

CITY OF BLOOMINGTON



December 8, 2021 @ 2:00 p.m.

<https://bloomington.zoom.us/j/82042182275?pwd=Z2E5clpWMU9WZnZGWVN5MIJ2N1Z2Zz09>

Meeting ID: 820 4218 2275

Passcode: 714761

CITY OF BLOOMINGTON
HEARING OFFICER
December 8, 2021 at 2:00 p.m.

❖**Virtual Meeting Link:**

<https://bloomington.zoom.us/j/82042182275?pwd=Z2E5clpWMU9WZnZGWVN5MIJ2N1Z2Zz09>

Meeting ID: 820 4218 2275

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PETITION CONTINUED TO: December 22, 2021

V-27-21 **MCCSC (Fairview Elementary School)**
500 W. 7th St.
Request: Variance from the required front building setback for accessory structures to allow for a 5-foot setback.
Case Manager: Keegan Gulick

PETITION:

V-26-21 **RealAmerica Development, LLC**
1730 S. Walnut St.
Request: Variance from Development Standards from maximum impervious surface coverage to construct a 64-unit mixed-use structure in the Mixed-use Corridor (MC) zoning district.
Case Manager: Keegan Gulick

****Next Meeting: December 22, 2021**

Map: <https://arcg.is/00S4Dr>

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.

**BLOOMINGTON HEARING OFFICER
STAFF REPORT
Location: 1730 S Walnut St.**

**CASE #: V-26-21
DATE: December 8, 2021**

PETITIONER: RealAmerica Development, LLC
8250 Dean Road
Indianapolis, IN 47401

REQUEST: The petitioner is requesting a variance from the required 60% impervious surface coverage to allow for 65.91% impervious surface coverage.

BACKGROUND:

Area: 1.43 acres
Current Zoning: Mixed-Use Corridor (MC)
Comp Plan Designation: Regional Activity Center
Existing Land Use: Vacant
Proposed Land Use: Dwelling, Multifamily/Commercial
Surrounding Uses: North – Park
South – Commercial
East – Commercial
West – Park

REPORT: The property is located at 1730 S Walnut Street. This property is currently zoned Mixed-Use Corridor (MC) and is vacant. The properties to the south, north, and east are also currently zoned MC and developed with commercial uses. The property to the west and northwest is currently zoned Parks and Open Space (PO) and developed with Switchyard Park. The site is currently developed with a vacant commercial structure and surface parking lot. The petitioner will fully demolish the existing structure. This property is not located in any historic districts or overlay districts.

The petitioner is proposing a new 5-story multifamily and commercial structure. The proposed development includes 64 units and 116 bedrooms with ground level commercial space. This development received site plan approval from the Plan Commission under case # SP-21-21. The petitioner is proposing a lot line adjustment for the City to be able retain ownership of the western portion of the property. The proposed lot line adjustment does not change the design of the development but decreases the total lot area. The western portion of the parcel contains floodplain as well as potentially hazardous chemicals in the earth that would require remediation for development. The approved site plan does not propose any development in the area that would be given to the City of Bloomington through the lot line shift. The petitioner is requesting a variance from the maximum impervious surface coverage allowance to be able to reduce the lot size of the development parcel.

CRITERIA AND FINDINGS FOR DEVELOPMENT STANDARDS VARIANCE

20.06.080(b)(3)(E) (i) 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: No injury to the public health, safety, morals, and general welfare is found as a result of this petition. The portion of the parcel that would be removed from the site is in floodplain and will be appended to a non-developed area of Switchyard Park.

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

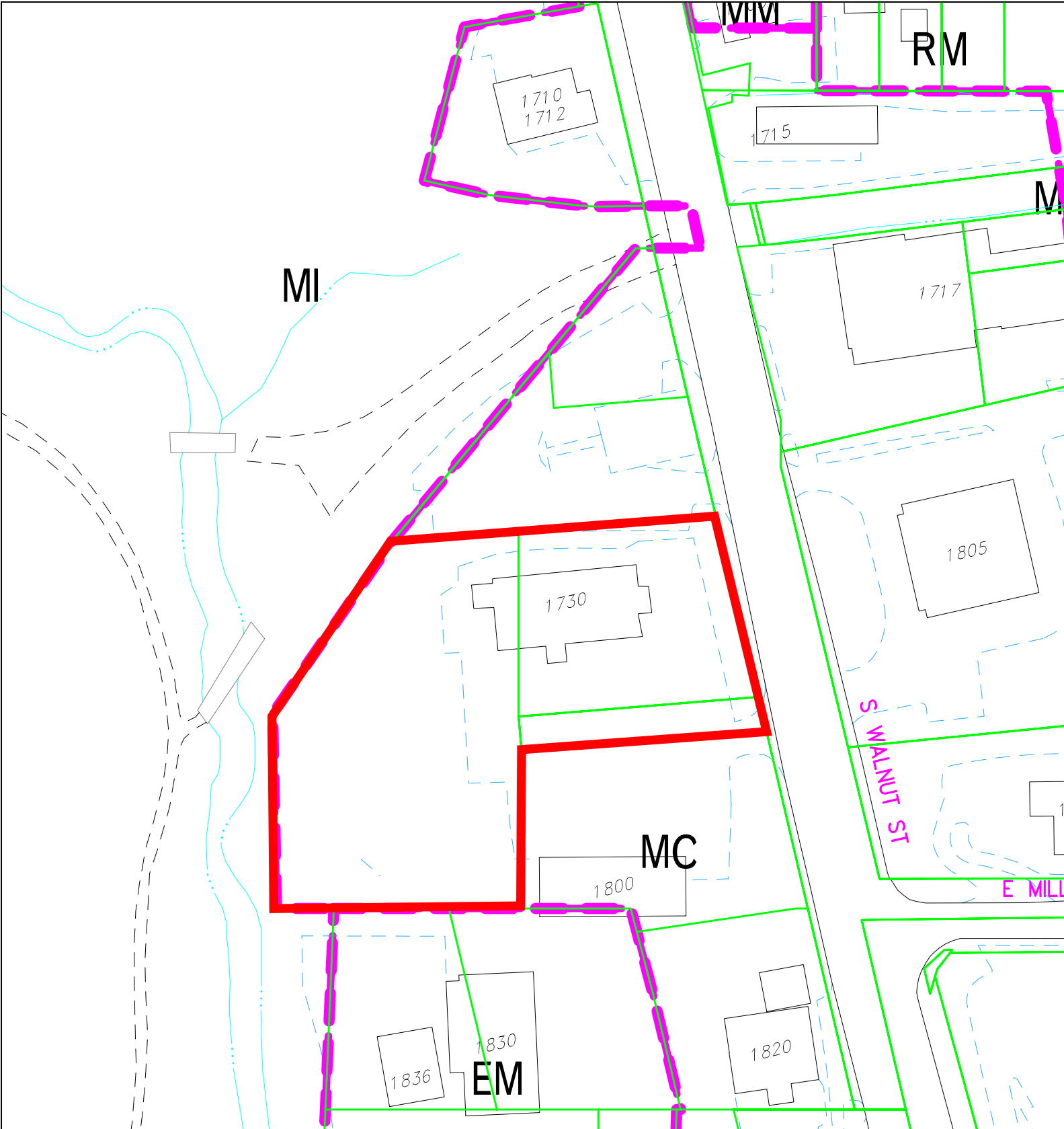
PROPOSED FINDING: No adverse effect to the use or value of the adjacent properties is found as a result of this petition. This proposed development will redevelop the currently vacant site and provide affordable housing units. The developed areas of the parcel, approved through the site plan process, will not change with this variance. The parcel to the west will become larger and absorb undeveloped land.

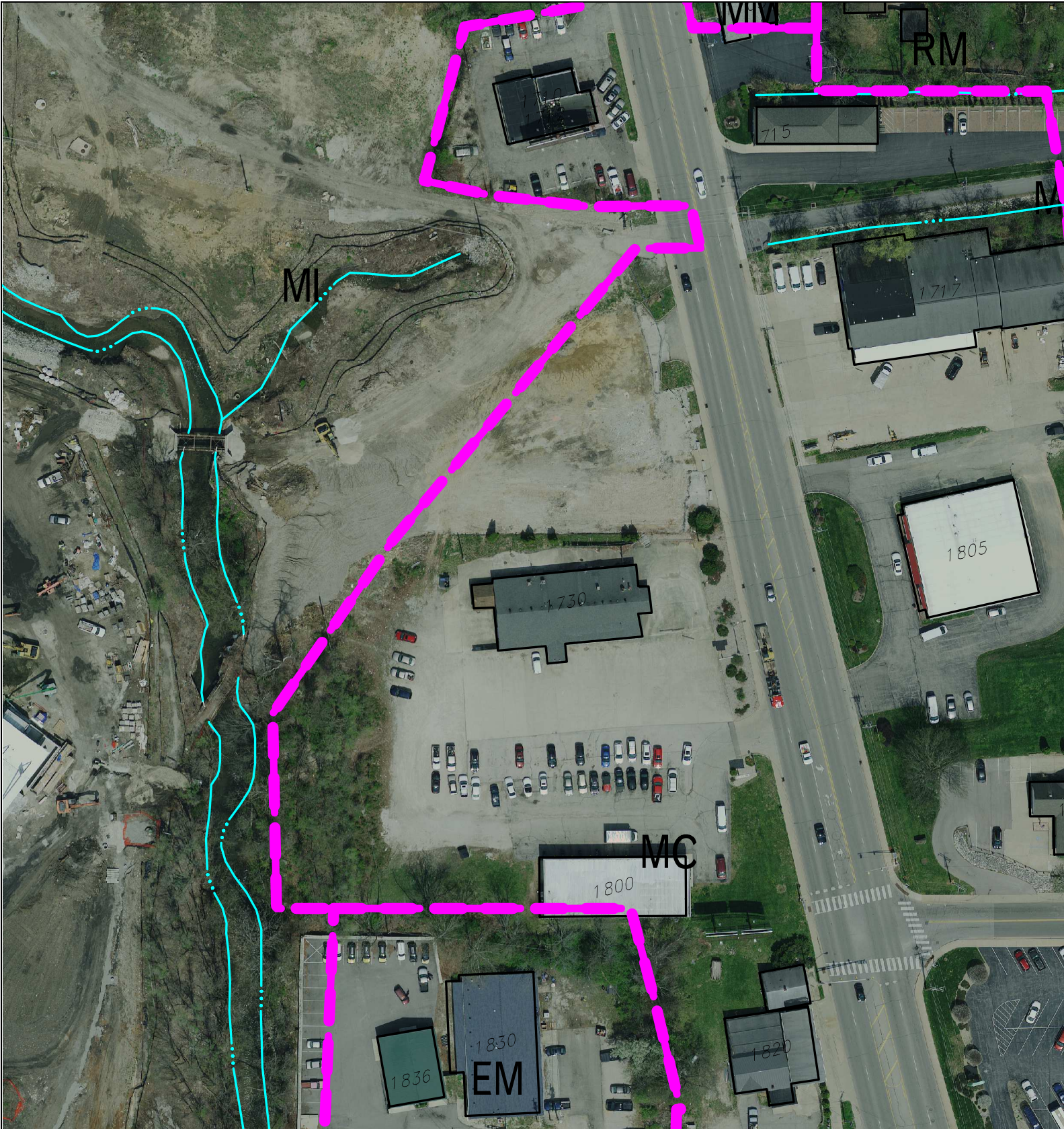
3) *The strict application of the terms of the Unified Development Ordinance will result in practical difficulties in the use of the property; that the practical difficulties are peculiar to the property in question; that the Development Standards Variance will relieve the practical difficulties.*

PROPOSED FINDING: Practical difficulty is found in the existing environmental features on the site including the floodplain and site contaminants. Both features of the western portion of the site make that part of the lot undevelopable without significant investment. That area is also immediately adjacent to undeveloped floodplain in Switchyard Park that likely also contains contaminants. With the proposed lot line adjustment the city will retain that portion of the western property. This will make the size of the parcel smaller, but not change the proposed design of the development or the total area of land being developed. For the city to retain a portion of the property, a variance from impervious surface coverage will be necessary.

RECOMMENDATION: Based upon the written findings above, the Department recommends that the Hearing Officer adopt the proposed findings and recommends approval of V-26-21 with the following conditions:

1. The petitioners must obtain a grading permit prior to earth moving commencing.







8250 Dean Road
Indianapolis, IN 46240
O: 317.815.5929
F: 317.815.5930
RealAmericaLLC.com

Mr. Keegan Gulick
Zoning & Long Range Planner
Planning & Transportation Department
City of Bloomington
401 N. Morton Street
Bloomington, IN 47404

November 8, 2021

RE: Retreat @ the Switchyard
Impervious Surface Variance

Dear Keegan,

Please find enclosed our application for an impervious surface variance for the Retreat @ the Switchyard.

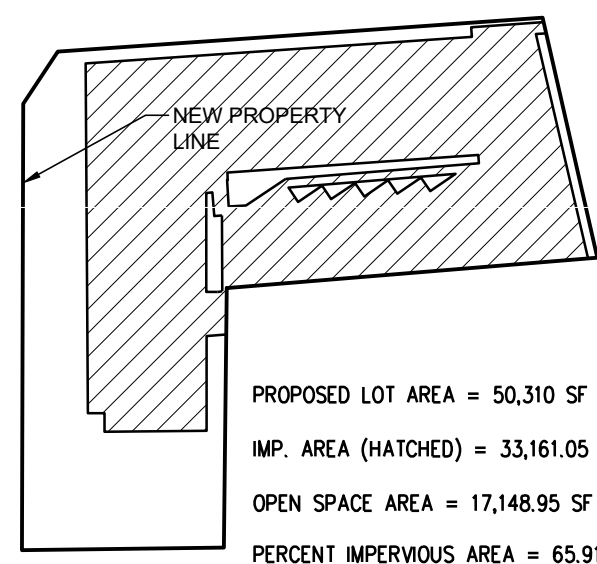
As a reminder on the origins of this development, in December of 2019, the City of Bloomington issued a Request for Information from qualified development teams to create affordable housing, market rate housing and commercial space on the former site of Night Moves. The City's goal was to maximize the site for these uses while primarily creating affordable housing next to the City's beautiful new park. RealAmerica submitted a response to the RFI and was selected as the developer for the site. In September 2020 we submitted a financing application to IHEDA to finance the 48 affordable apartments. We received an allocation of tax credits in February 2021 and are now able to move forward with the building.

We are proposing that we do not purchase the entire parcel we have under contract with the City of Bloomington. We would like to leave the western part of the parcel (adjacent to Switchyard Park) with the City and only use the eastern part of the property for our project. If we were to purchase the entire parcel, our impervious surface would be 56% of the parcel. We are proposing to leave 0.28 acres of the parcel with the city to use as you see fit. This reduction in the parcel would increase the percentage of impervious surface on our site from 56% to 66%. It will also leave the floodplain along Clear Creek and additional land under the control of the City of Bloomington. Since I would not expect the City to build on this land the actual amount of impervious surface on the parcel will not change with this variance.

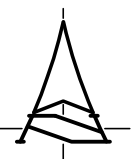
Sincerely,

Jeffrey A. Ryan
Vice President of Development

IMPERVIOUS AREA



PROPOSED LOT AREA = 50,310 SF (1.15 AC)
 IMP. AREA (HATCHED) = 33,161.05 SF (0.76 AC)
 OPEN SPACE AREA = 17,148.95 SF (0.39 AC)
 PERCENT IMPERVIOUS AREA = 65.91%



SCALE: 1"=100'

EXISTING LEGEND

- PROPERTY LINE
- X- FENCE
- X4W- WATER LINE PIPE (PRIVATELY OWNED)
- 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

SITE LEGEND

- (A) BITUMINOUS PAVEMENT
- (B) BITUMINOUS PARKING PAVEMENT WITHIN R.O.W.
- (AP) ADA ACCESSIBLE PARKING SPACE, 35" INTERNATIONAL ADA SYMBOL, STRIPING, AISLES, SIGNAGE AND SLOPES SHALL CONFORM WITH THE MOST STRINGENT OF FEDERAL, STATE AND LOCAL ACCESSIBLE GUIDELINES.
- (APS) ADA ACCESSIBLE PARKING SIGN
- (C) REINFORCED CONCRETE PAVEMENT
- (CL) OR CL- CONSTRUCTION LIMITS
- (CT) CONCRETE CURB TURNOUT
- (EC) END CONCRETE CURB CONSTRUCTION
- (F) CONCRETE SIDEWALK
- (FI) MONOLITHIC CONCRETE CURB AND SIDEWALK
- (GR) 42" GUARDRAIL - SEE ARCHITECTURAL PLANS
- (HR) 36" HANDRAIL - SEE ARCHITECTURAL PLANS
- (L) LAWN OR LANDSCAPED AREA
- (M) MATCH EXISTING CURB, SIDEWALK, PAVEMENT ELEVATIONS
- (PF) PRESSURE TREATED WOOD SHADOWBOX PRIVACY FENCE, HEIGHT AS SHOWN ON SITE PLAN
- (PL) NEW PARKING LOT POLE LIGHT FIXTURE - SEE SITE LIGHTING NOTE THIS SHEET
- (PP) STANDARD ROAD PAVEMENT PATCH
- (R#) SIDEWALK ADA ACCESSIBLE RAMP, # FOR STYLES 1-3
- (RW) REINFORCED CONCRETE RETAINING WALL - SEE ARCHITECTURAL PLANS
- (VA) VAN ACCESSIBLE SUPPLEMENTAL SIGN
- (13) 6-IN WIDE CONCRETE CURB
- (13B) 18-IN. CONCRETE CURB & GUTTER
- (20) 4-IN. WIDE SOLID WHITE THERMOPLASTIC PAVEMENT MARKING
- (21) 4-IN. WIDE SOLID WHITE PAINTED PAVEMENT MARKING
- (22) 4-IN. WIDE SOLID BLUE PAINTED ADA PAVEMENT MARKING

UTILITY LEGEND

- FSL- 4" POLYETHYLENE ENCASED DIP FIRE SERVICE LINE (PRIVATELY OWNED)
- DSL- 2" SDR-21 PVC DOMESTIC WATER SERVICE LINE (PRIVATELY OWNED)
- 4W- 4" POLYETHYLENE ENCASED DIP WATERLINE (PRIVATELY OWNED)
- 6W- 6" POLYETHYLENE ENCASED DIP WATERLINE (OWNED BY SDU)
- M- 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)
- 12ST- 12" ADS BRAND SERIES N-12 HDPE STORM SEWER PIPE (PRIVATELY OWNED)
- 15ST- 15" ADS BRAND SERIES N-12 HDPE STORM SEWER PIPE (PRIVATELY OWNED)
- 4UD- 4" PERFORATED SDR-35 PVC UNDERDRAIN PIPE (PRIVATELY OWNED)
- 6UD- 6" PERFORATED SDR-35 PVC UNDERDRAIN PIPE (PRIVATELY OWNED)
- 8UD- 8" PERFORATED SDR-35 PVC UNDERDRAIN PIPE (PRIVATELY OWNED)
- 4UDS- 4" SDR-35 PVC PIPE (PRIVATELY OWNED)
- 6UDS- 6" SDR-35 PVC PIPE (PRIVATELY OWNED)
- 6BD- 6" SDR-35 PVC BUILDING STORM DRAIN PIPE (PRIVATELY OWNED)
- 8BD- 8" SDR-35 PVC BUILDING STORM DRAIN PIPE (PRIVATELY OWNED)
- 12BD- 12" SDR-35 PVC BUILDING STORM DRAIN PIPE (PRIVATELY OWNED)
- GAS- GAS SERVICE LINE - CONTACT VECTREN ENERGY
- E3- 3" SCH. 40 PVC ELECTRICAL GRADE CONDUIT WITH PULL WIRE FOR COMMUNICATION LINES
- E4- 4" SCH. 40 PVC ELECTRICAL GRADE CONDUIT - SIZE AS REQUIRED BY THE NATIONAL ELECTRICAL CODE - SEE NOTE THIS SHEET

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:

ARCHITECTURE
 CIVIL ENGINEERING
 PLANNING

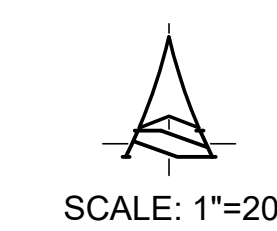
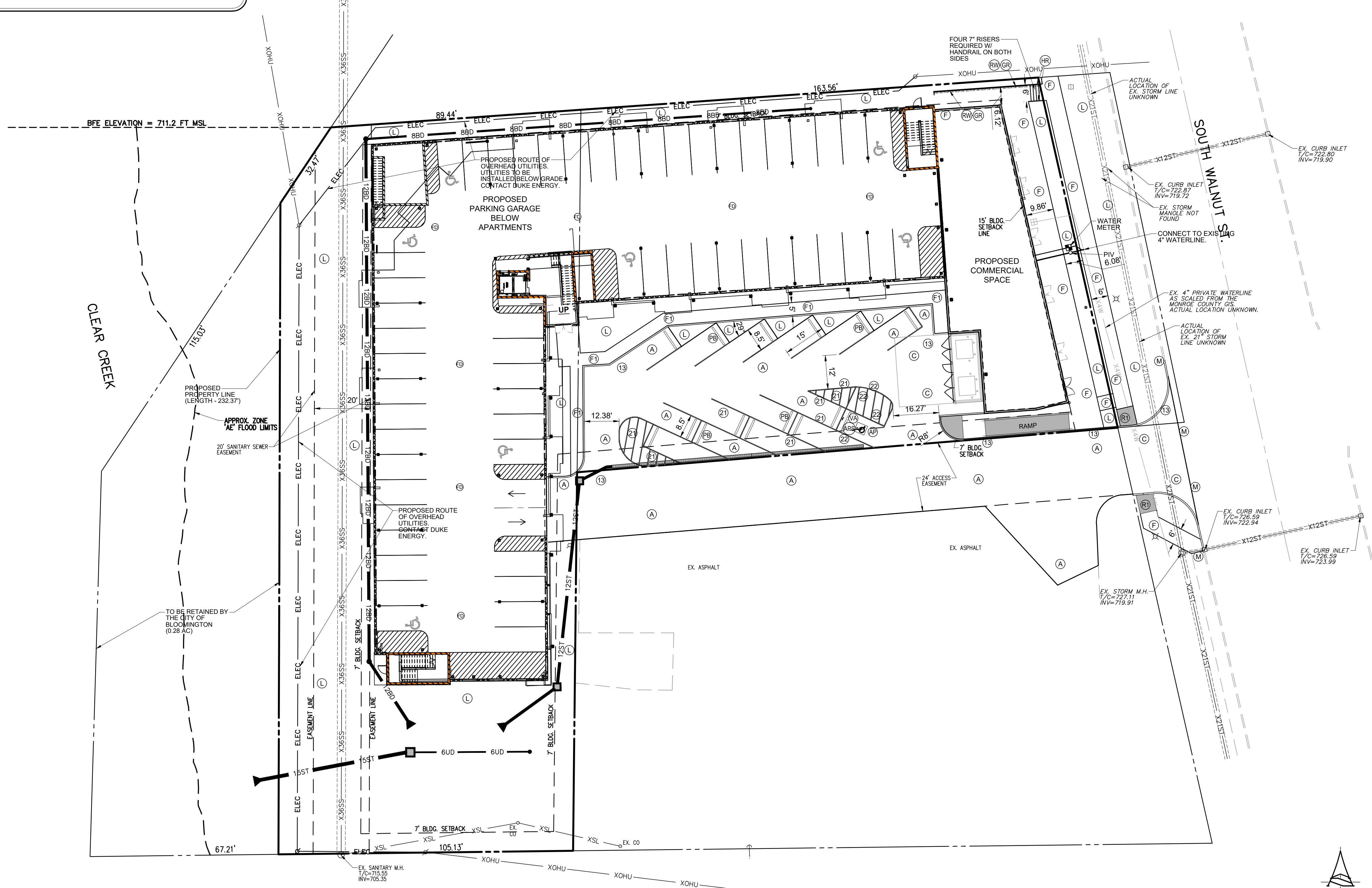
BYNUM FANYO & ASSOCIATES, INC.
 528 north walnut street
 (812) 332-8030

certified by:

PROPOSED
 REAL AMERICA RETREAT AT
 SWITCHYARD PARK
 1730 S. WALNUT ST.
 BLOOMINGTON, INDIANA 47401

title:
 SITE & UTILITY PLAN

designed by: JBT
 drawn by: JBT
 checked by: JSF
 sheet no: C202
 project no.: 402111



SCALE: 1"=20'