

# CITY OF BLOOMINGTON



APRIL 19, 2018 @ 5:30 p.m.  
COUNCIL CHAMBERS #115  
CITY HALL

**ROLL CALL**

**MINUTES TO BE APPROVED:** January 18, 2018

**REPORTS, RESOLUTIONS, AND COMMUNICATIONS:**

**PETITIONS CONTINUED TO:** May 24, 2018

- V-05-18      **Shahyar Daneshgar**  
 703 W. 9<sup>th</sup> St.  
 Request: Variance from front yard setback standards to build a porch in the Residential Core (RC) zoning district.  
Case Manager: Jackie Scanlan
- AA-09-18      **U.J. Eighty (UJ80) Corporation**  
 1640 N. Jordan Ave.  
 Request: Administrative Appeal of Staff's decision to issue two Notices of Violation of non-compliance with the *Unified Development Ordinance (UDO) Section 20.02.500*  
Case Manager: Jackie Scanlan

**PETITIONS:**

- V-37-17      **Dwellings, LLC**  
 1353 W. Allen St.  
 Request: Variance from maximum parking standards to allow 67 parking spaces for a multi-family apartment complex.  
Case Manager: Eric Greulich
- UV-08-18      **David Howard**  
 608 N. Dunn St.  
 Request: Use Variance to allow a ground floor residential unit in the Commercial Limited (CL) zoning district for a mixed-use building.  
Case Manager: Eric Greulich
- V-11-18      **South Central Indiana Housing Opportunity (SCIHO)**  
 1901 S. Rogers St.  
 Request: Variance from front yard parking setback standards to allow construction of 16-unit, multi-family apartment building.  
Case Manager: Eric Greulich

**\*\*Next Meeting: May 24, 2018**

**Last Updated: 2/22/2018**

**BLOOMINGTON BOARD OF ZONING APPEALS**  
**STAFF REPORT**  
 Location: 1353 W. Allen Street

**CASE #: V-37-17**  
**DATE: April 19, 2018**

**PETITIONER:** Mark Lauchli (Dwellings, LLC)  
 PO Box 5204, Bloomington

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

**REQUEST:** The petitioner is requesting a variance from maximum parking standards to allow 67 parking spaces for a 60 bedroom multi-family apartment complex.

**STAFF REPORT:** This 2.98 acre property is located at 1353 W. Allen Street and is zoned Residential Multifamily (RM). Surrounding land uses include multi-family residences to the east and west, single family residences to the north, and the Thomson PUD and Cook Pharmica to the south. The property has been developed with several multi-family dwelling units and surface parking lots. A grading permit (C14-GRD-011) and building permit were issued in 2014 to allow the construction of several new buildings and parking areas.

A total of 60 bedrooms are on the property and the UDO allows a maximum of one parking space per bedroom or 60 spaces. With the recent construction, there were 7 additional parking spaces built that were not approved with the plans.

The petitioner is requesting a variance from maximum parking standards to allow the 7 extra parking spaces to remain. A parking study was performed and has been included in the packet.

A parking study was performed that shows the amount of parking spaces used over an approximately 3 week time period. The study shows that at any one maximum time the total number of spaces used did not exceed 63 and the average was around 60. If the additional parking spaces are approved, additional landscaping is required to correspond with the additional spaces. This location is also on a Bloomington Transit bus route.

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

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

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

**RECOMMENDED FINDING:** The granting of the variance from the standards will not be injurious to the public health, safety, or morals. The granting of a variance to allow additional parking spaces would better serve the needs of the tenants

and guests which would limit impacts to adjacent properties.

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

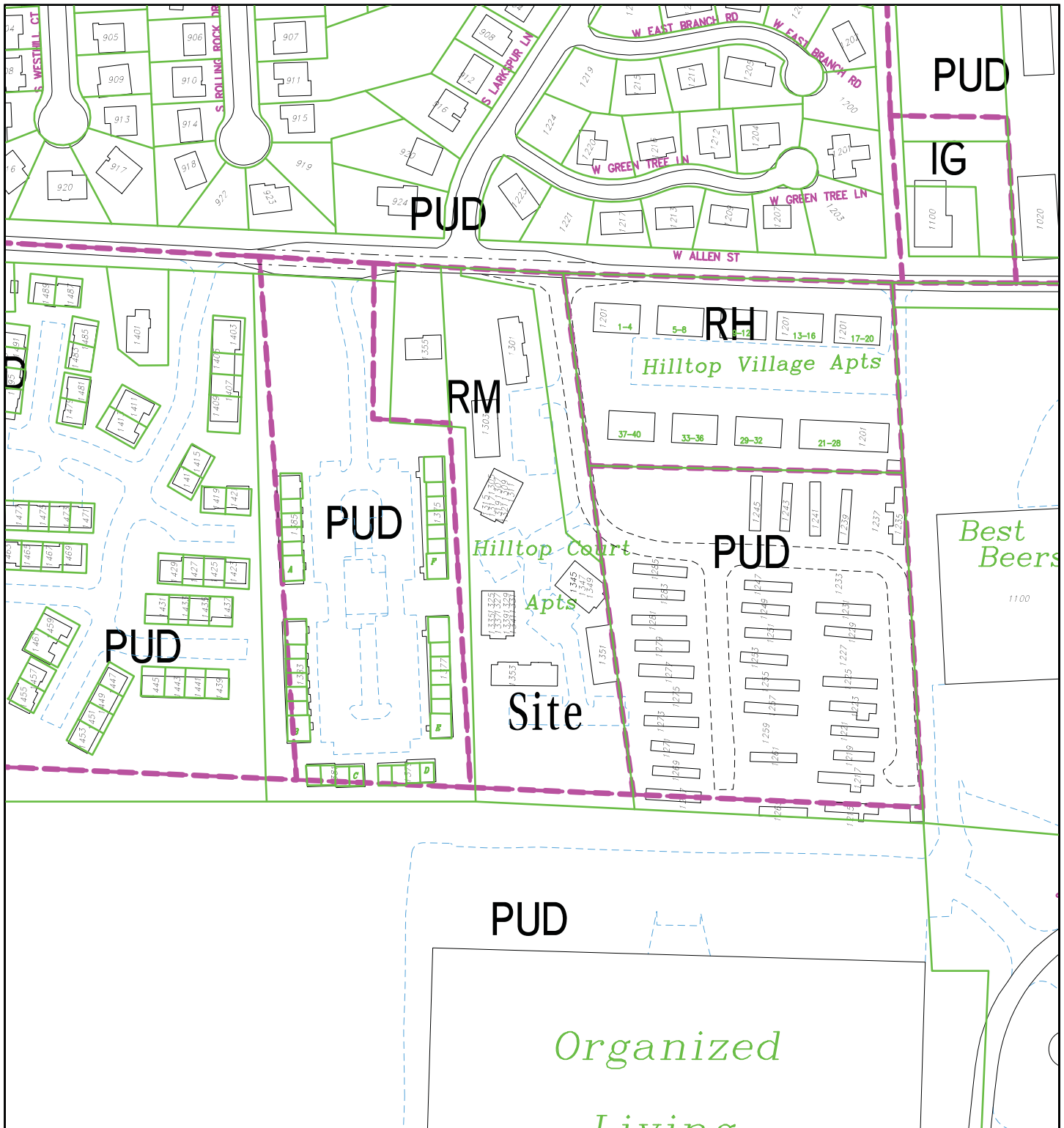
**RECOMMENDED FINDINGS:** No negative effects from either the denial or approval of this proposal are found on the use and value of the areas adjacent to the property.

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

**RECOMMENDED FINDING:** The strict application of the UDO will not result in practical difficulty in the use of property. The parking study shows only a negligible need for additional spaces and the additional need is something that depends on the fluctuation of tenants in the rental units and actual number of tenants. There are no peculiar conditions on this property that is different than other multi-family residential properties that does not allow them to meet the maximum parking requirements of the UDO.

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**RECOMMENDATION:** The Department recommends that the Board of Zoning Appeals adopt the recommended findings and deny the variance.



V-37-17 Marc Lauchli (Dwellings, LLC)

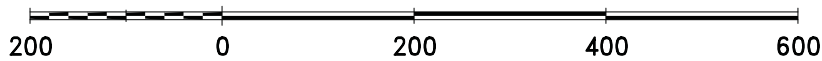
1353 W Allen Street

Board of Zoning Appeals

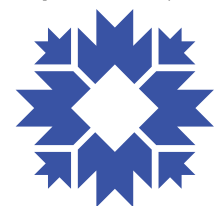
Site Location, Zoning, Parcels

By: greulice

16 Jan 18



City of Bloomington  
Planning & Transportation



Scale: 1" = 200'

For reference only; map information NOT warranted.





V-37-17 Marc Lauchli (Dwellings, LLC)

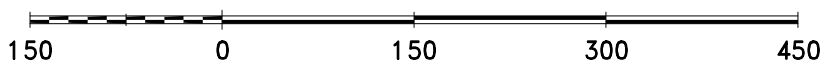
1353 W Allen Street

Board of Zoning Appeals

2016 Aerial Photograph

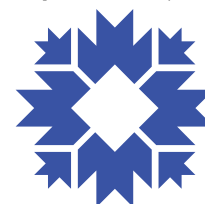
By: greulice

16 Jan 18



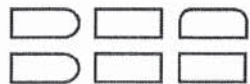
For reference only; map information NOT warranted.

City of Bloomington  
Planning & Transportation



Scale: 1" = 150'





BYNUM FANYO & ASSOCIATES, INC.

ARCHITECTURE  
CIVIL ENGINEERING  
PLANNING

December 12, 2017  
Bloomington Board of Zoning Appeals  
401 N Morton Street  
Bloomington, Indiana 47403

Re: Hilltop Court Apartments Parking Variance

Dear BZA Members:

Our client respectfully requests variance from the Maximum Parking Spaces allowed under the UDO.

The property is located at 1305 W. Allen Street. Allen Street at this location is a narrow hilly two-lane road with no ability for parking along either side of the street. Hilltop Court Apartments consist of 60 bed multi-family units configured in one and two-bedroom units. Access to the property is by a narrow private drive that also serves a 50 lot mobile home park. There are currently 67 parking spaces, 3 ADA spaces and 64 regular spaces. The UDO allows one parking space per bedroom or 60 spaces.

My clients have owned and operated the mobile home park and apartments since 1998. The tenants are not student oriented, rather professionals that work at Crane, IU, the hospital and other businesses in Bloomington. Many of the apartments have two tenants and two vehicles. An example of a typical unit may have one individual working at Crane and the other working in Bloomington, both of which must drive to work. As a result, one space per bedroom is not enough.

We have performed a parking study that is attached along with a summary of the findings. The study clearly shows the 60-space maximum does not work for the development. We are asking that the 67 parking spaces that currently exist be allowed to remain to better accommodate the needs of our tenants.

Finding:

- 1) The approval will not be injurious to the public health, safety, morals, and general welfare of this community.  
**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.  
**Finding:** No adverse impacts to the use and value of the surrounding area associated with the proposed variance are found. The surrounding the property is developed and additional parking on site will keep our tenants from tempting to park on adjoining land.
- 3) The strict application of the terms of the UDO 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.

**Finding:** If sufficient parking is not provided to the tenants and their guest the practical difficulty in the use of the property stems from the fact that these vehicles will be parking on the narrow common entrance drive, partially blocking access to both the apartments and trailer park. This obstruction will also impede emergency vehicle access.

Practical difficulties that are peculiar to the property in question; that the development Standards Variance will relieve the practical difficulties is the location of this property in relation to goods and services and alternative means of transportation. As an older outlying property there are no groceries, restaurants, convenience stores, etc. within reasonable walking distance. With the vertical geometry narrowness of Allen Street as it is, using a bicycle would not be a good idea either.

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.



DATE & TIME: 8/30/17 - 7:00am						
Parking Lot	Total # of Beds Per Phase	# of Spaces	Occupied	Vacant		
Hilltop Court II	20	20	16	4		
Hilltop Court I + Guest Spots	20	24	22	2		
Hilltop Court III (incl. 7 under Variance)	20	20	20	0		
Parking on the Street				1		
Total Handicapped Parking for Entire Complex			3	1		
<b>Total</b>		64	60	4		
DATE & TIME: 8/30/17 - 9:00pm						
Parking Lot	Total # of Beds Per Phase	# of Spaces	Occupied	Vacant		
Hilltop Court II	20	20	15	5		
Hilltop Court I + Guest Spots	20	24	21	3		
Hilltop Court III (incl. 7 under Variance)	20	20	20	0		
Parking on the Street				1		
Total Handicapped Parking for Entire Complex			3	1		
<b>Total</b>		64	58	8		
DATE & TIME: 9/2/17 - 7:00am						
Parking Lot	Total # of Beds Per Phase	# of Spaces	Occupied	Vacant		
Hilltop Court II	20	20	17	3		
Hilltop Court I + Guest Spots	20	24	22	2		
Hilltop Court III (incl. 7 under Variance)	20	20	20	0		
Parking on the Street				1		
Total Handicapped Parking for Entire Complex			3	1		
<b>Total</b>		64	61	5		
DATE & TIME: 9/2/17 - 9:00pm						
Parking Lot	Total # of Beds Per Phase	# of Spaces	Occupied	Vacant		
Hilltop Court II	20	20	15	5		
Hilltop Court I + Guest Spots	20	24	22	2		
Hilltop Court III (incl. 7 under Variance)	20	20	19	1		
Parking on the Street				2		
Total Handicapped Parking for Entire Complex			3	2		
<b>Total</b>		64	60	8		
DATE & TIME: 9/3/17 - 9:00pm						
Parking Lot	Total # of Beds Per Phase	# of Spaces	Occupied	Vacant		
Hilltop Court II	20	20	14	6		
Hilltop Court I + Guest Spots	20	24	21	3		
Hilltop Court III (incl. 7 under Variance)	20	20	18	2		
Parking on the Street				1		
Total Handicapped Parking for Entire Complex			3	2		
<b>Total</b>		64	56	11		
DATE & TIME: 9/9/17 - 9:00pm						
Parking Lot	Total # of Beds Per Phase	# of Spaces	Occupied	Vacant		
Hilltop Court II	20	20	16	4		
Hilltop Court I + Guest Spots	20	24	22	2		
Hilltop Court III (incl. 7 under Variance)	20	20	20	0		
Parking on the Street				2		
Total Handicapped Parking for Entire Complex			3	0		
<b>Total</b>		64	60	6		
DATE & TIME: 9/10/17 - 7:00am						
Parking Lot	Total # of Beds Per Phase	# of Spaces	Occupied	Vacant		
Hilltop Court II	20	20	17	3		
Hilltop Court I + Guest Spots	20	24	22	2		
Hilltop Court III (incl. 7 under Variance)	20	20	20	0		
Parking on the Street				2		
Total Handicapped Parking for Entire Complex			3	0		
<b>Total</b>		64	61	5		
DATE & TIME: 9/16/17 - 9:00pm						
Parking Lot	Total # of Beds Per Phase	# of Spaces	Occupied	Vacant		
Hilltop Court II	20	20	16	4		
Hilltop Court I + Guest Spots	20	24	22	2		
Hilltop Court III (incl. 7 under Variance)	20	20	20	0		
Parking on the Street				0		
Total Handicapped Parking for Entire Complex			3	2		
<b>Total</b>		64	60	6		
DATE & TIME: 9/17/17 - 9:00pm						
Parking Lot	Total # of Beds Per Phase	# of Spaces	Occupied	Vacant		
Hilltop Court II	20	20	17	3		
Hilltop Court I + Guest Spots	20	24	22	2		
Hilltop Court III (incl. 7 under Variance)	20	20	20	0		
Parking on the Street				2		
Total Handicapped Parking for Entire Complex			3	2		
<b>Total</b>		64	63	5		

**DATE & TIME: 1/27/18 - 7:00am**

<u>Parking Lot</u>	<u>Total # of Beds Per Phase</u>	<u># of Spaces</u>	<u>Occupied</u>
Hilltop Court II	20	20	19
Hilltop Court I + Guest Spots	20	24	24
Hilltop Court III (incl. 7 under Variance)	20	20	20
Parking on the Street			3
Total Handicapped Parking for Entire Complex		3	1
<u>Total</u>		64	67

**DATE & TIME: 1/28/18 - 9:00pm**

<u>Parking Lot</u>	<u>Total # of Beds Per Phase</u>	<u># of Spaces</u>	<u>Occupied</u>
Hilltop Court II	20	20	18
Hilltop Court I + Guest Spots	20	24	24
Hilltop Court III (incl. 7 under Variance)	20	20	20
Parking on the Street			2
Total Handicapped Parking for Entire Complex		3	2
<u>Total</u>		64	66

**DATE & TIME: 2/3/18 - 7:00am**

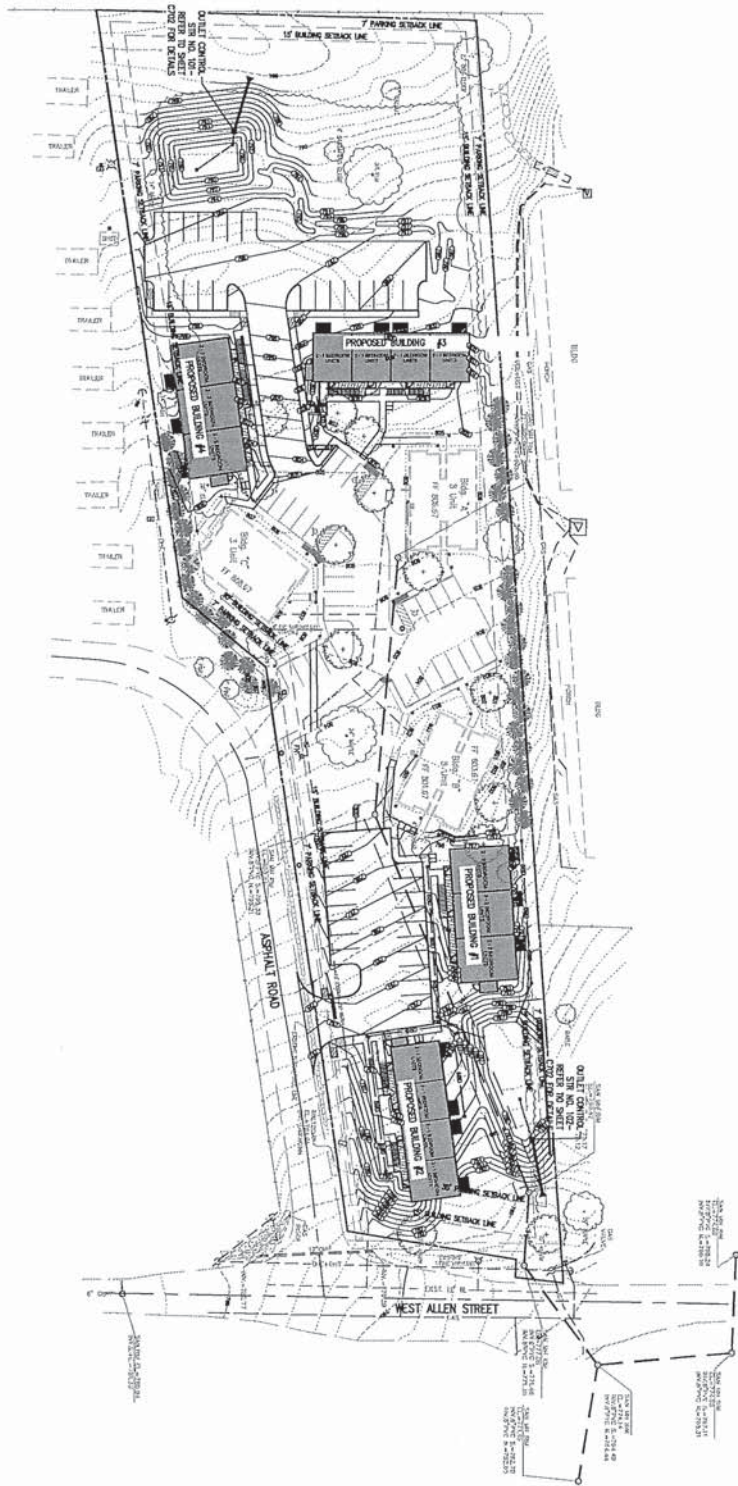
<u>Parking Lot</u>	<u>Total # of Beds Per Phase</u>	<u># of Spaces</u>	<u>Occupied</u>
Hilltop Court II	20	20	19
Hilltop Court I + Guest Spots	20	24	23
Hilltop Court III (incl. 7 under Variance)	20	20	20
Parking on the Street			2
Total Handicapped Parking for Entire Complex		3	3
<u>Total</u>		64	67

**DATE & TIME: 2/4/18 - 9:00pm**

<u>Parking Lot</u>	<u>Total # of Beds Per Phase</u>	<u># of Spaces</u>	<u>Occupied</u>
Hilltop Court II	20	20	19
Hilltop Court I + Guest Spots	20	24	24
Hilltop Court III (incl. 7 under Variance)	20	20	20
Parking on the Street			2
Total Handicapped Parking for Entire Complex		3	2
<u>Total</u>		64	67

Hilltop Court Apartments Parking Study Summary

<u>Date</u>	<u>Day of week</u>	<u>Regular spaces</u>	<u>ADA Spaces</u>	<u>Total Spaces</u>	<u>Street Parking</u>	<u>Spaces occupied</u>
<b>onsite spaces</b>		<b>64</b>	<b>3</b>	<b>67</b>		
8/30/2017 am	Wednesday	60	1	61	1	62
8/30 pm	Wednesday	56	1	57	1	58
9/2 am	Saturday	59	1	60	1	61
9/2 pm	Saturday	56	2	58	2	60
9/3 pm	Sunday	53	2	55	1	56
9/9 pm	Saturday	58	0	58	2	60
9/10 am	Sunday	59	2	61	0	61
9/16 pm	Saturday	58	2	0	0	60
9/17 pm	Sunday	59	2	61	2	63



**EXISTING LEGEND**

- EXISTING ROAD
- EXISTING WATER LINE
- EXISTING SANITARY DRAIN LINE
- EXISTING INTERMEDIATE DRAINAGE
- EXISTING INTERMEDIATE DRAINAGE
- EXISTING INTERMEDIATE DRAINAGE
- EXISTING SANITARY DRAIN AND INTERMEDIATE DRAIN
- EXISTING STORM DRAIN AND ALLEY
- PROPERTY LINE

**NOTE TO CONTRACTOR**

CONTRACTOR SHALL VERIFY ALL UTILITY LOCATIONS & DEPT'S AND NOTIFY ALL AGENCIES IN LOCATION ON ELEVATION ON ANY CONSTRUCTION FOR UTILITY RESTRICTIONS OR INTERFERING CONDITIONS TO CONSTRUCTION.

EXISTING	PROPOSED	EXISTING	PROPOSED	EXISTING	PROPOSED	EXISTING	PROPOSED	EXISTING	PROPOSED
EXISTING	PROPOSED	EXISTING	PROPOSED	EXISTING	PROPOSED	EXISTING	PROPOSED	EXISTING	PROPOSED



**PROPOSED HILLTOP COURT APARTMENTS EXPANSION**  
 1305 W ALLEN ST  
 BLOOMINGTON, INDIANA

**B&B**  
 BRYAN B. BRYAN & ASSOCIATES, INC.  
 5225 North Walnut Street  
 Bloomington, IN 47404  
 (317) 332-9000

**ARCHITECTURE**  
 CIVIL ENGINEERING  
 PLANNING  
 Bloomington, Indiana  
 (317) 336-2800

Designed by: OJB  
 Checked by: JDF  
 Printed by: CMT  
 Project No.: 02114



revisions:

(812) 325-8030	1325 North Walnut Street	BRYN MAWR & ASSOCIATES, INC.
(812) 329-2500 (Fax)	Bloomington, Indiana	CIVIL ENGINEERING
		PLANNING
		ARCHITECTURE

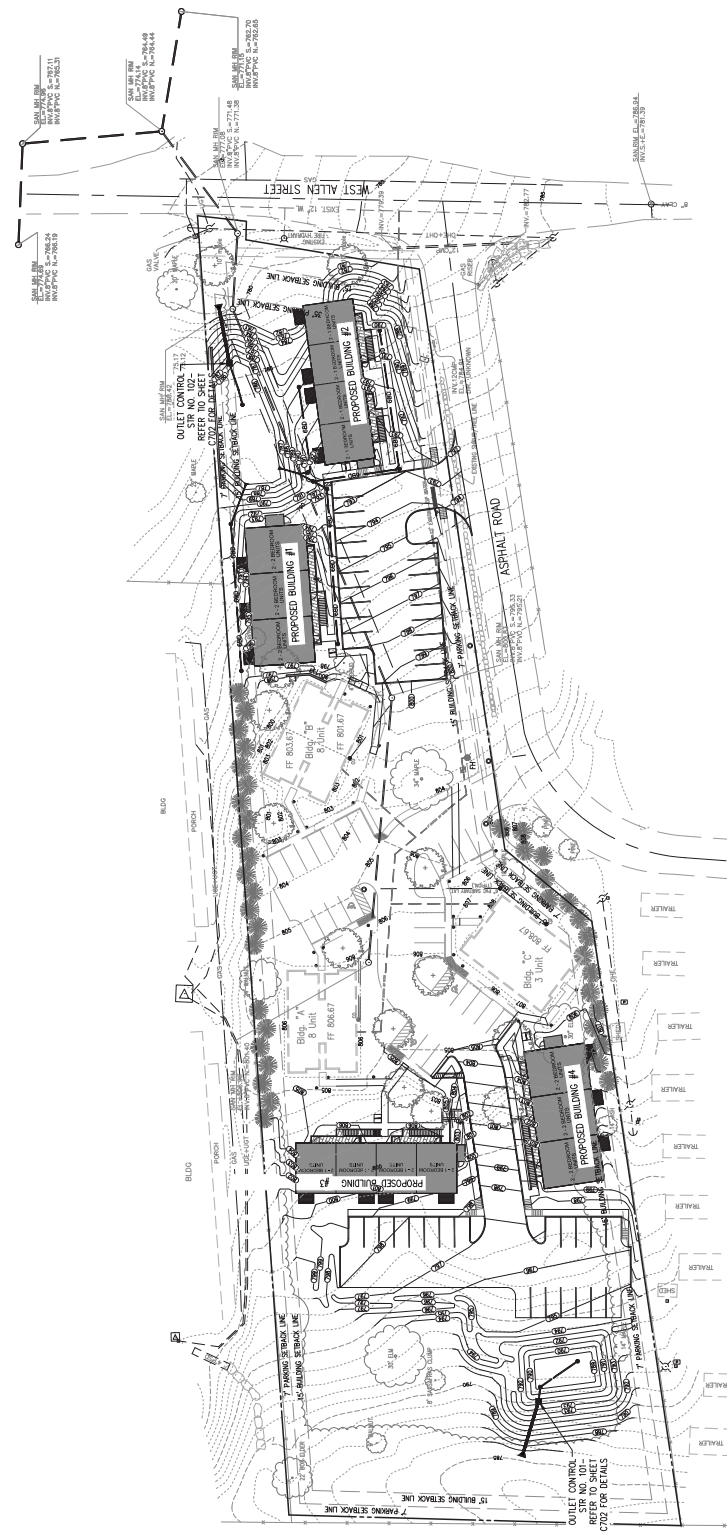
designed by:

PROPOSED  
HILLTOP COURT APARTMENTS  
EXPANSION  
1305 W ALLEN ST  
BLOOMINGTON, INDIANA

FILE: OVERALL SITE PLAN  
designed by: DUB  
checked by: SF  
drawn by: SF  
sheet no: C401  
project no: 601414

**EXISTING LEGEND**

—	EXISTING FENCE
—	EXISTING WATER LINE
—	EXISTING OVERHEAD ELECTRIC LINES
—	EXISTING UNDERGROUND ELECTRIC LINES
—	EXISTING UNDERGROUND TELEPHONE LINES
—	EXISTING UNDERGROUND FIBER
—	EXISTING GAS LINE
—	EXISTING OIL LINE
—	EXISTING SANITARY SEWER AND MANHOLE
—	EXISTING STORM SEWER AND INLET
—	PROPERTY LINE

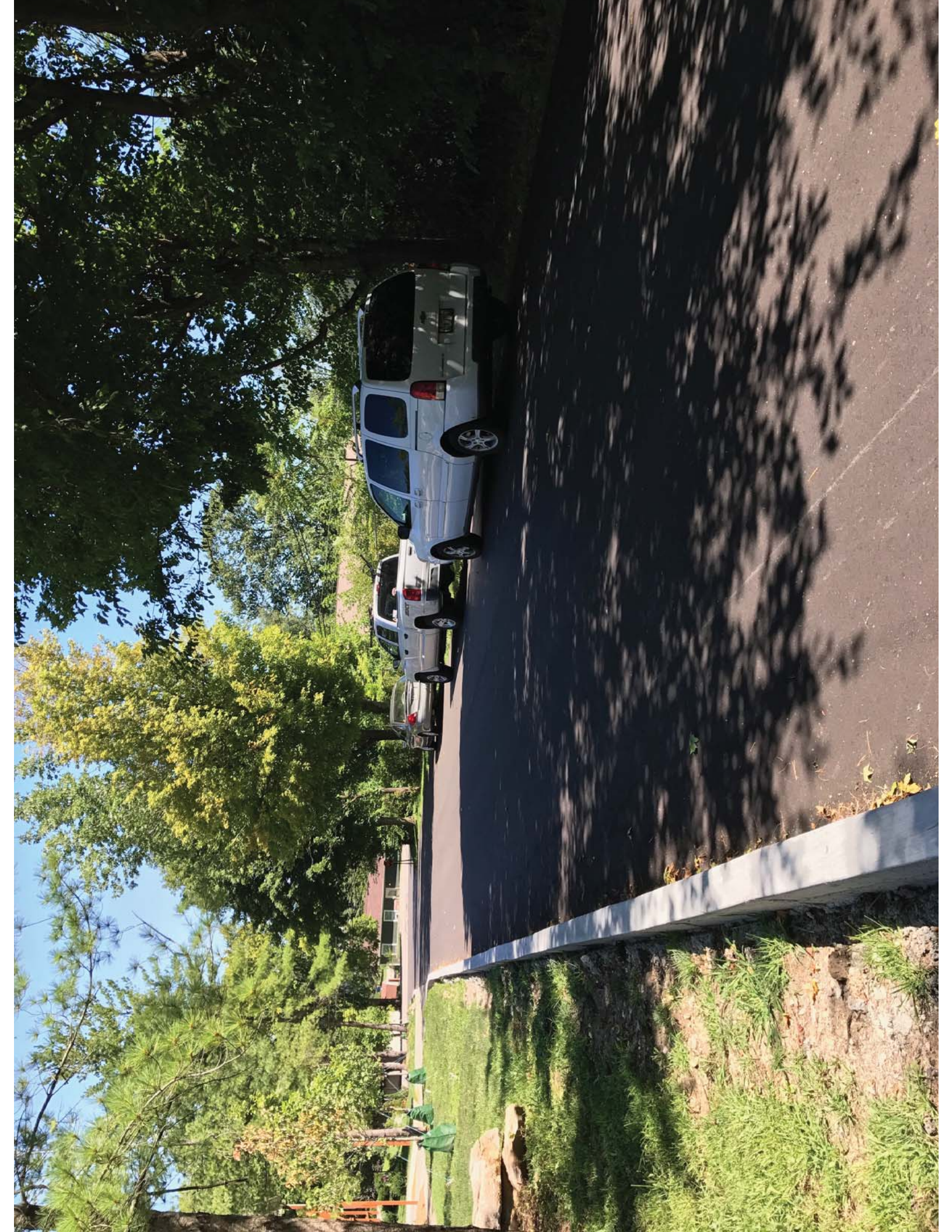


SCALE: 1"=50'

HILLTOP COURT APARTMENTS PROPERTY - 3.6 ACRES	PARKING COUNT	IMPERVIOUS SURFACE AREA	STUDY LINES LESS THAN 100 FT.	1 BED UNITS LESS THAN 700 SQ. FT.	2 BED UNITS LESS THAN 1000 SQ. FT.	UNIT DENSITY
EXISTING	29	23,450	0	0	0	0
PROPOSED	67	112,000	0	16	16	12

**NOTE TO CONTRACTOR**  
CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND LOCATIONS OF ALL UTILITIES PRIOR TO ANY EXCAVATION. NO PAINT SHALL BE MADE ON ANY UTILITIES. ALL DIMENSIONS SHALL BE MADE TO THE CENTERLINE OF THE UTILITY UNLESS OTHERWISE NOTED. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL AFFECTED AGENCIES PRIOR TO CONSTRUCTION.



















**BLOOMINGTON BOARD OF ZONING APPEALS**  
**STAFF REPORT**  
Location: 608 N. Dunn Street

**CASE #: UV-08-18**  
**DATE: April 19, 2018**

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**PETITIONER:** David Howard  
1420 E. Rhorer Road, Bloomington

**COUNSEL:** Matte Black Architecture  
2021 E. Wexley Rd, Bloomington

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**REQUEST:** The petitioner is requesting a use variance to allow a ground floor dwelling unit in the Commercial Limited zoning district.

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**REPORT:** The petitioner proposes a three-story building with six (6) one-bedroom apartments and commercial space on the ground floor. The petitioner proposes one of the six apartment units to be located on the ground floor. This proposal complies with the Indiana State Building Code requirement related to provision of an accessible unit. To provide the accessible unit, the petitioner has the option of adding an elevator or including the unit on the ground floor. The Unified Development Ordinance does not allow residential units on the ground floor in multi-family buildings in the CL district. This provision was written before the State Code requirement for an accessible unit. The petitioner must receive a use variance from the Board of Zoning Appeals (BZA) for the ground floor unit.

Ground floor units are prohibited on the first floor in the CL district by the UDO to ensure that significant amounts of commercial property along major roadways are not consumed by solely residential uses. The UDO restrictions on development size and the physical restrictions of the lot combine to limit development in a way that makes an elevator impractical for this site. The petition site is approximately 0.08 acres. Because of the small size of the development, the petitioners have chosen to request the ground floor unit. The density of 6 one-bedroom units is allowed on this parcel in the CL district.

This property has CL zoned lots to the south and east, but is otherwise surrounded by Residential High-Density Multifamily (RH) to the north and Residential Multifamily (RM) to the west. The Department finds that the use variance request is appropriate as a result of a combination of the small nature of the lot and the proposed development; the provision of ground floor commercial space within the building; the fact that this property does not directly front on 10<sup>th</sup> Street; and the character of the area, which allows for ground floor residential in the surrounding zones.

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**PLAN COMMISSION RECOMMENDATION:** The Plan Commission reviewed the plan and the use variance request at their April 9th meeting. The Plan Commission voted 7-0 to forward the use variance request to the BZA with a positive recommendation. The Plan Commission found that the proposed use variance does not interfere with the Comprehensive Plan.

**Comprehensive Plan:** The Comprehensive Plan designates this property as Mixed Urban Residential. This district was intended to protect the existing built-out core neighborhoods while encouraging small scale redevelopment opportunities. This petition is predominantly residential in nature, but is providing ground floor commercial space as required. The inclusion of commercial space with this petition provides a neighborhood serving commercial use immediately adjacent to core residential neighborhoods as desired with the Comprehensive Plan.

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**20.09.140 CRITERIA AND FINDINGS FOR USE VARIANCE:**

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

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

**Proposed Finding:** The Department finds no injury with the use variance request for one ground floor unit. The prohibition of ground level units was intended to achieve a mix of uses along commercial corridors and that is still provided with this petition by the inclusion of ground floor commercial space. The Department also finds the area to have an adequate mix of uses due to the surrounding commercial developments.

*(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:** The Department finds no adverse impacts associated with the proposed use variance. The surrounding uses are predominantly multifamily and single family and are compatible with the residential component of this proposal.

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

**Proposed Finding:** The Department finds peculiar condition in that the small size of the site limits possible development and density options and requiring an elevator for such a small development is impractical. The requirement for an ADA accessible dwelling unit further complicates the redevelopment of this size restricted parcel.

*(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:** The Department finds the strict application of the Unified Development Ordinance will place an unnecessary hardship in that there are adequate commercial services surrounding the site and the inclusion of one ground floor dwelling unit will not negatively reduce the amount of commercial space provided. In addition, this site is not located directly on 10<sup>th</sup> Street and sits back from the corridor.

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

**Proposed Finding:** The Plan Commission found that this proposal does not substantially interfere with the Comprehensive Plan. The Comprehensive Plan designates this property as Mixed Urban Residential. The Comprehensive plan calls out for mixed-use development along the edges of neighborhoods and along arterial roads, which this proposal meets.

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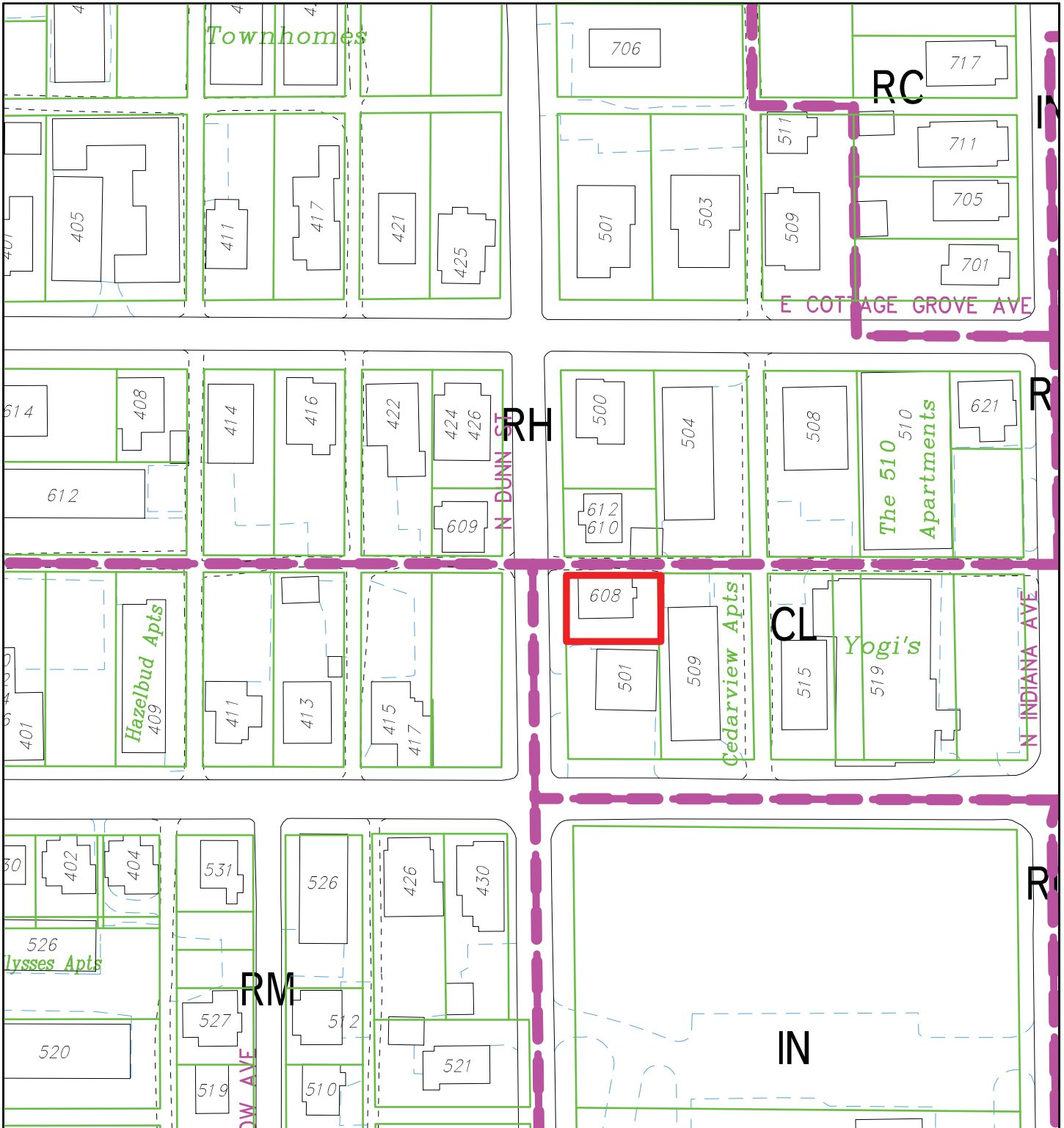
**CONCLUSION:** The Plan Commission found that the proposed use does not substantially interfere with the intents of the Comprehensive Plan. The proposal still provides a mixed use building, even though the building contains a single ground floor apartment. The petition will allow infill development with a scale and massing that is appropriate for the surrounding area. Furthermore, the requirement for the commercial use of ground floor space within this district was to ensure that properties along major roadways were not unduly used for solely residential use rather than mixed-use, as encouraged by the Comprehensive Plan. Commercial space is provided with this petition, in addition to the ground floor apartment and the site does not front on 10<sup>th</sup> Street.

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**RECOMMENDATION:** The Department recommends that the Board of Zoning Appeals adopt the proposed findings and approve the variance with the following condition:

1. This approval allows for one ground floor dwelling unit as depicted on the submitted floor plan and site plan. No other ground floor unit is approved.





**UV-08-18** David Howard

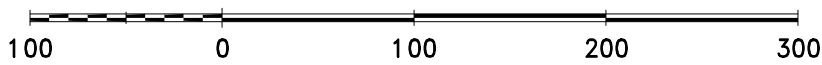
608 N Dunn Street

Plan Commission

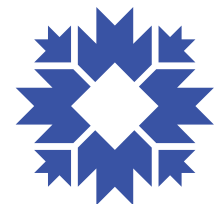
Site Location, Zoning, Parcels

By: greulice

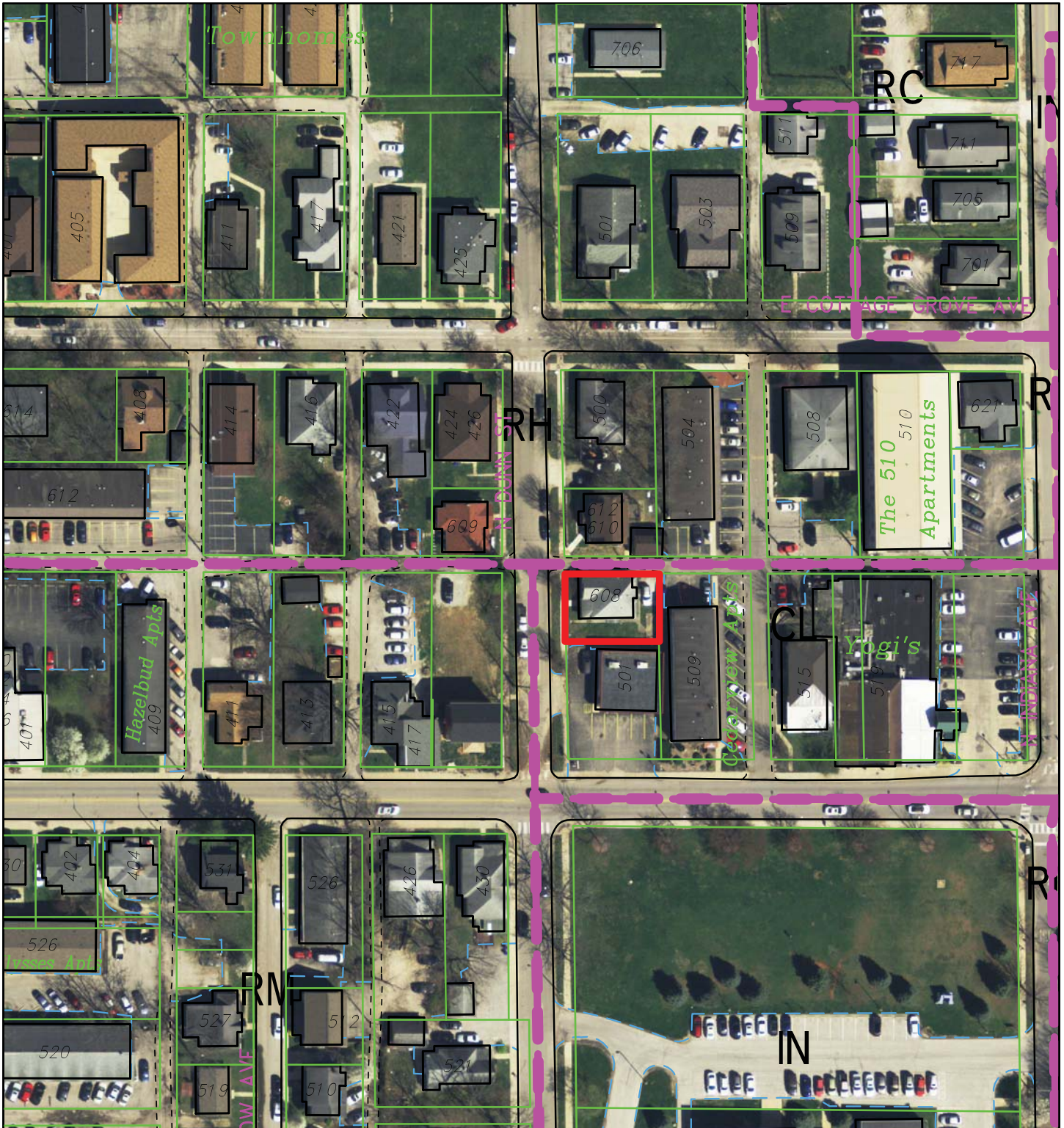
6 Apr 18



City of Bloomington  
Planning & Transportation



Scale: 1" = 100'



**UV-08-18** David Howard

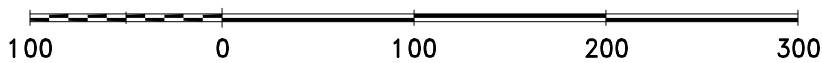
608 N Dunn Street

Plan Commission

2016 Aerial Photograph

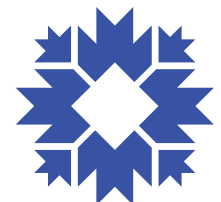
By: greulice

6 Apr 18



For reference only; map information NOT warranted.

City of Bloomington  
Planning & Transportation



Scale: 1" = 100'

# Petitioner Statement

Date: March 8, 2018

To: City of Bloomington Planning & Transportation Department

From: Matt Ellenwood, Architect on behalf of David Howard, Applicant

Re: Use Variance for 608 N Dunn Street

Attn: City of Bloomington Plan Commission

This letter is to request approval for a use variance to allow the inclusion of (1) ground floor residential unit to satisfy state and federal building code requirements that require an accessible 'Type B' unit within structures that contain more than 3 residential units. The property is at 608 N Dunn Street and is to be located and built as shown in the provided site and building plans.

A variance is sought because the current UDO for CL zones limits ground floor use to commercial uses other than residential. We believe the proposed design meets the intent of the UDO's Commercial Limited District guidelines, which are to "promote the development of small scale, mixed use urban villages with storefront retail, professional office and residential uses." All other development requirements (including setbacks, height, max. impervious surface, etc.) will be met.

Thank you for your time and consideration of this application.

Sincerely,

A handwritten signature in black ink, appearing to read "Matt Ellenwood". The signature is fluid and cursive, with the first name "Matt" and last name "Ellenwood" clearly distinguishable.

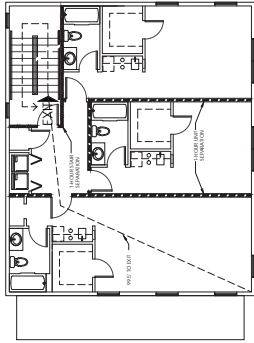
Matt Ellenwood, Architect  
Matte Black Architecture

On behalf of:

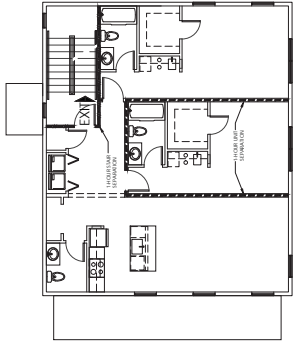
David Howard, Applicant



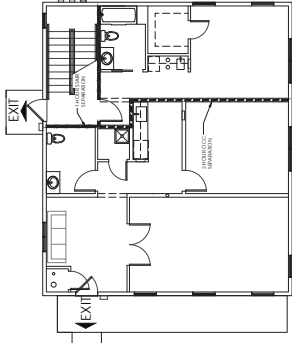
# 608 NORTH DUNN ST. MIXED-USE



THIRD FLOOR PLAN



SECOND FLOOR PLAN



FIRST FLOOR PLAN

REFERENCE BUILDING SECTION SHEET FOR RATED FLOORS

03 FIRE SEPARATION / LIFE SAFETY PLAN

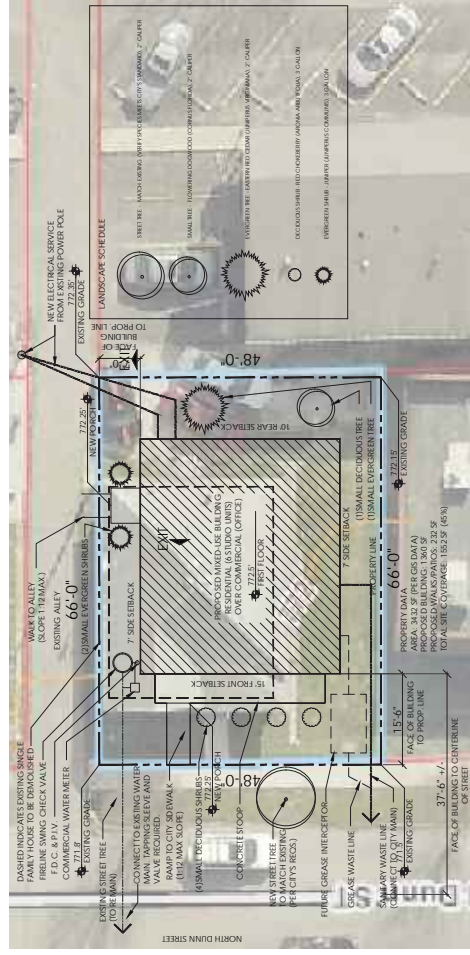
A1.0 SCALE: N.T.S.



**PROPERTY INFORMATION:**  
 PROJECT ADDRESS: 608 N. DUNN ST. BLOOMINGTON, IN 47408  
 LEGAL DESCRIPTION: UNIVERSITY PARK PL PLOT 1



PROJECT SITE



01 SITE PLAN

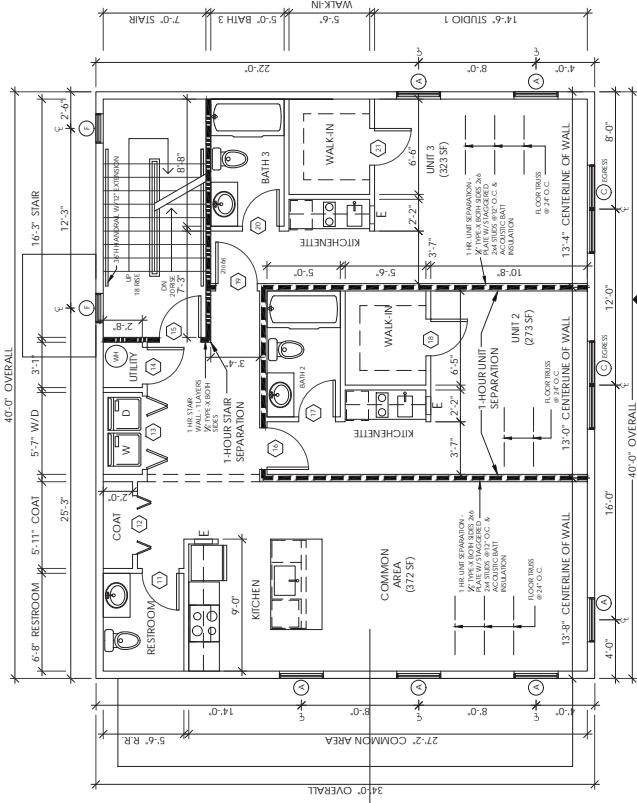
A1.0 SCALE: 1" = 10'-0"

- GENERAL NOTES (APPLICABLE TO ALL TRADES):**
- ALL WORK TO BE IN ACCORDANCE WITH THE CURRENT AND INTERPRETATIONS OF THE LOCAL BUILDING OFFICIAL.
  - THESE DRAWINGS AND ALL NOTES ARE INTENDED TO SET MINIMUM STANDARDS OF CONSTRUCTION. IF THERE IS A CONFLICT BETWEEN DRAWINGS, NOTES OR SPECIFICATIONS, THE MORE STRINGENT SHALL PREVAIL.
  - CHECK AND VERIFY ALL DIMENSIONS IN THE FIELD AND ADJUST CORRECTIONS TO ARCHITECT OF ANY DISCREPANCIES.
  - ALL EXISTING DIMENSIONS ARE TO OUTSIDE FACE OF WINDOW AND CENTER OF COLUMN, UNLESS OTHERWISE NOTED. DIMENSIONS ARE TO FACE OF STUDS AND FACE OF CHIMNEY, UNLESS OTHERWISE NOTED.
  - PROVIDE ALL NECESSARY TEMPORARY SUPPORT FOR WALLS, FLOORS AND ROOFS PRIOR TO COMPLETION OF FOUNDATION, VERTICAL, AND GENERAL CONSTRUCTION.

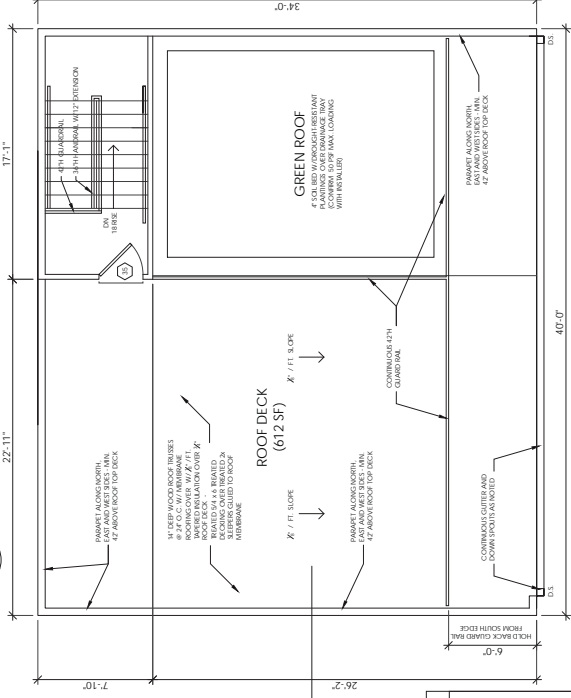
- DRAWING SHEET INDEX:**
- A1.0 CODE REVIEW, SITE PLAN & SHEET INDEX
  - A2.0 FIRST, SECOND & THIRD FLOOR PLANS
  - A2.1 FOUNDATION PLAN AND SCHEDULES
  - A3.0 BUILDING ELEVATIONS
  - A3.1 BUILDING SECTION
  - E1.0 ELECTRICAL & HVAC PLANS
  - P1.0 PLUMBING PLANS
  - P1.1 PLUMBING RISER DIAGRAMS

**CODE REVIEW**

CODE ITEM	CODE REFERENCE	VALUE	ALLOWABLE
OCCUPANCY TYPE	SECTION 901	GROUP B	ALLOWABLE
CONSTRUCTION TYPE	TABLE 603.1	V-8	B - 2 STORES
SPRINKLER SYSTEM	TABLE 603.1	SPRINKLED (MPS) [B-C-C-C] (R-C-C-C)	B - 3 STORES
FIRE RESISTANCE RATING	TABLE 601 & 602	1 HOUR REQUIRED AT BEAMS WALL AND CEILING	60' (60')
UNDEIRLING DRIFT SEPARATION (FLOOR/CEILING)	SECTION 708.3 & 711.3	1 HOUR REQUIRED, SEE PLANS & SECTION	35 STORES MAX. (ADDITIONAL 1 STORY, 60' MAX. BALDING HEIGHT INCREASE IS ALLOWED)
OCCUPANCY SEPARATION (FLOOR/CEILING)	TABLE 508.4	2 HOUR REQUIRED (SEE PLANS AND BUILDING SECTIONS)	4 (H) FLOORS
INTERIOR EXITS/STAIRWAYS	SECTION 1022.2 & TABLE 714.5	1 HOUR	1 PROVIDED (SEE PLANS) (125' MAX TRAVEL)
BUILDING DATA	TABLE 503	ACTUAL	150' (TO EXTERIOR) 125'
MAXIMUM HEIGHT	TABLE 503	38'9"	B - 2 STORES
MAXIMUM AREA	SECTION 901.2	1 HOUR	B - 2 STORES
AUTOMATIC SPRINKLER INCREASE	SECTION 901.2	1 HOUR	B - 2 STORES
TOTAL FLOOR AREA	SECTION 1007.1 (ACCESSIBLE MEANS OF EGRESS)	1380 SF FLOOR (151 R2 7100 SF)	B - 2 STORES
# OF EXITS (ACCESSIBLE MEANS OF EGRESS)	SECTION 1007.1 (ACCESSIBLE MEANS OF EGRESS)	1 PROVIDED (SEE PLANS) (125' MAX TRAVEL)	B - 2 STORES
MAX. EXIT ACCESS TRAVEL DISTANCE	TABLE 1004.2	99.9' (TO EXTERIOR)	B - 2 STORES
OCCUPANCY LOAD	TABLE 1004.2	100 GROSS - 8 OCC AT 1ST FLOOR	B - 2 STORES
TYPE B UNIT AT R-2	SECTION 1004.2	INDIANA AVENTURES	B - 2 STORES



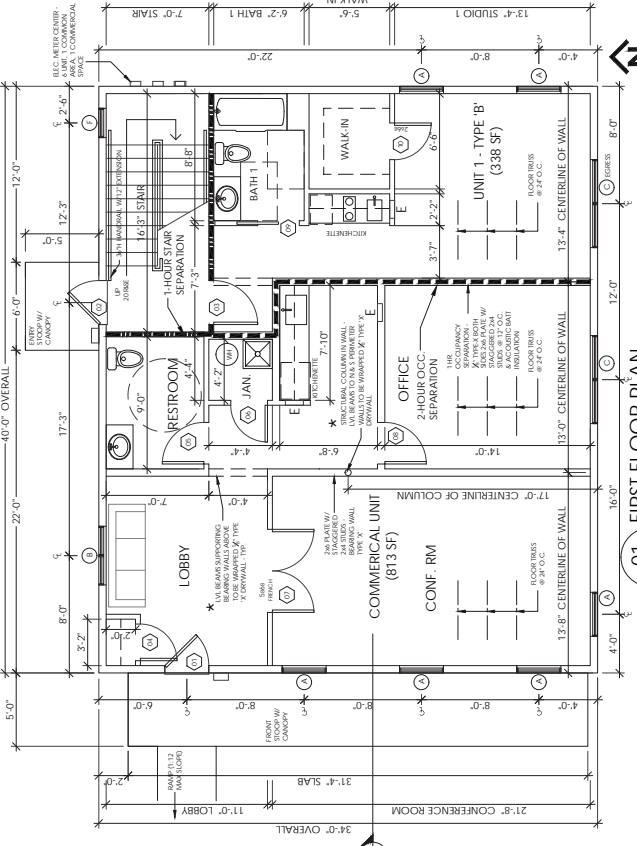
**02 SECOND FLOOR PLAN**  
 SCALE: 1/4" = 1'-0"



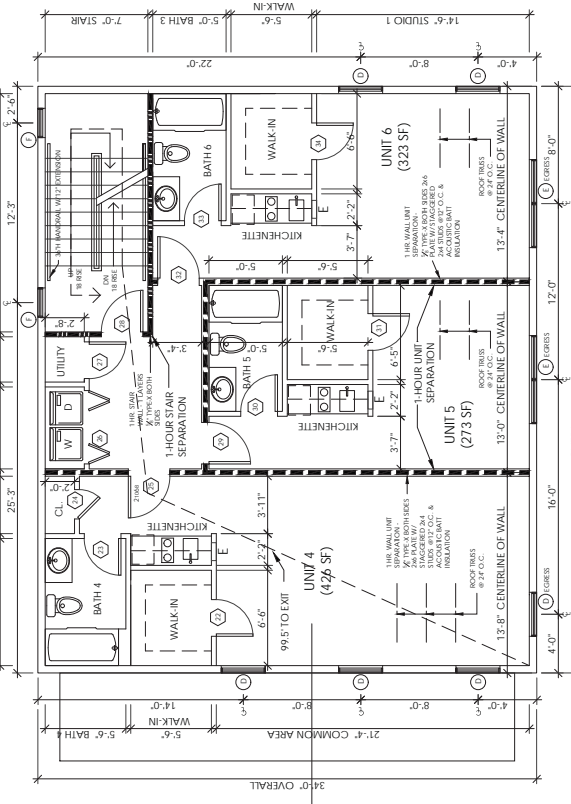
**04 ROOF PLAN**  
 SCALE: 1/4" = 1'-0"

**LEGEND**

- NEW 2x STUD WALLS
- THIS WALL USE SEPARATION BEARING WALLS
- 1/2" TYPE A BOTH SIDES 2x6 PLATE WITH SLAGGED 2x4 STUDS
- 1/4" TYPE A BOTH SIDES
- INDICATES CRITICAL NODE



**01 FIRST FLOOR PLAN**  
 SCALE: 1/4" = 1'-0"



**03 THIRD FLOOR PLAN**  
 SCALE: 1/4" = 1'-0"

**BLOOMINGTON BOARD OF ZONING APPEALS****CASE #: V-11-18****STAFF REPORT****DATE: April 19, 2018****Location: 1901 S. Rogers Street**

---

**PETITIONER: South Central Indiana Housing Opportunity  
1007 N. Summit Street, Bloomington****CONSULTANT: Smith Brehob & Associates, Inc.  
453 S. Clarizz Blvd, Bloomington**

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**REQUEST:** The petitioner is requesting a variance from front yard parking setback standards to allow the construction of a 16-unit, multi-family apartment building.

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**STAFF REPORT:** This 0.62 acre property is located at 1901 S. Rogers Street and is zoned Residential High-Density Multifamily (RH). Surrounding land uses include the Switchyard Park to the north and east, single family residences to the west, and a mobile home park to the south. The building has been most recently used as a single family residence, but has been vacant for several years. This property was rezoned under #ZO-21-17 and received subdivision approval under Plat Committee case #DP-22-17.

The petitioner is proposing to demolish the current building in order to construct a new apartment complex that will consist of 2 buildings with a total of 16 units and 28 bedrooms. A surface parking lot with 8 parking spaces, including 4 handicap accessible spaces, is also proposed. The project will be developed in 2 phases and the western building, detention area, and parking area will be constructed with the first phase. A new concrete sidewalk and street trees will be installed along the property frontage as required. In addition, an interior sidewalk has been shown connecting this development and the Switchyard Park to the east. A bus shelter has also been shown at the northwest corner of the site. A detention pond has been shown on the east side of the property to meet stormwater detention requirements and will be planted with a stormwater detention pond seed mix.

The petitioner is requesting a variance from front yard parking setback standards to allow the proposed parking area to be located 5' in front of the building rather than the required 20' setback behind the front of the building. The variance is being requested due to the change in topography that occurs on the site. There is an approximately 6' change in elevation that occurs approximately 70' into the portion of the site that the petitioner is utilizing for the parking area.

As part of the redevelopment of the site, the property must come into compliance with all sections of the UDO. Required site improvements include new street trees along both street frontages, planting new landscaping throughout the property, and installation of bike racks, all of which have been shown on the submitted plan.

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**SITE PLAN ISSUES:****Building Architecture/Design:** The building will be finished with either fiber cement



board siding or vinyl, both of these materials are allowed. The building has been designed to have matching architecture and window spacing along all four sides. The building meets the architectural requirements of the UDO.

**Access:** The parking area will be accessed by one drivecut on Rogers Street which meets the driveway separation requirements from an adjacent street which is over 150' away. The existing drivecuts will be removed and replaced with the required 5' wide concrete sidewalk.

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

**Parking:** The UDO allows for a maximum of one parking space per bedroom. There will be a total of 28 bedrooms with this project and 14 bedrooms with the first phase. There are 8 parking spaces shown and the site does not exceed the maximum number of parking spaces allowed.

**Pedestrian Facilities:** There is a sidewalk along the Rogers Street frontage that is in good condition. New sections of sidewalk will be installed when the existing drivecuts are removed. There is also a sidewalk connection to the front of the building from the sidewalk on the street. There will also be a sidewalk connection from this site to the Switchyard Park to the east.

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## CRITERIA AND FINDINGS FOR DEVELOPMENT STANDARDS VARIANCE

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

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

**PROPOSED FINDING:** The granting of the variance from the standards will not be injurious to the public health, safety, or morals. The location of the parking area within the parking setback does not place parking directly between the building and the street and the site will have a building forward design which is consistent with the intent of the UDO.

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

**PROPOSED FINDING:** No negative effects from this proposal are found on the use and value of the areas adjacent to the property. The location of the parking area does not hinder a pedestrian's ability to access the site nor place the parking directly between the building and the street.

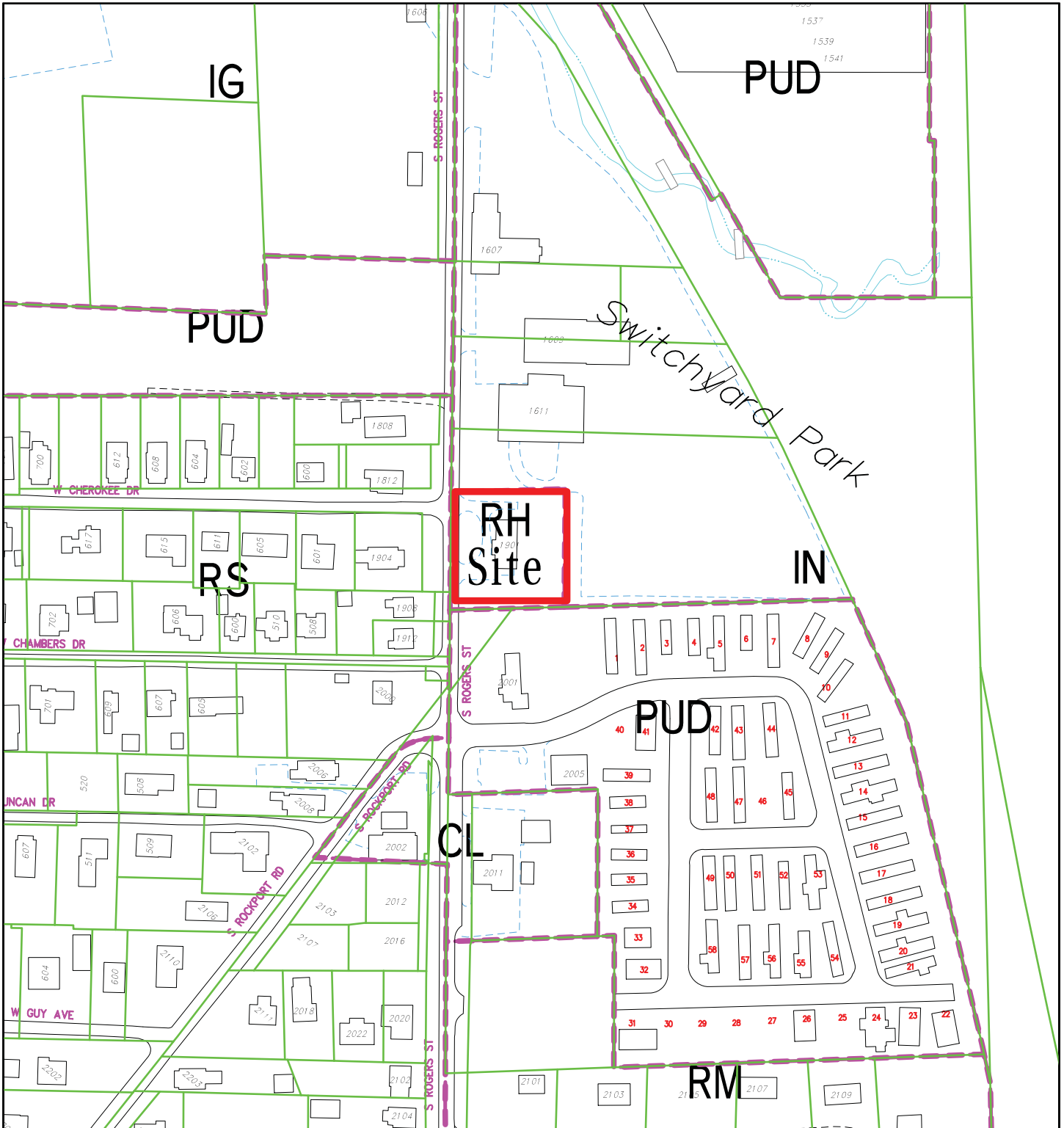
- 3) *The strict application of the terms of the Unified Development Ordinance will result in practical difficulties in the use of the property; that the practical difficulties are peculiar to the property in question; that the Development Standards Variance will relieve the practical difficulties.*

**PROPOSED FINDING:** The Department finds that the strict application of the UDO will result in practical difficulty in the use of the property in that requiring the parking area behind the building results in an inefficient site layout and allowing the parking area to be slightly in front of the building will allow the parking area and ADA parking spaces to be closer to the entrance of the building. Peculiar condition is also found in that there is an approximately 6' change in elevation that occurs approximately 70' into the site. The change in elevation creates difficulty in placing the parking in the required setback as it would require the use of excessive grading and retaining walls around the parking area. The site is providing only 8 parking spaces and is not a substantial amount of parking for a small site.

---

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

1. A maximum of 8 parking spaces is approved.
2. A grading permit is required prior to any soil disturbance.
3. Parking locations are approved only as shown on the submitted site plan.
4. The previous access driveways for the site must be completely removed and replaced with a 5' concrete sidewalk and tree plot.
5. Street trees to be approved by the City Urban Forester prior to approval of the grading permit.



V-11-18 South Central Indiana Housing Opportunity

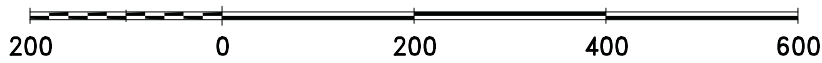
1901 S Rogers Street

Board of Zoning Appeals

Site Location, Zoning, Parcels

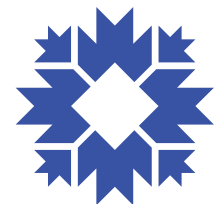
By: greulice

13 Apr 18



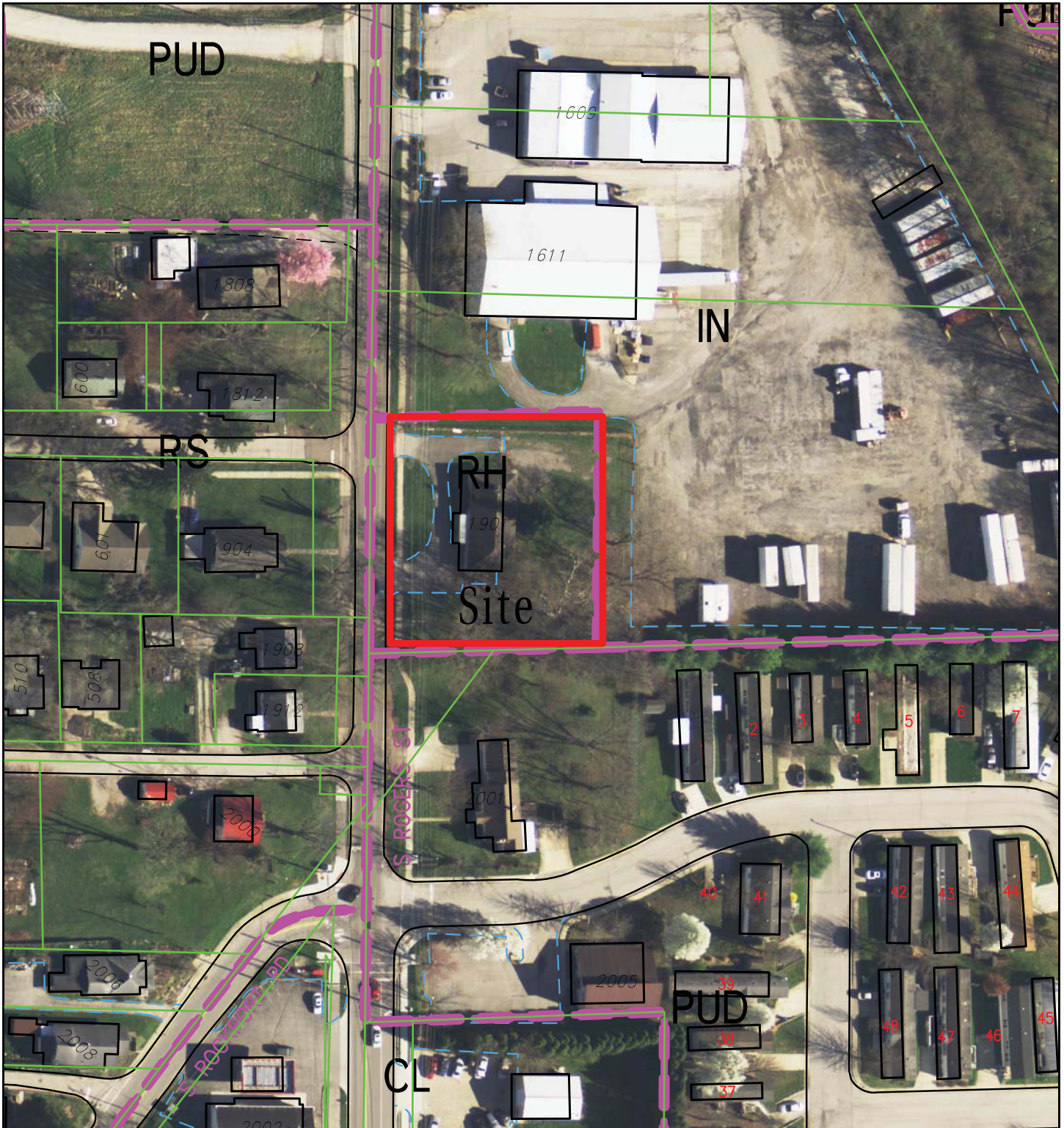
For reference only; map information NOT warranted.

City of Bloomington  
Planning & Transportation



Scale: 1" = 200'





V-11-18 South Central Indiana Housing Opportunity

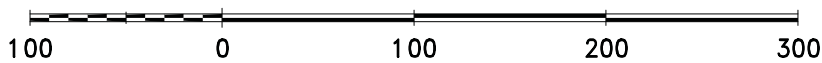
1901 S Rogers Street

Board of Zoning Appeals

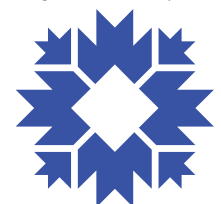
2016 Aerial Photograph

By: greulice

13 Apr 18



City of Bloomington  
Planning & Transportation



Scale: 1" = 100'

For reference only; map information NOT warranted.

Smith Brehob & Associates, Inc.



Stephen L. Smith, P.E., L.S.  
Steven A. Brehob, BS.CNT.  
Todd M. Borgman, PLS  
Don Kocarek, L.A.  
Katherine E. Stein, P.E.

“Providing professional land planning, design, surveying and approval processing for a quality environment”

March 21, 2018

Eric Greulich  
City of Bloomington Planning and Transportation  
401 N. Morton Street  
Bloomington, IN. 47404

Re: Switchyard Apartments – 1901 S. Rogers Street

Dear Eric,

On behalf of our client, South Central Indiana Housing Opportunity and it's Executive Director Deborah Myerson, we respectfully request to be placed on the agenda for the April 19th meeting of the City of Bloomington Board of Zoning Appeals for consideration of a front yard parking setback.

Details of the request and proposed site development are contained in the attached Petitioner's Statement. Also attached are building elevations, a site plan, application form and application fee. Should you have any questions regarding our submission, please contact me.

Sincerely,

Steven A. Brehob  
Smith Brehob & Associates, Inc.

Cc 5505 Approval processing  
J:\5505\approval processing\BZA Application letter.



Smith Brehob & Associates, Inc.



Stephen L. Smith, P.E., L.S.  
Steven A. Brehob, BS.CNT.  
Todd M. Borgman, PLS  
Don Kocarek, L.A.  
Katherine E. Stein, P.E.

“Providing professional land planning, design, surveying and approval processing for a quality environment”

**Switchyard Apartments  
1901 S. Rogers  
Petitioner’s Statement**

**Location** – The project site is located on a 0.60 acre parcel of land on the east side of S. Rogers Street. The property’s physical address is 1901 S. Rogers Street. The site is also immediately west of the City of Bloomington’s proposed Switchyard Park

**Development** – The project will likely be developed in two phases. The first phase will consist of 1 building containing 8 apartments and 8 surface parking spaces. Sidewalk connections will be made to the Switchyard Park. A bus stop shelter is included in the project along S. Rogers Street. The project also includes vegetable garden space for the tenants in an interior courtyard as well as a rain garden for water quality mitigation for runoff from the building’s roof.

The second phase of the project will add 8 more units in a second building. Additional parking will be provided through a shared parking arrangement with the City of Bloomington Parks Department within the Switchyard Park parking lots nearest the site.

The development meets impervious surface coverage requirements for Phase 1 as well as for complete build-out during Phase 2.

**Variance Request** – The zone in which the development is located requires a 15’ front yard building setback. Parking must be set back 20’ behind the front wall line of the building. Complying with this zoning requirements results in the western edge of the parking lot being located 35’ back from the property line. Because of the size of the site, adhering to this standard results in the loss of two parking spaces and or causes the need for additional setback requests (side yard parking). It also impacts the ability to include a second building on the site in Phase 2.

Parking is at a premium for this site. All 4 of the ground floor units are accessible units and will likely be occupied by a disabled person. Second floor units are not accessible. An elevator is not included in the building construction. Though some of these people may not have a vehicle and some of the disabled people on the first floor may not have a vehicle, many of the residents will have a health or personal services aide with them during the day. Parking for that person is necessary on site. The loss of any parking on site creates a serious hardship.



“Providing professional land planning, design, surveying and approval processing for a quality environment”

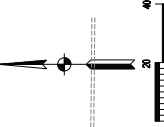
As currently designed, the western edge of the parking lot is set 5' in front of the building or on the minimum building setback line. It may be possible to shift the building up to the minimum building setback line but due to the City's desire to include a bus stop shelter on this site, the building was pushed back to provide some separation between the bus stop and the living space of the residential unit nearest its location. Regardless, the need for the front yard parking setback variance would still be present.

**Mitigation** – Landscaping to screen the parking area can be added between the parking area and the public sidewalk. Landscaping can also be included in the side yard setback to the south of the parking lot to further screen the lot from view of northbound vehicles along S. Rogers Street.



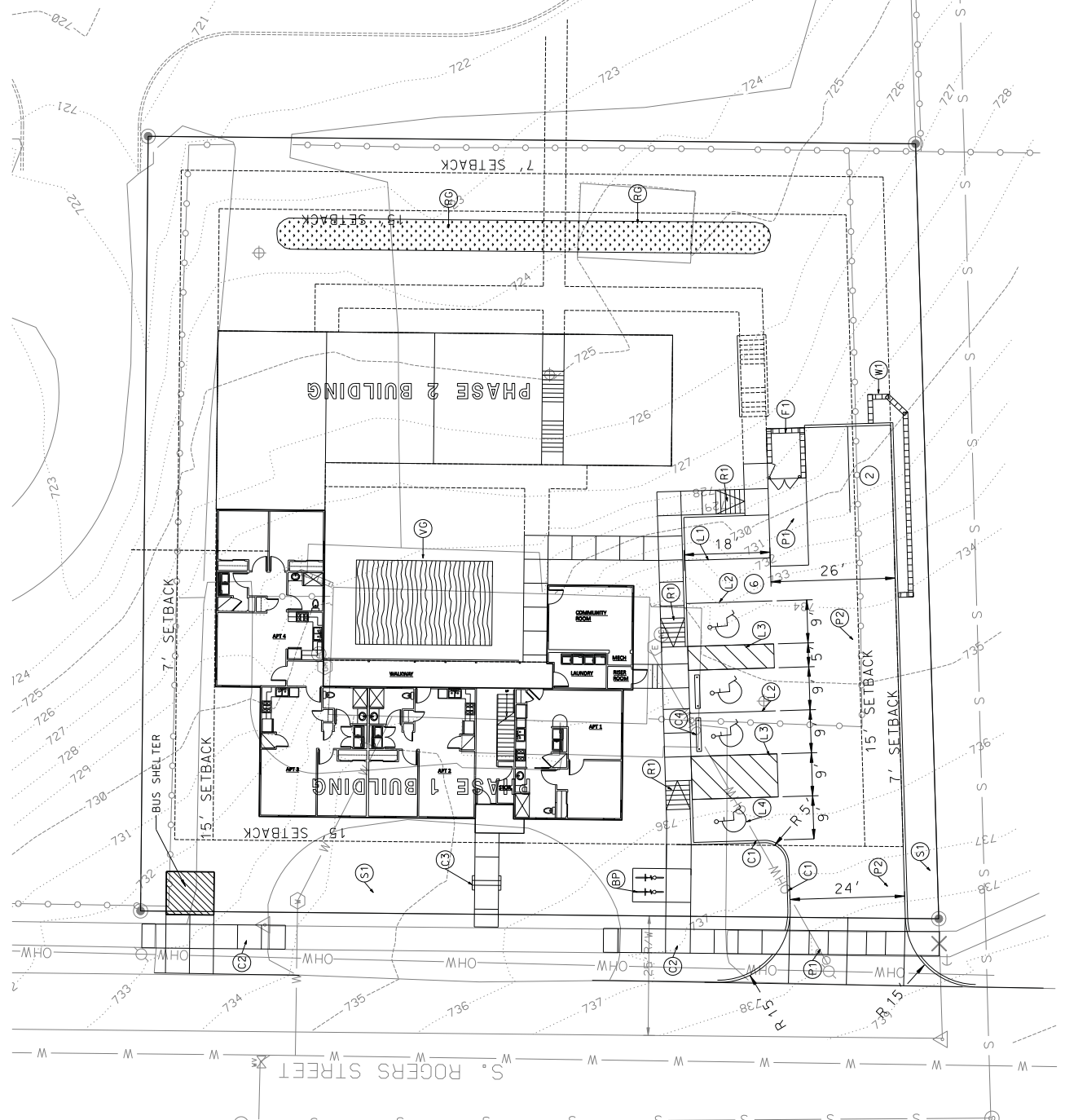
NO.	DATE	BY	DATE

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DATE	04/03/18



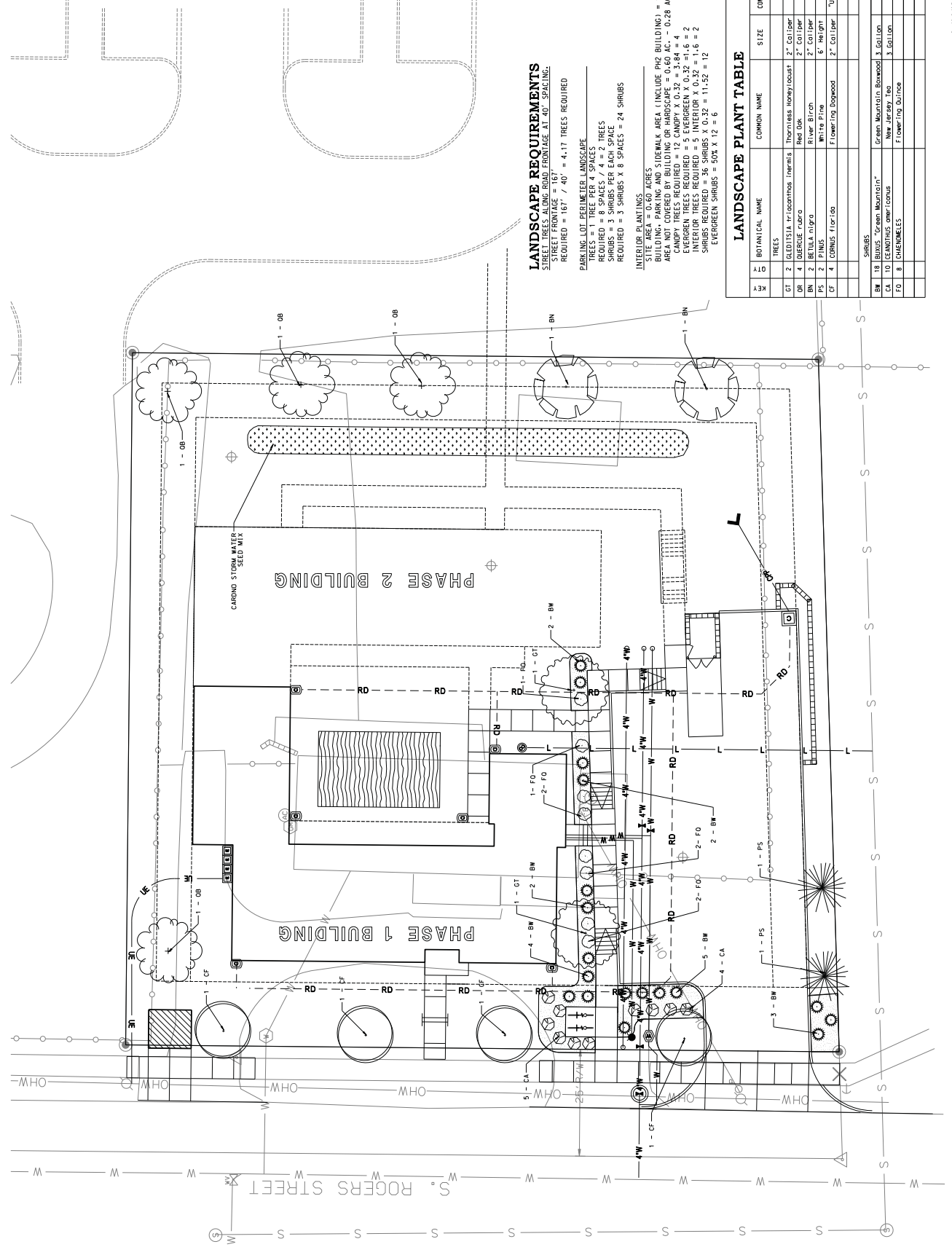
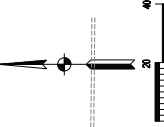
- SITE LEGEND**
- 1. 1" CONC. CURB
  - 2. 2" CONC. AND OUTER CURB
  - 3. 4" CONC. CURB
  - 4. 4" COMPACTED AGGREGATE BASE #51, TYPE "0"
  - 5. 6" STANDING CURB
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  - 100. 6" CONC. CURB

- MATERIALS LEGEND**
- 1. CONCRETE SLAB
  - 2. 6" THICK, 4000 PSI CONCRETE
  - 3. 1" HAWK SURFACE ON 1" HAWK BASE
  - 4. 1" HAWK SURFACE ON 1" HAWK BASE
  - 5. 1" HAWK SURFACE ON 1" HAWK BASE
  - 6. 1" HAWK SURFACE ON 1" HAWK BASE
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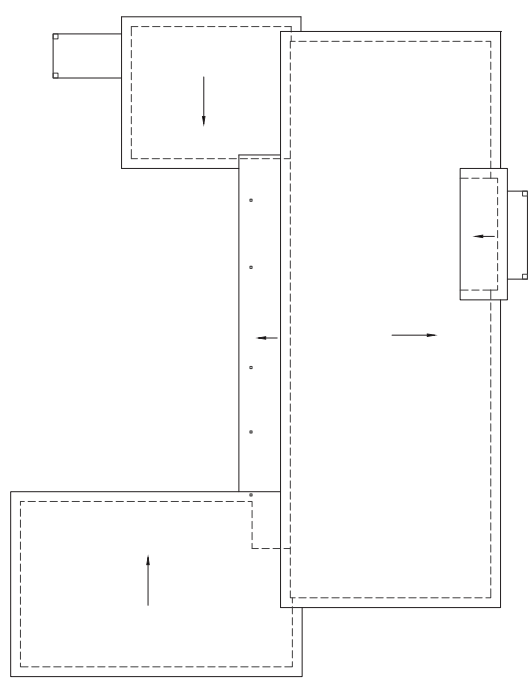


**LANDSCAPE REQUIREMENTS**  
 STREET TREES ALONG ROAD FRONTAGE 21.40' SPACING  
 REQUIRED = 167' / 40' = 4.17 TREES REQUIRED  
 PARKING LOT PERIMETER LANDSCAPE  
 REQUIRED = 1 TREE PER 4 SPACES  
 TREES = 1 TREE PER 4 SPACES  
 SHRUBS = 3 SHRUBS PER EACH SPACE  
 REQUIRED = 3 SHRUBS X 8 SPACES = 24 SHRUBS

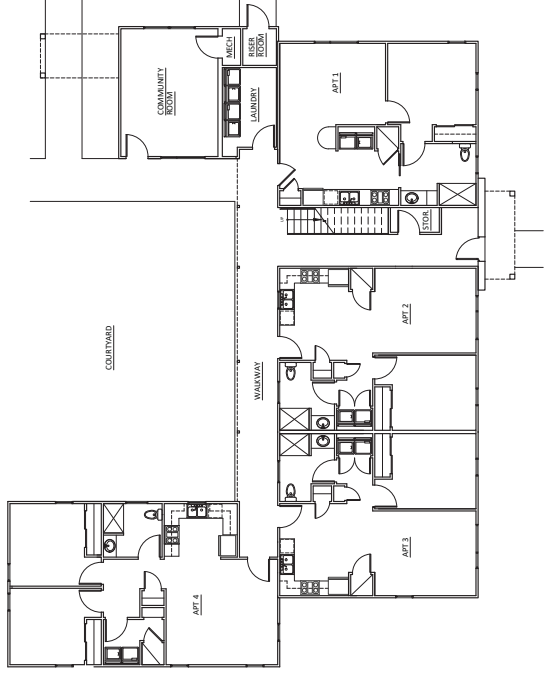
**INTERIOR PLANTINGS**  
 SITE AREA = 0.60 ACRES  
 BUILDING, PARKING AND SIDEWALK AREA (INCLUDE PH2 BUILDING) = 12,464 SF (0.28 AC)  
 AREA NOT COVERED BY BUILDING OR HARDSCAPE = 0.60 AC. = 0.28 ACRES = 0.32 ACRES  
 CANOPY TREES REQUIRED = 12 CANOPY X 0.32 = 3.84 = 4  
 INTERIOR TREES REQUIRED = 5 INTERIOR X 0.32 = 1.6 = 2  
 SHRUBS REQUIRED = 36 SHRUBS X 0.32 = 11.52 = 12  
 EVERGREEN SHRUBS = 50% X 12 = 6

**LANDSCAPE PLANT TABLE**

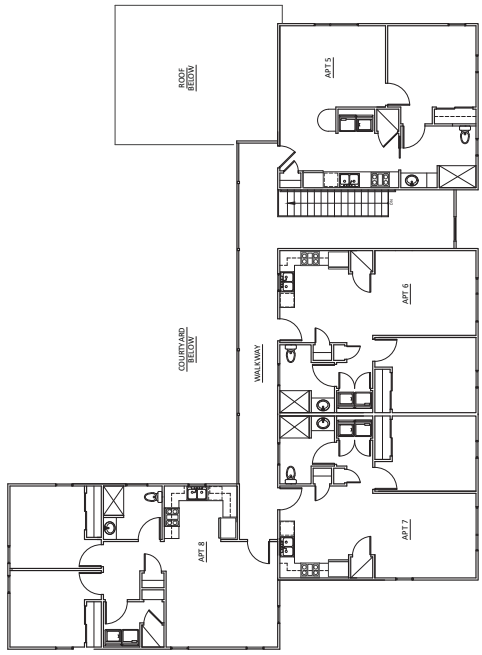
KEY	BOTANICAL NAME	COMMON NAME	SIZE	COMMENTS
GT	TREES			
2	BLEDOTIA triocantha	Thornless Honeylocust	2" Calliper	
OR	QUERCUS rubra	Red Oak	2" Calliper	
BN	BETULA nigra	River Birch	2" Calliper	
PS	PINUS	White Pine	6" Height	
CF	CORNUS flor-ida	Flowering Dogwood	2" Calliper	"0111-tree"
	SHRUBS			
BW	BIBUS "Green Mountain"	Green Mountain Boxwood	3 Gallon	
CA	TOXENANDRUS acer-ronus	New Jersey Tea	3 Gallon	
FO	CHENOMELES	Flowering Quince		



C ROOF PLAN  
SCALE: 1/8" = 1'-0"



A FLOOR PLAN  
SCALE: 1/8" = 1'-0"



B FLOOR PLAN  
SCALE: 1/8" = 1'-0"



certified

PROJECT TITLE  
SOUTH CENTRAL INDIANA HOUSING OPPORTUNITIES  
PHASE 1  
SWITCHYARD APARTMENTS  
SOUTH ROGERS STREET  
BLOOMINGTON, IN

PROJECT INFORMATION  
PROJECT NUMBER: 17-69  
ISSUE DATE: 04.05.2018  
REVISION DATE:  
SHEET 08B

ELEVATIONS  
SHEET NUMBER



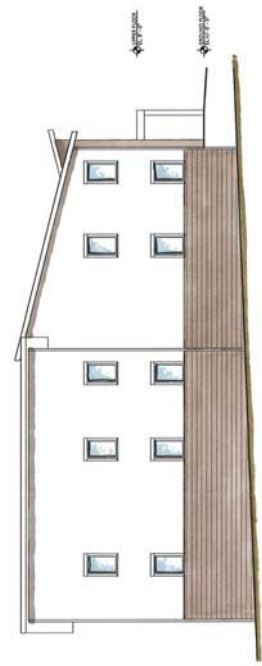
EAST  
ELEVATION  
SCALE: 1/8" = 1'-0"



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



SOUTH  
ELEVATION  
SCALE: 1/8" = 1'-0"



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