

**CITY OF BLOOMINGTON**



**JUNE 2, 2014 @ 5:30 p.m.  
COUNCIL CHAMBERS #115  
CITY HALL**

**CITY OF BLOOMINGTON  
PLAN COMMISSION AGENDA  
June 2, 2014 @ 5:30 p.m.**

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

---

**ROLL CALL**

**MINUTES TO BE APPROVED: May 5, 2014**

**REPORTS, RESOLUTIONS AND COMMUNICATIONS:**

**PETITIONS continued to July 7 meeting:**

**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: Tom Micuda)*

**PUD-12-14 Trinitas Ventures  
1550 N. Arlington Park Road**

Rezone 40.69 acres zoned RS, PUD, & BP to PUD. Also requested is approval of a preliminary plan and district ordinance.

*(Case Manager: Patrick Shay)*

**SP-14-14 AJ Capital Partners  
210 E. Kirkwood Ave.**

Site plan approval for a downtown hotel.

*(Case Manager: Patrick Shay)*

**APPROVAL OF CONSENT AGENDA:**

**SP-13-14 Hyun Kim  
116 E. 3<sup>rd</sup> St.**

Site plan approval for a mixed-use building.

*(Case Manager: Katie Bannon)*

---

**PETITIONS:**

**PUD-11-14 Habitat for Humanity  
901 W. Cottage Grove**

PUD final plan approval is requested for a 35-unit attached and detached single family development. Also requested is final plat approval of a 45-lot subdivision.

*(Case Manager: Patrick Shay)*

*\*\*Next Plan Commission hearing scheduled for July 7, 2014*

**Last Updated: 5/29/2014**

**BLOOMINGTON PLAN COMMISSION  
STAFF REPORT  
LOCATION: 901 W. Cottage Grove Ave.**

**CASE #: PUD-11-14  
DATE: JUNE 2, 2014**

**PETITIONER: Habitat for Humanity of Monroe County  
213 E. Kirkwood Ave, Bloomington**

**COUNSEL: Smith Brehob & Associates  
453 S. Clarizz Blvd, Bloomington**

**REQUEST:** The petitioner is requesting Planned Unit Development Final Plan approval of a 35-unit attached and detached single family subdivision on approximately 7 acres. Also requested is final plat approval of a 45-lot subdivision plat.

**SITE INFORMATION:**

<b>Lot Area:</b>	Approximately 6.96 acres (8.29 acres for plat)
<b>Proposed Units/Lots:</b>	35
<b>Current Zoning:</b>	Planned Unit Development
<b>GPP Designation:</b>	Core Residential
<b>Existing Land Use:</b>	Vacant, Wooded
<b>Approved Land Use:</b>	Attached and Detached Single Family Residential
<b>Surrounding Uses:</b>	North – B-Line Trail, Single Family, Opportunity House South – Rev. Butler Park, Single Family Residential East – Commercial West – Single Family

**REPORT:** This site is an aggregation of parcels that are bound on the north by the City's B-Line Trail and the south by an active rail line. The site is undeveloped and nearly 100% wooded and has pockets of significant elevation change. It was owned in the past by the railroad and has been transferred to private ownership over the last several years.

The owner, Habitat for Humanity of Monroe County, received an approval (PUD-1-14) earlier this year to rezone the property from Residential Core (RC) to Planned Unit Development (PUD) to allow for a compact subdivision that would accommodate up to 35 attached and detached single family homes. These homes would all be placed on individual lots.

The petitioner's approval includes a plan that will retain a significant portion of the vegetation and provide for adequate storm water retention. The petitioner has also worked with staff to supplement the existing site with new plantings. The site will be served by a new loop street network with half of the loop being a full public street with parallel parking on both sides and a rear loading alley along the southern property line adjacent to the active rail line. All of the homes will face a central green to be placed within common area and would include covered front porches. The homes along the north property line, adjacent to the trail, will also

include front porches on both the internal street and the elevation facing the B-Line trail.

The petitioner's approved Preliminary Plan and District Ordinance were developed to a near finalized level. Therefore, the proposed final plan has not been significantly revised and is consistent with the requirements of the PUD. The street and lot layout is nearly identical to the previously submitted plan. The petitioner was permitted to have flexibility in the layout of the development to permit individual lots to have either attached or detached units with a maximum of 8 attached structures (16 total units). However, all lots that front the B-Line Trail are required to be detached units. If the petitioner alters the unit types on the lots in the future, a plat revision may be necessary to accommodate that change.

---

### **FINAL PLAN ISSUES:**

**Access:** The petition site is not currently accessible for vehicles. The site cannot be accessed from the south due to the adjacent rail line. There is currently an unimproved right of way, N. Diamond St, that terminates into the B-Line Trail adjacent to the petition site. This right-of-way is very narrow and would intersect the site at a point with a significant elevation change immediately adjacent to the B-Line Trail. The petitioner has worked with the adjacent property owner (Opportunity House) to allow a more desirable vehicular access point further to the east. The petitioner has submitted documents that will transfer the property to the City as right-of-way.

The new access will extend from the existing terminus of W. Cottage Grove Ave. and cross the B-Line trail where an existing pedestrian pathway at trail grade has been informally established. Although the Plan Commission and Common Council expressed that additional street connections would be desirable, the existing topography and the rail line to the south make additional connections infeasible. The petitioner has also submitted an engineering study regarding the crossing of the B-Line Trail. The design will include all of the design elements used on downtown crossings and will utilize a stop condition for the vehicular movements across the trail. It was determined that this is a unique crossing point that has nearly the same amount of bicycles and pedestrians as vehicles and that it is the only crossing in either direction for a significant distance and therefore warranted a different condition than other downtown crossings. This design received input from staff, the Bicycle and Pedestrian Safety Commission, the Engineering Department, and the Parks Department to determine this as the appropriate design.

**Alley:** In addition to the public street, the petitioner is providing an alley to the south to provide looped vehicular access. This alley will allow adequate emergency access, access to parking areas for Lots 5-20, and trash/recycling services. This alley has been designed with a 20-foot right-of-way and 14 feet of pavement consistent with UDO requirements.

**Pedestrian Facilities:** The new access into the site and the internal street will have a 5-foot sidewalk on north/east side and an 8-foot sidepath along the south/west side of the street that connects the intersection of Diamond and Cottage Grove with the common area in the center of the development. In addition, there will be a 5-foot sidewalk along the southern boundary of this common green area to access the individual units on Lots 5-20. As is typical, there will not be any sidewalks within the alley right-of-way. The petitioner was also required to install a 5-foot wide pedestrian connection to the B-Line Trail on the western portion of the site. This path was approved as a stone path and will be sited to minimize tree disturbance and grading.

In addition to the pedestrian accommodations on the site, the petitioner has also committed to constructing an 8-foot asphalt path (with a small bridge) that would connect the B-Line Trail to Rev. Butler Park. The petitioner has shown this connection on their plans and also intend to transfer this property to the City Parks Foundation.

**Architecture:** With the District Ordinance, the petitioner integrated differing housing types and heights into the proposal to avoid monotonous construction, especially along the B-Line. The approximate 12 homes along the B-Line would all be detached homes. These homes would be a mixture of one and two-story structures with varying rooflines. There will also be a mixture of attached and detached single family units located on individual lots. The architecture of individual homes will be reviewed with future building permits for consistency with the architectural requirements of the PUD.

**Parking:** There are approximately 48 on-street spaces proposed with this request and 32 spaces along the proposed alley.

**Environmental:** The 7 acre property is almost 100% wooded. From a tree quality standpoint, only the perimeter of the property contains large mature trees. An aerial photograph of the site reveals that in the 1960s the property was almost entirely free of tree cover. The property contains no karst features, streams, or wetlands. There are some steep slopes on the west end of the site and along the B-Line. However, the west end of the site (property most recently owned by the railroad) is not being proposed for any development. Along the B-Line, the homes are being proposed well away from a steep slope extending south from the trail. No disturbance to this slope area will be occurring.

The proposed Final Plan is consistent with the environmental requirements of the PUD. They plan preserves approximately 36% of the tree canopy and all of the steep slopes. As part of the PUD, the petitioner was required to do PCB testing at the former location of a building on the western part of the site. This testing revealed only very low levels of PCBs (approximately 4% of the levels permitted by IDEM for residential development) in this area. The reviewer attested that these specific PCBs were most likely associated with railroad transformers and hydraulic fluid.

Although not required, the petitioner did commission additional PCB testing for the portion of the site that will have residential development and found there were no detectable levels of PCBs on this portion of the site.

The petitioner was required by the Common Council to develop a Preservation and Planting plan to detail the reclamation of the wooded areas by removing invasive species, supplementing the existing vegetation with new native plantings and encouraging the future enhancement of plantings on individual yards and tree plots. The petitioner has worked with staff to create compliant plan.

**Development Standards:** With the District Ordinance, the petitioner was approved for several variations to the underlying RC zoning. These standards include small lots (2,015 square foot minimum), reduced lot widths (31-foot minimum), 10-foot rear setbacks (18 feet for the structures along the alley) and front build-to line. The petitioner has designed the subdivision to locate the homes on one of the side lot lines. This will allow for one large side yard rather than two small side yards in the hope of providing a more usable space for future owners. To accommodate these 0-foot setbacks, the plat has shown a 5-foot no build easement to allow windows to be installed on the property line. A 2-foot eave easement also must be placed on the plat prior to its recording.

---

#### **ADDITIONAL FINAL PLAT ISSUES:**

**Utilities:** The petitioner has sited the utilities to minimize tree disturbance on the site. The utility plan for this site has been reviewed and approved by the City of Bloomington Utilities.

**Street Trees:** Street trees will be located on both sides of the new public street within a standard tree plot, but will not be located on the proposed alley.

**Common Areas:** The subdivision plat will include covenants and a facilities maintenance plan that will dictate the use and responsibilities for all common areas and easements. The large central common area will be more specifically designed by future homeowners.

**Right-of-Way:** The street includes two 10-foot travel lanes as the drive extends west into the site. There are also 8-foot parallel parking spaces on both sides of the street as well as a 5-foot wide sidewalk and street tree plot on both sides of the street. The petitioner has shown a total right-of-way of 65 feet for the first section of street extending across the B-Trail, with the internal section necessitating 58 feet of right of way. The alley has been placed within a 20-foot right-of-way.

**Plat Area:** The preliminary plat for this approval includes the approximate 6.96 acres that received rezoning approval. It also includes several remnant lots that the petitioner purchased from the railroad. These lots are not part of the PUD, but are included on the final plat. These are not buildable lots and have been dedicated as common area and conservation easements on the proposed plat.

---

**ENVIRONMENTAL COMMISSION:** The Environmental Commission has reviewed this petition and offered the following recommendations:

1.) The Petitioner shall place protective tree fencing around the perimeters of the TPEs before any ground disturbing activities commence.

**Staff's Response:** Staff agrees with this condition and has included it in the recommended conditions of approval.

2.) The Petitioner should use green, sustainable building practices to reduce the carbon footprint of homes, resulting in lower expenses for the homeowners.

**Staff's Response:** The petitioner has demonstrated in past developments their commitment to using several sustainable building practices. No additional requirements were placed on the petitioner by the PUD.

---

**RECOMMENDATION:** Staff finds the proposed Final Plan to be consistent with the approved Preliminary Plan and District Ordinance. Staff recommends that PUD-11-14 be approved with the following conditions of approval:

1. The dedication of the right-of-way for the Opportunity House property must be recorded and transferred prior to any permit issuance.
2. No attached units shall be placed on Lots 24-35.
3. At the time of building permit review, the submitted building exterior designs shall be consistent with those submitted with the District Ordinance.
4. Addresses and a 2-foot eave overhang easement must be placed on the final plat prior to signature.
5. The final draft of the Facilities Maintenance Plan must be approved by staff and recorded with the subdivision plat.
6. Tree protection fencing must be placed at the grading limits prior to construction activities and must be maintained throughout construction.

# MEMORANDUM

**Date:** May 20, 2014

**To:** Bloomington Plan Commission

**From:** Bloomington Environmental Commission

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

**Subject:** PUD-11-14, Habitat for Humanity neighborhood final plan  
901 W. Cottage Grove

---

This memorandum contains the Environmental Commission's (EC) recommendations regarding a request for a final plan for a Planned Unit Development (PUD). The site is about 8.3 acres, with a request to subdivide it into 45 lots with 35 paired and single homes.

## **EC CONCERNS**

### **1.) TREE CONSERVATION EASEMENTS:**

The EC recommends that protective tree fencing be installed along the TPE boundaries prior to any earth disturbing activities so that the TPEs are not damaged.

### **2.) GREEN BUILDING:**

The Petitioner gave a verbal commitment to green building and site design, but the PUD District Ordinance does not state a commitment. The EC recommends that state-of-the-art green building features be employed in this project. According to the U.S. EPA, buildings contribute 38% of all greenhouse gases produced. 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 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."

The EC recommends that the Petitioner commit to designing the building with as many best practices for energy savings as possible. Some examples of BMPs that go beyond the Building

Code include enhanced insulation; high efficiency heating and cooling; Energy Star doors, windows, lighting, and appliances; high efficiency toilets; programmable thermostats; sustainable floor coverings; and recycled products such as carpet and counter tops.

**EC RECOMMENDATIONS:**

- 1.) The Petitioner shall place protective tree fencing around the perimeters of the TPEs before any ground disturbing activities commence.
- 2.) The Petitioner should use green, sustainable building practices to reduce the carbon footprint of homes, resulting in lower expenses for the homeowners.

# Smith Brehob & Associates, Inc.



*Providing professional land planning, design, surveying and approval processing for a sustainable environment.*

Stephen L. Smith P.E., L.S.  
Steven A. Brehob B.S.Ci.T.

April 8, 2014

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

Re; B-Line Neighborhood  
Application for PUD Final Plan and Final Plat

Dear Pat,

We are making application for the PUD Final Plan and Final Plat for the B-Line Neighborhood in behalf of Monroe County Habitat for Humanity.

The following items are being submitted with this letter for this application;

- Detailed Plan Set
- Final Plat Drawing
- Preliminary Master Landscape Plan
- Application Form

The preliminary Master Landscape Plan has been prepared in response to the Plan Commission's condition of approval 8 and the Council's reasonable condition. Our Landscape Architect Don Kocarek has developed the plan and is meeting with Linda Thompson tomorrow to discuss the plan.

The engineering study for the road crossing of the B-line trail was submitted last week. The detailed plans reflect the recommendations from that study.

The west path connection from the subdivision to the B-Line trail is shown as a 5' gravel path. It will have timber steps and a 6' x 5' concrete approach to the B-line. The path connection to Butler Park is shown on the plans as an 8' asphalt path with a wood bridge over the drainage ditch. The Parks Department is evaluating possible dedication of the 0.72 acres that contain the path connection. For now we have shown a pedestrian access easement on the 0.72 acre parcel. We are meeting with Dave Williams at the site on Thursday to review these details.

# Smith Brehob & Associates, Inc.



Right of way and easement documents have been prepared for the Opportunity House property. A copy of the documents will be submitted to you as soon as we have the signed originals.

Communication and review with CBU has been ongoing since January with our last submission to them on 3/31/14. The utility plans are substantially complete and we expect final approval from them in the near future.

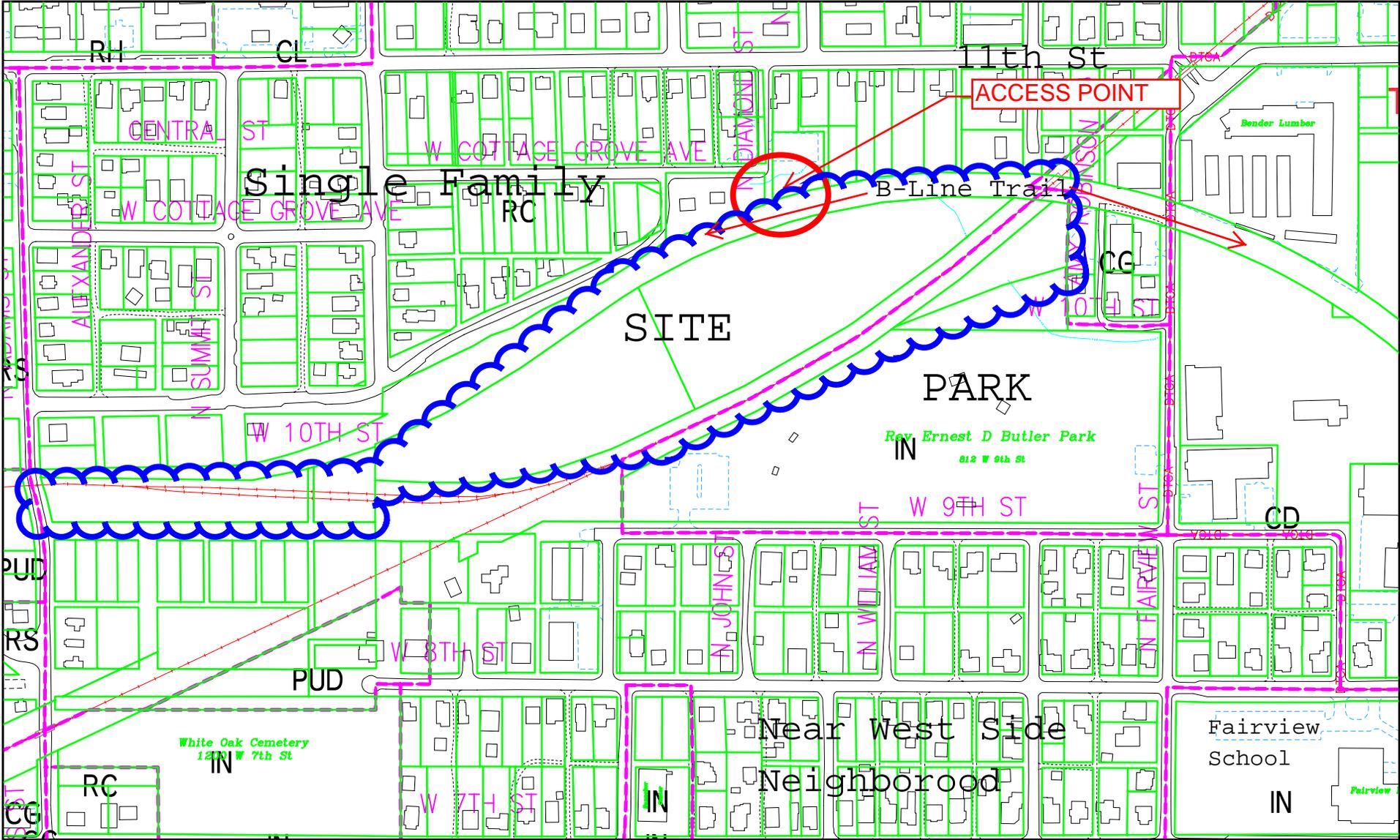
Thank you and the City Administration for your assistance in bring the project to this point. We look forward to working with you through the approval processes.

Very truly yours,

Stephen L Smith  
Smith Neubecker & Assoc., Inc.

---

Cc; file  
KDS  
Habitat



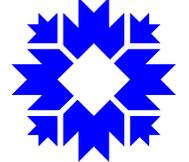
PUD-11-14 Habitat for Humanity  
 Location/Zoning/Land Use Map

3 Jan 14      300      0      300      600      900      1200

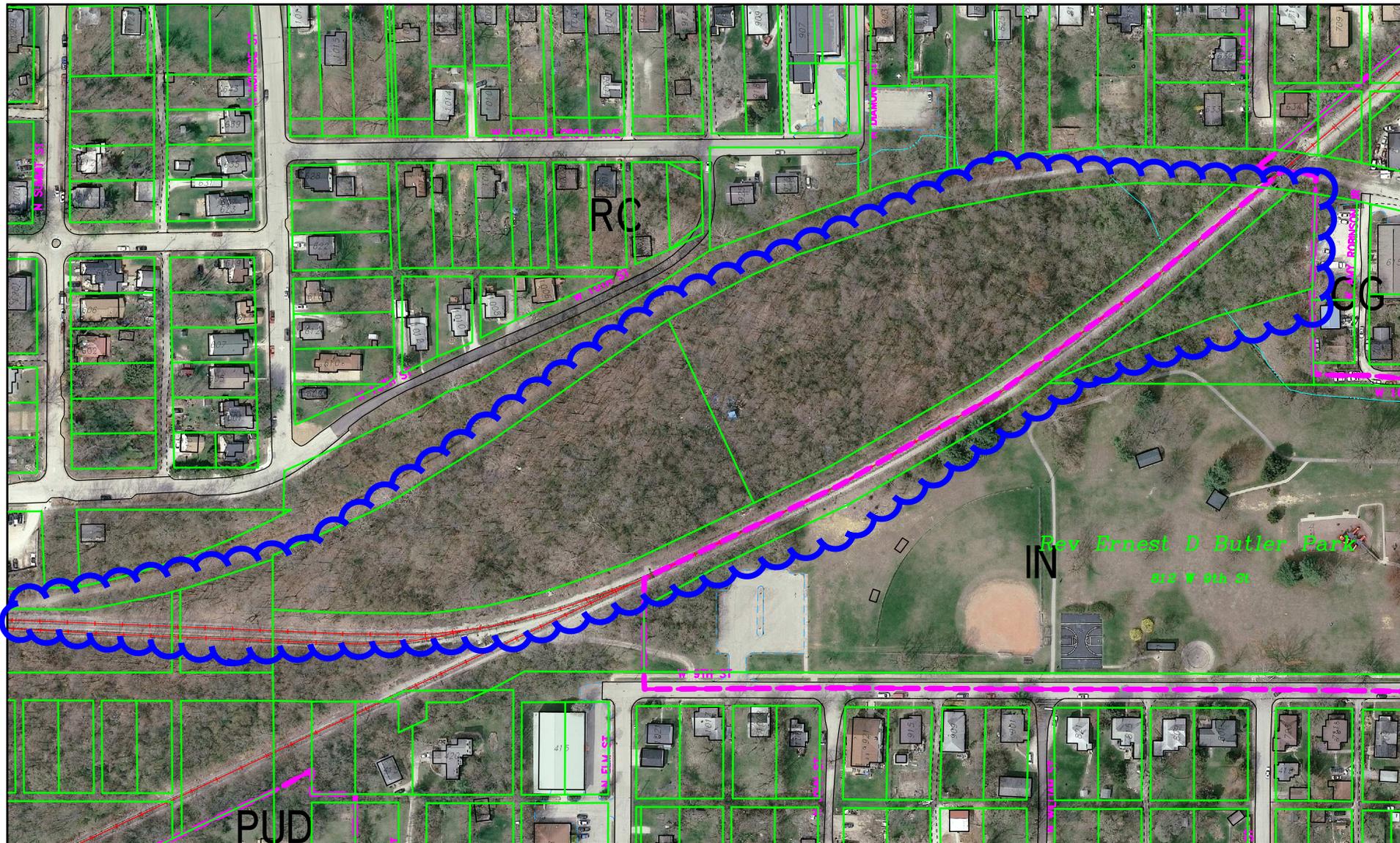
For reference only; map information NOT warranted.



City of Bloomington  
 Planning



Scale: 1" = 300'



PUD-11-14 Aerial Photo

By: shayp  
3 Jan 14



For reference only; map information NOT warranted.

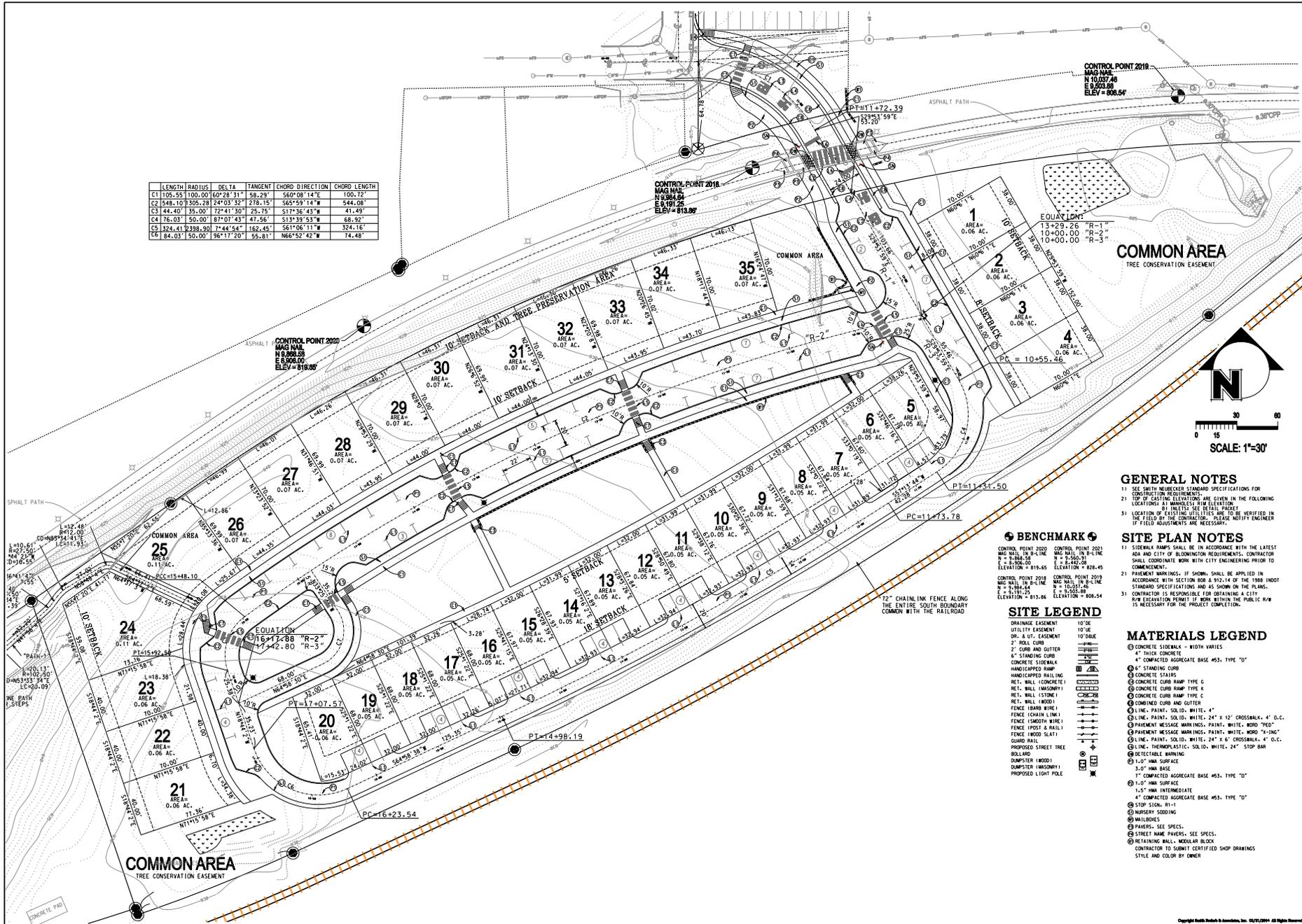


City of Bloomington  
Planning



Scale: 1" = 200'

LENGTH	RADIUS	DELTA	TANGENT	CHORD DIRECTION	CHORD LENGTH	
C1	105.55	100.00	60°28'31"	58.29°	S60°08'14"W	100.72'
C2	548.10	305.28	24°03'32"	278.15°	S65°59'14"W	544.08'
C3	44.40'	35.00'	72°41'30"	25.75°	S17°36'43"W	41.49'
C4	16.03'	50.00'	87°07'43"	47.56°	S13°59'53"W	68.92'
C5	324.41	238.50'	77°44'54"	162.45°	S61°06'11"W	324.16'
C6	84.03'	50.00'	96°17'20"	55.81°	N66°52'42"W	74.48'



Smith Brubaker & Associates, Inc.  
 445 S. Center Boulevard  
 Bloomington, Indiana 47404  
 Tel: 317.332.6000  
 Fax: 317.332.6033  
 Web: http://smithbrubaker.com

CONTRACTOR SCALE  
 //

**B-LINE NEIGHBORHOOD**  
**MONROE COUNTY**  
**HABITAT FOR HUMANITY**

NO.	DATE	REVISIONS

DESIGNED BY: SLS  
 CHECKED BY: ROB  
 DRAWN BY: SLS  
 DATE: 03/31/14

4553  
 SHEET

2 OF 13

03/31/14  
 SITE PLAN

**GENERAL NOTES**

- SEE SMITH NEIGHBOR STANDARD SPECIFICATIONS FOR
- CONSTRUCTION REQUIREMENTS. ALL WORK IN THE FOLLOWING LOCATIONS AT WHATEVER FIN ELEVATION UNLESS OTHERWISE SPECIFIED. SEE DETAIL SHEETS.
- LOCATION OF EXISTING UTILITIES ARE TO BE VERIFIED IN THE FIELD BY THE CONTRACTOR. PLEASE NOTIFY ENGINEER IF FIELD ADJUSTMENTS ARE NECESSARY.

**SITE PLAN NOTES**

- SIDEWALK RAMP SHALL BE IN ACCORDANCE WITH THE LATEST ADA AND CITY OF BLOOMINGTON REQUIREMENTS. CONTRACTOR SHALL COORDINATE WORK WITH CITY ENGINEERING PRIOR TO COMMENCEMENT.
- PRESENT MARKINGS, IF SHOWN, SHALL BE APPLIED IN ACCORDANCE WITH SECTION 808 & 912.14 OF THE 1988 INDOT STANDARD SPECIFICATIONS AND AS SHOWN ON THE PLANS.
- CONTRACTOR IS RESPONSIBLE FOR OBTAINING A CITY R/W EASEMENT PERMIT IF WORK WITHIN THE PUBLIC R/W IS NECESSARY FOR THE PROJECT COMPLETION.

**MATERIALS LEGEND**

- CONCRETE SIDEWALK - WIDTH VARIES
- 4" THICK CONCRETE
- 4" COMPACTED AGGREGATE BASE #53, TYPE "D"
- 6" STANDING CURB
- CONCRETE STAIRS
- CONCRETE CURB RAMP TYPE G
- CONCRETE CURB RAMP TYPE K
- CONCRETE CURB RAMP TYPE C
- COMBINED CURB AND GUTTER
- LINE - PAINT, SOLID, WHITE, 4"
- LINE - PAINT, SOLID, WHITE, 24" X 12" CROSSWALK, 4" O.C.
- PAVEMENT MESSAGE MARKINGS, PAINT, WHITE, WORD "YIELD"
- PAVEMENT MESSAGE MARKINGS, PAINT, WHITE, WORD "STOP"
- LINE - PAINT, SOLID, WHITE, 24" X 6" CROSSWALK, 4" O.C.
- LINE - THERMOPLASTIC, SOLID, WHITE, 24" STOP BAR
- DETECTABLE WARNING
- 1.0" HMA SURFACE
- 3.0" HMA BASE
- 1" COMPACTED AGGREGATE BASE #53, TYPE "D"
- 1.5" HMA INTERMEDIATE
- 4" COMPACTED AGGREGATE BASE #53, TYPE "D"
- STOP SIGN, 81-1
- NURSERY SODDING
- MATERIALS
- PAVERS, SEE SPECS.
- STREET NAME PAVERS, SEE SPECS.
- RETAINING WALL, MODULAR BLOCK

CONTRACTOR TO SUBMIT CERTIFIED SHOP DRAWINGS STYLE AND COLOR BY OWNER

**BENCHMARK**

- CONTROL POINT 2020  
 MAG NAIL IN B-LINE  
 N = 348°58' E  
 L = 159.00'  
 ELEVATION = 819.45
- CONTROL POINT 2021  
 MAG NAIL IN B-LINE  
 N = 340°01' E  
 L = 144.00'  
 ELEVATION = 828.45
- CONTROL POINT 2018  
 MAG NAIL IN B-LINE  
 N = 102°05' E  
 L = 21.91'  
 ELEVATION = 813.89
- CONTROL POINT 2019  
 MAG NAIL IN B-LINE  
 N = 102°05' E  
 L = 21.91'  
 ELEVATION = 808.54

**SITE LEGEND**

- DRAINAGE EASEMENT
- UTILITY EASEMENT
- DR. & UT. EASEMENT
- 1" BOLL CURB
- 2" CURB AND GUTTER
- 6" STANDING CURB
- CONCRETE SIDEWALK
- HANDICAPPED RAMP
- RET. WALL (CONCRETE)
- RET. WALL (STONE)
- RET. WALL (WOOD)
- FENCE (CHAIN WIRE)
- FENCE (CHAIN LINK)
- FENCE (SMOOTH WIRE)
- FENCE (POST & RAIL)
- FENCE (WOOD SLAT)
- GRASSY RAIL
- PROPOSED STREET TREE
- BOLLARD
- DUMPER (WOOD)
- DUMPER (METAL)
- PROPOSED LIGHT POLE

**PUD-11-14**  
**Site Plan**

Copyright Smith Brubaker & Associates, Inc. 03/31/2014. All Rights Reserved.

Habitat for Humanity
Legal Description
Indiana Railroad Parcel; Part of Grandview Lots 6,7,28,29,30,31 & 32
Bloomington, Indiana

A part of the Grandview Subdivision to the City of Bloomington, as recorded in Plat Book 24 in the Office of the Recorder, Monroe County, Indiana, being more particularly described as follows:

A part of Lot 6 BEGINNING at the Southeast Corner of said Lot 6; thence West along the south line of said Lot 6 a distance of 132 feet to the west line of said Lot 6; thence along said west line, North 21 feet to a point 30 feet by perpendicular line from the centerline of Indiana Railroad south track; thence Easterly 132.09 feet, 30 feet from by perpendicular line and parallel with said south track to the east line of said Lot 6; thence along said east line, South 16 feet to the POINT OF BEGINNING, containing 0.06 acres more or less.

AND ALSO

A part of Lot 28 and 29 BEGINNING at the Southeast Corner of said Lot 28; thence West along the south line of said Lot 28 and 29, a distance of 100 feet to the west line of Lot 29; thence along said west line, North 25 feet to a point 30 feet by perpendicular line from the centerline of Indiana Railroad south track; thence Easterly 100.08 feet, 30 feet from by perpendicular line and parallel with said south track to the east line of said Lot 28; thence along said east line, South 21 feet to the POINT OF BEGINNING, containing 0.05 acres more or less.

AND ALSO

A part of Lot 30 and 31 BEGINNING at the Southeast Corner of said Lot 30; thence West along the south line of said Lot 30 and 31, a distance of 100 feet to the west line of Lot 31; thence along said west line, North 30 feet to a point 30 feet by perpendicular line from the centerline of Indiana Railroad south track; thence Easterly 100.08 feet, 30 feet from by perpendicular line and parallel with said south track to the east line of said Lot 30; thence along said east line, South 26 feet to the POINT OF BEGINNING, containing 0.06 acres more or less.

AND ALSO

A part of Lot 32 BEGINNING at the Southeast Corner of said Lot 32; thence West along the South line of Lot 32 a distance of 326 feet to the East right-of-way of Adams Street; thence Northerly along said east right-of-way, 51 feet to a point 30 feet by perpendicular line from the centerline of the south track of the Indiana Railroad; thence the following two (2) courses 30 feet from by perpendicular line and parallel with said south track: 1) South 89 degrees 00 minutes 50 seconds East 194.45 feet; thence 2) South 83 degrees 38 minutes 48 seconds East 143.88 feet to the east line of said Lot 32; thence along said east line, South 30 feet to the POINT OF BEGINNING, containing 0.33 acres more or less.

AND ALSO

A part of Lot 7 BEGINNING on the east line of Lot 7 at a point 30 feet by perpendicular line from the centerline of the north track of the Indiana Railroad, thence Westerly 30 feet from by perpendicular line and parallel to the north track of the Indiana Railroad 132 feet to the West line of Lot 7; thence along said West Line of Lot 7, North 20 feet to the South Line of B-Line Trail; thence along said South Line the following two (2) courses: 1) South 87 degrees 36 minutes 56 seconds East 18.02 feet; thence 2) a distance of 120.41 feet along a 1530.91 foot radius curve to the left whose chord bears North 71 degrees 27 minutes 11 seconds East 120.38 feet to the east line of Lot 7; thence along said east line, South 63 feet to the POINT OF BEGINNING, containing 0.12 acres more or less.

The above described parcels containing in total 0.62 acres, more or less.

Habitat for Humanity of Monroe County
Legal Description
Parcel #1
Bloomington, Indiana

A part of the Northeast Quarter of Section 32, Township 9 North, Range 1 West, Monroe County, Indiana, being more particularly described as follows:

COMMENCING at the Southeast Corner of the Northeast Quarter of said Section 32; thence West 1203 feet to the corner of City of Bloomington parcel (Deed Book 220, Page 262); thence North 00 degrees 00 minutes 00 seconds West along the east line of said City of Bloomington parcel, 127.37 feet to the POINT OF BEGINNING; thence the following two (2) courses along the north line of said City of Bloomington parcel, 1) South 75 degrees 54 minutes 00 seconds West 145.53 feet; thence 2) South 58 degrees 49 minutes 00 seconds West 180.51 feet; thence North 26 degrees 10 minutes 00 seconds West 32.12 feet to a point 30 feet off the centerline by perpendicular line of the Indiana Railroad Company, thence parallel and 30 feet from the centerline approximately 351.58 feet along a 2800.00 foot radius curve to the left whose chord bears North 51 degrees 10 minutes 53 seconds East 351.35 feet to the South right-of-way of the City of Bloomington B-Line Trail; thence along said South right-of-way, South 19 degrees 39 minutes 28 seconds East 49.35 feet to the West line of Murphy parcel (Instrument No. 2008011569), thence South 00 degrees 00 minutes 00 seconds East 134.63 feet along said West line of Murphy parcel to the POINT OF BEGINNING, containing 0.71 acres more or less.

Parcel No. 2 Description

A part of the East Half of Section 32, Township 9 North, Range 1 West, Monroe County, Indiana, being more particularly described as follows:

BEGINNING at a 5/8-inch diameter rebar with a yellow cap inscribed "SNA INC LS FIRM 0101", hereafter referred to as a "marked 5/8-inch rebar" marking the east corner of Habitat for Humanity of Monroe County, Inc. described in Instrument Number 2010019986 (recorded in the Office of the Monroe County Recorder) at a point where a line that parallels and/or concentric with and 25 feet normally distant Northwesterly from the center of the Main Tract of the Indiana Rail Road Company intersects the south line of the City of Bloomington B-Line Trail; thence along said east 25 foot parallel and/or concentric line the following four (4) courses:

- 1) SOUTH 50 degrees 14 minutes 39 seconds West, 194.94 feet to a marked 5/8-inch rebar and a non-tangent curve concave to the southwest, having a chord bearing of SOUTH 57 degrees 38 minutes 19 seconds WEST, a chord length of 601.21 feet, and a radius of 2424.89 feet; thence
2) along said curve an arc length of 602.76 feet to a marked 5/8-inch rebar; thence
3) SOUTH 64 degrees 58 minutes 30 seconds West, 179.60 feet to a marked 5/8-inch rebar and a non-tangent curve concave to the southwest, having a chord bearing of SOUTH 68 degrees 20 minutes 26 seconds WEST, a chord length of 122.66 feet, and a radius of 1201.60 feet; thence
4) along said curve an arc length of 122.72 feet to a marked 5/8-inch rebar; thence leaving last said 25 foot parallel and/or concentric line, NORTH 18 degrees 44 minutes 02 seconds West, 5.00 feet to a marked 5/8-inch rebar on the south line of the City of Bloomington B-Line Trail; thence along said south line of the B-Line Trail the following two (2) courses:
1) NORTH 55 degrees 07 minutes 20 seconds EAST, 124.79 feet to a marked 5/8-inch rebar and a non-tangent curve concave to the northeast, having a chord bearing of NORTH 75 degrees 54 minutes 30 seconds EAST, a chord length of 949.23 feet, and a radius of 1404.29 feet; thence
2) along said curve an arc length of 968.30 feet to a marked 5/8-inch rebar and to the POINT OF BEGINNING, containing in all 5.49 acres, more or less.

Parcel No. 3 Description

A part of the East Half of Section 32, Township 9 North, Range 1 West, Monroe County, Indiana, being more particularly described as follows:

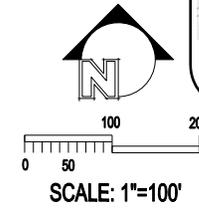
COMMENCING at a 5/8-inch diameter rebar with a yellow cap inscribed "SNA INC LS FIRM 0101", hereafter referred to as a "marked 5/8-inch rebar" marking the east corner of Habitat for Humanity of Monroe County, Inc. described in Instrument Number 2010019986 (recorded in the Office of the Monroe County Recorder) at a point where a line that parallels and/or concentric with and 25 feet normally distant Northwesterly from the center of the Main Tract of the Indiana Rail Road Company intersects the south line of the City of Bloomington B-Line Trail; thence along said east 25 foot parallel and/or concentric line the following four (4) courses:

- 5) SOUTH 50 degrees 14 minutes 39 seconds West, 194.94 feet to a marked 5/8-inch rebar and a non-tangent curve concave to the southwest, having a chord bearing of SOUTH 57 degrees 38 minutes 19 seconds WEST, a chord length of 601.21 feet, and a radius of 2424.89 feet; thence
6) along said curve an arc length of 602.76 feet to a marked 5/8-inch rebar; thence
7) SOUTH 64 degrees 58 minutes 30 seconds West, 179.60 feet to a marked 5/8-inch rebar and a non-tangent curve concave to the southwest, having a chord bearing of SOUTH 68 degrees 20 minutes 26 seconds WEST, a chord length of 122.66 feet, and a radius of 1201.60 feet; thence
8) along said curve an arc length of 122.72 feet to a marked 5/8-inch rebar; thence leaving last said 25 foot parallel and/or concentric line, NORTH 18 degrees 44 minutes 02 seconds West, 5.00 feet to a marked 5/8-inch rebar where the line parallels and/or concentric with and 30 feet normally distant Northwesterly from the center of the Main Tract of the Indiana Rail Road Company on a non-tangent curve concave to the southwest, having a chord bearing of SOUTH 75 degrees 46 minutes 07 seconds WEST, a chord length of 187.87 feet, and a radius of 1196.60 feet and the POINT OF BEGINNING; thence along said 30 foot parallel and/or concentric line the following three (3) courses:
1) along said curve an arc length of 188.07 feet to a marked 5/8-inch rebar and a non-tangent curve concave to the southwest, having a chord bearing of SOUTH 89 degrees 24 minutes 25 seconds WEST, a chord length of 85.60 feet, and a radius of 1285.66 feet; thence
2) along said curve an arc length of 85.62 feet to a marked 5/8-inch rebar; thence
3) NORTH 87 degrees 36 minutes 51 seconds WEST, 129.76 feet to a marked 5/8-inch rebar on the east right-of-way of Monroe Street; thence leaving last said 30 foot parallel and/or concentric line along said east right-of-way, NORTH 00 degrees 47 minutes 13 seconds WEST, 87.14 feet to a marked 5/8-inch rebar on the south line of the City of Bloomington B-Line Trail and to a non-tangent curve concave to the northeast, having a chord bearing of NORTH 61 degrees 22 minutes 28 seconds EAST, a chord length of 333.49 feet, and a radius of 1530.91 feet; thence leaving said east right-of-way along said south line of the B-Line Trail the following two (2) courses:
3) along said curve an arc length of 334.15 feet to a marked 5/8-inch rebar; thence
4) NORTH 55 degrees 07 minutes 20 seconds EAST, 35.71 feet to a marked 5/8-inch rebar; thence leaving said south line of the B-Line Trail, SOUTH 18 degrees 44 minutes 20 seconds EAST, 238.27 feet to the POINT OF BEGINNING, containing in all 1.47 acres, more or less.
JMS53 B Line Residential Subdivision/Survey/Report/Habitat Lot Descriptions.doc

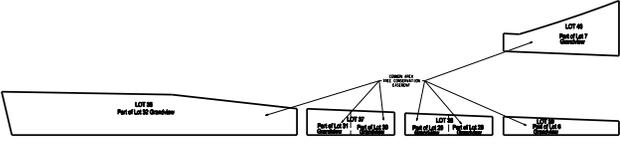
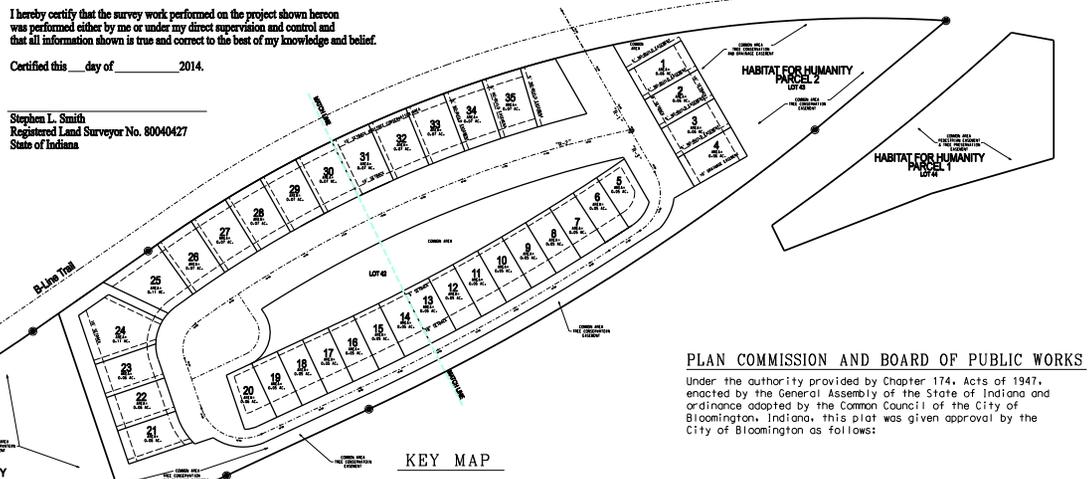
I hereby certify that the survey work performed on the project shown herein was performed either by me or under my direct supervision and control and that all information shown is true and correct to the best of my knowledge and belief.

Certified this \_\_\_ day of \_\_\_\_\_, 2014.

Stephen L. Smith
Registered Land Surveyor No. 80040427
State of Indiana



SCALE: 1"=100'



The real estate described on this plat shall be and is hereby subject to the terms and Conditions of the Declaration of Covenants, conditions and Restrictions, dated \_\_\_\_\_ and recorded as Instrument No. \_\_\_\_\_ in the office of the Recorder of Monroe County, Indiana.

The undersigned, \_\_\_\_\_, being the owner of the above described real estate, does hereby layoff, plat and subdivide the same into lots in accordance with this plat. This within plat shall be known and designated B-Line Residential Subdivision.

IN WITNESS WHEREOF, \_\_\_\_\_, has hereunto executed this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

STATE OF INDIANA )
COUNTY OF MONROE )

Before me, a Notary Public in and for the State of Indiana and Monroe County, personally appeared \_\_\_\_\_, personally known to me to be \_\_\_\_\_, and being the owner of the described real estate, and who acknowledge the execution of the foregoing plat for the Real Estate known as B-Line Residential Subdivision, as his voluntary act and deed for the uses and purposes therein expressed.

WITNESS my hand and Notarial Seal this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

My Commission Expires: \_\_\_\_\_

\_\_\_\_\_, NOTARY PUBLIC
a resident of \_\_\_\_\_ County, Indiana.

PLAN COMMISSION AND BOARD OF PUBLIC WORKS

Under the authority provided by Chapter 174, Acts of 1947, enacted by the General Assembly of the State of Indiana and ordinance adopted by the Common Council of the City of Bloomington, Indiana, this plat was given approval by the City of Bloomington as follows:

Approved by the Board of Public Works at a meeting held:

- James McNamara, Member
Charlotte Zietlow, Member

Approved by the City Plan Commission at a meeting held:

- Tom Micuda, Director of Planning
Jack Baker, President of Plan Commission

NOTES:
1. All corners are to be marked with a 5/8" x 2" capped rebar.

MONUMENT LEGEND

- STONE MONUMENT
STONE WITH X
CONCRETE MONUMENT
5/8" REBAR W/PLASTIC CAP SET
REBAR FOUND
RON PIPE FOUND
FENCE POST FOUND
RAILROAD SPIKE FOUND
PK WALL
GPS MONUMENT
HIGHWAY BOX

B-LINE RESIDENTIAL FINAL PLAT

Final Plat 1/3

PREPARED BY: SMITH BREHOB & ASSOCIATES, INC., 453 S. CLARTZ BLVD., BLOOMINGTON, INDIANA 47401



**EASEMENT STANDARDS**

Tree Conservation Easements as shown on this plat shall comply with the following controls:

- (A) Prohibits the removal of any tree and the placement of a fence within the easement area.
- (B) Allows the removal of dead or diseased trees that pose a safety risk or impede drainage as well as allowing the removal of exotic invasive species, only after first obtaining written approval from the City of Bloomington Planning Department.
- (C) Allows, in cases where removal of exotic is proposed, the restoration of disturbed areas with native plant material. Written approval from the Planning Department is required prior to any proposed restoration.

Drainage Easements as shown on this plat shall comply with the following controls:

- (A) Prohibits any alteration within the easement that would hinder or redirect flow.
- (B) The owner of the lot on which the easement is placed shall be responsible for maintenance of the drainage features within such such easement.
- (C) Are enforceable by the City Utilities Department and by owners of properties that are adversely affected by conditions within the easement.
- (D) Allow City Utilities Department to enter upon the easement for the purpose of maintenance, to charge the costs of such maintenance to the responsible parties, to construct drainage facilities within the easement, and to assume responsibility for the drainage features at its discretion.

Waterline Easements as shown on this plat shall comply with the following controls:

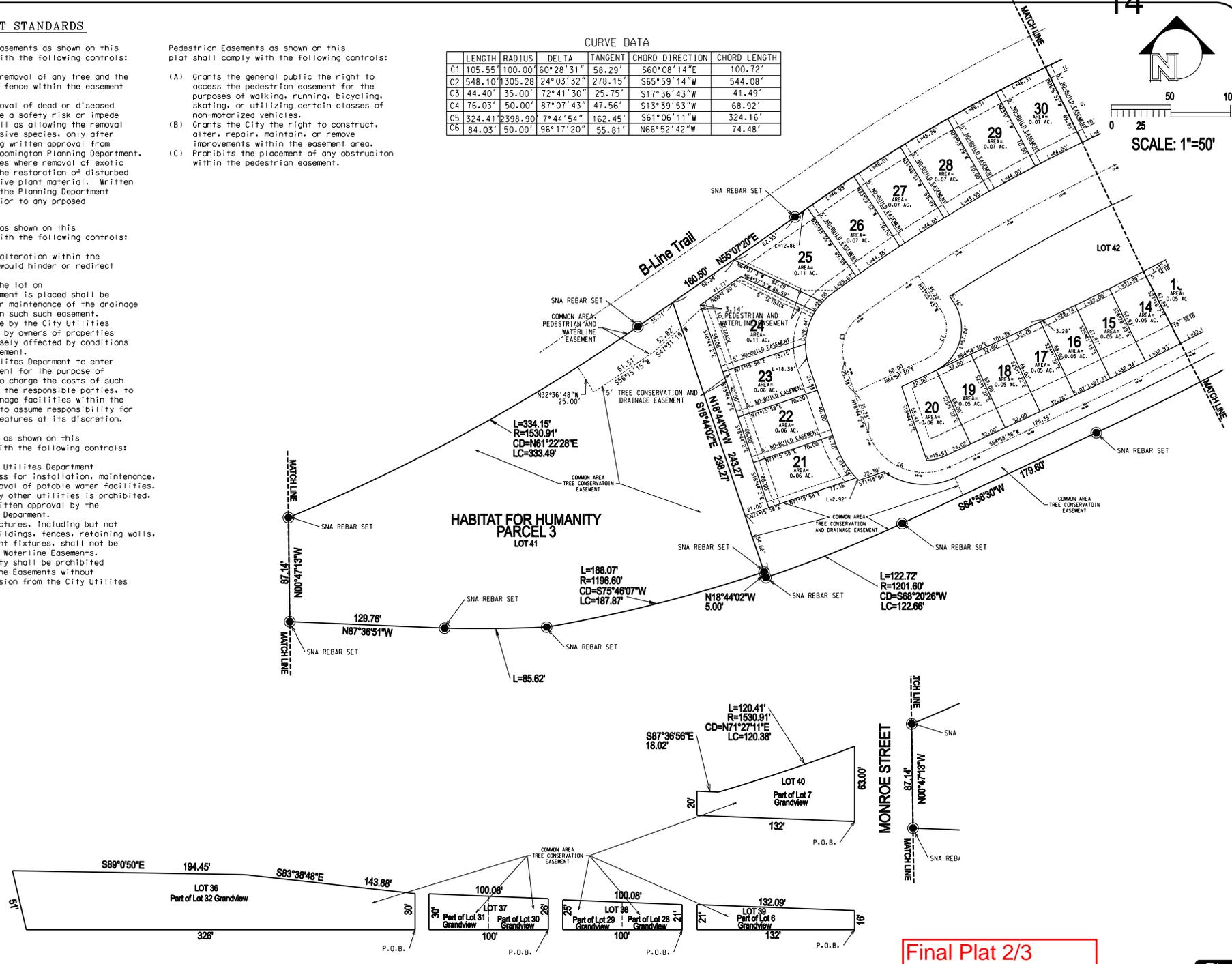
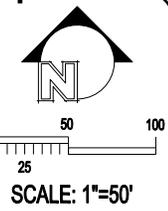
- (A) Allow the City Utilities Department exclusive access for installation, maintenance, repair, or removal of potable water facilities.
- (B) Encroachment by other utilities is prohibited, without the written approval by the City Utilities Department.
- (C) Trees and structures, including but not limited to buildings, fences, retaining walls, signs, and light fixtures, shall not be located within Waterline Easements.
- (D) Grading activity shall be prohibited within Waterline Easements without written permission from the City Utilities Department.

Pedestrian Easements as shown on this plat shall comply with the following controls:

- (A) Grants the general public the right to access the pedestrian easement for the purposes of walking, running, bicycling, skating, or utilizing certain classes of non-motorized vehicles.
- (B) Grants the City the right to construct, alter, repair, maintain, or remove improvements within the easement area.
- (C) Prohibits the placement of any obstruction within the pedestrian easement.

**CURVE DATA**

	LENGTH	RADIUS	DELTA	TANGENT	CHORD DIRECTION	CHORD LENGTH
C1	105.55'	100.00'	60°28'31"	58.29'	S60°08'14"E	100.72'
C2	548.10'	1305.28'	24°03'32"	278.15'	S65°59'14"W	544.08'
C3	44.40'	35.00'	72°41'30"	25.75'	S17°36'43"W	41.49'
C4	76.03'	50.00'	87°07'43"	47.56'	S13°39'53"W	68.92'
C5	324.41'	2398.90'	7°44'54"	162.45'	S61°06'11"W	324.16'
C6	84.03'	50.00'	96°17'20"	55.81'	N66°52'42"W	74.48'



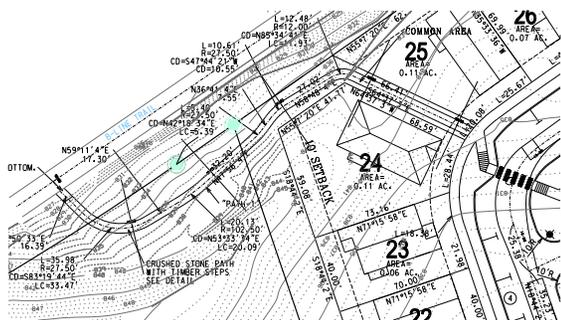
**B-LINE RESIDENTIAL FINAL PLAT**

PREPARED BY: SMITH BREHOB & ASSOCIATES, INC., 453 S. CLARIZZ BLVD., BLOOMINGTON, INDIANA 47401

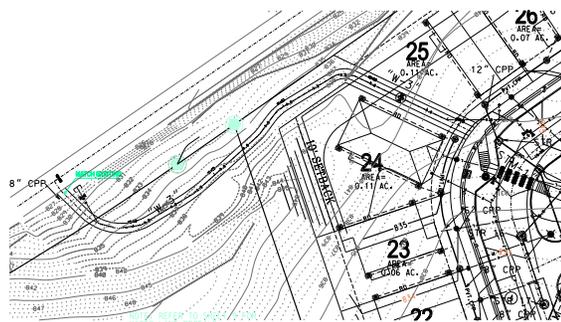
**Final Plat 2/3**







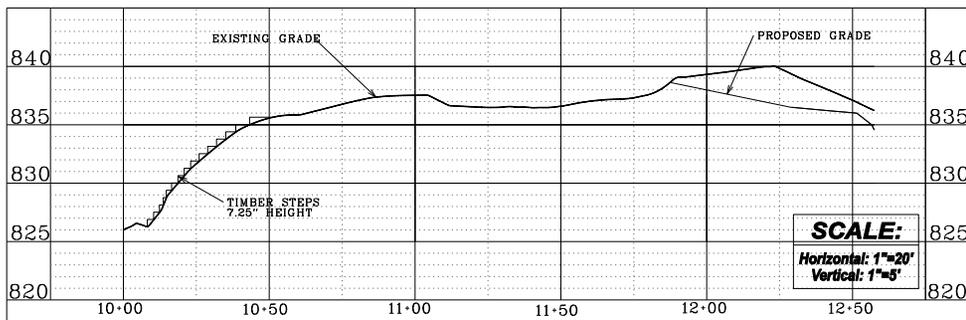
**CRUSHED STONE PATH SITE DETAIL**  
SCALE: 1"=30'



**CRUSHED STONE PATH GRADING/UTILITY DETAIL**  
SCALE: 1"=30'

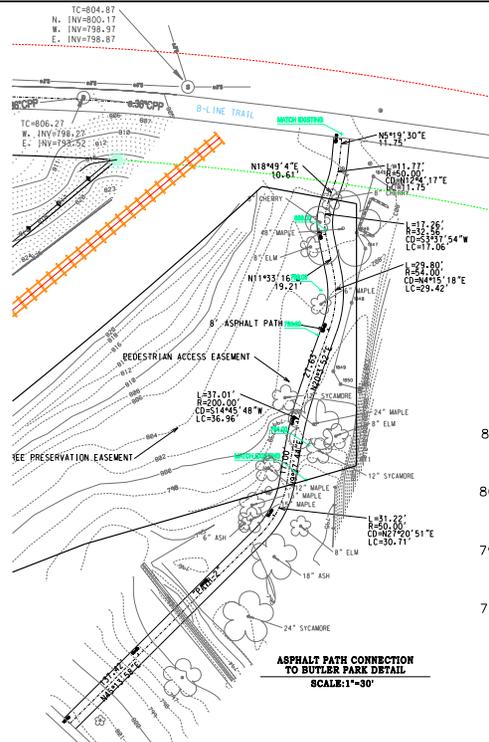


SCALE: 1"=30'



**PATH PROFILE: "PATH-1"**

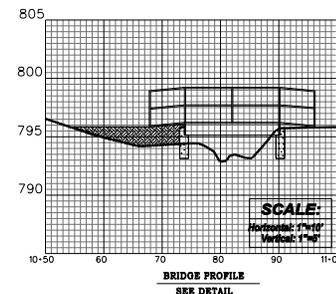
**SCALE:**  
Horizontal: 1"=20'  
Vertical: 1"=5'



**ASPHALT PATH CONNECTION TO BUTLER PARK DETAIL**  
SCALE: 1"=30'

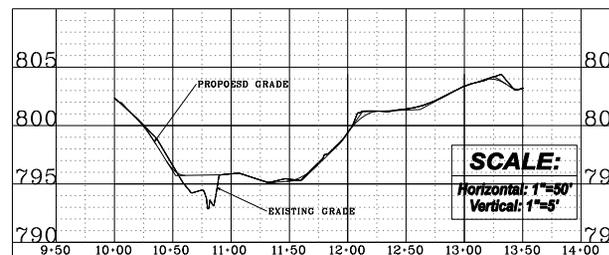


SCALE: 1"=30'



**BRIDGE PROFILE**  
SEE DETAIL

**SCALE:**  
Horizontal: 1"=10'  
Vertical: 1"=1'



**ASPHALT PATH PROFILE: "PATH-2"**

**SCALE:**  
Horizontal: 1"=50'  
Vertical: 1"=5'

Smith Brubaker & Associates, Inc.  
445 S. Center Boulevard  
Bloomington, IL 61701  
Tel: 312.352.5200  
Fax: 312.352.5213  
Web: www.sbrubaker.com

CONSTRUCTION DATE

//

**B-LINE NEIGHBORHOOD**  
**MONROE COUNTY**  
**HABITAT FOR HUMANITY**

JOB TITLE

BY

DATE

REVISIONS

DESIGNED: SLS

CHECKED: ROB

DATE: 03/14

SCALE: 1"=5'

4553

SHEET

8 OF 13

DATE: 03/31/14

PEDESTRIAN PATH PLAN & PROFILES

Copyright Smith Brubaker & Associates, Inc. 03/31/2014 All Rights Reserved

**PUD-11-14**  
**Path Plans**



**SOLOMON L. LOWENSTEIN, JR.**

Attorney at Law

Tel: (260) 422-4655

Fax: (260) 422-4815

Solomon@lowensteinlaw.net

614 W. Berry St. Ste. A

Fort Wayne, IN 46802

April 30, 2014

City of Bloomington  
Planning Department  
401 N. Morton Street  
Bloomington, IN 47404

Re: Habitat for Humanity petition  
May 5, 2014 hearing

Dear Chairman and Members of the Commission:

Please be advised that the undersigned is an interested party in the petition of Habitat for Humanity for the development of a PUD to be located in the B-Line woods. My principal residence is located at 1006 W. 10th Street. Additionally, I own the vacant lot (Lot 19, Lone Star Addition), 1002 W. 10th Street and 1008 W. 10th Street.

My first concern is the contents of the notice I received about this hearing. Part of my law practice for the past 40 years has been devoted to real estate matters, including but not limited to, matters before area planning commissions. In reviewing this apparent confusing and misleading notice of this May 5, 2014 hearing which I received on or about April 15, 2014 from Smith Brehob & Associates, Inc, I could not determine if there are two separate petitions involving two separate proposed locations in the B-Line woods for a greatly expanded subdivision being proposed. The language of the notice appears to read two separate locations; one of which is for a proposed 35 unit subdivision and a second one for a 45 lot subdivision. If my understanding is incorrect, why does a 35 unit subdivision need 45 lots in which to build 35 units? Based upon the drawing attached to the notice, there does not exist 45 lots. The undersigned objects to any efforts to expand this subdivision into 80 total lots with an unknown number of housing units. This proposal would reduce the existing green vegetation and trees to nothing. This is antithetical to a city which promotes green space as important to the well being and attraction of the City of Bloomington. I request that the Commission consider that the density (while I acknowledge that a developer of a PUD is not restricted to the usual density requirements of a subdivision under the City's ordinances) should be kept to a minimum and conform to the subdivision ordinance due to the unique nature, existing vegetation and tree canopy, and topography of the B-Line woods.

I also urge this Commission to require that the houses which front the B-Line trail be located as far from the edge of the bluffs as is possible while requiring the developer to retain as much of the existing vegetation and trees (tree canopy) as is possible to retain the existing natural beauty of the B-Line trail. This is one of the few

PUD-11-14  
Letters of Opposition

locations on the B-Line trail which retains its natural beauty and heretofore has not developed. In conjunction with this request, I urge the commission to severely restrict the developer to remove only those trees which are absolutely needed to be removed in the construction of each house. The greater the percentage of the existing tree canopy allowed to remain will continue to enhance the natural beauty of the B-Line trail for the benefit of the general public.

Lastly, in reviewing the Habitat for Humanity's submission and upon inquiry of the staff and Common Council members, I have been unable to locate the eastern and western end boundaries where the houses are proposed to be built. I suggest that the existing light poles on the B-Line trail(which are numbered) be publicly identified for each such boundary described hereinabove in order to determine over how much area this development will be spread and be visible to the adjacent residents and to those members of the public who use the B-Line trail.

Thank you for your consideration to the above concerns.

Very truly yours,

Solomon L. Lowenstein, Jr.

SLL/

MAY - 1 2014

**DECKARD HOMES & APARTMENTS**  
**P.O. BOX 110**  
**BLOOMINGTON, IN 47402**  
**(812) 825-5579**

April 29, 2014

City of Bloomington Planning Department  
401 N. Morton Street, Suite #160  
Bloomington, IN 47404

RE: 901 W. Cottage Grove  
35 Unit Attached & Detached Single Family Development & 45-lot Subdivision

To whom it may concern:

Please accept this letter as written notice that we are strongly against this development. We feel that 2-3 houses would be acceptable, but an entire development of this size sandwiched between the rail-road tracks would be too many small homes in too small of a space. Such a development will also destroy the park and the existing family setting of the neighborhood.

We trust you will consider the size of the development being considered and the small space that is available and agree the development is not in the best interest of the neighborhood or surrounding homes.

Sincerely,



Richard Deckard

**BLOOMINGTON PLAN COMMISSION  
STAFF REPORT**  
Location: 116 E. 3<sup>rd</sup> St.

**CASE #: SP-13-14  
DATE: June 2, 2014**

**PETITIONER:** Hyun Kim (Song Kim, Daewoong LLC)  
1813 E. 10<sup>th</sup> St., Bloomington IN 47408

**CONSULTANT:** Doug Bruce, Tabor/Bruce Architects  
1101 S Walnut St., Bloomington, IN 47408

**REQUEST:** The petitioner is requesting site plan approval to allow a four-story mixed-use building.

**Area:** 0.17 acres  
**Zoning:** Commercial Downtown (CD)  
**Overlay District:** Downtown Core  
**GPP Designation:** Downtown  
**Existing Land Use:** Vacant Commercial  
**Proposed Land Use:** Mixed Use – Convenience Store and Nonresidential on First Floor, Multi-Family and Nonresidential on Second, Multi-Family on Third and Fourth Floors  
**Surrounding Uses:** North - Commercial  
East - Commercial  
South - Institutional (future Bloomington Transit Center)  
West - Mixed Use

**REPORT SUMMARY:** The subject property is located at 116 E. 3<sup>rd</sup> Street, on the southwest corner of E. 3<sup>rd</sup> Street and S. Washington Street. It is zoned Commercial Downtown (CD) and located within the Downtown Core Overlay (DCO) district. The property had been developed with a one-story commercial building and parking lot.

The petitioner received Plan Commission approval in February 2014 to demolish the existing building and build a four-story, mixed-use building under case number SP-37-13. The petitioner has since revised the use mix and architecture and needs a new approval to proceed with this design. The one-story former dry cleaner building on the site has been demolished since the February approval.

Changes since the February approval:

- Narrowed mouse hole drive to 3<sup>rd</sup> Street and sidewalk added along drive
- Larger first and fourth floors
- Stairs enclosed
- Building height increased from 47.3' to 48.6'
- Western module is now taller than the eastern module
- Middle module has smaller and more vertically-oriented windows
- Slanted rooftop on middle module
- Upper portion of first floor windows on western module is no longer split
- Rooftop deck area reduced

- Less pronounced building cap
- Building base lined up with first floor windows in eastern module
- First floor - Restroom added in western commercial space
- Second floor – Changed from two, two-bedroom apartments and a nonresidential space to one, four-bedroom unit and a nonresidential space
- Third floor – Changed from one, four-bedroom apartment and a nonresidential space to one, four-bedroom unit and one, two-bedroom unit with a loft
- Fourth floor – Changed from a nonresidential space to a loft bedroom for the two-bedroom unit

**Plan Commission Site Plan Review:** The UDO requires this petition to be reviewed by the Plan Commission because several waivers to the standards in BMC 20.03.120-130 are requested.

Six waivers are requested. These are the same waivers that were approved in February:

- Parking setbacks;
- Void-to-solid percentage;
- Window height to width ratio and design;
- Vertical and horizontal building design;
- Building façade modulation; and
- Building height step back.

The DCO district lays out considerations for the Plan Commission in the granting of waivers:

- The Plan Commission is encouraged to consider building designs which may deviate in character from the architectural standards of this section but add innovation and unique design to the built environment of this overlay area.
- The Plan Commission is encouraged to consider the degree to which the site plan incorporates sustainable development design features such as vegetated roofs, energy efficiency, and resource conservation measures.

---

## SITE PLAN REVIEW

**Residential Density:** The property is approximately 0.17 acres. The maximum density allowed in the Downtown Core Overlay (DCO) district is 60 dwelling unit equivalents (DUEs) per acre. A maximum of 10.2 DUEs are allowed on this site. The petitioner is proposing two four-bedroom apartments and one two-bedroom apartment for a total proposed DUE of 3.66.

**Height:** The DCO district specifies a minimum structure height of 35 feet and a maximum structure height of 50 feet. The proposed structure has a height of 48.6 feet from the lowest elevation along the building to the highest point on the roof.

**Parking Setbacks:** The DCO requires minimum parking setbacks of 5 feet for the side and rear and 20 feet behind a primary structure's front building wall for the front. The petitioner is proposing 0' side parking setbacks to the west and south and a parking setback of 14

feet behind the front building wall on Washington St. These setbacks are not changing from the site plan approval by the Plan Commission in February.

**Parking Setback Waiver – 20.03.120(c)(1):** A waiver is required to build parking within the side and front parking setbacks. Granting this waiver would mean that parking lot perimeter landscaping cannot be planted. The property is very small, approximately 93 feet by 79 feet. The DCO district allows 100% impervious surface coverage and 0' building setbacks. The subject lot is bordered on the south by pavement, specifically the Bloomington Transit Center's drives and loading areas. The adjacent lot to the west contains the historic Fleener Building, which has a side setback of approximately five feet with a 5' wide concrete ramp within the setback. Staff believes that this waiver is appropriate considering the lot size, surrounding property pavement, and the impervious surface coverage allowed.

**Parking Lot Perimeter Wall:** The UDO requires that a decorative wall be built to screen the view of the parking area from surrounding right-of-ways. The petitioner is proposing three decorative planters and a decorative railing on the handicap ramp to shield view of the parking from Washington St. The petitioner states that a wall would limit accessibility from the rear parking lot to the front of the building.

**Residential and Nonresidential Parking Standards:** No parking is required for residential or nonresidential uses. The petitioner is proposing seven parking spaces, one of which is van accessible.

**Building Setback Standards:** The DCO allows a 0' front build-to-line. The minimum side building setback is 0'. The petitioner is proposing a building setback of 0' on the north, west, and east.

**Ground Floor Nonresidential Uses:** At least 50% of the total ground floor area is required to be nonresidential. This proposal meets this requirement by providing 100% ground floor nonresidential space.

**Building Frontage:** 100% of the proposed building is at the build-to-line.

**Building Alignment:** The proposed building matches the 0' front setback of the contributing historic Fleener Building to the west.

**Building Orientation and Entrances:** The petitioner proposes one pedestrian entrance on the small western portion of the building's first floor and another on the corner of 3<sup>rd</sup> and Washington.

**Street Trees:** One existing street tree on E. 3<sup>rd</sup> St. will be preserved. A new street tree will be planted along S. Washington St. A tree grate around the new street tree is not shown on the site plan and will need to be added. The species proposed on Washington St. will also need to be revised.

**Lighting:** The existing street light will be relocated and meet the requirements of the Unified Development Ordinance (UDO).

**Mechanical Equipment and Service Areas:** Mechanical equipment is located on the roof of the building, set back to screen the equipment from view from adjacent streets. Utility meters will be located on the south side of the building, the functional rear of the building.

**Roofs or Building Caps:** The proposed building has a metal cap, different color brick, and limestone accents which meet the DCO cap requirements.

**Void-to-Solid Percentage:** The first floors facing a street are required to have at least 60% void, and upper stories are required to be at least 20% void. The north elevation facing E. 3<sup>rd</sup> St. meets these requirements. However, the east elevation facing S. Washington St. does not.

**Void-to-Solid Percentage Waiver – 20.03.130(b)(2):** A waiver is required to allow the east building façade to have less void than required by the DCO. The property is a corner lot with a convenience store proposed for the first floor. Staff believes that the waiver is appropriate because the functional staff, storage, and restroom portions of the store have been pushed to the rear and away from the corner. Although there is no minimum void-solid-percentage for the south side of the building, staff believes that the number of upper floor windows here is desirable due to its high visibility from the Bloomington Transit Center. This helps visually counteract the lower void percentage on the east side of the building.

**Windows:** All proposed windows are transparent, and large display windows are proposed on the first floor facades facing 3<sup>rd</sup> and Washington Streets. Most of the upper floor windows meet the height to width ratio required in the DCO. The windows in the middle module facing 3<sup>rd</sup> St., the stairwell windows, and the bathroom windows do not meet the ratio. All upper floor windows, other than the middle module, have distinct sills and lintels.

**Windows Waiver – 20.03.130(b)(3):** A waiver is required to allow windows which do not meet the upper floor height to width ratio and the sill and lintel requirements of the DCO. The middle module has a unique, more contemporary look with translucent fiberglass panels and metal. The bathroom and stairwell windows are smaller and more horizontal to fit the interior layout of these spaces. Staff believes this waiver is appropriate.

**Materials:** The proposed building will be primarily finished with brick, metal, and translucent fiberglass panels (Kalwall). Limestone, metal, and steel are proposed as secondary finish materials. Elevations and renderings have been included in the packet.

**Vertical and Horizontal Design:** The DCO states that building façade designs shall include a base, middle, and cap and that horizontal elements shall visually align with similar horizontal design elements of adjacent historic structures. The façade module adjacent to the historic Fleener Building aligns well with the Fleener Building's design. Like the Fleener Building, it does not have a distinct base. The rest of the proposed building meets the horizontal design requirements of the DCO. Vertical banding using stone or masonry is also not proposed on the building.

**Vertical and Horizontal Design Waiver – 20.03.130(b)(5):** A waiver is required to allow the western module of the building to not have a base and to allow a building without vertical banding. Given the need for the proposed building to contain design features similar to the historic Fleener Building, staff believes these waivers are appropriate.

**Entrance Detailing:** The proposed building will have two pedestrian entrances on the 3<sup>rd</sup> Street front that access the convenience store and the western commercial space. There is an additional pedestrian entrance on the south side of the building which provides access to the upper floor apartments and commercial space. The primary entrance on the corner into the convenience store will be angled from the façade, the door set back more than 4 feet from the north and east facades. A canopy over the door further emphasizes the entry.

**Building Façade Modulation:** The building proposed has three distinct façade modules. The middle module is offset by two feet, less than the 2.58 feet required.

**Building Façade Modulation – 20.03.130(c)(1):** A waiver is required for a façade modulation offset less than the minimum required in the DCO. The petitioner has stated that a larger offset would result in commercial spaces being too small. The space cannot be enlarged to the south without displacing some of the proposed parking spaces. Staff believes this minor deviation is appropriate.

**Building Height Step Down:** The building is within one story or fourteen feet in height of the adjacent Fleener Building, which is listed as a Contributing structure in the 2001 historic inventory.

**Building Façade Step Back:** The middle module along 3<sup>rd</sup> St. is 48.6' in height. All other portions of the building are less than the 45' in height required for the step back.

**Building Façade Step Back – 20.03.130(c)(1):** Stepping back just the middle module on this building and just the fourth story would result in a less attractive building. Staff believes this waiver is appropriate.

---

#### **ENVIRONMENTAL COMMISSION RECOMMENDATIONS:**

The Bloomington Environmental Commission (EC) reviewed the February proposal and made three recommendations. Those recommendations have not changed with the changes made for this petition.

---

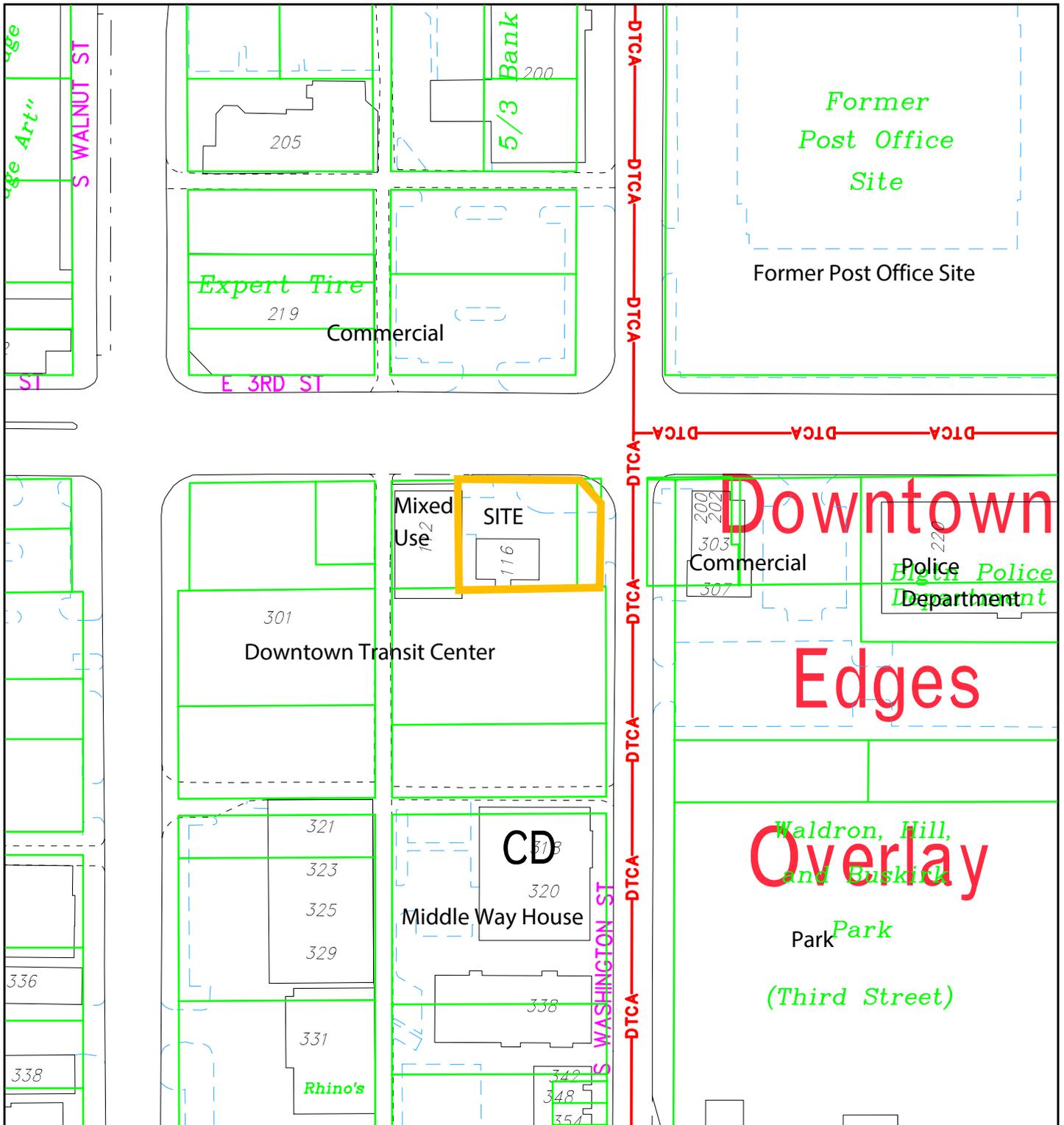
**CONCLUSION:** This property is located within an area with a mix of building ages and styles. Staff believes the waivers requested are relatively minor and appropriate to allow a building that respects the historic building to the west while also having some contemporary design features similar to the future Bloomington Transit Center. Staff also believes that the proposed convenience store will be a desired complimentary use to the transit center.

---

**RECOMMENDATION:** Based on the written findings above, staff recommends approval of SP-13-14 and associated waivers with the following conditions:

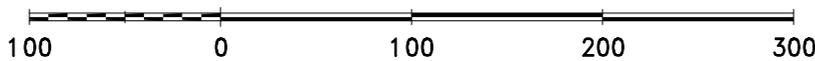
1. Building materials and elevations must be consistent with submitted plans and

- renderings.
2. The proposed street tree species must be revised and approved by the Planning Department prior to building permit issuance.
  3. A tree grate for the proposed street tree must be added to plans prior to building permit issuance.
  4. Lighting cut sheets must be submitted and approved prior to building permit issuance.
  5. Bicycle parking spaces compliant with the UDO must be added to plans prior to building permit issuance. The location and number indicated on the proposed site plan do not meet UDO requirements.



SP-13-14  
 116 E. 3rd St.  
 Hyun Kim  
 Zoning and Surrounding Land Use

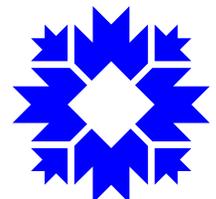
By: bannok  
 3 Feb 14



For reference only; map information NOT warranted.



City of Bloomington  
 Planning



Scale: 1" = 100'



1101 S Walnut Street Bloomington, Indiana. 47401 Ph. 812.332.6258 Fax 812.332.8658  
 www.taborbruce.com E-Mail dtbruce@taborbruce.com

## PLAN COMMISSION

### Petitioner's Statement 116 East Third Street

#### **Overview-Existing site**

The site as it exists is a small, 1,350 square foot, single story building with 2 sides of exposed concrete block and 2 sides of a brick veneer. Currently, the structure is used as a laundry facility and before that, it has been numerous offices, including Fee & Meir Insurance in the 1980's. (I know, because my father worked for them in this very building).

Apparently, this building was a gas station at some time in its history. The existing site is opposite to everything we like to see in modern planning and zoning. Its use of exposed concrete block, the lack of cohesiveness and its "parking lot forward-building to the rear" site design. It contains roughly .17 of an acre.

#### **Location**

The location of this site and the changes around it are foremost the reasons for this project. Within sight of the Third Street Park and now the new City of Bloomington bus terminal, it will be convenient for those wanting a quick snack, newspaper or cold drink. Nearby development changes with the bus terminal and the adjacent historic office building renovation for Pavilion Properties and the demolition of the post office with its promise of a new future have only made the development of this small site feasible. Our design and re-use of this site is a small attempt to counteract sprawl. We are proposing a structure on an underutilized site that will fit in the UDO and hopefully be affordable to build. The use as a small market fits the area and its needs well. The site is close to a park and next to the new bus terminal and will provide a close location for both as a stop for a newspaper, coffee or soda as a small neighborhood activity center.

#### **Changes to Building Design since the initial approval**

After discussion with city planning, the owner has agreed and made many changes in the direction of this development. The initial thought was to renovate the existing structure as it sits. This would leave a building located in the back corner of the lot and asphalt in front. The footprint of the existing building is just not large enough in size for the space needs of a convenient store. Moving the building out to the streets edge and sidewalk will allow for us to fill in the block with a pedestrian scale building and hide the parking behind the structure. We have agreed to create a "one-way" drive thru from Washington Street to Third Street for site access. Locating the drive entry on Washington Street allows for both East and West traffic to enter because of the stop light at Third and Washington Streets. Exiting the site will be eastbound only as a future City of Bloomington plan is to create an island down 3<sup>rd</sup> street.

The new footprint is the only way we could maximize the needed size of the first floor for the market and still leave some parking for employees and customers.

The current proposed development will contain a 1,721 square foot market and 283 square foot bakery (Now designed with its own toilet room) or retail use on the ground floor and a single-4 bedroom apartment of approximately 1842 square foot and a 619 square foot office or kitchen area for the bakery for the 2<sup>nd</sup> floor. The third floor will have a single 1,842 square feet, four bedroom apartment and a 619 square foot one bedroom apartment with a very small loft space on the 4<sup>th</sup> floor. The roof will contain a small space for the owner to use as a rooftop garden and planting area.

Just as the Secretary of the Interior Standards do not want us to change the character of a historic building with additions; we are trying to utilize some defining elements of the historic Fleener building elevation such as the grid lines established by the base, window units and brick. It is these very character defining elements that will complete a sense of space along this street block.

### **Changes Explained**

After further developing the floor plans and working with the builder and owner it became apparent that we needed to lower the construction cost and better define the uses. A 4 story mixed use building would require a more expensive type of construction that just could not be justified for such a small footprint building. At the same time, we looked at the issues raised at the previous Plan Commission meeting and looked to see how we could come closer to solving with a better design, the objections from that hearing. We could not enclose the stair and exit passageways as opposed to the open stair and walkways if we could narrow the exit drive for a door swing. This narrow exit drive would make it easier to manipulate the exit curbing for a true exit only as well as leaving us a sidewalk from the exit stair to the 3<sup>rd</sup> Street sidewalk. By removing the office use on the third story, we could better meet the budget with a different construction type and changing the 3<sup>rd</sup> floor to a residential apartment use allowed for that change. The new 4<sup>th</sup> floor apartment is now connected and opens to the 3<sup>rd</sup> floor and is designed as loft unit instead of a story. We also made changes to the façade to realistically show how the Kal Wall panel is to be used and relates to operable window openings. The building meets all of the items we outlined in the downtown plan as originally submitted.

### **Key Downtown Plan Attributes**

From Downtown core-From 2005 Downtown plan:

- Need for small scale downtown structures

- Small businesses were leaving downtown because of not having parking for employees

- Maintain the alignment of buildings exhibited by existing, traditional buildings in the Character Area. In the Courthouse Square and Downtown Core Character Areas, align the building with the sidewalk edge to create a zero setback. Align the front building facade with the sidewalk edge

The Fleener Building constructed in 1928 in the Vernacular Commercial architectural style is our neighbor directly to the west. This structure will stand on its own merits as an architectural work. Our intent was to follow another guideline while respecting the “grid” imposed by the historic structure:

### Architectural Character

While it is important that a new building be compatible with the traditions exhibited by existing buildings in Downtown Bloomington, the new building does not necessarily have to imitate older building styles. In fact, stylistically distinguishing a new building from its older neighbors in Downtown Bloomington is preferred, when the overall design of the new infill project reinforces traditional development patterns

This petition seeks to add to the heart of our downtown with a small scale mixed-use residential/commercial building that has some elements of the past. Pedestrian scale massing, a main street-front façade with defining corner elements at the entries will all be combined in the redevelopment.

A new building should maintain the alignment of key horizontal elements along the block.

New designs that respect traditional building styles are encouraged. A new design that draws upon the fundamental similarities among older buildings in the area without copying them is preferred. This will allow the new project to be construed as a product of its own time, yet be compatible with its historic neighbors. In general, the imitation of older historic styles is discouraged except where necessary to conform to the Secretary of the Interior's Standards for Rehabilitation of Historic Buildings.

The building will be clad with a primary material of its massing of Brick and limestone with storefront commercial windows along the retail ground floor. Proposed site improvements will include a bicycle rack, planters, and street trees and street lighting as required.

Our use of masonry and even limestone accents all are materials and designs that reflect the past but also are combined with other elements to reflect a building that is a product of this era.

### Mass, Scale and Form

Building heights vary substantially in Downtown Bloomington and yet there is a strong sense of similarity in scale. This is in part because most buildings are within two to four stories in height. In addition, most buildings have features at the lower levels that are similar in scale. First floors, for example, are similar in height. Upper stories are defined by moldings, which align along the block and contribute to a perceived uniformity in height to pedestrians. A variety of building heights in new construction is, therefore, appropriate. However, the dominant scale of two to four stories should be maintained. This may be accomplished by literally constructing a building within this traditional height range; in other cases, design elements that reflect this traditional height may be incorporated into larger structures. Setting upper floors back from the building front also may be considered.

Almost all of this is reflected in our building. This proposal follows many of the vision statements for the GPP and completes the notion of the Main Street motto, Live, Work and Play downtown. This project is a small piece to the larger puzzle where the process has strived for creative solutions to keep our downtown vibrant and competitive. This area is a pedestrian friendly environment.

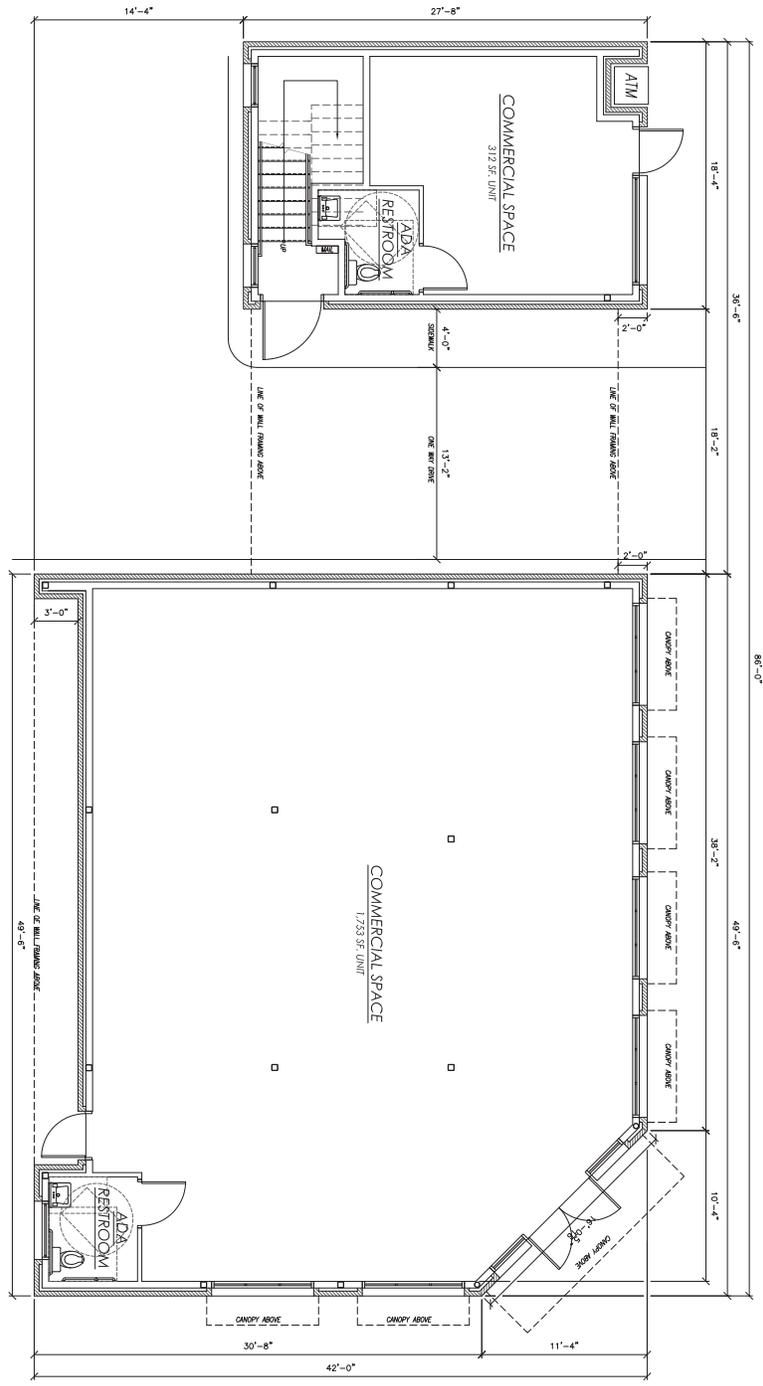
Thank you for your consideration.

---

Doug Bruce NCARB-LEED AP  
TABOR/BRUCE ARCHITECTURE & DESIGN, Inc.  
1101 S Walnut Street  
Bloomington, IN 47401  
(812) 332-6258



PROPOSED

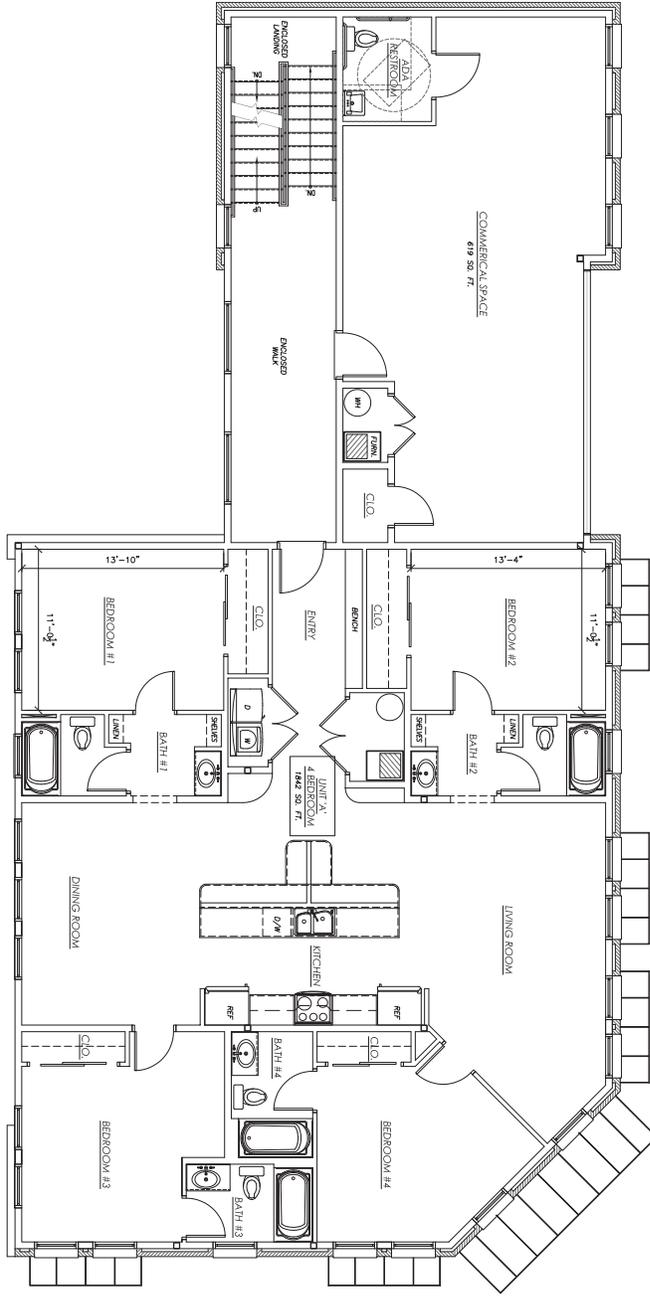


PROJECT INFORMATION	
PROJECT NAME	116 EAST THIRD STREET
PROJECT LOCATION	101 S. 14
PROJECT NUMBER	2-2507-THIRD-101
DATE	8/29/2014
PROJECT MANAGER	CONCEPT PLANNING
DESIGNER	CONCEPT PLANNING
DATE	1/21/14

FIRST FLOOR PLAN



PROPOSED

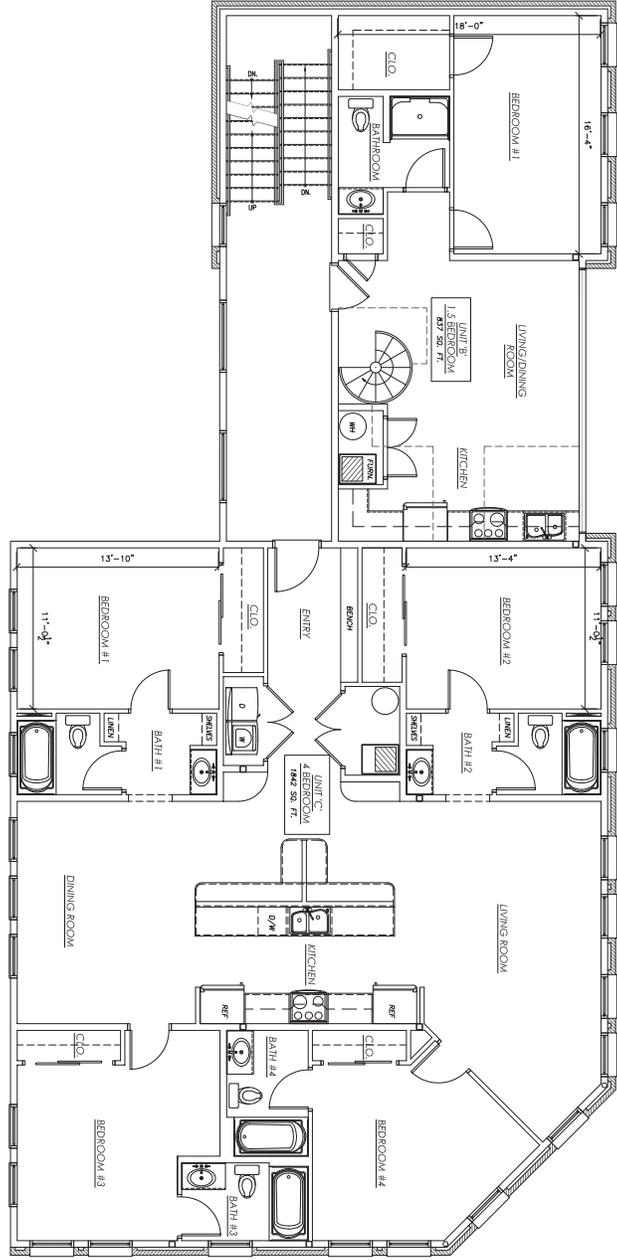


PROJECT INFORMATION	
PROJECT NAME	116 EAST THIRD STREET
PROJECT LOCATION	1051 S. 14th St.
PROJECT NUMBER	SP-13-14
PROJECT DATE	8/19/13
PROJECT TYPE	CONCEPT PLANNING

SECOND FLOOR PLAN



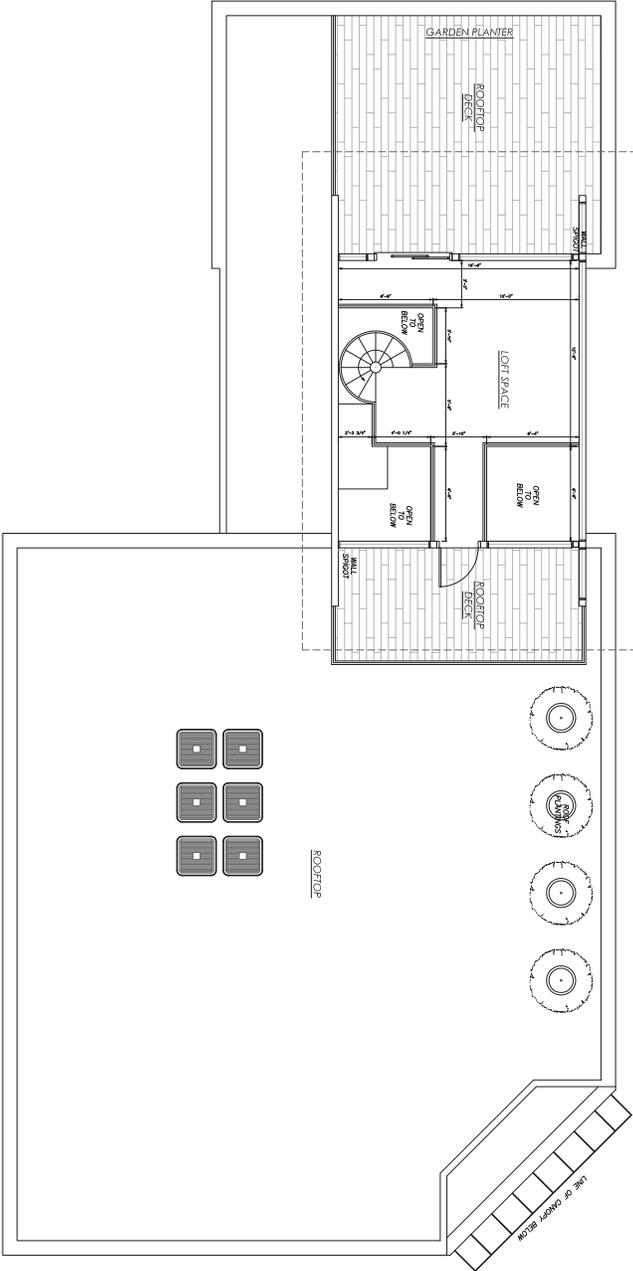
# PROPOSED



THIRD FLOOR PLAN	
PROJECT NAME	116 EAST THIRD STREET
PROJECT LOCATION	105.15.14
PROJECT NUMBER	8.189.01 TOTAL BLDG
DATE	1/27/14
SCALE	1/4" = 1'-0"
DESIGNER	LABOR ARCHITECTURE & DESIGN, INC.
DATE	5/29/14
PROJECT PLANNING	CONCEPT PLANNING



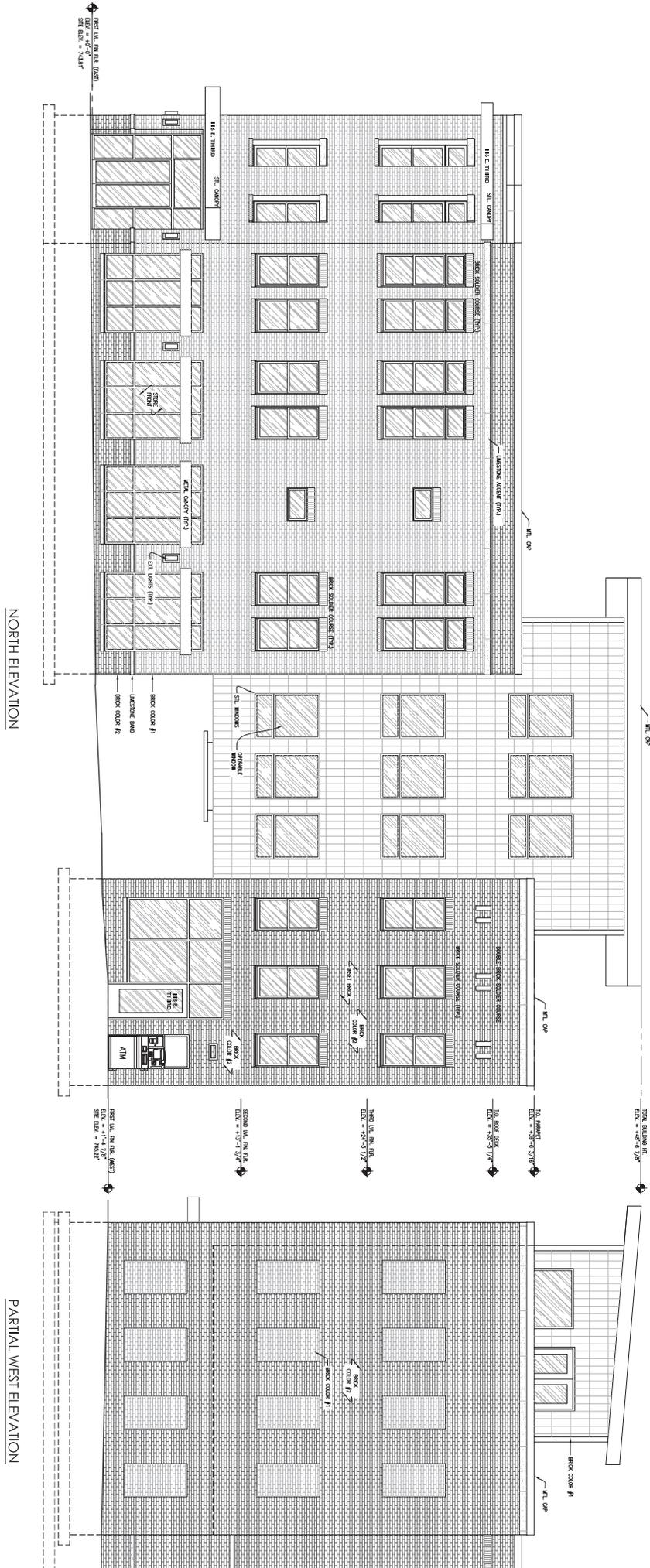
# PROPOSED



FOURTH FLOOR PLAN	
PROJECT LOCATION	116 EAST THIRD STREET
PROJECT NAME	218 3 <sup>RD</sup> FLOOR
DATE	05.15.14
SCALE	1/8" = 1'-0"
DESIGNER	SONG KIM ARCHITECTURE & DESIGN
DATE	05.15.14



PROPOSED



PARTIAL WEST ELEVATION

NORTH ELEVATION

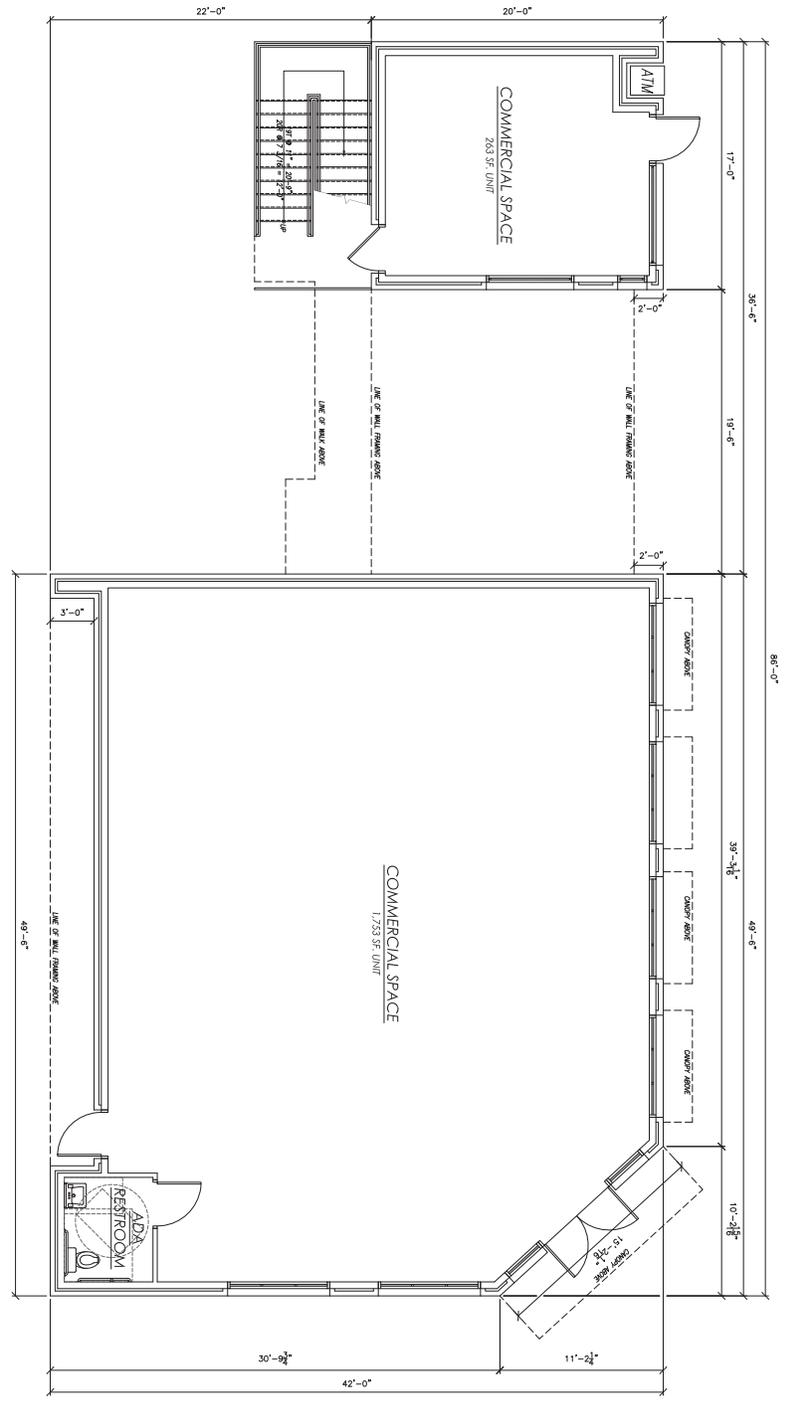
ELEVATIONS	
PROJECT NAME	PROSPECT COLLEGE
PROJECT ADDRESS	116 EAST THIRD STREET
ARCHITECT	LABOR SERVICE ARCHITECTURE & DESIGN
DATE	05.13.14
SCALE	1/4" = 1'-0"







PREVIOUSLY APPROVED



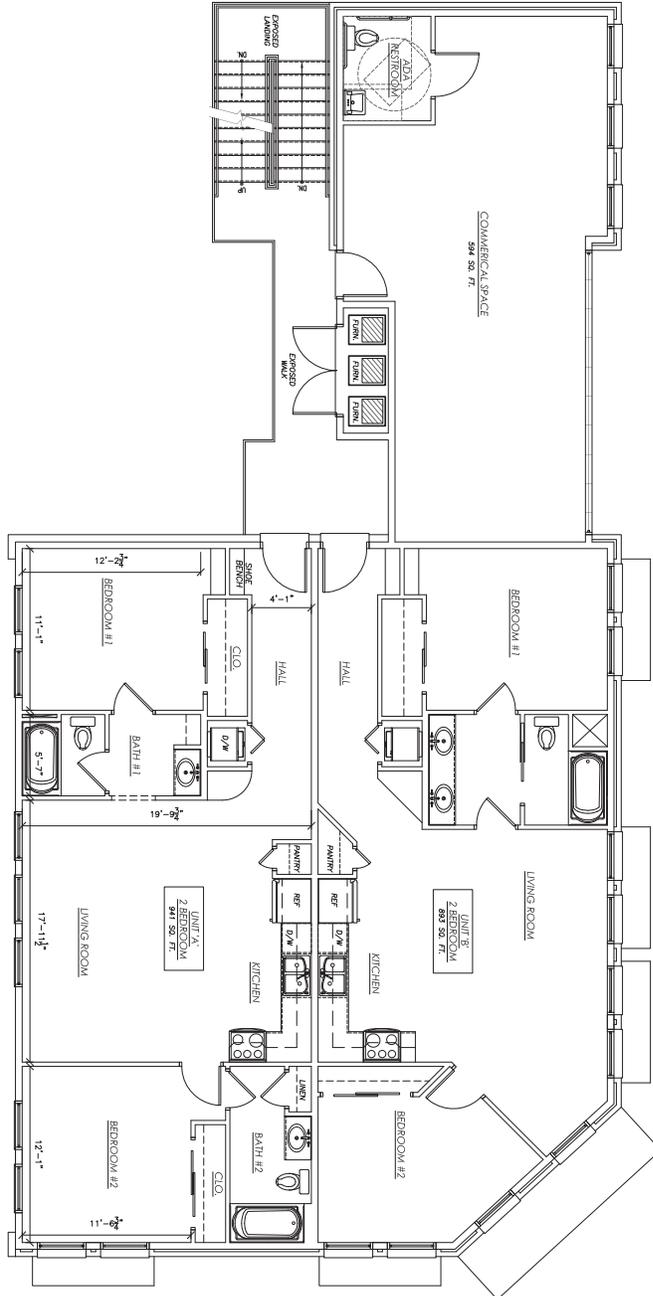
- BUILDING INFO:
- 7,968 TOTAL SQ. FT.
- 4 STORY BUILDING
- 2 UNITS
- 2 ~ 2 BEDROOMS + 1 ~ 4 BEDROOMS
- 2 ~ 2 BEDROOMS
- FIRST FLOOR:
  - 2 ~ COMMERCIAL SPACES
- SECOND FLOOR:
  - 2,880 COMMERCIAL SPACE
  - 2 ~ 2 BEDROOMS
- THIRD FLOOR:
  - 1 ~ COMMERCIAL SPACE
  - 1 ~ 4 BEDROOM
- FOURTH FLOOR:
  - 1 ~ COMMERCIAL SPACE
- ROOFTOP GARDEN

FIRST FLOOR PLAN

CONCEPT	DATE: 01/08/14
SONG KIM - ARCHITECT	1/2" = 1'-0"
0310314003 HARBOR BRIDGE ARCHITECTURE & DESIGN	TITLE: SP-13-14
	TOTAL: 7,968 SQ. FT.



# PREVIOUSLY APPROVED



**SECOND FLOOR PLAN**

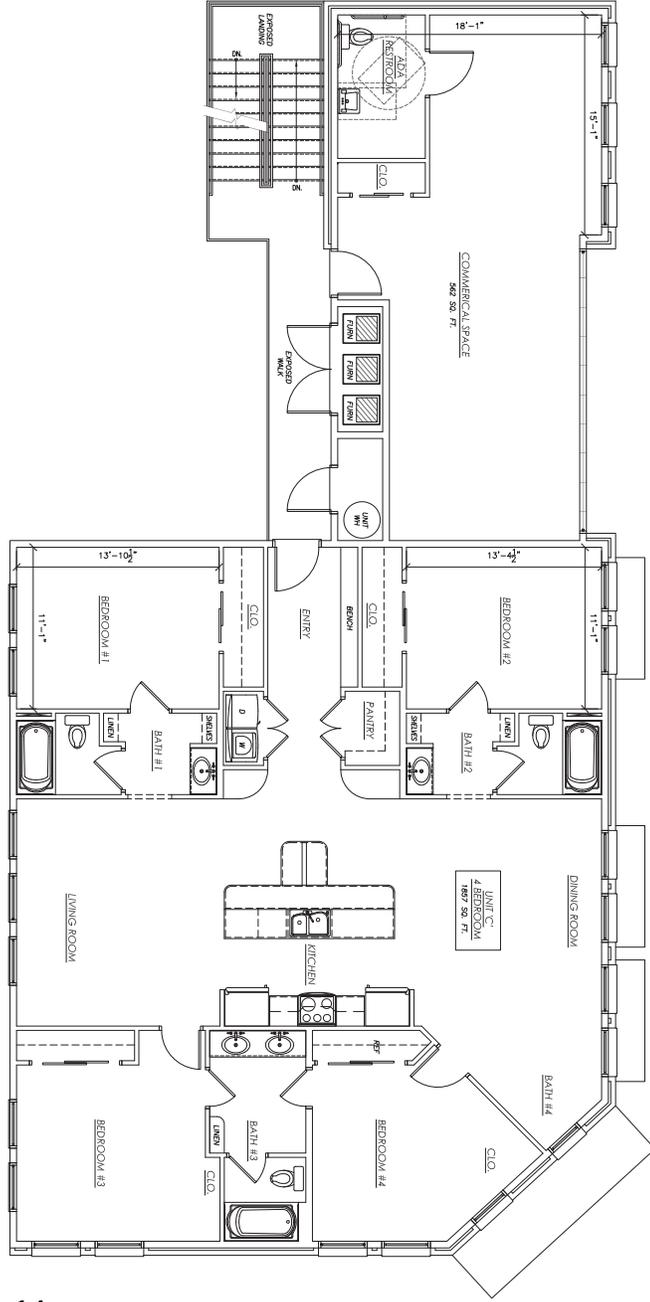
SONG KIM - HOOPER WARD  
 ARCHITECTS  
 3030 TARBOR BRIDGE ARCHITECTURE & DESIGN  
 01/08/14

THIS LEVEL: 2,683 SQ.FT.  
 TOTAL: 7,968 SQ.FT.

1/2" = 1'-0"



# PREVIOUSLY APPROVED



**THIRD FLOOR PLAN**

SONG KIM - HOOPER/MADE  
 CONFIDENTIAL

THIS LEVEL: 2,788 SQ. FT.  
 TOTAL: 7,968 SQ. FT.

1/2" = 1'-0"

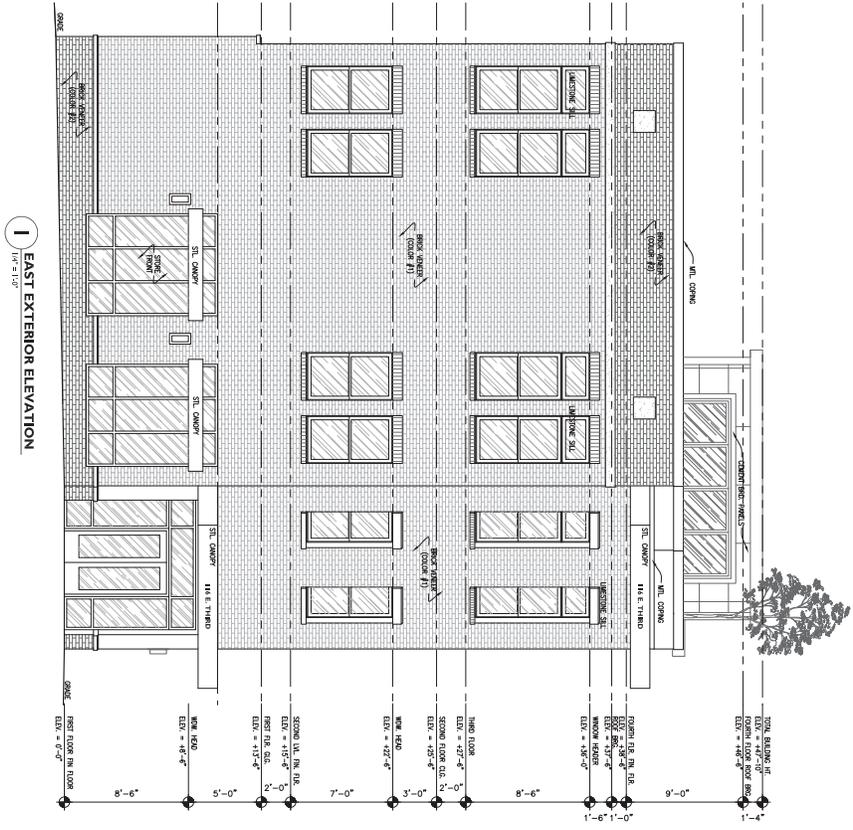
© 2013 HARBOUR BRIDGE ARCHITECTURE & DESIGN  
 01/08/14





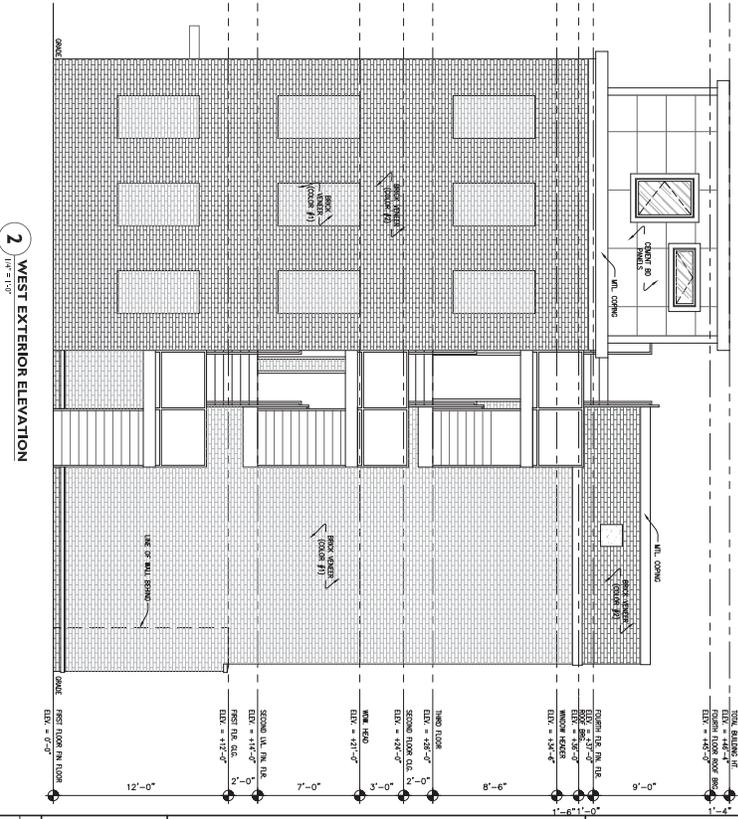


THIS PLAN AND SPECIFICATIONS ARE SUBJECT TO CITY/STATE REGULATIONS, MUNICIPAL ORDINANCES, AND LOCAL ORDINANCES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES.



**1** EAST EXTERIOR ELEVATION  
1/4" = 1'-0"

PREVIOUSLY APPROVED



**2** WEST EXTERIOR ELEVATION  
1/4" = 1'-0"

SP-13-14

**AE202**

PROJECT NO.	3000
DATE	03/10/14
DRAWN BY	NO. 02/2014
CHECKED BY	D. BRUCE
SHEET NAME	EXTERIOR ELEVATIONS

A NEW BUILDING FOR:  
**SONG KIM**  
 116 EAST THIRD STREET  
 BLOOMINGTON, INDIANA 47401-3504

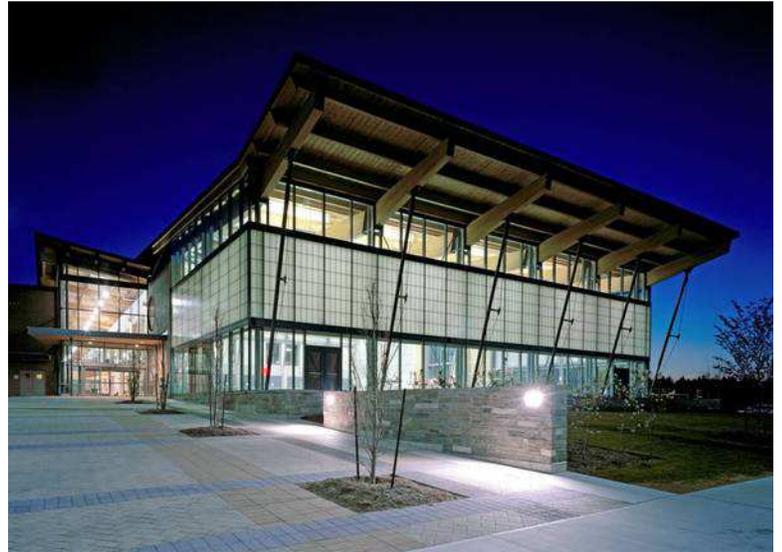
REVISIONS

**TABOR BRUCE**  
 ARCHITECTURE & DESIGN INC.  
 1101 S. WALNUT STREET - BLOOMINGTON, IN 47401  
 TELEPHONE: (812) 332-0285 FACSIMILE: (812) 332-8658





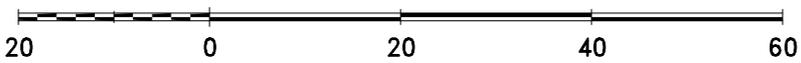




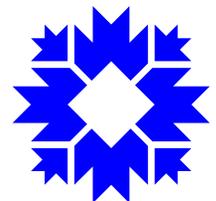


SP-13-14  
 116 E. 3rd St.  
 Hyun Kim  
 2010 Aerial Photograph

By: bannonk  
 17 Jan 14



City of Bloomington  
 Planning



Scale: 1" = 20'

For reference only; map information NOT warranted.