

CITY OF BLOOMINGTON



April 17, 2013 @ 2:00 p.m.
CITY HALL -
KELLY CONFERENCE ROOM #155

CITY OF BLOOMINGTON
HEARING OFFICER
April 17, 2013 at 2:00 p.m.

*Kelly Conference Room #155

PETITIONS:

- V-17-13 **Crawford Apartments L.P.**
2440 S. Henderson St.
Request: Variance from sign standards to allow an off-premise sign.
Case Manager: Eric Greulich

- V-18-13 **Kinser Group, LLC**
1700 & 1710 N. Kinser Pike
Request: Variances from maximum parking, maximum impervious surface
coverage and building setbacks to allow for a subdivision.
Case Manager: Jim Roach

**BLOOMINGTON HEARING OFFICER
STAFF REPORT
LOCATION: 2440 S. Henderson St.**

**CASE #: V-17-13
DATE: April 10, 2013**

PETITIONER: Crawford Apartments
2440 S. Henderson St., Bloomington

REQUEST: The petitioner is requesting a variance from sign standards to allow an off-premise sign to be placed on an adjacent parcel.

Report Summary: This 0.79 acre property is located at 2440 S. Henderson Street and is zoned Commercial Arterial (CA). Surrounding land uses include multi-family units (Timber Ridge) to the north, a multi-tenant commercial center (Winslow Plaza) to the east, and Habitat for Humanity Restore to the south, and various commercial businesses to the west.

The property was approved for a multi-family apartment with 25, one-bedroom apartments (UV-26-12) in 2012 and is currently under construction. This property, as well as the property to the south that contains Habitat for Humanity Restore, share the same access drive from Henderson Street that is located on Habitat's property. The petitioner would like to construct a sign at the shared entrance that incorporates signage for the petitioner as well as for the Habitat for Humanity Restore. The sign would be 6' tall and 32 sq. ft. in size with two tenant panels of equal size. The UDO allows multifamily uses to display a 6' tall, 32 sq. ft. sign and the Habitat for Humanity store would be allowed a 6' tall, 45 sq. ft. sign. With this petitioner there would only be one sign placed for both uses.

The Unified Development Ordinance prohibits off premise signs and requires signs to be located on the same property as the use. The petitioner is therefore requesting a variance to allow a sign to be placed on Habitat for Humanity's property at the entrance drive location.

CRITERIA AND FINDINGS

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 that this variance request will not negatively affect the public health, safety, morals, or general welfare of the community. The granting of the variance will not place more signage on the property than what would be allowed.

- 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.*

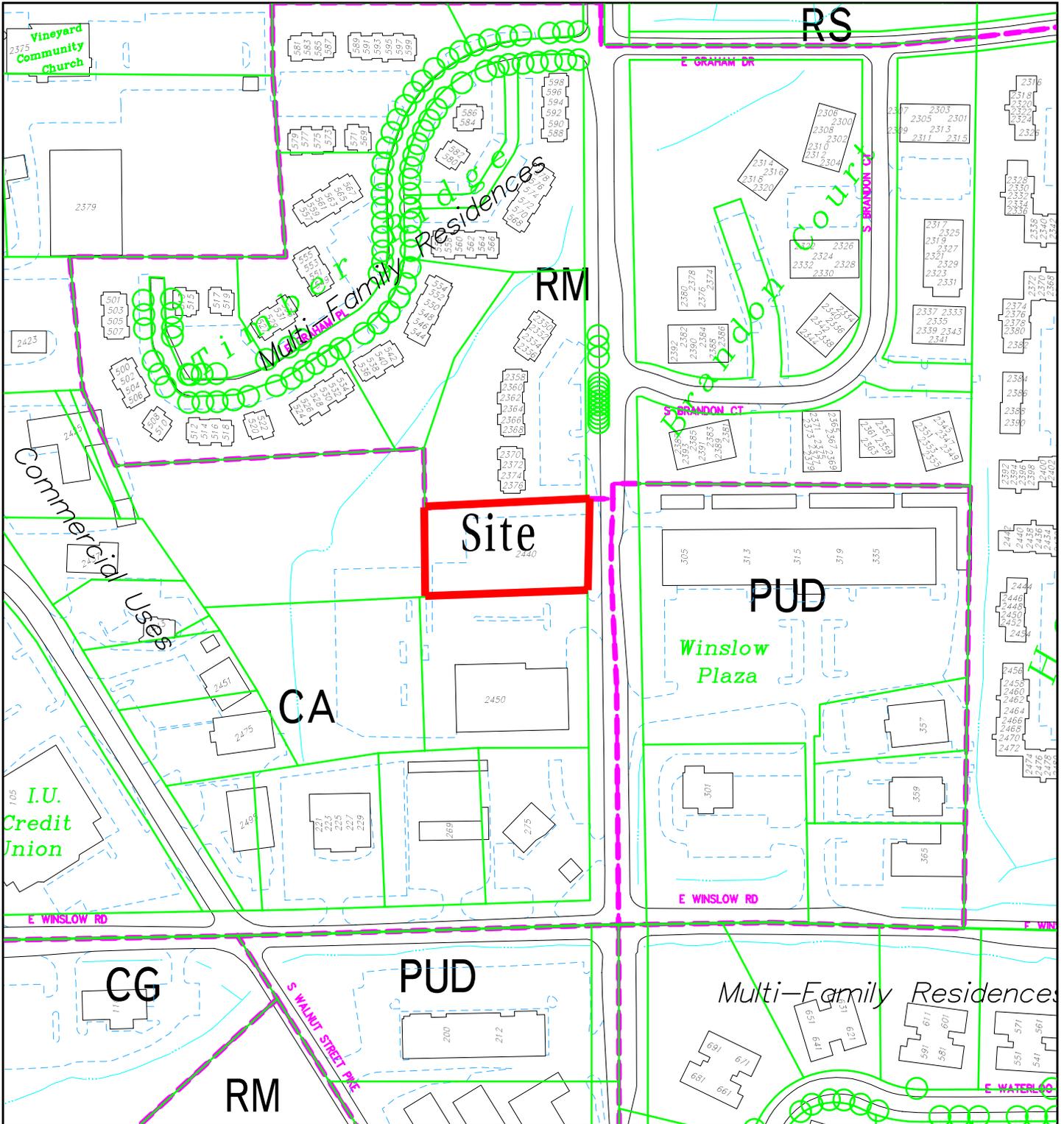
STAFF FINDING: Staff finds no adverse impacts to the use and value of the surrounding area associated with the proposed variance. Once again, the granting of the variance will not place more signage on the property than what would be allowed. The granting of the variance would actually decrease the amount of signage along the street frontage since each individual use would be allowed to display their own freestanding sign.

- 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 practical difficulty in that the site was designed to share one common access point, which is preferable to several drivecuts for each use. The UDO does not make accommodation to allow multi-family uses to function as a nonresidential center that would allow for a common sign such as what is proposed, to be placed at the entrance.

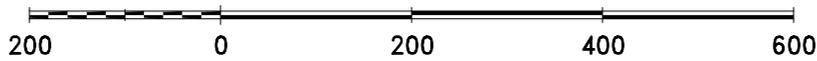
RECOMMENDATION: Based upon the written findings above, staff recommends approval of this petition with the following conditions:

1. No separate freestanding or wall signage is allowed for this property as long as signage for this property is displayed in the common sign.
2. A sign easement must be recorded for the new sign.
3. A sign permit is required prior to the installation of any new signage.
4. A landscaped area located around the entire base of the freestanding sign is required. The landscaped area shall contain materials consisting of shrubs, spread no greater than three (3) feet on center, and densely planted ground cover. The landscaped area shall be greater than or equal to the freestanding sign face area.



V-17-13 Crawford Apartments
 2440 S Henderson St
 Hearing Officer
 Site Location, Zoning, Land Use, Parcels

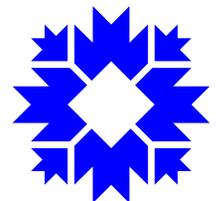
By: greulice
 11 Apr 13



For reference only; map information NOT warranted.



City of Bloomington
 Planning



Scale: 1" = 200'

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, LA
Steven A. Brehob, BS.CNT.

March 28, 2013

Eric Greulich
City of Bloomington Planning Department
401 N. Morton Street
Bloomington, IN. 47404

RE: Crawford Apartments – Off Premise Sign Variance

Dear Eric,

On behalf of our client, Crawford Apartments L.P., c/o CEO LifeDesigns Inc. we respectfully request to be placed on the agenda for the City of Bloomington Hearing Officer for consideration of a variance to permit an off premise sign.

As you may recall, the Crawford Apartments site shares a common drive entrance to South Henderson Street with the Habitat RESTORE. The RESTORE does not currently have a sign. Crawford Apartments, which is under construction as we speak, would like to have a monument sign. Rather than have two signs in close proximity along South Henderson, the owners have collectively decided that one sign located at the entrance could serve both users nicely.

Because of existing constraints with the drive and existing parking lot area it serves, the drive will sign will have to be located on the RESTORE property. This location results in the need for a variance as the sign advertising Crawford Apartments, located on the RESTORE site, is considered an off premise sign.

The proposal, as shown on the attached exhibit, is to construct an island in the center of the drive and install the monument sign within the island. The island has been designed to accommodate both passenger car and emergency service vehicle turning movements.

We respectfully request your consideration and support for this petition. Attached with this letter of application, please find 2 copies of the sign location plan and a conceptual elevation of the sign, the application

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form and the filing fee. We have also included a consent letter from the RESTORE property owner acknowledging the petition.

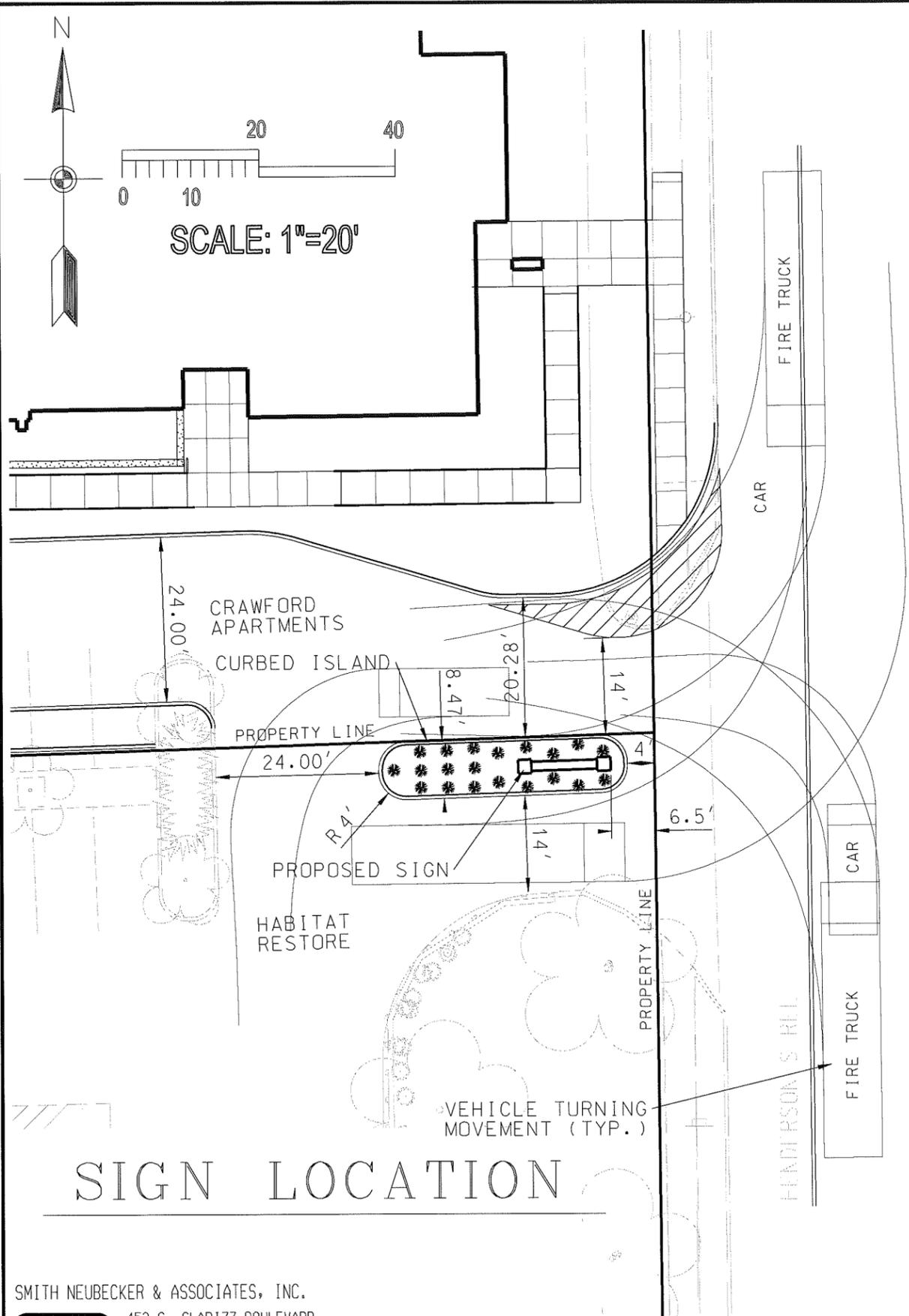
Should you have any questions, please contact me.

Sincerely,

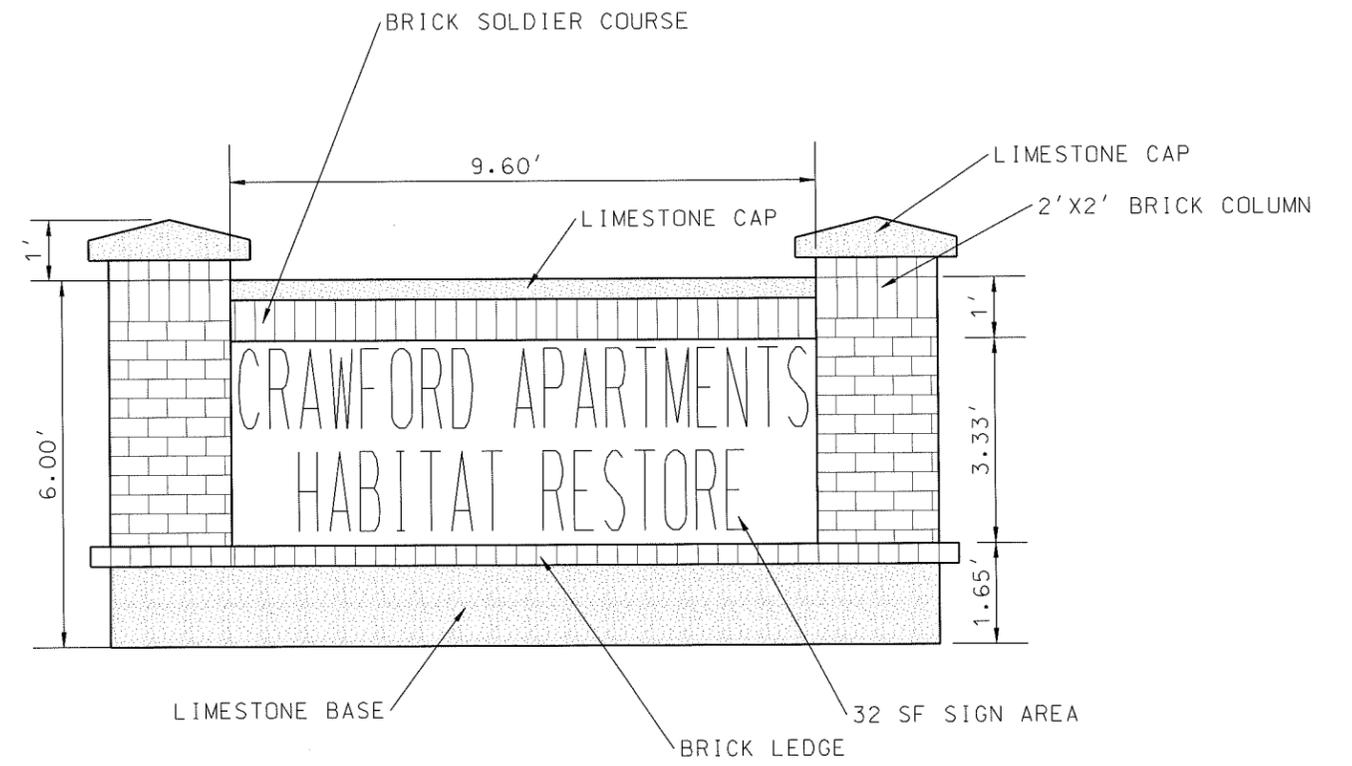
Steven A. Brehob
Smith Neubecker & Associates, Inc.

Cc: 4788 correspondence_out file

J:\4788\correspondence_out\Hearing Officer Application letter 3-27-13.docx



SIGN LOCATION



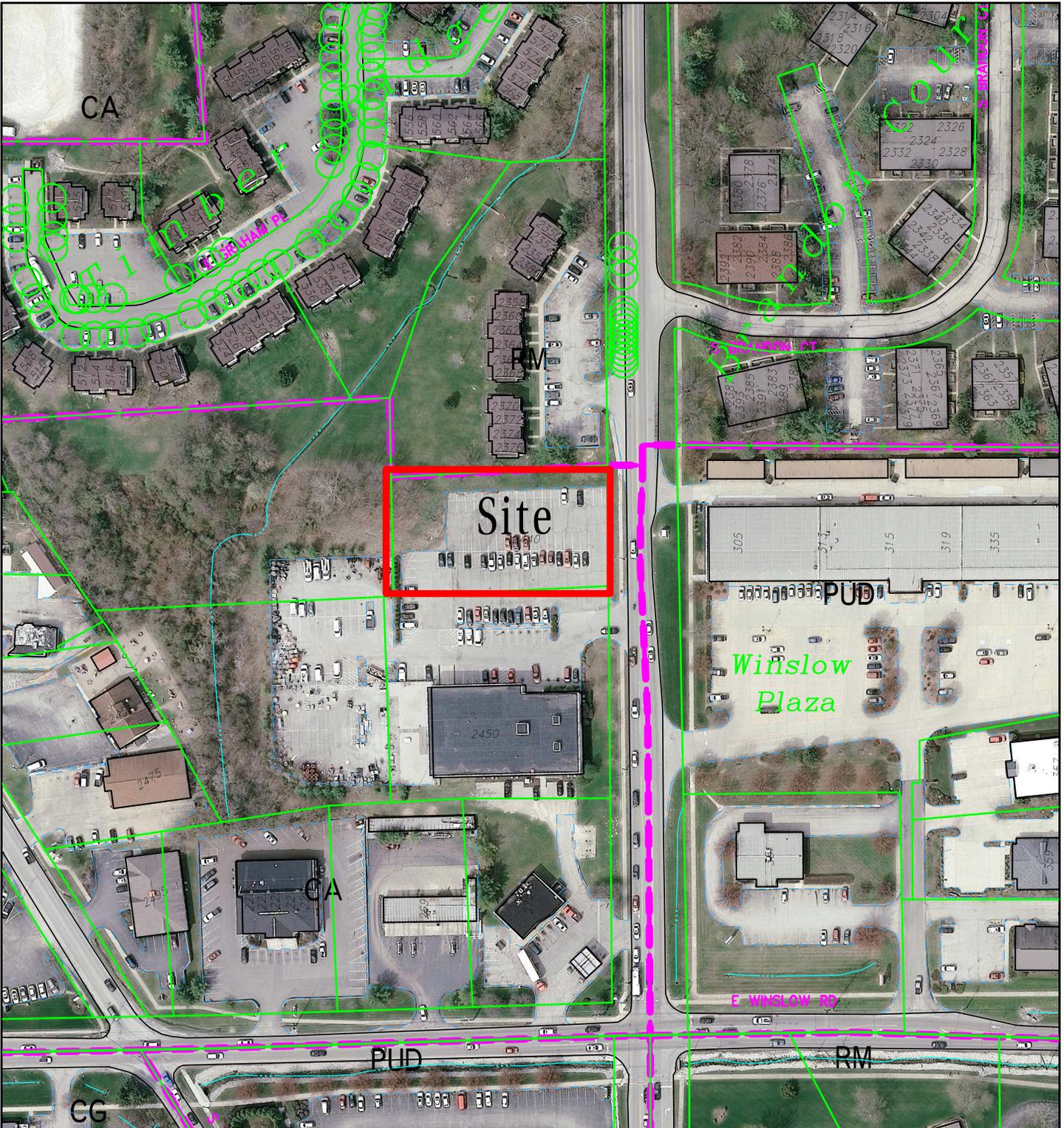
SIGN ELEVATION

SCALE: 1" = 3'

CRAWFORD APARTMENTS AND HABITAT RESTORE SHARED SIGN

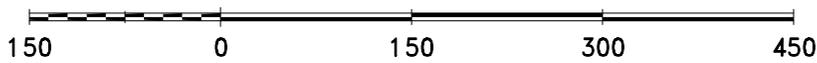
DRAWN BY: SAB DATE: 3-01-13

SMITH NEUBECKER & ASSOCIATES, INC.
 453 S. CLARIZZ BOULEVARD
 BLOOMINGTON, INDIANA, 47401
 TELEPHONE: (812) 336-6536
 FAX: (812) 336-0513
 WWW.SNAINC.COM



V-17-13 Crawford Apartments
 2440 S Henderson Street
 Hearing Officer
 2010 Aerial Photograph

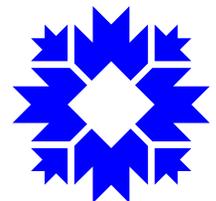
By: greulice
 11 Apr 13



For reference only; map information NOT warranted.



City of Bloomington
 Planning



Scale: 1" = 150'

**BLOOMINGTON HEARING OFFICER
STAFF REPORT
Location: 1700 and 1710 N. Kinser Pike**

**CASE #: V-18-13
DATE: April 17, 2013**

PETITIONER: Kinser Group, LLC
1710 N. Kinser Pike, Bloomington

CONSULTANT: Bynum Fanyo and Associates
528 N. Walnut Street, Bloomington

REQUEST: The petitioner is requesting variances from side yard building setback, side yard parking setbacks, maximum parking and maximum impervious surface to allow a two-lot commercial subdivision in a Commercial Arterial (CA) zoning district.

Zoning:	CA
GPP Designation:	Community Activity Center
Existing Land Use:	Two Hotels (Comfort Inn and Holiday Inn)
Surrounding Uses:	East, west, southwest – commercial South – residential North – quarry

REPORT: The property in question is bounded by E. SR 45/46 to the north, W. Gourley Pike to the south, N. Kinser Pike to the west and N. Old SR 37 to the east. The property has been developed with two hotels. These buildings were at one time one hotel, but were converted into two hotel operations around 2007. The hotels are still physically connected at one point via a breezeway. The petitioner would like to place each hotel on separate lots. This requires approval of a preliminary and a final plat that meets the requirements of the UDO.

Four aspects of the proposed plat do not meet the requirements of the UDO. They are as follows:

1. The new line will cut the existing breezeway in half creating a zero-foot sideyard setback.
2. The lot that will contain the Holiday Inn is increasing its degree of nonconformity in regards to maximum impervious surface coverage existing 74%, proposed 77.1%)
3. The lot that will contain the Comfort Inn is increasing its degree of non-conformity in regards to maximum parking (66 maximum spaces permitted, 94 spaces proposed.)
4. The new line will be less than 7 feet from an existing parking space.

No new construction is proposed. The petitioner is requesting variances from these four standards. All other aspects of the project will meet UDO standards.

CRITERIA AND FINDINGS

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 with this petition. This petition will allow for the subdivision of the property only.

- 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.*

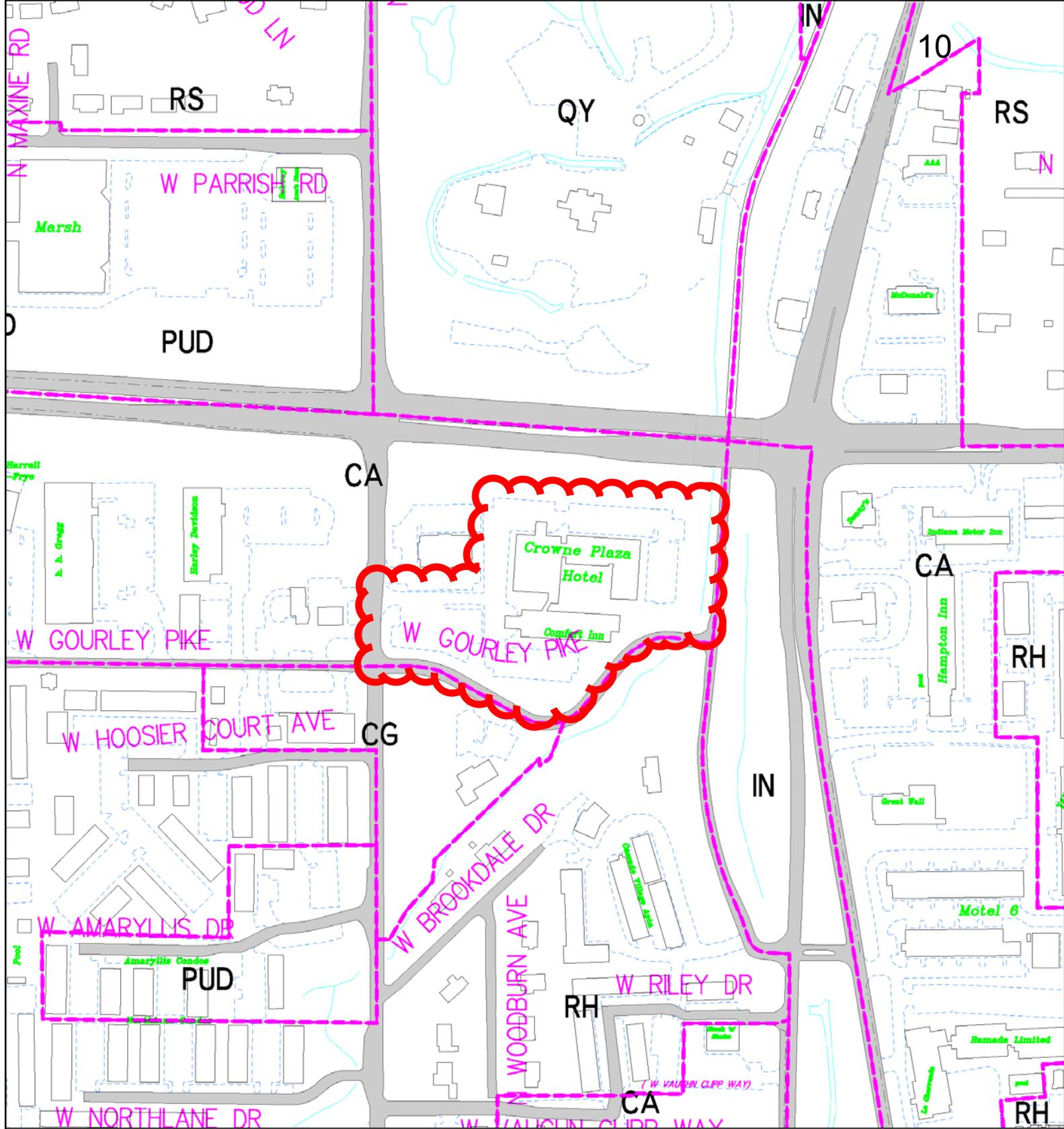
STAFF FINDING: Staff finds no negative impacts from any of the proposed variances. No physical changes to the structure or property are proposed at this time.

- 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 peculiar condition in the existing nature of the two uses on the same property and the previously built-out nature of the site. It is not unreasonable for a property owner to place two uses on individual lots. It is peculiar that these structures were at one time the same hotel, but now are owned and managed as two separate hotels. Practical difficulty is found in that denial of the variance would force the demolition of the breezeway that still serves to connect patrons of the Comfort Inn to the restaurant and meeting space in the Holiday Inn. Denial of the variances would also require removal of parking spaces on both sites that are currently and will be in the future used by the employees and patrons of both hotels. Approval of this variance will not change the physical improvements to the property.

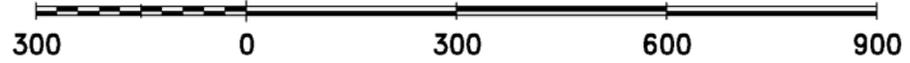
RECOMMENDATION: Staff recommends approval of the variance request with the following conditions:

1. The approved development standards variance only apply to the specific locations indicated in this report. Future construction, expansion of use, or change in use may require compliance with these standards.
2. The proposed property line through the breezeway must meet all building and fire code requirements.
3. Approval of variance does not constitute approval of a plat.



V-18-13
Location Map

By: roachja
10 Apr 13



City of Bloomington
Planning

Scale: 1" = 300'

For reference only; map information NOT warranted.

**Petitioner's Statement for Variance Request -
Comfort Inn/Holiday Inn Subdivision**

Kinser Group LLC, property owners for the existing Comfort Inn/Holiday Inn hotels located at 1710 Kinser Pike, wish to subdivide the current property into two (2) independent parcels thus separating the hotels. This separation would occur at a newly proposed East/West property line bisecting an existing common corridor/breeze-way connection between the hotels, extending to the west and angling slightly and terminating at an existing corner property condition. The East end of the proposed separation will run parallel to the face of the Comfort Inn hotel, angle to the southeast and terminate by bisecting the existing radial property line at this location.

In order to achieve the desired subdivision of the property, Kinser Group LLC requests variance approval for the following conditions:

- 1.) Side yard/rear yard setback variance required by creation of new property line between the two structures. See attached Site Plan (Preliminary Plat).
- 2.) Maximum parking variance for the Comfort Inn parcel (reference Parking Analysis below).
- 3.) Maximum impervious surface coverage variance for the Holiday Inn parcel (reference Impervious Surface Area Analysis below).

Lot Area (existing) – 178,495 s.f.

Comfort Inn (proposed) – 80,506 s.f. (45.1% of total)

Holiday Inn (proposed) – 97,989 s.f. (54.9% of total)

Impervious Surface Area (existing) – 132,001 s.f. (74% of total lot area)

Comfort Inn (proposed) – 56,462 s.f. (70.1% of total proposed lot area)

Holiday Inn (proposed) – 75,539 s.f. (77.1% of total proposed lot area)

Parking Analysis -

Comfort Inn parking spaces –

94 standard parking spaces (proposed)

2 handicapped parking spaces (proposed)

Parking Spaces Required (1 per guest room) – 66 spaces

Holiday Inn parking spaces –

104 standard parking spaces (proposed)

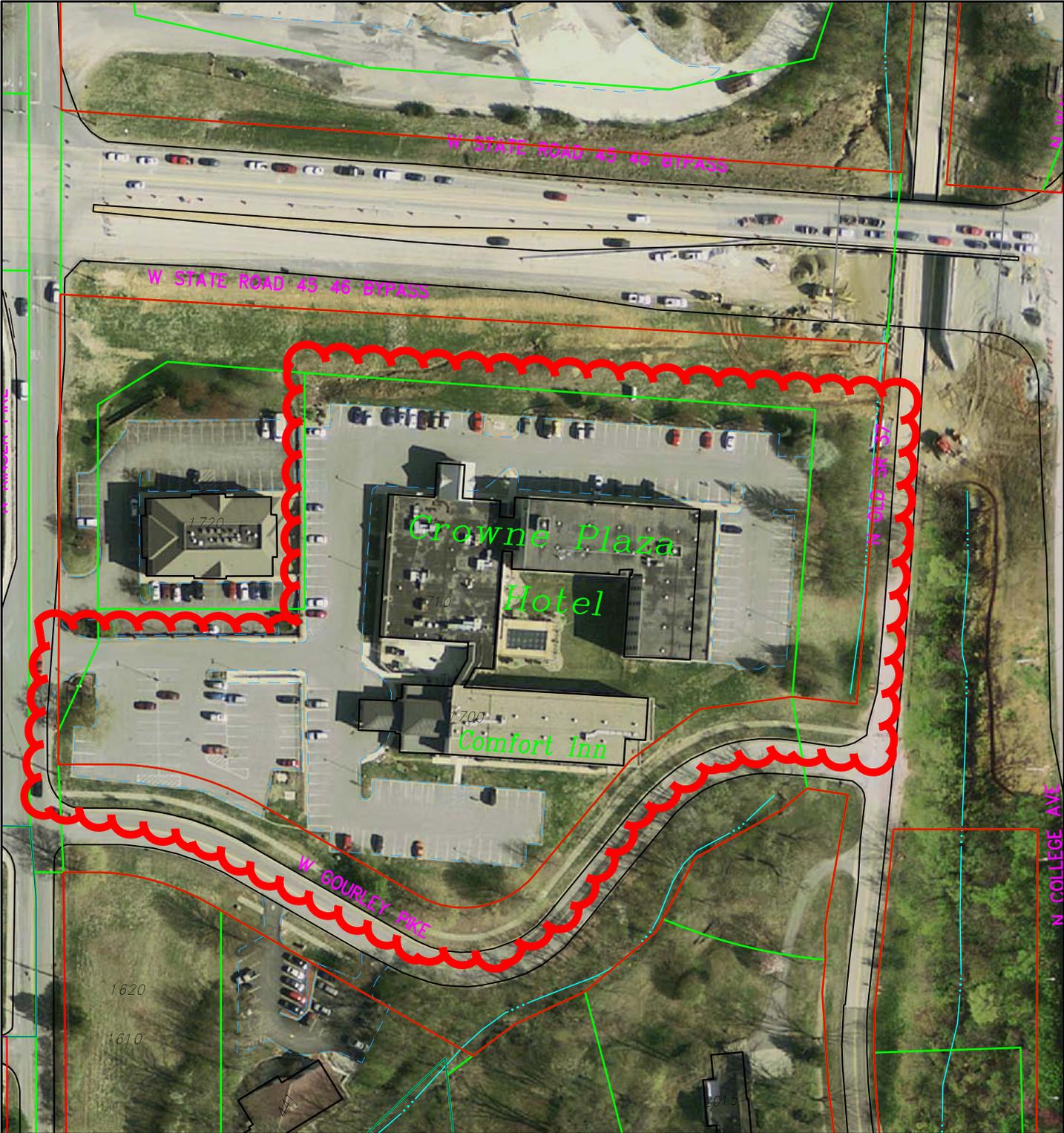
5 handicapped parking spaces (proposed)

Parking Spaces Required (1 per guest room) – 120 spaces

(1 per 200 s.f. of Banquet, Bar and Restaurant floor area) – 41 spaces

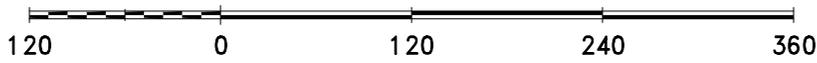
Required parking per City of Bloomington UDO Parking Standards (Chapter 20.05) –
227 spaces total (both buildings combined)
Parking spaces currently provided – 205 spaces total (both buildings combined)

The Petitioner thanks you for your input and assistance regarding this request.

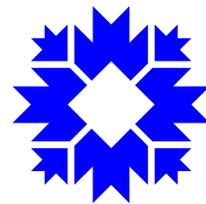


V-18-13
2011 Aerial Photo

By: roachja
10 Apr 13



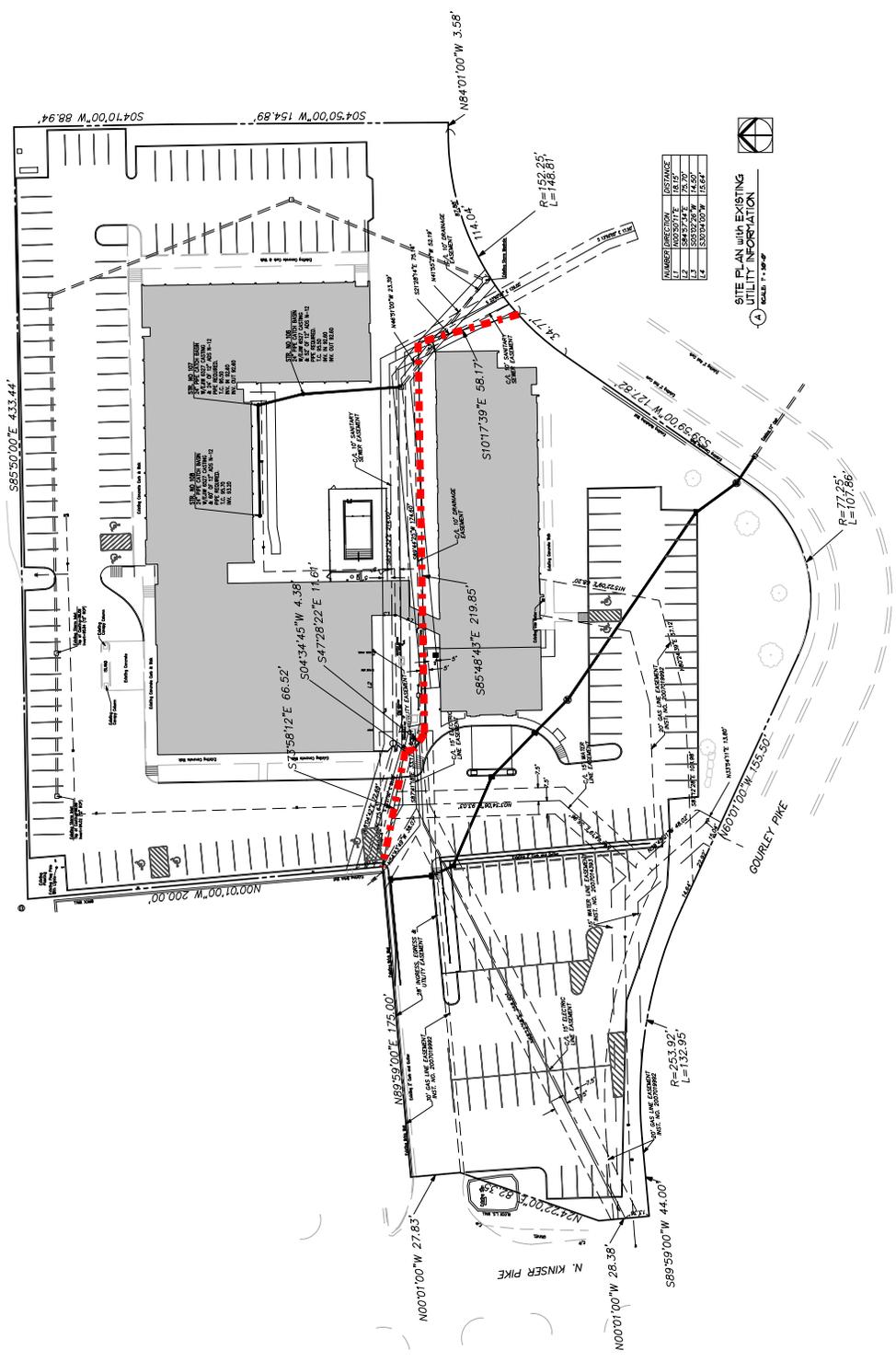
City of Bloomington
Planning



Scale: 1" = 120'

For reference only; map information NOT warranted.

V-18-13
Preliminary Plat



SITE PLAN WITH EXISTING
 UTILITY INFORMATION
 SCALE: 1" = 30'-0"

ARCHITECTURE
 CIVIL ENGINEERING
 PLANNING
 Bloomington, Indiana
 505 north walnut street
BBB
 BROWN FRANKO & ASSOCIATES, INC.

certified by:

Proposed Lot Subdivision of:
COMFORT INN/HOLIDAY INN PROPERTY
 1710 Kinser Pike
 Bloomington
 Indiana

SHEET: SITE PLAN WITH EXISTING
 UTILITY INFORMATION

11-S
 date: 4/18/23
 202304

revisions:

drawn by: ecb

V-18-13
Preliminary Plat

