CITY OF BLOOMINGTON

PLAN COMMISSION

February 8, 2021 @ 5:30 p.m. Zoom Meeting:

https://bloomington.zoom.us/j/96864946190?pwd=NzdXTTFPVkNIWnNKNnBNUDR2Wm E2UT09

CITY OF BLOOMINGTON PLAN COMMISSION February 8, 2021 at 5:30 p.m.

*****Virtual Meeting:

https://bloomington.zoom.us/j/96864946190?pwd=NzdXTTFPVkNIWnNKNnBNUDR2WmE2UT09

ROLL CALL

MINUTES TO BE APPROVED: None

REPORTS, RESOLUTIONS AND COMMUNICATIONS:

Rules of Procedure amendment: Hearing Officer and Plat Committee

Plat Committee appointments

PETITIONS:

SP-31-20 **The Standard at Bloomington, LLC** 301 E. Brownstone Dr. Request: Major site plan approval to allow the construction of a multi-family development with 440 dwelling units. <u>Case manager: Eric Greulich</u>

CITY OF BLOOMINGTON

Last Revised: April 15, 2019

PLAN COMMISSION

RULES AND PROCEDURES

Article I. Meetings

- A. The Plan Commission shall hold regularly scheduled meetings at intervals which correspond with the anticipated case load. Each agenda may include cases in preliminary or final hearing.
- B. All meetings shall be held at 5:30 p.m. in the City Hall at the Showers Building unless otherwise publicly announced.
- C. All meetings shall adjourn at 9:30 p.m. and no new cases shall be heard after 9:00 p.m. Any cases remaining to be heard on an agenda at time of adjournment shall be rescheduled for hearing at a special meeting within one (1) week of the original meeting.
- D. Special meetings may be called as provided in by Indiana Code section 36-7-4-307, as amended.
- E. A majority of the voting members shall constitute a quorum. However, no vote of the Commission shall be official unless authorized by a majority of the Commission's membership, and no vote of the Plat Committee shall be official unless authorized by the affirmative vote of two (2) members.
- F. Executive Sessions may be held only with at least forty-eight (48) hours advance notice and in compliance with all requirements of state law, and only such business as permitted by state law may be conducted in such session (certain matters relating to property acquisition, personnel, labor relations, or litigation).
- G. All decisions on petitions, with the exception of those acted upon as part of the consent agenda, shall be by roll call. The vote of each member of the Commission or Plat Committee shall be recorded by the Secretary and placed in the minutes of the meeting.
- H. No member of the Commission or Plat Committee shall participate in the hearing or decision of the Commission or Committee involving any matter in which that person is directly or indirectly interested in a financial sense, other than the preparation and enactment of a Master Plan. In the event that any member disqualifies himself or that any member's eligibility is challenged by a member of

the public, such fact shall be entered on the records of the Commission or Committee and shall appear in the minutes. Members who intend to disqualify themselves from a vote on a particular petition due to direct or indirect financial interest shall notify the staff of this fact a minimum of two (2) business days prior to the hearing in order to provide staff and the Plan Commission President adequate time to arrange the attendance of a substitute member, if applicable, and to make other arrangements as necessary.

- I. As soon as possible a summary of minutes of the proceedings shall be made available to each member of the Commission or Committee.
- J. All minutes of the proceedings, tape recordings of the hearings, and all exhibits submitted by the petitioners, remonstrators and staff shall be public records and shall be filed in the Planning and Transportation Department office. These materials shall become a part of the case and all such materials shall be held by the Planning and Transportation Department for a period of at least one (1) year. At the end of the one (1) year time period, all materials held by the Planning Commission may be placed in a "back filing" system for preservation of city records.
- K. The final disposition of any request, petition, or resolution before the Commission or Plat Committee shall be in the form of a motion, adopted according to proper parliamentary procedures. Said motion may be to grant, deny, continue, forward, modify, or table the petitioner's request; additionally, the members of the Commission may attach such conditions to a motion as are deemed necessary for the furtherance of the public health, safety, or convenience or to achieve consistency with the City Comprehensive Plan or Bloomington Municipal Code. The Plat Committee may impose conditions upon preliminary approval of a plat in accord with Article II(G)(3) of these Rules and Procedures. In all cases, the Plan Commission and Plat Committee shall act to determine the final disposition of a request, petition or resolution; in the absence of a majority vote to determine final disposition, said request, petition or resolution shall be administratively continued to the next regularly scheduled hearing.
- L. No petition shall be heard unless the petitioner is present at the public hearing. In the event that a petitioner is not present at the time their case is called to be heard, that petition will be moved to the end of the agenda. If the petitioner is present after the remaining cases on the agenda have been heard, their case will be heard at that time. If the petitioner is not present, the case will be continued to the next Plan Commission or Plat Committee meeting.

Article II. Officers, Employees, Plat Committee, and Hearing Officer.

- A. The Commission shall at its first hearing in each year elect from among its members a president and vice-president, and appoint the members of the Plat Committee pursuant to Article II, Paragraph G.
- B. The president shall preside over Commission meetings and on behalf of the Commission shall exercise general supervision over the administration of the affairs of the Commission, including the execution of contracts and agreements, the appointment of committees and representatives, the determination of points of order and procedure, and the signing of all official documents. The vice-president shall have authority to act as president of the Commission during the absence of the president. In the case of the resignation of the president, the vice-president shall succeed to the presidency and a new vice-president shall be elected from the membership.
- C. The Planning and Transportation Director is designated as Secretary and shall be responsible for supervising the keeping of an accurate and complete record of all Commission and Plat Committee proceedings, including the keeping of records and minutes, and the custody and preservation of all paper documents of the Commission and Plat Committee. In the event of the absence of both president and vice-president, the secretary shall preside, provided, however, the first and only item of business to be presented by such presiding officer shall be the election of a chairman pro tempore.
- D. The Commission may appoint and prescribe the duties and fix the compensation of such employees as are necessary for the discharge of the duties and responsibilities of the Commission, and may make contracts for special or temporary services and any professional counsel, subject, however, to annual appropriation for same by the Common Council.
- E. The Commission shall request an attorney from the City Legal Department be assigned to serve as Counsel for the Commission.
- F. The Planning and Transportation Director or their designee shall appear at all meetings and assist the Commission presenting factual opinion on significant issues raised by the petition.
- G. Pursuant to Indiana Code section 36-7-4-701(e), as amended, a Plat Committee is established.
 - 1. The Plat Committee shall consist of three (3) members, one (1) staff member from the Planning and Transportation <u>or Engineering</u> Department, one (1) staff member from the Utilities Department and the member of the

Plan Commission who also serves as the City's Engineer, unless another member of the Plan Commission is appointed instead.

- 2. Plat Committee members shall be appointed by the Plan Commission for a one-year term ending upon completion of the first Plan Commission meeting of the following calendar year.
- 3. The Plan Commission shall appoint one (1) alternate for each member of the Plat Committee to serve for a one-year term ending upon completion of the first Plan Commission meeting of the following calendar year. The alternate for the Planning and Transportation Department member shall be an employee of the Planning and Transportation Department. The alternate for the Utilities Department member shall be an employee of the Utilities Department. The alternate for the Plan Commission member shall be a member of the Plan Commission.
- 4. The Plat Committee may approve any subdivision of land, including preliminary and final plats. The Plat Committee may impose conditions upon preliminary approval as authorized and limited by Indiana Code section 36-7-4-702, as amended.
- 5. The committee shall meet at such times to be determined by the committee, as needed to accommodate caseload; provided, within eight (8) days of receiving an application for preliminary plat approval, the staff shall announce the date for hearing before the Plat Committee.
 - 6. All petitions considered by the Plat Committee shall be considered in public hearings pursuant to the rules of procedure herein with respect to conduct of hearings, filing of petitions, fees, and notices, except that all plats may be considered by the committee in a single hearing.

All provisions of these Rules and Procedures shall apply to the Plat Committee only if specified therein.

- 7. The Plat Committee may act only by a vote of a majority of the full membership of the committee. Decisions must be signed by the president and secretary of the Plan Commission.
- 8. Any applicant or other interested party may appeal a decision of the Plat Committee approving, disapproving or imposing conditions on a preliminary plat, to the Plan Commission. Such appeal shall be filed with the Planning and Transportation Department within five (5) days of the Plat Committee's decision.

- 9. The Plat Committee shall at its first meeting in each year elect from among its members, a president and a vice president. The president shall preside over committee meetings and shall exercise general supervision over the administration of the affairs of the committee, including the determination of points of order and procedure. The vice-president shall have authority to act as president of the Plat Committee during the absence of the president. In the case of the resignation of the president, the vice-president shall succeed to the presidency and a new vice-president shall be elected from the membership.
- 10. The Planning and Transportation Department, may, at its discretion, schedule plats for consideration by the Plan Commission rather than the Plat Committee.
- H. Pursuant to Indiana Code section 36-7-4-923, as amended, an alternate procedure for variance and conditional use is established.
 - 1. A hearing officer is established.
 - (a) The Plan Commission shall appoint two (2) hearing officers. One (1) of the hearing officers shall generally fulfill the duties of the hearing officer, and the other hearing officer shall serve as an alternate in the event that the first is not available or has a conflict of interest.
 - (b) A hearing officer shall be a member of the <u>Planning and</u> <u>Transportation Department or Engineering Department staff.</u>
 - (c) The Plan Commission may remove a hearing officer from their responsibilities at any time.
 - 2. The hearing officer may approve or deny:
 - (a) Variances from development standards,
 - (b) Conditional uses,
 - (c) Use Variances;
 - 3. Hearings conducted by the hearing officer shall be subject to all of the notice, minutes, records, and staff report, rules which apply to the Board of Zoning Appeals.

- 4. The hearing officer shall be subject to the same requirements of the state law and the zoning ordinance as the Board of Zoning Appeals, with respect to conflicts of interest and communications with the hearing officer.
- 5. The hearing officer may, at their discretion, transfer a petition filed under this alternative procedure to the Board of Zoning Appeals if, in the judgment of the hearing officer, the issues involved warrant consideration by the Board or it appears likely that the decision of the hearing officer would be appealed to the Board.
- 6. The staff may file a written objection to a petition filed for consideration by the hearing officer if:
 - (a) the variance or conditional use sought would be injurious to the public health, safety, morals, and general welfare of the community; or
 - (b) the use or value of the area adjacent to the property included would be affected in a substantially adverse manner.

If such written objection is filed, the petition shall:

- (c) be considered withdrawn; or
- (d) be transferred to the Board of Zoning Appeals if requested by the petitioner.

Such written objection shall be filed not less than twelve (12) days before the hearing, unless new information comes to the staff's attention within twelve (12) days of the hearing.

- 7. The staff may indicate that it does not object to the approval of the petition if specified conditions are attached. If the applicant does not accept these conditions, the petition shall:
 - (a) be considered withdrawn; or
 - (b) be transferred to the Board of Zoning Appeals if requested by the petitioner.
- 8. The hearing officer may impose conditions and may permit or require the owner of a parcel of property to make a written commitment concerning the use or development of that parcel, as provided in Indiana Code section 36-7-4-1015, as amended. If the applicant for the variance, or conditional use

does not accept these conditions or make the commitment, the petition shall:

- (a) be considered withdrawn; or
- (b) be transferred to the Board of Zoning Appeals if requested by the petitioner.
- 9. The hearing officer may not modify or terminate any commitment, whether made by the hearing officer or under Indiana Code section 36-7-4-1015, as amended. Commitments made by the hearing officer may be only modified by the Board of Zoning Appeals.
- 10. A decision of the hearing officer may be appealed to the Board of Zoning Appeals by an interested person. Any appeal shall be filed with the Planning and Transportation Department within five (5) days of the hearing officer's decision.

Article III. Filing of Petitions, Permits, and Fees

- A. All requests to the Commission or Plat Committee shall be by petition and petitioners shall be required to follow these procedures:
 - 1. All petitioners shall use the uniform petition forms approved by the Planning and Transportation Director which are available upon request in the Planning and Transportation Department. No petition shall be accepted until the petitioner has consulted with a staff member who has determined that the petition is presented in proper form with all the required exhibits and supporting documents. Upon such determination staff shall sign the application form and the petition shall be accepted.
 - 2. All petitions shall be filed no later than the deadlines established on the calendar of meetings to be adopted by the Commission each year; provided, these deadlines shall not apply to petitions to be heard by the Plat Committee.
 - 3. Filing fees for petitions shall be as follows:
 - a. Rezoning Petitions

Rezone to Single family	\$250 + \$25/acre
Rezone to Non-Single Family	\$500 + \$50/acre
Rezone to Planned Unit Development.	\$1000 + \$100/acre

Plan Commission Rules and Procedures 8 b. PUD Preliminary Plan Amendment \$500 + \$50/acre c. Plat Approvals Preliminary \$300 + \$25/lot Final \$300 + \$25/lot Preliminary and Final together \$300 + \$50/lot d. Site Plans/PUD Final Plans Remodels\$200 Residential Addition\$200 + \$25/dwelling unit Residential New Construction \$400 + \$25/dwelling unit Non-Residential/Mixed Use Addition \$200 + \$0.10/square foot Non-Residential/Mixed Use New Construction\$400 + \$0.10/s.f. e. Conditional Uses Home Occupation......\$100 Other......\$250 g. Variances Single-Family\$100 Multi-Family and Non-Residential\$500 h. Right-of-Way Vacations \$500 i. Letters of Zoning Verification\$100 j. Lot Line Adjustments...... \$100 k. Certificate of Occupancy Inspections \$100 Ι. No application fees shall be required for any application by not-forprofit, community service organization. The Plan Commission may waive the application fee for any proposal m.

which is actively being promoted by a unit of local government or quasi-public organization or which involves a local subsidy.

n. No refunds shall be permitted after a petition has received a Plan Commission or Plat Committee hearing, whether or not the Plan Commission or Plat Committee has taken action on the petition.

4. Fees associated with City of Bloomington review of building permit applications shall be \$0.14 per square foot of construction. All building permits are applied and paid for, and issued through the Monroe County Building Department. Certain categories of permits do not require this fee payment per the fee schedule contained in the *Monroe County Building Department Construction Permit Fees*. The exemptions contained in this Building Department document are incorporated in this rule. No fee shall be required for City review of any permit application filed by a not-for-profit, community service organization, or a governmental agency. Per the *Interlocal Cooperation Agreement* between the City and the County, the County Building Department shall collect the \$0.14 per square foot residential permit fee and a \$0.15 per square foot non-residential permit fee and transmit the collected fees to the City of Bloomington Controller's Office on a quarterly basis.

Article IV. Notices

- A. In the event a request for action by the Plan Commission or Plat Committee is being made by 100% of the property owners directly included in the proposed action, the following requirements for notice must be met:
 - 1. All petitioners for any Plan Commission or Plat Committee approval shall inform interested parties of the proposal by notice sent to the residence or the last known address of the interested parties. Petitioners shall prepare the notice in a form specified by the Planning and Transportation Department and mail by regular first class delivery said notice not less than twenty-one (21) days before the date of the initial Plan Commission or Plat Committee hearing. The Planning and Transportation Department shall verify that the notice is properly distributed by the petitioner not less than twenty-one (21) days before the date of the initial Plan Commission or Plat Committee hearing. If adequate notice in accordance with these rules is not given to the interested parties and this fact is confirmed by staff prior to Plan Commission action, such petition may be continued to a later date to allow proper notice to all interested parties.
 - 2. Such notice shall state:
 - a. The general location by address or other identifiable geographic description of the subject property or area;

- b. A summary of the subject matter contained in the proposal and/or a description of the proposed change in the zone maps, where the proposal involves a change to the zone maps;
- c. The name of the petitioner;
- d. The times and places the petition has been set for hearing;
- e. That the petition and file may be examined in the office of the Planning and Transportation Department;
- f. That the addressee may voice an opinion at the hearing and/or file written comments with the Commission or Plat Committee; and
- g. That the hearing may be continued from time to time as may be found necessary.
- 3. **Interested parties** shall be defined as all persons owning land adjacent and contiguous to the property included in the petition or proposal and, all persons owning land abutting the aforementioned immediately-adjacent property owners (i.e, notice shall be provided "two (2) properties deep") but not to exceed three hundred (300) linear feet from the subject parcel(s) for which a petition or proposal is being requested. Intervening public rights-of-way shall not be considered in determining what property is adjacent and contiguous. Where any adjacent or contiguous parcel is owned by a petitioner, the property included in the petition shall be deemed to include said adjacent parcel or parcels owned by a petitioner, and owners of property adjacent and contiguous to said parcel(s) owned by a petitioner but not included in the petition shall be considered interested parties entitled to notice.
- 4. In order to determine the names and addresses of property owners to whom notice must be sent under this Rule, the staff shall consult either the current Plat Book and computerized ownership records located in the Office of the Auditor of Monroe County, Indiana or the Monroe County, Indiana Geographic Information System to determine the name and address of each adjacent property owner. A good faith effort shall be made to investigate and resolve any discrepancies or omissions in or among such records in order to determine name and address of the current owner of record. Each notice shall be mailed and postmarked no later than the fifth business day after the date upon which the name and address of the owners were obtained from the Plat Book and the computer records in the Auditor's office as described above or as gained from the Monroe County, Indiana Geographic Information System.

- 5. The manner in which notice must be sent to interested parties shall be as follows:
 - a. Required notices to interested parties shall be sent by regular first class mail.
 - b. Proof that notice has been mailed shall be sufficient proof of notice under these rules regardless of actual receipt.
 - c. Proof of notice shall consist of submittal of the following items to the Planning and Transportation Department in the following manner:
 - (1). A copy of the Notice of Public Hearing to be mailed to the interested parties.
 - (2). A list of interested parties with addresses.
 - (3). An Affidavit of Notice to Interested Parties in a form approved by the Planning and Transportation Department including: name of person preparing and mailing the notice; name of petitioner; location of petition; and a statement that notice was mailed at least twenty-one (21) days prior to the initial public hearing of the Plan Commission or Plat Committee.
 - (4). A copy of the map indicating interested parties' property as generated by the Planning and Transportation Department.

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

- d. Appearance at any hearing on a petition or proposal, in person or by representative, shall waive any defect in notice unless the alleged defect is raised at the beginning of the hearing.
- 6. The Planning and Transportation Department shall cause a legal notice to be published in a daily newspaper published and distributed in the county ten (10) days and prior to the initial hearing. Said notice shall serve as a legal advertisement for continued public hearings. The petitioner shall bear the expense of said advertisement.
- 7. All petitioners for any Plan Commission or Plat Committee approval (excepting zoning text amendments, resolutions, and administrative appeals) shall post a sign or signs on the subject property in a location clearly visible to passing traffic. The staff will determine sign locations with not less than one sign placed on the property per street frontage per block. Signs, of a design approved by the Plan Commission, shall be available in

the City Planning and Transportation Department. Signs shall be placed at least 21 days prior to the hearing of the Plan Commission or Plat Committee. The petitioner shall purchase the signs required for this notice at a price reflecting replacement cost.

- B. In the event a request for action by the Plan Commission or Plat Committee is being made by less than 100% of the property owners directly included in the proposed action, or in the event the Plan Commission or the Common Council are the proponents of the action, the following requirements for notice must be met:
 - 1. All petitioners for any Plan Commission or Plat Committee approval (other than the Plan Commission or Common Council) shall inform interested parties of the proposal by notice sent to the residence or the last known address of the interested parties. Petitioners shall prepare the notice in a form specified by the Planning and Transportation Department and shall mail said notice not less twenty-one (21) days before the initial Plan Commission or Plat Committee hearing date. The Planning and Transportation Department shall verify that the notice is properly distributed by the petitioner not less than twenty-one (21) days before the date of the Plan Commission or Plat Committee hearing. If adequate notice in accordance with these rules is not given to the interested parties and this fact is confirmed by staff prior to Plan Commission action, such petition may be continued to a later date to allow proper notice to all interested parties.
 - 2. In any case where a proposal to change the zone maps is initiated by the Plan Commission or by the Common Council, other than a proposal to repeal and replace the zone maps for the entire planning jurisdiction, notice shall be given to interested parties by the staff. Such notice shall be postmarked at least twenty-one (21) days prior to the initial hearing on the proposal.
 - 3. Such notice shall state:
 - a. The general location by address or other identifiable geographic description of the subject property or area.
 - b. A summary of the subject matter contained in the proposal and/or a description of the proposed change in the zone maps, where the proposal involves a change to the zone maps.
 - c. The name of the petitioner.
 - d. The times and places the petition has been set for hearing.

- e. That the petition and file may be examined in the office of the Planning and Transportation Department.
- f. That the addressee may voice an opinion at the hearing and/or file written comments with the Commission or Plat Committee.
- g. That the hearing may be continued from time to time as may be found necessary.
- 4. Interested parties shall be defined as owners of property within the area included in the petition or proposal who are not petitioners, owners of property adjacent and contiguous to the property included in the petition or proposal, and all persons owning land abutting the aforementioned immediately-adjacent property owners (i.e, notice shall be provided "two (2) properties deep") but not to exceed three hundred (300) linear feet from the subject parcel(s) for which a petition or proposal is being requested. Intervening public rights-of-way shall not be considered in determining what property is adjacent and contiguous.
- 5. In order to determine the names and addresses of property owners to whom notice must be sent under this Rule, staff shall consult either the current Plat Book and computerized ownership records located in the Office of the Auditor of Monroe County, Indiana or the Monroe County, Indiana Geographic Information System to determine the name of each adjacent property owner and address. A good faith effort shall be made to investigate and resolve any discrepancies or omissions in or among such records in order to determine name and address of the current owner of record. Each notice shall be mailed and postmarked no later than the fifth business day after the date upon which the name and address of the owner were obtained from the Plat Book and the computer records in the Auditor's office as described above or as gained from the Monroe County, Indiana Geographic Information System.
- 6. The manner in which notice must be sent to interested parties shall be as follows:
 - a. Required notices shall be sent by certified mail with return receipt requested to all owners of property within the area included in the petition or proposal, other than those who have signed the petition or application requesting Plan Commission or Plat Committee approval except as otherwise provided in Paragraph 6(c) herein.
 - b. Required notices to all other interested parties shall be sent by regular first-class mail.

- c. It shall be the duty of the staff to examine the file within the three (3) business days prior to the initial hearing to determine whether all required proof of service (as set forth in Paragraph 7 and/or 6(d) of this Rule) has been filed, and to advise the Plat Committee at its hearing, or the Plan Commission at its initial hearing of any omissions or deficiencies in such proof of service. In any case where a notice has been sent by certified mail with return receipt requested in accordance with these rules, but no signed return receipt has been received by the sender on or before the date of the initial hearing, or where the notice is returned to the sender for any reason, Staff shall promptly make a good faith attempt to obtain delivery by reasonable alternative means which shall include:
 - (1) Re-sending notice by certified regular mail with return receipt requested, where a new address is located, or
 - (2) where the reason for non-delivery appears to be something other than incorrect address, leaving the notice at the residence of the person to be served, along with mailing a copy of the notice to that address by first class mail; or, where the owner is not a resident of the City of Bloomington, mailing by first class mail.
- Except as provided in 6(c) above, proof that notice has been mailed d. in accordance with Paragraph 7 shall be sufficient proof of notice under these rules regardless of actual receipt. In situations addressed by 6(c) above, proof of notice shall be adequate if it is shown that the second attempt at notice was mailed (and left at the residence, where applicable) at least ten days prior to the final hearing. Such proof shall be by affidavits in substantially the same form as Paragraph 7(a), detailing the manner in which a new address was obtained (where applicable) and the manner in which notice was sent and left at the residence (where applicable). Proof shall also include postmarked certified mail receipts and signed return receipts where used. Provided, however, the Plan Commission or Plat Committee may at its discretion continue a final hearing and require further attempts at notice to non-petitioning property owners whose property is included in the petition or proposal.
- e. Appearance at any hearing on a petition or proposal, in person or by representative, shall waive any defect in notice unless the alleged defect is raised at the beginning of the hearing.

14

- 7. Proof of notice shall be in the following form:
 - For notice to non-petitioning owners, one or more notarized, sworn a. affidavits stating the manner in which the affiant(s) obtained the names and addresses of the property owners required to be notified, and stating the date upon which such names and addresses were obtained. Said manner shall be in accordance with Paragraph 5 of this Rule. In the case where the affidavit relates to a second attempt pursuant to Paragraph 6(c) of this Rule, the manner of obtaining a new name and/or address, if any, shall be in accordance with said Paragraph 6(c) and 6(d). Said affidavit(s) shall also include the list of names and addresses thus obtained, keyed to a map showing the petitioned property and surrounding property; and, said affidavit(s) shall also show that notice in the required form was sent to the names and addresses on said list, the date upon which said notice was sent (which shall be not later than the second business day after the names and addresses were obtained in accordance with Paragraph 5 of this Rule), and the manner in which said notice was sent, which shall be in accordance with Paragraph (6) of this Rule. All affidavits shall be made upon personal knowledge. The affidavits required by this provision shall be filed with the Planning and Transportation Department not later than three (3) business days prior to the initial hearing.
 - b. Proof of compliance with these notice requirements shall also include the original receipts for certified mail stamped by the United States Post Office with the date of mailing, whenever these rules require that notice be sent by certified mail. The receipts shall be filed with the Planning and Transportation Department simultaneously with the affidavits required by Paragraph 7(a) above.
 - c. Proof of notice sent by regular first class mail shall consist of submittal of the following items to the Planning and Transportation Department in the following manner:
 - (1) A copy of the Notice of Public Hearing to be mailed to the interested parties.
 - (2) A list of interested parties with addresses.
 - (3) An Affidavit of Notice to Interested Parties in a form approved by the Planning and Transportation Department including: name of person preparing and mailing the notice; name of petitioner; location of the petition; and a statement that notice was mailed at twenty-one (21) days prior to the initial public hearing of the Plan Commission or Plat Committee.

(4) A copy of the plat map indicating interested parties' property.

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

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

Provided, however, signed receipts which are received by the person responsible for giving notice later than three (3) days before the initial hearing shall be filed with the Planning and Transportation Department as they are received but in no event later than three (3) days before the final hearing. Provided further, where any notice required to be sent by certified mail with return receipt requested is returned to the sender for any reason, the person responsible for sending notice shall promptly notify the Planning and Transportation Department of that fact and shall also provide the returned envelope to the Planning and Transportation Department.

- 8. The Planning and Transportation Department shall cause a legal notice to be published in a daily newspaper published and distributed in the county ten (10) days prior to the initial hearing. Said notice shall serve as a legal advertisement for both public hearings. The petitioner shall bear the expense of said advertisement.
- 9. All petitioners for any Plan Commission or Plat Committee approval (excepting zoning text amendments, resolutions, and administrative appeals) shall post a sign or signs on the subject property in a location clearly visible to passing traffic. The staff will determine sign locations with not less than one sign placed on the property per street frontage per block. Signs, of a design approved by the Plan Commission, shall be available in the City Planning and Transportation Department. Signs shall be placed at least 21 days prior to the hearing of the Plan Commission or Plat Committee. The petitioner shall purchase the signs required for this notice at a price reflecting replacement cost.

- C. In the event a proposal is initiated by either the Plan Commission or the Common Council, the following requirements must be met:
 - 1. The Plan Commission shall give notice of all hearings by publication.
 - 2. The notice by publication shall comply with Indiana Code section 36-7-4-604 and Indiana Code section 5-3-1, as amended. Such notice shall state:
 - a. The time and place of the hearing(s);
 - b. The geographic areas (or zoning areas in a specified geographic area) to which the proposal applies;
 - c. A summary prepared by the Plan Commission of the subject matter contained in the proposal (the entire text of the ordinance is not required);
 - d. If the proposal contains or would add or amend any penalty or forfeiture provisions, the entire text of these penalty or forfeiture provisions;
 - e. The place where a copy of the proposal is on file for examination before the hearing;
 - f. The written objections to the proposal that are filed with the secretary of the Commission before the hearing will be considered;
 - g. That oral comments concerning the proposal will be heard; and
 - h. That the hearing may be continued from time to time as may be found necessary.
 - 3. An additional notice shall be provided to all interested parties at least ten (10) days before the date set for the hearing.
 - a. An interested party for purposes of this subsection is any person whose property is located in an area that the proposal plans to:
 - (1) Rezone;
 - (2) Subject to a new overlay; and/or
 - (3) Change the permitted or conditional uses.

- b. The notice required by this subsection shall be given via United States mail, postage prepaid. The mailing shall be sent to the address listed on the tax records for the affected property and postmarked at least ten (10) days prior to the preliminary hearing on the matter.
- 4. If the subject matter of the proposal abuts or includes a county line (or a county line street or road or county line body of water), then all owners of real property to a depth of two (2) ownerships or one-eight (1/8) of a mile into the adjacent county, whichever is less, are interested parties who must receive notice under the above subsection (C)(3).
- 5. Proof that notice has been mailed in accordance with this Rule shall be sufficient proof of notice.
- 6. Appearance at any hearing on a petition or proposal, in person or by representative, shall waive any defect in notice unless the alleged defect is raised at the beginning of the hearing.
- 7. Proof of notice shall be in the following form:
 - a. A notarized, sworn affidavit stating the manner in which the staff obtained the names and addresses of the interested parties, and stating the date upon which such names and addresses were obtained.
 - b. A notarized, sworn affidavit stating the date upon which the required mailing was postmarked.
 - c. A notarized, sworn affidavit stating the date upon which notice given via U.S. mail was returned.
 - d. All affidavits shall be made upon personal knowledge and shall be kept on file in the Planning and Transportation Department with the file associated with the proposal.

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

- A. The order of business of regular meetings shall be as follows:
 - I. Roll Call

- II. Approval of Minutes
- III. Reports, Resolutions, and Communications
- IV. Consent Agenda
- IV. Cases (Preliminary and final hearings)
- VI. Discussion, Staff Proposals, etc.
- VII. Adjournment
- 1. Consent Agenda: A consent agenda shall be developed by staff in advance of the Plan Commission meeting. Each item within the consent agenda shall be individually numbered and included within the Plan Commission packet. The consent agenda shall be presented by the Plan Commission President after the *Reports, Resolutions, and Communications* section of the agenda. The President shall ask if there is anyone from the public in attendance to speak against any consent agenda petition. Items shall be removed from the consent agenda at the request of any member of the Plan Commission. Items not removed from the consent agenda shall be adopted by general consent without debate. Removed items shall be taken up for consideration in accordance with the order they appear in the Plan Commission's packet.
- B. Limits on Testimony:
 - 1. The general format for each case will be an order and time limit as follows:

Staff Report Presentation by Petitioner- 20 minutes total Questions for the Staff and Petitioner by the Plan Commission Public Comment - 5 minutes per speaker Back to the Plan Commission for final action

2. It will be the responsibility of staff to keep time for each speaker wishing to make public comment. Specifically, a five (5) minute time clock must be displayed inside the meeting room and within full view of each presenter.

If a spokesperson for another local government board or commission wishes to address the Plan Commission, the Plan Commission shall allow up to ten (10) minutes of public comment. Upon unanimous vote of the Plan Commission, the same privilege may also be extended to a spokesperson for a neighborhood association or similar group of people wishing to make public comment.

It shall be the responsibility of the staff to publish speaking rules and make them available as handouts for the public. Speaking rules shall also be posted on the doors of the Council Chambers.

19

- 3. Thereafter, further public discussion and inquiry by the Commission shall be at the sole discretion of the presiding officer of the Commission unless these rules are modified by a majority vote.
- C. Preliminary and Final Hearings:
 - 1. Preliminary Hearings:
 - a. The purpose of the preliminary hearing shall be the exchange of information, and to allow the most thorough consideration of all sides of a controversy. All parties are encouraged to provide the Commission with written copies of their statements or position papers.
 - b. Any petitioner withholding information from the Commission or other interested parties will be denied the right to rely on such information at the final hearing.
 - c. Preliminary hearing cases shall always be forwarded to the next regularly scheduled Plan Commission meeting for a final hearing, unless the Plan Commission votes to forward the case to a different hearing date or to waive a second hearing. A Plan Commission vote is recommended, but not required, to forward cases from the preliminary hearing to the next regularly scheduled Plan Commission meeting for final hearing.
 - 2. Final Hearings:
 - a. The final hearing shall be for the purpose of final disposition and decision of the merits of each petition.
 - b. In the event that the Commission feels that issues have been adequately aired and the case has received sufficient review, the final hearing may be waived by a majority vote and the petition may be acted upon at the first hearing. No final hearing shall be waived unless both the legal notice and the notices to interested parties have specified that such waiver is requested.
 - 3. Single Hearing Cases. The following case types may be reviewed by the Plan Commission in one (1) hearing:
 - a. All preliminary plats which are in full conformance with Title 20 <u>Unified Development Ordinance</u> and all final plats which are in full

conformance with approved preliminary plats and with Title 20 <u>Unified Development Ordinance</u>.

- b. Any preliminary or final plat referred by the staff to the Plat Committee.
- c. Final Plans for planned unit developments which are in essential compliance with approved Preliminary Plans and which have been filed within 18 months of the date of preliminary approval by the Common Council.
- d. Site Plans which are in essential compliance with Title 20, Section 20.09.120 "Site Plan Review" of the Bloomington Municipal Code, as amended.
- 4. Findings:

The minutes of the Commission shall indicate action taken and the reasons therefore and shall be furnished to any interested party upon request; provided, however, decisions upon applications for subdivision approval shall be in the form of written findings and decisions of the Plan Commission or Plat Committee. All decisions must be signed by the president and secretary of the Plan Commission, and a copy of any decision by the Plan Commission disapproving a preliminary subdivision plat must be provided to the applicant. All decisions of the Plat Committee shall be provided to interested parties, pursuant to Article II(G)(5) of these Rules and Procedures.

Article VI. Docket

- A. Each case to be publicly heard before the Commission or Plat Committee shall be filed in proper form, numbered serially, and placed on the docket of the Plan Commission or Plat Committee. The document numbers shall begin anew on January 1 of each year.
- B. No case shall be placed on the docket until the petitioner has consulted with a staff member who has determined that the petition has been presented in proper form with all the required exhibits and supporting documents.
- C. The staff may schedule the case for hearing before the Plan Commission or Plat Committee at its discretion, taking into account the magnitude of required review or coordination, or the desirability of modifying the petition, but subject to any time

limits in these Rules, the Subdivision Control Ordinance, the Zoning Ordinance, or state law. Prior to each regularly scheduled Plan Commission hearing, the staff shall determine the estimated time length for each petition. Where it is evident that discussion on petitions would likely occur after 9:00pm, the staff shall have the authority to limit such petitions and forward them to the next regularly scheduled meeting of the Commission. Furthermore, for petitions characterized by a high degree of complexity and public interest, staff and the Commission shall strongly consider skipping monthly meeting cycles in order to allow for more timely consideration of other petitions which have been filed.

D. The identification of docket numbers for both Plan Commission and Plat Committee cases shall be as follows:

Adoption of or amendment to a Master Plan	MP
Adoption of or amendment to a Zoning Ordinance	
Approval of Plat or Replat	DP
Resolutions	
Site Plan	SP
Planned Unit Development	PUD

Article VII. Final Disposition of Petitions

- A. The final disposition of any petition shall be recorded in the minutes of the Commission or Plat Committee. Following a vote against a petition, the Commission or Plat Committee president shall restate the position of the Commission for the record.
- B. The Commission or Plat Committee may dismiss a case for lack of prosecution or lack of jurisdiction. When a petitioner or their representative has failed to appear at two (2) consecutive meetings, the case may be dismissed for lack of prosecution at a subsequent meeting after notice to the petitioner.
- C. No petition may be withdrawn by the petitioner after a vote has been ordered by the presiding officer. No petition which has been withdrawn by the petitioner shall be placed on the docket again for hearing within a period of three (3) months from the date of said scheduled meeting, except upon motion to permit redocketing, adopted by the affirmative vote of a majority of the members of the Commission or Plat Committee.
- D. No zoning petition which has been disapproved by the Commission and rejected by the Common Council, either by lack of action or by vote, shall again be placed on the docket for hearing within a period of one (1) year from the date of the Commission's original disapproval. (Indiana Code section 36-7-4-609, as amended)

Article VIII. Miscellaneous Provisions

- A. Every person appearing before the Commission or Plat Committee shall abide by the order and direction of the president. Discourtesy, disorderly or contemptuous conduct shall be regarded as a breach of the privileges of the Commission or Committee and shall be dealt with as the Commission or Committee directs.
- B. No case shall be continued at the request of the petitioner unless such request has been made to the Planning and Transportation Department not later than noon, one (1) week before the scheduled hearing, and the request has been noted on the agenda before it is distributed. If the petitioner requests that a case be continued prior to the above referenced deadline, the Planning and Transportation Department, at its discretion, may act as agent for the Commission or Plat Committee and may approve such requests without formal Commission or Committee vote. Such staff approval shall be noted on the agenda. However, any request for continuance that occurs after the above-mentioned deadline requires a majority vote by the Commission or Committee. Similarly, if a petition is continued for three (3) consecutive hearings, any further request for continuance, even within the above-referenced deadline, requires a majority vote by the Commission or Committee. If the Commission or Committee denies such a request for continuance, the petition shall be treated as denied on the merits unless the petitioner elects to formally withdraw the petition within twenty four (24) hours.
- C. Amendments to these rules of procedures may be made by the Commission at any regular or special meeting upon the affirmative vote of a majority of the members of the Commission.
- D. The suspension of any rules may be ordered at any Plan Commission meeting by a unanimous vote of those present.

BLOOMINGTON PLAN COMMISSION STAFF REPORT Location: 301 E. Brownstone Drive

CASE #: SP-31-20 DATE: February 8, 2021

PETITIONER:	The Standard at Bloomington, LLC 315 Oconee St, Athens, GA
CONSULTANT:	Smith Design Group 2755 E. Canada Drive, Bloomington

REQUEST: The petitioner is requesting site plan approval of a 440 unit student housing development.

BACKGROUND:	
Area:	7.22 acres
Current Zoning:	Mixed-Use Student Housing (MS)
Comp Plan Designation:	Mixed Urban Residential
Existing Land Use:	Dwelling, Multifamily
Proposed Land Use:	Student Housing
Surrounding Uses:	North – Dwelling, Multifamily and Single family
	South – Railroad/Single family residences
	East – Duke electric substation/Single family residences
	West – Dwelling, multifamily residences/Mixed-Use

REPORT: This 7.22 acre property is located at 301 E Brownstone Drive. The site is bounded by 14th Street along the north property line, Indiana Rail Road tracks to the south, and Dunn Street to the east. Surrounding land uses include a railroad line to the south, single and multifamily (Terra Trace apartments) residences to the north, multifamily residences and mixed-use commercial buildings to the west, and a Duke substation to the east. This site is adjacent to the locally designated Garden Hill historic district just to the north. The property is currently developed with a multifamily residential development that was approved as a Planned Unit Development (PUD-73-83). There are no known sensitive environmental constraints on this property. The site has approximately 50' of elevation change from the east end of the site to the west end of the site.

The petitioner recently received approval to rezone the property from Planned Unit Development (PUD) to Mixed-Use Student Housing (MS) under case #ZO-20-20. The petitioner is requesting site plan approval to remove all of the current structures and construct a new student oriented, multifamily development with 440 units and 1,061 bedrooms. The proposed site plan shows three buildings that are five and six-stories and that would feature a parking garage with 679 parking spaces. There would be one main entrance to the site and the parking garage from 14th Street. A new 10' wide concrete sidewalk will be installed along both the 14th and Dunn Street frontages with a minimum 5' wide tree plot and street trees not more than 40' from center. The petitioner has committed to providing a minimum of 15% of the bedrooms within the project for affordable housing, this has been outlined in their commitment that is included in the packet. In addition, the proposed building will be designed and certified to the Silver level standards of the National Green Building standards. These have been outlined in a voluntary zoning commitment that has been recorded. There will also be a 700 square foot retail spaced at the northeast corner of the building adjacent to the 14th and Dunn Street intersection.

MAJOR SITE PLAN REVIEW 20.06.050(a)(2)(C)(ii): Major site plan approval is required for developments that contain more than 30 bedrooms. This petition involves the construction of 1,061 bedrooms.

SITE PLAN REVIEW:

Dimensional Standards:

Setbacks: The MS zoning district requires a minimum front, side, and rear building setback of 15', which this petition meets.

Height: The MS district allows for 6 stories, not to exceed 75 feet. The site plan shows three separate buildings that are staggered across the site. The buildings are predominantly four and five-stories along the 14th Street frontage. There are portions of the center building that are six stories in height, however no part of any of the buildings exceeds the 75' height limit.

Impervious Surface Coverage/Minimum Landscape Area: A maximum impervious surface coverage of 70% is allowed with a minimum landscape area of 30% required. These have both been met and the site has 70% impervious surface coverage and 30% landscape area.

Environmental: There are no known environmental constraints or regulated environmental features on this site.

Access: There will be one main vehicular entrance into the site that accesses the parking garage. There are several other emergency access drives that will be installed for emergency vehicle use only. The Department will continue to discuss with the Fire Department how to best insure these emergency access drives will not be utilized for parking. The petitioner is placing one of these emergency access drives in a pedestrian easement since it aligns with Grant Street to the north and could serve as a possible connection opportunity to the railroad line if that converts to a multi-use trail in the future.

Bicycle Parking/Alternative Transportation: The petition is required to provide one bicycle parking space per every 5 bedrooms. The petition has 1,061 bedrooms and is therefore required 213 bicycle parking spaces. Since the development is a mixed-use project with more than 20,000 square feet of gross floor area, all of the required bicycle parking facilities must be Class II covered spaces. A minimum of one-quarter of the total required bicycle parking spaces must be long-term Class I facilities, therefore a minimum of 54 spaces must be long term. The petitioner has provided a specific exhibit showing compliance with those regulation. There will be spaces set aside within each of the buildings for the long term spaces. In addition, there will be covered spaces adjacent to each of the buildings.

Parking: The UDO requires that a student housing development with 1,061 bedrooms provide a minimum of 526 parking spaces and a maximum of 795 spaces. The petitioner is proposing an onsite parking garage with 679 parking spaces. The proposed number of parking spaces falls within the allowed range.

Landscaping: With this petition, there would be new landscaping required to be installed on the site. A landscape plan that meets all UDO requirements, including required street trees, must be submitted and approved prior to approval of a grading permit. There is a portion of the west side of the frontage where there are existing and proposed utilities that pose a conflict with street trees and the street trees are proposed to be located on the south side of the sidewalk. The Department will continue to work with the petitioner to locate the proposed utilities elsewhere on the site in order to allow the street trees to be located in the tree plot as required.

Architecture: The building will be finished with brick base and a mix of fiber cement panels and EIFS on the upper portions. All of the buildings feature a diverse mix of modulation and recessed entries, with variations in building heights. Each building is approximately 300' long. The breakup of the site into separate buildings reduces impacts of the massing and creates buildings of a typical block length. All four sides of the buildings have similar architectural features and materials and represents a 360 degree architectural design. The parking garage has been wrapped with residential units along the front to mask the parking garage and create a uniform look along the street frontage.

Site Plan Review Criteria [20.06.040(d)(6)(B)]

i. Compliance with this UDO

The proposed use and development shall comply with all applicable standards in this UDO, unless the standard is lawfully modified or varied. Compliance with these standards is applied at the level of detail required for the subject submittal.

PROPOSED FINDINGS: The proposed site plan meets all of the requirements of the UDO. A revised and compliant landscape plan will be submitted.

ii. Compliance with Other Applicable Regulations

The proposed use and development shall comply with all other city regulations and with all applicable regulations, standards, requirements, or plans of the federal or state governments and other relevant entities with jurisdiction over the property or the current or proposed use of the property. This includes, but is not limited to, floodplain, water quality, erosion control, and wastewater regulations

PROPOSED FINDINGS: There are no other known applicable regulations related to this site. The utility and stormwater requirements will be reviewed by the City of Bloomington Utility Department with the grading permit review and no problems with meeting those requirements have been identified yet.

iii. Compliance with Utility, Service, and Improvement Standards

- 1. As applicable, the proposed use and development shall comply with federal, state, county, service district, city, and other regulatory authority standards, and design/construction specifications for roads, access, drainage, water, sewer, schools, emergency/fire protection, and similar standards
- 2. Municipal sewer and water hookup are required for all developments except for instances where written approvals by the City Utilities Department and the County Health Department grant an exception to the hookup requirement. All sewer and water facilities shall meet the design specifications of the City Utilities Department
- **3.** When public improvements are required, the petitioner or authorized representative shall post performance and maintenance guarantees for such improvements. Such

financial guarantees shall be submitted, reviewed, and approved per 20.06.060(c)(3)(E)iii (Financial Bond Required).

PROPOSED FINDINGS: As mentioned previously, the utility and stormwater requirements will be reviewed by the City of Bloomington Utility Department with the grading permit review and no problems with meeting those requirements have been identified. Public improvements within the right-of-way will be reviewed with a right-of-way permit. A public improvements bond will be submitted if needed for the sidewalk and street tree work in the rights-of-way.

iv. Compliance with Previous Approvals

The proposed use and development shall be consistent with the terms and conditions of any prior land use approval, plan, or plat approval for all or part of the property that is in effect and not proposed to be changed. This includes consistency with any approved phasing plan for development and installation of public improvements and amenities.

PROPOSED FINDINGS: The petitioner has recorded a zoning commitment solidifying the commitments made during the rezoning process. A copy of this commitment has been included in the packet. This development will be constructed at one time and no phasing has been proposed.

COMPREHENSIVE PLAN: The Comprehensive Plan designates this site as 'Mixed Urban Residential' and acknowledges that within this district the majority of centrally located neighborhoods have been built out, so major changes will occur with redevelopment and property turnover. The Comprehensive Plan notes that this district includes both single-family residences and larger 2-4 story apartment buildings and that densities are higher in this district than the Neighborhood Residential areas. In regards to Land Use Development Approvals, the Comprehensive Plan states that a few locations may support increases in density and multifamily residential uses when adjacent to higher volume roads, or near major destinations, or located along neighborhood edges that may support small-scaled neighborhood mixed uses (see Urban Village Center). This site is located along the neighborhood edge and 14th Street is a more heavily traveled corridor than parallel streets to the north. Although the site is adjacent to the locally designated Garden Hill historic district and predominant single family neighborhood to the north, there is a high density multifamily development (Terra Trace) immediately to the north of this site and the land uses south of 14th Street are all multifamily. Additionally, the site is within walking distance of the IU campus. Other areas of guidance include-

- Historic designations are common within this district, and adjacent infill activities must respect the historic character of adjacent properties. Vacant lots should be redeveloped with compatible infill that reflects the prevailing character of the neighborhood.
- Allow context sensitive multifamily redevelopment along higher volume roads, along district edges, and near major destinations when appropriately integrated with adjacent uses and styles.
- Support incentive programs that increase owner occupancy and affordability (including approaches promoting both permanent affordability and home ownership for all income levels).

- Promote neighborhood enhancements of public improvements such as sidewalks, streetlights, street trees and landscaping, and playgrounds and play areas.
- Preserve, repair, or upgrade the capacity of aging utilities and sidewalks within the district.
- The close proximity to the downtown, Indiana University, and area employers, along with good access to urban services, makes this district a priority area for affordable housing initiatives.

Additional areas of importance within the Comprehensive Plan that relate to the appropriate location of student housing within the community include-

- Policy 4.4.4: Until such time as a reasonable balance of different housing types is achieved in the Downtown and nearby areas, strongly discourage new student-oriented housing developments in these areas.
- Policy 5.2.1: Evaluate all new developments and redevelopments in light of their potential to positively or adversely impact the overall health and well-being of the people who live in the surrounding neighborhood.
- Policy 5.3.4: Redirect new student-oriented housing developments away from the Downtown and nearby areas, and toward more appropriate locations closely proximate to the IU campus that already contain a relatively high percentage of student-oriented housing units, are within easy walking distance to the campus, and have direct access to university-provided parking as well as the university transit system.

This location is also adjacent to the Gateway North district which is the complement to the Gateway South Focus Area. It provides an important transition and gateway into the Downtown from the SR45/46 Bypass to approximately 14th Street. Due to its close proximity to Indiana University, the character of this Focus Area can support the diversification of housing types, including, but not limited to, multifamily residential and commercial uses- such as student housing and service facilities. The Common Council and Plan Commission concluded that the proposed rezoning petition met the goals of the Comprehensive Plan for this location.

CONCLUSION: This petition meets all requirements of the UDO and complies with all of the commitments made during the rezoning process. The commitment to providing affordable housing will greatly help address the housing needs of the community. In addition, the incorporation of a certified Silver level building will bring an environmentally sustainable design to this site. The Common Council in approving the rezoning of this site recognized that this location was appropriate for student-oriented housing.

RECOMMENDATION: The Planning and Transportation Department recommends that the Plan Commission adopt the proposed findings and approve SP-31-20 with the following conditions:

- 1. The building must be consistent with the submitted renderings and elevations, including modulation and materials.
- 2. A landscape plan that meets all UDO requirements must be submitted and approved prior to issuance of a grading permit. The petitioner will continue to work with staff on relocating proposed utilities to allow street trees to be placed in the tree plot as required.
- 3. A lighting and photometric plan must be submitted and approved prior to issuance of a building permit.

MEMORANDUM

Date:	February 8, 2021
То:	Bloomington Plan Commission
From:	Bloomington Environmental Commission
Subject:	SP-31-21: The Standard

The purpose of this memo is to convey the environmental concerns and subsequent recommendations for conditions of approval for this development petition. The Environmental Commission's (EC) objective is that the results of our review and suggestions will lead to enhancement of the ecosystem services provided, and the climate-change mitigation attributes of the site. The request is for the Plan Commission to approve the proposal.

Comments

1.) LANDSCAPE PLAN

The Landscape Plan is robust, but nevertheless needs some revisions.

2.) GREEN BUILDING STANDARDS

The EC applauds the petitioner for committing to designing the site per the National Green Building Standards. We continue to request that the Petitioner use an Emerald rating rather than a Silver rating.

Recommended Conditions of Approval

1.) Revise the Landscape Plan.

2.) Consider using the National Green Building Standard Emerald for this development.







Todd M. Borgman, P.L.S Katherine E. Stein, P.E. Don J. Kocarek, R.L.A. Stephen L. Smith

January 4, 2021

City of Bloomington Plan Commission City of Bloomington Planning & Transportation Department Showers Building Suite 130 401 N Morton St Bloomington, Indiana 47404

Dear Eric and Members of the Plan Commission,

For your consideration, The Standard at Bloomington, LLC is submitting to you this petition for Major Site Plan Approval for a property located at 301 E Brownstone Dr currently known as "Brownstone Terrace Apartments". The site was recently rezoned to Mixed-Use Student Housing (MS).

The proposal consists of the demolition of the existing 121 unit / 232 bed multifamily residential development and the construction of a new 440 unit / 1,061 bed multifamily housing development consisting of three buildings and a parking garage structure. The proposed project is very similar to what was shown to the Plan Commission during the Rezone process.

Commitments

During the Rezone process, the following commitments were made:

- 1. Affordable Housing Commitment (Attached)
- 2. **National Green Building Standard Certification**: The Owner voluntarily commits to obtain National Green Building Standard Silver level certification within one (1) year of the Owner's receipt of a final certificate of occupancy of the Project.
- 3. **Commercial Space**: The Owner voluntarily commits to incorporate a commercial space into the Project subject to approval of a landscape buffer yard variance from the Board of Zoning Appeals.
- 4. **No Private Shuttle**: The Owner voluntarily commits to not operate a private shuttle service from the site.



Katherine E. Stein, P.E. Don J. Kocarek, R.L.A. Stephen L. Smith

Location

The project is located on a 7.22 acre parcel that is currently known as the "Brownstone Terrace Apartments". The site is located within the Garden Hill neighborhood. Directly adjacent to the site to the south is the Indiana Rail Road, an active railway corridor. Beyond that is the largely single family residential Old Northeast neighborhood, zoned R3. Directly adjacent to the west is multifamily residential, zoned Mixed-Use Medium Scale (MM). North of the site is E 14th St, and across the street is single family residential (zoned R3) as well as multifamily residential (zoned RH), all within the Garden Hill neighborhood. To the east is N Dunn St, and across the street is a Duke Energy electric power substation and vacant property owned by Indiana University, all zoned Mixed-Use Institutional (MI).

Utilities

Preliminary coordination with the City of Bloomington Utilities has identified two off site improvements that will be necessary for the city to adequately serve the new project. The petitioner has committed to making these improvements as part of this project. A new water main in E 14th St between N Walnut St and N Dunn St will replace the existing 6" water main that was installed in 1937. A new sanitary sewer main in N Walnut St between approximately E 15th St and E 17t St will upsize the existing sanitary sewer main. The existing storm sewer located near the northwest corner of the site in 14th street will be extended east and all stormwater runoff from the project site will be properly managed on site with approval from the City of Bloomington Utilities Department in order to not overwhelm the city storm sewer.

Fire Protection

Preliminary coordination with City of Bloomington Fire Department has identified necessary fire access drives that have been incorporated into the project. The upgraded water main along E 14th St will provide adequate hydrant coverage for fire suppression.

Vehicle Parking

The proposed parking garage will have 679 parking spaces (0.64 spaces per bedroom). The UDO calls for a minimum of 0.50 spaces per bedroom and a maximum of 0.75 spaces per bedroom. The garage will also include electric vehicle charging stations as required by the UDO and solar panels to power the garage lighting.



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Bicycle & Electric Scooter Parking

The project will provide the 212 required bicycle parking spaces including long term class I parking within the parking garage. Every entrance to the building will have both bicycle and electric scooter parking within 50 feet of the entrance to accommodate short term bicycle and electric scooter parking needs.

Public Transportation

<u>Bloomington Transit.</u> The project is currently served by Bloomington Transit's #1 bus route (which stops directly adjacent to the project site along E 14th St) and the #6 route with runs along N College Ave and N Walnut St (about two and a half blocks from the project site). The #6 route provides frequent service with buses running every 20 minutes. Bloomington Transit has confirmed that the #1 route will be relocated to the N College Ave and N Walnut St corridor beginning in January 2021. The #6 route will remain the same. These routes will both still be within easy walking distance of the project site when the Bloomington Transit route optimization takes effect in January 2021.

<u>IU Bus.</u> The IU Campus shuttle from the stadium takes riders directly to the Union or to 10th and 3rd Streets on a regular basis. The Standard residents could board those buses at the stadium or at Luddy Hall, each a little more than a 5-minute walk from The Standard. The shuttle is very heavily used by students in the 17th Street area and by the park and ride at the stadium.

Pedestrian Improvements and Connectivity

The City's Transportation Plan identifies E 14th St as a Neighborhood Connector (NC) and N Dunn St as General Urban (GU). As identified in the Transportation Plan for these street typologies, the sidewalks adjacent to the project site will be improved. E 14th St will be improved to have a seven foot wide walk and N Dunn St will be improved to have a ten foot wide walk.

It is anticipated that a majority of the future residents at this project site will be affiliated with the Indiana University campus community and will make at least one if not several trips to the campus and downtown areas most days. Due to the lack of available parking on campus, it is anticipated most of these trips will be made via walking, cycling, scootering, or public transit. The existing Brownstone Terrace Apartments generates frequent pedestrian trips to and from the campus areas and it is expected that the


Katherine E. Stein, P.L.S. Don J. Kocarek, R.L.A. Stephen L. Smith

number of these trips will increase with the completion of this proposed project. The primary pedestrian route from the site appears to be east along E 13th St and then south along N Indiana Ave with traffic dispersing to the east depending on destination. E 13th St and N Indiana Ave appear to already have sidewalks on both sides of the streets to accommodate this pedestrian traffic. Nearly all classroom buildings are within ¹/₂ to ³/₄ mile, a ten to fifteen minute walk from The Standard.

Vehicular Traffic

This area within the community close to campus is favorable for student housing in large part because students here are close to campus within easy walking distance and are served by excellent transit. Vehicular trip generation from this project will be much less than from a similar project distant from campus and without efficient transit service.

Counts of the am and pm peak hours at Brownstone were made by Smith Brehob and Associates in 2016 as part of another nearby student housing project. Those counts are the basis for traffic projections for The Standard project (see attached spreadsheets). The Standard is expected to add about 800 daily trips to the about 3100 existing daily trips on 14th Street. These trips are quickly distributed to the College/Walnut one way pair to the west and to Indiana/Dunn to the east. Area streets have adequate capacity for this nominal increase. Projections for the am and pm peak hour turning movements are included in the spreadsheet.

Environmental Constraints

There are no known karst features, wetland areas, surface watercourses, floodways, or mature tree stands on site. The existing railway embankment (steep slope) will be not be disturbed as part of this project. The existing fence along the railway embankment will be kept (or replaced in place as required) and none of the vegetated slope areas beyond this point are anticipated to be disturbed. Stormwater quality measures as required by the City of Bloomington Utilities Department will be installed and maintained as part of this project. Proper erosion and sediment control measures will be implemented during construction as required by the UDO, state, and federal regulations.



Katherine E. Stein, P.E. Don J. Kocarek, R.L.A. Stephen L. Smith

Neighborhood Meetings

Two neighborhood meetings were held with various community members from both the Old Northeast neighborhood across the railroad tracks to the south and the Garden Hill neighborhood during the Rezone process. Relevant design changes were made based off of the comments received at these meetings, including:

- Removal of amenity deck from roof of building
- Addition of enclosed courtyards
- Building broken up into three separate buildings
- Ground floor entrance units added
- Scooter parking and bike storage added
- National Green Building Standard Silver design standards will be used
- Recycling on site
- Parking garage lights will be solar powered
- Affordable housing units will be spread throughout the property

Tentative Development Schedule

July 2021 - Begin Construction August 2023 – Construction Complete

Development Review Committee

The project has received preliminary feedback from various city departments as part of the Development Review Committee during the Rezone process. Below is a summary of changes made to address the feedback received:

- Added a 20ft wide north/south pedestrian and bicycle access easement in line with N Grant St to allow for a future planned city bicycle corridor along N Grant St
- Added an east/west sidewalk along the south side of building 3 to allow for on site pedestrian flow from buildings 1 and 2 to E 13th St
- Updated plans to show the required minimum of 5ft wide tree plot along all street frontages
- Updated plans to ensure compliance with the required landscape and impervious surface area requirements
- Added a potential retail component to building 3 at the corner of N Dunn St and E 14h St
- Added areas of proposed right of way along N Dunn St and E 14th St in accordance with the city's Transportation Plan



Katherine E. Stein, P.L. Don J. Kocarek, R.L.A. Stephen L. Smith

Thank you for your consideration of this petition.

Regards,

Alar Sout

Kendall Knoke Smith Design Group, Inc. 812-336-6536 Ext. 3 kknoke@smithdginc.com

August 4th, 2020

Doris Sims, Director Housing & Neighborhood Development City of Bloomington 401 N Morton Street Bloomington, IN 47404

Re: The Standard at Bloomington – Planned Unit Development N Brownstone Drive

Dear Doris:

The Standard at Bloomington, LLC (Petitioner), is pleased to bring its proposed, multi-family development to the city of Bloomington. Pursuant to our recent conversations and meetings related to the subject matter, Petitioner offers the below workforce and affordable housing commitments in fulfilling a public benefit for Bloomington:

- Petitioner will commit to offering 10% of the total bedrooms within its project to residents whose annual income is not more than 100% of HUD's Area Median Income (AMI) for Monroe County, IN at the time of the lease. The base rental rate shall not exceed an amount equal to 25% of the adjusted AMI at the time of the lease.
- Petitioner will commit to offering 5% of the total bedrooms within its project to residents whose annual income is not more than 120% of HUD's AMI for Monroe County, IN at the time of the lease. The base rental rate shall not exceed an amount equal to 25% of the adjusted AMI at the time of the lease.
- Said commitment will remain in place for ninety-nine (99) years.
- The base rental rates shall be inclusive of utilities with the exception of cable/internet and electricity. As to Petitioner including water/sewer in the base rental rate: In the event the individual units within the property are separately metered or sub-metered for water/sewer utility, to discourage waste and encourage preservation, Petitioner (or property landlord) shall have the right to pass through to tenant the amount of monthly billing/usage that exceeds the average monthly billing (based upon usage) for same/similar sized units at the property.
- Additional fees that apply for all tenants at the property including, but not limited to, application fees, pet fees, late payment fees, and parking space rental fees shall not be included in base rental rates, rather these will be additional to base rent rates.
- If the Petitioner is unable to rent an affordable unit to a tenant meeting the AMI qualifications after making a good faith effort to locate a qualifying tenant for a continuous period of six (6) months, then the Petitioner shall be allowed to rent the affordable unit at market rate for a period of one year. Before renting an affordable unit at market rate, the Petitioner will send an email to the Director of Housing and Neighborhood Development, or his/her designee. Said email shall include documentation demonstrating the Petitioner's good faith efforts to locate a qualifying tenant so that the City can verify that the efforts made to market and rent to an AMI-qualifying tenant were adequate and were made for a continuous period of six (6) months.

- The 15% of the project's beds that are to be offered at workforce and affordable rates will be allocated between studios, one bedroom units, and two bedroom units at the Petitioner's discretion.
- AMI for 2019 for Bloomington is mutually agreed by Petitioner and The City of Bloomington to be \$51,700.

Respectfully Submitted,

Aaron Stange Developer Landmark Properties



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Canal Square, Suite 410 Washington, DC 20007 Telephone: 202.595.3173



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UNIT PLAN - DRAWING SET COORDINATION NOTES

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Bloomington

ISSUE # DATE DES 1 03/20/2020 50% SD SE 2 12/09/2020 100% SD SI

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UNIT PLAN - ACCESSIBLE NOTES

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PROJECT TITLE

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UNIT PLAN - KITCHEN FINISH AND CONSTRUCTION NOTES

FLOORS AND WALLS VERIFY NECESSARY ELECTRICAL OUTLETS ARE PROVIDED FOR ALL APPLIANCES.

UNIT PLAN - ACCESSIBLE NOTES

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125 ΒK G R O U interior Design Landscape Architecture Engineering Boarman Kroos Vogel MATERIAL LEGEND EFS1-TAN EFS EFS2-BLACK EFS EFS3_BECIAN EFS Group L-1 - TAN FIBER CEMENT P L-2 - BLACK FIBER CEMEN L-3 - TERRACOTTA FIRER (Inc: 1054 31st Street NW DG-1 -TAN FIBER CEMENT SIDING DG-2 - BLACK FIBER CEMENT SID Canal Square, Suite 410 Washington, DC 20007 Telephone: 202.595.3173 1 - GRAY BRICK 2 - BLIFF BRICK 3 - BROWN BRICK 4 - TERRACOTTA B www.bkvgroup.com EOE 1 - PRECAST BAND ______ ROOF ROOF ROOF PPROXIANTE MATERIAL BR NCK: 25% FS: 15% --5 1 an 1221 121 2 1 881 8N 7 100 CONSULTANTS LEVEL 5 EVEL 5 IPS: 13% IBER CEMENT: 55% IPANEL SYSTEM LAP SIDING SYST TOREFRONT: 5% 881.81 7 0 LEVEL 4 0 EVEL 4 EVEL 4 361 SH -----1 6**8** 88 LEVEL 3 EVEL 3 EVEL 3 EVEL 3 881 GH ----LEVEL 2 LEVEL 2 813' - 0" EVEL 2 LEVEL 2 813' - 0" PROJECT TITLE LEVEL 1 LEVEL 1 LEVEL 1 FB-1 FB-3 FB-1 FB-3 FB-3 FB-3 FB-3 The Standard at FB-1 FB-1 Bloomington 2 Courtyard 1 Elevation - North 3 Courtyard 1 Elevation - South Courtyard 1 Elevation - East A Courtyard 1 Elevation - West
 ISSUE #
 DATE
 DESCRIPTION

 2
 12/09/2020
 100% SD SET
 EIFS-1 SDG-2 SDG-SDG-1 EIFS-1 SDG-1 SDG-2 SDG-2 SDG-2 ROOF ROOF



SDG-1	EIFS-1	SDG-1 SDG-2		
FE-1	FB-3		ROOF 555'-5' LEVEL 5 834'-4' 1834'-4' LEVEL 3 823'-8' LEVEL 2 813'-0'	
tyard 2	Elevation -	North	<u>.</u>	(7 (A402.1)

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T		000		11
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				LEVEL 4
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TT	88 8			
- Party of the second s				LEVEL 2 813' - 0"
		B-3	FB-1	
7 Courtyar	d 2 Elevation	- South		_





BLDG 1 COURTYARD ELEVATIONS

A402.1

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Sol Soc Brit	80-1 1000 F 1000 F	2001 EF8-1 2001 5003 100 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0	835' - 0" 👎	Courtyard 1 Elevation - South	BP - U - <u>FVE1 3</u> - <u>FVE1 3</u> - <u>FVE1 2</u> - <u>FVE1 2</u>	1 EF5-1 00-3 1 Evation - West	ROOF 877-67	PROJECT TITLE The Standrod Bloomington B 3 The stand of the stand of t
	202		BOOF 677 - 5°		POOF → 677-57 → LEVEL 4 → 687-67 → LEVEL 3 → LEVEL 4 → 687-67 → LEVEL 3 → LEVEL 4 → 687-67 → LEVEL 3 → 687-67 → 1 → 587-67 →		LEVEL 1 0	CERTIFICATION
Courtyard 2 Elevation - East		Courtyard 2 Elevation - North		Courtyard 2 Elevation - South		Elevation - West		
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BLDG 1_AL_2

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BIM: 12/9/

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interior Design Landscape Arthitecture Engineering

Boarman Kroos Vogel Group-Inc.

1054 31st Street NW Canal Square, Suite 410 Washington, DC 20007 Telephone: 202.595.3173 www.bkvgroup.com EOE

CONSULTANTS

PROJECT TITLE

The Standard at Bloomington

 ISSUE #
 DATE
 DESC

 1
 03/20/2020
 50% SD SET

 2
 12/09/2020
 100% SD SE

CERTIFICATION

NOTFOR TON CONSTRUCTION DRAWN B SHEET TITLE

> **BLDG 1 BUILDING** SECTIONS

> > A501.1

SHEET NUMBER





-35-

				BLOOMING		
ROOM	FLOOR	WALL	BASE	CEILING	MILLWORK	COMMENTS/SPECIAL FEATURES
VESTIBULE	CPT-4	Pf-1	W/08-2	GYP-BD. PT		in the second
NOBER.	TER-10	PNEG/WC/PT	W05-2	GYP-ED: PT / WDC	WD/55Q/FABR	GARAGE DOORS TO EXTERIOR BUILT IN BANQUETTES/BOOTHS, DECORTIVE THE AT MIP-2 FREPLACE SURROUND, DECORATIVE LIGHTING
COFFE BAR	TL-5	TL-7/PT	W08-2	GYP-BD: PT / WDC	WD/55Q	WODD CABINES AND SSQ COUNTERTOP, DECORATIVE TIL FRATURE WALL WOOD DPEN SHELVES WITH UC LIGHTING, DECORATIVE LIGHTING OVER ISLAND,
CIPEN LEASING	CPtv2	PT/WC	W05-2	GYP-6D: PT-1	WD/55Q	FEATURE WALL WITH BACKLIT LOGO. GUSTOM RECEPTION DESK. DECORATIVE LIGHTING.
CLOSING RODM	CPT-2	P1/WC	W05-2	GYP-6D: PT-1		
OFRICES	CF1-2	61	WD8-2	GYP 60: PT 1		
WORKROOM	RF-4	. PT	RH	GYP-BD: PT-1	PLAM	
RESIDENTIAL CORRIDO	R5-2	PT/PNLG-3	W08-3	GTP-BD; PT 1		LANDMARK STANDARD TRIM WAINSCOT
ELEVATOR LOBBY	103	WC	W08-2	GYP-6D: WC		DECORATIVE LIGHTING
MAILROOM	16-4	PNGL/WC/PY	W08-2	GYP-8D: WC	w(D)/55Q	MAIL TADA HEIGHT MAILBOXES.
PARCEL	RF-4	P)	WDB-2	pę.	_	
STUDY LOUNDE	1L-4/CPT-3	PALG/WC/Pt	WDB-2	GVP-8D; PI / WDC	WD/550	BULT IN BANQUETTES/BOOTHS, WOOD CABINETS AND SSQ COUNTERTOR WITH DECORATIVE THE, WOOD GPEN SHELV, WITH UC USHTING AT COFFEE BAR, DECORATIVE LIGHTING THROUGHOUT.
STUDY ROOM	CPI-2	WE	WDB-2	GYP-BD: FT-1	_	GLASS WALL SYSTEM WITH SLIDING GLASS DODRS. DECORATIVE LIGHTING
COMPLITER LAR	CPI-2	WE	WEE-2	GYR-BD: PT-1	WD/SSQ.	WOOD CABINETS AND SSQ COUNTERTOPS.
	TL-4/CP1-5	PNLG/WC/PJ	W06-2	GYP-ED/ P1 / WDC	WD/55Q	BUILT IN BANQUETTES/ROOTHS, DECORATIVE LIGHTING THROUGHOUT.
FITNESS MEZZ	FF-3/CFT-5	WC/PT	63	GYP-80: PT-1	WD/55Q	
FITNESS	RF-3	WC/PT/ROCK	63	GYP-8D: PT-1	WD/55Q	2 STORY ROCK CLIMBING WALL MIR-1
FOD/YOGA	RF-3	WC/PT/MIRROR	88	GYP-BD: PT-1		MIR-1. WOOD BALLET BARRE
GOUFLOUNGE	TL-4/CFT-S	WE	WD8-2	GYP-BD: MI	WD/35Q	WOOD CABINETS AND SSQ COUNTERIOPS. SIMULATOR EQUIPMENT BY OWNER.
TANINIG	RF-4	PT .	RB	GYP-BD; PT-1	-	EQUIPMENT BY OWNER:
SAUNA	n.4	PT	TLB	GYP-BD; PT-1	-	EQUIPMENT BY OWNER:
CLUEROOM	TER-1/CP1-3	PILG/WC/Pt	W06-2	GYP-8D: P1 / WDC	WDJ350/FARR	CARAGE DOORS TO EXTERICIR. BILLI'N BANQUETES/BOOHS, FILL KITCHEN WITH WOOD CARARTS, AND QUIART TOPS, DECORATIVE THE BACKIPICASH, OPEN SHELVING WITH INTEGRATED LIGHTING MERLACE FEATURE WITH DECORATIVE THE SURKOUND, BUI IN SHELVING AND SEATING. TREED I CUNGE WITH BUILT IN STATING, ANS, AND MANGING SIMING. CUTON METAL DECORATIVE ARCHES WITH INTEGRATED FAILX FLANTINIS. SHELVING, CLASS, AND MANGING FUND.
BASKETBALL COURT	WOF-1	PT/WG/AWP	WDB-2	EXPOSED		AWP AND CUSTOM GRAEHICS ON WALLS, PUNCHED ARCHED WINDOWS BETWEEN COURT AND CLUBROOM. RECLAIMED BLEACHERS.
RETROOM	n.4	11-6/11-7/WC	15.1	GYP-5D: WC	WD/55Q	TU-6 TO 5' AFF, WC ABOVE TL 7 FLOOR TO CEILING AT VANITY, DECORATIVE LIGHTING OVER SINKS, MIR AT VANITY
MECH	854	PT	19-1	PT	114/3364	THE AREA AND A AND
ELEC.	RE-4	PT	_	PT		
175 - 197			ER T			
STORAGE	RF-4	PT	RB	PT		100 YO 400 400
JANTORS	RF-4	P1/FPR	68	PT	-	FRP TO 45' AFF

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ROOM	FROOR	WALL	BASE		INISH SCHE		COMMENTS/SPECIAL FEATURES
UVING ROOM	RF-1	PT-I	WD8-1	GYP-8D:PT-2	Sector 12		W1-1 W1 AU, EXTERIOR WINDOWS IN ENTIR UNIT, W1-2 AND W1-3 ON EXTERIOR DODR
KITCHEN	RF-1	(PE-)	WD8-1	GYP-BD: Pf. 1	RCW T/POLL-T		TL-1 BACKSPLASH (TOP OF CTOP TO BOTTOM OF CABINET)
BEDROOM(S)	CPT-I	PL-1	WD6-1	GYP-8D. PT-2	~		
BATHIND QM(S)	R6-1	pt.1	WD6-1	GYP-bD: PT/2	PCW-1/PUL-1	#ISTRE 2 COUNTERTOP	TL-2, TUB-SHOWER SURFOUND UP TO 7-37 AFF
LAUNDRY	R6-1	Pt-1	WDB-1	GYP-80; PI-2			11
CLOSET(S)		P1-1	WD8()	GYP-BD: PF-2			ALL CLOSETS TO RECEIVE SAME RINBH AS. ADJACENT ROOM

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INTERIOR FINISH SCHEDULES

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Kroos Vogel Group inc -

> 1054 31st Street NW Canal Square, Suite 410 Washington, DC 20007 Telephone: 202.595.3173 www.bkvgroup.com

CONSULTANTS

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The Standard at Bloomington

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B K V G R O U P Architecture Interior Design Landicape Anthrecture Engineering Boarman Kroos Vogel Group Inc 1054 31st Street NW Canal Square, Suite 410 Washington, DC 20007 Telephone: 202.595.3173 www.bkvgroup.com EOE CONSULTANTS PROJECT TITLE The Standard at Bloomington
 ISSUE #
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CERTIFICATION

COMMISSION NUE

SHEET NUMBER

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BKV G R O U P Architecture Interior Design Landscape Architecture

1054 31st Street N.W. Canal Square, Suite 410 Washington, DC 20007 Telephone: 202.595.3173 www.bkvgroup.com EOE

CONSULTANTS





					ELECTRICAL RISER REYNOTES
		30 FEEDER SCHEI	DULE		 PROVIDE CONCRETE TRANSFORMER PAD PER UTILITY COMPANY REQUIREMENTS. COORDINATE WITH UTILITY COMPANY PRIOR TO ANY WORK.
	co	PPER	ALUN	INUM	2 PROVIDE REINFORCED 4" CONCRETE PAD FOR GENERATOR. COORDINATE WITH GENERATOR SUPPLIER AND STRUCTURAL ENGINEER
MARK (AMPACITY)	FEEDER 3W (NO NEUTRAL) PH-GND-C	NEUTRAL) (W NEUTRAL) (NO NEUTRAL) (W NEUTRAL)		PROVIDE 4" THICK CONCRETE EQUIPMENT PAD. 1" CONDUIT W CABLING AS REQUIRED BY MANUFACTURER TO GENERATOR FOR CONTROL. REFERENCE METER CENTER SCHEDULES ON SHEETS E551 & E552 FOR MORE INFORMATION.	
20	12-12-1/2*	12-12-1/2*	NOT ALLOWED	NOT ALLOWED	6 PROVIDE TWO (2) 20A/1PH CIRCUITS FROM LEGALLY REQUIRED PANEL FOR BATTE
30	10-10-314"	10-10-3/4"	NOT ALLOWED	NOT ALLOWED	CHARGER AND JÄCKET HEATER. 7 AUTOMATIC TRANSFER SWITCH. NEMA 1 120/208V. 3PH. 4W. OPEN TRANSITION.
40	8-10-3/4*	8.8-3.4"	NOT ALLOWED	NOT ALLOWED	8 SEE ME MOTOR SCHEDULES.
50	6-10-1*	6-8-1*	NOT ALLOWED	NOT ALLOWED	 9 FIRE PUMP CONTROLLER SHALL BE SOFT START. 10 PROVIDE FIRE PUMP WITH EMERGENCY POWER FROM GENERATOR. FIRE PUMP
60	4-8-1 1/4"	4-8-1 1/4"	NOT ALLOWED	NOT ALLOWED	FEEDER SHALL BE MI CABLE FEEDER OR FEEDER ROUTED OUTSIDE THE BUILDING COORDINATE WITH DIVISION 21 TO PROVIDE AUTOMATIC TRANSFER SWITCH THAT
80	38114	3-8-1 1/4"	NOT ALLOWED	NOT ALLOWED	INTEGRAL TO THE FIRE PUMP CONTROLLER.
100	38114	3-8-1 1/4"	1-8-1 1/2"	1-6-1 1/2*	11 PROVIDE SPD FOR ALL EMERGENCY SYSTEM PANELS. 12 PROVIDE SPD INTEGRAL TO SWITCHBOARD MSB.
125	1-6-1 1/2"	1-6-1 1/2"	2/0-4-1 1/2*	2/0-4-2*	13 ALL METER SECTIONS SHALL BE RATED FOR THE SAME AMPACITY AS THE FEEDER OCPD
150	10-6-1 1/2*	1/0-6-2"	30.4.2"	3/0-4-2*	14 PROVIDE A SIGN WITH THE AVAILABLE FAULT CURRENT AT EACH SERVICE ENTRAF
175	2/0-6-1 1/2*	2/0-6-2*	40.4.2"	4/0-4-2 1/2*	EQUIPMENT PER NEC110.24. 15 PROVIDE MANUAL TRANSFER SWITCH (MTS) PER NEC 2017.
200	30-6-2'	3/0-6-2"	250KCMIL-4-2 1/2"	250KCML-4-2 1/2*	16 PROVIDE PORTABLE GENERATOR CONNECTION CABINET (GCC) CAM PLUGS PER N 2017.
225	40-4-2"	40.4-2 1/2"	300KCMIL-2-2 1/2"	300KCML-2-3*	2017.
250	250KCMIL-4-2 1/2*	250KCML-4-2 1/2*	400KCML-2-3*	400KCMIL-2-3*	1
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ELECTRICAL RISER KEYNOTES ICRETE TRANSFORMER PAD PER UTILITY COMPANY REQUIREMENT: WITH UTILITY COMPANY PRIOR TO ANY WORK.

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Engineering Boarman Kroos Vogel Group Inc.

PROJECT TITLE Landmark -Bloomington, IN ſσβ





Voluntary Written Zoning Commitment

WHEREAS, The Standard at Bloomington, LLC ("Owner"), is, or will soon become, the fee simple owner of property at 301 E. Brownstone Drive ("the Property"); and WHEREAS, Owner petitioned the Bloomington Common Council for an amendment to the City of Bloomington Zoning Maps by rezoning 7.22 acres of property from Planned Unit Development to Mixed-Use Student Housing (the "Petition").

NOW, THEREFORE, Owner voluntarily provides and records this *Voluntary Written Zoning Commitment* in connection with the Petition.

1. <u>Legal Description of Property</u>

LEGAL DESCRIPTION

PART OF THE NORTHWEST QUARTER SECTION 33, TOWNSHIP 9 NORTH, RANGE 1 WEST, MONROE COUNTY INDIANA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE POINT WHERE THE EAST LINE OF N. WALNUT STREET INTERSECTS THE SOUTH LINE OF EAST FOURTEENTH STREET; THENCE ON AND ALONG SAID SOUTH LINE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST (ASSUMED BEARING), 200.00 FEET TO A \$ INCH REBAR FOUND AND BEING THE POINT OF BEGINNING; THENCE SOUTH 01 DEGREE 04 MINUTES 31 SECONDS WEST 254.91 FEET TO THE NORTH LINE OF THE ILLINOIS CENTRAL GULF RAILROAD COMPANY AND BEING AN INTERSECTION WITH A NON-TANGENT CURVE, THE RADIUS POINT OF SAID CURVE BEARS SOUTH 01 DEGREES 23 MINUTES 18 SECONDS EAST, 1037.45 FEET FROM SAID INTERSECTION, SAID CURVE HAVING A CENTRAL ANGLE OF 02 DEGREES 39 MINUTES 57 SECONDS; THENCE EASTERLY ALONG SAID CURVE 42.7 FEET TO A POINT OF TANGENCY; THENCE SOUTH 88 DEGREES 43 MINUTES 20 SECONDS EAST, 154..78 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE NORTH HAVING A RADIUS OF 360.25 FEET; THENCE EASTERLY 62.68 FEE NORTH 81 DEGREES 16 MINUTES 39 SECONDS EAST 12.96 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHT ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 10 DEGREES 00 MINUTES 00 SECONDS TO A POINT OF TANGENCY, THENCE HAVING A RADIUS OF 360.25 FEET; THENCE EASTERLY 66.36 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 10 DEGREES 00 MINUTES 00 SECONDS TO A POINT OF TANGENCY; THENCE SOUTH 68 DEGREES 43 MINUTES 20 SECONDS EAST, 188.27 FEET; THENCE LAVING A RADIUS OF 360.25 FEET; THENCE EASTERLY 66.36 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 10 DEGREES 00 MINUTES 00 SECONDS TO A POINT OF TANGENCY; THENCE SOUTH 68 DEGREES 43 MINUTES 20 SECONDS EAST, 882.27 FEET; THENCE LEAVING SAID RAILROAD LINE NORTH 00 DEGREES 05 MINUTES 01 SECOND WEST 267.60 FEET TO THE SOUTH LINE OF SAID FOURTEENTH STREET; THENCE ON AND ALONG SAID SOUTH LINE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, 1221.50 FEET TO THE POINT OF BEGINNING, CONTAINING 7 22 ACRES, MORE OR LESS.

THE PROPERTY DESCRIBED ABOVE IS THE SAME PROPERTY THAT IS INSURED IN THE TITLE POLICY ISSUED BY CHICAGO TITLE INSURANCE COMPANY PURSUANT TO TITLE FILE NO.: RAIN-36012, EFFECTIVE ON JUNE 19,2019.

2. <u>Binding</u>

This *Voluntary Written Zoning Commitment* is binding on the Owner of the Property. Upon recordation in the Office of the Recorder of Monroe County, Indiana, this commitment shall become binding on any subsequent owner, or anyone who acquires an interest in the Property.

3. <u>Recording</u>

This *Voluntary Written Zoning Commitment*, if approved, shall be recorded in the Office of the Recorder of Monroe County, Indiana on or before December 17, 2020.

4. <u>Modification</u>

This *Voluntary Written Zoning Commitment* shall only be modified by action of the Bloomington Common Council.

5. Termination

This *Voluntary Written Zoning Commitment* shall terminate upon the first of either: (1) action by the Bloomington Common Council; or (2) a determination that the project as described in the Petition (the "Project") was, or will not be, built in whole or in part.

6. Enforcement

An action to enforce any provision of this *Voluntary Written Zoning Commitment* may be brought in Monroe Circuit Court by the Bloomington Common Council pursuant to I.C. § 36-7-4-1015(d)(1).

7. National Green Building Standard Certification

The Owner voluntarily commits to obtain National Green Building Standard Silver level certification within one (1) year of the Owner's receipt of a final certificate of occupancy of the Project.

8. Commercial Space

The Owner voluntarily commits to incorporate a commercial space into the Project subject to approval of a landscape buffer yard variance from the Board of Zoning Appeals.

9. Private Shuttle

The Owner voluntarily commits to not operate a private shuttle service from the site.

10. Copy

Prior to the issuance of any permits, a copy of the recorded *Voluntary Written Zoning Commitment* shall be provided to the City of Bloomington's Planning and Transportation Department and to the Office of the Bloomington Common Council.

11. Violation

Failure to honor this *Voluntary Written Zoning Commitment* shall constitute a violation of the City of Bloomington's Unified Development Ordinance and shall be subject to all penalties and remedies provided thereunder. Failure to honor this *Voluntary Written Zoning Commitment* shall subject person(s) obligated hereby to revocation of occupancy permits and other legal action.

[Signature on following page]

DATED this 15th day of December, 2020.

The Standard at Bloomington, LLC

By:

ATTEST:

STATE OF Creargia COUNTY OF Clarke, SS:

On the 16th day of <u>December</u>, 2020, <u>Oracle of the personally appeared before</u> me, the undersigned Notary Public, personally known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and by his/her/their signature(s) on the within instrument, the person(s), or the entity(ies) on behalf of which the person(s) acted, executed the within instrument.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, on the day set forth above.

ssica (erafr

Notary Public

My Commission expires: 12/21/21



(SEAL)



Eric Greulich <greulice@bloomington.in.gov>

Brownstone Development 14th Street

Kay Olges <board@windfalldancers.org>

Fri, Feb 5, 2021 at 8:18 AM

To: crowleya@bloomington.in.gov, Eric Greulich <greulice@bloomington.in.gov>, Susan Sandberg <sandbers@bloomington.in.gov>, volans@bloomington.in.gov

Greetings,

I am writing to address concerns related to the proposed development of the Brownstone Apartments. As the only business (not for profit) in that area, we are impacted differently than other residents. Our concerns are as follows:

- Impact of the building height on the roof of our building on the corner of 14th and Dunn Streets on our proposed solar panel installation

- Increased congestion in the area
- Increased vandalism
- Impact of parking

Windfall has been researching the feasibility of installing solar panels on the south facing section of our roof. This project would be primarily to reduce our energy footprint and the impact of a 5 story building across the street is unclear. (Setbacks might reduce the impact, we just need information. It also appears in the renderings that the building most involved is a 4 story instead of 5 ...?)

In the past few years, vandalism has become an increasing issue at our location. After IU's football victory over Penn State October 24th, our main sign was broken in two, which required complete replacement. We have also had to replace the front door glass and a upstairs window and clean up trash (beer cans, bottles, solo cups, etc) every weekend, especially on game weekends. We are concerned that increased young adult residents to the density indicated will increase these problems. We see increased security as a need, including the added expense of a system installation on our building. We would appreciate anything the property management can do to increase responsibility and respect toward others in the neighborhood.

Don't just build them then let it be a free for all. These are youngsters even though they are adults.

Lastly, the parking restrictions placed on this area in recent years have visitors to area residents seeking alternative parking, which, unfortunately includes our small lot. I appreciate that the builder is including a parking garage, but visitor parking also needs to have conscious consideration. (Due to the nature of others who use our space, it is not feasible to have a towing company cruise and tow. We do have a contract for removal as needed.)

Thank you very much for your consideration of these concerns. I am planning to attend the February 8th meeting.

Stay safe! Kay Olges President, Board of Directors Rental Coordinator



Windfall Dancers, Inc @windfalldancers