

# CITY OF BLOOMINGTON



September 27, 2023 @ 2:00 p.m.  
Kelley Conference Room #155 and Zoom

Virtual Link:

<https://bloomington.zoom.us/j/88225451589?pwd=SkQxQmQvTnBXc202M0ZPano1eW9rdz09>

Meeting ID: 882 2545 1589  
Passcode: 897298

**CITY OF BLOOMINGTON  
HEARING OFFICER (Hybrid Meeting)  
September 27, 2023 at 2:00 p.m.**

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

❖ **Virtual Link:**

**<https://bloomington.zoom.us/j/88225451589?pwd=SkQxQmQvTnBXc202M0ZPano1eW9rdz09>**

**Meeting ID: 882 2545 1589**

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**Petition Map: <https://arcg.is/1P84u8>**

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**PETITIONS:**

**CU-29-23**

**Tracy Gates**

615 N. Fairview St

Parcel: 53-05-32-100-008.000-005

Request: Conditional use approval to allow a “food production or processing use” in the Mixed-Use Medium Scale (MM) zone.

*Case Manager: Katie Gandhi*

**\*\*Next Meeting: October 11, 2023**

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**BLOOMINGTON HEARING OFFICER  
STAFF REPORT****CASE #: CU-29-23 / USE2023-09-0027  
DATE: September 27, 2023****LOCATION:** 615 N Fairview St Suite #5 (parcel #53-05-32-100-008.000-005)

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**PETITIONER:** Tracy Gates  
105 N College Ave  
Bloomington, IN 47402**OWNER:** Matt Murphy  
P.O. Box 1  
Bloomington, IN 47402

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**REQUEST:** Conditional use approval to allow a food production or processing use in the Mixed-Use Medium Scale (MM) zoning district.

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**REPORT:** The property is located at the southwest corner of the intersection of North Fairview Street and West Amy Robinson Drive in the Mixed-Use Medium Scale zoning district (MM). The property is a mixed-use, multi-tenant space containing commercial uses.

Surrounding properties consist of a variety of uses and zoning districts. To the north is the B-line Trail and commercial uses also zoned MM. To the east is Mixed-Use Downtown Showers Technology (MD-ST) district with a variety of industrial and commercial uses. A Parks and Open Space (PO) district with Rev. Ernest D Butler Park lies immediately south and west of the property.

Tracy Gates, owner of Inkwel Bakery & Café, is petitioning on behalf of Inkwel to allow the food production/processing use in the MM zoning district. Inkwel will lease and occupy a 908 square foot tenant space (ground floor and loft space) in the multi-tenant building at 615 N Fairview Street. Inkwel's coffee roasting operation will not be open to the public; they will use the space strictly to roast coffee beans for use in their cafes and package them for distribution to their retail locations. One (1) to three (3) staff will use the property and operate the machinery during normal business hours. Inkwel will use a Diedrich IR-12 Coffee Roaster, which contains infrared gas burners and heat exchange technology.

Inkwel's use of this space meets the definition of the food production or processing use from the [Allowed Use](#) Table of the City of Bloomington Unified Development Ordinance (UDO) [BMC 20.03.020], which, if located in the MM zone, requires conditional use approval and is subject to use specific standards.

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**CRITERIA & FINDINGS**

**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 proposed use of the property is permitted with conditional use approval in this zoning district. No site improvements are required alongside this conditional use approval. The City of Bloomington Utilities Department (CBU) conducted an initial review of this project and waived the requirement for the installation of a grease receptor as long as this operation remains closed to the public and does not offer food service or coffee bar. There are no changes to the exterior of the building that are proposed with this use. CBU will conduct their own review of the plumbing in this tenant's space.

**20.06.040(d)(6) Approval Criteria (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 supports the establishment of local business opportunities and local production, such as Inkwell Bakery and Café and their proposed coffee roasting business, which offer job opportunities and help to recirculate money within the community. The location of the proposed food production and processing use adjacent to Downtown zoning districts allows a short commute to some of the commercial locations that it serves. The proposed food production and processing use does not fully align with the Mixed Use Residential designation in the Comprehensive Plan, but is a reuse of an existing multitenant center.

- 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, storm water 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. The existing site contains vehicle and bicycle parking for employees. There is direct exterior access from the tenant space.

- 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:** No destruction, loss, or damage of any natural, scenic, or historic features is found. No nuisance regarding noise, smoke, odors, vibrations, lighting, or hours of operation is found. One (1) to three (3) staff will use the site and operate the machinery during

normal business hours. The coffee roaster contains a cyclone for coffee bean chaff collection/management and catalytic oxidizer to eliminate smoke and odor prior to exhaust. Some noise will be produced by the coffee roaster but it will not extend beyond the site. No pre-submittal neighborhood meeting was required for this petition. Adjoining property owners were notified about this petition by both mailing notice and signage placed on the property.

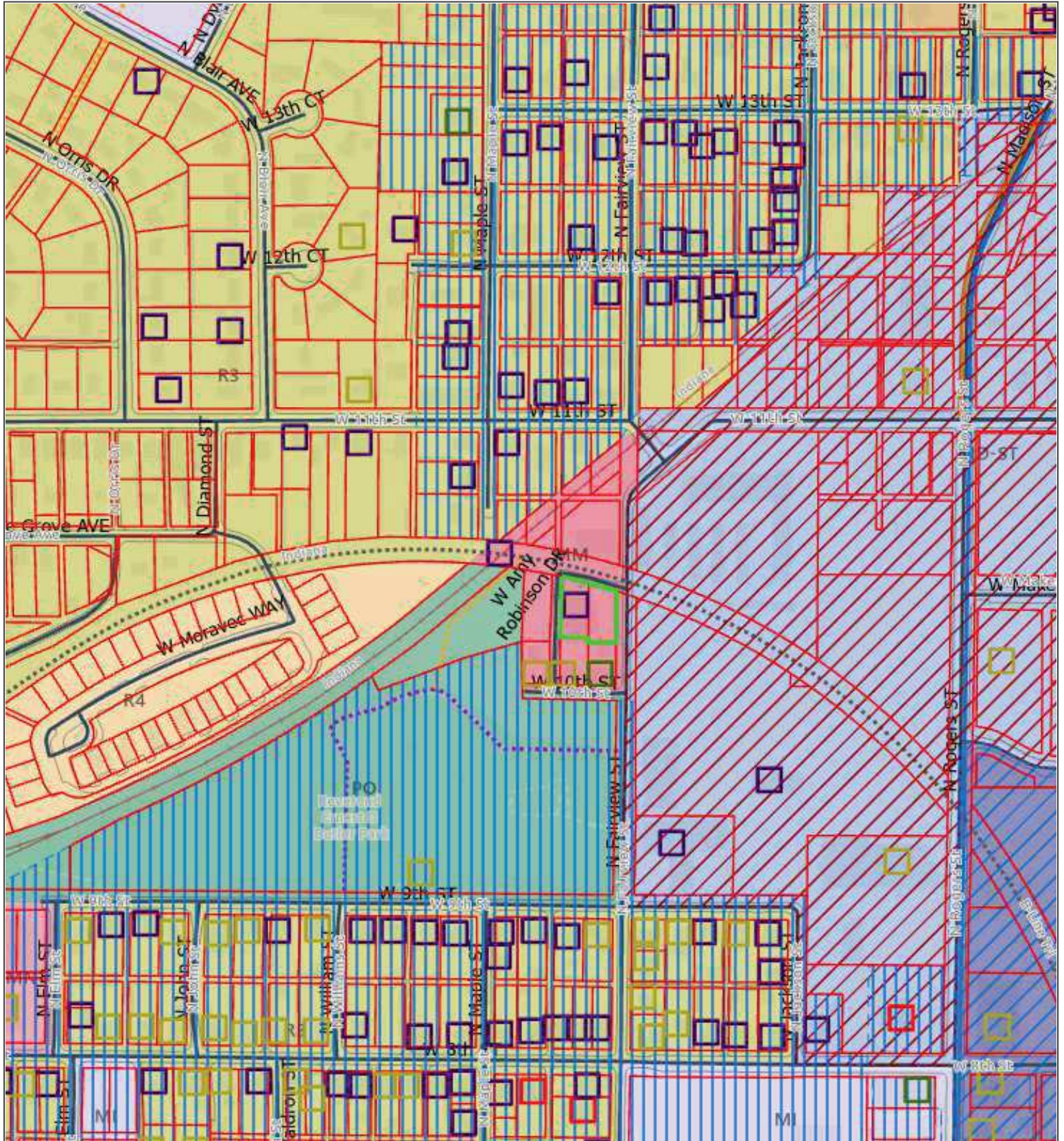
- iv. *Rational Phasing Plan - If the petition involves phases, each phase of the proposed development shall contain all of the required streets, utilities, landscaping, open space, and other improvements that are required to comply with the project's cumulative development to date and shall not depend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

**PROPOSED FINDING:** There is no phasing plan for this proposal. The petitioner will be utilizing an existing tenant space and all work will be completed at one time.

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**RECOMMENDATION:** The Department recommends that the Hearing Officer adopt the proposed findings and approve CU-29-23 / USE2023-09-0027 with the following conditions:

1. This Conditional Use approval is for the proposed use only, as described above and in the packet.
2. City of Bloomington Utilities Department (CBU) must review and approve the plumbing plans before a Conditional Use Permit will be issued.
3. If there is a change in the name of the business, the owner, plumbing system, or business processes related to the initiation of serving coffee or food, the City of Bloomington Utilities Department must be contacted, so that review for a grease interceptor meeting Bloomington Municipal Code 10.17 can commence.



**Historic Sites & Structures Survey 2018**

- Outstanding
- Notable
- Contributing
- Non-Contributing

**Parcels**

- Parcels
- 

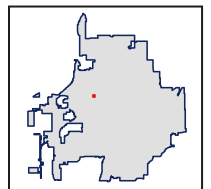
**Downtown Overlay District**

**Zone Code**

- Courthouse Square
- Downtown Core
- Downtown Edges
- Downtown Gateway
- Showers Technology
- University Village

**Districts**

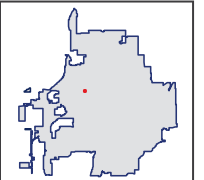
**Local Historic Districts**





Map Legend

- Addresses
- ▭ Parcels



## Petitioner's Statement

### Inkwell Bakery & Cafe

Inkwell is petitioning for a conditional use permit to allow a food production/processing use in the MM zone with the property address of 615 N. Fairview Street, Suite 5, Bloomington, IN. The space is an open lofted with 400 SF on the first floor and 508 SF in the loft.

The location is set near the Bloomington B-Line Trail and in a neighborhood that has a garage across the B-Line that doesn't seem to have much activity, a scrap metal processor across the street on Fairview, and a former lumber yard that now is a dog kennel across the B-line and street on 11th Street. There are two (2) residences south on Fairview and across a creek from the houses (and south on Fairview) is Revenue Butler park. The property has a large parking lot in front of and behind the property which also backs up to woods.

### Planned Use of the Property

Inkwell will be roasting specialty coffee and have company offices at this location. We will be using a Diedrich IR-12 Coffee Roaster, which is the same brand and model of coffee roaster that is used at Needmore Coffee on Pete Ellis Drive. We will **not** be open to the public. There will be 1-3 staff using this location during normal business hours.

Our production will be centered around roasting coffee beans for use in our cafes and to also sell in our shops. We will roast the beans, package them and then deliver to our locations.

I have contacted CBU and we will not be required to have a grease interceptor because we are not serving anything to the public. *(See attached note from CBU)*

Our employees will either drive or bicycle to work and will use the designated parking in the lot and bike rack belonging to the location.





This is the Diedrich IR-12 Roaster. This particular one is in use at Needmore Coffee on Pete Ellis Drive.



This is the street view of 615 N. Fairview as well a view of the access to the rear parking lot and a view from the B-Line Trail. Suite 5's location is at the entry door that is open.



These are the commercial properties that are immediately adjacent to 615 N. Fairview. Note that behind the overgrowth of trees and bushes is the scrap metal processing facility.



Tracy Gates &lt;bigtgates@gmail.com&gt;

## Grease Interceptor Exception for Coffee Roastery

**Carson Swofford** <carson.swofford@bloomington.in.gov>

Tue, Sep 12, 2023 at 8:53 AM

To: "bigtgates@gmail.com" <bigtgates@gmail.com>

Cc: Jason Wenning <jason.wenning@bloomington.in.gov>

Hello Tracy,

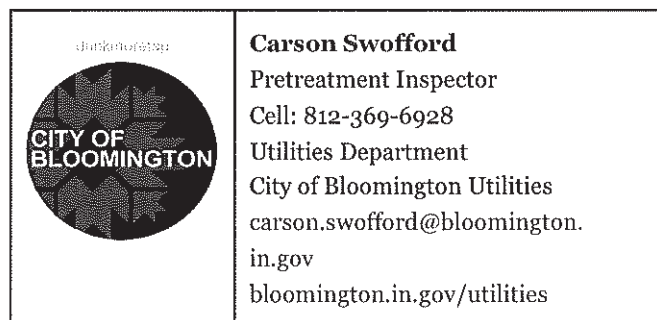
Thank you for reaching out to me this morning about your coffee roastery and explaining some of the details to me. Because this is an existing building renovation, there will be no food service, no coffee bar, and no public access for the coffee roastery, I am going to waive the requirement for the installation of a grease interceptor. While this will be a commercial facility, it does not meet our definition of a food service establishment.

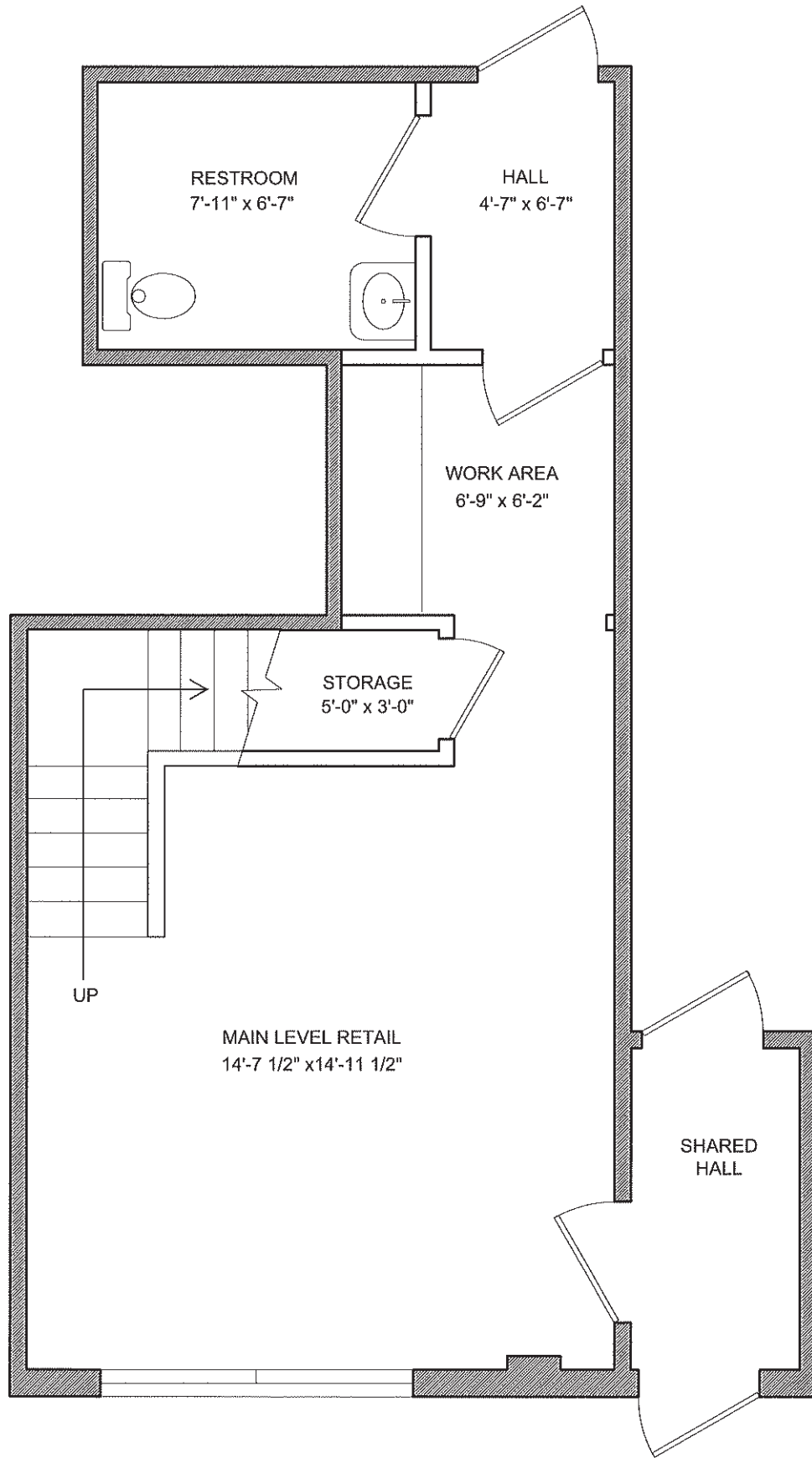
Although you are currently exempt from the grease interceptor requirement if there is a change in business process, such as serving coffee or food, the installation of a grease interceptor meeting Bloomington Municipal Code 10.17 will be required. The grease interceptor requirement will also need to be reviewed if there are ever any business name changes, change of ownership, or plumbing changes.

When plans are submitted to the City of Bloomington Utilities I will still need to review plumbing plans. If I have any questions I will reach out to you. I will make note of it when we review the plans, but I will also need to do a walkthrough inspection of the location once all the plumbing is complete and prior to opening.

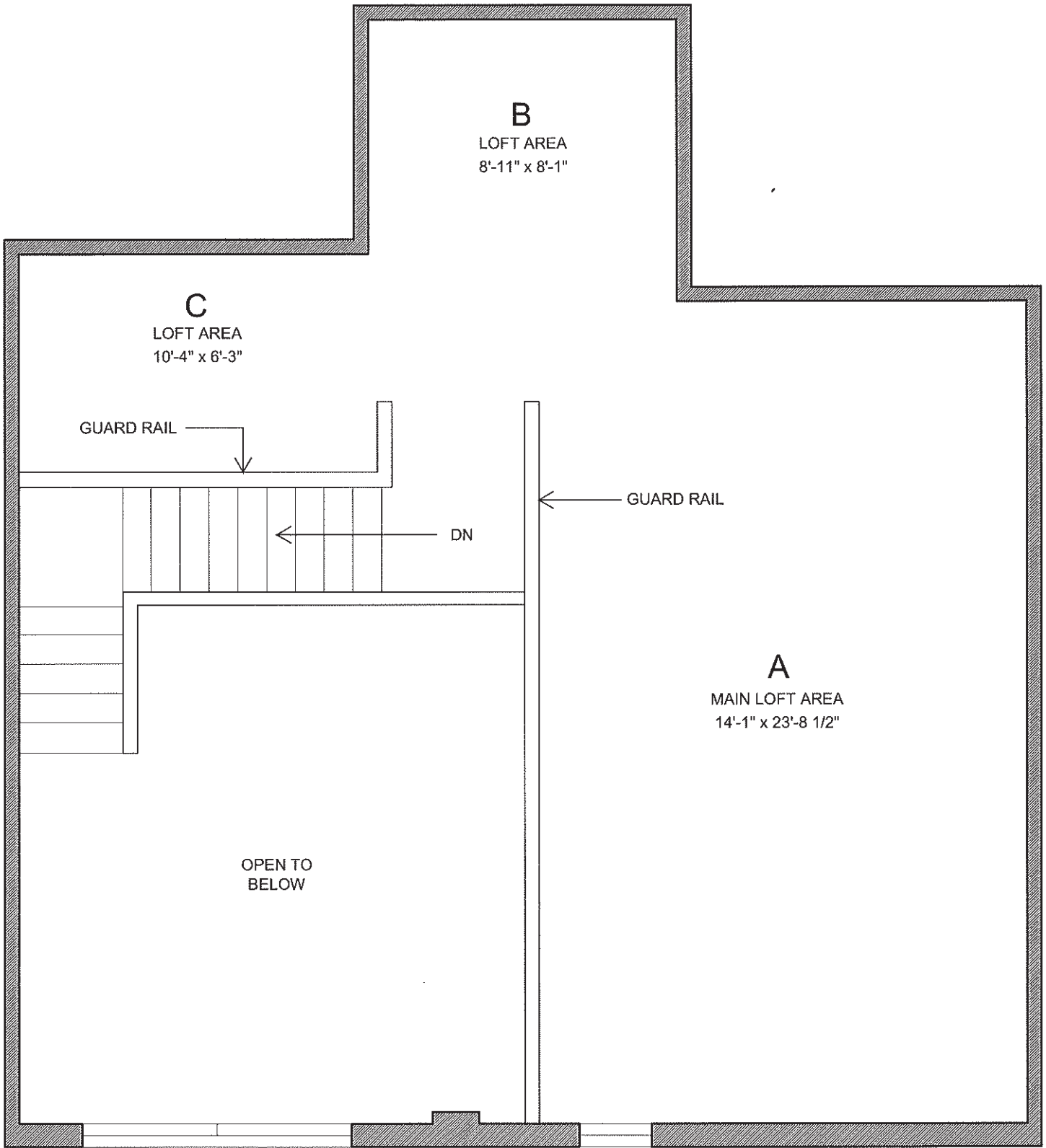
If you or anyone else has questions regarding this email please contact me.

--Best,  
Carson Swofford





MAIN LEVEL TOTAL AREA = 400 SF



LOFT TOTAL AREA = 508 SF