

CITY OF BLOOMINGTON



September 19, 2018 @ 2:00 p.m.
CITY HALL -
KELLY CONFERENCE ROOM #155

CITY OF BLOOMINGTON
HEARING OFFICER
September 19, 2018 at 2:00 p.m.

*Kelly Conference Room #155

PETITIONS:

V-23-18

Blake Construction, LLC

601, 603, 607 E. Miller Dr.

Request: Variance from front yard building and front yard parking setback standards to allow the construction of six (6) multi-family units.

Case Manager: Eric Greulich

****Next Meeting: October 3, 2018**

Auxiliary aids for people with disabilities are available upon request with adequate notice. Please call 812-349-3429 or E-mail human.rights@bloomington.in.gov.

BLOOMINGTON HEARING OFFICER
LOCATION: 601, 603, 607 E Miller Drive

CASE #: V-23-18
DATE: September 19, 2018

PETITIONER: Blake Construction, LLC
 8560 S. Fairfax Rd, Bloomington

REQUEST: The petitioner is requesting a variance from front yard building and parking setback standards to allow the construction of 6 multi-family units.

REPORT: The properties are located at the northeast corner of S. Henderson Street and E. Miller Drive and are zoned Residential Multifamily (RM). Surrounding land uses include single family residences to the north, multi-family residences to the east, the City of Bloomington Utilities Department building to the south, and offices to the west. The petition site consists of 3 platted lots with each lot currently containing one single family residence.

The petitioner is proposing to redevelop the properties by removing the existing buildings and constructing one new building that will have 6 units. There will be 5, 2-bedroom units and 1, 1-bedroom unit for a total of 11 bedrooms. Parking will be provided behind the building with 11 surface parking spaces. Bicycle parking for 4 parking spaces will be provided on a concrete pad to the east of the building. A new 5' wide concrete sidewalk and tree plot with street trees will be installed along Miller Drive as required. The petitioner is also required to install a 10' wide asphalt sidepath along Henderson Street and will be coordinating with the City as part of the City's upcoming plans to install a sidepath along the east side of Henderson Street along this corridor.

The front yard building setback requirement in this zoning district is 15' from the proposed right-of-way or the block face average, whichever is more. Henderson Street is classified as a Secondary Arterial road (80' required right-of-way) creating a setback requirement of 55' from centerline. Miller Drive is classified as a Secondary Collector road (55' required right-of-way) creating a setback requirement of 42.5' from centerline. The block face average is not more than the 15' setback requirements from centerline, so those distances are what would be the required building setbacks. The required front and side yard setbacks would make the western most lot unbuildable. Meeting the setback requirement from Miller Drive would require the townhomes to be constructed much further into the lot than what is desired for a building forward design and would not leave enough area for parking in the rear.

The petitioner is requesting a variance from the required 55' front yard building setback from the centerline of Henderson Street to allow a 49' setback and from the required 42.5' front yard building setback from the centerline of Miller Drive to allow a 25' setback. Also requested is a variance from the front yard parking setback in order to allow a 10' setback rather than the required 20' setback.

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:

Building Setback: No injury is found with this petition. The proposed buildings will not be in the right-of-way. Placing the buildings closer to the street provides a more pedestrian friendly design and is more in keeping with the general site design guidelines of the community.

Parking Setback: No injury is found with the granting of this variance. The location of the spaces 10' behind the building will not be injurious to the public health, safety, morals, or general welfare. The proposed site plan still has a building forward design which was the goal of the development standards.

- 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:

Building Setback: No negative effects from this proposal on the areas adjacent to the property are found. The granting of the building setback variance will actually increase the distance from these units and the adjacent single family residences to the north and thereby decreasing impacts.

Parking Setback: No negative effects from this proposal on the areas adjacent to the property are found. A type 1 buffer yard is required between this site and the adjacent properties to the north which adds an additional 10' setback onto the rear yard base setbacks and requires additional landscaping, these 2 requirements help buffer this use from the adjacent single family uses to the north.

- 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:

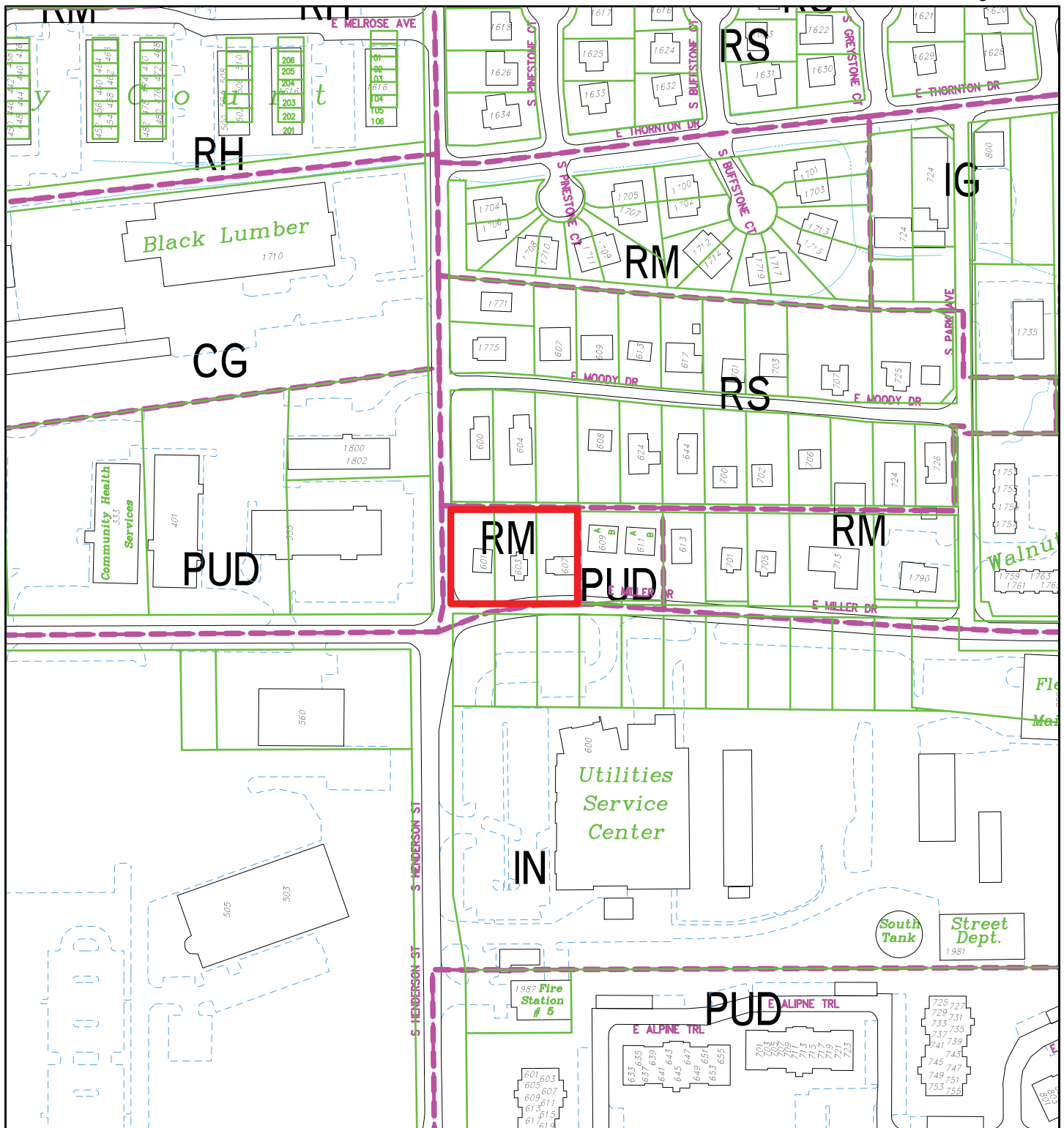
Building Setback: Practical difficulty is found in that the required setback from Henderson Street makes the western most lot unbuildable and it is only by developing these lots together that it can be utilized. Although Henderson Street is classified as

a secondary collector, it is extremely unlikely that the road will be widened for additional travel lanes. In addition, once the sidepath is installed along this property frontage there will not be any further pedestrian improvements along this corridor so there will not be a need for additional right-of-way acquisition on the property. The required setback along Miller Drive also places the buildings much further from the street than is desired. Miller Drive is not centered in the right-of-way and is in fact mostly located south of the platted right-of-way, which places the buildings even further from the road if setbacks are met. Peculiar condition is found in the combination of the required setback from Henderson Street and size of the lots which would make one of the lots unbuildable. Peculiar condition is also found in that Miller Drive is located south of the platted right-of-way and therefore adjacent road improvements and pedestrian facilities are not needed within the technical proposed right-of-way as determined by the centerline of the platted right-of-way.

Parking Setback: Practical difficulty is found in that the required setback for the building pushes the buildings further north into the lot and does not allow the parking to meet the full 20' setback from the front of the building. Peculiar condition is also found in that the location of the property along a corner lot also creates practical difficulty since there are two sides of the property that are subject to the setback requirements of both building and parking. The small overall footprint of the lots does not leave room to meet all setback requirements. In addition, there is not on-street parking on either street frontage to provide any additional parking so all parking needs must be met on-site.

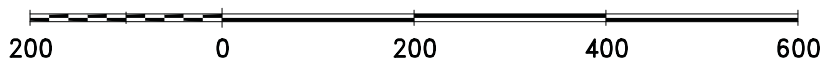
RECOMMENDATION: Based upon the written findings above, the Department recommends that the Hearing Officer adopt the proposed findings and recommends approval of V-23-18 with the following conditions:

1. The petitioners must obtain a building permit prior to construction.
2. This approval is for the submitted site plan only. Any modifications may require separate approval.



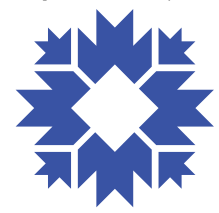
V-23-18 Blake Construction, LLC
 601, 603, 607 E Miller Drive
 Hearing Officer
 Site Location, Zoning, Parcels

By: greulice
 14 Sep 18

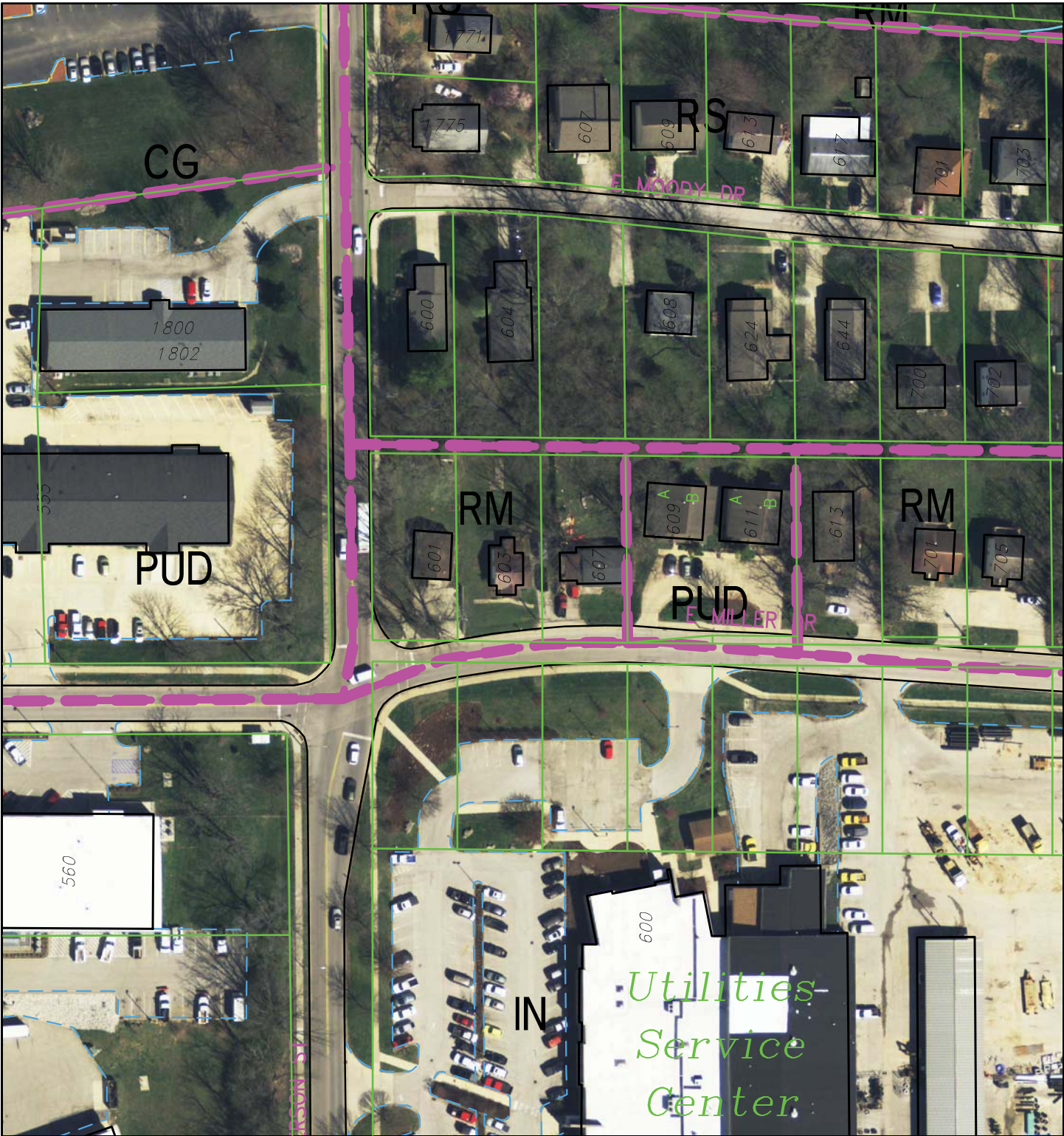


For reference only; map information NOT warranted.

City of Bloomington
 Planning & Transportation



Scale: 1" = 200'



V-23-18 Blake Construction, LLC

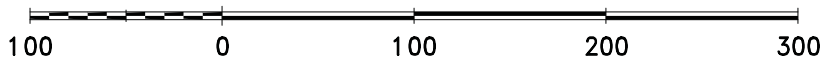
601, 603, 607 E Miller Drive

Hearing Officer

2016 Aerial Photograph

By: greulice

14 Sep 18



City of Bloomington
Planning & Transportation



Scale: 1" = 100'

For reference only; map information NOT warranted.

Smith Brehob & Associates, Inc.



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

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

July 16, 2018

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

RE: 601, 603 and 607 E. Miller Drive

Dear Eric,

On behalf of our client, Blake Construction, LLC, we respectfully request to be placed on the agenda for the August meeting of the City of Bloomington Hearing Officer for consideration of a front yard setback variance for the above referenced property.

Details of the project are contained in the attached petitioner's statement, plans and architectural information. Should you have any questions concerning or request, please contact me.

Sincerely,

Steven A. Brehob
Smith Brehob & Associates, Inc.

C:5650 Approval Processing

Smith Brehob & Associates, Inc.



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

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

Blake Barclay Gardens Lots 65-67 Petitioner's Statement

Location

The site is at the northeast corner of S. Henderson Street and E. Miller Drive on lots 65, 66 and 67 of the Barclay Gardens subdivision.

Zoning

The 3 lots are zone RM (residential multifamily) and permits development up to a density of 7 units per acre.

Proposed Density

The property is 0.55 acres in size. Permitted density is be 3.91 units. The project will include five 2-bedroom townhouses and one 1-bedroom townhouse. Using DUE's, this equates to a density of 3.55 units.

Setbacks

Front yard building setback is 15' from the proposed R/W or the block face average****

Side yard building setback is 15'

Rear yard building setback is 15'.

Parking setbacks are 20' behind the front wall line and 7' from side and rear.

A variance for front yard parking setback is required and described below.

Access

Access to the site will be provided by a single driveway connection to E. Miller Drive. The 3 existing driveway connections will be removed.

Impervious Surface Coverage

Lot impervious surface coverage limitation is 40%. The proposed siteplan utilizes permeable pavers in a portion of the parking lot to meet the requirement for the 11 parking spaces proposed.

Utilities

Water service will be provided by utilizing the 3 existing water meters on site and making 3 new taps on the City's main in Miller Drive. Sanitary sewer service will be provided by making a connection to the existing City sewer main in S. Henderson. Gas, electric, phone and cable are all available on or adjacent to the site.



Architecture

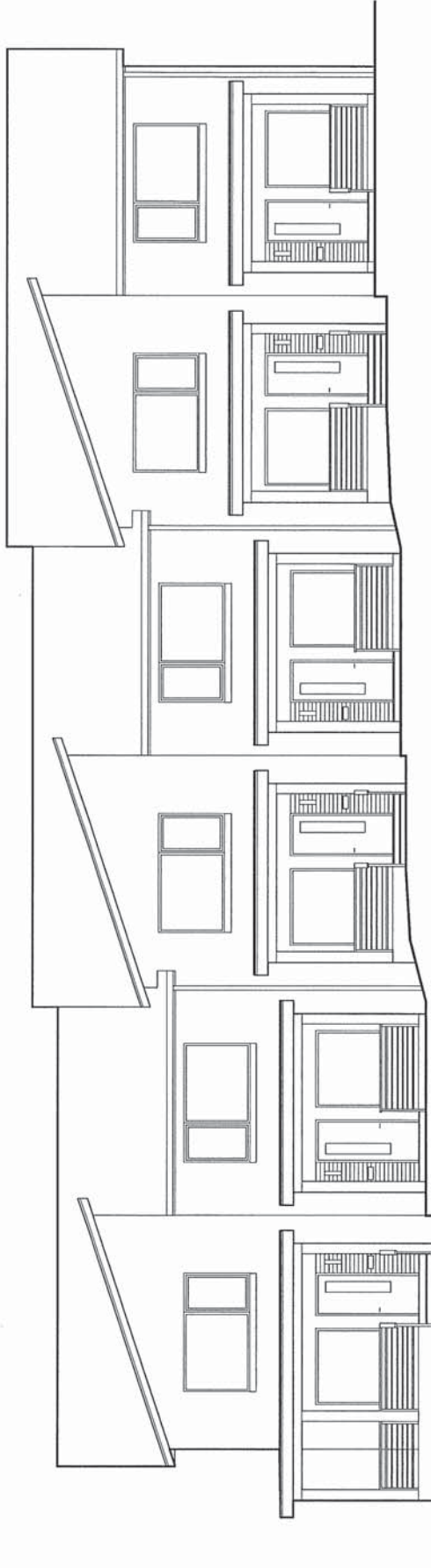
The project will consist of a single townhome building with 6 units. Units will “stair step up from west to east to follow grade. All units will include a covered front porch entry and a rear porch. The western most unit will have a wraparound porch to provide a street presence on both Henderson and Miller.

Variance

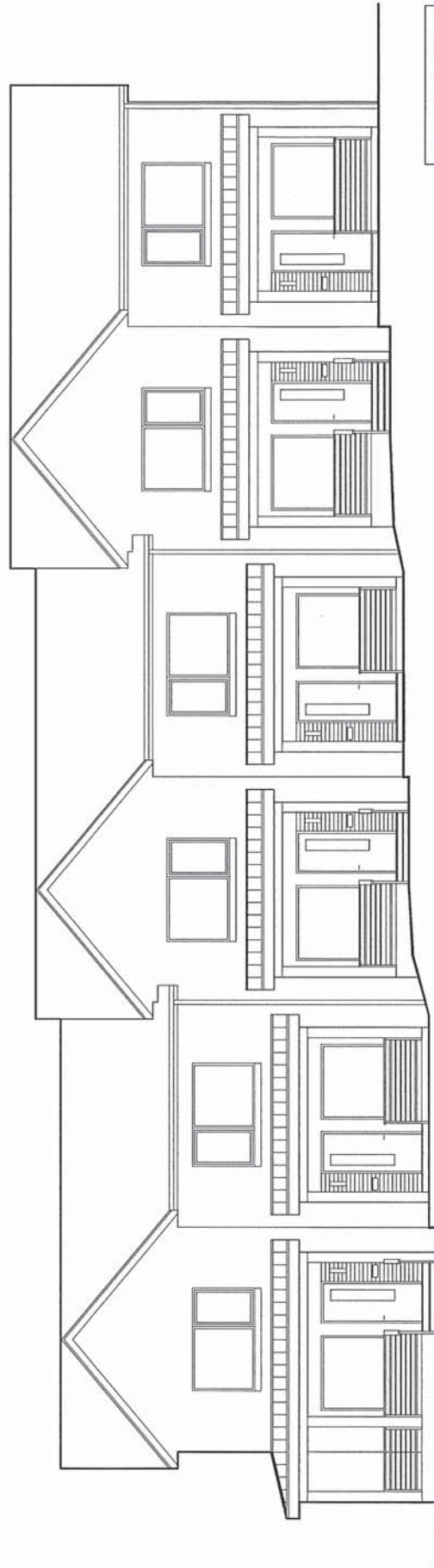
This project is a redevelopment project. There are currently 3 single family homes on the lots. Properties to the east were previously redeveloped for multifamily use. At the time of their development, the UDO had yet to be adopted and parking between the street and building was permitted. Accordingly, those structures are set farther back from the street than desirable. The block face average is therefore about 42’ back from the R/W line. If not for the presence of an existing overhead electric line and the block face average provision, the desire would be to set the front of this building on the 15’ front yard setback line. Because of the electric line, the closest that the building can be set towards the street is 24’.

603 EAST MILLER DR. TOWN HOUSE

REVIEW
06.29.18



SOUTH ELEVATION OPTION A

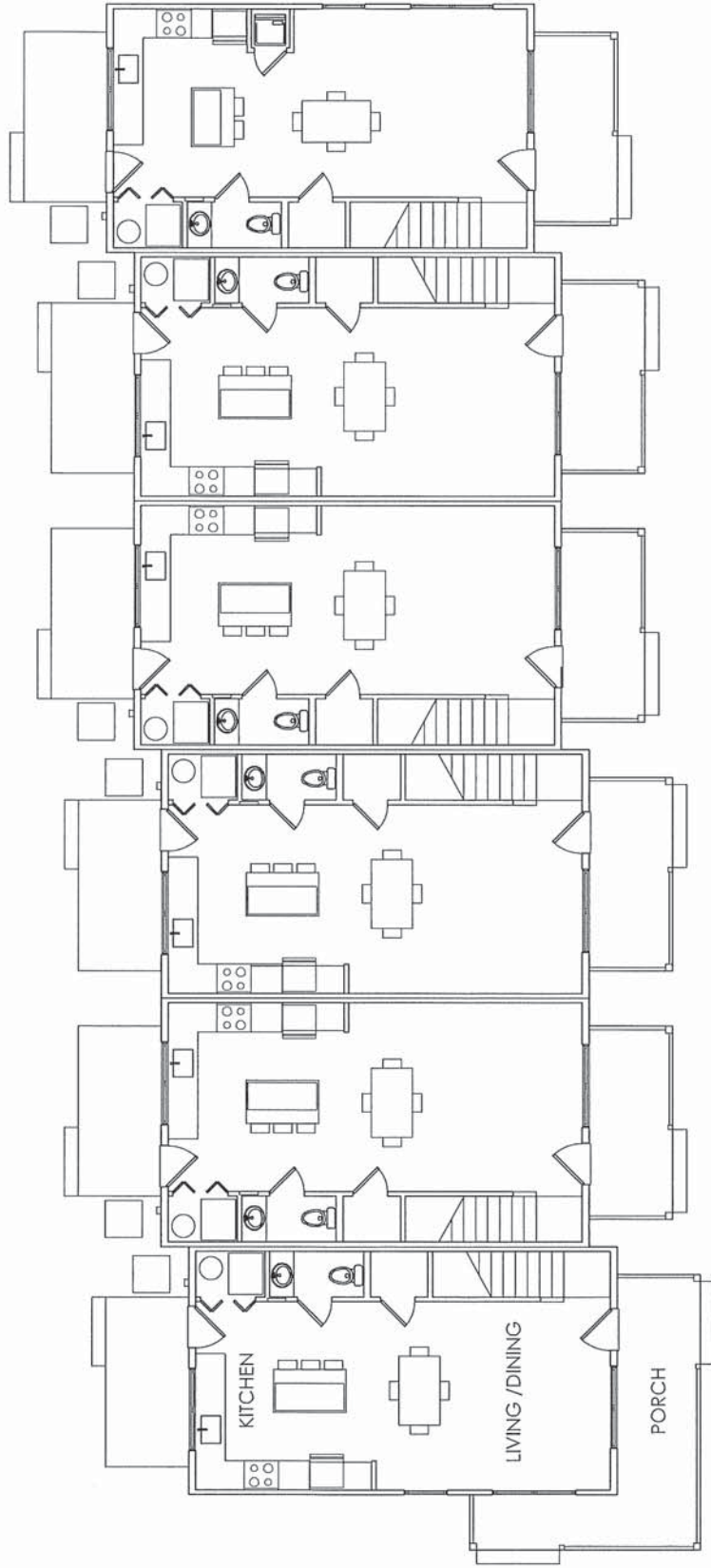


SOUTH ELEVATION OPTION B

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BLACK
ARCHITECTURE

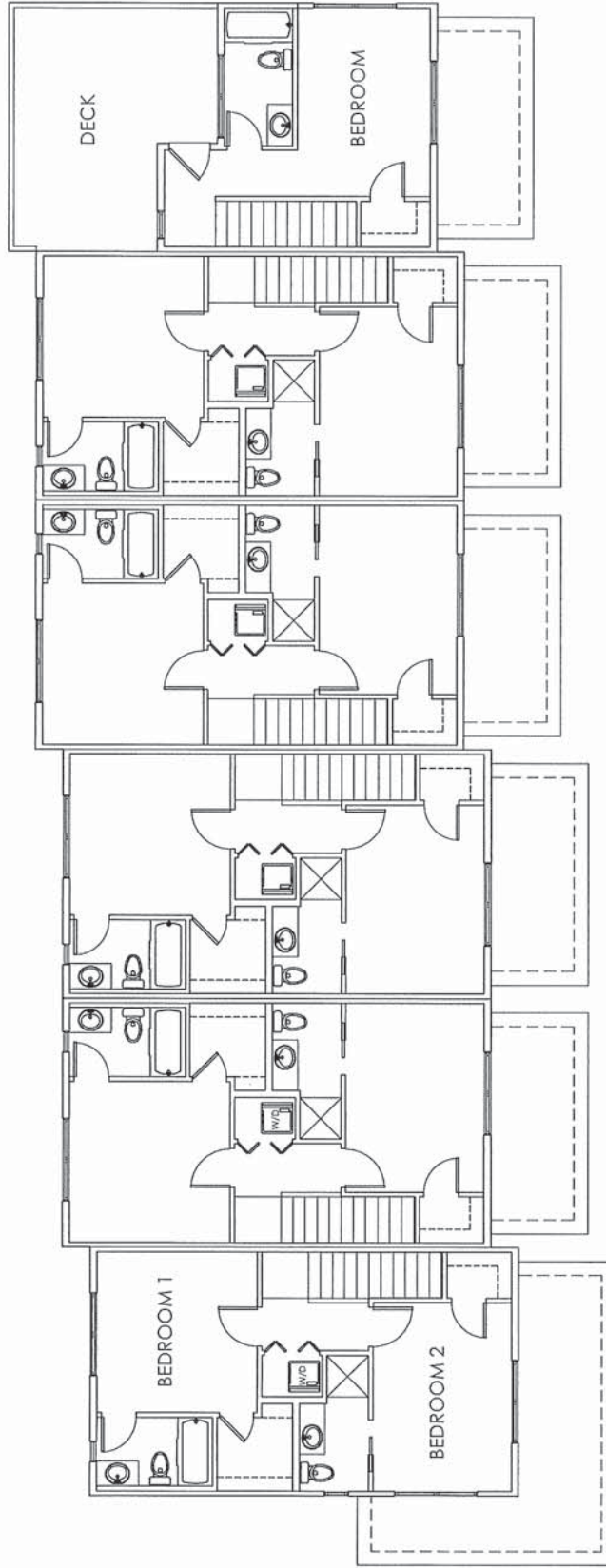
603 EAST MILLER DR. TOWN HOUSE

REVIEW
06.20.18

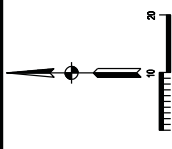


FIRST FLOOR

MATTE
BLACK
ARCHITECTURE



SECOND FLOOR



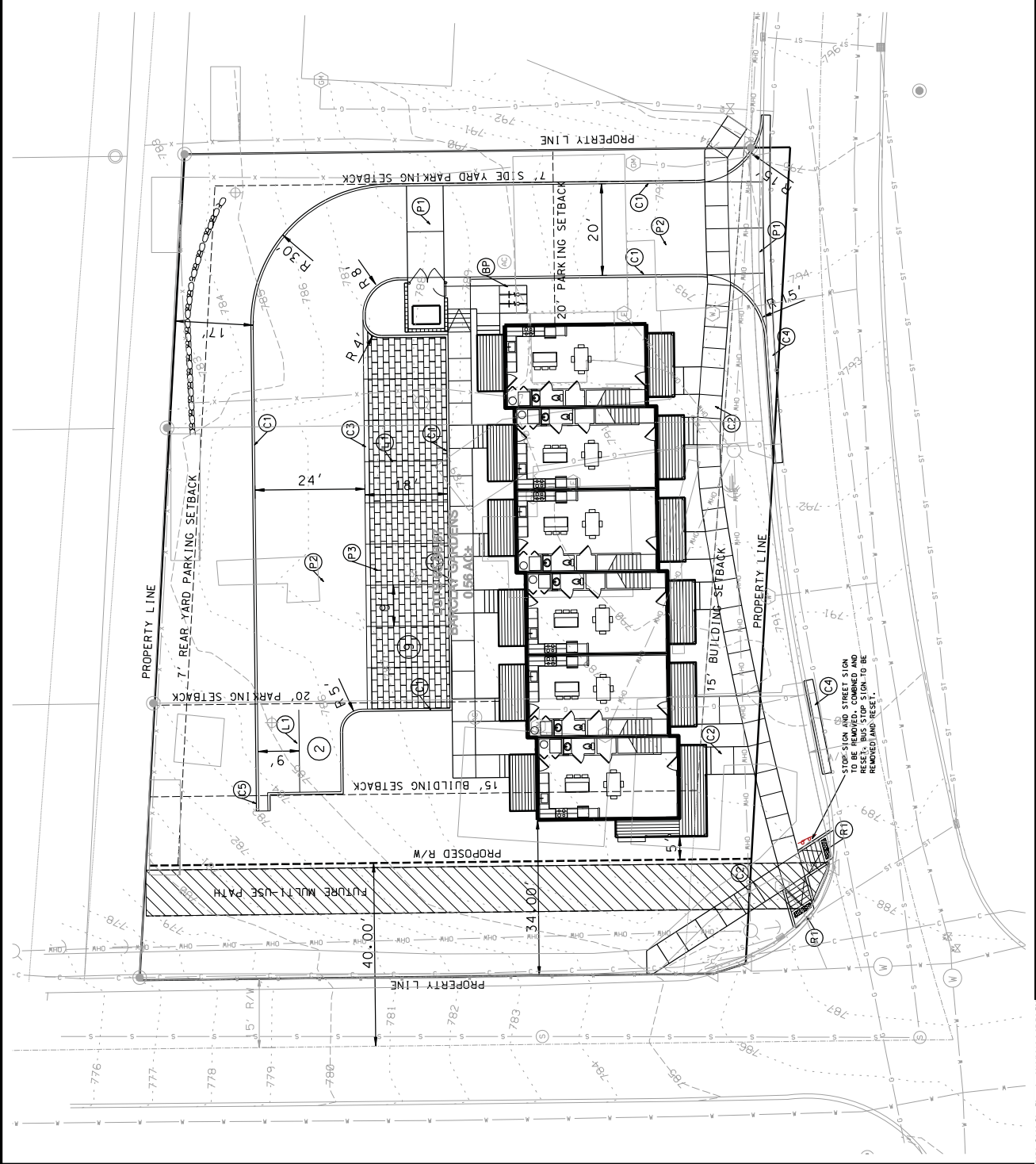
- SITE LEGEND**
- ① 1" HMA SURFACE ON 7" HMA BASE ON 4" THICK 4000 PSI CONCRETE
 - ② 4" THICK 4000 PSI CONCRETE
 - ③ 6" THICK 4000 PSI CONCRETE
 - ④ HYBRIDIC PERMEABLE PAVEMENT SYSTEM
 - ⑤ 6" STANDING CURB
 - ⑥ CONCRETE STREAMS - WIDTH VARIES
 - ⑦ CONCRETE CORE RESTRAINT, 12" X 12"
 - ⑧ 4" THICK CONCRETE
 - ⑨ CONCRETE CURB AND GUTTER
 - ⑩ CONCRETE CURB THROUGH
 - ⑪ MCORNY DUMPER ENCLOSURE
 - ⑫ 1" LIN. PAINT, SOLID, WHITE, 4"
 - ⑬ PERPENDICULAR CURB RAMP
 - ⑭ BICYCLE PARKING "HOOP BACK"
- FINISHES**
- ① 1" HMA SURFACE ON 7" HMA BASE ON 4" THICK 4000 PSI CONCRETE
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MATERIALS LEGEND

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DEVELOPMENT DATA

UNITS PER LOT: 11 UNITS/LOT
 TOTAL UNITS: 22 UNITS
 SITE AREA = 0.56 ACRES
 DENSITY PERMITTED = 11 UNITS/AC = 3.92 UNITS
 DENSITY PROPOSED = 22 UNITS/0.56 AC = 39.29 UNITS
 1.1 BEDROOM UNIT = 1 X .25 = 0.25
 1.2 BEDROOM UNIT = 1 X .25 = 0.25
 IMPERVIOUS SURFACE = 11,878 SF = 0.22 AC
 SITE IMPERVIOUS SURFACE COVERAGE = 40%
 SITE PERMEABLE SURFACE COVERAGE = 60%
 LEACHES PUBLIC SIDEWALK AND WOOD DECK(S)
 LEACHES PUBLIC SIDEWALK AND WOOD DECK(S)
 PARKING PROVIDED = 11 BEDROOMS X 1 = 11 SPACES



STOP SIGN AND STREET SIGN TO BE REMOVED, COMBINED AND RESET. BUS STOP SIGN TO BE RELOCATED WEST.