

CITY OF BLOOMINGTON



October 19, 2017 @ 5:30 p.m.
COUNCIL CHAMBERS #115
CITY HALL

**CITY OF BLOOMINGTON
BOARD OF ZONING APPEALS
October 19, 2017 at 5:30 p.m.**

***Council Chambers - Room #115**

ROLL CALL

MINUTES TO BE APPROVED: June 22, 2017

REPORTS, RESOLUTIONS, AND COMMUNICATIONS:

PETITIONS CONTINUED TO: November 16, 2017

- V-19-17 **H.M. Mac Development, LLC**
325, 335, 337 S. Walnut St.
Request: Variance from minimum driveway separation requirements to allow an existing drive cut.
Case Manager: Eric Greulich

PETITIONS:

- UV-18-17 **City of Bloomington Parks & Recreation**
1611 S. Rogers St.
Request: Use variance to allow a parking lot in the floodway.
Case Manager: Eric Greulich
- CU/V-26-17 **City of Bloomington Parks & Recreation**
1611 S. Rogers St. and 245 W. Grimes Ln.
Request: Conditional use approval to allow parking in the floodway fringe. Also requested are variances from the maximum number of parking spaces, riparian buffer, entrance and drive, parking setback, and environmental standards to allow the development of Switchyard Park.
Case Manager: Eric Greulich
- V-20-17 **City Optical**
2552 E. 3rd St.
Request: Variance from signage standards.
Case Manager: Jackie Scanlan
- V-21-17 **Royal Toyota**
3115 S. Walnut St. (*vacant land north of this site*)
Request: Variances from front yard parking setback and landscaping standards for an automobile sales use.
Case Manager: Jackie Scanlan

- V-22-17 **Old National Bank**
2718 E. 3rd St.
Request: Variances from building and parking setback standards. Also requested is a variance from maximum number of parking spaces to allow a new restaurant (Burger King).
Case Manager: Eric Greulich
- UV/V-23-17 **Milestone Ventures**
1105 and 1107 W. 3rd St.
Request: Use variance to allow residential on the 1st floor. Also requested is a variance from parking standards.
Case Manager: Jackie Scanlan
- CU-24-17 **Wheeler Mission**
215 S. Westplex Ave.
Request: Conditional use approval to allow capacity expansion of an existing homeless shelter.
Case Manager: Amelia Lewis

**BLOOMINGTON BOARD OF ZONING APPEALS
STAFF REPORT
LOCATION: 1611 S. Rogers St, 245 W. Grimes Ln**

**CASE#:UV-18-17
DATE: October 19, 2017**

PETITIONER: City of Bloomington, Parks and Recreation
401 N. Morton Street

REQUEST: The petitioner is requesting a use variance to allow a parking lot in the floodway.

REPORT: The petition site is located at 245 W. Grimes Lane and is zoned Institutional (IN). The properties to the west are zoned Planned Unit Development (PUD), to the north and east are Industrial General (IG), and to the south are Planned Unit Development (PUD). This site is part of the McDoel Switchyard property and is being redeveloped by the City of Bloomington Parks and Recreation Department for a proposed regional park.

The overall site includes several properties and stretches from Grimes Lane to the north, Rogers Street to the west, Walnut Street to the east, and Country Club Drive to the south. The proposed Switchyard Park will have a wide range of features and amenities including a large pavilion/performance stage, dog park, skate park, community garden, spray plaza, bocce court, and basketball courts. Access and parking to the overall park will come from the Rogers St, Grimes Ln, and Walnut St. access points. The overall design of the park has placed the main features of the park within the interior and the parking areas have been placed on the periphery adjacent to the access points.

As part of the redevelopment of the Switchyard property for the proposed park, there are several elements of the proposed site design that need variances. One of those elements is a proposed parking lot on the north side of the site that will be partially located in the floodway of Clear Creek and requires a use variance. A separate petition (CU/V-26-17) has been filed for the remaining variances that are needed.

Due to the narrow width of this northern portion of the Switchyard property and the need to locate the proposed physical structures out of the floodway, a portion of a proposed parking lot will be located in the floodway. The parking area and drive aisles will be constructed completely of permeable pavers. All stormwater runoff from the parking areas will be directed to water quality ponds that will be planted with native rain garden vegetation. Landscaping will be installed along the perimeter of the parking lot as required.

20.09.140 CRITERIA AND FINDINGS FOR USE VARIANCE:

Findings of Fact: Pursuant to IC 36-7-4-918.4. the Board of Zoning Appeals or the Hearing Officer may grant a variance from use if, after a public hearing, it makes findings of fact in writing, that:

- (1) *The approval will not be injurious to the public health, safety, morals, and general welfare of the community; and*

Proposed Finding: No injury is found with the use variance request for the proposed parking area. The parking area will be constructed completely of permeable pavers to minimize any impacts from increased runoff. In addition all of the stormwater from the parking area will be directed through water quality ponds before being discharged from the site.

- (2) *The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner; and*

Proposed Finding: No adverse impacts are found on the use and value of the adjacent area associated with the proposed use variance. The location of a portion of the parking area in the floodway will not affect the areas adjacent to the property. The parking area will be constructed at existing grade and no increase in stormwater elevations will result.

- (3) *The need for the variance arises from some condition peculiar to the property involved; and*

Proposed Finding: Peculiar condition is found in that the site is very narrow along the northern portion of the site and locating a portion of the parking area in the floodway is preferred rather than placing any physical structures or buildings in the floodway. This portion of the site has already been used as parking previously and the construction of a purposefully engineered parking area that contains and directs stormwater runoff will be an improvement over the uncontrolled runoff that currently exists.

- (4) *The strict application of the terms of the Unified Development Ordinance will constitute an unnecessary hardship if applied to the property for which the variance is sought; and*

Proposed Finding: Hardship is found in requiring the parking area outside of the floodway would result in the parking area being located further into the site rather than immediately adjacent to the access point from Grimes Lane which would increase vehicle traffic through the site and prevent the center portions of the site from being best utilized for other improvements. Although a detailed floodplain study was completed for the property that accurately delineated the floodway and floodway fringe boundaries, there is still a good portion of the site that is encumbered by the floodway especially along this portion of the switchyard.

- (5) *The approval does not interfere substantially with the Growth Policies Plan.*

Proposed Finding: The Growth Policies Plan (GPP) designates this property as Parks/Open Space. The GPP notes that 'Parks/Open Space' areas should provide opportunities for both active and passive recreation activities, as well as be accessible to people throughout the community. The overall site design has placed all of the parking areas immediately adjacent to the public road frontages. The City

has tried to minimize any impacts from the location of the parking area and has included several features to offset the impacts of the location in the floodway. The redevelopment of this site for a regional park is extremely beneficial to not only the citizens of Bloomington but also surrounding communities. The GPP highlighted the redevelopment of the McDoel Switchyard as highly desirable and a unique opportunity to provide an urban greenway. This petition furthers many goals highlighted in the GPP for the McDoel Switchyard.

The Plan Commission found that this request does not substantially interfere with the general and specific policies of the GPP for this area and dramatically furthers the goals of the GPP and the community.

RECOMMENDATION: The Department recommends that the Board of Zoning Appeals adopt the proposed findings and recommends approval with the following conditions:

1. A Construction in a Floodway permit from the Department of Natural Resources is required prior to issuance of a grading permit.
2. Native landscaping is required for all landscaping adjacent to the parking area and for the water quality ponds.

BLOOMINGTON BOARD OF ZONING APPEALS
STAFF REPORT
LOCATION: 1611 S. Rogers St

CASE#: CU/V-26-17
DATE: October 19, 2017

PETITIONER: City of Bloomington, Parks and Recreation
 401 N. Morton Street

REQUEST: The petitioner is requesting conditional use approval to allow a parking lot in the floodway fringe. Also requested are variances from maximum number of parking spaces, riparian buffer, entrance and drive, parking setback, and environmental standards to allow the development of the Switchyard Park.

REPORT: The petition site is located at 245 W. Grimes Lane and is zoned Institutional (IN). The properties to the west are zoned Planned Unit Development (PUD), to the north and east are Industrial General (IG), and to the south are Planned Unit Development (PUD). This site is part of the McDoel Switchyard property and is being redeveloped by the City of Bloomington Parks and Recreation Department for a regional park.

The overall site includes several properties and stretches from Grimes Lane to the north, Rogers Street to the west, Walnut Street to the east, and Country Club Drive to the south. The proposed Switchyard Park will have a wide range of features and amenities including a large pavilion/performance stage, dog park, skate park, community garden, spray plaza, bocce court, and basketball courts. Access and parking to the overall park will come from the Rogers St, Grimes Ln, and Walnut St. access points. The overall design of the park has placed the main features within the interior and the parking areas on the periphery adjacent to the access points. The approximately 60 acre property comprises many environmental features and areas of remediation that must be accommodated. Several trails are planned throughout the park and there are several existing bridges throughout the property that will be rehabilitated for pedestrian and vehicular use. A section of the West Branch of Clear Creek that is currently contained within an underground culvert will be “daylighted” as part of this project as well.

As part of the redevelopment of the Switchyard property for the proposed park, there are several elements of the proposed site design that need variances. A use variance (UV-23-17) has been filed to allow for a parking lot in the floodway. This petition involves a conditional use approval to allow a parking lot constructed solely of permeable pavers as well as variances from maximum number of parking spaces, riparian buffer, entrance and drive, parking setback, and environmental standards to allow the development of the Switchyard Park. The requested variances are-

- **maximum number of parking spaces** – Based on the 58.5 acre size of the park, a maximum of 5 spaces per acre is allowed. The petitioner is requesting 386 parking spaces versus the maximum 292 parking spaces.
- **riparian buffer** – There is a 75’ buffer requirement along both sides of Clear Creek and the West Branch of Clear Creek within which

there is limited disturbance allowed. There are two encroachments that are being proposed within the riparian buffer areas - a portion of a proposed parking lot on the west side of the site and a wetland mitigation area. The entire parking area will be constructed solely of permeable pavers.

- **entrance and drive** – The UDO restricts entrances and drives on arterial streets to no more than 34' wide. The proposed entrance on Rogers Street is designed as a boulevard type entrance with a center median. The overall width of the entrance is shown as 60' wide, which includes a 20' wide center median.
- **parking setback** – There is a proposed parking area shown on the west side of the site adjacent to the Rogers Street entrance. There is only one building that will be preserved on this side of the site from which to base a parking setback from. A variance from the required 20' setback from behind the front of the building is requested to allow the parking to be slightly in front of the building.
- **environmental standards** –The UDO does not allow any land disturbing activity on slopes greater than 18% slope. There are 4 new bridges proposed, 3 bridges that will be rehabilitated, one bridge where the culvert will be extended, and 2 bridges that will be removed. A variance from the environmental standards is required in order to allow these bridges to be rehabilitated or removed. There will be a small portion of an existing wetland that will be filled in. The amount of wetland to be removed will be mitigated on-site with a new wetland area created adjacent to the WBR Clear Creek that will be daylighted.

CRITERIA 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;*

Proposed Finding: The Growth Policies Plan (GPP) designates this property as Parks/Open Space. The GPP notes that 'Parks/Open Space' areas should provide opportunities for both active and passive recreation activities, as well as be accessible to people throughout the community. The overall site design has placed all of the parking areas immediately adjacent to the public road frontages. The petitioner has tried to minimize any impacts from the location of the parking area and has included several features to offset the impacts of the location in the floodway. The redevelopment of this site for a regional park is extremely beneficial to not only the citizens of Bloomington but also surrounding communities. The GPP highlighted the redevelopment of the McDoel Switchyard as highly desirable and a

unique opportunity to provide an urban greenway. This petition furthers many goals highlighted in the GPP for the McDoel Switchyard.

The Plan Commission found that a similar request for a parking lot in the floodway does not substantially interfere with the general and specific policies of the GPP for this area and dramatically furthers the goals of the GPP and the community.

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

Proposed Finding: The proposed use will not have any nuisance by reason of noise, smoke, odors, vibrations, or objectionable lights. The parking area will be landscaped according to all UDO standards. The area proposed for parking is already being used as a parking area.

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;*

Proposed Finding: No adverse impacts to the adjacent properties or character of the area is found as a result of this petition. The area being proposed for parking is already being used as a parking lot with no setback from the creek or landscaping. The granting of this conditional use request will allow a conforming parking lot to be constructed with required setbacks and landscaping.

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;*

Proposed Finding: The parking area is immediately adjacent to Grimes Lane and the site is adequately served by public utilities.

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

Proposed Finding: The use is surrounded by commercial businesses and the entrance has been located next to the adjacent road frontage to minimize vehicular traffic through the site.

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;*

Proposed Finding: There will be no significant 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.*

Proposed Finding: No special lighting or waste collection needs are proposed. The City Park will operate under the normal park hours of operation which are 5:00 AM

to 11:00 PM.

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.*

Proposed Finding: Although no signage has been formally submitted, any signage on the site will comply with the UDO standards.

9. *The proposed use and development complies with any additional standards imposed upon the particular use by Chapter 20.05; CU: Conditional Use Standards.*

Proposed Finding: There are no additional standards for the parking area other than it be constructed solely of permeable pavers which this parking area will be.

CRITERIA AND FINDINGS FOR DEVELOPMENT STANDARDS VARIANCE

20.09.130 e) Standards for Granting Variances from Development Standards: A variance from the development standards of the Unified Development Ordinance may be approved only upon determination in writing that each of the following criteria is met:

- 1) *The approval will not be injurious to the public health, safety, morals, and general welfare of the community.*

PROPOSED FINDING: The granting of the approval will not be injurious to the public health, safety, morals, or general welfare of the community. The granting of the variances will allow the construction of a regional park that will provide many benefits to the citizens and users of this area. The remediation associated with the construction of this park will greatly improve many existing problems of the old switchyard property.

- 2) *The use and value of the area adjacent to the property included in the Development Standards Variance will not be affected in a substantially adverse manner.*

PROPOSED FINDING: The use and value of the area adjacent to the property will be greatly improved by the construction of the planned amenities and features of the park. The construction of the park will help spur redevelopment of other underutilized projects along this corridor. The creation of a large regional park at this location will bring additional visitors to the community which will also help local businesses and properties.

- 3) *The strict application of the terms of the Unified Development Ordinance will result in practical difficulties in the use of the property; that the practical difficulties are peculiar to the property in question; that the Development Standards Variance will relieve the practical difficulties.*

PROPOSED FINDING: The strict application of the UDO will result in practical

difficulty in that many of the standards of the UDO were not designed around development of a large regional park such as this. The property itself is unique in that it is located within the center of a highly developed area with limited access points and has several streams that run throughout the property. The property is also unique in that there is a history of contamination and environmental remediation is needed in order to allow for the property to be reused. The petitioner has made every effort to incorporate best management practices in the design of the parking areas, location of structures outside of the floodplain, and making several improvements on the site that could only be accomplished by a project of this size. The granting of the required variances are unique to the project being proposed and will allow the redevelopment of the McDoel Switchyard as envisioned by the Growth Policies Plan.

CONCLUSION: The Growth Policies Plan (GPP) highlighted this property as a high need to be redeveloped for recreation activities, as well as be accessible to people throughout the community. The redevelopment of this site for a regional park is extremely beneficial to not only the citizens of Bloomington but also surrounding communities. The GPP and the Plan Commission have identified the redevelopment of the McDoel Switchyard as highly desirable and a unique opportunity to provide an urban greenway for the City. This petition furthers many goals highlighted in the GPP for the McDoel Switchyard and is a great opportunity for the City to provide a centrally located park for the citizens and surrounding community.

RECOMMENDATION: The Department recommends that the Board of Zoning Appeals adopts the proposed findings and recommends approval of CU/V-26-17 with the following conditions:

1. A Construction in a Floodway permit from the Indiana Department of Natural Resources is required prior to issuance of a grading permit.
2. The petitioner will continue to work with staff on implementing any additional pedestrian safety measures for the entrance on Rogers Street.
3. Native landscaping will be used exclusively throughout the site.

MEMORANDUM

Date: August 8, 2017

To: Bloomington Plan Commission

From: Bloomington Environmental Commission

Through: Linda Thompson, Senior Environmental Planner

Subject: UV/DP-23-17: Switchyard Park, Use Variance and Rezone
1611 S. Rogers St.

The purpose of this memo is to convey the Environmental Commission's (EC) opinion regarding a Use Variance and Rezone on a piece of property owned by the City of Bloomington that is planned to become the Switchyard Park, and Residential High Density Multifamily housing.

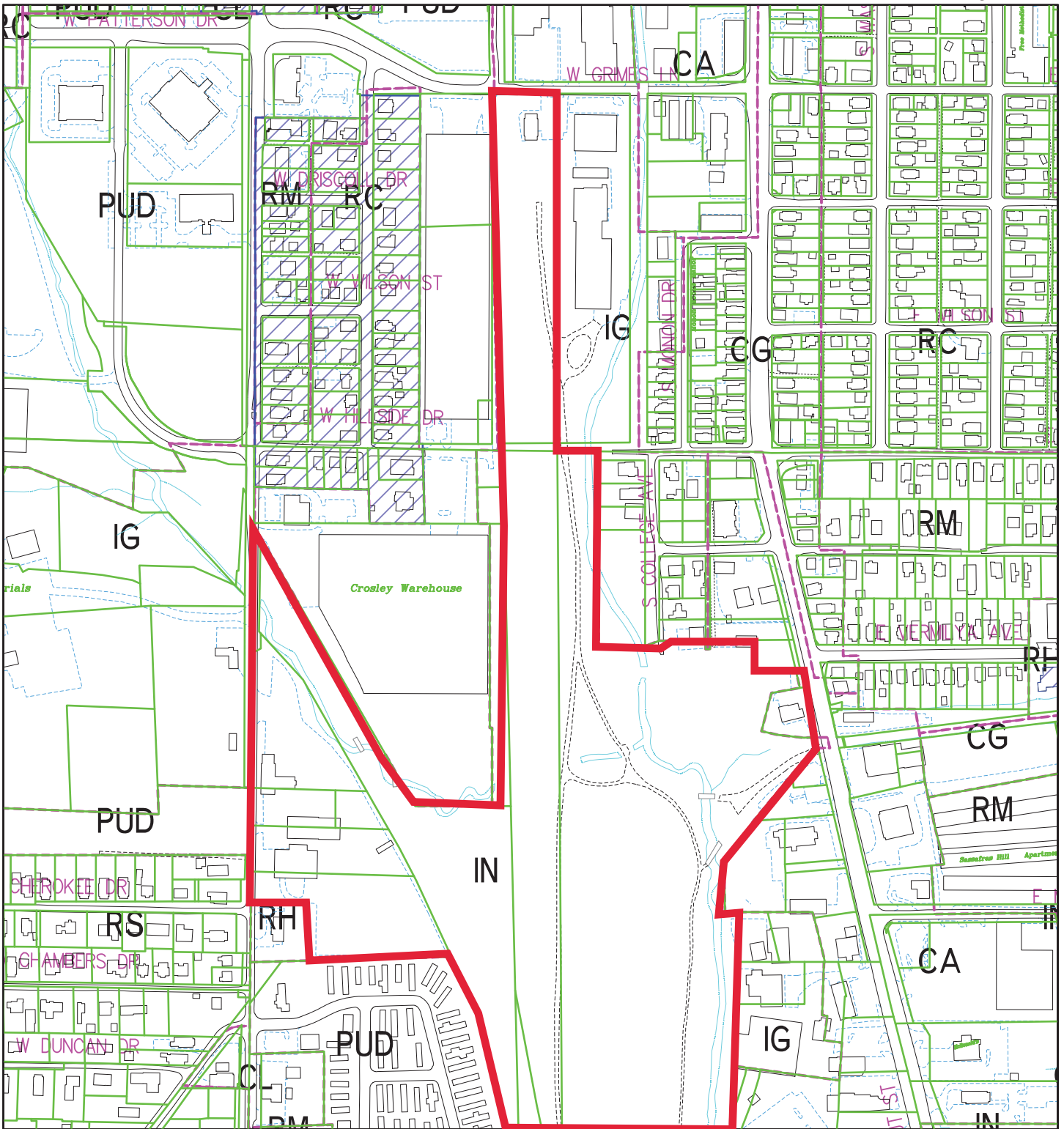
The Site Plan for the multifamily housing will come before the EC in the future, and we will weigh in on the environmental merits of the proposal then.

There are two main environmental issues associated with this variance request. One is constructing part of a permeable parking lot within the edge of a floodplain, and the other is relocating a wetland.

The EC believes that a variance for encroaching the corner of a permeable parking lot into the edge of the floodplain is acceptable in this case. The lot won't inhibit floodwater flow, the permeable pavers will be maintained by the Parks and Recreation Department, and the other environmental mitigation and enhancements on the Switchyard property will more than offset the encroachment.

Also, the EC believes that elimination of this existing wetland will be offset by creating a new one. The existing wetland has been altered in the past, thus changing the water regime, unbalancing the plant and animal dynamics, and creating a siltation problem. The proposed constructed wetland is sized for proper water detention, will be planted with native riparian plants, is contoured to prevent erosion, and will be maintained by the Parks and Recreation Department. The EC believes this will provide more benefit to the water regime and wildlife than keeping the eroding wetland that is there now.

Therefore, the EC has no opposition to these two environmental variances.



CU/V-26-17 and **UV-18-17** City of Bloomington Parks

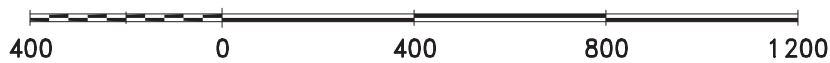
1611 S Rogers, 245 W Grimes Lane

Board of Zoning Appeals

Site Location, Zoning, Parcels

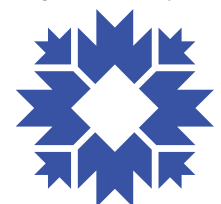
By: greulice

12 Oct 17

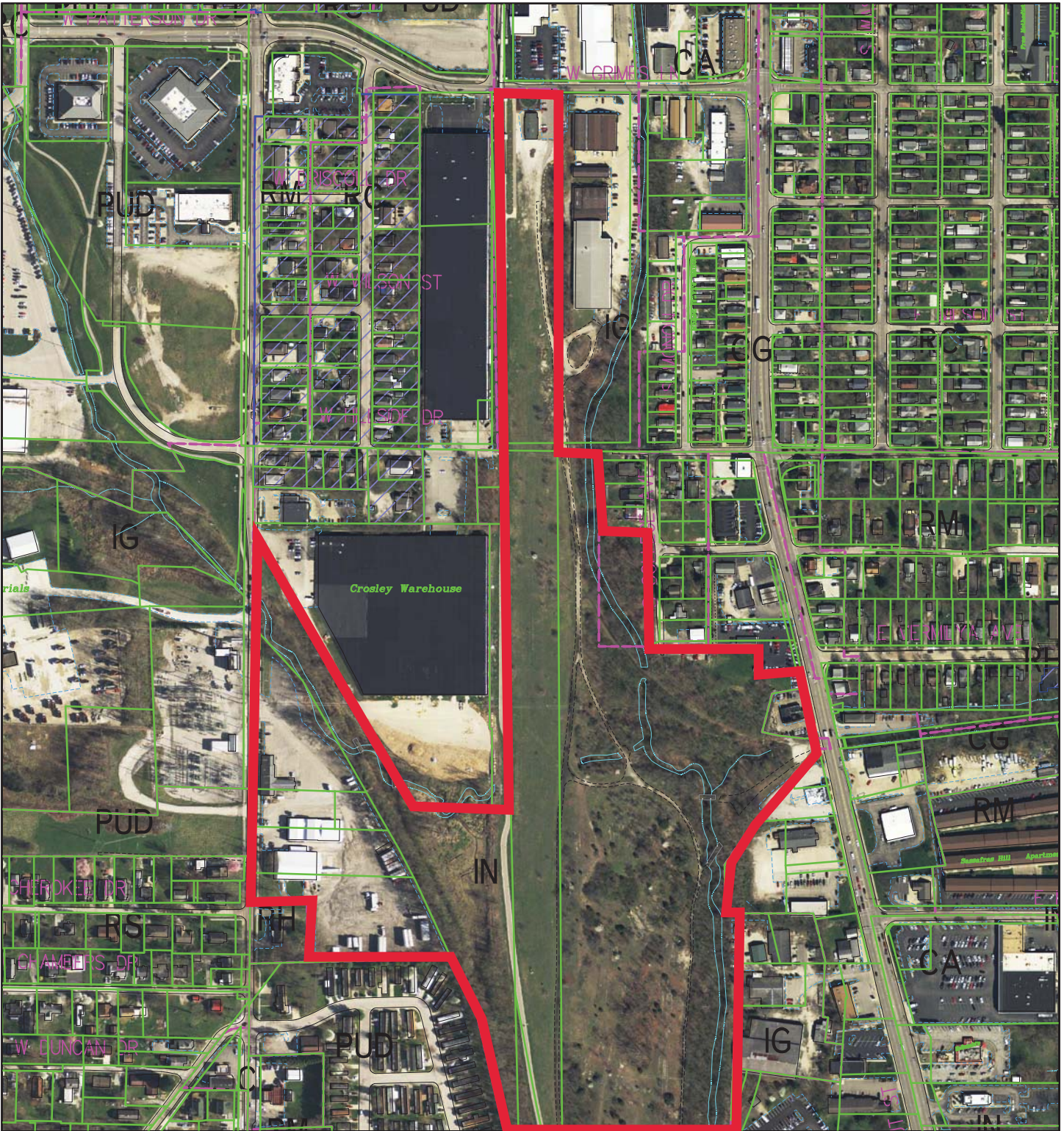


For reference only; map information NOT warranted.

City of Bloomington
Planning & Transportation



Scale: 1" = 400'



CU/V-26-17 and **UV-18-17** City of Bloomington Parks

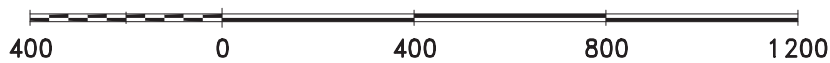
1611 S Rogers St and 245 W Grimes Ln

Board of Zoning Appeals

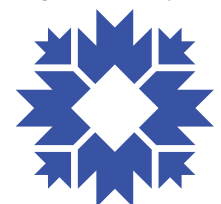
2016 Aerial Photograph

By: greulice

12 Oct 17



City of Bloomington
Planning & Transportation



Scale: 1" = 400'

For reference only; map information NOT warranted.



CITY OF BLOOMINGTON
parks and recreation

Date: September 26, 2017

To: Eric Greulich
Zoning Planner
Planning and Transportation Department

From: Dave Williams, Operations Director
Parks and Recreation Department

Re: Petitioner's Statement
Switchyard Park – Use Variances and Conditional Use Requests

With passage of the City's TIF Bond, funding for the complete build out of Switchyard Park project has been secured with plans to begin construction in spring of next year. This will be a transformational public project for Bloomington and the surrounding area. Over 50 acres of property will be redeveloped for public use and enjoyment in an underserved area of our community. The Switchyard Park project will also environmentally clean up an industrial site in operation for over 125 years and be a significant catalyst for economic reinvestment in the area.

We are requesting the following variances and approvals for the Switchyard Park project:

1. Conditional Use Variance – Construction in the Floodplain

We are requesting a Use Variance for construction of a parking lot with permeable pavement in the floodway at the park's north entrance on Grimes Lane. All vehicle spaces and the center access aisle would be constructed using pervious pavers. We are also requesting approval for construction of Multi-Use Trails in the Floodway. A section of the existing B-Line through the new park will be realigned as well as additional loop trails constructed. Our plans are to construct these trails with an asphalt surface. To date, the City Parks multi-use paved trail inventory includes the Clear Creek Trail (2.4 miles), Jackson Creek Trail (.6 mile), and B-Line Trail (3.1 miles) all of which were constructed in asphalt. The Public Works department's maintains many miles of paved sidepaths; also all constructed in asphalt.

2. Maximum Number of Parking Spaces

We are requesting a variance from the 5 parking space per acre requirement. The 58.5 acreage that comprises Switchyard Park includes:

B-Line Trail (Grimes to the southern park boundary): 10.43 acres

Former Indiana Railroad Corridor (West of B-Line from Countryclub to Rogers): 9.44 ac

Former CSX Railroad Building and parking area at Grimes Lane: 3.86 ac

Former CSX Railroad McDoel Switchyard parcels: 27.71 ac

Former Wee-Willies property (S. Walnut St.): .08 ac

Former Triple C property (S. Rogers St): 6.17 ac

58.5 acres x 5 spaces per acre = 292 spaces

We are requesting a total of 386 spaces, allocated as follows:

Rogers St. main entrance: 138

Rogers St. overflow: 91

Grimes Lane: 114

Walnut St.: 43

Switchyard Park will be a public park venue unlike any other in the City of Bloomington and surrounding region. It will feature active outdoor recreation facilities currently not offered in any Bloomington city park; such as Bocce Ball courts, Pickle Ball courts, Fitness Stations, an urban “street style” Skatepark, Splash Pad, large pavilion building (11,000 SF), Bloomington Police Department substation (2,600 SF), and a performance stage with expansive concert lawns to host large scale community performances events with an estimated lawn seating capacity of 3,000-5,000. The Pavilion will have a seated (table/chair) capacity of 350, with a standing only capacity of 500 guests. In addition the park will offer a very large playground, basketball court, and dog park along with other customary recreational facilities such as a community garden, walking trails, restrooms, walking trails, shelters, and picnic areas.

The total number of parking spaces for Switchyard Park has been reduced from the original design total by 16 spaces. We feel strongly that Switchyard Park will be a popular venue for public gatherings, events, and performances and the need for 386 parking spaces is justified. The closest comparison to an existing community park, albeit with fewer facilities, with a venue for outdoor performances would be 32 acre Bryan Park which has a total of 345 spaces that surround the park. When outdoor festivals and performances are held at Bryan Park we frequently lack the number of spaces required to prevent excess cars being parked on nearby neighborhood streets.

3. Rogers Street Main Park Entrance

We are requesting a variance from the 34’ maximum drive cut width. The main entrance to Switchyard Park will be on Rogers St. Our current design configuration calls for a 16’ wide entrance lane, a 24’ wide exit lane, and a 20’ wide landscaped median between the entrance/exit for a total width of 60’. We could narrow the entrance lane by two to four feet but prefer to retain the 16’ width to ensure a vehicle entering the park can safely navigate around a disabled vehicle in the entrance lane. The new park will need to accommodate frequent material and performance equipment deliveries from semis up to 55’ long which was our rationale for the widened exit lane. Large vehicles, semis, etc. could access the park by using the exit lane only.

4. Environmental Standards

We are requesting a variance from the requirement of no disturbance to the riparian buffer within 75' of Clear Creek for the purpose of required wetland mitigation by constructing a daylighted stream section with native plantings, pedestrian bridge crossings, and bicycle and pedestrian trails. An existing .74 acre wetland will be disturbed by way of this park construction project. We will mitigate this damage by the construction of 1.04 acres of new wetland and "daylighting" approximately 300 LF of stream that is currently in a buried culvert running the width of the property and discharging into Clear Creek. The quality of the existing wetland declined substantially after culvert pipes were cleared of debris by the adjoining private property owner in 2009, effectively draining the wetland. Our consultant team has been working closely with state and national regulatory permitting agencies regarding the wetland mitigation plan and have submitted preliminary plans for their review.

We are also requesting a variance from this requirement for steep slope disturbances that will be required for the construction of four (4) new pedestrian bridges, rehabilitation of three (3) existing railroad bridge structures and /or abutments for reuse as pedestrian bridges, one (1) existing bridge where culverts would be extended, one (1) existing bridge where culverts would be removed, and the demolition and removal of two (2) existing railroad bridges. In addition, soil sampling of the former Wee-Willies property revealed the need to excavate and remove mercury contaminated soil from the site. A detailed inspection of five existing railroad bridges on the park site and the feasibility of those bridges being replaced with new or rehabilitated bridges in the same location has been closely evaluated. In some cases, existing abutments with some rehabilitation are suitable for reuse, and by doing so disturbance to steep slopes in the creek can be minimized. In other locations existing bridges hinder the free flow of Clear Creek, or were hap hazardously constructed, contributing to erosion issues in the creek. For all bridges, use of rip-rap aggregate will be held to a minimum.

Respectfully submitted,



Dave Williams
Operations Director
Bloomington Parks and Recreation

cc: Mick Renneisen, Deputy Mayor
Teri Porter, Director, Planning and Transportation
James Roach, Development Services Manager, Planning and Transportation
Linda Thompson, Senior Environmental Planner, Planning and Transportation
Paula McDevitt, Director, Parks and Recreation

Attachments: Switchyard Park Design Plan, South Platform Enlargement Plan, North Platform Enlargement Plan, Bridge Rehab./New Construction plan



- | | | |
|-------------------------------------|-----------------------------|---|
| 1. Neighborhood Connection Trail | 9. Spray Plaza | 17. Pickle Ball Courts |
| 2. Dog Park | 10. Main Pavilion | 18. Adult Fitness Equipment |
| 3. Seating Bosque | 11. Street-Style Skate Park | 19. Basketball Court |
| 4. Daylighted Stream | 12. North Lawn | 20. Restrooms/Bike Rental/Police Substation |
| 5. Shelter | 13. Parking | 21. Rogers Street Entrance |
| 6. Performance/ Terraced Event Lawn | 14. Community Garden | 22. Walnut Street Entrance |
| 7. Pavilion/Performance Stage | 15. Restrooms/Maintenance | 23. Grimes Lane Entrance |
| 8. Play Environment | 16. Bocce Ball Courts | 24. B-Link Trail |
| | | 25. B-Line Trail |

Switchyard Park Design Plan
August 2017

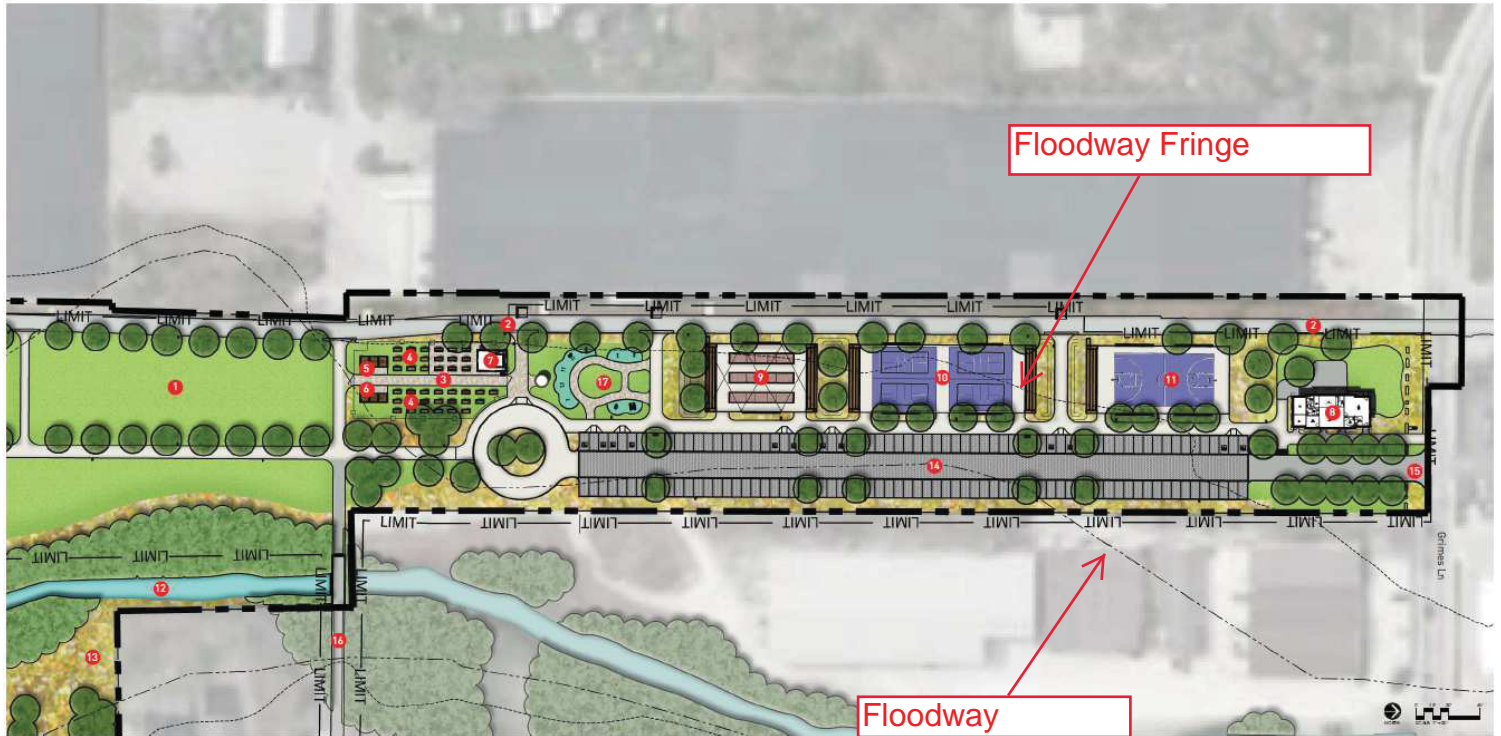




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|---|------------------------------|------------------------------------|
| 1. Great Lawn | 7. Shelter | 13. Parking |
| 2. B-Line Trail | 8. The Platform | 14. Daylighted Stream |
| 3. Soft Surface Trail | 9. Spray Plaza | 15. Performance Stage Access Drive |
| 4. Play Environment | 10. Restroom/Maintenance | 16. Street-Style Skate Park |
| 5. In-Grade Planter | 11. Main Pavilion | 17. Event Lawn |
| 6. Bosque/Banquet Tables/Flexible Seating | 12. Naturalized Wetland Area | 18. Main Pavilion Plaza |

Switchyard Park Design Plan - South Platform Enlargement
August 2017

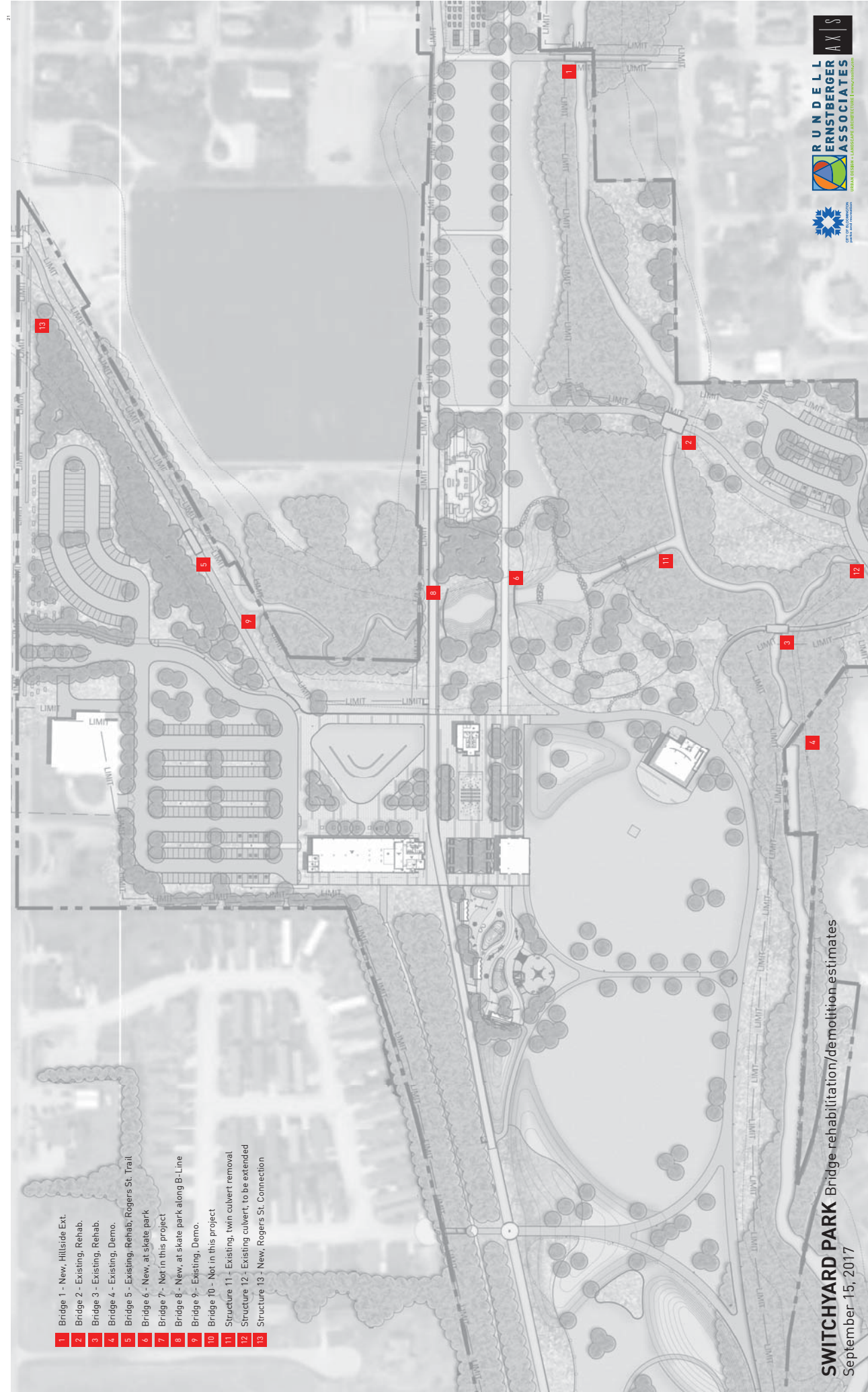




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|--|-----------------------------------|
| 1. North Lawn | 10. Pickle ball Court |
| 2. B-Line Trail | 11. Basketball Court |
| 3. Community Garden | 12. Clear Creek |
| 4. Raised Garden Planter | 13. Naturalized/Wetland Area |
| 5. Community Garden Compost Bins | 14. Parking |
| 6. Community Garden Amendment Bins | 15. Grimes Lane Entrance |
| 7. Community Garden Equipment Barn | 16. Neighborhood Connection Trail |
| 8. Restrooms/Bike Rental/Police Substation | 17. Adult Fitness Equipment |
| 9. Bocce Courts | |

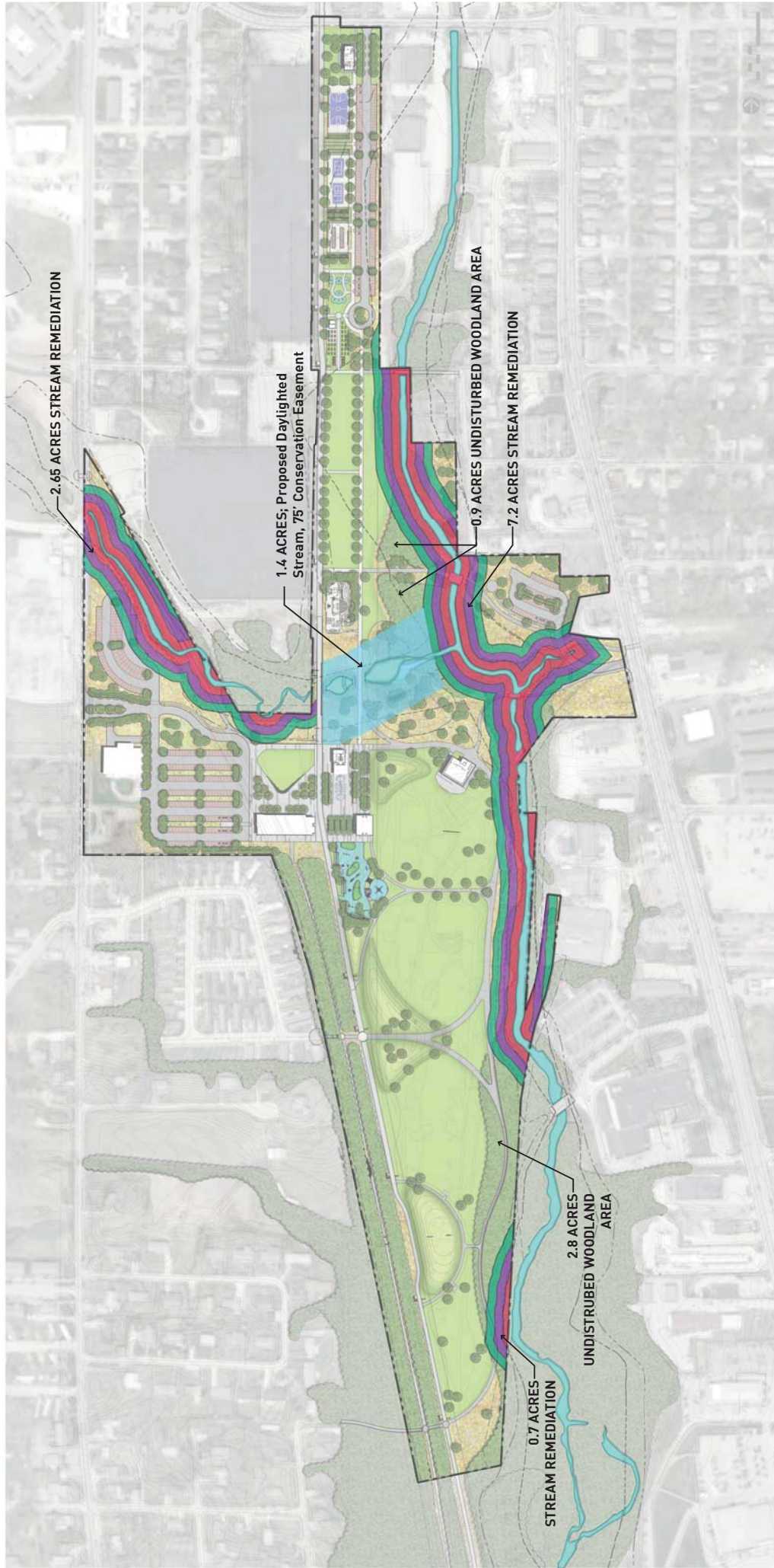
Switchyard Park Design Plan - North Platform Enlargement
August 2017





- 1 Bridge 1 - New, Hillside Ext.
- 2 Bridge 2 - Existing, Rehab.
- 3 Bridge 3 - Existing, Rehab.
- 4 Bridge 4 - Existing, Demo.
- 5 Bridge 5 - Existing, Rehab, Rogers St. Trail
- 6 Bridge 6 - New, at skate park
- 7 Bridge 7 - Not in this project
- 8 Bridge 8 - New, at skate park along B-Line
- 9 Bridge 9 - Existing, Demo.
- 10 Bridge 10 - Not in this project
- 11 Structure 11 - Existing, twin culvert removal.
- 12 Structure 12 - Existing culvert, to be extended
- 13 Structure 13 - New, Rogers St. Connection

SWITCHYARD PARK Bridge rehabilitation/demolition estimates
 September 15, 2017



- 25' Streamside Zone
- 25' Intermediate Zone
- 25' Fringe Zone

Total Invasive Management Zone (includes all stream buffer zones): 11.95 Acres

Total Undisturbed Woodland Area: 3.7 Acres

BLOOMINGTON BOARD OF ZONING APPEALS
STAFF REPORT
LOCATION: 2552 E. 3rd Street

CASE #: V-20-17
DATE: October 19, 2017

PETITIONER: City Optical dba Dr. Tavel
 2839 Lafayette Road, Indianapolis

CONSULTANTS: Sign Art
 2525 N. Shadeland Avenue, Indianapolis

REQUEST: The petitioner is requesting a development standards variance from the maximum sign standard.

REPORT: The property is located at 2552 E. 3rd Street and is zoned Commercial Arterial (CA). The property is in the Eastland Plaza Shopping Center. Surrounding land uses include commercial on the east and west of the petition site, commercial to the north and multi-family to the south.

The width of the lease space is 20 feet in a multi-tenant nonresidential center. In the CA zoning district, the cumulative square footage of all wall signs for any individual tenant shall not exceed one and one-half (1 ½) square feet per lineal foot of the tenant's façade width. The maximum permitted square footage for a wall sign at this location is 30 square feet. The existing Dr. Tavel sign appears to have been installed in 2007. Conflicting department files indicate both that the sign was permitted in error with a total of roughly 66 square feet (each component taken separately), and that the permit was voided. The petitioner is requesting to replace the existing sign with a new 63.64 square foot wall sign. The proposed new sign is over twice the maximum allowable size under current UDO standards.

The petitioner asserts that the location of the building related to the out lots and 3rd Street require variance from the sign square footage standards. The petitioner is requesting to install a new 63.64 square foot wall sign.

CRITERIA AND FINDINGS – Sign Square Footage

20.09.130 e) Standards for Granting Variances from Development Standards: A variance from the development standards of the Unified Development Ordinance may be approved only upon determination in writing that each of the following criteria is met:

- 1) *The approval will not be injurious to the public health, safety, morals, and general welfare of the community.*

PROPOSED FINDING: The request is not injurious to the public health, safety, morals, or general welfare of the community. Approval of the variance would allow signage that is double the allowance allowed for the lease space.

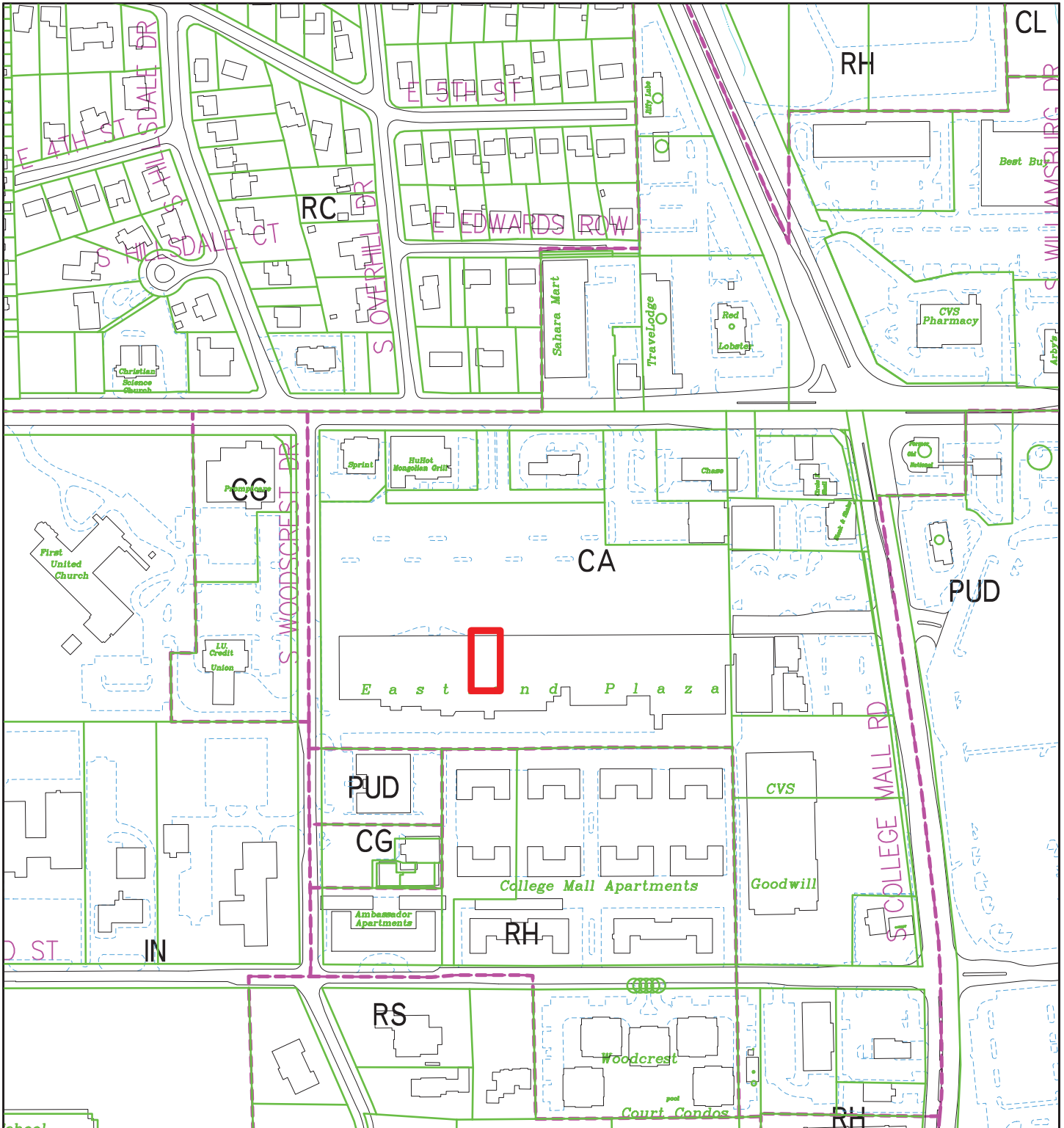
- 2) *The use and value of the area adjacent to the property included in the Development Standards Variance will not be affected in a substantially adverse manner.*

PROPOSED FINDING: No adverse impacts to the use and value of the surrounding area associated with the proposed variance are found. However, adverse impact may be found in the fact that none of the other roughly 20 lease spaces in the same multitenant center are allowed extra sign allotment and all are the same distance from 3rd Street. The proposed sign is smaller than the existing sign at the location.

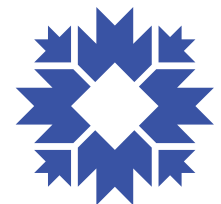
- 3) *The strict application of the terms of the Unified Development Ordinance will result in practical difficulties in the use of the property; that the practical difficulties are peculiar to the property in question; that the Development Standards Variance will relieve the practical difficulties.*

PROPOSED FINDING: No practical difficulties in the use of the property are found. The property is part of a multitenant nonresidential center with roughly 21 tenants in attached lease spaces. All uses in this location, as well as those in multitenant nonresidential centers in the CA zoning districts throughout Bloomington, are held to the same UDO standard. No peculiar condition is found with the petition site that requires relief from the sign standards of the UDO. No physical characteristics are found in the site or its surroundings to warrant variance approval. While there is development in the out lots of the property, there has been development on those lots since at least 1993, and those lots are under the same ownership as the petition site. The purpose of the sign regulations is to allow appropriately-scaled signage for businesses in multitenant nonresidential centers based upon the use's lease space to avoid visual clutter and provide some uniformity of scale. Tenants are also allowed tenant panels on a multitenant center sign in addition to the sign on the lease space. No practical difficulty is found at that site that hinders the accomplishment of those goals through adherence to the UDO standards.

RECOMMENDATION: Based upon the written findings above, the Department recommends denial of V-20-17, a development standards variance request to allow for a new 63.64 square foot sign.



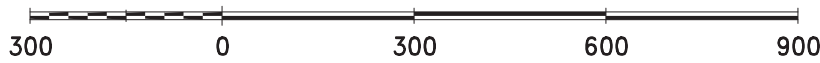
City of Bloomington
 Planning & Transportation



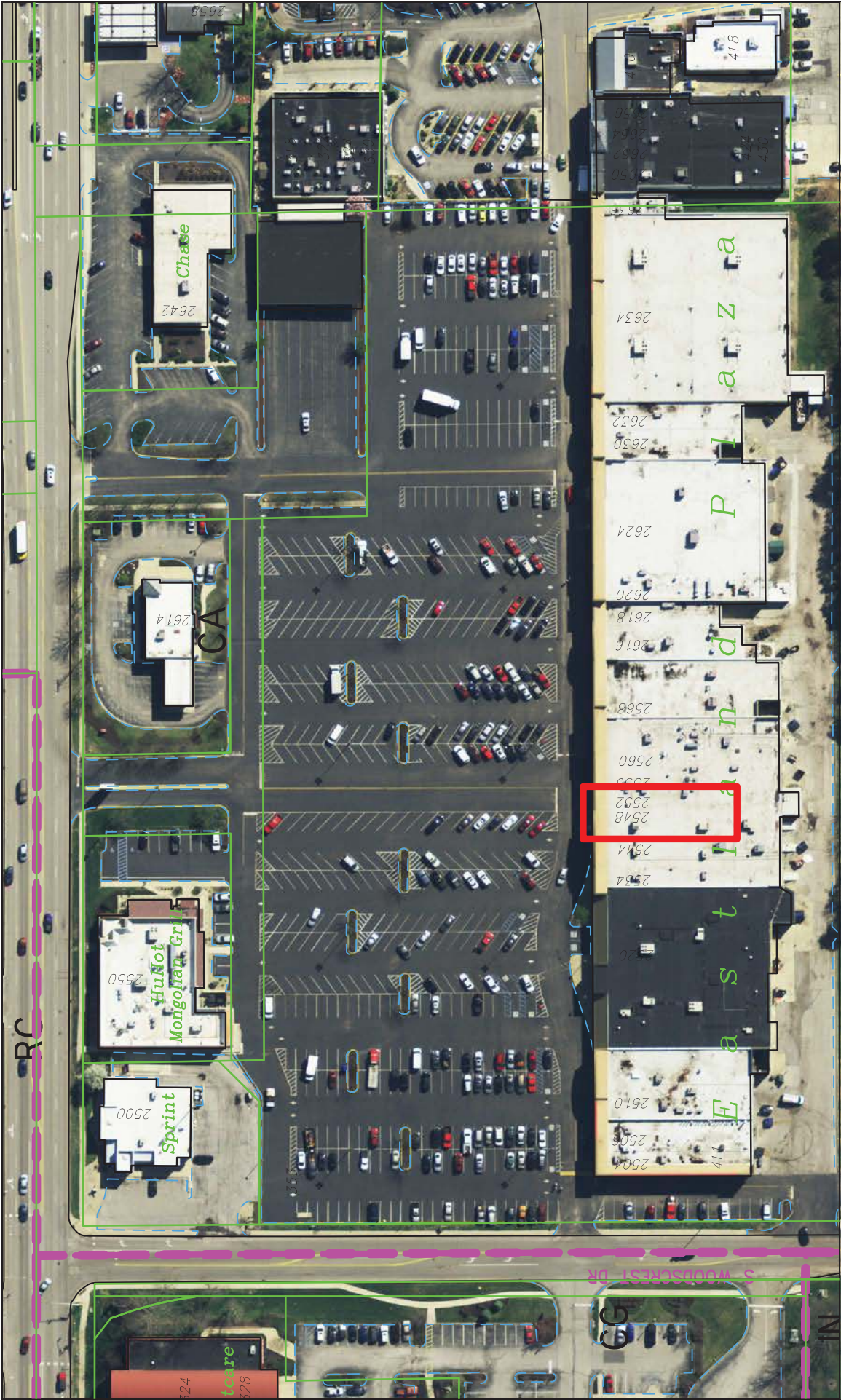
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By: scanlanj
 13 Oct 17



For reference only; map information NOT warranted.



By: scanlanj
 13 Oct 17

For reference only; map information NOT warranted.

SIGNART

**2525 N. SHADELAND AVE. BUILDING 30 Ste 5A
INDIANAPOLIS, IN 46219**

We are applying for a variance of development standards of the sign ordinance. We are proposing to remove existing Dr. Tavel which has a permit and is currently 102.93 square feet with a new sign with a total square footage of 63.64 reducing the size significantly but still bigger than what is permitted by ordinance. The new sign would be using green technology which was not available at the time the existing sign was installed. At that time illuminated channel letters were exclusively neon with high voltage transformers.

Dr. Tavel has been in that shopping center for over 40 years and the landscape has changed significantly. The building he is in only has visibility from 3rd St and is 435 feet away. With an unimpeded view a 36" letter is only visible 360' for maximum impact and requires 10 seconds at 35 mph to be read according to the United States Sign Council. Since Tavel originally moved in to the location almost the entire frontage along 3rd St has been developed with various building and strip center blocking the view of the traveling public. The only visibility is at the entrance to the center and the Tavel sign is only for only 4 seconds well underneath the required 10 seconds. The results is drivers struggling to find the location. There is a pylon sign with a limited number of panels typically reserved for the anchors which is based upon square footage leased. Its also an on going expense where a new building sign is a one time. Because of the short viewing time, they do not pay as close attention to driving as they should, perform an unsafe traffic maneuver, possibly causing or having an accident. And remember the customers are looking for an eye doctor so there visual acuity is questionable to begin with.

Benefits of approval of variance:

- 1. Reduce the size of an existing non conforming sign***
- 2. Replace an old aged, power hungry sign with a new green energy efficient sign.***

3. Reduce traffic issues by having an sign of sufficient size.

Dr Tavel is adamant about not drastically reducing his sign square footage which is what would happen if he were comply with the square footage allowed by ordinance. He would just leave the sign as is and maintain it. Tavel has been a long time established business serving the City of Bloomington. They are going to be remodeling the store and rebranding and want the new look to carry from print ads , to televison, from the inside of the store to the exterior sign.

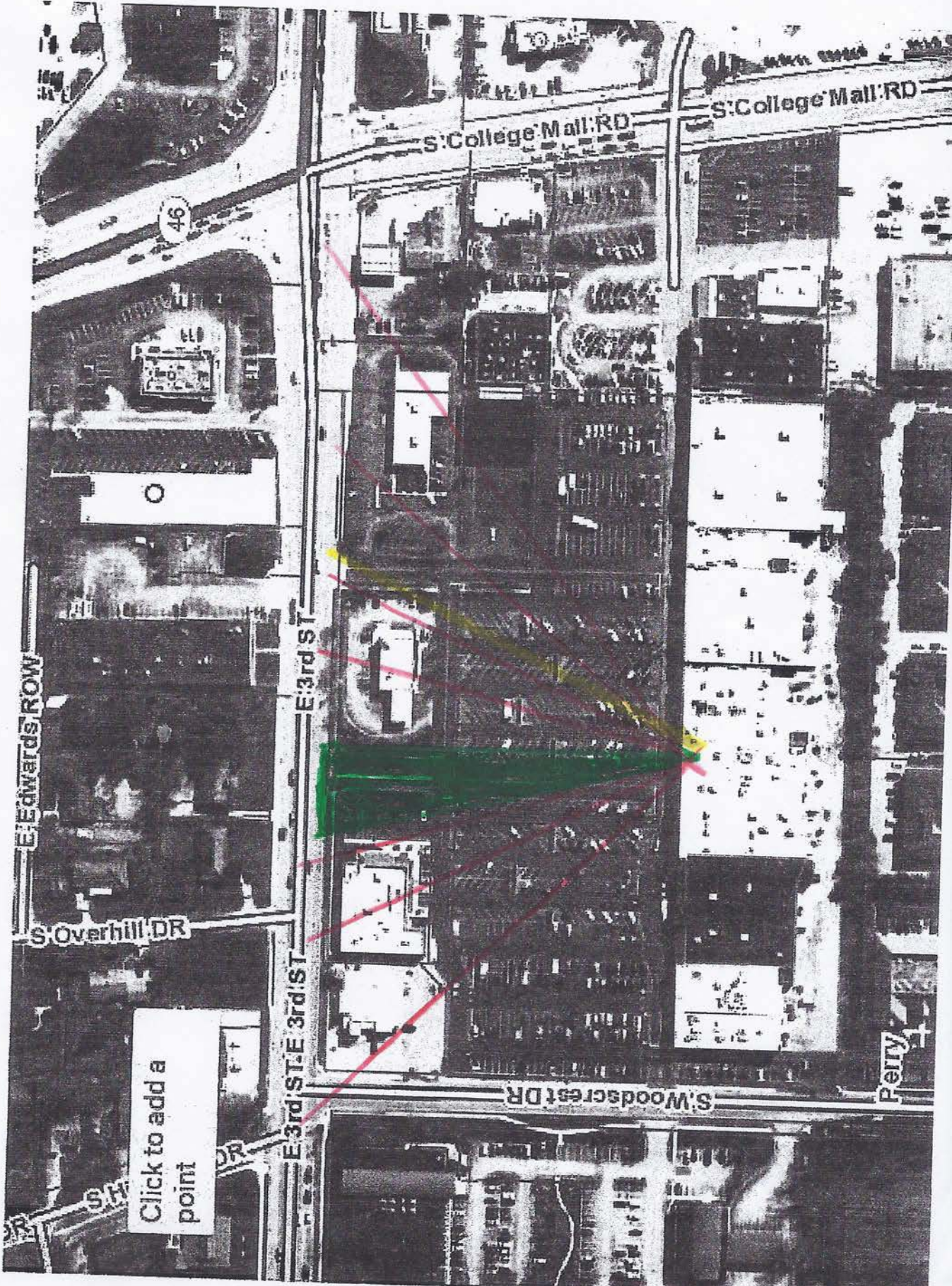
TAVEL VARIANCE

- (1) The approval will not be injurious to the public health, safety and morals, and general welfare of the community . It is simply a sign which made and installed in a proper and professional manner would not pose a problem with the aforementioned. It is in a strip center which has numerous signs which also does not effect the same.
- (2) The use and value of the area adjacent to the property included in the Development Standards Variance will not be affected in a substantially adverse manner because this is in an area surrounded by commercial uses and is actually reducing the square footage of an existing sign which is not affecting the property adversely.
- (3)The strict application of the terms of the terms of the unified Ordinance will result in a practical difficulty in the use of the property;that the practical difficulties are peculiar to the property in question; that the development standards Variance will relieve the practical difficulties. The practical difficulty is that the outlots were developed hindering the view of the existing sign which is a legally established sign . It is bigger than the ordinance allows currently and is still barely visible. A reduction in size to meet the ordinance would make the sign unreadable, thats why we are proposing that we replace the sign with a new one using green technology still be a reduction of over 61% of existing sign size. The variance would provide at the minimum a letter size that would be readable.

V-20-17 Petitioner's Exhibits

EAST
BOUND
VIEWING

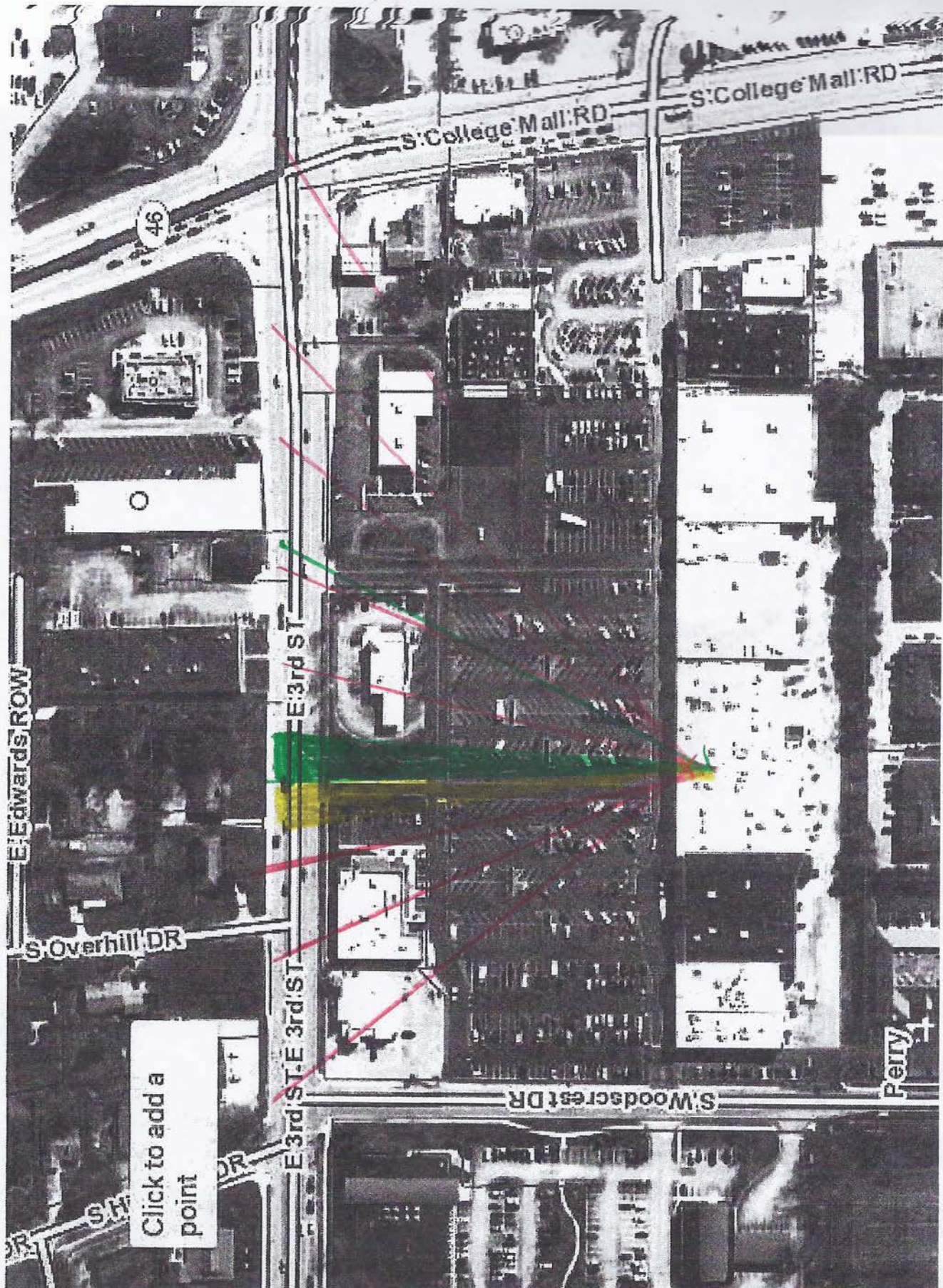
● NOT VISIBLE
● VISIBLE
● UNSAFE

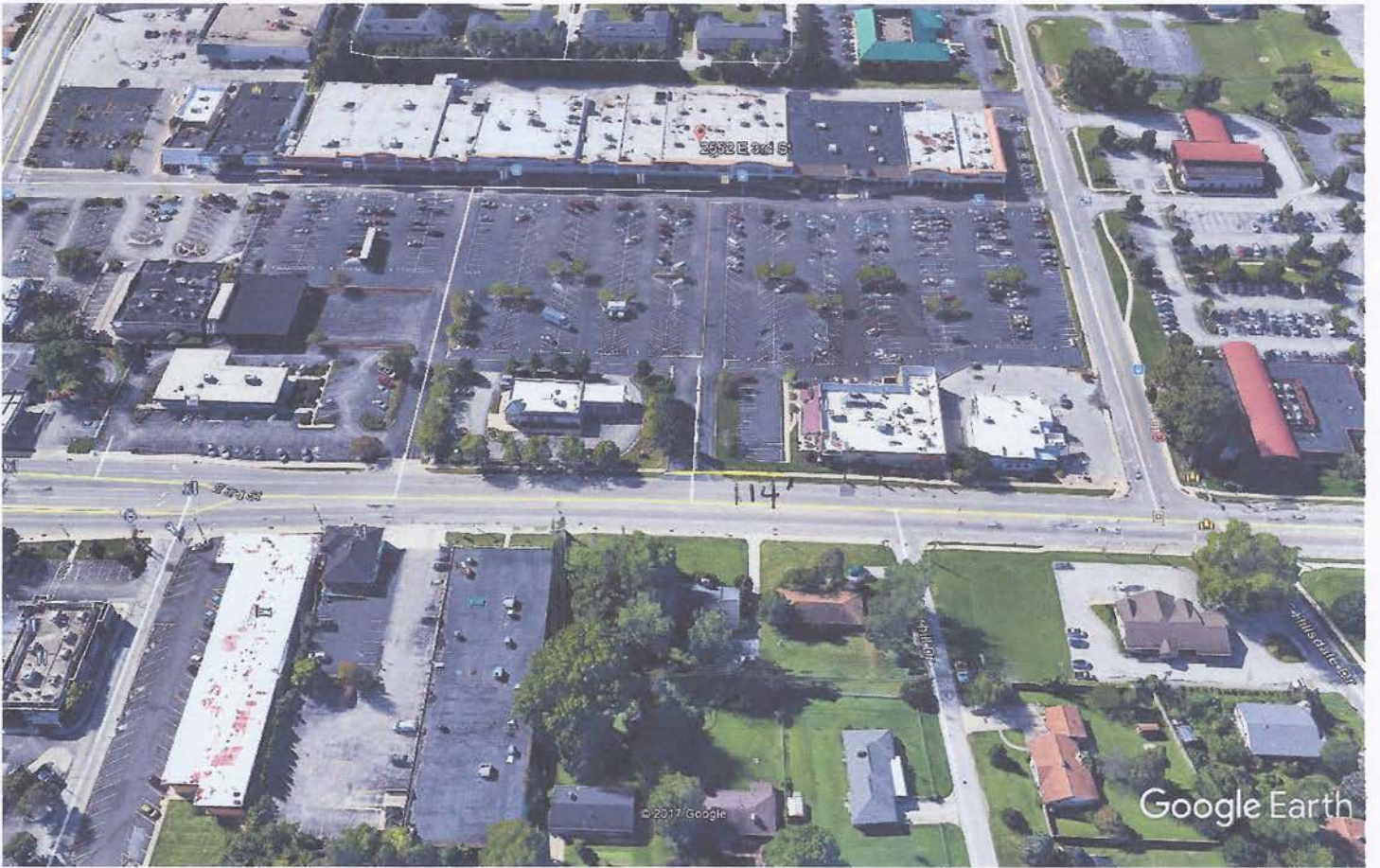


V-20-17 Petitioner's Exhibits

WEST
BOUND
VIEWING

- NOT VISIBLE
- VISIBLE
- UNSAFE





Google Earth



Time
Calculator

» Time Calculator » Time Duration Calculator » Speed Distance Time » Time Units Conversion » Hours from Now
 » Countdown Timer » Time to Decimal » Milliseconds to Seconds » Milliseconds to Date

Speed Distance Time Calculator

Please enter the speed and distance values to calculate the travel time in hours, minutes and seconds.

Speed

30

Foot per second (ft/s)

Distance

114

Feet

Calculate

Clear

00:00:04

Time format HH:MM:SS

About Speed Distance Time Calculator

This online calculator tool can be a great help for **calculating time** basing on such physical concepts as speed and distance. Therefore, in order to calculate the time, both **distance** and **speed** parameters must be entered. For the **speed**, you need to enter its value and select speed unit by using the scroll down menu in the calculator. For **distance**, you should enter its value and also select the proper length measurement unit from the scroll down menu. You'll receive the result in standard time format (HH:MM:SS).

Time Speed Distance Formula

Distance is equal to speed × time. Time is equal Distance/Speed.

$$\text{Distance} = \text{Speed} \times \text{Time}$$

$$\text{Speed} = \text{Distance} / \text{Time}$$

$$\text{Time} = \text{Distance} / \text{Speed}$$

Calculate Time from Distance and Speed Examples

Example 1:

Speed: 50 mile per hour (km/h)

Distance: 70 miles

$$\text{Time} = \text{Distance} / \text{Speed}$$

$$\text{Time} = 70 \text{ km} / (50 \text{ km/h})$$

$$\text{Time} = 1.4 \text{ h}$$

$$1 \text{ hour} = 60 \text{ minutes}$$

$$0.4 \text{ h} = 0.4 \times 60$$

$$0.4 \text{ h} = 24 \text{ minutes}$$

$$\text{Time} = 1 \text{ hour } 24 \text{ minutes}$$

$$\text{Time} = 01:24:00 \text{ (HH:MM:SS)}$$

**BLOOMINGTON BOARD OF ZONING APPEALS
STAFF REPORT**

**CASE #: V-21-17
DATE: October 19, 2017**

Location: 3115 S. Walnut Street (vacant lot north of this site)

PETITIONER: Royal Toyota
3115 S. Walnut Street, Bloomington, IN

CONSULTANT: Smith Brehob & Associates, Inc.
453 S. Clarizz Boulevard, Bloomington, IN

REQUEST: The petitioner is requesting variances from the development standards in the Commercial Arterial district: landscaping and front parking setback standards to allow a new vehicle display area.

BACKGROUND:

Area:	6.38 Acres
Zoning:	CA
GPP Designation:	Community Activity Center
Existing Land Use:	Vacant
Proposed Land Use:	Vehicle Sales
Surrounding Uses:	North - Storage
	South - Vehicle Sales
	East - Dwelling, Multifamily
	West - Car Wash / Fraternal Organization

REPORT: The property is located on the vacant lot north of 3115 S. Walnut Street and is zoned Commercial Arterial (CA). This parcel is currently vacant and contains mature trees stands, as well as large stone outcrops and is generally overgrown. Surrounding land uses include storage buildings to the north, a multifamily development to the east, a dry cleaner and Eagles post on the west side of Walnut Street, and the parent auto dealership to the south.

The petitioner is proposing to expand the vehicle sales use from the adjoining parcel onto this parcel, with only vehicle display constructed at this time. The site plan has been split into two phases, with the front portion of the parcel being developed as Phase I. The petition site is an expansion of the auto dealer to the South, so the auto dealer would typically have to bring the full site up to current UDO standards. However, the existing auto dealership previously received variances that allow its current configuration. As a result, only the new development area is subject to current UDO standards.

This proposal includes 195 vehicle display spaces in Phase I, with an additional 76 vehicle display parking spaces proposed for Phase II. One 20 foot x 40 foot building is planned at a future time in Phase I as a place for salespeople and customers to wait if need be. A 7,200 square foot vehicle maintenance building is planned for Phase II.

The proposed vehicle display area will be internally connected to the existing auto dealership display areas. The proposed display area will consist of one row of vehicles

facing Walnut Street at the front of the parcel, with most of the remainder organized in a more traditional 'parking lot' style. Because of the existing rock formations and grade change on the parcel, the petitioner also plans for a portion of the display area to sit nine feet higher than the vehicles immediately adjacent to Walnut Street. There is an existing drive cut on Walnut Street that would be utilized for direct access to the petition site. The petitioner will install a new pedestrian facility, a sidepath, per the 2008 Bicycle and Pedestrian Transportation and Greenways System Plan and new street trees along the street frontage. New landscaping will also be installed throughout the site. A stormwater detention pond is proposed for Phase I in the southeast portion of the property and a bioretention area is proposed on the southern portion to meet stormwater quality and detention requirements.

Because this petition is an expansion of an existing dealership, there is no large new dealership building on the site. The future 20 foot x 40 foot building that is proposed in Phase I is roughly 240 feet from the right-of-way. The building on the existing lot is about 120 feet from the right-of-way. There are proposed display areas between both of these buildings and the street, so the petitioner is requesting a variance from the front yard parking setback requirement to allow the proposed display areas. The petitioner is also requesting a variance from landscaping standards in order to allow smaller parking lot perimeter shrubs than required and to allow the use of columnar trees in place of some required large canopy trees on the site. The petitioner also requests removal and replacement of the previously approved landscaping along the southern line of the petition site in order to install bioretention in that area. The required densities will be met, only type of plant and location variances are requested.

An area containing multiple sinkholes was previously identified in the southeastern portion of the parcel. The sinkholes will be protected with Karst Conservancy Easements and are located in the Tree Preservation Area.

SITE PLAN ISSUES:

Landscaping: Street trees are required with this petition and have been shown. The proposed street trees will be a tall, canopy species and are required to not be more than 40' apart. Based on the 400' of frontage, a total of 10 street trees are required and proposed.

The petitioner has requested a variance from landscaping standards in order to allow flexibility in the location and species of the required landscaping. Specifically they are requesting a shrub species located along Walnut and the parking lot edge that does not typically grow to the 4' required by the UDO. The 4 foot minimum is included in the UDO, in part, to camouflage parking lots when viewed from adjoining uses and rights-of-way. In the case of an auto dealer, views of the merchandise are essential.

They are also requesting to use 63% large canopy trees for the Parking Lot Perimeter, as opposed to the 75% required by the UDO. The petitioner is proposing to utilize tall columnar trees for the balance of the required Parking Lot Perimeter trees, including in islands so that the vehicle display areas will be less shielded from view. When the UDO was written, the City expected that there would need to be flexibility in accommodating landscaping requirements for automobile dealerships in order to address the required

interior large, canopy trees that can be problematic for the display and maintenance of vehicles for sale.

The existing Royal Toyota site received variance approval under the previous code. The approval included a site plan with some landscaping located on the current petition site. The petitioner is requesting to relocate some of that landscaping, in order to install bioretention in that area and so that the two sites will feel more cohesive. The Department determined that if the plantings from that area are relocated in the same general area (southern part of the new site), the intention of the original approval will still be met. The petitioner has proposed to relocate those plantings, as discussed.

Parking: There are 270 display spaces proposed to be installed in two Phases with this petition. For the purposes of parking space maximums, display spaces do not count toward that total. However, for the purposes of parking space location, the UDO requirements do apply to display spaces. The UDO requires that parking spaces be located 20 feet behind the front façade of their related commercial buildings in the CA zoning district. With the adoption of the UDO, there was a specific goal desired of creating a “building forward” design within the City of Bloomington. However, the City recognized that a building forward site design may not be achievable for all businesses, especially those with a substantial amount of outdoor merchandise such as a vehicle sales establishment. In Phase I, the 20 foot x 40 foot to be built is 240 feet from the right-of-way line. Locating display spaces between the building and the right-of-way is common practice and necessary for this particular use.

CRITERIA AND FINDINGS FOR DEVELOPMENT STANDARDS VARIANCE

Front Parking Setback

20.09.130 e) Standards for Granting Variances from Development Standards: A variance from the development standards of the Unified Development Ordinance may be approved only upon determination in writing that each of the following criteria is met:

- 1) *The approval will not be injurious to the public health, safety, morals, and general welfare of the community.*

PROPOSED FINDING: Variance approval will not be injurious to the public health, safety, morals or general welfare of the community. There are no safety issues associated with expanding the existing display area to the north. Although having building forward designs for commercial properties is consistent with the community’s general development goals, this particular land use needs more flexibility in having a front yard vehicle display area in order to be viable.

- 2) *The use and value of the area adjacent to the property included in the Development Standards Variance will not be affected in a substantially adverse manner.*

PROPOSED FINDING: No negative effects from this proposal on the use and value of the areas adjacent to the property as a result of the reduced front parking setback are found. There are several large parking areas in the area along Walnut Street with no known problems. This particular parcel contains

large stone areas to be retained and tree preservation in the rear of the parcel that will buffer the use from adjoining parcels.

- 3) *The strict application of the terms of the Unified Development Ordinance will result in practical difficulties in the use of the property; that the practical difficulties are peculiar to the property in question; that the Development Standards Variance will relieve the practical difficulties.*

PROPOSED FINDING: The strict application of the UDO would result in practical difficulties in the use of the property because it would not allow for a reasonable display area to be created similar to other the lot immediately to the south and others in the area. The UDO does not distinguish between typical parking lots and vehicle sales display lots. Although a building forward design is required, it cannot be realistically achieved with this use, and is made more difficult in this case by the environmental constraints on this parcel. It is not feasible to construct a building large enough to adequately store the vehicles for sale. The practical difficulties are peculiar to the petition property because it is zoned for this type of land use and is an expansion of an existing permitted use. The property is also unique because it contains large limestone deposits that will be incorporated into the lot design. Granting of the variance will relieve the practical difficulties by allowing parking between the right-of-way and the future building to accommodate the expected needs of this use.

CRITERIA AND FINDINGS FOR DEVELOPMENT STANDARDS VARIANCE

Shrub and Canopy Tree Replacement

20.09.130 e) Standards for Granting Variances from Development Standards: A variance from the development standards of the Unified Development Ordinance may be approved only upon determination in writing that each of the following criteria is met:

- 1) *The approval will not be injurious to the public health, safety, morals, and general welfare of the community.*

PROPOSED FINDING: Variance approval will not be injurious to the public health, safety, morals or general welfare of the community. The use of a shorter shrub and columnar trees within the site and adjacent to the parking areas will still provide shading and buffering as intended while allowing for more visibility of the vehicles and will not be injurious to the public health, safety, morals, or general welfare of the community.

- 2) *The use and value of the area adjacent to the property included in the Development Standards Variance will not be affected in a substantially adverse manner.*

PROPOSED FINDING: No negative effects from this proposal on the use and value of the areas adjacent to the property as a result of the request to utilize different species for interior and parking lot perimeter landscaping are found. There will still be landscaping installed within the interior islands and around the perimeter to meet the goal of providing landscaping for parking areas to the

densities required by the UDO.

- 3) *The strict application of the terms of the Unified Development Ordinance will result in practical difficulties in the use of the property; that the practical difficulties are peculiar to the property in question; that the Development Standards Variance will relieve the practical difficulties.*

PROPOSED FINDING: The strict application of the terms of the Unified Development Ordinance will result in practical difficulties in the use of the property in that it would require the petitioner to install landscaping that would have negative impacts on the merchandise being displayed. The practical difficulties are peculiar to the property in that the property is zoned to allow this land use and the City expected there would need to be flexibility in regards to landscaping requirements with the adoption of the UDO. Vehicle sales is a unique use of the 113 uses permitted in the CA zone, in that much of the merchandise must be displayed outdoors. The granting of the variance will relieve the practical difficulties by allowing smaller shrubs and columnar trees to be used in quantities that allow the vehicle use to be feasible at this site.

CRITERIA AND FINDINGS FOR DEVELOPMENT STANDARDS VARIANCE

Perimeter Landscaping Relocation

20.09.130 e) Standards for Granting Variances from Development Standards: A variance from the development standards of the Unified Development Ordinance may be approved only upon determination in writing that each of the following criteria is met:

- 1) *The approval will not be injurious to the public health, safety, morals, and general welfare of the community.*

PROPOSED FINDING: Variance approval will not be injurious to the public health, safety, morals or general welfare of the community. The previously approved landscaping will be relocated and the approved density will be retained. A bioretention area that will improve water runoff quality will be installed.

- 2) *The use and value of the area adjacent to the property included in the Development Standards Variance will not be affected in a substantially adverse manner.*

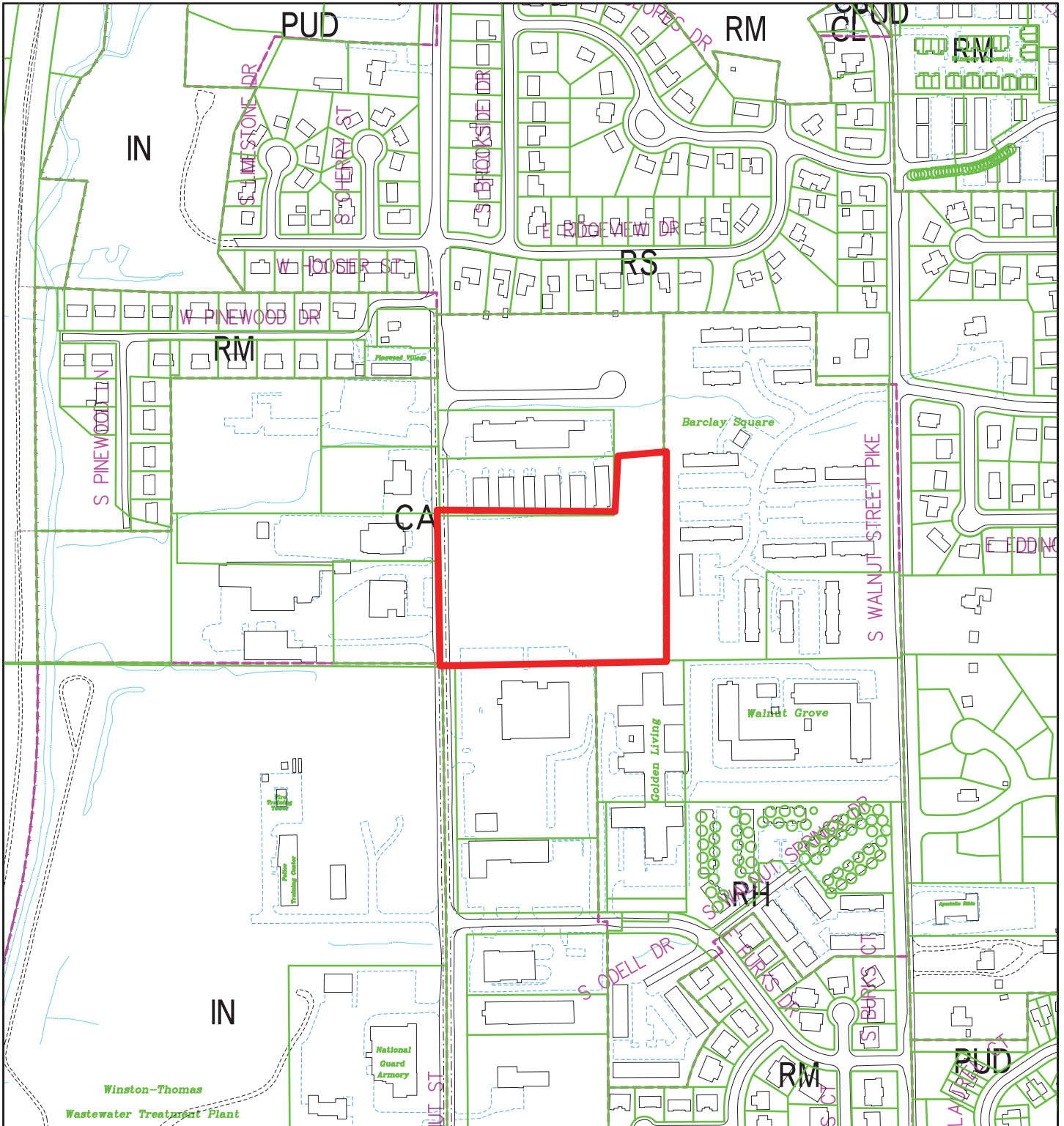
PROPOSED FINDING: No negative effects from this proposal on the use and value of the areas adjacent to the property as a result of the request to relocate previously approved landscaping. The approved density will remain on the site and the majority of the plantings will be within the same area as originally approved. The area is between the existing and proposed developments and not immediately adjacent to other properties.

- 3) *The strict application of the terms of the Unified Development Ordinance will result in practical difficulties in the use of the property; that the practical difficulties are peculiar to the property in question; that the Development Standards Variance will relieve the practical difficulties.*

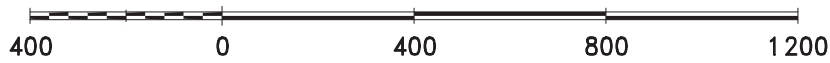
PROPOSED FINDING: The strict application of the terms of the Unified Development Ordinance will result in practical difficulties in the use of the property in that it would require the petitioner to leave the previously approved perimeter landscaping in place, limiting options for the location of a bioretention area that will improve the quality of stormwater leaving the site. The peculiar condition of the site is a natural low spot in the southeast portion of the site that is the best location for detention and in close proximity to the requested bioretention area. Strict application of the UDO could hamper improved water quality measures at the site.

RECOMMENDATION: The Department recommends that the Board of Zoning Appeals adopts the proposed findings and approves V-21-17 with the following conditions:

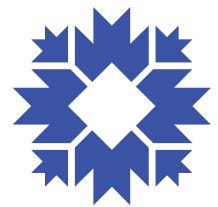
1. Variance is approved related to the submitted site plan with a maximum of 270 total display spaces in two phases. No additional front yard parking setback variance is required when Phase II is built.
2. Landscaping variance applies to the specific requests listed and discussed in the staff report. All other landscaping requirements must be met.
3. Petitioner will amend site plan to add required side path before grading permit is issued.



By: scanlanj
13 Oct 17

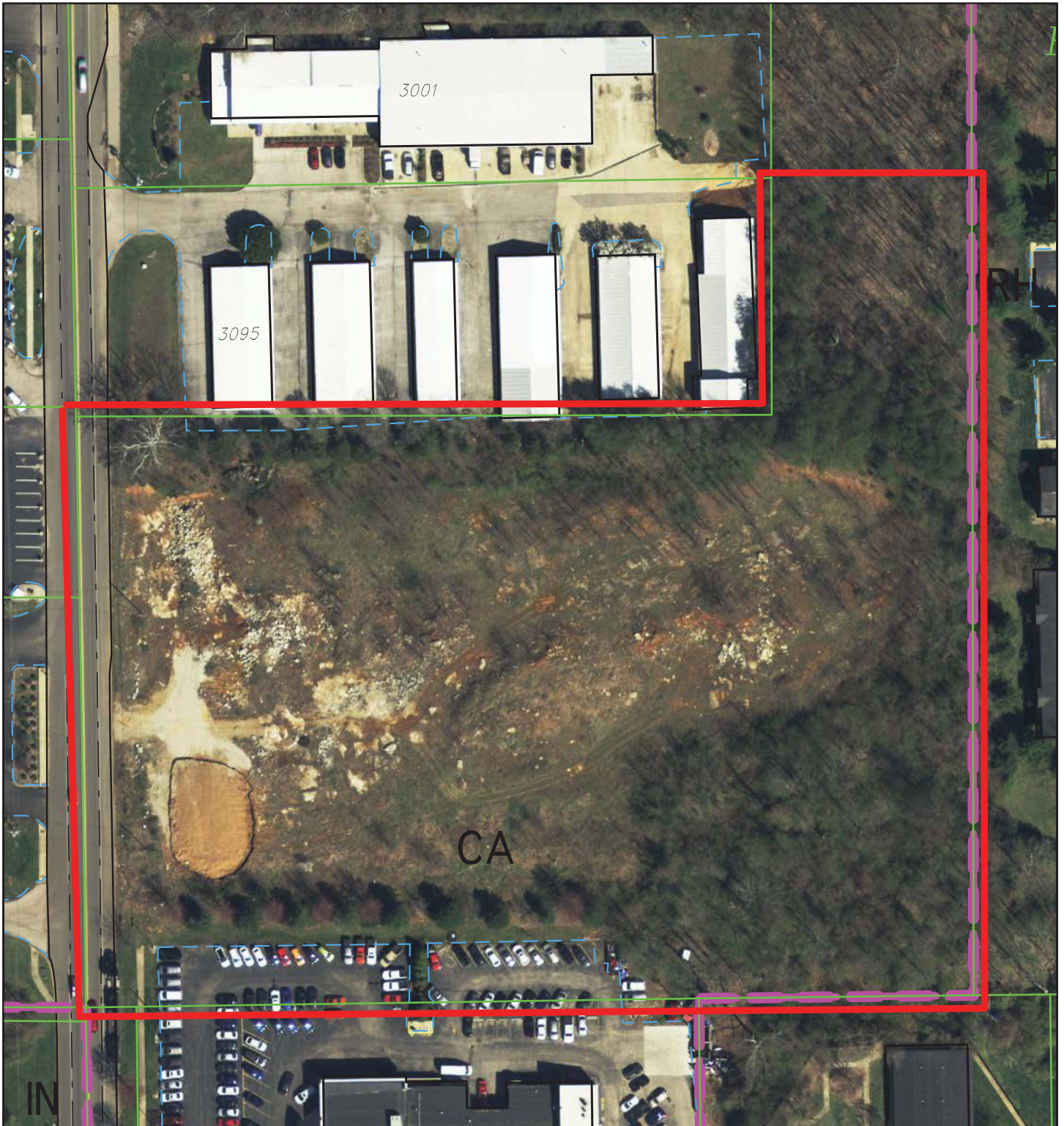


City of Bloomington
Planning & Transportation

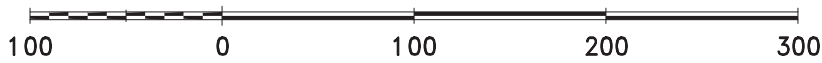


Scale: 1" = 400'

For reference only; map information NOT warranted.



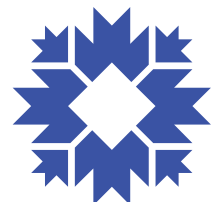
By: scanlanj
13 Oct 17



For reference only; map information NOT warranted.



City of Bloomington
Planning & Transportation



Scale: 1" = 100'



Providing professional land planning, design, surveying and approval processing for a sustainable environment.

Stephen L. Smith P.E., L.S.
Steven A. Brehob B.S.Ca.T.
Todd M. Borgman, P.L.S.
Don J. Kocarek, P.L.A.
Katherine E. Stein, P.E.

October 5, 2017

Jackie Scanlan
City Planning and Transportation Department
401 N. Morton Street
Bloomington, IN. 47404

RE: Royal South Toyota
BZA Submittal

Dear Jackie,

Enclosed in the revised drawings for Royal South Toyota Submission for October 19, 2017 Board of Zoning Appeals for consideration of Variances. We are proposing a 195 vehicle display spaces, a future building area, and new stormwater retention basin and associated landscaping.

We are requesting the following landscape and parking variances:

1. Front yard setback variance, to allow vehicle display spaces along Walnut St. not located 20' behind existing buildings or future buildings. Vehicle display parking is 7' behind right of way along Walnut Street.
2. Parking lot perimeter landscape variance to allow a shorter variety of shrubs along the parking lot edge that does not grow to the required 4' height. The proposed juniper species grow to maximum of 18" in height and will not block view of the display vehicles. Of the 585 parking lot perimeter shrubs required, 143 would be the lower growing variety, 24%.
3. A variance to remove and replace the existing landscape north of the current vehicle display lot. Most of that landscape will be located along that same parking lot edge. The previous approval had 5 maples, 6 pine trees and 72 shrubs, Taxus and Burning Bush along that existing parking lot edge. We are proposing a bio-retention in that area that necessitated the removal of the existing landscape.
4. A parking lot perimeter variance to allow some columnar trees to be used instead of large canopy trees. Of the 49 parking lot perimeter trees required, 7 trees would be narrow columnar trees to allow views from the existing vehicle display areas to the new vehicle display area. 84% of the parking lot perimeter trees will be large canopy trees and 16% will be

453 S. Clarizz Blvd.
Bloomington, Indiana 47401



columnar trees. In addition, we are requesting a variance from the 75% be large canopy trees required. We are proposing 63% be large canopy trees and 37% be columnar trees to allow better views of the vehicles displays.

Location

The project is located just north of the existing Royal Toyota Car Dealership at 3115 South Walnut Street. The site is currently vacant. To the north of the site is a storage facility and east is apartment complex.

Access

The new sales lot can be accessed from the existing sales lot drives at two locations, and one new entrance drive is proposed onto Walnut Street. There will also be additional sidewalk added along Walnut Street.

Environmental

The site is covered by 1.745 (27%) acres of tree canopy percent tree canopy. We are required to retain 80%, or 1.396 acres. We are proposing to retain 1.498 (86%) acres of the existing tree canopy area in this phase and the future phase. There are also 7 sink holes on the site. They are identified and have proposed conservancy easements around them.

Other proposed features are shown of the attached plans. Also included with the application are the application form and filing fee.

Sincerely,

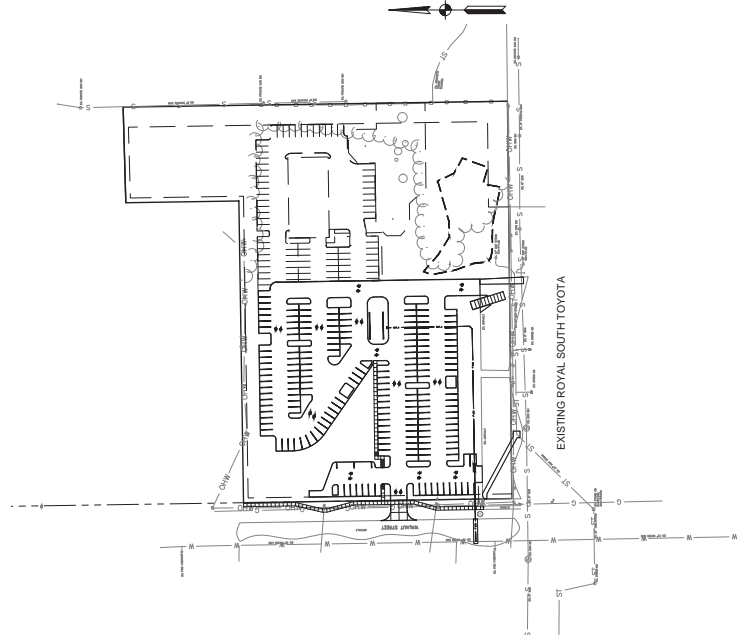
A handwritten signature in black ink that reads 'Don Kocarek'. The signature is written in a cursive, flowing style.

Don Kocarek
Smith Brehob & Associates, Inc.

Attachments: Plan Set

V-21-17 Petitioner's Site Plan

ROYAL SOUTH TOYOTA SITE PLAN APPROVAL AND VARIANCE BLOOMINGTON, INDIANA



Sheet Number	Sheet Title
CT00	TITLE SHEET
CT01	EXISTING CONDITIONS
CT02	DEMOLITION PLAN
CT03	SITE PLAN
CT04	GRADING PLAN
CT05	UTILITY PLAN
CT06	UTILITY PROFILES
CT07	LANDSCAPE PLAN
CT08	EROSION CONTROL PLAN
CT09	EROSION CONTROL NOTES & DETAILS
CT10	EROSION CONTROL NOTES
CT11	CIVIL DETAILS

LEGAL DESCRIPTION
SOUTH PLEX ADDENDUM TRACT 2
PLAT GABRIEL B ENVELOPE 383

FERRY, TWP.
SECTION 16
T10N R17W

OWNER

GMB 2 LLC REALTY
3115 SOUTH WALNUT STREET
BLOOMINGTON, INDIANA 47401

DEVELOPER(S) & APPLICANT(S)
ROYAL SOUTH TOYOTA,
3115 SOUTH WALNUT STREET
BLOOMINGTON, INDIANA 47401

DESIGNER(S) & SURVEYOR(S)
SMITH BREHOB & ASSOCIATES, INC.
1455 COLBERT BOULEVARD
BLOOMINGTON, IN 47407
(812) 336-6536

HEIGHT AND BULK

SEE TRACK
FRONT SETTING SETBACK
SIDE SETBACK

15 TYPE B BUFFER REQUIRED ADJACENT TO
MAXIMUM HOUSE SURFACE = 60%

PARKING SETBACK
OF BEHIND BUILDING FRONT
SETBACK OF PROGRESSIVE

SHEET NO.	REVISIONS	BY	DATE

PREPARED BY:
SMITH BREHOB & ASSOCIATES INC. BLOOMINGTON, INDIANA

NOTE: SPECIFICATIONS FOR THIS PROJECT ARE THE
2014 SMITH BREHOB & ASSOCIATES STANDARD
SPECIFICATIONS.



JOB NUMBER: 5542



TOPOGRAPHIC LEGEND

1. BENCH MARK	11. AIR CONDITIONER	21. STORM MANHOLE	31. FIRE HYDRANT
2. BENCH MARK	12. AIR CONDITIONER	22. STORM MANHOLE	32. FIRE HYDRANT
3. BENCH MARK	13. AIR CONDITIONER	23. STORM MANHOLE	33. FIRE HYDRANT
4. BENCH MARK	14. AIR CONDITIONER	24. STORM MANHOLE	34. FIRE HYDRANT
5. BENCH MARK	15. AIR CONDITIONER	25. STORM MANHOLE	35. FIRE HYDRANT
6. BENCH MARK	16. AIR CONDITIONER	26. STORM MANHOLE	36. FIRE HYDRANT
7. BENCH MARK	17. AIR CONDITIONER	27. STORM MANHOLE	37. FIRE HYDRANT
8. BENCH MARK	18. AIR CONDITIONER	28. STORM MANHOLE	38. FIRE HYDRANT
9. BENCH MARK	19. AIR CONDITIONER	29. STORM MANHOLE	39. FIRE HYDRANT
10. BENCH MARK	20. AIR CONDITIONER	30. STORM MANHOLE	40. FIRE HYDRANT

Smith Brinkley & Associates, Inc.
 525 South Main Street
 Bloomington, Indiana 47403
 Phone: 317-346-0313
 Fax: 317-346-0315
 Email: info@smithbrinkley.com

10/05/2017

ROYAL TOYOTA
 SALES LOT EXPANSION
 BLOOMINGTON, INDIANA

NO.	DATE	BY	DATE

5542
 SHEET
C101
 45
 10/05/2017
 EXISTING
 CONDITIONS

V-21-17 Petitioner's Site Plan



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HORIZONTAL SCALE: 1"=20'
VERTICAL SCALE: 1"=5'

Smith Brink & Associates, Inc.
125 South Main Street
Bloomington, Indiana 47404
Phone: 317.336.6300
Web: http://smithbrink.com

10/05/2017

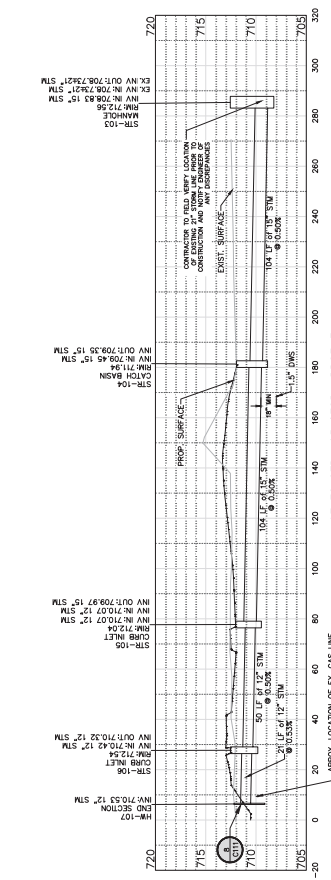
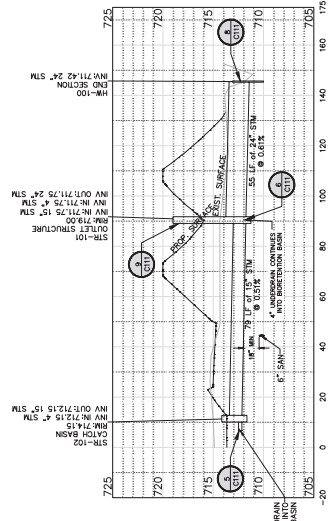
ROYAL TOYOTA
SALES LOT EXPANSION
BLOOMINGTON, INDIANA

NO.	DATE	BY	DATE

5542
SHEET
C106
10/05/2017

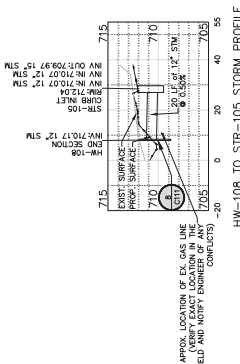
UTILITY PROFILES

V-21-17 Petitioner's Site Plan

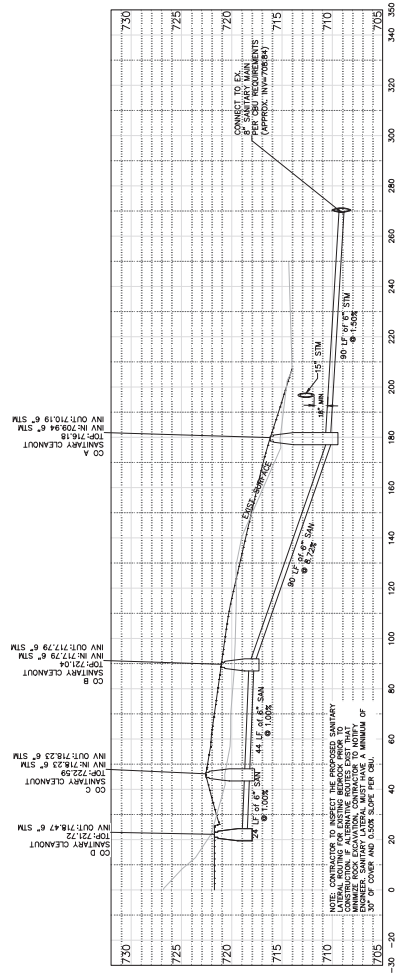


SIR-102 TO HW-100 STORM PROFILE

HW-107 TO STR-103 STORM PROFILE



HW-108 TO STR-105 STORM PROFILE



SANITARY LATERAL PROFILE

Structure Data Table

INLET NO.	CASTING	STRUCTURE PROPERTIES	DESCRIPTION	LENGTH (ft)	SIZE (in)	TYPE	UP INV. (ft)	DN INV. (ft)	SLOPE (%)	RISER PROPERTIES			CONNECTION
										RI	RI	RI	
578-102	E1292	6\"/>											



10/05/2017

ROYAL TOYOTA
SALES LOT EXPANSION
BLOOMINGTON, INDIANA

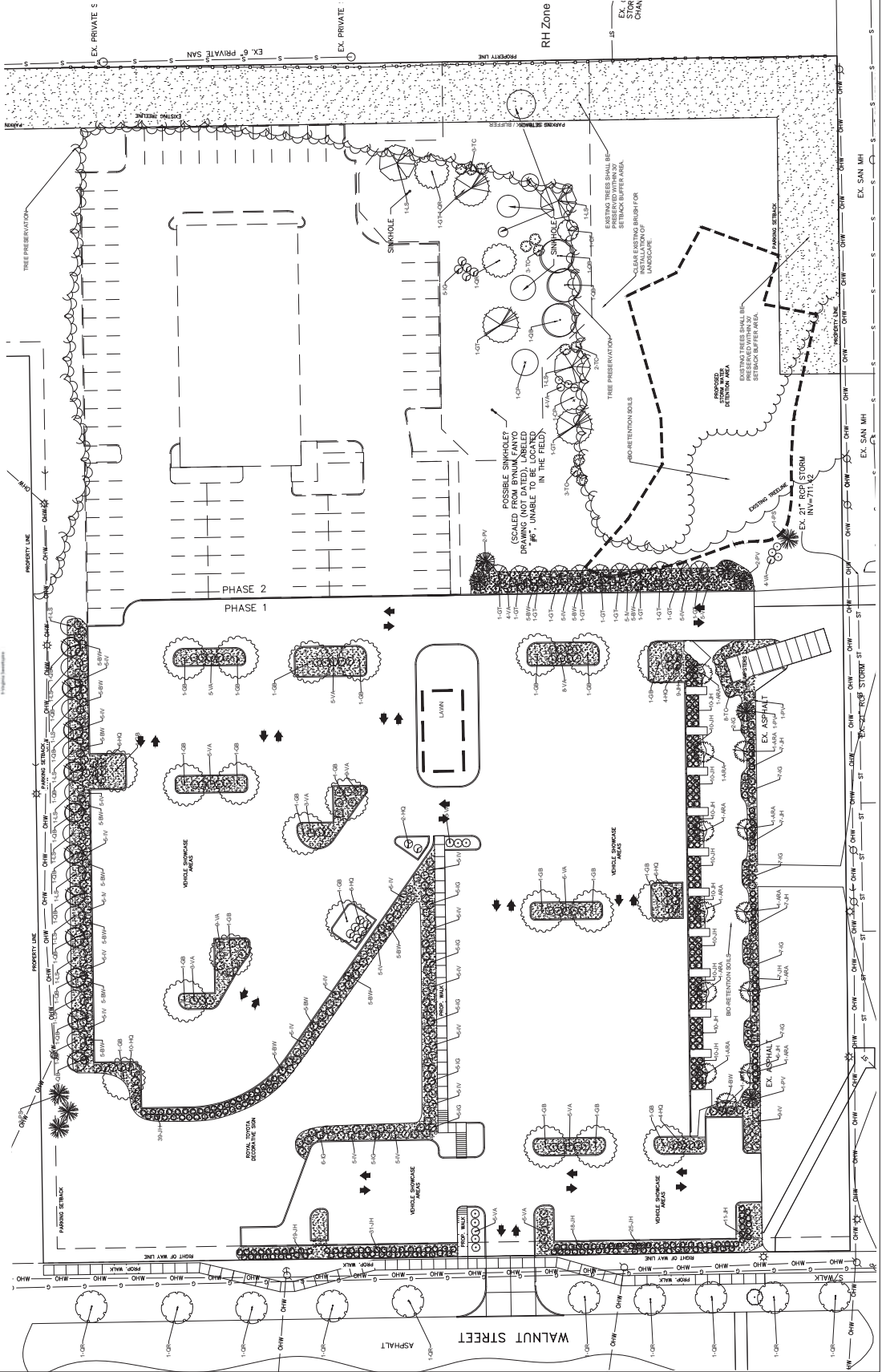
NO.	DATE	BY	REVISIONS

5542
SHEET
C107
10/05/2017
LANDSCAPE PLAN

V-21-17 Petitioner's Site Plan

KEY	BOTANICAL NAME	COMMON NAME	SIZE	COMMENTS
1	TREES			
2	ARISA	Arising Red Maple	2' Caliper	
3	FR	Flowering Dogwood	2' Caliper	
4	FR	Flowering Dogwood	2' Caliper	
5	FR	Flowering Dogwood	2' Caliper	
6	FR	Flowering Dogwood	2' Caliper	
7	FR	Flowering Dogwood	2' Caliper	
8	FR	Flowering Dogwood	2' Caliper	
9	FR	Flowering Dogwood	2' Caliper	
10	FR	Flowering Dogwood	2' Caliper	
11	FR	Flowering Dogwood	2' Caliper	
12	FR	Flowering Dogwood	2' Caliper	
13	FR	Flowering Dogwood	2' Caliper	
14	FR	Flowering Dogwood	2' Caliper	
15	FR	Flowering Dogwood	2' Caliper	
16	FR	Flowering Dogwood	2' Caliper	
17	FR	Flowering Dogwood	2' Caliper	
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9	FR	Flowering Dogwood	2' Caliper	
10	FR	Flowering Dogwood	2' Caliper	
11	FR	Flowering Dogwood	2' Caliper	
12	FR	Flowering Dogwood	2' Caliper	
13	FR	Flowering Dogwood	2' Caliper	
14	FR	Flowering Dogwood	2' Caliper	
15	FR	Flowering Dogwood	2' Caliper	
16	FR	Flowering Dogwood	2' Caliper	
17	FR	Flowering Dogwood	2' Caliper	
18	FR	Flowering Dogwood	2' Caliper	
19	FR	Flowering Dogwood	2' Caliper	
20	FR	Flowering Dogwood	2' Caliper	



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NARRATIVE

SEC. A - CONSTRUCTION PLAN STANDARDS

- A1 - Show Site.
- A2 - 1/8" = 1' Scale.
- A3 - 1/4" = 1' Scale.
- A4 - 1/2" = 1' Scale.
- A5 - 3/4" = 1' Scale.
- A6 - 1" = 1' Scale.
- A7 - 1 1/4" = 1' Scale.
- A8 - 1 1/2" = 1' Scale.
- A9 - 1 3/4" = 1' Scale.
- A10 - 2" = 1' Scale.
- A11 - 2 1/2" = 1' Scale.
- A12 - 3" = 1' Scale.
- A13 - 3 1/2" = 1' Scale.
- A14 - 4" = 1' Scale.
- A15 - 4 1/2" = 1' Scale.
- A16 - 5" = 1' Scale.
- A17 - 5 1/2" = 1' Scale.
- A18 - 6" = 1' Scale.
- A19 - 6 1/2" = 1' Scale.
- A20 - 7" = 1' Scale.
- A21 - 7 1/2" = 1' Scale.
- A22 - 8" = 1' Scale.
- A23 - 8 1/2" = 1' Scale.
- A24 - 9" = 1' Scale.
- A25 - 9 1/2" = 1' Scale.
- A26 - 10" = 1' Scale.
- A27 - 10 1/2" = 1' Scale.
- A28 - 11" = 1' Scale.
- A29 - 11 1/2" = 1' Scale.
- A30 - 12" = 1' Scale.
- A31 - 12 1/2" = 1' Scale.
- A32 - 13" = 1' Scale.
- A33 - 13 1/2" = 1' Scale.
- A34 - 14" = 1' Scale.
- A35 - 14 1/2" = 1' Scale.
- A36 - 15" = 1' Scale.
- A37 - 15 1/2" = 1' Scale.
- A38 - 16" = 1' Scale.
- A39 - 16 1/2" = 1' Scale.
- A40 - 17" = 1' Scale.
- A41 - 17 1/2" = 1' Scale.
- A42 - 18" = 1' Scale.
- A43 - 18 1/2" = 1' Scale.
- A44 - 19" = 1' Scale.
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- A46 - 20" = 1' Scale.
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- A50 - 22" = 1' Scale.
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- A99 - 46 1/2" = 1' Scale.
- A100 - 47" = 1' Scale.
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- A194 - 94" = 1' Scale.
- A195 - 94 1/2" = 1' Scale.
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- A197 - 95 1/2" = 1' Scale.
- A198 - 96" = 1' Scale.
- A199 - 96 1/2" = 1' Scale.
- A200 - 97" = 1' Scale.
- A201 - 97 1/2" = 1' Scale.
- A202 - 98" = 1' Scale.
- A203 - 98 1/2" = 1' Scale.
- A204 - 99" = 1' Scale.
- A205 - 99 1/2" = 1' Scale.
- A206 - 100" = 1' Scale.

SOILS MAP



VICINITY MAPS



Map Sheet	Soil Type	Area (Acres)
1	CLAY	1.5
2	SAND	2.0
3	SILT	1.0
4	GRAVEL	0.5
5	COARSE SAND	1.0
6	MEDIUM SAND	1.5
7	FINE SAND	1.5
8	SILT	1.0
9	CLAY	1.5
10	SAND	2.0

V-21-17 Petitioner's Site Plan

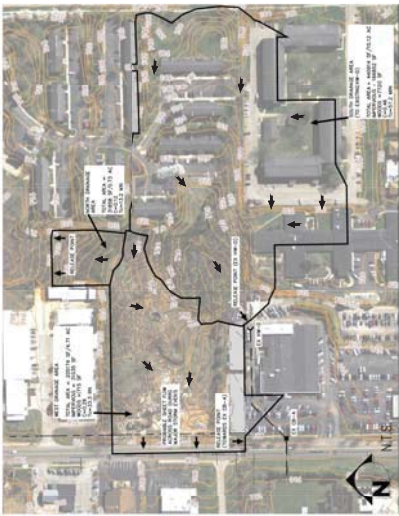
ROYAL TOYOTA SALES LOT EXPANSION BLOOMINGTON, INDIANA

10/05/2017

NO.	DATE	BY	DESCRIPTION

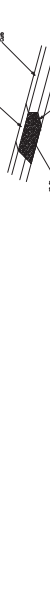
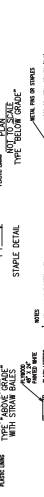
NO.	DATE	BY	DESCRIPTION

55-423
 SHEET NO. **C109**
 10/05/2017
 EROSION CONTROL DETAILS



GENERAL CONSTRUCTION SEQUENCE

1. SITE CITY INSPECTION AND PERMITS AND GET TO REVEAL EXISTING AND REMOVED CONSTRUCTION.
2. INSTALL PERMANENT EROSION CONTROL MEASURES AND PAINT ANY EROSION CONTROL MEASURES.
3. REMOVE EXISTING CONSTRUCTION AND PAINT ANY EROSION CONTROL MEASURES.
4. PREPARE EXISTING CONSTRUCTION AND PAINT ANY EROSION CONTROL MEASURES.
5. PREPARE EXISTING CONSTRUCTION AND PAINT ANY EROSION CONTROL MEASURES.
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29. COMPLETE EXISTING CONSTRUCTION AND PAINT ANY EROSION CONTROL MEASURES.
30. COMPLETE EXISTING CONSTRUCTION AND PAINT ANY EROSION CONTROL MEASURES.





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 Indianapolis, Indiana 46202
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 Email: info@smithbrink.com

10/05/2017

ROYAL TOYOTA
 SALES LOT EXPANSION
 BLOOMINGTON, INDIANA

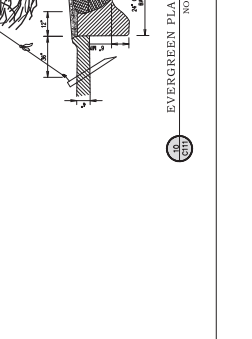
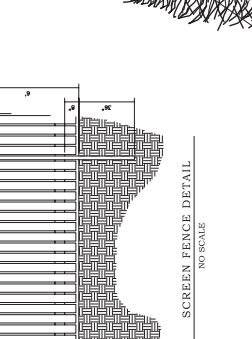
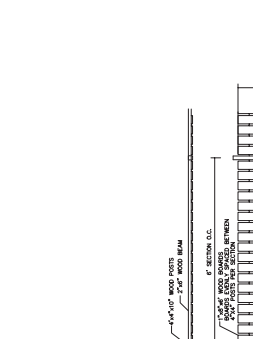
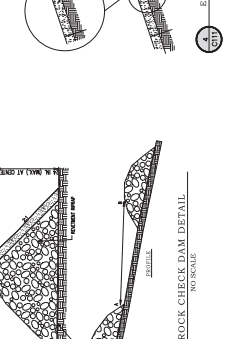
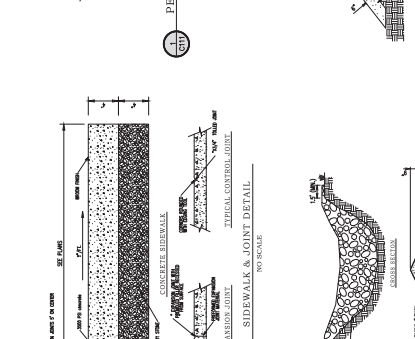
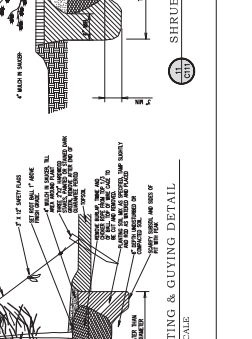
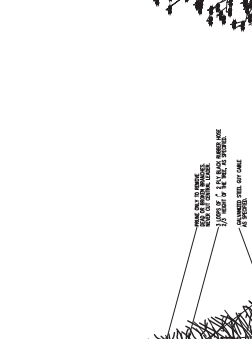
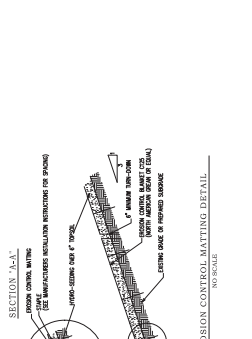
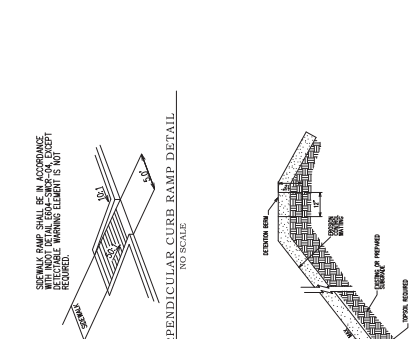
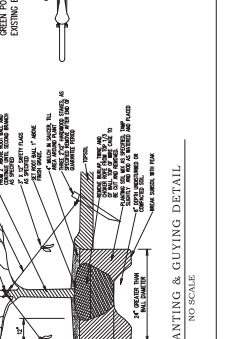
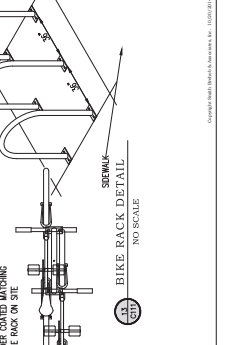
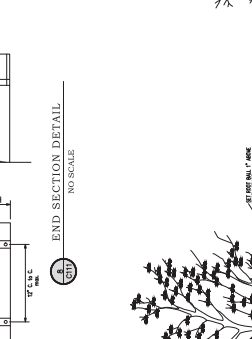
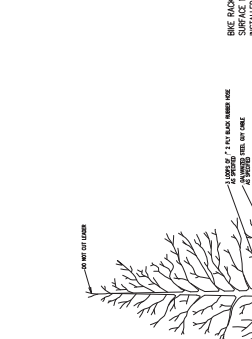
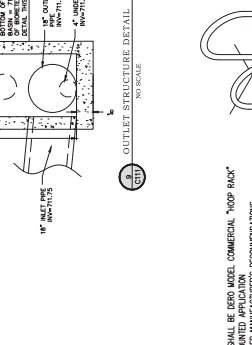
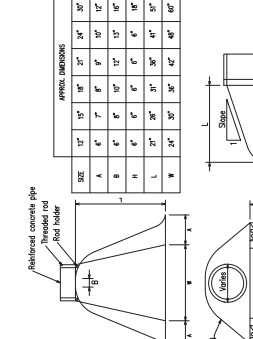
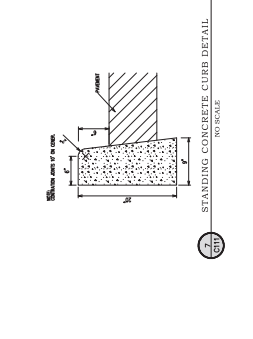
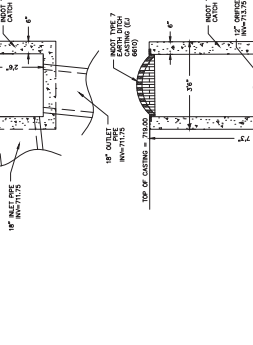
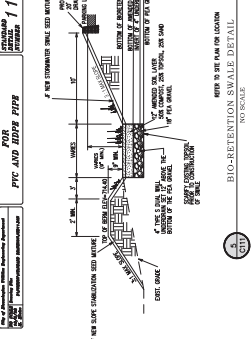
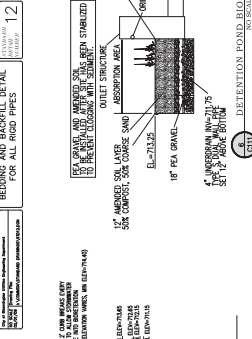
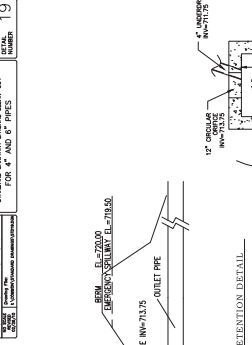
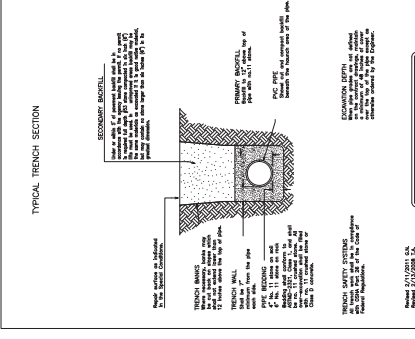
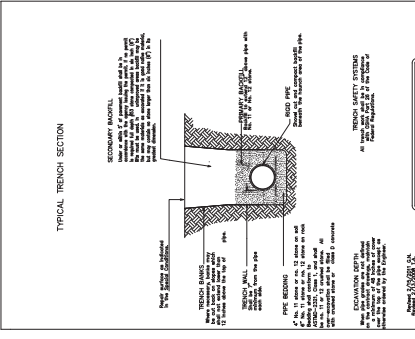
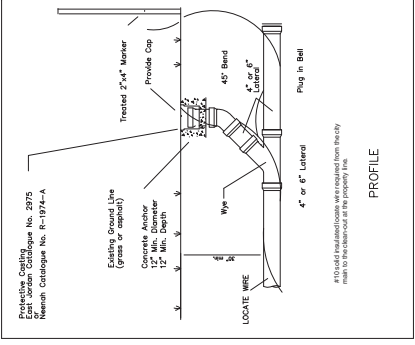
NO.	DATE	BY	REVISIONS

DESIGNED	
CHECKED	
APPROVED	

5542
 SHEET
C111
 10/05/2017

CIVIL DETAILS

V-21-17 Petitioner's Site Plan



Copyright 2017 Smith Brink & Associates, Inc. 10/05/2017 11:48 AM

BLOOMINGTON BOARD OF ZONING APPEALS
STAFF REPORT
Location: 2718 E. 3rd Street

CASE #: V-22-17
DATE: October 19, 2017

PETITIONER: Old National Bank
One Main Street, Evansville

CONSULTANT: Bynum Fanyo & Associates, Inc.
528 N. Walnut St, Bloomington

REQUEST: The petitioner is requesting a variance from building and parking setback standards and from the maximum number of allowed parking spaces to allow the construction of a new fast food restaurant.

STAFF REPORT: This 0.92 acre property is located at the southeast corner of S. College Mall Road and E. 3rd Street and is zoned Commercial Arterial (CA) and Planned Unit Development (PUD). Surrounding land uses include the College Mall to the south and east and commercial businesses to the north and west. The building has been most recently used by Old National Bank and has been vacant for several years.

The petitioner is proposing to demolish the current building in order to construct a new Burger King fast food restaurant on this site. The new building is proposed to be 2,811 sq. ft. with 35 parking spaces proposed. A drive-thru has been shown on the east side of the building. There is an existing 5' wide sidewalk in place along College Mall Road and an 8' wide asphalt sidepath along the 3rd Street frontage.

The petitioner is requesting a variance from the 15' front yard building setback standards to allow an 8.95' setback at the northwest corner of the building. The rest of the building will meet the required setbacks. The petitioner is also requesting a variance from front yard parking setback standards to allow the proposed drive-thru lane on the north side of the site to be even with the front of the building, rather than the required 20' setback behind the front of the building. Also requested is a variance from the maximum number of parking spaces allowed. Based on the size of the building, 15 parking spaces would be permitted. The petitioner is requesting to have 35 parking spaces.

As part of the redevelopment of the site, the property must come into compliance with all sections of the UDO. Required site improvements include new street trees along both street frontages, planting new landscaping throughout the property, installation of bike racks, and a dumpster enclosure.

SITE PLAN ISSUES:

Building Architecture/Design: Since the building is located within 300' of a primary arterial road it is subject to the Architectural standards of the UDO. The building will be finished with a brick exterior and standing seam metal roof with large windows. The proposed building meets the architectural requirements.

Access: A sidewalk connection has been shown from the front door to the sidewalk along both College Mall Road and 3rd Street. Vehicular access to the property will be from 2 existing entrance drives, one on College Mall Road and one on 3rd Street. Although the drive location on College Mall Road does not meet the 150' setback requirement from the intersection, it is located as far from the intersection as possible and is permitted. No problems have been identified from either of the current entrance drive locations.

Landscaping: With the new use on the property, the property is required to meet all landscaping requirements. The petitioner has submitted a landscape plan that meets UDO requirements.

Parking: The UDO allows for a maximum of one parking space per 200 sq. ft. of gross floor area. Based on the size of the restaurant (2,811 sq. ft.) the property would be allowed a maximum of 15 parking spaces. There will be 12 employees at this location on the largest shift. The petitioner is requesting a variance from the maximum number of parking spaces to allow for 35 parking spaces.

In order to justify such a deviation from code, the petitioner has performed parking studies at two of their local Burger King restaurants to provide parking usage data (included in packet). These studies have been included in the packet. The studies show that there is a peak usage time between 11:00 AM and 1:00 PM during the weekdays. Each location shows a parking need during that peak time period that is closer to one space per 1,000 sq. ft. of floor area.

The Department believes that the petitioner's study, along with local observations, seems to indicate a need for 28 spaces for patrons and employees and is the more appropriate number of spaces. The Department believes this ratio is consistent with previous variances from parking maximums that are based on a demonstrated actual need.

Pedestrian Facilities: There is a sidewalk along the College Mall frontage and a sidepath along the 3rd Street frontage that is in good condition. No new sidewalk connections are required.

CRITERIA AND FINDINGS FOR DEVELOPMENT STANDARDS VARIANCE

20.09.130 e) Standards for Granting Variances from Development Standards: A variance from the development standards of the Unified Development Ordinance may be approved only upon determination in writing that each of the following criteria is met:

- 1) *The approval will not be injurious to the public health, safety, morals, and general welfare of the community.*

RECOMMENDED FINDING:

Building Setback: The granting of the variance from the standards will not be injurious to the public health, safety, or morals. The location of the building closer to the northwest corner of the site actually allows the building to be more

consistent with other buildings along the road frontage.

Parking Setback: The granting of the variance from the standards will not be injurious to the public health, safety, or morals. The location of the drive-thru within the parking setback does not place a drive-thru lane between the building and the street and has a building forward design which is consistent with the intent of the UDO.

Parking Number: The granting of the variance from the standards will not be injurious to the public health, safety, or morals. The proposed number of parking spaces will appropriately serve the needs of the restaurant patrons and employees and limit impacts to adjacent properties.

- 2) *The use and value of the area adjacent to the property included in the Development Standards Variance will not be affected in a substantially adverse manner.*

RECOMMENDED FINDINGS:

Building Setback: No negative effects are found from this proposal on the use and value of the areas adjacent to the property. A positive impact on the use and value of the adjacent areas could be expected due to the redevelopment of this property.

Parking Setback: No negative effects from this proposal are found on the use and value of the areas adjacent to the property. The location of the drive-thru lane does not hinder pedestrian's ability to access the site nor place the drive-thru lane between the building and the street.

Parking Number: No negative effects from this proposal are found on the use and value of the areas adjacent to the property. The granting of this variance will allow an appropriate number of parking spaces on this site which will help minimize any negative impacts from spillover parking on adjacent properties.

- 3) *The strict application of the terms of the Unified Development Ordinance will result in practical difficulties in the use of the property; that the practical difficulties are peculiar to the property in question; that the Development Standards Variance will relieve the practical difficulties.*

RECOMMENDED FINDING:

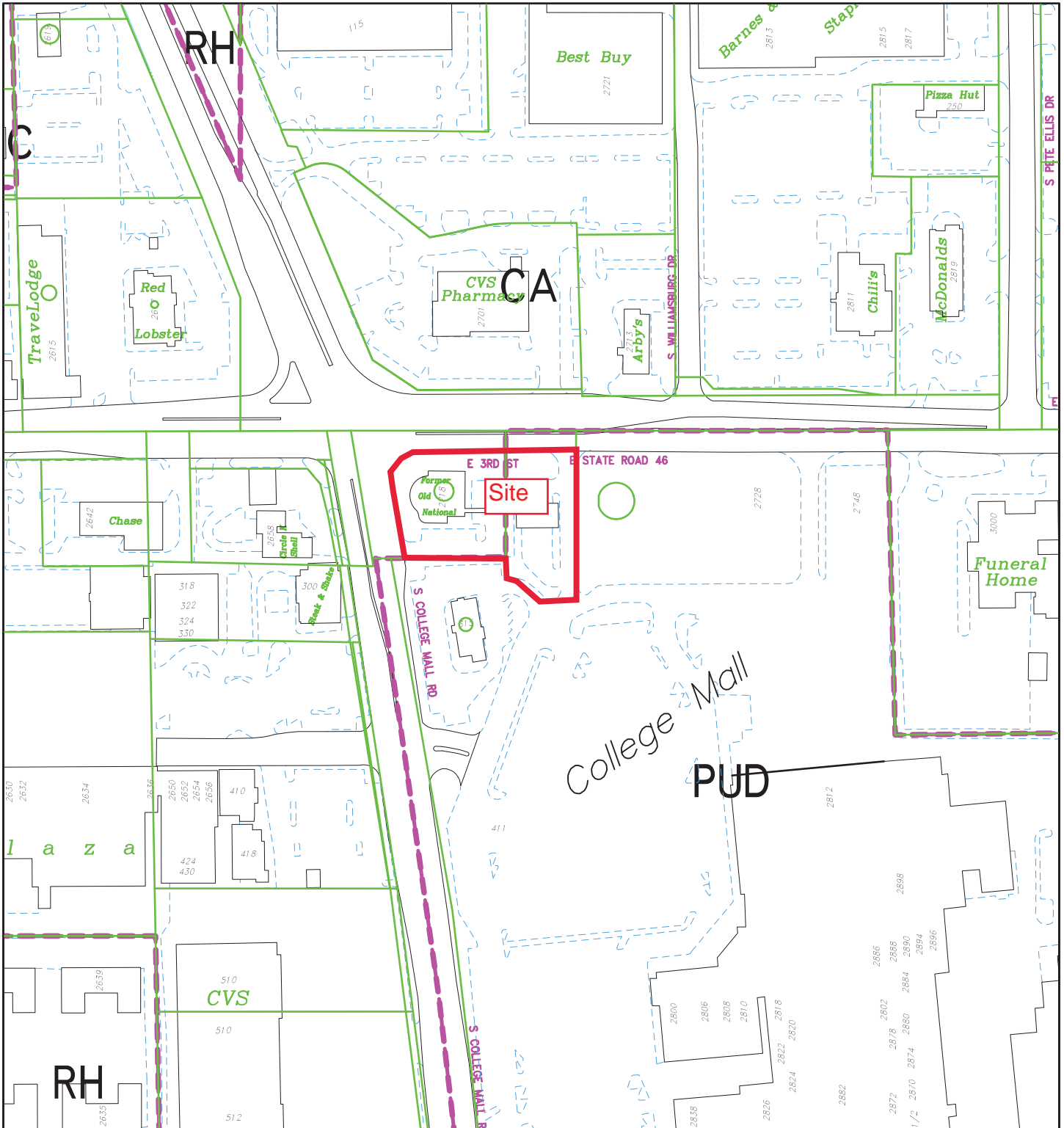
Building Setback: The strict application of the UDO will result in practical difficulty in that it would require the building to be located further back from the street frontages than what is desired. Peculiar condition is found in the irregular shaped property corner that has resulted from right-of-way acquisition from INDOT. This irregular lot shape creates a practical difficulty in aligning the building and creating a standard setback. Allowing the building to be located closer to the road frontages creates a more pedestrian friendly design.

Parking Setback: Staff finds that the strict application of the UDO will result in practical difficulty in the use of the property in that requiring the drive-thru lane to be 20' behind the building results in an inefficient site layout and allowing the drive-thru lane as shown allows a driveway aisle to function with the drive-thru lane. Peculiar condition is also found in that this is a corner lot with two street frontages which places additional hardship on designing an efficient site plan.

Parking Number: Staff finds that the strict application of the UDO will result in practical difficulty in that the number of spaces allowed by code does not match the demonstrated needs of this use. A parking study was conducted by the petitioner and staff which found that fast food restaurants do have a parking need greater than the 1 space per 200 sq. ft. that the UDO would allow. Peculiar condition is found in the demonstrated need of the proposed use. The reduction from 37 to 15 spaces would result in a site that would be difficult to use as allowed. Rather, the variance is being requested to fulfill a parking need that is under-represented by the UDO. When developing maximum parking requirements of the UDO it was understood that some uses would be justified in seeking variances. Staff finds this to be one of those cases.

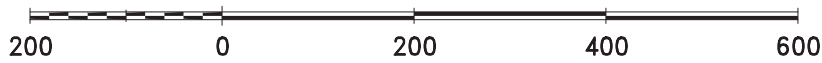
RECOMMENDATION: Staff recommends approval of the variances with the following conditions:

1. A maximum of 28 parking spaces is approved.
2. Parking setbacks are approved only as shown.



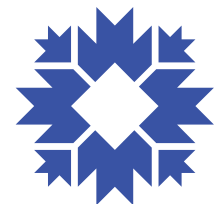
V-27-17 Old National Bank
 2718 E 3rd Street
 Board of Zoning Appeals
 Site Location, Zoning, Parcels, Land Use

By: greulice
 14 Sep 17

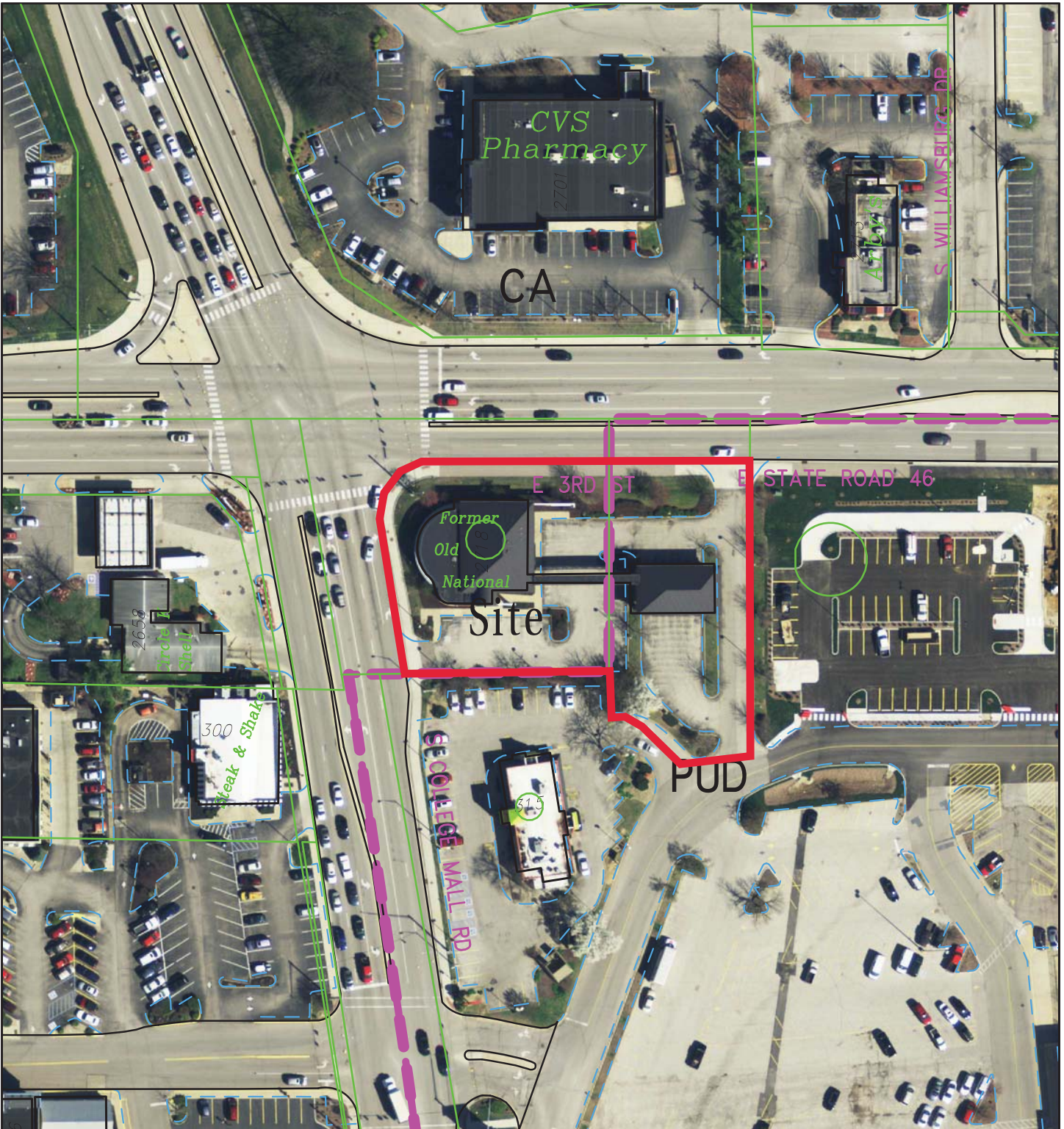


For reference only; map information NOT warranted.

City of Bloomington
 Planning & Transportation

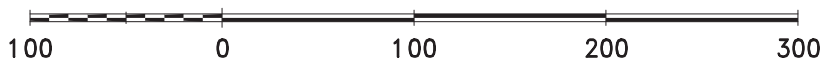


Scale: 1" = 200'



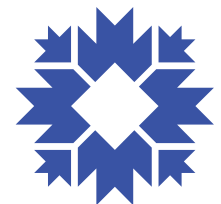
V-22-17 Old National Bank
 2718 E 3rd Street
 Board of Zoning Appeals
 2016 Aerial Photograph

By: greulice
 14 Sep 17

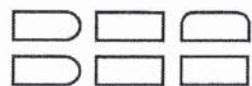


For reference only; map information NOT warranted.

City of Bloomington
 Planning & Transportation



Scale: 1" = 100'



BYNUM FANYO & ASSOCIATES, INC.

ARCHITECTURE
CIVIL ENGINEERING
PLANNING

August 22, 2017

Bloomington Board of Zoning Appeals
401 N. Morton Street
Bloomington, Indiana 47403

Re: Burger King Restaurant, 2718 E. Third Street, BFA #401734

Dear BZA Members:

Our client respectfully requests three variances from the development standards listed in the UDO. The variances include building setback, setback for a drive thru window and maximum number of parking spaces.

Building Setback:

Over the past thirty years this property has had right of way taken from the west and north property lines numerous times. As a result, the current right of way line at the north-west corner of the property cuts diagonally across the corner of the west and north property lines. This right of way was not required for the construction of this intersection but rather an easy way to write the legal description for the acquisition. Normally the right of way would follow the radius of the back of sidewalk. If this was done no variance would be required. However, the angle of the right of way taking removes an additional 16' of unnecessary and unusable property from this project along the entire west side of this site. The method the right of way taking described has negatively impacted the use of this property. Approval of the variance will not adversely impact the public use of the intersection and will improve the site design by allowing the building to be closer to the right of way with its proposed entrances.

Drive Thru Window Setback:

Recently Panera Bread and Chick-fil-A developed drive thru isles that are located at the face of the building. This was allowed since both properties are in the Simon PUD. The eastern portion of our property also falls within the Simon PUD and would allow for a similar drive thru arrangement.

Unfortunately, this is a corner lot and requires the 20' setback from College Mall Road as well as 3rd Street. We are not able to shift the building to accommodate the drive thru in the PUD and arrange our site design to accommodate the setbacks due to a 48" culvert dividing our property into two parts. For this reason, we are requesting a variance to allow the drive thru lane to be placed at the front building setback. This will allow a building forward design along 3rd and College Mall Road and still accommodate parking, landscaping and the existing culvert dividing our site.

Maximum Parking Spaces:

We are proposing 33 regular parking spaces and 2 ADA parking spaces for a total of 35 parking spaces. The UDO allows one space for every 200 gsf. This would equate to 15 parking spaces. This restaurant will have 12 employees during its peak shift leaving only two parking for patrons. We have completed a parking study at two of Bloomington's other Burger King restaurants, see attached, and have found that at peak times 36 to 38 parking spaces have been utilized. Based upon this study and company experience we would request a maximum parking variance to 35 spaces.

After reviewing our petition please feel free to contact us at any time for questions or clarification.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. S. Fanyo', written in a cursive style.

Jeffrey S. Fanyo, P.E. CFM

Bynum Fanyo and Associates, Inc.

Attachments: Parking Study

CC# 842 Bloomington-3750 W Third St **Burger King Parking Counts** 3,500 sq. Ft.

Hours	Mon 8/7	Tues 8/8	Wed 8/9	Thu 8/10	Fri 8/11	Sat 8/12	Sun 8/13
6:00-7:00	8	8	9	7	10	6	3
8:00	5	7	8	6	9	4	3
9:00	14	14	21	23	24	29	20
10:00	12	13	12	14	26	25	4
11:00	23	24	21	14	27	24	13
12:00	33	29	34	31	36 _v	17	15
1:00	17	28	26	31	25	10	14
2:00	18	15	14	19	16	9	8
3:00	16	13	8	11	14	11	8
4:00	9	7	7	8	9	8	6
5:00	15	11	15	14	12	11	9
6:00	10	16	13	21	18	10	10
7:00	14	10	12	6	3	13	6
8:00	11	10	14	9	7	9	12
9:00	5	4	8	7	15	10	8
10:00	3	3	7	5	7	7	2
11:00	4	3	5	4	6	6	2

This store has 37 parking places

CC# 827 Bloomington-2498 S Walnut

Burger King Parking Counts

3,200 sq. ft.

Hours	Mon 8/7	Tues 8/8	Wed 8/9	Thu 8/10	Fri 8/11	Sat 8/12	Sun 8/13
6:00-7:00	7	10	7	6	9	5	3
8:00	5	6	7	8	11	6	4
9:00	11	11	18	20	18	22	12
10:00	8	17	8	14	21	23	3
11:00	21	25	21	13	23	23	11
12:00	29	28	31	32	38 ^o	30	27
1:00	15	26	17	28	26	9	22
2:00	14	11	18	16	17	6	8
3:00	11	10	7	11	13	8	5
4:00	6	6	8	6	7	6	5
5:00	10	8	20	13	9	9	6
6:00	9	14	15	20	13	9	7
7:00	11	7	10	7	3	8	5
8:00	8	7	12	8	6	5	8
9:00	5	4	5	5	16	5	5
10:00	4	4	5	4	9	7	2
11:00	3	3	4	4	5	3	2

This store has 40 parking places

PROPOSED CARROLLS BURGER KING AT COLLEGE MALL

2718 EAST THIRD STREET
BLOOMINGTON, INDIANA 47401



LOCATION/VICINITY MAP
1" = 1,000'

INDEX

SHEET NO.	SHEET NAME
C101	GENERAL NOTES & MISCELLANEOUS DETAILS
C102	MISCELLANEOUS DETAILS
C201	SITE DEMOLITION PLAN
C202	SITE PLAN
C203	SITE GRADING & UTILITY PLAN
C204	SITE LANDSCAPE PLAN



UTILITY CONTACT INFORMATION

GAS
SUNBELT GAS SERVICE, INC.
10000 W. STATE ST.
BLOOMINGTON, IN 47403
PHONE: (317) 342-2222

ELECTRIC
INDIANA ELECTRIC SERVICE CO.
10000 W. STATE ST.
BLOOMINGTON, IN 47403
PHONE: (317) 342-2222

TELEPHONE
INDIANA BELL
10000 W. STATE ST.
BLOOMINGTON, IN 47403
PHONE: (317) 342-2222

CABLE TELEVISION
INDIANA CABLE TELEVISION
10000 W. STATE ST.
BLOOMINGTON, IN 47403
PHONE: (317) 342-2222

UNDERGROUND UTILITY LOCATION
INDIANA 811
10000 W. STATE ST.
BLOOMINGTON, IN 47403
PHONE: (317) 342-2222

BBB
BYNUM FANYO & ASSOCIATES, INC.

architecture
civil engineering
planning

528 north walnut st. bloomington, indiana 47404 (812) 332-8030

OWNER/DEVELOPER
CARROLLS RESTAURANT GROUP, INC.
968 JAMES STREET
SYRACUSE, NY 13203

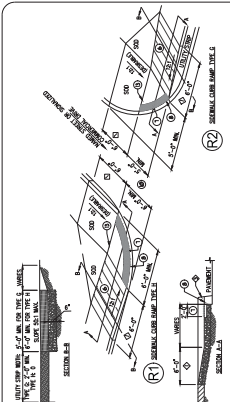
PRELIMINARY
NOT FOR
CONSTRUCTION

certified by:
PRELIMINARY
JEFFREY S. FANYO, P.E.
IND. REG. NO. 6006233

REVISIONS

GENERAL NOTES

1. BOUNDARY AND TOPOGRAPHIC SURVEY PROVIDED TO BRYN FAVO & ASSOCIATES, INC. BY THE CLIENT.
2. PROJECT ADDRESS: 2718 EAST THIRD STREET, BLOOMINGTON, INDIANA 47401.
3. ALL WORK IS TO BE IN ACCORDANCE WITH ALL STATE AND LOCAL REGULATIONS.
4. ALL PERMITS ARE TO BE OBTAINED BY THE CONTRACTOR PRIOR TO THE START OF CONSTRUCTION.
5. EXISTING UTILITIES ON SITE SHALL BE RELOCATED AS REQUIRED. CONTRACTOR SHALL PAY ALL COSTS ASSOCIATED WITH RELOCATION.
6. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR THE COSTS OF SUCH PERMITS.
7. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
8. CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES THROUGHOUT THE CONSTRUCTION PROCESS.
9. ALL MATERIALS AND METHODS SHALL BE APPROVED BY THE ENGINEER PRIOR TO INSTALLATION.
10. ALL WORK SHALL BE COMPLETED IN ACCORDANCE WITH THE SPECIFICATIONS AND DETAILS PROVIDED.



- NOTES:**
1. SEE EXISTING UTILITIES 604-400-02
 2. SEE EXISTING UTILITIES 604-400-02
 3. SEE EXISTING UTILITIES 604-400-02
 4. SEE EXISTING UTILITIES 604-400-02
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 9. SEE EXISTING UTILITIES 604-400-02
 10. SEE EXISTING UTILITIES 604-400-02

PARKING AND PAVEMENT NOTES

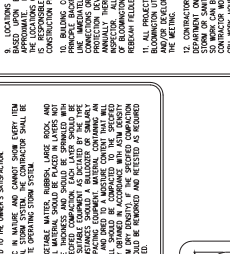
1. ALL DRIVE, PARKING, AND OTHER TRAFFIC CONTROL DEVICES SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUAL ON UNIFORM TRAFFIC DEVICES, CURRENT EDITION AS APPROVED BY THE LOCAL HEALTH DEPARTMENT.
2. ALL DRIVEWAYS ARE TO BE CONCRETE WITH A FINISH TO MATCH THE ADJACENT DRIVEWAY.
3. CONTRACTOR SHALL FURNISH AND INSTALL PAVEMENT MARKINGS AS SHOWN ON THE PLANS.
4. CONTRACTOR SHALL CONSULT THE INSTALLATION OF ALL DRIVE, PARKING, AND OTHER TRAFFIC CONTROL DEVICES WITH OTHER CONTRACTORS ON THE SITE.
5. ALL DRIVE, PARKING, AND OTHER TRAFFIC CONTROL DEVICES SHALL BE SHARP AND CLEAN WITHOUT SHOWING EDGES OF FINISH TOOLS.
6. CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES THROUGHOUT THE CONSTRUCTION PROCESS.
7. ALL MATERIALS AND METHODS SHALL BE APPROVED BY THE ENGINEER PRIOR TO INSTALLATION.
8. ALL WORK SHALL BE COMPLETED IN ACCORDANCE WITH THE SPECIFICATIONS AND DETAILS PROVIDED.



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 9. SEE EXISTING UTILITIES 604-400-02
 10. SEE EXISTING UTILITIES 604-400-02

GRADING NOTES

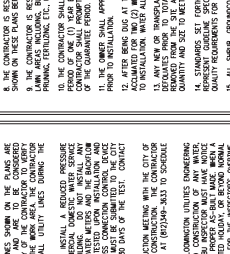
1. NEW FINISHED SURFACES SHALL BE TO THE TOP OF FINISHED GRADE UNLESS OTHERWISE NOTED.
2. ALL FINISHED GRADE SHALL BE TO THE TOP OF FINISHED GRADE UNLESS OTHERWISE NOTED.
3. CONTRACTOR SHALL MAINTAIN EXISTING GRADE WHEREVER POSSIBLE.
4. ALL FINISHED GRADE SHALL BE TO THE TOP OF FINISHED GRADE UNLESS OTHERWISE NOTED.
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ON-SITE UTILITY NOTES

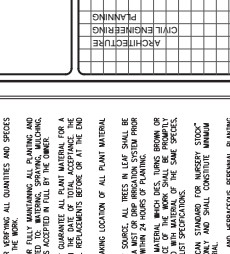
1. UTILITIES SHALL HAVE A MINIMUM COVER OF 4'-0" ABOVE TOP OF PIPE.
2. THE MINIMUM HORIZONTAL SEPARATION BETWEEN THE CLOSEST TWO POINTS OF SEPARATION BETWEEN THE CLOSEST TWO POINTS OF THE WATER AND SEWER LINE IS 6 FEET.
3. ALL UTILITIES SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUAL ON UNIFORM TRAFFIC DEVICES, CURRENT EDITION AS APPROVED BY THE LOCAL HEALTH DEPARTMENT.
4. CONTRACTOR SHALL MAINTAIN EXISTING UTILITIES WHEREVER POSSIBLE.
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 9. SEE EXISTING UTILITIES 604-400-02
 10. SEE EXISTING UTILITIES 604-400-02

LANDSCAPE NOTES

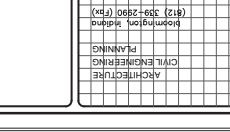
1. ALL PLANT MATERIAL SHALL BE HEALTHY, MATURE, AND FREE OF PESTS AND DISEASE.
2. ALL PLANT MATERIAL SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUAL ON UNIFORM TRAFFIC DEVICES, CURRENT EDITION AS APPROVED BY THE LOCAL HEALTH DEPARTMENT.
3. ALL TREES SHALL BE PLANTED IN ACCORDANCE WITH THE MANUAL ON UNIFORM TRAFFIC DEVICES, CURRENT EDITION AS APPROVED BY THE LOCAL HEALTH DEPARTMENT.
4. ALL TREES SHALL BE PLANTED IN ACCORDANCE WITH THE MANUAL ON UNIFORM TRAFFIC DEVICES, CURRENT EDITION AS APPROVED BY THE LOCAL HEALTH DEPARTMENT.
5. ALL TREES SHALL BE PLANTED IN ACCORDANCE WITH THE MANUAL ON UNIFORM TRAFFIC DEVICES, CURRENT EDITION AS APPROVED BY THE LOCAL HEALTH DEPARTMENT.
6. ALL TREES SHALL BE PLANTED IN ACCORDANCE WITH THE MANUAL ON UNIFORM TRAFFIC DEVICES, CURRENT EDITION AS APPROVED BY THE LOCAL HEALTH DEPARTMENT.
7. ALL TREES SHALL BE PLANTED IN ACCORDANCE WITH THE MANUAL ON UNIFORM TRAFFIC DEVICES, CURRENT EDITION AS APPROVED BY THE LOCAL HEALTH DEPARTMENT.
8. ALL TREES SHALL BE PLANTED IN ACCORDANCE WITH THE MANUAL ON UNIFORM TRAFFIC DEVICES, CURRENT EDITION AS APPROVED BY THE LOCAL HEALTH DEPARTMENT.
9. ALL TREES SHALL BE PLANTED IN ACCORDANCE WITH THE MANUAL ON UNIFORM TRAFFIC DEVICES, CURRENT EDITION AS APPROVED BY THE LOCAL HEALTH DEPARTMENT.
10. ALL TREES SHALL BE PLANTED IN ACCORDANCE WITH THE MANUAL ON UNIFORM TRAFFIC DEVICES, CURRENT EDITION AS APPROVED BY THE LOCAL HEALTH DEPARTMENT.



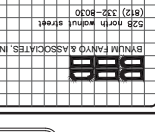
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 6. SEE EXISTING UTILITIES 604-400-02
 7. SEE EXISTING UTILITIES 604-400-02
 8. SEE EXISTING UTILITIES 604-400-02
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 10. SEE EXISTING UTILITIES 604-400-02

PRELIMINARY NOT FOR CONSTRUCTION

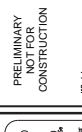
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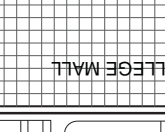
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PROJECT NO.: 601734



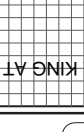
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PROJECT NO.: 601734



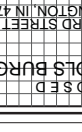
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PROJECT NO.: 601734



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PROJECT NO.: 601734



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CHECKED BY: SFJ
PROJECT NO.: 601734



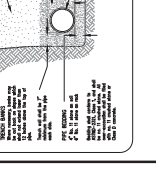
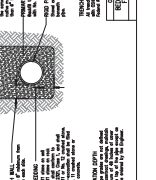
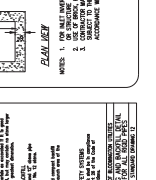
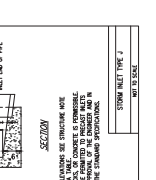
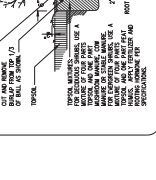
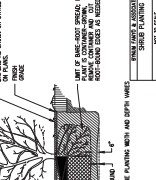
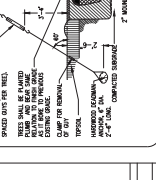
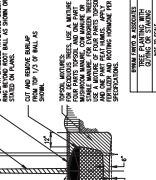
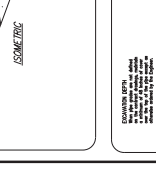
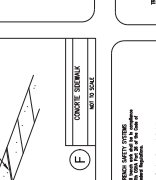
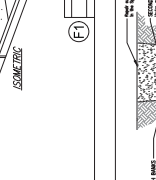
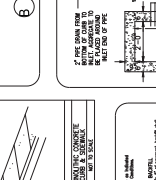
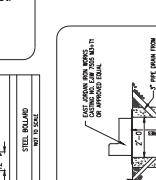
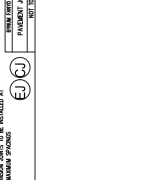
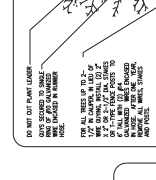
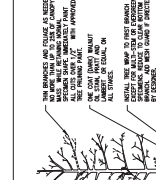
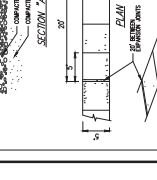
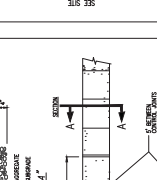
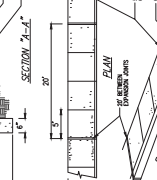
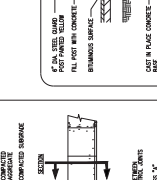
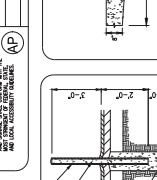
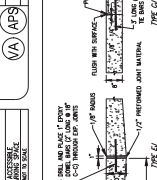
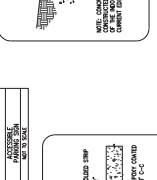
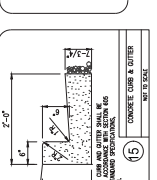
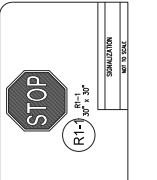
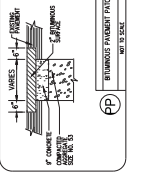
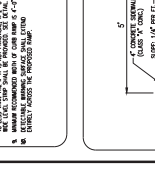
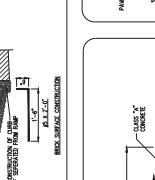
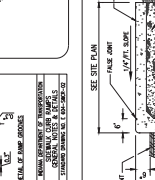
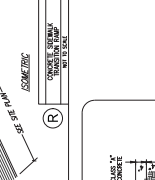
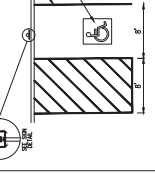
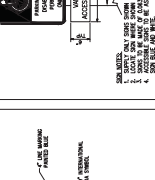
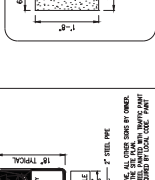
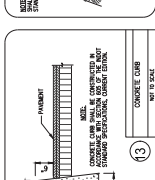
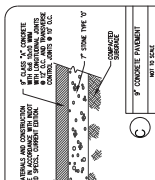
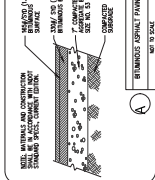
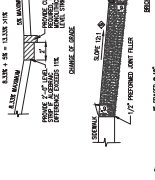
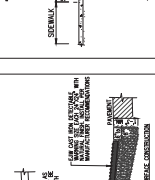
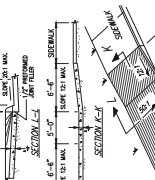
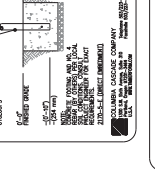
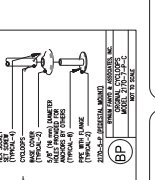
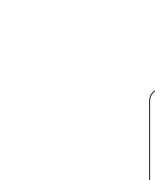
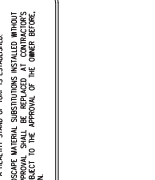
DESIGNED BY: JBT
CHECKED BY: SFJ
PROJECT NO.: 601734



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CHECKED BY: SFJ
PROJECT NO.: 601734



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CHECKED BY: SFJ
PROJECT NO.: 601734



REQUIREMENTS

CONSTRUCTION DETAILS

INSTALLATION

TABLE 3.10-A. PERMANENT SEDGES (SEE NOTE 1)

MAINTENANCE

NOTES

REQUIREMENTS

CONSTRUCTION DETAILS

INSTALLATION

TABLE 3.74-A. SET FENCE (SEMENT BENCH)

MAINTENANCE

NOTES

REQUIREMENTS

CONSTRUCTION DETAILS

INSTALLATION

TABLE 3.74-B. SET FENCE (SEMENT BENCH)

MAINTENANCE

NOTES

REQUIREMENTS

CONSTRUCTION DETAILS

INSTALLATION

TABLE 3.31-A. TEMPORARY GRAVEL CONSTRUCTION ENHANCEMENT (PAO)

MAINTENANCE

NOTES

REQUIREMENTS

CONSTRUCTION DETAILS

INSTALLATION

TABLE 3.31-B. TEMPORARY GRAVEL CONSTRUCTION ENHANCEMENT (PAO)

MAINTENANCE

NOTES

REQUIREMENTS

CONSTRUCTION DETAILS

INSTALLATION

TABLE 3.42-A. CONCRETE WINDSTOP BARRICADE

MAINTENANCE

NOTES

REQUIREMENTS

CONSTRUCTION DETAILS

INSTALLATION

TABLE 3.43-A. REINFORCED PRECAST CONCRETE WALL

MAINTENANCE

NOTES

REQUIREMENTS

CONSTRUCTION DETAILS

INSTALLATION

TABLE 3.43-B. REINFORCED PRECAST CONCRETE WALL

MAINTENANCE

NOTES

REQUIREMENTS

CONSTRUCTION DETAILS

INSTALLATION

TABLE 3.44-A. WOOD DECKING OVER EXISTING CONCRETE

MAINTENANCE

NOTES

REQUIREMENTS

CONSTRUCTION DETAILS

INSTALLATION

TABLE 3.44-B. WOOD DECKING OVER EXISTING CONCRETE

MAINTENANCE

NOTES

REQUIREMENTS

CONSTRUCTION DETAILS

INSTALLATION

TABLE 3.14-A. PRECAST CONCRETE WALL WITH GRAVEL INTERCEPTOR

MAINTENANCE

NOTES

REQUIREMENTS

CONSTRUCTION DETAILS

INSTALLATION

TABLE 3.14-B. PRECAST CONCRETE WALL WITH GRAVEL INTERCEPTOR

MAINTENANCE

NOTES

REQUIREMENTS

CONSTRUCTION DETAILS

INSTALLATION

TABLE 3.15-A. STANDARD GRAVEL INTERCEPTOR

MAINTENANCE

NOTES

REQUIREMENTS

CONSTRUCTION DETAILS

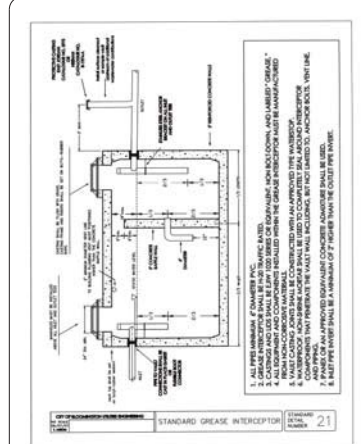
INSTALLATION

TABLE 3.15-B. STANDARD GRAVEL INTERCEPTOR

MAINTENANCE

NOTES

Professional information including company name (BYB), address (529 North Wainwright Street), phone number (817) 328-8030, and project details (CARROLS BURGER KING AT COLLEGE WALL, 2718 E 3RD STREET, BLOOMINGTON, IN 47401).



STANDARD GRASE INTERCEPTOR (SEE NOTE 1)

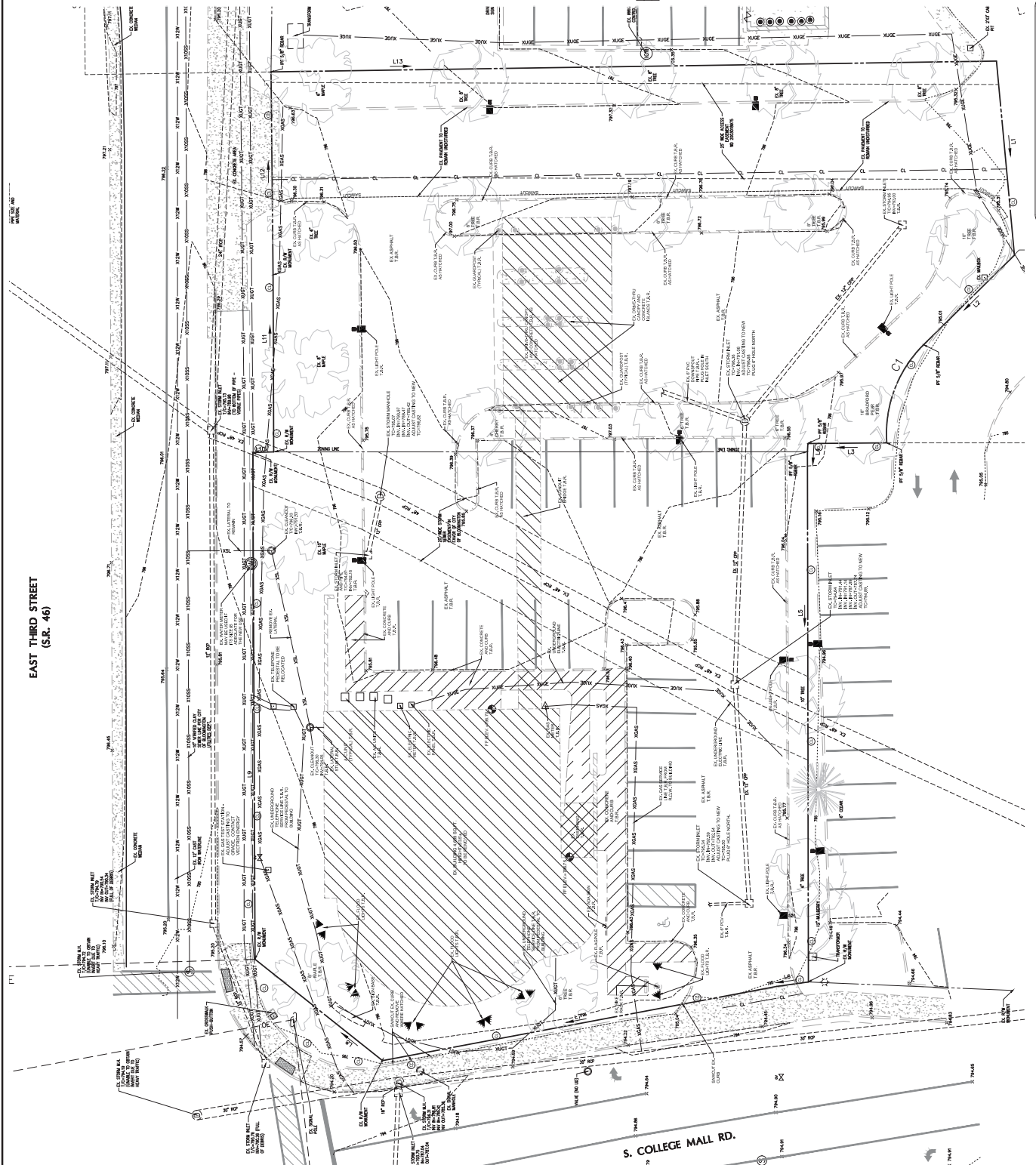
FIG. 3.15-B. STANDARD GRASE INTERCEPTOR



FLOOR DRAIN WITH GRASE INTERCEPTOR (SEE NOTE 1)

FIG. 3.15-C. FLOOR DRAIN WITH GRASE INTERCEPTOR

EAST THIRD STREET (S.R. 46)



- EXISTING LEGEND**
- 12" EAST SIDE WATER MAIN PIPE
 - - - - - CONTOUR & ELEVATION
 - - - - - SANITARY SEWER LATERAL PIPE
 - - - - - 10" IMPROVED CLAY SANITARY SEWER MAIN
 - - - - - OVERHEAD ELECTRIC LINES
 - - - - - OVERHEAD TELEPHONE LINES
 - - - - - UNDERGROUND TELEPHONE LINES
 - - - - - GAS LINE PIPE
 - - - - - EX. SPOT GRADE

- DEMOLITION LEGEND**
- TO BE DEMOLISHED
 - - - - - TO REMAIN UNDISTURBED

LEGAL DESCRIPTION

COMMENCED AT A POINT ON THE NORTH LINE OF SECTION 2, Township 48th North, Range 17th East, of the 18th Principal Meridian, and containing 2.27689 acres, more or less, as shown on the plat of the same, recorded in the Office of the County Clerk of the County of Franklin, Missouri, in Volume 102 of the Public Records, on the 15th day of January, 1910, to the heirs of the late John A. ...

NAME	TYPE	START POINT	END POINT	LENGTH	WIDTH	AREA
L1	U	291.22	N 89°45'00" W	65.00	10.00	650.00
L2	U	291.22	N 89°45'00" W	65.00	10.00	650.00
L3	U	291.22	N 89°45'00" W	65.00	10.00	650.00
L4	U	291.22	N 89°45'00" W	65.00	10.00	650.00
L5	U	291.22	N 89°45'00" W	65.00	10.00	650.00
L6	U	291.22	N 89°45'00" W	65.00	10.00	650.00
L7	U	291.22	N 89°45'00" W	65.00	10.00	650.00
L8	U	291.22	N 89°45'00" W	65.00	10.00	650.00
L9	U	291.22	N 89°45'00" W	65.00	10.00	650.00
L10	U	291.22	N 89°45'00" W	65.00	10.00	650.00
L11	U	291.22	N 89°45'00" W	65.00	10.00	650.00
L12	U	291.22	N 89°45'00" W	65.00	10.00	650.00
L13	U	291.22	N 89°45'00" W	65.00	10.00	650.00
L14	U	291.22	N 89°45'00" W	65.00	10.00	650.00
L15	U	291.22	N 89°45'00" W	65.00	10.00	650.00
L16	U	291.22	N 89°45'00" W	65.00	10.00	650.00
L17	U	291.22	N 89°45'00" W	65.00	10.00	650.00
L18	U	291.22	N 89°45'00" W	65.00	10.00	650.00
L19	U	291.22	N 89°45'00" W	65.00	10.00	650.00
L20	U	291.22	N 89°45'00" W	65.00	10.00	650.00
L21	U	291.22	N 89°45'00" W	65.00	10.00	650.00
L22	U	291.22	N 89°45'00" W	65.00	10.00	650.00
L23	U	291.22	N 89°45'00" W	65.00	10.00	650.00
L24	U	291.22	N 89°45'00" W	65.00	10.00	650.00
L25	U	291.22	N 89°45'00" W	65.00	10.00	650.00
L26	U	291.22	N 89°45'00" W	65.00	10.00	650.00
L27	U	291.22	N 89°45'00" W	65.00	10.00	650.00
L28	U	291.22	N 89°45'00" W	65.00	10.00	650.00
L29	U	291.22	N 89°45'00" W	65.00	10.00	650.00
L30	U	291.22	N 89°45'00" W	65.00	10.00	650.00
L31	U	291.22	N 89°45'00" W	65.00	10.00	650.00
L32	U	291.22	N 89°45'00" W	65.00	10.00	650.00
L33	U	291.22	N 89°45'00" W	65.00	10.00	650.00
L34	U	291.22	N 89°45'00" W	65.00	10.00	650.00
L35	U	291.22	N 89°45'00" W	65.00	10.00	650.00
L36	U	291.22	N 89°45'00" W	65.00	10.00	650.00
L37	U	291.22	N 89°45'00" W	65.00	10.00	650.00
L38	U	291.22	N 89°45'00" W	65.00	10.00	650.00
L39	U	291.22	N 89°45'00" W	65.00	10.00	650.00
L40	U	291.22	N 89°45'00" W	65.00	10.00	650.00
L41	U	291.22	N 89°45'00" W	65.00	10.00	650.00
L42	U	291.22	N 89°45'00" W	65.00	10.00	650.00
L43	U	291.22	N 89°45'00" W	65.00	10.00	650.00
L44	U	291.22	N 89°45'00" W	65.00	10.00	650.00
L45	U	291.22	N 89°45'00" W	65.00	10.00	650.00
L46	U	291.22	N 89°45'00" W	65.00	10.00	650.00
L47	U	291.22	N 89°45'00" W	65.00	10.00	650.00
L48	U	291.22	N 89°45'00" W	65.00	10.00	650.00
L49	U	291.22	N 89°45'00" W	65.00	10.00	650.00
L50	U	291.22	N 89°45'00" W	65.00	10.00	650.00

CURVE TABLE

CURVE	ANGLE	POINT	START	END	LENGTH	WIDTH	AREA
C1	90.00	PC	1768.12	1918.12	150.00	30.00	4500.00
C2	90.00	PT	1918.12	2068.12	150.00	30.00	4500.00

DESIGNED BY: JBT
 CHECKED BY: JBT
 SHEET NO: C201
 PROJECT NO: 401734

PROPOSED
 CARROLS BURGER KING AT COLLEGE MALL
 2718 E 3RD STREET
 BLOOMINGTON, IN 47401

SCALE: 1"=10'
 EAST THIRD STREET
 S. COLLEGE MALL RD.

PLANNING
 CIVIL ENGINEERING
 ARCHITECTURE

BYBLYN & ASSOCIATES, INC.
 1520 North Morton Street
 (812) 325-8010

PRELIMINARY
 NOT FOR
 CONSTRUCTION

certified by:

NOTE TO CONTRACTOR
 CONTRACTOR SHALL VERIFY ALL UTILITY LOCATIONS & DEPTHS AND NOTIFY ENGINEER OF ANY INACCURACIES IN LOCATION OR ELEVATION OR ANY OTHER DATA. THESE PLANS WERE PROVIDED TO BYBLYN & ASSOCIATES, INC. BY THE OWNER. CONTRACTOR IS RESPONSIBLE FOR VERIFYING AND CORRECTING ANY INACCURACIES IN THESE PLANS BEFORE CONSTRUCTION BEGINS.

NOTE TO OWNER & CONTRACTOR
 THE EXISTING CONDITIONS TO BE SHOWN AND THE EXISTING CONDITIONS TO BE SHOWN IN THESE PLANS WERE PROVIDED TO BYBLYN & ASSOCIATES, INC. BY THE OWNER. CONTRACTOR IS RESPONSIBLE FOR VERIFYING AND CORRECTING ANY INACCURACIES IN THESE PLANS BEFORE CONSTRUCTION BEGINS.

PROPOSED
CARROLLS BURGER KING AT COLLEGE WALL
2718 E 3RD STREET
BLOOMINGTON, IN 47401

BY: BFB
BYRN FAYO & ASSOCIATES, INC.
1528 North Wabash Street
(812) 332-8030
Bloomington, Indiana
ARCHITECTURE
CIVIL ENGINEERING
PLANNING
(812) 339-2500 (Fax)

PRELIMINARY
NOT FOR
CONSTRUCTION
Certified by:

DESIGNED BY: JEFF
CHECKED BY: JEFF
DRAWN BY: JEFF
SHEET NO.: C204
PROJECT NO.: 401734

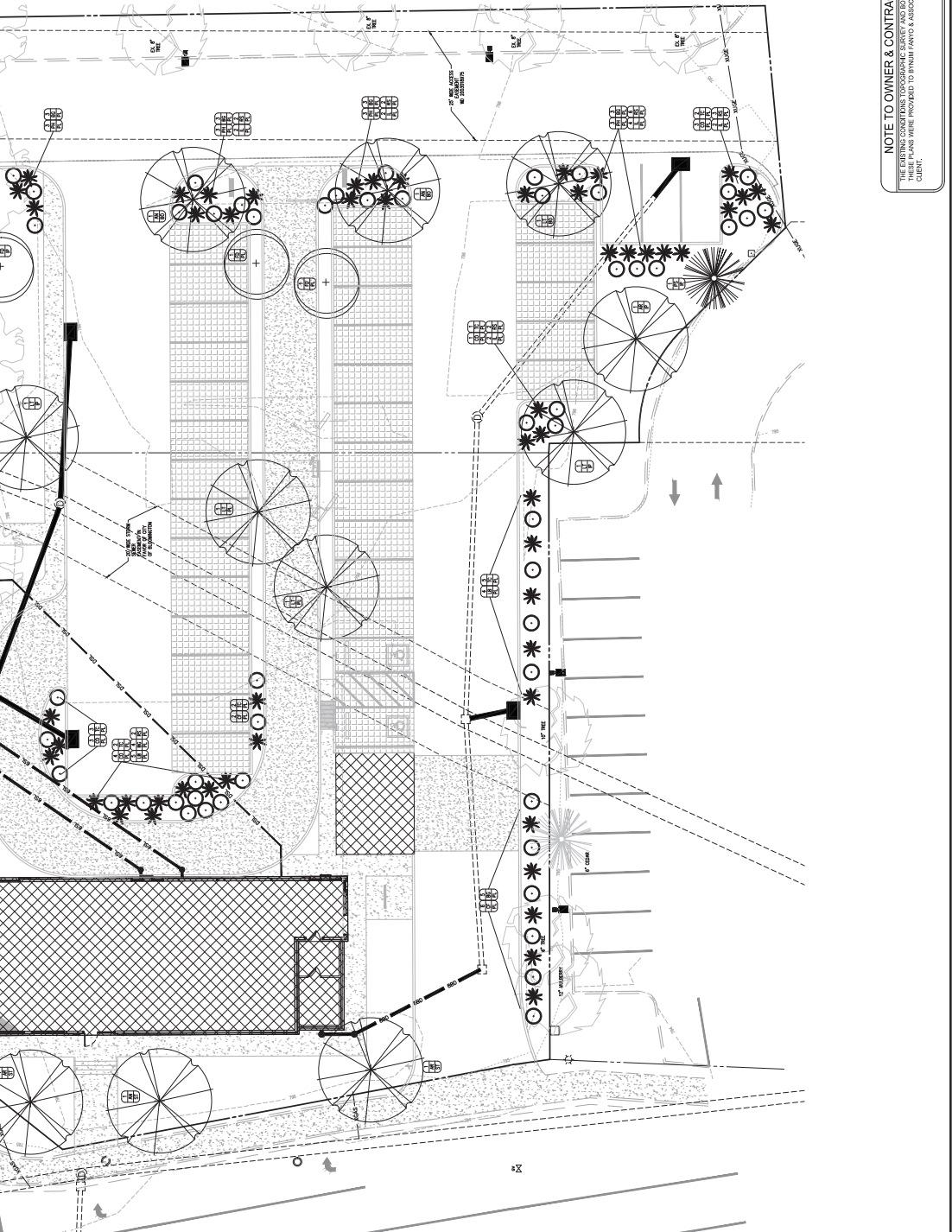
LANDSCAPE CALCULATIONS
LOT ZONING: CA
SPACES: 10412.99 @ 31' x 40'
TOTAL PARKING SPACES = 35
STREET TREES REQUIRED: CREDIT FOR 3 BK STREET
STREET TREES: 10 @ 10' x 10' = 100 SF
PROVIDED BY APPROX. 40 FT SPACING
SEEMETER PLANTINGS REQUIRED:
LOCAL TREES = 10 @ 10' x 10' = 100 SF
MANS CREDIT FOR EX. TREES ALONG EAST EMBANKMENT = 10 @ 10' x 10' = 100 SF
ORNAMENTAL TREES @ 7' x 7' = 49 SF
RETENTION BARRIERS @ 4' x 10' @ 10' = 40 SF
VEGETATION BARRIERS @ 10' x 10' = 100 SF
HANGOUT LARGE CANOPY TREES @ 6' x 6' = 36 SF
TOTAL SPACES = 350 SF
SMALL CANOPY TREES @ 7' x 7' = 49 SF
SMALL DECIDUOUS TREES @ 20' x 1' = 1 SF
VEGETATION BARRIERS @ 7' x 4' = 28 SF

PLANT LIST

LEGEND	SYMBOLOGY	COMMON NAME	QTY	SIZE / CONDITION
(Symbol)	(Symbol)	SMALL CANOPY TREES	1	7' x 7'
(Symbol)	(Symbol)	SMALL DECIDUOUS TREES	2	20' x 1'
(Symbol)	(Symbol)	VEGETATION BARRIERS	1	7' x 4'
(Symbol)	(Symbol)	RETENTION BARRIERS	1	4' x 10'
(Symbol)	(Symbol)	SMALL CANOPY TREES	3	7' x 7'
(Symbol)	(Symbol)	SMALL DECIDUOUS TREES	1	20' x 1'
(Symbol)	(Symbol)	VEGETATION BARRIERS	1	7' x 4'
(Symbol)	(Symbol)	RETENTION BARRIERS	1	4' x 10'
(Symbol)	(Symbol)	SMALL CANOPY TREES	1	7' x 7'
(Symbol)	(Symbol)	SMALL DECIDUOUS TREES	1	20' x 1'
(Symbol)	(Symbol)	VEGETATION BARRIERS	1	7' x 4'
(Symbol)	(Symbol)	RETENTION BARRIERS	1	4' x 10'
(Symbol)	(Symbol)	SMALL CANOPY TREES	1	7' x 7'
(Symbol)	(Symbol)	SMALL DECIDUOUS TREES	1	20' x 1'
(Symbol)	(Symbol)	VEGETATION BARRIERS	1	7' x 4'
(Symbol)	(Symbol)	RETENTION BARRIERS	1	4' x 10'

NOTE TO OWNER & CONTRACTOR
THE EXISTING CONDITIONS (TOPOGRAPHIC SURVEY AND BOUNDARY) SHOWN IN THESE PLANS WERE PROVIDED BY BYRN FAYO & ASSOCIATES, INC. BY THE CLIENT.

NOTE TO CONTRACTOR
CONTRACTOR SHALL VERIFY ALL UTILITY LOCATIONS & DEPTHS AND NOTIFY ENGINEER OF ANY INACCURACIES IN LOCATION OR DEPTH OR ANY OTHER INFORMATION. CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE TO UTILITIES OR UNDERGROUND CHANGES REQUIRED DUE TO CONFLICTING ELEVATIONS.



SCALE: 1"=10'

BYRN FAYO & ASSOCIATES, INC.
1528 North Wabash Street
Bloomington, Indiana 47401
(812) 332-8030

BLOOMINGTON BOARD OF ZONING APPEALS
STAFF REPORT
Location: 1105 & 1107 W. 3rd Street

CASE #: UV/V-23-17
DATE: October 19, 2017

PETITIONER: Milestone Ventures, Chuck Heintzelman
8152 Costilla Drive, Indianapolis

CONSULTANT: Bynum Fanyo & Associates, Inc.
528 N. Walnut Street, Bloomington

REQUEST: The petitioners are requesting use variance approval to allow for dwelling units to be placed on the ground floor within a Commercial General (CG) Zoning District. The petitioners are also requesting development variances from parking standards.

BACKGROUND:

Area:	1.25 Acres
Zoning:	CG
GPP Designation:	Employment Center
Existing Land Use:	Vacant
Proposed Land Use:	Dwelling, Multi-Family
Surrounding Uses:	North - Cemetery
	South - Fitness Center/Gym
	East - Single Family Residential
	West - Commercial / Office

REPORT: The petition site is zoned Commercial General (CG) and is located on the southwest corner of 3rd and Walker Streets. Surrounding land uses include an office building with parking lot to the west, a cemetery to the north, a single-family neighborhood to the east, and a CrossFit gym to the south. The property currently contains a historic church and one vacant single-family house. The church is located in the Greater Prospect Hill Local Historic District, which extends from the neighborhood to the east.

The petitioner proposes to develop this property by demolishing the existing house, rehabilitating the existing church building, and building a new three-story apartment building. The new building is proposed to run north/south on the west side of the property. Both the new building and the rehabilitated building would contain first-floor residential units. This proposal complies with the Indiana State Building Code requirement related to provision of accessible units. To provide accessible units, the petitioners have the option of adding an elevator or including units on the ground floor. The Unified Development Ordinance does not allow residential units on the ground floor in multi-family buildings in the CG district. This provision was written before the State Code requirement for an accessible unit. The petitioners are requesting a use variance to allow for ground floor residential units.

Ground floor units are prohibited on the first floor in the CG district by the UDO to ensure that significant amounts of commercial property along major roadways are not consumed by solely residential uses. The location of this site is on a 'neighborhood street' portion of W. 3rd Street, immediately across from a large cemetery and immediately adjacent to a single-family residential neighborhood. There is more CG zoning to the west and south, so this corner can be viewed as a transition from the single family residential to the east and the potentially more intense uses to the west.

The petitioners are also requesting development variances related to the proposed parking lot. The UDO requires one parking space per bedroom to be installed on the site. The proposal contains a total of 40 units and 49 bedrooms. The petitioners propose 41 parking spaces on the site. Location of parking on the site is limited by the location of the existing church and the fact that the parcel has two frontages, 3rd Street and Walker Street. The petitioner is proposing to improve right-of-way parking on both 3rd and Walker Streets by creating 9 parking spaces in the right-of-way. The required 324 square foot parking lot islands have not been included. Adding them to the site will reduce the parking by 3 spaces, for a final total of 38 on-site spaces and 9 right-of-way spaces.

The two parking spaces on the southeast portion of the site do not meet parking lot setback requirements, as they are set 20 feet behind the northeast corner of the church, but not 20 feet behind the southeast corner of the church.

PLAN COMMISSION RECOMMENDATION: The Plan Commission reviewed the use variance request at its October 2, 2017 meeting. The Plan Commission vote 7-0 to forward the use variance request to the Board of Zoning Appeals with a positive recommendation.

SITE PLAN ISSUES:

Parking and Landscaping: 49 parking spaces are required for the proposed 49 bedrooms in the development. The petitioner proposes 41 parking spaces on the site, but will have 38 spaces once appropriately sized islands are included on the site. The site will serve members of the community making at or below 60% of the area median income. 8 of the units will be reserved for persons with disabilities and 8 units reserved for permanent supportive housing for persons experiencing homelessness. The petitioner has developed other multifamily projects and contends that a reduced number of parking spaces is appropriate for this particular rental population, as vehicle ownership is reduced. 9 parking spaces will be improved in the public right-of-way.

In the CG district, the UDO requires parking to be 20 feet behind the front building wall. Because of the location of the existing church, two of the proposed spaces do not meet this standard. The petitioners are seeking a variance to the front minimum parking setback standard.

The UDO requires one landscaped island or bumpout of at least 324 square feet per 16 parking spaces. The current proposal requires 2 islands and only one undersized island

is present. The Department proposes a condition of approval that the required islands be added, which will result in the loss of three parking spaces, in the current configuration. The petitioner believes that the 38 parking spaces will work for the project.

Impervious Surface Coverage: The CG district allows for a maximum impervious area of 60% of the lot. The proposed final site plan meets this requirement through greenspace and the use of permeable pavers. The result will be 59.8% lot coverage. The interim site plan, before the new culvert is installed, will not meet impervious surface requirements, as the parking spaces will be paved.

Architecture: The CG zoning district has no architectural standards along a neighborhood street. The petitioner has consulted with staff, Schmidt and Associates, the Bloomington Historic Preservation Commission, and the immediately adjacent neighborhood association on the design.

20.09.140 CRITERIA AND FINDINGS FOR USE VARIANCE:

First Floor Residential Use

Pursuant to IC 36-7-4-918.4., the Board of Zoning Appeals or the Hearing Officer may grant a variance from use if, after a public hearing, it makes findings of fact in writing, that:

(1) The approval will not be injurious to the public health, safety, morals, and general welfare of the community; and

PROPOSED FINDING: No injury to the public health, safety, morals, and general welfare of the community is found in the approval of the proposed first floor residential use in a multifamily building. The site is zoned CG, but is immediately adjacent to a less intense single-family neighborhood. A multi-family use with ground floor residential provides a buffer between the existing neighborhood and the potential intense uses to the west.

(2) The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner; and

PROPOSED FINDING: No substantial adverse impacts to the use and value of the adjacent area are found. Conversely, it is found that the redevelopment of an underutilized site will have a positive impact on the adjacent area. Ground floor residential uses on a neighborhood street across from a cemetery will not negatively impact the surrounding areas. This property is on the edge of a commercially zoned area and immediately adjacent to a single-family neighborhood.

(3) The need for the variance arises from some condition peculiar to the property involved; and

PROPOSED FINDING: Peculiar condition results from a combination of the location

of the lot related to its zoning district, the historic structure on the lot, and the characteristics of the adjacent street. This property has been previously underutilized and redevelopment of this site is made more difficult by its location on the edge of this portion of the CG district and the inclusion of the locally designated church structure. This portion of 3rd Street is just west of a one-way design with chicanes. This portion of 3rd Street is inconvenient to vehicular travel, as evidenced by its 'neighborhood street' designation, making commercial at this location less viable than most 3rd Street locations.

- (4) *The strict application of the terms of the Unified Development Ordinance will constitute an unnecessary hardship if applied to the property for which the variance is sought; and*

PROPOSED FINDING: Strict application of the UDO constitutes an unnecessary hardship because the combination of the site constraints limits commercial possibilities at this site. Although a mixed-use building with residential units about the ground floor could be constructed, single use residential is compatible with residential to the east.

- (5) *The approval does not interfere substantially with the Growth Policies Plan.*

PROPOSED FINDING: The Growth Policies Plan (GPP) designates this property as Employment Center. The property is at the northeast corner of a large area zoned CG. Because this property is on the edge of the Employment Center area, contains a locally historically designated building and is immediately adjacent to a single family residential neighborhood, the characteristics of this site are appropriate for a multi-family use to aid in transition between the single family neighborhood to the east and the future employment to the west. Although residential units are allowed only on the second floor and above, this property has unique constraints that limit the size and use of a new building and make ground floor residential reasonable. The Plan Commission found that the proposed use did not substantially interfere with the GPP.

CRITERIA AND FINDINGS FOR DEVELOPMENT STANDARDS VARIANCE

20.09.130 e) Standards for Granting Variances from Development Standards (Front Parking Setback):

A variance from the development standards of the Unified Development Ordinance may be approved only upon determination in writing that each of the following criteria is met:

- 1) *The approval will not be injurious to the public health, safety, morals, and general welfare of the community.*

PROPOSED FINDING: No injury is found with this petition. The proposed parking location will have no negative effects on the general welfare of the community.

The parking is behind the front wall of the historic church, but the church is not parallel with Walker Street so only a portion of the church is more than 20 feet in front of the parking. Landscaping is included to shield the parking from the street.

- 2) *The use and value of the area adjacent to the property included in the Development Standards Variance will not be affected in a substantially adverse manner.*

PROPOSED FINDING: No adverse impacts to the use and value of surrounding properties as a result of the requested variance are found. There is parking adjacent to or in front of the buildings on the lots in the surrounding area. Landscaping is included to shield the parking from the street.

- 3) *The strict application of the terms of the Unified Development Ordinance will result in practical difficulties in the use of the property; that the practical difficulties are peculiar to the property in question; that the Development Standards Variance will relieve the practical difficulties.*

PROPOSED FINDING: Peculiar condition results from the orientation of the historic church and the conflict between parking requirements of the UDO. The parking is set back 20 feet behind the northeast corner of the church, but is only 15 feet behind the southeast corner because the church is not parallel with the Walker Street right-of-way. Additionally, the UDO requires one parking space per bedroom, while also requiring the parking setback. Because the church is an existing feature on the lot, only so many configurations are possible to attempt to meet both the parking total and parking setback requirement.

20.09.130 e) Standards for Granting Variances from Development Standards (Parking Space Total):

A variance from the development standards of the Unified Development Ordinance may be approved only upon determination in writing that each of the following criteria is met:

- 1) *The approval will not be injurious to the public health, safety, morals, and general welfare of the community.*

PROPOSED FINDING: No injury to the general welfare of the community is found with this petition. The proposal will serve an underserved segment of the community, and will provide adequate parking for its unique needs. Approval will allow a project that has less parking spaces that required by the UDO.

- 2) *The use and value of the area adjacent to the property included in the Development Standards Variance will not be affected in a substantially adverse manner.*

PROPOSED FINDING: No adverse impacts to the use and value of surrounding

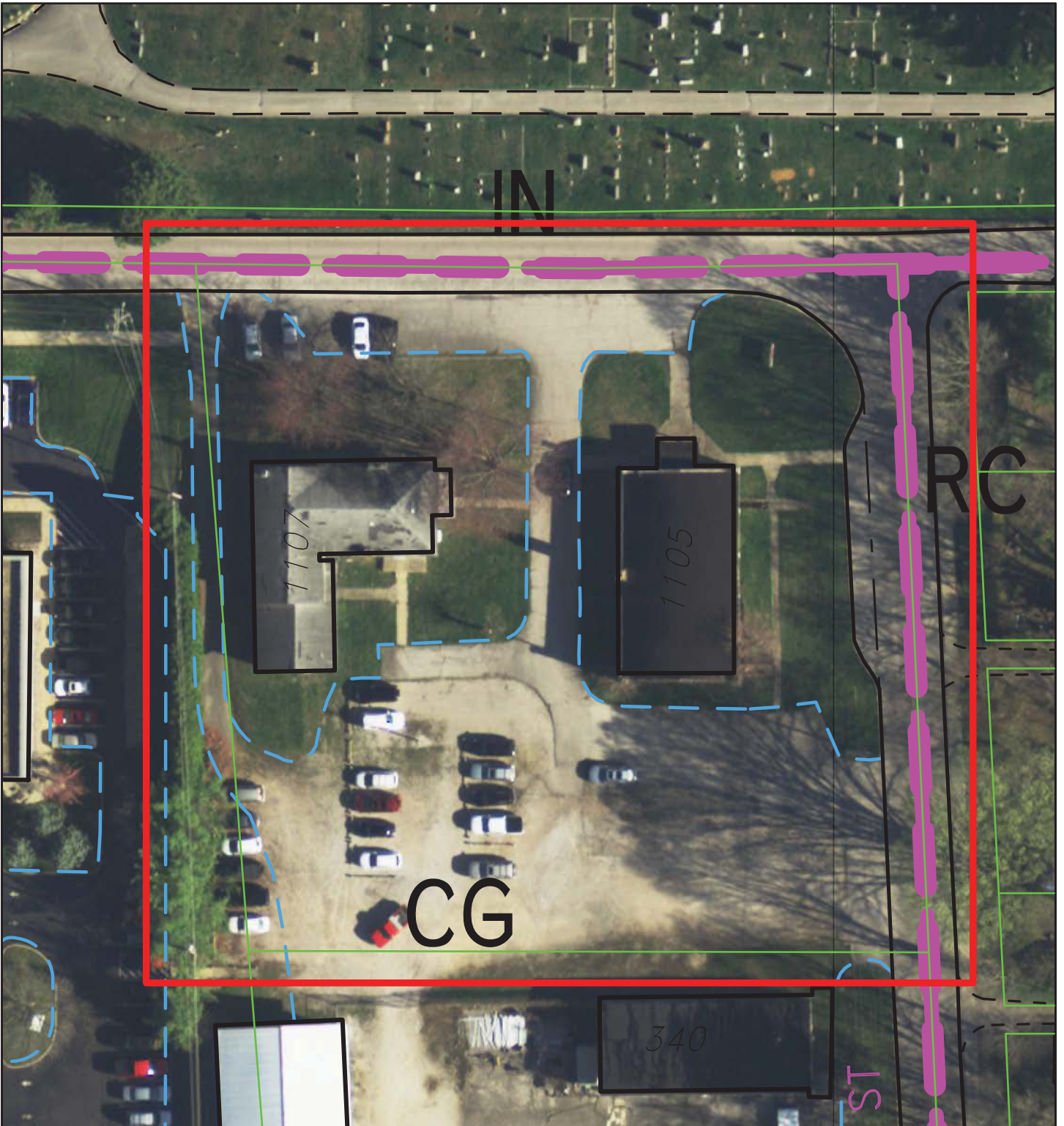
properties is found as a result of the requested variance. The proposed project contains multi-family residential for a specific segment of the community. In addition to the on-site parking spaces, 9 spaces will be improved in the right-of-way. The proposal redevelops an underutilized lot, which can only enhance rather than detract from the value of adjacent properties.

- 3) *The strict application of the terms of the Unified Development Ordinance will result in practical difficulties in the use of the property; that the practical difficulties are peculiar to the property in question; that the Development Standards Variance will relieve the practical difficulties.*

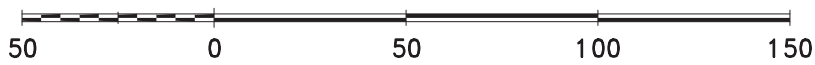
PROPOSED FINDING: Peculiar condition is found in the combination of the location of the existing historic church on the lot and the desire for on-site stormwater treatment and parking setbacks. The church is setback from both rights-of-way, which limits the amount of room that can be used for parking while meeting the parking setback requirement. Additionally, on-site water treatment limits the amount of space on this property that is available for parking. This property is underutilized and redevelopment is difficult as the historic church is locally designated and dictates what portions of the parcel can be developed with parking.

RECOMMENDATION: The Department recommends that the Board of Zoning Appeals adopts the proposed findings and approves UV/V-23-17 with the following conditions:

1. Approval of the variance allows for reduced parking spaces to a minimum of 38 parking spaces.
2. Parking lot islands must be added to the site plan before a grading permit will be issued.
3. Approval of the parking setback variance is for a maximum encroachment, as shown in the submitted site plan.
4. Approval of first floor residential is for this project proposal only. Any future projects needs subsequent variance approval.



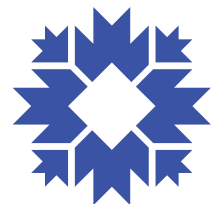
By: scanlanj
17 Aug 17



For reference only; map information NOT warranted.



City of Bloomington
Planning & Transportation



Scale: 1" = 50'



BYNUM FANYO & ASSOCIATES, INC.

September 18, 2017

City of Bloomington Plan Commission
401 N. Morton Street
Bloomington, Indiana 47403

Re: Milestone Ventures, Inc BFA Project #401741

Dear Plan Commission and BZA Members:

Our client, Milestone Ventures, Inc. working with Life Designs Bloomington, respectfully request site plan approval and variance request for first floor residential uses and minimum parking spaces. The property consists of 1.25 acres at the southwest corner of W. 3rd Street and S. Walker Street. The site is zoned CG and requires no residential uses on the first floor and we are proposing no commercial uses. Since this property is located next to a core neighborhood it is required to have one parking space per bed. We will have a total of 40 units and 49 beds. We are proposing 41 onsite parking spaces and 9 on street parking spaces for a total of 50 parking spaces. The parking variance is due to some of this counted parking is on street and not within the site. However, we have 40 units and 41 on site parking spaces. The unit mix consist of 8 studio units under 550 sf, 24 one-bedroom units under 700 sf, 7 two-bedroom units under 950 sf and 1 three-bedroom unit. The DUE density comes to 13.22 units, well under the 18.77 units allowed.

The proposed use for the site is affordable housing for residents at or below 60% of area median income. The project will also provide 8 units for persons with disabilities and 8 units of permanent supportive housing for the homeless. The program is similar to the Life Design project located on S. Henderson Street. Their experience at this location is that the tenants typically use public or alternative means of transportation and need very little parking. It is for this reason we believe one space per bed is not necessary for this project but one per unit is.

The site design consists of renovating the existing church to accommodate two micro apartments, a community room, fitness room and leasing office. A new three-story building will be constructed on the west side of the property and a parking lot between the two structures. Water service will be brought in from W. 3rd Street and sanitary sewer will be connected to a main in S. Walker Street. Storm water will sheet flow from north to south where a water quality and detention pond will filter the storm water and reduce the runoff to predevelopment rates.

After you have had a chance to review our petition please feel free to contact us with any questions or clarifications you have.

Sincerely,

Jeffrey S. Fanyo, P.E., CFM

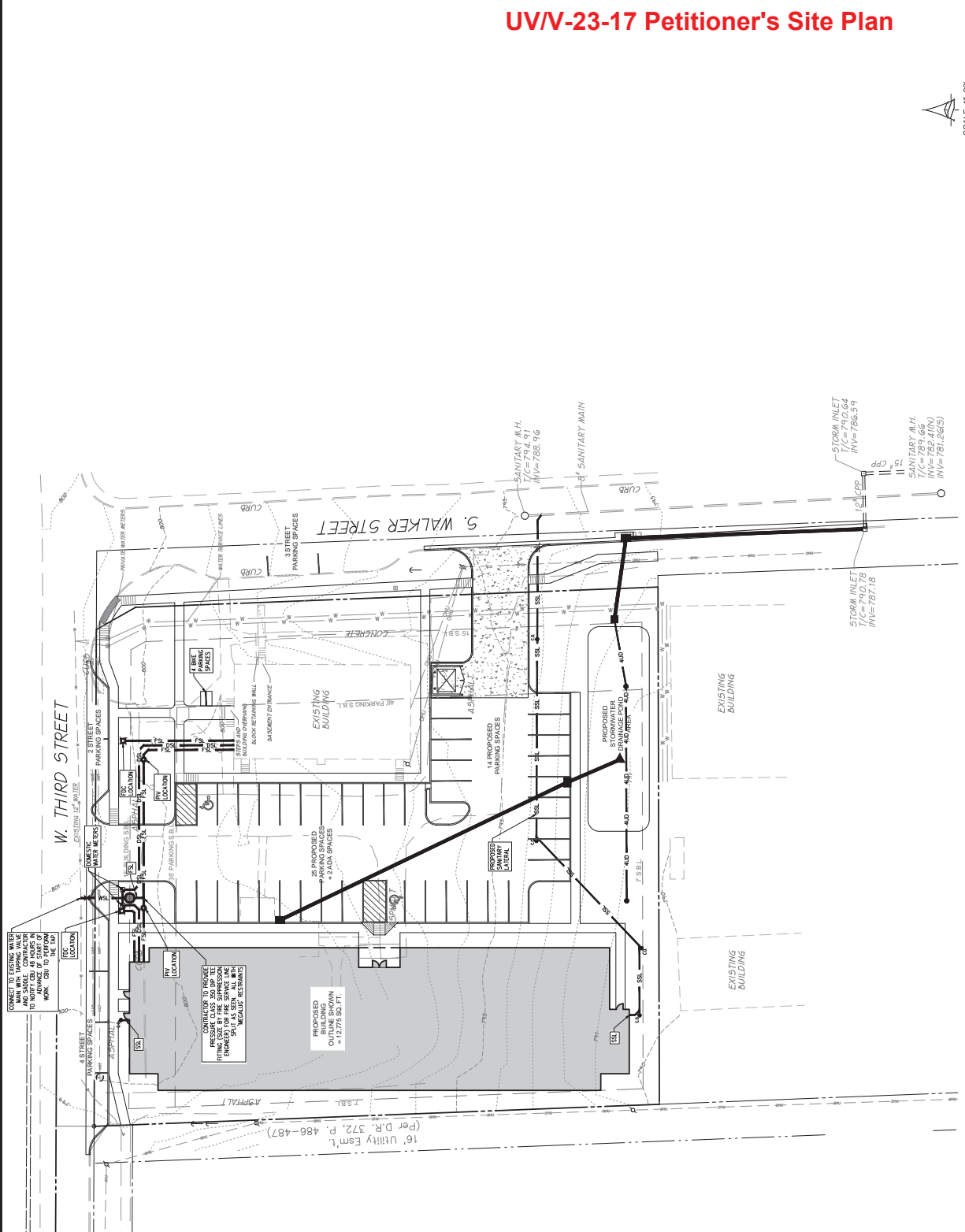
Bynum Fanyo and Associates, Inc.
528 North Walnut Street
Bloomington, Indiana 47404
Office 812 332 8030

UVV-23-17 Petitioner's Site Plan



NOTE TO CONTRACTOR
 CONTRACTOR SHALL VERIFY ALL UTILITY LOCATIONS & DEPTHS AND NOTIFY CITY OF BLOOMINGTON PRIOR TO ANY EXCAVATION. NO PAYMENT SHALL BE MADE TO CONTRACTOR FOR UTILITY DESTRUCTION OR UNDERGROUND CHANGES REQUIRED DUE TO CONCLUDING ELEVATIONS.

WARD 30 ST. & S. WALKER ST. PROPERTY - 7.25 ACRES CITY OF BLOOMINGTON 100% REDEVELOP.	PARKING COUNT # SPACES PER 1,000 SQ. FT. OF SURFACE AREA 41 ON-STREET - 9 ON-STREET - 50 = 18%	IMPERVIOUS SURFACE AREA 60% LOT COVERAGE = 25.5 ACRES 0.75 ACRES = 10.0%	VEHICLE UNITS LESS THAN 500 SQ. FT. # UNIT x 0.20 = 8	1 BED UNITS/LESS THAN 700 SQ. FT. # UNIT x 0.25 = 24	2 BED UNITS/LESS THAN 900 SQ. FT. # UNIT x 0.66 = 7	3 BED UNITS # UNIT x 1.00 = 1	UNIT DENSITY # UNITS PER ACRE # UNITS/ACRE = 24.75 WEIGHTED VALUES
PROPOSED							



designed by: DJR
 drawn by: DJR
 checked by: DJR
 sheet no.: 0301
 Project no.: 401741

TITLE: SITE IMPROVEMENT & UTILITY PLAN

PROPOSED
 W. 3RD STREET & S. WALKER STREET
 W. 3RD STREET
 BLOOMINGTON, INDIANA 47404

certified by:



BYNUM FAYND & ASSOCIATES, INC.
 ARCHITECTURE
 CIVIL ENGINEERING
 PLANNING
 528 North Walnut Street
 Bloomington, Indiana
 (812) 332-8030

revisions:

UVV-23-17 Petitioner's Site Plan



SCALE: 1"=20'

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designed by: D. B. ...
 drawn by: ...
 sheet no.: 6401
 Project no.: 401741

TITLE: SITE GRADING & DRAINAGE PLAN

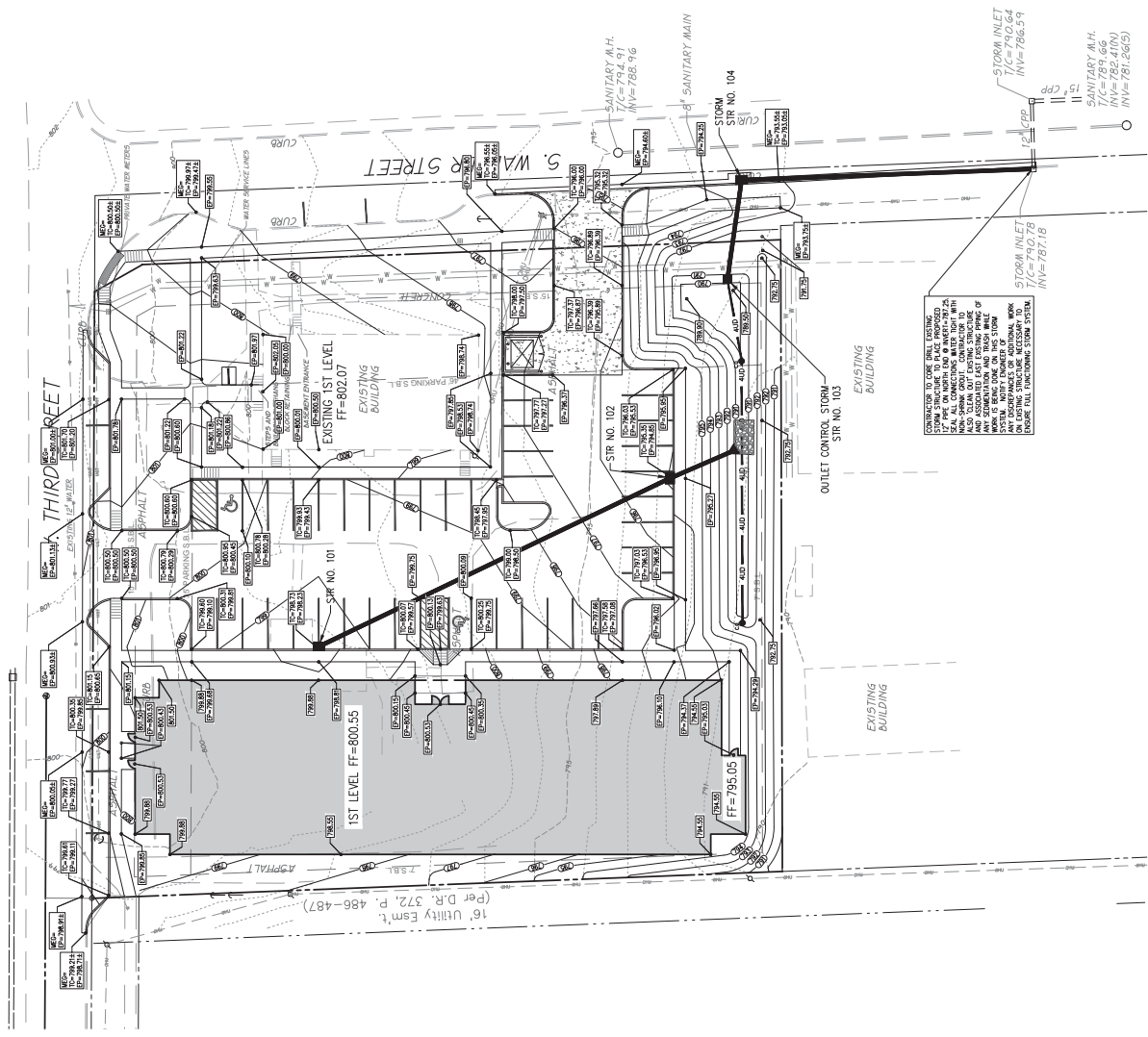
PROPOSED
 W. 3RD STREET &
 S. WALKER STREET
 W. 3RD STREET
 BLOOMINGTON, INDIANA 47404

certified by:



BRYUM FANDY & ASSOCIATES, INC.
 ARCHITECTURE
 CIVIL ENGINEERING
 PLANNING
 528 North Walnut Street
 Bloomington, Indiana
 (317) 339-2990 (fax)

revisions:



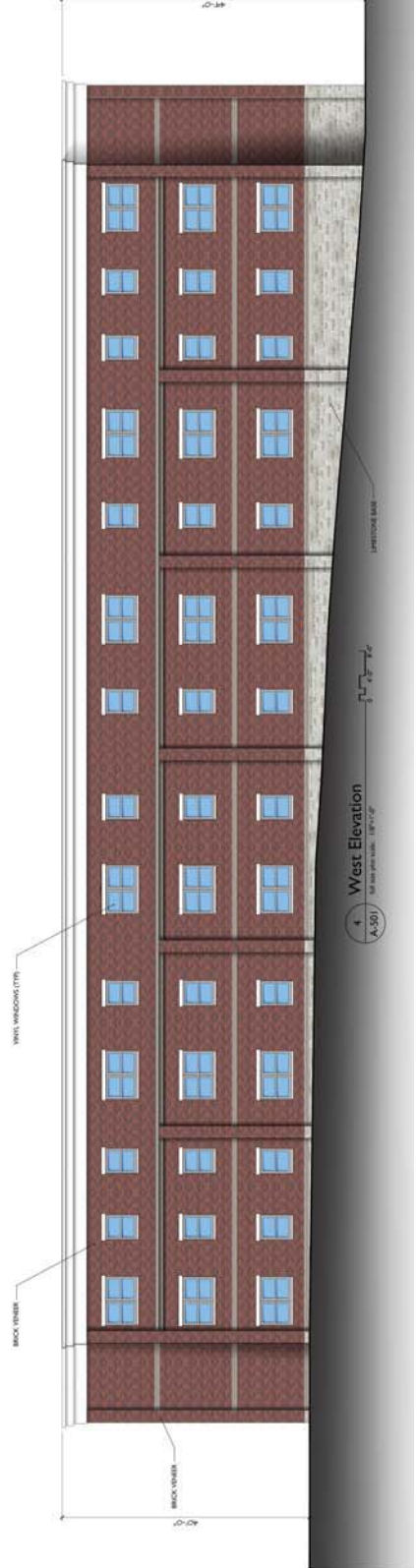
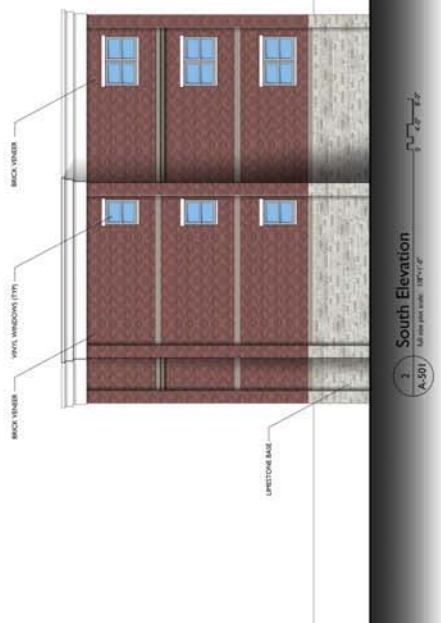
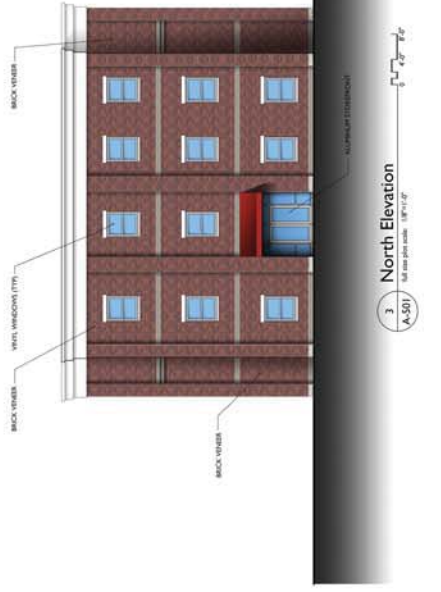
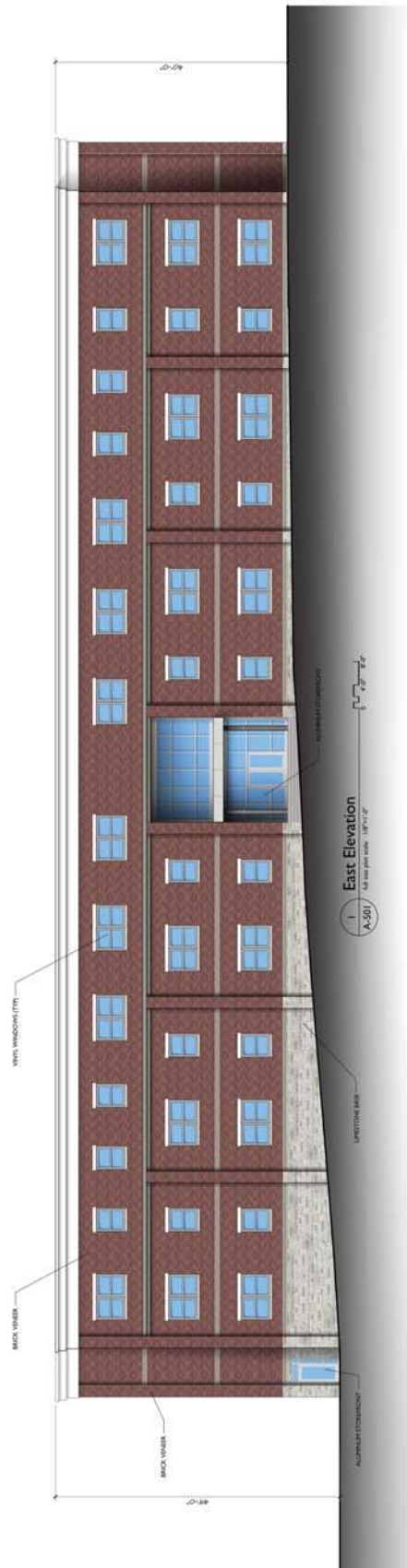
UV/V-23-17 Petitioner's Renderings

LifeDesigns Apartments
 101st St. & S. Walker Streets
 Bloomington, Indiana 47401

A-501

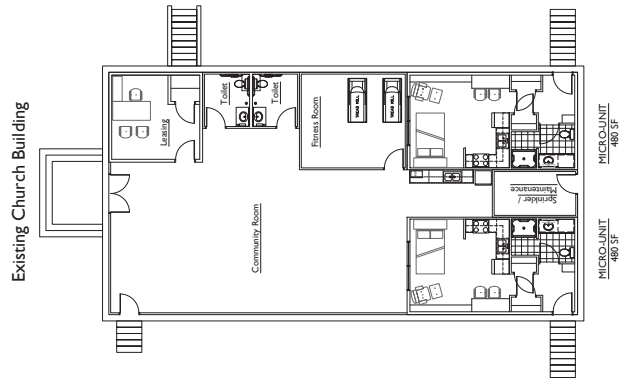
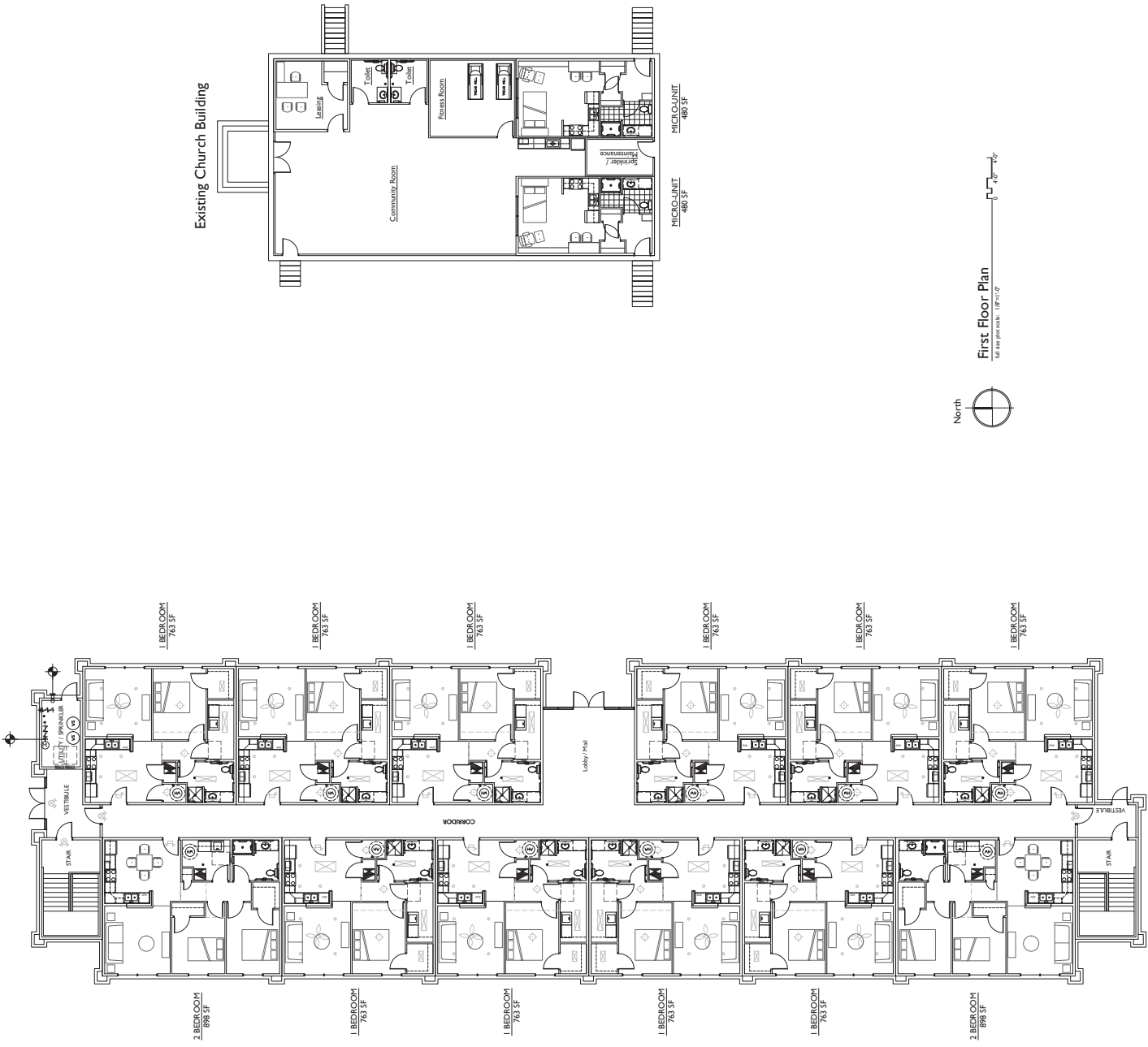


DATE: 11/15/2017
 CHECKED BY: M
 PROJECT NUMBER: 2017-0001
 DRAWING NO: 01
 1813 Center Dr. West
 Bloomington, IN 47403
 317.332.1111
 www.reviewprint.com
 50 CityCenter Plaza, Bloomington, Indiana 47401



Notice:
 The information on this set of plans is based on data provided by the applicant and is not to be construed as a warranty of accuracy. The applicant warrants that the information provided is true and correct to the best of their knowledge and belief. The architect assumes no responsibility for the accuracy of the information provided by the applicant. The architect shall not be liable for any errors or omissions in the information provided by the applicant or for any consequences arising therefrom. The architect shall not be liable for any errors or omissions in the information provided by the applicant or for any consequences arising therefrom.

UVV-23-17 Petitioner's Floor Plans



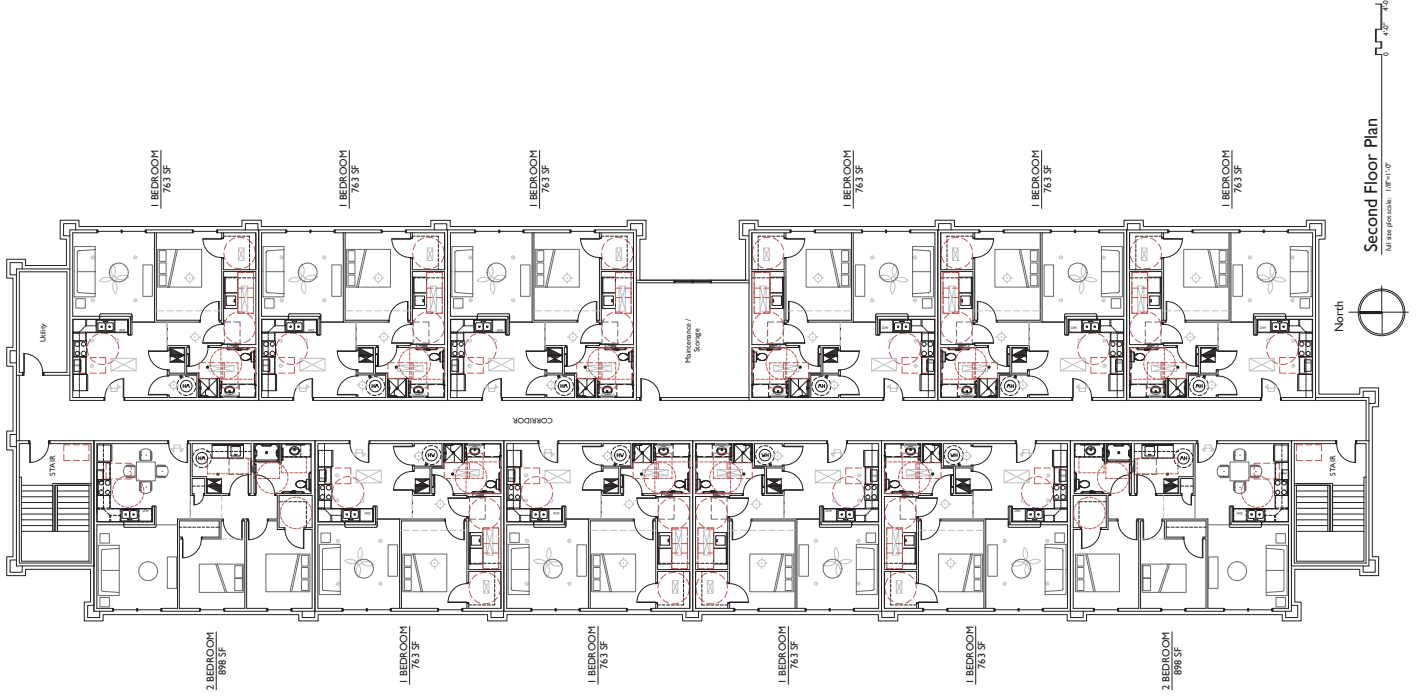
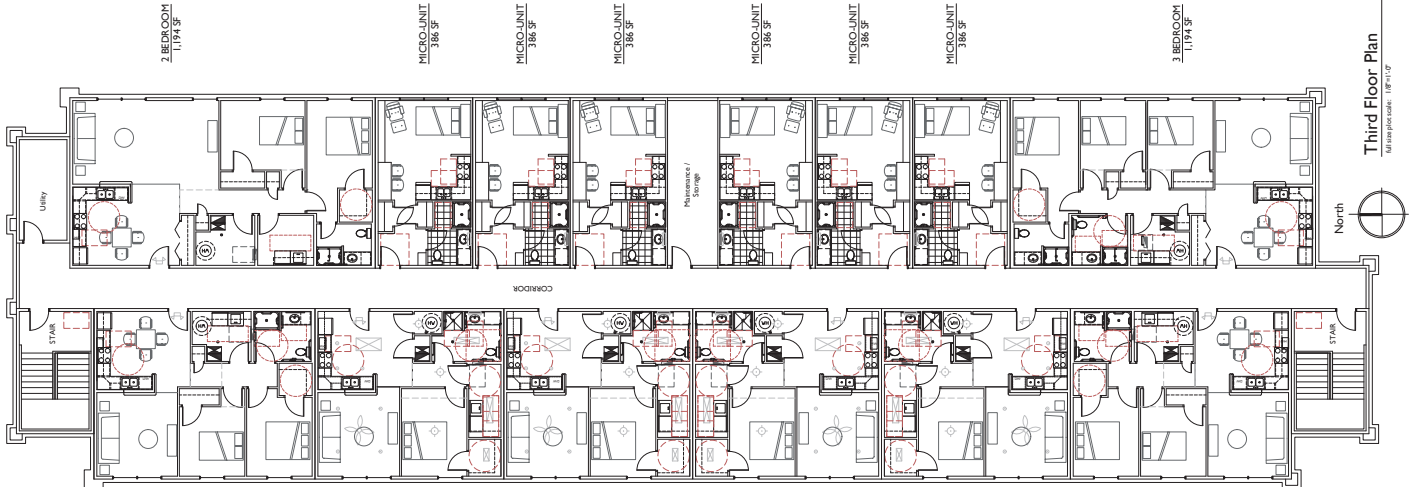
North



 First Floor Plan

 Full size plot scale: 1/8"=1'-0"

UVV-23-17 Petitioner's Floor Plans



BLOOMINGTON BOARD OF ZONING APPEALS
STAFF REPORT
Location: 215 S. Westplex Ave.

CASE #: CU-24-17
DATE: October 19, 2017

PETITIONER: Wheeler Missions Ministries
 215 S. Westplex Ave.

REQUEST: The petitioner is requesting conditional use approval to allow capacity expansion of an existing homeless shelter.

REPORT: The petitioner currently operates a homeless shelter at 215 S. Westplex. The property is located within the Westplex PUD (Planned Unit Development). The site currently has a two-story building that provides overnight shelter to 50 individuals. The petitioner plans to install fire sprinklers in the building to increase capacity for the existing homeless shelter.

The shelter has a long operating history on the site and first received a Conditional Use in 2000 for a maximum overnight capacity of 20 individuals which was then increased to 50 with a new conditional use in 2003.

By adding a sprinkled fire suppression system, Wheeler Mission can increase the capacity from 50 occupants to 130. This 130 includes both visitors and staff. This change would allow year-round sheltering at a single site. The Interfaith Emergency Winter Shelter (IEWS) will operate at Wheeler Mission between November and March, thus eliminating the need to rotate sheltering between downtown churches.

CRITERIA 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 “Community Activity Center.” The GPP does not call for homeless shelters directly, but states that residential uses may be permitted and the CAC should incorporate a balance of land uses to take advantage of the proximity to goods and services. The use of the property as a shelter 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 noise, smoke, odors, vibrations, or objectionable lights;*

Recommended Finding: The proposed use has the potential to have nuisance by

reason of noise, smoke, odors, vibrations, or objectionable lights however the shelter is staffed 24/7. The use has been existing on site without known nuisances since 2000.

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: Minimal potential adverse impacts are found to the adjacent properties or character of the area as a result of this petition. The site has been operating with a shelter since 2000. In addition, the use is surrounded by additional commercial businesses.

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 requires no additional infrastructure services. There is no new development associated with this petition. There is adequate utility service in this area and no improvements are needed.

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 located off of West 3rd Street on a dead end street. There are sidewalks located along both sides of W 3rd as well as on the west side of S. Westplex Avenue. The site is served by bus and is located along the 3w Rural Transit Route.

There are 15 parking spaces existing on site. The petitioner states the shelter guests do not typically have cars. The current number of spaces is sufficient for staff and volunteers

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 significant natural 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: Access to the facility is open 24/7. The site is lighted throughout the evening and early morning hours. Trash and waste collection will continue as it has, no issues regarding trash and waste collection have been raised at this time.

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.

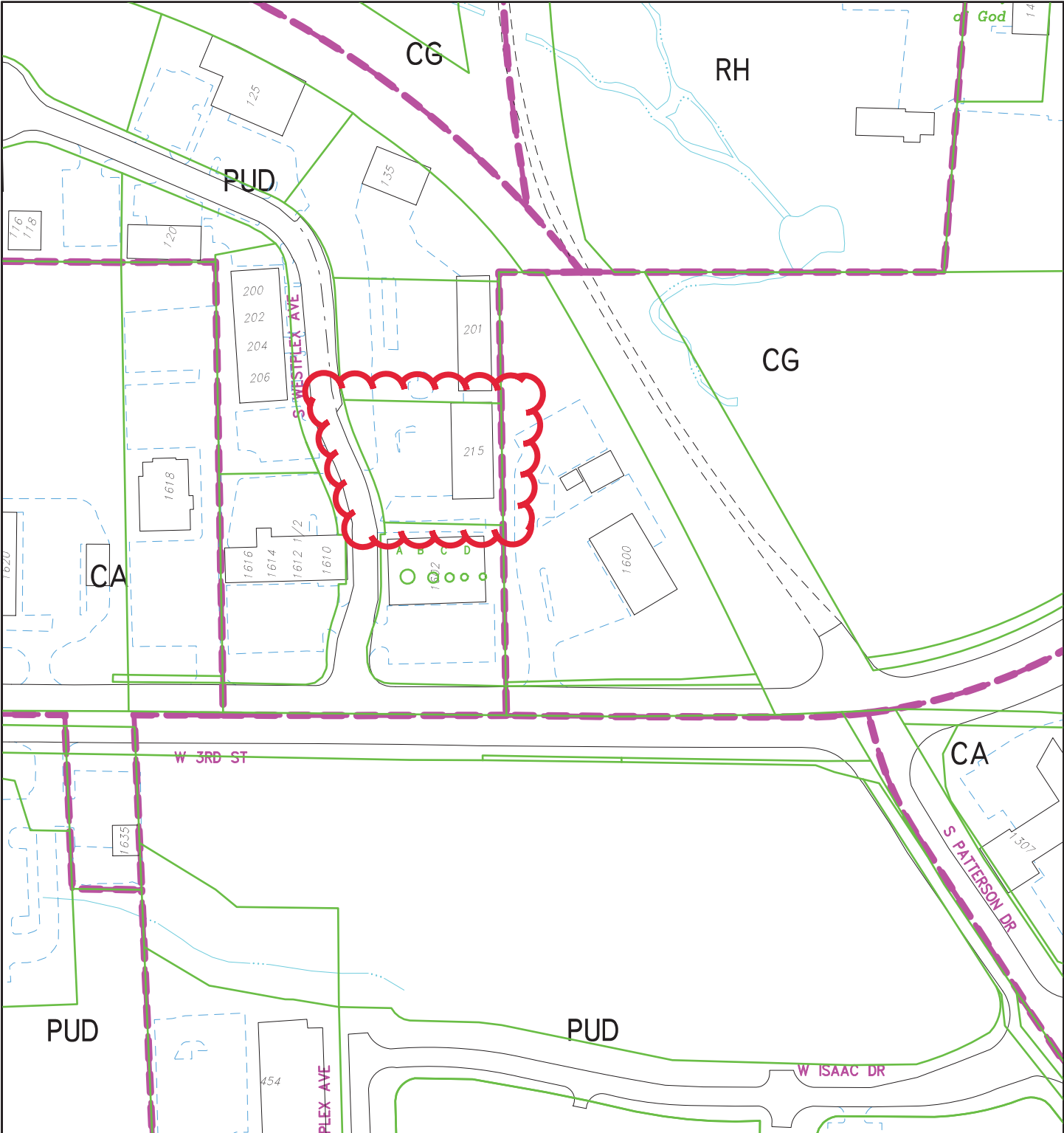
Recommended Finding: No changes to existing signage or new signage have been proposed at this time. Any future signage should be reviewed by staff according to the UDO standards.

9. The proposed use and development complies with any additional standards imposed upon the particular use by Chapter 20.05; CU: Conditional Use Standards.

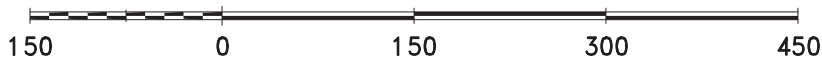
Recommended Finding: There are no additional standards in Chapter 20.05 for the proposed use.

RECOMMENDATION: The Department recommends the BZA adopt the recommended findings and approve CU-24-17 with the following conditions:

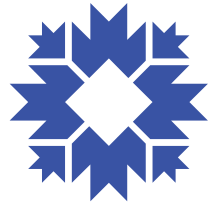
1. The shelter facility shall be limited to a maximum of 130.
2. The petitioner must receive approval from the Monroe County Building Department as well as the Bloomington City Fire Department prior to allowing additional occupants.



By: lewisa
10 Oct 17

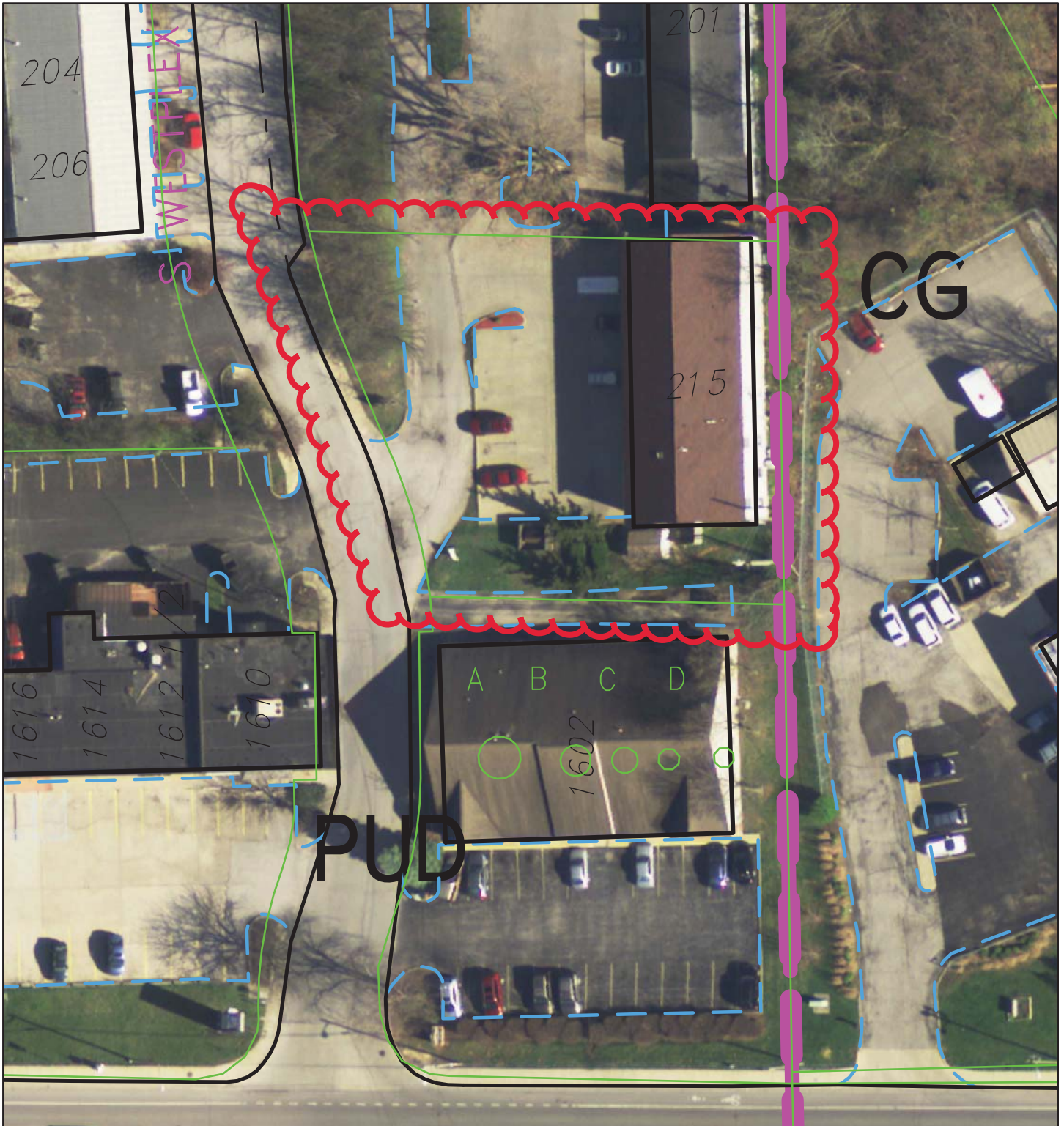


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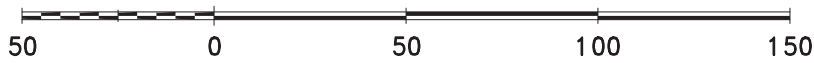


Scale: 1" = 150'

For reference only; map information NOT warranted.



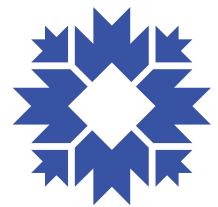
By: lewisa
10 Oct 17



For reference only; map information NOT warranted.



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Scale: 1" = 50'

**Wheeler Mission Ministries (WMM) and the Interfaith Emergency Winter Shelter (IEWS)
Petitioners Statement 10/5/2017**

In 2016/17, WMM and IEWS collaborated regarding the growing need for low barrier, non-discriminatory, winter shelter services in Bloomington, Indiana. The primary goal of the service is to provide winter shelter for the homeless, addicted, and those in need. WMM and IEWS share a vision that services offered would allow for the faith community, across many denominations, to work together to meet the needs in our community. WMM and several Bloomington churches acted as “Shelter Sites” in 2016/17. While many of the congregations involved still desire to support the effort, there is a consensus that the rotation of physical sites is not ideal and was not intended to become a primary long-term solution. Some IEWS sites have indicated that current or projected new uses for their space impacts their ability to serve as a site in the same way as in the past, and have asked for help in addressing these issues.

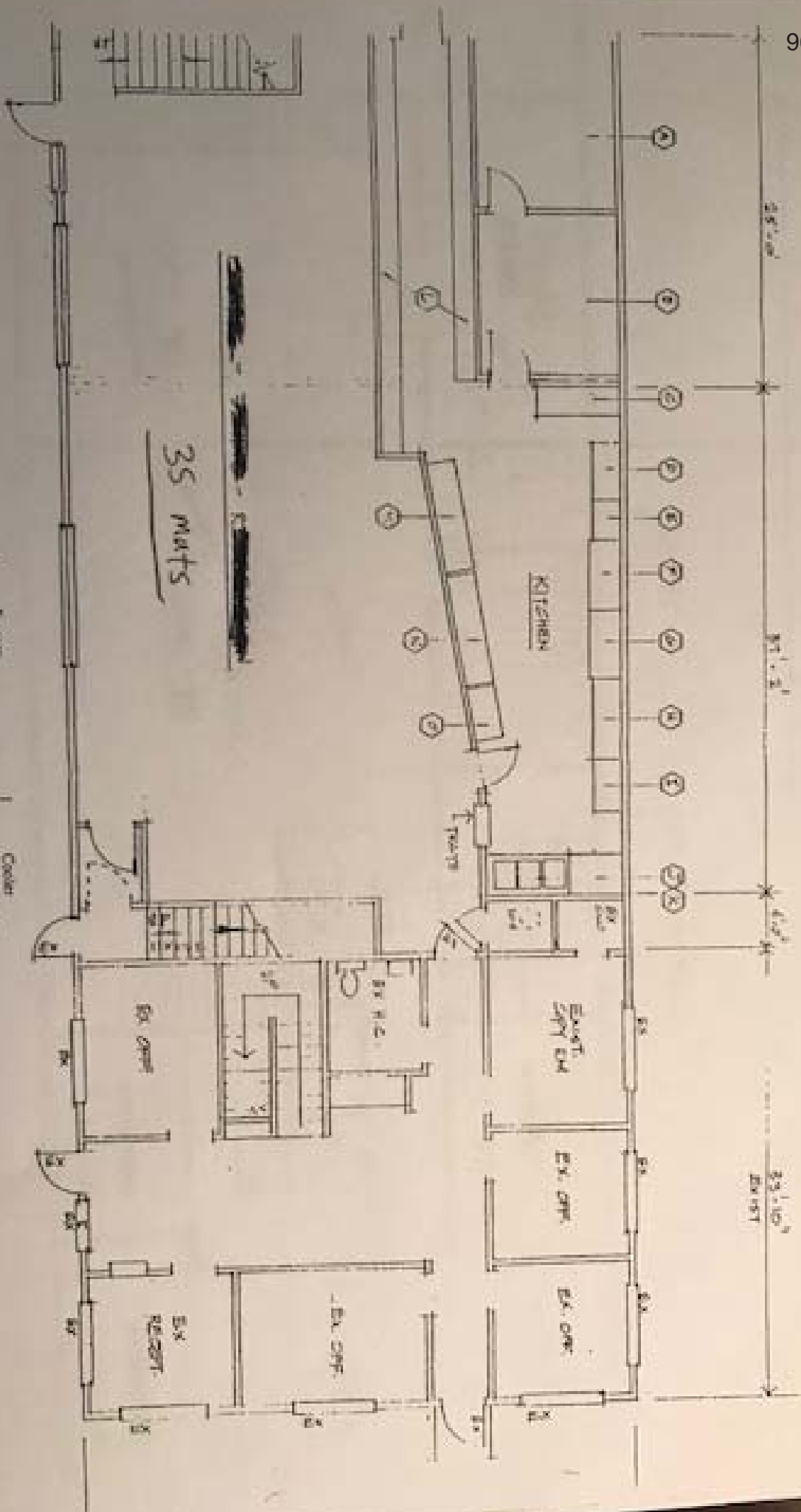
WMM merged with Backstreet Missions in October 2015. WMM made concerted efforts to lower shelter barriers and participate as part of the Bloomington Continuum of Care. Shelter services are offered throughout the year to anyone regardless of religious preference, gender identification, race, background, etc. While Christian programs at WMM are always available, no one receiving emergency shelter services is required to participate. WMM implemented the “best practice” of engaging referral services between WMM and other social agencies to accommodate each individual guest based on their need. WMM will not act as permanent housing for the homeless, but will attempt to serve the homeless by connecting them to a diverse variety of programs and services. In addition to serving the homeless and those in need, WMM also recognizes its role in the community and seeks to contribute to the needs of the City of Bloomington, residents, business owners, and students.

We would like to bring all Emergency Shelter Services and other case managed programming under one roof. The current facility located at 215 S. Westplex Avenue do have the capabilities to house the entire Winter Shelter operation but it will require a “change of use” and according to the Fire Marshall, will need to be outfitted with a fire suppression/sprinkler system. This will also enable to increase the capacity of people we can serve up from 50.

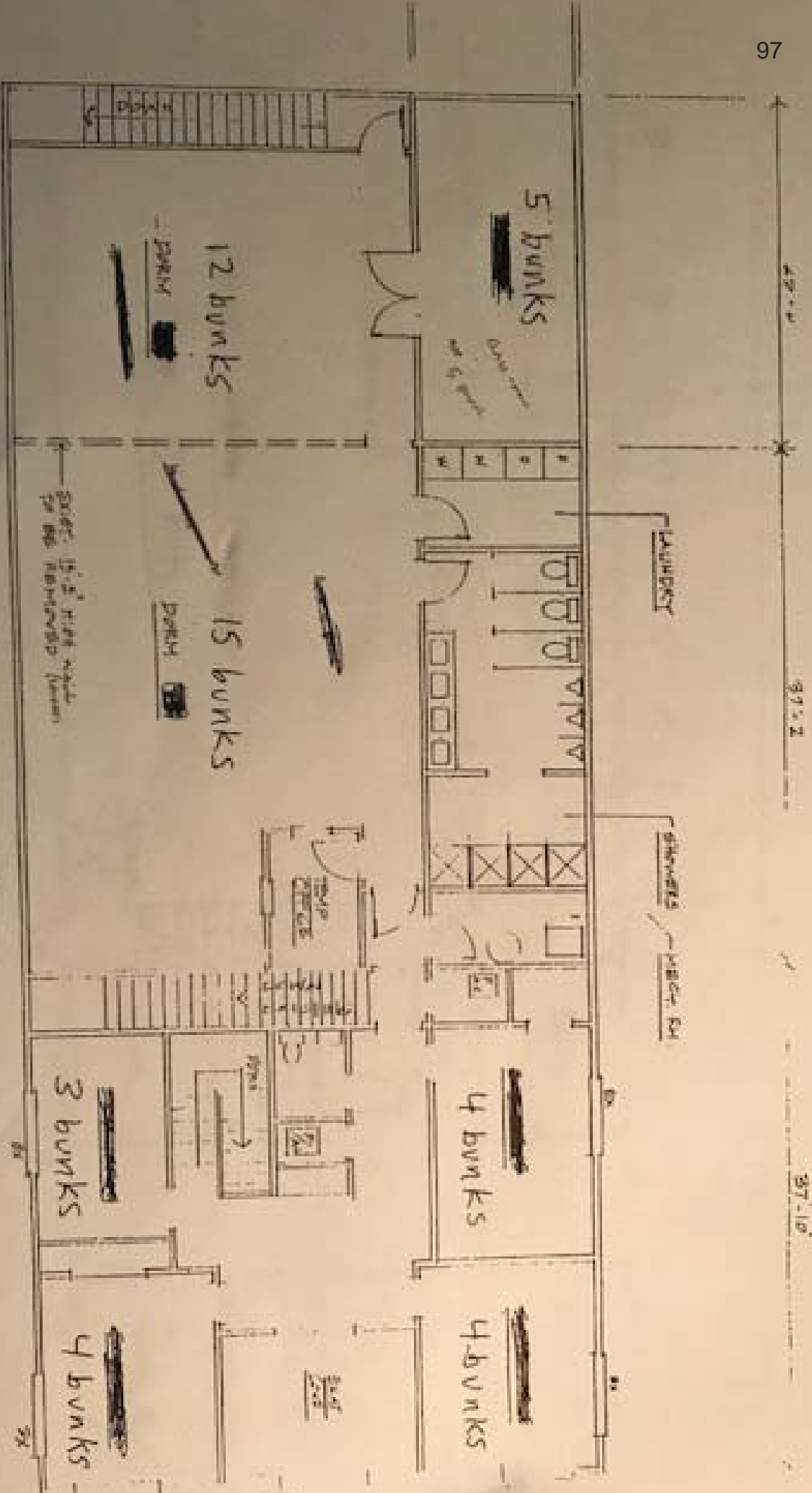
WMM is moving forward with the installation and change of use in its building. It has filed the appropriate notices, and met with the Sprinkler and General Contractors on the project. It is WMM’s intent and goal to start work immediately when the permits are approved. Contractors are aware that this is a priority and are pushing for completion before November 1st.

Without the requested change, the IEWS would need to find additional sites for the homeless population during the winter months. It should be noted that the same issues exist at church sites; capacity restraints and lack of sprinkler systems. If we cannot make the changes, the City of Bloomington might be required to find alternative solutions to shelter the homeless.

LOWER LEVEL FLOOR PLAN



- A Freezer
- B Cooler
- C Preparation Table
- D Preparation Table
- E Deep Fryer
- F Sinks
- I Cooler
- J Dish Washer
- K Sink
- L Stairs
- M Preparation Table
- N Dress & Ice



UPPER LEVEL FLOOR PLAN