

CITY OF BLOOMINGTON



July 13, 2011 @ 2:00 p.m.
CITY HALL -
KELLY CONFERENCE ROOM #155

**CITY OF BLOOMINGTON
HEARING OFFICER
July 13, 2011 at 2:00 p.m.**

***Kelly Conference Room #155**

PETITIONS:

- V-24-11 **CFC, Inc.**
200 S. Madison St.
Request: Variance from signage standards.
Case Manager: Patrick Shay

- V-25-11 **St. Paul United Methodist Church**
4201 W. 3rd St.
Request: Variance from minimum driveway separation standards.
Case Manager: Jim Roach

PETITIONER: Nikki Johnson, CFC, Inc.
P.O. Box 729, 320 W. 8th St., Suite 200, Bloomington, IN

REQUEST: The petitioner is requesting a variance from sign standards to allow a freestanding sign.

SUMMARY: The property is located on the southwest corner of W. 4th Street and S. Madison St. and is zoned Commercial Downtown (CD). The property has been developed with two-story, multi-family apartment buildings.

There is an existing freestanding sign on this property at the southwest corner of S. Madison St. and W. 4th St. The existing sign consists of two perpendicular panels with one panel parallel to W. 4th St. and one panel parallel to S. Madison Ave. Each panel is 2'9" in height and 8' in width.

The petitioner proposes to remove the existing freestanding sign and erect a new double-sided freestanding sign in the same location, at a forty-five degree angle to the corner. The sign face area will be 3' in height and 5' in width.

The Unified Development Ordinance (UDO) does not allow a freestanding sign in the CD district unless the primary structure on a lot is set back from the public right of way by a minimum of 15'. The petitioner is requesting a variance to allow a freestanding sign on a property with a primary structure set back less than 15' from the public right-of-way. The proposed sign will meet all other standards of the UDO.

The apartment buildings were built with approximately a 0' setback from the right-of-way on both W. 4th St. and S. Madison St. The buildings are set back approximately 13' from the interior edge of the sidewalk on both streets. The right-of-way on W. 4th St. is approximately 80' wide. The right-of-way on S. Madison St. is approximately 86' wide.

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. There will be no change in the use of the property as a result of the proposal. The proposed sign will be smaller than the existing sign and meet current sign area and height standards. Although the proposed sign will be located within the public right-of-way, it will be located behind the sidewalk and will not obstruct driver, pedestrian, or bicyclist vision.

- 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.*

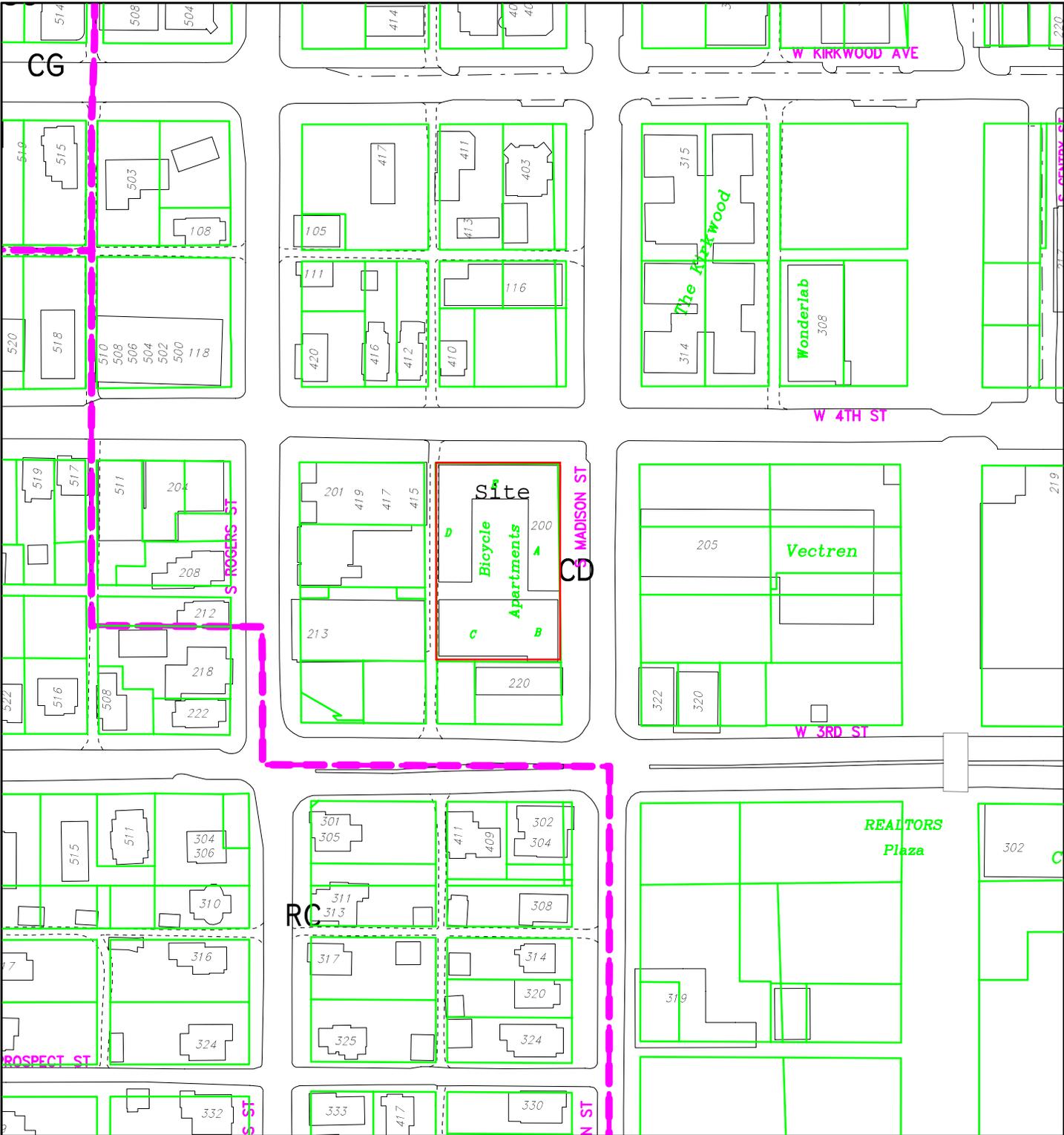
STAFF FINDING: Staff finds no adverse impacts to the use and value of the surrounding area associated with the proposed variance. There have not been any known negative effects from the current sign. Staff has not received any calls of opposition from neighbors.

- 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.*

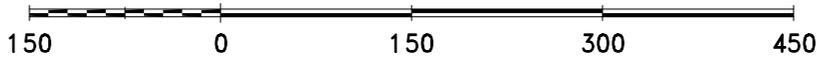
STAFF FINDING: Staff finds peculiar condition in the fact that the right-of-way on both W. 4th St. and S. Madison St. is unusually large for local/neighborhood streets. The Master Thoroughfare Plan provides a minimum right-of-way for neighborhood streets of 50'. Both W. 4th St. and S. Madison St. have rights-of-way of more than 80'. In addition, although there is almost 15' between the interior edge of the sidewalk and the edge of the building, all of this land is within the public right-of-way. Strict compliance with the UDO would not allow any freestanding signage on this property. Staff finds that the variance relieves the practical difficulty while not permitting more sign area or height than permitted by the UDO for freestanding signage in the CD district. The UDO intended ground signs to only be permitted when a structure is 15' from the edge of the right-of-way or sidewalk, which the petition fulfills.

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

1. A sign permit is required prior to placement of the sign.
2. An encroachment from City of Bloomington Public Works is required prior to the placement of the sign.
3. Sign height shall limited to a maximum of 4'.
4. Landscaping that meets the provisions of BMC 20.05.079(j)(1)(E) is required.



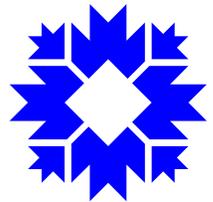
By: bannok
7 Jul 11



For reference only; map information NOT warranted.



City of Bloomington
Planning



Scale: 1" = 150'

June 22, 2011

CFC, Inc (CFC Properties) proposes to remove the current V sign on the corner of Madison Street and Fourth Street at The Bicycle Apartments. Each panel of the current sign is 2'9" (h) x 8' (w). We propose to replace the current sign with a double-sided yard sign that will be 3' (h) x 5' (w) that will be placed on the diagonal between the sidewalk and the building. The sign will be constructed of MDO (medium density overlaid), an exterior grade plywood.

Bicycle Apartments

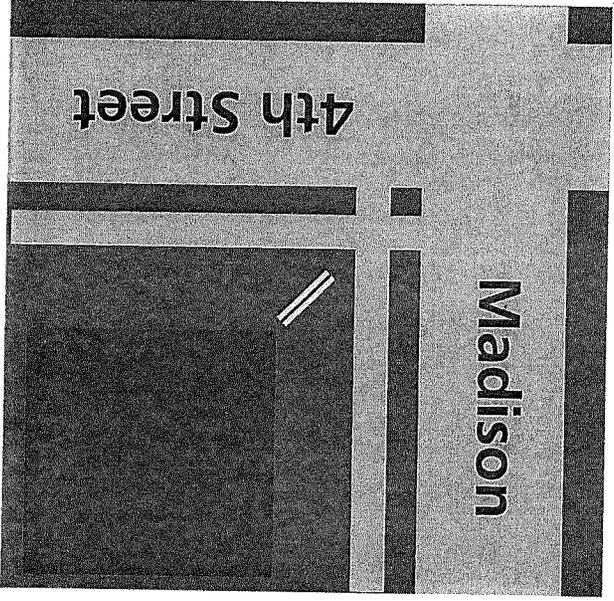




The Bicycle Apartments
200 S. Walnut Street
Kalamazoo, MI 49004
810.4278

The Bicycle Apartments
200 S. Walnut Street
Kalamazoo, MI 49004
810.4278

The Bicycle Apartments
New Units
334-1753



Double Sided Sign

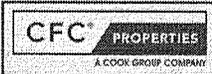
THE BICYCLE

APARTMENTS

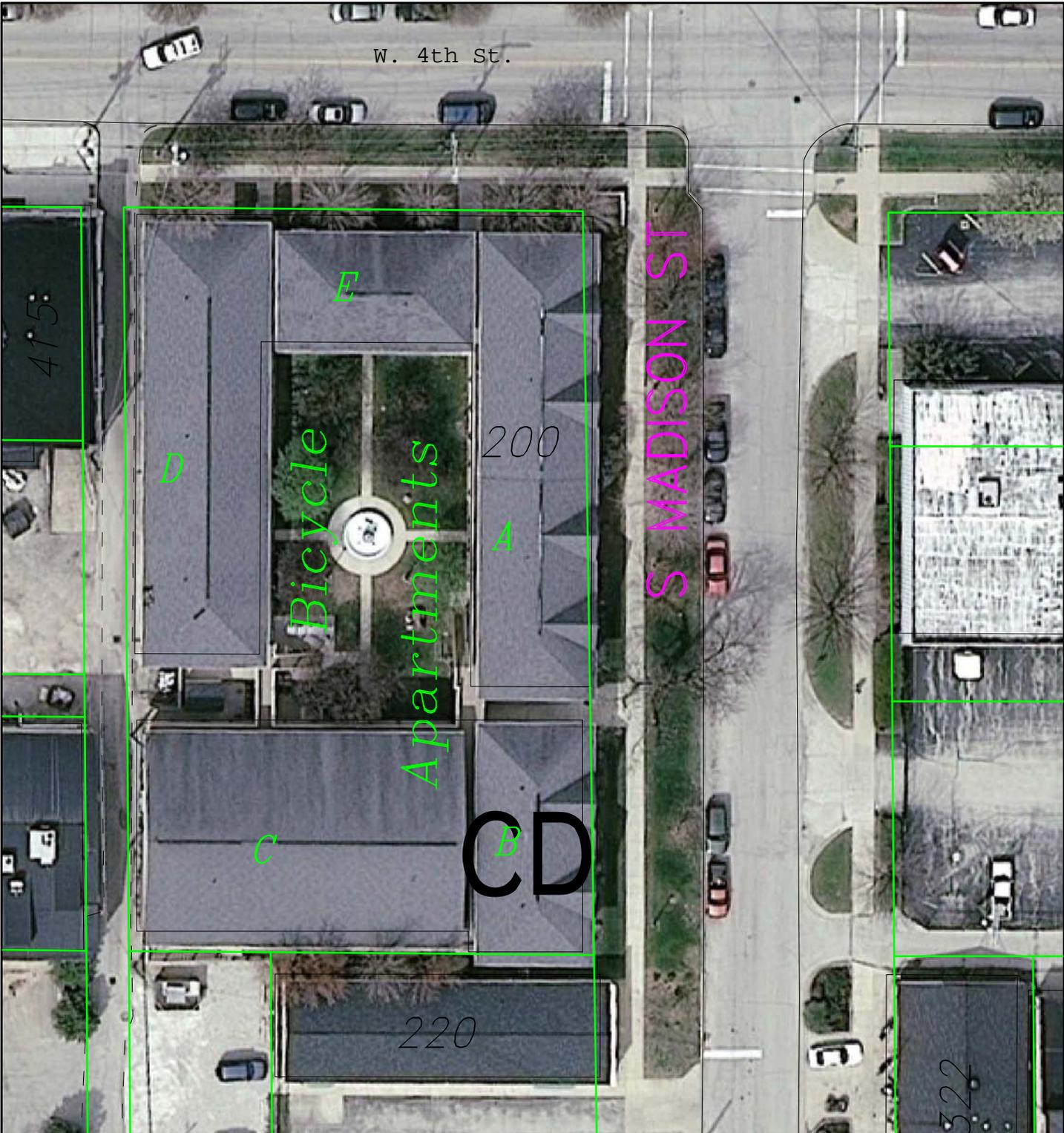
812.339.1584

www.CFCapartments.com

200 South Madison







W. 4th St.

415

D

E

Bicycle
Apartments

200

A

C

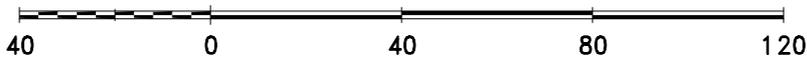
CD

220

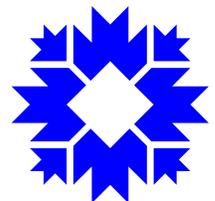
322

S MADISON ST

By: bannok
7 Jul 11



City of Bloomington



Scale: 1" = 40'

For reference only; map information NOT warranted.

PETITIONER: St. Paul United Methodist Church
4201 W. 3rd Street, Bloomington

REQUEST: The petitioner is requesting a variance from minimum driveway separation standards.

REPORT SUMMARY: The petitioner currently operates an approximately 20,000 square foot place of worship on a 4.0 acre lot at the southwest corner of W. 3rd Street/W. SR 48 and S. Hickory Drive. The church was built in the 1960s and the BZA approved conditional uses for building additions in 1980 (CU-6-80) and 1995 (CU-55-95). A grading permit was approved in 2005 to allow for a parking lot expansion.

The property is zoned Commercial General (CG) and is surrounded by single family uses to the north and south, commercial uses to the east and another place of worship to the west. The property is surrounded on three sides by streets; 3rd St. to the north, Hickory Dr. to the east and W. Belle Ave. to the south. The property also includes a 118 space parking lot with access from Hickory Dr.

The petitioner recently received approval of several variances by the Board of Zoning Appeals (case #V-19-11) to allow for the construction of a 2,600 square foot accessory structure. A variance from maximum driveway width standards was denied by the BZA. As a condition of the building permit for the structure, the petitioner was required to reduce the width of the driveway onto Hickory Dr. from the present 60 foot width to the UDO maximum of 24 feet.

Instead of a single 24 foot wide drive, the petitioner proposes to separate the drive into a 12 foot wide in-bound lane and a 12-foot wide out-bound lane, separated by 36 feet. The petitioner conditions that this arrangement will allow for better access for larger vehicles given the unusual shape of the parking lot island immediately west of the entrance. The UDO requires a minimum 100 foot separation between drive-cuts. The petitioner is requesting a variance from the minimum driveway separation 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's Finding: Staff finds no injury with the petition. This petition will allow for the entrance to be reduced to a combined 24 feet, reducing pedestrian crossing distances. Staff finds that this drive will meet the have only 24 feet of driveway. Hickory is a low

volume Neighborhood Street that can accommodate close driveways.

2. *The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.*

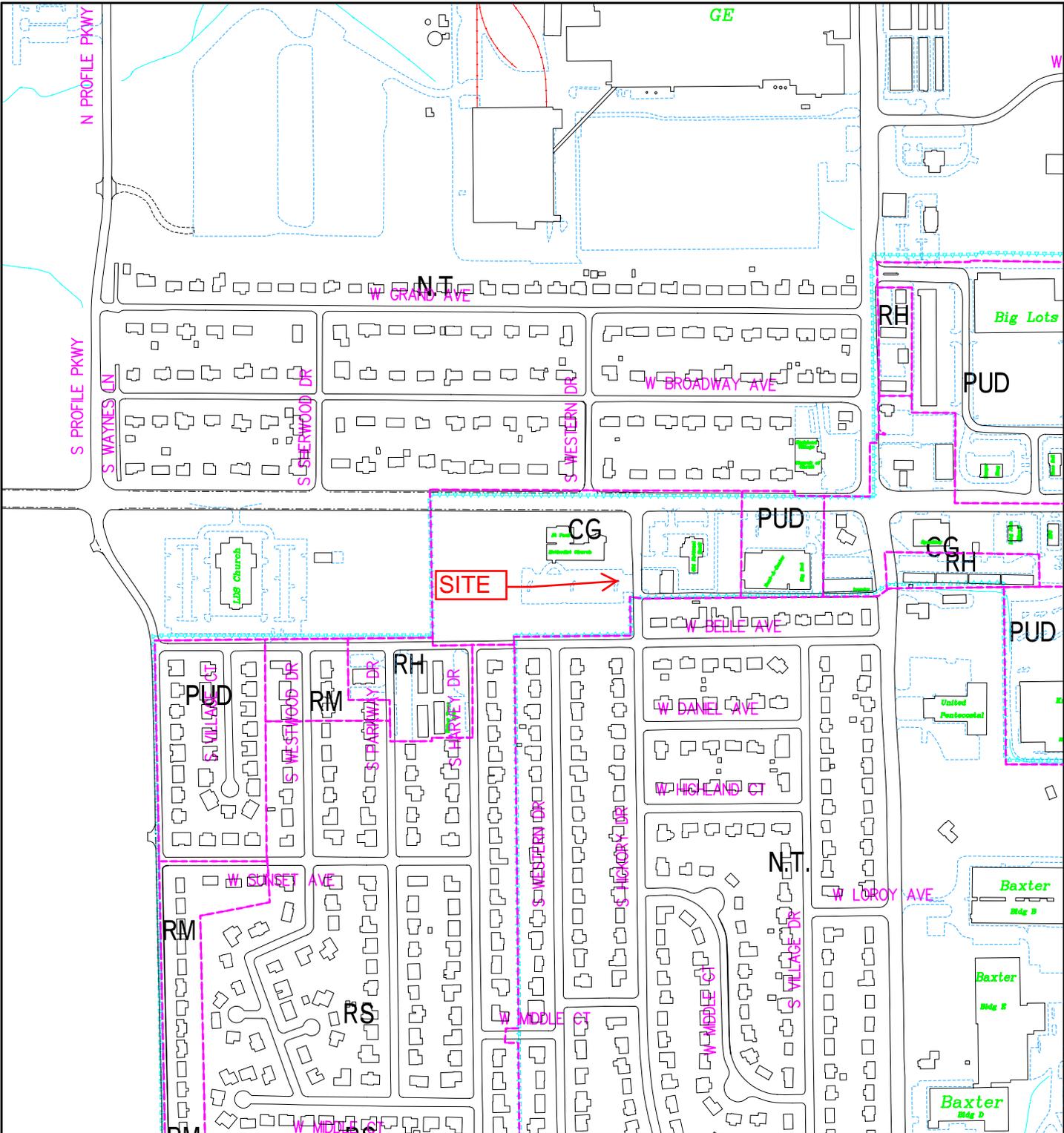
Staff's Finding: Staff finds no adverse impacts to the surrounding area. The driveway has existed in its present configuration for many decades with no known complaints. The proposal will likely only improve access in and around the church.

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 variance will relieve practical difficulties.*

Staff's Finding: Peculiar condition is found in the obtuse angle of the parking lot island. This island makes it difficult to design a single drive-cut that will allow for both in-bound and out-bound traffic, while allowing for cars to circle the island. Peculiar condition is also found in that the petitioner is required to retrofit a drive-cut to meet UDO maximum width standards, while still accommodating the existing design and use of the parking lot. Practical difficulty is found in the arrangement of the existing parking lot that does not meet the UDO standards. If the variance is denied, the petitioner will likely have to completely re-design the parking lot to allow for a 2-way drive, which will also likely mean re-building the island, cutting down a tree and relocation of a parking lot light.

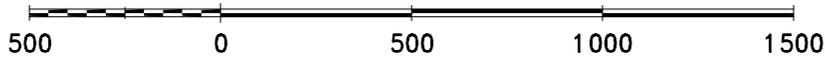
RECOMMENDATION: Based on the written findings, staff recommends approval with the following conditions:

1. Each individual drive-cut can not exceed 12 feet in width.
2. Each individual drive-cut must only permit one-way traffic.

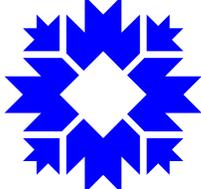


V-25-11
Location map

By: roachja
18 May 11



City of Bloomington
Planning



Scale: 1" = 500'

For reference only; map information NOT warranted.

James Roach, Senior Planner
City of Bloomington Planning Department
400 N. Morton Street
Bloomington, IN 47404

Jim,

June 27, 2011

We are St. Paul United Methodist Church, a family and mission focused congregation located in Highland Village at 4201 W. Third Street. We have applied for a building permit to construct a three bay garage and shelter structure at the west end of our current parking lot. We have been before the Board of Zoning appeals for a short list of variance requests, receiving approval for all variances except our parking lot entrance. It is our understanding that the current zoning requirement will require us to reduce our long standing parking lot entrance to 24 feet. With our current 15-passanger short bus and our future desire to purchase an additional bus (26-passanger with longer wheel base) we feel that negotiating a 24ft entrance and then maneuvering around a 36ft parking lot island is problematic.

We are petitioning the planning department for a minor variance to the current zoning requirement. As a condition of this minor variance request, we would propose constructing one entrance lane and one exit lane and align these design elements with the current path of travel as dictated by the parking lot lanes. I met with Roy Aken, City Engineering on Monday June 27th at the church site. He is in favor of the proposed submitted site plan. Furthermore we understand that the notice mailing deadline is July 2, 2011. We are requesting a meeting with the Hearing Officer on Wednesday July 13th at 2pm to hear our minor variance.

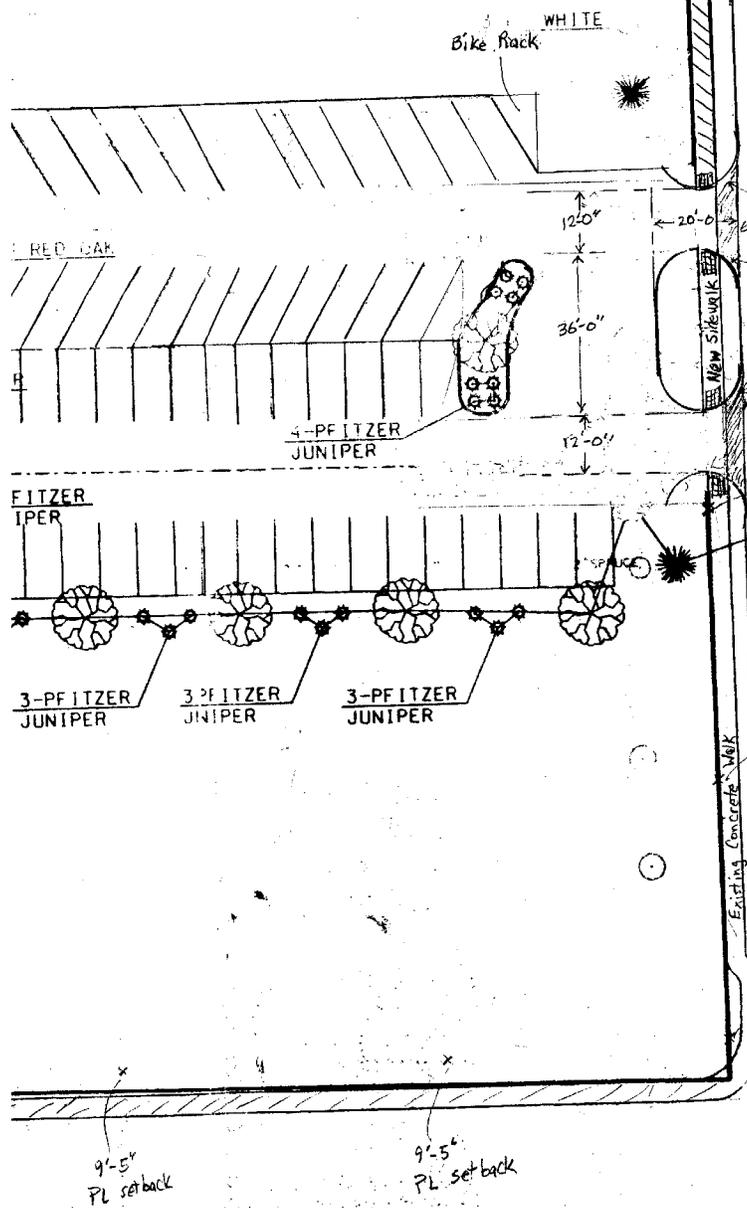
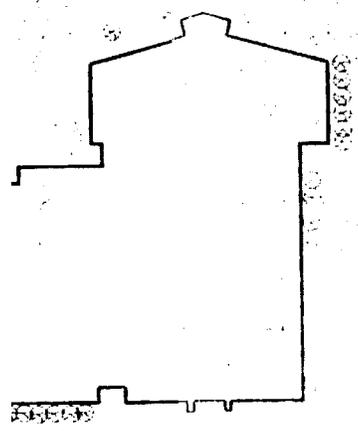
Respectfully Submitted,



Brian Baker, Trustee
St. Paul United Methodist Church

Transition around utility pole to SR48 sidewalk
 State Hwy Dept
 re: utility pole and
 guy wire obstruction
 to min. 5ft sidewalk
 width
 22'-0" width
 marker

LEGENE
 UGE OF
 H2O
 GAS
 UGT (



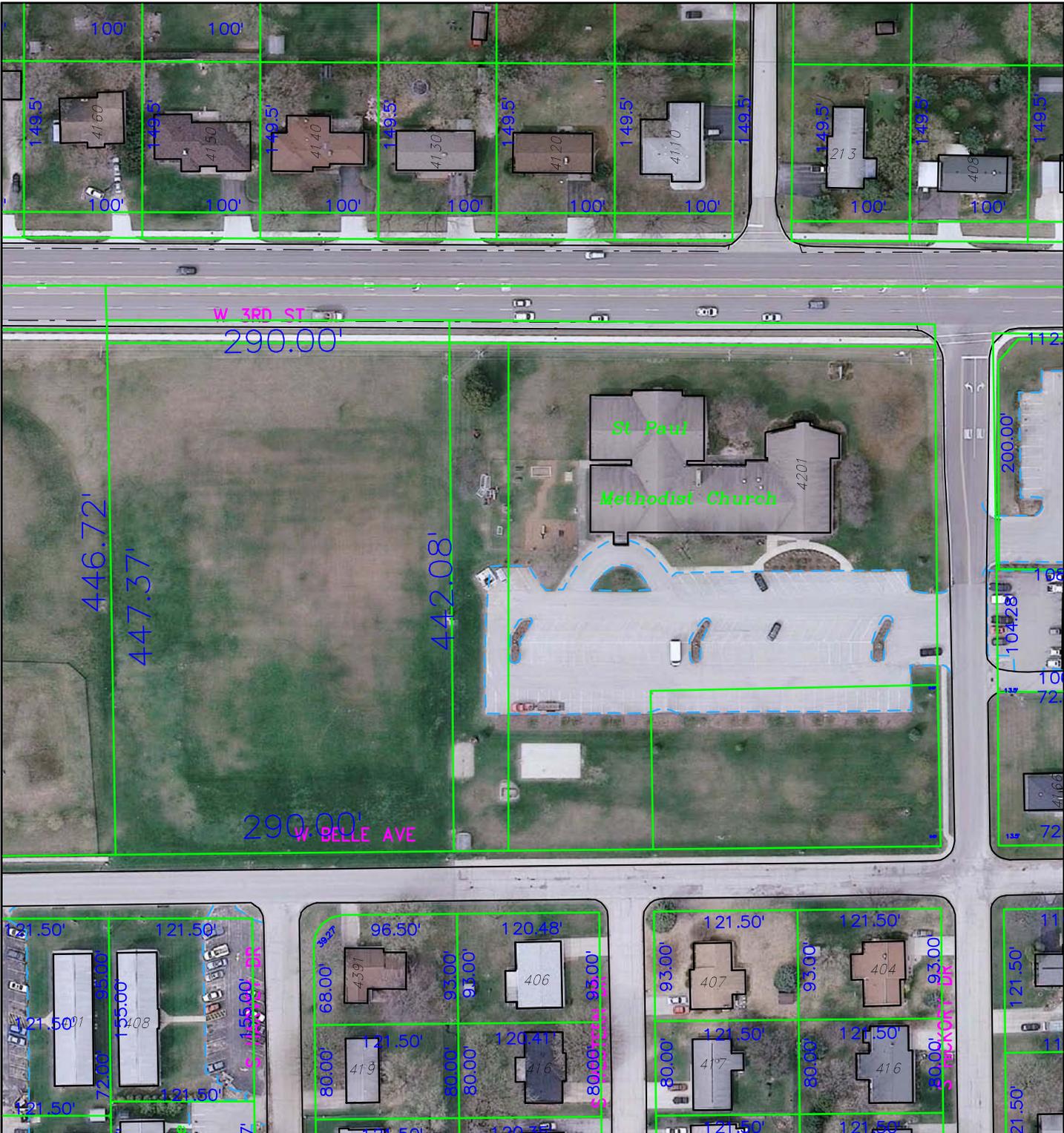
Concrete Apron
 to align with
 east edge of sidewalk.

Radius shown
 20'-0"

Provide street curb (rolled style)
 w/channel flowline

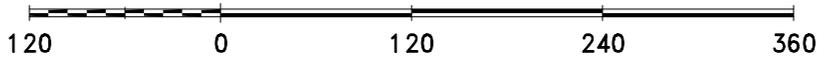
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 2"P

V-25-11
 Site Plan

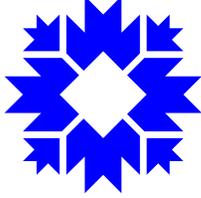


V-25-11
2010 Aerial Photo

By: roachja
18 May 11



City of Bloomington
Planning



Scale: 1" = 120'

For reference only; map information NOT warranted.