CITY OF BLOOMINGTON HEARING **OFFICER**

July 26, 2017 @ 2:00 p.m. CITY HALL -KELLY CONFERENCE ROOM #155

*Kelly Conference Room #155

PETITIONS:

• CU-17-17

Danny Boy Draft Works (Kevin Paul) 208 S. Dunn St. Request: Conditional use approval to allow a standardized business in the Commercial Downtown (CD) zoning district.

Case Manager: Eric Greulich

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HEARING OFFICER **Next Meeting Date: August 9, 2017** Filename: I:\common\developmentreview\hearingofficer\agendas\HO-agenda July 26, 2017

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***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>.

BLOOMINGTON HEARING OFFICER STAFF REPORT Location: 208 S. Dunn St

CASE #: CU-17-17 DATE: July 26, 2017

PETITIONER:	Danny Boy Draft Works
	208 S. Dunn Street

REQUEST: The petitioner is requesting conditional use approval to allow a standardized business within the University Village Overlay in the Commercial Downtown district.

STAFF REPORT: This property is located at 208 S. Dunn Street and is within the University Village Overlay (UVO) District of the Commercial Downtown (CD). Surrounding land uses include several restaurants to the west and north, a mixed-use building (Colstone Square) to the south, and an IU office building and single family residence to the east. The property was recently developed with a two-story, mixed-use building that was approved under SP-02-16. The petitioner is proposing to move into one of the tenant spaces and is requesting conditional use approval to allow standardized business, "Danny Boy Draft Works", at this location.

The UDO lists Standardized Businesses as a conditional use in the University Village Overlay District and a conditional use approval is required for the use to be permitted.

The UDO defines a Standardized Business as:

Any type of commercial establishment, not including business/professional offices located above the ground floor and any commercial businesses located in such a manner as to be devoid of any building frontage which is visible to a street, located in the Courthouse Square Overlay and University Village Overlays, which are required by contractual or other arrangement or affiliation to offer or maintain standardized services, merchandise, menus, employee uniforms, trademarks, logos, signs, or exterior design.

The Planning and Transportation Department determined that the proposed Danny Boy Beer Works is a Standardized Business based on the following facts:

- Danny Boy Beer Works has another location in Carmel and a Danny Boy Draft Works in Notre Dame that shares the same name, logos, products, and signage.
- The proposed location will sell the same types of merchandise as the other location, thus meeting the "....maintain standardized services, merchandise....and logos" aspect of the definition.

CRITIERIA AND FINDINGS

20.05.023 Standards for Conditional Use Permits

No Conditional Use approval shall be granted unless the petitioner shall establish that the standards for the specific Conditional Use are met and that the following general standards are met.

1. The proposed use and development must be consistent with the Growth Policies Plan and may not interfere with the achievement of the goals and objectives of the Growth Policies Plan;

Recommended Finding: The Growth Policies Plan identifies this area as "Downtown." The use of the property as a mixed-use building with ground floor restaurants and retail is identical to a majority of the surrounding uses and will not interfere with the achievement of the goals and objectives of the Growth Policies Plan.

2. The proposed use and development will not create nuisance by reason of;

Recommended Finding: The proposed use will not create any nuisance by reason of noise, smoke, odors, vibrations, or objectionable lights. The only odors will be those associated with a typical restaurant.

3. The proposed use and development will not have an undue adverse impact upon the adjacent property, the character of the area, or the public health, safety and general welfare;

Recommended Finding: Staff finds no adverse impacts to the adjacent properties or character of the area as a result of this petition. The use is within a commercially zoned area and is surrounded by other commercial and residential properties. The proposed use is appropriate and fits into the character of the area.

4. The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities, stormwater management structures, and other services, or that the applicant will provide adequately for such services;

Recommended Finding: The use will require a grease interceptor which was installed with the construction of the building. With that addition the site is adequately served by public facilities and services.

5. The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets;

Recommended Finding: The use is surrounded by commercial businesses to the north, south, west and east. No traffic will be directed through residential neighborhoods.

6. The proposed use and development will not result in the excessive destruction, loss or damage of any natural, scenic, or historic feature of significant importance;

Recommended Finding: There will be no natural, scenic, or historic features lost with this petition.

7. The hours of operation, outside lighting, and trash and waste collection must not pose a hazard, hardship, or nuisance to the neighborhood.

Recommended Finding: No special lighting or waste collection needs are proposed. This use is located among similar uses in a mixed-use, urban neighborhood.

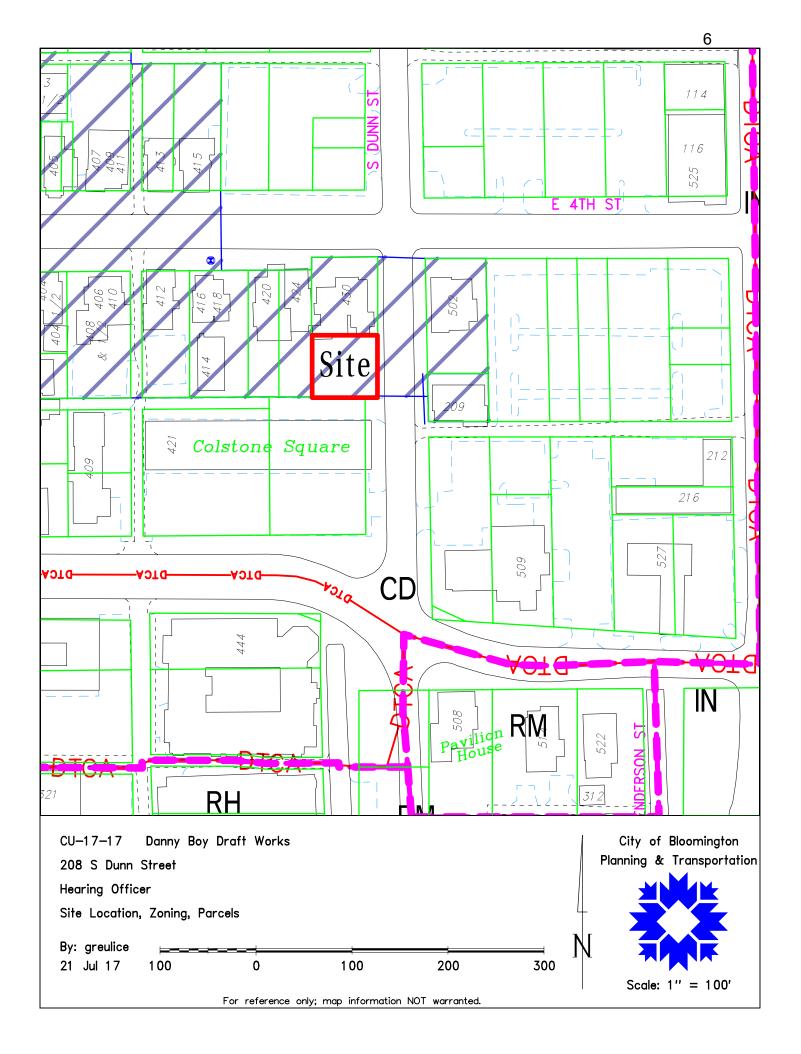
8. Signage shall be appropriate to both the property under consideration and to the surrounding area. Signage that is out of character, in the Board of Zoning Appeal's determination, shall not be approved.

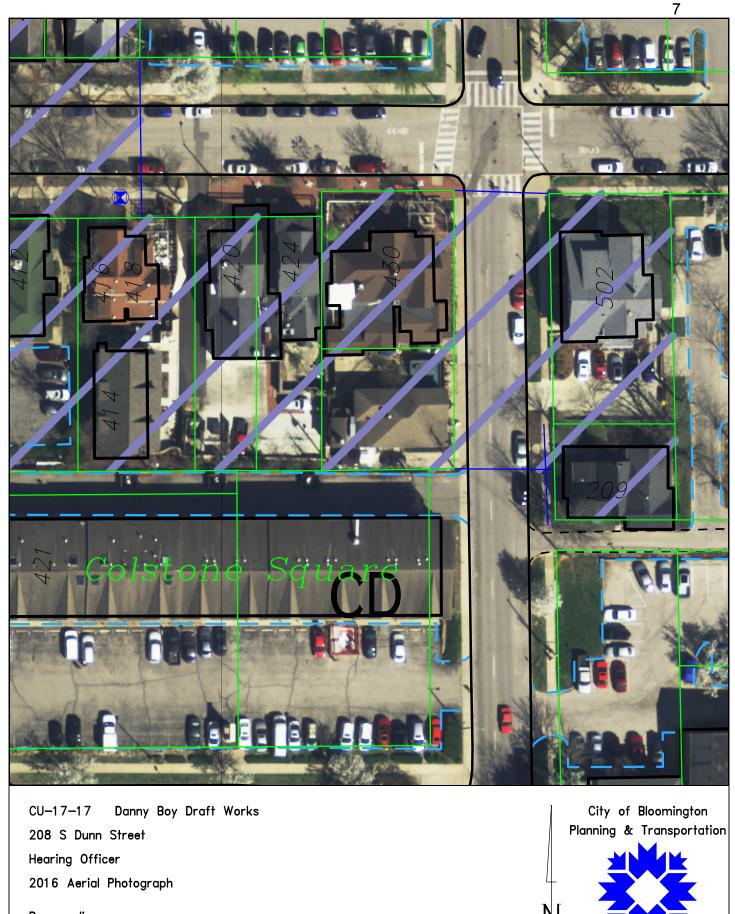
Recommended Finding: The proposed signage complies with the UDO standards. The petitioner is proposing a 4' tall, 10 sq. ft. ground sign and 28 sq. ft. of wall signage. A Certificate of Appropriateness is being reviewed by the Historic Preservation Commission for the signage and no issues have been identified.

- 9. The proposed use and development complies with any additional standards imposed upon the particular use by Chapter 20.05; CU: Conditional Use Standards.
 - (a) The proposed use 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: architecture, scale, façade, and signage. If the use is proposed for a site which 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. 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, but should not be viewed as sufficient to meet this criterion.

Recommended Finding: The proposed use will take place within a new mixed use building approved by the Plan Commission last year. The Plan Commission case ensured that the design of the building be complementary to the existing neighborhood, including the contributing historic structure to the north. The proposed use aligns with the intent of the University Overlay District "to enhance the existing eclectic mix of developments that serves as a dynamic and key transitional activity center that connects the Courthouse Square with Indiana University" and "promote infill and redevelopment of sites using moderate residential densities for the University Village area and higher residential densities along the Kirkwood Corridor (Washington Street to Indiana Avenue)." The amount of signage is not out of character and is different than the other Danny Boy Draft Works location making it unique to Bloomington.

RECOMMENDATION: The Department recommends that the Hearing Officer adopts the recommended findings and recommends approval of CU-17-17.





By: greulice 21 Jul 17

For reference only; map information NOT warranted.



Danny Boy Draft Works at 208 S. **Dunn Street**

Is an American Craft Beer Cafe serving craft brewed beer

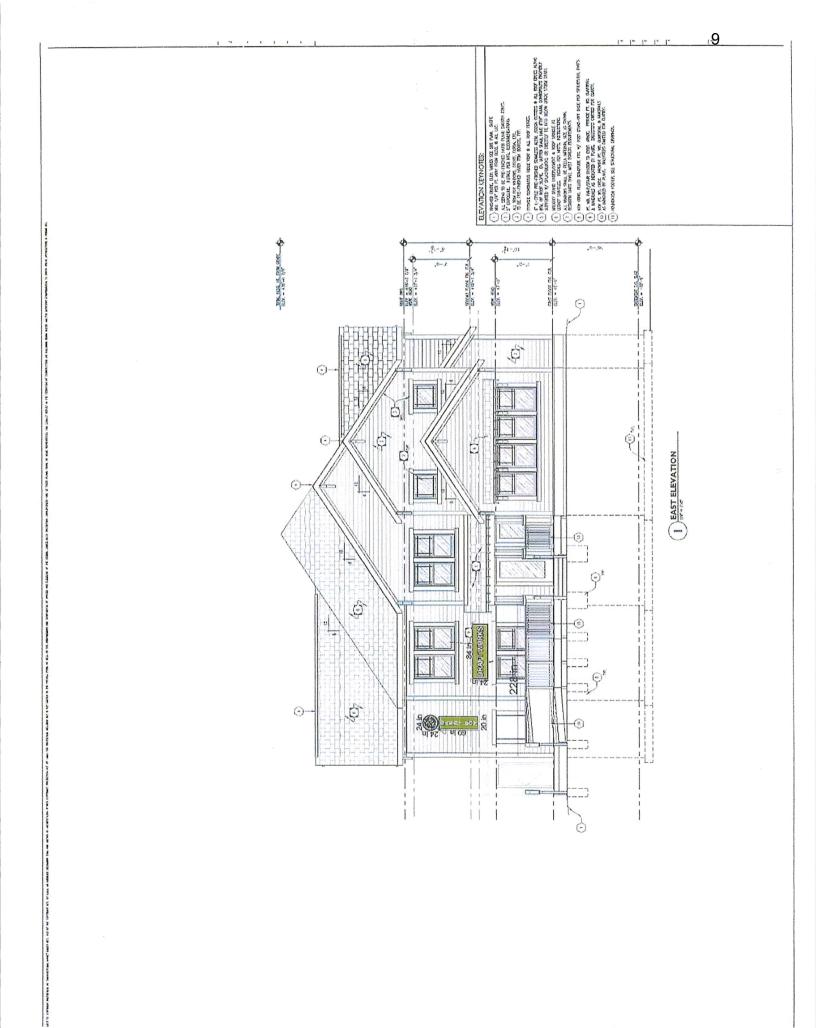
from some of Indiana's finest Micro **Breweries**.

In addition to wine, small food plates, paninis, and pizza.

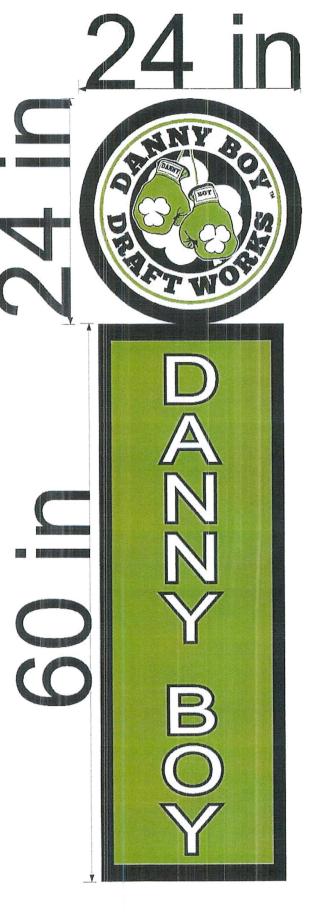
Hosting about 90-100 patrons (100 at capacity)

We are requesting Conditional une approval to allow standardycel Business.

Thank you, Kini hal

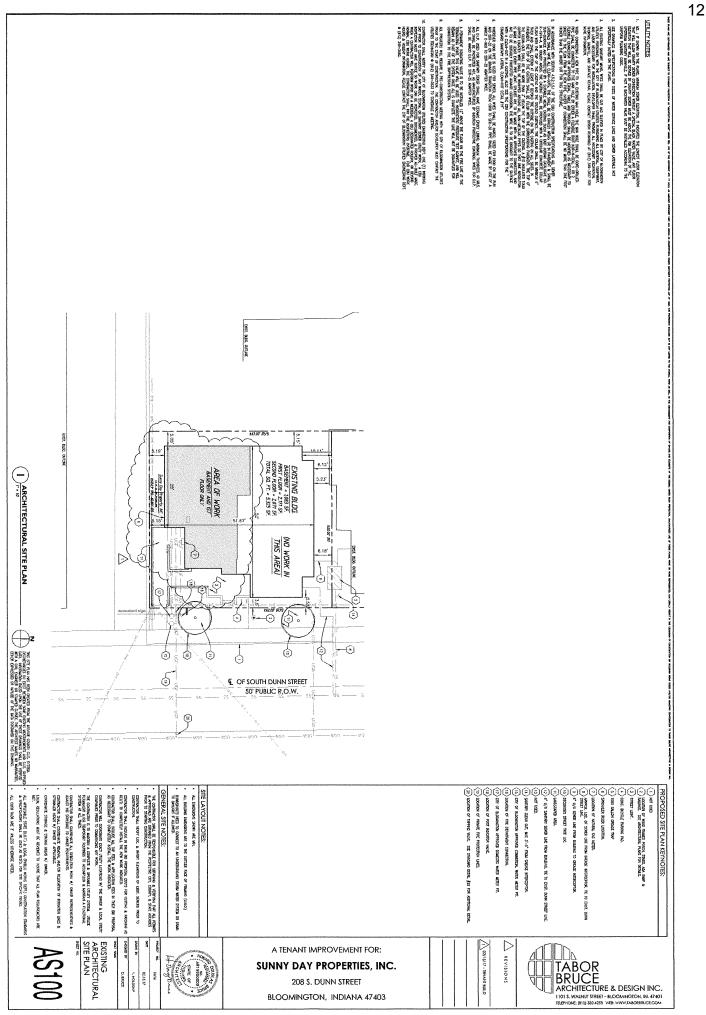


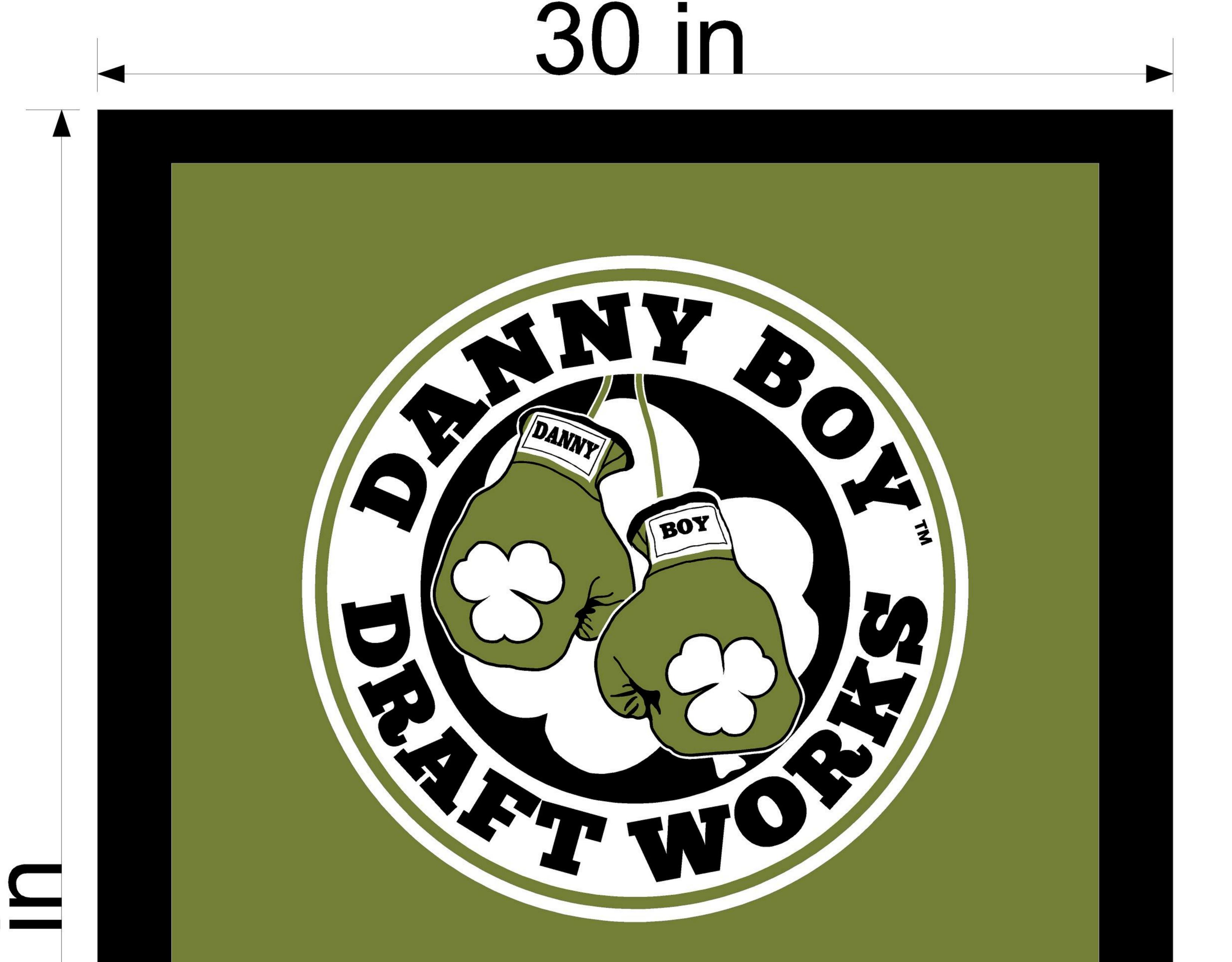


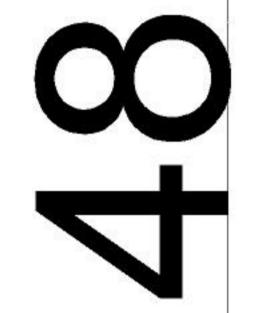


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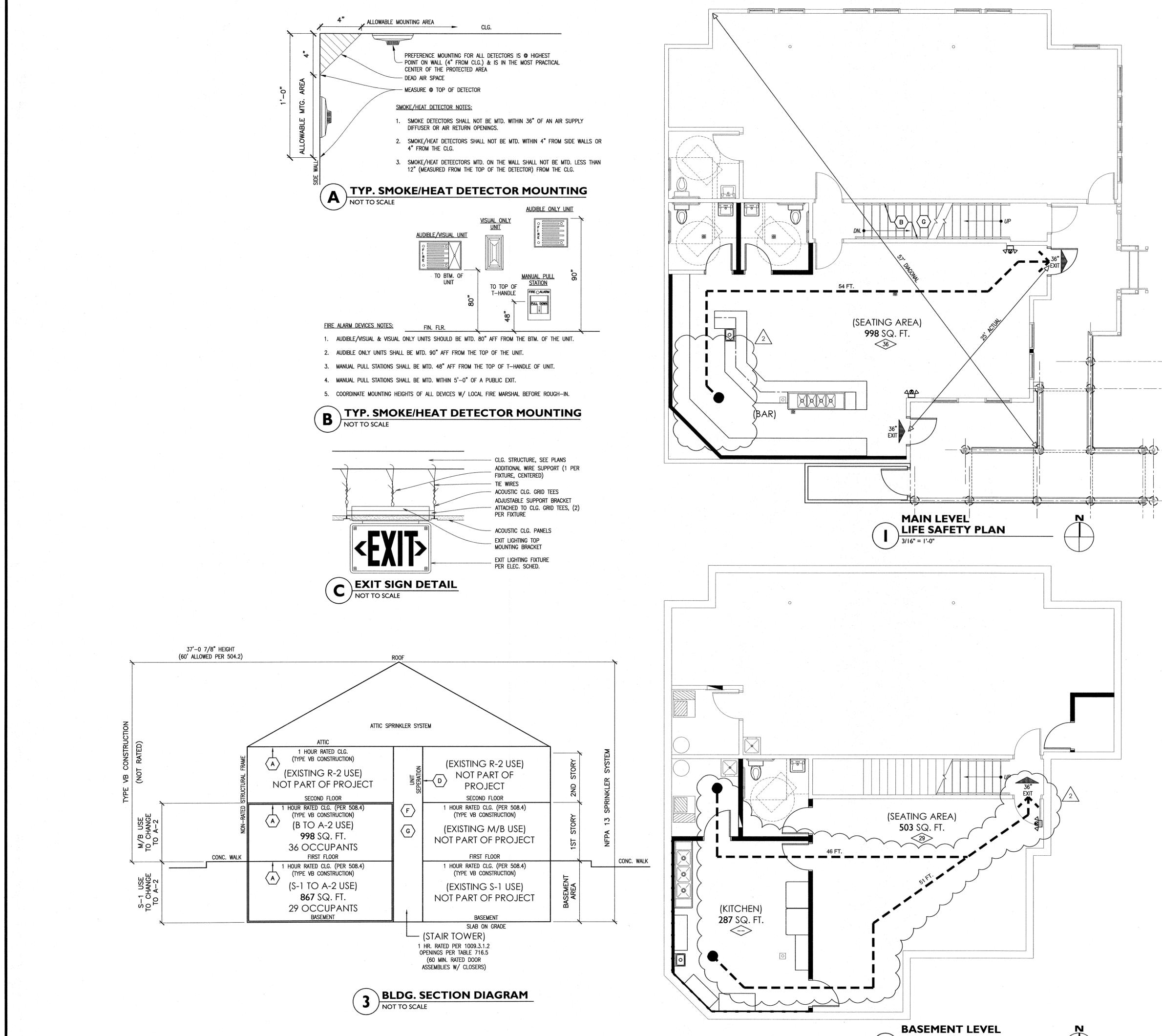
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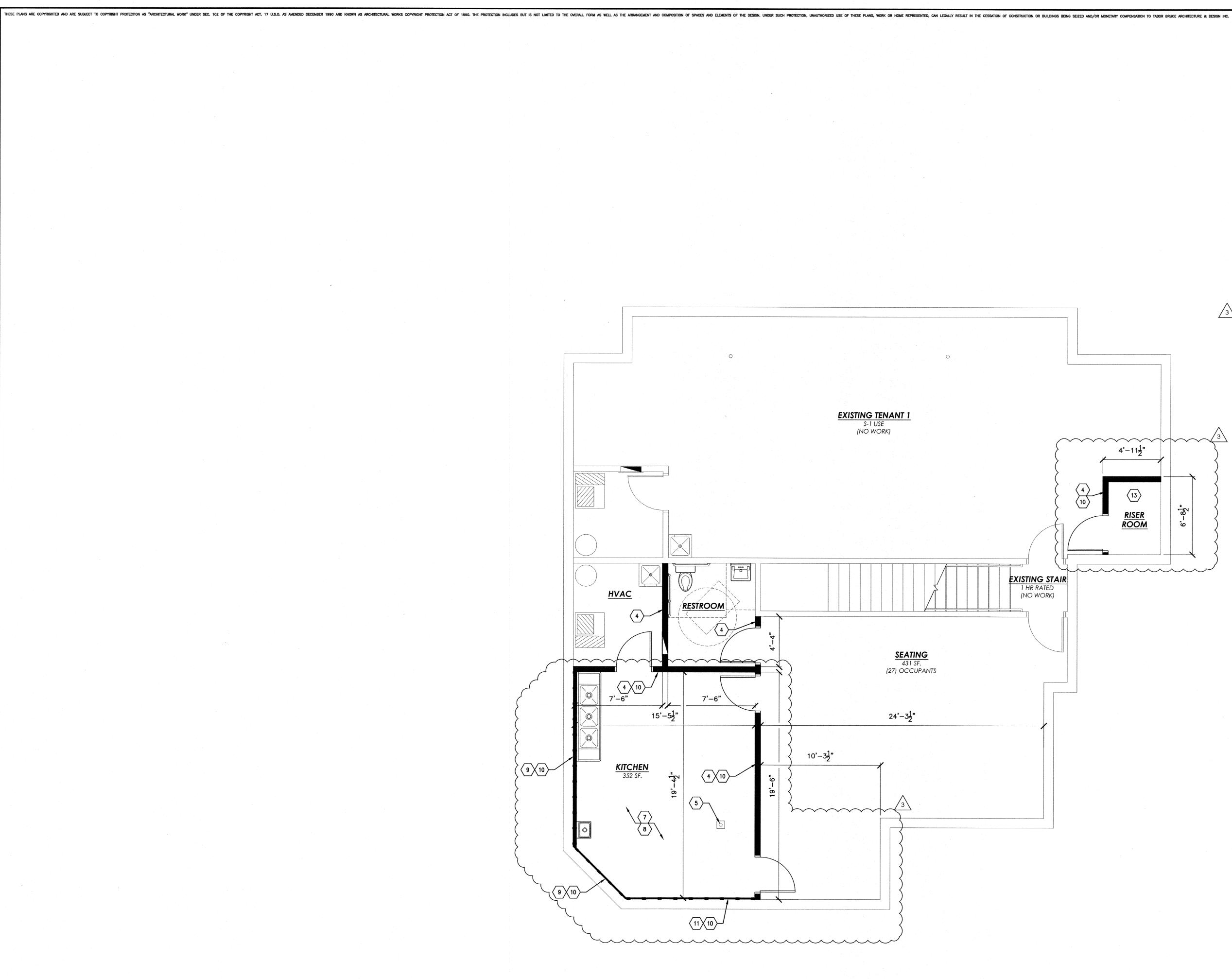
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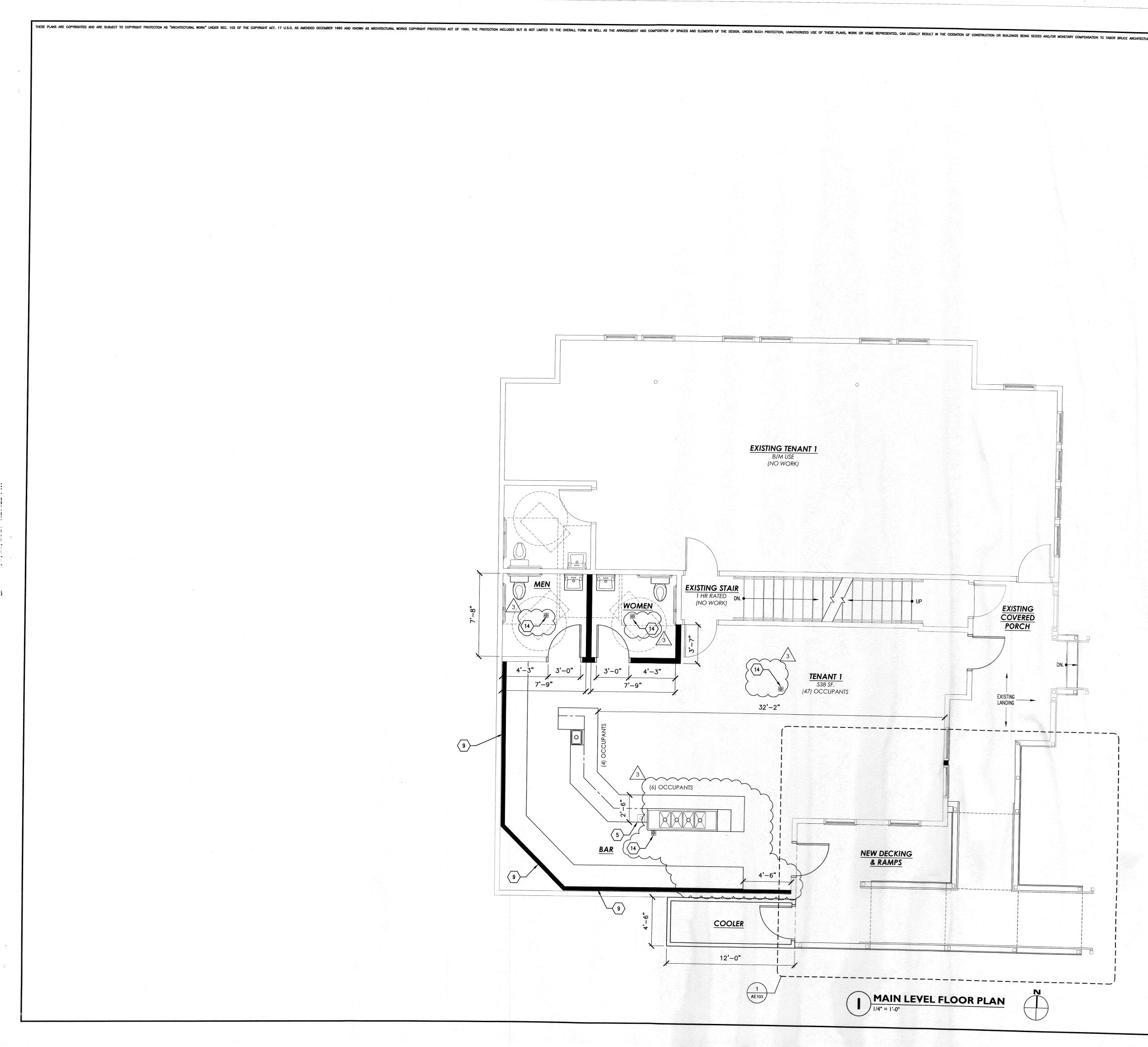
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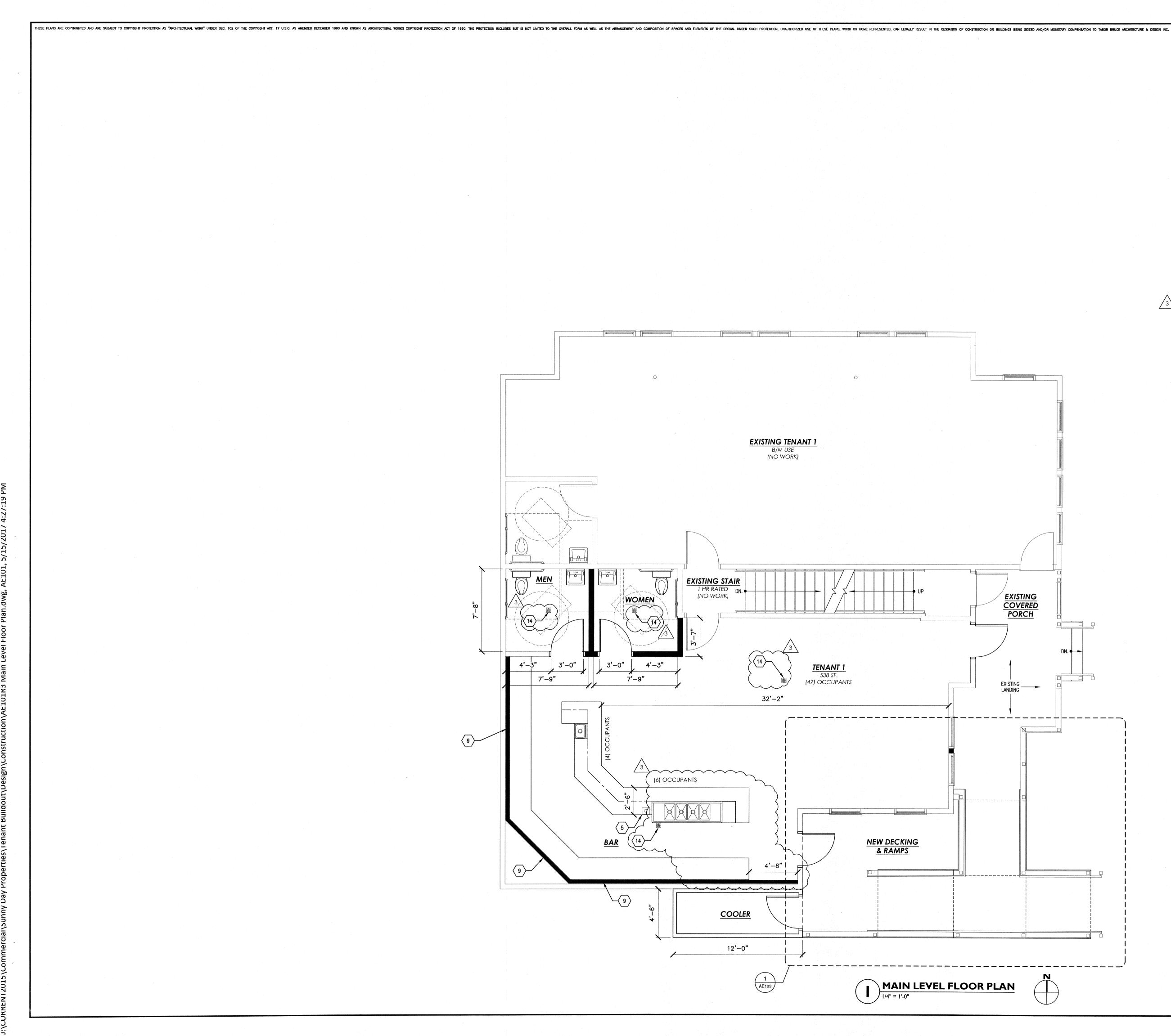
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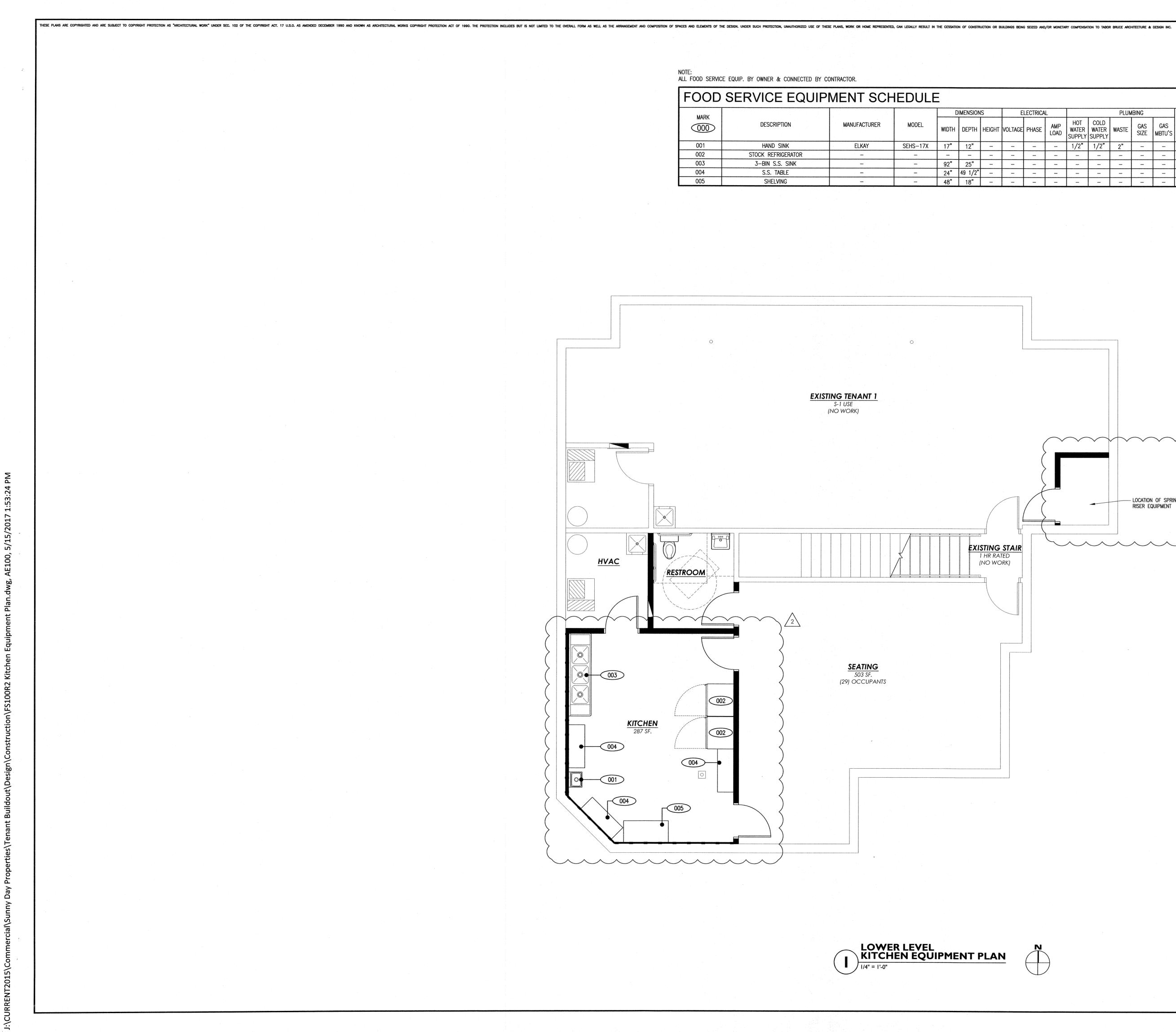
15 FLOOR PLAN KEYNOTES: DESIGN INC. 1 NEW PT. WD. FRAMED RAMP W/ ANTI-SLIP SURFACE. PROVIDE PT. WD. GUARDRAILS +42" MIN. ABV. WALKING SURFACE & 1 1/2" PT. WD. HANDRAILS +36" MIN. ABV. WALKING SURFACE. EXTEND HANDRAIL 12" BEYOND FIRST & LAST RISER @ ALL LANDINGS. CONTRACTOR TO PROVIDE A MAX. SLOPE OF 1:12 FROM TOP OF LANDING TO EXIST. ASPHALT. (2) NEW PT. WD. DECK W/ TREX DECKING BOARDS. PROVIDE PT. WD. GUARDRAILS +42" MIN. ABV. WALKING SURFACE AROUND PERIMETER. ଏ ୦ (3) NEW PT. WD. FRAMED STAIRS W/ ANTI-SLIP SURFACE. PROVIDE PT. Ш WD. GUARDRAILS +42" MIN. ABV. WALKING SURFACE & 1 1/2" PT. WD. HANDRAILS +36" MIN. ABV. WALKING SURFACE. EXTEND HANDRAIL 12" R BEYOND FIRST & LAST RISER @ ALL LANDINGS. RШ 4 2X6 WOOD STUD FRAMING AT 16" O.C. WITH (1) LAYER 5/8" TYPE "X" GYPSUM BOARD EACH SIDE. ALL OTHER WALLS NOT NOTED ARE TO BE 2/4 STUD. EXISTING 3.5" PIPE COLUMN. WRAP W/ 1 1/2" WD. STUDS, (2) LAYERS 5/8" GYP. BD. FOR MIN. 1-HR FIRE RATING. \square AR $\langle 6 \rangle$ EXTERIOR POURED CONCRETE WALL. ₽Ъ₩ $\langle 7 \rangle$ SEALED CONC. FLOOR. $\langle 8 \rangle$ GYP. BD. CEILING W/ EPOXY PAINT. $\langle 9 \rangle$ 2X4 WOOD FURRING @16" O.C. W/ 5/8" GYP. BD. $\langle 10 \rangle$ INSTALL FRP OVER GYP. BD. (11) 2X4 WOOD STUD FRAMING AT 16" O.C. WITH (1) LAYER 5/8" TYPE "X" GYPSUM BOARD EACH SIDE. ALL OTHER WALLS NOT NOTED ARE TO BE 2/4 STUD. \square REVISIONS 12 NOT USED (13) LOCATION OF SPRINKLER RISER EQUIPMENT. 1 03/02/17 - TENANT BUILD 14 > FLOOR DRAIN. VERIFY LOCATION. ▲ 03/24/17 - FIRE ESCAPE $\overline{\}$ $\binom{2}{NEW}$ LAYOUT ∧ 04/21/17 - DUMBWAITER + 3 BASEMENT NEW LAYOUT /3\ \sim C) Ζ 3 40 \sim С Ц -47 S **OPERTIE:** 81 DVEMENT STREET INDIAN Ž IMPRO DUN PR MINGTON, \succ S TENANT 4 208 Δ NN Ο BLO \triangleleft SU DOUGLA PEGISTERES NO. AR19900009 STATE OF NDIANA MARCHITEL H Dorg Bruce PROJECT NO. XX16 DATE 02.15.17 GENERAL FLOOR PLAN NOTES: DRAWN BY Y. HOLDSHIP DO NOT SCALE DRAWINGS, DIMENSIONS SHALL PREVAIL. CONTRACTOR SHALL FIELD VERIFY CHECKED BY ALL DIMENSIONS RELATED TO THE WORK. ANY DISCREPANCIES SHALL BE REPORTED TO THE ARCHITECT IMMEDIATELY. IF CONTRACTOR FAILS TO VERIFY DIMENSIONS AS INDICATED, ANY D. BRUCE AND ALL CORRECTIVE ACTIONS SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR. SHEET NAME ALL INTERIOR DIMENSIONS ARE SHOWN STUD TO STUD & DO NOT INCLUDE WALL FINISHES. LOWER LEVEL ALL DOOR OPENINGS SHALL BE LOCATED 4" FROM ADJOINING WALL UNLESS NOTED FLOOR PLAN OTHERWISE. FIELD VERIFY PLAN DIMENSIONS PRIOR TO ANY CASEWORK FABRICATION. ALL NEW WALLS SHALL BE FINISHED TO MATCH EXISTING SURFACES INCLUDING PRIMER & SHEET NO. PAINT. CAULK ALL JOINTS BETWEEN DIFFERENT MATERIALS IE: GYPSUM BOARD & MASONRY. ALL WINDOWS WITHIN 24" OF ANY DOOR (REGARDLESS OF WALL PLANE), & WHOSE BOTTOM EDGE IS LESS THAN 18" ABOVE FLOOR OR WALKING SURFACE SHALL HAVE TEMPERED GLAZING. ANY OPERABLE WDW'S. W/ SILL LESS THAN 36" ABV. FIN. FLR. SHALL BE EQUIPPED W/ OPENING CONTROL DEVICE PER 1013.8.1. IF NO WINDOW SCHEDULE IS PRESENT, CONTRACTOR/OWNER SHALL PROVIDE A MIN. OF 1 CODE COMPLIANT EGRESS WINDOW IN EVERY SLEEPING ROOM. SIZE OF STAIR RISERS MAY VARY ACCORDING TO SIZE OF FLOOR SYSTEM.



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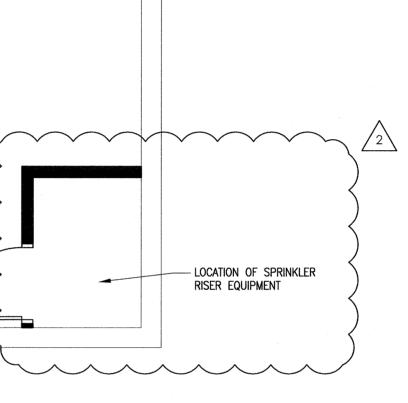


FOOD S	SERVICE EQUIF	PMENT SCH	HEDULE												
MADIZ					IMENSION	IS	E	LECTRICA	L			PLUM	BING		
MARK 000	DESCRIPTION	MANUFACTURER	MODEL	WIDTH	DEPTH	HEIGHT	VOLTAGE	PHASE		hot Water Supply	COLD WATER SUPPLY	WASTE	GAS SIZE	GAS MBTU'S	COMMENTS
001	HAND SINK	ELKAY	SEHS-17X	17"	12"	-	-	-	_	1/2"	1/2"	2"		·	VERIFY ALL PLUMBING REQUIREMENTS W/ OWNER
002	STOCK REFRIGERATOR	-	_	·	-		-	-	_	_	-	_	_	_	VERIFY ALL REQUIREMENTS W/ OWNER
003	3-BIN S.S. SINK	-	-	92"	25"	-	-	_	_		-	-	-	_	VERIFY ALL PLUMBING REQUIREMENTS W/ OWNER
004	S.S. TABLE	-	-	24"	49 1/2"	-	-	-	_	_	-	_ 1			_
005	SHELVING	_	_	48"	18"	·	_	_		_	_	_		_	_

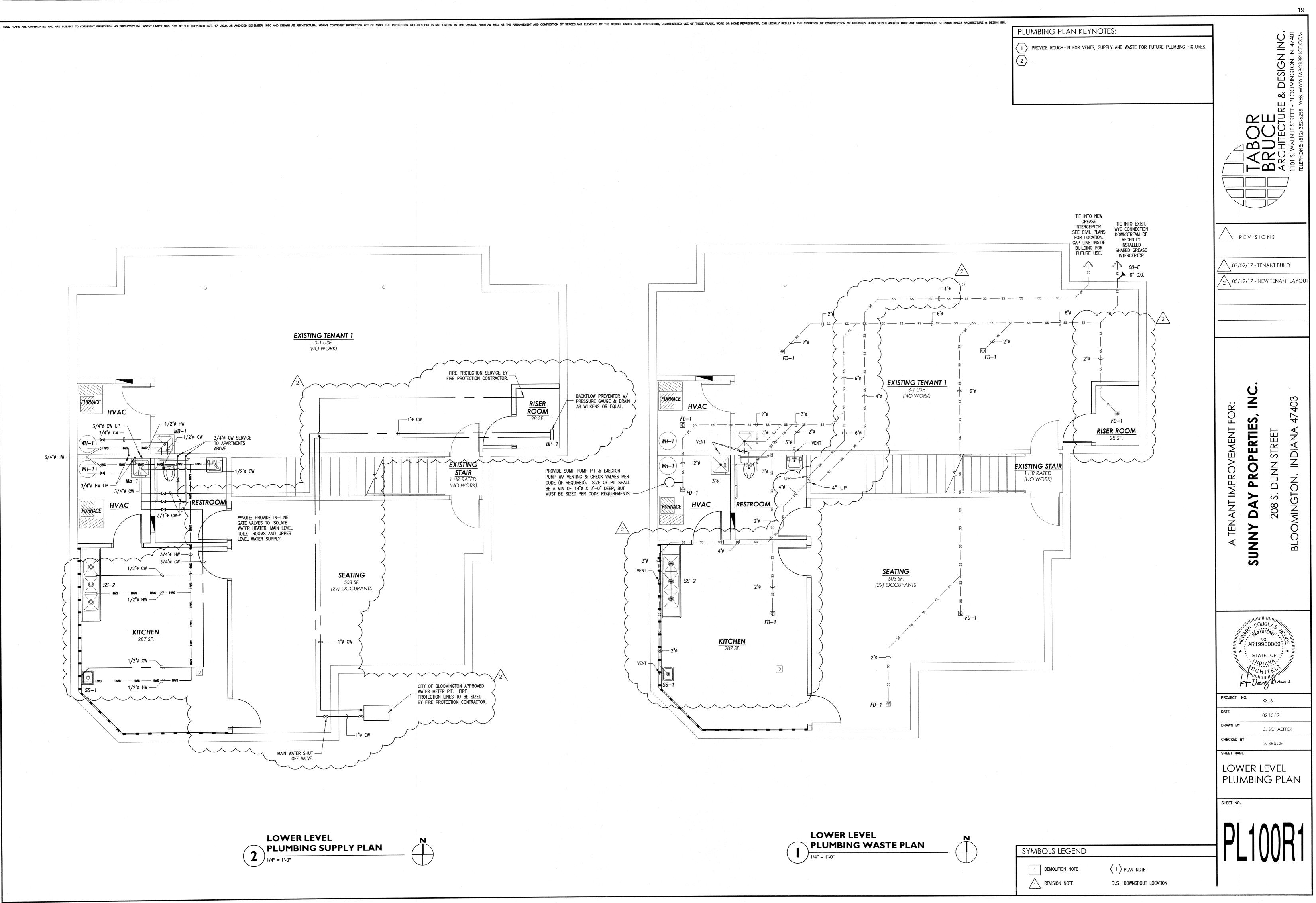


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INC. 47401



LOWER LEVEL PLUMBING SUPPLY PLAN
1/4" = 1'-0"



5/15/2017 3:04: 2 NT201

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