

CITY OF BLOOMINGTON



May 29, 2013 @ 2:00 p.m.
CITY HALL -
KELLY CONFERENCE ROOM #155

AGENDA

CITY OF BLOOMINGTON
HEARING OFFICER
May 29, 2013 at 2:00 p.m.

*Kelly Conference Room #155

PETITION:

- CU-24-13 **David Nakarado**
1301 W. 6th St.
Request: Conditional use approval for a home occupation tailoring business in a Residential Core (RC) zoning district.
Case Manager: Katie Bannon

**BLOOMINGTON HEARING OFFICER
STAFF REPORT
Location: 1301 W. 6th St.**

**CASE #: CU-24-13
DATE: May 29, 2013**

PETITIONER: The Tailored Fit
David Nakarado
559 S. Lincoln St.
Bloomington, IN

REQUEST: The petitioner is requesting conditional use approval to allow a tailoring business home occupation in the Residential Core (RC) district.

SITE DESCRIPTION: This property is located at the southwest corner of N. Adams Street and W. 6th Street and is located in the Residential Core (RC) zoning district. Surrounding land uses are single family houses to the north, south, east, and west. The property has been developed with a former church building and parking lot.

The petitioner is proposing to convert the former church building into a single family house with a home occupation tailoring business. Home occupations are allowed in the RC district as conditional uses. The petitioner is required to install a concrete sidewalk with ADA compliant ramps on Adams St. and 6th St. Two bicycle parking spaces are also required. Both the sidewalks and bicycle rack are indicated on the site plan.

OPERATIONS STANDARDS: BMC 20.05.051(e) lays out thirteen specific operations standards for home occupations.

1. Operator Residency Required: The petitioner will live in the house.
2. Maximum Number of Nonresident Employees: The petitioner is aware that only one (1) employee who does not reside in the house is permitted.
3. Maximum Floor Area: The house is approximately 4069 square feet. The petitioner plans to use 473 square feet for the home occupation. This is approximately 12% of the house, which is less than the maximum size of 15% of the house or 500 square feet, whichever is less.
4. Multiple Home Occupations: Only one home occupation is planned.
5. Residential Character: The building was formerly a church. With its new use as a single family house with a home occupation, the residential character of the building will be improved.
6. Location and Entrance: The home occupation will take place entirely within the house.
7. Outdoor Display and Storage: No outdoor display is planned.
8. Sales: No direct sales are planned.
9. Signage: The petitioner is aware of the signage restrictions for a home occupation.
10. Off-street Parking and Loading: No additional driveway is planned. There is adequate parking in the existing parking lot.
11. Hours of Operation: The petitioner is aware that hours of operation are limited to 8:00 AM to 8:00 PM.
12. Commercially Licensed Vehicles: No commercial vehicles are proposed.

13. Deliveries: The petitioner is aware of limitations on deliveries being conducted by typical residential delivery services.

Criteria and Findings for Conditional Use Permits

20.05.023 Standards for Conditional Use Permits

No Conditional Use approval shall be granted unless the petitioner 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 Plan;*

Staff Finding: The Growth Policies Plan identifies this area as “Urban Residential” and lists single family residential development as the primary land use with some additional uses, including home occupations.

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

Staff Finding: The proposed home occupation will not create a nuisance. Staff finds no concerns regarding noise, smoke, odors, vibrations, or lighting.

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 impacts to the adjacent properties or character of the area as a result of this petition. The impacts will generally be less intensive than the former church use of the site.

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: The use requires no additional infrastructure services.

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

Staff Finding: The use is a low traffic generator and will not draw significant traffic into the neighborhood. In addition, the property is located along a Primary Collector (Adams St), and automobiles will enter and exit the parking lot from Adams.

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: The building is not on the historic survey, and there are no natural features on the site.

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 waste collection or unusual hours of operation are proposed with this request. The business will not operate after 8 PM.

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

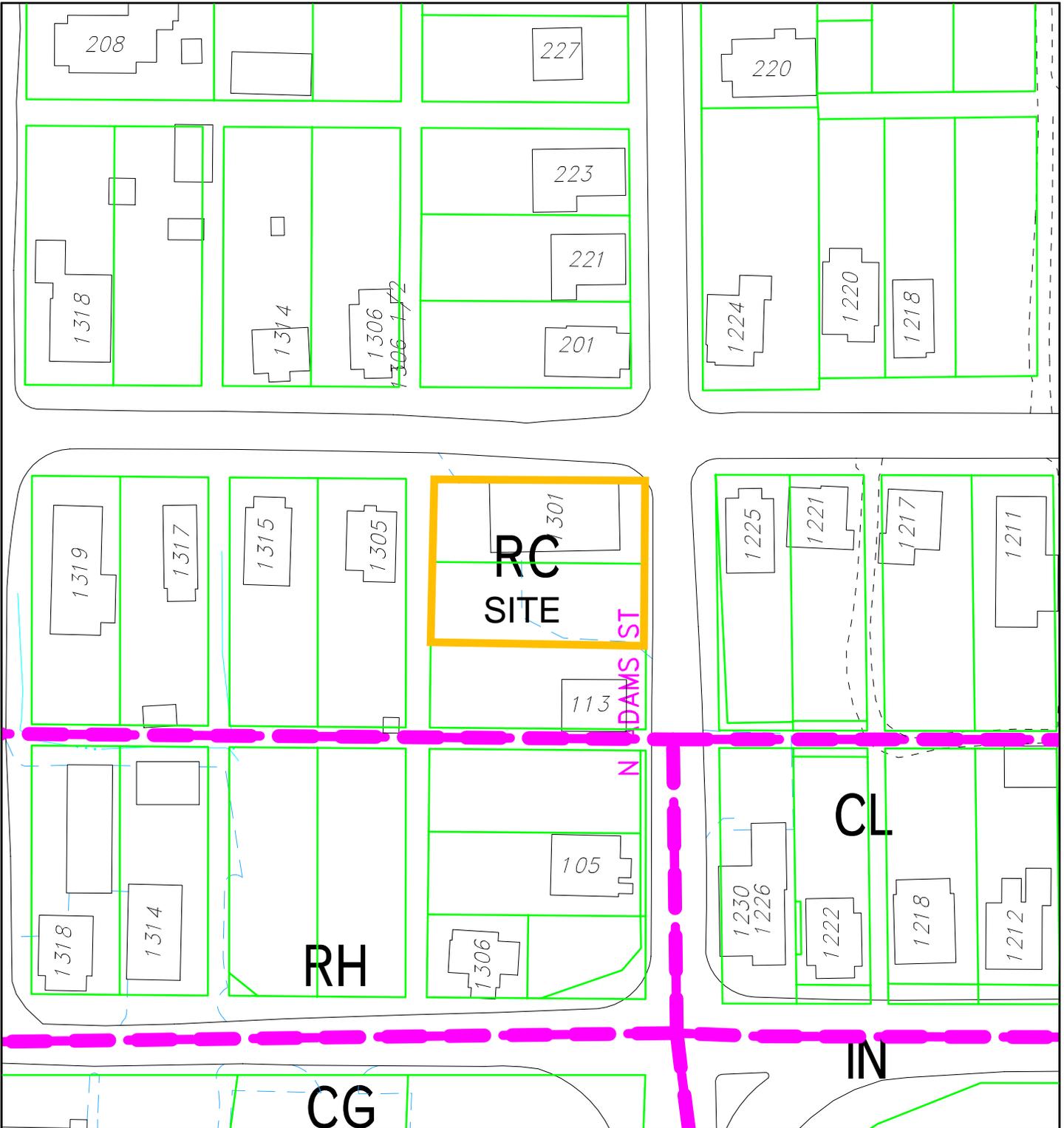
Staff Finding: No signage has been reviewed with this request.

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 this use.

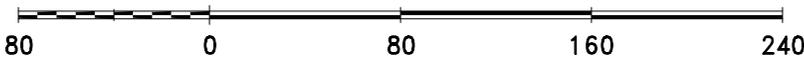
RECOMMENDATION: Staff recommends approval of CU-24-13 with the following conditions:

1. A 6' wide concrete sidewalk is required to be installed on N. Adams St. and W. 6th St.
2. Two bicycle parking spaces are required to be installed.
3. Any future signage must receive a sign permit.

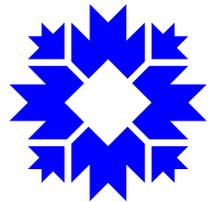


CU-24-13
 1301 W. 6th St.
 The Tailored Fit, David Nakarado
 Land Use and Zoning Map

By: bannok
 23 May 13



City of Bloomington
 Planning



Scale: 1" = 80'

For reference only; map information NOT warranted.

5/6//2013

To: City of Bloomington Planning and Zoning Department

From: David Nakarado

559 S Lincoln St

Bloomington, Indiana 47401

Subject: Home Business Variance

Location: 1301 W 6th St

Bloomington, Indiana 47401

Seeking a home business variance, for the purpose of a tailor/alteration business at 1301 W 6th Street. Currently this business is located at 559 S Lincoln St, Bloomington, Indiana 47401 and it has previously been through the process of obtaining a home business variance at this location.

The business has operated within the home business guidelines.

Hours of business for customers, currently are Monday thru Thursday 2:00pm – 6:00pm and by appointments as necessary.

Ample off street parking will be achieved by the use of the present parking spaces within the connecting south lot.

Met with Roy Aten, City of Bloomington Public Works on site to discuss requirements to add sidewalks to property as required for home business variance. It is suggested that 6 ft. concrete sidewalks be added and are to follow the current street curb on Adams Street and follow the existing curb on 6th street and extended west to the end of Lot 6 to complete and compliment street drain at end of lot.

The site consists of Waterman's addition Lots 5&6, lots are approximately 47 feet wide by 121 feet deep. Property is currently a church, with the building on Lot 6 and parking on Lot 5.

Interior of church/residence has 2704 sq. ft. of space on the main floor and 1365 sq. ft. in the lower level for a total of 4069 sq. ft. proposed business is to be 473 sq. ft.

Location site is currently zoned residential; properties near subject are predominantly residential with a multifamily unit and a few businesses nearby.

It does not appear there are any environmental or drainage issues



Roy Aten
Field Support Specialist
327-3340



Public Works
Engineering Division
401 N. Morton St. Suite 130
PO Box 100
Bloomington IN 47402
P 812.349.3591
F 812.349.3520
atenr@bloomington.in.gov







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CU-24-13



Neighborhood Letter of Support

CU-24-13



Current Quota Usage: 523.12MB / 1500.00MB (34.87%)

INBOX: RE: Update- Fwd: Letter from NWSNA to Planning to... (71 of 1916)

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Date: Tue, 30 Apr 2013 11:28:44 +0000

From: "Walter, David P"

To: Dave Nakarado <

Subject: RE: Update- Fwd: Letter from NWSNA to Planning to support variance request

Dear David,

Sorry - I was out of town over the weekend visiting my mother and just now got to my email box.

Because of this, I did not get around to see everyone in the neighborhood, but I don't believe we had any issues with the use of the building other than parking - which you answered in your email.

So, please accept this email as an acknowledgement of your variance request for a home business from the 6th & Ritter Neighborhood Association and an invitation to join the NA if you do go through with your plans. We would be happy to have you in the neighborhood.

Dave Walter
208 N. Ritter St.
Bloomington, IN

812-336-3308

From: Dave Nakarado [mailto:dave.nakarado@bloomington.in.gov]
Sent: Sunday, April 28, 2013 10:10 AM
To: Walter, David P
Subject: Update- Fwd: Letter from NWSNA to Planning to support variance request

Good Morning David,

Just wanted to take time to give you an update, I have received the NWSNA support letter. I am hoping your association will too support our request, tomorrow Monday April 29th is a filing deadline and I am hoping to be able meet that deadline. I do understand, if this time line is not met when working with many variables... however if the stars are aligned and it is meant to be... your efforts will be appreciated

Thank you for your time,

Dave Nakarado
Call or Text Anytime 812-340-9916

----- Forwarded message from Steven Janowiecki

< [mailto:steven.janowiecki@bloomington.in.gov] >
Date: Fri, 26 Apr 2013 13:43:42 -0400
From: Steven Janowiecki
Reply-To: Steven Janowiecki
Subject: Letter from NWSNA to Planning to support variance request
To: Katie Bannon <bannonk@bloomington.in.gov>

Hi Katie,

Please find attached a letter from the NWSNA in support of Dave Nakarado's proposed variance at 1301 W 6th St. Thanks,

Steven
Secretary, NWSNA

On Thu, Apr 25, 2013 at 9:02 AM, Dave Nakarado

< [mailto:dave.nakarado@bloomington.in.gov] >
> Good Morning David and Steven,
>

Steven Janowiecki
Secretary, NWSNA

April 26, 2013

To:
City of Bloomington Planning Department
401 N. Morton Street Suite 160
Bloomington, Indiana 47402

To whom it may concern:

The Near West Side Neighborhood Association wishes to express its support for the home business variance requested for the proposed tailoring/alteration shop at 1301 W 6th St. The NWSNA is happy about having another home business near our neighborhood, and is pleased that this would be conditional use variance specific to these owners at this location. We look forward to having permanent residents at that property, and the improvements they plan to make.

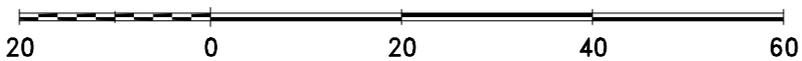
Sincerely,

Steven Janowiecki
(419) 889-1781
sjanowie@astro.indiana.edu
Secretary, Near West Side
Neighborhood Association

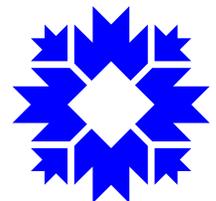


CU-24-13
 1301 W. 6th St.
 The Tailored Fit, David Nakarado
 2010 Aerial Photo

By: bannonk
 23 May 13



City of Bloomington
 Planning



Scale: 1" = 20'

For reference only; map information NOT warranted.