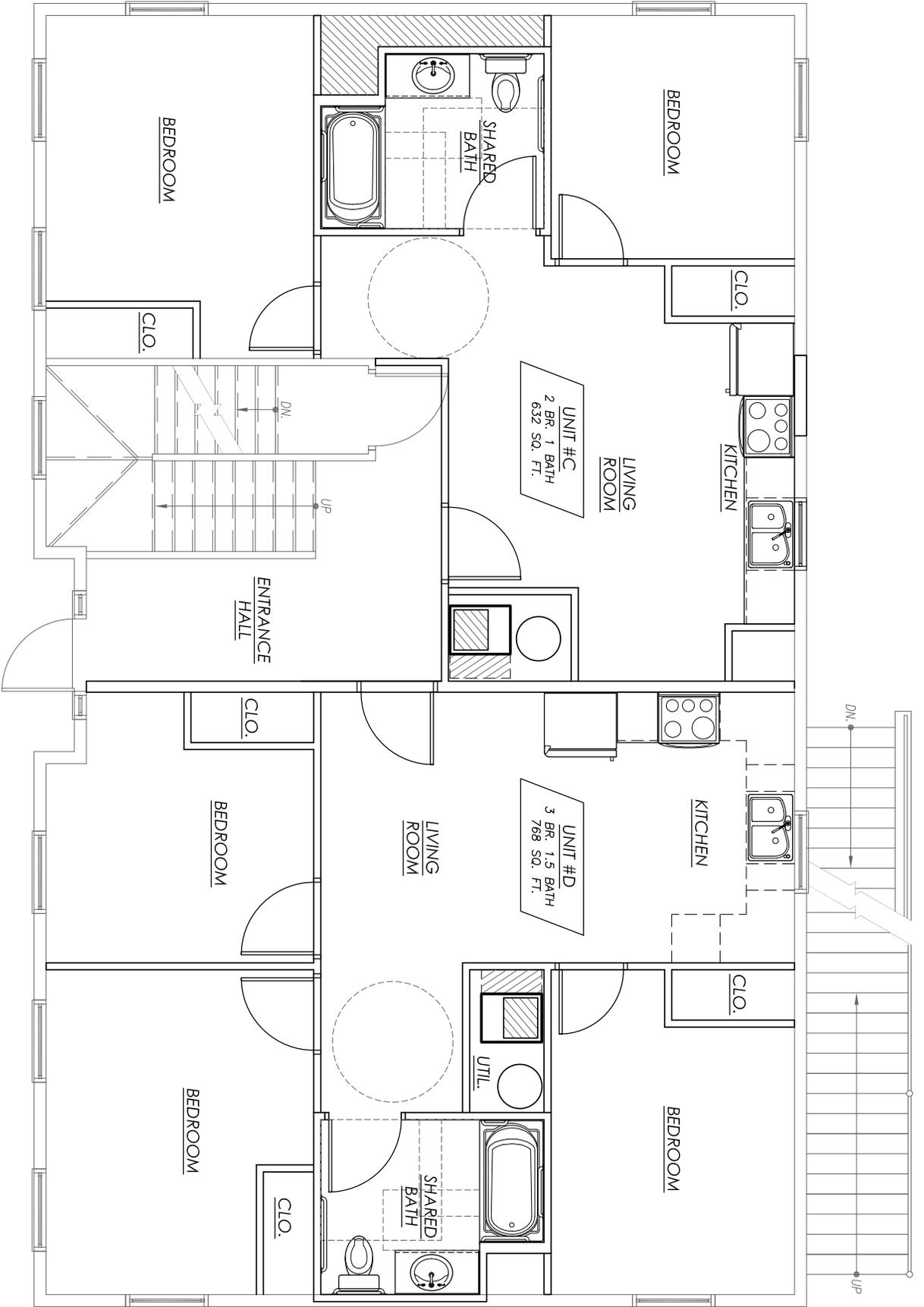
1/4" = 1'-0"



TABOR
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ARCHITECTURE & DESIGN INC.
1101 S. WALNUT STREET • BLOOMINGTON, IN 47401
TELEPHONE: (812) 335-0428 FAX/MAIL: (812) 335-8688

V-32-13
Floor Plan

area to be absorbed into bathroom



MAIN LEVEL FLOOR PLAN (2BR + 3BR OPTION)

LUKENS

CONCEPT

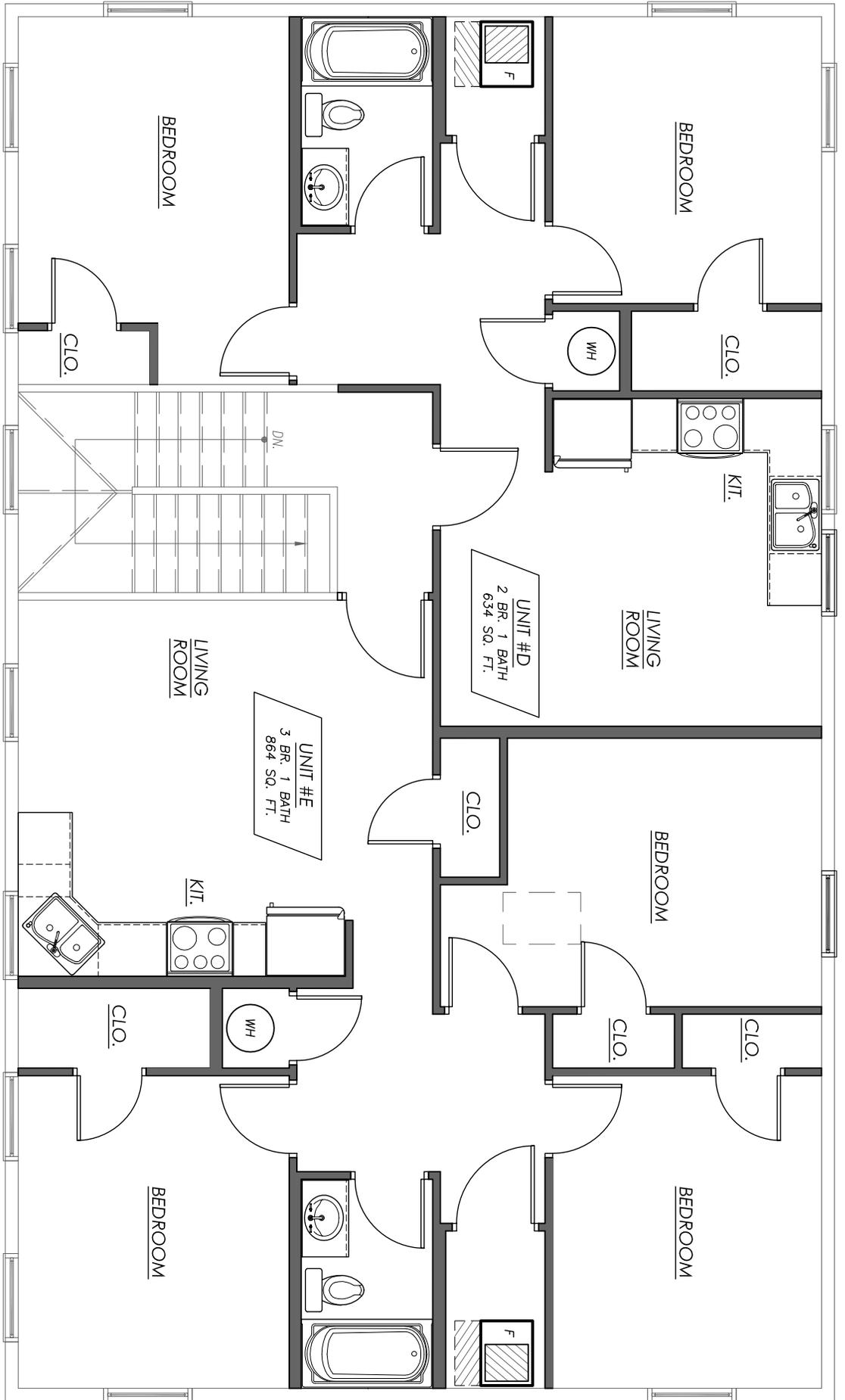
© 2013 TABOR BRUCE ARCHITECTURE & DESIGN

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1/4" = 1'-0"

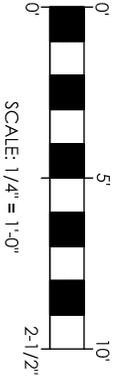


V-32-13
Floor Plan



V-32-13
Floor Plan

UPPER LEVEL FLOOR PLAN (2BR+3BR OPTION)



SCALE: 1/4" = 1'-0"

LUKENS

CONCEPT

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1/4" = 1'-0"