# **CITY OF BLOOMINGTON** HEARING OFFICER

# April 27, 2022 @ 2:00 p.m. Kelly Conference Room #155

Virtual Link:

https://bloomington.zoom.us/j/88599386493?pwd=eER2Wk1Ydmw4OFFwSFZUSURnYk9 1Zz09

Meeting ID: 885 9938 6493 Passcode: 083925

## CITY OF BLOOMINGTON HEARING OFFICER (Hybrid Meeting) April 27, 2022 at 2:00 p.m.

\*Kelly Conference Room #155

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## **PETITIONS:**

V-15-22 **Catalent Indiana, LLC** 1300 S. Patterson Dr. Request: Variance from riparian buffer standards to allow a temporary access drive. <u>Case Manager: Eric Greulich</u>

\*\*Next Meeting: May 11, 2022

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>.

PETITIONER:	Catalent Indiana, LLC 1300 S. Patterson Dr, Bloomington
CONSULTANT:	Bledsoe, Riggert, Cooper and James 1351 W. Tapp Road, Bloomington

**REQUEST:** The petitioner is requesting a variance from riparian buffer standards to allow the construction of a temporary access drive.

**REPORT:** The property is located at 1300 S. Patterson Drive and is located on Tract B within the Thomson Area PUD. The property has been developed with 2 large buildings that were constructed as part of the Thomson/RCA manufacturing plant that was the former use on this site and were subsequently re-used by Cook Pharmica who moved into the property in the early 2000s to now being occupied by Catalent. Surrounding land uses include a trucking company to the south, office uses to the east, an industrial warehouse to the west, and a mix of single and multifamily residences to the north. There is a defined drainage channel that runs parallel with the south side of the building that is subject to the riparian buffer standards.

The petitioner is proposing a large remodeling project to the southwest corner of the building that will include removing a portion of the building and then reconstructing it. As a result of the new work the petitioner needs to be able to access the southern portion of the building from the east and west to work along the south side of the building. The petitioner is proposing to install an approximately 14' wide temporary gravel access drive along the south side of the building to connect two existing parking and drive areas. There is a Duke powerline easement that runs along the south side of the building that encompasses much of the area along the south side of the building and has also resulted in previous disturbance within this area. The Board of Zoning Appeals granted a variance from riparian buffer standards (V-33-19) to allow for a parking area on the east side of the building and a parking area on the southwest corner of this area in 2019.

Although the drainage channel along the south side of the building is man-made and has been altered previously during the construction of the building, it does have a defined streambed and is therefore subject to the riparian buffer standards. The petitioner is requesting a variance from the required 75' riparian buffer standards to allow for this temporary access drive to be installed.

## CRITERIA AND FINDINGS FOR DEVELOPMENT STANDARDS VARIANCE

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

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

## **PROPOSED FINDING:**

**Parking:** No injury is found with this petition. The area of the proposed road along the south side of the building was disturbed with previous development and powerlines in this area. No mature canopy trees or other vegetation besides turf grass will be removed with this proposal.

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:**

**Parking:** No negative effects from this proposal on the areas adjacent to the property are found. The area to be disturbed was previously disturbed and is not encumbered by mature tree canopy coverage.

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:**

**Parking:** Practical difficulty is found in that the area of the access drive was previously heavily used and disturbed with the construction of the building and installation of electric lines through this corridor. The installation of a temporary drive in this area will not require any substantial grading or disturbance of native vegetation. In addition, the Thomson PUD was approved prior to the current riparian buffer standards. The Thomson PUD also only identified the West Branch of Clear Creek as a dominant stream through this area and required existing vegetated buffers to be preserved along that corridor only which is not affected by this request. The area of proposed disturbance does not contain any mature tree canopy coverage and was previously disturbed for railroad traffic, vehicular access, and stormwater detention facilities. Peculiar condition is found in the limited amount of area along this portion of the site due to the overhead power lines and the previous level of disturbance combined with the existing warehouse location. The Thomson PUD anticipated development within existing disturbed areas. The proposed temporary encroachment is not excessive and is in keeping with the development pattern within the PUD and its original regulations.

**RECOMMENDATION:** Based upon the written findings above, the Department recommends that the Hearing Officer adopt the proposed findings and recommends approval of V-15-22 with the following conditions:

- 1. This variance applies to the scope of work for this exact project as proposed with this application only. Any subsequent encroachment would require an additional variance.
- 2. The driveway must be completely removed prior to issuance of recommendation for final occupancy.
- 3. All disturbed area that is currently vegetation will be re-vegetated within six months of final occupancy. Native shrubs and vegetation will be planted in the disturbed area to the extent practical as determined in concert with Planning and Transportation staff.







Scale: 1'' = 200'

# **Bledsoe Riggert Cooper James**

LAND SURVEYING . CIVIL ENGINEERING . GIS

April 4, 2022

City of Bloomington Hearing Office 401 N. Morton Street, Suite 130 Bloomington, IN 47404

via email greulice@bloomington.in.gov

RE: Catalent Project Pegasus, 1300 S. Paterson Drive Variance from Environmental Standards

Dear Hearing Officer:

Catalent Biologics in in the process of replacing the southwest portion of their south building from the ground up to create a new production facility. The building footprint will remain the same position. In order to perform the demolition and reconstructive work we need to remove the existing south driveway that runs along the south face of the building and construct a temporary gravel bypass dive along the south side of the existing perimeter security fence line. We anticipate that this project will take one and a half years to complete. Once the building work is done, the south drive will be reconstructed and the temporary gravel bypass drive will be removed restored to its current condition consisting of turf grass.

On behalf of Catalent Biologics, we respectfully request your consideration of a variance from the Environmental Standards Section 20.05.041, Riparian Buffer of the Unified Development Ordinance to allow for the proposed work to take place.

The south side of the Catalent building, from the east side of the new southwest parking lot, is bordered by an open drainageway located approximately 50-feet south from the southern face of the west end of the building. The Environmental Standards require new development to preserve or provide a graduated 75-foot riparian buffer along the existing drainageway. The northern limit of this buffer extends 25-feet into the existing building. The variance we seek is necessary to allow for the demolition and reconstruction of the south building (Building 'B'); the removal and replacement of the existing south driveway; and the construction and removal of proposed temporary gravel bypass drive. These improvements will extend approximately 65-feet into the required buffer zone.

The proposed improvements are essential to allow Catalent to reconstruct and upgrade their existing facility. The temporary gravel bypass drive is necessary to maintain existing operations, including the one-way-clockwise vehicular access around the south portion of the Catalent Campus on to S. Strong Drive.

Your positive consideration of this request is greatly appreciated.

Sincerely,

William S. Riggert, PE

ec: Rebecca Mullis, Catalent Mike Boggs, Catalent Mike Hinkamp, CRB Michael Greven, F.A. Wilhelm Mike Kenton, F.A. Wilhelm





- PLANT PROTECTION SERVICES, INC. AT 1-800-382-5544.
- ENSURE SEDIMENT DOES NOT LEAVE THE SITE.
- CONTRACTOR SHALL PERMANENTLY CAP ALL UTILITIES OUTSIDE THE FACE OF TH





- PROJECT.
- ENGINEER.

- CONTRACTOR TO TAKE THE NECESSARY MEASURES TO ENSURE THERE IS NO

2. ANCHOR MULCH AREA DIRECTLY AFTER SEEDING.

- 2. INSTALL PROPOSED CONSTRUCTION AND STORM WATER POLLUTION PREVENTION DEVICES AND/OR MEASURES AT THE PERIMETER OF THE CONSTRUCTION
- 3. GRADE AN INSTALL TEMPORARY BYPASS DRIVE DRIVE THEN IMMEDIATELY STABILIZE
- PROPER WORKING ORDER.
- 7. PLANT ACCEPTED SEED MIXTURE.

8. REMOVE SILT FENCE UPON COMPLETION OF THE PROJECT AFTER SITE	15
STABILIZED BY VEGETATIVE COVER AND HARDSCAPE.	

ISSU	ISSUE		
REV	DATE:	DESCRIPTION:	





Installation Guide

Slopes

SC150BN



- storm drain inlet, AND/OR • Use in conjunction with excavated drop inlet protection.
- MAINTENANCE GRAVEL
- Inspect daily. 2. Make needed repairs immediately.

3. When the contributing drainage area has been stabilized, remove and properly dispose of all sediment and construction material and restabilize.

# **GRAVEL DONUT INLET PROTECTION**

4



# **CONCRETE WASHOUT**



Sandbags or othe

appropriate anchorin

polyethylene lining with

appropriate anchor system to secure the

spaced every

system to secure the

# **ANCHOR MULCH**

Apply according to manufacturer's recommendations Apply according to manufacturer's recommendations. Install netting immediately after applying mulch. biodegradable material) Anchor netting with staples. Edges of netting strips should overlap with each up-slope strip overlapping four to six inches over the adjacent down-slope strip Best suited to slope applications. In most instances, installation details are site specific, so manufacturer's recommendations should be followed. <sup>1</sup> All forms of mulch must be anchored to prevent displacement by wind and/or water. 1. Apply mulch at the recommended rate shown in Table 1. 2. Spread the mulch material uniformly by hand, hayfork, mulch blower, or

The mulch should have a uniform density of at least 75 percent over the soil sur-

<sup>1</sup> Mulching is not recommended in concentrated flows. Consider erosion

# Comments Should be dry, free of undesirable seeds. Spread by hand or machine. Must be crimped or anchored (see Table 2) Apply with a hydraulic mulch machine and use with tacking agent.

# Purpose To prevent erosion by protecting the soil from wind and water impact.

SURFACE STABILIZATION

Mulching

erosion potential.

Mulching is the application of plant residues/ materials to enhance and protect vegetative establishment and minimize

Silt Fence





