

# CITY OF BLOOMINGTON



July 24, 2019 @ 2:00 p.m.  
CITY HALL -  
KELLY CONFERENCE ROOM #155

**CITY OF BLOOMINGTON**  
**HEARING OFFICER**  
**July 24, 2019 at 2:00 p.m.**

**\*Kelly Conference Room #155**

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**PETITION WITHDRAWN:**

V-18-19            **Kevin and Tawni Hill**  
1635 W. 3<sup>rd</sup> St.  
Request: Variances from parking maximum and side yard parking setback. Also requested is a variance to allow ground floor residential on the 1<sup>st</sup> floor in the Commercial Arterial (CA) zoning district.  
*Case Manager: Ryan Robling*

**PETITIONS:**

V-22-19            **Tim Ellis**  
444 S. Walnut St.  
Request: Variance from driveway setback standards to allow for a new driveway.  
*Case Manager: Eric Greulich*

V-25-19            **City of Bloomington – Utilities and Police Departments**  
3230 S. Walnut St.  
Request: Variance from parking setback and architectural standards to allow the construction of a new municipal building.  
*Case Manager: Eric Greulich*

**\*\*Next Meeting: August 7, 2019**

*Auxiliary aids for people with disabilities are available upon request with adequate notice. Please call [812-349-3429](tel:812-349-3429) or E-mail [human.rights@bloomington.in.gov](mailto:human.rights@bloomington.in.gov).*

**BLOOMINGTON HEARING OFFICER`  
STAFF REPORT  
LOCATION: 444 S. Walnut Street**

**CASE #: V-22-19  
DATE: July 24, 2019**

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**PETITIONER:** Tim Ellis  
437 S. College Ave, Bloomington

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**REQUEST:** The petitioner is requesting a variance from driveway setback requirements to allow a new driveway.

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**REPORT SUMMARY:** This approximately 0.27 acre property is located at the northwest corner of W. 2<sup>nd</sup> Street and S. Walnut Street and is within the Downtown Core Overlay District of the Commercial Downtown (CD). Surrounding land uses include commercial uses to the north, east, and west with Seminary Park to the south. The property is currently vacant.

The petitioner is proposing to construct a two-story, 4,000 square foot commercial building and a surface parking lot with 13 parking spaces. The property previously utilized a drivecut on 2<sup>nd</sup> Street in the same location as proposed, as well as a drivecut on Walnut Street which will be completely removed with this project. The petitioner is proposing one drivecut on 2<sup>nd</sup> Street only and it would be 120' from the intersection with Walnut St. No other variances are needed or requested with the proposed site plan. New landscaping and bike racks will be installed on the site with the new construction. The building also meets all of the architectural requirements of the UDO.

The petitioner is requesting a variance from the 150 foot setback requirement from an intersection to allow for the proposed drivecut.

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## **CRITERIA AND FINDINGS**

### **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:** Staff finds no injury to the general welfare. There was a previous drive cut in the same location as proposed for many years with no known concerns to adjacent properties.

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.*

**PROPOSED FINDING:** Staff finds the use and value of the area adjacent to the property will not be negatively impacted. There will be a drivecut removed from Walnut Street and the proposed drivecut on 2<sup>nd</sup> has been placed as far from the intersection as possible while still allowing for one row of parking adjacent to the drivecut.

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 variance will relieve practical difficulties.*

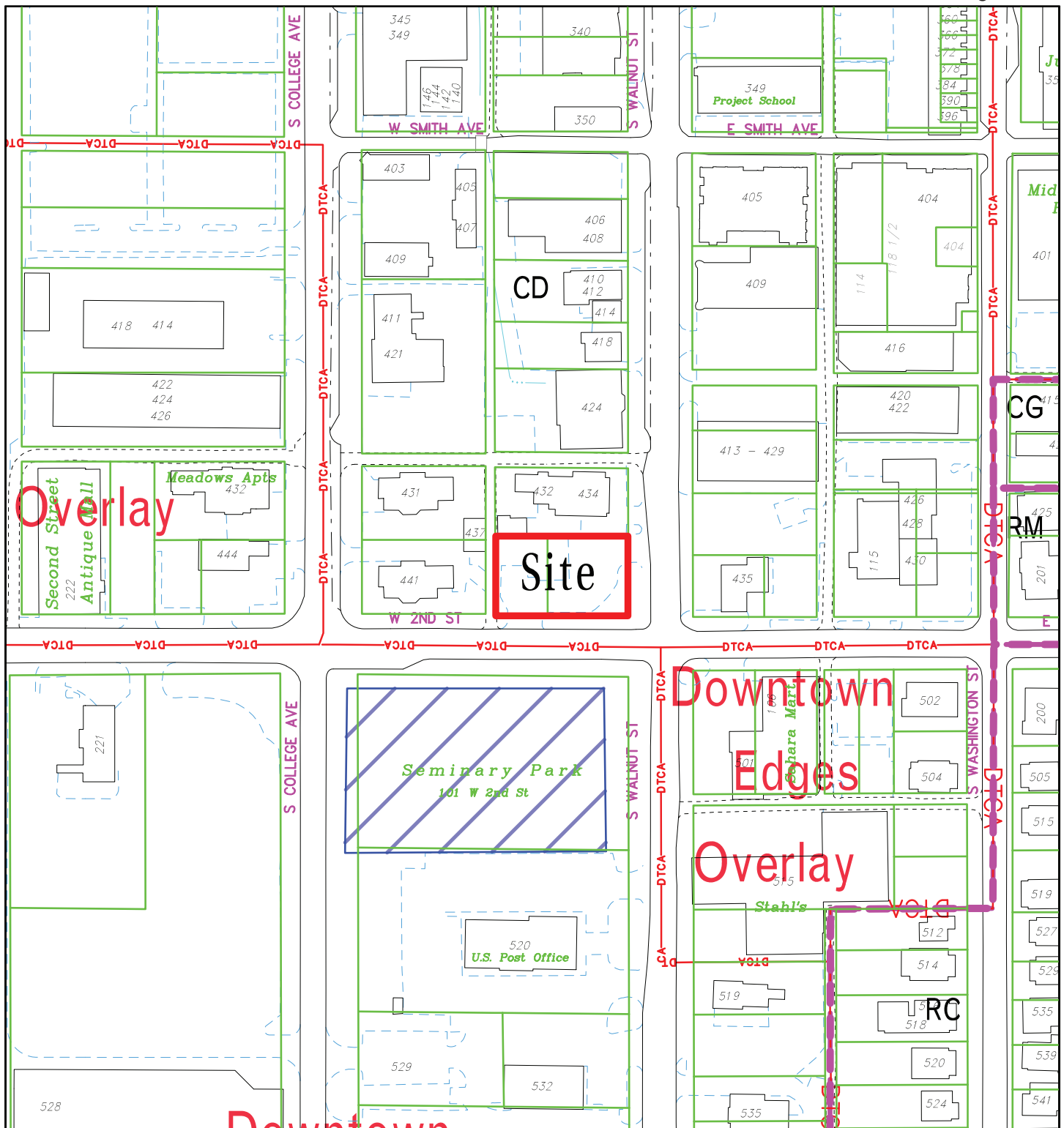
**PROPOSED FINDING:** Staff finds that the strict application of the terms of the Unified Development Ordinance would result in practical difficulties in the use of the property in that while the petitioner could place the drivecut as far to the west side of the property as possible, this would be too close to the alley that is adjacent to the drivecut and could create further turning conflicts and be less desirable. Staff finds peculiar condition for the variance in that the property is narrow in width and the petition is proposing a modest size commercial building and parking area. The proposed driveway location has been spaced adequately from the alley to avoid turning conflicts and also maximum distance from the Walnut Street intersection.

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**RECOMMENDATION:** Based on the written findings, staff recommends the Hearing Officer adopt the proposed findings and approve the variance with the following condition:

1. The existing drivecut must be completely removed along the Walnut Street frontage and a 5' wide concrete sidewalk installed.



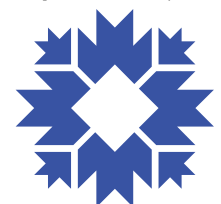


V-22-19 Tim Ellis  
 444 S. Walnut Street  
 Hearing Officer  
 Site Location, Zoning, Parcels

By: greulice  
 19 Jul 19 150 0 150 300 450

For reference only; map information NOT warranted.

City of Bloomington  
 Planning & Transportation

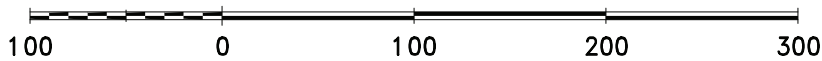


Scale: 1" = 150'



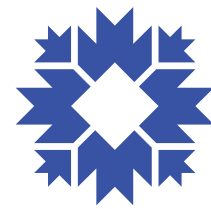
V-22-19 Tim Ellis  
 444 S. Walnut Street  
 Hearing Officer  
 2016 Aerial Photograph

By: greulice  
 19 Jul 19



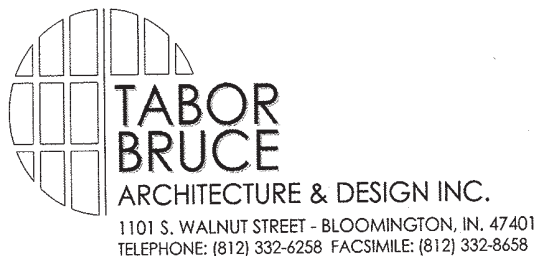
For reference only; map information NOT warranted.

City of Bloomington  
 Planning & Transportation



Scale: 1" = 100'





**BLOOMINGTON PLANNING & TRANSPORTATION DEPARTMENT  
HEARING OFFICER**

**Petitioner's Statement**

Concerning the petition of **Tim & Dorothy Ellis** for the purpose of consideration of his Petition for the property located at 444 South Walnut Street, Bloomington, Indiana.

**Location**

The project site is an existing corner lot at 2nd and Walnut Streets where a vacant gas station once stood, on .27 acres with curb cuts along both 2<sup>nd</sup> and Walnut Streets.

**Design**

We are proposing a new two-story Limestone clad office building to compliment the other nearby limestone structures to the west. The new infill structure will be approximately 2300 sq ft per floor, containing a single office client. The street exterior elevations will consist of brick base coursing and limestone panel facade, with a highlighted, main entry along Walnut Street flanked by limestone columns. The addition will be a pleasant architectural improvement to the corner and to the neighborhood. Another rear entrance along the west facade for entry from the parking lot will also be provided. Windows along all sides of the building will be traditional in style with limestone sills and a grid in the upper sash. The structure will be placed at the property lines along both streets as directed by code and will not require any setbacks. There are no density requirements applicable as we are not planning any residential units.

**Green Building Initiatives** Green building methods and materials will be utilized where applicable, including:

- High efficiency energy star appliances
- High efficiency windows with Low-E glazing
- White reflective roof membrane with an SRI index of .65
- LED low wattage lighting fixtures

Low flow toilets and lavatory fixtures  
Enhanced thermal envelope with air infiltration barrier

**Streetscape Treatment** Grated street trees and site landscaping will be added as well as street lights as dictated by the city plan for this area.

**Access & Parking** The primary pedestrian entry to the proposed office building is going to be located along Walnut Street. The existing curb cut along Walnut Street at the NE corner will be removed and the existing curb cut with access to 2nd Street will remain but it will be relocated as far west to still allow for parking along the west property line at the setback. The lot width and depth is less than the 150 feet requirement for a curb cut and is the reason we are requesting a waiver from this requirement. Bicycle parking as required will be provided.

We believe this project will be an attractive improvement to the neighborhood and perfectly scaled to the existing building and historic nearby fabric. Thank you for the opportunity to submit the proposed development for review. We look forward to working together on this Development. We kindly ask for your approval of our request.

Sincerely,



Doug Bruce

Architect-NCARB-LEED AP

Tabor/Bruce Architecture & Design

GENERAL NOTES

PLAN NOTES

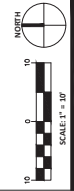


PRELIMINARY NOT FOR CONSTRUCTION

**SECOND AND WALNUT SITE**

448 South Walnut Street  
Bloomington, IN 47403  
BRCI Project No. 8725

**PRELIMINARY SITE PLAN**

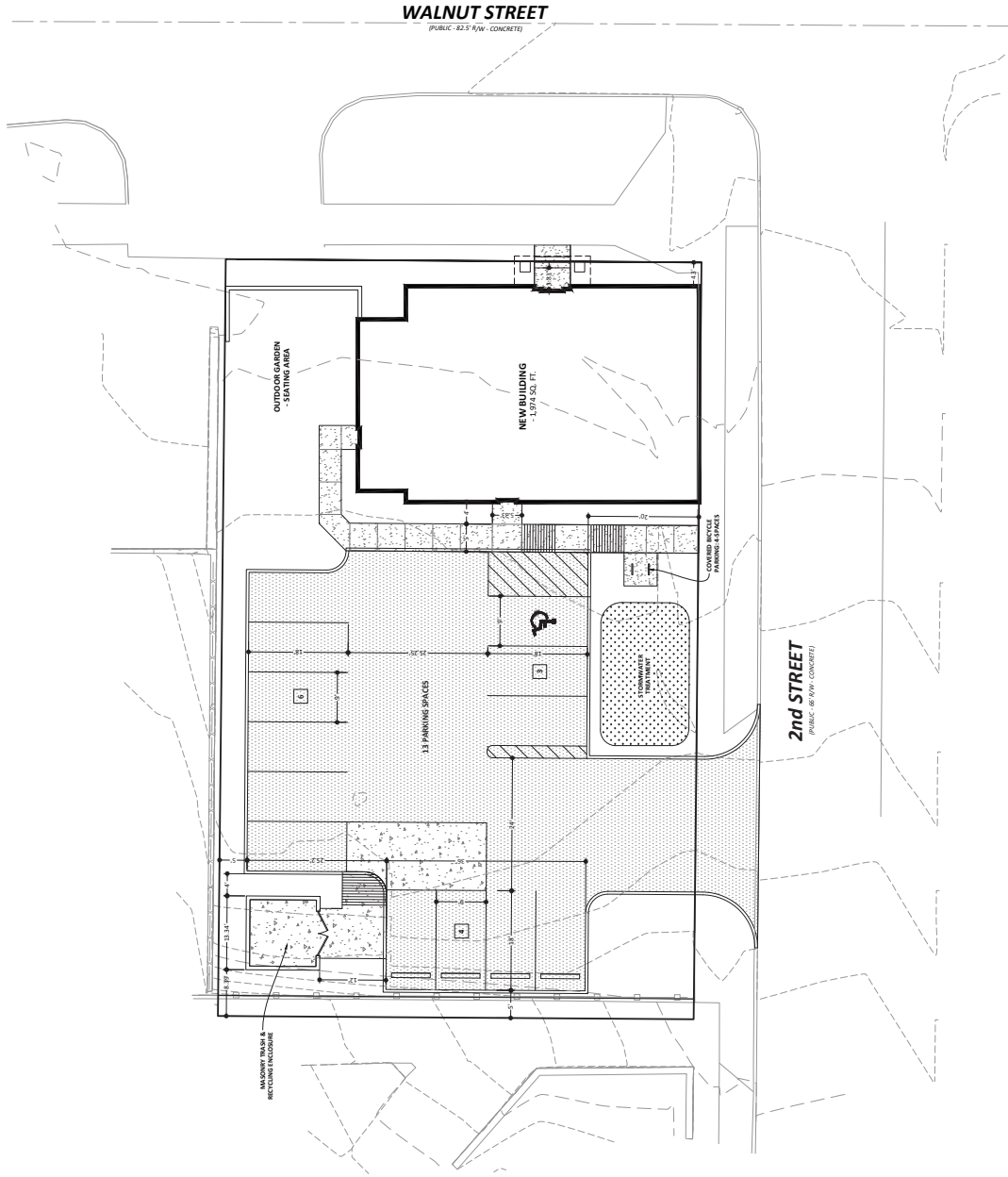


DATE: 07/02/2019 NOT FOR CONSTRUCTION

REV.	DESCRIPTION	DATE

Drawn By: XXX  
Designed By: XXX  
Checked By: XXX

**C101**



LEGEND

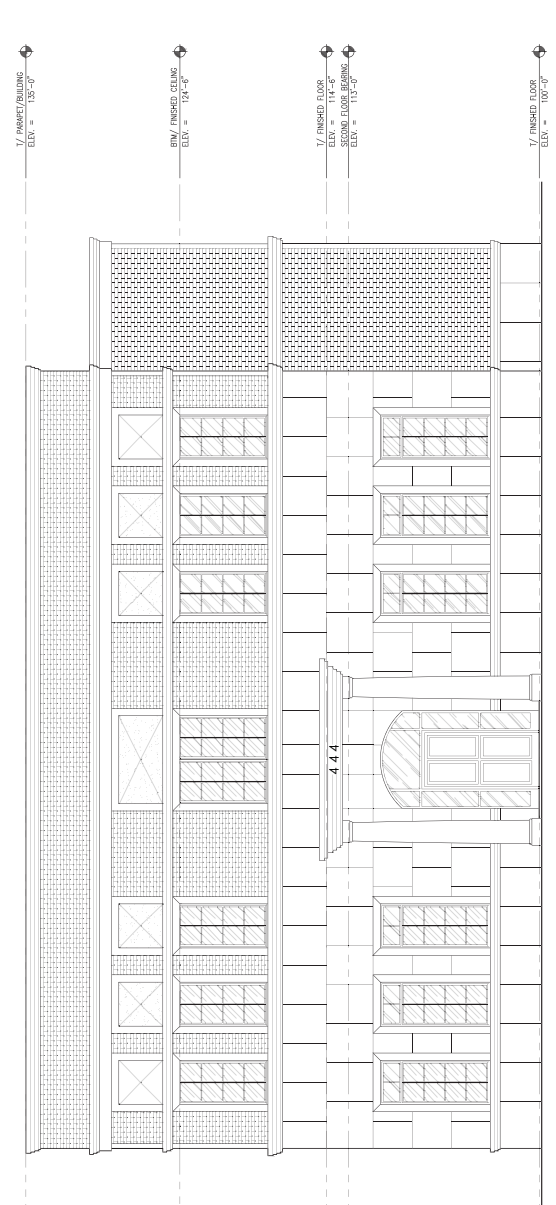
- [Pattern] LIMITS OF NEW ASPHALT PAVEMENT
- [Pattern] LIMITS OF NEW STANDARD CONCRETE PAVEMENT
- [Pattern] LIMITS OF NEW HEAVY DUTY CONCRETE
- [Pattern] PAVEMENT STRIPES T.O.C.

IMPERVIOUS SURFACE CALCULATIONS

GRAVEL SITE AREA	13,294 SQ. FT.
PERVIOUS SITE AREA	3,460 SQ. FT. (26%)
IMPERVIOUS SITE AREA	9,834 SQ. FT. (74%)

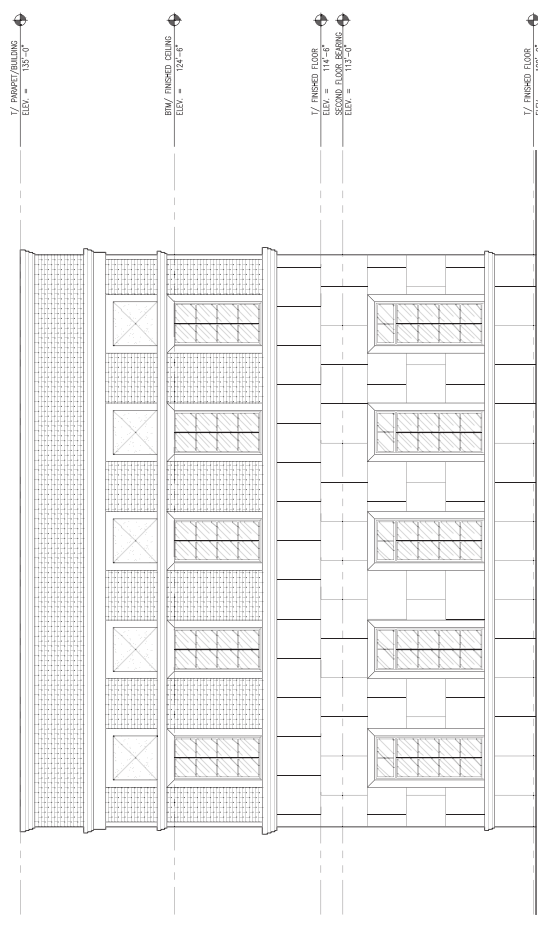
REVISIONS

PROJECT NO.	1119
DATE	MAY 25, 2019
DRAWN BY	A. LAVERETT
CHECKED BY	D. BRUCE
SHEET NAME	
BUILDING ELEVATIONS	
SHEET NO.	



**2 EAST ELEVATION**  
1/8" = 1'-0"

350 SOUTH WALNUT  
 2017



**1 SOUTH ELEVATION**  
1/8" = 1'-0"

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AE202

BUILDING ELEVATIONS

SHEET NAME

CREATED BY: D. BRUCE

DRAWN BY: A. LAVABET

DATE: MAY 26, 2018

PROJECT NO.: 1119

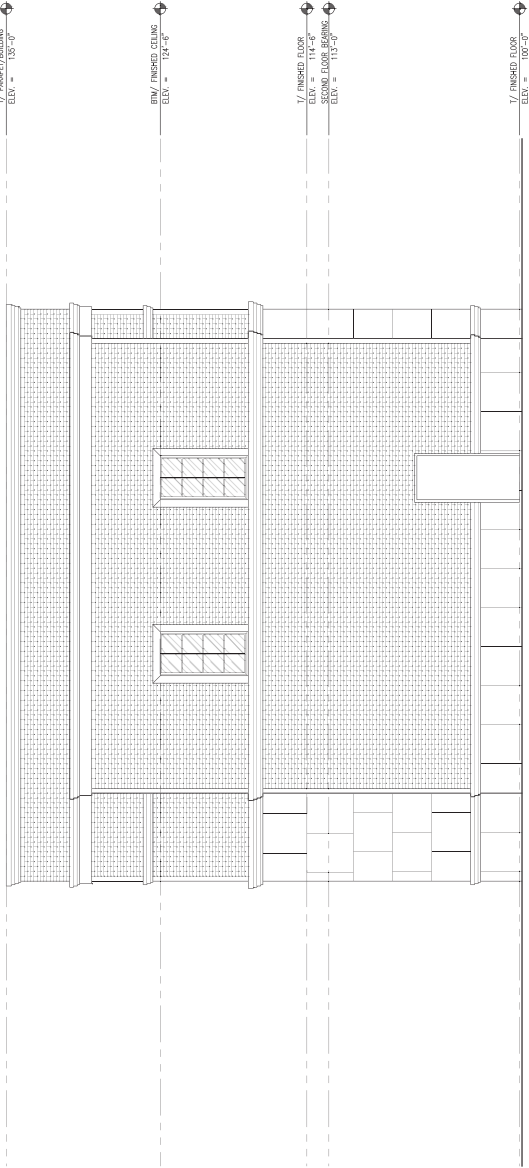
A NEW IN-FILL OFFICE BUILDING FOR:  
**DOROTHY & TIM ELLIS**  
444 SOUTH WALNUT STREET  
BLOOMINGTON, INDIANA 47401



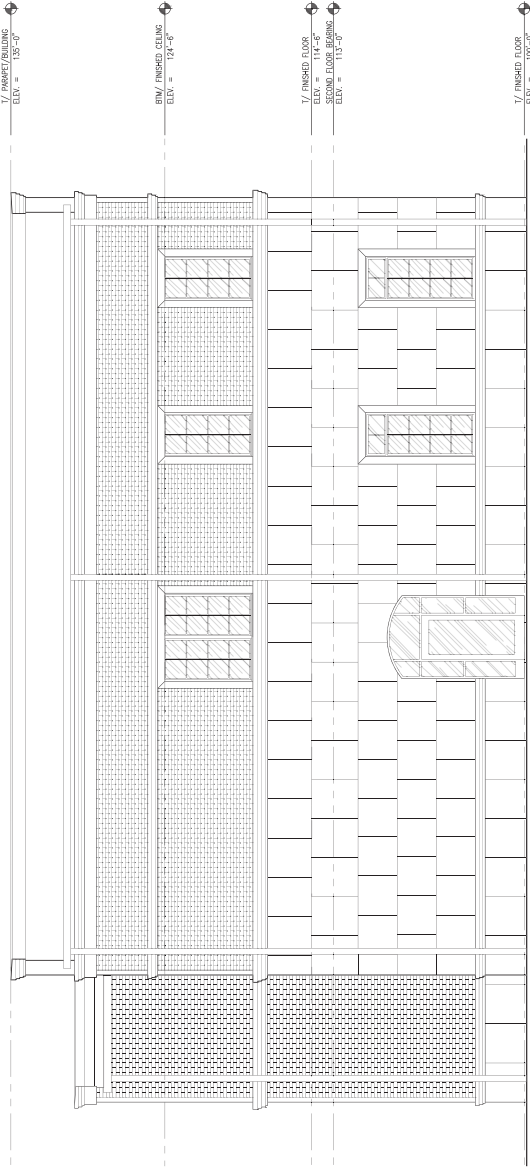
LABOR ARCHITECTURE & DESIGN INC.  
101 S. WALNUT STREET - BLOOMINGTON, IN. 47401  
TELEPHONE: (812) 323-6256 WEB: WWW.LABORARC.COM

REVISIONS

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



2 WEST ELEVATION  
1/8" = 1'-0"



THESE PLANS AND SPECIFICATIONS ARE THE RESULT OF CONTRACT NEGOTIATION AND REPRESENT THE CONTRACTOR'S OBLIGATION TO THE CLIENT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE AND FEDERAL AUTHORITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE AND FEDERAL AUTHORITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE AND FEDERAL AUTHORITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE AND FEDERAL AUTHORITIES.





**BLOOMINGTON HEARING OFFICER**  
**LOCATION: 3230 S. Walnut Street**

**CASE #: V-25-19**  
**DATE: July 24, 2019**

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**PETITIONER:** City of Bloomington  
 220 E. 3<sup>rd</sup> Street, Bloomington

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**REQUEST:** The petitioner is requesting a variance from parking setback standards and architecture requirements to allow the construction of a new municipal building.

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**REPORT:** This approximately 63 acre property is located at 3230 S. Walnut Street and is zoned Institutional (IN). The property had previously been the location of a water treatment plant and has several remnant buildings from that previous use. The property is owned by the Utilities Department, but they do not have any regular use of the site. Two training buildings were constructed for the Police and Fire Department just immediately to the west of this location in 2007. Surrounding properties are a mix of commercial buildings to the east and north, single and multi-family residences to the west and south.

The petitioner is proposing to construct a 7,200 square foot, one-story building that will be used by the Police Department for storage purposes. Access will come from an existing driveway on Walnut Street that is adjacent to Burks Drive. No new drivecuts on Walnut Street will be created with this petition. A parking area for the building will be provided on the east side of the building with 7 parking spaces. New landscaping will be installed around the perimeter of the parking area to meet landscaping requirements.

There are two aspects to the construction of this building that require a variance from the standards of the Unified Development Ordinance. The first is the location of the parking spaces between the building and the street. The UDO requires parking to be located 20' behind the front of the building. Since there are no other buildings between this building and the street frontage to the east, a variance must be granted to allow the parking to be located in front of the building. The second aspect is from the Architecture standards to allow a metal sided building and from exterior façade requirements. The UDO restricts exterior finishing materials to a specific list and given the unique nature of this building as a storage and training facility rather than a typical commercial building, the petitioner is requesting to allow standing seam metal as the exterior finishing material. Also requested with the Architecture variance is to not require certain exterior façade features that would normally be associated with a commercial building. The UDO requires at least 3 design elements to be incorporated into the building design and again, given the unique nature of this building as a storage and training facility, those design elements are not practical.

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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:**

**Parking Setback:** No injury is found with the granting of the variance to allow parking in front of the building. The location of the small number of parking spaces between the building and the street will not be injurious to the public health, safety, morals, or general welfare of the community. The requirement for parking behind the building is based on the desire to have buildings be pedestrian accessible and not to have parking visible from the street, this building is not a public building and there is a substantial distance between this building and the street.

**Architecture:** No injury is found with the granting of this variance. The use of metal and lack of typical exterior façade features will not be injurious to the public health, safety, morals, or general welfare of the community. The purpose of the design elements was to provide visual interest for commercial buildings, this building is a municipal storage building for the Police Department and needs to be more secure.

- 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:**

**Parking Setback:** No negative effects from this proposal on the areas adjacent to the property are found. The granting of the variance to allow parking in front of the building will only allow a small number of spaces to be placed between the building and the street and will be mitigated in the future by other buildings constructed between this location and Walnut Street.

**Architecture:** No negative effects from this proposal on the areas adjacent to the property are found. The purpose of the design elements was to increase the aesthetics of commercial buildings for pedestrians and consumers, however this building is not a public building and is more industrial in nature therefore the required design elements are not really appropriate to this use or building. Additionally, there will be over 200' from the building to the street as well as there is an existing row of evergreen trees along Walnut Street, so the parking area will not be visible from Walnut 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:**

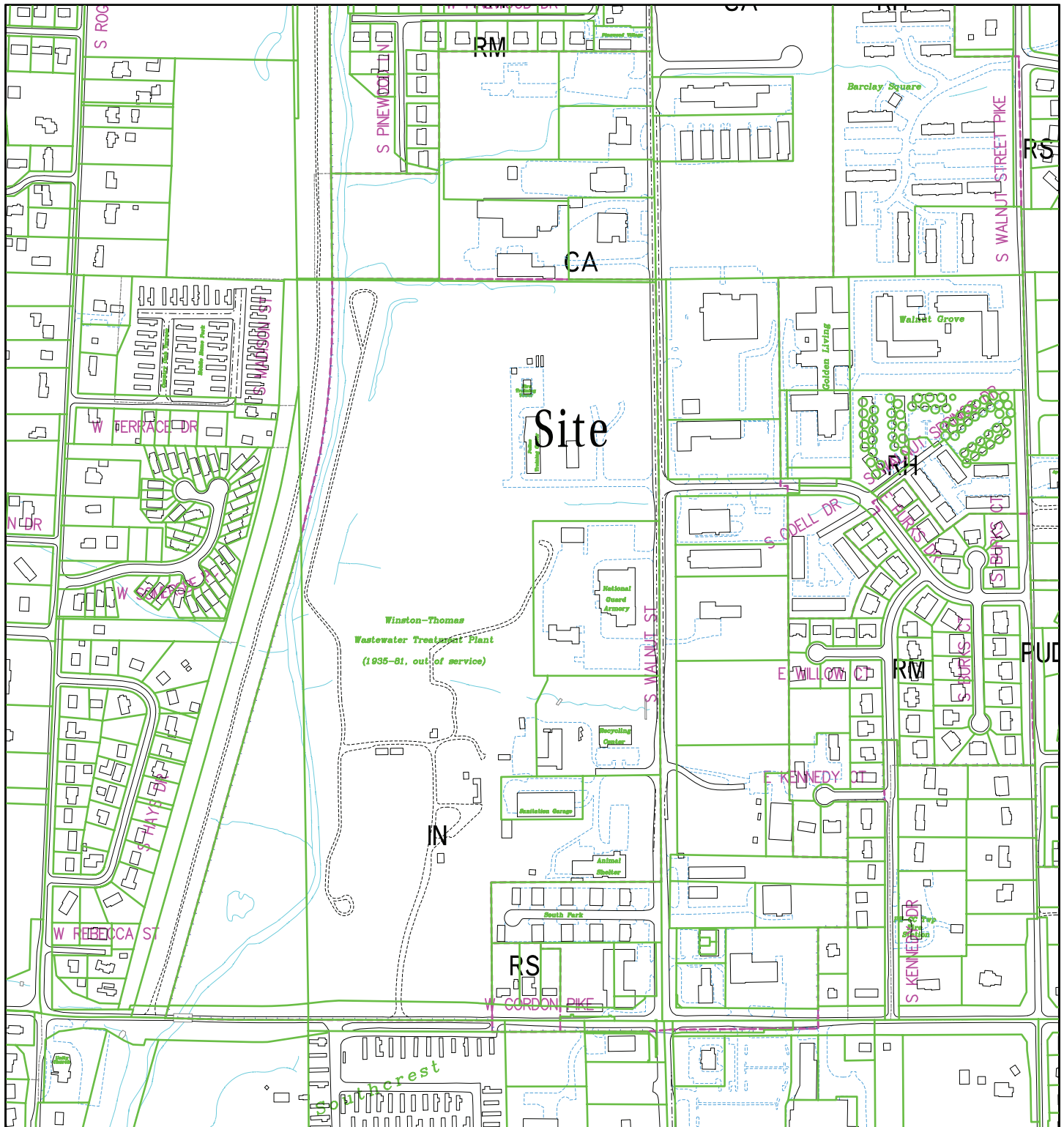
**Parking Setback:** Practical difficulty is found in that the petitioner is making use of a flat area of topography on the site and that there is substantial distance between the building and the street. Placing the building and parking area at this location allows for future development to occur between this site and the street which will result in an overall complying site. The strict application of the terms of the UDO would not allow the building and parking area to be constructed in a manner that best utilizes the topography of the site. Peculiar condition is found in that there is still over 200' between this site and the street and future development by the City will place structures closer to Walnut Street and result in an overall complying site plan.

**Architecture:** Practical difficulty is found in that the proposed use of the building as a storage and training facility, rather than a public commercial building, and the diverse nature of uses on this property do not lend itself to compliance with the design elements required by the UDO for public, commercial buildings. The required design elements of a regular pattern of glass, change in building façade height, or wall elevation recesses are not practical for the use of this building. Additionally, those design elements could increase the vulnerability of the building because of the substantial distance from the road and less regular visibility of the building. Peculiar condition is also found in that there is substantial distance from this building to the road and will not be seen from the public right-of-way.

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**RECOMMENDATION:** Based upon the written findings above, the Department recommends that the Hearing Officer adopt the proposed findings and recommends approval of V-25-19 with the following conditions:

1. The petitioners must obtain a building permit prior to construction.
2. This approval is for the submitted site plan and building design only.



V-25-19 City of Bloomington

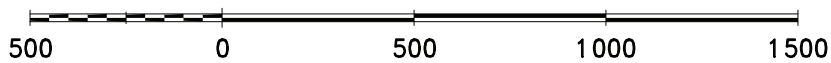
3230 S Walnut Street

Hearing Officer

Site Location, Zoning, Parcels

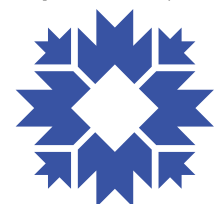
By: greulice

19 Jul 19



For reference only; map information NOT warranted.

City of Bloomington  
Planning & Transportation



Scale: 1" = 500'





V-25-19 City of Bloomington

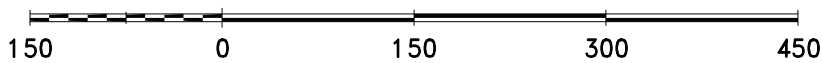
3230 S Walnut Street

Hearing Officer

2016 Aerial Photograph

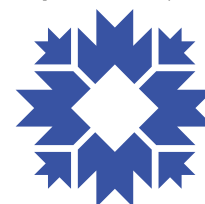
By: greulice

19 Jul 19



For reference only; map information NOT warranted.

City of Bloomington  
Planning & Transportation



Scale: 1" = 150'







BYNUM FANYO & ASSOCIATES, INC.

18  
Architecture  
Civil Engineering  
Planning

July 1, 2019

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

Re: Bloomington Police Training Annex, 3230 S. Walnut Street

Our Client, the City of Bloomington Police Department, respectfully request two variances form the UDO development standards. The first is the parking setback standard that requires the parking and drive to be 20' behind the face of a building fronting on a public street. The second is the architectural standards for materials and fenestration.

The property is located on land owned by the City of Bloomington Utilities Department (CBU) and is being provided to the Bloomington Police Department (BPD) to construct a training annex building. The new building will be located behind the old incinerator building constructed in the 1960's. The construction site is setback from S. Walnut Street approximately 190-feet. This is to allow CBU the ability to construct an additional building sometime in the future. When this occurs the BPD building will no longer front on S. Walnut Street and the setback will be measured from the future CBU structure.

The proposed use of this building is for training and evidence storage. To meet the needs for evidence storage, the building materials and design must be durable and resistant to break in and vandalism, design parameters that conflict with the UDO. The UDO requires certain architectural features to be incorporated into the building design if "visible from a primary arterial". This property is unique in the fact that a dense wall of mature trees blocks the visibility from S. Walnut Street, in addition to the future structure blocking visibility.

We have included the proposed site and grading plan, landscape plan and building elevations for your review. If you have any question regarding our submission, please contact me at any time.

Sincerely,

Jeffrey S. Fanyo P.E. CFM

Bynum Fanyo and Associates, Inc.

Attachments

528 North Walnut Street  
812-332-8030

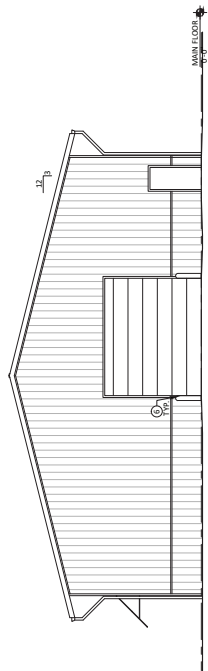
Bloomington, Indiana 47404  
FAX 812-339-2990

ELEVATION GENERAL NOTES

- A. CONTRACTOR TO FIELD, VERIFY ALL DIMENSIONS, CONDITIONS AND LOCATIONS. REPORT DISCREPANCIES IMMEDIATELY.
- B. COORDINATE WORK OF OTHER TRADES WITH YOUR TRADE BEFORE STARTING ANY CONSTRUCTION.

ELEVATION KEY NOTES

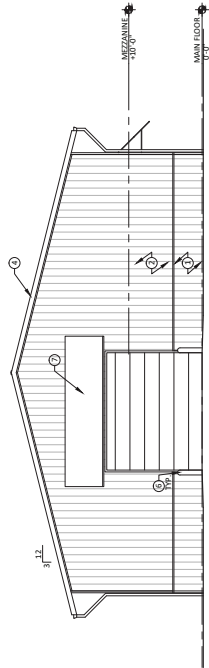
- ① METAL SIDING COLOR "A"
- ② METAL SIDING COLOR "B"
- ③ BASE BID ASPHALT SHINGLE ROOF SYSTEM, 1/2" OSB SHEATHING SYSTEM
- ④ METAL FLASHING W/ W.P.
- ⑤ PREFINISHED GUTTER AND DOWNSPOUT
- ⑥ BOLLARD
- ⑦ ALUMINUM FRAMED CANOPY WITH FABRIC COVER



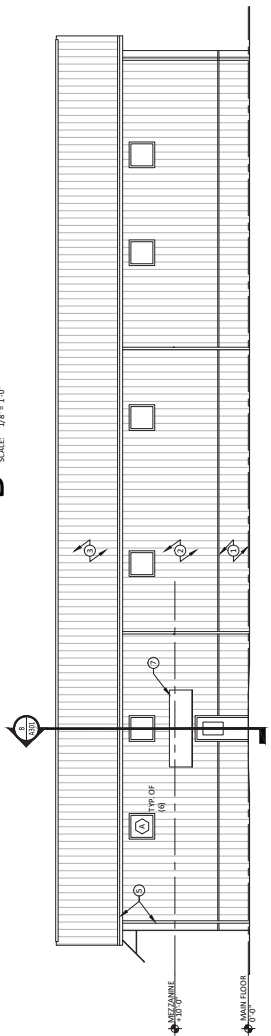
**D** NORTH ELEVATION  
SCALE: 1/8" = 1'-0"



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



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



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

PROJECT TITLE  
**COB POLICE TRAINING ANNEX**

PROJECT TIME  
BLOOMINGTON, IN

SOUTH WALNUT STREET

PROJECT INFORMATION

PROJECT NUMBER: 18-75  
ISSUE DATE: 6.28.19  
REVISION DATE:

SHEET EIR  
**EXTERIOR ELEVATIONS**

SHEET OUTRIG

**A201**





