

CITY OF BLOOMINGTON



July 9, 2014 @ 2:00 p.m.
CITY HALL -
KELLY CONFERENCE ROOM #155

CITY OF BLOOMINGTON
HEARING OFFICER
July 9, 2014 at 2:00 p.m.

***Kelly Conference Room #155**

PETITION:

- V-26-14 **St. Marks United Methodist Church**
100 S. State Road 46
Request: Variance from front yard parking setback standards to allow four (4) new
handicap accessible parking spaces.
Case Manager: Eric Greulich

**BLOOMINGTON HEARING OFFICER
STAFF REPORT
LOCATION: 100 N. State Route 46**

**CASE #: V-26-14
DATE: July 9, 2014**

PETITIONER: St. Mark's United Methodist Church
100 N. State Route 46, Bloomington, IN

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

REQUEST: The petitioner is requesting a variance from front yard parking setback standards to allow a new parking area to be constructed for four handicap accessible parking spaces.

REPORT SUMMARY: The subject property is located at the southeast corner of E. 7th Street and N. State Route 46 and is zoned Residential High-Density Multifamily (RH). The property has been developed with a place of worship and surface parking lots. A conditional use approval (CU-61-97) was granted in 1997 to allow an addition to the church and additional parking areas.

The petitioner would now like to construct a canopy on the north side of the building to provide a covered drop off area for church patrons. As part of the planned improvements, they would also like to install some handicap accessible parking spaces in this area. Although there are several handicap accessible parking spaces scattered around the existing parking area, none of the existing spaces meet handicap accessibility requirements due to location, slope of adjacent sidewalks, or handicap accessibility to the building. As a result, the petitioner would like to install four new handicap accessible spaces adjacent to the north entrance that is handicap accessible. The new spaces would be located along an existing internal drive that is adjacent to the entrance. A sidewalk will be installed along the new parking areas to connect the spaces to the building entrance. New landscaping will also be installed around the new parking area.

As part of the recent improvements along State Road 46, E. 7th Street was extended along the north side of this property to connect to State Road 46. As a result of this extension, there is now a public street that runs across the north side of this property. The Unified Development Ordinance prohibits parking between a building and the street and requires parking spaces to be 20' behind the front building wall. Since the proposed new parking spaces are located on the north side of the building and are between the building and 7th Street, a variance is required. This variance would not have been necessary prior to the extension of 7th Street across the north property line.

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 construction of the four spaces will provide handicap accessible parking for church patrons and improve the health, safety, and general welfare of the community. The spaces will not be visible from the main adjacent public road, State Road 46.

- 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.*

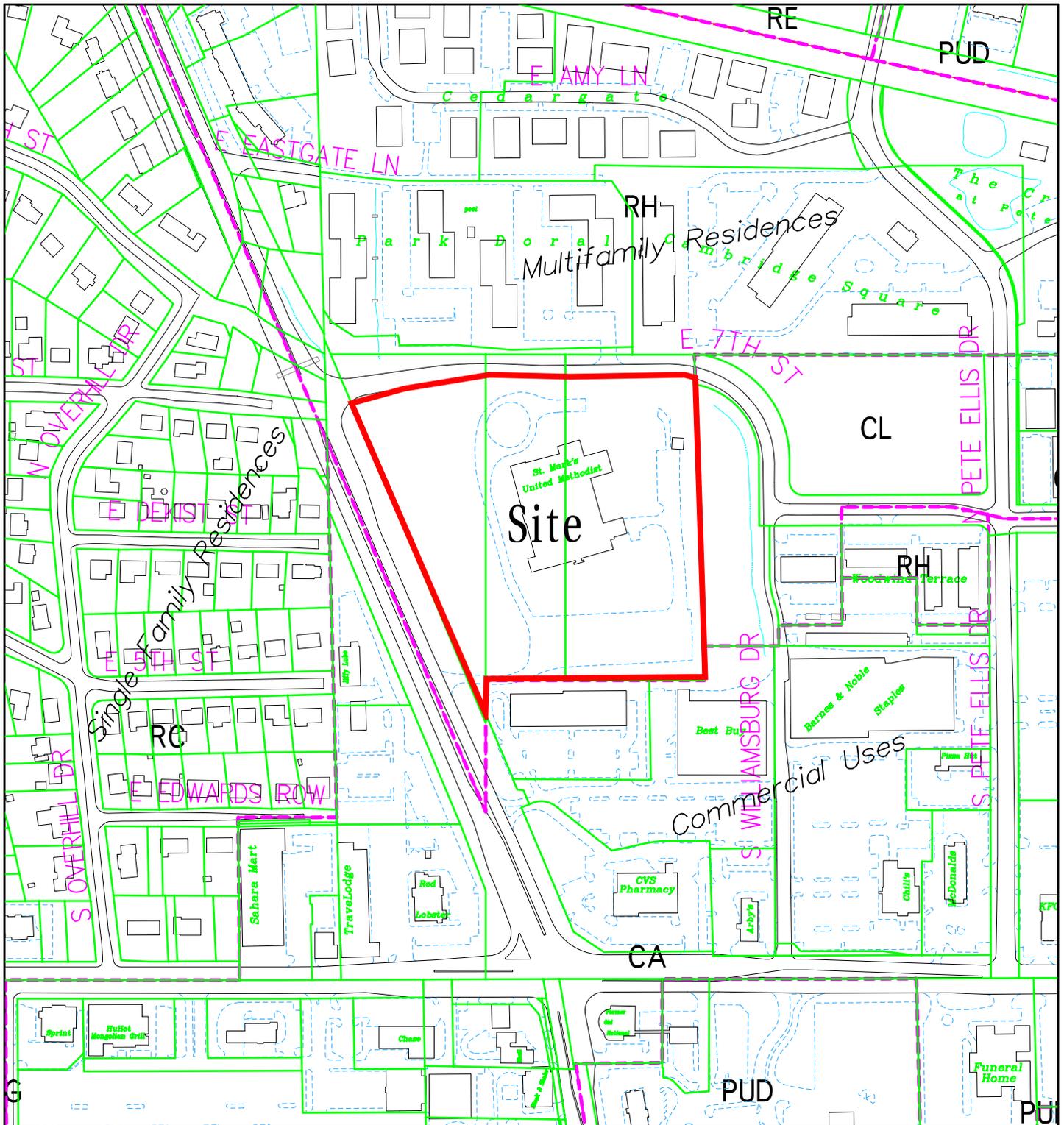
STAFF FINDING: Staff finds no adverse impacts to the use and value of the surrounding area associated with the proposed variance. The installation of the handicap spaces will have little to no impact on the use or value of the areas adjacent to this property.

- 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 peculiar conditions. The property and parking areas were developed prior to the extension of 7th Street across the north side of the property. Historically, the property has only had public road frontage along the west side of the property adjacent to State Road 46 and the north side was developed as a side yard. The recently dedicated right-of-way and construction of 7th Street creates practical difficulty in installing parking spaces that meet handicap accessibility requirements near the building's handicap accessible entrance. The four parking spaces will allow handicap patrons use of the facility and allow the property to be in compliance with federal accessibility requirements.

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

1. Landscaping must be installed adjacent to the parking areas as shown on the submitted landscape plan.



V-26-14 St. Mark's United Methodist Church

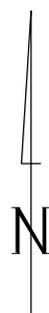
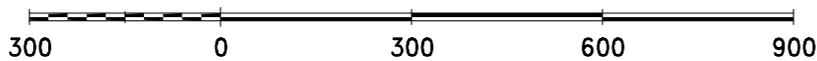
100 N State Road 46

Hearing Officer

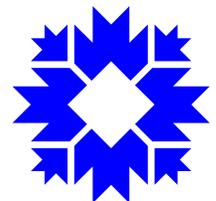
Site Location, Zoning, Land Use, Parcels

By: greulice

2 Jul 14



City of Bloomington
Planning



Scale: 1" = 300'

For reference only; map information NOT warranted.



V-26-14 St. Mark's United Methodist Church

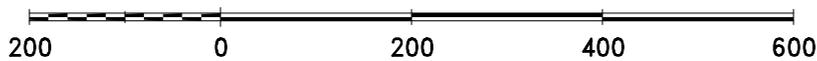
100 N State Road 46

Hearing Officer

2010 Aerial Photograph

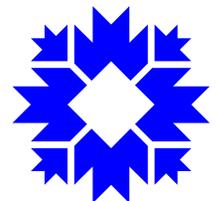
By: greulice

2 Jul 14



For reference only; map information NOT warranted.

City of Bloomington
Planning



Scale: 1" = 200'



Smith Brehob & Associates, Inc.



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

Stephen L. Smith, P.E., L.S.
Steven A. Brehob, BS.CNT.

June 23, 2014

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

RE: St. Marks United Methodist Church
Canopy and Accessible Parking

Dear Eric,

On behalf of our client, St. Marks United Methodist Church, we respectfully request to be placed on the July 9th agenda for the City of Bloomington Hearing Officer for consideration of a request to add a canopy to the building and accessible parking. Elements of the request are described in the attached petitioner's statement and shown on the accompanying plans. Also attached with this request letter is the application form and filing fee.

Should you have any questions regarding our request or the information attached, please contact me.

Sincerely,

Steven A. Brehob
Smith Brehob & Associates, Inc.

Cc: John Collins
4832 Approval Processing

J:\4832_St. Marks Church\Approval processing\application letter_6-23-14.doc



Petitioner's Statement

Location

St. Marks United Methodist Church is located on the east side of Bloomington at the southeast corner of the intersection of the SR 45 / 46 Bypass and the newly constructed 7th Street. The property address is 100 E. State Road 46.

Existing Condition

The existing church structure has undergone several additions. The most recent was in 1997 when a large addition to the sanctuary was completed. A conditional use approval was granted at that time. Currently, the church does not have any parking that meets accessibility code requirements. There are some parallel parking spaces marked as accessible around the existing circle drive at the NW corner of the building, but parallel parking spaces do not meet accessibility code due to the lack of an accessible aisle and the cross slope on the pavement does not meet code requirements.

The main entry located on the west side of the building has several stairs leading from the access drive to the entry. Though a ramp could be created, there is no immediately adjacent parking and parking in this area would be located in plain view in front of the building.

The main parking lot south of the building requires the use of a long sidewalk with two sets of stairs to access the building. It does not meet accessibility code requirements.

There are also some existing parking spaces marked as accessible on the east side of the building. Those spaces however do not meet slope requirements. The sidewalk leading from said spaces to the building does not meet code requirements for slope and the route through the building to the sanctuary does not meet code requirements.

Proposed Canopy

The church would like to construct a covered canopy on the end of the existing walkway at the NW corner of the building which leads directly to the sanctuary. This canopy would afford the opportunity for a covered drop off and covered walkway to the building.

Accessible Parking

With the addition of the proposed canopy, 4 accessible parking spaces are proposed immediately adjacent to the canopy. Accessibility Code requirements for parking with regards to location dictate that accessible parking is to be located nearest the entrance to the building. This area is the flattest area on the site and parking at this



location can be constructed to meet accessibility code requirements with regards to slope of the parking spaces and route to the entrance. It is also the closest location for parking immediately adjacent to the emergency side door exit from the sanctuary. The parking would also be tucked in between the building and the canopy and would not be readily visible from the SR 45 / 46 Bypass.

Need for Variance

Prior to construction of 7th Street by the Indiana Department of Transportation, locating accessible parking in this area would have meet the requirements of the Unified Development Ordinance as said parking would have been located a minimum of 20' behind the front line of the building with regards to its frontage on the SR 45 / 46 Bypass. With the construction of 7th Street, the site now has frontage on two public roadways and the desired accessible parking location near the proposed canopy results in parking between the building and a public roadway. There are no other locations on site that are immediately adjacent to the sanctuary where accessible parking could be constructed that would not be located between the building and a road frontage.

J:\4832_St. Marks Church\Petitioner's Statement_6-23-14.docx

