

CITY OF BLOOMINGTON



JUNE 13, 2012 @ 2:00 p.m.
CITY HALL -
KELLY CONFERENCE ROOM #155

PETITION:

- V-22-12 **Rogers Group Investments**
1320 W. Bloomfield Rd.
Request: Variances from parking setback and maximum impervious surface coverage.
Case Manager: Patrick Shay

PETITIONER: Rogers Group Investments
525 S. Landmark Avenue, Bloomington

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

REQUEST: The petitioner is requesting a variance from parking setback and maximum impervious surface standards.

SUMMARY: The petition site is located at the northwest corner of W. Bloomfield Road and S. Adams Street. The site is also located within the Landmark Business Center also known as the Adams Crossing Planned Unit Development (PUD). The petitioner has recently completed construction of an office building (Heartland Dental) on the property. This construction is located on the western half of the lot and anticipated future development on the eastern half of the lot. The petitioner is proposing to subdivide the lot into two new parcels to facilitate development financing.

For the proposed subdivision to be approved, variances from two standards are necessary. The proposed lot line would create a nonconforming parking setback and would create a nonconforming impervious surface coverage on the western lot. The proposed variances would not approve any new construction. New construction on the eastern lot will require future Planned Unit Development (PUD) final plan approval. The site was designed to be constructed in two phases with shared drive and parking facilities. The proposed lot line would allow for a property line to bisect the parking lot without a standard setback creating two separate parking areas. The PUD anticipated an integrate site plan as proposed, but did not anticipate an additional lot line between the eastern and western lot. This PUD has several similar lot lines within shared drives. The proposed lot line is consistent with the past development of this PUD and allows a more integrated site to be designed.

The proposed variance from maximum impervious surface coverage would allow for an impervious surface coverage of greater than 50%. The site currently meets this standard. However, the subdivision would increase the western lot over the maximum coverage. The PUD anticipated this higher impervious surface coverage and appropriate impervious surface coverage for the eastern lot will be addressed with the required future PUD final plan for the eastern lot.

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: Staff finds no injury. This approval does not approve any new construction or improvements. It will only allow the subdivision of the existing Lot 15 into two lots to facilitate financing.

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.*

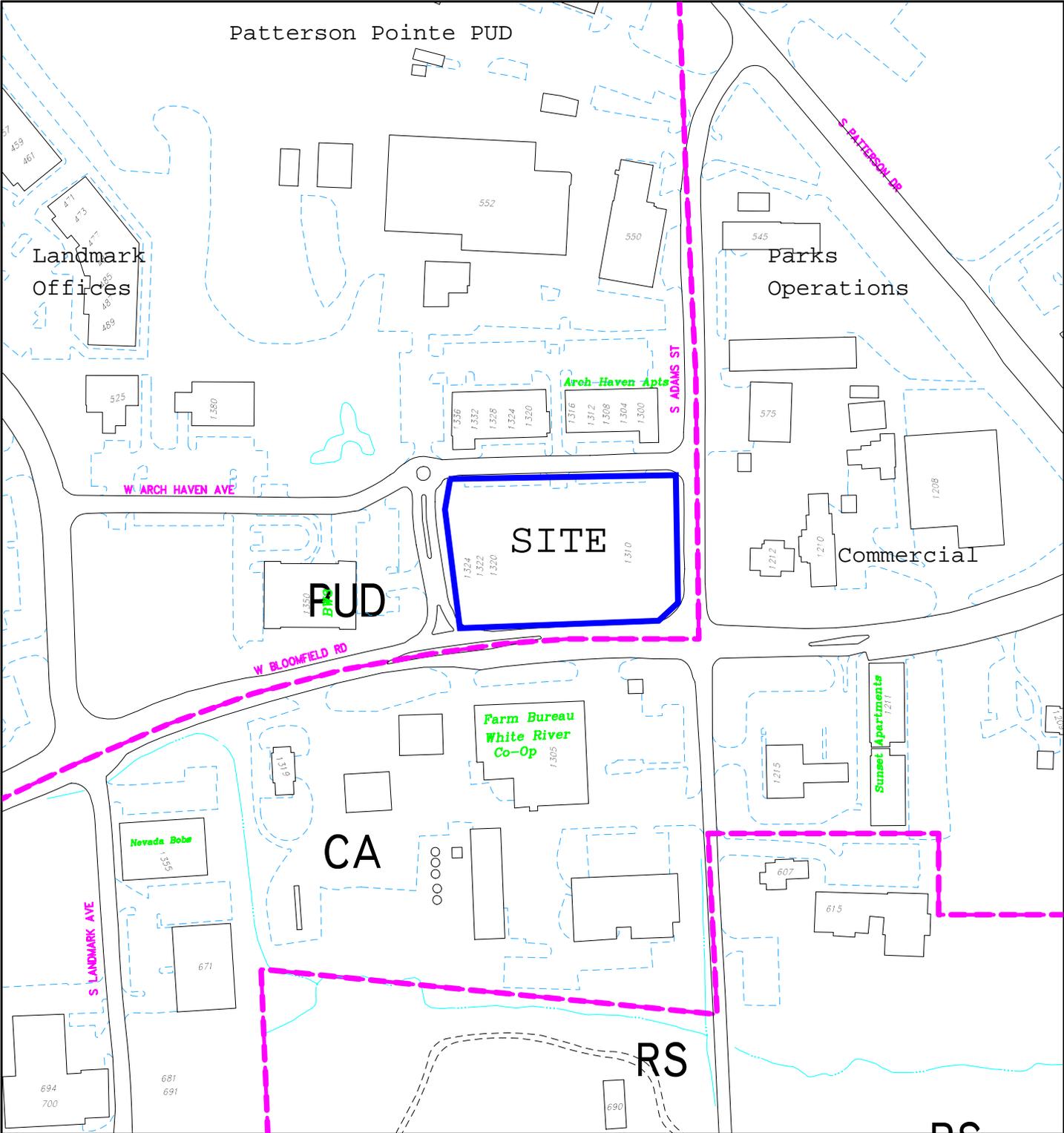
STAFF FINDING: Staff finds no adverse impacts to the surrounding area. Any future construction will have to receive a final plan approval.

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: Strict application of UDO would not allow the proposed subdivision. An approval of these variances would not alter the development of the lot in question. The overall development was approved in an integrated nature with several lots that have shared drives, access, and parking. This variance will continue this trend. Peculiarity is found in this integrated nature of development. Internal lot lines were not anticipated to have setbacks creating separated areas. The necessity of the setback variance is a result that the proposed lot line was not originally anticipated. Peculiarity is also found for the impervious surface coverage variance in that the PUD anticipated this area to be developed with a higher level of impervious surface coverage, it just didn't anticipate the proposed lot line.

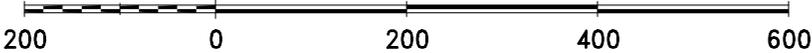
RECOMMENDATION: Based upon the written findings above, staff recommends approval of the variance request with the following condition:

1. The proposed lot line cannot bisect any parking space.

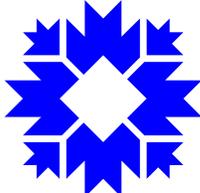


V-22-12 Rogers Group
 1320 W. Bloomfield Road
 Location/Zoning/Land Use Map

By: shayp
 8 Jun 12



City of Bloomington
 Planning



Scale: 1" = 200'

For reference only; map information NOT warranted.



Stephen L. Smith, P.E., L.S.
Daniel Neubecker, L.A.
Steven A. Brehob, BS.CnT.

May 25, 2012

Patrick Shay
City of Bloomington Planning Department
401 N. Morton Street
Bloomington, IN. 47404

RE: Landmark Business Center – Lot 15 Replat
Setback Variance

Dear Patrick,

On behalf of our client, Rogers Group Investments, we respectfully request to be placed on the agenda for the City of Bloomington Hearing Officer for consideration of a setback variance to provide for a replat of Lot 15 at Landmark Business Center at 1320 W. Bloomfield Road.

The setback variance will allow for a lot line to be extended through a parking lot area to create two separate lots, Lot 15A and Lot 15 B from the larger platted Lot 15. Lot 15A will encompass the newly completed Heartland Dental Building. Lot 15B will establish a separate lot for future development. Cross access easements will be provided along the existing parking lot access aisles.

Similar variances were previously approved within the Landmark Business Center.

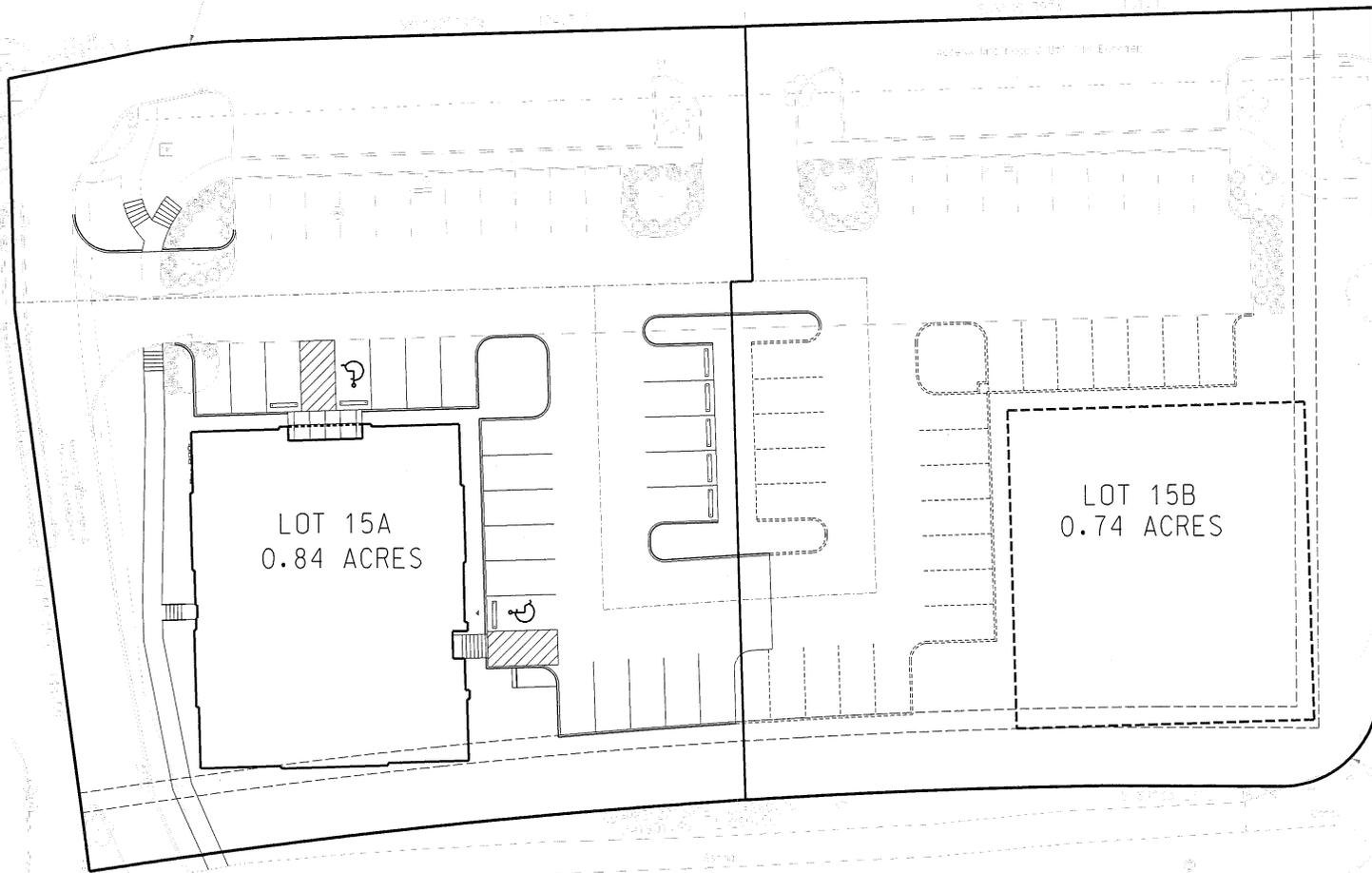
Should you have any questions, please contact me.

Sincerely,

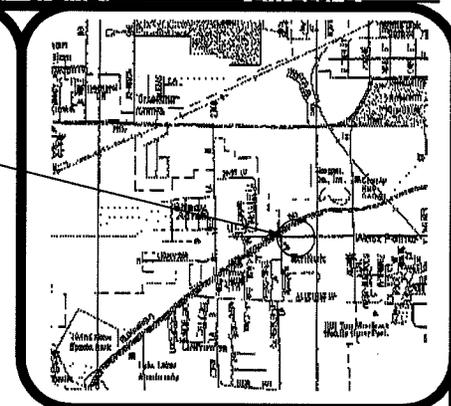
A handwritten signature in black ink, appearing to read 'Steven A. Brehob', with a long horizontal flourish extending to the right.

Steven A. Brehob
Smith Neubecker & Associates, Inc.

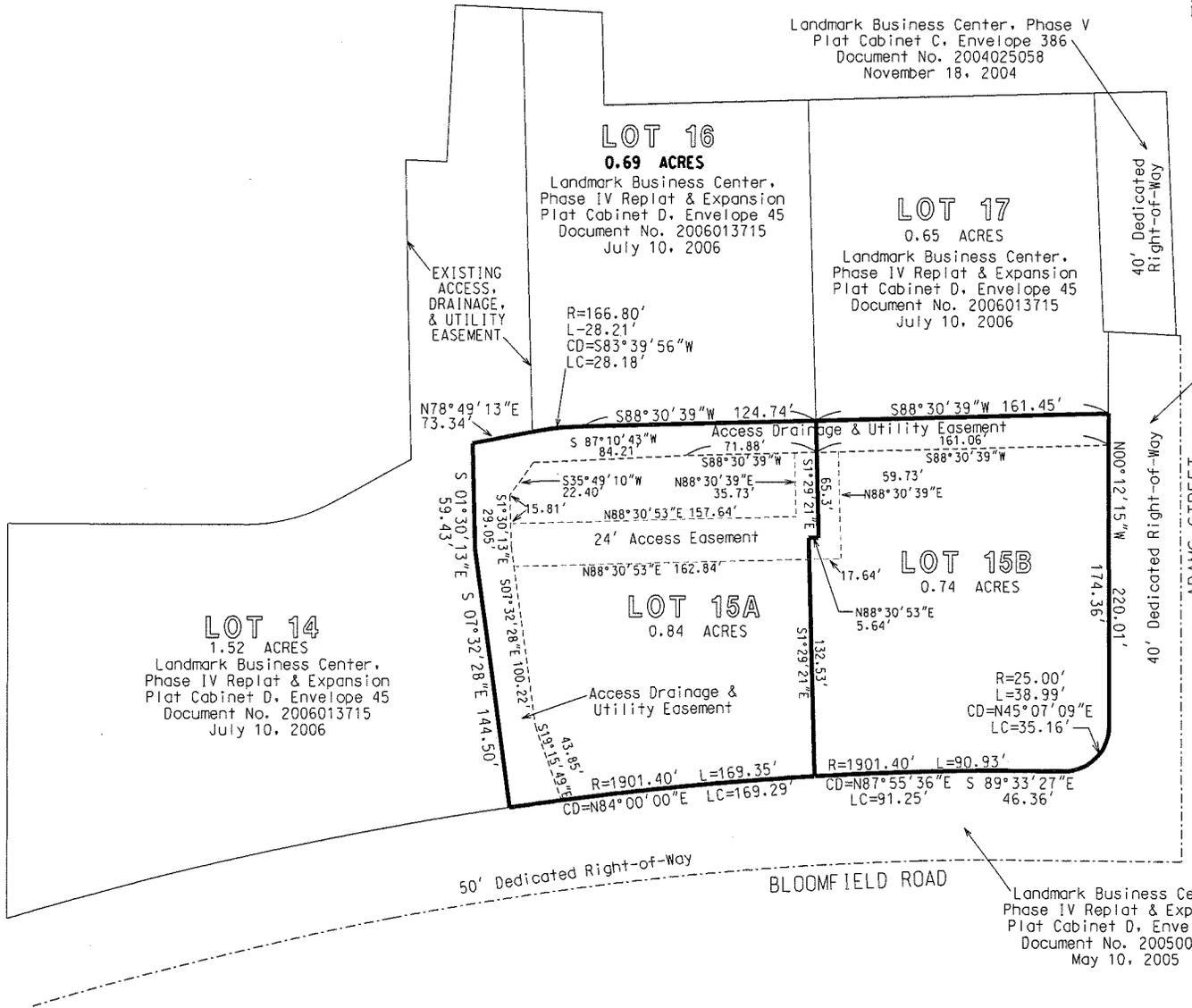
Cc: Doug Jones
J:\3474\Approval Processing\Arch Haven Dental\PShay hearing officer for plat_5-25-12



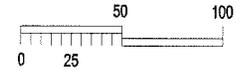
PROJECT LOCATION



LOCATION MAP



Landmark Business Center, Phase IV Replat & Expansion Plat Cabinet D, Envelope 6 Document No. 2005008360 May 10, 2005



SCALE: 1"=50'

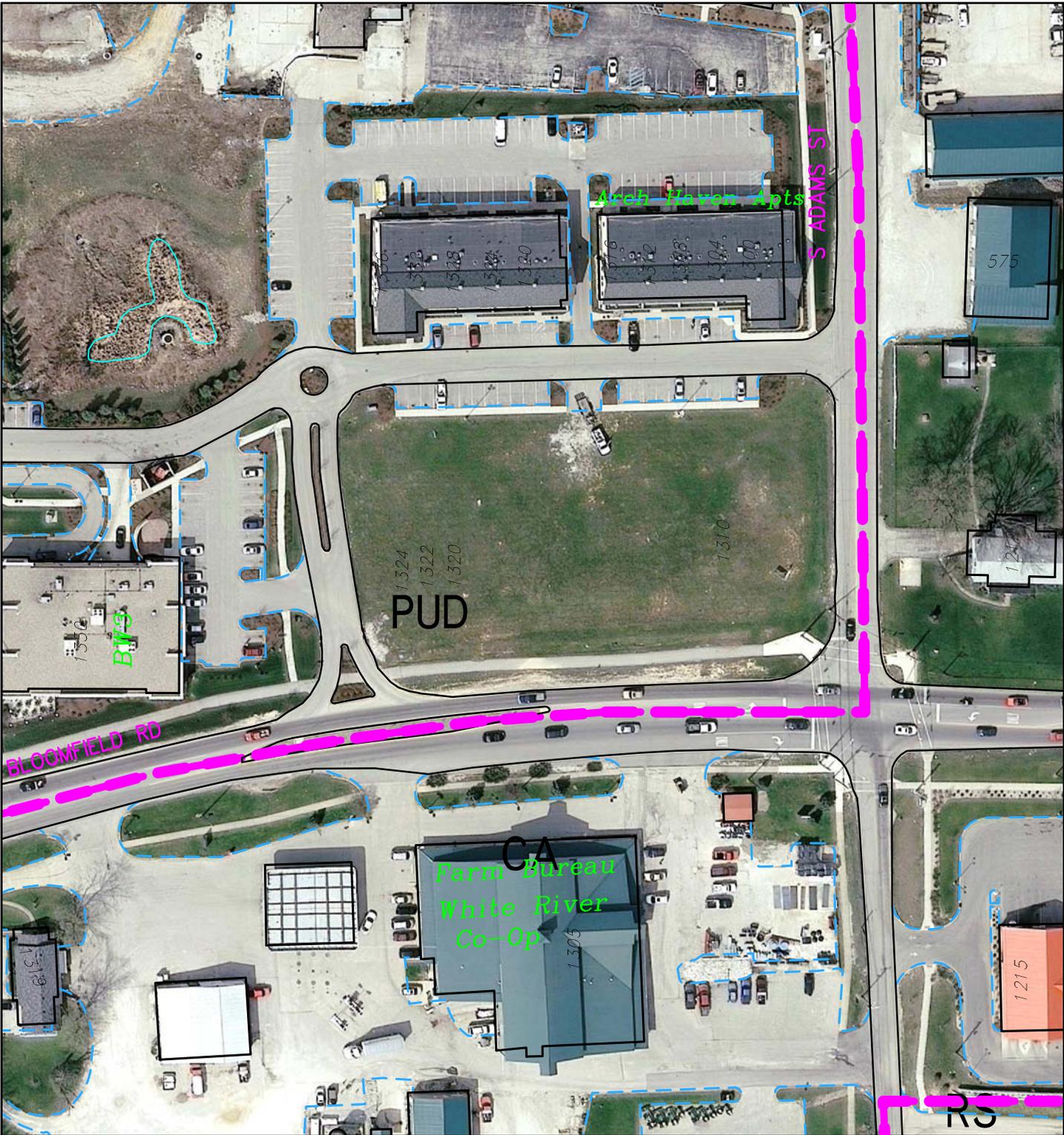
NOTE: THE PURPOSE OF THIS PLAT IS TO SPLIT LOT 15 OF LANDMARK BUSINESS CENTER, REPLAT OF PART OF PHASES IV & V, RECORDED IN PLAT CABINET "D", ENVELOPE 45.

V-22-12 Proposed Plat

LANDMARK BUSINESS CENTER REPLAT OF LOT 15

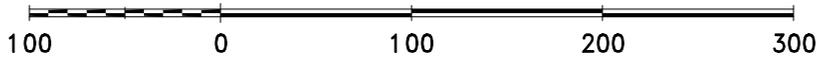
PREPARED BY: SMITH NEUBECKER & ASSOCIATES, INC. 453 S. CLARIZZ BOULEVARD, BLOOMINGTON, INDIANA 47407





V-22-12 Aerial Photo

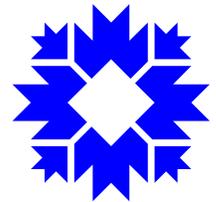
By: shayp
8 Jun 12



For reference only; map information NOT warranted.



City of Bloomington
Planning



Scale: 1" = 100'