

# CITY OF BLOOMINGTON



December 21, 2017 @ 5:30 p.m.  
COUNCIL CHAMBERS #115  
CITY HALL

ROLL CALL

**MINUTES TO BE APPROVED:** November 16, 2017

**REPORTS, RESOLUTIONS, AND COMMUNICATIONS:**

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**PETITIONS:**

- UVV-30-17 **Gwynne and Ben Shively**  
722 W. 2<sup>nd</sup> St.  
Request: Use variance to permit a barber/beauty shop in the Medical (MD) zoning district and a variance from architectural standards.  
*Case Manager: Amelia Lewis*
- V-32-17 **Jeff Meyer (Culver's)**  
1914 W. 3<sup>rd</sup> St.  
Request: Variances from development standards including parking setback, maximum number of parking spaces, and tree preservation requirements in the Commercial Arterial (CA) zoning district.  
*Case Manager: Jackie Scanlan*
- V-33-17 **Edward and Wendy Bernstein**  
1326 E. Maxwell Lane  
Request: Variance from architectural standards to allow for a carport in the Residential Single-family (RS) zoning district.  
*Case Manager: Jackie Scanlan*

**BLOOMINGTON BOARD OF ZONING APPEALS**  
**STAFF REPORT**  
Location: 722 W 2<sup>nd</sup> St.

**CASE #: UV/V-30-17**  
**DATE: December 21, 2017**

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**PETITIONER:** Gwynne and Ben Shively  
722 W 2<sup>nd</sup> Street, Bloomington

**CONSULTANT:** Mike Shively Architecture  
910 W Van Buren Street, Chicago, IL

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**REQUEST:** The petitioner is requesting a use variance to permit a barber/beauty shop in the Medical (MD) zoning district and a variance from architectural standards.

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<b>Area:</b>	<b>0.18 Acres</b>
<b>Zoning:</b>	<b>Medical (MD)</b>
<b>GPP Designation:</b>	<b>Public/Semi-Public/Institutional</b>
<b>Existing Land Use:</b>	<b>Baber/Beauty Shop</b>
<b>Proposed Land Use:</b>	<b>Baber/Beauty Shop</b>
<b>Surrounding Uses:</b>	<b>North</b> – Dwelling, Single-Family (detached) <b>East</b> – Park <b>South</b> – Hospital <b>West</b> – Pharmacy

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**REPORT:** The petition site is located along the north side of West 2<sup>nd</sup> Street, immediately adjacent to Building Trades Park. The property is zoned Medical (MD) and contains an approximate 1,400 square foot single family detached structure that has been converted to a barber/beauty shop. This use was established prior to the existing Unified Development Ordinance (UDO), making it a legally non-conforming use.

The petitioner proposes to demolish the existing building and construct a three story mixed use building. The existing salon would be relocated to the first floor of the new building. The second story would be owner occupied and the third story would contain one 2 bedroom unit and one 1 bedroom unit. The Unified Development Ordinance (UDO) permits the use of “dwelling, upper floor units” in the MD District. The UDO does not allow the use ‘barber/beauty shop’ in the MD District. For the existing legally non-conforming use to re-establish and expand, the petitioner must receive a use variance from the Board of Zoning Appeals (BZA) for the use on the site. The Plan Commission heard the use variance petition and forwarded the petition with a favorable recommendation at the November 13, 2017 hearing. In addition to the use variance, the petitioner is seeking a variance from the required eaves and roof standard.

The property is located on the southern edge of the Prospect Hill Historic District. Any demolition and/or construction requires a Certificate of Appropriateness (COA) from the Historic Preservation Commission (HPC). The HPC granted the COA at their meeting on October 26, 2017.

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## **SITE PLAN REVIEW:**

**Density:** The maximum allowable density is 2.7 DUEs. The second story contains a 4 bedroom unit and the third story contains one 2 bedroom unit, and one 1 bedroom unit resulting in a proposed density of 2.4 DUEs. The proposed site plan meets the density requirement.

**Parking and Access:** A barber/beauty shop is permitted a maximum of two parking spaces for every operator station. There are nine operator stations (space for seven stylists and two barbers) in the proposed first floor layout. One space for every bedroom is required for the upper floor dwelling units. There is a minimum of 7 spaces required for the upper floor dwelling units.

There are 8 proposed spaces on site. The minimum number of spaces is 7 and the maximum number of spaces permitted on site is 25.

Along the eastern edge of the site are six angled parking spaces. The attached garage at the northern portion of the lot includes two spaces for the owner occupied unit. Per BMC 20.05.070(k), back-out parking within the required side or rear setback may be allowed onto adjacent alleys. This standard limits the number of spaces to eight and requires that the alleys be considered "improved" alleys.

Vehicular access to the site is located at the southwest corner via a public alley.

**Bicycle and Pedestrian Facilities:** There is existing sidewalk at the south side of the site along W 2<sup>nd</sup> St. A condition of approval is that the existing curbs shall be modified to meet ADA standards. The UDO requires eight outdoor bicycle parking spaces for visitors and tenants, which are shown on the site plan.

The primary entrance for the barber/beauty shop is located on the east façade, at the southeast corner of the building. There is a proposed patio between the building and W 2<sup>nd</sup> St. serving as a pedestrian connection from the street to the building.

**Landscaping:** A full landscaping plan will be approved by staff prior to the release of grading and building permits. This is a condition of approval.

**Architecture and Materials:** The architecture and style of the proposed structure has a modern style with traditional aspects to complement the surrounding traditional single family structures. The proposed facade materials include a smooth white stucco and wood planks with a walnut stain. The roof is architectural asphalt shingles. The petition includes an additional variance from the required overhanging roof eaves as required in BMC 20.05.015 Architectural Standards. This proposed style of roof without the eaves is in line with the modern aesthetic of the building.

*20.05.015(c)(4) Eaves and Roofs: Buildings with sloped roofs (those greater than 3:12 pitch) visible from a primary arterial or freeway/expressway shall contain*

*overhanging eaves, extending no less than two (2) feet past the supporting walls.  
Flat roofs (those less than 3:12 pitch) shall include a parapet on supporting walls.*

The complete report from Schmidt Associates is included in this packet. Schmidt reviewed a previously plan that was similar, but is not the architecture included in this packet. However, the current petition and proposed architecture has already received approval from the HPC, which has the final determination in any architecture and building proposed in a historic district. Any future changes in the architecture would have to be approved by the HPC.

**Green Building Features:** The petitioner's statement outlines the green building features including building materials, plumbing, appliances, lighting, daylighting, on-site recycling, and bicycle parking.

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**20.09.140 CRITERIA AND FINDINGS FOR USE VARIANCE:  
Barber/Beauty Salon in the MD Zoning District**

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 salon in the MD district.

*(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. The proposed salon provides a low intensity neighborhood service that has existed in the neighborhood for several years without a negative impact. 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 the zoning district and potential future changes in the surrounding land uses. This portion of the northern side of 2nd Street is the end of the MD zoned properties and with the hospital to relocate in the future, the need for adjacent businesses to provide support to the hospital are becoming less relevant. In addition, this property is located on the edge of a neighborhood, making it more residential in nature.

*(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 as the zoning prohibits the re-establishment of an existing use on this site. Although a mixed-use building with residential units about the ground floor could be constructed, the current MD district limits the types of neighborhood service commercial uses.

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

**PROPOSED FINDING:** The Growth Policies Plan (GPP) designates this property as Public/Semi-Public/Institutional. The GPP notes that 'Public/Semi-Public/Institutional' is designed to provide adequate land to support compatible government, non-profit and social service land use activities. The GPP did not anticipate the relocation of IU Heath Bloomington Hospital and provided for land area to support a use that will soon not be in the area. Draft Comprehensive Plan changes anticipate the relocation of the hospital, but those changes have not yet been adopted.

The proposed use variance would re-establish the existing use in a new three story mixed use building. There are few properties at the intersection of S Walker St. and W 2<sup>nd</sup> St. to the west and three blocks to the east of Building Trades Park zoned MD. Though directly adjacent to the hospital, the properties along the north side of W. 2<sup>nd</sup> St. are primarily residential. The proposed use variance would re-establish an existing business in a new three story mixed use building. With the anticipated land use change this request does not substantially interfere with the general and specific policies of the GPP for this area. The Plan Commission found that the proposed use did not substantially interfere with the GPP.

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## **CRITERIA AND FINDINGS FOR DEVELOPMENT STANDARDS VARIANCE**

### **20.09.130(e) Standards for Granting Variances from Development Standards, 20.05.015(c)(4) Architectural 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:** No injury is found with this petition.

- 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 conflicting nature of the current zoning designation, the UDO architectural standards and existing surrounding architecture. The UDO requires a very traditional roof design, not fitting with the style of the proposed building. The building has been designed to have a roof in the style of the surrounding single family structures in the neighborhood, with a modern design.

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**CONCLUSION:** The proposed use variance is appropriate in the MD district. With the hospital relocating in the future, the need area for surrounding properties to support the hospital is unnecessary. As a result, the existing site can be used for the barber/beauty shop use without negatively affecting the surrounding area or harming the MD district intent. The variance from the architectural standards in this case are appropriate as the proposed roof style is more in line with the overall design of the building.

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**RECOMMENDATION:** The Department recommends that the Board of Zoning appeals adopt the proposed findings and approve petition #UV/V-30-17 with the following conditions:

- (1) The landscape plan will be approved by staff prior to the release of a grading and building permits.
- (2) Prior to occupancy the petitioner shall record a zoning commitment acknowledging that the one bedroom unit shall only have one room used as a bedroom.
- (3) The existing sidewalk ramps shall meet ADA standards.



November, 21<sup>st</sup> 2017

**City of Bloomington Planning Department**  
401 N Morton Street, Suite 130  
Bloomington, IN 47402

**Re.: 722 W. 2<sup>nd</sup> Street**

### **PETITIONER'S STATEMENT**

Mike Shively Architecture and our clients, Gwynne and Ben Shively, are pleased to submit the attached mixed-use development at 722 W. 2<sup>nd</sup> Street for Plan Commission Consideration. This document outlines and clarifies the project's intentions, scope, and responds to comments received to date regarding the project. We appreciate your consideration and time in reviewing this document. Please contact us with any questions you may have.

The Shively Family has owned the property at 722 W. 2<sup>nd</sup> Street and the business on site, Pendlebury Hair Studio, since 2012. Longtime residents of Bloomington, Gwynne and Ben Shively, are excited to redevelop their property as a place to grow their business and provide a home for their family. The proposed design includes an owner's unit for the Shively's and their daughter to call home. The rental units proposed as a part of the program will contribute to the growth of the Family's business and help to take care of the property. The Shively Family is excited to put down permanent roots and further contribute to the Bloomington and Greater Prospect Hill District.

Pendlebury Hair Studio offers a full range of traditional and contemporary salon services including haircuts, color, repair, make-up and spa services. The Studio first opened in 2006 and has been under the management of the Shively family since 2012. The Studio strives to adhere to environmentally friendly practices within her salon and utilizes eco-conscious products and materials. The proposed salon will have seven stylist chairs and two barbers. The Studio's hours are Tuesday-Friday 10am-7pm and Saturday 10am-4pm.

### **Project Location**

The property is located along North side of West 2<sup>nd</sup> Street in the Medical District Zoning Overlay. Additionally, the property is in the Greater Prospect Hill Local Historic District. Currently the site has a non-contributing one story building housing Pendlebury Hair Studio. Adjacent properties are largely Medical facilities including IU Health Bloomington Hospital to the southeast. Across the alley to the east side of the property is Building Trades Park. To the West is a commercial building housing a pharmacy. Across the street to the south is an educational facility surrounded by several office/professional services buildings.





## **Project Scope**

The proposed design consists of one building with an attached garage whose program includes a Level 1 hair salon (Pendlebury Hair Studio), a Level 2 Owner's unit for the Shively Family, and an Attic Level will consist of two rental apartments. Throughout the design process we have been perceptive to comments made from the city of Bloomington and have received unanimous approval for this project from both HPC, and the plan commission.

## **Zoning Variance**

We would like to seek a zoning variance for the eave depth of our proposed mixed use project. Because of its rather unique site location, zoned in the medical district as was as historical district, this project really becomes the overlap of these two distinctively different district. Our proposed project is also a similar overlap of archetypes, both commercial and residence. By removing the eaves from our proposed design, we are attempting a context that blends both residential district and the medial district.

## **Responses to DRC Comments**

- **Environmental** – Our firm's goal is to contribute to sustainable building practices and the healthy, comfortable buildings they contribute to. Similarly, the clients and future residents of the buildings do their best to live sustainably. The following are some of the many ways this project will support sustainable and green design features:
  - Program – The buildings program will change the site from a lower density single use to a mixed use with commercial and residential components. The clients will contribute far fewer emissions because they will no longer need to commute to work. The small business will provide a localized service to those in neighboring residential areas, as well as those who use the other businesses and services offered in the Medical District.
  - Building materials – The building will be constructed to meet the highest standards of efficiency. All glazing will be double-pane Low-E and argon filled. The mechanical systems will be high efficiency (96% or better, SEER 14 or better). The insulation and wall construction will provide a tight envelope with foam insulation. The roofing material will meet the reflectivity requirements stipulated by code to limit the heat island effect created by dark roofs.
    - Plumbing, Appliances, etc – All appliance will be high efficiency (Energy Star or similar). Plumbing fixtures will be low flow and water saving.
    - Electrical Lighting – Built-in recessed lighting and fixtures will take advantage of energy saving light bulbs of LED technology. In key high use areas dimmers will be provided. In the commercial salon space, motion activated switches will be used in restrooms, storage closets, etc. Natural daylight though ample windows will limit the duration that electrical lighting will be required during daytime hours.



- Design – The East Façade of the building faces a park and takes advantage of the lack of an adjacent structure by integrating windows and doors for daylighting and natural ventilation. On top of the garage and above the south portion of the building roof decks are proposed. These areas and their various landscaped planters will slow the run off of water.
- Supporting Green Lifestyles – The design supports recycling by offering ample space to sort and dispose at the rear of the property. Ample bike parking provides patron of the salon and residents of the building to commute via bike rather than car.
- **Utilities** – Per Tamara Roberts at the City of Bloomington Utilities Department there are no additional requirements specific to the intended use (commercial space with Salon and three residential units) in regard to pre-treatment and chemical uses.
- **Parking Spaces** – The total number of parking spaces provided has been reduced to eight (8) total. /the spot directly adjacent to the front door was changed to be an ADA accessible spot.
- **Garage** – The attached garage now West side setback was increased to 10'-0" to meet requirements.
- **Architecture** – The intention of the design of the building is to create light filled inviting interior spaces while also providing a sensitive design that will contribute to the neighborhood. The East façade has been updated to create a more consistent rhythm of windows that align vertically and horizontally floor to floor. On the West façade the fascia roofline was extended down to create a dormer condition on the third floor. This allows the building from the West to appear like the northern portion is two stories with an attic.

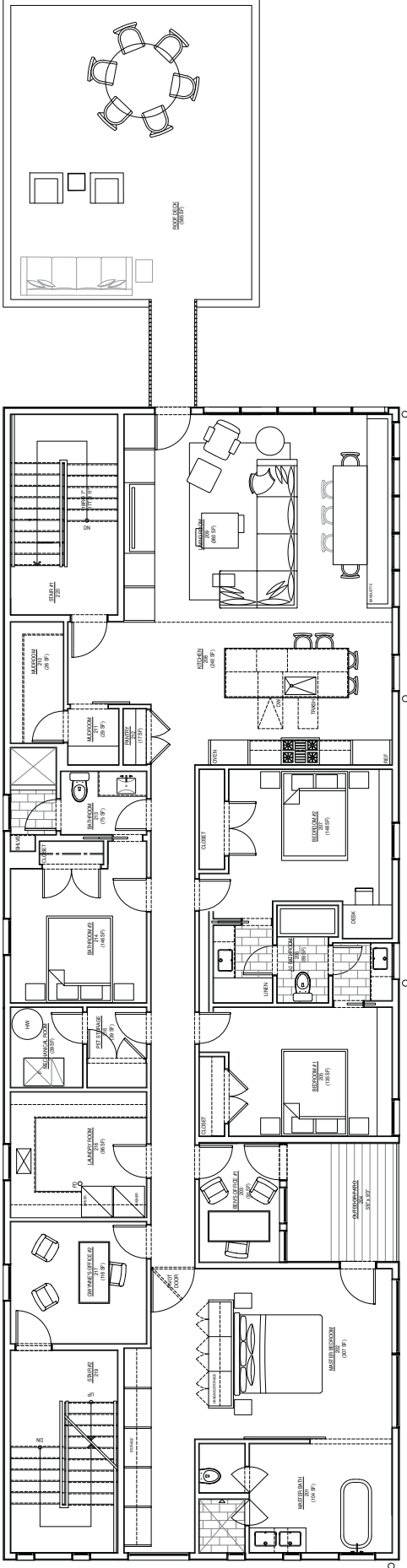
Sincerely,  
**Mike Shively Architecture, Ltd.**

Mike Shively  
President

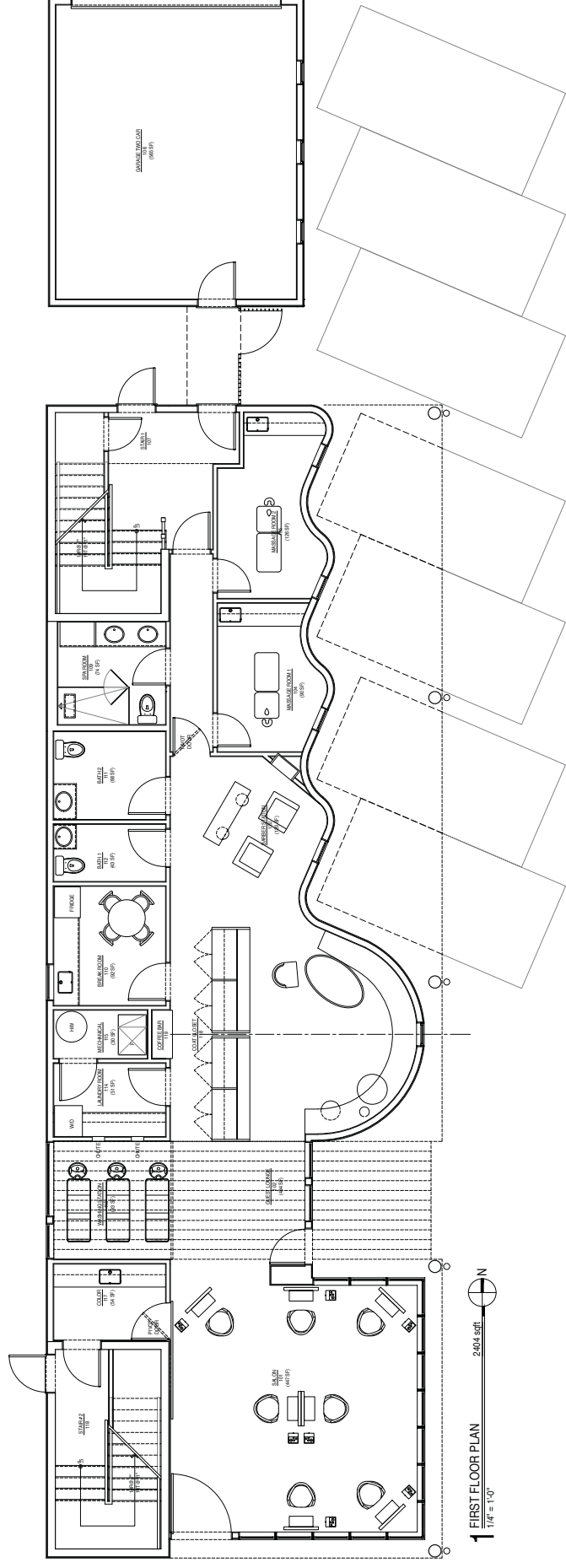


PENDLEBURY HAIR  
STUDIO

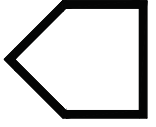




**2** SECOND FLOOR PLAN  
1/4" = 1'-0"  
2988 sqft



**1** FIRST FLOOR PLAN  
1/4" = 1'-0"  
2,604 sqft



**MIKE SHIVELY  
ARCHITECTURE**  
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BLOOMINGTON, INDIANA 47403  
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MIKE@SHIVELYARCHITECTURE.COM

I hereby certify that the drawings were prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer in the State of Indiana. I am not providing these drawings for any other project or for any other purpose.

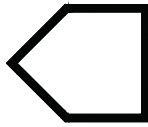
**Shively  
Bloomington**  
Project Number: 173  
2720 Windy Hollow Drive  
Bloomington, Indiana 47403

**A2.0**  
Proposed Floor  
Plans

Revisions

1	Issue	08.28.17
2	ISA Drawings	09.29.17
3	MFC Revised Schedule	10.18.17
4	ISA Drawings	11.21.17
5		
6		
7		
8		
9		
10		

DATE: 11.21.17  
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**MIKE SHIVELY  
ARCHITECTURE**  
1722 West 2nd Street  
Bloomington, Indiana 47403  
765.846.1111  
www.mikeshively.com

I hereby certify that these drawings were prepared by me or under my direct supervision and to the best of my knowledge and belief they conform to the provisions of the applicable laws and regulations of the State of Indiana.

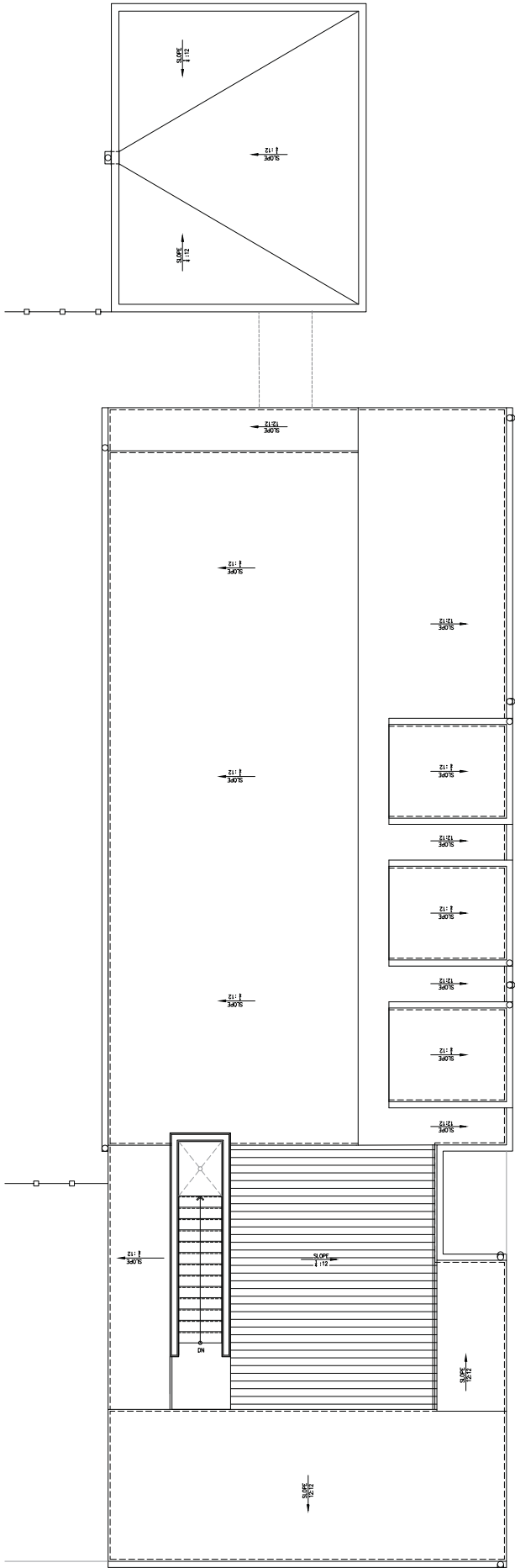
DATE: 08/25/17

**Shively  
Bloomington**  
Project Number: 1713

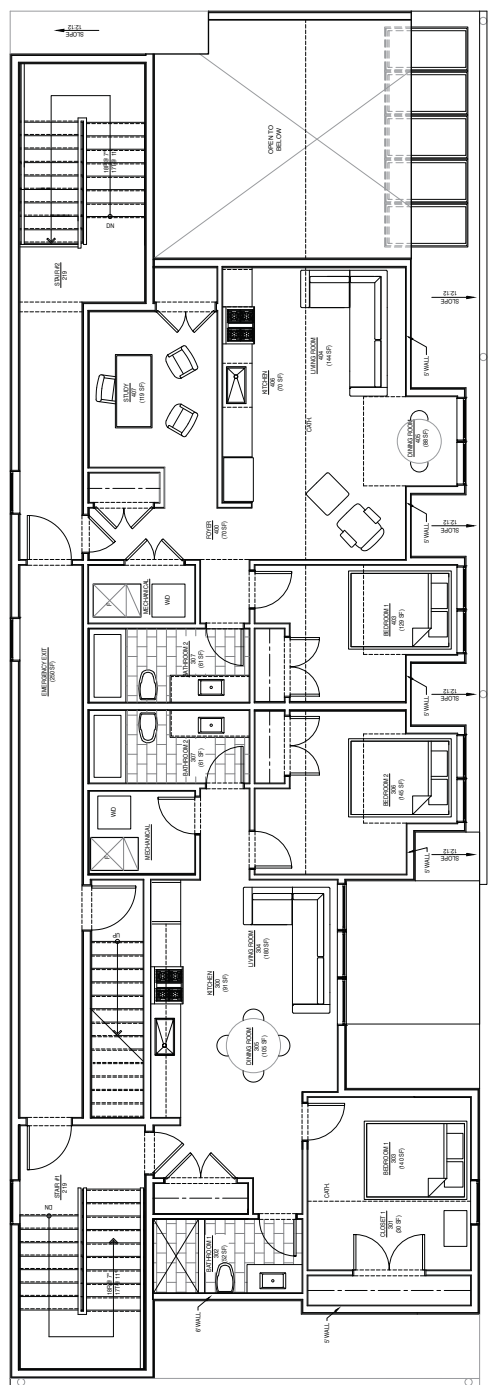
**A2.1  
Proposed Floor  
Plans**

Revisions	Date
1. Zoning Review	08.25.17
2. BZA Change	09.26.17
3. HPC Revised Submit	10.18.17
4. BZA Change	11.21.17
5.	
6.	
7.	
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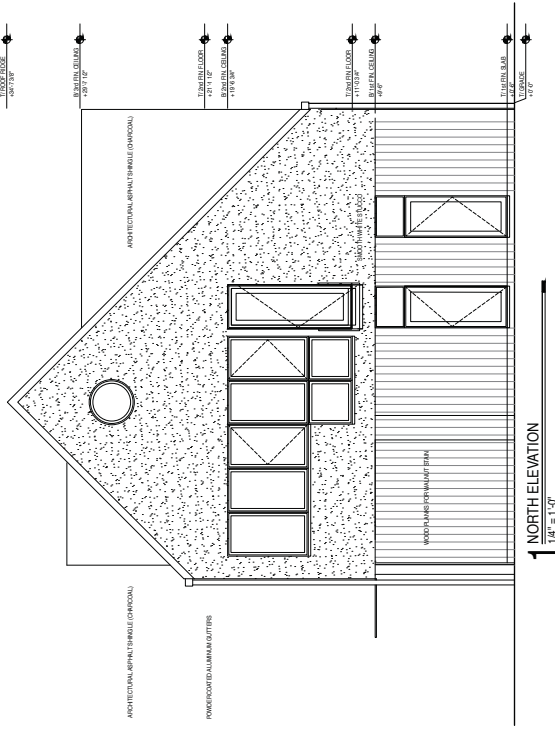
10. PROJECT: 1713A17  
11. DRAWING: © MIKE SHIVELY ARCHITECTURE LTD.



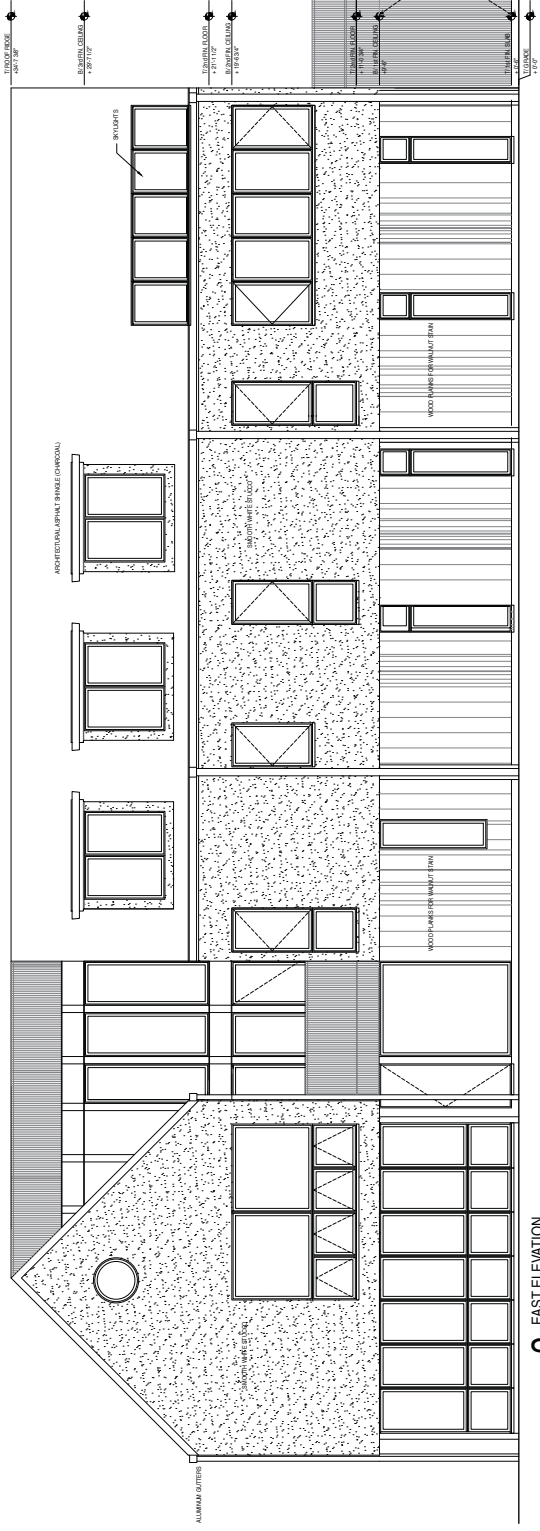
**4 PROPOSED ROOF PLAN**  
1/4" = 1'-0"



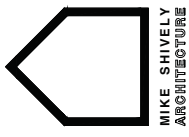
**3 3RD FLOOR PLAN**  
1/4" = 1'-0"



**1** NORTH ELEVATION  
1/4" = 1'-0"



**2** EAST ELEVATION  
1/4" = 1'-0"



**MIKE SHIVELY  
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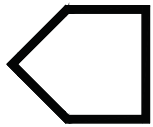
1. Provide work for this design phase  
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10. Provide work for this design phase

**Shively  
Bloomington**

**A4.0  
Proposed  
Exterior  
Elevations**

Revision	Date
1. EDC Changes	08.23.17
2. EDC Changes	08.23.17
3. HPC Revised Submittal	10.18.17
4. EDC Changes	11.25.17
5. EDC Changes	11.25.17
6.	
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FILE DATE: 11.25.17  
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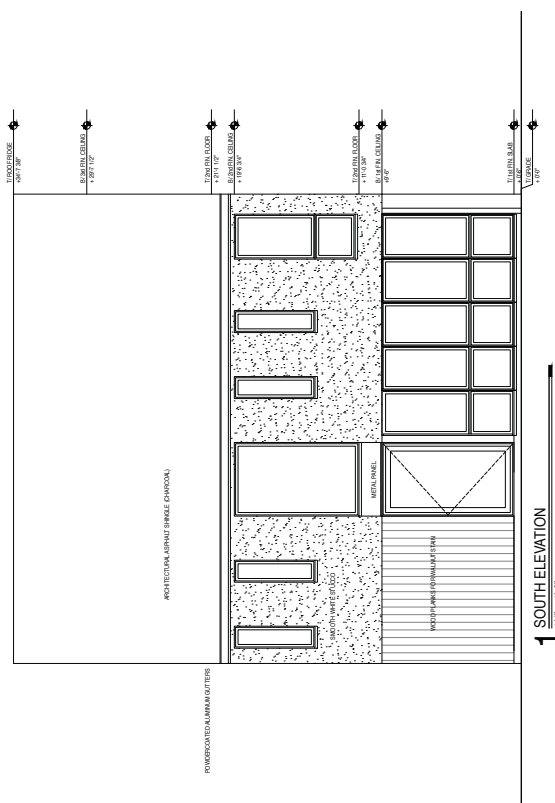
Michael Shively, Architect  
License #01727028

**Shively  
Bloomington**

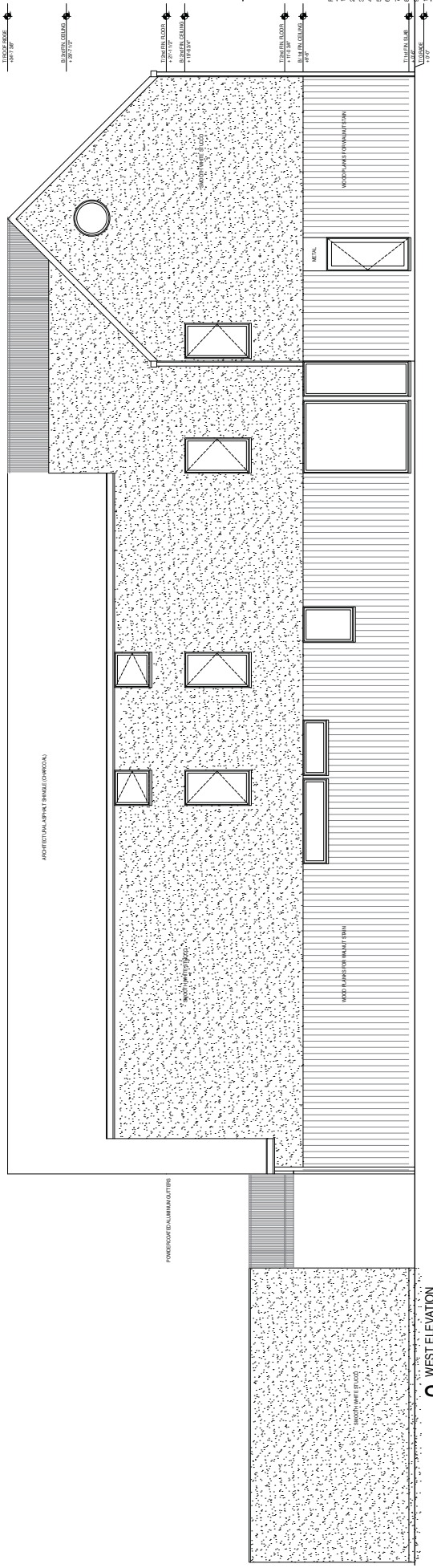
**A4.1**  
Proposed  
Exterior  
Elevations

Revisions  
1. Zoning Review 05/25/17  
2. Final Review 06/01/17  
3. HPC Review/Submit 05/18/17  
4. BPA Change 11/21/17  
5.  
6.  
7.  
8.

DATE: 11.21.17  
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**1 SOUTH ELEVATION**  
1/4" = 1'-0"



**2 WEST ELEVATION**  
1/4" = 1'-0"





**SCHMIDT**  
ASSOCIATES

October 27, 2017

Terri Porter  
Director of Planning and Transportation  
The City of Bloomington  
401 North Morton Street, Suite 130  
Bloomington, IN 47404

Re: 722 West 2nd Street  
Bloomington City Architect - 2017-040.000

Dear Terri:

Schmidt Associates has reviewed the revised Plan Commission Submittal dated 10/19/2017 (received 1/24/2017) for a new mixed use development at 722 West 2nd Street. The project is a 3-story building with an attached garage.

The building will house: a hair salon at the street level, a condominium unit to be occupied by the building owner on the second floor, and two rental apartments on the third floor. The apartments will be comprised of (1) two-bedroom unit and (1) one-bedroom unit. The project is located on the north side of West 2nd Street in the Greater Prospect Hill Local Historic District in the Medical District Zoning Overlay.

The project is proposed for construction on what currently appears to be a single-story residential structure and an asphalt parking lot to the north of it. An express pharmacy building and its parking lot lie directly west of the project site. The site itself has minimal 2nd Street frontage to the south and a long alley frontage on the east. A city park appears to be located directly across the alley.

The Medical District in this area includes a mixture of building types. The footprints and heights vary from one-story homes that have been converted to businesses to a six-story parking garage and a hospital. In short, there is a mixture of uses with a great variety of building heights as well. The site experiences a significant amount of grade change (fall) from west to east and a somewhat lesser amount from north to south.

The historic district housing stock is primarily one-story with some two-story structures. There were no three-story homes that we could see in the area contiguous to the site. The primary materials found in the existing housing stock include: painted clapboard (wood) siding and trim, brick veneer, and ashlar-faced limestone on porches and retaining walls.

No specific issues have been identified by the Planning Staff at this point. It is our understanding that this latest submittal went before the Historic Preservation Commission, on 10/26/2017 and was approved. The latest submittal does include modifications which attempt to address previous HPC comments.

Our comments on the project submittal are as follows:

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Indianapolis, IN 46204  
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317.263.6224 (fax)  
www.schmidt-arch.com

#### Principals

Wayne Schmidt, Hon.D., FAIA  
Ron Fisher, AIA, LEED AP  
Sarah Hempstead, AIA, LEED AP  
Desma Belsaas, AIA, LEED AP  
Tom Neff, AIA, RID, LEED AP  
Kevin Shelley, AIA, LEED AP  
Brett Quandt, CDA  
Anna Marie Burrell, AIA, RID  
Lisa Gomperts, FAIA, LEED AP  
Kyle Miller, PE, LEED AP

#### Associates

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Ben Bain, CPSM  
Ryan Benson, AIA  
Eric Broemel, PE, CEM  
Duane Dart, AIA, CMO/OE, LEED AP  
Craig Flandermeyer, RLA, LEED AP  
Jim Heinzelman  
Greg Hempstead, AIA, LEED AP  
Cindy McLoed, AIA  
Steve Schaecher, AIA, LEED AP  
Megan Scott, CPSM  
Charlie Wilson, CPD, LEED AP  
Mary Ellen Wolf, AIA, LEED AP  
Liming Zhang, RLA, CPESC, LEED AP

#### Registered Professionals

Jeff Burnett, PE  
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Shane Cox, PE  
Matt Durbin, CTS, MCSE  
Laura Hardin, IIDA, RID  
Allen Jacobsen, PE  
Eddie Layton, AIA, LEED AP  
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Tom Ning, RA  
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## **MASSING & LAYOUT**

- The design utilizes a pair of gabled volumes of different lengths, set at 90 degrees to each other. The gable form relates well to the housing stock of the area. In this application, the shorter volume's ridge line runs parallel to 2nd Street. This volume serves as the primary public façade. The longer volume's ridge line runs parallel to the alley and provides a longer exposure to the park across the alley.
- The backside of the gable on the shorter volume has been carved out to provide a protected and visually discrete rooftop deck which should also be relatively private and only minimally visible from South Maple Street, West 2nd Street and the park.
- The height of the ridge has been modified from the original submittal, the third floor is now directly under the gabled volumes with dormers and skylights to provide natural daylight to that level. The design change effectively lowered the ridge by 7'-4". The new height of 33'-2" is likely close to the ridge lines of the two-story homes in the neighborhood; especially in relation to the grade at the street.
- The project will be in the upper range of the building heights in the district. This change in height helps the scale of the structure better blend into its context as it also lowers the eave line to 20'-6".
- The gabled forms for this project have been developed more crisply as a modern interpretation of a traditional form with shed roof dormers at the third level.
- The street level is visually established as a podium for the structure with its placement of materials as well as color variation. The east wall of the podium is recessed under the main volume of the structure in an undulating form. This allows the cars parked along this edge to nestle against the building and maximize available, yet limited site area. (Refer to Site Comments for additional feedback on this aspect of the design).

## **MATERIALS**

- The proposed material for the street level is vertical wood siding, described as wood planks with walnut stain on the drawings. This will provide a dark wood appearance to the ban of the main structure. This floor level is punctuated by vertically oriented fixed window patterns, consistent with the overall modern appearance of the structure.



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### **MATERIALS (cont)**

- Above the first floor, the main structure has an exterior skin of smooth white stucco with similar window proportions to those at the first floor. Some of the windows at this level are operable casement and awning units for ventilation. The exterior skin of the attached garage is also smooth white stucco.
- The windows on all facades have been modified from the original submittal to be more consistent in their design and vertical alignment. Where they are still not in complete alignment, they appear to be considered in their relationship to other windows and façade elements, and are no longer visually bothersome.
- The roofing has been clarified as architectural asphalt shingles in a charcoal color, which we assume to mean a dimensional tab shingle. This type of shingle, available from most major shingle manufacturers, add additional layers of material in short widths across a traditional shingle to provide more depth and shadow than standard shingles.
- No material description has been provided for the inset balcony railing at the second floor or the rooftop level balcony. The visual depiction of the material screening the connector to the garage appears to be similar. It would be helpful to have the petition clarify both materiality and color on those items.
- No elevation was provided for the garage door side of the attached garage off the east-west public alley.
- It would helpful to have the petitioner clarify the following minor items:
  - Gutter and downspout color because they will be seen against the white stucco.
  - Window frame colors for the same reason.
  - What does the round opening represent at the upper gable on the east and west elevations? It's not clear whether they are windows or simply openings. We expect they are intended to be windows, but believe they could be enlarged somewhat to more proportionally fit the area they occupy.
  - Colors on the columns supporting the overhang of the building on the east elevation. Additionally, a protective bollard should be considered as a safety measure for each of the three columns exposed to vehicular parking on a daily basis.



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## SITE

- The site design nicely engages the public zone at the sidewalk with a seat wall and hardscape outdoor area, and bike racks.
- The parking off the alley appears to be approximately a 60-70% angle and the overall distance from face of building to opposite side of alley is 30'. This appears to be very aggressive for a "normal" size car. Time Saver Standards, 7<sup>th</sup> Edition, has a minimum width of 32' for a 45 degree angle. For the angle shown another 5-6' would be required. Parking bumpers to keep cars from intruding on the building should be considered.
- The turning radius into the detached garage from the northern alley may be challenging at a distance of 21' from the far edge of alley.
- The hardscape area together with the on-site parking, represent an opportunity to reduce site storm runoff with an application of permeable pavers one or both of those locations.
- New trees are well placed to both create a sense of enclosure of the hardscape outdoor area and frame the salon entry on the east side. In this location, they also provide a connection to the adjacent park.
  - o Overhead power lines along the east, south and north edges should be considered when determining final tree species. Small, ornamental flowering trees may be most appropriate.
- Trash and recycling is located off the east-west alley, but it was unclear as to the extent of what is proposed (open space for containers vs. a concrete pad for them OR an enclosure for them).



## **SUSTAINABILITY AND INNOVATION**

A separate list of items which the Design Team feels are sustainable approaches are listed under an Environmental heading in the Petitioner's Statement dated 10/18/2017. Most of the items are considered mainstream sustainable approaches in current design thinking. The listed items are enumerated below with comments:

### **Building Program**

- Changing the site use from a lower single-density use to a mixed use with commercial and residential components
  - Neighborhood level services do contribute to a more sustainable/walkable community.

### **Building Materials**

- Glazing – limited glazing on west elevation will passively assist in limiting solar heat gain due to western sky sun. Consider entire window assembly vs. just glazing when evaluating for energy efficiency.
  - Mechanical System – Residential type, high efficiency systems mentioned for each of the units would likely be most cost effective for this construction. A potential upgrade to a variable refrigerant flow (VRF) system would allow energy to be transferred between units via the refrigerant.
  - Insulation/Wall Construction – The statement of tight construction is hard to quantify without referring it to a standard. Consider requesting a blower door test with a stated level of acceptable pressure drop. This test would assist the petitioner in verifying the integrity of the building envelope.
- Roofing – Additional information on the proposed roofing material would be needed to evaluate the “cool roof” statement.
  - Plumbing – Additional information on the proposed flush/flow rates needed to evaluate efficiency claims.
  - Electrical lighting – LED fixtures with dimmers allow for efficient, flexible control of lighting. Consider tying the salon lighting into a photocell to provide consistent lighting levels in that commercial environment while maximizing energy savings.
  - Natural daylighting – See above comment.



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**SUSTAINABILITY AND INNOVATION (cont)**

**Building Materials (cont)**

- Design – the overall design appears appropriate and will create nice amenities for the occupants.
- Supporting Green Lifestyles – the included bicycle racks and recycling are useful amenities.

Based on a discussion with Planning Staff, it was likely this project would be heard at the Plan Commission Hearing given the recent approval from the Historic Preservation Commission.

Sincerely,

SCHMIDT ASSOCIATES, INC.  
*Architecture • Engineering • Interior Design • Landscape Architecture*

  
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SKH/SKA/CMF:lab

Copy: James Roach, The City of Bloomington  
Lisa Gomperts, Schmidt Associates

**BLOOMINGTON BOARD OF ZONING APPEALS**  
**STAFF REPORT**  
Location: 1914 W. 3<sup>rd</sup> St.

**CASE #: V-32-17**  
**DATE: December 21, 2017**

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**PETITIONER:** Jeff Meyers  
Culver's Restaurants  
3501 Connor Street, Noblesville

**CONSULTANT:** Jeffrey Fanyo  
Bynum, Fanyo, and Associates, Inc.  
528 N. Walnut Street, Bloomington

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**REQUEST:** The petitioner is requesting variances from the maximum allowable parking spaces, the parking front yard setback standard, and tree preservation requirements.

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**SITE DESCRIPTION:** This property is located at 1914 W. 3<sup>rd</sup> Street and is zoned Commercial Arterial (CA). The site is comprised of 2 parcels and is located northeast of the intersection of W 3<sup>rd</sup> and S Cory Lane with frontage on 3<sup>rd</sup> Street. Surrounding land uses include Master Rental to the west, railroad right-of-way to the north, single family residence and vacant to the south and vacant land to the east.

The property is currently vacant. The current site contains wooded area on the eastern half of the lot and along the northern border. The petitioner proposes to develop the parcels with a 5,500 square foot Culver's restaurant and an associated parking lot and drive-thru. Because this is new construction, the development is required to meet site plan requirements.

The petitioner states that the 55 parking spaces allowed for a building this size per the Unified Development Ordinance are not conducive to the business model of Culver's and additional parking spaces are required. The petitioner submitted a parking study with a previous petition and a new parking study with this petition. Both studies are included in the packet. The petitioner is requesting 75 parking spaces.

The petitioner requests to have parking spaces and a drive aisle in the front parking setback area due to the design of their drive thru, desired parking space total, and tree preservation area on the eastern and rear portion of the lots.

The petitioner also requests to not retain the required tree canopy on the development site, but rather, remove a portion for development and plant new native trees on portions of the site as mitigation for the removed tree canopy area.

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**SITE PLAN ISSUES:**

**Parking:** There are 75 parking spaces proposed on the site. Based on the size of the proposed restaurant, a maximum of 55 parking spaces is allowed. The UDO also requires that parking be set 20 feet behind the front building wall of the restaurant. In the petition design, there are 6 parking spaces and a drive aisle that do not meet the setback requirement. Number of parking spaces and location of the access aisle are related to the petitioner's assertion that the needs of this particular franchise restaurant

do not match existing typical development regulations. The petitioner also asserts that the large tree preservation area on the eastern and northern portions of the development site require that development be moved south, or forward, on the lots. Additionally, because the drive-thru empties near the front of the building, the addition of the drive lane in front of the building helps to alleviate a car stacking issue at the lighted intersection because cars can choose to go east.

**Tree and Forest Preservation:** The size of the lots combined is 2.3 acres. 1.1 acres, or 47.8% of the lots, is considered the baseline Canopy Cover of the lots. 20.05.044 requires that .77 acres of canopy cover be retained during development. Additionally, a ten foot easement is required around the preservation area, which totals roughly 4,700 square feet. In total, the UDO requires 0.9 acres of wooded area to be retained on this development site. That leave 1.4 acres available for development. The proposed development does not retain the 0.9 acres. The petitioners propose to retain 0.41 acres onsite. They also conducted a tree survey and offer to plant new trees on the site to 'replace' the 22 native species that are being removed. 15 trees that they identified as invasive or of poor characteristics are not being replaced.

**Landscaping:** Not including the tree preservation requirements, the petitioner will meet landscaping requirements. The proposed 22 trees related to the removed tree canopy will be in addition to those trees required by the UDO.

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## CRITERIA AND FINDINGS FOR DEVELOPMENT STANDARDS VARIANCE

Maximum Parking – BMC 20.05.075

**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.

- 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. The land to the north and east is right-of-way or vacant. The development will meet impervious surface and landscaping requirements.

- 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:** Practical difficulties are found in the strict application of the UDO. The maximum 55 spaces as required by the UDO would not support number of staff and expected visitors. Peculiar condition is found in no availability of street parking for this site and limiting the opportunity of additional parking for the site, as well as no shared parking opportunities.

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## CRITERIA AND FINDINGS FOR DEVELOPMENT STANDARDS VARIANCE

Parking Setback BMC 20.02.360

**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. Landscaping will be provided between the right-of-way and the encroaching parking spaces and drive aisle.

- 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 are found in the use and value of the surrounding area associated with the proposed variance. The development will meet impervious surface requirements. Landscaping will be provided between the right-of-way and the encroaching parking spaces and drive aisle.

- 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 location of the wooded area on the lots and the location of the signalized intersection at 3<sup>rd</sup> Street and Cory Lane. Practical difficulty is found in that meeting the parking setback for the desired number of parking spaces will push the parking into the area of the trees to be preserved. Practical difficulty is also found in the short stacking distance at the light at 3<sup>rd</sup> Street and the private extension of Cory Lane related to the desired location of the drive through. When cars stack at this light, which would be the only option for eastbound traffic because of the median and the drive-through location, cars will have to stack in the drive-through area. The access driveway in front of the building gives another egress option for traffic and allows for an additional entrance option for cars approaching the site from the signalized intersection.

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## CRITERIA AND FINDINGS FOR DEVELOPMENT STANDARDS VARIANCE

Tree Preservation – BMC 20.05.044

**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. New native trees will be planted on site.

- 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. The development will meet impervious surface requirements. New native trees will be planted on site.

- 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 odd shape and fragmented nature of the wooded area. The wooded area is located in such a way as to make a realistic site design with full compliance difficult. Peculiar condition is also found in the small number of healthy native trees in the wooded area. Practical difficulty is found in the inability to layout this permitted use, with the high parking needs, on the site. The petition is proposing a tree replacement and mitigation plan that, over time, will replace most of the trees in the lost canopy with native non-invasive tree species.

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**RECOMMENDATION:** The Department recommends adoption of the proposed findings and approval of the V-32-17 with the following conditions:

- 1) Approval is for a maximum of 75 parking spaces.
- 2) Front yard setback approval is for a maximum of what is shown in the petition site plan. No additional encroachments can be added without further variance approval.
- 3) Replacement trees must be 4 inches in diameter.
- 4) The petitioner shall record a tree preservation easement identifying those portions of the site that will remain tree canopy as a Zoning Commitment in the Monroe County Recorder's Office prior to the issuance of final occupancy.
- 5) A construction site plan indicating measures to be incorporated to protect the trees that will remain must be submitted and approved by the City of Bloomington Senior Environmental Planner before any Certificates of Zoning Compliance will be issued.



**City of Bloomington  
Environmental Commission**

## **MEMORANDUM**

Date: December 21, 2017

To: Board of Zoning Appeals

From: Bloomington Environmental Commission

Subject: V-32-17, Jeff Meyer, Culver Franchising System, Inc. (Culver's)  
1914 & 1918 W. 3<sup>rd</sup> Street

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### **PURPOSE**

The purpose of this memo is to express the environmental concerns and resulting recommendations of the Environmental Commission (EC). Both the EC as a whole and the Planning Working Group reviewed this petition on multiple occasions and inspected the site to derive the following opinions. This Board of Zoning Appeals (BZA) case is a request for a number of variances from the Bloomington Municipal Code (BMC), which include parking and driveway setback distance, number of parking spaces, and most significant to the EC, disregarding the City's Environmental Standards: Tree and Forest Preservation (20.05.044). This standard requires that a percentage of the tree and forest wooded area be preserved, and to establish a 10-foot Conservation/Tree Preservation Easement surrounding the woodland.

### **SITE & PROJECT DESCRIPTION**

The Petitioner is proposing to construct a restaurant that will cover most of the site with a building, driveways, and parking spaces.

This site is located on Bloomington's west side within the Commercial Arterial Zoning District (CA), on about 2.3 acres. Currently the subject land is owned, in part by a local business (~1.5 A), and in part by the City of Bloomington Board of Public Works (~0.9 A). The site is covered by more at least 1.4 acres of closed-canopy wooded area, with other trees and shrubs scattered about, has undulating topography with some steep slopes, and is adjacent to a very large sinkhole, which has been disturbed for years.

Parts of the site are heavily infested with invasive plants, including Asian bush honeysuckle, purple winter creeper, and black locust. It is impossible to note the floor

level ephemeral plants at this time of the year, but tree species include American linden, red elm, oak, black cherry, sassafras, shagbark hickory, persimmon, maple, walnut, and sweetgum. Overall, the site provides habitat for a variety of wildlife, including songbirds, cavity-nesting birds, small mammals, and insects.

Carbon sequestration, reduced heat island effect, flood mitigation, surface water filtration, connectivity to other wooded areas, pollinator habitat, and more, contribute to the environmental benefits this site provides.

## **RECOMMENDATION**

The EC recommends that the BZA deny the requested variances, especially the tree and forest variance. The EC does not believe that the Petitioner meets the criteria for a variance, and the details why are found below.

### **#1. Proposed alternative findings**

BMC, 20.09.130 Development Standards Variance, provides clear rules for when a variance can be granted. The BZA may allow a variance from the development standards only if it finds certain circumstances factual. The EC provides its proposed findings of facts below for the BZA to consider.

**20.09.130(e)(1):** “The approval will not be injurious to the public health, safety, morals, and general welfare of the community.”

**EC proposed findings:** The EC believes that reducing the tree canopy to be preserved and granting a variance to the tree and forest protection standards will, in fact, be injurious to the public health and the general welfare of the community.

The EC believes that granting a variance to reduce the tree and forest preservation standard by removing over an acre of wooded area and the habitats it supports would do the following.

- (1) degrade Bloomington’s ecologic environment by fragmenting habitats and reducing biodiversity;
- (2) degrade the public health by destroying places for pollinating species to live and reproduce thus reducing local fruit and vegetable production; and
- (3) degrade the general welfare of the community by reducing the quality-of-life benefits of wooded space.

Agreeing with that sentiment, BMC, 20.05.034, [Environmental Standards; General] states in its purpose that “It is prudent and necessary that every area which becomes the subject of a petition for a development be routinely scrutinized for the presence of environmental constraints in order to protect these environmental features as well as the public health, safety, and welfare.”

The EC recently published a Bloomington Habitat Connectivity Plan that states "...it's imperative that we conserve and enhance our existing greenspace to foster a healthy and stable ecosystem. Much of our diet consists of insect-pollinated food, so the protection of these species is especially vital. In addition, the health of our local ecosystem directly affects air quality, water quality, and many other quality-of-life indicators. We are becoming increasingly aware that our well-being at every level is inextricably linked to the condition of the natural world around us."

As the 2002 Growth Policies Plan (GPP) states, "...greenspace and the protection of sensitive environmental areas must be considered as necessary public facilities similar to utility services or roadway capacity."

**20.09.130(e)(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."

**EC proposed findings:** The EC believes that reducing the tree canopy will, in fact, adversely harm the value of the property adjacent to it.

Studies have found that property values are higher when near wooded land. The woodland also currently buffers the noise pollution from the train tracks that traverse the back of the site. With the woodland gone, the sounds of the trains will travel much farther in all directions, but especially toward 3<sup>rd</sup> Street.

One more reason the EC believes that adjacent and nearby property will suffer is found in the Habitat Connectivity Plan. "Human behavior has drastically altered Bloomington's landscape, which threatens biodiversity and puts a strain on local flora and fauna by simultaneously removing habitat and demanding more of the web-of-life services they provide, like pollination, climate regulation, and stormwater management, among many others. Habitat that has not been removed by development is left fragmented, and, as a result local populations dwindle and in many cases reach unsustainably low levels. This has grave implication for the city's local food systems, aesthetics, public health, and economy."

**20.09.130(e)(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.

**EC proposed findings:** The EC believes that the UDO regulations do not cause, or result in, any practical difficulties for the use of this specific property; there is nothing peculiar to this property to make it undevelopable or create practical difficulties to build on; and a Development Standards Variance is not necessary for development nor will it relieve any practical difficulty for this site.

This site can be developed, while at the same time protecting the wooded area and slopes, by configuring the construction limits of the development footprint differently. The EC realizes that the Petitioner may be constrained by corporate rules that dictate that they configure their stores in a consistent manner, but this is a self-imposed hardship. Perhaps the Petitioner could find a more suitable tract of land to meet their specific needs.

The EC thus believes that this request does not satisfy the UDO and State mandated criteria for allowing a variance according to Finding of Fact 20.09.130(e), Development Standards.

## **#2. Public Benefit**

There have been projects in the past that have received variances from the environmental standards due to strong competing public benefits, such as affordable housing. However, unlike the previous petitions, this one provides no significant public benefit. The challenge in past cases involved weighing a public benefit against environmental protection. In this case, there is no such balance given that this proposal does not provide significant public benefit.

## **#3. Habitat Connectivity**

This site is within a delineated part of Bloomington that the EC describes in their Bloomington Habitat Connectivity Plan as a “potential area to create a link” between Priority Greenspace Area (PGA) No. 1 and PGA No. 2. Currently, the delineated area is quite fragmented, which is unfortunate. When vegetated habitats are connected it provides opportunities for pollinators and other wildlife to travel for food and mates and it promotes biodiversity. Additionally, fragmented areas, by their nature, supply an overabundance of “edge” growth, causing the flora and fauna that survive in more dense wooded areas to be forced out. This petition does nothing to prevent fragmented wooded areas, and creates further fragmentation.

## **#4. No green or sustainable building practices**

The petitioner has not provided green, sustainable, innovative, or resilient features. The UDO’s District Intent for the CA district states in part, “Encourage proposals that further the Growth Policies Plan goal of sustainable development design featuring conservation of open space, mixed uses, pervious pavement surfaces, and reductions in energy and resource consumptions.”

The GPP features robust language throughout regarding natural resource conservation and environmental integrity, including, “Natural ecosystem processes provide basic life support goods and services such as air and water purification, waste decomposition, food production, and recreational opportunities.” In fact, the first Goal in the GPP states: “Promote an ecologically sound environment through nurturing, protecting, and enhancing

natural resources and through advancing sustainability.” And GPP Policy 2 states: “Protect Trees and Greenspace from Development Impacts.”

The Petitioner’s Statement does not address green building practices, or provide basic site features like space for recyclables to be staged. There is nothing that hints toward energy or resource savings beyond local building code requirements, which could help alleviate our collective climate change catastrophe.

#### **#5. Errors in Demolition Plan**

The Demolition Plan depicts the wooded area planned for removal and has identified the trees within that area. No other vegetation within the floor and middle stories of the wooded area have been identified. The purpose of this exercise was to identify and count the trees that the city would find acceptable, and to identify and count those that it would not. Unacceptable trees are invasive or trees with poor characteristics such as weak wood. The Petitioner has offered to replant new trees in place of the number of acceptable trees, but not the others.

The problem is that the Demolition Plan shows trees to be removed that are misidentified. For example, *Tilia Americana*, commonly called Basswood or American Linden, was labeled as mulberry. It doesn’t specify if it’s a red or white mulberry. Red mulberries are native trees that are acceptable, while white mulberries, *morus alba*, are invasive and not allowed. Additionally, persimmon and cottonwood trees were identified as bad trees, but are not found on the lists of invasive or trees with poor characteristics and would be acceptable, because they are native to this area. The trouble with these mistakes is that it skews the number of trees that the Petitioner has offered to replace; that number is actually higher.

#### **#6. Errors in the Petitioner’s Statement**

The Petitioner’s Statement says, “If we were developing this smaller property (the one that the city owns) by itself we would not need a tree preservation variance, since the property is less than one acre and the requirement does not apply. The proposed project now covers portions of both properties which exceeds the one acre minimum and must now comply or seek a variance to remove some trees.” The EC assumes the above quote references 20.05.044(4) Smaller Parcels, which reads “For parcels of land less than two (2) acres, the preservation standards outlined in Division 20.05.044(a)(2): Retention of Existing Canopy may be altered by the Planning and Transportation Director to allow preservation of individual specimen trees or tree lines along property borders.” This does not mean that the retention requirement would automatically be cancelled.

#### **#7. Ecosystem value vs landscape value**

The Petitioner hired a Certified Pesticide Applicator to evaluate the trees on this site (please see the credentials that he provided, which does not include arborist). His

response was, "after walking the area thoroughly all Trees & shrubs under recommendation should be excavated and removed... Vines and volunteer small trees are coming up like weeds and again don't add any landscaping value."

The Tree and Forest Preservation regulation is not about landscaping esthetics. The reason this Section is different from the landscaping Section is that when talking about woodland preservation, one is talking about the entire ecosystem in that location. Furthermore, the UDO does not put a landscape value on trees. One person's opinion that a certain tree has no value is irrelevant in this discussion. EC commissioners inspected this site also, and disagree that all the trees and shrubs should be excavated and removed. This is not a pristine woodland, but it provides a vast amount of habitat and supports many large native trees.

The Petitioner has not made any commitment to retain the wooded area they intend to keep, in its current state. If they are granted this variance, there would be nothing that would prohibit them from mowing between the remaining trees to create the look of a yard instead of a wooded area. This may leave trees, but would destroy the remaining ecosystem.

#### **#8. Replacement trees**

The Petitioner has suggested as a trade for the trees they propose to remove, to plant extra trees on the site -- extra trees beyond the number that the regular landscape standards require.

The EC does not think this idea will work because after construction is completed, there will not be enough room between the impervious surfaces and the undisturbed area left to accomplish this. The plan shows large canopy trees planted only 14 feet apart from center to center, and the EC knows that planting large canopy trees so close together, in soil where the topsoil has been removed and bedrock may be encountered, will result in a low future survival rate.

Furthermore, simply planting additional trees on disturbed land is not re-creating a wooded ecosystem. The EC believes that the Petitioner should also offer to restore the remaining woodland to a healthy state. This would include removing the invasive species, ensuring through a maintenance plan that invasives did not return, and replanting all three woodland stories with native plants.

#### **#9. Non-compliant Landscape Plan**

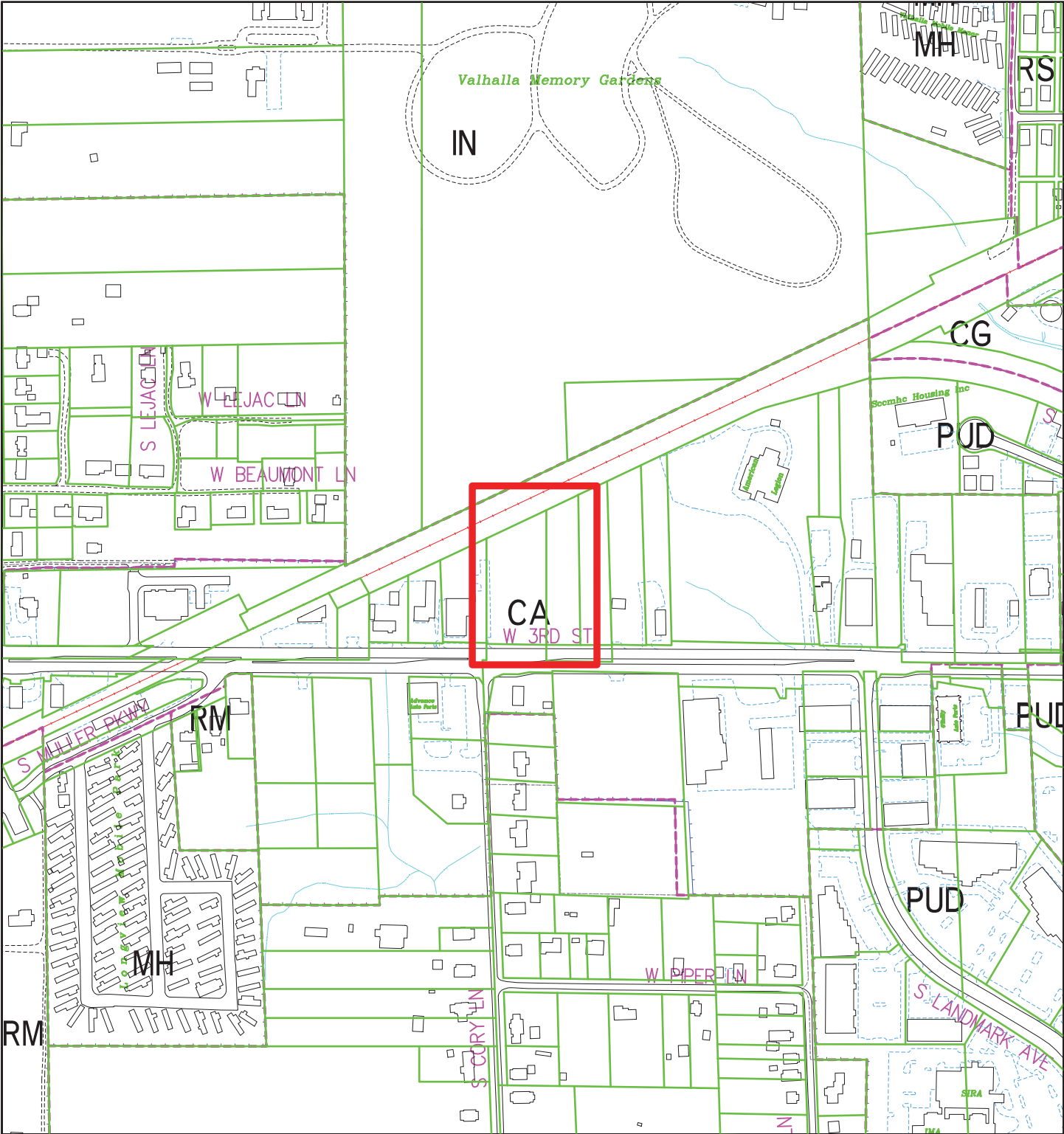
The Landscape Plan currently has many problems and is not in compliance with the landscape standards in 20.05.052. The Petitioner has not requested a variance from this Section, so the EC expects the Landscape Plan will eventually be brought into compliance.

The EC is disappointed with the small number of native plants on the plant list. As the Petitioner revises the plan, the EC recommends that they incorporate more

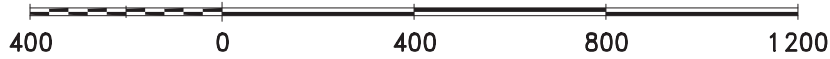


native plants and steer away from those that are not. The hope is the new plants will mimic the native setting because using native plants provides food and habitat for birds, butterflies, and other beneficial insects, and promotes biodiversity in the city. Furthermore, native plants do not require chemical fertilizers or pesticides and are water efficient once established.

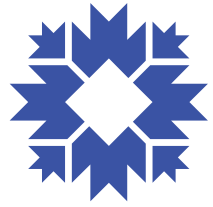
Additionally, many of the trees adjacent to the construction zone will not live into the future after having their root zones damaged by construction, such as the ones at the back of the property. The Landscape Plan should take this into account by removing the trees closest to the construction zone and replanting when construction is complete, or keeping them but not counting them toward their required plant numbers.



By: scanlanj  
15 Dec 17

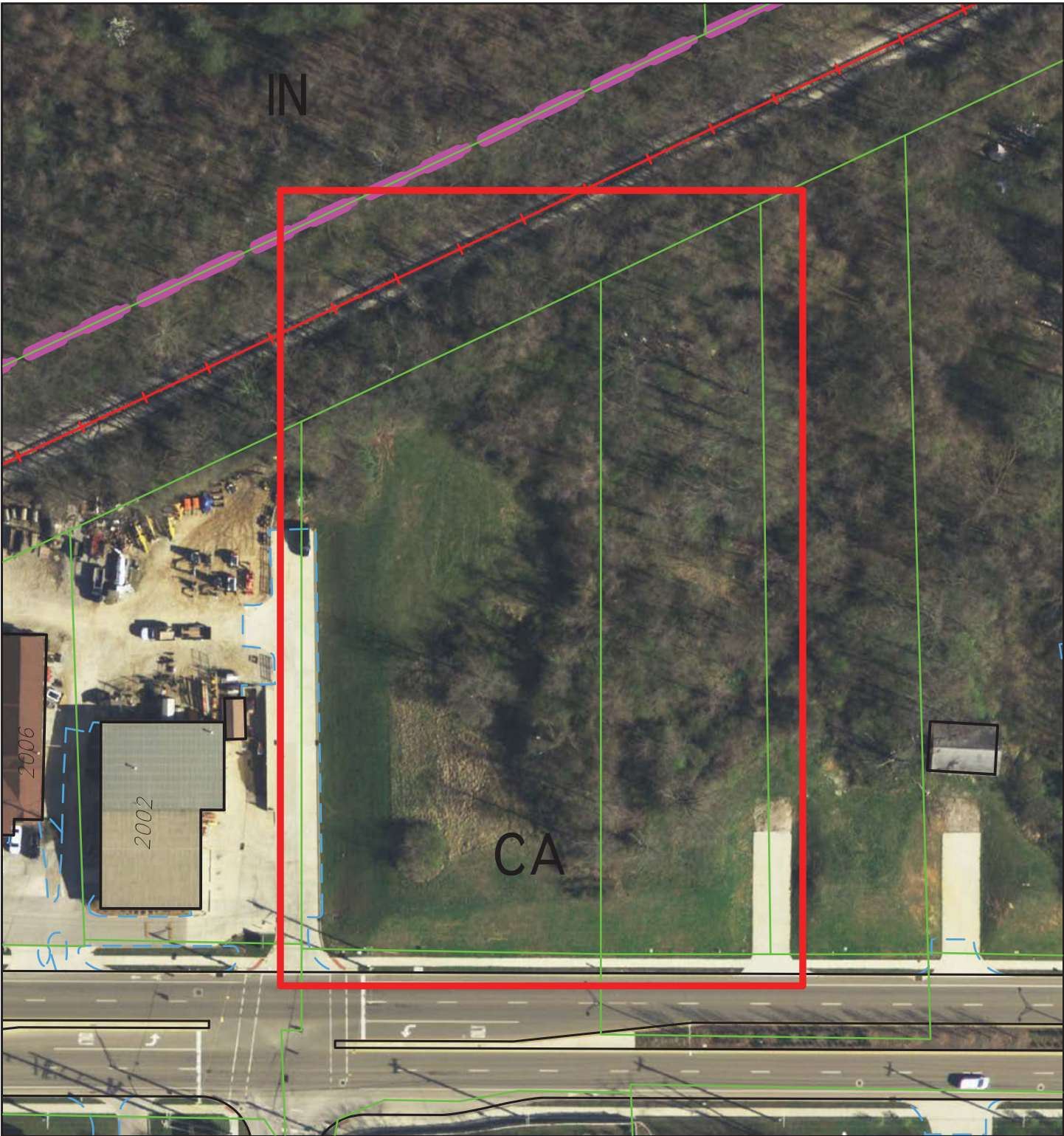


City of Bloomington  
Planning & Transportation

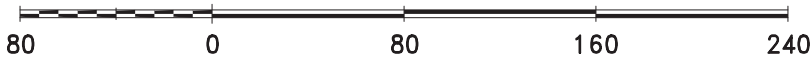


Scale: 1" = 400'

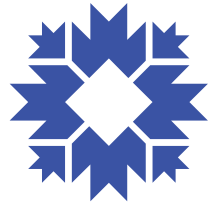
For reference only; map information NOT warranted.



By: scanlanj  
15 Dec 17



City of Bloomington  
Planning & Transportation



Scale: 1" = 80'

For reference only; map information NOT warranted.



BYNUM FANYO & ASSOCIATES, INC.

**V-32-17 Petitioner's Statement**

Architecture  
Civil Engineering  
Planning

November 19, 2017

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

Re: Culver's Restaurant 1900 Block West 3<sup>rd</sup> Street

Dear BZA Members:

Our client respectfully requests three variances from the development standards listed in the UDO. The variances include Maximum Parking Spaces, Parking Set Backs for parking stalls and access drive and Tree Preservation.

**Maximum Parking Spaces:**

The proposed Culvers restaurant will be 5,500 square feet that would allow for 55 parking spaces per the UDO. When we first met with City Planning, our site plan contained 83 parking spaces. The staff indicated the UDO would not allow for that many and asked the petitioner to reduce the number of spaces. We contacted Culvers Corporate Office and they indicated they would not approve a store with less than 75 spaces. The staff suggested we perform a parking study to support the need. We performed the parking study on four Indianapolis Culvers owned by our client, (please see attached study). In summary the Fishers store is 5,000 square feet, has 67 on site parking spaces, 10 on street spaces and 15 leased spaces for employees across the street, for a total of 92 parking spaces. The employees use the offsite spaces. The study shows all on site parking spaces are full or near full during the noon and evening hours of operation. We also know there are 15 employees during these hours filling the leased space. We believe the 10 on street spaces are also customers of Culvers but these may be used by others as well. The W. 71<sup>st</sup> Street restaurant has 4400 square feet and has 64 on site spaces and they lease 10 offsite spaces. The study show full to near full onsite spaces during the lunch operating hours and the employee spaces are full as well. The Greenfield restaurant is 4600 square feet and has 70 on street parking spaces. These spaces are full to nearly full during lunch and dinner hours of operation. The E. 96<sup>th</sup> Street restaurant is also 4600 square feet and has 52 onsite spaces and 24 leased spaces on the adjoining Menard's property. The parking study shows the onsite spaces are frequently full and the adjoining spaces are as well.

As stated above the proposed restaurant will be 500 to 900 square feet larger than the restaurants in the study. Our proposed location is not adjacent to a mall or big box store that could lease spaces and we have no opportunity for on street parking due to the nature of W. 3<sup>rd</sup> Street's configuration. For these reasons we hope we have demonstrated additional parking is warranted for this location.

528 North Walnut Street  
812-332-8030

Bloomington, Indiana 47404  
FAX 812-339-2990



BYNUM FANYO & ASSOCIATES, INC.

**V-32-17 Petitioner's Statement**

Architecture  
Civil Engineering  
Planning

**Parking Set Back:**

The proposed restaurant is located at the northeast corner of W. 3<sup>rd</sup> Street and Cory Lane. This intersection is signalized. The UDO requires that parking spaces be 20' behind the face of the building, this includes the drives accessing the parking spaces. Our site design has an access drive across the south side of the building which is located in front of the proposed building. We are proposing this location to alleviate potential traffic conflicts in the event vehicles leaving our site or the adjoining property, queuing up beyond our exit drive and the adjoiners and not being able to exit on to the north extension of Cory Lane. By providing this drive, vehicles exiting from our property have the ability to drive to the east ingress egress drive and exit on west bound W. 3<sup>rd</sup> Street. This will improve the function of the intersect by allowing vehicles to exit our site without congesting the existing intersection.

We also have parking stalls at the face of the building. We have done this to reduce the area of disturbance to the site.

**Tree Preservation:**

This project was originally considering to be developed on just the Melody Music property consisting of approximately 1.4 acres. This site has very limited tree canopy, mostly along the railroad on the north property line. However, there was not enough space to develop a Culver's restaurant with the required parking. My clients were successful in being the highest bidder on the .83-acre site the city owns just west of the Melody Music property. This property has more trees and canopy. If we were developing this smaller property by itself we would not need a tree preservation variance, since the property is less than 1 acre and the requirement does not apply. The proposed project now covers portions of both properties which exceeds the 1 acre minimum and must now comply or seek a variance to remove some trees. With both sites combined there is a 57% tree canopy coverage. The UDO requires us to preserve 70% of this 57%, i.e. we can remove 30% of the existing canopy.

The existing stand of trees consists of many vines and invasive species that is choking out the native trees. We have photos showing severe wind and/ or lightning damage as well. Staff had suggested we remove the vines and invasive species early in our discussions.

My client hired an arborist and landscape architect to analyze the existing trees. They reported that the stand of trees was mostly of poor or low-quality trees and replacing them would be a better plan. The staff has also inspected the trees and urged us to come up with a plan that preserves what we can and to mitigate what we cannot.

Bynum Fanyo & Associates performed a tree survey in early November. The survey identified 68 trees on both parcels. The proposed site design would require 37 trees to be removed, 15 of these trees are listed as invasive or of poor characteristics in section 20.05.059 Exhibit LA-B of the UDO. The remaining 22 trees are native species, but some are in poor condition.

528 North Walnut Street  
812-332-8030

Bloomington, Indiana 47404  
FAX 812-339-2990



BYNUM FANYO & ASSOCIATES, INC.

Architecture  
Civil Engineering  
Planning

**V-32-17 Petitioner's Statement**

My client and the staff concluded that the best way forward would be to reduce the number of parking spaces from 83 to 75, reducing our foot print. We would prepare a landscape plan that meets the UDO, and we would replace the 22 native species trees in areas that are adjacent to the remaining tree canopy that would have the effect of expanding the existing canopy with higher quality trees. The attached plan was developed to achieve this goal.

After you have reviewed our petition please feel free to contact us at any time to discuss or answer questions you may have.

Sincerely,

Jeffrey S. Fanyo, P.E. CFM

Bynum Fanyo and Associates, Inc.

revisions:

BYNUM FAVYD & ASSOCIATES, INC.  
ARCHITECTURE  
CIVIL ENGINEERING  
PLANNING  
528 North Walnut Street  
Bloomington, Indiana  
(612) 309-2990 (fax)  
**BEF**

certified by:

1918 WEST THIRD STREET  
CULVER'S RESTAURANT  
BLOOMINGTON, INDIANA 47404  
BRIEF  
BRIEF

1162 DEMOLITION PLAN  
designed by: JBT  
drawn by: JBT  
check by: JBT  
sheet no.: C201  
Project no.: 401565

### DEMOLITION LEGEND

TO BE REMOVED

- 1 EXISTING DRIVEWAY AND CURBS TO BE REMOVED
- 2 EXISTING TREES, CANOPIES AND CURBS TO BE CAREFULLY DEMOLISHED WITHOUT DAMAGE TO ANY OTHER SURROUNDING AREAS. SEE DEMOLITION LINE OF TREE LINE TO BE REMOVED

### EXISTING LEGEND

PROPERTY LINE

- X- FENCE
- W- WATER LINE PIPE
- C- CONTOUR & ELEVATION
- SS- SANITARY SEWER PIPE
- ST- STORM SEWER PIPE
- E- OVERHEAD ELECTRIC LINES
- UG- UNDERGROUND ELECTRIC LINES
- T- OVERHEAD TELEPHONE LINES
- G- UNDERGROUND TELEPHONE LINES
- GAS- GAS LINE PIPE

### TREE DEMOLITION INFORMATION

LOT WIDTH (COMBINED): 267.24 FT  
 LOT AREA (COMBINED): 96,204.95 SF (2.21 AC)  
 REMAINING TREES (6" AND LARGER CANOPY): 72 TREES FOUND  
 REMAINING TREES (6" AND LARGER CANOPY) TO BE REMOVED WITH THIS DEMOLITION PLAN: 42 TREES  
 EXISTING SPECIMEN TREES TO BE REMOVED WITH THIS DEMOLITION PLAN THAT ARE ACCEPTABLE AS FOUND IN CHRONICLE 22 TREES  
 (22 EXTRA TREES SHALL BE PLANTED IN LANDSCAPE PLAN)

**NOTE: CONTRACTOR TO OBTAIN ALL NECESSARY WRITTEN PERMITS FROM ADJACENT PROPERTY OWNERS BEFORE DEMOLITION WORK IS BEGUN. IF DEMOLITION IS EXPECTED TO GO INTO ADJACENT PROPERTY OWNERS PREMISES.**

**NOTE: ALL ITEMS SCHEDULED TO BE REMOVED SHALL BE DISPOSED OF APPROPRIATELY OFF SITE INCLUDING TREES/VEGETATION. CONTRACTOR SHALL NOT SCHEDULE FOR REMOVAL BUT WILL IMPED THE SUCCESSFUL CONSTRUCTION OF ALL IMPROVEMENTS AND A COMPLETE FUNCTIONAL PROJECT. ITEMS SCHEDULED FOR REMOVAL SHALL REMAIN IN PLACE AND PROTECTED DURING CONSTRUCTION.**

**HOLEY MOLEY SAYS "DIG SAFELY"**



**"IT'S THE LAW"**

CALL 2 HOURS BEFORE YOU DIG  
 1-800-382-5644

PER INDIANA STATE LAW IC8-1-28  
 IT IS AGAINST THE LAW TO EXCAVATE WITHOUT NOTIFYING THE UNDERGROUND UTILITY SERVICE BEFORE COMMENCING WORK.

---

### NOTE TO CONTRACTOR

CONTRACTOR SHALL VERIFY ALL UTILITY LOCATIONS & DEPTHS AND NOTIFY ADJACENT PROPERTY OWNERS PRIOR TO COMMENCING WORK. CONTRACTS PRIOR TO & AFTER ANY EXCAVATION. NO PAYMENT SHALL BE MADE TO CONTRACTOR FOR UTILITY DESTRUCTION OR UNDERGROUND CHANGES REQUIRED DUE TO CHANGING ELEVATIONS.

### TREES TO BE REMOVED SUMMARY

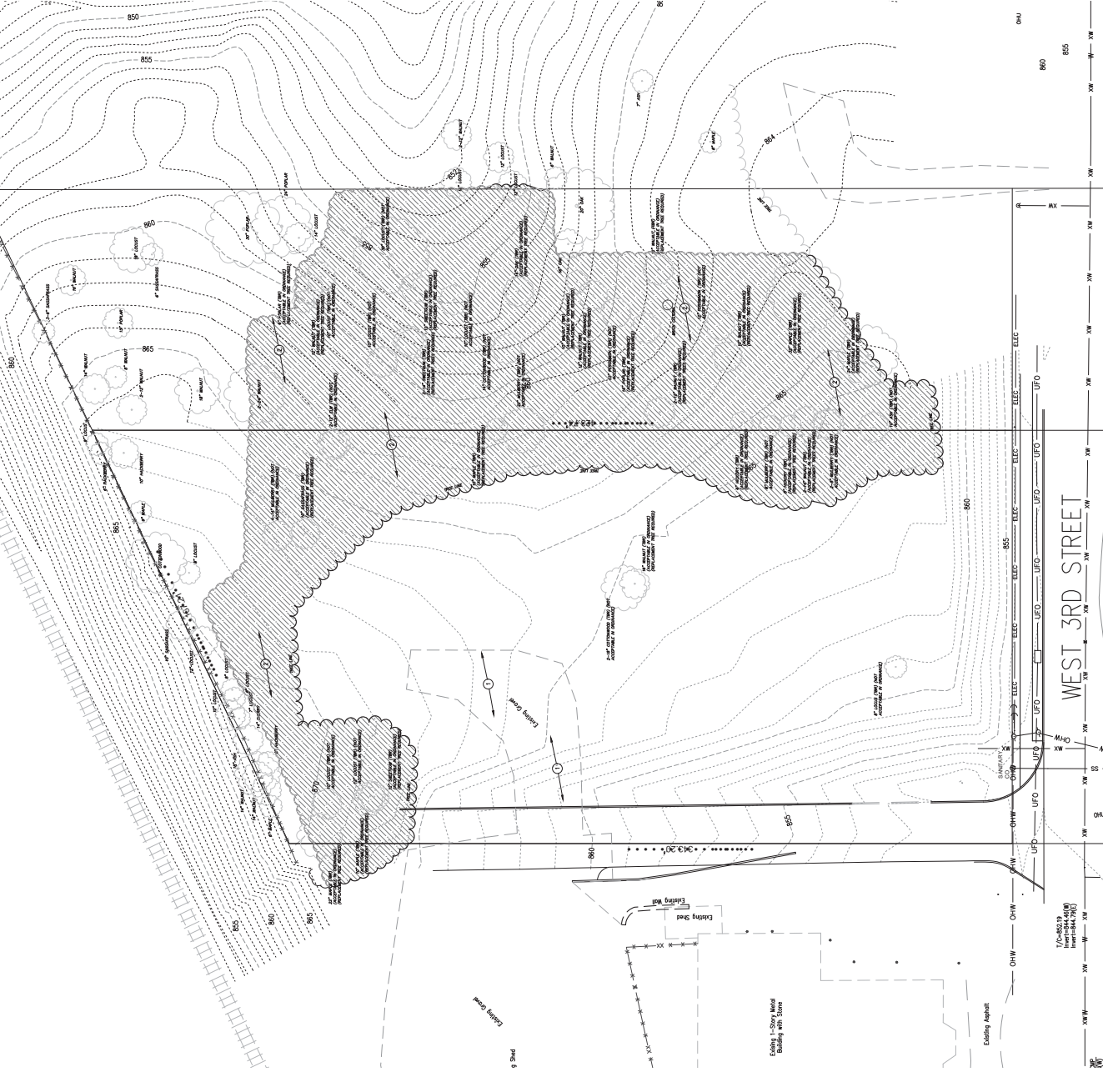
ACCEPTABLE LARGE CANOPY DECIDUOUS TREES TO BE PLACED ON LANDSCAPE PLAN (BY CALIPER SIZE & TYPE)

CALIPER SIZE & TYPE	QUANTITY
12" MAHOGANY	1
12" WALNUT	1
12" BIRCH	1
12" SYPHARE	1
12" ASH	2
12" HICKORY	4
12" BEECH	2
12" OAK	1
12" PINE	1
12" REDWOOD	1
12" CEDAR	1
12" SPRUCE	1
12" FIR	1
12" JUNIPER	1
12" YEW	1
12" PINE	1
12" OAK	1
12" MAPLE	1
12" BIRCH	1
12" SYPHARE	1
12" ASH	2
12" HICKORY	4
12" BEECH	2
12" OAK	1
12" PINE	1
12" REDWOOD	1
12" CEDAR	1
12" SPRUCE	1
12" FIR	1
12" JUNIPER	1
12" YEW	1

### TREES (NOT TO BE REPLACED)

UNACCEPTABLE LARGE CANOPY DECIDUOUS TREES (NOT TO BE REPLACED)

CALIPER SIZE & TYPE	QUANTITY
12" OAK	4
12" DOGWOOD	1
12" LOCUST	1
12" WALNUT	1
12" BIRCH	1
12" SYPHARE	2
12" HICKORY	4
12" BEECH	2
12" OAK	1
12" PINE	1
12" REDWOOD	1
12" CEDAR	1
12" SPRUCE	1
12" FIR	1
12" JUNIPER	1
12" YEW	1



SCALE: 1"=20'

revisions:

### EXISTING LEGEND

---	FENCE
XW	WATER LINE PIPE
----	CONTOUR & ELEVATION
---	SANITARY SEWER PIPE
---	STORM SEWER PIPE
---	OVERHEAD ELECTRIC LINES
---	UNDERGROUND ELECTRIC LINES
---	UNDERGROUND TELEPHONE LINE
---	GAS LINE PIPE

### SITE LEGEND

- 1 BIRMINGHAM PARKING
- 2 ADA ACCESSIBLE PARKING SPACE
- 3 ADA ACCESSIBLE DRIVE
- 4 BIKE PARKING AREA OR CONCRETE PAD
- 5 REINFORCED CONCRETE PAVING
- 6 UNFINISHED CONCRETE
- 7 END CONCRETE CURB CONSTRUCTION
- 8 CONCRETE SIDEWALK
- 9 MANHOLE CONCRETE CURB AND SIDEWALK
- 10 LAWN OR UNDEVELOPED AREA
- 11 MATCH EXISTING CURB, SIDEWALK, PAVEMENT ELEVATIONS
- 12 PREVIOUS PAVER SYSTEM OR APPROX. EQUAL
- 13 CONCRETE PARKING BUMPERS BLOCK
- 14 STANDARD ROAD PAVEMENT PATCH
- 15 SIDEWALK ADA ACCESSIBLE RAMP, # 201 STILES 1-3
- 16 ROOT 30" DIA. 10'-0" ROAD STOP SIGN
- 17 ROOT 24" DIA. 10'-0" NO RIGHT TURN SIGN
- 18 VAN ACCESSIBLE SUPPLEMENTAL SIGN
- 19 6" WIDE CONCRETE CURB
- 20 DEEPER CONCRETE CURB, SAME AS 19 BUT 24" CURB RISE
- 21 4" WIDE SOLID BLUE PAINTED PAVEMENT MARKING
- 22 4" WIDE SOLID YELLOW PAINTED PAVEMENT MARKING
- 23 4" WIDE SOLID BLUE PAINTED ADA PAVEMENT MARKING
- 24 THERMOPLASTIC PAVEMENT MARKING (TYP.)
- 25 THERMOPLASTIC DIRECTIONS PAVEMENT MARKING
- 26 18" H. WIDE SOLID PAINTED WHITE STOP BAR PAVEMENT MARKING
- 27 24" H. WIDE SOLID THERMOPLASTIC WHITE STOP BAR PAVEMENT MARKING
- 28 NUMBER OF PARKING SPACES PER LOT

### UTILITY LEGEND

---	4" PLASTIC RIGID DUCTILE PIPE (PRV) SERVICE LINE (PROV. ONLY)
---	4" PLASTIC RIGID DUCTILE PIPE (PRV) SERVICE LINE (PROV. ONLY)
---	1" WATER LINE GATE VALVE
F.E.C.	FIRE EXTINGUISHING SYSTEM CONNECTION
---	POST MOUNTING VALVE
---	6" SDR-35 PVC SANITARY SEWER LATERAL
---	15" AOS BRAND SERIES 11-12 STONE SWIRL
---	4" REPAIRED SDR-35 PVC UNDERDRAIN PIPE (PROV. ONLY)
---	4" REPAIRED SDR-35 PVC UNDERDRAIN PIPE (PROV. ONLY)
---	4" REPAIRED SDR-35 PVC UNDERDRAIN PIPE (PROV. ONLY)
---	4" SDR-35 PVC PIPE (PROV. ONLY)
---	4" SDR-35 PVC PIPE (PROV. ONLY)
---	4" SDR-35 PVC PIPE (PROV. ONLY)
---	4" SDR-35 PVC BULGING STORM DRAIN PIPE
---	4" SDR-35 PVC BULGING STORM DRAIN PIPE
---	4" SDR-35 PVC BULGING STORM DRAIN PIPE
---	ELECTRIC/ATA SERVICE LINE - SEE WIDE RMS SHEET

### NOTE TO CONTRACTOR

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

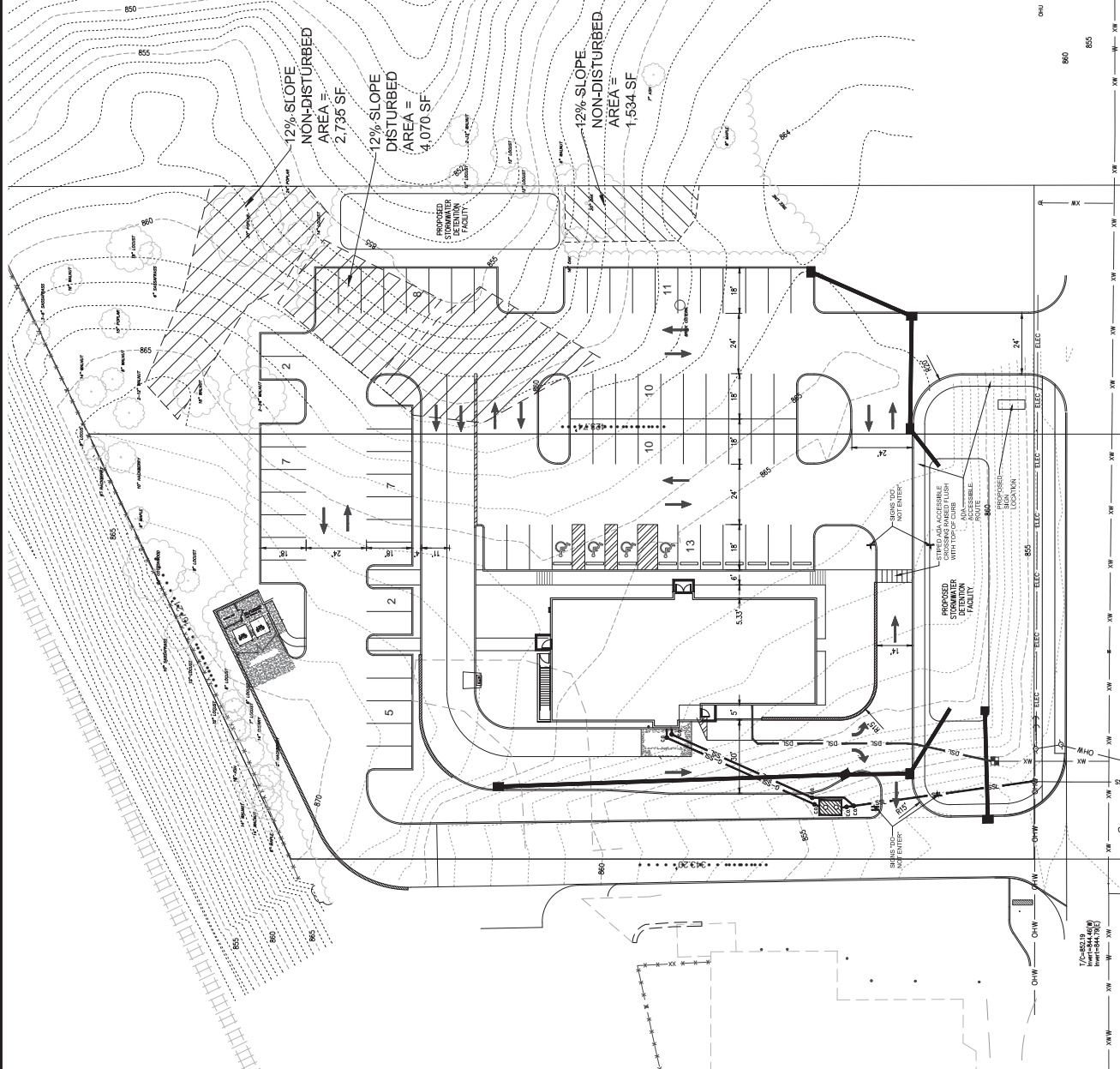
**SITE INFORMATION**

PROPOSED NUMBER OF PARKING SPACES: 75  
 LOT WIDTH (COMBINED): 26734 FT  
 LOT AREA (COMBINED): 96,201.46 SF (2.21 AC)  
 PROPOSED IMPERVIOUS AREA: 54,929.28 SF  
 PROPOSED PERVIOUS COVERAGE: 97.7%  
 PROPOSED 12% SLOPE CONSERVANCY  
 UNDISTURBED: 4,070 SF  
 DISTURBED: 48.85 < 50C

**ZONING INFORMATION**

JURISDICTION: CITY OF BLOOMINGTON  
 ZONING: COMMERCIAL, UTILITY (CU)  
 MINIMUM FRONT SETBACK: 10 FT  
 MINIMUM SIDE SETBACK: 5 FT  
 MINIMUM REAR SETBACK: 5 FT  
 MAXIMUM IMPERVIOUS COVERAGE: 80%

MAXIMUM LENGTH: 15 UNITS/AC, 2504 SF/UNIT  
 MINIMUM BUILDING SETBACK: 5 FT FROM THE PROPOSED ROW  
 MINIMUM SIDE SETBACK: 5 FT FROM THE PROPOSED ROW  
 SETBACKS OF THE EXISTING PRIMARY STRUCTURES ON THE SAME BLOCK SHALL BE MAINTAINED. A MINIMUM SETBACK OF 10 FT IS REQUIRED FROM THE PROPERTY LINE WHERE ACCESS IS GAINED.  
 SIDE & REAR YARD BUILDING SETBACK: 7 FT  
 FRONT YARD PARKING SETBACK: 20 FT BEHIND THE STRUCTURE'S FRONT BUILDING WALL.  
 SIDE & REAR YARD PARKING SETBACK: 7 FT ADJACENT TO THE PROPERTY LINE.  
 SETBACKS FROM EXISTING DRIVEWAYS: 15 FT ADJACENT TO RESIDENTIAL ZONING DISTRICTS.



**NOTE TO CONTRACTOR**

FOR SITE LIGHTING, ELECTRIC AND DATA CONDUIT ROUTES SEE SITE PLAN SHEET 101. FOR EXISTING UTILITIES, SEE CITY RECORD ARCHITECTS. THE SAME SHOWN IN THESE PAGES ARE FOR REFERENCE ONLY.

**NOTE TO CONTRACTOR**

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T-10-0219  
 Invt-044-019  
 Invt-044-019

Scale: 1"=20'

designed by: JBT  
 drawn by: JBT  
 sheet no.: C202  
 project no.: 401565





ARCHITECTURE  
CIVIL ENGINEERING  
PLANNING  
Bloomington, Indiana  
(612) 339-2990 (fax)

**BFB**  
BYNUM FANVO & ASSOCIATES, INC.  
528 North Walnut Street  
Bloomington, Indiana  
(612) 332-8030

certified by:

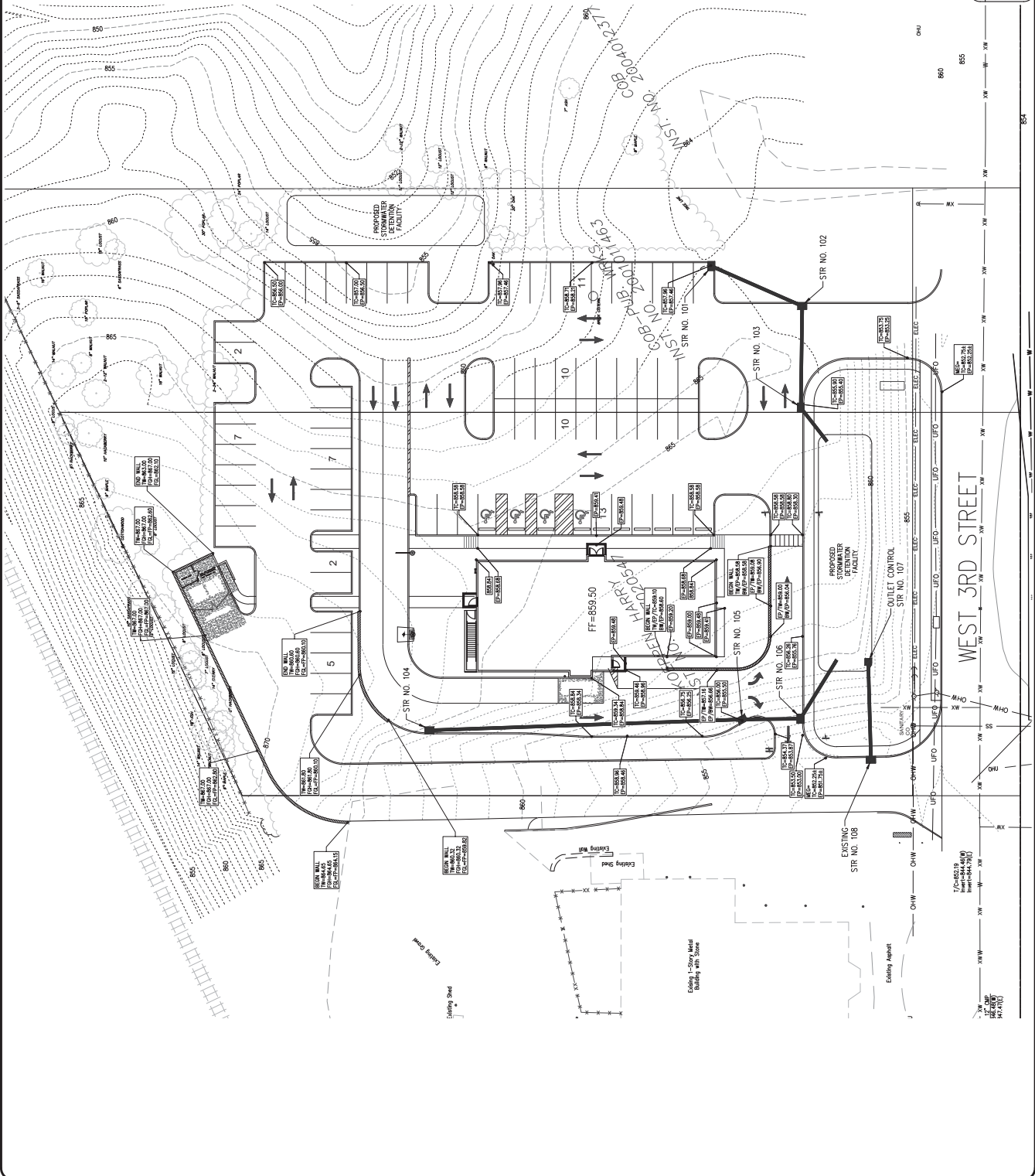
**PRIOR'S RESTAURANT**  
1918 WEST THIRD STREET  
BLOOMINGTON, INDIANA 47404

designed by: JBT  
drawn by: JBT  
checked by: JBT  
sheet no: C203  
Project No.: 401565

FILE: GRADING & UTILITY PLAN

**NOTE TO CONTRACTOR**

CONTRACTOR SHALL VERIFY ALL UTILITY LOCATIONS & DEPTHS AND NOTIFY ALL AFFECTED UTILITIES PRIOR TO ANY EXCAVATION. NO WORK SHALL BE MADE TO CONTRACTOR FOR UTILITY DESTRUCTION OR UNDERGROUND CHANGES REQUIRED DUE TO CHANGING ELEVATIONS.



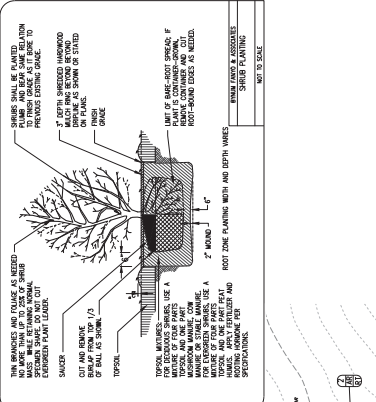
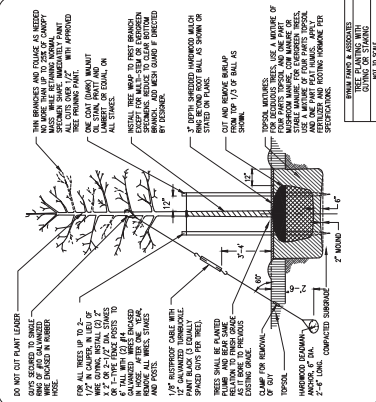
revisions:

ARCHITECTURE	BRYAN FAYO & ASSOCIATES, INC.	528 North Walnut Street Bloomington, Indiana (812) 339-2900 (fax)
CIVIL ENGINEERING		
PLANNING		

certified by:

PROJECT NO.	1918 WEST THIRD STREET BLOOMINGTON, INDIANA 47404
CLIENT	CULVER'S RESTAURANT
DATE	
DRAWN BY	
CHECKED BY	
DATE	
SCALE	AS SHOWN

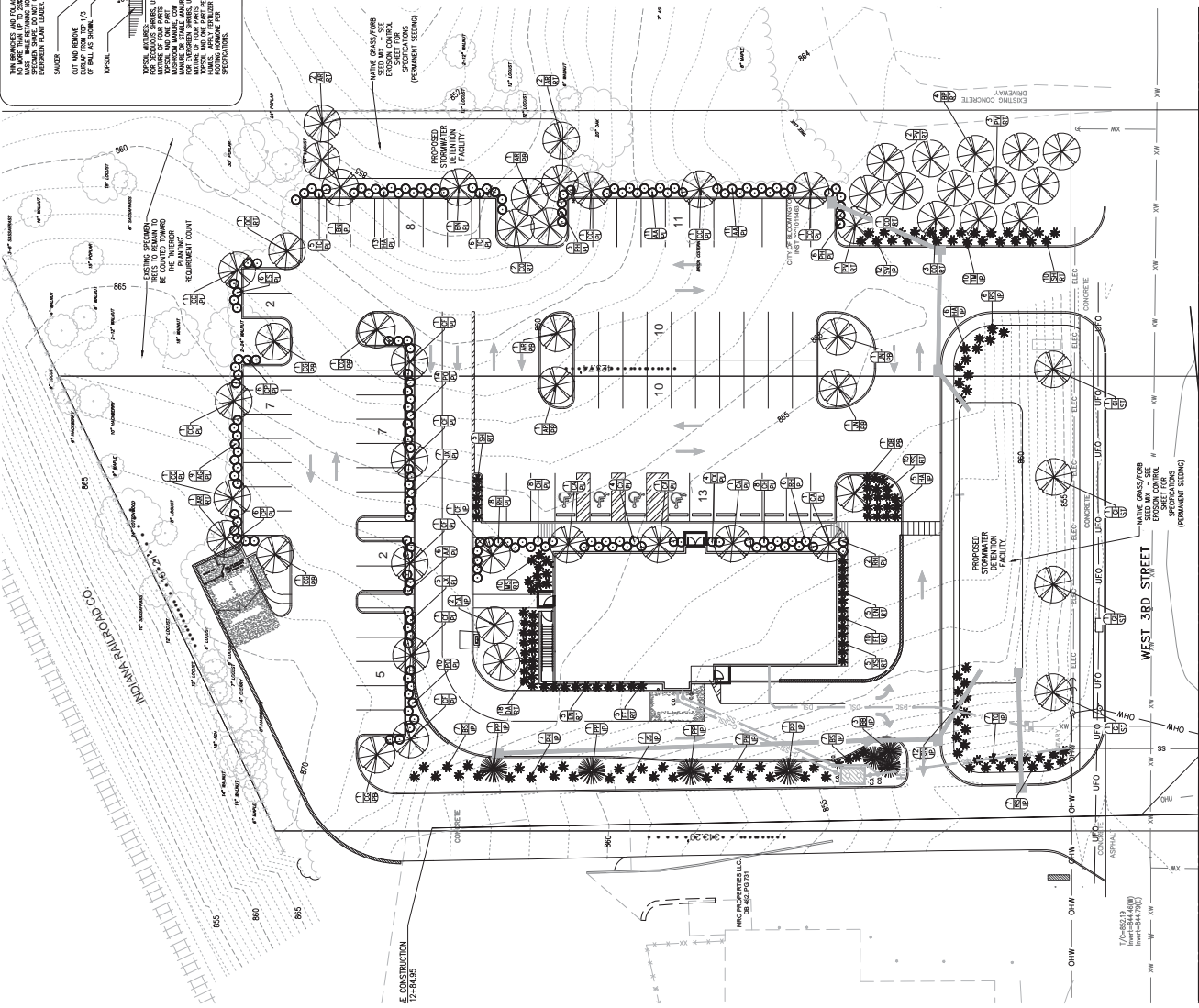
designed by: DUB  
 drawn by: DUB  
 checked by: DUB  
 sheet no.: 0205  
 project no.: 401585



PLANT LIST & LEGEND

LEGEND	KEY	BOTANICAL NAME	COMMON NAME	QTY	SIZE & CONDITION
LARGE CANOPY DECIDUOUS TREES	A	ALBIS BIRCH	BIRCH	4	2" CAL. B & B
	B	AMERICAN REDBARK	DOGWOOD	4	2" CAL. B & B
	C	RED BARK	DOGWOOD	4	2" CAL. B & B
	D	SMOOTH BARK	DOGWOOD	4	2" CAL. B & B
SMALL/MEDIUM DECIDUOUS TREES	E	SMALL PINEAPPLE	DOGWOOD	6	2" CAL. B & B
	F	SMALL PINEAPPLE	DOGWOOD	6	2" CAL. B & B
	G	SMALL PINEAPPLE	DOGWOOD	6	2" CAL. B & B
	H	SMALL PINEAPPLE	DOGWOOD	6	2" CAL. B & B
SMALL PINEAPPLE	I	SMALL PINEAPPLE	DOGWOOD	6	2" CAL. B & B
	J	SMALL PINEAPPLE	DOGWOOD	6	2" CAL. B & B
	K	SMALL PINEAPPLE	DOGWOOD	6	2" CAL. B & B
	L	SMALL PINEAPPLE	DOGWOOD	6	2" CAL. B & B
SMALL PINEAPPLE	M	SMALL PINEAPPLE	DOGWOOD	6	2" CAL. B & B
	N	SMALL PINEAPPLE	DOGWOOD	6	2" CAL. B & B
	O	SMALL PINEAPPLE	DOGWOOD	6	2" CAL. B & B
	P	SMALL PINEAPPLE	DOGWOOD	6	2" CAL. B & B
SMALL PINEAPPLE	Q	SMALL PINEAPPLE	DOGWOOD	6	2" CAL. B & B
	R	SMALL PINEAPPLE	DOGWOOD	6	2" CAL. B & B
	S	SMALL PINEAPPLE	DOGWOOD	6	2" CAL. B & B
	T	SMALL PINEAPPLE	DOGWOOD	6	2" CAL. B & B
SMALL PINEAPPLE	U	SMALL PINEAPPLE	DOGWOOD	6	2" CAL. B & B
	V	SMALL PINEAPPLE	DOGWOOD	6	2" CAL. B & B
	W	SMALL PINEAPPLE	DOGWOOD	6	2" CAL. B & B
	X	SMALL PINEAPPLE	DOGWOOD	6	2" CAL. B & B
SMALL PINEAPPLE	Y	SMALL PINEAPPLE	DOGWOOD	6	2" CAL. B & B
	Z	SMALL PINEAPPLE	DOGWOOD	6	2" CAL. B & B
	AA	SMALL PINEAPPLE	DOGWOOD	6	2" CAL. B & B
	AB	SMALL PINEAPPLE	DOGWOOD	6	2" CAL. B & B

**NOTE TO CONTRACTOR**  
 CONTRACTOR SHALL VERIFY ALL UTILITY LOCATIONS & DEPTHS AND NOTIFY ALL UTILITIES PRIOR TO ANY EXCAVATION OR UNDERGROUND WORK. CONTRACTS PRIOR TO & AFTER ANY EXCAVATION OR UNDERGROUND WORK SHALL BE MADE TO CONTRACTOR FOR UTILITY DESTRUCTION OR UNDERGROUND CHANGES REQUIRED DUE TO CHANGING ELEVATIONS.



REVISIONS:

ARCHITECTURE	BY: JAVIER FANJO & ASSOCIATES, INC.
PLANNING	DATE: 03-29-2010
CIVIL ENGINEERING	PROJECT: 309-2390 (PK)
528 North Walnut Street	
Bloomington, Indiana	

certified by:

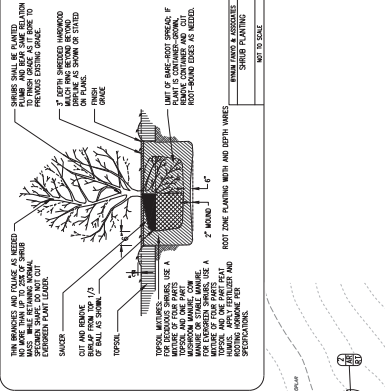
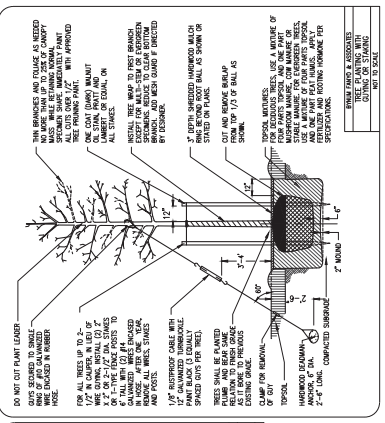
PROPOSED  
CULVER'S RESTAURANT  
1918 WEST THIRD STREET  
BLOOMINGTON, INDIANA 47404

TITLE: EXTRA TREE EXHIBIT

designed by: DUB  
drawn by: DUB  
checked by: DUB  
sheet no.: C1  
project no.: 401565

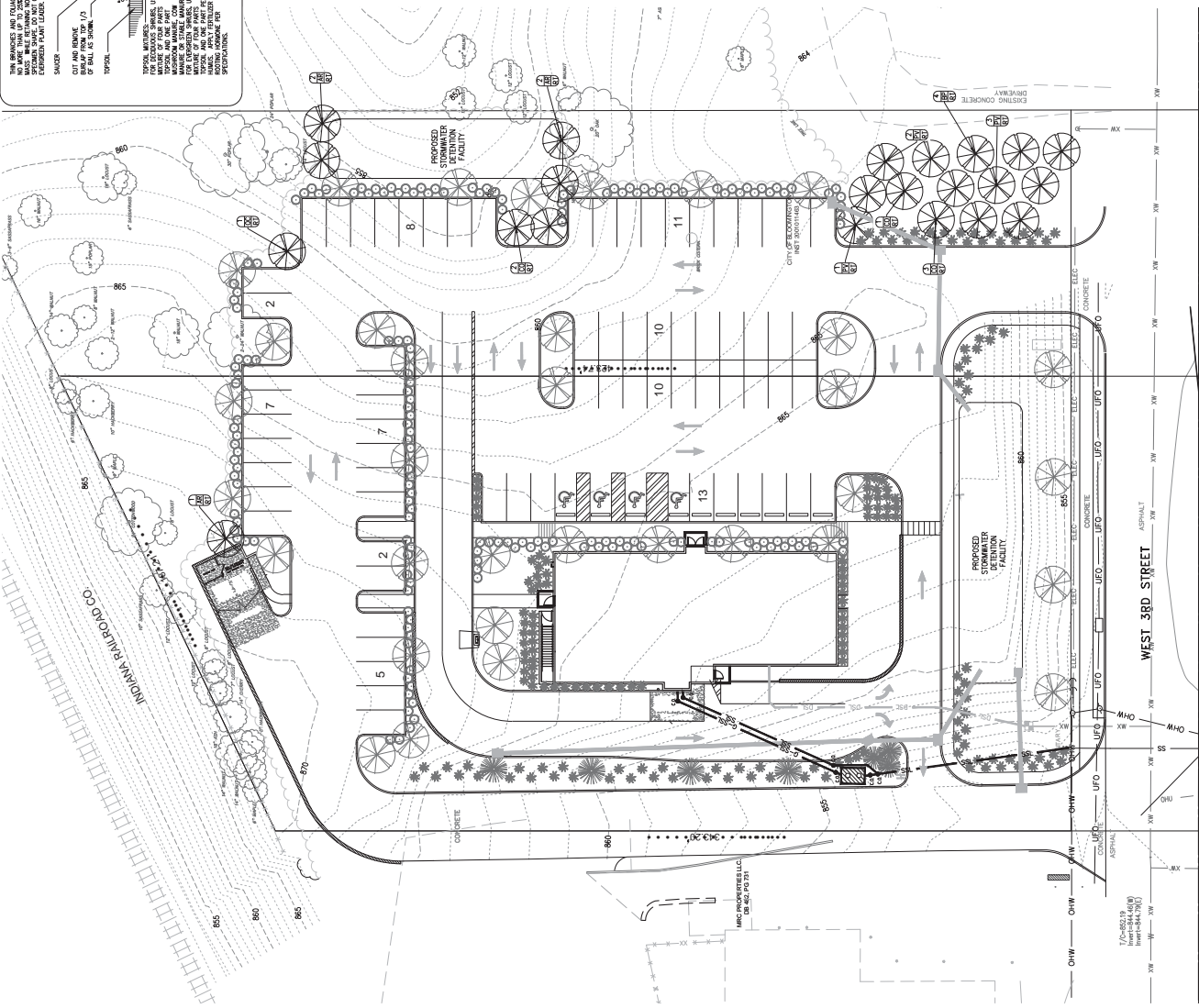
**NOTE TO CONTRACTOR**

CONTRACTOR SHALL VERIFY ALL UTILITY LOCATIONS & DEPTHS AND NOTIFY ALL AFFECTED AGENCIES PRIOR TO ANY EXCAVATION. NO PAYMENT SHALL BE MADE TO CONTRACTOR FOR UTILITY DESTRUCTION OR UNDERGROUND CHANGES REQUIRED DUE TO COMPLETING ELEVATIONS.



EXTRA TREES FOR EXCAVATION REPLACEMENT

LEGEND	KEY	BOTANICAL NAME	COMMON NAME	QTY	SIZE & CONDITION
	01	SPRING BURNING	SPRING BURNING	4	2" CAL. B B B
	02	RED BARK	RED BARK	1	2" CAL. B B B
	03	DOGWOOD	DOGWOOD	1	2" CAL. B B B
	04	DOGWOOD	DOGWOOD	1	2" CAL. B B B
	05	DOGWOOD	DOGWOOD	1	2" CAL. B B B
	06	DOGWOOD	DOGWOOD	1	2" CAL. B B B
	07	DOGWOOD	DOGWOOD	1	2" CAL. B B B
	08	DOGWOOD	DOGWOOD	1	2" CAL. B B B
	09	DOGWOOD	DOGWOOD	1	2" CAL. B B B
	10	DOGWOOD	DOGWOOD	1	2" CAL. B B B
	11	DOGWOOD	DOGWOOD	1	2" CAL. B B B
	12	DOGWOOD	DOGWOOD	1	2" CAL. B B B
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	100	DOGWOOD	DOGWOOD	1	2" CAL. B B B



1/C-00219  
Invert=844.7(5)

WEST 3RD STREET

MFC PROPERTIES, LLC  
03/29/2010

Culvers parki king lot counts

	Fishers IN		Friday		W. 71st. Indy Friday		Greenfield IN Friday		W. 96th St. Carmel IN		
	Wed.	10/22/2015	10/23/2015	Wed.	10/21/2015	10/22/2015	10/23/2015	Wed.	10/21/2015	10/22/2015	10/23/2015
10:00AM	23	15	27	18	21	23	17	14	17	20	21
11:00 AM	38	20	34	26	29	32	20	22	34	23	32
12:00PM	45	29	42	34	38	40	39	36	41	31	45
1:00PM	37	37	38	25	37	41	26	27	36	23	44
2:00PM	26	30	27	18	25	25	20	25	25	20	28
3:00 PM	24	20	25	20	22	27	22	20	20	22	27
4:00 PM	38	38	41	26	34	35	25	22	33	31	26
5:00 PM	61	60	62	48	44	55	35	30	54	50	62
6:00 PM	55	52	59	37	42	48	33	38	62	69	65
7:00PM	43	49	53	32	40	37	28	26	45	42	36
8:00PM	31	30	44	26	31	30	25	30	34	38	40

Fishers has 62 total parking spots

W. 71st. Has 64 total parking spots

Greenfield has 70 spots

W 96th has 51 spots and leased an additional 24 from Mienards next door

Data collected by Jeff Meyer who is the owner of all four of these Culvers. Jeff can be reached at 317-442-6999.

**WELCOME TO DELICIOUS®**

**Parking Lot Vehicle Counts\* at Four Culver's Locations**

Fishers, IN			
	Wed.	Thurs.	Fri.
	7/19/2017	7/20/2017	7/21/2017
10:00 AM	18	19	26
11:00 AM	40	33	46
12:00 PM	53	54	65
1:00 PM	57	53	64
2:00 PM	32	41	60
3:00 PM	21	28	39
4:00 PM	34	36	43
5:00 PM	58	62	65
6:00 PM	64	64	66
7:00 PM	65	58	67
8:00 PM	52	49	67

Fishers has 67 total parking spaces. There are an additional 10 spaces on the street and an additional 15 spaces in the hospital parking lot across the street.

Indianapolis, IN - W. 71st Street			
	Wed.	Thurs.	Fri.
	7/12/2017	7/13/2017	7/14/2017
10:00 AM	22	21	23
11:00 AM	36	29	32
12:00 PM	52	55	63
1:00 PM	55	48	64
2:00 PM	45	40	60
3:00 PM	22	19	31
4:00 PM	24	29	31
5:00 PM	51	57	49
6:00 PM	41	36	42
7:00 PM	30	41	46
8:00 PM	31	35	52

W. 71st Street has 64 total parking spaces. There are an additional 10 spaces at Ivy Tech Community College next door.

Greenfield, IN			
	Wed.	Thurs.	Fri.
	7/19/2017	7/20/2017	7/21/2017
10:00 AM	21	22	24
11:00 AM	36	39	41
12:00 PM	54	55	69
1:00 PM	65	56	66
2:00 PM	58	41	68
3:00 PM	31	29	59
4:00 PM	28	25	34
5:00 PM	44	45	41
6:00 PM	59	62	68
7:00 PM	51	68	68
8:00 PM	62	70	70+

Greenfield has 70 total parking spaces.

Indianapolis, IN - E. 96th Street			
	Wed.	Thurs.	Fri.
	7/19/2017	7/20/2017	7/21/2017
10:00 AM	22	20	26
11:00 AM	46	44	48
12:00 PM	52	52	52
1:00 PM	52	51	52
2:00 PM	41	42	39
3:00 PM	31	29	33
4:00 PM	44	42	46
5:00 PM	52	52	52
6:00 PM	52	52	52
7:00 PM	52	50	52
8:00 PM	52	52	52

E. 96th Street has 52 total parking spaces. There are an additional 24 spaces that we lease from Menard's next door.

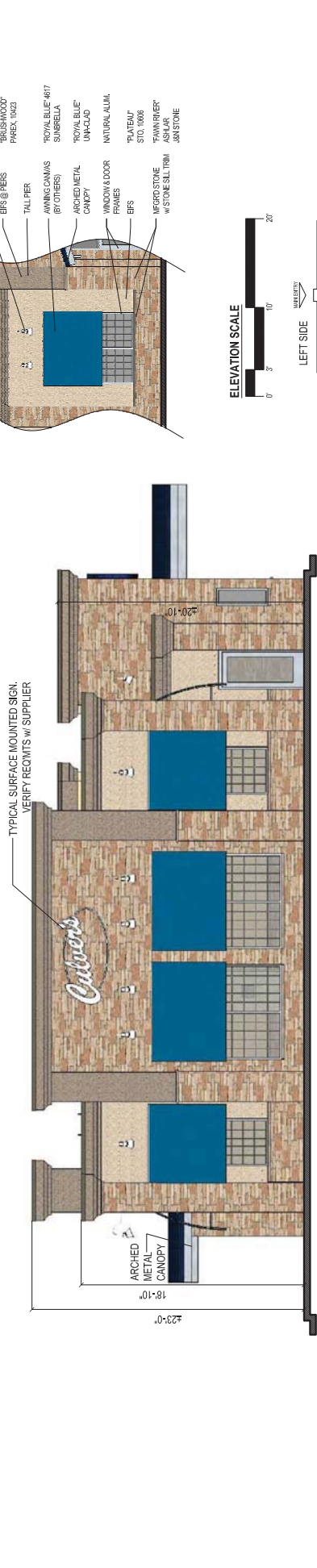
\*Employee vehicles are not included in these totals. At any given time, there might be an additional 12-20 cars in the parking lot.

Data collected by Jeff Meyer, owner of these four Culver's restaurants. Jeff can be reached at (317) 442-6999.

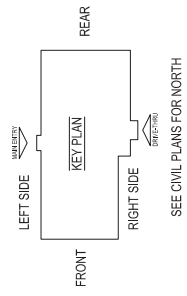




DRIVE-THRU ELEVATION



REPRESENTATION	MATERIAL	COLOR
	COPING	"MEDIUM BRONZE"
	EIFS "CORNICE"	UNICLAD
	EIFS @ PIERIS	"BRUSHWOOD"
	EIFS @ PIERIS	PAKEX 10423
	EIFS @ PIERIS	WHITE
	EIFS @ PIERIS	PAKEX 10423
	AWNING CANVAS (BY OTHERS)	"ROYAL BLUE" #617
	AWNING CANVAS (BY OTHERS)	SUNBRELLA
	AWNING CANVAS (BY OTHERS)	"ROYAL BLUE" UNICLAD
	AWNING CANVAS (BY OTHERS)	UNICLAD
	WINDOW & DOOR FRAMES	NATURAL ALUM.
	EIFS	"FLUTE UP"
	EIFS	STD. 1068
	EIFS	"FLAME GRAY"
	EIFS	ASHLAR
	EIFS	JAN STONE
	EIFS	"STONE SLIT TRIM"

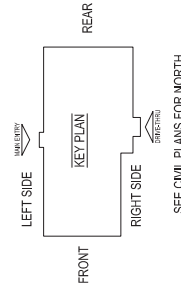




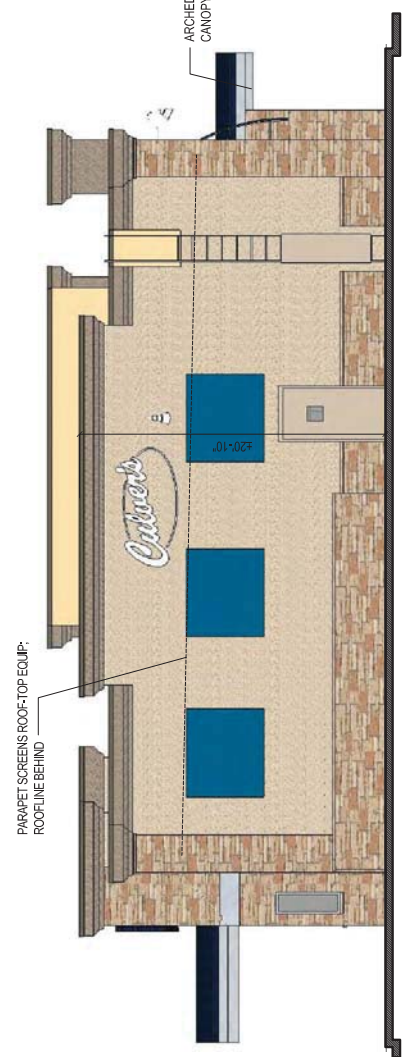
MAIN ENTRY ELEVATION

KNOX BOX - VERIFY LOCATION & TYPE w/ LOCAL FIRE DEPT

REPRESENTATION	MATERIAL	COLOR
	COPING	
	METAL ROOF	UNPAVED
	"BRUSHWOOD"	PAKEX, 10423
	WHITE	
	"COOSENECK LIGHT"	"BRUSHWOOD"
	"EFS @ PIERS"	PAKEX, 10423
	TALL PIER	
	WINDOW CANOMS BY OTHERS	"ROYAL BLUE"/617
	ARCHED METAL CANOPY	"ROYAL BLUE" UNPAVED
	WINDOW & DOOR FRAMES	NATURAL ALUM.
	EIFS	"PLATEAU" STD, 10065
	INFORD STONE w/ STONE SILL TRIM	"FAWNBERRY" ASFLAR

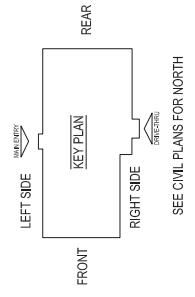


SEE CIVIL PLANS FOR NORTH



REAR ELEVATION

**EXTERIOR RENDERINGS**



FRONT RIGHT



REAR LEFT



FRONT LEFT



REAR RIGHT



---

**PETITIONER:** Edward & Wendy Bernstein  
1326 E. Maxwell Lane, Bloomington

**CONSULTANTS:** Barre Klapper  
Springpoint Architects  
213 S. Rogers Street Suite 5, Bloomington

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**REQUEST:** The petitioner is requesting a development standards variance from the roof material architectural standard.

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**REPORT:** The property is located at 1326 E. Maxwell Lane at the southwest corner of Maxwell Lane and Jordan Avenue and is zoned Residential Single-Family (RS). Surrounding land uses are all single-family residential.

The petitioner has applied for a building permit to add a carport on the north side of the house, at the western corner, where an existing one-car garage is located. The carport meets setback requirements and can be built in that location. The petitioner would like to use a material for a portion of the roof that does not meet UDO Architectural Materials requirement. The petitioner proposes to use a polycarbonate roof material over a 50 square foot portion of the roof that is over the pedestrian doorway that faces Maxwell Lane. This is not a permitted roofing material per BMC 20.05.016(b)(4)(a). Permitted materials are shingles, hales, tile, standing-seam metal, or V-grain metal.

The petitioner asserts that the material will allow for the entrance to be more welcoming, by letting in natural light, and will not be visible from anywhere but under the roof. The petitioner is requesting to install a roof over that carport that incorporates an unapproved roof material, polycarbonate.

---

**CRITERIA AND FINDINGS FOR DEVELOPMENT STANDARDS VARIANCE**

Roof Material

**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. The material will not be visible from the right-of-way, as the carport will be designed to conceal the material from all views, except from below.

- 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.*

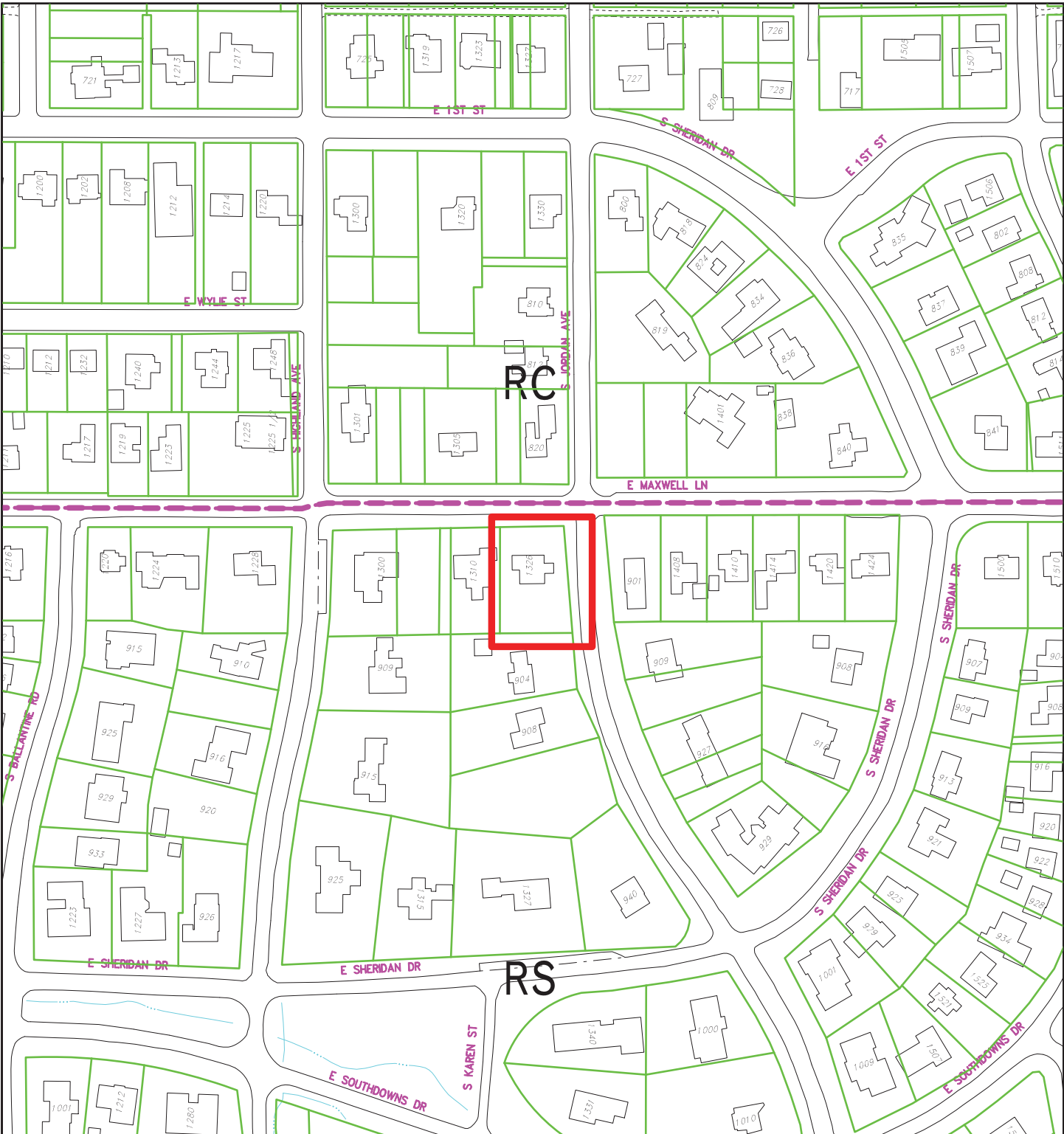
**PROPOSED FINDING:** No adverse impacts to the use and value of the surrounding area associated with the proposed variance are found. The material will not be visible from the right-of-way, as the carport will be designed to conceal the material from all views, except from below.

- 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.*

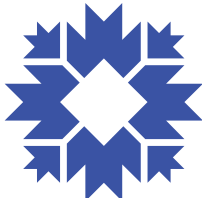
**PROPOSED FINDING:** No practical difficulties in the use of the property are found. The property is used as a single-family home and will continue to be used in that way, even if the variance is denied. While the use of the non-permitted material may have little to no effect on surrounding properties, no peculiar conditions are found with the property that warrant its use. No physical characteristics are found in the site or its surroundings to warrant variance approval. One of the purposes of the RS material regulations is to prescribe uniformity of material options in the single-family zoning districts, while allowing for some variation. Additionally, the regulation allows for durable and traditional materials. The material in question is not a permitted option, and no unique characteristics are found on the site that require its use.

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**RECOMMENDATION:** Based upon the written findings above, the Department recommends denial of V-33-17, a development standards variance request to allow for a non-approved roof material in a residential zoning district.

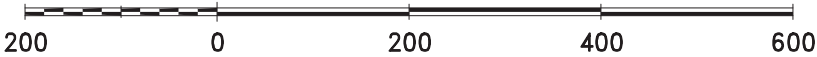


City of Bloomington  
 Planning & Transportation



Scale: 1" = 200'

By: scanlanj  
 15 Dec 17



For reference only; map information NOT warranted.



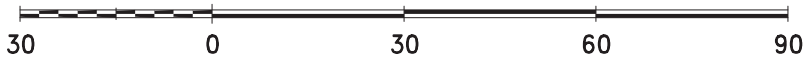
RC

1310

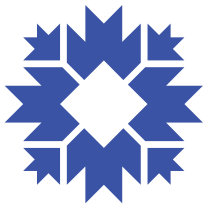
1326

RS

By: scanlanj  
15 Dec 17



City of Bloomington  
Planning & Transportation



Scale: 1" = 30'

For reference only; map information NOT warranted.



Google Maps: Site Picture.



## Petitioner's Statement

December 7, 2017

1326 E Maxwell Lane

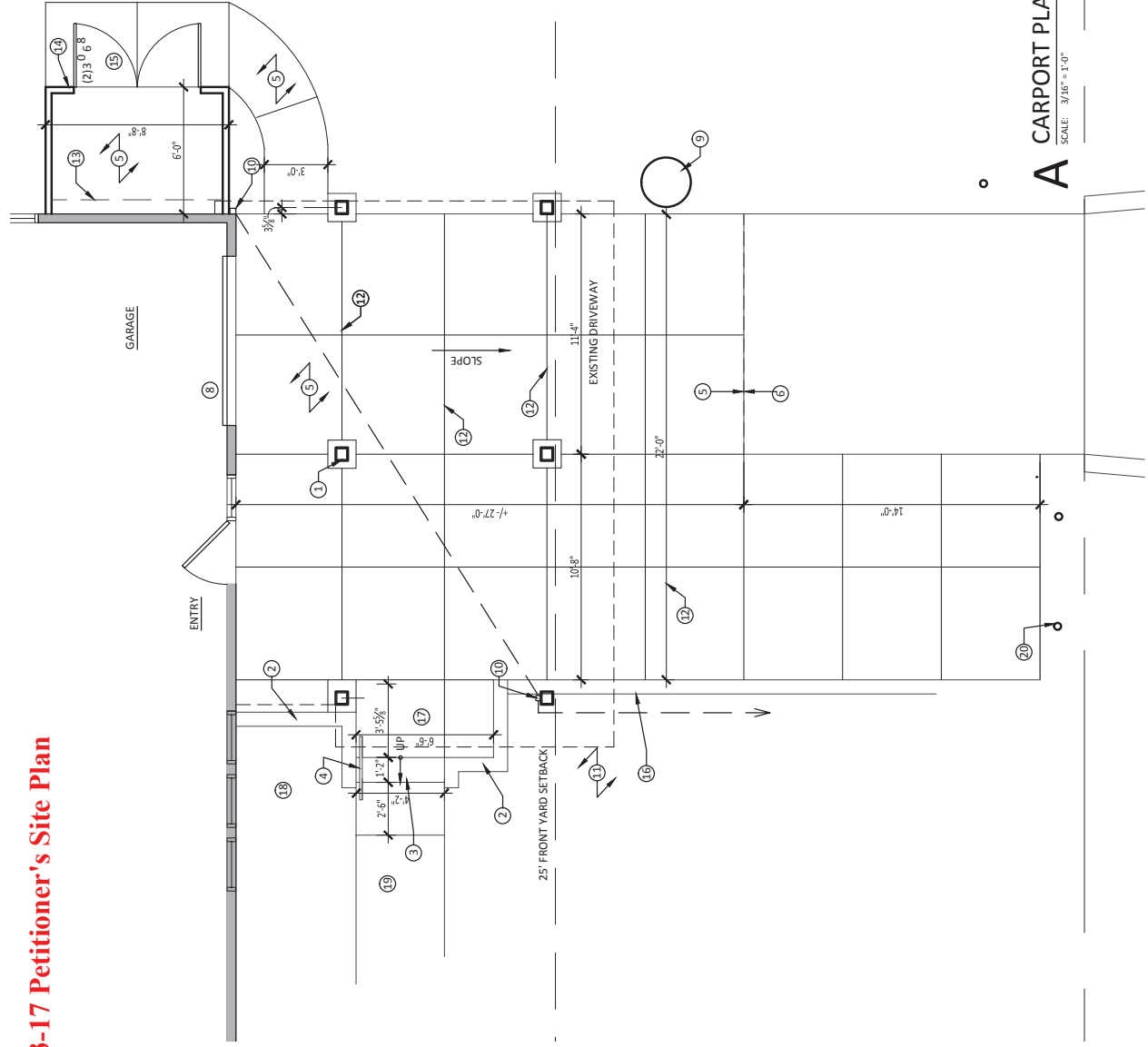
Material Variance: Polycarbonate Roofing

The Bernstein Residence sits at the southwest corner of the Maxwell-Jordan intersection with the house facing Maxwell Lane. The house has a main door facing Maxwell Lane and a side door facing Jordan Avenue. The original house has a small, one-car garage which faces Maxwell and is insufficient to house both of the family cars. To better age in-place, Ed and Wendy Bernstein have decided to add a carport to provide protection from the elements and establish the Maxwell entry as the main entry. Since there are 25' front yard setbacks on both sides of corner lots, the only feasible place where a 2-car carport can be added near the house is in front of the existing garage and main entry facing Maxwell.

Ed and Wendy will be parking in the new carport daily and using the Maxwell entry. With the carport located in front of the door, it is important for them that the entry have a sense of welcome and prominence. To achieve this, a section of the flat, east portion of the carport roof in front of the door (approximately 5' X 10') is proposed to have polycarbonate (clear) roofing material like Sunlite to allow natural light to shine through it. The carport roof design conceals the polycarbonate roof material from view except from below. Currently, this material is not included in the acceptable roofing materials listed in the UDO for the RS zoning district.

The peculiar conditions of the site mandate that the new carport can only be located in front of the main entry. With the construction of the new carport, the owners will now be using the Maxwell main entry and want the entry to feel inviting. Utilizing the polycarbonate roof material will help to soften the impact of the new carport and signal the presence of the entry.

# V-33-17 Petitioner's Site Plan



## GENERAL NOTES:

- A. GENERAL CONTRACTOR TO FIELD CHECK AND VERIFY ALL DIMENSIONS, CONDITIONS, AND LOCATIONS. REPORT DISCREPANCIES TO ARCHITECT.
- B. COORDINATE WORK OF OTHER TRADES WITH YOUR TRADE PRIOR TO STARTING ANY CONSTRUCTION.
- C. POST LUMBER TO BE TREATED FOR GROUND CONTACT. ALL OTHER LUMBER TO BE TREATED, U.N.O.
- D. TRIM TO BE BORAL TRU EXTERIOR TRIM, SMOOTH SIDE OUT, PAINTED.

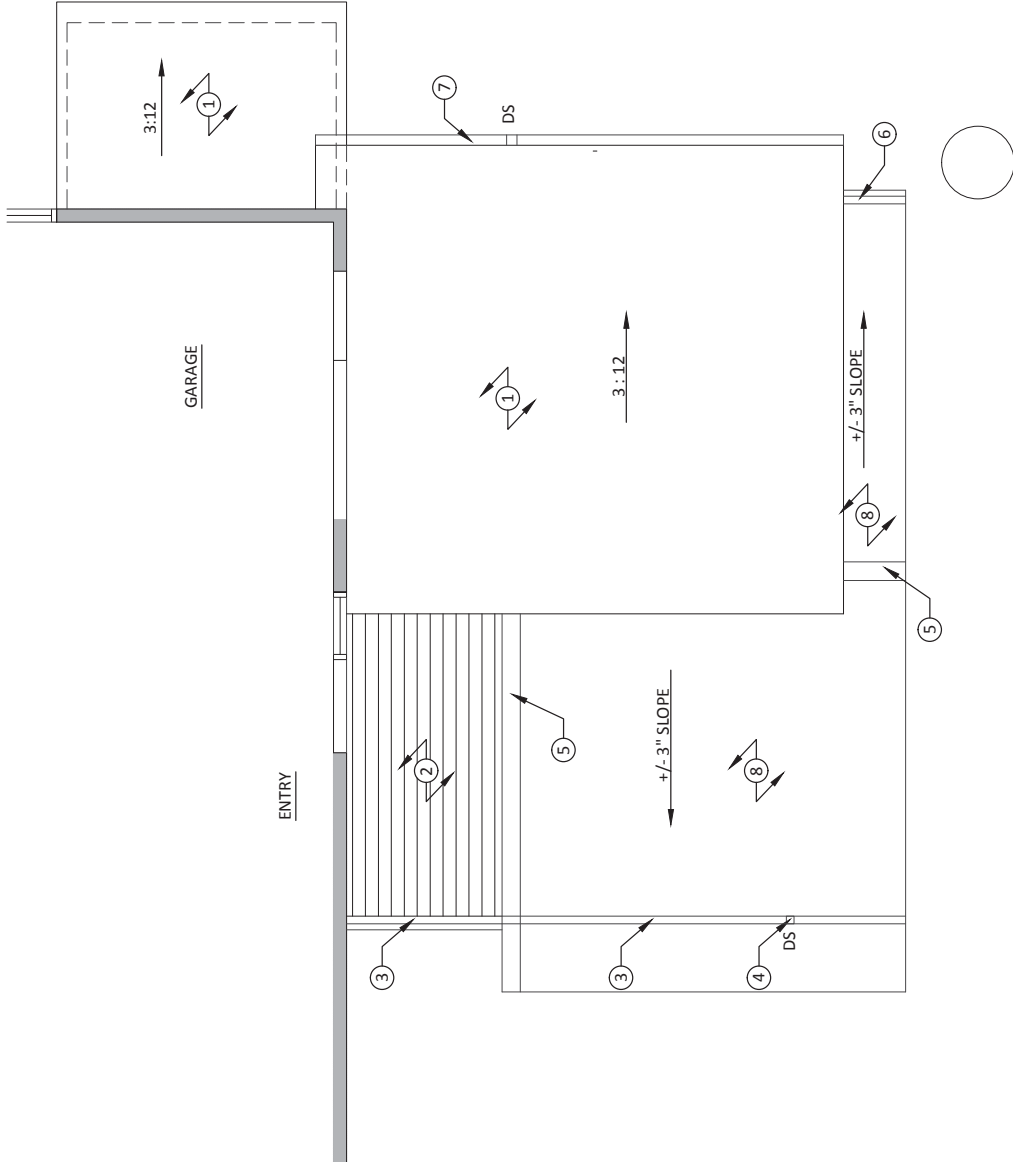
## PLAN NOTES:

- ① 4-PLY 2 X 6 POST WITH 1 X COLUMN WRAP, TYPICAL OF 6
- ② STONE WALL, 12" H+/-, REUSE EXISTING LIMESTONE.
- ③ CONCRETE STAIRS AND LANDING, (2) 6" R AND (1) 14" T
- ④ 1-1/2" SQUARE STEEL HANDRAIL, POWDER COAT FINISH
- ⑤ NEW 4" CONCRETE SLAB W/1.4 X W/1.4 6X6 WWF, BROOM FINISH OVER VAPOR BARRIER AND 4" MIN. COMPACTED AGGREGATE #53
- ⑥ EXISTING CONCRETE SLAB TO REMAIN
- ⑦ N/A
- ⑧ NEW FLUSH, INSULATED GARAGE DOOR, WHITE, 8' WIDE X 7' HIGH, LOW HEAD ROOM TRACK (10" HEADROOM), R=9
- ⑨ EXISTING WALNUT TREE TO REMAIN, CANOPY TO BE RAISED
- ⑩ DOWNSPOUT PIPED UNDERGROUND, RUN TO DAYLIGHT
- ⑪ GRADE AREA FOR GENTLE SLOPE
- ⑫ 1/8" SAWCUT JOINT, TYP.
- ⑬ EXTEND EDGE OF SLAB DOWN TO BEAR ON HOUSE FOOTING
- ⑭ 2 X 4 WALL AT 16" O.C. W/ 3/4" OSB SHEATHING AND 12" FIBER CEMENT BOARD SIDING TO MATCH EXISTING 10" EXPOSURE
- ⑮ FIBERGLASS EXTERIOR DOORS, PAINTED
- ⑯ STONE DRIVEWAY EDGE, REUSE EXISTING LIMESTONE
- ⑰ CONCRETE PAD EXTENSION WITH STONE WALL
- ⑱ BUSH TO REMAIN
- ⑲ EXISTING LIMESTONE WALK TO REMAIN
- ⑳ BOLLARD, TYP. OF 3

**V-33-17 Petitioner's Site Plan**

**ROOF PLAN NOTES:**

- ① ASPHALT SHINGLE ROOF TO MATCH EXISTING OVER (2) LAYERS 15 LB FELT, 5/8" OSB DECKING
- ② PALRAM SUNLITE, POLYCARBONATE SHEET ROOFING WITH PERIMETER FLASHING
- ③ CUSTOM 3" WIDE GUTTER
- ④ DOWNSPOUT, ROUTE UNDERGROUND TO DAYLIGHT BEAM
- ⑤ CUSTOM 3" WIDE GUTTER WITH HOLES AT BOTTOM EVERY 4"
- ⑥ PRE-FINISHED ALUMINUM 4" GUTTER W/RAIN GUTTER FILTRATION AND DOWNSPOUT
- ⑦ WHITE MEMBRANE ROOF



**A** ROOF PLAN   
SCALE: 1/4" = 1'-0"



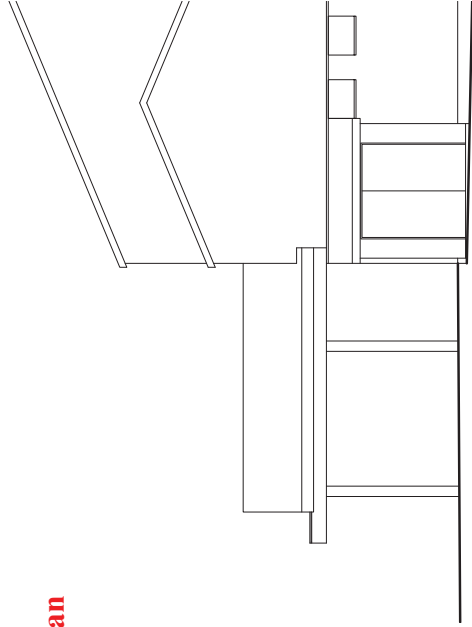
**V-33-17 Petitioner's Site Plan**

**GENERAL ELEVATION NOTES:**

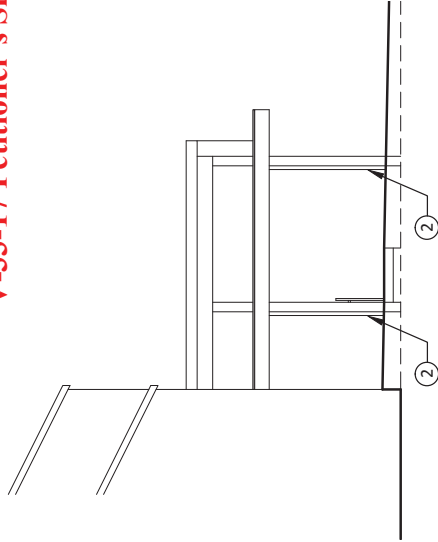
- A. NEW CARPORT COMPONENTS TO BE PAINTED, U.N.O.

**ELEVATION NOTES:**

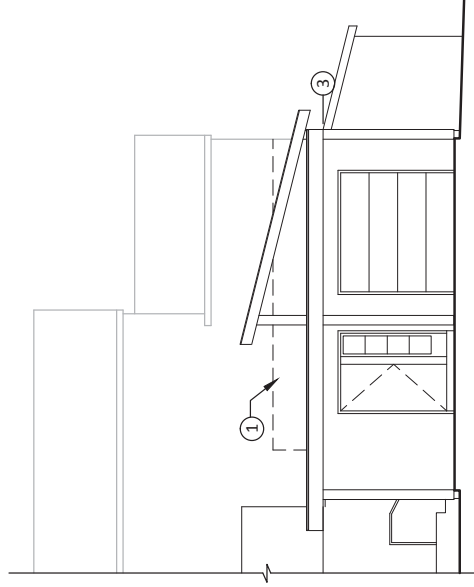
- ① PATCH 10" BOARD AND 1-1/2" BATTEN SIDING AS NEEDED
- ② NEW DOWNSPOUT LOCATION
- ③ BOTTOM OF BEAM TO ALIGN WITH CHANGE IN SIDING +/- 8"-6"



**B WEST ELEVATION**  
SCALE: 1/8" = 1'-0"



**C EAST ELEVATION**  
SCALE: 1/8" = 1'-0"



**A NORTH ELEVATION**  
SCALE: 1/8" = 1'-0"

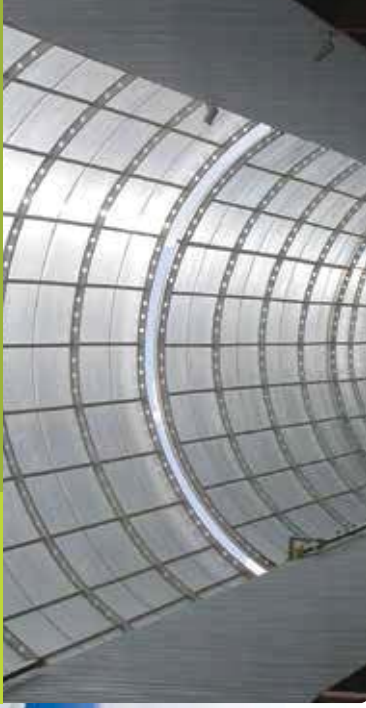
# SUNLITE®

SUNLITE features the incredible strength and impact resistance of polycarbonate, but also benefits from an air layer that dramatically increases its insulation characteristics. This yields a strong, insulating, lightweight, attractive sheet that's perfect for many DIY applications.

- Conservatories
- False ceilings
- Seed boxes
- Basement windows
- Room dividers and partitions
- Brezeways
- Glazing
- Sun rooms
- Greenhouses
- Skylights
- Covered walkways
- Swimming pool enclosures



## V-33-17 Petitioner's Potential Roof Material



## SUNLITE® POLYCARBONATE MULTIWALL PANELS 10-Year Limited Warranty\*

SUNLITE is warranted for 10 years against hail damage, weathering, yellowing and loss of light transmission. The above warranty shall apply only if the panels are installed, used and maintained in accordance with Palram recommendations and specifications.

\*Visit [PalramAmericas.com](http://PalramAmericas.com) for complete warranty details or call 800-999-9459.

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# SUNLITE®

Available in Two Colors\*  
& Two Light Transmission Levels

## Beauty, Durability, & UV Protection

- Blocks 100% of harmful UV rays
- Good fire performance rating
- Excellent thermal insulation
  - High impact resistance
  - Virtually unbreakable
- Rigid & light weight
- Easy to work with

### Regulatory Code Compliance Certification

Organization	Standard	Classification
CCMC	NBC 2010 (Canopy Covering)	Compliant (CCMC Eval. Rep. 13-450-R)
ICC (Int'l Code Council)	IBC 2012 (Light Transmitting Plastics)	ESR-1893

For detailed information on physical properties, please visit [www.PalramAmericas.com/Sunlite](http://www.PalramAmericas.com/Sunlite)



**Clear**  
84% Light  
Transmission



**Opal White\***  
35% Light  
Transmission

\*Special order color. Minimums apply.

### 3 Standard Sizes

48" W x 96" L    48" W x 120" L    48" W x 144" L

Note: Fluting runs top to bottom in the "length" dimension.

### 8 MM Profile Dimensions

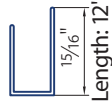


## Accessories to Complete Your Project



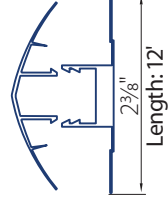
### "H" Channel

A clear connector used to join two panels in vertical glazing applications.



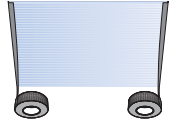
### "U" Channel

A clear connector used to cap either a "fluted" or "non-fluted" edge for a clean, finished look.



### 2 Piece Base and Cap Connector

Clear base attaches to continuous wood or steel in sloped or vertical applications and then the cap is snapped in place.



### Edge Seal Tape AntiDUSTape®

Non-vented tape seals "fluted" edge of panels, is easy to apply, ensures condensation drainage, and blocks out dust and insects



### 2" Fasteners

Protite 2" fastener with 3/4" washer.

AntiDUSTape® is available as single rolls, the nonvented top of panel roll in 160' or the vented bottom of panel roll, which is available in 110' rolls. Additionally, a combo pack is available with 32' rolls of both vented and non-vented.



# Before You Begin

Snow, wind and weather loads should be considered when determining the slope degree of your structure (Min. 2" in 12"). Before installation, check local building codes for relevant specifications and recommendations. Follow local codes at all times.

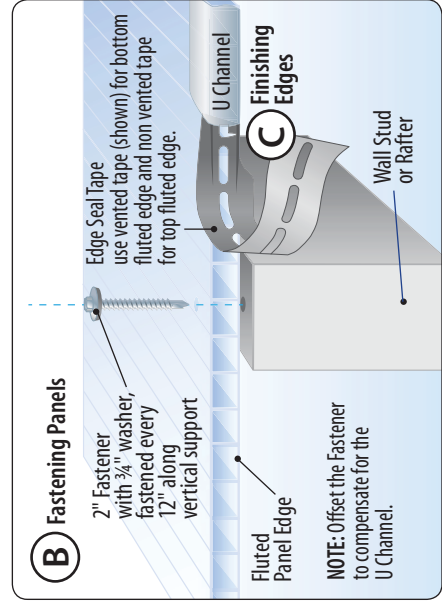
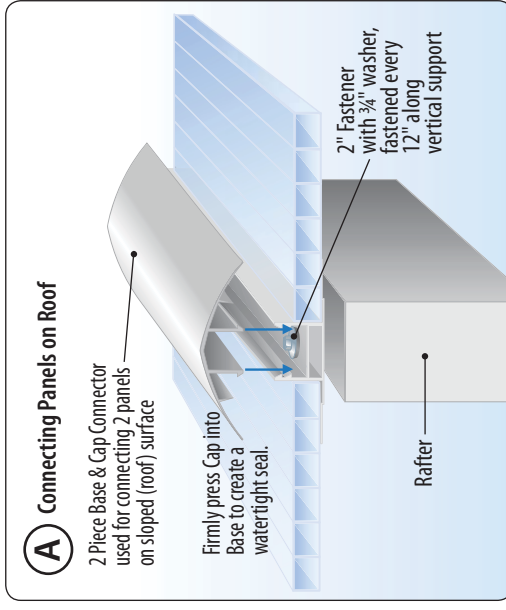
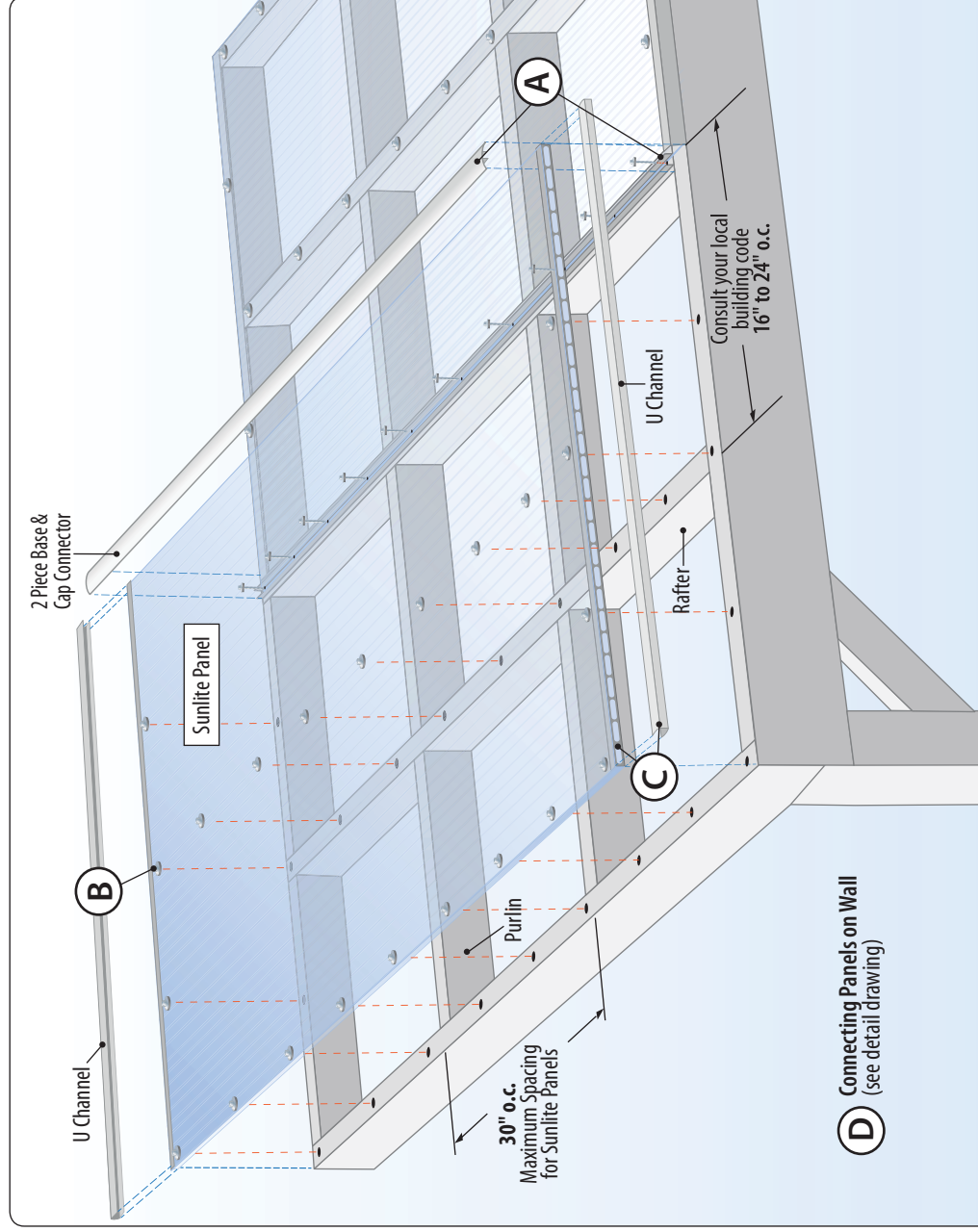
**TRANSPORTATION, HANDLING AND STORAGE: Do Not transport, leave or store panels in direct sun before or during installation.** For outdoor storage, cover securely with a white opaque polyethylene sheet to avoid solar heat gain between the panels. The sun's light is magnified when passing

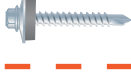
through uncovered sheets increasing the temperature of the sheets which leads to degradation and distortion. Penetration of water between the sheets in storage will intensify this heat gain. Therefore, it is recommended to store the panels indoors. Panels will withstand heat when properly installed and ventilated. Store the panels against a wall so that the flutes run vertically, or stacked evenly on a horizontal flat surface with longer lengths on the bottom. Do not stack other items on top of panels. If panels are not stacked directly on floor, be sure to support evenly.

**FLEXIBLE ENOUGH FOR CURVED STRUCTURES: SUNLITE panels may be used in curved applications, as long as the radius of the curve is not less than 20 feet.**

**BE SURE TO CAREFULLY READ ALL INSTRUCTIONS**

## Installation details for proper construction





Use 2" Fastener with 3/4" washer, fastened every 12" along vertical support. Orange lines indicate fastening positions

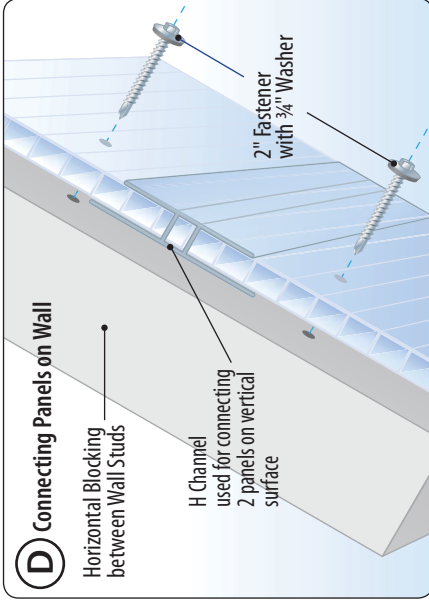
Post

## Typical Canopy Framing Detail



### SAFETY:

Never walk on sheets.  
Use a board placed across at least three rafters to spread the load



### D Connecting Panels on Wall

Horizontal Blocking between Wall Studs

H Channel used for connecting 2 panels on vertical surface

2" Fastener with 3/4" Washer

## INSTALLATION NOTES

### Install panels with the label side facing toward the sky.

**To Cut Panels:** For cuts perpendicular to the flutes, use a circular saw with a minimum of 10 teeth per inch. Support the sheet to avoid vibration and cut at a slow speed. Remove saw dust from within the flutes by blowing compressed air into the flutes. For cuts parallel to the flutes, use a utility knife and straight edge.

**Pitch:** This is the amount of height in inches the rafter rises over a 12" run. Minimum slope is 2" in 12". Never install panels on flat roofs.

**Purlins/Cross Supports:** Cross supports (purlins) must be no more than 30" apart for SUNLITE.

**EdgeSeal Tape:** Use to cover the fluted edges of SUNLITE panels to seal out debris.  
NOTE: AntiDUSTape® comes in both non-vented (for top edge of panels) and vented (for bottom edge of panels) to allow drainage.

**2 Piece Base and Cap Connector:** Used to connect 2 panels installed as roof surfaces (see detail A).

**"U" Channel:** Covers the AntiDUSTape® on the fluted edges of the panel. Can be used on the non-fluted edges for a clean appearance (see detail C).

**"H" Channel:** Used to connect 2 panels mounted vertically for walls, fences, partitions, etc. (see detail D).

**Sealants:** For SUNLITE sheets, it is recommended you use a 100% silicone sealant, or any silicone sealant/adhesive that is recommended for polycarbonate material.

**Ventilation:** Ventilation is recommended to avoid condensation and heat build up in an enclosed structure.

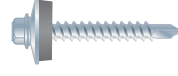
**Fasteners:** Use Palram fasteners with special EPDM washers only. Predrill all fastener holes with a 3/16" drill bit to accommodate for the thermal movement of the panel. Longer length sheets should have holes overdrilled. Failure to accommodate thermal movement will cause buckling of the sheet. Attach fasteners every 12" in the vertical direction. In high wind areas, fasten **every 8"**. Use 2" fasteners for all roof applications. DO NOT overtighten fasteners causing the rubber washer to compress.

**TIP:** Tighten all fasteners until they are "snug." If the gray EPDM washer becomes deformed, the fastener is too tight!



INCORRECT CORRECT

**Care And Maintenance:** Avoid contact with chemicals, paints, adhesives or other synthetic materials that are incompatible with polycarbonate. Never use glass cleaners with ammonia, or ammonia based products. Clean with lukewarm soapy solution using a soft cloth or sponge. Do not use abrasive brushes as these will mark the surface.



Protite 2" fastener with 3/4" EPDM washer.

Inasmuch as Palram Americas has no control over the use (and/or installation method) to which others may put this material, it does not guarantee that the same results as those described herein will be obtained. Each user of the material should make their own test to determine the suitability of the material for their own particular use. In the event of a warranty claim for product failure, Palram Americas reserves the right to inspect any or all of the sheets involved and the installation site itself while the sheets are still in their original position and have not been removed or moved or altered in any way. For a complete copy of the SUNLITE Multiwall Polycarbonate Warranty, contact Palram at 1-800-999-9459 or visit us online at [www.PalramAmericas.com](http://www.PalramAmericas.com).

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## Installation Overview