

CITY OF BLOOMINGTON



AUGUST 7, 2013 @ 2:00 p.m.
CITY HALL -
KELLY CONFERENCE ROOM #155

CITY OF BLOOMINGTON
HEARING OFFICER
August 7, 2013 at 2:00 p.m.

*Kelly Conference Room #155

PETITION:

- V-36-13 **Med Express Urgent Care**
123 S. Franklin Rd.
Request: Variance from drive setback requirements to allow a driveway on
Fairfield Drive.
Case Manager: Eric Greulich

BLOOMINGTON HEARING OFFICER
STAFF REPORT
Location: 123 S. Franklin Rd.

CASE #: V-36-13
DATE: August 7, 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 driveway setback requirements to allow a new drivecut on Fairfield Dr.

SITE DESCRIPTION: This 1.0 acre property is located at 123 S. Franklin and is zoned Commercial Arterial (CA). Surrounding land uses are predominately restaurants with a 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 petitioner received a variance (V-29-13) from the maximum number of parking spaces from the Board of Zoning Appeals at their July 25, 2013 meeting to allow 42 parking spaces.

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. As a result of those requirements, there are approximately 45 parking spaces that must be removed. To accommodate the new parking arrangement and to still allow vehicles to park close to the entrance of the building, a new site plan was proposed that would remove a drivecut on Franklin Rd. and install a new one on Fairfield Dr. A new, one-way entrance is being proposed on Fairfield Dr. to supplement an existing a two-way entrance and exit on Franklin Rd. The proposed new entrance on Fairfield Dr. does not meet the 100' setback requirement from the street intersection. The proposed new drivecut will be approximately 60' from the intersection of Franklin Rd.

Other 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 the proposed new one-way entrance on Fairfield Dr. to the east and a two-way entrance to Franklin Rd. to the west. An existing drivecut on Franklin Rd. on the south side of the property will be removed with this petition. The location of the new one-way entrance on Fairfield Dr. does not meet the 100' setback requirement and is approximately 60' from the intersection of Franklin Rd. Fairfield Dr. is a one-way north street and the entrance is one-way as well.

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 petitioner received a variance from the maximum number of parking spaces to allow 42 parking spaces. These spaces have been shown on the proposed site plan.

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 it would result in more asphalt than is necessary to access the building. Staff also finds peculiar condition in that Fairfield Dr. is a one-way north street and the entrance will be one-way as well, so there will not be stacking conflicts as a result of the reduced distance from the intersection with vehicles entering the site from Fairfield Dr. Peculiar condition is also found in the location of the existing building and the entrance location on the south side of the building. This entry location for a medical use creates an increased need for convenient parking spaces in close proximity to the entrance.

RECOMMENDATION: Staff recommends approval of the variance with no conditions.

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.

July 22, 2013

City of Bloomington Hearing Officer
C/o Eric Greulich
Planning Department
Showers Building
Bloomington, Indiana

Re; Med Express Driveway Variance application

Dear Eric and Hearing Officer,

We are applying to the Hearing Officer seeking a variance to allow a relocated driveway for the developing Med Express facility at 123 South Franklin Road. The existing two way drive on Franklin Road is proposed to be replaced with a one way in drive on Fairfield Road as shown on the site plan. The variance is to allow the drive to be located approximately 60' north of Franklin Road as shown on the site plan. Fairfield Drive is one way northbound.

The site plan, application fee and application form are being submitted with this letter. Proof of notice to affected property owners will be submitted next week.

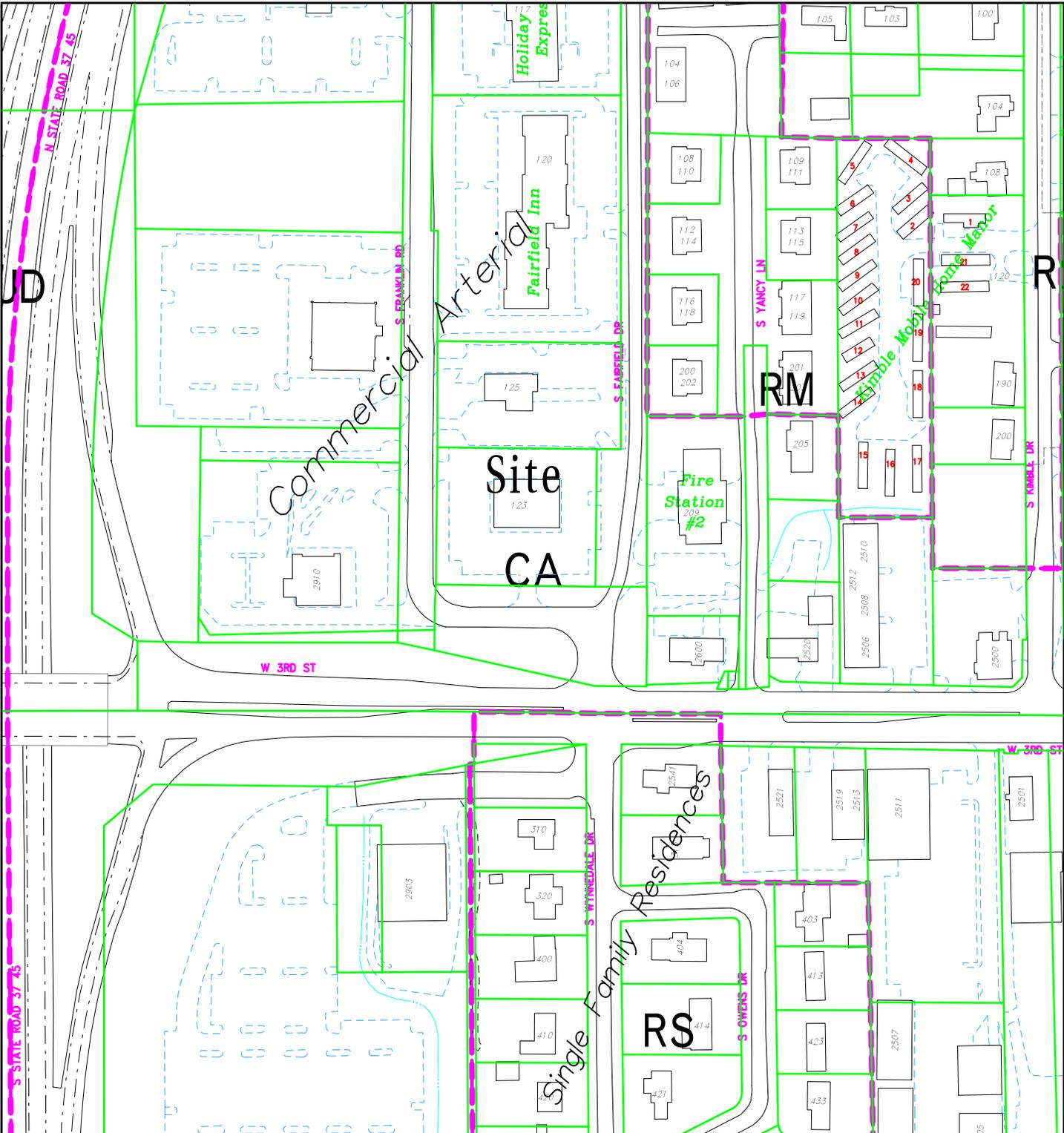
Very truly yours,

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

Cc; file, Med Express
Encl

V-36-13
Petitioner's
Statement

V-36-13
Petitioner Statement



V-36-13 MedExpress

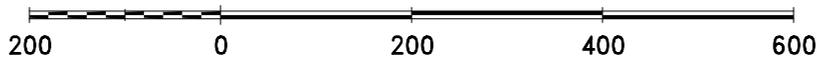
123 S Franklin Rd

Hearing Officer

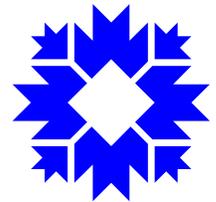
Site Location, Zoning, Land Use, Parcels

By: greulice

2 Aug 13



City of Bloomington
Planning



Scale: 1" = 200'

