CITY OF BLOOMINGTON

BOARD OF ZONING APPEALS

May 26, 2022 @ 5:30 p.m.
City Hall, 401 N. Morton Street
Common Council Chamber, Room #115

https://bloomington.zoom.us/j/87204468859?pwd=M01zKzRZa0J4SjBobDVhTE5VR3h2QT09

Meeting ID: 872 0446 8859

Passcode: 647693

CITY OF BLOOMINGTON
BOARD OF ZONING APPEALS (Hybrid Meeting)

City Hall, 401 N. Morton Street
Common Council Chamber, Room #115

May 26, 2022 at 5:30 p.m.

❖**Virtual Meeting:**
https://bloomington.zoom.us/j/87204468859?pwd=M01zKzRZa0J4SjBobDVhTE5VR3h2QT09

Meeting ID: 872 0446 8859

Passcode: 647693 **PETITION MAP:** https://arcg.is/1ryC9j3

ROLL CALL

APPROVAL OF MINUTES: February 17, 2022

PETITIONS CONTINUED TO: June 23, 2022

AA-17-22 **Joe Kemp Construction, LLC & Blackwell Construction, Inc.**
Summit Woods (Sudbury Farm Parcel O) W. Ezekiel Dr.
Request: Administrative Appeal of the Notice of Violation (NOV) issued March 25, 2022.
Case Manager: Jackie Scanlan

PETITIONS:

V-04-22 **Southern Indiana Medical Park (Staley Signs)** - *petition continued from 4/21*
2810 S. Deborah Dr.
Request: Variance from sign regulation development standards. One request is to allow the installation of one freestanding sign in front of Southern Indiana Medical Park, the other request is to allow the installation of three wayfinding signs within the medical park.
Case Manager: Karina Pazos

V-09-22 **Patrick and Rachael McAleer** - *petition continued from 4/21*
935 W. 7th St.
Request: Determinate sidewalk variance from sidewalk requirements for a new single-family development adjacent to existing pedestrian network in the R3 zoning district.
Case Manager: Karina Pazos

V-12-22 **City of Bloomington Redevelopment Commission** - *petition continued from 4/21*
617 N Madison St. and 422 W. 10th St.

****Next Meeting: June 23, 2022**

Auxiliary aids for people with disabilities are available upon request with adequate notice. Please call 812-349-3429 or e-mail human.rights@bloomington.in.gov.

Request: Variance from front building setback standards to allow for a plaza in the Mixed-Use Downtown Showers Technology Downtown Character Overlay (MD-ST) zoning district.
Case Manager: Jackie Scanlan

V-14-22 **Chris and Betsy Smith (Springpoint Architects)** - *petition continued from 4/21*
600 W. Kirkwood Ave.
Request: Variance from front building setback standards, front parking setback standards, and a determinate sidewalk variance to allow for the construction of a new single-family residence in the Mixed-Use Medium Scale (MM) zoning district.
Case Manager: Eric Greulich

V-16-22 **Aspen Heights Partners**
703 W. Gourley Pike
Request: Variance from riparian buffer standards to allow an access drive in the Mixed-Use Student Housing (MS) zoning district.
Case Manager: Eric Greulich

****Next Meeting: June 23, 2022**

Auxiliary aids for people with disabilities are available upon request with adequate notice. Please call 812-349-3429 or e-mail human.rights@bloomington.in.gov.

BLOOMINGTON BOARD OF ZONING APPEALS **CASE #: V-04-22**
STAFF REPORT **DATE: May 26, 2022**
Location: 2810 S Deborah Drive, 2800 Rex Grossman Boulevard, 2499 W Cota Drive, and 2920 S McIntire Drive

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PETITIONER: Doug Staley, Jr. of Staley Signs, Inc.
PO Box 515
Indianapolis, IN 46206

CONSULTANT: Robert Whitacre of Southern Indiana Medical Park Partnership
8902 N Meridian St
Indianapolis, IN 46260

REQUEST: A variance from sign regulation development standards. One request is to allow the installation of one freestanding sign in front of Southern Indiana Medical Park, the other request is to allow the installation of three wayfinding signs within the medical park.

REPORT: This approximately 20-acre medical park is located in the southeast corner at the intersection of I-69 and W Tapp Road. The property is currently zoned Mixed-Use Employment (ME). The properties to the north, south and east are also zoned ME. The properties to the west on the other side of I-69 are outside of the City's jurisdiction.

The petitioner is proposing to install one large freestanding sign at the southwest corner of Deborah Drive and Tapp Road, and three freestanding wayfinding signs within the medical park. The UDO defines Multi-tenant Center as "a group of separate buildings with multiple tenants, operating under a common name or management; a single building containing multiple uses where there are specific exterior entrance ways for individual uses; or a group of uses on separate but adjoining properties that request treatment as a multiuse complex." The UDO states that freestanding signs for multi-tenant nonresidential centers with at least 50,000 square feet of gross floor area shall not exceed 125 square feet, and shall have a maximum height of 15 feet. The UDO also states that lots with more than 30 feet and less than 500 feet of frontage on a public street are permitted one freestanding sign, and lots with 500 feet or more of public street frontage shall be permitted one freestanding sign for each 250 feet of public street frontage.

The medical park meets the definition of a multi-tenant center as a group of uses on separate but adjoining properties that request treatment as a multiuse complex. The medical park previously had a large freestanding sign at the front of the complex but it was removed with the development of I-69. The proposed large freestanding sign is 122 square feet so the size meets the 125 square feet maximum. However, per 20.04.100(j)(3)(B)(ii)(6), the square footage of the buildings on the outlots that have their own freestanding signs cannot be counted toward the total for the multi-tenant center. The outlots in this development each have existing freestanding signs that meet their maximum allowance of number of freestanding signs per lot frontage facing a public street, but cannot be counted toward the square footage for the multi-tenant center sign. Additional freestanding wayfinding signs would not comply with the UDO requirements.

The petitioners are requesting a variance from the standard in the UDO that states "only outlots that are not counted toward center square footages shall be permitted freestanding signage based

on individual nonresidential uses," such that, the medical park can reinstall one large freestanding sign at the front of the complex and maintain the existing individual freestanding signs on the outlots. In addition to the large freestanding sign, the petitioners are requesting a variance from the maximum square footage requirements for individual nonresidential uses to add three freestanding wayfinding signs within the medical park to direct traffic to the appropriate building.

CRITERIA AND FINDINGS FOR DEVELOPMENT STANDARDS VARIANCE

20.06.080(b)(3)(E)(i)(1) Standards for Granting Variances from Development Standards: Pursuant to Indiana Code 36-7-4-918.5, the Board of Zoning Appeals or Hearing Officer may grant a variance from the development standards of this UDO if, after a public hearing, it makes findings of fact in writing, that:

(1) The approval will not be injurious to the public health, safety, morals, and general welfare of the community; and

CENTER SIGN PROPOSED FINDING: No injury is found with the allowance of a freestanding sign. The sign will meet setback and dimensional standards for this type of sign and is also replacing a previous sign for this complex.

WAYFINDING SIGNS PROPOSED FINDING: No injury is found with the allowance of wayfinding signs.

(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; and

CENTER SIGN PROPOSED FINDING: No adverse impacts to the use and value of the surrounding area associated with the proposed variance are found. The variance is not expected to have off-site negative consequences, and is replacing a previously existing sign for this complex.

WAYFINDING SIGNS PROPOSED FINDING: No adverse impacts to the use and value of the surround area associated with the proposed variance are found. The signs would be in the complex only.

(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 questions; that the development standards variance will relieve the practical difficulties; and

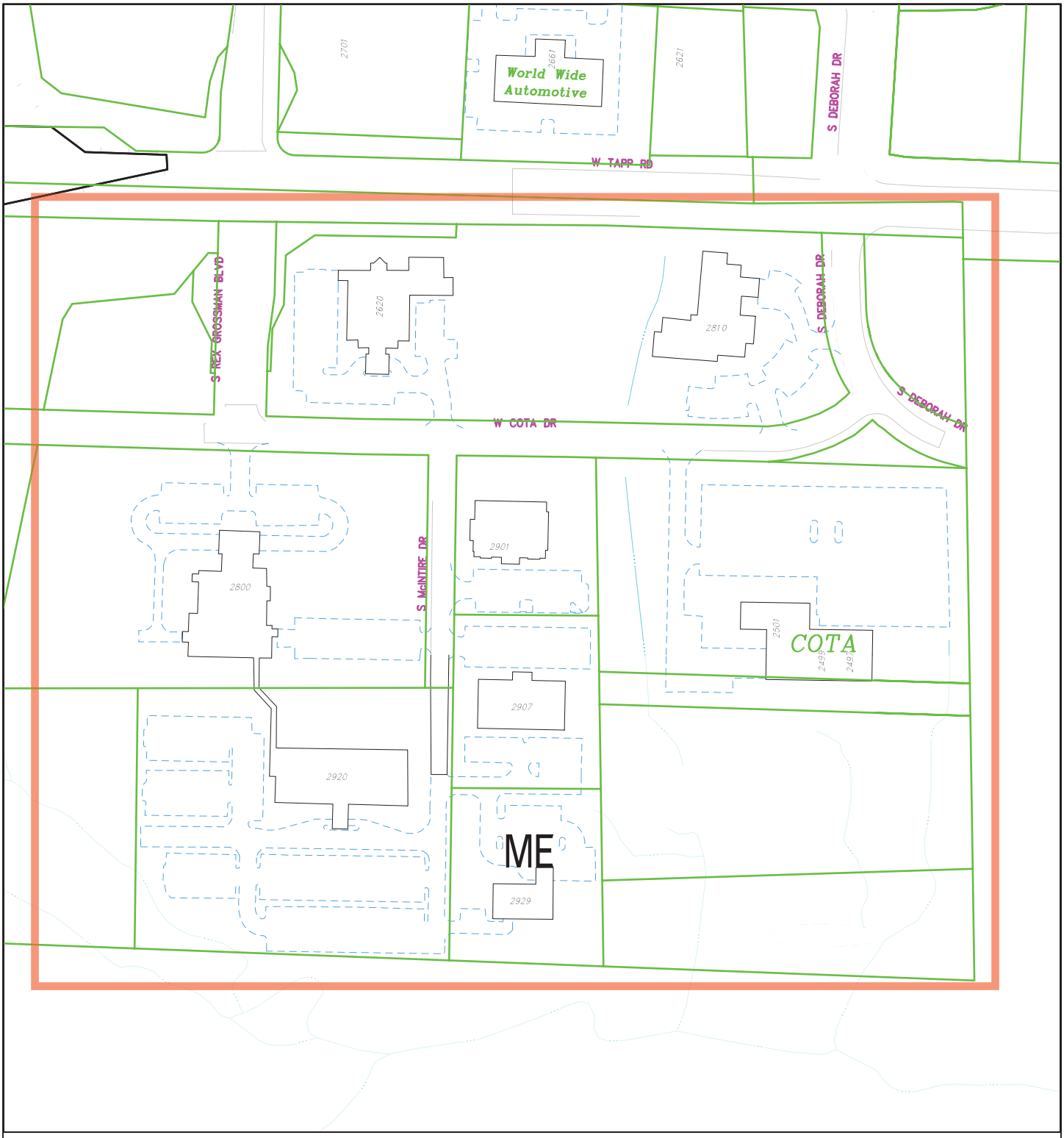
CENTER SIGN PROPOSED FINDING: Practical difficulties are found in the use of the property. The medical park contains eight buildings over almost twenty acres of developed land and identification of the medical park entrance and what it contains is necessary for employees and clients to access the medical park. Many of the buildings cannot be seen from the main entrance on Tapp Road. While each property has its own identifying sign on-site, it is common for large complexes that function as one, as is the case here, to have a multitenant center sign at the main entrance. This particular center has the peculiar condition of being quite spread out with a sixty foot drop from Tapp Road to

the rear of the developed area, which contributes to it being difficult to see what is at the site, in addition to the size of the development. Allowing an identifying sign up front along with signs at each location is appropriate for a development with these characteristics.

WAYFINDING SIGNS PROPOSED FINDINGS: No practical difficulties are found in the use of the property that would be relieved with a variance to allow three freestanding wayfinding signs. If the other proposed variance is approved, each site will have identification at the entrance to the center, as well as on-site. The roadways in the development have names, so each location has a very specifically identifiable location, and wayfinding signs are not necessary or allowed.

RECOMMENDATION: Based upon the written report and findings of fact above, the Department recommends that the Board of Zoning Appeals adopts the proposed findings and approves V-04-22 to install one freestanding sign in front of the Southern Indiana Medical Park, but denies a variance to install three wayfinding signs within the medical park with the following conditions.

1. A sign permit is required for the new freestanding sign.

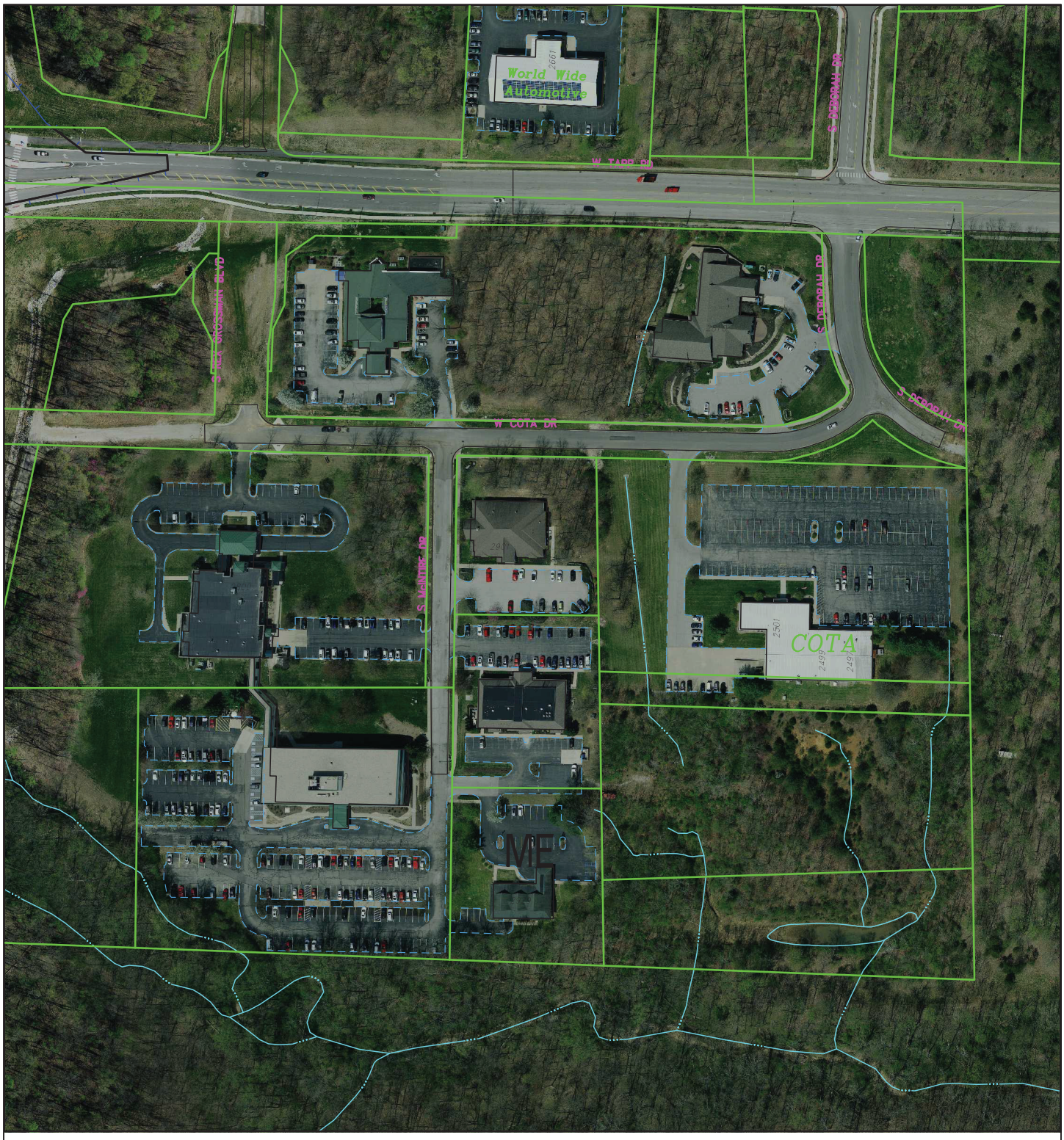


By: karina.pazos
20 May 22

200 0 200 400 600

City of Bloomington
Planning

Scale: 1" = 200'



City of Bloomington
Planning

By: karina.pazos
20 May 22

200 0 200 400 600

Scale: 1" = 200'

For reference only; map information NOT warranted.

Custom Exterior & Interior Signs

STALEY SIGNS, INC.
P.O. BOX 515
INDIANAPOLIS, IN 46206-0515
PHONE: 317-637-4567
FAX: 317-221-0123

Design, Manufacture, Install & Service

Petitioner's Statement
Variance for Signs at
2810 S. Deborah Dr.

We are seeking a variance to allow for (1) pylon sign and (3) directional/directory signs at the Southern Indiana Medical Park at 2810 S. Deborah Dr. The Southern Indiana Medical Park is located at the Southeast corner of 37 and Tapp Rd. The medical park consists of eight buildings that include the IU Hospice House, Cancer Center, Wound Center, Sports Medicine, the Medical Office Building, Summit Urology, Eyecare and several others.

The property has recently been re-zoned from its original PUD to ME. The new zoning does not allow for these signs. Since the property is a medical campus with eight separate buildings housing many different healthcare facilities, these signs are vital to identify the healthcare providers, the services that they provide, and to direct the public appropriately through the campus.

Sign #1 (pylon sign) is proposed to be located at the Southwest corner of Tapp Rd and Deborah Dr. This pylon sign is 14'-6" tall by 10' wide. It will be internally illuminated with LEDs. The sign will consist of a top section that identifies the medical park and lower sections to identify the medical providers and the medical office building. Finally, the sign will have a decorative, brick base as illustrated in our drawings. This sign is the cornerstone identifier for the medical park. Without this sign, the public doesn't have a clear way to identify that they have located the medical park and the healthcare services provided within the park.

Sign #3 (directional/monument sign) is proposed to be located at the split of Deborah Dr and Cota Dr. It is 4'-3" tall by 7'-6" wide. It is designed to architecturally compliment sign #1. It will have a brick base and sign panels that direct the public towards the various healthcare providers.

Sign #8 (directional/monument sign) is proposed to be located at the Southwest corner of Cota Dr. and McIntyre Dr. It is 4'-3" tall by 7'-6" wide. It is designed to architecturally compliment sign #1 and 3. It will have a brick base and sign panels that direct the public towards the various healthcare providers. It should be noted that there is an existing directional sign in this location that is a legal, non-conforming sign because it was permitted when the property was zoned PUD.

Sign #12 (directory/monument sign) is proposed to be located on McIntyre Dr. at the Northeast end of the medical office building. It is 4'-3" tall by 7'-6" wide. It is designed to architecturally compliment signs #1, 3, and 8. It will have a brick base and sign panels that identify healthcare providers within the medical office building.

Approval of this variance will not be injurious to the public health, safety, morals, and general welfare of the community because the proposed signs identify and direct the public to healthcare providers that are located within the Southern Indiana Medical Park. The signs will be manufactured and installed to meet industry standards and appropriate building codes.

The use and value of the area adjacent to the property included in this development standards variance will not be affected in a substantially adverse manner because the signs are designed to be architecturally and aesthetically pleasing, using high quality materials and fabrication techniques. The size of the signs are appropriate size and location for the use that they are serving. The signs should help traffic flow by minimizing the number of confused and or “lost” patients trying to find their healthcare provider.

The strict application of the terms of the UDO 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 because sign regulations allow for the appropriate identification and wayfinding required for a medical park campus. This property is expansive and contains eight different buildings that house dozens of healthcare providers. It is imperative to the providers and their clients that the healthcare services are properly identified within the park.

Specifically, 20.04.100(j)(3)(A) on page number marked as 202, states that "Lots with greater than 30 feet and less than 500 feet of frontage on a public street are permitted one freestanding sign

AFFIDAVIT

I, Robert N. Whitacre, certify that I am the agent for the Southern Indiana Medical Park Partnership for the Southern Indiana Medical Park which is comprised of approximately 24 acres, of which the IU Hospice House with an address of 2810 S. Deborah Drive, Bloomington, IN 47403 is included.

I hereby designate authority to act on my behalf for the matter pending before the Board of Zoning Appeals of the City of Bloomington to Doug Staley, Jr. as my authorized agent.

Signed,

Robert N. Whitacre, Agent
Southern Indiana Medical Park Partnership

Dated: February 14, 2022

Notarized,

Dena D. Wilson

Date: 2/14/22

SEAL

Dena D. Wilson
Commission Number: 702963
Hamilton County
Expiration Date: Sept. 11, 2025

AFFIDAVIT

I, Paul Johnson, certify that I am the owner of the property referred to as Southern Indiana Surgery Center Partnership LLC located within the Southern Indiana Medical Park with an address of 2800 Rex Grossman Boulevard, Bloomington, IN 47403 (parcel 53-08-18-200-009.000-009).

I hereby designate authority to act on my behalf for the matter pending before the Board of Zoning Appeals of the City of Bloomington to Doug Staley, Jr. of Staley Signs, Inc. as my authorized agent.

Signed,

Dated: 3/8/2022

Notary,

Brianna Goodman
Notary Public Seal State of Indiana
Greene County
Commission Number NP0726940
My Commission Expires 05/20/2028

By: Brianna Goodman

Date: 3/8/2022

SEAL

AFFIDAVIT

I, Robert N. Whitacre, certify that I am the agent of the property referred to as Tract B, vacant land totaling 0.13 acres, located within the Southern Indiana Medical Park, parcel 53-08-18-200-004.000-009.

I hereby designate authority to act on my behalf for the matter pending before the Board of Zoning Appeals of the City of Bloomington to Doug Staley, Jr. of Staley Signs, Inc. as my authorized agent.

Signed,

Robert N. Whitacre, Agent
Southern Indiana Medical Park Partnership

Dated: February 28, 2022

Notarized,

Dena D. Wilson

Date: 2/28/22

SEAL

NOTARY PUBLIC SEAL INDIANA

Dena D. Wilson
Commission Number: 702963
Hamilton County
Expiration Date: Sept. 11, 2025

AFFIDAVIT

I, Brian Shockney, certify that I am the owner of the property referred to as Indiana University Health Bloomington, Inc. located within the Southern Indiana Medical Park with an address of 2810 S. Deborah Drive, Bloomington, IN 47403 (parcel 53-08-18-200-010.000-009).

I hereby designate authority to act on my behalf to submit and present the signage package for the Sothern Indiana Medical Park before the Board of Zoning Appeals of the City of Bloomington to Doug Staley, Jr. of Staley Signs, Inc. as my authorized agent. It is understood that the style and dimensions of signage renderings submitted are accurate, however, the type on the sign panels is not correct per Indiana University Health's current standards but can be changed without further need of approval by the City.

Signed,

Dated: April 13, 2022

Notary,

By: KATHLEEN MADISON

Date: April 13, 2022

SEAL

Kathleen Madison
NOTARY PUBLIC
SEAL
Monroe County, STATE OF INDIANA
MY COMMISSION EXPIRES January 31, 2025

COMMISSION NUMBER 696145

AFFIDAVIT

I, Ronald Jeanneault, certify that I am the owner of the property referred to as GA HC REIT II Bloomington MOB LLC located within the Southern Indiana Medical Park with an address of 2920 S. McIntire Drive, Bloomington, IN 47403 (parcel 53-08-18-201-003.000-009).

I hereby designate authority to act on my behalf for the matter pending before the Board of Zoning Appeals of the City of Bloomington to Doug Staley, Jr. of Staley Signs, Inc. as my authorized agent.

Signed,

Dated: 03/17/2022

Notary,

By:

Date: 03/17/2022

Jacquelynn M. Folb Notary Public Frederick County, MD My Commission Expires August 27, 2022

SEAL

This drawing is not intended to be represented as a retracement or original boundary survey, a route survey, or a Surveyor Location Report.

NORTHPOINTE ENGINEERING & SURVEYING, Inc.

Engineering, Land Surveying
Consulting & Inspection

Donna Jo Smithers
Professional Land Surveyor
President / Owner

Venus L.L. Thorne
Professional Engineer
Vice President

Martin K. Spees
Professional Engineer
Vice President Engineering

6125 South East Street, Suite "B"
Indianapolis, Indiana 46227-2147
Office - 317-884-1020
www.npesindy.com

N

Bar Scale: 0' 30' 60' 120'

Scale: 1"=60'

SCALE	1"=60'
DRAWN BY	ERP
CHECKED BY	JTH

PREPARED FOR

Cornerstone Compaies, Inc.

8902 N. Meridian Street
Indianapolis, IN 46260

PROJECT NAME

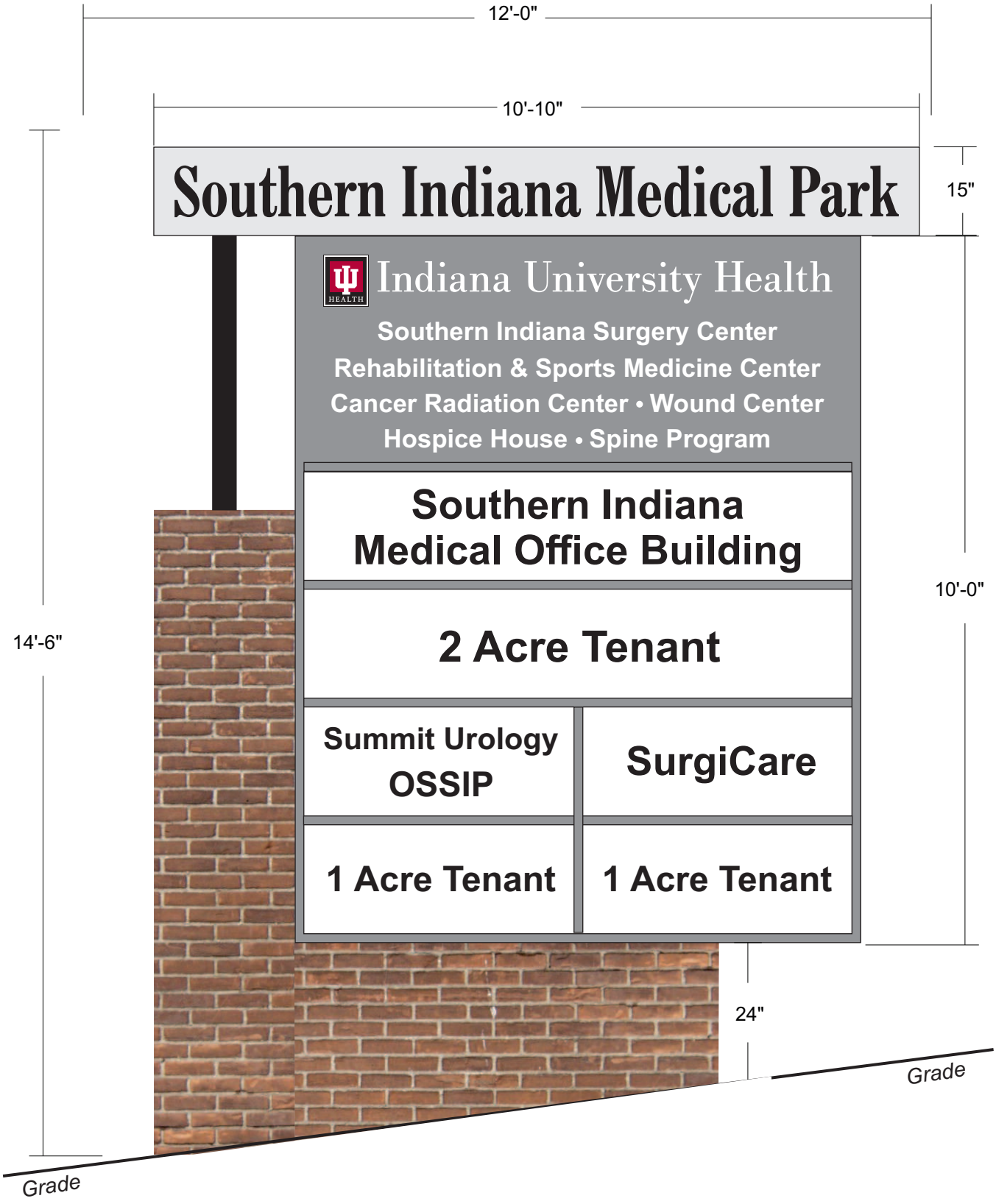
Southern Indiana Medical Park

City, County, Indiana

SHEET TITLE

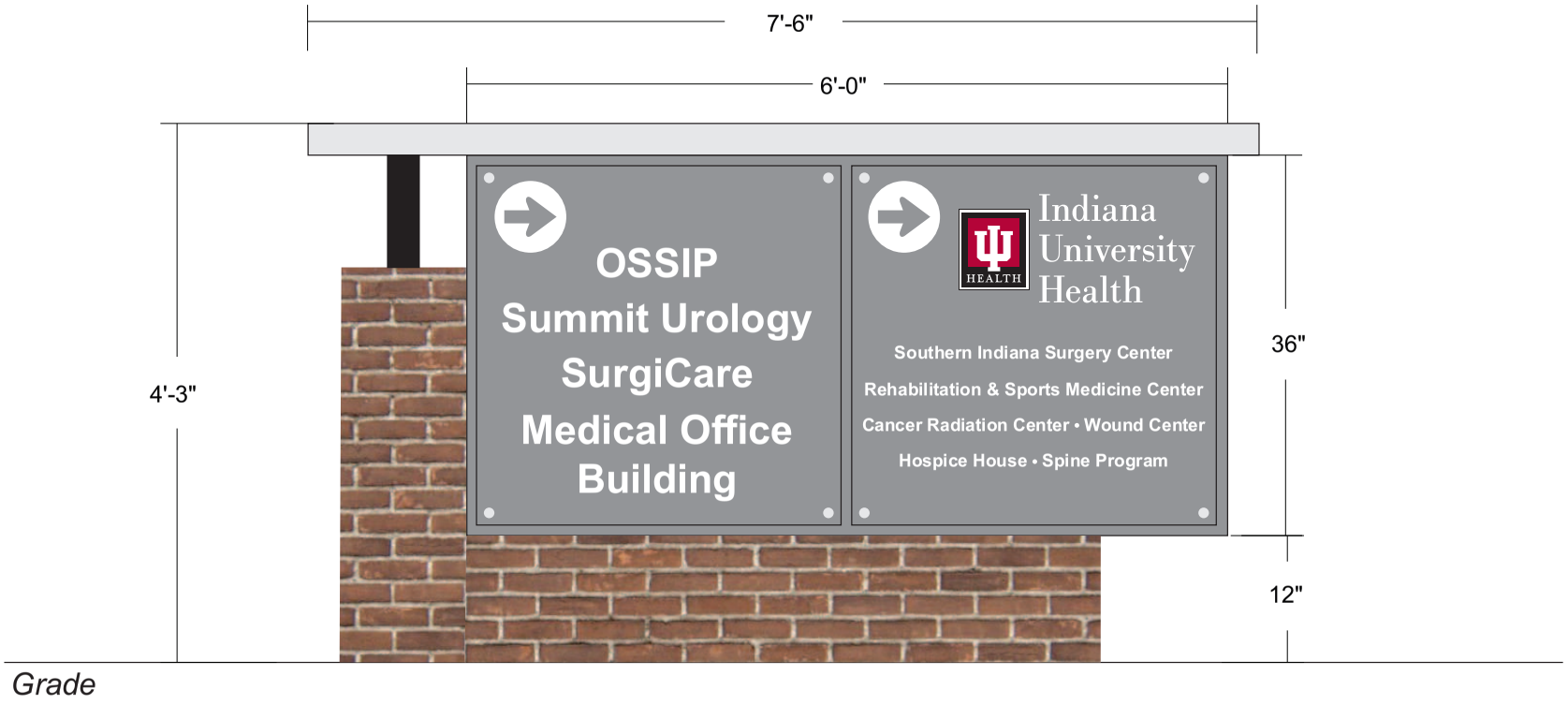
SIGN EXHIBIT

DATE	11.17.2020
NPES Job #	20-0186
Sheet	1
of	1



STALEY SIGNS
SINCE 1908
P.O. Box 515 Indianapolis, Indiana 46206
Tel: 317.637.4567 • Fax: 317.221.0123
http://www.staleysigns.com/

Customer: Southern Indiana Medical Park		Page 1 of 1
Project: Entry Pylon Location #1		Option: A
Date: 04-27-2022	Rep: D. Staley Jr.	Scale: 1/2"=1'-0"



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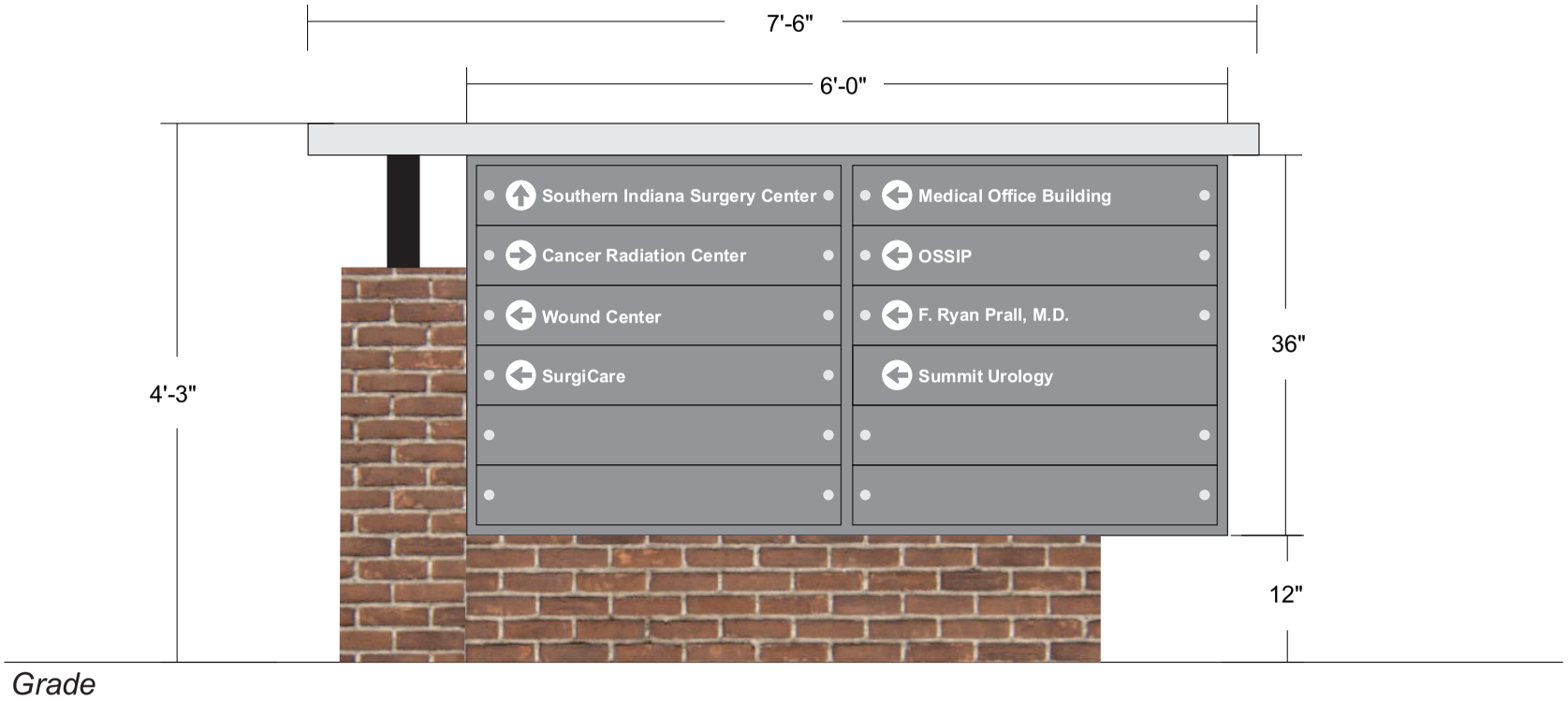
http://www.staleysigns.com/

Customer: Southern Indiana Medical Park		Page 1 of 3
Project: Monument Sign Location #3		Option: A
Date: 03-05-2019	Rep: D. Staley Jr.	Scale: 1/2”=1’-0”



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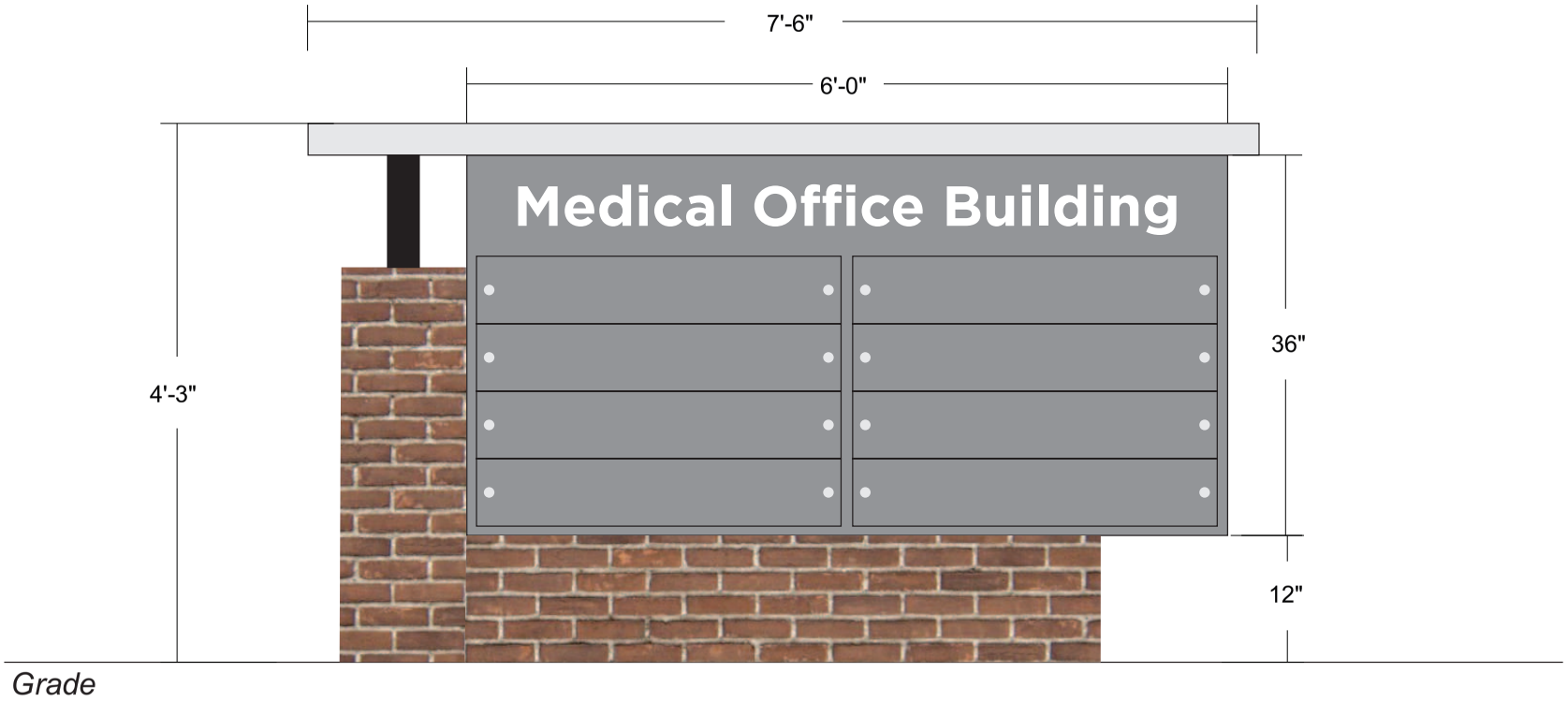
Customer: Southern Indiana Medical Park		Page 2 of 3
Project: Monument Sign Location #8		Option: A
Date: 03-05-2019	Rep: D. Staley Jr.	Scale: 1/2”=1’-0”



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Customer: Southern Indiana Medical Park		Page 3 of 3
Project: Monument Sign Locatoin #12		Option: A
Date: 03-05-2019	Rep: D. Staley Jr.	Scale: 1/2”=1’-0”

BLOOMINGTON BOARD OF ZONING APPEALS **CASE #: V-09-22**
STAFF REPORT **DATE: May 26, 2022**
Location: 935 W 7th Street

PETITIONER: Patrick and Rachael McAleer
Bloomington, IN 47404

REQUEST: Determinate sidewalk variance from sidewalk requirements for new single-family development adjacent to existing pedestrian network in the R3 zoning district.

UPDATE SINCE LAST HEARING: At the April 2022 hearing, the Board asked staff to prepare alternate findings for a possible approval of the determinate sidewalk variance. The previous report is below, and the Alternate Findings Proposal are attached.

REPORT: This property is located in the southeast corner at the intersection of W 7th Street and N Elm Street. The property is currently zoned Residential Small Lot (R3). The properties to the south, east and west are also zoned Residential Small Lot (R3). The property to the north is zoned Mixed-use Institutional (MI).

The property has been developed with new construction of a detached single-family dwelling that was approved with a Certificate of Zoning Compliance (CZC C18-487) dated September 3, 2019. At the time of approval, this property was zoned Residential Core (RC) and the Unified Development Ordinance (UDO) as amended effective July 20, 2018 states under the development standards that a concrete sidewalk with a minimum width of 5 feet is required in the RC zoning district (20.05.010(b)(3)). In addition, the 2018 UDO states that the location of external sidewalks shall be located one (1) foot inside the public right-of-way or within a pedestrian easement along all abutting street frontages, and shall have a minimum separation of 5 feet from the curb, or edge of pavement where no curb exists. However, in situations where the minimum separation cannot be achieved due to limited right-of-way, mature trees, or topography constraints, the sidewalk location may be designed to avoid such constraints and a pedestrian easement would need to be established if it is within private property and maintains the 5-foot separation. The 2018 UDO also states that if the sidewalk is installed within private property with a pedestrian easement as above, then the impervious surface coverage from the sidewalk shall not be counted towards the maximum impervious surface coverage for the property, and if the Planning and Transportation Department has determined that a pedestrian easement is not feasible, then the department Director may approve a 5-foot wide sidewalk with reduced vegetated plot width or a 6-foot wide monolithic sidewalk and curb (20.05.010(b)(3)).

During review of the site plans provided for CZC C18-487, it was determined that a 6-foot wide monolithic sidewalk and curb would be required for the approval of the new development. The site plan included in the CZC depicts a 6-foot wide sidewalk and curb along the property frontage on Elm Street, but the sidewalk and curb were never installed.

The petitioner is requesting a determinate sidewalk variance from sidewalk requirements for new single-family development adjacent to existing pedestrian network in the R3 zoning district. The current UDO requires that pedestrian facilities are installed on both sides of all streets except for new single-family, duplex, and triplex residences built on existing legal lots of record on non-classified (neighborhood) streets with no adjacent pedestrian facilities (20.04.050(d)(2)).

However, this property is adjacent to existing pedestrian facilities so the exemption does not apply to this site even if the development was being constructed now under current UDO. Additionally, this property is across the street from the Banneker Community Center and one of the Comprehensive Plan goals, Goal 6.5 Protect Neighborhood Streets, is to "protect neighborhood streets that support residential character and provide a range of local transportation options." More specifically, Policy 6.5.3 under Goal 6.5 calls for continuing to improve connectivity between existing neighborhoods and destinations like the Banneker Community Center. The following Comprehensive Plan goals also support a sidewalk in this location:

- *Goal 6.1 Increase Sustainability: Improve the sustainability of the transportation system.*
- *Goal 6.3 Improve the Bicycle and Pedestrian Network: Maintain, improve, and expand an accessible, safe, and efficient network for pedestrians, and attain platinum status as a Bicycle Friendly Community, as rated by the League of American Bicyclists.*
- *Goal 6.4 Prioritize Non-Automotive Modes: Continue to integrate all modes into the transportation network and to prioritize bicycle, pedestrian, public transit, and other non-automotive modes to make our network equally accessible, safe, and efficient for all users.*

The Transportation Plan also states that, "as illustrated in Figure 18, pedestrians should receive the greatest priority, because they are the most vulnerable and the most space-efficient road user. Conversely, single-occupancy vehicle drivers should be the least prioritized, though safe motor vehicle access should still be provided" (Pg. 32). In cases where there is limited right-of-way, the Transportation Plan states that, "if the elements of the typical cross-section cannot be accommodated within the right-of-way, developments must dedicate easements or right-of-way and provide the improvements for pedestrian and bicycle facilities, as required with redevelopment or new development. Even when the immediate user of the property is not intending to use the pedestrian space, it ensures connectivity and provides space for the pedestrian realm in the long term" (Pg. 23). The Department has worked with the Engineering Department to insure that the existing location is feasible for a sidewalk installation.

CRITERIA AND FINDINGS FOR DEVELOPMENT STANDARDS VARIANCE

20.06.080(b)(3)(E)(i)(1) Standards for Granting Variances from Development Standards: Pursuant to Indiana Code 36-7-4-918.5, the Board of Zoning Appeals or Hearing Officer may grant a variance from the development standards of this UDO if, after a public hearing, it makes findings of fact in writing, that:

(1) The approval will not be injurious to the public health, safety, morals, and general welfare of the community; and

PROPOSED FINDING: Injury to the public health and welfare of the community is found with the allowance to not install a sidewalk in this location because it limits improvement of the connectivity to the community center and possibly future connection to the south.

(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; and

PROPOSED FINDING: Adverse impacts to the use and value of the surrounding area associated with the proposed variance are found. The variance is expected to have off-site negative consequences, as it will continue the existing design that lacks a sidewalk connection to the existing sidewalk on the north side of the lot, and the network north of 7th Street.

(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 questions; that the development standards variance will relieve the practical difficulties; and

PROPOSED FINDING: No practical difficulties are found in the use of the property. A compliant sidewalk could be constructed on this site. The site will continued to be used as a single-family development even if the sidewalk is built. The petitioner has not supplied sufficient data or reasoning indicating that there are practical difficulties in the use of the site and that a variance is necessary for relief.

Determinate Sidewalk:
20.06.080(b)(3)(E)(i)(3): While not to be included as separate findings of fact, items to consider when determining the practical difficulties or peculiar conditions associated with a determinate sidewalk variance include, but are not limited to:

[a] *That the topography of the lot or tract together with the topography of the adjacent lots or tract and the nature of the street right-of-way make it impractical for construction of a sidewalk; or*
[b] *That the pedestrian traffic reasonably to be anticipated over and along the street adjoining such lot or tract upon which new construction is to be erected is not and will not be such as to require sidewalks to be provided for the safety of pedestrians; or*
[c] *The adjacent lot or tracts are at present developed without sidewalks and there is no reasonable expectation of additional sidewalk connections on the block in the near future; or*
[d] *The location of the lot or tract is such that a complete pedestrian network is present on the other side of the street on the same block; or*
[e] *Uniformity of development of the area would best be served by deferring sidewalk construction on the lot or tract until some future date.*

Review of Determinate Sidewalk Criteria: The petitioner has not submitted sufficient data or reasoning indicating that the topography is impractical for construction of a sidewalk. Although the street width for Elm Street is narrow, pedestrian traffic is expected because it's immediately across the street from the Banneker Community Center. This lot has a sidewalk on the north side so it would tie into that network even though the property immediately to south does not have a sidewalk. There is not a complete pedestrian network on the other side of Elm Street. This lot has sidewalk on the north side, which will be connects, and it is not unrealistic to foresee possible development and connection to the south in the future. There is no reason not to extend

the north/south pedestrian network on Elm Street and connect to the sidewalk on the north side of this lot.

RECOMMENDATION: Based upon the written report and findings of fact above, the Department recommends that the Board of Zoning Appeals adopts the proposed findings and denies V-09-22. The Department believes this sidewalk will connect with sidewalks on 7th Street and a sidewalk to the north that connects to the Banneker Community Center. Sidewalks are frequently requested throughout the community on any street that was built without sidewalks, and there is value in this sidewalk connection both in short-term and long-term because the sidewalk will provide a connection for people walking to the Banneker Community Center or to other locations on E 7th Street. Additionally, adding a sidewalk in this location will help in providing an edge to this half of the street, which will help reduce non-compliant parking on the lawn. This is one segment in a sidewalk network, and each segment is important to creating connectivity.

ALTERNATE FINDINGS

20.06.080(b)(3)(E)(i)(1) Standards for Granting Variances from Development Standards: Pursuant to Indiana Code 36-7-4-918.5, the Board of Zoning Appeals or Hearing Officer may grant a variance from the development standards of this UDO if, after a public hearing, it makes findings of fact in writing, that:

(1) The approval will not be injurious to the public health, safety, morals, and general welfare of the community; and

PROPOSED FINDING: The allowance to not install a sidewalk in this location is not ideal because it limits improvement of the connectivity to the community center and possibly future connection to the south. However, it is believed that the Banneker Center often depends on on-street parking and installing a sidewalk in this location would make on-street parking more difficult in this location because of the small street right-of-way width. While both sidewalk extension and existing on-street parking provide benefit to the community, the Board thinks that in this case the existing on-street parking adds value to the community by providing public parking for the Banneker Community Center and possibly providing traffic calming benefits

(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; and

PROPOSED FINDING: The variance is expected to have off-site negative consequences, in that it will continue the existing design that lacks a sidewalk connection to the existing sidewalk on the north side of the lot, and the network north of 7th Street, while also not improving the ramp at the corner. However, the Board believes that installation of a sidewalk would increase the impervious surface in the public right-of-way along this block and may negatively impact stormwater drainage for the adjacent lot to the south of the property.

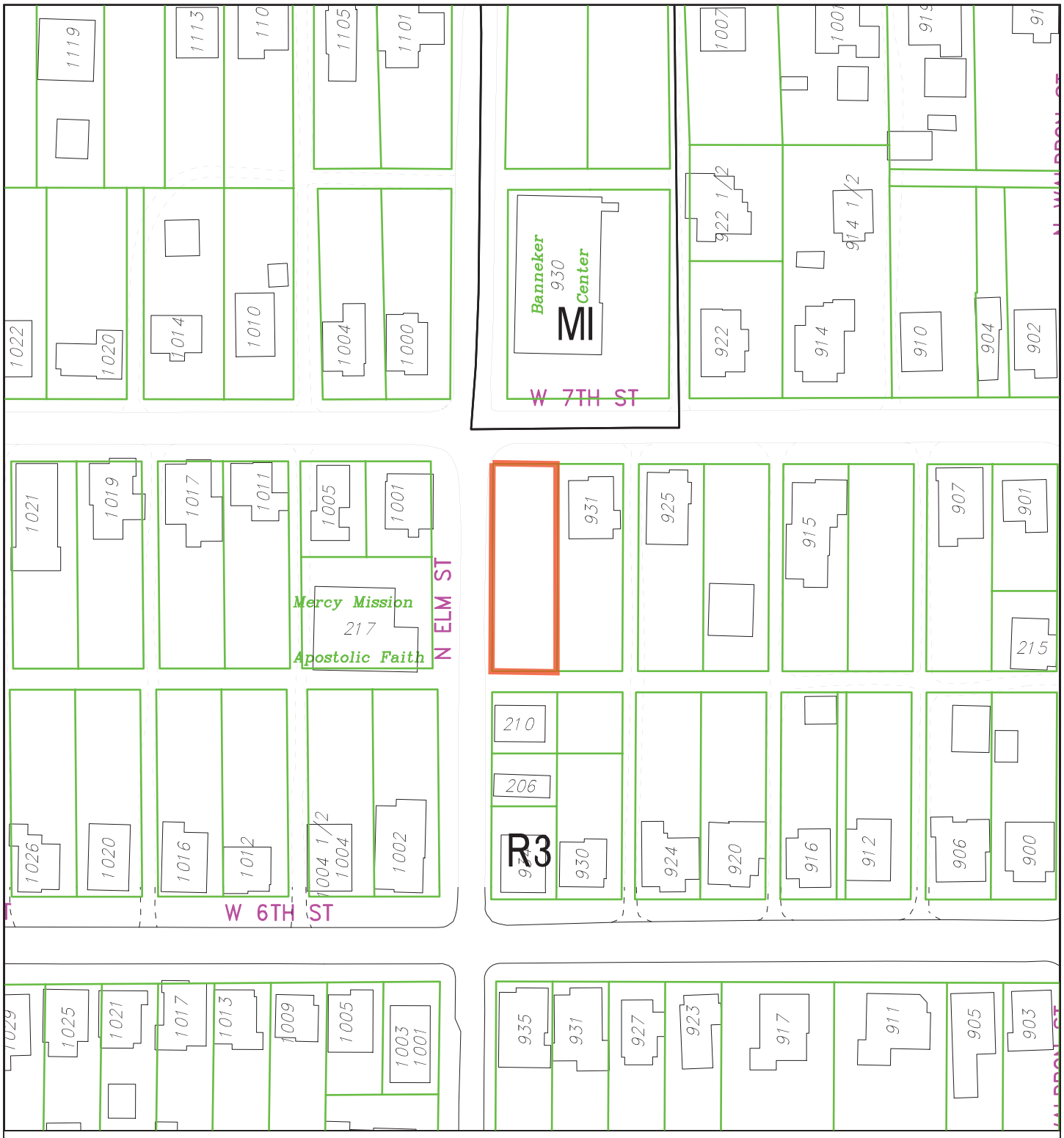
(3) The strict application of the terms of the Unified Development Ordinance will result in practical difficulties in the use of the property; that the practical difficulties are peculiar to the property in questions; that the development standards variance will relieve the practical difficulties; and

PROPOSED FINDING: A compliant sidewalk could be constructed on this site. The site will continued to be used as a single-family development even if the sidewalk is built. However, the petitioner submitted testimony that it is possible that the installation of a sidewalk and retaining wall may interfere with existing utilities that are located approximately 8’ from the edge of pavement. Practical difficulty is found by the Board in the combination of the limited right-of-way width and potential retention wall and its relationship to utility location.

Determinate Sidewalk:
20.06.080(b)(3)(E)(i)(3): While not to be included as separate findings of fact, items to consider when determining the practical difficulties or peculiar conditions associated with a determinate sidewalk variance include, but are not limited to:

> [a] *That the topography of the lot or tract together with the topography of the adjacent lots or tract and the nature of the street right-of-way make it impractical for construction of a sidewalk; or*
> [b] *That the pedestrian traffic reasonably to be anticipated over and along the street adjoining such lot or tract upon which new construction is to be erected is not and will not be such as to require sidewalks to be provided for the safety of pedestrians; or*
> [c] *The adjacent lot or tracts are at present developed without sidewalks and there is no reasonable expectation of additional sidewalk connections on the block in the near future; or*
> [d] *The location of the lot or tract is such that a complete pedestrian network is present on the other side of the street on the same block; or*
> [e] *Uniformity of development of the area would best be served by deferring sidewalk construction on the lot or tract until some future date.*

The Board believes that [e], *uniformity of development of the area would best be served by deferring sidewalk construction on the lot or tract until some future date,* applies here and that there is a practical difficulty presented by the narrowness of the street, although the installation of a sidewalk would not make the street narrower because there is approximately 8' of right-of-way from the edge of pavement where the sidewalk could potentially be installed. Additionally, the location of existing utilities may impede the construction of a retaining wall that would likely need to be in the ground a depth that interferes with utilities. The Board heard support of the variance from adjacent neighbors and members of the community and also considers historical context of the neighborhood, which lacks north/south sidewalk connections on other smaller streets, to be important considerations in favor of approval for this variance.



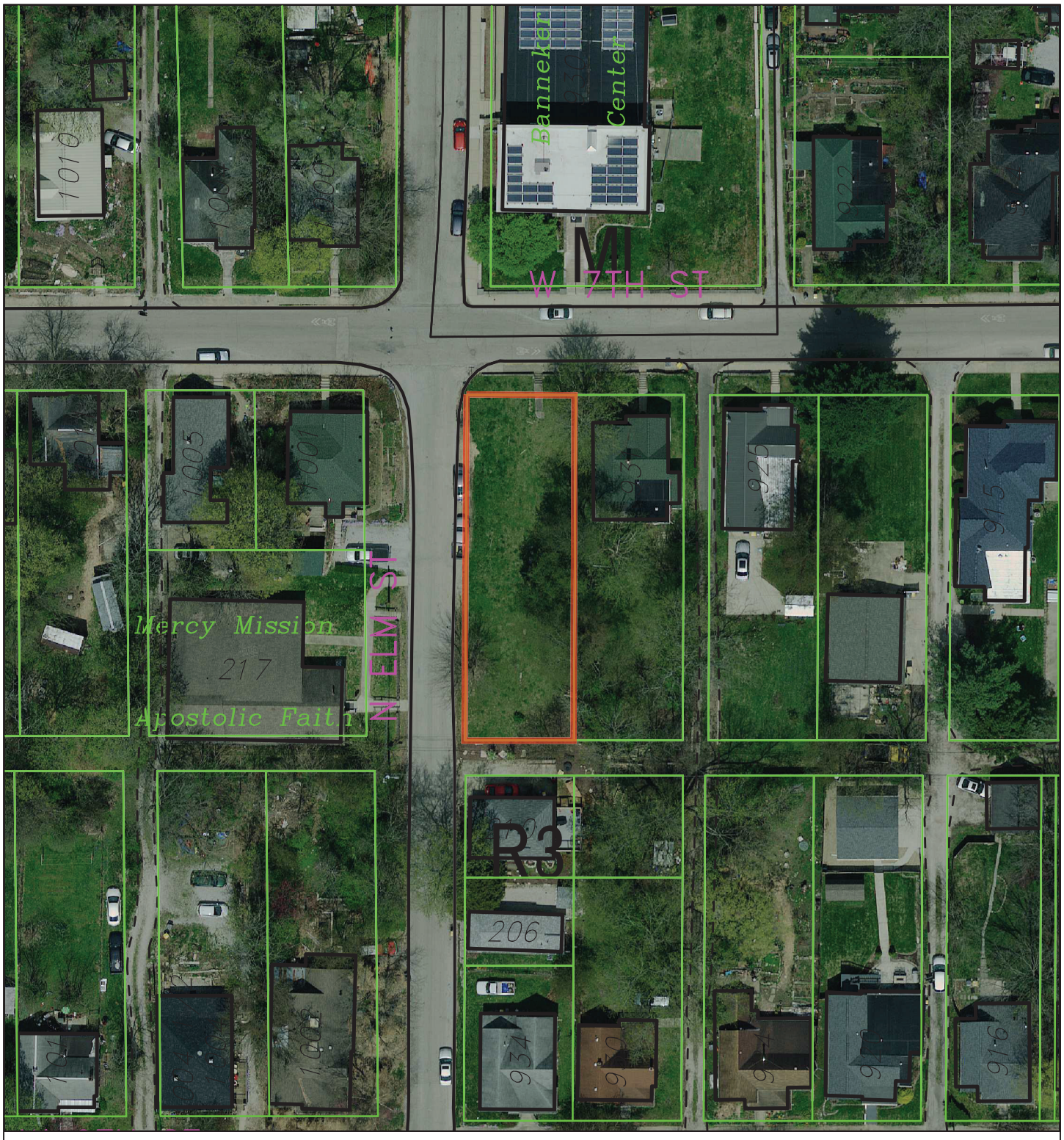
City of Bloomington
Planning

By: karina.pazos
14 Apr 22

100 0 100 200 300

Scale: 1" = 100'

For reference only; map information NOT warranted.



City of Bloomington
Planning

By: karina.pazos
14 Apr 22

60 0 60 120 180

Scale: 1" = 60'

For reference only; map information NOT warranted.

Petitioner's Statement

The Certificate of Zoning Compliance, Application Number C18-487, was issued by City of Bloomington Zoning Planner Ryan Robling. This Petitioner's Statement is a response to the Notice of Violation, dated January 28, 2022, from Zoning Compliance Planner Gabriel Holbrow, which references failure to comply with the 2018 Unified Development Ordinance (UDO), which contains the same Determinate Sidewalk Variance Considerations as does the updated UDO effective since April 18, 2020.

It is the responsibility of the Zoning Planner to inform citizens, in this case, building permit applicants of allowable variances before issuance of the Certificate of Zoning Compliance. Doing so would have allowed for an approved variance at the time of application, as it will now, detailed in our following statement.

As the homeowners of 935 W 7th Street, we request being granted a variance for a sidewalk, curb, and the necessary retaining wall along our newly constructed home's east side of N Elm Street, as shown in the included site plan.

Property 935 W 7th Street, which began construction on July 22, 2021, meets, not one, but four of the five approved variances found in the 2018 & 2020 Unified Development Ordinance (UDO). The 2020 UDO Chapter 20.06: Administration (3) Determinate Sidewalk Variance Approval Criteria Sections a, b, c & e are all applicable to 935 W. 7th Street. **(See Appendix A)**

Below we will provide details related to each of the four variant approvals and give context to consider in granting the variance.

During the permitting process, the city changed our sidewalk requirement four times while deciding to purchase the lot; initially not requiring a sidewalk, to a 5' sidewalk with a 5' greenspace and curb, to a 5' sidewalk/monolithic curb, and finally, a 6' sidewalk/monolithic curb. The requested sidewalk is to run 147 feet along the home's east side of N Elm Street, then terminate, providing no connection to another sidewalk. The requested construction of the sidewalk will also require a retaining wall, resulting in more than seven feet of impervious surface (over 1,100 square feet total).

By the very definition, constructing a sidewalk down a portion of Elm Street, as we are being required to do, fails to "connect" any two parts of our community.

CRITERIA AND FINDINGS FOR DEVELOPMENT STANDARDS VARIANCE

(*1) 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; and*

Proposed Findings Determinate Sidewalk: The granting of the determinate variance will not be injurious to the public health, safety, morals, or general welfare of the community since the sidewalk cannot be safely constructed to connect to a sidewalk system to the south. Conversely, the act of constructing a sidewalk could very well be injurious.

(*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; and*

Proposed Finding Determinate Sidewalk: The use and value of the area adjacent to the property included in the development standards variance will not be substantially affected since there is not currently a sidewalk system on their property to provide connection.

(*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 questions; that the development standards variance will relieve the practical difficulties; and*

Proposed Finding Determinate Sidewalk: The strict application will result in practical difficulties because requiring the sidewalk to be constructed along only this property without incorporating a plan that includes an entire sidewalk passage would seem very peculiar, and dangerous, to a user.

Determinate Sidewalk: *20.06.080(b)(3)(E)(i)(3): While not to be included as separate findings of fact, items to consider when determining the practical difficulties or peculiar conditions associated with a determinate sidewalk variance include, but are not limited to:*

[a] That the topography of the lot or tract together with the topography of the adjacent lots or tract and the nature of the street right-of-way make it impractical for construction of a sidewalk; or

[b] That the pedestrian traffic reasonably to be anticipated over and along the street adjoining such lot or tract upon which new construction is to be erected is not and will not be such as to require sidewalks to be provided for the safety of pedestrians; or

[c] The adjacent lot or tracts are at present developed without sidewalks and there is no reasonable expectation of additional sidewalk connections on the block in the near future; or

[d] The location of the lot or tract is such that a complete pedestrian network is present on the other of the street on the same block; or

[e] Uniformity of development of the area would best be served by deferring sidewalk construction on the lot or tract until some future date.

<u>Determinate Sidewalk Variance (a)</u> That the topography of the lot or tract together with the topography of the adjacent lots or tact and the nature of the street right-of-way make it impractical for construction of a sidewalk; (See Appendix A)

Proposed Finding Determinate Sidewalk: The requested sidewalk would terminate in an unmaintained alley adjacent to our neighbor to the south's historical limestone retention wall and garden. Continuing south on Elm, the remaining properties do not have room to continue a future sidewalk that would connect 6th and 7th Streets. These homes are well-maintained and/or newly renovated, and there is no foreseeable request that they would be required to construct sidewalks, even if doing so was possible, which it is not.

We have improved the berm, so cars parking on the east side of N Elm Street can safely pull 1-5 feet off Elm Street to ensure traffic flow can continue. The pull-off allows community members, specifically the congregation of Mercy Mission Apostolic Faith Church and patrons of the Banneker Center, to access their destinations safely while allowing safe passage of vehicles on Elm Street. The church congregation has expressed gratitude for our improvements and their ability to park in our berm and pullout, directly adjacent to the accessibility ramp leading into their church, as many members have mobility restrictions.

Lastly, adding a sidewalk will not allow our neighbors at 1001 W 7th Street to pull out of their driveway if a car were parked adjacent to their driveway. **(See Appendix B)**

Because of our improvements, we can pull our cars entirely off the road, like similar homes on the north/south streets of the Near West Side (NWS). These streets are not designed to have sidewalks, and putting sidewalks in diminishes the historical aesthetic of the neighborhood. **(Photos Referenced in Figure 1)**

Determinate Sidewalk Variance (b) That the pedestrian traffic reasonably to be anticipated over and along the street adjoining such lot or tract upon which new construction is to be erected is not and will not be such as to require sidewalks to be provided for the safety of pedestrians (See Appendix A)

Proposed Finding Determinate Sidewalk: Transportation Plan
Neighborhood Residential (NR) is the typology of Elm Street. Page 25 of the Transportation Plan states the following. "Many existing Neighborhood Residential Streets are quite narrow in width. In order to preserve neighborhood fabric, existing streets shall not be required to conform to these cross-section standards. Priority for Neighborhood Residential Streets is on maintaining calm streets that create a safe and comfortable environment for walking, **even if there are no sidewalks." (See Appendix C)**

The Transportation Plan describes our street perfectly. All pedestrians use the road, not sidewalks, when moving about north/south streets in NWS. The Transportation Plan map shows this block of Elm Street as Neighborhood Residential.

Determinate Sidewalk Variance (c) The adjacent lot or tracts are at present developed without sidewalks and there is no reasonable expectation of additional sidewalk connections on the block in the near future. (See Appendix A and Figure 1)

Proposed Finding Determinate Sidewalk: All homes south of the proposed sidewalk on Elm Street do not have, and would not be able to construct, sidewalks in the future based on their proximity to the road. As stated above, these homes are well-maintained/established, and there is no reason to believe they would be required to construct sidewalks even if doing so was possible, which is not. There is no reason to think that any new homes will be built to connect the proposed sidewalk from 7th to 6th Street (or beyond) along the east side of Elm Street, as no vacant lots remain.

Determinate Sidewalk Variance (e) Uniformity of development of the area would best be served by deferring sidewalk construction on the lot or tract until some future date. (See Appendix A)

Proposed Finding Determinate Sidewalk: To provide a uniform and safe development, the Sidewalk Commission would need to fund the construction of sidewalks on all north/south streets on the NWS to meet connectivity objectives, as they have done on the southeast side of town and other areas of the city where connectivity has been prioritized through investment by the city.

Additional reasoning

It is reasonable to believe a pedestrian would presume a sidewalk would be connected to other sidewalks and not end in an unimproved alley. Expectations for injury and suffering from accessibility limitations such as wheelchair confinement or sight impairments/blindness will be the city's responsibility, not the homeowner's, including responsibility for all lawsuits brought on by injured pedestrians.

Additionally, we believe that many utilities run under the area for the proposed sidewalk, including the fiberoptic line to the Banneker Community Center to the north. To construct a level sidewalk, it is likely that these utilities would be damaged if not relocated. The retention wall necessary to support the hillside would need to be at least 30 inches below ground to provide the required load burden from the hillside and resist above frostline exposure. This obligation should not fall to the homeowner. Additionally, street and intersection signs would need to be moved at least 8ft to the southeast.

The environmental impact of creating more than 1,100 square foot of impervious surface, close to the size as our home, should not be overlooked. Unnecessary impervious surfaces, especially those made of concrete materials, are detrimental to the environment and negatively impact the effects of stormwater.

The November 2020 PSCI/Princeton "Cement and Concrete: The Environmental Impact" report states: "As a material that creates the majority of the world's bridges, roads, dams, and construction, concrete releases an extreme amount CO2 each year."

As referred to in the Inspection and Acceptance section of the UDO; **prior to the recommendation of issuance of a final certificate of occupancy, all transportation facilities located within the adjoining public right-of-way or dedicated easements shall be inspected for compliance with standards adopted by the City of Bloomington, the Bloomington Public Transportation Corporation, and/or AASHTO standards.**

The occupancy permit for 935 W 7th Street was granted on February 12, 2021, without reference to a sidewalk, further supporting the acceptance of determinate sidewalk variances found in the UDO and expressed in this Petitioner's Statement.

Figure 1

Corner of 6th/Elm facing north – 3rd House South

Elm facing north towards 7th Street – 2nd House South

Elm facing north towards 7th Street – Neighbors to the south (sidewalk termination point)

Figure 1 – Cont.

Elm facing north towards 7th Street – Neighbor's drive and alley

Proposed Sidewalk Area – 147 feet

Appendix A

UDO Effective April 2020

3. **Determinate Sidewalk Variance Approval Criteria**
While not to be included as separate findings of fact, items to consider when determining the practical difficulties or peculiar conditions associated with a determinate sidewalk variance include, but are not limited to:

[a] That the topography of the lot or tract together with the topography of the adjacent lots or tract and the nature of the street right-of-way make it impractical for construction of a sidewalk; or

[b] That the pedestrian traffic reasonably to be anticipated over and along the street adjoining such lot or tract upon which new construction is to be erected is not and will not be such as to require sidewalks to be provided for the safety of pedestrians; or

[c] The adjacent lot or tracts are at present developed without sidewalks and there is no reasonable expectation of additional sidewalk connections on the block in the near future; or

[d] The location of the lot or tract is such that a complete pedestrian network is present on the other of the street on the same block; or

[e] Uniformity of development of the area would best be served by deferring sidewalk construction on the lot or tract until some future date.

Websites:
https://bloomington.in.gov/planning/udo
https://bloomington.in.gov/sites/default/files/2021-09/Final_UDO_July_2021.pdf

UDO Effective July 2018

(f) Determinate Sidewalk Variance Considerations: While not to be included as separate findings of fact, items to consider when determining the practical difficulties or peculiar conditions associated with a determinate sidewalk variance include, but are not limited to:

(1) That the topography of the lot or tract together with the topography of the adjacent lots or tract and the nature of the street right-of-way make it impractical for construction of a sidewalk; or

(2) That the pedestrian traffic reasonably to be anticipated over and along the street adjoining such lot or tract upon which new construction is to be erected is not and will not be such as to require sidewalks to be provided for the safety of pedestrians; or

(3) The adjacent lot or tracts are at present developed without sidewalks and there is no reasonable expectation of additional sidewalk connections on the block in the near future; or

(4) The location of the lot or tract is such that a complete pedestrian network is present on the other of the street on the same block; or

(5) Uniformity of development of the area would best be served by deferring sidewalk construction on the lot or tract until some future date.

(g) Commitment for Determinate Sidewalk Variance: Upon approval of a determinate sidewalk variance, the Planning and Transportation Department staff shall prepare a Zoning Commitment pursuant to 20. 09.110 Commitments - Variance and Conditional Use indicating that the determinate sidewalk variance was approved and that future installation of sidewalk may be required. The petitioner shall record the Zoning Commitment in the Monroe County Recorder's Office

https://bloomington.in.gov/sites/default/files/2019-06/UDO%20Complete%20Document%20%287.20.18%29.pdf

Appendix B

3/11/22

Tim Clougher
1001 W 7th St
Bloomington, IN 47404
timclougher@gmail.com

Gabriel Holbrow-Zoning Compliance
Karina Pazos-Zoning Planner
City of Bloomington
Bloomington, IN 47404

RE: Zoning Variance 935 W 7th St.

Karina & Gabriel,

I am contacting you to express my concern and disappointment that the Planning & Transportation Department has decided against supporting a variance for sidewalk construction along Elm St at 935 W 7th. My wife and I have resided at 1001 W 7th St, just West of 935 W 7th with Elm street running parallel to our property for over 20 years. Our driveway enters/exits onto Elm St. At no point has anyone from the Planning & Transportation Dept. contacted us or other adjoining property owners and inquired as to the impact this new sidewalk construction would have on us.

There has not been a sidewalk from Elm to Kirkwood since the neighborhood was created. Up until the recent construction of the home at 935 W 7th, people parking along this section of Elm St would park into the previously empty lots buffer area along Elm St. This is similar to the parking along Waldron St, Oak St, Pine St and John St. Attachment 1 shows Elm St prior to the construction of the home at 935 W 7th St. As you can clearly see, cars are parked into the buffer area along the lot to allow space for traffic and for us to get out. St. As you can clearly see, cars are parked into the buffer area along the lot to allow space for traffic and for us to get out.

The creation of the sidewalk and curb along Elm St will make it very difficult, if not impossible at times, to pull out of our driveway. This creates a safety hazard for us.

In addition, the sidewalk created will end at the South edge of 935 W 7th's property line. This sidewalk will never be extended in the foreseeable future. The property directly South of 935 W 7th St, 210 N Elm St, has an old limestone wall that sits approx. 2ft from the street edge. The wall would be destroyed by any future extension. This will not create "connectivity"..

Elm Street is much wider along the Banneker Property, 28 ft from curb to curb. Elm Street narrows to 20 ft wide from street edge to street edge along Elm between 7th & 6th St. Our vehicles are approx. 15-16' long, which means with a sidewalk and curb created at the street edge and a car parked along Elm St behind my drive will make it impossible to get out. This has happened in the past and I have had to find the driver to ask them to move. In addition, if 2

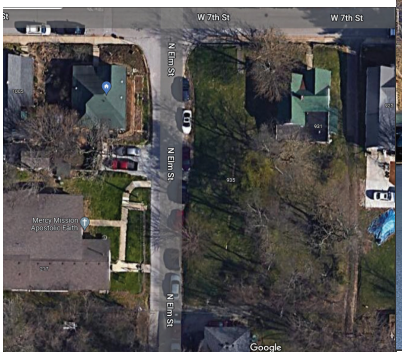
vehicles were attempting to navigate Elm St between 6th & 7th at the same time, one would have to reverse back onto 6th or 7th to allow the other vehicle to proceed.th or 7th to allow the other vehicle to proceed.

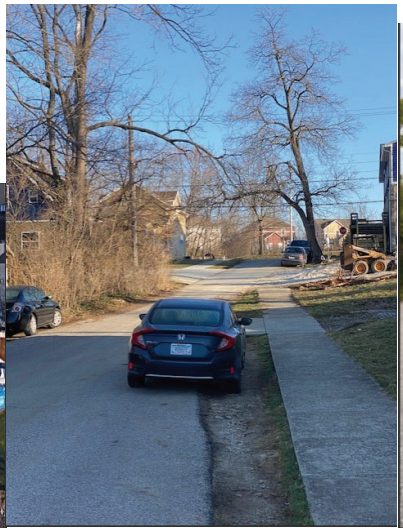
Attachment 2 & 3 show nearby N. John St, where two new construction infill properties were subject to this code. The property at 922 W 8th St and 1003 W 9th St were both required to put in sidewalks on opposite sides along this narrow and crooked street. As you can see, each is at a different angle and follow the crooked street edge. Not only does it look ridiculous, nobody utilizes either sidewalk. This is a perfect example why this code doesn't always work and variances are an important way of making an exception for infill construction in an old historic neighborhood compared to a new development.t always work and variances are an important way of making an exception for infill construction in an old historic neighborhood compared to a new development.

We plan to submit our support for approval of a variance based on conditions a, b & c under the "Determinate Sidewalk Variance Approval Criteria" of the UDO Chapter 20.06.080. We will also be including a petition from adjoining and nearby property owners in support of the variance. of the UDO Chapter 20.06.080. We will also be including a petition from adjoining and nearby property owners in support of the variance.

Sincerely,

Tim Clougher





Appendix C

Neighborhood Residential Streets

Bloomington has several local residential streets that provide access to single and multifamily homes and are not intended to be used for regional or cross-town commuting. Neighborhood residential streets have slow speeds and low vehicular volumes with general priority given to pedestrians. Other characteristics of the street are provided in Table 3. Figure 11 shows the typical cross-section of neighborhood residential street with on-street parking on both sides of the street. Because of the low-speed and low-volume nature of neighborhood residential streets, the City may decide to reduce the width of parking lanes or travel lanes. On-street parking could be consolidated to one side or removed altogether.

Neighborhood residential street example

Many existing Neighborhood Residential Streets are quite narrow in width. In order to preserve neighborhood fabric, existing streets shall not be required to conform to these cross-section standards. Priority for Neighborhood Residential Streets is on maintaining calm streets that create a safe and comfortable environment for walking, even if there are no sidewalks.

Figure 11. Neighborhood residential street typical cross-section

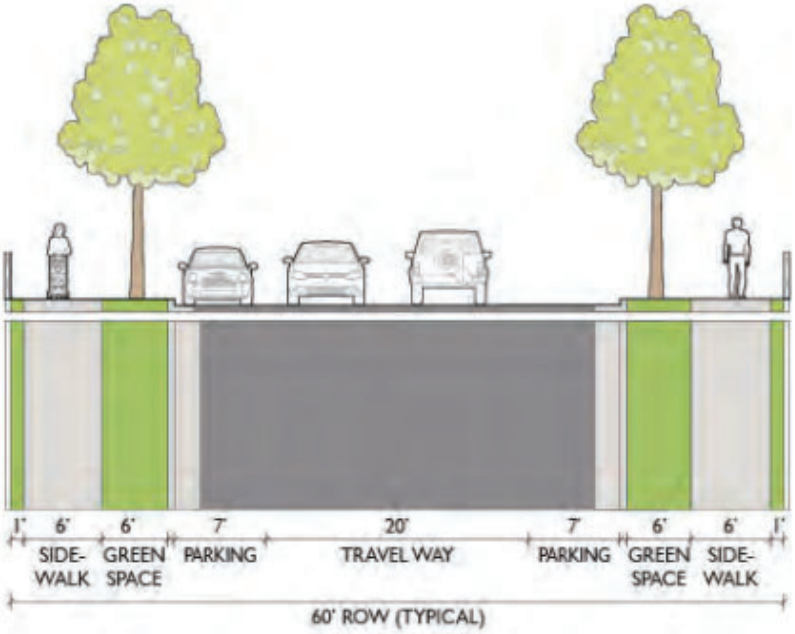
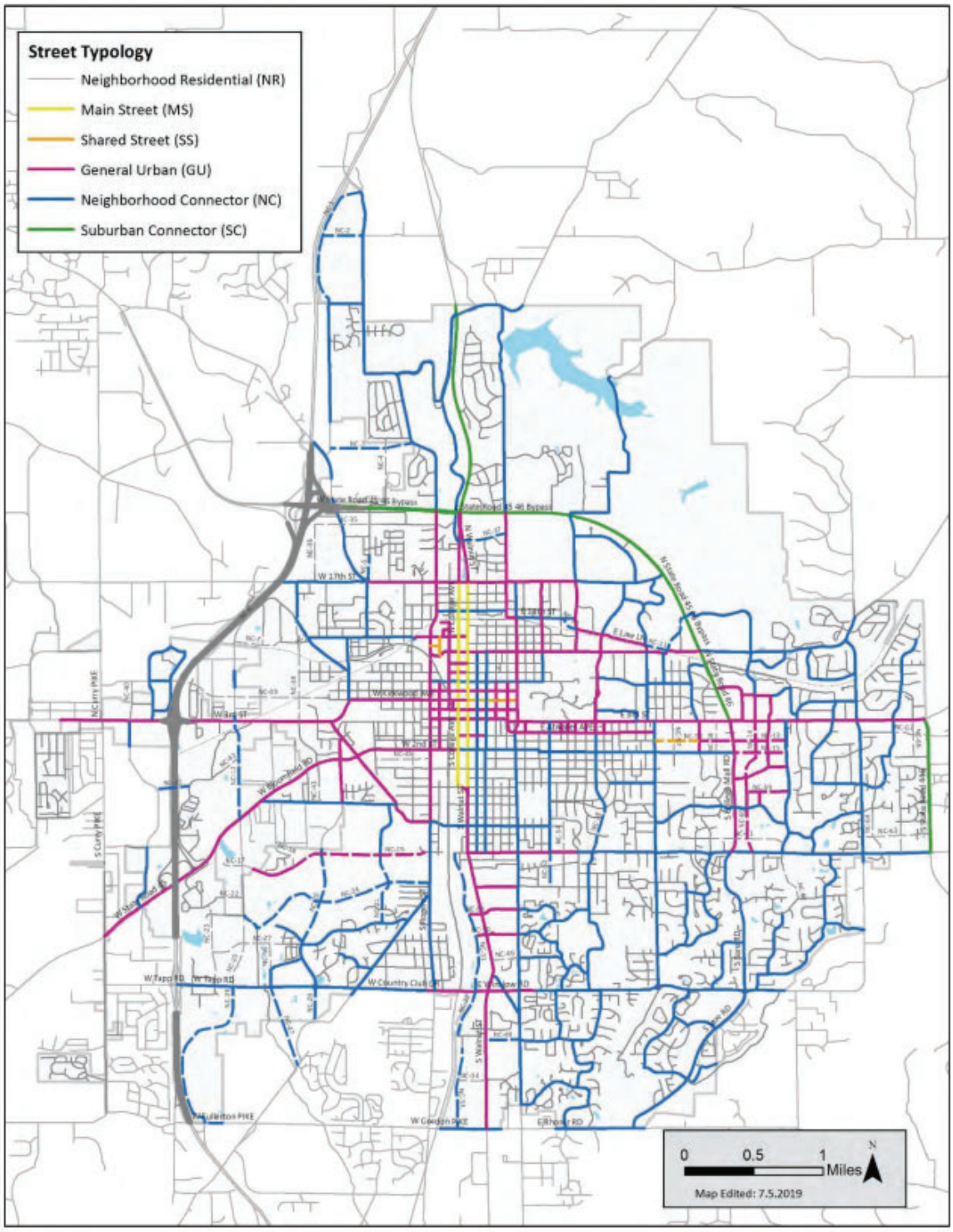
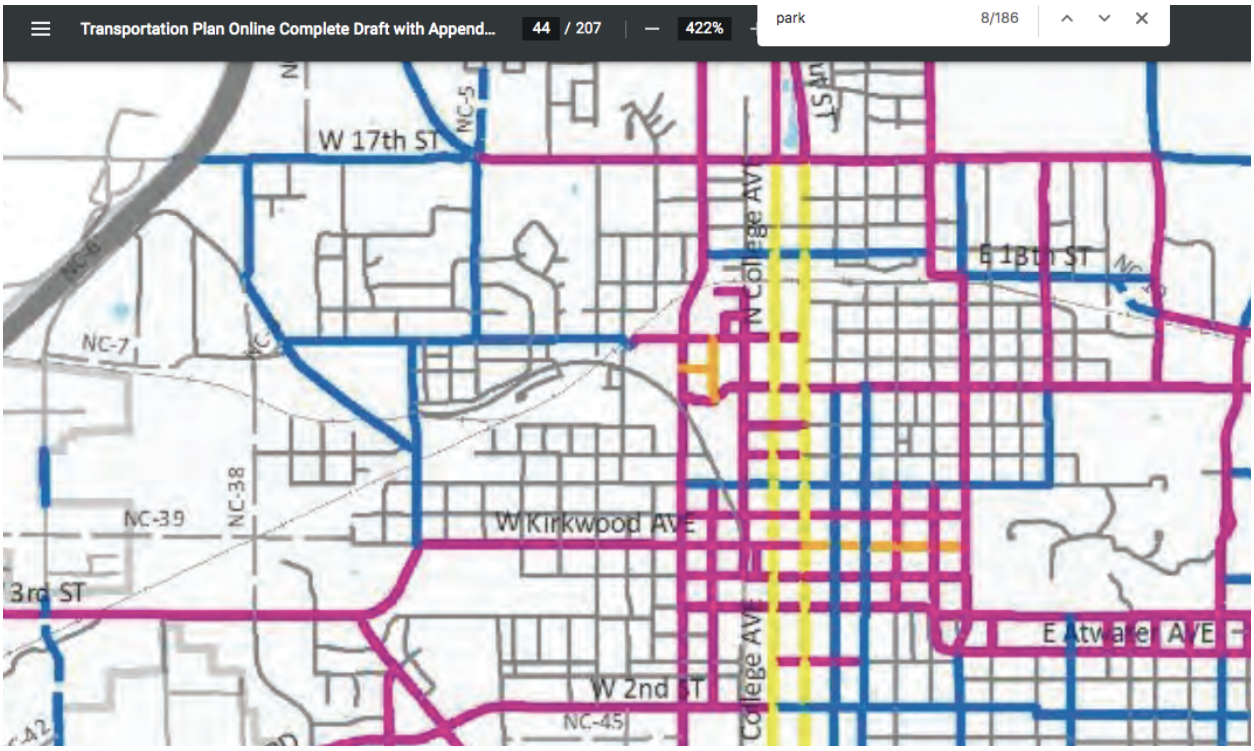


Figure 19. New Connections and Street Typologies





Website:
https://bloomington.in.gov/transportation/plan
https://bloomington.in.gov/sites/default/files/2020-02/Transportation%20Plan%20Online%20Complete%20Draft%20with%20Appendices%20reduced.pdf

Pg 46

ID	Street Direction	Street Name	Street Suffix	Address Block	Bicycle Facility Recommendation	Street Typology	Default Right-of-Way (ROW) Width	Proposed ROW Width	Are Proposed and Default the Same?	Reason for Change in Proposed ROW Width
1561	N	Elm	ST	400		NR	60	60	Yes	No change in width
1484	N	Elm	ST	300		NR	60	60	Yes	No change in width
1416	N	Elm	ST	200		NR	60	60	Yes	No change in width
1358	N	Elm	ST	100		NR	60	60	Yes	No change in width

ROW Widths Updated
07.08.2019

https://bloomington.in.gov/planning/comprehensive-plan Comprehensive Plan

Sidewalk Variance

in the Near West Side Neighborhood

- Background
- UDO - Determinate Sidewalk Variance
- Transportation Plan
- Environmental Effects
- Negative Impacts on our Neighborhood
- Neighborhood Support

Connect

1 : to join or fasten together usually by something intervening
// A highway *connects* the two towns.

City of Bloomington Unified Ordinance (UDO)

2021 UDO

While not to be included as separate findings of fact, items to consider when determining the practical difficulties or peculiar conditions associated with a determinate sidewalk variance include, but are not limited to:

✓ [a] That the topography of the lot or tract together with the topography of the adjacent lots or tract and the nature of the street right-of-way make it impractical for construction of a sidewalk; or

✓ [b] That the pedestrian traffic reasonably to be anticipated over and along the street adjoining such lot or tract upon which new construction is to be erected is not and will not be such as to require sidewalks to be provided for the safety of pedestrians; or

✓ [c] The adjacent lot or tracts are at present developed without sidewalks and there is no reasonable expectation of additional sidewalk connections on the block in the near future; or

[d] The location of the lot or tract is such that a complete pedestrian network is present on the other of the street on the same block; or

✓ [e] Uniformity of development of the area would best be served by deferring sidewalk construction on the lot or tract until some future date.

2018 UDO

20.09.135 Sidewalk and Determinate Sidewalk Variances

(a) Intent: The purposes of this section are:

(1) To outline the process by which petitions for a sidewalk variance and a determinate sidewalk variance are considered;

(2) To provide a mechanism to approve these petitions that will not be contrary to the public interest, where, owing to special conditions, literal enforcement of Section *20.05.010(b)(3)* will result in practical difficulties, and so that the spirit of *Section 20.05.010(b)(3)* shall be observed and substantial justice done.

(b) Applicability: The board of zoning appeals or hearing officer, in accordance with the procedures and standards set out in *Chapter 20.09: Processes, Permits and Fees*, may grant sidewalk variances and determinate sidewalk variances.

(c) Findings of Fact for Sidewalk Variance: Pursuant to Indiana Code 36-7-4-918.5, the board of zoning appeals or the hearing officer may grant a variance from *Section 20.05.010(b)(3)* of the Unified Development Ordinance if, after a public hearing, it makes findings of fact in writing, that:

✓ (1) The approval will not be injurious to the public health, safety, morals, and general welfare of the community; and

✓ (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; and

✓ (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.

✓ (4) That the topography of the lot or tract together with the topography of the adjacent lots or tract and the nature of the street right-of-way make it impractical for construction of a sidewalk as required by *Section 20.05.010(b)(3);* and

✓ (5) That the pedestrian traffic reasonably to be anticipated over and along the street adjoining such lot or tract upon which the new construction is to be erected is not and will not be such as to require sidewalks to be provided for the safety of pedestrians.

(d) Findings of Fact for Determinate Sidewalk Variance: Pursuant to Indiana Code 36-7-4-918.5, the board of zoning appeals or the hearing officer may grant a variance from *Section 20.05.010(b)(3)* of the Unified Development Ordinance if, after a public hearing, it makes findings of fact in writing, that:

✓ (1) The approval will not be injurious to the public health, safety, morals, and general welfare of the community; and

✓ (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; and

✓ (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; and

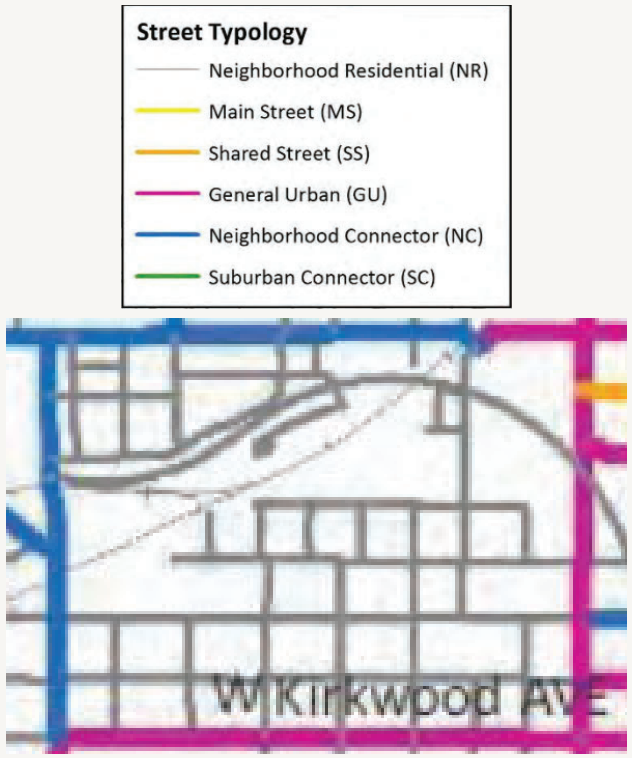
N/A (4) The adjacent lot or tracts are at present undeveloped, but it appears that at some future date these lots or tracts will be developed, increasing the need for sidewalks for the protection and convenience of pedestrians; and

N/A (5) The location of the lot or tract is such that the present pedestrian traffic does not warrant the construction of sidewalks, but it appears that in the future the pedestrian traffic may increase; and

✓ (6) Uniformity of development of the area would best be served by deferring sidewalk construction on the lot or tract until some future date.

City of Bloomington Transportation Plan

N Elm Street is classified as Neighborhood Residential (NR)



Neighborhood Residential Streets

Bloomington has several local residential streets that provide access to single and multifamily homes and are not intended to be used for regional or cross-town commuting. Neighborhood residential streets have slow speeds and low vehicular volumes with general priority given to pedestrians. Other characteristics of the street are provided in Table 3. Figure 11 shows the typical cross-section of neighborhood residential street with on-street parking on both sides of the street. Because of the low-speed and low-volume nature of neighborhood residential streets, the City may decide to reduce the width of parking lanes or travel lanes. On-street parking could be consolidated to one side or removed altogether.

Neighborhood residential street example

Many existing Neighborhood Residential Streets are quite narrow in width. In order to preserve neighborhood fabric, existing streets shall not be required to conform to these cross-section standards. Priority for Neighborhood Residential Streets is on maintaining calm streets that create a safe and comfortable environment for walking, even if there are no sidewalks.

2002 Master Thoroughfare Plan

Waldron St = 20 ft.
Elm St = 20 ft.

Existing Core Neighborhood Streets

The core neighborhood streets in Bloomington represent a high percentage of the total road mileage in the area surrounding the downtown. Many of these streets are quite narrow in width in comparison to the neighborhood streets that were constructed in the past few decades. The cross-sections of the existing core neighborhood streets are considered an important element of the residents' living environment and often serve as a meeting place for residents. It should be noted that many of these streets feature cross-sections different from what is outlined in the following pages. In order to preserve neighborhood fabric, existing core neighborhood streets shall not be required to conform to the cross section standards that are being proposed for more suburban environments.

Typical Characteristics of a Existing Core Neighborhood Street:

- *Total right-of-way – varies*
- *Travel lane widths – typically 8 to 10 feet*
- *On-Street parking included*
- *Bike lanes – no lanes are included because of lower traffic volumes and speed*
- *Sidewalks and street trees vary; often there is not enough room for both elements*

Priority For the Right-of-Way:

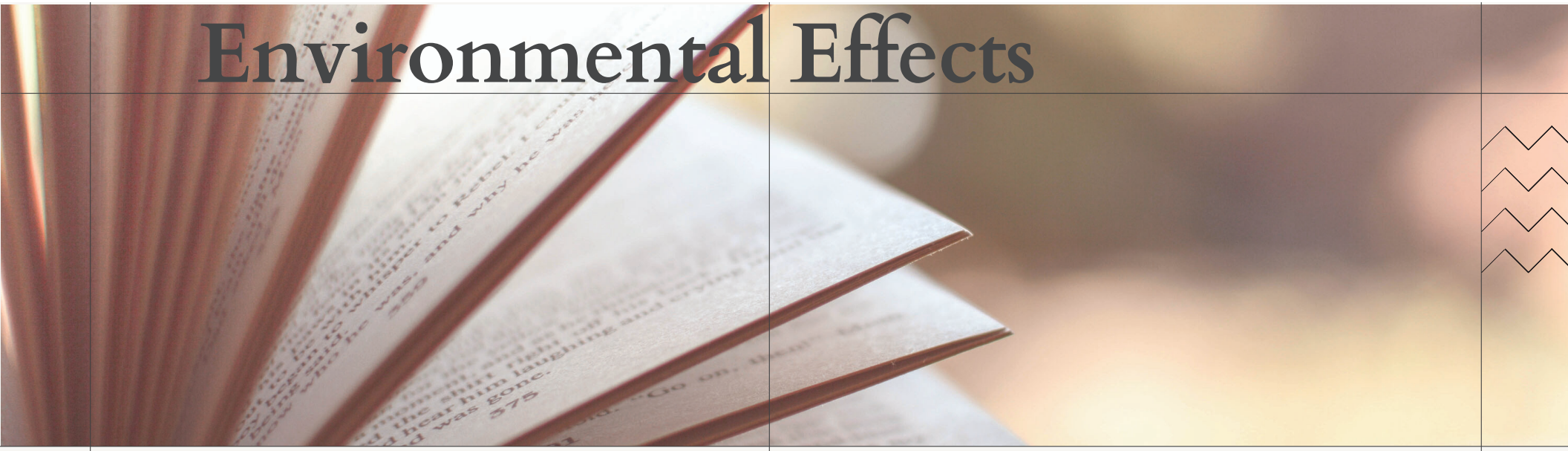
- *Primary Priority Elements*
  - *On-Street parking*
  - *Residential access*
  - *Neighborhood preservation*
- *Secondary Priority Elements*
  - *Width of travel lanes*
  - *Sidewalks*
- *Examples of Traffic Management Features*
  - *On-street parking*
  - *Street trees*
  - *Narrower travel lanes*
  - *Reduced pedestrian crossing distances at intersections (using curb extensions and other measures if necessary)*
  - *Traffic circles*

Jackson Street at 3rd Street looking north

Waldron Street at 6th Street looking south

William Street at 9th Street looking south

Environmental Effects



Impervious Surface

any surface in the landscape that cannot effectively absorb or infiltrate rainful.

Impervious Surface Coverage (Maximum) for R3 is 45%

Lot: 4,356 sf.
House: 1,500 sf.
Sidewalk: 1,200 sf.
62% Impervious Surface

6th & Elm - looking North to 7th

No Connectivity to Proposed Sidewalk

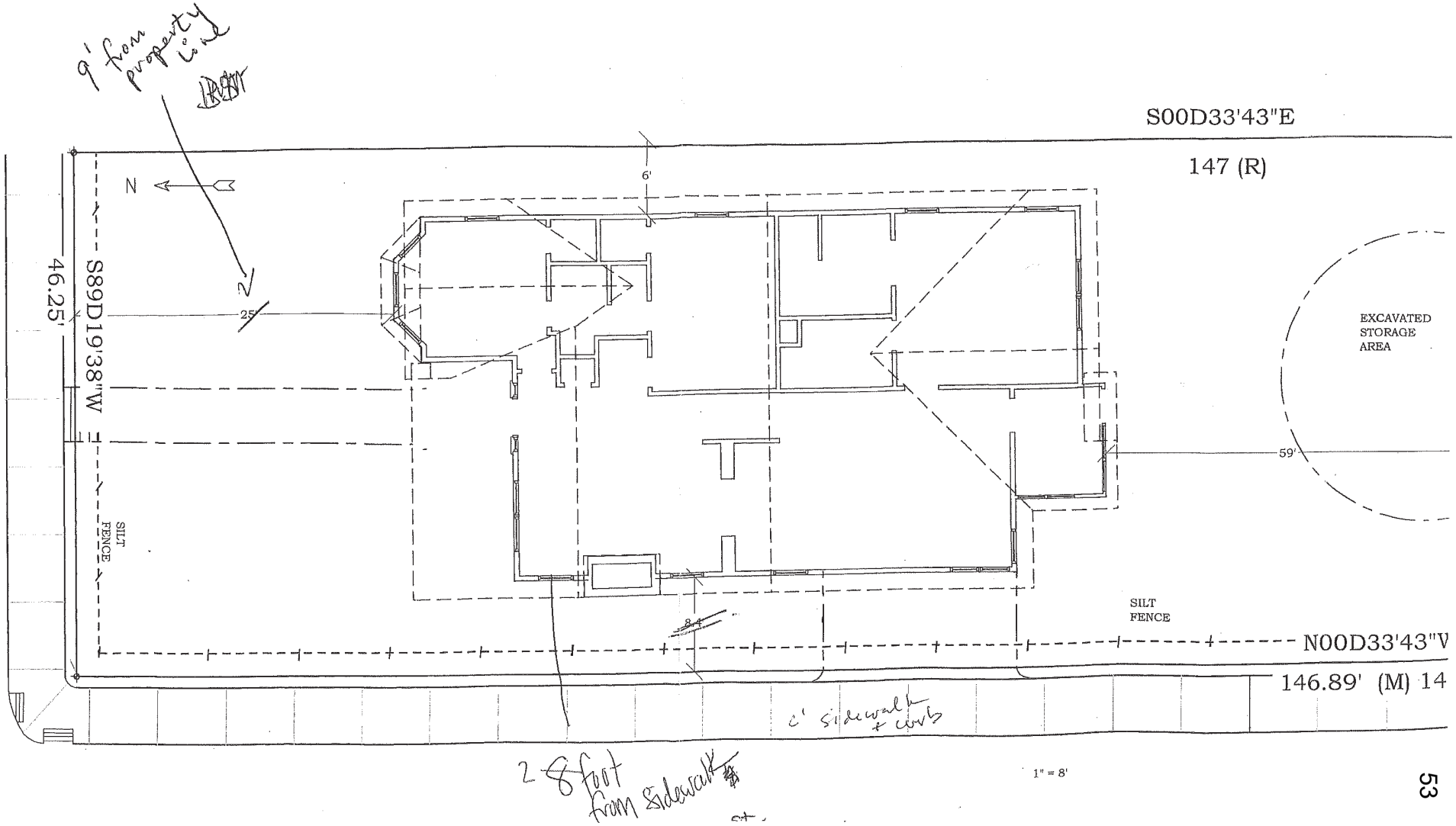
"Where the Sidewalk Ends"
aka
"Sidewalk to Nowhere"

Ending in our Neighbors Limestone Wall

Burms + pull-offs for safety

When Sidewalks are Present


Negative Impacts on
Our Neighborhood
&
Neighborhood Support


9' from property line
S00D33'43"E
147 (R)
N
6'
25'
46.25'
S89D19'38"W
SILT FENCE
EXCAVATED STORAGE AREA
59'
SILT FENCE
N00D33'43"V
146.89' (M) 14
4' sidewalk + curb
2-8 foot from sidewalk
1" = 8'

Karina Pazos <karina.pazos@bloomington.in.gov>

Variance support for 935 W 7th St

Tim Clougher <timclougher@gmail.com> Tue, Mar 22, 2022 at 9:44 AM
To: Karina Pazos <karina.pazos@bloomington.in.gov>, gabriel.holbrow@bloomington.in.gov
Cc: Kate Rosenbarger <kate.rosenbarger@bloomington.in.gov>

Tim Clougher
1001 W 7th St
Bloomington, IN 47404
timclougher@gmail.com

Gabriel Holbrow-Zoning Compliance
Karina Pazos-Zoning Planner
City of Bloomington
Bloomington, IN 47404

RE: Zoning Variance 935 W 7th St.

Karina & Gabriel,

I am contacting you to express my concern and disappointment that the Planning & Transportation Department has decided against supporting a variance for sidewalk construction along Elm St at 935 W 7th. My wife and I have resided at 1001 W 7th St, just West of 935 W 7th with Elm street running parallel to our property for over 20 years. Our driveway enters/exits onto Elm St. At no point has anyone from the Planning & Transportation Dept. contacted us or other adjoining property owners and inquired as to the impact this new sidewalk construction would have on us.

There has not been a sidewalk from Elm to Kirkwood since the neighborhood was created. Up until the recent construction of the home at 935 W 7th, people parking along this section of Elm St would park into the previously empty lots buffer area along Elm St. This is similar to the parking along Waldron St, Oak St, Pine St and John St. Attachment 1 shows Elm St prior to the construction of the home at 935 W 7th St. As you can clearly see, cars are parked into the buffer area along the lot to allow space for traffic and for us to get out.

The creation of the sidewalk and curb along Elm St will make it very difficult, if not impossible at times, to pull out of our driveway. This creates a safety hazard for us.

In addition, the sidewalk created will end at the South edge of 935 W 7th's property line. This sidewalk will never be extended in the foreseeable future. The property directly South of 935 W 7th St, 210 N Elm St, has an old limestone wall that sits approx. 2ft from the street edge. The wall would be destroyed by any future extension. This will not create "connectivity".

Elm Street is much wider along the Banneker Property, 28 ft from curb to curb. Elm Street narrows to 20 ft wide from street edge to street edge along Elm between 7th & 6th St. Our vehicles are approx. 15-16' long, which means with a sidewalk and curb created at the street edge and a car parked along Elm St behind my drive will make it impossible to get out. This has happened in the past and I have had to find the driver to ask them to move. In addition, if 2 vehicles were attempting to navigate Elm St between 6th & 7th at the same time, one would have to reverse back onto 6th or 7th to allow the other vehicle to proceed.

Attachment 2 & 3 show nearby N. John St, where two new construction infill properties were subject to this code. The property at 922 W 8th St and 1003 W 9th St were both required to put in sidewalks on opposite sides along this narrow and crooked street. As you can see, each is at a different angle and follow the crooked street edge. Not only does it look ridiculous, nobody utilizes either sidewalk. This is a perfect example why this code doesn't always work and variances are an important way of making an exception for infill construction in an old historic neighborhood compared to a new development.

We plan to submit our support for approval of a variance based on conditions a, b & c under the "Determinate Sidewalk Variance Approval Criteria" of the UDO Chapter 20.06.080. We will also be including a petition from adjoining and nearby property owners in support of the variance.

Sincerely,

Tim Clougher

---

3 attachments

7th & Elm St.png
871K

John St Debacle.jpg
142K

John St Debacle.png
565K

Karina Pazos <karina.pazos@bloomington.in.gov>

Variance support for 935 W 7th St

Kate Rosenbarger <kate.rosenbarger@bloomington.in.gov> Thu, Mar 24, 2022 at 8:00 AM
To: Tim Clougher <timclougher@gmail.com>
Cc: Karina Pazos <karina.pazos@bloomington.in.gov>, gabriel.holbrow@bloomington.in.gov

Hi Tim,

Thank you for sending. What do you think if parking is not allowed along this part of the street?

Best,
Kate
[Quoted text hidden]
--

Kate Rosenbarger

City Council Member, District 1
City of Bloomington, IN

kate.rosenbarger@bloomington.in.gov
812-219-4074
bloomington.in.gov

Karina Pazos <karina.pazos@bloomington.in.gov>

Variance support for 935 W 7th St

Tim Clougher <timclougher@gmail.com> Tue, Mar 29, 2022 at 11:59 AM
To: Kate Rosenbarger <kate.rosenbarger@bloomington.in.gov>
Cc: Karina Pazos <karina.pazos@bloomington.in.gov>, gabriel.holbrow@bloomington.in.gov

Thanks Kate, I had considered that and the challenge is that it would alleviate two spaces from an area with already limited parking. The Mercy Mission church attendees are mostly elderly and like to park as close as possible to the ramp they have near my drive. Incidentally, they are also against the proposed sidewalk as it would put them further out into the street when exiting/entering their vehicles. It would also be left up to me to monitor the no parking zone so I could get out. Parents that pick-up kids from Banneker are notorious for already parking in the no parking zone along Elm from 7th alongside our property and have even parked across the end of our driveway.

As you may know, my house was moved to 1001 W 7th St, from W 1st street in 2000 by Bloomington Restoration. I inquired as to why BRI didn't have to build a sidewalk along Elm and a former BRI Board Member told me it was due to the "Historic District" and they argued that historically there were not sidewalks on Elm. Our neighborhood is not only a conservation district(soon to be historic), but also a National Historic District. I'm looking in to this as well.

I do appreciate your input! I just don't understand why the Planning Dept would ignore several known variances that apply to this scenario, but I guess that's how the process must work. We plan to attend the BZA hearing and hope for the best.

Thanks again,
Tim
[Quoted text hidden]

Beth Ellis and Tamera Theodore
823 W 8th Street
Bloomington, IN 47404
812.345.2041
Beth@TimEllisRealtors.com

April 8, 2022

Board of Zoning Appeals
401 N Morton Street, Suite 130
Bloomington, IN 47404

Dear BZA,

We are writing in absolute opposition to the installation of a curb, sidewalk, and retaining wall on Elm Street along the western edge of the home located at 935 W 7th Street.

The huge concrete area would not fit in with the aesthetic of our neighborhood. There are several examples of nearby streets that have no sidewalks including:

- Williams between 8th Street and 9th Street
- Waldron between 8th Street and Kirkwood
- Oak between 7th Street and Kirkwood

In fact, looking at Elm Street, there are currently no sidewalks at all between 7th Street and Kirkwood.

The proposed section of sidewalk on Elm makes no sense. The southern edge of it would run into the neighbors' retaining wall. Not only would that look really ugly, it would also make the sidewalk unsafe to use. We walk our neighborhood daily and find that the streets without sidewalks are safe and easy to navigate as they are currently configured.

We also have concerns about possible drainage issues caused by the creation of this huge impervious area. Lastly, it seems that street access and parking would also be negatively affected by this project.

Please feel free to reach out to us with any questions. We hope our comments are taken into consideration and would be happy to provide more detail if that would be helpful.

Sincerely,

Beth Ellis and Tamera Theodore

817 W. Eighth Street
Bloomington, Indiana 47404
April 11, 2022

Board of Zoning Appeals
401 N. Morton Street
Bloomington, Indiana 47404

We are writing to express our opposition to the installation of a curb, sidewalk, and retaining wall on Elm Street, along the western edge of the home located at 935 W. 7th Street, owned by Rachael and Patrick McAleer. We are in complete support with the McAleers' petition for a variance.

A number of nearby streets have no sidewalks, including Williams between 8th and 9th, Waldron between 8th and Kirkwood, and Oak between 7th and Kirkwood. Presently, no sidewalks exist on Elm Street between 7th and Kirkwood, and we are at a loss to figure out why these sidewalks on Elm Street are even under consideration.

The McAleer home at 935 W. 7th Street is new construction. Why didn't the BZA or the appropriate city board specify the sidewalk installation at the time building permits were issued? Our neighborhood's east/west oriented street have sidewalks, as do a handful of the north/south running streets. We, personally, walk daily in the neighborhood and feel perfectly safe on all the streets, with or without sidewalks. People who live in the Near West Side Neighborhood place a high value on its unique look and feel, its character, which are priceless intangibles, enhancing the quality and charm of where we live.

We wonder why the BZA demands that homeowners pay for sidewalks which only the BZA desires. We wonder why the Board wants to "fix" a problem which doesn't exist, in the eyes of the actually residents of the Near West Side Neighborhood.

Respectfully,
Karlyn Grise Robert Grise
Karlyn and Robert Grise

60

Dear Zoning Board of appeals, my Neighbors, Rachael and Patrick McAleer have been asked to build a sidewalk to no where. I think that is silly and makes no Sense. I have lived around the corner from thier homes' location since 2004. I have traversed that section of Elm many times and have never had any trouble walking in the street. When I am in my car I Wouldnt want the road to be any narrower. and This is not to mention the drainage issues, the last thing we need is more water rushing down Elm to 6th street. So with all of that said I do not support

The Mcaleer's having to
Put in a Sidewalk on Elm.

GREEN INSPIRED

Designed Artfully. Made Thoughtfully.

Thank you.
Molly E Count
924. W. 6th St

MIX
Paper
FSC FSC® C020056

BLOOMINGTON BOARD OF ZONING APPEALS **CASE #: V-12-22**
STAFF REPORT **DATE: May 26, 2022**
Location: 617 N Madison St / 422 W 10th St

PETITIONER: City of Bloomington Redevelopment Commission
401 N Morton Street
Bloomington, IN

CONSULTANT: Ashley Thornberry, Axis Architecture and Interiors
618 E Market Street
Indianapolis, IN

REQUEST: A variance from the maximum front building setback to allow for a plaza in the Mixed-Use Downtown Showers Technology Downtown Character Overlay (MD-ST) zoning district.

REPORT: The property is located at 617 N. Madison Street / 422 W. 10th Street, on the west side of Madison Street, running from Maker Way to 10th Street, and is currently zoned Mixed-Use Downtown (MD), in the Showers Technology Park Character Area (ST). The proposed development is to occur at the southwest corner of Maker Way and Madison Street. All surrounding properties are also zoned MD-ST. The property is currently vacant, but has received conditional site plan approval from the Plan Commission for one new 3-story, 21,000 square foot office building.

The MD-ST district requires that buildings be built with a front building setback maximum of 15 feet. The petitioner is meeting that requirement on the bulk of the Maker Way frontage and about 40 percent of the Madison Street frontage. However, the petitioner has designed a plaza at the corner, northeast of the building. The plaza serves multiple purposes. From a design standpoint, the plaza reflects the historic plaza and outside space at The Mill, which is to the northeast of the site and in the Showers Brothers Furniture Factory Local Historic District. Functionally, the plaza area will house on-site stormwater detention that is needed for the development.

The petitioner is requesting a variance to allow a building to be built where portions of two front building walls will not meet the front building setback maximum. The petitioner is requesting to allow a roughly 63 foot setback on the Maker Way frontage and a roughly 35 foot setback on the Madison Street frontage.

CRITERIA AND FINDINGS FOR DEVELOPMENT STANDARDS VARIANCE

20.06.080(b)(3)(E)(i)(1) Standards for Granting Variances from Development Standards: Pursuant to Indiana Code 36-7-4-918.5, the Board of Zoning Appeals or Hearing Officer may grant a variance from the development standards of this UDO if, after a public hearing, it makes findings of fact in writing, that:

(1) The approval will not be injurious to the public health, safety, morals, and general welfare of the community; and

PROPOSED FINDING: No injury is found with the allowance of increasing the distance of the front building setback. The majority of the facades will be set within the front

building setback range, so the benefits of the building-forward design will still be created.

(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; and

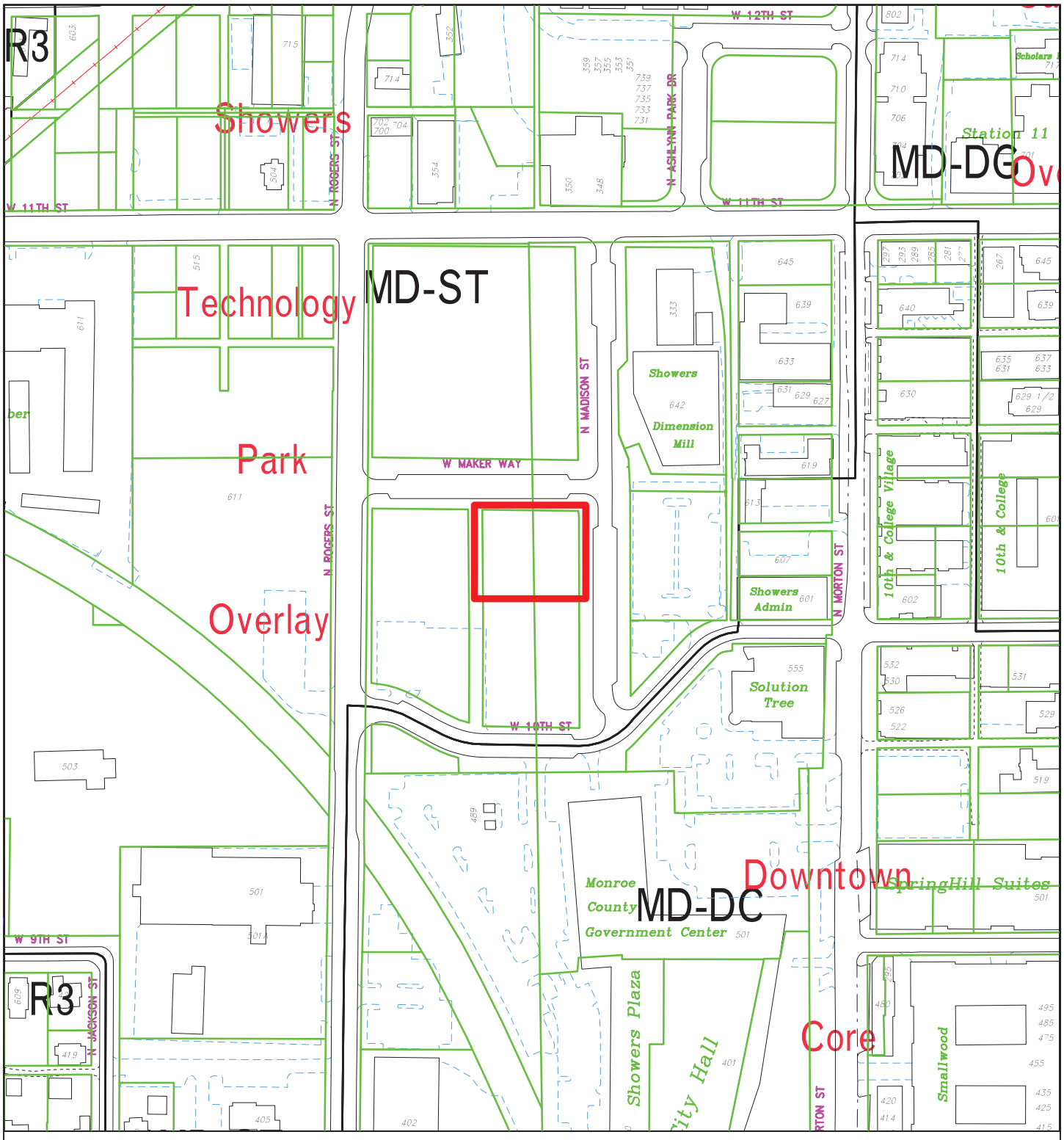
PROPOSED FINDING: No adverse impacts to the use and value of the surrounding area associated with the proposed variance are found. The variance would allow interesting architecture that reflects the historic interplay of building and outside space that is present in this district at The Mill.

(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 questions; that the development standards variance will relieve the practical difficulties; and

PROPOSED FINDING: Practical difficulties are found in the combination of the proposed size of the parcel, as well as the need for on-site detention and the interest in design that is reflective of the historic structure to the northeast. Additionally, the right-of-way and associated infrastructure already exists in the district, and also encourages outdoor usable space as a characteristic of this district. The parcel is being sized in order that the southern remainder of the lot can be developed, as well. Locating the detention under the pedestrian plaza is a good use of space that improves the pedestrian experience, while conserving developable and green space. The need to reflect the historic plaza feel is peculiar to this area, as it is located in the Showers Brothers Furniture Factory Historic District, so special consideration should be given to compatibility with the existing surrounding design.

RECOMMENDATION: Based upon the report and written findings of fact above, the Department recommends that the Board of Zoning Appeals adopts the proposed findings and approves V-12-22 with the following conditions:

1. The variance is approved for the building setback design as submitted with this petition.



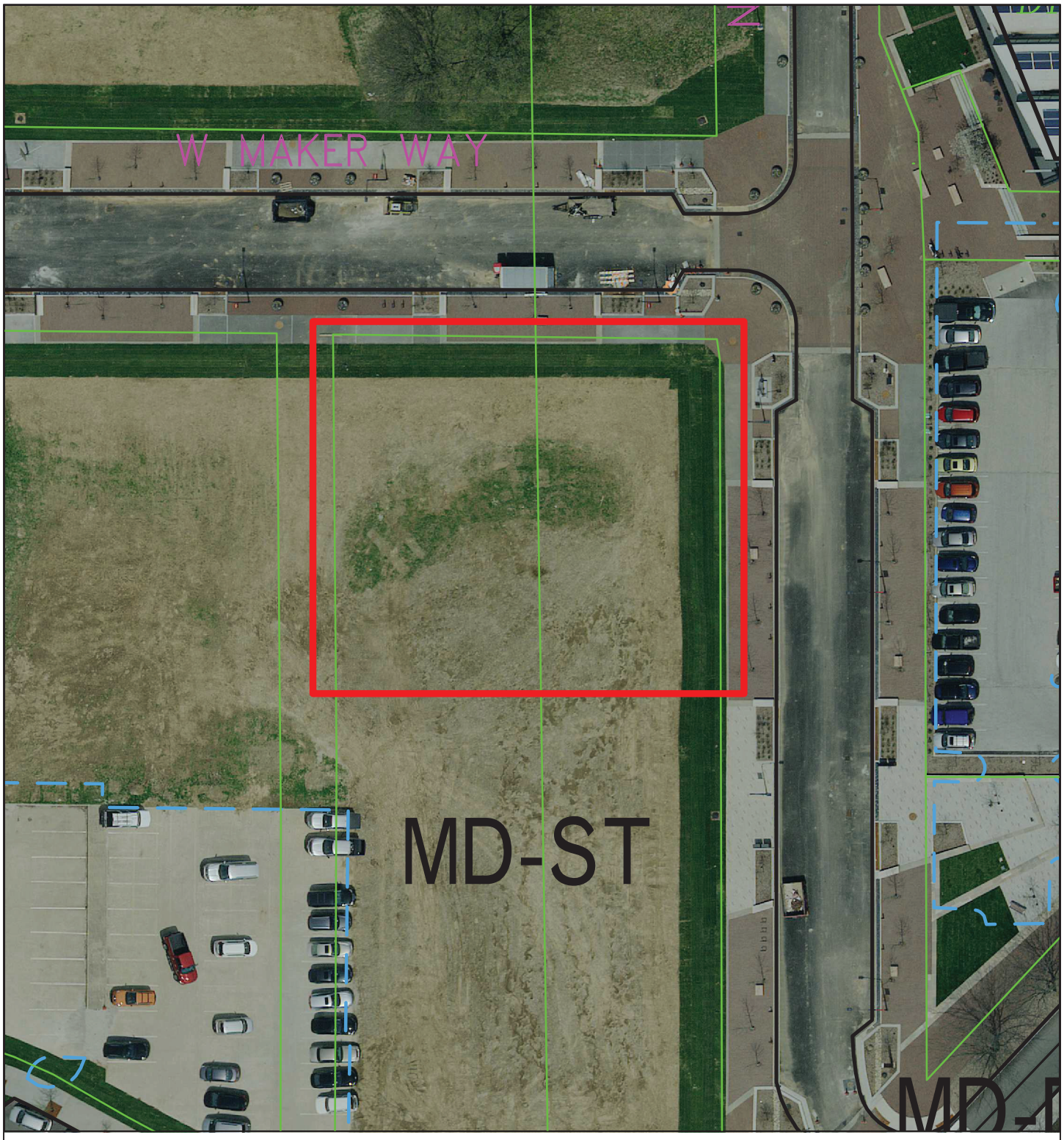
City of Bloomington
Planning

By: scanlanj
28 Jan 22

200 0 200 400 600

Scale: 1" = 200'

For reference only; map information NOT warranted.



City of Bloomington
Planning

By: scanlanj
28 Jan 22

50 0 50 100 150

Scale: 1" = 50'

For reference only; map information NOT warranted.

March 24, 2022

City of Bloomington Board of Zoning Appeals
401 North Morton Street
Suite 130
Bloomington, Indiana 47404

RE: City of Bloomington Board of Zoning Appeals – Requested Variance for the Trades District Technology Center

Dear City of Bloomington Board of Zoning Appeals,

Axis Architecture + Interiors, on behalf of the City of Bloomington Redevelopment Commission (the Owner) is requesting a variance for Trades District Technology Center (TDTC). This variance request is to have a setback greater than the 15'-0" maximum allowed in the Mixed-Use Downtown Showers Technology Character Area (MD-ST) along North Madison Street for the use of an outdoor entry plaza.

The TDTC building is located southwest of the intersection of Maker Way and Madison Street within the Bloomington Trades District, a 12-acre Technology Park envisioned as a place for innovation, attraction, and job-creation for the City of Bloomington. The site is located within walking distance southeast of Downtown Bloomington D, the B-line trail to the south, and residential and commercial development to the north and west. The current lot will be subdivided so future development can occur south of the TDTC building.

The central location of the TDTC offers several advantages to the Trades District. Being directly adjacent to the Dimension Mill Building, a start-up incubator space, a synergy is created between the Mill and Tech Center providing physical, social, and economic advantages to tenants. It allows the Tech Center Building to become a hub of activity for the Trades District and sets the building precedent for scale, architectural style, and outdoor collaboration space.

The building is organized into two program "bars" separated by an atrium and lobby space that serves as the "social core" of the building. The north program bar and atrium space are set back from Madison Street to create an East Entry Plaza and a courtyard which becomes an amenity and potential gathering space for both the tenants of the Tech Center, Dimension Mill, and the public. The project does require underground detention on site, as has been communicated by the City of Bloomington Utilities. This is unable to be located under the building footprint and will be placed under the outdoor atrium space in the northeast corner of the site.

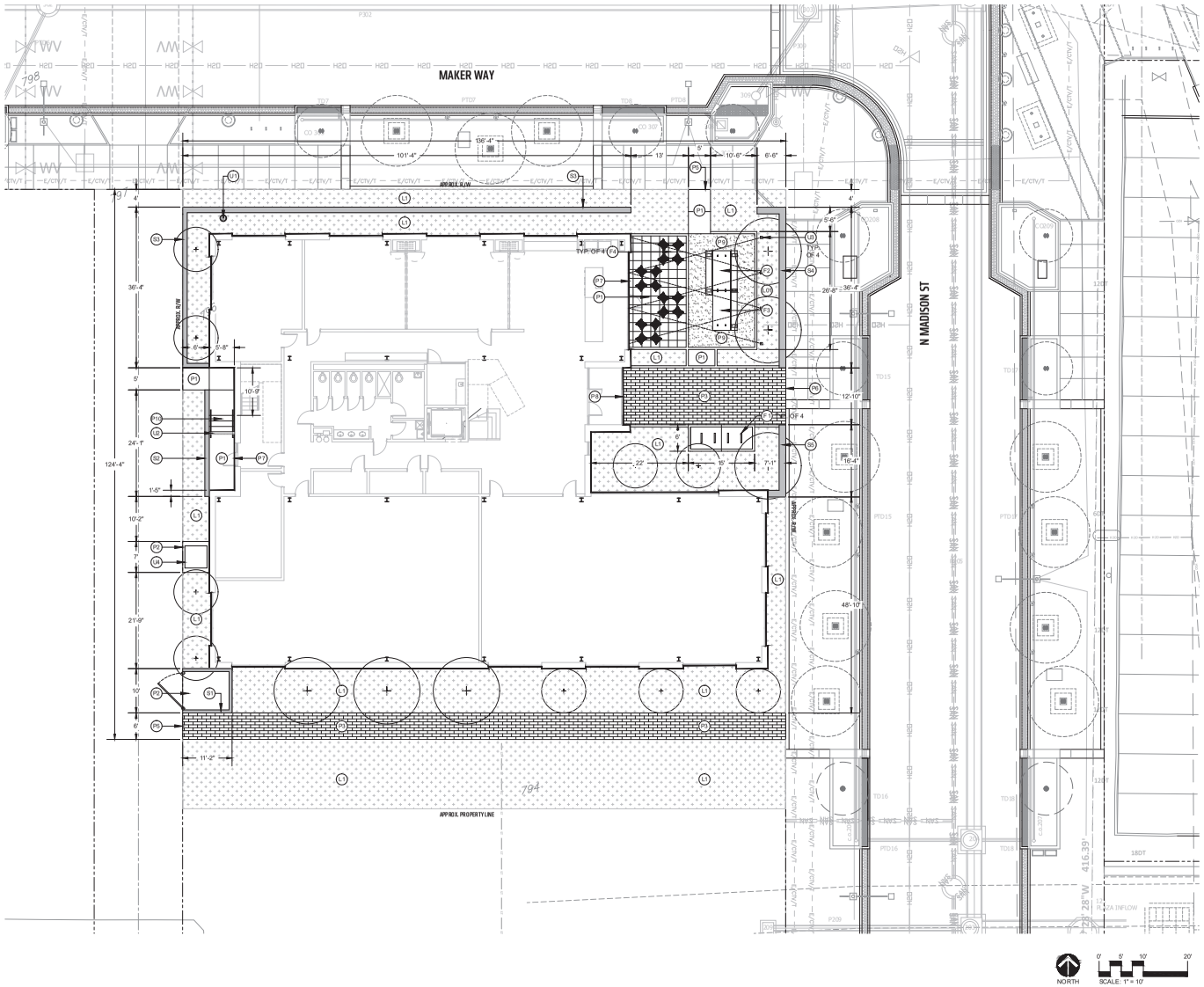
Thank you for your consideration for this requested variance.

Ashley Thornberry, Project Architect
Axis Architecture + Interiors

ARCHITECTURE + INTERIORS

AXIS

618 East Market Street, Indianapolis, Indiana 46202 317.264.8162 www.axisarch.com



LAYOUT KEYNOTES:

FURNISHINGS

F1	BIKE RACK	DETAIL ##, SHEET ##
F2	COMMUNITY TABLE	DETAIL ##, SHEET ##
F3	COMMUNITY TABLE, ACCESSIBLE	DETAIL ##, SHEET ##
F4	MOVABLE FURNITURE	SEE F.F.E. SCHEDULE
F5	TRASH/LITTER RECEPTACLE	SEE F.F.E. SCHEDULE

PAVEMENTS

P1	CONCRETE PAVEMENT, 4"	DETAIL ##, SHEET ##
P2	CONCRETE PAVEMENT, 6"	DETAIL ##, SHEET ##
P3	PERMEABLE PAVERS	DETAIL ##, SHEET ##
P4	FLUSH CONCRETE HEADER	DETAIL ##, SHEET ##
P5	CONCRETE PAVEMENT - EXISTING CONCRETE TRANSITION	DETAIL ##, SHEET ##
P6	PERMEABLE PAVERS - EXISTING CONCRETE TRANSITION	DETAIL ##, SHEET ##
P7	CONCRETE PAVEMENT AT BUILDING THRESHOLD	DETAIL ##, SHEET ##
P8	CONCRETE PAVEMENT AT BUILDING THRESHOLD	DETAIL ##, SHEET ##
P9	CRUSHED STONE PAVEMENT	DETAIL ##, SHEET ##
P10	CONCRETE STEPS (4 RISERS @ 6")	DETAIL ##, SHEET ##

SITE ELEMENTS

S1	DUMPSTER ENCLOSURE	DETAIL ##, SHEET ##
S2	RETAINING WALL	DETAIL ##, SHEET ##
S3	RETAINING WALL	DETAIL ##, SHEET ##
S4	FREESTANDING WALL	DETAIL ##, SHEET ##
S5	FREESTANDING WALL	DETAIL ##, SHEET ##

SITE UTILITIES

U1	AREA DRAIN	SEE CIVIL PLANS
U2	TRENCH DRAIN	SEE CIVIL PLANS
U3	STEEL POLE FOR CATENARY LIGHTS	SEE ELECTRICAL PLANS
U4	TRANSFORMER	SEE UTILITY PLAN

PLANTINGS

L1	PLANT MATERIAL	REFER TO PLANTING PLAN AND SCHEDULE FOR PLANT MATERIALS REQUIREMENTS

SITE GENERAL NOTES:

1. SITE LAYOUT DATA, INCLUDING COORDINATE POINTS, IS BASED ON A SURVEY PERFORMED BY BLEDSOE RIGGER COOPER JAMES (BRCJ). REPORT ANY DISCREPANCIES BETWEEN THE PLANS AND FIELD CONDITIONS TO THE OWNER AND LANDSCAPE ARCHITECT IMMEDIATELY. RUNDELL ERNSTBERGER ASSOCIATES, INC. IS NOT RESPONSIBLE FOR THE ACCURACY OF THE SURVEY INFORMATION.
2. CONTRACTOR SHALL VERIFY SITE CONDITIONS IN THE FIELD PRIOR TO BIDDING. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO BE FAMILIAR WITH ANY CHANGES SINCE THE SURVEY WAS PROCURED.
3. ALL CONSTRUCTION LAYOUT STAKING IS TO BE PERFORMED BY A LAND SURVEYOR OR PROFESSIONAL ENGINEER REGISTERED IN THE STATE OF INDIANA. LAYOUT DATA MAY BE MADE AVAILABLE TO THE CONTRACTOR IN A DIGITAL FORMAT FOR USE IN LAYOUT STAKING BY A LAND SURVEYOR OR PROFESSIONAL ENGINEER.
4. AS SOME OF THE HORIZONTAL CONTROL POINTS SHOWN ON THIS PLAN AS EXISTING MAY HAVE BEEN REMOVED OR DAMAGED SINCE THEY WERE SET, THE CONTRACTOR SHALL, DURING THE BIDDING PROCESS, VERIFY THE EXISTENCE AND INTEGRITY OF THE HORIZONTAL CONTROL POINTS SHOWN HEREON. THE CONTRACTOR SHALL INCLUDE ANY WORK NECESSARY TO ESTABLISH RELIABLE LAYOUT CONTROL FOR THE PROJECT IN THE BID.
5. IN ORDER TO MAINTAIN THE INTEGRITY OF HORIZONTAL AND VERTICAL CONTROL FOR THE SITE, THE SURVEYOR OR PROFESSIONAL ENGINEER EMPLOYED BY THE CONTRACTOR TO PERFORM CONSTRUCTION LAYOUT STAKING SHALL SET AND PROTECT ADDITIONAL TRAVERSE POINTS OUTSIDE THE AREAS OF CONSTRUCTION ACTIVITY.
6. IF GIVEN, OR UNLESS NOTED OTHERWISE, ALL DIMENSIONS ARE TO THE FOLLOWING: FACE OF WALL, FACE OF BUILDING, FACE OF CURB, EDGE OF PAVEMENT, CENTERLINE OF PAVEMENT, OR CENTER OF LAYOUT POINT.
7. ALL EDGES OF PAVEMENT ARE TO BE STRAIGHT OR WITH CONSISTENT RADIUS AS SHOWN HEREON. NO UNSPECIFIED TANGENTS OR KINKS WILL BE APPROVED.
8. THE CONTRACTOR SHALL COORDINATE ALL WORK WITH AFFECTED UTILITIES PRIOR TO THE START OF CONSTRUCTION. ALL UTILITIES SHALL BE FIELD LOCATED PRIOR TO THE START OF CONSTRUCTION. ALL UNDERGROUND UTILITIES SHALL BE MAINTAINED AND PROTECTED FROM DAMAGE UNLESS NOTED TO BE REMOVED OR ABANDONED ELSEWHERE.
9. ALL WORK SHALL BE COORDINATED AND IN COMPLIANCE WITH FEDERAL, STATE, COUNTY, AND LOCAL MUNICIPALITIES AS WARRANTED. ALL WORK TO BE COMPLETED WITHIN THE RIGHT-OF-WAY SHALL CONFORM TO THE CITY OF BLOOMINGTON STANDARDS.
10. EROSION CONTROL MEASURES (I.E. SILT FENCING, AND SEDIMENT CONTROL) SHALL BE PROVIDED BY THE CONTRACTOR PER THE SPECIFICATIONS. SEE EROSION CONTROL DRAWINGS AND SITE CLEARING SPECIFICATIONS.
11. CONTRACTOR SHALL ERECT CONSTRUCTION FENCING AND BARRICADES ALONG THE CONSTRUCTION LIMIT LINE AS NECESSARY. CONTRACTOR SHALL COORDINATE WITH THE OWNER ON THE FINAL LOCATION OF FENCING, BARRICADES, AND CONSTRUCTION ACCESS POINTS.
12. THE CONTRACTOR SHALL BE RESPONSIBLE FOR REPAIRING ALL DAMAGE RESULTING FROM DEMOLITION OR CONSTRUCTION ACTIVITY TO EXISTING SITE ELEMENTS THAT ARE TO REMAIN. ALL AREAS WHERE THE EXISTING PAVEMENT OR PAVEMENTS ARE DAMAGED DURING CONSTRUCTION FROM HEAVY TRAFFIC OR EQUIPMENT, FUEL OIL, GASOLINE, ETCETERA, BY THE GENERAL CONTRACTOR, SUBCONTRACTOR, OR SUPPLIERS SHALL BE RECONSTRUCTED TO ITS ORIGINAL CONDITION. THIS RECONSTRUCTION SHALL TAKE PLACE AT THE END OF THE PROJECT CONSTRUCTION OR DURING THE SCHEDULED GRADING AND PAVING OF THOSE AREAS.
13. THE CONTRACTOR SHALL FOLLOW ALL MANUFACTURER'S REQUIREMENTS AND DIRECTIONS FOR INSTALLATION.
14. ALL DIMENSIONS INDICATED ON THE PLANS ARE PARALLEL AND PERPENDICULAR TO THE BASE LINES, PROPERTY LINES, AND OR BUILDING LINES UNLESS NOTED OTHERWISE.
15. PROVIDE A SMOOTH TRANSITION FROM NEWLY PAVED AREAS TO EXISTING AREAS AS NECESSARY.
16. IT IS THE RESPONSIBILITY OF THE CONTRACTOR OR CONTRACTORS TO OBTAIN ALL FEDERAL, STATE, COUNTY, CITY, AND LOCAL PERMITS FOR ANY AND ALL WORK REQUIRED UNLESS OTHERWISE NOTED. THE CONTRACTOR OR CONTRACTORS IS RESPONSIBLE TO PAY FOR ALL REQUIRED PERMITS BY ANY OR ALL AGENCIES MENTIONED ABOVE UNLESS OTHERWISE NOTED BY THE CONTRACT OR SPECIFICATIONS.

AXIS
618 East Market Street
Indianapolis, Indiana 46202
phone 317.264.8162
axisarch.com

DRAWN BY	RE
CHECKED BY	CP
DATE ISSUED	09/04/20

REVISIONS:

#	DESCRIPTION	DATE

CITY OF BLOOMINGTON

CLIENT
CITY OF BLOOMINGTON
Alex Crowley
401 North Morton Street, Suite 130
Bloomington, Indiana 47404
812.349.3477

CIVIL ENGINEER
BRC Civil Engineers
Bill Rigger
1351 West Tapp Road
Bloomington, Indiana 47403
812.336.6077

STRUCTURAL ENGINEER
RFP Engineers
Joshua White
3025 East 96th Street, Suite 126
Indianapolis, Indiana 46240
317.670.8400

MEP ENGINEER
Lutz Engineering
Kelsey Lutz
201 South Capitol Avenue, Suite 210
Indianapolis, Indiana 46225
317.202.8800

LANDSCAPE ARCHITECT
Rundell Ernstberger Associates
Cecil Rundell
1455 Broadway Street
Indianapolis, Indiana 46202
317.243.6737

CITY OF BLOOMINGTON
TRADES DISTRICT TECHNOLOGY CENTER
617 NORTH MADISON STREET
BLOOMINGTON, INDIANA 47404

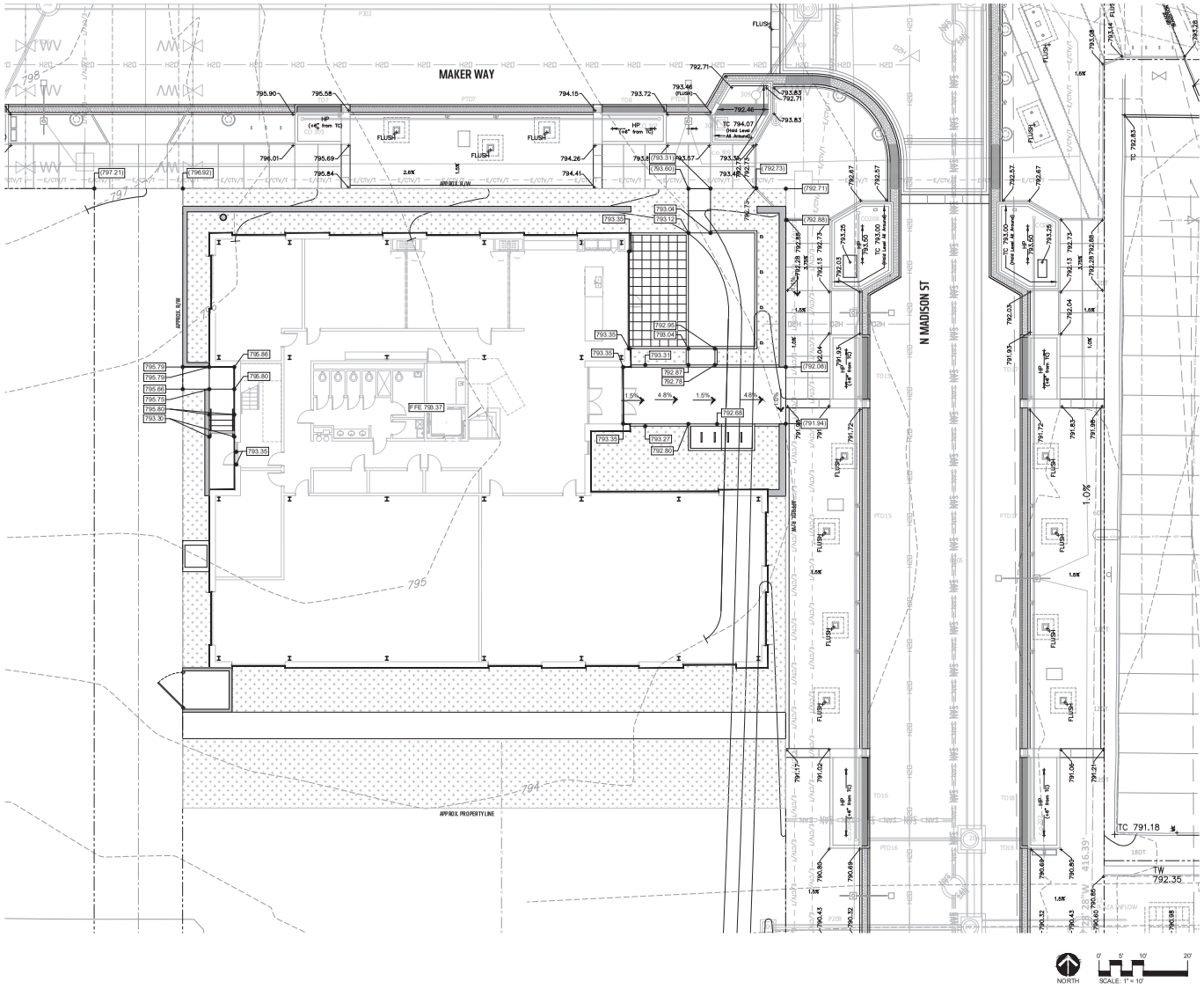
NOT FOR CONSTRUCTION

Site Plan

L-101

PROJECT NUMBER 2022001

FILE: P:\1647 Bloomington Trades District Tech Center\dwgs\SD\sheets\L-101 Site Plan



GRADING KEYNOTES & ABBREVIATIONS:

BC	BOTTOM OF CURB	HP	HIGH POINT
BF	BOTTOM OF FOUNDATION	LP	LOW POINT
BP	BREAK POINT	PR	PROPOSED
BS	BOTTOM OF STEPS	MEG	MATCH EXISTING GRADE
BW	BOTTOM OF WALL	RIM	RIM ELEVATION
EP	EDGE OF PAVEMENT	SW	SIDEWALK
EX	EXISTING	TC	TOP OF CURB
FC	FLUSH CURB	TF	TOP OF FOUNDATION
FFE	FINISH FLOOR ELEVATION	TP	TOP OF PIER
FL	FLOW LINE	TS	TOP OF STEPS
GR	GRADE	TW	TOP OF WALL
GB	GRADE BREAK		

- (724.50) EXISTING SPOT ELEVATION (VERIFY)
- 781.80 PROPOSED SPOT ELEVATION
- 1.0% PROPOSED SLOPE
- 781 EXISTING CONTOUR LINE
- 781 PROPOSED CONTOUR LINE
- GB GRADE BREAK
- 000 PROPOSED SWALE (REFER TO SPOT ELEVATIONS)

GRADING PLAN NOTES:

1. SITE LAYOUT DATA, INCLUDING COORDINATE POINTS, IS BASED ON A SURVEY PERFORMED BY BLEDSOE RIGGER COOPER JAMES (BRCJ). REPORT ANY DISCREPANCIES BETWEEN THE PLANS AND FIELD CONDITIONS TO THE OWNER AND LANDSCAPE ARCHITECT IMMEDIATELY. RUNDELL ERNSTBERGER ASSOCIATES, INC. IS NOT RESPONSIBLE FOR THE ACCURACY OF THE SURVEY INFORMATION.
2. CONTRACTOR SHALL VERIFY SITE CONDITIONS IN THE FIELD PRIOR TO BIDDING. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO BE FAMILIAR WITH ANY CHANGES SINCE THE SURVEY WAS PROCURED. IMMEDIATELY REPORT ANY DISCREPANCIES BETWEEN THE PLANS AND FIELD CONDITIONS TO THE OWNER AND LANDSCAPE ARCHITECT.
3. CONTRACTOR SHALL VERIFY ALL EXISTING GRADES REQUIRED TO BE MATCHED OR MAINTAINED AND LOCATIONS OF ALL UTILITIES PRIOR TO THE START OF CONSTRUCTION ACTIVITIES. CONTRACTOR SHALL IMMEDIATELY NOTIFY LANDSCAPE ARCHITECT OF DISCREPANCIES BETWEEN EXISTING GRADES IN FIELD AND EXISTING GRADES SHOWN ON THE PLANS..
4. ALL HORIZONTAL AND VERTICAL CURVES SHALL BE SMOOTH AND CONTINUOUS. NO UNSPECIFIED KINKS AND TANGENTS WILL BE PERMITTED.
5. MATCH EXISTING GRADES CLEANLY AND SMOOTHLY.
6. PROVIDE POSITIVE DRAINAGE IN ALL PAVED AREAS WITHOUT PONDING WATER. WITH THE OWNER'S LANDSCAPE ARCHITECT OBSERVING ON SITE, THE CONTRACTOR SHALL TEST ALL PAVED AREAS FOR "BIRD BATH"-TYPE CONDITIONS BY FLOODING THE ENTIRE PAVEMENT AREA AND MARKING THE PROBLEMATIC AREAS. CORRECTIONS SHALL BE MADE IF NECESSARY.
7. PROPOSED SPOT ELEVATIONS REPRESENT FINISH GRADE OF PAVEMENTS, PLANT BEDS, AND TURF AREAS, UNLESS NOTED OTHERWISE. PROPOSED ELEVATIONS INDICATED IN PLANT BEDS AND TURF AREAS REQUIRE SETTLING OF SOIL.
8. SEE THE APPROPRIATE PLAN AND/OR DETAIL(S) TO DETERMINE THE SUBGRADE ELEVATION REQUIRED BELOW A PROPOSED FINAL ELEVATION.
9. CONTRACTOR SHALL INSTALL THE ADJACENT FINISH GRADE AT 1/2" BELOW PAVEMENT WHEN SHEET DRAINAGE FROM PAVEMENT IS PROPOSED.
10. ALL EXISTING SURFACE UTILITY STRUCTURES (I.E. MANHOLE COVERS, CATCH BASIN GRATES, WATER AND GAS HANDHOLDS, ETC.) SHALL BE ADJUSTED TO THE PROPOSED FINISH GRADE ELEVATION, AS APPROPRIATE.
11. CONTRACTOR SHALL ENSURE THAT TRANSITIONS BETWEEN PROPOSED SLOPES ON PATHWAYS ARE SMOOTH AND DO NOT RESULT IN BREAKS IN GRADE AT LOW AND HIGH POINTS..
12. EROSION CONTROL MEASURES (I.E. SILT FENCING AND SEDIMENT CONTROL) SHALL BE PROVIDED BY THE CONTRACTOR PER THE SPECIFICATIONS. SEE EROSION CONTROL PLANS FOR ADDITIONAL REQUIREMENTS.

AXIS
618 East Market Street
Indianapolis, Indiana 46202
phone 317.264.8162
axisarch.com

DRAWN BY	RE
CHECKED BY	CP
DATE ISSUED	09/04/22

REVISIONS:

#	DESCRIPTION	DATE

CITY OF BLOOMINGTON

CLIENT
CITY OF BLOOMINGTON
Alex Crowley
401 North Morton Street, Suite 130
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CIVIL ENGINEER
WC-Civil Engineers
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812.336.6577

STRUCTURAL ENGINEER
RFP Engineers
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317.670.8400

MEP/HP ENGINEER
Latta Engineering
Kelsey Latta
201 South Capitol Avenue, Suite 210
Indianapolis, Indiana 46225
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317.245.0157

CITY OF BLOOMINGTON
TRADES DISTRICT TECHNOLOGY CENTER
617 NORTH MADISON STREET
BLOOMINGTON, INDIANA 47404

NOT FOR CONSTRUCTION

Grading Plan 69

L-102

PROJECT NUMBER 2022001

FILE: P:\1647 Bloomington Trades District Tech Center\dwgs\SD\sheets\L-102 Grading Plan

BLOOMINGTON BOARD OF ZONING APPEALS **CASE #: V-14-22**
STAFF REPORT **DATE: May 26, 2022**
Location: 600 W. Kirkwood Ave

PETITIONER: Chris and Betsey Smith
3702 E. Devonshire Ln, Bloomington

CONSULTANT: Dawn Gray (Springpoint Architects)
213 S. Rogers Street, Bloomington

REQUEST: Variance from front building setback standards, front parking setback standards, and a determinate sidewalk variance to allow for the construction of a new single-family residence in the Mixed-Use Neighborhood Scale (MN) zoning district.

REPORT: This 0.20 acre property is zoned Mixed-Use Neighborhood Scale (MN) and is located at the northwest corner of W. Kirkwood Ave. and N. Jackson Street. The site is also located in the Near West Side Conservation District. The properties to the north are zoned Residential Small Lot (R3), to the east are zoned Mixed-Use Medium Scale (MM), and to the south and west are zoned Mixed-Use Neighborhood Scale (MN). The site recently had a garage on it, but that has been removed and currently sits vacant.

The petitioner is proposing to construct a new single family residence on the lot. The residence would have a driveway off of the alley along the north side of the site that accesses an attached garage. The petitioner has also received a Certificate of Appropriateness (COA-22-32) from the Historic Preservation Commission for the proposed residence.

Within the Mixed-Use Neighborhood Scale (MN) zoning district, the Unified Development Ordinance has a 15’ to 25’ front build-to-range. The petitioner is requesting a variance from that standard to allow a 10’ setback from the Kirkwood Avenue frontage and a 7’ setback from the Jackson Street frontage. This is being requested to match the existing historic setback of the adjacent residences. This is also something supported within the Plan for West Kirkwood to maintain existing historic block faces.

The MN district also requires any areas used for parking to be located 20' behind the front building wall. The 20’ setback requirement is designed for commercial uses to ensure parking is not between a building and a street and to promote pedestrian accessibility and those aspects are not applicable to a single family residence. The UDO does not have standards for single family residences specifically in the MN district to better match that use. The petitioner is requesting a variance from the 20’ front parking setback standard to allow a 3’ setback for the driveway to the attached garage. The driveway is proposed to be 20’ wide and have a 15’ setback from the alley and meets the standards for a typical driveway. The petitioner is also requesting a determinate sidewalk variance to not require a sidewalk to be constructed on the Jackson Street frontage.

CRITERIA AND FINDINGS FOR DEVELOPMENT STANDARDS VARIANCE

20.06.080(b)(3)(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.*

   PROPOSED FINDING:

   Front building setback: The granting of the variance to allow the building within the front building setback will not be injurious to the public health, safety, morals, or general welfare of the community as it will match the setback of the existing adjacent residences.

   Front parking setback: The granting of the variance to allow the proposed driveway in the parking setback area will not be injurious to the public health, safety, morals, or general welfare of the community as the driveway will meet all of the standards for a typical single family driveway. The driveway will not be between the building and the street and is accessed from the alley.

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.*

   PROPOSED FINDING:

   Front building setback: No adverse impacts are found to the use and value of surrounding properties as a result of the building being located within the front build-to-range, conversely the granting of the variance would allow for the residence to match the existing historic setback of the adjacent buildings and create a uniform block face as encouraged by the Plan for West Kirkwood. In addition, a Certificate of Appropriateness was approved that specifically evaluated the overall design and location of the residence and found to be appropriate.

   Front parking setback: No adverse impacts to the use and value of the area adjacent to the property are found as a result of allowing the driveway within the required front parking setback as it is not located between the residence and the street and is accessed directly from the alley. The driveway is designed as a typical single family driveway and meets the standards if this was zoned as a primarily single family district.

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.

PROPOSED FINDING:

Front building setback: The Department finds that the strict application of the terms of the Unified Development Ordinance will result in practical difficulties in the use of the property as they would not allow for the residence to be constructed at a location that is appropriate to the area. The practical difficulties are peculiar to the property in question because the location of adjacent residences and existing block face are closer to the street than what the build-to-range would allow. The petitioner has designed the site to be compatible with the adjacent residences, fit the historic pattern of the Conservation District, and fit within the design guidelines of the Plan for West Kirkwood. The granting of the variance allows for the residence to be constructed at a location that is appropriate for the neighborhood.

Front parking setback: The Department finds that the strict application of the terms of the Unified Development Ordinance will result in practical difficulties in the use of the property as they would not allow for a typical driveway to be constructed that is appropriate to the use. The practical difficulties are peculiar to the property in question because although the property is zoned for a range of commercial uses, because it is being developed with a single family residence, the standards do not match the proposed use. The proposed driveway has been designed as a typical residential driveway and meets the driveway standards for a single family use. The granting of the variance allows for a driveway to be installed that is typical to a single family residence and is appropriate for the neighborhood.

CRITERIA AND FINDINGS FOR DEVELOPMENT STANDARDS VARIANCE

20.06.080(b)(3)(E)(i)(1) Standards for Granting Variances from Development Standards: Pursuant to Indiana Code 36-7-4-918.5, the Board of Zoning Appeals or Hearing Officer may grant a variance from the development standards of this UDO if, after a public hearing, it makes findings of fact in writing, that:

(1) The approval will not be injurious to the public health, safety, morals, and general welfare of the community; and

PROPOSED FINDING: A sidewalk connection on this site would certainly improve pedestrian safety by providing a defined, protected place for pedestrians and would connect to an existing sidewalk on Kirkwood.

(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; and

PROPOSED FINDING: Adverse impacts to the use and value of the surrounding area associated with the proposed variance are found. The granting of the variance is expected to have off-site negative consequences, as it will continue the existing design that lacks a sidewalk connection to the network north of Kirkwood Avenue.

(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 questions; that the development standards variance will relieve the practical difficulties; and

PROPOSED FINDING: No practical difficulties are found in the use of the property. A compliant sidewalk could be constructed on this site. The site will continued to be used as a single-family development even if the sidewalk is built. The petitioner has not supplied sufficient data or reasoning indicating that there are practical difficulties in the use of the site and that a variance is necessary for relief.

Determinate Sidewalk:

20.06.080(b)(3)(E)(i)(3): While not to be included as separate findings of fact, items to consider when determining the practical difficulties or peculiar conditions associated with a determinate sidewalk variance include, but are not limited to:

[a] *That the topography of the lot or tract together with the topography of the adjacent lots or tract and the nature of the street right-of-way make it impractical for construction of a sidewalk; or*

[b] *That the pedestrian traffic reasonably to be anticipated over and along the street adjoining such lot or tract upon which new construction is to be erected is not and will not be such as to require sidewalks to be provided for the safety of pedestrians; or*

[c] *The adjacent lot or tracts are at present developed without sidewalks and there is no reasonable expectation of additional sidewalk connections on the block in the near future; or*

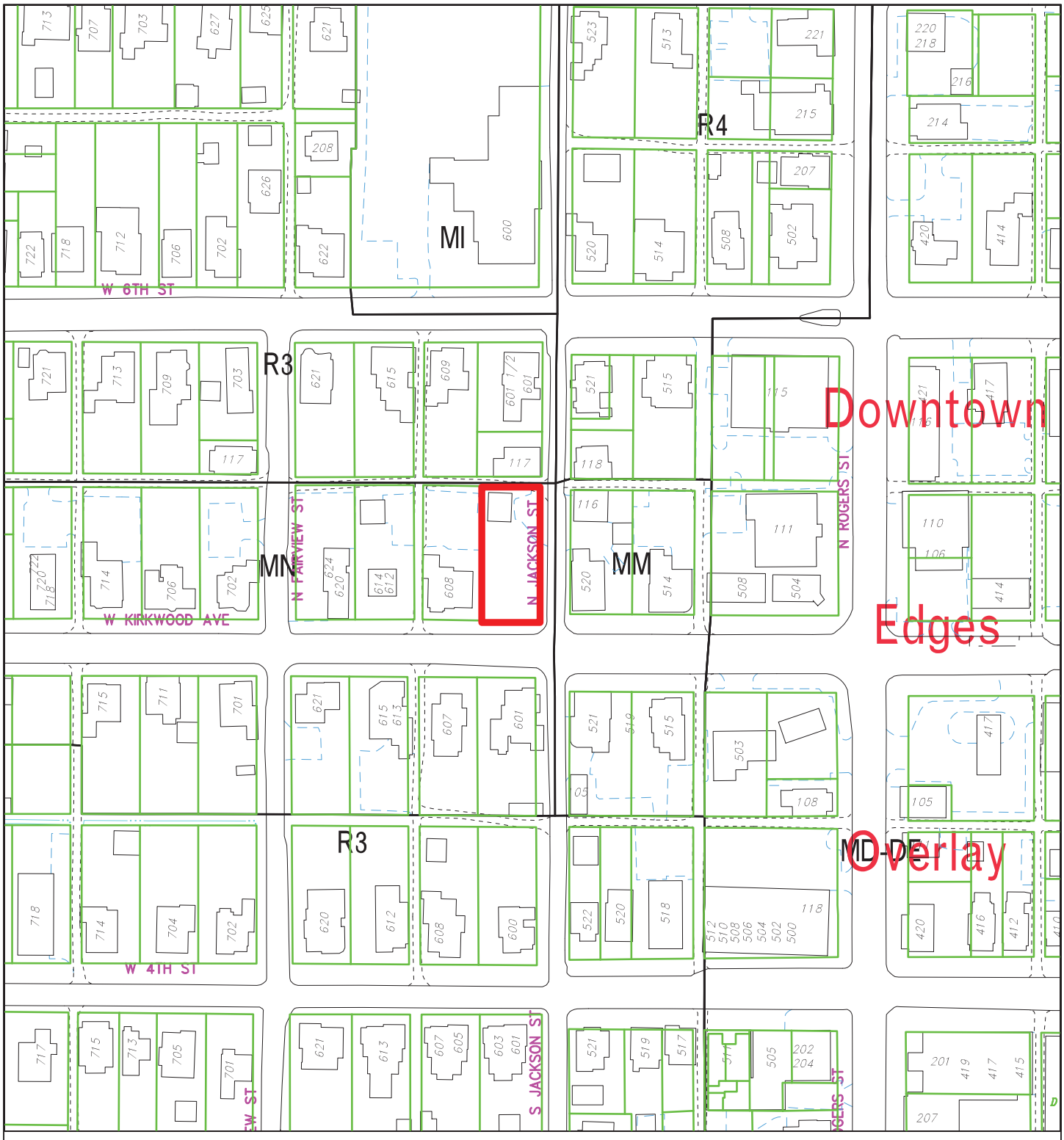
[d] *The location of the lot or tract is such that a complete pedestrian network is present on the other side of the street on the same block; or*

[e] *Uniformity of development of the area would best be served by deferring sidewalk construction on the lot or tract until some future date.*

Review of Determinate Sidewalk Criteria: The topography of the lot or tract does not make it impractical to construct a sidewalk. Although a sidewalk would improve pedestrian safety, Jackson Street is also a very low volume street with less than 500 ADT's. The Transportation Plan states that it can be appropriate for neighborhood residential streets with an existing or expected ADT of less than 500 vehicles a day and an expected operating speed of less than 20 mph or less to not have sidewalks. The adjacent lots to the north are presently developed without sidewalks and there is no reasonable expectation of additional sidewalk connection opportunities on the block in the near future. There is not a pedestrian network on the other side of Jackson Street. There does not seem to be a compelling reason to not require a sidewalk along the Jackson Street frontage at the time of development.

RECOMMENDATION: The Department recommends that the Board of Zoning Appeals adopt the proposed findings for V-14-22 and approve the variances for building setback and parking setback and deny the sidewalk variance with the following condition:

1. This variance is for the driveway location as submitted. Any new driveway design or placement will require a new variance.
2. A zoning commitment for the determinate sidewalk variance must be recorded and submitted prior to approval of a building permit.
3. A minimum 6’ wide concrete sidewalk is required along the property frontage.



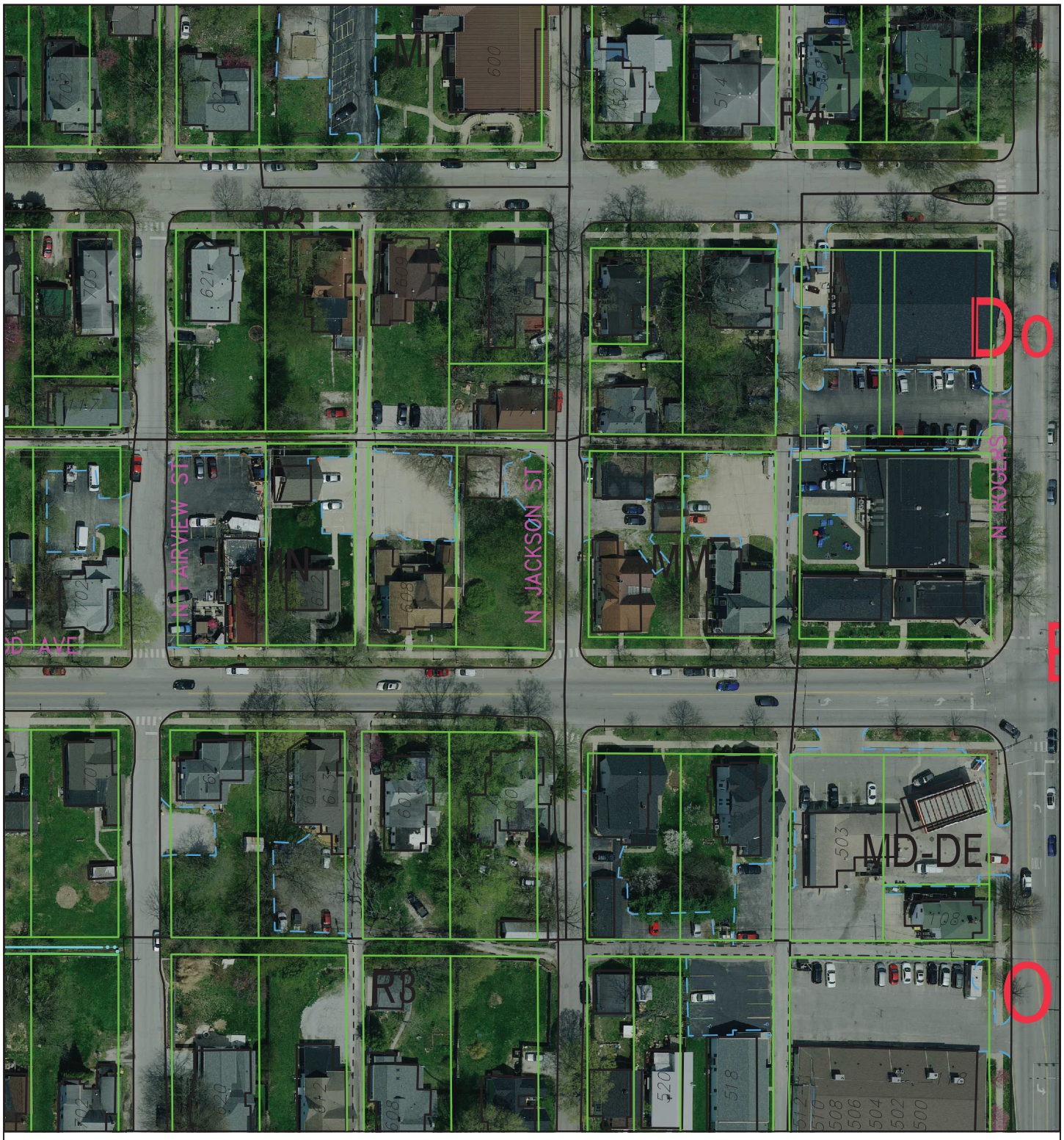
City of Bloomington
Planning

By: greulice
20 May 22

150 0 150 300 450

Scale: 1" = 150'

For reference only; map information NOT warranted.



City of Bloomington
Planning

By: greulice
20 May 22

100 0 100 200 300

Scale: 1" = 100'

For reference only; map information NOT warranted.

springpoint ARCHITECTS PC

March 24, 2022

Eric Greulich
Senior Zoning Planner
City of Bloomington
401 N Morton St, Ste 130
Bloomington, IN 47404

RE: 600 W. Kirkwood, variance request

Dear Eric,

The owners of the property at 600 W. Kirkwood would like to respectfully request variances from the following two (2) development standards:

1. The front building setback standard along Jackson Street to allow a proposed setback of 7 feet.
2. The front parking setback standard along Jackson Street to allow proposed setback of 7 feet.

The proposed project is a two-story, single-family residence with a full basement and an attached garage situated on the northwest corner of W. Kirkwood and Jackson Street in the Near West Side Conservation District. The site-design the of the new home is intended to closely reflect the patterns of the historic neighborhood.

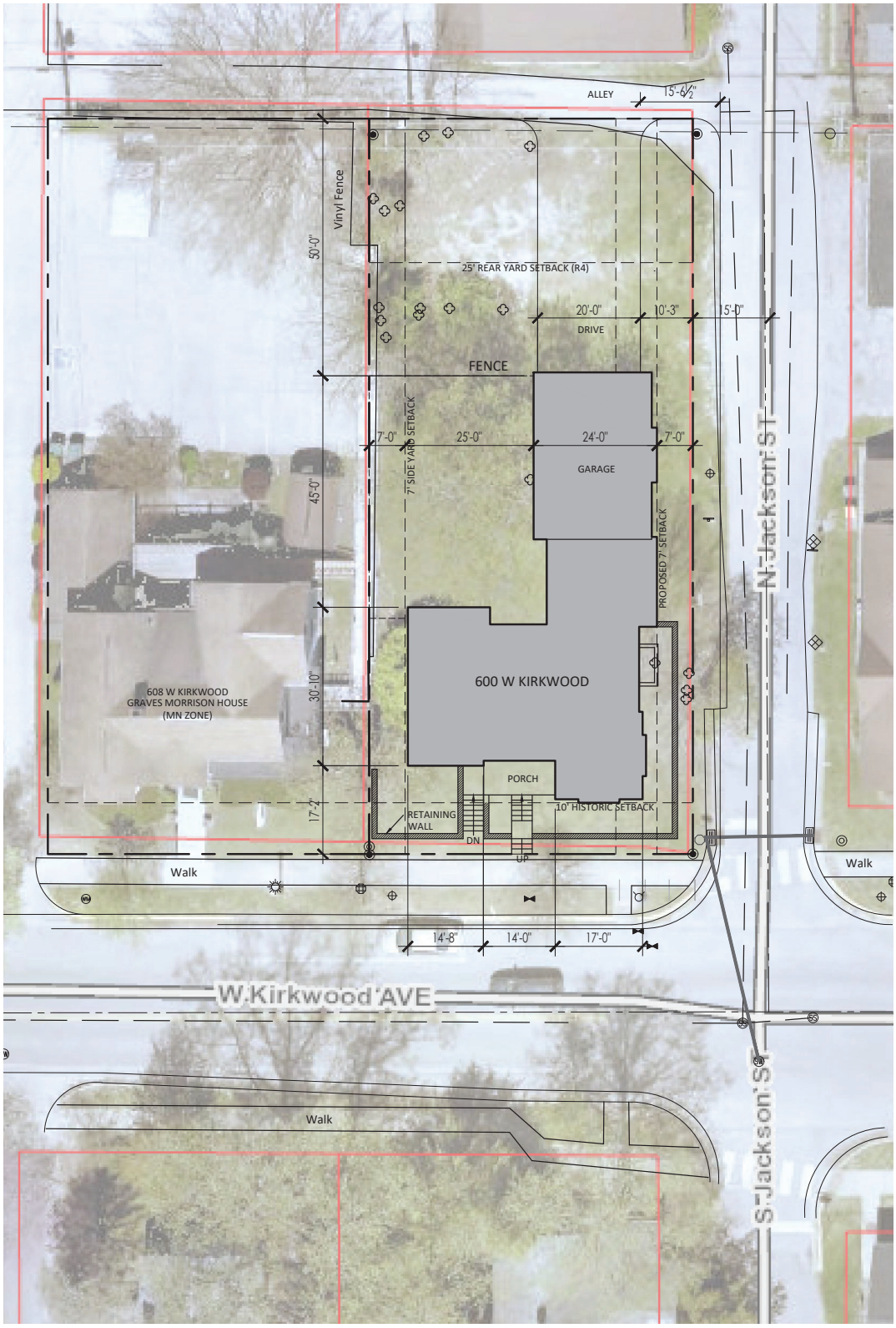
The practical difficulties of this site are due to the UDO standards for corner lots which require compliance with two (2) front yard setbacks. These front yard setback standards do not reflect the established neighborhood patterns. The UDO allows for the front yard setbacks to be adjusted along W. Kirkwood because the neighboring property to the west is a designated as an outstanding historic structure. However, no such concession is made for the setback on the Jackson Street side.

Historical Sanborn maps from 1898 show the original structure on the site created a defined edged along Jackson. Our proposed site design including the garage location aligns with this historic configuration. Our intention is to create a contextual project that integrates well with the Near West Side Conservation District.

Sincerely,

Dawn M Gray, AIA
SPRINGPOINT ARCHITECTS, pc

springpoint
ARCHITECTS PC



SITE PLAN

SCALE: 1"=20'

springpoint ARCHITECTS

SMITH RESIDENCE

600 WEST KIRKWOOD

May 12, 2022

608 W KIRKWOOD - GRAVE MORRISON HOUSE, OUTSTANDING

600 W. KIRKWOOD - SUBJECT PROPERTY, STREET VIEW (TO NORTH)

520 W KIRKWOOD AVE - CONTRIBUTING

601 W 6TH -CONTRIBUTING

117 N JACKSON - NON-CONTRIBUTING

1898 SANBORN MAP

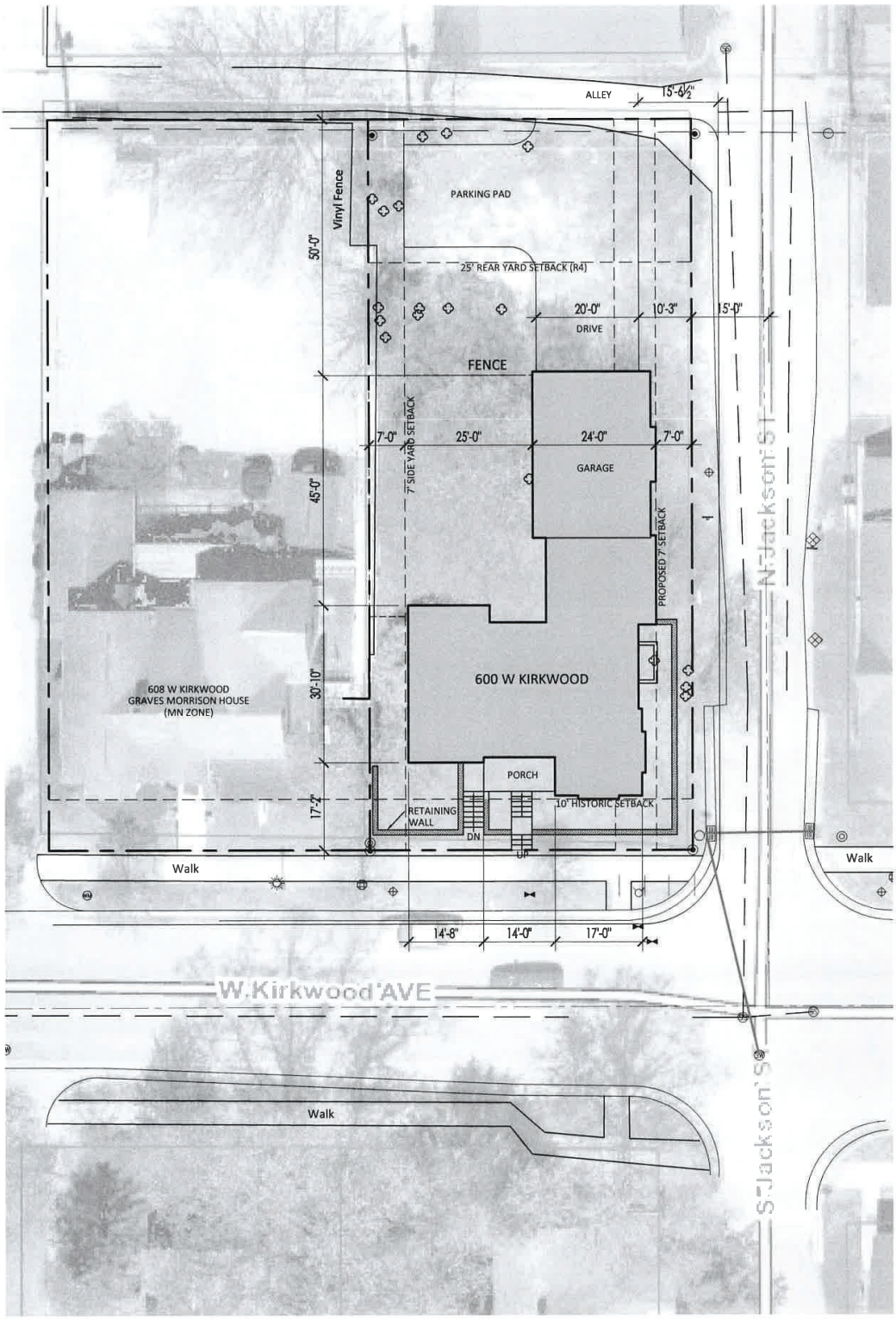
514 W KIRKWOOD - PARKER-HAWKINS HOUSE, OUTSTANDING

springpoint ARCHITECTS

SMITH RESIDENCE

BLOOMINGTON, INDIANA

APRIL 4, 2021



SITE PLAN

SCALE: 1"=20'

springpoint ARCHITECTS

SMITH RESIDENCE

600 WEST KIRKWOOD

MARCH 30, 2022

SOUTH ELEVATION
SCALE: 1/8" = 1'-0"

springpoint ARCHITECTS

SMITH RESIDENCE
600 WEST KIRKWOOD

MARCH 30, 2022

EAST ELEVATION

SCALE: 1/8" = 1'-0"

springpoint ARCHITECTS

SMITH RESIDENCE

600 WEST KIRKWOOD

MARCH 30, 2022

NORTH ELEVATION

SCALE: 1/8" = 1'-0"

springpoint ARCHITECTS.

SMITH RESIDENCE

600 WEST KIRKWOOD

MARCH 30, 2022

WEST ELEVATION

SCALE: 1/8" = 1'-0"

springpoint
ARCHITECTS

SMITH RESIDENCE

600 WEST KIRKWOOD

MARCH 30, 2022

STREET ELEVATION

SCALE: 1/16" = 1'-0"

springpoint ARCHITECTS

SMITH RESIDENCE

BLOOMINGTON, INDIANA

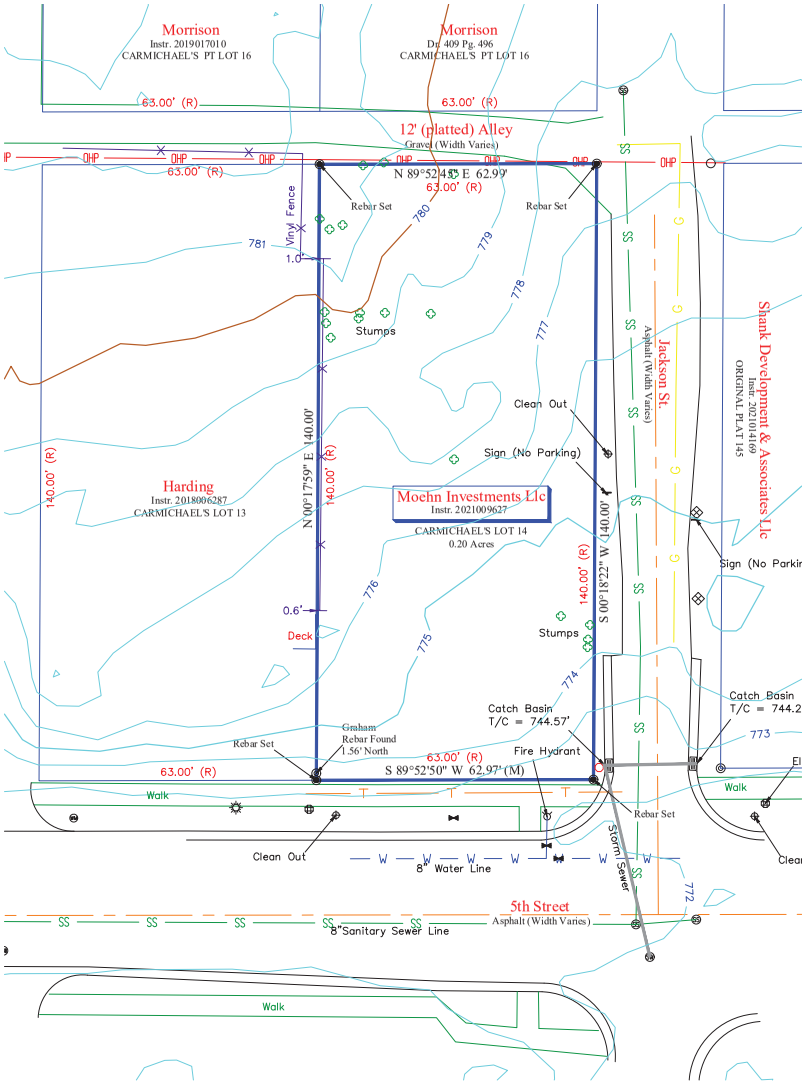
APRIL 4, 2022

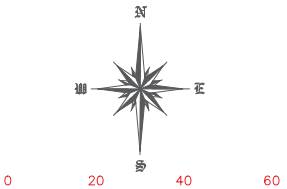
NOTE: CONTRACTOR SHALL VERIFY ALL UTILITY LOCATIONS & DEPTHS AND NOTIFY ENGINEER OF ANY INACCURACIES IN LOCATION OR ELEVATION OR ANY CONFLICTS PRIOR TO & AFTER ANY EXCAVATION. NO PAYMENT SHALL BE MADE TO CONTRACTOR FOR UTILITY DESTRUCTION OR UNDERGROUND CHANGES REQUIRED DUE TO CONFLICTING ELEVATIONS.

BOUNDARY/TOPOGRAPHIC SURVEY
CARMICHAEL'S LOT 14
MONROE COUNTY, INDIANA

BLOOMINGTON TWP.
TOWNSHIP 9 N
RANGE 1 W
SECTION 32

DEVELOPER, APPLICANT &/OR OWNER
CHRIS & BETSY SMITH
PO BOX 5544
BLOOMINTON, IN 47407





0 20 40 60

SCALE 1" = 20'

NOTES:

1). Basis of bearing (State Plane-Indiana West)

2). Fieldwork completed March 2022.

3). This survey is not complete without the accompanying surveyor's report.

4). I affirm, under penalty for perjury, that I have taken responsible care to redact each Social Security Number in this document, unless required by law.
-Eric L. Deckard

SOURCE OF TITLE:

Now or Formerly owned by Moehn Investments LLC as found in Instrument Number 2021009627 in the Office of the Monroe County Recorder.

SURVEYOR'S REPORT

In accordance with Title 865. IAC. 1-12 sections 1-30 of the Indiana Administrative Code, the following observations and opinions are submitted regarding the various uncertainties in the location of lines and corners established on this survey as a result of:

A). (Variances) in the reference monuments
B). (Discrepancies) in the record description and plats
C). (Inconsistencies) in lines of occupation and;
D). (Relative Positional Accuracy) "RPA"

The relative positional accuracy (due to random errors in measurement) of this survey is within that allowable for a Suburban class survey (0.13' plus 100 PPM) as defined I.A.C. Title 865 ("relative positional accuracy" means the value expressed in feet or meters that represents the uncertainty due to random errors in measurements in the location of any point on a survey relative to any other point on the same survey at the 95 percent confidence level.")

SUBJECT PROPERTY:
A boundary survey was performed on the property now or formerly owned by Moehn Investments Llc as found in Instrument Number 2021009627 in the Office of the Monroe County Recorder. The purpose of this survey is to retrace the boundary lines of the subject property as located in Carmichael's Addition to the City of Bloomington, Monroe County, Indiana.

REFERENCED SURVEYS:
1). Reference is made to the plat of Carmichael's Addition to the City of Bloomington, Indiana prepared by Dillon Talbot dated March 15th, 1887 as found in Plat Cabinet B, Envelope 15 in the Office of the Monroe County Recorder.

REFERENCE MONUMENTS:
A). A 5/8 inch diameter rebar was found marking the Northeast corner of Lot 1 in Carmichael's and Chron's Addition. The origin of this rebar is unknown , however was found to be the best evidence available marking the west right of way of Fairview Street.

B). A 5/8" diameter rebar was found marking the Southeast corner Lot 12 in Carmichael's Addition. The origin of this rebar is unknown, however was the best found evidence and was used to calculate the southeast and southwest corners of the subject property.

C). A 5/8" diameter rebar was found marking the Southwest corner Lot 14 in Carmichael's Addition. The origin of this rebar is unknown, however was the best found evidence and was used to calculate the west line of the subject property. This rebar is on the west line of the subject property and lies 1.56 feet north of the southwest corner of the subject property.

ESTABLISHMENT OF LINES AND CORNERS:
1). The Southwest and southeast corners of the subject property was established by record distance measuring from the monuments referenced in lines "B" to the east.

2). The Northeast and Northwest corners of the subject property were established at record distance measuring from southwest and southeast corners respectively and measuring north.

RECORD DESCRIPTIONS:
1). No discrepancies were found in the record descriptions.

CERTIFICATION

The within survey was performed without the benefit of source of title and is subject to any statement of facts revealed by the same.

Easements have been located in the field and prepared with this survey drawing. This qualification will be removed upon receipt and inspection of current title work.

Subject to the above reservation, the survey work shown herec
me or under my direct supervision and control and to the best
was performed according to the survey requirements in 865 IA

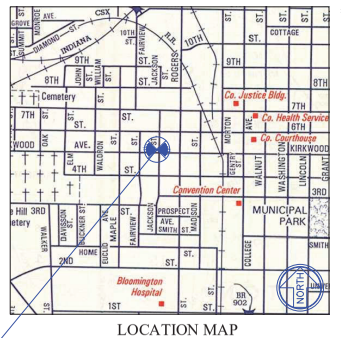
Certified this 18th day of March, 2022.

ERIC LEE DECKARD REGISTERED No. LS29900012 STATE OF INDIANA LAND SURVEYOR

Eric L. Deckard
Registered Surveyor LS 29900012
State of Indiana

HOLEY MOLEY SAYS
"DIG SAFELY"

"IT'S THE LAW"
CALL 2 WORKING DAYS BEFORE YOU DIG
1-800-382-5544
CALL TOLL FREE
PER INDIANA STATE LAW IC8-1-26.
IT IS AGAINST THE LAW TO EXCAVATE WITHOUT NOTIFYING THE UNDERGROUND LOCATION SERVICE TWO (2) WORKING DAYS BEFORE COMMENCING WORK.



PROJECT LOCATION

LOCATION MAP

LEGEND

These standard symbols will be found in the drawing.

- CALCULATED
- REBAR SET
- WATER UTILITY FLAG
- FIRE HYDRANT
- SIGN
- WATER VALVE
- POWER POLE
- UTILITY POLE
- TRANSFORMER
- BOLLARD
- REBAR FOUND
- GAS METER
- COMMUNICATIONS BOX
- MAG SPIKE SET
- (R) RECORD
- (M) MEASURED
- FF FINISHED FLOOR
- REBAR SET
- FLAG POLE
- STOP SIGN
- STORM MANHOLE
- MAILBOX
- LIGHT POLE
- CATCH BASIN
- YARD LIGHT
- ACCESS PIT
- ELECTRIC METER
- CLEAN OUT
- WATER METER
- STUMP
- ELECTRIC BOX
- TREE
- GAS METER
- SANITARY MANHOLE
- MH MANHOLE
- X — X FENCE
- SS SANITARY SEWER
- G GAS LINE
- T — T ATT UTILITY
- BUILDING LINE
- OHP OVERHEAD POWER LINE
- OU OVERHEAD UTILITY

PHOTO LOOKING NORTHWEST

DECKARD
LAND SURVEYING
1604 S. HENDERSON STREET
BLOOMINGTON, IN 47401
PH: (812) 606-3425
ERICDECKARD@MSN.COM

PLANNING SURVEYING MAPPING

JOB TITLE
SMITH
BOUNDARY/TOPOGRAPHIC SURVEY
CARMICHAEL'S LOT 14

REVISIONS	BY	DATE

DRAWN	CHECKED	DATE
EDK/KH	ELD	3/22/22

JOB NUMBER 22-40
SHEET 1 OF 1
DATE 03/22/22
TOPO.SHT

BLOOMINGTON BOARD OF ZONING APPEALS **CASE #: V-16-22**
STAFF REPORT **DATE: May 26, 2022**
Location: 703 W. Gourley Pike

PETITIONER: Aspen Heights Partners
8008 Corporate Center Drive, Charlotte, NC

CONSULTANTS: Smith Design Group, Inc.
2755 E. Canada Dr. Ste. 101 Bloomington

REQUEST: The petitioner is requesting a variance from riparian buffer standards.

REPORT: The property is located at 703 W. Gourley Pike and is currently zoned Mixed-Use Student Housing (MS). The property was most recently developed with a "dwelling, multifamily" use known as "The Arch" apartments, however those buildings have been removed. Surrounding properties to the east are zoned Mixed-Use Student Housing (MS), the properties to the south are zoned Residential High-Density Multifamily (RH), the properties to the north are Mixed-Use Commercial (MC), and the properties to the west are zoned Manufactured/Mobile Home Park (RMH) and Residential Multifamily (RM). There is a stream that runs along the south side of the site and crosses through the eastern portion of the site that is subject to the riparian buffer standards.

This property received major site plan approval under case #SP-26-21 to allow for the construction of three "student housing or dormitory" buildings and one "dwelling, multi-family" building. Buildings #1 and #3 were approved with a total of 174 beds and 43 units in each building. The inclusion of four and five bedroom units within these buildings classifies them as "student housing or dormitory." Building #2 were approved to be a 5-story building with a total of 303 beds and 151 units. Since there are no 4 or 5-bedroom units within this building and less than 30% of the units within this building are 3-bedroom units, this building is classified as "dwelling, multi-family". Building #4 was approved to be a 2-story building and is proposed to contain 4 five-bedroom units. Since all of the units within this building will be 5-bedroom units, this building is also classified as "student housing or dormitory". In total, there will be 241 units and 671 bedrooms. Surface parking will be provided throughout the site by the construction of 495 on-site parking spaces. The site will be accessed by one drivecut on Gourley Pike to the north and a proposed drivecut on Kinser Pike. The site currently has two drivecuts on Gourley and one drivecut on Kinser. The proposed drivecut on Kinser would be in the same location as the current drivecut.

There is a creek that crosses through the eastern portion of the site and is subject to the riparian buffer standards. Since the development petition for this site involved the complete removal of all structures and new construction, full compliance with the UDO is required. The riparian buffer zone standards do not allow for any disturbance (including driveways) within the buffer zone, so the petitioner must request a variance to allow for the current drive to remain and update it. The location of the creek does not allow for any opportunity to connect to Kinser Pike without a variance since the creek parallels Kinser Pike and an encroachment into all three riparian buffer zones is required. The connection through the site was desired by Emergency Services and Bloomington Transit as part of their transit route.

CRITERIA AND FINDINGS FOR DEVELOPMENT STANDARDS VARIANCE

20.06.080(b)(3)(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.*

   PROPOSED FINDING:
   The granting of the variance to allow disturbance within the riparian buffer area will allow for a through connection of the site by the driveway which greatly increases public health and safety. Since the location of the proposed driveway is in the same location as the existing driveway, no additional disturbance is proposed within the riparian buffer.

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.*

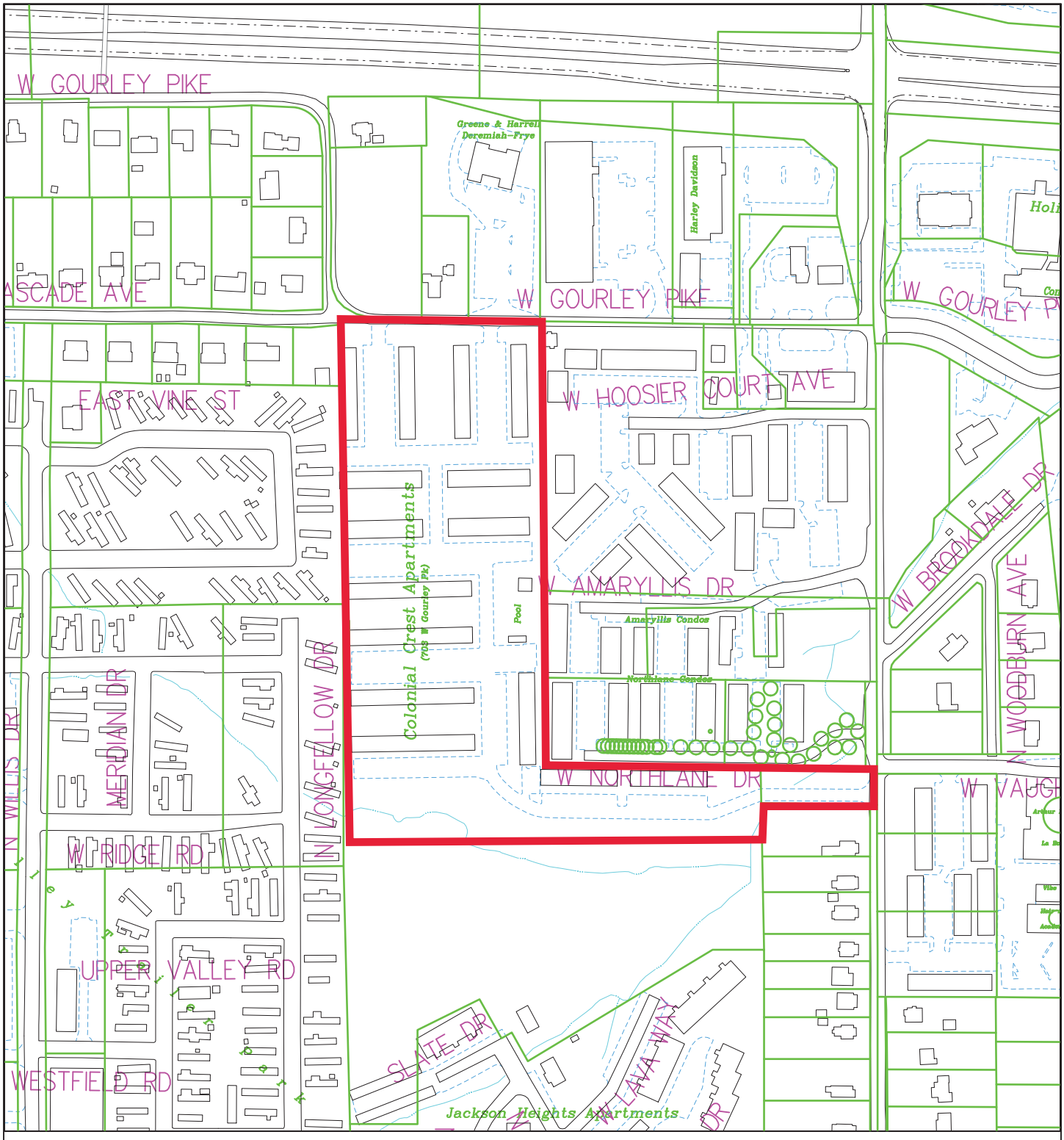
   PROPOSED FINDING:
   No adverse impacts to the use and value of surrounding properties as a result of the requested variance are found. In contrast, the granting of the variance would allow for better access for emergency services and Bloomington Transit users and thereby increasing use of public transit. This would improve the use and value of the areas adjacent to the 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.*

   PROPOSED FINDING:
   The Department finds that the strict application of the terms of the Unified Development Ordinance will result in practical difficulties in the use of the property as they would not allow for the driveway to connect through the property to connect to the adjacent road frontage. The practical difficulties are peculiar to the property in question because the location of the creek bisects the property and does not allow for any connection through that area to be able to meet the riparian buffer standards, and the connection is common and desired. The petitioner has designed the road profile and location to minimize the amount of disturbance required to what is already disturbed on the site currently for the existing drive. The construction of the road through the site greatly increases accessibility to public transit services to the area as well as improves access to the site by emergency services. The granting of the variance allows for the road to be constructed through the site, which benefits both the residents of this site as well as residents to the south and the community as a whole.

RECOMMENDATION: The Department recommends that the Board of Zoning Appeals adopt the proposed findings and approve V-16-22 with the following condition:

1. This variance is for the driveway location and cross section as submitted. Any new road design or placement will require a new variance.



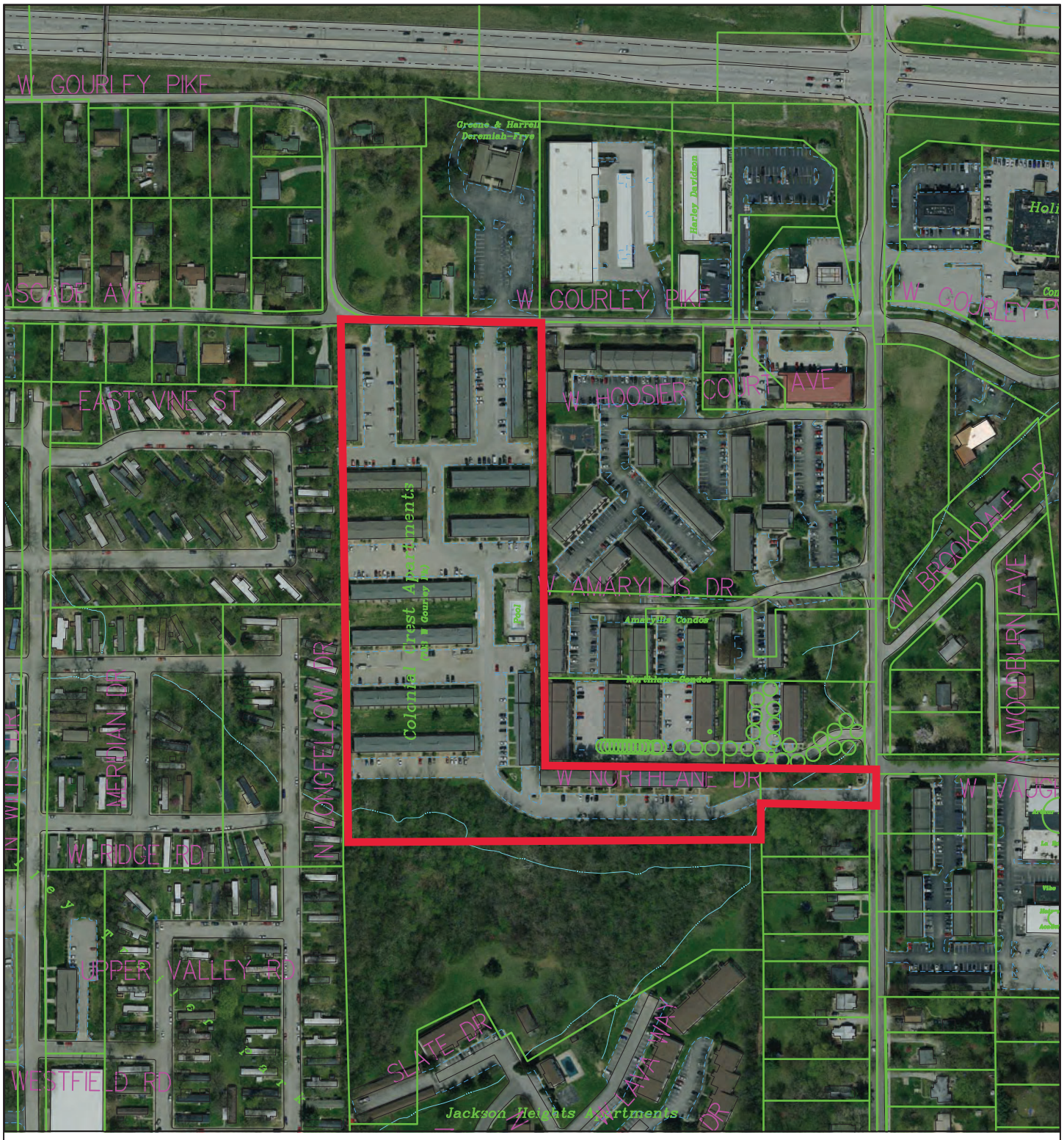
City of Bloomington
Planning

By: greulice
9 Sep 21

300 0 300 600 900

Scale: 1" = 300'

For reference only; map information NOT warranted.



City of Bloomington
Planning

By: greulice
9 Sep 21

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Scale: 1" = 300'

For reference only; map information NOT warranted.

SMITH DESIGN GROUP
CIVIL ENGINEERING & LAND SURVEYING
Todd M. Borgman, P.L.S.
Katherine E. Stein, P.E.
Don J. Kocarek, R.L.A.
Stephen L. Smith, Founder

April 28, 2022

Board of Zoning Appeals / Hearing Officer
City of Bloomington Planning & Transportation Department
Showers Building Suite 130
401 N Morton St
Bloomington, Indiana 47404

RE: Aspen Heights Bloomington – Riparian Buffer Variance Request

Dear Eric and Members of the Board of Zoning Appeals or Hearing Officer,

Aspen Heights Partners is requesting a variance from Unified Development Ordinance (UDO) sections 20.04.030(f)(5)(D), 20.04.030(f)(6)(D), and 20.04.030(f)(7)(D) – Disturbance Activities permitted in the three zones of the Riparian Buffer (Streamside, Intermediate, and Fringe). These UDO sections restrict the disturbance activities that are permitted within the riparian buffer zones. This variance request is to allow for the construction of a private access drive within all three zones of the riparian buffer. Private drives are not one of the listed disturbance activities that are permitted by the UDO.

Below are the reasons this variance is being requested and rationale for approval:

1. The drive currently exists and has been actively used to serve the existing Arch Apartments development as well as Bloomington Transit buses. If this variance request is approved, the drive will be reconstructed in almost exactly the same location and the existing culvert across the stream will be reused – minimizing disturbance within the riparian buffer.
2. Bloomington Transit (BT)– The existing drive is currently part of the regular route of the BT Route 6 – Campus Shuttle. The site is currently the western terminus of that route. The developer on this project has worked closely with BT to continue the relationship by providing two new bus stop structures, a formalized access easement through the site, and driver restrooms during their layovers.

2755 E Canada Dr Suite 101
Bloomington, Indiana 47401
812-336-6536
smithdginc.com

SMITH DESIGN GROUP
CIVIL ENGINEERING & LAND SURVEYING
Todd M. Borgman, P.L.S.
Katherine E. Stein, P.E.
Don J. Kocarek, R.L.A.
Stephen L. Smith, Founder

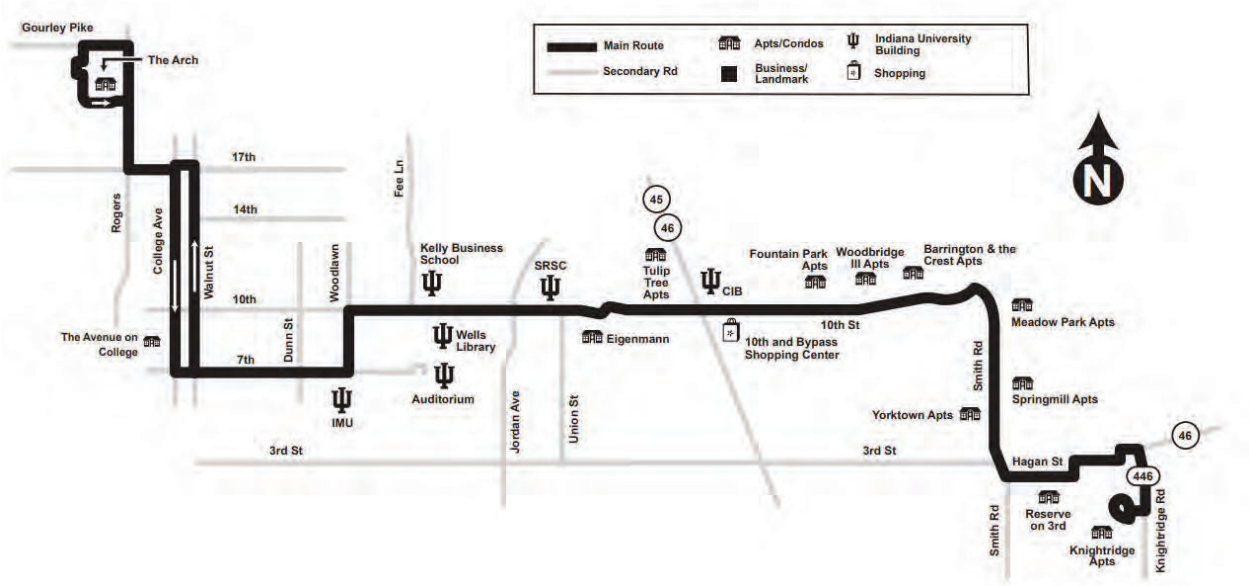

Figure 1: Bloomington Transit Route 6 - Campus Shuttle Route Map (Not to Scale, As of 08/22/2021, Obtained from Bloomington Transit)

3. Fire Access – This drive provides better fire and emergency services access to the project site which will contain 241 units within four buildings. If this variance is not granted, a large fire truck turnaround will have to be constructed just west of the riparian buffer area.
4. Connectivity – One such activity that is permitted within riparian buffers is "Street crossings, where necessary to achieve connectivity". While this drive is not a public street, if this variance is granted it will certainly serve the public as it is within public access easements for Bloomington Transit and pedestrians. This allows for pedestrians, cyclists, transit users, and buses to utilize the roadway as an alternative to N Kinser Pk and W Gourley Pk.

Below are our responses to the General Approval Criteria given in 20.06.080 (b)(3)(E)(i)(1):

[a] The approval will not be injurious to the public health, safety, morals, and general welfare of the community;

An approval of this variance will continue the status quo – the drive will continue to exist where it has since the late 1960s. The drive has not been injurious to the public health, safety, morals, and general welfare of the community during the past several decades. The reconstructed drive will include a larger pedestrian path and bus stop location that should provide additional public benefit.

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Bloomington, Indiana 47401
812-336-6536
smithdginc.com

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Katherine E. Stein, P.E.
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Stephen L. Smith, Founder

[b] 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;

The drive will continue to exist almost exactly where it has been so it should not impact the use and values of adjacent areas in any way.

[c] The strict application of the terms of this UDO 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.

The strict application of the terms of the UDO will result in two entrance drives off of W Gourley Pike. This results in practical difficulties for the reasons detailed above: 1) The drive currently exists 2) Bloomington Transit utilizes the drive and desires to continue to do so 3) Fire Access is improved by this drive and 4) Connectivity is improved by this drive.

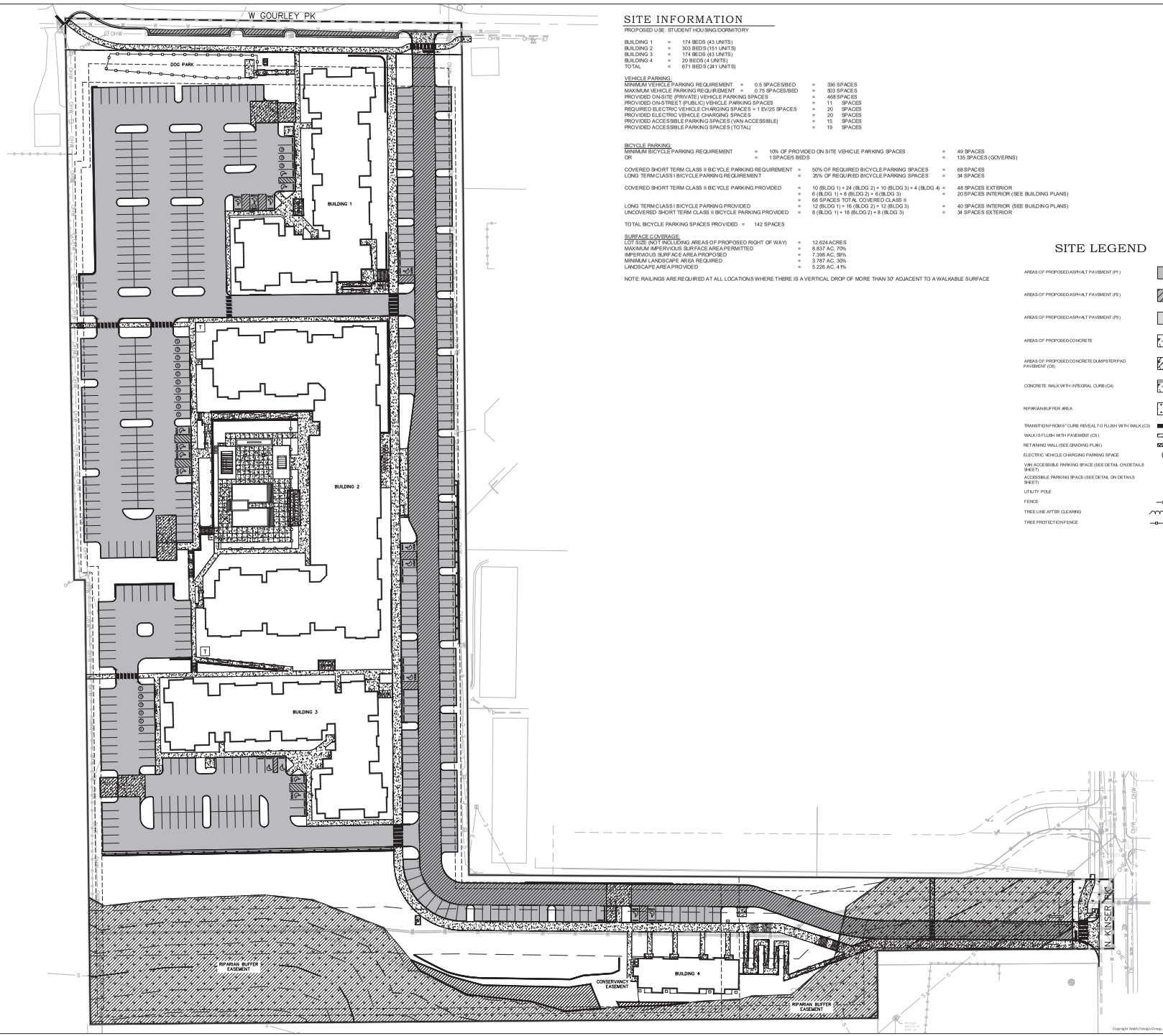
These practical difficulties are peculiar to the property in question because the property has a unique long, narrow shape and has a "flag pole" type connection to N Kinser Pk which crosses through a riparian buffer and that already has an existing drive on it.

The development standards variance will relieve the practical difficulties listed above by allowing the existing drive to remain in use, allow Bloomington Transit to maintain its Route 6 turnaround, allow improved fire access to the site, and allow for improved connectivity in the local area.

Thank you for your consideration of this request.

Sincerely,

Kendall Knoke
Smith Design Group, Inc.
812-336-6536 Ext. 3
kknoke@smithdginc.com



SITE INFORMATION

PROPOSED USE: STUDENT HOUSING/DORMITORY

BUILDING 1	=	174 BEDS (43 UNITS)
BUILDING 2	=	303 BEDS (151 UNITS)
BUILDING 3	=	174 BEDS (43 UNITS)
BUILDING 4	=	20 BEDS (4 UNITS)
TOTAL	=	671 BEDS (341 UNITS)

VEHICLE PARKING:

MINIMUM VEHICLE PARKING REQUIREMENT	=	0.5 SPACES/BED	=	336 SPACES
MAXIMUM VEHICLE PARKING REQUIREMENT	=	0.75 SPACES/BED	=	503 SPACES
PROVIDED ON-SITE (PRIVATE) VEHICLE PARKING SPACES			=	468 SPACES
PROVIDED ON-STREET (PUBLIC) VEHICLE PARKING SPACES			=	11 SPACES
REQUIRED ELECTRIC VEHICLE CHARGING SPACES = 1 EV/25 SPACES			=	20 SPACES
PROVIDED ELECTRIC VEHICLE CHARGING SPACES			=	20 SPACES
PROVIDED ACCESSIBLE PARKING SPACES (VAN ACCESSIBLE)			=	15 SPACES
PROVIDED ACCESSIBLE PARKING SPACES (TOTAL)			=	19 SPACES

BICYCLE PARKING:

MINIMUM BICYCLE PARKING REQUIREMENT	=	10% OF PROVIDED ON SITE VEHICLE PARKING SPACES	=	49 SPACES
OR	=	1 SPACE/5 BEDS	=	135 SPACES (GOVERNS)
COVERED SHORT TERM CLASS II BICYCLE PARKING REQUIREMENT	=	50% OF REQUIRED BICYCLE PARKING SPACES	=	68 SPACES
LONG TERM CLASS I BICYCLE PARKING REQUIREMENT	=	25% OF REQUIRED BICYCLE PARKING SPACES	=	34 SPACES
COVERED SHORT TERM CLASS II BICYCLE PARKING PROVIDED	=	10 (BLDG 1) + 24 (BLDG 2) + 10 (BLDG 3) + 4 (BLDG 4)	=	48 SPACES EXTERIOR
	=	6 (BLDG 1) + 8 (BLDG 2) + 6 (BLDG 3)	=	20 SPACES INTERIOR (SEE BUILDING PLANS)
	=	68 SPACES TOTAL COVERED CLASS II		
LONG TERM CLASS I BICYCLE PARKING PROVIDED	=	12 (BLDG 1) + 16 (BLDG 2) + 12 (BLDG 3)	=	40 SPACES INTERIOR (SEE BUILDING PLANS)
UNCOVERED SHORT TERM CLASS II BICYCLE PARKING PROVIDED	=	8 (BLDG 1) + 18 (BLDG 2) + 8 (BLDG 3)	=	34 SPACES EXTERIOR

TOTAL BICYCLE PARKING SPACES PROVIDED = 142 SPACES

SURFACE COVERAGE:

LOT SIZE (NOT INCLUDING AREAS OF PROPOSED RIGHT OF WAY)	=	12.624 ACRES
MAXIMUM IMPERVIOUS SURFACE AREA PERMITTED	=	8.837 AC, 70%
IMPERVIOUS SURFACE AREA PROPOSED	=	7.398 AC, 59%
MINIMUM LANDSCAPE AREA REQUIRED	=	3.787 AC, 30%
LANDSCAPE AREA PROVIDED	=	5.226 AC, 41%

NOTE: RAILINGS ARE REQUIRED AT ALL LOCATIONS WHERE THERE IS A VERTICAL DROP OF MORE THAN 30" ADJACENT TO A WALKABLE SURFACE

SITE LEGEND

- AREAS OF PROPOSED ASPHALT PAVEMENT (P1)
- AREAS OF PROPOSED ASPHALT PAVEMENT (P2)
- AREAS OF PROPOSED ASPHALT PAVEMENT (P3)
- AREAS OF PROPOSED CONCRETE
- AREAS OF PROPOSED CONCRETE DUMPSTER PAD PAVEMENT (C6)
- CONCRETE WALK WITH INTEGRAL CURB (C4)
- RIPARIAN BUFFER AREA
- TRANSITION FROM 6" CURB REVEAL TO FLUSH WITH WALK (C3)
- WALK IS FLUSH WITH PAVEMENT (C5)
- RETAINING WALL (SEE GRADING PLAN)
- ELECTRIC VEHICLE CHARGING PARKING SPACE (EV)
- VAN ACCESSIBLE PARKING SPACE (SEE DETAIL ON DETAILS SHEET) (VA)
- ACCESSIBLE PARKING SPACE (SEE DETAIL ON DETAILS SHEET)
- UTILITY POLE
- FENCE
- TREE LINE AFTER CLEARING
- TREE PROTECTION FENCE

N

40 20 0 80

SCALE: 1"=40'

SMITH DESIGN GROUP
CIVIL ENGINEERING · LAND SURVEYING
2798 E Canada Dr Suite 101 Bloomington, IN 47401
(812) 336-6536 · smithdesign.com

I AFFIRM, UNDER THE PENALTIES FOR PERJURY, THAT I HAVE TAKEN REASONABLE CARE TO REDACT EACH SOCIAL SECURITY NUMBER IN THIS DOCUMENT, UNLESS REQUIRED BY LAW.
REGISTERED LANDSCAPE ARCHITECT
NO. PE 11900307
STATE OF INDIANA
Kathleen Stein

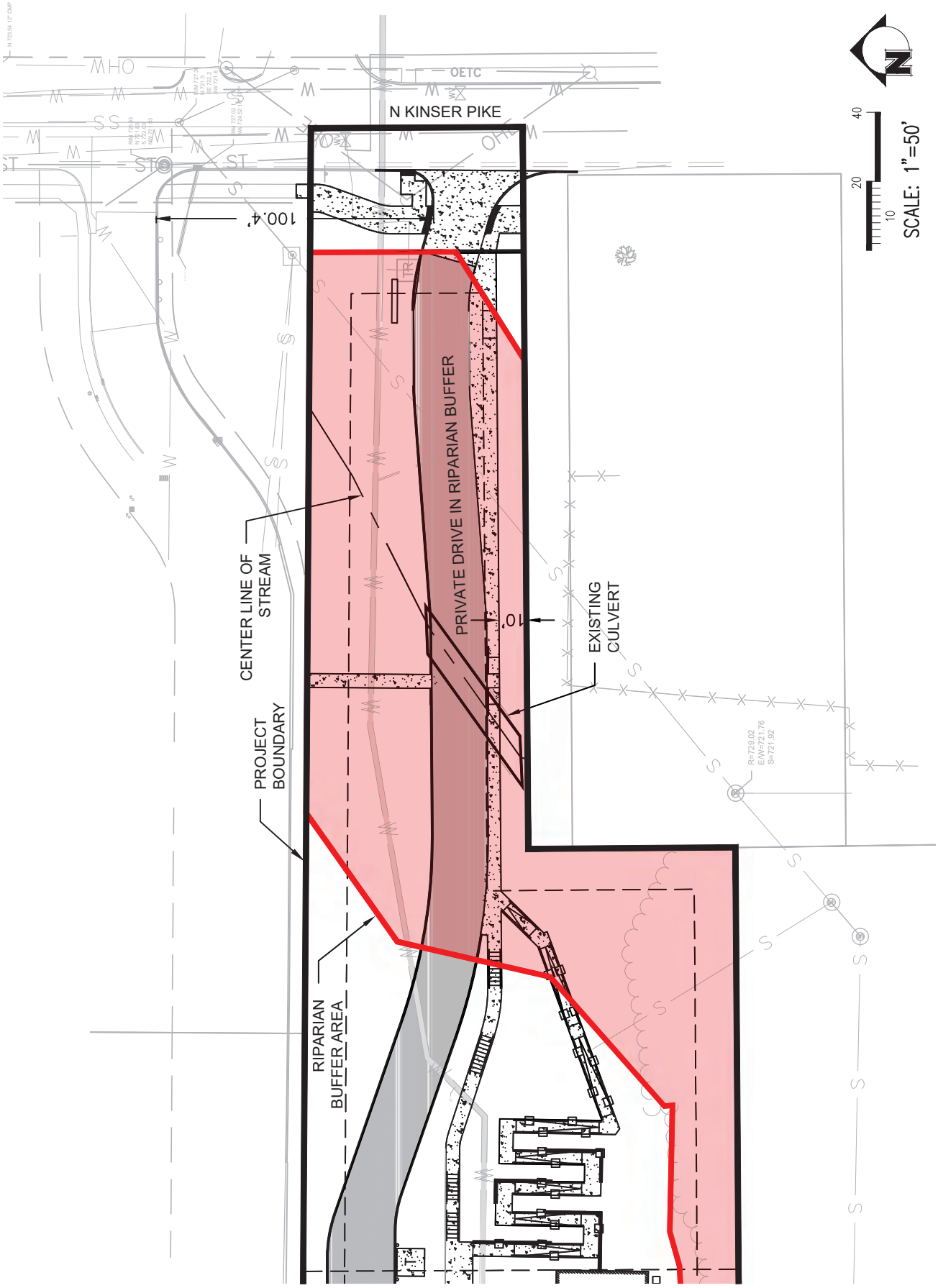
01/31/2022

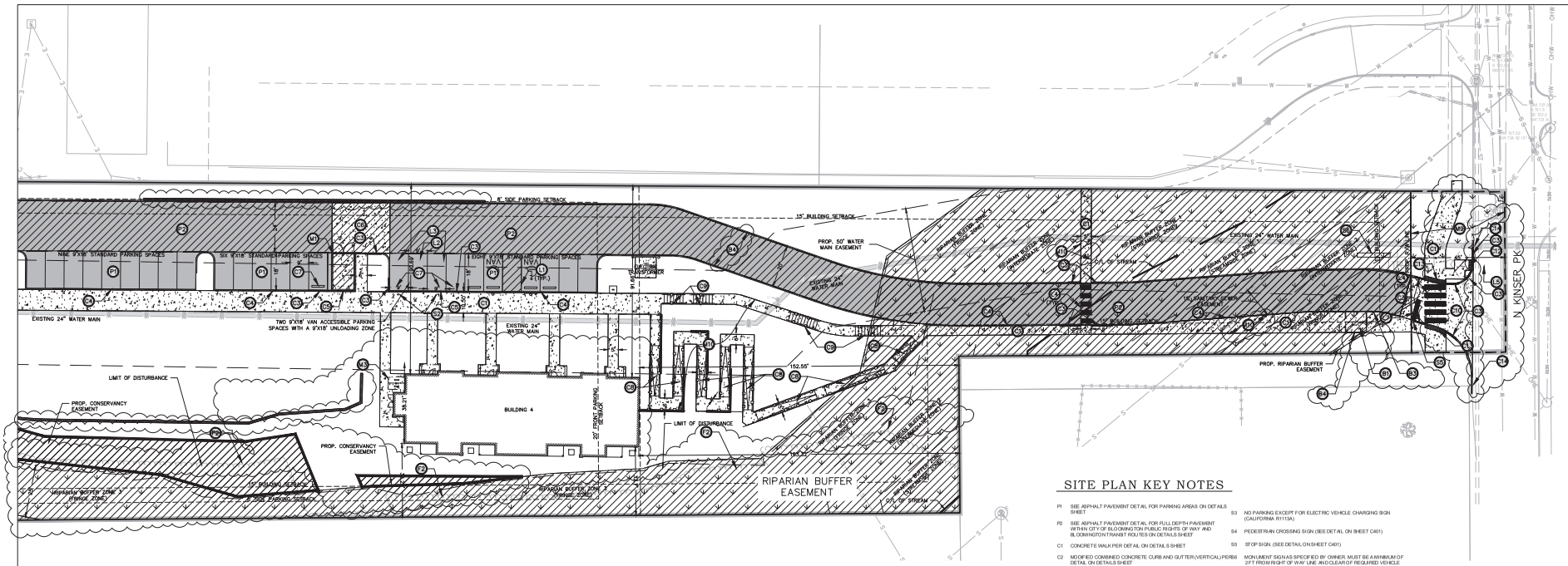
ASPEN HEIGHTS PARTNERS
MS ZONING
BLOOMINGTON, INDIANA

REVISIONS	BY	DATE

DESIGNED KCK
DRAWN MCS
CHECKED
DATE

JOB NUMBER 6187
SHEET C100
DATE 03/14/2022
SITE PLAN


N KINSER PIKE
OETC
100.4'
CENTER LINE OF STREAM
PROJECT BOUNDARY
RIPARIAN BUFFER AREA
PRIVATE DRIVE IN RIPARIAN BUFFER
10'
EXISTING CULVERT
SCALE: 1"=50'
40
20
10



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- WALK IS FLUSH WITH PAVEMENT (C5)
- RETAINING WALL (SEE GRADING PLAN)
- ELECTRIC VEHICLE CHARGING PARKING SPACE (E1)
- VAN ACCESSIBLE PARKING SPACE (SEE DETAIL ON DETAILS SHEET)
- ACCESSIBLE PARKING SPACE (SEE DETAIL ON DETAILS SHEET)
- UTILITY POLE
- FENCE
- TREE LINE AFTER CLEARING
- TREE PROTECTION FENCE

SITE PLAN KEY NOTES

P1 SEE ASPHALT PAVEMENT DETAIL FOR PARKING AREAS ON DETAILS SHEET

P2 SEE ASPHALT PAVEMENT DETAIL FOR FULL DEPTH PAVEMENT WITHIN CITY OF BLOOMINGTON PUBLIC RIGHTS OF WAY AND BLOOMINGTON TRANSIT ROUTES ON DETAILS SHEET

C1 CONCRETE WALK PER DETAIL ON DETAILS SHEET

C2 MODIFIED COMBINED CONCRETE CURB AND GUTTER (VERTICAL) PER E6 DETAIL ON DETAILS SHEET

C3 TRANSITION FROM 6" CURB REVEAL TO FLUSH WITH WALK (SEE GRADING PLAN)

C4 CONCRETE WALK WITH 6" INTEGRAL CURB PER DETAIL ON DETAILS SHEET

C5 WALK IS FLUSH WITH PAVEMENT (SEE GRADING PLAN)

C6 CONCRETE DUMPSTER PAD
6" THICK CONCRETE, 4000 PSI
6" INDOT #53 COMPACTED AGGREGATE BASE
6X6-4/4 WELDED WIRE FABRIC REINFORCEMENT

C7 CONCRETE WHEEL STOP PER DETAIL ON DETAILS SHEET

C8 ACCESSIBLE CONCRETE RAMP WITH HANDRAILS (SEE GRADING PLAN AND ARCHITECTURAL PLANS)

C9 CONCRETE STAIRWAY WITH HANDRAILS (SEE GRADING PLAN AND ARCHITECTURAL PLANS)

C10 INDOT CLASS III CONCRETE DRIVE APRON (SEE DETAIL ON DETAILS SHEET AND GRADING PLAN)

C11 ONE WAY DIRECTIONAL PERPENDICULAR CONCRETE CURB RAMP (SEE DETAIL ON DETAILS SHEET AND GRADING PLAN)

C12 PERPENDICULAR CONCRETE CURB RAMP (SEE DETAIL ON DETAILS SHEET AND GRADING PLAN)

C13 DETECTABLE WARNING STRIP PER DETAILS ON DETAILS SHEET

C14 VERTICAL CONCRETE CURB PER DETAIL ON DETAILS SHEET

L1 LINE, PAINT, WHITE, 4"

L2 LINE, PAINT, BLUE, 6" CROSS HATCH

L3 SYMBOL, PAINT, BLUE, INTERNATIONAL SYMBOL OF ACCESSIBILITY AND LETTERS "VAN" WHERE INDICATED ON THESE PLANS

L4 LINE, THERMOPLASTIC (EPOXY FOR CONCRETE PAVEMENT AREAS), WHITE, 24", CROSSWALK

L5 IF EXISTING CROSSWALK STRIPING IS FADED, CONTRACTOR TO RESTRIPE AFTER CONSTRUCTION IS SUBSTANTIALLY COMPLETE AS DIRECTED BY CITY OF BLOOMINGTON ENGINEERING

L6 SYMBOL, PAINT, "EV CHARGING ONLY" PER 2014 CALIFORNIA MUTCD REVISIONS FIGURE 3B-1 (9)

L7 LINE, THERMOPLASTIC (EPOXY FOR CONCRETE PAVEMENT AREAS), WHITE, 24", STOP BAR

M1 TRASH AND RECYCLING DUMPSTER ENCLOSURE (SEE SCREEN FENCE DETAIL ON DETAILS SHEET)

M2 BICYCLE PARKING SHELTER STRUCTURE (SEE ARCHITECTURAL PLANS)

M3 BICYCLE PARKING SPACES (SURFACE MOUNTED DERO MODEL COMMERCIAL HOOP RACKS (SEE DETAIL ON DETAIL SHEET OR APPROVED EQUAL INSTALLED PER MANUFACTURER'S RECOMMENDATIONS. COLOR IS TO BE BLACK, SPACED 36" APART). SUBSTITUTIONS MUST BE APPROVED BY THE CITY OF BLOOMINGTON PRIOR TO ORDERING

M4 4" BOLLARD PER DETAIL ON DETAILS SHEET

M5 DECORATIVE STEEL FENCING 6' AMERISTAR FENCE, MONTAGE PLUS-MAJESTIC 3 RAIL

M6 DECORATIVE STEEL FENCING, 4' AMERISTAR FENCE, MONTAGE PLUS-MAJESTIC 3 RAIL

M7 DECORATIVE FENCING, SUPERIOR SERIES 6H HORIZONTAL RAILING (6' HIGH)

M8 TRAFFIC BARRIER TO BE DESIGNED BY TRAFFIC ENGINEER AND COORDINATED BY RETAINING WALL DESIGN

M9 AREA OF PROPOSED RIGHT OF WAY TO BE DEDICATED TO THE CITY OF BLOOMINGTON PRIOR TO RECOMMENDATION OF FINAL OCCUPANCY

M10 AREA OF PROPOSED PEDESTRIAN ACCESS EASEMENT TO BE DEDICATED TO THE CITY OF BLOOMINGTON PRIOR TO RECOMMENDATION OF FINAL OCCUPANCY

E1 ELECTRICAL VEHICLE CHARGING EQUIPMENT (SEE SITE ELECTRIC PLANS)

F1 4' HIGH CHAIN LINK FENCE

F2 EXISTING TREE LINE TO BE PROTECTED. SEE C505 - SWPPP DETAILS.

S1 ACCESSIBLE PARKING SIGN

S2 ACCESSIBLE PARKING SIGN WITH VAN ACCESSIBLE SIGN

S3 NO PARKING EXCEPT FOR ELECTRIC VEHICLE CHARGING SIGN (CALIFORNIA R1113A)

S4 PEDESTRIAN CROSSING SIGN (SEE DETAIL ON SHEET C401)

S5 STOP SIGN. (SEE DETAIL ON SHEET C401)

S6 MONUMENT SIGN AS SPECIFIED BY OWNER. MUST BE A MINIMUM OF 2 FT FROM RIGHT OF WAY LINE AND CLEAR OF REQUIRED VEHICLE VISION TRIANGLE

B1 9'X10' ALUMINUM "SOL" STYLE BUS SHELTER (SEE DETAILS ON DETAILS SHEET)

B2 5'X12' ALUMINUM TRANSIT STYLE BUS SHELTER (SEE DETAILS ON DETAILS SHEET)

B3 INSTALL BUS STOP SIGN PROVIDED BY BLOOMINGTON TRANSIT. COORDINATE WITH BLOOMINGTON TRANSIT.

B4 AREA OF PROPOSED ACCESS EASEMENT TO BE DEDICATED TO THE BLOOMINGTON TRANSIT PRIOR TO RECOMMENDATION OF FINAL OCCUPANCY

REVISIONS	BY	DATE
ADDED TRANSITION "B" HEAD MOUNTED TRANSIT EASEMENT AREA	KCK	03/14/22
USE-STED PHASE CONSERVANCY EASEMENT AREAS	KCK	03/14/22
REMOVED CUTTER DUE ALONG N. KINSER DR.	KCK	03/14/22
MOVED DRIVE IN CITY OF LANDSCAPE BUFFER YARD	KCK	04/26/22

SMITH DESIGN GROUP
CIVIL ENGINEERING · LAND SURVEYING
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01/31/2022

ASPEN HEIGHTS PARTNERS
MS ZONING
BLOOMINGTON, INDIANA

REVISIONS	BY	DATE
ADDED TRANSITION "B" HEAD MOUNTED TRANSIT EASEMENT AREA	KCK	03/14/22
USE-STED PHASE CONSERVANCY EASEMENT AREAS	KCK	03/14/22
REMOVED CUTTER DUE ALONG N. KINSER DR.	KCK	03/14/22
MOVED DRIVE IN CITY OF LANDSCAPE BUFFER YARD	KCK	04/26/22

DESIGNED KCK
DRAWN MJS
CHECKED
DATE

JOB NUMBER 6187
SHEET C104
DATE 04/26/2022

BUILDING 4 SITE PLAN