

**CITY OF BLOOMINGTON**



**November 5, 2012 @ 5:30 p.m.  
COUNCIL CHAMBERS #115  
CITY HALL**

**CITY OF BLOOMINGTON  
PLAN COMMISSION AGENDA  
Nov. 5, 2012 @ 5:30 p.m.**

**❖ City Hall Council Chambers, #115**

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**ROLL CALL**

**MINUTES TO BE APPROVED: Oct 5, 2012**

**REPORTS, RESOLUTIONS AND COMMUNICATIONS:**

**PETITIONS CONTINUED TO THE Dec 3 HEARING:**

**PUD-44-12 Trinitas  
552 S. Adams St.**  
Final plan for a 111-unit apartment complex. *(Case Manager: James Roach)*

**APPROVAL OF CONSENT AGENDA:**

**UV-42-12 Trish Ierino  
3900 E. Stonegate Dr.**  
Plan Commission recommendation to the Board of Zoning Appeals regarding a Use Variance to allow an accessory apartment in a Planned Unit Development that only allows single-family homes. *(Case Manager: Katie Bannon)*

**UV-43-12 Mother Hubbard's Cupboard  
1100 W. Allen St.**  
Plan Commission recommendation to the Board of Zoning Appeals regarding a Use Variance to allow a Social Services use within an IG zoning district. *(Case Manager: Katie Bannon)*

**PUD-45-12 Clarizz Medical Office Facility  
995 S. Clarizz Blvd.**  
Final plan approval to amend the approved site plan to allow additional parking area. *(Case Manager: Eric Greulich)*

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**PETITIONS:**

**ZO-46-12 City of Bloomington**  
Amendments to the Unified Development Ordinance to reflect changes in State & Federal legislation. *(Case Manager: Tom Micuda)*

**SP-38-12 Pavilion, Inc.  
601 N. Walnut St.**  
Site plan review to construct a 4-story mixed-use building *(Case Manager: James Roach)*

**PUD-37-12 Chick-Fil-A  
3020 E. 3<sup>rd</sup> St.**  
PUD final plan approval to construct a new restaurant *(Case Manager: Katie Bannon)*

**PUD-39-12 Trinitas  
445 S. Patterson**  
Preliminary plan and district ordinance approval to rezone 8.49 acres from CA to PUD *(Case Manager: Patrick Shay)*

End of Agenda

*\*\*Next Plan Commission hearing scheduled for December 5, 2012*

Last updated: 11/1/2012



**CITY OF BLOOMINGTON  
PLANNING DEPARTMENT  
MEMORANDUM**

**DATE:** October 30, 2012  
**TO:** Members of the Plan Commission  
**FROM:** Tom Micuda, Planning Director  
**SUBJECT:** Minor Amendments to the Unified Development Ordinance

In response to recent changes in State and Federal law, the Planning and Legal Departments are proposing a small number of UDO amendments to ensure that the local ordinance is consistent with these enabling statutes. These changes are as follows:

1. **Changes to Appeals (UDO-001)** – Currently, parties who are aggrieved by a decision of the Hearing Officer or Planning Director have up to 14 days to appeal such decisions to the Plan Commission or Board of Zoning Appeals. The passage of House Enrolled Act 1311 reduced this time period of appeal to 5 days. In order for the UDO to be consistent with State law, Amendment# UDO-001 reduces the time for appeals in 5 sections of the code.
2. **Changes to Vested Rights (UDO-002)** – Currently, the UDO does not allow the vesting of permits or site plan approvals for a period of longer than 7 years for projects that have started construction. However, since House Enrolled Act 1311 increased this vesting period to 10 years, the UDO is being amended to be consistent with State law.
3. **Duration of Approvals (UDO-003)** – Because State law also requires approvals or permits to be vested for a period of 3 years without construction, staff proposes to change its approval durations for PUD Preliminary Plans, variances, Conditional Uses, and Plat Vacations in order to be completely consistent with State law.
4. **Plat Vacations (UDO-004)** – Although the Plan Commission has never vacated an approved subdivision plat for decades, the plat vacation process is addressed in both State law and the UDO. Recently, House Enrolled Act 1311 amended State law to address the process for Plat Vacations in situations where owners are not in agreement concerning the proposed vacation. Although it is unlikely that the Plan Commission will ever need to address this scenario, the UDO is being amended to reflect the revised State law.

5. **Removing/Replacing/Adding Equipment to Cell Towers (UDO-005)** – This amendment stems from House Resolution 3630. In this Federal legislation, local units of government are now prohibited from denying requests for modifications to cell towers when such modifications do not substantially change the physical dimensions of the towers themselves. Since the UDO currently does not reference federal law, this reference has been added to the code.
6. **Requiring Right-of-Way Dedication for rezoning and PUD cases (UDO-006)**  
– This is the only amendment that is being proposed without reference to State or Federal law. In this case, the amendment is proposed to fix a long-standing loophole in the ordinance. For rezoning and PUD petitions, it is always required that petitioners dedicate right-of-way along adjoining streets in compliance with the Master Thoroughfare Plan. However, in the event that the rezoned property is never developed or subdivided, the required right-of-way is never dedicated from the property owner to the City. This has created significant additional expenses when the City has attempted to construct a street project adjoining rezoned properties that have never developed. Amendment 006 addresses this problem by requiring right-of-way dedication within 60 days of rezoning action by the City Council.
7. **Removal of Zoning Incentive for Use of Greywater** – In 2007, incentives were added to the City’s zoning regulations to stimulate more sustainable development practices. One of the incentive options allowed the use of greywater for irrigation purposes. To this point, no developer has proposed this particular sustainability practice in order to receive the zoning incentives. Upon further research, it was determined that the use of greywater (wastewater generated from activities such as dishwashing, laundry, and bathing) cannot be used legally in Indiana for this purpose. As a result, this provision has been struck from the UDO.

**RECOMMENDATION:** Staff recommends approval of Z0-46-12.

**Amendment #:** UDO-001**Synopsis:**

With the passage of House Enrolled Act 1311 by the Indiana General Assembly the time in which interested parties affected by a zoning decision have to file an appeal has been significantly impacted. Whereas interested parties used to have fourteen days in which to file an appeal, they now only have five days to file said appeal. Because Title 20 is required to adhere to the State's timeline in regards to the filing of appeals, several sections of Title 20 now need to be amended so that the appeal time is only five days.

**Proposed Amendment:**

*Page 1-20*

20.01.400(c)

(c) Appeals: Any interested person may appeal a decision by the Hearing Officer to the Board of Zoning Appeals within ~~fourteen (14)~~ **five (5)** days after the decision is made.

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20.04.090(e)(1)(D)

(D) Appeal to Plan Commission of Planning Director Decision: Interested parties, as defined by the Plan Commission Rules of Procedure, affected by the decision of the Planning Director upon review of a Final Plan may within ~~fourteen (14)~~ **five (5)** days of such decision request that the Plan Commission review the Planning Director decision. Such request shall be in writing and shall specify the grounds of the appeal. A public hearing shall be required with notice pursuant to the Plan Commission Rules of Procedure. The Plan Commission may affirm, reverse or modify the Planning Director decision.

*Page 9-12*

20.09.120(e)(2)

(2) Upon receiving a request for information or documentation, a recommendation for modifications from the planning staff or a denial by the planning staff, an applicant may request Site Plan review by the Plan Commission no later than ~~fourteen (14)~~ **five (5)** days after receipt by the applicant of the request from the planning staff for more information, documentation, changes, or notice of planning staff denial. Failure by an applicant to file such request in accordance with the foregoing provisions shall be deemed to constitute a withdrawal of the application for Site Plan approval.

*Page 9-12*

20.09.120(e)(3)

(3) Any person, other than the applicant, aggrieved by a Site Plan decision by the planning staff may appeal the staff decision to the Plan Commission. Such appeal shall be filed in the Planning Department within ~~fourteen (14)~~ **five (5)** days of the planning staff's decision. The appeal shall specify the grounds for the appeal and must be filed in the form established by the Plan Commission Rules of Procedure. All appeals shall be accompanied by fees required by the Plan Commission Rules of Procedure.

*Page 9-46*

20.09.350(c)(1)

(1) Filing Deadline: An Administrative Appeal must be filed with the Planning Department within ~~fourteen (14)~~ **five (5)** days of the order, requirement, decision, or determination that is being appealed.

**Amendment #:** UDO-002**Synopsis:**

With the adoption of House Enrolled Act 1311 by the Indiana General Assembly property owners were given a longer period of time in which they maintain certain vesting rights. The time period was increased to ten years. Because of this increase at the State level, the City's Title 20 needs to be amended so that the allotted vesting rights are maintained for at least ten years.

**Proposed Amendment:**

*Page 1-10*

*20.01.210(d)*

(d) The requirements in effect at the time of the first complete application for a permit or approval described in *Subsection 20.01.210(b)* shall continue to govern such first complete application and any secondary, additional or related permits described in that subsection for a period of at least three (3) years from the date of the first complete application. If no construction or other activity to which the permit or approval relates is commenced within that three-year period, then thereafter the renewal of any expired permit, and the grant or denial of any new application for any secondary, additional or related permit, shall be governed by then-current regulations if the Planning Director, based upon advise from the Legal Department, determines that such action is lawful and does not deprive the owner or applicant of any vested right. Moreover, if construction or other activity to which the permit or approval relates is not completed within ~~seven (7)~~ **ten (10)** years of the date upon which such construction or other activity commenced, then thereafter the renewal of any expired permit, and the grant or denial of any new application for any secondary, additional or related permit, shall be governed by then-current regulations if the Planning Director, based upon advice from the Legal Department, determines that such action is lawful and does not deprive the owner or applicant of any vested right.

**Amendment #: UDO-003****Synopsis:**

Throughout Title 20, each type of planning approval is assigned a duration period before such approval becomes abandoned. Because State law indicates that initial planning approvals and permits are good for a period of three years, staff advises to amend Title 20 so that the duration of local approvals is consistent with State law.

**Proposed Amendment:**

*Page 4-8*

*20.04.080(i)(1)*

(1) *Abandonment:* The Preliminary Plan shall be considered abandoned if, ~~two (2)~~ **three (3)** years after the approval of the Preliminary Plan by the Common Council, no Final Plan approval has been granted for any section of the Planned Unit Development. In such cases, the Plan Commission shall determine if the Preliminary Plan should be extended for a period up to a maximum of one hundred eight (180) days. If no extension is sought for the Planned Unit Development, and the ~~two (2)~~ **three (3)** year period since Common Council approval has elapsed, the Plan Commission may initiate a proposal to rezone the area designated as a Planned Unit Development to an appropriate zoning district. Any such rezoning must follow the process provided in *Section 20.09.160: Amendment to Zoning Map*. The owner or owners of any property proposed to be rezoned by the Plan Commission under the provisions of this Division shall be notified at least **twenty-one (21)** days in advance of the Plan Commission public hearing on the proposed rezoning.

*Page 9-13*

*20.09.130(h)(1)(A) & (B)*

(A) In cases where new construction or modifications to an existing structure are required, ~~two (2)~~ **three (3)** years after the date that the Development Standards Variance was granted, unless a Building Permit has been obtained and construction of the structure or structures has commenced; or

(B) In cases where new construction or modifications to an existing structure are not required, ~~two (2)~~ **three (3)** years after the date that the Development Standards Variance was granted, unless a Certificate of Occupancy has been obtained and the use commenced; or

*Page 9-14*

*20.09.140(h)(1)(A) & (B)*

(A) In cases where new construction or modifications to an existing structure are required, ~~two (2)~~ **three (3)** years after the date that the Use Variance was granted, unless a Building Permit has been obtained and construction of the structure or structures has commenced; or

(B) In cases where new construction or modifications to an existing structure are not required, ~~two (2)~~ **three (3)** years after the date that the Use Variance was granted, unless a Certificate of Occupancy has been obtained and the use commenced; or

*Page 9-15*

*20.09.150(g)(1)(A) & (B)*

(A) In cases where new construction or modifications to an existing structure are required, ~~two (2)~~ **three (3)** years after the date that the Conditional Use was granted, unless a Building Permit has been obtained and construction of the structure or structures has commenced; or

(B) In cases where new construction or modifications to an existing structure are not required, ~~two (2)~~ **three (3)** years after the date that the Conditional Use was granted, unless a Certificate of Occupancy has been obtained and the use commenced; or

*Page 9-24*

*20.09.200(b)(1)*

(1) *Time Limitation:* After the termination of a Plat Vacation proceeding under *Chapter 20.09; Processes, Permits and Fees*, a subsequent vacation proceeding affecting the same property and asking for the same relief may not be initiated for ~~two (2)~~ **three (3)** years.

**Amendment #:** UDO-004

**Synopsis:**

With the adoption of House Enrolled Act 1311 by the Indiana General Assembly, a new alternative procedure for vacating a plat was created. This new procedure allows for a plat vacation even if not all owners of land in the Final Plat are in agreement regarding the vacation.

**Amendment:**

Page 9-24

20.09.200(c)(1)

~~(1) *Final Plat:* the owner of land in a Final Plat may file with the Plan Commission a petition to vacate all or part of the Final Plat pertaining to the land owned by the petitioner.~~

(1) *Final Plat:*

(A) The owner of land in a Final Plat may file with the Plan Commission a petition to vacate all or part of the Final Plat pertaining to the land owned by the petitioner.

(B) In a case in which not all the owners of land in a Final Plat are in agreement regarding a proposed vacation, one (1) or more owners of the land in the Final Plat may file with the Plan Commission a petition to vacate all of the Final Plat or only that part of the Final Plat that pertains to land owned by the petitioner or petitioners. A petition under this subsection must:

- (i) State the reasons for and the circumstances prompting the request;
- (ii) Specifically describe the property in the Final Plat proposed to be vacated; and
- (iii) Give the name and address of every other owner of land in the Final Plat.

**Amendment #:** UDO-005**Synopsis:**

On February 22, 2012, the President of the United States signed into law H.R. 3630. This new federal law prohibits local units of government from denying requests for modifications of existing wireless towers or base stations if the modifications do not substantially change the physical dimensions of the tower base stations. Because the City's municipal code is now in conflict with portions of this new federal law, Title 20 must be amended.

**Amendment:**

*Page 5-19*

*20.05.020(j)*

(j) Existing Structures: The following shall apply to existing antennas, communication towers and communication equipment:

- (1) Existing structures shall not be replaced or significantly structurally altered without complying in all respects to the requirements set out in this Unified Development Ordinance.
- (2) ~~All requests to install any communication equipment on an existing approved tower, building, or structure shall be submitted to the Planning Director for approval.~~ Any request for the modification of an existing wireless tower or base station that involves collection of new transmission equipment, removal of transmission equipment, or replacement of transmission equipment which does not substantially change the physical dimensions of such tower or base station shall be approved as required by federal law. All such requests shall only require an Electrical Permit from the County Building Department, a Certificate of Zoning Compliance, and the contract between the petitioner and the owner of the existing tower, building, or structure, unless other approvals are required as set out in this Unified Development Ordinance.

**Amendment #:** UDO-006**Synopsis:**

The City has experienced some difficulty in having required right-of-way dedicated when a PUD or a rezoning request is approved. As the UDO does not contain any specific language indicating when the right-of-way is required to be dedicated, some owners have sat on this requirement until the property is subdivided—making obtaining the right-of-way difficult if not impossible at times. In an effort to alleviate this problem from occurring in the future, both Planning and Public Work staff is asking that the UDO be amended so that it is clear when right-of-way is required to be dedicated. This amendment requires right-of-way dedication within sixty (60) days of the rezoning decision.

**Amendment:**

*Page 4-7*

*20.04.080(g)(2)*

*(2) Effect of Approval of a PUD District Ordinance and Preliminary Plan:*

- (A) When a PUD District Ordinance and Preliminary Plan for a Planned Unit Development have been approved by the Common Council, the PUD District Ordinance and Preliminary Plan shall become effective and its location shall be shown on the zoning map. The zoning map shall be amended to designate the site as a Planned Unit Development zoning district.
- (B) Within sixty days of the approval of a PUD District Ordinance and a Preliminary Plan for a Planned Unit Development all required public-right-of-way shall be dedicated and recorded.
- ~~(B)~~(C) Upon such amendment of the zoning map, the use and development of the site shall be governed by the PUD District Ordinance and Preliminary Plan, subject to approval of a Final Plan.
- ~~(C)~~(D) No permit of any kind shall be issued until the Final Plan has been approved.

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*20.09.160(f)*

*(f) Effect of Approval of the Amendment:*

- (1) When an amended of the Official Zoning Map is approved, such amendment shall be incorporated into the Official Zoning Map in the geographic information system maintained by the City.
- (2) Within sixty days of the approval of an amended Official Zoning Map all public-right-of way shall be dedicated and recorded.

**Amendment #:** UDO-007**Synopsis:**

When the City's recent water usage restrictions were passed, the City's Legal Department was asked to research a variety of issues and concerns. During the course of that research, the Legal Department discovered that the incentives in the Unified Development Ordinance encouraging the use of greywater in green developments violate both state and federal law. The Indiana Administrative Code, via its Rule 13, prohibits the use of greywater. The federal government also prohibits the use of greywater via the federal Clean Water Act. Because of these two regulations, the City's Legal Department advises that any reference to use of greywater in the Unified Development Ordinance should be deleted.

**Proposed Amendment:**

*Page 5-42*

*20.05.049(a)(2)(C)*

(C) Use of ~~greywater and/or~~ stormwater systems to capture and reuse at least fifty percent of ~~greywater and~~ stormwater for common and public space irrigation.

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*20.07.200(a)(2)(C)*

(C) Use of ~~greywater and/or~~ stormwater systems to capture and reuse at least fifty percent of ~~greywater and~~ stormwater for common and public space irrigation.

**BLOOMINGTON PLAN COMMISSION  
STAFF REPORT  
Location: 601 N. Walnut Street**

**CASE #: SP-38-12  
DATE: November 5, 2012**

**PETITIONER: Pavilion Properties  
601 N. Walnut Street**

**CONSULTANT: Studio Three Design  
8604 Allisonville Rd., Suite 330, Indianapolis**

**REQUEST:** The petitioner is requesting site plan approval in order to build a three-story mixed use building with 16 dwelling units and 1400 square feet of first floor commercial space.

**Area: 0.19 Acres**  
**Zoning: Commercial Downtown/Downtown Gateway Overlay**  
**GPP Designation: Downtown**  
**Existing Land Use: Office and restaurant**  
**Proposed Land Use: Mixed Use**  
**Surrounding Uses: North, east – multi-family**  
**West, south – mixed use, commercial and residential**

**REPORT SUMMARY:** The subject property is located at the northwest corner of W. 10<sup>th</sup> Street and N. Walnut Street. The property is made up of a single 0.19 acre platted lot that has been developed with a two-story commercial building. The first floor contains Mad Mushroom Pizza while the second floor contains the petitioner's property management office. It is bound on the west by a platted north-south alley and is surrounded by commercial and multi-family uses on all sides. The property is zoned Commercial Downtown (CD) and is within the Downtown Gateway Overlay (DGO).

This petition was reviewed by the Plan Commission at its meeting on October 8, 2012. At that meeting the Plan Commission expressed that the building was too massive and requested that the petitioner present the project to the Historic Preservation Commission for input on the impact of the building to the adjacent historic district. Since the last meeting, the petitioner has met with the HPC as well as neighboring property owners and has revised the petition. Changes since the first hearing include:

- Reduction in the number of stories from 4 to 3
- Reduction in the height of the building from 48' to 38'8". *This removes a waiver from consideration.*
- Reduction in the density from 30.8 DUEs/acre to 20.5 DUEs/acre
- Reduction of the number of units from 20 to 16
- Reduction in the number of bedrooms from 22 to 16
- The trash dumpster has moved inside of the building.

- The originally proposed 2 perpendicular parking spaces have been replaced with a single parallel parking space
- Reduction in the number of parking spaces from 10 to 9.
- Increase in the recessed area of the building from 3 feet to 4 feet. *This removes a waiver from consideration.*
- Primary commercial entrance has moved to 10<sup>th</sup> Street.
- EIFS cornice has been replaced with composite materials and fiber cement material construction. *This removes a waiver from consideration.*
- Complete reworking of the design of the building exterior

The petitioner now proposes to construct a 3-story mixed use building on the property. The proposed building would include a mix of 1-bedroom and studio units, with a total of 16 units and 16 bedrooms. The proposal contains 9 parking spaces and an approximately 1,400 square foot leasable commercial space. All apartment units would be located in the upper floors and have access from interior hallways. Vehicles would enter the site from W. 10<sup>th</sup> St. The primarily pedestrian entrance is along 10<sup>th</sup> St., with separate entrances for the apartments and the commercial space. The commercial space also has access to a sunken patio area along Walnut St.

The proposed building will utilize brick, cementitious siding, and cast stone. It also includes commercial storefront windows along 10<sup>th</sup> St and Walnut St. The north façade and the south/10<sup>th</sup> St. façade include many 3-foot deep balconies for the units. Model images have been provided showing how the building will appear from surrounding streets.

**Plan Commission Site Plan Review:** Two aspects of this project require that the petition be reviewed by the Plan Commission, per BMC 20.03.090. These aspects are as follows:

- The proposal is adjacent to a residential use (all directions)
- The proposal includes waivers to the standards in BMC 20.03.330 and 20.03.340

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## SITE PLAN REVIEW

**Residential Density:** The property is approximately 0.19 acres in area. The petition is for 16 units with 16 bedrooms. The DGO allows for 33 units per acre, or 6.27 units on this property. The proposed density, once DUEs are considered, is 3.9 DUEs or 20.5 DUEs per acre. This density is below the maximum density of the DGO.

**Parking:** The petitioner is proposing 9 off-street parking spaces. The majority of the parking spaces would be accessed from a drive onto W. 10<sup>th</sup> St. into a covered garage. One parking space is proposed off of the north-south alley to the west. This space will be designated for the commercial use and is parallel to the alley. While the UDO specifically permits perpendicular parking spaces to directly access an alley, it does not permit parallel spaces. A waiver from the side parking setback requirements is necessary to allow for this space. See below.

Within the DGO, the UDO sets a minimum parking requirement for the project's bedrooms and commercial space at 7 spaces and a maximum parking at 20 spaces. The petitioner is proposing 9 parking spaces, which is 2 spaces above the minimum.

**Parking Setback Waiver-20.03.330(C)(1):** A waiver is requested to allow a zero (0) foot sideyard setback on the west side of the property. While no waiver would be required for a parking space that is perpendicular to the alley as the UDO specifically allows back-out parking on an alley, one is required for a perpendicular space. This single space will allow for employee or delivery parking and still provide access to an interior trash room. Use of this space should not negatively impact other users on the alley.

**Materials:** The majority of the building is clad in brick, cementitious siding, cementitious shakes, and cast stone. The proposed cornice, while originally proposed to be constructed of EIFS, will now be composite materials and fiber cement material construction. None of these materials are prohibited in the DGO.

**Ground Floor Non-Residential Space:** The petition includes a 1,400 square foot leasable commercial space. This space includes the entire street frontage along Walnut St. and approximately 36% of the street frontage along 10<sup>th</sup> Street. In order to reduce the height of the building and to eliminate the need for a step within the commercial space, the petitioner has set the commercial space 3 feet below street grade along Walnut St.. Along 10<sup>th</sup> St the commercial space transitions to street grade. The commercial space would have a sunken patio along Walnut St. with its primary entry on 10<sup>th</sup> St. The DGO requires that a minimum of 50% of the first floor of a building fronting along 10<sup>th</sup> Street be non-residential space. The proposal includes approximately 36% non-residential space.

**Ground Floor Non-residential Space Waiver-20.03.330(e):** A waiver is required to allow only 36% of the ground floor to be non-residential space instead of the required 50%. The Downtown Plan makes no specific recommendation concerning the percentage of first floor non-residential space. The Plan has many polices concerning pedestrian friendly streetscapes and designing first floor storefronts. The petitioner's proposal creates an active non-residential space along the entire Walnut St. frontage, which is the higher classified of the two streets. Staff finds that the petition creates an inviting and pedestrian friendly design, which is the intent of the first floor non-residential space requirement.

**Height:** The building is a 3-story structure, with rooftop architectural elements and an elevator tower increasing the height. There is approximately 10 feet of grade change along the street frontage of the property, with the low point being at the southwest corner and the high point at the northeast corner. When measured along the grade, the majority of the building mass is 35'8", with the height increasing to 38'8" at the corner and along Walnut St. The DGO has a maximum height of 40 feet.

**Step Back:** The DGO requires that any building over 35 feet in height step back the portion over 25 feet a minimum of 15 feet from the front build-to-line. At the tallest, this building is

38'8" feet tall. More than half of the building along 10<sup>th</sup> Street is 35'8". The petitioner requests a waiver to allow for a building that is 38'8" without a stepback.

**Building Height Step Back Waiver-20.03.340(c)(3):** A waiver from the minimum stepback height architectural standard of the DGO is required to allow portions of the building to be as tall as 38'8" feet without a step back. The DGO requires that buildings taller than 35' be stepped back from the street at a height of 25 feet. Guideline 3.9 of the Downtown Plan recommends that new buildings "maintain the perceived building scale of two to four stories in height." It goes on to state that "if a building must be taller, consider stepping upper stories back from the main façade." The Downtown Plan does not give a recommended height for the step back, but instead recommends step backs for buildings over 4 stories. The proposed building is 3 stories tall. The additional height is necessary due to the change in grade on the property, the proposed parapet, and the elevator riser.

**Modulation:** The DGO requires that buildings modulate their horizontal mass with offsets of at least 3% of the width of the building. The proposed building has an offset of 4 feet at the retail entrance, while an offset of only 3 feet is required.

**Void-to-Solid Percentage:** The DGO sets a minimum first floor void-to-solid architectural standard at 40% void-to-solid. First floor void on this building is made up of commercial display windows, garage entries, and grated garage openings. Along 10<sup>th</sup> Street the proposed void is 40% and Walnut St. is 40.2%. The DGO sets a minimum upper story void-to-solid architectural standard at 20%. The upper story void on 10<sup>th</sup> Street is approximately 35%, while along Walnut Street is 36%.

**Maximum Impervious Surface Coverage:** The DGO allows a maximum impervious surface coverage percentage of 75%. The current proposal is 80% impervious. This includes pervious pavers used for the parallel parking space off of the alley.

**Maximum Impervious Surface Coverage Waiver-20.03.330(a)(2):** A waiver is required from the maximum impervious surface coverage required of the DGO to allow an impervious surface coverage of 80%. The Downtown Plan makes no specific recommendations concerning impervious surface coverage, but does recommend that in the DGO "Green space should be included and any paved surface areas, including parking lots, should be sited to the sides or rear of buildings..." (page 2-9). It also recommends that the downtown be designed to increase "pedestrian interest" through the use of building entrances and outdoor seating areas. The existing property is approximately 98% impervious. This petition will increase pervious surfaces from 2% to 20%, however will not meet the required 25%. The proposed outdoor patio area along Walnut St. adds pedestrian and street interest to the project, but increased the amount to impervious surfaces. Green areas are included between the building and the sidewalk on 10<sup>th</sup> St., however this is mostly in the right-of-way. The parking and service areas of the building are either internal to the building or along the alley. Ultimately, staff supports the waiver due to the improvement in pervious surface coverage on the lot.

**Bike Parking:** The UDO required a minimum of eight class-2 bicycle parking spaces for a building of this size. The petition meets this requirement and bike racks are spread amounts four different locations around the building, with some located within the right-of-way immediately adjacent to the building.

**Streetscape:** Sidewalks and street trees in a tree plot are already in place along Walnut Street. Along 10<sup>th</sup> Street there is currently a monolithic curb and sidewalk. Because of a large concrete fiber optic box under the current sidewalk, a street tree or tree grate zone is not feasible. The petitioner proposes to maintain a six-foot wide monolithic curb and sidewalk and place street trees and other landscaping between the sidewalk and the building.

Pedestrian scale, full cut-off, fully shielded street lights are required along the right-of-way. Staff recommends two lights; one near the 10<sup>th</sup> Street and alley intersection and one near the intersection of 10<sup>th</sup> and Walnut. These are shown on the plans.

**Historic compatibility:** This property is located immediately to the south of a 2-story residential structure in the Arts and Crafts style, circa 1920. The adjoining building is listed on the City's Historic Survey as a contributing structure to the Illinois Central Railroad and North Walnut Historic District. The UDO requires that new building adjacent to historic structures be designed to compliment the historic structure in two ways:

- 1.) The new building should match the street setback of the historic structure. The proposed building has two masses along Walnut St. The mass closest to the intersection aligns with the historic structure's front porch, while the northern mass aligns with the main mass of the historic structure.
- 2.) The new building should be no taller than 14 feet or 1-story, whichever is less, in comparison to the historic structure. The revised proposal is less than 6.5 feet taller than the historic structure at the street.

Since the last hearing, the petitioner has attempted to create a building that *“adheres to composition form and articulation to the Italianate Style. The style has been chosen to contextually appeal to the historical district to the north of the site. While the function and height and proportion of the building are not the same as the single home building comprising the majority of the recorded surveyed in the historical district, a maximum of three floors constitute the mass of the building along with the compositional and ordering principles of the Italianate Style provide a transition to its historical and urban contexts.”* (from petitioner's statement)

The Historic Preservation Commission reviewed an early version of the revised petition at their meeting on October 11<sup>th</sup>. Since that time they have had an opportunity to review revisions as submitted. The HPC has prepared a letter to the Plan Commission stating that the revised building is “much improved from the four story design submitted at the last hearing.” The HPC does not like the design of the building in general. Their statement says that the combination of materials “looks arbitrary and fussy” and the change of materials

from the first to the second floor makes the building “appear busy and unsure of itself.” They also object to the size of the proposed 3<sup>rd</sup> floor cornice.

The Downtown Plan (page 2-9) states that projects in the gateways should “reflect the transitional nature of development targeted for these areas” (page 2-8) and goes on to say that Gateway areas should “help to establish a sense of expectation of the character and quality of development that will be found in the core areas.” Staff would note that the UDO and the DGO permits all proposed materials and there are no requirements for the combining of materials or the size of a cornice.

**Neighbor Concerns:** This project was presented to the Old Northeast Neighborhood Association on 9/17. Those in attendance were in general positive about the petition. They appreciated that the proposed units have a low bedroom count, reducing the likelihood that there will be large parties and noise from the building. There was some discussion about the balconies and the parking count. The balconies are only three feet deep, reducing the likelihood of a large number of people sitting on them.

Staff has also been in contact with two immediately adjacent neighbors. The property and business owners at 608 N. College Ave, Dave and Diana Holdman, are concerned about spill-over parking, shadows and shade from the building, height and massing, noise and trash. Through our discussions, staff believes that the Holdmans appreciate the decrease in height, the decrease in density and the enclosing of the trash area. They still have concern about trash collection at both the existing building and the proposed future building. They have submitted recent photos of the existing dumpster area. These are included in the packet.

The property and business owner, as well as residential occupant, at 112 W. 10<sup>th</sup> Street, Carol Paiva, is concerned about noise, trash, alley traffic, turning movements for parking spaces along the alley, drainage, height and mass, and design. She is concerned that construction may damage her building and belongings. Staff met with Ms. Paiva, the project general contractor and the petitioner on site to discuss the construction schedule, rock removal and the general contractor’s insurance policy. She would like to see security lights added to the alley side of the building. This is included as condition of approval #1. Through our discussions, staff believes that Ms. Paiva also appreciates the decrease in height, the decrease in density and the enclosing of the trash area.

David and Tyler Ferguson, home owners at 615 N. Washington Street, have several concerns about the project that are outlined in an e-mail included in the packet. These concerns include the number of waivers requested, the lack of a commitment to recycling, the number of apartments, and the changing nature of housing in the north end of Downtown.

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**ENVIRONMENTAL COMMISSION RECOMMENDATIONS:** The Bloomington Environmental Commission (EC) has made 4 recommendations concerning this development.

- 1.) The petitioner should plan for more suitable trees at this site by replacing the Autumn Spire red maple (*Acer rubrum* 'Autumn Spire') and Columnar sugar maple (*Acer saccharum* 'Culumnaris') selections with Princeton Sentry Ginkgo (*Ginkgo biloba* 'Princeton Sentry') and Crimson Spire Oak (*Quercus alba* x *Q. robur* 'Crimschmidt').

**Staff Response:** This is included as condition of approval #4.

- 2.) The petitioner should apply green building and site design practices to create a high performance, low carbon-footprint structure.

**Staff Response:** While desirable, this is not a requirement of the UDO.

- 3.) The petitioner should provide space for recyclable materials to be stored for collection, and a recycling contractor to pick it up.

**Staff Response:** While desirable, this is not a requirement of the UDO.

- 4.) The petitioner should improve the character, aesthetics, and usability of the site along Walnut and Tenth Streets with increased landscaping and other visual and ecological enhancements.

**Staff Response:** This petition provides decorative street lighting, bike racks within the right-of-way, and outdoor plaza/seating area adjacent to the right-of-way. In addition, Walnut St. already contains street parking and a bike lane. These are all elements typically associated with "complete streets."

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**BICYCLE AND PEDESTRIAN SAFETY COMMISSION RECOMMENDATIONS:** The Bloomington Bicycle and Pedestrian Safety Commission (BBPSC) has made 2 recommendation concerning this development.

- 1.) BBPSC would like to see long-term (Class I) bike parking for building residents, since many will use a bicycle as their primary means of transportation. They feel one of the internal vehicle parking spaces should be converted to bicycle parking.

**Staff Response:** The UDO requires a minimum of eight Class II spaces. These are shown on the plans. While desirable, neither Class I nor covered bicycle parking is required for a building of this size.

- 2.) Bike parking should be provided nearby the entrance to each commercial space along Walnut St. and 10<sup>th</sup> St.

**Staff Response:** This is part of the petition.

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**DEVELOPER TRACK RECORD:** The developer, Pavilion, Inc., has completed other recent downtown projects, including 501 N. Walnut Street and 219 E. 7<sup>th</sup> Street. They also own

several other rental properties and are in the process of remodeling the historic Fleener Building at 112 E. 3<sup>rd</sup> Street. There are no outstanding zoning violations associated with these properties.

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**CONCLUSIONS:** The Planning Department staff finds that this petition satisfies most of the requirements of the Unified Development Ordinance, including use, density, building setback, parking and height. While some parts of the petition do not meet the standards of the DGO, the requested waivers are appropriate based on the merits of proposal, its compatibility with surrounding buildings and compliance with the recommendations of the Downtown Plan. The commercial space frames the corner and provides a realistically sized commercial space. The building mass is not out of character with other nearby buildings in this transitional area between the Downtown Core and the surveyed historic structures to the north.

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**RECOMMENDATION:** Staff recommends approval of SP-38-12 with the following conditions:

- 1.) The petitioner shall work with the neighbor to the west to install UDO compliant security lighting along the alley façade of the building.
- 2.) Prior to release of a building permit, the petitioner shall sign and execute Encroachment and Hold Harmless agreements concerning the street lights and bike racks in the right-of-way.
- 3.) The building name, address and decorative lighting shall be added to the primary pedestrian entrance to meet entrance detailing requirements
- 4.) The proposed street trees shall be replaced with Princeton Sentry Ginkgo, Crimson Spire Oak, or another columnar tall shade tree.
- 5.) The petitioner shall continue to work with Planning staff to determine the need for any additional pedestrian safety devices next to the garage entrance, such as a convex mirror or bollards.

# MEMORANDUM

**Date:** October 25, 2012

**To:** Bloomington Plan Commission

**From:** Bloomington Environmental Commission

**Through:** Linda Thompson, Senior Environmental Planner

**Subject:** SP-38-12, Pavilion 10<sup>th</sup> & Walnut Apartments, second hearing  
601 N. Walnut St.

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This memorandum contains the Environmental Commission's (EC) recommendations regarding a Site Plan proposal for a 20-unit apartment building, totaling 22 bedrooms. The property is within the Commercial Downtown (CD) Zoning District and the Downtown Gateway Overlay (DGO) District.

## **ISSUES OF SOUND ENVIRONMENTAL DESIGN:**

### 1.) LANDSCAPE PLAN:

The Landscape Plan submitted contains some species that are not the best choice for the site. Specifically, the Autumn Spire red maple (*Acer rubrum* 'Autumn Spire') and Columnar sugar maple (*Acer saccharum* 'Columnaris') trees will likely not survive well in this location due to the heat island effect produced so close to a building in the downtown area. Recommendations from the city's Urban Forester for more suitable trees are Princeton Sentry Ginkgo (*Ginkgo biloba* 'Princeton Sentry') and Crimson Spire Oak (*Quercus alba* x *Q. robur* 'Crimschmidt').

The street trees currently in the tree plot at this site are Callery Pears (*Pyrus calleryana*) and according to the city's Urban Forester will likely not survive the construction disturbance they will encounter here. Therefore the EC recommends that these trees be removed at the beginning of construction and different street trees planted when the other landscaping material is installed at the end of construction.

### 2.) GREEN BUILDING AND SITE DESIGN:

Green building and environmental stewardship are of utmost importance to the people of Bloomington and sustainable features are consistent with the spirit of the Unified Development Ordinance (UDO). Additionally, they are supported by Bloomington's overall commitment to sustainability and its green building initiative (<http://Bloomington.in.gov/greenbuild>). Sustainable building practices are explicitly called for by the Mayors' Climate Protection Agreement signed by Mayor Krizan; by City Council Resolution 06-05 supporting the Kyoto Protocol and reduction of our community's greenhouse gas emissions; by City Council Resolution 06-07, which recognizes and calls for planning for peak oil; and by Redefining Prosperity: Energy Descent and Community Resilience Report of the Bloomington Peak Oil Task Force.

Green building options are many and continue to grow and become mainstream around the world, and the city's municipal code includes a section of green development incentives (Unified Development

Ordinance: 20.05.045 Green Development Incentives, GD-01, pp. 5-40:5-42). Some examples of green building and landscaping features that may work well for this specific proposal include: energy saving lighting and appliances; solar systems (e.g. solar photovoltaic cell and solar hot water systems); recycled or salvaged construction and demolition debris; and use of local building materials or products.

### 3.) RECYCLING:

The EC recommends that the petitioner allocate space within the site design to accommodate recyclable materials storage. The pick-up service is readily available in Bloomington if space is planned in advance at the site. Lack of recycling services is the number one complaint that the EC receives from apartment dwellers in Bloomington. People are educated about the importance of recycling from youth these days and it has become an important norm that has many important benefits in energy and resource conservation. The EC feels that recycling is an important contributor to Bloomington's environmental quality and sustainability and that it will also increase the attractiveness of the apartments to prospective tenants.

### 4.) GATEWAY CHARACTER:

The EC notes that this area is an excellent candidate for a "Complete Streets" approach (<http://www.completestreets.org/>) to enhance its navigability for all users – pedestrians, bicyclists, handicapped people, and others. While the EC recognizes that the developer is not responsible for the street way itself, we encourage the developer to promote a vision for the site that complements and anticipates the complete streets concept. The proposed development is on a major route within our downtown, and the EC believes that the proposed site plan represents an opportunity to welcome travelers into our city with a special sense of place and our city's unique character.

## **EC RECOMMENDATIONS:**

- 1.) The petitioner should plan for more suitable trees at this site by replacing the Autumn Spire red maple (*Acer rubrum* 'Autumn Spire') and Columnar sugar maple (*Acer saccharum* 'Culumnaris') selections with Princeton Sentry Ginkgo (*Ginkgo biloba* 'Princeton Sentry') and Crimson Spire Oak (*Quercus alba* x *Q. robur* 'Crimschmidt').
- 2.) The petitioner should apply green building and site design practices to create a high performance, low carbon-footprint structure.
- 3.) The petitioner should provide space for recyclable materials to be stored for collection, and a recycling contractor to pick it up.
- 4.) The petitioner should improve the character, aesthetics, and usability of the site along Walnut and Tenth Streets with increased landscaping and other visual and ecological enhancements.

## MEMORANDUM

**TO:** MEMBERS OF THE PLAN COMMISSION

**FROM:** VINCE CARISTO/BICYCLE AND PEDESTRIAN COORDINATOR  
*Planning Dept. liaison to the Bloomington Bicycle and Pedestrian Safety Commission*

**RE:** Pavilion Properties – 217 W Kirkwood

**DATE:** October 8, 2012

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The Bloomington Bicycle and Pedestrian Safety Committee (BBPSC) reviewed the proposed site plan at their regular meeting on September 17, 2012. They have the following comments:

- **Bike parking:**
  - BBPSC would like to see long-term (Class I) bike parking for building residents, since many will use a bicycle as their primary means of transportation. They feel one of the internal vehicle parking spaces should be converted to bicycle parking.
  - Bike parking should be provided nearby the entrance to each commercial space along Walnut St. and 10<sup>th</sup> St.



City of Bloomington  
Historic Preservation Commission

October 29, 2012

James Roach Senior Zoning Planner  
Tim Cover Studio 3 Design,

RE: SP-38-12  
Pavilion, Inc. 601 North Walnut

The Bloomington Historic Preservation Commission has reviewed the elevations submitted on October 22nd by Pavilion Properties for the development on 10<sup>th</sup> and Walnut. They appreciate the opportunity to make the following comments:

The general goal of infill contiguous to an area of historic properties is to highlight or maintain the properties of significance and not to divert attention or overwhelm them. Bloomington's puzzle along Walnut Street is to increase density with multi-family construction while maintaining the weight of the smaller historic single family forms that were historically present and are now adapted as viable commercial space along the corridor. Add to this that the historic forms illustrate various styles of architecture and the difficulty increases.

The UDO has addressed this issue in its interpretation of height requirements adjacent to historic buildings downtown. The recently submitted drawings are much improved from the four story design submitted at the last hearing. The idea of breaking up the façade of the building into bays is also endorsed as an improvement.

However, the use of a combination of siding/shake/brick veneer on the façade of the building looks arbitrary and fussy for a commercial/multifamily building on a prominent public street. The placement of different finishes, variously, on the 2d and the 3d floors, calls further attention to this decision, and instead of relieving the monotony of an undifferentiated block serves instead to make it appear busy and unsure of itself. If the budget allowed a façade of brick, or of brick and stucco, there'd still be an opportunity to get some of the desired differentiation and interest, and to do so within a more limited and dignified palette of materials.

The cornice overhang is too deep and overwhelms the building. The reference is to the prairie-style proportions next door, but a shallower overhang would work better with the design as it's evolved.

It's exciting to have new construction on the way, but important to use it as an opportunity to enhance and revive a mixed and heterogeneous streetscape.

Dave Harstad  
Chairman, Bloomington Historic Preservation Commission





September 11, 2012

**Revised: October 22, 2012**

City of Bloomington Planning Department  
 P.O. Box 100  
 Bloomington, IN 47402

Attn: Mr. James Roach

**RE: 10<sup>th</sup> and Walnut Apartments**

**PETITIONERS STATEMENT**

Dear Mr. Roach

Studio 3 Design is pleased to submit the attached apartment development, 10<sup>th</sup> and Walnut Apartments for Plan Commission review. The following document outlines the project scope and addresses comments received to date regarding the project. Please take time to review and contact us with any additional questions.

<u>Apartment Types</u>	<u>Count</u>	<u>Beds</u>
Type 1 Bedroom Flat	14 Units	12 Beds
Type 2 Studio Flat	2 Units	2 Beds
	—————	—————
	<b>16 Units</b>	<b>16 Beds</b>

**Property density:**

Site: 62' x 131' = **.19 acres**

1 bed .25 DUE x 114 = 3.5 DUE's  
 2 bed .20 DUE x 3 = .4 DUE's

**3.9 DUE'S (Allowable .19 Acres x .33= 6.27)**

**One Retail Space: at 1400 S.F.**

### **Parking Counts**

1,400 / 300 = 4.66 maximum required  
RETAIL PARKING 4.66 X.75 = 4

APARTMENTS PARKING: 5 (5 MINIMUM REQUIRED)

Total on-site: **Eight (8) assigned spaces provided – One (1) Temporary Space**

### **Project Location**

The project is located on the corner of 601 North Walnut Street 10<sup>th</sup> Street. The building retail main entry façade will face east on Walnut Street, and the Apartment main entry façade will face 10<sup>th</sup> Street. On the property currently there is an existing building occupied by business offices on the second floor and a restaurant occupying the first floor. Directly north of the property stand a residential home registered as a historical structure.

### **Project Concept**

The proportion and / or topographical configuration of the site promotes the articulation of the building where the repetition of massing elements can be stepped with the descending grade from Walnut west down 10<sup>th</sup> Street. The building style adheres to composition form and articulation to the Italianate Style. The style has been chosen to contextually appeal to the historical district to the north of the site. While the function and height and proportion of the building are not the same as the single home building comprising the majority of the recorded surveyed in the historical district, a maximum of three floors constitute the mass of the building along with the compositional and ordering principles of the Italianate Style provide a transition to its historical and urban contexts.

### **Building Scale / Massing / Articulation**

Within a rather constrained site the building incorporates both vertical and horizontal elements and detailing that mitigate its height. Banding elements, two types masonry and mix use of fiber cement lap siding and shakes combine to articulate along all elevation of the building.

### **Window detailing**

Windows utilize composite articulated header and sills reflect the detailing of the period style. Window headers mostly as part of the second and third levels include projecting keystone detailing as well as arched eye-brow headers. The store first level associated with the first level all include arched top with arched brick soldier coursing.

### **Parking Garage**

Parking is located under the building on level 1 and is accessed from 10<sup>th</sup>. In particular the south entry becomes partial containment of parking stalls which stack directly to another set of two stalls. The entry and exit ramps on 10<sup>th</sup> Street constitutes the main access to the remainder of the parking provided by the garage

### **Site Accessibility**

All other building access points are through secured stair towers. Both of the apartments located on level 1 are accessible from the building lobby to provide a higher level of security for the tenants than if the entry doors opened out towards the street.

### **Building Façade modules**

The building meets the UDO's requirement for physical breaks in the horizontal plain of the building, and provides a 4 foot setback at the entry of the retail level near the 10<sup>th</sup> and Walnut Streets corner.

### **Building Materials**

The building materials are comprised of architectural cast stone, two colors of face brick, fiber cement lap siding (color 1) and fiber cement shake siding (color 2). Castone water tables sill and level sills are used to demark the three levels of the building. Detailing with a top cornice element reflects the Italianate Style using composite materials and fiber cement material construction. These various materials delineate and mitigate the scale and mass of the building vertically and horizontally.

### **Bike Storage/ Parking**

The building provides two main point of bike parking focused around the south 10<sup>th</sup> Street building main entry with a total of (4) bicycle racks as well as another (8) bicycle racks at the Walnut Street side of the building between the retail entry and the other point of entry for the residents of the apartment above.

### **Build to Line**

The project meets the requirement of the UDO to have the 10<sup>th</sup> Street façades constructed on the build-to line. The Walnut Street Modulation complies with the need not to projects further east than the historical structure to the north at the north east corner of the building

### **Void To Solid Ratio:**

10<sup>th</sup> Street First Level= 40%  
 10<sup>th</sup> Street Upper Levels (2<sup>ND</sup> THROUGH 3<sup>rd</sup> Levels = 35%

Walnut Street First Level= 40.2%  
 Walnut Street 10<sup>th</sup> Street Upper Levels (2<sup>ND</sup> THROUGH 3<sup>rd</sup> Levels) = 36%

Site area= 0.185 acres (8088 SF)  
**Impervious percentage = 80.5%**

### **Building Entrances**

The building has (1) pedestrian entry at the south west corner of 10<sup>th</sup> Street, (1) secondary pedestrian from the parking garage and (1) entrance into stair tower accessed from the parking garage. Walnut Street offers the main entry point for the retail function of the building as well as the secondary means of entry and egress through and secure entry point at the north east side of the building. Retail will be provided with a disability complaint entry on 10<sup>th</sup> Street near Walnut and 10<sup>th</sup> Streets corner. Building signage is located on the canopy on the Walnut Street elevation. The canopy at the south west end of the building will incorporate the number and name of the Apartment Project.

### **Move-In/ Move-Out & Delivery Access to the Site**

Move in / Move out access can be gained at the south end (alley side) of the building where an area of approximately 9'-0" wide (east west direction) by 29'-0" in length (north south direction) is provided for parallel delivery parking. This Zone is also designated for one (1) temporary parking stall.

### **Trash Removal**

Trash removal has been provided at the west alley. The trash container will be located within an enclosed area furnished with a rolling door to be opened only on day(s) of trash collection. This area will also be accessed from the inside the building for tenant disposal trash. The grade will be leveled at this location to assist in the roll-out of trash container on collection day(s).

### **Water Service & Meter Pit**

The project will connect to the water main along Walnut Street. A master meter will be installed outside of the City right of way at the northeast corner of the site and will house the necessary meters and fire apparatus. The PIV connection will be installed at this location. A separate Siamese connection will be back fed from the meter pit and provided at Walnut Street and the for Fire Department access. No new mains are anticipated to be installed to provide service for the project.

### **Water / Sewer Service**

The project will connect to the city sewer mains at the east side of the building (Walnut Street). A connection will be made to the existing City sewer main routed down Walnut Street. All connections will be lateral connections with standard patching of the street as required. No new mains will need to be installed to provide service for the project.

**Private Utilities**

Duke Energy and a cable/phone/internet provider to be determined will provide for the service needs of the development. In preliminary design coordination with Duke Energy, a replacement power with pole transformer mounted units will take place at the southwest corner of the site along the alley. A junction box for the phone lines to feed the development will also be in this area. The electrical meter is located near the southwest corner exterior wall of the building.

Respectfully submitted,

STUDIO 3 DESIGN, INC

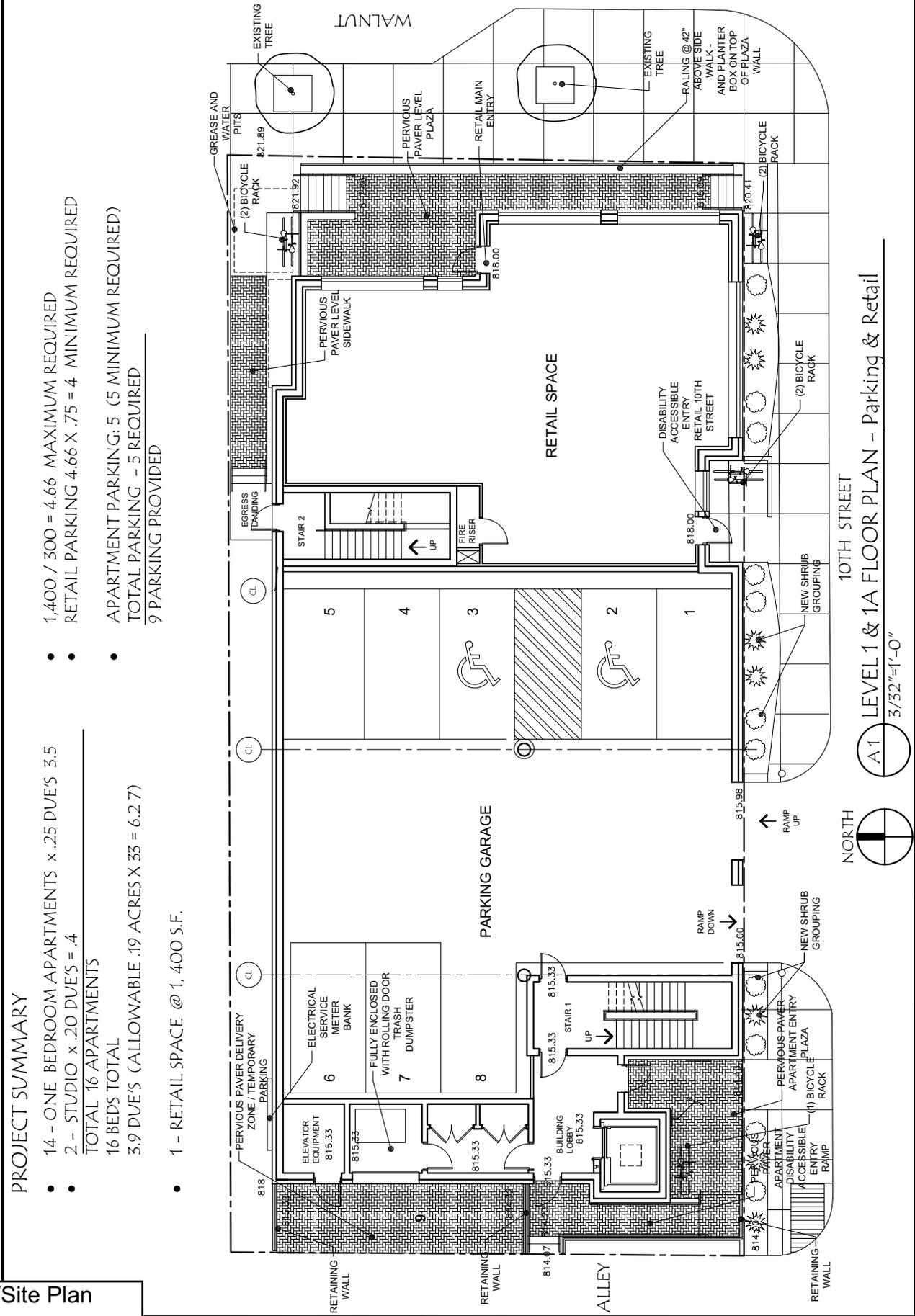
A handwritten signature in black ink, appearing to read 'Edgar A. Salas', is written over the text 'STUDIO 3 DESIGN, INC'. The signature is stylized and cursive.

Edgar A. Salas, Project Manager

PROJECT SUMMARY

- 14 - ONE BEDROOM APARTMENTS x .25 DUE'S = 3.5
- 2 - STUDIO x .20 DUE'S = .4
- TOTAL 16 APARTMENTS
- 16 BEDS TOTAL
- 3.9 DUE'S ALLOWABLE .19 ACRES X .35 = 6.27)
- 1 - RETAIL SPACE @ 1,400 S.F.
- 1.400 / 300 = 4.66 MAXIMUM REQUIRED
- RETAIL PARKING 4.66 X .75 = 4 MINIMUM REQUIRED
- APARTMENT PARKING: 5 (5 MINIMUM REQUIRED)
- TOTAL PARKING - 5 REQUIRED
- 9 PARKING PROVIDED

	PROJECT NO. 12042		DATE 10-22-2012	
	SHEET REFERENCE		SHEET NUMBER	
PAVILION, INC		10th & North Walnut Apartments		Bloomington, Indiana
10/22/2012				



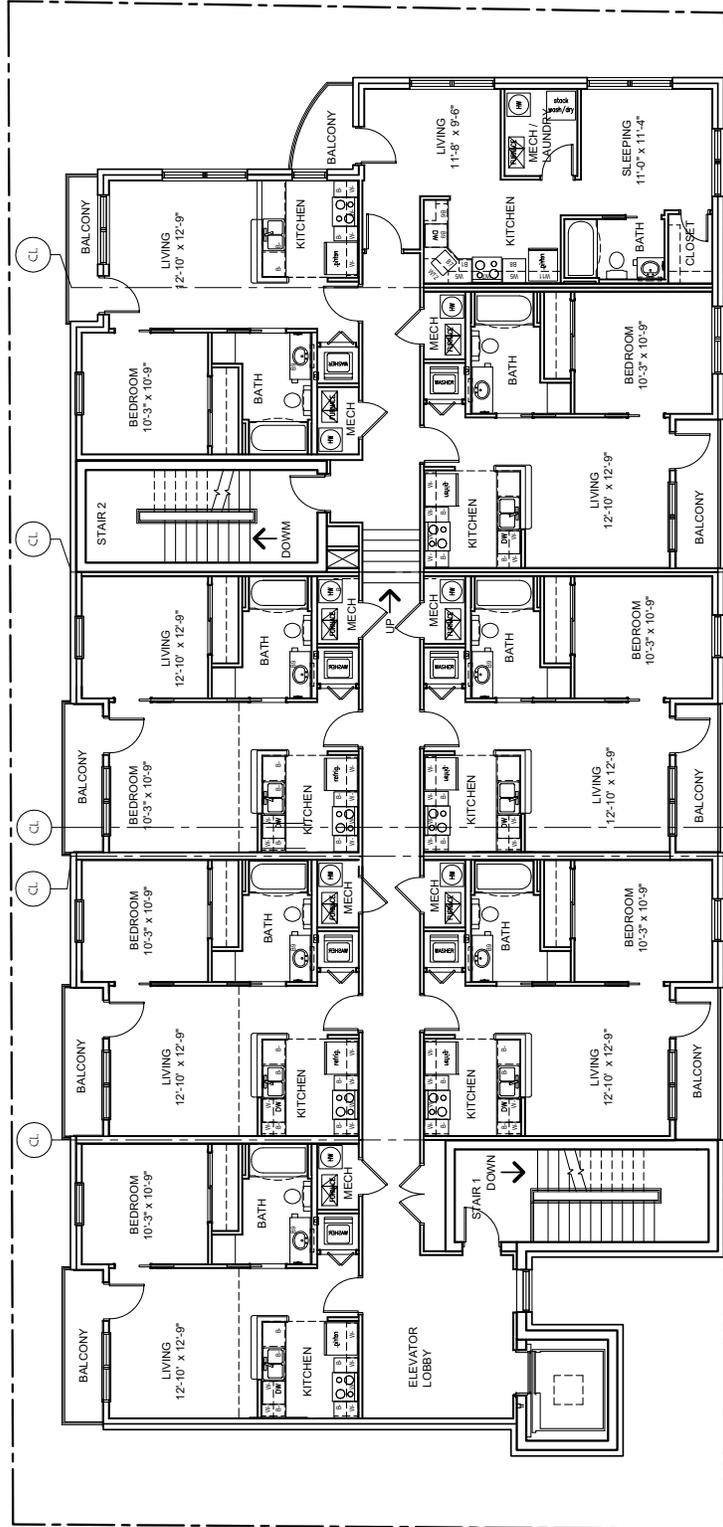
A1

LEVEL 1  
FLOOR PLAN



PROJECT SUMMARY

- 14 - ONE BEDROOM APARTMENTS x .25 DUE'S 3.5
- 2 - STUDIO x .20 DUE'S = .4
- TOTAL 16 APARTMENTS
- 16 BEDS TOTAL
- 3.9 DUE'S ALLOWABLE .19 ACRES X .33 = 6.2 7)
- 1 - RETAIL SPACE @ 1,400 S.F.
- 1.400 / 300 = 4.66 MAXIMUM REQUIRED
- RETAIL PARKING 4.66 X .75 = 4 MINIMUM REQUIRED
- APARTMENT PARKING: 5 (5 MINIMUM REQUIRED)
- TOTAL PARKING - 5 REQUIRED
- 9 PARKING PROVIDED



A2 LEVEL 2 - FLOOR PLAN Apartments  
3/32"=1'-0"

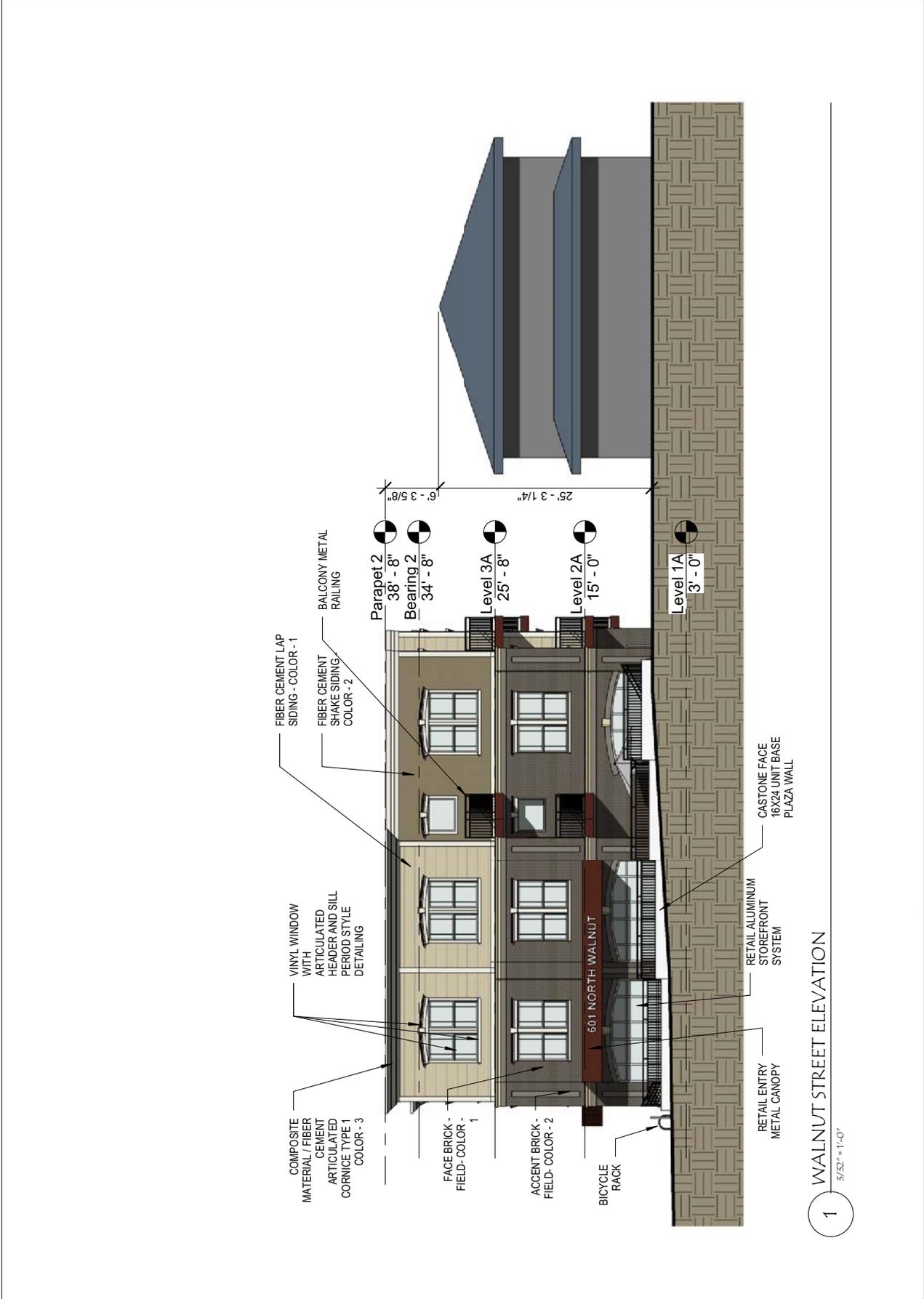
<p>STUDIO THREE DESIGN www.studiodesign.net 1001 North Park Road, Suite 300 Indianapolis, IN 46220 877.736.7226 877.721.2246 fax</p>	<p>PAVILION, INC 10th &amp; North Walnut Apartments Bloomington, Indiana</p>	
	<p>PROJECT NO. 12042</p>	<p>DATE 10-22-2012</p>
<p>SHEET NUMBER A2</p>	<p>SHEET REFERENCE LEVEL 2 FLOOR PLAN</p>	<p>SHEET NUMBER</p>

10th Street Facade  
SP-38-12



1 10TH STREET ELEVATION  
3/32" = 1'-0"

PROJECT NO. 12042	DATE 10-22-2012	PAVILION, INC 10th & North Walnut Apartments Bloomington, Indiana	 34 330 117 46250
	SHEET REFERENCE		



1 WALNUT STREET ELEVATION  
3/32" = 1'-0"

Rear/North Facade  
SP-38-12

PROJECT NO. 12042	DATE 10-22-2012
	SHEET REFERENCE
SHEET NUMBER <b>A6</b>	

PAVILION, INC  
10th & North Walnut Apartments  
Bloomington, Indiana

**STUDIO THREE DESIGN**  
www.studiodesign.com  
11752 228 Ave  
Indianapolis, IN 46250  
35





West/Alley Facade SP-38-12



1 RENDERING 3

A10

Elevation - Looking NE  
SP-38-12



1 RENDERING 4

A11

Elevation - Looking SE  
SP-38-12



1 RENDERING 5

A12

Elevation - Plaza Area  
SP-38-12

PAVILION, INC  
 10th & North Walnut Apartments  
 Bloomington, Indiana

PROJECT NO.	12042
DATE	10-22-2012

SHEET REFERENCE

SHEET NUMBER

A8



1 RENDERING 1

A8

Elevation - Looking SW  
SP-38-12

PAVILION, INC  
 10th & North Walnut Apartments  
 Bloomington, Indiana

PROJECT NO.	12042
DATE	10-22-2012

SHEET REFERENCE

SHEET NUMBER  
A9



1 RENDERING 2

A9

Elevation - Looking NW  
SP-38-12



Elevation - Aerial  
Looking NW  
SP-38-12

KEVIN B. POTTER, P.E.  
924 West 17<sup>th</sup> Street, #5  
Bloomington, IN 47404  
Phone (812) 331-7981  
EMAIL- kevinbpotter@gmail.com

REC'D  
10-11-12

October 6, 2012

Carol Paiva  
112 West 10<sup>th</sup> Street  
Bloomington, IN 47404

Re: 601 North Walnut Development

Per your request, I recently met you at your building located at 112 West 10<sup>th</sup> Street in Bloomington, Indiana to discuss the proposed development at 601 North Walnut Street. This property is located immediately East of your location with an alley separating the two properties. The proposed development is planned to be a 4 story apartment building with the West wall being 9 feet East of the alley. This would place the West wall of the proposed building about 28 feet East of the East wall of your building. You stated during our meeting that the proposed building would extend about 6 feet down below grade.

You requested my opinion regarding the possible structural issues that could occur in your building due to the construction of the proposed apartment building. These potential issues are summarized as follows:

1. The basement walls in your building are constructed with limestone masonry. Due to the age of the building, a lot of the mortar between the limestone units is loose and missing. If solid rock is encountered in the excavation for the foundations of the new building, rock removal with a hoe ram may be required. If not careful, this work could cause vibrations in your building and could damage the more brittle materials such as the plaster walls or the limestone masonry walls.
2. Your building could also be affected by heavy equipment running on the alley just east of your building. This could place additional pressure on the basement walls next to your building and could also create vibrations in your structure.

#### RECOMMENDATIONS

- a. The existing conditions of your building should be photo documented before construction starts. This could be done with either still photos or video.

- b. You have a lot of fragile items stored on shelves throughout the building. These items should be removed and safely packed away during the construction to prevent vibrations from possibly causing these items to fall from the shelves.
- c. Express your concerns to the City Planning Department and to the developer or the architect for the developer.
- d. If any cracks appear in the structure during the construction, notify the City or notify the developer immediately. Crack monitors could be placed at any crack locations to determine changes in the crack configurations.

Please contact me if you have questions.



Kevin B. Potter, P.E.

**Robert W. Milroy**  
**417 E. Cottage Grove**  
**Bloomington, IN 47408**  
**(812) 332-1337**

October 8, 2012  
Bloomington, IN

Mr. Steve Hoffman  
Pavilion Properties  
601 N, Walnut  
Bloomington, IN 47408

Dear Mr. Hoffman:

I apologize for the delay in getting this letter to you. I am writing to you on behalf of the Old Northeast Downtown Neighborhood Association to thank you for attending our September, 2012 meeting and explaining the considerations you will need to complete the project you explained to us. I am also using this letter to indicate to you and any other interested parties that the association and its membership support your proposal. You may use this letter as evidence that the neighborhood association accepts and supports Pavilion's work.

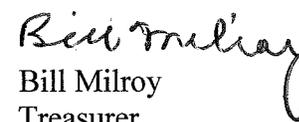
If you have any question you may contact me at the address and phone number in the letterhead of this letter or our president Marge Hudgins at her business address:

Ms. Marge Hudgins  
Spencer Hudgins Real Estate  
321 E. 6<sup>th</sup> Street  
Bloomington, IN 47408  
(812) 336-1188

I apologize again for my delay in writing to you and if our association can be of further help please contact us.

Sincerely,

  
Marge Hudgins  
President

  
Bill Milroy  
Treasurer

Hand Delivered-October 8, 2012

## 10<sup>th</sup> & WALNUT, Hearing 8 Oct 2012

I would like to thank the Plan Commission for this opportunity to speak.

My name is Carol Paiva and I own the half-lot property at 112 W 10<sup>th</sup> Street, where I have operated the Smith Bookbindery since the late 1980s and have resided since 1974, having arrived in Bloomington in 1971 from New Haven, CT (at that time a newly redeveloped city). I feel very close to the project under discussion--right across the alley.

First, a brief history. The two-storey frame structure that houses my home and business was built in 1893 and, when purchased by Chester R. Smith in 1946, was converted from a one family dwelling to commercial and residential occupancy. During my years as proprietor I have continued an established business serving the University and the community these long years.

Of course, many changes have been apparent downtown and in the close northern "neighborhood" for quite a while; but just in the last several years have I become concerned over Tenth Street and traffic. And it has become more noisy and considerably congested, most likely due to surrounding renovations and 'starts'. That is one of many salient factors pinpointed by Mr and Mrs Holdman.

Perhaps my view is less specific (I might apologize) but I daresay *real*, in that I have a perfect observation point *night and day*, unlike many business people in the area who leave for their homes and activities most evenings. What I don't have is a sense of privacy and security, as many downtown occupants/fun-seekers will roam over private property and linger (or loiter); toss beer bottles, plastic cups, and cigarette butts anywhere--even leave Old Fashion drinking glasses (alas, half-empty) on car roofs, if so moved, or vandalize parked cars by breaking windshield-wiper bases made of metal....Another colorful aspect of nightlife, and a frequent one, is sustained and loud bellowing, wailing or chanting that occurs from the west, or north, or south, inexplicably around 2 or 4 AM.

Of course, young "residents" will party; but infringing on others' property for impromptu rallies or rendezvous seems egregious, as is the habit of using the north-south alley like the Autobahn. It seems that the fact of growing numbers living within a smaller area contributes to the evident sense of thrills and entitlement, possible crime, higher and more rapid traffic, and even danger. In contrast, mixing structures and occupancy styles, like Lockerbie Court, Procure, the SPAAH! building, and 9<sup>th</sup> & Walnut, with considerable office space on the first floor, provide balance and a different tone, benefiting the social and cultural diversity of the downtown.

Shifting to specifics in the architectural plan, I question the four storey height of the west face of the building, for the decrease in amount and duration of light it would create, affecting my kitchen and sitting room, as well as the downstairs workrooms on the east side of my building.

In wrapping up, I would politely request of the builders the installation of security lighting to illuminate the alley west of the proposed site.

In addition, I don't think it would be unreasonable to petition the builders to arrange and provide a pre-construction professional, detailed analysis of the structural condition of my building, due to its age and proximity to the building site. This reflects my concern to have protection against collateral damage during construction, should it be necessary to implement powerful, vibrating means and machinery to prepare the foundation; and also possible detriment to my structure following re-grading and attendant consequences of a physical nature related to the plan of construction.

Thank you for considering these points of view and allowing me to explain my position as a businessperson who values an amenable atmosphere and as a city resident who cares that qualities of "safety" and "civility" are available to everyone.

Signed,

Carol J. Paiva



Jim,

P.O. Box 502 / Bloomington, Indiana 47402 / Phone 812-333-IUIU

I wanted to take the time to thank you for meeting with Dave and I over the concerns at the project at 10<sup>th</sup> & Walnut. As some times conversations run in many directions in person I wanted to highlight what I believe are the challenges that are posed with a project like this as well as the impact on the neighborhood and the surrounding businesses.

Since we met I have printed and studied the 2008 downtown land use study. If I count the full plots with historic properties in the 10<sup>th</sup> and 11<sup>th</sup> block of College and Walnut I come up to at 60% ratio, One of highest ones left anywhere in town. There are properties that are old that did not make the contributing list but none the less are small structures present in the neighborhood. I notice in the Downtown Gateway, to which we belong, there are no four story building and there are only 2 three stories. In fact the greater percentages of buildings appear to be 1 story.

I don't think this high traffic, tight, and busy corner is the place to experiment with a 4 story building. Second, I believe there are grade factors that need to be looked at closely. The existing mad mushroom business may very well be on the highest point in our whole block or close to it. Approving such a massive project will dwarf anything around it and shut out light we all deserve access to.

I agree that older buildings do need to be repurposed in town but I do not believe that Student housing is the only solution. I believe greed and greed alone has led us down this road. I can tell you from spending the greater time of my life at 10<sup>th</sup> and College for the last 11 years that the environment has not changed for the better. There is constant student trash in all our yards. My building has been broken into by a student as well as surrounding neighbors. The safety issues now are numerous and has BPD really added extra staff to deal with all these issues?

With the massive project at the OLD Stephens and Olds building and the project at 11<sup>th</sup> and Morton I can not see how anyone can get a grip on "true" occupancy demand, not to mention being able to understand the strain this will put on traffic and trash downtown. We have moved rapidly to an environment of students and bars downtown. If we continue to approve these projects without looking at other possibilities I truly believe we will drive out the dentists, lawyers, accountants, investment firms, book binderies and other small businesses that are so vital to the downtown area. Planning would not approve for any of these lovely homes that we operate small businesses out of to be torn down for such a project and we accept our stewardship role with honor, but at the same time planning should not infringe upon our rights to have a safe and civil environment to operate these in. Neighborhoods that contain businesses that many people reside in as well as work in should be cohesive and respectful of their neighbors and we look to planning to help facilitate and instill these values evenly across the board.

I ask that you all take a long look at the true impact this would have on one of your crucial high profile corridors in and out of Bloomington. Look at the surrounding Spa business and its height. Look at the surrounding and immediate old homes used as small business. Look at the narrow alley way that looks like something straight out of streets of San Francisco and study the heavy traffic patterns that travel 10<sup>th</sup> street and really tell us how and why this would be a good fit and why when very few 3 story building exist in this block why a 4 story should. We need to be realistic and honest about all the implications. This is a very slippery slope we are traveling on and one that we can't undo once done. So I ask planning to carefully review the true need for this and to not accept anything at all presented with this height and negative neighborhood impact.

Sincerely,  
Diana and David Holdman

Letter from Neighbor  
SP-38-12



Photos of existing trash problems  
SP-38-12



James Roach &lt;roachja@bloomington.in.gov&gt;

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## new floor plan

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David Ferguson &lt;dlf@ferglaw.com&gt;

Tue, Oct 30, 2012 at 6:27 PM

To: James Roach &lt;roachja@bloomington.in.gov&gt;

Cc: greekact@indiana.edu, sturbauc@bloomington.in.gov

Jim,

In preview, we are against the commercial space reduction waiver. We believe the project should provide room for recycling for the tenants in exchange for any of the other currently proposed waivers (structure height over 35' without a setback, green space, side yard parking setback) and that the windows and balconies should not line up with windows in the adjacent property to the North. We are shadow-boxing a bit here, as the Planning packets don't come out until late in the day on Friday and the project is scheduled to be heard again on Monday - too little time to review any changes, discuss with the neighborhood and give you any meaningful feedback without spending another evening with the Plan Commission and taking it all on the fly. If there was one thing we would have you change about your process, it would be to require that the packets be available at least one week prior to the hearing. If not, the hearing should be pushed to the next month.

We understand your statement that recycling containers or recycling is not required for apartments in the City of Bloomington. However, it is 2012, not 1950 and we know people want to recycle. In fact, we believe the City will soon require apartments to recycle or at least start working seriously towards that goal. Tyler sat on a City task force meeting discussing the issues involved in requiring recycling at apartments. Given the present state of the world in that recycling is good, not recycling is bad and given the fact that Petitioner has asked for waivers of several requirements of the zoning code (including the green space requirement), it does not seem a big stretch to require the Petitioner to provide recycling for its tenants. If an apartment is ever going to be attractive to adults, it should have recycling and storage areas. This has neither in its current form.

Of course, the Petitioner could conform his plans with the zoning code and not request any waivers. As we discussed in your office prior to the first hearing, waivers should be granted when they achieve a favorable result for the City, such as a nicer looking project or some amenity the City could not have obtained without it. Here, waivers are requested so that the project can be bigger. Sole reason. Same reason this project has a flat roof - if the roof were peaked like others in the neighborhood, petitioner would lose a floor of apartments.

The code wants ground floor commercial space of 50% and we do too. Here a reduction is proposed so that they can get more parking and thus more apartments. As very close neighbors, we can tell you that we would much rather have the potential of a larger commercial tenant than more residential tenants. It might be the influx of the homeless to the downtown or the fact that Justin Fox rented to 25 Delta Chi's down the block from us, but in the school year since September, we have had a drunken student trying to get into our house thinking he was at a fraternity, a truck window broken to enable a thief to steal items from the truck and our car was scratched with a key. This summer a bicycle was stolen from our fenced-in yard. We don't mind urban living, but urban living should provide some benefits as well as the detriments, such as proximity to great little places to eat or shop. After all, that is why we live close to downtown. We want college students to live downtown, but when a neighborhood is all students, but when students are on break, there are desperately few eyes on the street. This is not good planning. No police force can provide the protections that neighbors provide in paying attention to shenanigans on the street.

The code requires a minimum green space which Petitioner wants to reduce so more apartments can be built and it appears their green space is pervious pavers? The structure height without a set back seems also to be solely for size purposes. Otherwise it is just a design element deemed important in the code that needs to be added. The parking setback waiver is so the building can actually operate as an apartment building, providing areas for service and delivery vehicles, which is asking the community to give up the waiver so that the project can actually work.

Given those waivers, it does not seem like much to ask for a provision for recycling that may soon be required of them anyway. In point of fact, it is probably a favor to petitioner. The only thing it takes away is the excuse that they don't have room to recycle when the City requires them to do it.

Letter from Neighbor  
SP-38-12

We would submit that the green space waiver should only be granted if it obtains something good for the City. If these are routinely granted in this neighborhood, we will end up with far less green space than we anticipated would exist by our zoning code and at some point, will be cracking down on folks and spending more City money dealing with run-off issues. So what benefit does the City get from granting a green space waiver? More apartments? I know we all want density downtown, but we have a zoning code adopted by the City Council that provides protections to adjacent owners and to the rest of the City. It is not a legitimate rationale for a waiver to be granted so that a project may be "bigger."

As to the design, the drawings you sent do not show where the windows and balconies to the new project line up to the current windows in the existing historic building. I would hope they don't align across from each other or there will be a lack of privacy for both.

Lastly, the immediate neighbors to the project, the Holdmans, gave us insights at the last meeting into the landlord's lack of responsiveness to neighbor complaints about trash and rats. Mrs. Holdman reports about a current issue in the email chain below. Given those past incidents, I would hope that the Plan Commission would hold out on any waivers unless some positive benefit is achieved for the community.

If you have read this far, you are a good man and we appreciate your time and efforts in working with the High Point neighborhood to make this a better project.

David and Tyler Ferguson  
615 N. Washington Street

[Quoted text hidden]

David L. Ferguson

Ferguson & Ferguson, Attorneys at Law

403 East Sixth Street

Bloomington, Indiana 47408

tel 812-332-2113

fax 812-334-3892

[www.ferglaw.com](http://www.ferglaw.com)

[DLF@ferglaw.com](mailto:DLF@ferglaw.com)

Letter from Neighbor  
SP-38-12



SP-38-12  
Site Photos



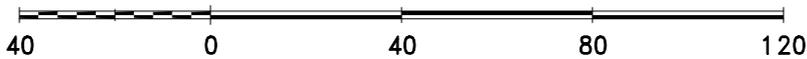
SP-38-12  
Site Photos





2011 Aerial Photo  
SP-38-12

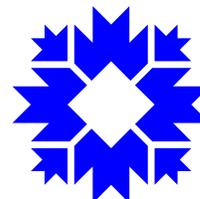
By: roachja  
2 Oct 12



For reference only; map information NOT warranted.



City of Bloomington  
Planning



Scale: 1" = 40'

**BLOOMINGTON PLAN COMMISSION  
STAFF REPORT  
LOCATION: 3020 E. 3<sup>rd</sup> Street**

**CASE #: PUD-37-12  
DATE: November 5, 2012**

**PETITIONER: Chick-Fil-A  
5200 Duffington Rd., Atlanta, GA**

**CONSULTANT: Woolpert  
7635 Interactive, Ste. 100, Indianapolis, IN**

**REQUEST:** The petitioner is requesting final plan approval for new construction of a 5,140 square foot restaurant structure within the College Mall Planned Unit Development.

**BACKGROUND:**

**Lot Area:** 34.72 acres (1.37 acre outlot)  
**Current Zoning:** Planned Unit Development (College Mall)  
**GPP Designation:** Regional Activity Center  
**Existing Land Use:** Vacant Building and Parking Lot  
**Proposed Land Use:** Restaurant  
**Surrounding Uses:** South: College Mall  
 East: Bank  
 West: Restaurant  
 North: Restaurants and Gas Station

**REPORT:** The petitioner is seeking PUD final plan approval for a 5,140 square foot Chick-Fil-A restaurant within the College Mall PUD. The site is located on the southwest corner of E. 3<sup>rd</sup> Street and S. Kingston Drive. Although it is part of the same parcel as the College Mall shopping mall, it has been developed as an outlot.

The petitioner is proposing to demolish the existing building and construct a new restaurant. The proposed structure has been placed in a building forward manner with 50 parking spaces located behind the building. A drive-thru is proposed on the west side of the building, and an outdoor seating area is proposed east of the building.

Staff finds this to be a desirable redevelopment project. The proposal will improve a key property along the E. 3<sup>rd</sup> St. corridor and improve aesthetics, reduce impervious surface area, and provide a more pedestrian-friendly environment.

**FINAL PLAN ISSUES:**

**Building Setbacks:** The proposed building meets all building setback requirements.

**Parking Setbacks:** The Unified Development Ordinance (UDO) requires parking spaces and drives to be at least 20 feet behind the primary structure's front building wall. The petitioner has proposed drives aligned with the front building wall on both frontages. It is difficult to place a drive-thru on a corner lot while meeting the setbacks. The proposed building forward design and parking behind the building are significant

improvements in pedestrian-friendly design over the existing building with parking in front. Aligning the drive on the western side of the building with the front building setback also reduces pedestrian and vehicle conflicts in the drive-thru area. Staff believes the setback to be appropriate for this corner lot.

**Access:** The site will be accessed off an internal drive to the south.

**Tree Preservation/Landscaping:** Several species proposed will need to be replaced with species that meet the requirements of the UDO. The landscaping plan will be fully compliant prior to permitting. Several existing trees will be preserved with this proposal.

**Stormwater & Utilities:** No new detention is required by City of Bloomington Utilities for this proposal. However, due to the number of parking spaces proposed, the UDO requires a best management practice to improve stormwater infiltration and water quality. The petitioner is proposing a bioretention area on the southwest corner of the site.

**Parking:** The proposal meets the maximum allowed number of parking spaces, which is 50.

**Bicycle Parking:** The petitioner has shown five bicycle parking spaces on a paved slab near the E. 3<sup>rd</sup> St entrance, which exceeds the UDO requirement.

**Pedestrian Facilities:** There are existing sidewalks on both E. 3<sup>rd</sup> St. and S. Kingston Dr.

**Handicap Ramps:** The noncompliant handicap ramp on the sidewalk must be replaced or upgraded.

**Architecture:** The proposed one-story building has an overall height of 25.5 feet. The petitioner has included large storefront windows on the south and east sides of the building. Color elevations have been provided. The amount of window space that can be provided along E. 3<sup>rd</sup> St. is constrained by functional wall space in the kitchen, office, and mechanical areas. The petitioner has worked with staff to provide a window along E. 3<sup>rd</sup> Street into the play area, and the proposed transom windows will be clear glass. The petitioner is proposing canopies, façade and height modulations, and several colors of brick to provide architectural variation and interest. There will be entrances into the building from both E. 3<sup>rd</sup> St. and from the parking lot to the south.

**Signage:** The petitioner is proposing a 6 foot tall, 45 square foot freestanding sign. For purposes of review, staff looked at this property as an outlet, despite it being located on the same parcel as College Mall. The proposed sign meets UDO sign standards for an outlet. Staff recommends that the Plan Commission allow this freestanding sign.

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**ENVIRONMENTAL COMMISSION RECOMMENDATIONS:** The Bloomington Environmental Commission (EC) reviewed this petition had these recommendations.

1) The Petitioner should salvage all leftover material from the deconstruction and construction activities and make these materials available for reuse or recycling, with very little going to a landfill.

**Staff Comments:** Although desirable, reuse or recycling of leftover materials is not required.

2) The Petitioner should provide indoor recycling bins and outdoor space for recycle-destined material to be stored for pick up.

**Staff Comments:** Although desirable, recycling is not required.

3) The Petitioner should include green building features.

**Staff Comments:** Although desirable, green building features are not required.

4) The Petitioner should enhance the character, aesthetics, and usability of the site along Third Street with increased landscaping and other visual and ecological enhancements.

**Staff Comments:** Staff agrees and believes that the proposal is consistent with the requirements of the code and the goals of the Growth Policies Plan (GPP) regarding architecture and aesthetics.

5) The Petitioner should modify the Landscape Plan such that no plants from the UDO's 20.05.059: Invasive Species, Species with Poor Characteristics and Noxious or Detrimental Plants exhibit are used, and add at least enough street trees to comply with the UDO.

**Staff Comments:** A revised landscaped plan, which removes invasive species and meets the requirements of the UDO will be required prior to permitting.

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**BICYCLE AND PEDESTRIAN SAFETY COMMISSION RECOMMENDATIONS:** The BBPSC reviewed the proposed site plan and offered the following recommendations:

1) The quantity of bike parking required by the UDO should be installed near the front entrance of the building.

**Staff Comments:** The building will have two front entrances. The petitioner has proposed that five bike parking spaces be installed near the E. 3<sup>rd</sup> St. entrance.

2) Adjacent improvements identified in the College Mall Pedestrian Accessibility Study should be built. This includes upgrading the curb ramp adjacent to the southeast corner of the site, and installing an 8-ft multi-use sidepath along the north side of the site.

**Staff Comments:** The ramp on the southeast corner of the site is inadequate. The UDO requires that any inadequate handicap ramps be replaced or upgraded. Although desirable, replacing the sidewalk on E. 3<sup>rd</sup> with a sidepath is

not required. A sidepath would provide a connection to the existing buffered sidepath east of the site, from Kingston Dr. to Smith Rd.

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**RECOMMENDATION:** Staff recommends approval of PUD-37-12 with the following conditions:

- 1) Any inadequate handicap ramps on sidewalks must be replaced or upgraded.
- 2) All lighting must be fully shielded and full cutoff or meet the low-intensity lighting exemptions within the UDO.
- 3) The petitioner will work with staff to replace species of trees and plants that do not meet the requirements of the UDO and to add landscaping if needed.

## MEMORANDUM

**TO:** MEMBERS OF THE PLAN COMMISSION

**FROM:** VINCE CARISTO/BICYCLE AND PEDESTRIAN COORDINATOR  
*Planning Dept. liaison to the Bloomington Bicycle and Pedestrian Safety Commission*

**RE:** Chick-Fil-A

**DATE:** November 5, 2012

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The Bloomington Bicycle and Pedestrian Safety Committee (BBPSC) reviewed the proposed site plan at their regular meeting on August 20, 2012. They made the following comments and recommendations.

### Comments

- The site plan with the drive-thru window on the west side of the building provides safer access to the building for handicap patrons and most others who arrive by car, since they don't need to cross the drive-thru lane.

### Recommendations

- The quantity of bike parking required by the UDO should be installed near the front entrance of the building.
- Adjacent improvements identified in the College Mall Pedestrian Accessibility Study should be built. This includes upgrading the curb ramp adjacent to the southeast corner of the site, and installing an 8-ft multi-use sidepath along the north side of the site. .

# MEMORANDUM

**Date:** October 25, 2012  
**To:** Bloomington Plan Commission  
**From:** Bloomington Environmental Commission  
**Through:** Linda Thompson, Senior Environmental Planner  
**Subject:** PUD-37-12, Chick-Fil-A  
3020 E. Third Street

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This memorandum contains the Environmental Commission's (EC) input and recommendations regarding the request for a Site Plan approval for a 5000 sq. ft. restaurant within the College Mall Planned Unit Development (PUD).

## **ISSUES OF SOUND ENVIRONMENTAL CONSIDERATION:**

### 1) CONSTRUCTION and DEMOLITION MATERIALS:

The EC recommends that construction and demolition debris from the existing structure and construction of the new building be collected for reuse or recycling, which is recommended in the Unified Development Ordinance (UDO) 20.05.049 GD-01 (a) (1) (D). This material could be sold to local salvage businesses, given to a resale store for future re-use, or recycled. Very little material should have to be disposed in a landfill.

### 2) RECYCLING:

The EC recommends that the petitioner allocate space within the site design to accommodate recycling. Recycling pick-up service is readily available in Bloomington if space is planned in advance at the site. Indoor containers should be in close proximity to landfilled-trash receptacles and clearly marked, and outdoor container space should be within an enclosure either shared with the landfilled-trash roll-off container, or within an enclosure dedicated to recyclable materials. The EC believes that recycling is an important contributor to Bloomington's environmental quality and sustainability.

### 3) GREEN BUILDING:

The EC recommends the petitioner use green building and site design measures. Green building can provide substantial savings in energy costs to a building over its life cycle and is thus an especially prudent investment in this time of rising energy prices. Green building features are consistent with the spirit of the UDO and supported by Bloomington's overall commitment to sustainability and its green building initiative (<http://Bloomington.in.gov/greenbuild>). Sustainable building practices are explicitly called for by the Mayors' Climate Protection Agreement signed by Mayor Kruzan, by City Council resolution 06-05 supporting the Kyoto Protocol and reduction of our community's greenhouse gas emissions, and by City Council resolution 06-07, which recognizes and calls for planning for peak oil.

Some of the many examples of green building practices that could be used at this site include the following:

Heat Island mitigation. The roof material should have a minimum initial reflective index of 0.65, and an aged index of 0.55. If a roof membrane is used, it should be overlaid with a reflective coating or covered with a white, granulated cap sheet.

Water conservation. As recommended in the *City of Bloomington Utilities Water Conservation Plan*, every effort should be used to conserve water. All fixtures should all be the low-flow type. The faucets for hand washing sinks should be the self-closing type. And the toilet design and plumbing should be the high efficiency type.

Energy efficiency. All insulation and windows should be highly insulating to save energy in both summer and winter, and to reduce greenhouse gas emissions in our region.

#### 4) GATEWAY CHARACTER:

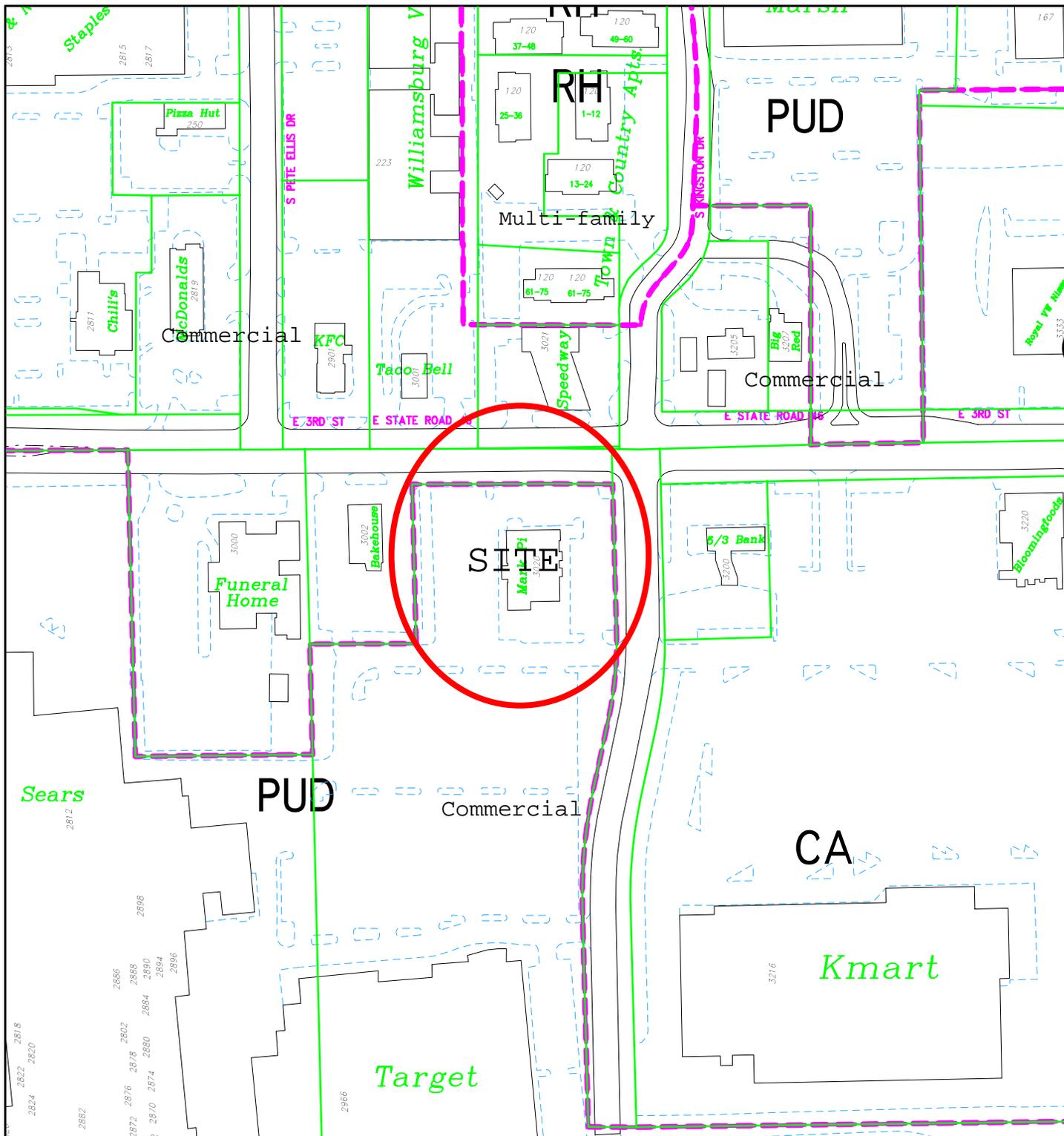
The EC notes that this area is an excellent candidate for a “Complete Streets” approach (<http://www.completestreets.org/>) to enhance its navigability for all users – pedestrians, bicyclists, handicapped people, and others. While the EC recognizes that the developer is not responsible for the street way itself, we encourage the developer to promote a vision for the site that complements and anticipates the complete streets concept. The proposed development is on a highly traveled route for our town and campus, and the EC is concerned that the proposed site plan represents a lost opportunity to welcome travelers into our city with a special sense of place more in keeping with our city’s unique character.

#### 5) LANDSCAPE PLAN:

The petitioner needs to revise the Landscape Plan to adhere to the requirements of the UDO. Specifically, the Princeton Elm (*Ulmus Americana*) needs to be replaced with an acceptable species from the UDO 20.05.058 Exhibit LA-A: Permitted Plant Species by Characteristics and Location, and additional street trees need to be added to the plan.

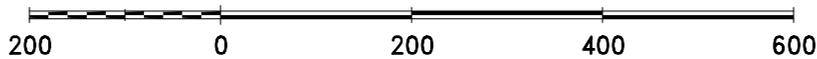
### **EC RECOMMENDATIONS:**

- 1) The Petitioner should salvage all leftover material from the deconstruction and construction activities and make these materials available for reuse or recycling, with very little going to a landfill.
- 2) The Petitioner should provide indoor recycling bins and outdoor space for recycle-destined material to be stored for pick up.
- 3) The Petitioner should include green building features.
- 4) The Petitioner should enhance the character, aesthetics, and usability of the site along Third Street with increased landscaping and other visual and ecological enhancements.
- 5) The Petitioner should modify the Landscape Plan such that no plants from the UDO’s 20.05.059: Invasive Species, Species with Poor Characteristics and Noxious or Detrimental Plants exhibit are used, and add at least enough street trees to comply with the UDO.



PUD-37-12  
 Chick-Fil-A  
 3020 E. 3rd St.  
 Zoning and Land Use Map

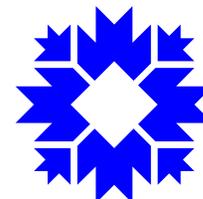
By: bannok  
 3 Aug 12



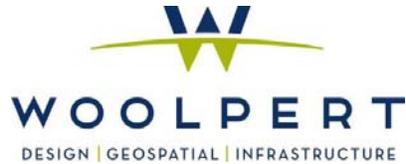
For reference only; map information NOT warranted.



City of Bloomington  
 Planning



Scale: 1" = 200'



Bloomington Chick-fil-A  
3020 E 3<sup>rd</sup> Street  
Bloomington, IN

### Petitioner's Statement

Chick-fil-A is a quick-service restaurant with a drive-through and indoor and outdoor dining areas specializing in the sale of quality chicken products. Chick-fil-A is known not only for the quality of food the restaurant sells, but also for their focus on customer service and involvement in the local community. The proposed project will consist of the demolition of the existing Mark Pi's restaurant located at 3020 E 3<sup>rd</sup> Street at the College Mall and the construction of a new ~5,140 SF Chick-fil-A restaurant and associated infrastructure.

The proposed 1.37 acre site is located at the southwest intersection of E 3<sup>rd</sup> Street and Kingston Drive and as previously mentioned is part of the existing College Mall shopping center. Surrounding land uses include a Speedway gas station and Taco Bell to the north, Scholars Inn Bakehouse to the west, Target to the south, and Fifth Third Bank to the east. The existing site is developed and contains a 7,205 SF 'Mark Pi's China Gate' restaurant. The existing building and parking lot will be demolished and the site re-developed for a 5,140 SF Chick-fil-A restaurant with a drive-thru. The existing Mark Pi's has three ingress/egress points west of the building and one ingress/egress point east of the building. The proposed Chick-fil-A consolidates access from the mall ring road to two ingress/egress driveways connected to the internal mall ring road.

Our building has been designed to comply with the Architectural Standards (AG) noted in the Chapter 20.05: Development Standards. Our building Materials, Patterns, Eaves and Roofs, and Primary Pedestrian Entry all meet these standards. Our Exterior Facade also complies with the standards by incorporating canopies above all windows (excluding the play area) and using our Entry Tower to create both a physical projection toward the street and a change in building height.

In addition, to better achieve a consistent 360 Degree Architecture, we modified our floor plan to put as many windows on the East Third Street elevation as possible. The area where full length windows were not placed is along our kitchen, office and service area; however we did see some opportunities that worked well and we wanted to take advantage of these. While we need the kitchen walls to be functional (plumbing and electrical, kitchen equipment, shelving and storage, etc) and to

Page 2

prevent a sight line into the back of our kitchen, we still found we could provide clerestory windows that were positioned above an employees head (the window sill is 7'-4" AFF and the window head at 9'-4" AFF). Since providing real, functional, storefront windows below the clerestory windows simply was not practical, we decided to use brick detailing to capture the same building geometry used throughout the remainder of the building. Our goal was to provide 360 Degree Architecture as intended by the Architectural Standards, as well as to do it in a way that works for the Exterior Design, the Interior Design, and the functionality of the building. Overall, we believe that the give and take between Chick-fil-A and City staff has resulted in an attractive building that will work best for the long term operation of the store while meeting the intent of the ordinances.

The proposed Chick-fil-A site plan has been configured to meet City ordinances to the maximum extent practicable. The proposed building has been pulled as far northeast as possible to meet the required 15' building setbacks along both E 3<sup>rd</sup> Street and Kingston Drive. Due to the location of the existing College Mall shopping center monument sign, the Kingston Drive building setback has been increased to maintain visibility of the existing monument sign. All parking stalls meet the required setback of 20' beyond the primary building walls. A variance is being requested for the east access drive along Kingston and the drive-thru lane along Third Street.

In order for drive-thru customers to be able to make the turn from east to south in the drive-thru and pull up to the pick-up window, the drive-thru lane must be pulled north within the setback as a result of the required building placement. A different building was looked at originally which had the drive-thru south of a longer more narrow building. This layout required all pedestrian traffic to cross vehicles exiting the drive-thru to enter or exit the store, and after evaluating both scenarios, Chick-fil-A felt that pedestrian safety was their primary concern and the deciding factor in moving forward with the proposed site plan.

With regards to the east access drive being located within the parking setback, Chick-fil-A feels that this variance request is a result of the location of the existing shopping center sign which was installed prior to the adoption of the current ordinance and prohibits the building from being placed 15' from the property line. The proposed site plan places the driveway 35' from the eastern property line. As stated previously, under normal circumstances, to meet the ordinance, the required parking setback would be 35' from the property line. Since the proposed site plan shows 35' to the edge of the driveway with all parking stalls well beyond the setback, Chick-fil-A feels that the intent of the ordinance is still met.

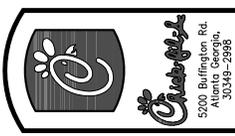
The open space requirements have been met and the parking provided has been limited to that allowed by City code. At both the DRC meeting and a follow-up plan review meeting, City staff suggested evaluating a different site plan layout which would move the west driveway to align directly with the drive-thru exit so that drive-thru traffic could exit the site as more of a 'straight shot' and to eliminate parked dine-in customers backing out into the drive-thru exit. Chick-fil-A understands the concern staff had with vehicles exiting the drive-thru and having the conflict with cars

Page 3

in the parking lot. The site plan has been revised in a manner that we feel addresses the City's concerns, directing all drive-thru traffic to an exit at which the only parking will be designated employee parking which will eliminate concerns of customers backing out into the drive aisle.

All utilities are currently available to the site and the proposed building will be connected to these existing utilities. Stormwater detention is currently provided offsite in a regional detention facility and no additional storage is being required as the development will substantially reduce the amount of impervious area. Water quality however will need to be provided for the developed site and will be accomplished by bioretention areas at the southern corners of the site. The existing drainage patterns will match existing conditions to the extent practicable, essentially splitting the site in half and draining to the bioretention areas via overland flow, where runoff will ultimately discharge to the existing storm sewer system for the development.

Chick-fil-A is very excited to continue our involvement with the Bloomington community with the opening of a free standing restaurant in this location and believes the proposed site plan and building elevations meet the intent of the City of Bloomington ordinances. No adverse impacts to public safety or the surrounding community are anticipated as a result of this development.



5200 Burlington Rd.  
Atlanta, Georgia  
30349-2538

Revisions:	Mark	Date	By
△	09/13/12	REVISED PER	CLIENT
△	09/24/12	REVISED PER	CITY COMMENTS
△	10/19/12	REVISED PER	CITY COMMENTS

7635 Interactive Way  
Indianapolis, IN 46278  
FAX: 317.291.5085



3020 E. 3RD STREET  
BLOOMINGTON, IN  
S08 N-144

Job No. : 072510  
Store : 3200  
Date : AUG 12  
Drawn By : DLH  
Checked By: EJU

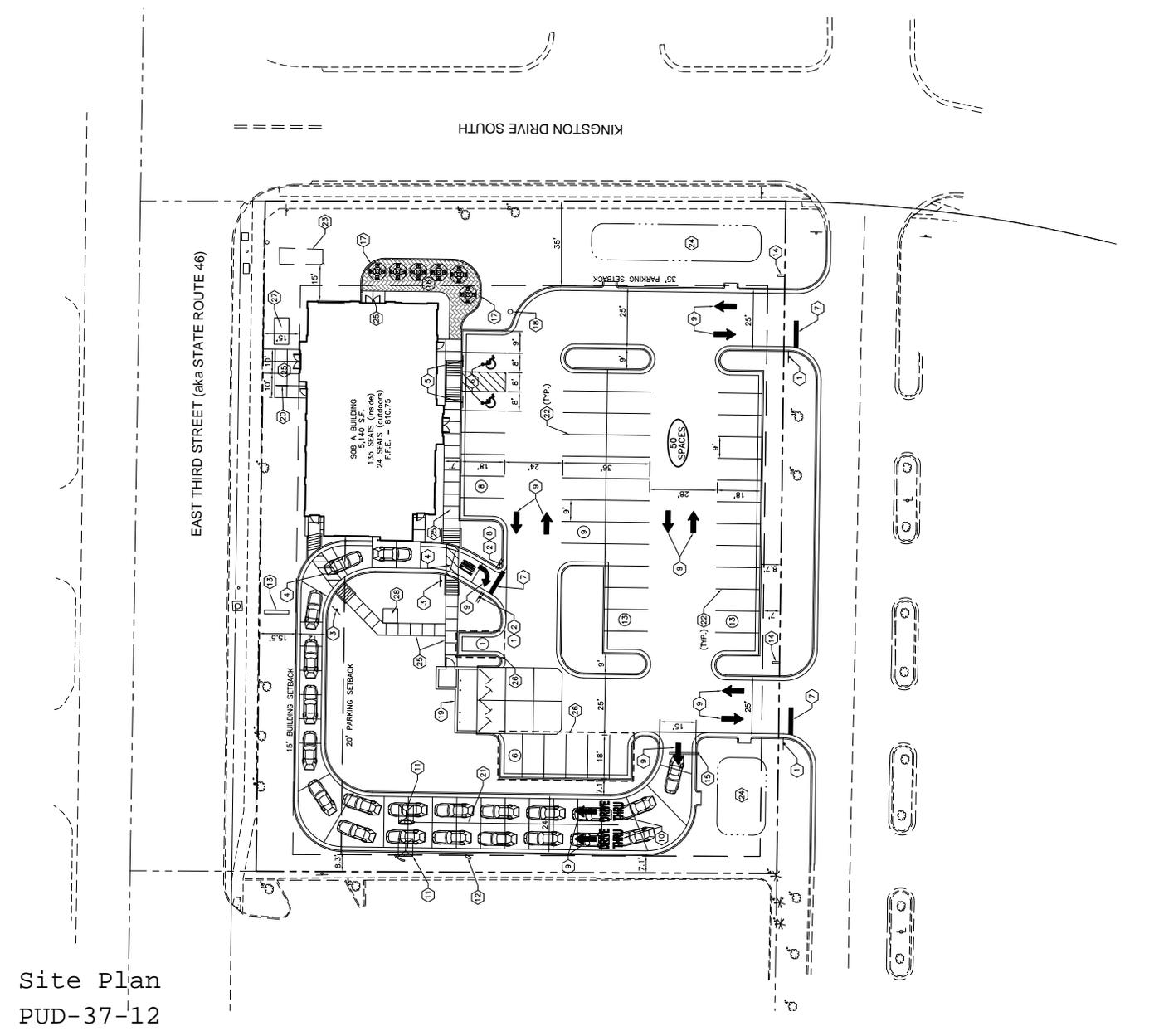
DWG EDITION 07.1  
REVISION

SHEET TITLE  
**SITE PLAN**

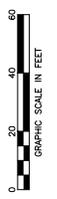
SP  
67  
Sheet

SITE DATA	
SITE AREA:	±1.37 ACRES (59,648 S.F.)
EXISTING ZONING:	PUD (CG—GENERAL COMMERCIAL)
PROPOSED ZONING:	PUD (CG—GENERAL COMMERCIAL)
BUILDING COVERAGE:	1,140 S.F. (8.8%)
PAVEMENT (PERVIOUS) COVERAGE:	30,861 S.F. (81.2%)
LANDSCAPE (PERVIOUS) COVERAGE:	23,192 S.F. (58.8%)
PERMEABLE PAVERS COVERAGE:	795 S.F. (1.3%)
PARKING DATA:	
48 STANDARD SPACES PROVIDED	2 ACCESSIBLE SPACES PROVIDED
50 TOTAL PARKING SPACES PROVIDED	

- ### SITE KEY NOTES
1. STOP SIGN
  2. "NO LEFT TURN" SIGN
  3. "PEDESTRIAN CROSSING" SIGN
  4. PAINT, 4" WIDE STRIPES @ 4' O.C. AT 45° ANGLE, TRAFFIC YELLOW PAINT
  5. ACCESSIBLE PARKING SIGN
  6. PAINTED ACCESSIBLE PARKING SYMBOL
  7. STOP BAR
  8. "NO LEFT TURN" SIGN
  9. DIRECTIONAL ARROW
  10. DRIVE-THRU GRAPHICS
  11. MENU BOARD & CANDY ORDERING STATION
  12. PRE-SALE MENU BOARD
  13. MONUMENT SIGN
  14. DIRECTIONAL SIGN
  15. CLEARANCE BAR
  16. OUTDOOR SEATING AREA (PERMEABLE PAVERS)
  17. ALUMINUM HANDRAIL, DARK BRONZE
  18. FLAG POLE
  19. REFUSE ENCLOSURE (SEE ARCH. PLANS FOR DETAILS)
  20. BIKE RACK, 8 BIKES
  21. 4" STRIPE, TRAFFIC YELLOW PAINT
  22. 4" STRIPE, TRAFFIC WHITE PAINT
  23. EXISTING COLLEGE MALL MONUMENT SIGN
  24. BIoretention AREA
  25. CONCRETE SIDEWALK
  26. "EMPLOYEE ONLY" PARKING
  27. VAULT PER GRD. REQUIREMENTS
  28. CONCRETE TRANSFORMER PAD

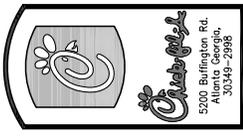


Site Plan  
PUD-37-12









Revisions:	Mark Date By

STATE OF GEORGIA  
 REGISTERED PROFESSIONAL ARCHITECT  
 OCTOBER 2010-2012



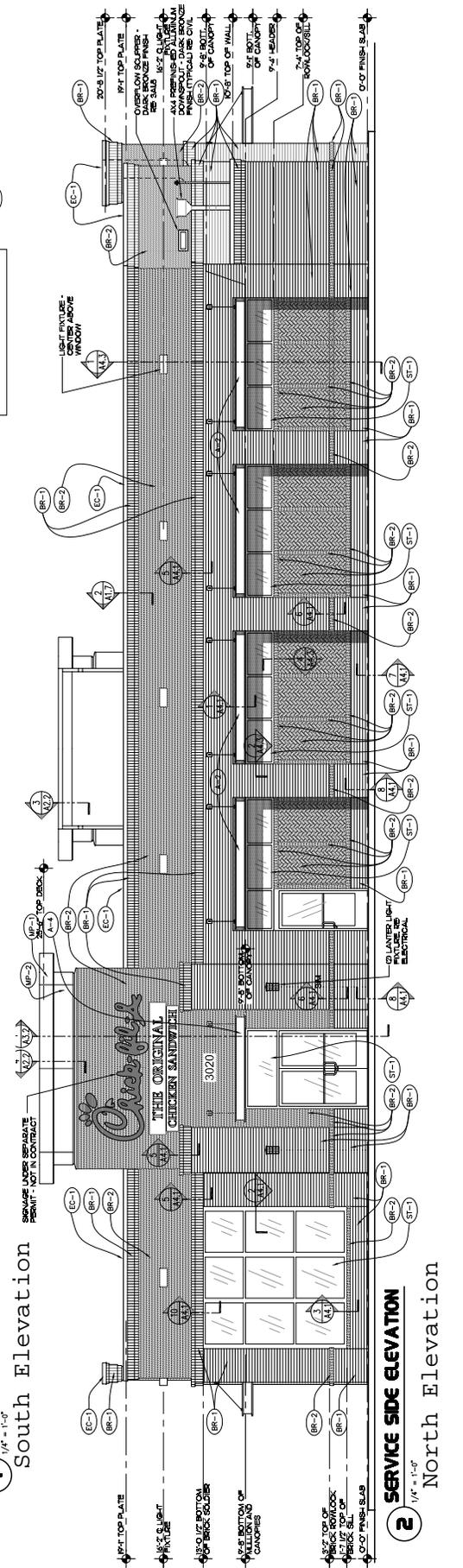
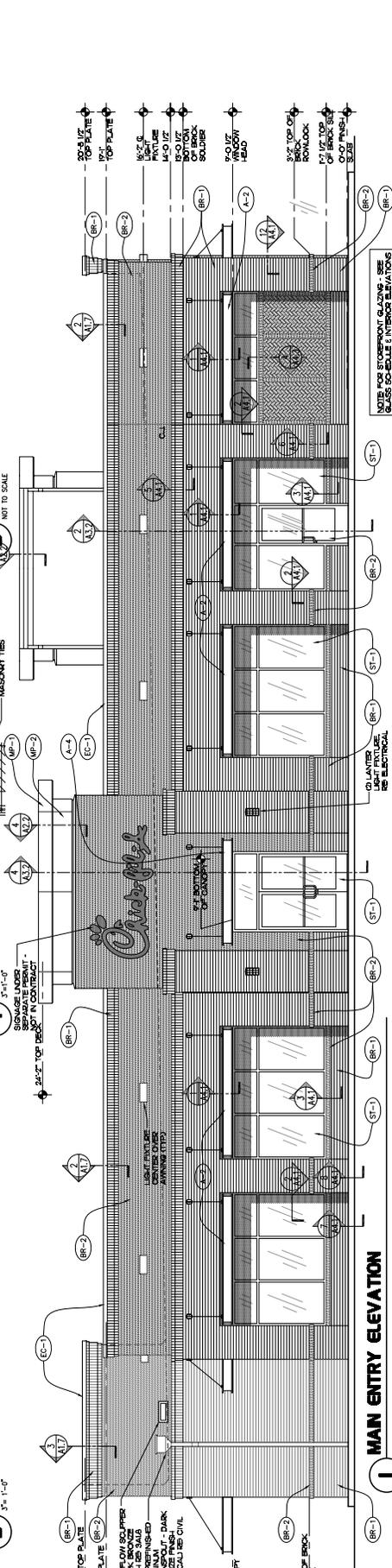
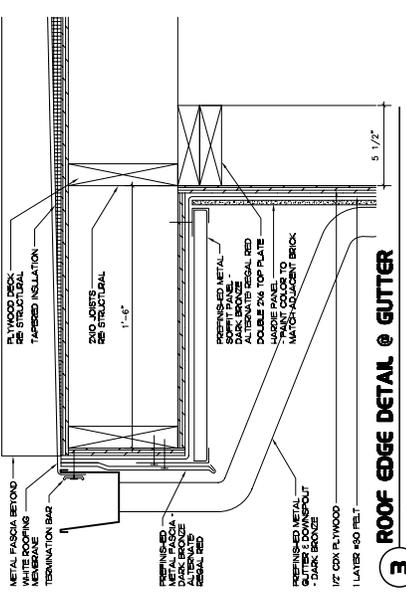
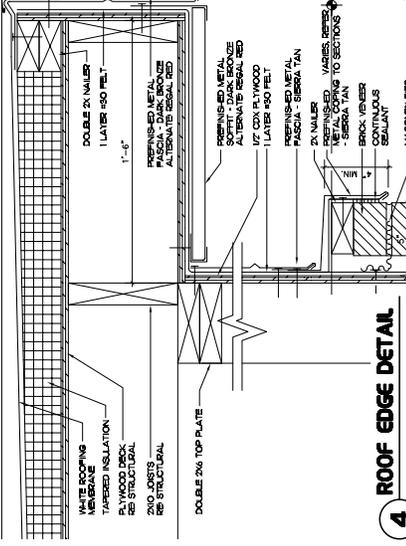
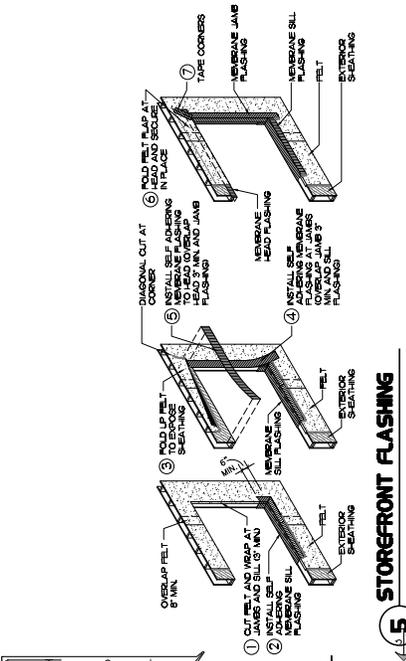
F-H ARCHITECTS, P.C.  
 710 OLD KNOCK ROAD, SUITE 200  
 BIRMINGHAM, AL 35203  
 PHONE: 205-977-0878  
 FAX: 205-977-0879

PROJECT: STORE - F1-A  
 FSU 508A

LOCATION: BLOOMINGTON, IN  
 3020 E. 3RD ST.

SHEET TITLE: EXTERIOR ELEVATION

PERSON: ISSUE DATE: 8-2012  
 Job No.: 3003  
 Store: :3022/19  
 Date Drawn By: :  
 Checked By: :  
 Sheet





Rendering  
PUD-37-12



**CHICK-FIL-A**  
5200 Bufington Rd.  
Atlanta Georgia,  
30349-2998

**COLORED RENDERINGS**  
508-VERSION B  
CUSTOM 'A' PROTOTYPE  
Store #2200



**BLOOMINGTON, IN**  
3020 E. 3RD STREET  
OCTOBER 22, 2012



**E+H ARCHITECTS, P.C.**  
Two Brentwood Commons  
750 Old Hickory Blvd, Suite 250  
Brentwood, TN 37027-7593  
Phone: 615-377-5188  
Fax: 615-377-0978

**SHEET NAME**  
**PSP-I**

72



	<b>CHICK-FIL-A</b> 5200 Burfington Rd. Atlanta Georgia, 30349-2998
<b>COLORED RENDERINGS</b> 508-VERSION B CUSTOM 'A' PROTOTYPE Store #2200	
	<b>BLOOMINGTON, IN</b> 3020 E. 3RD STREET OCTOBER 22, 2012
	<b>E+H ARCHITECTS, P.C.</b> Two Brentwood Commons 750 Old Hickory Blvd, Suite 250 Brentwood, TN 37027-7593 Phone: 655-377-588 Fax: 655-377-0978
	<b>SHEET NAME</b> <b>PSP-2</b>

Rendering  
PUD-37-12



**CHICK-FIL-A**  
5200 Burfington Rd.  
Atlanta Georgia,  
30349-2988

**COLORED RENDERINGS**  
508-VERSION B  
CUSTOM 'A' PROTOTYPE  
Store #2200



**BLOOMINGTON, IN**  
3020 E. 3RD STREET  
OCTOBER 22, 2012



**E+H ARCHITECTS, P.C.**  
Two Brentwood Commons  
750 Old Hickory Blvd, Suite 250  
Brentwood, TN 37027-7593  
Phone: 615-377-5188  
Fax: 615-377-0978

**SHEET NAME**  
**PSP-3**

Rendering  
PUD-37-12

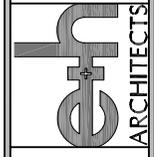


**CHICK-FIL-A**  
5200 Bufington Rd.  
Atlanta Georgia,  
30349-2998

**COLORED RENDERINGS**  
508-VERSION B  
CUSTOM 'A' PROTOTYPE  
Store #2200



**BLOOMINGTON, IN**  
3020 E. 3RD STREET  
OCTOBER 22, 2012



**e+h ARCHITECTS, P.C.**  
Two Brentwood Commons  
750 Old Hickory Blvd., Suite 250  
Brentwood, TN 37027-7593  
Phone: 615-377-5388  
Fax: 615-377-0978

**SHEET NAME**  
**PSP-4**

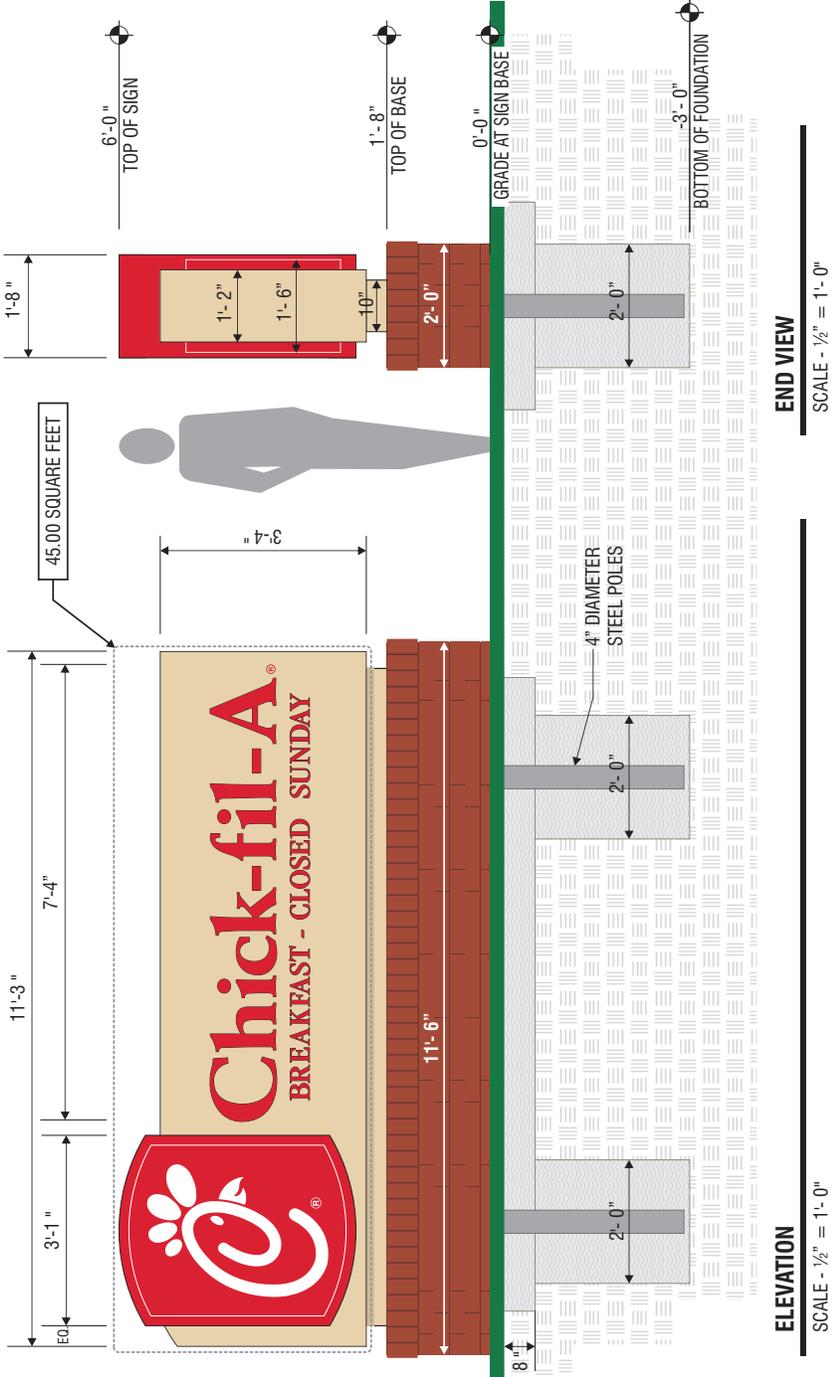
51

**SPECIFICATIONS**

CABINET  
 ALUMINUM CABINET HAS STEEL FRAME WITH .080 ALUMINUM CLADDING, RETAINERS AND FILLER.  
 CHICK-FIL-A ICON  
 ACRYLIC FACES DECORATED WITH TRANSLUCENT VINYL FILM ON SURFACE OF ACRYLIC. FACES ARE BACKLIT BY HIGH OUTPUT FLUORESCENT LAMPS SPACED EVENLY ON 8" CENTERS.

-  ALUMINUM SURFACES
-  CFA RED GENESIS M SINGLE STAGE (G2-SERIES SW) FACES
-  230-53 CARDINAL RED TRANSLUCENT VINYL FILM
-  7328 WHITE ACRYLIC
-  PAINTED TO MATCH BUILDING
-  MASONRY TO MATCH THE BUILDING

Freestanding Sign Elevation  
 PUD-37-12



NOTE: ICON SIDE OF SIGN SHOULD ALWAYS BE POSITIONED CLOSEST TO THE ROAD

**END VIEW**  
 SCALE - 1/2" = 1'-0"

**ELEVATION**  
 SCALE - 1/2" = 1'-0"

REFER TO **ENGINEERS STAMPED** DRAWING FOR FOUNDATION

This Product is Listed by UNDERWATERS LABORATORIES, INC. and Bears the Mark.

MASONRY WORK AND CONCRETE PAD FOR MASONRY WORK IS FURNISHED BY THE GENERAL CONTRACTOR SIGN FOUNDATION IS FURNISHED BY CLAYTON SIGNS, INC.



5198 North Lake Drive  
 Lake City, GA 30760  
 404-361-3800 fax: 404-361-7088  
 website - www.claytonsigns.com

**SIGN TYPE**  
**2A.1**

DOUBLE-FACED INTERNALLY-ILLUMINATED MONUMENT SIGN  
 AGGREGATE SQUARE FOOTAGE - 45.00 SQUARE FEET  
 DRAWING FILE - CFA - BLOOMINGTON, IN-SIGNAGE.CDR

ALL ELECTRICAL SIGNS ARE 120 VOLTS UNLESS OTHERWISE INDICATED

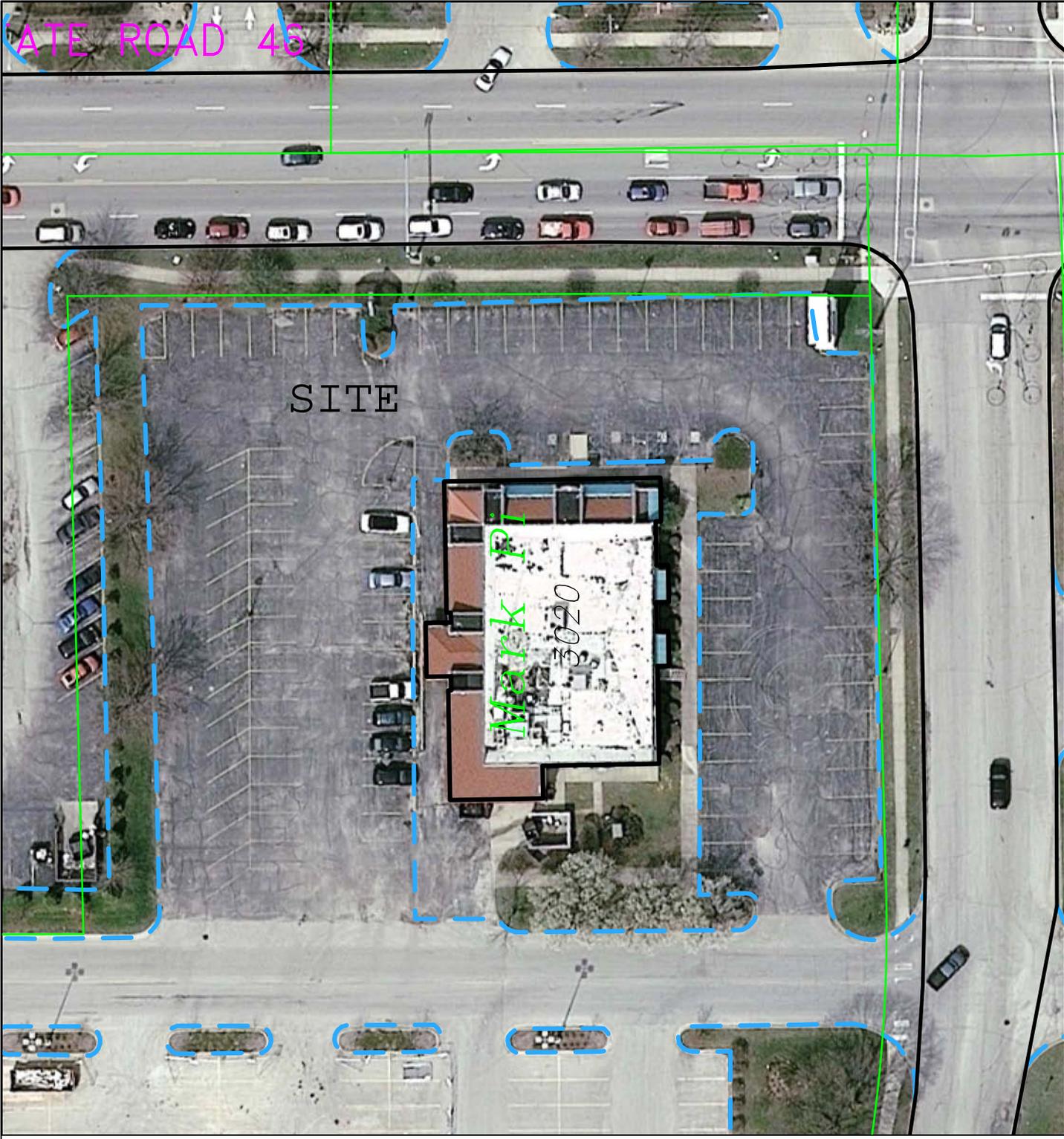
DRAWN BY: BEN HOLLAND  
 ACCOUNT REP: BEN HOLLAND  
 DRAWING DATE: SEPTEMBER 13, 2012  
 REVISION DATE:

STORE NUMBER  
**3200**

STORE ADDRESS  
 CHICK-FIL-A  
 E. 3RD STREET  
 BLOOMINGTON, IN 47401

LOCATION  
**A**

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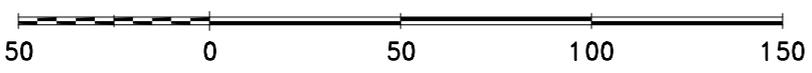


SITE

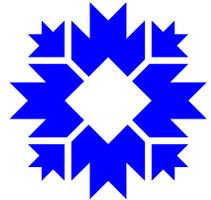
Mark Pi  
3020

PUD-37-12  
 Chick-Fil-A  
 3020 E. 3rd St.  
 2010 Aerial Photo

By: bannok  
 3 Aug 12



City of Bloomington  
 Planning



Scale: 1" = 50'

For reference only; map information NOT warranted.

**BLOOMINGTON PLAN COMMISSION**  
**FIRST HEARING STAFF REPORT**  
**LOCATION: 445 S. Patterson Drive**

**CASE #: PUD-39-12**  
**DATE: November 5, 2012**

---

**PETITIONERS:**     **Trinitas**  
                          **201 Main Street, Lafayette IN 47901**

**CONSULTANT:**     **Bynum Fanyo & Associates, Inc.**  
                          **528 N. Walnut Street, Bloomington**

---

**REQUEST:** The petitioners are requesting a rezone to Planned Unit Development and approval of a Preliminary Plan and District Ordinance for 8.49 acres currently zoned Commercial Arterial.

---

**REPORT:** The petitioners are seeking to rezone 8.49 acres along the east side of S. Patterson Drive south of W. 3<sup>rd</sup> Street. The Commercial Arterial (CA) property includes a 2.25 acre tract that currently has an existing commercial truck maintenance facility and a 6 acre vacant tract. Surrounding uses include a mixed-use PUD to the west, industrial to the east, an office to the south, and a gas station to the north. The property is also encumbered by a floodplain located along the eastern property line.

The current zoning on the property only permits residential units on the upper floors of any structures. The petitioners are seeking a PUD approval to allow for ground floor residential units to be constructed. The PUD would also increase the allowable density from 15 units/acre to 20 units/acre.

The petitioners have submitted a proposed District Ordinance and Preliminary Plan. The Preliminary Plan shows a general layout of how the property could be developed if the rezoning is granted. In general, the proposal includes 3 or 4-story structures constructed in a building forward manner with surface parking lots located to the east (rear). They have also shown a centrally located community space.

The petitioners have shown two potential development options. The first option (Option 1) would retain the large existing truck maintenance facility on Area B, at least in the short term. Another small building associated with the northern property is proposed to be removed and replaced with additional surface parking for the multi-family development. The petitioners have also shown a second Preliminary Plan concept (Option 2) that would include the removal of the large industrial building and replacement of the structure with 30 additional units.

*Density:* Although the overall density of the two Preliminary Plan options has been shown with 14.47 un/ac and 17.71 un/ac respectively, the District Ordinance as proposed would allow up to 20 un/ac on the overall site. This is more than the current density allowance of 15 units/ac.

*Parking:* The UDO does not require any parking for this property. The maximum number of parking spaces is based on the specific non-residential use and would also include 1 parking space per bedroom of residential use. The petitioners have proposed a slightly modified parking maximum. They have proposed 0.8 spaces per bedroom and a general 1 space per 250 square feet of non-residential space. Preliminary Plan Option 1 (not including the industrial building) would allow up to 357 spaces for 341 bedrooms and 5000 square feet of non-residential space. They have shown 252 parking spaces. Option 2 would have a maximum of approximately 437 spaces for 421 bedrooms and 5000 square feet of non-residential space.

*Height:* The petitioners are proposing an increased height allowance for this property from 50 feet to 55 feet.

*Architecture:* The petitioners have proposed architectural restrictions for the PUD. These restrictions are very similar to the existing Arterial architectural restrictions of the UDO. They have limited the primary materials to brick, split and ground face block, limestone, and cement board lap siding. Staff would recommend glass and natural stone be added back into this list. EIFS has been removed from the list of permitted materials.

Some additional requirements of the current standards are proposed to be altered with the District Ordinance. Some of these items are the potential for doing a covered doorway rather than an awning or canopy, changes in building façade height of 3 feet rather than 5 feet, wall recesses of 2 feet rather than 3%, no minimum roof pitch, and removal of primary entry details. There are several other architectural details that staff would like to review with the petitioners prior to a second hearing. The petitioners have provided staff with sample architectural concepts that are being considered.

It is unclear if the preliminary architecture would be designed in a fashion that would allow for easy conversion to first floor commercial space. Staff would like more details on this prior to a second hearing.

*Non-Residential Space:* The petitioners are proposing to provide a minimum of 5000 square feet of first floor non-residential space along Patterson Dr. Staff notes that clubhouses and amenities for multi-family residents are not considered non-residential space. Furthermore staff does not find 5000 square feet of non-residential space to be adequate for this 8.49 acre tract. For reference, the existing industrial building at the northern end is approximately 17,000 square feet and could be replaced under this proposal with a fully residential use.

*Occupancy:* The petitioners have committed to prohibiting any 5 bedroom units and limiting the occupancy of the 4 bedroom units to a maximum of 4 unrelated adults. Occupancy of other unit types has not specifically been limited past UDO standards.

*Pedestrian Facilities:* The owner of the property was required to bond for pedestrian facilities along both Patterson Dr. and 3<sup>rd</sup> St. with a previous

subdivision of this site. These facilities have not been constructed. The petitioners have shown an 8-foot sidepath along the entire street frontage of Patterson Dr. and 3<sup>rd</sup> St. The petitioners' Option 1 Preliminary Plan does not include the 3<sup>rd</sup> St. sidepath. Staff would recommend that the entire pedestrian facility be installed with any future development of this site.

*Neighborhood:* The Prospect Hill Neighborhood Association has met with the petitioners to review this petition. Staff has not received any negative comments from the public regarding this petition.

*Scale:* Although building forward design is desirable, staff is seeking guidance from the Plan Commission on whether the proposed Preliminary Plan is compatible with the surrounding area in terms of scale. The buildings have few breaks along Patterson and no street parking. These structures are proposed to be up to 4 stories and 55 feet in height. There are mostly one and two-story structures surrounding this property with taller structures permitted in the future redevelopment of the Patterson Pointe PUD.

*Neighbor's Encroachment:* The existing industrial use to the east currently encroaches onto a portion of the subject property. This paved encroachment is used as an outdoor storage yard. This encroachment is also located on top of an enclosed culvert within the regulated floodway. The petitioners' Preliminary Plan options do not show this encroachment. Prior to second hearing, staff would like clarification regarding this encroachment. Furthermore, staff recommends the removal of this encroachment.

*Impervious Surface Coverage:* Although the petitioners' Preliminary Plan shows compliance with the 60% maximum impervious surface coverage (Option 1 =59% and Option 2 = 56%), the proposed District Ordinance has a maximum impervious surface coverage of 70%. Due to the presence of the floodway and riparian buffer area, staff has concerns with an increase in the impervious surface coverage. Staff would like Plan Commission guidance on this issue prior to second hearing.

*Signage:* The petitioners are proposing three individual freestanding signs of 50 square feet and 5 feet in height. They are also proposing to allow projecting signs for commercial uses on these lots. Projecting signs are currently only permitted within the Commercial Downtown zoning district.

*Permitted Uses:* The petitioners have included a proposed list of uses for the PUD. This list has been largely reduced from the CA list of permitted uses. The list also includes multi-family dwelling units. This is the main issue of concern with this petition. Although staff has no significant concerns with the non-residential uses proposed, it might be appropriate to continue to permit a wider range of uses on this site.

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**GROWTH POLICIES PLAN COMPLIANCE:** With this request, the petitioners must demonstrate compliance with the Growth Policies Plan. Staff has identified several concerns regarding this requirement. The GPP designates this 8.49 acre

site as a “Community Activity Center (CAC).” Staff has analyzed several relevant policies identified within the GPP and is highlighting the following policies outlined for CACs:

- *Rather than serving a single neighborhood, commercial uses in and surrounding the CAC will be developed so as to be accessible to multiple neighborhoods by non-motorized means, without becoming a major destination for the entire City and/or region.*

Although the proposed PUD would allow commercial, the petitioners have committed to only a minimum of 5000 square feet of non-residential space.

- As the central commercial node of the surrounding area, public gathering space is an ideal addition to the mix of uses. Residents will need outdoor space to access, and public open space can provide a valuable amenity to customers of the commercial units.

Although the petitioners have proposed a common green space for the residents on the property, they have not proposed any public open spaces on the property.

- The primary land use in the CAC should be medium-scaled commercial retail and service uses

Even though commercial uses would be allowed in the proposed PUD, very little commercial space is proposed with the request. It is unlikely that medium-scaled commercial retail and service uses would be located with this proposal. Any non-residential use is most likely going to be small-scale commercial use that would primarily serve the proposed apartment units.

- Residential units may also be developed as a component of the CAC, and would be most appropriate when uses are arranged as a central node rather than along a corridor.

Unlike the PUD that was approved on the west side of Patterson Drive (Patterson Pointe PUD), the proposed multi-family is not arranged as central node and is proposed to be located along the Patterson Dr. corridor.

- Provision of public spaces should be used as an incentive to allow additional residential units or commercial space to be developed as part of the planning approval process.

The proposal is required to preserve the floodplain and riparian buffer area along the eastern property line. As proposed, this would provide some greenspace, but would not provide any public spaces. Furthermore, these areas are currently required to be preserved under the provisions of the UDO.

- Public Transit access should be a major component of the urban services provided for any Community Activity Center.

Although transit service is not located immediately adjacent to the site, transit service is currently available to the north at W. 3<sup>rd</sup> St. and to the south on W. Bloomfield Road. In addition, the petitioners currently operate a private shuttle service to another local apartment complex, The Village at Mueller Park. This shuttle service could be extended to this site as well.

- A formal streetscape will help to define a Community Activity Center as a distinct node of activity serving a group of neighborhoods.

A formal streetscape is possible with this petition. Many street trees are in place and sidewalk/sidepath would be installed with this petition along the entirety of Patterson Drive and 3<sup>rd</sup> St. The petitioners have not proposed any on-street parking. On-street parking is partially complicated by the designation of Patterson Dr. as a truck route.

- The CAC should take on the form of an urban center, with a pedestrian focus and several floors of usable space, both commercial and residential.

Although the conceptual site plan creates an urban streetscape, the overall development has some suburban elements. Furthermore, there is little commercial space that would be required with this proposal.

- Buildings should be developed with minimal street setbacks to increase pedestrian and transit accessibility.

The proposed PUD allows for minimal street setbacks as does the existing zoning on the property. The petitioners' conceptual site plan shows a building forward urban streetscape along Patterson Dr.

- Parking should be located and designed with an emphasis on minimizing pedestrian obstacles to accessing businesses.

Again, there are very little business uses proposed with the current plan. If commercial uses were included with the proposal, there would most likely be little pedestrian obstacles from the businesses.

- Incentives should be created to encourage the inclusion of second-story residential units in the development of Community Activity Centers.

The current zoning allows for second-story residential units up to 15 units/acre. The petitioners are asking for ground floor units.

- In order to buffer pedestrians on busy corridors as well as reduce off-street parking needs, on-street parking and tree plots should be encouraged in new developments and maintained on built roadways.

Tree plots will be incorporated into any site design for this property. The petitioners are not proposing any on-street parking.

In addition to these general policies toward CACs, the *Adams Street/Patterson Drive Subarea* provides specific policy guidance for the development of this property. The subarea includes recommendations concerning land use, urban services and site design. Specifically, the following policy statements are noted (page 60 of the GPP):

- Development should insure that commercial services are conveniently located to serve employment uses in the Subarea, as well as designed to allow for non-vehicular access from nearby residential areas.

Again, there is only a limited amount of non-residential space proposed with this development.

- Road upgrades will spark investment toward commercial retail facilities. Balancing these market demands with a need to further develop other types of nonresidential uses (employment based) will be critical.

The subarea plan clearly envisions a primarily non-residential use of this property, either retail or non-retail.

- New commercial and employment development in this Subarea should be accommodated with new transit stop facilities.

Although transit service is located to the north and south of this property, there is no immediately adjacent transit service to this site. The petitioners have discussed the potential of providing a residential shuttle service to the property.

- Access to arterial roadways (3rd Street, Patterson Drive, Bloomfield Road) must be tightly controlled as part of the development review process.

Only two access points are proposed on Patterson Dr. and one on 3<sup>rd</sup> St. With approximately 750 feet of street frontage along Patterson Dr. and 500 feet of frontage on 3<sup>rd</sup> St., staff finds the three access points to provide adequate access with minimum street interruptions.

- Redevelopment and intensification should be accompanied by increased landscaping, greenspace opportunities, and building forward design.

Although the property has floodplain and riparian buffers located on the eastern portion of the site, the petitioners are proposing a reduced greenspace standard for this site. This is directly counter to this subarea policy.

- Opportunities for additional stormwater detention as well as pedestrian connectivity between Bloomfield Road and West 3rd Street should also be considered for this area.

The petitioners are required to incorporate water quality features for the proposal.

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**ENVIRONMENTAL COMMISSION:** The EC recommended denial of this PUD request. If this petition request is not denied, the EC recommends the following as conditions of approval in the District Ordinance.

- 1) The Petitioner shall design a riparian buffer in compliance with the Bloomington Municipal Code 20.05.041.
- 2) The riparian buffer and the floodplain shall both be placed within a preservation/conservation easement on the plat, and a Facilities Plan shall be created and approved.
- 3) Green Infrastructure BMPs, specifically daylighting the buried section of the creek and constructing linear rain gardens adjacent to parking lots, shall be required in this PUD.
- 4) The Petitioner shall redesign the plan such that at most, 60% of the surface is allowed to be impervious.
- 5) The Petitioner should make a commitment to apply green building practices to create high performance, low carbon-footprint structures.
- 6) The Petitioner shall provide space for recyclable materials to be stored for collection, and a recycling contractor to pick it up.
- 7) The Petitioner shall create a Landscape Plan for the entire PUD site that includes the conservation easement areas (floodplain and riparian buffer), as well as interior and parking lot landscaping standards.

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**STAFF ANALYSIS:** Staff finds the current petition does not meet the intent of a mixed-use development with primarily non-residential uses. The GPP clearly does not envision a primarily residential development on this property. Although the market for non-residential space is currently limited, the availability of vacant, flat properties of this size and central location are extremely limited. The City has invested a great deal of resources to improve the surrounding streetscapes and infrastructure through recent projects including W. 3<sup>rd</sup> St and the construction of the Patterson Dr. extension in anticipation of long-term development and redevelopment of this area by predominantly non-residential uses as evidenced by the critical sub-area designated for this and the surrounding properties. Furthermore, staff finds that the current zoning is more consistent with the GPP guidance for this property than the proposed Planned Unit Development.

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**REQUESTED FEEDBACK:** Staff requests that the Plan Commission give direction to staff regarding this PUD proposal regarding the following questions:

- Is a reduction of non-residential space to 5000 square feet for 8.49 acres appropriate?

- Is an increase in density to 20 units/acre appropriate?
- Is a proposed streetscape without on-street parking and 3-4 story (55' max height) buildings lining Patterson Drive appropriate?
- Does the proposed rezone provide a public benefit?
- Are the first floors of the proposed buildings viable for future commercial tenant spaces?
- Should the proposed construction be contingent upon adjacent intersection improvements?
- Should the UDO signage standards be utilized or a revised sign package including projecting signs?
- Is an increased impervious surface coverage appropriate?
- Does the proposed rezone provide for adequate environmental protections of the floodway and riparian buffer?
- Is the proposed rezone consistent with the Growth Policies Plan, particularly the Adams Street/Patterson Drive subarea?

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**RECOMMENDATION:** Staff recommends forwarding this petition to a second hearing.

# MEMORANDUM

**Date:** October 25, 2012

**To:** Bloomington Plan Commission

**From:** Bloomington Environmental Commission

**Through:** Linda Thompson, Senior Environmental Planner

**Subject:** PUD-39-12: Patterson Park, Trinitas  
445 S. Patterson St.

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This memorandum contains the Environmental Commission's (EC) input and recommendations regarding a change in zoning from Commercial Arterial (CA) to Planned Unit Development (PUD), creating the District Ordinance, and a Preliminary Plan for the 8.5 acres. The EC is not supportive of this proposal, for the reasons listed below. Additionally, the EC believes that this proposal does not fulfill the intent of a PUD, as described in 20.04.010 District Intent. This request for a PUD designation appears to be simply for the purpose of avoiding the rules established in the Unified Development Ordinance (UDO), and not for the reasons we allow PUDs, also found in the UDO. Therefore, the EC recommends denial of this request. If the request is not denied, the EC has recommendations provided below for inclusion in the District Ordinance.

## **ISSUES OF SOUND ENVIRONMENTAL DESIGN:**

### 1) RIPARIAN BUFFER:

This site has a waterway running through it that carries the headwaters of Clear Creek, which flows all the way through Monroe County into Lawrence County south of Lake Monroe. Unfortunately, Clear Creek is already degraded in many places, according to the Indiana Fish Consumption Advisory. (For additional details, please see the EC's report titled Bloomington Environmental Quality Indicators (BEQI) on the City's website at: [http://bloomington.in.gov/documents/viewDocument.php?document\\_id=3013#streams](http://bloomington.in.gov/documents/viewDocument.php?document_id=3013#streams).)

Therefore, the EC believes that water quality improvements should be made simultaneously with development and not continue the status quo practices that caused the current degradation.

The purpose of the Riparian Buffer rules in the Bloomington Municipal Code (BMC) 20.05.041, is to establish minimal acceptable requirements for the design of vegetated buffers by establishing a zone of restricted development and limited land use adjacent to all intermittent and perennial streams, and catchment swales. Buffers reduce the amount of nonpoint source pollutants entering our water resources, likewise the quality of the surface water is connected to the quality of the groundwater. The streams, rivers, and lakes of Bloomington supply much of the water required for drinking and other municipal and industrial uses, as well as for fishing, boating, and other recreational and economic purpose.

The people in our region and our many visitors find that the protection of the streams, rivers, and lakes of Bloomington and Monroe County is vital to the health, safety, and economic welfare of the citizens. Therefore, it is the intent of the City of Bloomington, through environmental protection codes, to protect, enhance, and maintain riparian and wetland areas in order to protect public and private water resources to which they drain.

Maintaining a vegetated buffer along swales, creeks, ditches, streams, wetlands, and rivers provides more than just a beautiful landscape. The combination of native trees, shrubs, and grasses adjacent to stream systems provide numerous flood mitigation, environmental, and resource management benefits that can include the following:

1. Removing pollutants (including oil, detergents, pesticides, herbicides, insecticides, wood preservatives, and other domestic chemicals) delivered from urban stormwater;
2. Absorbing nutrients (particularly nitrogen) from surface water runoff and groundwater flow;
3. Providing flood control by slowing flow and water feathering;
4. Reducing erosion and preventing sediment from entering the stream;
5. Stabilizing stream banks;
6. Providing infiltration of stormwater runoff to recharge aquifers;
7. Maintaining the base flow of streams;
8. Restoring and maintaining the chemical, physical, and biological integrity of water resources;
9. Contributing organic matter that is a source of food and energy for the aquatic ecosystem;
10. Providing tree canopy to shade streams and lower water temperature to improve habitat for aquatic organisms;
11. Furnishing scenic value and recreational opportunity;
12. Providing a source of detritus and large woody debris for aquatic organisms and habitat for wildlife;
13. Reduce the urban heat island effect.

The effectiveness of vegetative buffers as a best management practice for the control of nonpoint source runoff is dependent upon their ability to reduce the velocity of runoff flow to allow for the deposition of sediments, and the filtration and biological removal of nutrients within the vegetated area. Therefore, the EC is opposed to creating this PUD District Ordinance with riparian buffer regulations that are less restrictive than what is in the BMC.

## 2) CONSERVATION EASEMENTS:

The BMC 20.07.070 (d); Environmental Easements, states “All areas that are determined not to be developable per Chapter 20.05; Environmental Standards shall be placed within preservation/conservation easements on the plat.” The EC believes that this District Ordinance should have such language for the riparian buffer and the floodplain (which contains both the floodway and the floodway fringe). Additionally, both the riparian buffer and floodplain easements should have a Facilities Plan as described in 20.07.090.

## 3) GREEN INFRASTRUCTURE:

According to the U.S. Environmental Protection Agency (EPA) (<http://water.epa.gov/infrastructure/greeninfrastructure/index.cfm>), “Green infrastructure is an approach that communities can choose to maintain healthy waters, provide multiple environmental benefits and support sustainable communities. Unlike single-purpose gray stormwater infrastructure, which uses pipes to dispose of rainwater, green infrastructure uses vegetation and soil to manage rainwater where it falls. By weaving natural processes into the built environment, green infrastructure provides not only stormwater management, but also flood mitigation, air quality management, and much more.”

The riparian buffer discussed above is an example of a green infrastructure best management practice (BMP). In addition to the buffer BMP, the EC recommends that the Petitioner research and if possible “daylight” the section of the creek that is currently directed to an underground culvert. Also, the grounds adjacent to the parking lots should have linear rain garden–type swales to slow and filter stormwater flowing from those parking lots.

#### 4) PERVIOUS SURFACE:

This site is currently zoned Commercial Arterial (CA), which is required by the BMC to allow a maximum of 60% impervious surfaces. The proposed PUD District Ordinance for this site calls for 70% impervious surface (page 5). The EC believes that a PUD should not be allowed to have less stringent environmental regulations than the vetted regulations in the city's code. Therefore, the EC recommends that the Petitioner redesign the site such that more area is pervious surface.

#### 5) GREEN BUILDING:

The EC recommends that the developer commit to green building practices. The built environment (sometimes referred to as gray infrastructure) impacts health, economy, ecological services, and the overall quality of life, as recognized by the City of Bloomington's commitment to green building.

Green building can provide substantial savings in energy costs to a building over its life cycle and is thus an especially prudent investment in this time of rising energy prices. Green building features are consistent with the spirit of the BMC and supported by Bloomington's overall commitment to sustainability and its green building initiative (<http://Bloomington.in.gov/greenbuild>). Sustainable building practices are explicitly called for by the Mayors' Climate Protection Agreement signed by Mayor Kruzan; by City Council Resolution 06-05 supporting the Kyoto Protocol and reduction of our community's greenhouse gas emissions; by City Council Resolution 06-07, which recognizes and calls for planning for peak oil; and by Redefining Prosperity: Energy Descent and Community Resilience Report of the Bloomington Peak Oil Task Force.

#### 6) RECYCLING:

The EC recommends that the petitioner allocate space within the site design to accommodate recycling. Recycling pick-up service is readily available in Bloomington if space is planned in advance at the site. Outdoor container space should be within an enclosure either shared with the landfill-destined trash container, or within an enclosure dedicated to recyclable materials. The EC believes that recycling is an important contributor to Bloomington's environmental quality and sustainability. Furthermore, lack of recycling services is the number one complaint that the EC receives from apartment dwellers in Bloomington. Recycling has become an important norm that has many benefits in energy and resource conservation. Recycling is thus an important contributor to Bloomington's environmental quality and sustainability and it will also increase the attractiveness of the apartments to prospective tenants.

#### 7) LANDSCAPE PLAN:

The Petitioner should provide a Landscape Plan for this project. A detailed plan, including plant size, common and scientific name of species, no invasive or noxious plants, installation specifications, and identification of vegetation to be preserved should be created for the site, and include the conservation easement areas (floodplain and riparian buffer).

The BMC states that the purpose of landscaping is the following. "The Landscaping Standards are intended to improve Bloomington's vegetated environment and foster development that will protect and preserve the appearance, character, health, safety and welfare of the community. Additionally, the standards are intended to foster aesthetically pleasing development that will protect and improve Bloomington's biodiversity and the ecological services provided by native species and ecosystems. Trees, vegetation, irrigation systems, fences, walls, and other landscape elements are essential components of a project. These components act to enhance the visual quality of developments, screen land uses, and better integrate the built and natural environments." Therefore, the EC believes that the Petitioner should create a Landscape Plan for this PUD that includes

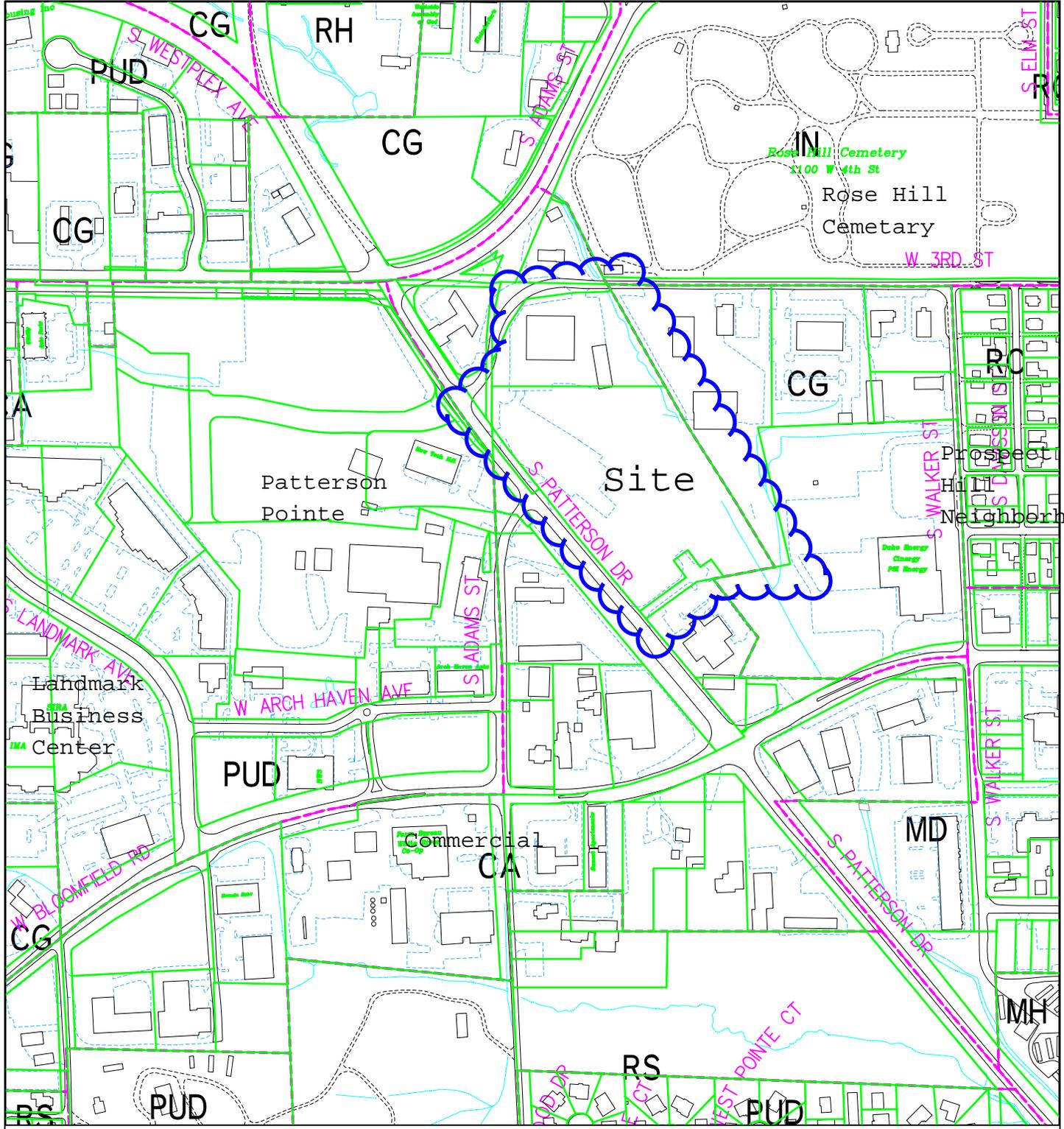
revegetation of the riparian buffer, as well as interior and parking lot landscaping standards.

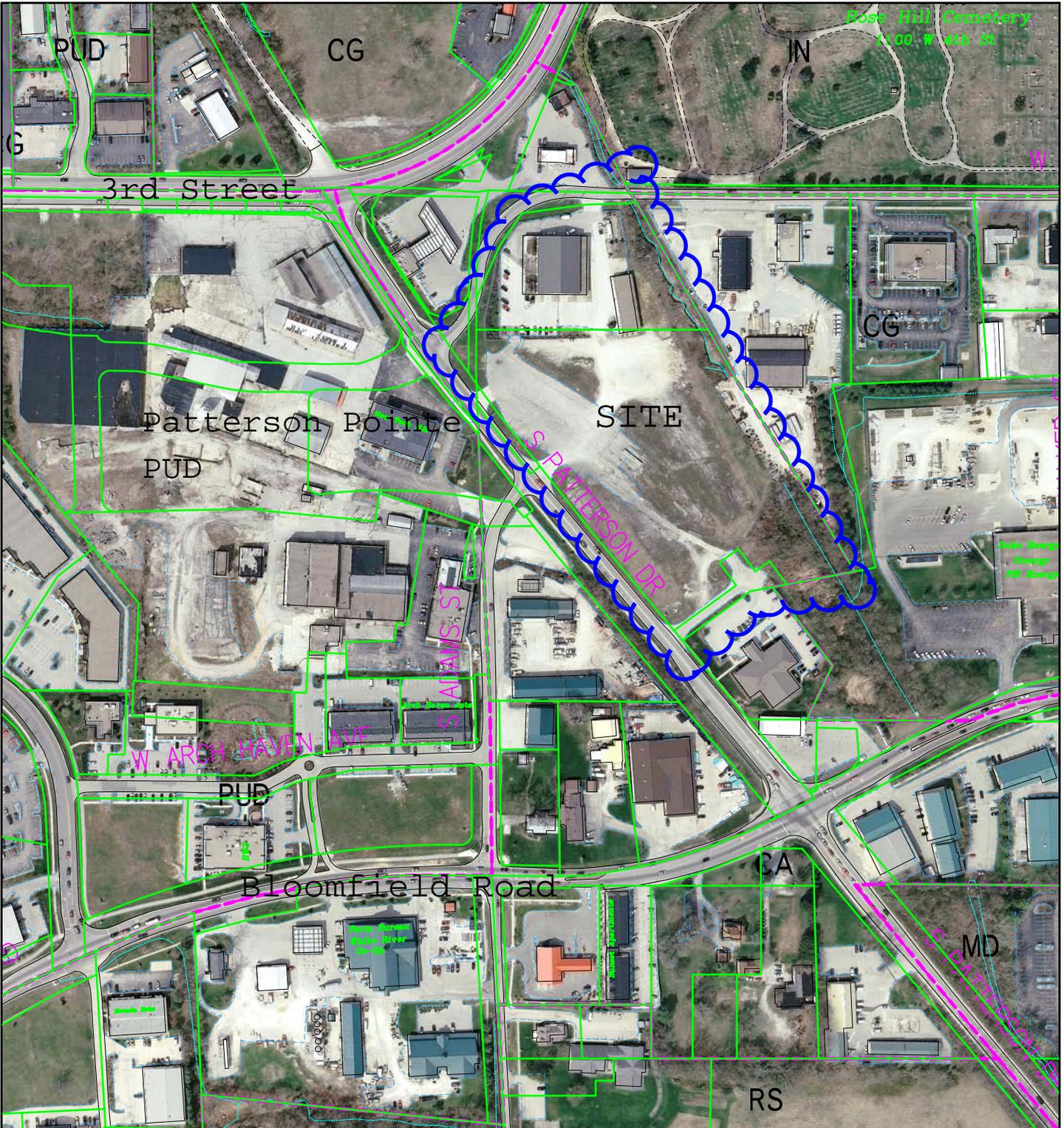
**EC RECOMMENDATIONS:**

~ The EC recommends denial of this PUD request.

~ If this petition request is not denied, the EC recommends the following as conditions of approval in the District Ordinance.

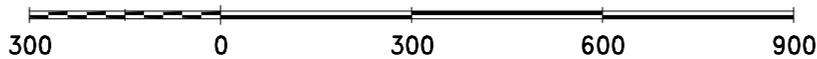
- 1) The Petitioner shall design a riparian buffer in compliance with the Bloomington Municipal Code 20.05.041.
- 2) The riparian buffer and the floodplain shall both be placed within a preservation/conservation easement on the plat, and a Facilities Plan shall be created and approved.
- 3) Green Infrastructure BMPs, specifically daylighting the buried section of the creek and constructing linear rain gardens adjacent to parking lots, shall be required in this PUD.
- 4) The Petitioner shall redesign the plan such that at most, 60% of the surface is allowed to be impervious.
- 5) The Petitioner should make a commitment to apply green building practices to create high performance, low carbon-footprint structures.
- 6) The Petitioner shall provide space for recyclable materials to be stored for collection, and a recycling contractor to pick it up.
- 7) The Petitioner shall create a Landscape Plan for the entire PUD site that includes the conservation easement areas (floodplain and riparian buffer), as well as interior and parking lot landscaping standards.



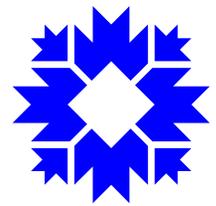


PUD-39-12 TRINITAS  
 445 S. PATTERSON  
 AERIAL PHOTO

By: shapp  
 3 Aug 12



City of Bloomington  
 Planning



Scale: 1" = 300'

# TRINITAS<sup>®</sup>

TRAVIS J. VENCEL,  
 DIRECTOR SITE ACQUISITION AND  
 PLANNING  
 tvencel@trinitas-ventures.com

201 Main Street  
 Lafayette, IN 47901  
 phone: (765) 464-2800  
 fax: (765) 464-2804

September 11, 2012

City of Bloomington  
 Tom Micuda, Director of Planning  
 PO Box 100  
 Bloomington, IN 47402

Re: Planned Unit Development Patterson Drive  
 8.49 acres East side of Patterson Drive, at south side of Old Third Street.  
 Preliminary Outline Plan Approval - PUD

Dear Tom,

Trinitas is proud to be submitting the following projects for development and appropriate approvals. Trinitas is a leading provider of housing in Indiana and developer of the Village at Muller Park as a history of working with the City of Bloomington to provide quality projects. Trinitas has engaged with the community over the last several months to discuss the development of the Patterson Drive Corridor and bring forward a cohesive project that will accelerate the redevelopment of this once industrial area of the City.

The proposal submitted includes an eight (8.49) acre tract on the east side of Patterson Drive. The proposal calls for the development of a cohesive multi-family project that meets the development standards for design, materials, parking and green space of the existing zoning. The current zoning of General Commercial requires all first floor space to be commercial, the PUD is a rezone that allows for residential on the first floor as well as commercial. Given the extensive process of the Patterson Pointe PUD with respect to design, use and layout, we have utilized many aspects of the Patterson Pointe PUD into this Patterson Park PUD. We have utilized the design standards as well as the limitation on density and five bedroom units approved in the Patterson Pointe PUD.

This project will bring 125 DUEs to the project for a total of 130 residential units for a total of 350 residents (bedrooms) to this PUD. In addition the PUD will allow for the existing 20,000 SF of commercial space to be maintained at the corner of 3<sup>rd</sup> and Patterson. This is a unique opportunity in Bloomington to redevelop 25 acres (Patterson Pointe PUD and Patterson Park PUD) well within the urban core of the City. These projects are an example of what the Growth Policies Plan speaks to when it calls for Goal IV – Developing mixed-use neighborhoods that offer social interaction as well as the option for neighborhood services. (GPP Page VI)

The Growth Policy Plan calls for compact urban form as the first goal of the plan. It calls for maximizing existing infrastructure to limit expenditures on the public and limiting the need sprawl. This proposal utilized compact urban form as the basis for the site design. Policy 2 of the GPP: Spur Redevelopment Activity. This proposal will aid in the redevelopment of this

former industrial area by helping to convert nearly 25 acres to residential and commercial uses, within a new neighborhood. The GPP also calls for increasing residential densities in the urbanized area, this proposal stays within the zoning densities of the UDO, while not building five (5) bedroom units and utilizing the DUEs that the project has a mixture of 1, 2 and 4 bedroom units. The proposed unit mix does not max out the occupancy of the site, but rather provides a mixed of residential options. The GPP also calls for the mitigation of traffic congestion. Redevelopment potential with this access to public transportation is essential to this development, with two Bloomington Transit routes into the City located near the site. The pedestrian access to the amenities of downtown as well as the planned neighborhood serving commercial is difficult to find on this side of the City. The private shuttle service will also mitigate the need for automobile traffic.

Trinitas is requesting new PUD for the eight and a half (8.49) acres on the east side Patterson Drive at the intersection with Old Third Street. This area is currently predominately vacant Area A (southern most six acres) and improved with a large truck maintenance facility on the north. The proposed development would be a phased development with residential on the southern six (6) acres first and then potential redevelopment of the commercial on the corner of Third and Patterson at the location of the current truck maintenance facility. The truck facility could also be reused or continued to operate, it could be converted to office space or to residential units as part of the plan for Area B.

The design of this development is similar to the design standards of the Patterson Point PUD with three (3) story structures of a townhome style and building forward commercial. The proposal meets the standards of the UDO with residential units with a density of less than 20 units per acre (utilizing the DUEs). As across the street we have agreed to no five (5) bedroom units and occupancy in the 4 bedroom units would be limited to four unrelated adults. The project will have a similar urban living experience, with ease in walking to the commercial amenities to the south and west. The plan calls for up to 30,000 square feet of commercial space, with a minimum of 5,000 of non residential on Patterson Drive. The structures could be up to four stories but with a maximum height of fifty feet. We have adopted a similar street layout, streetscape and design standards as approved in the Patterson Point PUD and we have located the parking to the rear of the site. We have included pedestrian access through the site as well and propose connecting to a multi-use trail along the east side of Patterson Drive.

### **Common Development Features**

The Patterson Point and Patterson Park redevelopment is a mixed use infill development of a former industrial site on the near west side of Bloomington. The redevelopment extends the traditional neighborhood design within the existing street network by constructing residential style streets (public and private) as well as pedestrian paths to provide residents with an urban living experience. This type of development allows for compact urban form outside the downtown core but well within the urban service boundaries. This project allows for the amenities of Downtown Bloomington, only 1 mile away, while still maintaining a neighborhood experience and a sense of place.

The proposed project will put residents living in this newly designed neighborhood. The diverse residents (Student, Seniors and Families) will provide necessary residential base to support the additional retail planned for the Third Street Corridor. The construction of residential units between 2<sup>nd</sup> and 3<sup>rd</sup> streets creates the ability to walk to the neighborhood serving commercial properties to the north and south.

The Patterson Corridor is well situated for pedestrian oriented developments as proposed. The site is located within 1.5 miles from employment opportunities and the Campus of Indiana University, downtown, IU Health Bloomington Hospital and the former Thomson facility making walking and biking an easy 30 minute commute. This site is well served by public transportation with service every 30 minutes on both 2<sup>nd</sup> Street to the south and Kirkwood/3rd Street to the north. Trinitas will also provide private shuttle service for our residents. This service will serve the downtown commercial district, the campus and other shopping opportunities seven (7) days a week. On many days the service will run late night hours to provide our residents safe access to the downtown nightlife as well as west side shopping.

The site has some environmental concerns but no adverse issues are anticipated. The result of the redevelopment will improve the environmental status of the property by respecting the floodway and adding new features to control water runoff and quality. In addition the site will have maximum impervious area of sixty percent with this redevelopment this will be accomplished by the removal of asphalt covering most of the site today.

We look forward to working with the City on this project as we move forward through the approval process. We look forward to the feedback from staff and plan commission as work to finalize our submittal.

Sincerely,



Travis J. Vencel

## Patterson Park Planned Unit Development



Patterson Park PUD Outline Plan

August 11, 2012

Prepared by

Trinitas Ventures, LLC

## Patterson Park Planned Unit Development

The Patterson Park development is a proposed redevelopment of a former industrial site that has been vacant for many years and a partially occupied truck maintenance facility. This area has been an eye sore for the City of Bloomington since the construction of Patterson Drive and this proposal will bring redevelopment of a brown field site well within the urban service boundary of the City. This development is predominantly multi-family with some commercial that will serve to support the overall neighborhood area. This project will complete the gap between the residential area to the east and the commercial area to the west with a transitional use with the appropriate design and density. As this site redevelops with a new urbanism style the adjacent areas will be supported by the additional residents that can walk to the retail, office, restaurants and services located within ½ mile of the property.

The themes of the Patterson Pointe PUD approved in 2009 have been extended to this proposal. Design guidelines and requirements are very similar to the approved development across Patterson. Density is consistent with the adjacent properties and our plan focuses the development towards Patterson Drive and away from floodway and traditional residential development to the east.

The internal roadways system is designed to enhance the pedestrian experience both along the street (Patterson Drive) and along the internal systems with units opening onto pedestrian ways and green spaces not parking lots. The parking area is intended for the storage of automobiles therefore it is screened from the street and located to the rear of the property.

## Development Areas and Land Uses Standards

Patterson Park is proposed to have the potential for mixed uses including residential and commercial land uses. The design provides for the opportunity for flexibility and interaction between the existing commercial in the area and the residential in the area, as well as respecting the New Tech High School located directly across Patterson Drive. The land use standards are based on those included in the Unified Development Ordinance High Density Residential and General Commercial districts. The property is currently zoned General Commercial, thus the use of these standards are consistent with the area. The site is divided into two (2) areas, each with similar standards as well as overall land use standards. Final site plans may vary from what is illustrated in this outline plan but will still be required to meet the overall standards for the planned unit development.

Development Standards - The following standards shall generally to the overall development.

**Architecture:** The buildings in Areas A and B (if/when it is redeveloped) will have the following exterior architectural controls and follow these guidelines. These guide lines are intended to establish an attractive pedestrian streetscape in combination with new urbanism principles. Residential structures may have a downtown style or a townhouse style or a combination of each. Those walls not visible from the public street shall have finished facades that are complementary to the visible facades in terms of materials and architectural detailing.

**Building Orientation and Frontage:** Entrances along Patterson and Third Street shall have one entrance at least every 100 feet. Facades facing Patterson and Third Street shall not have a blank uninterrupted length exceeding forty (40) feet. The facades facing Patterson and Third Street shall include at least three (3) of the following elements:

- A covered doorway, awing or canopy.
- Change in building façade height of at least three (3) feet.
- A regular pattern of glass which shall comprise fifty (50%) percent of the street level façade.
- Wall recess or projection in depth of the frontage façade, which shall be at least two (2) feet.
- Regular patterned windows and doors, not more than fifty (50) feet.
- Bay windows protruding from the main building.
- Pitched roof system.
- Parapet roof system.

**Services: (including mechanical, utility and trash services):** Utility services boxes, telecommunication devices, cables, vents, flues, chillers, fans, trash receptacles, dumpers and service bays shall be screened from view from the public street.

**Windows:** Windows shall comprise a minimum of twenty percent (20%) of the wall area of each floor above the first floor.

**Materials:** The following materials are permitted as primary exterior finish materials on facades:

- Brick
- Split face or ground face CMU
- Limestone
- Cement board lap siding
- 

The following materials are permitted as secondary finish materials on facades:

- Storefront glass
- Casement or awing windows
- Cement board lap siding

The following guidelines are recommended and finishes shall include at least three of the following:

- Change in material or color every forty (40) feet horizontally.
- Grouping or pairing of entry door not more than every fifty (50) feet apart.
- Story or half story below grade to take advantage of topography changes.
- Regular window patterns
- Bay windows or window boxes

**Deviations:** The development standards contained herein shall normally be followed in the development of the PUD but the Plan Commission shall have the authority at the Final Plan Review to allow minor deviations as they determine appropriate or they may designate staff to approve such minor deviations.

**Dwelling Units:** shall be weighted based on the number of bedrooms and square footage as follows:

1 Bedroom with less than 700 Square feet = 0.25 unit

2 Bedroom with less than 950 Square feet = 0.66 unit

3 Bedroom = 1 unit

4 Bedroom = 1.5 units

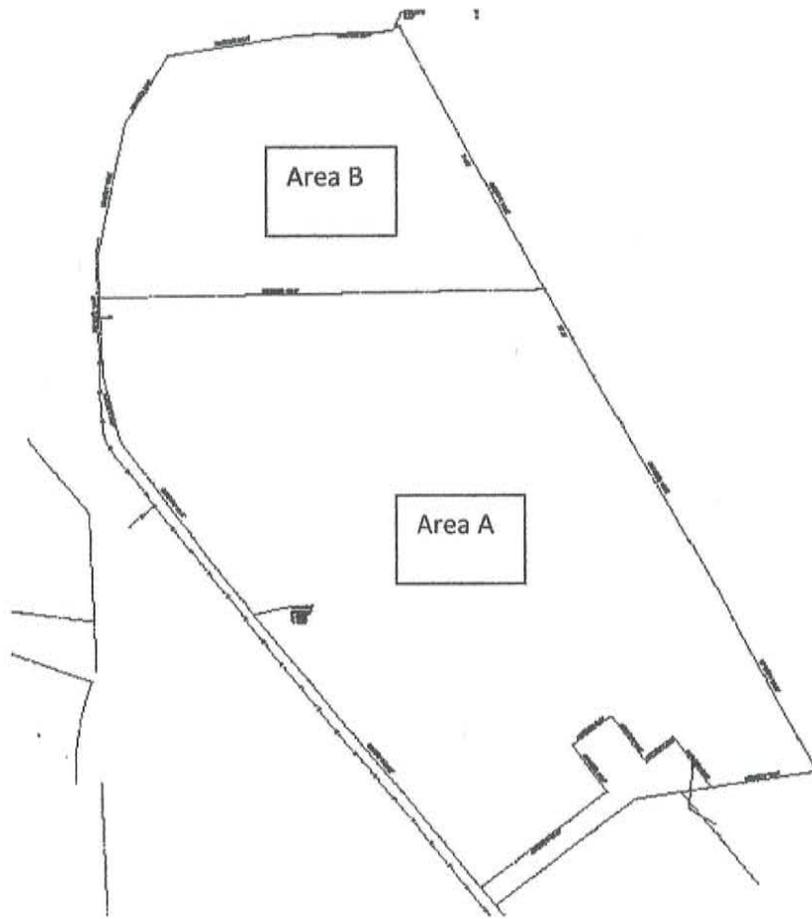
**Pedestrian access:** The project is well service by transit services and there is a potential for private point to point service to also service the site, thus reducing the need for the personal automobile. As a result the project should be well connected for pedestrian access within and throughout the project to allow easy access to other transportation options. This will be best accomplished by a series of interconnected sidewalks.

**Pervious surface:** The requirements shall be met by each parcel or by the hole, but to not need to be met by individual parcel. The 30% pervious shall be all grass, landscaping, stream, planters or other pervious materials but shall not include pervious pavement for automobiles.

**Property Lines:** If any property lines should be created, these said property lines shall not require side, front or rear setback for buildings or parking as defined in the Unified Development Ordinance, other than not stated herein.

**Signage:** The project will have the potential for three free standing signs, located near the entrances at Patterson and Third Street. Each of these signs shall have a maximum square footage of 50 square feet per side and have a maximum height of five feet. Wall signs are allowed on primary commercial structures that conform to the Unified Development Ordinance. Wall signs are not permitted on primary residential structures. Projection signs shall be allowed on a single structure in Area A and Area B in accordance with the Unified Development Ordinance.

Map of Areas A and B



### Area A. – 6.25 acres

Area A is 6.25 acres along the east side of Patterson Drive. This area will be required to have buildings along Patterson Drive with a building forward design, however maintaining a setback of 15 feet. Parking is required to be behind the buildings fronting Patterson Drive. The streetscape will include a five (5) foot tree plot and a side path or sidewalk. Entrances to the property will be placed at the existing entrance at the south and at the intersection with Adams Street.

Buildings in Area A may be developed as two-four (2-4) stories with flat or pitched roofs not to exceed fifty (50) feet. The main floor of the buildings may include residential uses, however at least 5,000 square feet along Patterson Drive will not be a residential use. An allowed list is included for both residential and non-residential buildings. Most of the buildings are envisioned to be 3-4 stories in height and have pedestrian entrances every one hundred (100) feet.

The following development standards shall apply to Area A:

- Maximum residential density – maximum of 20 units per acre (utilizing the DUE system) of the Unified Development Ordinance.
  - One, Two, Three and Four Bedrooms are allowed, no five bedroom units.
  - Occupancy is limited four persons is any four bedroom unit.
- Building Height shall be maximum of 55 feet and minimum of 25 feet.
- Building Setback standards
  - Along Patterson Drive 15 feet
  - Minimum side setback of 7 feet
  - Minimum rear setback of 10 feet
- Maximum impervious surface is 70% coverage.
- Bicycle Parking, shall be 50% of the automobile parking provided, of which 50% shall be Class I.
- Parking requirements
  - Parking shall be no more than 0.8 spaces per bedroom for residential uses.
  - Parking shall be no more than 1 space pre 250 spaces for non residential uses.
  - Parking shall be 20 feet behind the front building wall of any building.
  - Parking shall be 20 feet from any public right of way.
  - Parking shall have rear yard and side yard setback of 7 feet.

**Allowed uses in Area A:**

Apparel and shoe sales  
Art gallery  
Art studio  
Arts/Crafts/Hobby store  
Barber/Beauty shop  
Bicycle sales and repairs  
Billiard/arcade room  
Bookstore  
Business/professional office  
Cellular phone/pager services  
Community center  
Computer sales  
Copy center  
Dwelling multi-family  
Dwelling single-family  
Fitness center/gym  
Fitness/Training studio  
Florist  
Gift shop  
Health spa  
Jewelry shop  
Music/Media sales  
Office Supply sales  
Photographic studio  
Recreation center  
Retail-low intensity  
Social Services  
Tailor/Seamstress shop  
Tanning salon

### Area B. – 2.25 acres

Area B is 2.25 acres along the east side of Patterson Drive at the intersection with West Third Street. This area will require use or reuse of the current large structure or to have new buildings have a building a foreword design along Patterson Drive and Third Street, however maintaining a setback of 15 feet on Patterson and 10 feet on Third Street. Parking is required to be behind the buildings fronting Patterson Drive. (if the existing building is to remain the existing parking will also remain as is.) The streetscape will include a five (5) foot tree plot and a side path or sidewalk. Entrances to the property will be placed at the existing entrance on Third Street.

Buildings in Area B may be developed as two-four (2-4) stories with flat or pitched roofs not to exceed fifty (50) feet. Most of the buildings are envisioned to be 3-4 stories in height and have pedestrian entrances every one hundred (100) feet.

The following development standards shall apply to Area B:

- Maximum residential density – maximum of 20 units per acre (utilizing the DUE system) of the Unified Development Ordinance.
  - One, Two, Three and Four Bedrooms are allowed, no five bedroom units.
  - Occupancy is limited four persons is any four bedroom unit.
- Building Height shall be maximum of 55 feet and minimum of 25 feet.
  - Except if the existing structure is used or reused there is no minimum height.
- Building Setback standards
  - Along Patterson Drive 15 feet
  - Minimum side setback of 7 feet
  - Minimum rear setback of 10 feet
- Maximum impervious surface is 70% coverage.
  - Except if the existing structure is used or reused the maximum surface is 90%.
- Bicycle Parking, shall be 50% of the automobile parking provided, of which 50% shall be Class I.
- Parking requirements
  - Parking shall be no more than 0.8 spaces per bedroom for residential uses.
  - Parking shall be no more than 1 space pre 250 spaces for non residential uses.
  - Parking shall be 20 feet behind the front building wall of any building.
  - Parking shall be 10 feet from any public right of way.
  - Parking shall have rear yard and side yard setback of 7 feet.
  - Except if the existing structure is used or reused the existing parking of spaces can remain.

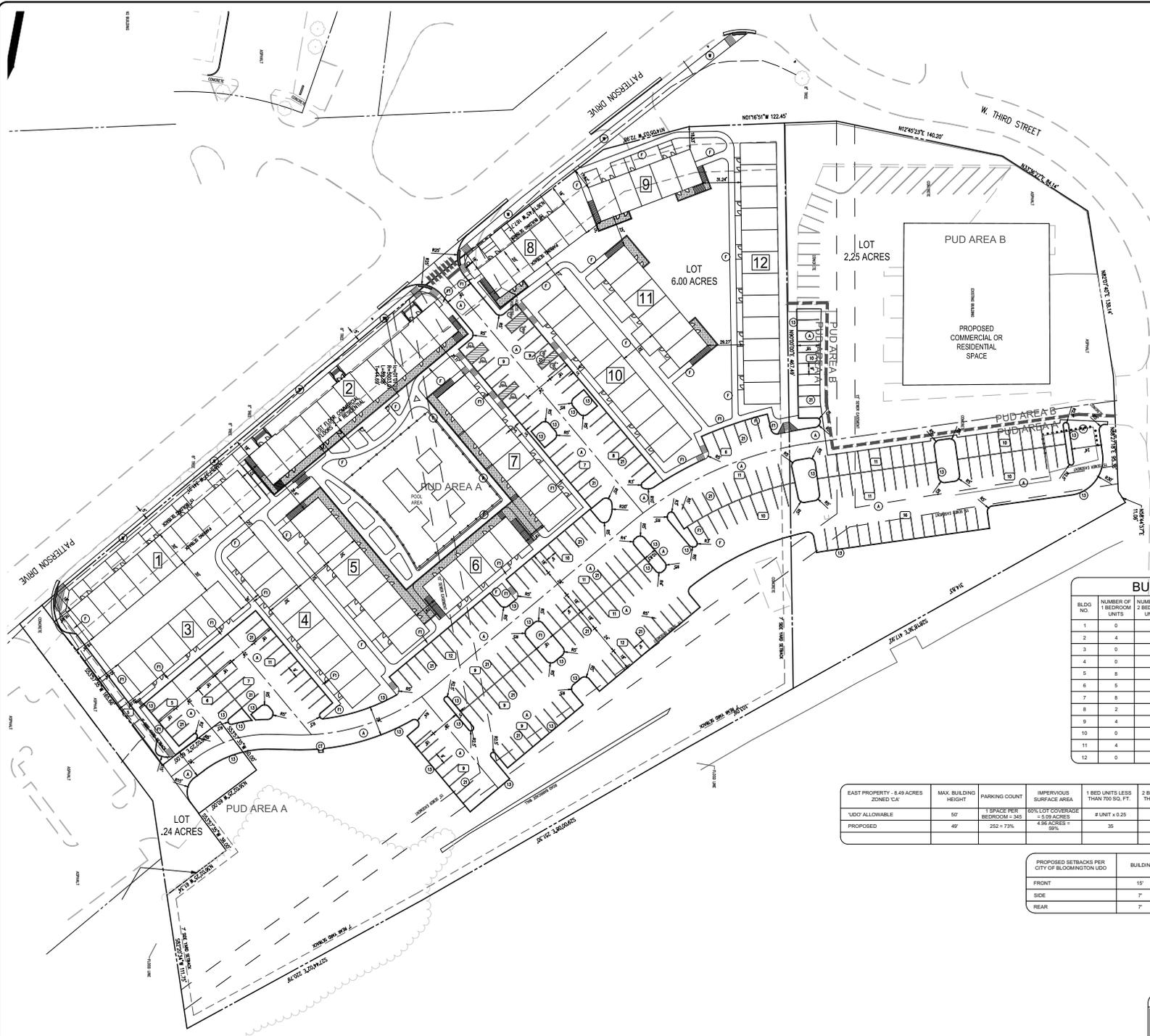
**Allowed uses in Area B:**

Apparel and shoe sales  
Art gallery  
Art studio  
Arts/Crafts/Hobby store  
Auto Parts sales  
Barber/Beauty shop  
Bicycle sales and repairs  
Billiard/arcade room  
Bookstore  
Brewpub  
Business/professional office  
Cellular phone/pager services  
Community center  
Computer sales  
Copy center  
Drug Store  
Day Care center -adult  
Day Care center - child  
Dwelling multi-family  
Dwelling single-family  
Fitness center/gym  
Fitness/Training studio  
Florist  
Gift shop  
Health spa  
Jewelry shop  
Medical clinic  
Music/Media sales  
Office Supply sales  
Photographic studio  
Recreation center  
Restaurant  
Retail-low intensity  
Social Services  
School-trade or business  
Tailor/Seamstress shop  
Tanning salon  
Transportation terminal

**Project Schedule:**

Area A is anticipated to develop first. This area is vacant and immediately ready for redevelopment. The new residential units will support the existing and any potential new commercial development in this area including Patterson Pointe and existing development along Third and Second Streets. Area A may be developed as a single phase or may develop in 2 phases as the market demand dictates. Any phasing of Area A will start to the south along Patterson and work its way north and east towards Area B. The existing user of the large building on Area B has the ability to remain for several years, thus this area will most likely be the last area to redevelop. The current use will remain and any reuse or new structures would like follow development on Area A. Mass grading of the site will be completed with the first phase, however utility relocation may be congruent with the phasing of the development. The streetscape along Patterson Drive will be completed prior to occupancy of the first phase and the improvements along Third Street will be completed with redevelopment or renovations to the Area B.





**SITE LEGEND**

- (1) PROPOSED BITUMINOUS PAVING
- (2) PROPOSED CONCRETE PAVING
- (3) PROPOSED 6" STANDING CURB
- (4) PROPOSED ACCESSIBLE RAMP, TYPE "A"
- (5) PROPOSED ACCESSIBLE RAMP, TYPE "B"
- (6) PROPOSED PAVEMENT PATCH
- (7) PROPOSED EXPANSION JOINT
- (8) PROPOSED CONSTRUCTION JOINT
- (9) PROPOSED STOP BAR
- (10) PROPOSED MARKING, PAINTED, SOLID, YELLOW, 4"
- (11) PROPOSED MARKING, PAINTED, SOLID, WHITE, 4"
- (12) PROPOSED CONCRETE SIDEWALK
- (13) PROPOSED MONOLITHIC CURB AND SIDEWALK
- (14) PROPOSED HANDRAIL
- (15) PROPOSED 3' WIDE CONCRETE PAVED SIDE DITCH
- (16) PROPOSED MODULAR BLOCK RETAINING WALL
- (17) PROPOSED NUMBER OF PARKING SPACES PER LOT
- (18) PROPOSED CONCRETE STEPS AS REQUIRED
- (19) PROPOSED BIKE PARKING ORIGINAL RIBBON RACK
- (20) MODEL RB-55-1 WITH 83"X72"4" CONCRETE PAD

**BUILDING UNIT SCHEDULE**

BUILDING NO.	NUMBER OF 1 BEDROOM UNITS	NUMBER OF 2 BEDROOM UNITS	NUMBER OF 3 BEDROOM UNITS	NUMBER OF 4 BEDROOM UNITS	TOTAL NUMBER OF UNITS	TOTAL NUMBER OF BEDROOMS	TOTAL BLDG WEIGHTED UNIT DENSITY
1	0	0	0	10	10	40	15
2	4	4	0	7	15	40	14.14
3	0	0	0	6	6	24	9
4	0	0	0	9	9	36	13.5
5	9	9	0	0	18	24	7.28
6	5	5	0	0	10	15	4.55
7	9	9	0	0	18	24	7.28
8	2	2	0	3	7	18	6.32
9	4	4	0	1	9	16	5.14
10	0	0	0	9	9	36	13.5
11	4	4	0	2	10	20	6.64
12	0	0	0	12	12	48	18
<b>TOTALS</b>	<b>129</b>	<b>341</b>	<b>0</b>	<b>120</b>	<b>120</b>	<b>120</b>	<b>35</b>

EAST PROPERTY - 8.49 ACRES ZONED C4	MAX. BUILDING HEIGHT	PARKING COUNT	IMPERVIOUS SURFACE AREA	1 BED UNITS LESS THAN 700 SQ. FT.	2 BED UNITS LESS THAN 900 SQ. FT.	3 BED UNITS	4 BED UNITS	UNIT DENSITY
UDY ALLOWABLE	50'	1 SPACE PER BEDROOM = 345	60% LOT COVERAGE = 5.09 ACRES	# UNIT x 0.25	# UNIT x 0.66	# UNIT x 1.0	# UNIT x 1.5	15 UNITS/ACRE
PROPOSED	45'	252 = 73%	4.9 ACRES = 51%	35	35	0	59	150.5 UNITS/ACRE WEIGHTED VALUES/ACRES = 14.17

PROPOSED SETBACKS PER CITY OF BLOOMINGTON UDO	BUILDING	PARKING
FRONT	15'	20' BEHIND BLDG
SIDE	7'	7'
REAR	7'	7'

TOTAL SLEEVES SHOWN	34
TOTAL PARKING SPACES SHOWN	252

SCALE: 1"=30'

**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:

LAND SURVEY USE  
 CIVIL ENGINEERING  
 PLANNING  
 BLOOMINGTON, INDIANA  
 (812) 339-2400 (OFFICE)  
 (812) 339-2400 (CELL)

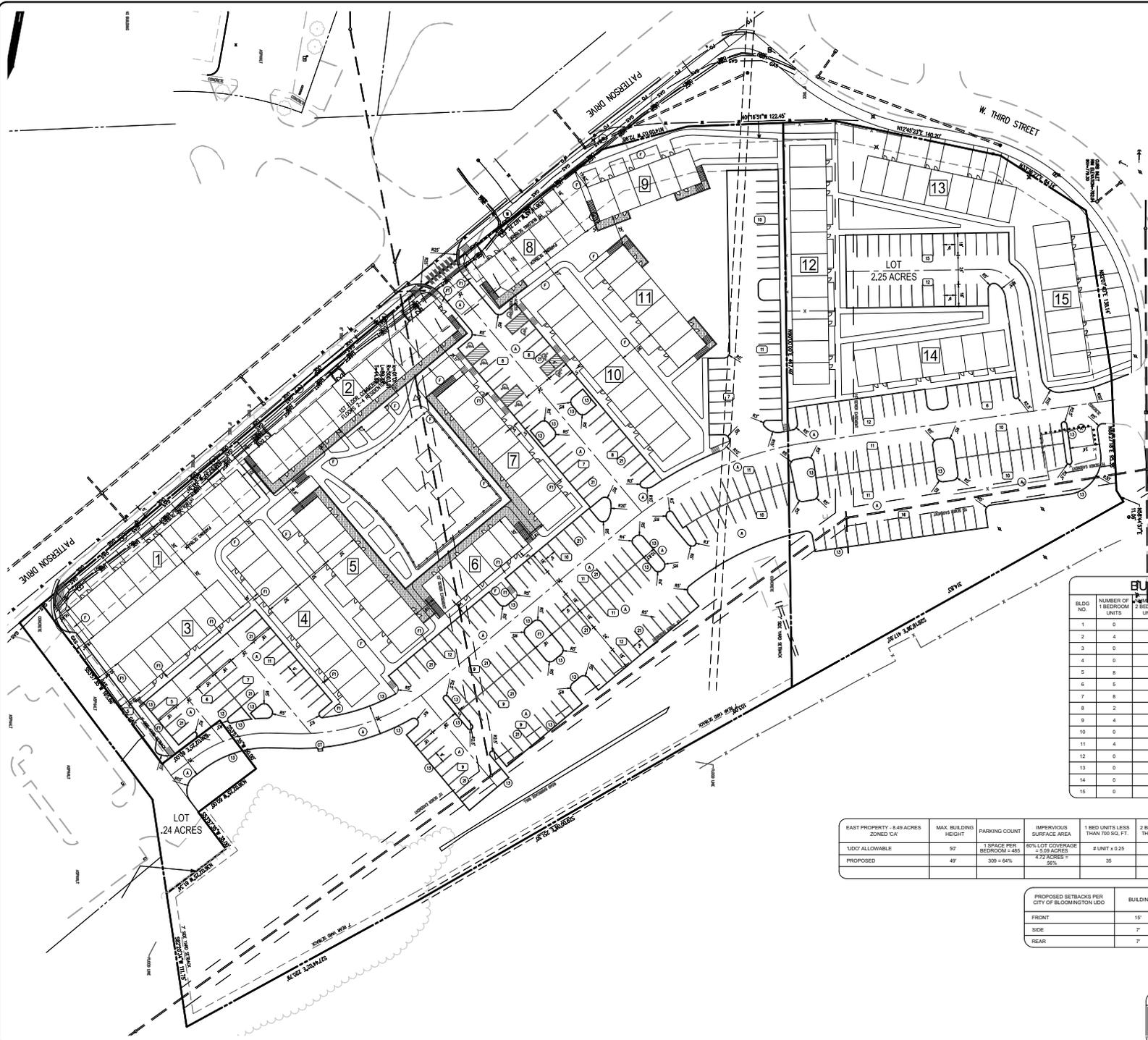
**BEE**  
 BYNUM PANTO & ASSOCIATES, INC.  
 1528 North Walnut Street  
 Bloomington, IN 47404  
 (812) 339-2400

verified by:

**PROPOSED PATTERN PARK PUD**  
 PATTERTON DRIVE  
 BLOOMINGTON, INDIANA

title: SITE PLAN (EAST)

designed by: DJB  
 drawn by: DJB  
 checked by: JSF  
 sheet no: C301  
 project no: 401216E



**SITE LEGEND**

- (A) PROPOSED BITUMINOUS PAVING
- (B) PROPOSED CONCRETE PAVING
- (C) PROPOSED 6" STANDING CURB
- (D) PROPOSED ACCESSIBLE RAMP, TYPE "A"
- (E) PROPOSED ACCESSIBLE RAMP, TYPE "B"
- (F) PROPOSED PAVEMENT PATCH
- (G) PROPOSED EXPANDED JOINT
- (H) PROPOSED CONSTRUCTION JOINT
- (I) PROPOSED STOP BAR
- (J) PROPOSED MARKING, PAINTED, SOLID, YELLOW, 4"
- (K) PROPOSED MARKING, PAINTED, SOLID, WHITE, 4"
- (L) PROPOSED CONCRETE SIDEWALK
- (M) PROPOSED MONOLITHIC CURB AND SIDEWALK
- (N) PROPOSED HANDRAIL
- (O) PROPOSED 3' WIDE CONCRETE PAVED SIDE DITCH
- (P) PROPOSED MODULAR BLOCK RETAINING WALL
- (Q) PROPOSED NUMBER OF PARKING SPACES PER LOT
- (R) PROPOSED CONCRETE STEPS AS REQUIRED
- (S) PROPOSED BIKE PARKING ORIGINAL RIBBON RACK
- (T) MOD. RB-55-1 WITH 8'X7'2"4" CONCRETE PAD

revisions:

1. LAND PREPARE  
2. CIVIL ENGINEERING  
3. PLANNING

BY WILLIAM FANTO & ASSOCIATES, INC.  
Bloomington, Indiana  
(317) 339-2800 (OFFICE)  
(317) 339-2800 (CELL)

**BUILDING UNIT SCHEDULE**

BUILD. NO.	NUMBER OF 1 BEDROOM UNITS	NUMBER OF 2 BEDROOM UNITS	NUMBER OF 3 BEDROOM UNITS	NUMBER OF 4 BEDROOM UNITS	TOTAL NUMBER OF UNITS	TOTAL NUMBER OF BEDROOMS	TOTAL BLDG WEIGHTED UNIT DENSITY
1	0	0	0	10	10	40	15
2	4	4	0	7	15	40	14.14
3	0	0	0	6	6	24	9
4	0	0	0	9	9	36	13.5
5	8	8	0	0	16	24	7.28
6	5	5	0	0	10	15	4.55
7	8	8	0	0	16	24	7.28
8	2	2	0	3	7	18	6.32
9	4	4	0	1	9	16	5.14
10	0	0	0	9	9	36	13.5
11	4	4	0	2	10	20	6.64
12	0	0	0	11	11	44	16.5
13	0	0	0	7	7	28	10.5
14	0	0	0	7	7	28	10.5
15	0	0	0	7	7	28	10.5
TOTALS	149	149	421	150.35			

EAST PROPERTY - 8.49 ACRES ZONED CA1	MAX. BUILDING HEIGHT	PARKING COUNT	IMPERVIOUS SURFACE AREA	1 BED UNITS LESS THAN 700 SQ. FT.	2 BED UNITS LESS THAN 900 SQ. FT.	3 BED UNITS	4 BED UNITS	UNIT DENSITY
'UDY ALLOWABLE	50'	1 SPACE PER BEDROOM = 485	60% LOT COVERAGE = 5.59 ACRES	# UNIT x 0.25	# UNIT x 0.66	# UNIT x 1.0	# UNIT x 1.5	15 UNITS/ACRE
PROPOSED	49'	309 = 64%	4.72 ACRES = 56%	35	15	0	79	150.35 UNITS AFTER WEIGHTED VALUES/ACRES = 17.71

PROPOSED SETBACKS PER CITY OF BLOOMINGTON UDD	BUILDING	PARKING	BFA OPTION #3
FRONT	15'	20' BEHIND BLDG	TOTAL SLEEVES SHOWN 114
SIDE	7'	7'	TOTAL PARKING SPACES SHOWN 309
REAR	7'	7'	

verified by:

PROPOSED  
PATTERSON PARK PUD  
PATTERSON DRIVE  
BLOOMINGTON, INDIANA

SCALE: 1"=30'

**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.

title: OPTION #3 SITE PLAN (EAST)  
designed by: DJB  
drawn by: JR  
checked by: JSF  
sheet no: C302  
project no: 401216E



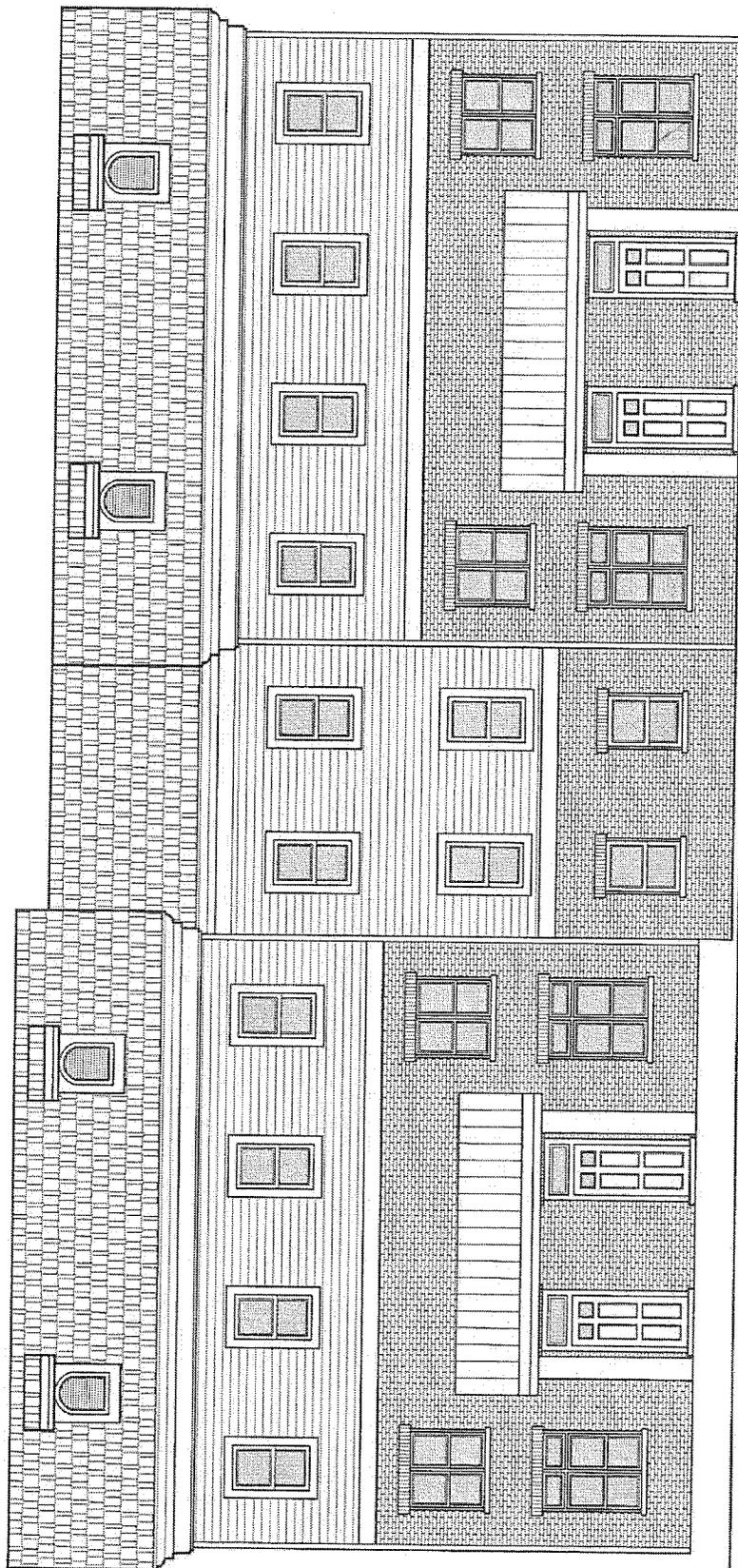
AMENITY BUILDING  
PATTERSON DRIVE ELEVATION

PUD-39-12  
Sample architecture

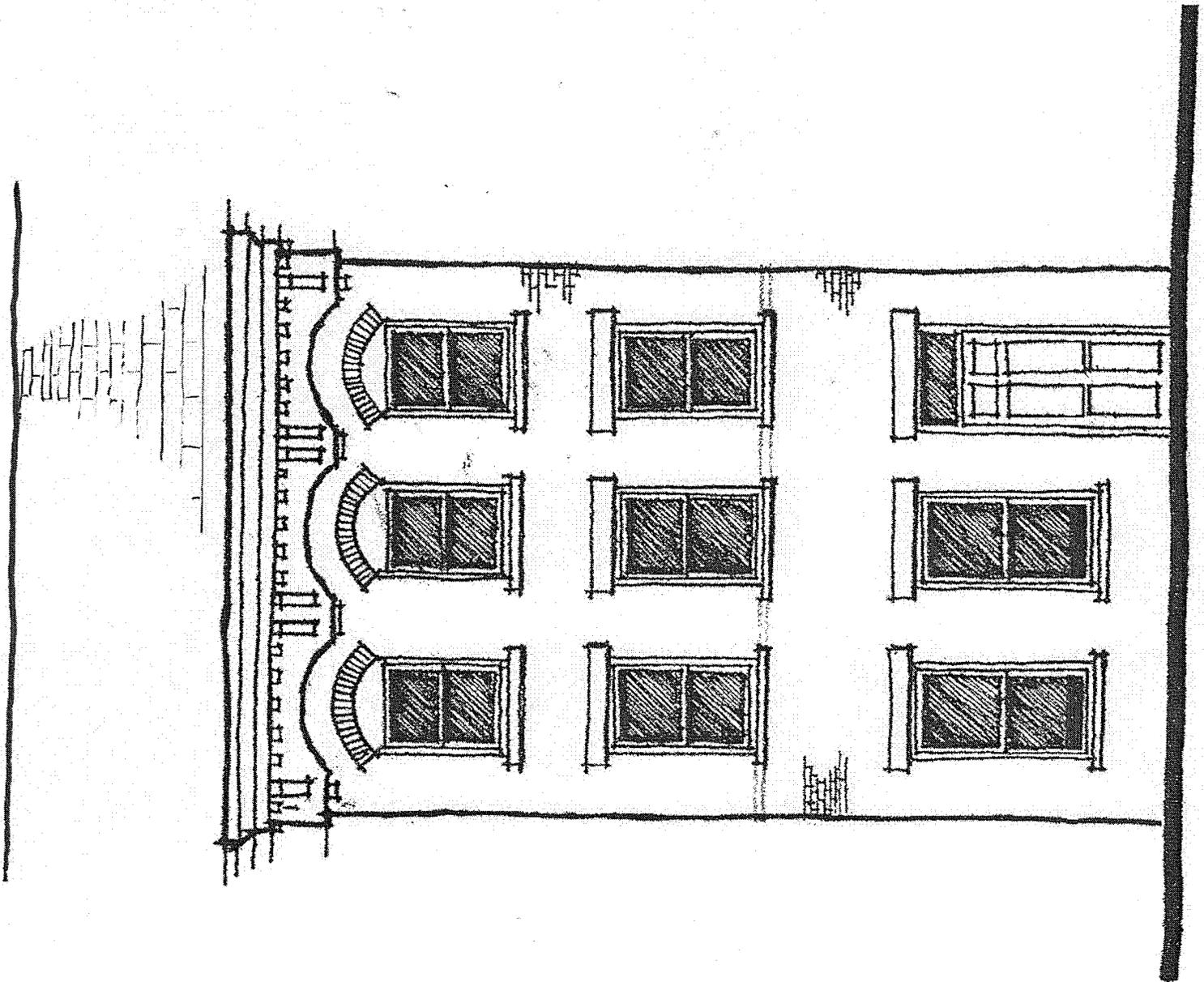


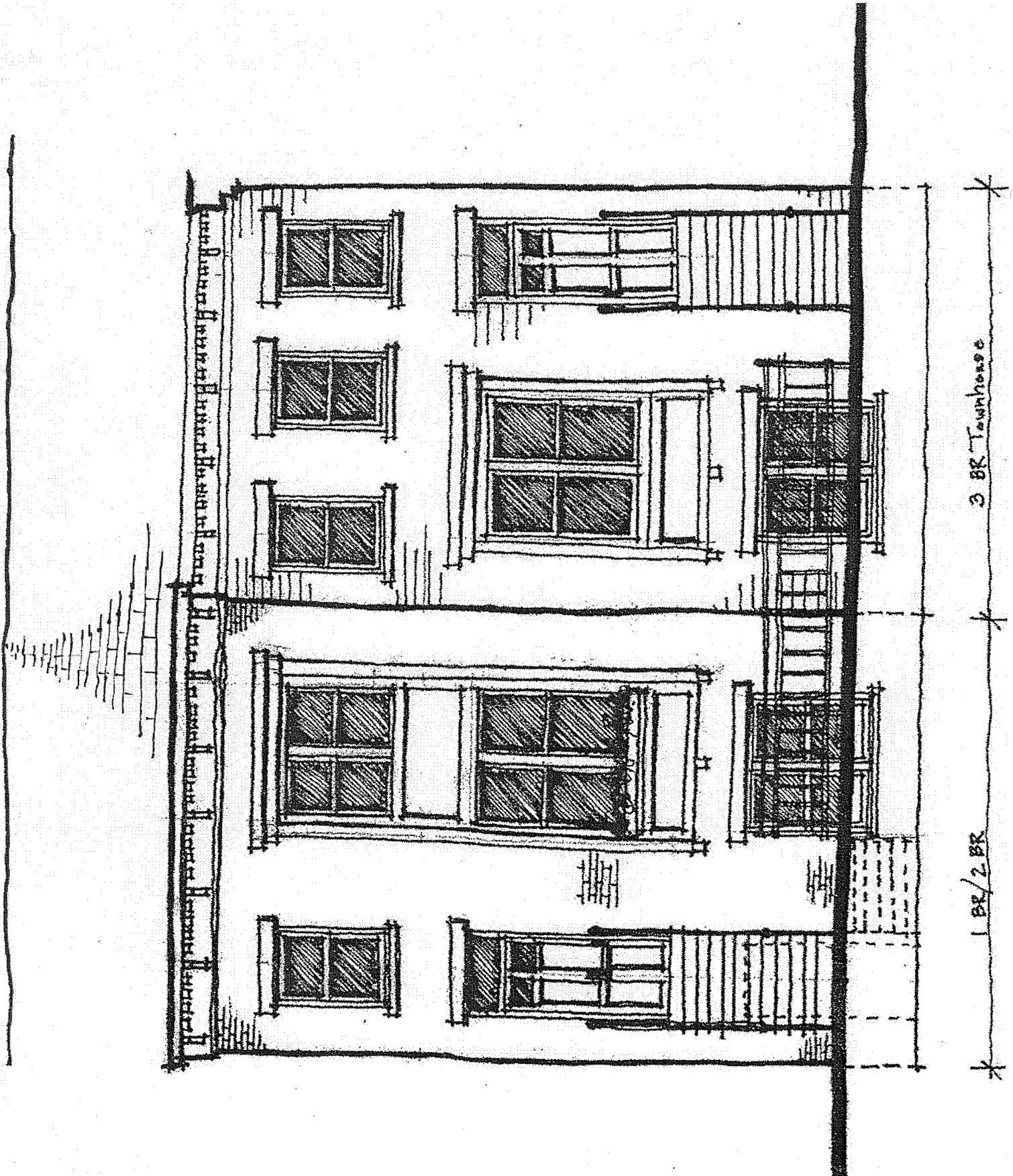
TYPICAL ROWHOUSE ELEVATION #1  
SCALE: 1/8" = 1'-0"





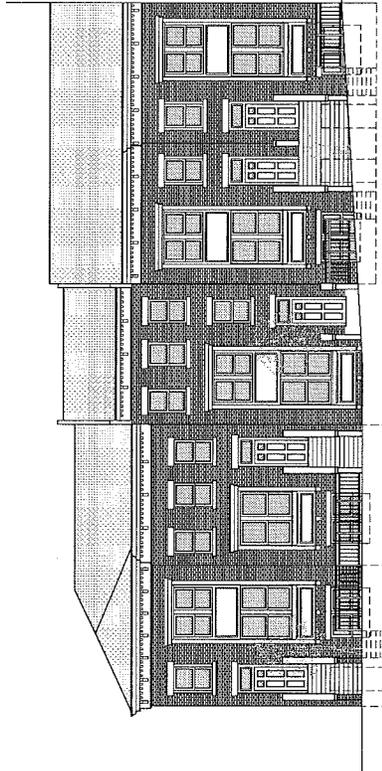
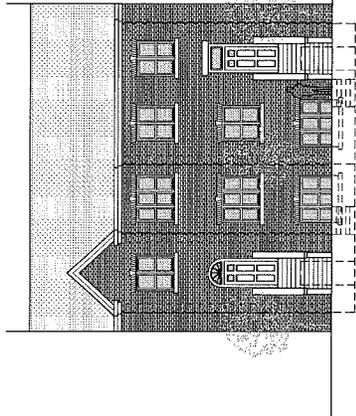
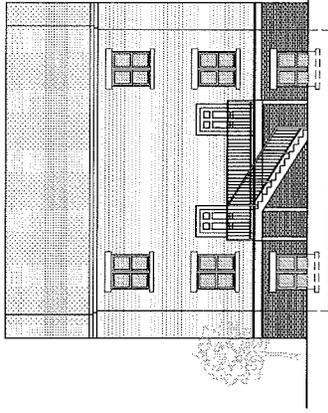
TYPICAL UNIT GROUP ELEVATION





3 BR Townhouse

1 BR / 2 BR



**BLOOMINGTON PLAN COMMISSION  
STAFF REPORT**  
Location: 3900 E. Stonegate Dr.

**CASE #: UV-42-12  
DATE: November 5, 2012**

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**PETITIONER:** Trish Ierino  
3900 E. Stonegate Dr., Bloomington, IN

---

**REQUEST:** The petitioner is requesting a use variance to allow an accessory apartment within a Planned Unit Development (PUD) which only allows single family houses. This use variance request requires Plan Commission review and recommendation to the Board of Zoning Appeals.

---

**SUMMARY:** The property is located on the southeast corner of S. Smith Road and E. Stonegate Drive and is zoned Planned Unit Development (PUD). It was initially developed with a single-family house. The petitioner is proposing to legalize an existing second dwelling unit on the property. The surrounding use is single family.

In 2006, the property owner applied for a building permit for an addition to the house. The property owner's intent was for the building addition to serve as a dwelling unit for her mother and sister. A Certificate of Zoning Compliance was issued with a condition that "No increase in number of dwelling units is approved." However, that condition was not noticed by the property owner, and the addition has been used as an additional dwelling unit since 2006.

The Stonegate PUD does not allow duplexes. This use variance request requires Plan Commission review for compliance with the Growth Policies Plan and recommendation to the Board of Zoning Appeals.

---

**GROWTH POLICIES PLAN:** The Plan Commission must make a recommendation to the BZA regarding the appropriateness of the use and its consistency with the Growth Policies Plan (GPP). More specifically, the Plan Commission must review whether or not the proposed use will substantially interfere with the GPP.

The GPP designates this property as "Urban Residential". The fundamental goal of these areas is to "encourage the maintenance of residential desirability and stability." Regarding infill development, the GPP states that it should be "consistent and compatible with preexisting developments." Although the primary land use in this land use category is single family, multi-family housing is appropriate in some areas if designed to be compatible with preexisting developments.

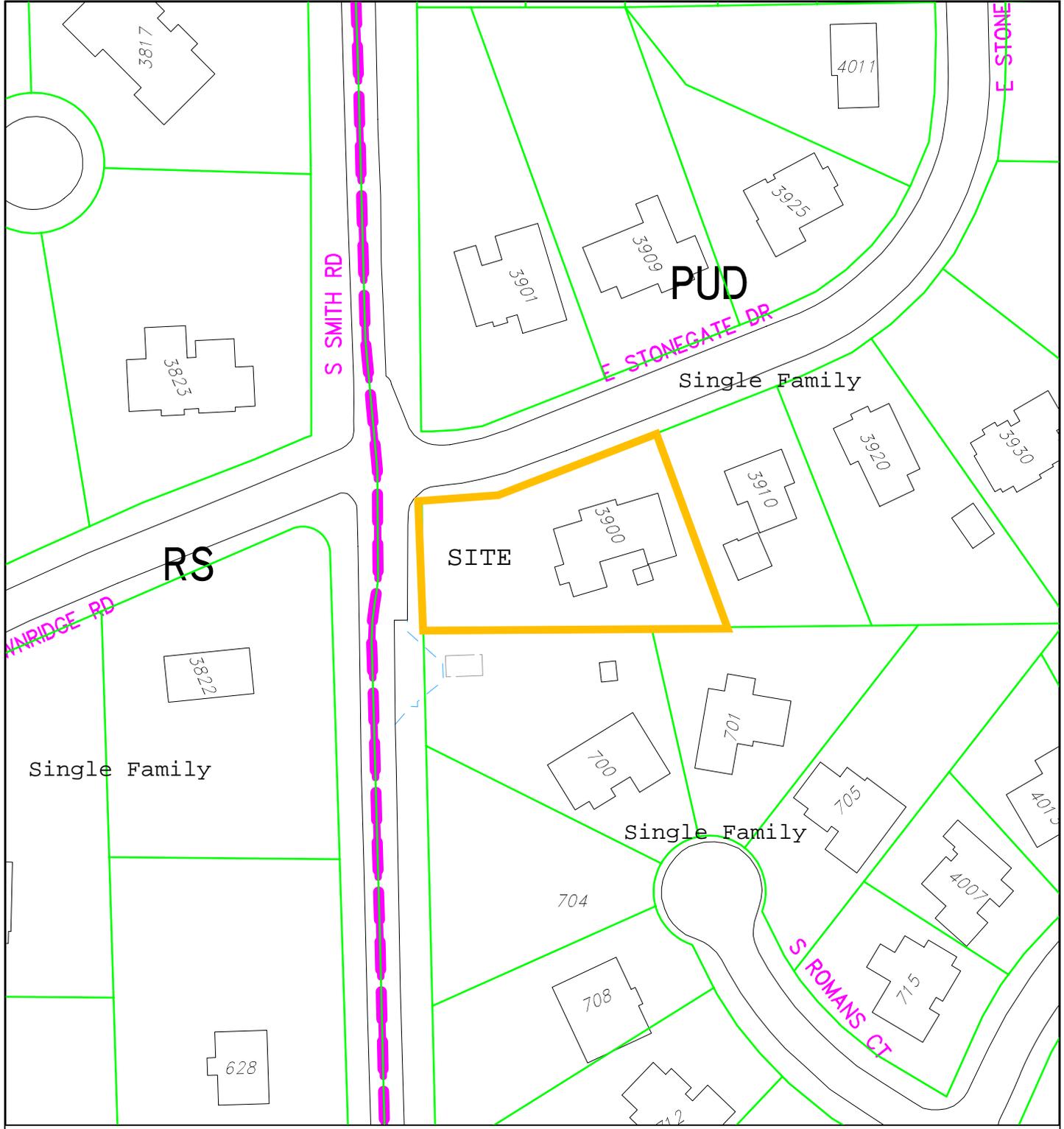
The subject property is located on a corner lot, and Smith Rd. is designated by the Thoroughfare Plan as a Secondary Arterial. Although this is not a new growth area, staff believes that this slight increase in density is appropriate and compatible with existing development standards. Staff is recommending that as a condition of the variance, a commitment be recorded on the deed which limits the occupancy of the additional unit to family members.

---

**CONCLUSION:** Staff finds that this use will not substantially interfere with the goals of the GPP and that this is an appropriate variance for an accessory dwelling unit to be occupied by family.

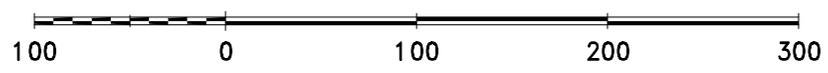
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**RECOMMENDATION:** Staff recommends that the Plan Commission forward UV-42-12 to the Board of Zoning Appeals with a positive recommendation.

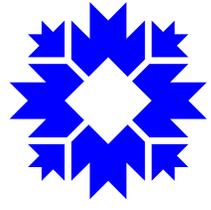


UV-42-12  
 Trish Ierino  
 3900 E. Stonegate Dr.  
 Land Use and Zoning Map

By: bannok  
 1 Nov 12



City of Bloomington  
 Planning



Scale: 1" = 100'

For reference only; map information NOT warranted.

Trish and Louie Ierino – 3900 E. Stonegate Drive, Bloomington IN 47401

In 2005, we were living in Northwest Indiana. My Dad passed away unexpectedly. At the same time, I had an opportunity to relocate with my job to Bloomington, Indiana. My Sister has developmental disabilities and was 39 years old at the time. Mom is legally blind and was 76 years old. Because I was to become the sole caregiver for my Sister, Mom agreed that they both would relocate with us.

We worked with a local realtor to locate a home that would meet the needs of our new household. This included the need to be in city limits for my sister to utilize BT Access and to be close to Stone Belt. In Dec. 2005, we purchased our home at 3900 E. Stonegate Dr.

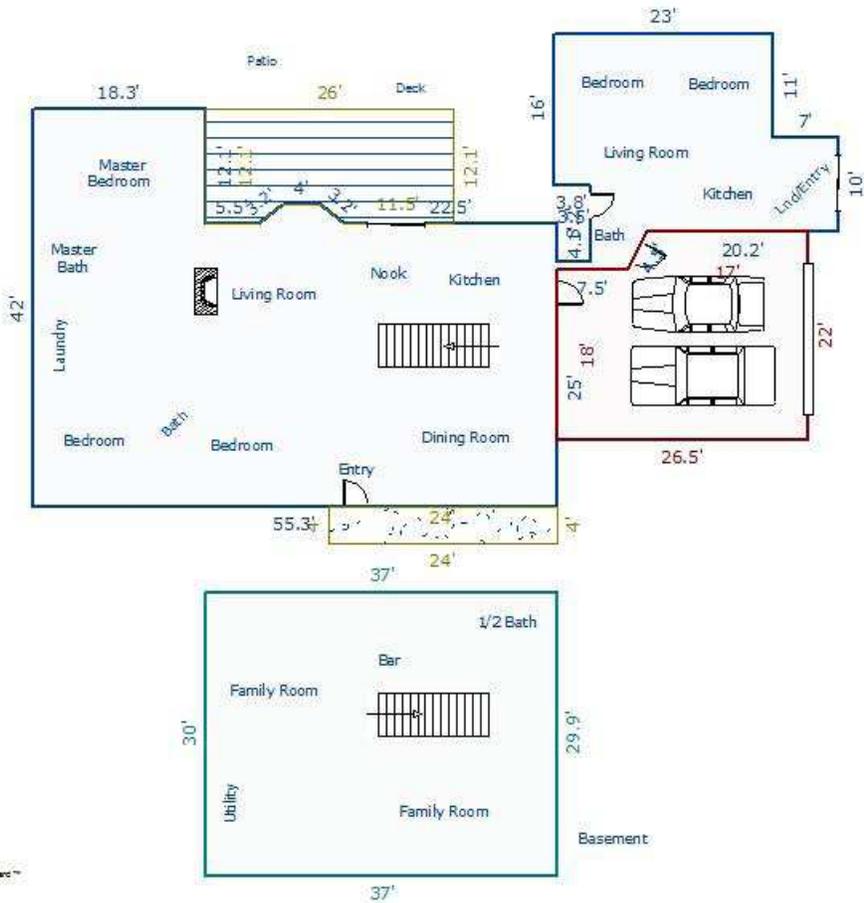
The only issue with the home; we were unable to turn the basement into an in-law suite for my Mom and Sister. With Mom's eyesight and age, she was unable to manage stairs. We obtained bids from two builders who had good reputations in the community. Because there was an existing bathroom in the garage, both builders recommended we build out from the garage. It made sense because the house was an L-shape and it would then become a U-shape. We selected our builder and moved forward in the Spring of 2006 to create a suite for Mom and Cheryl. The builder obtained necessary permits and the addition was completed by the Fall.

September 2012. We were in the process of refinancing our mortgage. The appraiser contacted Regions Bank to inform them we did not have the legal occupancy for the addition. I could not understand how that was possible when the builder said he did the necessary paperwork. We had absolutely no idea that there was issue regarding the addition.

After researching further in the last two weeks, it was explained to me that the addition was an occupancy issue. I immediately took action to resolve. Thus, the request for Use Variance.

We do not desire to turn the addition to a rental unit. The addition was solely built for us to be able to care for my Mom and Sister who both have special needs. Mom is now 83 and requires a walker most of the time. My sister is now 46 and thriving at Stone Belt and the Bloomington community.

*Trish Ierino*



Sketch by Apex Sketch vs Standard™  
Comments:

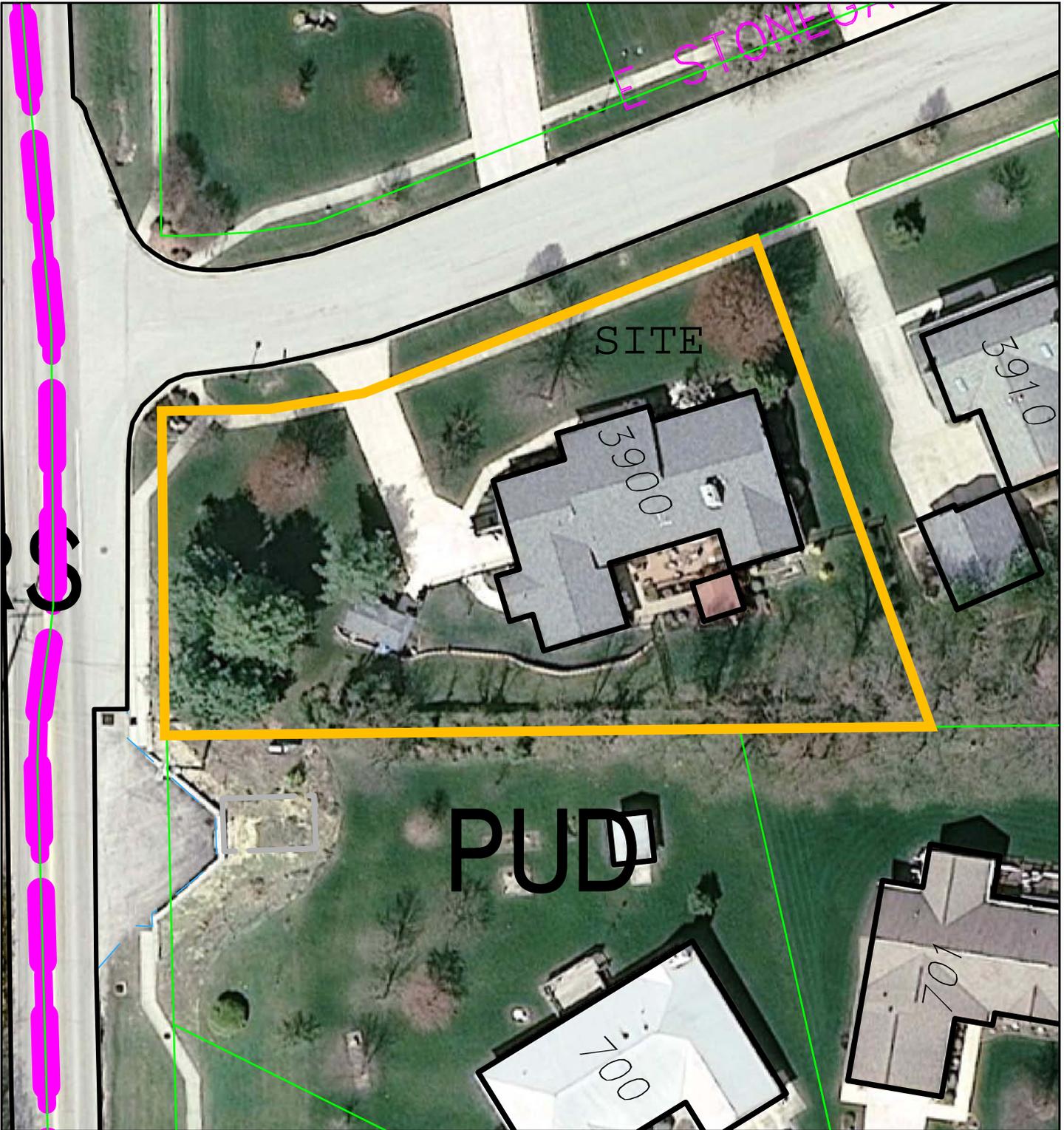
AREA CALCULATIONS SUMMARY			
Code	Description	Net Size	Net Totals
GLA1	First Floor	2444.70	2444.70
BSMT	Basement	1108.40	1108.40
GAR	Garage	549.00	549.00
P/P	Covered Porch	96.00	
	Deck	301.60	397.60
Net LIVABLE Area		(rounded)	2445

LIVING AREA BREAKDOWN			
Breakdown			Subtotals
First Floor			
	18.3	x 12.1	221.43
	55.3	x 4.1	226.73
0.5	x 2.5	x 2.0	2.50
	62.8	x 0.8	50.24
	4.0	x 2.0	8.00
	3.2	x 4.4	14.08
	25.0	x 55.3	1382.50
0.5	x 0.4	x 0.8	0.16
0.5	x 2.0	x 2.5	2.50
	30.0	x 5.0	150.00
	5.0	x 26.2	131.00
0.5	x 1.6	x 3.2	2.56
	11.0	x 23.0	253.00
13 Items			(rounded) 2445



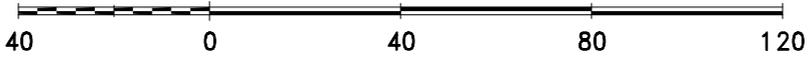
Second Unit

UV-42-12

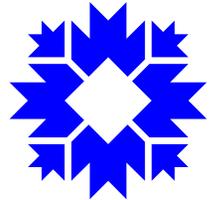


UV-42-12  
 Trish Ierino  
 3900 E. Stonegate Dr.  
 2010 Aerial Photo

By: bannonk  
 1 Nov 12



City of Bloomington  
 Planning



Scale: 1" = 40'

For reference only; map information NOT warranted.

**BLOOMINGTON PLAN COMMISSION  
STAFF REPORT**  
Location: 1100 W. Allen St.

**CASE #: UV-43-12**  
**DATE: November 5, 2012**

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**PETITIONER: Mother Hubbard's Cupboard**  
**1010 S. Walnut St., Suite G, Bloomington, IN**

---

**REQUEST:** The petitioner is requesting a use variance to allow a social service use within an Industrial General (IG) zoning district. This use variance request requires Plan Commission review and recommendation to the Board of Zoning Appeals.

---

**SUMMARY:** The property is located on W. Allen Street near S. Patterson Drive and is zoned Industrial General (IG). It has been developed with a single-story building and loading dock. Surrounding land uses are single family to the west, multi-family to the south, and industrial to the north, south, and east.

The rear portion of the building is currently occupied by the property owner's construction company. There is an associated fenced outdoor storage area on the rear of the lot. Mother Hubbard's Cupboard is proposing to relocate to the front portion of the building and lot. The petitioner proposes to use the site for a food pantry, nutrition and gardening education, and gardening.

The Unified Development Ordinance (UDO) does not allow social service uses within the IG district. This use variance request requires Plan Commission review for compliance with the Growth Policies Plan and recommendation to the Board of Zoning Appeals.

---

**GROWTH POLICIES PLAN:** The Plan Commission must make a recommendation to the BZA regarding the appropriateness of the use and its consistency with the Growth Policies Plan (GPP). More specifically, the Plan Commission must review whether or not the proposed use will substantially interfere with the GPP.

The GPP designates this property as "Employment Center". The fundamental goal of these areas is to provide large-scale employment opportunities for the Bloomington community and the surrounding area". The GPP states that outside of downtown, "employment centers will require large tracts of land in order to be usefully developed." Although the proposed use will not be a large employer, the site is small and would be difficult to redevelop for large scale industrial uses without the acquisition of several additional parcels.

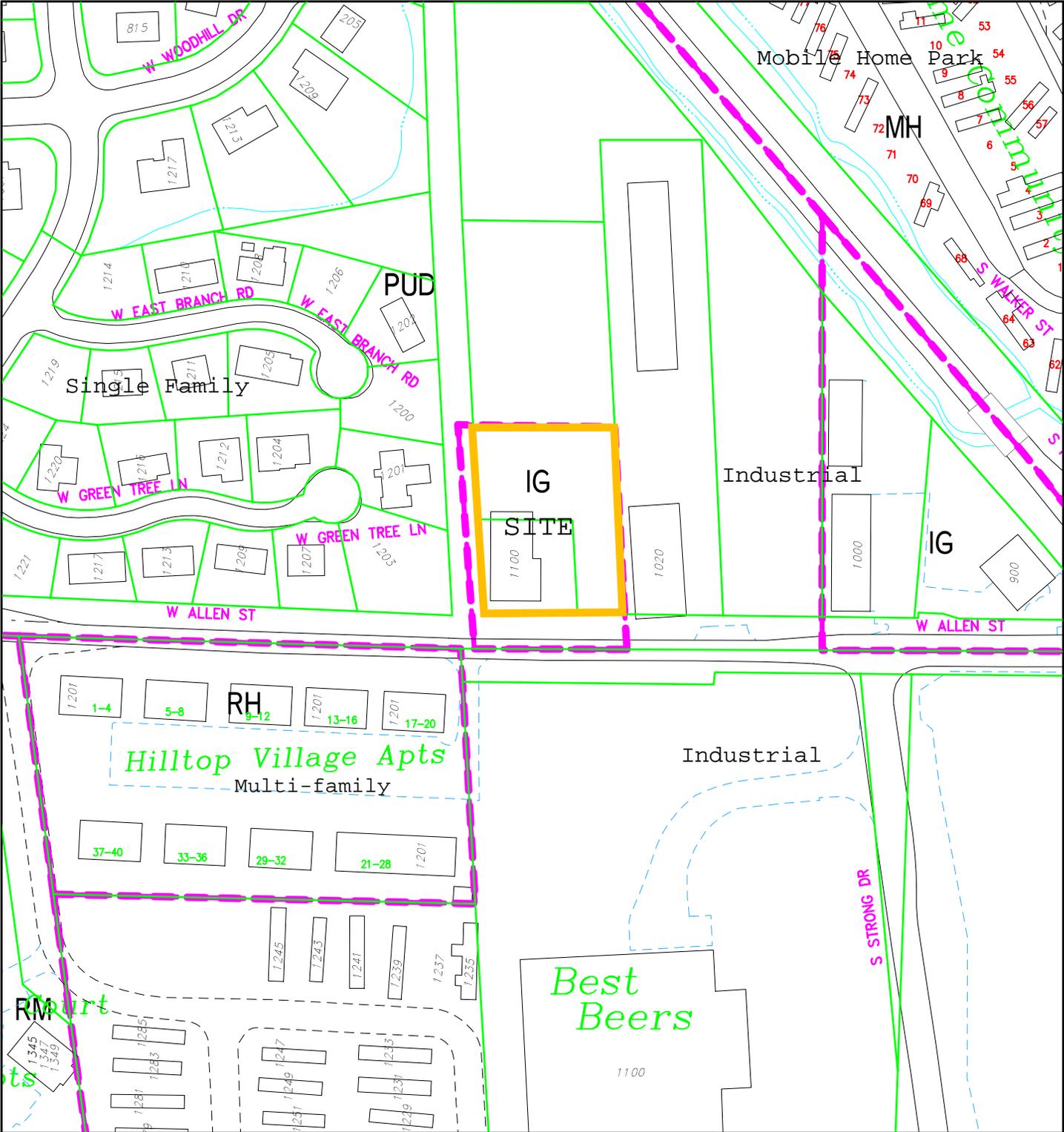
Staff believes that the proposed social service use is appropriate in this location. There are a wide variety of uses in the area, and the property has good vehicle and bicycle connections. Additionally, the proposed use will provide needed services to the Bloomington community.

---

**CONCLUSION:** Staff finds that this use will not substantially interfere with the goals of the GPP and that this is an appropriate variance for a small site in the Industrial General district.

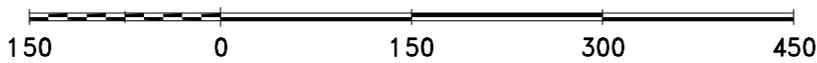
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**RECOMMENDATION:** Staff recommends that the Plan Commission forward UV-43-12 to the Board of Zoning Appeals with a positive recommendation.

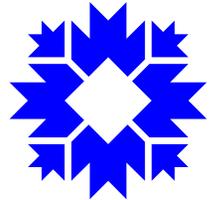


UV-43-12  
 Mother Hubbard's Cupboard  
 1100 W. Allen St.  
 Zoning and Land Use Map

By: bannok  
 1 Nov 12



City of Bloomington  
 Planning



Scale: 1" = 150'



# Mother Hubbard's Cupboard

food pantry · community gardens · nutrition education

1010 S. Walnut Street, Suite G Bloomington, IN 47401

## Plan Commission

### Petitioner's Statement

#### **Variance requested**

Mother Hubbard's Cupboard (MHC) respectfully requests your consideration of a use variance for property at 1100 West Allen Street to allow MHC to operate our programs at this location. This .7 acre site is zoned Industrial General (IG) and we request a use variance for Social Service. Currently the property is occupied partially by the property owner, Lyle May and his construction company. The rest of the property is vacant. This site is almost entirely surrounded by properties zoned PUD, with the exception of apartments to the south west corner, zoned RH.

#### **About Mother Hubbard's Cupboard**

Mother Hubbard's Cupboard exists to provide healthy, wholesome food to people in need as well as nutrition and gardening education and to provide our services in ways that build community while enhancing the dignity, respect and self-care of all involved. MHC helps people access healthy food through our patron-choice food pantry, community gardens and nutrition education program. Our programs work together to meet patrons where they are in a time of need and help them develop the skills and knowledge to build self-reliance.

In 2011, MHC distributed over 1 million pounds of food, providing over 100,000 bags of groceries to our neighbors in need. We steward three community gardens on City of Bloomington Parks and Recreation land, growing over 3,500 lbs of organic produce for our patrons. Each year we offer close to 40 workshops on a variety of garden and nutrition topics including raising chickens in the city, vegetable gardening, food preservation and baby food making. MHC also provides nutrition and garden education for one hundred low income youth through partnerships with youth serving agencies, such as the Crestmont Boys and Girls Club and Banneker after school and summer programs.

#### **Variance Need**

MHC has operated out of the Perry Township Trustee's building at 1010 S. Walnut Street since 2001. We have experienced a significant increase in need for our services over the last several years, leading us to seek a new location to better serve the community. In August of this year, MHC saw our second busiest month ever, with over 10,000 bags of groceries distributed through our food pantry. In an

average week we provide groceries for over 2,000 individuals. Our current space at 1010 S. Walnut cannot continue to accommodate this number of patrons for many reasons, including, sharing limited space and parking with other agencies, landlord restrictions on open hours and food storage capacity. MHC's Facility Committee spent the last year evaluating our space needs and researching available locations. The Facility Committee's findings show 1100 West Allen as the best fit for our needs. MHC's board of director's agreed with these findings and approved lease negotiations in August 2012. During lease negotiations it was discovered that the property, zoned IG, would require a Use Variance for Social Service. MHC has negotiated a long-term lease for 1100 West Allen Street to provide the space required to meet the increased community need for our services, contingent on the use variance approval.

MHC and the property owner will complete the following improvements to bring the property in line with the UDO.

- Parking set back from street side to 25 from property line and 10 feet from property line to the east.
- Drive entrance width reduced to 34'.
- Parking lot paved and striped. Handicap parking installed.
- Bike parking installed.
- Yard areas landscaped, parking area landscaped
- All lighting brought into compliance (full cutoff and fully shielded)
- Dumpster enclosed.
- Handicap ramps added

Approval of the Use Variance for 1100 West Allen would enable Mother Hubbard's Cupboard to meet the growing community need for access to healthy foods and life improving educational opportunities. The 1100 West Allen site relieves many of the issues we face in our current location and gives MHC ample room to expand and develop new programming, allowing us to increase our impact on our community. Our vision for this site is a welcoming space where community members of all walks of life come together to get the resources they need to feed their families and connect with others through cooking, gardening and caring for one another.

### **Consideration of Growth Policies Plan**

The site is located in a small corner designated in the GPP for Employment Center and borders areas designated Public/Semi Public/ Institutional to the North East and Urban Residential to the West. The site is less than an acre and is potentially too small to be attractive to many large businesses. In addition it has been partially vacant for several months. MHC's use of the site would increase on site employment and provide volunteer opportunities and vital community services for area employees. Close to 50% of our food pantry patrons are employed. Proximity to large employers has the potential to help us reach more individuals in need and connect community members with opportunities to serve others. MHC's education programs are open to anyone interested and provide an added benefit to local employers. Our on-site edible landscapes and teaching kitchen would improve the

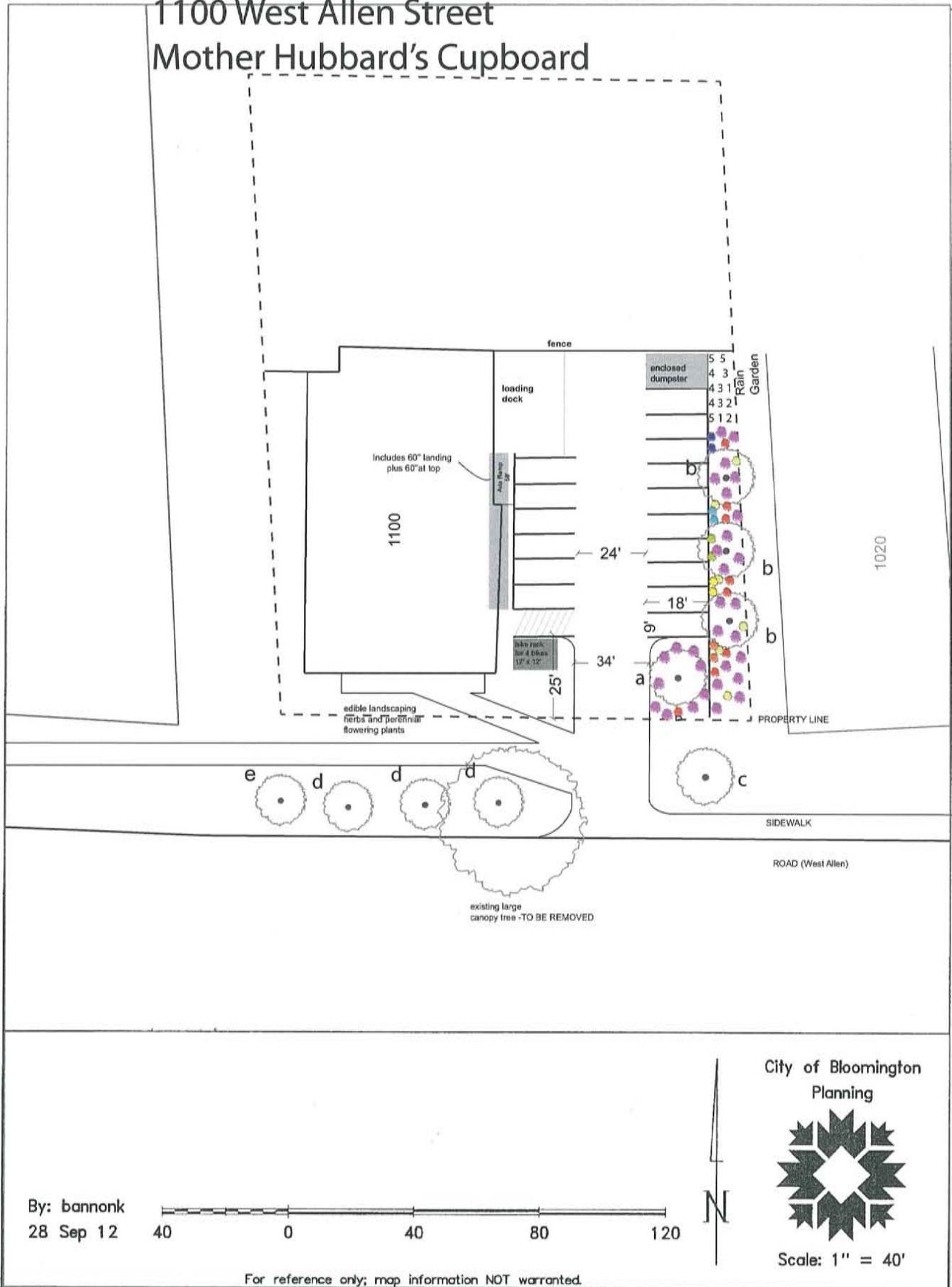
area and provide a community education space for employees to learn skills to improve their physical health.

MHC's use of this site fits with many of the guiding principles outlined in the GPP. Our use of this partially vacant building supports the principle of *Compact Urban Form* by locating in and improving an existing underused building and site. Principle two, *Nurture Environmental Integrity*, aligns with MHC's own values regarding environmental responsibility and sustainability. Green space was a high priority in our search for an appropriate site for our organization. MHC will improve the green space on this site, providing an attractive and educational edible landscape, highlighting organic and economical landscape techniques. MHC currently stewards over 10,000 square feet of City of Bloomington Parks and Recreation land and has maintained attractive and productive gardens on these sites for many years. We are a well-known community resource for organic gardening and composting education. Policy four, *Mitigate Traffic*, also aligns with our practices to encourage use of public transportation, bikes, and pedestrian paths. This location was attractive to us because of the proximity to bus lines and the B-Line.

Thank you for your consideration of our request. Approval of the use variance will enable Mother Hubbard's Cupboard to move forward with our project and respond to the growing need for our services.

Respectfully,  
Amanda Nickey  
Chief Executive Officer  
Mother Hubbard's Cupboard  
Amanda@mhcfoodpantry.org

1100 West Allen Street  
Mother Hubbard's Cupboard



# Landscape Key

Tree      Shrub or flowering perennial

Key	Scientific Name	Common Name	Size	Quantity	Notes
	<b>Shrubs/Evergreen</b>				
	Rhododendron yakushimanum	"Yaku Princess" evergreen rhododendron	3-4'	as needed	hardy to -25 degrees F, partial sun, apple blossom pink flowers
	<b>Shrubs/Native Plants</b>				
	Lindera Benzoin	Spicebush	6-12'	8	Best in the shade of the canopy trees; attracts butterflies
	Sambucus canadensis	Elderberry bush	2-3'	6	Native edible fruit
	Monarda fistulosa	Wild bergamot	3-6'	2	Full sun, showy, easy to maintain native
	Rudbeckia hirta	Black-eyed susan	3-6'	2	Full sun, showy, easy to maintain native
	Echinacea purpurea	Purple coneflower	2-4'	2	Full sun, showy, easy to maintain native
	Liatris pycnostachya	Prairie blazing star	3-5'	2	Gorgeous purple pollinator attracting flowers
	Silphium perfoliatum	Cup plants	To 8'	2	Sunflowers; collects water and is water source for birds and bugs
	<b>Trees</b>				
a	Prunus	Santa Rosa Plum Tree	15-25'	1	Easy to tend, productive fruiting tree, recommended by Community Orchard
b	Diospyros Virginiana	American Persimmon	45-70'	3	Native fruit bearing tree, yields 200-250 lbs of fruit
c	Ginkgo biloba, male	Autumn Gold Ginkgo tree	40-70'	1	Can survive urban conditions like pollution and restricted roots
d	Prunus persica	Semi-Dwarf Peach trees: Belle of Georgia, J. H. Hale, and Red Haven	Pruned to 20-25'	3	Semi-dwarf, trained to center for continuous canopy, 15 ft. apart
e	Cercis canadensis	Redbud	20-40'	1	Edible flowers, near power line
	<b>Rain Garden/Native</b>				
1	Cephalanthus occidentalis	Butterbush	6-12'	2	Attractive flowers, attracts butterflies
2	Ilex verticillata	Winterberry holly	3-15'	2	rain garden native plant; beautiful berries in the middle of winter
3	Eupatorium purpureum	Sweet joe-pye weed	5-7'	3	attracts butterflies
4	Veronica gigantea ssp. gigantea	Ironweed	3-5'	3	attracts butterflies
5	Asclepias incarnata	Marsh milkweed	2-4'	3	Needs sun, attracts butterflies

## 1100 West Allen Landscape Plan

Parking Perimeter slope from parking lot into parking perimeter bed would make bed into excellent rain garden, could be used as example in the city. Shrubs could be used as runoff remediation.

4 Trees- (3 Canopy) 45 shrubs (34 evergreen) can trade 20% to flowering perennials, grasses, ferns

Botanical Name	Common Name	Size	Quantity	Notes
* <i>Prunus</i>	Santa Rosa Plum Tree	Mature height 15-25' mature width 10-15'	1	Easy to tend, productive fruiting tree, recommended by Community Orchard
* <i>Diospyros Virginiana</i>	American Persimmon	Mature height 45-70' mature width 25-40'	3	Native fruit bearing tree, yields 200-250 lbs of fruit

Rain Garden/Native (all can handle run off from parking lot, help with remediation of polluted water)

Botanical Name	Common Name	Size	Quantity	Notes
- <i>Cephalanthus occidentalis</i>	Buttonbush	Mature height 6-12' mature width 6-15'	2	Attractive flowers, attracts butterflies
- <i>Ilex verticillata</i>	Winterberry holly	Mature height 3-15' mature width 3-4'	2	rain garden native plant; beautiful berries in the middle of winter
<i>Eupatorium purpureum</i>	Sweet joe-pye weed	Mature height 5-7' mature width 2-4'	3	attracts butterflies
<i>Vernonia gigantea</i> ssp. <i>gigantea</i>	Ironweed	Mature height 3-5' mature width 2-3'	3	attracts butterflies
<i>Asclepias incarnata</i>	Marsh milkweed	Mature height 2-4' mature width 2-3'	3	Needs sun, attracts butterflies

## Shrubs/Native Plants

Botanical Name	Common Name	Size	Quantity	Notes
- <i>Lindera Benzoin</i>	Spicebush	Mature height 6-12' mature width 6-12'	8	Best in the shade of the canopy trees; attracts butterflies
- <i>Sambucus canadensis</i>	Elderberry bush	Mature height 2-3' mature width 6-10'	6	Native edible fruit, full sun
<i>Monarda fistulosa</i>	Wild bergamot	Mature height 3-6' mature width 2-3'	2	Full sun, showy, easy to maintain native
<i>Rudbeckia hirta</i>	Black-eyed susan	Mature height 3-6' mature width 1.5-3'	2	Full sun, showy, easy to maintain native
<i>Echinacea purpurea</i>	Purple coneflower	Mature height 2-4' mature width 2-3'	2	Full sun, showy, easy to maintain native
<i>Liatris pycnostachya</i>	Prairie blazing star	Mature height 3-5' mature width 2-3'	2	Gorgeous purple pollinator attracting flowers

<i>Silphium perfoliatum</i>	Cup plants	Mature height to 8' mature width 1'	2	Sunflowers, collects water and is water source for birds and bugs
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## Shrubs/Evergreen

Botanical Name	Common Name	Size	Quantity	Notes
<i>Rhododendron yakushimanum</i>	"Yaku Princess" evergreen rhododendron	Mature height 3-4', mature width 4'	28	hardy to -25 degrees F, partial sun, apple blossom pink flowers

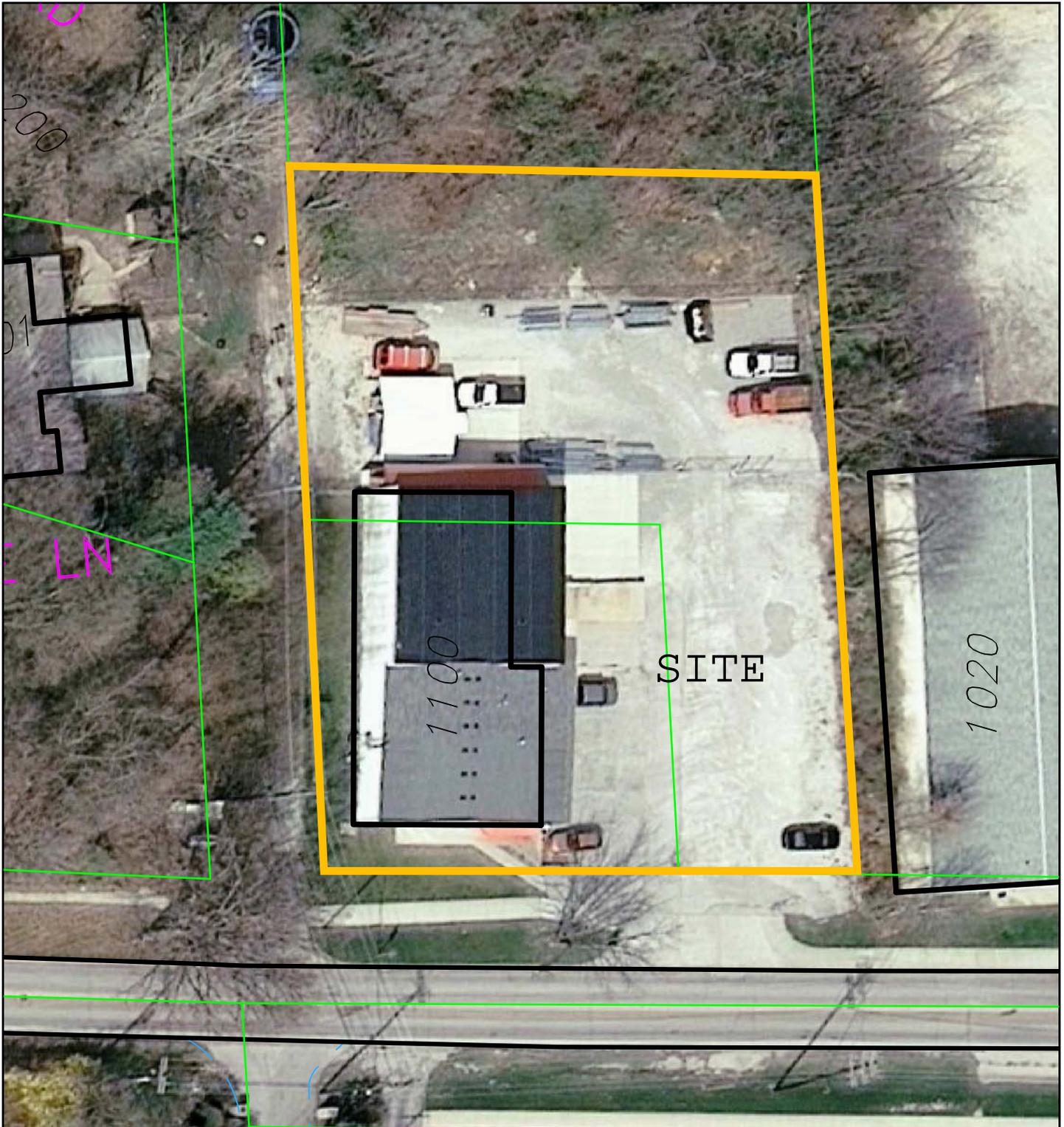
**Street** needs 4 canopy trees (ash will be removed)

Street (east end)

Botanical Name	Common Name	Size	Quantity	Notes
* <i>Ginkgo biloba, male</i>	Autumn Gold Ginkgo tree	Mature height 40-70' mature width 30-35'	1	Can survive urban conditions like pollution and restricted roots

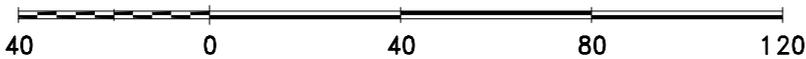
Street (west end, in front of building/garden spot)

Botanical Name	Common Name	Size	Quantity	Notes
* <i>Prunus persica</i>	Semi-Dwarf Peach trees: Belle of Georgia, J. H. Hale, and Red Haven	Mature height pruned to 20-25' mature width 15'	3	Semi-dwarf, trained to center for continuous canopy, 15 ft. apart
* <i>Cercis canadensis</i>	Redbud	Mature height 20- 40' mature width 15'	1	Edible flowers, near power line

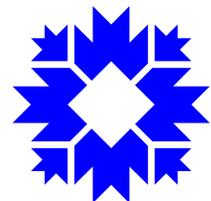


UV-43-12  
 Mother Hubbard's Cupboard  
 1100 W. Allen St.  
 2010 Aerial Photo

By: bannonk  
 28 Sep 12



City of Bloomington  
 Planning



Scale: 1" = 40'

For reference only; map information NOT warranted.

**BLOOMINGTON PLAN COMMISSION  
STAFF REPORT  
LOCATION: 995 S. Clarizz Boulevard**

**CASE #: PUD-45-12  
DATE: November 5, 2012**

**PETITIONER:** Clarizz Medical Properties, LLC  
995 S. Clarizz Blvd., Bloomington

**COUNSEL:** Bynum Fanyo & Assoc., Inc.  
528 N. Walnut St., Bloomington

**REQUEST:** The petitioner is requesting a PUD Final Plan amendment to allow an existing parking area to be expanded.

**BACKGROUND:**

<b>Area:</b>	2.68 acres
<b>Current Zoning:</b>	PUD
<b>GPP Designation:</b>	Urban Residential
<b>Existing Land Use:</b>	Medical office
<b>Proposed Land Use:</b>	Medical office
<b>Surrounding Uses:</b>	North – Residential
	West – Multi-family residential (Covenanter Gardens)
	East – Single family residential (Hoosier Acres)
	South – Multi-family residential

**REPORT SUMMARY:** This PUD, originally known as the Eaton Mews PUD, was approved in 1983 and amended in 2002 by Plan Commission case # PUD-08-02. The 2002 amendment broke the PUD into two main areas; the area west of Clarizz Blvd. which is mostly residential and the portion east of Clarizz Blvd. which is non-residential in nature.

This parcel, on the non-residential portion received staff level final plan approval in April 2011 (PUD-07-11) for an approximately 12,000 square foot office building. At that time, there was a future second office building of 8,000 square feet expected to be constructed in a second phase. However, current business needs have changed and instead the petitioner is going to be adding new staff to the existing building and not constructing a second building. To that end, the petitioner is requesting to expand the existing parking area to serve the new staff and clients.

The preliminary plan for this lot was specifically developed after considerable discussions between the petitioner, staff, and the adjacent Hoosier Acres Neighborhood Association. The approved plan also addressed several architectural restrictions and site design standards that the petitioner has met with this petition. These restrictions included items such as roof heights, building forward design, lighting, dumpster screens, window locations, architecture, and pedestrian connections. A 16-foot tall, 100-foot wide

berm has already been constructed and landscaped on this property adjacent to the Hoosier Acres Neighborhood.

The petitioner is requesting an amendment to the approved final plan to allow for an expansion to an existing parking area. Also requested is site plan approval to allow 84 parking spaces for the office. The petitioner has submitted parking information to justify the number of parking spaces being requested and Staff supports this request.

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**SITE PLAN ISSUES:**

**Parking:** With this proposal, the petitioner is proposing to add 41 parking spaces to the existing 43 parking spaces for a total of 84 parking spaces. The UDO allows for a maximum of 1 parking space per 300 sq. ft. of office space. A maximum of 40 parking spaces would be allowed. The petitioner has submitted a parking study that states there would be 44 physicians and staff that would be working at this location. The facility has 7 full-time physicians with 3 waiting rooms for each physician, with 2 anticipated patients in the waiting room for each physician which creates a need for 42 parking spaces. The proposed number of spaces fills the needs for this use and Staff supports the request for 84 parking spaces.

**Alternative Transportation:** With this additional parking there would be 2 new bicycle parking spaces required. The petitioner would be required to install 2 new bicycle parking spaces with the new parking area and must be shown with the grading permit.

**Landscaping:** With this petition there would also be new landscaping installed throughout the property and parking area. The petitioner has submitted a landscape plan that meets the UDO requirements. Staff has also noted that some of the previously installed landscaping has died and needs replaced. Staff has included a condition of approval that any missing or dead landscaping should be replaced.

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**DEVELOPER TRACK RECORD:** The petitioner, Clarizz Medical Office Facility and First Capital Management own and manage several buildings throughout Bloomington and there are no outstanding zoning violations on their properties.

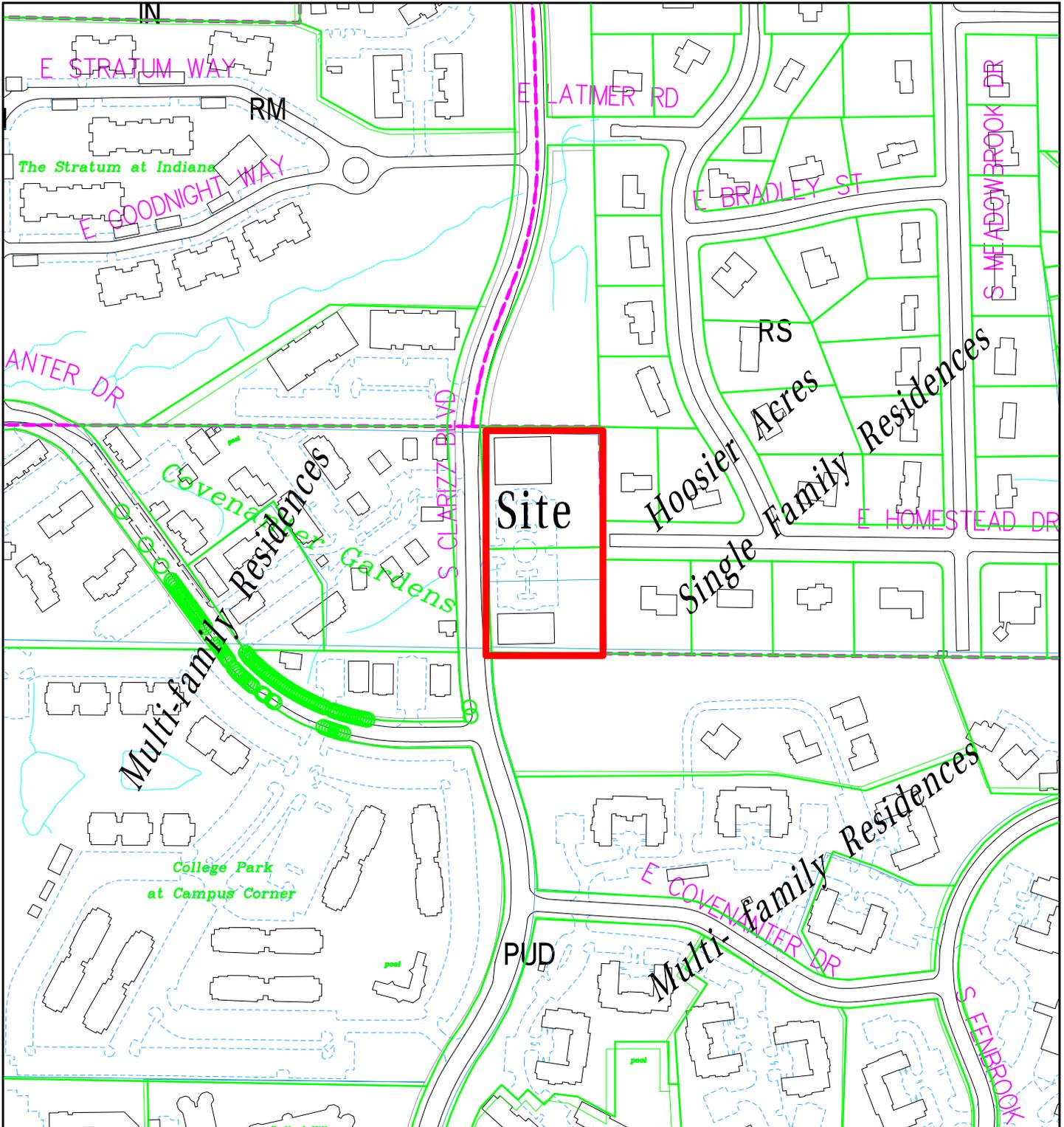
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**CONCLUSIONS:** The proposed amendment and site plan are consistent with the overall PUD. The additional parking area will provide adequate on-site parking and reduce any potential parking spillover into adjacent residential areas.

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**RECOMMENDATION:** Staff recommends approval of PUD-45-12 with the following conditions.

1. All landscaping and site improvements must be installed prior to issuance of an occupancy permit. Any missing or dead landscaping must be replaced to meet UDO requirements.
2. A grading permit must be obtained prior to site disturbance.



PUD-45-12 Southern Indiana Medical Group

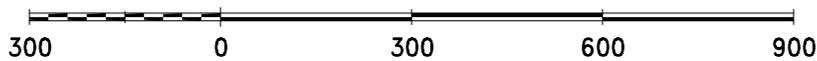
995 S. Clarizz Blvd.

Plan Commission

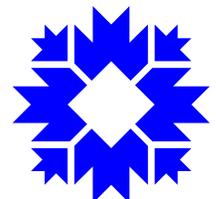
Site Location, Zoning, Land Use, Parcels

By: greulice

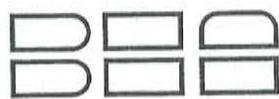
31 Oct 12



City of Bloomington  
Planning



Scale: 1" = 300'



BYNUM FANYO & ASSOCIATES, INC.

ARCHITECTURE  
CIVIL ENGINEERING  
PLANNING

City of Bloomington Plan Commission  
401 North Morton Street  
Bloomington, Indiana 47403

Re: Clarizz Avenue Medical Office Facility, LLC and First Capital Management, LLC  
PUD Amendment to Increase the Maximum Allowed Parking

Dear Plan Commission Members:

Our client, Clarizz Avenue Medical Office Facility, LLC, the owner of 995 South Clarizz Drive respectfully requests a PUD amendment to increase the maximum allowable parking from 43-spaces to 84-spaces. The building on the site is being used as a primary care medical facility and they are experiencing a severe lack of adequate parking for their facility to the point they have been cited for a zoning compliance violation for patrons of the facility parking on the unpaved portion of their site.

The facility currently has 7 full-time physicians and will be adding one additional physician for a total of eight physicians. Following recommendations from the Medical Group Management Association (MGMA) each physician has 4 to 5 support staff and employees. This facility averages 4.5 employees per physician, in line with what is indicated by MGMA. Therefore, the total number of physicians and staff for this facility equals 44.

The facility has three examine rooms per physician with two anticipated patients in the waiting room per physician requiring an additional 40 parking spaces to adequately provide parking for the facility. The existing facility has a total of 43 parking spaces, one space less than the total number of staff. We are requesting the ability to construct an additional 41 parking spaces to accommodate our current needs for the facility.

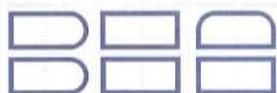
If you have any questions regarding the above please feel free to contact me at any time to discuss. We thank you in advance for your consideration.



Jeffrey S. Fanyo, P.E., CFM

Bynum Fanyo and Associates, Inc.

PUD-45-12  
Petitioner Statement



BYNUM FANYO & ASSOCIATES, INC.

ARCHITECTURE  
CIVIL ENGINEERING  
PLANNING

City of Bloomington Plan Commission  
401 North Morton Street  
Bloomington, Indiana 47403

Re: Clarizz Avenue Medical Office Facility, LLC and First Capital Management, LLC  
PUD Amendment to Increase the Maximum Allowed Parking

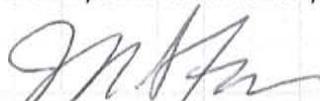
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Jeffrey S. Fanyo, P.E., CFM

Bynum Fanyo and Associates, Inc.

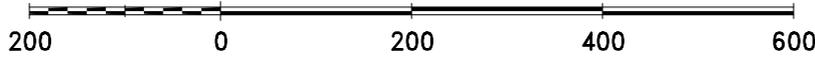
PUD-45-12  
Parking Study





PUD-45-12 Southern Indiana Medical Group  
 995 S Clarizz Blvd  
 Plan Commission  
 2010 Aerial Photograph

By: greulice  
 31 Oct 12



For reference only; map information NOT warranted.

City of Bloomington  
 Planning

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Scale: 1" = 200'