

CITY OF BLOOMINGTON



**DECEMBER 9, 2013 @ 5:30 p.m.
COUNCIL CHAMBERS #115
CITY HALL**

**CITY OF BLOOMINGTON
PLAN COMMISSION AGENDA
December 9, 2013 @ 5:30 p.m.**

❖ City Hall Council Chambers, #115

ROLL CALL

MINUTES TO BE APPROVED: Oct. 7, 2013

REPORTS, RESOLUTIONS AND COMMUNICATIONS:

- Adoption of 2014 Meeting Schedule
- Plan Commission Rules Change

PETITIONS CONTINUED TO NEXT MEETING—February 10, 2014:

**SP/UV-34-13 GMS – Pavilion Properties
306 E. 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)

**SP-32-13 Tiffany Clark
314 E. 3rd St.**

Site plan approval for a 3-story mixed-use building.

(Case Manager: Jim Roach)

**PUD-40-13 First Capital Group
3209 E. Moores Pike**

Site plan approval to allow construction of a 12,000 sq. ft. commercial building

(Case Manager: Eric Greulich)

**SP-37-13 Song Kim
116 E. 3rd St.**

Site plan approval for a 3-story mixed-use building.

(Case Manager: Katie Bannon)

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)

PETITIONS:

**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-39-13 ERL-15, LLC
531 N. College Ave.**

Site plan review for a 4-story mixed-use building and associated waivers

(Case Manager: Eric Greulich)

**SP/UV-38-13 ERL-14, LLC
1250 N. College Ave.**

Site plan review for a 4-story mixed-use building. PC review of a Use Variance to allow first floor residential use

(Case Manager: Jim Roach)

End of Agenda

***Next Plan Commission hearing scheduled for Feb.10, 2014*



**City of Bloomington
Planning Department**

Memo To: Members of the Plan Commission

From: Patrick Shay

Date: December 5, 2013

Re: Changes to PC Rules of Procedure

Proposed are changes to the PC Rules of Procedure. These changes would amend the requirements for notification of interested parties (adjacent property owners) for petitions being heard by the Plat Committee. The proposed amendment would increase the number of days that notification must be send prior to a Plat Committee hearing from 10 days to 21 days. This change is proposed to allow additional time for adjacent property owners to review and comment on requests being made to the Plat Committee. The proposed 21 days is consistent with the current Plan Commission and the recently revised Board of Zoning Appeals notification requirements.

In addition, it is being proposed to allow the Geographic Information System utilized by the Monroe County Auditor's office be used to determine the current names and addresses of interested parties. It is also proposed to shift the responsibility of creating the required list of interested parties from the petitioner to staff. These changes are intended to better reflect current technologies and internal policy as well as reducing the burden of notification requirements. It is also intended to reduce the potential for errant notifications.

PLAN COMMISSION

RULES AND PROCEDURES

Article I. Meetings

- A. The Plan Commission shall hold regularly scheduled meetings at intervals which correspond with the anticipated case load. Each agenda may include cases in preliminary or final hearing.
- B. All meetings shall be held at 5:30 p.m. in the Municipal Building unless otherwise publicly announced.
- C. All meetings shall adjourn at 9:30 p.m. and no new cases shall be heard after 9:00 p.m. Any cases remaining to be heard on an agenda at time of adjournment shall be rescheduled for hearing at a special meeting within one week of the original meeting.
- D. Special meetings may be called as provided in the planning enabling legislation.
- E. A majority of the voting members shall constitute a quorum. However, no vote of the Commission shall be official unless authorized by a majority of the Commission's membership, and no vote of the Plat Committee shall be official unless authorized by the affirmative vote of two (2) members.
- F. Executive Sessions may be held only with at least 48 hours advance notice and in compliance with all requirements of state law, and only such business as permitted by state law may be conducted in such session (certain matters relating to property acquisition, personnel, labor relations, or litigation).
- G. All decisions on petitions, with the exception of those acted upon as part of the consent agenda, shall be by roll call. The vote of each member of the Commission or Plat Committee shall be recorded by the Secretary and placed in the minutes of the meeting.
- H. No member of the Commission or Plat Committee shall participate in the hearing or decision of the Commission or Committee involving any matter in which that person is directly or indirectly interested in a financial sense, other than the preparation and enactment of a Master Plan. In the event that any member disqualifies himself or that any member's eligibility is challenged by a member of the public, such fact shall be entered on the records of the Commission or Committee and shall appear in the minutes. Members who intend to disqualify themselves from a vote on a particular petition due to direct or indirect financial interest shall notify the Planning Department staff of this fact a minimum of two business days prior to the hearing in order to provide staff and the Plan Commission President adequate time to arrange the

Interlocal Cooperation Agreement between the City and the County, the County Building Department shall collect the \$0.14 permit fee and transmit the collected fees to the City of Bloomington Controller's Office on a quarterly basis.

Article IV. Notices

A. In the event a request for action by the Plan Commission or Plat Committee is being made by 100% of the property owners directly included in the proposed action, the following requirements for notice must be met:

1. All petitioners for any Plan Commission or Plat Committee approval shall inform interested parties of the proposal by notice sent to the residence or the last known address of the interested parties. Petitioners shall prepare the notice in a form specified by the Planning Department and mail by regular first class delivery said notice not less than twenty-one (21) days before the date of the ~~initial Plan Commission or Plat Committee~~ hearing. The Planning Department shall verify that the notice is properly distributed by the petitioner not less than twenty-one (21) days before the date of the ~~initial Plan Commission or Plat Committee~~ hearing. If adequate notice in accordance with these rules is not given to the interested parties and this fact is confirmed by planning staff prior to Plan Commission action, such petition may be continued to a later date to allow proper notice to all interested parties.

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2. Such notice shall state:

- a. The general location by address or other identifiable geographic description of the subject property or area.
- b. A summary of the subject matter contained in the proposal and/or a description of the proposed change in the zone maps, where the proposal involves a change to the zone maps.
- c. The name of the petitioner.
- d. The times and places the petition has been set for hearing.
- e. That the petition and file may be examined in the office of the Planning Department.
- f. That the addressee may voice an opinion at the hearing and/or file written comments with the Commission or Plat Committee.

- g. That the hearing may be continued from time to time as may be found necessary.
3. **Interested parties** shall be defined as all persons owning land adjacent and contiguous to the property included in the petition or proposal and, all persons owning land abutting the aforementioned immediately-adjacent property owners (i.e, notice shall be provided "two properties deep") but not to exceed 300 linear feet from the subject parcel(s) for which a petition or proposal is being requested. Intervening public rights-of-way shall not be considered in determining what property is adjacent and contiguous. Where any adjacent or contiguous parcel is owned by a petitioner, the property included in the petition shall be deemed to include said adjacent parcel or parcels owned by a petitioner, and owners of property adjacent and contiguous to said parcel(s) owned by a petitioner but not included in the petition shall be considered interested parties entitled to notice.
4. In order to determine the names and addresses of property owners to whom notice must be sent under this Rule, the Planning Department staff shall consult either the current Plat Book and computerized ownership records located in the Office of the Auditor of Monroe County, Indiana or the Monroe County, Indiana Geographic Information System to determine the name and address of each adjacent property owner. A good faith effort shall be made to investigate and resolve any discrepancies or omissions in or among such records in order to determine name and address of the current owner of record. Each notice shall be mailed and postmarked no later than the fifth business day after the date upon which the name and address of the owners were obtained from the Plat Book and the computer records in the Auditor's office as described above or as gained from the Monroe County, Indiana Geographic Information System.
5. The manner in which notice must be sent to interested parties shall be as follows:
- a. Required notices to interested parties shall be sent by regular first class mail.
 - b. Proof that notice has been mailed shall be sufficient proof of notice under these rules regardless of actual receipt.
 - c. Proof of notice shall consist of submittal of the following items to the Planning Department in the following manner:
 - (1) A copy of the Notice of Public Hearing to be mailed to the interested parties.
 - (2) A list of interested parties with addresses.

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- (3) An Affidavit of Notice to Interested Parties in a form approved by the Planning Department including: name of person preparing and mailing the notice; name of petitioner; location of petition; and a statement that notice was mailed at least twenty-one (21) days prior to the initial public hearing of the Plan Commission or Plat Committee.
- (4) A copy of the map indicating interested parties' property as generated by the Planning Department.

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The Planning Department shall retain the proof of notice within the petition file.

d. Appearance at any hearing on a petition or proposal, in person or by representative, shall waive any defect in notice unless the alleged defect is raised at the beginning of the hearing.

6. The Planning Department shall cause a legal notice to be published in a daily newspaper published and distributed in the county 10 days and prior to the initial hearing. Said notice shall serve as a legal advertisement for continued public hearings. The petitioner shall bear the expense of said advertisement.

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7. For change of zone, conditional use, planned unit development preliminary plan, and certificate of appropriateness for change in use to historically designated property, the planning department shall post a sign or signs on the subject property in a location clearly visible to passing traffic. The Planning Department staff will determine sign locations with not less than one sign placed on the property per street frontage per block. Signs, of a design approved by the Plan Commission, shall be available in the City Planning Department. The petitioner shall purchase the signs required for this notice at a price reflecting replacement cost.

B. In the event a request for action by the Plan Commission or Plat Committee is being made by less than 100% of the property owners directly included in the proposed action, or in the event the Plan Commission or the Common Council are the proponents of the action, the following requirements for notice must be met:

1. All petitioners for any Plan Commission or Plat Committee approval (other than the Plan Commission or Common Council) shall inform interested parties of the proposal by notice sent to the residence or the last known address of the interested parties. Petitioners shall prepare the notice in a form specified by the Planning Department and shall mail said notice not less than ~~twenty-one (21) days before the initial~~ Plan Commission ~~or Plat Committee~~ hearing date. The Planning Department shall verify that the notice is properly distributed by the petitioner not less than ~~twenty-one (21) days before the date of the Plan Commission~~ ~~or Plat Committee~~ hearing. If adequate notice in accordance with these rules is not given to the interested parties and this fact is confirmed by planning staff prior to Plan Commission action, such petition may be continued to a later date to allow proper notice to all interested parties.
2. In any case where a proposal to change the zone maps is initiated by the Plan Commission or by the Common Council, other than a proposal to repeal and replace the zone maps for the entire planning jurisdiction, notice shall be given to interested parties by the Planning Department staff. Such notice shall be postmarked at least twenty-one (21) days prior to the ~~initial~~ hearing on the proposal.
3. Such notice shall state:
 - a. The general location by address or other identifiable geographic description of the subject property or area.
 - b. A summary of the subject matter contained in the proposal and/or a description of the proposed change in the zone maps, where the proposal involves a change to the zone maps.
 - c. The name of the petitioner.
 - d. The times and places the petition has been set for hearing.
 - e. That the petition and file may be examined in the office of the Planning Department.
 - f. That the addressee may voice an opinion at the hearing and/or file written comments with the Commission or Plat Committee.
 - g. That the hearing may be continued from time to time as may be found necessary.

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4. Interested parties shall be defined as owners of property within the area included in the petition or proposal who are not petitioners, owners of property adjacent and contiguous to the property included in the petition or proposal, and all persons owning land abutting the aforementioned immediately-adjacent property owners (i.e, notice shall be provided "two properties deep") but not to exceed 300 linear feet from the subject parcel(s) for which a petition or proposal is being requested. Intervening public rights-of-way shall not be considered in determining what property is adjacent and contiguous.

5. In order to determine the names and addresses of property owners to whom notice must be sent under this Rule, the Planning Department Staff shall consult either the current Plat Book and computerized ownership records located in the Office of the Auditor of Monroe County, Indiana or the Monroe County, Indiana Geographic Information System to determine the name of each adjacent property owner and address. A good faith effort shall be made to investigate and resolve any discrepancies or omissions in or among such records in order to determine name and address of the current owner of record. Each notice shall be mailed and postmarked no later than the fifth business day after the date upon which the name and address of the owner were obtained from the Plat Book and the computer records in the Auditor's office as described above or as gained from the Monroe County, Indiana Geographic Information System.

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6. The manner in which notice must be sent to interested parties shall be as follows:

a. Required notices shall be sent by certified mail with return receipt requested to all owners of property within the area included in the petition or proposal, other than those who have signed the petition or application requesting Plan Commission or Plat Committee approval except as otherwise provided in Paragraph 6(c) herein.

b. Required notices to all other interested parties shall be sent by regular first-class mail.

c. It shall be the duty of the Planning Department staff to examine the file within the three (3) business days prior to the initial hearing to determine whether all required proof of service (as set forth in Paragraph 7 and/or 6(d) of this Rule) has been filed, and to advise the Plat Committee at its hearing, or the Plan Commission at its initial hearing of any omissions or deficiencies in such proof of service. In any case where a notice has been sent by certified mail with return receipt requested in accordance with these rules, but no signed return receipt has been received by the sender on or before the date of the initial hearing, or where the notice is returned to the sender for any reason, the

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Planning Department staff shall promptly make a good faith attempt to obtain delivery by reasonable alternative means which shall include:

- (1) Re-sending notice by certified regular mail with return receipt requested, where a new address is located, or
 - (2) where the reason for non-delivery appears to be something other than incorrect address, leaving the notice at the residence of the person to be served, along with mailing a copy of the notice to that address by first class mail; or, where the owner is not a resident of the City of Bloomington, mailing by first class mail.
- d. Except as provided in 6(c) above, proof that notice has been mailed in accordance with Paragraph 7 shall be sufficient proof of notice under these rules regardless of actual receipt. In situations addressed by 6(c) above, proof of notice shall be adequate if it is shown that the second attempt at notice was mailed (and left at the residence, where applicable) at least ten days prior to the final hearing. Such proof shall be by affidavits in substantially the same form as Paragraph 7(a), detailing the manner in which a new address was obtained (where applicable) and the manner in which notice was sent and left at the residence (where applicable). Proof shall also include postmarked certified mail receipts and signed return receipts where used. Provided, however, the Plan Commission or Plat Committee may at its discretion continue a final hearing and require further attempts at notice to non-petitioning property owners whose property is included in the petition or proposal.
- e. Appearance at any hearing on a petition or proposal, in person or by representative, shall waive any defect in notice unless the alleged defect is raised at the beginning of the hearing.
7. Proof of notice shall be in the following form:
- a. For notice to non-petitioning owners, one or more notarized, sworn affidavits stating the manner in which the affiant(s) obtained the names and addresses of the property owners required to be notified, and stating the date upon which such names and addresses were obtained. Said manner shall be in accordance with Paragraph 5 of this Rule. In the case where the affidavit relates to a second attempt pursuant to Paragraph 6(c) of this Rule, the manner of obtaining a new name and/or address, if any, shall be in accordance with said Paragraph 6(c) and 6(d). Said affidavit(s) shall also include the list of names and addresses thus obtained, keyed to a map showing the petitioned property and surrounding

property; and, said affidavit(s) shall also show that notice in the required form was sent to the names and addresses on said list, the date upon which said notice was sent (which shall be not later than the second business day after the names and addresses were obtained in accordance with Paragraph 5 of this Rule), and the manner in which said notice was sent, which shall be in accordance with Paragraph (6) of this Rule. All affidavits shall be made upon personal knowledge. The affidavits required by this provision shall be filed with the Planning Department not later than 3 business days prior to the initial hearing.

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- b. Proof of compliance with these notice requirements shall also include the original receipts for certified mail stamped by the United States Post Office with the date of mailing, whenever these rules require that notice be sent by certified mail. The receipts shall be filed with the Planning Department simultaneously with the affidavits required by Paragraph 7(a) above.
- c. Proof of notice sent by regular first class mail shall consist of submittal of the following items to the Planning Department in the following manner:
 - (1) A copy of the Notice of Public Hearing to be mailed to the interested parties.
 - (2) A list of interested parties with addresses.
 - (3) An Affidavit of Notice to Interested Parties in a form approved by the Planning Department including: name of person preparing and mailing the notice; name of petitioner; location of the petition; and a statement that notice was mailed at twenty-one (21) days prior to the initial public hearing of the Plan Commission or Plat Committee.
 - (4) A copy of the plat map indicating interested parties' property.

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The Planning Department shall retain the proof of notice within the petition file.

- d. In all cases where notice is required to be sent by certified mail with return receipt requested, proof of compliance with these notice requirements shall also include filing with the Planning Department the original, signed return receipts showing the date and to whom delivered. Where the Planning Department staff is responsible for giving notice, the return receipts shall be placed in the file as they are received. Where any other person is responsible for giving notice under these rules, that person shall file the return receipts with the Planning Department at least three (3) business days prior to the initial hearing.

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Provided, however, signed receipts which are received by the person responsible for giving notice later than 3 days before the initial hearing shall be filed with the Planning Department as they are received but in no event later than

3 days before the final hearing. Provided further, where any notice required to be sent by certified mail with return receipt requested is returned to the sender for any reason, the person responsible for sending notice shall promptly notify the Planning Department of that fact and shall also provide the returned envelope to the Planning Department.

8. The Planning Department shall cause a legal notice to be published in a daily newspaper published and distributed in the county 10 days prior to the initial hearing. Said notice shall serve as a legal advertisement for both public hearings. The petitioner shall bear the expense of said advertisement.

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Article V. Hearings. Except as expressly provided herein, these provisions shall apply only to Plan Commission hearings, but not to Plat Committee hearings.

A. The order of business of regular meetings shall be as follows:

- I. Roll Call
- II. Approval of Minutes
- III. Reports, Resolutions, and Communications
- IV. Consent Agenda
- IV. Cases (Preliminary and final hearings)
- VI. Discussion, Staff Proposals, etc.
- VII. Adjournment

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V. . Preliminary Hearings

1. Consent Agenda: A consent agenda shall be developed by Planning staff in advance of the Plan Commission meeting. Each item within the consent agenda shall be individually numbered and included within the Plan Commission packet. The consent agenda shall be presented by the Plan Commission President after the *Reports, Resolutions, and Communications* section of the agenda. The President shall ask if there is anyone from the public in attendance to speak against any consent agenda petition. Items shall be removed from the consent agenda at the request of any member of the Plan Commission. Items not removed from the Consent Agenda shall be adopted by general consent without debate. Removed items shall be taken up for consideration in accordance with the order they appear in the Plan Commission's packet.

B. Limits on Testimony:

1. The general format for each case will be an order and time limit as follows:

Staff Report
Presentation by Petitioner- 20 minutes total
Questions for the Staff and Petitioner by the Commission

I: \Common\Development Review\Plan Commission\Rules and Procedures\PC Rules and Procures (4-8-13)

**BLOOMINGTON PLAN COMMISSION
STAFF REPORT
Location: 304 W. Kirkwood Avenue**

**CASE #: SP-33-13
DATE: December 9, 2013**

PETITIONER: Elmore-Orego, LLC
304 W. Kirkwood Avenue, Bloomington

CONSULTANT: Smith Neubecker & Associates
453 S. Clarizz Blvd, Bloomington

REQUEST: The petitioner is requesting site plan approval for a 4-story mixed-use development.

Area:	0.78 Acres	
Zoning:	CD/Downtown Core Overlay	
GPP Designation:	Downtown	
Existing Land Use:	Office	
Proposed Land Use:	Mixed-Use	
Surrounding Uses:	South	– Parking Lot and Multifamily (The Kirkwood)
	West	– Retail (Framemakers) and Drive-thru Bank
	North	– Bank and Office
	East	– Restaurant (Zagreb’s) and Mixed-Use

REPORT SUMMARY: The subject property is located on the west side of the B-Line Trail between W. Kirkwood Avenue and W. 6th Street. This 0.78 acre site is currently occupied by a one-story office building. The subject property and the surrounding properties to the north, south, and west are zoned Commercial Downtown (CD) and are within the Downtown Core Overlay (DCO). The properties to the east are within the CD district and within the Courthouse Square Overlay (CSO).

The petitioner is proposing to construct a new 4-story mixed-use structure with structured parking on parts of the first floor and a basement level that would utilize the adjacent alley way to provide access. The structure would include approximately 12,640 square feet of non-residential space, much of which would house the petitioner’s existing offices on the first floor. In addition, the petitioner is proposing 35 units and up to 65 bedrooms on the upper three floors. The second and third floors would have 32 units and 53 potential bedrooms (47 bedrooms and 6 dens). The partial fourth floor is proposed to include 3 large penthouse units with up to 12 bedrooms (9 bedrooms with 2 offices and an exercise room shown).

The petitioner is proposing to use pervious pavers with underdrains within a reconstructed plaza area to the east. This plaza area would include the removal of an existing drive cut from Kirkwood Ave. and the addition of planters and tree grates. The current brick area is used as a parking lot but will not have vehicle storage with this plan. This plaza area would be integrated into the existing B-Line design and will necessitate encroachment and maintenance agreements from both the Board of Public Works and the Parks Board. There

would be three connection points to the B-Line trail. One connection would be near 6th St, one near the Kirkwood plaza, and one near the mid-point of the other connections. The petitioner has had multiple meetings with the Parks Department to coordinate the interaction of this project with the trail including grade transitions, landscaping, and paving treatments.

The petitioner's proposed building encompasses nearly half of a City block. Although large, the impacts of the structure are mitigated by the large recession of the fourth story and an irregular shaped lot that breaks the longest visual portion of the building up into multiple natural modules that lie on different visual plains. This effectively reduces the amount of continuous building wall.

The proposed building is a blend of architectural styles that utilize both modern and traditional components to create visual interest and to reduce the perceived mass of the structure. The main entry will face Kirkwood Ave. and will house the office uses that currently occupy the site. The main materials will be limestone, metal, brick, and wood. The southern portion of the building has a more modern feel with a metal architectural turret feature, several inset patio spaces, some outdoor patios on the third and fourth floors, and one cantilevered deck on the second floor. The northern portion of the property transitions into a more traditional style that includes metal bay window features intended to give better viewing lines of the adjacent B-Line trail. The first floor will have additional non-residential use and structured parking. The recessed fourth floor will have ample outdoor space and will consist mostly of wood siding.

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

- The project is adjacent to a residential use.
- The project proposes 8 waivers to the standards in BMC 20.03.130.

SITE PLAN REVIEW

Residential Density: The petitioner is proposing 35 units. These units include 19 one-bedroom units, 6 two-bedroom units, 7 three-bedroom units, 2 four-bedroom units, and 1 five-bedroom unit for a total of 35 units and 65 bedrooms. Many of these units are large enough that they do not qualify for a full or partial reduced dwelling unit equivalent number. This proposal would equate to 32.24 dwelling unit equivalents (DUE) or 41.33 DUE/acre. This is below the 60 DUE/acre that is permitted within the DCO.

Maximum Impervious Surface Coverage: The DCO allows up to 100 percent coverage. The petitioner is proposing to utilize nearly 100% impervious surfaces with some small planting areas along Kirkwood Ave and around the parking spaces off of the alley to the west. The petitioner is also proposing to use pervious pavers with underdrains within the plaza area to the east.

Height: The DCO district specifies a maximum structure height of 50 feet. The proposed structure has a height of approximately 62 feet from the lowest elevation along the building

to the highest point on the roof. The building has been designed with the bulk of the structure being three stories (Approx. 42-44 feet in height) with a recessed fourth story as well as a recessed third story off of Kirkwood Ave.

Height Waiver-20.03.120(b)(2): A waiver from the architectural standard of the UDO is required to allow a height of more than 50 feet. The Downtown Plan, in the intent for the Downtown Core area (pg. 2-5) states that “parcels in the Downtown Core Character Area can accommodate taller structures and should be encouraged when they are designed to reflect the traditional scale of buildings at the street level and are articulated into modules that are compatible with the traditional design context.” Guideline 3.9 recommends that new buildings “maintain the perceived building scale of two to four stories in height.” It goes on to state that “if a building must be taller, consider stepping upper stories back from the main façade.” The proposed building is 3-stories in height along the street and the B-Line Trail, with the fourth floor stepped back from the street and trail, which complies with the policies of the Downtown Plan. The additional height is due in large part to high ceilings within the structure. The mass of the building is also in scale with surrounding buildings such as the new Hyatt Place Hotel, the Kirkwood apartment building, and the Mercury apartment building. Staff is supportive of this waiver.

Parking: If all of the potential bedrooms (65) are utilized to determine parking requirements for this site, the total number of parking spaces required is 41. No parking is required with the non-residential portions of this structure. The petitioner is proposing to create a two-level parking area within the building. There would be two secured access points from the alley to the west. One of these entrances would ramp up and utilize a portion of the first floor. The second access point would ramp down and utilize a partially below grade area for parking. These two areas would allow for approximately 61 garaged spaces.

The petitioner is also proposing to create eight new back-out parking spaces onto the adjacent alley. These parking spaces need to receive a variance to be installed. Although up to eight parking spaces are usually allowed off an adjacent alley, the site is larger than the maximum area to allow the spaces by-right.

In addition to these 69 parking spaces, the removal of two street cuts along Kirkwood Ave. allows for up to three additional parallel parking spaces to be added to the street inventory consistent with the Kirkwood streetscape. The adjacent property owner has expressed some concern with the proposed curbing and its potential impact to his delivery truck movements. Staff will work with the Public Works Department to determine the appropriate curb layout for Kirkwood.

Setbacks: The DCO does not require any setback for structures on this property. The property has a 0-foot build-to line on both street frontages. The building meets this standard but requires a waiver from the requirement that a minimum of 70% of the building be located at the build-to line.

Although there are no setback requirements in the DCO, there is a 10-foot setback from any adjacent B-Line trail right-of-way. The petitioner is seeking a waiver from the 10-foot setback to allow for the northern 111 feet of the building that runs parallel to the trail to be located approximately 1-3 feet from the B-Line trail right-of-way. The petitioner has met with the City Parks Department regarding this setback issue and has received support for this reduction.

B-Line Setback Waiver-20.03.130(a)(3)(D)(ii): The main intent of the additional setback is not to provide additional greenspace. It was to create appropriate distance from the trail as well as to avoid a tunnel impact to the trail. It is to ensure that new construction near the trail provides adequate respect to the trail in terms of massing and shading. The proposed project is within this setback for a portion of the trail but due to the adjacent street will not have a tunneling affect to the trail. In addition, a large part of the building will be buffered by an additional public plaza area between the trail and the structure. The DCO has a maximum impervious surface coverage of 100%. If the setback were included, it would not have to be greenspace and could be hardscaped. The petitioner has worked with the Parks staff to add some landscaping in this area and will have to receive Parks Board approval for several encroachments. The Parks staff has been supportive of this waiver.

Ground Floor Nonresidential Use: The petitioner is not proposing any lower level units. The entirety of the footprint will have ground floor, office, retail, or parking. The office and retail component exceeds the 50% minimum at approximately 12,640 square feet or 56%.

Architectural Standards:

Frontage: The DCO requires that a minimum of 70% of the building façade be constructed at the build-to line. The proposed structure is constructed at the right-of-way line, but does not meet the 70% requirement due to articulation of the building of a few feet. The structure is a completely building forward design that meets the intent of this regulation.

Frontage Waiver-20.03.130(a)(1): The UDO requirements reflect the strong desire of the Downtown Plan to have buildings brought to the street. This proposal clearly meets the intent of this requirement and is only offset by a few feet to accommodate columns on Kirkwood Ave. and a small amount of green spaces along 6th St. Staff supports this waiver.

Orientation and Entrances: The proposed structure has been designed to include the required primary pedestrian entries along Kirkwood and the B-Line Trail. There are pedestrian entry points onto both Kirkwood Ave. and 6th St. There are also three entry points to the east, two adjacent to the trail and one that opens to the plaza area. Both street entries will be at grade with the adjacent sidewalk.

Streetscape: The petitioner is proposing to remove two drive cuts onto Kirkwood Ave. The Kirkwood streetscape will be extended across the entire frontage. The required street lights have already been installed with past streetscape projects. The streetscape in this area

includes an oversized tree plot rather than tree grates as required in the DCO. The 6th Street frontage also has an existing tree plot and sidewalk. The petitioner is proposing to reconstruct the sidewalk in a similar location and plant new trees in the tree plot to replace the trees that will be removed behind the sidewalk. If desired by the Plan Commission, the petitioner could install hardscape between the proposed building and the existing curb. This area is approximately 16 feet and accesses a residential entry into the building.

Tree Grate Waiver-20.03.130(a)(4): The Downtown Plan does not give significant guidance to street tree design. Staff finds the streetscape along Kirkwood to be consistent with the public improvements done in this area and supports this waiver. If the Plan Commission finds it more appropriate for the 6th St. trees to be within grates, this can be made a condition of approval. However, staff finds that there is ample hardscape in this area including the area that will serve as an entrance to the retail storefront. This area has a large right-of-way, so staff finds a small amount of greenspace along the street to be desirable and supports this waiver.

Roofs/Caps: The proposed structure has the required design elements to meet all of the roof and cap requirements.

Void-to-Solid: The proposed building has a minimum first floor void-to-solid ratio requirement of 60% for the facades that face Kirkwood Ave, 6th St., and the portion of the building that is adjacent to the B-Line trail. Although these facades fall short of this standard (approximately 40%, 45%, and 42% respectively), the building has a significant amount of articulation and architectural details to achieve the desired affect. The upper floors facing Kirkwood Ave. and 6th St. meet the 20% upper floor minimum amount of void. The petitioner has also included a significant amount of void-to-solid on other facades of the building that do not have a minimum void requirement, such as the western façade and the upper floors that face the B-Line trail. Furthermore, the Kirkwood façade is anticipated as an office that will have activity inside, but does not necessitate larger display windows. In addition, the petitioner has incorporated a significant amount of void-to-solid on the east along the B-Line frontage.

Void-to-solid Waiver-20.03.130(b)(2): The Downtown Plan does not give direct guidance to specific void-to-solid percentages. It states a strong desire to have storefront windows and to avoid large expanses of blank wall. Although the petition does not meet the exact DCO requirement, the petitioner has designed a building that has no large expanses of blank wall, includes large amounts of not only storefront glass, but actual storefronts. This proposal meets many of the mixed-use desires and provides new storefront along the B-Line trail that will enhance the pedestrian experience and get more visibility to the Trail. Staff finds this proposal to meet the intent of this standard and supports this waiver.

Windows: Due to the blend of modern and traditional architecture, the majority of the windows meet the height-to-width ratio and design requirements. However there are some windows, such as those on the second floor facing Kirkwood Ave, that do not meet the height-to-width ratio. This is due to the architectural design chosen by the petitioner. There

are some windows, most of which are located within the areas of the metal panels, that do not have sills and lintels. Staff is supportive of most of these with the exception of the windows within the bricked areas. Staff has recommended and the petitioner has agreed to add sills and lintels to all bricked window openings as these portions of the building have a more traditional architecture where the sills and lintels are appropriate.

Window Design Waiver-20.03.130(b)(3)(C): A waiver from the standards of the UDO is required to allow windows that are less than 1.5:1 in ratio of height to width and for some windows not to have sills and lintels. The Downtown Plan's recommendations for upper story windows (guidelines 3.13-3.14) call for windows with a vertical emphasis and trim that aligns with adjacent traditional buildings. While not all of the windows meet the required ratio, the intent of this standard has been met. Although the windows could be modified to meet the standards, staff finds it appropriate to allow some flexibility in design to achieve more variety in building façades and allow a more modern design.

Materials: The proposed architecture has a mixture of several materials to break the large building into visual modules. The southern portion of the building will be predominantly limestone and metal panels with a granite base. The northern portion of the building immediately adjacent to the trail has been shown with a predominantly brick façade with metal bay windows and a granite base. The recessed fourth floor that includes three large penthouse units is proposed to utilize a vertical tongue and groove wood siding. The blue portions of the elevations are also wood. Staff has included in the packet sample pictures provided by the petitioner to show the type of product they are seeking for the penthouse level and the metal panels. The metal panels are not proposed to be highly reflective and do not need a waiver. Wood is not allowed as a primary exterior finish material, but can be used for less than 20% of a façade. The wood on the upper level would meet this requirement.

Vertical/Horizontal Design: The petitioner has met the vertical and horizontal design requirements.

Entrance Detailing: The required primary pedestrian entry along Kirkwood will meet all entry requirements. The petitioner will need to add a prominent address prior to permitting. The model and the floor plan conflict slightly as the model shows the required recessed entry, but the floor plan does not. Prior to permitting, the plans must be amended to show the recessed entry. In addition to this required entry, there is a required entry toward the B-Line Trail. The petitioner has designed the building to have two entries opening to the B-Line Trail, one entry to the plaza area near the southeast corner of the building, one entry facing 6th St, and two smaller entries facing the alley to the west.

Façade Modulation: The building has utilized materials and design elements to create multiple visual modules. The only required module is along Kirkwood Ave. This street frontage is approximately 90 feet in width and would require at least one module offset of 2.7 feet. The façade does have several articulated columns that range from 1-2 feet from the building.

Façade Modulation Waiver-20.03.130(c)(1): Staff finds that the proposed Kirkwood architecture meets the intent of the façade modulation requirement to provide ample articulation in building facades. The multiple columns, the corner focal element, as well as the tiered third and fourth floor create significant articulation and architectural interest as envisioned by the Downtown Plan.

Step Back: The petitioner has met the 15-foot step back for the great majority of the 4th floor. There are portions along the alley side to the west and a very small portion of the fourth floor near the B-Line trail that are not recessed the full 15-feet. A significant portion of the fourth floor is recessed more than 15 feet. There is also a portion of the Kirkwood façade that has a small recession above the second floor and then a larger recession for the fourth floor. The UDO does not allow a recession within the first 35 feet of the building.

Building Height Step Back Waiver-20.03.130(c)(3): A waiver from the minimum step back height architectural standard of the DCO is required to allow two areas of the fourth floor to have less than a 15-foot step back and for a small step back to be allowed along the Kirkwood frontage within the first 35 feet of the building. Guideline 3.9 recommends that new buildings “maintain the perceived building scale of two to four stories in height.” It goes on to state that “if a building must be taller, consider stepping upper stories back from the main façade.” The Downtown Plan does not give a recommended height for the step back, but instead recommends step backs for buildings over 4 stories. The building is 3 stories with a recessed fourth. Staff also finds that the small step back between the second and fourth floor along Kirkwood adds additional visual interest and does not compromise the design of the building or the area. Staff recommends approval of this waiver.

Bicycle Parking: This petition is required to have a minimum of 15 bicycle parking spaces. Of these 15 spaces 8 must be covered and 4 must be Class I, lockable spaces. These are most likely going to be placed in both the garage as well as on the exterior of the building. These spaces will be shown prior to permitting.

ENVIRONMENTAL COMMISSION RECOMMENDATIONS: The Bloomington Environmental Commission (EC) reviewed the proposal and has made three recommendations:

1.) The Petitioner shall modify the Landscape Plan and obtain Planning Department approval before any work permits are granted.

Staff Response: The petitioner has agreed to the changes and will include these changes with the permit submittal.

2.) The EC recommends that a setback waiver for this site is denied.

Staff Response: Staff respectfully disagrees with this recommendation. The main intent of the additional setback is not to provide additional greenspace. It was to create

appropriate distance from the trail as well to avoid a tunnel impact to the trail. It is to ensure that new construction near the trail provides adequate respect to the trail in terms of massing and shading. The proposed project is within this setback for a portion of the trail but due to the adjacent street will not have a tunneling affect to the trail. In addition, a large part of the building contains an additional public plaza area between the trail and the structure. The DCO has a maximum impervious surface coverage of 100%. If the setback were included, it would not have to be greenspace and could be hardscaped. The petitioner has worked with the Parks staff to add some landscaping in this area and will have to receive Park Board approval for several encroachments. The Parks staff has been supportive of this reduced setback.

3.) The Petitioner shall have an approved Maintenance Plan before any permits are granted.

Staff Response: The encroachments into the City rights-of-way and the Parks property will have to receive subsequent encroachment approvals from other review bodies. A maintenance agreement will be a part of these approvals.

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

Staff Response: Although not required, staff encourages the petitioner to include a high level of green features with this building.

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

Staff Response: Although not required, staff encourages the petitioner to include on-site recycling with this development.

DEVELOPER TRACK RECORD: The petitioner runs several local businesses within the existing structure that would continue with this new structure. They have no known past development history within Bloomington and have had no known zoning violations in the past.

RECOMMENDATION: Staff recommends approval of SP-33-13 and associated waivers with the following conditions:

1. The entry shall be revised to include a building address prior to building permit issuance.
1. The petitioner must work with Planning and Engineering staff to include mirrors or alternative safety methods at the vehicular exits from the garage, if deemed to be necessary.
2. All encroachments into the public right-of-way must be approved by the Board of Public Works, and any encroachments into the B-Line Trail right-of-way must be approved by the Parks Board.

3. The architecture of this structure shall consistent with the submitted drawings.
4. A variance from the back-out parking spaces located on the alley to the west is required prior to grading permit issuance.
5. A 30-42 inch decorative wall must be installed between the alley parking spaces and Kirkwood Ave.
6. Sills and lintels shall be added to all windows within a brick façade.
7. The Kirkwood Avenue elevation must show the required 4-foot recessed entry prior to permit issuance.

MEMORANDUM

Date: December 2, 2013
To: Bloomington Plan Commission
From: Bloomington Environmental Commission
Through: Linda Thompson, Senior Environmental Planner
Subject: SP-33-13, Elmore – Orrego LLC.
304 W. Kirkwood Ave

This memorandum contains the Environmental Commission's (EC) input and recommendations regarding the request for a Site Plan to raze an existing building and replace it with a mixed-use building. The parcel is within the Commercial Downtown Zoning District within a Downtown Core Overlay.

Some of the following issues the EC brings to your attention are directly in response to the Bloomington Municipal Code (Code). Other comments and recommendations are not necessarily required by the Code, but are based on sound environmental planning consistent with the Bloomington Growth Policies Plan.

ISSUES OF CODE COMPLIANCE:

1.) LANDSCAPE PLAN:

The landscape plan has a few deficiencies that have been sent to the Petitioner. The Petitioner has since verbally agreed to the changes with too little time left before this meeting to get the changes through the approval process. The EC recommends that the Landscape Plan be modified and approved before any permits are granted.

2.) SETBACK WAIVER:

The required setback for new buildings along the B-Line Trail is ten feet from the right-of-way, and the Petitioner is requesting a two-foot setback. The EC believes that the 10-foot setback is appropriate for buildings along the trail, as supported in the Unified Development Ordinance (UDO). Therefore, the EC does not support a waiver for a setback that is only two feet from the B-Line Trail right-of-way.

A building so close to the trail not only loses a potential amenity for trail visitors, but also eliminates another opportunity for a small bit of green space providing ecological services within our urban footprint. Landscapes employing native species can assist in providing many valuable ecological services, therefore some, if not all, of the vegetation should be native to the south central Indiana ecoregion. A native plant is a naturally occurring, indigenous species within a

specific habitat or biogeographic region. Native plants are adapted to the soil and climate in which they live, have evolved defenses to many diseases and pests, and provide food and shelter to animals that have evolved symbiotic relationships with specific species. Additionally, they require less or no watering, fertilizing, or pesticides. Besides maintenance convenience and financial savings, native plants support animal communities, such as birds, butterflies, and beneficial insects. And as our region's natural areas dwindle with population growth, planting natives in the urban environment helps protect the vast diversity in our natural plant communities.

At a time too late for the EC to review, the Petitioner verbally committed to increasing the density of vegetation in the plan that had shown some shrubs. They are still requesting the waiver but hope dense plantings will be a compromise to additional footage.

ISSUES OF SOUND ENVIRONMENTAL DESIGN:

3.) LANDSCAPE MAINTENCE AGREEMENT:

Some of the landscaping provided by the Petitioner is within the B-Line Trail right-of-way. Because future maintenance could be in question, the EC recommends that a maintenance agreement be crafted and agreed upon by the Petitioner and the City as soon as possible. The agreement should at least include plant, hardscape, and underdrain upkeep.

4.) GREEN BUILDING & SITE DESIGN:

The EC recommends that state-of-the-art green building features are employed in this project. This building will be in a prominent downtown location and the illustrative renderings feature it as modern and beautiful, deserving of high end green features.

Green building and environmental stewardship are of utmost importance to the people of Bloomington and sustainable features are consistent with the spirit of the 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's specific recommendations for this site that will reduce its carbon footprint 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
 ~ use of reflective roofing material.

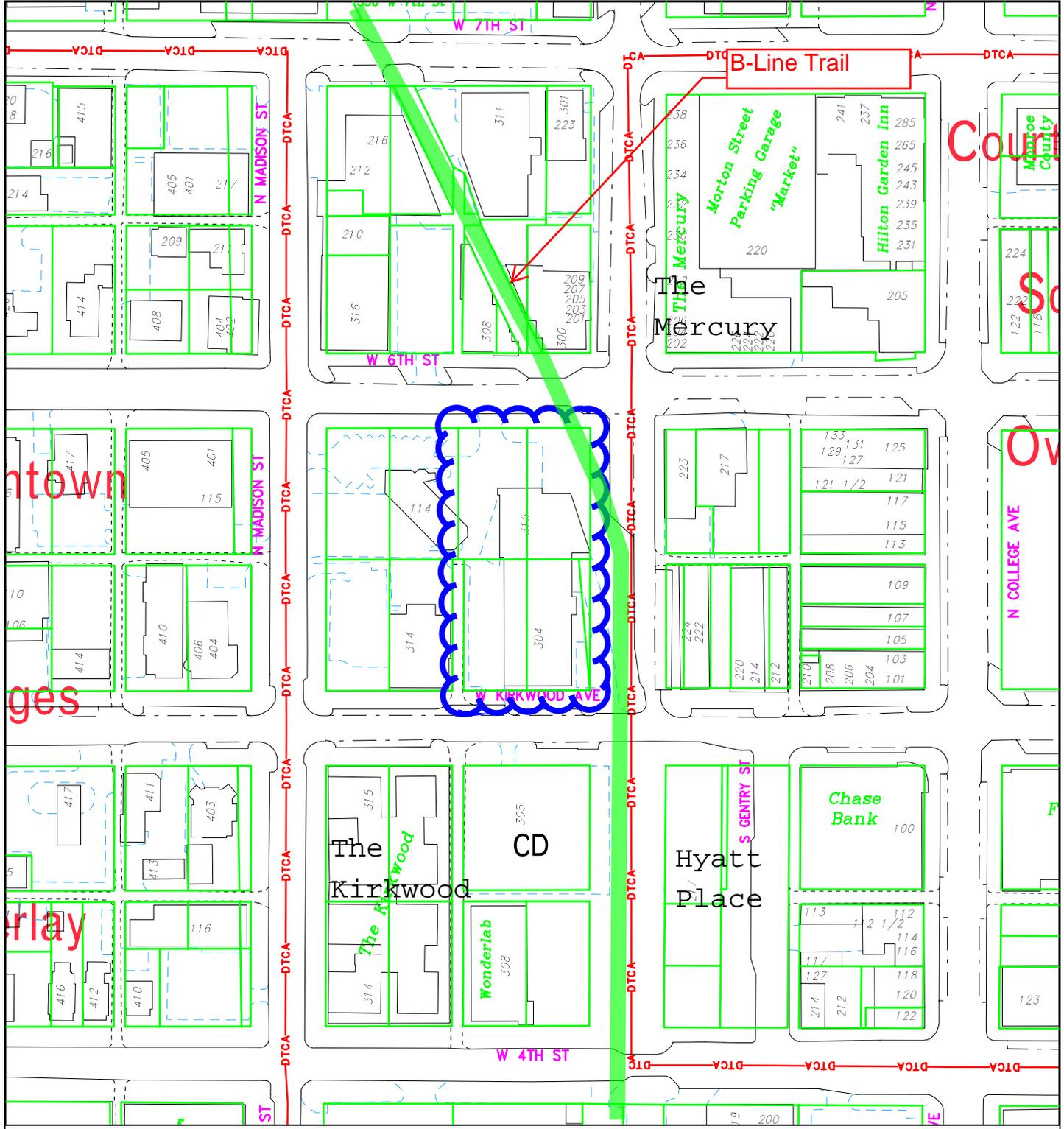
5.) RECYCLING:

The EC recommends that space be allocated for recyclable-materials collection, which will reduce the development's carbon footprint and promote healthy indoor and outdoor environments. Lack of recycling services is the number one complaint that the EC receives from apartment dwellers in Bloomington, and hopefully will be required in the near future. Recycling

has become an important norm that has many benefits in energy and resource conservation. Recycling is thus an important contributor to Bloomington's environmental quality and sustainability and it will also increase the attractiveness of the apartments to prospective tenants and short term customers.

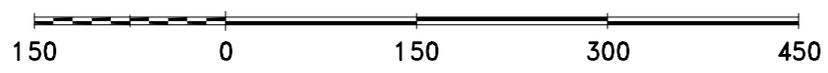
EC RECOMMENDATIONS:

- 1.) The Petitioner shall modify the Landscape Plan and obtain Planning Department approval before any work permits are granted.
- 2.) The EC recommends that a setback waiver for this site is denied.
- 3.) The Petitioner shall have an approved Maintenance Plan before any permits are granted.
- 4.) The Petitioner should apply green building and site design practices to create a high performance, low carbon-footprint structure.
- 5.) The Petitioner should provide space for recyclable materials to be stored for collection, and a recycling contractor to pick it up.



SP-33-13 Elmore-Orego LLC
 Location/Zoning Map
 304 W. Kirkwood Avenue

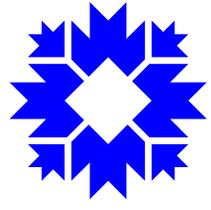
By: shapp
 5 Aug 13



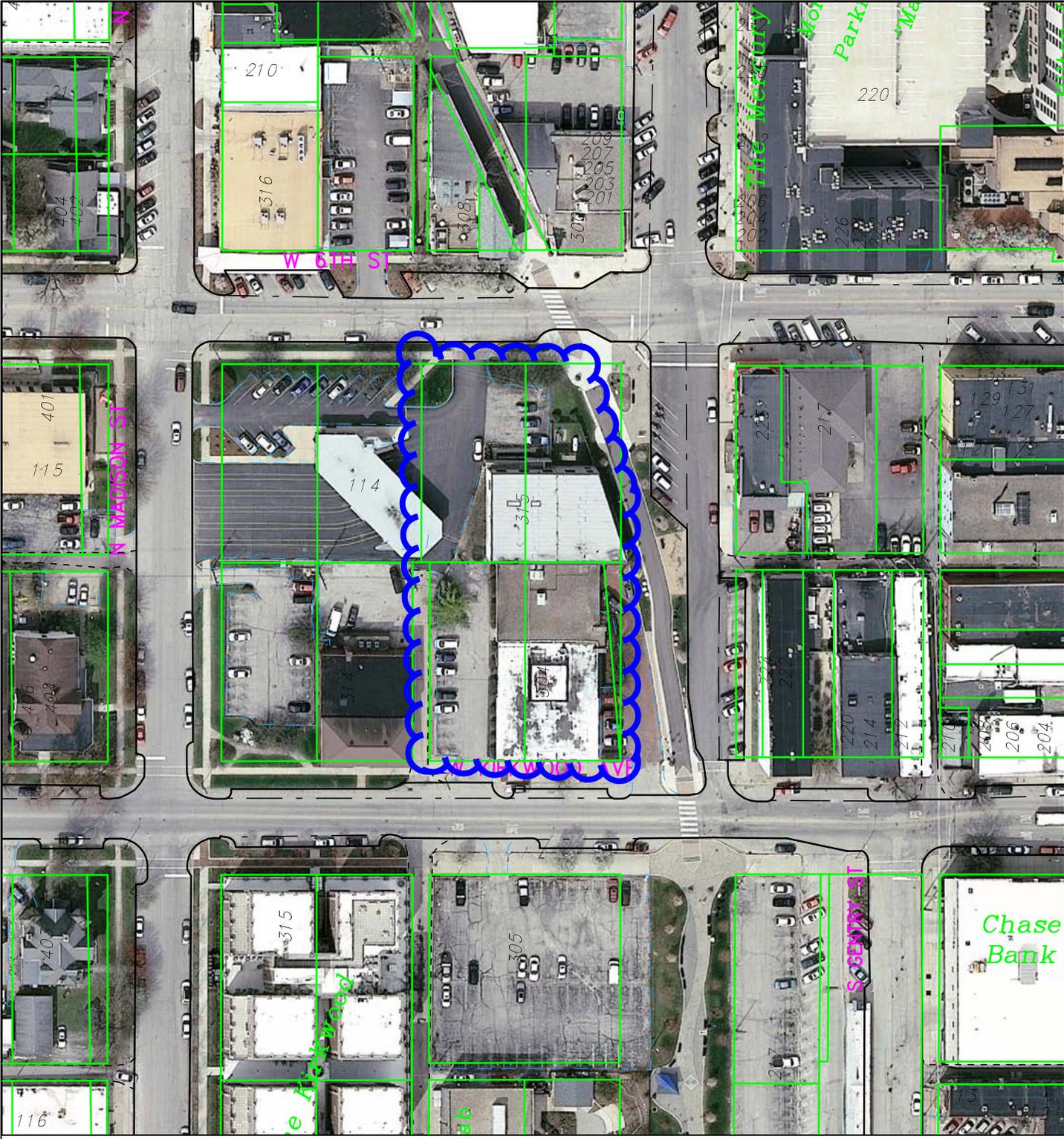
For reference only; map information NOT warranted.



City of Bloomington
 Planning

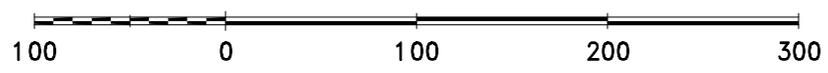


Scale: 1" = 150'

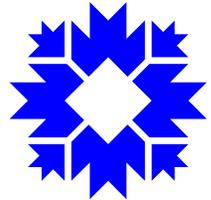


SP-33-13
Aerial Photo

By: shapp
5 Aug 13



City of Bloomington
Planning



Scale: 1" = 100'

For reference only; map information NOT warranted.



"Providing professional land planning, design, surveying and approval processing for a quality environment."

Stephen L. Smith P.E., L.S.
Daniel Neubecker L.A.
Steven A. Brehob, B.S.Cn.T.

December 3, 2013

City of Bloomington Planning Department
C/o Pat Shay
Showers Building
Bloomington, Indiana

Re; Plan Commission Site Plan Application
Elmore-Orrego LLC, 304 West Kirkwood

Dear Pat,

This letter is to confirm the final arrangement and occupancy of the revised plans that were submitted for site plan review last week. The building will include commercial office, retail and residential uses with a parking garage. Specific elements include;

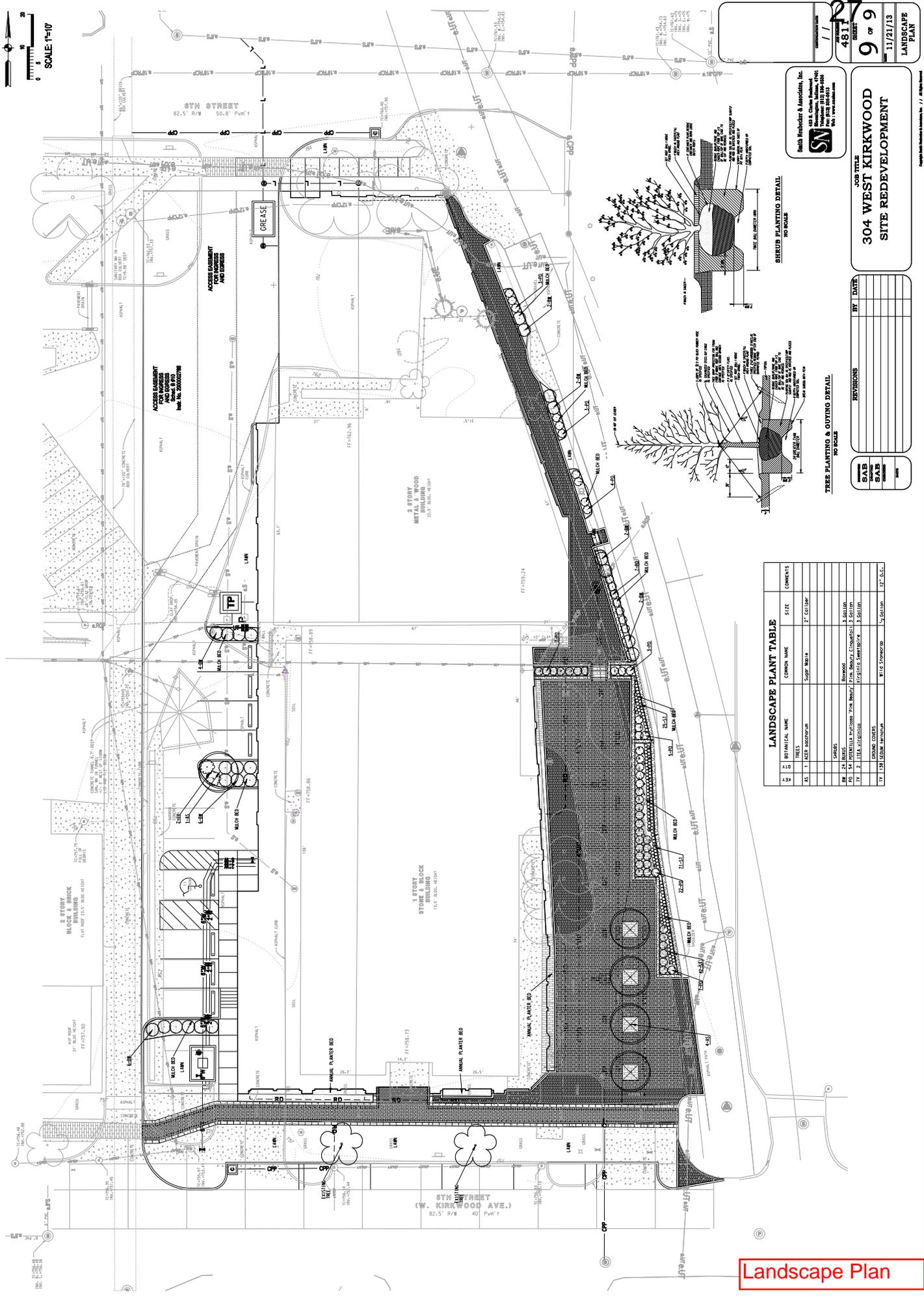
- A total of 32 residential units and on the second and third floor with a total of 47 bedrooms.
- 3 units with a total of 11 bedrooms on the fourth floor.
- Approximately 12,640 sf of commercial office and retail space as shown on the floor plans
- 60 garage parking spaces and 8 parking spaces off the alley

The submitted plans reflect these numbers.

Very truly yours,

Stephen L Smith
Smith Neubecker & Assoc., Inc.

cc; file
McHenry
Weaver-Sherman



45127
REVISION
9 of 9
11/21/13
LANDSCAPE PLAN

Smith, Kunkler & Associates, Inc.
45127
11/21/13

JOB TITLE
**304 WEST KIRKWOOD
SITE REDEVELOPMENT**

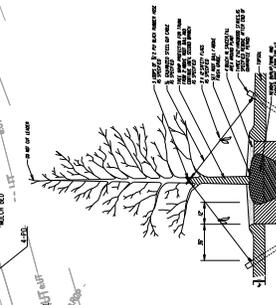
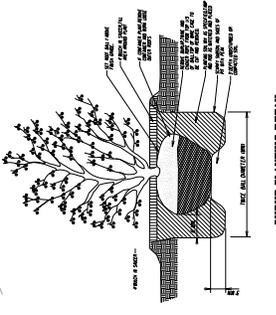
REVISIONS

BY DATE

REVISIONS

BY DATE

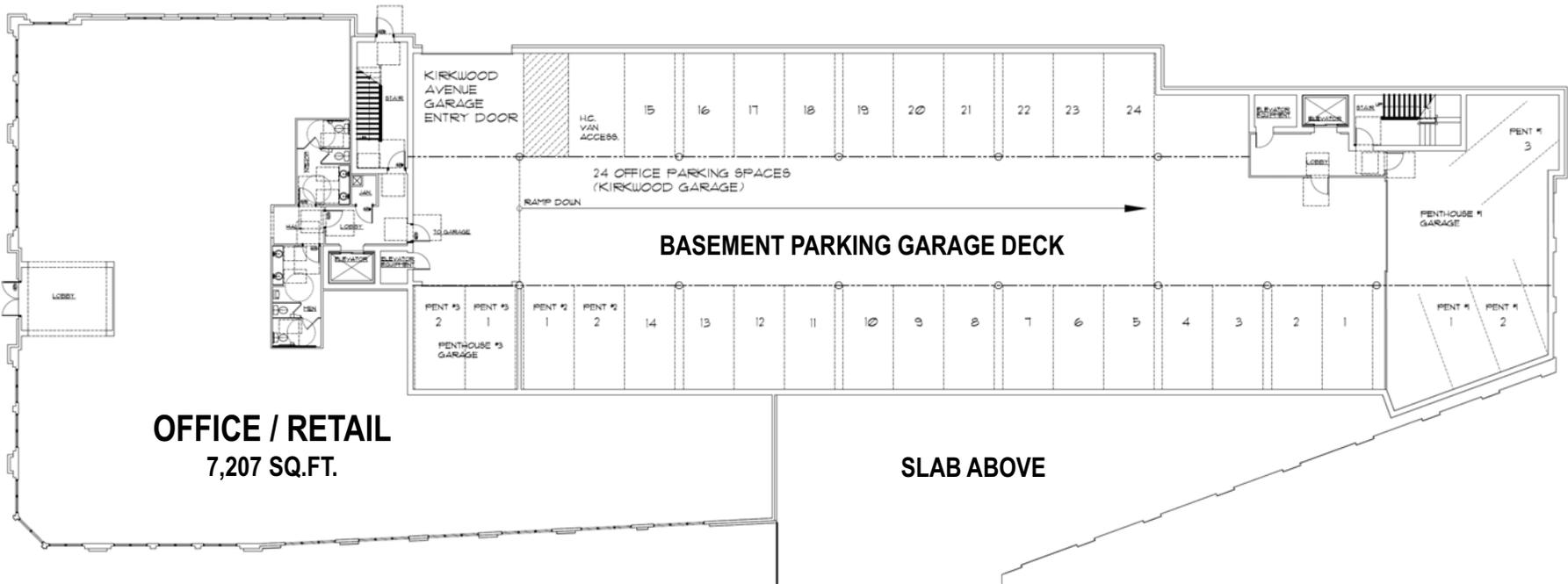
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LANDSCAPE PLANT TABLE

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	COMMENTS
AS	1. LAUREL OLEANDER	Sugar Maple	2" CALIPER	
BS	2. BURNING BUSH	DOGWOOD	3" CALIPER	
CS	3. CAMELLIA	DOGWOOD	3" CALIPER	
DS	4. DORIS	DOGWOOD	3" CALIPER	
ES	5. ERYTHRONIUM	DOGWOOD	3" CALIPER	
FS	6. FERN	DOGWOOD	3" CALIPER	
GS	7. GARDEN SPIDER	DOGWOOD	3" CALIPER	
HS	8. HYDRANGEA	DOGWOOD	3" CALIPER	
IS	9. IRIS	DOGWOOD	3" CALIPER	
JS	10. JASMINE	DOGWOOD	3" CALIPER	
KS	11. KENTUCKIA	DOGWOOD	3" CALIPER	
LS	12. LILAC	DOGWOOD	3" CALIPER	
MS	13. MORNINGS GLORY	DOGWOOD	3" CALIPER	
NS	14. NIPER	DOGWOOD	3" CALIPER	
OS	15. OXALIS	DOGWOOD	3" CALIPER	
PS	16. PINK DOGWOOD	DOGWOOD	3" CALIPER	
QS	17. QUINCE	DOGWOOD	3" CALIPER	
RS	18. RHODODENDRON	DOGWOOD	3" CALIPER	
TS	19. TULIP	DOGWOOD	3" CALIPER	
US	20. URTI	DOGWOOD	3" CALIPER	

LANDSCAPE PLAN



OFFICE / RETAIL
7,207 SQ.FT.

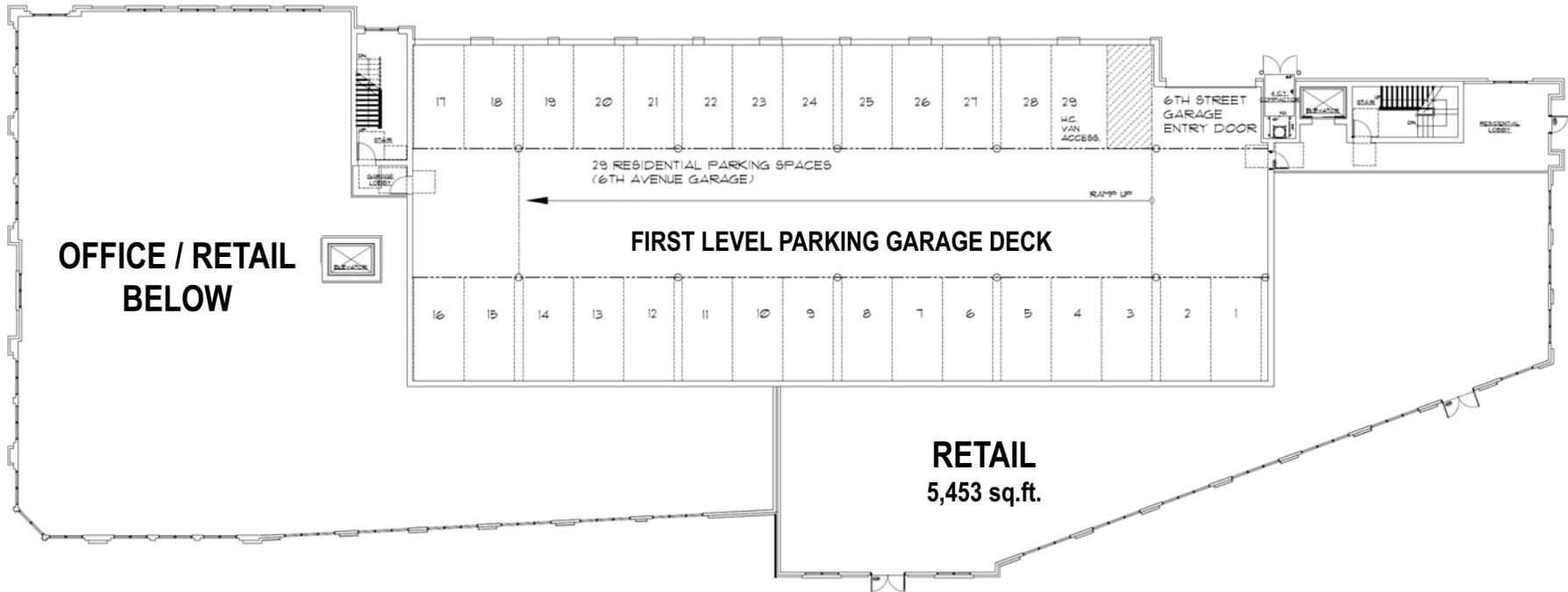
BASEMENT PARKING GARAGE DECK

SLAB ABOVE

Kirkwood Level Floor – 23,234 Sq.Ft. Total

Office / Retail 7,207 sq.ft.
Parking 32 Spaces

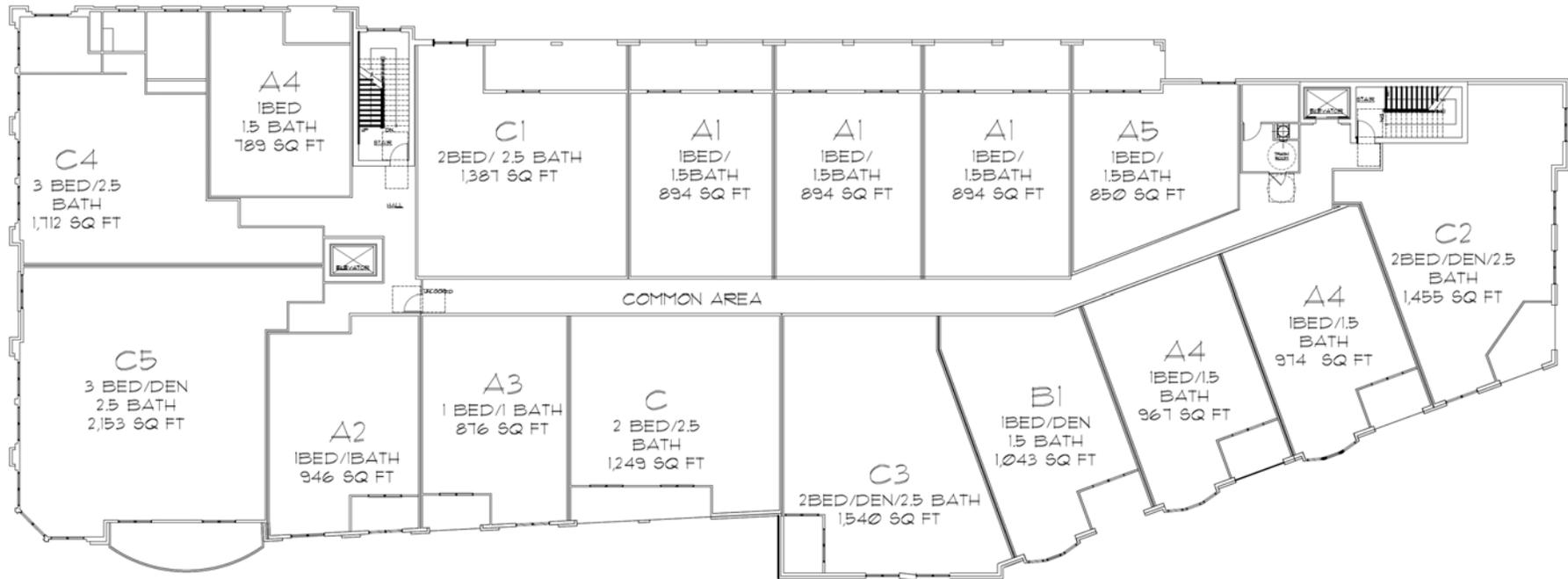
Kirkwood Level Floor Plan



6TH Avenue Level Floor Plan – 23,234 Sq.Ft. Total

Retail	5,453 sq.ft.
Parking	30 Spaces

First Level Floor Plan



Second Level Floor Plan – 23,387 Sq.Ft. Total (includes exterior deck areas)

Residential (interior space)

31,641 sq.ft.

-24 Bedrooms

(measured to outside of framing and centerline of unit party walls)

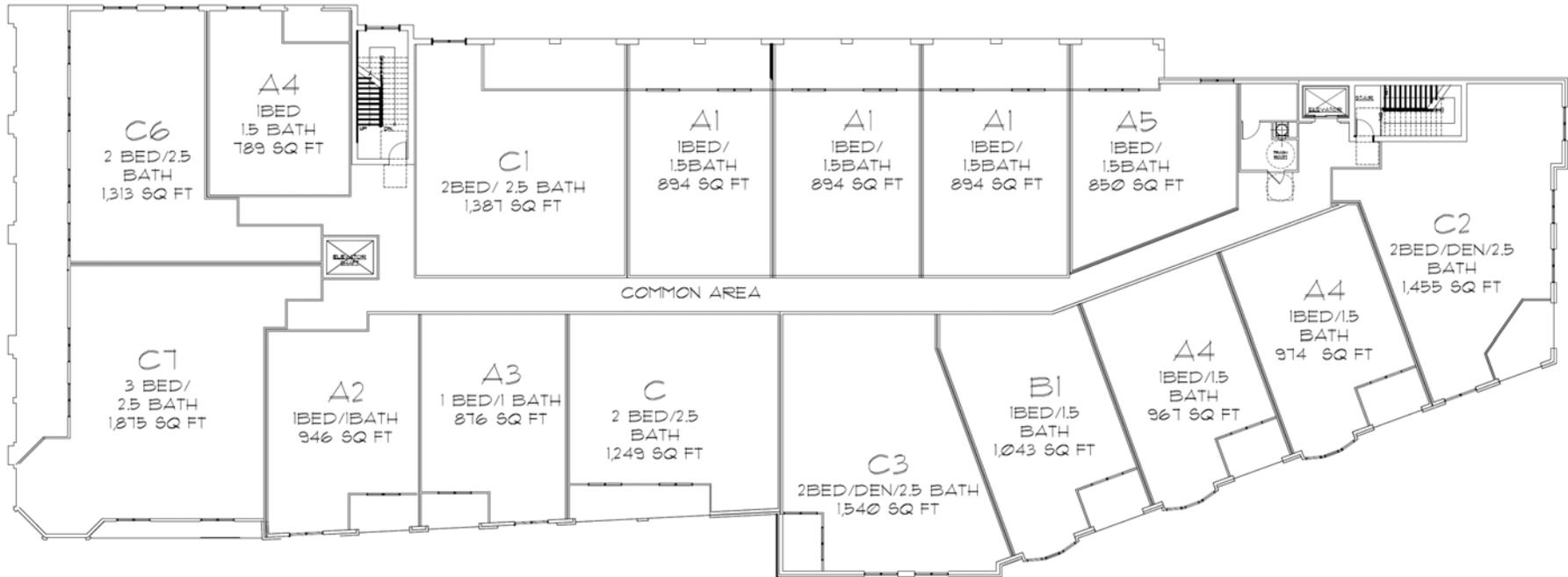
Residential (exterior space)

2,091sq.ft.

Common Area

2,678 sq.ft.

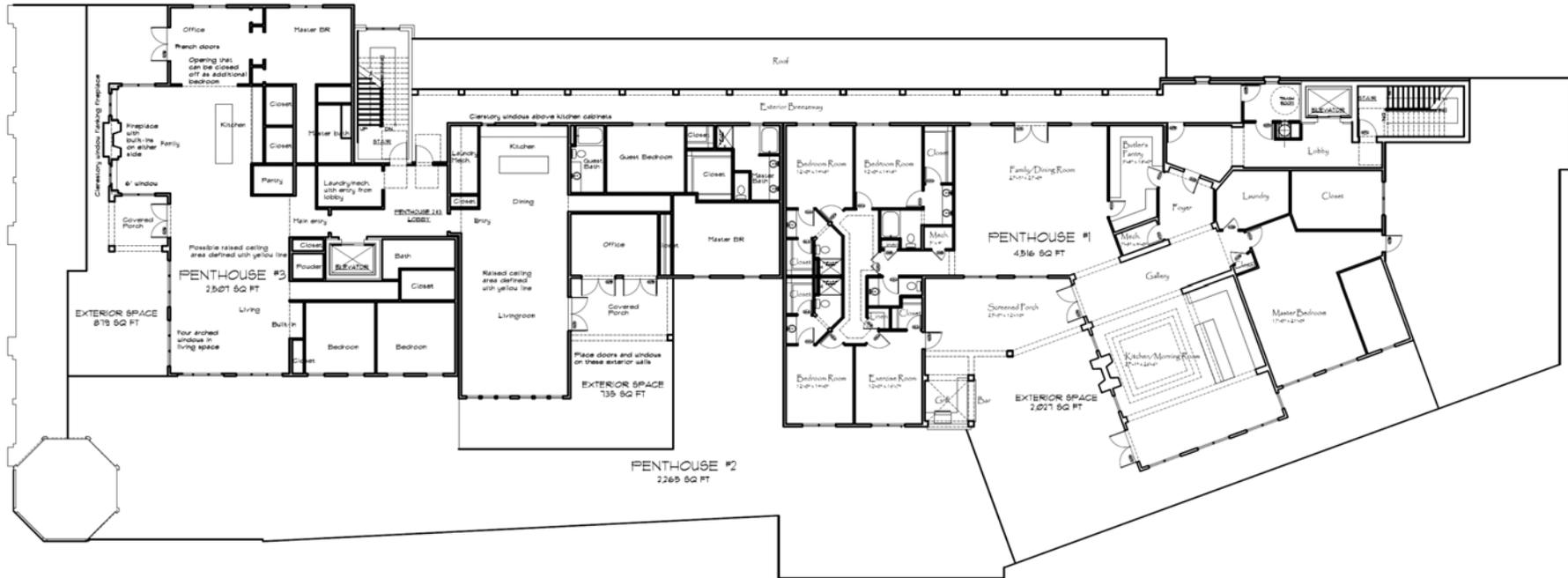
Second Level Floor Plan



Third Level Floor Plan – 23,263 Sq.Ft. Total (includes exterior deck areas)

Residential (interior space)	16,318 sq.ft.
-23 Bedrooms (measured to outside of framing and centerline of unit party walls)	
Residential (exterior space)	4,498 sq.ft.
Common Area	2,447 sq.ft.

Third Level Floor Plan



Penthouse Level – 15,064 Sq.Ft. Total (includes exterior spaces)

Residential	9,288 sq.ft.
-11 Bedrooms	
Common area	2,135sq.ft.
Exterior Space	3,641 sq.ft.

Penthouse Level Floor Plan



Kirkwood Elevation



West Alley Elevation





B-Line Elevation



Kirkwood Perspective Looking Northwest



B-Line Perspective Looking Northwest

Area of Step Back Waiver



North Morton Street Perspective Looking Southwest



Area of 10-foot setback waiver

B-Line Perspective Looking Southeast

Area of Step back waiver



6th Avenue Looking Southeast

Area of setback waiver



Aerial Looking Northwest



Aerial Looking Northeast



Aerial Looking Southeast



Aerial Looking Southwest

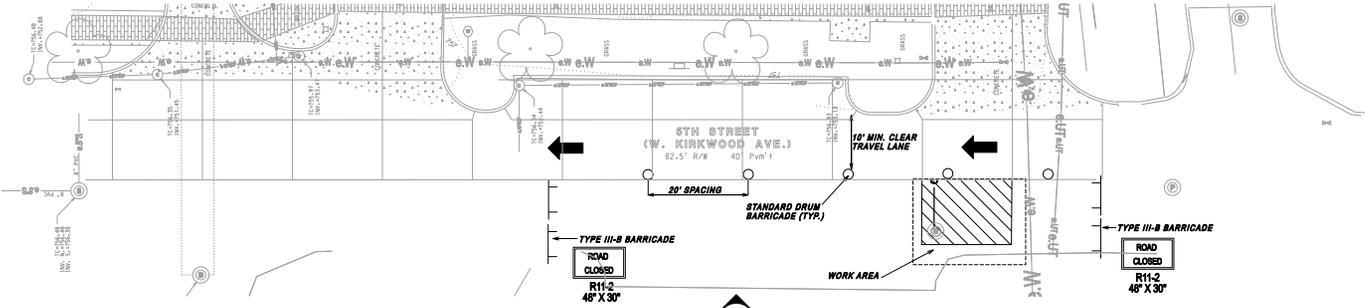


Example - Wood finish on Penthouse units

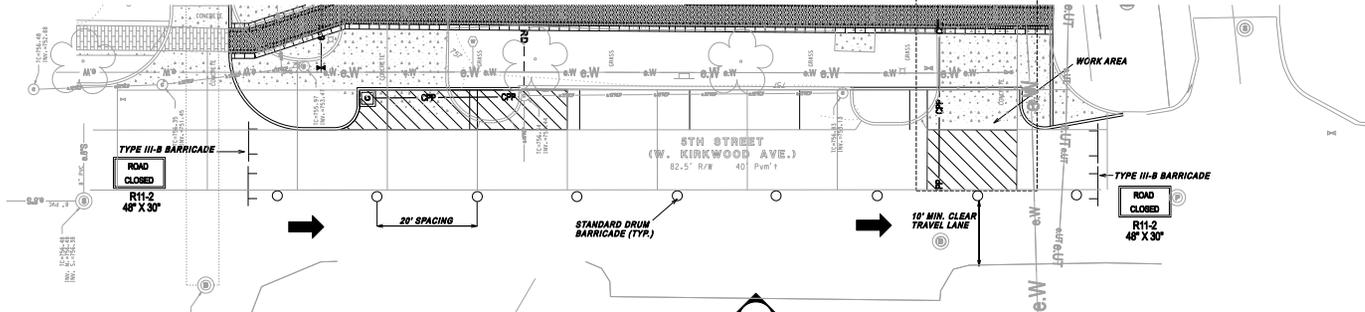


Example - Metal material

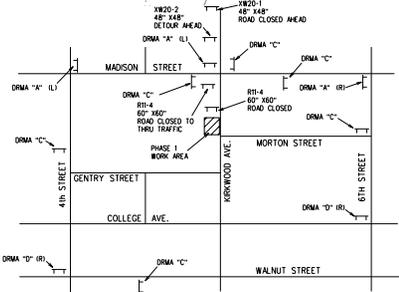
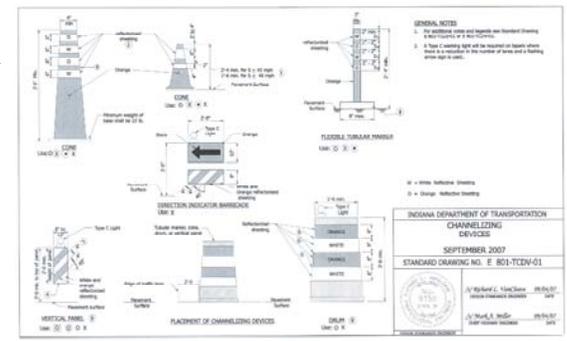
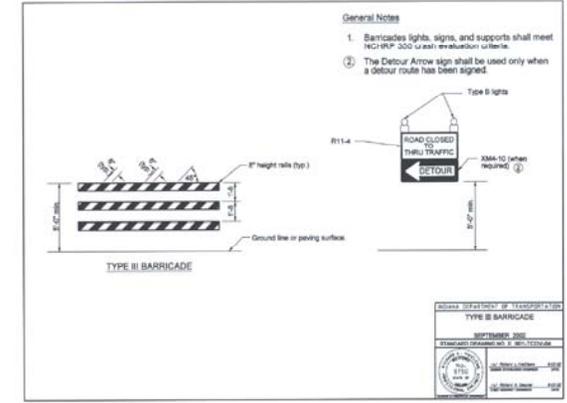
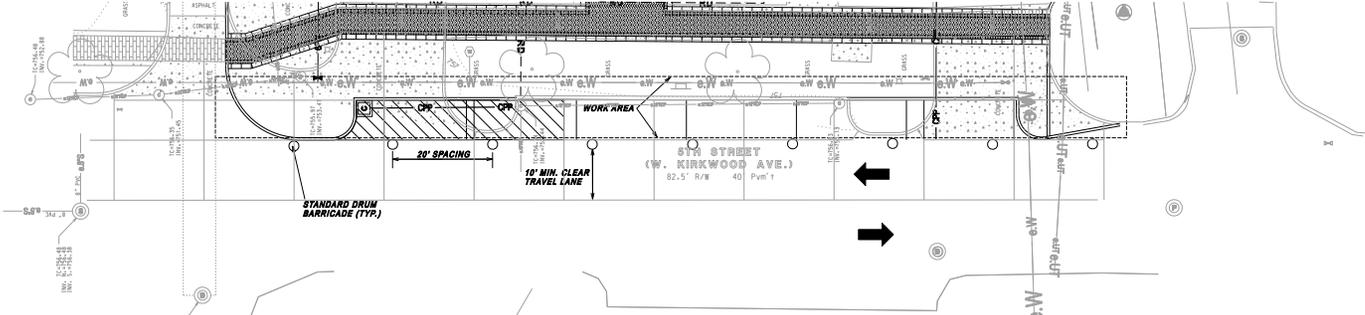
PHASE 1 MAINTENANCE PLAN



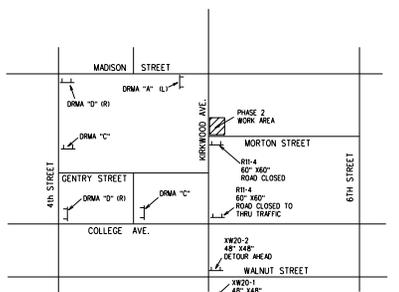
PHASE 2 MAINTENANCE PLAN



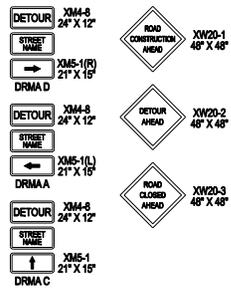
PHASE 3 MAINTENANCE PLAN



PHASE 1 DETOUR ROUTE NOT TO SCALE



PHASE 2 DETOUR ROUTE NOT TO SCALE



TRAFFIC CONTROL GENERAL NOTES

1. ALL TRAFFIC CONTROL DEVICES SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE INDIANA MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES.
2. LOCATION OF TRAFFIC CONTROL DEVICES IS APPROXIMATE. ADJUSTMENT BASED ON FIELD CONDITIONS MAY BE REQUIRED.
3. CONTRACTOR SHALL COORDINATE MAINTENANCE OF TRAFFIC PLAN AND ANY ROAD CLOSURES WITH CITY OF BLOOMINGTON ENGINEERING AND TRAFFIC DIVISION PRIOR TO IMPLEMENTATION.
4. MODIFICATIONS TO THE MAINTENANCE OR TRAFFIC PLAN CAN BE MADE BY THE CONTRACTOR, BASED ON WORK SCHEDULE OR CRITICAL PATH WITH PRIOR WRITTEN APPROVAL FROM CITY ENGINEERING.
5. ALL TRAFFIC CONTROL DEVICES AND DETOUR ROUTE MARKERS SHALL BE INSPECTED DAILY AND RESET OR REPLACED AS REQUIRED.

REVISIONS	BY	DATE

Smith Reuber & Associates, Inc.
 433 E. Clarke Boulevard
 Bloomington, Indiana, 47401
 Telephone: (317) 336-6000
 Fax: (317) 336-6013
 Web: www.sra.com

JOB NUMBER: 4811
 SHEET: 8 OF 9
 DATE: 11/21/13
 MAINTENANCE OF TRAFFIC PLAN

**BLOOMINGTON PLAN COMMISSION
STAFF REPORT
Location: 531 N. College Avenue**

**CASE #: SP-39-13
DATE: December 9, 2013**

PETITIONER: ERL-15, LLC
531 N. College Ave., Bloomington

CONSULTANT: Smith Neubecker & Associates
453 S. Clarizz Blvd., Bloomington

REQUEST: The petitioner is requesting site plan approval for a 4-story mixed use building.

Area:	0.20 Acres	
Zoning:	CD/DCO	
GPP Designation:	Downtown	
Existing Land Use:	Commercial	
Proposed Land Use:	Mixed Use	
Surrounding Uses:	South	– Farmer House historic building
	West	– Multifamily Residential Dwellings (Morton Mansions)
	North	– Mixed Use building (10 th and College)
	East	– Mixed Use building (Future 10 North project)

REPORT SUMMARY: The subject property is located at the southwest corner of N. College Avenue and W. 10th Street. The site has been developed with two, one-story commercial structures and surface parking. The subject property and all surrounding properties are zoned Commercial Downtown (CD). The subject property and properties to the south, east, and west are in the Downtown Core Overlay (DCO) and the properties to the north are in the Downtown Gateway Overlay (DGO). The site is adjacent to the Farmer House historic museum to the south.

The petitioner wishes to demolish the existing structures and construct a four-story, mixed-use building. The property topography slopes downhill from east to west and has 9 feet of grade change from the east side of the property along College Avenue to the west edge of the property. As a result of the substantial grade change, the ground floor along College Ave. becomes the second floor along 10th Street. The ground floor along College Ave. is proposed to have 2,380 square feet of commercial space, while the ground floor along 10th Street will have an enclosed parking garage with 15 parking spaces. The remaining space within the building will be used to provide 31, one-bedroom apartments.

There is an existing drivecut along College Ave. that will be removed and replaced with one on-street parking space. The existing drivecut along 10th Street will be reduced in size to 24' wide and be used for the entrance to a proposed enclosed garage. Since the property is adjacent to a historic structure, the front setback of the proposed building must match the Farmer House setback from College Ave. The proposed building has been designed to match the front setback of the Farmer House as required.

The proposed architecture is a more modern design. The building is mostly clad in brick with sections of fiber cement siding and panels. The northeast corner of the building along with the remaining sections of the commercial space of the structure, have been designed with large window bays. The proposed modern architectural design of this building will require several waivers from the DCO architectural standards in order to be constructed as proposed. The architectural standards in the UDO for the CD district were developed with a more traditional architectural design in mind and certain waivers were therefore anticipated for developments that proposed a more modern design.

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

- The project is adjacent to a residential use
- The project proposes several waivers to the standards in BMC 20.03.120-130.

SITE PLAN REVIEW

Residential Density: The property is approximately 0.20 acres. The petitioner is proposing 31 one-bedroom units, for a total of 31 bedrooms. This equals 7.8 DUEs, or 39 DUEs per acre. The UDO permits 60 DUEs per acre in the DCO.

Height: The DCO district specifies a maximum structure height of 50 feet. The proposed structure has a height of 54 feet from the lowest elevation along 10th Street to the highest point on the roof.

Height Waiver-20.03.120(b)(2): A waiver from the architectural standard of the UDO is required to allow a height of more than 50 feet in the DCO district. The 2005 Downtown Vision and Infill Strategy Plan (hereafter referred to as “Downtown Plan”), in the intent for the Downtown Core area (Pg. 2-5) states that “parcels in the Downtown Core Character Area can accommodate taller structures and should be encouraged when they are designed to reflect the traditional scale of buildings at the street level and are articulated into modules that are compatible with the traditional design context.” Guideline 3.9 recommends that new buildings “maintain the perceived building scale of two to four stories in height.” It goes on to state that “if a building must be taller, consider stepping upper stories back from the main façade.”

Although the proposed building is taller than the 50’ maximum, the majority of the building meets the maximum height limit. The building is four-stories in height for only half of the building along 10th St. and the building is only three stories in height along College Ave. The additional height comes from an accentuated building cap at the corner. In addition, a greater setback is provided for the entire building off of College Ave. to match the setback of the Farmer House to the south. The building is set back approximately 5 feet from the ROW, where buildings are typically built at the ROW line in the DCO. Staff finds that the proposed height is appropriate given the context of the area and the fact that the building cap is the only part of the

building that extends beyond the 50' limit as measured from the lowest point of the building to the top of the cap.

Parking: Based on the number of bedrooms, the UDO requires a minimum of 15 parking spaces. The petitioner is proposing a total of 15 spaces on the site, with one additional on-street parking space being created. No parking is required for the commercial space.

Building Setbacks: The building has been designed to align with the historic Farmer House to the south as required and so the building is located approximately 5' from the property line along College Ave. The building has been placed on the west property line. The building has a 6' setback from the south property line adjacent to the Farmer House.

Ground Floor Non-residential Space: The ground floor along College Ave. is proposed to have 2,380 square feet of commercial space with the remainder being used for 3 apartments. The ground floor section of the building along 10th Street is used entirely for enclosed parking, which does not count toward the nonresidential requirement. The building has a total footprint of 6,200 sq. ft. and is proposed to have 2,380 sq. ft. of commercial space, which is 38%. A waiver is required to allow less than 50% of the ground floor to be commercial space.

Ground Floor Non-residential Space Waiver-20.03.120(e)(2): The Downtown Plan does not include specific recommendations toward the percentage of ground floor non-residential space. It does include several design guidelines concerning ground floor uses. Design guideline 3.18 recommends that a ground floor level of a building encourage pedestrian activity through features related to commercial use, such as seating, storefronts, recessed entrances and display windows. This petition includes large display windows, but also includes some areas of blank wall associated with the parking garage. The building floor plan provides commercial space along the majority of the frontage along College that wraps around to cover approximately 60% of the 10th Street frontage. Staff finds that while the actual square footage number does not meet the 50% requirement, the building has been designed to maximize commercial space at the adjacent intersection. Staff understands that the commercial percentage is an important policy decision for the Plan Commission, but believes the proposed percentage to be appropriate in this case.

Building Frontage: The UDO requires that 70% of a building façade facing a street shall be constructed at the build-to-line. With this petition, the petitioner is requesting to place 37' of the 60' wide building at the build-to-line, which is only 60%. The petitioner has worked with the Farmer House to minimize impacts and provide visibility of the Farmer House from College Ave. As a result the petitioner has designed the building with a large inset corner adjacent to the Farmer House, and this inset does not allow them to meet the 70% requirement.

Building Frontage Waiver-20.03.130(a)(1): The Downtown Plan makes several recommendations to guide development next to historic buildings. The building has

been designed to minimize the obstruction of the view of the Farmer House from College Ave. by creating an inset entrance adjacent to the Farmer House. This allows a majority of the museum to be visible. But does not allow the building to be constructed with 70% of the façade at the build-to-line. Staff and the Historic Preservation Commission are supportive of this waiver request.

Building Alignment: The proposed building has been designed to match the setback of the Farmer House to the south. The building will have an approximately 5' setback from the property line.

Entrance Detailing: The UDO requires buildings with 66' of street frontage to provide a pedestrian entrance and that a primary pedestrian entrance for a building must incorporate several design elements, including a building name. The petitioner has incorporated all of the elements required for the pedestrian entrance on College Ave.

Streetscape: The UDO requires that street trees are placed in 5 ft. x 5 ft. tree grates at this location. The site currently has a grassed tree plot with no trees on the College Ave. frontage. The petitioner is proposing to install a new tree grate and street tree along College Ave. as required. Due to the lack of sufficient right-of-way along 10th Street, no street trees are possible along that frontage and the petitioner is requesting a waiver from street trees along 10th Street. Pedestrian scale lighting will be installed on the building on both the 10th Street and College Ave. frontages as required.

Street Tree Waiver-20.03.130(a)(4): The petitioner is requesting a waiver from the required street trees along 10th Street. There is approximately 6' of right-of-way along 10th Street currently. With this limited right-of-way it is not possible to have the required 5' wide concrete sidewalk and a 5' tree plot without setting the building back an additional 5'. While the Downtown Plan encourages tree plots whenever possible, it is acknowledged that there will be instances where insufficient right-of-way does not allow a standard tree plot. Staff is supportive of this waiver.

Void-to-solid Percentage: The DCO sets a minimum first floor void-to-solid at 60%, "consisting of display windows, entries and doors." The east façade along College Ave. has been designed to have 65% void spaces on the ground floor and 54% on the upper floors and meets the requirement. The north façade along 10th Street provides only 50% void on the ground floor and does not meet the minimum 60% requirement. The upper floors provide 54% void and meet the upper floor requirement. Due to the parking garage proposed along 10th Street and the grade change, the petitioner is unable to meet the void-to-solid ratio along this frontage and is requesting a waiver.

Void-to-solid Waiver-20.03.130(b)(2): A waiver of this standard is required to allow a 10th Street void-to-solid ratio of only 50%. The high solid level along 10th Street is associated with the first floor parking garage. The petitioner has worked with staff to include additional windows and to come as close as possible to compliance. A higher void could be provided, however this would require large windows looking into garage spaces. Staff understands that the void-to-solid percentage is an

important policy decision for the Plan Commission, but believes the proposed percentage to be appropriate in this case.

Window Design: The DCO requires that window frame heights shall be a minimum of one and one-half (1.5) times the window frame width. Several window openings are wider than they are tall, in particular the large expanse of glass on the front corner of the building and along the ground floor commercial space. In addition, the windows proposed do not incorporate sills and lintels, which is an architectural standard in the DCO.

Window Waiver-20.03.130(b)(3)(c): The Downtown Plan's recommendations of upper story windows (guidelines 3.13-3.14) call for windows with a vertical emphasis and trim that aligns with adjacent traditional buildings. While the individual window openings do not meet the required ratios, this particular building style does not lend itself to the required window ratio outlined in the UDO. The interior window trim and detailing gives the impression of taller rather than wider windows, similar to what would be required. Non-vertical windows without sill and lintel details are also more characteristic of modern building designs. A waiver from the standards of the UDO is required to allow windows that are more than 1:1.5 and to allow windows that do not incorporate sills and lintels. Staff finds that the modern building makes these waivers appropriate.

Exterior Finish Materials: the building would be clad predominantly in brick with secondary finishing materials proposed of cement board siding and panels. Along the 10th Street and College Ave. facades the building will be primarily brick and glass with fiber cement panels being used as a secondary material. The south and west sides would be clad predominantly in fiber cement board.

Material Waiver-20.03.130(b)(4): A waiver from the standards of the UDO is required to allow cementitious panels and cementitious siding as a primary exterior finish material, covering more than 20% of the west and south façades. The Downtown Plan provides guidance on building materials in Guidelines 3.10 through 3.12. Guideline 3.10 states that materials should appear similar to those used traditionally and that masonry is preferred for new construction. Guideline 3.11 states that "New materials may be considered" as long as they appear similar to traditional materials, are detailed to express human scale, have demonstrated durability and avoid large expanses of featureless siding. The cementitious panels are used as a secondary accent material on the front of the building and the cementitious siding is used mostly on rear of the building and the south side of the building only. Several adjacent buildings were approved with cementitious horizontal lap siding in the less visible portions of the building. Planning staff believes that the panels are appropriate in this area and recommends approval of this waiver.

Building Façade Modulation: The UDO requires building facades with street frontage to utilize a maximum façade width interval of 65' for a façade module and that each module be offset by a minimum depth of 3% of the total façade length. The portion of the building along 10th Street would be subject to this requirement and the petitioner has attempted to

meet this requirement by incorporating a recessed module at the center of the building that is recessed 4'. However, due to the ground floor parking garage it is difficult to continue this modulation all the way to the ground floor. The petitioner has included window openings in this area to improve the pedestrian experience and break up the building face. A waiver is being requested from this requirement since the modulation does not extend completely to the ground.

Building Façade Modulation-20.03.130(c)(1): The Downtown Plan's recommendations for Mass, Scale and Form addresses this issue in guideline 3.7 by advising to divide a large building into modules to break up the mass of a building. The petitioner has attempted to fulfill this requirement with the inclusion of a module in the center of the building to break up the massing. The Downtown Plan also advises (guideline 3.18) that the ground floor provide a pleasing pedestrian experience. The petitioner has attempted to offset the lack of a module that extends to the sidewalk by including windows along the ground floor of the module area to minimize the amount of blank wall. Staff also has analyzed the possibility of including some landscaping or planter boxes in this area. However, due to the narrow amount of right-of-way along 10th Street there is not room to install any further landscaping. Staff is supportive of this waiver request.

Building Height Step Down: The UDO requires that buildings located immediately adjacent to the side of Outstanding, Notable, and Contributing historic structures to incrementally step down upper stories to within 14' of the highest elevation of the respective adjacent structure. The petitioner has stepped back the elevation of the proposed building to within 15.5' of the height of the Farmer House. The petitioner is requesting a waiver from this requirement to allow a 15.5' step down rather than the maximum 14' that is allowed.

Building Height Step Down-20.03.130(c)(2): The Downtown Plan recommends in guideline 3.8 that the mass of a tall building be stepped down as it approaches traditional buildings nearby. The petitioner has accomplished this by bringing the proposed building to within one-story of the Farmer House. However, the height of the story is proposed at 15.5' above the Farmer House, rather than 14'. Staff has reviewed the possibility of reducing the building height a further 1.5', though the reduction would be barely noticeable. The petitioner has inset the corner of the proposed building adjacent to the Farmer House to reduce the visual impact to the historic building. The proposed building also has a 6' setback adjacent to the Farmer House to provide more distance between the buildings. Staff is supportive of this waiver request.

Step Back: The DCO requires that any building over 45 feet in height step back the portion over 45 feet a minimum of 15 feet from the front build-to-line. The tallest portion of the building at the northwest corner of the building is proposed at 49 feet with a recessed patio area.

Step Back Waiver-20.03.130(c)(3): A waiver from the minimum step back height architectural standard of the DCO is required to allow portions of the building to be

as tall as 49 feet without a step back. Much of the policy guidance concerning this waiver has already been discussed in dealing with the height waiver. Guideline 3.9 recommends that new buildings “maintain the perceived building scale of two to four stories in height.” It goes on to state that “if a building must be taller, consider stepping upper stories back from the main façade.” The Downtown Plan does not give a recommended height for the step back, but instead recommends step backs for buildings over 4 stories. The majority of the structure along 10th Street would not be subject to this provision. It is only a small portion of the proposed structure that would be required to be stepped back. In addition, a part of this is a pergola type structure that will be an open air patio area. Staff supports this waiver as the small portion of the building that would need to be recessed or reduced in height, would not have a noticeable impact from the street. The building has been designed to appear no more than 4 stories in height as recommended by the Downtown Plan.

Entrance and Drives: The current site has one drivecut on 10th Street and one on College Ave. The entrance on College Ave. will be removed and closed with new curbing added. The previous location of the drivecut will be converted to one on-street parking space. The proposed new entrance for the parking garage will be in the same approximate location along 10th Street. Staff worked with the petitioner to investigate the possibility of using the alley on the west side of the property for entrance into the parking garage. The tight turning movements created several obstacles to allowing vehicles to use the alley and then turn into the garage. The location of the proposed drivecut lines up with the entrance to the parking garage for the building immediately to the north.

Bicycle Parking: The UDO requires a minimum of 10 bike parking spaces for this proposal. These spaces have been shown at the front of the building along College Ave. next to the commercial space.

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

1.) The Petitioner should improve the character, aesthetics, and usability of the site along College Avenue with increased landscaping and other visual and ecological enhancements.

Staff response: The petitioner will be installing a street tree on College Ave and does not have any additional requirements for more landscaping along this street.

2.) The Petitioner should commit to salvaging, recycling, and reusing all possible construction and demolition materials not needed on site.

Staff response: Although not required, staff encourages the petitioner to reuse as much of the demolition material as possible..

3.) The petitioner should provide space for recycle-destined material to be stored

for pick up, and a recycling contractor to pick it up

Staff response: Although not required, the petitioner has stated that they do intend to have on-site recycling.

4.) According to the U.S. EPA, buildings contribute 38% of all greenhouse gases produced. Therefore, the EC recommends that the Petitioner use green, sustainable building practices to reduce the carbon foot print of buildings, one of the largest contributors in our country.

Staff response: Although not required, staff encourages the petitioner to incorporate as many green building practices as possible.

DEVELOPER TRACK RECORD: Developer Elliot Lewis is the principle behind ERL-15, LLC. Other recent projects completed by this petitioner include the 10th and College building, the 4th and Indiana building, the remodeling of the Odd Fellows Building and the “Village at 10th and College” building, Morton Grad, Eastbay, and Morton Mansions.

RECOMMENDATION: Staff recommends approval of SP-39-13 and associated waivers with the following conditions:

1. A pedestrian accessibility and sidewalk closure plan is required with the submittal of a grading application.
2. Only one center sign is approved for the building.
3. The site plan is contingent on the granting of a variance for the reduced driveway aisle.
4. Petitioner shall work with Staff and the Engineering Department to include mirrors or alternative safety methods as necessary at the garage entrance.
5. Any encroachments into the right-of-way must receive approval from the Board of Public Works.
6. Architecture must be consistent with submitted elevations.

MEMORANDUM

Date: December 2, 2013

To: Bloomington Plan Commission

From: Bloomington Environmental Commission

Through: Linda Thompson, Senior Environmental Planner

Subject: SP-39-13, Studio 531 Apartments
ERL-15, LLC.
531 N. College Ave

This memorandum contains the Environmental Commission's (EC) recommendations regarding a Site Plan for a 4-story mixed-use building within the Downtown Commercial Zoning District and Downtown Core Overlay. The location is on a major entrance route from the north into our downtown, and its character will thus form an important ambiance for visitors and residents alike.

ISSUES OF SOUND ENVIRONMENTAL DESIGN:

1.) GATEWAY CHARACTER:

The proposed development is on a major entrance route to our downtown from the north, and the EC is concerned that the proposed site plan represents a lost opportunity to welcome travelers into our city with a special sense of place more in keeping with our city's unique character. The EC notes that this area is an excellent location 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 downtown and a 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.

Beautiful, mixed-use development helps our city develop in a pedestrian-friendly fashion. The more walkable our city is, the less we rely on the use of automobiles, which translates into less oil depleted, less greenhouse gas emissions produced, cleaner air and a quieter, safer city. Walkable cities provide many tangible environmental benefits that contribute positively to high quality of life. All of these benefits help Bloomington to fulfill serious & important commitments to sustainability.

Therefore, with specific regard to the proposed street trees along College Avenue, the EC recommends that the developer work with Planning and the EC to create a diverse tree, shrub,

and native perennial planting area that evokes the beauty and spirit of Indiana's natural heritage, instead of a "simple rhythm of two graced trees ... set within a hard-scape concrete sidewalk". The EC does not believe that merely two street trees will add "curb appeal and charm" the same way that having a small lush planting area would. For suggestions, please see the EC's Natural Landscaping materials at 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>. Besides enhancing 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.

2.) CONSTRUCTION and DEMOLITION MATERIALS:

The EC recommends that construction and demolition debris from the existing structure and construction of the new building be collected for reuse or recycling. This material could be sold to local salvage businesses, given to a resale store for future re-use, or recycled. Very little material should have to be disposed in a landfill.

3.) RECYCLING:

The EC recommends that space should be allocated for recyclable-materials collection, which will reduce the development's carbon footprint and promote healthy indoor and outdoor environments. Lack of recycling services is the number one complaint that the EC receives from apartment dwellers in Bloomington, and hopefully will be required in the near future. Recycling has become an important norm that has many benefits in energy and resource conservation. Recycling is thus an important contributor to Bloomington's environmental quality and sustainability and it will also increase the attractiveness of the apartments to prospective tenants and customers.

4.) GREEN BUILDING:

The EC recommends that the petitioner commit to green and environmentally sustainable building practices, rather than simply state they will review incorporating some. Green building can provide substantial savings in energy costs to a building over its life cycle and is thus an especially prudent investment in this time of rising energy prices. Green building 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 Kruzan; by City Council Resolution 06-05 supporting the Kyoto Protocol and reduction of our community's greenhouse gas emissions; by City Council Resolution 06-07, which recognizes and calls for planning for peak oil; and by a report from the Bloomington Peak Oil Task Force, *Redefining Prosperity: Energy Descent and Community Resilience Report*.

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

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

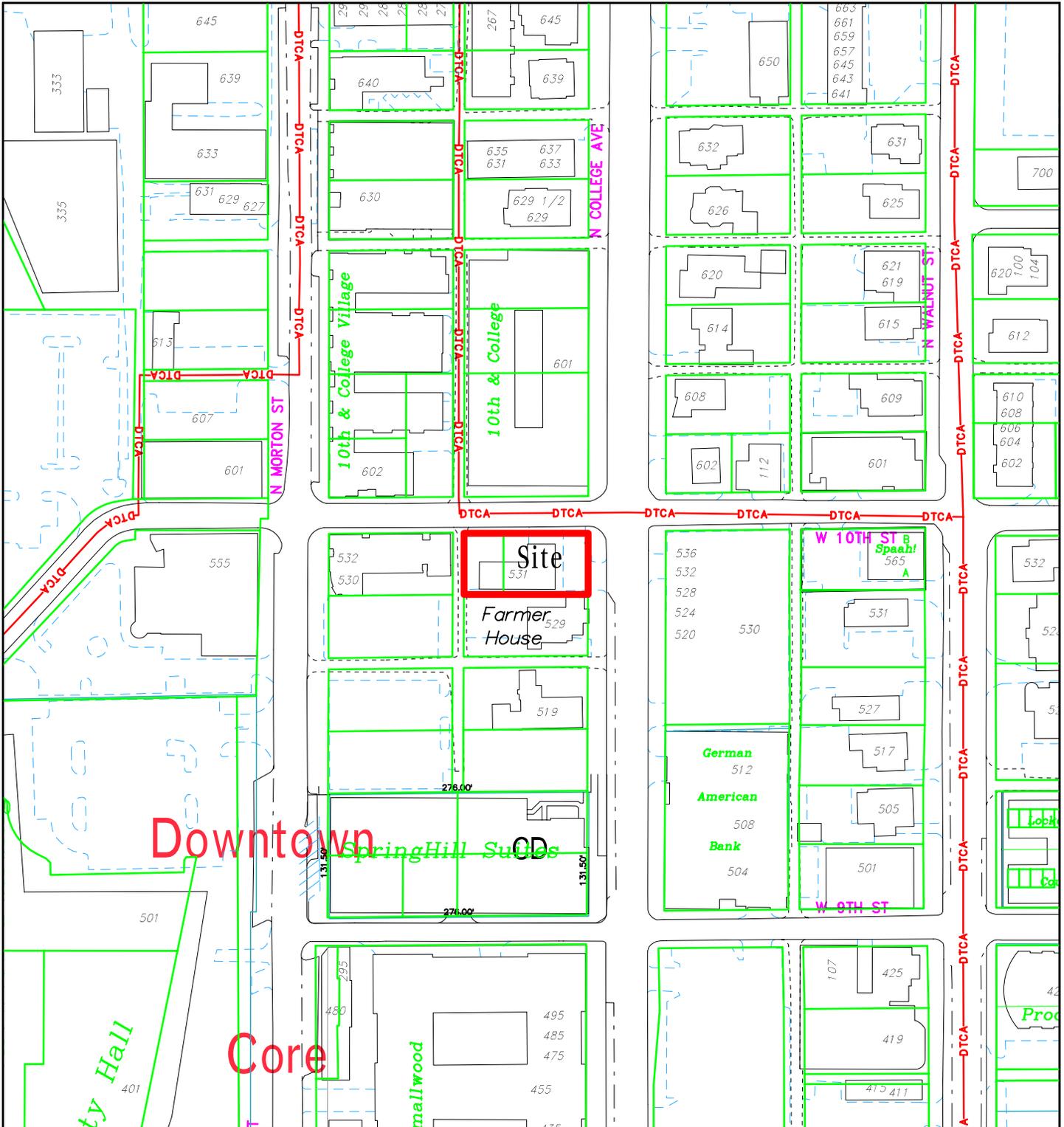
reflective coating or covered with a white, granulated cap sheet.

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

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

EC RECOMMENDATIONS:

- 1.) The Petitioner should improve the character, aesthetics, and usability of the site along College Avenue with increased landscaping and other visual and ecological enhancements.
- 2.) The Petitioner should commit to salvaging, recycling, and reusing all possible construction and demolition materials not needed on site.
- 3.) The petitioner should provide space for recycle-destined material to be stored for pick up, and a recycling contractor to pick it up.
- 4.) According to the U.S. EPA, buildings contribute 38% of all greenhouse gases produced. Therefore, the EC recommends that the Petitioner use green, sustainable building practices to reduce the carbon foot print of buildings, one of the largest contributors in our country.



SP-39-13 ERL-15, LLC

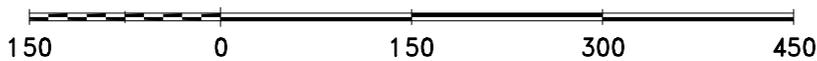
531 N College Avenue

Plan Commission

Site Location, Zoning, Parcels, Land Use

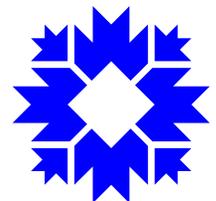
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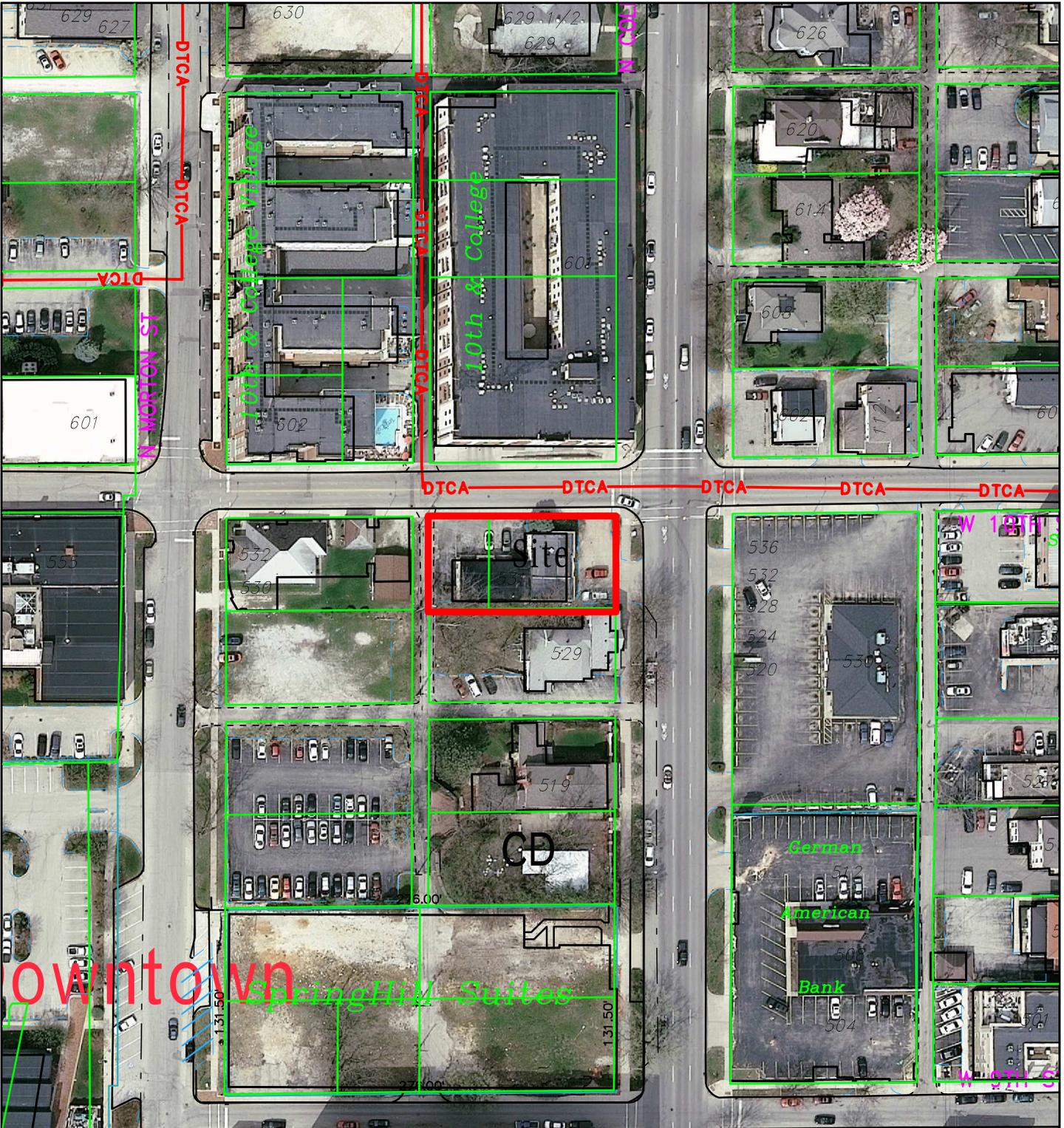


For reference only; map information NOT warranted.

City of Bloomington
Planning



Scale: 1" = 150'



SP-39-13 ERL-15, LLC

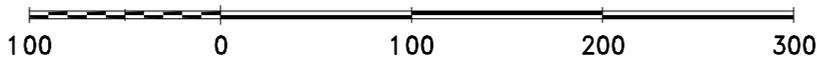
531 N College Avenue

Plan Commission

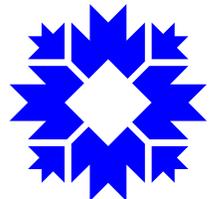
2010 Aerial Photograph

By: greulice

5 Dec 13



City of Bloomington
Planning



Scale: 1" = 100'

For reference only; map information NOT warranted.



November 12, 2013
November 25, 2013 Revised

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

Attn: Mr. James Roach

RE: Studio 531 Apartments

PETITIONERS STATEMENT

Dear Mr. Roach

Studio 3 Design is pleased to submit the attached apartment development, "Studio 531" for Plan Commission review. The following document outlines the project scope and addresses comments received to date regarding the project. Please take time to review and contact us with any additional questions.

<u>Apartment Types</u>	<u>Count</u>	<u>Beds</u>
Studio Apartment	29 Units	29 Beds
Jumbo 1 Bedroom Flat	<u>2 Units</u>	<u>2 Beds</u>
	31 Units	31 Beds

Property density:

Site: 66' x 132' = **.2 acres**
60 apartments/ acre = **12 DUE's allowed**

Studio .20 DUE x 29 = **5.8 DUE's**
Jumbo 1 bed 1 DUE x 2 = **2.0 DUE's**

7.8 DUE's provided (12 DUE's allowed)

SP-39-13
Petitioner Statement

Project Location

The project is located at the corner of College Ave and 10th Street in the Downtown Core Overlay. The surrounding land use includes apartment buildings to the North, East and West, and the historic Farmers Museum to the south. The lot currently has a small retail building on the east side of the site and a former construction business on the west half of the site.

Project Concept

The buildings architecture is defined by a strong glass and panel façade capped with a unique roof structure at the corner of College Ave. and 10th Street. The balance of the street frontage is composed of a more regular rhythm of residential scale windows and horizontal banding. The building steps back 4' at the center of the façade on 10th St. and breaks the length of the building down with alternate materials and pattern similar to the strong corner element. The overall form, detailing and material palette has been composed to provide a modern feel while still blending in architecturally with the surrounding developments. The structure takes a simple shape for building efficiency and stacks a 3 story building over a 1 story parking garage. Internally, building is divided into smaller dwelling units all accessed off of a central interior walkway system that has been sized to serve as the primary path to each unit.

Non-Residential space - Retail

Retail space is required in the Downtown Core Overlay district for 50% of the ground floor footprint. Due to the nature of the grade change on site, retail space is provided on level 2 of the building, which is the grade level on College Ave. to the East. **2,380 square feet of retail** space is provided with frontage along the entire east façade and over 50% of the north façade. The retail space covers **33%** of this level of the building. A waiver will be sought for this requirement.

Parking Counts

Required parking for Retail	0 spaces
Required parking for 31 beds.	13.8 spaces
Street parking	1 spaces
Level 1 parking garage	15 spaces
Total on-site	16 spaces

Window detailing

Windows have been ganged together where possible to obtain the best natural lighting possible for the interior of apartment living spaces. The issue of providing the UDO requested proportions of the windows has been addressed through the incorporation of a vertical 6" mullion between each window unit allowing for the rectangular units to be grouped together to create the best possible natural interior lighting. Windows at the corner of 10th and College are storefront units running at the corner from floor to ceiling. The windows – while large to create the exterior expression as well as great views and natural lighting for the corner apartment's mullion pattern still breaks the glass area down into smaller components.

Parking Garage

Parking is located under the building on level 1 and is accessed from 10th St from the north of the property. The parking garage layout contains 15 parking spaces measuring 18'-0" deep by 9'-6" to 10' wide separated by a 22'-4" drive lane. The parking spaces have been designed to be wider than the required 9'-0" to accommodate for the slightly smaller drive lane than the typical 24'-0". Turning radii have been reviewed to confirm the functionality of the layout.

Streetscape

A simple rhythm of (2) grated trees and a single pole mounted acorn style street lamp are set in a hard-scape concrete sidewalk to enhance the curb appeal and charm of the development. Where possible, additional landscaping and bike racks have been provided. Lighting along 10th Street will be building mounted due to the narrow right-of-way.

Site Accessibility

Pedestrians can enter the site at grade off of College Ave. into the retail space under a metal building canopy. The primary resident entrance is at the northwest corner of the building off of 10th Street. This entrance provides residents access to a common lobby area, which is also accessible from the parking garage area via a secured door.

By code, since the building contains 20 or more apartment units, we are required to provide (1) full ANSI type A unit. One studio unit on the second floor will be designed as a fully accessible unit to accommodate any tenants with a disability that require special accommodations

Building Façade modules

The building provides (1) 7'-0" setback on the east façade and (1) 4'-0" setback on the north façade per UDO requirements. Setbacks are accented with alternate materials and variations in material modulation to help accent the building setbacks.

Building Height

The project site slopes approximately 9 feet with a low point at the NW corner and a high point at the NE corner (corner of College Ave. and 10th Street). The building height is based off providing a pedestrian entrance and garage vehicular entrance at the low point of the site. Due to the required head height and structural depth of the parking garage, level 2, or grade level along College Ave. ends up being 2'-3' above grade. This is accessed via a set of stairs and an accessible ramp near the southeast corner of the building. Level 2, which houses the required retail space, has a floor-to-floor height of 12' to provide an attractive space to potential retail tenants. The 2 upper stories house small efficiency studio apartments, so 10'-0" ceilings are provided to give the units a more spacious feel.

The main body of project is a 4 story structure (garage, plus 3 levels of apartments), with the parapet height set at 49'-0" above the lowest point on the site. We are asking for a 4'-0" height waiver at the corner of College Ave. and 10th Street, for only a small portion of the building. The roof in question here will only be 45'-0" above grade, but due to the 9'-0" difference in finished grade from the east to west of the project site, the building will be over the allowable height. The

height at this corner is lower than the immediate surrounding context of the 4-story Tenth and College building to the north as well as the 5-story 10 North project currently under construction to the East.

The building façade along College Ave. incrementally steps down its height going north to a maximum of 40'-0" above grade adjacent to the historic Farmers Museum building. The Farmers Museum is 27'-0" at its highest point, which represents a 13'-0" difference in height.

Building Materials

Architectural cast stone or limestone, two colors of brick and a fiber cement panel system form the palette for the College Ave and 10th St elevations of the building. An undulating cornice caps off the pronounced glass, brick and panel corner element. The brick façade wraps back the west façade along the alley for 25 feet.

Fiber cement products are classified as a secondary material. As such, less than 20% of both or the primary facades of the building use a secondary material per the UDO requirements. The majority of the south facade is clad in a fiber cement lap siding in context with many of the adjacent developments. A material waiver is being pursued for the south and west facades.

Void to Solid Percentages

The UDO asks for a building in this overlay district to have a 60% void to solid ratio on the ground floor and 20% void to solid ratio on the upper floors. The East façade (College Ave.) currently has 65% void space on the ground floor and 54.2% void space on the upper floors, meeting the requirement. The North façade (10th Street) currently has 66% void space at the retail level and 52.5% void space on the upper floors. This meets the requirement of the UDO.

Building Step Back

The Downtown Core Overlay requires that any building over 45' step back at the 45' mark a minimum of 15' from the build-to line. The majority of the building is 49' tall, but because of the fact that the only portion of the building over the 45' limit is the parapet wall, it is not feasible to step the building back. A waiver will be pursued for a building step back.

Bike Storage/ Parking

An effort has been made to make the facility "bike friendly" through the incorporation of bike parking focused around the College Ave retail entry point and the 10th Street resident entry point. (10) Visitor bike spaces are provided per the UDO requirements – (4) Class 1 and (2) Class 2 spaces for the multifamily residential requirement, and (4) Class 1 spaces for the non-residential requirement. A secured bike room is not required based on the building scale and number of units.

Environmental Considerations

The developer is interested in providing a building that is sensitive to the concerns of today's built environment. As such, we are reviewing the incorporation of the following into the project:

- "Green friendly" building materials – This includes both materials with recycled content as well as building materials that have been harvested and manufactured within a 500 mile radius. Examples of these materials include cementitious siding/panels, brick, CMU blocks, and cast concrete.
- Energy efficient "Energy Star" appliances.
- Energy efficient windows with low-E glazing
- White reflective roofing membrane for energy conservation and reduced heat island effect.
- Use of larger window openings for natural day lighting of interior spaces to cut down on the use of artificial lighting.
- Energy efficient lighting fixtures
- Building shell and demising wall insulation.

Build to Line

The project meets the requirement of the UDO to have the 10th Street façade constructed on the build-to line. The building is held off the East property line 4'-6" to align with the historic Farmers Museum to the south.

Building Entrances

The building has (1) resident entrance off of 10th Street, (1) pedestrian entrance to the retail space and apartments off of College Ave., and (1) pedestrian entrance from the parking garage. Additionally, there is a vehicular route into the site accessed from 10th Street. The primary building entrance off 10th Street is accented with lighting and covered by a building canopy. Building signage is located on the canopy and an address stone is set into the masonry veneer near the entrance.

Encroachments:

The project will require the following encroachments with the city:

- (1) Street trees along College Ave.
- Water master meter pit at the northeast corner of the property – extends partially into the right-of-way. All PIV pipes are contained within the property and do not encroach.
- Grease interceptor at the southeast corner of the property – extends partially into the right-of-way.
- Building Canopy over both the retail area and the resident entrance along 10th Street.

Stormwater Detention

Stormwater detention will be contained in a stormwater vault located in the parking garage area that drains into the cities storm sewer on 10th Street.

Trash Removal

Trash removal has been provided off of the West alley. The proposed gate to the trash room will be directly across the alley from the trash enclosure for the Morton Mansions building to the west. The grade will be leveled at this location to assist in the roll-out of trash containers on pick-up days. The alley will be modified to have a concrete apron for the garbage truck to sit on while dumping the trash.

Water Service & Meter Pit

The project will connect to the water main along 10th Street near the intersection of College Ave. A master meter will be installed outside of the City right of way at the northwest corner of the site and will house the necessary meters and fire apparatus. The PIV connection will be installed at this location. A separate Siamese connection will be back fed from the meter pit and provided near the corner of Morton Street and the Alley for easy Fire Department access. No new mains are anticipated to be installed to provide service for the project.

Sewer Service

The project will connect to the city sewer mains at one location. The location will be made to the existing City sewer main routed down College Ave. All connections will be lateral connections with standard patching of the street as required. No new mains will need to be installed to provide service for the project.

Private Utilities

Duke Energy and a cable/phone/internet provider to be determined will provide for the service needs of the development. We anticipate the placement of either a pole-mounted transformer in the alley to the west or to tie in to the existing transformer on the development to the west.

Anticipated Waivers

We will be asking for 6 waivers for the development:

1. A height waiver to allow the building to be built over the 50'-0" height limitation imposed by the UDO. The primary parapet height for the majority of the building will be at 49'-0" above the lowest level on site. We are asking for a 4'-0" height waiver at the corner of College Ave. and 10th Street, for only a small portion of the building. The roof in question here will only be 45'-0" above grade, but due to the 9'-0" difference in finished grade from the east to west of the project site, the building will be over the allowable height. We feel this waiver is supportable give then context of the 4-story Tenth and College building to the north as well as the 5-story 10 North project currently under construction to the East.
2. A waiver is being requested to allow the retail space on the project to be less than the UDO required 50%. Due to drastic change in grade along 10th street, the retail space sits slightly above grade (2'-3') and is only accessible from the College Ave. side of the building. This limits the number of accessible entrance points to potential retail space to only 1 entrance near the southeast side of the building. If the building provided the required 3500+ s.f., the space would be an odd shape and have undesirable street

frontage. By providing only 1900 s.f. of retail space, the potential number of retailers that would be attracted to a space this size is broader, allowing the space to be filled rather than sitting empty for an undetermined amount of time. The retail space, as designed, has full frontage along 100% of the usable space along College Ave and close to 50% of the frontage along 10th Street, which is 100% of the useful retail frontage.

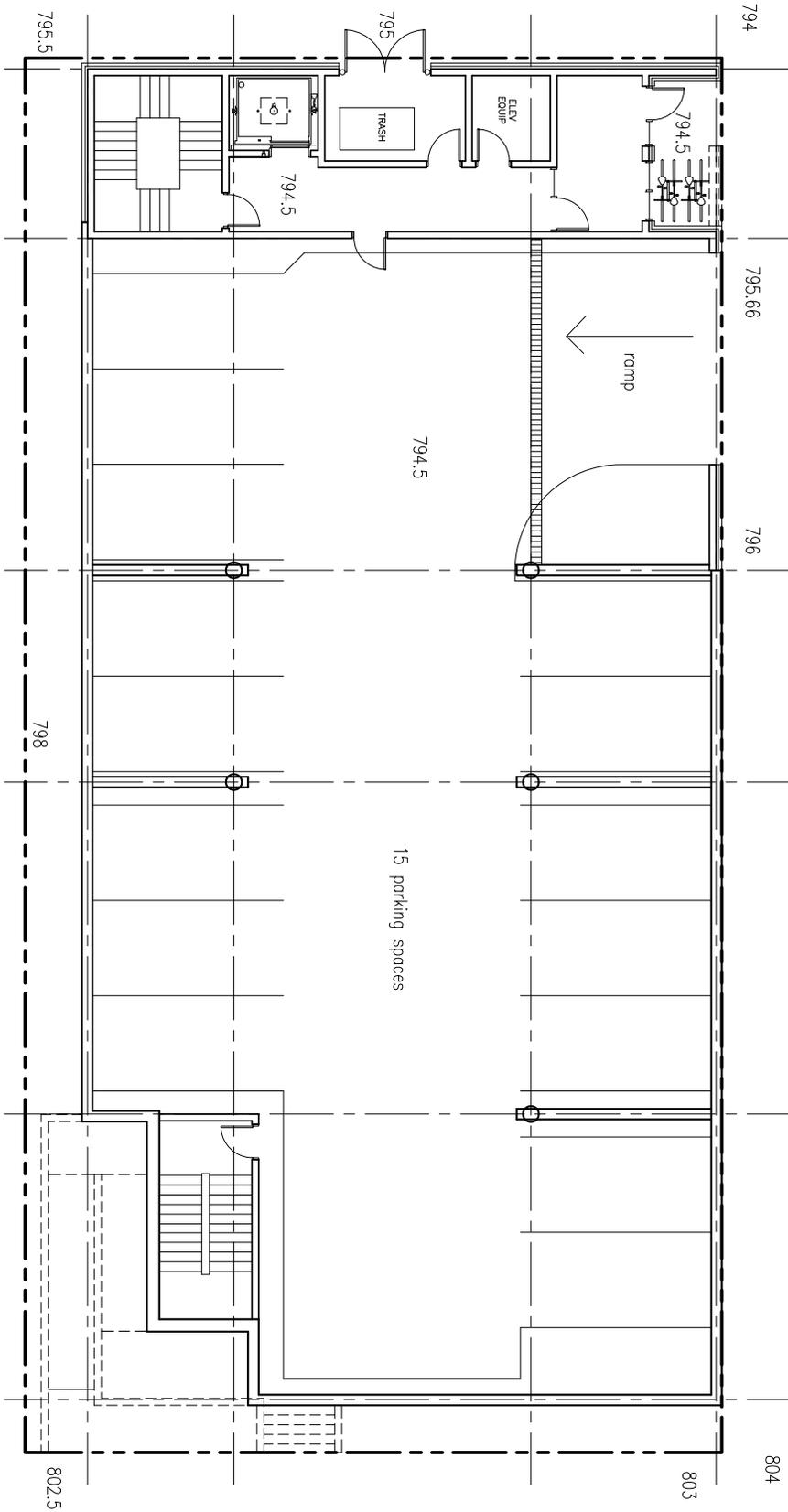
3. A waiver is being requested to allow the south and west facades of the building to have greater than 20% secondary building materials used. Due to the adjacent developments and grade of the site, these facades are heavily screened from the public streets adjoining the property. We would like to limit the amount of brick and stone used and clad these facades in fiber cement lap siding to fit in with the character of the surrounding area..
4. A waiver is being requested to allow the building to not step back at 45 feet above grade. The Downtown Core Overlay requires that any building over 45' step back at the 45' mark a minimum of 15' from the build-to line. The majority of the building is 49' tall, but because of the fact that the only portion of the building over the 45' limit is the parapet wall, it is not feasible to step the building back. The building frontage along College Ave. is 44'-0" at its highest, so the waiver is only applicable along the 10th Street façade.

Respectfully submitted,

STUDIO 3 DESIGN, INC

A handwritten signature in black ink, appearing to read 'J. Zach Bode', with a stylized, cursive script.

J. Zach Bode



APARTMENTS	31 UNITS TOTAL
TYPE "A"	440 GSF 24 UNITS
TYPE "B"	474 GSF 05 UNITS
TYPE "C"	1056 GSF 02 UNITS

PARKING	16 SPACES TOTAL
GARAGE	15 SPACES
STREET	01 SPACE

STUDIO 3 DESIGN
 INDIANAPOLIS, INDIANA
 CONCEPT SKETCH
 ALL RIGHTS RESERVED



1 LEVEL 1 FLOOR PLAN
 A1 3/32" = 1'-0"

Formers Museum

STUDIO THREE DESIGN
 www.studio3design.com
 317.986.1000 main 317.572.1236 fax
 8004 Allisonville Road, Suite 330 Indianapolis, IN 46250

ERL-15, LLC
 STUDIO 531 APARTMENTS
 BLOOMINGTON, INDIANA

PROJECT NO.
 13072
 DATE
 11-25-13

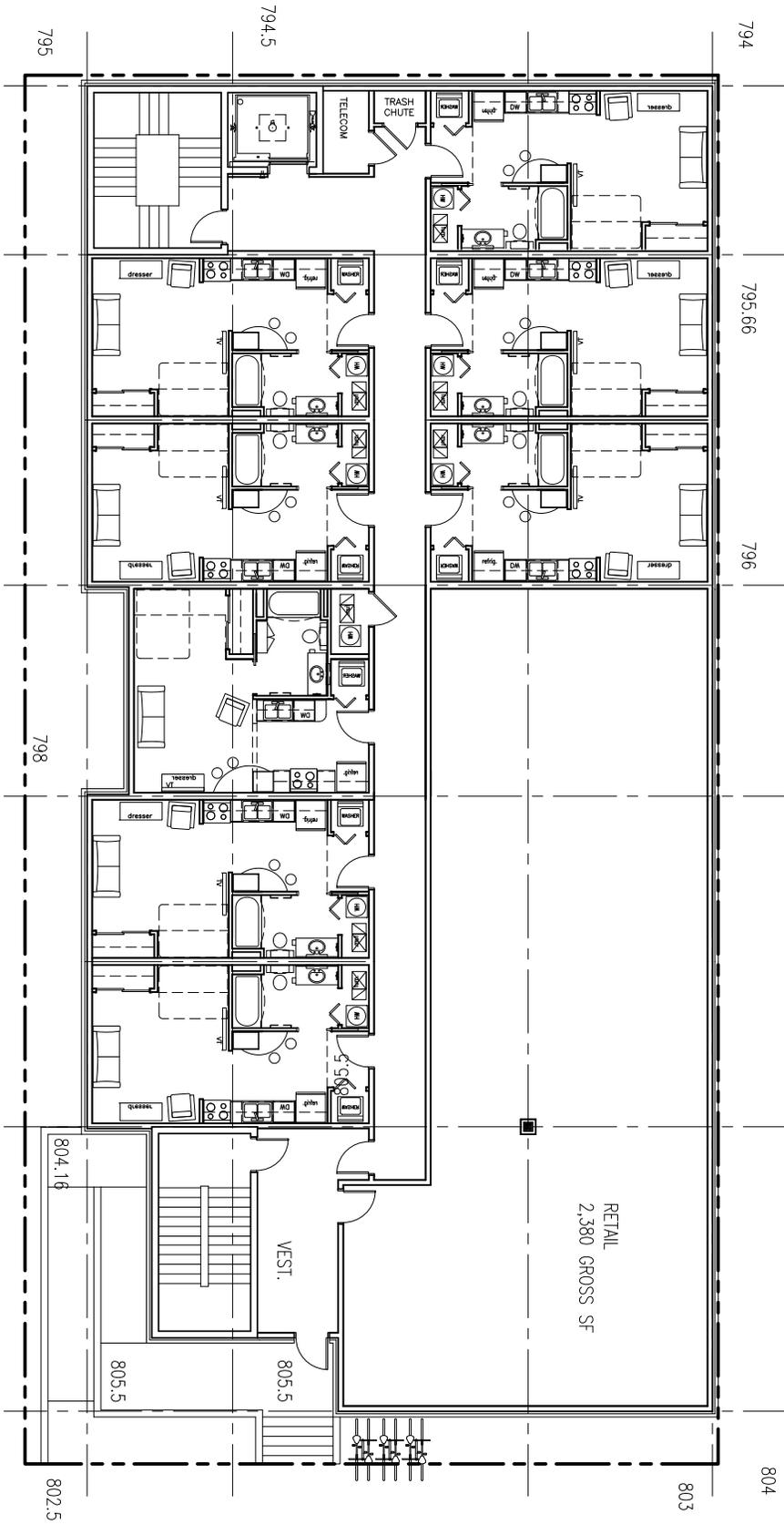
SHEET DESCRIPTION
 LEVEL 1 FLOOR PLAN

SHEET NUMBER
A1

STUDIO 3 DESIGN
 INDIANAPOLIS, INDIANA
 CONCEPT SKETCH
 ALL RIGHTS RESERVED



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



APARTMENTS	31 UNITS TOTAL
TYPE "A"	440 GSF 24 UNITS
TYPE "B"	474 GSF 05 UNITS
TYPE "C"	1056 GSF 02 UNITS

PARKING	16 SPACES TOTAL
GARAGE	15 SPACES
STREET	01 SPACE

STUDIO THREE DESIGN
 interior design
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 BLOOMINGTON, INDIANA

PROJECT NO.
 13072
 DATE
 11-25-13

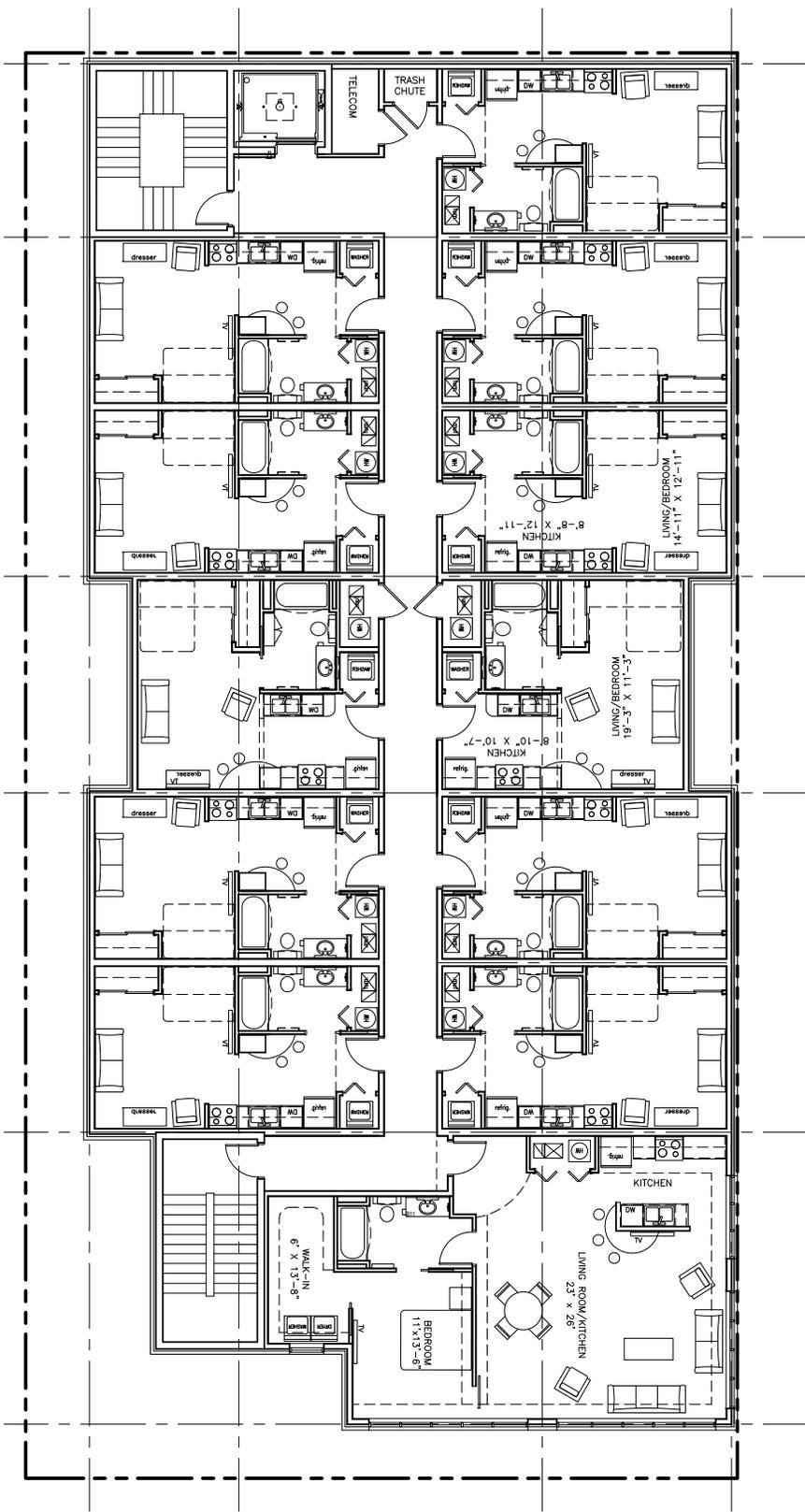
SHEET DESCRIPTION
 LEVEL 2 FLOOR PLAN

SHEET NUMBER
A2

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1 LEVEL 3 FLOOR PLAN
 A3 3/32" = 1'-0"



APARTMENTS	31 UNITS TOTAL
TYPE "A"	440 GSF 24 UNITS
TYPE "B"	474 GSF 05 UNITS
TYPE "C"	1056 GSF 02 UNITS

PARKING	16 SPACES TOTAL
GARAGE	15 SPACES
STREET	01 SPACE

STUDIO THREE DESIGN
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 8804 Allisonville Road, Suite 330 Indianapolis, IN 46250

ERL-15, LLC
 STUDIO 531 APARTMENTS
 BLOOMINGTON, INDIANA

PROJECT NO.
 13072
 DATE
 11-25-13

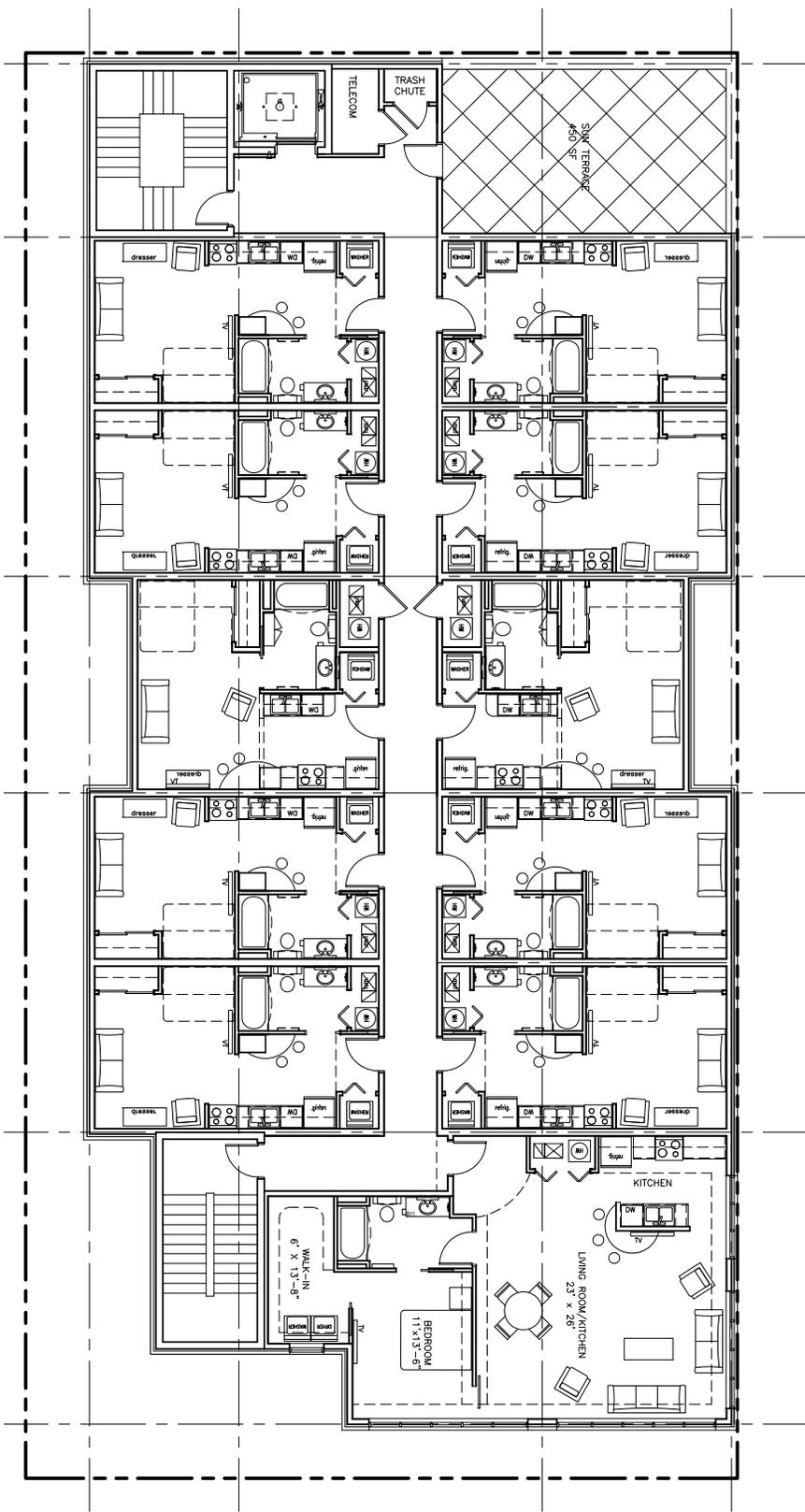
SHEET DESCRIPTION
 LEVEL 3 FLOOR PLAN

SHEET NUMBER
A3

STUDIO 3 DESIGN
 INDIANAPOLIS, INDIANA
 CONCEPT SKETCH
 ALL RIGHTS RESERVED



1 LEVEL 4 FLOOR PLAN
 A4 3/32" = 1'-0"



APARTMENTS	31 UNITS TOTAL
TYPE "A"	440 GSF 24 UNITS
TYPE "B"	474 GSF 05 UNITS
TYPE "C"	1056 GSF 02 UNITS

PARKING	16 SPACES TOTAL
GARAGE	15 SPACES
STREET	01 SPACE

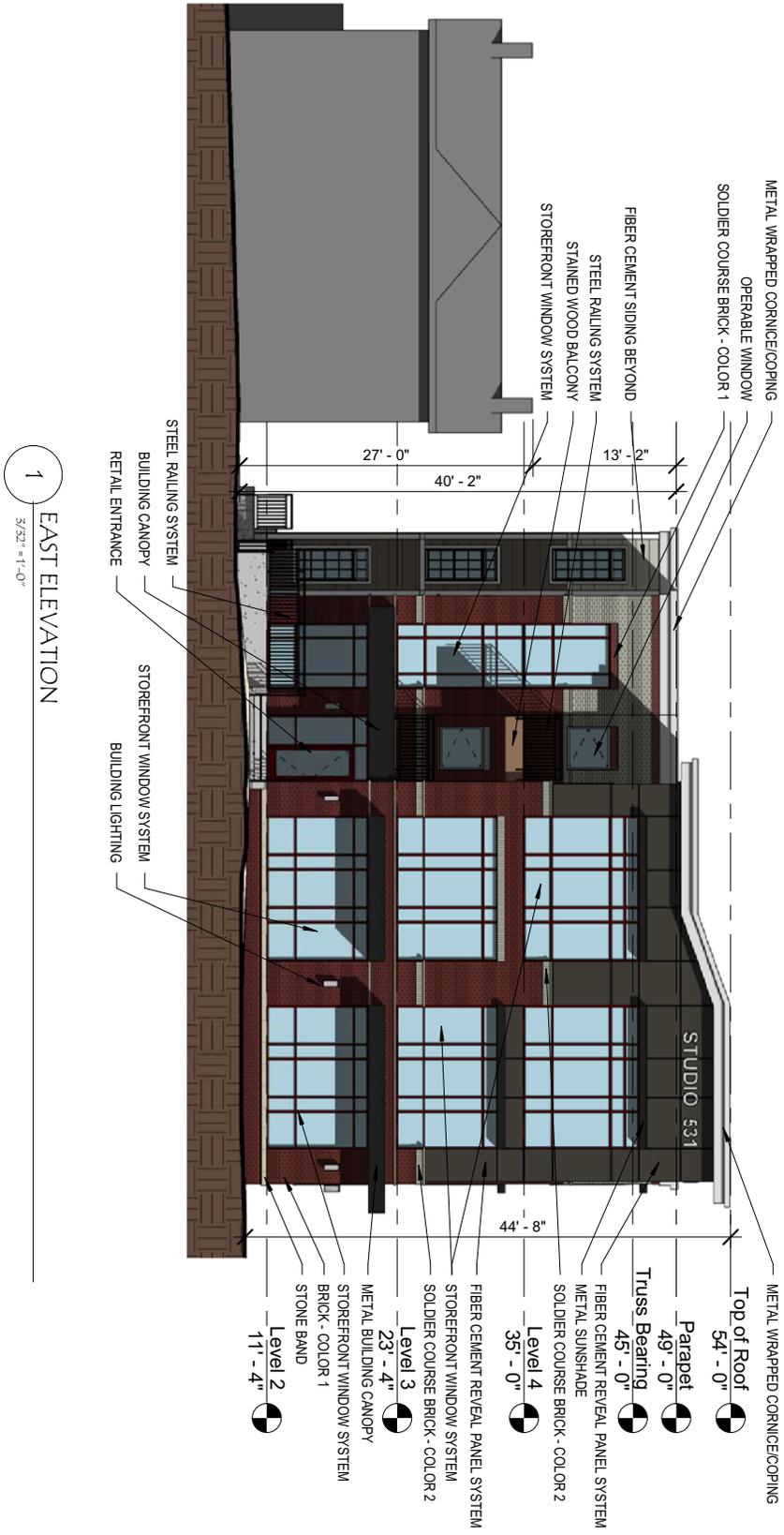
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ERL-15, LLC
 STUDIO 531 APARTMENTS
 BLOOMINGTON, INDIANA

PROJECT NO.
 13072
 DATE
 11-25-13

SHEET DESCRIPTION
 LEVEL 4 FLOOR PLAN

SHEET NUMBER
A4



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



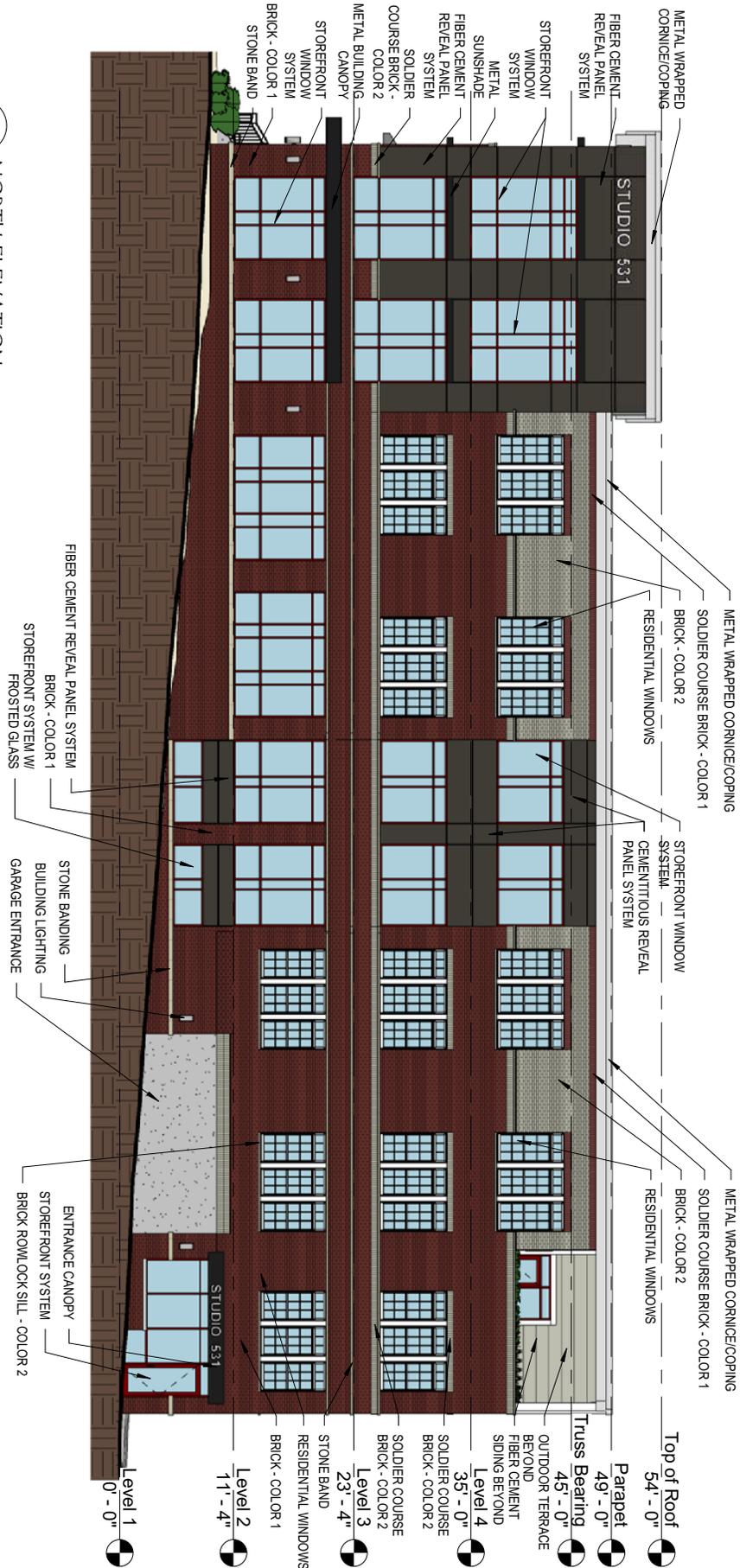
ERL-15, LLC.
STUDIO 531 APARTMENTS
 BLOOMINGTON, IN

PROJECT NO.
13072
 DATE
11-25-13

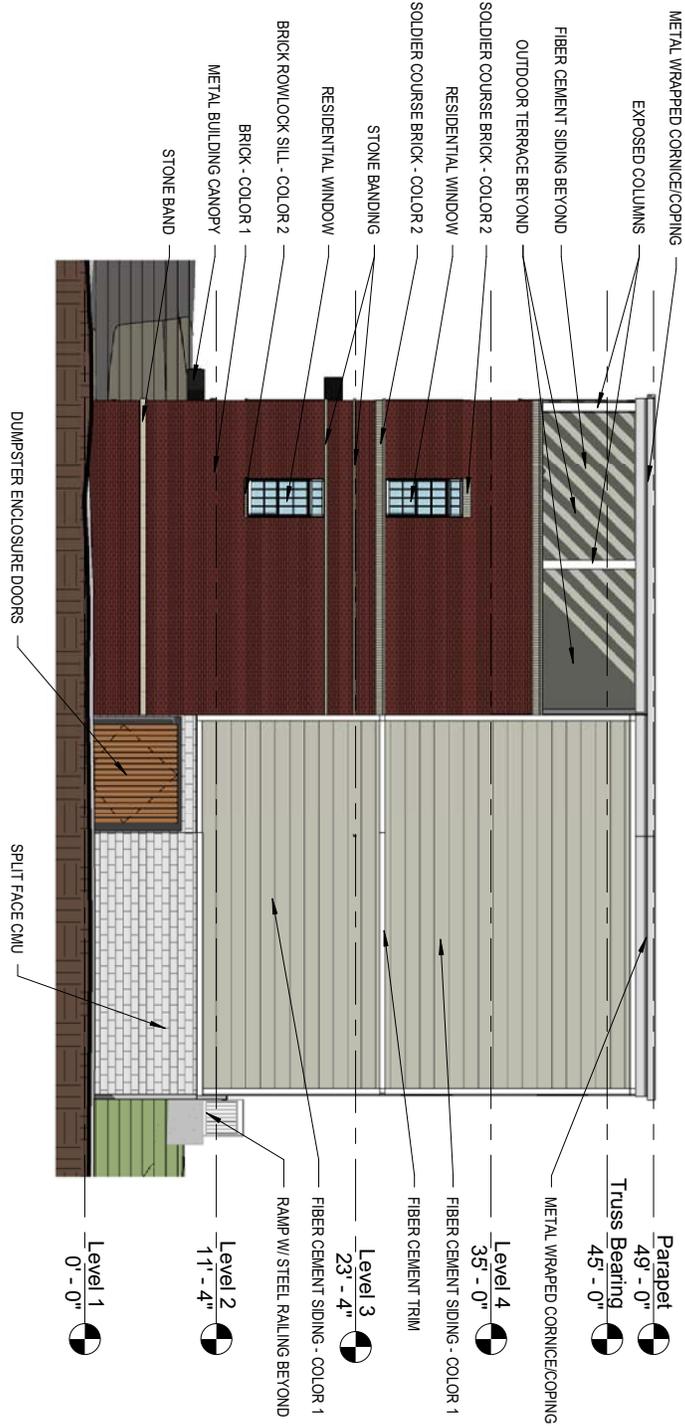
SHEET DESCRIPTION
EAST ELEVATION

SHEET NUMBER
A5

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



	<p>ERL-15, LLC. STUDIO 531 APARTMENTS BLOOMINGTON, IN</p>		<p>PROJECT NO. 13072</p>	<p>SHEET DESCRIPTION NORTH ELEVATION</p>	<p>SHEET NUMBER A6</p>
			<p>DATE 11-25-13</p>		



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

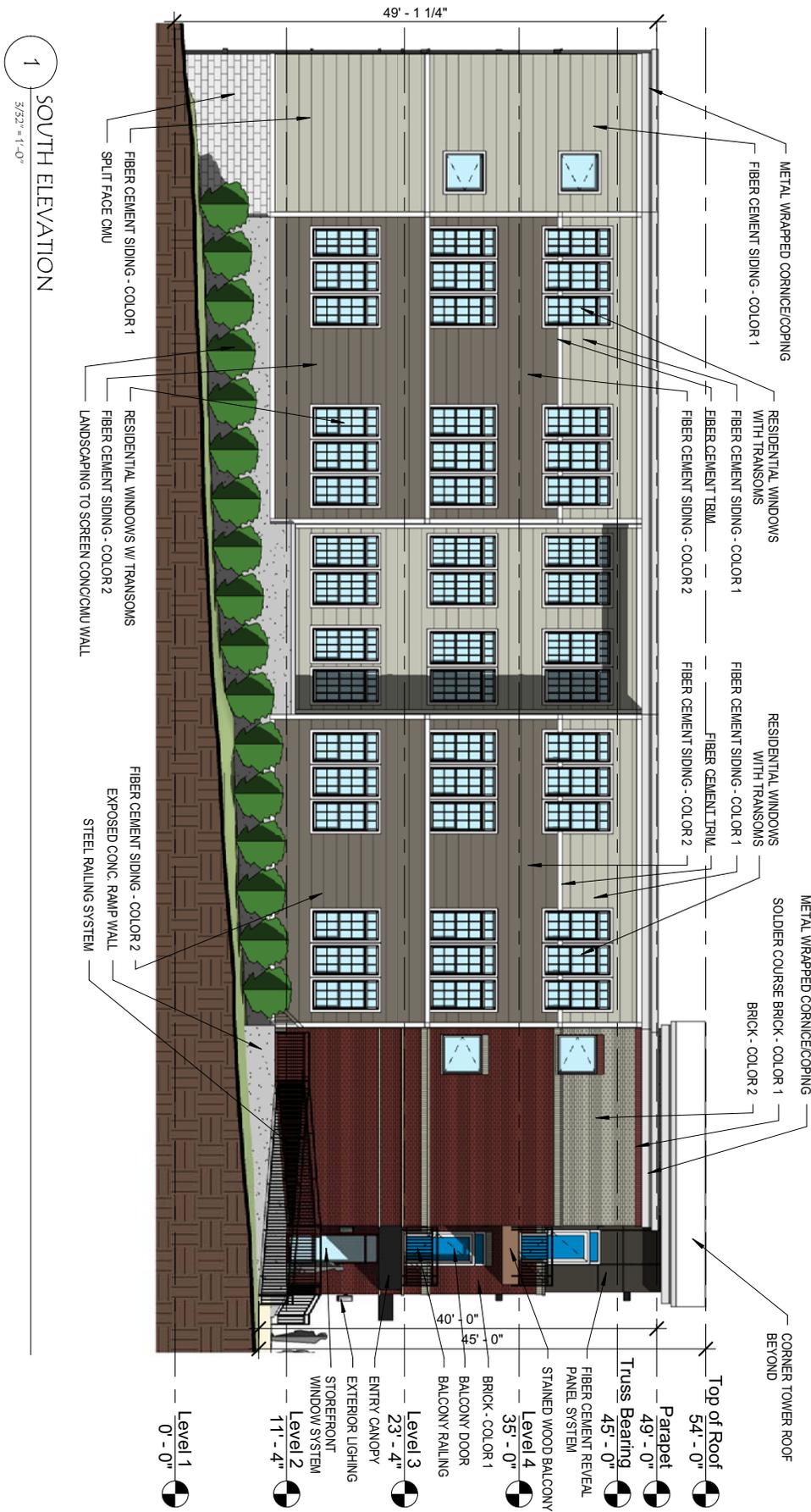


ERL-15, LLC.
STUDIO 531 APARTMENTS
BLOOMINGTON, IN

PROJECT NO.
13072
DATE
11-25-13

SHEET DESCRIPTION
WEST ELEVATION

SHEET NUMBER
A7



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

	ERL-15, LLC. STUDIO 531 APARTMENTS BLOOMINGTON, IN		PROJECT NO. 13072	SHEET DESCRIPTION SOUTH ELEVATION	SHEET NUMBER A8
			DATE 11-25-13		



1
A9

Corner Rendering



ERL-15, LLC.
STUDIO 531 APARTMENTS
 BLOOMINGTON, IN

PROJECT NO.
13072
 DATE
11-25-13

SHEET DESCRIPTION
Corner Rendering

SHEET NUMBER
A9



1
A10

College Ave Rendering



ERL-15, LLC.
STUDIO 531 APARTMENTS
BLOOMINGTON, IN

PROJECT NO.
13072
DATE
11-25-13

SHEET DESCRIPTION
College Ave
Rendering

SHEET NUMBER
A10



1
A11

10th Street Rendering

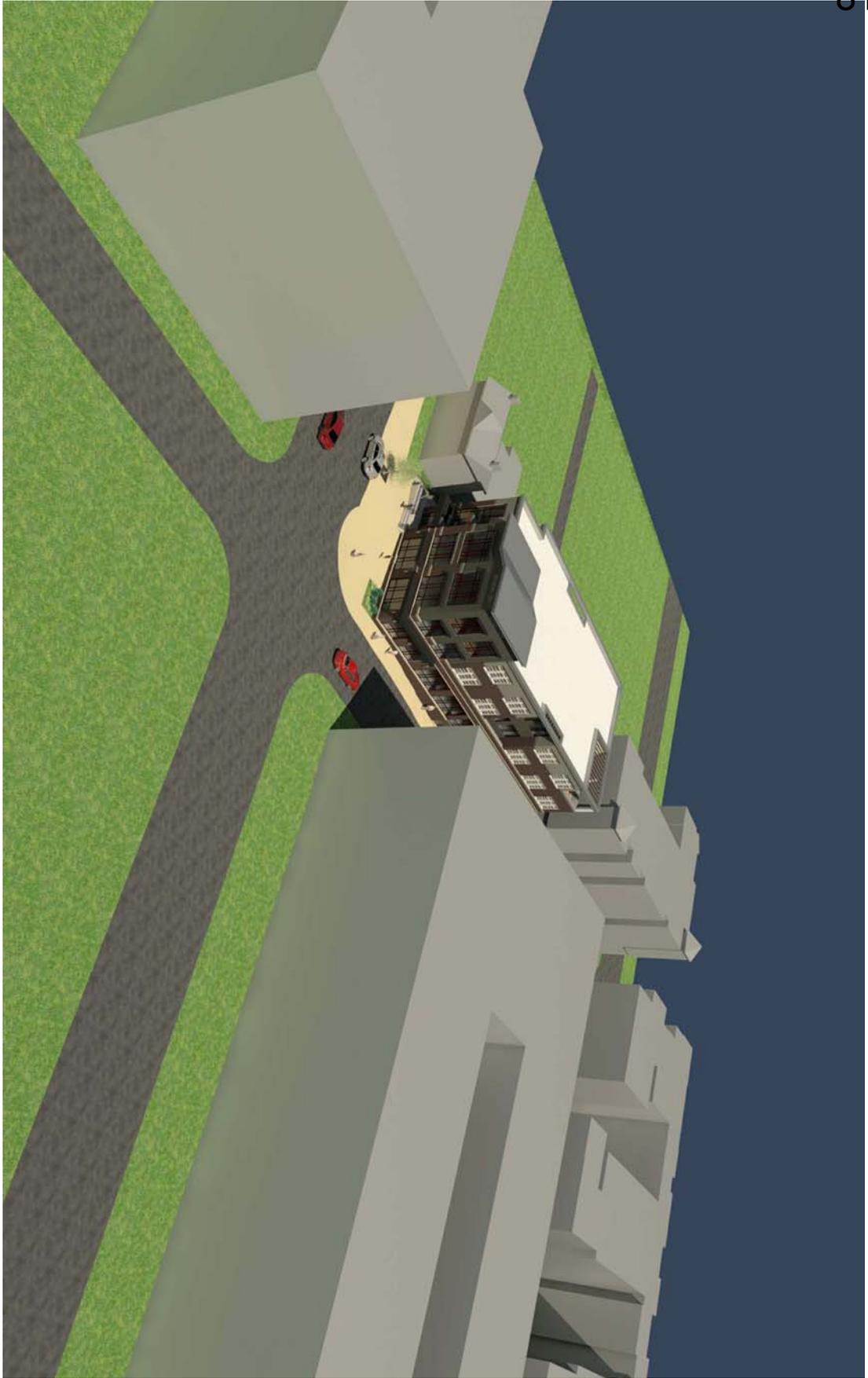


ERL-15, LLC.
STUDIO 531 APARTMENTS
 BLOOMINGTON, IN

PROJECT NO.
13072
 DATE
11-25-13

SHEET DESCRIPTION
**10th Street
 Rendering**

SHEET NUMBER
A11



1
A12
AERIAL PERSPECTIVE



ERL-15, LLC.
STUDIO 531 APARTMENTS
BLOOMINGTON, IN

PROJECT NO.
13072
DATE
11-25-13

SHEET DESCRIPTION
Aerial
Perspective

SHEET NUMBER
A12

**BLOOMINGTON PLAN COMMISSION
STAFF REPORT**
Location: 1250 N. Walnut Street

**CASE #: SP/UV-38-13
DATE: December 9, 2013**

PETITIONER: ERL-14, LLC
601 N. College Ave., Bloomington

CONSULTANT: Studio 3 Design
8604 Allisonville Rd., Indianapolis

REQUEST: The petitioner is requesting site plan approval for mixed-use project. Also requested is a use variance to allow first floor residential uses in a Commercial General (CG) zoning district.

SITE INFORMATION:

Lot Area: 0.957 Acres
Current Zoning: Commercial General (CG)
GPP Designation: Community Activity Center
Existing Land Use: Vacant, retail building
Proposed Land Use: Mixed-Use
Surrounding Uses: North – Miller-Showers Park
South – Multi-family
East – offices
West – mixed commercial

PETITION OVERVIEW: This 0.957 acre property is located at the southeast corner of W. 17th Street and N. College Ave. and is zoned Commercial General (CG). This property contains four platted lots and contained four buildings until a fire in 2008 destroyed three of them. The property currently contains three vacant lots and a single story commercial/retail building. The property is surrounded by Miller-Showers Park to the north, a multi-family use to the south and commercial uses to the east and west.

The petitioner proposes to demolish the existing building and construct a new mixed-use building. The proposed building would be 4-stories near the intersection 17th St. and College Ave. and transition to 3-stories on the southern part of the building. The building will contain approximately 8,000 square feet of commercial space near the intersection. The building would include 44 units and 61 bedrooms. Vehicular access would be gained by a drive-cut at the far southern end of the property along College Ave. and at the northeast corner of the property along 17th St. The 17th St. drive would be a right-out only. The petition also proposes converting the existing parallel on-street parking on the east side of College Ave. into 45 degree angled parking.

This proposal is similar in nature to one brought forward by the same petitioner in December, 2012 (UV/SP-47-12). That project included two buildings, 4,000 square feet of commercial space, 52 units and 70 bedrooms. That petition received one hearing in front of the Plan Commission and was then withdrawn.

This petition includes residential uses and residential parking on the first floor. Neither of these uses is permitted in the CG zoning district. The petitioner is requesting a use variance to allow for these uses. The Plan Commission must review the use variance request to determine consistency with the Growth Policies Plan (GPP) and make a recommendation to the Board of Zoning Appeals (BZA). The petitioner is also requesting site plan approval from the Plan Commission and several design standards variances from the BZA.

Use Variance: The CG zoning district does not permit first floor residential use or residential parking. The petition includes an 8,000 square foot commercial space immediately at the corner of 17th St. and College Ave., both classified as arterial streets. The remainder of the first floor is residential units and residential parking. The three ground floor units have patio spaces and french doors along College Ave. and no primary unit entry doors. Entry to the units is from the interior hallway.

The appropriateness of this use variance and the mix of commercial and residential space is one of the primary items staff would like feedback on from the Plan Commission. This petition nearly doubles the amount of commercial space and the length of the commercial frontage along College Ave. from the 2012 petition.

GROWTH POLICIES PLAN: The Growth Policies Plan (GPP) designates this property as Community Activity Center (CAC). The Community Activity Center areas are “designed to provide community-serving commercial opportunities in the context of a high density, mixed use development.” It also states that “rather than serving a single neighborhood, commercial uses in and surrounding the CAC will be developed so as to be accessible to multiple neighborhoods by non-motorized means, without becoming a major destination for the entire City and/or region” and “In accordance with their greater scale, commercial uses in a Community Activity Center will have more intense site development (than Neighborhood Activity Centers).” Land use policies for this area state that:

- The primary land use in the CAC should be medium scaled commercial retail and service uses.
- Buildings should be developed with minimal street setbacks to increase pedestrian and transit accessibility.
- Parking should be located and designed with an emphasis on minimizing pedestrian obstacles to accessing businesses.
- Street cuts should be limited as much as possible to reduce interruptions of the streetscape.
- Incentives should be created to encourage the inclusion of second-story residential units in the development of Community Activity Centers.
- Residential units may also be developed as a component of the CAC, and would be most appropriate when uses are arranged as a central node rather than along a corridor.
- Provision of public spaces should be used as an incentive to allow additional residential units or commercial space to be developed as part of the planning approval process.

- In order to buffer pedestrians on busy corridors as well as reduce off-street parking needs, on-street parking and tree plots should be encouraged in new developments and maintained on built roadways.
- A Community Activity Center should be located at an intersection which is made up of designated Collector or Arterial streets, in order to provide automobile access without overwhelming the pedestrian aspects of the development.

SITE PLAN ISSUES:

Other Variances: The petitioner is also requesting design standards variances for building setback, building height and building architecture. These are the same variances that were applied for in 2012. These variances will be reviewed by the Board of Zoning Appeals at their February 27, 2014 meeting.

Height: The maximum building height in the CG zoning district is 50 feet. While the majority of the mass of the main building is 50 feet tall, there are portions of the building taller than this. Near the corner of 17th St. and College Ave., the building height increases to 57'. The tallest parts of the building are the peak of the tower near the corner. The height is compounded by an approximately 3 foot grade drop along 17th St. Most nearby buildings are 1-story tall. The residential style building to the immediate south is 2 stories. There are also 2 and 3-story apartment, hotel and mixed use buildings east of Walnut St. and on both sides of Miller Showers Park. A variance is required to allow the building to be taller than 50 feet. The building height is directly related to the perceived massing of the building. Staff requests Plan Commission guidance on this issue

Building Setback: Based on the location of other buildings on this block, the UDO requires a minimum setback of 56 feet from the centerline of College Ave. The main mass of the northern part of the building will comply with the setback. Parts of the southern residential part of the building are as close as 51 feet. The first floor commercial storefront at the corner of 17th St. and College Ave. is approximately 50 feet from the centerline. This setback is similar to two existing commercial structure on this block: Big Red Liquors (1110 N. College Ave.) and the former PrintMasters (1200 N. College Ave.).

Building Architecture: The UDO requires that buildings along arterial corridors break up long expanses of blank walls and incorporate 360 degree architectural treatment. The UDO requires that buildings not contain more than 40 feet of façade without three of the following: an awning or canopy, change in building height, regular pattern of windows, or recessions/projections in the façade. With some modifications, the petition could meet these requirements along 17th and College. However, the UDO also requires that any façade visible from an arterial meet these requirements. The rear/east side of the building is visible from N. Walnut Street. This façade includes recessions and changes in height but does not include any canopies and includes a completely blank first floor. Portions of the main façade may not meet requirements for 50% first floor void-to-solid ratio or the 5-foot minimum height change every 40 feet.

Staff's primary concern with the petition is the length of the building along

College Ave. This property has been platted with four 60-90 foot wide lots. The proposed building however is 262 feet long. This structure is nearly as long as the courthouse square blocks (276 feet). In comparison, Smallwood Plaza is 294 feet long, The Village at 10th and College and the 10th and College buildings are 260 feet long, the Monroe County Justice Building is 260 feet long, and 9North and 10North (under construction) are approximately 190 feet long. All of these properties are located with the CD/DCO zoning district. Staff does not believe the building is appropriately massed for this zoning district or this corridor. While the petitioner has attempted to diminish the mass of the building through changes in height, architecture and setback along College Ave., staff believes more should be done. Staff believes that this property should be developed with 2 or more building instead of the one proposed building.

Parking: No parking is required for either the commercial or multi-family use. Based on the square footage of the commercial space (if the entire space is one large restaurant) and the number of proposed bedrooms, the project is permitted a maximum of 141 parking spaces. If the commercial space is multiple tenants, maximum parking reduces down to 88. The petitioner proposes to provide 46 off-street parking spaces. Sixteen additional parking spaces are proposed to be installed on-street (see below). This site is also located along Bloomington Transit routes #1, 2 and 6.

Street Parking: Parallel on-street parking is currently available on both sides of N. College Ave. The petitioner proposes to reconfigure the street parking to allow for angled parking on the east side of College Ave. adjacent to the petition site. This rebuilding of the street would increase the number of spaces from approximately 7 to 16 and also reduces the width of the travel lanes on N. College Ave. College Ave at this location currently has 18+ foot travel lanes. This redesign would provide for 11 foot travel lanes and parking stalls that are 2 feet deeper than the UDO minimum. This design meets minimum engineering standards (see memo from Justin Stuehrenberg), will calm the street, reduces vehicular speeds and reduces pedestrian crossing distances at the intersection. Unlike the previous proposal for angled street parking, this design places all street parking within the existing pavement width and will allow this design to be continued to the south on College without rebuilding the curb. Changing the configuration of the parking from parallel to angled must ultimately be approved by the City Council.

Density and Green Development Standards: The CG zoning district allows for a maximum of 15 DUEs (dwelling unit equivalents) per acre. For this 0.957 acre parcel, this would be a maximum of 14.36 DUEs. The UDO's Green Development Incentives allow for an increase in the density of a project if certain green standards are met. The petitioner intends to meet Level 1 Green Development Incentives. This allows a 25% increase in density, up to 18.75 DUEs/acre. The petitioner has provided a draft of a Green Development Worksheet showing how they intend to reach the Level 1 incentives, which has been included in the packet. With the Level 1 incentives, the petitioner intends to build 17.76 DUEs or 18.56 DUEs/acre with a total of 44 units and 61 bedrooms. This is a mix of 1, 2, and 3 bedroom units. This petition will meet density requirements if the Green Development Incentives are approved.

Historic Preservation Commission: This petition is located immediately adjacent to a

surveyed historic structure. The commercial building at 1327 N. Walnut Street is listed as a notable scattered site in the 2001 Survey of Historic Sites and Structures. This building was built circa 1940 and is an example of “Moderne” architecture. This property was built as an auto dealership. The Planning Staff presented this petition to the Historic Preservation Commission on November 14th and received feedback on the impact of this petition on the adjacent historic structure. Unlike in the CD zoning district, the CG district does not require that new buildings step down their height to match adjacent historic structures. While the HPC had many comments about the design and massing of the building, there was not consensus on the impacts of this building on the adjacent structure. Some members stated a desire to step the height down to the east as the building nears the historic structure. Others thought a reduced height or a height stepped back from the street would better limit impacts. Finally, some members felt that new construction in this area should not be bound to build shorter building because of the presence of 1-story building in the area.

Architecture: The building utilizes a flat roof, commercial store fronts near the intersection, a primary entry for the apartments toward the middle of the building along College Ave. and a corner tower element with 4th floor signage. The building includes a mix of two colors of brick, limestone, cast stone, cementitious lap siding, cementitious panels, cementitious shakes, and an EIFS cornice. All of these materials are permitted in the CG zoning district. Balconies are proposed on the street frontages as well as the east side of the building. French doors and patios are proposed on the first floor along College Ave. on the south side of the building.

Access control and drive-through: The property currently contains one driveway on 17th St. and two onto College Ave. The petitioner is proposing one driveway onto College Ave. at the south end of the property and one onto 17th St. Both drives meet the minimum 100 foot separation from the intersection. The 17th St. access is designed as a right-out only. Concern was raised in 2012 about a full access on 17th by the Plan Commission, the Public Works and Police Departments. This section of 17th Street often has back-ups from College Ave to Walnut St.

While the petitioner does not currently have a commercial tenant in place for the proposed commercial space, a restaurant is a likely possibility. The site plan shows how a restaurant carry-out drive-through window might work. Cars would enter along College Ave. and exit on 17th Street. Vehicle queuing for this drive-through could also partially block access to some of the interior parking spaces.

Streetscape: Sidewalks will be rebuilt along both 17th and College. Street trees in tree grates will be provided along the College Ave. street parking. Street trees in a tree plot will be provided along 17th St. The UDO does not require street lights outside of the CD zoning district.

Bicycle Parking: A 61 bedroom apartment complex with 8,000 square feet of commercial space requires 4 commercial bicycle parking spaces and 11 residential bicycle parking spaces. The site plan depicts 16 Class-I spaces in a secured bike room and 3 class-II spaces near the commercial uses. Staff recommends additional short term class-II spaces along College Ave. for the commercial and residential uses.

The required spaces have not yet been shown on the plans. The petitioner has indicated that they intend to provide all required bicycle spaces as either covered or Class-I spaces to meet the Green Development Incentives. Staff recommends that some bicycle parking be provided along the commercial store frontage for visitors and customers.

Impervious Surface Coverage: The UDO allows for a maximum impervious surface coverage in the CG zoning district of 60%. The proposed site plan shows 52% impervious and 48% pervious (27% pervious pavers and 21% green space).

Utilities: A utility plan has been submitted to City of Bloomington Utilities and is under review. Stormwater would be collected using under drains beneath the pervious pavers and directed to a rain garden at the northeast corner of the site. Water and sanitary sewer service is available in both College Ave. and 17th Street. The plat for this property will need to be amended due to a unused, platted east-west access and utility easement between two of the lots.

ENVIRONMENTAL COMMISSION RECOMMENDATIONS: The Bloomington Environmental Commission (EC) has made 5 recommendations concerning this development.

- 1.) The Petitioner shall submit a modified Landscape Plan that meets all UDO requirements and includes all native vegetation per the green development incentives.
- 2.) The Petitioner shall submit a Maintenance Plan for the pavers prior to receiving any permits.
- 3.) The Petitioner should create an environmentally sustainable and “walkable” streetscape at this important location.
- 4.) The Petitioner should use additional green building and site design best practices.

DEVELOPER TRACK RECORD: Developer Elliot Lewis is the principle behind ERL-14, LLC. Other recent projects completed by this petitioner include the 10th and College building, the 4th and Indiana building, the remodeling of the Odd Fellows Building, Village at 10th and College, Morton Mansions, Eastbay Apartments, the Horizons building, and the Morton Grad building. Also on the agenda is a project at 10th and College. There are no outstanding zoning violations associated with these developments.

CONCLUSIONS: Staff requests feedback on the petition to allow for revisions before a second hearing in February. More specifically, staff does not support the current proposal, but are requesting feedback on the project as a whole, but specifically the architecture, first floor residential use variance, the design standards variances and massing of the building. This petition would create a 57 foot tall and 262 foot long structure at a prominent gateway location into the City. Staff does not believe the building is appropriately massed for this zoning district or this corridor. While the

petitioner has attempted to diminish the mass of the building through changes in height, architecture and setback along College Ave., staff believes more should be done. Staff believes that this property should be developed with 2 or more building instead of the one proposed building.

RECOMMENDATION: Staff recommends that this petition be continued for another hearing on February 10, 2014.



**City of Bloomington
Planning Department**

TO: BLOOMINGTON PLAN COMMISSION
FROM: JUSTIN STUEHRENBERG, P.E.
RE: ANGLED PARKING ON COLLEGE AVENUE AT 17TH ST.
DATE: MONDAY, DECEMBER 2, 2013

This memo is in regards to the request for angled parking on College Avenue as part of the development proposal at the corner of College Ave. and 17th Street. The petitioner is requesting to add spaces in a 45 degree angle back-out configuration alongside their development. This portion of College Ave. has abnormally wide lanes which will allow for this parking configuration without relocating the curb line or losing any travel lanes.

The Institute of Transportation Engineers (ITE) provides guidance for angled parking on city streets in their *Guide for Walkable Urban Thoroughfares*. This guide, for 45 degree angled spaces, recommends the combined width of the parking stall and adjacent lane to be 30 ft. 4 in. The petitioner's site plan calls for a combined width of 32 ft., which easily satisfies this recommendation. There is no research that shows that providing a significantly wider parking lane, or a buffer between the parking lane and travel lane, provides any safety benefit.

The extraordinarily wide cross-section is currently contributing to serious speeding issues on this section of College Ave. This angled parking proposal allows the travel lanes to be scaled down dramatically, which research has shown to bring speeds down closer to desired levels. While the parking does have the potential to contribute to some additional accidents, that potential is likely to be offset by the reduction in risk by reducing speeds. For this reason, Planning Department staff is supportive of this parking configuration.

At some point, the Plan Commission may wish to explore the option of back-in parking instead of head-in. Back-in parking provides better sight angles when pulling out of spaces and has been shown to decrease accidents. However, it is not a common concept in Indiana and many drivers may be confused by it.

MEMORANDUM

Date: December 2, 2013

To: Bloomington Plan Commission

From: Bloomington Environmental Commission

Through: Linda Thompson, Senior Environmental Planner

Subject: SP/UV-38-13 for PC; UV/V-51-13 for BZA; ERL-14, Gateway Apartments
1250 N. College Ave.

This memorandum contains the Environmental Commission's (EC) input and recommendations regarding the approval of a Site Plan, Use Variance, and Variances for a 4-story mixed-use structure. Currently, there is one building on the site, which the Petitioner intends to demolish. The site is within the Commercial General Zoning District across Seventeenth Street from Miller Showers Park. The Petitioner requests to use the UDO's Green Development Incentives to achieve the requested density.

ISSUES OF CODE COMPLIANCE:

1.) **LANDSCAPE PLAN:**

A final Landscape Plan has not been approved because the Petitioner has agreed to make changes in some plant choices.

2.) **MAINTENANCE PLAN FOR PAVERS:**

When pervious pavers are used, they must be properly maintained on a regular basis. If the pore spaces get clogged with detritus, the water infiltration will no longer function. The Petitioner has agreed to create a plan, so the EC recommends that no permits are granted until the plan is approved.

ISSUES OF SOUND ENVIRONMENTAL DESIGN:

3.) **GATEWAY CHARACTER:**

The proposed development is on an important, highly traveled thoroughfare for Bloomington's downtown and Indiana University. The EC always promotes development designs that are consistent with "complete streets" usability, inviting gateway character, and enhanced environmental sustainability, but finds it exceedingly important in this location. There are many design concepts to consider, from landscaping that celebrates Bloomington's natural heritage, to creating public gardens to enhance neighborhood comradeship, to choice of building materials and architecture that promotes a sense of place and reflects our city's commitments to green building and sustainability. The EC encourages the petitioner to employ as many complete

streets strategies as the site will allow.

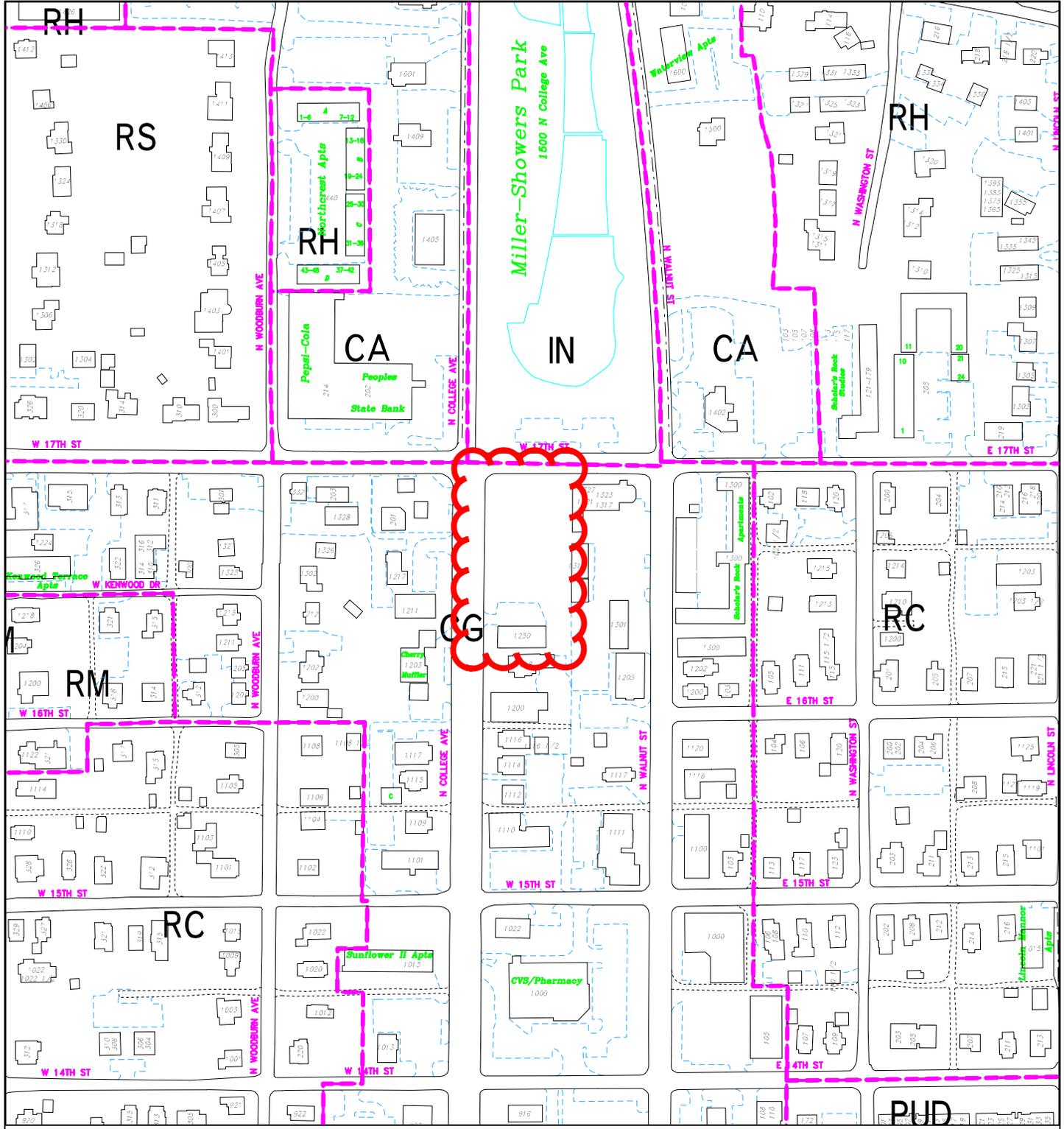
4.) **GREEN BUILDING & SITE DESIGN:**

The EC is pleased that the Petitioner is planning to employ some green building features and use the green building incentives available to them. However, there are many more “best practices” that the EC recommends be used. Below is a small list of recommended green practices.

- a. Ultra efficient windows and insulation
- b. Electric vehicle charging stations
- c. Reflective roof material

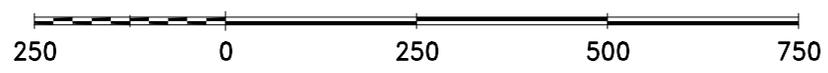
EC RECOMMENDATIONS:

- 1.) The Petitioner shall submit a modified Landscape Plan that meets all UDO requirements and includes all native vegetation per the green development incentives.
- 2.) The Petitioner shall submit a Maintenance Plan for the pavers prior to receiving any permits.
- 3.) The Petitioner should create an environmentally sustainable and “walkable” streetscape at this important location.
- 4.) The Petitioner should use additional green building and site design best practices.

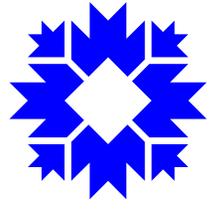


SP/UV-38-13
 ERL-14 LLC
 Location Map

By: roachja
 1 Nov 13



City of Bloomington
 Planning



Scale: 1" = 250'

For reference only; map information NOT warranted.

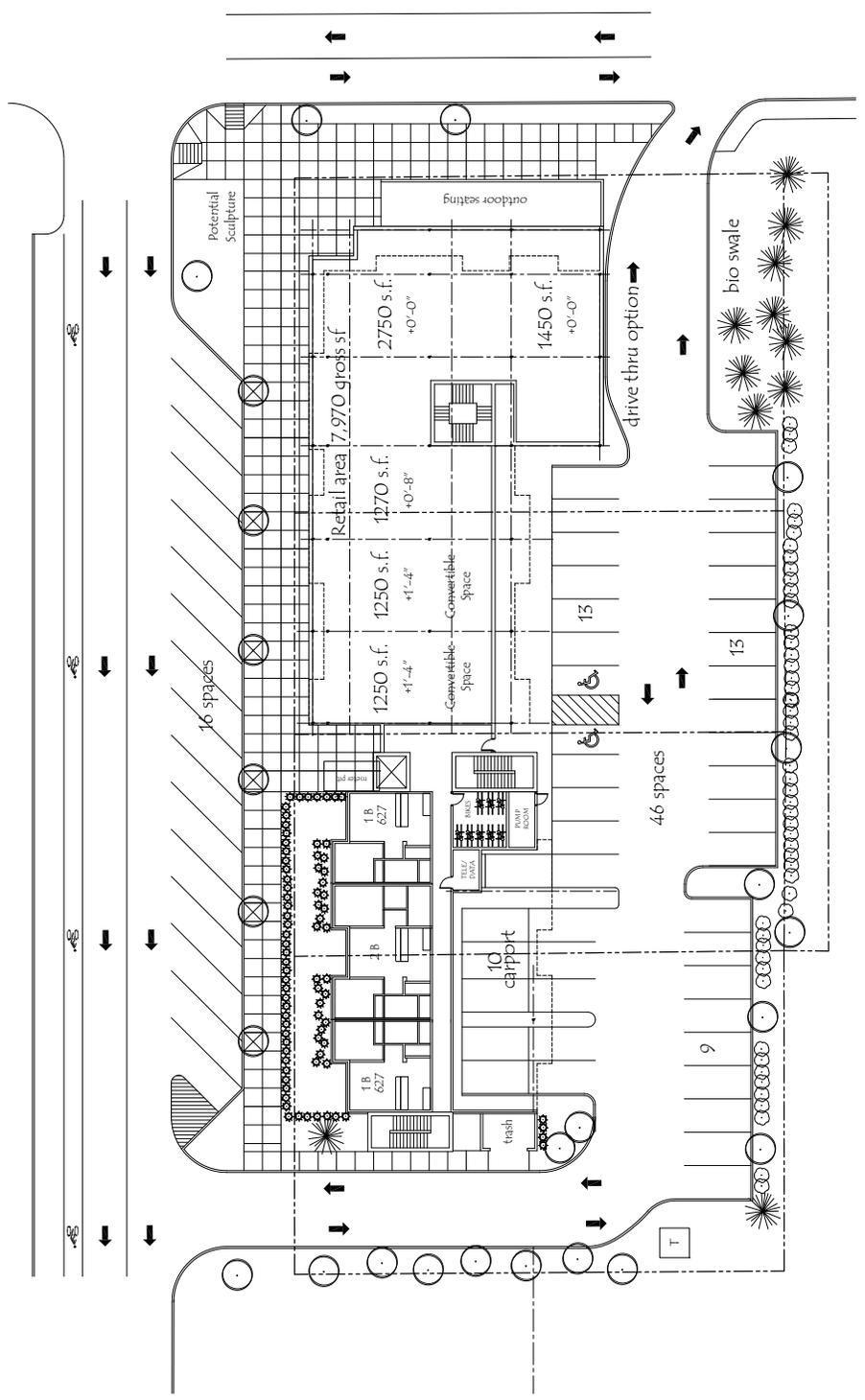
SP/UV-38-13
 ERL-14 LLC
 Site Plan and 1st
 floor floorplan

Building gross sf 50,447 sf
 Retail area 7,970 gross sf
 Apartments:
 44 units
 61 beds

SITE:
 0.957 acres (41,670 s.f.)
 15 DUE's/acre = 14.36 DUE's allowed
 Density with 25% increase:
 17.95 dues available
 17.92 dues used

Parking:
 46 on-site
 16 street

SHEET NUMBER A1	SHEET DESCRIPTION LEVEL 1 FLOOR PLAN	PROJECT NO. 13055	ERL-14, LLC THE GATEWAY APARTMENTS BLOOMINGTON, INDIANA	
		DATE 11-18-13		



1 LEVEL 1 FLOOR PLAN
 A1 1/32" = 1'-0"
 NORTH

STUDIO 3 DESIGN
 INDIANAPOLIS, INDIANA
 CONCEPT SKETCH
 ALL RIGHTS RESERVED



SP/UV-38-13
ERL-14, LLC
Model Image



November 12, 2013
November 25, 2013 revised

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

Attn: Mr. James Roach

RE: The Gateway Apartments

PETITIONERS STATEMENT

Dear Mr. Roach

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

<u>Apartment Types</u>	<u>Count</u>	<u>Beds</u>
1 Bedroom Flat	30 Units	30 Beds
2 Bedroom Flat	11 Units	22 Beds
3 Bedroom Flat	03 Units	09 Beds
	44 Units	61 Beds

Level 1 Green Incentives:

We will be pursuing Level 1 green incentives as part of this project to achieve a 25% increase in allowable density, a separate write-up on this has been provided outlining the incentive goals.

Property density:

Site: .957 acres (41,670 sf)

15 DUEs/ acre =

Level 1 green incentives to increase allowable DUEs by 25%

14.36 DUE's allowed

17.95 DUEs allowed

1 bed	.25 DUE x 30 = 7.50 DUE
2 bed	.66 DUE x 11 = 7.26 DUE
3 bed	1.0 DUE x 03 = 3.00 DUE

17.76 DUE's proposed (17.95 DUE's allowed with green incentives)

SP/UV-38-13
ERL-14 LLC
Petitioner's
Statement

Non-Residential space - Retail

Approximately **7,970 gross square feet** of retail space is provided along 17th street and College Avenue.

Parking Counts

Required parking for apartments:	Zero spaces
Required parking for retail:	Zero spaces
Provided on-site parking:	46 spaces on site
Street parking	16 spaces suggested

Project Location

The project is located at the SE corner of 17th Street and College Avenue. The site contains 4 parcels of land, three of which are currently vacant and one of which houses a single level retail building that will be demolished as part of this petition. The site is directly across the street (south) of the public park that runs between College and Walnut streets. Additionally the site sits at the crest of the hill on College avenue with strong sightlines as you drive South on College coming into town. To the South is a historic home which sits on a hill and is considerably set back from the street. To the East is a grouping of single level office / retail functions along walnut street as well as large on-grade parking lots.

Project Concept

The buildings architecture is defined by strong massing and a verticality of building elements at the corner. The overall forms, detailing and material palette has been simplified to provide a modern twist with a strong expression and presence at the top of the hill as a gateway into the downtown. The structure takes a simple shape for building efficiency and stacks the building over approximately 8,000 sf of retail space running the width of the building on 17th street and more than half way down the site along College Avenue.

As you move to the South along College, the building is split by a main entrance for the residential that connects through to surface parking on the east side of the building and is flanked by residential ground floor units to the South and retail to the North. Parking is screened from 17th and College by the building and is buffered from the West and south by landscaping zones and a proposed Bio-swale on 17th street across from the park.

The Northern section of the building which contains retail at the entire base, is pulled forward toward 17th street and college avenues to provide prominence to the retail. Angled street parking runs the length of the property on college and provides much needed parking to support the retail component. The entrance tower near the mid-point of the site along College, steps back roughly 18' from the retail façade and is primarily glass to act as a visual break between the North and south sections of the buildings. The southern portion of the building steps down to a 3 story façade along college with apartments on all three levels. A generous yard roughly 15' in depth x the width of the building provides a landscaped buffer for the residential units and a different feel for the building as it transitions into the neighborhood. This lowered height along with holding the building away from the property line allows us to both maintain views of the historic home to our south as well as remain respectful of the overall height.

Internally, the building is divided into smaller dwelling units all accessed off of a common internal corridor system. As noted above, 30 units are 1 bed, 11 are 2 and only 3 units are 3 bed – those keeping away from what is considered larger “party units” as part of the mix.

The development will transform what is currently a gravel parking lot to a high impact landmark at the gateway to the city and provide opportunities for retailers, outdoor seating and street life as well as amenities that speak to going “green”. The site will provide covered and secured bicycle parking as well as bike rails for visitors of the retail areas out along the street. Two bus stops are within a block of the site providing an alternative means of transportation for residents and visitors alike. An outdoor trash enclosure is large enough for the site dumpsters as well as providing space for future opportunities for recycling. To reduce the urban carbon footprint of the facility, the building shell will be well insulated with a min. of 6” batt insulation and insulated low-E window units. On the uppermost roof levels, white TPO or rubber membrane 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 lighting fixtures, motion sensor lighting in common areas where security is not an issue, abundant natural lighting sources and low flow water fixtures will be provided. Additionally, 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.

On the Site, the use of permeable pavers and the creation of a bio-swale will provide natural means to filter storm water and reduce the impacts of storm water on the City's infrastructure. Along College Ave, at the southern end, large green area has been maintained to allow for native plantings and a softer screened relationship between the street and the apartment building.

Building Scale / Massing / Articulation

The building has been designed with a strong massing at the corner of 17th and College with a vertical tower element rising to serve as a focal point as you head south on College avenue and enter into the downtown. The Corner is accentuated at the main level to allow the tower to read the full 4+ stories. The retail boxes are all pulled forward along 17th and College Avenue to create a base for the building and provide clear visibility for the retailers and to create a horizontal and vertical break in the building massing along the sidewalk for a more pedestrian friendly sense of scale. The Building entrance on College Avenue serves to both visually call out the primary entrance for the residential portion of the building as well as providing a break between the building areas – with mixed use focused to the north of the entrance and all residential to the south of the entrance. The building articulation is further broken down into more detailed elements at the apartments with picket style metal railings lining balcony zones along with material changes in color and texture.

The buildings mass above the retail is broken into a rhythm of 2 unit bays, each articulated with a base, middle and cap defined by banding as well as material changes. The cap of each of these modules is further accentuated by breaking the cornice line and providing a visual continuation the center brick detailing up through the roof plain.

Window detailing

Windows range in scale depending on their location around the building. Storefront systems wrap the retail space and transition vertically at the corner tower. Larger ganged windows in a mix of fixed and operable styles create a uniform rhythm of punched openings in the vertical modules on the building to serve the apartment units.

Typically, windows have been ganged together to obtain the best natural lighting possible for the interior of apartment living spaces. The issue of providing the UDO requested proportions for the windows has been addressed through the incorporation of a vertical 6” mullion between each window unit allowing the larger openings to maintain the desired rectangular proportion and still create the best possible natural interior lighting for the residents.

Streetscape

A simple rhythm of graced trees and pole mounted acorn style street lamps are set in a hard-scape sidewalk along the retail component of the site both along 17th street and along College Avenue. This pattern transitions into a more soft-scape pattern with trees in landscape “green zones” and low level plantings and shrubs continue the rhythm down College Avenue in front of the residential units. Where possible, additional landscaping has been provided around the perimeter of the site. The sidewalk is approximately 12’ to 15’ wide along the retail affording an opportunity for outdoor seating or roll out merchandizing.

Angled parking has also been suggested along College Avenue for the length of the property. This provides 16 retail parking spaces which makes getting and maintaining retailers at this location much more viable. College Avenue is reduced down to two standard drive lanes with a dedicated bike lane, and parallel parking on the West side of the street.

Site Accessibility

Pedestrians can enter the site at grade off of College Avenue and off of 17th street. Vehicles can also enter the site to access parking tucked within the core of the development from College and can exit onto 17th street with a right turn only onto 17th street or a left turn heading one way South onto College. A central stair and elevator tower serve the building off of the College Avenue as the primary building entrance for the apartments above and as a connection between the parking in the back and the apartments and or retail in the front. A vestibule allows residents and guest an opportunity to get out of the rain and or gain access to the adjacent retail space before needing to be buzzed in or use an access control key phobe to gain entrance into the secured apartment levels.

All other building access points are through secured stair towers. The apartments located on level 1 are set back off of College Avenue and have a reduced sidewalk width with a green zone between the walk and building to create a level of privacy and prevent those walking down the street from being right next to the apartment windows. Landscape zones in this location also serve to help maintain the separation.

By code, since the building contains 20 or more apartment units, we are required to provide (1) full ANSI type A unit. A one bedroom unit on the first floor will be designed as a fully accessible unit to accommodate any tenants with a disability that require special accommodations. Since the building is served by an elevator, all units in the building are designed to meet fair housing requirements.

Building Façade modules

The building provides multiple steps both horizontally and vertically across the façade – both on 17th and on College Avenue, as well as the east façade as it is viewed from Walnut Street. At the building corner, the lower level retail steps out while the massing above it steps back 15’ from the property line to lessen the perceived height of the building as you are walking adjacent to it. The corner is defined in both height and materials as a special feature of the building while a 2 unit module with inset balconies establishes a simple rhythm for the remainder of the façade.

Building Heights

The site is relatively flat for Bloomington with about a 3' to 4' grade change. The zoning in the area permits a building height of up to 50' (which equates to a 4 level building. The majority of the main building is under the 50' mark with the only area rising above this height occurring in the corner where the structure and vaulted roof line rise up into the mid 50's in height.

Building Materials

Limestone panels at the corner, two colors of brick, exterior insulation and finish system cornices, and cement board cladding, panels and trim form the material palette for the project. Stone veneer will create the base for the more residential portions of the building with a blend of cement board panel system at the upper floor levels. The remainders of the building's facades that do not border either 17th or College Avenue are clad primarily in a mix of cementitious lap siding and cementitious panel in context with many of the adjacent developments.

Void to Solid Percentages

The site does not have any set standards for the percentage of void to solid along College or 17th street. Regardless, we have provided for extensive transparency (void) along the retail at the first level to help create the desired connection with the street / pedestrian traffic. At the residential zones on the first level and upper levels we have scaled back the window sizes (voids) to be more in line with residential living. The building corner at 17th and College does provide for a more expansive glazing area on the residential to take advantage of the views and provide more prominent detailing to the main view of the building as you come up College Ave.

Bike Storage/ Parking

An effort has been made to make the facility "bike friendly" through the incorporation of bike parking focused around the building entry points for the convenience of the residents and visitors. Additionally, and as a element of the green incentives program, we are providing covered bike parking under the building as well as secured bike parking in a bike room accessed off of 17th street or College Avenue.

Environmental Considerations

The developer is interested in providing a building that is sensitive to the concerns of today's built environment. As such, we are reviewing the incorporation of the following into the project:

- "Green friendly" building materials – This includes both materials with recycled content as well as building materials that have been harvested and manufactured within a 500 mile radius.
- Energy efficient windows with low-E glazing
- White reflective roofing membrane for energy conservation (TPO) product – the roofing reflects sunlight and reduces heat gain as well as reduces urban heat island caused by black roofing.
- Use of larger window openings for natural day lighting of interior spaces to cut down on the use of artificial lighting.
- Level 1 Green Development incentives as outlined on the attached document.

- Close access to alternative means of transportation
- Energy efficient lighting and fixtures
- Energy Star appliances
- Use of permeable pavers and the creation of a natural bio-swale on site.
- Naturally lit stairs and lobby spaces to conserve on energy consumption,
- Maintaining green zones along College Avenue and around the perimeter of the site that are lined with native landscaping materials and trees.

Build to Line

The project will request a variance to extend the retail area out toward the property line at the corner of 17th and College as well as pull the residential portion of the building closer to College Avenue to accommodate parking needs and landscape buffer zones to the East.

Building Entrances

The main building has (1) pedestrian entry off College Avenue, (2) secondary pedestrian from the parking area. Apartments on level 1 can be accessed at grade level from College Ave as well as from the parking area. Additionally, there is a vehicular route into the site accessed from College Avenue with a right turn only exit onto 17th street. Maintaining the drive to the far Southern end of the site provides several benefits. The retail is better served by more contiguous line of parking, the building as a whole is held away from the South property line, affording a better view of the historic home and a friendlier transition into the neighborhood.

Encroachments:

The project will require the following encroachments with the city:

- Pole mounted acorn style street light along College and 17th street
- Street trees along College and 17th street

Stormwater Detention

Storm water detention will be contained in a storm water piping system located under the parking lot.

Trash Removal

Trash removal has been provided at the back corner of the building (south end) and is accessed from a drive off of College Avenue.

Water Service & Meter Pit

The project will connect to the water main off of 17th street. A master meter will be installed outside of the City right of way at the northeast corner of the site and will house the necessary meters and fire apparatus. The PIV connection will be installed at this location. A separate Siamese connection will be back fed from the meter pit and provided near the drive off of 17th street for easy Fire Department access. No new mains are anticipated to be installed to provide service for the project.

Grease intercept pit:

A grease intercept pit will be provided under the drive near 17th street and adjacent to the retail space.

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

Access to the site is anticipated to occur with a pull in from College Avenue. There is ample space internally for vehicles to pull in and park for move-in / move out activity without stopping in the road.

Street parking:

As noted above, 16 on-street angled parking spaces are being suggested along College Avenue to support the retail space. This parking will require City Council final approval.

Sewer Service

The project will connect to the city sewer mains on 17th street. Connections will be lateral connections with standard patching of the street as required. No new mains will need to be installed to provide service for the project.

Private Utilities

Duke Energy and a cable/phone/internet provider to be determined will provide for the service needs of the development. We anticipate the placement of one transformer for the building along the east property line behind the open air parking lot at the SE corner of the site. Utilities along the East property line will most likely need to be reviewed further with Duke Energy to understand access, maintenance and proximity to the existing building structures. It is currently understood that the utilities run down an alley which is now in disrepair.

Anticipated Variances:

We will be asking for 3 variances for the development:

1. **A height variance to allow the building to be built over the 50'-0" height** limitation imposed by the zoning guidelines for the site. As expressed earlier in the petitioners statement, we feel this variance should be granted as this site stands as a gateway into the downtown and a back-drop to the park providing for a perfect opportunity to create a building with visual interest. The variance is for roof structure and a tower element- not additional living space.
2. **A variance to allow the building to extend over the 15' setback.** This waiver would allow the building and retail space at the lower level and portions of the upper building levels to extend toward 17th street and College Avenue. We feel this change pulls the building more in line with the locations of neighboring facilities along College Avenue and bring the retail out toward the street for better visibility.
3. **Use variance to permit residential apartments/ parking on the ground level.** This variance will allow for the development of a mixed-use project in line with Green incentives goal 3. As well as allow for on-site parking for residential vehicles. The site is in an area where mixed use is encouraged, however parking for those uses is not required. Parking for residential uses is not allowed at grade level which is in direct conflict with the desire to have a mixed use development in an area that more than likely will be lived in by individuals with vehicles. As a result a variance to allow for residential parking and residential dwelling units on the street level of the development is required.

4. 360 Architecture. There is a technical requirement to provide a street front level of detailing to all sides of the building – including the service side of a facility. It is unrealistic to believe that first floor retail will be glass on 4 sides and that a service access point will not be needed for retailers to run their business. As such, the parking lot side of our facility at grade level does not comply with the 360 architecture requirement.

Respectfully submitted,

STUDIO 3 DESIGN, INC

A handwritten signature in black ink, appearing to read "Timothy W. Cover". The signature is fluid and cursive, with the first name "Timothy" and last name "Cover" clearly distinguishable.

Timothy W. Cover



November 12, 2013

Mr. James Roach
 Bloomington Planning Department
 401 N. Morton St., Suite 160
 Bloomington, IN 47404

RE: Green Development Worksheet for The Gateway Apartments

Mr. Roach:

On behalf of the project team for The Gateway Apartments project, below is list of green development incentive goals that will be achieved on the project to allow us to increase the unit density on site by up to 25%. The total acreage for The Gateway development is 0.957 acres, which would allow us a total of 14.36 DUE's. By achieving the goals listed below, we are hoping to increase the density on site to a total of 17.76 DUE's, representing a 23.7% increase in density.

Goal 1 – (Two Items Required)

- D. No less than 50% of non-hazardous construction debris will be recycled and/or salvaged. To meet this requirement, a waste removal company will be contracted to provide separate dumpsters for trash as well as each type of material being recycled. As the dumpsters are hauled away they are weighed in tons and logged into a spreadsheet for the duration of the project. A bi-weekly report is issued to the general contractor throughout the duration of the project and totaled at the completion of the project. This final report will be turned in to the city for documentation. A sample of this worksheet (Attachment A) is attached at the end of this document.
- E. No less than 10% of building materials, by cost, shall be extracted, harvested or recovered, as well as manufactured, within 500 miles of the project site. To meet this requirement, the general contractor will provide each subcontractor with a form to track all products and materials supplied on the job. Each subcontractor will note the distance from the manufacturer to the site as well as the distance from the extraction/harvest location to the site. The forms from all subcontractors will be totaled at the completion of the project and turned in to the city for documentation. A sample of the worksheet (Attachment B) is attached at the end of this document.

Goal 2 – (One Item Required)

- B. Use of Native Plants
 All new vegetation on site, with the exception of the evergreen trees (which are required in a separate section of the UDO), are native species. Please see the attached Landscape Plan C204 showing the species and location of all new vegetation on the project site.

Water Quality Features

The project site contains two different styles of stormwater detention and water quality enhancement; one innovative and green, one traditional. The innovative and green system is a permeable paver system. Traditional system is an underground detention system and mechanical BMP.

Permeable Paver System

This site will utilize permeable pavers for a majority of the parking surface; thereby reducing underground infrastructure, promoting groundwater recharge, stormwater infiltration and stormwater filtration. The paver system provides water quality enhancement similar to how a stone filtration system works, relying on infiltration of runoff through the paver surface and through the void space of the stone sub base comprised of varying gradations of stone. Stone filtration is not a new technique, but has been employed for centuries as a means of filtering water. As opposed to a piped system, the stormwater overflow outlet from beneath the parking surface is comprised of a 4" underdrains. The limitation of the stormwater overflow and combination of void space in the stone subgrade provides for stormwater detention. No runoff leaves the parking surface area until it has passed through the stone filter system and cannot be absorbed into the underlying earth subgrade. This system meets the water quality requirements for a stormwater BMP and is more visually pleasing than a traditional parking lot.

Per the City of Bloomington Planning Department's requirements, the use of permeable pavers to achieve a Green Development Incentive goal must be above and beyond the use of pavers to satisfy the requirement in the Commercial General district of 60% maximum impervious surface. Per site plan sheet C201, we are providing an additional 5% pervious surface area over the project site over what is required.. Please see the attached Site Plan C201 that shows the extent of the permeable paver system on site.

Rain Garden

After storm water is discharged from the roof drains and areas of the parking lot not covered with permeable pavers , water passes through a small Rain garden located at the northeast corner of the project site. Please see the attached Grading Plan C202 that shows the location and construction of the rain garden.

Goal 3 – (One Item Required)

- B. The 61 bed development on the project site requires a total of 15 bicycle parking spaces. 100% of the required bicycle parking spaces on site have been provisioned as long-term Class I Bicycle Parking spaces. A floor plan of the secured bicycle room (Attachment C) is attached at the end of this document.

Goal 4 – (One Item Required, 3 Items Provided)

- A. The site is located within less than ¼ mile of (2) public transit stops: (1) on College Ave. south of 17th Street and (1) on Walnut St. North of 17th Street. Accessible pedestrian facilities have been provided through the site to the proposed public sidewalk along the east side of College Ave. and the south side of 17th St. and to the transit stop.
- C. The site is located within ¼ mile of Miller Showers Park. Accessible pedestrian facilities have been provided through the site to the proposed public sidewalk along the east side of College Ave. and the south side of 17th St. and to the park.

Green Development Incentives
November 12, 2013
Page 3 of 3

- D. The site is immediately adjacent to the public multiuse trail located around the perimeter of Miller Showers Park. Accessible pedestrian facilities have been provided through the site to the proposed public sidewalk along the east side of College Ave. and the south side of 17th St. and to the park.

By meeting the abovementioned list of goals, we hope to be able to increase density of the Gateway Apartments development by up to 25% as stated earlier in the letter. Please contact me if there is any more information needed or if there are any additional questions.

Respectfully submitted,

STUDIO 3 DESIGN, INC

A handwritten signature in black ink, appearing to read 'J. Zach Bode', written in a cursive style.

J. Zach Bode

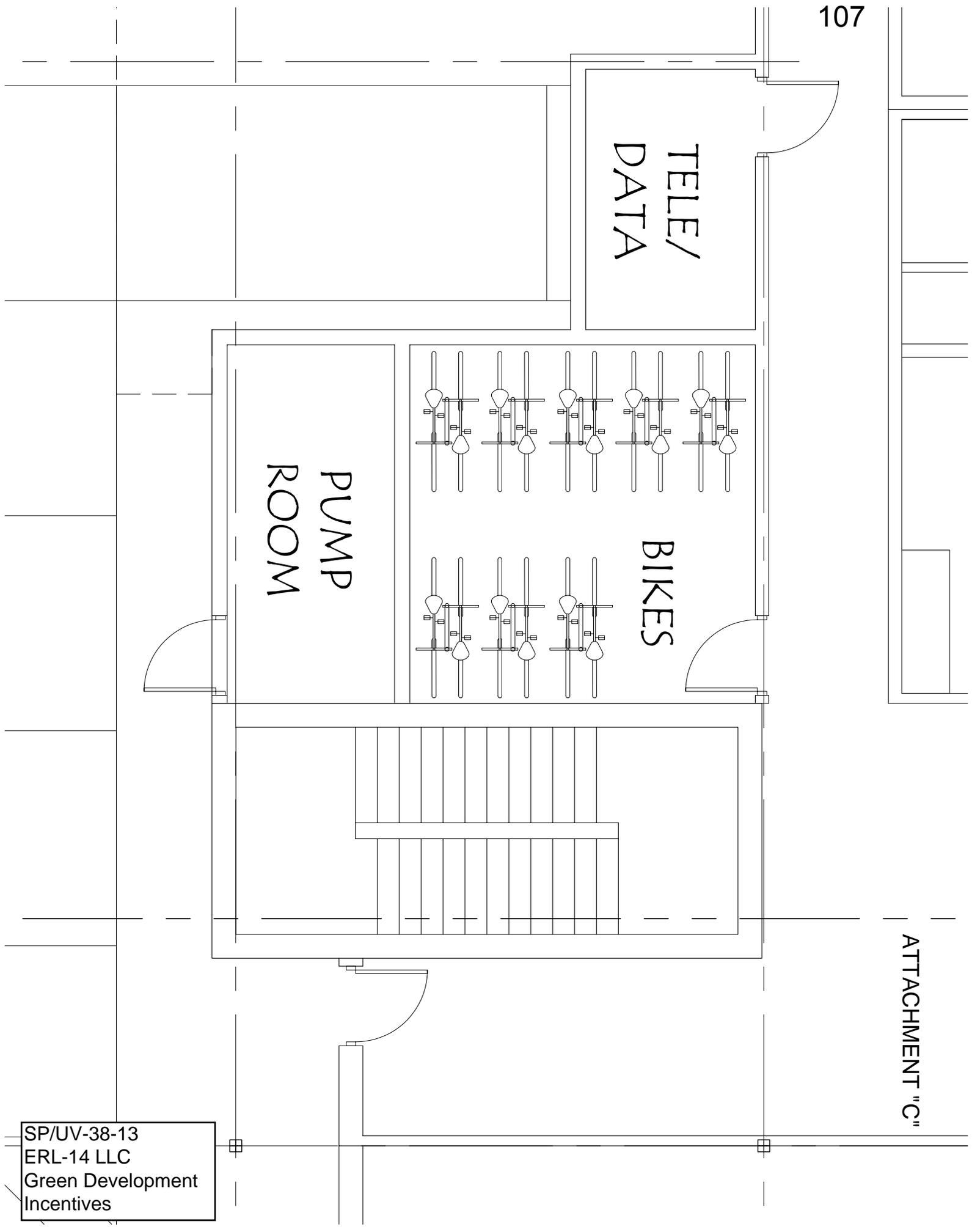
TELE/
DATA

PUMP
ROOM

BIKES

ATTACHMENT "C"

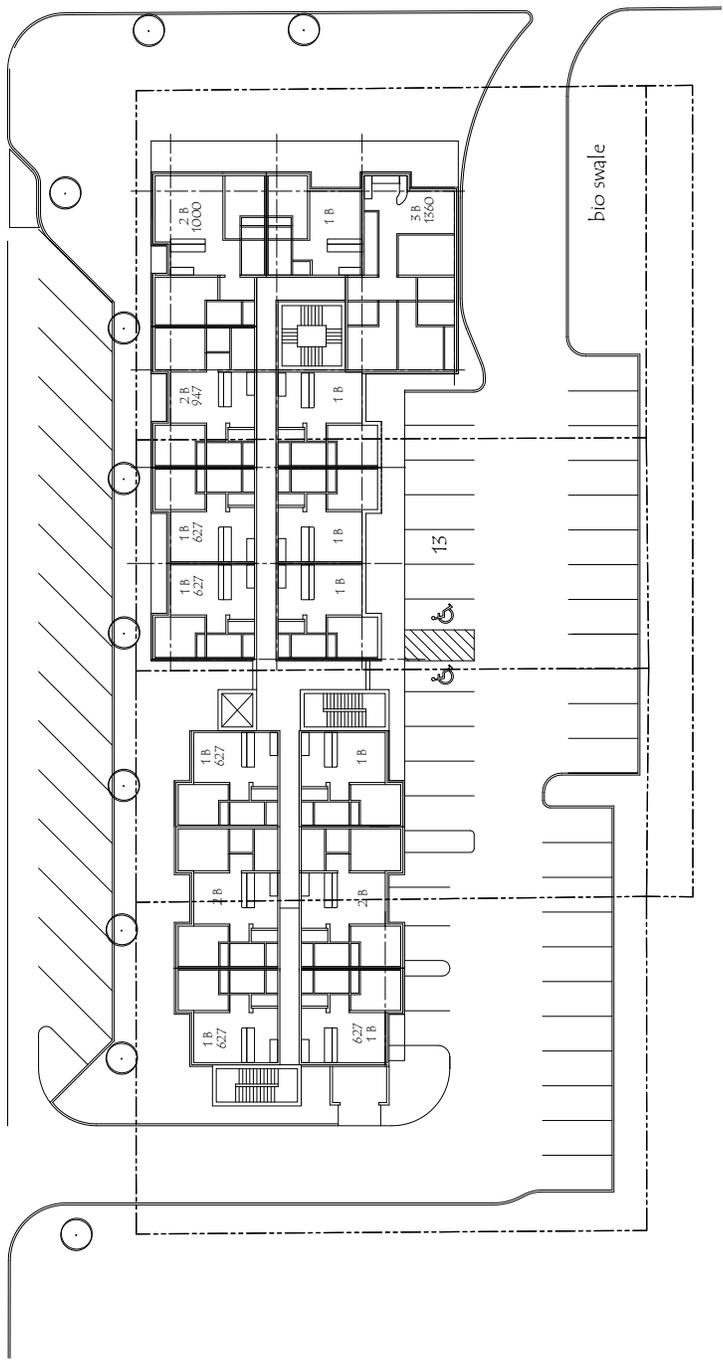
SP/UV-38-13
ERL-14 LLC
Green Development
Incentives



SP/UV-38-13
 ERL-14 LLC
 2nd and 3rd floor
 floor plans

PROJECT NO. 13055	DATE 11-25-13	ERL-14, LLC BLOOMINGTON, INDIANA	 <small>STUDIO THREE DESIGN 417 872.1236 fax 417 872.1236 www.studiodesign.net 1000 N. Meridian Blvd. Suite 130 Indianapolis, IN 46204</small>
	SHEET DESCRIPTION LEVEL 2 & 3 FLOOR PLAN		
SHEET NO. NUMBER A2			

apartments	retail	building total	unit break down
level 1 4,611 gross sf	level 1 7,970 gross sf	50,447 gross sf	1 bed 28 units 28 beds 7.00 DUE
level 2 13,865 gross sf	(steel & precast lid this area)		2 bed 12 units 24 beds 7.92 DUE
level 3 13,865 gross sf			3 bed 3 units 09 beds 3.00 DUE
level 4 10,136 gross sf			45 units 61 beds 17.92 DUE
42,477 gross sf			14.36 due (25% increase) 17.95 DUE



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

STUDIO 3 DESIGN
 INDIANAPOLIS, INDIANA
 CONCEPT SKETCH
 ALL RIGHTS RESERVED

SP/UV-38-13
 ERL-14 LLC
 4th floor floor plan

apartments	
level 1	4,611 gross sf
level 2	13,865 gross sf
level 3	13,865 gross sf
level 4	10,136 gross sf
42,477 gross sf	

retail	
level 1	7,970 gross sf
(steel & precast lid this area)	
7,970 gross sf	

building total	
50,447 gross sf	

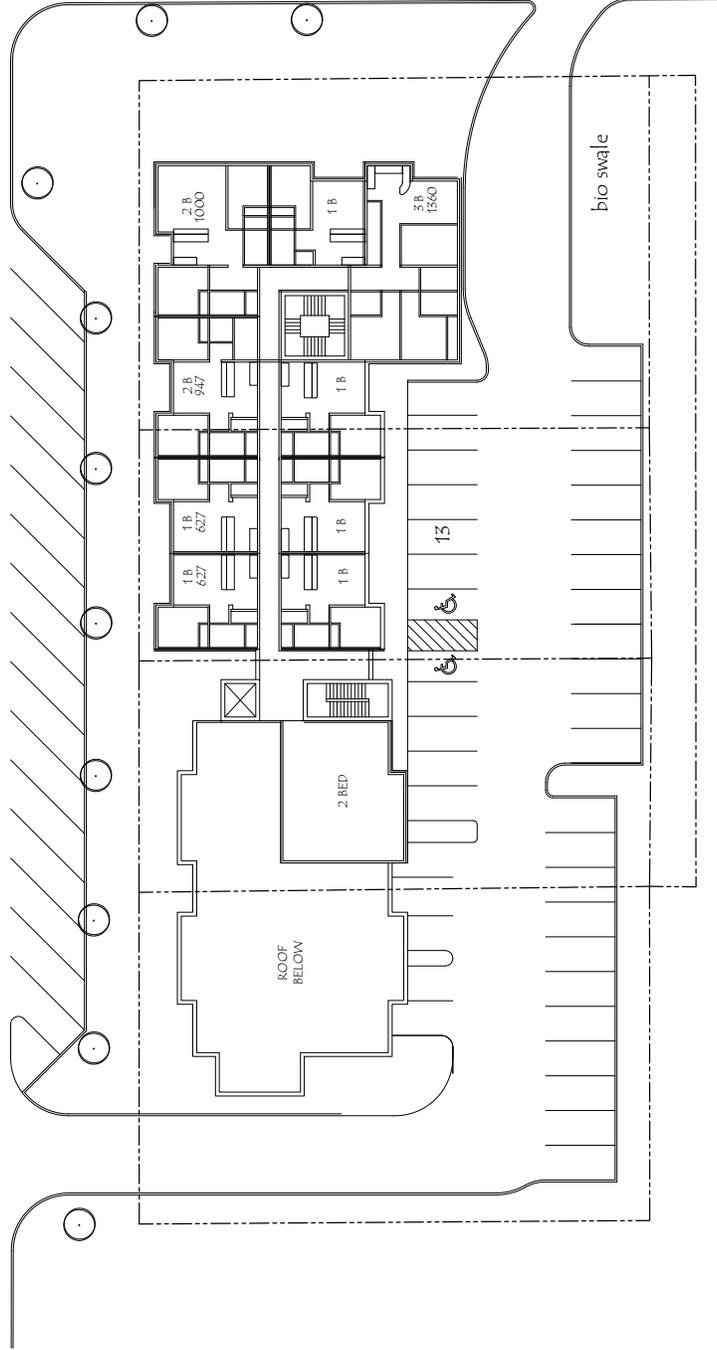
unit break down	
1 bed	28 units
2 bed	12 units
3 bed	3 units
45 units	
14.36 due (25% increase)	
28 beds	7.00 DUE
24 beds	7.92 DUE
09 beds	3.00 DUE
61 beds	17.92 DUE
17.95 DUE	

SHEET NO. A3

SHEET DESCRIPTION
 LEVEL 4 FLOOR PLAN

PROJECT NO. 13055
 DATE 11-25-13

ERL-14, LLC
 THE GATEWAY APARTMENTS
 BLOOMINGTON, INDIANA



1 LEVEL 4 FLOOR PLAN
 A3 1/32" = 1'-0"
 NORTH

STUDIO 3 DESIGN
 INDIANAPOLIS, INDIANA
 CONCEPT SKETCH
 ALL RIGHTS RESERVED



1 WEST ELEVATION
3/64" = 1'-0"



2 EAST ELEVATION
3/64" = 1'-0"

SHEET NUMBER A5	
SHEET DESCRIPTION EAST & WEST ELEVATIONS	
PROJECT NO. 13055	DATE 11-25-13
ERL-14, LLC. THE GATEWAY APARTMENTS <small>BLOOMINGTON, IN</small>	
STUDIO THREE DESIGN	

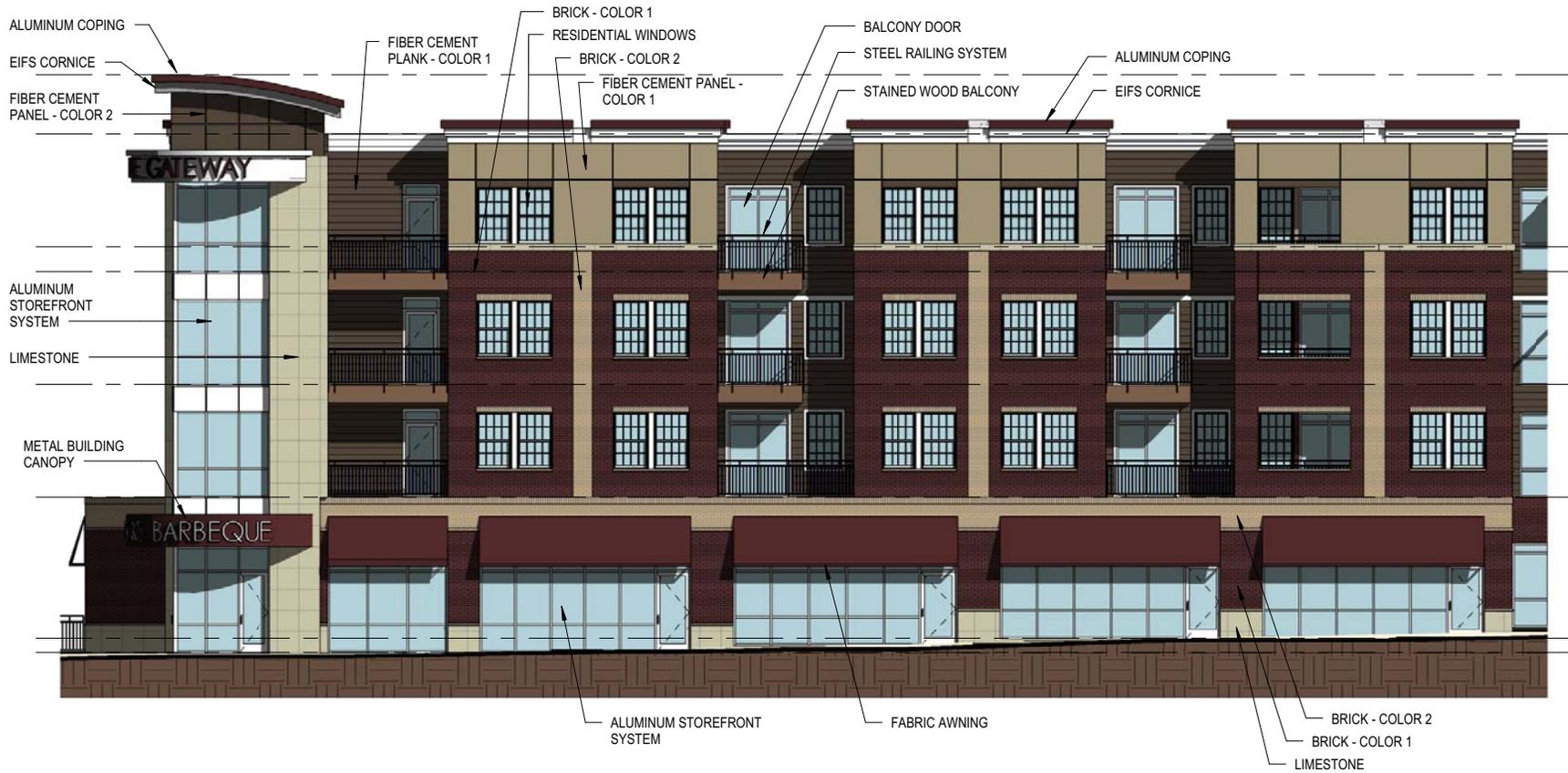
SP/UV-38-13
ERL-14, LLC
East and west elevations



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

SHEET NUMBER A6	
SHEET DESCRIPTION SOUTH ELEVATION	
PROJECT NO. 13055	DATE 11-25-13
ERL-14, LLC. THE GATEWAY APARTMENTS BLOOMINGTON, IN	

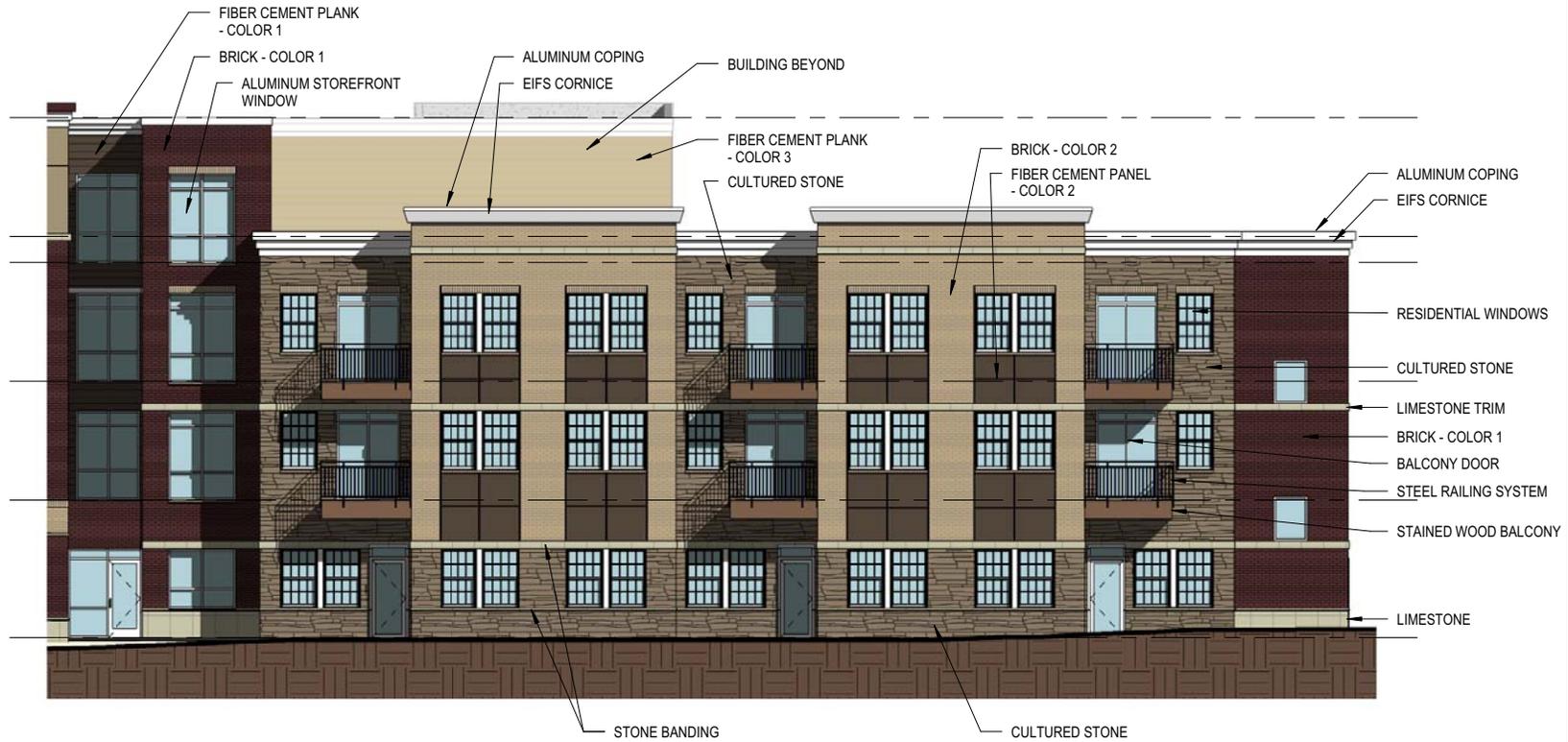
SP/UV-38-13
ERL-14, LLC
South Elevation



1 WEST ELEV - NORTH HALF
3/32" = 1'-0"

SHEET NUMBER A7	
SHEET DESCRIPTION WEST ELEVATION - NORTH HALF	
PROJECT NO. 13055	DATE 11-25-13
ERL-14, LLC. THE GATEWAY APARTMENTS BLOOMINGTON, IN	
STUDIO THREE DESIGN	

SP/UV-38-13
 ERL-14, LLC
 West/College Ave. Elevation
 4-story mixed use north 1/2 of building



1 WEST ELEV - SOUTH HALF
3/32" = 1'-0"

SHEET NUMBER A8	
SHEET DESCRIPTION WEST ELEVATION - SOUTH HALF	
PROJECT NO. 13055	DATE 11-25-13
ERL-14, LLC. THE GATEWAY APARTMENTS BLOOMINGTON, IN	

SP/UV-38-13
 ERL-14, LLC
 West/College Ave. Elevation
 3-story multi-family south 1/2 of building



SHEET NUMBER A9	
SHEET DESCRIPTION EAST ELEVATION - NORTH HALF	
PROJECT NO. 13055	DATE 11-25-13
ERL-14, LLC. THE GATEWAY APARTMENTS <small>BLOOMINGTON, IN</small>	

1 EAST ELEVATION - NORTH HALF
3/32" = 1'-0"

SP/UV-38-13
 ERL-14, LLC
 East Elevation (rear)
 North 1/2 of building



SHEET NUMBER A10	
SHEET DESCRIPTION EAST ELEVATION - SOUTH HALF	
PROJECT NO. 13055	DATE 11-25-13
ERL-14, LLC. THE GATEWAY APARTMENTS <small>BLOOMINGTON, IN</small>	
	

1 EAST ELEVATION - SOUTH HALF
3/32" = 1'-0"

SP/UV-38-13
ERL-14, LLC
East Elevation (rear)
South 1/2 of building



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

SHEET NUMBER A4	
SHEET DESCRIPTION NORTH ELEVATION	
PROJECT NO. 13055	DATE 11-25-13
ERL-14, LLC. THE GATEWAY APARTMENTS <small>BLOOMINGTON, IN</small>	

SP/UV-38-13
ERL-14, LLC
North/17th Street Elevation



SP/UV-38-13
ERL-14, LLC
Model
Looking NW from Walnut Street



SP/UV-38-13
ERL-14, LLC
Model
Looking NE from College Ave.



SP/UV-38-13
ERL-14, LLC
Model
Looking SW from 17th Street



SP/UV-38-13
ERL-14, LLC
Model
Looking NE from parking lot



SP/UV-38-13
ERL-14, LLC
Model
Looking E. from College Ave.
Multi-family southern 1/2 of building

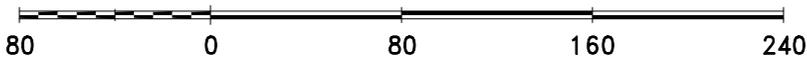


SP/UV-38-13
ERL-14 LLC
Travel lane tapers



SP/UV-38-13
 ERL-14 LLC
 2011 Aerial Photo

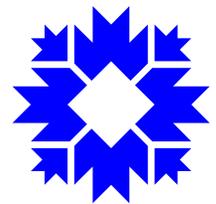
By: roachja
 1 Nov 13



For reference only; map information NOT warranted.



City of Bloomington
 Planning



Scale: 1" = 80'

SITE INFORMATION:
 39,120 GROSS SF
 39,120 / 45560 = 9 ACRES

PARKING REQUIREMENTS:
 REQUIRED PARKING: ZERO
 PROVIDED PARKING: 41 ON-SITE
 16 STREET

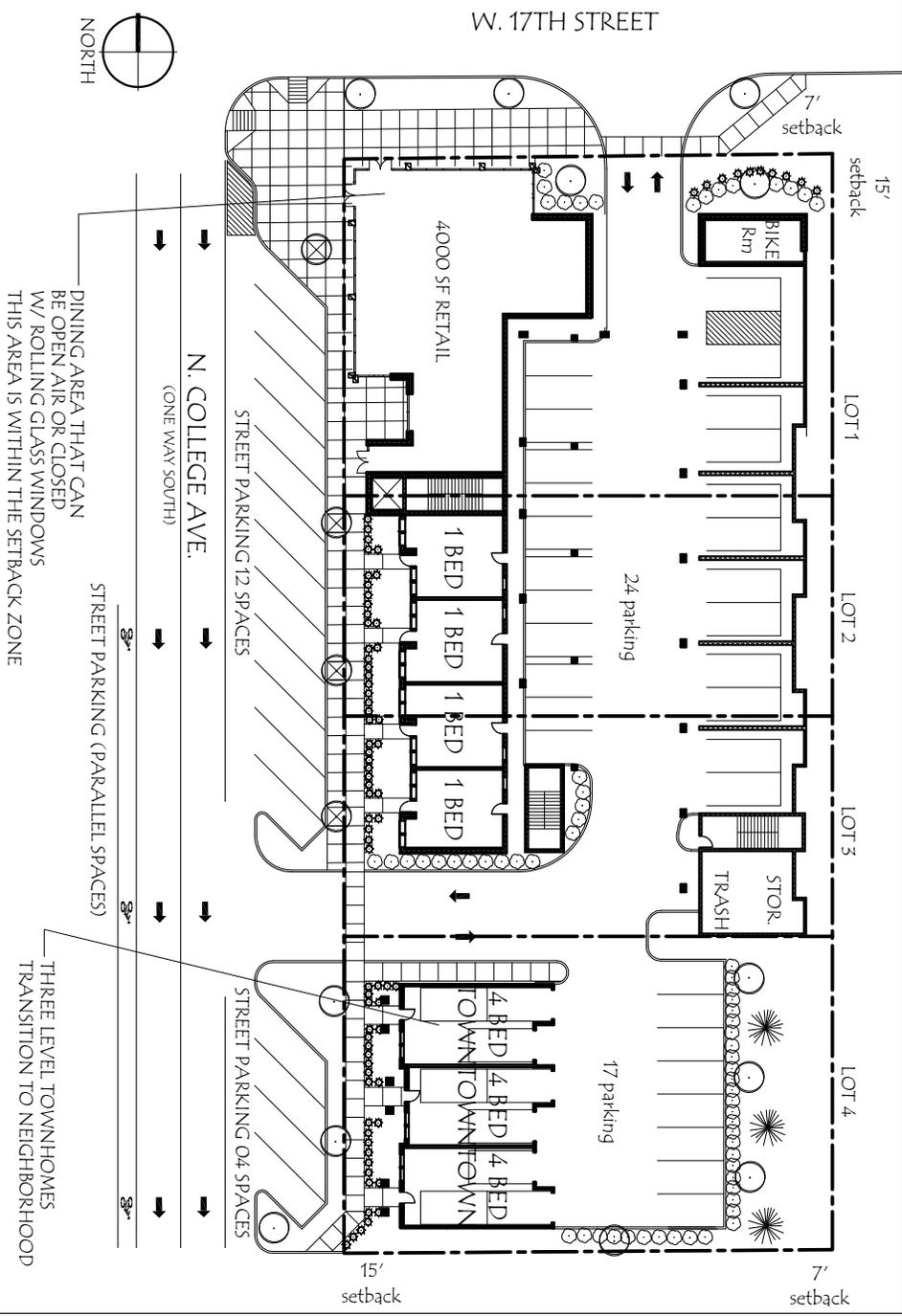
ALLOWABLE DUES
 9 ACRES X 15 = 13.5 dues

LEVEL 2 GREEN INCENTIVES
 50% INCREASE IN DENSITY
 15.5 X 1.5% = 20.25 ALLOWABLE dues

ALLOWABLE DUES

STUDIO 6 X 2	1.2 dues
one bed 34 x .25	8.5 dues
two bed 9 x .66	5.94 dues
four bed 3 x 1.5	4.5 dues

20.14 dues provided
 20.25 dues allowed



LEVEL 1 NON-RESIDENTIAL
 APPROX. 4000 SF

LEVEL 1

1 BED UNITS	4 UNITS	4 BEDS
4 BED TOWN	3 UNITS	12 BEDS
	7 UNITS	16 BEDS

LEVEL 2

STUDIO	02 UNITS	02 BEDS
1 BED UNITS	10 UNITS	10 BEDS
2 BED UNITS	03 UNITS	06 BEDS
	15 UNITS	18 BEDS

LEVEL 3

STUDIO	02 UNITS	02 BEDS
1 BED UNITS	10 UNITS	10 BEDS
2 BED UNITS	03 UNITS	06 BEDS
	15 UNITS	18 BEDS

LEVEL 4

STU	2 UNITS	02 BEDS
1 BED	10 UNITS	10 BEDS
2 BED	15 UNITS	06 BEDS
	27 UNITS	18 BEDS

LEVEL 5

STU	2 UNITS	02 BEDS
1 BED	10 UNITS	10 BEDS
2 BED	15 UNITS	06 BEDS
	27 UNITS	18 BEDS

2012 version



ERL-14, LLC.
 17th and College Apartments
 Bloomington, Indiana

PROJECT NO.
12043

DATE
11-19-2012

SHEET REFERENCE
LEVEL 1
FLOOR PLAN

SHEET NUMBER
A1

2012 Version



1 Rendering 1
1/2" = 1'-0"

SHEET NUMBER

A6

SHEET DESCRIPTION

RENDERING 1

PROJECT NO.

12043

DATE

11-19-2012

ERL-14, LLC.
17TH & COLLEGE APARTMENTS
BLOOMINGTON, IN

STUDIO
THREE
DESIGN