

BZA minutes are transcribed in a summarized manner. Video footage is available for viewing in the (CATS) Audio-visual Department of the Monroe County Public Library at 303 E. Kirkwood Avenue. Phone number: 812-349-3111 or via email at the following address: moneill@monroe.lib.in.us

The Board of Zoning Appeals (BZA) met on December 21, 2023 at 5:30 pm; a hybrid meeting was held both in the Council Chambers, located in Room 115, at 401 N. Morton Street, City Hall – Bloomington, IN 47404 and remotely via Zoom. Members present in the Council Chambers: Flavia Burrell, Nikki Farrell, and Barre Klapper

APPROVAL OF MINUTES:

REPORTS, RESOLUTIONS, COMMUNICATIONS: Jackie Scanlan, Development Services Manager, wanted to let the board know that this will be the last Board of Zoning Appeals meeting under our current director, Scott Robison. Thank you, Scott for all you've done.

PETITIONS CONTINUED TO: January 18, 2024

- AA-17-22 **Joe Kemp Construction & Blackwell Construction** – Summit Woods (Sudbury Farm Parcel O) W. Ezekiel Drive – Administrative Appeal of the Notice of Violation (NOV) issued March 25, 2022. Case Manager: Jackie Scanlan

PETITIONS:

V-43-23 **Bryan Rental Inc., & Crane of Indiana, LLC**
123 S. Kingston Drive
Parcel: 53-05-35-300-020.000-005
Request: Variances from UDO standards for number of drives, drive entrance width, parking lot drainage, bicycle parking standards, and landscaping to allow the reuse of an existing building in the Mixed-Use Corridor (MC) zoning district. Case Manager: Gabriel Holbrow

Gabriel Holbrow, Case Manager, presented the staff report. The Department recommends that the Board of Zoning Appeals adopt the proposed findings and deny the requested variances.

Mike Carmin, Academy Sports Representative, requested that the petitioner's presentation time be extended to 35 minutes. Klapper agreed to 30 minutes.

Burrell made a motion to extend the time for the petitioner to 30 minutes. Farrell seconded. Motion passes.

Jeffrey Gould, Crane of Indiana, presented background on the reason for the requested variances.

John Kraniak, Academy Sports, wanted to reiterate their commitment to Bloomington.

Carmin proposed their own findings of fact.

Daniel Butler, Civil Engineer, discussed the notches in the islands.

David Kamen, Bryan Rental Inc., presented background of the site and the reason for the requested variances.

Eric Kamen, Bryan Rental Inc., stated they have worked very hard with Planning, Academy Sports, and their attorney to get down to 4 variance requests.

PUBLIC COMMENT:

Brian Waltz stated he is a civil engineer by profession. He is in favor of the requested variances.

Tom Orman, stated the petitioner was misled when applying for a building permit. Orman spoke in favor of this petition.

Craig Calvin, Monroe County resident, spoke in favor of this petition said this site needs 3 entrances.

Lisa Kamen, read a letter from Steve Akers, who is a Park Ridge Resident who couldn't attend the meeting. Akers is in favor of this petition and hopes the board approves the variances.

Dustin Taylor, local contractor, spoke in favor of the petition. He agrees on the 3 entrances. He doesn't believe the covered bicycle parking is a good solution.

Dave Harstad, spoke in support of this petition. He is in favor of the 3 entrances. He doesn't see the reasoning behind a covered bicycle shelter. He also complained about the timing of this whole process.

Rajesh Patel, spoke in favor of this petition. He also was in favor of the 3 entrances.

William Arnold, a Dentist whose office faces this site said going down to 2 entrances will be a nightmare for him given the size of Academy Sports and the traffic pattern.

BACK TO BZA:

Discussion ensued with the board regarding the requested variances and how they will vote on them.

Burrell made a motion to approve the variance to allow the 3 driveway entrances to remain based on the findings of fact presented by Mr. Carmin with condition 1 listed below. Approval of the variance related to width of the northern driveway only with condition 1 listed below based on the findings of fact presented by Mr. Carmin. Deny the variance request related to width of the two southern driveways based on the findings of fact in the staff report. Approval of the storm water drainage variance with the conditions listed below based on the modified findings of fact. Deny the bicycle parking variance based on the findings of fact in the staff report. See the following conditions:

1. This variance is approved for the specific site plan and use, as submitted, with modifications required by this decision.
2. Existing islands that are not being modified do not have to meet the storm water requirements in the UDO.
3. Any new or modified islands must meet the storm water requirements in the UDO.

Farrell seconded. Motion passes by roll call – 3:0.

V-44-23 **Bailey 8, LLC**
200 E. Kirkwood Avenue
Parcel: 53-05-33-310-227.000-005
Request: Variance from height standards to allow an addition to an existing building in the Mixed-Use Downtown (MD) within the University Village Overlay (UVO) District. Case Manager: Eric Greulich

Greulich presented the staff report. The department recommends that the Board of Zoning Appeals adopt the proposed findings and approve V-44-23 with the following conditions:

1. This approval is for the submitted building elevations and hotel use as proposed only.
2. Petitioner must submit the required linkage study for the use of the Affordable Housing incentives.
3. Site plan and grading permit approval are required prior to any site disturbance.
4. Any proposed changes to the existing on-street parking must be approved through changes to Title 15 and are not approved with this variance petition.

Tim Cover, Studio 3 Design, expanded on the background of this project and is excited to bring this project to Bloomington.

Burrell made a motion to approve V-44-23. Farrell seconded. Motion passes by roll call – 3:0.

Meeting adjourned 8:09 P.M.