

**CITY OF BLOOMINGTON**



**OCTOBER 7, 2013 @ 5:30 p.m.  
COUNCIL CHAMBERS #115  
CITY HALL**

**CITY OF BLOOMINGTON  
PLAN COMMISSION AGENDA  
October 7, 2013 @ 5:30 p.m.**

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

**ROLL CALL**

**MINUTES TO BE APPROVED: Sept. 9, 2013**

**REPORTS, RESOLUTIONS AND COMMUNICATIONS:**

**CONTINUED TO NOV. MEETING:**

- SP-33-13 Elmore – Orrego LLC**  
**304 W. Kirkwood Ave.**  
Site plan approval to allow new construction of a mixed-use building  
*(Case Manager: Patrick Shay)*
- SP-32-13 Tiffany Clark (3<sup>RD</sup> hearing)**  
**314 E. 3<sup>rd</sup> St.**  
Site plan approval for a 3-story mixed-use building.  
*(Case Manager: Jim Roach)*

**APPROVAL OF CONSENT AGENDA:**

- PUD-26-13 Daniel & Jessica Hoover**  
**339 S. Dunn St.**  
PUD final plan approval to allow an addition to an existing single-family residence  
*(Case Manager: Eric Greulich)*
- SP-35-13 First United Methodist Church of Bloomington**  
**219 E. 4<sup>th</sup> St.**  
Site plan approval for a new courtyard.  
*(Case Manager: Eric Greulich)*
- UV-36-13 CSX Transportation**  
**2660 S. Walnut St.**  
Plan Commission recommendation to Board of Zoning Appeals regarding a Use Variance to allow outdoor storage.  
*(Case Manager: Eric Greulich)*

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**PETITION:**

- SP/UV-34-13 GMS – Pavilion Properties**  
**106 W. Kirkwood Ave.**  
Site plan approval for a 3-story mixed-use building. Also, Plan Commission review of a Use Variance for a bank drive-through in the CD zoning district.  
*(Case Manager: Jim Roach)*

End of Agenda

*\*\*Next Plan Commission hearing scheduled for Nov. 4, 2013*

**BLOOMINGTON PLAN COMMISSION  
STAFF REPORT  
Location: 339 S. Dunn St**

**CASE #: PUD-26-13  
DATE: October 7, 2013**

**PETITIONER:** Daniel and Jessica Hoover  
3627 S. Bluebird Ct, Bloomington, IN

**CONSULTANT:** Herndon Design.  
414 N. Morton St, Bloomington

**REQUEST:** The petitioner is requesting PUD final plan approval to allow for an addition to an existing residence.

**BACKGROUND:**

**Area:** 0.77 acres  
**Current Zoning:** PUD  
**GPP Designation:** Core Residential  
**Existing Land Use:** Single Family/Multi-Family Residences  
**Proposed Land Use:** Single Family/Multi-Family Residence  
**Surrounding Uses:** North – Indiana University  
 West – Multi-family Residences  
 East – Single and Multi-family residences  
 South – Single and Multi-family residences

**SUMMARY:** This property is located at 339 S. Dunn Street and is zoned Planned Unit Development (PUD-56-84). The overall PUD was approved and developed with a mix of single and multi-family family residences. There are 4 separate buildings within the PUD that consist of 2 multi-family residential apartment buildings, a historic house that was remodeled for a duplex, and a single family residence.

Each of the separate components of this PUD are located on their own respective lots and have been sold and managed individually. The owner of the single family residence and lot would like to construct an addition to the north side of the structure to expand interior closet space. The petitioner has also constructed a detached pergola on the east side of the residence and extended a section of 8' fencing along Atwater that is requested to be approved with this petition as well.

The proposed addition to the north side of the residence would extend 4 feet 6 inches from the existing house and be 16 feet long. The existing residence is approximately 9 feet from the north property line and the proposed addition would be located 4 feet 4 inches from the property line, which would be considered a side yard for building setbacks. The addition would allow for two new closets to be added as well as new skylights in the bedrooms. The addition would have lap siding to match the existing residence and have a row of false windows along the exterior wall facing Atwater Ave.

Although the house was constructed with the front facing Dunn Street to the west, there is a public street on both the east and west sides of the property. As a result, the area

between the house Atwater Ave. only allows fence to be 4' tall. The property has had an 8' tall fence along Atwater Ave. that the petitioner has recently replaced. The fence was extended closer toward the side property line for a small portion that is between the house and Atwater Ave. and would not be allowed to be taller than 4'.

The petitioner also constructed a 10'x14' detached pergola on the east side of the residence facing Atwater Ave. Since the east side of the property is also adjacent to a public street, it would be considered a front yard for setback purposes and the pergola would be required to be 35' from the property line. The pergola is approximately 10' from the property line at its closest point and 25' at the furthest point. Since the house was constructed with the front facing Dunn St. and not Atwater, the petitioner was unaware during his construction that the east side along Atwater would be considered a front for setback purposes and is requesting approval for these two improvements as well as the proposed addition.

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#### **SITE PLAN ISSUES:**

**Architecture/Design:** There are no architectural or design requirements for the pergola. The addition to the single family residence would be finished with lap siding to match the existing house. The petitioner has added a set of false windows along the north side of the house to prevent a blank wall facing Atwater. Since the proposed additional area is for closet space, actual windows would not be practical. The proposed addition also has two skylights in the bedroom areas that would provide additional interior light in the closet and bedroom.

**Parking:** The property has access to a surface parking lot that was approved with the original PUD. There are two surface parking lots that provide parking for the overall developments. No changes to the parking areas are proposed or allowed with this petition.

**Pedestrian Facilities:** There are existing sidewalks along both this property as well as the entire PUD that were required with the initial PUD approval. No alterations to the sidewalk system are proposed. The sidewalk is in good condition and no improvements are necessary.

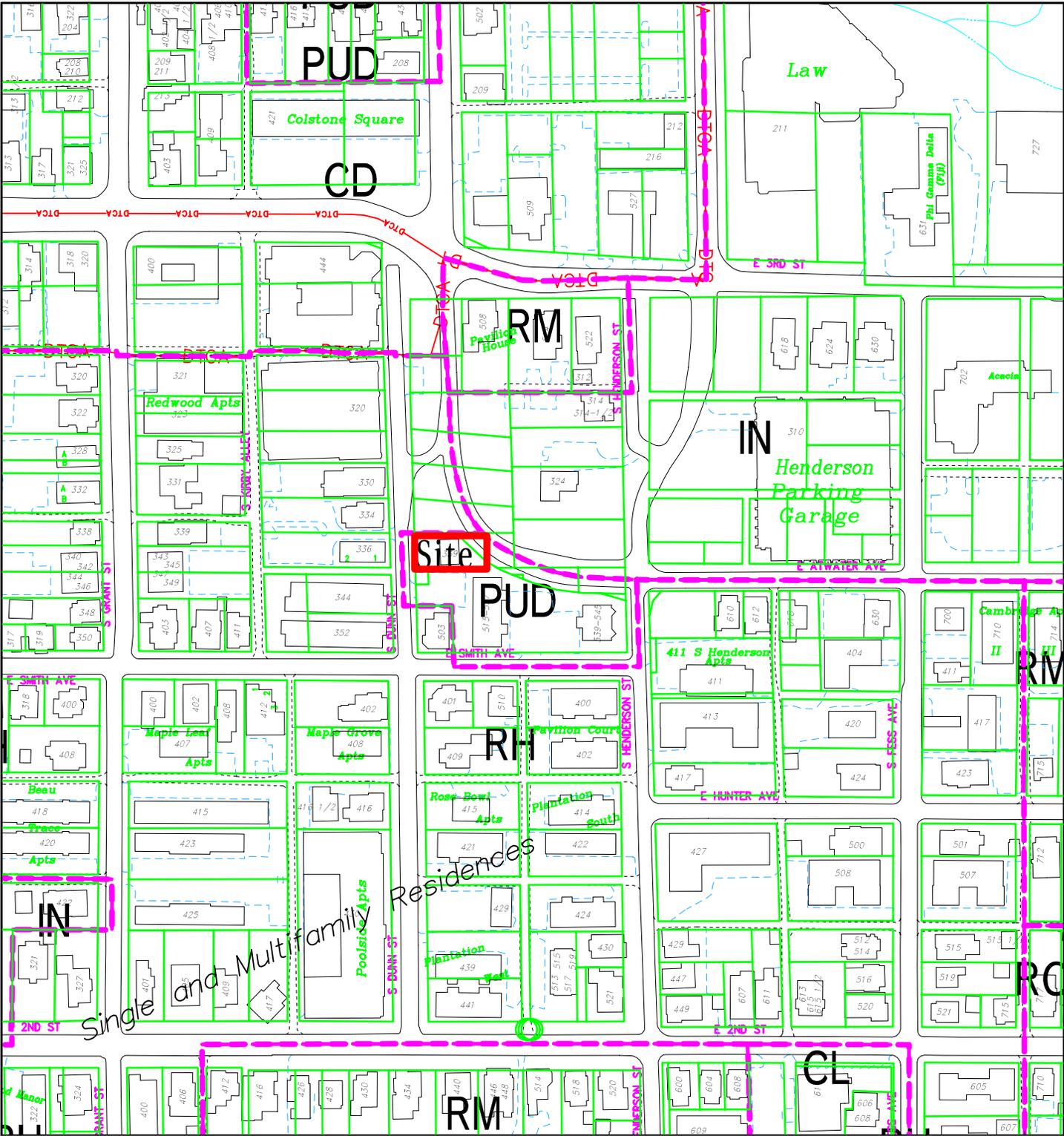
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**CONCLUSION:** The petitioner is proposing a minor addition to a single family residence to increase the livability of the residence. Although the addition will be close to the side property line, the layout of the street network at this location has made the northern properties undevelopable and there are no structures that would be built adjacent to this residence. The presence of public streets on two opposing sides of this property create difficulty in using the rear of the property in a manner consistent with other single family uses. Staff is supportive of the proposed addition as well as the authorization of the previous fence and pergola.

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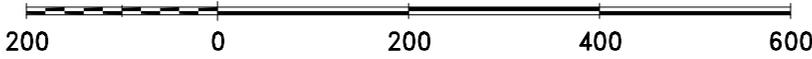
**RECOMMENDATION:** Staff recommends approval of the proposed site plan with the following conditions of approval:

1. The addition must be consistent with the submitted elevations.



PUD-26-13 Daniel and Jessica Hoover  
 330 S Dunn Street  
 Plan Commission  
 Site Location, Zoning, Land Use, Parcels

By: greulice  
 5 Sep 13

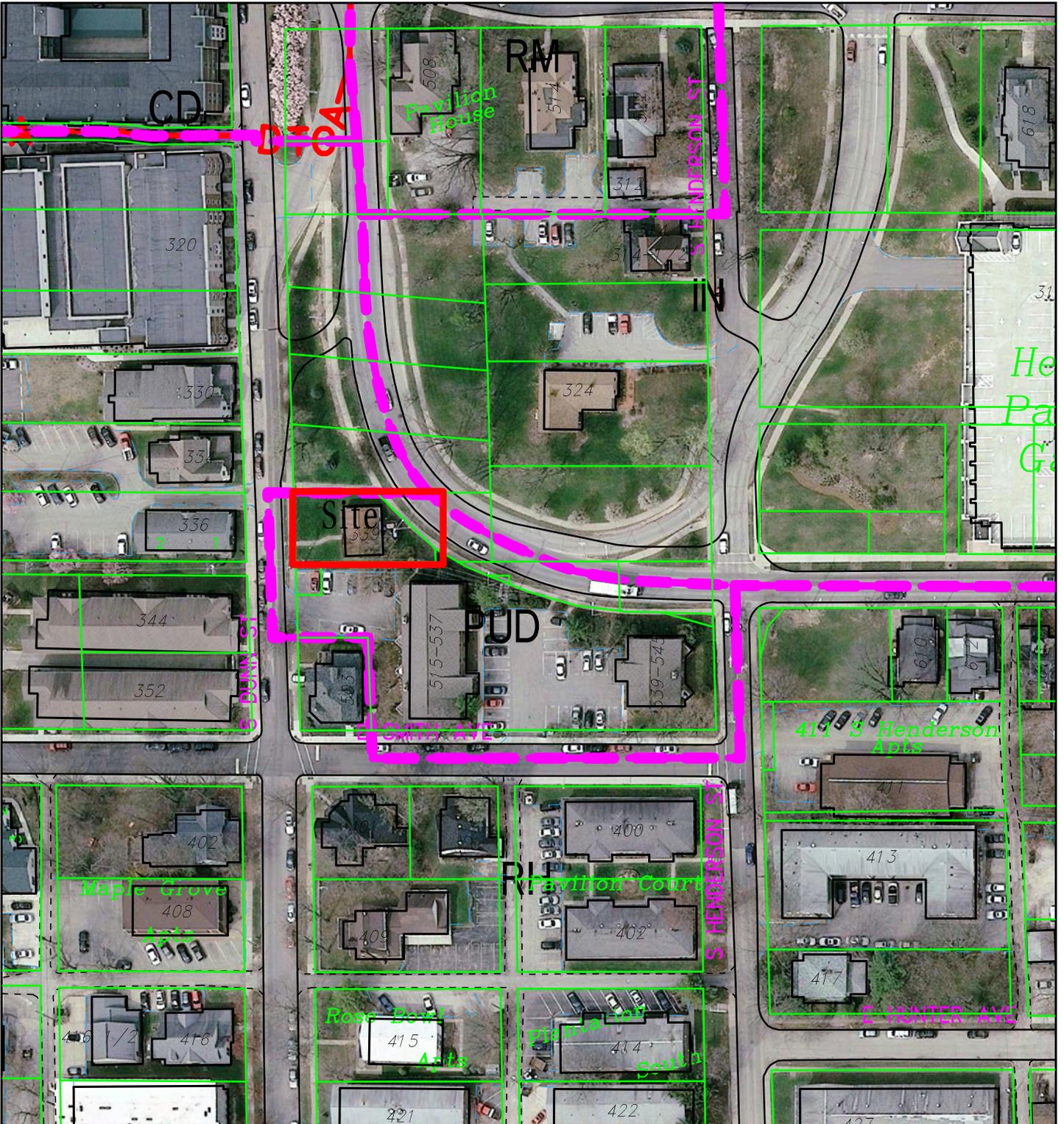


For reference only; map information NOT warranted.

City of Bloomington  
 Planning

N

Scale: 1" = 200'



PUD-26-13 Daniel and Jessica Hoover

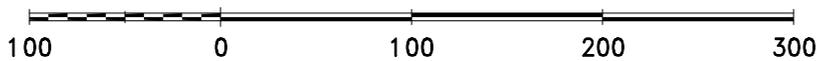
339 S Dunn Street

Plan Commission

2010 Aerial Photograph

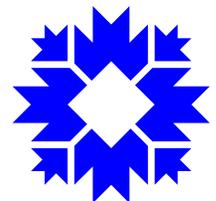
By: greulice

5 Sep 13



For reference only; map information NOT warranted.

City of Bloomington  
Planning



Scale: 1" = 100'



**Petitioner's Statement | Daniel & Jessica Hoover**

[danielkhoover@me.com](mailto:danielkhoover@me.com) | 812.272.7381(m)

**Property Address | 339 South Dunn Street**

To Whom It May Concern:

We are landlords in Bloomington. My parents bought their first rental house here in the late 1970's. We are not big. Nor are we the "absentee" type of owner. We do our best to provide places where parents can feel comfortable about the safety of their children while living in Bloomington. We have three children that we're raising here (ages 7, 5 and 3), so we simply try to fix a rental house to the point we'd have our own kids living there. Simple.

As owners of the small rental house located where Atwater Avenue and South Dunn Street diverge, it is our desire to improve the existing structure to provide better safety, energy-efficiency, and noise reduction. We have begun to make vast improvements to what was a dilapidated box on a highly visible corridor through our community - and a gateway to the Indiana University campus. In order to accomplish what I believe to be our common goals, I am seeking a variance to the set-back requirements for the areas affected by Atwater Avenue.

*History of the House*

The structure was deposited at 339 South Dunn Street in the 1940's and I'm told it was a kit manufactured in Lafayette, IN by National Homes. Those kits were built for speed and low cost rather than appearance, safety and energy efficiency. Exterior walls were made of 2x3 framing. Interior walls were constructed of 2x2 lumber.

*{For reference: 2x4 framing throughout has been standard practice, though Matt Press' South Dunn development between Grimes and Hillside are built with 2x6 exterior walls for better energy efficiency and noise reduction}.*

The house appears to have been raised at some point in the past to install a concrete footer/cinderblock foundation, but I don't believe there was any horizontal change to the location of the structure. My best guess is the house was lifted to prevent flooding in heavy downpours sometime after Atwater Avenue was changed and/or the Henderson Crossing complex was built. When we took ownership in April 2012, there was still a tremendous amount of stormwater run-off entering the crawlspace from adjacent properties. Severe rot and termite/carpenter ant problems were most likely caused by the constant dampness and humidity present. With the help of CBU Engineering, we were able to correct the high moisture content of the house by diverting other run-off around the house or into drainage tile that feeds into a sump pit. The perfect conditions for mold and mildew are no longer present.

But there is a more troubling safety concern. We can predict how rain will affect our housing environment, but we can't predict how a drunk driver will navigate a dangerous curve in the road. The most critical improvement I need to make is not the continuous dampness, the security alarm, the

PUD-26-13  
Petitioner Statement

interconnected smoke alarms, or the egress compliant bedroom windows...it's the bedroom walls. The two North bedrooms are at the greatest risk should a vehicle veer off the road and into the side of our house. I am requesting a site plan approval to construct an 80 sq. ft. (5' x 16') addition to the North side of the house and a 12 x 12 pergola at the Southeast corner of the house. I would prefer to construct the North addition to function as closets made of 2x6 framing, "notched" to incorporate some heavy gauge flat iron bracing to better absorb and disperse the force of unintended (or deliberate) impact. Three posts would be encased in concrete "piers" dug 40" deep into the ground to support the load of the closets and absorb any potential impact. I propose to use skylights to add natural light in combination with a small bank of short windows positioned toward the top of the North wall. By keeping glass or other reflective materials elevated above most vehicular traffic, we prevent the amplification of traffic noise both inside and outside the house. We have already begun landscaping, but would continue to augment an appropriate architectural design with some nice landscape design.

We have also already begun and nearly completed our pergola by the back corner of the house. We felt that by incorporating outdoor space into the overall design, we can make the small house seem more spacious and create a more attractive place to live or to pass by and notice in a pleasant way. Again, the added posts and beams sunk in concrete should help to absorb any potential impact of a vehicle.

We appreciate the opportunity to improve this house and humbly request a set-back variance can be granted so everyone can rest a little better at night. Thanks for your time.

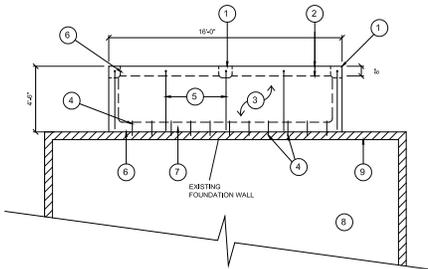
Best Regards,

Daniel Hoover

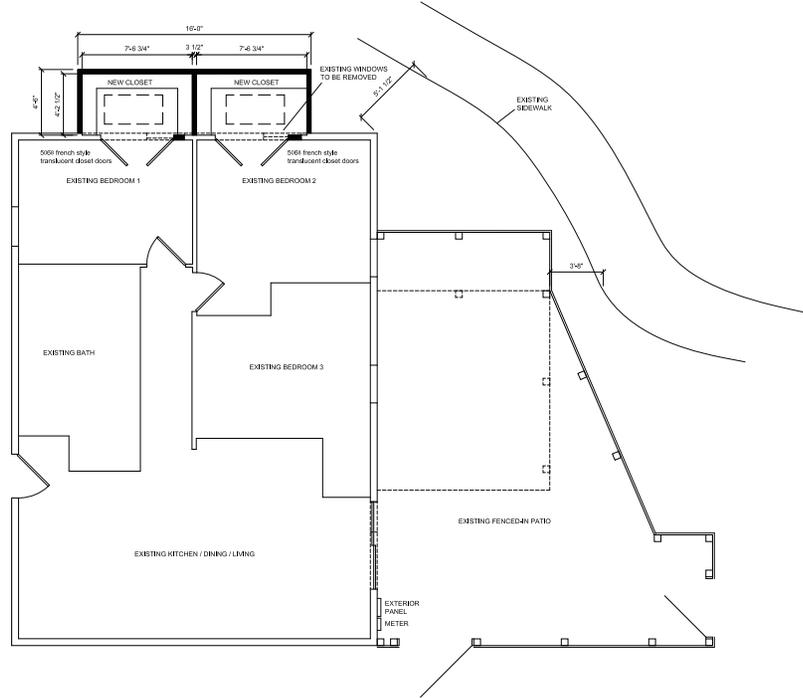
A handwritten signature in black ink that reads "Daniel Hoover". The signature is written in a cursive style with a long, sweeping underline that extends to the right.

**FOUNDATION PLAN NOTES**

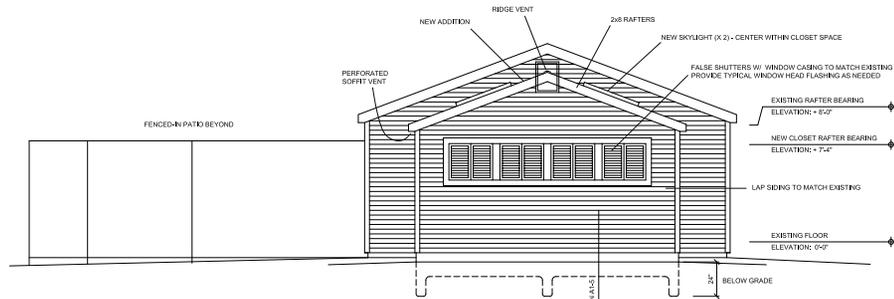
- 1 (3) #4 PERS 24" BELOW GRADE @ CORNERS AND MID SPAN OF GRADE BEAM @ PERIMETER
- 2 DASHED INDICATES 12" DEEP x 8" WIDE PERIMETER GRADE BEAM - (2) #5 HORIZONTAL REBAR CONTINUOUS
- 3 4" REINFORCED CONCRETE SLAB OVER 4" CRUSHED STONE OVER 8 MIL VAPOR BARRIER AND COMPACTED FILL - PROVIDE 24" OF 2" EXTRUDED POLYSTYRENE INSUL. UNDER SLAB ALONG PERIMETER
- 4 NEW SLAB @ EXISTING BUILDING: 12" x 12" RODS @ 16" O.C., EPOXY GROUT INTO EXISTING FOUNDATION WALL - MIN. 3" EMBEDMENT INTO EXISTING CONCRETE BLOCK.
- 5 5 - #5 BARS EQUALLY SPACED ALONG LENGTH OF SLAB TURNED DOWN INTO PERIMETER PERS AND GRADE BEAM
- 6 ALUM. FLASHING, THRU-WALL ADHESIVE MEMBRANE AND EXPANSION JOINT @ SLAB / WALL INTERSECTION
- 7 THICKENED SLAB @ HOUSE TO ALLOW FOR DOWEL ROD PENETRATION INTO BLOCK
- 8 EXISTING CRAWL SPACE
- 9 EXISTING FOUNDATION WALL



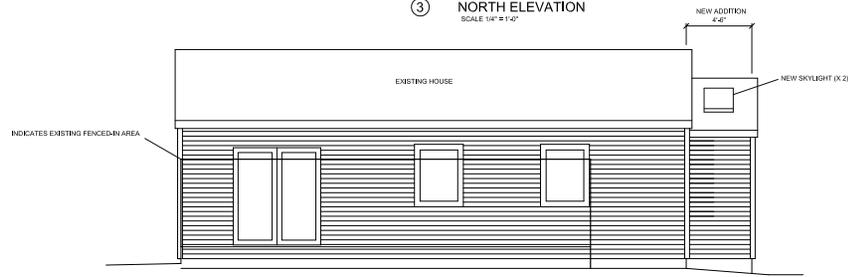
1 FOUNDATION PLAN  
SCALE 1/4" = 1'-0"



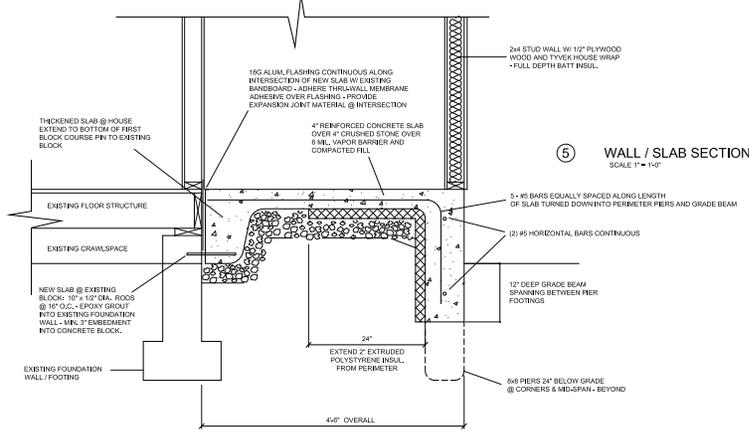
1 FLOOR PLAN  
SCALE 1/4" = 1'-0"



3 NORTH ELEVATION  
SCALE 1/4" = 1'-0"



4 EAST ELEVATION  
SCALE 1/4" = 1'-0"



5 WALL / SLAB SECTION  
SCALE 1" = 1'-0"

**SYMBOLS:**

- DENOTES EXISTING FULL HEIGHT WALLS, SIZE SHOWN ON PLANS
- DENOTES NEW 2x4 WOOD STUD FULL HEIGHT WALLS, SIZE SHOWN ON PLANS

**NOTE:**

THE DESIGNER IS NOT SUPERVISING THE CONSTRUCTION OF THIS BUILDING. THEREFORE, THE USE OF THESE DRAWINGS BY THE OWNER OR ANY CONTRACTOR, SUBCONTRACTOR, BUILDER, TRADESMAN OR WORKMAN SHALL CONSTITUTE A HOLD HARMLESS AGREEMENT BETWEEN THE DRAWING USER AND THE DESIGNER. THE USER SHALL IN FACT AGREE TO HOLD THE DESIGNER HARMLESS FOR ANY RESPONSIBILITY IN REGARD TO THE CONSTRUCTION METHODS, TECHNIQUES, SEQUENCES OR PROCEDURES AND FOR ANY SAFETY PRECAUTIONS OR PROGRAMS IN CONNECTION WITH THE WORK. FURTHER, THE DESIGNER SHALL BE HELD HARMLESS AGAINST ANY LIABILITY OF ANY KIND WHATSOEVER, OR FOR ANY RESPONSIBILITY IN REGARD TO ANY COSTS OR PROBLEMS ARISING FROM THE NEGLIGENCE OF THE CONTRACTOR, SUBCONTRACTOR, BUILDER, TRADESMAN OR WORKMAN, THE USE OF THESE DRAWINGS ALSO IMPLIES THAT THE DESIGNER SHALL ASSUME NO RESPONSIBILITY FOR THE PLAN USER'S FAILURE TO CARRY OUT THE WORK IN ACCORDANCE WITH THE DRAWINGS OR CONTRACT DOCUMENTS. ALL METHODS AND MATERIALS TO MEET COMMONLY HELD INDUSTRY STANDARDS.

REVISIONS:

NEW CLOSET ADDITION FOR:  
**DAN HOOVER**  
339 S. DUNN ST.  
BLOOMINGTON IN. 47401

DATE 08 20, 2013  
DRAWN BY F.S.  
CHECKED BY R.H.

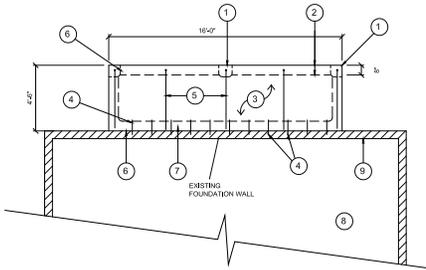
FLOOR PLAN ELEVATIONS SECTION

SHEET NO.

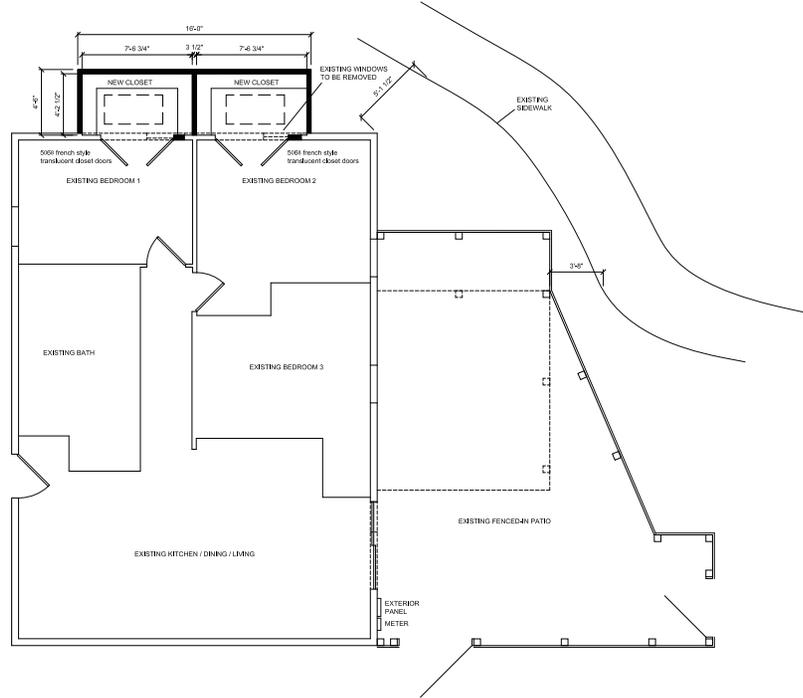
**A1**

**FOUNDATION PLAN NOTES**

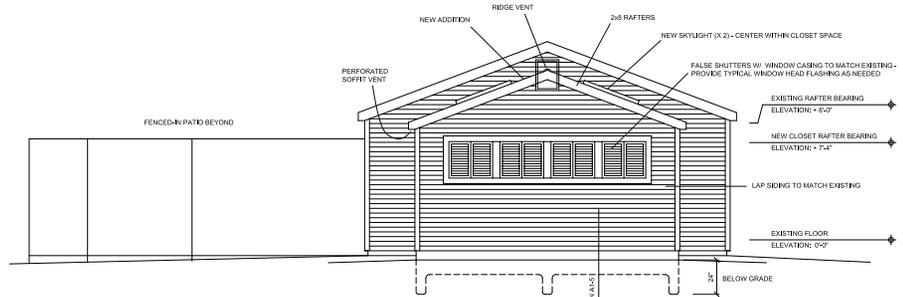
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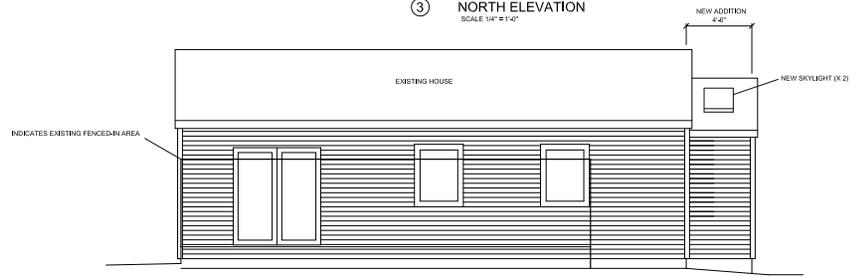
① FOUNDATION PLAN  
SCALE 1/4" = 1'-0"



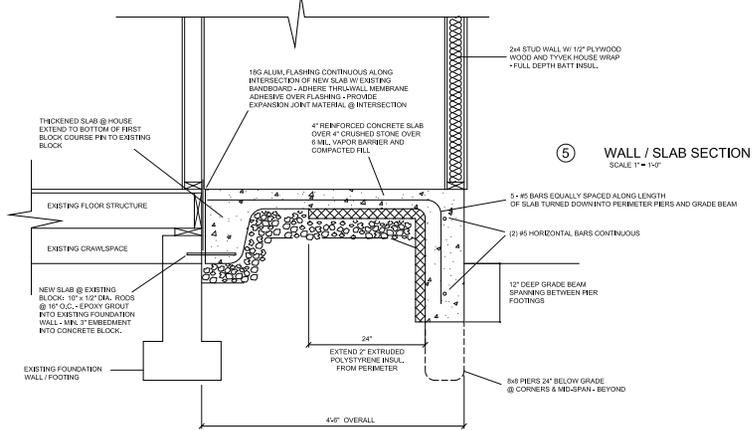
① FLOOR PLAN  
SCALE 1/4" = 1'-0"



③ NORTH ELEVATION  
SCALE 1/4" = 1'-0"



④ EAST ELEVATION  
SCALE 1/4" = 1'-0"



⑤ WALL / SLAB SECTION  
SCALE 1" = 1'-0"

**SYMBOLS:**

- DENOTES EXISTING FULL HEIGHT WALLS, SIZE SHOWN ON PLANS
- DENOTES NEW 2x4 WOOD STUD FULL HEIGHT WALLS, SIZE SHOWN ON PLANS

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**HERNDON DESIGN**  
 russ@rusherndondesign.com  
 www.rusherndondesign.com  
 414 NORTH MORTON  
 BLOOMINGTON, INDIANA 47404  
 phone/fax.812.822.1919

REVISIONS:

NEW CLOSET ADDITION FOR:  
**DAN HOOVER**

339 S. DUNN ST.  
 BLOOMINGTON IN. 47401

DATE	08 20, 2013
DRAWN BY	F.S.
CHECKED BY	R.H.
<b>FLOOR PLAN ELEVATIONS SECTION</b>	
SHEET NO.	

**A1**

**BLOOMINGTON PLAN COMMISSION  
STAFF REPORT  
Location: 306 E. Kirkwood Ave.**

**CASE #: SP/UV-34-13  
DATE: October 7, 2013**

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**PETITIONER: GMS – Pavilion Properties  
112 E. 3<sup>rd</sup> Street, Bloomington**

**CONSULTANT: Studio 3 Design  
8604 Allisonville Road, Indianapolis, IN**

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**REQUEST:** The petitioner is requesting site plan approval in order to build a three-story mixed use building. Also requested is Plan Commission review of a Use Variance to allow a drive-through bank in the CD zoning district.

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<b>Area:</b>	<b>0.40 Acres</b>								
<b>Zoning:</b>	<b>CD/University Village Overlay (UVO)</b>								
<b>GPP Designation:</b>	<b>Downtown</b>								
<b>Existing Land Use:</b>	<b>Bank drive-through, surface parking</b>								
<b>Proposed Land Use:</b>	<b>Mixed use (bank, bank drive-through, apartments)</b>								
<b>Surrounding Uses:</b>	<table> <tr> <td><b>North</b></td> <td>– Monroe County Public Library</td> </tr> <tr> <td><b>West</b></td> <td>– Existing ONB Bank</td> </tr> <tr> <td><b>South</b></td> <td>– Vacant; former Monroe Bank Loan Center</td> </tr> <tr> <td><b>East</b></td> <td>– Commercial</td> </tr> </table>	<b>North</b>	– Monroe County Public Library	<b>West</b>	– Existing ONB Bank	<b>South</b>	– Vacant; former Monroe Bank Loan Center	<b>East</b>	– Commercial
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**REPORT SUMMARY:** The subject property is located at the southeast corner of E. Kirkwood Ave. and S. Lincoln Street. This 0.40 acre property is zoned Commercial Downtown (CD) and is within the Kirkwood Corridor portion of the University Village Overlay (UVO). The property currently contains the one-story Old National Bank (ONB) drive-through and a surface parking lot. The property is surrounded to the west, south and southeast by other properties owned by the bank. To the north is the Monroe County Public Library and to the east are commercial uses.

The petitioner is proposing to demolish the existing building and construct a new 3-story mixed use building. The proposed building would contain an underground parking garage with 21 parking spaces designated for residential use, 15,336 square feet of first floor space containing ONB's retail branch, a bank drive-through facility, entry/support space for upper story residential units, and apartments on the 2<sup>nd</sup> and 3<sup>rd</sup> floors. Proposed are 17 units and 38 bedrooms.

Pedestrian access to the bank is off of Kirkwood Ave. and pedestrian access to the apartments is from both Kirkwood Ave. and Lincoln Street. Vehicular entry to the drive-through is from Lincoln Street, with exiting occurring into the north-south alley to the east. Access to the parking garage is also from the north-south alley to the east.

The ONB company owns a total of five parcels along Kirkwood Ave. and E. 4<sup>th</sup> Street.

- **Parcel A:** Former Workingman's Bank/ONB building, 121 E. Kirkwood Ave. - 0.45 acres
- **Parcel B:** Former Monroe Bank/Current ONB Bank, 210 E. Kirkwood Ave. - 0.60 acres
- **Parcel C:** This petition site (0.40 acres)
- **Parcel D:** Former Monroe Bank Loan Center, 111 E. 4<sup>th</sup> Street - 0.40 acres
- **Parcel E:** Surface parking lot at the northwest corner of 4<sup>th</sup> and Grant - 0.30 acres

The aggregate total of these properties is 2.15 acres, with 1.45 acres being located on Kirkwood Ave. Parcel A is being considered for development by another company from Indianapolis. The remaining parcels have been considered throughout the year for development by the petitioner – Pavilion Properties.

This petition complies with most of the CD/UVO development and architectural standards. The most important of these standards have been addressed by the petitioner as follows:

- **Parking:** The 38 residential bedrooms require 20 parking spaces. 21 spaces are proposed. In this zoning overlay, the commercial use does not require any parking spaces. Potential bank customers will most likely park on the street. Potential bank employees will likely park at another location such as the surrounding parking lots controlled by ONB or Pavilion.
- **Density:** This 0.40 acre property is permitted 13.20 DUEs (33 DUEs/acre). Proposed is 12.58 DUEs (31.45 DUEs/acre). Although staff indicated a preference for a mix of studio, one bedroom, and two bedroom units, the petitioner is proposing 13 2-bedroom units and 4 3-bedroom units.
- **Void to solid Ratio:** 60% minimum on first floor. 64% provided on Kirkwood and 63.2% on Lincoln. 20% minimum on upper floors. 33.2% provided on Kirkwood and 36.6% on Lincoln.
- **First floor commercial percentage:** 50% required, 78% proposed
- **Materials:** The proposed building contains a combination of two colors of brick and a man made "cast stone." Both are permitted materials. Staff has received commentary from one Plan Commissioner who believes the use of cast stone for such an important building on Kirkwood Avenue is inappropriate.
- **Building Height:** The proposed building is three stories and has a height of 44 feet. The standard for the UVO district is 40 feet. A waiver from this standard is required and will be discussed later in this staff report.

A more detailed description of the proposal's compliance with most of the overlay's code requirements is contained in the packet's petitioner's statement.

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**Plan Commission Site Plan Review:** Two aspects of this project require that the petition be reviewed by the Plan Commission, per BMC 20.03.160 and 20.09.140(d). These aspects, which will be discussed later in this staff report, are as follows:

- The petitioner is requesting a waiver to the height standards in BMC 20.03.190
- Plan Commission review of the Use Variance for the bank drive-through

**Discussions between the City and Developer:** Staff expected the developer to bring forward a much different proposal for Plan Commission consideration than the Site Plan request outlined in this report. Meetings between the City and developer concerning Parcels B-E on Kirkwood and 4<sup>th</sup> Street started on February 22 and continued throughout the months leading up to the project filing. During these meetings, the City stressed the following development objectives for these properties:

- 1) finding a long-term downtown home for Old National Bank was important to the City
- 2) the East Kirkwood corridor was “different” than other locations within the downtown and that proposals would be viewed with the highest degree of scrutiny
- 3) all four of the parcels available for potential development should be brought forward at the same time with one comprehensive mixed use vision
- 4) architecture for the potential developments should reflect the quirky and eclectic nature of Kirkwood – buildings should look different and generally have a more modern aesthetic treatment
- 5) the proposal for the properties should include active retail space containing local businesses on street frontages as well as a potential hotel to add energy and upper story residential diversity
- 6) remaining upper stories of new buildings should either be used for office space or residential options such as owner occupied condos, active senior housing, or professional workforce housing while limiting student housing. If student housing was to be utilized, it should be limited to efficiency, 1 bedroom, and two bedroom units and must be included as part of a comprehensive mixed use proposal in order for the City to maintain a housing balance on Kirkwood Ave., and
- 7) use of financial incentives including tax abatement and Community Revitalization Enhancement District (CRED) funds were supported by the City for a project that met these goals.

The City’s goal in all these discussions was to ensure that the Plan Commission could receive a comprehensive, mixed land use proposal covering all four properties that would be consistent with City and Plan Commission expectations for future development on Kirkwood Avenue. Unfortunately, the petitioner has opted for an incremental approach to the properties.

**Development Context on Kirkwood:** Since 2000, staff estimates that approximately 2,343 new bedrooms of market rate apartments have been added to the downtown area. Another 158 bedrooms will be coming on line by the fall of 2014. In the City’s

ImagineBloomington discussions leading to the upcoming update of the City's Growth Policies Plan, the issue of diversifying downtown housing has emerged as a dominant policy goal. Along Kirkwood, between Walnut St. and Indiana Ave., upper stories of existing buildings have been renovated to provide a total of 86 bedrooms – mostly in the two buildings containing the Uptown and Farm restaurants (please see Exhibit #1). However, the construction of new market rate housing projects during this same time period has been fairly limited. To date, the following new multifamily developments have been constructed:

- ❖ Development of the Jiffy Treat Site (Tartan Realty) – Mixed use building with a Panda Express restaurant on the ground floor and 13 bedrooms over two upper stories
- ❖ Development of the Linnemier Building Site (Rubicon) – Mixed use building containing Which Wich sandwich shop/Goodwill store and 23 bedrooms over three upper stories.

This means that only 36 market rate apartment bedrooms have been added to Kirkwood as a result of new construction during this same busy period as over 2,300 bedrooms have been added to the larger downtown area. The petitioner's proposal proposes to add another 38 new bedrooms. Staff estimates that a replication of this proposal over the remaining acreage of the bank properties would increase this bedroom count to an approximate total of 205 (five properties). This would be nearly double the existing count of 122 beds on Kirkwood (86 through building renovation, 36 through new construction). In fairness to the petitioner, they have never proposed this number of market rate apartment bedrooms. However, if this site plan is approved as an incremental action, there is no assurance that similar petitions will not be replicated on the remaining four lots.

For Kirkwood as a whole, there are other properties that are potentially in play for new construction/renovation of additional market rate apartment units. Exhibit #2 show properties that have some level of protection from new development through the City's Demolition Delay Ordinance or through Local Historic Designation. This same exhibit also shows the acreage consumed by the five ONB properties as well as properties that could additionally be developed for new housing. If all properties are included and this proposal is largely replicated (assuming development of a few properties owned by Indiana University), the sites have the potential to be developed for another 202 bedrooms. This is why it's so important for the Plan Commission to consider the consequences of this request. Again, staff recommends that a unified, mixed use proposal for all four parcels be brought forward rather than the incremental approach the petitioner has taken.

**Justification of Denial Recommendation:** In an ideal world, City staff and the developer would continue their discussions regarding the four properties that were originally considered for development. However, the petitioner states that it has opted

to move forward now due to the looming closure of their purchasing window, the timing needs for a new bank building, and because there is a disagreement concerning the desirability of having a new influx of market rate apartments on Kirkwood. As a result, staff recommends denial of the Site Plan request and does not recommend that the Plan Commission provide the Board of Zoning Appeals with a positive recommendation on the Use Variance request. This staff recommendation is based on the following factors.

1. Lack of an integrated site plan for all four properties despite the petitioner's control of all the sites, which is in clear conflict with the City guidance that a comprehensive, mixed use development was the preferred proposal.
2. Lack of a residential housing mix, which is in clear conflict with the City's position that market rate apartments must be integrated with other residential components to provide a balanced housing approach to Kirkwood Avenue.

**More Specific Findings:** In the site plan review process, the Plan Commission needs to have written findings in association with a potential decision to disapprove or approve a Site Plan (Division 20.09.120(e)(9)). These findings can cover the following areas; specifically that the Site Plan:

- (i) Is consistent with the Growth Policies Plan [which includes the Downtown Vision and Infill Strategy Plan];
- (ii) Satisfies the requirements of *Chapter 20.02: Zoning Districts* [for downtown projects this essentially translates to the overlay review in Chapter 20.03];
- (iii) Satisfies the requirements of *Chapter 20.05: Development Standards*;
- (iv) Satisfies the requirements of *Chapter 20.07: Design Standards*; and
- (v) Satisfies any other applicable provisions of the Unified Development Ordinance.

Items (iv) and (v) do not apply well to the project, and the proposal complies with the standards in Chapter 20.05 (Item iii). As a result, this report focuses on the Growth Policies Plan and more specifically the Downtown Vision and Infill Strategy Plan (known as Downtown Plan), as well as Chapter 20.03 – the University Village Overlay.

**Growth Policies Plan and Downtown Vision and Infill Strategy Plan:** On the surface, the petition contains some consistent elements with the GPP. It adds higher density housing into the downtown, although more recent thinking about market rate apartments is that other housing demographics (active seniors, workforce populations, and condo owners) also need greater attention as compared to Indiana University undergraduate and undergraduate students. Additional guidance from the GPP that appears to support the project includes a preference for mixed use, intensified usage of vacant and underutilized buildings/sites, and active retail spaces on Kirkwood Avenue.

When one examines the Downtown Plan, questions about the project's consistency emerge. The area where the proposed development is taking place is identified in the Downtown Plan as the University Village Character Area. On Page 2-6 of the Plan, it notes

that this character area “has evolved into a dynamic, transitional activity center that connects the Courthouse Square with Indiana University. The variety of architectural styles combined with diverse land uses and site features results in an eclectic mix of development that both residents and visitors cherish.”

This passage from the Plan speaks volumes on what the City has been trying to achieve with this development proposal and why the Site Plan petition falls short of consistency with the City’s comprehensive planning documents. To further translate this passage in the Plan, the reason that this Character Area is so important to the downtown and the reason that “Kirkwood is special” is that the development pattern of lots over time has been so organic, features an eclectic variety of architectural design styles, and provides a great diversity of land uses. While the immediate Courthouse Square provides the downtown’s most traditional building form and classical reminders of the past, Kirkwood or “Quirkwood” provides its energy and uniqueness. The petitioner’s proposal is not architecturally unique or diverse. This project has similarities in the use of materials and colors from other developments constructed by the petitioner (Please see Exhibit #3). Even more importantly, the opportunity for diversity was lost because the petitioner chose to bring forward only one site plan when four were possible to allow for both traditional and modern styles to be considered.

As for diversity in land use, the petitioner is bringing forward a tried and true formula – market rate housing on one site at a time. This proposal represents a missed opportunity for a grander mixed use vision more representative of this unique Character Area.

### ***Height Waiver and Use Variance Requests***

**Waiver from Maximum Building Height-20.03.190(b):** As noted previously in the report, the UDO requires a maximum building height of 40 feet while the proposed building is shown to be 44 feet tall. If the height is assessed along Kirkwood, the building meets the height standard. However, because the property slopes down to the south and east, the height from this lowest point to the proposed parapet on Kirkwood is 44 feet.

The petitioner correctly notes that the requested height waiver is not the result of additional stories, and that previous waivers have been granted to other projects based on grade issues. However, in Section 20.03.210 of the UDO, the Plan Commission is clearly enabled to utilize the *entirety* of the Downtown Vision and Infill Strategy Plan in the granting of waiver requests. As noted earlier in this report, the overall proposal is not consistent with the Downtown Plan, particularly as a critical addition to the University Village Character Area. As a result, staff does not support this height waiver.

**Use Variance Request:** As noted earlier in the report, the petitioner is requesting to utilize an internal drive-through use for the proposed first floor bank. Drive-throughs are not a permitted use in the CD zoning district and create the need for Use Variance. If the Plan Commission denies the Site Plan as recommended by staff, the Use Variance request

would be inapplicable because it should not be approved without a development proposal. However, staff has provided a finding in this case if the Plan Commission feels the Site Plan request has merit.

**Growth Policies Plan:** The Growth Policies Plan states that new surface parking areas and drive-through uses should be limited, if not forbidden, within the Downtown area. Staff believes that the intent of this policy is to reduce the dependency on cars in the downtown area and to create a more walkable and pedestrian-friendly downtown environment. The petitioner has done a sound job in minimizing the access impacts onto the surrounding street network. While there is a street cut introduced onto Lincoln Street, the disruption to pedestrians is minimized by the one way nature of the access and the outlet into the north-south alley.

It is an important policy decision to allow even an indoor drive-through facility into the University Village Overlay, particularly for a property located on Kirkwood Avenue. Drive-through uses, regardless of how well they are designed, do limit the amount of usable retail space that can provide energy and maximize the pedestrian experience. This is a more important policy decision for the Kirkwood/Lincoln intersection than for North College Avenue, where such uses have been previously allowed through variance approval. With the right petition, staff might support a drive-through use utilizing side street and alley access as a means to facilitate the relocation of a key downtown anchor like Old National Bank. However, with the Site Plan being inconsistent with the Downtown Plan and the proposed drive-through use clearly linked to the quality of the overall proposal, staff recommends forwarding a negative recommendation to the BZA on the proposed drive-through use.

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**ENVIRONMENTAL COMMISSION RECOMMENDATIONS:** The Bloomington Environmental Commission (EC) has made 2 recommendations concerning this development.

- 1.) The Petitioner should apply state-of-the-art green building and site design practices to create a high performance, low carbon-footprint structure.
- 2.) The Petitioner should employ the best-designed gateway-character features possible to build upon the unique Kirkwood Corridor desirability.

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**DEVELOPER TRACK RECORD:** The developer, Pavilion, Inc., has completed other recent downtown projects, including 501 N. Walnut Street, 601 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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**RECOMMENDATION:** Staff recommends denial of this Site Plan request. Staff also recommends that a negative recommendation on the Use Variance be forwarded to the Board of Zoning Appeals.

# MEMORANDUM

**Date:** September 25, 2013

**To:** Bloomington Plan Commission

**From:** Bloomington Environmental Commission

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

**Subject:** SP/UV-34-13 & UV-46-13, Pavilion Center Site C  
306 E. Kirkwood Ave.  
Site Plan & Use Variance

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This memorandum contains the Environmental Commission's (EC) recommendations regarding the request for a Site Plan and Use Variance for a 3-story, mixed-use building. The site currently holds a surface parking lot and a drive-through facility for a bank, which will both be razed and replaced. The parcel is within the Commercial Downtown Zoning District and the University Village Overlay. The EC has no objections to the proposed Site Plan or Use Variance.

## **ISSUES OF CODE COMPLIANCE:**

### 1.) HEIGHT:

The EC has no objection with the height of the building.

### 2.) DRIVE THROUGH USE:

The EC has no objections to the drive through bank facility.

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

### 1.) GREEN BUILDING & SITE DESIGN:

The EC is very pleased that the Petitioner has included so many green building practices that are committed to in the Petitioner's Statement. These features will make this building one of the greenest new structures in Bloomington. 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 Krusan; 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 a report from the Bloomington Peak Oil Task Force, *Redefining Prosperity*:

*Energy Descent and Community Resilience Report.*

The EC has some suggestions for additional practices that could reduce the carbon footprint of this site even further. Some specific recommendations include:

~ creation of “green walls” on the outside of the building to reduce the urban heat island effects;  
 ~ installation of charging stations for electric vehicles for some of the parking spaces; and  
 ~ creation of some areas planted with native vegetation for ecological-services benefits such as pollinator habitat and biodiversity. With specific regard to the proposed street tree and lawn plantings, the EC thus recommends that the developer work with Planning and the EC to create diverse tree, shrub, and native perennial plantings that evoke the beauty and spirit of Indiana’s natural heritage. For suggestions, please see the EC’s Natural Landscaping materials at [www.bloomington.in.gov/beqi/greeninfrastructure/htm](http://www.bloomington.in.gov/beqi/greeninfrastructure/htm) under ‘Resources’ in the left column. For additional suggestions plus an excellent guide to Midwest sources of native plants see: <http://www.inpaws.org/landscaping.html>. Attractive educational signage should also be considered for an area like this.

**2.) GATEWAY CHARACTER:**

This proposed development is on a major corridor of the City and Indiana University campus that hosts a special sense of place and unique character. The EC therefore encourages the developer to go above and beyond a typical building design to enhance that ambiance and celebrate our city’s cultural and natural heritage. Besides benefiting our city’s overall value as a tourist destination and its native biodiversity, these efforts will attract residents and shoppers to the proposed site, thus helping to stimulate the economic vitality of the area.

The EC also notes that this area is also 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 simultaneously enhancing its character as both an entranceway to the campus and a city destination spot in its own right. 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.

**EC RECOMMENDATIONS:**

- 1.) The Petitioner should apply state-of-the-art green building and site design practices to create a high performance, low carbon-footprint structure.
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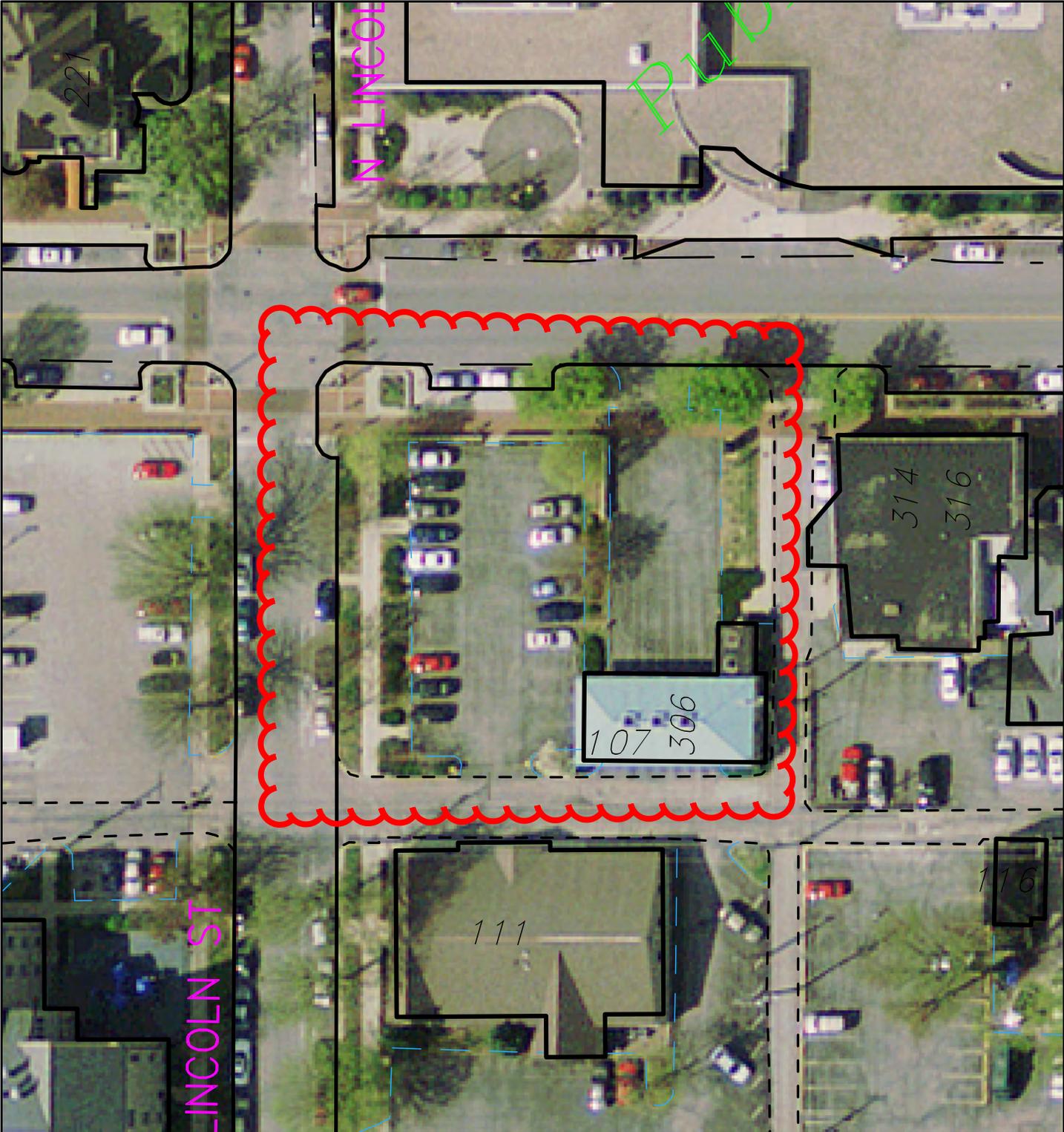
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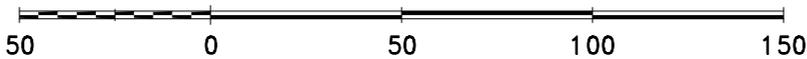
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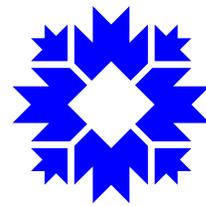


SP/UV-34-13  
2011 Aerial Photo

By: roachja  
13 Sep 13



City of Bloomington  
Planning



Scale: 1" = 50'

For reference only; map information NOT warranted.



September 6th, 2013  
Revised September 23, 2013

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

Attn: Mr. Tom Micuda

**RE: Pavilion Centre on Kirkwood  
306 E. Kirkwood  
Bloomington, Indiana**

**PETITIONERS STATEMENT**

Dear Mr. Micuda

Studio 3 Design is pleased to submit the attached mix-use development for your consideration. The project scope includes 1 site for development at the SW corner of Kirkwood and Lincoln streets at 306 E. Kirkwood. For the purpose of this submittal, you will see reference to this site as Site "C" which coordinates to parcels sold by Old National Bank.

Site "C" is bordered on the North by Kirkwood Avenue, on West by Lincoln Street, on the South by a public alley, on the east by a Public alley. The site is currently covered 100% by an open parking lot and bank drive thru for Old National Bank.

**Submittal Organization:**

In order to organize this project for the submittal we will start with looking at the project as a whole, the requirements with-in the districts and overall highlights to consider in the review of the project.

**Project Overlay District:**

University Village Overlay  
Kirkwood Corridor subsection – site C

Density: 33 units per acre

Impervious surface:  
Kirkwood corridor: 100%

Height Standards:  
Kirkwood Corridor: min. 25' – max. 40'

SP/UV-34-13 Petitioner's Statement
---------------------------------------

**Parking:**

None residential: No parking required for bank, retail, or office functions  
 Residential: 5 for first 20, .8 for beds 21 on.

**Setbacks:**

Front: 0 to 15'  
 Side yard: 0'  
 Rear yard 0'

**Ground floor non-residential:**

Applies to Kirkwood, 4<sup>th</sup>, Lincoln and Grant  
 50% min. along applicable street frontage

**Building alignment:**

No Outstanding, notable or contributing structures immediately adjacent to properties.

**Building orientation:**

Kirkwood corridor: min. of one primary entrance facing Kirkwood

**Street trees:**

Kirkwood corridor: 5' square tree grate or large curbed planting bed

**Lighting:**

Street lighting- traditional style design such as acorn or gas lamp style.

**Architectural character:**

Kirkwood corridor – flat roofs

**Void to solid:**

Kirkwood Corridor: lower- 60%, upper 20%

**Windows:**

Kirkwood: large display on level 1, 1.5 to 1 ratio on upper windows with sills and lintels

**Materials:**

**Not permitted as Primary**

Kirkwood Corridor: Wood, EIFS, CMU, vinyl, cement siding

**Not permitted as a secondary material:**

Kirkwood Corridor: EIFS, Vinyl, Cement siding on first level only

**Entrance Detailing:**

General: - shall incorporate a min. of 3 of the following:

4' recessed entry, ornamental paving, Canopy/ awning, Portico, arched entry, pilaster or façade module projecting from exterior wall plane, building address with, building name and lighting, public art, raised cornice entryway parapet, rusticated masonry, landscaped patio area for outdoor seating of 8 or more.

**Mass, Scale & form:**

Façade modulation- maximum width 50' with a min. 3% offset based on total length of façade.

Height step-down: **N/A** – properties are not immediately adjacent to outstanding, notable, or contributing structures.

SP/UV-34-13

Petitioner's Statement

**Project Overview:**

The project is located in the heart of downtown Bloomington along Kirkwood Avenue and Lincoln Street and for the purpose of this submittal it is identified as Site "C".

The projects will provide a mixed use development that will enhance the urban fabric and add life to the current spotted development along Kirkwood and Lincoln. The development will provide a new streetscape with varied heights, materials, colors, insets and architectural detailing to generate an exciting urban feel filled with Bank retail-ONB on the main level along Kirkwood and market rate apartments on levels 2 and 3. The apartments are clustered around an open air internal plaza and common fitness center that serves the apartments as well as other properties owned by GMS properties. These functions combined with naturally lite stairwells encourage fitness, activity and social interaction with-in the development. The retail space stretches down Kirkwood for the length of the property and returns down the length of Lincoln. The lower level opens up to the streetscape with large expansive windows and provides a pedestrian friendly atmosphere and streetscape.

Currently, the site is covered with an open air parking lot and drive through bank lanes - providing little if any value to the city's downtown urban fabric. The new development removes this sea of parking and creates a below grade parking garage and screens the remaining grade level bank drive through with new development along Kirkwood in place of the current exposed drive lanes. The sidewalks along this new development is wide and provides opportunities for street trees, raised planting beds that can serve as benches, street lighting and furniture along with the potential for outdoor seating. The building steps in and out along the street front to provide relief against the 3 level volume and to designate major points of entry for the building.

Beyond the obvious physical changes to the area, the development offers a host of innovations and amenities including facilities that are respectful of the city's desire to incorporate "green" environmental thinking into project development.

The site will provide space for covered and secured bicycle parking and is located near to public bus stops to encourage the use of alternative means of transportation. A large trash room with space for recycling is provided. The room for trash and recycling is located in interior space to encourage use and accessibility along with keeping the alleys clean of debris. To reduce the urban carbon footprint of the facility, the building shell will be well insulated with a min. of 6" of thermal insulation and insulated window units with Low-E film. On the uppermost roof plains, white TPO roofing over rigid insulation will be used to reflect sunlight and reduce heat gain. Internally, energy star appliances, high efficiency furnaces, insulated demise and perimeter walls, energy efficient light fixtures, motion sensor lighting in common areas, abundant natural lighting sources, low flow toilets and aerated shower heads and faucets designed to reduce water usage will be provided. Additionally, interior finish materials will be selected based on their recycled content and or ability to be recycled. Common building materials such as lumber and masonry will come from within 500 miles to reduce transportation and the associated emissions and fossil fuel consumption.

While the end goal is not to go through the full certification of the buildings under Leed, it is to create a sustainable community that embraces many of the same characteristics and to create a facility that adds life and vitality to the area.

The development will also improve city utilities in the area and clear out utility poles and other obstructions in the currently hard to navigate alley to create safer, functional travel lanes. As well as the rerouting / replacement of utilities as determined by CBU.

**Site Specific Information:**

**Site C - Kirkwood and Lincoln streets – 306 E. Kirkwood**

**Site C Use- Retail, & market rate apartment building.  
 (All uses are permitted under the UDO)**

- **Three level building above grade with a full parking garage below grade.**
- Lower level will have a full underground parking garage with **21** parking spaces
- Level 1 will have new Old National Bank branch, a 4 lane drive-thru, an apartment entrance lobby, a public meeting room, secured bike storage, trash/ recycling room, storage and mechanical room for the bank.
- Levels 2 and 3 will have market rate apartments surrounding a central courtyard with potted landscaping and outdoor seating and access to a large fitness center.

**20.03.190 Development standards:**

**Density and intensity standards (Project complies with UDO)**

Site: 17,560 sf/ 43,560 = .403 acre x 33 = **13.30 DUE's available**

Level 1 - ONB Bank	0.00 DUE's used
Level 2 & 3- Apartments	<u>12.58 DUE's used</u>
<b>Total</b>	<b>12.58 DUE's used out of available 13.30</b>

<u>Apartment Types</u>	<u>Count</u>	<u>Beds</u>
Two bedroom flat	13 Units	26 Beds
Three bedroom flat	04 Units	12 beds
	<u>17 Units</u>	<u>38 Beds</u>

**Property density: (13.20 DUEs available – complies with UDO)**

1 bed	.25 DUE x 0 =	0.00 DUE's
2 bed	.66 DUE x 13 =	8.58 DUE's
3 bed	1.00 Due x 4=	<u>4.00 DUE's</u>
<b>Total DUE's used</b>		<b>12.58 DUE's (.72 under available)</b>

**Maximum impervious service coverage: (complies with UDO)**

Site area= 0.403 acres (17,560 SF)  
 Impervious percentage = 100% current and proposed  
 Kirkwood corridor allows for 100% impervious coverage

**Building Height (Project is in line with UDO –requires waiver due to grade slope)**

Min. of 25' with a max. of 40' – Project from grade is under the 40' maximum building height allowed along Kirkwood. Grade falls off to the south and east causing the buildings parapets to be as much as 44' above the lowest point of grade at the SE corner of the building along the alley.

While a waiver is required based on the technical language of the UDO, the height issue is **not the result of extra floors or excess density** - it is the result of changes in grade – a common problem in Bloomington which the UDO does not account for. This waiver has routinely been granted at sites all around the city's downtown based on a recognition that Bloomington is not "flat".

**As a point of reference on heights, we had the neighboring building heights surveyed as well.**

Our building on Kirkwood	3 levels - 39'
Library on Kirkwood	3 levels -37'
Cactus Café- Kirkwood and Grant	3 levels -36'
Fire station 4 <sup>th</sup> and Lincoln	2 levels -41'-6"
Church on 4 <sup>th</sup> and Lincoln`	3 levels -56' roof to 80' at tower

**Parking Standards (Project complies with districts' guidelines)**

**Required:**

Retail: bank level 1	00 required
<u>Apartments:</u>	<u>20 spaces required</u>
Total required:	<b>20 required</b>

**On-site provided:**

Parking garage	21 spaces
Level 1	00 spaces
Street parking	<u>08 spaces</u>
Total provided	<b>29 spaces</b>

**Building setback standards: (Building complies with the districts' guidelines)**

Front setback- 0' to 15'  
 Side yard minimum 0'  
 Rear yard min. 0'

**Ground floor non-residential Uses: (Building complies with districts' guidelines)**

Kirkwood Ave & Lincoln Street: no less than 50% of total ground floor area shall be used for non-residential uses. (the drive-through only serves the bank retail function – no parking).

Level 1: Gross SF.	15,336 sf
Bank and bank support functions	6,845 sf
Bank drive thru	5,204 sf
Apartment building lobby, bike room	
Garage ramp, and stairs/ elevators	3,287 sf

Non-residential use %

**78% on level 1 dedicated to non-residential use.**

SP/UV-34-13  
 Petitioner's Statement

## **Site Plan standards:**

### **Site Plan: (building complies with the districts' guidelines)**

Building Frontage – NA

Building Alignment – NA (structure is not adjacent to an outstanding, notable of contributing structure.

Building Orientation and entrances:

(2) Pedestrian entrances provided on Kirkwood

(1) Pedestrian entrance provided on Lincoln Street

All entrances are within three feet of the adjacent sidewalk elevation.

### **Street trees: (site plan complies with the districts' guidelines)**

Street trees in tree grates and or large curbed planting beds to match up with the current Kirkwood corridor streetscape are provided.

Lincoln streets streetscape will provide street trees in min. 5'x 5' tree grates along the sidewalk and maintain existing street trees where possible.

### **Lighting: (Site plan complies with the districts' guidelines)**

Pedestrian scale street lights (less than 15' in height) will be placed along Kirkwood and Lincoln streets.

Traditional style acorn light fixtures with full cut-off shall be used.

Exterior building lighting will comply with 20.05 lighting standards.

### **Mechanical equipment and Service areas: (site plan complies with districts' guidelines)**

Bank and garage mechanicals are housed internally with air intakes/ fans located along alleys. Transformer is located along the alley, trash removal is located along the alley. Apartment condensing units are located on the roof.

Condensing units on roof will be setback a min. of 10' from building edge to prevent view form adjacent streets.

### **Architectural Character: (complies with the districts' guidelines)**

#### **Roofs or building caps:**

Kirkwood corridor: flat roofs and parapets are provided.

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

Kirkwood Street First Level =	60% required	<b>64% provided</b>
Kirkwood Street Upper Levels =	20% required	<b>33.2% provided</b>
Lincoln Street First Level =	60% required	<b>63.2% provided</b>
Lincoln Street Upper Levels =	20% required	<b>36.6% provided</b>

**Windows: (building complies with the districts' guidelines)**

Windows are transparent  
 Level 1 windows will be large storefront display windows  
 Level 2/3 window frame heights shall be a min. of 1.5 x the width  
 Windows will incorporate sills, lintels, heads that are visually distinct from the primary exterior finish.

**Materials: (building complies with the district guidelines)**

Primary facades on Lincoln and Kirkwood comply with allowable primary and secondary building materials  
 Secondary facades along east and south alleys comply with allowable primary and secondary building materials.

The building materials vary to create a traditional feel with a combination of storefront and punched window openings, architectural cast stone, and multiple colors of face brick and simple cornice detailing. This same feel and use of materials carries around the building on the alley facades to present a unified level of articulation on all sides – not just the street front. These various materials delineate and mitigate the scale and mass of the building vertically and horizontally with banding and color changes.

**Entrance Detailing: (Building complies with the districts' guidelines)**

A minimum of 3 architectural design features shall be incorporated: The following will be used on the building:

- Min. 4' recessed building entrance
- Ornamental paving and integral landscape planters
- Canopy/ awnings
- Prominent building address, name, and enhanced exterior lighting

**Mass, Scale and Form: (building complies with the districts' guidelines)**

Facade modulation: Maximum 50' module on street frontage  
 Module offset of a min. of 3% (4 feet)

Building height set down – NA – building is not located adjacent to a an outstanding, notable or contributing structure.

**Additional information:**

**Parking Garage**

Parking is located under the building on the lower level and is accessed from an internal ramp system. The garage is feed from a two way ramp entering off of the alley in the SE corner of the site.

### **Bank Drive thru teller window.**

The bank will have a 4 lane drive through that is concealed under the building. A one way drive will access the drive-thru off of Lincoln street and the drive thru will exit onto the north- south alley on the east side of the site with access out onto Kirkwood.

### **Site Accessibility**

ADA compliant building entrances are provided on Kirkwood and Lincoln. Elevators from the garage will be access controlled for access vertically into the apartments. Control gates may be incorporated at the parking garage and for after hours at the bank drive-through to limit access to these areas at night.

### **Bike Storage/ Parking**

The building provides secured covered bike storage on "U" racks for up to **12** bikes on Level 1. Per the UDO – 7 are required for residential (4 covered and 3 class II).

4 are required for the non-residential.

Provided on site: **8 Residential:** (6 in secured bike room, 2 under building canopy at pedestrian entrance. **4 for retail component:** (2 at bank entry and 2 and community room entry).

### **Build to Line**

The project meets the requirement of the UDO to have the majority of the façade constructed to the build-to line (property line) along Kirkwood and Lincoln streets. Portions of the building step back to provide interest and natural breaking points for material changes along the façade. Additionally, step-backs in the façade create deeper zones at street level to provide relief and interest along the streetscape as well as opportunities for street furnishings and the ability for people to gather out of the main circulation path.

### **Building Entrances**

The building has (3) three public pedestrian entrances.

(2) two entrances on Kirkwood – one for the bank and one for ADA access to the bank and access to the apartments. On Lincoln Street, there is an entrance serving the apartments on level 2 and 3 of the building as well as access to the public community room. Access drives for the bank drive-thru are one way off of Lincoln Street and exit onto the alley then out to Kirkwood avenue.

Parking Garage entrance is off of the alley in the SE corner of the site. Ramp is covered by the building to protect it from bad weather.

### **Trash Removal**

Trash removal has been provided along the north-south alley on the east side of the building. 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 building for Retail and apartment tenants' disposal of trash. The grade will be leveled at this location to assist in the roll-out of trash container on collection day(s).

### **Recycling**

Recycling facilities for the separation of goods will be provided on site. The room will be associated with the trash room and will be an interior space with space for the separation of various recycling components. This room will be accessible for use by retail and apartment tenants alike. Provisions are in place for the time when the City provides a recycling pick-up program for the downtown – collection is not included at this time.

### **Building deliveries / move-in**

A delivery pull-off zone in front of the apartment pedestrian entrance is provide on Lincoln street to help maintain an open flow of traffic in the area.

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

The project will connect to an existing 12" water line on Kirkwood that is within 5 years old. A master meter will be installed outside of the City right of way along the North-South alley on the east side of the Building- one for the bank and apartment building. It will house the necessary meters and fire apparatus. The PIV connection will be installed off of Kirkwood at the NE corner of the building for Fire department access. A separate Siamese connection will be back fed from the meter pit on Kirkwood for Fire Department access. No new mains are anticipated to be installed to provide service for the project – this has been confirmed with CBU. No new main will be installed along Lincoln Street either. There is no existing Water main on Lincoln Street, CBU did not see a need to add one.

### **Sewer Service & Grease intercept**

The project will connect to the city sewer mains on Kirkwood. Main is relatively new. A connection will be made to the existing City sewer main routed down Kirkwood Avenue. 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 – this has been confirmed with CBU. Grease intercepts will be located along Kirkwood if required by CBU. There is no immediate need for the bank function to have a grease interceptor. There is no existing Sewer on Lincoln Street- CBU did not see a need to add one.

### **Storm water**

Roof and plaza drains will be routed through a mechanical BMP or aqua-swirl as determined by CBU prior to exiting into the city storm system on Kirkwood. The storm line on Kirkwood is in good shape- no additional work is anticipated. Additional storm lines may need to be installed on Lincoln Street.

### **Site detention for water:**

The site is currently 100% impervious. No detention is required to be added as part of the new site development.

**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 pad mounted transformers will take place at the northeast corner of the adjacent 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 southeast corner exterior wall of the building

Respectfully submitted,

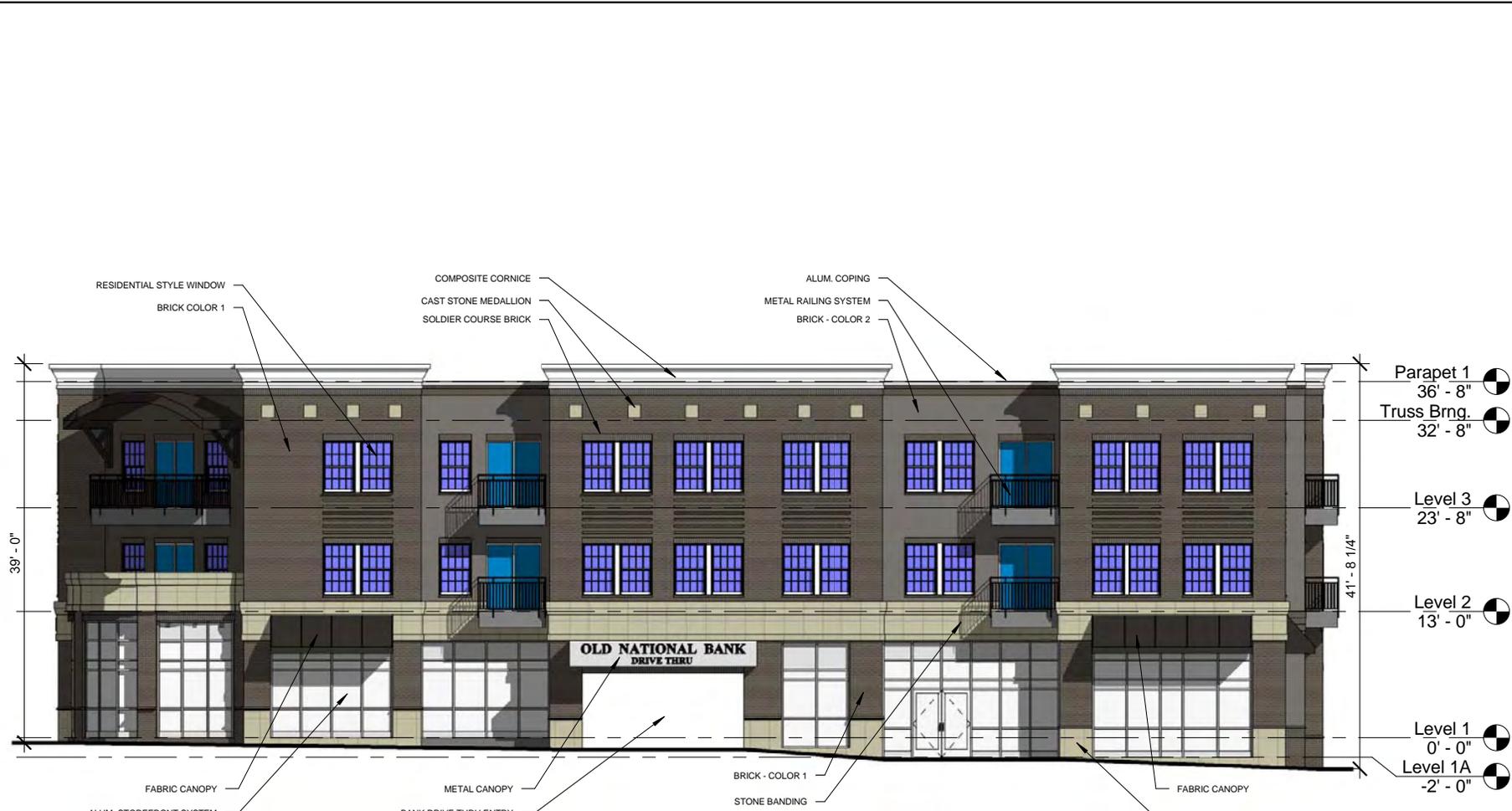
STUDIO 3 DESIGN, INC





SHEET NUMBER <b>A5</b>	
SHEET DESCRIPTION <b>NORTH ELEVATION</b>	
PROJECT NO. <b>13018.02</b>	DATE <b>9/23/2013</b>
GMS-PAVILION PROPERTIES, LLC. PAVILION CENTER ON KIRKWOOD BLOOMINGTON, INDIANA	

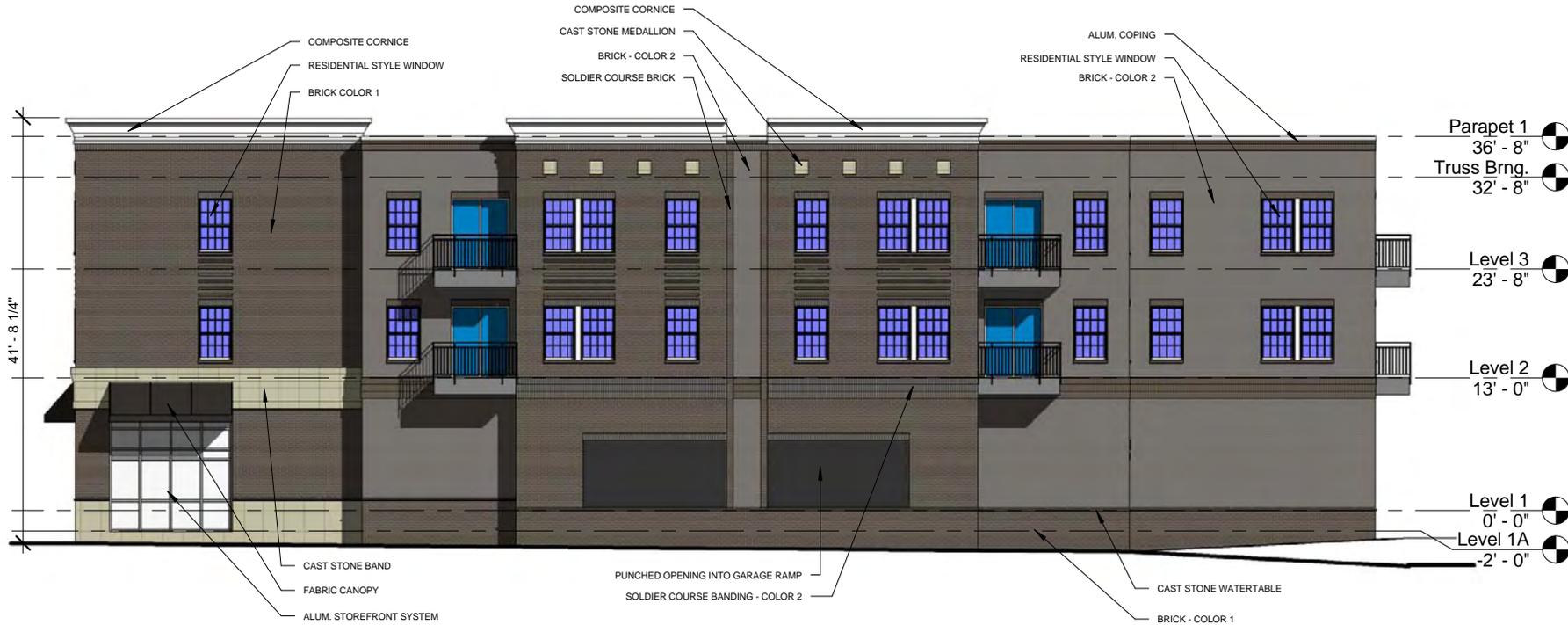
SP/UV-34-13  
North/Kirkwood Elevation



1 WEST ELEVATION  
3/32" = 1'-0"

SHEET NUMBER <b>A6</b>	
SHEET DESCRIPTION <b>WEST ELEVATION</b>	
PROJECT NO. <b>13018.02</b>	DATE <b>9/23/2013</b>
GMS-PAVILION PROPERTIES, LLC. PAVILION CENTER ON KIRKWOOD BLOOMINGTON, INDIANA	

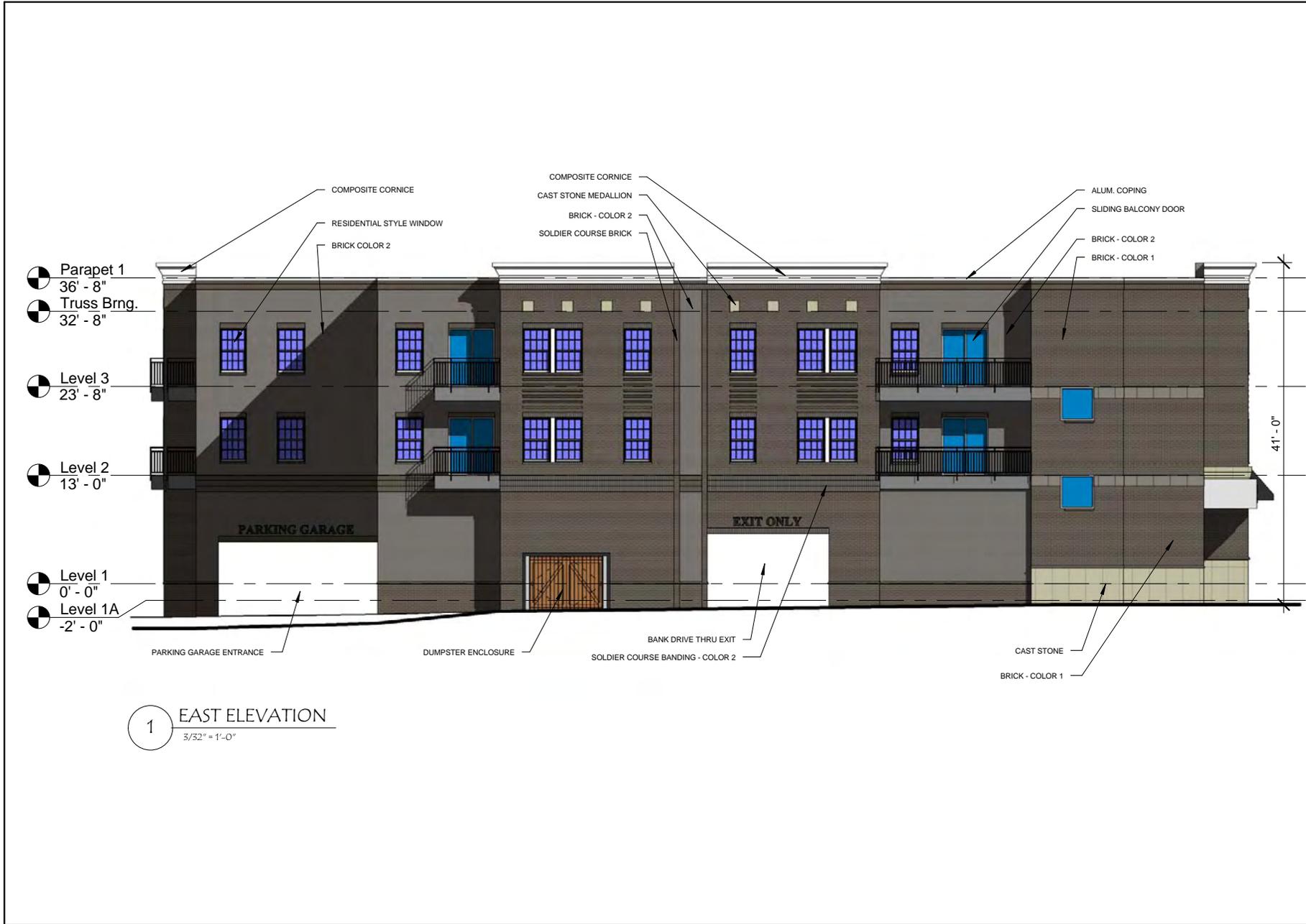
SP/UV-34-13  
West/Lincoln Elevation



SHEET NUMBER <b>A7</b>	
SHEET DESCRIPTION <b>SOUTH ELEVATION</b>	
PROJECT NO. <b>13018.02</b>	DATE <b>9/23/2013</b>
GMS-PAVILION PROPERTIES, LLC. PAVILION CENTER ON KIRKWOOD BLOOMINGTON, INDIANA	

1 SOUTH ELEVATION  
5/32" = 1'-0"

SP/UV-34-13  
South/Alley Elevation



SHEET NUMBER <b>A8</b>	
SHEET DESCRIPTION <b>EAST ELEVATION</b>	
PROJECT NO. <b>13018.02</b>	DATE <b>9/23/2013</b>
GMS-PAVILION PROPERTIES, LLC. PAVILION CENTER ON KIRKWOOD BLOOMINGTON, INDIANA	

SP/UV-34-13  
 East/Alley Elevation



1 VIEW FROM NORTH WEST 1  
A9

SHEET NUMBER <b>A9</b>	
SHEET DESCRIPTION <b>VIEW FROM NORTH WEST 1</b>	
PROJECT NO. <b>13018.02</b>	DATE <b>9/23/2013</b>
GMS-PAVILION PROPERTIES, LLC. PAVILION CENTER ON KIRKWOOD BLOOMINGTON, INDIANA	
	

SP/UV-34-13  
Model image



1 KIRKWOOD LOOKING EAST  
A10

SHEET NUMBER <b>A10</b>	
SHEET DESCRIPTION <b>KIRKWOOD LOOKING EAST</b>	
PROJECT NO. <b>13018.02</b>	DATE <b>9/23/2013</b>
GMS-PAVILION PROPERTIES, LLC. PAVILION CENTER ON KIRKWOOD BLOOMINGTON, INDIANA	
	

SP/UV-34-13  
Model image



1 VIEW FROM NORTH EAST  
A11

SHEET NUMBER <b>A11</b>	
SHEET DESCRIPTION <b>VIEW FROM NORTH EAST</b>	
PROJECT NO. <b>13018.02</b>	DATE <b>9/23/2013</b>
GMS-PAVILION PROPERTIES, LLC. PAVILION CENTER ON KIRKWOOD BLOOMINGTON, INDIANA	
	

SP/UV-34-13  
Model image



1 VIEW FROM NORTH WEST 2  
A12

SHEET NUMBER <b>A12</b>	
SHEET DESCRIPTION <b>VIEW FROM NORTH WEST 2</b>	
PROJECT NO. <b>13018.02</b>	DATE <b>9/23/2013</b>
GMS-PAVILION PROPERTIES, LLC. PAVILION CENTER ON KIRKWOOD BLOOMINGTON, INDIANA	
	

SP/UV-34-13  
Model image



1 LINCOLN LOOKING SOUTH  
A13

SHEET NUMBER

A13

SHEET DESCRIPTION

LINCOLN  
LOOKING  
SOUTH

PROJECT NO.  
13018.02

DATE  
9/23/2013

GMS-PAVILION PROPERTIES, LLC.  
PAVILION CENTER ON KIRKWOOD  
BLOOMINGTON, INDIANA





1 VIEW FROM SOUTH WEST  
A14

SHEET NUMBER <b>A14</b>	
SHEET DESCRIPTION <b>VIEW FROM SOUTH WEST</b>	
PROJECT NO. <b>13018.02</b>	DATE <b>9/23/2013</b>
GMS-PAVILION PROPERTIES, LLC. PAVILION CENTER ON KIRKWOOD BLOOMINGTON, INDIANA	
	

SP/UV-34-13  
Model image



1 VIEW FROM THE SOUTH  
A15

PROJECT NO. 13018.02		SHEET NUMBER <b>A15</b>
DATE 9/23/2013		
SHEET DESCRIPTION VIEW FROM SOUTH		
GMS--PAVILION PROPERTIES, LLC. PAVILION CENTER ON KIRKWOOD BLOOMINGTON, INDIANA		
		

SP/UV-34-13  
Model image



1 VIEW FROM SOUTH EAST  
A16

SHEET NUMBER <b>A16</b>	
SHEET DESCRIPTION <b>VIEW FROM SOUTH EAST</b>	
PROJECT NO. <b>13018.02</b>	DATE <b>9/23/2013</b>
GMS-PAVILION PROPERTIES, LLC. PAVILION CENTER ON KIRKWOOD BLOOMINGTON, INDIANA	
	

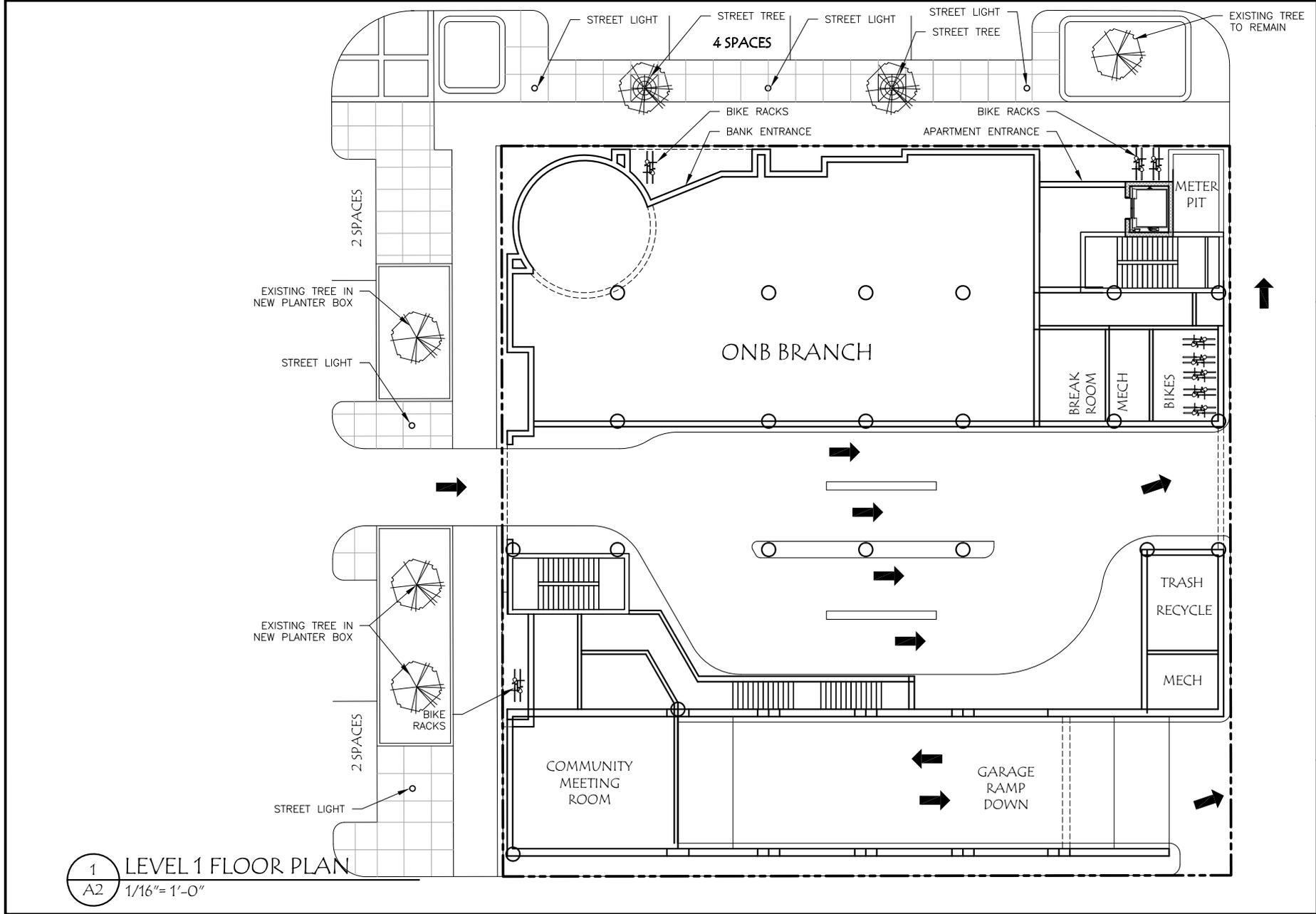
SP/UV-34-13  
Model image



1 OVERALL AERIAL OF SITE  
A17

PROJECT NO. 13018.02		SHEET NUMBER <b>A17</b>
DATE 9/23/2013		
SHEET DESCRIPTION OVERALL AERIAL OF SITE		
GMS-PAVILION PROPERTIES, LLC. PAVILION CENTER ON KIRKWOOD BLOOMINGTON, INDIANA		
		

SP/UV-34-13  
Model image

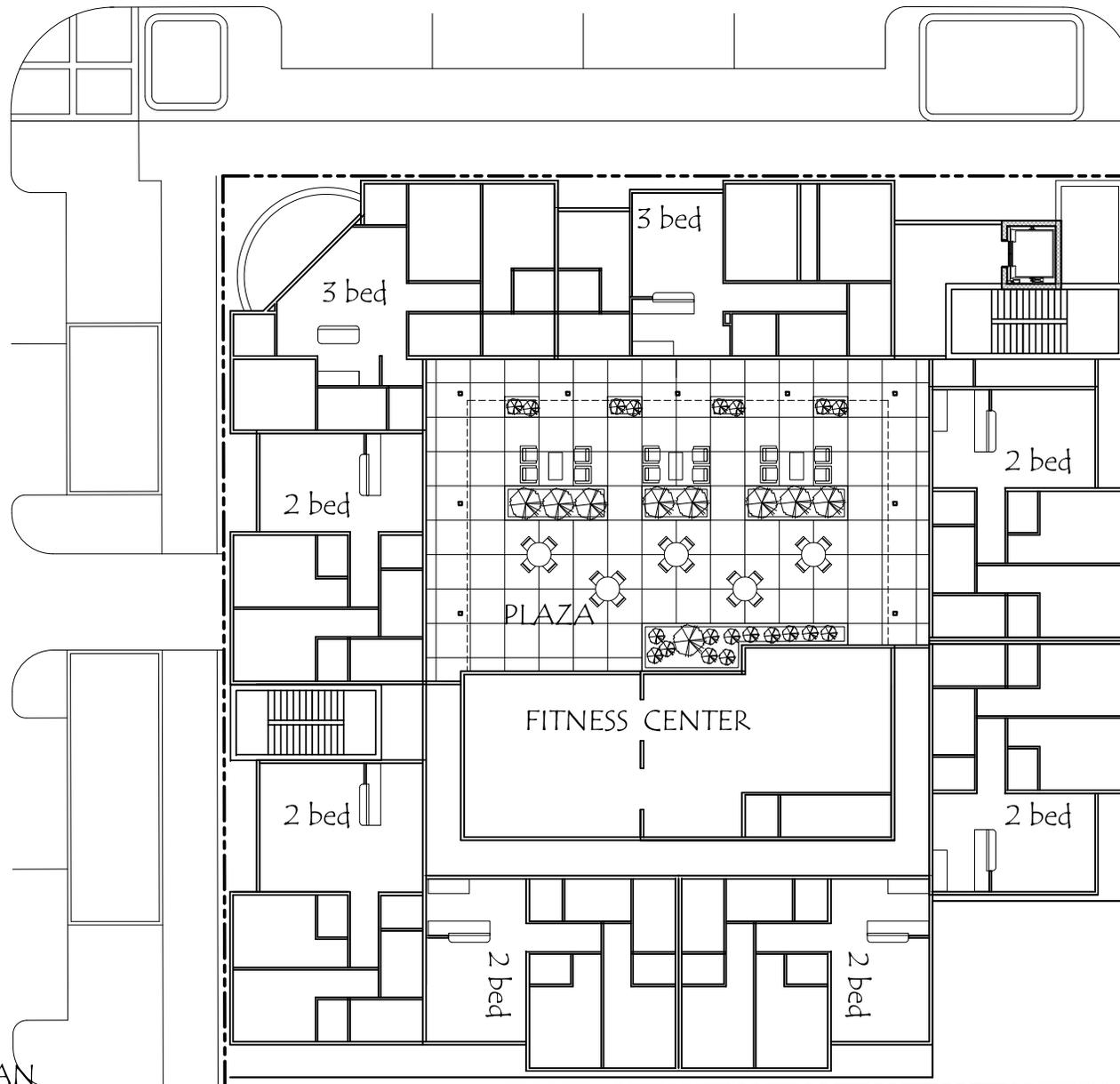


1 LEVEL 1 FLOOR PLAN  
 A2 1/16" = 1'-0"

PROJECT NO. 13018.02		DATE 9-23-13	
SHEET NUMBER <b>A2</b>		SHEET DESCRIPTION LEVEL 1 FLOOR PLAN	
GMS-PAVILION PROPERTIES, LLC PAVILION CENTER ON KIRKWOOD Bloomington, Indiana			
<b>STUDIO THREE DESIGN</b> <small>317.865.0100 main    317.872.1238 fax      8001 Alcornville Road, Suite 200    Indianapolis, IN 46250      www.studiodesigninc.com</small>			

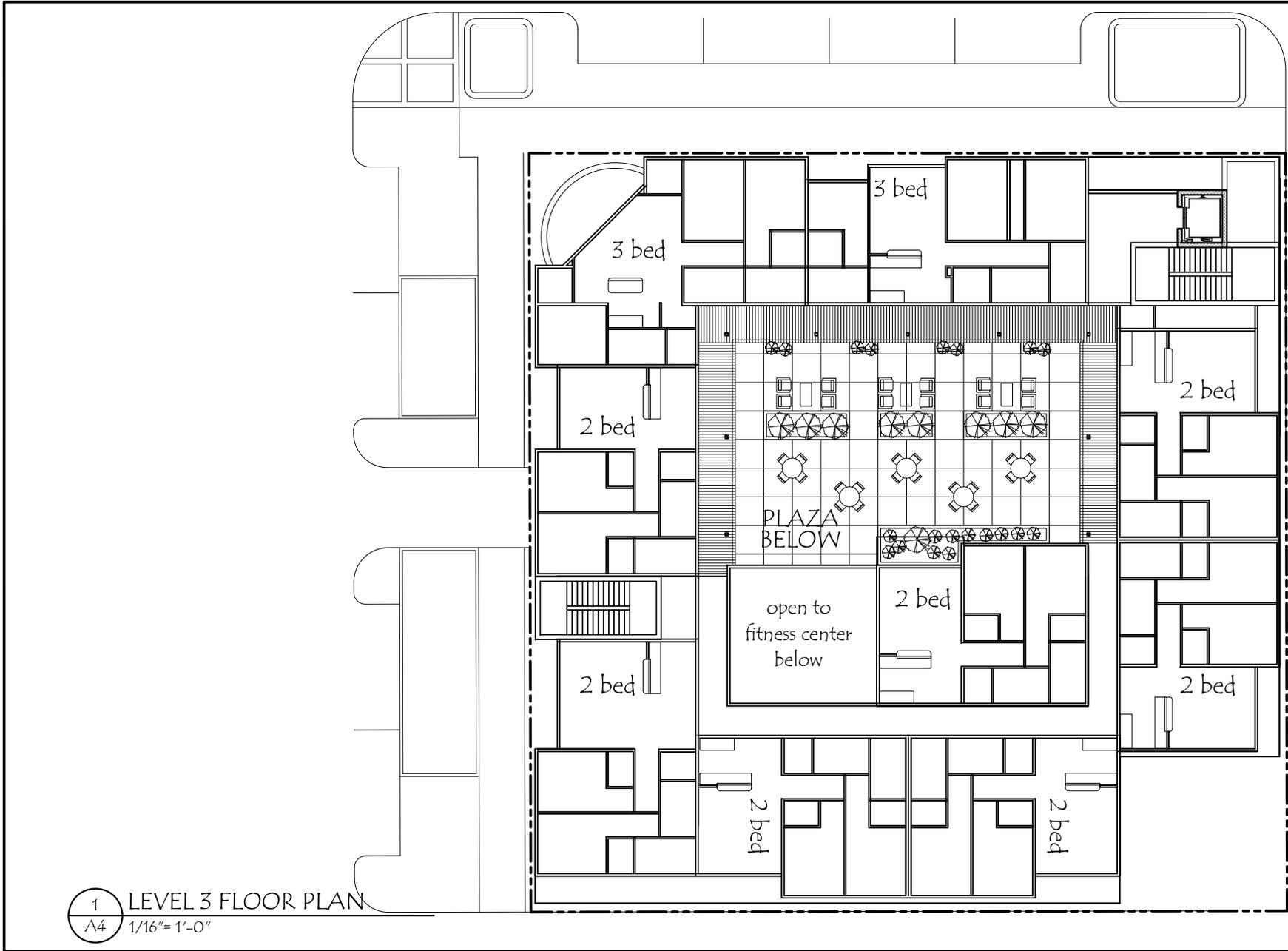
SP/UV-34-13  
 First Floor/Site Plan

1 LEVEL 2 FLOOR PLAN  
 A3 1/16"=1'-0"



 <b>STUDIO THREE DESIGN</b> <small>317.866.0000 main 317.872.1238 fax                  8004 Millcreek Road, Suite 200 Indianapolis, IN 46250                  www.studiodesign.com</small>	GMS-PAVILION PROPERTIES, LLC PAVILION CENTER ON KIRKWOOD Bloomington, Indiana		PROJECT NO. 13018.02	DATE 9-23-13
	SHEET DESCRIPTION LEVEL 2 FLOOR PLAN		SHEET NUMBER A3	

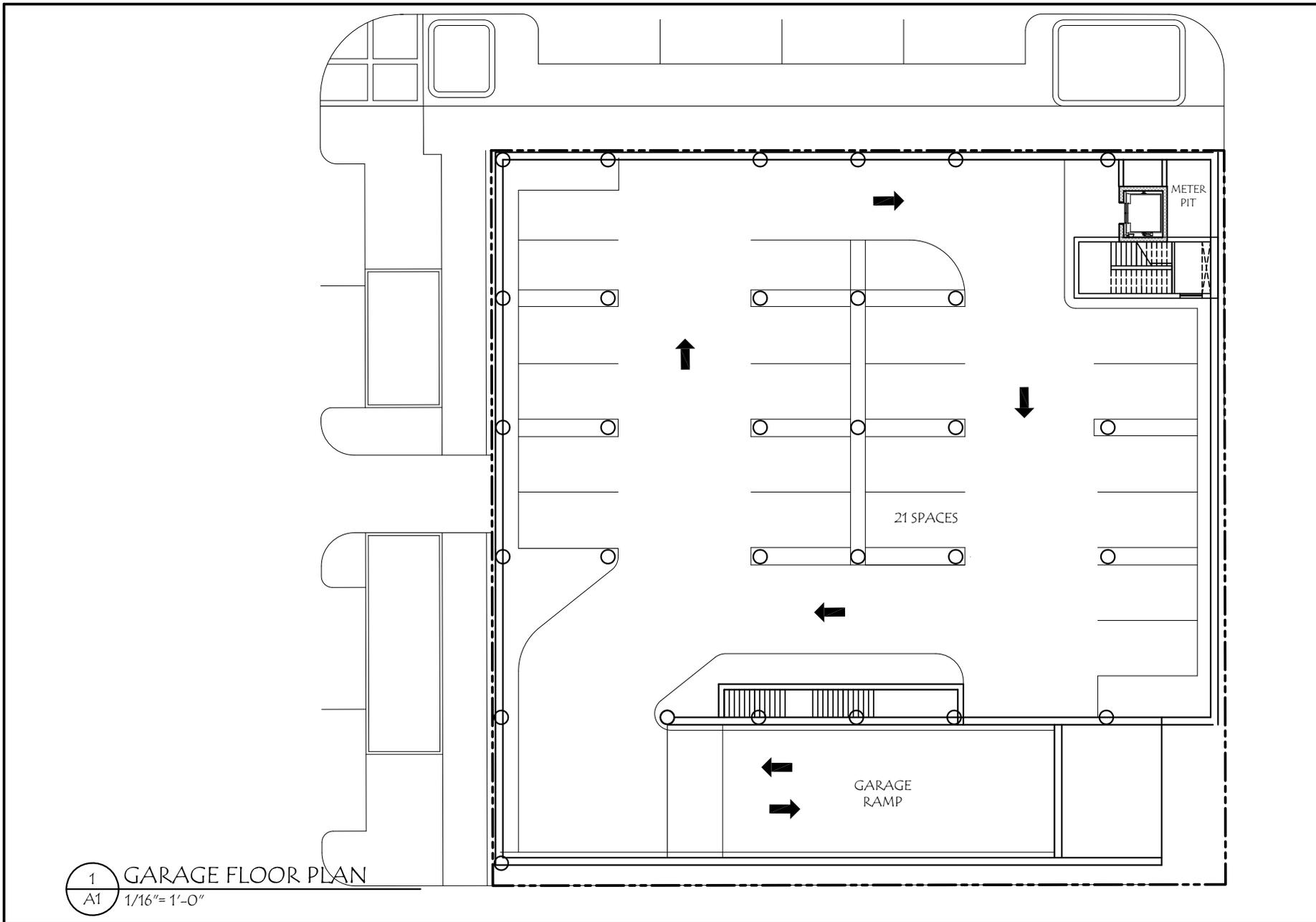
SP/UV-34-13  
 Second Floor Plan



1 LEVEL 3 FLOOR PLAN  
 A4 1/16" = 1'-0"

PROJECT NO. 13018.02		SHEET NUMBER A4	
DATE 9-23-13		SHEET DESCRIPTION LEVEL 3 FLOOR PLAN	
GMS-PAVILION PROPERTIES, LLC PAVILION CENTER ON KIRKWOOD Bloomington, Indiana			
STUDIO THREE DESIGN <small>317.866.0000 main 317.872.1238 fax          8004 Millersville Road, Suite 200 Indianapolis, IN 46250          www.studiodesigninc.com</small>			

SP/UV-34-13  
 Third Floor Plan



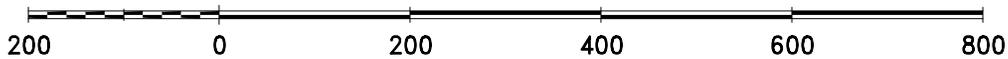
 <p><b>STUDIO THREE DESIGN</b></p> <p>317.866.0000 fax 317.872.1298 www.studiodesign.com 10001 Millersville Road, Suite 200 Indianapolis, IN 46250</p>	<p>GMS-PAVILION PROPERTIES, LLC PAVILION CENTER ON KIRKWOOD Bloomington, Indiana</p>		<p>PROJECT NO. 13018.02</p>	<p>DATE 9-23-13</p>	<p>SHEET DESCRIPTION GARAGE LEVEL FLOOR PLAN</p>	<p>SHEET NUMBER A1</p>
	<p>1 A1 GARAGE FLOOR PLAN 1/16" = 1'-0"</p>					

SP/UV-34-13  
Basement Floor Plan



Exhibit #1 Numbers represent existing bedroom counts

By: greulice  
3 Oct 13



For reference only; map information NOT warranted.



City of Bloomington  
Planning



Scale: 1" = 200'



SP/UV-34-13  
 Exhibit #2  
 ONB Bank land holdings

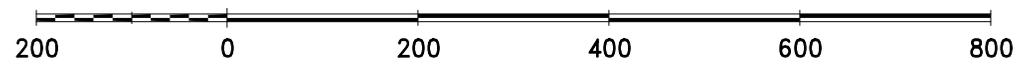


Properties available  
 for Development



Properties with  
 historic protection

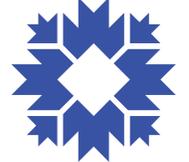
By: roachja  
 23 Sep 13



For reference only; map information NOT warranted.



City of Bloomington  
 Planning



Scale: 1" = 200'



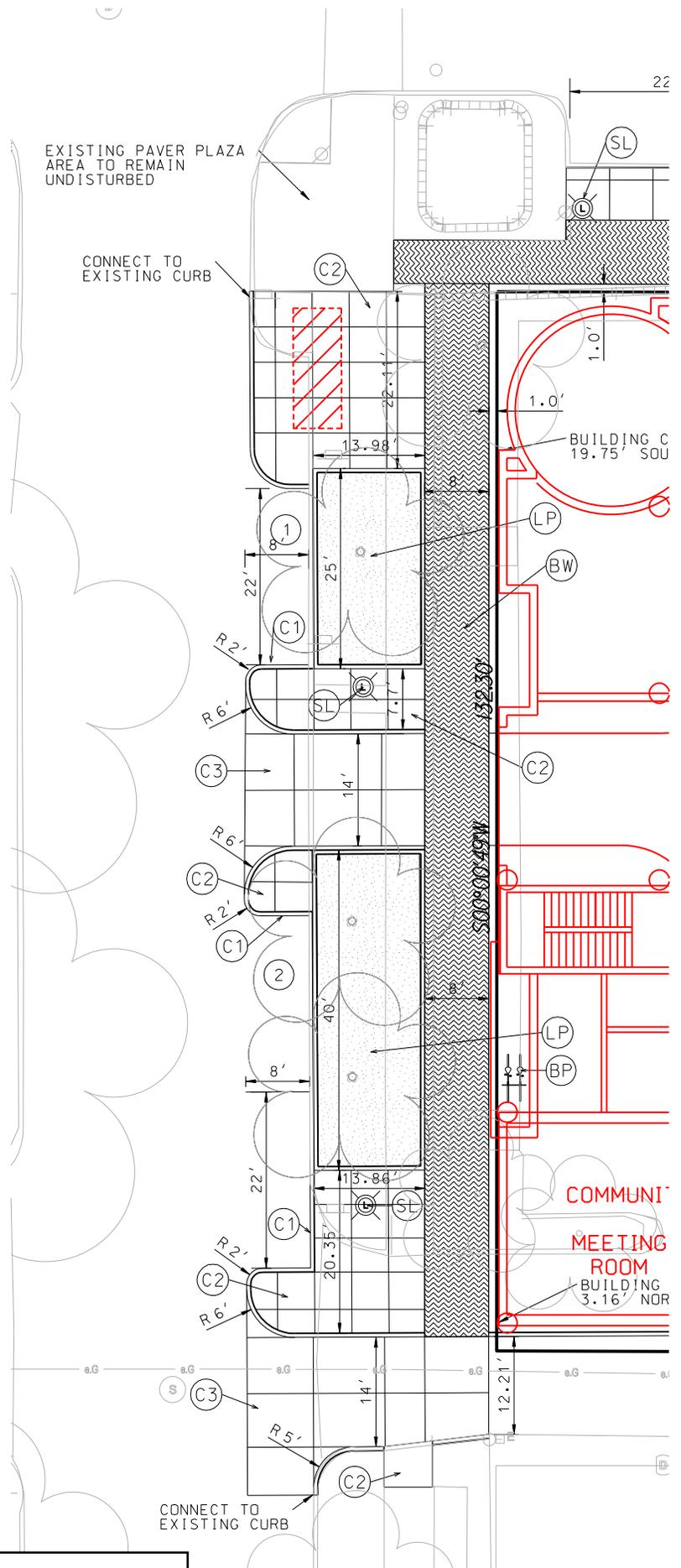
Exhibit #3

Petitioner's project  
at 9th and Walnut



9/12/2013

Petitioner's project  
at 10th and Walnut



SP/UV-34-13  
Alternative Lincoln St. streetscape

9/25/2013 11:20:58 AM

**BLOOMINGTON PLAN COMMISSION**  
**STAFF REPORT**  
**LOCATION: 219 E. 4<sup>th</sup> Street**

**CASE#: SP-35-13**  
**DATE: October 7, 2013**

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**PETITIONER: First United Methodist Church**  
**219 E. 4<sup>th</sup> Street, Bloomington**

---

**REQUEST:** The petitioner is requesting site plan approval to construct a courtyard to an existing church.

---

**REPORT SUMMARY:** This site is located at the northeast corner of S. Washington St. and E. 4th Street. This property is zoned Commercial Downtown and is within the University Village Overlay District. The site has been developed as a Place of Worship (First United Methodist Church). Surrounding land uses include the vacant property formerly occupied by the Post Office to the south, the Bloomington Transit bus stop to the west, and banks to the north and east.

The petitioner is requesting site plan approval to construct a new courtyard along the south side of the building. The improvements and modifications will occur in an existing grass area and would involve the installation of new concrete. Although this particular type of construction would not typically need site plan approval since it is not a "proposal" as defined in the UDO, the petitioners must seek a waiver from the maximum impervious surface coverage standard since the new courtyard would take the property beyond the maximum 85% impervious surface coverage restriction.

The new courtyard will feature a center prayer labyrinth, a columbarium, benches, water fountain, and new landscaping. This 0.84 acre property is prohibited from having more than 85% of the property contained by impervious surface. This property is required to have 5,464 sq. ft. of permeable material and they are requesting to have 4,265 sq. ft. (11%). No changes to the building or other portions of the site are proposed with this petition.

---

**Plan Commission Site Plan Review:** One aspect of this project requires that the petition be reviewed by the Plan Commission, per BMC 20.03.160. That aspect is as follows:

- The petitioner is requesting one waiver.

The petitioner is requesting one waiver from the standards in BMC 20.03.190. Specifically the following waiver is being requested:

- Maximum Impervious Surface Coverage

---

## **SITE PLAN REVIEW**

**Maximum Impervious Surface Coverage:** This zoning district requires a maximum impervious surface coverage of 85%. This 0.84 acre property is prohibited from having more than 85% of the property contained by impervious surface, which would therefore limit

the site to no more than 5,464 sq. ft. of pervious surface. With this petition the site would fall below that maximum and they are requesting to have 4,265 sq. ft. (11% pervious and 89% impervious).

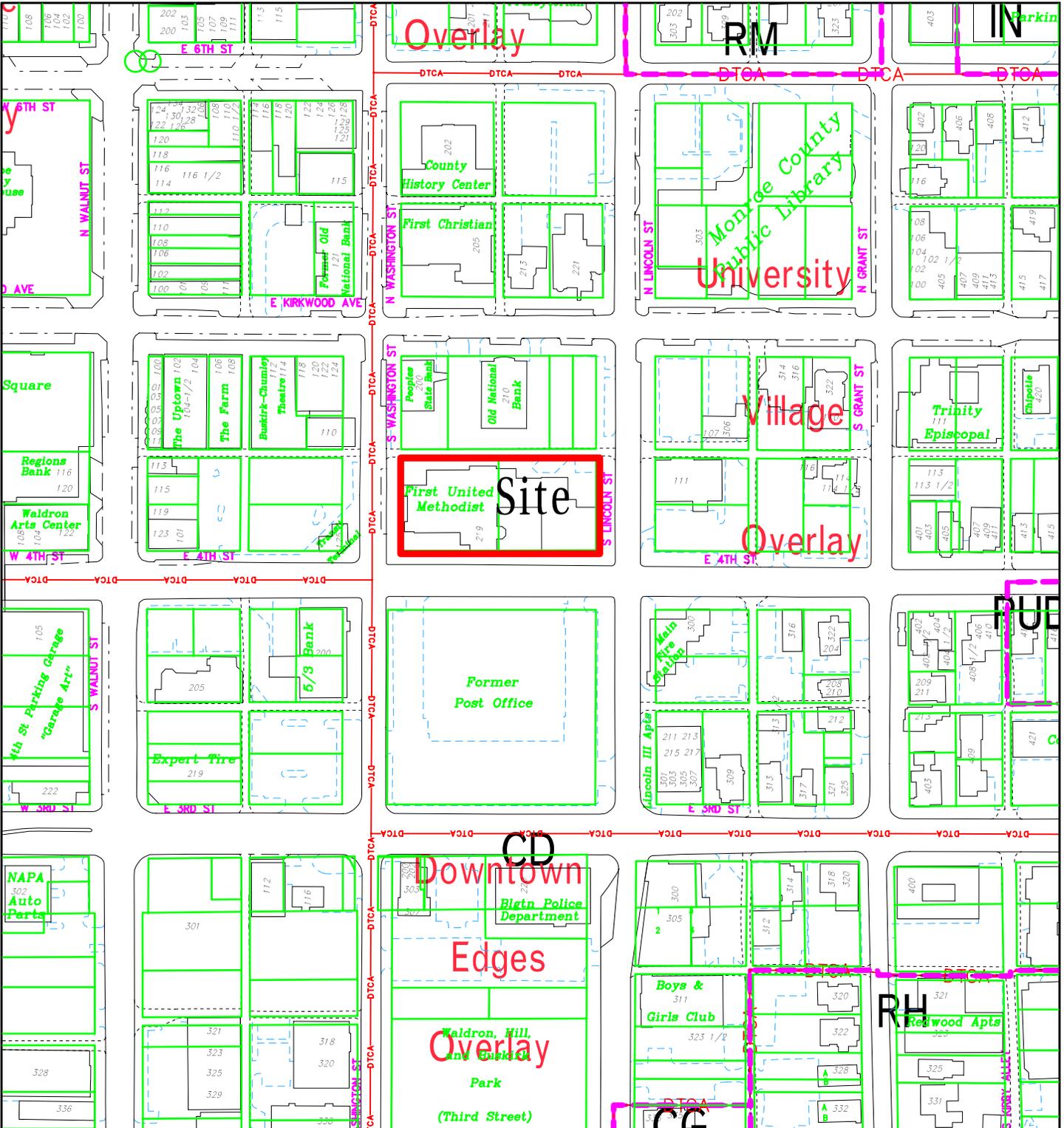
**Impervious Surface Coverage Waiver – 20.03.190(a)(2):** With this petition there would be an increase to the impervious surface coverage as a result of the new concrete for the courtyard. A survey by the petitioner shows that the right-of-way lines along the west, south, and east portions of the property lie almost precisely at the building faces. In fact some portions of the building encroach into the right-of-way. There are several areas adjacent to the site within the City right-of-way that border the building that are maintained by the petitioner and contribute to the look and feel of more green space on the property. The use of the space for a courtyard works to accomplish the intent of limiting the amount of a property that is covered by a building or parking areas. The redesign of the current courtyard will still provide the same amount of open space throughout the property. Staff is supportive of this waiver.

**Landscaping:** The landscaping code requires open space to be planted to the extent practical. The petitioner is proposing new landscaping around the courtyard that will include new shrubs, ground cover, and flowers. All of the new landscaping has been reviewed and meets UDO requirements.

**Utilities:** Water and sanitary sewer service are available along 4th Street. Minor changes to the surrounding utilities are needed and are being coordinated with CBU.

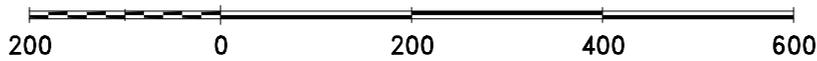
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**RECOMMENDATION:** Based on the written findings above, staff recommends approval of SP-35-13 and the associated waiver with no conditions.



SP-35-13  
Site Location Map

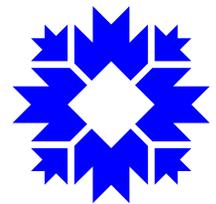
By: greulice  
13 Sep 13



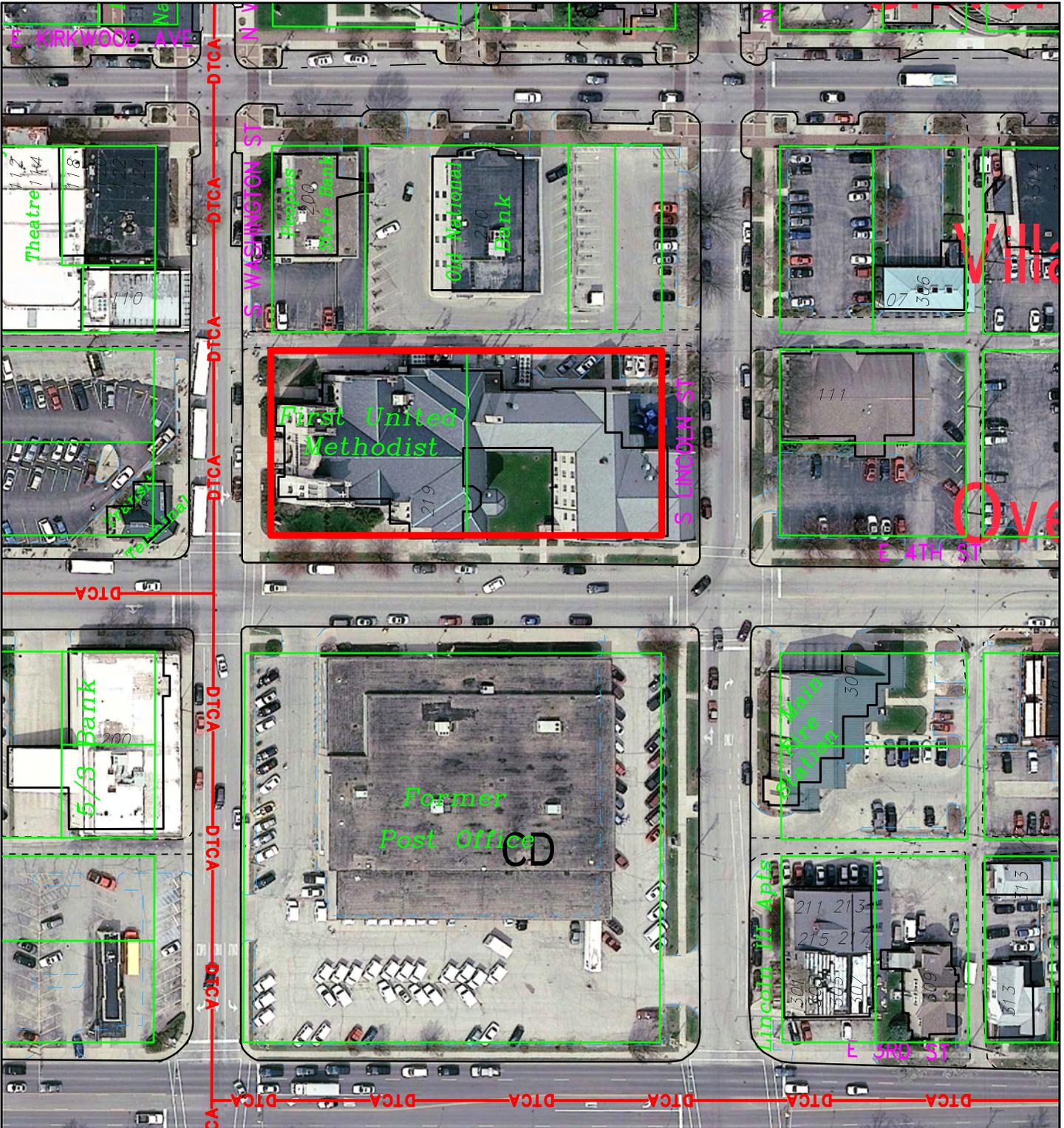
For reference only; map information NOT warranted.



City of Bloomington  
Planning

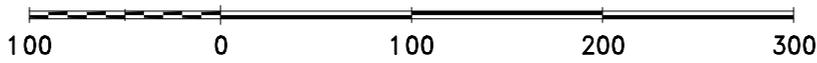


Scale: 1" = 200'



SP-35-13  
 2010 Aerial Photograph

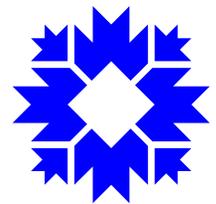
By: greulice  
 13 Sep 13



For reference only; map information NOT warranted.



City of Bloomington  
 Planning



Scale: 1" = 100'

Petitioner's Statement  
September 10, 2013

First United Methodist Church of Bloomington (FUMCB) owns the southern half of the block from Kirkwood to 4th Street, and from Washington to Lincoln, as well as the block from 4th Street to 3rd Street and from Washington to Lincoln (commonly known as 'the old post office block.')

We are one of several downtown churches providing religious, social and supportive services to our members and to the residents of the city of Bloomington and its surrounds. In 1993, after extensive assessment of location options, our congregation of approximately 1,200 agreed to remain downtown and that we endeavored to be "a church in the heart of the community with the community at heart." In 2000, we completed an expansive addition and remodeling project. Unfinished from the project was a landscaped courtyard that connects the two wings of our church. In 2012, we selected the Indiana firm of Rundell Ernstberger Associates as our landscape architect to design the courtyard. In 2013, we selected Weddle Brothers Construction of Bloomington to be our general contractor.

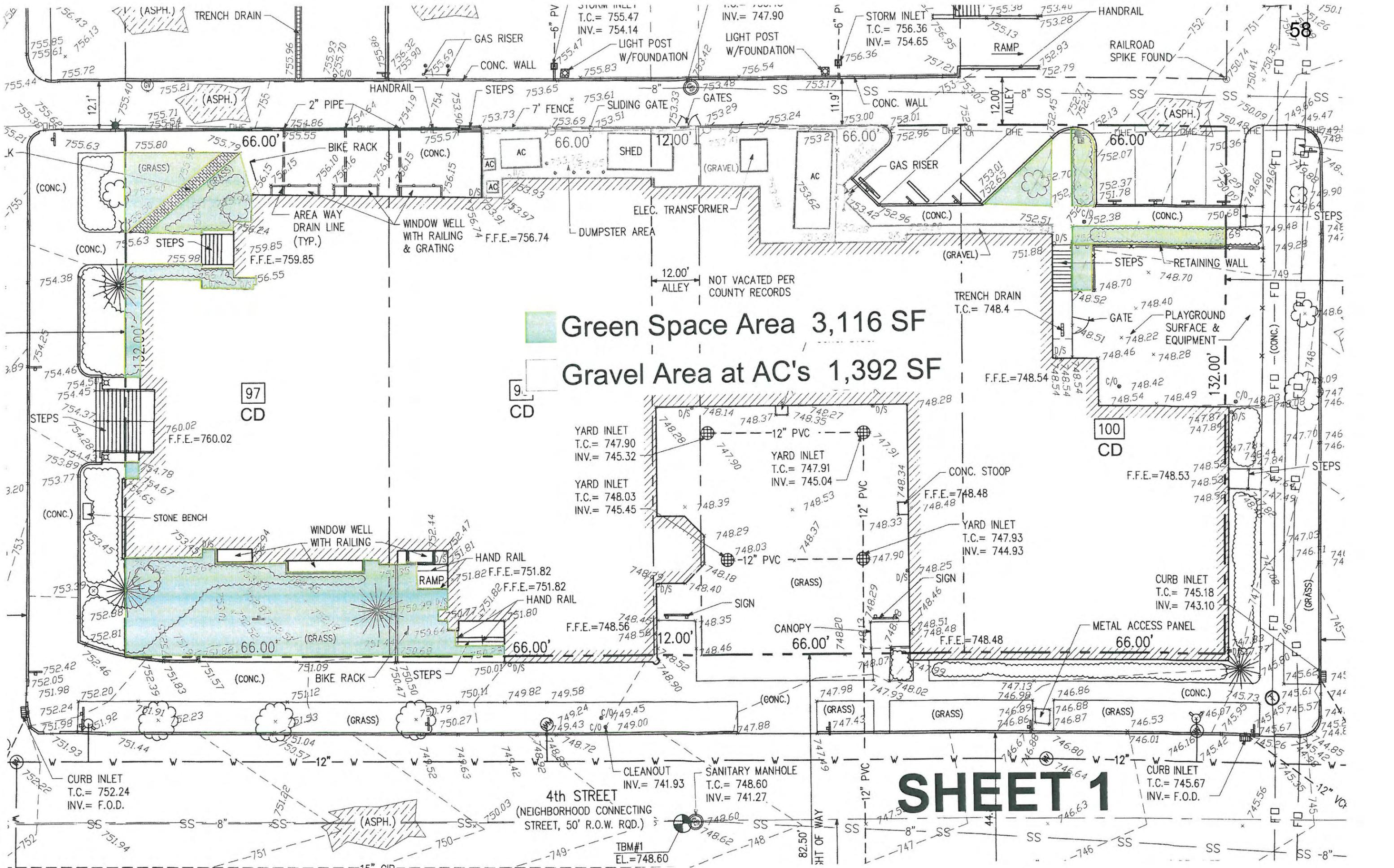
FUMCB requests that a waiver of the requirement for 15% permeable surface area to permit the landscape project featuring green space, a water feature, a granolithic labyrinth, columbarium and walkways. The project will transform the courtyard area into a sacred space for individual contemplation, group gatherings, worship and sacred ceremonies. The dimensions and proportions of the labyrinth and the additional of memorial garden space and columbarium, while incorporating significant green space, necessitate this request. Upon completion of our proposed courtyard project, the church will have 4,265 sq. ft. of green space inside our surveyed property line, with expected requirement of 5,410 sq. ft., leaving a variance of 1,145 sq. ft. While the total square footage of permeable surface is technically insufficient for compliance with the applicable ordinance, the amount of green space adjacent to, and under the care of the church more than meets the requirements.

It is significant to note that FUMCB will maintain a total 10,443 sq. ft. of green space counting the tree plots and other landscaping that was installed by and surrounds the church but is not necessarily inside our property line. Additionally, the congregation has just completed the demolition of the former post office building and is maintaining over 31,000 sq. ft. of green space there. The esthetic enhancement of that change, combined with the landscaping installations now underway in the courtyard, will provide a beautiful visual addition to downtown and a welcome focus to a property now more visible to the 3rd Street corridor. FUMCB has made a decision to remain a 'downtown' church and is committed to being a vital part of a vibrant community.

Even though the green spaces inside the church's property line is technically insufficient for compliance with ordinance, we ask the commission to consider the totality of the green space maintained by the church and grant a variance from the requirements of the ordinance in this instance.

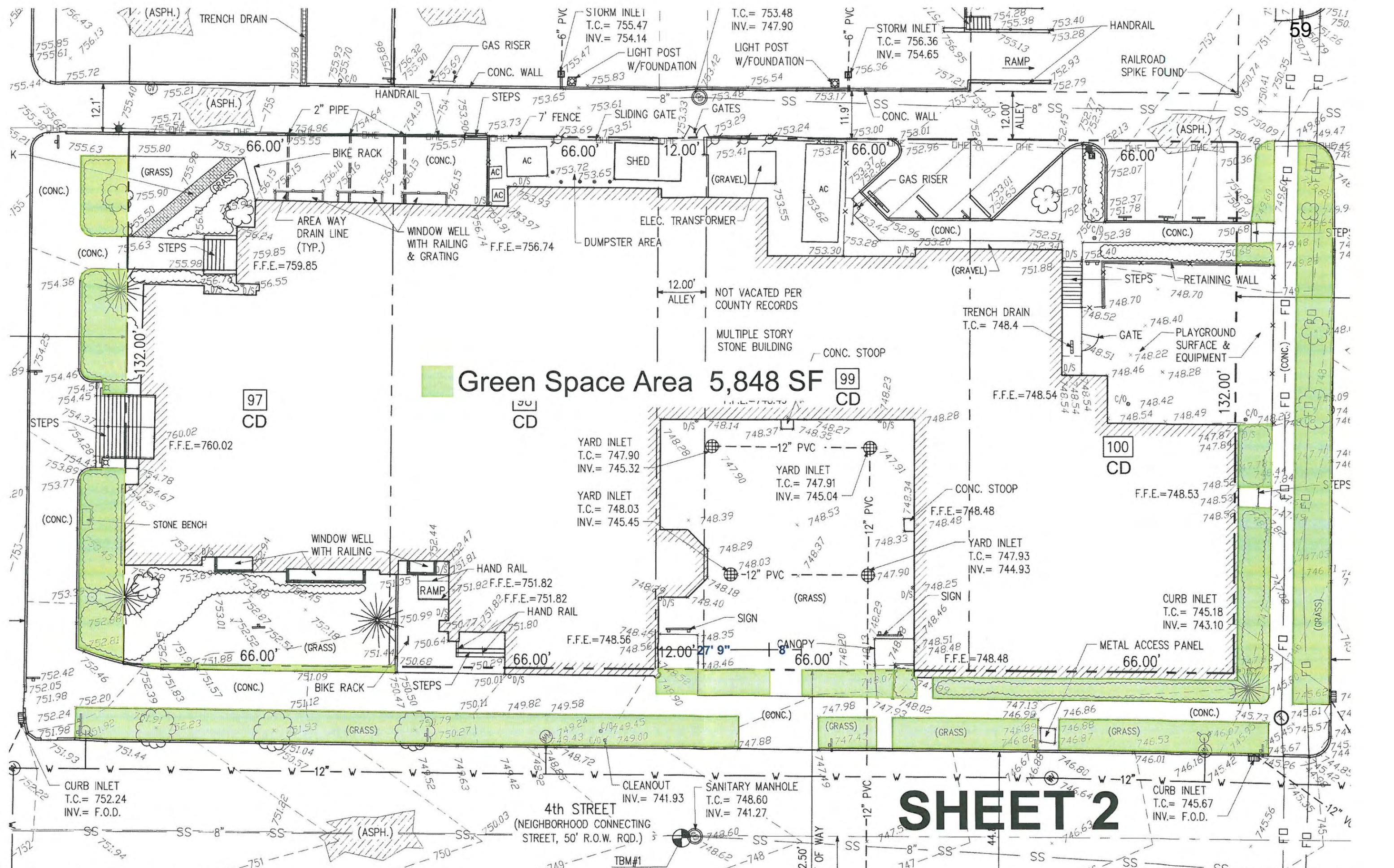
Sincerely,

Kirk R. White, Chairman  
Building Committee



Green Space Area 3,116 SF  
 Gravel Area at AC's 1,392 SF

# SHEET 1



**Green Space Area 5,848 SF** [99] CD

**SHEET 2**

4th STREET  
(NEIGHBORHOOD CONNECTING STREET, 50' R.O.W. RQD.)

Landscape Area 1,149 SF

**LANDSCAPE GENERAL NOTES:**

- A. THE LANDSCAPE CONTRACTOR IS TO COORDINATE WITH OTHER TRADES INVOLVED IN THIS PROJECT.
- B. LANDSCAPE ARCHITECT TO INSPECT ALL PLANT LOCATIONS AND PLANT BED EDGES PRIOR TO INSTALLATION. ON SITE ADJUSTMENTS MAY BE REQUIRED.
- C. LANDSCAPE CONTRACTOR SHALL MAKE OWN PLANT QUANTITY TAKE-OFFS USING DRAWINGS, SPECIFICATIONS AND PLANT SCHEDULE. PLANT SCHEDULE REQUIREMENTS (I.E. SPACING) DICTATE, UNLESS OTHERWISE DIRECTED BY THE LANDSCAPE ARCHITECT. CONTRACTOR TO VERIFY BED MEASUREMENTS AND INSTALL APPROPRIATE QUANTITIES AS GOVERNED BY PLANT SPACING PER SCHEDULE.
- D. ALL PLANT BEDS TO RECEIVE 2" MINIMUM OF SHREDDED BARK MULCH (UNLESS NOTED OTHERWISE).
- E. EARTHWORK CONTRACTOR SHALL INSTALL 12" OF TOPSOIL IN ALL PROPOSED DISTURBED PLANTING AREAS. CONTRACTOR SHALL COORDINATE QUANTITY AND PLACEMENT OF TOPSOIL SUBCONTRACTOR SHALL VERIFY DEPTH OF TOPSOIL PRIOR TO PLANT INSTALLATION. AMENDMENTS ARE REQUIRED IF TOPSOIL TESTING RESULTS DO NOT MEET QUALITY REQUIREMENTS OF SPEC - REFER TO SPECS AND DETAILS FOR TESTING AND PLACEMENT REQUIREMENTS OF TOPSOIL.
- F. SEE SHEET L 1.1 FOR PLANT SCHEDULE & LANDSCAPE DETAILS.
- G. PERIWINKLE (VINCA) TO BE ONE SINGLE PERENNIAL VARIETY. LANDSCAPE ARCHITECT TO APPROVE SELECTION BY SUBMITTAL. ONLY PERENNIAL SELECTIONS WILL BE ACCEPTED.

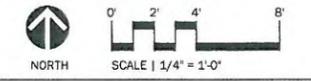


**60**  
**RUNDELL ERNSTBERGER ASSOCIATES, LLC**  
 Land Planning + Urban Design + Landscape Architecture  
 618 E. Market Street, Indianapolis, IN 46202  
 TE (317) 263.0127 FX (317) 263.2080  
 E-mail: reas@reasite.com  
 www.reasite.com  
 additional offices in:  
 Louisville, KY | Muncie, IN

PREPARED FOR:  
**First United Methodist Church**  
 219 East 4th Street  
 Bloomington, IN 47408  
 TE (812) 332.6396

CONSULTANTS:  
**L'Acquis Consulting Engineers**  
 Civil Engineering  
 Electrical Engineering  
 9229 Delegates Row, Suite 550  
 Indianapolis, IN 46240  
 TE (317) 706.2075  
**LandTech Design**  
 Irrigation Design Consultants  
 8420 Z-ONSVILLE ROAD, INDIANAPOLIS, IN 46268  
 TE (317) 870.2619

PROJECT:  
**First United Methodist Church Courtyard**  
 Bloomington, Indiana

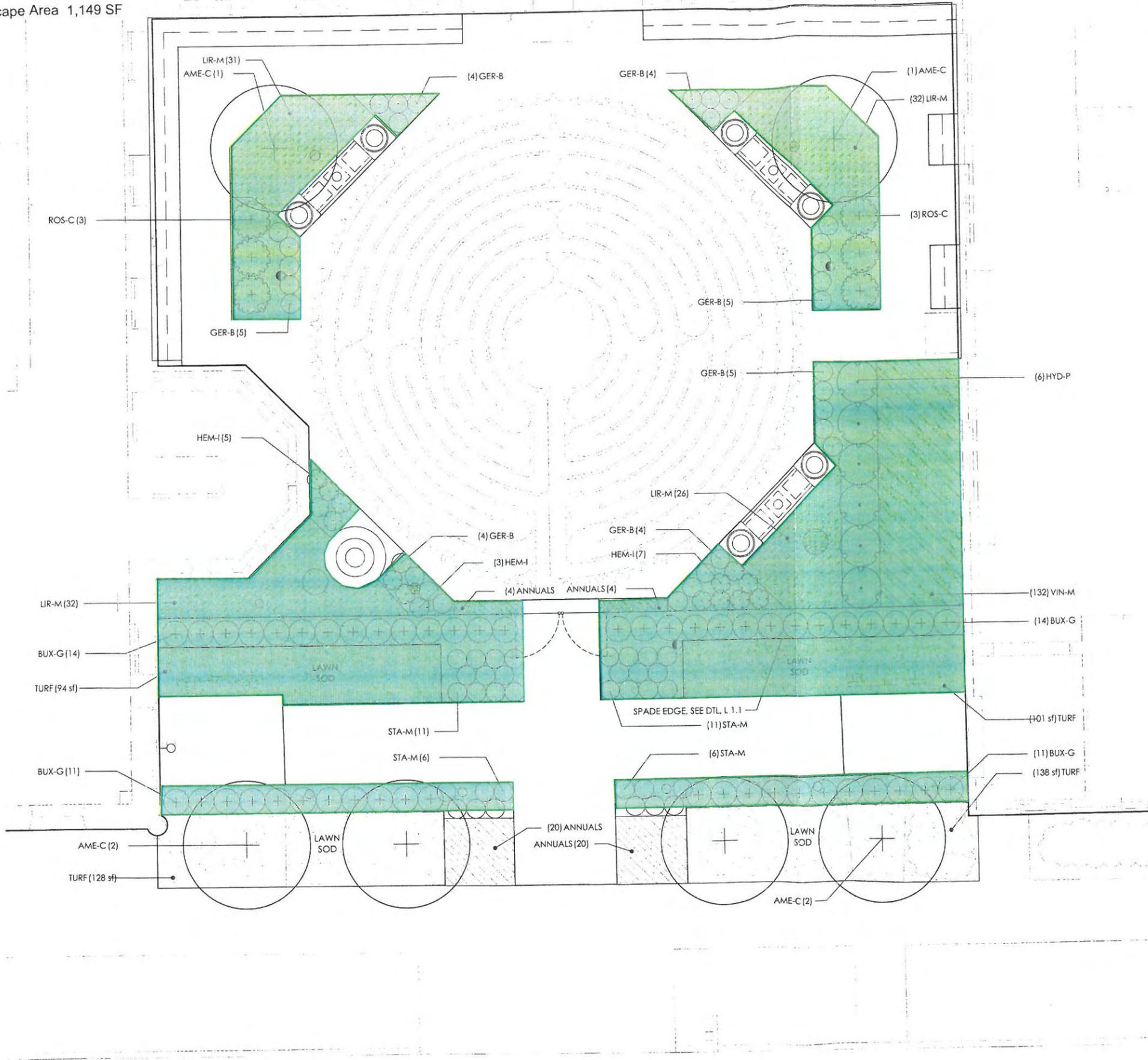


REVISIONS			
NO.	BY	DESCRIPTION	DATE

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**LANDSCAPE PLAN**

CERTIFICATION:  
  
 Project No.: 12 1242  
 Date: 04 / 25 / 2013  
 Drawn by:  
 Checked by:  
 REVISIONS:  
 L 1.0





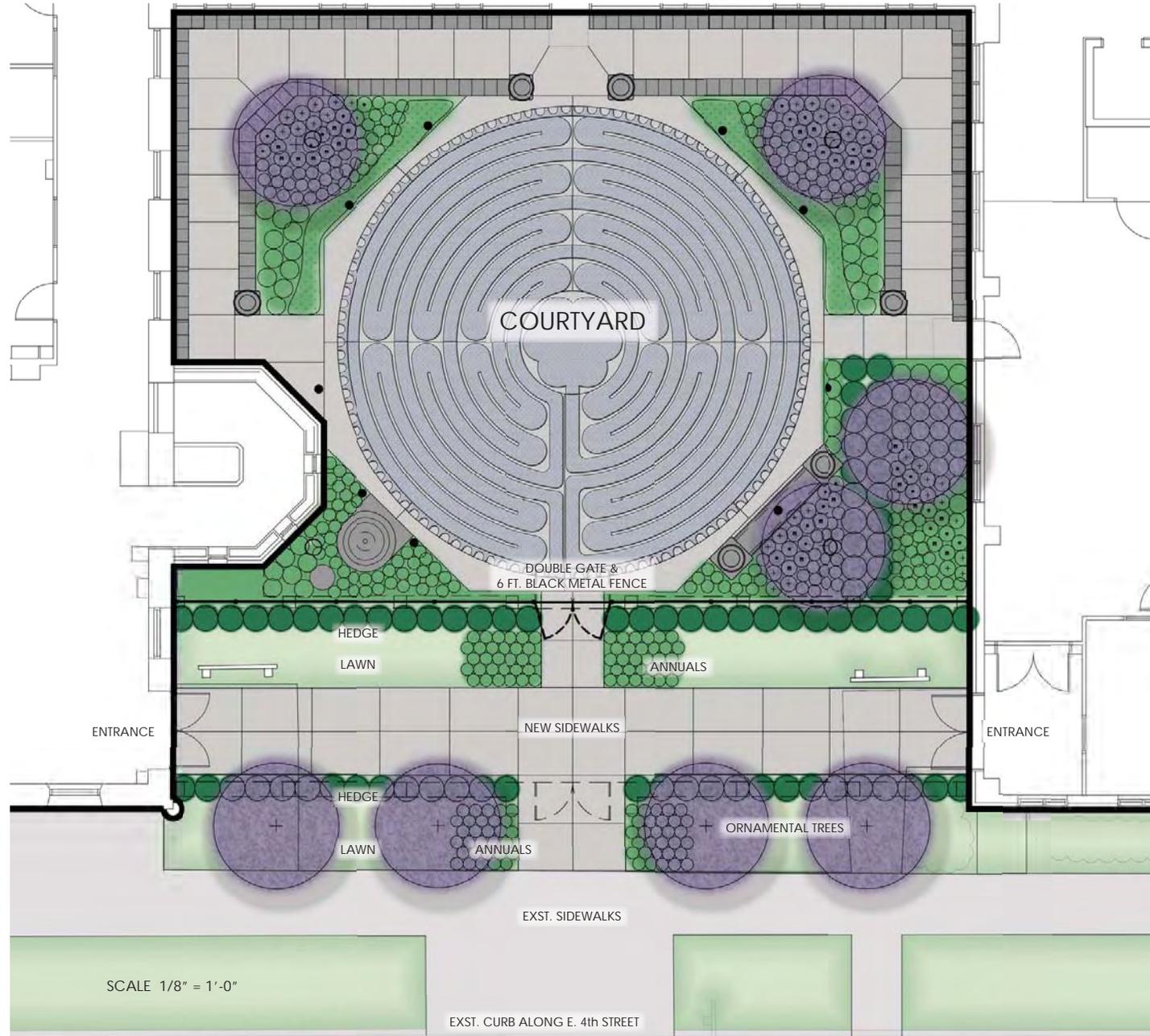
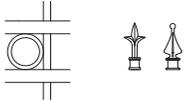
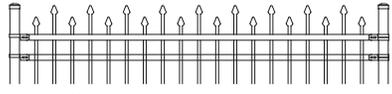
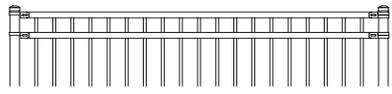
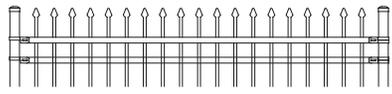
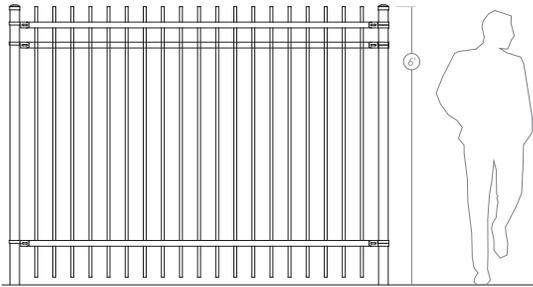
# FIRST UNITED METHODIST CHURCH

BLOOMINGTON, IN

COURTYARD LAYOUT UPDATE  
JANUARY 9, 2013

option B

### FENCE STYLES



SCALE 1/8" = 1'-0"

EXST. CURB ALONG E. 4th STREET

# FIRST UNITED METHODIST CHURCH

BLOOMINGTON, IN

COURTYARD LAYOUT UPDATE  
JANUARY 9, 2013

option B-2



**BLOOMINGTON PLAN COMMISSION  
STAFF REPORT  
Location: 2660 S. Walnut St.**

**CASE #: UV-36-13  
DATE: October 7, 2013**

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**PETITIONER: CSX Transportation  
31 E Georgia Street, Indianapolis, IN**

**CONSULTANT: ARCADIS U.S. Inc.  
132 E. Washington St, Indianapolis, IN**

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**REQUEST:** The petitioner is requesting a use variance to allow outdoor storage.

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**SITE DESCRIPTION:** The petition site is located at 2660 S. Walnut St. and is zoned Planned Unit Development (PUD-30-90). It is part of the Walnut Station PUD which is located at the southwest corner of S. Walnut St. and W. Country Club Dr. The Clear Creek floodplain is also located to the west. The Walnut Station PUD was approved in 1990 to serve as a neighborhood shopping center. A branch bank, oil change facility, 11,550 sq. ft. shopping center, and a 12,900 sq. ft. CVS drug store have been developed within the PUD.

A former creosote yard was located on the north side of Country Club Drive and resulted in a substantial amount of creosote that has infiltrated the adjacent soil and bedrock in this area. CSX Railroad is working in conjunction with ARCADIS Engineering to clean up the creosote and remediate the contamination that has infiltrated the soil and ground water in this area. As part of the remediation work CSX needs to create an onsite storage area to temporarily store collected contaminated material in storage drums until it is hauled away for permanent disposal.

There are 2 lots on the western portion of the PUD that have never been developed and it is within the southern most of these vacant lots that the petitioner is requesting a use variance to allow Outdoor Storage. The petitioner is proposing to construct a 20'x20' fenced enclosure area to temporarily store the collection barrels. The enclosure area would be located in a 40'x40' fenced compound. The barrels would be filled and collected from the adjacent monitoring and collection wells that have been dug at various locations adjacent to this site. The storage area would have an 8' tall fence surrounding it with privacy slats to minimize view of the storage area. There would also be another 8' tall fence constructed along the front of the lot to prevent access to the work area. Each barrel would also be stored on a containment pallet that would hold and contain any leaks. The barrels would be stored onsite for no more than 60 days before they are hauled away for permanent disposal. Access to the area would come from an existing driveway stub adjacent to CVS.

Outdoor Storage is not a permitted use in this PUD, so the petitioner is requesting a Use Variance to allow outdoor storage. This use is only being requested while the remediation work is occurring and would not be permanent.

The petitioner has secured permits from the Indiana Department of Natural Resources, Indiana Department of Environmental Management, and U.S. Army Corps of Engineers

for the work related to this project.

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**SITE PLAN:**

**Floodplain:** The 100-year floodplain of Clear Creek is located adjacent to this property. While there are portions of this property that are zoned Institutional and would allow for Outdoor Storage, all of the areas zoned Institutional are also located within the floodplain and would therefore not make ideal locations for storage of this material. There would not be any fill placed with this project and no work within the floodplain is necessary for the storage area.

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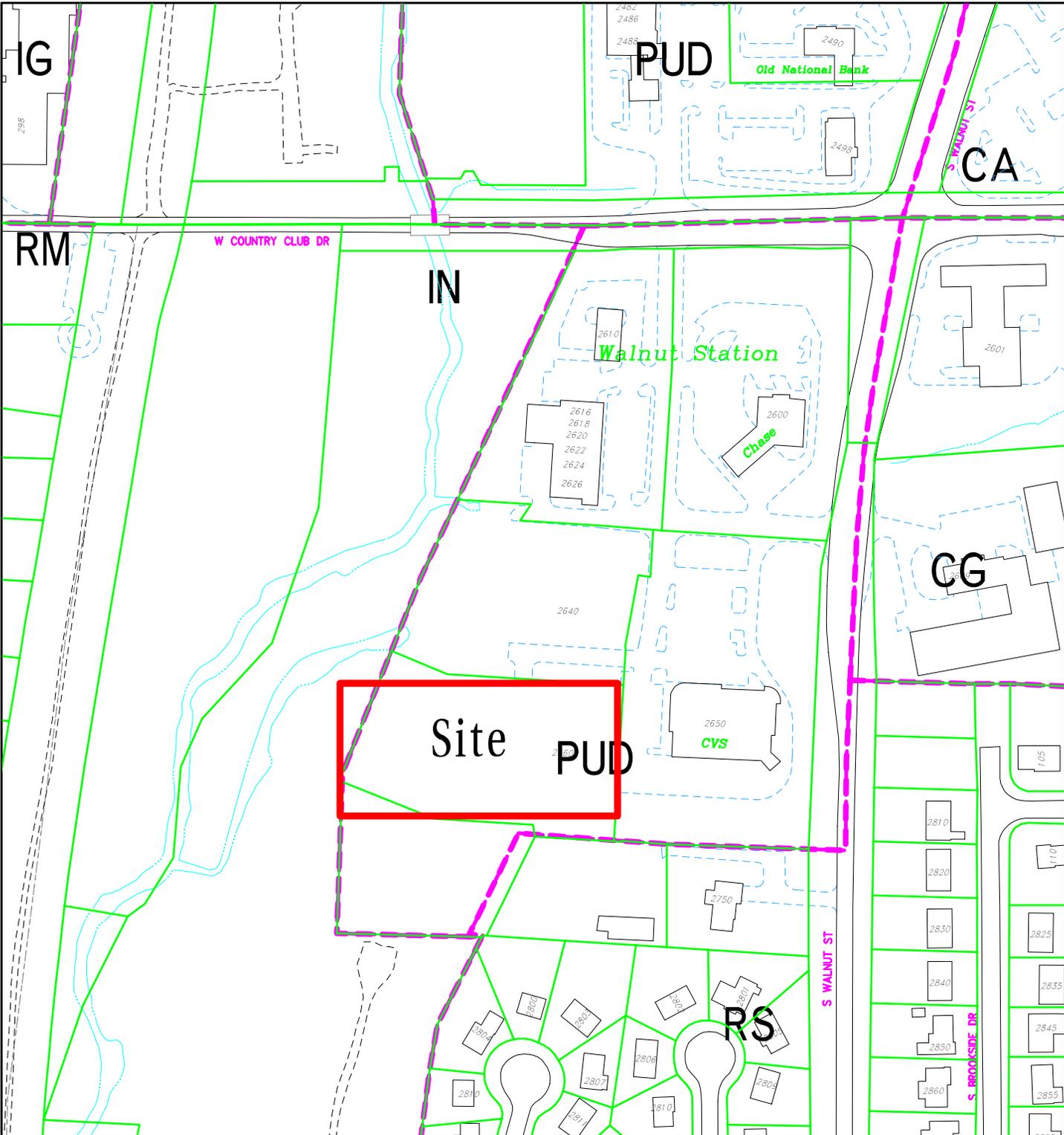
**GROWTH POLICIES PLAN:** The GPP designates this property as Community Activity Centers. This request is only for a temporary use and not a permanent use on the property. The work to remediate this area will further many of the goals of the GPP, including “Nurture Environmental Integrity” by removing contaminants and pollution from the soil. This remediation will also allow for more redevelopment opportunities in this environmentally contaminated area and further the possibilities of the area being developed with future commercial uses associated with this Community Activity Center.

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**CONCLUSIONS:** Staff finds minimal impacts as a result of this request for a temporary use. The cleanup of this contaminated area will improve environmental resources and allow for further development opportunities along this corridor. The fence enclosure to surround and buffer the view of the storage area will mitigate visual impacts.

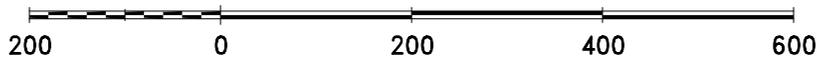
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**RECOMMENDATION:** Based upon the written report, staff recommends forwarding a positive recommendation to the Board of Zoning Appeals.

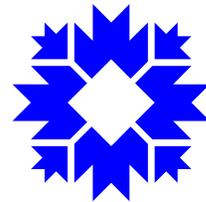


UV-36-16  
GIS Location Map

By: greulice  
13 Sep 13



City of Bloomington  
Planning

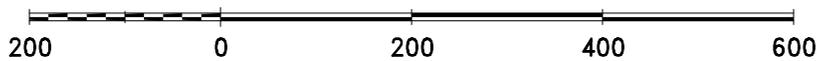


Scale: 1" = 200'

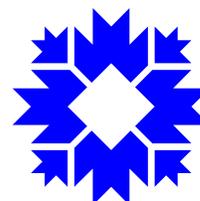


UV-36-16  
2010 Aerial Photograph

By: greulice  
13 Sep 13



City of Bloomington  
Planning



Scale: 1" = 200'

For reference only; map information NOT warranted.



Mr. Daniel Dyer, CPG  
Manager Environmental Remediation & Safety

Public Safety, Health & Environment  
31 East Georgia Street  
Indianapolis, Indiana 46204  
(317) 267-4151  
Fax (904) 357-7860  
daniel\_dyer@csx.com

File: IN, Bloomington, 9415829

Date: September 10, 2013

City of Bloomington  
Planning Commission  
Showers Center City Hall  
401 N. Morton St., Suite 160  
Bloomington, Indiana 47401

**Subject: PETITIONER'S STATEMENT - USE VARIANCE REQUEST**

Planning Commission:

CSX TRANSPORTATION, INC. (CSXT) is requesting a Use Variance for the property at 2660 South Walnut Street (Lot 3) to allow for temporary outside storage. CSXT is also requesting a Use Variance for the construction of a temporary security fence at the same property location. This property is part of the larger ongoing voluntary remediation project CSXT is performing at the former Indiana Creosote Company facility located at 240 East Country Club Road. The larger CSXT voluntary remediation project encompasses approximately 40 acres of land in the area and technical oversight is provided by the Indiana Department of Environmental Management (IDEM) Voluntary Remediation Program (VRP).

As part of the remediation project, CSXT is recovering free product creosote from the subsurface and by federal law (40 CFR Parts 261 and 262) must store the waste in the appropriate containers (55 gallon drums) before shipment off-site for incineration. A temporary storage location is necessary to comply with federal laws and CSXT is requesting the temporary storage location be on Lot 3. By DOT regulations (49 CFR Parts 172 and 173), the free product creosote cannot be transported by CSXT on Country Club Road to the west side, after it is recovered on the east side of Clear Creek; and therefore must remain on the east side of the project site. Because the material is required to stay on the east side of the creek, Lot 3 has been determined to be the most optimal location for that temporary storage. CSXT anticipates this remediation project to continue for several years before the IDEM VRP grants closure of the project (Certificate of Completion) and the property can be restored and available for redevelopment. Once the IDEM grants the Certificate of Completion, CSXT will remove all the temporary structures associated with the remediation project (i.e. buildings, fencing, concrete pads, monitoring wells, recovery wells, piping, etc.). This storage location will also allow for more expedient transportation of the recovered creosote (55 gallon drums) off-site and a quicker overall cleanup for the project.

CSXT is also requesting a Use Variance for the construction of a temporary security fence around the outside storage area. This fence will be an approximate 8 foot tall chain-link fence with privacy slats which is necessary to provide security and deter vandalism to the temporary storage facility in this area. In addition, an approximate 8 foot tall open chain-link fence (no privacy slats) will be installed along the northern boundary of Lot 3 to deter any vehicle movement to the southern portion of the site.

CSXT appreciates the continued cooperation and assistance the City of Bloomington has provided for this project. This excellent work relationship has allowed for the City's purchase of the railroad line (Rails-to-Trails), the Pedestrian Bridge property, and the McDoel Yard in the past, which has resulted in a great redevelopment story for both the City of Bloomington and CSXT. We look forward to working with you on completing the cleanup of the remainder of the project and putting the property back into reuse.

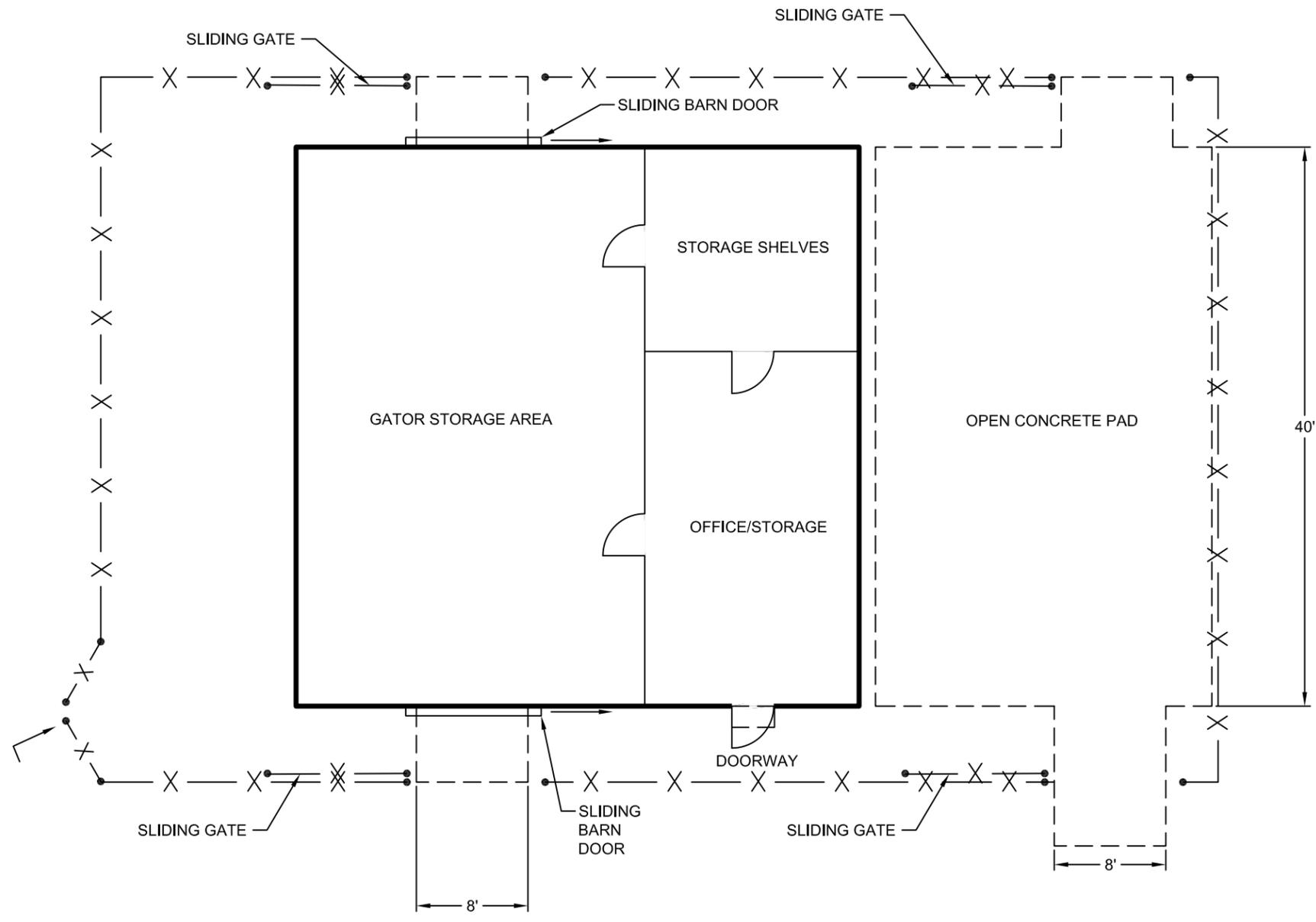
Sincerely,



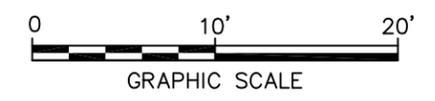
Daniel S. Dyer, CPG  
Manager Environmental Remediation & Safety



CITY: ROSEVILLE DIV: GROUP: ENV: CAD DB: ENV: CAD PM: STEVEN SHARP  
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SAVED: 5/28/2013 9:18 AM ACADVER: 18.1S (LMS TECH) PAGES: 10 PLOTSTYLE: PLT: FULL.CTB PLOTTED: 5/28/2013 9:18 AM BY: ROBITAILLE BEVERLY

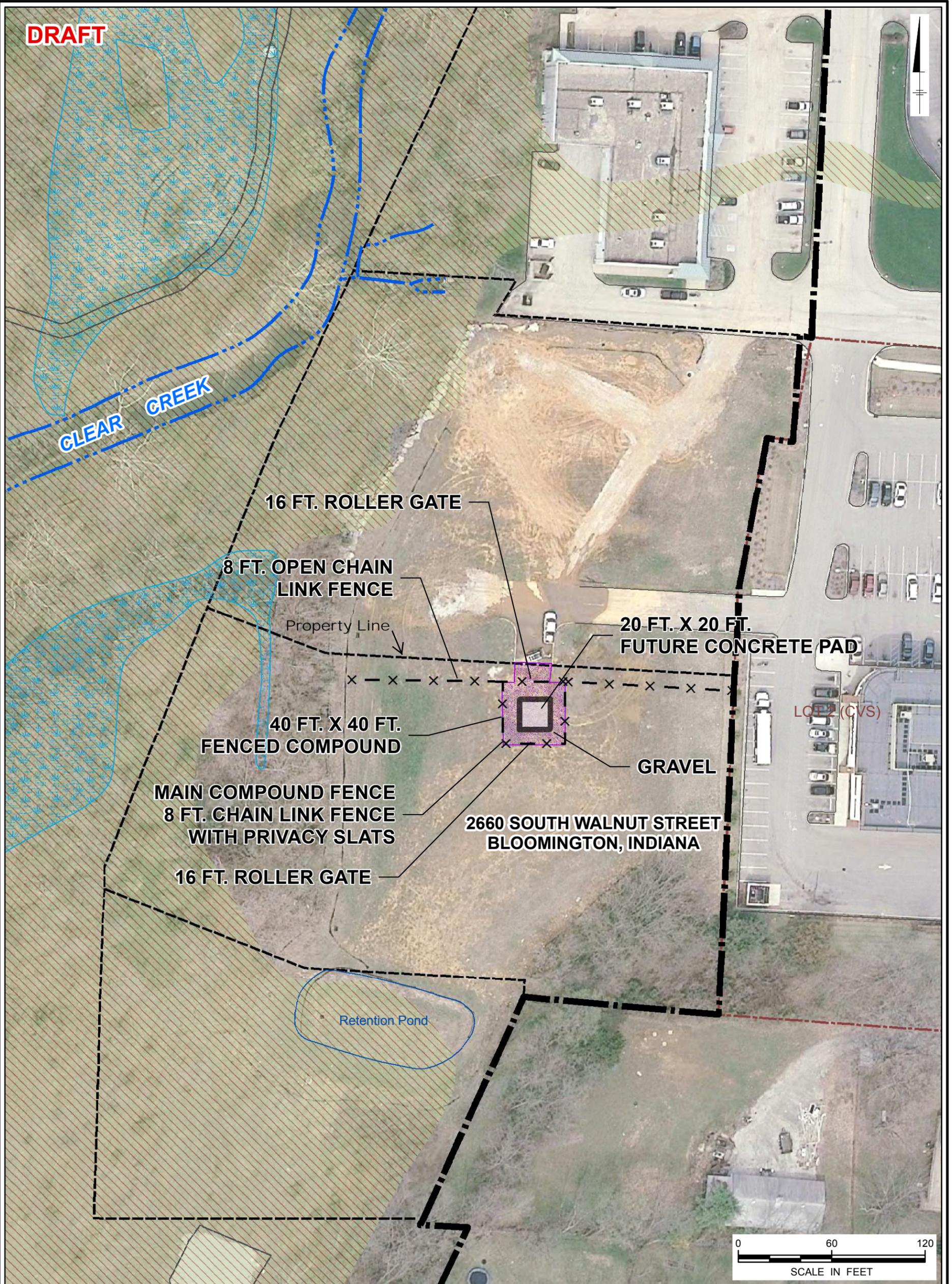


- LEGEND:**
- FREESTANDING BUILDING
  - OPEN CONCRETE
  - X FENCE



CSX TRANSPORTATION, INC. BLOOMINGTON, INDIANA <b>REPORT TITLE</b>	
<b>FENCED REMEDIATION COMPOUND          WITH PROPOSED BUILDING AND          CONCRETE STORAGE PAD</b>	
	FIGURE <b>1</b>

SOURCE:



AERIAL SOURCE: <http://www.indiana.edu/~gisdata> (2010).  
PROJECTION: NAD1983 State Plane Indiana West Feet

**LEGEND**

-  Property Boundary
-  Wetlands
-  100-year Floodplain (FEMA - FIRM - Flood Insurance Rate Map)

CSX TRANSPORTATION, INC.  
BLOOMINGTON, INDIANA

**Proposed Remediation Temporary  
Waste Storage Compound**



FIGURE  
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