

CITY OF BLOOMINGTON



March 29, 2023 @ 2:00 p.m.
Kelley Conference Room #155 and Zoom

Virtual Link:

<https://bloomington.zoom.us/j/87486097989?pwd=TWFnWWNXU2ZPdHlhaUt5NW5pNFd4QT09>

Meeting ID: 874 8609 7989
Passcode: 378837

**CITY OF BLOOMINGTON
HEARING OFFICER (Hybrid Meeting)
March 29, 2023 at 2:00 p.m.**

**City Hall, 401 N. Morton Street
Kelly Conference Room #155**

❖Virtual Link:

<https://bloomington.zoom.us/j/87486097989?pwd=TWFnWWNXU2ZPdHlhaUt5NW5pNFd4QT09>

Meeting ID: 874 8609 7989

Passcode: 378837

PETITION MAP: <https://arcg.is/0bPv4u>

PETITIONS:

CU-07-23 USE2023-03-0005
Alumni Hall Stores LLC
124 East Kirkwood Avenue
Parcel: 53-05-33-310-087.000-005
Request: Conditional use approval to allow a standardized business in the Mixed-Use
Downtown zoning district within the Courthouse Square downtown character overlay
(MD-CS).
Case Manager: Gabriel Holbrow

****Next Meeting: March 29, 2023**

*Auxiliary aids for people with disabilities are available upon request with adequate notice. Please call [812-349-3429](tel:812-349-3429) or
E-mail human.rights@bloomington.in.gov.*

**BLOOMINGTON HEARING OFFICER
STAFF REPORT
Location: 124 East Kirkwood Avenue**

**CASE #: CU-07-23 / USE2023-03-0005
DATE: March 29, 2023**

PETITIONER: Alumni Hall Stores LLC
11217 Outlet Drive
Knoxville, TN

OWNER: 118 Kirkwood LLC
300 North Meridian Street, Suite 1100
Indianapolis, IN

REQUEST: Conditional use approval to allow a standardized business in the Mixed-Use Downtown zoning district within the Courthouse Square downtown character overlay (MD-CS).

REPORT: The property is located at the southwest corner of East Kirkwood Avenue and South Washington Street in the Courthouse Square downtown character overlay of the Mixed-Use Downtown zoning district (MD-CS). All surrounding properties are also in the MD zoning district. Of these, properties to the north, west, and south are also within the Courthouse Square downtown character overlay, while properties to the east across Washington Street are within the University Village downtown character overlay. The uses of the surrounding properties reflect the diversely mixed-use character of downtown Bloomington, including small retail, restaurant, office, indoor recreation (theater), multifamily dwelling, place of worship, financial institution, and surface parking lot uses. The property immediately adjacent to the west contains the Buskirk-Chumley Theater building, which is a one-building locally designated historic district. The property adjacent to the east across Washington Street is the 200 E Kirkwood historic district, another one-building locally designated historic district. The property of the petition contains an existing building with multiple tenant spaces that currently include office and restaurant uses.

The petitioner is proposing to use the corner tenant space in the existing building as an Alumni Hall Stores location. The proposal involves an interior remodel and exterior modifications including a new accessible entrance on the Washington Street side. Alumni Hall Stores is a national retailer, and the proposed Bloomington location will be a small retail sales use offering collegiate apparel and gifts. The proposed use meets the UDO definition of a standardized business, which is allowed by conditional use approval and is subject to specific standards. As an establishment of a new use, the conditional use approval triggers limited compliance for the site.

On the Kirkwood Avenue facade, there are two existing aluminum sign/awning frames. The petitioner proposes to use the frame on the corner for signage for the new Alumni Hall Store, while the other frame will be covered in a blank red awning canvas. Window signage that comprises no more than 25 percent of each window pane is allowed in the existing windows. No other exterior changes are proposed for the Kirkwood Avenue facade.

On the Washington Street facade, there is an existing side door with an inaccessible step down to a wide sidewalk. The petitioner proposes to install a new ramp to provide an accessible route to the existing door, as required by building code for the retail use. Because the building wall is at the property line, the proposed accessible ramp will be located in the public right-of-way. The

petitioner has begun the process of obtaining an encroachment agreement with the City of Bloomington Board of Public Works to allow the new ramp in the public right-of-way.

The Unified Development Ordinance (UDO) standards for first floor facades facing streets in the Courthouse Square downtown character overlay district require large display windows or other frame open areas comprising a minimum of 70 percent of the facade. The standards further require transom windows and window bases/ kickplates as well as a frieze or sign band above first floor display windows. The existing facade facing Kirkwood Avenue meets the 70 percent standard and incorporates a sign band, but does not incorporate transom windows or window bases. The existing facade facing Washington Street is far less than 70 percent transparent glass and, except for the windows at the corner, does not incorporate large display windows, transom windows, window bases, or a frieze or sign band. As pre-existing lawful nonconforming site features, these facade features can remain under limited compliance. The petitioner is not proposing any changes to the facade that reduce compliance or bring the facade further out of compliance.

The proposal shows compliance with the standards for limited compliance, except that the proposal does not yet confirm compliance with required bicycle parking. For the proposed use, a minimum of six bicycle parking spaces are required. Two can be provided as existing public bicycle parking spaces in the public right-of-way within 100 feet of the property. There are numerous public bicycle parking spaces within 100 feet, including two hoops providing four bicycle parking spaces directly in front of the building on Kirkwood Avenue. Four additional spaces must be provided on the site, or as close as possible in the public right-of-way, within 50 feet of the main entrance to the tenant space. There are two existing wave racks in the public right-of-way of Washington Street adjacent to the southeast corner of the tenant space. However, these two existing wave racks are not within 50 feet of a main entrance and are not compliant with current bicycle parking standards. Staff recommends a condition that at least four new bicycle parking spaces be provided in the public right-of-way within 50 feet of the main entrance, with the exact location and design to be decided in coordination with and approved by the Engineering Department and the Board of Public Works.

STANDARDIZED BUSINESS STANDARDS: UDO 20.03.010(e)(2) lists the following use specific standards for standardized businesses.

In the MD-CS and MD-UV character areas a standardized business shall require conditional use permit review in accordance with Section 20.06.050(b) (Conditional Use Permit), and shall comply with the following standards:

- (A) *The proposed standardized business shall be designed and constructed in a style that visually complements its surroundings, especially the existing buildings on both sides of the same block the business is to be located, as well as the character of the particular overlay district. Visual complementation shall include, but may not be limited to:*
 - i. *Architecture;*
 - ii. *Scale;*
 - iii. *Façade; and*
 - iv. *Signage.*
- (B) *If the use is proposed for a site that contains an existing building of special historical, cultural, or architectural significance, with or without official historic designation, the proposed use shall seek to preserve and reuse as much of the existing building as possible, particularly the building's façade.*

- (C) *Visual complementation may also include interior décor. Elements of interior décor such as displays of public art, photos or memorabilia of Bloomington or Indiana University, may be considered.*

STAFF COMMENT: This petition meets the criteria for a standardized business, as detailed below in the proposed finding for 20.06.040(d)(6)(B) General Compliance Criteria.

CRITERIA AND FINDINGS FOR CONDITIONAL USE PERMIT

20.06.040(d)(6) Approval Criteria

(B) General Compliance Criteria: All petitions shall be subject to review and pursuant to the following criteria and shall only be approved if they comply with these criteria.

- i. *Compliance with this UDO*
- ii. *Compliance with other applicable regulations*
- iii. *Compliance with Utility, Service, and Improvement Standards*
- iv. *Compliance with prior approvals*

PROPOSED FINDING: The petition complies with the UDO, including the criteria for a standardized business. The proposal involves very little change to the exterior facade along Kirkwood Avenue—only changing the canvas and signage on the existing awning frames. To the extent that the existing building and facade have been part of the established context of Kirkwood Avenue and the greater Courthouse Square area for several decades, the proposal is compatible with and complements this context. The changes to the exterior facade along Washington Street—to install a new accessible ramp—are compatible with the existing character of the district and are desirable for providing better access. The existing building is not of special historic, cultural, or architectural significance. The proposal does not include any elements of interior décor. With conditions related to bicycle parking, the petition will comply with limited compliance standards in the UDO. Improvements in the public right-of-way, including a new accessible ramp and new bicycle parking facilities, are in the process of obtaining approval as right-of-way encroachments in compliance with other applicable regulations. The petition is utilizing an existing building with existing utilities and services and will comply with utility, service, and improvement standards. The petitioner will comply with City of Bloomington Utilities (CBU) regulations for this use. There are no prior approvals for this site that this petition must comply with.

(C) Additional Criteria Applicable to Conditional Uses

- i. *Consistency with Comprehensive Plan and Other Applicable Plans*
The proposed use and development shall be consistent with and shall not interfere with the achievement of the goals and objectives of the Comprehensive Plan and any other applicable adopted plans and policies.

PROPOSED FINDING: This proposal is in line with the goals of the Comprehensive Plan. The Comprehensive Plan identifies this area as “Downtown.” The Downtown district is meant to be a commercial hub that offers a variety of businesses and uses. The proposed retail store is located near other retail and commercial uses, in a building that has historically contained restaurants, retail stores, and customer-oriented office uses. The MD-CS district and standardized business criteria ensures that businesses in this district will maintain the character of the district while still allowing for new growth and development.

- ii. *Provides Adequate Public Services and Facilities*
Adequate public service and facility capacity shall exist to accommodate uses permitted under the proposed development at the time the needs or demands arise, while maintaining adequate levels of service to existing development. Public services and facilities include, but are not limited to, streets, potable water, sewer, stormwater management structures, schools, public safety, fire protection, libraries, and vehicle/pedestrian connections and access within the site and to adjacent properties.

PROPOSED FINDING: Adequate public service capacity exists. Approval from CBU is required before issuance of a building permit for the proposed interior remodel work.

- iii. *Minimizes or Mitigate Adverse Impacts*
1. *The proposed use and development shall not result in the excessive destruction, loss or damage of any natural, scenic, or historic feature of significant importance.*
 2. *The proposed development shall not cause significant adverse impacts on surrounding properties nor create a nuisance by reason of noise, smoke, odors, vibrations, or objectionable lights.*
 3. *The hours of operation, outside lighting, and trash and waste collection shall not pose a hazard, hardship, or nuisance to the neighborhood.*
 4. *The petitioner shall make a good-faith effort to address concerns of the adjoining property owners in the immediate neighborhood as defined in the pre-submittal neighborhood meeting for the specific proposal, if such a meeting is required.*

PROPOSED FINDING: Minor exterior changes are being proposed with this conditional use. The existing lighting is compliant with UDO standards and is typical of a retail use in the downtown area. No nuisance regarding noise, smoke, odors, vibrations, lighting, or hours of operation is found. The proposed signage will be required to meet lighting requirements and sign regulations. No pre-submittal neighborhood meeting is required.

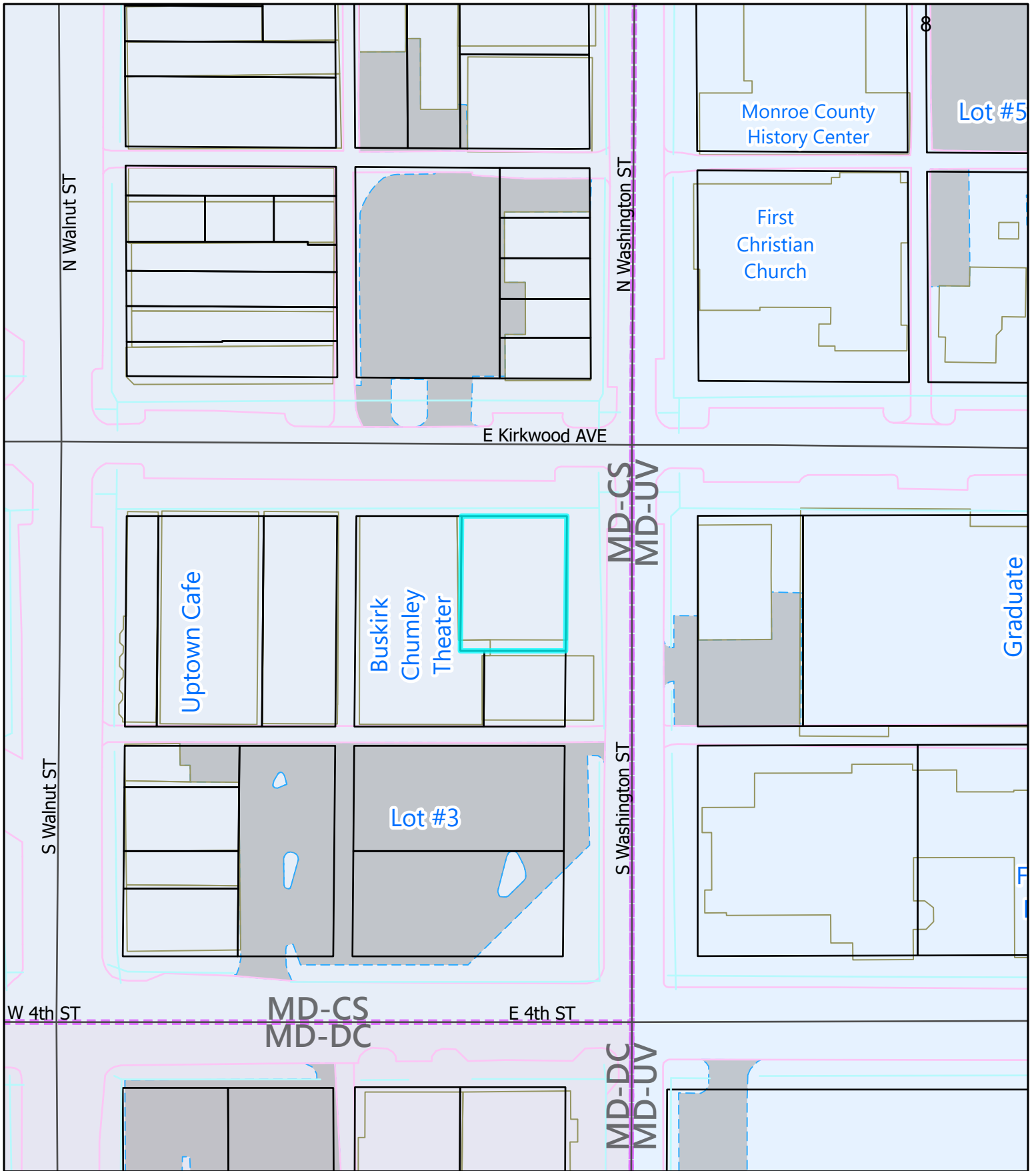
- iv. *Rational Phasing Plan*
If the petition involves phases, each phase of the proposed development shall contain all of the required streets, utilities, landscaping, open space, and other improvements that are required to comply with the project's cumulative development to date and shall not depend upon subsequent phases for those improvements.

PROPOSED FINDING: There is no phasing plan for this proposal.

RECOMMENDATION: Based upon the report and written findings of fact above, the Department recommends that the Hearing Officer adopt the proposed findings and approve CU-07-23 / USE2023-03-0005 with the following conditions:

1. This conditional use approval is limited to the proposed design and use as a standardized business that also meets the definition of small retail sales. No other facade design or use is approved. Minor changes to the facade design, such as refacing of signs or change of sign graphics within the allowed signage area, can be approved as consistent with this conditional use approval, subject to sign standards and other relevant regulations.
2. A sign permit is required, and the design of all exterior signage shall substantially conform to the designs shown in this approval.

Prior to final occupancy, the petition shall provide at least four bicycle parking spaces, compliant with the standards for uncovered Class II short-term bicycle parking facilities, in the public right-of-way within 50 feet of one of the main entrance doors on Kirkwood Avenue or receive a variance from that requirement. The exact location and design of the bicycle parking facilities shall be determined in coordination with the Engineering Department and shall be subject to approval by the Board of Public Works.



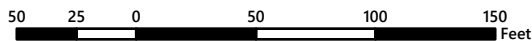
Planning and
Transportation
Department

**City of
Bloomington**



City of Bloomington, IN

124 East Kirkwood Avenue



For use as map information only, information is NOT warranted.

Produced: 3/24/2023



Layout: Location Map_8.5x11
Project: CU-07-23 / USE2023-03-0005



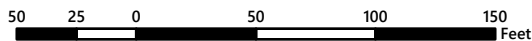
Planning and
Transportation
Department

**City of
Bloomington**



City of Bloomington, IN

124 East Kirkwood Avenue



For use as map information only, information is NOT warranted.

Produced: 3/24/2023



Layout: Context Map_8.5x11
Project: CU-07-23 / USE2023-03-0005

March 5, 2023

Petitioner's Statement for
Alumni Hall Stores LLC
RE: 124 Kirkwood
Bloomington, IN

Alumni Hall Stores is a national retailer of collegiate apparel and gifts founded in 2007 by Mr Jeff Goodfriend and based in Knoxville Tennessee. Alumni Hall now has over 30 stores in 16 states.

This application for a conditional use permit for the property at 124 Kirkwood will be an appropriate occupancy use and provide a valuable addition to the local retail business community creating a traffic draw that will positively impact our neighbors.

With its proximity to the Indiana University campus and the downtown business corridor, Alumni Hall will bring a very desirable and unique shopping experience to residents and tourists alike.

It is our opinion that a retail facility is the best and highest use of this real estate parcel.

We anticipate little or no negative traffic impact as there is an abundance of on street metered parking and private pay lot parking in the immediate vicinity of the building.

Adequate storm drains and established curbs already in place provide appropriate storm drainage, and water runoff capacity.

The one exterior change will be to add a much needed ADA compliant handicap accessible ramp to the side of the building for which we have already begun the process for an encroachment permit with the city engineer.

Exterior signage will be and existing aluminum frame awning recovered with our logo and name painted on canvas in IU colors with no increase in square footage of signage anticipated.

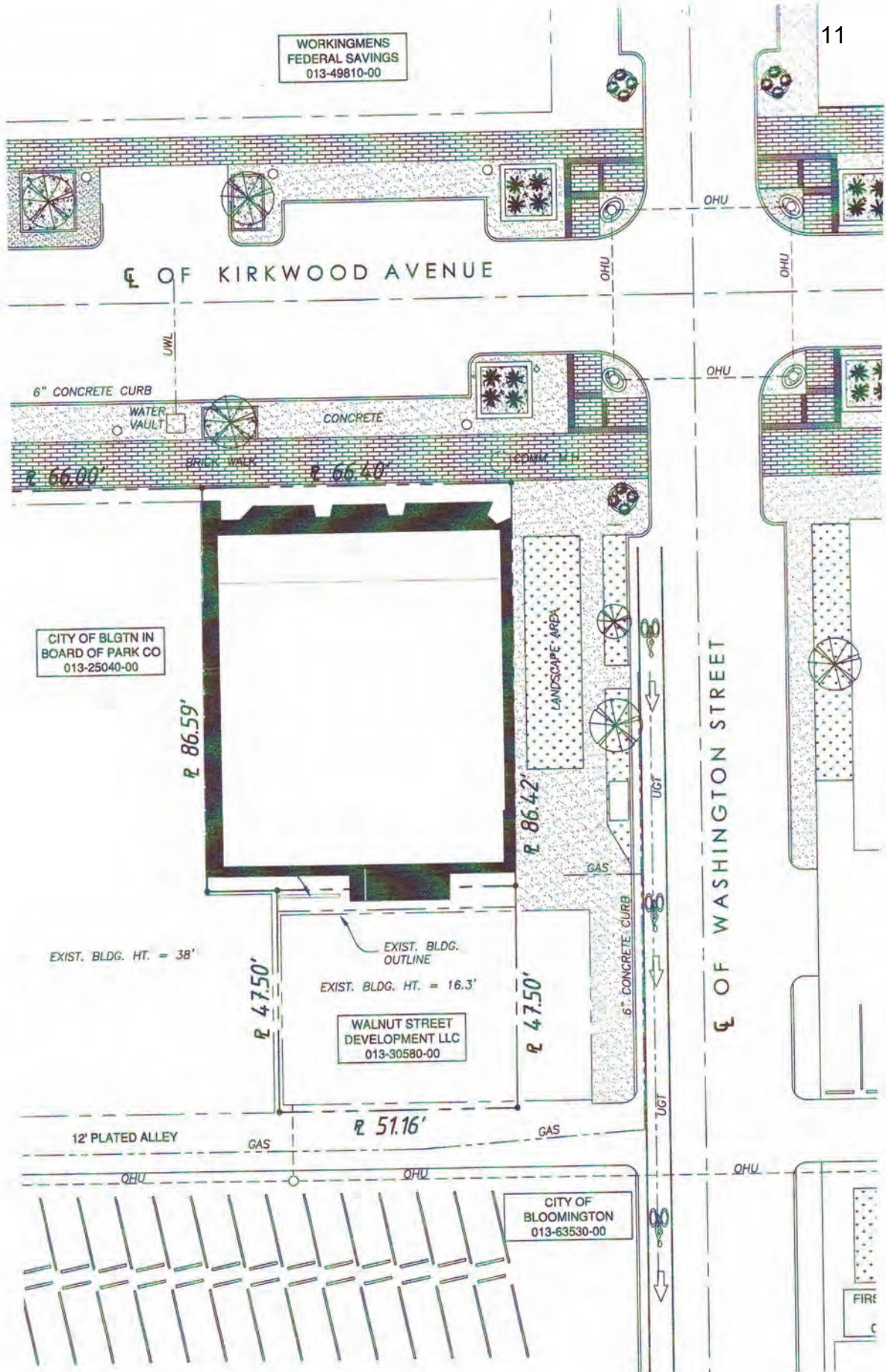
The existing neighbors of this property include a theater and multiple restaurants and other retail facilities.

Alumni Hall is excited to bring our brand to Bloomington and anticipate a great deal of success due to the excellent IU fanbase, student body and their friends and relatives.

Thank you for considering our petition.

Respectfully,
Keith Clark
Construction Manager
Alumni Hall Stores
11217 Outlet Drive
Knoxville TN 37932
859-621-9933
keith@alumnihallstores.com

WORKINGMENS
FEDERAL SAVINGS
013-49810-00



CITY OF BLGTM IN
BOARD OF PARK CO
013-25040-00

WALNUT STREET
DEVELOPMENT LLC
013-30580-00

CITY OF
BLOOMINGTON
013-63530-00

1

EXISTING SITE PLAN

1" = 20'



Existing Facade,
northwest corner



Existing facade,
southwest corner



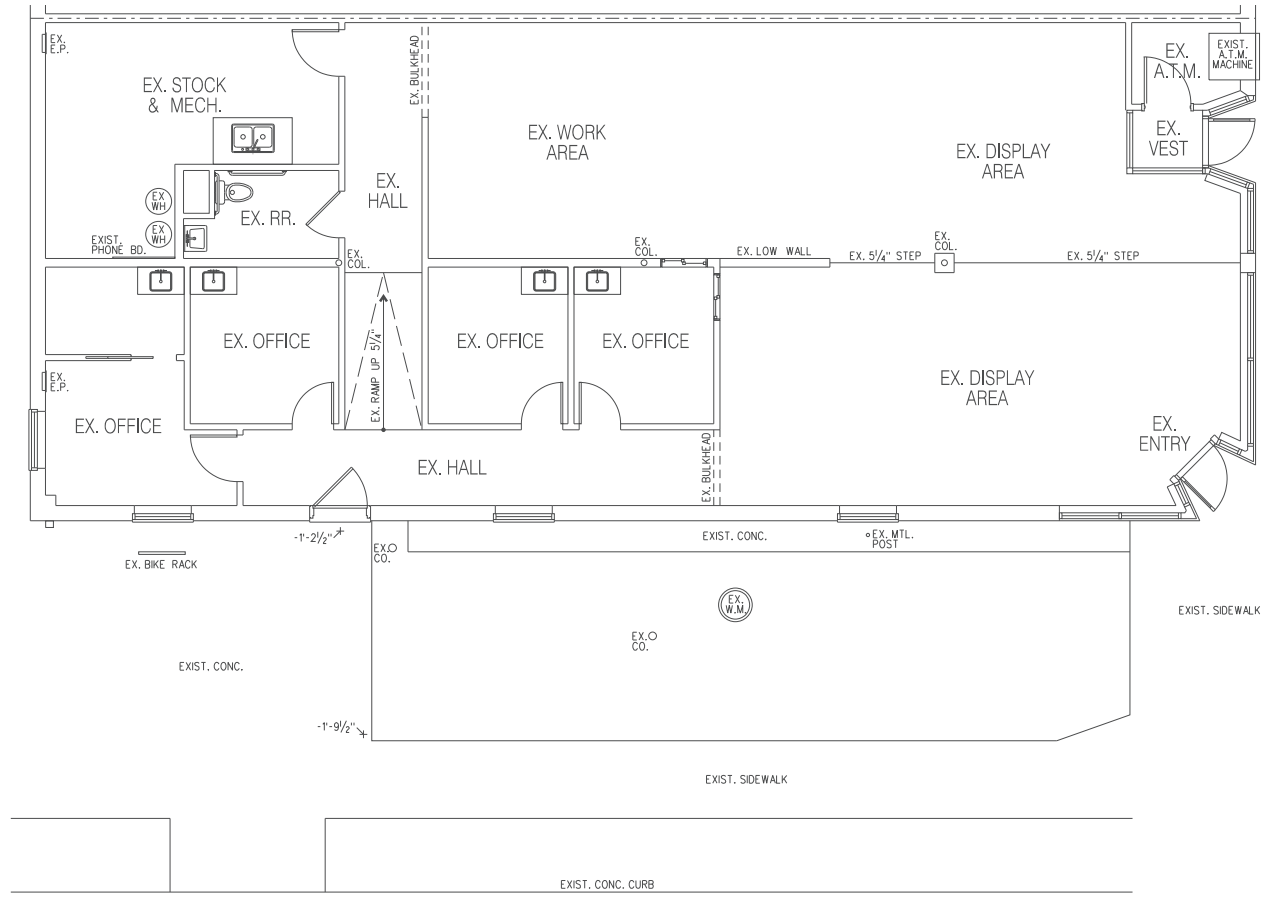
Proposed signage



**2ct 40"x144" illuminated logo and letters on painted backer
40sq ft each - 80sq ft total**



Other existing sign frame to be covered with blank red canvas



EXISTING FLOOR PLAN

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

2,524 s.f.



NORTH

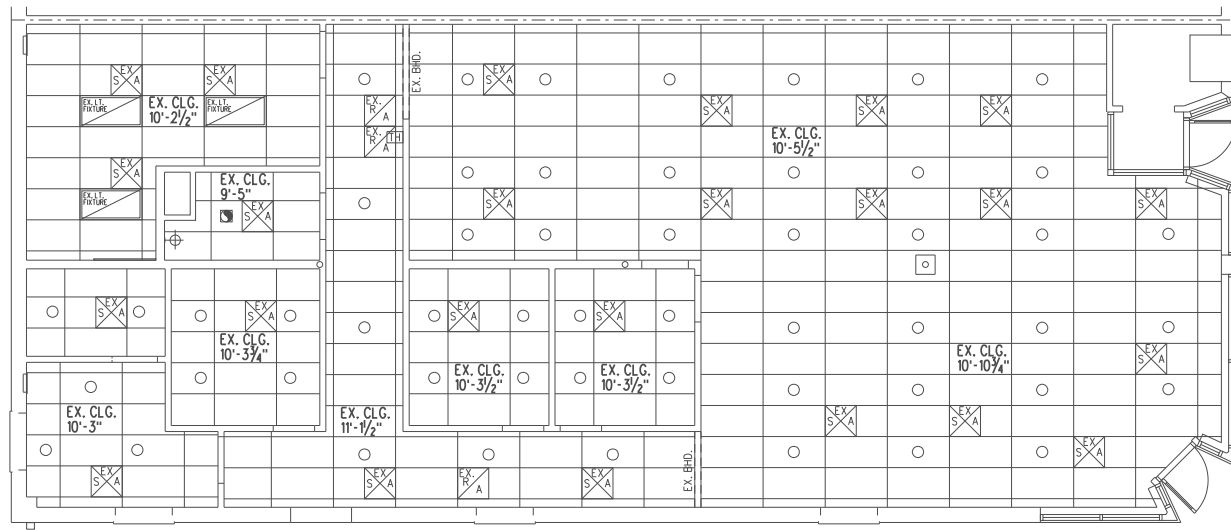
MICHAEL CHAMBLEE
ARCHITECT

1833 COUNTRY CLUB ROAD
NASHVILLE, INDIANA 47448
812-345-2942
michaelchambleearchitect@gmail.com

INTERIOR REMODEL FOR
ALUMNI HALL STORES
BLOOMINGTON, INDIANA
124 E. KIRKWOOD AVE.

EX1

Date: 2/16/23



EXISTING REFLECTED CEILING PLAN

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



INTERIOR REMODEL FOR
ALUMNI HALL STORES
 124 E. KIRKWOOD AVE.
 BLOOMINGTON, INDIANA

MICHAEL CHAMBLEE
 ARCHITECT

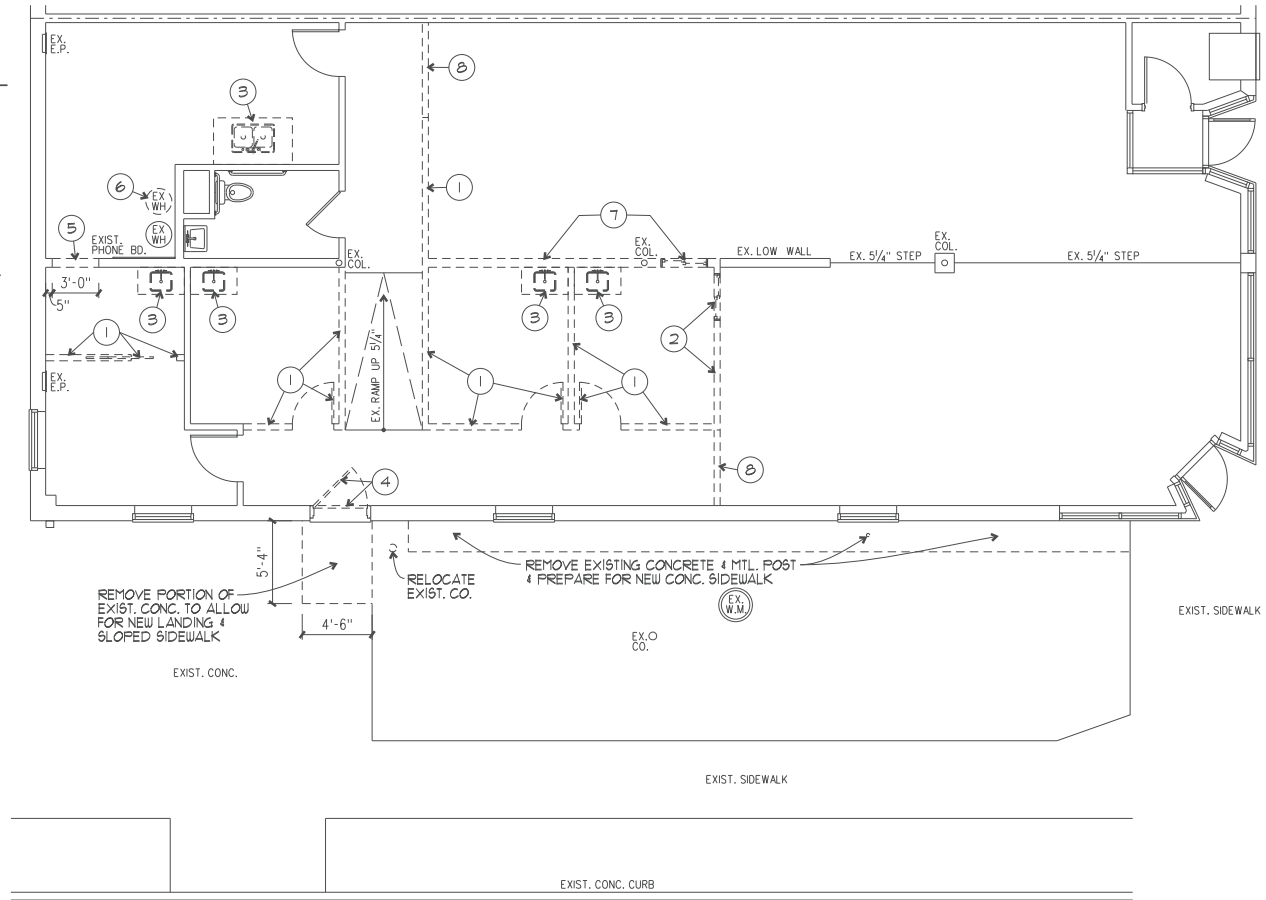
1833 COUNTRY CLUB ROAD
 NASHVILLE, INDIANA 47448
 mtcham@chambleearchitect@gmail.com

EX2

Date: 2/16/23

DEMOLITION NOTES

- ① REMOVE EXISTING WALLS & DOORS & FRAMES & PATCH TO MATCH ADJACENT SURFACES
- ② REMOVE EXISTING WALL & WINDOW & PATCH TO MATCH ADJACENT SURFACES
- ③ REMOVE EXISTING SINK VANITIES & CAP OR REMOVE PLUMBING LINES PER CODE. PATCH TO MATCH ADJACENT SURFACES
- ④ REMOVE EXISTING DOOR & FRAME & TEMP. WALL & PREPARE FOR NEW DOOR & FRAME
- ⑤ REMOVE PORTION OF EXISTING WALL TO ALLOW FOR NEW DRYWALL WRAPPED OPENING. PATCH TO MATCH ADJACENT SURFACES
- ⑥ REMOVE EXISTING WATER HEATER & CAP OR REMOVE PLUMBING LINES PER CODE. PATCH TO MATCH ADJACENT SURFACES
- ⑦ REMOVE EXISTING WALL & WINDOW AS REQUIRED FOR NEW LOW WALL, TO MATCH EXISTING.
- ⑧ REMOVE EXISTING BULKHEAD & PATCH LAY-IN CEILING & GRID PER REFLECTED CEILING PLAN SHEET E1



DEMOLITION PLAN

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



NORTH

MICHAEL CHAMBLEE
ARCHITECT

1833 COUNTRY CLUB ROAD
NASHVILLE, INDIANA 47448
812-345-2942
michaelchambleearchitect@gmail.com

INTERIOR REMODEL FOR
ALUMNI HALL STORES

124 E. KIRKWOOD AVE.
BLOOMINGTON, INDIANA

D1

Date: 2/16/23

**MICHAEL CHAMBLEE
ARCHITECT**

1833 COUNTRY CLUB ROAD
NASHVILLE, INDIANA 47448
michaelchambleearchitect@gmail.com
812-345-2942

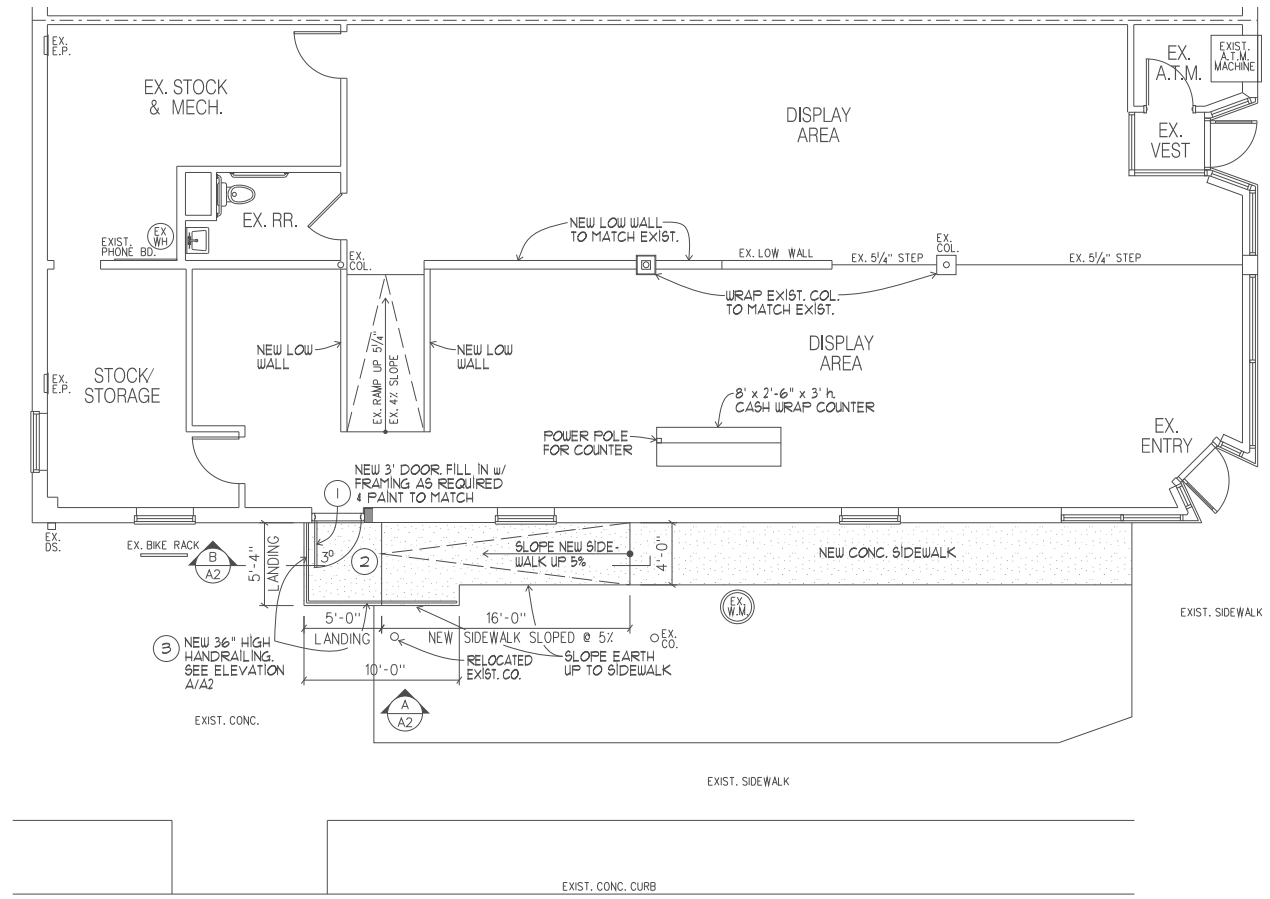
INTERIOR REMODEL FOR
ALUMNI HALL STORES

124 E. KIRKWOOD AVE.
BLOOMINGTON, INDIANA

A1
Date: 2/16/23

PLAN NOTES

- ① EXTERIOR DOOR & FRAME: HOT DIPPED ZINC COATED 18 ga. STEEL DOOR & 1/8 ga. FRAME HARDWARE: PANIC DEVICE & CLOSER
- ② CONCRETE LANDING & SIDEWALK: 4000 psi CONCRETE w/ 6x6 w/3x11x19 W/WF. REINFORCING. INSTALL OVER 6 mil. POLYETHYLENE. APPLY KURE-N-SEAL 30
- ③ ALUMINUM HANDRAILINGS: 1 1/2" dia. PREFINISH w/ POWDER COATED PAINT. INSTALL IN HOLES w/ NON-SHRINK GROUT

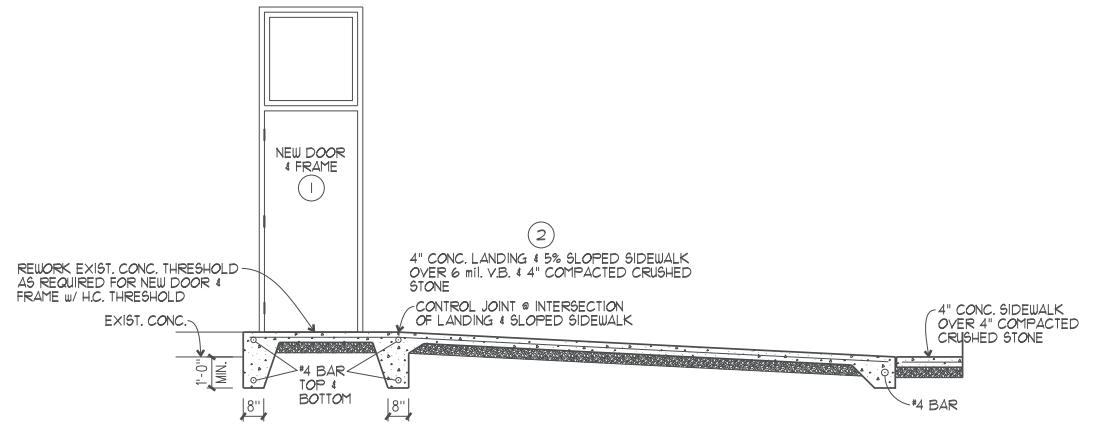


FLOOR PLAN

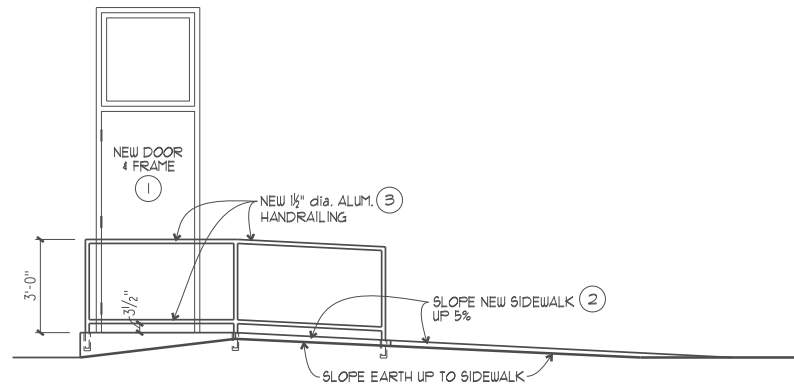
SCALE: 1/8" = 1'-0"

2,524 s.f.





B LANDING/SIDEWALK SECTION
 SCALE: 1/4" = 1'-0"



A HANDRAILING ELEVATION
 SCALE: 1/4" = 1'-0"

MICHAEL CHAMBLEE
 ARCHITECT

1833 COUNTRY CLUB ROAD
 812-345-2942
 NASHVILLE, INDIANA 47448
 michaelchambleearchitect@gmail.com

INTERIOR REMODEL FOR
 ALUMNI HALL STORES
 124 E. KIRKWOOD AVE.
 BLOOMINGTON, INDIANA

A2

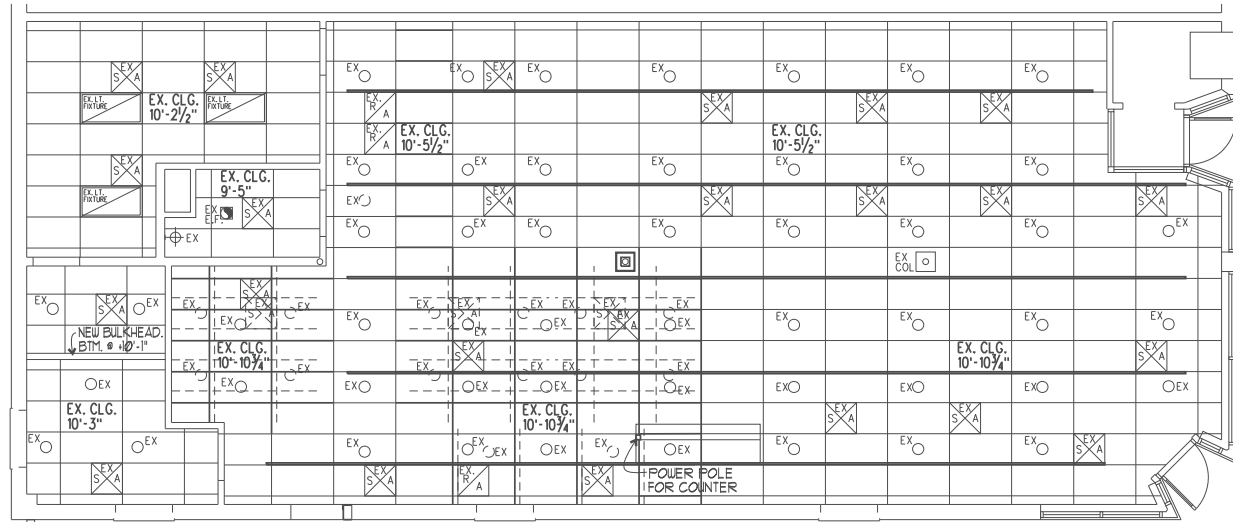
Date: 2/16/23

ELECTRICAL LEGEND

- EX ○ EXISTING LAY-IN DOWNLIGHT, RELOCATE AS SHOWN
- - - - - EXISTING LAY-IN CEILING GRID, REMOVE AS SHOWN
- EX S A EXISTING SUPPLY AIR REGISTER, RELOCATE AS SHOWN
- NEW 6' TRACK LIGHTING, ATTACH TO CEILING GRID w/ TWIST CLIPS
- EX L F EXISTING LAY-IN LIGHT FIXTURE
- EX ○ EXISTING LAY-IN DOWNLIGHT
- ⊕ EX EXISTING WALL MOUNTED LIGHT FIXTURE
- EX F EXISTING EXHAUST FAN
- EX S A EXISTING LAY-IN SUPPLY AIR REGISTER
- EX R A EXISTING LAY-IN RETURN AIR REGISTER

LIGHTING & CEILING NOTES

1. REUSE EXISTING CEILING PANELS AS REQUIRED FOR RELOCATION OF LIGHT FIXTURES & CEILING REGISTERS & EXTENDING OF CEILING LAY-OUT.
2. VERIFY CONDITION OF EXISTING LIGHT FIXTURES & CEILING AIR REGISTERS PRIOR TO REUSE.



REFLECTED CEILING PLAN

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



MICHAEL CHAMBLEE
ARCHITECT

1833 COUNTRY CLUB ROAD
NASHVILLE, INDIANA 47448
812-345-2942
michaelchambleearchitect@gmail.com

INTERIOR REMODEL FOR
ALUMNI HALL STORES
BLOOMINGTON, INDIANA
121 E. KIRKWOOD AVE.

E1

Date: 2/16/23