

# CITY OF BLOOMINGTON



April 26, 2023 @ 2:00 p.m.  
Kelley Conference Room #155 and Zoom

Virtual Link:

<https://bloomington.zoom.us/j/85384995013?pwd=MDVPdWkzTnNLcnBacEVOVW5kN1Nqdz09>

Meeting ID: 853 8499 5013  
Passcode: 344166

**CITY OF BLOOMINGTON**  
**HEARING OFFICER (Hybrid Meeting)**  
**April 26, 2023 at 2:00 p.m.**

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

❖ **Virtual Link:**

<https://bloomington.zoom.us/j/85384995013?pwd=MDVPdWkzTnNLcnBacEVOVW5kN1Nqdz09>

**Meeting ID: 853 8499 5013**  
**Passcode: 344166**

**PETITION MAP:**

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**PETITIONS:**

CU-10-23     **Omega Properties (Springpoint Architects)**  
505 N. Walnut Street, Bloomington, IN 47404  
Request: Conditional use approval to allow a student housing or dormitory use in existing buildings in the Mixed-Use Downtown zoning district within the Downtown Core downtown character overlay (MD-DC).  
Case Manager: Gabriel Holbrow

**\*\*Next Meeting: May 10, 2023**

*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 HEARING OFFICER  
STAFF REPORT  
Location: 505 North Walnut Street**

**CASE #: CU-10-23 / USE2023-03-0008  
DATE: April 26, 2023**

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**PETITIONER/OWNER:** Omega Properties  
115 East 6th Street #1  
Bloomington, IN

**CONSULTANT:** Springpoint Architects  
522 West 2nd Street  
Bloomington, IN

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**REQUEST:** Conditional use approval to allow a student housing or dormitory use in existing buildings in the Mixed-Use Downtown zoning district within the Downtown Core downtown character overlay (MD-DC).

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**REPORT:** The property is located on the west side of North Walnut Street in the Downtown Core downtown character overlay of the Mixed-Use Downtown zoning district (MD-DC). All surrounding properties are also zoned MD-DC and contain multifamily dwelling uses and office uses. The property contains an existing house which is rated as “notable” on the 2018 City of Bloomington Historic Sites and Structures Survey. The house appears to have been built as a single-family dwelling more than a hundred years ago, but has most recently been used as an office for several decades. The property also contains an existing accessory structure in the rear southwest corner of the site that has most recently been used as part of the office use.

The petitioner proposes to create two residential dwelling units on the property by converting the existing house into one dwelling unit with five bedrooms and converting the existing accessory structure into another dwelling unit with one room in a studio or efficiency layout. Because the proposed dwelling unit in the existing house contains five bedrooms, the proposed use meets the UDO definition of the student housing or dormitory use, which is allowed in the MD zoning district by conditional use approval. Despite classification as the student housing or dormitory use, the dwelling units could be occupied by any class of resident and would not be limited to students.

As an establishment of a new use, the proposed project triggers limited compliance for the site and will require staff-level minor site plan approval. Because the existing house is rated as “notable” on the Historic Sites and Structures Survey, exterior modifications that meet the UDO definition of partial demolition would be subject to demolition delay and would require action by the City of Bloomington Historic Preservation Commission; however, the petitioner is not proposing an exterior modifications to the structure at this time. The petition must obtain a rental occupancy permit from the City of Bloomington Department of Housing and Neighborhood Development (HAND) before the dwelling units are occupied.

When considering how this petition aligns with the City of Bloomington Comprehensive Plan for the downtown area, there are several different goals in the plan that lead to conflicting guidance when applied to this particular site. On the one hand, the Comprehensive Plan identifies that “...housing pressure for this district has been strong for multifamily residential that targets Indiana University students [and therefore p]reference towards other multifamily markets, affordable housing units, and owner-occupied housing is necessary to balance the housing

market...” (page 86). The plan also calls for highly restricting surface parking lots, and recommends that ground-floor uses be primarily oriented to uses other than residential, particularly retail and office uses. These aspects of the Comprehensive Plan guide against allowing the student housing or dormitory use, including residential use on the ground floor and a surface parking lot. On the other hand, the Comprehensive Plan recognizes that “[s]pecial attention must be given to the protection, restoration, and/or reuse of historic structures” (page 8) in the downtown area. The existing house is a “notable” historic structure characterized by residential architectural design. A residential use of the house as one dwelling unit is the most consistent with the architectural character of the existing structure. Because the detached single-family dwelling use is not allowed in the MD district, classification as the student housing or dormitory use is the only UDO-compliant way for the existing house to be converted into one dwelling unit without the need for variances. Although continued use as an office or conversion to retail would be more directly in keeping with the Comprehensive Plan’s guidance for ground-floor uses, these uses are less compatible with the historic architecture. Because the surface parking lot is existing, there is nothing in the UDO which would compel the petitioner to remove or reduce the size of the parking lot for office or retail use, so approval for a residential use would not lead to any less restriction on the existing parking lot. Recognizing that classification as the student housing or dormitory use does not limit the possible tenants to students, staff recommends that conditional use approval for this petition does not unnecessarily unbalance the downtown housing market toward students but does allow the protection, restoration, and reuse of the historic residential structure on the property.

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## 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 use-specific standards for the student housing or dormitory use in Section 20.03.030(b)(13). The maximum building floor plate for the student housing or dormitory use in the MD district is 3,000 square feet. According to information from the Monroe County Assessor’s Office, the floor plate of the existing house is 2,131 square feet. The maximum building height for the student housing or dormitory use in the MD-DC character area is 40 feet. The existing house contains two stories and is less than 40 feet in height. Minor site plan approval will ensure that the site meets the limited compliance standards in UDO, which may include minor site improvements for additional landscaping and additional bicycle parking. The proposal does not include any work that is subject to demolition delay. The petition is utilizing existing buildings with existing utilities and services and shall comply with utility, service, and improvement standards. 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 consistent with the goals of the Comprehensive Plan for the downtown area, particularly the recommendation to give special attention to the protection, restoration, and/or reuse of historic structures. Recognizing that classification as the student housing or dormitory use does not limit the possible tenants to students, the proposal does not unnecessarily unbalance the downtown housing market toward students but does allow the protection, restoration, and reuse of the historic residential structure on the property.

- 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 any interior remodel work. The property is adjacent to Bloomington Transit bus route 6, is in close proximity to the 7-line bicycle route, and connects to the extensive sidewalk network in the downtown area. The existing public streets are adequate to manage the vehicle, bicycle, and pedestrian traffic associated with the proposed use.

- 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:** The proposed use does not result in any damage to natural, scenic, and historic feature and in fact preserves the existing historic house. The anticipated noise and waste generation from the proposed use is expected to be typical for two dwelling units and consistent with other residential dwelling units on surround properties and the downtown area generally. No pre-submittal neighborhood meeting is required.

iv. *Rational Phasing Plan*

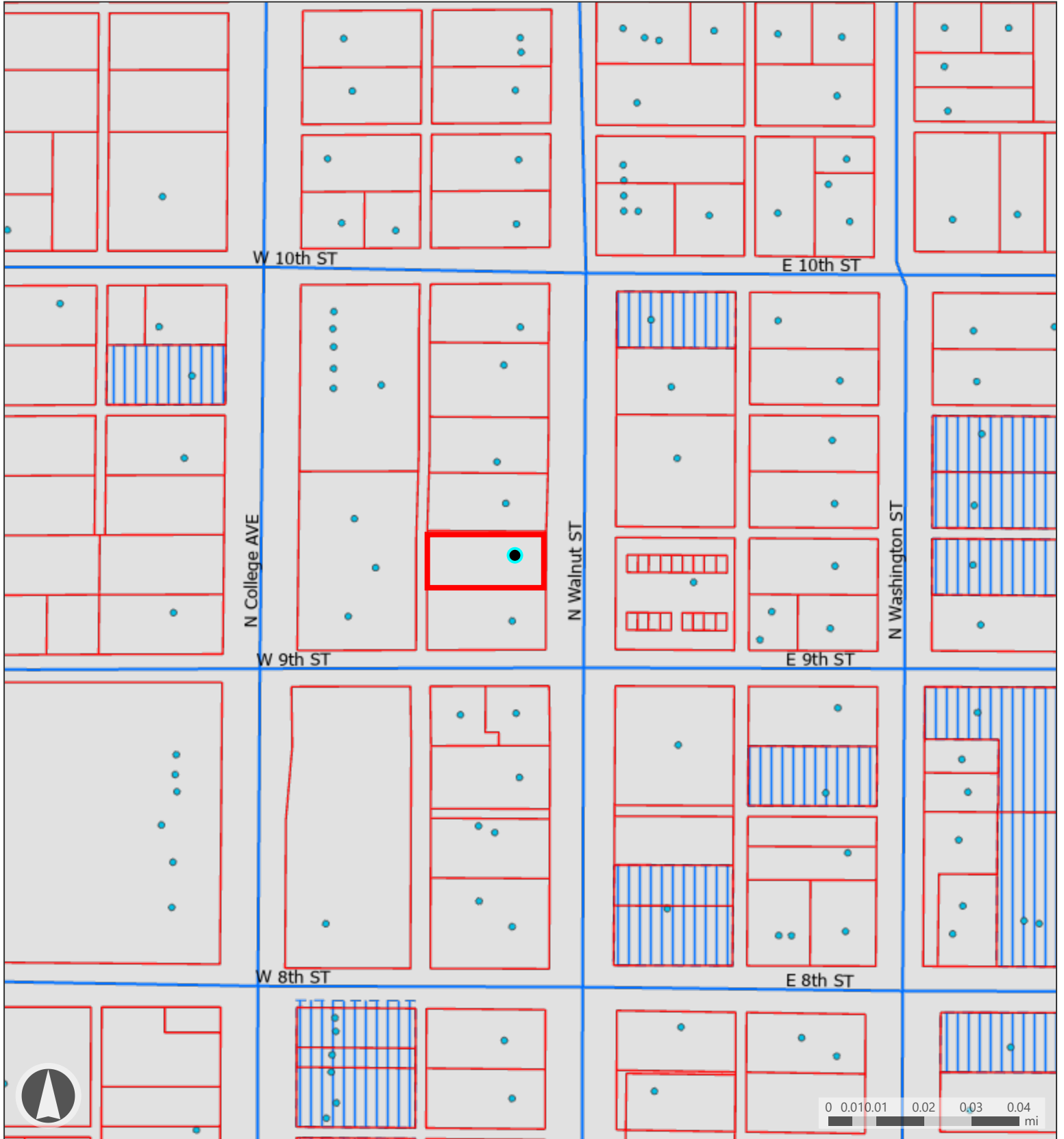
*If the petition involves phases, each phase of the proposed development shall contain all of the required streets, utilities, landscaping, open space, and other improvements that are required to comply with the project's cumulative development to date and shall not depend upon subsequent phases for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

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

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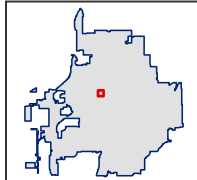
**RECOMMENDATION:** Based upon the report and written findings of fact above, the Department recommends that the Hearing Officer adopt the proposed findings and approve CU-10-23 / USE2023-03-0008 with the following conditions:

1. This conditional use approval is limited to a maximum of one five-bedroom dwelling unit in the existing house and one studio dwelling unit in the existing accessory structure, as proposed in the filing documents.

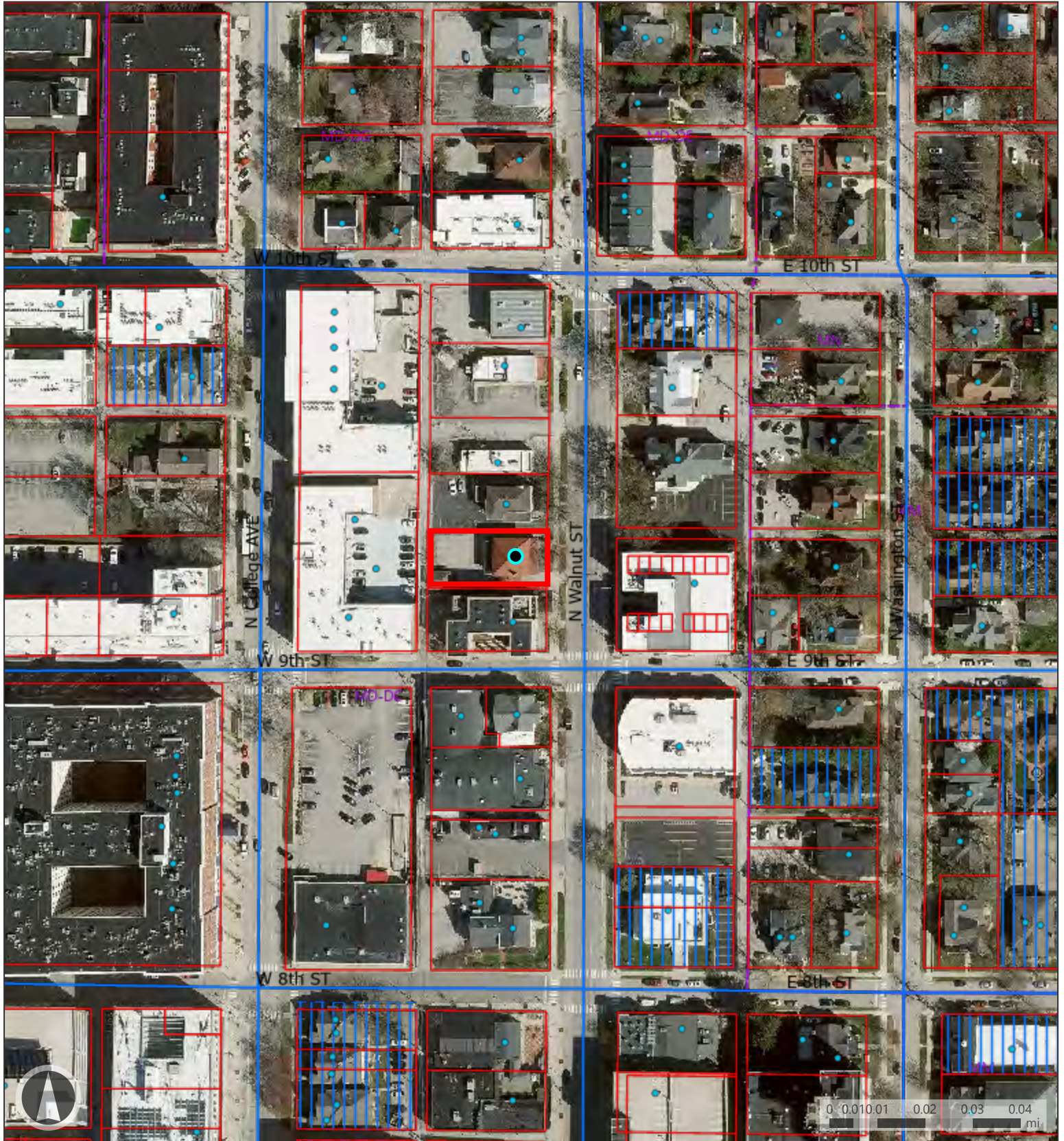


**Map Legend**

- Parcels
- Address Points
- City Maintained Streets
- Zoning District Boundary
- City or Town
- Local Historic Districts

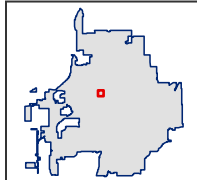






**Map Legend**

- Parcels
- City Maintained Streets
- Zoning District Boundary
- Address Points
- Local Historic Districts







April 3, 2023

Gabriel Holbrow  
 Zoning Planner  
 City of Bloomington  
 401 N. Morton Street  
 Bloomington, IN 47404

Re: Omega Properties 505 N Walnut Street – Conditional Use Approval

Dear Gabriel,

Our client, Omega Properties, has purchased 505 N. Walnut Street which contains a 2,794 square foot, Arts and Crafts style, single-family home, a 353 square foot garage dating from 1980 and a surface parking lot containing eight (8) parking spaces. The house and garage have been used as offices. This project proposes to use the house as a rental home and the garage as a studio apartment. The renovation work will not result in any changes to the exterior of the existing house or garage.

Due to the historic nature of the large house and in the interest of minimizing changes to the architecture, the owner is petitioning for a Conditional Use Approval to utilize the house as one 5-bedroom unit which falls under the use category of ‘Student Housing.’ The lot is zoned Mixed Use Downtown – Downtown Core Character Overlay (MD-DC) and ‘Student Housing’ is a conditional use in this district.

**20.060.040 (B) General Compliance Criteria**

The petition will comply with all applicable standards in the UDO and any other applicable regulations as well as utility, service, and improvement standards. There are no prior approvals of which we are aware that would require further compliance.

**20.060.040 (C) Additional Criteria Applicable to Conditional Uses**

**i. Consistency with Comprehensive Plan and Other Applicable Plans**

The Comprehensive Plan, Chapter 2: Culture & Identity, Goal 2.2 Preservation: ‘Preserve the assets of historical, architectural, archaeological, or social significance,’ speaks to the value of maintaining buildings of architectural significance. 505 N. Walnut is designated as a ‘Notable Structure’ on the SHAARD survey. Notable is defined as having above average importance and, with further research, could be eligible for listing in the National Register of Historic Places.

**ii. Provides Adequate Public Services and Facilities**

The existing downtown property contains a house and garage that are adequately served by utilities and infrastructure. The change in use is not anticipated to create any issues with services or facilities.

**iii. Minimizes or Mitigates 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.** The proposed use and development would minimize damage to the historic character of the house.



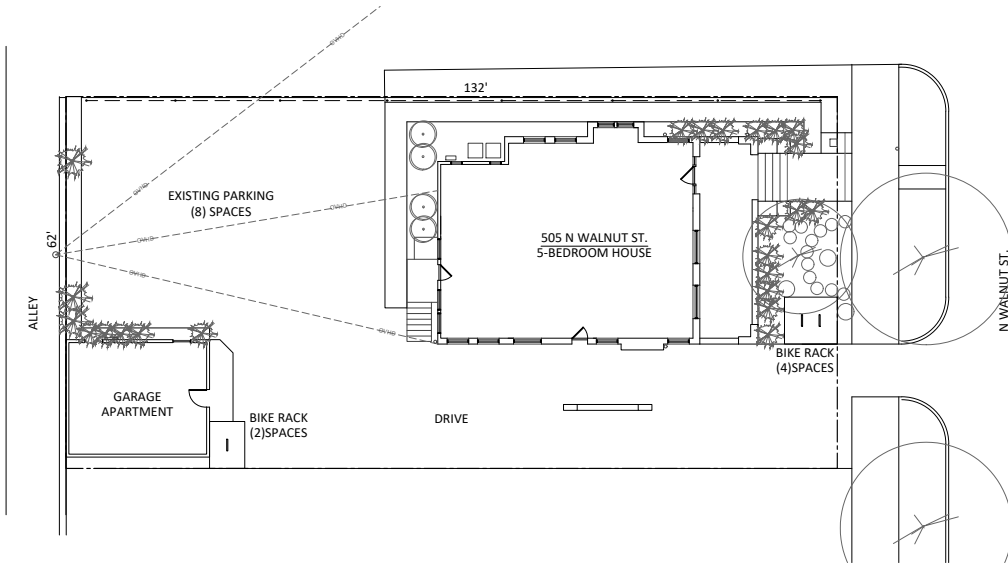
2. **The proposed use and development shall not cause significant adverse impacts on surrounding properties nor create a nuisance by reason of noise, smoke, odors, vibrations, or objectionable lights.** The proposed use and development of 2 units on the property would not create adverse impacts.
  3. **The hours of operation, outside lighting, trash and waste removal shall not pose a hazard, hardship or nuisance to the neighborhood.** There are no hazards, hardships or nuisances to the neighborhood resulting from this use.
  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.** No meeting was required.
- iv. **Rational Phasing Plan.** The petition does not involve phases.

Please don't hesitate to let us know if any further information is needed.

Thank you for your consideration,

A handwritten signature in black ink that reads "Barre Klapper".

Barre Klapper, AIA  
Springpoint Architects, pc



OVERALL  
**A** PLANTING PLAN  
SCALE: 1"=10'-0"  
0 2.5' 5' 10' ↑

**EXISTING PLANT LIST**

KEY	COMMON NAME	QNTY	SIZE
<b>TREES</b>			
	Maple	1	12" CAL
	Dogwood	1	12"H
<b>SHRUBS</b>			
	Arbutus	3	
	Boxwood	20	
	Dogwood	4	
<b>PERENNIALS</b>			
	Hosta	1	
	Daylily	10	
	Fern	3	
	Kort Forester Grass	2	

**GENERAL PLANTING NOTES**

- CONTRACTOR IS RESPONSIBLE FOR VERIFYING UTILITY LOCATIONS PRIOR TO CONSTRUCTION. CALL 811 FOR UTILITY LOCATES.
- CONTRACTOR SHALL VERIFY DIMENSIONS AND LOCATIONS IN FIELD PRIOR TO CONSTRUCTION.
- DAMAGE OCCURRING DURING CONSTRUCTION THAT FALLS BEYOND THE LIMITS OF CONSTRUCTION SHALL BE REPAIRED BY CONTRACTOR TO ARCHITECT APPROVAL.
- EXISTING TREES NOTED ON PLANS TO REMAIN SHALL BE PROTECTED DURING CONSTRUCTION. TREE PROTECTION FENCING SHALL BE LOCATED AT A THREE-FOOT MINIMUM RADIUS SURROUNDING THE DRIPLINE OF THE TREE. NO EQUIPMENT OR SUPPLY STORAGE, EQUIPMENT MOVEMENT, REST OR PICNICKING AREA, OR ANY LAND DISTURBING ACTIVITIES SHALL BE ALLOWED IN THE TREE PROTECTION ZONE.
- MULCH: PROVIDE 2-3" LAYER OF ORGANIC SHREDDED BARK MULCH THROUGHOUT PLANT BEDS UNLESS OTHERWISE NOTED ON PLAN.
- EDGING: BED EDGES SHALL BE SPADED UNLESS OTHERWISE NOTED ON PLAN.
- CONTAINER OR BALL AND BURLAP ARE ACCEPTABLE
- PLANT MATERIALS SHALL CONFORM TO THE REQUIREMENTS DESCRIBED IN THE LATEST EDITION OF THE AMERICAN STANDARD FOR NURSERY STOCK, WHICH IS PUBLISHED BY THE AMERICAN ASSOCIATION OF NURSERMEN. PLANTS SHALL BE NURSERY GROWN.
- THE CONTRACTOR IS RESPONSIBLE FOR FULLY MAINTAINING ALL PLANTING AND LAWN AREAS INCLUDING, BUT NOT LIMITED TO: WATERING, SPRAYING, MULCHING, PRUNING, FERTILIZING, ETC., UNTIL WORK IS ACCEPTED IN FULL BY THE OWNER.
- THE CONTRACTOR SHALL COMPLETELY GUARANTEE ALL PLANT MATERIAL FOR A PERIOD OF ONE (1) YEAR BEGINNING ON THE DATE OF TOTAL ACCEPTANCE. THE CONTRACTOR SHALL PROMPTLY MAKE ALL REPLACEMENTS BEFORE OR AT THE END OF THE GUARANTEE PERIOD.
- THE OWNER/ARCHITECT SHALL APPROVE THE STAKING LOCATION OF ALL PLANT MATERIAL PRIOR TO INSTALLATION.
- ALL DISTURBED AREAS NOT INCLUDED IN LANDSCAPE MULCH BEDS ARE TO BE DEBRIS RAKED AND FINED-GRADED AS NEEDED, THEN MULCH SEEDED (OR SOODED, PER PLAN) AND WATERED UNTIL A HEALTHY STAND OF TURF IS ESTABLISHED.
- ANY PLANT OR OTHER LANDSCAPE MATERIAL SUBSTITUTIONS INSTALLED WITHOUT DESIGNER AND/OR OWNER APPROVAL SHALL BE REPLACED AT CONTRACTOR'S EXPENSE. ALL PLANTS ARE SUBJECT TO THE APPROVAL OF THE OWNER/ARCHITECT BEFORE, DURING AND AFTER INSTALLATION.
- TREES SHALL BE PLANTED TO MAINTAIN A MINIMUM 10' DISTANCE BETWEEN TREE TRUNK AND UTILITY MAINS SUCH AS WATER, SANITARY SEWER, GAS, AND STORM. TREES SHALL ALSO MAINTAIN AN 8' CLEARANCE BETWEEN TREE TRUNK AND STRUCTURES, BUILDING OVERHANGS, WALLS, FENCES, AND OTHER TREES.
- SOIL IN LANDSCAPE AREAS MUST BE A MINIMUM OF 18" DEPTH OF A MIX APPROPRIATE FOR PLANTING AND DRAINAGE.

**MD-DC LANDSCAPE REQUIREMENTS:**

TOTAL SITE AREA = 8,184 SF = .19 AC  
IMP. SURFACING = 7,373 SF = .17 AC  
OPEN SPACE = 811 SF = .02 AC

**STREET TREES:**

--- LARGE DEC. TREE PER 40 LF @ 62 LF = 2 TREES  
--- HAVE = 1 MAPLE, TREE #2 N/A (POSSIBLE UTILITIES IN STREETSCAPE AND LACK OF OPEN SPACE ON SITE)

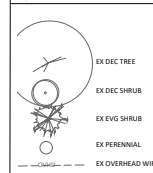
**INTERIOR LANDSCAPE:**

--- 1 DECIDUOUS TREE PER 500 SF = 2 DEC. TREES ON SITE  
--- HAVE = 1 SM DEC TREE, TREE #2 N/A (LACK OF OPEN SPACE ON SITE)  
--- 8 SHRUBS PER 500 SF = 13 SHRUBS (15% PER/GRASS)  
--- HAVE = 27 SHRUBS, 16 PERENNIALS/GRASSES

**PARKING REQUIREMENTS: (8 TOTAL SPACES) N/A**

**BUFFERYARD REQUIREMENTS: N/A**

**LEGEND**



certified

project title

OMEGA PROPERTIES  
**505 N WALNUT RENOVATION**

INDIANA

BLOOMINGTON

project information

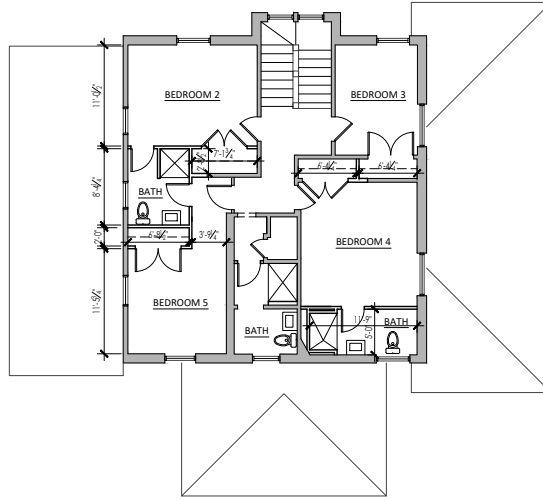
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ISSUE DATE: 04.12.23  
REVISION DATE: --

sheet title

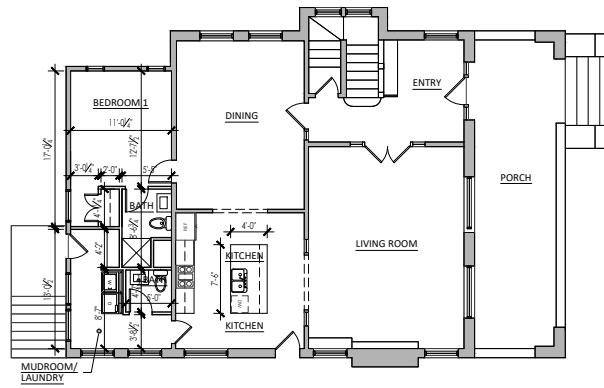
PLANTING PLAN

sheet number

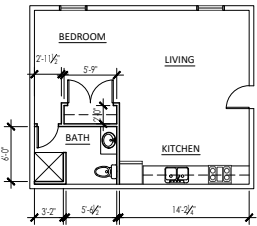
**L101**



**B** SECOND FLOOR PLAN  
SCALE: 1/8" = 1'-0"



**A** FIRST FLOOR PLAN  
SCALE: 1/8" = 1'-0"



**C** GARAGE APARTMENT FLOOR PLAN  
SCALE: 1/8" = 1'-0"

certified

project title

OMEGA PROPERTIES  
505 N WALNUT ST  
RENOVATION

INDIANA

BLOOMINGTON

project information

PROJECT NUMBER: 23-11  
ISSUE DATE: 03.31.23  
REVISION DATE:

sheet title

FLOOR PLANS

sheet number

**A1**