## CITY OF BLOOMINGTON



January 23, 2025 @ 5:30 p.m.
City Hall, 401 N. Morton Street
Common Council Chambers, Room #115

https://bloomington.zoom.us/j/82448983657?pwd=enJxcnArK1pLVDInWGROTU43dEpXdz09

Meeting ID: 824 4898 3657

Passcode: 319455

CITY OF BLOOMINGTON BOARD OF ZONING APPEALS (Hybrid Meeting) January 23, 2025 at 5:30 p.m.

City Hall, 401 N. Morton Street Common Council Chambers, Room #115 and via Zoom

**❖Virtual Meeting:** <a href="https://bton.in/Zoom">https://bton.in/Zoom</a>

Meeting ID: 824 4898 3657 Passcode: 319455

Petition Map: <a href="https://bton.in/G6BiA">https://bton.in/G6BiA</a>

#### **ROLL CALL**

APPROVAL OF MINUTES: December 19, 2024

**ELECTION OF OFFICERS:** 

**PETITIONS CONTINUED TO:** February 20, 2025

AA-17-22 Joe Kemp Construction, LLC & Blackwell Construction, Inc.

Summit Woods (Sudbury Farm Parcel O) W. Ezekiel Dr.

Parcel(s): 53-08-07-400-008.002-009, 53-08-07-400-008.004-009... Request: Administrative Appeal of the Notice of Violation (NOV) issued

March 25, 2022. Case Manager: Jackie Scanlan

V-27-22 Cutters Kirkwood 123, LLC

113 E. Kirkwood Ave.

Parcel: 53-05-33-310-062.000-005

Request: Variances from Downtown Character Overlay standards to allow less non-residential area and less large display windows; and a variance from the requirement to align with the front setback of an adjacent historic structure in the Mixed-Use Downtown zoning district with the Courthouse Square Character

Overlay (MD-CS). Case Manager: Jackie Scanlan

CU-33-24/ USE2024-11-0068 Hat Rentals, LLC

202 N. Walnut Street

Parcel: 53-05-33-310-028 000-005

Request: Request for conditional use approval of "student housing or dormitory" to allow one four-bedroom unit in the

Mixed-Use Downtown (MD) zoning district.

Case Manager: Jackie Scanlan

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

The City is committed to providing equal access to information. However, despite our efforts, at times, portions of our board and commission packets are not accessible for some individuals. If you encounter difficulties accessing material in this packet, please contact Melissa

Hirtzel at hirtzelm@bloomington.in.gov and provide your name, contact information, and a link to or description of the document or web page you are having problems with.

V-36-24/ VAR2024-12-0053

**Tariq Khan** 

1314 N Lincoln Street

Parcel: 53-05-28-300-065.000-005

Request: Variance from side and rear setback standards and a determinate sidewalk variance to allow the conversion of an existing accessory structure to a primary structure by adding a dwelling unit in the structure without changing the existing setbacks and without constructing a new sidewalk in the Mixed-Use Student Housing (MS) zoning district. <u>Case Manager: Gabriel Holbrow</u>

### **PETITIONS:**

CU-31-24/ USE2024-09-0064

Tim Henke

915 & 927 E Miller Drive

Parcel(s): 53-08-09-104-124.000-009.

53-08-09-104-120.000-009

Request: Conditional use approval to allow a "Dwelling, cottage development" in the Residential Medium Lot (R2)

zoning district. Case Manager: Eric Greulich

V-35-24/ VAR2024-11-0051

**City of Bloomington Fire Department** 

3240 S. Walnut Street

Parcel: 53-08-16-300-046.000-009

Request: Variance from Architectural Standards to allow for the construction of a "Police, fire, or rescue station" in

the Mixed-Use Institutional (MI) zoning district.

Case Manager: Eric Greulich

V-39-24/ VAR2024-12-0056

**Monroe County Capital Improvement Board** 

301 & 327 S. College Avenue & 300, 302, & 314 S. Walnut Street Parcel: 53-05-33-310-170.000-005

Request: Multiple variances related to the architectural requirements of 20.02.020 and 20.02.050; driveway width and separation requirements; and street tree requirements in the Mixed-Use Downtown Downtown Core (MD-DC)

zoning district. Case Manager: Jackie Scanlan

Auxiliary aids for people with disabilities are available upon request with adequate notice. Please call <a href="mailto:812-349-3429">812-349-3429</a> or E-mail <a href="mailto:human.rights@bloomingto.in.gov">human.rights@bloomingto.in.gov</a>.

CASE#: CU-31-24

**BLOOMINGTON BOARD OF ZONING APPEALS** 

STAFF REPORT USE2024-09-006 LOCATION: 915 and 927 E. Miller Drive DATE: January 23, 2025

**PETITIONER:** Tim Henke

3172 E. Covenanter Drive, Suite #100

Bloomington, IN 47401

**CONSULTANT:** Matt Ellenwood (Matte Black Architecture)

2021 E. Wexley Road, Bloomington, IN 47401

**REQUEST:** The petitioner is requesting Conditional Use approval to allow a "Dwelling, cottage development" use in the Residential Medium Lot (R2) zoning district.

**REPORT:** This 1.4 acre site is comprised of two properties located at 915 and 927 E. Miller Drive and is zoned Residential Medium Lot (R2). Surrounding properties to the west and east are zoned Residential Medium Lot (R2), to the north is zoned Residential Multifamily (RM) and to the south is zoned Residential High Density (RH). Surrounding land uses include single family residences to the west and east, undeveloped land to the north, and multifamily residences to the south. There are no known regulated environmental features on this property. One of the lots on this site was recently developed with a single family residence and a second residence is under construction on the other lot.

The petitioner is proposing to utilize the two existing residences in combination with a proposed 5 more units to create a Cottage Home development. The petitioner is proposing to construct two new buildings that would consist of a triplex and a duplex. There is currently a drivecut on Miller Drive that would be utilized for access to the site and individual garages have been proposed within each unit for parking. An internal sidewalk system has been shown to connect each unit to Miller Drive and the buildings and porches have been oriented to create a central open space around the internal sidewalk system. A sidewalk with street trees was required along the Miller Drive frontage with the construction of the two existing residences. A Type 1 landscape buffer yard is required along the side and rear lot lines for a Cottage Development and has been delineated on the site plan. Compliance with all development standards will be reviewed with the site plan approval. An area for stormwater detention has also been shown.

The petitioner is requesting conditional use approval to allow the establishment of a "Dwelling, cottage development" use on the property.

### CRITERIA AND FINDINGS FOR CONDITIONAL USE PERMIT

20.06.040(d)(6)(B) General Compliance Criteria: All petitions shall be subject to review and pursuant to the following criteria and shall only be approved if they comply with these criteria.

- i. Compliance with this UDO
- ii. Compliance with Other Applicable Regulations
- iii. Compliance with Utility, Service, and Improvement Standards
- iv. Compliance with Prior Approvals

**PROPOSED FINDING:** There are use-specific standards outlined in Section 20.03.030(b)(7) of the UDO that apply to the use "Dwelling, cottage development" and this petition meets those standards. The standards allow for a maximum density of 5 units per acre, which this meets with the proposed 7 units. Parking is provided solely on the driveways and attached garages utilizing the existing drivecut on Miller Drive. There is a minimum of 10' separation between the residential buildings as required. A common open space of at least 400 square feet has also been provided. A Type 1 bufferyard has been shown and will be reviewed with the site plan approval. The proposed buildings meet the architectural requirements for single family residences and each unit does not exceed the maximum 1:3 ratio as required. There are no other known applicable regulations for this petition. There are water and sewer connections available in Miller Drive and no conflicts with connecting to those services have been identified. There are no known prior approvals besides the two building permits that were issued for the residences for this site.

### 20.06.040(d)(6)(C) ADDITIONAL CRITERIA APPLICABLE TO CONDITIONAL USES

i. Consistency with Comprehensive Plan and Other Applicable Plans
The proposed use and development shall be consistent with and shall not interfere with
the achievement of the goals and objectives of the Comprehensive Plan and any other
applicable adopted plans and policies.

**PROPOSED FINDING:** This proposal is in line with the goals of the Comprehensive Plan. The Comprehensive Plan identifies this area as the "Neighborhood Residential" land use category. The Comprehensive Plan states that the Neighborhood Residential land use category is largely in areas that are largely built out with some vacant tracts of land for opportunities for small-scale neighborhood redevelopment activity. Buildings are no more than three, but most often two stories or less. Neighborhood Residential districts contain a mixture of densities, housing types (single-family and multifamily). Within this area for larger tracts of land, singlefamily, attached single-family (duplex, triplex, and fourplex buildings), bungalow courts (which would be similar to a Cottage Home Development), and multifamily residences may be appropriate. Policy 5.3.1 encourages opportunities for infill and redevelopment across Bloomington with consideration for increased residential densities, complementary design, and underutilized housing types such as accessory dwelling units, duplexes, triplex, and fourplex buildings, courtyard apartments (which a cottage home development is similar too). This location is also well served by existing services and utilities. The proposal also accomplishes many of the design goals of the Comprehensive Plan in relation to compatibility with adjacent structures and has a clear relationship with the adjacent public street through the internal sidewalk network that connects to the sidewalk along Miller Drive.

### ii. Provides Adequate Public Services and Facilities

Adequate public service and facility capacity shall exist to accommodate uses permitted under the proposed development at the time the needs or demands arise, while maintaining adequate levels of service to existing development. Public services and facilities include, but are not limited to, streets, potable water, sewer, stormwater management structures, schools, public safety, fire protection, libraries, and vehicle/pedestrian connections and access within the site and to adjacent properties.

**PROPOSED FINDING:** The site has existing utility connection and no issues have been identified with the proposed connections.

### iii. Minimizes or Mitigates Adverse Impacts

- 1. 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.
- 2. The proposed development shall not cause significant adverse impacts on surrounding properties nor create a nuisance by reason of noise, smoke, odors, vibrations, or objectionable lights.
- 3. The hours of operation, outside lighting, and trash and waste collection must not pose a hazard, hardship, or nuisance to the neighborhood.
- 4. The petitioner shall make a good-faith effort to address concerns of the adjoining property owners in the immediate neighborhood as defined in the pre-submittal neighborhood meeting for the specific proposal, if such a meeting is required.

**PROPOSED FINDING:** There are no known regulated natural or scenic features that are present on this property. The building is not located within a historic district. No significant adverse impacts are expected from the creation of the proposed duplex. No changes to trash and waste collection service are expected and this use would be served by public trash collection. No concerns from adjoining property owners have been presented.

### iv. Rational Phasing Plan

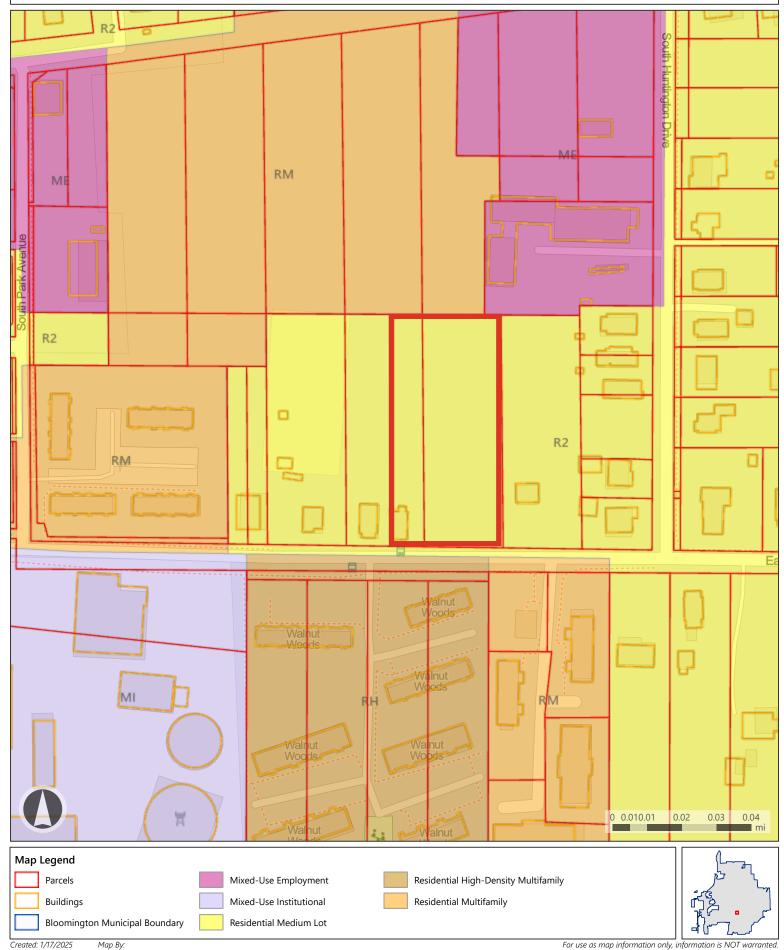
If the petition involves phases, each phase of the proposed development shall contain all of the required streets, utilities, landscaping, open space, and other improvements that are required to comply with the project's cumulative development to date and shall not depend upon subsequent phases for those improvements.

**PROPOSED FINDING:** No phasing is proposed with this plan.

**RECOMMENDATION:** The Department recommends that the Board of Zoning Appeals adopts the proposed findings and recommends approval of CU-31-24 with the following conditions:

- 1. This conditional use approval is limited to the design shown and discussed in the packet.
- 2. Site plan approval is required and must be received prior to issuance of any permits.
- 3. Final acceptance and approval from City of Bloomington Utilities is required prior to issuance of any permits or further approvals.







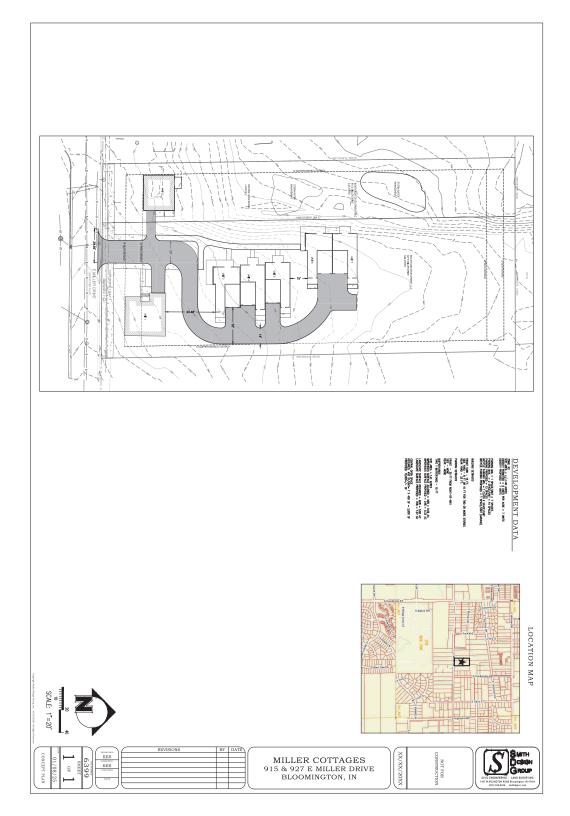


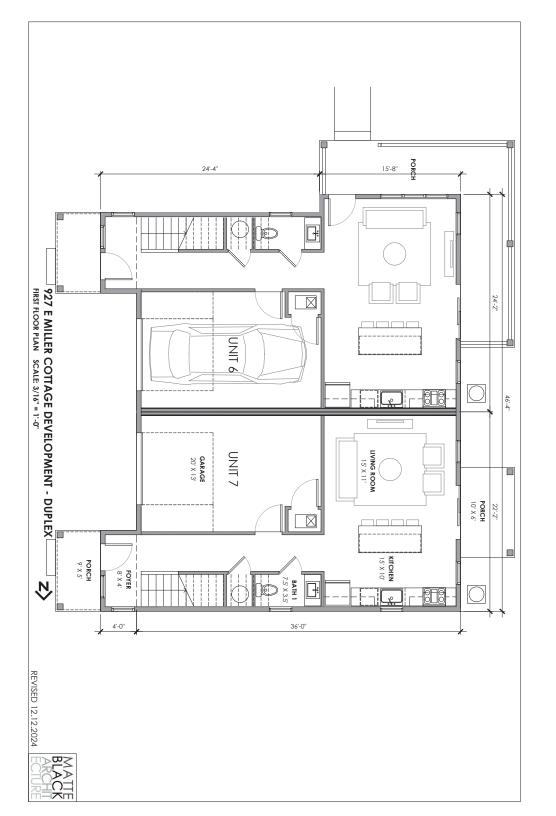
Map Legend

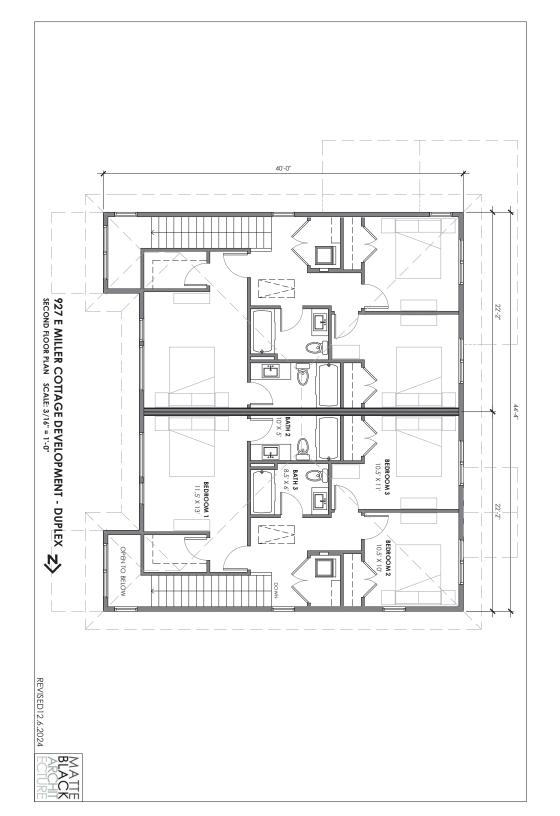
Parcels

Buildings

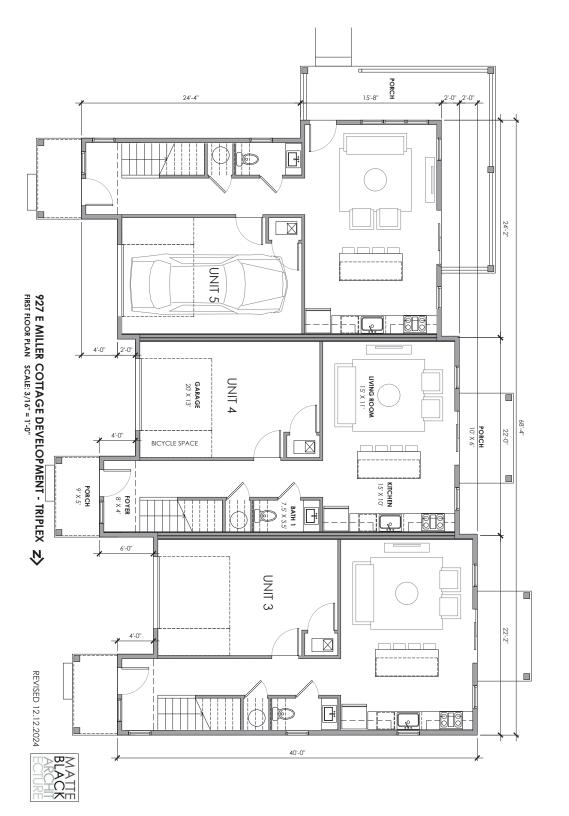
Bloomington Municipal Boundary



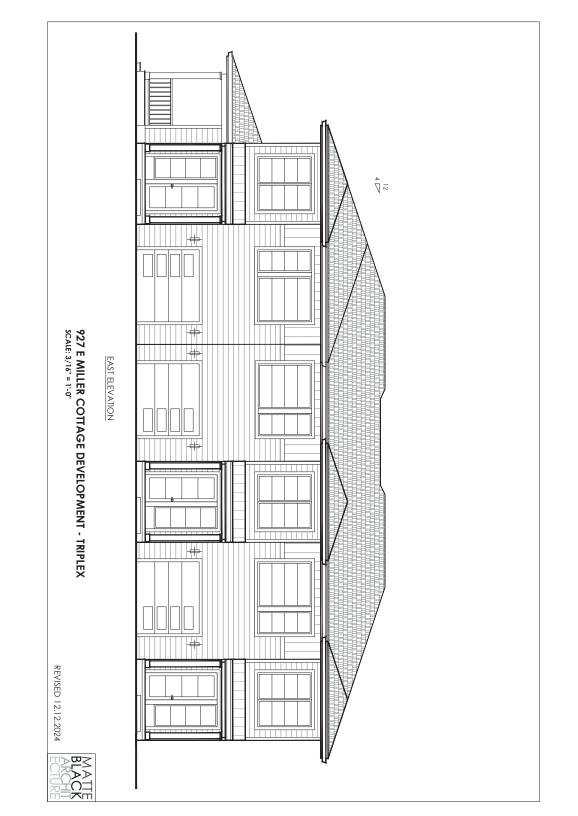


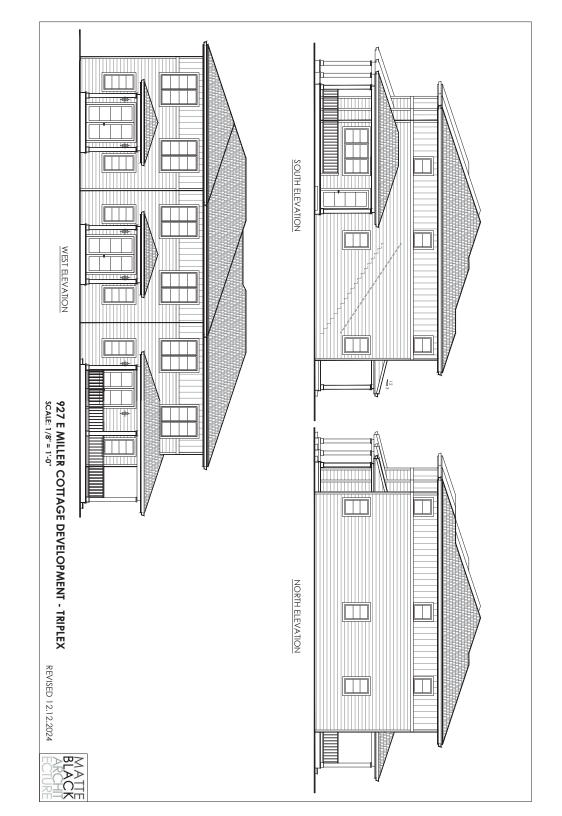




















BLOOMINGTON BOARD OF ZONING APPEALS
STAFF REPORT
CASE #: V-35-24
VAR-2024-11-0051

Location: 3240 S. Walnut Street DATE: January 23, 2025

**PETITIONER:** Bloomington Fire Department

PO Box 100, Bloomington, IN

**CONSULTANTS:** Martin Riley Architects

221 W. Baker Street, Ft. Wayne, IN

**REQUEST:** Variance from architectural standards to allow the construction of a "Police, Fire, or Rescue Station" in the Mixed-Use Institutional (MI) zoning district.

**REPORT:** This 62.3 acre property is located at 3240 S. Walnut Street and is zoned Mixed-Use Institutional (MI). Surrounding land uses include several commercial buildings to the north, east, and south with single family and mobile home residences to the west that are in the Monroe County planning jurisdiction. The 100-year floodplain of Clear Creek encroaches onto the west portion of this overall site.

This property is owned by the City of Bloomington Utilities Service Board and contains several municipal buildings consisting of the Animal Shelter and training buildings operated by the Police and Fire Departments. The Fire Department is proposing to construct a new 18,000 square foot building on the north side of the property that will serve as a training facility, office space, and vehicle and equipment storage. It is also anticipated that the building will serve as an emergency response station. An existing parking area to the south will be expanded to serve this building. The construction of the new building will require full compliance for the entire property and that will be reviewed with a subsequent site plan approval. The building has been designed with the front part of the building that has the office space to meet the architectural requirements of the UDO through the use of modulation, change in building height, covered pedestrian entry, approved exterior finish material, and use of transparent glass. However, the back part of the building that will serve as a storage area for the larger fire trucks and service vehicles, has to be designed to accommodate those large vehicles as well as the large interior open space that prevents a typical framing structure to be utilized. These constraints prevent the building from being able to utilize typical architectural elements such as modulated walls, different heights of roof, and requires specific metal siding to accommodate the unique design and flexible nature of the framing.

Due to the unique mix of uses and needs of this municipal building, there are inherent challenges with meeting the typical architectural guidelines of the UDO. The petitioner is requesting a variance from the architectural standards for the new building. No variances from any site development standards are proposed.

## CRITERIA AND FINDINGS FOR DEVELOPMENT STANDARDS VARIANCE 20.06.080(b)(3)(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 will not be injurious to the public health, safety, morals, or general welfare of the community. There will be no impact to the overall safety in the design of the building with the granting of this variance.

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 direct adverse impacts to the use and value of surrounding properties as a result of the requested variance are found. The requested part of the building subject to the variance is not visible to adjacent properties and rights-of-way.

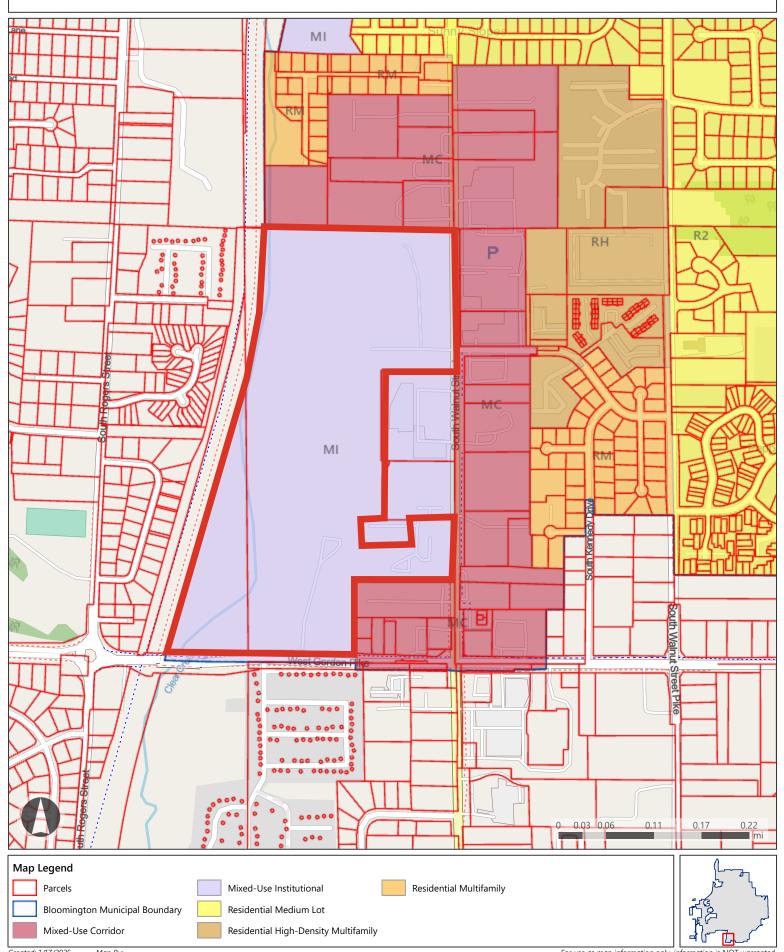
3) The strict application of the terms of the Unified Development Ordinance will result in practical difficulties in the use of the property; that the practical difficulties are peculiar to the property in question; that the Development Standards Variance will relieve the practical difficulties.

PROPOSED FINDING: The strict application of the terms of the Unified Development Ordinance will result in practical difficulties in the use of the property in that the Mixed-Use Institutional zoning of the property envisions this land developed for municipal uses, however the inherent challenges of designing a building for large vehicle storage is not compatible with the design requirements of the UDO and would not allow for the property to be developed with a building and use that were anticipated within this zoning district. The practical difficulties are peculiar to the property in question in that the property is zoned specifically for this type of use and is appropriate at this location. The Unified Development Ordinance was not written anticipating large size service buildings for the Fire Department and present a peculiar condition for this property. The granting of the variance will relieve these difficulties and allow a building to be constructed with the street facing side of the building to be built according to the UDO requirements and a rear portion designed for the specific needs of the Bloomington Fire Department.

**RECOMMENDATION:** The Department recommends that the Board of Zoning Appeals adopt the proposed findings and approve V-35-24 with the following conditions:

- 1. This variance is for this building only and for the elevations submitted with this petition.
- 2. The entire property must be brought into full compliance with the construction of this new building.









Parcels

Bloomington Municipal Boundary



November 22, 2024

Eric Greulich Senior Zoning Planner

Re: Architectural Variance Training Logistics Station

Dear Mr. Greulich,

The following is a petitioner's statement for a variance to the UDO regarding the proposed property at 3230 S. Walnut Street for the Fire Department Training and Logistics Station.

The proposed structure is architecturally divided between two distinct portions, an apparatus bay and office. Due to the utilitarian nature of the apparatus bay, it is unable to meet all UDO requirements. This bay area is used to house, maintain, and store the equipment necessary for the Fire Department to operate across multiple stations within the community. In addition to housing apparatus, this space also functions as a decontamination and restocking facility for the vital equipment used by firefighters. For the reasons listed above, the efficiency of the design necessitates a rectangular pre-engineered building as depicted in the attached plans. A pre-engineered structure offers the most flexibility to the department and allows for efficient decontamination and cleanliness of the entire apparatus bay area.

While the apparatus bay portion of the building (west) does not meet UDO requirements, the façade of this portion has been enhanced with a split-face CMU wainscot and stone sill, enhanced lighting, accent trims, and garage door glazing.

The office portion of the building (east) has been designed to meet UDO requirements including modulation of the floor plan, parapet heights, canopies, allocated space for artwork, signage, etc... The deviation to the UDO requirements within this portion of the building is the modulation of the floor plan around the Classroom space at the northeast corner. This portion is larger than the 40' allotted module, but also cannot meet other criteria such as 50% glazing on the first floor. This classroom space needs to be in the proportion depicted on plan to accommodate the training of vital personnel.

To address the criteria listed within section 20.06.080 Flexibility and Relief Procedures—(i. 1. General Approval Criteria) we offer the following:

- a) The deviation of this structure from the defined architectural standards within the UDO will not be "injurious to the public health safety, morals, or general welfare"—in fact the utilitarian nature of the portion of the building under question, will improve the public safety measures taken by a vital piece of city infrastructure. The efficiency of the plan will increase productivity and timeliness/cleanliness of the contaminated equipment processed through this facility.
- b) The adjacent structures on site will not be affected in an adverse manner. The other structures on site are also utilitarian and function similarly. Other adjacent structures include the police storage facility, fire training tower, and Public Safety training Center.

- The practical difficulties that warrant these deviations are listed above in the narrative.
   Additionally:
  - a. The site warrants an east-west oriented structure in order to account for the rather expansive grade drop from north-south. This orientation of the building also quickly allows apparatus (commonly referred to as fire trucks) to filter through the facility in a timely manner.
  - b. Programmatically (the layout of occupied space) these deviations from the UDO would occur on any site with these specific public safety requirements—but in particular this site offers the added challenge of grading, access to the public right-of-way, and connection to other training facilities on site. This structure is a unique Training and Logistics Station that maintains high standards for the safety and welfare of the public servants who operate within the structure to maintain a safe and protected City.
  - c. The finish materials selected for the Pre Engineered Metal Building (PEMB) necessitate the use of a metal façade to retain the structural efficiency. These buildings are designed with the ability to "sway." They are far less rigid than a conventional steel frame building, and thus there is embedded movement within the statically designed system. This "sway" is at its maximum is around 2" in either direction resulting in a net 4" maximum movement across a typical wall section. This movement is prevalent mostly at the top (where wind loads are greater and the most movement is seen) and thus the split-face CMU wainscot is retained at the base of the wall (where movement is kept to a minimum).

Respectfully submitted,

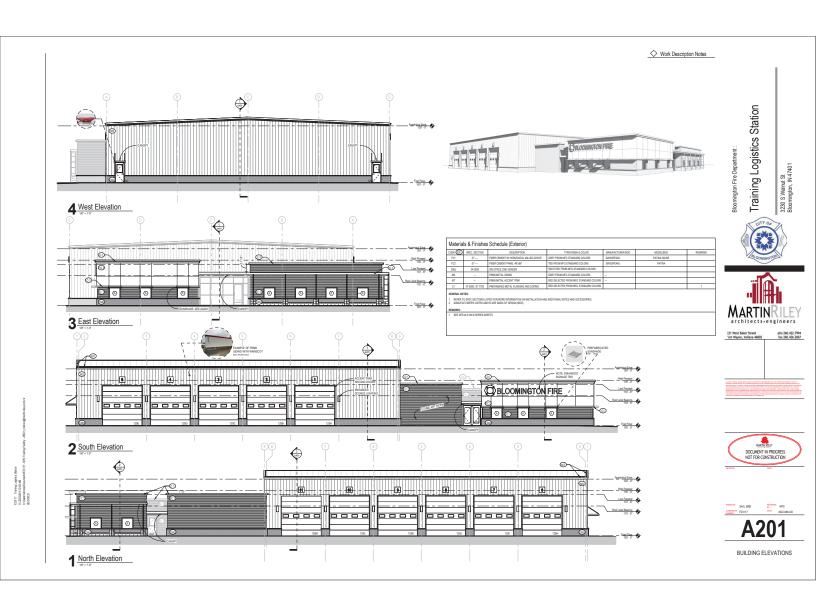
Martin Riley, Inc.

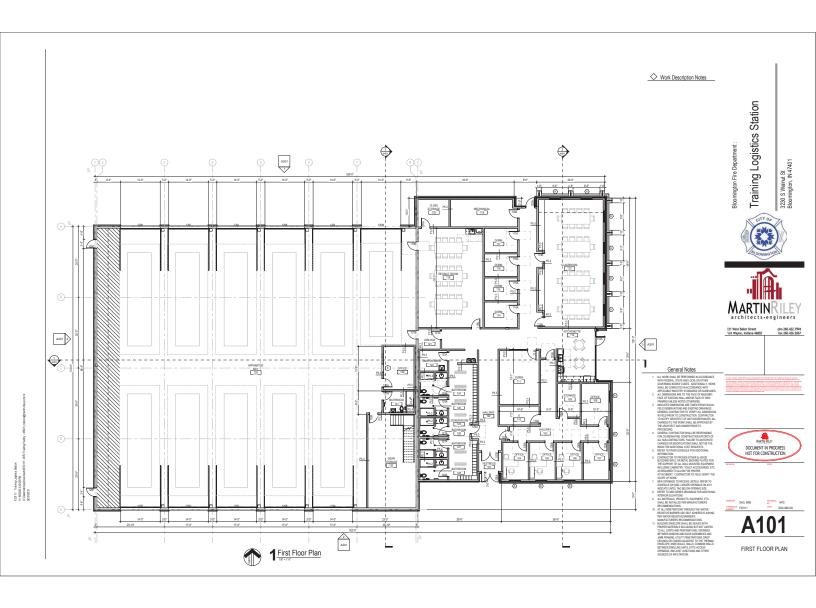
11/22/2024 MARTINRILEY architects-engineers

Noah P. Donica

Architect, Project Manager

MARTINRILEY architects-engineers









### BLOOMINGTON BOARD OF ZONING APPEALS STAFF REPORT

VAR2024-12-0056 DATE: January 23, 2025

CASE #: V-39-24

Location: 301 & 327 S College Ave and 300, 302, & 314 S Walnut St

**PETITIONER:** Monroe County Capital Improvement Board

c/o Jim Witlatch 211 S College Avenue Bloomington, IN

**CONSULTANTS:** William S. Riggert, BRCJ

1351 W Tapp Road Bloomington, IN

**REQUEST:** A request for multiple variances related to the architectural requirements; driveway width and separation requirements; and street tree requirements of the Unified Development Ordinance in the Mixed-Use Downtown Downtown Core Overlay zoning district (MD-DC).

**REPORT:** The petition site is located at 301 & 327 S College Ave and 300, 302, & 314 S Walnut St and is zoned Mixed-Use Downtown in the Downtown Core Overlay (MD-DC). The property has frontage on W. 3<sup>rd</sup> Street to the north, S. College Avenue to the west, and S. Walnut Street to the east and is roughly 1.7 acres. The site currently contains a number of surface parking lots and an office building that is utilized as election central during voting seasons. There are a number of vacated alleys on the petition site. There are no known sensitive or regulated environmental features within the petition site.

The petitioner is proposing to redevelop the site with a 55,000 square foot 'conference or convention center' building. The building is proposed to contain a roughly 30,000 square foot two story 'great hall' as the majority of the structure. The first floor is proposed to surround the great hall with an open meeting area on the north and west sides on the building, while the second floor is proposed to be comprised of three additional auxiliary meeting rooms on the west side of the building. The back of the house kitchen and support staff areas are located on the south side of the building. The new building will be attached to the existing convention center by a skywalk over S. College Avenue.

The petitioner is requesting a package of variances to address the unique nature and size of this location and project. The petitioner is requesting the following variances:

- 1. Building Façade at Build-to Range for the façade along Walnut Street: Table 02-16 of the Unified Development Ordinance (UDO) requires that at least 70 percent of any front façade be located within the build-to-range in the MD-DC zoning district. That distance is 0-5 feet from the property line. The petitioner proposes the exterior columns of the structure to be roughly 7 feet from the property line.
- 2. Window Design: 2<sup>nd</sup> Story windows in the MD-DC are required to meet a 1:1.5 width to height ratio. The mullions on the curtain wall are designed to mimic this pattern, but no sills and lintels are included to define each separate window and its height and width.
- 3. Building Façade Articulation: Table 02-27 of the UDO requires modulation of each building façade in which each module is to be between 20 feet and 65 feet wide in the MD-DC with a depth offset of 5 percent of the total façade length between each module. The petitioner is proposing to use design to mimic modulation, while not providing actual depth offsets.

- 4. Driveway Pavement Width: Section 20.04.050(c)(3)(B)(ii) allows for a driveway width of a maximum of 34 feet with approval from the City Engineer. The typical maximum width with no additional approval is 24 feet wide. The petitioner is requesting a 44 foot wide driveway to allow for truck access to the rear of the building.
- 5. Driveway Separation: Section 20.04.050(c)(2)(D)(ii) requires that all new driveways on an arterial or collector street are at least 100 feet from adjacent driveways. The petitioner is proposing to install the new driveway 10 feet from the existing driveway to the south.
- 6. Street Trees: Section 20.04.080(c)(1)(B)(ii) requires large canopy trees to be planted 10 feet from various utility lines, including natural gas lines. A gas line on the west side of the development needs to be relocated and the 10 foot separation cannot be met. The petitioner is requesting a variance from the 10 foot separation on College Avenue to allow large canopy trees within 10 feet of the gas lines. Section 20.04.080(f)(3)(B) requires that street trees planted along arterial roads be planted in a minimum 5-foot wide tree plot, which can utilize tree grates. The petitioner is requesting to install the street trees farther from the road than 5 feet because of the location of an existing utility.

### CRITERIA AND FINDINGS FOR DEVELOPMENT STANDARDS VARIANCE

**20.06.080(b)(3)(E)(i)(1)** Standards for Granting Variances from Development Standards: Pursuant to Indiana Code 36-7-4-918.5, the Board of Zoning Appeals or Hearing Officer may grant a variance from the development standards of this UDO 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 FINDINGS:**

Building Façade at Build-to-Range: The granting of the variance of the amount of building façade at the build-to-range will not be injurious to the public health, safety, morals, or general welfare of the community. Approval of the variance will allow for the design to accommodate additional room for pedestrian facilities and streets trees in a constrained area.

**Window Design:** The granting of the variance to allow for an alternate window design will not be injurious to the public health, safety, morals, or general welfare of the community. The proposed window design references the desired historic pattern within a modern curtain design.

**Building Façade Articulation:** The granting of the variance to allow for no building façade articulation will not be injurious to the public health, safety, morals, or general welfare of the community. The curtain window design with stone and brick highlights and separation will meet the spirit of the historic design pattern with modern design allowing a large civic structure.

**Driveway Pavement Width:** The granting of the variance to allow a wider driveway width will not be injurious to the public health, safety, morals, or general welfare of the community. Additional signage will be required to alert pedestrians of truck traffic.

**Driveway Separation:** The granting of the variance to allow for a reduced driveway separation will not be injurious to the public health, safety, morals, or general welfare of the community. Approval of the variance will allow for vehicular access to the most logical part of the building and site, which is currently designed as the back of house service area. **Street Trees:** The granting of the variance to allow for College Avenue street trees to be

installed within 10 feet of a gas line and 3<sup>rd</sup> Street street trees to be installed further from the curb than 5 feet will not be injurious to the public health, safety, morals, or general welfare of the community. Approval of the variance will not reduce the number of trees, but only allow alternate locations necessitated by existing and proposed utility locations.

(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; and

#### **PROPOSED FINDINGS:**

**Building Façade at Build-to-Range:** The granting of the variance of the amount of building façade at the build-to-range will not affect the use and value of the area adjacent to the property in a substantially adverse manner. The proposed building location will allow for more pedestrian facility space in a constrained area.

**Window Design:** The granting of the variance to allow for an alternate window design will not affect the use and value of the area adjacent to the property in a substantially adverse manner. The design will reflect the historic window patterns of the existing convention center, within a modern curtain window design.

**Building Façade Articulation:** The granting of the variance to allow for no building façade articulation will not affect the use and value of the area adjacent to the property in a substantially adverse manner. The granting of the variance will allow for redevelopment of an underutilized portion of downtown with a civic-serving use that requires a large amount of indoor space, not conducive to articulation.

**Driveway Pavement Width:** The granting of the variance to allow a wider driveway width will not affect the use and value of the area adjacent to the property in a substantially adverse manner. Approval of the variance will allow for redevelopment of parcels that currently include 5 existing driveways. The redevelopment will be required to include signage alerting pedestrians to the truck traffic at this location.

**Driveway Separation:** The granting of the variance to allow for a reduced driveway separation will not affect the use and value of the area adjacent to the property in a substantially adverse manner. Approval of the variance will allow for vehicular access to the most logical part of the building and site, which is currently designed as the back of house service area.

**Street Trees:** The granting of the variance to allow for College Avenue street trees to be installed within 10 feet of a gas line and 3<sup>rd</sup> Street street trees to be installed further from the curb than 5 feet will not affect the use and value of the area adjacent to the property in a substantially adverse manner. Trees will be installed and required pedestrian facilities will be installed.

(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 questions; that the development standards variance will relieve the practical difficulties.

#### PROPOSED FINDINGS:

**Building Façade at Build-to-Range:** The strict application of the terms of the Ordinance will result in practical difficulties in the use of the site because the build-to-range requirement is not conducive with the desired pedestrian facilities, tree plots, and separation from utilities that must be located in this area. Peculiar condition is found in the location of the existing and proposed utilities, which require separation that does not allow

enough room for the remaining required facilities and building location in the build-torange. Approval of the variance will relieve the practical difficulties.

Window Design: The strict application of the terms of the Ordinance will result in practical difficulties in the use of the site, as the design of the convention center is intended to function as a civic structure with large curtain windows to signify transparency of the building from within and without. Peculiar condition is found in the unique use of the building which requires large open spaces. The design proposed speaks to the window design on the existing convention center, while allowing for modern design to reflect interaction between the building and the adjacent public spaces.

**Building Façade Articulation:** The strict application of the terms of the Ordinance will result in practical difficulties in the use of the site, as the design of the convention center is intended to function as a large civic structure that is not necessarily considered in the Overlay design standards, which requires a large open interior space that is a peculiar condition and not conducive to articulation. The proposed design speaks to the articulation requirement by including vertical visual separation.

**Driveway Pavement Width:** The strict application of the terms of the Ordinance will result in practical difficulties in the use of the site because this large civic building requires a large truck loading and unloading area. At this location, that area must face south, per the building design and because the UDO does not desire loading locations directly facing rights-of-way. Peculiar condition is found in the fact that there is no alley access from the south, so any large trucks utilizing the site must enter the site from the west and have enough turn around space to pull into the south side of the building. This necessitates a variance for a large driveway width for truck movement, which relieves the practical difficulties.

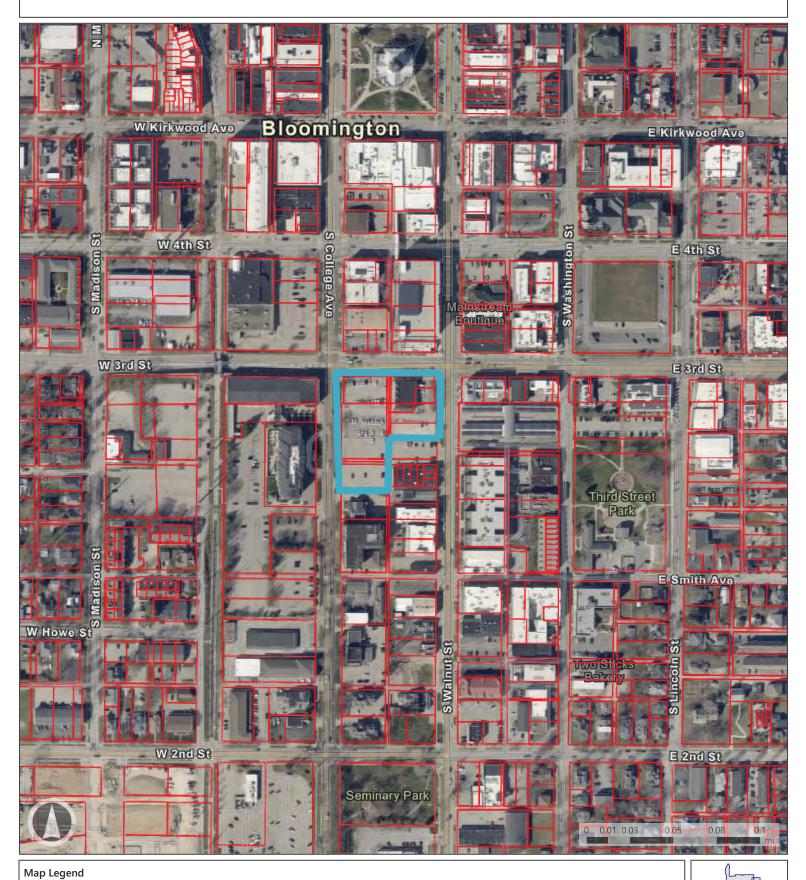
**Driveway Separation:** The strict application of the terms of the Ordinance will result in practical difficulties in the use of the site because this large civic building requires a large truck loading and unloading area. At this location, that area must face south, per the building design and because the UDO does not desire loading locations directly facing rights-of-way. Peculiar condition is found in the fact that there is no alley access from the south, so any large trucks utilizing the site must enter the site from a driveway from the west. The location proposed is the most logical location that exists and can allow for space for a truck turn around on the site. This necessitates a variance to allow for the new driveway to be located 10 feet from the existing driveway to the south, which relieves the practical difficulty.

**Street Trees:** The strict application of the terms of the Ordinance will result in practical difficulties in the use of the site, as the street tree separation and location requirements are not possible at this location because of existing and required future location of utilities adjacent to the site. Peculiar condition is found in the constrained nature of the site created by the utility location, and a variance will relieve the practical difficulty.

**RECOMMENDATION:** Department recommends that the Board of Zoning Appeals adopts the proposed findings and approves V-39-24 / VAR2024-12-0056 with the following conditions:

- 1. This variance approval is for the building and site design as submitted with the variance, except that any amendment to the site design or building shall not increase the degree of nonconformity allowed through this variance.
- 2. The petitioner will install code-compliant signage to alert pedestrians of the potential for truck traffic both north and south of the proposed driveway.

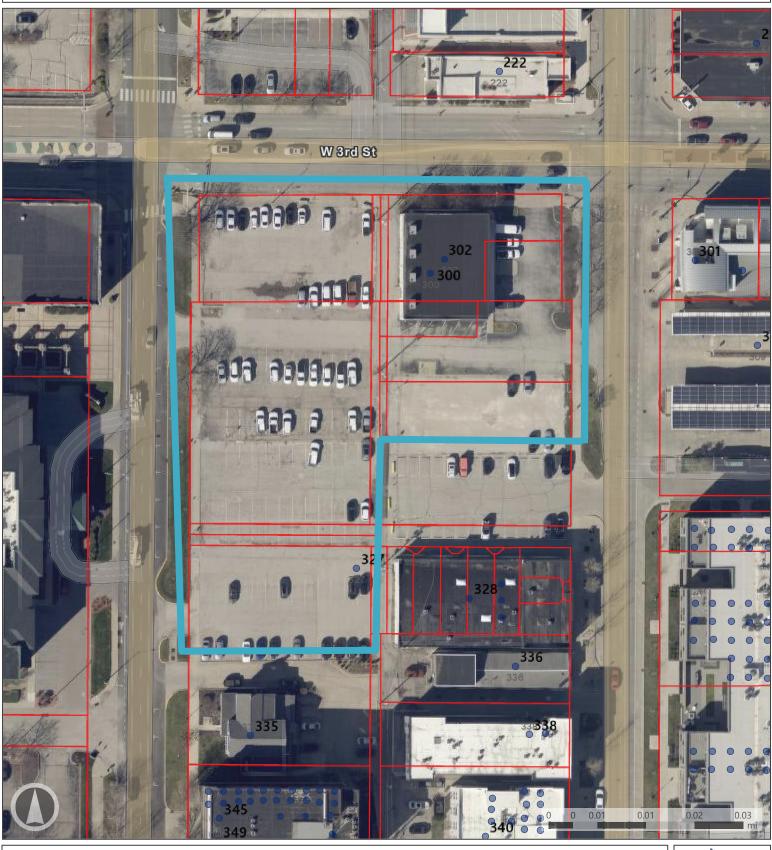




Parcels

Bloomington Municipal Boundary





Map Legend

Addresses

Parcels

Bloomington Municipal Boundary

### Bledsoe Riggert Cooper James

LAND SURVEYING . CIVIL ENGINEERING . GIS

January 9, 2025

Jackie Scanlan, AICP
Development Services Manager
City of Bloomington Planning and Transportation
401 N. Morton Street, Suite 130
Bloomington, IN 47404

via email scanlanj@bloomington.in.gov

RE: Monroe Convention Center Expansion

Board of Zoning Appeals - Request for Variances - Revision 1

Dear Jackie:

On behalf of the Monroe County Capital Improvement Board, we respectfully request a hearing for the Monroe Convention Center Expansion Project at the Bloomington Board of Zoning Appeals (BZA) meeting scheduled for January 23, 2025. The Monroe Convention Center expansion is planned to take place between College Avenue and Walnut Street, south of W 3<sup>rd</sup> Street, on the property currently owned by the Monroe County Capital Improvement Board. This site has an area of approximately 1.7 acres and it is zoned Mixed-Use Downtown, Downtown Core.

The expansion and renovation of the Monroe Convention Center will more than double the size of the existing building by expanding to a site across College Avenue from the current building. The existing and new structures will be connected by an elevated pedestrian bridge spanning College Avenue. The expansion will be a two-story structure that fills most of the new site, creating a new urban street wall along College, Third, and Walnut Streets in keeping with the intent of the City of Bloomington's Downtown Core development guidelines. These three streets will be lined with a public pre-function area with significant expanses of storefront and curtainwall glazing facing the street, to provide transparency for the conference attendees looking out, and for passers-by looking in. The solid elements on these facades will be comprised of a mixture of limestone and brick masonry.

The primary space will be a large, flexible ballroom/exhibit space of approximately 30,000 square feet. The exhibit/ballroom will have a clear height of at least 30 feet or more to structure and a top of wall height of approximately 46 feet. An exterior roof patio on the Northwest corner will provide an outdoor space, that guests can use as a place to unwind. This space will offer scenic views of downtown Bloomington, a connection with nature, highlighting Bloomington's commitment to sustainability.

An elevated walkway will connect the new and existing buildings. This walkway will be designed to maximize transparency and minimize its profile over the street. The walkway will be a steel structure with continuous glazing on both sides affording views of the downtown. The south side of the proposed project is the "back of house" with service entrance to the commercial kitchen, loading dock, storage and service spaces.

To enable the Monroe Convention Center Expansion to achieve the vision of the Capital Improvement Board, the project requires variances from the Unified Development Ordinance:

1. Building Facade at Build-to-Range - Compliance with Section 20.02.020 (g) Table 02-16: 70% of façade to be within 0 to 5 feet from R/W.

As currently designed, the project is not able to meet the requirements of Table 02-16 on the Walnut Street side of the property due to the required clearance around utilities and street trees that are placed along this façade. The separation between the exterior columns and the eastern property line is a maximum of 7.38 feet. The building is within 1-foot of the property line on the west side (College Ave), and 1.68 feet on the north side (3<sup>rd</sup> Street).

2. Windows - Compliance with Section 20.02.050 Table 02-25.

As currently designed, the project is in compliance with the allowable quantity of glazing on first and second floor spaces. However, due to the larger expanses of glass on the second floor along the College Ave façade, the project does not meet the requirement for the glazing to arranged in a vertical orientation with their height being 1.5x their width. The design intent of this ratio is maintained through the glazing pattern, as one of the main inspirations for the project is to be contextual with the punched openings of the existing Monroe Convention Center. Therefore, the curtain wall mullions are arranged in a pattern that mimics the rhythm and orientation of a vertical punched opening.

Bloomington · Bedford · Paoli

Monroe Convention Center Expansion BZA Filing - Request for Variances – Revision 1 January 9, 2025 Page 2 of 2

3. Building Facade Articulation - Compliance with Section 20.02.050 Table 02-27.

The proposed Convention Center expansion occupies the majority of the city block along 3<sup>rd</sup> St between College Ave and Walnut St, and features many of the good urban design standards that are expected as part of this façade articulation requirement. The building is designed with a repeating module of curtain wall openings punctuated by masonry piers that helps break up the mass of these block-long facades at a pedestrian scale. The size of these modules is within the requirements listed in Table 02-27, however given the length of the façade, it is not feasible to offset the modules 5% of the length of the façade.

4. Driveway Pavement Width - Compliance with Section 20.04.050 (c) (3) (B) ii 1- Limited to 34-feet if authorized by the City Engineer.

Due to the special nature of the Convention Center Expansion project and the wide variety of traveling events and exhibits that it will host, it is essential to provide loading dock access for large semitrailer trucks. Based on the wheel turning analysis for a WB-65 interstate semitrailer entering the College Avenue loading dock access, a 44-foot driveway opening is required.

5. Location and Separation of Drives - Compliance with Section 20.04.050 (c) (2) (D) ii – No entrance or drive along an arterial or collector street shall be installed within 100 feet of another driveway entrance.

As discussed above, the required width of the loading dock access for large semitrailer trucks, combined with requirements for screening of loading, service, and refuse areas [Section 20.04.080 (m) (3)] leaves only 10 feet of separation between the loading area access drive and the adjacent driveway to the south.

6. Street Trees – Compliance with Section 20.04.080 (c) (1) (B) ii - Large canopy trees shall be planted at least 10 feet from natural gas lines and compliance with Section 20.04.080 (f) (3) (B) - Street trees along an arterial shall be planted in a minimum 5-foot wide tree plot between the sidewalk and the curb.

The existing natural gas line needs to be relocated along the west side of the new building. Due to the proximity of CBU's storm and water lines as well as the street trees a variance from the 10-foot separation requirement is necessary to allow the relocation of the natural gas line. CenterPoint Energy has no separation requirement trees other than trees cannot be planted directly over their natural gas lines. And due to the position of existing water lines running adjacent to the curb lines on three sides of the project, street trees must be placed further back from the curb in order to maintain the 10-foot waterline offset required by CBU. On 3<sup>rd</sup> Street, the Bloomington Transportation Plan calls for a General Urban Street typology with a 10-foot wide sidewalk. In order to achieve this on 3<sup>rd</sup> Street, the sidewalk must be attached to the curb, with columnar street trees placed adjacent to the building, at 10 feet from the water line. Along College Avenue and Walnut Street, ample sidewalks will be provided on both sides of the proposed street trees, in excess of the 7 foot width required by the Transportation Plan for Main Street typology. All street trees proposed to be planted in 5.5' square cast iron tree grates.

Thank you for your consideration.

Sincerely,

William S. Riggert, PE Principal Engineer



# RE: [External Email] BRCJ 10061 - Monroe Convention Center Expansion | Natural Gas Line and Street Tree Separation

1 message

Langston, Timothy S <timothy.langston@centerpointenergy.com>

Wed, Jan 8, 2025 at 12:42 PM

To: William Riggert <wriggert@brcjcivil.com> Cc: Kenton Pardue <kpardue@brcjcivil.com>

Hey Bill,

Thanks for the call and email. We just don't want the new tree to be directly on top of our main. This is mainly due to less depth for us and limits the risk of our main being hit during planting.

**Thanks** 

### Timmy Langston, PE

**Staff Engineer** 



CenterPoint Energy | Gas Dist. Engineering

812.348.6703 w

Center Point Energy.com

From: William Riggert <wriggert@brcjcivil.com>
Sent: Tuesday, January 7, 2025 4:05 PM

To: Langston, Timothy S <timothy.langston@centerpointenergy.com>

Cc: Kenton Pardue <a href="mailto:kpardue@brcjcivil.com">kpardue@brcjcivil.com</a>

Subject: [External Email] BRCJ 10061 - Monroe Convention Center Expansion | Natural Gas Line and Street Tree

Separation

