

CITY OF BLOOMINGTON



PLAN COMMISSION

**July 11, 2016 @ 5:30 p.m.
COUNCIL CHAMBERS #115
CITY HALL**

**CITY OF BLOOMINGTON
PLAN COMMISSION**

July 11, 2016 @ 5:30 p.m.

❖ City Hall Council Chambers - Room #115

ROLL CALL

MINUTES TO BE APPROVED: June

REPORTS, RESOLUTIONS AND COMMUNICATIONS:

PETITIONS CONTINUED TO AUGUST 8, 2016

ZO-13-16 VMP Developments
3380, 3440, and 3480 W Runkle Way
Request to rezone property from Commercial General (CG) to Commercial Arterial (CA).
Case Manager: Eric Greulich

ITEMS FOR THE CONSENT AGENDA:

SP-18-16 TCVC, LLC
601 N College Ave.
Site plan approval to convert existing building space into a 2-bedroom apartment.
Case Manager: James Roach

SP-20-16 ERL-10, LLC
532 N Morton St.
Site plan approval to extend a temporary approval of first floor residential instead of commercial space.
Case Manager: James Roach

PETITIONS:

SP-12-16 H. M. Mac
403 S Walnut, 114 E Smith, 404 S Washington
Site plan review for a 4-story mixed use building and a 4-story multifamily building
Case Manager: James Roach

PUD-14-16 RCR Properties, LLC
304, 307, 308 and 318 E 18th St; 405 E 17th St; E 17th St; E 19th St; N Dunn St; 1405 N Dunn St;
1400 N Grant St
Request to rezone 5.95 acres to a Planned Unit Development to allow a new multi-family apartment complex.
Case Manager: Eric Greulich

PUD-16-16 Dwellings, LLC
600-630 E Hillside Dr
Rezone from RS and RH to Planned Unit Development and approval of a PUD district ordinance and preliminary plan for 2.73 acres including commercial, multifamily and single-family dwellings.
Case Manager: Beth Rosenbarger

SP-17-16 Omega Properties

223 N Morton St.

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

Case Manager: Beth Rosenbarger

**BLOOMINGTON PLAN COMMISSION
STAFF REPORT**

**CASE #: SP-12-16
DATE: July 11, 2016**

**Location: 401-407 S. Walnut Street
114 & 118 ½ Smith Avenue
404 S. Washington Street**

PETITIONER: HM Mac Development LLC
229 W. Grimes Lane, Bloomington

CONSULTANTS: Studio 3 Design Inc.
8604 Allisonville Road, Indianapolis

Smith Brehob and Associates, Inc.
453 S. Clarizz Boulevard, Bloomington

REQUEST: The petitioner is requesting site plan approval for a four-story mixed use building and a four-story multi-family building.

BACKGROUND:

Area: .98 acres
Current Zoning: CD – Downtown Core Overlay
GPP Designation: Downtown
Existing Land Use: Commercial
Proposed Land Use: Commercial / Dwelling, Multi-Family
Surrounding Uses: North – School, Primary/Secondary / Dwelling, Multi-Family
 West – Commercial / Dwelling, Multi-Family
 East – Dwelling, Multi-Family, Middle Way House
 South – Commercial

Changes Since June Meeting:

The site plan has been changed provide for a full 5 foot wide sidewalk and 5 foot wide street tree/street light zone on Washington Street.

REPORT: The property is located on the south side of Smith Avenue between South Walnut and South Washington Streets and is zoned Commercial Downtown (CD), in the Downtown Core Overlay. The property is bisected by an alley that runs north/south in the middle of the petition site. Surrounding land uses include the Project School and multi-family residential to the north, commercial to the south, multi-family and Middle Way House to the east across Washington Street and commercial and multi-family to the west across Walnut Street. The property currently contains four commercial buildings, including The Chocolate Moose, and one single-family residential rental house. Much of the open space on the property is paved parking or graveled area. There are a couple of trees on the site, but no wooded areas that would require preservation. The adjacent property to the south along Washington Street is a contributing surveyed historic structure.

The petitioner proposes to develop this property with two buildings. Building One, which is located at the southeast corner of Smith Avenue and Walnut Street, contains roughly 4,850 square feet on the first floor for two commercial spaces. There is an outdoor

courtyard adjacent to the southern commercial space. The first floor also contains a staffed lobby, two parking spaces accessed from the alley, a bike parking room, and various utility spaces. The second through fourth floors contain four 1-bedroom units, five 2-bedroom units, and nine 4-bedroom units for a total of 18 units and 50 beds.

Building Two, which is located at the southwest corner of Smith Avenue and Washington Street, contains 47 parking spaces on the basement level, and 40 parking spaces, an unstaffed lobby, and a bike parking room on the first floor. The parking areas are accessed from an entrance on Washington Street, with one exit on Washington Street, as well. The second through fourth floors contain six 1-bedroom units, nine 2-bedroom units, twelve 3-bedroom units, and nine 4-bedroom units for a total of 36 units and 96 beds. The second floor also contains a shallow pool with deck area and an interior courtyard that is open to the sky. The third floor includes a 1,200 square foot fitness area overlooking the pool and a 530 square foot outdoor sundeck.

Two of the existing buildings on the site, the May Building at 403-407 N. Walnut Street and the barrel-roofed building at 114 E. Smith Avenue, are both listed as contributing on the most recent historic structures survey. The petitioner and property owner went through the demolition delay process for both buildings with the Bloomington Historic Preservation Commission. The BHPC voted not to locally designate either building at its March 24, 2016 meeting, therefore allowing either to be demolished under case numbers 16-08 and 16-09.

The BHPC held a special meeting on March 31, 2016 to discuss the Chocolate Moose building located at 401 S. Walnut Street. The Chocolate Moose is not listed on the latest historic structures survey, but because of its unique design and cultural significance, the BHPC met to discuss the possibility of local designation. The BHPC voted not to locally designate the building.

The issue of the removal of the Chocolate Moose building for the proposed development has become a topic of public discourse. There were a number of members of the public at the BHPC special meeting. Many of the commenters lamented losing an iconic Bloomington building as well as the open gathering space that it creates. The property owner spoke, as well, of the age and deterioration of the building itself and the difficulties it poses to the owners of the Chocolate Moose in their day-to-day operations. The Chocolate Moose business has committed to move into a ground floor space in the proposed building that will provide more adequate space to function, indoor and outdoor seating, and the ability to operate year round. The new space will maintain a walk-up window on Walnut Street and there will be benches for gathering. Discussion was had about the possibility of moving the building or incorporating the building into the new design.

Plan Commission Site Plan Review: Two aspects of this project require that the petition be reviewed by the Plan Commission, per BMC 20.03.100. These aspects are as follows:

- The petitioner is requesting waivers to multiple standards in BMC 20.03.120 and 20.03.130.
- The proposal is adjacent to a residential use.

SITE PLAN ISSUES:

Affordable Housing: There was discussion at the June Plan Commission meeting about the petitioner’s plans to provide affordable housing as part of the development. The petitioner has been working with HAND, ESD and the office of the Mayor for the last couple of months to provide for 5 affordable units in the development. This was presented to the City Council at the Committee of the Whole on July 6th. Please see included articles from the Herald Times and the ESD report to the Council about these affordable units. Provision of the affordable units is not currently required by the UDO. The petition meets all major height, bulk and density requirements and staff would recommend approval of this petition even without these units.

Residential Density: The maximum residential density in the Downtown Core Overlay is 60 units per acre. The petition site is roughly .98 acres. The petitioner is proposing a density of 50.74 units per acre, meeting the density requirements.

Building One: Dwelling Unit Equivalent Breakdown

Type of Unit	Number of Units	Number of Beds	DUEs
1-bedroom	4	4	1.00
2-bedroom	5	10	3.30
3-bedroom	0	0	0.00
4-bedroom	9	36	13.50
	18 Units	50 beds	17.80 DUEs

Building Two: Dwelling Unit Equivalent Breakdown

Type of Unit	Number of Units	Number of Beds	DUEs
1-bedroom	6	6	1.50
2-bedroom	9	18	5.94
3-bedroom	12	36	12.00
4-bedroom	9	36	13.50
	36 Units	96 beds	32.94 DUEs

There was discussion at the June Plan Commission meeting about the number of 4-bedroom units in the petition. Staff reminds the Plan Commission that 4 and 5 bedroom units are permitted by the UDO and developers are given a density penalty for 4 and 5 bedroom units. Four bedroom apartments are counted as 1.5 DUEs and 5 bedroom apartments are counted as 2 DUEs. Even with this penalty, the petition still meets UDO density requirements for this overlay.

Build-to-Line: The UDO requires buildings in the Downtown Core Overlay to be built at the front property line. There are existing large overhead power lines along the Smith Avenue frontage. Along Washington Street the building has been set back to accommodate a sidewalk and street tree zone. The petitioner requests a waiver from this standard to allow the buildings to be set 12 feet back from the right-of-way line along Smith Avenue and 3 feet back from the right-of-way line along Washington Street.

Build-to-Line Waiver – 20.03.120(d)(1): The Downtown Vision and Infill Strategy Plan states that in the Downtown Core Character Area “One goal is to establish a pedestrian-friendly street edge that is primarily of buildings at the sidewalk edge,

although in some cases landscaped areas and plazas and courtyards may also occur” and In the Courthouse Square and Downtown Core Character Areas, align the building with the sidewalk edge to create a zero setback. Align the front building facade with the sidewalk edge, when feasible.” The 12 foot setback along Smith Avenue allows for the establishment of a pedestrian-friendly street edge, as the narrow nature of right-of-way on Smith does not allow for room for a sidewalk in the right-of-way. The 3 foot setback along Washing Street allow for the construction of a sidewalk separated from the street by street trees and street lights. Staff recommends approval of this waiver.

Parking: The petitioner is proposing a total of 89 parking spaces. This is the equivalent of .61 parking spaces per bedroom. The UDO does not require parking for either the non-residential or residential uses at this location.

Access: Vehicular access to the parking spaces in Building One is located on the alley side of the building. There has been some discussion about the alley becoming one-way south. That is an issue for the Traffic Commission and City Council. The vehicular entrance and exit to Building Two are located on the south end of the Washington Street frontage. Pedestrian access to the buildings is provided on all three street frontages.

Bicycle Parking: Building One requires nine bike parking spaces and Building Two requires eight bike parking spaces. The current proposal meets all bike parking requirements, including providing covered, Class 1 parking, and short term spaces on the street.

Architecture/Materials: Building One is designed in a modern style, with cast stone and limestone on the lower level, and light colored brick veneer on the upper levels. A colored metal panel installation is used to highlight the recessed entry into the lobby at the northwest corner of the building. Building Two is more traditional with dark brick and some more industrial-style windows at the southern end of the building. The current materials design meets all requirements and no waivers are needed.

Street Trees: Street trees are required along Walnut Street, Smith Avenue, and Washington Street. Adding full size street trees on Smith Avenue is hampered by the existing of large overhead power lines. The petitioner requests a waiver from street tree standards for Smith Avenue.

Street Trees Waiver-20.03.130(a)(4): The Downtown Vision and Infill Strategy Plan states “Downtown Bloomington should continue to develop as a pedestrian-oriented environment. Streets and sidewalks should contain elements that create a comfortable area for walking and relaxing... Street trees should be considered an important component to any new infill and redevelopment project... Installation and maintenance of street trees should be construed as a critical site improvement element.” The petitioner has proposed small trees in lieu of full street trees along Smith Avenue because of existing overhead power lines.

Lighting: Street lights are required along Walnut Street, Smith Avenue, and Washington Street. Since the last hearing lights have been added to all street frontages.

Impervious Surface Coverage: The Downtown Core Overlay allows for 100% impervious surface coverage.

Pedestrian Facilities/Alternative Transportation: Sidewalk exists along Walnut and Washington Streets on the western and eastern frontages of the project. The petitioners propose to include a minimum five foot sidewalk along the northern edge of the building. The Build-to-Line waiver is necessary to facilitate this sidewalk.

No additional Bloomington Transit facilities are required with the development.

Building Façade Modulation: BMC 20.03.130(c)(1)(B) requires that the building façade module be offset by a minimum depth (projecting or recessing) of 3 percent of the total façade length, and the offset shall extend the length of its module. The current design meets modulation requirements.

Building Height Step Down: BMC 20.03.130(c)(2) requires that buildings located to the side of a surveyed historic structure not be more than one story taller, or 14 feet taller, than the surveyed structure. The one-story building to the south of Building Two is listed as contributing in the survey. The historic portion of the building, a barreled roof, is located on the rear half of the structure. The rear portion of the Building Two is more than 14 feet taller than the adjacent building. The petitioner requests a waiver from this standard.

Building Height Step Down Waiver-20.03.130(c)(2): The Downtown Vision and Infill Strategy Plan states “Larger buildings should contain some reduced volumes that are similar in height to the adjacent historic structure to ensure compatibility in mass and scale.” Along the Washington Street frontage, the portion of the new building immediately adjacent to the historic building is one story taller. The historic building is also of an age and type that is similar to a building on the petition site that went through Demolition Delay and was not designated by the Bloomington Historic Preservation Commission. Staff recommends approval of this waiver.

Building Height Step Back: BMC 20.03.130(c)(3) requires that building facades over 45 feet in height shall step back the horizontal façade/wall plane a minimum of 15 feet from the horizontal façade/wall plane below 45 feet in height and above 35 feet in height. The petitioner requests a waiver from this standard.

Building Height Step Back Waiver-20.03.130(c)(3): The Downtown Vision and Infill Strategy Plan envisions two to four story buildings in this area. The proposed buildings are four story. At their highest points, they are between 2.5 and 4 feet above the threshold for this standard. This standard was originally intended for buildings with full stories above the four-story average maximum. Staff recommends approval of this waiver.

Void-to-Solid Percentage: The DCO sets a minimum first floor void-to-solid requirement of 60%, consisting of transparent glass or façade openings, for facades facing a street. Building Two does not meet this requirement on either the Smith Avenue or Washington Street frontages. The Smith Avenue façade provides 44.5 percent void and the Washington Street façade provides 33 percent void. The petitioner requests a waiver from this standard for those areas.

Void-to-Solid Percentage Waiver-20.03.130(b)(2)(A): This standard is included in order to provide pedestrian interest along new buildings by providing views into presumably active spaces. In the case of Building Two, those areas that could be designed as void areas would only look into a parking garage or electrical area. As an alternative to wrap-around commercial space, the petitioner has included various alternatives to provide pedestrian interest, such as art installation space, space for art to be programmed with the Project School, and a living wall space. Staff recommends approval of this waiver.

Neighbor Concerns: Staff has met with representatives of the Project School, and they have raised various concerns, including the loss of parking, loss of natural light in the south-facing windows, traffic management on Smith Avenue, and the construction timeline. The petitioners and Project School representatives have met to discuss these issues.

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

- 1.) The Petitioner should provide the design, vegetation, and maintenance details for the green wall to the Planning and Transportation Department for review.

Staff Response: Although not specifically required by the UDO, staff agrees that review and approval of the green wall details will help to assure its success. This is included as condition of approval #4.

- 2.) The Petitioner should fill all available spaces on the property with landscape material, giving high priority to native species.

Staff Response: Petitioner will have to fill all open space with the amount of vegetation required by the UDO. 100% impervious surface is permitted in this overlay and the petition is nearly 100% impervious. Staff agrees that native species will benefit the longevity of vegetation on the site.

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

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

CONCLUSION: The petition involves redevelopment of .98 acres in the Downtown Core Overlay, with frontage on three public streets. This petition satisfies most UDO requirements include height, density, parking, impervious surface coverage and first floor use. Staff believes all code compliance issues have been addressed, including the provision of a tree and street light zone on Washington Street. Staff believes all proposed architectural waivers are appropriate given the context of the area, the design of the building and the goals of the Downtown Plan.

RECOMMENDATION: Staff recommends approval of SP-1-16 with the following conditions:

1. Permanent artwork must be installed before final occupancy will be issued. The plan must be reviewed for durability and approved by the Economic and Sustainable Development Department Assistant Director for the Arts
2. Art spaces, display cases, and the Washington Street living wall shown on the site plan must be maintained and preserved in perpetuity. A zoning commitment to that effect must be recorded before final occupancy will be issued.
3. Petitioner must receive right-of-way encroachment approval for all private encroachments planned on Walnut Street, and they must be installed before final occupancy will be issued.
4. Petitioner must provide a planting and maintenance plan to staff for the Washington Street green wall for approval. Approval must be received before final occupancy will be issued.
5. Petitioner must provide a copy of the signed agreement for display case programming with The Project School before final occupancy will be issued.

MEMORANDUM

Date: July 1, 2016

To: Bloomington Plan Commission

From: Bloomington Environmental Commission

Through: Linda Thompson, Senior Environmental Planner

Subject: SP-12-16, Urban Station (Chocolate Moose site)
Third Hearing
403 S. Walnut St., 114 E. Smith Ave., 404 S. Washington St.

The purpose of this memo is to convey the environmental concerns and recommendations of the Environmental Commission (EC) with the hope that action will be taken to enhance the environmental integrity of this proposed plan. This is the second hearing regarding the Petitioner's request for a Site Plan that calls for demolition of the current structures, and constructing two new buildings.

ISSUES OF SOUND ENVIRONMENTAL DESIGN

1.) GREEN WALLS

The EC has some concerns about vegetated walls, commonly called green walls, at this site. Generally speaking, they are beautiful and beneficial in reducing the heat island effect, cleaning air, and sequestering carbon dioxide; however, they can be difficult to plan and maintain. The EC requests that the Petitioner provide the design details for the walls, including structure, vegetation types, irrigation, and maintenance to be evaluated prior to approval.

2.) LANDSCAPING

Given the constraints on this site, the EC believes that the landscaping should be as dense as feasible in every available space on the property. Furthermore, using native plants provides food and habitat for birds, butterflies and other beneficial insects, promoting biodiversity in the city. Native plants do not require chemical fertilizers or pesticides and are water efficient once established. For additional suggestions, please see the EC's Natural Landscaping materials at www.bloomington.in.gov/beqi/greeninfrastructure/htm under 'Resources' in the left column. We also recommend an excellent guide to midwest sources of native plants at: <http://www.inpaws.org/landscaping.html>.

3.) GREEN BUILDING

The EC believes that the Petitioner should commit to some green building practices. The Petitioner's Statement reads "we are reviewing the incorporation of the following in the project:"

All developers and builders should design their structures with as many best practices for energy savings and resource conservation as possible, and simply stating an interest does not seem adequate.

Some project-specific green building practices for mitigating the effects of climate change and dwindling resources include the following.

Reduce the Heat Island Effect The roof material should have a minimum initial Solar Reflective Index (SRI) of 0.65, and an aged index of 0.55. (*SRI* is a value that incorporates both solar reflectance and emittance in a single value to represent a material's temperature in the sun. SRI quantifies how hot a surface would get relative to standard black and standard white surfaces. It is calculated using equations based on previously measured values of solar reflectance and emittance as laid out in the American Society for Testing and Materials Standard E 1980. It is expressed as a fraction (0.0 to 1.0) or percentage (0% to 100%). If a roof membrane is used, it should be white in color, embedded with reflective material, or covered with a reflective coating or a white granulated cap sheet. The EC does not believe that reviewing the possibility for a white roof with no reflective material is good enough.

Energy efficiency Enhance the weather, air, and thermal barriers of the building envelope to reduce the energy consumption associated with conditioning indoor air to reduce greenhouse gas emissions in our region.

Solar panels. This building is ideal for photovoltaic (PV) solar panels because it has a flat roof. The price of PV systems continues to drop and the full-cost-accounting price of carbon-based electricity is skyrocketing.

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 former 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 is pleased that the Petitioner did include in both the Petitioner's Statement and the exterior elevation renderings the use of local limestone as shown in the legend as E12, rough limestone; E13, smooth limestone; E52, limestone veneer; E55, limestone watertable; and E56, limestone banding.

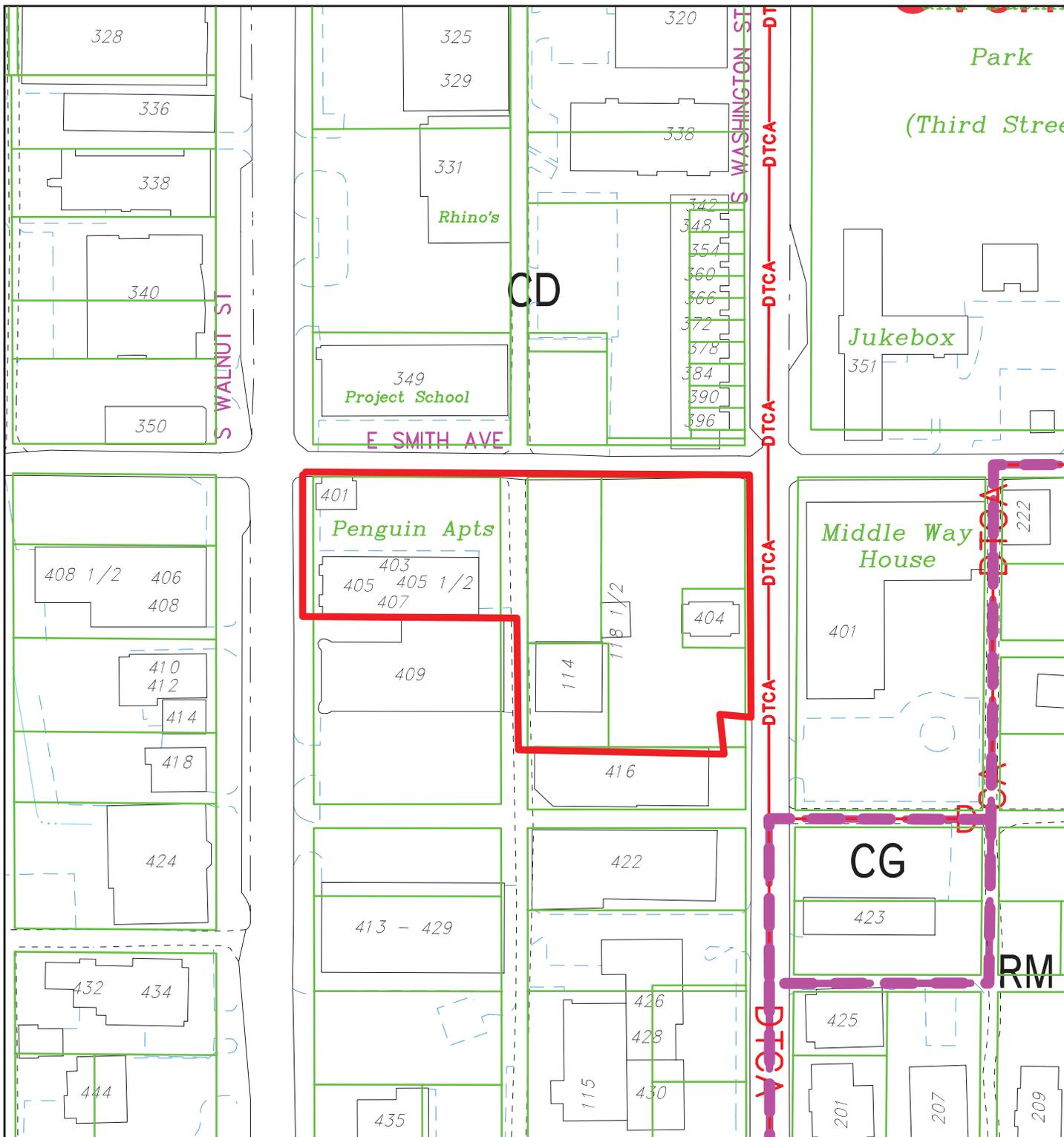
EC RECOMENDATIONS

- 1.) The Petitioner shall provide details about the vegetated walls including structure, vegetation

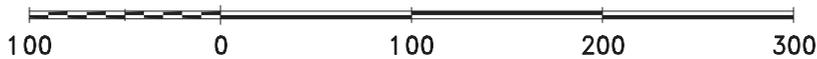
types, irrigation, and maintenance, to be evaluated prior to approval.

2.) The Petitioner should fill all available spaces on the property with landscape material, giving high priority to native species.

3.) The Petitioner should apply green building and site design practices to create a high performance, low-carbon footprint structure, and commit to them in the Petitioner's Statement.



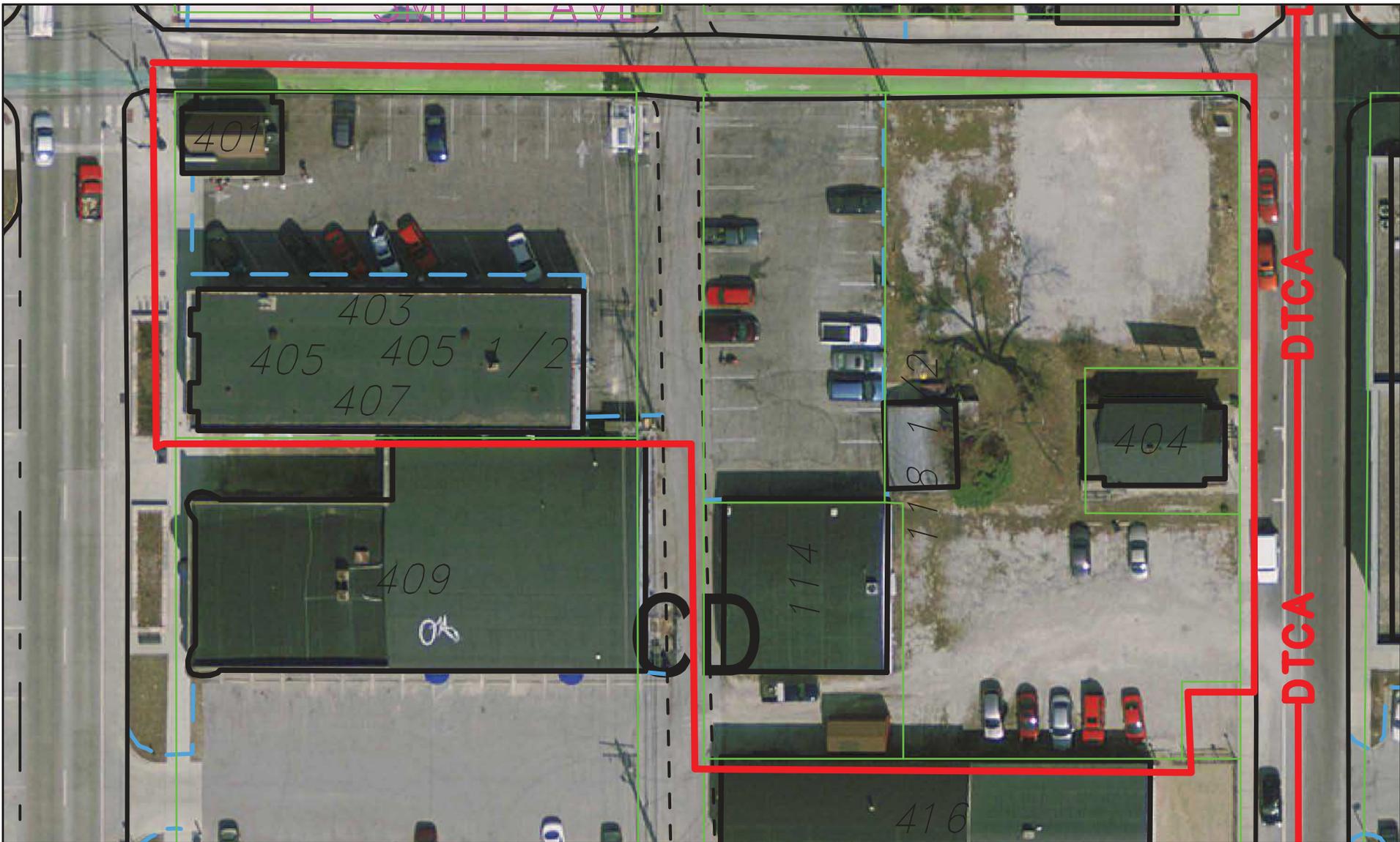
By: scanlanj
18 Mar 16



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Scale: 1" = 100'



By: scanlanj
18 Mar 16



For reference only; map information NOT warranted.



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Planning & Transportation



Scale: 1" = 40'



Attn: James Roach

**RE: Urban Station
Mixed Use Development. 403 S. Walnut and 404 S. Washington
Revised 6-26-2016**

PETITIONERS STATEMENT

Dear Mr. Roach;

Studio 3 Design is pleased to submit the attached developments for a new development "Urban Station" located on Smith Street between Walnut and Washington Streets – also known as the Chocolate Moose Site at 403 S. Walnut and 404 S. Washington Streets. The following document outlines the project scope for the project site.

Project Location:

The project is located along the South side of Smith Street between Walnut Street and Washington Street and will be comprised of two separate structures divided by the existing North-South alley. Building 1 (403 S. Walnut) and Building 2 (404 S. Washington Street).

Project modifications:

In response to the commissions desire to create a more walkable streetscape along Washington street we went back through the project and reduced unit square footages on upper levels, reduced our structural column sizes by switching to a precast set-up, reduced parking aisles to 24' minimums and reduced parking stalls along Washington street on the lower level to be for compact cars. With all of these adjustments we were able to shave approximately (3) three feet off the building width and readjust it on site to allow for a sidewalk with trees and light poles along Washington Street. The sidewalk still widens as it heads South as well as at entrance locations to the building. This significant change was done without impacting the Smith Avenue streetscape and removes the need for the landscape waiver previously being requested.

Additional Glazing was also added along Smith Avenue at the building recess under the balcony zone of building 2.

Previous modifications included the closing of the garage entrance off the alley, the relocation of transformers to the alley and off of Washington Street, the addition of a living wall at the South end of Washington Street and the addition of art wall displays and display case zones for Project School art exhibits along Smith Avenue.

Proposed Land Use:

Urban Station
 403 S. Walnut and 404 S. Washington
 May 23rd, 2016
 Page 2

The proposed project is being developed as market rate apartments targeting both young professionals and students that are looking for an environment that provides a unique blend of amenity spaces not found anywhere else in the downtown.

The Site will contain two buildings, Building 1 at the corner of Walnut and Smith (403 S. Walnut) and Building 2 at the corner of Washington and Smith (404 S. Washington). Each will be four stories above grade. Building "2" will also have a full parking level underground.

Continuation of a Tradition:

The "Moose" is a well-known establishment in Bloomington that has lived at the corner of Smith and Walnut for several decades. There is perhaps the perception that this project will be the end of the "Moose" and the memories that it has forged as being a part of the Bloomington Community. This project does not take away the Moose but instead provides an opportunity for it to grow and thrive. The life that the Chocolate Moose ice cream shop brings Walnut Street will be enhanced by providing both indoor and outdoor seating to allow for year round operation and greater more inviting seating areas for gathering with friends. The iconic Neapolitan canopy will be recreated and wrap the building corner along Walnut. Customers will have the option of using a walk up window along Walnut Street and meeting with friends in a safe environment devoid of vehicular traffic or stepping inside to enjoy an expanded menu in a temperature controlled space regardless of the weather outside.

This is in no way the end of the Moose but simply a new chapter in its history and a way to help it remain as an economically viable and thriving Bloomington Based business for the future.

Building "1" – located at 403 S. Walnut along Walnut Street and Smith Avenue will contain a minimum of 50% retail / office space on level 1 in compliance with the UDO. The primary tenant will be the Chocolate Moose Ice Cream shop whose ownership wants to expand their current size and provide both indoor and outdoor seating for an expanded season of operation. Building "1" has been set back 12' from the right of way along Smith Street to provide for a much needed sidewalk and pedestrian path along Smith. On the South side of the building, a courtyard accessed from both Walnut Street and directly from the Chocolate Moose Retail space will provide outdoor seating for the retailer and a safe gathering area for customers to socialize without the impact of vehicular traffic. A walk-up window on Walnut Street will maintain the same feel and pedestrian life on the street that the Moose currently creates. Bench seating on the sidewalk, ample bike parking and direct access to tables in the courtyard will all support this outdoor life while indoor seating will now be available to get out of bad weather. The upper three floors of the building will be market rate apartments accessed from a main building entrance with a doorman at the corner of Smith and Walnut.

Building "2" – Located along Smith and Washington Streets will provide the parking and amenity spaces for the development. A full underground garage and a full parking deck on level 1 will provide 87 of the 89 parking spaces on site. Level 2, 3 and 4 will contain market rate apartments clustered around amenity spaces. On level 2 a central courtyard will be developed. The south facing wall will contain a living wall and the lower portion of the north wall will provide a smooth surface for movie projection within the courtyard (not viewable from the street). The second floor will include a pool deck that is a two story interior volume that can be opened up in the summer to both the courtyard and to Washington Street for air movement to create an indoor/outdoor environment. The third level will contain a workout room that overlooks the pool area but remains enclosed for temperature control year round.

Level 3 will also open to a sun deck that sits in the Southeast corner. All in all the building creates a series of indoor and outdoor activity zones for a unique downtown living experience.

Units/ Beds/ DUE's

Building 1 **.3 acre x 60 due** **18 DUE avail.**

Urban Station
 403 S. Walnut and 404 S. Washington
 May 23rd, 2016
 Page 3

Units			
1 bed	04 units	04 beds	1.00 DUE
2 bed	05 units	10 beds	3.30 DUE
3 bed	00 units	00 beds	0.00 DUE
4 bed	09 units	36 Beds	13.5 DUE
	18 units	50 beds	17.80 DUE

Building 2 .64 acre x 60 38.40 DUE avail.

Units			
1 bed	06 units	06 beds	1.50 DUE
2 bed	09 units	18 beds	5.94 DUE
3 bed	12 units	36 beds	12.00 DUE
4 bed	09 units	36 Beds	13.50 DUE
	36 units	96 beds	32.94 DUE

Parking provided:

Building 1	2 spaces
Building 2	<u>87 spaces</u>
	89 total space

Site Information:

Zoning

The site is in the Downtown Core Overlay.

Zoning allows for 50 feet of vertical height, 60 DUE's per acre and a max parking standard of one space per bed with no parking required for commercial. Approx. 60% of the first level of Building 1 will be dedicated to non-residential use with the Chocolate Moose as a planned tenant. We will meet the major standards for density, height and parking but as discussed in the first Commission hearing, we will be seeking some secondary waivers for the project.

Vehicular Access:

The site has been designed with consideration given to the current traffic flow in the area. Primary parking, 87 of the 89 spaces, will be accessed from Washington Street with in and out traffic at the far South end of the property- away from Smith Avenue. This location for access was selected in recognition of the heavy use of Smith Avenue by the Project School for drop off and pick up.

A secondary access point from the garage to the alley was removed after the initial Commission hearing to minimize traffic on the alley and Smith Avenue.

Trash pick-up will occur off of the alley for both buildings with the anticipated truck route being from the South with the truck continuing north across Smith Avenue to service the Project School and sites to the North. Smith Ave. is a narrow one-way street with power poles at the intersection of the alley and Smith Ave. limiting the ability for a truck to turn out of the alley onto Smith.

Delivery:

The alley is currently two way traffic. The project has created a large widened section of the alley (approx. 30' in width) to allow for an unloading zone for both the businesses and the residents. This zone would allow a delivery truck to pull off parallel to the alley for delivery without blocking the alley for use by others

Pedestrian:

Urban Station
 403 S. Walnut and 404 S. Washington
 May 23rd, 2016
 Page 4

Building 1 (403 S. Walnut) will have a primary pedestrian entrance at the NW corner of Smith and Walnut streets. The entrance is recessed to provide cover at the corner and will be articulated to meet UDO standards. A retail entrance and a walk-up window will reside on the West face along Walnut Street and a second retail entrance will be centered along Smith Avenue. A back door for cross access to Building 2 as well as access to the trash location will be provided off of the alley.

Building 2 (404 S. Washington Street) will have a primary pedestrian access off of Washington Street with secondary access points off of Smith Avenue (NW), the SE corner of building off of Washington Street and from the parking garage into the building.

Waivers:

Build to line: Current zoning requires the building to be set at the property line – in order to create a much needed pedestrian walk-way along the length of Smith Ave. we will be holding the building back 12 feet from the property line which is also the street curb line on Smith. The setback will also allow us to address the existing power lines and maintain a safe distance away from them. The project team made a conscious choice to hold the building back and provide a safe walkable environment along Smith Ave.

Adjacency to a historic structure: The UDO requires that our building frontage align with the historic building to our South and that our building height not exceed 14' greater than the tallest part of the historic structure. The Florist shop to the South of our property on Washington Street is single story structure set near the alley that was added as a contributing structure this year based on its age. A metal building was added in front of the designated structure and blocks the view of the building from the street. The HPC has voted to allow demolition of two other structures of similar design and age that currently exist on this project's property. The buildings being demolished are considered to provide little architecture benefit. It is not realistic to hold the new building in alignment with this structure nor to carve the building back to a two story structure for the length of the South side of the building. In respect for the standards we have held the SE module of the building along the street down to two levels and set the façade back from the remainder of the building frontage along Washington Street. We will be requesting a waiver from this requirement.

Void to Solid:

60% void area is required on Walnut, Smith and Washington Streets. The purpose of this is to provide interest long the street. While we meet the standard on Building 1 for Walnut Street, we do not meet it for Building 2 on Washington Street (see breakdown below), we have looked at multiple ways to address the desire to create interest along the street. Walnut Street will be faced with retail and the primary entrance, Smith Avenue will provide a mix of retail, building entrances and display windows and alcoves for art in conjunction with the Project School. Parents arriving for drop off and pick-up along Smith Ave. will be able to view student art while waiting. Washington Street will be faced with the building lobby / entrance locations, parking entrance, bike room access and views of the amenity space above. With the exception of a few parking spaces, the garage parking is held back away from the street front and out of view. Based on recommendations from the commission, we have addressed the two blank wall zones along Washington Street by adding a green living wall feature at the South end of the building and a wall mural zone at the north end of the building. Along Smith Avenue we increased the display window zones along the North wall of Building 2. All of these items work to provide interest along the street and address the intent of the code.

Current Void to Solid areas for Level 1 and upper levels are:
 Building 1:

Urban Station
 403 S. Walnut and 404 S. Washington
 May 23rd, 2016
 Page 5

Walnut Street – Level 1:	60% required	64% provided
Walnut Street – upper level:	20% required	52% provided
Smith Avenue – Level 1:	60% required	71 % provided
Smith Avenue Upper Level:	20% required	48% provided

Building 2:		
Smith Avenue – Level 1:	60% required	44.5% provided
Smith Avenue – Upper Level:	20% required	47.9% provided
Washington Street Level 1:	60% required	33% provided
Washington – Upper level:	20% required	48.6% provided

Building step-down:

The UDO has a provision requiring buildings over 35' in height step back 15' from the street frontage once they exceed 45' in height. Our structures max out at 47'-8" to 49' above grade with modules stepping down lower along Washington Street. We will be requesting a waiver to not recess the top 3-to 4 'of the building back 15'. Stepping the parapet of the building back will not change the buildings presence on the street in a positive manner.

Site Services / Utilities/ Streetscape:

Impervious Surface Area

The current site is roughly 100% impervious. We will be coming back with a structure that covers 90 to 95% of the site again. Remaining zones will be landscaped and are shown on the site plan.

Drainage and Detention

Storm water detention is not required as the site is currently all impervious and covered with open air parking lots.

Sanitary Sewer

Sanitary sewer service will be provided by a connection to the existing City sewer main will be provided out to Smith street and out to Washington Street.

Water Service

Water service will be provided by a connection to the existing City main with connections out to Smith Street and Washington. The City underground culvert runs on Walnut Street and limits access to the West.

Trash removal

Trash rooms will be located in Building 1 and Building 2 off of the alley.

Space within each trash room will be provided recycling containers. While dedicated recycling pick-up can't be committed to, the space will be available should the City ever provide for recycling pick-up in the downtown, similar to those services provided in residential areas outside of the downtown.

Streetscape

Along Walnut Street the existing planters and streetscape will be maintained and enhanced by larger sidewalk zones, street lighting and landscaping. On Smith Street, low level planting and ornamental trees that will remain low under the power lines will be added along with residential scale street lighting (8' poles) and building lighting at entrances to provide a much needed pedestrian walkway along this busy narrow street. On Washington Street, the building has been

Urban Station
 403 S. Walnut and 404 S. Washington
 May 23rd, 2016
 Page 6

compressed to create a min. width of 10'-6" for the sidewalk zone. The increased width now allows us to add the desired street trees and street lighting along the entire length of the property on Washington Street. A wider public right of way at the southern most end of the building allows for the incorporation of additional landscaping, street tree and a living green wall at that location.

Bike Parking:

Covered, secured and open air bike parking will be provided around the two sites. Locked bike rooms will be added at level 1 of Building 1 and Building 2 along with space in the garage of building 2 will be provided to secure bikes for residents. Bike racks placed on Walnut Street, at the retail on Smith Street will provide ample spaces for visitors, residents and patrons of the commercial spaces.

Bike Parking:

Building 1 required: 13 bikes (4 secured, 7 covered, 2 exposed)
 Building 1 provided: 28 bikes (12 secured/cover, 6 additional covered, 10 exposed)

Building 2 required: 16 bikes (4 secured, 8 covered, 4 exposed)
 Building 2 provided: 18 bikes(18 secured and covered)

Transformer locations:

The transformer for Building 1 will be located on the East side of the building off of the alley. The transformer for building 2 has been relocated from Washington Street to set next to the transformer for building 1 off of the alley. Meter banks for both buildings will be on the alley side of the building.

Project organization, scale and architecture:

The Site will contain 2 building structures each of which will be 4 levels above grade with a maximum height not to exceed 50'. Each building will have a different look but will be articulated using a similar material palette of brick masonry, limestone, cast stone, metal panel and a mix of residential and storefront windows for the primary facades. Building 1 (Walnut Street) will have a more modern edge to the design. Two levels of cast stone / limestone create the base for the building and frame the level 1 retail space. Brick veneer with a mix of larger storefront windows and simple punched window openings define the upper levels while a colorful metal panel system creates an eye catching corner element that identifies the entrance. At the corner the entrance is recessed under the building to provide protection from bad weather as well as increase the grade level open space at the street corner. The material changes as well as a cornice above level 2 break the building mass down horizontally into a base, body and cap. Vertical breaks with deep recesses divide the building into smaller modules along both Walnut and Smith Avenues with the deep setback on the South face creating the zone for the outdoor courtyard.

Building 2 will be more traditional in nature, taking cues from structures on Washington Street. The building will be predominately brick with an accent brick color used to define recesses and heads and sills at windows. Large windows broken down by an internal mullion grid pattern provide an industrial feel to portions of the façade and break down the building massing. Steps in the height of the building along Washington Street help to break up the mass into small modules and provide visual interest and relief. The primary building entrance on Washington Street will be articulated with a canopy and lighting, as well as glazing and brick detailing to accentuate the location and call attention to its importance as a primary point of entry. Washington Street is broken down into 4 building modules with variations in window detailing and massing tied together with a consistent use of brick as a unifying element.

Urban Station
403 S. Walnut and 404 S. Washington
May 23rd, 2016
Page 7

The primary materials will be a mix of brick and limestone/ precast concrete with both residential windows and zones of storefront glazing to create larger scale openings and maximize internal natural lighting. A limited use of cementitious siding and paneling (not viewable from the street) will articulate portions of the internal courtyard in building 2 and a flat white TPO roof for energy efficiency will cover both structures. Brick colors from each building will be used as accents on each other as a means of providing a connection between the two structures even though the overall feel of each building will be different.

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 at interior garage walls, and cast concrete and limestone panels.
- A living wall on the south façade of the Courtyard in Building 2
- A living wall at the SE corner at Level 1 along Washington Street.
- Energy efficient "Energy Star" appliances.
- Energy efficient windows with low-E glazing
- White reflective roofing membrane for energy conservation and reduced heat island effect for the 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 – use of LED lighting as primary light source.
- Building shell and demising wall insulation to meet or exceed energy standards.
- Space or recycling at each of the 2 trash rooms.
- Bike parking in excess on that required to promote non-vehicular means of transportation..

Anticipated Construction Schedule:

Based on a June approval for the project, we are anticipating construction to start up in November of 2016 with a targeted completion for August of 2017

Working with the Project School:

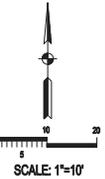
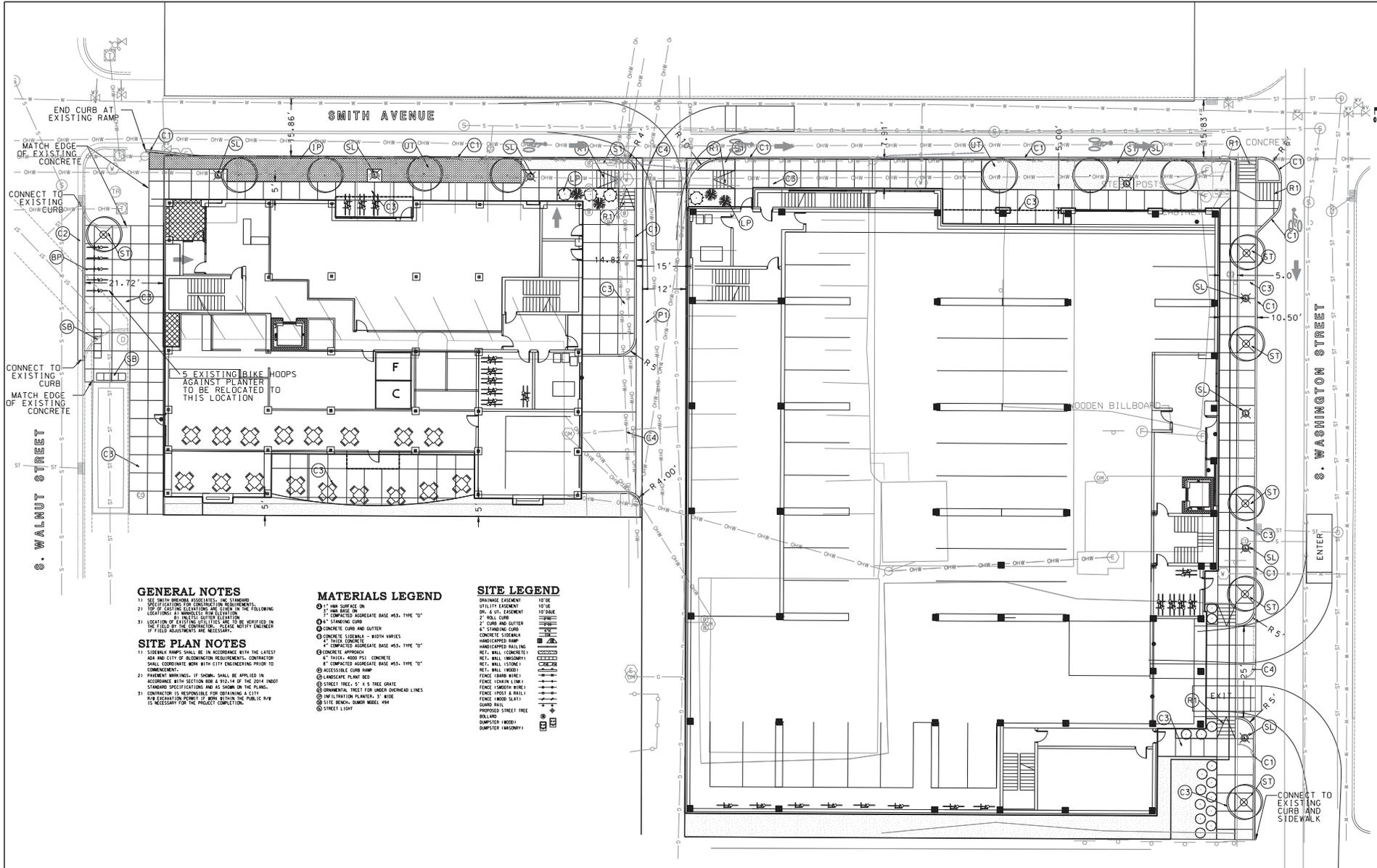
As part of this project, the owner is dedicating street frontage along Smith Avenue to display artwork. The owners are in current discussions with the Project School to provide an opportunity to display student art. The project is committed to pursuing this as a great way to engage the local Community and to provide interest along Smith Avenue. Additional details on how this arrangement will work are in process and will be provided.

Urban Station
403 S. Walnut and 404 S. Washington
May 23rd, 2016
Page 8

Overall the project will provide a positive change to a corner currently covered by open parking lots and limited pedestrian connection between Walnut and Washington Streets. The incorporation of outdoor amenity space and the creation of a walkable street along Smith Avenue are sure to improve the pedestrian experience in the area. The project site as designed will provide a safer environment for the continued congregation of patrons of the Chocolate Moose. The project secures the tradition of this site as a point of destination and social activity for the future.

Sincerely;

Tim Cover
Studio 3 Design



South Branch & Associates, Inc.
 200 S. Clinton Street
 Washington, Indiana 47397
 Phone: 317-852-5413
 Fax: 317-852-5413
 www.southbranch.com

GENERAL NOTES

- 1) USE 2015 PERMANENT ASSOCIATES, INC. STANDARD SPECIFICATIONS FOR CONSTRUCTION REQUIREMENTS.
- 2) LOCATE ALL UTILITIES AND RECORD THEM IN THE FOLLOWING LOCATIONS:
 - 1" INTEREST ELEVATION
 - 2" CURB AND GUTTER
 - 4" STANDING CURB
 - 6" STANDING CURB

SITE PLAN NOTES

- 1) SIDEWALK RAMP SHALL BE IN ACCORDANCE WITH THE LATEST ADA AND CITY OF INDIANAPOLIS REQUIREMENTS. CONTRACTOR SHALL COORDINATE WORK WITH CITY ENGINEERING PRIOR TO CONSTRUCTION.
- 2) PARKING MARKINGS, IF SHOWN, SHALL BE APPLIED IN ACCORDANCE WITH SECTION 906 & 906.14 OF THE 2014 INDIAN STANDARD SPECIFICATIONS AND AS SHOWN ON THE PLANS.
- 3) CONTRACTOR IS RESPONSIBLE FOR OBTAINING A CITY PARK ELEVATION PERMIT IF WORK WITHIN THE PUBLIC ROW IS NECESSARY FOR THE PROJECT COMPLETION.

MATERIALS LEGEND

- 1" HAW SURFACE ON 4" HAW BASE ON 4" COMPACTED AGGREGATE BASE #5.5, TYPE "D"
- 4" STANDING CURB
- CONCRETE CURB AND GUTTER
- CONCRETE SIDEWALK - WITH VORTEX
- 3" THICK CONCRETE
- 4" COMPACTED AGGREGATE BASE #5.5, TYPE "D"
- CONCRETE APPROACH
- 6" THICK, 4000 PSI, CONCRETE
- 4" COMPACTED AGGREGATE BASE #5.5, TYPE "D"
- ACCESSIBLE CURB RAMP
- LANDSCAPE PLANT BED
- STREET TREE, 6" X 5 TREE GRADE
- ORNAMENTAL TREES FOR UNDER OVERHEAD LINES
- INFILTRATION PLANTER, 3" WIDE
- SITE BENCH, 3000 MODEL, 404
- STREET LIGHT

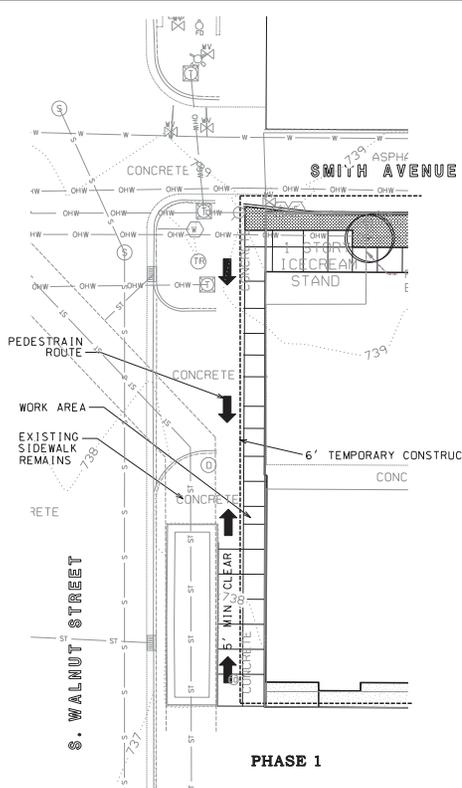
SITE LEGEND

- DRAINAGE EASEMENT
- UTILITY EASEMENT
- ON-LOT EASEMENT
- 10' SIDE
- 3" ROLL CURB
- 2" CURB AND GUTTER
- 4" STANDING CURB
- CONCRETE SIDEWALK
- HANDICAPPED RAMP
- HANDICAPPED WALKING
- RET. WALL (CONCRETE)
- RET. WALL (STONE)
- RET. WALL (WOOD)
- FENCE (BARB WIRE)
- FENCE (CHAIN LINK)
- FENCE (SMOOTH WIRE)
- FENCE (POST & RAIL)
- FENCE (WOOD SLAT)
- GUMMED PAINT
- PROPOSED STREET TREE
- BOLLARD
- DUMPSTER (WOOD)
- DUMPSTER (MASONRY)

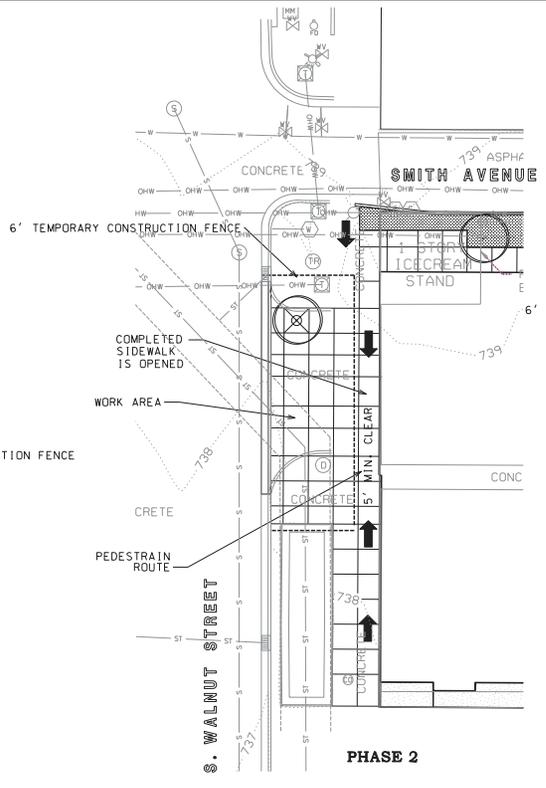
CHOCOLATE MOOSE
 SITE REDEVELOPMENT

REVISIONS	BY	DATE

NO. 5301
 SHEET
C201
 DATE 06/25/16
 SITE PLAN

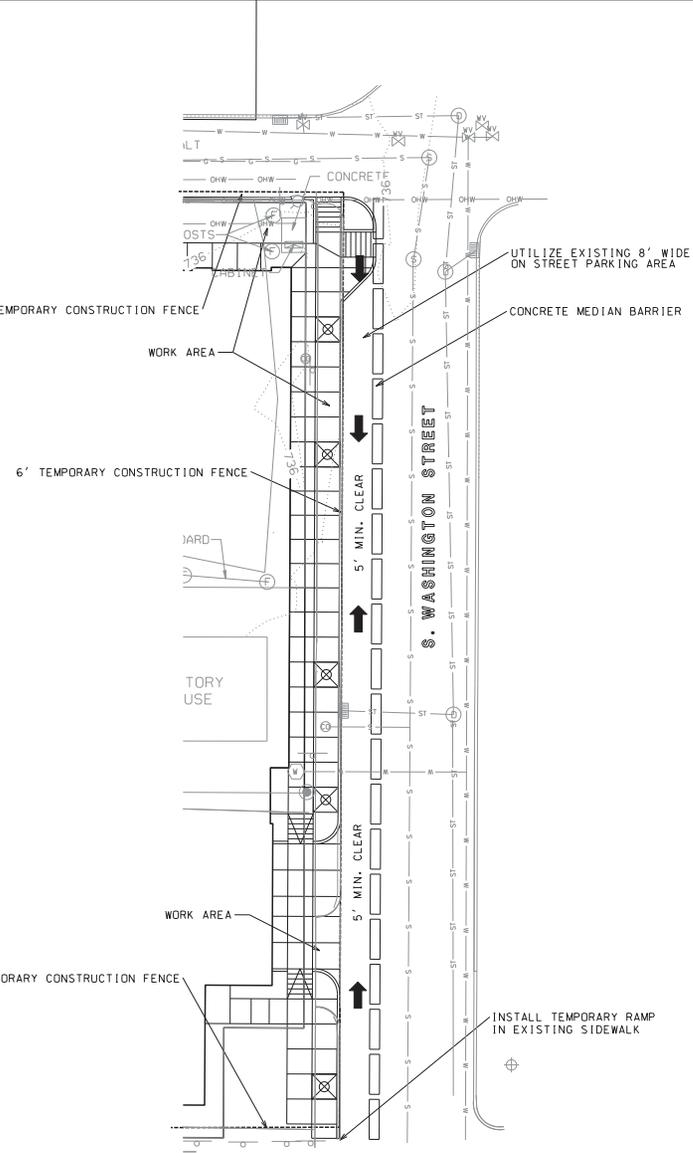


PHASE 1

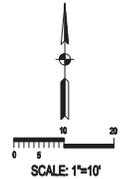


PHASE 2

S. WALNUT PEDESTRAIN MAINTENANCE PLAN



S. WASHINGTON STREET PEDESTRAIN MAINTENANCE PLAN



JOB TITLE
**CHOCOLATE MOOSE
SITE REDEVELOPMENT**

REVISIONS	BY	DATE

DESIGNED BY
SAB
CHECKED BY
SAB
DATE
2016

PROJECT NUMBER
S301
SHEET
C205
DATE
06/25/16
PROJECT TITLE
PEDESTRAIN MAINTENANCE PLAN



SITE PLAN - RENDERING

NOT TO SCALE

NORTH



405 S Walnut & 404 S Washington
Urban Station
 BLOOMINGTON, IN

PROJECT NO.

15069

DATE

6/27/2016

SHEET DESCRIPTION

SITE PLAN

SHEET NUMBER

A1



1
A2 Aerial - Northwest Corner

SHEET NUMBER

A2

SHEET DESCRIPTION

SITE - AERIAL

PROJECT NO.

15069

DATE

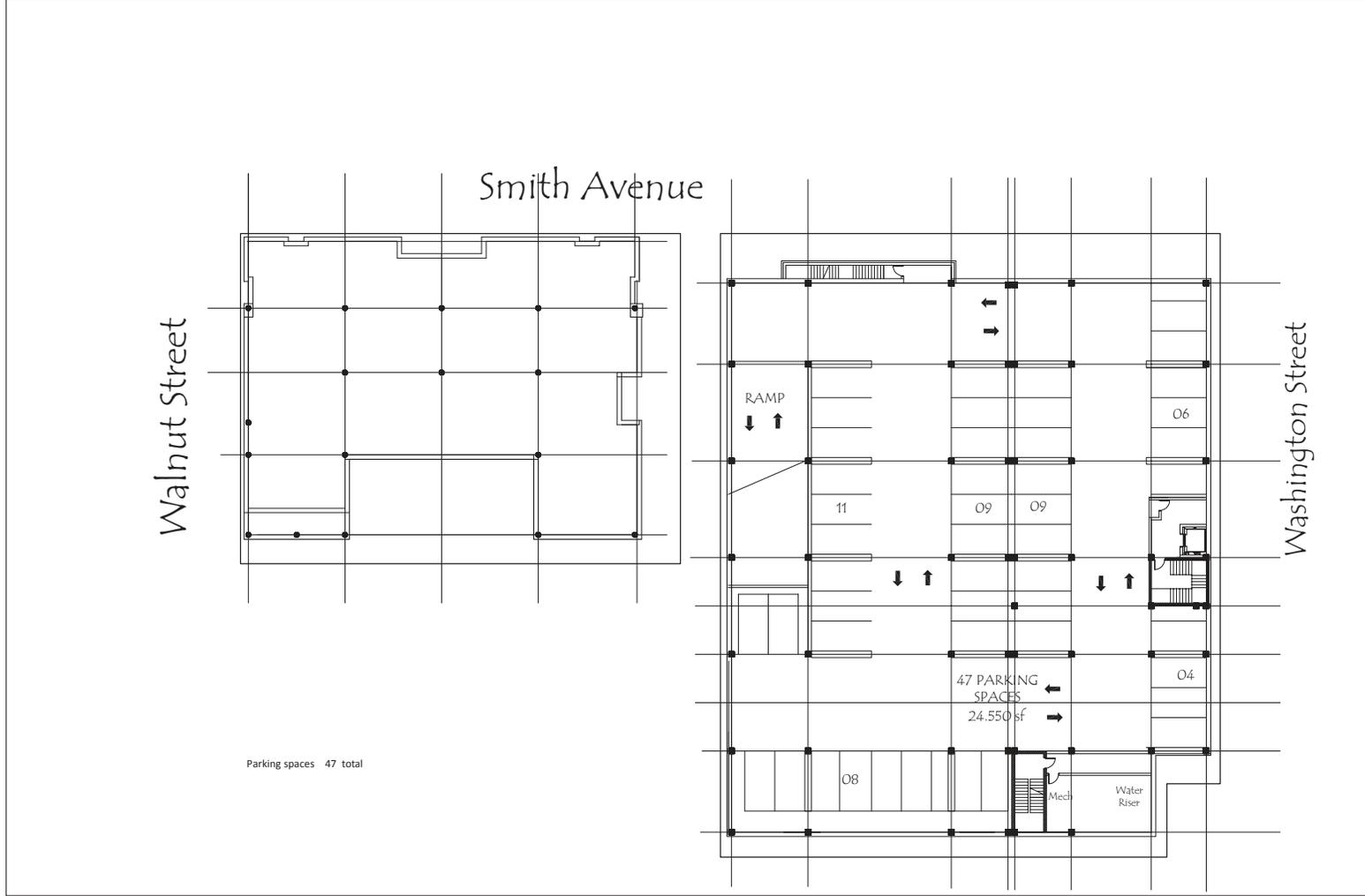
6/27/2016

405 S Walnut & 404 S Washington

Urban Station

BLOOMINGTON, IN





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

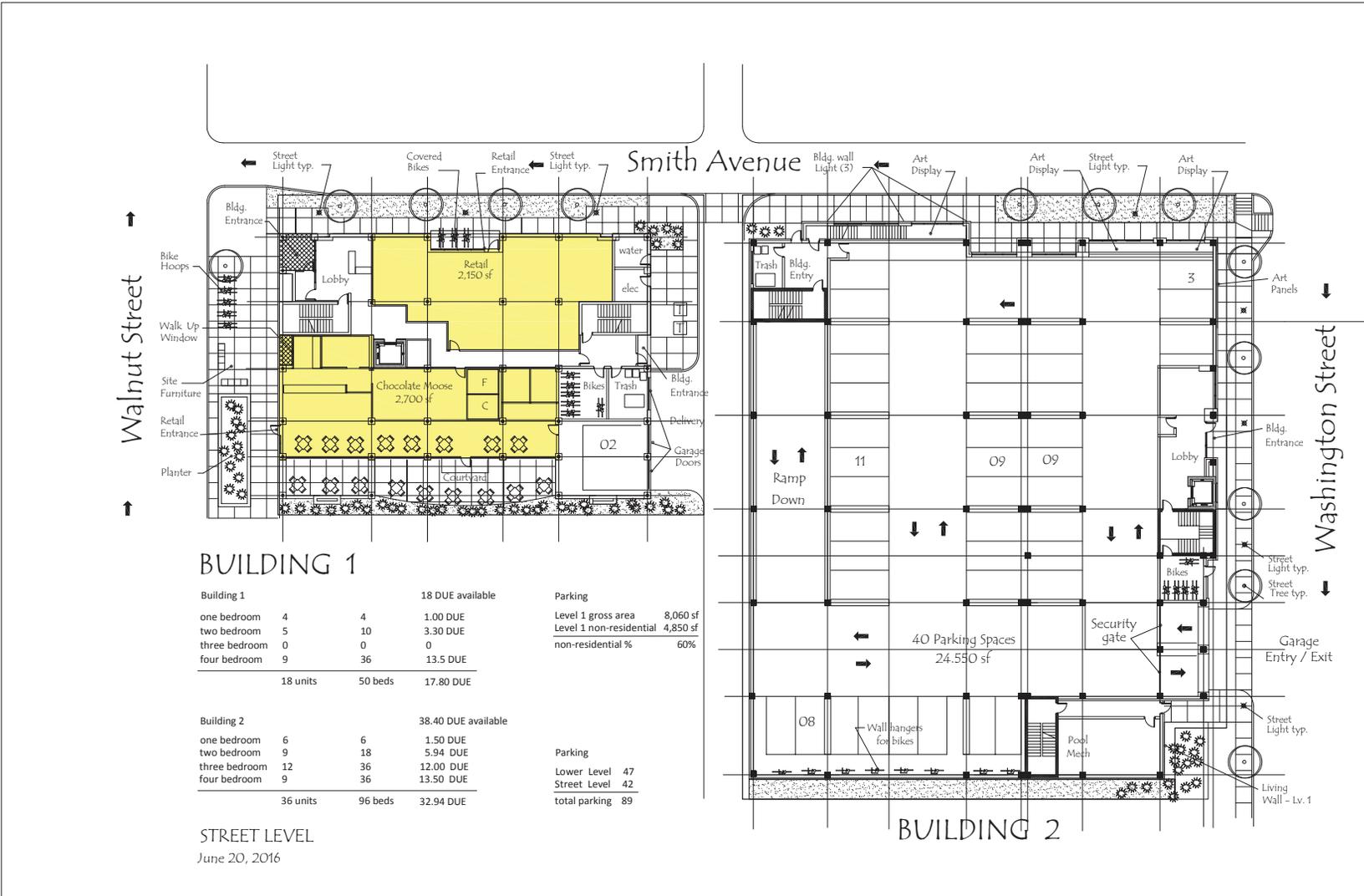
SHEET DESCRIPTION LOWER LEVEL FLOOR PLANS		CERTIFICATION	
DATE 6/28/2016	REVISIONS	PROJECT NO. 15069	SHEET NUMBER A3
Mixed Use Development 403 S. Walnut Street 404 S. Washington Street BLOOMINGTON, IN			
412 956.0700 main 800-748-8888 fax www.studiodesign.net 117 577.1200 fax 1001 Patterson Park, Suite 300-302 Indianapolis, IN 46203			

SHEET DESCRIPTION	STREET LEVEL FLOOR PLANS
CERTIFICATION	
DATE	6/14/2016
REVISIONS	
PROJECT NO.	15069
SHEET NUMBER	A4

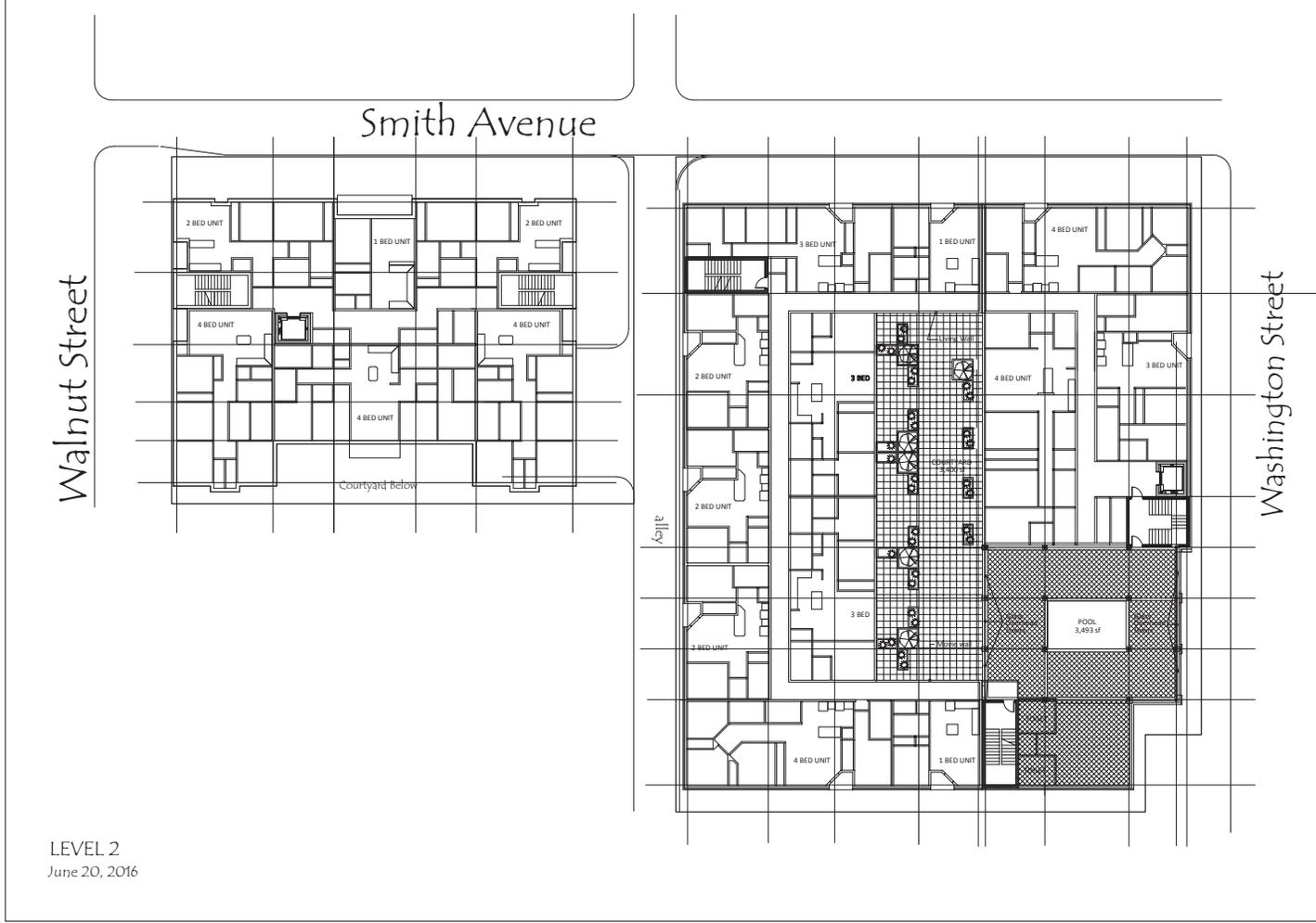
Mixed Use Development
 403 S. Walnut Street
 404 S. Washington Street
 BLOOMINGTON, IN

DATE	6/14/2016
REVISIONS	
PROJECT NO.	15069
SHEET NUMBER	A4

STUDIO THREE DESIGN
 architects + interior design
 www.studio3design.com
 17 875.1128 10x
 1000 Main Street, Suite 100 Bloomington, IN 47403



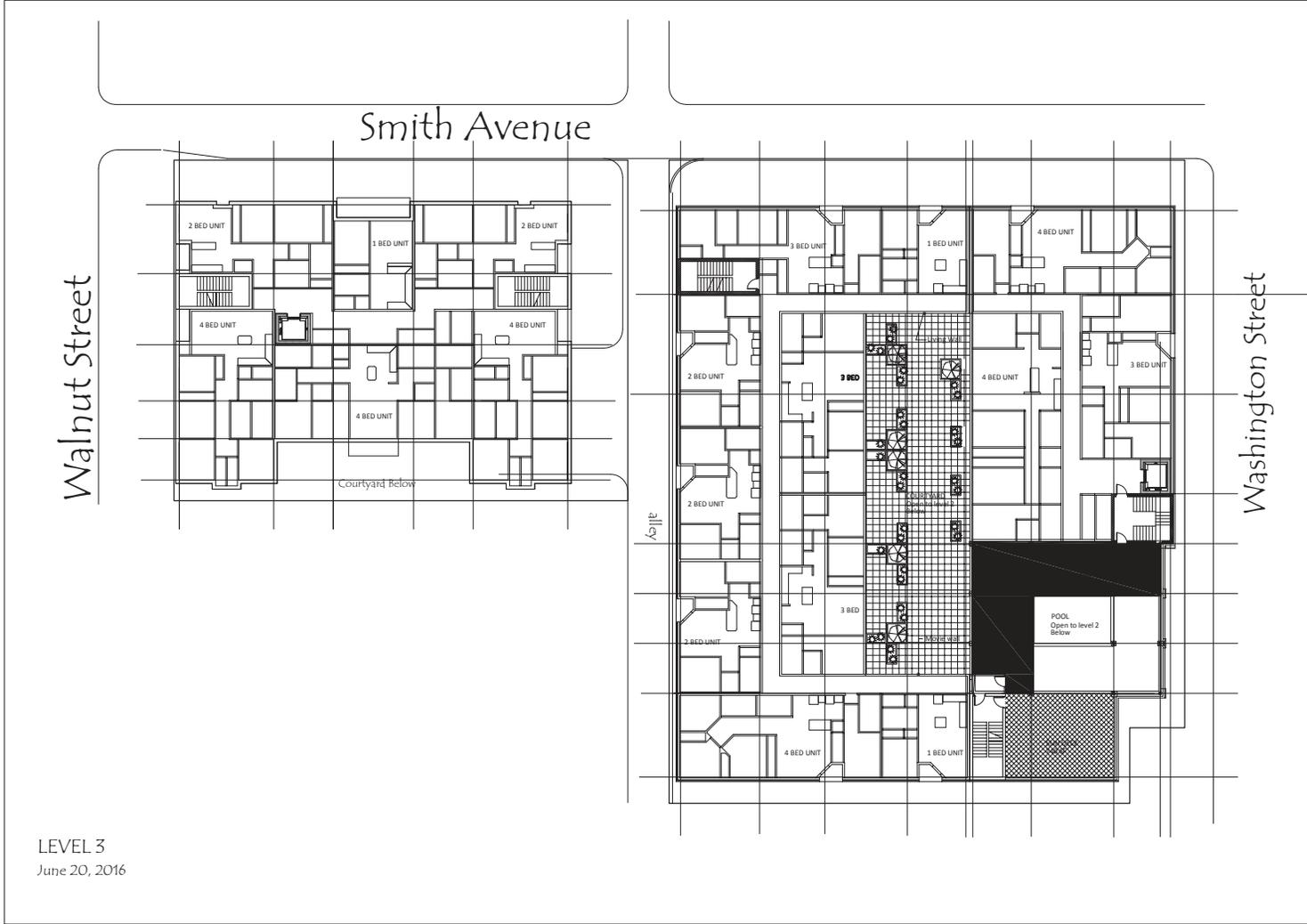
1 STREET LEVEL FLOOR PLAN
 A3 1/32" = 1'-0"



LEVEL 2
June 20, 2016

1 LEVEL 2 FLOOR PLAN
A4 1/32" = 1'-0"

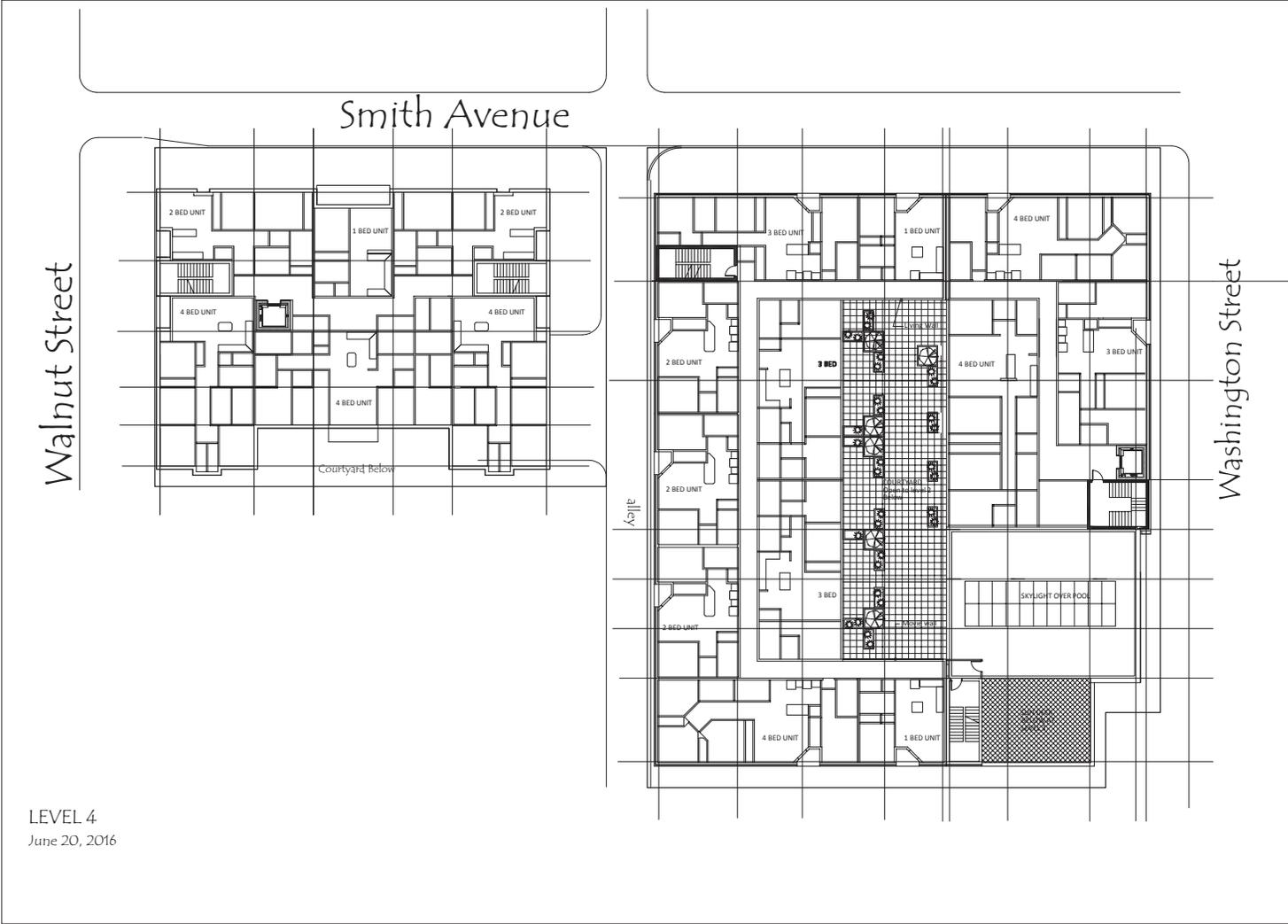
<p>Mixed Use Development 403 S. Walnut Street 404 S. Washington Street BLOOMINGTON, IN</p>		<p>DATE 6/20/2016</p>	<p>CERTIFICATION</p>	<p>SHEET DESCRIPTION LEVEL 2 FLOOR PLANS</p>
		<p>REVISIONS</p>		<p>SHEET NUMBER A5</p>
		<p>PROJECT NO. 15069</p>		
<p>STUDIO THREE DESIGN</p> <p>www.studiodesign.net 117 E. 12th Ave. Bloomington, IN 47404</p>				



LEVEL 3
June 20, 2016

1 LEVEL 3 FLOOR PLAN
A5 1/32" = 1'-0"

<p>STUDIO THREE DESIGN www.studiodesign.net 117 872-1128 fax 1000 Westmoreland Place, Suite 100 Bloomington, IN 47403</p>		<p>Mixed Use Development 403 S. Walnut Street 404 S. Washington Street BLOOMINGTON, IN</p>		<p>DATE 6/18/2016</p>	<p>CERTIFICATION</p>	<p>SHEET DESCRIPTION LEVEL 3 FLOOR PLANS</p>
		<p>REVISIONS</p>	<p>PROJECT NO. 15069</p>			<p>SHEET NUMBER A6</p>



LEVEL 4
June 20, 2016

1 LEVEL 4 FLOOR PLAN
A6 1/32" = 1'-0"

<p>SHEET DESCRIPTION LEVEL 4 FLOOR PLANS</p>		<p>CERTIFICATION</p>	
<p>DATE 6/18/2016</p>	<p>REVISIONS</p>	<p>PROJECT NO. 15069</p>	
<p>Mixed Use Development 403 S. Walnut Street 404 S. Washington Street BLOOMINGTON, IN</p>			
		<p>www.studiodesign.com 117 E. 12th St. Bloomington, IN 47404</p>	



1 North Elevation - Bldg 1
A8 1/16" = 1'-0"

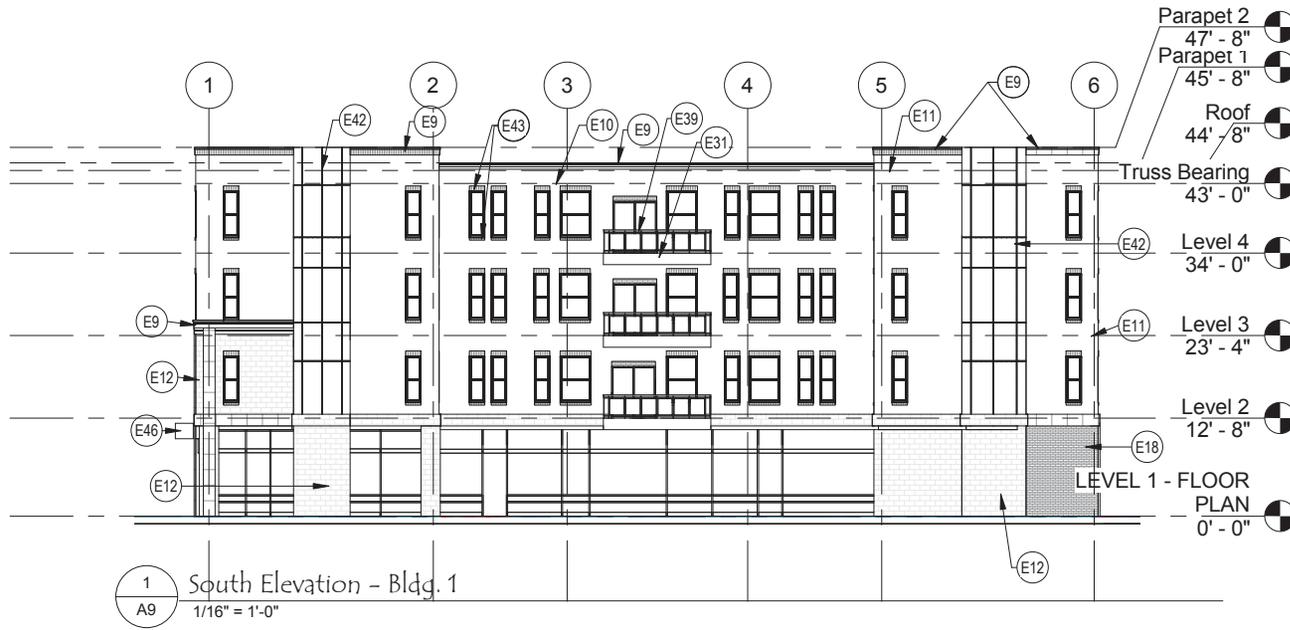


2 West Elevation - Bldg. 1
A8 1/16" = 1'-0"

EXTERIOR ELEVATION...

- E8 VENEER BRICK, RED
- E9 BRICK VENEER SOLDIER COURSE, TAN
- E10 BRICK VENEER ROWLOCK SILL, DARK TAN
- E11 BRICK VENEER, TAN
- E12 ROUGH LIMESTONE BLOCK - LIGHT BEIGE
- E13 SMOOTH LIMESTONE BLOCK - LIGHT BEIGE
- E17 6" REVEAL FIBER CEMENT LAP SIDING - LIGHT BROWN
- E18 BRICK VENEER, DARK GRAY/BROWN
- E21 STEEL RAILING SYSTEM, SEE DETAILS ON SHEET A400, PAINTED FINISH.
- E27 METAL PARAPET - GRAY
- E31 CONCRETE BALCONY
- E39 GLASS AND STEEL RAILING SYSTEM AT BALCONY
- E42 METAL PANEL SYSTEM - LIME RICKEY COLOR, 1 INCH REVEALS
- E43 BRICK HEADER/SILL, SOLDIER COURSE - DARK TAN BRICK
- E44 BRICK HEADER/SILL, SOLDIER COURSE - DARK RED BRICK
- E45 CITY PLANTER
- E46 CHOCOLATE MOOSE SIGNAGE
- E47 BUILDING SIGNAGE - STANDOFF LETTERS
- E48 BIKE RACKS
- E49 AREA FOR STREET FURNITURE
- E50 SPANDREL GLASS - LIME RICKEY
- E51 TRANSFORMER
- E52 LIMESTONE VENEER BASE
- E53 METAL AWNING SYSTEM
- E54 RETRACTABLE/ROLL UP WINDOWS
- E55 LIMESTONE WATER TABLE
- E56 LIMESTONE BANDING
- E57 ART DISPLAY
- E58 WALL ART
- E59 INSET BRICK, MEDIUM RED
- E60 EXTERIOR LIGHT FIXTURE

PROJECT NO. 15069	DATE 6/27/2016	SHEET DESCRIPTION Exterior Elevations - Bldg 1. - 403 Walnut
PROJECT NO. 15069		DATE 6/27/2016
SHEET NUMBER A8		
403 S Walnut & 404 S Washington Urban Station BLOOMINGTON, IN		
		



EXTERIOR ELEVATION...

- E8 VENEER BRICK, RED
- E9 BRICK VENEER SOLDIER COURSE, TAN
- E10 BRICK VENEER ROWLOCK SILL, DARK TAN
- E11 BRICK VENEER, TAN
- E12 ROUGH LIMESTONE BLOCK - LIGHT BEIGE
- E13 SMOOTH LIMESTONE BLOCK - LIGHT BEIGE
- E17 6" REVEAL FIBER CEMENT LAP SIDING - LIGHT BROWN
- E18 BRICK VENEER, DARK GRAY/BROWN
- E21 STEEL RAILING SYSTEM, SEE DETAILS ON SHEET A400, PAINTED FINISH.
- E27 METAL PARAPET - GRAY
- E31 CONCRETE BALCONY
- E39 GLASS AND STEEL RAILING SYSTEM AT BALCONY
- E42 METAL PANEL SYSTEM - LIME RICKEY COLOR, 1 INCH REVEALS
- E43 BRICK HEADER/SILL, SOLDIER COURSE - DARK TAN BRICK
- E44 BRICK HEADER/SILL, SOLDIER COURSE - DARK RED BRICK
- E45 CITY PLANTER
- E46 CHOCOLATE MOOSE SIGNAGE
- E47 BUILDING SIGNAGE - STANDOFF LETTERS
- E48 BIKE RACKS
- E49 AREA FOR STREET FURNITURE
- E50 SPANDREL GLASS - LIME RICKEY
- E51 TRANSFORMER
- E52 LIMESTONE VENEER BASE
- E53 METAL AWNING SYSTEM
- E54 RETRACTABLE/ROLL UP WINDOWS
- E55 LIMESTONE WATER TABLE
- E56 LIMESTONE BANDING
- E57 ART DISPLAY
- E58 WALL ART
- E59 INSET BRICK, MEDIUM RED
- E60 EXTERIOR LIGHT FIXTURE

SHEET NUMBER

A9

SHEET DESCRIPTION

Exterior Elevations
- Bldg. 1 - 403
Walnut

PROJECT NO.

15069

DATE

6/27/2016

403 S Walnut & 404 S Washington

Urban Station

BLOOMINGTON, IN





1 North Elevation - Bldg. 2
1/16" = 1'-0"

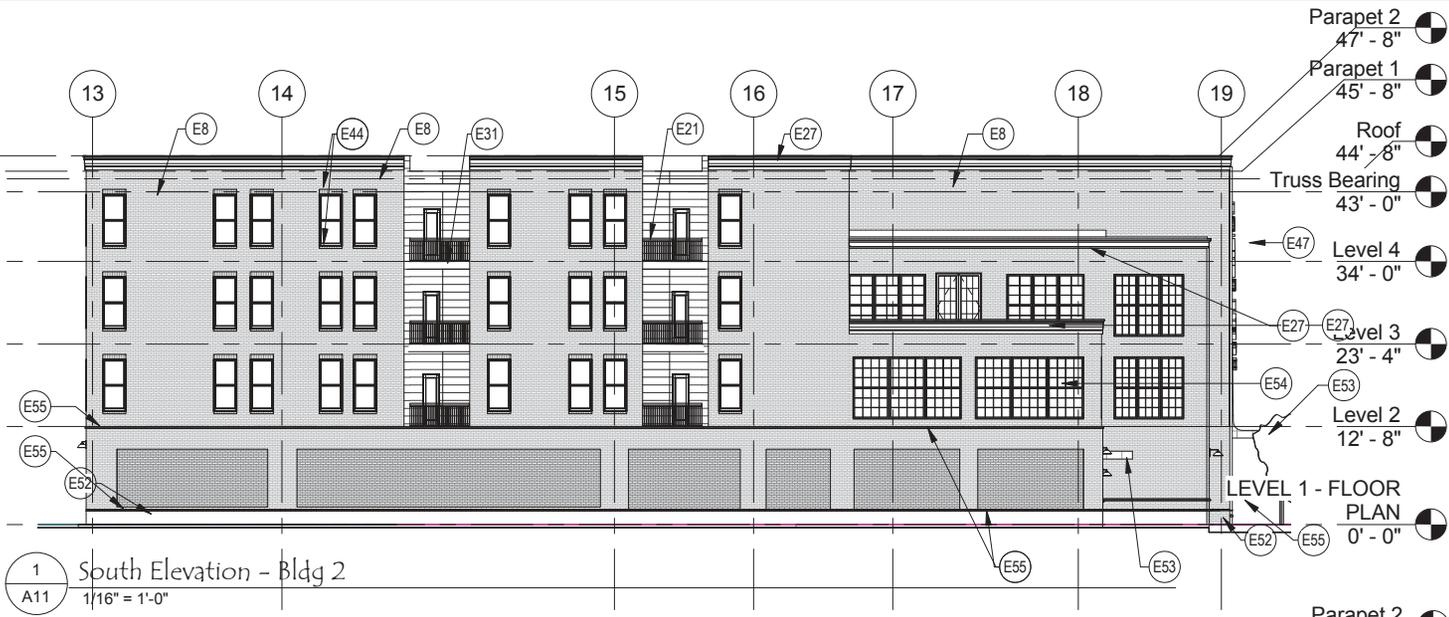


2 West Elevation (alley) - Bldg. 2
1/16" = 1'-0"

EXTERIOR ELEVATION...

- E8 VENEER BRICK, RED
- E9 BRICK VENEER SOLDIER COURSE, TAN
- E10 BRICK VENEER ROWLOCK SILL, DARK TAN
- E11 BRICK VENEER, TAN
- E12 ROUGH LIMESTONE BLOCK - LIGHT BEIGE
- E13 SMOOTH LIMESTONE BLOCK - LIGHT BEIGE
- E17 6" REVEAL FIBER CEMENT LAP SIDING - LIGHT BROWN
- E18 BRICK VENEER, DARK GRAY/BROWN
- E21 STEEL RAILING SYSTEM, SEE DETAILS ON SHEET A400, PAINTED FINISH.
- E27 METAL PARAPET - GRAY
- E31 CONCRETE BALCONY
- E39 GLASS AND STEEL RAILING SYSTEM AT BALCONY
- E42 METAL PANEL SYSTEM - LIME RICKEY COLOR, 1 INCH REVEALS
- E43 BRICK HEADER/SILL, SOLDIER COURSE - DARK TAN BRICK
- E44 BRICK HEADER/SILL, SOLDIER COURSE - DARK RED BRICK
- E45 CITY PLANTER
- E46 CHOCOLATE MOOSE SIGNAGE
- E47 BUILDING SIGNAGE - STANDOFF LETTERS
- E48 BIKE RACKS
- E49 AREA FOR STREET FURNITURE
- E50 SPANDREL GLASS - LIME RICKEY
- E51 TRANSFORMER
- E52 LIMESTONE VENEER BASE
- E53 METAL AWNING SYSTEM
- E54 RETRACTABLE/ROLL UP WINDOWS
- E55 LIMESTONE WATER TABLE
- E56 LIMESTONE BANDING
- E57 ART DISPLAY
- E58 WALL ART
- E59 INSET BRICK, MEDIUM RED
- E60 EXTERIOR LIGHT FIXTURE

PROJECT NO. 15069	DATE 6/27/2016	SHEET DESCRIPTION Exterior Elevations - Bldg 2. - 404 S. Washington
405 S Walnut & 404 S Washington		SHEET NUMBER A10
Urban Station		BLOOMINGTON, IN



1 South Elevation - Bldg 2
A11 1/16" = 1'-0"



2 East Elevation - Bldg 2
A11 1/16" = 1'-0"

EXTERIOR ELEVATION...

- E8 VENEER BRICK, RED
- E9 BRICK VENEER SOLDIER COURSE, TAN
- E10 BRICK VENEER ROWLOCK SILL, DARK TAN
- E11 BRICK VENEER, TAN
- E12 ROUGH LIMESTONE BLOCK - LIGHT BEIGE
- E13 SMOOTH LIMESTONE BLOCK - LIGHT BEIGE
- E17 6" REVEAL FIBER CEMENT LAP SIDING - LIGHT BROWN
- E18 BRICK VENEER, DARK GRAY/BROWN
- E21 STEEL RAILING SYSTEM, SEE DETAILS ON SHEET A400, PAINTED FINISH.
- E27 METAL PARAPET - GRAY
- E31 CONCRETE BALCONY
- E39 GLASS AND STEEL RAILING SYSTEM AT BALCONY
- E42 METAL PANEL SYSTEM - LIME RICKEY COLOR, 1 INCH REVEALS
- E43 BRICK HEADER/SILL, SOLDIER COURSE - DARK TAN BRICK
- E44 BRICK HEADER/SILL, SOLDIER COURSE - DARK RED BRICK
- E45 CITY PLANTER
- E46 CHOCOLATE MOOSE SIGNAGE
- E47 BUILDING SIGNAGE - STANDOFF LETTERS
- E48 BIKE RACKS
- E49 AREA FOR STREET FURNITURE
- E50 SPANDREL GLASS - LIME RICKEY
- E51 TRANSFORMER
- E52 LIMESTONE VENEER BASE
- E53 METAL AWNING SYSTEM
- E54 RETRACTABLE/ROLL UP WINDOWS
- E55 LIMESTONE WATER TABLE
- E56 LIMESTONE BANDING
- E57 ART DISPLAY
- E58 WALL ART
- E59 INSET BRICK, MEDIUM RED
- E60 EXTERIOR LIGHT FIXTURE

PROJECT NO. 15069	DATE 6/27/2016	SHEET DESCRIPTION Exterior Elevations - Bldg 2. - 404 S. Washington
405 S Walnut & 404 S Washington		SHEET NUMBER A11
Urban Station BLOOMINGTON, IN		



West Bldg. - Northwest Corner

SHEET NUMBER

A12

SHEET DESCRIPTION

Northwest Corner
Rendering - Bldg 1
- 403 S. Walnut

PROJECT NO.

15069

DATE

6/27/2016

403 S Walnut & 404 S Washington

Urban Station

BLOOMINGTON, IN





Walnut st. - West Bldg. - Southwest Corner

SHEET NUMBER

A13

SHEET DESCRIPTION

Southwest Corner
 Rendering - Bldg. 1
 - 403 S Walnut

PROJECT NO.
 15069

DATE
 6/27/2016

403 S Walnut & 404 S Washington

Urban Station

BLOOMINGTON, IN





East Bldg. - Northeast Corner

SHEET NUMBER

A14

SHEET DESCRIPTION

Northeast Corner
Rendering - Bldg 2
- 404 S Wash.

PROJECT NO.

15069

DATE

6/27/2016

405 S Walnut & 404 S Washington

Urban Station

BLOOMINGTON, IN





East Bldg. - Southeast Corner

SHEET NUMBER

A15

SHEET DESCRIPTION

Southeast Corner
 Rendering - Bldg 2
 - 404 S Wash.

PROJECT NO.

15069

DATE

6/27/2016

405 S Walnut & 404 S Washington

Urban Station

BLOOMINGTON, IN





Smith St. - Alley

SHEET NUMBER

A16

SHEET DESCRIPTION

Alley Rendering -
Smith st - Bldgs. 1
& 2

PROJECT NO.

15069

DATE

6/27/2016

403 S Walnut & 404 S Washington

Urban Station

BLOOMINGTON, IN





East Bldg. - Interior Courtyard - Greenwall



405 S Walnut & 404 S Washington
Urban Station
BLOOMINGTON, IN

PROJECT NO.
15069
DATE
6/27/2016

SHEET DESCRIPTION
**Courtyard/Greenwall
Rendering - 404 S.
Washington**

SHEET NUMBER
A17



1 AERIAL - SOUTHEAST CORNER
A18

SHEET NUMBER

A18

SHEET DESCRIPTION

AERIAL

PROJECT NO.

15069

DATE

6/27/2016

405 S Walnut & 404 S Washington

Urban Station

BLOOMINGTON, IN





1
A19

AERIAL - SOUTHWEST CORNER

SHEET NUMBER
A19

SHEET DESCRIPTION
AERIAL

PROJECT NO.
15069

DATE
6/27/2016

405 S Walnut & 404 S Washington
Urban Station
BLOOMINGTON, IN





1
A20 AERIAL - NORTHEAST CORNER

SHEET NUMBER
A20

SHEET DESCRIPTION
AERIAL

PROJECT NO. 15069	DATE 6/27/2016
-----------------------------	--------------------------

405 S Walnut & 404 S Washington
Urban Station
BLOOMINGTON, IN





East Bldg. - Smith St. Looking West

SHEET NUMBER

A21

SHEET DESCRIPTION

Smith Ave
Rendering

PROJECT NO.

15069

DATE

6/27/2016

405 S Walnut & 404 S Washington

Urban Station

BLOOMINGTON, IN





Aerial View

SHEET NUMBER

A22

SHEET DESCRIPTION

Aerial View -
Google Earth

PROJECT NO.

15069

DATE

6/27/2016

405 S Walnut & 404 S Washington

Urban Station

BLOOMINGTON, IN





Washington St Entrance - Bldg 2

SHEET NUMBER

A23

SHEET DESCRIPTION

Washington St
Entrance

PROJECT NO.

15069

DATE

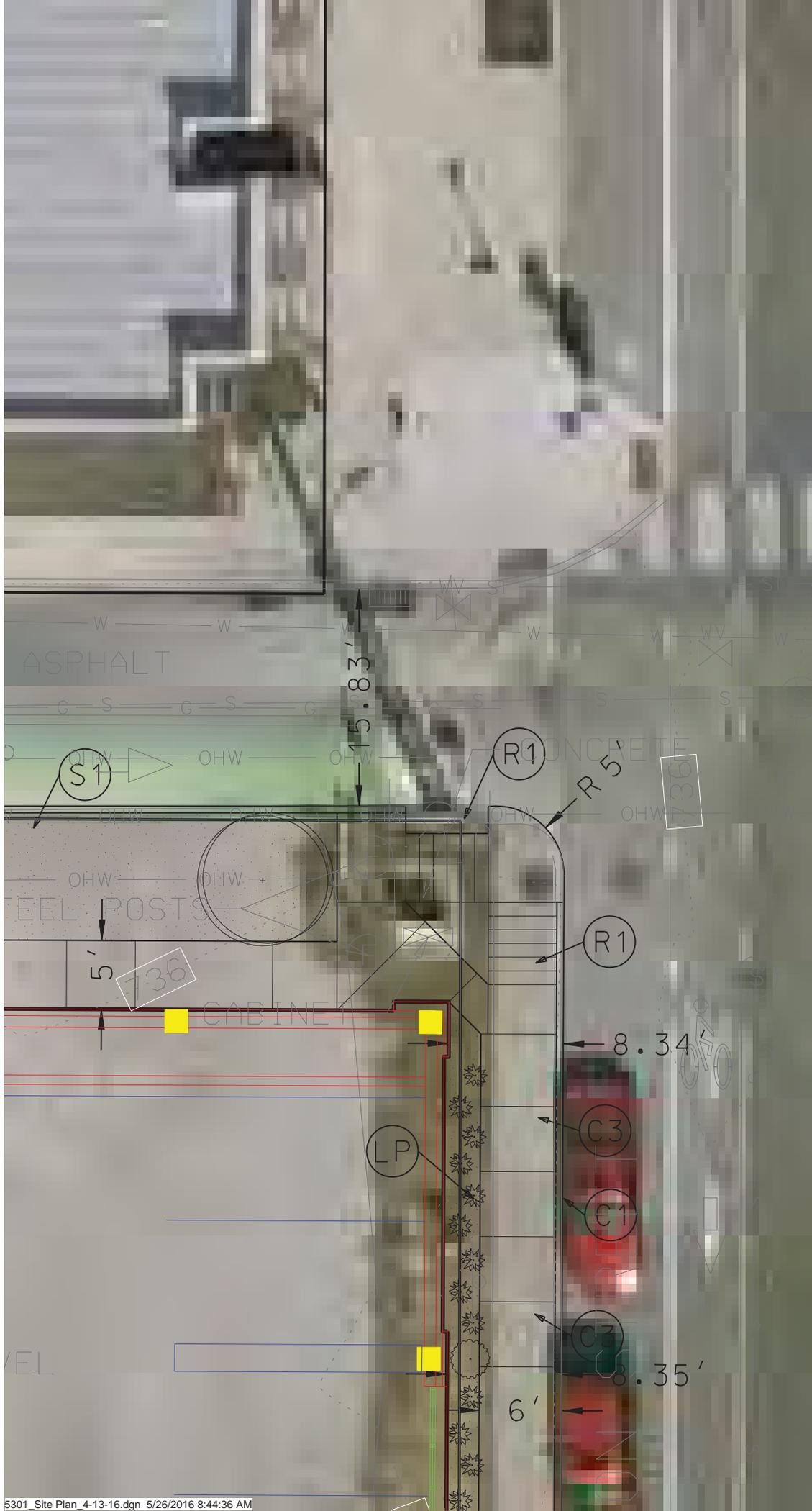
6/27/2016

405 S Walnut & 404 S Washington

Urban Station

BLOOMINGTON, IN











the project school

heart | mind | voice

349 south walnut street
bloomington in 47401

May 2, 2016

Monroe County Commissioners:

My name is Catherine Diersing and I am the School Leader of The Bloomington Project School. The Project School, also known as TPS, occupies the building that is owned by Bloomington Parks and Recreation at 349 South Walnut Street. In June of 2009, upon the signing of our long-term lease, we began a complete renovation of the 13,000 square feet of what was a facility in need of tremendous work. School began in this space in August 2009, with work continuing on the renovation well into the fall. Construction began again in spring of 2010 that involved the addition of 9,000 square feet, resulting in 2.2 million dollars worth of improvements.

As has been the case since TPS was planned, the *vision* of The Project School is to eliminate the predictive value of race, class, gender, and special abilities on student success in our school and in our community by working together with families and communities to ensure each child's success. The *mission* of The Project School is to uncover, recover, and discover the unique gifts and talents that each child brings to school every day. Our school works collaboratively with families, community members, and social service agencies to solve real problems. Students graduate from The Project School as stewards of the environment with the will, skill, capacity, and knowledge to contribute to the greater good.

In a meeting on April 28 with Steven Hoffman, one of the developers of the proposed property at 401-407 S. Walnut Street, 114 and 118 1/2 Smith, and 404 S. Washington Street, he shared that he sees the renovation of 349 S. Walnut Street, The Project School, to be the start of the rehabilitation of this area. We agree. In 2011, The Project School received a Downtown Revitalization Award from Downtown Bloomington.

We are proud of the work that we have done to create a school that is a valued addition to the educational landscape of Monroe County. For the 2015-16 school year, TPS served 277 students, which is our capacity, with a waiting list of ~ 300 for the 2016-17 school year. Based on these numbers alone, it is clear that there is a need and desire for what we offer to the community. The on-going desire for what TPS offers is a compelling story to consider a second site, with the greatest challenge being an affordable facility. We draw approximately 200 families to the area every Monday through Friday, August-June, bringing increased pedestrian and bike traffic to the local businesses. Whether you are a mathematician or not, you know that school + ice cream store = increased business and good news.

We look forward to working collaboratively as good neighbors to ensure that we will meet the needs of both organizations. While on the surface, HM Mac Development LLC and The Project School are serving very different purposes, we are both organizations that involve long-term residents of Bloomington who want the best for our community. To this end, TPS would like to express support for multiple elements of the proposed projects, as well as request changes for additional components. We thank you in advance for your consideration.

TPS supports the following:

- The request from HM Mac to build 12 feet back from the property line is of critical importance. This should allow for some natural light to still enter the school, a significant issue if a four story building were built on the property line. While we recognize that the height of this new structure will have some negative impact on the current natural light, it will be mitigated significantly by the proposed building setback.
- The inclusion of a minimum 5-ft. wide sidewalk to the north of both structures. This sidewalk would enhance the safety of TPS pedestrians. In addition, any landscaping/streetscaping for this area would be an addition that could encourage the neighborhood feel and, ideally, the slowing of traffic.
- The commitment of HM Mac to have 24-hour staff available to address any issues that might occur is recognized as a benefit. At times, the collegiate culture and that of a K-8 school can be in culture conflict in terms of what is seen and heard. Mr. Hoffman and I discussed the development of a welcome letter that will support the new residents in understanding our hopes related to how we can be good neighbors to each other.
- The plan for the living wall and the art installations as avenues to collaborate on an

on-going basis. In the 4/28 meeting, Mr. Hoffman stated interest in having TPS students and staff involved in both elements of the new properties. This has the capacity to be an exciting extension of the work that we do as a school committed to arts infusion and sustainability.

TPS asks for consideration of the following:

- TPS requests that either the alley access from the parking garage be eliminated or arranged to exit exclusively to the south. Exiting to the north serves as a significant safety issue for the 277 students and families served by TPS. An exit that can only go south partially addresses this issue, whereas an elimination of this exit would fully eliminate the problem. On 4/28, Mr. Hoffman stated support for, at a minimum, the request of a south only exit. Ideally, there would be no alley entry or exit. In the same meeting w/ Mr. Hoffman, a request of the appropriate department in the City of Bloomington to make the entire alley one-way south was discussed. This proposal would have strong support from TPS.
- TPS is asking for a conversation with whomever is appropriate in the City to discuss some possible solutions to address the issues of parking that will emerge due to the building projects. TPS is attempting to work with another neighbor for trash disposal in an effort to increase available parking in the lot that will remain. In addition, Mr. Hoffman agreed to allow TPS to lease eight (8) parking spaces for the same amount that we currently pay Doran May for the 14 spaces for 10 months a year. Through these, TPS will be close to the spaces needed for staff parking; however, the need for family parking becomes much more critical and challenging as a result of this project. The hope is that TPS leadership could enter into a discussion with the city for consideration of parking solutions, especially from 3:20-3:45 p.m., the window of school dismissal.
- TPS requests on-going, timely communication for information related to the construction of the building. In addition, consideration of traffic that must occur Monday-Friday 7:40-8:05 a.m. and 3:20-3:45 p.m. is hopeful in order to ensure student safety. In addition, we look forward to working together to deal with the challenges that might arise due to construction noise and mess. As a school, there are likely to be needs that are school specific.
- TPS recognizes a strong need for additional signage from the City to indicate a school

zone on Smith and the fact that Smith is a one-way street. The signage currently in this area is woefully insignificant and will be even more so when construction begins and once tenants are residing (and their guests are visiting) in the new construction.

- TPS hopes to participate in a discussion involving the consideration of angled parking (such as the parking seen on the corner of Henderson and Hillside) on Walnut Street. This would add already much needed additional parking that will be significantly more crucial with the loss of current parking.

Respectfully submitted,

Catherine Diersing
School Leader
The Project School

Monroe County Commissioners,

Let me introduce myself, I have been a resident of Bloomington for 20 years now and a Project School parent for the past five years. I will continue to have children that attend The Project School for the next decade.

I have been watching the Bloomington landscape change as more and more apartment buildings fill our town. I'm afraid we are losing so much of this town's unique character with each of these new apartment complexes.

I attended the May 2nd meeting on the Chocolate Moose Apartment proposal and I want to urge the planning commissioners to please reconsider your initial stance on the 4th story set back ordinance.

This building project seems to be just the type of project for which the ordinance was created. The streets surrounding the project are all very narrow. The neighboring buildings are all at least one story less than the proposed project's height. I urge you to consider why this step back ordinance is in place. As I understand it, this is the type of project this ordinance was intended for! The new proposed buildings will dominate the space, especially considering the surrounding narrow roadways. Pedestrian walkways will have to be created. The 4th story step back is intended to reduce just that type of overwhelming, crowded street feeling that a building of the proposed height and girth will create. This ordinance can also help to keep the unique feel that Bloomington has come to be known for.

I think it is important to note the the plan renderings are not to scale, making it appear that a neighboring 3 story building (the school) will be approximately the same height as their 4 story building. But the reality is that it will dominate all of the buildings around it.

One possible solution that may also satisfy other concerns of the planning commission, is that the 4th story, with a step-back, could be configured with smaller 1-2 bedroom units, so the developers do not lose the number of units they need to accommodate.

If the 4th story step-back ordinance is upheld, I believe the over-whelming size of the building will be tempered, perhaps even letting some sunlight continue to reach the neighbors that will be in the new buildings shadow.

Pedestrian safety is also a concern I've heard many parents express. A south only traffic exit on the west side of the building would help address that concern.

I really appreciate the 12 foot pedestrian space that is already planned on the North side and want to thank the project planners for already including that.

I hope my concerns and suggestions are taken in the spirit they are intended. To help create a vibrant, welcoming Bloomington for everyone that uses this downtown space right now and in the future.

Thank You,
Carmela Senior-Euhl



Jacqueline Scanlan <scanlanj@bloomington.in.gov>

Fwd: [Planning] 6/6/16 meeting comments

Jacqueline Scanlan <scanlanj@bloomington.in.gov>
To: Jacqueline Scanlan <scanlanj@bloomington.in.gov>

Thu, Jun 9, 2016 at 9:07 AM

——— Forwarded message ———

From: **BSE** <ammasav@gmail.com>
Date: Thu, Jun 9, 2016 at 3:31 AM
Subject: [Planning] 6/6/16 meeting comments
To: planning@bloomington.in.gov

Hello Planning Commissioners,

As a 65+ resident of Blgth, I have great pride and interest in development, specifically architectural elements that enhance aesthetics and offer a healthier component to living in this incredible city. Your council is a great and I appreciate all that you do on a regular basis.

I was disappointed in the Kirkwood boutique outcome and approval because there was an audience of residents who opposed the project. I was not happy with your efforts on the project and stopped watching your meetings for several months as a result.

I will respond to the May & June meetings since I strongly object to the Smith Avenue two building petitioners lack of flexibility and persistent reference to economics.

The location is totally inappropriate for more than efficiency or one bedroom apartments.

The traffic is so high on South Washington due to the park, Middleway, police, bus station and most importantly one of our most prized possession ..The Project School and all the future leaders it is educating.

The sidewalk variety of width, street parking options and limitations and the right hand turn onto Smith Ave being restricted are reason to avoid any residential housing in that block that would draw student populations.

Nothing has ever been mentioned about the threat of four bedroom party apartments across the street from the single mothers and children from abusive homes trying to make a new start while living at the Rise, a locked, gated complex attempting to house and rehabilitate women and children from abusive or abandoned homes.

You

A party complex with a swimming pool is a magnet for drunks, and a noisy component for what that area of Washington which was designed as a quiet step up and out of the Middleway safe house, next to the protection of the police and a park.

What restless student from the Project School is not going to be attracted to someone smoking weed on a balcony above Smith Avenue or slipping into the swimming pool when they hear laughter.

It's insane to argue over width of sidewalks and tree space, lighting on poles or on the building, especially when you are building a complex that does not fit the need for all existing businesses.

If the petitioner would see the benefit of filling their building with dozens of efficiencies and studio apartments designed for seniors over 50 with incomes under \$35,000, mostly retired, these aging residents would create a nest of beneficial mentors to support and volunteer for the area school and nearby social services. There would be very little turnover. The first floor on Washington could be the money maker and be commercial small businesses, a book store, a comic book store, a bistro, coffee shop, a yarn shop, small independent grocers and convenient stores to support the residents above. Assume that only half the residents have cars and use transit daily, then rent spaces to teachers and administrators at the Project school if residents don't need space.

Stop the idea of a swimming pool and increase the volume is studio apartments. Furnish them all with green modular furniture, Murphy beds, all electric units with one piece kitchenettes, walk in showers for handicapped, and each apartment could bring in \$400-600 per month. For every four bedroom apartment you could get at least 3 nice sized studio or efficiency units under 600 sq ft.

Another through, would the petitioner create the space designated as the second building as a new building for the Project School, which would reduce all safety issues for drop off and pick up kids to to one way traffic on Washington, in exchange for the building the Project School is currently housed.

Then Let the petitioner build a new 4 story school on Washington and then remodel the current School into their apartment building, opening on Walnut, with only saunas and yoga and workout rooms, apartments no bigger than 2 Bedroom and for quiet limited to over 21 and graduate students. This scholarly complex could have high end simple appliances and be geared to only having auto spaces for electric cars and motor scooters, more appropriate for down town. These apts could have green modular fully furnished with Murphy beds and they would draw an Asian population of graduate students. There is money in designing apartments for Asian communities, especially if they use Feng Shui principles. To

Now...for comments on Dunn Hill/ Regency presentation. So much more reasonable, flexible, forward thinking group.....but traffic is horrendous at 17th and Dunn, -7th is narrow from Dunn to Walnut, busses ha ve trouble turning, the C store has the nicest East Indian family working their hearts out to provide hot tasty carry out breakfast, lunch and dinners and to dwarf them is criminal. Embrace them.

Solutions

1) Put round about at 17th and Dunn which would require massive grading but make that SO much safer for everyone by bringing the grade of the corner of the stadium lot to 17th street level to accommodate a roundabout for busses and pedestrian traffic. Create one wide lane round with giant circular central concrete center for jay walking pedestrians and every 2-3 minutes stop all traffic for pedestrian scramble.

2) 'Make Grant one lane one way heading north and incorporate the green space. No exits onto 17th from Grant only exit to 18th.

3) Regency should consider building their food court concept at the south east end of their property to honor their C Store neighbor, by creating four stories of step back terraces of bistros, each story with outdoor seating and create terraces of international village of foods and house wares,cooking store, from all over the world. Regency would benefit to offer to triple the entrance to the C store parking lot to become one of their main entrances to accommodate their pedestrian residents entrance and allow a food truck concept. A giant wide set of steps should lead from the complex terraces to the C store. This would be seen as a gesture of open commerce, supporting diversity and honor the ever popular C Store that has served the stadium traffic 40+ years.

4) as for the 6 story Northeast corner of the complex, make it into the "tower of tiny" spaces ...create compact so aces with efficiency, sleeping lofts, one open Euro bathroom shower, stool and sink all with one floor drain. Use tiny home concepts and see if these don't become great demand. Less to clean, no room to party, forces one to go out into the community and enjoy a game of chess on the terraces or volleyball with other residents.

Best regards....hope you find these ideas helpful

Barbara Edmonds
812-333-8879

—

Emily Avers

Planning Assistant

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:averse@bloomington.in.gov



MEMORANDUM

To: Common Council Members
CC: City Legal Department
From: Linda Williamson, Jason Carnes
Date: June 20, 2016
RE: **Council Resolutions 16-__ and 16-__ ; and Ordinance 16-__**
 Real Property Tax Abatement Application
 H.M. Mac Development, LLC - 405 S. Walnut Street; 114, 118 & 120 E. Smith
 Avenue; 404 S. Washington Street.

H.M. Mac Development, LLC is a Bloomington-based property management and development company. They have residential and commercial developments in the downtown and surrounding area. They are seeking to redevelop property they own at 405 S. Walnut Street; 114, 118 & 120 E. Smith Avenue; and 404 S. Washington Street into two 4-story, mixed use buildings with commercial and multifamily components. The property is owned by H.M. Mac Development, LLC. The principal is Steven Hoffman.

These buildings will include five workforce housing units (3 1-BR units and 2 2-BR units). In order to qualify for the workforce housing units, the workforce housing resident (“Resident”) must hold a full time job (constituting at least thirty five hours per week), and must make less than or equal to the Bloomington Living Wage (which is currently \$12.32 / hour, or approximately \$25,600 per year). The Resident must provide documentation supporting these criteria to H.M. Mac Development, LLC upon request. Rent for the Resident will be based on thirty percent (which is the average percent of income that is used for housing) of the annual wages, which equates to \$7,688 per year, or \$641 per month for a 1-BR unit or \$1,282 per month for a 2-BR unit. H.M. Mac Development, LLC will be required to provide rent and income documentation to the City on an annual basis.

H.M. Mac Development, LLC proposes to demolish the current 5 structures and construct two buildings. Building 1 will have approximately 7,000 square feet of non-residential space (whose primary tenant will be the Chocolate Moose Ice Cream shop) with 2 parking spaces on the first floor. The second through fourth floors will have 18 residential units (nine 4-BR units, five 2-BR units, and four 1-BR units = 50-BRs total).

Building 2 will have basement and first floor parking (87 spaces). The second through fourth floors will have 36 residential units (nine 4-BR units, twelve 3-BR units, nine 2-BR units, and six 1-BR = 96-BRs total). On the second floor, a central courtyard will be developed. The south facing wall will contain a living wall and the lower portion of the north wall will provide a smooth surface for movie projection within the courtyard (not viewable from the

street). The second floor will include a pool deck that has a two story interior. The windows in this area can be opened up in the summer to both the courtyard and to Washington Street for air movement to create an indoor/outdoor environment. The third floor will contain a workout room that overlooks the pool area but remains enclosed for temperature control year round. The third floor will also open to a sun deck that sits in the Southeast corner. All in all the building will create a series of indoor and outdoor activity zones for a unique downtown living experience.

The Administration supports the property owner's application for tax abatement, specifically a 5-year phased-in of taxes on the capital improvements to real property. On June 15, 2016 the Economic Development Commission (EDC) approved Resolution 16-01 (EDTA Designation) and 16-02 (Real Property Abatement). The EDC recommends approval of this tax abatement request.

Criteria: City of Bloomington Tax Abatement General Standards

Capital Investment as an enhancement to the tax base

Total project costs will be approximately \$11.5 million. Current tax liability for the subject properties is just under \$13,504.10 annually. Based on project estimates, the new tax liability (without an abatement) would be \$237,349.00 annually.

The subject property is located within the City's Consolidated Economic Development Area ("Consolidated TIF") which is an area targeted by the City for redevelopment. The project is aligned with development objectives of Economic Development Area Plan (or "Downtown TIF Plan") adopted in 1985 and amended in 2010 and again in 2015, such as:

- "Strengthen and intensify existing land uses within the area so that density is supported in the urban core, with particular focus on ensuring greater employment opportunities, diverse mixes of retail and upper story residential, greater usage of vacant and underutilized buildings, and new infill development."
- "Construct new and renovated housing units within the area that support a diverse mix of housing types, and are within easy walking distance of the employment, retail, entertainment, financial, cultural, educational and governmental centers of the city."

Evaluative Criteria

The City's Tax Abatement General Standards describe additional criteria to evaluate whether a project will make "a significant positive contribution to overall economic vitality" of the city. Four categories are outlined as examples, and the petitioner may provide supportive evidence for how their project addresses any or all of the evaluative criteria, and may also offer a description of the project's contributions outside of these four categories as the petitioner deems appropriate. A summary of the application's listed categories and Staff assessments are below. Please also refer to the petitioner's application, which has been included in your packet.

- **Quality of Life/Environmental Sustainability:** The mixed use project supports sustainable development and sustainable living in the most primary of ways by adding

residential density in the core rather than periphery, allowing residents a daily lifestyle that uses less transportation, infrastructure and energy resources. The buildings will contain many green building practices including “green friendly” building materials, a living wall on the façade of courtyard of Building 2, and Energy Star appliances among other features. The site will also have almost twice the number of spaces required by the municipal code for bike parking.

- **Affordable Housing:** This project will include a recorded deed restriction that requires workforce housing for 30 years. As mentioned above, five units will be designated as affordable housing. Residents must hold a full time job (constituting at least thirty five hours per week), and must make less than or equal to the Bloomington Living Wage (which is currently \$12.32 / hour, or approximately \$25,600 per year). The Resident must provide documentation supporting these criteria to H.M. Mac Development, LLC upon request. Rent for the Resident will be based on thirty percent (which is the average percent of income that is used for housing) of the annual wages, which equates to \$7,688 per year, or \$641 per month for a 1-BR unit or \$1,282 per month for a 2-BR unit.
- **Community Service:** This project will include a community arts space within the building design. This will consist of display cases for community art work. The developer is working with The Project School to use the space to display student art on a rotating basis.
- **Community Character:** H.M Mac Development, LLC will be one of the few companies developing mixed use properties in the South Walnut Street area of downtown. They will tear down 5 small buildings that stayed at that location for years. They intend to construct 2 very attractive mixed use buildings with the hopes of contributing to the community character. Their hope is that other projects of this kind will follow to help create vitality to South Walnut.

Criteria: Indiana Code

Establishing an Economic Revitalization Area and a Term of Abatement

Upon the EDC’s favorable recommendation, the City Council will take the necessary legislative steps to review the abatement. In order for a property to be eligible for tax abatement, it must be designated an Economic Revitalization Area, or must be within an area already designated as an Economic Revitalization Area by the Common Council. An Economic Revitalization Area or “ERA” is an area which has obstacles to “normal development and occupancy because of a lack of development, cessation of growth, deterioration of improvements or character of occupancy, age, obsolescence, substandard buildings, or other factors.” (Indiana Code § 6-1.1-12.1-1)

In order to establish an Economic Revitalization Area and authorize a tax abatement term, the Council must find that:

- The estimate of the value of the redevelopment or rehabilitation is reasonable for the projects of that nature.

- The estimate of the number of individuals who will be employed or whose employment will be retained can be reasonably expected to result from the proposed described redevelopment or rehabilitation.
- The estimate of the annual salaries of these individuals who will be employed or whose employment will be retained can be reasonably expected to result from the proposed described redevelopment or rehabilitation.
- Any other benefits about which information was requested are benefits that can be reasonably expected to result from the proposed described redevelopment or rehabilitation.
- The totality of the benefits is sufficient to justify the deduction.

City staff finds the estimates and benefits described in the Application and on the Statement of Benefits form are reasonable and that the benefits, as outlined in the application packet and this memo, are sufficient to justify a tax abatement of the recommended term and schedule.

ERA in an Allocation Area (TIF district)

Additionally, state law requires that the City Council must approve the taxpayer's Statement of Benefits if the property is also located in an allocation area, such as the Consolidated TIF. The subject location is located within Consolidated TIF.

Rather than a longer term abatement with greater impact to the potential for new Consolidated TIF revenue, staff recommends a five-year abatement term for this project. More details are described below on this term recommendation.

Economic Development Target Area

In general, in order for most types of residential projects to be eligible for abatement, Indiana Code requires Economic Development Target Area designation (I.C. § 6-1.1-12.1-3), and requires a favorable recommendation from the EDC before the Council can designate an EDTA (IC § 6-1.1-12.1-7). An EDTA is property that "has become undesirable or impossible for normal development and occupancy because of a lack of development, cessation of growth, deterioration of improvements or character of occupancy, age, obsolescence, substandard buildings, or other factors that have impaired values or prevent a normal development of property or use of property."

This project's market-rate housing component necessitates an EDTA designation. Staff views the cessation of growth of this property, and the slow redevelopment rate of South Walnut Street, as factors impairing values and preventing normal development and use of the property.

Recommendation & Rationale

With the consideration of all factors outlined above and additional rationale below, staff and the EDC recommends the following term of abatement, with the support of the Administration:

- **Five-year Real Estate (RE) Property Tax Abatement**, phased-in at **100% in Year 1, 80% in Year 2, 60% in Year 3, 40% in Year 4 and 20% in Year 5**. Estimated value based on 2015 tax rates and capital investment estimates: \$712,046.

South Walnut Street has been slower to redevelop than other areas of downtown. In staff's view, that is due to older, obsolete buildings, and aging infrastructure. The retail space when occupied will also activate South Walnut Street. The petitioner has indicated to Staff that a current tenant of the site (Chocolate Moose) is likely to expand their business into most of the retail space upon construction. The project will also create three new part-time employees and two new full-time employees. Total combined annual salaries for those employees will be approximately \$165,000.

Staff also believes that continued investment (private and public) in this area will enhance attractiveness to future private sector investment (such as, for example, potential hotel investment nearby the Convention Center). Staff's recommendation not to exceed a 5-year term is based upon the project being primarily market-rate housing, with a workforce housing component, rather than (for example) affordable housing or a commercial component with specific job creation projections.

The original proposal brought before the EDC was for a 3-year phased-in property tax abatement. The EDC chose to expand that to 5 years. Two reasons for doing this include: using the tax abatement tool to incentive this administration's desire for more affordable housing downtown; and another market rate project in this area received a 3-year tax abatement and the EDC wanted this project to receive more due to its workforce housing component.

We greatly look forward to discussing this project with Council members, and hope you will consider approving the above tax abatements for the Common Council's consideration.

Upon Council approve, the City will negotiate and execute the required Memorandum of Agreement with H.M Mac Development, LLC. This agreement will include clawback provisions (remedies and consequences for noncompliance) related to the benefits stated in the Application and Statement of Benefits (SB-1) forms, and will define other substantial compliance terms though the duration of the tax abatement periods.

Attached:

- Petitioner's City of Bloomington Tax Abatement Application
- Petitioner's Statement of Benefits Form, Real Estate Improvements (SB-1)
- Estimated Property Tax Abatement Calculations, Real Estate Property



**Application for Designation
Revitalization Area (ERA):
Real and/or Personal Property**

City of Bloomington, Indiana
Department of Economic and Sustain:
401 N. Morton St., PO Box 100, Bloom
0100
812.349.3418

120 E. Smith Ave. 53-08-04-200.
000-009
114 E. Smith Ave. 53-08-04-200-
088, 000-009
118 E. Smith Ave. 53-08-04-200-185.
000-009
404 S. Washington St. 53-08-04-200-203.
000-009

(812) 339-2579 • WWW.HARRELL-FISH.COM

INSTRUCTIONS

1. State law and City of Bloomington policy require that the designation applic form (SB-1) be submitted **prior to the initiation of the project** (i.e., prior to filing for building permits required to initiate construction). If the project requires a rezoning, variance, or approval petition of any kind the petitioner must file prior to submission of the tax abatement application, and must be approved prior to a final hearing on the tax abatement request.
2. All questions must be answered as completely as possible and must be verified with a signature on the completed Statement of Benefits Form (SB-1) and last page of this application. Incomplete or unsigned applications will not be accepted as official filings. If attaching additional pages, please label responses with corresponding Section numbers.
3. Return completed Application and **\$100.00 non-refundable Application Fee** (payable to the **City of Bloomington**) to City of Bloomington Department of Economic & Sustainable Development, PO Box 100, 401 N Morton Street, Suite 130, Bloomington, IN 47402-0100 (economicvitality@bloomington.in.gov).

Name of Company for which ERA Designation is being requested <i>H.M. Mac Development, LLC</i>	
Primary Contact Information (for questions concerning this application and the Project)	
Name <i>Steven Hoffman</i>	Job Title <i>President</i>
Phone <i>(812) 333-2392 ext. 203</i>	Email <i>Steven@HMMac.com</i>
Address (street and/or PO, city, ZIP) <i>112 E. Third St. Bloomington, IN 47401</i>	
Compliance Contact Information (person responsible for completion and timely submittal of mandatory annual compliance forms if designation is granted)	
Name <i>SAME AS ABOVE</i>	Job Title
Phone <i>() - ext.</i>	Email
Address (street and/or PO, city, ZIP)	

→ Additional TAX ID'S Attached.

Section 2 -- Real Property Location and Description		
Monroe County Tax Parcel ID Number(s) <i>53-08-04-200-057.000-009</i>	Township	
Street Address <i>405 S. Walnut St., Additional Addresses Attached</i>	ZIP	
Current Zoning <i>Commercial</i>	Current Use(s) of Property <i>VACANT, rental house, commercial-retail</i>	
Estimated Market Value of Property <i>\$3,200,000</i>		
Property or Building(s) Listed as Historic on the City of Bloomington Historical Survey? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, check one:	<input type="checkbox"/> Outstanding <input type="checkbox"/> Notable <input type="checkbox"/> Contributing	Age of Building(s), if applicable
Describe any other national or local historical significance or designation, if applicable <i>NONE</i>		
Please list all owners of the property.		
Attach additional sheets as necessary to include all relevant property records. The City of Bloomington may require a copy of the property deed.		

Section 3 – Criteria for Economic Revitalization Area ("ERA") or Economic Development

Target Area ("ETA") Designation

Describe how the project property and surrounding area have become undesirable for normal development and occupancy. *Much of the site is vacant land. The retail space has become run down and outlived its usefulness. Current Tenant, Chocolate Moose, needs new space to help its business grow and stay downtown.*

Section 4 – Company Profile

Does your company currently operate at this location? Yes No

If yes, how long has your company been at this location?

Will this property be your company's headquarters location? Yes No

If no, where is/will be your company's HQ? *112 E. Third St. Bloomington, IN 47401*

Company is a: LLC LLP LP Corporation S. Corporation Nonprofit Corporation

Mutual Benefit Corporation Other-Please describe:

Provide a brief description of your company history, products and services.

H.M.Mac is a culmination of over 40 years of experience (over 100 yrs. experience combined) we develop, build & operate Multi-family properties.

Please list all persons and/or entities with ownership interests in the company. *See Attached*

Current/Retained Jobs and Wages (include only current permanent jobs, and exclude benefits and overtime from wage values)

Number of part-time employees	<u>2</u>	Median part-time hourly wage	<u>\$12.32</u>
Number of full-time employees	<u>8</u>	Average part-time hourly wage	---
TOTAL current employees (permanent jobs)	<u>10</u>	Median full-time hourly wage	---
		Average full-time hourly wage	---
What is the lowest hourly wage in the company? (inc. PT, FT, other)	<u>\$12.32</u>		
What is the median hourly wage in the company (inc. PT, FT, other)	---	TOTAL Annual Payroll (current/retained)	---

New Jobs and Wages As Result of the Proposed Project (include only new permanent jobs, and exclude benefits and overtime from wage values)

Number of part-time employees	<u>2 3</u>	Lowest starting part-time wage	<u>\$12.32</u>
Number of full-time employees	<u>2</u>	Lowest starting full-time wage	---
TOTAL NEW employees (new permanent jobs)	<u>5</u>	TOTAL NEW Annual Payroll (new jobs only)	---

Describe your company's benefit programs and include the approximate value of benefits for existing and new employees on a per hour basis (e.g., benefits are valued at an additional \$3.00 per hour, etc.)

Market for Goods and Services; Local Sourcing

To the extent possible, please estimate the relative percentages of your company's reach (via your products or services) into following markets:

- 90 Inside Monroe County, Indiana
 - 9 Outside Monroe County, but inside Indiana
 - 1 Outside of Indiana
 - 0 Outside of the United States
- 100%

If applicable, list the name and location (City, State) of your five largest

1. *First Merchants Bank Muncie, IN*
2. *HFI Bloomington, IN*
3. *Graystone Concrete Bloomington, IN*
4. *Sila Capital Indianapolis, IN*
5. *Bender Lumber*



Mechanical & Building Solutions

*Steven Hoffman
Mark Hoffman
Gary Hoffman
Harris Mujezinovic
Dustin McClain*

Section 5A – Proposed Improvements (the "Project")

Describe all real estate improvements for which tax abatement on the property is being sought.

2 mixed use buildings w/ commercial + multifamily components. There will be "workforce housing" units included in the market rate units to create inclusionary housing.

Estimated Total Project Cost (Capital Improvements only) <i>11,500,000</i>	Has Bloomington Planning approval been obtained for the Project? If yes, Case Number:	<input type="checkbox"/> Yes
Estimated Construction Start Date (month-year) <i>November 2016</i>		<input checked="" type="checkbox"/> No
Estimated Completion Date (month-year) <i>July 2017</i>		
Will the Project require any City expenditures (for public infrastructure, etc.)? If yes, please describe		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Proposed Use(s) of the property after Project completion. Describe uses for entire Project space, including any uses not of the applicant company (e.g., if portions of space are intended to be leased to other entities, provide details). <i>Multi-family, commercial retail</i>		
Describe the impact on your business if the proposed Project is not undertaken (e.g. loss of jobs, contract cancellations, loss of production, change in location, etc.). <i>Contract cancellations, change in focus for future company expansion.</i>		
Attach renderings, site plans, drawings, etc., of the Project.		

Section 5B – Personal Property Description

Personal Property Abatement is a property tax deduction from the assessed valuation granted by a designating body for the installation of qualifying abatable equipment in an ERA.

Are you also applying for Personal Property Tax Abatement?

Yes No

If No, proceed to Section 6.

What type of new equipment will be installed?

- Manufacturing
 Research and Development
 Logistical Distribution
 Information Technology

Describe the new equipment to be installed

Estimated capital investment for new equipment only

Size of the facility in which equipment will be installed (square feet)

Size of the site in which equipment will be installed (acres)

Estimated installation start date (month-year)

Estimated installation completion date (month-year)

Please list all potential owners of the equipment to be installed.

Attach additional sheets as necessary.

Section 6 – City of Bloomington Evaluative Criteria

Describe how the Project will make a significant positive contribution to the community's overall economic vitality in at least one of the following areas which apply. Feel free to add details to any and all other categories which apply. See "General Standards" for explanations and examples.

<input checked="" type="checkbox"/> Quality of Life, Environmental Stewardship, and/or Sustainability	<i>Better housing and implementation of Green building practices.</i>
<input checked="" type="checkbox"/> Affordable Housing	<i>Goal to include "work force" Housing</i>
<input checked="" type="checkbox"/> Community Service	<i>Community Art space included in building design.</i>
<input checked="" type="checkbox"/> Community Character	<i>Adding life + vibrancy to otherwise dead areas.</i>
If applicable, describe any further (not yet described above) beneficial <i>and detrimental</i> impact to the community's economic, social or environmental wellbeing, resulting from the Project.	
Attach any additional information or documentation you feel to be pertinent to the City's decision to authorize this tax abatement.	

[The remainder of this page left intentionally blank. Application continues next page.]

Section 7 – Certification:

The undersigned hereby certify the following:

[Initials]

- SH ■ The statements in the foregoing application for tax abatement are true and complete.
- SH ■ The person(s) executing this application for tax abatement have been duly authorized by the business entity for which this application is being filed to execute and file this application, and all required approvals by the appropriate board or governing body of the business entity have been received.
- SH ■ The individual(s) or business entity that is applying for Economic Revitalization Area (ERA) or Economic Development Target Area (EDTA) designation or approval of a Statement of Benefits is not in arrears on any payments, fees, charges, fines or penalties owed to the City of Bloomington, Indiana, including but not limited to, City of Bloomington Utilities, Bloomington Transit, and any other City departments, boards, commissions or agencies.
- SH ■ I/we understand that if the above improvements are not commenced (defined as obtaining a building permit and actual start of construction) within 12 months of the date of the designation of the above area as an ERA, EDTA or of approval of a Statement of Benefits for the above area, whichever occurs later, the Bloomington Common Council shall have the right to void such designation.
- SH ■ I/we understand that all companies requesting ERA and/or EDTA designation will be required to execute a Memorandum of Agreement (MOA) with the City. The MOA shall contain the capital investment levels, job creation and/or retention levels and hourly wage rates and other benefits that the applicant has committed to the City in order to receive consideration for the designation. The MOA shall also contain information relative to what the City and applicant have agreed upon as "substantial compliance" levels for capital investment, job creation and/or retention and wage rates and/or salaries associated with the project.

Additionally, the MOA shall indicate that the City, by and through the Economic Development Commission and the City of Bloomington Common Council, reserves the right to terminate a designation and the associated tax abatement deductions if it determines that the applicant has not made reasonable efforts to substantially comply with all of the commitments, and the applicant's failure to substantially comply with the commitments was not due to factors beyond its control.

If the City terminates the designation and associated tax abatement deductions, it may require the applicant to repay the City all or a portion of the tax abatement savings received through the date of such termination. Additional details relative to the repayment of tax abatement savings shall be contained in the Memorandum of Agreement.
- SH ■ I/we understand that if this request for property tax abatement is granted that I/we will be required to submit mandatory annual compliance forms as prescribed by State law and local policy. I/we also acknowledge that failure to do so or failure to achieve investment, job creation, retention and salary levels contained in the final resolution and MOA may result in a loss of tax abatement deductions and the repayment of tax abatement savings received.
- SH ■ I/we understand that beneficiaries of a city tax abatement are subject to the City of Bloomington's Living Wage Ordinance (BMC 2.28), and therefore I/we must certify the entity's Living Wage compliance annually during the tax abatement term, if this abatement request is approved.

OWNER(S) OR AUTHORIZED REPRESENTATIVE(S)

SIGNATURE (Print Name Below)	TITLE	DATE
X <u>Steven Hoffman</u> Printed Name	<u>Manager</u>	<u>6-8-16</u>
X _____ Printed Name	_____	_____



**STATEMENT OF BENEFITS
REAL ESTATE IMPROVEMENTS**

State Form 51767 (R6 / 10-14)
Prescribed by the Department of Local Government Finance

20__ PAY 20__
FORM SB-1 / Real Property
PRIVACY NOTICE Any information concerning the cost of the property and specific salaries paid to individual employees by the property owner is confidential per IC 6-1.1-12.1-5.1.

This statement is being completed for real property that qualifies under the following Indiana Code (check one box):

- Redevelopment or rehabilitation of real estate improvements (IC 6-1.1-12.1-4)
- Residentially distressed area (IC 6-1.1-12.1-4.1)

INSTRUCTIONS:

- This statement must be submitted to the body designating the Economic Revitalization Area prior to the public hearing if the designating body requires information from the applicant in making its decision about whether to designate an Economic Revitalization Area. Otherwise, this statement must be submitted to the designating body **BEFORE** the redevelopment or rehabilitation of real property for which the person wishes to claim a deduction.
- The statement of benefits form must be submitted to the designating body and the area designated an economic revitalization area before the initiation of the redevelopment or rehabilitation for which the person desires to claim a deduction.
- To obtain a deduction, a Form 322/RE must be filed with the County Auditor before May 10 in the year in which the addition to assessed valuation is made or not later than thirty (30) days after the assessment notice is mailed to the property owner if it was mailed after April 10. A property owner who failed to file a deduction application within the prescribed deadline may file an application between March 1 and May 10 of a subsequent year.
- A property owner who files for the deduction must provide the County Auditor and designating body with a Form CF-1/Real Property. The Form CF-1/Real Property should be attached to the Form 322/RE when the deduction is first claimed and then updated annually for each year the deduction is applicable. IC 6-1.1-12.1-5.1(b)
- For a Form SB-1/Real Property that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. For a Form SB-1/Real Property that is approved prior to July 1, 2013, the abatement schedule approved by the designating body remains in effect. IC 6-1.1-12.1-17

SECTION 1 TAXPAYER INFORMATION

Name of taxpayer <i>H.M. Mac Development, LLC</i>		
Address of taxpayer (number and street, city, state, and ZIP code) <i>112 E. Third St. Bloomington, IN 47401</i>		
Name of contact person <i>Steven Hoffman</i>	Telephone number <i>(812) 333-2332</i>	E-mail address

SECTION 2 LOCATION AND DESCRIPTION OF PROPOSED PROJECT

Name of designating body	Resolution number
Location of property <i>405 S. Walnut St. - 404 S. Washington</i>	County <i>Monroe</i>
Description of real property improvements, redevelopment, or rehabilitation (use additional sheets if necessary) <i>not mixed use development including retail + multifamily</i>	DLGF taxing district number
	Estimated start date (month, day, year) <i>11-2016</i>
	Estimated completion date (month, day, year) <i>7-2017</i>

SECTION 3 ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT

Current number	Salaries	Number retained	Salaries	Number additional	Salaries
<i>10</i>	<i>400,000</i>	<i>10</i>	<i>400,000</i>	<i>5</i>	<i>165,000</i>

SECTION 4 ESTIMATED TOTAL COST AND VALUE OF PROPOSED PROJECT

	REAL ESTATE IMPROVEMENTS	
	COST	ASSESSED VALUE
Current values	<i>3,000,000</i>	
Plus estimated values of proposed project	<i>11,500,000</i>	
Less values of any property being replaced		
Net estimated values upon completion of project	<i>14,500,000</i>	

SECTION 5 WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER

Estimated solid waste converted (pounds) _____	Estimated hazardous waste converted (pounds) _____
--	--

Other benefits

SECTION 6 TAXPAYER CERTIFICATION

I hereby certify that the representations in this statement are true.

Signature of authorized representative <i>[Signature]</i>	Date signed (month, day, year) <i>6-8-16</i>
Printed name of authorized representative <i>Steven Hoffman</i>	Title <i>Manager</i>

FOR USE OF THE DESIGNATING BODY

We find that the applicant meets the general standards in the resolution adopted or to be adopted by this body. Said resolution, passed or to be passed under IC 6-1.1-12.1, provides for the following limitations:

- A. The designated area has been limited to a period of time not to exceed _____ calendar years* (see below). The date this designation expires is _____.
- B. The type of deduction that is allowed in the designated area is limited to:
1. Redevelopment or rehabilitation of real estate improvements Yes No
 2. Residentially distressed areas Yes No
- C. The amount of the deduction applicable is limited to \$ _____.
- D. Other limitations or conditions (specify) _____
- E. Number of years allowed: Year 1 Year 2 Year 3 Year 4 Year 5 (* see below)
 Year 6 Year 7 Year 8 Year 9 Year 10
- F. For a statement of benefits approved after June 30, 2013, did this designating body adopt an abatement schedule per IC 6-1.1-12.1-17?
 Yes No
 If yes, attach a copy of the abatement schedule to this form.
 If no, the designating body is required to establish an abatement schedule before the deduction can be determined.

We have also reviewed the information contained in the statement of benefits and find that the estimates and expectations are reasonable and have determined that the totality of benefits is sufficient to justify the deduction described above.

Approved (signature and title of authorized member of designating body)	Telephone number ()	Date signed (month, day, year)
Printed name of authorized member of designating body	Name of designating body	
Attested by (signature and title of attester)	Printed name of attester	

* If the designating body limits the time period during which an area is an economic revitalization area, that limitation does not limit the length of time a taxpayer is entitled to receive a deduction to a number of years that is less than the number of years designated under IC 6-1.1-12.1-17.

- A. For residentially distressed areas where the Form SB-1/Real Property was approved prior to July 1, 2013, the deductions established in IC 6-1.1-12.1-4.1 remain in effect. The deduction period may not exceed five (5) years. For a Form SB-1/Real Property that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. The deduction period may not exceed ten (10) years. (See IC 6-1.1-12.1-17 below.)
- B. For the redevelopment or rehabilitation of real property where the Form SB-1/Real Property was approved prior to July 1, 2013, the abatement schedule approved by the designating body remains in effect. For a Form SB-1/Real Property that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. (See IC 6-1.1-12.1-17 below.)

IC 6-1.1-12.1-17

Abatement schedules

Sec. 17. (a) A designating body may provide to a business that is established in or relocated to a revitalization area and that receives a deduction under section 4 or 4.5 of this chapter an abatement schedule based on the following factors:

- (1) The total amount of the taxpayer's investment in real and personal property.
 - (2) The number of new full-time equivalent jobs created.
 - (3) The average wage of the new employees compared to the state minimum wage.
 - (4) The infrastructure requirements for the taxpayer's investment.
- (b) This subsection applies to a statement of benefits approved after June 30, 2013. A designating body shall establish an abatement schedule for each deduction allowed under this chapter. An abatement schedule must specify the percentage amount of the deduction for each year of the deduction. An abatement schedule may not exceed ten (10) years.
- (c) An abatement schedule approved for a particular taxpayer before July 1, 2013, remains in effect until the abatement schedule expires under the terms of the resolution approving the taxpayer's statement of benefits.

Tax Abatement Calculations for Real Property Improvement				
Chocolate Moose Site				
Using 2015 Payable 2016 Tax Rate and Project Estimates				
Improvements \$ 11,500,000				
Net Rate 0.020639				
Annual Taxes without Abatement \$ 237,349				
Year	Abatement Percent	Value Abated	Taxes Payable	Taxes Abated
1	100%	\$ 11,500,000	\$ -	\$ 237,349
2	66%	\$ 7,590,000	\$ 80,698	\$ 156,650
3	33%	\$ 3,795,000	\$ 159,023	\$ 78,325
Total Taxes to be Paid (thru Year 3):				\$ 239,722
Total Value of Abatement:				\$ 472,324

City council looks to sweeten workforce housing deal

By Megan Banta

812-331-4368 | mbanta@heraldt.com

City officials are generally positive about a development that would add less expensive housing options in the downtown area, but want to see if they can get a sweeter deal for the community before approving or denying a related tax abatement.

"It's absolutely a step in the right direction," Bloomington City Council member Susan Sandberg said.

Sandberg, though, later added that the city needs to get the best possible deal, echoing her colleagues' concerns.

"I'm hopeful that we can do just a slightly better job than what's been presented," she said.

Council members ultimately expressed neither wide support for nor opposition to two measures that are needed to grant an abatement that would serve as an incentive for the developer. They cited a need for more work, whether that's reducing the length of the proposed abatement or adding more subsidized units.

The request comes from Bloomington-based real estate developer H.M. Mac, which is

preparing to demolish the current Chocolate Moose building and five other nearby structures and build two four-story, mixed-use buildings on those sites.

The development would be an estimated investment of \$11.5 million and is expected to include a rebuilt Chocolate Moose ice cream and sandwich shop as part of a 7,000-square-foot commercial space. It would also include a 54-unit apartment complex covering the second through fourth floors of both buildings.

But unlike other apartments downtown, these wouldn't all be rented out at the market rate. Five units — three with one bedroom and two with two bedrooms — would be workforce housing units, spread throughout the complex, and would offer discounted rents for those who qualify, as well as access to all amenities.

Steven Hoffman, president of H.M. Mac, said not specifying certain units as workforce was intentional.

"It shouldn't be stuck to specific units," Hoffman said. "You get to chose the apartment you want to live in, and that subsidy is there."

Other discussion

Bloomington City Council members showed support for a proposal to change sandwich board and push cart vendor sign regulations to match recent changes to sign regulations.

Council members took no stances on proposals to:

- Add various "no parking" and "limited parking" zones across the city, a "no truck parking" zone on Franklin Road from Third Street to the end of the road and a new loading zone in front of Kinser Cleaners and other small stretches on East Third Street.

- Restructure neighborhood parking permit fees so that Monroe County residents pay \$25, Indiana residents who live outside Monroe County will pay \$50 and out-of-state residents pay \$75. For more, visit HeraldTimesOnline.com.

People who work at least 35 hours per week at or below the living wage of \$12.32 per hour would be eligible for the units,

which would offer about a 50 percent discount on rent for those working at the living wage. Rent for those residents would be based on 30 percent of their annual wages, the equivalent of \$641 per month for a one-bedroom unit and \$1,282 per month for a two-bedroom unit for someone making the living wage, and the agreement would be guaranteed for 30 years.

The subsidized housing would be something new to the community, and Hoffman called it a "pilot project." He said his company is behind the workforce housing concept and wants other developers to see that it can work. Staff told the council during a recent work session that the idea is to move to start requiring a long-term commitment to some workforce or affordable housing units in new developments.

The city's economic development commission already has recommended approval of a five-year abatement, two years longer than the developer's request, in which the company would start with no taxes on additional value in real property in year one and phase in tax payments at 20 percent more each year.

Over the life of the abatement, that's a \$712,000 value, with the developer still paying a total of \$474,697 during the five-year period and picking up an annual tax bill of \$237,349 — nearly 18 times the current tax bill — once the abatement is up.

According to the developer's application, the project would retain 10 existing jobs and add five more — three part time and two full time — with a combined salary of \$165,000.

In both extending and recommending approval of the abatement, members of the economic development commission cited the potential for the abatement to serve as an incentive to help realize the administration's desire for more affordable housing downtown, along with the fact that a fully market-rate rent project in the area received a three-year tax abatement.

They wanted this one to receive more because of the workforce housing component.

Council members, though, generally said they want to see more before approving a five-year abatement. They'll discuss the request again during one of two meetings next week, likely July 13.

Seven Oaks receives \$2M loan for renovations

Work to kick off this week on roof for Eagle's Landing

Eagle's Landing was an elementary school in the Richland-Bean Blossom school district until 2002.

"We've been told by crew chiefs with Triangle that they can get it done. No doubt that we're cutting it close."



scanned the barn's second floor. She saw Matilda, the short-haired calico cat whom staff had grown accustomed to seeing roaming the nonprofit's fields and small barn.

But Matilda, typically a loner and fearful of people, wasn't nestled in the hay by herself.

"We saw at least two to three little kitten heads poking up," Cochrane remembers.

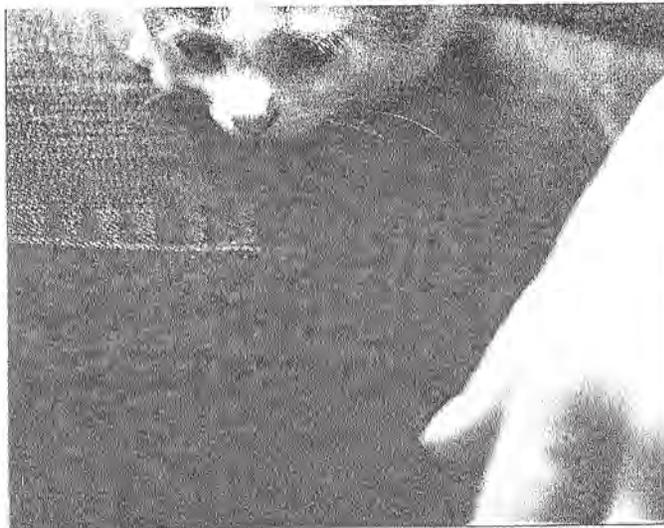
Matilda is similar to many of the cats who find their way to the Bloomington Animal Shelter. Neighbors with good intentions manage to capture a stray and turn it in to the shelter, hoping the cat will be

eliminate mice and other pests

returned to its owner or successfully adopted.

But some of these animals have "pretty much lived their whole life independently outside in the street," said Virgil Sauder, director of Bloomington Animal Care and Control. Feral cats — truly wild animals that have never been domesticated — and "community cats," which may have been domesticated at one point, but now prefer living outside with limited human contact, don't thrive in a kennel setting.

SEE BARN CATS | PAGE A6 One of several kittens living at PALS sits on Lizzie Cochrane's lap.



JEREMY HOGAN | HERALD-TIMES

INDEX

Classifieds	C1-6	Neighbors	D8
Comics	C2, D3	Obituaries	A2-3
Crosswords	C5	Opinion	A7
Food	D1-7	Sports	B1-6
Horoscopes	C5	Sudoku	C5
Local	A1-8	Television	D2
Lotteries	A2	Weather	A8

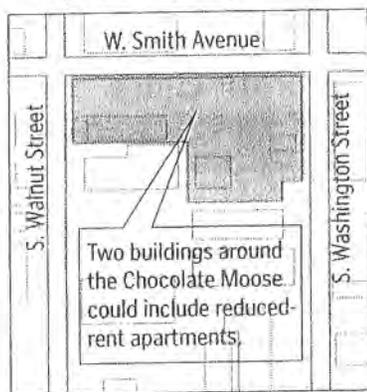
Vol. 140, No. 46

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City council to consider tax break for project with 'workforce housing' units

Proposed project



BILL THORNBRO | HERALD-TIMES

Proposal for new buildings in area of Chocolate Moose could be first of many in city

By Megan Banta

812.331-4368 | mbanta@heraldt.com

Bloomington City Council members tonight will consider a tax abatement that would pave the way for a development that would help diversify the kinds of housing available in the downtown area.

The request comes from real estate developer H.M. Mac, which is preparing to demolish the current Chocolate Moose

building and five other nearby structures and to build two four-story, mixed-use buildings on those sites.

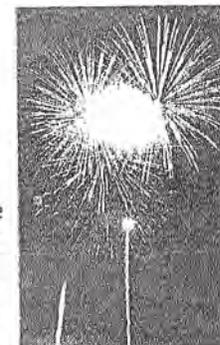
Part of that development, which would be an estimated investment of \$11.5 million and is expected to include a rebuilt Chocolate Moose as part of one building, would be a 54-unit apartment complex spread between the second through fourth floors of both buildings.

But unlike other apartments downtown, these wouldn't all be rented out at the market rate. Five units — three with one bedroom and two with two bedrooms — would be workforce housing

SEE CITY COUNCIL | PAGE A6

New dates for fireworks

After heavy rain forced the cancellation of several area fireworks displays over the Fourth of July weekend, some makeup dates have been set:



- The Ellettsville Fire Department fireworks show will be Saturday at the Edgewood High School football field, 601 S. Edgewood Drive, Ellettsville.
- The Fourwinds Lakeside Inn and Marina show will be 10 p.m. Sept. 4.
- Southside Christian Church will schedule another event in the fall with a fireworks display and picnic.

Also, the Monroe County Fairgrounds show at 5700 W. Airport Road is still set for 10 p.m. Saturday.

CITY COUNCIL

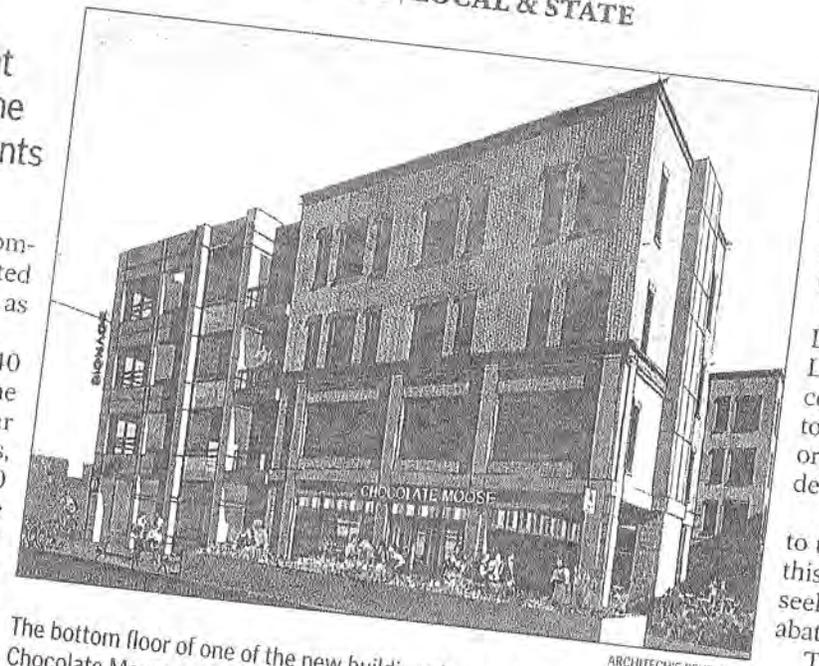
Tax abatement sought for buildings with some reduced-rent apartments

CONTINUED FROM PAGE A1

units spread throughout the complex and would offer discounted rents for those who qualify, as well as access to all amenities.

People who work 35 to 40 hours per week at or below the living wage of \$12.32 per hour would be eligible for the units, which would offer about a 50 percent discount on rent for those working at the living wage. Rent for those residents would be based on 30 percent of annual wages, the equivalent of \$641 per month for a one-bedroom unit and \$1,282 per month for a two-bedroom unit, and the agreement would be guaranteed for 30 years.

Linda Williamson, interim director of the city's Economic



The bottom floor of one of the new buildings being planned on the site of the Chocolate Moose and some neighboring buildings would include the new home of the ice cream and sandwich shop.

and Sustainable Development Department, told the council during a recent work session that

the subsidized housing would be something new to the community.

Mayor John Hamilton wants it to be the first of many, Williamson said, and the idea is to move to start requiring a long-term commitment to some workforce or affordable housing units in new developments.

Planning and Transportation Department Director Christy Langley said that's likely to be codified in the upcoming update to the city's uniform development ordinance, which guides planning decisions in the city.

Doing that comes with a cost to the developer, though, and in this particular case, H.M. Mac is seeking to offset that with a tax abatement.

The city's economic development commission already has recommended approval of a five-year abatement, two years longer than the developer's request, in which the company would start with no taxes on additional value in real property in year one and phase in tax payments at 20

percent more each year. Over the life of the abatement, that's a \$712,000 value.

In both extending and recommending approval of the abatement, members of the economic development commission cited the potential for the abatement to serve as an incentive to help revitalize the administration's desire for more affordable housing downtown, along with the fact that a fully market-rate rent project in the area received a three-year tax abatement.

They wanted this one to receive more because of the workforce housing component.

Council members tonight will consider two measures related to the proposed abatement — one that would create an economic revitalization area and another that would create an economic development target area. Both are needed for granting the abatement.

BEATING Grandson accused of attacking woman

CONTINUED FROM PAGE A1

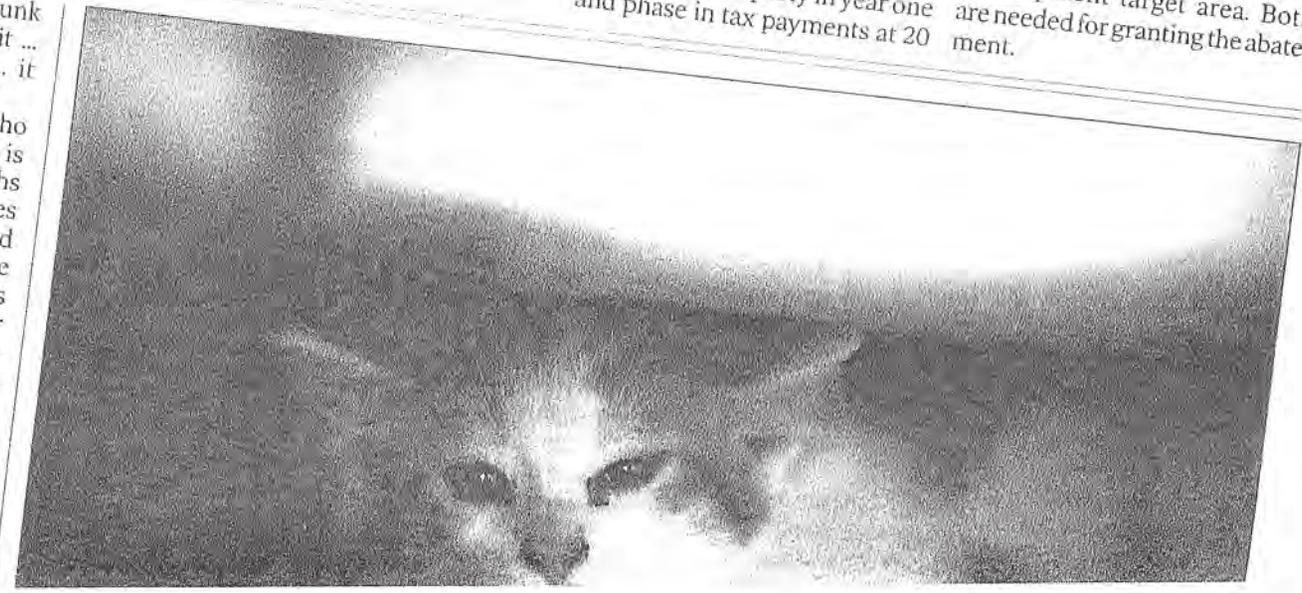
front porch with his cell-phone to his ear. According to a Bloomington Police Department news release, officers attempted to speak with the man, and he began fighting officers before being taken into custody.

When police entered the residence, they saw blood in the living room on the hallway walls and found the injured woman lying on her bedroom floor, her eyes swollen shut, asking for help. Blood spatter

rior forearm had a chunk of tissue taken out of it ... down to the muscle ... it resembled a bite mark."

She said Emswiler, who court records indicate is about 5-foot-8 and weighs 125 pounds, had scratches on his neck likely inflicted by his grandmother as she fought back. He told Carnes he and his grandmother were the only ones at the house and denied knowing she was hurt. He could not explain his bloody clothes, police reports said.

According to reports, police found a jewelry box on the bedroom floor, its contents scattered. A blank check from



**BLOOMINGTON PLAN COMMISSION
STAFF REPORT – Second Hearing
Location: 405 E. 17th Street**

**CASE #: PUD-14-16
DATE: July 11, 2016**

PETITIONER: RCR Properties, LLC
2417 Fields South Drive, Champaign, IL

CONSULTANT: Michael Carmin
116 W 6th Street, Bloomington

REQUEST: The petitioner is requesting to rezone 5.95 acres from Residential High-Density Multifamily (RH) to Planned Unit Development (PUD) and to approve a PUD District Ordinance and preliminary plan to allow a new multi-family apartment complex.

BACKGROUND:

Area:	5.95 acres
Current Zoning:	RH
GPP Designation:	Urban Residential
Existing Land Use:	Multi-family residences
Proposed Land Use:	Multi-family residences
Surrounding Uses:	North – Multi-family Residences West – Multi-family Residences East – Indiana University South – Single and Multi-family Residences

CHANGES SINCE FIRST HEARING: At the first hearing staff sought guidance from the Plan Commission on a number of issues including the proposed density, extension of Grant Street versus proposed green belt, overall massing of buildings, appropriate parking ratios, green building practices, and how this PUD should address the affordable housing needs of the community.

Since the first hearing, the petitioner has submitted revised color renderings showing different views of the project, new renderings that include some of the existing buildings that are adjacent to this project, and elevations that identify the specific building materials for the main building. In addition, a traffic study has been submitted that analyzes impacts to adjacent roadways and pedestrian facilities.

The petitioner and City Administration have been engaged in discussions regarding the provision of affordable housing with this petition, however no agreements have so far been reached. The City Administration has been open to either the petitioner providing affordable housing units on this site or making a payment to the City that would allow the City to provide affordable housing elsewhere. Rather than provide on-site affordable housing units with this petition, the petitioner has proposed to make a monetary contribution, however an appropriate contribution amount has not yet been reached. Without the incorporation of affordable housing on site or other means to achieve this goal, Staff does not believe this petition will adequately achieve the goals of the Growth Policies

Plan or benefit the community as a whole. The incorporation of affordable housing with a project of this size is a crucial aspect.

REPORT: The properties are located at 310, 304, 307, 308, 318 E. 18th St.; 405 E 17th Street; 1405, 1407, 1407½ N. Dunn St; 310 E 19th St.; and 1313, 1400 N Grant St. The properties are all zoned Residential High-Density Multifamily (RH). Surrounding land uses include multifamily residences to the north and west, single and multifamily residences to the south and Indiana University Memorial Stadium to the east.

The petitioner is proposing to redevelop the 1950's era complex and the existing 190 dwelling units and 328 bedrooms with new fully furnished, student oriented apartments. To accomplish this, the petitioner proposes to rezone the property from RH to a Planned Unit Development and have presented a PUD district ordinance and preliminary plan. The PUD could be built with up to 50 D.U.Es on Parcel A and up to 27 D.U.E.'s on Parcels B and C. One possible bedroom count: 22 studio units, 23 one-bedroom units, 73 two-bedroom units, 33 three-bedroom units, and 114 four-bedroom units. This equals a total of 265 units and 746 bedrooms. The petitioner is proposing to restrict the occupancy to one person per bedroom. With DUE's, this potential bedroom mix would have a gross density of 46.6 D.U.Es/acre. The current underlying zoning district would only allow 15 units/acre. Staff has found that many of the nearby apartment complexes in this area (including the current Dunnhill apartments) exceed the current allowable density of the RH zoning district.

The project is proposed to be developed as 3 parcels. Parcel A would contain the main apartment complex and Parcels B & C would each contain 12, 4-bedroom townhomes. The density on Parcel A is proposed to be 50 D.U.Es/acre and the density on Parcels B and C is proposed to 27 D.U.Es/acre. All of the buildings on Parcel A will have a flat roof and will be between 4-6 stories in height. The buildings on Parcel B & C will be 3-story townhomes with pitched roofs. An allowance for commercial uses has been included to provide for up to 13,000 sq. ft. of nonresidential uses on the site. A 5-story parking garage with 540 parking spaces will be provided in addition to 51 surface parking spaces for a total of 591 on-site parking spaces, which equates to approximately 0.8 parking spaces per bedroom. A maximum of 0.85 parking spaces per bedroom has been proposed.

New sidewalks and street trees will be constructed throughout the site on all portions of the project with frontage on a public street. A 10' wide asphalt sidepath and minimum 5' wide tree plot will be constructed along the 17th Street frontage as well as along the Dunn Street frontage. Rain gardens will be provided throughout the site to provide stormwater quality improvements. The petitioner has committed to providing on-site recycling for residents of this development. The Historic Preservation Commission voted not to locally designate the contributing structure at 1405 N. Dunn Street, which will allow for that building to be demolished. The Historic Preservation Commission also discussed this petition at their June 23 meeting and did not find that there would be a negative impact to the adjacent Garden Hill Historic District as a result of the proposed height or massing of the buildings along 17th Street.

GROWTH POLICIES PLAN: This property is designated as "*Urban Residential*". The GPP notes that redevelopment in these areas should include the following-

- *“when development occurs in new urban growth areas, the goal should be to encourage higher densities, ensure street connectivity, and protect existing residential fabric.”* Although the density at this location is much higher than what the underlying zoning district would allow, this location is unique and could be an ideal location for higher density student oriented apartments.
- *“Optimize street, bicycle, and pedestrian connectivity to adjacent neighborhoods as well as to commercial activity centers.”* The petitioner has incorporated a central bike and pedestrian corridor to facilitate connectivity between 17th Street and 18th Street and to access the center of the main apartment building. This green belt feature is located in the area that would be the extension of Grant Street.
- *“Ensure that each new neighborhood has a defined center or focal point. This center could include such elements as a small pocket park, formal square with landscaping, or a neighborhood serving land use.”* This development is proposing a large center recreation space and pool area for the use of the residents.
- *“Ensure that new common open space is truly usable and accessible. Provide linkages between such open space and other public spaces.”* All of the common open space is just for the use of these tenants and is not accessible to the public. This is mostly related to internal security for the development.
- *“Provide for marginally higher development densities while ensuring the preservation of sensitive environmental features and taking into consideration infrastructure capacity as well as the relationship between the new development and adjacent existing neighborhoods.”*
- *“As a counterbalance to policies that limit the spatial expansion of growth, denser infill development in areas that already contain City services must be encouraged.”* This site is adjacent to existing City services and is adequately served by existing infrastructure. In addition, the IU bus stop is immediately adjacent to this site which decreases the need for vehicular trips to and from this site.

This petition incorporates many goals described within the GPP including redevelopment of underutilized property, mixed-uses, compact urban form, and the creation of a distinctive design style for this area. The GPP also encourages when possible to improve the capacity and aesthetics of all urban services, including new sidewalk links, new bike paths, and replacement of utility infrastructure. The GPP outlines that in order to accomplish compact urban form to revise development regulations for near-downtown and near campus areas to encourage increased residential densities (*CUF-5*, page 7)

While the current Growth Policies Plan does not specifically address providing affordable housing, the upcoming Comprehensive Master Plan is expected to deal with this issue more directly. It may be prudent to delay acting on a large rezoning of this nature until the Growth Policies Plan can be updated.

DISTRICT ORDINANCE PRELIMINARY PLAN ISSUES:

Transportation Impacts: The petitioner has submitted a traffic study outlining possible impacts to adjacent roads and pedestrian facilities as a result of this development. The study found that the 17th/Dunn intersection is expected to operate at an acceptable level of surface with the proposed development. The study indicates possible left turn conflicts leading into the parking garage and recommends either a dedicated left turn lane into the garage from 17th Street or limiting the access to a right-in/right-out. The study indicated that the most of the trips to and from this site will be pedestrian oriented as residents use the bus stop located at the Indiana University transit stop at Memorial Stadium or walking/biking to and from campus. To that end, there are several improvements needed to the 17th and Dunn intersection to provide appropriate pedestrian facilities including:

- sidewalk connections and ramps
- pedestrian signal heads and push buttons
- associated curb and stormwater changes

The City has identified some improvements to this intersection in the future and staff is pursuing a budget request to start design in 2017. The petitioner is required to provide some of the above mentioned improvements to the intersection when they come forward for PUD final plan approval.

Access: The project will be accessed by cars at several points. The parking garage will be accessed through a drive-cut on 17th Street and on 18th Street. A traffic study has been submitted that concludes that either a dedicated turn lane should be constructed on 17th Street to access the parking garage or the entrance should be modified to be a right-in or right-out only. One item that staff sought guidance from the Plan Commission on is whether or not Grant Street should be extended through the site. The presence of Grant Street through the site would provide additional vehicular access to the site and better access for emergency services and possible additional on-street parking. The proposed Green Belt provides access for bicycles, pedestrians, and limited access for emergency services through the site and connects 17th St. with 18th. St. At the first hearing, several Plan Commission members felt the proposed Green Belt could be appropriate if it was designed and used as a common public amenity, rather than something that was exclusively for the use of the residents. The petitioner plans to bring forward a petition to vacate the right-of-way to accomplish the green belt.

Architecture/Design: Renderings have been submitted for all of the proposed buildings. There will be three main buildings on Parcel A that are separated by the Green Belt feature that runs through the center of the site. All of the buildings on Parcel A will have a flat roof design and will be between 4-6 stories in height. An elevation has been submitted showing the proposed building materials for the buildings on Parcel A. No specific massing or modulation requirements have been proposed yet to outline overall building design, only renderings showing the building design. Additional renderings showing some of the proposed buildings along with some of the existing adjacent structures have been submitted since the first hearing. Staff still recommends specific guidelines to deal with

building design, massing, and modulation requirements similar to the Downtown zoning district standards. This is needed by the third hearing. On Parcel C, the proposed townhomes labeled as buildings L, K, and J should be turned so that the front entrances face Grant Street. On Parcel B, the buildings labeled as E and F should be turned to face 18th Street. The petitioner has included the convenience store at the corner of 17th and Dunn Street in their massing model.

Development Standards: This PUD would use the Residential High-Density Multifamily (RH) district standards with the modifications listed in the district ordinance. The proposed modifications to the RH standards include an increased building height, increased density, and increased maximum impervious surface coverage (Parcel A). The petitioner is also requesting to have a 10' front yard building setback requirement for the surface parking lots on Parcel B rather than the required 20' setback. The main building on Parcel A will have a height of 72' at the tallest portion, which is at the northeast corner of the site at the corner of 18th and Dunn, with other sections having a height of 62' (the maximum height of the RH district is 50'). The petitioner is proposing to allow 70% maximum impervious surface coverage on Parcel A, rather than the 50% that would be allowed in the RH zoning district. The petitioner has included an allowance for commercial uses on this site and is proposing to allow all uses that are listed as permitted uses in the Commercial Downtown zoning district.

	RH requirement	Proposed
Height	50'	72'
Impervious Surface Coverage	50%	70% Parcel A
Density	15 D.U.E's/acre	50 D.U.E's/acre
Front Parking Setback	20' behind front	Even with building on Parcel B along 18 th St.

Parking: Since the site is adjacent to a Residential Core district to the south, there is a minimum parking requirement of one parking space per bedroom. The petitioner is proposing to provide parking at a maximum of 0.85 parking spaces per bedroom. A 5-story parking garage with 540 parking spaces will be provided in addition to 51 surface parking spaces for a total of 591 on-site parking spaces. New on-street parking spaces are proposed to be added along the property frontages on 18th Street, 19th Street, and Grant Street. Approximately 24 on-street parking spaces will be created. Bicycle parking will be provided as well per the UDO requirements. Bike parking spaces for the overall development should include bicycle parking facilities adjacent to the entrances of all buildings.

Pedestrian Facilities: A 10' wide asphalt sidepath will be built along the entire 17th Street frontage that will extend the sidepath network west along the 17th Street corridor. 5' wide concrete sidewalks and minimum 5' wide tree plots will be constructed along the north side of 18th St and both sides of 19th St. and Grant Street. The petitioner has shown a 10' concrete sidewalk along the south side of 18th Street that will connect to a proposed 10' sidewalk along the west side of Dunn Street. A green belt corridor has been designed through the site to provide a connection from 17th Street to 18th Street. This corridor has

been designed to include a 20' wide pervious paver path that will provide an access point for bicyclists and pedestrians, but also serves as an emergency access route that can be used for emergency responders. Any portions of sidewalk or sidepath that are not located in public right-of-way must either be placed in dedicated right-of-way or within a pedestrian easement.

Signage: A sign package has been submitted for this project. The petitioner is requesting to allow freestanding monument signs in accordance with the RH district size standards which allow for 6' tall, 32 sq. ft. monument signs. A total of 4 freestanding signs are proposed for the development. The petitioner has shown the location of the proposed wall signage on the proposed renderings and each wall sign would not exceed 24 sq. ft. The current zoning code would only allow for one, 24 sq. ft. wall sign on the entire building and the petitioner is requesting to allow one, 24 sq. ft. wall sign for each side of the main building along the street frontages.

Utilities: Although there are existing utilities along the main public streets on 17th St. and Dunn Street, there may be issues with the age of the existing utility lines. These specific details will be reviewed with the PUD final plan approval process. City of Bloomington Utilities can adequately serve the site.

Lighting: A specific lighting plan has not been received. Staff has encouraged the petitioner to incorporate pedestrian scale lighting throughout the interior of the site and to appropriately place lighting along the public street frontages as well. Pedestrian scale lighting should be incorporated along the Green Belt and the Bike Ped Commission recommends 4' tall bollard lighting along this area.

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

1. The Petitioner should dedicate additional space to landscaped areas giving high priority to native species.

Staff response: Staff encourages the petitioner to look for ways to add additional green space on Parcel A.

2. The Petitioner should fill all available spaces on the property with landscape material, giving high priority to native species.

Staff response: Staff will continue to work with the petitioner on improving the landscape plan and incorporating native plants where possible. This could be a required condition of approval if the Plan Commission wanted to incorporate this suggestion.

3. The Petitioner should apply green building practices to create high performance, low-carbon footprint structures, and that enable the occupants to use their own green practices.

Staff response: Although not required, staff encourages the petitioner to incorporate as many green building practices as possible. The Plan Commission can require the petitioner to incorporate whatever green building practices it felt was necessary. The petitioner has committed that the main building on Parcel A will have a white roof to minimize heat gain for the building.

4. The Petitioner should employ all of the green infrastructure feature possible to enhance water quality and quantity flowing off the site.

Staff response: Staff will continue to work with the petitioner to provide as many green infrastructure features as possible to enhance water quality.

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

Staff response: Although not required, staff encourages the petitioner to commit to salvaging, recycling, and reusing as much construction materials as possible. The petitioner has committed to providing on-site recycling for the residents. The Plan Commission can also decide what additional measures should be incorporated with this petition.

QUESTIONS FOR DISCUSSION: Staff is seeking guidance from the Plan Commission on the following issues:

- Is the proposed massing of the building appropriate along 17th Street?
- Is the proposed parking setback of even with the front of the building appropriate for the parking spaces on Parcel B along 18th Street instead of the required 20' setback?
- Should additional screening be provided along the west side of the parking garage?
- Should the development be required to have a percentage of the gross floor area as non-residential space?
- What green building practices should be required?
- Are the staff proposed improvements to the 17th and Dunn intersection adequate to accommodate pedestrian safety related impacts of this development?

CONCLUSION: While there are merits to this petition, Staff believes the lack of a satisfactory proposal to accommodate affordable housing is adequate to justify a possible denial. If no further progress is made on incorporating affordable housing with this petition, then Staff plans on providing a negative recommendation for this proposal at the third Plan Commission hearing. Staff finds that the rezone may not be consistent with the Growth Policies Plan and it may be appropriate to defer action until the current GPP update process has been completed.

RECOMMENDATION: Staff recommends continuing this petition to the August 8, 2016 meeting.



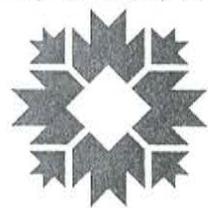
*PUD-14-16
 Adjacent density map, does not include O.U.E.*

By: greulice
 7 Jul 16



For reference only; map information NOT warranted.

City of Bloomington
 Planning & Transportation



Scale: 1" = 400'



MEMORANDUM

Date: July 1, 2016

To: Bloomington Plan Commission

From: Bloomington Environmental Commission

Through: Linda Thompson, Senior Environmental Planner

Subject: PUD-14-16, Dunn Hill Apartments (RCR Properties LLC), second hearing
17th, 18th, 19th, Dunn, and Grant Streets

The purpose of this memo is to convey the environmental concerns and recommendations of the Environmental Commission (EC) with the hope that action will be taken to enhance the environmental integrity of this proposed Plan. Please see the previous memorandum for additional initial recommendations.

Part of the intent of a PUD is to preserve the natural, environmental, and scenic features of the site; to encourage and provide a mechanism for arranging improvements on sites so as to preserve desirable features; buffer land uses proposed for the PUD so as to minimize any adverse impact which new development may have on surrounding properties; to enhance the appearance of neighborhoods by conserving areas of natural beauty and natural green spaces; and to promote and protect the environmental integrity of the site and its surroundings and provide suitable design responses to the specific environmental constraints of the site and surrounding area. The EC is aware there are practically no environmental features left on this heavily developed site. Therefore the EC recommends that the site design include as many new environmentally beneficial features as possible by reducing the size of the footprints, and increasing the heights of the buildings beyond what might normally be within the City's comfort zone, and adding more native landscape material.

ISSUES OF SOUND ENVIRONMENTAL DESIGN

1.) LANDSCAPING

The EC believes that more land should be dedicated to open, heavily landscaped space except for some open turf areas used for sports, sunbathing, or other such activities. This project will have a large environmental footprint that could be reduced by native plants that sequester carbon, clean the air, and cool the urban heat island effect. Additional landscaping along both Dunn and 17th Streets would create a more pedestrian-inviting streetscape resulting in improved walkability.

2.) GREEN BUILDING

The EC recommends that the developer design the building with as many best practices for energy savings and resource conservation as possible. Some examples of best practices that go beyond the Building Code include enhanced insulation; high efficiency heating and cooling; Energy Star doors, windows, lighting, and appliances; high efficiency toilets; programmable thermostats in each unit; sustainable floor coverings; and recycled products such as carpet and counter tops.

A specific recommendation to mitigate the effects of climate change and dwindling resources is to install solar panels. Some of these buildings are ideal for photovoltaic (PV) solar panels because the roofs are flat. The price of PV systems continues to drop and the full-cost-accounting price of carbon-based electricity is skyrocketing.

EC RECOMENDATIONS

- 1.) The Petitioner should dedicate additional space to landscaped areas giving high priority to native species.
- 2.) The Petitioner should apply green building practices to create high performance, low carbon-footprint structures, and that enable the occupants to use their own green practices.

MEMORANDUM

Date: May 26, 2016

To: Bloomington Plan Commission

From: Bloomington Environmental Commission

Through: Linda Thompson, Senior Environmental Planner

Subject: PUD-14-16, Dunn Hill Apartments (RCR Properties LLC)
17th, 18th, 19th, Dunn, and Grant Streets

The purpose of this memo is to convey the environmental concerns and recommendations of the Environmental Commission (EC) with the hope that action will be taken to enhance the environmental integrity of this proposed Plan. The Petitioner's request is to rezone the property to a Planned Unit Development (PUD), demolish the current buildings, and build a new multi-family, student apartment complex.

This is a large urban site of about six acres across Dunn Street from Indiana University's main sports facilities, so the EC believes this is a good location for a tall, high density, student-oriented complex, and has no objection to that part of the request. At this time there are features of the PUD District Ordinance and the Preliminary Plan that have not yet been finalized, so this memo will not get into specific issues, but stick with general recommendations.

Part of the intent of a PUD is to preserve the natural, environmental and scenic features of the site; to encourage and provide a mechanism for arranging improvements on sites so as to preserve desirable features; buffer land uses proposed for the PUD so as to minimize any adverse impact which new development may have on surrounding properties; to enhance the appearance of neighborhoods by conserving areas of natural beauty and natural green spaces; and to promote and protect the environmental integrity of the site and its surroundings and provide suitable design responses to the specific environmental constraints of the site and surrounding area. The EC is aware there are practically no environmental features left on this heavily developed site. Therefore the EC recommends that the site design include as many new environmentally beneficial features as possible by reducing the size of the footprints, and increasing the heights of the buildings beyond what might normally be within the City's comfort zone.

ISSUES OF SOUND ENVIRONMENTAL DESIGN

1.) LANDSCAPING

The EC believes that the landscaping should be lush and thick in every available space on the

property except for some open turf areas used for sports, sunbathing, or other such activities. Using native plants provides food and habitat for birds, butterflies and other beneficial insects, promoting biodiversity in the city. Furthermore, native plants do not require chemical fertilizers or pesticides and are water efficient once established. For additional suggestions, please see the EC's Natural Landscaping materials at www.bloomington.in.gov/beqi/greeninfrastructure/htm under 'Resources' in the left column. We also recommend an excellent guide to midwest sources of native plants at: <http://www.inpaws.org/landscaping.html>.

2.) GREEN BUILDING

The EC recommends that the developer design the building with as many best practices for energy savings and resource conservation as possible. Some examples of best practices that go beyond the Building Code include enhanced insulation; high efficiency heating and cooling; Energy Star doors, windows, lighting, and appliances; high efficiency toilets; programmable thermostats in each unit; sustainable floor coverings; and recycled products such as carpet and counter tops. Some specific recommendations to mitigate the effects of climate change and dwindling resources include the following.

Reduce Heat Island Effect The roof material should have a minimum initial Solar Reflective Index (SRI) of 0.65, and an aged index of 0.55. (*SRI* is a value that incorporates both solar reflectance and emittance in a single value to represent a material's temperature in the sun. SRI quantifies how hot a surface would get relative to standard black and standard white surfaces. It is calculated using equations based on previously measured values of solar reflectance and emittance as laid out in the American Society for Testing and Materials Standard E 1980. It is expressed as a fraction (0.0 to 1.0) or percentage (0% to 100%). If a roof membrane is used, it should be overlaid with a reflective coating or covered with a white, granulated cap sheet.

Energy efficiency Enhance the weather, air, and thermal barriers of the building envelope to reduce the energy consumption associated with conditioning indoor air to reduce greenhouse gas emissions in our region.

Solar panels Some of these buildings are ideal for photovoltaic (PV) solar panels because the roofs are flat. The price of PV systems is dropping daily and the full-cost-accounting price of carbon-based electricity is skyrocketing.

Charging stations for electric vehicles

Many people are now purchasing electric vehicles (EV), making installation of charging stations a necessity for residents. Therefore the EC recommends that electric charging stations be installed for some of the parking spaces.

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 former 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*.

3.) GREEN INFRASTRUCTURE

Vegetated, water-infiltration features work to intercept and slow down water flow so that soil and vegetation can filter pollutants, store, infiltrate, and evapotranspire runoff. Urbanization disrupts this natural cycle causing greater and faster runoff to the receiving waterways, which in turn causes erosion, polluted streams, hotter surface water, and flooding, to name a few.

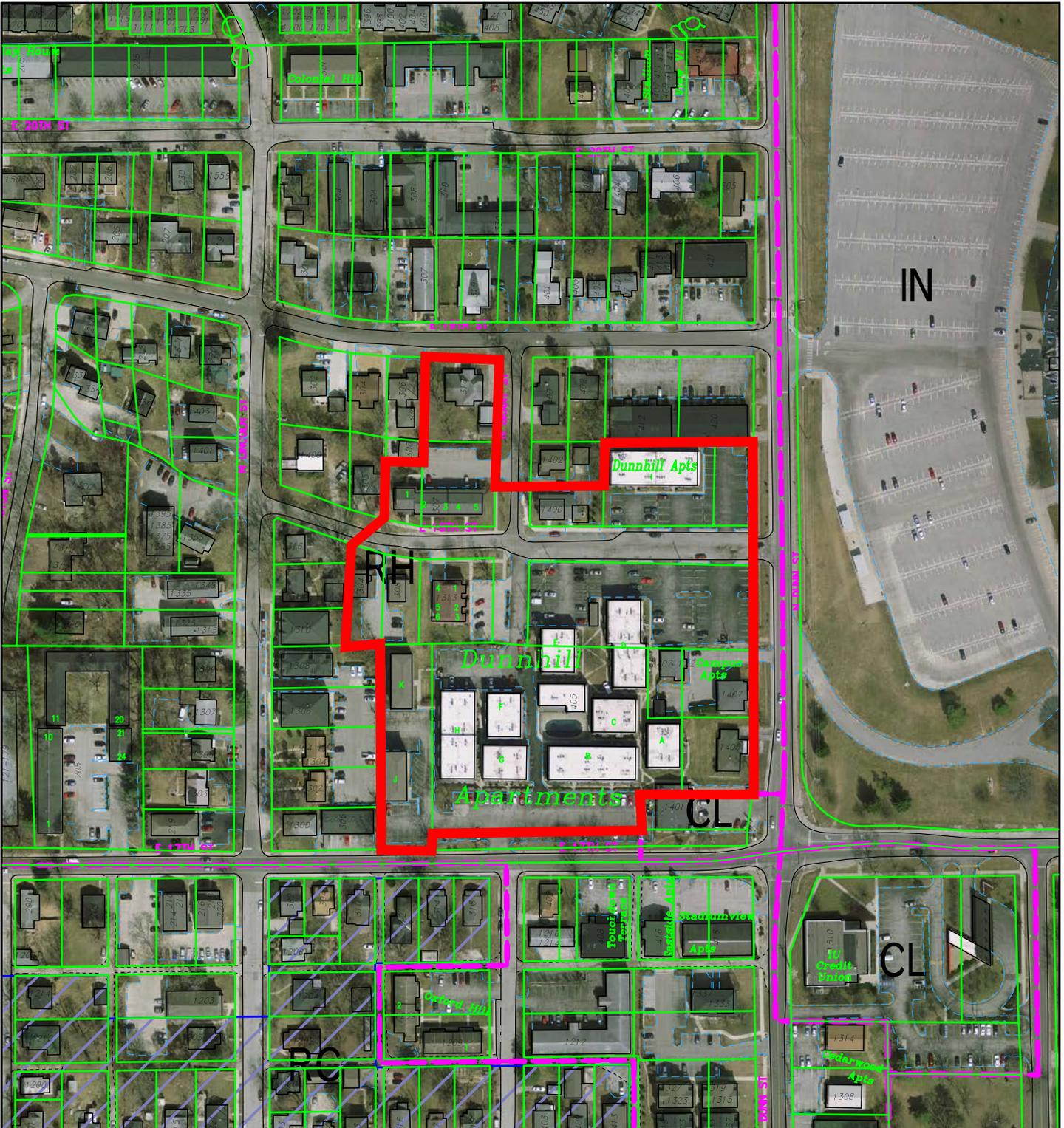
Therefore, the EC recommends that the stormwater plan include green infrastructure in lieu of simply piping it all to the current storm water system.

4.) CONSTRUCTION AND DEMOLITION DEBRIS

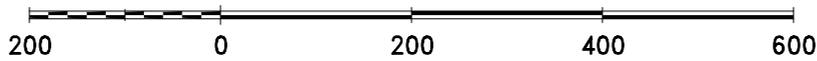
The EC recommends that construction and demolition debris from the existing structures and construction of the new buildings be collected for reuse or recycling. This material could be sold to local salvage businesses, given to a resale store for future re-use, or recycled. Very little material should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

EC RECOMENDATIONS

- 1.) The Petitioner should fill all available spaces on the property with landscape material, giving high priority to native species.
- 2.) The Petitioner should apply green building practices to create high performance, low-carbon footprint structures, and that enable the occupants to use their own green practices.
- 3.) The Petitioner should employ all of the green infrastructure feature possible to enhance water quality and quantity flowing off the site.
- 4.) The Petitioner should commit to salvaging, recycling, and reusing all possible construction and demolition materials not needed on site.



By: greulice
2 Jun 16



City of Bloomington
Planning & Transportation

N

Scale: 1" = 200'

For reference only; map information NOT warranted.

DUNNHILL PUD

The Dunnhill PUD is mixed use, high density, multi-family dwellings (student purposed housing) with a small component of non-residential use (amenity space, office, retail and commercial).

The development is a mixture of multi-unit apartment, multiple story structures and paired townhomes.

The PUD parcel consists of 3 parts.

Parcel A is bounded by 17th Street, Dunn Street and 18th Street. Parcel A covering 4.54 acres.

Parcel B is bounded by Dunn Street, 18th Street and Grant Street, covering .724 acres.

Parcel C is bounded by Grant Street, 18th Street and 19th Street, covering .680 acres.

A boundary description for Parcels A – C is attached.

Density:

Parcel A shall have a maximum density of 50 D.U.E.s per acre.

Parcels B and C shall each have a maximum density of 27 D.U.E.s per acre.

Parking:

Total parking spaces shall not exceed .85 spaces per bed on Parcel A. Parcel B and Parcel C shall not exceed 51 parking spaces. Parking on Parcel A shall be garage parking only. Parking on Parcels B and C shall be surface level spaces include guest, visitor, commercial and staff parking on Parcel B.

Parking Setbacks:

Parcel A: garage parking only

Parcel B: (parking area deviates from standard for setback from front building line). Not less than 15 feet setback from 18th Street right of way and not in front of the line of the building wall on 18th Street; side and rear yard 10 feet

Parcel C: 20 feet behind the primary structure front building wall; side yard, 10 feet; rear yard, 10 feet

Architectural and Development Standards:

Maximum Building Height:

N. Dunn Street frontage:

Parcel A:

Dunn St. Frontage: 50 feet at south end, proximity of 17th St.
72 feet at north building corner, at 18th St.
62 feet building frontage between the corner buildings

17th St. frontage: 50 feet

18th St. frontage: west of Grant St.: 61 feet
(south side) east of Grant St.: first building : 61 feet

east of Grant St.; second and third buildings:
50 feet

corner building at Dunn St., (building wraps
the corner from Dunn St.): 72 feet

Parcel B and Parcel C: 35 feet

Parking garage west exposure: 62 feet

Building Setback: per code RH zone

Maximum impervious surface coverage :

Parcel A: 70%

Parcel B and C: 50%

Storm water detention:

Required onsite storm water detention shall be by underground storage and rain gardens or other approved water quality measures.

Bicycle Parking:

Per code

Uses:

Uses as permitted in the commercial downtown zone

Additional Uses:

Dwelling, single family, attached and detached

Dwelling, multi-family (high density)

Maximum occupancy limits: 1 adult per number of beds plus dependent children

Dunn Street frontage use shall include a minimum 13,000 square feet, ground floor, non-residential use (office, amenity space, retail and commercial use).

Sustainable Practices:Recycling:

single stream recycling for all traditionally recyclable products and waste materials provided onsite and located to encourage residents to utilize the recycling services for disposal of all waste

Roof:

All flat roofs shall be white roof design

Energy Efficiency:

All dwelling units will be fully furnished to include Energy Star appliances

Greenbelt:

A pedestrian/bicycle pathway and green belt connecting 18th Street (at vicinity of the terminus of Grant Street) to 17th Street with installed rain gardens

Construction Practices:

Demolition (partial or total) of structures on the property shall attempt full salvage and recycling of materials

Lighting: per code, RH zone with pedestrian scale lighting along green belt

Traffic:

Traffic patterns and flow to include entrances and exits from the property, including the parking garage, shall be designed to limit 17th Street left turn opportunities

Security and Emergency Access:

Gates and all secured entrances shall provide access to emergency responders, including police and fire. The bicycle/pedestrian pathway and the greenbelt shall be a minimum of 12 feet in width of hard surface suitable for use by service vehicles and emergency vehicles. Collapsible bollards, rolled curbs and low planters shall be utilized to control and to restrict use of the bicycle/pedestrian pathway by motor vehicles except service and emergency response vehicles.

Emergency responder access from Dunn St. through to the interior courtyard

Architectural Standards:

Building and architectural facades shall comply with the requirements of the Uniform Development Ordinance section 20.05.015.

Pitched roofs on Parcels B and C (residential buildings); commercial building without upper apartments may be flat roof

Flat roofs on Parcel A

Exterior materials:

Primary: brick, limestone, fiber cement (all Parcels) and wood (Parcels B and C)

Secondary: cementitious siding (all Parcels)

Signage:

One project entrance sign on 17th Street; two project signs on Grant Street at intersection with 18th Street and one project sign at the intersection with 19th Street; and one project sign at 19th Street and Dunn Street intersection. Signs to meet Sign Standards – Residential for RH zone.

Parking garage and commercial uses shall be allowed wall signage (dimensions per code for CG zone)

Information signs for parking garage (wall sign at garage entrance/exit)

Free standing parking and information signs at surface level parking areas.

Information, direction and warning signs on green belt (not to exceed 4 feet in height and 4 square feet per side)

DUNNHILL PRO FORMA BED COUNT AND DUES

Parcel A

	Beds	No.	Value	DUE
	Studios	22	.20	4.40
	1-BR	23	.25	5.75
	2-BR	73	.66	48.18
	3-BR	33	1.0	33.00
	4-BR	90	1.5	135.00
Total	650 beds	241 apts		226.33 DUES
Acreage:	4.61	49.09/acre		

PUD Plan: 50 DUE/acre**Parcel B**

	4 –BR	12	1.5	18
Total	48 beds	12 townhomes	.724 acres	24.86/acre

PUD Plan: 27 DUE/acre**Parcel C**

	4-BR	12	1.5	18
Total	48 beds	12 townhomes	.68 acres	26.4/acre

PUD Plan: 27DUE/acre

PUD-14-16
Proposed bedroom
breakdown

Dunhill Student Housing Green and Sustainable Living Initiatives

- Provide covered bicycle parking within 100 feet from the building entrance; total bicycle rack count will exceed minimum required by code
- Provide native vegetation to assist with storm water management and retention; install rain gardens and biofiltration systems for surface level runoff
- Provide sections of permeable pavement implemented at Green Belt
- Roof material (TPO) to have a SRI of 82
- Provide energy efficient HVAC & Lighting
- Strive to source materials within 500 miles of site for 10% material cost (lumber, concrete, siding & stone, insulation, finish flooring) (500 miles includes North Georgia, Michigan, Tennessee, West Pennsylvania)
- Strive to recycle demolition and construction debris where possible
- Provide open space (greenbelt & courtyard) for pedestrian and bicycle use
- CA will assess market need and plan accordingly with regards to providing Electric Car charging stations
- Promote indoor water use reduction (energy star appliances and efficient plumbing fixtures)
- Provide adequate daylighting and views
- Acoustical Performance
- Dedicated waste recycling containment areas

Dunn Hill Student Housing - Bloomington, IN

Conceptual Site Plan - Exhibits

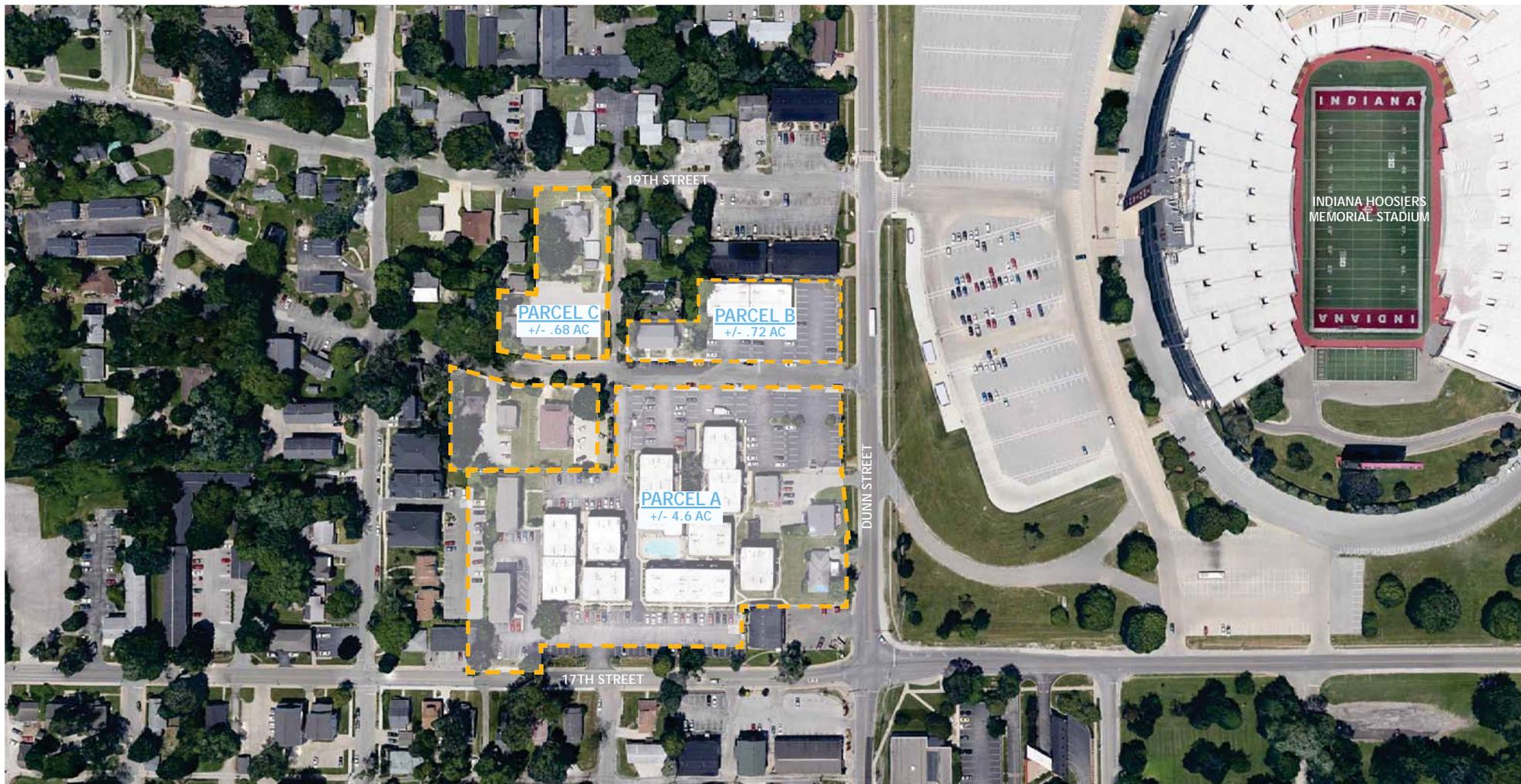
June 24, 2016

A RESIDENTIAL COMMUNITY DEVELOPED BY:
CA VENTURES IN A JOINT VENTURE WITH REGENCY APARTMENTS

NILES BOLTON ASSOCIATES

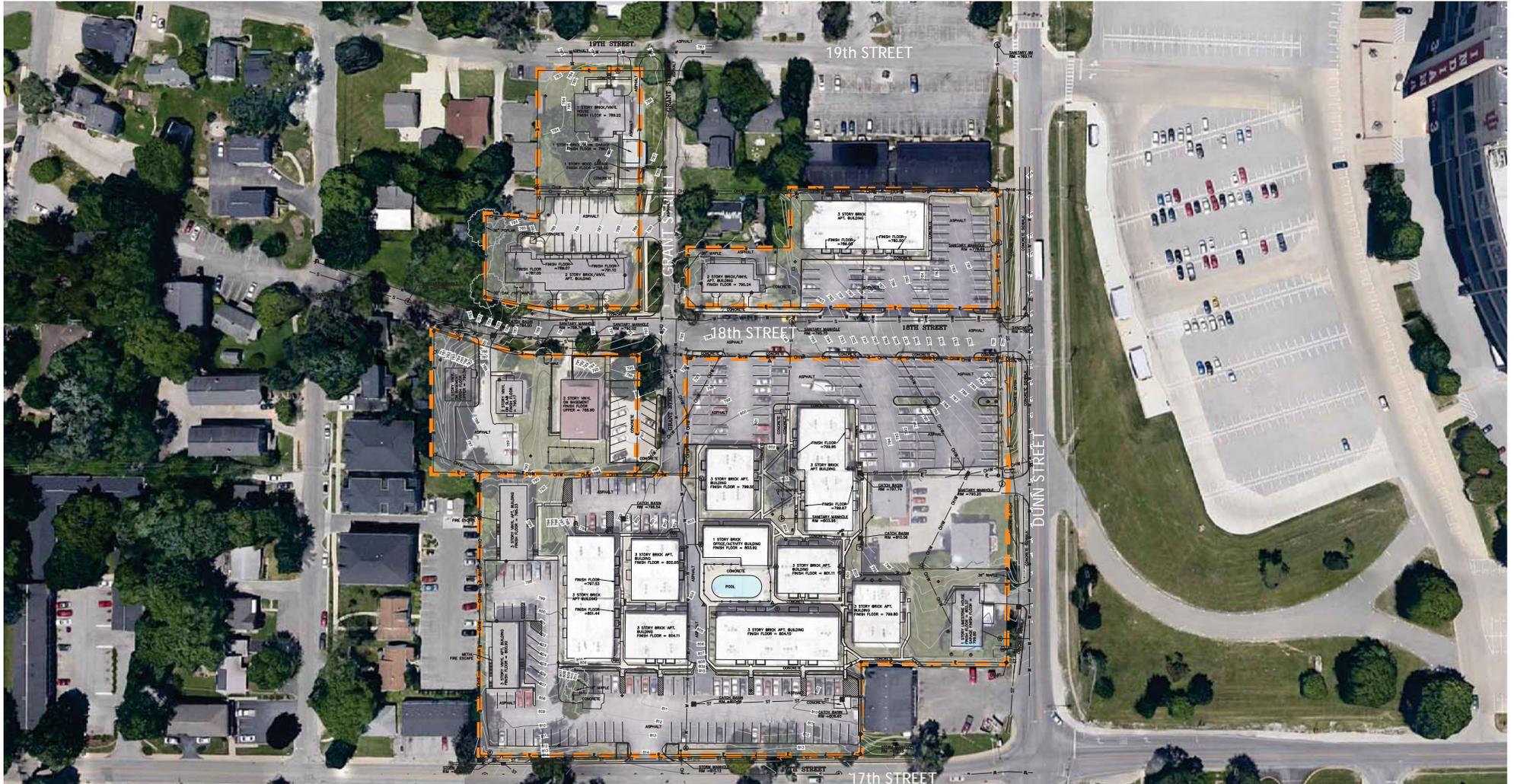
Context Map

Dunn Hill Student Housing - Bloomington, IN



Existing Survey

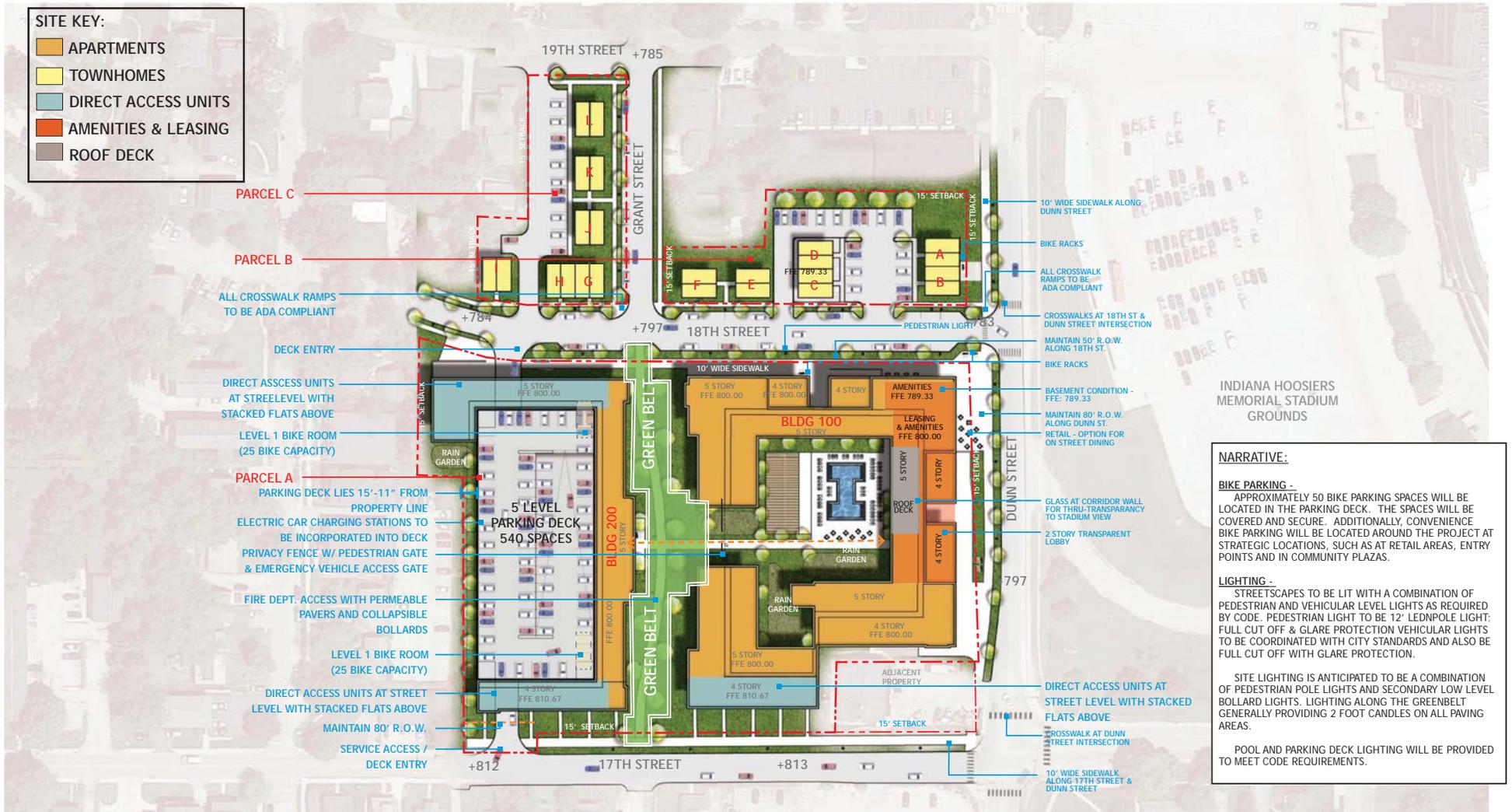
Dunn Hill Student Housing - Bloomington, IN



PUD-14-16
Existing Survey

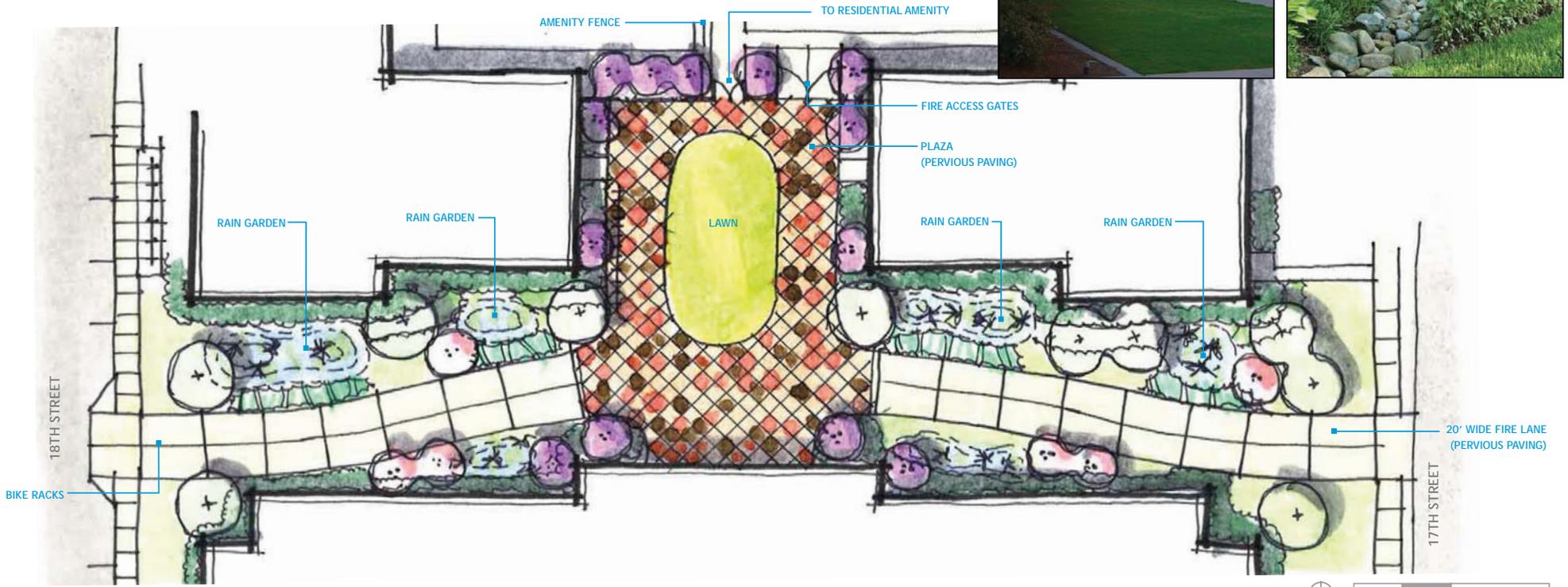
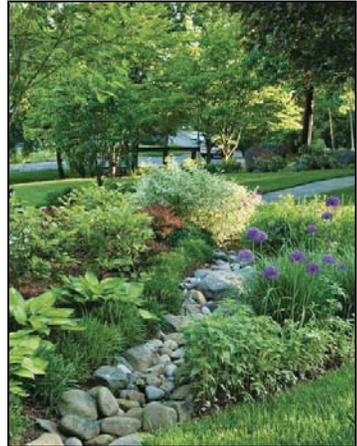
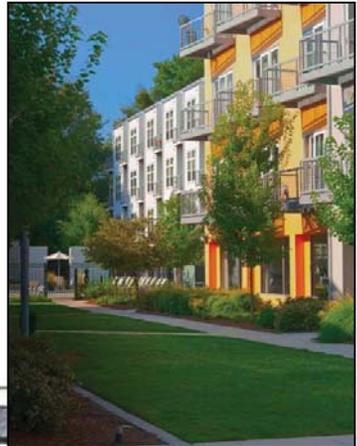
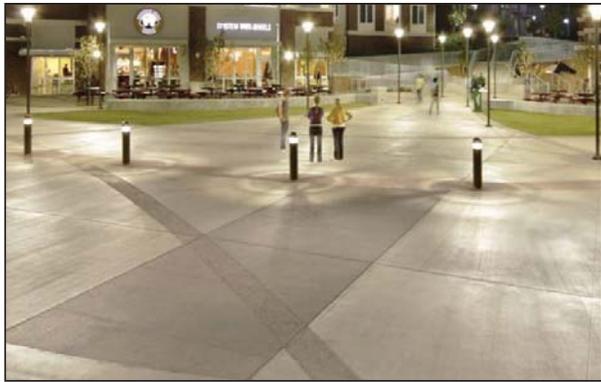
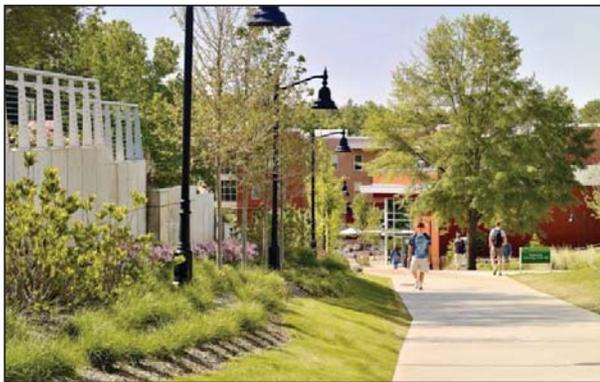
Overall Site Plan

Dunn Hill Student Housing - Bloomington, IN



Greenbelt Vignette

Dunn Hill Student Housing - Bloomington, IN



PUD-14-16
Green Belt layout and features

Elevation Views

Dunn Hill Student Housing - Bloomington, IN



Building 100 - 18th Street Elevation



Building 100 - Dunn Street Elevation

Not To Scale - Dimensions for Reference Only

PUD-14-16
Exterior elevations

Elevation Views

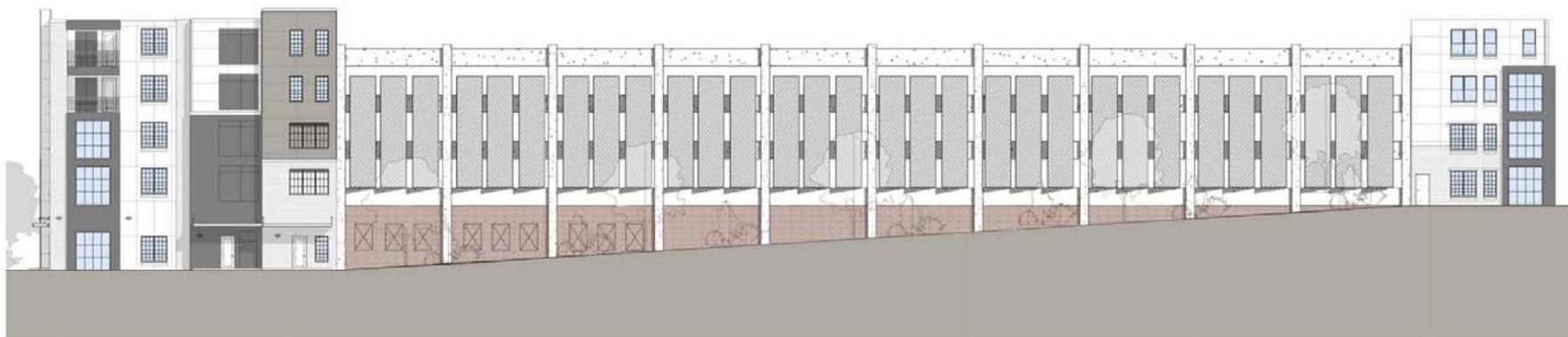
Dunn Hill Student Housing - Bloomington, IN



Building 200 - 17th Street Elevation



Townhome - Typical Elevation

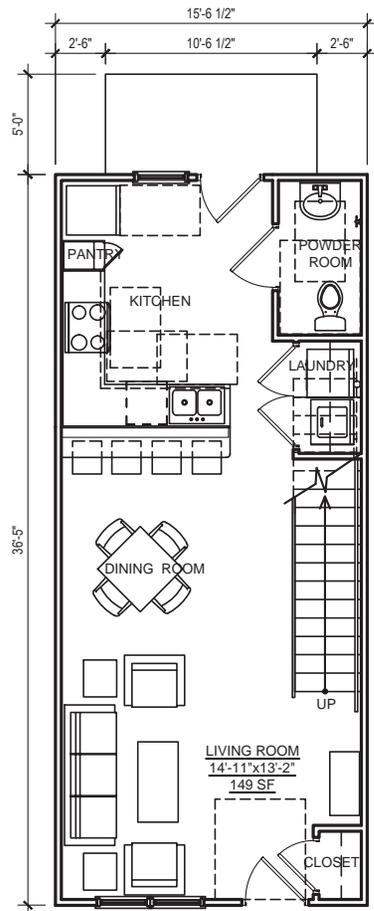


Building 200 - West Elevation

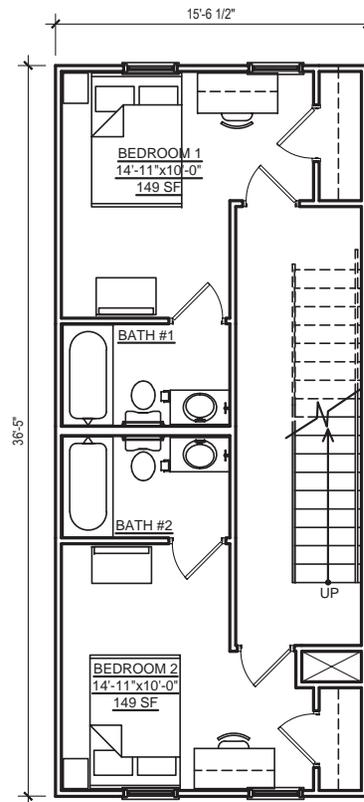
Not To Scale

Proposed Townhome Plans

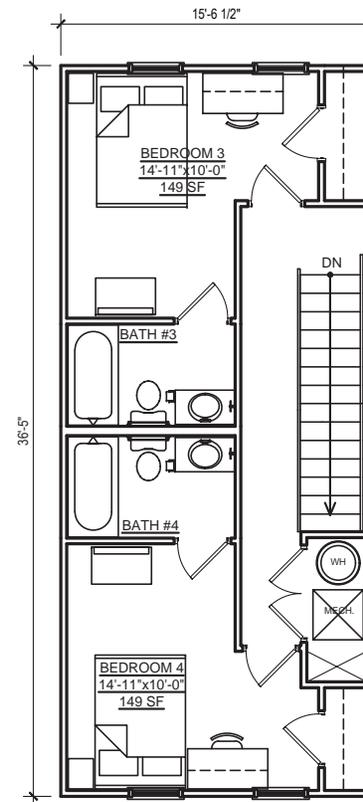
Dunn Hill Student Housing - Bloomington, IN



Level 1
566 SF - Heated



Level 2
566 SF - Heated



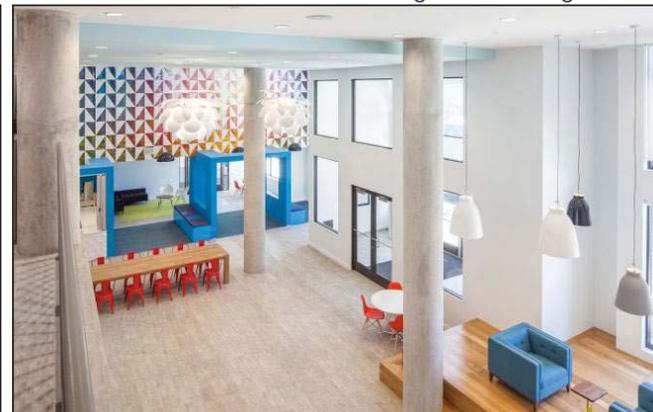
Level 3
566 SF - Heated

Not To Scale

PUD-14-16
Townhome floor plans

Massing Model - Perspective View

Dunn Hill Student Housing - Bloomington, IN



- SITE KEY:
- APARTMENTS
 - DIRECT ACCESS UNITS AT STREET LEVEL
 - AMENITIES & LEASING



PUD-14-16
Massing model of 18th and
Dunn Street.



PUD-14-16
Rendering of corner of 18th and
Dunn Street looking southwest

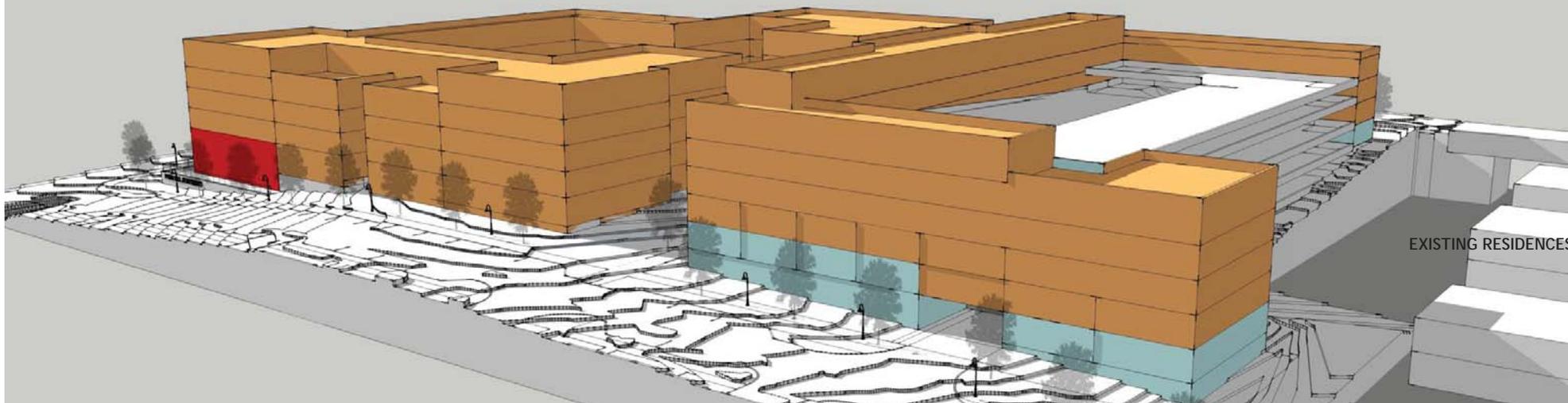
Massing Model - Perspective View

Dunn Hill Student Housing - Bloomington, IN



SITE KEY:

- APARTMENTS
- DIRECT ACCESS UNITS AT STREET LEVEL
- AMENITIES & LEASING



PUD-14-16
Massing model along 18th Street



PUD-14-16
Rendering looking east along
18th Street

Massing Model - Perspective View

Dunn Hill Student Housing - Bloomington, IN



- SITE KEY:
- APARTMENTS
 - DIRECT ACCESS UNITS
 - RETAIL & AMENITIES



Massing Model - Perspective View

Dunn Hill Student Housing - Bloomington, IN



SITE KEY:

- APARTMENTS
- DIRECT ACCESS UNITS
- RETAIL & AMENITIES
- CONVENIENT STORE



PUD-14-16
Massing model along 17th
Street



PUD-14-16
Overall elevation looking north

Dunn Hill Student Housing - Bloomington, IN



PUD-14-16
Proposed building materials

**BLOOMINGTON PLAN COMMISSION
STAFF REPORT
FIRST HEARING
LOCATION: 600-630 E. Hillside Drive**

**CASE #: PUD-16-16
DATE: July 11, 2016**

PETITIONER: Dwellings LLC (Mark Lauchli)
P.O. Box 5204, Bloomington

COUNSEL: Bynum Fanyo and Associates, Inc
528 N. Walnut Street, Bloomington

REQUEST: The petitioners are requesting a rezoning of approximately 2.73 acres from Residential Single-Family (RS) and Residential High Density (RH) to Planned Unit Development (PUD) and approval of a new PUD District Ordinance and Preliminary Plan for a mixed residential development. Also requested is a waiver from the 5 acre minimum PUD size.

BACKGROUND:

Area:	2.73 acres
Current Zoning:	RS
GPP Designation:	Urban Residential
Existing Land Use:	Single family
Proposed Land Use:	Commercial, multi-family, and single family
Surrounding Uses:	North – Institutional (Templeton Elementary)
	West – Commercial and multi-family
	East – Multi-family
	South – Single family

REPORT SUMMARY: The property in question contains six parcels totaling 2.73 acres bounded by E. Hillside Drive to the north, S. Henderson Street to the west, a multifamily development to the east, and single-family homes to the south. The property is mostly zoned Residential Single Family (RS), with a small area of Residential High Density (RH), and currently contains 6 single-family houses.

The petitioners propose to rezone the property from RS and RH to Planned Unit Development. They chose a PUD request because no existing zoning district would accommodate the proposed development style. Commercial zoning would not permit the proposed building with first floor apartments and multi-family zoning would not permit the commercial uses. Presented with this petition is a draft PUD district ordinance and preliminary plan. The petitioners are also asking for the Plan Commission to waive the 5 acre minimum lot size to accommodate the 2.73 acre petition site.

The two houses near the intersection of Hillside and Henderson (600 and 602 E. Hillside) will either be demolished or donated to a local preservation group for relocation. These houses are both listed as contributing structures on the 2001 Survey of Historic Sites and

structures. Demolition of the houses was approved by the Historic Preservation Commission at their June 23, 2016 meeting. The other four single-family houses will remain on the property and are included in the PUD.

The PUD can be broken down into two main areas: the single-family area and the mixed-use area. The mixed-use area includes 3 buildings, parking, a courtyard area, detention pond, and other landscaping. This is also where changes to the streetscape are proposed with added on-street parking, a multiuse path on Henderson, tree plots, space for outdoor seating, and wider and improved sidewalks.

Of the three buildings—labeled A, B, and C—Building A is the mixed-use building that addresses the intersection. It is proposed as a two-story building with commercial and residential on the first floor and residential units above. The mixed-use portion of the building is brick and the eastern portion of the building is a combination of board and batten and lap siding with a shed style metal roof. The building has a flat roof, designed to accommodate several solar panels on the roof as well as 1,000 square feet of a green roof. The four commercial spaces total 6,327 square feet. One commercial space will likely be used as a leasing office or fitness studio. Two spaces have entrances onto Henderson, one space has its entrance at the corner, and the final commercial space has its pedestrian entrance on Hillside. There has been some discussion about whether more of the commercial spaces should be oriented toward Hillside instead of Henderson. Building A also includes 6 1-bedroom units on the first floor that face Hillside. The second floor of Building A contains 5 2-bedroom units and 7 1-bedroom units.

Building B faces Hillside Drive and contains 16 efficiency units with 8 on each floor. The building has a hip roof and proposed materials are shake and lap siding. The building was designed to contrast with the adjacent commercial building.

Building C is proposed at 4-stories and faces Henderson Street and the single-family development to the south. The first floor of the building would be for parking and the upper three stories for apartments. Along Henderson Street the building is 3 stories with a height of 35 feet. Along the southern property line the building is 4 stories and is 48 feet tall. The building has a pitched roof and dormer windows. It utilizes several materials including cast stone, metal louvers, and a wood screen at street level to conceal the first-floor parking. The building uses lap siding, shake siding, batten board, and wood for railings and decorative window brackets. The first-floor contains 45 parking spaces. The second and third floors have a mix of 12 2-bedroom and 18 1-bedroom units.

Neighborhood Meeting: As required by the UDO, the petitioner has conducted several neighborhood meeting and presented the project at regular meeting of the adjacent Bryan Park Neighborhood Association. The BPNA has included a statement in the packet.

GROWTH POLICIES PLAN: The GPP designates this 2.73 acre site as “Urban Residential.” Staff notes the following policy statements that apply to this development:

Compact Urban Form

- (Compact urban form) should be supplemented by strategies to increase housing densities within the planning jurisdiction. (Page 5)
- (Compact Urban Form) does not imply the intrusion of higher density development into established housing, crowding, or high rise development of a scale more appropriate to larger cities. (Page 5)
- Bloomington must look inward for opportunities to accommodate continued growth within the existing limits of the community (page 5)

Mitigate Traffic

- MT-1: Develop transit-oriented site planning standards as a required component of development and redevelopment projects. (page 14)
- MT-2: Require the siting of future high density multifamily and commercial projects within walking distance to transit routes. (page 14)
- MT-8: Require the construction of pedestrian and bicycle facilities that provide safety and convenience in all new and redevelopment projects. Examples of features to be considered are sidewalks, pedestrian crosswalks, sidepaths, bicycle lanes, and bicycle racks. (page 15)
- MT-9: Create true pedestrian corridors by increasing the number of large species, street trees in tree plots, and other pedestrian amenities within the right-of-way. (page 15)
- MT-10: Ensure that designs for new construction and/or the retrofitting of existing intersections provide a safe environment for pedestrians to reduce crossing distances and include pedestrian signalization. (page 15)

Conserve Community Character

- Neighborhood character can evolve in a gradual and compatible way to allow additional density through subdivision lots and the creation of granny flats and duplexes. (page 17)

Urban Residential Land Use Category

- (The Urban Residential Land Use) category identifies existing residential areas with densities generally ranging from 2 units per acre to 15 units per acre. Additional, this category also includes individual vacant lots and smaller acreages, known as neighborhood conservation areas. (page 31)
- The fundamental goal for (neighborhood conservation) areas is to encourage the maintenance of residential desirability and stability. Where new infill development is proposed, it should be consistent and compatible with preexisting developments. (page 31)
- (The Urban Residential areas should be developed) for predominately residential uses; however, incorporate mixed residential densities, housing types, and non-residential services where supported by adjacent land use patterns. (page 31)

- Thus, the main objectives for (the Urban Residential) areas are to maintain adequate levels of service when possible to improve the capacity and aesthetic of all urban services. (page 31)
- (The Urban Residential areas should) optimize street, bicycle, and pedestrian connectivity to adjacent neighborhoods as well as community activity centers. (page 31)
- (The Urban Residential areas should) ensure that new common open space is truly usable and accessible. (page 31)
- (The Urban Residential areas should) provide for marginally higher development densities while ensuring preservation of sensitive environmental features and taking into consideration infrastructure capacity as well as the relationship between new development and adjacent existing neighborhoods. (page 31)
- ...development of...small parcels should respect the unique character and development pattern of the neighborhood. The development should emphasize building and site compatibility with existing densities, intensities, building types and other site planning features. (page 31)

PUD DISTRICT ORDINANCE ISSUES:

Uses: The petitioners have proposed a list of uses for the commercial area of the development. The proposal is to follow the Commercial Limited (CL) zoning district permitted uses with the following removed:

- a. Barber/beauty shop
- b. Bed and breakfast
- c. Brewpub
- d. Coin laundry
- e. Day care center, adult
- f. Day care center, child
- g. Tanning salon
- h. Utility substation and transmission
- i. Video rental
- j. Billiard/arcade room (listed as a conditional use in the CL district)

The CL zoning district intent fits this area well and there is CL zoning adjacent to this property. However, several of the uses listed above fit within the context. In approving uses for the site, there is a balance between finding uses that fit the context, creating viable commercial spaces, and mitigating impacts on adjacent property owners. The property owner can make determinations about the commercial spaces and how to lease those space. Staff finds that some of the uses proposed as excluded would fit this context well, especially barber/beauty shop, brewpub, coin laundry, day care center, tanning, and billiard/arcade room. A day care center adjacent to the elementary school could be useful for families. A restaurant (or brewpub) could have the highest impact on neighbors due to traffic, loading, deliveries, hours of operation, etc. Staff suggests the petitioner develop a plan to mitigate some of the potential negative impacts on neighbors, such as whether deliveries should only use the on-site parking lot, prior to the second hearing.

Development Standards: In the District Ordinance, the petitioners propose utilizing CL as underlying zoning, however there are areas of conflict between the CL standards and the presented Preliminary Plan. Building C is 48 feet at its tallest, which exceeds the CL maximum height of 40 feet. As a comparison, the maximum height in the RH zoning district is 50 feet. The District Ordinance does not clarify the underlying zoning for the 4 single-family houses on the property. On the Preliminary Plan, the area is delineated as “RH underlying zoning.” Prior to the second hearing, the District Ordinance needs to be corrected to identify all standards to be used to for review of the PUD Final Plan. Any standards that conflict with the proposed underlying zoning district must be specifically called out. The District Ordinance also needs to specify the long term development plans for the portion of the property with the existing house to remain.

Residential Density: The proposed residential density of the overall site is 10.59 units per acre. The mixed use portion of the site would contain 17 2-bedroom units, 29 1-bedroom units and 30 studio units for a total of 76 units and 93 bedrooms for 13.37 DUEs/acre. The RH portion of the site, which includes the existing house to remain, includes 4 3-bedroom units for a total of 12 bedrooms and 4.44 units per acre. Both the mixed use portion of the site and the overall gross density are less than the maximum permitted density for either the RH or CL zoning districts of 15 units per acre.

Occupancy: Occupancy was not discussed in the district ordinance. If the goal is to set the underlying zoning district as RH and CL, then occupancy of all dwelling units would be limited to the multi-family definition of “family” which includes not more than 5 unrelated adults. Through the PUD process, the Plan Commission could limit occupancy more than the UDO does.

Impervious Surfaces: The petitioners propose a maximum impervious surface coverage of 58%. This does not exclude the right-of-way required to be dedicated. This percentage is more than the RM and RS districts (40%), the RH district (50%), and the CL district (50%). Impervious surface coverage relates to the density, height, number of units, and parking ratio. If the impervious coverage is deemed too high, then one or more of the other variables (density, parking ratio, etc.) will need to be changed.

Phasing and Final Plan Review: The petitioners have developed a phasing plan for the public and private improvements in the PUD.

- Phase 1: Construction of Buildings A and B along with associated parking and infrastructure improvements, the maintenance building, recycling center and trash compactor. The streetscape along Hillside will also be completed. Anticipated timing: late fall of 2016 with completion in May/June of 2017
- Phase 2: Building C and associated infrastructure. Anticipated timing: fall of 2017 with completion in May of 2018

Staff believes there should be more clarity to the timing of the infrastructure improvement along Henderson and Hillside.

In addition to the proposed phasing plan, the petitioners have requested staff level PUD Final Plan review. Staff level final plan is typically reserved for projects where there is a high level of detail already provided with the Preliminary Plan and District Ordinance. Staff requests guidance from the Plan Commission on whether to delegate Final Plan review to staff.

PUD PRELIMINARY PLAN ISSUES:

Parking, Street Parking and Access: The Preliminary Plan shows an off-street parking ratio of 1 space per 1 bedroom, which is the parking maximum for multifamily. There are 93 parking spaces on-site for the 93 proposed bedrooms.

On the street, the petitioners propose to add 6 parallel spaces on Henderson and 14 angled parking spaces on Hillside. One of the spaces on Hillside will be ADA van accessible parking. The existing travel lanes on both street will be narrowed to accommodate the street changes. There has been much debate about angled parking in this area. Since the South Dunn PUD was completed in 2001, only one wreck has been reported from the angled parking.

There are three ways for a vehicle to access the site. One existing driveway on Hillside and one new driveway on Henderson will lead to the surface parking lot. One additional curb cut on S. Henderson aligns with Southern Drive and provides access to the first floor parking in Building C.

Landscaping: While the petitioner is not required to submit a final landscaping plan at this time, they have submitted a detailed preliminary plan. The landscaping proposed within the parking lot does not meet current UDO parking lot landscaping requirements in terms of islands and trees. Staff requires guidance from the Plan Commission if reduced parking lot landscaping is appropriate in the context of this neighborhood scale mixed use development.

Right-of-Way Dedication: Hillside and Henderson are both classified as Secondary Arterials in the thoroughfare plan. Both of these require 80 feet of right-of-way, or 40 feet from the centerline. The right-of-way dedication is not shown on the preliminary plan, but once all proposed street parking spaces and pedestrian improvements are added to the right-of-way it should meet or exceed this standard.

Architecture: The petitioners have submitted schematic renderings of the potential architecture. Prior to the second hearing, written architectural standards are required. The mass and scale of Building C is greater than anticipated. Previously, the discussions had revolved around a 3-story building. The building appears to be 3 stories internally on the site and at Henderson Street, but the properties to the south will see a 4-story building. Staff believes the design of the commercial building fits within the context of the area and historic examples of small scale neighborhood commercial buildings. The design of the two residential buildings have less of an urban feeling. The HPC commented that the residential buildings “feel suburban.” While opinions on architecture can vary, the

question for discussion should focus on whether a cohesive design is more appropriate for the development or if the proposed mix of styles is appropriate.

Transit: The PUD site will include one bus stop along Hillside. The intersection is served by two Bloomington Transit routes: Route 1 and Route 7.

Bicycle and Pedestrian Design: The PUD preliminary plan attempts to provide walkable, pedestrian friendly design. Sidewalks and tree plots are shown on Hillside Dr. and Henderson St. The tree plot on Henderson St. does not meet the minimum 5-foot standard and should be widened in order to allow trees to grow in the space. Tree species and spacing can be discussed in the next hearing. For the commercial buildings along Henderson, the petitioner has included an area for outdoor seating that ranges from 10-feet to 9-feet in width. Staff supports the inclusion of space for outdoor seating, and also supports that 10-feet as a good amount of space to achieve outdoor seating. The multiuse path along Henderson, as previously discussed, is included and must be 10-feet in width. At this time, it is 8-feet. Building A also includes a small outdoor area that faces the intersection. This is a nice design element and adds more to the pedestrian experience.

The Bicycle and Pedestrian Transportation and Greenways System Plan calls for a multiuse path along Henderson Street. The multiuse path will run from Hillside Drive to Winslow Road, providing a separated facility for people to safely walk and bicycle to southern destinations—Bloomington High School South, Frank Southern Ice Area, the YMCA. One of the key connections will be to the B-Link Trail, which is a separated trail that will connect with the Switchyard Park and the B-Line. The B-Link Trail is currently under construction.

This section of the multiuse path will be constructed with the PUD. This site provides an interesting context for a multiuse path because there will be businesses directly adjacent to the path. Staff has requested a 10-foot minimum width for the path, and that the material be concrete in a different color so as to contrast from the outdoor seating area. The petitioner has provided an 8-foot path on the plans. Because of the different context of this space with increased pedestrian traffic for the businesses and residences, staff considers 10-feet to be the minimum appropriate width and will match the 10-foot wide path the City is currently designing to the south. One way to reduce the possible conflict between outdoor diners and path users could be to place the commercial building entrances on Hillside as opposed to Henderson.

For the commercial area, staff encourages more bicycle parking. The northern-most landscaping area adjacent to the crosswalk ramp could be a good location. Often when racks are placed adjacent to buildings, they are installed too close to the buildings to be effective.

Long term bicycle storage will be provided in Buildings A, B, and C, but the design details of the indoor bicycle parking areas have not yet been provided.

Utilities: A schematic utility plan has been submitted to CBU and is under review. Water and sewer are already available on the site. Interior water and sewer mains will be private facilities.

Stormwater: A schematic stormwater plan has been submitted to CBU and is under review. This plan includes a detention pond on the south side of the property.

Environmental Commission Recommendations: The Bloomington Environmental Commission (EC) has made five recommendations concerning this development.

- 1.) The site design needs to incorporate more of the general intents of both a PUD and CL district.
- 2.) The District Ordinance should clearly state the future intentions of the single family dwellings.
- 3.) The Petitioner should fill all available spaces on the property with landscape material, giving high priority to native species.
- 4.) The Petitioner should apply green building practices to create high performance, low-carbon footprint structures, and that enable the occupants to use their own green practices.
- 5.) The Petitioner should commit to salvaging, recycling, and reusing all possible construction and demolition materials not needed on site.

CONCLUSIONS: Staff supports the project in terms of use and development style. Staff finds that this petition satisfies some of the GPP goals including mixed residential housing types and connectivity. There should be discussion of impacts and the intensity of development, especially in regard to impacts to the street and surrounding neighborhood. Some topics for discussion at the hearing, or between staff and petitioner prior to the second hearing, include the following:

- Is the proposed 13.37 units/acre on the mixed-use portion appropriate?
- Should commercial spaces be more oriented toward Hillside Drive instead of the proposed orientation toward Henderson St.?
- Should the residential buildings more closely resemble the commercial building in style and form?
- Is Building C too tall, especially adjacent to the single family homes to the south?
- Should the PUD be required to meet current UDO parking lot landscaping requirements?
- Should the proposed uses for the commercial spaces exclude any of the CL uses as proposed or accept all CL uses?
- Should RH zoning be the underlying zoning for the single-family houses portion of the PUD?

- Is the proposed 60% impervious surface coverage appropriate? Should pervious pavers be required to reduce the impervious surface coverage percentage?
- Should more space be devoted to outdoor seating?
- Is the Plan Commission comfortable with staff level PUD Final Plan review?

RECOMMENDATION: Staff recommends forwarding this petition to the required second hearing at the August 8, 2016, Plan Commission meeting.

MEMORANDUM

Date: July 1, 2016
To: Bloomington Plan Commission
From: Bloomington Environmental Commission
Through: Linda Thompson, Senior Environmental Planner
Subject: PUD-16-16, Dwellings,
600 – 630 E. Hillside Dr.

The purpose of this memo is to convey the environmental concerns and recommendations of the Environmental Commission (EC) with the hope that action will be taken to enhance the environmental integrity of this proposed Plan. The Petitioner's request is to rezone the property to a Planned Unit Development (PUD), build three new buildings, and leave some existing single family residences.

ISSUES OF SOUND ENVIRONMENTAL DESIGN

1.) DISTRICT INTENT

Part of the intent of a PUD is to preserve the natural, environmental, and scenic features of the site; to encourage and provide a mechanism for arranging improvements on sites so as to preserve desirable features; buffer land uses proposed for the PUD so as to minimize any adverse impact which new development may have on surrounding properties; to enhance the appearance of neighborhoods by conserving areas of natural beauty and natural green spaces; and to promote and protect the environmental integrity of the site and its surroundings and provide suitable design responses to the specific environmental constraints of the site and surrounding area. The EC is aware there are few environmental features left on this site; therefore, the EC recommends that the site design include as many new environmentally beneficial features as possible to create an inviting, neighborhood-friendly, live, work, and play development that enhances the overall environmental footprint of the location.

The underlying zoning district regulations that this PUD will assimilate are from a Commercial Limited (CL) District. Part of the intent of a CL is to “encourage proposals that further the Growth Policies Plan goal of sustainable development design featuring conservation of open space, mixed use, pervious pavement surfaces, and reductions in energy and resource consumption.”

The EC believes that in general the Petitioner has a start in following the intent of a PUD and a CL zone, but more needs to be done. Specifically needed is more open space, parking lot

islands, additional vegetation, and more native species.

2.) PUD FUTURE DEVELOPMENT

The EC would like to know the future plans for the single family dwellings that are proposed to remain for now. There is little need to include them in the PUD unless there was a plan for future development. Therefore, the EC recommends that this be addressed in the PUD District Ordinance.

3.) LANDSCAPING

The EC believes that there are not enough vegetated areas on the open spaces, especially around the single family dwellings, the buffer yard, or within the parking lot. The District Ordinance describes a courtyard on the west side of building B, but nothing is shown on the Landscape Plan except the required parking lot perimeter plantings. The landscaping should be lush and thick in every available space on the property except for some open turf areas used for sports, sunbathing, or other such activities.

The buffer yard between the CL and Residential High Density (RH) districts is not shown in all areas, nor is buffer landscaping shown in those areas. The entire buffer needs to be delineated and landscape shown on the plan.

Planting native plants provides food and habitat for birds, butterflies and other beneficial insects, promoting biodiversity in the city. Native plants do not require chemical fertilizers or pesticides and are water efficient once established. For additional suggestions, please see the EC's Natural Landscaping materials at www.bloomington.in.gov/beqi/greeninfrastructure/htm under 'Resources' in the left column. We also recommend an excellent guide to midwest sources of native plants at: <http://www.inpaws.org/landscaping.html>.

4.) GREEN BUILDING

The EC is pleased that in the District Ordinance the Petitioner has committed to a number of green building and infrastructure practices. These best practices will amount to one of the greenest construction projects in Bloomington. The list includes the following.

- * A 40-panel roof mounted photovoltaic system
- * A 300-gallon solar thermal hot water system to supply the non-resident commercial area
- * An approximate 1,000 square foot extensive green roof system
- * A white roof membrane on the remainder of the flat roof system
- * A cistern connected to roof drains for landscape irrigation
- * LED lighting for all new construction
- * Energy Star appliances for all new construction
- * Low flow appliances for all new construction
- * Native species and low water tolerant landscape materials
- * Design new construction to LEED Certified Standard excluding the certification process

The EC suggests including charging stations for electric vehicles in the garage. Many people are now purchasing electric vehicles (EV), making installation of charging stations a necessity for residents. Therefore the EC recommends that electric charging stations be installed for some of the parking spaces.

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>).

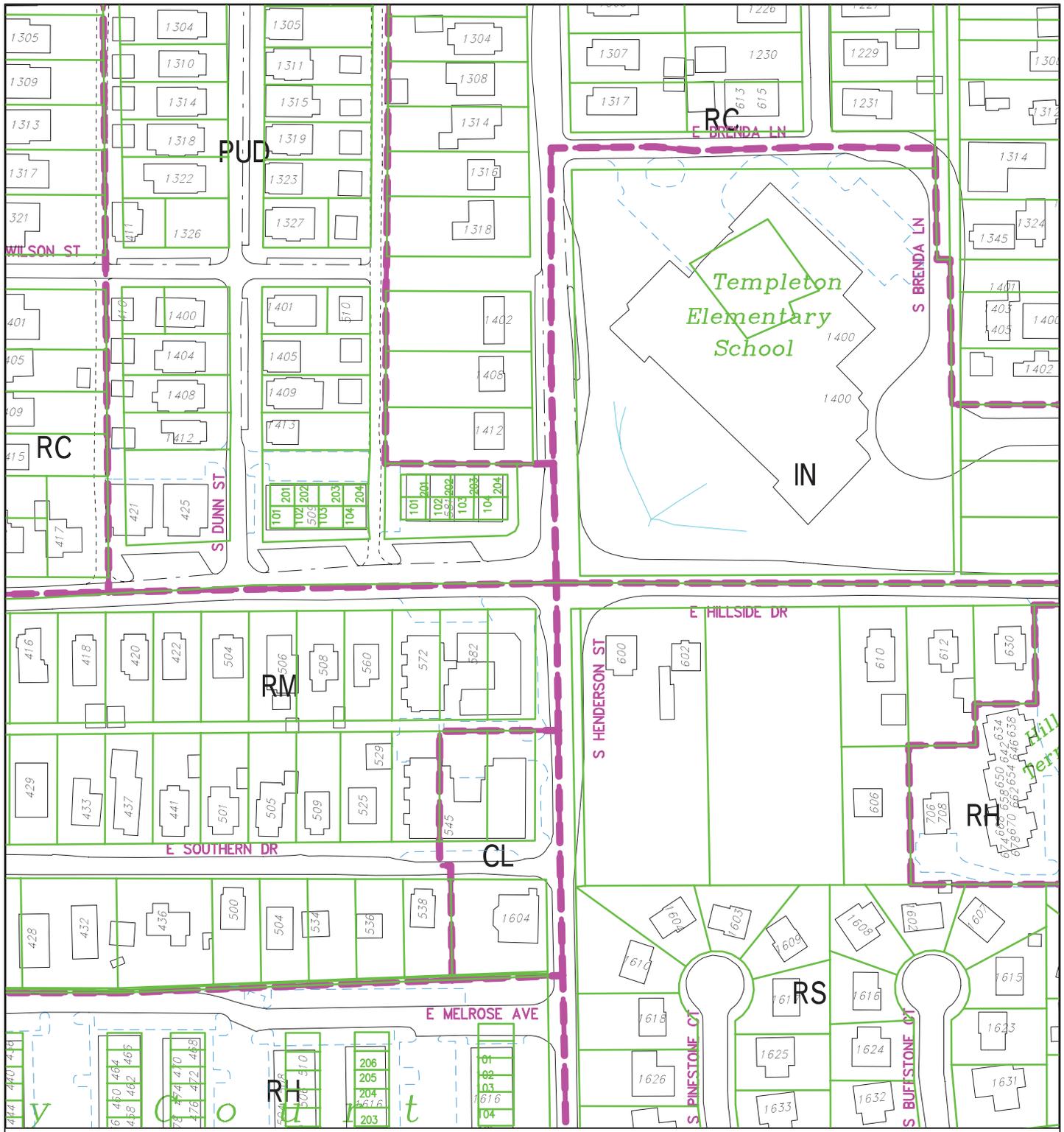
Sustainable building practices are explicitly called for by the Mayors' Climate Protection Agreement signed by former Mayor Kruzan; by City Council Resolution 06-05 supporting the Kyoto Protocol and reduction of our community's greenhouse gas emissions; by City Council Resolution 06-07, which recognizes 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*.

5.) CONSTRUCTION AND DEMOLITION DEBRIS

The EC recommends that construction and demolition debris from the existing structures 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.

EC RECOMENDATIONS

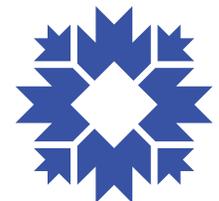
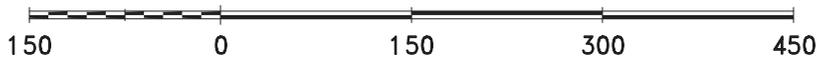
- 1.) The site design needs to incorporate more of the general intents of both a PUD and CL district.
- 2.) The District Ordinance should clearly state the future intentions of the single family dwellings.
- 3.) The Petitioner should fill all available spaces on the property with landscape material, giving high priority to native species.
- 4.) The Petitioner should apply green building practices to create high performance, low-carbon footprint structures, and that enable the occupants to use their own green practices.
- 5.) The Petitioner should commit to salvaging, recycling, and reusing all possible construction and demolition materials not needed on site.



Hillside and Henderson Southeast corner proposed PUD
 Location, Buildings, Zoning

City of Bloomington
 Planning & Transportation

By: rosenbab
 27 May 16



Scale: 1" = 150'

For reference only; map information NOT warranted.



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131
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June 6, 2016

City of Bloomington Plan Commission
401 N. Morton Street
Bloomington, Indiana 47403

Re: Dwellings LLC; South Park PUD Preliminary Plan Approval

Dear Plan Commission and City Council Members:

Our client Dwellings, LLC. respectfully request Preliminary Plan approval of a PUD located at the southeast corner of Hillside Drive and S. Henderson Street.

Existing Conditions

The PUD consist of 2.73 acres containing 6 platted lots at 600, 602, 606, 610, 612 and 630 E. Hillside Drive. The property is currently zoned RS. The property to the north is zoned IN, to the east RH, to the south RS, to the west CL and RM. At 600 E. Hillside Drive there are two single family residences, one of which will most likely be relocated to another nearby lot. 602 E. Hillside is a vacant lot, 606 E. Hillside has an existing 3-bedroom house, 610 E. Hillside has a 3-bedroom house, 612 E. Hillside has a 2-bedroom house and a 1-bedroom converted garage and 630 E. Hillside has an existing 1-bedroom house.

Proposed Uses

The western two lots will have three new buildings constructed. Building "A" at the intersection of Hillside and Henderson is a three story mixed use building with 6,400 square feet of commercial space on the first floor and 13 one bedroom and 5 two bedroom units on the first, second and third floors. The proposed uses for the commercial space shall be the same as allowed in the Commercial Limited (CL) District with the exclusion of the following: barber/ beauty shop, bed and breakfast, brewpub, coin laundry, day care center adult and child, tanning salon, utility substation and transmission facility, video rental, billiard/ arcade room.

To support the commercial space, we are proposing 6-parallel parking spaces on Henderson Street and 15-angled parking spaces in front of building "A" on E. Hillside Drive. One of the 15-spaces will the ADA compatible.

Building "B" east of building "A" is a two story building with 16 efficiency units. A landscaped court yard will be created to the south of building "A" and west of building "B" along with surface parking internal to the project. Access to this parking will be from

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812-332-8030

BLOOMINGTON, INDIANA 47404
FAX 812-339-2990

PUD-16-16
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132

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Henderson Street and will align with the alley on the west side of Henderson Street. Additional parking is proposed east of building "B" along an existing driveway to E. Hillside Drive.

Building "C" will be constructed south of the proposed internal parking lot with units along Henderson Street and the mentioned parking lot. The first floor will consist of a partially submerged parking garage with 44-parking stalls and bicycle storage spaces the unit mix consist of 14 efficiency units, 16 one bedroom and 12 two bedroom units on the second and third floors. Access to the parking garage will be via a drive aligning with Southern Drive across Henderson Street.

The single family home at 610 E. Hillside Drive will remain as is but the garage, currently being used as storage will be removed and replaced with surface parking. A new maintenance building, recycling center and trash compactor will be constructed between 606 and 610 E. Hillside Drive. A minor lot line adjustment with 708 E. Hillside Drive will be made as a result of the maintenance building.

The houses at 612 and 630 E. Hillside Drive will have the shared driveway and front yard gravel parking area removed and landscaped (more on landscaping later). The converted 1-bedroom garage will also be removed and returned to yard and landscaping. Parking for these two homes will be provided to the rear of 630 E. Hillside Drive and accessed via an ingress-egress easement and minor lot line adjustment granted by Hillside Terrace Apartments.

We are also proposing that four of the proposed units be designated for low income housing. An application has been submitted to Housing and Neighborhood Development for approval of this designation.

GPP Urban Residential

Intent

The GPP designates this property as Urban Residential stating *"Urban Residential areas include those parts of the city developed after the Core Residential areas were built-out. Some minor development is still taking place in these areas. This category identifies existing residential areas, with densities generally ranging from 2 units per acre to 15 units per acre."* The GPP goes on to state *"Urban Residential areas have good access to roads, public water and sewer, and other public services."*

We believe our project meets the intent of the GPP in the fact that our proposed density for the CL portion of the project has 24.47 DUE units on 1.83 acres for a density of

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13.37 units per acre. The RH portion of the project has 4 detached homes on 0.90 acres for a density of 4.44 units per acre. The project also has access to existing public roads, sewer, water, electricity, natural gas and fiber optic cable, all public services listed in the intended section of the GPP.

Land Use

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

This project meets the land use by the fact we have “mixed residential densities, a unit mix of efficiencies, one and two bedroom units and a component of commercial space.

Urban Services

The GPP states *“Urban Residential Areas have full accessibility to all modern urban services. Thus, the main objectives for these areas are to maintain adequate levels of services”*

This project is well placed for accessibility to urban services. We have an elementary school across E. Hillside Drive, a high school to the south, bus stops on E. Hillside Drive and S. Henderson Street and neighborhood serving shops and restaurant to our immediate west.

Site Design

Design goals include the following:

“Optimize street, bicycle, and pedestrian connectivity to adjacent neighborhoods as well as to commercial activity centers.”

This project is using existing streets to its optimization, the city is constructing a multi-purpose path along S. Henderson Street to the Black Lumber connection to the B-Line Trail and future Switch Yard Park. Sidewalks connect this project to Bryan Park located close by to the north. Commercial Activity Centers are to our immediate west and north west as well as this project providing additional neighborhood serving center.

“Ensure that each new neighborhood has a defined center or focal point. This center could include such elements as a small pocket park, formal square with landscaping, or a neighborhood serving land use.”

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The proposed site and building design incorporates all of the above. There is an outdoor seating area at the intersection of Hillside Drive and Henderson Street that creates a focal point of the entry to the commercial space. We have a court yard internal to the property to be used for outdoor seating and passive recreation, the outdoor seating mentioned at the intersection with its landscaping island creates a formal setting for entry to our property and we are recruiting tenants that we hope to be similar to the other tenants west and north west of this project that are neighborhood serving.

“Ensure that new common open space is truly usable and accessible. Provide linkages between such open space and other public spaces.”

The previously mentioned court yard meets this goal. In addition, we are removing driveways and inefficient parking areas to open up a usable lawn between the two of the detached homes.

“Provide for marginally higher development densities while ensuring the preservation of sensitive environmental features and taking into consideration infrastructure capacity as well as the relationship between the new development and adjacent existing neighborhoods.”

This project is being proposed well within the urban densities listed in the intent section. We are fortunate that this site has no environmentally sensitive areas and is well served with excellent capacities of infrastructure. Finally, we are compatible with the existing uses to our east, west, northwest and north. We are providing a 35-foot setback to our south property line with a landscaped buffer to diminish our impact to these properties.

Density and DUE's

Within the CL portion of the project we have 17 2-bedroom units under 950 square feet, 29 one bedroom units under 700 square feet and 30 efficiency units under 550 square feet for a total of 24.47 DUE units on 1.83 acres for a density of 13.37 units per acre.

On the RH portion of the project we have 4 detached homes on 0.90 acres all at or under 3-bedrooms for a density of 4.44 units per acre.

An overall density comes to 10.59 units per acre.

Architecture (By Matt Ellenwood AIA, LEED AP)

Zoning Requirements

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135

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The site is zoned CL - Maximum allowable height is 40 feet. Architectural Standards (AG) apply.

Contextual Design

The development was conceived as a continuation of the adjacent redevelopment to the west and builds upon the success of those efforts, namely in accommodating both neighborhood commercial and residential uses at an appropriate scale. It is a neighborhood of complimentary but diverse buildings rather than a homogenous apartment complex. This reflects the diversity and uniqueness of the surrounding area and continues the dialogue of place that occurs over time. To that end the buildings are meant to reference various historical styles and eras while simultaneously looking forward with sustainability in mind. The hope is that they would seamlessly blend into the surrounding context and reinforce the vitality of the existing structures nearby. To that end the design team has worked to meet the intent of the local neighborhood association's requests through meetings and follow up correspondence.

Building A (NW corner of the property) is a 2 story mixed-use structure that anchors the development and directly relates to the other buildings at the street intersection through use, scale, materiality and orientation. Ground floor commercial space on both Hillside and Henderson provides further opportunity for successful neighborhood amenities such as dining, personal or professional services and miscellaneous retail. The angled corner reflects the orientation of Templeton School while also providing a geometry unique to the other street corners. Brick with limestone and metal accents as well as expansive storefront glazing and generous awnings ensure a welcoming backdrop to the streetscape experience. East of the commercial space the building transitions toward the residential uses along Hillside with urban apartments at both ground and upper floors. These reflect the modern trend toward interurban living and provide a contrast and counterpoint to the more historic style of the street corner. Various patterns of fiber cement cladding, large overhangs and windows and Juliet style balconies add interest. Landscaping and ground level stoops will provide a buffer and privacy at the street level.

Building B (East of Building A) is a relatively small (16 efficiency units) 2-story residential structure that is designed to help make the transition to the single-family and small multi-family structures to the east. The low hip roof, traditional horizontal lap siding and double-hung windows all reflect the character of the adjacent gabled bungalows. Separate entrances on the north and south ensure a more private and community-friendly experience for both the public and tenants. Fiber cement siding, composite trim and aluminum railings as well as an asphalt shingle roof make up the exterior materials.

Building C (South of Buildings A&B) is the largest structure on the property but it is designed to reflect a more personal scale architecture both along Henderson and within the central court area. It consists of 2 ½ stories of residential over a 1 story partially-buried parking garage, accessed from the SW corner of the building. This greatly reduces the visual impact of vehicles on the property and allows a 35' landscape buffer to the property south of the building. Along Henderson townhouse-like massing and entry stoops as well as extensive landscaping create an upscale residential streetscape. That theme continues throughout the main body of the building within the

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PUD-16-16
Petitioner Statement



central court and along the south elevation that faces toward the neighboring single-family areas. A combination of various patterns of fiber cement are the primary materials along with some stone, or cast stone, at the base on the west end of the building. Concrete masonry and metal louvers will wrap the partially-exposed parking garage along the south and east facades, where there is minimal exposure to the street or adjacent properties.

Sustainability

The petitioner is planning to incorporate several environmentally-conscious features and construction standards that would meet or exceed LEED Silver certification for Building A as well as other energy-efficient strategies for Buildings B & C. Some of the considerations are:

High-efficiency HVAC Systems

Energy Star Appliances

Low-flow Plumbing Fixtures

High Albedo (Solar Reflectivity) Roofing

Large Windows for Natural Light

Partial "Extensive" Green Roof (approx. 1000 sf)

PV Solar Panels

Rainwater Capture and Reuse for Irrigation

Recycling Collection

Waivers

The proposed development seeks a waiver of density as well as height due to the aforementioned site conditions.

Phasing

The project will be completed in two phases. Phase I will consist of the construction of buildings "A" and "B" along with its associated parking and infrastructure improvements as well as the maintenance building, recycling center and trash compactor. The street scape along E. Hillside Drive will also be completed at this time. Construction for phase I is anticipate to start in the late fall of 2016 with completion in May-June of 2017.



Phase II consist of building "C" and its associated infrastructure. Construction for phase II would commence in the fall of 2017 for a completion in May of 2018

Hillside Drive Streetscape

With the approval of this PUD the properties fronting on E. Hillside Drive from Henderson Street to one lot east of Hillside Terrace Apartments will be under common ownership. As a result, our client is proposing to create a uniform streetscape along the entirety of its frontage. This will allow two individual driveways at 600 and 602 E. Hillside Drive and one shared driveway at 612 and 630 E. Hillside Drive to be closed reducing points of conflict between vehicle and pedestrian. In addition, a uniform landscaping plan will enhance the beauty of the properties and increase the usable lawn and garden areas for the tenants.

Underlying Zoning and Variances

We are proposing that the underlying zone for 600 and 602 E. Hillside Drive be the same as the west side of Henderson which is CL and the remainder of the PUD be the same as the property east of this property which is RH. With these designations we will be requesting variance from the following conditions:

1. Impervious surface area to be allow at 60% computed for the entire PUD.
2. Residential uses on the first floor other than the designated commercial space in the CL District.
3. Landscape Island size for the internal parking lot.
4. Parking setback of 20-feet from the face of the building for the parking garage and the ADA ramp for the ADA parking space fronting on E. Hillside drive.

Sustainability Initiatives

The following elements will be made a part of this petition to promote sustainability for the development:

1. A 40-panel roof mounted photovoltaic system.
2. A 300-gallon solar thermal hot water system to supply the non-restaurant commercial areas.
3. An approximate 1,000 square foot green roof system. A white roof membrane on the remainder of the flat roof system.
4. A cistern connected to roof drains for landscape irrigation.
5. LED lighting for all new construction.
6. Energy Star appliances for all new construction.
7. Low flow appliances for all new construction.



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138

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8. Native species and low water tolerant landscape materials.
9. Design new construction to LEED Certified Standard excluding the certification process.

Utilities and Stormwater Management

Existing storm water, sanitary sewer and potable water currently available in Hillside Drive and Henderson Street right of ways. Buildings "A" and "C" will connect to the sanitary sewer locate at the south west corner of 600 E. Hillside Drive in the Henderson Street right of way. Building "B" will connect to the sanitary sewer in E. Hillside Drive. A grease trap will be placed in the entrance drive to the internal parking lot in the event a restaurant becomes a tenant.

Domestic and fire suppression water will be connected to the 12-inch water main located in E. Hillside Drive near the northeast corner of building "B" and piped to the three proposed buildings.

Storm water from the eave drains will be piped where feasible to the cistern located in the internal court yard. An over flow pipe from this cistern will be connected to the storm drainage system and conveyed to the storm water quality/ detention pond where the storm water will be filtered and released at predevelopment rates.

If you feel we have supplied enough detail during the PUD preliminary plan process, we would respectfully request staff level review of the final plan.

After you have had a chance to review our request please contact us at any time with questions or comments.

Sincerely,

Jeffrey S. Fanyo, P.E., CFM

Bynum Fanyo and Associates, Inc.

528 North Walnut Street

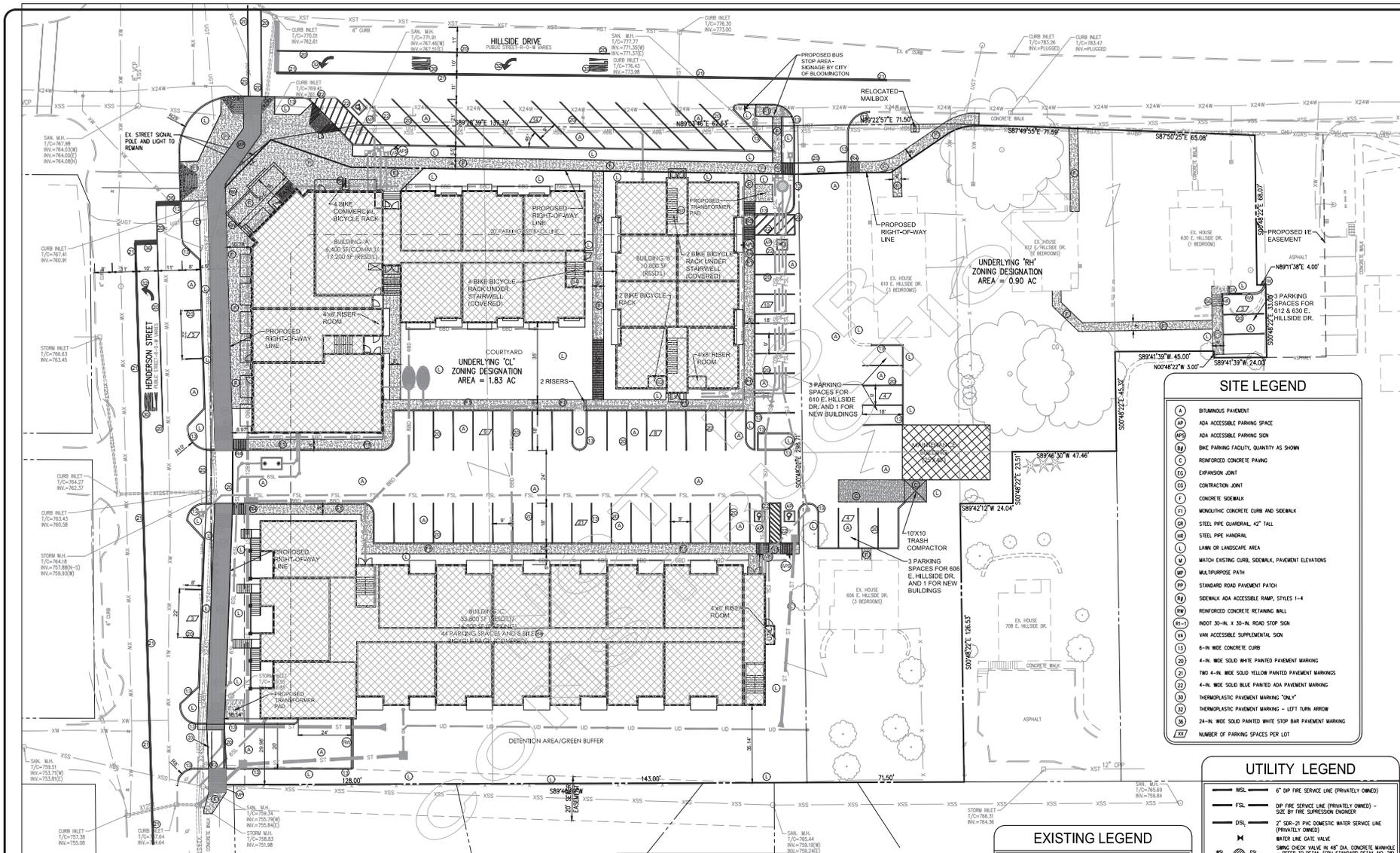
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PUD-16-16
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revisions:

SCALE: 1"=20'

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BYNUM FANTY & ASSOCIATES, INC.
Bloomington, Indiana
(812) 338-2590 (Fax)

**PRELIMINARY
NOT FOR
CONSTRUCTION**

JUNE 27, 2016

**PROPOSED
PARK SOUTH P.U.D.**

600 - 630 E. HILLSIDE DRIVE
BLOOMINGTON, INDIANA 47401

title: SITE PLAN

designed by: JBT
drawn by: JBT
checked by: JSF
sheet no: C202
project no: 401612

SITE LEGEND

(A)	BIOMASS PAVEMENT
(B)	ADA ACCESSIBLE PARKING SPACE
(C)	ADA ACCESSIBLE PARKING SIGN
(D)	ADA ACCESSIBLE PARKING SIGN
(E)	BIKE PARKING FACILITY, QUANTITY AS SHOWN
(F)	REINFORCED CONCRETE PAVING
(G)	EXPANSION JOINT
(H)	CONTRACTION JOINT
(I)	CONCRETE SIDEWALK
(J)	WOOD/PLC CONCRETE CURB AND SIDEWALK
(K)	STEEL PIPE GALVANNEAL, 12" TALL
(L)	STEEL PIPE HANDRAIL
(M)	LAWN OR LANDSCAPE AREA
(N)	MATCH EXISTING CURB, SIDEWALK, PAVEMENT ELEVATIONS
(O)	MULTIPURPOSE PATH
(P)	STANDARD ROAD PAVEMENT PATCH
(Q)	SIDEWALK ADA ACCESSIBLE RAMP, STYLES 1-4
(R)	REINFORCED CONCRETE RETAINING WALL
(S)	ROOT 30-IN. x 30-IN. ROAD STOP SIGN
(T)	VIA ACCESSIBLE SUPPLEMENTAL SIGN
(U)	6-IN. WIDE SOLID CONCRETE CURB
(V)	4-IN. WIDE SOLID WHITE PAINTED PAVEMENT MARKING
(W)	TWO 4-IN. WIDE SOLID YELLOW PAINTED PAVEMENT MARKING
(X)	4-IN. WIDE SOLID BLUE PAINTED ADA PAVEMENT MARKING
(Y)	THERMOPLASTIC PAVEMENT MARKING "ONLY"
(Z)	THERMOPLASTIC PAVEMENT MARKING - LEFT TURN ARROW
(AA)	24-IN. WIDE SOLID WHITE STOP BAR PAVEMENT MARKING
(AB)	NUMBER OF PARKING SPACES PER LOT

UTILITY LEGEND

WSL	6" DP FIRE SERVICE LINE (PRIVATELY OWNED)
DFSL	DP FIRE SERVICE LINE (PRIVATELY OWNED) - SIZE BY FIRE SUPPRESSION ENGINEER
DSL	4" OFF-STREET WATER SERVICE LINE (PRIVATELY OWNED)
WGL	WATER LINE GATE VALVE
SM	3/4" SINK OVER VALVE IN 48" DIA. CONCRETE MANHOLE REFER TO PLAN (CONCRETE STANDARD DETAIL NO. 20)
SMR	2" DIA. 20' PVC DOMESTIC WATER SERVICE LINE (PRIVATELY OWNED) ARE REQUIRED TO BE ABOVE GROUND IN THE BUILDING'S UTILITY ROOM
DM	2" DOMESTIC METER (ONE-PIECE) IN A 30" METER PIT (SEE DETAIL)
FR	FIRE DEPARTMENT "300" CONNECTION (FDIC)
RI	POST INDICATING VALVE (PIV)
ESL	4" SDP-35 PVC SANITARY SEWER LATERAL (PRIVATELY OWNED)
ST	ASD BRAND SERIES N-12 HOPE STORM SEWER PIPE (PRIVATELY OWNED)
ED	SDP-35 PVC BUILDING/DOWNSPOUT DRAIN PIPE (PRIVATELY OWNED)
GAS	GAS SERVICE LINE
ELEC	ELECTRIC SERVICE LINE - SEE NOTE THIS SHEET

EXISTING LEGEND

---	PROPERTY LINE
X	FENCE
---	WATER LINE PIPE, SIZE AS INDICATED
---	CONTOUR & ELEVATION
---	SANITARY SEWER PIPE
XST	STORM SEWER PIPE, SIZE AS INDICATED
XHE	OVERHEAD ELECTRIC LINES
XGE	UNDERGROUND ELECTRIC LINES
XHT	OVERHEAD TELEPHONE LINES
XGT	UNDERGROUND TELEPHONE LINE
XGAS	GAS LINE PIPE

P.U.D. PARKING COUNT

20 ON-STREET SPACES
94 OFF-STREET SPACES FOR NEW BUILDINGS
9 OFF-STREET SPACES FOR EXISTING HOMES

P.U.D. BEDROOM COUNT

NEW BUILDINGS:
17 - TWO BEDROOM UNITS W/ 2 BATHROOM
29 - ONE BEDROOM UNITS W/ 1 BATHROOM
30 - EFFICIENCY

EXISTING HOMES:

1 - ONE BEDROOM HOME
1 - TWO BEDROOM HOME
2 - THREE BEDROOM HOMES

IMPERVIOUS COVERAGE

PUD AREA: 118,896.0 SF (2.73 AC)

~~CONCRETE IMPERVIOUS AREA - 15,168.0 SF (0.34 AC)~~

~~ASPHALT IMPERVIOUS AREA - 10,168.0 SF (0.23 AC)~~

~~TOTAL IMPERVIOUS COVERAGE - 25,336.0 SF (0.57 AC)~~

~~ASPHALT IMPERVIOUS COVERAGE - 10,168.0 SF~~

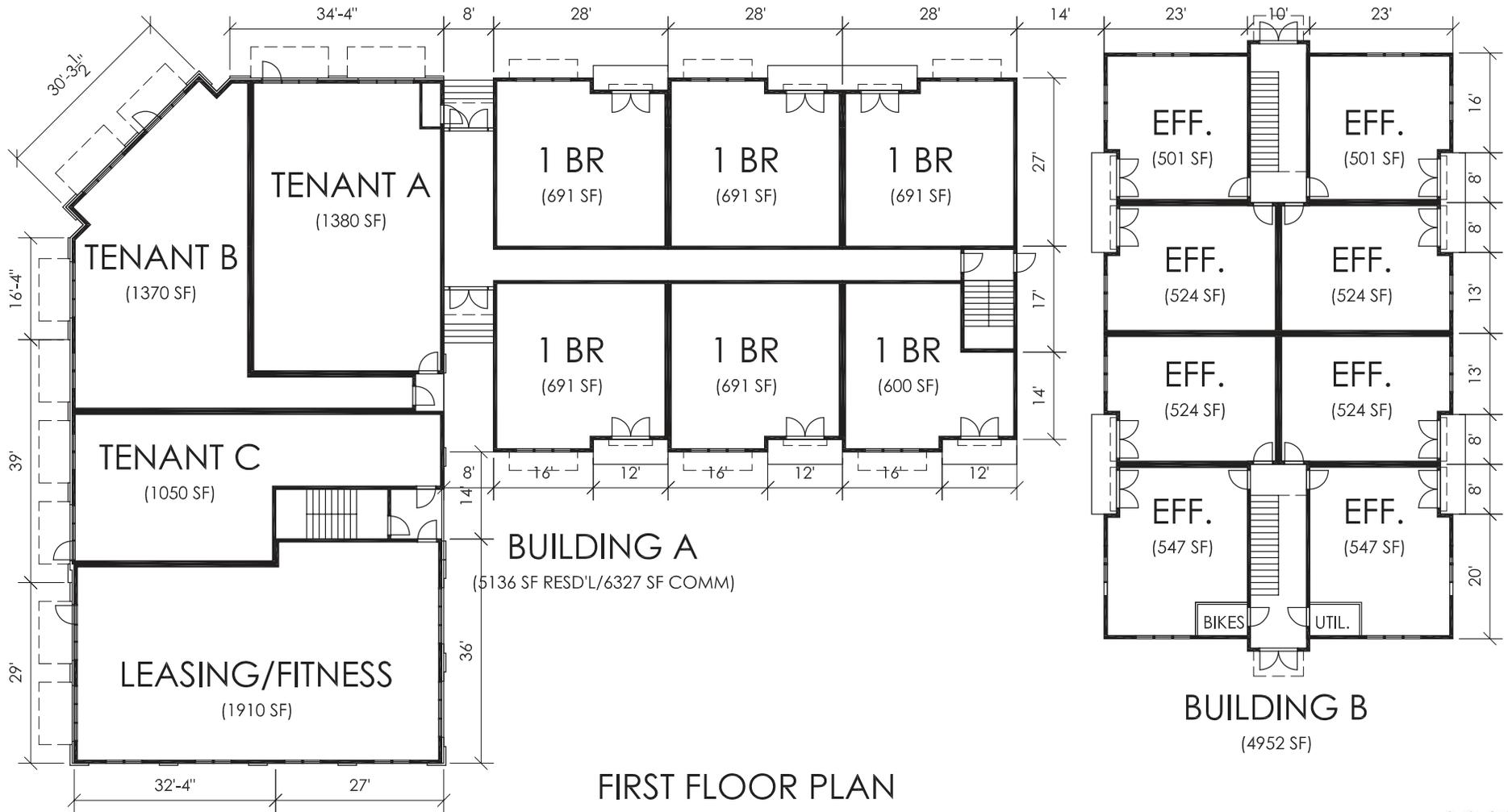
~~CONCRETE IMPERVIOUS COVERAGE - 15,168.0 SF~~

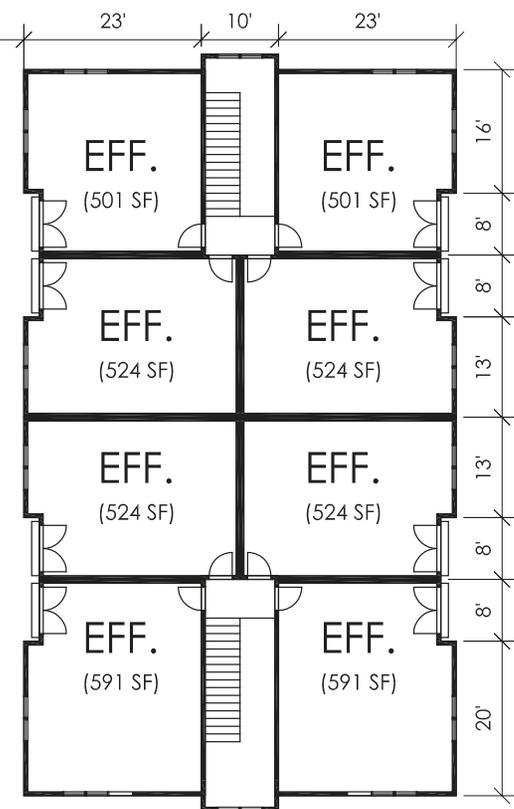
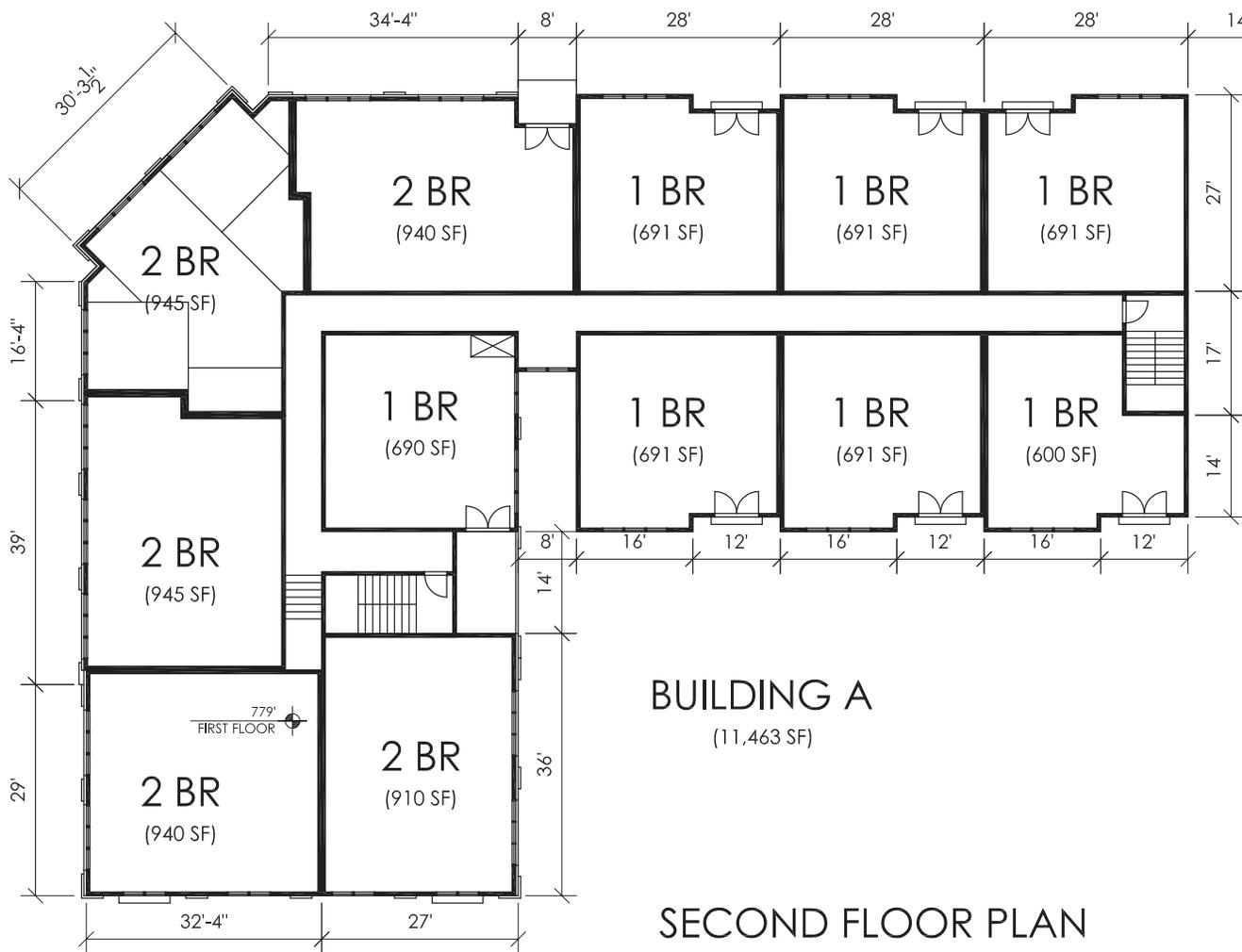
P.U.D. COMMERCIAL SPACE

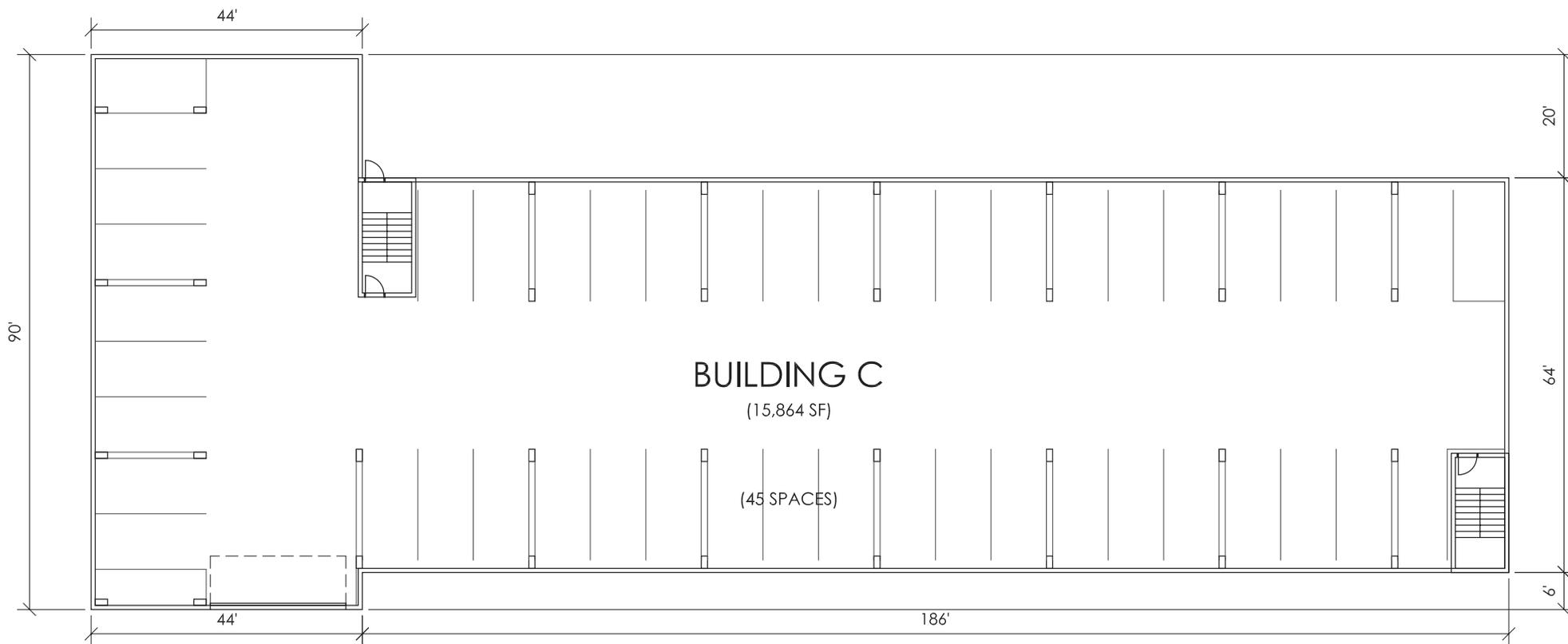
A TOTAL OF 6,400 SF OF COMMERCIAL SPACE WILL BE LOCATED IN BUILDING 'A'

NOTE TO CONTRACTOR

CONTRACTOR SHALL VERIFY ALL UTILITY LOCATIONS & DEPTHS AND NOTIFY ENGINEER OF ANY INACCURACIES IN LOCATION OR ELEVATION OR ANY CONFLICTS PRIOR TO & AFTER ANY EXCAVATION. NO PAYMENT SHALL BE MADE TO CONTRACTOR FOR UTILITY DESTRUCTION OR UNDERGROUND CHANGES REQUIRED DUE TO CONFLICTING ELEVATIONS.

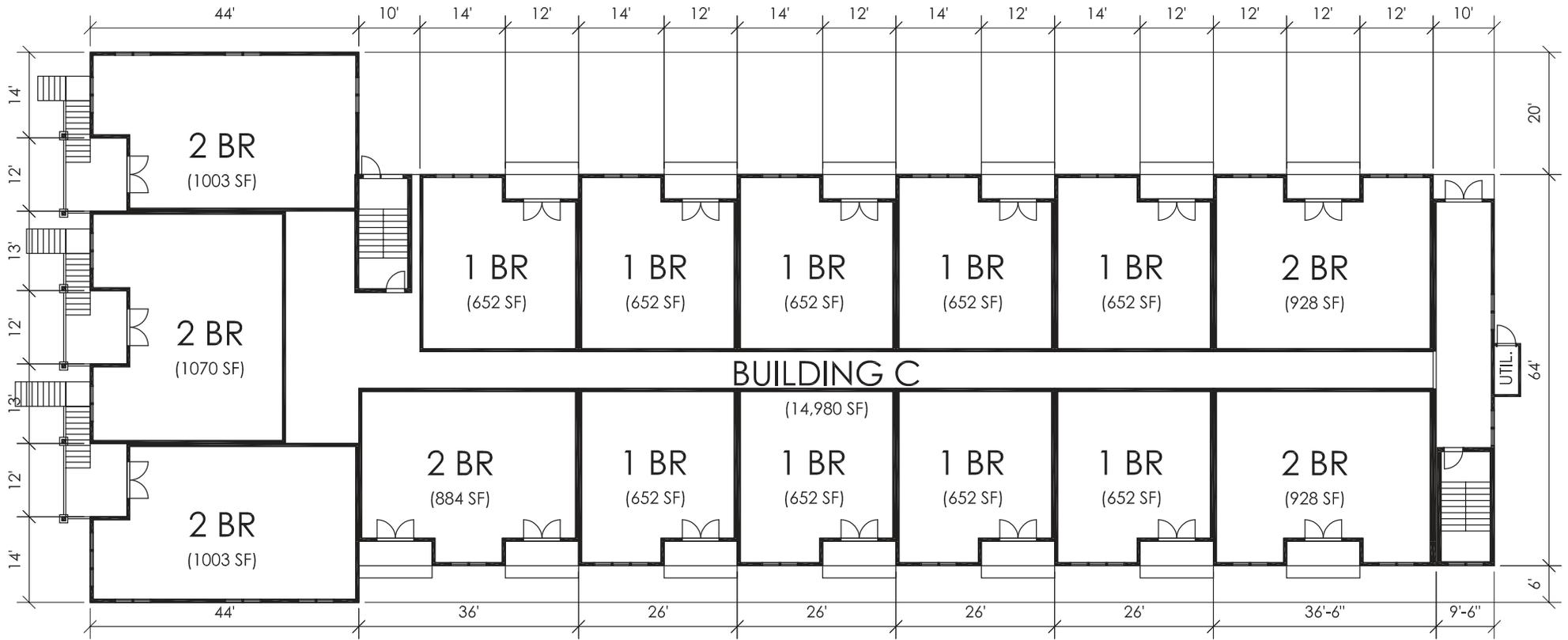






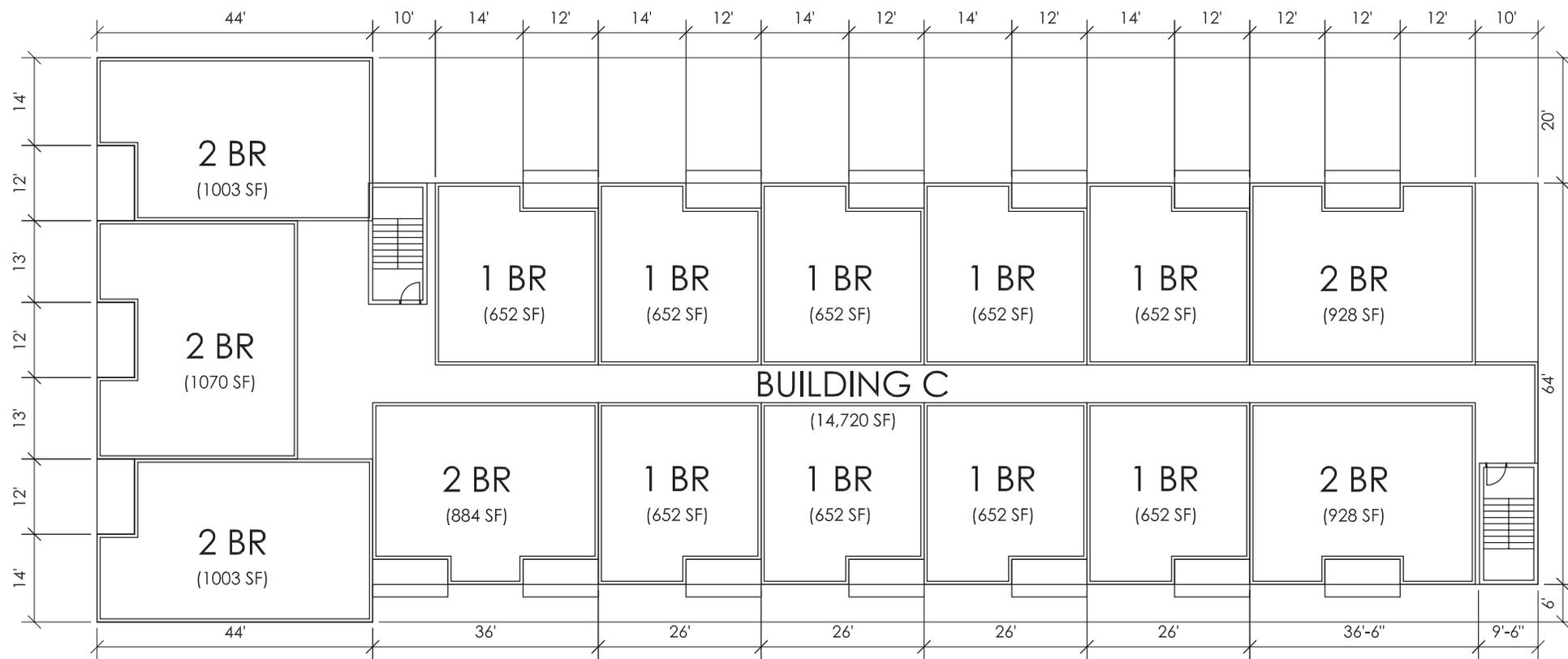
FIRST FLOOR PLAN

SCALE: 1/16" = 1'-0"



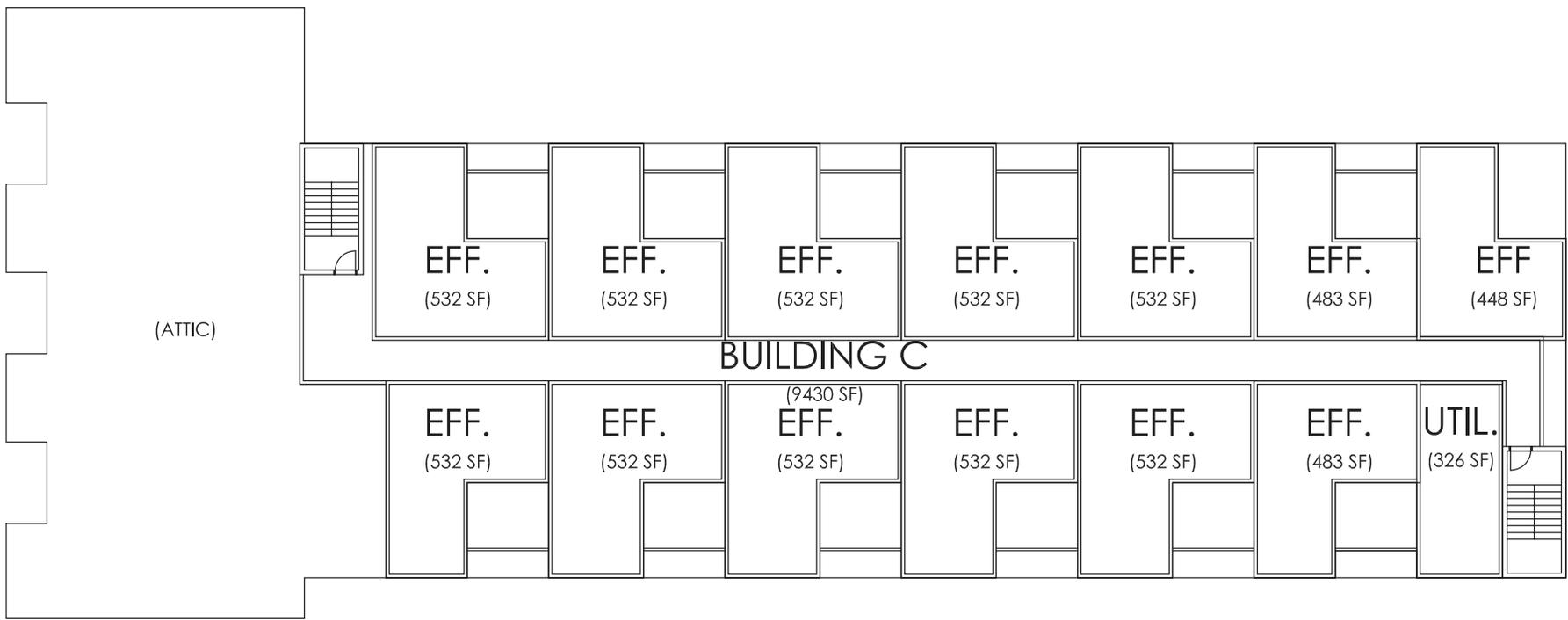
SECOND FLOOR PLAN

SCALE: 1/16" = 1'-0"



THIRD FLOOR PLAN

SCALE: 1/16" = 1'-0"



FOURTH FLOOR PLAN

SCALE: 1/16" = 1'-0"

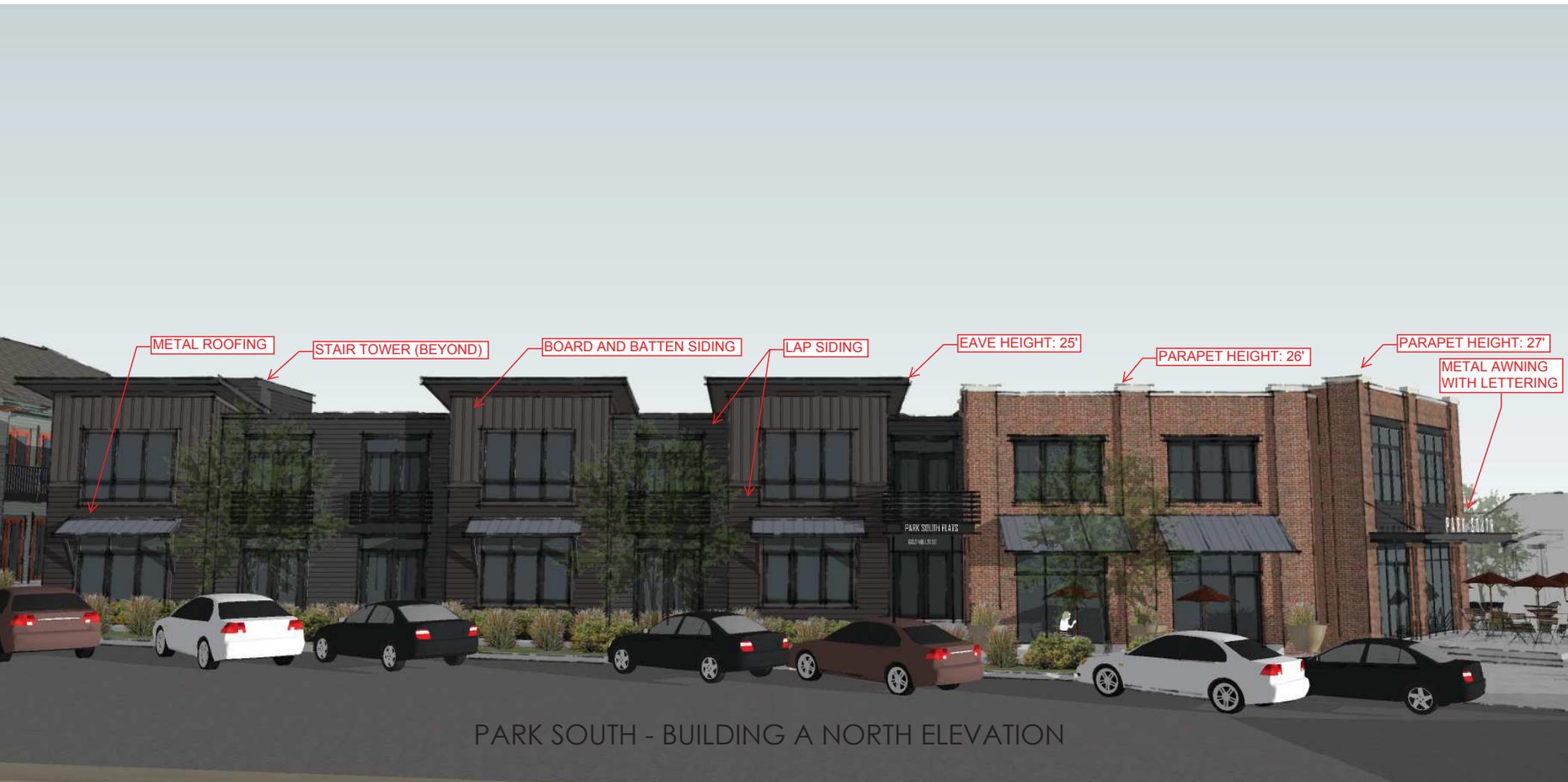




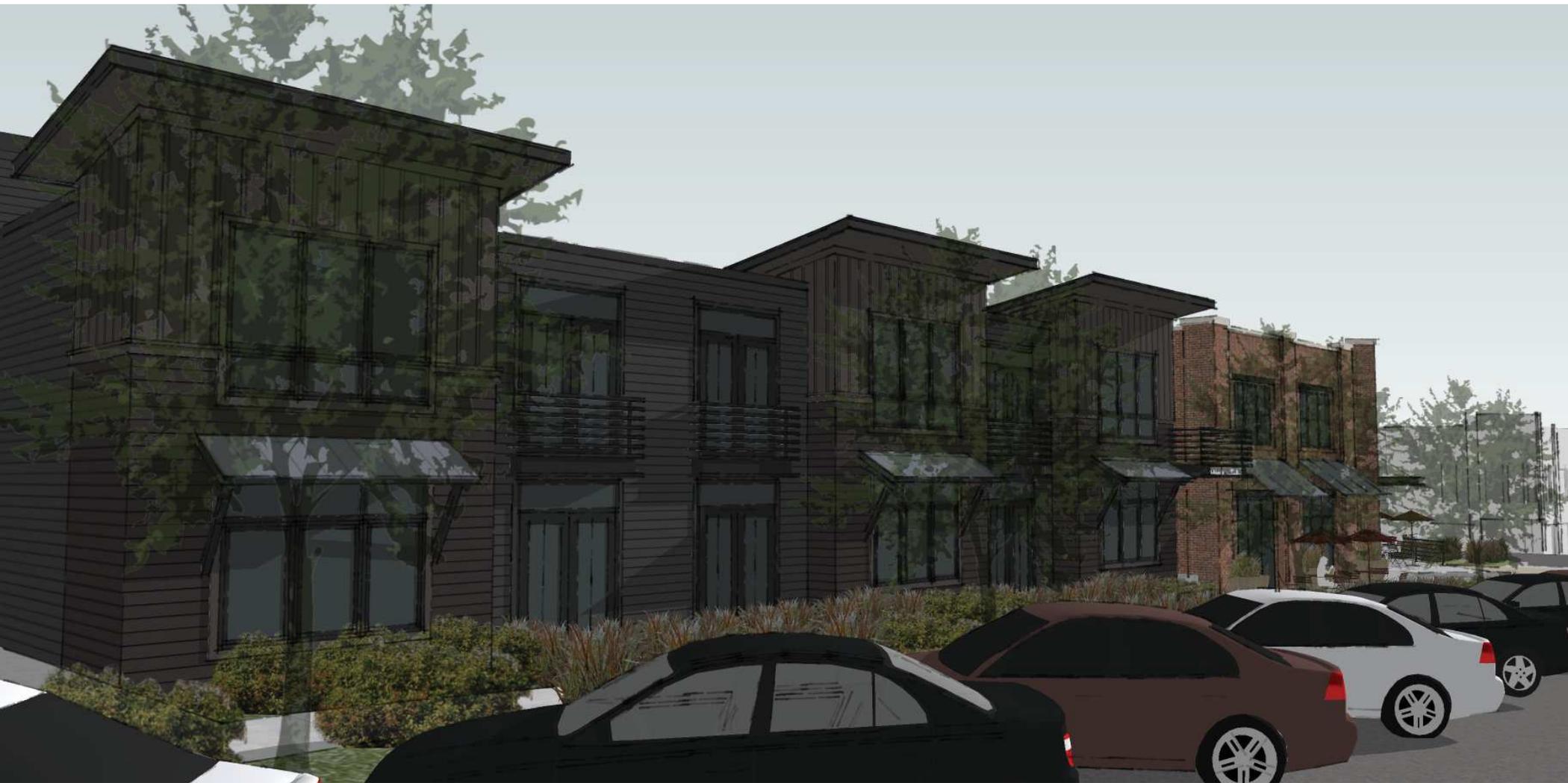








PARK SOUTH - BUILDING A NORTH ELEVATION







PARK SOUTH - BUILDING A WEST ELEVATION

















PARK SOUTH - BUILDING C WEST ELEVATION

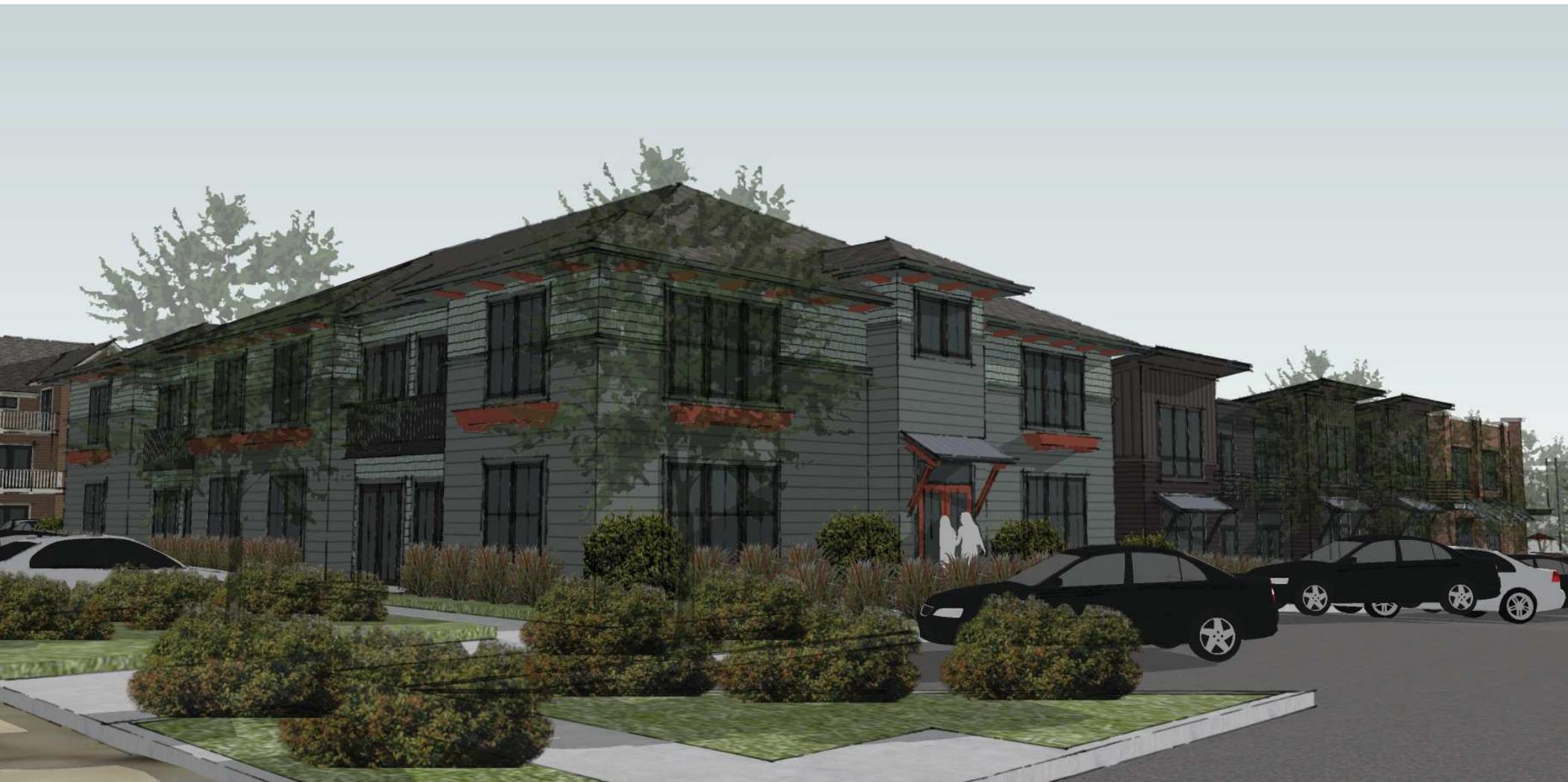


PARK SOUTH - BUILDING C SOUTH ELEVATION











DIMENSIONAL ASPHALT SHINGLES

SHAKE SIDING

LAP SIDING

RIDGE HEIGHT: 34'

EAVE HEIGHT: 19'

PARK SOUTH - BUILDING B EAST ELEVATION



PARK SOUTH - BUILDING B NORTH ELEVATION



Bryan Park Neighborhood Association

Bloomington, Indiana

Park South Mixed-use Planned Unit Development

July 7, 2016

The Bryan Park Neighborhood Association (BPNA) takes great pride in the unique character of its neighborhood and the wonderful quality of life it affords its residents. Designated as a core neighborhood by the Growth Policies Plan, Bryan Park is one of a few historic traditional neighborhoods in Bloomington.

Twelve years ago the BPNA and developer Matt Press collaborated on an innovative and successful infill project in Bloomington, South Dunn Street PUD, located diagonally across the street from this proposed development. This award-winning project aided and supported the viability of home ownership and successful mixed-usage in the Bryan Park neighborhood as well as Bloomington as a whole. We look forward to a mixed-use project in the Park South PUD that builds on the success of the South Dunn Street PUD, rather than replicating the less successful commercial component of Hillside Crossing. There are three major flaws with the petitioners' previous project, Hillside Crossing, which we want to ensure are not replicated in the Park South PUD:

1. Lack of adequate on-street parking on Henderson as it has parallel instead of angled parking.
2. Lack of sidewalk width in front of the retail storefronts on Hillside, creating a no-sit zone.
3. Pedestrian unfriendly residential architecture design that presents a blank wall on Hillside Drive.

The development goals of the BPNA are mirrored in the Growth Policies Plan for infill development in a neighborhood that envisions land use, intensity of use, and design for new projects to be similar to that which already exist in the neighborhood. (See appendix A)

The petitioners propose to develop the third and final corner in-fill project at the SE corner of Henderson and Hillside. However, the PUD proposal currently put forth by the petitioners has insufficient parking and sidewalks too narrow to support successful commercial space, 3.5 stories abutting single-family existing homes, a blank garage wall, stairwells at a very high grade from the street level, buildings that fail to follow the grade, and lack of articulation and door openings at the pedestrian storefront level creating a pedestrian unfriendly streetscape.

The BPNA understands a PUD is a negotiable process. We recognize that a developer may be permitted greater flexibility in matters such as site plan, building height or density in return for providing qualities or benefits such as superior architecture, more rational and environmentally sound land use, improved public space or facilities, contributions to neighborhood-serving institutions or the provision of affordable housing. Although PUDs allow for greater flexibility, they are not permitted to circumvent the intent and purposes of the Zoning Regulations. As designed, this PUD will create the densest development in this area. Approximately eight single-family homes could be built by-right under the current Residential Single-family zoning. Changing the zoning from single-family to a PUD will give the petitioners a tremendous increase in the value of the property and future profits.

The BPNA wants Park South PUD to be a successful project. To be successful and offer a neighborhood serving benefit the neighborhood commercial portion needs adequate on-street parking. The South Dunn Street project across the street serves as an example of a successful commercial project with one exception. We have learned from Press' successful project that intensive commercial use needs more parking. The BPNA would support this project if the petitioners maximize on-street parking using methods described below and addresses other

commercial related concerns listed below. This will ultimately push the building back and reduce residential density from the proposed 93 bedrooms to a more reasonable number closer to 65 bedrooms.

1. **Maximize the potential for success of the commercial portion of project.** The commercial component of the project, though secondary to the petitioner, is the most important aspect of the development to the adjacent neighborhood and the portion of the project that provides the most potential to serve the neighborhood and benefit the public. Photovoltaic panels, a small green roof and water holding tanks are all good for the environment but provide little to no direct benefit to the adjacent neighborhoods. The petitioners have not convinced the neighborhood that they are seriously committed to providing potentially-successful commercial space. For the commercial to be successful, the BPNA believes the following are incredibly important:
 - a. **Commercial should be located mostly on Hillside rather than mostly on Henderson with the intersection corner prominently featured.** The commercial portion of this project will live or die by visibility and access to customers, by car and on foot. Hillside Drive is by far the busier of the two streets. Additionally, this would place more of the residential portion of the project on the less busy of the two streets. This seems to be a win-win. Automobile traffic sustains the retail environment and the angled, on-street, convenience, parking not only provides access and customers but buffers the sidewalk from thru-traffic all at once.
 - b. **Maximize the on-street retail/commercial parking** by adding angled-in parking on both Henderson and Hillside (See appendix B). Without maximizing the on-street parking, the retail/commercial is likely to fail. Regardless of which street it faces (Henderson or Hillside) maximizing the on-street parking in front of the commercial space is key to its success. We can't stress enough that the on-street parking is the single most important aspect of creating and maintaining a successful retail and commercial environment in our commercial center (see appendix F). The proposed angled parking is shown at (45 degree angled) which is not as efficient as (60 degree angled) for maximizing the number of spaces. The current proposal is offering 3 parking spots per 1000 sf of commercial space. South Dunn Street has 4.5 parking spots per 1000 sf of commercial and we know that is inadequate. We recommend maximizing the available street space and creating 40-45 parking spaces (see appendix B).
 - c. **Make the sidewalks sufficiently wide** with a path 5 feet clear for pedestrians and an additional 8-10 feet of width for outdoor café seating and sidewalk retail display areas. This will ensure successful, flexible use both now and in the future.
 - d. **Step the commercial building down on Henderson as it follows the grade.** The current design does not step down adequately with the sidewalk grade allowing for few doors and, thus, limiting the ability to flexibly change the commercial interior. In addition, the lack of addressing the grade creates a situation where outside seating is unrealistically located on a slanted sidewalk. A simple solution can be achieved to allow the clear, 5 foot pedestrian path to follow the slope while creating large, flat areas for the 8-10' deep sidewalk retail and seating.
 - e. **Relocate Multi-path trail to west side of Henderson.** Bloomington South High School, Frank Southern Center and the spur to the B-line are located on the west side of Henderson. Locating the multi-use path to the west side of Henderson would be far safer for students walking to and from Templeton Elementary and Bloomington South High School. It would eliminate a dangerous and expensive mid-block crossing and encourage crossing at the existing traffic light with the safety crossing guard at the intersection. Relocating the path would reduce the number of potential points of contact between bicycles, pedestrians, children, and commercial patrons. (See appendix C)
2. **Neighborhood/Pedestrian friendly streetscape.** Included in this packet you will find an illustration (See appendix D) of a project from Louisville that the petitioners presented to the BPNA as a model of what they were going to build. Sadly, the proposed Park South PUD lacks the pedestrian friendly, urban character and contextually appropriate elements exhibited in the Louisville rendering. The petitioners presented this illustration with the caveat that their project would be much lower in height. However, the height of their project has grown from two stories to three and a half and over 40' tall, a height more appropriate for

downtown. The commercial and residential buildings on Henderson Street need to follow the grade by stepping down, similar to the South Dunn commercial block on the northwest corner. They need to create a pedestrian friendly streetscape that fits with what is already built on the north side of Hillside and in the adjacent Pinestone Neighborhood. Perhaps the impact of a blank wall and false doors and windows could be mitigated by placing apartments on ground level facing Henderson. To encourage more pedestrian activity on Henderson, the exterior stairs should be located away from the street side. The presence of false windows and doors fails to offer an engaging façade (see appendix E). In addition, the project should be built such that it produces pedestrian friendly lighting on the adjacent sidewalk.

3. **Remove suburban detention pond.** A detention pond located in an open field across the street from Templeton Elementary school is a serious safety concern. The petitioners have a detention pond at Hillside Crossing. However, this pond is surrounded by buildings and not visible from the street. This suburban solution for storm water is not appropriate for a core neighborhood development or adjacent to an elementary school.

Appendix A

from the Growth Policy Plan (GPP) and the Unified Development Ordinance (UDO)

The Growth Policies Plan Vision (p. IV)

IV. Developing mixed-use neighborhoods that offer social interaction as well as the option of neighborhood services.

Compact Urban Form (p. 5)

Bloomington can physically accommodate more people, more employment, more homes and more activities within its current planning jurisdiction. Yet, in order to assure that population growth does not translate to a reduction in the perceived quality of life, Bloomington must grow with care, with conviction and with efficiency.

Much of what makes Bloomington special is its shared “sense of place”. While this sense cannot always be defined to the satisfaction of all interests, it is irrevocably connected to Compact Urban Form Bloomington’s town core and the harmony of its architecture, its neighborhoods and their respective contexts. Disorganized development sprawl dilutes this sense of place. Compact urban form refers to the overall development pattern. It does not imply the intrusion of higher density development into established neighborhoods, crowding, or high rise development of a scale more appropriate to larger cities. Compact form is not to be achieved at the expense of greenspace, environmental protection, and other policies.

Policy 3: Redirect Commercial Development (p. 7)

The final element of directing commercial growth goes back to the concept of a pedestrian friendly community. Certain neighborhoods may be able to support small scale commercial development at strategic locations within them. This must only be done after the creation of neighborhood commercial development guidelines to ensure that any new commercial development is compatible in scale and design with existing neighborhoods. Neighborhood associations must be involved in the development of both the guidelines and site selection for new neighborhood commercial nodes.

Mitigating Traffic (p. 15)

If walking is to compete with driving, the sidewalk environment must be very inviting. Separating sidewalks from moving traffic is essential.

Policy 2: Enhance Bicycle and Pedestrian Transportation Facilities

MT-8 Require the construction of pedestrian and bicycle facilities that provide safety and convenience in all new and redevelopment projects. Examples of features to be considered are sidewalks, pedestrian crosswalks, side paths, bicycle lanes, and bicycle racks.

PUD-16-16
Bryan Park
Neighborhood letter

Conserve Community Character: Conserve Community Character Goal (p.17)

Conserve Bloomington's unique community character through neighborhood protection, downtown investment and revitalization, and context-sensitive infill development.

Policy 1: Protect and Enhance Neighborhoods (p.17)

Bloomington residents have a strong attachment to their community that emanates from a bundle of qualities that make Bloomington special and worthy of collective pride. Maintaining that community pride requires conservation, maintenance, and replication of those attributes that evoke positive feelings among residents. The challenge is to ensure that as growth occurs, community character is not lost. Future development and redevelopment should serve to strengthen the attachment that Bloomington residents feel toward their community.

Central to the community character of Bloomington are its neighborhoods. These neighborhoods must be protected and invigorated. They contain a diversity of housing stock reflective of different periods of development, and which demonstrate a relatively compact pedestrian scale context. New development that alters the architectural character of these neighborhoods should be avoided

More specifically, Bloomington's core neighborhoods, located in close proximity to the downtown, represent the historic identity of the city. These neighborhoods are an irreplaceable resource in terms of location and relative affordability. Additionally, it is essential to maintain the historic context and architectural character of the older core neighborhoods. In order to allow these neighborhoods to flourish and continue to grow in tradition, the maintenance of existing structures should be coupled with context sensitive development

Unified Development Ordinance (UDO)

BPNA understands that a PUD should be approved only if the project will not cause adverse impacts on the neighboring area due to traffic, noise, etc., and will provide public benefits and amenities that are greater than the flexibility (generally increased density) requested.

20.04.010 District Intent (p.4-2)

The purpose of the Planned Unit Development (PUD) is to encourage flexibility in the development of land in order to promote its most appropriate use; to improve the design, character and quality of new developments; to encourage a harmonious and appropriate mixture of uses; to facilitate the adequate and economic provision of streets, utilities, and city services; to preserve the natural, environmental and scenic features of the site; to encourage and provide a mechanism for arranging improvements on sites so as to preserve desirable features; and to mitigate the problems which may be presented by specific site conditions. It is anticipated that Planned Unit Developments will offer one (1) or more of the following advantages:

- (a)** Implement the guiding principles and land use policies of the Growth Policies Plan; specifically reflect the policies of the Growth Policies Plan specific to the neighborhood in which the Planned Unit Development is to be located;
- (b)** Buffer land uses proposed for the PUD so as to minimize any adverse impact which new development may have on surrounding properties; additionally provide buffers and transitions of density

within the PUD itself to distinguish between different land use areas;

(c) Enhance the appearance of neighborhoods by conserving areas of natural beauty, and natural green spaces;

(d) Counteract urban monotony and congestion on streets;

(e) Promote architecture that is compatible with the surroundings; and

(f) Promote and protect the environmental integrity of the site and its surroundings and provide suitable design responses to the specific environmental constraints of the site and surrounding area.

(g) Provide a public benefit that would not occur without deviation from the standards of the Unified Development Ordinance.

Planned Unit Development (PUD) Districts 20.04.030

Qualifying Standards (p.4-2)

(b) The minimum gross area required for a Planned Unit Development is five (5) acres. The minimum gross area may be waived by the Plan Commission if it is demonstrated that granting such waiver is consistent with the District Intent as specified in Section 20.04.010: District Intent.

(e) Promote architecture that is compatible with the surroundings; and

(f) Promote and protect the environmental integrity of the site and its surroundings and provide suitable design responses to the specific environmental constraints of the site and surrounding area.

(g) Provide a public benefit that would not occur without deviation from the standards of the Unified Development Ordinance

Review Considerations for the Preliminary Plan (p.4-8)

(h) Review Considerations: In their consideration of a PUD District Ordinance and Preliminary Plan, the Plan Commission and Common Council shall consider as many of the following as may be relevant to the specific proposal. The following list shall not be construed as providing a prioritization of the items on the list. Each item shall be considered individually as it applies to the specific Planning Unit Development proposal.

(1) The extent to which the proposed Preliminary Plan meets the requirements, standards, and stated purpose of Chapter 20.04: Planned Unit Development Districts.

(2) The extent to which the proposed Preliminary Plan departs from the Unified Development Ordinance provisions otherwise applicable to the subject property, including but not limited to, the density, dimension, bulk, use, required improvements, and construction and design standards and the reasons why such departures are or are not deemed to be in the public interest.

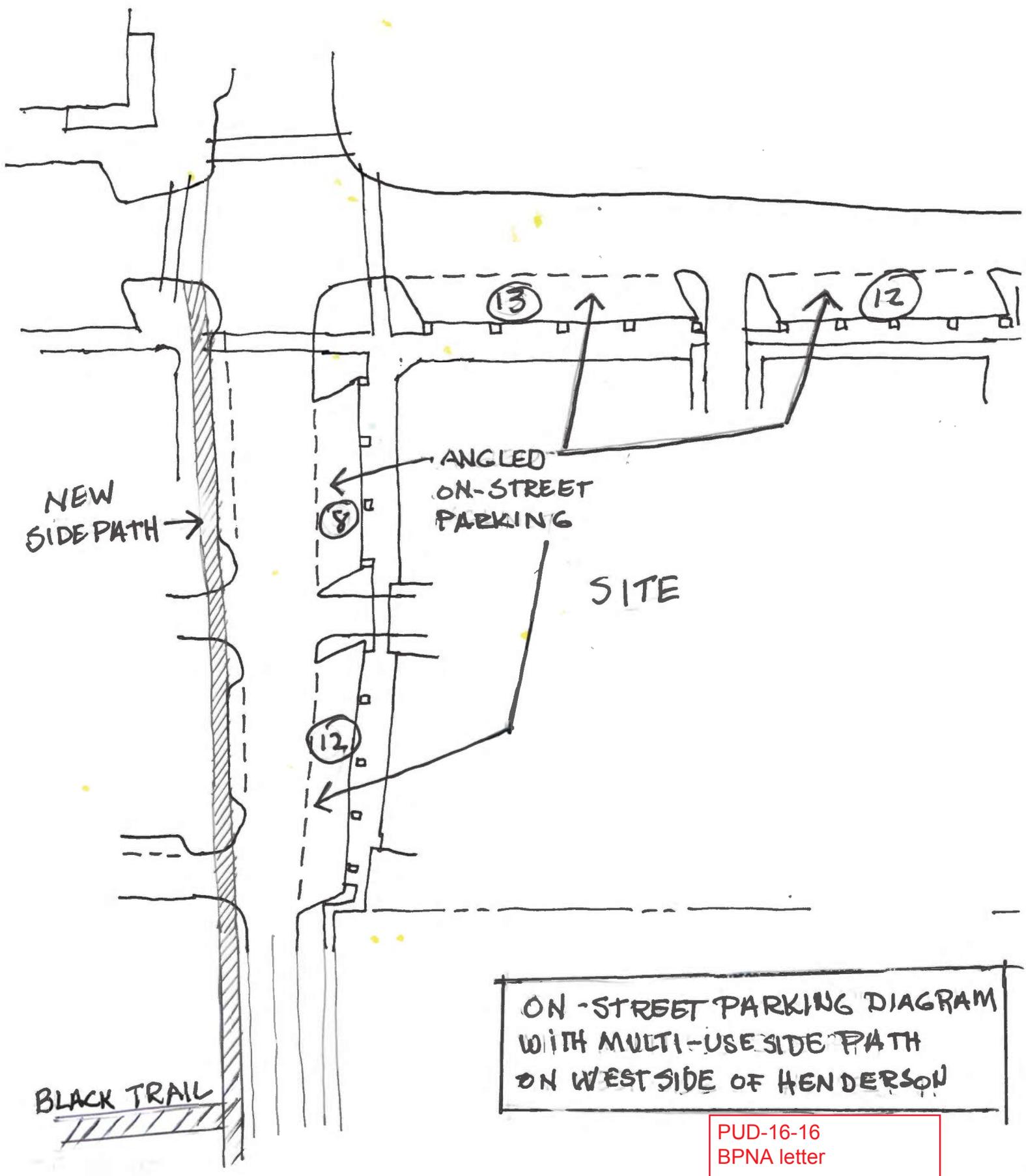
(3) The extent to which the Planned Unit Development meets the purposes of this Unified Development Ordinance, the Growth Policies Plan, and any other adopted planning objectives of the City. Any specific benefits shall be specifically cited.

(4) The physical design of the Planned Unit Development and the extent to which it: (A) Makes adequate provision for public services; (B) Provides adequate control over vehicular traffic; (C) Provides for and protects designated common open space; and (D) Furthers the amenities of light and air, recreation and visual enjoyment.

(5) The relationship and compatibility of the proposed Preliminary Plan to the adjacent properties and neighborhood, and whether the proposed Preliminary Plan would substantially interfere with the use or diminish the value of adjacent properties and neighborhoods.

(6) The desirability of the proposed Preliminary Plan to the City's physical development, tax base and economic well-being.

- (7)** The proposal will not cause undue traffic congestion, and can be adequately served by existing or programmed public facilities and services.
- (8)** The proposal preserves significant ecological, natural, historical and architectural resources.
- (9)** The proposal will not be injurious to the public health, safety, and general welfare.
- (10)** The proposal is an effective and unified treatment of the development possibilities on the PUD site.

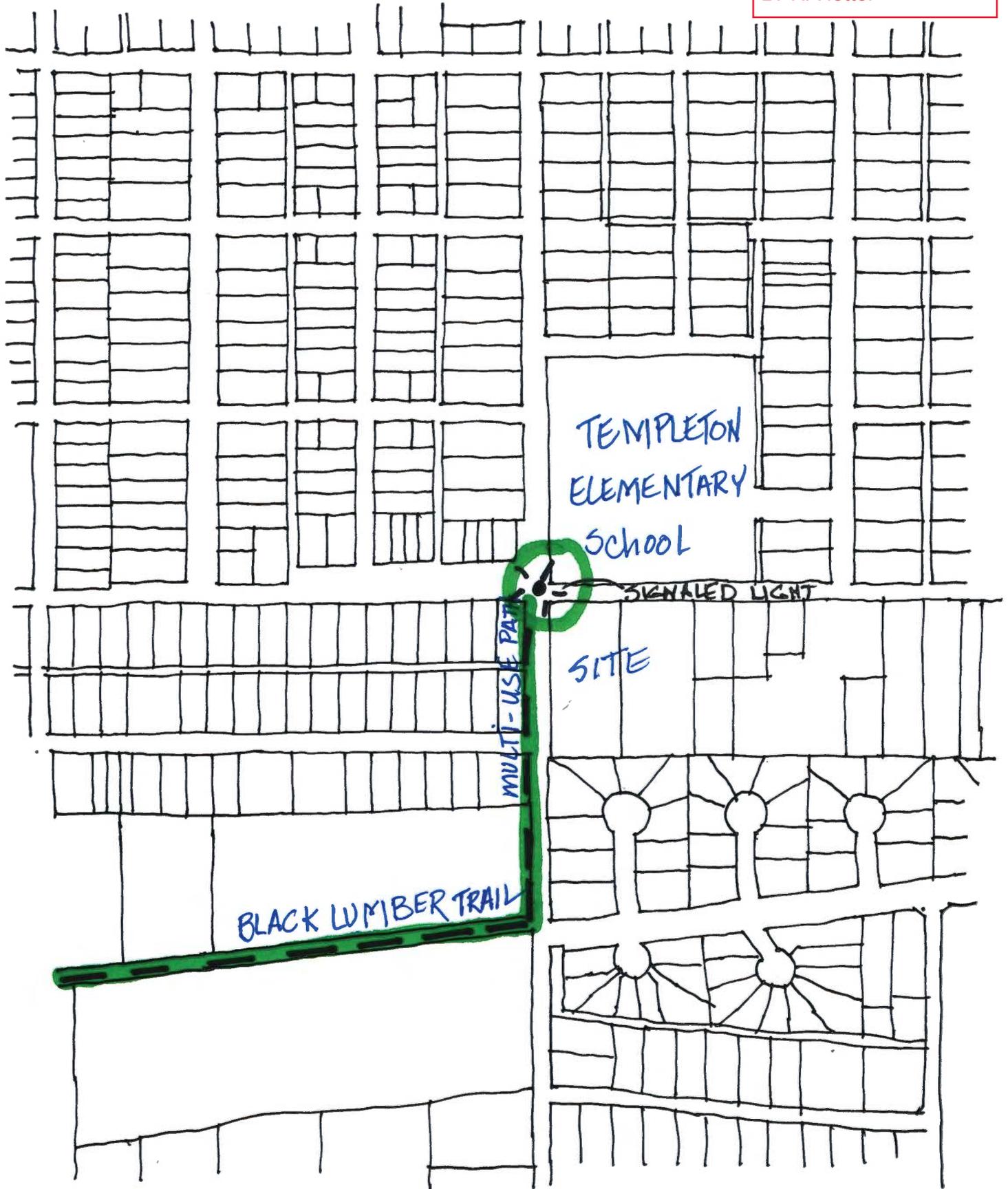


PUD-16-16
BPNA letter

Appendix C

PUD-16-16
BPNA letter

179



 BLACK LUMBER TRAIL
AND MULTI-USE SIDE PATH

RELOCATED
MULTI-USE PATH

Appendix D

PUD-16-16
BPNA letter



Appendix E

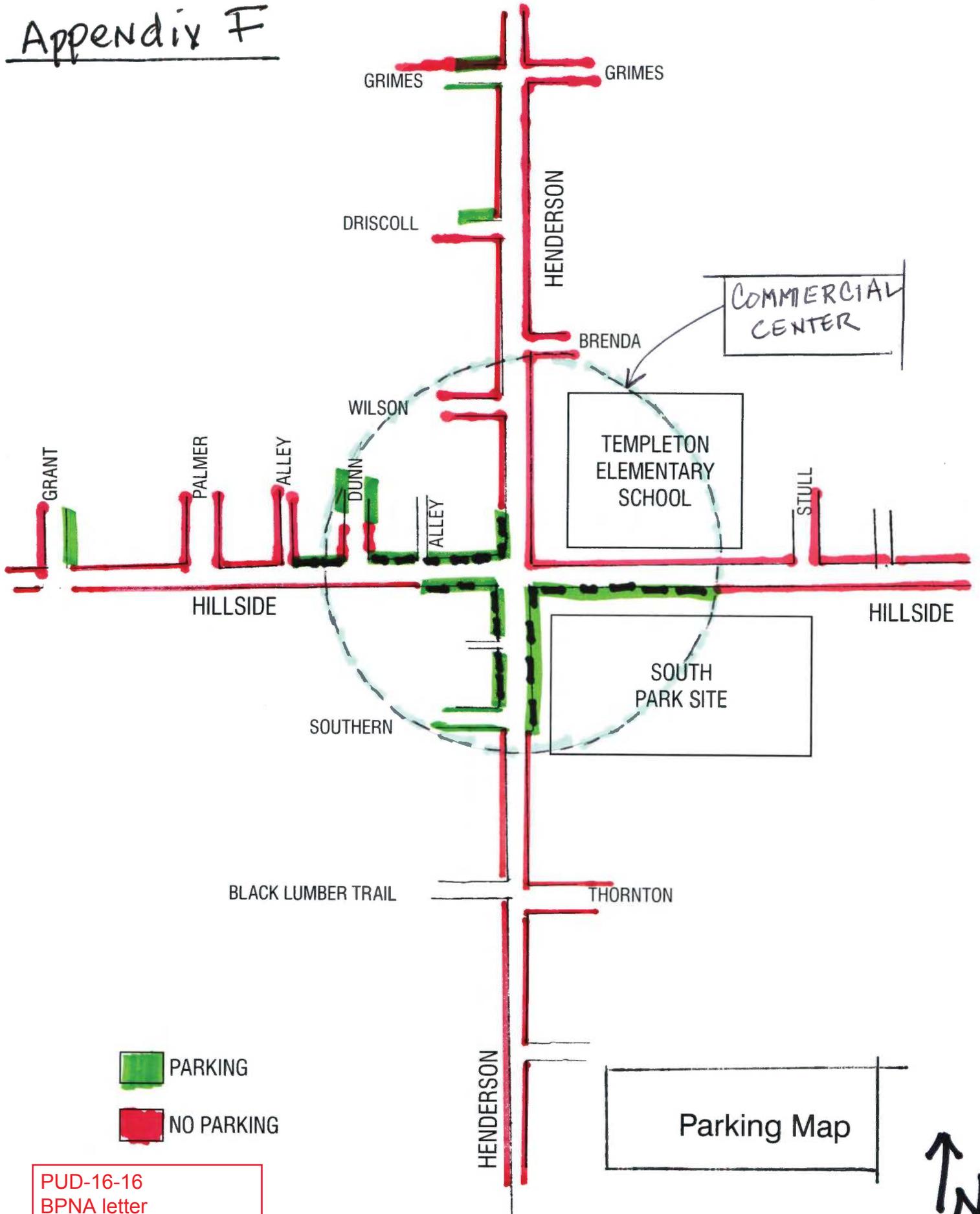
PUD-16-16
BPNA letter



40'

HENDERSON View
- GARAGE LEVEL - FALSE WINDOWS & DOORS

Appendix F



- PARKING
- NO PARKING

PUD-16-16
BPNA letter



**BLOOMINGTON PLAN COMMISSION
STAFF REPORT
Location: 223 N. Morton Street**

**CASE #: SP-17-16
DATE: July 11, 2016**

PETITIONER: Omega Properties
115 E 6th Street, Bloomington

CONSULTANTS: Marc Cornett, MCA
101 E. Kirkwood Avenue, Bloomington

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

BACKGROUND:

Area: .15 acres
Current Zoning: CD – Downtown Core Overlay
GPP Designation: Downtown
Existing Land Use: Commercial
Proposed Land Use: Commercial / Dwelling, Multi-Family
Surrounding Uses: North – Commercial / Restaurant (vacant)
 West – Commercial (Antique Mall)
 East – Commercial / Dwelling, Multi-Family
 South – Commercial

REPORT: The property is located on the southwest corner of the intersection of N. Morton Street and W. 7th Street and is zoned Commercial Downtown (CD), in the Downtown Core Overlay (DCO). There is a platted alley on the south side of the property. Surrounding land uses include commercial, mixed-use, and government offices and operations. The property currently contains a two-story law office and surface parking. The adjacent properties to the west and the south are surveyed historic structures listed, respectively, as notable and contributing.

The petitioner proposes to develop this property with one four-story building with a footprint of approximately 4,096 square feet. The northern half of the first floor, or 2,048 square feet, is commercial space. The rest of the building contains apartments, with four one-bedroom, first-floor units. The upper-floor apartments are divided equally between 3-bedroom and 4-bedroom units. The apartment quantities and bedroom counts are as follows:

Number	Bedrooms	DUEs	Total DUEs	Total Bedrooms
4	1	0.25	1	4
4	3	1	4	12
4	4	1.5	6	16
		Totals:	11	32

The proposal was reviewed by the Bloomington Historic Preservation Commission at its regular meeting on June 23, 2016. The project was reviewed as a courtesy review because it is adjacent to two structures on the historic survey, and there is one waiver

request associated with the historic properties. The BHPC had favorable comments for the proposal and found no objection to the height-step down waiver or to the materials waiver.

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

- The petitioner is requesting waivers to multiple standards in BMC 20.03.120 and 20.03.130.
- The proposal is adjacent to a residential use.

SITE PLAN ISSUES:

Residential Density: The maximum residential density in the Downtown Core Overlay is 60 units per acre. The petition site is roughly 0.15 acres. Based on the acreage, the maximum Dwelling Unit Equivalents for the property is 8.88 DUEs. The proposal is for a total of 11.00 DUEs for the property.

Residential Density Waiver – 20.03.120(a)(1): The site is quite small. Density, bedroom counts, and design are interconnected. Staff would like to discuss this waiver in more depth during the hearing and has no recommendation at this time.

Build-to-Line: The UDO requires buildings in the Downtown Core Overlay to be built at the front property line. The UDO also requires buildings adjacent to properties on the historic survey to align their façades instead of following the zero build-to line. In this proposal, along the Morton Street side, the building would set approximately 2 feet from the property line and align with the front of the Antique Mall. Along 7th Street, the building modulates. The northern half of the building sets back approximately 5 feet from the property line. Along the southern half, the building sets back approximately 2 feet from the property line. The setback serves three functions: first, to align with the historic building to the south; second, for the commercial area, it provides space for outdoor seat, whereas for the residential portion it provides space for some landscaping; and third, the added space allows for stoops for the separate apartment entrances.

Build-to-Line Waiver – 20.03.120(d)(1): The Downtown Vision and Infill Strategy Plan states that in the Downtown Core Character Area “One goal is to establish a pedestrian-friendly street edge that is primarily of buildings at the sidewalk edge, although in some cases landscaped areas and plazas and courtyards may also occur” and in the Courthouse Square and Downtown Core Character Areas, align the building with the sidewalk edge to create a zero setback. Align the front building facade with the sidewalk edge, when feasible.” In this case, both setbacks serve to meet the building alignment standard and allow a pedestrian-friendly street edge by accommodating some landscaping and outdoor seating along a narrow sidewalk. The extra space will provide extra sidewalk space.

Parking: The UDO requires 15 parking spaces for the residential units; no parking is required for the commercial uses. The petitioner is proposing no on-site parking. By

removing the existing curb cut that provides access to existing surface parking on the site, several on-street parking spaces can be added on Morton Street. There are three existing parking garages within a 7-minute walk of the property. The downtown is well-served by transit; the 2 Route and the 6 Route are both very close. The 6 Route goes to campus.

Parking Waiver – 20.03.120(c)(2): There are three parking garages within a 7-minute walk of this property. Currently, the Morton Street garage has a waiting list. By removing the existing curb cut that provides vehicular access to the site, several new on-street parking spaces can be added. In order to accommodate greater access to the site, staff recommends that the petitioner converts one on-street parking space to on-street bicycle parking, which can accommodate 10-16 bicycles as well as space within the apartments for tenants to securely store bicycles. Providing 10 bicycle parking spaces would meet their required bicycle parking; more bicycle parking spaces would help mitigate the loss the of vehicular parking.

Access: There is no vehicular access to the property. Petitioners must work with the adjacent property owner to the south to provide access for garbage collection either through the platted alley or through an easement.

Bicycle Parking: The development requires 4 bicycle parking spaces for the commercial uses and 6 for the residential uses. The current site plan proposal only includes one bicycle rack within the right-of-way. To meet the requirement, at least 5 inverted-U racks are required. As discussed in the Parking section, staff recommends converting one on-street parking space into covered bicycle parking. As this property is located in a very walkable and bikeable area, providing bicycle parking is one way to help provide other options for the tenants as well as commercial employees and clients.

Architecture/Materials: The building is clad with brick, except on the west façade. The proposal is to either use different colors of brick to add variation or to paint the brick. The west façade requires a materials waiver. The proposal is to wrap brick on this side for 16 feet, then to switch to fiber cement for the remainder of the building wall. The west side of the building faces the Antique Mall and does not front on a public street.

Materials Waiver – 20.03.130(b)(4): The Downtown Plan recommends that masonry or masonry-like materials are utilized, but it also recognizes that new construction should not exactly replicate historic. In this case, the non-masonry material is not on a public façade, and the wrapping of the brick mimics historic examples around the downtown.

Street Trees: Street trees are required along Morton and 7th Streets. The current proposal is lacking one street tree on Morton Street. There is a stormwater box culvert that runs under the sidewalk along Morton Street; this culvert is in the normal “tree plot” location and eliminates the option of placing trees between the street and the sidewalk. The petitioner has proposed to add a street tree by using a parking island; however one more street tree is still required to meet code. There are two existing street trees within the right-of-way that are also located in islands. To meet the standard, one additional street tree would need to be added along Morton Street. This will require utilizing one of

the proposed on-street parking spaces created by eliminating the existing curb cut. This represents two competing goals: creating a pedestrian-friendly atmosphere and having on-street parking. Staff is interested in discussing further at this hearing.

Lighting: Streetlights are required along Morton Street and 7th Street. The streetlights are not currently shown on the plan and must be added. The sidewalk is narrow. Staff recommends discussing building-mounted lighting compared with streetlights for this property.

Impervious Surface Coverage: The Downtown Core Overlay allows for 100% impervious surface coverage.

Pedestrian Facilities/Alternative Transportation: Sidewalk exists along 7th and Morton. The plan will include those sidewalks and widen them in certain areas. No additional Bloomington Transit facilities are required with the development. The Bloomington Transit 2 Route travels along Morton Street in front of this property, and the 6 Route, which travels to the IU campus, is one block away.

Building Façade Modulation: BMC 20.03.130(c)(1)(B) requires that the building façade module be offset by a minimum depth (projecting or recessing) of 3 percent of the total façade length, and the offset shall extend the length of its module. The current design meets modulation requirements.

Building Height Step Down: BMC 20.03.130(c)(2) requires that buildings located to the side of a surveyed historic structure not be more than one story taller, or 14 feet taller, than the surveyed structure. The two-story building to the south is listed as contributing in the survey, and the three-story building to the west is listed as notable. The proposal meets the step down requirement for the building to the west (The Antique Mall), but not the building to the south. To the south, there is a platted alley, a surface parking lot, and a newer addition on the historic building's northwest side.

Building Height Step Down Waiver-20.03.130(c)(2): The Downtown Vision and Infill Strategy Plan states "Larger buildings should contain some reduced volumes that are similar in height to the adjacent historic structure to ensure compatibility in mass and scale." However, in this case, the parking area creates open space between the historic building and the proposed 4-story building. It is possible that in the future the parking area could be redeveloped, which would create a different height context. The Bloomington Historic Preservation Commission found the proposed height favorable and found the spacing due to the existing parking area to provide a break. Staff supports further discussion. If the density is reduced, the height could meet the requirement on the south side of the building.

Building Height Step Back: BMC 20.03.130(c)(3) requires that building facades over 45 feet in height shall step back the horizontal façade/wall plane a minimum of 15 feet from the horizontal façade/wall plane below 45 feet in height and above 35 feet in height. The petitioner requests a waiver from this standard.

Building Height Step Back Waiver-20.03.130(c)(3): The Downtown Vision and

Infill Strategy Plan envisions two to four story buildings in this area. The proposed building is four stories. At its highest point, 48 feet, is 3 feet above the threshold. This standard was originally intended for buildings with full stories above the four-story average maximum. Staff recommends further discussion. If the density is reduced, the building could step back at the 4th floor. However, if the intent was to allow four-story buildings, then this proposal meets the intent and is only over the height due to tall ceilings and a parapet.

Void-to-Solid Percentage: The DCO sets a minimum first floor void-to-solid requirement of 60%, consisting of transparent glass or façade openings, for facades facing a street. The proposal meets this requirement.

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

- 1.) The Petitioner should apply meaningful green building and site design practices to create a high performance, low-carbon footprint structure.
- 2.) The Petitioner should continue revising the Landscape Plan so that it complies with the UDO standards.
- 3.) The Petitioner should provide space for recyclable materials to be stored for collection, and a recycling contractor to pick them up.

CONCLUSION: The petition involves redevelopment of 0.148 acres in the Downtown Core Overlay, with frontage on two public streets. The building's design fits within the context of downtown and draws on historic building patterns. The proposal also offers a housing variety not often seen in new development in the downtown: townhouse style development with separate entrances for each unit. The main discussion point is the proposed density for the site, which impacts several of the other waivers being requested, including the parking waiver.

Topics for discussion:

1. Is the density and apartment mix appropriate for this location?
2. Is the height appropriate for this location? Should the building step back or stepdown?
3. Should additional bicycle parking spaces be provided to mitigate lack of car spaces?
4. Should street space be used for a street tree?
5. Should the petitioner be required to secure off-site parking to meet the parking requirement?

RECOMMENDATION: Staff recommends continuing SP-17-16 to the August 8 hearing.

Development data

June 7, 2016, revised 6-27-2016

Ms. Beth Rosenbarger
City of Bloomington, Planning Department
401 N. Morton Street
Bloomington, IN 47402

Petitioner's
Statement

Re: Omega Properties, Mixed-use Development, 223 N. Morton Street (SW corner of Seventh and Morton). It is the current site of the existing Kelley and Belcher Law Offices building.

Ms. Beth Rosenbarger,

On behalf of our client, Omega Properties, we are requesting five (5) waivers of standards from the Planning Commission. We are in the Bloomington UDO Zoning and Overlay Districts of: CD-Commercial Downtown Zoning, DCO-Downtown Core Overlay

Existing Site and Building Description:

The property is located at 223 N. Morton St. The existing site is approximately (47.2') feet x (132') feet, which is approximately (6,230 sf) square feet and it has an existing two-and-a-half story building that has a (40') foot x (70') foot footprint. The balance of the site is paved as a parking lot (south half). There is an existing curb cut off of N. Morton St. into the parking lot.

Proposed Project Scope:

The owners' propose to demolish the existing building and build a new four-story mixed use building that covers most of the site. The new building will contain residential apartments, both flats and townhouses, ground floor non-residential uses, common areas for utilities, etc. The building will contain a total of up to (12) apartments, with up to (4) one-bedroom apartment units, (4) three-bedroom apartment units and (4) four-bedroom apartment units for a total of (32) bedrooms. The ground floor non-residential use will consist of one or more tenant spaces with approximately 2,300 SF on the corner of Morton St. and Seventh St.

The five waivers requested are as follows:

- 1. Waiver of Density Standards:** We are requesting a total density of 11.00 DUE. The site size of 0.1433 acres allows for 8.60 DUE (0.1433 acres x 60 units per acre) The buildings in the area are denser than our solution and they have created an environment of expensive land costs. The density is a product of this environment combined with a townhouse format to create a flexible solution that allows for apartments and a potential future use as condominiums.
- 2. Waiver from Parking Standards:** We are requesting a solution that provides no on-site parking. The on-site parking required per UDO standards for a (32) bedroom development is 14.60 spaces total. The site is an partial lot, urban downtown site that is very shallow at (47.20') feet. These conditions are not conducive to on-site parking. A typical, 90 degree angle, double loaded parking layout needs (60') feet of depth. This hardship combined with access to two public parking garages within two-and-a-half blocks (the Register Garage is across the street) allows for an off-site parking solution.
- 3. Waiver from Setback Standards:** The UDO requires a build-to line of (0') feet along the front-yards of both Seventh and Morton. We are requesting a solution that has two, different, front-yard setbacks along Morton St. and a setback along Seventh St. The setbacks along Morton St. would be (5.70') feet on the north half and (1.70') feet on the south half and the setback along Seventh St. would be (1.20') feet. The setbacks proposed will create a specific, best site solution to ensure the success of the retail component of the project. A wide sidewalk is vital to successful retail and our downtown has numerous examples of less than ideal solutions.
- 4. Waiver of Primary Exterior Finish Materials:** We are requesting the use of Cementitious Siding as a primary exterior finish material on the rear, non-public ROW (west) elevation only. We would use brick for the first 16 ft. of the rear elevation on the north end closest to Seventh St. See attached building elevations. This allows for the best use of primary materials on the Public Façade Elevations. This is a typical urban building solution. See attached examples of existing downtown Bloomington buildings.
- 5. Waiver of Building Height Step-down:** We are requesting to exceed the building height step-down standards of one-story or fourteen (14') feet above the adjacent property to the south, located at 300 W. Sixth St. (the old Hays Grocery Building) which is two stories and approximately thirty-two (32') feet in height (addition in rear). We are proposing a four story façade that is approximately forty-seven (47') feet in height at the south end. We are over (61') feet away from the façade of the building and we are visually separated by a double loaded parking lot and an alley ROW.

Development data

6-7-2016, revised 6-27-2016
 Omega Properties, 223 N. Morton St.
 Page 2

Petitioner's
 Statement

Supporting Data:

The site is a partial lot and is shallow at approximately forty-seven (47') feet. This shallow depth makes an on-site, double loaded parking solution impractical. As a practical layout, the ground floor retail/commercial would work well as a single tenant.

The exterior materials waiver will allow for the owner to focus the details on the Seventh and Morton Sts. façades. This is a typical urban architectural solution as the rear elevation is adjacent to a neighboring building in a typical, historic, downtown setting. See attached examples of existing downtown Bloomington buildings.

The Historic Preservation Commission had no issue with the Height Step-down Waiver #5 at their June 23, 2016 meeting.

Proposed Location on Property:

The proposed building will be constructed on the East property line (Build-to-line, per the UDO requirements) along N. Morton St. On the west property line the building will set back approximately 5 feet to allow for windows in the façade per the 2014 Indiana Building Code (IBC).

Proposed Green Features:

The proposed building will utilize the following green features; a reflective (white) membrane roof, low-e window and door glazing, low VOC paint finishes, engineered wood floors in apartments (except bathrooms and utility closets), LED lighting in common areas, shade tolerant/drought resistant, native landscaping on the east (south half of facade) and west sides of the building, bike racks on N. Morton St. for customers and tenants, and bike storage in the ground floor, one-bedroom units.

Proposed General Design Principles/Exterior Building Materials:

Main façades- The two front elevations, on Morton and Seventh will consist of a combination of materials - brick masonry, stone masonry, metal trim and accents, aluminum storefront, metal balcony railings and metal parapet caps. We are proposing to achieve the variety of façade colorations by either painting the brick (like several examples of painted brick on the Courthouse Square) or using a variety of brick colors. The second option may be more difficult to achieve due to a limited color palate for brick. The overall effect that we are designing for is to create a variety of building elevations on Morton St. See attached renderings.

Proposed Secondary Façades:

The side elevation (south) will be brick masonry, stone masonry trim and metal trim and parapet caps. The rear elevation (west) will be cement composite lap siding and trim, metal trim and parapet caps (materials waiver required).

Proposed Building Height:

The building will be approximately (44'-48') foot in height. The maximum height of (48') feet is (14') feet and one story taller than the immediately adjacent historic building to the west at 311 W. Seventh (the Antique Mall) and is (15') feet and two stories taller than the immediately adjacent historic building to the south at 300 W. Sixth (the old 'Hays Market' building) .

Proposed R.O.W. Design and Landscaping:

Improvements include: Provide (2-3) additional on-street parking spaces on Morton St. by removing the existing curb cut. We will significantly widen the appearance of the existing pedestrian sidewalks with the addition of on-site hardscaping for outdoor seating opportunities. We will preserve the existing street trees, add (5) additional street trees and add landscape areas to the south, east and west.

We are submitting as part of this proposal a site and utilities plan, grading plan, landscape plan, ground floor plan, building elevation, a site survey, images of existing painted brick buildings and materials changes on non-ROW elevations.

We have submitted a utilities plans package to the CBU Utilities Department.

We have also attached a UDO review sheet.

Thank you for your consideration in this request.

Sincerely,



Marc Cornett, Architect - Petitioners Representative

UDO Zoning Review

6-7-2016

OMEGA Properties

Petitioner's
Statement

CD Zoning
DCO-Downtown Core Overlay

Site Location: 223 N. Morton St.
Kelley and Belcher Atty Site

UDO Standards:

Project Data:

Density:

Residential: 60 units per acre maximum
(estimated without survey)

*** DENSITY WAIVER REQUIRED**

Site Size: 46.80'/47.60'x132.00' deep (6,243.60 SF/0.1433 acres)
60 u/a x 0.1433 acres = 8.60 DUE, residential units allowable max.

DUE-Dwelling Unit Equivalency:

Efficiency unit: 0.20 units (550 sf or less)
One bedroom unit: 0.25 units (700 sf or less)
Two bedroom unit: 0.66 units (950 sf or less)
Three bedroom unit: 1.00 units
Four bedroom unit: 1.50 units

Residential unit type mix options:

4-Four BR units: 6.00 DUE
4-Three BR units: 4.00 DUE
4-One BR units: 1.00 DUE
11.00 DUE total (density waiver req'd.)

Maximum Impervious Surface Coverage:

100% max. (1.00)

Site: 6,243.60 SF x 1.00 = 100% impervious surface allowed

Height Standards:

Minimum Structure: 35'
Maximum Structure: 50'

48' actual

Parking Standards:

*** PARKING STANDARDS WAIVER REQUIRED**

Minimum surface parking setbacks

Front yard: 20 ft. behind front building wall

Side yard: 5 ft. from PL

Rear yard: 5 ft. from PL

Residential parking standards:

First 10 BR: None reqd.

BR 11-20: 0.50 per BR

All BR over 20: 0.80 per BR

For projects South of Fourth St., no parking reqd. (NA)

32 BR total

0.00 spaces

+ 5.00 spaces

+ 9.60 spaces

= 14.60 total residential parking spaces req'd.
(parking standards waiver req'd.)

0 spaces provided

Non-residential parking standards: No parking required

0

Setbacks Standards:

*** SETBACK STANDARDS WAIVER may be REQUIRED**

Build-to line: 0 ft.

Max. front setback: NA, corner lot has two frontages

Min. side setback: 0 ft.

Min. rear setback: 0 ft.

Morton St. ROW: 82.5'

7th St. ROW: 82.5'

Ground Floor Nonresidential Uses:

Morton St. between 6th and 10th, and 6th St.

50% of ground floor must be non-res.

Total ground floor SF:

50% Non-residential SF required: 4,096 SF/2 = 2,048 SF req'd.

Site Plan: Building frontage

A minimum of 70% of the street building façade shall be
constructed at the build-to line.

Roofs: Flat roofs with parapets are required

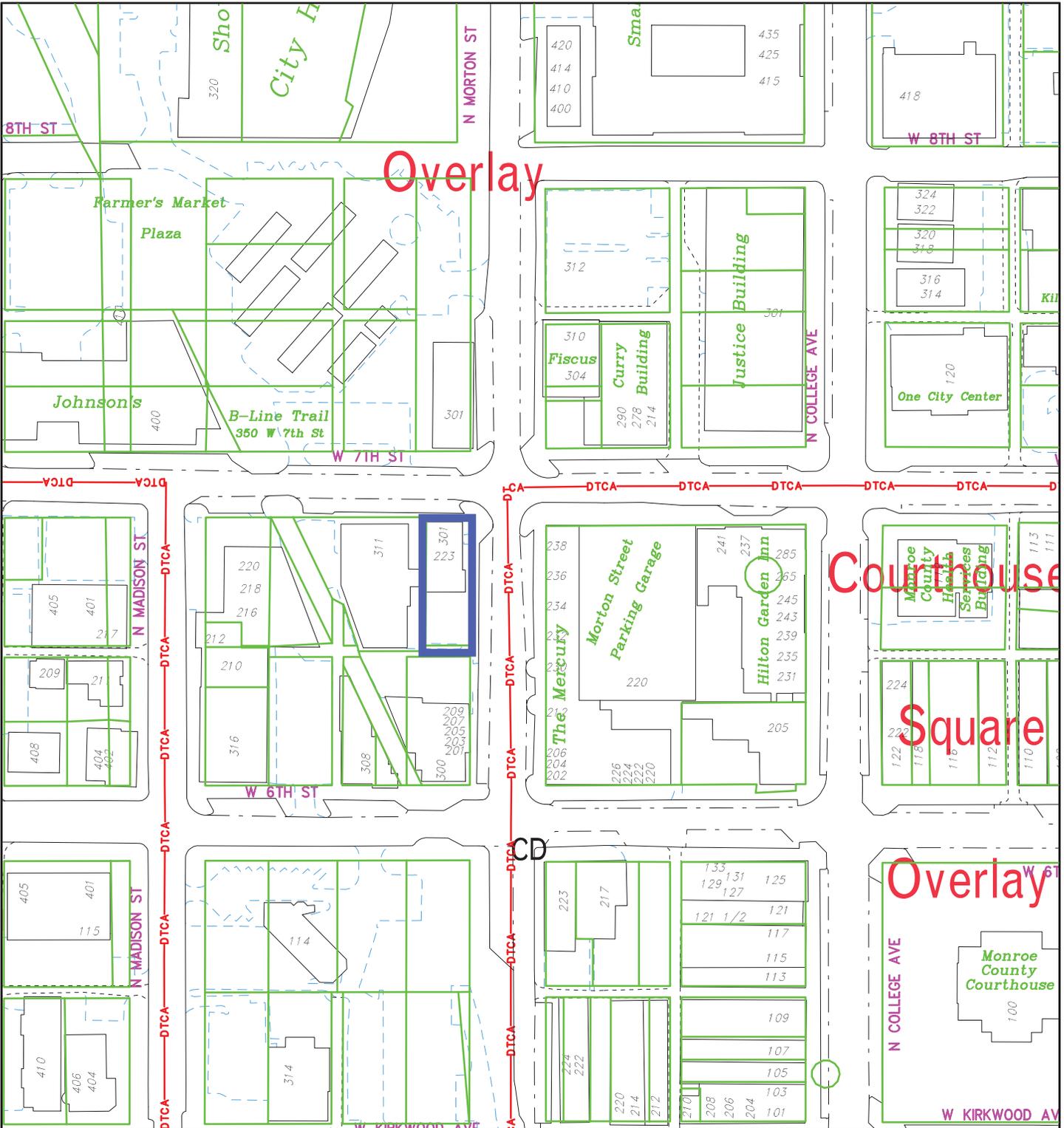
Walls, void to solid: First floor: void, 70% min.

Upper floors: void, 20% min. and 70% max.

Buildings adjacent to Historic Structures shall
match the building setbacks.

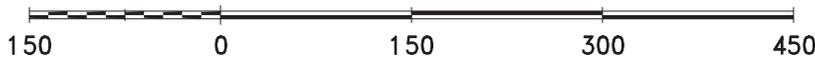
(Setback Waiver may be required)

Building Materials Waiver may be required*** Building Materials Waiver required**



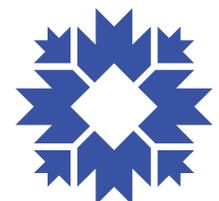
223 N. Morton Street
 Location, Buildings, Zoning

By: rosenbab
 27 May 16

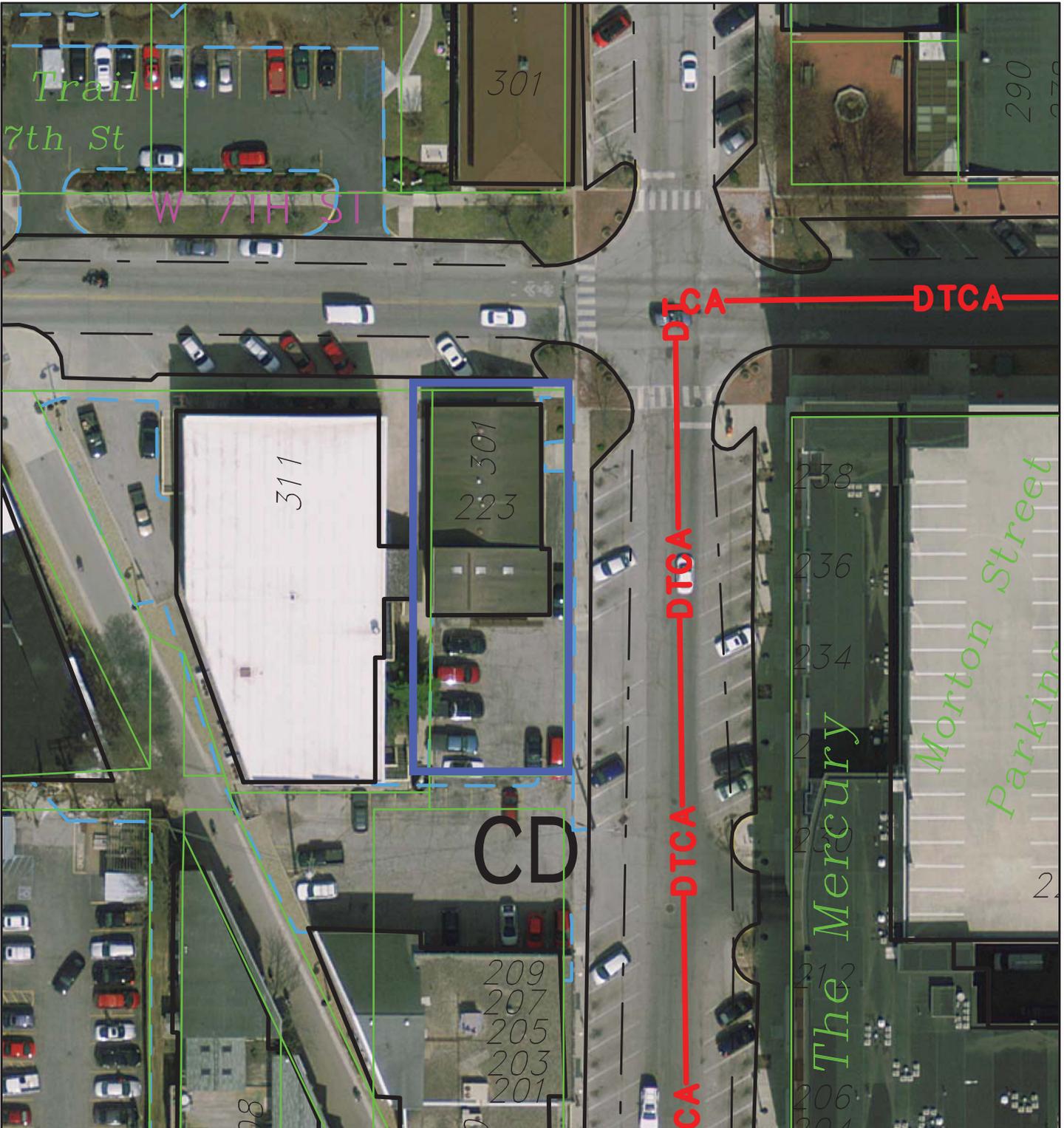


For reference only; map information NOT warranted.

City of Bloomington
 Planning & Transportation

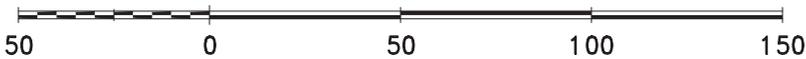


Scale: 1" = 150'



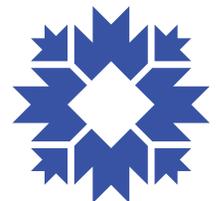
223 N. Morton Street
 2014 Aerial Photography

By: rosenbab
 27 May 16



For reference only; map information NOT warranted.

City of Bloomington
 Planning & Transportation



Scale: 1" = 50'

MEMORANDUM

EC Memo

Date: July 1, 2016

To: Bloomington Plan Commission

From: Bloomington Environmental Commission

Through: Linda Thompson, Senior Environmental Planner

Subject: SP-17-16, Omega mixed use at 7th & Morton
223 N. Morton St.

The purpose of this memo is to convey the environmental concerns and recommendations of the Environmental Commission (EC) with the hope that action will be taken to enhance the environmental integrity of this proposed plan. The Petitioner's request is for demolition of an existing building and construction of a new 4-story mixed use structure.

ISSUES OF SOUND ENVIRONMENTAL DESIGN

1.) GREEN BUILDING

The EC recommends that the developer design the building with as many best practices for energy savings and resource conservation as possible. Some examples of best practices that go beyond the minimum standards of the Building Code include enhanced insulation; high efficiency heating and cooling; Energy Star doors, windows, lighting, and appliances; high efficiency toilets; programmable thermostats; sustainable floor coverings; and recycled products such as carpet and counter tops. Some specific recommendations to mitigate the effects of climate change and dwindling resources include the following.

Reduce Heat Island Effect The roof simply being white is not sufficient. The roof material should have a *minimum* initial Solar Reflective Index (SRI) of 0.65, and an aged index of 0.55. (SRI is a value that incorporates both solar reflectance and emittance in a single value to represent a material's temperature in the sun. SRI quantifies how hot a surface would get relative to standard black and standard white surfaces. It is calculated using equations based on previously measured values of solar reflectance and emittance as laid out in the American Society for Testing and Materials Standard E 1980. It is expressed as a fraction (0.0 to 1.0) or percentage (0% to 100%)). If a roof membrane is used, it should be white colored, embedded with reflective material, or covered with a reflective coating or with a white granulated cap sheet.

Engineered wood flooring The Petitioner's Statement lists engineered wood in the proposed green features. Because a flooring material is engineered wood and the assumption is that it uses less wood than traditional wood planks flooring, doesn't necessarily mean it is environmentally

better. Questions to be asked about the flooring material include the following.

- * Is it certified as sustainably produced from the Forest Stewardship Council or the Sustainable Forestry Initiative?
- * Is it made with non-toxic adhesives and finishes?
- * What is the urea formaldehyde content? (Urea formaldehyde is known as a carcinogen. Phenol formaldehyde is not toxic and may be used in place of urea formaldehyde.)
- * How far did the raw materials and the finished product have to be transported?

The EC recommends that questions such as these be answered prior to claiming a product is green.

Light Emitting Diode (LED) lighting The Petitioner's Statement commits to LED lighting in only the common areas of the building. The EC recommends that LED lights be used exclusively throughout the building. LEDs consume less energy than both compact fluorescent lamps and incandescent lights, have a longer lifetime, are smaller in size, have faster switching, and provide improved physical strength.

Solar panels. This building is ideal for photovoltaic (PV) solar panels because the roof is flat. The price of PV systems continues to drop and the full-cost-accounting price of carbon-based electricity is skyrocketing.

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 former 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*.

2.) LANDSCAPING

The Landscape Plan does not comply with the standards of the Uniform Development Ordinance (UDO) at this time. The EC recommends that the Petitioner continue to work with staff to design a landscape that, at the very minimum, meets code.

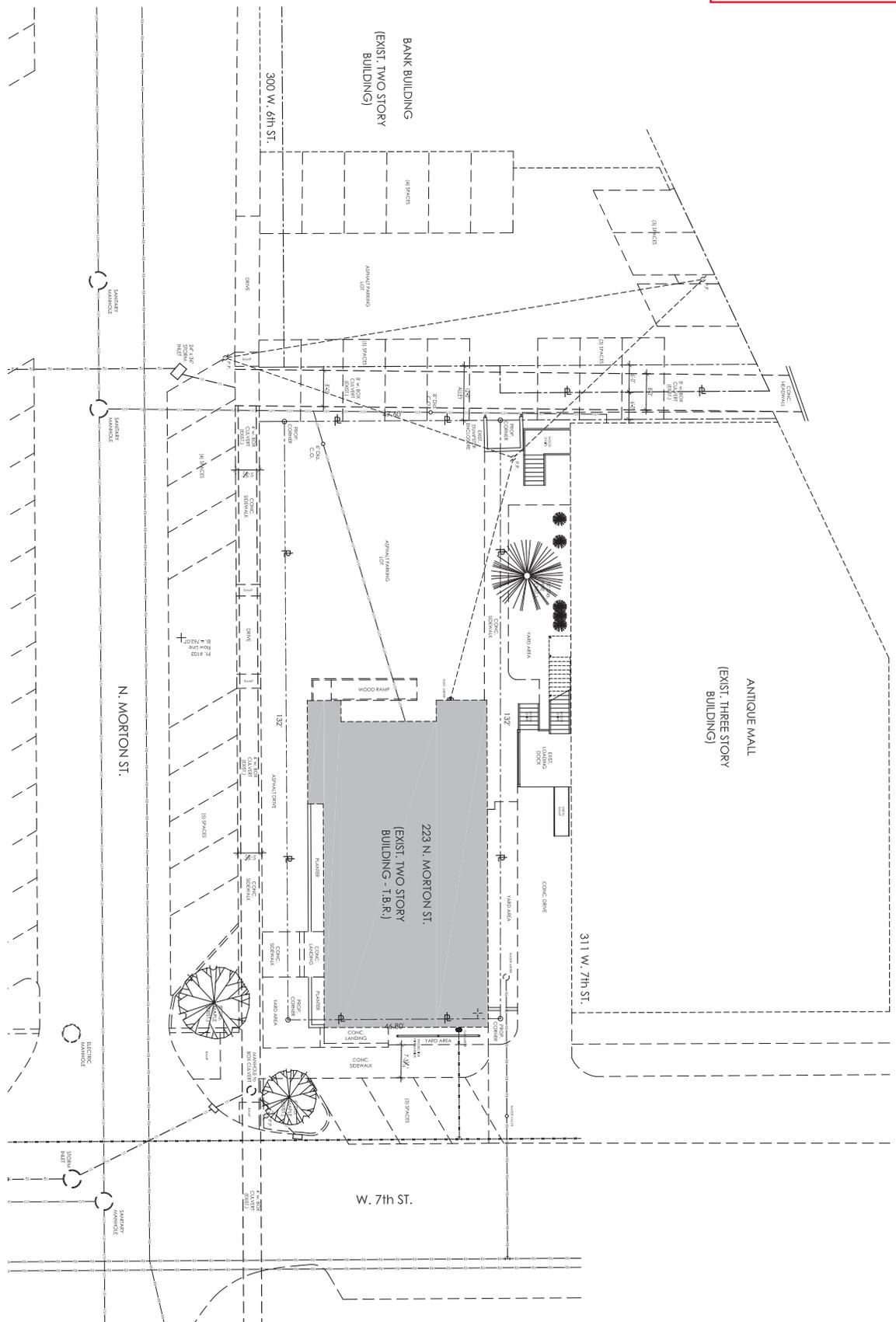
3.) RECYCLING

The EC recommends that space be allocated for recyclable-materials collection, which will reduce the building's 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 is expected in a 21st-century structure.

EC RECOMENDATIONS

- 1.) The Petitioner should apply meaningful green building and site design practices to create a high performance, low-carbon footprint structure.
- 2.) The Petitioner should continue revising the Landscape Plan so that it complies with the UDO standards.
- 3.) The Petitioner should provide space for recyclable materials to be stored for collection, and a recycling contractor to pick them up.

Existing Site



PRELIMINARY
A
 SITE SURVEY
 SCALE: 1" = 100'-0"

C.101

PROJECT NO.: 2014-11
 DATE: 12.14.14
 DRAWN BY: MNC
 CHECKED BY: MNC
 SURVEYOR'S SURVEY

PROPOSED
 BIG 'O' PROPERTIES, L.L.C.
OMEGA PROPERTIES MORTON STREET
 223 NORTH MORTON STREET
 BLOOMINGTON INDIANA

CERTEBID
 BENCHMARK

CERTEBID
 BENCHMARK

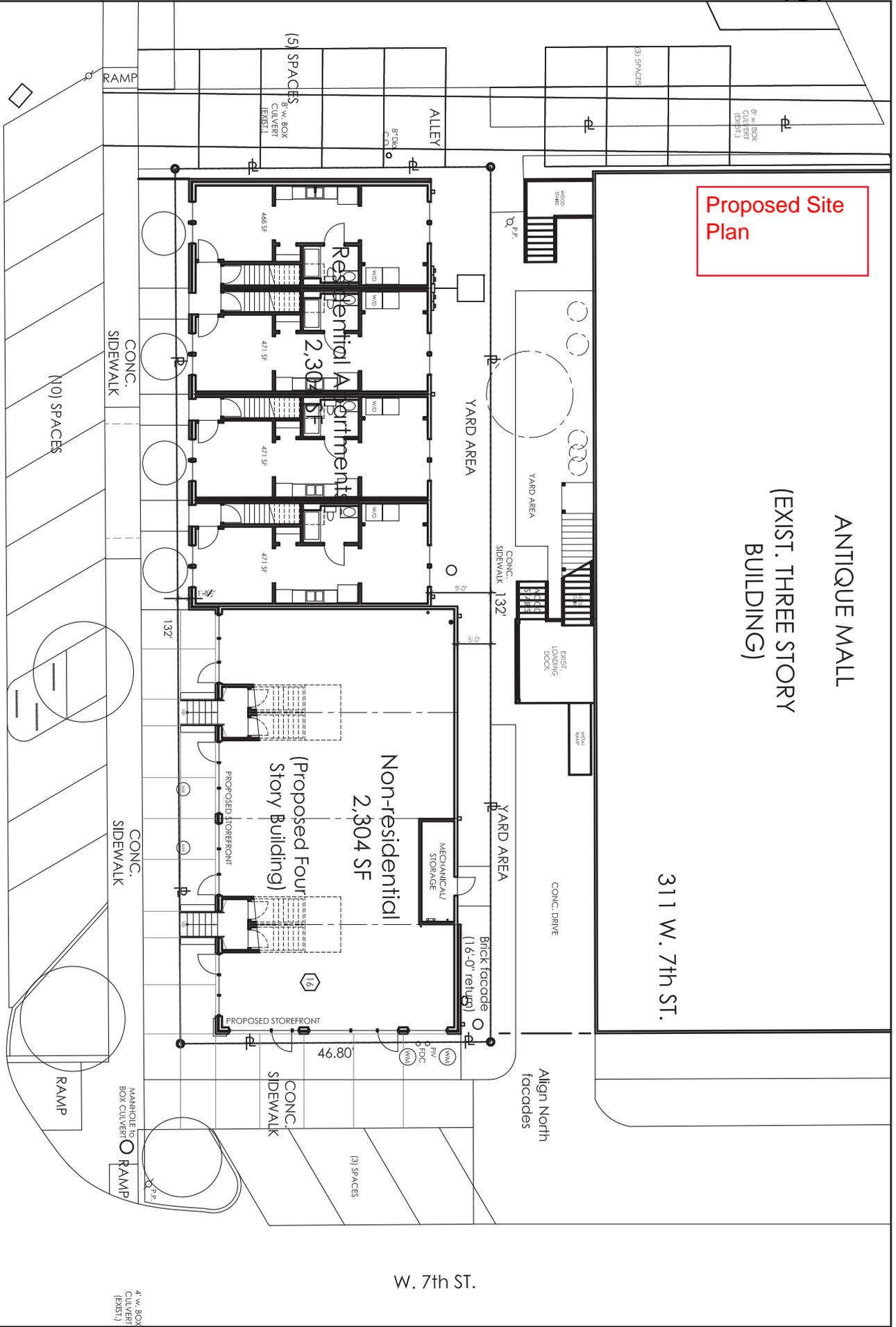
mca MARC CORNETT ARCHITECTS
 101 EAST KIRKWOOD AVE.
 BLOOMINGTON, INDIANA 47408
 P 812.325.5964 FAX: mcrcometh@yahoo.com

CERTEBID
 BENCHMARK

Proposed Site Plan

ANTIQUE MALL
(EXIST. THREE STORY BUILDING)

311 W. 7th ST.



W. 7th ST.

Site Plan
Scale: 1" = 20'-0"



N. MORTON ST.

223 N. Morton St.

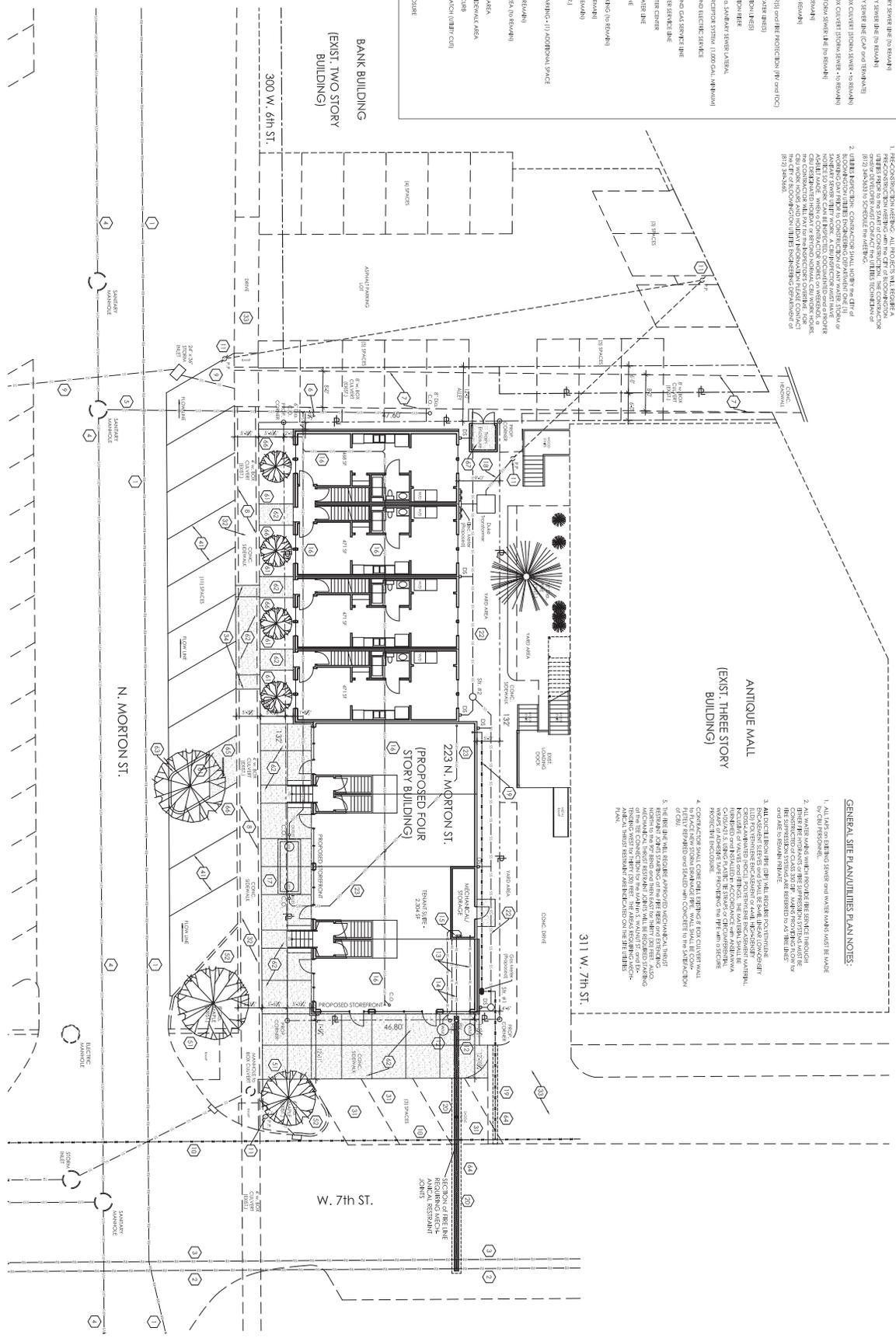
5-27-2016

OMEGA Properties

MCA architects + urbanists

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Proposed Site + Landscaping Plan



UTILITY NOTIFICATION UPDATES:

1. ALL UTILITIES SHOWN ON THIS PLAN ARE BASED ON THE MOST RECENT RECORD DRAWINGS AND FIELD SURVEY DATA. THE CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO ANY CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND NOTIFICATIONS FROM THE APPROPRIATE AGENCIES PRIOR TO COMMENCING WORK.
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GENERAL SITE PLAN/UTILITIES PLAN NOTES:

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A SITE PLAN
SCALE: 1" = 10'-0"

C.102

PROJECT NO.: 2514-1
DATE: 12.14.14
DRAWN BY: [Name]
CHECKED BY: [Name]

PROPOSED
BIG O PROPERTIES, L.L.C.
OMEGA PROPERTIES MORTON STREET
223 NORTH MORTON STREET
BLOOMINGTON INDIANA

REVISIONS
DATE
DESCRIPTION

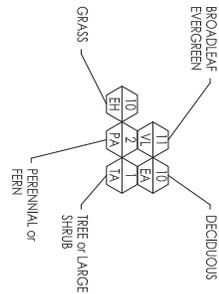
mca MARC CORNETT ARCHITECTS
101 EAST BIRKWOOD AVE.
BLOOMINGTON, INDIANA 47408
P 812.325.5964 EMAIL: marc@cornett1@yahoo.com

Proposed Site + Landscaping Plan

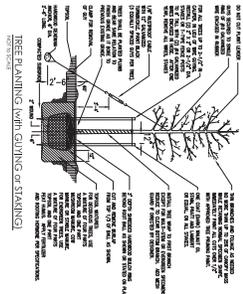
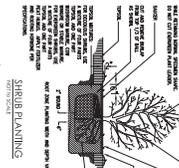
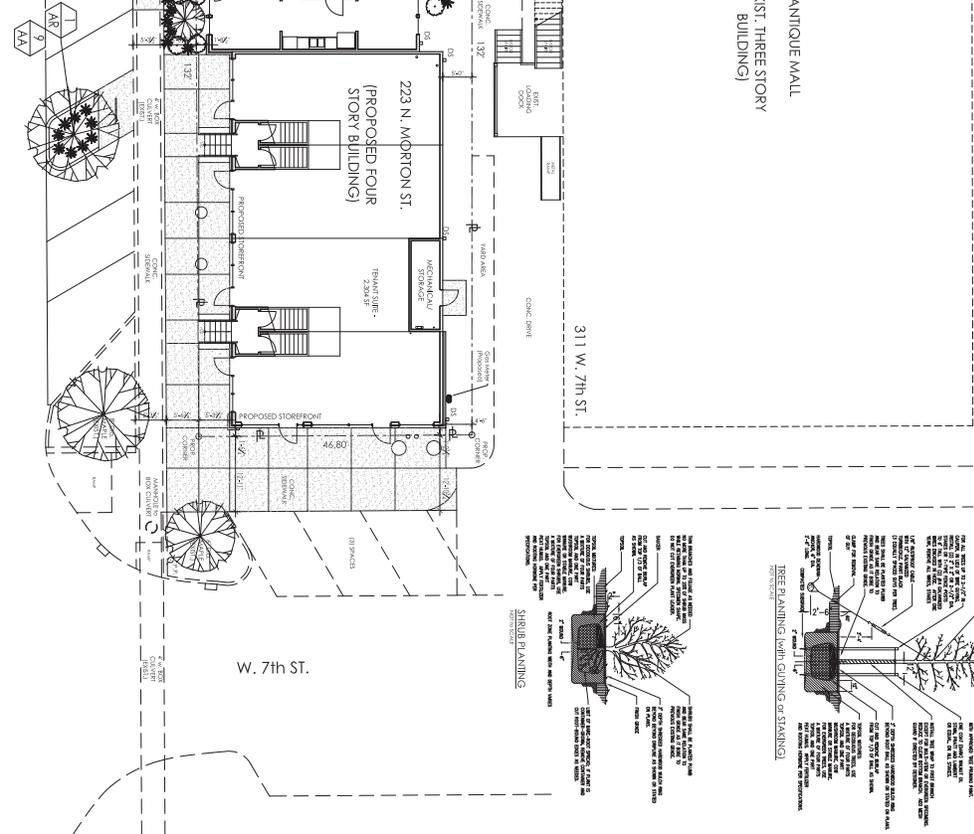
LANDSCAPE PLANT LIST

SYMBOL	MARK	BOTANICAL NAME	COMMON NAME	QUANTITY	SIZE/CONTAINER
AR	ACR	RED BARKED DOGWOOD	LARGE DECIDUOUS TREES	1	1.5" CAL. B & B
IS	UD	DOGWOOD	RED BARKED DOGWOOD	1	1.5" CAL. B & B
CF	CO	ORANGE BLOSSOM	DECIDUOUS ORNAMENTAL AND SMALL STREETSCAPE TREES	2	1.5" CAL. B & B
AA	AS	ASTERS	PERENNIALS, GRASSES, and FERNS	44	1 GALLON
KC	KO	KOBERGIA	PERENNIALS, GRASSES, and FERNS	22	1 GALLON

PLANT LABELING LEGEND:

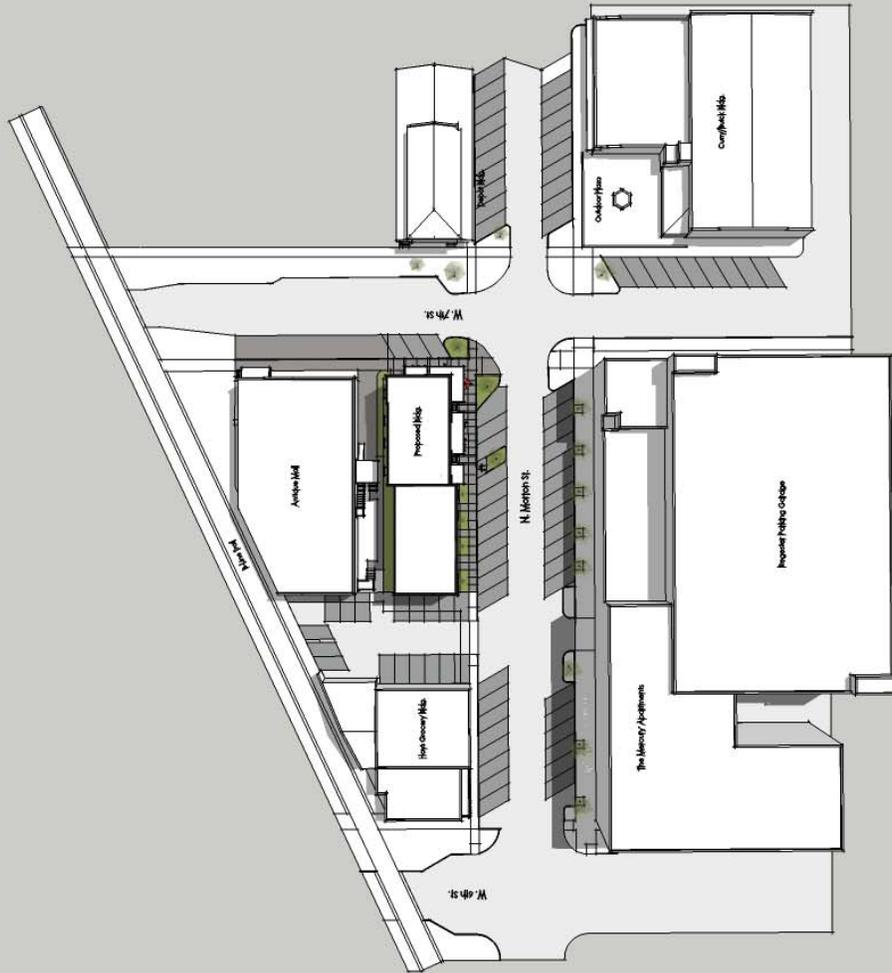


N. MORTON ST.

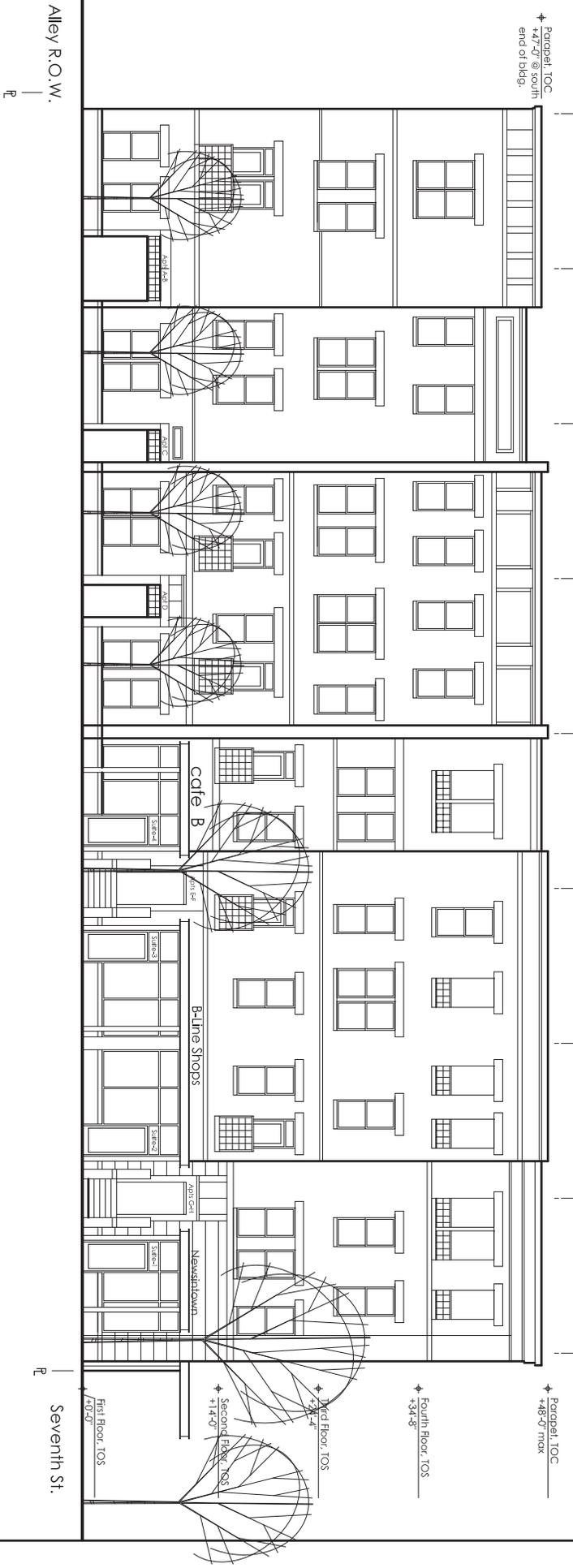


PROPOSED LANDSCAPE PLAN SCALE: 1" = 10'-0"

300
Proposed Site
+ Landscaping
Plan



East Elevation

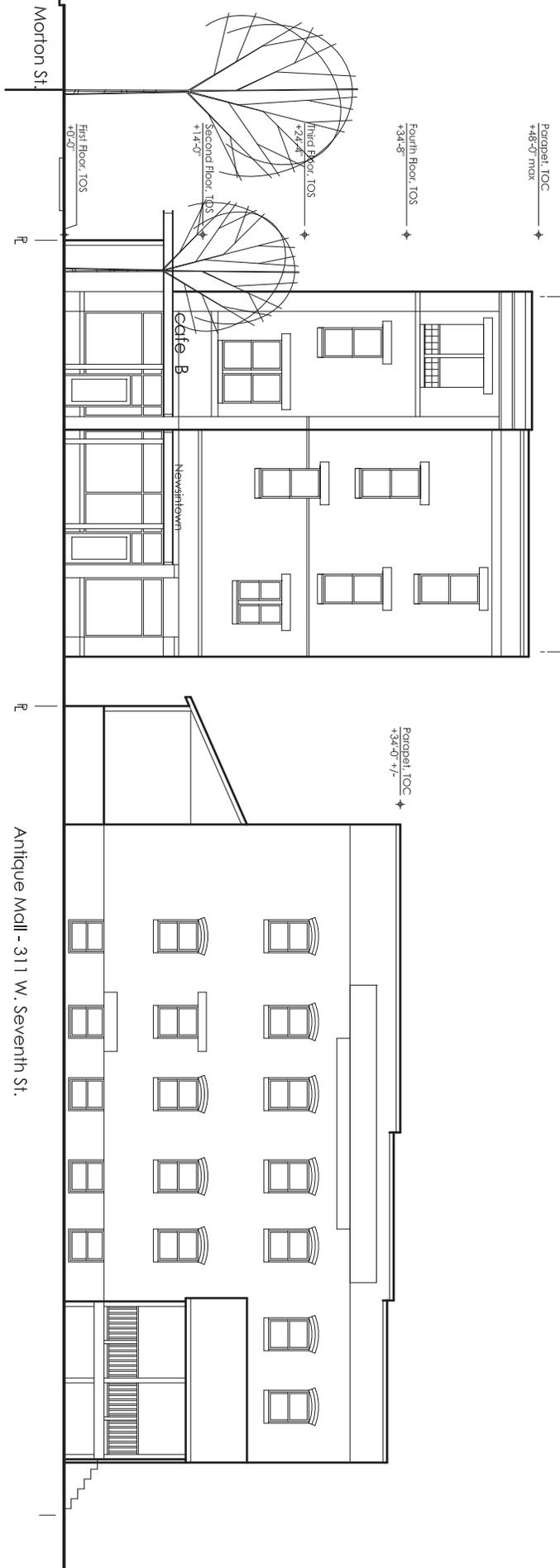


East Elevation

Scale 1/16" = 1'-0"

223 N. Morton St.
 OMEGA Properties
 M C A architects + urbanists
 5-27-2016

North Elevation



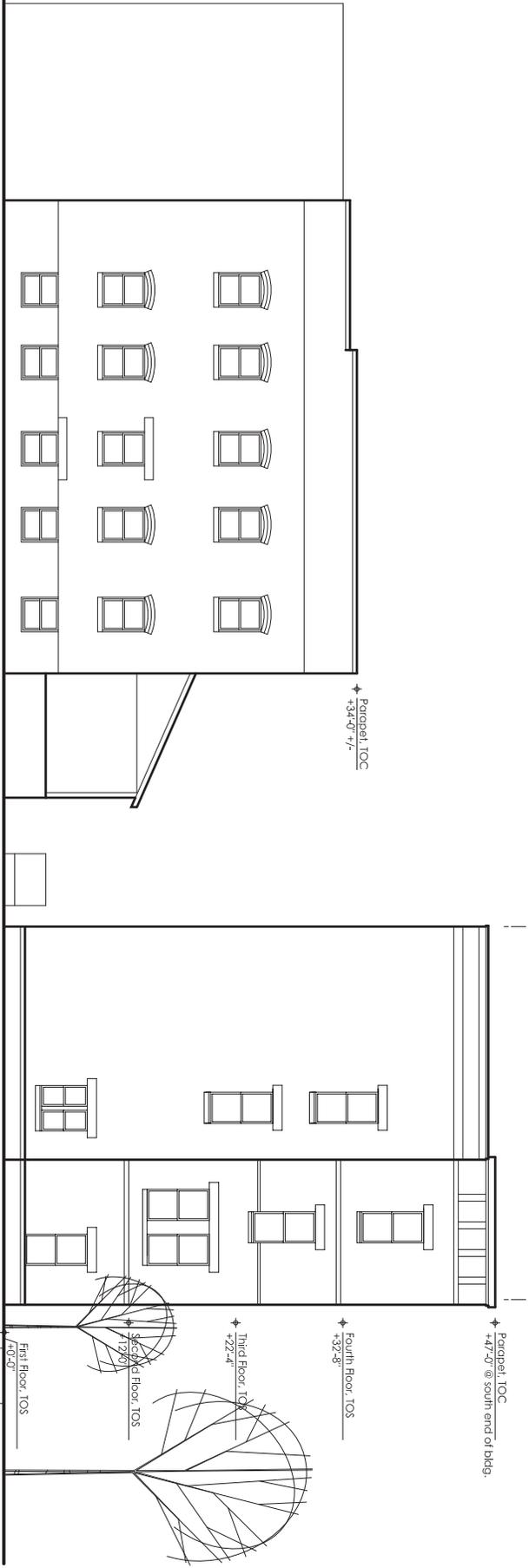
North Elevation

Scale 1/16" = 1'-0"

223 N. Morton St.
 OMEGA Properties
 M C A architects + urbanists
 5-27-2016

South Elevation

Antique Mall

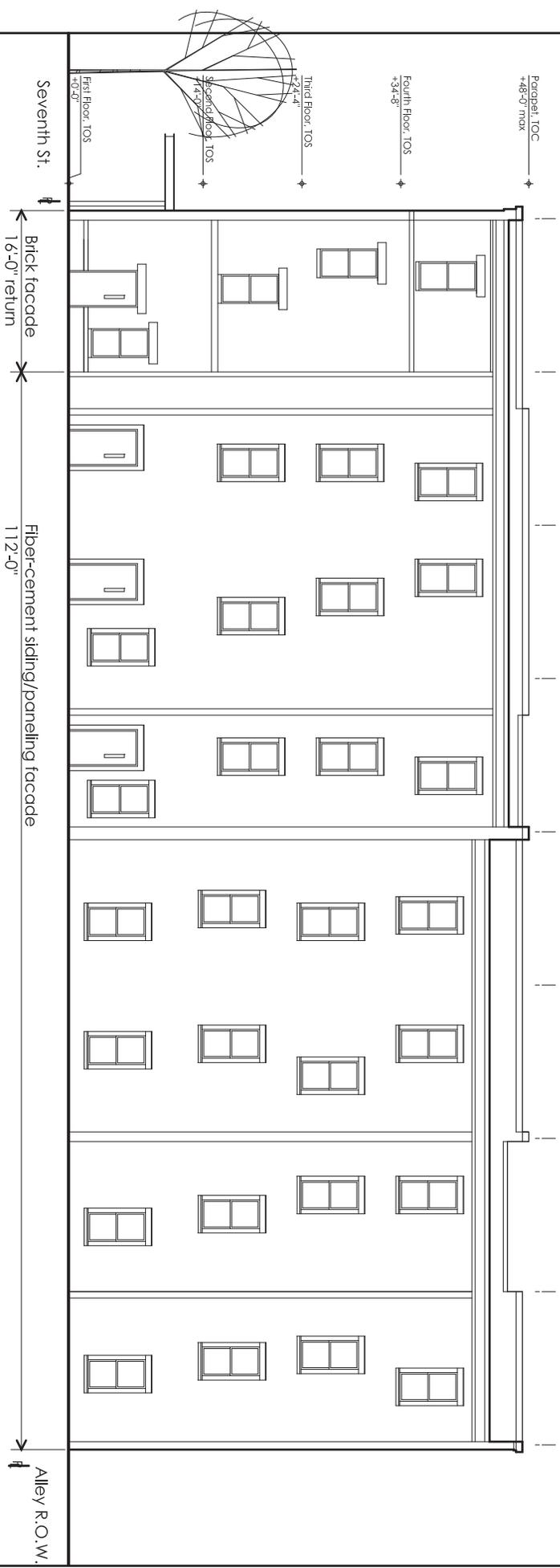


South Elevation

Scale 1/16" = 1'-0"

223 N. Morton St.
 OMEGA Properties
 M C A architects + urbanists
 5-27-2016

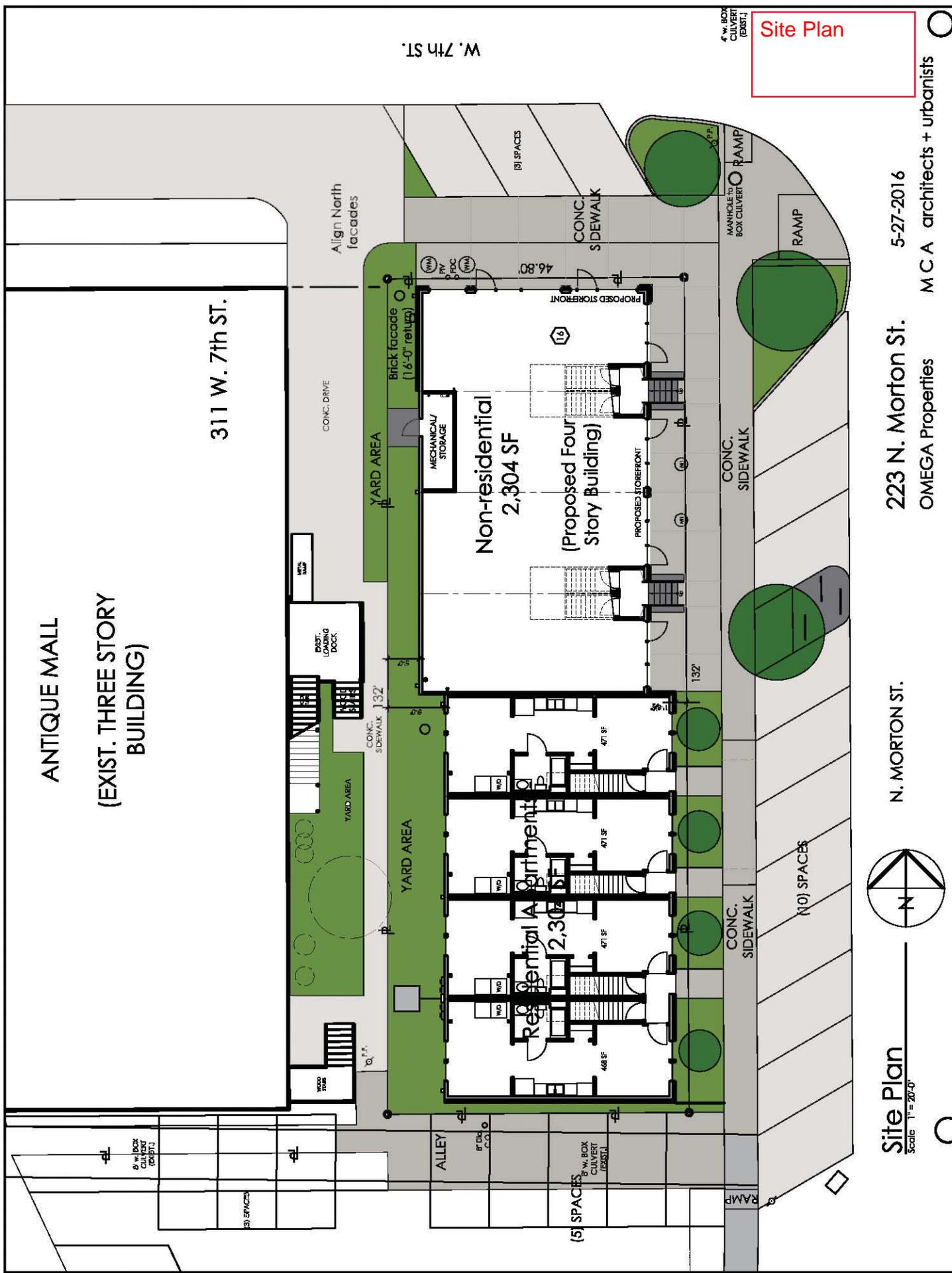
West Elevation



West Elevation

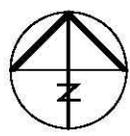
Scale 1/16" = 1'-0"

223 N. Morton St.
 OMEGA Properties
 M C A architects + urbanists
 5-27-2016



Site Plan

223 N. Morton St. 5-27-2016
OMEGA Properties MCA architects + urbanists



Site Plan
Scale 1"=20'-0"

East Elevation

Alley R.O.W.



Parapet, TOC
+48'-7" max

Fourth Floor, TOS
+11'-8"

Third Floor, TOS
+7'-8"

Second Floor, TOS
+3'-4"

First Floor, TOS
+0'-0"

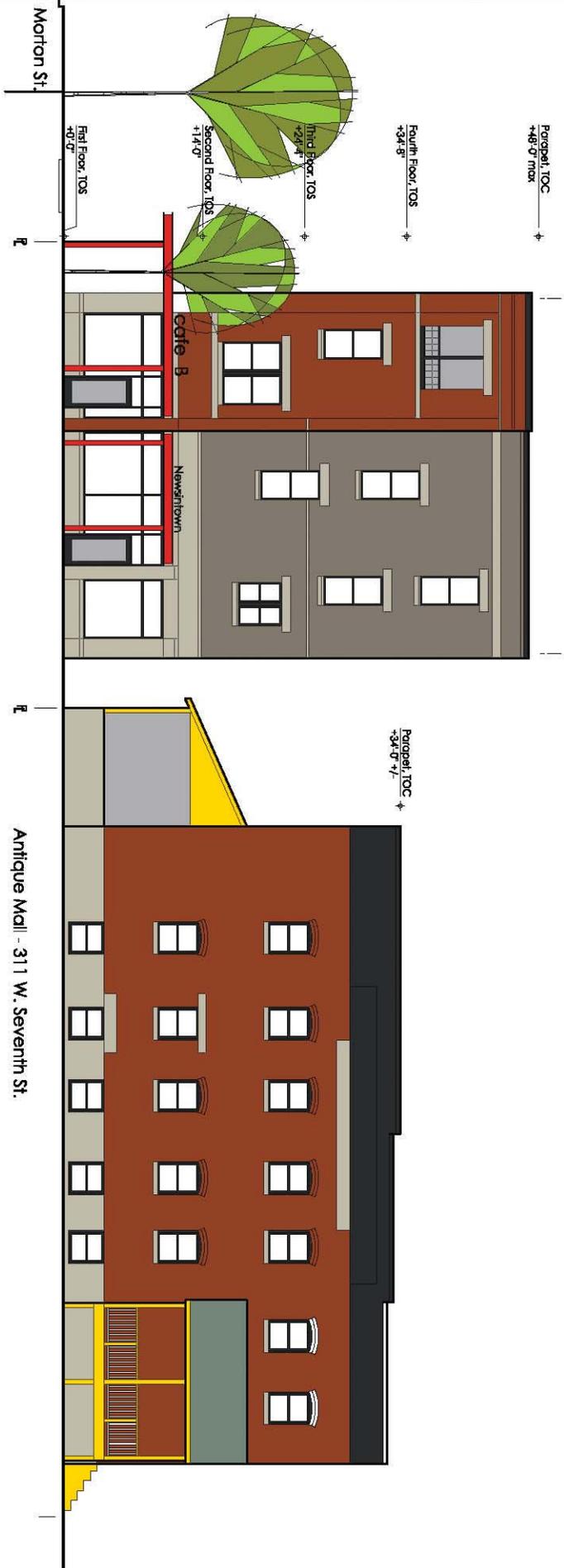
Seventh St.

East Elevation

Scale 1/16" = 1'-0"

223 N. Morton St.
 OMEGA Properties
 M C A architects + urbanists
 5-27-2016

North Elevation

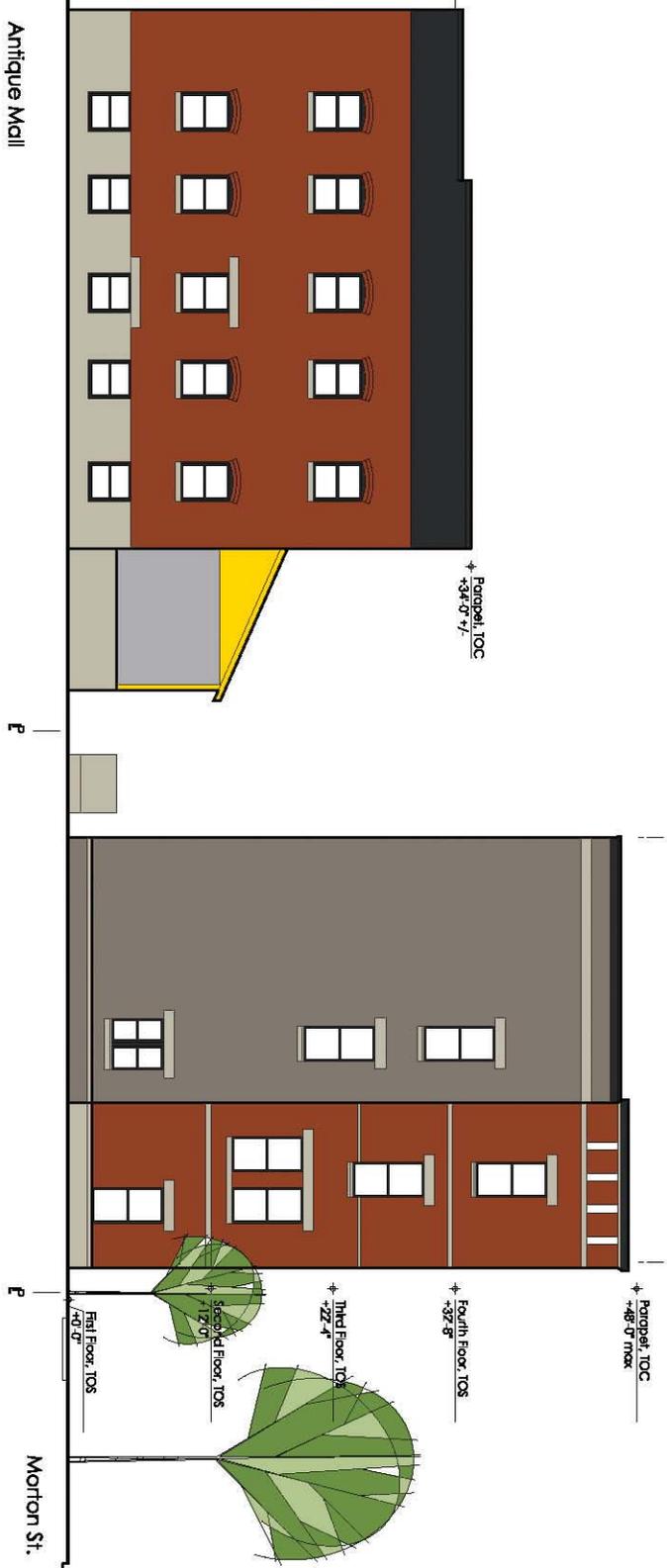


North Elevation

Scale 1/16" = 1'-0"

223 N. Morton St.
 OMEGA Properties
 M C A architects + urbanists
 5-27-2016

South Elevation

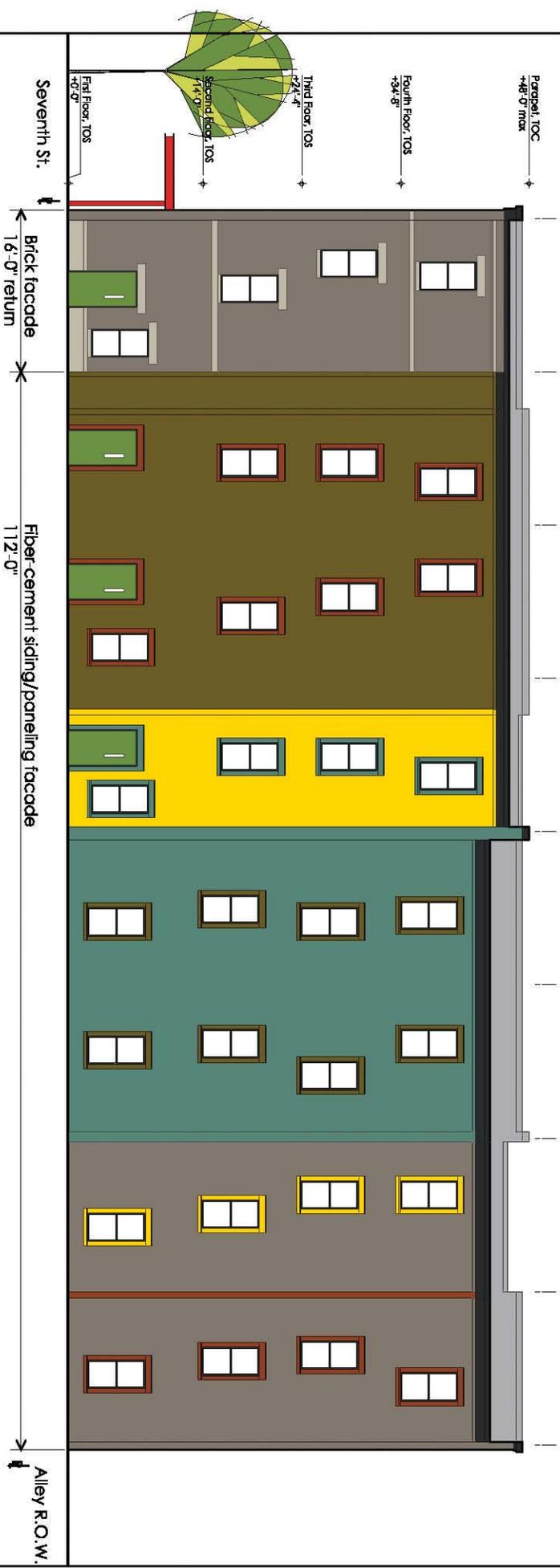


South Elevation

Scale 1/16"=1'-0"

223 N. Morton St.
 OMEGA Properties M C A architects + urbanists
 5-27-2016

West Elevation



West Elevation
Scale 1/16" = 1'-0"

223 N. Morton St.
OMEGA Properties
M C A architects + urbanists
5-27-2016

Northeast
Elevation



Northwest
Elevation



Northwest
Elevation





North
Elevation



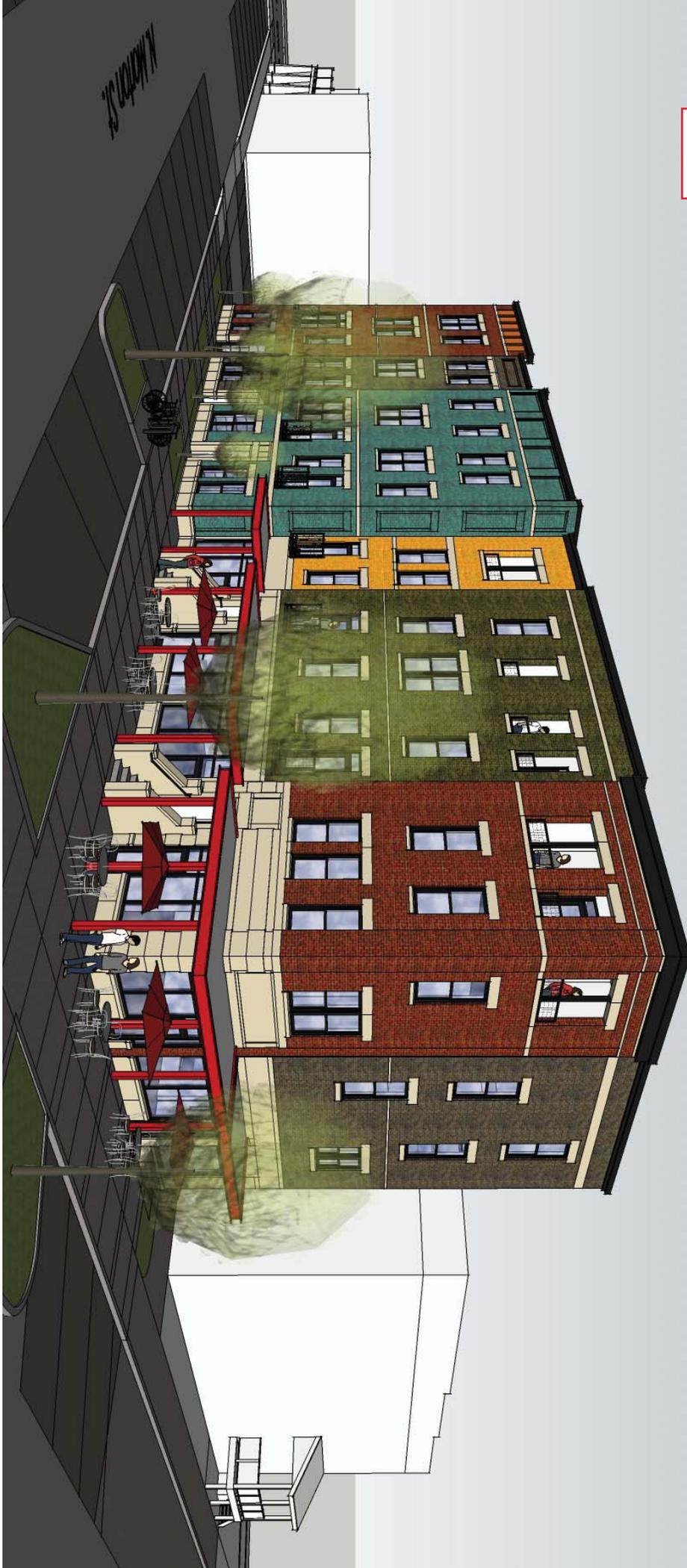
East Elevation





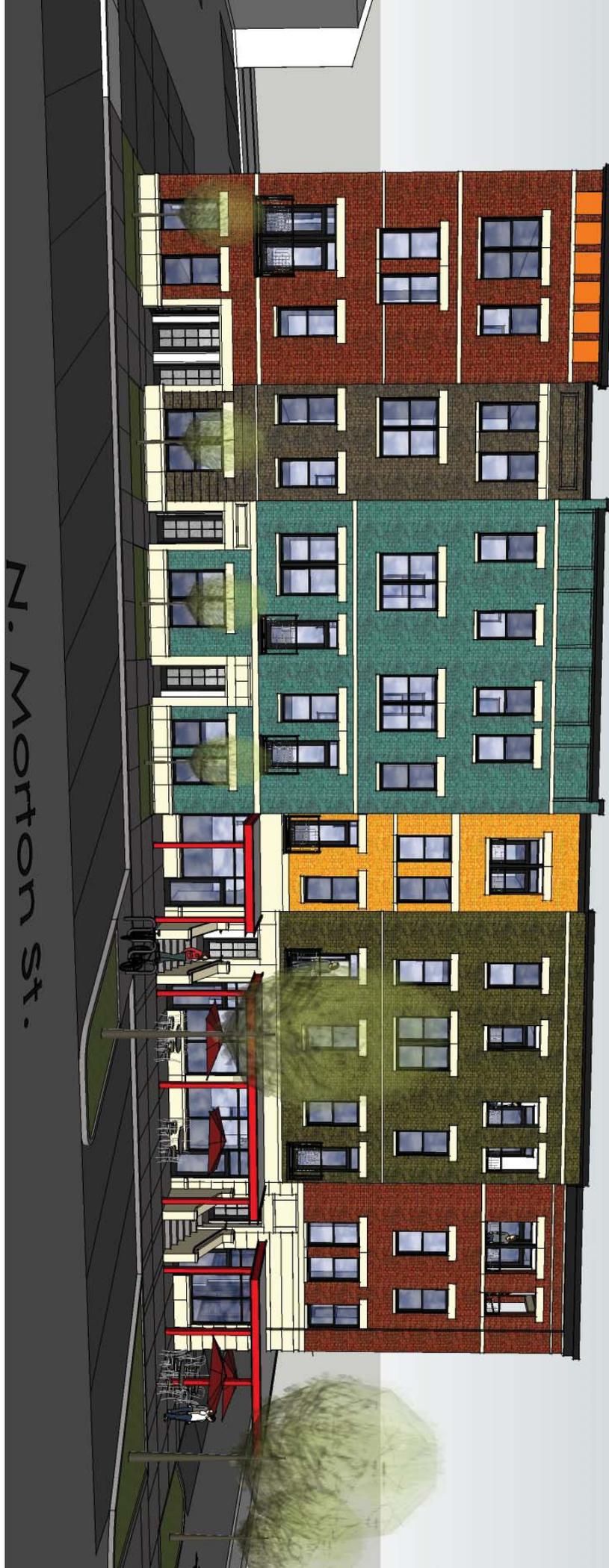


Northeast
Elevation



North
Elevation





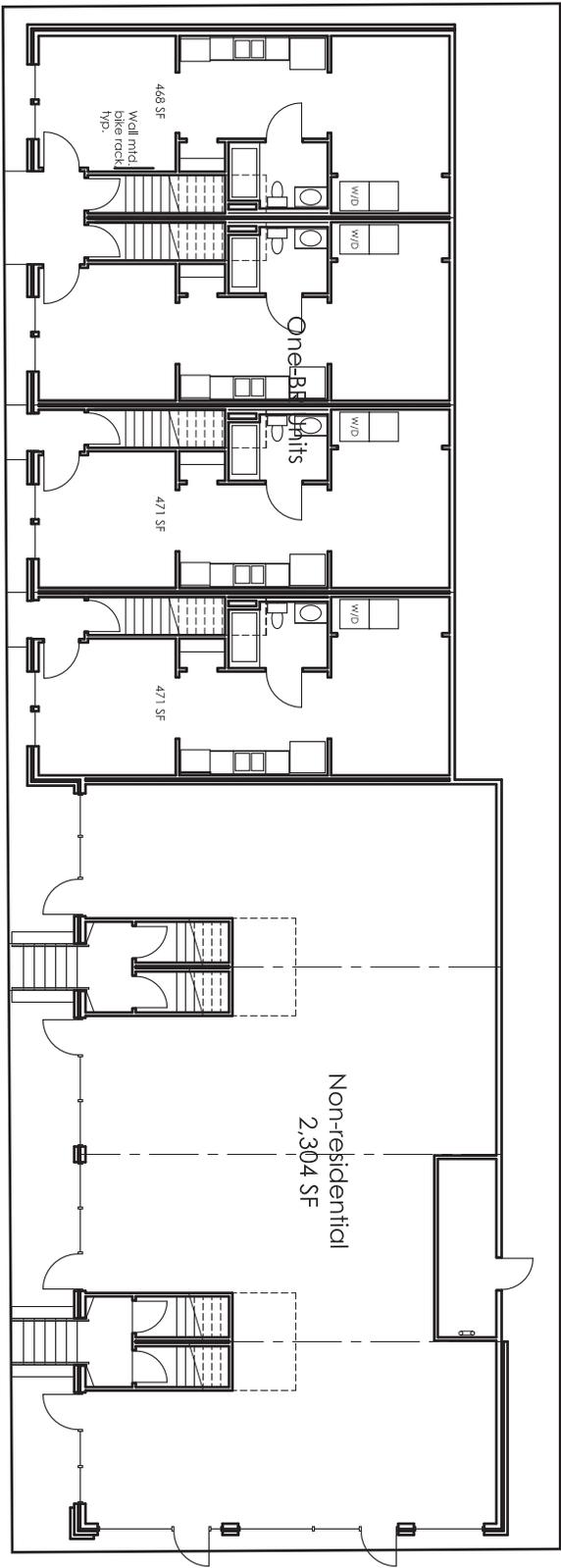
Southeast
Elevation



N. Morton St.

North
Elevation



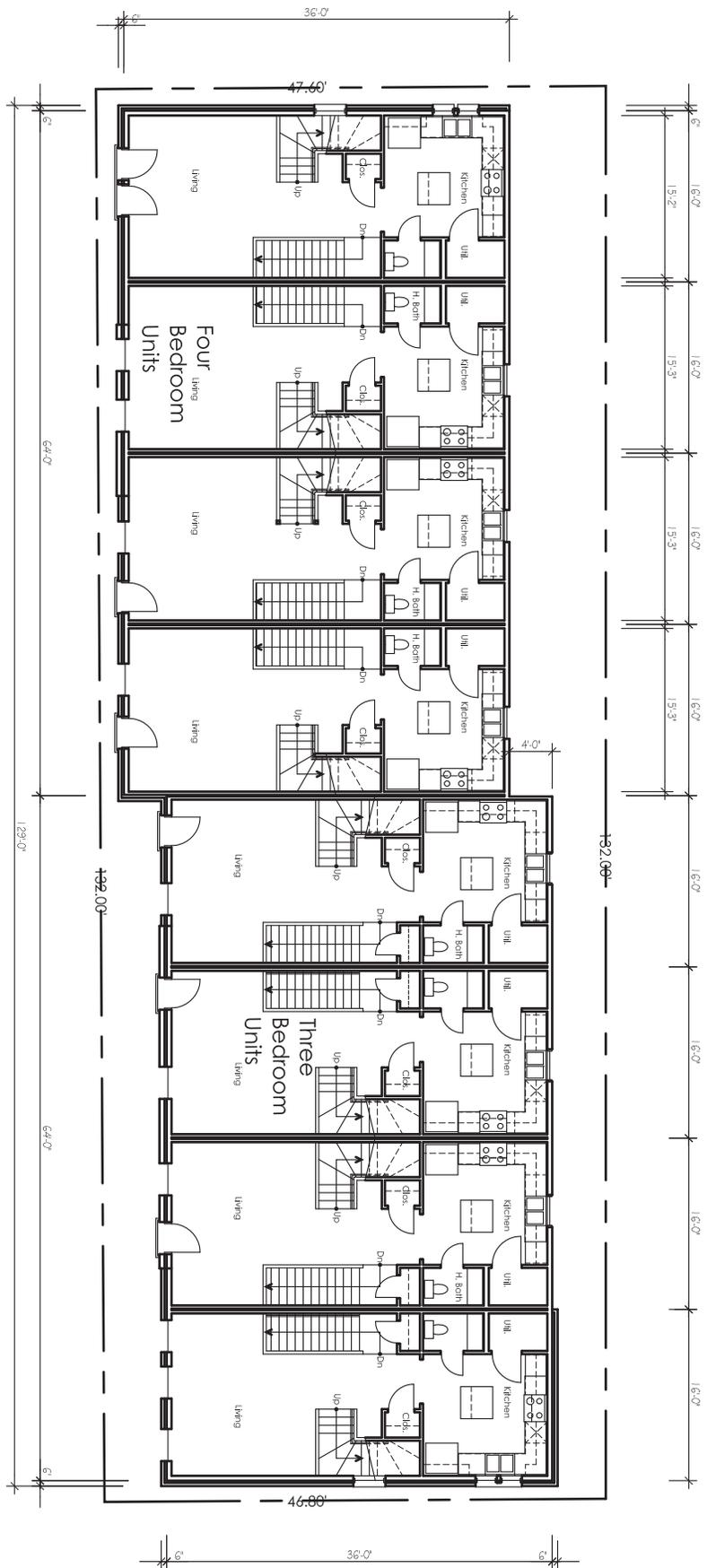


Ground Floor Plan

Scale 1/16" = 1'-0"

223 N. Morton St.
OMEGA Properties

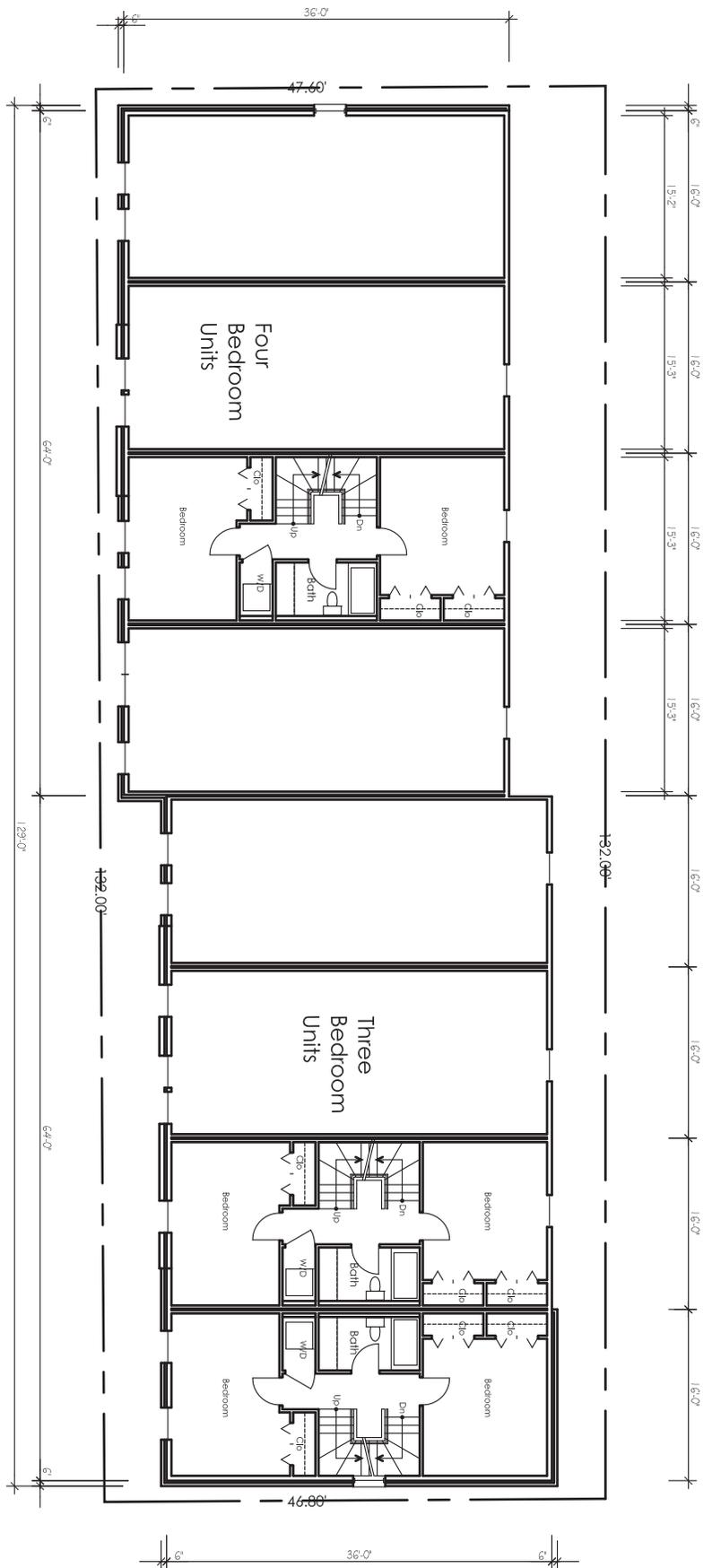
5-27-2016
M C A architects + urbanists



Second Floor Plan

Scale 1/16" = 1'-0"

223 N. Morton St.
 OMEGA Properties
 M C A architects + urbanists
 6-27-2016



Third Floor Plan

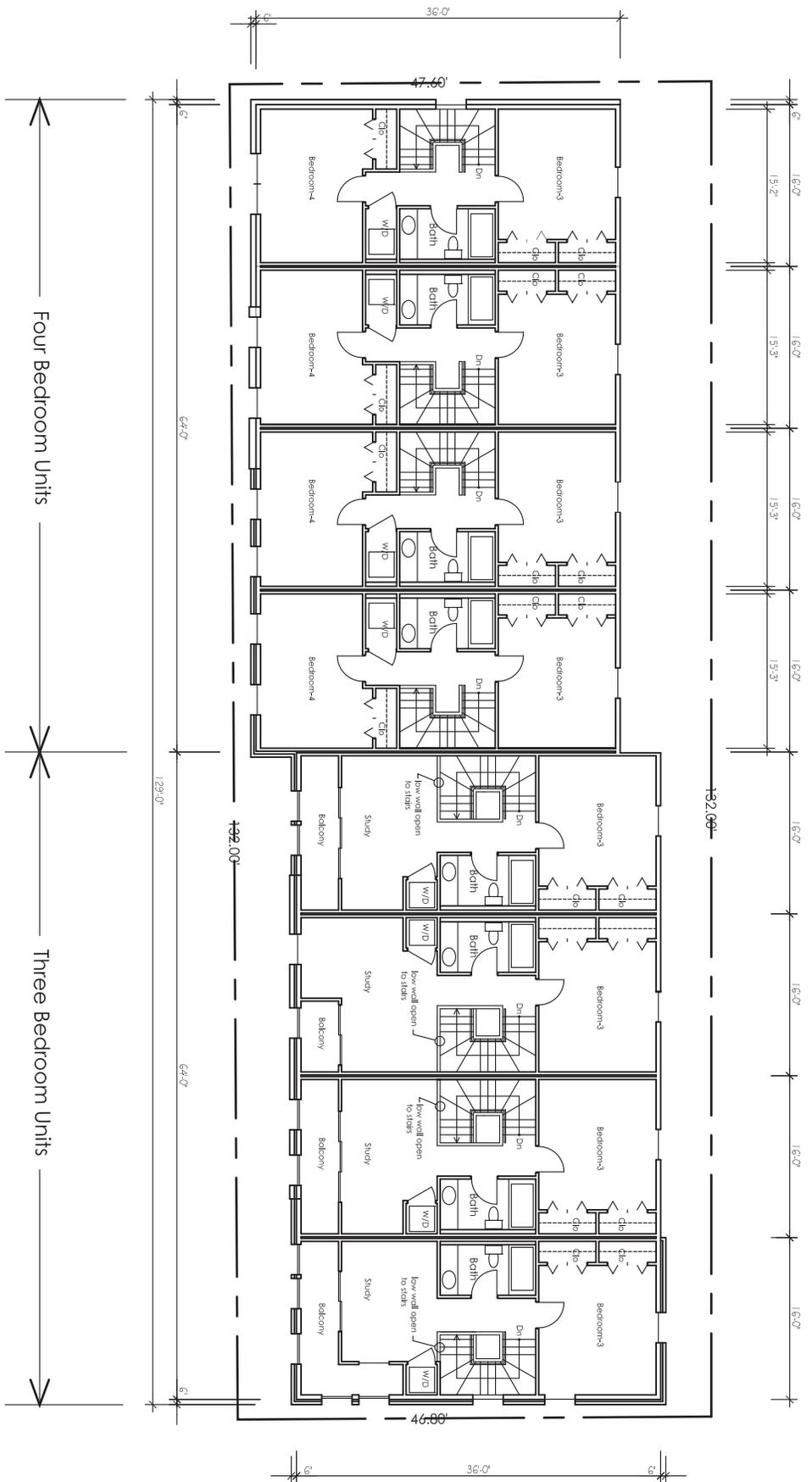
Scale 1/16" = 1'-0"

223 N. Morton St.

OMEGA Properties

M C A architects + urbanists

6-27-2016

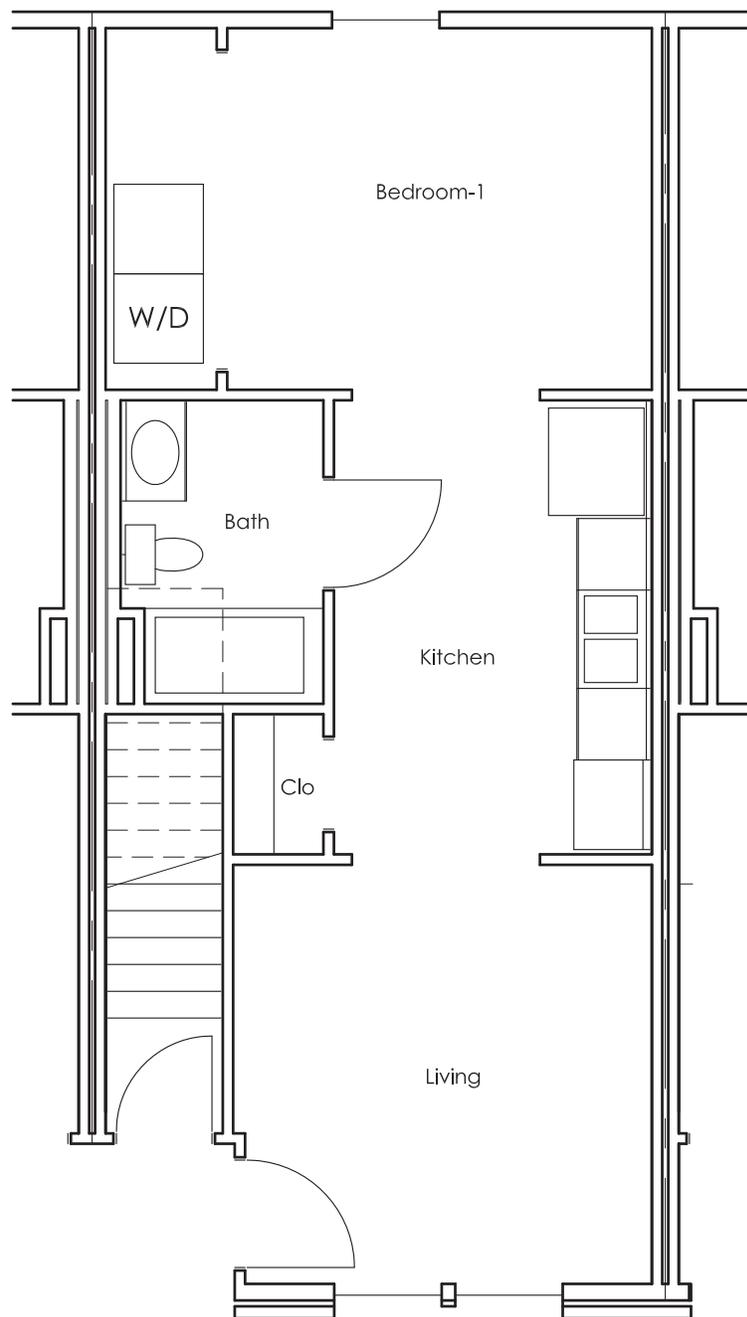


Fourth Floor Plan

Scale 1/16" = 1'-0"

223 N. Morton St.
OMEGA Properties

6-27-2016 revised
M C A architects + urbanists



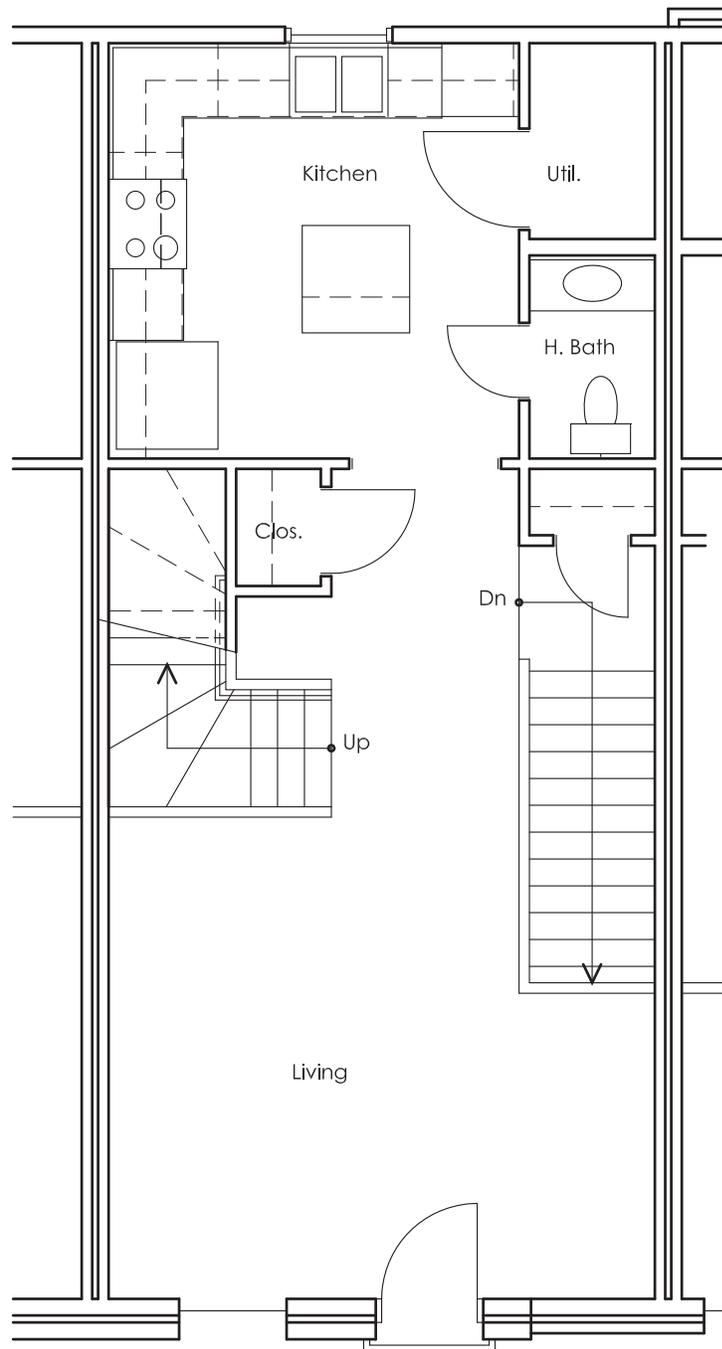
One BR Unit Plan

Scale 3/16" = 1'-0"

223 N. Morton St. 6-27-2016

OMEGA Properties

M C A architects + urbanists



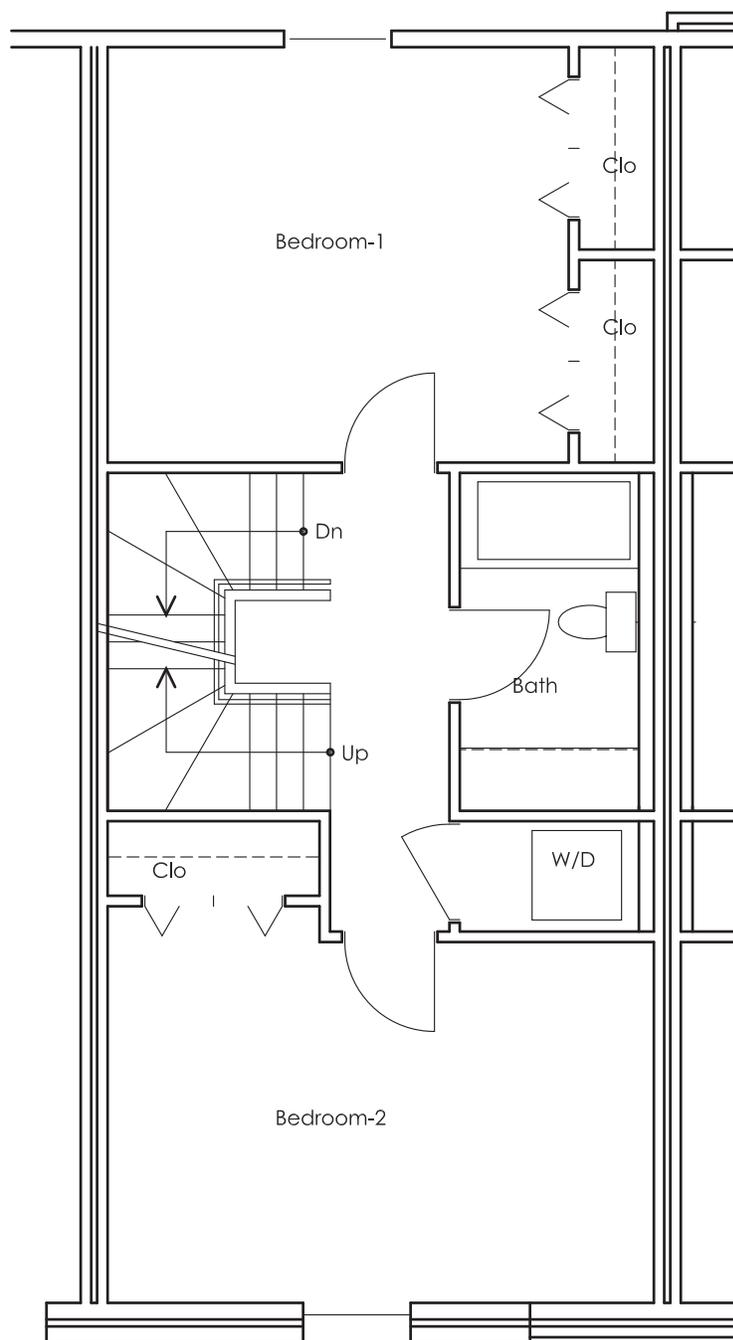
Three BR Unit Plan - First Floor

Scale 3/16" = 1'-0"

223 N. Morton St. 6-27-2016

OMEGA Properties

M C A architects + urbanists



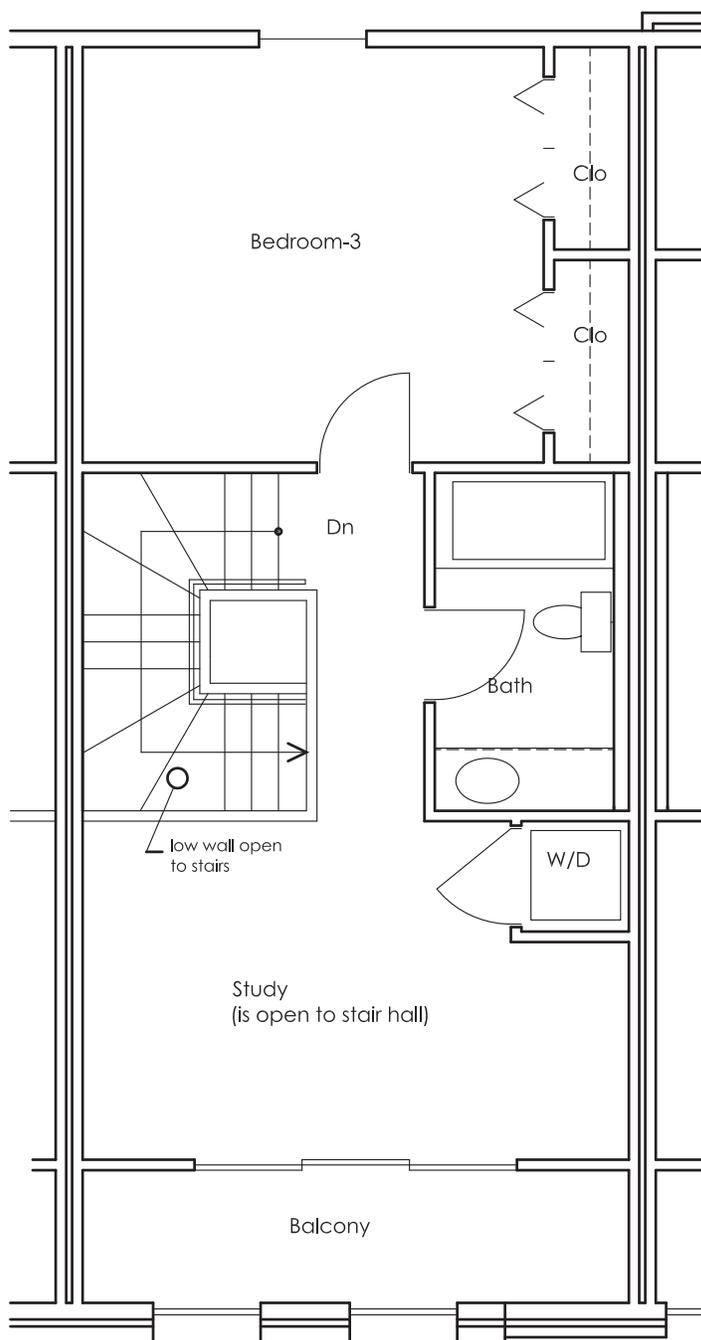
Three BR Unit Plan - Second Floor

Scale 3/16" = 1'-0"

223 N. Morton St. 6-27-2016

OMEGA Properties

M C A architects + urbanists



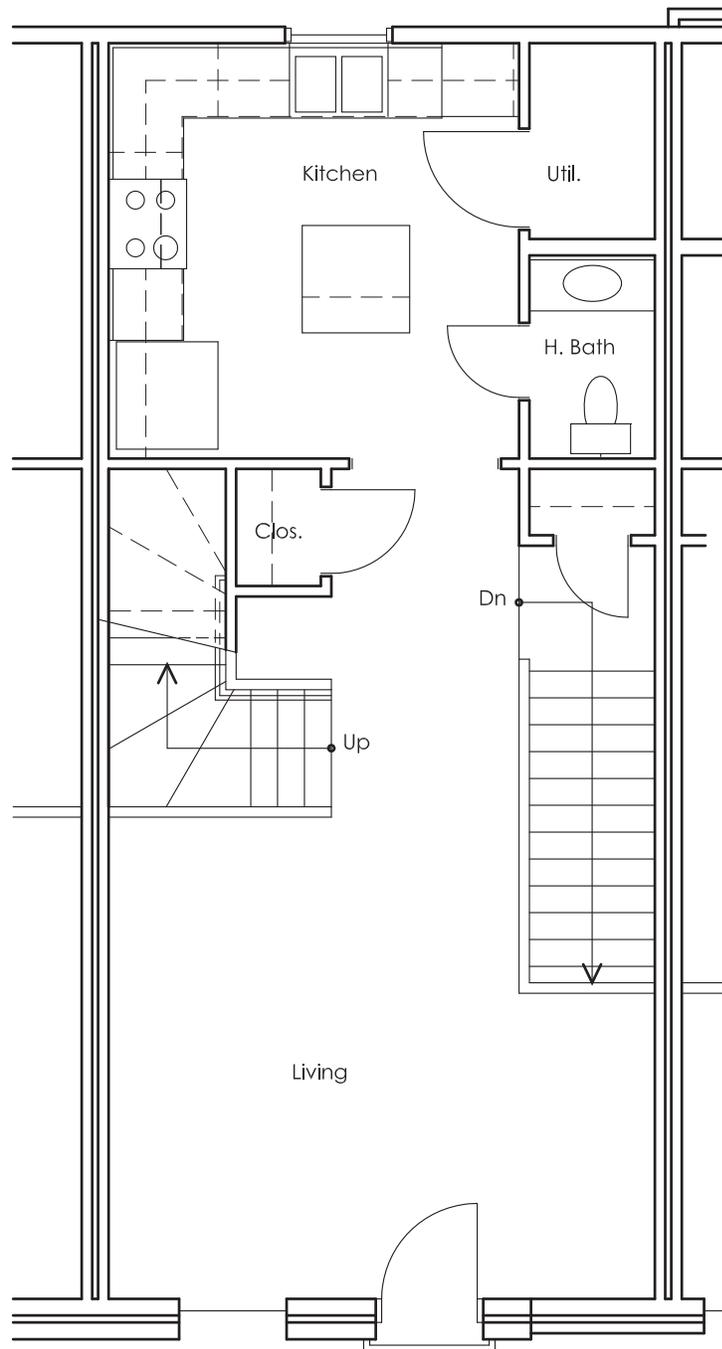
Three BR Unit Plan - Third Floor

Scale 3/16" = 1'-0"

223 N. Morton St. 6-27-2016

OMEGA Properties

M C A architects + urbanists



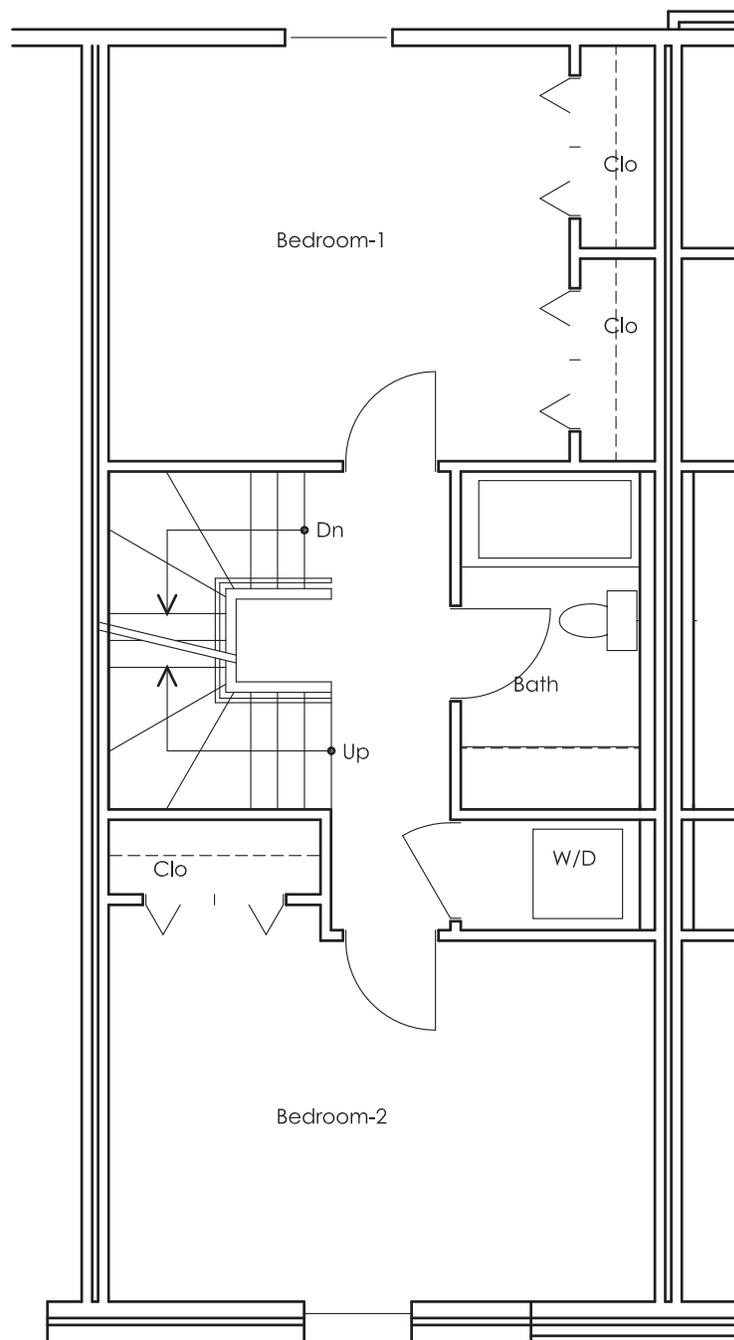
Four BR Unit Plan - First Floor

Scale 3/16" = 1'-0"

223 N. Morton St. 6-27-2016

OMEGA Properties

M C A architects + urbanists



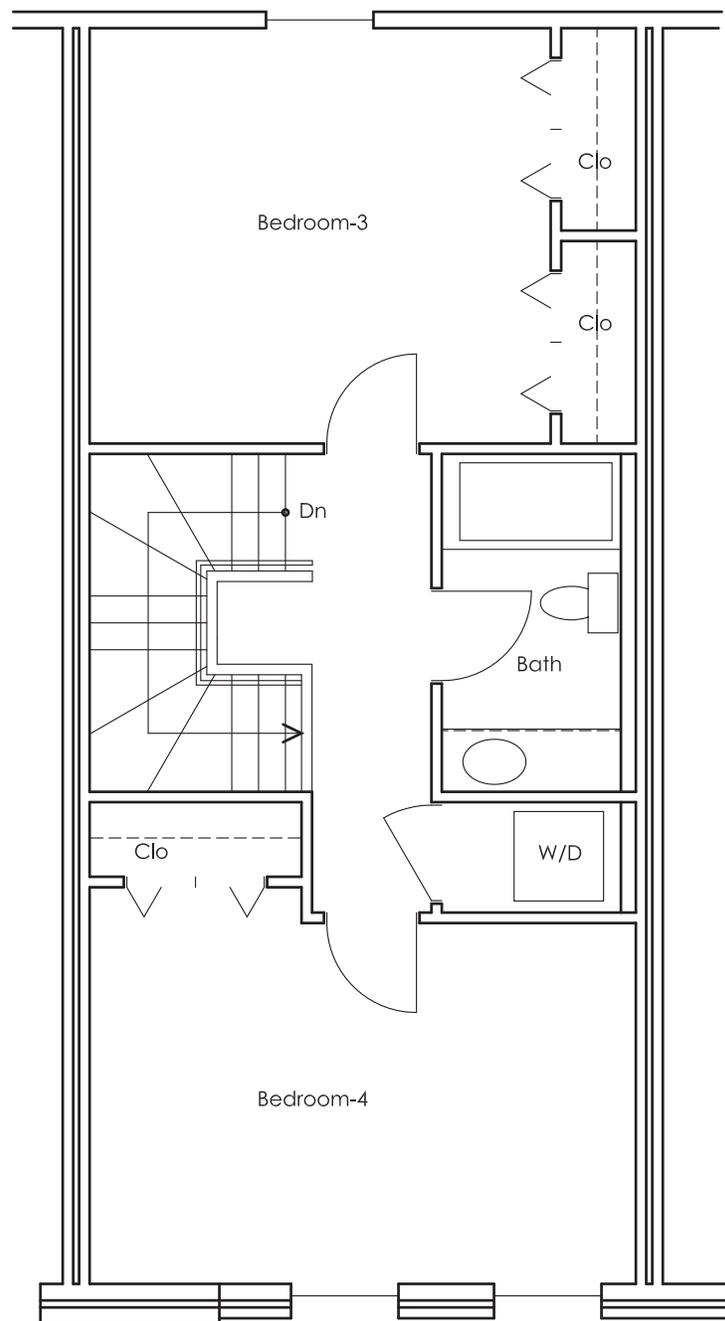
Four BR Unit Plan - Second Floor

Scale 3/16" = 1'-0"

223 N. Morton St. 6-27-2016

OMEGA Properties

M C A architects + urbanists



Four BR Unit Plan - Third Floor

Scale 3/16" = 1'-0"

223 N. Morton St. 6-27-2016

OMEGA Properties

M C A architects + urbanists

Materials Change
example in
downtown



Example of Materials Change as Building Turns the Corner

Painted brick
example in
downtown



Example of Painted Brick Buildings

Painted brick
example in
downtown



Example of Painted Brick Buildings

**BLOOMINGTON PLAN COMMISSION
STAFF REPORT
LOCATION: 601 N. College Ave.**

**CASE #: SP-18-16
DATE: July 11, 2016**

**PETITIONER: TCVC LLC
601 N. College Ave., Suite 1A, Bloomington**

REQUEST: The petitioners are requesting a site plan amendment to add a single first floor apartment to an existing building.

Area:	0.8 Acres		
Zoning:	Commercial Overlay	Downtown/Downtown	Gateway
GPP Designation:	Downtown		
Existing Land Use:	Mixed use		
Proposed Land Use:	Mixed use		
Surrounding Uses:	North	– Residential	
	West	– Multi-family (Village at 10 th & College)	
	South	– Mixed use	
	East	– Offices, residential	

REPORT: The property is 0.8 acres in size and is located at the northwest corner of W. 10th Street and N. College Ave. The property is zoned Commercial Downtown (CD) and is within the Downtown Gateway Overlay (DGO). In September of 2002, the Board of Zoning Appeals approved a conditional use (CU/V-32-02) to allow the petitioners to construct a three-story, mixed use building. That approval was amended in 2004 (CU/V-09-04).

The petitioners are proposing conversion of an approximately 1031 square foot space on the main level of this building to a 2-bedroom apartment. This space was formerly used as a fitness center for the tenants of the building. This space was never counted as non-residential space in the two previous approvals. While it has an exterior wall, there is no exterior door, and no storefront windows. Entry is gained to the space from an interior hallway only. With the opening of the fitness center in the Studio 531 building at the SW corner of 10th and College, this space is no longer needed in this function.

This petition necessitates 2 waivers. Adding the two bedroom apartment would increase the density and reduce the parking ratio of the development further from UDO standards. No exterior changes to the building are required for this project.

Plan Commission Site Plan Review: One aspect of this project requires that the petition be reviewed by the Plan Commission, per BMC 20.03.320.

- The petition includes two waivers to the standards in BMC 20.03.330

ISSUES:

Parking: The building was originally approved under the previous zoning code. The Board of Zoning Appeals approved a conditional use that include 75 off-street parking spaces for 123 bedrooms and 7,570 of leasable commercial space. Under the current UDO, this building is required to provide a minimum 88 off-street parking spaces. With the additional 2-bedroom apartment, this building is required 89 parking spaces. An increase of 1 space. A waiver is required to allow the existing 75 spaces instead of the new required 89 spaces.

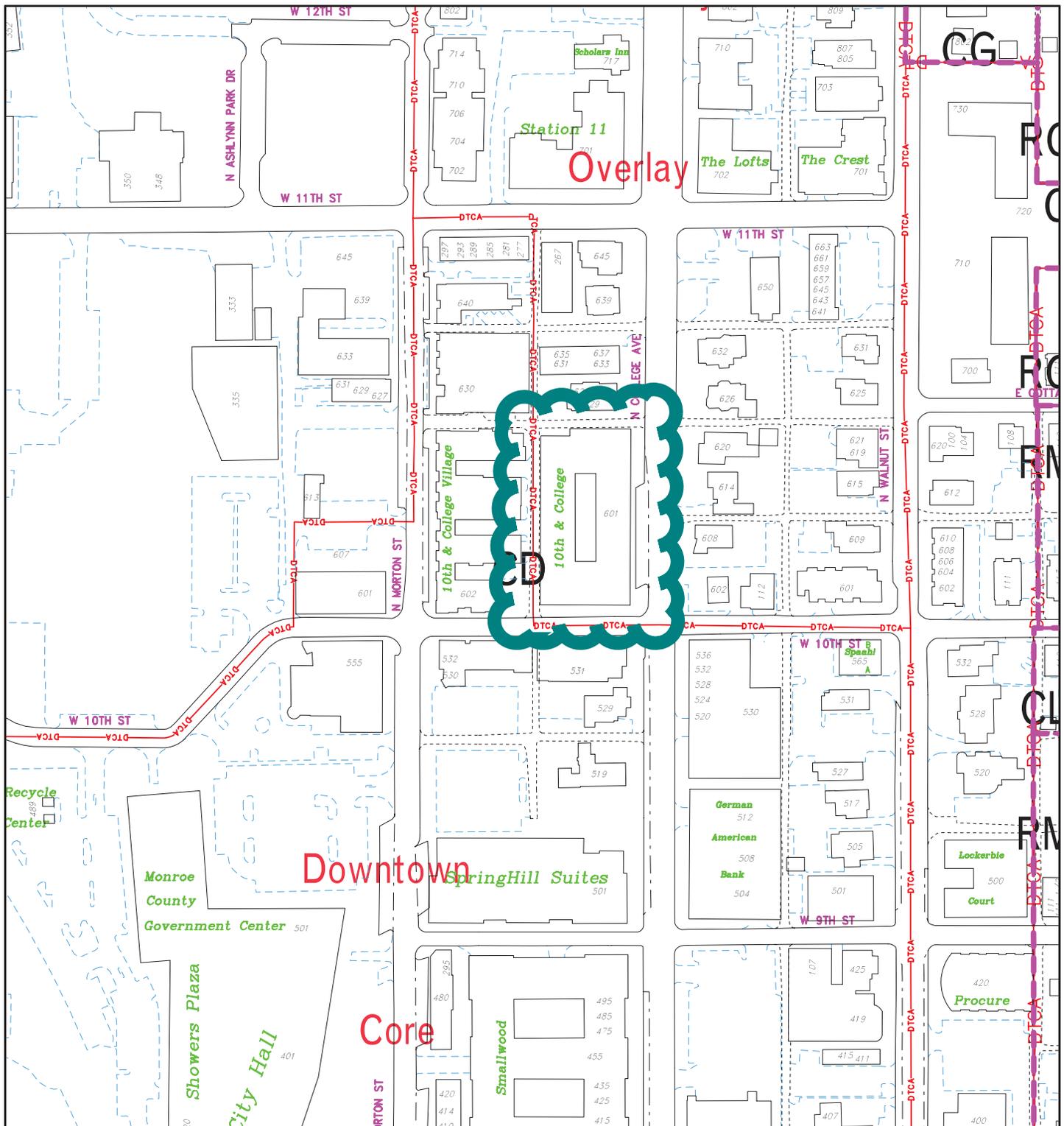
Waiver: BMC 20.03.330(c) Parking Standards - While the Downtown Plan (Pg.4-13) recommends 0.8 spaces per bedroom, the building has existed since 2004 with no known negative impacts of reduced parking. Staff does not anticipate an undue adverse impact to allowing changes to the building that would require 1 additional parking space without providing that parking space. In addition, recent changes to N. College Ave. by the petitioner has resulted in an increase in the number of street spaces since the building was originally built. The lower ratio is supported by on-street spaces on nearby streets, an established pedestrian network, and reduced need due to the two nearby bus lines.

Density: The building was originally approved under the previous zoning code with 89 units per acre. Under the current UDO, this property is permitted 33 DUEs per acre, or a total of 26.4 DUEs. The current building contains 67 apartment with a combined 123 bedrooms, for a total of 49.03 DUEs. This additional 2-bedroom apartment, of more than 900 square feet, would increase that to 50.03 DUEs. A density waiver is required.

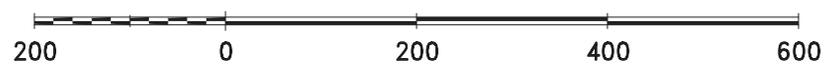
Waiver: BMC 20.03.330(a)(1) Maximum Residential Density – While this petition would increase the density of the development, all changes would be within the envelope of the existing building. This change would allow the petitioner to better utilize unused space and only increase the number of bedrooms by 1.6%.

Recommendation: Staff recommends approval of SP-18-16 with the following condition.

1. New apartment could be either a 2-bedroom or 3-bedroom unit without impacting parking or density calculations.
2. All previous terms and conditions of CU/V-32-02 and CU/V-09-04 are still binding on this petition.



By: roachja
7 Jul 16

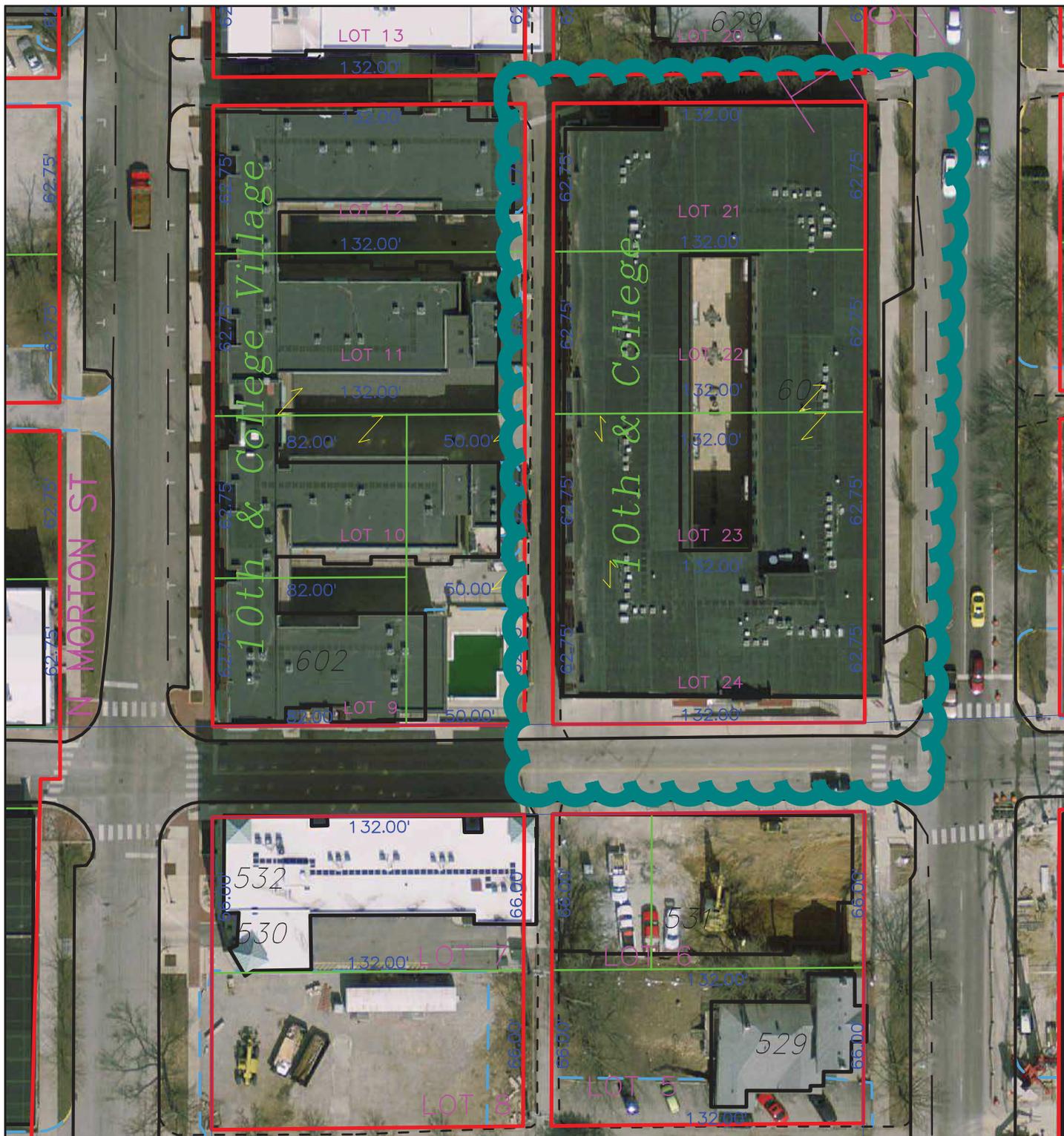


City of Bloomington
Planning & Transportation

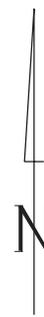
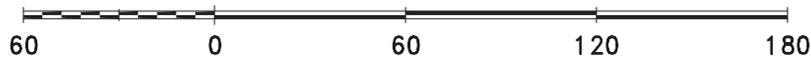
N

Scale: 1" = 200'

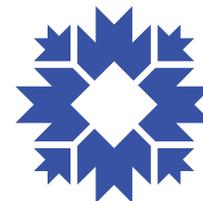
For reference only; map information NOT warranted.



By: roachja
7 Jul 16



City of Bloomington
Planning & Transportation



Scale: 1" = 60'

For reference only; map information NOT warranted.



Attn: James Roach

RE: **10th and College –Conversion of non-residential use back to an apartment.
June 6th, 2016**

Property Owner: TCVC, LLC
601 N. College Avenue, Suite 1A
Bloomington , Indiana 47404

PETITIONERS STATEMENT

Dear Mr. Roach;

Studio 3 Design is pleased to submit the following request to convert a vacant suite at the north end of the 10th and College apartment building (currently suite 6 – 1031 sf) back to a residential use. The space, when originally approved was not considered a non-residential space – as such a waiver to convert the space to a residential unit is not required.

The building itself was approved prior to existing UDO standards. Per the request of staff, we have provided a breakdown of the current building usage if it were brought forward under today's UDO guidelines for your reference in reviewing this request.

Project Location:

Suite 6 is a 1,031 sf space located in the 10th and College Apartment building. The space is located at the north end of the raised level 1 tenant spaces along College Avenue. It is separated from the adjoining tenant spaces by interior corridor serving the residential units. The Space in question was originally an accessory space to the apartment complex.

Request

We are requesting that a current vacant space be remodeled for a two bedroom apartment unit. The space will enter off of an interior secured apartment corridor system. The space was originally approved as part of the overall residential space for the building. The change does not impact the non-residential use space approved as part of this development. As such a waiver is not required. Unit plan attached.

Building Information:

67 apartment's current	68 apartments proposed	+1 unit
123 beds current	125 beds proposed	+ 2 beds

Applying today's UDO Guidelines to the existing facility.8 acres x 33 due's per acre = **26.4 DUE's available**

Units / Due's		based on unit sf
20	3 bedroom units x 1 due	= 20.00 dues
16	2 bedroom (larger than 900 sf) x 1 due	= 16.00 dues
13	1 bedroom (larger than 750 sf) x .66 due	= 8.58 dues
13	1 bedroom (under 750 sf) x .25 due	= 3.25 dues
04	Studio (larger than 550 sf) x .25 due	= 1.00 due
01	Studio (under 550 sf) x .20	= 0.20 due
01	New 2 bedroom unit (over 900 sf) x 1 due	= 1.00 due

68 Units / 125 beds = 50.03 Dues per current UDO**Retail / Non-residential**

Suite 1	office	3000 sf
Suite 2	retail	1508 sf
Suite 3	retail	1000 sf
Suite 4	retail	860 sf
Suite 5	retail	1202 sf
		7,570 sf provided

Suite 6 - 1031 sf convert to 2 bed apartment (included above)

Parking

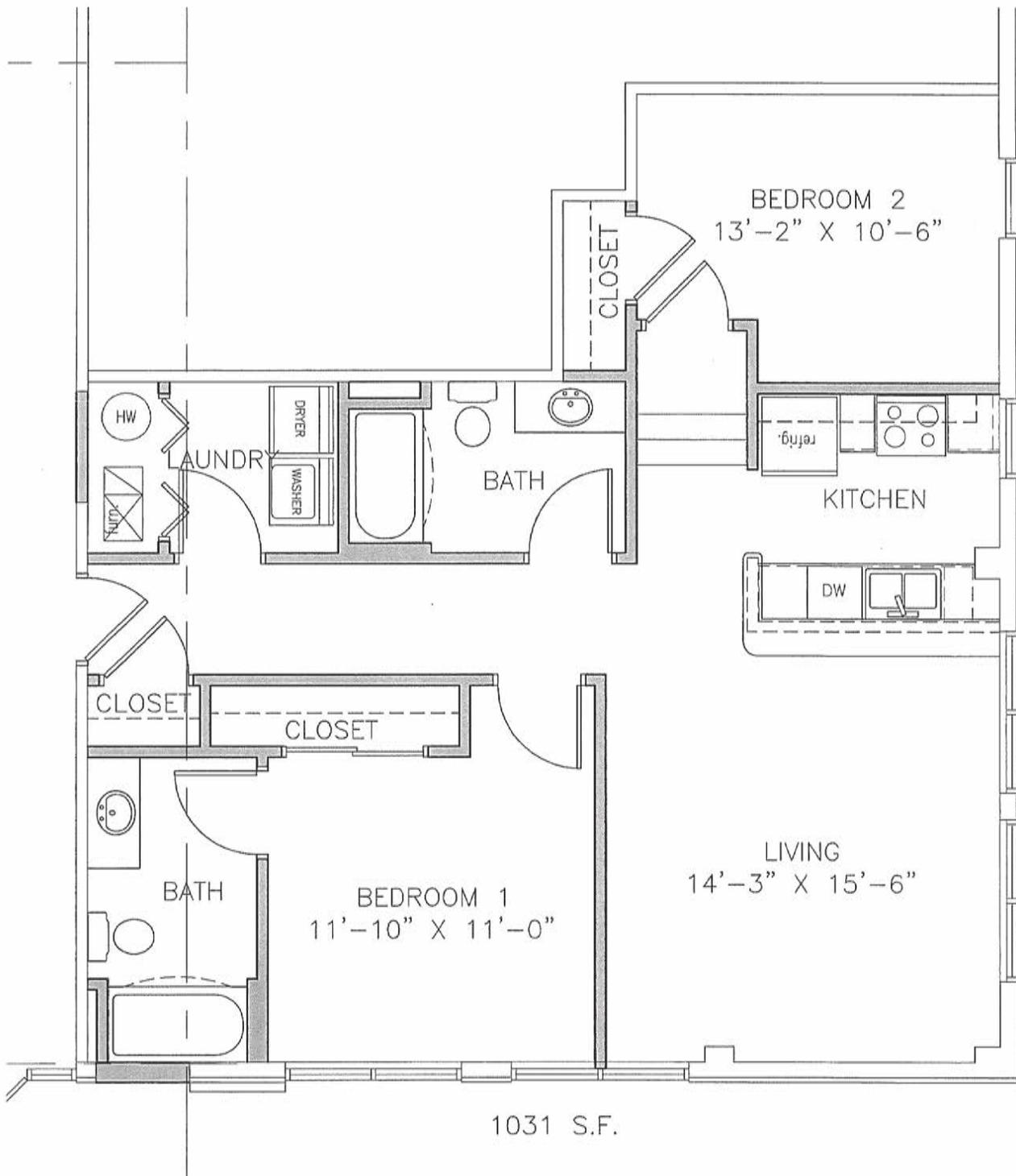
Existing residential	Under today's UDO
62 residential spaces provided	88 residential required

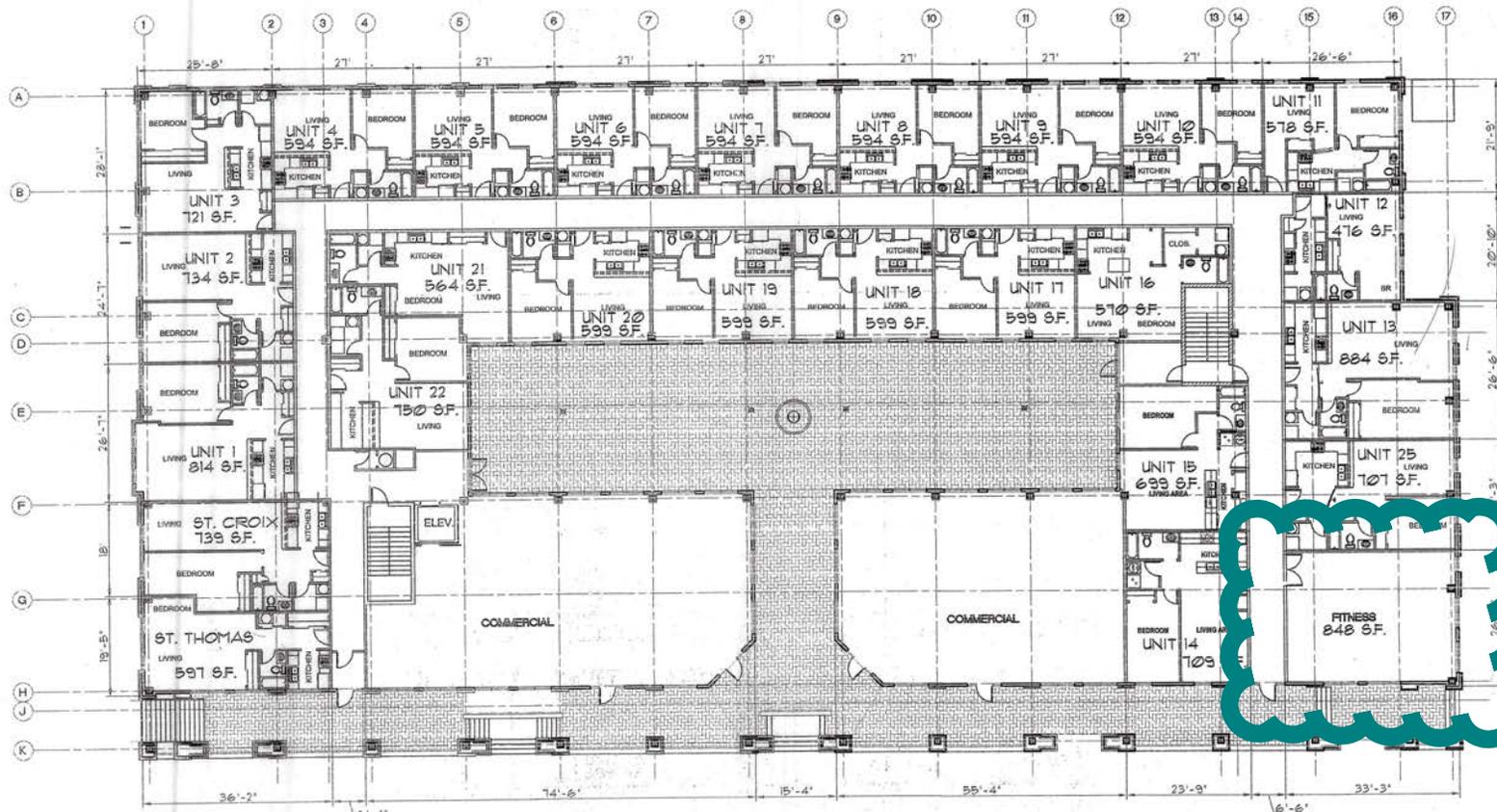
13 commercial garage	
<u>16 commercial on-street</u>	
29 available	32 required based on commercial use types

The building was approved under previous guidelines with the space in question approved as part of the overall residential use. Conversation does not require a waiver and while the building does not meet today's guidelines, the conversation of the existing space to an apartment will not negatively impact the overall development or surrounding area. We would request that this modification be allowed.

Sincerely;

Tim Cover
Studio 3 Design





1ST LEVEL RESIDENTIAL/COMMERCIAL
 SCALE: 3/32" = 1'-0"



10th & College
 10th Street and College Avenue
 BLOOMINGTON, INDIANA

All drawings and the design shown are the property of the architect. No part of this drawing or any part of the design may be copied, reproduced, or used in any way without the architect's written consent. This consent is prohibited and any violation will be subject to legal action.

DEA INC.
DALE E. ANKROM, A.I.A.
 6646 E. of the River, Indianapolis, IN 46220
 (317) 257-1888 FAX: (317) 257-1897

CERTIFIED
 DALE E. ANKROM
 REGISTERED
 No. 4028
 STATE OF INDIANA
 ARCHITECT

DRAWN
 CHECKED
 U.E.A.
 REVISIONS
 3/15/04

DATE
 5/7/03
 PROJECT NO.
 03465

SHEET TITLE

SHEET
A-2 REV.

PRELIMINARY

FILED WITH THE ARCHITECTURAL BOARD OF INDIANA, 100 N. MARKET STREET, INDIANAPOLIS, IN 46202

**BLOOMINGTON PLAN COMMISSION
STAFF REPORT
LOCATION: 532 N. Morton Street**

**CASE #: SP-20-16
DATE: July 11, 2016**

**PETITIONER: ERL-10, LLC
601 N. College Ave., Suite 1A, Bloomington**

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

REQUEST: The petitioner is requesting an amendment to a site plan approval to extend the length of time for first floor residential use.

Area:	0.20 Acres										
Zoning:	Commercial Downtown/Downtown Core Overlay										
GPP Designation:	Downtown										
Existing Land Use:	Multi-family residential										
Proposed Land Use:	Multi-family residential										
Surrounding Uses:	<table> <tr> <td>Northeast</td> <td>– Mixed-use (10th and College)</td> </tr> <tr> <td>North</td> <td>– Village @ 10th & College apartments</td> </tr> <tr> <td>West</td> <td>– Offices</td> </tr> <tr> <td>South</td> <td>– Mixed use (under construction)</td> </tr> <tr> <td>East</td> <td>– Office, retail</td> </tr> </table>	Northeast	– Mixed-use (10 th and College)	North	– Village @ 10 th & College apartments	West	– Offices	South	– Mixed use (under construction)	East	– Office, retail
Northeast	– Mixed-use (10 th and College)										
North	– Village @ 10 th & College apartments										
West	– Offices										
South	– Mixed use (under construction)										
East	– Office, retail										

REPORT SUMMARY: The subject property is located at the southeast corner of W. 10th Street and N. Morton Street. The property is a 0.2 acre platted lot that contains a 4-story multi-family building called “Morton Mansions”. This building was approved by the Plan Commission on April 5, 2010 (SP-08-10) and was occupied in August of 2010. The property is bordered on the east by a platted alley and is surrounded by commercial or multi-family uses on all sides. Properties to the north and northeast are multi-family and mixed use buildings also owned by the petitioner. The property is zoned Commercial Downtown (CD) and is within the Downtown Core Overlay (DCO).

In 2011, the petitioner received approval of a site plan amendment to convert the approximately 1,200 square feet of non-residential space on the first floor of the building to a single 3-bedroom apartment (SP-03-11). This space had been vacant since the building was finished in August of 2010. This petition increased the unit count from 15 to 16 units, but the building stayed within the maximum density permitted on the property. The Plan Commission approved this amendment and first floor commercial space waiver with a 5-year sunset. That approval sunsets in July 2016. While staff recommended denial of the petition in 2011, staff recommended that instead of tying the end of the waiver to a specific date, it may have been more appropriate to tie the approval to the redevelopment of the Trades District which had just recently been announced. No new buildings have been constructed in the Trades District since 2011. The Plan Commission stated the

reasons for the approval and the sunsetting as a desire to not see the space remain empty and they questioned the viability of commercial uses in this location, especially with the uncertain development timeline of the Trades District. A copy of the minutes of that meeting are included in the packet.

The UDO requires that buildings in this area of the Downtown Core Overlay be constructed with 50% non-residential space on the first floor. The petitioner received a waiver with the original site plan approval to reduce the amount of non-residential space to 24%. The 2011 petition dropped the first floor non-residential percentage from 24% to 0% and required the waiver to be amended. Also approved in 2011 was an amendment to the previously approved parking waiver to allow for a further reduction.

Plan Commission Site Plan Review: One aspect of this project requires that the petition be reviewed by the Plan Commission, per BMC 20.03.090.

- The petition includes two amended waivers to the standards in BMC 20.03.120 and 20.03.130

SITE PLAN REVIEW

Residential Density: The property is approximately 0.2 acres in area. This petition increased the bedrooms from 30 to 33 bedrooms and the unit count from 15 to 16 units. The DCO allows for 60 units per acre, or 12 units on this property. The current density, once DUEs are applied, is 10.98 DUEs or 54.9 DUEs per acre. This density is below the maximum density of the DCO.

Ground floor non-residential: In 2010, the Plan Commission approved a partial waiver from the first floor non-residential space percentage requirement. This approved a reduction from 50% to 24%. The 2011 site plan amendment further reduced that percentage from 24% to 0%. An amended waiver is required.

Ground Floor Non-residential Space Waiver-20.03.120(e)(2): The 2005 Downtown Vision and Infill Strategy Plan (hereafter referred to as "Downtown Plan") includes several design guidelines concerning first floor uses. Design guideline 3.18 recommends that a ground floor level of a building encourage pedestrian activity through features related to commercial use, such as seating, storefronts, recessed entrances and display windows. This petition still include large display windows that may be converted to commercial space at some time in the future.

This property is in an area that includes a mix of residential and office uses, including office uses on the 2 opposite corners of this intersection and further north on Morton St. New retail and restaurant uses are located on the Smallwood Plaza block to the south. Office uses are also found on the west side of Morton Street at the Showers complex as well as between 11th and 10th Streets. Additional opportunities may arise in the future for more

retail and office uses in this area as the Trades District continues to be built out.

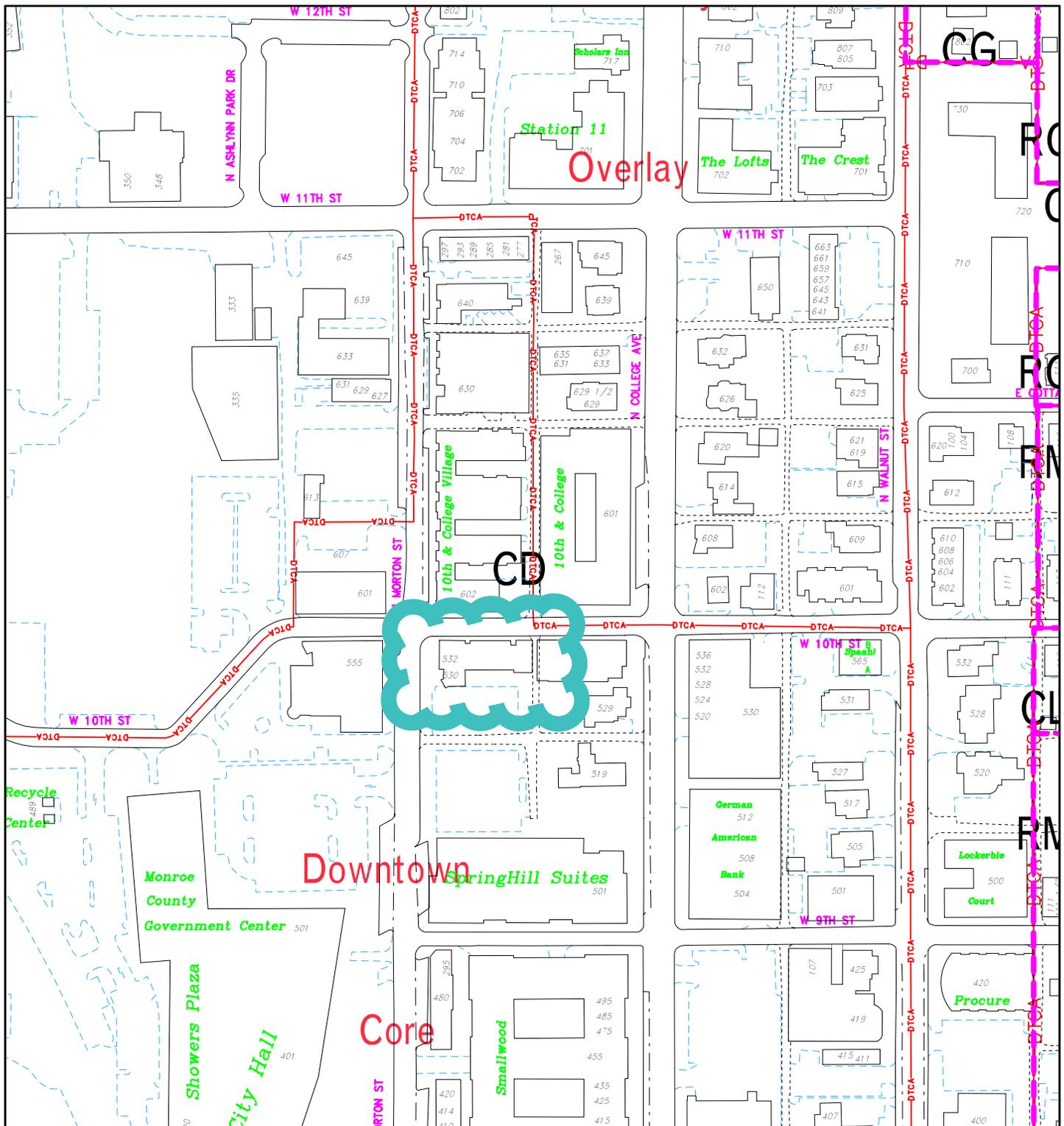
Parking: The building contains 12 off-street parking spaces, 11 spaces within the garage and 1 surface space. The minimum off-street parking requirement for the 33 existing bedrooms is 16. The petitioner is proposing to maintain the existing 12 parking spaces instead of providing the required 16 spaces. An amended waiver is required.

Parking Waiver-20.03.120(c)(2): While the Downtown Plan (Pg.4-13) recommends 0.8 spaces per bedroom, the building has existed since 2011 with 0.36 spaces per bedroom with no known adverse impacts to the surrounding area. The lower ratio is supported by on-street spaces on nearby streets, an established pedestrian network, and reduced need due to the two nearby bus lines.

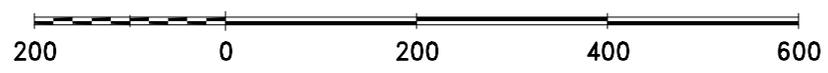
CONCLUSIONS: This petition maintains the space as convertible and allows for the possibility of commercial space in the future. With future development of the Trades District, additional opportunities may arise for office, retail and restaurant uses in this building to serve the employees and residents of the Trades District.

RECOMMENDATION: Based on the written findings above, staff recommends approval of SP-20-16 with the following conditions:

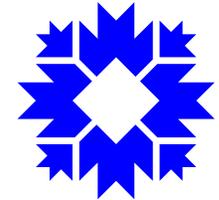
1. Petitioner must record an amended zoning commitment which will sunset on July 11, 2021 unless the Plan Commission grants an additional extension.
2. All previous terms and conditions of SP-08-10 are still binding on this petition.



By: roachja
7 Jul 16

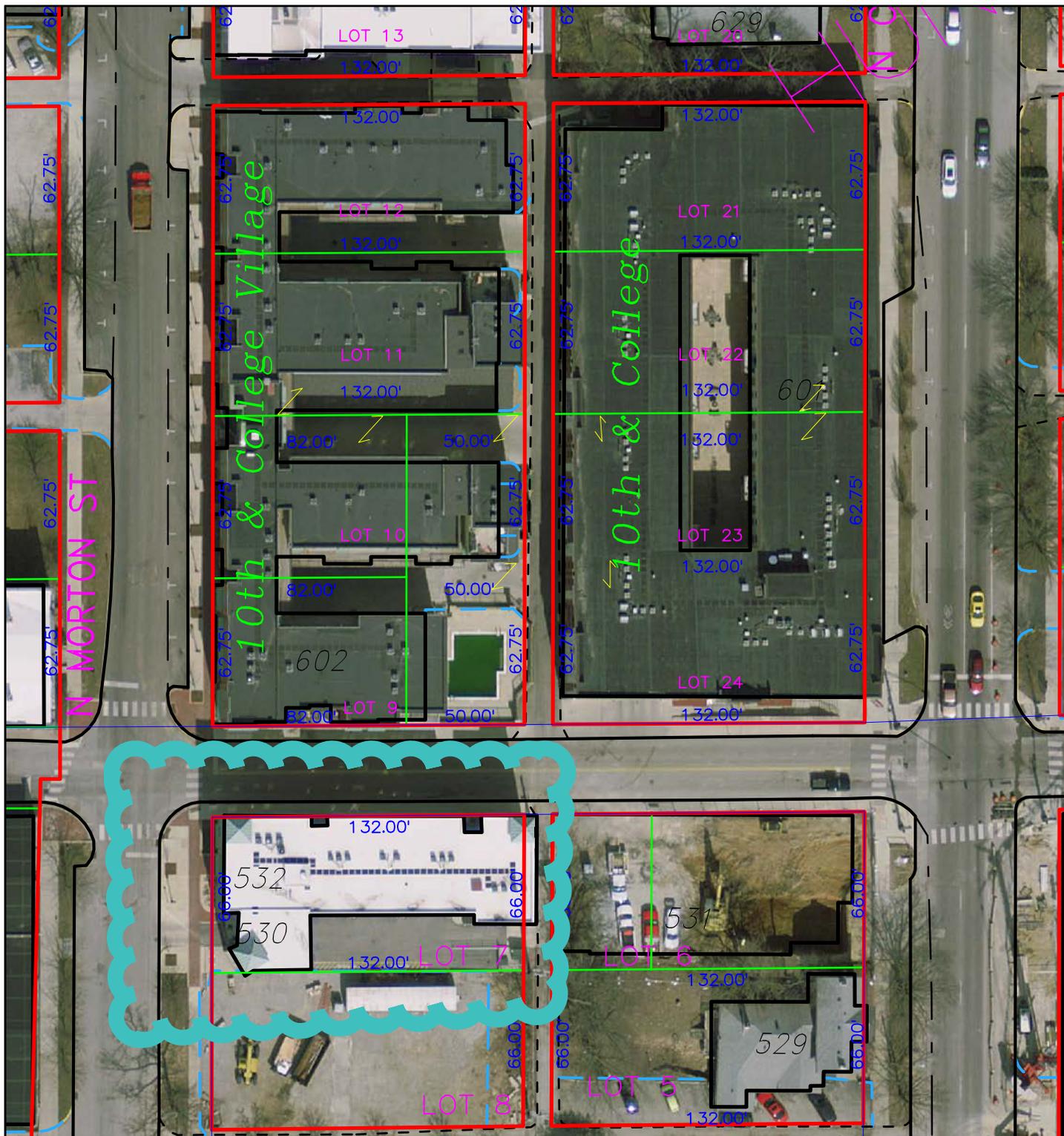


City of Bloomington
Planning & Transportation

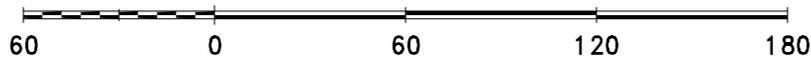


Scale: 1" = 200'

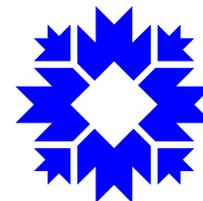
For reference only; map information NOT warranted.



By: roachja
7 Jul 16



City of Bloomington
Planning & Transportation



Scale: 1" = 60'

For reference only; map information NOT warranted.



Attn: James Roach

**RE: Morton Mansions- Commercial space conversion to apartment
June 6th, 2016**

Property Owner: ERL -10, LLC
601 N. College Avenue, Suite 1A
Bloomington , Indiana 47404

PETITIONERS STATEMENT

Dear Mr. Roach;

Studio 3 Design is pleased to submit the following request for an extension of a current waiver for staff and plan Commission consideration.

Project Location:

Morton Mansions Apartment building is located at 532 Morton Street (SE corner of 10th Street and Morton Street.

The building has been open and operational for approximately 5 years at this location.

Current Waiver

The project was approved by the Plan Commission in 2011 with a Waiver to development standards that allowed for the replacement of 1,206 gross sf (1026 net usable sf) of non-residential space with a residential use on the first floor of the building (sketch attached). The waiver as approved allowed for a 5 year approval from the date of final occupancy (August 22, 2016). Upon reaching that date, the apartment would either need to be converted to a non-residential use or an extension would need to be approved by Plan Commission.

Request

We are requesting that the current Waiver to allow for a residential use on the first floor of the Morton Mansions apartment building located at 532 Morton Street be **extended for a period of Five (5) years from the expiration date of the current waiver to August 22, 2021** at which time the space would either be converted to a non-residential use or an extension would need to be approved by Plan Commission.

Background and reasoning for request.

At the time of the original request for a waiver to the requirement for non-residential use to be permitted at this location, there was minimal interest by retailers to locate along Morton Street. The owner pursued multiple businesses from yoga studios to wine bars to small restaurants to fill the 1026 sf space. These efforts were discussed at Commission and a request was made and approved to allow for the space to be used for a residential purpose.

The thoughts at that time were that the Bloomington Tech Park planned for on the West side of Morton Street would be well underway prior to the expiration of the waiver and that demand for retail would become stronger in the area.

Since this time, neighboring developments along Morton Street have been granted waivers for limited non-residential space (under 700 sf) on level 1 and established businesses such as the IU Press (located directly across from the Morton Mansion's site) have choose to relocate. Retail / non-residential spaces have remained difficult to lease and maintain occupied just one block to the East on College Ave. – a primary artery for traffic compared to Morton Street. Additionally, and for this same reason, 4 non-residential use units on College Avenue just to the north of the 10th and College building were recently approved to be converted to apartments. Finally and perhaps the most important consideration is that the Tech Park, viewed as the catalyst for sparking demand for non-residential use in the area, is still in it's infancy on getting started.

The apartment unit located on the first floor is currently occupied and leased for the up-coming school year and provides a viable use for this location in lieu of an empty space on the corner.

While we are excited about the growth opportunities that the Tech Park could bring, history has shown that this development process will take time. We feel it will be another 5 to 10 years before there is enough development associated with the area to create potential demand for additional non-residential space at this corner.

As such, we respectfully request that the commission approve our request to extend the current waiver for a period of 5 years.

Sincerely;

Tim Cover
Studio 3 Design

DEVELOPER

ERL-10, LLC

5-10-2011

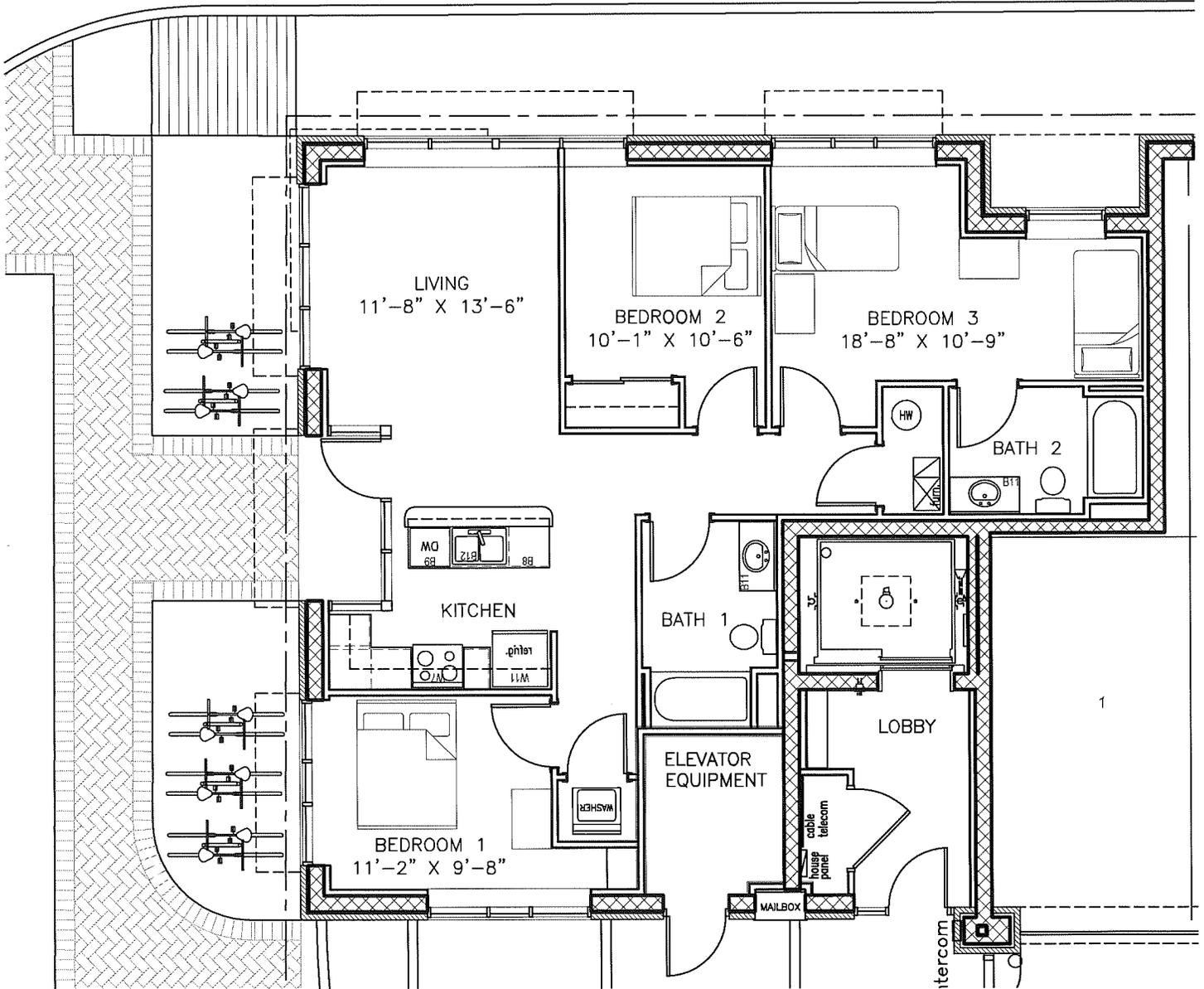
MORTON MANSIONS

a TENTH & COLLEGE Property

Bloomington, IN

252
STUDIO
THREE
DESIGN

317 595.1000 main 317 572.1236 fax
8604 Allisonville Road, Suite 330 Indianapolis, IN 46250



3 BEDROOM APARTMENT FLOOR PLAN

1/8" = 1'-0"

BEDROOMS: 3
BATHROOMS: 2

LOCATION: LEVEL 1
GROSS SQ. FT. = 1206
NET SQ. FT. = 1026

PETITIONS:**SP-03-11 ERL-10 (Morton Mansions)
532 N. Morton St.**

Site plan amendment to convert 1st floor commercial space in the "Morton Mansions" building to residential space.

(Case Manager: James Roach)

James Roach presented the staff report. He detailed the surrounding properties and their uses. The property is 1/5 acre, zoned Commercial Downtown and is within the Downtown Core Overlay. On the site is a 4-story mixed-use building. The upper levels contain 14 apartments. The 1st floor contains one apartment, parking spaces and one currently vacant non-residential space at the corner of 10th and Morton. The petition is to change that site plan to allow the petitioner to convert the vacant ground floor non-residential space into convertible space. The petitioner would like to use that as residential space at this time. It could change back into non-residential space in the future. This is being reviewed by the PC because there are two amended waivers associated with this. In 2010, the PC approved a little more than 1200 sq. ft. of commercial area on the ground floor which is currently vacant. The UDO requires 50% of the area of the ground floor to be leasable, non-residential space. The PC approved a reduction to 24%. The petitioner wants this space to immediately change to a single 3- bedroom apartment. That reduces the non-residential ground floor space to 0%. There would be no changes to the exterior of the building. The petitioner has made considerable effort to lease the space and has not been able to. They have had problems leasing their non-residential space at 10th and College. There are low traffic counts and limited parking in this area. This area is changing all the time and more development will take place in the medium future. Staff believes this change to be inconsistent with the Downtown Plan and recommends denial. The 2010 site plan allowed for a reduction from a required 13 spaces down to 12 spaces. The proposal tonight increases the required parking from 13 to 16 spaces but the petitioner requests that only the existing 12 spaces be required.

Elliott Lewis, the petitioner, said that businesses have been closing. The problem is that the Planning staff is saddled with a requirement that was put into place before the recession, the economy and the lack of funds for developers happened. The Planning staff can't quickly undue this requirement but the PC can. He questioned whether this was the right requirement to enforce now. He has tried earnestly to rent this as retail space. The current office spaces in the area are owner-occupied buildings. He explained how many different kinds of businesses they have tried to entice. He has had trouble keeping his commercial spaces at 10th and College filled even though that is a much better location than the space on Morton St. This is the last city lot within this overlay requiring ground floor commercial. There is around 125,000 to 150,000 sq. feet of available commercial space in the downtown and campus area now. He asked for a definition of "medium time plan." He noted that his petition that was granted an extension tonight is another example of sluggish development. He said that parking at Morton Mansions isn't that crucial. Many renters are coming to live downtown without cars. The main issue now is the economy. He listed 15 businesses that have closed within the last couple of years. He is proud of the improvements that he has made to the downtown including new buildings and more people.

Scott Burgins asked staff if there were other factors besides the economic climate that resulted in staff's recommendation.

Micuda said that this is a relatively new ordinance (circa 2009). We've only had one other test case (the Mike Snapp petition). Staff is trying to enforce a new ordinance and doesn't have a lot of precedence that suggests deviation from the ordinance. Staff has a lot of sympathy with the petitioner. There are legitimate issues associated with leasing this space. He listed lack of on-street parking (particularly on 10th St.), The lot was so small and 10th St. was so constrained, we couldn't do what we

would usually do which would be putting a lot of parking on 10th St. Morton is still an evolving corridor. We've had some success but this project is part of the process. The recommendation was a difficult one to make.

Susan Fernandes said she knows that Mr. Lewis knows that most of the PC really wants the activity that commercial on the ground floor would bring. She wasn't sure what scenario would turn these residences back to commercial. She wanted to know what could happen to have them decide to do that.

Lewis said explained how they moved their old office space downstairs and leased their old office out as an apartment—then they expanded the business next door into the apartment's space. He cited other examples. He is very willing to convert residential to retail if the opportunity arises. He doesn't see that happening for 8-10 years on Morton St.

Fernandes asked why landlords would prefer either commercial or residential space to lease.

Lewis said many factors come into play and it varies from location to location. Retail is generally more profitable.

Isabel Piedmont-Smith asked staff if there is a way to require the petitioner to revisit the issue in a couple of years.

Micuda said that is an option that the PC can pursue.

Piedmont-Smith asked if there are other locations on the outskirts of the Downtown Overlay District having similar difficulties in leasing. Could this set a dangerous precedent?

Micuda said that there are projects that have been approved but not yet constructed. One example is the Stephens Olds-Honda site. Another is the Omega building on S. Walnut—however, that approval has expired.

Tom Seeber asked about the treatment of the windows if the residential is approved. You said that the façade wouldn't change.

Lewis said blinds would be installed.

Seeber asked if there would be a commercial door or an inside door.

Lewis said it would have an inside door.

Seeber asked if staff is hearing this from a lot of people.

Micuda said it has been approved for the Mike Snapp building on S. College. The PC allowed the conversion with the condition that it would be revisited when the Convention Center expands. He suggested that with the Lewis project the PC could put a number of years as a condition or link it to the development of the IU 12 acres.

Milan Pece asked what time frame we could be looking at until we get a critical mass of people in this area.

Micuda said he thought that a 5-year time period would be adequate to revisit the issue.

Pece said that when we did this, the PC did not require every ground floor in the downtown to be commercial or retail. The PC stipulated this requirement to apply to certain strategic streets. The

PC--Summary Minutes: April 4, 2011

Council applied it to the entire downtown. He didn't think it would work until we get more people downtown.

Micuda said that this issue was heavily discussed by the PC when considering Mr. Lewis' 10th and College development. Because of the interest from some PC and City Council members, we put it out as a possible amendment to the UDO in 2009. That amendment would apply to certain street frontages. The PC turned it down. Council by a 5-4 vote reversed the PC recommendation. The issue came back to PC where it was approved despite some disagreements.

Baker asked Micuda if he wanted to define "mistimed" for Lewis.

Micuda said that in the state of the city speech the mayor announced that there was an agreement between IU and the City that the City would purchase the 12 acres later this year. It will go to Council since the City will have to take out a bond associated with purchasing the property. When that occurs we will be undergoing a Master Plan process regarding creating a development vision as well as how the property might be subdivided and developed in the future. That process will probably end sometime in 2012. At that time, we would start marketing the property, the property will be subdivided and it will be sold and developed. That is what Jim meant by "medium time." It will be 1 ½ to 2 years before you could expect the first user.

Baker asked Lewis where he thought he might put in ground floor commercial. How far north, etc?

Lewis said he wouldn't look at doing it in these times unless he had a tenant in mind. He would probably not look beyond Kirkwood, the courthouse square, College and Walnut (2nd to 17th) at least for the next 5 years.

Joe Hoffmann asked why ERL-9 doesn't have ground floor commercial.

Micuda said anything north of 10th St. is exempt.

Burgins asked Lewis how full his residential apartments are.

Lewis said they are mostly full except for a few apartments and some commercial space at 10th and College.

Burgins asked if there is more opportunity for residential buildings in this area.

Lewis said yes.

Public Comment:

Ken Ritchie, a commercial lender with Old National Bank, said that Mr. Lewis is a customer of his. He has respect for what the Council and Commission has tried to determine the best uses for our land and how we grow. You have a good opportunity to set precedent in order to make good judgments about how to bend this regulation to accommodate economic circumstance. Over time the market corrects a problem that we have. We don't have a lot of demand in this area for commercial space. Lenders are going to have a lot more stringent lending standards from here out. He believes that it will be 8-10 years before the area experiences much growth along that corridor.

Tim Cover with Studio Three Design said he has respect for Master Plans. They have looked at multiple options for this site. They have looked at expanding the space to suit different tenants. There is not a need for additional parking if their petition is approved. An occupied unit provides more safety and life than an empty shell. They would look at this as convertible space and ask that the PC lets the market drive the change over time instead trying to guess at this point when the change might be

realistic.

Suzanne O'Connell, a longtime Bloomington resident, supports local downtown development versus taking something outside and doing big box development. She is the former secretary of the Monroe County Apartment Association Board, a real estate broker and a property manager. She believes that you should always look at your highest and best use for a property is. At this time, the 10th and Morton space is truly a residential space. If you put the residential in there, you will get the activity and the foot traffic that will drive future retail. Limited on-street parking and apartment residents make this space unattractive for commercial users.

Kyle Richards, an IU student majoring in finance/real estate, said he has been researching the restrictions the City of Bloomington puts on retail space in the Downtown Overlay zone because it was a direct restriction for them in their case study. He believes the location of Morton Mansions is not conducive to retail or office space. Vacant retail space is bad for the developer and the city. He questioned the inclusion of Morton in Downtown zoning.

Scott Owens, a real estate broker with Remix, underscored the amount of effort that Lewis has put into marketing this space. He praised Lewis for providing so many floor plans and being flexible to assist his marketing. In the future it has great potential just not in the current economic times. He worked for 4 years on the Hillside Shops project. It took a lot of work and concessions. He works with a lot of potential developers from out-of-town who aren't comfortable with the ground floor commercial requirement. He encouraged considering changing that requirement especially as you get further away from the primary retail locations. Larger national restaurants want more dedicated parking downtown.

Hoffmann asked staff if there is a particular format for the motion for approval with conditions of approval. Your recommendation is to deny; so no conditions have been set forth. What would be the way to draft a time limit requirement on it?

Roach said the form would be a recordable zoning commitment that would be recorded at the County Recorder's Office and tied to the deed.

Hoffmann asked if there would have been any other conditions that staff would have insisted upon.

Micuda said he didn't think they need conditions regarding the request unless you want to do something with the aesthetics of a residential use on the first floor.

Hoffmann said it seems that there are other ways of generating pedestrian interest in a building other than it being commercial space—perhaps some kind of art work or something else.

Micuda said that staff would prefer not getting into issues concerning the petitioner's aesthetic choices. He would rather leave it up to the developer. If you do want to approve the petition, staff would like you to consider a time frame for revisiting the issue.

Hoffmann asked if the motion should include something discouraging external changes.

Roach said he would actually like to see some changes to the front of the building such as replacing the large windows. But, it is not part of the proposal or something that you are reviewing tonight.

*****Joe Hoffmann moved to deny SP-03-11 on the grounds that the proposed site plan is not consistent with the UDO and the GPP. Adrian Reid seconded.**

Chris Smith said that this ordinance seems to fly in the face of what we all want for our city by allowing space to sit vacant. We should set a precedent today by giving a waiver from this. Around the

Courthouse Square, we should require 1st floor commercial. People have to drive longer distances to find places to live because we are allowing spaces to remain vacant. Landlords will be motivated to convert back to commercial if the space is viable. A sunset clause would be okay if the idea is to revisit the issue not just to automatically require commercial. He will vote no on the denial. He would support a 5-year sunset clause if the petitioner is okay with that.

Reid said he would vote for the denial but could support a compromise with a 5-year sunset clause.

Hoffmann agreed with Smith's comments concerning putting more people in what is now a vacant spot. He would vote for a time-limited approval. He told the petitioner that the follow-up comment was overkill. He understands why real estate professionals and commercial lenders want to kill off this limitation on use in parts of the downtown area. It's about money and that's not a bad thing—in fact it's a good thing. There is an argument on the other side, too. It is a supply and demand world. He heard that there are people interested in leasing commercial space but they won't pay enough.

Lewis said he wanted to withdraw his petition.

Hoffmann said he didn't have to withdraw his petition.

Lewis said he was going to withdraw his petition. It's not about money. He said he would withdraw his petition. We can be over.

Hoffmann said he couldn't stop Lewis from withdrawing his petition—you're probably going to get approved but that's up to you.

Lewis said then he would sit back down.

Baker clarified that the petition was still in play.

Hoffmann said he doesn't want this to be a fight tonight about whether this policy needs to be revoked or abolished. It is about a specific piece of property and a specific issue that even staff said they had a lot of sympathy for. He heard staff agreeing with a lot of what Lewis said. If you turn it into something that's about trying to get rid of the policy in general, then you lose me. He thinks the policy has many supporters as well as detractors. Markets don't move quickly and right now it's terrible. That is why we need to be flexible on a case-by-case basis.

Baker agreed with staff that technically this would push us to deny the petition. He would support a compromise. We have had other cases like this. There is only slight harm being done to the community by having a space that cannot be rented at this time. There is benefit in having something in place. Maybe we will want to review this policy but that would be at a later time.

Pece will vote no on the motion and hope that we come back with something more reasonable.

Seeber said he thinks we do need to open up to a broader discussion of the policy. The petitioner originally wanted to have all residential and now to put a residential use in a commercial façade is not a good system. The City should study this area. It is at best medium density area with 3 and 4 story buildings and to think that every square foot of ground floor is going support commercial is unrealistic. It is less than a year since this building was built and we are now conceding that commercial probably won't work here. He would rather we had from the outset let him design it for full residential. This is not part of the petition but he wanted to include in his comments that this is something that we should look at. He will vote against the denial.

Piedmont-Smith said she thinks that mixed-use is very important for the future of our city. Considering that one of our guiding documents is the Peak Oil Task Force report (the Redefining Prosperity

report). It is consistent for our city vision for the future. We need to cut down on gasoline transportation and encourage pedestrians by interesting streetscape. The economic situation will change and as oil prices continue to rise the type of development that is in town that is close to amenities and destinations will become more valuable. This is not a bad policy. With respect to this particular case, she is willing to make an exception and revisit the issue in the future.

Fernandes agreed with what Piedmont-Smith just said. As she understands it, this proposal came forward under this zoning requirement. This was not a surprise. We waived half of the commercial requirement to begin with. Now we are being asked to waive the 2nd half down to 0. She is extremely concerned that we don't have a lot of downtown multi-family proposals that will ask for the same thing. She would like to make sure that the motion makes it clear that we don't regard this as setting a precedent. She could support revisiting this case in perhaps 3 years. First floor commercial makes the area more memorable.

Burgins said some developers don't want to build parking or reduce their parking and then say there's a problem with parking. Now is not the time to hold Mr. Lewis to commercial. He will vote against the motion to deny and look at 5-years or some sort of development changes—whether it is 11th St. or the IU property.

The motion is to deny the petition. A “Yes” vote would deny the petition while a “No” vote would reject the motion and lead to another motion.

Lewis said the lot is 1/70 the size of the Honda/Olds site. We will put in fixed flower boxes as soon as the weather turns on the Morton Mansion façade. They will spend around \$100,000 on this apartment. He asked the PC to take this into consideration when deciding on the length of time the apartment can exist. They have been working on renting the commercial space since Feb. 2010. He said he has a lot of available leased parking at both 10th and College and Morton Mansions. He complained to Hoffmann about his earlier comments.

*****Roll call vote was taken. The motion failed by a vote of 1:8.**

*****Joe Hoffmann moved approval of SP-03-11 with both of the requested waivers (the parking waiver as well as ground floor non-residential waiver) but with a condition of approval that the petitioner will record a recordable zoning commitment that will cause this waiver in 5 years unless it is renewed by vote of the Plan Commission. Chris Smith seconded.**

Burgins said he was fine with 5 years with some sort of other trigger like additional density or development in the area.

Micuda said he was inclined to stick with 5 years.

Fernandes asked about the precedent setting. Would we give everybody 5 years?

Micuda said we have 2 petitions where we have essentially over-ruled the ordinance. They were understandable given the circumstances. He would prefer a time trigger than a surrounding development trigger. The details of this case create more comfort for lack of precedent.

Fernandes asked what we would say to the 10th and Walnut developers.

Hoffmann said we would say it's on Walnut which makes it different than being on Morton.

Micuda said he would have a hard time saying that it is not viable.

There was more discussion regarding setting precedence.

PC--Summary Minutes: April 4, 2011

Seeber said he thought the time frame should be a little longer. It is not economically viable to spend \$100,000 to remodel for an apartment which would be worth about \$90,000 in rent over the 5 years. He might as well let it sit vacant.

Hoffmann asked if Seeber wanted to make an amendment to the time frame. It's possible that we would extend the time frame at the 5-year review.

They asked for feedback from the petitioner.

Baker said he would like to hear the PC's comments first.

Pece asked if the petitioner is prohibited from voluntarily converting back to non-residential. (Hoffmann said no.)

Hoffmann said that on the issue of precedence it needs to be clearly recorded as to why they are voting the way we are in this case. This will not tie anyone's hands in the future.

Smith said he would like the time frame to be as long as possible.

Lewis said he would like the waiver to be for 8-10 years.

*****Tom Seeber moved to approve an amendment to the original motion allowing the waivers for 10 years. Milan Pece seconded.**

Fernandes said that she would not support 10 years.

Burgins said he would vote no on 10 years.

*****Roll call vote on the amendment was taken. The motion failed by a vote of 5:4.**

*****Tom Seeber move to approve an amendment to the original motion allowing the waivers for 8 years. Milan Pece seconded. Roll call vote was taken. The motion failed by a vote of 5:4.**

Hoffmann said since this will be a recordable commitment the termination will occur in 5 years unless the PC votes to extend it.

*****Roll call vote was taken on the original motion. The motion was approved 9:0.**