

CITY OF BLOOMINGTON



April 17, 2019 @ 2:00 p.m.
CITY HALL -
KELLY CONFERENCE ROOM #155

CITY OF BLOOMINGTON
HEARING OFFICER
April 17, 2019 at 2:00 p.m.

*Kelly Conference Room #155

PETITIONS:

CU-10-19

Brawley Investment Group, LLC

1006 S. Walnut St.

Request: Conditional Use approval to allow a parking area constructed of permeable pavers in the floodway fringe.

Case Manager: Eric Greulich

****Next Meeting: May 1, 2019**

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
STAFF REPORT
LOCATION: 1006 S. Walnut St.**

**CASE#: CU-10-19
DATE: April 17, 2019**

PETITIONER: Brawley Investment Group, LLC
PO Box 5543, Bloomington

CONSULTANT: Bynum Fanyo and Assoc, Inc.
528 N Walnut St.

REQUEST: The petitioner is requesting conditional use approval to allow a parking lot constructed of permeable pavers in the floodway fringe.

REPORT: The petition site is located at 1006 S. Walnut Street and is zoned Commercial Arterial (CA). The properties to the north, west and south are also zoned Commercial Arterial and to the east is zoned Commercial General (CG). This site had been developed with a one-story commercial building. Surrounding land uses include other commercial businesses to the north, west, and south with a mixture of single family and commercial uses to the east.

The petitioner received a Conditional Use approval (CU-44-18) to allow for a similar request based on a plan to reuse the previous building on the site, however during demolition of the structure it was discovered that the floor plates under the walls were rotted and not able to be salvaged, and so the entire building was demolished. A new approval for the proposed parking area must therefore be approved based on the new site plan.

The petitioner is proposing to construct a 16,000 square foot, two-story commercial building on the site with a 32 space parking area in the rear. A portion of the site lies within the floodway fringe of Clear Creek. The portions of the parking area within the floodway fringe, as well as several portions of the parking area outside of the floodplain, have been shown as permeable pavers. There is currently a 100' wide driveway and parking area along Allen Street that is required to be brought into compliance with current standards. There will be one, 18' wide drive to access the parking area from Allen Street. The parking area will be one-way and connect to an existing shared driveway on the south side of the property that accesses Walnut Street. A new 5' wide tree plot and 5' wide concrete sidewalk are required along both street frontages and have been shown. The site must meet all landscaping requirements and no variances from any development standards are requested or approved.

The Unified Development Ordinance allows parking in the floodway fringe if the parking area is made of permeable pavers. The petitioner is requesting conditional use approval to allow a parking area to be constructed in the floodway fringe that will be constructed of permeable pavers.

CRITERIA AND FINDINGS

20.05.023 Standards for Conditional Use Permits

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

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

Proposed Finding: The Comprehensive Plan encourages an environmentally responsible community and the use of permeable pavers accomplishes this goal by reducing the amount of asphalt in the floodplain and also reduces stormwater runoff rates, which has widespread benefits within the watershed. Goal 3.2 encourages reduced environmental impacts within the built environment, which again the use of permeable pavers accomplishes as a best management practice for parking in the floodplain.

2. *The proposed use and development will not create nuisance by reason of noise, smoke, odors, vibrations, or objectionable lights;*

Proposed Finding: The proposed use will not have any nuisance by reason of noise, smoke, odors, vibrations, or objectionable lights. The parking area will be landscaped according to all UDO standards. A portion of this area proposed for parking is already being used as a parking area so the incorporation of permeable pavers will be an improvement over the current situation.

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

Proposed Finding: No adverse impacts to the adjacent properties or character of the area is found as a result of this petition. The area being proposed for parking is already being used as parking with no landscaping. The granting of this conditional use request will allow a conforming parking lot to be constructed with new landscaping. The parking area meets the 7' sideyard setback requirement.

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

Proposed Finding: The parking area is accessed from Allen Street and connects to a shared driveway on Walnut Street. The site is adequately served by public utilities.

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

Proposed Finding: The use is surrounded by commercial businesses and the

entrance to the parking area will be a one-way drive aisle with only one drivecut on Allen Street. No traffic will be directed through residential streets or neighborhoods.

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

Proposed Finding: There will be no significant features lost with this petition.

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

Proposed Finding: No special lighting or waste collection needs are proposed. The proposed building will operate under the normal business hours of operation.

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

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

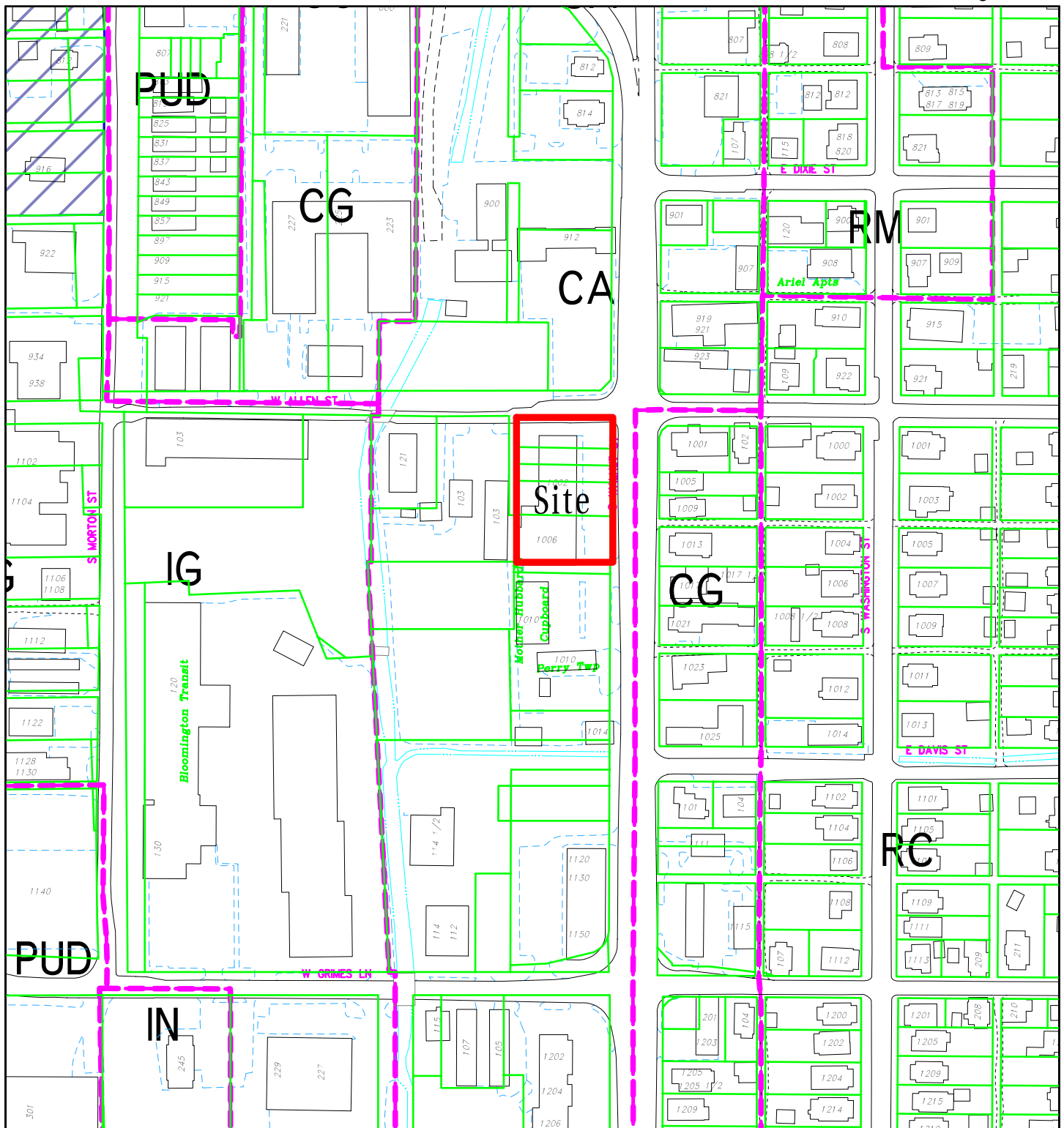
9. *The proposed use and development complies with any additional standards imposed upon the particular use by Chapter 20.05; CU: Conditional Use Standards.*

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

CONCLUSION: The petitioner has met all of the conditional use requirements for this use. No fill or additional disturbance within the floodway fringe is associated with this petition. The petitioner has submitted cross sections along the driveway location that shows the parking area will be constructed at grade and there will be no increase in floodwater elevations with this petition.

RECOMMENDATION: The Department recommends that the Hearing Officer adopt the proposed findings and recommends approval of CU-44-18 with the following conditions:

1. Any permits from State and Federal agencies are required prior to issuance of a grading permit.
2. The site must be brought into compliance with Entrance and Drive standards.
3. Redundant erosion control measures must be used for the area adjacent to the floodway fringe.



CU-10-19 Brawley Investment Group

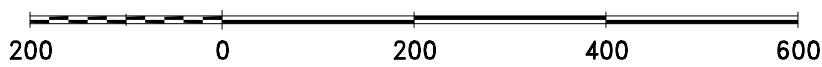
1006 S Walnut Street

Hearing Officer

Site Location, Zoning, Parcels

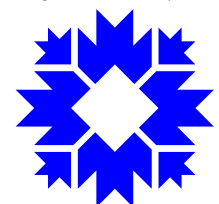
By: greulice

12 Apr 19

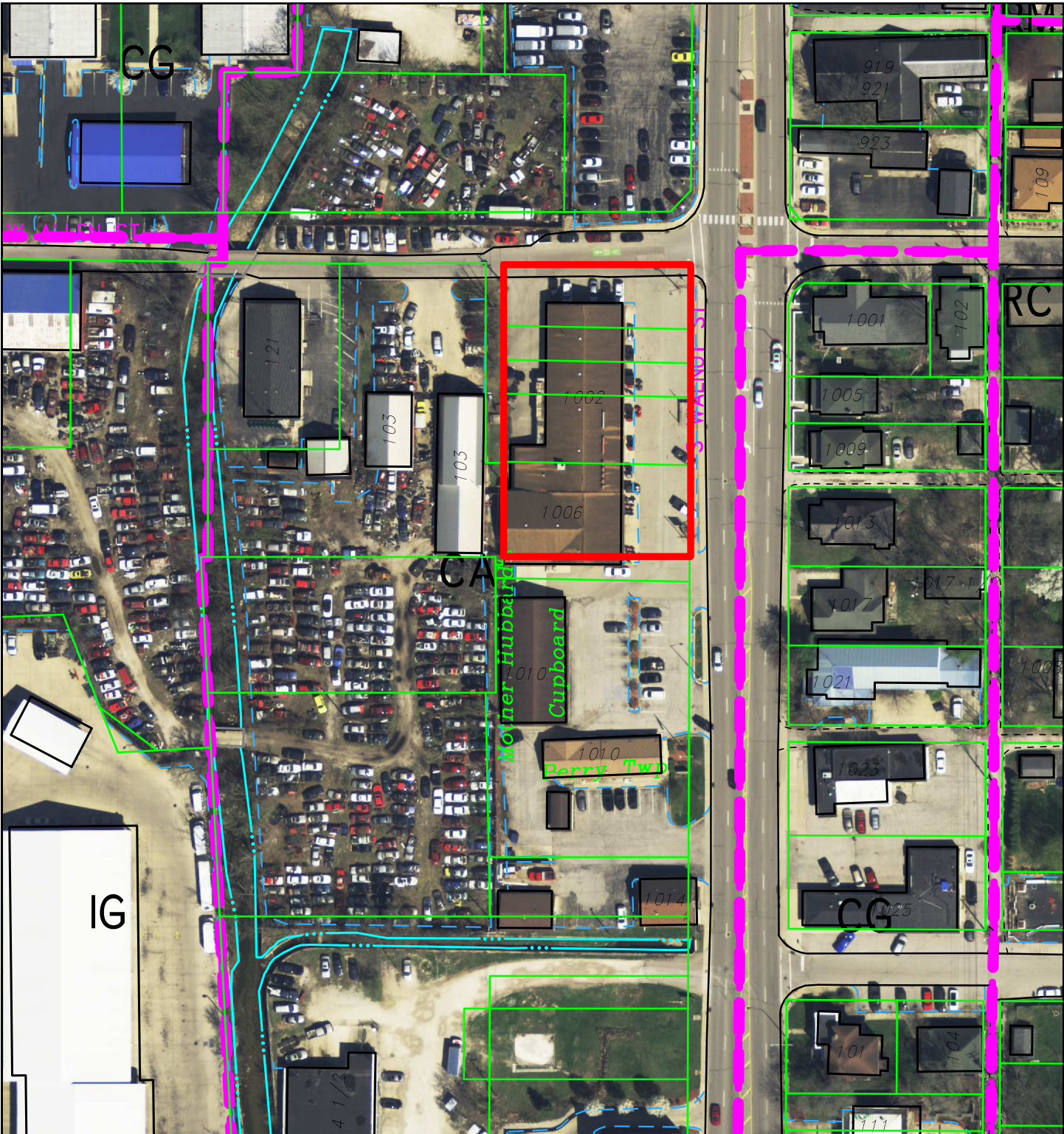


For reference only; map information NOT warranted.

City of Bloomington
Planning & Transportation



Scale: 1" = 200'



CU-10-19 Brawley Investment Group

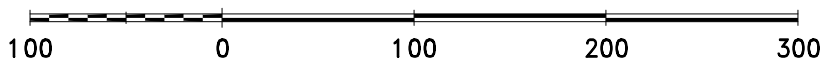
1006 S Walnut Street

Hearing Officer

2016 Aerial Photograph

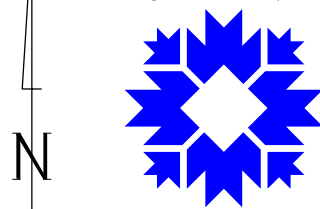
By: greulice

12 Apr 19



For reference only; map information NOT warranted.

City of Bloomington
Planning & Transportation



Scale: 1" = 100'

March 25, 2019

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

Attention: Eric Greulich

Re: 1006 S. Walnut Street Conditional Use for permeable pavers in flood fringe; **BFA#401828**

Dear Sir:

Our client respectfully requests a conditional use approve to allow permeable pavers to be place in a drive and parking area at the referenced address. The pavers will be placed at or below the base flood elevation and not reduce flood storage or impede flood flow.

We what attached our proposed site plan showing the proposed improvements along with our filing fee.

Please let us know if you have any questions.

Sincerely,



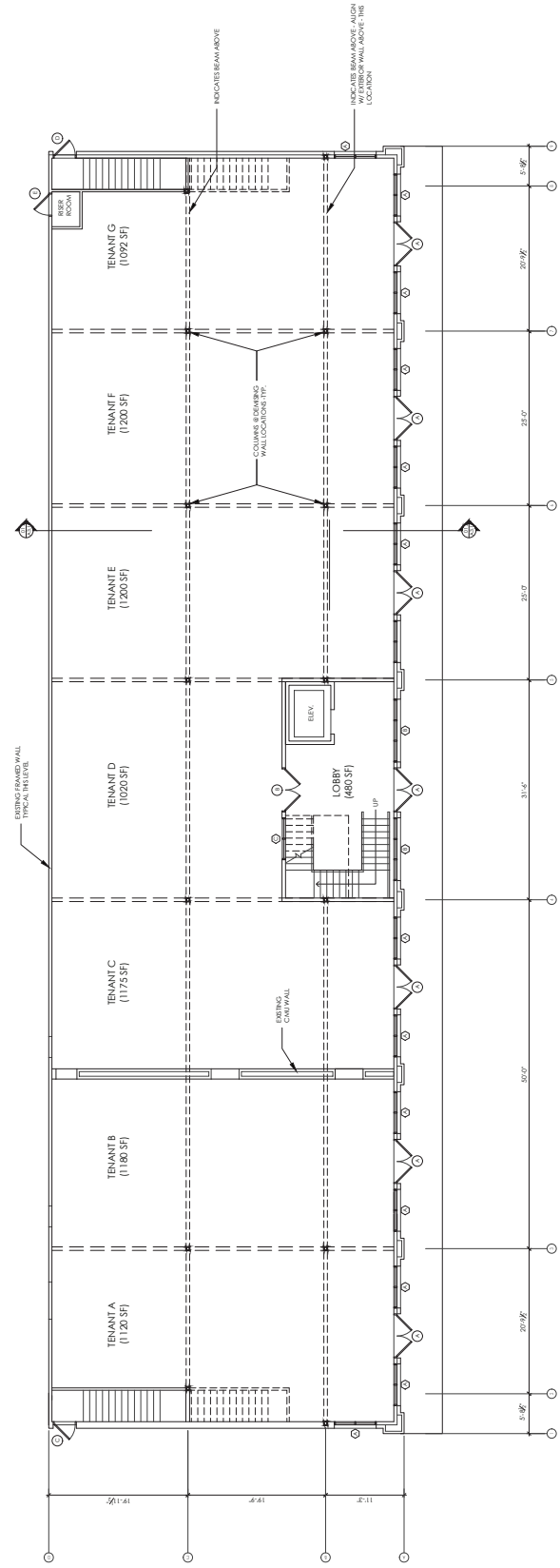
Jeffrey S. Fanyo, P.E. CFM
Bynum Fanyo and Associates, Inc.

COMMERCIAL BUILDING RENOVATION
1006 S WALNUT STREET, BLOOMINGTON, IN 47401

DATE 09.20.18
ISSUE SD SET
JOB NO. 17-XX
DRAWN BY MDE

MATTEBLACK ARCHITECTURE
300 EAST WALKER ROAD
BLOOMINGTON, IN 47401
TEL: 317.346.1111
WWW.MATTEBLACKARCHIT.COM

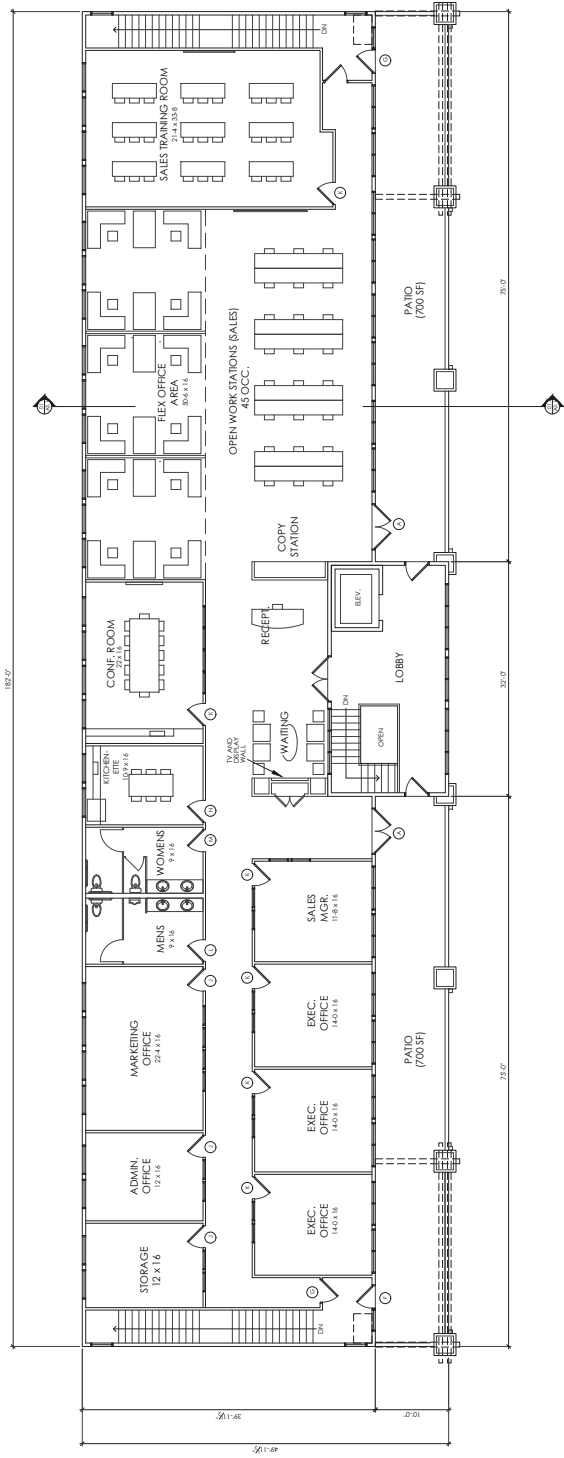
A2.0
FIRST FLOOR
PLAN



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



REVIEW - NOT FOR CONSTRUCTION



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

REVIEW - NOT FOR CONSTRUCTION

A2.1



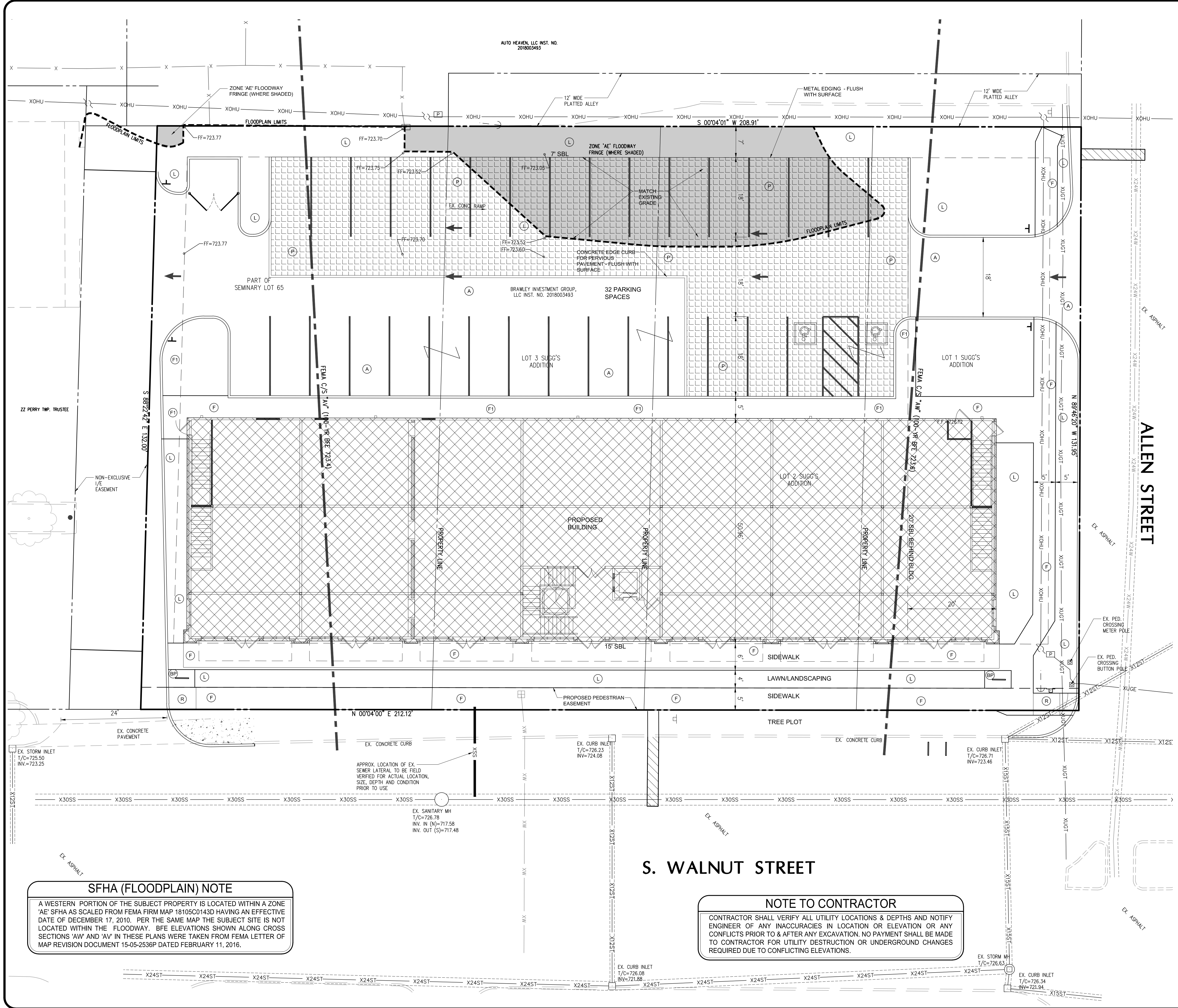
01

A2.1

SECOND FLOOR PLAN

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

REVIEW - NOT FOR CONSTRUCTION



EXISTING LEGEND

---	PROPERTY LINE
X	FENCE
XW	WATER LINE PIPE
XXX	CONTOUR & ELEVATION
XSS	SANITARY SEWER PIPE
XST	STORM SEWER PIPE
XOHE	OVERHEAD ELECTRIC LINES
XUGE	UNDERGROUND ELECTRIC LINES
XOHT	OVERHEAD TELEPHONE LINES
XUGT	UNDERGROUND TELEPHONE LINE
XGAS	GAS LINE PIPE
EX. XXXXX	EXISTING SPOT GRADE
EX.	EXISTING
F.F. OR FF	FINISHED FLOOR
PWMT	PAVEMENT
T/C	TOP OF CASTING @ FLOWLINE

SITE LEGEND

(A)	BITUMINOUS PAVEMENT
(AP)	ADA ACCESSIBLE PARKING SPACE
(APS)	ADA ACCESSIBLE PARKING SIGN
(BP)	BIKE PARKING AREA ON CONCRETE PAD
(C)	REINFORCED CONCRETE PAVING
(CC)	EXPANSION JOINT
(CC)	CONTRACTION JOINT
(E)	HEAVY DUTY STEEL EDGING (1" THICK BY 5" HEIGHT W/ 1/4" THICK BY 24" LONG STEEL STAKES) TOP OF EDGING TO BE FLUSH WITH PAVEMENT
(F)	CONCRETE SIDEWALK
(F)	MONOLITHIC CONCRETE CURB AND SIDEWALK
(HR)	PAINTED STEEL PIPE HANDRAIL, 36" TALL
(OR)	PAINTED STEEL PIPE GUARDRAIL, 42" TALL
(L)	LAWN/LANDSCAPE AREA
(M)	MATCH EXISTING CURB, SIDEWALK, PAVEMENT ELEVATIONS
(P)	PERVIOUS BRICK PAVEMENT
(PB)	CONCRETE PARKING BUMPER BLOCK
(PP)	STANDARD ROADWAY STREET CUT REPAIR
(R)	SIDEWALK ADA ACCESSIBLE RAMP
(RI)	SIDEWALK ADA ACCESSIBLE RAMP
(RZ)	SIDEWALK ADA ACCESSIBLE RAMP
(RW)	RETAINING WALL - DESIGN BY OTHERS
(R5-1)	MUTCD SIGN "DO NOT ENTER"
(R6-1)	MUTCD SIGN "ONE-WAY" LEFT
(R6-2)	MUTCD SIGN "ONE-WAY" RIGHT
(SF)	CONCRETE STEPS/RISER AND NUMBER OF RISERS
(VA)	VAN ACCESSIBLE SUPPLEMENTAL SIGN
(1)	6-IN WIDE CONCRETE CURB
(13A)	PERVIOUS PAVER CONCRETE EDGE CURB/CAP FLUSH WITH PAVEMENT
(15)	CURB & GUTTER
(20)	4-IN. WIDE SOLID WHITE PAINTED PAVEMENT MARKING
(22)	4-IN. WIDE SOLID BLUE PAINTED ADA PAVEMENT MARKING
(32)	PAINTED DIRECTIONAL PAVEMENT MARKING, WHITE

UTILITY LEGEND

---	4WSL	4" DIP WATER SERVICE LINE AS SIZED BY FIRE SUPPRESSION ENGINEER (PRIVATELY OWNED)
---	4W	4" DIP WATER LINE TO FIRE DEPARTMENT CONNECTION (PRIVATELY OWNED)
---	FSL	4" DIP FIRE SERVICE LINE AS SIZED BY FIRE SUPPRESSION ENGINEER (PRIVATELY OWNED)
---	DSL	SDR-21 PVC DOMESTIC WATER SERVICE LINE (PRIVATELY OWNED)
---	W	WATER LINE GATE VALVE
---	F.D.C.	FIRE DEPARTMENT "STORZ" CONNECTION
---	P.I.V.	POST INDICATING VALVE
---	6SL	6" SDR-35 PVC SANITARY SEWER LATERAL (PRIVATELY OWNED)
---	GAS	GAS SERVICE LINE
---	ELEC	ELECTRIC SERVICE LINE - SEE NOTE THIS SHEET

SFHA (FLOODPLAIN) NOTE
 A WESTERN PORTION OF THE SUBJECT PROPERTY IS LOCATED WITHIN A ZONE 'AE' SFHA AS SCALED FROM FEMA FIRM MAP 18105C0143D HAVING AN EFFECTIVE DATE OF DECEMBER 17, 2010. PER THE SAME MAP THE SUBJECT SITE IS NOT LOCATED WITHIN THE 'FLOODWAY'. BFE ELEVATIONS SHOWN ALONG CROSS SECTIONS 'AW' AND 'AV' IN THESE PLANS WERE TAKEN FROM FEMA LETTER OF MAP REVISION DOCUMENT 15-05-2536P DATED FEBRUARY 11, 2016.

NOTE TO CONTRACTOR
 CONTRACTOR SHALL VERIFY ALL UTILITY LOCATIONS & DEPTHS AND NOTIFY ENGINEER OF ANY INACCURACIES IN LOCATION OR ELEVATION OR ANY CONFLICTS PRIOR TO & AFTER ANY EXCAVATION. NO PAYMENT SHALL BE MADE TO CONTRACTOR FOR UTILITY DESTRUCTION OR UNDERGROUND CHANGES REQUIRED DUE TO CONFLICTING ELEVATIONS.

revisions:

SCALE: 1"=10'

ARCHITECTURE
 CIVIL ENGINEERING
 PLANNING

BYNUM FANYO & ASSOCIATES, INC.
 528 north walnut street
 (812) 332-8030

certified by:

PROPOSED WEICHERT OFFICE EXPANSION
 1006 S. WALNUT ST.
 BLOOMINGTON, INDIANA 47404

title: SITE PLAN

designed by: JBT
 drawn by: JBT
 checked by: JSF
 sheet no.: C202
 project no.: 401828