CITY OF BLOOMINGTON



October 18, 2018 @ 5:30 p.m. COUNCIL CHAMBERS #115 CITY HALL

•Council Chambers - Room #115

ROLL CALL

APPROVAL OF MINUTES: August 23, 2018

REPORTS, RESOLUTIONS, AND COMMUNICATIONS:

PETITIONS WITHDRAWN:

PETITION CONTINUED TO: November 15, 2018

PETITIONS:

- UV/V-28-18 Monroe County Youth Services (Cont. from 9/20 hearing) 615 S. Adams St. Request: Variance from parking setback standards. <u>Case Manager: Amelia Lewis</u>
- V-31-18 **CSO Architects/MCCSC** 1000 W. 15th St. Request: Variances from front yard parking setback, tree preservation and entrance and drive standards in the Institutional (IN) zoning district to allow for the new Tri-North development. <u>Case Manager: Jackie Scanlan</u>
- V-33-18 **Jeff Meyer (for Culver's Restaurant)** 1914/1918 W. 3rd St. Request: Variance from drive-through sign maximum size standards in the Commercial Arterial (CA) zoning district. <u>Case Manager: Jackie Scanlan</u>

**Next Meeting: November 15, 2018

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

CASE #: UV/V-28-18 DATE: October 18, 2018

PETITIONER:	Monroe County Youth Services 615 S Adams, Bloomington
CONSULTANT:	RQAW

8770 North Street, Indianapolis

REQUEST: The petitioner is requesting a use variance to allow for a 9,500 square foot addition to an existing non-conforming rehabilitation clinic and a variance from parking setback standards.

SEPTEMBER HEARING: The Board of Zoning Appeals approved the use variance portion of the petition at its hearing on September 20, 2018 with a vote of 3-0. The Board continued the parking setback variance request for the petitioner and consultant to revise plans to be further in compliance with code. Changes are as described below.

REPORT: The petitioner is proposing to expand an existing non-conforming youth shelter on the property.

The property is surrounded by both commercial and residential uses. There are properties to the west zoned RS west and a residential single-family PUD to the south. The properties to the north are zoned Commercial Arterial (CA) and the properties to the east are zoned Medical (MD) and Mobile Home (MH).

The site currently contains two structures, a 2,000 sf structure located at the northwest corner of the site and a 9,000 sf structure located southeast of the other building. The petitioner is proposing to demolish the smaller structure and expand the existing 9,000 sf structure. The proposed addition to the existing structure would be 9,485 sf along the north side of the existing structure. There are two existing parking areas on the site: one to the north of the existing structure and one at the southwest portion of the site. The existing parking to the north is proposed to be removed with the proposed addition and the parking area at the southwest portion of the site is proposed to be expanded.

As an addition of more than 10% of the gross floor area to an existing structure, the site is required to come into limited compliance with Unified Development Ordinance (UDO) standards (20.08.060(b)). With this petition, the Department has used the development standards of the CG zoning district to review the site plan as a non-residential use in the RS District. The proposed location of the new parking lot does not meet the setback standards for parking lots. The Commercial General (CG) parking standard requires parking to be located 20 feet behind the primary structure's front building wall. The intention of this standard is to prioritize the pedestrian connections and the design of the streetscape, as opposed to placing parking lots as barriers between the sidewalk and the building. While there is existing parking on the site that does not meet this standard, they are not permitted by code to increase the degree of non-conformity on the site.

The petitioner is requesting a variance from this standard to allow the new parking area to be in front of the building.

Constructing the addition to the west of the existing structure would eliminate the need for a parking variance, as the building face would be moved forward allowing the parking to be located behind the front building wall. At the September BZA hearing, the board members had asked if other design options had been explored, such as the one described above.

Since September, the petitioner has submitted two additional site plans showing the addition to the west, along with analysis of why those locations will not work. The primary reason behind the proposed site plan is to create separate areas for staff, children, and visitors within the building.

SITE PLAN OVERVIEW:

Pedestrian Facilities: The 2008 Bicycle and Pedestrian Transportation and Greenways System Plan includes a 10 foot wide sidepath (multiuse) path running north-south along the east side of Allen Street. This is shown on the proposed plans with a separation of approximately 20 feet from the edge of pavement. The proposed path should be extended to meet the north property line.

Parking: The proposed number of parking spaces is 34. Using the parking maximum for rehabilitation center allows for a maximum of 29 spaces. However, the center also has additional administrative staff for the Monroe County Youth Services Shelter and frequently receives visitors including parents, therapists, and social workers. With the proposed addition, the organization also plans on hosting community meetings and classes on parenting. Based on this mix of uses, staff feels that the parking requirements for a government office are more appropriate. Using the parking maximum for government office, the amount of proposed parking is not over the maximum allowable.

Bicycle Parking: A bike rack shall be provided for at least 4 bicycle parking spaces and shall be located within fifty (50) feet of the main entrance. The proposed location does not meet this requirement nor does it specify how many spaces will be provided. This must be shown prior to the issuance of a grading permit. A condition of approval has been included to address this.

Landscaping: The landscaping plan will need to be revised to meet UDO standards. This is a condition of approval.

Environmental Commission Recommendations: The petitioner has not submitted revised landscaping plans since the 1st hearing, the following comments from the EC's September memo are still applicable:

1.) The Petitioner should work with staff to revise the Landscape Plan.

2.) Provide all scientific names for plants on the SWPPP and replace *Festuca elatior* and *Coronilla varia* with compliant plant species.

20.09.130 e) Standards for Granting Variances from Development Standards: A variance from the development standards of the Unified Development Ordinance may be approved only upon determination in writing that each of the following criteria is met:

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

PROPOSED FINDING: The petition request is not injurious to the public health, safety, morals, and general welfare of the community. The expanded use of the property benefits the health, safety and welfare of the people who use the services and supportive parking is required for that expansion.

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 negative effect to adjacent properties is expected from the requested variance. The site is expanding parking in a location that already has parking. The area is not immediately adjacent to neighbors.

3) The strict application of the terms of the Unified Development Ordinance will result in practical difficulties in the use of the property; that the practical difficulties are peculiar to the property in question; that the Development Standards Variance will relieve the practical difficulties.

PROPOSED FINDING: The strict application of the UDO would require the parking to be located 20 feet behind the building, approximately 150 feet from the road. Practical difficulties are found in an addition on an existing structure which establishes the setback at a great distance from the property line.

According to the petitioner's statement, it is both imperative to the function of the organization to have the building expanded to the north, as well as a benefit to have the parking located between the road and the building. As previously stated, the intention behind expanding the structure to the north allows for the separation of spaces from staff, children, and visitors which is essential for preserving security and privacy inside the building.

Benefits of the proposed parking location include the preservation of open space to the south of the structure, which allows for a new walking path and outdoor area for children and staff, and the preservation of existing green and open space on the site. While alternative designs would allow for these areas at the western portion of the property, recreation areas closer to the road are less safe for children. If the only parking available on site is located at the south end of the building, the existing sloped terrain of the southeastern portion of the site impacts the ability to provide ADA access as easily to all parts of the building.

CONCLUSION: The proposed design of the site does not negatively impact the health, safety and welfare of the public, nor does it negatively impact adjacent property owners. The addition to

accommodate a social service center's need has a positive impacts for members of the community. The proposed design is intended to benefit staff and the children by providing additional physical space in a layout in the most logistical way for the organization. In addition, the layout allows for the preservation of open space and outdoor opportunities for staff and children.

RECOMMENDATION: The Department recommends that the Board of Zoning Appeals adopt the proposed findings and approve the parking variance with the following conditions:

- 1. The landscaping plan shall meet UDO standards.
- 2. A grading permit shall be required and not issued without an approved landscaping plan.
- 3. A bike rack shall be provided for at least 4 bicycle parking spaces and shall be located within fifty (50) feet of the main entrance.
- 4. The proposed multiuse path should be extended to meet the north property line.
- 5. A building permit is required prior to any construction.







October 4, 2018

City of Bloomington Board of Zoning Appeals 401 N. Morton Street Bloomington, IN 47403

Re: Monroe County Youth Services Facility Variance Request for Parking Lot

Dear BZA Members:

In addition to our letter dated August 27, 2018, as well as the information presented at the BZA meeting on September 20th, we offer the following information as to why it is critical that the building be expanded to the north.

Three exhibits that diagram the space planning and internal circulation of the facility were submitted to Planning to demonstrate the importance of the facility being expanded to the north as opposed to the west. Below is summary of those exhibits:

Expanding the facility to the north as proposed will meet the internal function needs of the facility by providing the following:

- Allows the new program spaces to share needed adjacencies to the existing shelter area
- Circulation flow between new and existing spaces works well and lends itself to enhance and expand daily operations
- Access controlled secure points provide flexibility and allow current level of staff to efficiently oversee visitors and residents
- Allows classroom space to be located for use during business hours and after hour events

Expanding the facility to the west will adversely impact the internal function of the facility and result in the following:

- Separate the proposed multi- purpose room, classrooms and kitchen form the secure shelter area
- Increase distance between the Shelter Manager's Office and the shelter area
- Circulation and security will be too spread out for the current level of staffing
- Visitation is impacted as visitors and shelter residents will need to be escorted by staff through various parts of building which will result in security issues
- Result in potential breaches of confidentiality due to the lack of a separate path for shelter residents to receive clinical services without walking through the visitors waiting area

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Furthermore, as noted in our previous letter, locating the parking lot south of the building will result in the following:

- Eliminate the large open recreational space and de-escalation area
- Force children and staff to cross the parking lot to access the rear of the property
- Increase visibility from rooms where children stay to the parking lot
- Compromise direct access to the main entrance of the building for ADA requirements, visitors, shuttle bus loading/unloading and deliveries
- Require the installation of a retaining wall, stairs and ramps

In summary, locating the parking area along the west side of the site will not result in a health, safety, or welfare issue for the facility, surrounding properties, or the community. Furthermore, we have not received any opposition from surrounding property owners or the community and we have been given a favorable recommendation from the Planning Department.

Thus, based off the information provided, we ask that you please take in to account the importance of the internal circulation/connectivity of the facility, existing site constraints and needs of the Monroe County Youth Services Bureau when making your decision on the variance request.

Sincerely,

Matthew Oman moman@rqaw.com (c) 317.619.0344













BLOOMINGTON BOARD OF ZONING APPEALS STAFF REPORT Location: 1000 W. 15th Street

CASE #: V-31-18 DATE: October 11, 2018

PETITIONER:Jim Funk
CSO Architects (MCCSC)
8831 Keystone Crossing, IndianapolisCONSULTANT:Dan Neubecker
Bledsoe, Riggert, Cooper, and James
1351 W. Tapp Road, Bloomington

REQUEST: The petitioner is requesting variances from the parking front yard setback standard, tree preservation requirements, and entrance and drive standards.

SITE DESCRIPTION: This property is located at 1000 W. 15th Street and is zoned Institutional (IN). The site contains the existing Tri-North Middle School. The site maintains frontage on 15th Street to the south, 17th Street to the north, and Monroe Street to the west. Surrounding land uses include industrial uses and a City park to the west, commercial across 17th Street to the north, Mills Pool and residential to the south, and residential to the east.

The middle school on site is aging, and the Monroe County Community School Corporation has been working on a plan to replace the existing structure. The current building will need to remain in place and operational during construction.

The petitioner requests a variance from the front yard parking setback standard. Typically, parking between the building and the right-of-way is not allowed. The site has right-of-way on three sides of the property, making placement of parking difficult. The petitioner also requests a vehicular entrance on 17th Street, which is not allowed by the Unified Development Ordinance.

The petitioner also requests to not retain the entire required tree canopy on the development site, but rather, remove a portion for development and plant new native trees on portions of the site as mitigation for the removed tree canopy area.

SITE PLAN ISSUES:

Location Constraints: Two of the variance requests stem from the location chosen for the new building. The site, while 21 acres in size, is heavily limited in potential development space for the new school. The ground floor area of the new school is roughly 75,500 square feet. As mentioned above, the existing building must stay in workable order while the new building is being built. A large part of the northwest portion of the lot was purchased when the roundabout was installed at 17th Street. Much of the northern portion of the lot contains slope of 12 percent or greater. Below is a map with an outline of the property showing existing contour lines, as well as a map indicating excessive slope areas on and around the property. These environmental constraints combined with the existing location of the school dictate the proposed location.





Yellow indicates 18% or more of slope and green represents 12%-18% of slope.

Parking: There are 126 parking spaces and 19 bus parking spaces that can be converted to 36 typical parking spaces proposed on the site. The UDO requires that all parking be located 20 feet behind the front building wall of new buildings. At this location, there are 'front building wall's on three sides of the property because there is right-of-way on the north, west, and south sides of the property. Locating the parking to meet UDO requirements is nearly impossible with the location of the existing school in combination with the slope constraints of the site.

Additionally, based on current standards for school building and campus design, it is common to separate bus and vehicular traffic on middle school campuses to reduce congestion pressure on site. As a result, parking has been programmed to the north and south of the future building.

Access: The existing site has two vehicular entrances located on the south side of the property, with all parking located on the south side, as well. These entrances dictate that all traffic, both bus and vehicular, drive through the residential neighborhoods to the south

to access campus. The proposal alters those entrances so that they are bus traffic only, one entrance and one exit. Two new entrances on Monroe Street are proposed for regular vehicle traffic and delivery traffic. A fifth driveway is proposed on 17th Street, BMC 20.05.035(g) requires that "for nonresidential uses located on corner lots, drive access shall be located on the street assigned the lower functional classification according to the Master Thoroughfare Plan." 17th Street is listed as a Secondary Arterial in the Plan and Monroe Street is listed as a Secondary Collector. Monroe Street is a lower classification, meaning that drive access cannot be located on 17th Street without a variance. The driveway could allow for users of the site to leave the property to the north, which is not a current option, and may relieve some congestion in the neighborhoods to the south. The Department proposes that the driveway be used as an exit-only so that it can help alleviate some traffic to the south, but the effect on 17th Street can be mitigated.

Tree and Forest Preservation: The site is roughly 21.03 acres. Roughly 2.09 acres, or 9.94% of the site, is considered the baseline Canopy Cover of the site. 20.05.044 requires that 1.88 acres of canopy cover be retained during development. While the preservation of this area would leave a large majority still available for development, the site has constraints as listed above. The petitioners are proposing removal of a portion of the canopy in the area in the new school location, but retention of a portion, as outlined on the site plan. The areas on the eastern portion of the site, totaling .77 acres will be retained. As shown in the site plan, mitigation areas are planned adjacent to the existing canopy on the east side.

Landscaping: Not including the tree preservation requirements, the petitioner will meet landscaping requirements.

CRITERIA AND FINDINGS FOR DEVELOPMENT STANDARDS VARIANCE Front Yard Parking Setback – BMC 20.02.520

20.09.130 e) Standards for Granting Variances from Development Standards: A variance from the development standards of the Unified Development Ordinance may be approved only upon determination in writing that each of the following criteria is met:

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

PROPOSED FINDING: The request is not injurious to the public health, safety, morals, or general welfare of the community. The parking setback is included in the UDO in order to help facilitate a safe relationship between on-site development and adjacent sidewalks. The site plan will include pedestrian connections to Monroe Street. Required landscaping will be included around the parking lot, to help buffer the view of the lots from the roadway.

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 the surrounding area associated with the proposed variance are found. The proposed parking will split regular vehicular traffic from bus traffic. The site has three street

frontages and an existing development, which limits the potential location for parking. The development will meet impervious surface requirements. Landscaping will be provided between the right-of-way and the encroaching parking spaces and drive aisle.

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: Practical difficulties are found in the combination of the three street frontages, the existing development, and the environmental constraints on the site. The reasonable areas of development on the site are limited. Even if the site was empty, locating all parking 'behind the front building wall' would be very difficult. The slope restrictions to the north and the tree preservation areas to the east combined with the existing school location that must remain in place during construction limit the potential development locations. Three frontages combined with environmental constraints are conditions peculiar to the property that limit the new development.

CRITERIA AND FINDINGS FOR DEVELOPMENT STANDARDS VARIANCE Entrance Driveway Location – BMC 20.05.035(g)

20.09.130 e) Standards for Granting Variances from Development Standards: A variance from the development standards of the Unified Development Ordinance may be approved only upon determination in writing that each of the following criteria is met:

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

PROPOSED FINDING: The request is not injurious to the public health, safety, morals, or general welfare of the community. The driveway on 17th Street will provide an additional egress from the site, allowing less pressure on the neighborhoods 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.

PROPOSED FINDING: No adverse impacts are found in the use and value of the surrounding area associated with the proposed variance. The driveway on 17th Street will provide an additional egress from the site, allowing less pressure on the neighborhoods to the south.

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: Peculiar condition is found in the size of the lot, number of

driveways, and its immediate relation to the residential neighborhood to the south. Modern design of school campuses are often geared toward separating regular vehicular traffic and bus traffic, as is the case in the new proposal. An exit on 17th Street will improve circulation and decrease traffic in the residential neighborhood to the south.

CRITERIA AND FINDINGS FOR DEVELOPMENT STANDARDS VARIANCE Tree Preservation – BMC 20.05.044

20.09.130 e) Standards for Granting Variances from Development Standards: A variance from the development standards of the Unified Development Ordinance may be approved only upon determination in writing that each of the following criteria is met:

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

PROPOSED FINDING: The request is not injurious to the public health, safety, morals, or general welfare of the community. While tree preservation area will be lost, new native trees will be planted on site to mitigate the square footage that is being lost.

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 the surrounding area associated with the proposed variance are found. The development will meet impervious surface requirements. While tree preservation area will be lost, new native trees will be planted on site to mitigate the square footage that is being lost.

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: Practical difficulties are found in the combination of the three street frontages, the existing development, and the environmental constraints on the site. The reasonable areas of development on the site are limited. The slope restrictions to the north and the tree preservation areas to the east combined with the existing school location that must remain in place during construction limit the potential development locations and make a realistic site design with full compliance difficult. Peculiar condition is also found in the small number of healthy native trees in this particular wooded area. As a result, the proposed development area encroaches on one of the tree preservation areas. The petitioner has worked with staff to preserve as much of the stand as possible, and has proposed addition of new native trees adjacent to other existing tree preservation areas on the site.

and approval of the V-31-18 with the following conditions:

- 1) Replacement trees shall be 4 inches in diameter and native species.
- The petitioner shall record a tree preservation easement identifying those portions of the site that will remain tree canopy as a Zoning Commitment in the Monroe County Recorder's Office prior to the issuance of final occupancy.
- 3) A construction site plan indicating measures to be incorporated to protect the trees that will remain must be submitted and approved by the City of Bloomington Senior Environmental Planner before a grading permit is issued.
- 4) Petitioner shall include a tree replacement plan outlining the area of replacement trees in the landscape plan. The replacement area will be based on either square footage of removal area to be replaced 1:1 in the replacement area OR if consultation with the Urban Forrester finds that a 20% increase can be realistically maintained, the replacement area will need to be 20% greater than the area removed, per BMC 12.
- 5) The driveway entrance on 17th Street will be used as an exit only.





Tri-North Middle School Board of Zoning Appeals 08/23/2018

So Architects

PETITIONER'S STATEMENT

In the spring of 2018 Monroe County Community School Corporation (MCCSC) began the process to design, build and replace the aging Tri-North Middle School located at 1000 W. 15th Street Bloomington, IN. Through and extensive facility assessment and master planning process in 2015, MCCSC determined replacing the building was more cost effective than replacing systems, addressing accessibility and code issues, and updating environments for educational adequacy. Building a replacement facility creates unique challenges for new construction as the existing building, parking lot, and drives must be kept operational throughout the duration of construction. This severely limits the available buildable area for a new structure to be erected. Additional design challenges include over 100' of grade change over the length of the site, large areas of existing trees, and close proximity to residential neighborhoods. In order to build a building that will meet the needs of current and future generations of students, protect the investment of local taxpayers, and create usable community space, we respectfully request variances from the following development standards.

20.05.044-EN-07 (Environmental Standards – Tree and Forest Preservation)

There are multiple areas of existing trees over that site that qualify for protection under current development standards. The major areas of existing trees are focused along the East property line and a large grove facing 17th St. and Monroe St. roundabout. Through an environmental evaluation, the tree canopies on the East side of the property were found to be mainly of good species (i.e. redbud, maple, sassafras, red cedar, cherry, white pine, spruce, and tulip) and provide good screening/buffering to the adjacent residential community. This area of existing trees will be retained and protected during construction. The tree canopy facing the 17th St and Monroe St. roundabout however was found to contain a majority of invasive species (i.e. black locusts, callery pear, honey suckle, and tree of heaven), be in poor health, and densely overgrown. Many of the large trees in this canopy have already died and many are likely to die in the future. We respectively request to remove a portion of this existing tree canopy due to safety, building function, and community investment concerns.

If the entire tree canopy were to remain it would create a safety and security problem for the new facility (which is limited on where it can be located) by creating an unobservable area immediately adjacent to the new building. Current school security experts recommend a minimum of 150' of clear observable direction from any entry point of a school facility. Additionally, the observed poor health of many trees in this canopy pose a safety problem for students, parents, and the facility should more trees or limbs fall. The school district is willing to remediate additional areas on site to create new tree canopies as indicated in the attached plans. These trees would be of native species and good quality, improving the site for the future.

20.05.035-ED-01d (Entrance and Drive Standards – General)

The design team has studied the site extensively to develop a safe, secure, and functional circulation pattern that minimizes traffic congestion on city streets. The district has begun implementing a district-wide initiative to separate cars and busses on site to minimize congestion and chances of students crossing traffic. This same design concept has been implemented for the new middle school as well. Keeping these vehicle drive and parking areas separate requires additional access drives. We respectively request a variance from this requirement to provide additional access drives as indicated in the attached site plans. These additional entrances allow for quick distribution of vehicles during high traffic periods (drop-off, pick-up, and events). There is opportunity to evaluate each entrance with the city to determine if certain access points only operate during certain hours of the day.

20.05.035g (Arterial Frontage Standards – Nonresidential)

During initial city planning meeting it was discussed access to 17th street would not be permitted because it was the main arterial frontage to the site and secondary access from Monroe would be preferred. Per current guidelines we are permitted a maximum of one egress point along main arterial frontage and



intend to provide this access point on 17th street. Adequate provisions will be made along 17th street per city engineering review.

20.02.520 – (Entrance and Drive Standards)

17th street acts as the primary arterial road adjacent to the Tri-North MS site with Monroe St. acting as the secondary street. In order to provide distributed and separated access the additional drive to 17th street is needed, otherwise an on-site turnaround would be required. This turnaround would slow traffic flow through the site and occupy valuable real estate on an already tight and complex site. Also general fire safety guidelines prefer straight through access as opposed to turning around on-site. Finally, the school district would like to create a clear 'front door' to the new building and access to 17th street would give the best visibility for parents, visitors, and students to the new main Entry. By re-orienting and accessing from 17th street, we are able to minimize disruption and school traffic on the neighborhoods roads to the south as well.

PRELIMINARY STAFF COMMENTS & RESPONSES

- 1. We need to see the circulation plan. Where is pickup/drop-off and from what direction?
 - Parent drop-off occurs by automobiles entering off of the South entry along Monroe Street and stacking along the East side of the building and around to the main entry where students will unload. Once complete, parents will continue northwest towards 17th street. (blue arrows on plan)
 - Bus drop-off occurs by utilizing the existing entrances on the south side of the site.
 Buses will enter on Christian Center Dr. and park along the south side of the building and unload at one time. Busses will then exit on N. Dyer Dr. (yellow arrows on plan)
 - c. Site circulation has been designed with lengthy discussion with MCCSC administration and district transportation director as well the local Tri-North staff to ensure the safest, practical, and clearest circulation is provided for students, parents, and bus drivers. Creating logical circulation is critical to the day to day safety of students coming and going from the school building.

2. 5 access points is a lot.

a. To provide safe separation of bus and vehicle circulation, multiple access points are required. The current circulation and access is designed to minimize congestion on city streets and intersections during high traffic periods and pull as much of the school generated traffic onto the site. Multiple access points also allow for quick and even distribution of vehicles during high traffic times. Consideration can be provided for certain entrances to only be utilized during morning arrival and afternoon dismissal if desired.

3. Are all of these drives two-way?

- a. All drives are currently two-way with the exception of the bus loop on the south side of the building. Christian Center Drive will terminate two-way traffic at Monroe County United Ministry entrance and continue one-way to N. Dyer Dr.
- 4. Is the southern loop bus only?
 - a. Yes
- 5. Why design it so that delivery trucks use different access points instead of utilizing the infrastructure already designed to accommodate a bus? What is the route delivery trucks would use?
 - a. There are several factors that have influenced the location of the service and delivery area. After several building layouts, the current one is the only design that has met all of



the school districts needs for the new facility. There were also safety considerations made to minimize the amount of distance delivery drivers were required to travel on site and a desire to minimize delivery traffic running through the adjacent neighborhoods. Additionally, the district plans to utilize the bus parking lot throughout the instructional day as outdoor learning space. If delivery trucks were to utilize this area it would create additional safety concerns.

- 6. Many school principals prefer to keep access on one side of a school so they can keep an eye on everything (better security). Are they sure they want people entering from multiple sides?
 - a. The new school design will be created with the highest security parameters in place. Placing students in areas where bus and car traffic are intermixing creates congestion, safety hazards, and confusion. While one entry point to the building is desirable, the current site grade, existing trees, and need to keep existing building operational during construction prevent us from placing bus and parent drop-off areas on the same side of the building. Additionally, they would likely have to share site access points which would require bus and car traffic to mix and push congestion out onto city streets. The campus is confident they can observe two points of entry and students will be funneled into a shared common space accessed from both main entries. MCCSC is also in the process of changing all existing campus circulation to accommodate this separation of bus and vehicle traffic.

7. Access for students walking or bicycling to the school appears to have been overlooked.

a. Access for walkers and bikers will be provided off of Monroe St. on the East and North Dyer Dr. on the south sides of the building. These access routes will be further developed once the access points to the new building have been approved. Current sidewalks along 17th St. and Monroe St. will continue to serve students until the reach access points to the site.

Sincerely,

James Funk CSO Architects









BLOOMINGTON BOARD OF ZONING APPEALS STAFF REPORT Location: 1914 / 1918 W. 3rd St.

CASE #: V-33-18 DATE: October 18, 2018

PETITIONER: Jeff Meyer Culver's Restaurants 3501 Connor Street, Noblesville CONSULTANT: Jeffrey Fanyo

Bynum, Fanyo, and Associates, Inc. 528 N. Walnut Street, Bloomington

REQUEST: The petitioner is requesting variances from drive-through sign maximum size in the Commercial Arterial (CA) zoning district.

SITE DESCRIPTION: This property is located at 1914 /1918 W. 3rd Street and is zoned Commercial Arterial (CA). The site is comprised of 2 parcels and is located northeast of the intersection of W 3rd and S Cory Lane with frontage on 3rd Street. Surrounding land uses include Master Rental to the west, railroad right-of-way to the north, single family residence and vacant to the south and vacant land to the east.

The property is currently under development to become a Culver's Restaurant franchise. The petitioner received multiple variances from the Board of Zoning Appeals in January 2018 to develop the site in its current configuration.

The petitioner requests to allow the drive-through menu on the north side of the property to be roughly 2.5 square feet greater than what is allowed by code. The Unified Development Ordinance, 20.05.081(d) allows for structures with a drive-through to have one 26 square foot, single-sided sign with a height maximum of 6 feet. The petitioner is requesting a sign that is just over 38 square feet.

SITE PLAN ISSUES:

Drive-Through Sign: The location of the drive-through sign is on the north side of the building, with restricted visibility from 3rd Street. Additionally, there are no neighbors immediately to the north, as the adjacent property is railroad right-of-way. As a result, the sign will rarely be visible to members of the public, except those utilizing its services at the restaurant. The 36 square feet is to be calculated by taking the regular geometric shape around the sign. For a typical wall sign, the Department allows a petitioner to break up a sign design into multiple signs (ex.) one shape around the words, one shape around the logo) in order to meet the size maximum requirements for a wall sign. If that was done in this case, the sign could meet code requirements. However, because the code specifically says "one (1) freestanding sign..." related to drive-through signs, a variance is required.

CRITERIA AND FINDINGS FOR DEVELOPMENT STANDARDS VARIANCE Drive-Through Sign Maximum Size – BMC 20.05.081(d)

20.09.130 e) Standards for Granting Variances from Development Standards: A variance from the development standards of the Unified Development Ordinance may

be approved only upon determination in writing that each of the following criteria is met:

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

PROPOSED FINDING: The request is not injurious to the public health, safety, morals, or general welfare of the community. The sign will not be visible to anyone but those visiting the restaurant, causing no visual clutter for the community.

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 the surrounding area associated with the proposed variance are found. The land to the north is railroad right-of-way. The sign will be behind, or north of, the building and will be unlikely to be visible from the public right-of-way, particularly with the landscaping that is planned between the building and the right-of-way.

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: Practical difficulties are found in the strict application of the UDO. Peculiar condition is found in no immediately adjacent neighbors to the north with no potential future neighbors, combined with the orientation of the new building in relationship to the right-of-way, both creating very little chance that the sign could be visible from the roadway. Additionally, the sign design could meet code requirements if the UDO did not explicitly list 'one sign', and the design of the sign does meet the spirit of 'one sign', even if the square footage calculation was done as multiple signs.

RECOMMENDATION: The Department recommends adoption of the proposed findings and approval of the V-33-18 with the following conditions:

1) The variance is for the previously submitted drive-through sign only. The sign cannot be enlarged and must still meet the height requirement of the UDO.







ADDRESS 2531 North Patterson Ave, Springfield MO 65803

CONTACT US 800.845.9927 springfieldsign.com

September 13, 2018

City of Bloomington, IN

To Whom It May Concern:

We are seeking a variance approval to increase the size of the menu board allowed by code. Per current code 20.05081(d) the sign associated with the drive-through can be a maximum of 6' tall and 36' sq. ft. in size. We are seeking approval on Culver's Franchising Systems (CFS) Brand Standard menu board (MB-DT-46). The proposed menu board is 6' in overall height and 46.29 sq. ft. with an ad copy area of 38.40 sq. ft. (2.4 sq. ft. greater than allowed).

If the franchisee is made to install the smaller menu board as the main menu board it will be incompatible with CFS Brand Standards. The permitting and installation of the MB-DT-46 menu board is typical (and necessary) for the 500-plus Culver's franchisees nationwide. Not only will it affect the efficient operation of the drive-through it will affect customers not being able to easily view the *entirety* of Culver's extensive menu, which will cause delays in the operation of the drive-through due to more time spent per order due to questions, lack of clarity, etc.

With the allowance of the proposed menu board will present pleasant communication, will improve consumer product education, while enhancing the efficient drive through movement.

Additionally, since the menu board will not be visible from the primary street frontage, the impact on the property and surrounding development will be minimal if not non-existent.

While understanding the City's interest in keeping signs from proliferating in an uncontrolled manner the overall variation request (2.4 sq. ft. overall) is minimal and a reasonable request.

Thank you Lora Martinson

Springfield Sign Loram@sprignfieldsign.com

417.862.2454

MB-DT-46 EXTERIOR MENU BOARD

Blue Outdoor Drive-Thru Menu Board

MB-DT-46

Standard Menu Board for Drive-Thru Lane

-ED Internal Illumination

POP Graphic panels must be purchased separately

included for easy in & out of POP POPP-Out magnet access panels panels

"-CS" option for 160mph coastal wind standards available

Locking rear access doors (4)





BLOOMINGTON, IN



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