

**CITY OF BLOOMINGTON**



**PLAN COMMISSION**

**September 14, 2015 @ 5:30 p.m.  
COUNCIL CHAMBERS #115  
CITY HALL**

# AGENDA

CITY OF BLOOMINGTON  
PLAN COMMISSION  
September 14, 2015 @ 5:30 p.m.

∨ Council Chambers – Room #115

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## ROLL CALL

**MINUTES TO BE APPROVED:** None at this time

## REPORTS, RESOLUTIONS AND COMMUNICATIONS:

### CONSENT AGENDA:

SP-22-15      **Elmore-Orrego, LLC**  
304 W. Kirkwood Ave.  
Request: Site plan approval to allow construction of a mixed-use building.  
Case Manager: James Roach

UV-21-15      **Don Francis**  
1503 W. Arlington Rd.  
Request: Use variance to allow a ground floor dwelling unit on a property zoned Commercial Limited (CL).  
Case Manager: Eric Greulich

### PETITIONS:

SP-18-15      **H.M. Mac**  
2780 S. Walnut Street Pike  
Request: Site plan approval of a multifamily development.  
Case Manager: James Roach

ZO-20-15      **City of Bloomington**  
Request: Re-enactment of 2007 updates to City zoning map.  
Case Manager: Tom Micuda

UV-23-15      **Sherman L. Guth**  
2301 E. Moores Pike  
Request: Use variance review to allow a two-unit building in a Residential Single-family (RS) zoning district.  
Case Manager: James Roach

**BLOOMINGTON PLAN COMMISSION  
STAFF REPORT  
Location: 2780 S. Walnut Street Pike**

**CASE #: SP-18-15  
DATE: September 14, 2015**

**PETITIONER:** H.M.Mac  
112 W. 3<sup>rd</sup> Street, Bloomington

**CONSULTANTS:** Smith Brehob & Associates, Inc.  
453 S. Clarizz Blvd, Bloomington  
  
Studio 3 Design  
8604 Allisonville Road, Indianapolis

**REQUEST:** The petitioners are requesting site plan approval of a 143 unit multifamily development.

**BACKGROUND:**

<b>Area:</b>	9.96 acres
<b>Current Zoning:</b>	RM
<b>GPP Designation:</b>	Urban Residential
<b>Existing Land Use:</b>	Vacant/Wooded
<b>Proposed Land Use:</b>	Multifamily dwelling units
<b>Surrounding Uses:</b>	North – Commercial West – Office East – Mini-warehouses South – Single Family (Sunny Slopes Neighborhood)

**BACKGROUND:** This case was last reviewed by the Plan Commission in August. Concern was raised by the public and the commission about several aspects of the project including traffic, privacy, visual impacts of the development, lighting, impacts of construction on the trees to be preserved and drainage, to name a few.

Since the August meeting, the petitioners have submitted several new and revised documents including:

- A lighting study
- A plan showing all trees over 10” in caliper within the preserved buffer
- A traffic study
- New renderings of the building from Walnut Street Pike and the neighborhood
- Cross sections showing the relative height of the building and grade in comparison to adjacent properties.

The primary change to the petition is that Building B has been moved further from the common property line with the Sunny Slopes Neighborhood. This also increased the width of the preserved tree buffer. The setback increases vary along the building. At the southern end the setback increases from 30 feet to 40 feet and the tree buffer increased from 18 feet to 26 feet. At the northern end of the building the setback increases from 48 feet to 53 feet and the tree buffer increases from 30 feet to 36 feet.

The minimum code requirement is a 10 foot vegetated buffer as part of a 25 foot total building setback. This petition greatly exceeds minimum code requirements.

Another change is an increase in the number of apartments from 143 to 148. The total number of bedrooms stayed the same at 220.

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**STAFF REPORT:** The property is located at 2780 S. Walnut Street Pike and is zoned Residential Multifamily (RM). Surrounding land uses include a restaurant and gas station to the north, offices to the west, the Sunny Slopes neighborhood to the south, and mini-warehouses to the east. The property is 100% covered with woods and includes several sinkholes, a creek to the north, and several areas of steep slopes.

The petitioners propose to develop this property with multifamily residential units. The proposal includes 148 apartments and 220 bedrooms with a mix of studios, 1, 2, and 3 bedroom units within three, three-story buildings. Two automobile access points are proposed along S. Walnut Street Pike, as well as 220 parking spaces. All environmentally sensitive land required to be preserved will be preserved.

**Neighbor Concerns:** Since the last meeting, the petitioner conducted a neighborhood meeting on August 26<sup>th</sup>. There were approximately a dozen neighbors in attendance. The revised plan was not yet available at that time. Concerns were similar to those heard at the Plan Commission meeting including neighborhood buffering, erosion control, traffic, light pollution, privacy, building height, loss of woods, construction noise, and drainage concerns. The packet contains all neighbor letters received prior to the first hearing as well as any letters received after that time.

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

**Traffic Study:** At the request of Staff and the Plan Commission, Smith Brehob & Associates, Inc. completed a traffic evaluation for the petition. The proposed development is estimated to generate 882 daily trips, 72 AM peak hour trips, and 93 PM peak hour trips based on the number of units and bedrooms. The traffic evaluation identified a trip distribution pattern that estimates 80% of the trips will be distributed to the north and 20% of the trips will be distributed to the south.

The evaluation found that Walnut Street Pike has adequate capacity to handle the traffic generated by Echo Park and that Winslow, Walnut, and Henderson can also handle the additional trips generated by the proposed development. No additional traffic signals or stop signs are recommended. The movement to cross Winslow or turn left onto Winslow from Walnut Street Pike are challenging movements. Southbound traffic can avoid crossing Winslow at Walnut Street Pike by using the traffic signal at Walnut. Northbound traffic can avoid crossing the Winslow/Walnut Street Pike intersection by going south to Henderson and taking Henderson north to the Winslow traffic signal.

Staff generally concurs with the findings of the Smith Brehob traffic evaluation. As of this report staff is still awaiting a review of the area's crash history. Staff will continue to monitor the operation and safety of the area and work to prioritize any necessary enhancements.

**Lighting:** A lighting plan has been submitted showing compliance with the UDO requirements for fixture type (Full cut-off, fully shielded) and light trespass. The maximum light trespass into a residential district is 10 Lux (0.9 foot-candles). The highest light trespass shown on the plans is 3.2 Lux (0.3 foot-candles). Most of the trespass is anticipated to be 0 to 1.1 Lux (0.1 foot-candles).

**Architecture/Design:** No changes to building architecture have been made since the first meeting. There are few specific UDO architectural standards for multifamily dwellings which are not located along a primary arterial roadway. The UDO specifies permitted siding and roofing materials and has regulations related to anti-monotony standards for developments with more than three buildings. This petition will meet all of the UDO architectural requirements including the maximum permitted height of 40 feet. The buildings are clad in a mix of brick, and cementitious lap siding and panels. The buildings include a mix of sloped and flat roofs. While not required, Building A (the building that fronts on Walnut Street Pike) includes a primary pedestrian entry along S. Walnut Street Pike. Building C (the northern most building) includes structured parking on the first and second floor with apartments on the third floor. The petitioners have submitted additional model views of the building including a view from the neighborhood and a revised model image from Walnut Street Pike.

**Density:** The 9.96 acre property can be developed with 7 Dwelling Unit Equivalents (DUEs) per acre, or 69.72 total DUEs. The 148 unit, 220 bedroom proposal equates to 65.66 DUEs. This is a decrease of 0.8 DUEs since the August meeting.

**Access:** No changes in vehicular or pedestrian access have been made since the August meeting. This property will be accessed through two new driveways cuts onto S. Walnut Street Pike. Because of the slope of Walnut Street Pike and the speed of traffic, staff requested a stopping sight distance analysis be conducted by the developer. Staff concludes the access points will meet requirements for a 30 MPH posted speed limit.

One early staff review issue was whether the Ridgeview Drive “stub street” that ends at the southern edge of the property should be extended through the site. Ultimately, after consultation with the Fire and Police Departments, staff determined that even with the extension of this road, two drives onto S. Walnut Street Pike would be necessary in order to provide adequate emergency service protection to the site. Because of this and the anticipated traffic increases in the Sunny Slopes neighborhood that an extended road would cause, staff recommends to not require the extension of this street.

**Environmental Preservation:** No changes to the proposed environmental protection plan have been made since the August meeting that would bring the petition out of compliance with the UDO. There is additional tree canopy proposed in the buffer between Building B and the neighborhood and less in other areas of the site.

The site is currently 100% wooded and also contains areas of steep slopes, riparian buffer area and sinkholes. The UDO requires that all slopes over 18%, 50% of the slopes between 12%-18%, all karst features and a 25' buffer, all riparian areas, and 50% of the trees be preserved. The proposed site plan meets all of these requirements. Preserved land includes two large blocks of trees; one along S. Walnut Street Pike and one on the western edge of the property. Preserved areas also include trees along the

southwest and southern property lines. All preserved areas would be protected with conservation easements. 4.63 acres, or 50% of the property, will be preserved.

Since the first meeting, the petitioners have located all trees of 10" or greater in caliper in the preserved tree buffer adjacent to the neighborhood. Staff believe that is overly optimistic to assume that all of these trees will survive construction. Several trees are shown with grading within 10 feet or less of the trunk. While construction may kill these trees, staff is confident that the petition will still meet the code requirement for canopy protection because of other smaller trees within the buffer.

**Impervious Surface Coverage:** No changes in impervious surface coverage have been made since the August meeting. The site plan meets the maximum impervious surface coverage requirement of 40%, through a combination of preserved land and pervious pavers. Proposed impervious surface coverage is 33%.

**Landscaping/bufferyard:** The petitioners have submitted a landscape plan that satisfies nearly all UDO landscaping requirements including general site landscaping, parking lot landscaping, street trees and bufferyard landscaping. The only code provision that it does not currently meet is the parking lot landscape island requirements. The UDO requires 10 320 square foot parking lot islands. Only 7 islands are shown that meet that standard. Three additional islands are required, or smaller islands must be enlarged.

With this petition the street trees must be placed behind the sidewalk along S. Walnut Street Pike due to sight distance conflicts and the existence of overhead electric lines within the tree plot.

In addition to the setbacks, the UDO requires a minimum 10-foot bufferyard adjacent to the single family zoned homes to the south and southwest. The UDO requires that this bufferyard must be planted with one large deciduous tree every 30 feet. Instead of planting new trees, the petitioner intends to preserve existing trees in the bufferyard and the setback. The building setback is 15 feet and the parking setback is 7 feet in addition to the 10 foot bufferyard; which results in minimum setbacks of 25 feet and 17 feet from the neighborhood. At its closest, the building is 40 feet from the neighborhood. The preserved tree buffer varies in with from 10 feet to 40+ feet next to parts of the parking. The wooded buffer between Building B and the neighborhood varies from 26 feet to 36 feet.

**Parking:** No changes to parking have been made since the August meeting. The UDO does not require any parking for a multi-family development of this type. Instead it specifies a maximum parking regulation of one parking space per bedroom. The 220 proposed bedrooms can have a maximum of 220 parking spaces. The maximum of 220 parking spaces is proposed.

**Pedestrian Facilities/Alternative Transportation:** No changes have been made since the August meeting except for meandering the Walnut Street Pike sidewalk closer to the street at the far north end of the site to better facilitate its extension to the north in the future. A 5-foot wide sidewalk separated from the street by a 13-foot wide "tree plot" is required along S. Walnut Street Pike, both of which are shown on the site plan. The

proposed 220 bedrooms require 37 bicycle parking spaces (10 Class 1 spaces, 19 covered Class 2 spaces, and 8 Class 2 covered or uncovered). The site plan exceeds these requirements through a combination of an interior bicycle room, covered spaces, spaces with a garage and open air spaces totaling 46 spaces. The property is not located along an existing or planned bus route. No accommodations for Bloomington Transit are required or proposed.

**Utilities:** No utilities changes have been made since the August meeting. Water and sewer service is shown on the site plan connecting to existing mains northwest of the property behind a building along S. Walnut Street. There are currently no water or sewer mains in S. Walnut Street Pike. Utility plans have been submitted and are under review by City Utilities. Stormwater detention will be handled through an underground detention system, a rain garden at the north end of the development and through considerable amounts of pervious pavement parking spaces. Staff has been in contact with some neighbors concerned about the drainage impacts of the development. The petitioners have submitted a drainage basin analysis, included with this packet, demonstrating a decrease in the amount of land that will drain south toward the adjacent neighborhood. Final acceptance and approval from City Utilities is needed before the issuance of a grading permit.

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**ENVIRONMENTAL COMMISSION RECOMMENDATIONS:** The Bloomington Environmental Commission (EC) has made the following 3 recommendations concerning this development.

- 1.) The Tree Preservation areas should be changed to Conservancy Easements.

**Staff Response:** This is included as Condition of Approval #2.

- 2.) The Petitioner should apply green building and site design practices to create a high performance, low-carbon-footprint structure that exhibit our city's commitment to environmental sustainability.

**Staff Response:** While highly desirable, this is not a requirement of the Unified Development Ordinance.

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

**Staff Response:** While highly desirable, this is not a requirement of the Unified Development Ordinance.

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**CONCLUSION:** This petition involves development on environmentally sensitive land with a more dense residential land use adjacent to a less dense residential land use and review should not be taken lightly. Staff finds that the petition as presented meets all aspects of the UDO and recommends that the Plan Commission approve the site plan. While concerns about sight lines, privacy and traffic may be warranted, these are not items that the Plan Commission may consider when reviewing a site plan. Staff will continue to monitor traffic changes near the development and will take appropriate actions to improve and change the intersections when warranted.

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**RECOMMENDATION:** Staff recommends approval of SP-18-15 with the following conditions:

1. Prior to release of a grading permit three additional complying parking lot landscaping islands must be added to the plan.
2. Prior to occupancy, a conservation easement shall be recorded for all required preservation areas.
3. After the bulk of trees have been removed and grading has begun on the property, the petitioner shall work with staff to field inspect the preserved wooded buffer. If areas are found that are sparse with trees, the petitioner shall develop a planting plan to fill in any gaps with additional deciduous and evergreen trees. These trees shall be planted prior to final occupancy.

# MEMORANDUM

**Date:** August 31, 2015

**To:** Bloomington Plan Commission

**From:** Bloomington Environmental Commission

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

**Subject:** SP-18-15, Echo Park Apartments, H.M. Mac, second hearing  
2780 S. Walnut Street Pike

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This memorandum contains the Environmental Commission's (EC) input and recommendations regarding a request for a 143-unit, 220-bedroom apartment complex in three buildings. The site covers 9.96 acres, is zoned RM (Residential Multifamily) and is 100% wooded. The site has constraints including sinkholes, tree needing preservation, steep slopes, and riparian buffer. The developer intends to follow Bloomington's regulations for all environmental protections.

Because of the ecological services that this ten acres currently provides, the EC believes that the proposed site represents an opportunity to assert that special sense of environmental character that Bloomington is known for, by demonstrating through example that we are, indeed, a Tree City USA, a National Wildlife Federation Wildlife Habitat Community, a winner of America in Bloom's national competition, and that we are committed to reducing the carbon footprint of our community while meeting the needs of our people.

## **ISSUES OF SOUND ENVIRONMENTAL DESIGN**

### **1.) CONSERVANCY EASEMENT**

The EC recommends that the Tree Preservation areas be changed and recorded as Conservancy Easements. By designating them as Conservancy Easements, the entire ecosystem of the areas will be protected and not simply the trees.

### **2.) GREEN BUILDING & SITE DESIGN**

The Petitioner's Statement shows that the developer has committed to very little beyond what is required in regard to green building. Because the EC recommends that green building practices be employed, we offer some specific recommendations that include the following three actions.

- a. Use locally-sourced, real limestone or sandstone instead of cast concrete and concrete blocks (CMUs) as described in the Petitioner's Statement for accents on the facade of the building. Concrete building materials carry a very large environmental footprint, and are not produced here in our backyard like limestone is.

- b. Use roofing material that is not simply white, but also contains reflective material. A white membrane roof should have a minimum initial Solar Reflective Index of 0.65, and an aged index of 0.55. It should be overlaid with a reflective coating or covered with a white, granulated cap sheet.
- c. Install solar photovoltaic cells to reduce the use of greenhouse-gas emitting pollutants.

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

### 3.) RECYCLING

The EC recommends that space be allocated for recyclable-materials collection, which will reduce the facilities' carbon footprint and promote healthy indoor and outdoor environments. 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 is expected in a 21<sup>st</sup>-century structure.

### EC RECOMMENDATIONS

- 1.) The Tree Preservation areas should be changed to Conservancy Easements.
- 2.) The Petitioner should apply green building and site design practices to create a high performance, low-carbon footprint structure that exhibit our city's commitment to environmental sustainability.
- 3.) The Petitioner should provide space for recyclable materials to be stored for collection, and a recycling contractor to pick them up.



Attn: James Roach

**RE: Walnut Pike apartments – Echo Park  
August 30, 2015**

## **PETITIONERS STATEMENT**

Dear Mr. Roach;

Studio 3 Design is pleased to submit the attached developments for the Walnut Pike Development – Echo Park for Planning department and Plan Commission Review. The following document outlines the project scope for the project site. We believe we have addressed all code requirements and will not be requesting any variances to standards as part of this submittal. Please take time to review and contact us with any additional questions.

### **Project Location:**

The project is located on 9.96 acres of land accessed off of Walnut Pike in Bloomington, Indiana. Site is currently contains 100% tree canopy coverage and contains zones of 12-18% slopes as well as sink hole protected zones. The project has worked to maintain all required clearances, retained slope standards and tree preservation requirements.

### **Proposed Land Use:**

The proposed project is being developed as market rate apartments targeting young professionals that are locating in Bloomington and are looking for an environment that provides both natural and built amenities for its' residents.

The Site will contain (3) three buildings along with a clubhouse/ amenity center for the development and both covered garage and surface parking. (2) Entrances off of Walnut Pike have been provided for residence and emergency personnel access to the structures. The buildings are broken down into 3 structures to maximize the preservation of trees and take advantage of the relatively limited flat zone for buildings "A" and "B" as well as take advantage of the natural slopes for the development of a two level garage for building "C".

**Building "A"** – located along Walnut Pike is a (3) three level building with an entrance drive from Walnut Pike entering under the building (min. clearance 14'). The drive entrance is associated with a main building entrance facing Walnut Pike. Building "A" contains 67 apartment units and 95 beds.

**Building "B"** – located in the middle of the site is a (3) level building that contains the clubhouse and amenity center and outdoor pool. All amenity spaces and building entrances face inward toward parking locations to respect for the adjacent neighborhoods and maintain activity and noise toward the interior of the development. The building contains 65 apartment units and 111 beds.



**Slope Area**

There are several areas of steep slopes on the property. Slope area ranging from 12% to 18% totals 3.20 acres of the site. The UDO permits up disturbance of up to 50% of the 12% to 18% slope area. This equates to 1.60 acres of slope encroachment permitted. The site plan meets this requirement and only encroaches into 0.20 acres of slope area or 6.25% of total disturbance. There is one area of slope in excess of 18% that is a manmade slope created by the construction of Walnut Pike. The southern drive access to the property will encroach into this area. Manmade slopes such as this have not been counted towards slope preservation, but their impact should be minimized where possible. There are also areas of slope in excess of 18% near the stream that borders the northern property line. No disturbance is proposed for this area.

**Karst Preservation**

There are 6 karst features on the site. The UDO requires a 25' karst conservancy area plus a 10' no disturbance buffer around each karst feature. The site plan meets this requirement.

**Impervious Surface Area**

The UDO limits the amount of impervious surface coverage on a site to 40%. That equates to 3.70 acres of the total site area. The site plan proposes a maximum impervious surface coverage of 3.27 acres or 35.3% of the site area. This figure excludes the permeable pavers proposed within the parking lot. Counting permeable paver area, that number decreases to 33%.

**Parking Lot Conditions with respect to Storm Water**

The total number of parking spaces provided matches the bed count at 220 spaces.

This is 1 space per bed which is the maximum allowed. A portion of these spaces are accommodated in building 3 on two parking deck levels.

The UDO requires that any parking lot area totaling more than 16 spaces include green development features for storm water quality management. The Site plan includes permeable pavers, a mechanical BMP on the outlet of the underground detention system and a rain garden to collect roof water runoff at some locations and at the final discharge point of the storm sewer system.

**Drainage and Detention**

Storm water detention will be accomplished by an underground detention system beneath the parking lot areas consisting of oversized pipes with a reduced outlet. This system has been employed on numerous developments previously.

**Sanitary Sewer**

Sanitary sewer service will be provided by a connection to the existing City sewer main that has been stubbed to the property at it's northwest corner. No connection to the adjacent neighborhood system will be made.

**Water Service**

Water service will be provided by a connection to the existing City main stubbed to the property at it's northwest corner. The water system will be looped through the project site and will include fire hydrants for fire suppression as well as sprinkler systems in the building.

**Trash removal**

A centralized dumpster zone, screened by a fence and landscaping is provided for trash pick-up. Additional zones could be provided if deemed necessary across from Building "C and or behind building "B".

**Site amenities:**

An outdoor fire pit across from the pool, an outdoor pool and grill area, and connectivity from the development to Walnut Pike for pedestrians.

### **Streetscape**

Along Walnut Pike, a sidewalk will be added running the length of the property with connections up and into the apartment development. Street trees will be incorporated along the path. At the primary entrance drive, landscape walls and both a vehicular and a pedestrian path will provide access from Walnut Pike and provide opportunities for additional landscaping. Within the site, parking lot islands and natural rain garden zones as noted above.

### **Site Accessibility**

The site is accessible by vehicle at the north and south ends of the property from Walnut Pike. Once inside the site, accessible parking is provide with accessible routes to the various buildings and amenities. Pedestrians can access the site by foot / bike from a new sidewalk along Walnut Pike that connects to the interior of the project site. An accessible route is provided from the interior parking zones to the Building 1 lobby along with a sidewalk and stairs coming up from Walnut Pike to the same building lobby on the opposite side. Within each building, all levels are accessible via elevators and corridors.

### **Project organization, scale and architecture:**

The Site will contain 3 building structures all of which will be 3 levels with a maximum height not to exceed 40'. The detailing of each of the buildings will be similar which is allowed for under the guidelines based on the project containing 3 or less separate structures. A natural buffer of mature trees surrounds the site and provides privacy to the adjoining neighborhood. Large tree preservation zones remain untouched and are available for the residents and neighbors to walk through on the planned trails. Each of the three structures is associated with some key differences. Building "A" serves as the entrance to the site and will have a building entrance addressing the street (Walnut Pike) and the primary site entrance off of Walnut Pike. Building "B" will incorporate the facility amenities which will be immediately visible upon entering the site. Building "C" will provide covered parking for approximately 52 vehicles as well as a floor of apartments.

The primary materials will be a mix of brick and cement board lap and panel sections, ganged residential windows to create larger scale openings and maximize internal natural lighting, and a flat white TPO roof for energy efficiency. Sloped roofs, material and color changes work together to break down the massing into smaller components as well as provide variety to the architecture. The amenity zone in building 1 surrounds and opens onto the pool deck and provides an additional breakdown in scale to a 1 ½ story structure. The windows opening from the clubhouse/work out facilities are 9' storefront sections – floor to ceiling, with fabric awnings to further differentiate that this area is common area.

### **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.

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- Energy efficient “Energy Star” appliances.
- Energy efficient windows with low-E glazing
- White reflective roofing membrane for energy conservation and reduced heat island effect at flat roof areas.
- 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.
- Rain gardens
- Permeable pavers
- Tree preservation zones equaling a min. of 50% of the site.
- Natural trails
- Slope and karst preservation
- Bike racks at each building
- Bike/ pedestrian connection to the adjoining neighborhood at the current street stub-out at the south end of the property.

**Bike parking:**

Building “A”	6 open air locations
Building “A”	10 Indoor (bike room)
Building “B”	10 open air locations
Buidling “B”	12 covered outdoor locations
Building “C”	<u>8 covered in garage</u>

<b>Total</b>	<b>46 Bike spaces provided</b>
	<b>37 required</b>

**Variances:**

The project will meet all zoning requirements and will not require any variances to development standards.

Sincerely;

Tim Cover  
 Studio 3 Design



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., C.E.T.

MEMORANDUM

To: File #5146 Echo Park Apartments  
From: Steve Smith  
Subject: Traffic Study dated 8/31/15  
City Planning Questions about PM Peak Hour Observation  
Date: September 3, 2015

The City Planning Department inquired about whether there should be an observation of PM peak traffic as was done for the AM peak hour.

The AM peak hour was observed because it has the highest northbound traffic flow on Walnut Street Pike and Winslow Road. The movement to cross Winslow or turn left onto Winslow from northbound Walnut Street Pike is one of the most difficult movements in the area and one that will be increased by the proposed development. The southbound traffic on Walnut Street Pike approaching Winslow Road is an equally difficult movement but it is easily avoided by not taking the Walnut Street Pike cut through.

Several observations can be made about the PM peak hour traffic from the available data including the available routes and traffic volumes without a specific observation;

- Most vehicles are inbound in the PM peak hour
- Inbound vehicles do not experience the same challenge as outbound northbound vehicles
  - Vehicles southbound on Walnut Street can turn left at the signal at Winslow and then have an easy right turn onto Walnut Street Pike. The trips generated by this project will be predominately from the residents who will quickly learn to avoid Walnut Street Pike southbound in peak hours.
  - Vehicles southbound on Henderson can enter the Winslow intersection at the signal and continue south for an easy right turn onto Walnut Street Pike or turn left for a relatively easy left turn onto Walnut Street Pike.
  - Vehicles from the east and west on Winslow will have the easy right or moderately easy left turn onto Walnut Street Pike.
  - Vehicles approaching from the south on Henderson have an easy left onto Walnut Street Pike at the three way stop.

SP-18-15  
Traffic Study



- There are outbound northbound vehicles in the PM peak hour. These vehicles will experience some delay at Winslow Road. If the delays are perceived to be too great, those drivers that regularly make that movement will take Walnut Pike to Henderson where they can safely turn north at the three way stop. The alternative route provides opportunity for the traffic to avoid the delay.

These observations are made from the time that was spent at the site along with the data and knowledge of the area traffic patterns. The PM observation would not add to or change the traffic review.



**Echo Park Apartments  
Traffic Review  
August 31, 2015**

**Introduction**

This review of the traffic impacts from the proposed Echo Park apartment project has been completed at the request of the City Planning and Transportation Department. Echo Park is proposed to have 148 units with 220 bedrooms and 220 parking spaces. The project is located on the west side of Walnut Street Pike south of Winslow Road on the south side of Bloomington. The project site plan is shown superimposed on an aerial photograph as attachments to this report.

**Executive Summary**

This project has direct access to Walnut Street Pike with opportunities to travel north or south. Walnut Street Pike functions as a local street serving adjacent properties and also as a cut through between Walnut Street and Henderson Street. Walnut Street Pike has adequate capacity to handle the additional traffic generated by Echo Park. After exiting Walnut Street Pike the traffic generated by Echo Park is distributed to nearby thoroughfares of Winslow, Walnut and Henderson which can handle the volume.

Winslow Road functions as a busy arterial carrying over 12,000 vehicles per day. Winslow Road needs to flow as smoothly as possible and should not be stopped for Walnut Street Pike traffic. Walnut Street Pike Traffic should use signalized intersections at Henderson Street and Walnut Street for crossing and access.

**Existing Conditions**

Traffic data provided by the City of Bloomington Planning and Transportation Department attached to this report includes;

- Hourly traffic count for Walnut Street Pike
- Hourly traffic count for Winslow Road
- Speed study for Winslow Road
- Speed Study for Walnut Street Pike
- Classification count for Winslow Road
- Classification count for Walnut Street Pike

Winslow Road has an Average Daily Traffic (ADT) of 12,795 and Walnut Street Pike an ADT of 2,365. Winslow Road is classified as a primary arterial and Walnut Street Pike a Secondary Arterial in the City's Master Thoroughfare plan.



Winslow Road functions consistent with its classification carrying over 12,000 vehicles per day across the south side of the community. Walnut Street Pike functions as a local street primarily serving the properties that have frontage and also as a cut through that saves a little distance versus traveling on the nearby arterials. Walnut Street Pike has functioned in this lesser role since the four way stop with Winslow Road was removed making it difficult to cross Winslow Road. Most through traffic now crosses Winslow Road at the signalized intersections of Henderson Street and South Walnut Street.

A traffic count and observation of the intersection of Walnut Street Pike and Winslow was made on Friday morning August 28. The count and observation notes are attached. There were 13 northbound vehicles on Walnut Street Pike during the highest 15 minute period of the count suggesting a peak hour in the range of 52. Most of those vehicles were able to enter the intersection within a few seconds of arrival. The longest observed wait was 20 seconds. Entering and crossing vehicles had to move quickly to get into or across the traffic flow in the available gaps.

### **Trip Generation**

Trip generation rates are obtained from Trip Generation 7<sup>th</sup> Edition published by the Institute of Transportation Engineers (ITE). ITE code 220 Apartments is the best fit from the available data and is used here to project traffic trips. Data is available on a per unit and per person basis. Echo Park averages about 1.5 bedrooms per unit which is a little low for a typical apartment project. The trip generation rates on a per unit basis can therefore be expected to be a little higher than what this project will generate. Assuming one person per bedroom provides a number a little lower than this project is expected to generate. Both sets of data were utilized in the attached spreadsheet and then an average of the two used for the trip generation from this project. The spreadsheet shows the ADT, AM and PM peak hour figures. The ITE data also provides the percentage of vehicles entering and leaving the project during each period.

### **Trip Distribution**

The generated trips are distributed to the surrounding roadway by reviewing potential destinations and available opportunities for the drivers. Important factors for this project and location include;

- The project is on the south side of the community and most of the destinations are to the north and accessible using Walnut Street, Henderson Street and Walnut Street Pike.
- Winslow Road is an east west arterial that provides access to the west side and I-69 and to the east side of the community and Winslow Road lies to the north of the project.
- South Henderson Street south of the project provides access to SR 37 south, the Lake and a large part of the County.

Based on this information and other traffic studies in the area the trips will be distributed 80% to the north and 20% to the south. The north bound trips include trips to the east and west on Winslow



as well as more directly northbound trips. The attached exhibit "Trip Distribution" shows how the trips are distributed.

The difficult crossing of Winslow Road from Walnut Street Pike will cause some drivers to go south and take Henderson North using the traffic signal to access or cross Winslow Road. This will happen more often during the peak traffic periods when it is more difficult to cross Winslow Road.

### Discussion and Analysis

The attached aerial photos with site plan show the traffic figures. There is a photo for the AM peak hour, the PM peak hour and ADT. The photos show the existing traffic, the proposed traffic and the direction of travel.

**AM Peak Hour.** 80 % of the generated trips are leaving the project in the morning peak hour and 80% of those trips are headed north. Walnut Street Pike carries about 50 trips in each direction during the AM peak hour. This project adds 46 northbound trips of which about half are expected to take the Henderson Street route because of the slight delay that will be experienced at Winslow for northbound vehicles on Walnut Street Pike. Winslow carries about 880 trips in the AM peak hour. Traffic observation during the AM peak hour on August 28, 2015 showed minimal delay for that northbound traffic but increased traffic volumes will increase the delay.

**PM Peak Hour.** 65% of the generated trips are returning to the project in the PM peak hour and 80% of those are coming from the north. It is expected that very few of those return trips will use Walnut Street Pike north of Winslow because of the difficulty of the crossing. Winslow carries 1150 vehicles in the PM peak hour.

**ADT.** The arterial Winslow Road carries over 12,000 ADT and Walnut Street Pike functioning as a local street and a cut through carries 2365 ADT. This project adds 882 trips to Walnut Street Pike. 618 (353 + 265) trips are added to the north end of Walnut Street bringing the total to 2983. 264 (88+88+88) trips are added to the south end of Walnut street Pike bringing the total to 2629.

**Traffic Control at Winslow Road and Walnut Street Pike.** Winslow Road is an arterial carrying over 12,000 vehicles per day. In this area it is only two lanes. Traffic on Walnut Street Pike cannot easily enter or cross the Winslow traffic during peak periods of the day. But Walnut Street Pike traffic has other alternatives to access or cross Winslow Road that can and should be used. The heavy Winslow Road traffic should not be stopped for the local street and cut through.

The Echo Apartments site is within a couple of hundred feet of three BT bus routes and within ¼ mile of numerous shopping opportunities. These factors can be expected to reduce projected traffic by as much as 5% to 10 % from the figures in this report.

Project #5146 Echo ParkIntersection Traffic Count

Walnut Street Pike and Winslow Road

Steve Smith

8/28/2015

Tome	Direction								
	NBL	NBS	NBR	SBL	SBS	SBR	EBR	WBL	
7:37	4	9	0	2	1	1	14	1	
7:52	0	7	0	3	4	1	13	0	
8:07	2	9	0	5	0	1	13	0	

## Notes;

There were gaps on Winslow created by traffic signals. Traffic would be steady and then there were only short delays moving from Walnut Pike onto or across Winslow, generally a few seconds, the longest wait was about 20 seconds.

The maximum stack was two vehicles and that happened a few times in the NBS lane

Henderson was experiencing steady northbound traffic

Vehicles on Winslow were not counted; the task was to observe the activity on Walnut Street Pike. Winslow had pretty heavy flow.

Project #5146 Echo Park  
 Trip Generation

Units		
Type	Number	Bedrooms
Studio	13	13
1 Bedroom	66	66
2 Bedroom	66	132
3 Bedroom	3	9
total	148	220

Weekday Peak Hour of Adjacent Street

Units; 148

	ADT		AM Peak Hour		PM Peak Hour	
	Rate	Number	Rate	Number	Rate	Number
Trip Ends	formula	1040	formula	76	formula	99
In	50%	520	20%	15	65%	64
Out	50%	520	80%	61	35%	35

Bedrooms (persons) 220

	ADT		AM Peak Hour		PM Peak Hour	
	Rate	Number	Rate	Number	Rate	Number
Trip Ends	formula	725	formula	68	formula	88
In	50%	362	20%	14	65%	57
Out	50%	362	80%	55	35%	31

Average of the Units and Bedrooms (persons) numbers

	ADT		AM Peak Hour		PM Peak Hour	
		Number		Number		Number
Trip Ends		882		72		93
In		441		14		61
Out		441		58		33

## Apartment (220)

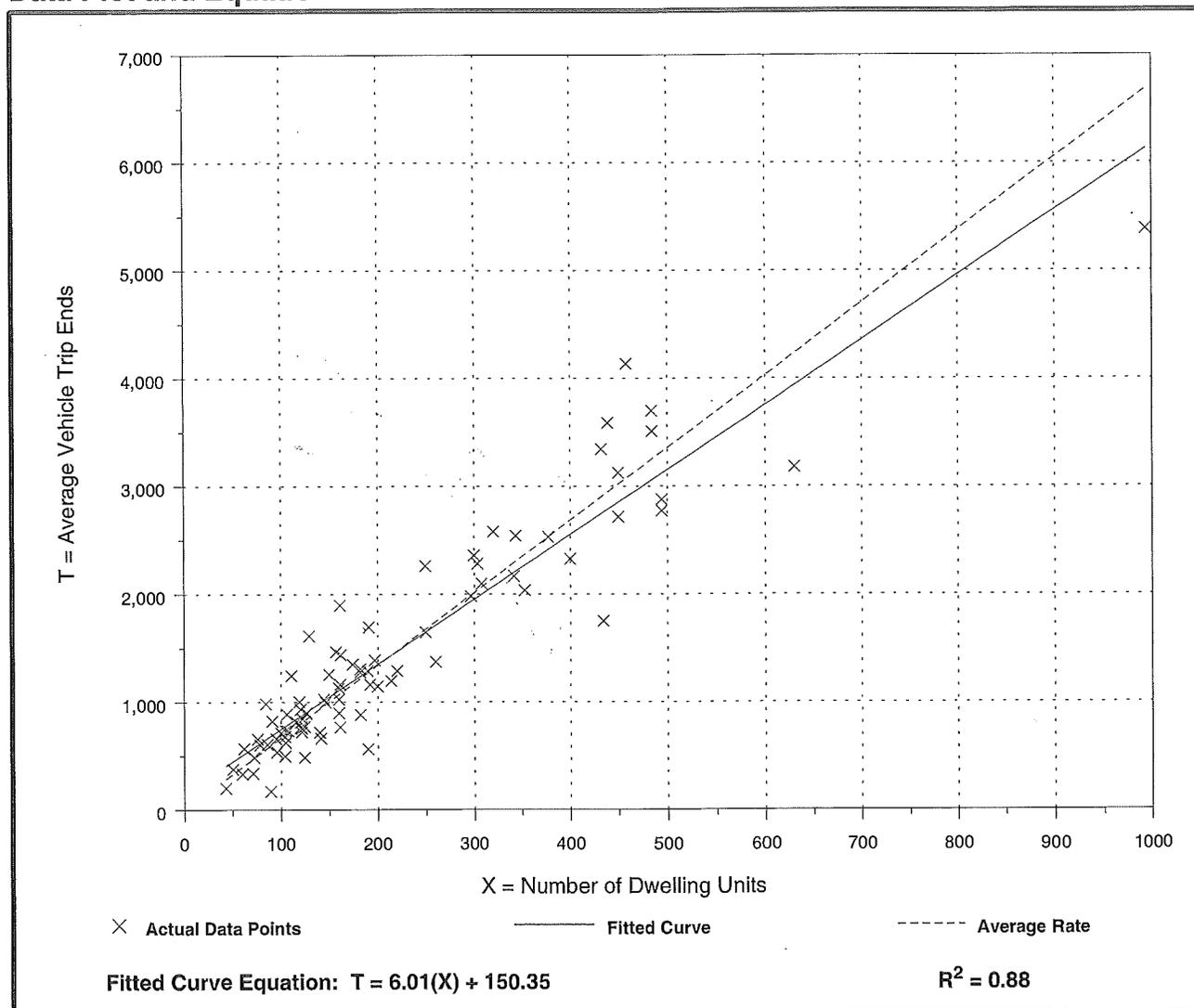
**Average Vehicle Trip Ends vs: Dwelling Units**  
On a: **Weekday**

Number of Studies: 86  
Avg. Number of Dwelling Units: 212  
Directional Distribution: 50% entering, 50% exiting

### Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
6.72	2.00 - 12.50	3.02

### Data Plot and Equation



# Apartment (220)

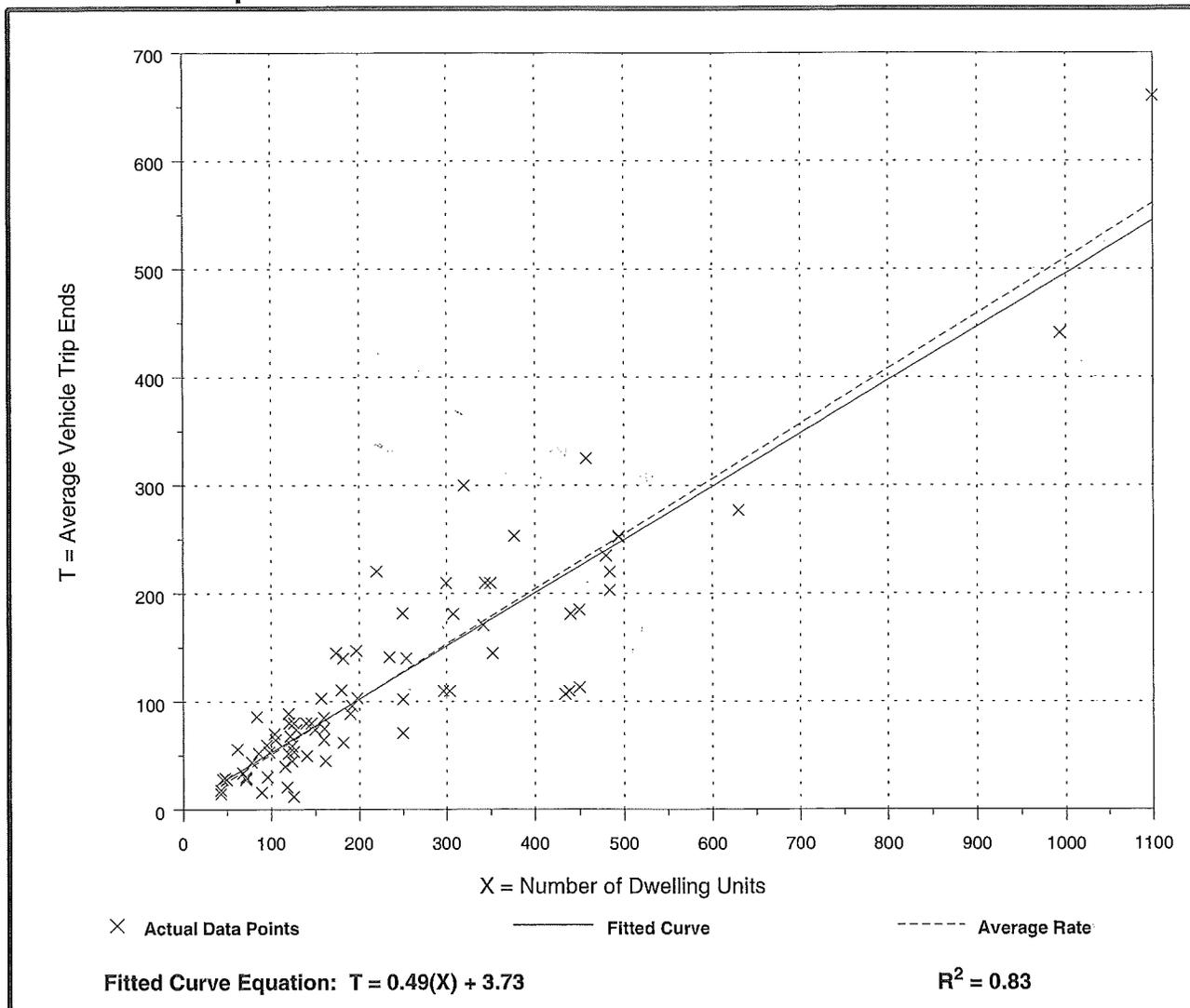
**Average Vehicle Trip Ends vs: Dwelling Units**  
**On a: Weekday,**  
**Peak Hour of Adjacent Street Traffic,**  
**One Hour Between 7 and 9 a.m.**

Number of Studies: 78  
 Avg. Number of Dwelling Units: 235  
 Directional Distribution: 20% entering, 80% exiting

### Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
0.51	0.10 - 1.02	0.73

### Data Plot and Equation



# Apartment (220)

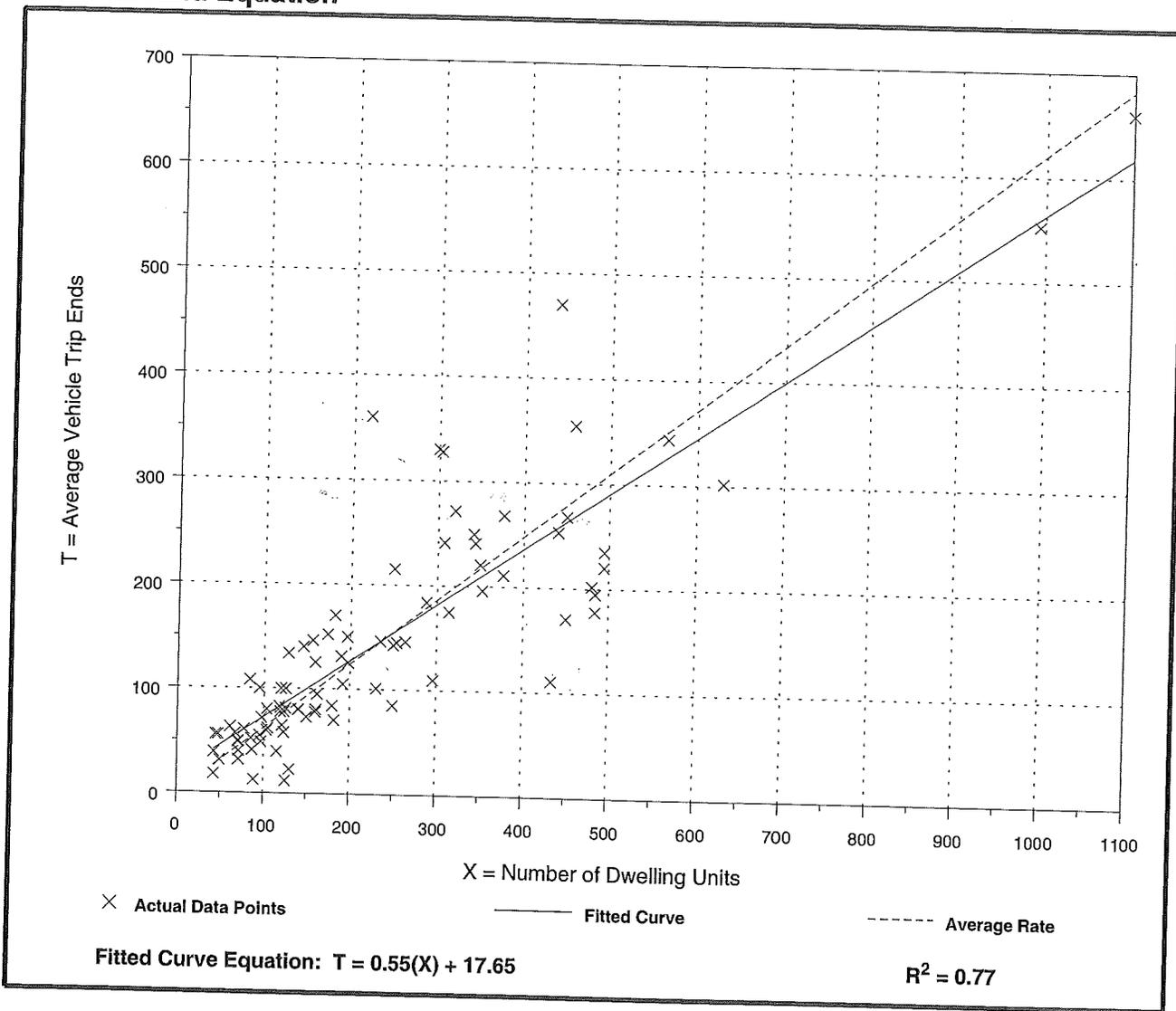
**Average Vehicle Trip Ends vs: Dwelling Units**  
**On a: Weekday,**  
**Peak Hour of Adjacent Street Traffic,**  
**One Hour Between 4 and 6 p.m.**

Number of Studies: 90  
 Avg. Number of Dwelling Units: 233  
 Directional Distribution: 65% entering, 35% exiting

### Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
0.62	0.10 - 1.64	0.82

### Data Plot and Equation



# Apartment (220)

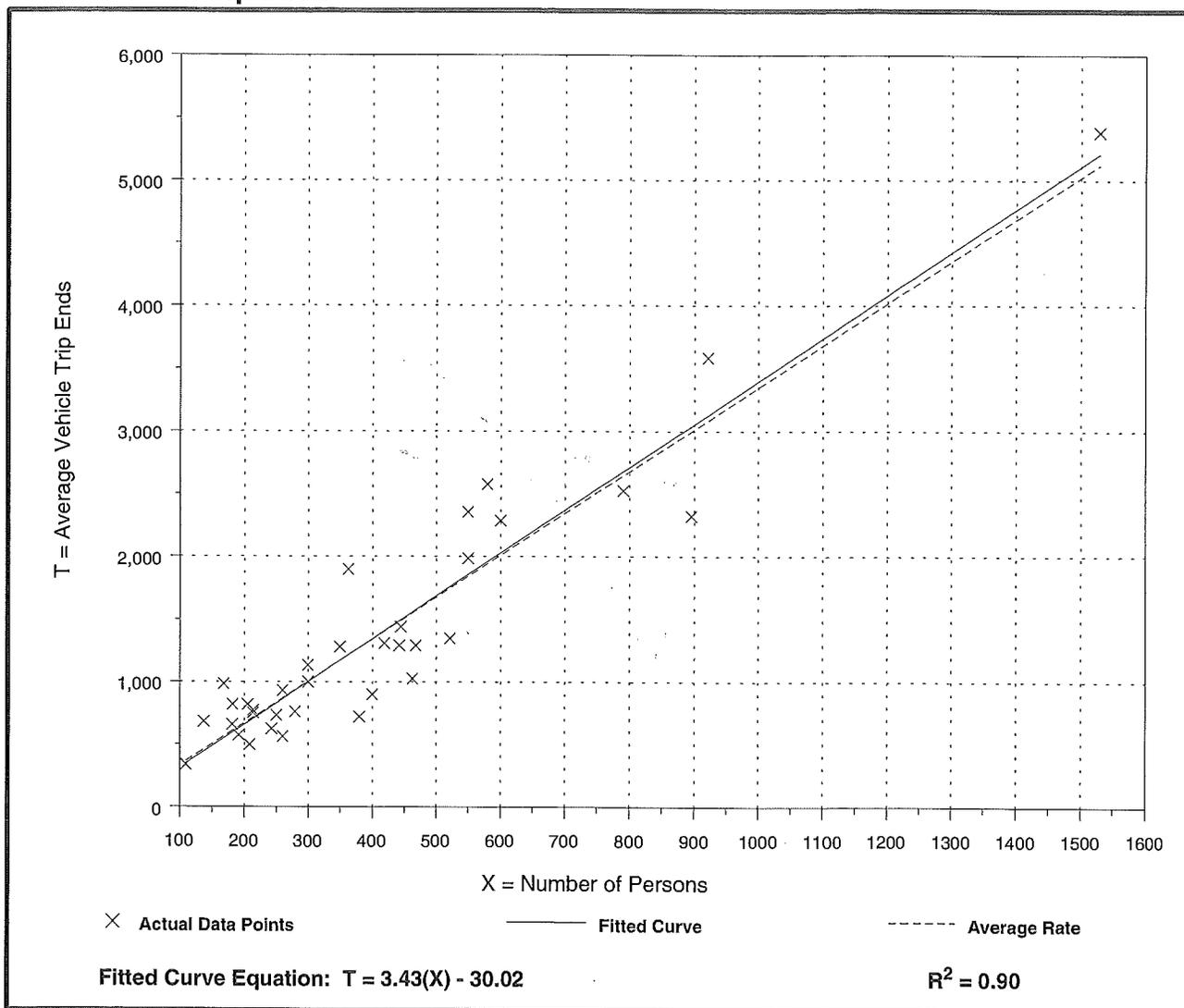
**Average Vehicle Trip Ends vs: Persons**  
**On a: Weekday**

Number of Studies: 35  
Average Number of Persons: 411  
Directional Distribution: 50% entering, 50% exiting

### Trip Generation per Person

Average Rate	Range of Rates	Standard Deviation
3.35	1.89 - 5.85	1.99

### Data Plot and Equation



# Apartment (220)

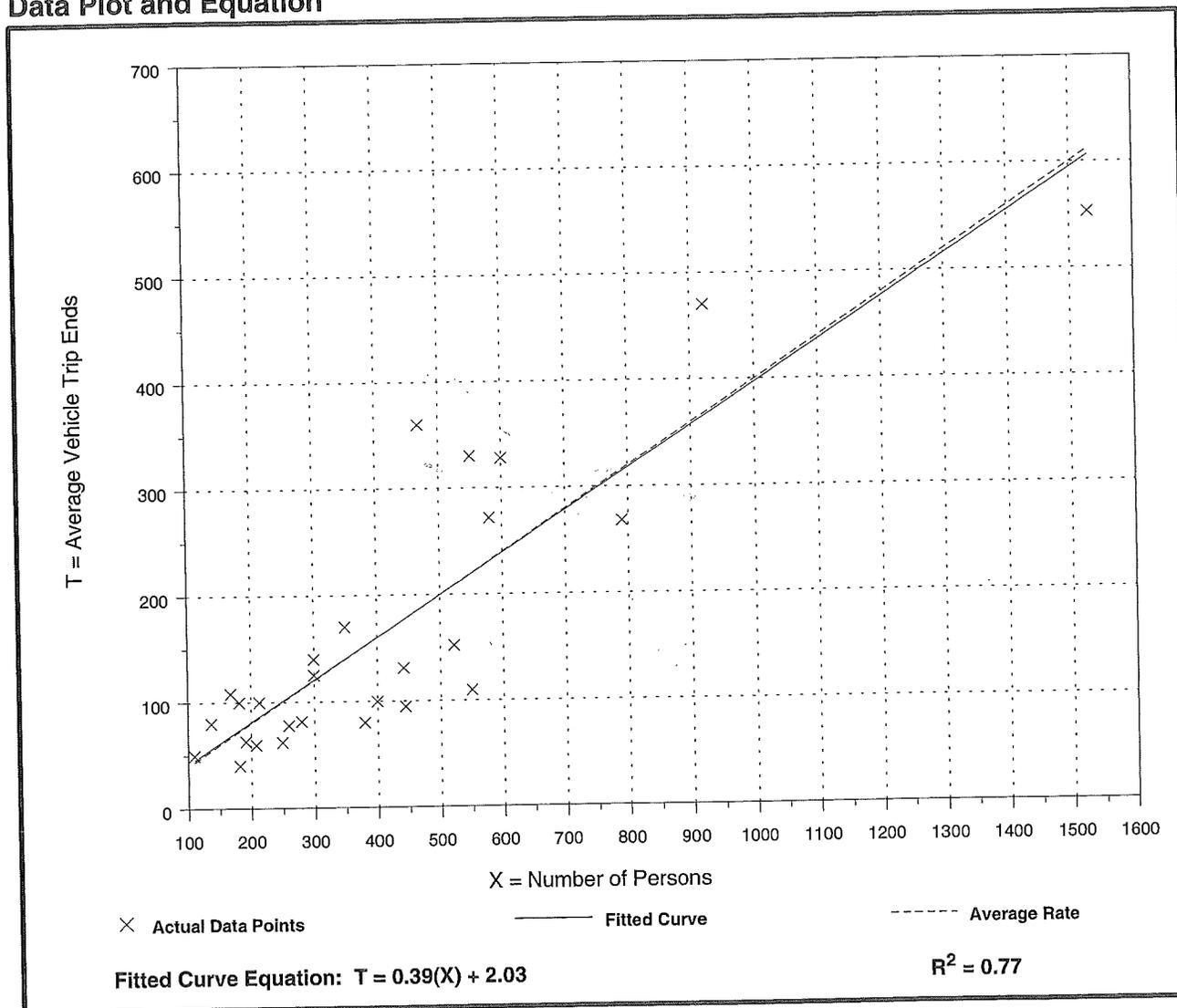
**Average Vehicle Trip Ends vs: Persons**  
**On a: Weekday,**  
**Peak Hour of Adjacent Street Traffic,**  
**One Hour Between 4 and 6 p.m.**

Number of Studies: 28  
 Average Number of Persons: 412  
 Directional Distribution: Not available

### Trip Generation per Person

Average Rate	Range of Rates	Standard Deviation
0.40	0.20 - 0.77	0.65

### Data Plot and Equation



# Apartment (220)

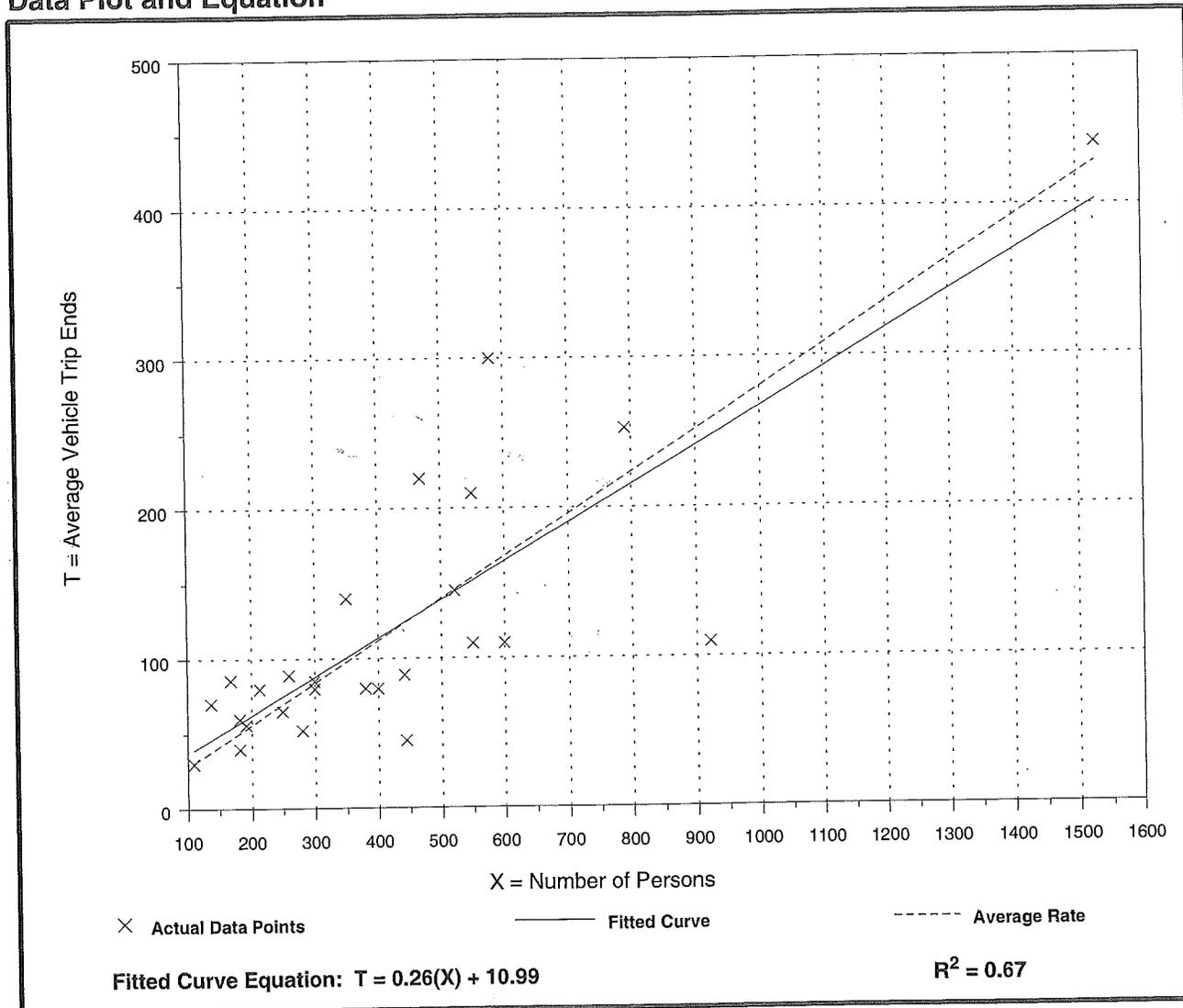
**Average Vehicle Trip Ends vs: Persons**  
**On a: Weekday,**  
**Peak Hour of Adjacent Street Traffic,**  
**One Hour Between 7 and 9 a.m.**

Number of Studies: 26  
 Average Number of Persons: 427  
 Directional Distribution: Not available

### Trip Generation per Person

Average Rate	Range of Rates	Standard Deviation
0.28	0.10 - 0.52	0.54

### Data Plot and Equation



Project #5146 Echo ParkTrip Distribution

	AM Peak Hour Outbound		PM Peak Hour Outbound	
Total		58	Total	33
northbound	80%	46	northbound	80%
southbound	20%	12	southbound	20%
				7
	AM Peak Hour Inbound		PM Peak Hour Inbound	
Total		14	Total	61
from the north	80%	12	from the north	80%
from the south	20%	3	from the south	20%
				12
	ADT Outbound		north	south
Total		441	0.75	0.25
northbound	80%	353	265	88
southbound	20%	88		
	ADT Inbound			
Total		441		
from the north	80%	353		
from the south	20%	88		

EXISTING

← ± 540  
→ ± 340

12

23

Existing

± 50

± 50

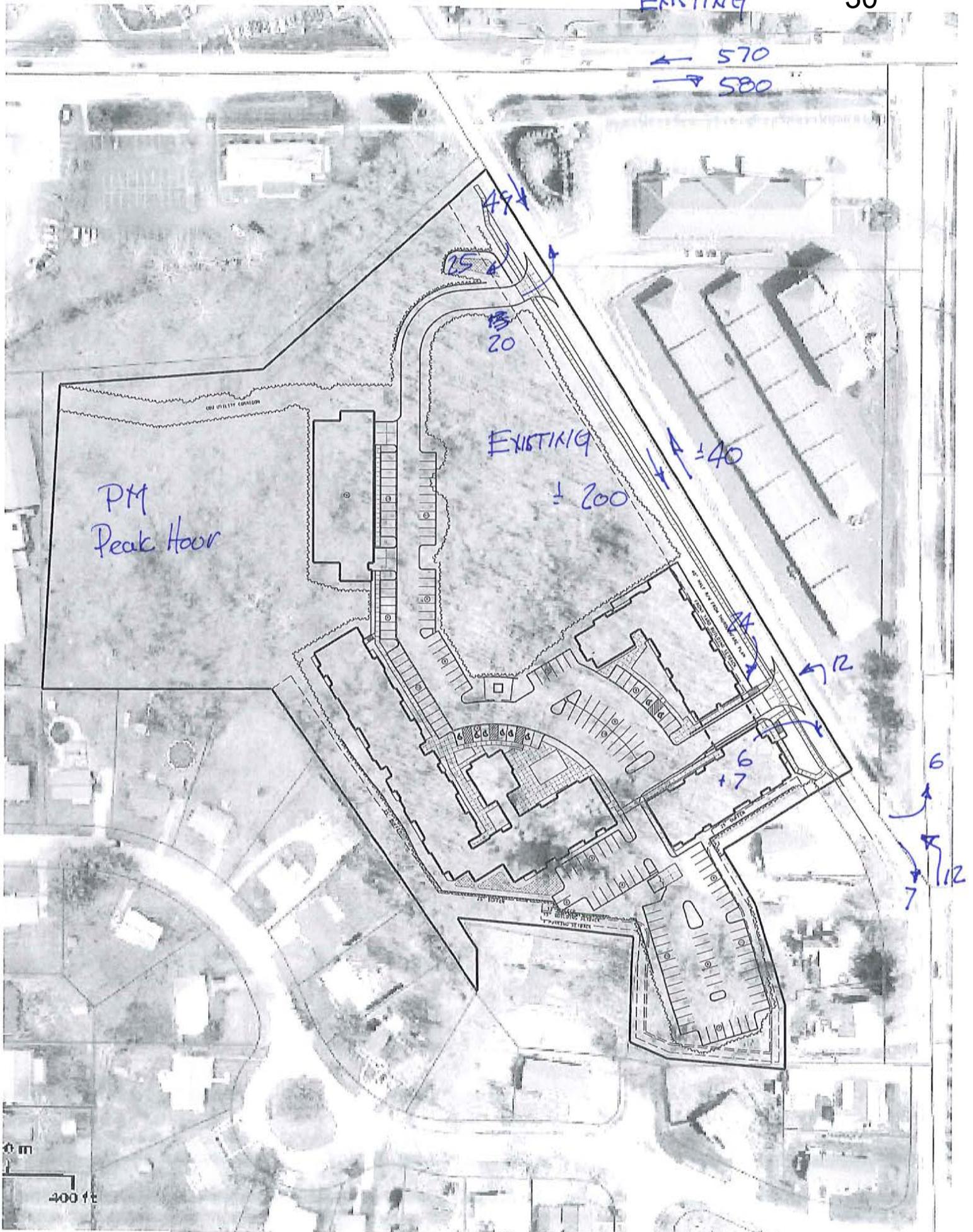
AM  
PERK HOUR

23  
12

23

12  
3

0 m  
400 ft



Existing

← 6999  
→ 5796

353

265

EXISTING

608

1757

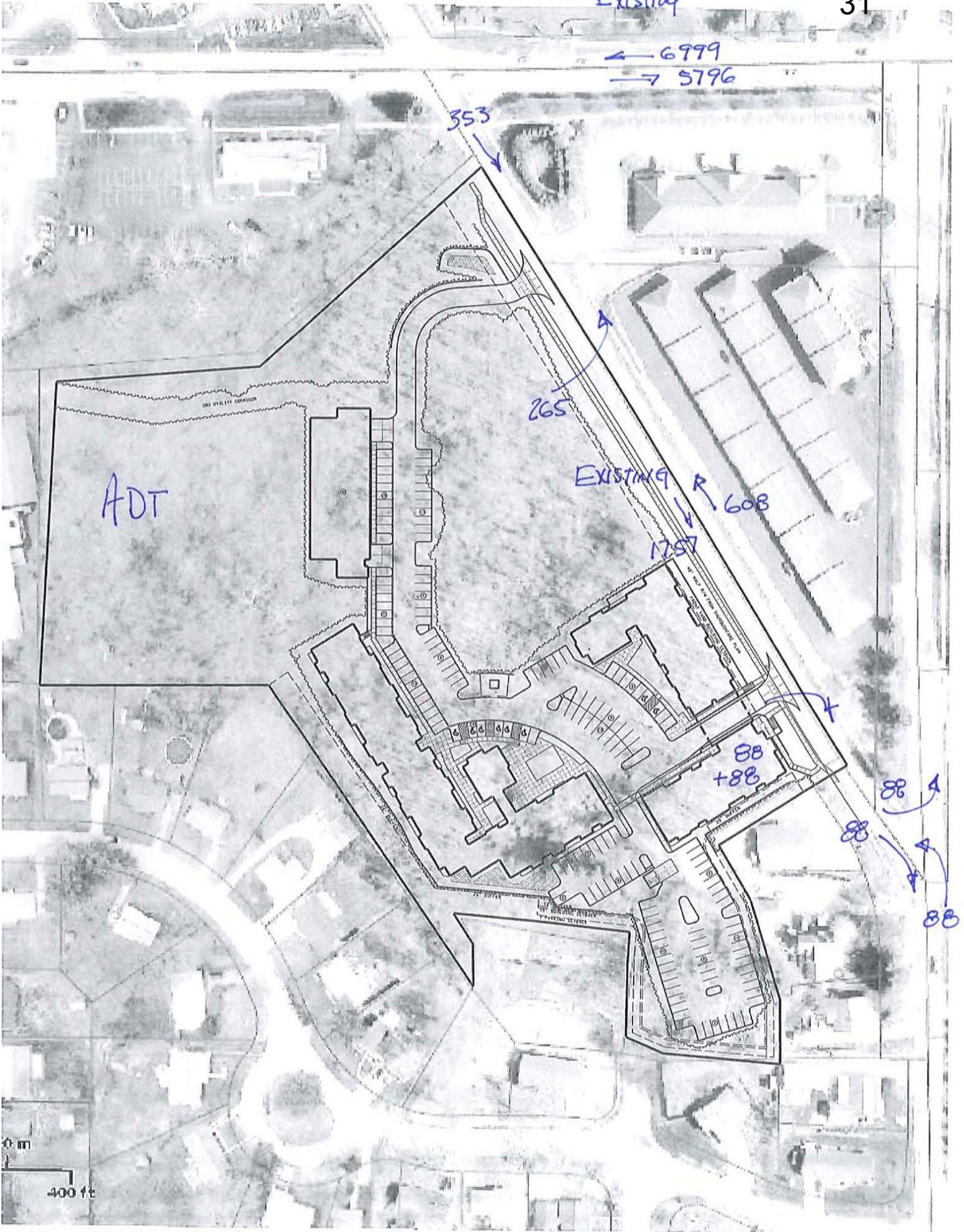
ADT

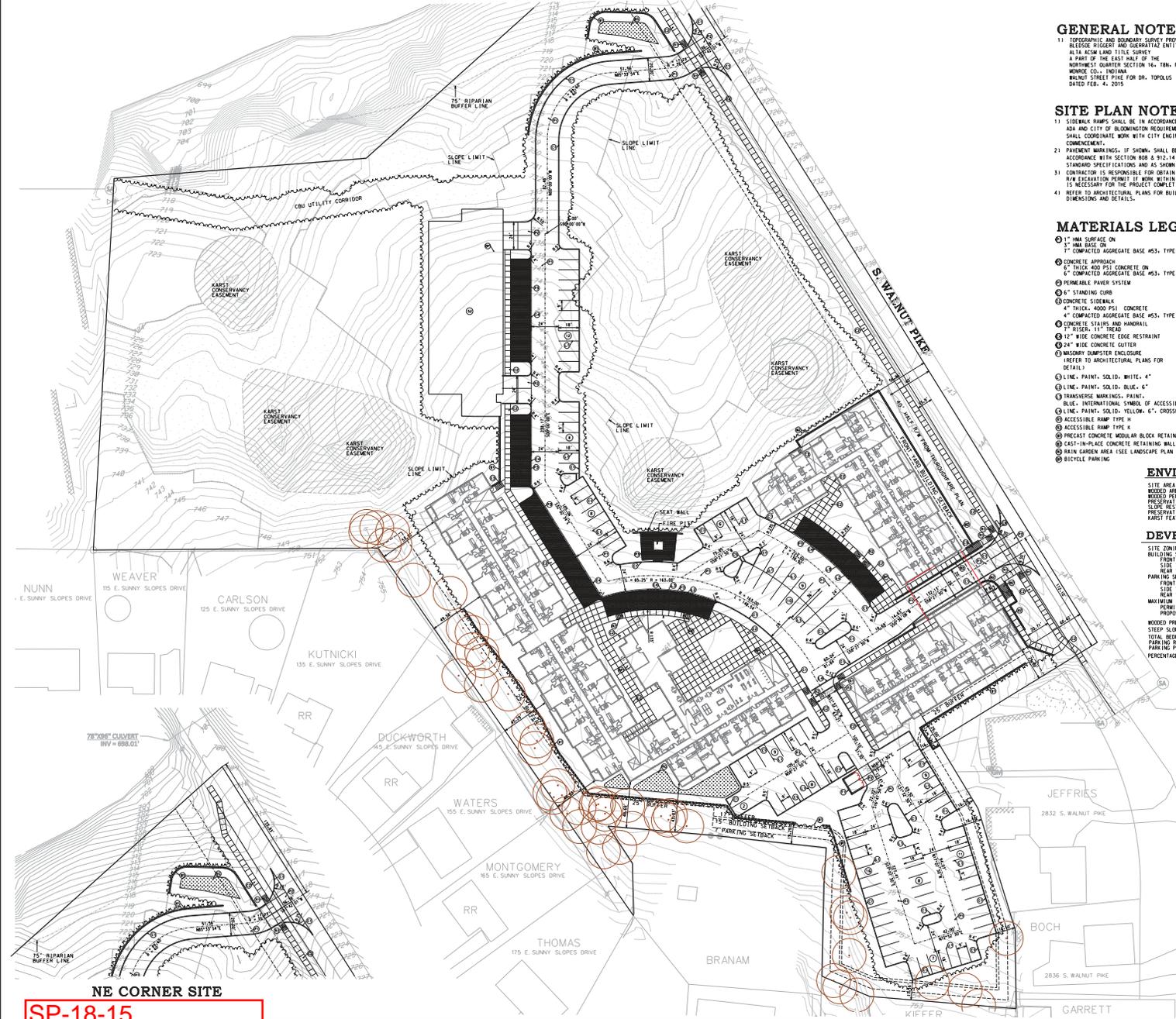
88  
+88

88

88

0 m  
400 ft





**GENERAL NOTES**

11. TOPOGRAPHY AND BOUNDARY SURVEY PROVIDED BY BLEDSE RIGGERT AND GUERRATZ ENTITLED: ALTA RESUBDIVISION SURVEY, A PART OF THE EAST HALF OF THE NORTHWEST QUARTER SECTION 16-16N, 81W MARION CO., INDIANA WALNUT STREET FOR DR. TOPOLUS DATED FEB. 4, 2015

**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.
- PAVEMENT MARKINGS, IF SHOWN, SHALL BE APPLIED IN ACCORDANCE WITH SECTION 808 & 912.14 OF THE 2014 INDIAN STANDARD SPECIFICATIONS AND AS SHOWN ON THE PLANS.
- CONTRACTOR IS RESPONSIBLE FOR OBTAINING A CITY R/W EXCAVATION PERMIT IF WORK WITHIN THE PUBLIC R/W IS NECESSARY FOR THE PROJECT COMPLETION.
- REFER TO ARCHITECTURAL PLANS FOR BUILDING DIMENSIONS AND DETAILS.

**MATERIALS LEGEND**

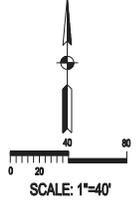
- ① 1" SAND SURFACE ON 4" GRANULAR BASE
- ② 1" SMA BASE ON 4" COMPACTED AGGREGATE BASE W/3.5% TYPE "D"
- ③ CONCRETE APPROACH
- ④ 4" THICK 4000 PSI CONCRETE ON 4" COMPACTED AGGREGATE BASE W/3.5% TYPE "D"
- ⑤ PERMEABLE PAVEMENT SYSTEM
- ⑥ 6" STANDING CURB
- ⑦ CONCRETE SIDEWALK
- ⑧ 4" THICK 4000 PSI CONCRETE ON 4" COMPACTED AGGREGATE BASE W/3.5% TYPE "D"
- ⑨ CONCRETE STAIRS AND HANDRAIL
- ⑩ 1" RISER, 1" TREAD
- ⑪ 12" WIDE CONCRETE EDGE RESTRAINT
- ⑫ 24" WIDE CONCRETE GUTTER
- ⑬ MASONRY DUMPS/TER ENCLOSURE (REFER TO ARCHITECTURAL PLANS FOR DETAIL)
- ⑭ LINE, PAINT, SOLID, WHITE, 4"
- ⑮ LINE, PAINT, SOLID, BLUE, 4"
- ⑯ TRANSVERSE MARKINGS, PAINT
- ⑰ BLUE, INTERNATIONAL SYMBOL OF ACCESSIBILITY
- ⑱ LINE, PAINT, SOLID, YELLOW, 6", CROSSWALK
- ⑲ ACCESSIBLE RAMP TYPE H
- ⑳ ACCESSIBLE RAMP TYPE K
- ㉑ PRECAST CONCRETE MODULAR BLOCK RETAINING WALL
- ㉒ CAST-IN-PLACE CONCRETE RETAINING WALL
- ㉓ MAIN GARDEN AREA (SEE LANDSCAPE PLAN FOR SEEDING)
- ㉔ BICYCLE PARKING

**ENVIRONMENTAL CONSTRAINTS SUMMARY**

SITE AREA = 9.96 ACRES - 0.69 RW = 9.26 ACRES  
 WOODED AREA = 9.26 ACRES  
 WOODS PRESERVE = 100%  
 PRESERVATION REQUIRED = 306,192.26 AC FT. 50 = 4.63 ACRES  
 SLOPE RESTRICTED AREA 12% TO 18% = 3.20 ACRES  
 PRESERVATION REQUIRED = 503,120 AC FT. 50 = 1.60 ACRES  
 KARST FEATURES REQUIRE A 25' BUFFER FROM THE LAST CLOSED CONTOUR PLUS A 10' NO DISTURBANCE AREA

**DEVELOPMENT SUMMARY**

SITE COVERING = RW  
 BUILDING SETBACKS  
 SIDE YARD = 15' BEHIND R/W FROM MASTER THROUGHPANE PLAN  
 SIDE YARD = 15' OR 25' ADJACENT TO RESIDENTIAL WITH BUFFER  
 REAR YARD = 15' OR 25' ADJACENT TO RESIDENTIAL WITH BUFFER  
 PARKING SETBACKS  
 FRONT YARD = 20' BEHIND FRONT FACE OF BUILDING  
 SIDE YARD = 7' OR 15' PLUS 2' BUFFER ADJACENT TO RESIDENTIAL  
 REAR YARD = 7' OR 15' PLUS 2' BUFFER ADJACENT TO RESIDENTIAL  
 MAXIMUM IMPERVIOUS SURFACE COVERAGE = 40% (EXCLUDING PAVERS)  
 PERMITTED = 40.95-96 ACRES = 9.26 ACRES  
 PROPOSED = 3.27 ACRES (3.27 / 9.26) = 35.3% OR 33% INCLUDING PAVERS  
 WOODS PRESERVATION PROPOSED = 4.63 ACRES (4.63 / 9.26 AC) = 50.0%  
 STEEP SLOPE ENHANCEMENT PROPOSED = 0.24 ACRES (0.24 / 9.26 AC) = 1.50%  
 TOTAL BEDROOMS = 220  
 PARKING REQUIRED = 1 SPACE PER BEDROOM = 220  
 PARKING PROPOSED = 220  
 PERCENTAGE OF PARKING LOT IN PAVERS = 12%



**SITE LEGEND**

- ① DRAINAGE EASEMENT 10' DE
- ② UTILITY EASEMENT 10' DE
- ③ DR. & UT. EASEMENT 10' DE
- ④ 2" ROLL CURB
- ⑤ 2" CURB AND GUTTER
- ⑥ 6" STANDING CURB
- ⑦ CONCRETE SIDEWALK
- ⑧ HANDICAPPED RAMP
- ⑨ HANDICAPPED PAVING
- ⑩ RET. WALL (CONCRETE)
- ⑪ RET. WALL (MASONRY)
- ⑫ RET. WALL (STONE)
- ⑬ RET. WALL (WOOD)
- ⑭ FENCE (CHAIN WIRE)
- ⑮ FENCE (SMOOTH WIRE)
- ⑯ FENCE (POST & RAIL)
- ⑰ FENCE (WOOD SLAT)
- ⑱ GUARD RAIL
- ⑲ PROPOSED STREET TREE
- Ⓚ ROLLARD
- Ⓛ DUMPS/TER (WOOD)
- Ⓜ DUMPS/TER (MASONRY)

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 435 S. Center Boulevard  
 Bloomington, IN 47404  
 Tel: (317) 332-5511  
 Fax: (317) 332-5513  
 Web: www.sbrub.com

CONSTRUCTION DATE

--

JOB TITLE  
**ECHO PARK APARTMENTS**  
 BLOOMINGTON, IN.

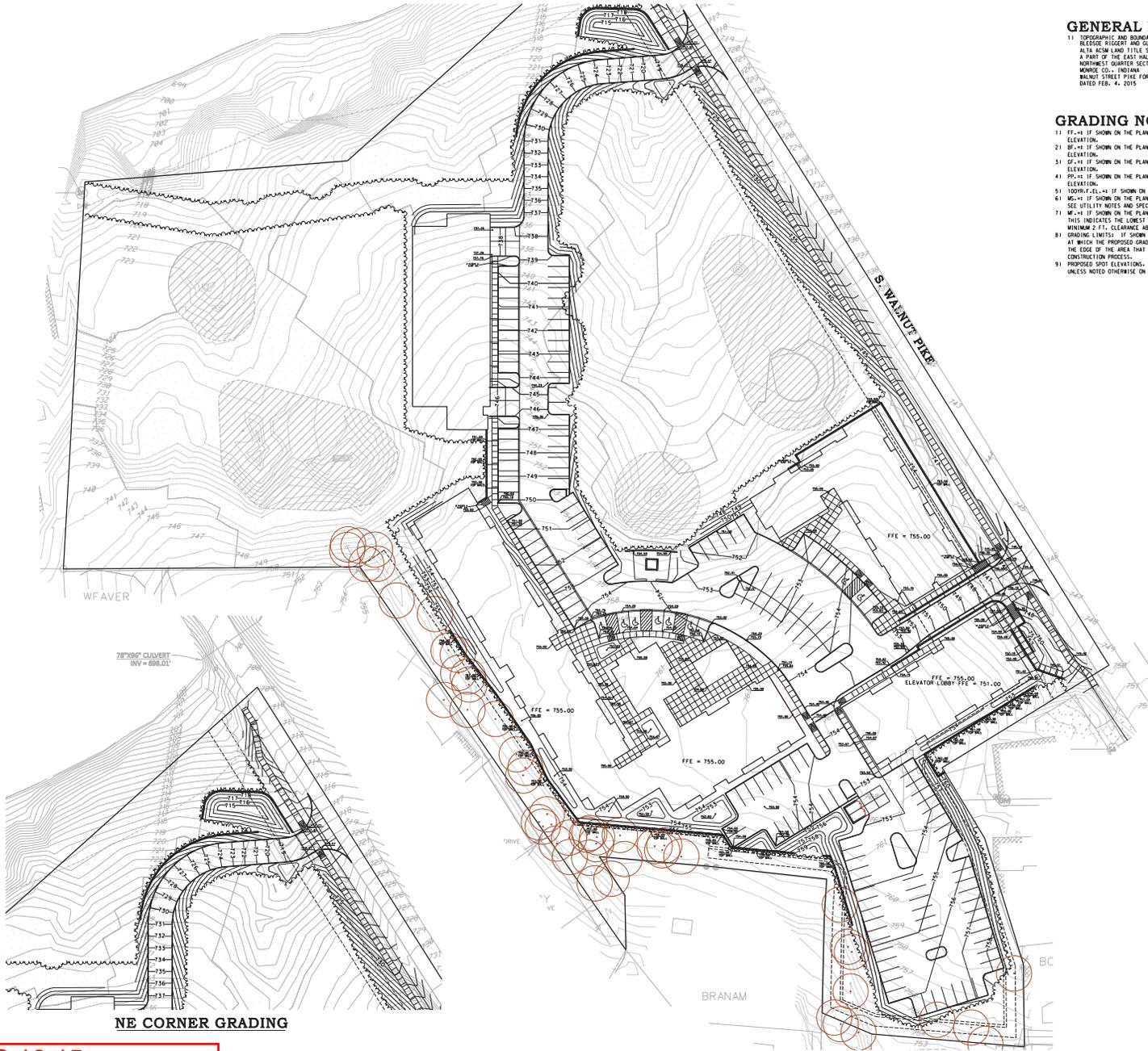
REVISIONS	BY	DATE

APPROVED	SAB	SAB	DATE

JOB NUMBER  
**5146**  
 SHEET  
**2 OF 11**  
 DATE  
**08/31/15**

SITE PLAN

**SP-18-15**  
**Site Plan**

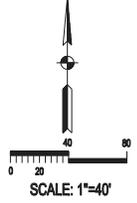


**GENERAL NOTES**

1. TOPOGRAPHY AND BOUNDARY SURVEY PROVIDED BY BLEDSE RIGGERT AND GUERRATTAZ ENTITLED "ALTA KCM LAND TITLE SURVEY" A PART OF THE EAST HALF OF THE NORTHWEST QUARTER SECTION 16-18N, R1W MARION CO., INDIANA WALNUT STREET FISE FOR DR. TOPOLUS DATED FEB. 4, 2015

**GRADING NOTES**

1. FF=+1 IF SHOWN ON THE PLANS, = RECOMMENDED FINISH FLOOR ELEVATION.
2. BF=+1 IF SHOWN ON THE PLANS, = RECOMMENDED BASEMENT FLOOR ELEVATION.
5. GF=+1 IF SHOWN ON THE PLANS, = RECOMMENDED GARAGE FLOOR ELEVATION.
4. PP=+1 IF SHOWN ON THE PLANS, = RECOMMENDED PERMANENT POND ELEVATION.
5. 100R=+1.0L+1 IF SHOWN ON THE PLANS, = 100R. FLOOD ELEV.
6. MG=+1 IF SHOWN ON THE PLANS, = MINIMUM SEWER ELEVATION. SEE UTILITY NOTES AND SPECIFICATIONS FOR MORE DETAIL.
7. ME=+1 IF SHOWN ON THE PLANS, = MINIMUM FLOOD ELEVATION. THIS INDICATES THE LOWEST FLOOR ELEVATION THAT MAINTAINS A MINIMUM 2 FT. CLEARANCE ABOVE THE 100 YR FLOOD ELEVATION.
8. GRADING LIMITS: IF SHOWN ON THE PLANS, INDICATE THE LINE AT WHICH THE PROPOSED GRADING MEETS THE EXISTING GRADE AND THE EDGE OF THE AREA THAT SHOULD BE DISTURBED DURING THE CONSTRUCTION PROCESS.
9. PROPOSED SPOT ELEVATIONS, IF SHOWN, ARE AT FINISH GRADE UNLESS NOTED OTHERWISE ON THE PLANS.



**GRADING & EROS. CTRL LEGENDS**

- PROPOSED 1' CONTOUR
- PROPOSED 5' CONTOUR
- PROPOSED SPOT ELEVATION
- SOIL BORING
- RIP-UP
- SILT TRAP
- INLET PROTECTION
- DETENTION BASIN
- STRIP BALE DAM
- ROCK CHECK DAM
- PAVED SIDE DITCH
- DIVERSION DITCH
- TREE PROTECTION FENCE
- FLOOD LINE
- FLOW LINE
- GRADING LIMITS
- SEEDMENT BASIN
- SILT FENCE

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Bloomington, Indiana 47401  
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Fax: (317) 334-0013  
Web: http://smithbrub.com

CONSTRUCTION DATE  
//

JOB TITLE  
**ECHO PARK APARTMENTS**  
BLOOMINGTON, IN.

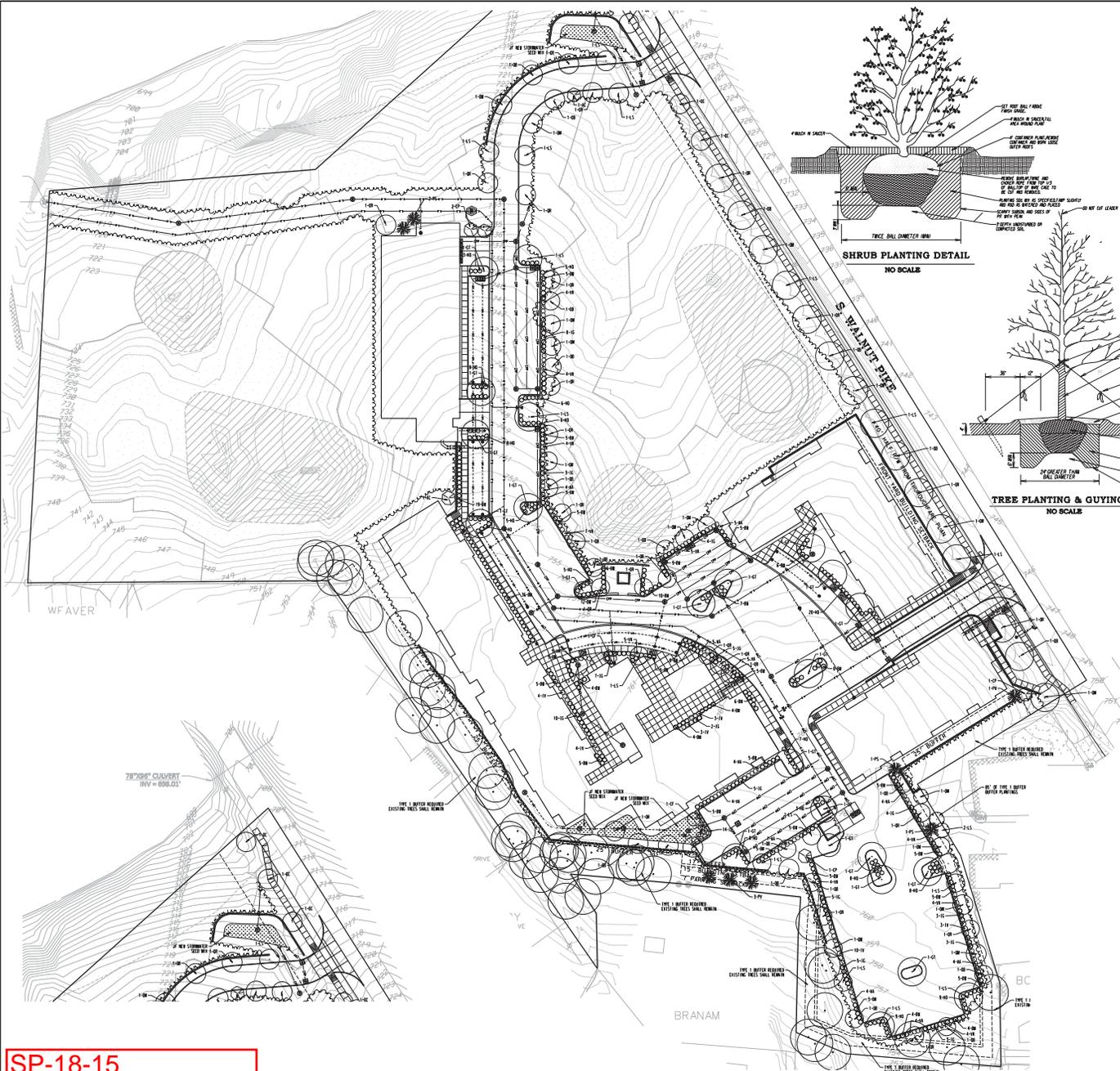
REVISIONS	BY	DATE

DESIGNED BY  
SAB  
CHECKED BY  
SAB  
DATE

JOB NUMBER  
**5146**  
SHEET  
**3 OF 11**  
DATE  
08/31/15

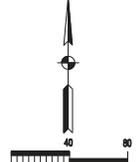
GRADING PLAN

SP-18-15  
Grading Plan

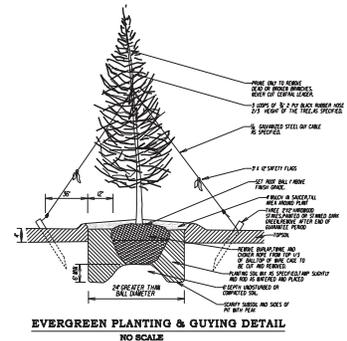
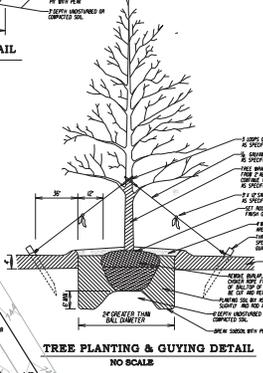
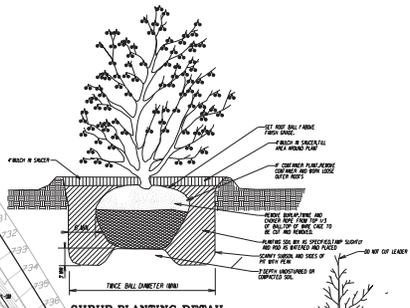


**GENERAL NOTES**

1. TOPOGRAPHY AND PROPOSED GRAVES PROVIDED BY BLEDGE RIGGERT AND GERRITZ ET AL. ENTITLED: ALTA RESUM LAND TITLE SURVEY A PART OF THE EAST HALF OF THE NORTHWEST QUARTER SECTION 14-1, T8N, R17W MONROE CO., INDIANA WALNUT STREET TRICE FOR DR. POLKUS DATED FEB. 4, 2015



SCALE: 1"=40'



- S. Walnut Pike Multifamily**
- Street Trees Required**  
1 tree required for every 40 lf of property that abuts ROW, Walnut Pike: 763 lf of ROW = 20 trees required
- Parking lot Requirements:** 169 Surface Parking Spaces  
One large canopy tree required for every 4 spaces, tree required, 43 new large canopy required, 43 new large canopy trees provided, 2 in islands  
3 shrubs required for every parking space, 507 shrubs required, 507 provided  
50% evergreen (Boxwood and Inkberry). Some parking lot perimeter shrubs were used within the islands and bumpouts because of lack of space around the parking lot perimeter.
- Landscape Bumpout and Islands**  
1 large canopy tree required per bumpout and island.  
15 bumpouts and islands provided, 15 new large canopy trees provided in islands.
- Interior plantings**  
Total area: 4.4 ac (area of development, Parking and buildings = 2.91 ac  
Area not covered by building or parking lot = 1.49 ac.  
14 large canopy trees, 5 evergreen trees and 5 med or small canopy trees required per every acre of site not covered by building parking lot or structure.  
23 large canopy trees required, 8 evergreen trees required and 8 med or small trees required  
36 shrubs required per acre of site not covered by parking lot or structure.  
54 Shrubs required, 50% evergreen. 56 shrubs provided in 53% evergreen (Boxwood and Inkberry)
- Buffer Yard along RS zone**  
Type 1 (107) required on the RS zones  
1 Deciduous canopy tree, Existing trees shall be preserved along RS  
85' of buffer landscape added (3 trees)
- Species Diversity**  
Maximum of one species of tree provided in 21%

LANDSCAPE PLANT TABLE					
LET	QTY	BOTANICAL NAME	COMMON NAME	SIZE	COMMENTS
TREES					
AC	2	AMELANCHIER canadensis	Shadbowl Serviceberry	2" Caliper	
CF	4	CORNUS Florida	Flowering Dogwood	2" Caliper	
CP	4	CRATAEGUS phoenopyrum	Washington Hawthorn	2" Caliper	
GT	20	GLEDITSIA triacanthos thornalis	Thornless Honey Locust	2" Caliper	
LS	20	LIGULIDAMBA styraciflua	Sweet Gum	2" Caliper	
PS	4	PINUS strobus	White Pine	6' Hgt.	
Pv	4	PINUS virginiana	Virginia Pine	6' Hgt.	
QC	5	QUERCUS	Crimson Spire Oak	2" Caliper	
QM	25	QUERCUS rubra	Red Oak	2" Caliper	
QM	17	QUERCUS BICOLOR	WHITE OAK	2" Caliper	
QM	16	QUERCUS MACROCARPA	BUR OAK	2" Caliper	
SHRUBS					
EM	252	BUXUS "Green Mountain"	Green Mountain Boxwood	3 Gallon	
IV	28	ITEA virginica	Virginia Sweetgum	3 Gallon	
HD	97	HYDRANGEA quercifolia	Dakelaf Hydrangea	3 Gallon	
VA	100	VIBURNUM acerifolium	Mopelstaf viburnum	3 Gallon	
IG	68	ILLEX GLABRA	INKBERRY	3 Gallon	

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Bloomington, IN 47404  
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Fax: (317) 344-0513  
Web: http://smithbrubak.com

CONSTRUCTION DATE  
//

JOB TITLE  
**ECHO PARK APARTMENTS**  
BLOOMINGTON, IN.

REVISIONS	BY	DATE

DESIGNED BY: DJK  
CHECKED BY: DJK  
DATE: 08/31/15

JOB NUMBER  
**5146**

SHEET  
**5 OF 11**

DATE  
08/31/15  
LANDSCAPE PLAN

SP-18-15  
Landscaping plan




 SITE PLAN - RENDERING  
 NORTH

SP-18-15  
 Color Site Plan

SHEET NUMBER

A0

SHEET DESCRIPTION

SITE PLAN -  
RENDERING

PROJECT NO.  
15024

DATE  
08-31-15

ECHO PARK

BLOOMINGTON, INDIANA


**STUDIO  
THREE  
DESIGN**



SUNNY SLOPES / ECHO PARK - SITE PLAN

SP-18-15  
Site Plan in context

		PROJECT NO. <b>15024</b>		SHEET NUMBER <b>A0-1</b>
		DATE <b>08-31-15</b>		
ECHO PARK BLOOMINGTON, INDIANA				
SHEET DESCRIPTION <b>SUNNY SLOPES / ECHO PARK</b>				



SITE - AERIAL VIEW

SP-18-15  
Aerial Site Plan

SHEET NUMBER

AO-2

SHEET DESCRIPTION

SITE  
RENDERING -  
AERIAL

PROJECT NO.  
15024

DATE  
08-31-15

ECHO PARK  
BLOOMINGTON, INDIANA





PARKING TOTAL: 220 SPACES TOTAL

UNIT TYPE	UNIT COUNT	BED COUNT
STUDIO	13	13
1 BR	66	66
2 BR	66	132
3 BR	3	9
<b>TOTAL</b>	<b>148</b>	<b>220</b>

BIKE PARKING: 46 PROVIDED (37 REQ'D)

BUILDING	# OF SPACES	TYPE
BLDG. A	6	OPEN AIR
BLDG. A	10	SECURED
BLDG. B	10	OPEN AIR
BLDG. B	12	COVERED
BLDG. C	8	COVERED



**Level 1A FLOOR PLAN**  
 1/32" = 1'-0"

SHEET NUMBER <h1 style="margin: 0;">A1</h1>	SHEET DESCRIPTION <b>BUILDING A - LEVEL 1 FLOOR PLAN</b>
PROJECT NO. <b>15024</b>	DATE <b>08-31-15</b>
<b>ECHO PARK</b> BLOOMINGTON, INDIANA	
	



PARKING TOTAL: 220 SPACES TOTAL

UNIT TYPE	UNIT COUNT	BED COUNT
STUDIO	13	13
1 BR	66	66
2 BR	66	132
3 BR	3	9
TOTAL	148	220

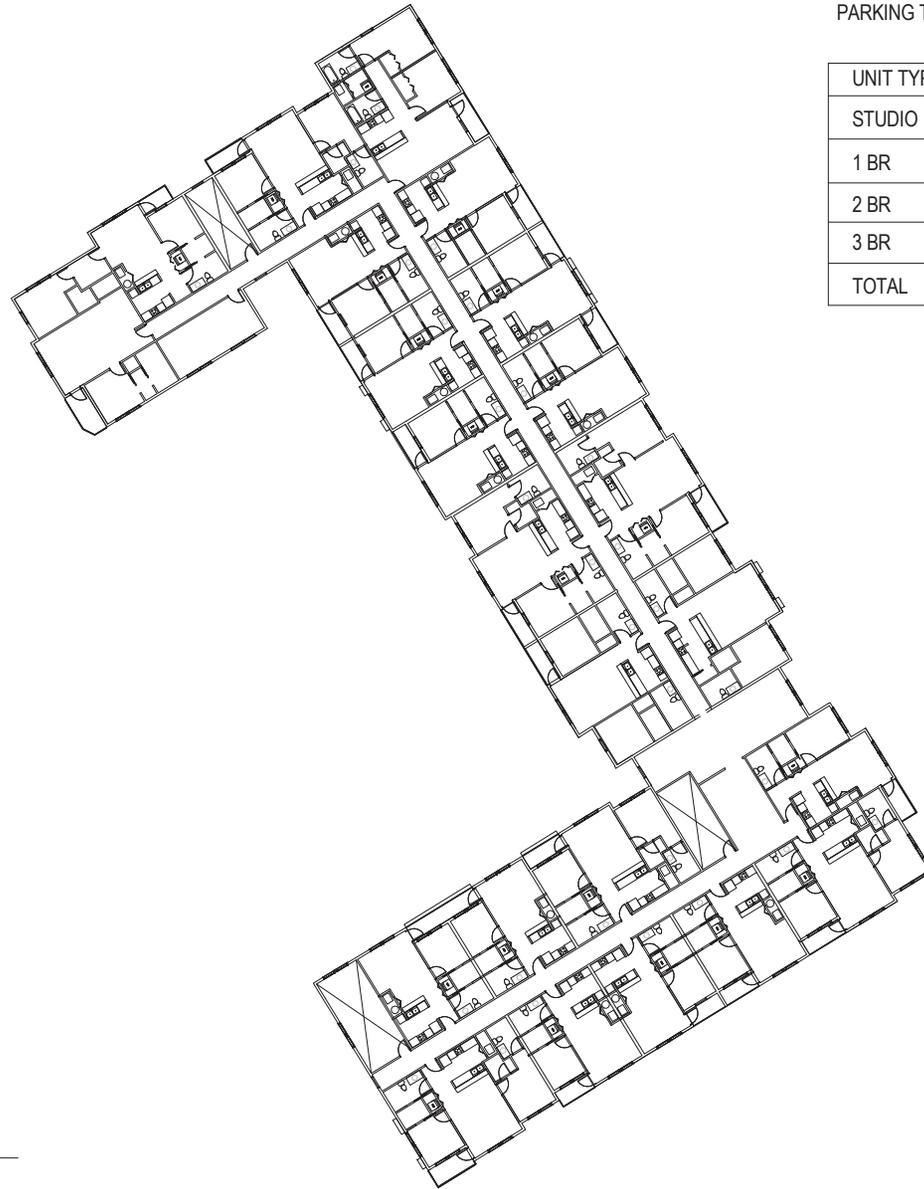
BIKE PARKING: 46 PROVIDED (37 REQ'D)

BUILDING	# OF SPACES	TYPE
BLDG. A	6	OPEN AIR
BLDG. A	10	SECURED
BLDG. B	10	OPEN AIR
BLDG. B	12	COVERED
BLDG. C	8	COVERED



**Level 2A FLOOR PLAN**  
 1/32" = 1'-0"

SHEET NUMBER	<b>A2</b>
SHEET DESCRIPTION	<b>BUILDING A - LEVEL 2 FLOOR PLAN</b>
PROJECT NO.	<b>15024</b>
DATE	<b>08-31-15</b>
<b>ECHO PARK</b> BLOOMINGTON, INDIANA	
	



PARKING TOTAL: 220 SPACES TOTAL

UNIT TYPE	UNIT COUNT	BED COUNT
STUDIO	13	13
1 BR	66	66
2 BR	66	132
3 BR	3	9
TOTAL	148	220

BIKE PARKING: 46 PROVIDED (37 REQ'D)

BUILDING	# OF SPACES	TYPE
BLDG. A	6	OPEN AIR
BLDG. A	10	SECURED
BLDG. B	10	OPEN AIR
BLDG. B	12	COVERED
BLDG. C	8	COVERED



**Level 3A FLOOR PLAN**  
 1/32" = 1'-0"

SHEET NUMBER

**A3**

SHEET DESCRIPTION

**BUILDING A -  
LEVEL 3  
FLOOR PLAN**

PROJECT NO.  
**15024**

DATE  
**08-31-15**

**ECHO PARK**  
BLOOMINGTON, INDIANA





1  
A4 BUILDING A - NORTH-EAST ELEVATION  
1/32" = 1'-0"



2  
A4 BUILDING A - NORTH-WEST ELEVATION  
1/32" = 1'-0"

SHEET NUMBER

A4

SHEET DESCRIPTION

BUILDING A -  
ELEVATIONS

PROJECT NO.

15024

DATE

08-31-15

ECHO PARK

BLOOMINGTON, INDIANA





1 BUILDING A - SOUTH-EAST ELEVATION  
 A5 1/32" = 1'-0"



2 BUILDING A - SOUTH-WEST ELEVATION  
 A5 1/32" = 1'-0"

SHEET NUMBER		A5	
SHEET DESCRIPTION		BUILDING A - ELEVATIONS	
PROJECT NO.	15024	DATE	08-31-15
ECHO PARK BLOOMINGTON, INDIANA			
			



RENDERED VIEW FROM WALNUT PIKE

SHEET NUMBER

A6

SHEET DESCRIPTION

RENDERING  
-WALNUT  
PIKE

PROJECT NO.

15024

DATE

08-31-15

ECHO PARK

BLOOMINGTON, INDIANA

**STUDIO  
THREE  
DESIGN**



BUILDING A - RENDERING

SHEET NUMBER

A7

SHEET DESCRIPTION

BUILDING A -  
RENDERING

PROJECT NO.

15024

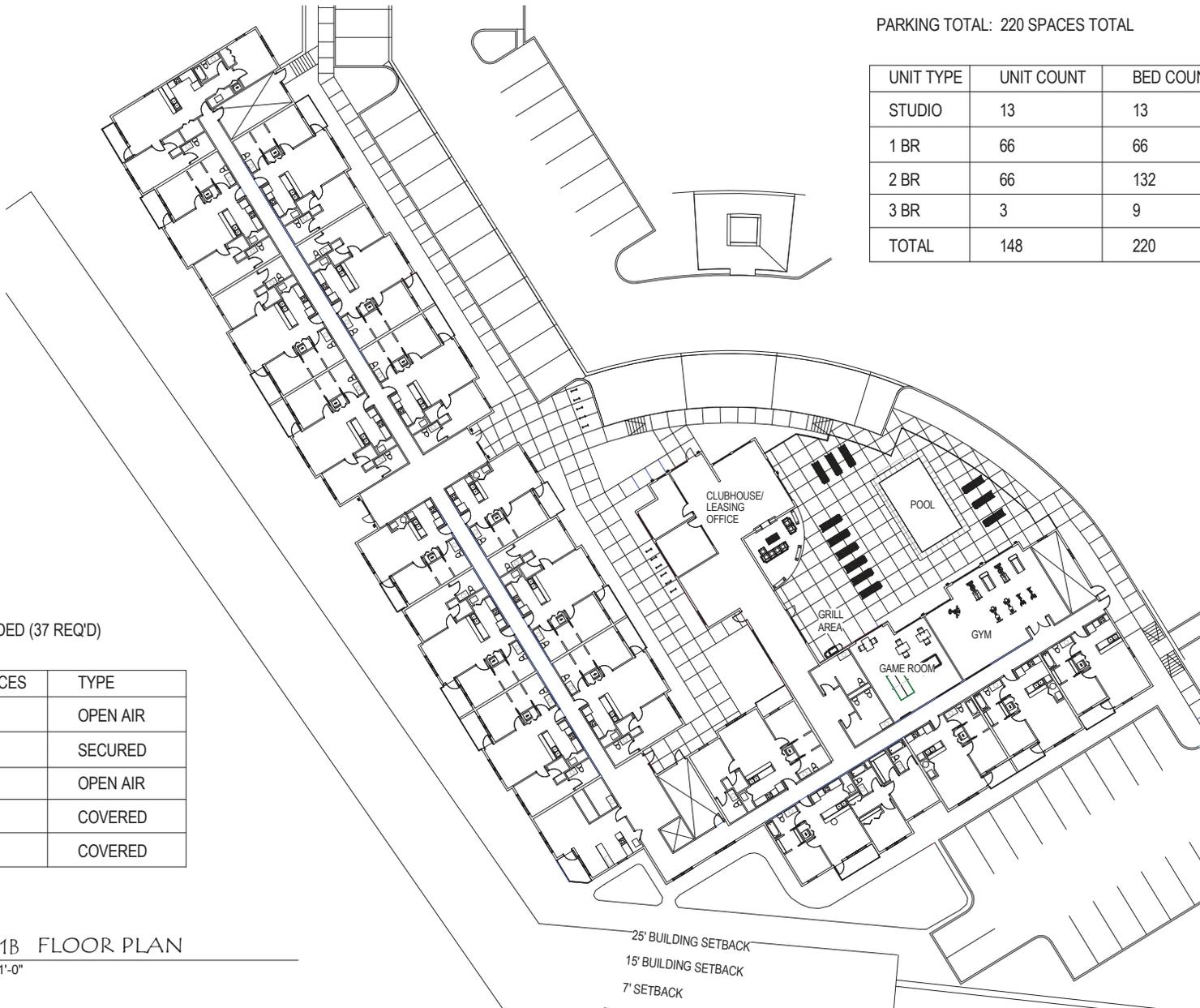
DATE

08-31-15

ECHO PARK

BLOOMINGTON, INDIANA





PARKING TOTAL: 220 SPACES TOTAL

UNIT TYPE	UNIT COUNT	BED COUNT
STUDIO	13	13
1 BR	66	66
2 BR	66	132
3 BR	3	9
<b>TOTAL</b>	<b>148</b>	<b>220</b>

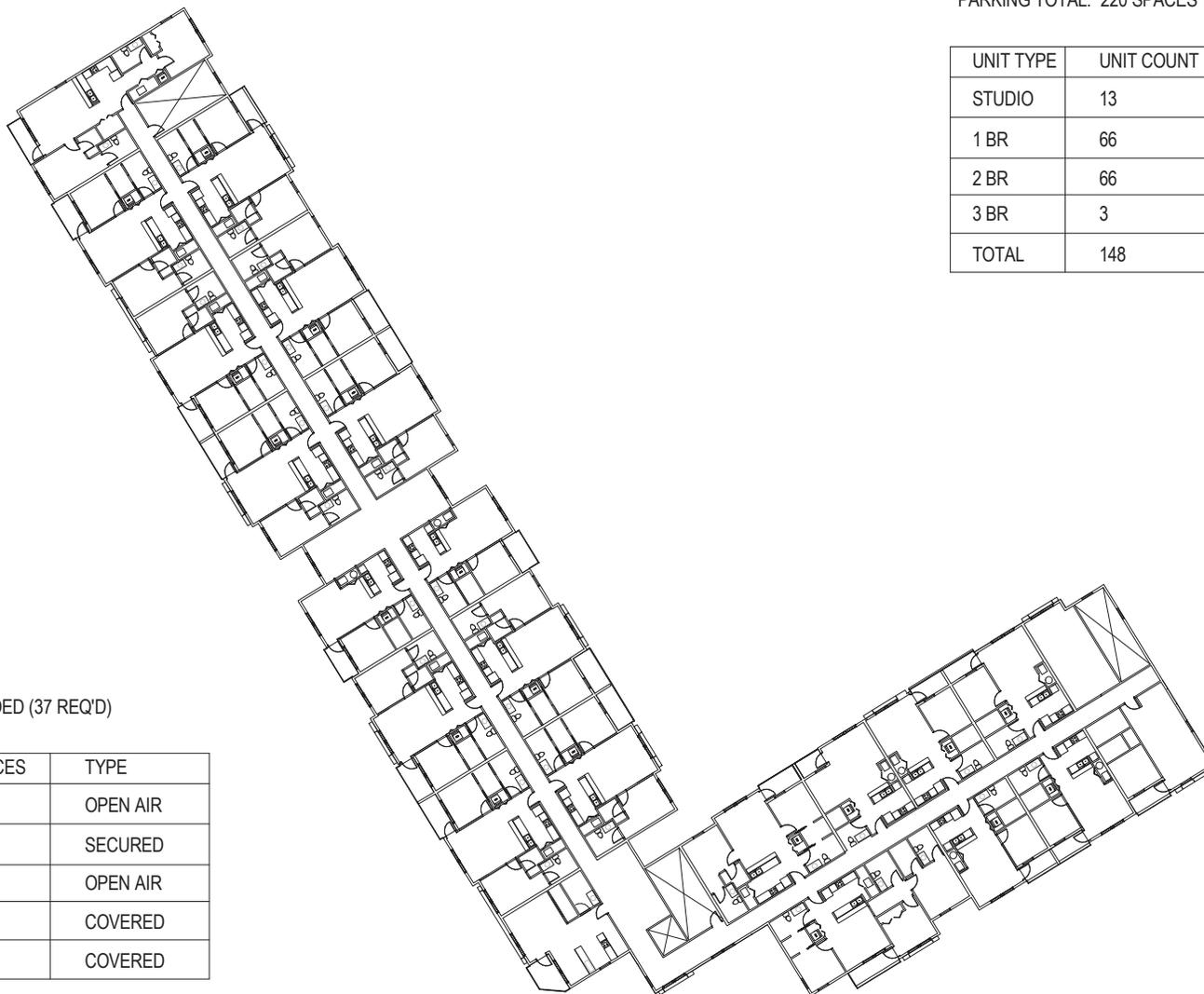
BIKE PARKING: 46 PROVIDED (37 REQ'D)

BUILDING	# OF SPACES	TYPE
BLDG. A	6	OPEN AIR
BLDG. A	10	SECURED
BLDG. B	10	OPEN AIR
BLDG. B	12	COVERED
BLDG. C	8	COVERED



**Level 1B FLOOR PLAN**  
 1/32" = 1'-0"

SHEET NUMBER	<b>A8</b>
SHEET DESCRIPTION	<b>BUILDING B - LEVEL 1 FLOOR PLAN</b>
PROJECT NO.	15024
DATE	08-31-15
<b>ECHO PARK</b> <small>BLOOMINGTON, INDIANA</small>	
	



PARKING TOTAL: 220 SPACES TOTAL

UNIT TYPE	UNIT COUNT	BED COUNT
STUDIO	13	13
1 BR	66	66
2 BR	66	132
3 BR	3	9
TOTAL	148	220

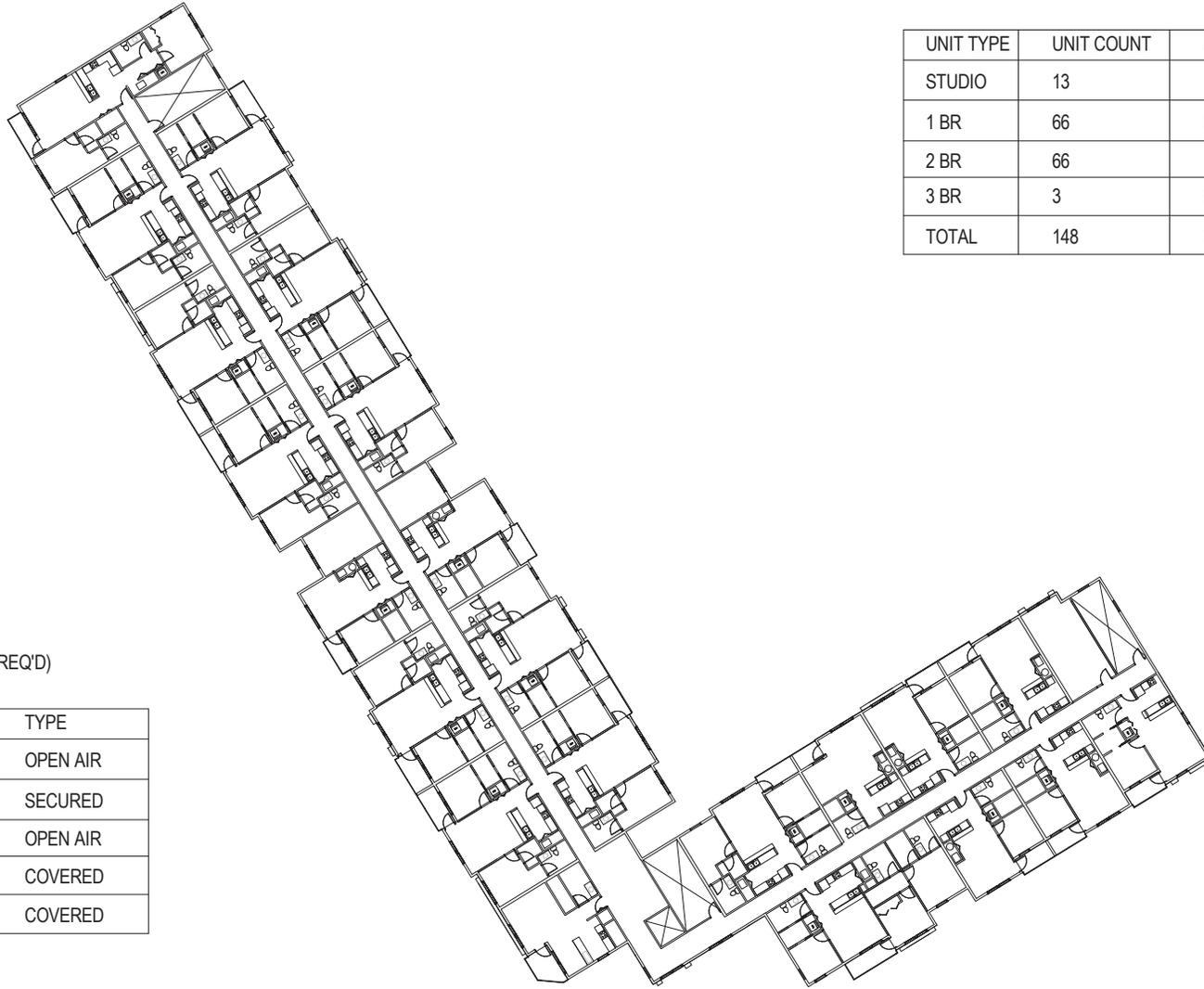
BIKE PARKING: 46 PROVIDED (37 REQ'D)

BUILDING	# OF SPACES	TYPE
BLDG. A	6	OPEN AIR
BLDG. A	10	SECURED
BLDG. B	10	OPEN AIR
BLDG. B	12	COVERED
BLDG. C	8	COVERED



**Level 2B FLOOR PLAN**  
 1/32" = 1'-0"

PROJECT NO. <b>15024</b>	DATE <b>08-31-15</b>	SHEET NUMBER <h1 style="font-size: 2em;">A9</h1>
		SHEET DESCRIPTION <b>BUILDING B - LEVEL 2 FLOOR PLAN</b>
<b>ECHO PARK</b> BLOOMINGTON, INDIANA		
		



PARKING TOTAL: 220 SPACES TOTAL

UNIT TYPE	UNIT COUNT	BED COUNT
STUDIO	13	13
1 BR	66	66
2 BR	66	132
3 BR	3	9
<b>TOTAL</b>	<b>148</b>	<b>220</b>

BIKE PARKING: 46 PROVIDED (37 REQ'D)

BUILDING	# OF SPACES	TYPE
BLDG. A	6	OPEN AIR
BLDG. A	10	SECURED
BLDG. B	10	OPEN AIR
BLDG. B	12	COVERED
BLDG. C	8	COVERED



**Level 3B FLOOR PLAN**  
 1/32" = 1'-0"

SHEET NUMBER

**A10**

SHEET DESCRIPTION

**BUILDING B -  
LEVEL 3  
FLOOR PLAN**

PROJECT NO.  
**15024**

DATE  
**08-31-15**

**ECHO PARK**  
BLOOMINGTON, INDIANA





1 BUILDING B - NORTH-EAST ELEVATION  
A11 1/32" = 1'-0"



2 BUILDING B - NORTH-WEST ELEVATION  
A11 1/32" = 1'-0"

SHEET NUMBER

A11

SHEET DESCRIPTION

BUILDING B -  
ELEVATIONS

PROJECT NO.

15024

DATE

08-31-15

ECHO PARK

BLOOMINGTON, INDIANA





1 BUILDING B - SOUTH-EAST ELEVATION  
A12 1/32" = 1'-0"



2 BUILDING B - SOUTH-WEST ELEVATION  
A12 1/32" = 1'-0"

SHEET NUMBER

A12

SHEET DESCRIPTION

BUILDING B -  
ELEVATIONS

PROJECT NO.

15024

DATE

08-31-15

ECHO PARK

BLOOMINGTON, INDIANA

STUDIO  
THREE  
DESIGN



BUILDING B - RENDERING

SHEET NUMBER

A13

SHEET DESCRIPTION

BUILDING B -  
RENDERING

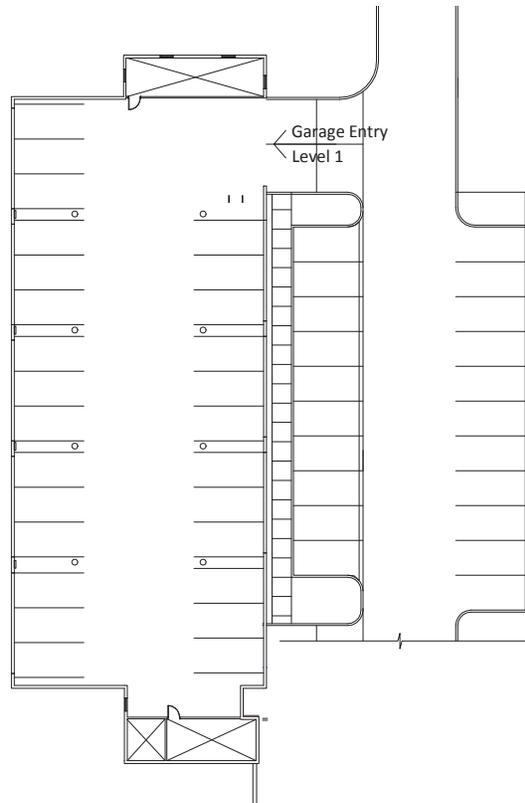
PROJECT NO.  
15024

DATE  
08-31-15

ECHO PARK

BLOOMINGTON, INDIANA





PARKING TOTAL: 220 SPACES TOTAL

UNIT TYPE	UNIT COUNT	BED COUNT
STUDIO	13	13
1 BR	66	66
2 BR	66	132
3 BR	3	9
<b>TOTAL</b>	<b>148</b>	<b>220</b>

BIKE PARKING: 46 PROVIDED (37 REQ'D)

BUILDING	# OF SPACES	TYPE
BLDG. A	6	OPEN AIR
BLDG. A	10	SECURED
BLDG. B	10	OPEN AIR
BLDG. B	12	COVERED
BLDG. C	8	COVERED



**Level 1C FLOOR PLAN**  
 1/32" = 1'-0"

SHEET NUMBER

**A14**

SHEET DESCRIPTION

**BUILDING C -  
LEVEL 1  
FLOOR PLAN**

PROJECT NO.  
**15024**

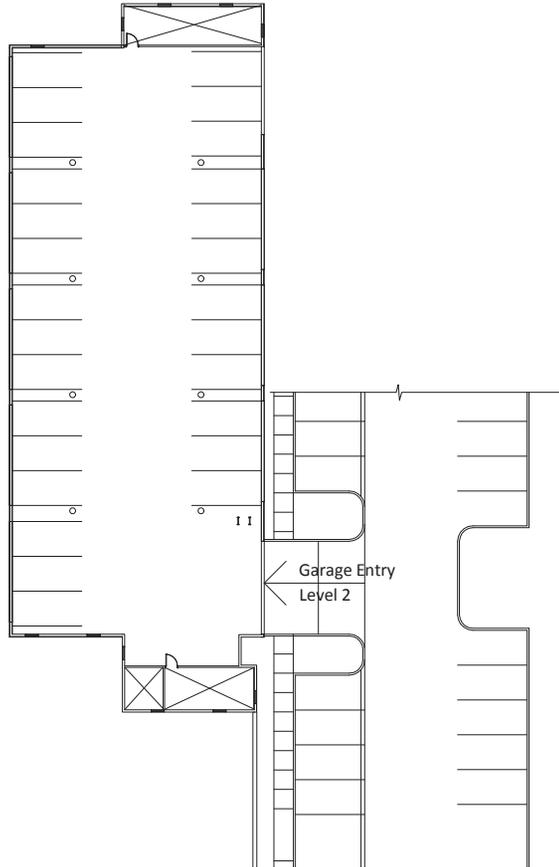
DATE  
**08-31-15**

**ECHO PARK**  
BLOOMINGTON, INDIANA



PARKING TOTAL: 220 SPACES TOTAL

UNIT TYPE	UNIT COUNT	BED COUNT
STUDIO	13	13
1 BR	66	66
2 BR	66	132
3 BR	3	9
TOTAL	148	220



BIKE PARKING: 46 PROVIDED (37 REQ'D)

BUILDING	# OF SPACES	TYPE
BLDG. A	6	OPEN AIR
BLDG. A	10	SECURED
BLDG. B	10	OPEN AIR
BLDG. B	12	COVERED
BLDG. C	8	COVERED

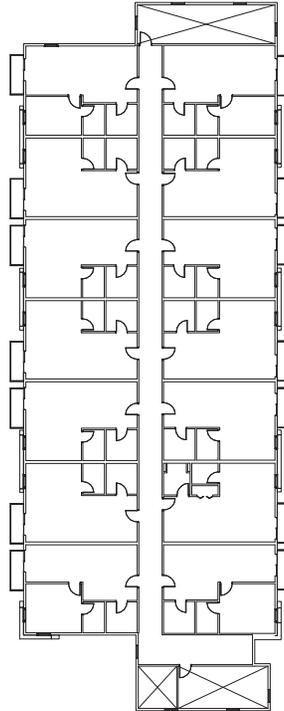


**Level 2C FLOOR PLAN**  
 1/32" = 1'-0"

SHEET NUMBER <b>A15</b>
SHEET DESCRIPTION <b>BUILDING C - LEVEL 2 FLOOR PLAN</b>
<div style="width: 45%;">                 PROJECT NO.  <b>15024</b> </div> <div style="width: 45%;">                 DATE  <b>08-31-15</b> </div>
<b>ECHO PARK</b> BLOOMINGTON, INDIANA


PARKING TOTAL: 220 SPACES TOTAL

UNIT TYPE	UNIT COUNT	BED COUNT
STUDIO	13	13
1 BR	66	66
2 BR	66	132
3 BR	3	9
<b>TOTAL</b>	<b>148</b>	<b>220</b>



BIKE PARKING: 46 PROVIDED (37 REQ'D)

BUILDING	# OF SPACES	TYPE
BLDG. A	6	OPEN AIR
BLDG. A	10	SECURED
BLDG. B	10	OPEN AIR
BLDG. B	12	COVERED
BLDG. C	8	COVERED



**Level 3C FLOOR PLAN**  
 1/32" = 1'-0"

SHEET NUMBER

**A16**

SHEET DESCRIPTION

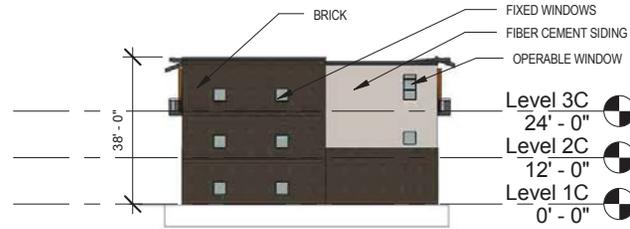
**BUILDING C -  
LEVEL 3  
FLOOR PLAN**

PROJECT NO.  
**15024**

DATE  
**08-31-15**

**ECHO PARK**  
BLOOMINGTON, INDIANA





2 BUILDING C - NORTH ELEVATION  
A17 1/32" = 1'-0"



1 BUILDING C - EAST ELEVATION  
A17 1/32" = 1'-0"

SHEET NUMBER

A17

SHEET DESCRIPTION

BUILDING C -  
ELEVATIONS

PROJECT NO.

15024

DATE

08-31-15

ECHO PARK

BLOOMINGTON, INDIANA

STUDIO  
THREE  
DESIGN



1 BUILDING C - SOUTH ELEVATION  
A18 1/32" = 1'-0"



2 BUILDING C - WEST ELEVATION  
A18 1/32" = 1'-0"

SHEET NUMBER

A18

SHEET DESCRIPTION

BUILDING C -  
ELEVATIONS

PROJECT NO.

15024

DATE

08-31-15

ECHO PARK

BLOOMINGTON, INDIANA

STUDIO  
THREE  
DESIGN



BUILDING C - RENDERING

SHEET NUMBER

A19

SHEET DESCRIPTION

BUILDING C -  
RENDERING

PROJECT NO.

15024

DATE

08-31-15

ECHO PARK

BLOOMINGTON, INDIANA

**STUDIO  
THREE  
DESIGN**



TOP LEFT: PHOTO OF THE EXISTING CONDITIONS FROM THE SUNNY SLOPES NEIGHBORHOOD.

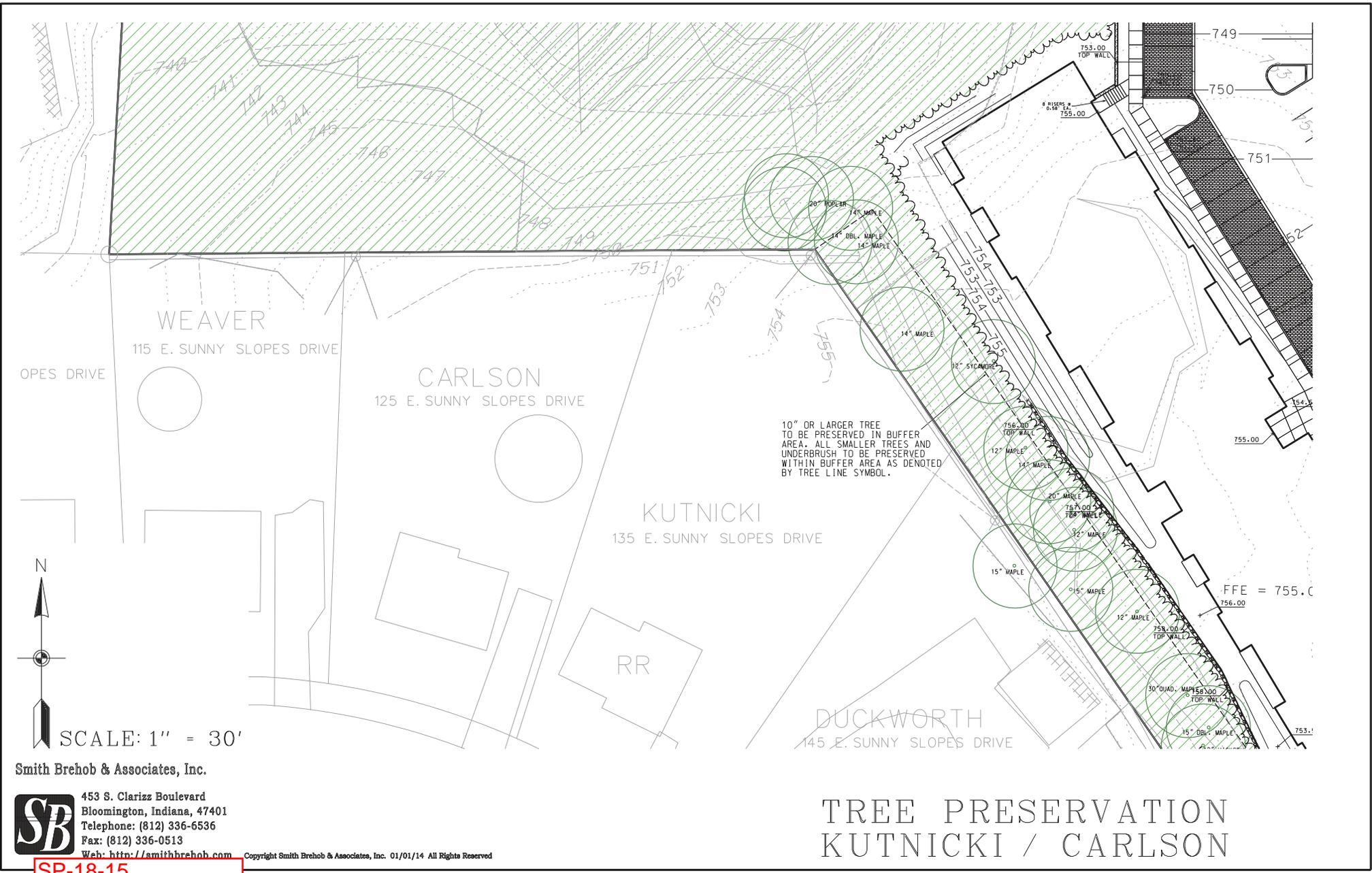
BOTTOM LEFT: RENDERED IMAGE OF THE VIEW FROM SUNNY SLOPES DURING WINTER CONDITIONS.

BOTTOM RIGHT: THE RED 'V' REPRESENTS THE VIEW SHOWN IN THE IMAGES TO THE LEFT, BETWEEN 145 & 155 SUNNY SLOPES DR.



SUNNY SLOPES / BUILDING B - RENDERING

PROJECT NO. <b>15024</b>		SHEET NUMBER <b>A20</b>	
DATE <b>08-31-15</b>		SHEET DESCRIPTION <b>SUNNY SLOPES / BUILDING B - RENDERING</b>	
<b>ECHO PARK</b> BLOOMINGTON, INDIANA			



SP-18-15  
Enlarged buffer  
showing preserved  
trees over 10"

10" OR LARGER TREE TO BE PRESERVED IN BUFFER AREA. ALL SMALLER TREES AND UNDERBRUSH TO BE PRESERVED WITHIN BUFFER AREA AS DENOTED BY TREE LINE SYMBOL.

KUTNICKI

135 E. SUNNY SLOPES DRIVE

RR

DUCKWORTH

145 E. SUNNY SLOPES DRIVE

RR

WATERS

155 E. SUNNY SLOPES DRIVE

10" OR LARGER TREE TO BE PRESERVED IN BUFFER AREA. ALL SMALLER TREES AND UNDERBRUSH TO BE PRESERVED WITHIN BUFFER AREA AS DENOTED BY TREE LINE SYMBOL.

MONTGOMERY

165 E. SUNNY SLOPES DRIVE

RR

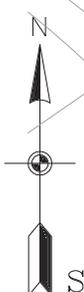
THOMAS

TREE PRESERVATION  
THOMAS / DUCKWORTH

FFE = 755.00

FFE = 755.00

10" OR LARGER TREE TO BE PRESERVED IN BUFFER AREA. ALL SMALLER TREES AND UNDERBRUSH TO BE PRESERVED WITHIN BUFFER AREA AS DENOTED BY TREE LINE SYMBOL.



SCALE: 1" = 30'

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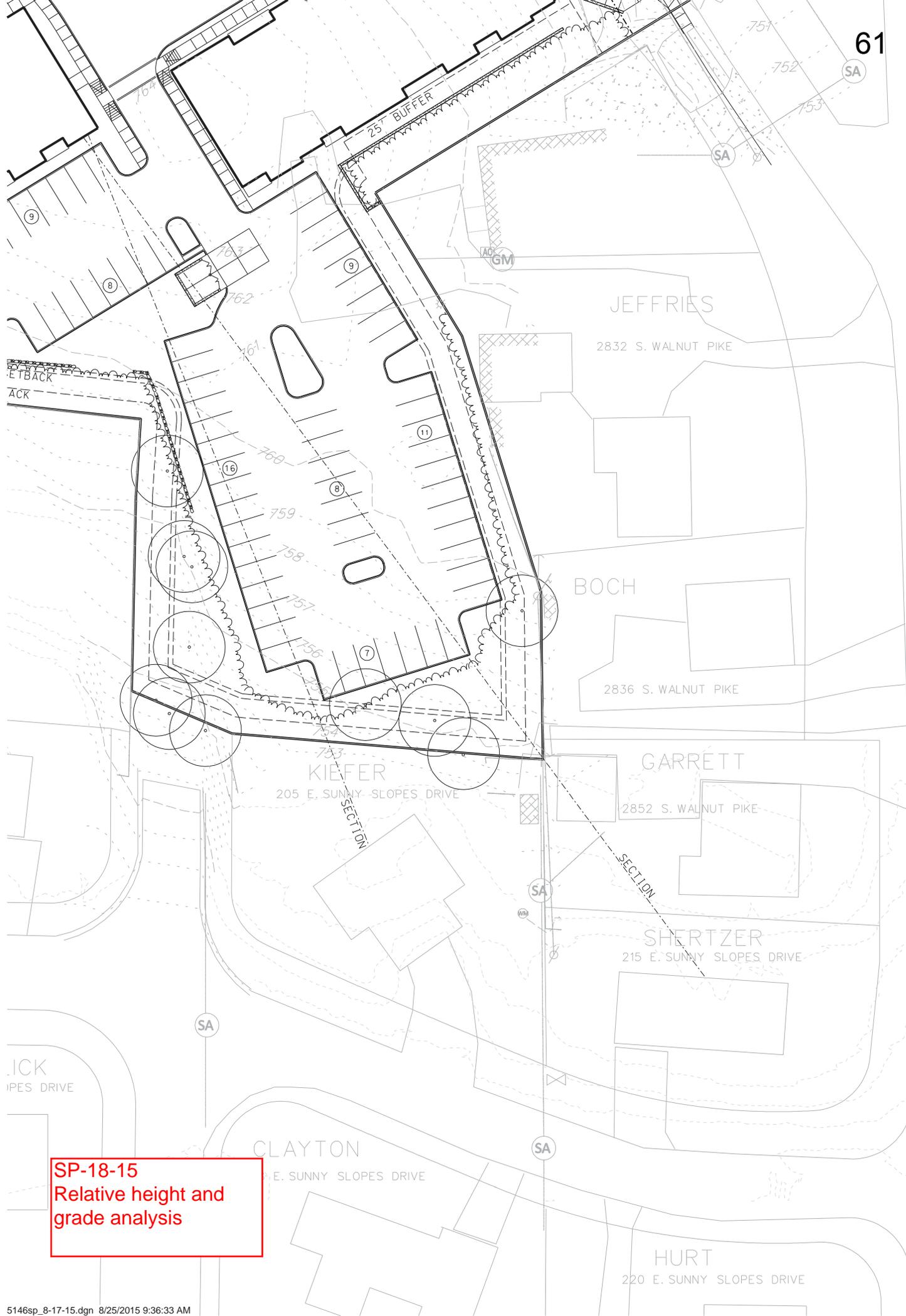
453 S. Clarizz Boulevard  
Bloomington, Indiana, 47401  
Telephone: (812) 336-6536  
Fax: (812) 336-0513

Web: <http://smithbrehob.com>

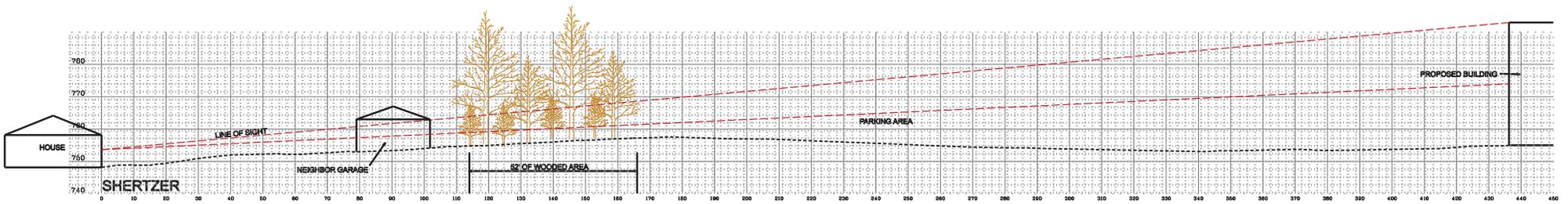
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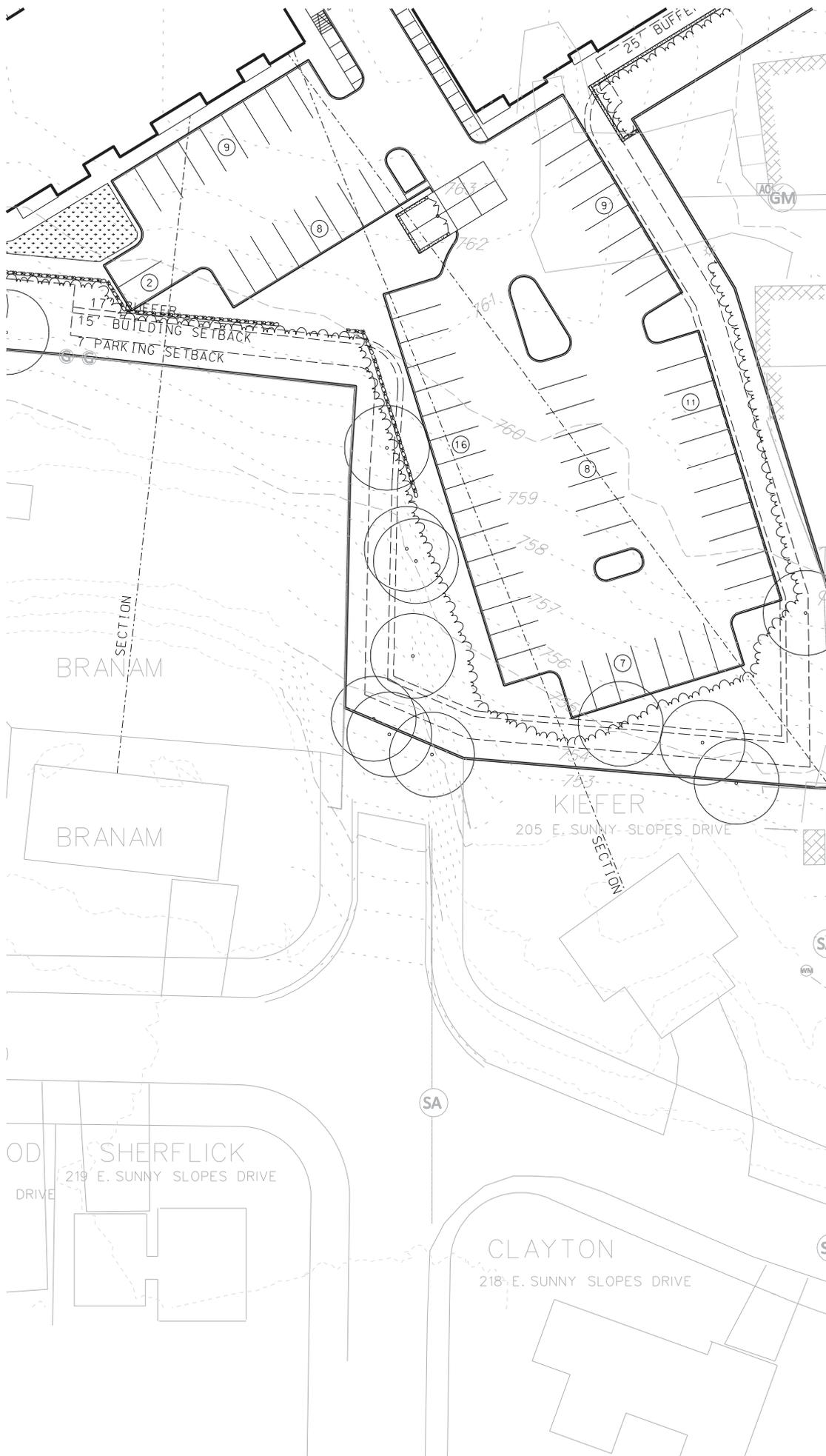
SP-18-15  
Enlarged buffer  
showing preserved  
trees over 10"

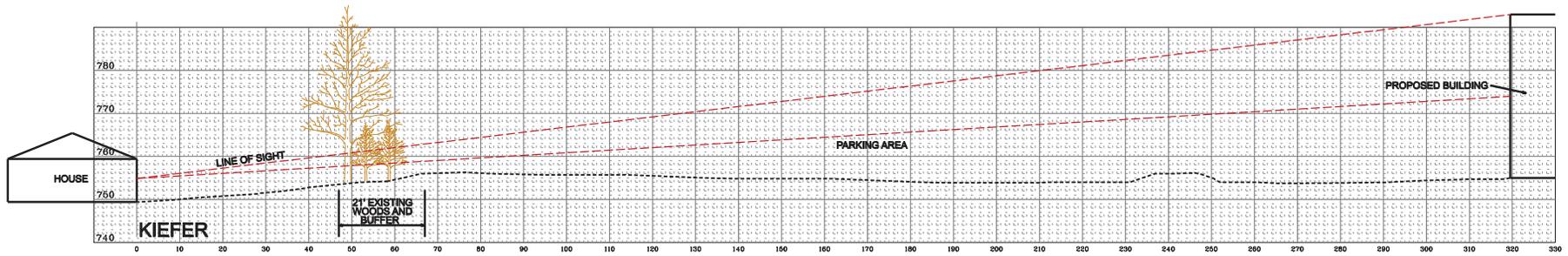


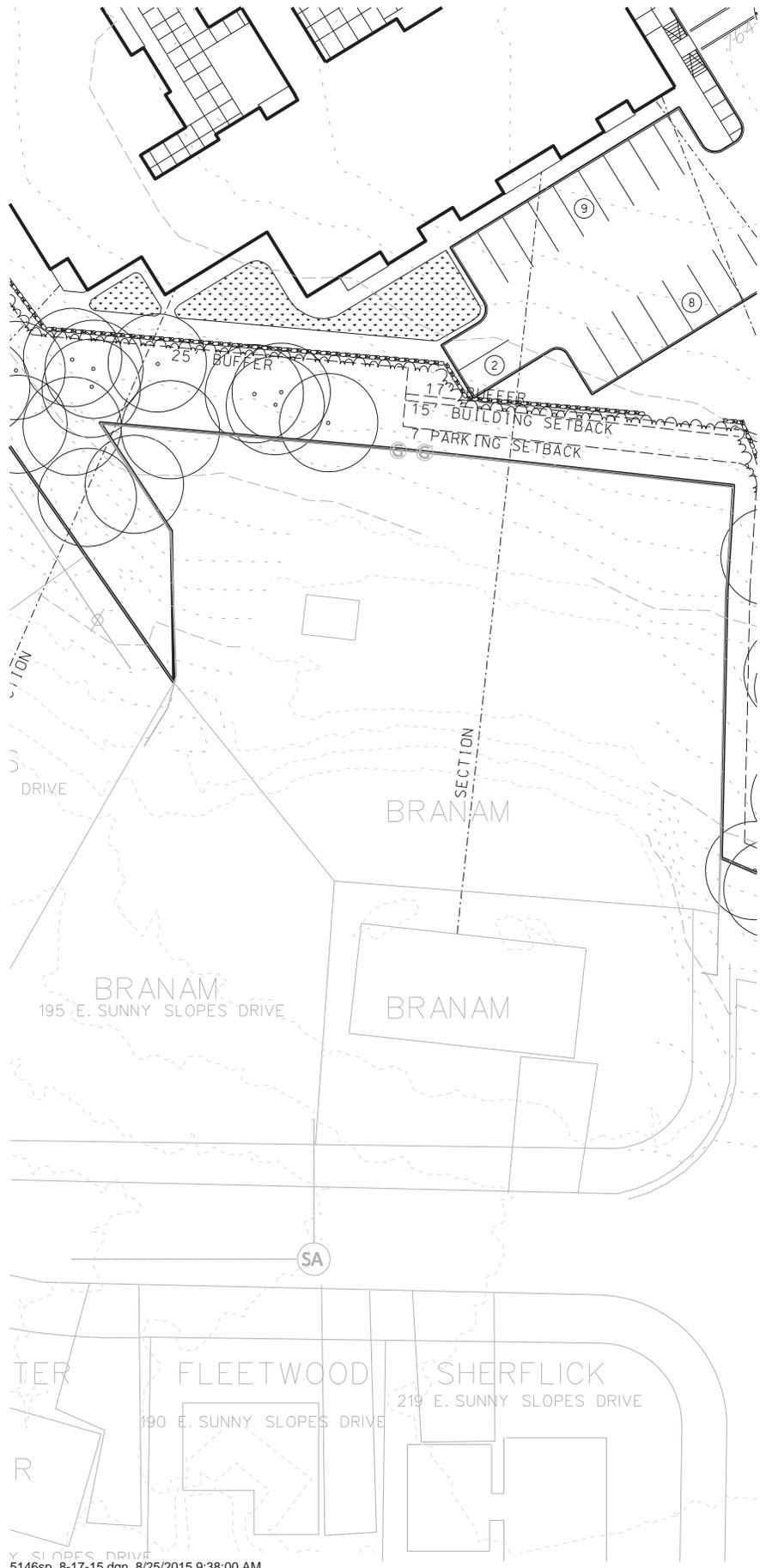


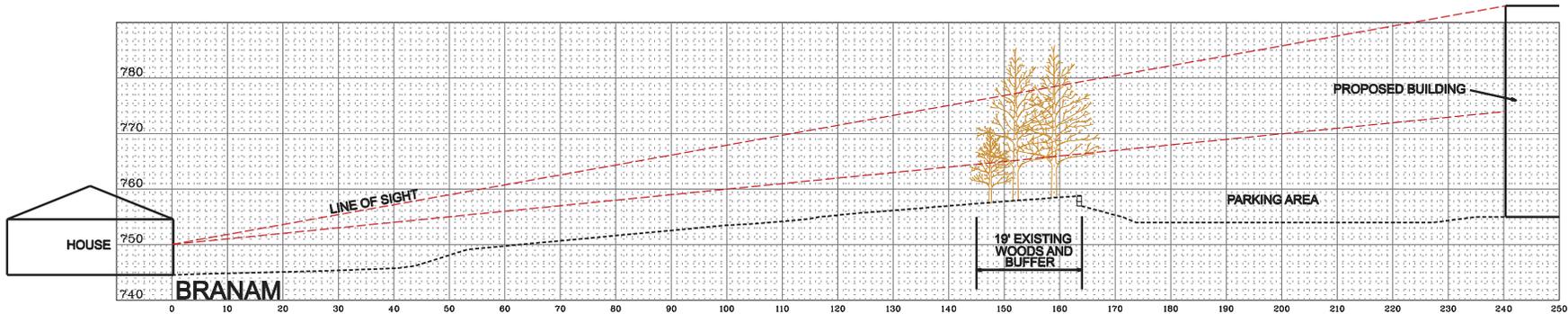
**SP-18-15**  
 Relative height and  
 grade analysis

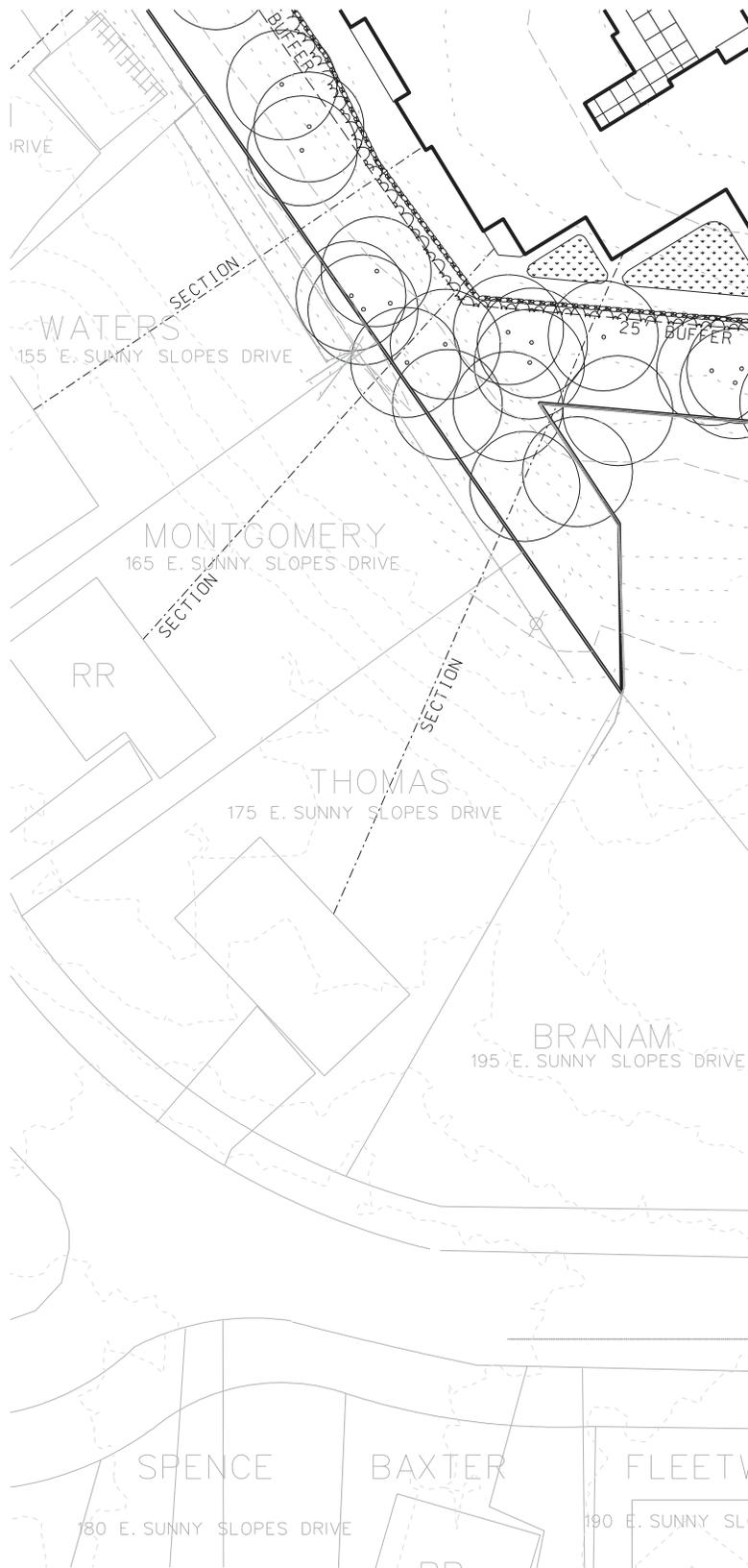


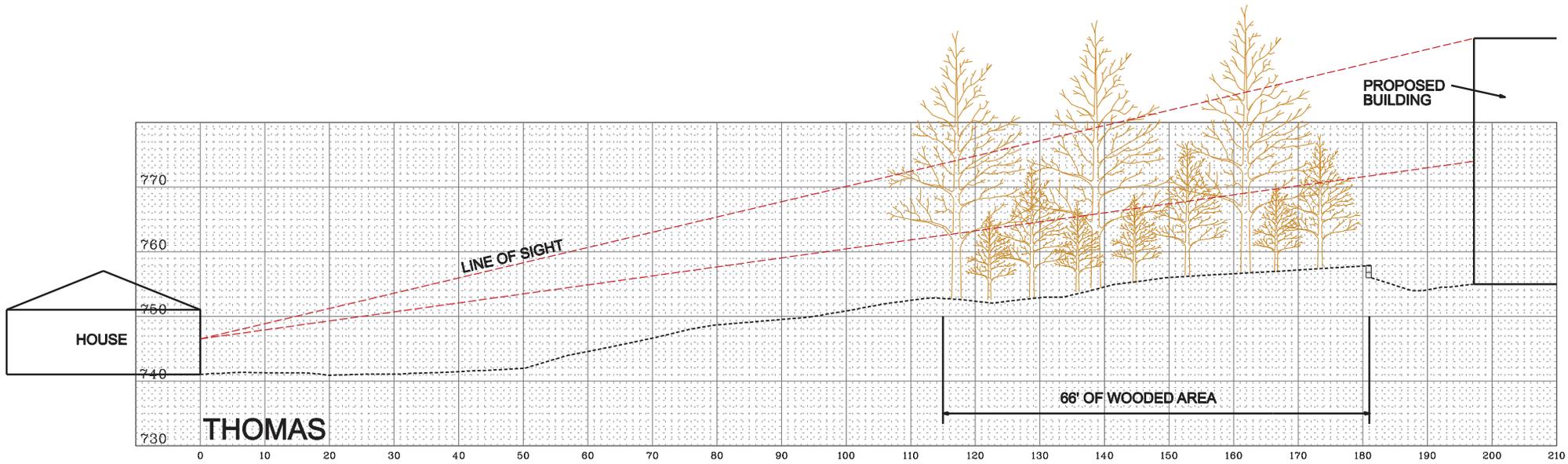


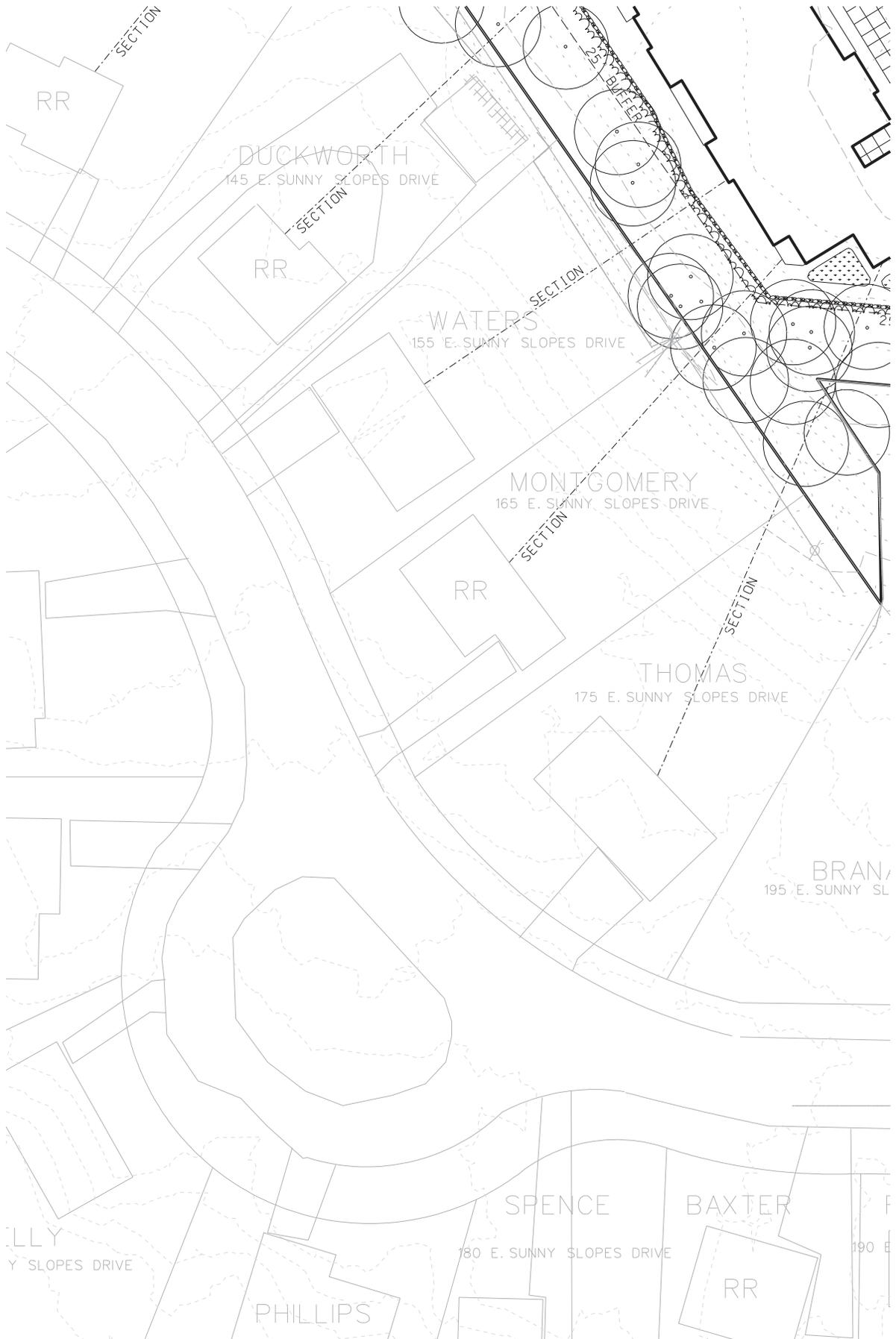


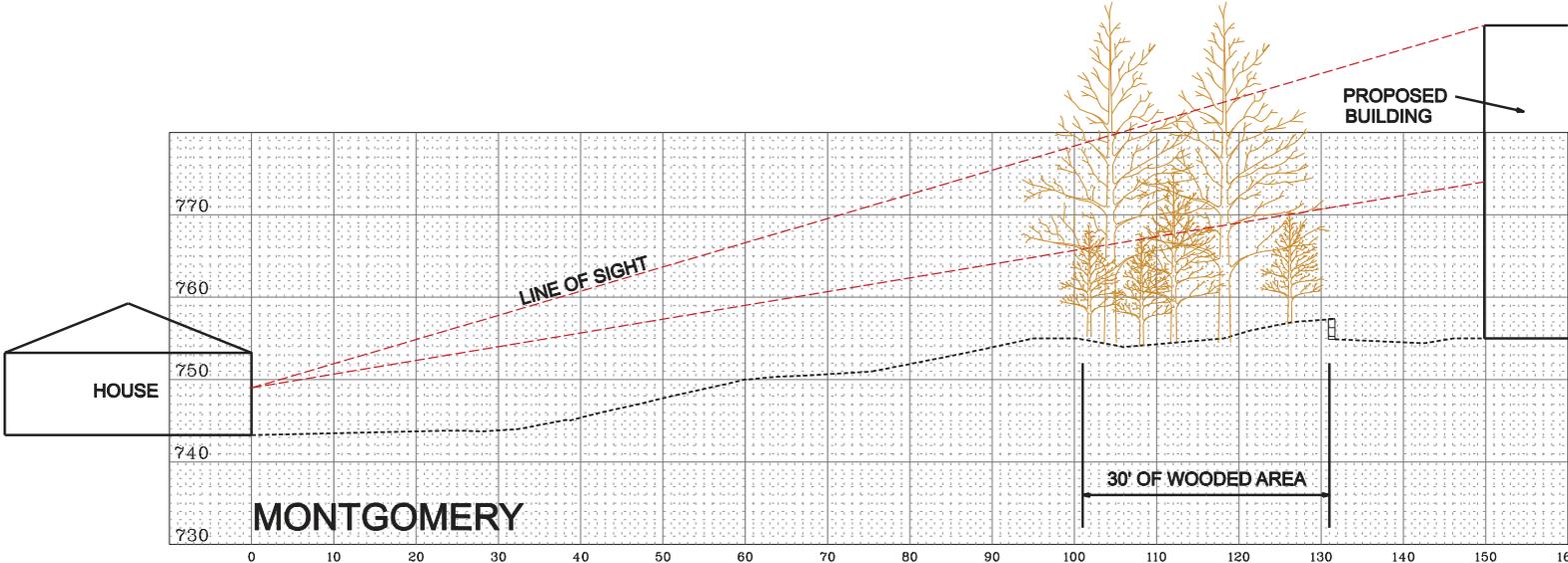


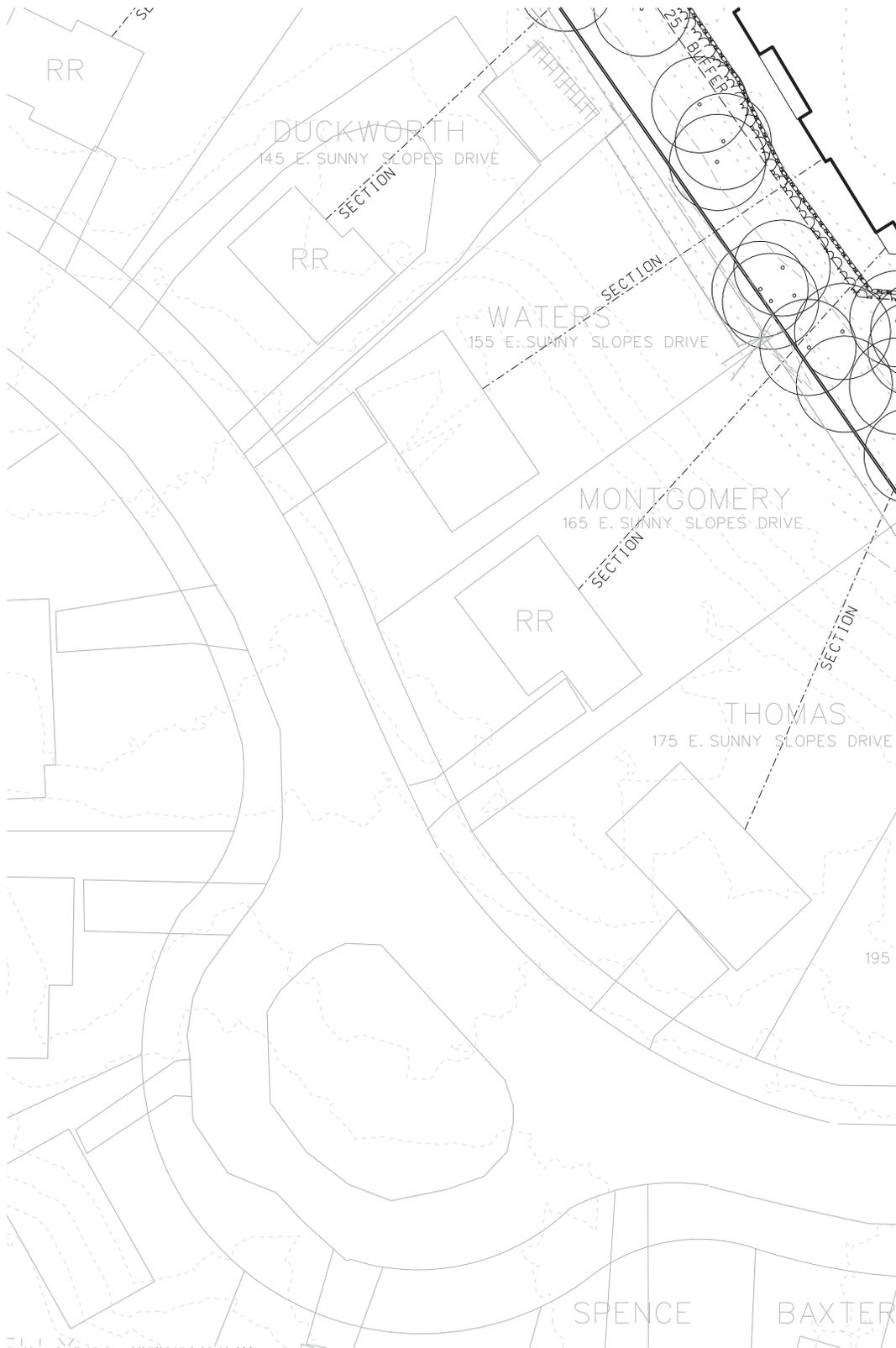


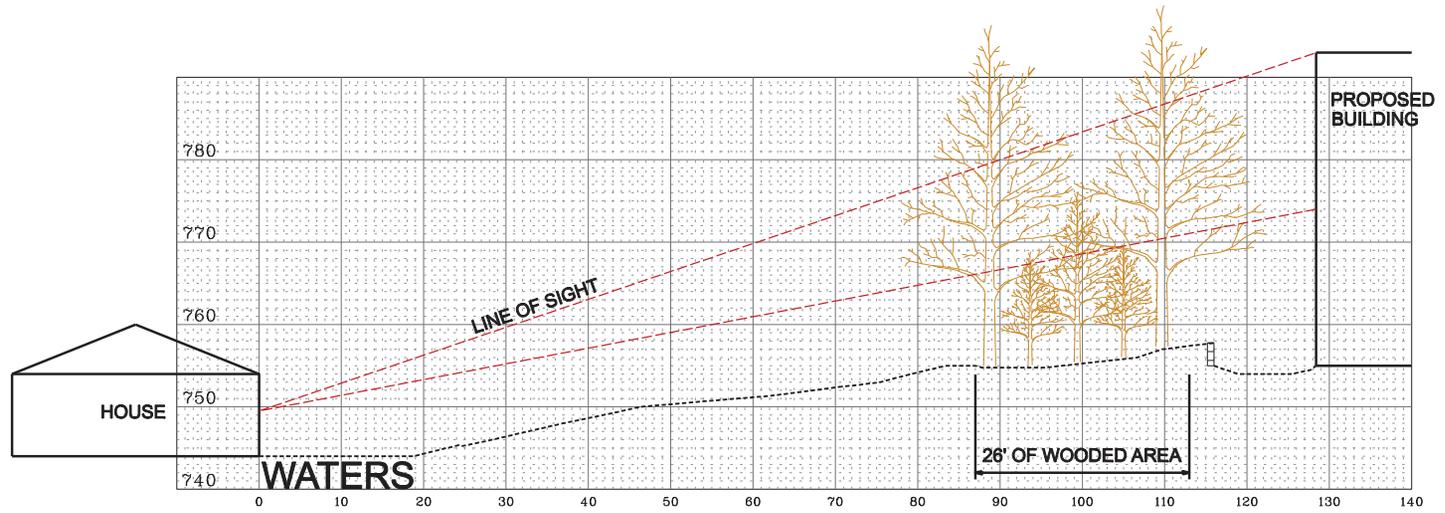




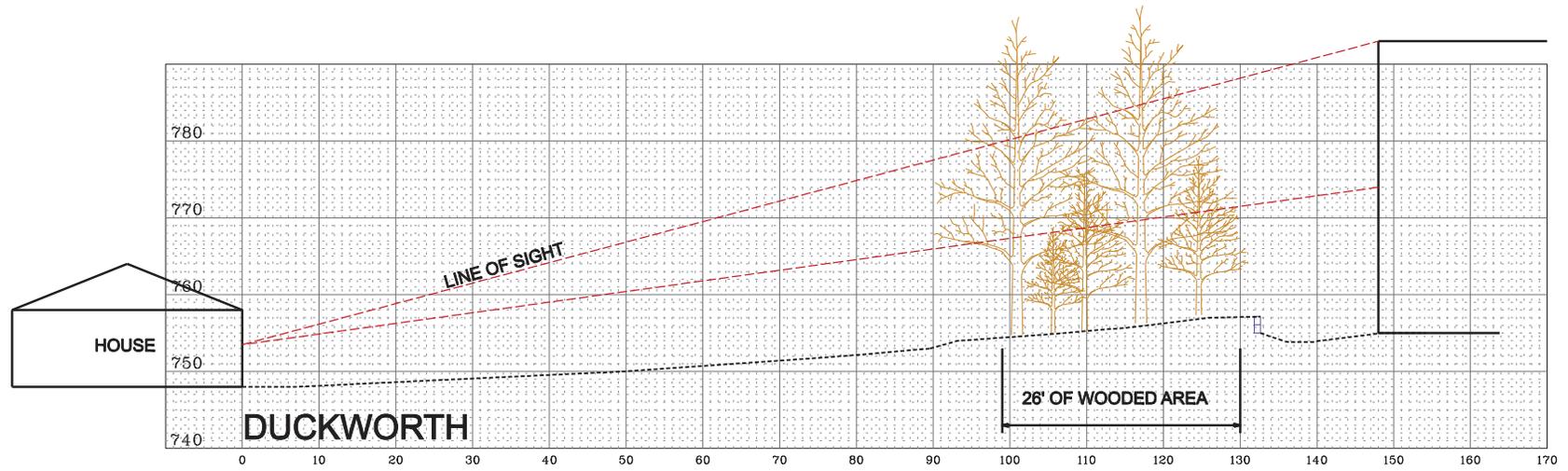


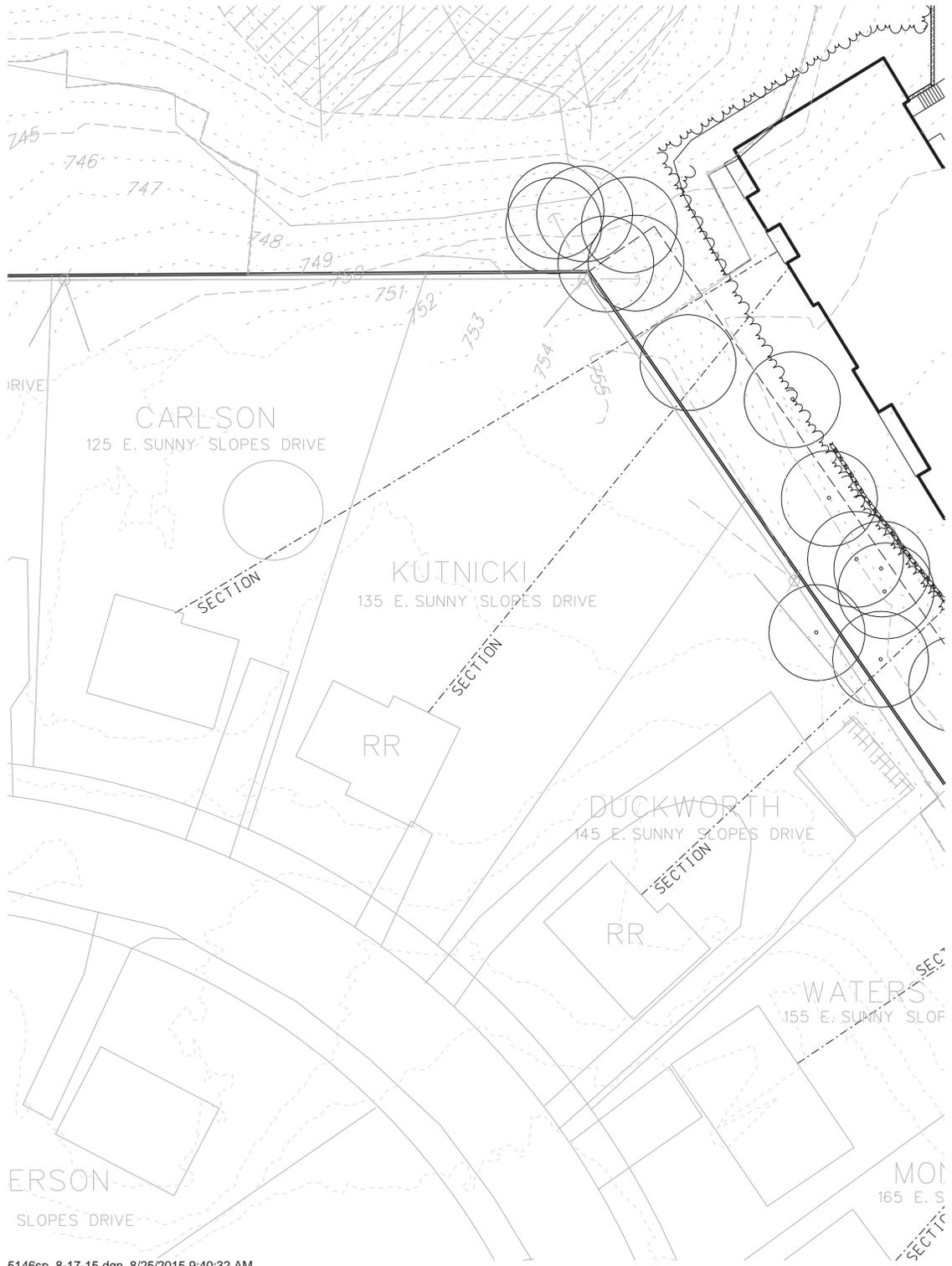


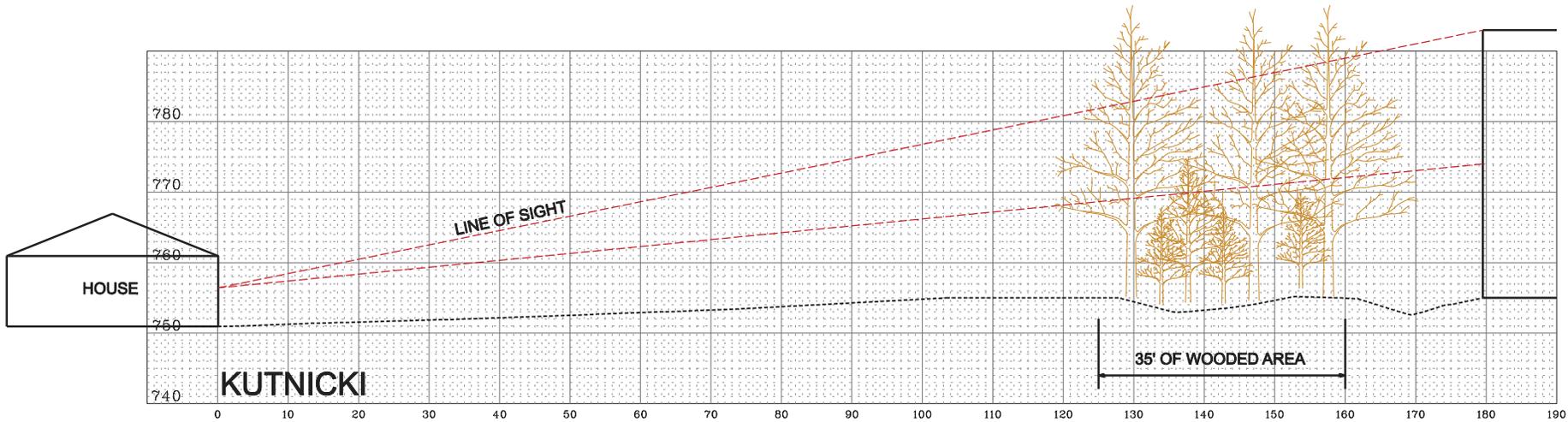




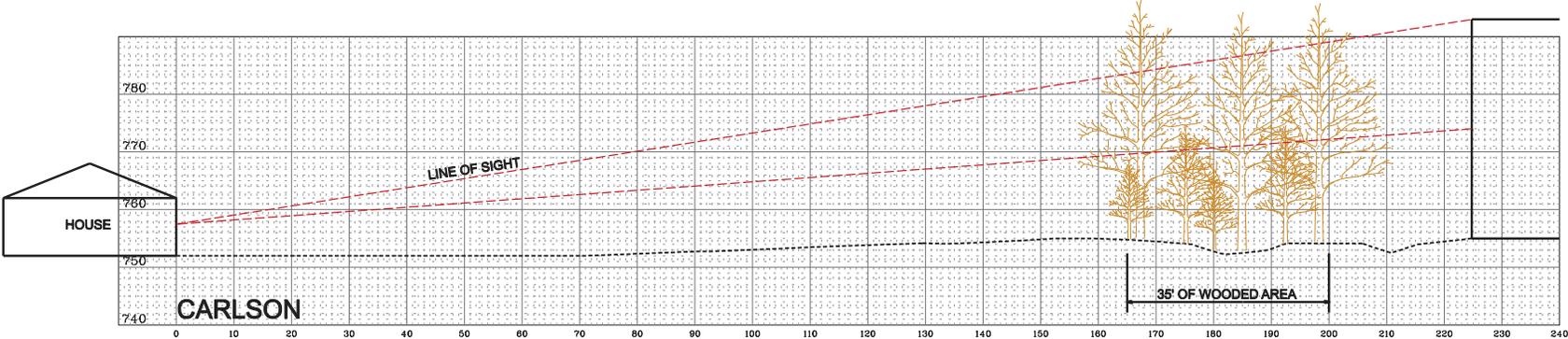


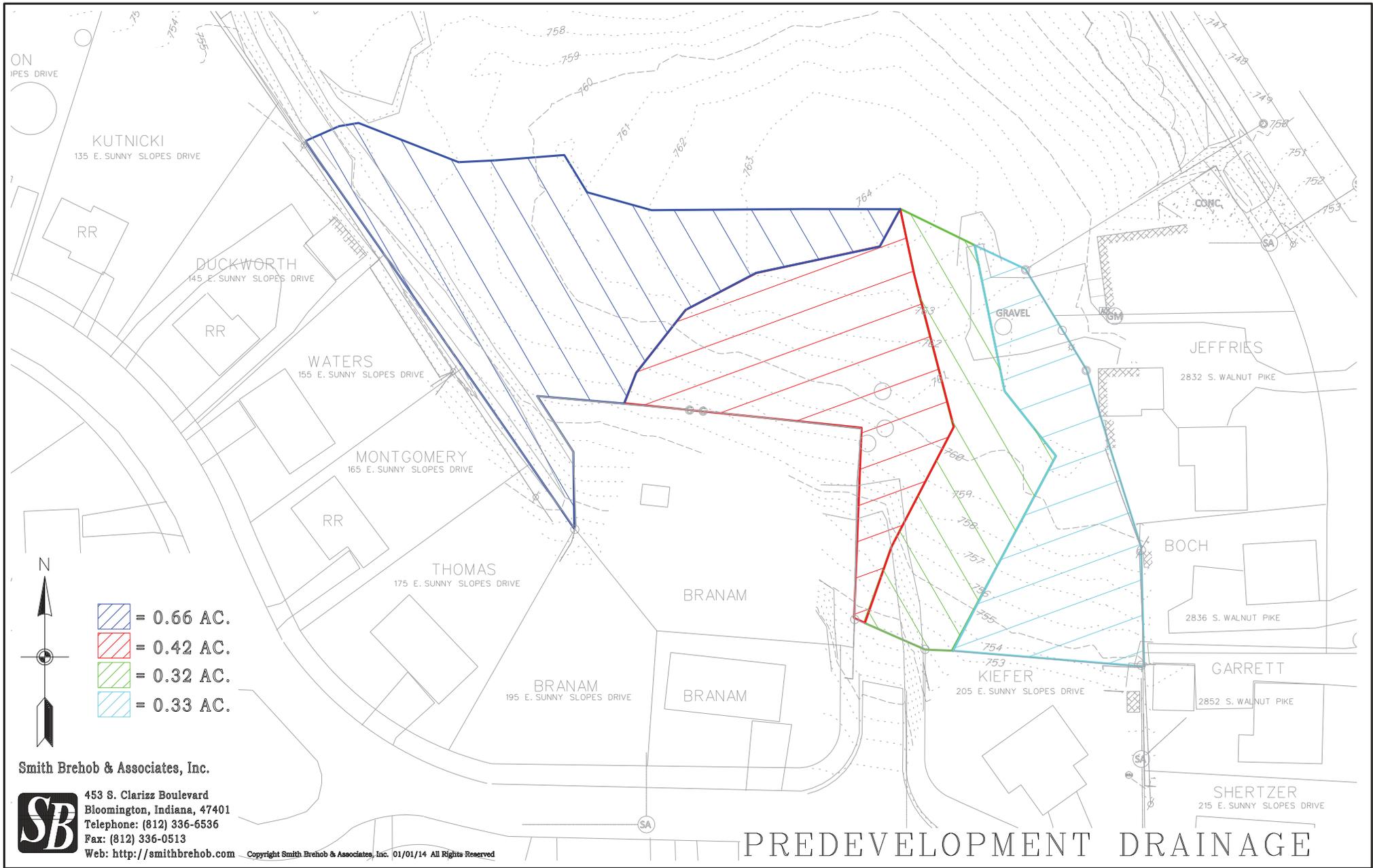












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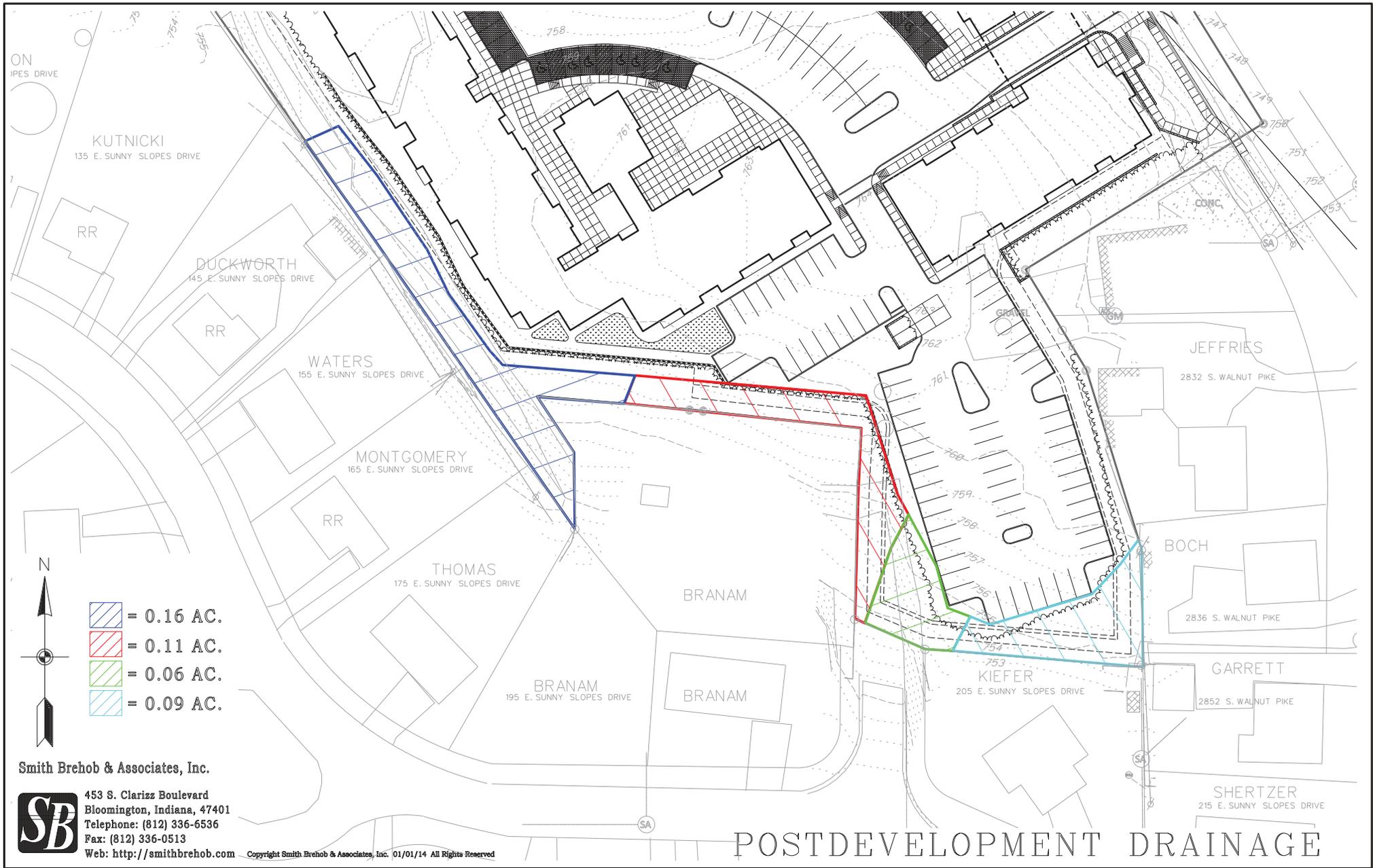
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Fax: (812) 336-0513  
Web: <http://smithbrehob.com>

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# PREDEVELOPMENT DRAINAGE

SP-18-15  
Pre-development  
drainage basin

Predevelopment Drain



Smith Brehob & Associates, Inc.



453 S. Clarizz Boulevard  
Bloomington, Indiana, 47401  
Telephone: (812) 336-6536  
Fax: (812) 336-0513  
Web: <http://smithbrehob.com>

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# POSTDEVELOPMENT DRAINAGE

SP-18-15  
Post-development  
drainage basin

Richard A. Phillips (812) 336-9142 August 3, 2015  
174 E. Sunny Slopes Dr. raphillips5@comcast.net  
Bloomington, In. 47401

Commissioner James Roach

Dear Mr. Roach,

I along with other neighbors in the Sunny Slopes addition have several concerns about the proposed Echo Park apartments.

We have a severe flooding problem where my wife and I live at 174 E. Sunny Slopes Dr. Our house is located at the south end of a cul-de-sac. Our house is built on a hill where the front of the house opens at the top of the hill on Sunny Slope Dr. and the basement is a walkout basement that opens at the bottom of the hill.

Storm water flows into our cul-de-sac from Sunny Slopes Dr. from both directions (east and west). When we have a heavy rain, our street turns into a river. The water level rises above the curb and flows into our yard. The storm water runs up against our house and to the west side of our property. The storm water has eroded the ground in front of our house and our basement floods. We have had our basement waterproofed twice and we have a total of three sump pumps. The waterproofing system cannot keep up with the volume of water coming from the street. The storm water has also created a sink hole in our neighbor's yard to our west.

I have a great concern that the storm water runoff from Echo Park could add to the flooding problem at our home location. Even though I brought this topic before with the Bloomington Planning Commission, I would like this concern discussed at the August 10<sup>th</sup> Bloomington Planning Commission meeting. I am also interested in how the Bloomington Utilities will work with the Echo Park developers as far as storm water drainage from the apartment is concerned. I would like to know the services and arrangements the Bloomington City Utilities will make with the developers of the Echo Park apartment. (Please see the images on the last two pages of this letter that illustrates the flooding).

My second concern with the proposed Echo Park apartments is increased traffic caused by the residents of Echo Park and certain safety issues. The residents of Echo Park only have two entrances to their apartments, both of which are on Walnut Street Pike between Winslow Road and Henderson Street at the top of the hill. The increase traffic from the residents of Echo Park who are coming from and going to their apartments will affect the traffic on Winslow Drive and southbound Walnut Street Pike. This increase in traffic would make it harder for residents of nearby additions to turn on to Walnut Street Pike. I would like for the

SP-18-15  
Letters from neighbors

city of Bloomington to conduct a traffic study on all of the streets involved with the Echo Park project. This would include Winslow Drive from South Walnut Street to Henderson Street, Henderson Street from Winslow Drive to Walnut Street Pike, Walnut Street Pike between Winslow Drive and the intersection of Henderson Street and Walnut Street Pike, and southbound Walnut Street Pike to East Allendale Drive.

The winter season presents a special hazard on Walnut Street Pike where the entrances to the Echo Park apartments would be. The section of Walnut Street Pike that runs between Winslow Road and Henderson Street is on a steep hill. There is increased risk of accidents due to freezing rain and heavy snow. I would also like this to be addressed at the Bloomington Planning Commission meeting.

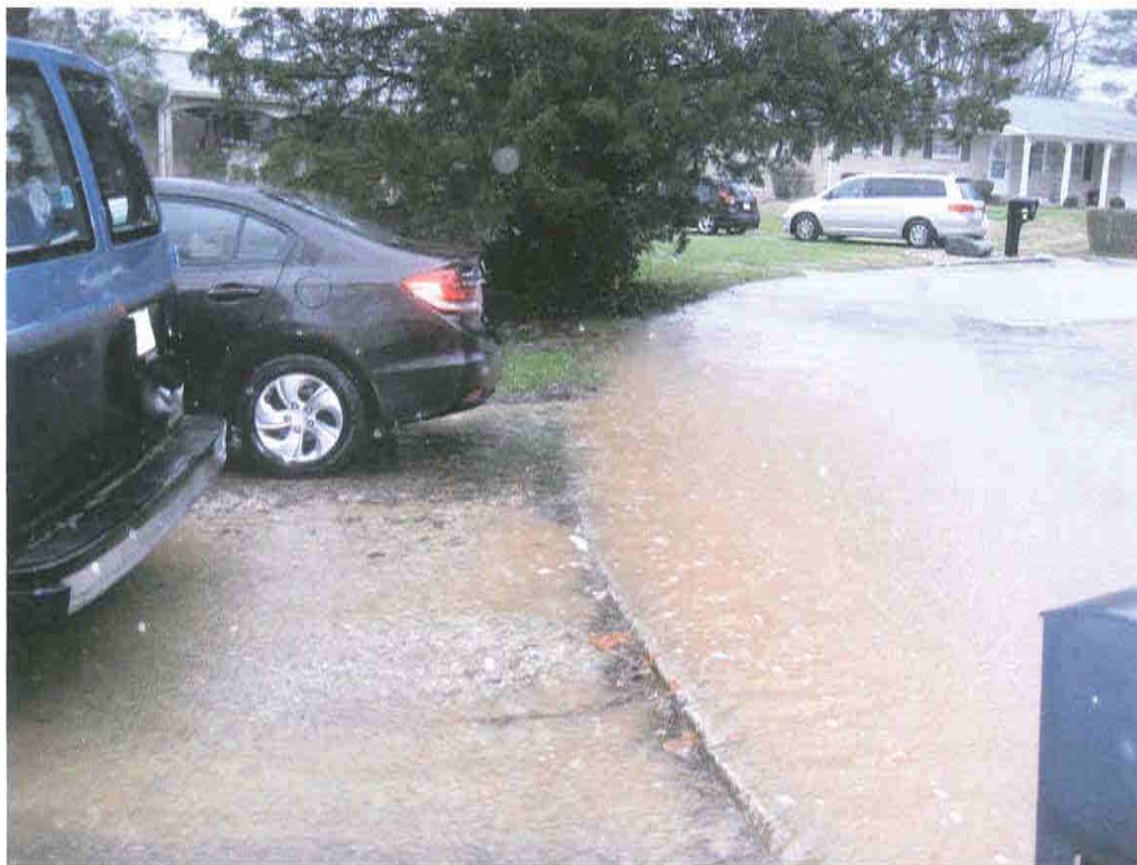
I appreciate your interest in our concerns.

Yours truly,

Richard A. Phillips



Looking south towards 174 E. Sunny Slopes Dr. from circle



Looking west from the east side of driveway at 174 E. Sunny Slopes Dr.



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

**S. Walnut Street Pike**

Jeni Waters &lt;waters.jeni@gmail.com&gt;

Mon, Jul 13, 2015 at 3:08 PM

To: Beth Rosenbarger &lt;rosenbab@bloomington.in.gov&gt;

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

I am writing to respectfully ask you to consider the viability of the plans being proposed by Pavilion Properties to develop high-rise apartments in the back yard of a small neighborhood of homes near the Walnut Street Pike property. I understand that it is your responsibility to make sure that laws are obeyed and a development will be profitable, but please take into consideration some of the following when deciding if this plan is best for the property tax paying home owners and the community overall.

The City Planning Department and proposed developers may or may not be aware of some significant shifting of the land over the last few years. The land has shifted the slopes bordering the homes on Sunny Slopes Dr. downward enough in the last year to cause cracking of concrete patios, driveways and even causing foundation issues. Also, the properties on Sunny Slopes Dr. have been subject to significant water pooling and even some flooding due to runoff water from the sloping land. I am very concerned that construction of the Walnut Street Pike woods and covering with concrete so near to the homes would significantly exacerbate both issues.

With a large low-income population in the area, the residents of the Sunny Slopes neighborhood have been the victim of countless break-ins, both auto and home as well as vandalism. There is a great chance that sandwiching this neighborhood between low-income and high-income residents will cause a major increase in traffic of criminal activity and cause undue safety issues to the residents, who are comprised of elderly and families with young children.

It is my understanding that the development goals of the City of Bloomington are to provide affordable housing to the Bloomington community. From the information I received, Pavilion Properties intends to charge \$900 per month for a one bedroom apartment. I'm not sure I've ever met anyone who would consider this affordable. This leads me to question who they're really marketing to. According to Pavilion Properties, they are targeting small families and grad students, but what grad student can afford \$900 a month for rent, and what small family would want to cram themselves into a one bedroom apartment? So who will rent these apartments? Young college kids with rich parents. And what do they like to do? Party and make noise. In my opinion, placing them far from campus and in a small family oriented neighborhood would only cause a nuisance to the neighboring residents and give them a longer drunken drive home from the bars on the weekends.

In addition to my concerns of how this development will affect the topography, crime rate and what type of people it will attract, I am very concerned about how this will affect our property value as homeowners. Some may say that high end apartments will raise property values, but when a three story high rise in someone's backyard (literally...only feet away) replaces a beautiful wooded view, I can't help but think that the property value will only go down. No one wants a towering wall of windows peering into their back yard, especially when their neighbors were previously limited to wildlife. There will no longer be privacy and safety for our children to play in their own back yards and the quality of life in our homes will be severely impacted.

If this development absolutely has to happen, I would greatly appreciate consideration of relocating the building directly bordering the homes on Sunny Slopes Dr. With all of the land available, why does this building have to butt up right against our back yards? Can this not be considered the nature preserve area? By relocating the one building and putting the nature preserve along Sunny Slopes Dr., issues such as rain runoff, resident privacy and loss of property value would not exist. Alternatively, I would request that at the absolute minimum, providing some kind of real buffer to separate the apartment building from our back yards. A thin line of trees is not going to do anyone any good.

As I said in the beginning, I do understand that your primary concerns are legal and financial, but please, PLEASE, consider the feelings and well-being of the property tax paying homeowners in your community. We in the Sunny Slopes neighborhood have all worked so hard for our homes and this development with plans "as is" will have a great and negative impact on many facets of our lives. Lives that we have devoted to the city we love and want to remain a part of.

Respectfully,

Jennifer Waters  
155 E. Sunny Slopes Dr.  
Bloomington, IN 47401  
(812) 679-8748

On Thu, Jul 9, 2015 at 5:03 PM, Beth Rosenbarger &lt;rosenbab@bloomington.in.gov&gt; wrote:

[Quoted text hidden]

SP-18-15  
Letter from neighbor



James Roach <roachja@bloomington.in.gov>

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**Echo Park /Sunny Slopes**

**Beth Baxter** <bethbaxter@sbcglobal.net>

Reply-To: Beth Baxter <bethbaxter@sbcglobal.net>

To: "roachja@bloomington.in.gov" <roachja@bloomington.in.gov>

Tue, Aug 4, 2015 at 2:40 PM

Dear James,

I do not know if anyone in the neighborhood has emailed you but in case they have not I made a list of some of the concerns:

- How much of a buffer there will be between the trees and the neighborhood
- Erosion concerns when the trees are cut down
- Traffic from cars cutting thru our neighborhood
- Light Pollution
- Noise
- The height issue of the apartments
- The building materials
- How much of the view of the forest will be blocked by the development
- Drainage issues getting worse for our street which already floods when it rains

These were my notes from last week's meeting.

We have another meeting tonight

I am trying to form a neighborhood Ass. here in Sunny Slopes and will be contacting Vicki soon

Sincerely,

Beth

SP-18-15  
Letter from neighbor



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

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**August 10 hearing**

David Keppel <keppel@sbcglobal.net>  
To: James Roach <roachja@bloomington.in.gov>  
Cc: Sharon Dalton <pegasus.properties@gmail.com>

Fri, Jul 24, 2015 at 4:37 PM

Dear Mr. Roach,

It was a pleasure to speak to you today about the Studio 3 Design proposal for apartments at 3300 S. Walnut Street Pike. Sherwood Hills II is not ready to take a final position on the proposal. I believe our preliminary concerns would center on traffic and on water runoff. On traffic, I am particularly concerned about the safety for pedestrians and cyclists of the intersection of Walnut Street Pike and Winslow Road. It is already dangerous (especially from East-bound cars on Winslow making a fast right onto Walnut Street Pike and failing to see a pedestrian trying to cross), and problems would get worse with increased traffic. At a minimum there would need to be a four-way stop sign. I urge the City to do this before we have a serious injury or loss of life.

Another serious issue is water runoff, which would be exacerbated by more asphalt. The Planning Commission must ensure there are adequate measures to contain this.

As more information becomes available, I may submit further concerns on behalf of the Sherwood Hills II Homeowners' Association, but the comments above are ones I do hope the Planning Commission and the Transportation Department will consider now.

With thanks and best wishes,

David Keppel  
President, Sherwood Hills II Homeowners' Association  
890 East Sherwood Hills Drive  
Bloomington, IN 47401-8107  
(812) 272-0597

SP-18-15  
Letter from neighbor



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

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**Class-A Multifamily project on South Walnut Pike**

Roger Kugler <roger@hoosierwoodworks.com>  
To: roachja@bloomington.in.gov

Mon, Aug 3, 2015 at 9:44 AM

Dear Mr. Roach,

In regards to the new sub-division being built north of the Sunny Slopes addition I would like to express a few concerns:

1. Proximity to neighbors on Sunny Slopes- These neighbors on the north side have enjoyed a wooded backyard for nearly 60 years. I don't believe the 10 foot buffer is enough to truly create a separation between the two neighborhoods. I live on E Ridgeview Dr and remember the collaboration between the Ridgeview residents, city officials and Tom Martin the developer of the wooded area south of us around 1999/2000. It was agreed that when the property sold and building started a berm about 5' high would be built and evergreen trees planted atop to create a year round visual and sound barrier. In addition Mr. Martin agreed to build a fence along the property line as a physical barrier. I would like to see these measures considered for the northern boundary of Sunny Slopes addition.

2. Light Pollution- I would strongly encourage the developer and city work to limit the amount of light escaping the property, both vertically and horizontally. Special attention should be given to shroud light sources to eliminate direct view by Sunny Slopes residents and to establish a method residents could use to work with the developers to correct any problems.

3. Increased Traffic- Cut through traffic on Ridgeview, Brookside and Sunny Slopes has increased significantly with the addition of new residences on the East side of Walnut Street Pike. This cut-through traffic travels at a greater speed than do most residents. I ask the city to be cognitive of this and make every effort to not increase this problem and perhaps, to offer solutions to reduce speed and traffic. Currently the speed limit is 30 MPH, the same as on four-lane S. Walnut in front of the high school.

Thank you for taking the time to hear my concerns.

Respectfully,  
Roger Kugler

--  
Roger Kugler  
Hoosier Woodworks  
118 E Ridgeview Dr  
Bloomington, IN 47401  
812.325.9823  
[www.hoosierwoodworks.com](http://www.hoosierwoodworks.com)  
<http://www.hoosierwoodworksstore.com>  
<https://www.etsy.com/shop/hoosierwoodworks>  
[roger@hoosierwoodworks.com](mailto:roger@hoosierwoodworks.com)



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

**Proposed development, Walnut St Pike and Sunny Slopes**

Kutnicki, Saul Davis &lt;skutnick@indiana.edu&gt;

Wed, Aug 5, 2015 at 10:16 AM

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

Dear Mr. Roach,

As I am sure you know by now, many of the residents in the Sunny Slopes neighborhood in South Bloomington are concerned about the potential development of a 143-unit apartment complex on the wooded hill that backs up to many of the homes in the area. These concerns are diverse and address many different perceived effects of such a large development. However, I would like to use this email to inform you of some of my own concerns and highlight why I am strongly opposed to the scale and impact of the project.

I live at 135 E Sunny Slopes and decided to make my home here, while I attended graduate school at Indiana University. Some of the things I love about living here are the proximity to an excellent public transit system, the nearby B-Line, the quiet and tucked away patches of backyard that many of the houses here enjoy, and the wonderful mix of people whom I call my neighbors. But one of the best things about this neighborhood are the trees, especially those in the old woods behind my house. These woods provide a rich ecosystem for a variety of wildlife, such as red tail hawks, foxes, salamanders, countless small birds and mammals, and trees that were likely here before most of us. I consider this wildlife to be part of the neighborhood ecosystem. They may not be able to vote, and we may have our petty disagreements about how many tomatoes disappear from my vegetable garden, but I consider their homes to be just as much at stake right now as my own. While some woods will be preserved during the development of the landscape and will not be demolished as a result of the proposed project, I do not believe that the full environmental impact has been considered concerning what will be destroyed, especially since these particular woods are surrounded on three sides by roadways, leaving few options for some wildlife to migrate safely and for others to continue to thrive.

These three roadways, incidentally, will be suddenly occupied by a large number of cars associated with the 143-unit development. In my opinion, it is unclear at this time whether the current civic landscape can accommodate such a condensed amount of traffic, which would be further congested by fleeing wildlife. I am concerned about the readiness of the city to absorb the increased traffic and the subsequent hazards that might be expected when the suburban infrastructure is impacted by such a large development. While I have been informed that the city and developer plan to make improvements to sidewalk accessibility and traffic control, none of these seem to take into account the complexity of vehicular traffic as it currently exists and how that complexity will be compounded by the apartment complex being proposed. This includes not only the final impact of the project, but the projected months dedicated to construction and deforestation that precede it.

While the nature of the construction project itself, from my understanding, has met all the legal criteria to comply with zoning laws, this does not make such a development a good idea. What's more, I am not convinced that either the city, or the developers have assessed the full environmental impact of eliminating approximately 40% of a densely wooded area, such as this one. For instance, while there have been rumors of a tree buffer to be maintained between the back of the development and the Sunny Slopes neighborhood, a plan has not been established for how those trees are to be continuously protected, nor is it clear how the construction project will assuredly protect underground root systems that may stretch as far as 20-30 feet beyond the base of the tree line. Arborists and landscape architects will attest that if you destroy a tree's root system, then the tree will follow. If a parking lot or building foundation is placed next to a tree line, those trees will most likely eventually die off eliminating much more forest than the developers claim to preserve. The age of these trees and the forest as a whole does not seem worth the risk of this scale of destruction.

While I have chosen to focus mostly on the environmental impact of the development being proposed, I know that my neighbors have many more concerns that are equally important for the city and developers to consider. I recommend that the project planned for the lot behind the Sunny Slopes neighborhood be postponed until as many of these concerns can be addressed and responded to with evidence and careful study of the *full* impact of the project. In the end, I believe that the developers and the city will find that the project would be best constructed elsewhere, since there are many areas in the city that would benefit greatly from a development like this. If they reach this conclusion, I believe it will be for the good for them, good for the Sunny Slopes community, good for the future tenants of the apartment complex, and good for a thriving ecosystem that Bloomington has an opportunity to preserve.

Sincerely,

Saul Kutnicki

Saul Kutnicki  
Associate Instructor  
PhD Student,  
Communication and Culture  
Indiana University-Bloomington  
[skutnick@indiana.edu](mailto:skutnick@indiana.edu)

SP-18-15  
Letter from neighbor



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

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**Echo Park concerns**

allison strang <astrangebeet@gmail.com>  
To: roachja@bloomington.in.gov

Wed, Aug 5, 2015 at 1:28 PM

Dear Mr. Roach,

I learned last night at our community gathering that you had expected our emails to be into you by yesterday. I apologize for my late contribution with hopes you will still consider these concerns.

First is for the greater pattern of development in Bloomington In. We are destroying the wild nature pockets within city limits. Doing so destroys ecosystems and, "many writers have suggested that the rupture between human communities and the natural world contributes to a lack of psychological well-being, and ultimately to emotional problems and ill-health (Kuhn, 2001; Pilisuk & Joy, 2001; Roszak et al, 1995; Roszak, 2001)." Not to mention what eliminating green spaces does to global temperatures. Pouring concrete onto the earth increases temperatures because the sun is reflected off of the concrete then trapped within the atmosphere, whereas with earth, the heat is absorbed. I do not like the idea of developing that nature scape; home to screech owls, coopers hawks, many native plants that are typically choked out by honeysuckle, and the old trees with wide root systems. However, if my concerns will echo the Lorax's and yield the same outcome then:

1. The buffer between Sunny Slopes and the development should be as wide as the building is tall.
2. 2 stories rather than 3
3. As little artificial lighting as possible
4. No water runoff into Sunny Slopes

Some other questions and concerns I have are, will our property taxes increase because of the development? Are there plans to sell the property after it is developed to a different owner? How will traffic flow be managed? Right now the speed limit in Sunny Slopes is 30 mph which is way too fast anyway, could that be lowered? The forest gives residents in Sunny Slopes a sense of protection, comfort in a sea of speed and plastic. Bulldozing and destroying the landscape will have a chain effect on all the trees. They say only 50% will be destroyed, but many more will die because of the destruction of their root systems.

Thank you for taking the time to listen and consider my heart felt concerns about a city and home I love.

Sincerely,  
Allison Strang  
129 E. Ridgeveiw Dr.

SP-18-15  
Letter from neighbor

**Secured Message**[Reply](#)[ReplyAll](#)[Forward](#)

From: Clayton, Mary L. <clayton@indiana.edu>  
To: James Roach <roachja@bloomington.in.gov>  
Date: August 7, 2015 01:45:23 AM  
Subject: proposed multi-family development on Walnut Street Pike

Dear Mr. Roach,

As we told you in person, we have a number of concerns about the proposed Echo Park development.

This property should never have been zoned other than single family. It sits literally (in the literal meaning of 'literal') in the backyards of Sunny Slopes residents. Sunny Slopes is a nice 49 year old single-family residential neighborhood, and although we have always known that "the woods" would eventually be sold and developed in some way, having a huge three-story, two hundred twenty bedroom complex, housing probably many more than 220 people is not what we expected. It will have an enormous negative impact on our quality of life, possibly our safety, and probably our property values: privacy, noise, light pollution, drainage concerns, destruction of many of the large old trees that form our sky-line, probably increased crime, certainly increased traffic.

As for the zoning question: It is the understanding of residents who have lived here since the neighborhood was built in 1956 that the area under discussion was part of the land with the neighborhood, and was surely zoned along with it. Neither they nor other long-time residents (We have lived here since June, 1980) recall having been notified of changes in this zoning, either before or after we became part of the city. We certainly weren't asked for our input. When I first raised the objection to the multifamily designation to Beth Rosenbarger, she noted that there must be boundaries between zones somewhere. That is reasonable: Although we might have preferred the pasture that used to be across Walnut Street Pike from us, we didn't complain about the apartments. The road seems like a reasonable boundary. But in this case, the boundary is simply people's property lines. Even on the zone map it looks unreasonable.

Part of the problem with this proposed development is that all of the developed area is extremely close to properties in Sunny Slopes. Due to the nature of the land, less than half of it can be built on, and taking advantage of the city's allowances for such situations, they propose to squeeze nearly the maximum allowable dwelling units for RM zoning onto only half of the land, creating a density that is approaching the limit for high density zoning. Furthermore, much of this development is as close as it can get to our neighborhood. It may be that legally they CAN do this, but that doesn't mean that they SHOULD. It would be interesting to know if they would build this thing in their own back yards. This project looks like a very bad fit for this piece of land. It would seem more suitable for the kind of housing the City was seeking proposals for in the tech park area (Herald Times July 14th, 2015), where it could be high density on its face rather than masquerading as multi-family.

Even the apartment complex across Walnut Street Pike is only two stories high. Having a three story buildings immediately adjacent to the properties on the north side of Sunny Slopes will create a sense of their looming over us. Contrary to comments by the developers quoted in the Herald Times that a tree-line would keep us from seeing the development "most of the time", as we know, leaves fall from the trees by mid-November and don't fill out again until mid-April. This is five months. And even for the remaining seven months, they would need to leave a good buffer to block the view. One tree deep won't do it.

Some problems that we foresee have to do directly with the number of occupants involved: increased noise, very likely increased crime, traffic congestion on Walnut Street Pike. We especially don't need pedestrian and bicycle access into our neighborhood from the proposed development. This feature is listed under "environmental" (p.5 Petitioners Statement), I assume referring to the environmental advantages of walking and bicycle riding. But in fact, there is no place a resident of the proposed Echo Park could get to by coming into our neighborhood that they couldn't get to just as easily by exiting onto walnut street pike. We understand that our neighborhood streets are public, but it seems unnecessary, and unwise from a safety and privacy perspective, to allow more than 220 people easy access into a small single-family neighborhood.

Other concerns have to do with the extensive building but are less directly related to the number of residents. In particular, we are very concerned with the loss of the tree-line that forms the skyline as seen from the front of our house. The short summary that we were shown when we first visited the Department of Planning and Transportation states "Setbacks - 25' maintained 15' plus additional 10'". But the page entitled "Environmental Constraints Summary" and "Development Summary" says under parking setbacks, "side yard = 7' or 15' plus 2' buffer adjacent to residential", the same for rear yard. TWO FEET. How are they going to preserve a tree line? The Petitioners Statement (p.2 Setbacks, says "Because the site is adjacent to single family residential, the parking setback requires an additional 10' buffer for a total side yard setback of 17'". These are huge old trees, and a line of two or three trees deep would be needed to maintain anything of the esthetic quality of the boundary and protect us from a continual view of this very large and intrusive development. I am concerned that the 25' number is "unofficial" (as well as probably already insufficient) and will mask the smaller number that occurs in the proposal for which they are asking approval. It doesn't matter how much tree canopy they leave over the karst formations at the far end of the property if we can see through to the parking lot at our end.

Another problem not directly related to population size is the question of drainage. Some parts of the neighborhood already have drainage problems during heavy rains. How will the developers arrange to contain all of the run-off so that it does not end up in Sunny Slopes streets and basements? I see that the Petitioners Proposal p.3 under Parking Lot Conditions with respect to Storm Water mentions "a rain garden to collect roof water runoff at some locations and at the final discharge point of the storm sewer system." Surely a rain garden isn't going to be sufficient to handle storm water run-off. Shouldn't the "final discharge point" be into the creek runs along Winslow Road, or if it drains south, into some other City storm water system?

The targeted resident population: As we know, there is no control over who moves in. All they need to do is pay the rent. The developers do not seem to be clear on who the targeted population is. The Petitioners Statement says "The proposed project is being developed as market rate apartments targeting young professionals...". But the Herald Times quotes Mark Hoffman as saying (at that meeting that none of us knew about) that the development was targeted toward "working families". Now, one and two bedroom apartments are pretty small for families, and the original email announcing the June meeting, which almost none of us received, was signed by Steven Hoffman who gave his address as GMS-Pavilion Properties, LLC, which advertises itself on its webpage as "a real estate investment and development company with a strong emphasis on Student Housing." Mark Hoffman, also of H. M. Mac is listed on the internet as President at Pavilion Properties Management. How do these affiliations square with the Plan Commission / Board of Zoning Appeal Guidance "Discourage the location of student-oriented housing distant from the main Indiana University Bloomington Campus"? Furthermore, the artist's rendition of the buildings with people in the picture is telling: There is not a child or a briefcase to be seen. I see no "families" or "young professionals". They all look like single

young adults engaged in leisure activities -- like college students. Besides the noise, a possible complication of a large student population would be people cutting through back yards to get to additional on-street parking in Sunny Slopes, since there could easily be more than one car per bedroom.

We know that we can't stop the development of this property, but we would hope that the developers would be more reasonable in how they take advantage of the unfortunate zoning of the property. If they would cut the project back to two stories, this would have multiple advantages from the perspective of the neighborhood:

- Less visibility and less of a sense of its looming over us, raising privacy issues in addition to the very negative esthetics.

- fewer residents, thus less noise, less potential for crime, etc., less traffic congestion

- lighting would be at a lower elevation.

- the parking lot immediately adjoining properties on Sunny Slopes would need to accommodate fewer cars, and could be pulled back to allow for maintaining more of the very mature trees that would serve as a buffer.

- less additional traffic on Walnut Street Pike

In summary, this project, as it stands, would be more suited for housing of the type that the City recently wanted for the Certified Technology Park, where it could be openly high density. In our neighborhood, it will decrease our property values, our safety, and greatly decrease our quality of life.

Thank you for your time, and for taking the time to answer our questions last week.

Sincerely,

Mary L. Clayton  
R. Joe Campbell  
218 E. Sunny Slopes Drive  
812-32-2864

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[Reply](#)[ReplyAll](#)[Forward](#)



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

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**Fwd: Delivery Status Notification (Failure)**

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Janet Branam &lt;janart87@gmail.com&gt;

Sun, Aug 9, 2015 at 11:53 PM

To: roachja@bloomington.in.gov

Cc: mayor@bloomington.in.gov, micudat@bloomington.in.gov

**Forwarded conversation**Subject: **Site Plan Approval at 3300 S. Walnut Street Pike**  
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From: Janet Branam &lt;janart87@gmail.com&gt;

Date: Sun, Aug 9, 2015 at 1:39 PM

To: roachja@bloomingtonin.gov

Cc: mayor@bloomingtonin.gov, micudat@bloomingtonin.gov

My property is adjacent to said property and I have some suggestions for you to consider. I live at 195 E. Sunny Slopes Dr. which is a corner property with a dead end drive on the East side and it leads to the property you are planning to develop. I have a total of 1 acre. I feel using the drive as an access road would lesson the congestion on Old Walnut St. Pike, Winslow Rd. and So. Henderson St., which is already very bad.

Also at the West end of Sunny Slopes Dr. and Brookside Dr. is another dead end drive and using both drives could create entrance and exits. This was the original plan of the former developer, had he lived to finish this subdivision. After having read the site amenities, I feel my property would be advantageous to your plans for this development. Please contact me if you are interested.

Sincerely,

Janet S. Branam  
195 E. Sunny Slopes Dr.  
Bloomington, IN 47401  
[janart87@gmail.com](mailto:janart87@gmail.com)

-----  
From: Mail Delivery Subsystem <mailer-daemon@googlemail.com>

Date: Sun, Aug 9, 2015 at 1:39 PM

To: [janart87@gmail.com](mailto:janart87@gmail.com)

Delivery to the following recipient failed permanently:

[micudat@bloomingtonin.gov](mailto:micudat@bloomingtonin.gov)

Technical details of permanent failure:

DNS Error: Address resolution of [bloomingtonin.gov](http://bloomingtonin.gov). failed: Domain name not found

----- Original message -----

DKIM-Signature: v=1; a=rsa-sha256; c=relaxed/relaxed;

d=[gmail.com](mailto:gmail.com); s=20120113;

h=mime-version:date:message-id:subject:from:to:cc:content-type;

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b=qPEfifyvtsvq5uGK0oMJDHhKwqJWby75nzeLk/iemy6r/gDg3j1FGDOzu36rjPUASs

+gVSp1mxwCZXIXFXQ3aT2UZr2o5bnDbHkvpQvo6IDPqVufqT/NirZUZ+Y3WOk3/RbTct



James Roach <roachja@bloomington.in.gov>

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## Property development on the 3300 South Walnut Street Pike

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tops023@aol.com <tops023@aol.com>

Mon, Aug 10, 2015 at 12:07 AM

To: roachja@bloomington.in.gov

Cc: mayor@bloomington.in.gov, micudat@bloomington.in.gov, tbunger@aol.com

Mr. Roach,

It has been brought to my attention that the property adjacent to my mother's property is being considered for a development of a multi-family, multi-unit living facility. In a recent letter to my mother, Janet Branam, it list several options for this property. As a member of her family and having her best interest at heart, I would appreciate it if you could verify the actuality of this sale and public information regarding it. We have been told several different reports about this and would like to know exact details before discussing this further with her.

We are also aware of Beth Baxter and her conversations with different members of the planning committee, developer and attorney for the developer. I am not in the habit of allowing other people to influence my decisions, nor do I wish to hear such important information from a second source. Please contact me so I may inform my brother and other family members about the proposed sale of this property as it will be instrumental in our guiding her as to the possible sale 195 Sunny Slopes Drive property that she owns.

Thank you,

Cindy Jackson

812-327-3486

[tops023@aol.com](mailto:tops023@aol.com)



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

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## Sunny Slopes development

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Kelly Thomas &lt;thomakea@umail.iu.edu&gt;

Fri, Aug 7, 2015 at 3:23 PM

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

Thank you for your response! Please pass this on to the plan commissioners:

To Whom It May Concern:

I am a homeowner in the Sunny Slopes neighborhood and have a number of concerns about the Echo Park development.

I understand that the developers are not asking for any changes to existing regulations and thus that the planning commission does not see any reason to slow or stop this development.

I also know that one of the main issues I've heard from my neighbors (and that I share) is that the 25 feet minimum between property line and new development does not seem sufficient. I know that you likely cannot do anything about this but I ask that you re-evaluate whether this seems sufficient when specifically applied to property lines that previously backed up to woods as opposed to a commercial or residential property and consider expanding the requirements for such properties (possibly to 50 feet?).

Additionally, are there any height maximums for new development in city limits and does this comply with those regulations? I had hoped that nothing more than 2 stories would go into this space and am very disappointed that it will be so high. Also, are there any requirements regarding installation of noise barriers and/or minimization of noise pollution and are those requirements being followed? I am deeply concerned about the impact of this development on the nature of the neighborhood. Currently we live in an extremely quiet part of town where we can easily see the stars at night and I hope this will remain the case.

Similarly, I'm extremely concerned with my ability to sleep while this construction is happening. I have a sleep disorder and medical issues that require me to get ample sleep. I know that there are exemptions for construction regarding noise and that they will be allowed to make as much noise as they like after 6 AM and as someone who works evenings this is going to seriously impact my health if it occurs. It seems pretty ridiculous that construction noise is permitted anytime except from 10 PM - 6 AM in general and suggest that this be re-evaluated as well. I'm also somewhat concerned about traffic flow but do not have the expertise to know how much these will be issues. I have heard that a traffic study was not required for this development - why is that? I feel that a traffic study is essential if this development is going to be permitted.

Outside of my own self interests, I am primarily concerned with gentrification, wild life, and green spaces. This area is one of few remaining neighborhoods in Bloomington that is affordable to low income folks. Will they be required to offer Section 8 housing? In contrast to many of my neighbors, I hope the answer is yes. We have a major shortage of low cost housing in this town and an abundance of luxury apartments so I am concerned that this is just going to be more of the same serving of upper middle class and rich people at the expense of the poor. In terms of wildlife, has ample study been done to ensure that no endangered species live in those woods and that those species that do live there will have somewhere nearby to go when the woods come down? This seems like it should absolutely be necessary before development begins and I have not yet heard that any such study took place. Finally, there is so very little green space remaining within city limits - I hate to see any more if it lost in the interest of development. Please be mindful of the interconnected root systems of the trees on that property and how many more will likely ultimately die than those directly cut when you evaluate whether 50% of trees will remain after development as I understand if required according to how the space is zoned. I'd suggest that an expert in such things be brought in to inform how many and which trees are allowed to be cut.

Thank you for your time,  
Kelly Thomas

[Quoted text hidden]



James Roach <roachja@bloomington.in.gov>

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**Fwd: [Planning] Echo park,**

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**Carmen Lillard** <lillardc@bloomington.in.gov>  
To: James Roach <roachja@bloomington.in.gov>

Tue, Aug 11, 2015 at 10:33 AM

Jim,

This came through via the departmental email.

**Carmen Lillard**

Office Manager

City of Bloomington Planning and Transportation Dept.

PO Box 100 / Showers Center City Hall / 401 N. Morton Street, Ste 130 / Bloomington, IN 47402

p: [812.349.3423](tel:812.349.3423) / fax: [812.349.3520](tel:812.349.3520) / e: [lillardc@bloomington.in.gov](mailto:lillardc@bloomington.in.gov)

----- Forwarded message -----

From: **Sara Hatch** <[saralashmetthatch@gmail.com](mailto:saralashmetthatch@gmail.com)>  
Date: Tue, Aug 11, 2015 at 9:58 AM  
Subject: [Planning] Echo park,  
To: [planning@bloomington.in.gov](mailto:planning@bloomington.in.gov)

To whom it may concern.

I live in Sherwood Green. The proposed Echo Park would be an environment disaster.

The owner of said proposed complex is a nightmare.

He is noted all over Bloomington for his lack of concern for renters. He does not honor requests for problems of his renters living quarters and he has cheated people out of money for down payments.

Please do not allow him to build even more ill regarded buildings. They will not be kept up. There will be a lot of moving in and out. The complex as it appears in the HT looks like a prison.

Sincerely,

Sara Hatch

MOM, wife, sister, aunt, granny, friend, caregiver.

YOU Have a WONDERFUL day!!!!!!.



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

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**Neighborhood Meeting - Echo Park - 205 E Sunny Slopes Dr**

2 messages

**Charley Kiefer** <charley@scdistribution.com>

Mon, Aug 24, 2015 at 3:06 PM

To: roachja@bloomington.in.gov

Hello Mr. Roach

My name is Charles Kiefer, I reside at 205 E Sunny Slopes Dr with my fiancé Samantha Kirk. I was recently forwarded an invitation to a meeting being held the evening of the 26th to discuss the proposed Echo Park development. Unfortunately I'll be out of town at that time and unable to attend. As such, I'm reaching out now to voice my concerns regarding that planned development. For context, [here](#) is an image illustrating where I reside in relation to the proposed building site.

My primary concerns stem from the proximity of the southern most parking area to my back yard/property line. From the information and images presented at the August 10th City Planning Committee meeting, it appears that the lot is going to be quite close to my property, requiring only a minimum 17 foot barrier. This raises red flags in regards to privacy as well as the introduction of new noise and light pollution that is typical with high density housing. In a perfect world, the lot in question would be relocated to a different part of the property, perhaps along the north east end where no one resides. I realize that is an unlikely outcome as the land being considered for development is riddled with complications, karst features, sinkholes, and the like, requiring Pavilion Properties to work within a very tight space of build-able land. That being said, it's my hope that these concerns are taken into consideration with the planning and the parking lot is moved as far back from neighbors property lines as physically possible and a serious effort is made to ensure that the line of site from the parking lot to neighboring houses is heavily shrouded. The introduction of evergreens or some other year round privacy tree feels like a must. I'm also not against the idea of some sort of permanent barrier being erected, a 6-10 foot wood fence for instance could be quite effective.

Thank you for your time and please feel free to reach out via email should you have any follow up questions/thoughts.

Best  
Charles

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Dear Neighbors,

We would like to invite you to a meeting to discuss the Echo Park Apartment development with us. We will be available to discuss on a one on one basis your concerns.

The meeting will be Wednesday August, 26th at 7pm in the City Hall Hooker Room.

Please distribute this invite to all of the neighborhood. We did not have email addresses for everyone.

We hope to see you there!

--

Steven Hoffman  
H.M.Mac and Co.  
GMS-Pavilion Properties, LLC  
112 E. Third St.  
Bloomington, IN 47401  
Tel: [812.333.2332](tel:812.333.2332)  
Fax: [812.333.2360](tel:812.333.2360)  
[www.pavprop.com](http://www.pavprop.com)



**890 EAST SHERWOOD HILLS DRIVE  
BLOOMINGTON, IN 47401-8107  
KEPPEL@SBCGLOBAL.NET  
(812) 272-0597**

August 31, 2015

City of Bloomington  
Plan Commission  
Planning and Transportation Department  
401 North Morton Street, Suite 130  
Bloomington, IN 47404

Dear Plan Commissioners:

I received a notice of your September 14 hearing as well as an invitation to submit comments in writing regarding the Site Plan Approval Request by Studio 3 Design for a 143-unit multi-family development at 2780 S. Walnut Pike. I am President of the Sherwood Hills II Homeowners' Association. We are neighbors but not immediately adjacent to the proposed development. I understand that immediate neighbors, such as residents in Sunny Slopes, have specific concerns, especially their privacy. I do not wish to minimize these but here shall focus only on what affects the owners and residents of Sherwood Hills II.

Our concern is the effect of the development on traffic. We are particularly troubled by the increased risk at the already very dangerous intersection of Walnut Street Pike and E. Winslow Road. Like many of us, I have had my share of near misses, especially as a pedestrian or cyclist attempting to cross Walnut Street Pike along Winslow and almost being hit by an Eastbound car from Winslow that makes a fast right onto Walnut Street Pike. Drivers often forget that a pedestrian might even exist around that bend, and a pine tree on that corner blocks the view. If a car came round the bend at high speed, a cyclist or pedestrian could easily be struck, no matter what precautions s/he had tried to take.

There is also danger to cars attempting a North-South (or vice versa) crossing of Winslow on Walnut Street Pike. Winslow traffic does not stop and often is relentless. I have seen drivers become impatient and dart across when tolerances were extremely close.

I believe that the Planning and Transportation Department already needs to install either a four-way Stop sign at this intersection or a Stop light with a button for pedestrians that would let them cross when traffic in all directions is stopped. The latter would be necessary because, once again, the greatest danger comes from fast right-turning vehicles.

None of this is in itself necessarily a reason to deny the Echo Park Apartments request, but the need for attention to this intersection increases as a result of it. (It is possible we might have comments on another topic if we learned of additional issues or concerns, but I send this letter now because the issue is already clear.) With thanks,

Sincerely yours,

David Keppel  
President, Sherwood Hills II Homeowners' Association.

September 8, 2015

Dear City Planning Commission and City Planning and Transportation Department,

Thank you for taking the time to read and consider the concerns of residents of Bloomington, Indiana regarding the proposed development of Echo Park Apartments. Many of the residents of Sunny Slopes neighborhood are very concerned about aspects of the proposed development, myself included.

My primary concern is the impact it will have on the privacy of our neighborhood. When we purchased our home I was aware that the woods behind my property was zoned for multi-family use, however, I did not imagine that a 3 story building, 40 feet high, with balconies overlooking my backyard and into my home would be approved less than 40 feet from my property line. Given the large area of the woods and potential for many configurations it seems inappropriate to back a dominating structure up against an existing neighborhood. Although the developers have extended the tree buffer to 25 feet, this still seems inadequate. On August 10, 2015, The Plan Commission requested that the developers consider decreasing the number of stories of the proposed project and also consider omitting the rear balconies due to privacy issues. At a later meeting between the developers and residents, the developers reported that they were not considering either of these requests. The Plan Commission also requested renderings of the anticipated sight line of homes facing the proposed property. Developers only provided one rendering. In the winter, the structure is overwhelming from my back yard and the backside of my home. Even with snow added to the trees in the rendering, there are a number of windows and three balconies with front row seats to my backyard and living room. This is understandably concerning. If the developers absolutely must build along our properties wouldn't it be reasonable to ask them to add an additional line of tall evergreens between the buffer and the 3 story building.

The environmental impact of the proposed project is also very concerning. At the August 10<sup>th</sup> meeting, the developers were asked to conduct an environmental report which considered the tree buffer and if it would be large enough that old trees could be maintained without their root structure damaged. I have not seen this report and still request that it be completed. The developers did identify and map the trees that will be kept, but I have found no information regarding the plan to ensure the health of those trees during construction and beyond. Other environmental concerns also exist. I do not believe the developers have provided any type of wildlife study to ensure that no protected wildlife will be impacted. For example, there is a cave opening on the property and bats are a common sight in the evening. It is entirely possible that the Indiana bat may find a home here. Also, a great many deer, rabbits, foxes and songbirds find refuge in these woods. This is not even mentioning a good number of very old trees will be destroyed in the name of development.

Another concern that has come up in our weekly neighborhood meetings is the increased foot traffic and street parking that we will definitely experience. Currently the plans are to have one parking space per bedroom, but most people in a romantic relationship share a bedroom and usually have two cars. I am concerned about where all of these cars will be parked. Given that our neighborhood is less than 50 feet away, our streets will quickly become the de facto parking

overflow section with people shortcutting through our yards to get to the complex. Regarding foot traffic, the developers omitted initially proposed walking trails and a dog park, which means that our small neighborhood may have many more individuals walking through our neighborhood and using our neighborhood as a path to walk south. These factors all lead to an increase on the likelihood of crimes such as trespassing and burglary.

Additionally, I have major concerns regarding traffic. Current traffic near Winslow Road, Walnut Street Pike, and Henderson is already heavy, adding over 200 more cars would create serious problems. Not only that, but when heading south, it would be much easier for residents of the proposed complex to turn right out of the complex, right into my neighborhood and short cut through our small street with families and children, rather than turn left to go to the stoplight that is already crowded and will be much more crowded if the proposed project is approved. I did not find the traffic report that the developers conducted to be an accurate reflection of daily congestion in the area. The traffic report was done on a Friday when most IU students are not traveling to and from classes and there was no cable to ensure accurate counting. They also did not address traffic heading north on Henderson and the frequent bottlenecks that occur on the corner of Henderson and Walnut Street Pike.

Finally, I am quite worried about the noise during construction. The developers anticipate 12 to 18 months of construction, much of which will literally be less than 100 feet from my home. I work at the university and work from home frequently and am very concerned that the noise will negatively impact my work. Neighbors have newborn children and are very concerned about loud construction so close to our homes. I would like to request a more restrictive daily timeframe for construction to mitigate impact on the surrounding areas.

To conclude, I would like to request that the developers move the buildings further away from my property line, complete an environmental study, complete a suitable traffic study on a Monday, Tuesday, Wednesday, and/or Thursday that includes the intersection of Henderson and Walnut Street Pike, decrease the stories from 3 to 2, and remove balconies looking into peoples' homes.

I truly appreciate your time and attention. I understand that issues such these are a natural growing pain of a city. Supporting economic growth and property development responsibly while minimizing impact on established neighborhoods, green spaces, and wildlife is a very difficult objective. There are no easy answers. But I am proud to say that I am a resident of Bloomington Indiana, a place that cares about doing the right thing. Just because something can legally be done does not mean that it should be. If this project must be approved, minimizing negative impact should be at the forefront of the conversation.

Sincerely,

Jennifer Duckworth and Gregg Stump  
145 Sunny Slopes Drive  
Bloomington, IN 47401  
[jenduckw@indiana.edu](mailto:jenduckw@indiana.edu)



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

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**Echo park balcony views**

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Gregg Stump <greggstump@gmail.com>  
To: roachja@bloomington.in.gov

Wed, Sep 9, 2015 at 2:21 PM

I would like to add to the discussion a picture that I took from the very back of my property. (Not far from where the apartment complex is slated to be built.) The picture was taken at about 15 feet high. This is the view that second story balconies will have of our backyards and homes. Imagine the even more intrusive view that the third story will have!

The tree buffer will mask that view during the summer months, however, for much of the year, there will only be thin branches that will certainly not block the sight line. Surely this building can be placed somewhere else on the 10 acres. If the property absolutely must run adjacent to our property lines, I ask that measures be taken to ensure reasonable privacy for residents of both the Sunny Slopes neighborhood and the residents of the Echo Park addition. I would like to request that the back side of the apartment complex either have no balconies or add an additional line of tall evergreens between the buffer and the 3 story building.

Thank you again for your time and consideration  
-Gregg Stump





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

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## S. Walnut Street Pike

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**Jeni Waters** <waters.jeni@gmail.com>

Wed, Sep 9, 2015 at 3:37 PM

To: Beth Rosenbarger &lt;rosenbab@bloomington.in.gov&gt;

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

I understand that another review meeting is coming up regarding the plans for Echo Park and would like to submit concerns that have not been addressed to satisfaction. While I've been informed that some measures have been taken to prevent water run-off from flooding our homes, I am still highly concerned about the impact this property will have on the quality of lives of the home owners and tax payers of the Sunny Slopes neighborhood.

Specifically, I am concerned about the violation of privacy with having three towering stories of windows and balconies in my backyard. I have young children and when I chose to buy my home, I chose it because there was a safe, private back yard for them to play in. This privacy will be completely destroyed and their safety compromised. With only a 6' chain link fence between my property and the proposed apartments, it is reasonable to believe that many residents will have a fantastic birdseye view of my children playing in the back yard, as well as into every window of my house. I am aware that there will be a buffer of trees, between the properties that will provide some coverage for a few months a year, but I've been 25 feet back in those woods...in the summer...and you can still see my property.

I am also highly concerned about the impact of adding 220 vehicles to this already high traffic area. It seems entirely logical that when area traffic is heavy, residents of the proposed property will use our street as a cut-through to get between main roads. I can also assume that since there is only one parking space per bedroom on the proposed property that the streets of our neighborhood will become an overflow parking lot, causing additional traffic, risk to our children and pets, and yet again, interruptions to our privacy. With the increased traffic that this development will cause, will we see traffic lights and sidewalks, and residential parking permits to help us maintain some sort of street safety?

Another concern that has not been addressed is how this development will affect the rate of crime in the area. We already experience regular car breakins, occasional vandalism, and have the highest concentration of sex offenders in all of Bloomington. With the addition of this property, our neighborhood will become sandwiched right in between a high income and low income pocket, which I fear will increase the traffic of criminal activity through our neighborhood as well as increase the likelihood that we will be directly affected by crimes. What will be done to address this? Increased police patrols...street lights?

Finally, I have to express that for my property specifically, and probably several others in the neighborhood, that adding this development will significantly and negatively impact our property values. What was once a quiet suburban neighborhood, perfect for raising children, will be overshadowed by this grotesque tower of concrete, noise and spying eyes. There is no way that I will be able to sell my property for what I paid for it because no one will want to live there.

I appreciate you taking the time to address these concerns thoroughly before moving forward with your decision on this development and for considering the needs of your loyal tax paying homeowners.

Jennifer Waters  
155 E. Sunny Slopes Dr.  
Bloomington, IN 47401  
(812) 679-8748

On Mon, Jul 13, 2015 at 3:08 PM, Jeni Waters <waters.jeni@gmail.com> wrote:

[Quoted text hidden]



James Roach <roachja@bloomington.in.gov>

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## Echo Park

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Kelly, Jenny Ann <kellyjen@indiana.edu>

Wed, Sep 9, 2015 at 4:51 PM

To: "roachja@bloomington.in.gov" <roachja@bloomington.in.gov>

Hi,

My name is Jennifer Kelly and I live at 170E. Sunny Slopes Dr.

I have a few concerns about the new development. I am aware that it will be built and that's ok with me.

My concern is that they have only one parking spot per bedroom. Where are the extra cars going to go? My neighborhood.

I would like Sunny Slopes and the other streets in the area to be changed to residential parking only. Issue the permits and everything and restrict those permits to those who are living on the street. It is hard enough to get around all the cars parked on the street right now, esp. when they park across from each other. I don't want this problem increased. Some posted speed limits signs and caution children playing signs would be great too. I have two little children and I watch cars speed through the area.

They are getting rid of the dog park. Where are they going to walk the animals? My front yard or the grass circle. As the only family who mows that circle, we are going to stop as of today. This property is owned by the city and they need to start taking care of it. With the increased foot traffic in the area, dogs, and trash it is too much for us to keep up with. We inherited this duty when we bought the house. I have asked our city council person and the city council president who to notify that we are not going to help out the city anymore with this and I have not received a reply.

I don't want sidewalks or speed bumps.

Also a fence along the side with the houses would be nice. That would prevent foot traffic from cutting through people's yards.

It would be great for the city to replace the three way stop due to the increased traffic.

I think a new traffic study is in order because they did not conduct it using the cable over a couple days during the week. Friday afternoon is not a good measure of the traffic.

Thank you very much,

Jenny Kelly

(sorry I had to put this together on short notice)



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

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## Comments on proposed Echo Park project

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Clayton, Mary L. <clayton@indiana.edu>  
To: James Roach <roachja@bloomington.in.gov>

Wed, Sep 9, 2015 at 4:55 PM

September 9, 2015

Dear Mr. Roach,

We would like to make several points for your department and the Plan Commission to consider prior to their next meeting.

First of all, there seems to be some confusion in the name of one of the streets involved, and it would help if all of us were on the same page: It is my understanding that Walnut Street Pike cuts off from South Walnut Street behind the Credit Union, continues south across Winslow Road and up the hill where it meets South Henderson at the three-way stop at the top of the hill. According to the signs on the street, from that point on, what was South Henderson becomes Walnut Street Pike. In other words, South Henderson ends at the three-way stop. Therefore, when various individuals and documents talk about Walnut Street Pike, they should make it clear what section they are talking about, since traffic patterns differ greatly from one section to another. One can't generalize from the block for the proposed Echo Park, where there is nothing going on, to the street south of there, which is usually pretty busy.

1. We don't think the question of Echo Park should move forward until your department and the Plan Commission see a thorough traffic study. We are sure that the Plan Commission intended for the study to include a count of how many cars going north approach the three-way intersection of South Henderson and Walnut Street Pike at the top of the hill just south of Echo Park, intending to continue on north to the traffic light at the intersection of South Henderson and Winslow Road. The traffic coming from the south on Walnut Street Pike (which seems to become South Henderson at that intersection) is of particular interest because this three-way intersection is where the traffic study suggests that cars exiting Echo Park to go north should go in order to make a left-hand turn to access the traffic light at South Henderson and Winslow Road. This is already a busy street, and at certain times of day, cars approaching the three-way stop are backed up down toward Allendale.

It is clear from the discussion in the traffic study that the only part of Walnut Street Pike that was considered was the part between Winslow Road and the three-way stop at South Henderson. Of course there is practically no traffic there. At present there's nowhere for anyone to want to go in that block, and nearly everyone knows that you'll have a terrible time crossing or entering Winslow Road. The traffic begins south of there and continues straight up South Henderson.

2. In addition, any traffic count should not be done on a Friday, as this one for Walnut Street Pike was (Friday August 28). Indiana University has very few classes on Friday, resulting in many fewer students and faculty going to campus on Fridays, and probably fewer staff as well. The difference between Fridays and other days is surely great enough to impact a study such as the one which needs to be done in this case.

3. The traffic study states (first page): "Winslow Road needs to flow as smoothly as possible and should not be stopped for Walnut Street Pike traffic. Walnut Street Pike traffic should use signalized intersections at Henderson Street and Walnut Street for crossing and access." Now the only way for traffic from Echo Park to reach the traffic signal at the corner of South Walnut Street and Winslow Road is to cut through Sunny Slopes. This is tantamount to opening the stub road at the end of East Ridgeview Drive, and even the developers realized that this would be a very unpopular idea and therefore used their decision not to do it as a selling point to the neighborhood. Now, which is easier if you want to go north from the proposed Echo Park: a) going south to the 3-way intersection, waiting your turn to make a sharp left-hand turn and continuing on to the stop light at Winslow road, or b) going south to the 3-way intersection, curtsying briefly at the stop sign (There isn't a lot of traffic heading south on South Henderson in the morning), then whizzing around the corner onto Sunny Slopes without slowing down for the right hand turn and continuing on quickly through the subdivision to South Walnut Street, where you make another right hand turn to get

to the traffic light at South Walnut Street and Winslow Road? We predict that people's decisions on which way to go will be no more than 50%-50% in favor of using South Henderson. Residents of the neighborhood at present differ on which exit to use to go north, since both of them (onto Walnut Street Pike and onto South Walnut) are very busy much of the day.

If the City thinks that Echo Park is such a good idea, we don't think that it is reasonable for all of the attendant sacrifices to be on the residents of the Sunny Slopes neighborhood. We will suffer loss of privacy, having our streets turned into extended parking (One parking place per bedroom will not be enough.) decreased property values (We heard one new resident say "We never would have bought the house if we had known about this." Surely future prospective buyers will take this monstrosity into account.), quite likely some increased crime and surely a greatly diminished quality of life for as long as we live here. If this project is approved, We think that it should only be with the requirement that the stub road never be connected and that there be either a four-way stop or a well-timed traffic signal at the intersection of Winslow Road and Walnut Street Pike. Of course this will slow down traffic a bit, but with all that our neighborhood will have to put up with, it seems to me that the burden should be shared with the community at large to that extent. The City needs to make it easier for all of this new traffic to go some other way than to come through our neighborhood, and the intersection of Walnut Street Pike and Winslow Road is the only place for a solution.

Without a change at that intersection, here is no way that the proposed traffic patterns won't result in the Sunny Slopes neighborhood becoming an extended driveway for the proposed Echo Park. WE DIDN'T SIGN UP FOR THIS. We bought homes on a quiet residential street. We didn't expect to have difficult backing out of our own driveways because someone else wants to make money on a huge apartment complex to our detriment for as long as we own our homes.

4. We continue to be concerned about the narrowness of the tree buffer at the east end of the proposed development. In particular, there is a maple tree that measures 143 inches in circumference (at about chest height). This tree forms part of our skyline but is beyond the narrow buffer.

We still hope that this project will not go through for some reason or another. But if it does, we think that the City has an obligation to current residents and not just to developers.

Sincerely,  
Mary L. Clayton  
R. Joe Campbell  
218 E. Sunny Slopes Drive  
[812-332-2864](tel:812-332-2864)

**BLOOMINGTON PLAN COMMISSION  
STAFF REPORT**

**CASE #: ZO-20-15  
DATE: September 14, 2015**

**PETITIONER:** City of Bloomington  
401 N. Morton Street

**REQUEST:** The petitioner, the City of Bloomington, is requesting to rezone multiple properties within its jurisdiction to re-enact updates to the 2007 Official Zoning Map.

**BACKGROUND:** On December 20, 2006, the City, via Ordinance Number 06-24, repealed and replaced the City's entire zoning code, with the new zoning code, known as the Unified Development Ordinance, going into effect on February 12, 2007.

The Indiana Court of Appeals recently rendered a decision in the case of City of Bloomington v. Underwood, wherein the Court ruled that when the City enacted the new Ordinance it did not properly rezone Ms. Underwood's property. In its decision, the Court of Appeals noted that when the City attempted to rezone property from a higher use classification to a lower use classification, via the Ordinance, the City was required to give property owners two types of notice: notice by publication in the *Herald Times* and some other type of individual notice.

As a result, staff conducted an extensive review of the City's Zoning Map to determine all properties that could be considered similar to the Underwood case. In other words, to develop a list of properties that had a higher zoning classification prior to February 12, 2007 than currently exists. A spreadsheet of this list is contained in this packet and identified as **Exhibit #1**. As a second step, staff sent every property owner affected by the City's 2007 action a specific notice of its current attempt to re-enact the 2007 rezonings.

**STAFF REPORT:** The City's Administration is asking the City's Plan Commission and Common Council to reenact most of the rezonings that the Administration has determined to be potentially impacted by the Court of Appeals ruling. This staff report will not review all the rezonings requested for re-approval. However, almost all the rezoning actions are clustered into the following categories:

**Exhibit #2 & #3** - Rezonings of properties that were zoned Business Park prior to February 2007 and were switched to Residential Single-family. The land use goal of the Business Park zoning district is to stimulate employment/office development within the jurisdiction. The primary affected geographic areas of this rezoning action are as follows:

**Exhibit #2 – Area Northwest of Kinser Pike and Acuff Road Intersection** – Purpose was to allow existing single family homes along Kinser Pike to become conforming to zoning.

**Exhibit #3 – Area along both sides of Arlington Road between State Road 45/46 Bypass and West 17 Street** – Same purpose as above.

**Exhibit #3 – Area along north side of West 17<sup>th</sup> Street, west of the City's 17<sup>th</sup> and Arlington Roudabout** – Same purpose as above. Staff notes that several owners have

contacted the Department posing the question as to whether the Interstate 69 project, which will connect 17<sup>th</sup> Street to Vernal Pike, might cause their properties to have nonresidential development potential.

**Exhibit #4 & #5** – Rezoning of properties that were zoned Commercial Arterial prior to February 2007 and were switched to Commercial General. Commercial Arterial and Commercial General zoning categories permit almost all the same business activities, but the following land uses are not considered permitted in the Commercial General zone:

- Auto body shop
- Boat Sales
- Building Supply Store
- Building Trade Shop
- Country Club
- Department Store
- Equipment Rental, Outdoor
- Golf Driving Range, Outdoor
- Hotel/Motel
- Miniature Golf
- Mini-warehouse Facility
- Radio-TV Station
- Retail, Outdoor
- Sexually Oriented Business
- Vehicle Repair
- Vehicle Sales/Rental

This was the largest rezoning category enacted by the City in 2007 and was largely concentrated in the following areas:

**Exhibit #4 – South Walnut Street Corridor between Allen Street and Vermillya Avenue, both sides of the street including Monon Drive** – The current built environment along the corridor contains many residential structure types, some with multifamily uses and others with commercial use conversions. Intermixed along the corridor are more conventional commercial building types such as at the Grimes Lane intersection. The goal of this rezoning action, both in this geographic area and others in this category, was to gradually reduce the prevalence of more auto-dominated uses along Bloomington’s arterial street corridors and to favor more mixed use, multi-story building construction.

**Exhibit #5 – West 17<sup>th</sup> Street Corridor between the City’s 17<sup>th</sup> and Arlington Roundabout and College Avenue, both sides of the street** – The goal of the City’s action was the same as along South Walnut Street. Along West 17<sup>th</sup> Street, the current built environment is much less residential than along the previously noted rezoning area at South Walnut Street. Although the vast majority of current business uses would be conforming under either zoning category, there is a pocket of business activity west of the Jackson Street intersection where current uses would switch from conforming to nonconforming if the 2007 rezoning action is re-enacted. Staff has heard from the property owner of these businesses, who would prefer to have Commercial Arterial

zoning.

**Exhibit #6 – West 3<sup>rd</sup> Street Corridor between the west edge of the Prospect Hill Neighborhood and Landmark Avenue** – Again, the goal of the City’s action was the same. Staff has heard from the property owner of the Kirby Risk business, who has noted that his use of property (Building Supply Store) would become nonconforming if the 2007 rezonings are reenacted.

**Exhibit #7** – Rezoning of properties previously identified as Commercial General prior to February 2007 to Commercial Limited.

**South side of East 3<sup>rd</sup> Street between Highland Avenue and Mitchell Street** – This is a long-standing commercial business cluster that caters heavily to Indiana University students living on the south side of campus. Staff’s thinking regarding the rezone was that this area is characterized by a number of small convenience retail services that serves a small geographic cluster of users, many of whom walk or bike for services. From staff’s perspective, these areas in other Bloomington locations are typically zoned Commercial Limited – Neighborhood Activity Centers.

**Summary:** In the case of the properties identified within the spreadsheet in **Exhibit #1**, staff is recommending that the City’s 2007 action be reenacted. Staff is certainly open to property owner and Plan Commission input concerning possible exceptions to the proposed rezonings – particularly in situations where current uses of property could be rendered nonconforming.

**Exhibit #8** – This spreadsheet is much smaller than **Exhibit #1** and contains properties that are owned by government or quasi-government institutions. In this situation, the 2007 rezonings almost exclusively rezoned properties from a non-Institutional zoning category to Institutional zoning. In this instance, the purpose of the rezoning change was simply to match institutional type ownership with Institutional zoning. Staff recommends that these 2007 rezonings be reenacted.

**Exhibit #9** – This spreadsheet contains the smallest number of properties. In this listing, the Ordinance rezoned properties to a lower zoning category, but staff believes the decisions do not have adequate rationale to be re-enacted. The vast majority of properties that fall into this category are within a portion of the Bryan Park Neighborhood. As can be seen in **Exhibit #10**, there were two small clusters of lots that were previously zoned multifamily – RM7. During the 2007 rezoning hearings, leadership of the Bryan Park Neighborhood Association successfully argued to the Plan Commission and City Council that the pockets should be switched to Residential Core zoning. The problem is that no property owners affected by the rezoning were ever notified and given an opportunity to present their arguments against the decision. Because these clusters are rental in nature, have grandfathered multifamily occupancy, and in many instances have multiple units per structure, staff has never felt that single family zoning is appropriate. Because of that reason and the fact that property owners were never able to argue against the Residential Core designation, staff recommends that Residential Multifamily (RM) zoning be restored.

**Summary:** For the properties contained in the Exhibit #6 list, staff recommends

that the 2007 rezonings not be re-enacted.

**Exhibit #11** – During the course of developing the three spreadsheets of affected properties, staff missed a series of lots on the east side of Madison Street, north of the downtown and Indiana Railroad property. These lots are shown in **Exhibit #11**. Three lots are the former home of Sims Poultry business. In the recognition of the now abandoned business use, the lots were zoned Commercial Arterial prior to 2007. The resultant 2007 action then rezoned the properties Residential Core in recognition of the area's location at the edge of the Maple Heights Neighborhood. Staff doesn't recommend that either zoning category be considered for these three lots. In recognition of the property's transitional location and nonresidential building, staff recommends that Commercial Limited zoning be considered. A final lot just to the east of the former Sims site was zoned Commercial Arterial and was rezoned to Residential Core. Since the property was since developed by Habitat for Humanity, staff recommends that the RC zoning stay in place.

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**RECOMMENDATION:** Staff recommends that Case # ZO-20-15 be forwarded to a second hearing.

## Copy of Exhibit 1 - Final Down Zoned List, August 6, 2015, Chart 1

Map	Property Address	Pre 2007	Post 2007	Current Owner	Current Owner Address	City, State
1	Parcel No. 53-05-17-300-016.000-005	BP	RS	Paulson, Katherine Ruth Kivett	2934 Gough St,	San Francisco, CA 94123
	4315 N Kinser Pike	BP	RS	Grano, Thomas A & Sanderson, Amanda L	4315 N Kinser Pike	Bloomington, IN 47404
	4295 KINSER PIKE	BP	RS	Thompson, Todd Alan & Linda Dianne Pride	4295 KINSER PIKE	Bloomington, IN 47404
	Parcel No. 53-05-17-300-008.000-005	BP	RS	Thompson, Todd Alan & Linda Dianne Pride	4295 KINSER PIKE	Bloomington, IN 47404
	4259 N Kinser Pike	BP	RS	Slaven, Christopher S & Emily J	4259 N Kinser Pike	Bloomington, IN 47404
	4225 N Kinser PIKE	BP	RS	Behn, Philip Scott & Leanne Blackmore	3215 WINSTON ST	Bloomington, IN 47401
	4151 N KINSER PIKE	BP	RS	Fleming, Thomas A & Martha B	4151 N KINSER PIKE	Bloomington, IN 47404
	4125 KINSER PIKE	BP	RS	Edwards, Michael L & Mary L	4125 KINSER PIKE	Bloomington, IN 47404
	4111 N KINSER PIKE	BP	RS	Lambert, Jackie L & Nancy E	4111 N KINSER PIKE	Bloomington, IN 47404
	4071 N Kinser Pike	BP	RS	Giles, Kenneth L & Connie Sue	4071 N Kinser Pike	Bloomington, IN 47404
	4031 N KINSER PIKE	BP	RS	Jacobs, Janet Sue	4031 N KINSER PIKE	Bloomington, IN 47404
	4027 N Kinser PIKE	BP	RS	Liggett, Jimmy H Jr & Jacquelyn A	9025 FLUTTER RD	Fort Wayne, IN 46835
	4025 N Kinser PIKE	BP	RS	Sampson, Rex M & Barbara J	4300 N RIDGELY DR	Bloomington, IN 47404
	1150 W Acuff RD	BP	RS	Pittman, Jack E & Rebecca J	1002 W Acuff RD	Bloomington, IN 47404
4	2801 N Walnut ST	CA	CG	Ferguson, Stephen L	225 N WASHINGTON ST	Bloomington, IN 47408
	2727 N Walnut ST	CA	CG	Etech LLC	6110 CROOKED CREEK RD	Bloomington, IN 47404
	2723 N Walnut ST	CA	CG	Four D's of Martinsville Inc	PO Box 1970	Martinsville, IN 46151
	Parcel No. 53-05-21-300-001.000-005	CA	CG	Presti, Biagio S & Marc R	4550 E STATE RD 45	Bloomington, IN 47408
9	1824 S Curry PIKE	RM15	RE	Public Investment Corporation	4101 W Sierra Drive	Bloomington, IN 47403
13	1618 W 3rd ST	CA	CG	Monroe County Farm Bureau Inc	PO BOX 429	Bloomington, IN 47402
	1620 W 3rd ST	CA	CG	Lejeune, Jean A	3725 CLEVE BUTCHER RD	Bloomington, IN 47401
	1622 W 3rd ST	CA	CG	HRB Partners LLP	1815 Sagamore Parkway N	Lafayette, IN 47904
15	1718 W 8th ST	RM15	RS	DAJA Properties III LLC	4502 N NORTHWOOD LN	Bloomington, IN 47404
	Parcel No. 53-05-32-300-011.000-004	RM15	RS	DAJA Properties III LLC	1709 W 8th St Ofc 1	Bloomington, IN 47404
16	2102 W Vernal PIKE	CL	RS	Arenberg, Meg Elizabeth	2102 W Vernal PIKE	Bloomington, IN 47404
18	2335 W Vernal PIKE	CL	BP	North Light LLC	2300 N Browncliff Ln	Bloomington, IN 47408
	2301 W Vernal PIKE	CL	BP	Fields, Rudy D & Laura Kay	220 E Wylie Rd	Bloomington, IN 47408
19	4600 E Morningside DR	CA	CG	Eastplex Enterprises, LLC	715 W Bayles Rd	Bloomington, IN 47404
22	2820 E 10th ST	RM15	RE	Bloomington Restorations Inc	2920 East 10th Street	Bloomington, IN 47408

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Map	Property Address	Pre 2007	Post 2007	Current Owner	Current Owner Address	City, State
26	S Walnut Street PIKE	CL	RM	Topoligus, James N Sr Family Trust	840 S Woodcrest Dr.	Bloomington, IN 47401
29	2960 S. Walnut St. Pike	RM 15	RS	Hanna, Donald E Family Trust & Hanna, Virginia Carol Rev Liv Trust	1301 S Brooks Dr	Bloomington, IN 47401
	Parcel No. 53-08-16-200-029.000-009	RM15	RS	Barclay Apartments LLC	320 W 8th St	Bloomington, IN 47404
34	1218 E. Miller Drive	CG	CL	Doorman Enterprises, LLC	5821 E. St. Rd. 46	Bloomington, IN 47401
	1240 E. Miller Drive	CG	CL	Doorman Enterprises, LLC	5821 E. St. Rd. 46	Bloomington, IN 47401
37	1701 S. Walnut St.	CA	CG	JMT Properties, LLC	1245 Old Capitol Pike	Bloomington, IN 47403
	1601 S. Walnut St.	CA	CG	JMT Properties, LLC	1245 Old Capitol Pike	Bloomington, IN 47403
	1621 S. Walnut St.	CA	CG	Matthew Sieber	1621 S. Walnut Street	Bloomington, IN 47401
	1615 S. Walnut St.	CA	CG	William M. May	1615 S. Walnut Street	Bloomington, IN 47401
	1613 S. Walnut St	CA	CG	David L. Sprinkle	1613 S. Walnut Street	Bloomington, IN 47401
	1605 S. Walnut St.	CA	CG	Wininger Real Estate, LLC	8700 S. Rockport Rd.	Springville, IN 47462
	1517 S. Walnut St.	CA	CG	Karen M. Duffy	723 W. Ninth St.	Bloomington, IN 47401
	1513 S. Walnut St.	CA	CG	James Allan Crane	110 E. Hillside Drive, Apt.100	Bloomington, IN 47401
	1503 S. Walnut St.	CA	CG	James Allan Crane	110 E. Hillside Drive, Apt. 100	Bloomington, IN 47401
	1501 S. Walnut St.	CA	CG	James Allan & Nora Daganio Crane	110 E. Hillside Drive, Apt. 100	Bloomington, IN 47401
	1425 S. Walnut St.	CA	CG	Robert J. & Heather M. Bland	700 Ransom Ln.	Bloomington, IN 47403
	1417 S. Walnut St.	CA	CG	Robert J. & Heather M. Bland	700 Ransom Ln.	Bloomington, IN 47403
	1413 S. Walnut St.	CA	CG	Robert J. & Heather M. Bland	700 Ransom Ln.	Bloomington, IN 47403
	1409 S. Walnut St.	CA	CG	Robert J. Bland	700 Ransom Ln.	Bloomington, IN 47403
	1405 S. Walnut Street	CA	CG	Soroor M. Kashanipour	3466 Washington St.	Columbus, IN 47203
	1403 S. Walnut Street	CA	CG	Peter O., Karen D., Carolina L. Yanson	39 Ogden Rd.	Portage, IN 46368
	104 E. Wilson Street	CA	CG	Robert J. Keefer & Jill Hundley	3855 N. Hinkle Rd.	Bloomington, IN 47408
	1401 S. Walnut Street	CA	CG	Louie - Claude, LLC	1401 S. Walnut Street	Bloomington, IN 47401
	1313 S. Walnut Street	CA	CG	Fred A. & Shirley Demshar	5780 St. Rd. 48	Bloomington, IN 47404
	1315 S. Walnut Street	CA	CG	Fred A. & Shirley Demshar	5780 St. Rd. 48	Bloomington, IN 47404
	1311 S. Walnut Street	CA	CG	Ben & Ali Maldi, Chabane Maldi, Daywood Maldi & Rachid Maldi	602 S. High Street	Bloomington, IN 47401
	1309 S. Walnut Street	CA	CG	David Freidel	R.R. 1 Box 1237	Freedom, IN 47431
	1307 S. Walnut Street	CA	CG	Charles S. Holtsclaw & Erwin Cooper	P.O. Box 103	Bloomington, IN 47402
	1305 S. Walnut Street	CA	CG	Douglas R. Malicoat	1305 S. Walnut Street	Bloomington, IN 47401
	1303 S. Walnut Street	CA	CG	Wilma McArtor	4782 S. Harrell Rd.	Bloomington, IN 47401
	1301 S. Walnut Street	CA	CG	GREIT, LLC	1414 S. Lincoln St.	Bloomington, IN 47401
	103 E. Driscoll Dr.	CA	CG	GREIT, LLC	P.O. Box 1131	Bloomington, IN 47402
	1225 S. Walnut Street	CA	CG	John Franklin & Wilma Jean Cornwell Trust	3732 E. Sterling Ave.	Bloomington, IN 47401
	1211 S. Walnut Street	CA	CG	2K Properties, LLC	1211 S. Walnut Street	Bloomington, IN 47401
	1209 S. Walnut Street	CA	CG	Sara E. Howell	4258 Glenway Ave.	Cincinnati, OH 45236
	1205 S. Walnut Street	CA	CG	Ben & Ali Maldi, Chabane Maldi	602 S. High Street	Bloomington, IN 47401

## Copy of Exhibit 1 - Final Down Zoned List, August 6, 2015, Chart 1

Map	Property Address	Pre 2007	Post 2007	Current Owner	Current Owner Address	City, State
	1201 S. Walnut Street	CA	CG	606 Building Company, LLC	1149 Linden Dr.	Bloomington, IN 47408
	1115 S. Walnut Street	CA	CG	Harold S. Nethery	3832 Farrington Dr.	Bloomington, IN 47403
	1109 S. Walnut Street	CA	CG	Big Foot Food Stores, LLC	P.O. Box 347	Columbus, IN 47202
	1101 S. Walnut Street	CA	CG	Elg Properties, LLC	3417 S. Claybridge Dr.	Bloomington, IN 47401
	104 E Davis Street	CA	CG	Elg Properties, LLC	3417 S. Claybridge Dr.	Bloomington, IN 47401
	1023 S. Walnut Street	CA	CG	Mainway Shopping Center Bloomington	403 E. 6th Street	Bloomington, IN 47408
	1017 S. Walnut Street	CA	CG	Mainway Shopping Center Bloomington	403 E. 6th Street	Bloomington, IN 47408
	1021 S. Walnut Street	CA	CG	Dyfn, LLC	P.O. Box 1763	Bloomington, IN 47402
	1013 S. Walnut Street	CA	CG	Robert E. Stewart Revocable Trust	7550 S. Zikes Rd.	Bloomington, IN 47401
	1009 S. Walnut Street	CA	CG	Bobbie C. Burke Jr. & Sandra K. Burke	3721 E. Silver Creek Ct.	Bloomington, IN 47401
	1005 S. Walnut Street	CA	CG	Bobbie C. Burke Jr. & Sandra K. Burke	3721 E. Silver Creek Ct.	Bloomington, IN 47401
	1001 S. Walnut Street	CA	CG	Bobbie C. Burke Jr. & Sandra K. Burke	3721 E. Silver Creek Ct.	Bloomington, IN 47401
	102 E. Allen Street	CA	CG	Matthew R. Murphy & Leslie E. Davis	1900 E. Ruby Ln.	Bloomington, IN 47401
	1300 S. Walnut Street	CA	CG	James M. Gronquist	1414 S. Lincoln St.	Bloomington, IN 47401
	1305 S. Monon Drive	CA	CG	James M. Gronquist Eddie Lee & Beverly Ann Deckard	1414 S. Lincoln St. 2199 E. Fox Lane	Bloomington, IN 47401 Bloomington, IN 47401
	1306 S. Walnut Street	CA	CG	WWHB, LLC	8301 Anne Ave.	Bloomington, IN 47401
	1320 S. Walnut Street	CA	CG	WWHB, LLC	8301 Anne Ave.	Bloomington, IN 47401
	1310 S. Walnut Street	CA	CG	Vicki Grow with Life Estate to Virginia Bryant	1312 S. Walnut Street	Bloomington, IN 47401
	1312 S. Walnut Street	CA	CG	Vicki Grow with Life Estate to Virginia Bryant	1312 S. Walnut Street	Bloomington, IN 47401
	1324 S. Walnut Street	CA	CG	Priscilla R. Campbell	1324 S. Walnut Street	Bloomington, IN 47401
	1400 S. Walnut Street	CA	CG	Kenneth R. & Jeanne M. Craig	5100 S. Old St. Rd. 37	Bloomington, IN 47403
	1404 S. Walnut Street	CA	CG	Eddie Lee & Beverly Ann Deckard	2199 E. Fox Lane	Bloomington, IN 47401
	1300 S. Monon Drive	CA	CG	Eddie Lee & Beverly Ann Deckard	2199 E. Fox Lane	Bloomington, IN 47401
	1414 S. Monon Drive	CA	CG	Eddie Lee & Beverly Ann Deckard	2199 E. Fox Lane	Bloomington, IN 47401
	1418 S. Monon Drive	CA	CG	Eddie Lee & Beverly Ann Deckard	2199 E. Fox Lane	Bloomington, IN 47401
	1408 S. Walnut Street	CA	CG	Brian P. & Claudia C. Lappin	1676 E. Cider Ct.	Bloomington, IN 47408
	1412 S. Walnut Street	CA	CG	John C. & Chris P. Mackey	P.O. Box 5446	Bloomington, IN 47407
	1416 S. Walnut Street	CA	CG	Anjanett Radford	P.O. Box 712	Bloomington, IN 47402
	1420 S. Walnut Street	CA	CG	B-Town Properties, LLC	1420 S. Walnut Street	Bloomington, IN 47401
	1424 S. Walnut Street	CA	CG	Brandon S. & Rachel S. Cooper	2950 Portage Bay W, Apt. 114	Davis, CA 95616
	1423 S. Monon Drive	CA	CG	Spicer Rentals, LLC	237 E. Winslow Rd.	Bloomington, IN 47401
	1421 S. Monon Drive	CA	CG	Jane A. Henderson & Randall Hammond	P.O. Box 1394	Bloomington, IN 47402
	1419 S. Monon Drive	CA	CG	Ryan J. Payton	1419 S. Monon Drive	Bloomington, IN 47403
	1417 S. Monon Drive	CA	CG	Jason Robert Payton & Elizabeth Rose Pechacek	1417 S. Monon Drive	Bloomington, IN 47403
	1310 S. Monon Drive	CA	CG	Richard V. & Shilrey A. Jones	6066 E. St. Rd. 46	Bloomington, IN 47401
	1416 S. Monon Drive	CA	CG	Mary Beth Roska	339 S. Euclid Ave.	Bloomington, IN 47403
	1420 S. Monon Drive	CA	CG	Monon Rentals, LLC	1412 S. Monon Drive	Bloomington, IN 47403
	1422 S. Monon Drive	CA	CG	Jeffery A. Deckard	505 Phillips Lane	Springville, IN 47462

## Copy of Exhibit 1 - Final Down Zoned List, August 6, 2015, Chart 1

Map	Property Address	Pre 2007	Post 2007	Current Owner	Current Owner Address	City, State
	1424 S. Monon Drive	CA	CG	Jeffery A. Deckard	505 Phillips Lane	Springville, IN 47462
41	Parcel No. 53-01-31-261-001.000-005	BP	RS	Shahbahrami, Farrokh Revocable Trust & Shahbahrami	715 Bayles Rd	Bloomington, IN 47404
42	2021 W Arlington RD	BP	RS	Miller, James Earl w/l/e Clyde & Frances Miller	2015 W Arlington RD	Bloomington, IN 47404
	1307 W Gourley PIKE	BP	RS	Shaw, Cindy J	1307 W Gourley PIKE	Bloomington, IN 47404
	1311 W Gourley PIKE	BP	RS	Tidy Rentals LLC	1910 E 1st St.	Bloomington, IN 47401
	1315 W Gourley PIKE	BP	RS	Love, Nicholas & Filiz	1315 W Gourley PIKE	Bloomington, IN 47404
	1319 W Gourley PIKE	BP	RS	Payne, Erica aka Ross, Jay	935 W Kirkwood Ave	Bloomington, IN 47404
	1330 W Hickory LN	BP	RS	North American Savings Bank FSB	12520 S 71 HIGHWAY	Grandview, MO 64030
	1405 W Gourley PIKE	BP	RS	State Of Indiana	100 N SENATE AVE	Indianapolis, IN 46204
	1419 W Hickory LN	BP	RS	Hoak, Christopher L	1419 W Hickory LN	Bloomington, IN 47404
	1411 W Hickory LN	BP	RS	Rogers, Clovis W & Dorothy M Trustees Of Living Trust	1411 W Hickory LN	Bloomington, IN 47404
	1403 W Hickory LN	BP	RS	Rogers, Patricia R	1403 W Hickory LN	Bloomington, IN 47404
	1325 W Hickory LN	BP	RS	Edie, Sherri L	1325 W Hickory LN	Bloomington, IN 47404
	1321 W Hickory LN	BP	RS	Weber, Raymond J & Rosemary E	8800 Eppert Rd	Brazil, IN 47834
	1319 W Hickory LN	BP	RS	Skinner, Albert J & Ryan, Rachel M	1319 W Hickory LN	Bloomington, IN 47404
	2015 N ARLINGTON RD	BP	RS	Miller, Clyde M & Frances E Trust	2015 N ARLINGTON RD	Bloomington, IN 47404
	1905 W Arlington RD	BP	RS	Rhoades, Gerald R	1905 W Arlington RD	Bloomington, IN 47404
	1819 Arlington Rd	BP	RS	Woods, Jeffrey P	1819 Arlington Rd	Bloomington, IN 47404
	1811 W Arlington RD	BP	RS	Miles, Terri	1811 W Arlington RD	Bloomington, IN 47404
	1803 W Arlington RD	BP	RS	Ramsey, Christopher & Kristine Coates	1729 ARLINGTON RD	Bloomington, IN 47404
	1729 W Arlington RD	BP	RS	Ramsey, Christopher & Kristine Coates	1729 W Arlington RD	Bloomington, IN 47404
	1723 W Arlington RD	BP	RS	Rogers Management, Inc.	525 S LANDMARK AVE	Bloomington, IN 47403
	1719 W Arlington RD	BP	RS	Collison, Joseph A	PO Box 1208	Bloomington, IN 47402
	Parcel No. 53-05-29-300-041.000-005	BP	RS	Stanhouse, Ronald	2837 BLUE SLOPES DR	Bloomington, IN 47408
	1619 N ARLINGTON ROAD	BP	RS	Stalcup, Norman K. & Sue	1619 N ARLINGTON ROAD	Bloomington, IN 47404
	1623 W Arlington RD	BP	RS	B-Town Enterprises LLC	2837 BLUE SLOPES DR	Bloomington, IN 47408
	1605 W Arlington RD	BP	RS	Owen, Olan D & Janice A	1605 W Arlington RD	Bloomington, IN 47404
	1603 W Arlington RD	BP	RS	B-Town Enterprises LLC	2837 BLUE SLOPES DR	Bloomington, IN 47408
	1527 W Arlington RD	BP	RS	Clark, Roger D & Debra L	1527 W Arlington RD	Bloomington, IN 47404
	1519 W Arlington RD	BP	RS	May, James & Marsha	1519 W Arlington RD	Bloomington, IN 47404
	1511 W Arlington RD	BP	RS	Wilson, Joseph E. & Phyllis Maxine	1511 W Arlington RD	Bloomington, IN 47404
	1507 W Arlington RD	BP	RS	Hardy, James M. & Mildred	1507 W Arlington RD	Bloomington, IN 47404
	1604 W 17th ST	BP	RS	Winkel, Carrie G & Winkel, Marion R	1600 W 17th St	Bloomington, IN 47404
	1600 W 17th ST	BP	RS	Winkel, Carrie G & Marion R	1600 W 17th ST	Bloomington, IN 47404
	1504 W 17th ST	BP	RS	Treacy, Kevin J & Rosemary J	3411 HOOVER ST	Kalamazoo, MI 49008
	1412 W 17th ST	BP	RS	Temple, Victoria Starkey	3770 E BLUE BIRD LANE	Bloomington, IN 47401
	1408 W 17th ST	BP	RS	Rhoades, Gerald R	917 W Kirkwood Ave	Bloomington, IN 47404
	1404 W 17th ST	BP	RS	Ayers, Mark L. & Yula Dawn	1404 W 17th ST	Bloomington, IN 47404

## Copy of Exhibit 1 - Final Down Zoned List, August 6, 2015, Chart 1

Map	Property Address	Pre 2007	Post 2007	Current Owner	Current Owner Address	City, State
	1312 W 17th ST	BP	RS	Bowman, Jo Lynn & Bowman, Jon B	1312 W 17th ST	Bloomington, IN 47404
	1308 W 17th ST	BP	RS	Bauer, Jean E	1308 W 17th ST	Bloomington, IN 47404
	1304 W 17th ST	BP	RS	Groschwitz, Sandra	1304 W 17th ST	Bloomington, IN 47404
44	1136 W. 17th Street	CA	CG	Gregory Charles Morrow & Craig Foster Partnership	1136 W. 17th Street	Bloomington, IN 47404
	1137 W. 17th Street	CA	CG	Pine Grove Apartments 17th Street, LLC	701 E. Summit View Place	Bloomington, IN 47401
	Parcel No. 53-05-29-400-066.000-005	CA	CG	17th Street, LLC	P.O. Box 325	Ellettsville, IN 47429
	1030 W. 17th Street	CA	CG	Wente Property Management, LLC	1020 W. 17th Street	Bloomington, IN 47404
	1040 W. 17th Street	CA	CG	Jim & Kathy Slinkard	3722 Tamarron Dr.	Bloomington, IN 47408
	1425 N. Willis Drive	CA	CG	Indiana Bell Telephone Co., Inc. SBC Communications, Inc.	1 Bell Center RM 36-M-01	St. Louis, MO 63101
	1421 N. Willis Drive	CA	CG	JJCHAM, LLC	P.O. Box 364	Bloomington, IN 47402
	930 W. 17th Street	CA	CG	Dalancy, LLC	4570 N. Ridgewood Dr.	Bloomington, IN 47404
	926 W. 17th Street	CA	CG	Goody & Sons	926 W. 17th Street	Bloomington, IN 47404
	1430 N. Willis Drive	CA	CG	James & Nancy Owens, LLC	2620 E. Windermere Woods Drive	Bloomington, IN 47401
	924 W. 17th Street	CA	CG	Black-Schaffer Alice-Euginia Living Trust	5988 E. St. Rd. 45	Bloomington, IN 47408
	840 W. 17th Street	CA	CG	Hanna Properties, LLC	3306 E. Mulberry Ct.	Bloomington, IN 47401
	750 W. 17th Street	CA	CG	Cathy Lynn Haggerty	317 W. 14th Street	Bloomington, IN 47404
	726 W. 17th Street	CA	CG	Cedar Grove, LLC	P.O. Box 325	Clear Creek, IN 47426
	702 W. 17th Street	CA	CG	STMLH Properties, LLC	785 Rattlesnake Rd.	Spencer, IN 47460
	624 W. 17th Street	CA	CG	CFC, Inc.	P.O. Box 729	Bloomington, IN 47402
	606 W. 17th Street	CA	CG	Owen A. Lauer	1643 S. Belle Meade Dr.	Bloomington, IN 47401
	600 W. 17th Street	CA	CG	606 Building Company, LLC	1149 Linden Dr.	Bloomington, IN 47408
	520 W. 17th Street	CA	CG	James R. Jacobs & Mary A. Jacobs & Max Jacobs & Gloria E. Jacobs	508 W. 17th Street	Bloomington, IN 47404
	508 W. 17th Street	CA	CG	James R. Jacobs & Mary Ann Jacobs	3906 Sugar Lane	Bloomington, IN 47404
	400 W. 17th Street	CA	CG	Eva M. Godsey, Maureen M. Garay, Jeffrey R. Godsey Trust	117 E. 19th St.	Bloomington, IN 47408
	401 W. 17th Street	CA	CG	Heri Four, Inc.	401 W. 17th Street	Martinsville, IN 46151
	505 W. 17th Street	CA	CG	Bryan Rentals, Inc.	1440 S. Liberty Dr.	Bloomington, IN 47403
	511 W. 17th Street	CA	CG	Muncie Associates, LLC	P.O. Box 669	Bloomington, IN 47402
	1117 N. Jackson Street	CA	CG	Bloomington Vendors, Inc.	P.O. Box 108	Bloomington, IN 47402
	1111 N. Jackson Street	CA	CG	Bloomington Vendors, Inc.	P.O. Box 108	Bloomington, IN 47402
	1115 N. Jackson Street	CA	CG	Bloomington Vendors, Inc.	P.O. Box 108	Bloomington, IN 47402
	1101 N. Jackson Street	CA	CG	Bloomington Vendors, Inc.	P.O. Box 108	Bloomington, IN 47402
	1029 N. Jackson Street	CA	CG	Bloomington Vendors, Inc.	P.O. Box 108	Bloomington, IN 47402
	709 W. 17th Street	CA	CG	Bloomington Vendors, Inc.	P.O. Box 108	Bloomington, IN 47402
	711 W. 17th Street	CA	CG	Bloomington Vendors, Inc.	P.O. Box 108	Bloomington, IN 47402
	621 W. 17th Street	CA	CG	Joan M. Hall Trust	P.O. Box 289	Madison, IN 47250
	719 W. 17th Street	CA	CG	Parker Family Real Estate, LLC	2326 Rocky Hill Road	Spencer, IN 47460

## Copy of Exhibit 1 - Final Down Zoned List, August 6, 2015, Chart 1

Map	Property Address	Pre 2007	Post 2007	Current Owner	Current Owner Address	City, State
	809 W. 17th Street	CA	CG	Susan K. Watts	809 W. 17th Street	Bloomington, IN 47404
	813 W. 17th Street	CA	CG	Watts Trust	813 W. 17th Street	Bloomington, IN 47404
	817 W. 17th Street	CA	CG	Krninger Services, Inc.	P.O. Box 676	New Albany, IN 47151
46	121 E 17th ST	CA	RH	Hays Bldg LLC	3321 S Cheekwood Ln	Bloomington, IN 47401
47	1111 W 17th ST	CL	IG	Jerico Management LLC	PO BOX 7016	Bloomington, IN 47407
	1301 N Monroe ST	CL	IG	Lee LLC	3725 Mesa Ln	Bloomington, IN 47401
49	1218 N Madison ST	CG	RM	Johnson, Branden K & Naomi J	1218 N Madison ST	Bloomington, IN 47404
	1204 N Madison ST	CG	RM	Ziaeehezarjeribi, Yadi	1204 N Madison ST	Bloomington, IN 47404
	1200 N Madison ST	CG	RM	B & L Rentals LLC	612 W Kirkwood Ave	Bloomington, IN 47404
	612 E 14th ST			Lyman, David	505 S SWAIN AVE	Bloomington, IN 47401
53	1600 W 3rd ST	CA	CG	Bank One Bloomington Na & Curry, Barbara A Trustee	PO BOX 810490	Dallas, TX 75381
	210 S Adams ST	CA	CG	Kleindorfer, David	7565 E STATE ROAD 45	Unionville, IN 47468
	1401 W Kirkwood AVE	CA	CG	Kleindorfer, David L. & Phyllis M.	1401 W FIFTH STREET	Bloomington, IN 47403
	206 S Adams ST	CA	CG	CTB Investments LLC	116 S Madison St Ste A	Bloomington, IN 47404
	1409 W Kirkwood AVE	CA	CG	Westside Assembly Of God Church, Trustees Of	1409 W Kirkwood AVE	Bloomington, IN 47403
	116 S Adams ST	CA	CG	JAA Properties LLC	116 S Adams ST	Bloomington, IN 47404
	1311 W Kirkwood AVE	CA	CG	Kleindorfer, David L & Phyllis Mae	7565 E STATE ROAD 45	Unionville, IN 47468
54	902 W Kirkwood AVE	CG	CL	Morrison, Edna L	4375 Forest Park Dr	Bloomington, IN 47404
55	722 W 2nd ST	CL	MD	Jcj Properties Llc	2804 N Blue Slopes Dr	Bloomington, IN 47408
	514 W 2nd ST	CL	MD	Second Street Partners Llc	2405 E Cedarwood Ct	Bloomington, IN 47401
56	1201 W 3rd ST	CA	CG	Weddle Bros Const Co Inc	PO BOX 1330	Bloomington, IN 47402
	1155 W 3rd ST	CA	CG	E C P Office Llc	1155 W 3rd ST	Bloomington, IN 47404
	Parcel No. 53-08-05-200-044.000-009	CA	CG	G J Anderson Inc	PO Box 1622	Bloomington, IN 47402
	340 S Walker ST	CA	CG	G J Anderson Inc	PO Box 1622	Bloomington, IN 47402
	1100 W 2nd ST	CA	CG	Public Service Co Of Ind Inc	550 S Tyron St	Charlotte, NC 28202
57	1205 S Rogers ST	CG	RM	Us Assets Llc	113 S GRANT ST	Bloomington, IN 47408
61	1500 E 3rd ST	CG	CL	Bryan Rental Inc	1440 S Liberty Dr	Bloomington, IN 47403
	1430 E 3rd ST	CG	CL	Hrisomalos, Frank N	1403 E ATWATER AVE	Bloomington, IN 47401
	1420 E 3rd ST	CG	CL	Hrisomalos, Frank N	1403 E ATWATER AVE	Bloomington, IN 47401
	1424 E. 3rd St.	CG	CL	Hrisomalos, Frank N	1403 E ATWATER AVE	Bloomington, IN 47401
	1426 E. 3rd St.	CG	CL	Hrisomalos, Frank N	1403 E ATWATER AVE	Bloomington, IN 47401

## Copy of Exhibit 1 - Final Down Zoned List, August 6, 2015, Chart 1

Map	Property Address	Pre 2007	Post 2007	Current Owner	Current Owner Address	City, State
	1428 E 3rd ST	CG	CL	Rogers, David A	8023 S SHADYSIDE DR	Bloomington, IN 47401
	1400 E 3rd ST	CG	CL	Van Hoy Properties LLC	2801 E Buick Cadillac Blvd	Bloomington, IN 47401
	1320 E 3rd ST	CG	CL	Crane Associates LLC	PO Box 3227	Wilmington, NC 28406
	1316 E 3rd ST	CG	CL	Storm, Bruce R & Shannon K Revocable Living Trust	406 E Audubon Dr	Bloomington, IN 47408
	1314 E 3rd ST	CG	CL	Kinser, John F & Lura June Revocable Living Trust	1314 E 3RD STREET	Bloomington, IN 47401
	1302 E 3rd ST	CG	CL	Brummett, Alonzo F Trust & Brummett, Mary Louise Trust	2801 E Buick Cadillac Blvd	Bloomington, IN 47401
	Parcel No. 53-08-03-200-039.000-009	CG	CL	Brummett, Alonzo F Trust & Brummett, Mary Louise Trust	2801 E Buick Cadillac Blvd	Bloomington, IN 47401
	329 S Highland AVE	CG	CL	Zz Corp Presiding Bishop	50 E N TEMPLE	Salt Lake City, UT 84150
	322 S Jordan AVE	CG	RM	Storm, Bruce R & Shannon K Revocable Living Trust	322 E 4th St Suite 1	Bloomington, IN 47408
	Parcel No. 53-08-03-204-026.000-009	CG	CL	Storm, Bruce R & Shannon K Revocable Living Trust	8727 Pine Ridge Dr	Indianapolis, IN 46260
	321 S Jordan AVE	CG	RM	Hrisomalos, Frank N	1403 E ATWATER AVE	Bloomington, IN 47401
	S Swain AVE	CG	CL	Hrisomalos, Frank N	1403 E ATWATER AVE	Bloomington, IN 47401
	311 S Swain AVE	CG	CL	Sheldon, Steven Nils &	311 S Swain AVE	Bloomington, IN 47401
	1503 E Atwater AVE	CG	CL	Thompson, Phillip A & Linda	3860 Walcott Ln	Bloomington, IN 47404

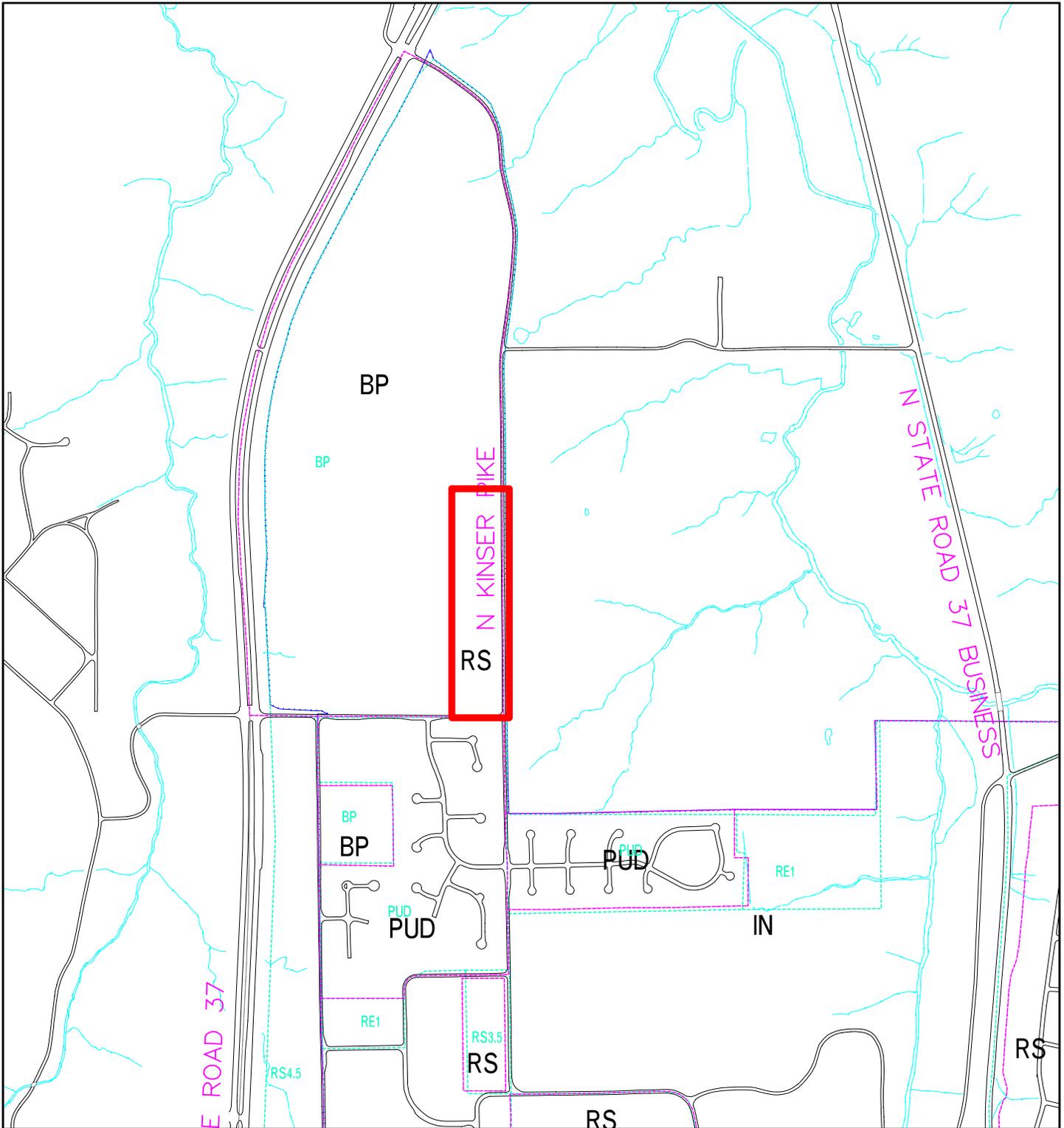
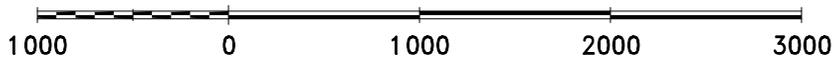


Exhibit 2

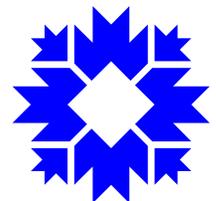
By: greulice  
11 Sep 15



For reference only; map information NOT warranted.



City of Bloomington  
Planning & Transportation



Scale: 1" = 1000'







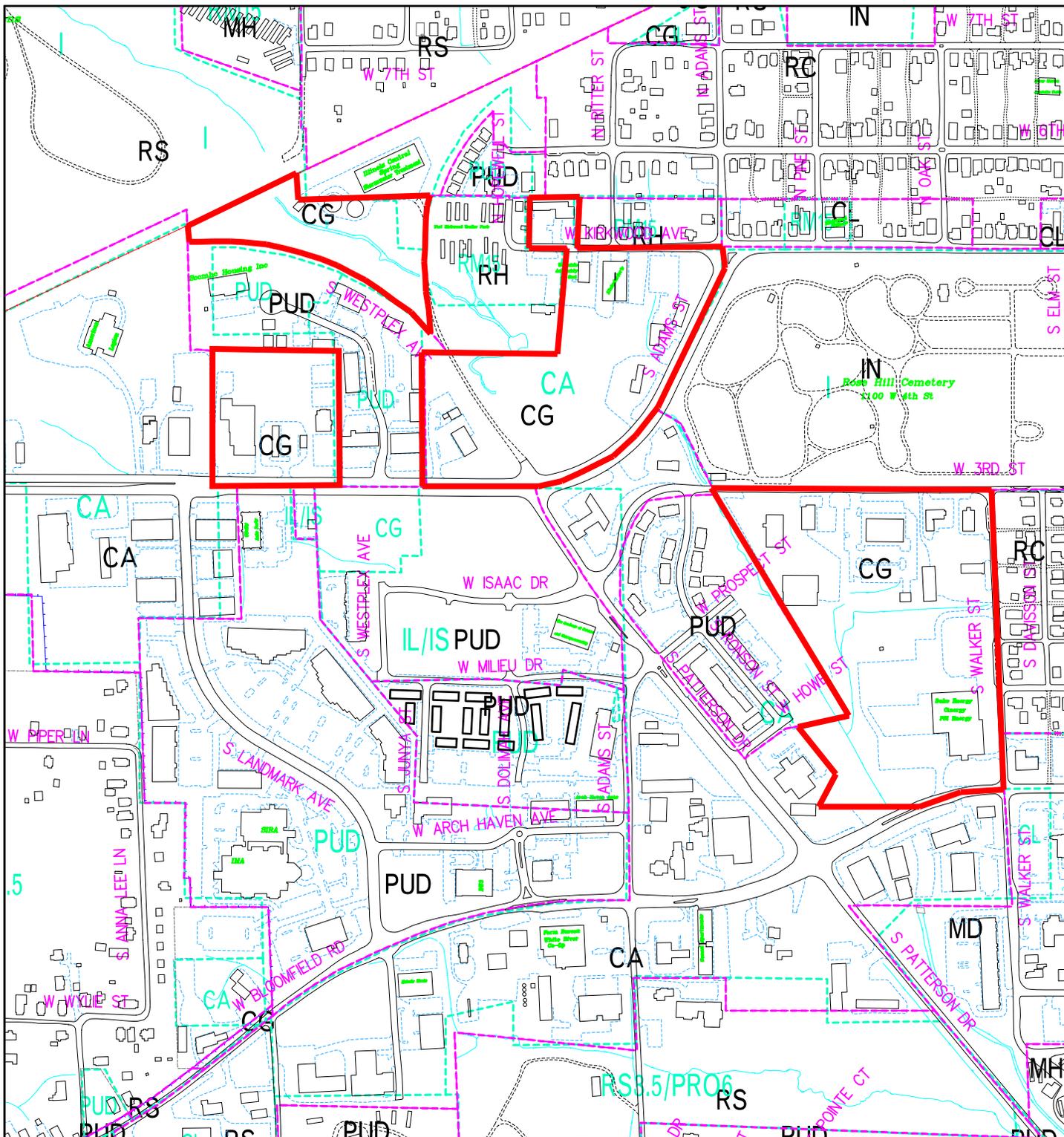
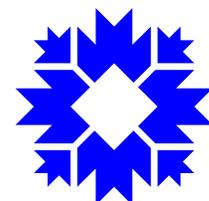


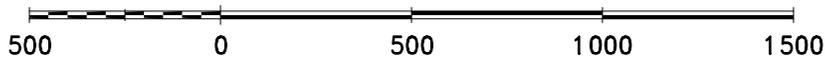
Exhibit #6

City of Bloomington  
Planning & Transportation



Scale: 1" = 500'

By: greulice  
11 Sep 15



For reference only; map information NOT warranted.

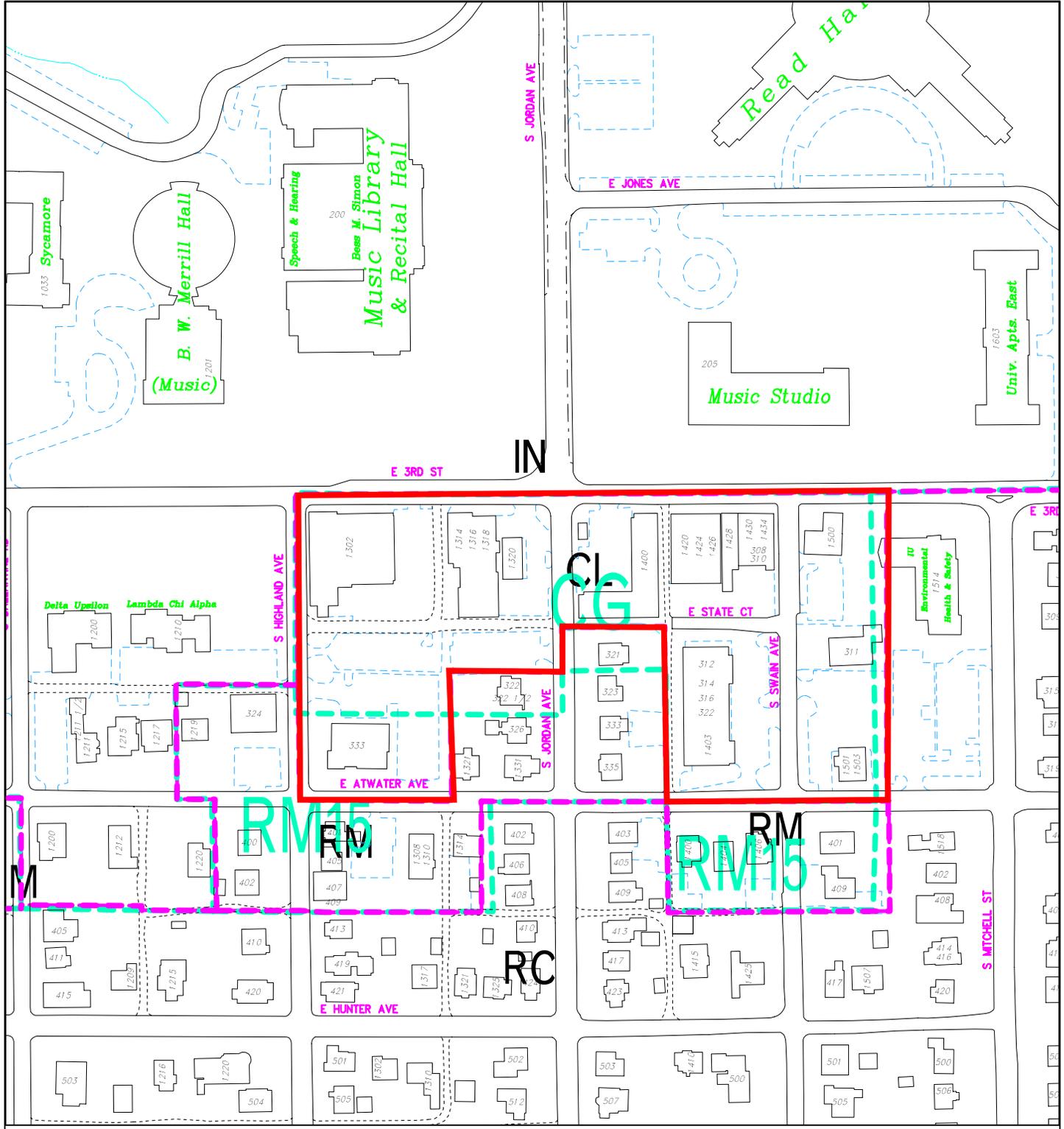
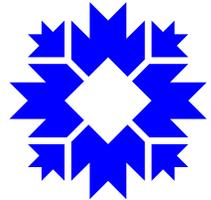


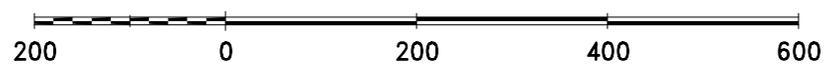
Exhibit #7

City of Bloomington  
Planning & Transportation



Scale: 1" = 200'

By: greulice  
11 Sep 15



For reference only; map information NOT warranted.

## Copy of Exhibit 8 - Final Institutional List, August 6, 2015, Chart 2

## Institutional Owners List

Owner	Pre-2007	Post-2007	Property Address	Mailing Address
Indiana University Trustees	RE1	IN	N Russell RD Bloomington, IN 47408	PO BOX 500, Bloomington, IN 47402
	RE1	IN	N Range RD Bloomington, IN 47401	PO BOX 500, Bloomington, IN 47402
	RE2.5	IN	N Range RD Bloomington, IN 47401	PO BOX 500, Bloomington, IN 47402
	RE2.5	IN	N Headley RD Bloomington, IN 47408	PO BOX 500, Bloomington, IN 47402
	RS	IN	N Headley RD	PO BOX 500, Bloomington, IN 47402
	RS3.5/RE2.5	RE/IN	2200 N Dunn ST	1800 N. Range Rd Bloomington, IN. 47408
	RS3.5/RE2.5	RE/IN	611 E State Road 45 46 Bypass	1800 N. Range Rd Bloomington, IN. 47408
	RS3.5/RE2.5	RE/IN	711 E State Road 45 46 Bypass	1800 N. Range Rd Bloomington, IN. 47408
	RS3.5/RE2.5	RE/IN	721 E Matlock RD	PO BOX 500, Bloomington, IN 47402
	RS	IN	2204 N Headley RD	1800 N. Range Rd Bloomington, IN. 47408
	RM	IN	69100-00 WALNUT GROVE PT LO	PO BOX 500, Bloomington, IN 47402
	RM	IN	76650-00 WALNUT GROVE PT LO	PO BOX 500, Bloomington, IN 47402
	RM	IN	1000 N Indiana AVE	521 E. 4th St. Bloomington, IN. 47408
	RM	IN	607 E 13th ST	521 E. 4th St. Bloomington, IN. 47408
	RM	IN	69180-00 WALNUT GROVE PT LO	PO BOX 500, Bloomington, IN 47402
	RM	IN	615 E 13th ST	521 E. 4th St. Bloomington, IN. 47408
	RM	IN	69470-00 WALNUT GROVE PT LO	PO BOX 500, Bloomington, IN 47402
	CG	IN	-74610-00 UNIVERSITY PARK LO	PO BOX 500, Bloomington, IN 47402
	CG	IN	-74580-00 UNIVERSITY PARK LO	PO BOX 500, Bloomington, IN 47402
	CG	IN	607 E 12th ST	PO BOX 500, Bloomington, IN 47402
	CG	IN & RC	E 12th ST	1800 N. Range Rd Bloomington, IN. 47408
	RS	IN	831 N Fess AVE	1800 N. Range Rd Bloomington, IN. 47408
	RS	IN	621 E 11th ST	521 E. 4th St. Bloomington, IN. 47408
	RS	IN	-74300-00 UNIVERSITY PARK LO	PO BOX 500, Bloomington, IN 47402
	RS	IN	-74290-00 UNIVERSITY PARK LO	PO BOX 500, Bloomington, IN 47402
	RS	IN	-75650-00 UNIVERSITY PARK LO	PO BOX 500, Bloomington, IN 47402
	RS	IN	722 N Indiana AVE	PO BOX 500, Bloomington, IN 47402
	RS	IN	716 N Indiana AVE	530 E. Kirkwood Ave. Suite #204, Bloomington, IN. 47408
	RM7/PRO12	IN	520 N Fess AVE	PO BOX 500, Bloomington, IN 47402
	RM7/PRO12	IN	516 N Fess AVE	530 E. Kirkwood Ave. Suite #204, Bloomington, IN. 47408
	RM7/PRO12	IN	309 Park Ave	1800 N. Range Rd Bloomington, IN. 47408

## Copy of Exhibit 8 - Final Institutional List, August 6, 2015, Chart 2

	RM7/PRO12	IN	409 N Park AVE	1800 N. Range Rd Bloomington, IN. 47408
	RM7/PRO12	IN	405 N Park AVE	1800 N. Range Rd Bloomington, IN. 47408
	RM7/PRO12	IN	715 E 8th ST	521 E. 4th St. Bloomington, IN. 47408
	RM7/PRO12	IN	E 8th ST	PO BOX 500, Bloomington, IN 47402
	RM7/PRO12	IN	406 N Fess AVE	1800 N. Range Rd Bloomington, IN. 47408
<b>Indiana University Foundation</b>	RS	IN	1123 E State Road 45 46 Bypass	PO BOX 500, Bloomington, IN 47402
	RS	IN	1203 E Matlock RD	PO BOX 500, Bloomington, IN 47402
	RS3.5/RE2.5	RE/IN	1001 E State Road 45 46 Bypass	PO BOX 500, Bloomington, IN 47402
	RM7/PRO12	IN	704 E 10th ST	PO BOX 500, Bloomington, IN 47402
	CG	CL	E Third Street	PO BOX 500, Bloomington, IN 47402
<b>CSX Transportation</b>	RS 4.5	IN	2610 S Walnut ST Bloomington, IN	500 Water St, Jacksonville, FL 32202
<b>Monroe County School Corp.</b>	RE1	IN	N Prow RD	315 North Drive, Bloomington, IN 47401
<b>Bloomington Township</b>	RS4.5	IN	2115 W Vernal PIKE	2111 W Vernal Pike, Bloomington, IN 47404
<b>Genesis Church, Inc.</b>	RS3.5/RE2.5	RE/IN	801 E State Road 45 46 Bypass	801 E State Road 45 46 Bypass, Bloomington IN 47408
<b>State of Indiana</b>	BP	RS	1405 W Gourley PIKE	100 N Senate Avenue, Indianapolis, IN 46204
<b>Public Service Co. of Indiana</b>	RM	IN	E 13th ST	550 S Tryon St # DEC41B, Charlotte, NC 28202
	RM	IN	E 13th ST	550 S Tryon St # DEC41B, Charlotte, NC 28202
	RM	IN	1101 N Indiana AVE	550 S Tryon St # DEC41B, Charlotte, NC 28202
<b>Indiana Railroad Company</b>	CG	IN	E 13th ST	500 Water St # C910, Jacksonville, FL, 32202
<b>n, Dist Lutheran Ch Missouri Synod</b>	RM7/PRO12	IN	607 E 7th ST	605 E 7TH Street, Bloomington, IN 47408
<b>Episcopal Diocese of Indianapolis</b>	RM7/PRO12	IN	719 E 7th ST	PO Box 127, Bloomington, IN 47402
<b>South Construction Co. Inc.</b>	RM	IN	515 E. 13th St.	550 S. Tyron St., #DEC41B, Charlotte, NC 28202
	RM	IN	E. 13th St.	550 S. Tyron St., #DEC41B, Charlotte, NC 28202

## Staying the Same List

Property Address	Current Owner	Owner Address	Pre-2007	Post-2007
908 S. Washington Street	A-1 Town Homes & Apts, LLC	P.O. Box 145, Bloomington, IN 47402	RM7	RC
120 E. Dixie Street	Ashley D. Lopez	120 E. Dixie St., Bloomington, IN 47401	RM7	RC
907 S. Washington Street	David Carrico	710 E. Maxwell Ln., Bloomington, IN 47401	RM7	RC
802 S. Washington Street	David G. & Joan L. Crane	802 S. Washington St., Bloomington, Indiana 47401	RM7	RC
205 E. Wylie Street	Debra A. Friedman	1021 E. 3rd St., Bloomington, IN 47405	RM7	RC
813 S. Washington Street	Ferdinand & Beate Piedmont	1309 S. High St., Bloomington, IN 47401	RM7	RC
821 S. Washington Street	Gardner Rentals, LLC	910 S. Rogers St., Bloomington, IN 47403	RM7	RC
603 S. Washington Street	John F. & Amanda D. Piowaty, Jr.	603 S. Washington St., Bloomington, IN 47401	RM7	RC
901 S. Washington Street	Katherine Griffin	12963 Runway Rd., #406, Playa Vista, CA 90094	RM7	RC
615 S. Washington Street	Kathy Penrod	615 S. Washington St., Bloomington, IN 47401	RM7	RC
213 E. Cottage Grove Ave.	Mary J. Krupinski	213 E. Cottage Grove Ave., Bloomington, Indiana 47408	RM	RC
623 S. Washington Street	Matthew W. Stuebe	P.O. Box 6072, Bloomington, IN 47407	RM7	RC
900 S. Washington Street	Michael J. Korus	120 E. Dixie St., Bloomington, IN 47401	RM7	RC
609 S. Washington Street	Miller-Michael Properties, LLC	214 N. Rogers St., Bloomington, IN 47404	RM7	RC
812 S. Washington Street	Naomi R. Deckard Family Limited	P.O. Box 110, Bloomington, IN 47402	RM7	RC
820 S. Washington Street	Naomi R. Deckard Family Limited	P.O. Box 110, Bloomington, IN 47402	RM7	RC
607 S. Washington Street	Naomi R. Deckard Family Limited	P.O. Box 110, Bloomington, IN 47402	RM7	RC
808 S. Washington Street	Robert & Heather Bland	3461 E. Maritime Ct., Bloomington, IN 47401	RM7	RC
2810 S. Walnut Street Pike	Shenandoah Management, LLC	2624 E. Ciana Ct., Bloomington, IN 47401	CL	RS
940 N. Walnut Street	Terry L. & Janice M. Elkins 2000 Irrevocable Trust	940 N. Walnut St., Bloomington, IN 47404	RM7	RC
211 E. Cottage Grove Ave.	Vladimir & Ruessian Ushakow	2422 S. Cottonwood Circle, Carmel by the Sea, California 93921	RM	RC
612 E. 14th Street	David Lyman	505 S. Swain Avenue, Bloomington, IN 47401	RM15	IN

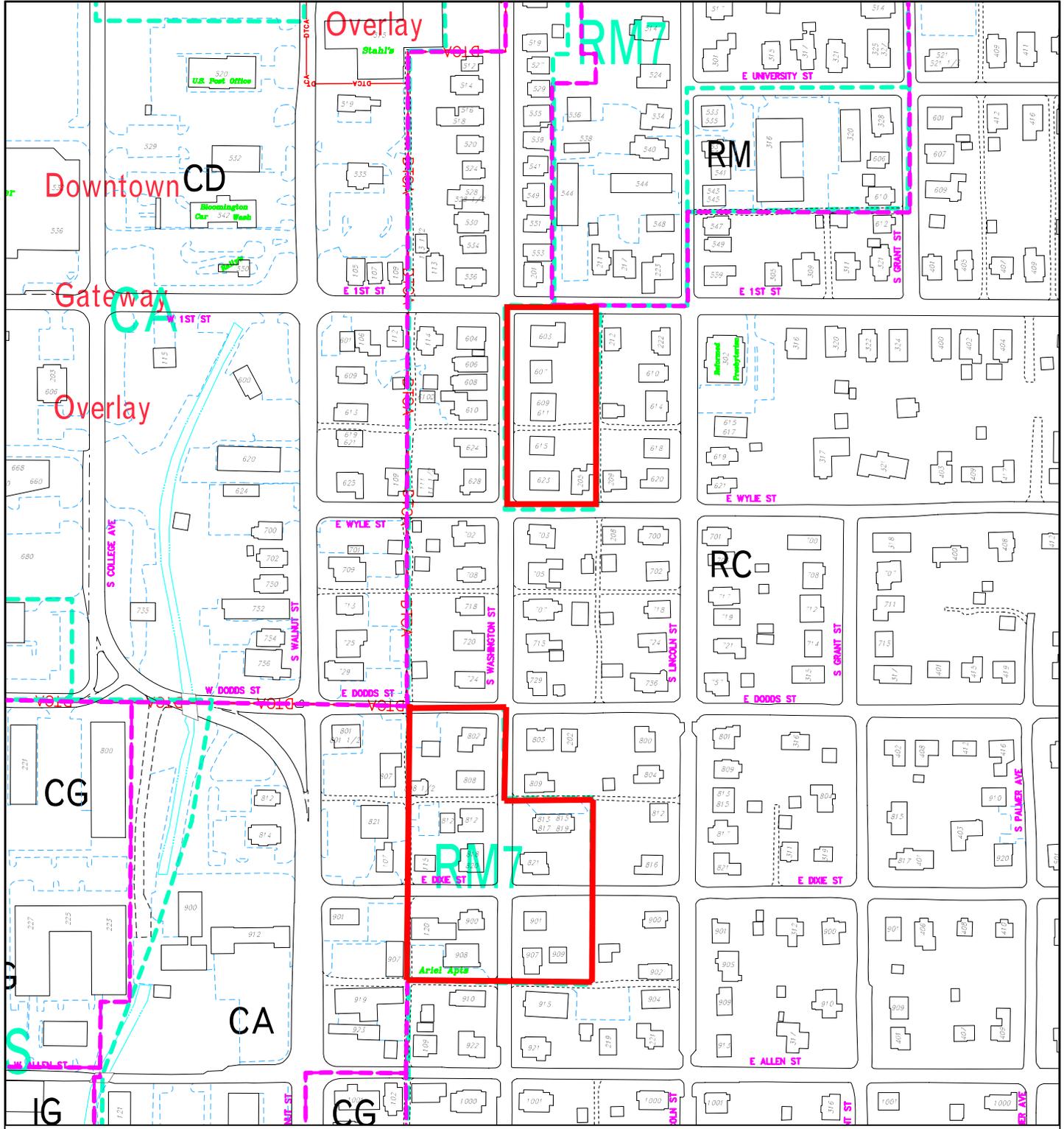
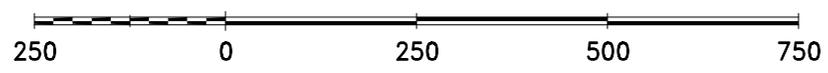


Exhibit #10

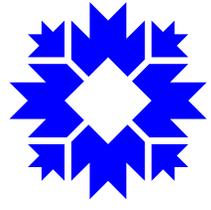
By: greulice  
11 Sep 15



For reference only; map information NOT warranted.



City of Bloomington  
Planning & Transportation



Scale: 1" = 250'

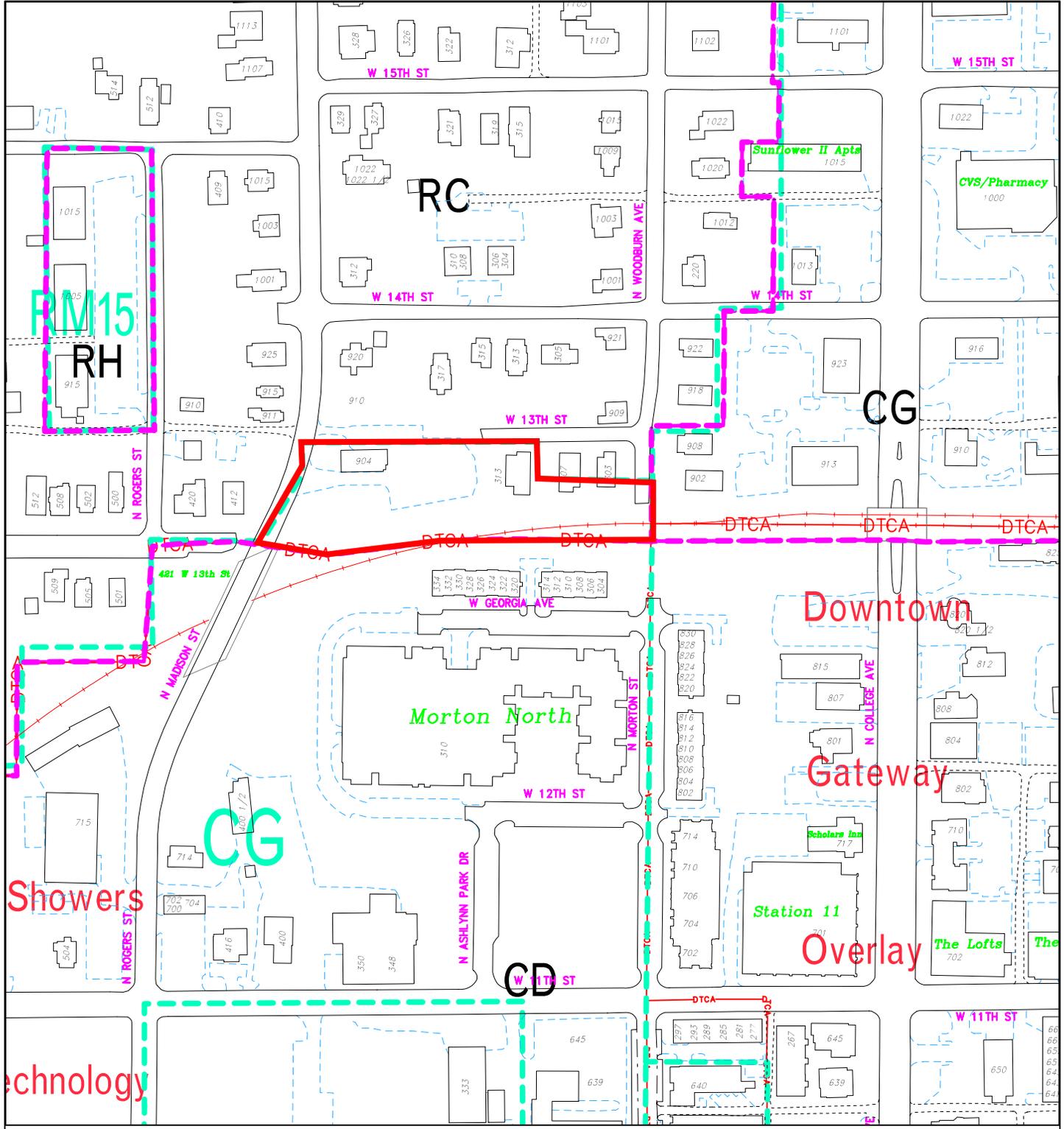
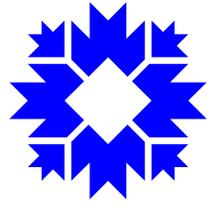


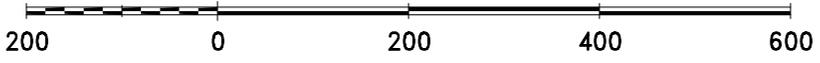
Exhibit #11

City of Bloomington  
Planning & Transportation



Scale: 1" = 200'

By: greulice  
11 Sep 15



For reference only; map information NOT warranted.

**BLOOMINGTON PLAN COMMISSION**  
**STAFF REPORT**  
Location: 1503 W. Arlington Rd.

**CASE #: UV-21-15**  
**DATE: September 14, 2015**

---

**PETITIONER:**       **Arlington Circle LLC (Don Francis)**  
                              **1503 W. Arlington Rd., Bloomington**

---

**REQUEST:** The petitioner is requesting a use variance to allow a ground floor dwelling unit in a Commercial Limited (CL) zoning district.

---

**STAFF REPORT:** This 4.68 acre property is located at 1503 W. Arlington Road and is zoned Commercial Limited (CL). The site has been developed with two commercial/office buildings along the front with associated parking areas, along with an accessory building in the rear of the property. There is one drivecut on Arlington Road that provides access to the property.

The site received a conditional use approval in 2009 (CU-32-09) to be used as a school for Pinnacle School. The school occupied the site for two years and then it sat vacant for another 2 years before the current owners purchased it. There are two residential style buildings along the front of the property that are occupied by various businesses and used as office space. There is an accessory building in the rear of the property that the Pinnacle School had started to improve that was to be used as an auxiliary classroom. Plumbing and electricity were installed in the accessory building by the school for their anticipated use. The petitioner would like to re-use the accessory building as a dwelling unit for an on-site security person/groundskeeper. Ground floor dwelling units are allowed in this zoning district, but only on lots of record and as a primary use. Upper floor dwelling units are also allowed, however this is a ground floor unit. A use variance is therefore required to allow this ground floor dwelling unit. This would be the only dwelling unit on the property.

This petition will also be reviewed by the Hearing Officer at the September 16, 2015 meeting. The Plan Commission must forward a recommendation to the Hearing Officer as to whether this use variance substantially interferes with the Growth Policies Plan (GPP).

---

**GROWTH POLICIES PLAN:** The GPP designates this property as "Urban Residential," and in regards to land use and development in new urban growth areas, the GPP recommends:

Develop site for predominantly residential uses; however, incorporate mixed residential densities, housing types, and nonresidential services where supported by adjacent land use patterns.

Urban residential areas should have full accessibility to all modern services, which this site meets with sewer and water provided to the site. The site is located on Arlington Road, which is classified as a Secondary Arterial road and will not draw additional traffic through surrounding neighborhoods. There are several properties along Arlington that have a mix of land uses on existing parcels. The GPP recognizes and encourages a

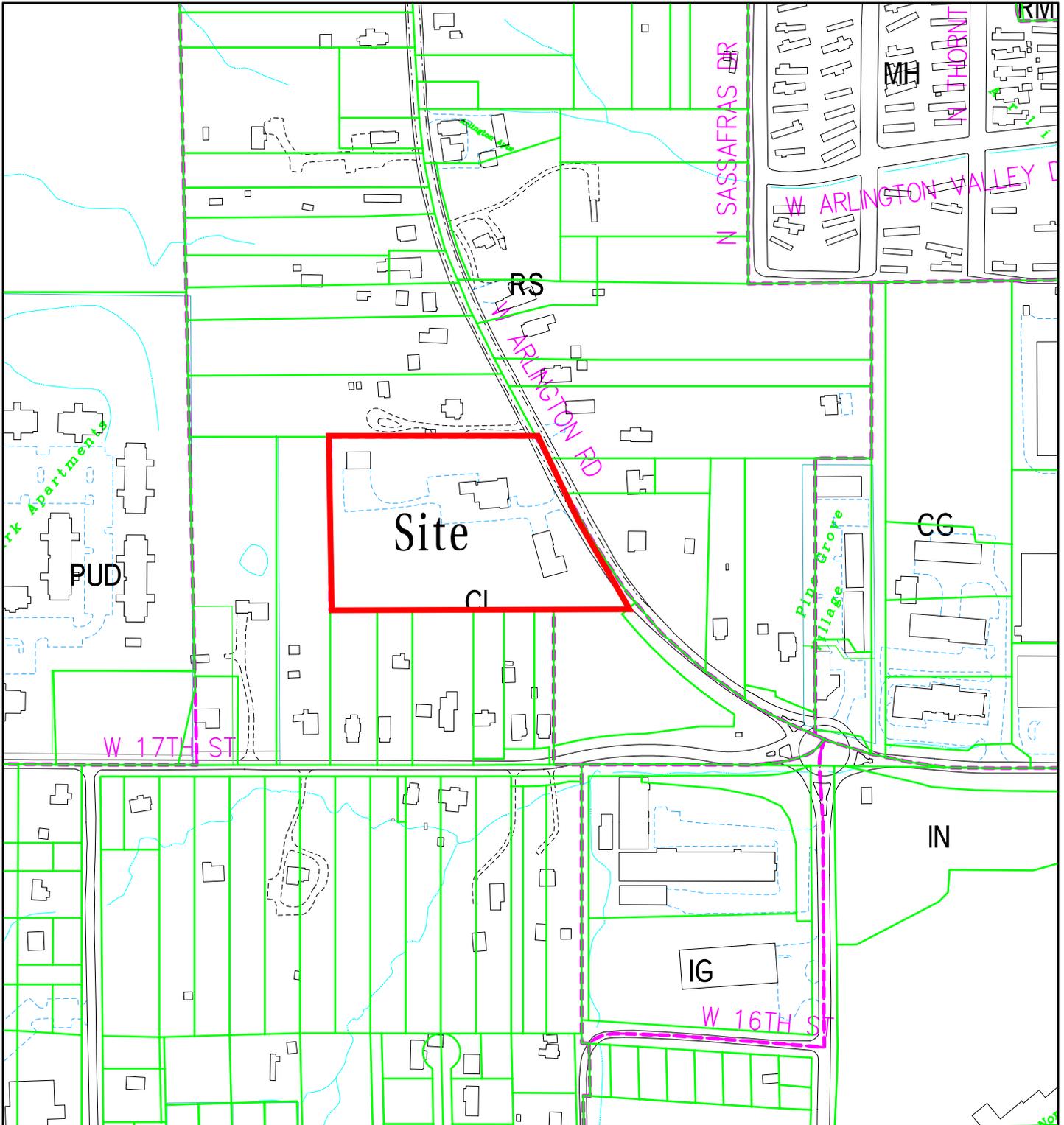
mixture of land uses within this area, which this petition provides.

---

**CONCLUSIONS:** Staff finds minimal impacts as a result of this request. The presence of a dwelling unit on this property will not substantially affect neighboring properties or conflict with the goals of the GPP. There are several properties surrounding this site that have a mixture of land uses and even multiple dwelling units on the same property. While the zoning for the property would allow dwelling units and even multiple dwelling units, the presence of a ground floor dwelling unit requires a specific approval.

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**RECOMMENDATION:** Based upon the written report, staff recommends forwarding a positive recommendation to the Hearing Officer.



UV-21-15 Arlington Circle LLC (Don Francis)

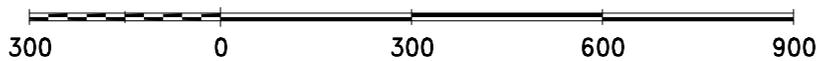
1503 W Arlington Road

Plan Commission

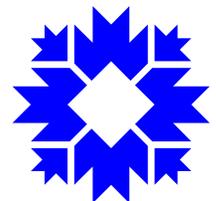
Site Location, Zoning, Land Use, Parcels

By: greulice

9 Sep 15

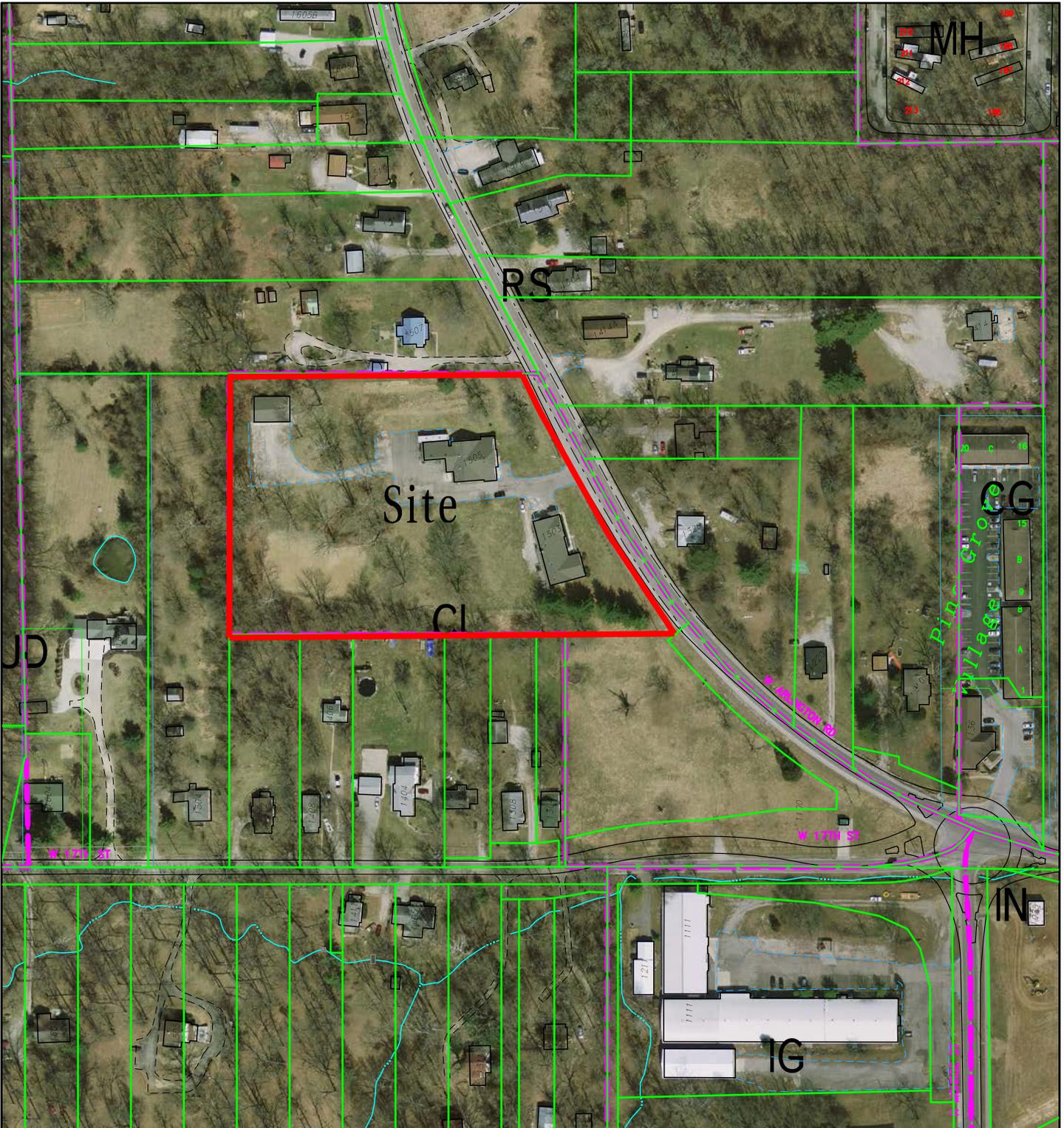


City of Bloomington  
Planning & Transportation



Scale: 1" = 300'

For reference only; map information NOT warranted.



UV-21-15 Arlington Circle LLC (Don Francis)

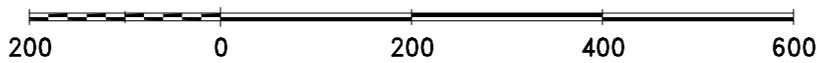
1503 W Arlington Road

Plan Commission

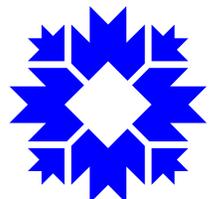
2014 Aerial Photograph

By: greulice

9 Sep 15



City of Bloomington  
Planning & Transportation



Scale: 1" = 200'

For reference only; map information NOT warranted.

### STATEMENT IN SUPPORT OF VARIANCE PETITION

Pursuant to IC 36-7-4-918.4, Arlington Circle LLC is requesting a use variance to include a ground floor dwelling unit on the commercial property located at what is commonly known as 1503 - 1505 West Arlington Road, Bloomington, Indiana 47404.

Historically, from 1986 to approximately 2006, this property included a single family home with two detached buildings. The main building located at 1505 was a printing shop. The smaller building at 1505 was a detached garage.

Pinnacle School purchased the property and converted the main building at 1505 into a school. The top floor of the 1503 building was converted to the administration building for Pinnacle School. The basement of 1503 remained unaltered, and remained available for residential use. The garage behind 1505 was in the process of being converted to a school room, something laboratory in nature and included plumbing for a shower and bathroom. Pinnacle School vacated the property sometime in 2012.

Pinnacle School then sold the property to Adams Crossing LLC. Adams Crossing held the property for approximately two years. The property remained vacant until purchased by Arlington Circle LLC in September 2013.

The current use for the property is as follows:

1503 Top Floor is occupied by Ross Law Office.

1503 Basement is occupied by Paul D. Baugh, Attorney at Law.

1505 Main Building is occupied by Heartland Adoption Agency LCPA and various attorneys.

1505 Garage is occupied by the grounds keepers and security personal. The 1505 Garage was finished out as a single family ground floor dwelling unit. All electrical and plumbing for the kitchen and bath already existed.

Arlington Circle LLC specifically requests that a variance from the current commercial use for the former 1505 Garage to be used as a ground floor dwelling unit.

### AFFIDAVIT

Pursuant to IC 36-7-4-918.4, I, Donald W. Francis, Jr., President of Arlington Circle LLC, do hereby swear and affirm under the penalties for perjury that the following facts are true and accurate to the best of my knowledge and would state as follows:

UV-21-15  
Petitioner Statement

1. The approval will not be ingenious to the public health, safety, morals, and general welfare of the community. The surrounding properties are individual houses or apartments. Use of the 1505 Garage as a ground floor dwelling is consistent with the use of all surrounding properties. While unoccupied, 1505 was a thoroughfare for foot traffic from the former Arlington Park Apartments to Arlington Valley Trailer Park. Having a person or persons on the property at all times has eliminated the foot traffic.

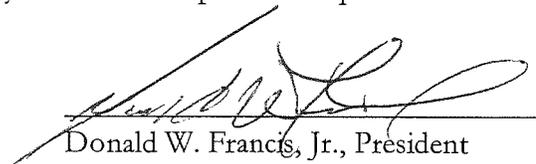
Additionally, Heartland Adoption Agency is a licensed child placing agency is the only entity providing background check and fingerprinting services for Monroe County. Having on site security aids in keeping Heartland and its equipment secure.

2. The use and value of the area adjacent to the property included in the Use Variance will not be affected in a substantial adverse manner. The 1503 – 1505 property has a history of being a residence. The requested use is not inconsistent with the previous history and has had no impact on the property values of the surrounding properties.

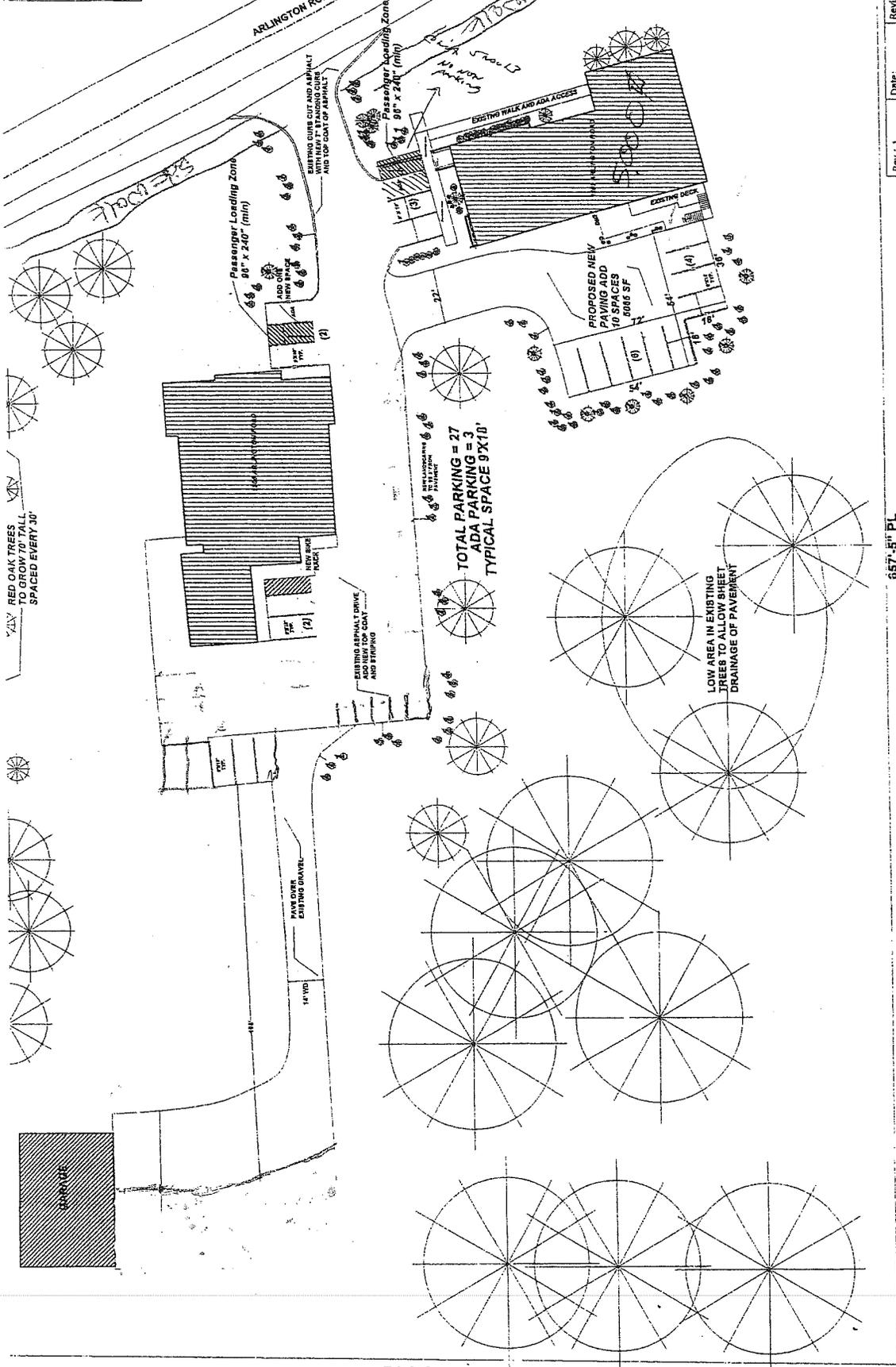
3. The need for the Use Variance arises from some condition peculiar to the subject property itself. As previously stated, security for both Heartland and the attorney's offices is paramount. Heartland, by law, is required protect and secure all records for a period of 100 years. Having a person or persons on site aids in the protection of these records. Again, Heartland being the only provider of fingerprint and background check services requires an added need for security.

4. The strict application of the terms of the Unified Develop Ordinance will constitute an unnecessary hardship if they are applied to the subject property. Strict understanding of the Planning Commissions definitions of permitted uses **20.02.260 Commercial Limited (CL); Permitted Uses allow for "dwelling, single-family (detached)\*."** It has been explained to this applicant that this defined use is for "platted properties" only and not for properties described by "meats and bounds." Strict adherence to the Planning Department's definition of "single-family (detached)\*" is contrary to the normal and usual meaning of phrase **"dwelling, single-family (detached)\*."** **Differentiating between how a property is described and recorded and the application to this property will cause an unnecessary hardship on Arlington Circle LLC.**

5. The approval of the Use Variance does not interfere substantially with the goals and objectives of the Growth Policies Plan. Arlington Circle LLC 1503 – 1505 are located within the Urban Residential area according to the "GPP Geography of Policies Map." The requested variance would be in compliance with the Growth Policies Plan.

  
Donald W. Francis, Jr., President  
Arlington Circle LLC

PRO: EXIS  
 PRO: BOXY  
 JAPAL  
 RED O SIDE



385 PL

657'-5" PL

Rev: 1	Date: 11-04-2013	Revision Note: 271 ADDED LANDSCAP
Designed by: TOBIAS GILLIHAN	Date: 10-10-2013	C
Owner:		T
		L
		B

UV-21-15  
 Site Plan

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

**CASE #: SP-22-15  
DATE: September 14, 2015**

**PETITIONER:** Elmore-Orrego, 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.

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

**BACKGROUND:** The Plan Commission unanimously approved this development on December 9, 2013 (SP-33-13). That site plan expired on December 9, 2014. The petitioners are asking for re-approval of the site plan with the only changes being that some of the conditions of approval have now been met.

Changes since 2013

1. The entry has been revised to include a building address (Condition #1)
1. A mirror and painted travel lanes have been added to increase safety for vehicles exiting from the garage (Condition #2)
2. A decorative wall has been added between the alley parking spaces and Kirkwood Ave. (Condition #6)
3. Sills and lintels have been added to all windows within a brick façade. (Condition #7)
4. A 4-foot recessed entry had been added to the Kirkwood Avenue elevation (Condition #8)

**STAFF REPORT:** The subject property is located on the west side of the B-Line Trail between W. Kirkwood Avenue and W. 6<sup>th</sup> 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 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 proposes 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 brick area is used currently as a parking. The plaza 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 6<sup>th</sup> 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 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.

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**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 8 waivers to the standards in BMC 20.03.130.

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## 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% 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 metered parallel parking spaces to be added to the street inventory consistent with the Kirkwood streetscape. The petitioner has worked with an adjacent property owner to alter the proposed curbing to allow truck access to their business.

**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 but instead is 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%.

**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 6<sup>th</sup> 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 6<sup>th</sup> 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 6<sup>th</sup> 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. 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. 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, 6<sup>th</sup> 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 6<sup>th</sup> 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. All windows on brick facades have lintels and sills.

**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 6<sup>th</sup> 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 4<sup>th</sup> 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.

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

1.) The Petitioner shall work with the City's Urban Forester to decide upon street tree species to be planted.

**Staff Response:** This is included as condition of approval #1.

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

**Staff Response:** While highly desirable, this is not a requirement of the Unified Development Ordinance.

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

**Staff Response:** While highly desirable, this is not a requirement of the Unified Development Ordinance.

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

**Staff Response:** While highly desirable, this is not a requirement of the Unified Development Ordinance.

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**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.

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**RECOMMENDATION:** Staff recommends approval of SP-22-15 and associated waivers with the following conditions:

1. The petitioner shall coordinate with the City's Urban Forester on street tree species.
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. Petitioner shall install street parking meter poles with this development.

## MEMORANDUM

**Date:** August 31, 2015  
**To:** Bloomington Plan Commission  
**From:** Bloomington Environmental Commission  
**Through:** Linda Thompson, Senior Environmental Planner  
**Subject:** SP-22-15, Elmore – Orrego LLC., re submittal  
304 W. Kirkwood Ave

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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 and within a Downtown Core Overlay.

The required setback for new buildings along the B-Line Trail is ten feet from the right-of-way. Previously, the Petitioner requested and was granted a two-foot setback. The EC believes that the 10-foot setback is appropriate for buildings along the trail, as required in the Unified Development Ordinance (UDO) and therefore, did not support the waiver. The EC appreciates that the Petitioner agreed to plant and maintain vegetation in the two foot setback; however, the EC simply wants to restate its stance that it agrees with the UDO regulations regarding the B-Line trail setbacks.

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

#### 1.) STREET TREES:

In the Right of Way Encroachment document that the Petitioner submitted, it is stated that "The parking and tree plots on Sixth and on Kirkwood will be rebuilt in the same manner they currently exist and as shown on the plans." However, no tree species are mentioned. Previously, the city's Urban Forester provided some recommendations for street trees, so the EC suggests that the Petitioner again work with the forester to agree on species.

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

The EC recommends that state-of-the-art green building features be 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 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'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.

### 3.) CONSTRUCTION and DEMOLITION MATERIALS:

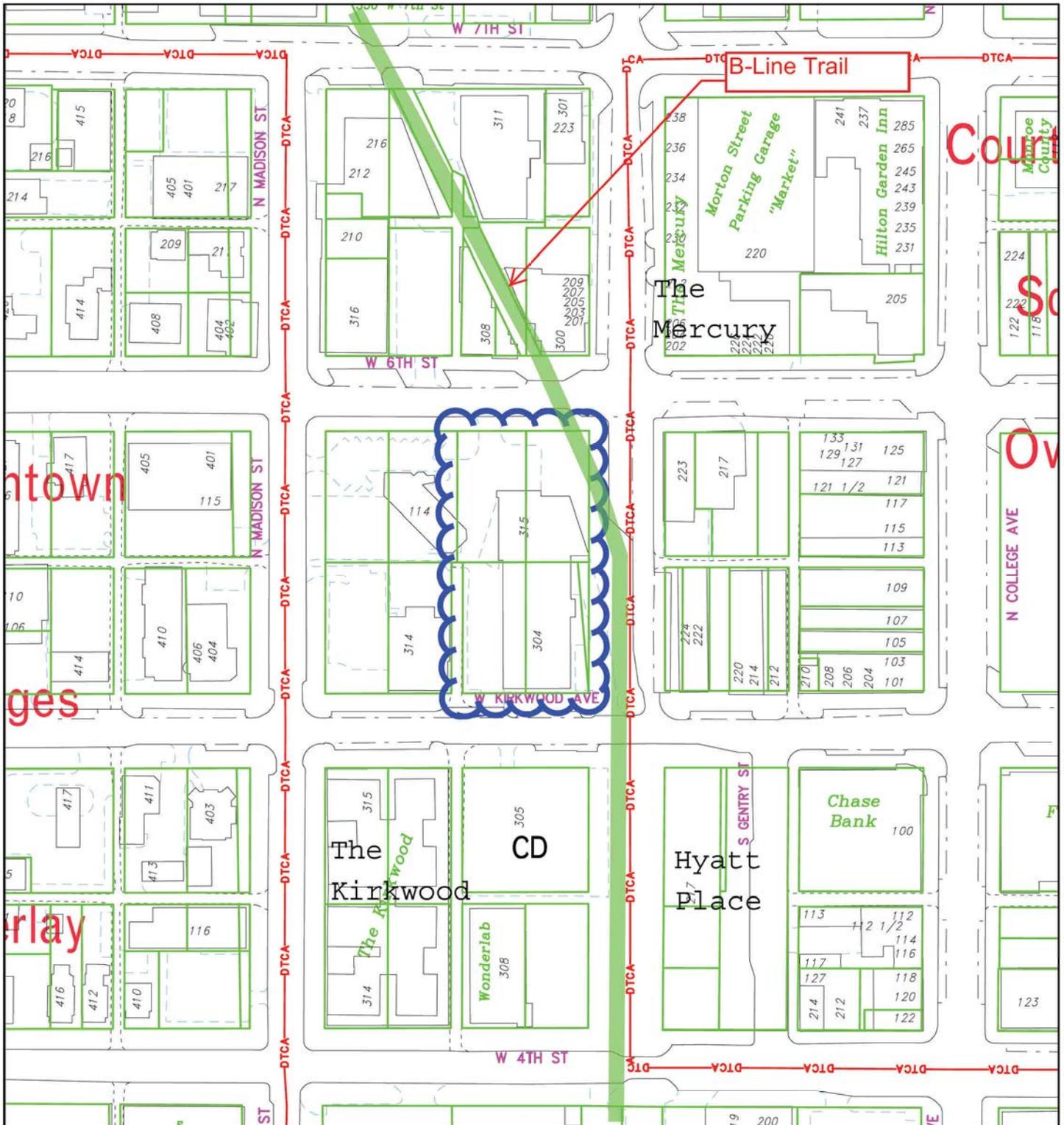
The EC recommends that construction and demolition debris from the existing structure and construction of the new buildings be collected for reuse or recycling. This material could be sold to local salvage businesses, given to a resale store for future re-use, or recycled. Very little material should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

### 4.) 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.

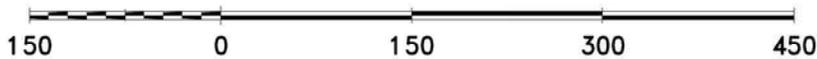
## **EC RECOMMENDATIONS:**

- 1.) The Petitioner shall work with the City's Urban Forester to decide upon street tree species to be planted.
- 2.) The Petitioner should apply green building and site design practices to create a high performance, low-carbon footprint structure.
- 3.) The Petitioner should commit to salvaging, recycling, and reusing all possible construction and demolition materials not needed on site.
- 4.) The Petitioner should provide space for recyclable materials to be stored for collection, and a recycling contractor to pick it up.



SP-22-15  
Location Map

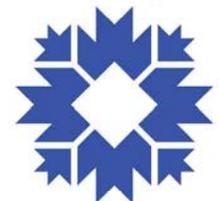
By: shapp  
5 Aug 13



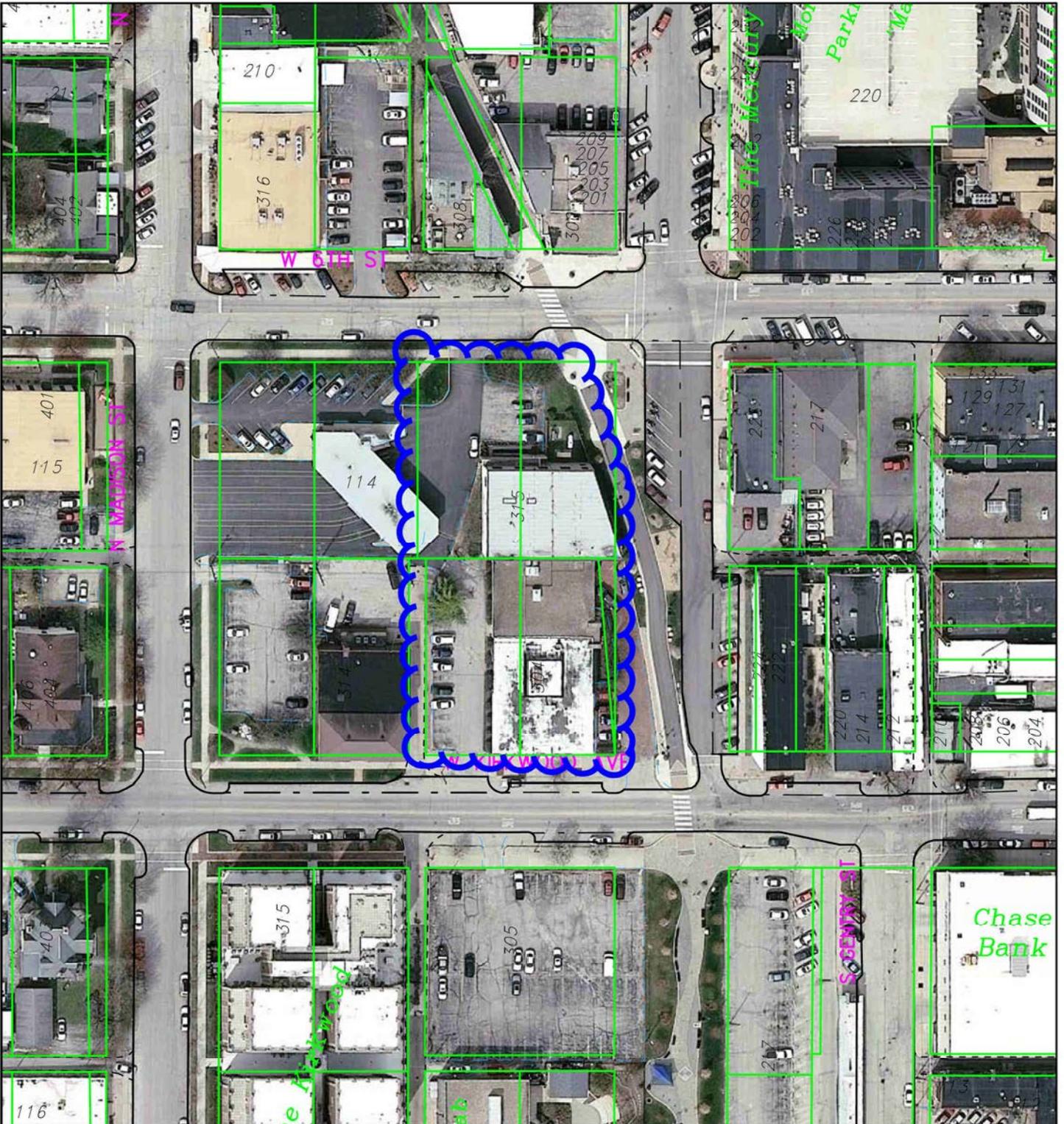
For reference only; map information NOT warranted.



City of Bloomington  
Planning

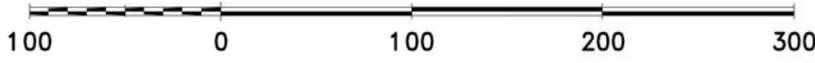


Scale: 1" = 150'



SP-22-15  
Aerial Photo

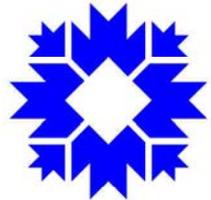
By: shayp  
5 Aug 13



For reference only; map information NOT warranted.



City of Bloomington  
Planning



Scale: 1" = 100'



*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.Ca.T.

August 18, 2015

City of Bloomington Planning and Transportation Department  
C/o Jim Roach and Rick Alexander  
Showers Building  
Bloomington, Indiana

Re; Plan Commission Site Plan Application  
Application to Encroach in City R/W  
Elmore-Orrego LLC, 304 West Kirkwood

Dear Jim and Rick,

We are submitting information and drawings with this letter as application for Site Plan for the Elmore Orrego LLC multiuse building at 304 West Kirkwood and for permission to encroach in the City rights of way. This project was approved as SP-33-13 in 2013 but that approval has expired. The plan is substantially the same as the 2013 plan and includes commercial office, retail and residential uses with a parking garage. Specific elements include;

- 26 total residential dwelling units on floors 2 and 3, plus 2 penthouses on level 4. A total of 28 D.U. in the building.
- There are 26 bedrooms plus additional 4 bedroom/den's on level 2 and on level 3, for a total of 60 bedrooms. There are a total of 6 bedrooms on level 4 penthouse level. A total of 66 bedrooms in the building.
- There is approximately 12,050 SF of tenant space on level 1.
- There are a total of 61 parking spaces inside the building.

The following items are being submitted with this application;

- Application form and fee of \$9,144.40
- One set of site, grading, utility and landscape plans
- One full size and one reduced set of architectural elevations and floor plans
- One set of Architectural renderings
- Encroachment description and exhibits
- Deed to the property
- Digital copies of these application materials



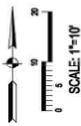
Proof of notification to adjacent owners will be submitted prior to the Plan Commission hearing. We look forward to working with you and other City Staff, the Commission and the Board of Works as this project proceeds through the approval, permitting and construction process.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'Stephen L. Smith', with a large, stylized flourish at the end.

Stephen L. Smith  
Smith Brehob & Assoc., Inc.

cc; file  
McHenry  
Weaver-Sherman  
Encl

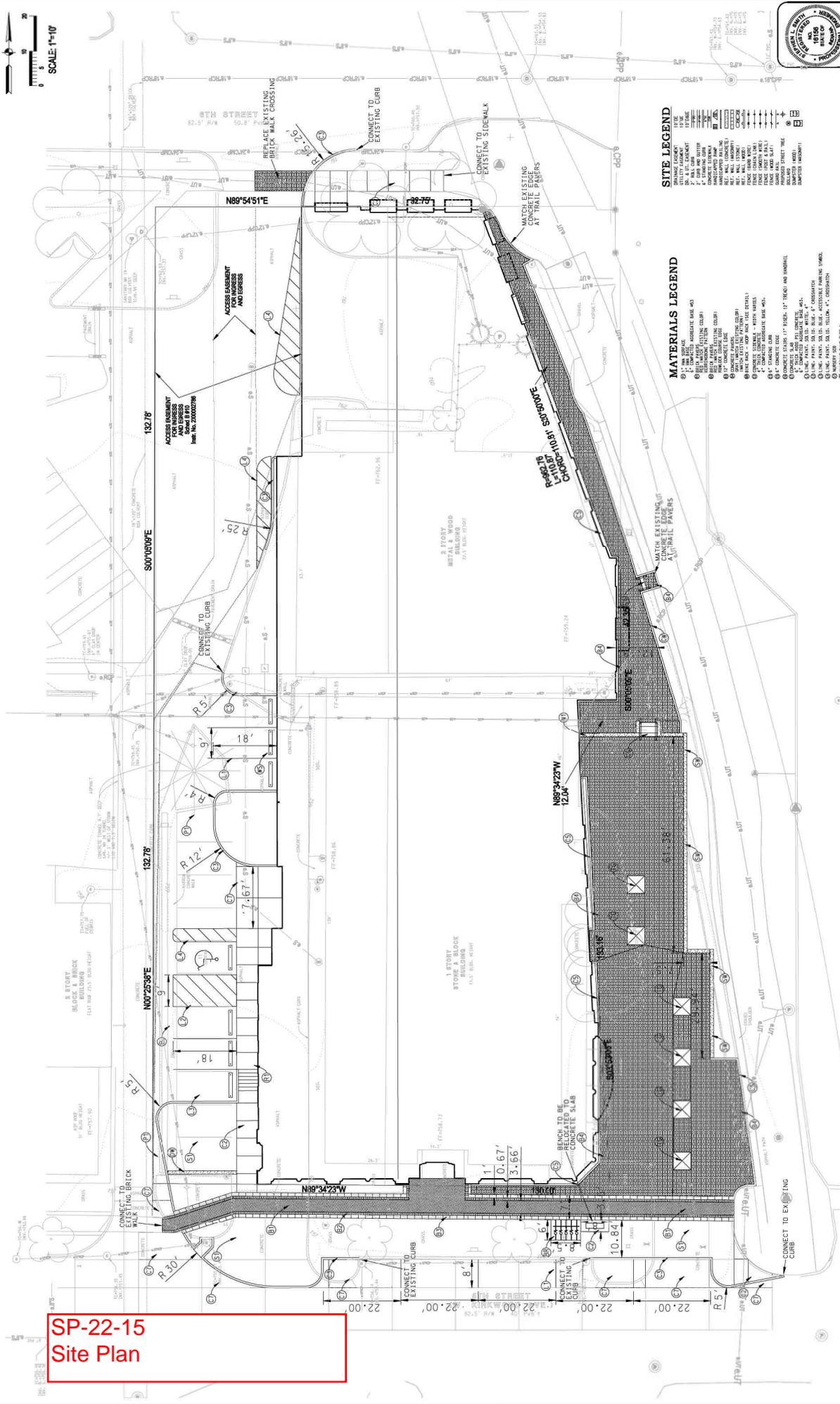


8/20/14  
 4811  
 SHEET  
 3 of 10  
 DATE 8/20/14  
 SITE PLAN

**Keith French & Associates, Inc.**  
 428 S. Coast Boulevard  
 Costa Mesa, California, 92626  
 Phone: 949-266-8919  
 Fax: 949-266-8920  
 www.kfa.com/usa/index.html

**304 WEST KIRKWOOD**  
 SITE REDEVELOPMENT

JOB TITLE  
 304 WEST KIRKWOOD  
 SITE REDEVELOPMENT



**SITE LEGEND**

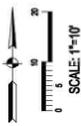
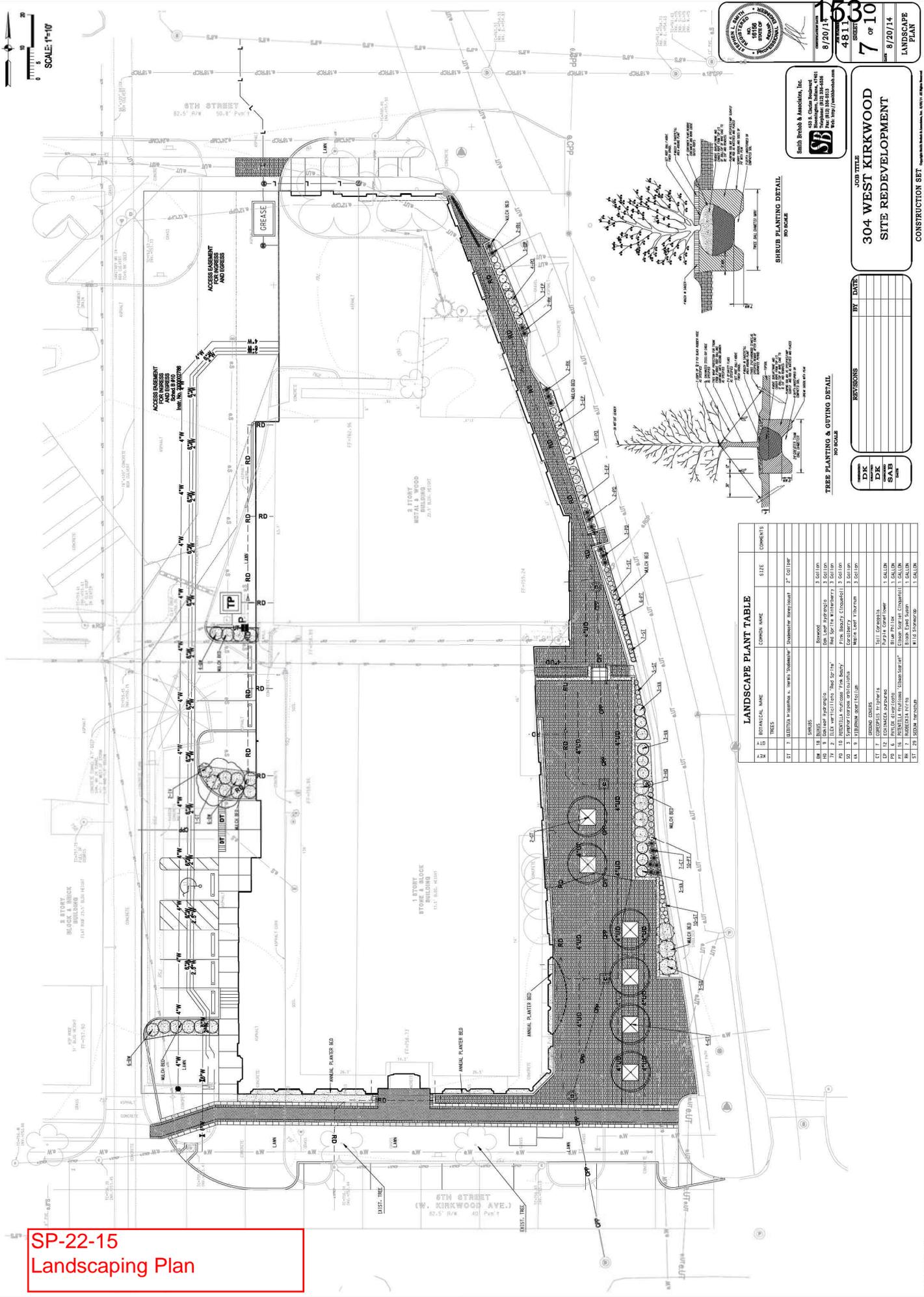
- 1. 1\"/>

**MATERIALS LEGEND**

- 1. 1\"/>

REVISIONS	BY	DATE

SP-22-15  
 Site Plan



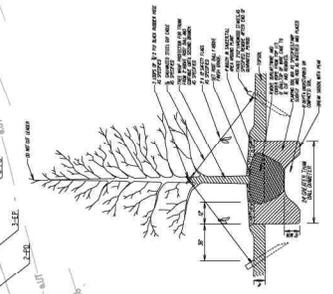
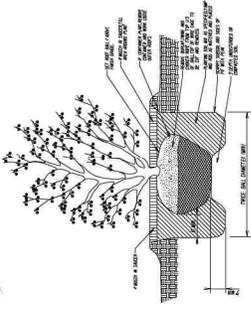
**SP-22-15**  
Landscaping Plan

8/20/14  
 48156  
 7 of 10  
 8/20/14  
 LANDSCAPE PLAN

**South Shook & Associates, Inc.**  
 431 E. Clearwood  
 St. Louis, MO 63108  
 Phone: 314.241.4100  
 Fax: 314.241.4101  
 Web: www.southshook.com

**JOB TITLE**  
 304 WEST KIRKWOOD  
 SITE REDEVELOPMENT  
**CONSTRUCTION SET**

NO.	REVISIONS	BY	DATE



**LANDSCAPE PLANT TABLE**

NO.	SYMBOL	COMMON NAME	SIZE	COMMENTS
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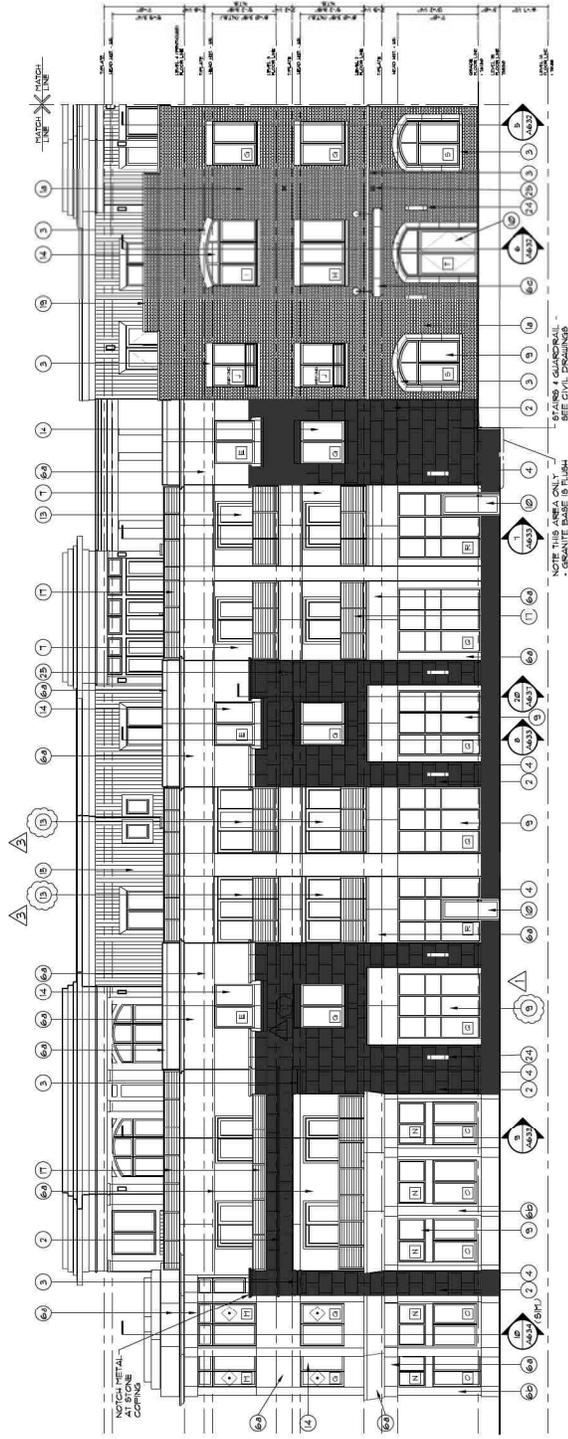


**Weaver Sherman design**  
 architects and land planners  
 6901 Carleton Avenue  
 Indianapolis, IN 46220  
 Phone 317 292 0661  
 Fax 317 292 0662  
 email office@weavershermandesign.com

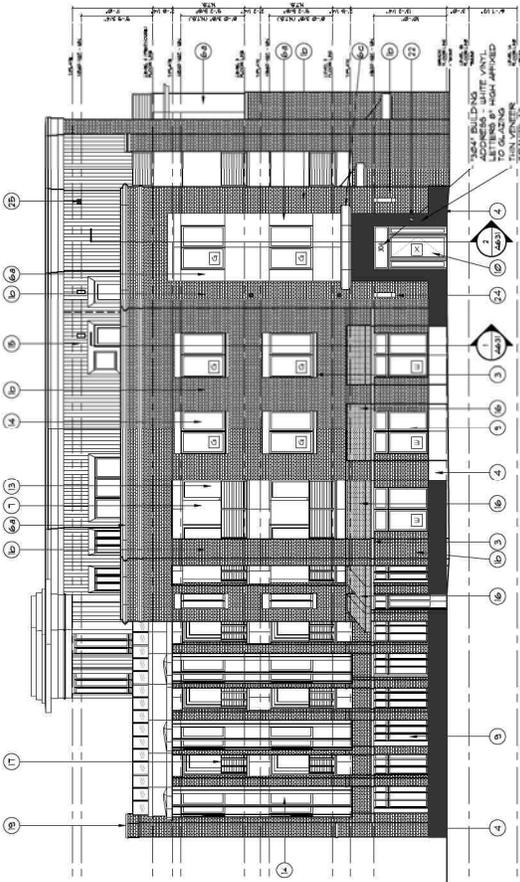
**REVISIONS**  
 CONSTRUCTION SET  
 REVISION  
 REVISION  
 REVISION  
 APPROVED  
 DATE

**THE FOUNDRY AT 304**  
 BLOOMINGTON, INDIANA  
 BUILDING ELEVATIONS

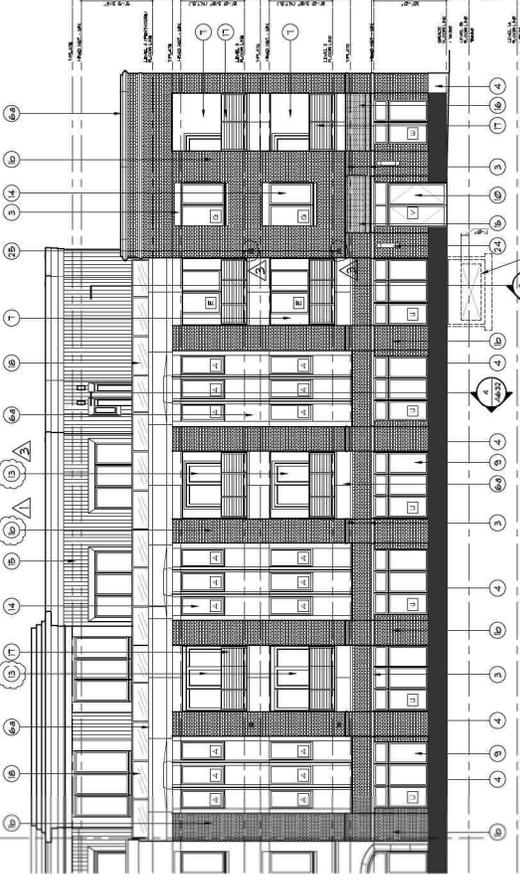
DATE: 09/28/14  
 SHEET NO: A5(1)  
 154



**3 EAST BUILDING ELEVATION - TRAIL SOUTH ELEVATION (RIGHT SIDE)**  
 SCALE: 1/8" = 1'-0" (24X36 SHIT) 1/8" = 1'-0" (10X17 SHIT)



**1 NORTH BUILDING ELEVATION - 6TH AVE. ELEVATION (REAR)**  
 SCALE: 1/8" = 1'-0" (24X36 SHIT) 1/8" = 1'-0" (10X17 SHIT)



**2 EAST BUILDING ELEVATION - TRAIL NORTH ELEVATION (RIGHT SIDE)**  
 SCALE: 1/8" = 1'-0" (24X36 SHIT) 1/8" = 1'-0" (10X17 SHIT)

**EXTERIOR MATERIALS & KEY:**

- ▲ BRICK VENEER - COLOR A, LIGHT
- BRICK VENEER - COLOR B, DARK
- LIFECORR VENEER
- LIFECORR OR CAST STONE FINISH. REFER TO DETAILS
- ▨ GRANITE VENEER BASE
- ▩ INCREASED BUILDING BOVAGE AT LIFECORR PANEL
- ▧ PREFINISHED ALUMINUM COMPOSITE WALL PANEL SYSTEM
- ▦ PLAT PANEL
- ▥ PREFINISHED ALUMINUM COMPOSITE WALL PANEL SYSTEM - INCLUDED PANEL
- ▤ PREFINISHED ALUMINUM COMPOSITE WALL PANEL SYSTEM - CANTH
- ▣ MISER GREEN PANEL AT PATIO (SMOOTH FINISH) w/ 1/2" HYPH - PAINT
- ▢ WASTE COMPACTOR GATES AND POSTS
- ALUMINUM STOREFRONT ENTRY SYSTEM
- PREFINISHED CLEAR ANODIZED FINISH ALUMINUM DOMESTICS
- ▧ INFLATED DICTIONAL OVERHEAD DOOR - PAINT
- ▦ GLAZED WOOD SLIDING PATIO DOOR - REFER TO DOOR SCHEDULE
- ▥ GLAZED WOOD WINDOW - SEE WINDOW NOTES ON SHEET A701
- ▤ FINISHES - REFER TO SHEET A405
- ▣ FABRIC JAWNS w/ ALUMINUM TUBE FRAMING
- ▢ CABLE WALLING GUARDRAIL
- PREFINISHED GLAZING GUARDRAIL
- PREFINISHED BREAK METAL COPING
- ▧ GALV. STEEL VENTILATION GRATING - SEE DETAILS
- ▦ STEEL PIPE BOLLARD w/ PLASTIC SLEEVE
- ▥ MASONRY (BRICK/STONE/CONCRETE) FINISH - 1/2" - LOCATE TOP OF BRICK
- ▤ BRICKWORK WITH BASE - REFER TO ELECTRICAL DRAWING
- ▣ LIGHT FINISH - REFER TO ELECTRICAL DRAWING
- ▢ OTHER FINISH - REFER TO MECA DRAWING

**NOTES:**  
 1. CUT MOLES IN LIFECORR VENEER IN THE FIELD AFTER BATH AND OTHER FINISH IS COMPLETED BY CONTRACTOR AND GENERAL CONTRACTOR. REMOVE CUT MOLES IN THE LIFECORR PANELS AS MUCH AS POSSIBLE.

**HATCH LINE**  
 SEE CIVIL DRAWING

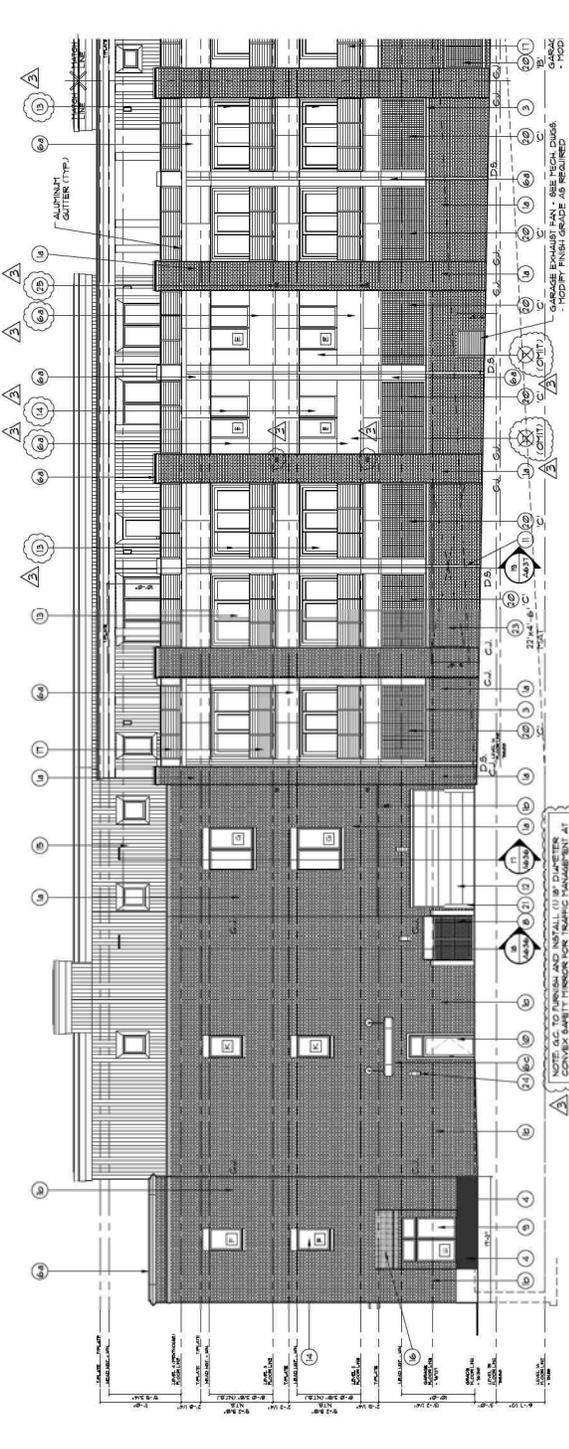
**SP-22-15**  
**Revised Elevations**



**Weaver Sherman design**  
 architects and interior designers  
 6901 Indianapolis, IN 46220  
 Phone 317 202 0661  
 Fax 317 202 0661  
 email: office@weavershermandesign.com

**REVISIONS**  
 CONSTRUCTION SET  
 REVISION  
 REVISION  
 REVISION  
 ADDENDUM #1  
 ADDENDUM #2

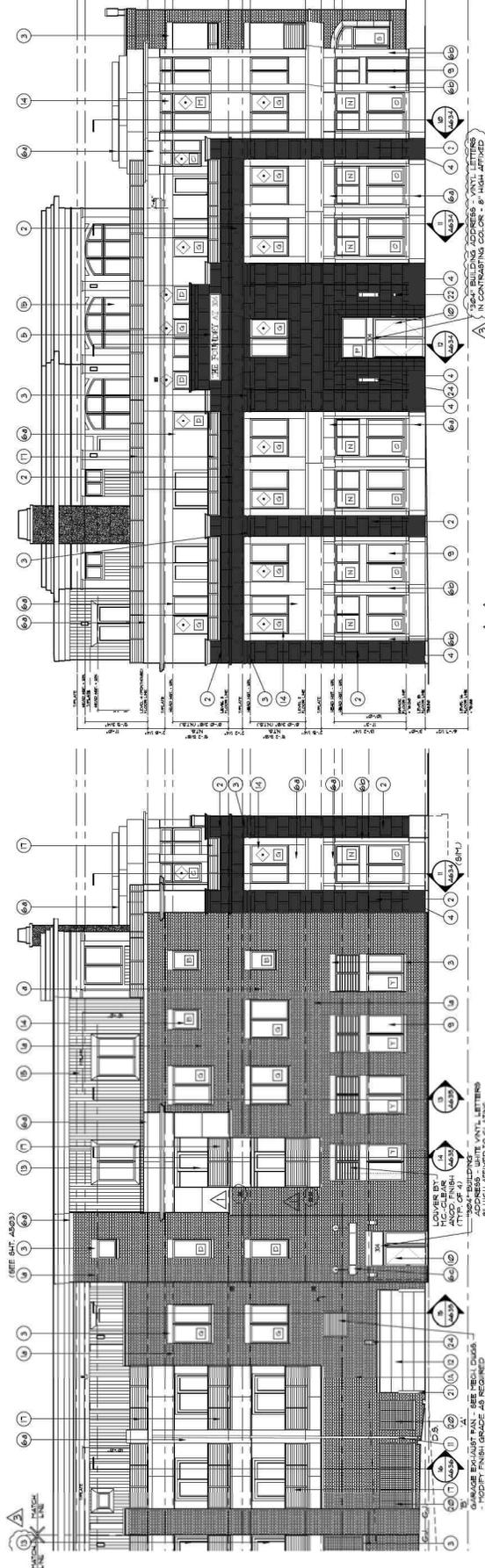
THE FOUNDRY AT 304  
 BLOOMINGTON, INDIANA  
 BUILDING ELEVATIONS



3 WEST BUILDING ELEVATION - NORTH HALF OF ALLEY ELEVATION (LEFT SIDE)  
 SCALE: 1/8" = 1'-0" (CANNOT SHIT) 1/8" = 1'-0" (CANNOT SHIT)

- EXTERIOR MATERIALS KEY:**
- 1 BRICK VENEER - COLOR: W/ LIGHT
  - 2 BRICK VENEER - COLOR: D/ DARK
  - 3 LIMEWASH VENEER
  - 4 LIMEWASH OR CEMENT WASH REFER TO DETAILS
  - 5 GRANITE VENEER BASE
  - 6 MASONRY BUILDING MASSAGE AT LIFETIME PANEL
  - 7 PRE-FINISHED ALUMINUM COMPOSITE WALL PANEL SYSTEM - FLAT PANEL
  - 8 PRE-FINISHED ALUMINUM COMPOSITE WALL PANEL SYSTEM - ROUNDED PANEL
  - 9 ALUMINUM STATIONARY WINDOW SYSTEM
  - 10 WIRE CEMENT PANEL AT PATIO (BROOK FINISH) W/ TRIM - PAINT
  - 11 WASTE CONTRACTOR GATES AND PORTS
  - 12 ALUMINUM STATIONARY WINDOW SYSTEM
  - 13 PRE-FINISHED CLEAR ANODIZED FINISH ALUMINUM DOWNSPOUTS
  - 14 GALV. STEEL VENTILATION GRATING - SEE DETAILS
  - 15 GALV. STEEL VENTILATION GRATING - SEE DETAILS
  - 16 GALV. STEEL VENTILATION GRATING - SEE DETAILS
  - 17 STEEL PIPE ROLLUP W/ PLASTIC SLINGS
  - 18 KNOX BOX (SURFACE MOUNT MODEL 100) - LOCATE TOP OF BOX 4" ABOVE FINISH GRADE
  - 19 ELECTRIC PETER BAR - REFER TO ELECTRICAL DWGS
  - 20 LIGHT FIXTURE - REFER TO ELECTRICAL DWGS
  - 21 DRYER VENT - REFER TO TECH DWGS

- KEY TO GARAGE VENTS & EXHAUST FANS**
- A MASONRY CHIMNEY - 4'-0" WIDE x 9'-2" HIGH - VENTILATION
  - B MASONRY CHIMNEY - 18'-0" WIDE x 9'-2" HIGH - VENTILATION
  - C MASONRY CHIMNEY - 18'-0" WIDE x 9'-2" HIGH - VENTILATION
- NOTE: ALL WALL CORNER FINISHES AND FINISHES SHALL BE IDENTICAL TO EXTERIOR ROUGH-IN'S IN WALL



1 SOUTH BUILDING ELEVATION - KIRKWOOD ELEVATION (FRONT)  
 SCALE: 1/8" = 1'-0" (CANNOT SHIT) 1/8" = 1'-0" (CANNOT SHIT)

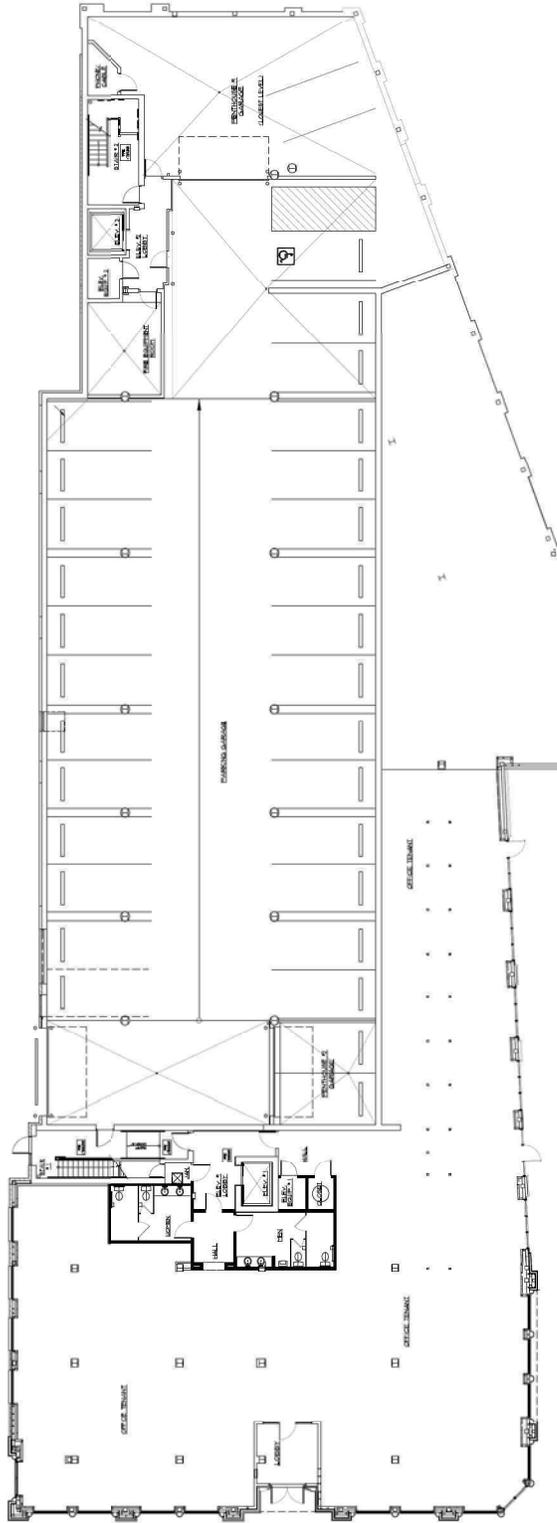
2 WEST BUILDING ELEVATION - SOUTH HALF OF ALLEY ELEVATION (LEFT SIDE)  
 SCALE: 1/8" = 1'-0" (CANNOT SHIT) 1/8" = 1'-0" (CANNOT SHIT)

THE FOUNDRY AT 304  
BLOOMINGTON, INDIANA  
LEVEL 1A PLAN - KIRKWOOD AVE. ENTRANCE

DATE: 09/28/14  
SHEET NO:  
A101

weaver sherman design  
architects and land planners  
6301 carrollton avenue  
Indianapolis, in 46220  
phone 317 202 0661  
fax 317 202 0661  
email office@weaversherman.com

REVISED  
REVISED DATE:



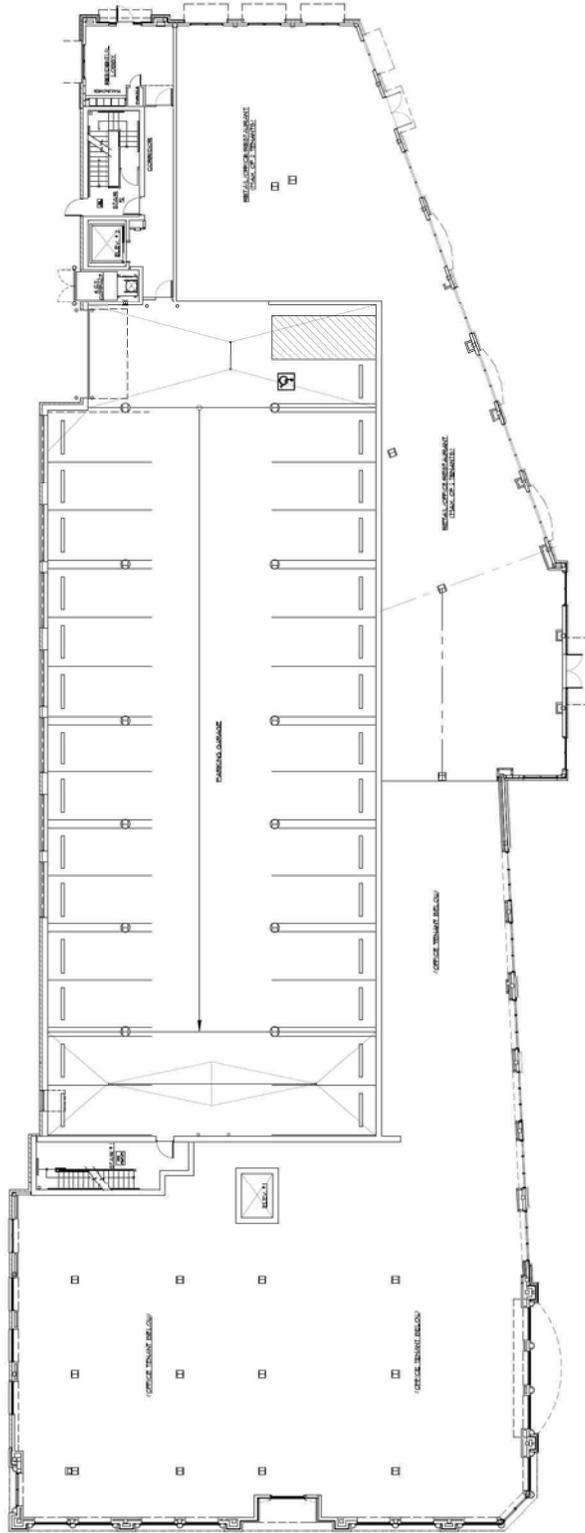
1 LEVEL 1A PLAN - KIRKWOOD AVE. ENTRANCE  
SCALE: 3/32" = 1'-0" (24/32" BH) 3/64" = 1'-0" (DOT SAT)

THE FOUNDRY AT 304  
BLOOMINGTON, INDIANA  
LEVEL 1B PLAN - 6th. AVE. ENTRANCE

DATE: 09/26/14  
SHEET NO.  
A102

weaver sherman design  
architects and land planners  
6201 carrollton avenue  
Indianapolis, in 46220  
phone 317 202 0661  
fax 317 202 0661  
email office@weaversherman.com

REVISIONS  
REVISED DATE:

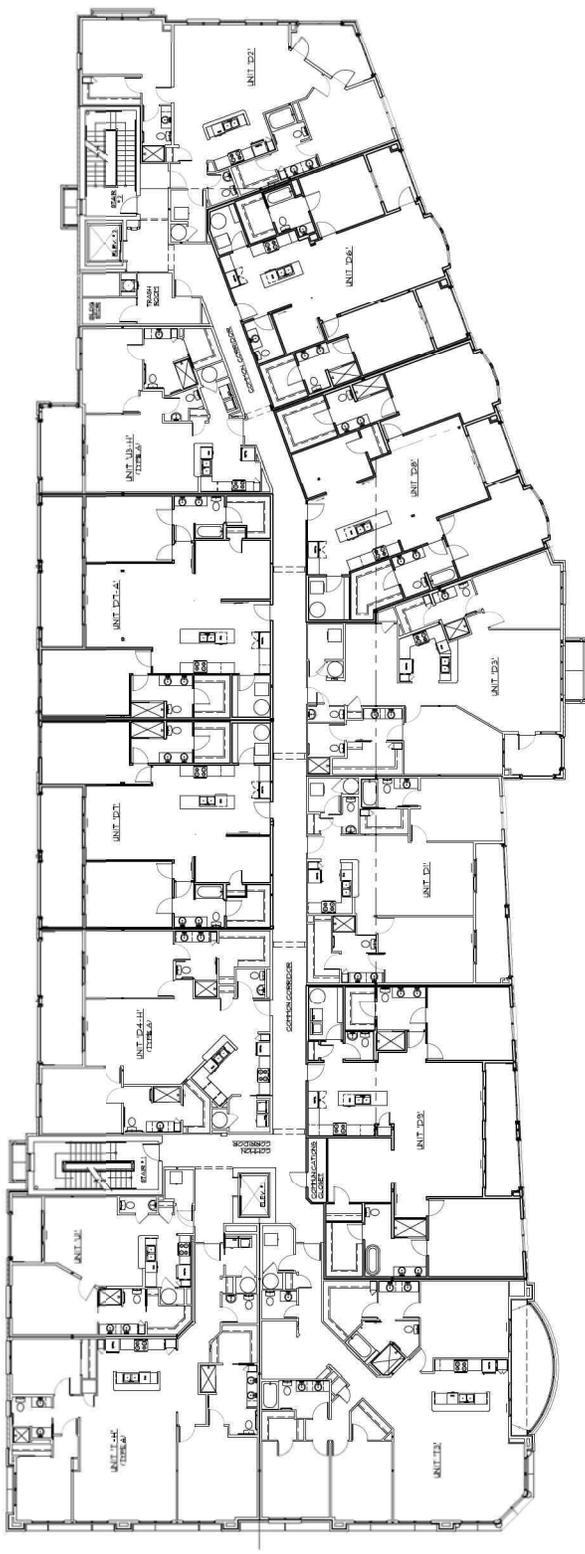


1 LEVEL 1B PLAN - 6th. AVE. ENTRANCE  
SCALE: 3/32" = 1'-0" (24X36 B-1) 3/8" = 1'-0" (20X28 B-7)

THE FOUNDRY AT 304  
BLOOMINGTON, INDIANA  
LEVEL 2 PLAN - APARTMENTS

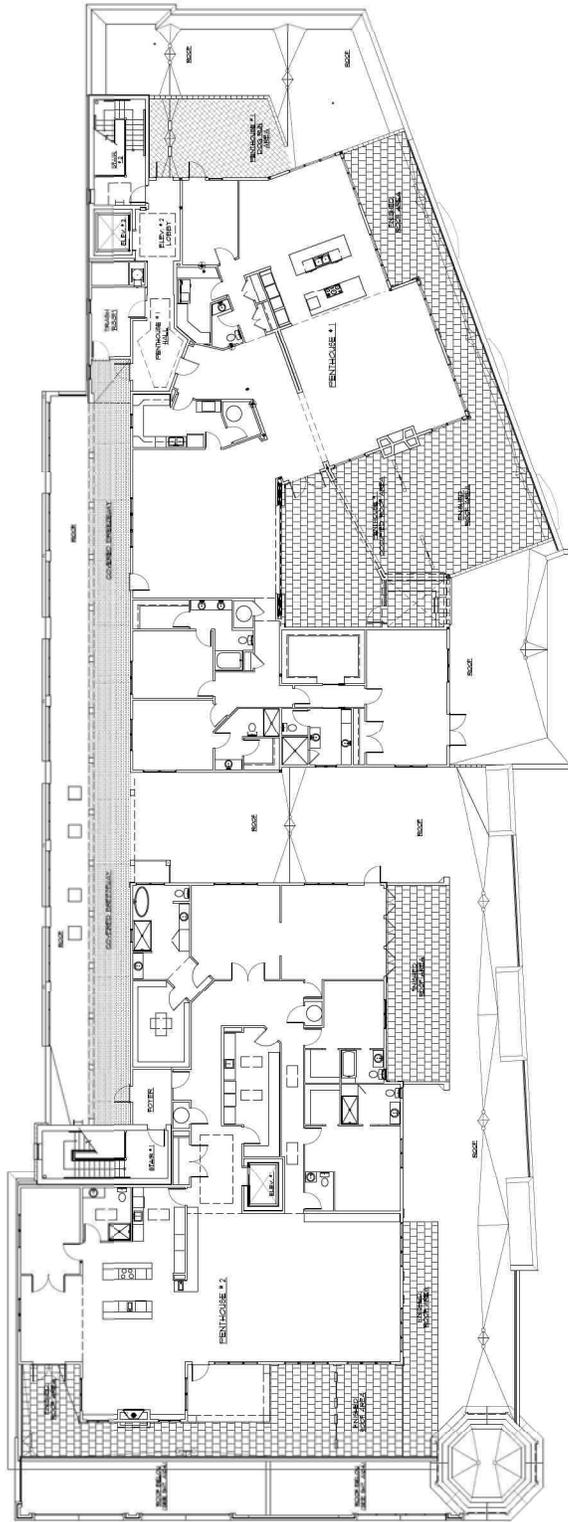
weaver sherman design  
architects and land planners  
6301 carrollton avenue  
Indianapolis, in 46220  
phone 317 202 0661  
fax 317 202 0661  
email office@weaversherman.com

REVISED DATE:  
REVISED DATE:



1 LEVEL 2 PLAN - APARTMENTS  
SCALE: 3/32" = 1'-0" (24x36 B7) 3/64" = 1'-0" (30x36 B7)





1 LEVEL 4 PLAN - PENTHOUSES & MAIN ROOF  
 SCALE: 3/32" = 1'-0" (AXES 5/17) 3/64" = 1'-0" (NOT SHD)

THE FOUNDRY AT 304  
 BLOOMINGTON, INDIANA  
 LEVEL 4 PLAN - PENTHOUSES & MAIN ROOF

DATE: 09/26/14  
 SHEET NO:  
 A105

REVISED DATE:  
 REVISED DATE:

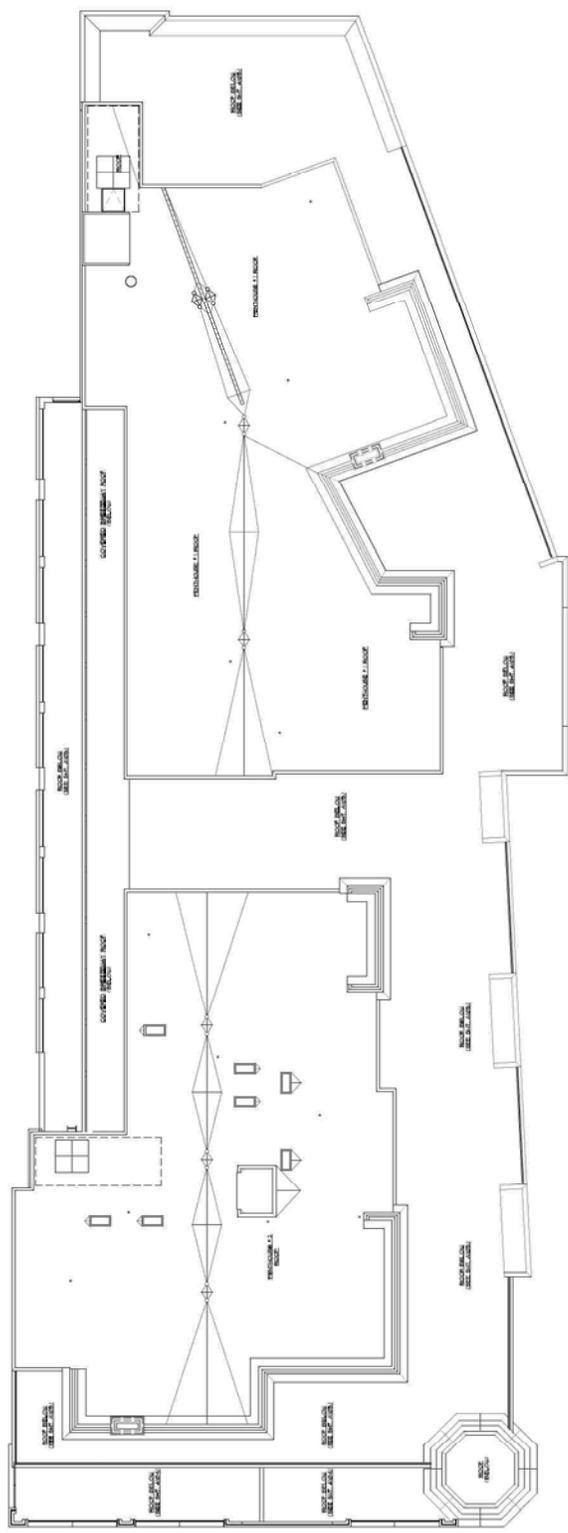
weaver sherman design  
 architects and land planners  
 6201 carrollton avenue  
 Indianapolis, IN 46220  
 phone 317 202 0661  
 fax 317 202 0661  
 email office@weaversherman.com



THE FOUNDRY AT 304  
BLOOMINGTON, INDIANA  
PENTHOUSE ROOF PLAN

weaver sherman design  
architects and land planners  
6201 carrollton avenue  
Indianapolis, in 46220  
phone 317 202 0661  
fax 317 202 0661  
email office@weaversherman.com

REVISED DATE:  
REVISED DATE:



1 PENTHOUSE ROOF PLAN  
SCALE: 3/32" = 1'-0" (AS SHOWN) 3/8" = 1'-0" (NOT SHOWN)

SP-22-15  
Model images (previous  
petition)



B-Line Perspective Looking Northwest

304 West Kirkwood Avenue

weaver sherman design  
architects and land planners





Kirkwood Perspective Looking Northwest

## 304 West Kirkwood Avenue

weaver sherman design  
architects and land planners





B-Line Perspective Looking Southeast

weaver sherman design  
architects and land planners

304 West Kirkwood Avenue





North Morton Street Perspective Looking Southwest

weaver sherman design  
architects and land planners

304 West Kirkwood Avenue



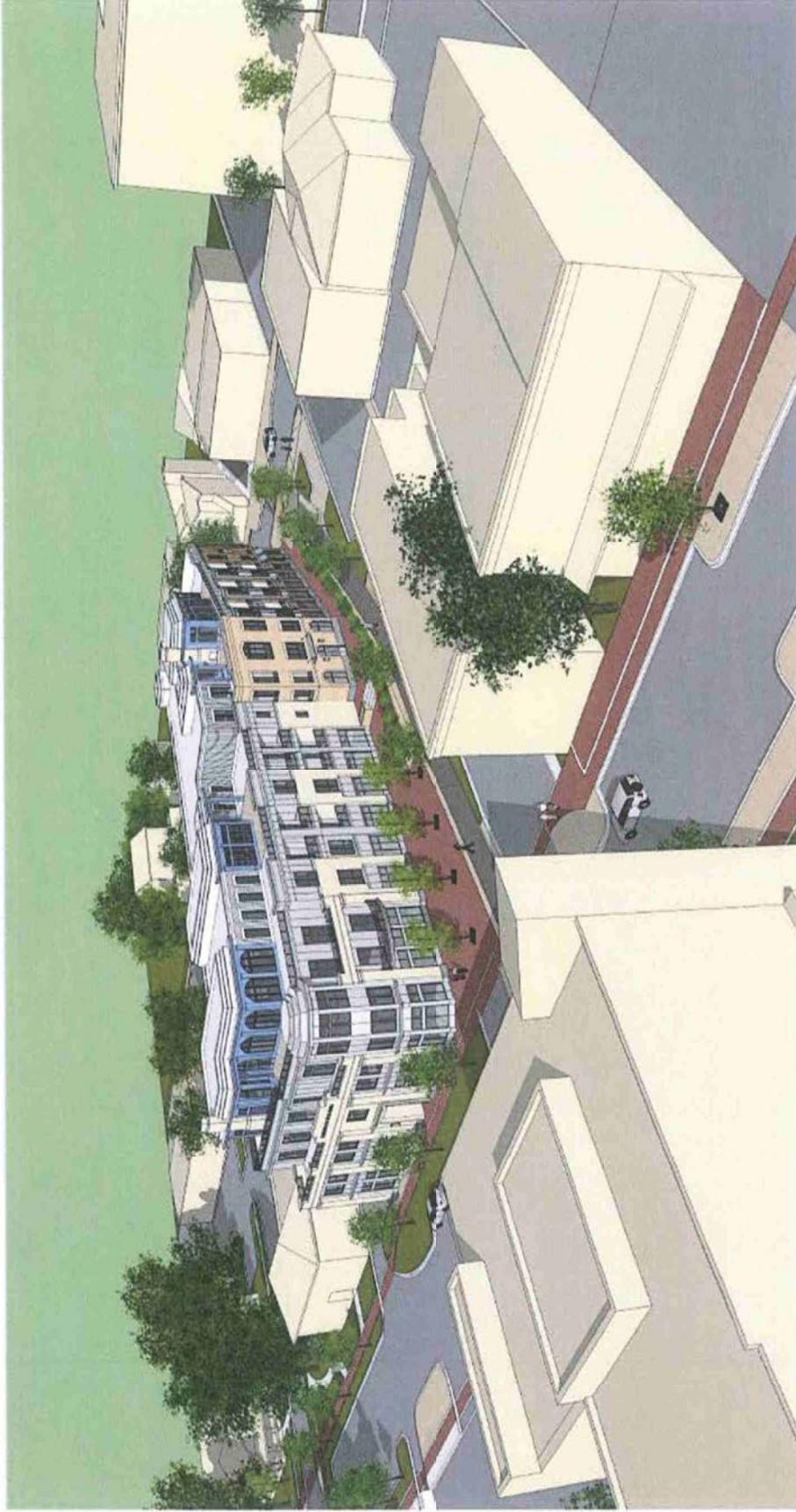


Aerial Looking Northeast

## 304 West Kirkwood Avenue

weaver sherman design  
architects and land planners





Aerial Looking Northwest

weaver sherman design  
architects and land planners

304 West Kirkwood Avenue





Aerial Looking Southeast

304 West Kirkwood Avenue

weaver sherman design  
architects and land planners





Aerial Looking Southwest

304 West Kirkwood Avenue

weaver sherman design  
architects and land planners





6<sup>th</sup> Avenue Looking Southeast

## 304 West Kirkwood Avenue

weaver sherman design  
architects and land planners



**BLOOMINGTON PLAN COMMISSION  
STAFF REPORT  
Location: 2301 E. Moores Pike**

**CASE #: UV-23-15  
DATE: September 14, 2015**

---

**PETITIONER: Sherman Guth  
2301 E. Moores Pike, Bloomington**

---

**REQUEST:** The petitioner is requesting a use variance to allow a second dwelling unit in a single family zoning district. This use variance request requires Plan Commission review and recommendation to the Board of Zoning Appeals.

---

**REPORT:** The property is located on the north side of E. Moores Pike, between S. High Street and S. Valley Forge Road and is zoned Residential Single-family (RS). It contains an approximately 1880 square foot house. Surrounding uses are all single family.

---

The petitioner purchased the property in 1992 and immediately remodeled the lower level to include a second dwelling unit. The property was also zoned for single family uses at the time. Staff could find no evidence of a building permit or variance approved for this remodeling. The lower level unit has never been registered with or inspected by the City's Housing and Neighborhood Development Department. Two unit structures, or duplexes, are not a permitted use in this zoning district.

Staff became aware of this dwelling unit after receiving a call from a real estate appraiser. This petition is an attempt to legalize this illegal second unit. This use variance request requires Plan Commission review for compliance with the Growth Policies Plan and recommendation to the Board of Zoning Appeals.

---

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

The GPP designates this property as "Urban Residential". The fundamental goal of these areas is to "encourage the maintenance of residential desirability and stability." Regarding infill development, the GPP states that it should be "consistent and compatible with preexisting developments." Although the primary land use in this land use category is single family, other residential land uses may be appropriate given the context and the development pattern.

Ultimately, staff concludes that this petition interferes with the policies of maintaining neighborhood desirability and stability. While the GPP encourages the City to consider "granny flats and duplexes" in the Core Residential areas as a way to allow more density in older neighborhoods, the GPP also advocates the continuation of policies to Conserve Community character, such as the definition of family to only include 3 unrelated adults (CCC-2). Staff finds this petition would not be consistent or compatible with the existing single family development pattern.

---

**CONCLUSION:** Staff finds that this use will substantially interfere with the goals of the GPP and that this is an inappropriate variance for a multi-family use in a single family district.

---

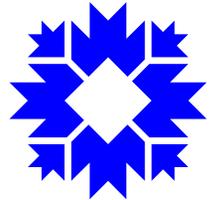
**RECOMMENDATION:** Staff recommends that the Plan Commission forward UV-23-15 to the Board of Zoning Appeals with a negative recommendation.





UV-23-15  
Location Map

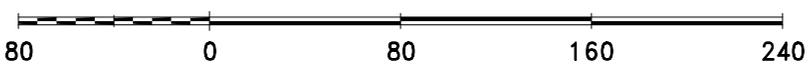
City of Bloomington  
Planning & Transportation



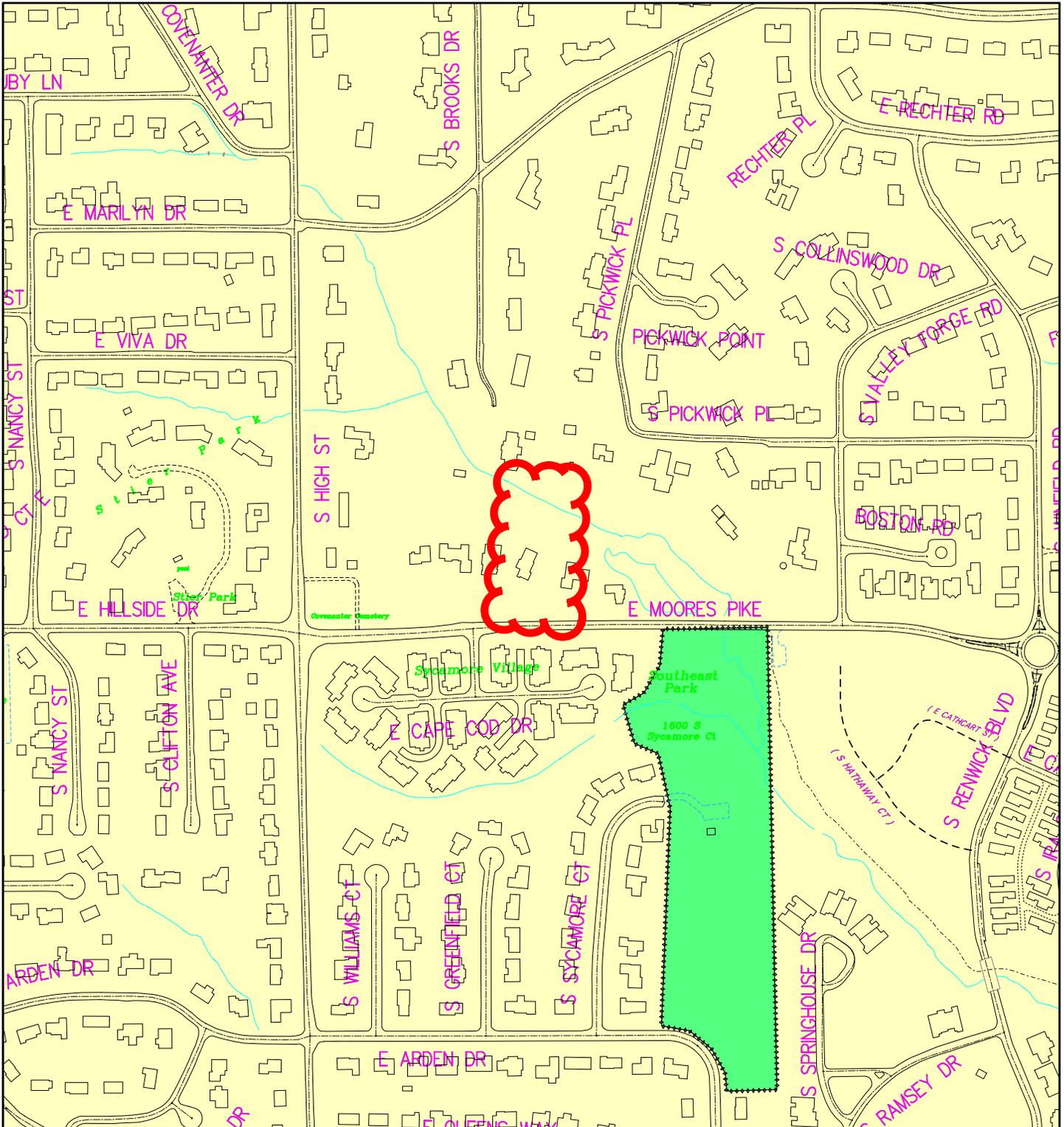
Scale: 1" = 80'



By: roachja  
10 Sep 15

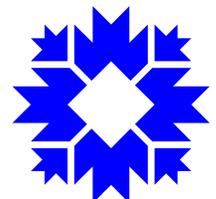


For reference only; map information NOT warranted.



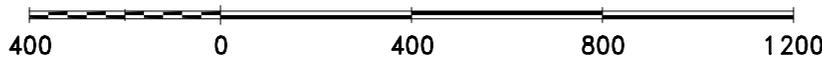
UV-23-15  
GPP

City of Bloomington  
Planning & Transportation



Scale: 1" = 400'

By: roachja  
11 Sep 15



For reference only; map information NOT warranted.

**+Sherman Leon (“Lee”) Guth, Ph.D.**  
**2301 E Moores Pike**  
**Bloomington, IN 47401**

Phone: (812) 335-1352; (812) 929-7464 (Cell)

Email: guth@indiana.edu

August 18, 2015

To: City of Bloomington  
 Planning and Transportation Department  
 Plan Commission  
 and  
 Board of Zoning Appeals

Re: Use Variance for property at 2301 E Moores Pike, Bloomington, IN 47401

Note: Footnote numerals refer to 13 enclosures/attachments, which begin on the third page.

Dear Commission and Board members,

The variance being applied for is required because of the current zone-violating “grandmother’s apartment,” (GMA) which has been installed, and rented, ever since I purchased the house 23 years ago, in April, 1992. (I have located the first lease<sup>1</sup>, dated 4/21/92, and the current lease, dated 6/1/15, as well as leases for 12 of the intervening years. Others were either renewed verbally or probably discarded. (The located leases for 14 of the 23 years have been made available to the Commission.)

This letter, and one sent earlier to the Commission, mention facts that might be judged as irrelevant; nevertheless, given the importance of my appeal, I aim to make every effort to influence the outcome. From an objective viewpoint, the basic issue is, of course, impersonal, but it is extremely personal for me.

First, some history: Looking back 23 years, I viewed the property shortly after returning from a year’s leave in Paris, France. I was enthusiastic about a purchase, but, because of a serious personal relationship that developed in Paris, I thought I would spend half my life in Europe. A question remained as to how to manage things while I was gone. A solution seemed to be a conversion of one of the 3 BR’s in the lower level to a kitchen, thereby creating a GMA for rental to tenants, who would serve as managers in my absence. That has, in fact, been the solution. (At the time, and much too naively, zoning problems did not even occur to me. It was common knowledge that homes with GMA’s were pervasive throughout Bloomington.) Tenants, whom I carefully choose, serve to manage the property when I’m gone. (They tend to be very cooperative, partly due to their very low rent and idyllic environment, with the apartment having been rented, without even a single month’s vacancy, during the 23 years.)

The Paris relationship did not survive on a serious level, but, subsequently, I have been married for 19 years to a woman whose roots are in yet a different continent. That is, my wife is a Chinese-American woman, who has taught for over 12 years at Smith College in Northampton, MA. I frequently visit (with serious air-fare budget consequences) for long weekends as well as for much longer University breaks. During summers, we often spend time in China, where I was this summer, for almost seven weeks.

To summarize the previous two paragraphs, I travel extensively.

Second, the property<sup>2,3,4</sup>: It comprises 1.4 acres (“more or less,” according to the certified surveyor’s report<sup>5</sup> with large areas in front and rear, and with private access on sides. The approximately 850 sqft GMA<sup>6</sup> is the entire inhabitable lower level of the house, with one of the three lower-level bedrooms having been converted to a kitchen as part of the purchase agreement<sup>7</sup>. The front of the GMA<sup>8</sup> and its

picture window, face the rear of the property, which can be likened to an area of a state park<sup>9</sup>. The apartment's private entrance is accessible by a private walk. (Comprehensive coverage of the GMA, including room by room photos will be provided at my presentation.) There's a creek along the north end of the property. The GMA is essentially invisible to all neighbors, and, in 23 years, no one has objected, or even offered an off-hand comment, about the unit. Regarding the upper-level main area of the residence, the almost 1900 sqft unusual living area<sup>10</sup> includes an extraordinary 24 ft. x10.5 ft. indoor atrium. (The house has been featured in a past issue of Bloom magazine<sup>11</sup>.) There's a large driveway/parking area, with space for many cars, but, visitors aside, only the tenants' parked vehicle, set far back from the street, is slightly visible.<sup>12</sup> (My cars are usually garaged). A more comprehensive property delineation will be presented with PPT slides during my BZA presentation.

Third, of crucial importance is an explanation of the need for the GMA. There are two basic reasons.

A: My travels: For owners who travel extensively, on-site supervision is essential for the land and residence. For example, the upper level atrium encloses a large tree, a bougainvillea vine, orchids and many other large plants<sup>13</sup>. Even by itself, the tree is a very valuable addition to the house, and it, together with the other plants, must be carefully and reliably cared for. Regarding the land, overseeing the 1.4 acres is a major task, and special needs often require attention by a highly-motivated person, such as a GMA tenant. For another example (only as one arbitrary example of demanding problems that arise) moles are an increasing serious problem, and, if the GMA tenants had not continued my sometimes daily eradication procedures while I was away for seven weeks, the entire lawn would have been burrowed-up, and completely ruined. (That is not an exaggeration -- there seems to be an endless supply of moles, coming from an adjoining property.) The relevant point here is that GMA tenants serve as the required on-site care-takers when I am gone.

B. My age: The preceding emphasis on travel-related property requirements obscures the fact that, because of unavoidable age-related limitations (I'll be 83 in December of this year) assistance from GMA tenants will all-to-soon be required, even when I'm not traveling. Currently, my I.U. department has hired me back from retirement as an Adjunct Instructor, paid on a per-course basis. I need the relatively meager supplementary income to help my continuing support for my single-mom daughter (who has no other source of support) and for other family reasons. However, I am probably one of the oldest, or, perhaps the oldest, instructor on campus, and my teaching will soon have to end. That will present a difficult financial situation, making it impossible for me to hire the kind of property (and personal) assistance I will need in my later declining years. Tenants from the GMA will be essential.

In overall summary, the existing GMA, with its property-supervising tenants, is justified, not only by my frequent absences from the extensive 1.4 acre property, with its unusual house, but also by my age. (The nature of the property is such that many possible future owners could very well have similar problems.)

In conclusion, I hope this letter, together with my presentation on 9/14, will provide enough information to allow the BZA's approval of my appeal. Otherwise, it is not clear that I will be able to remain, through my later years, in my beautiful Bloomington home, which I have loved and lived in for 23 years.

Sincerely,

Professor Emeritus and Adjunct Instructor  
Dept. of Psychological and Brain Sciences  
Indiana University, Bloomington, 47405

# 1

Top portion only (scanning problem) of first lease. Complete original has been made available to the Commission.

## Apartment Lease

This Indenture, Made this 21<sup>st</sup> day of April 19 92  
 BY AND BETWEEN Sherman Leon Gutta  
 Lessor, and Sonn Roderick Foster Debbie J. Glanville  
 Lessee, witnesseth: That said Lessor, in consideration of the covenants of said Lessee, hereinafter set forth, does by these presents lease to said Lessee the following described property, to-wit:

TO have and to hold the same to Lessee, from the first day day of May 1992, to the first day day of August 1993;  
 And said Lessee, in consideration thereof, covenants and agrees to pay said Lessor, as rent for said premises, the sum of \$ 475.<sup>00</sup> four hundred and seventy-five dollars, rent per month, payable in monthly installments, without relief from valuation and appraisal laws, as follows:  
\$ 475.<sup>00</sup> on the first day of each and every month in advance so long as this lease is in force and effect, and with 5% interest on each installment after the same becomes due, and attorneys fees. (Interest accrues after the 7<sup>th</sup> of the month.)

### LESSOR AND LESSEE FURTHER COVENANT AND AGREE:

The Lessee shall not paint, decorate or otherwise embellish and/or change and shall not make nor suffer any additions or alterations to be made in or to the leased premises without the prior written consent of the Lessor, nor make nor suffer any strip or waste, nor suffer the heat or water to be wasted, and at the termination of this lease shall deliver up the leased premises and all property belonging to the Lessor in good, clean and tenantable order and condition, reasonable wear and tear excepted.

The Lessee shall maintain the leased premises in a clean condition. He shall not sweep, throw, or dispose of, nor permit to be swept, thrown or disposed of, from said premises nor from any doors, windows, balconies, porches or other parts of said building, any dirt, waste, rubbish or other substance or article into any other parts of said building or the land adjacent thereto, except in proper receptacles and except in accordance with the rules of the Lessor.

The Lessee shall not make any disturbing noises in the building nor permit the making of any such noises therein by his family friends, relatives, invitees, visitors, agents or servants; nor do, nor permit anything to be done by such persons that will interfere with the rights, comforts, or conveniences of other occupants in the building. No electric or automatic washing machine, television or other aerials, or other like equipment shall be installed without written consent from the Lessor. No Lessee shall play upon, nor suffer to be played upon, nor operate any musical instrument, radio, television or other like device in the leased premises in a manner offensive to other occupants of the building, nor between the hours of eleven o'clock P.M. and the following eight o'clock A.M.

The Lessor agrees that he will furnish reasonably hot and cold water and reasonable heat during the regular heating season to radiators in the leased premises, except in the case of accident, or restriction by City, State, or Federal regulations, or during necessary repairs to the apparatus and except for causes beyond the control of the Lessor. The failure of the Lessor to provide any of the foregoing items to any specific degree, quantity, quality or character shall not form a basis of any claim for damages against the Lessor.

Lessee understands and agrees that it shall be Lessee's own obligation to insure his personal property.

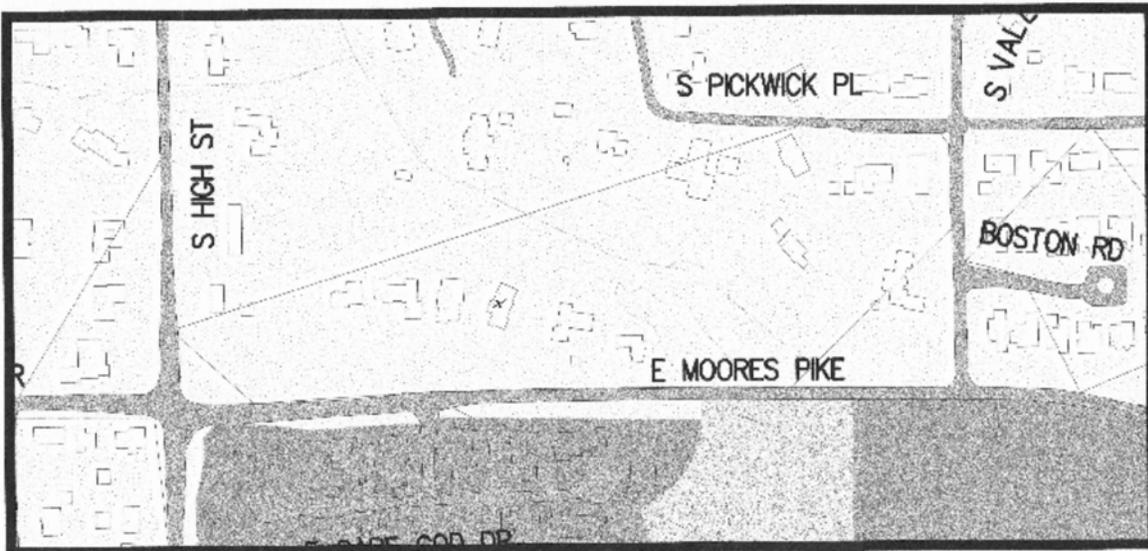


# 3

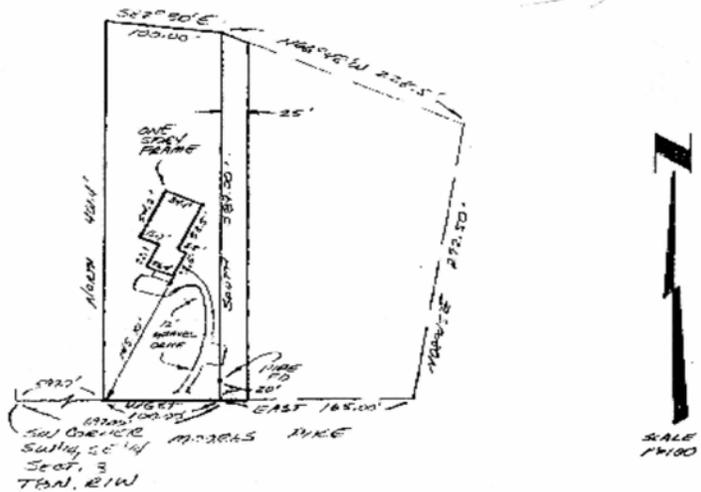


**Aerial view showing red-outlined subject property  
(vertical narrow strip at right plus west of narrow strip)  
and neighboring properties**

# 4



**Schematic aerial view of subject house (small "x") and neighbors.**

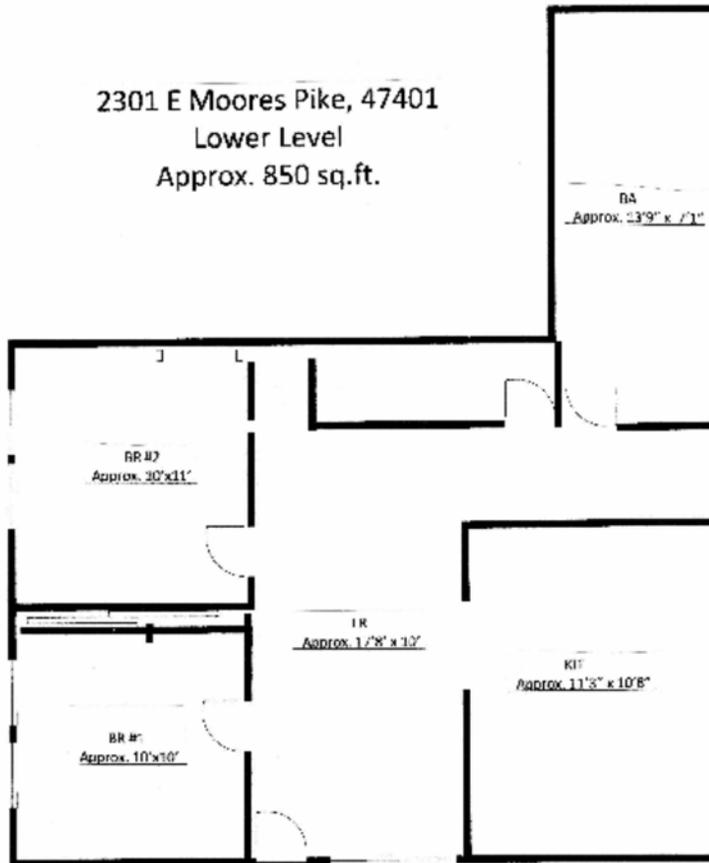


A strip of ground of even width of 25 feet off of the entire West side of the following described real estate: Part of the Southwest quarter of the Southeast quarter of Section 3, Township 8 North, Range 1 West: Beginning at a point 697.7 feet East of the Southwest corner of said quarter quarter, said point being in the centerline of Moore's Pike, thence East, over and along the South line of said quarter quarter, said line being the centerline of Moore's Pike, for 165.0 feet, thence North 8° 45' East for 292.5 feet, thence North 66° 48' West for 228.5 feet, thence South for 389.0 feet and to the place of beginning, containing 1.46 acres, more or less.

ALSO, a part of the Southwest quarter of the Southeast quarter of Section 3, Township 8 North, Range 1 West, Monroe County, Indiana further described as follows, to-wit: Beginning at a point 597.7 feet East of the Southwest corner of said quarter quarter, thence North 401.4 feet, thence South 82° 30' East 100.0 feet, thence South 389.0 feet, thence West 100.0 feet, over and along the South line of said quarter quarter, said line being the centerline of Moore's Pike, and to the place of beginning. Containing 0.29 acre, more or less.

**Professional survey of property. Last line of first paragraph states that property contains 1.4 acres, more or less.**

2301 E Moores Pike, 47401  
Lower Level  
Approx. 850 sq.ft.



**Owner's rough diagram of tenants' floor plan. Entrance door is at bottom (blank space right of entrance is window)**

Addendum 11 Offer to Purchase 2301 Moores Pike.  
Amended 2-17-92 by agreement of buyer and seller.

The following items are to be performed to property at  
se1lers [sic] expense to a maximum amount of 58,000.00

1. Install new floor coverings in lower level of house and  
ceramic tile around fireplace. Viny1, ceramic and carpet to be  
selected by buyer.

2. Place precast stepping stones to create a walkway from  
driveway to lower level entry. Such placement is to be flush  
with surrounding ground and spaced to provide comfortable  
walking. Trim trees as required.

.

7. Purchase and install curtains or vertical blinds  
selected by buyer. Areas to be considered are dining room,  
living room, bedroom, and new windows in bedroom and kitchen.

**Mother in law quarters may also require new blinds.**

**8. Install kitchenette in west bedroom downstairs for  
mother-in-law unit.**

.

NOTE: Total of 14 items on this first page, then two additional  
pages.

**Re-typed portion of original signed construction agreement.**

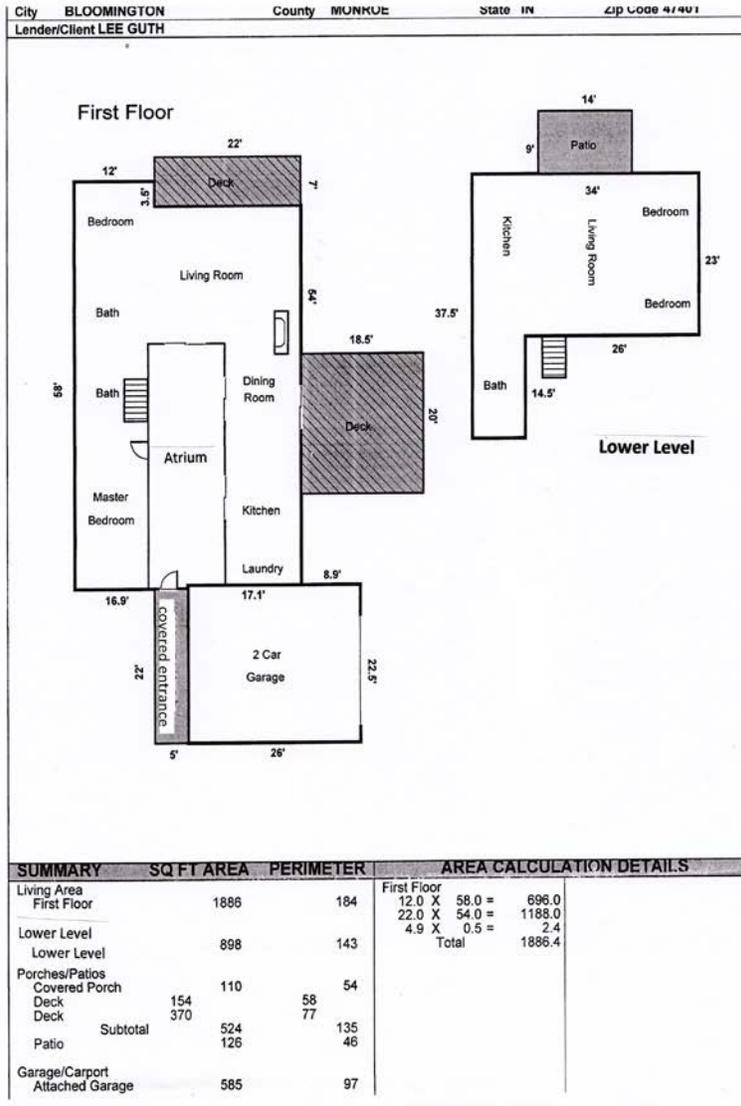
**The Three-page original has been made available to the Commission.**



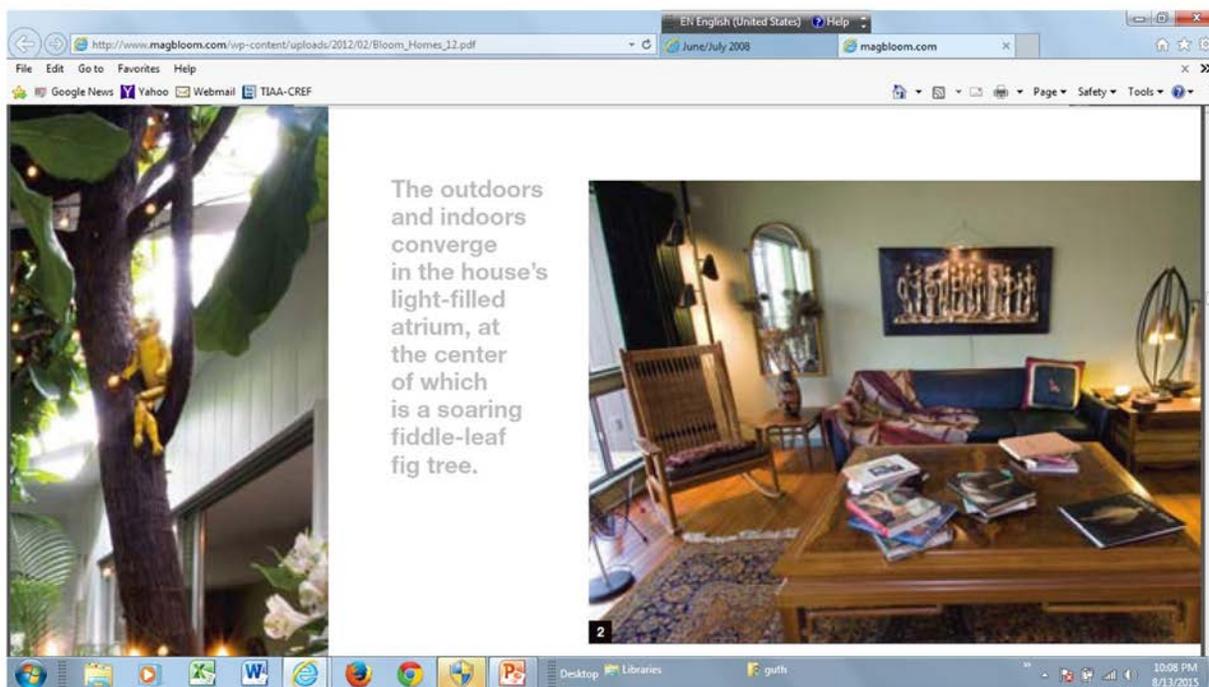
**Front of tenants' apartment, showing entrance door, picture window, and walkway path coming from the left. (Note "bug post.") Over-hanging deck is accessible only from owner's upper-level living room.**



**Narrow view of rear of property as seen from apartment's entrance patio, or from apartment's front picture window. (Note "bug-post" in foreground.) Property is much deeper than it appears here, because of non-obvious steep drop-off at about tree line. Property is also much wider.**

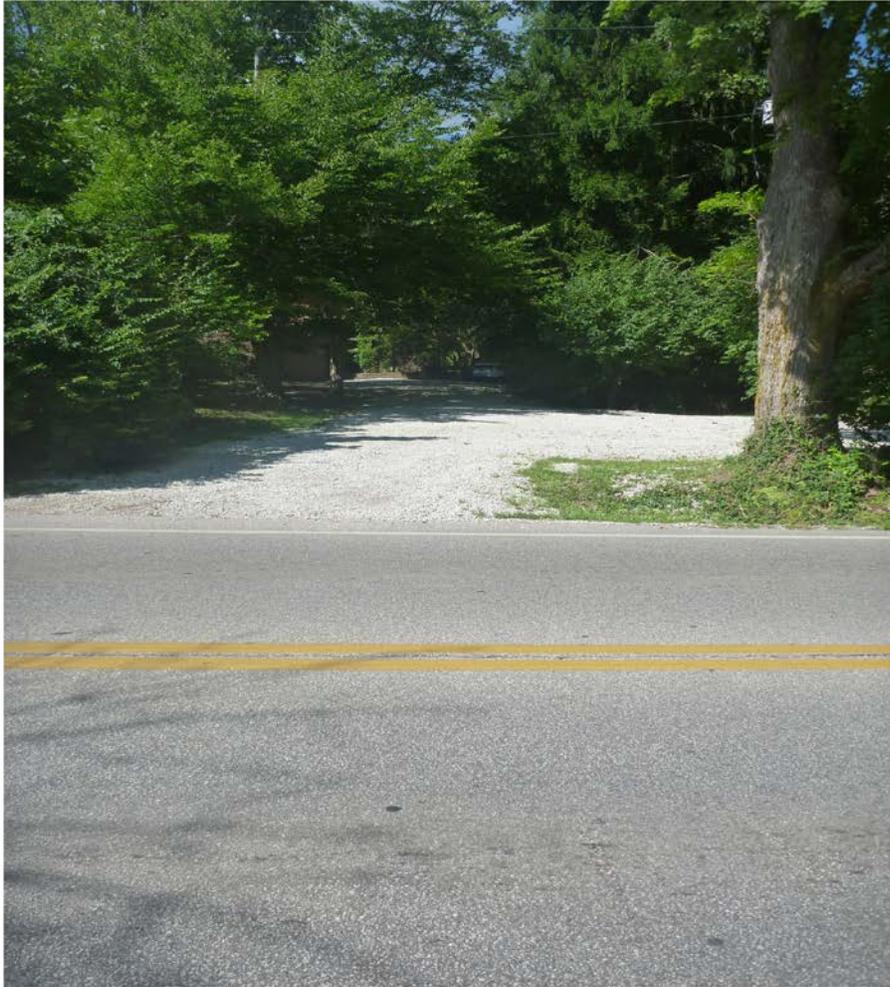


Professionally drafted upper and lower floor plans

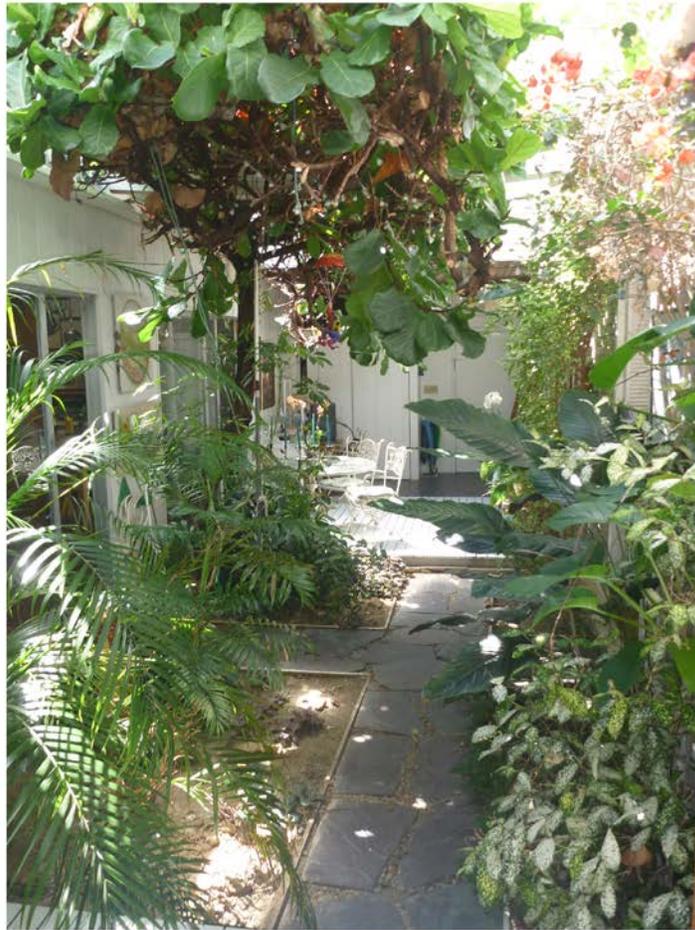


**A page from 4-page, 7-photo “Bloom” magazine article, showing portions of atrium tree and living room. A “Print Screen” image taken from:**

**[http://www.magbloom.com/wp-content/uploads/2012/02/Bloom\\_Homes\\_12.pdf](http://www.magbloom.com/wp-content/uploads/2012/02/Bloom_Homes_12.pdf)**

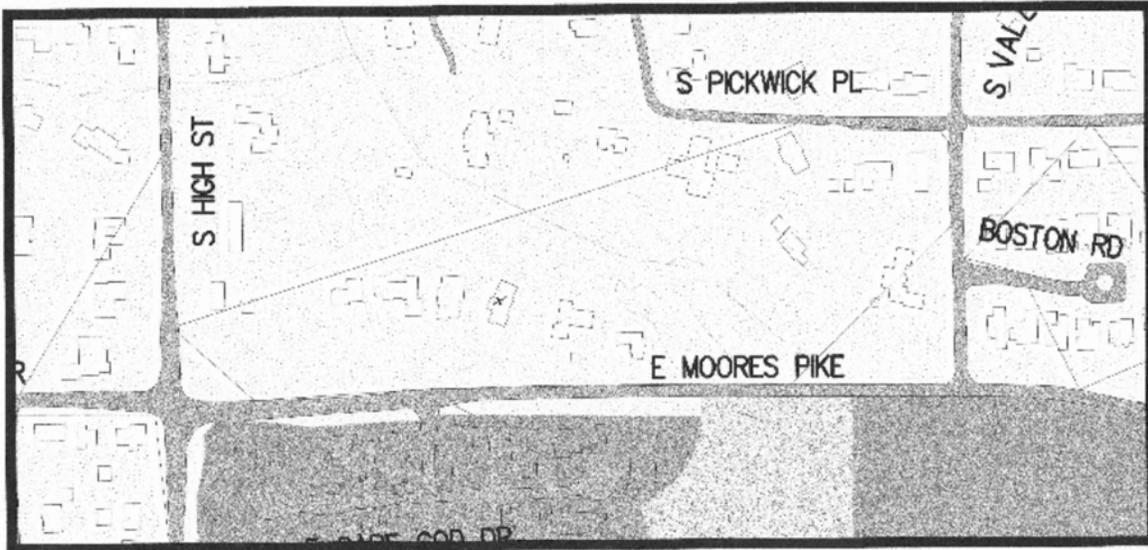


**View of property entrance, as seen from directly across Moores Pike. Tenants' parked car is barely visible at approximate center of top portion of picture.**



**Atrium from its far end, looking back toward main entrance door. Bedroom entrance is under Bougainville vine to the right, kitchen & dining room are to the left.**

# 4



**Schematic aerial view of subject house (small "x") and neighbors.**

**Sherman Leon (“Lee”) Guth, Ph.D.  
2301 E Moores Pike  
Bloomington, IN 47401**

Phone: (812) 335-1352; (812) 929-7464 (Cell)

Email: guth@indiana.edu

August 26, 2015

To: City of Bloomington  
Planning and Transportation Department  
Plan Commission  
and  
Board of Zoning Appeals

Re: Supplement to letter dated August 18, 2015 re. Use Variance for property at 2301 E Moores Pike.

Dear Commission and Board members,

In my previous letter, I neglected to discuss an important matter about a neighbor’s concern.

As required for my appeal application, I included four letters from my neighbors about my zoning appeal. Three of those indicated, unconditionally, no objection to a variance, but one neighbor (Mr. Kemp) specified conditional approval. Mr. Kemp had no objection to the “mother-in-law” apartment, but he did not want to offer blanket approval for any future property owners; therefore, I suggested the possibility, that, if the board were to approve my application, then a single-family-only covenant could be attached to my property’s deed. That would insure the property would always remain single-family for all future owners. (I also considered the possibility that such a covenant might make it easier for the Board to justify an approval of my application.) Additionally, I suggested that Mr. Kemp’s own attorney (Mr. Thomas Bunger) might draft a prospective covenant (at my expense) to assure that Mr. Kemp, the Commission and the Board would be satisfied. Mister Bunger has agreed to draft such a covenant, but he suggested that it only makes sense to wait for a possible variance approval before drafting the document.

Sincerely,

Sherman L. Guth, Ph.D.

Bloomington, August 30, 2015 193

Roger Temam  
2204 E. Cape Cod Drive  
Bloomington, IN 47401 (USA)  
Tel / Fax: 812 323 8374  
roger.temam@gmail.com

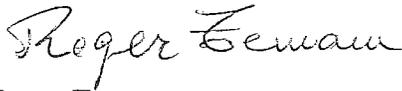
AUG 31 2015

To: Bloomington Planning and Transportation Department

Re: Variance for property of Professor Sherman L. Guth

As a neighbor of Prof. S. L. Guth, who has applied for a zoning variance for his property, I should like the Commission and the Board to know that I have absolutely no objection to a variance. I am familiar with Prof. Guth's property, but his rental unit is so unobtrusive that I was not even aware of its existence. Given the possibility that a negative variance approval might cause Prof. Guth to sell his property, I certainly recommend approval, for Prof. Guth and his property have been a credit to the neighborhood, and there is no way of knowing if the same would eventually be said of new owners.

Sincerely yours,



Roger Temam,  
Distinguished Professor, Indiana University

Terry Kemp

812-369-4459 2233 E. Moores Pike Bloomington IN 47401

August 12, 2015

To whom it may concern;

In the interest of finding a solution that is reasonable for all concerned here is my idea.

I am giving conditional approval with the lower level rental unit at 2301 E. Moores Pike providing a covenant is placed on the property requiring it to revert back to a single family property when sold. I would also request that the property be owner occupied at all times until sold. I reserve the right to review the covenant before recording and final approval.

Sincerely yours,

A handwritten signature in black ink that reads "Terry Kemp". The signature is written in a cursive style with a large, prominent "T" and "K".

Terry Kemp

To: Plan Commission  
City of Bloomington  
Planning and Transportation Department

Date: August 1, 2015

From: Dr. and Mrs. Darin Wolfe  
2203 E. Moores Pk  
Bloomington, IN 47401

RE: Variance application for Prof. Sherman L. Guth

To Whom it May Concern:

My neighbor, Professor Guth, has explained to us the circumstances surrounding his application for a variance that will allow him to maintain the 2-BR apartment in the lower level of his house at 2301 E Moores Pike, Bloomington, IN 47401.

Regarding the variance, it is our understanding that statements of "No Objection" from neighbors are crucial for a possible approval of the application.

This is to insure the Commission that we, in fact, have no objection to the continued existence of the apartment, which has never disturbed us in any direct or indirect manner, whatsoever.

Sincerely,

 MD

To: Plan Commission  
City of Bloomington  
Planning and Transportation Department

Date: 6/16/2014

From: Gerald Oswald  
2311 E. Moores Pike  
Bloomington, IN 47401

RE: Variance application for Prof. Sherman L. Guth

To Whom it May Concern:

My neighbor, Professor Guth, has explained to me the circumstances surrounding his application for a variance that will allow him to maintain the 2-BR apartment in the lower level of his house at 2301 E Moores Pike, Bloomington, IN 47401.

Regarding the variance, it is my understanding that statements of "No Objection" from neighbors are crucial for a possible approval of the application.

This is to insure the Commission that we, in fact, have no objection to the continued existence of the apartment, which has never disturbed us in any direct or indirect manner, whatsoever.

Sincerely,

*Gerald Oswald*

To: Plan Commission  
City of Bloomington  
Planning and Transportation Department

Date: 6/30/2015

From: Keith + Cathy Roberts  
2303 Moores Pike  
Bloomington, IN 47401

RE: Variance application for Prof. Sherman L. Guth

To Whom it May Concern:

My neighbor, Professor Guth, has explained to me the circumstances surrounding his application for a variance that will allow him to maintain the 2-BR apartment in the lower level of his house at 2301 E Moores Pike, Bloomington, IN 47401.

Regarding the variance, it is my understanding that statements of "No Objection" from neighbors are crucial for a possible approval of the application.

This is to insure the Commission that we, in fact, have no objection to the continued existence of the apartment, which has never disturbed us in any direct or indirect manner, whatsoever.

Sincerely,

Cathy Roberts  
N.W.D. 11/2/15