

**Plan Commission Summary Minutes
City of Bloomington Council Chambers – Room #115**

May 16, 2022 - 5:30 pm

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The City of Bloomington Plan Commission (PC) met on May 16, 2022 at 5:30 p.m., a hybrid meeting was held both in the Council Chambers, located in Room 115, at 401 N. Morton Street, City Hall Bloomington, IN 47404 and remotely via Zoom. Members present in Chambers: Tim Ballard, Flavia Burrell, Andrew Cibor, Chris Cockerham, Trohn Enright-Randolph, Israel Herrera, Ron Smith, Karin St. John and Brad Wisler. Absent was Jillian Kinzie.

ROLL CALL

APPROVAL OF MINUTES: April 11, 2022

****Burrell moved to approve the April 11, 2022 minutes, with no changes. St. John seconded the motion. Motion carried by voice vote 8:0- Approved.**

REPORTS, RESOLUTIONS AND COMMUNICATIONS:

Jackie Scanlan, Development Services Manager, went over the revised fee schedule for a revote, has to do with statutoral requirements. Proposing to update fees, last time fees were updated was in 2013 and before that it was 1997 so the fees have only been updated a couple of times in the last 25 years. Updates are based on research done with comparable cities, cleaned up some terminology and added some new items to the fee schedule. There were items removed that were for outdoor seating, right of way and right of way excavation which are administered by the Engineering Department. Added a Floodplain Development permit fee. Cockerham asked about the total annual dollar amount of fees collected, Scanlan was not able to answer that question but would find out and report back. She did want to remind everyone that the collected fees go into the General Fund and not Planning & Transportation budget. Wisler asked how staff arrived at some of the numbers, is there a rhyme or reason to the amount of increases. Scanlan said they looked at seven municipalities either similar in size or characteristics of Bloomington and what their fees were. Wisler asked for a motion to approve the revised fee schedule, with one change, changing Plats Primary & Final fee from \$1000 to \$800. These rates will go into effect tomorrow if approved by vote tonight.

Cockerham would like to note he would like to keep fees down if at all possible. Understands the need to raise fees but is concerned about the cost being passed along to the community.

****St. John motioned to approve the revised Planning & Transportation Fee Schedule as presented with the two changes, changing the Plats Primary & Final fee from \$1000 to \$800, with a minor change in text changing Preliminary and Final to Primary and Secondary. Ballard seconded the motion. Motion carried by roll call vote 8:0—Approved.**

PETITIONS CONTINUED TO: June 13, 2022

PUD/DP-24-21 Robert V Shaw

N Prow Road: 3500 block of N Hackberry Street
Request: Petitioner requests Final Plan and Preliminary Plat amendment for Ridgefield PUD and Subdivision Section V.
Case Manager: Jackie Scanlan

SP-06-22 Strauser Construction Co., Inc.
3000 & 3070 S Walnut St.
Request: Major site plan approval to construct a 9 building self service Storage facility with 10 new vehicle parking spaces.
Case Manager: Karina Pazos

CONSENT AGENDA:

PUD-03-22 Trinitas Ventures
1550 N Arlington Park Drive
Request: Amendment to the district ordinance and preliminary plan for an approved PUD.
Case Manager: Eric Greulich

Smith ask if Ms. Scanlan could explain the amendment to the PUD, she referred the question to Eric Greulich. Greulich explained this request was presented to the Plan Commission last month and then on to the Council for them to either approve or deny this request. The request was for amendment to the PUD to allow for signage along road frontage which received a negative recommendation by the Plan Commission, they also requested to allow for podcasting as a use with their PUD which got a positive recommendation. The developer, Trinitas Ventures, elected to withdraw the petition so not to delay their project. The Council voted not to adopt the petition at the main meeting, but because it left the Plan Commission with a positive recommendation for one aspect and the Council denied that the Plan Commission has to ratify the action of the Council.

PUBLIC COMMENTS: None

****Smith motioned to approve consent petition PUD-03-22. Cibor seconded the motion. Motion carried by roll call vote 8:0—Approved.**

PETITIONS: May 16, 2022

SP-05-22 MHG Apartments
1210, 1220, 1320, 1404, 1414 W. Arlington Rd.
Request: Major site plan approval to allow the construction of a multifamily Residential building with 211 dwelling units in the Residential Multifamily (RM) zoning district.
Case Manager: Eric Greulich

Eric Greulich presented this case to the Commission, this is a request from MHG Apartments for the property off of West Arlington Road. The petitioners are requesting a major site plan approval to allow for the development of 213 dwelling units on this site. MHG Apartments are also requesting approval for the use of the Sustainable Development Incentives as part of this petition. This property is zoned Residential Multifamily (RM) and has been developed with single family and multifamily residences. The petitioners are requesting to redevelop the entire property as a multifamily building with 213 dwelling units and 340 bedrooms. There would be two access points to the parking area, one on the north side of the site and the other on the south end of the site. The petitioners are proposing a total of 284 parking spaces, this would be a mix of 242 spaces on the surface and 42 spaces within the building. There is an entrance to an underground parking garage on the east side of the building. The petitioners will be required to install sidewalk and tree plot along the road. This road is

designated as a neighborhood collector and the petitioner is required to have a 10 foot wide asphalt path along West Arlington Road that would join up with the multi-use path that was constructed by the City that was part of the roundabout and improvements at 17th and Arlington Road. There would be a detention pond on the south side of the site that would provide the detention for the entire property. This would be planted with a rain garden seed mixture, will provide storm water improvements as well as islands within the site. A majority of the islands would have some of the rain garden seed mixture planted to provide storm water quality improvements. The developers will be required to install landscaping throughout the site as a whole. There is a buffer required along the north property line since the adjacent properties are single family homes, this requires trees every 30 feet and add an additional 10 foot on the base setback.

There will be electrical vehicle charging stations required shown along the north side of the parking area, as well as bicycle parking in the parking garage. Petitioners would be requesting to utilize the Sustainable Development incentives, RM zoning district allows for three story building not to exceed 40 feet, if approved the Sustainable Development incentives would allow for an additional story, not to exceed 12 feet. In order to meet the requirements for Sustainable Development the petitioner is proposing to be a Silver Certified Building, this would be according to the Home Innovation and National Rebuilding Standard green rating system. Certification would be provided prior to issuance of final occupancy. The building will be a mix of masonry veneer panels, soffit panels, hardy plank siding and fiber cement siding. The use of different materials has been carried around through all four sides, there is also a change in building height through the use of parapets. There are also two entrances, there is a large plaza entrance on the northwest side of the building that connects to the sidewalk, which will serve as the main entry into the building, as well as another entry on the west side of the building.

Recommending the Plan Commission adopt the proposed findings and approve the use of the Sustainable Development incentives, with the four conditions listed in the staff report.

PROJECT REPRESENTATIVE COMMENTS:

Katie Stein with Smith Design Group, civil engineers and land surveyors for this project. Also present are Hiren Patel with MHG Apartments, Mike Johnson and James Brown with Studio M Architecture & Planning. Nothing to add at this time.

COMMISSIONER COMMENTS:

Smith asked petitioner about the appearance of the structure, is there any way to make the structure look any less monolithic. Mike Johnson said what doesn't show in these renders is the variation in depth across the façade and the balconies and there is anywhere from a five to six foot offset, with an accented cornice. Sections of the building are projected out about five feet with the intent to make it feel like there smaller buildings, rather than just one very large building. Maybe they could look at adding additional paint and brick colors so it would be less monolithic. Smith also asked about access points to the structure. Johnson said there are two access point, the main entrances on the northwest corner, which is the entrance to the leasing office and amenities and the northwest entrance is the pedestrian entrance for residents. They have tried to make sure that they have made access into and throughout as feasible as possible.

Enright-Randolph asked about the establishing connectivity between this property and the strip of land

that the City owns on the northwest edge of this development, that could potentially lead into a huge connectivity component to a trail network that could possibly connect to the overpass at 45/46 bypass. Greulich said the alternative transportation plan does show connection that would lead up along Arlington Drive with connection to Kinzer Pike and then to the bypass. Enright-Randolph asked if there would be any harm in asking the petitioner if they are willing to commit to a connection point in case there is additional development next to this site. Scanlan noted that the Plan Commission could ask the petitioner if they would be willing to make that connection if any development would occur in the future.

Cockerham asked for additional information regarding condition number four in the staff report, which talks about a transit stop and has Bloomington Transit identified where that stop may be located. Greulich said the transit stop would be located southwest of this development, close to where the roundabout is, in an area that is already in the public right-of-way and is roughly where the crosswalk is located. The bus shelter would be located on the west side of Arlington Drive since the bus will be going from north to south.

Cibor would like to identify where the right-of-way is located. Katie Stein said for now the property line is to the center line of Arlington Road and everything setbacks on this property were based on what was on the proposed transportation plan. The plan is to have the multiuse path, tree plot within a pedestrian easement or potentially dedicated right-of-way. Cibor said basically it would be easement or right-of-way from the property line to the line that is back of the path. Stein confirmed that is correct.

St. John wanted to clarify Commissioner Enright-Randolph's questions about the easement relative to a trail, is the easement the small vertical strip that runs north, south on the east side of the dog park. Greulich confirmed this is correct. St. John notes there is access to that easement just north of the roundabout. Enright-Randolph says there are obstructions in the area of the roundabout, hopes the petitioner is willing to allow a connection if a future trail was to develop.

Smith asked for clarification on how to ask the petitioners to address the varying colors request on the outside of the building as well as the connection issue that Enright-Randolph asked about. Scanlan said if the items are not required by code then you could ask them if they would be willing to do those things and then add as a condition of approval, not that we are requiring them to be done but they are offering to do them. Wisler said the items could be addressed in a second hearing, difficult for a petitioner to make agreements on the spot. Smith asked petitioner if they would agree to varying the colors. Mr. Johnson said they would be willing to look at different colors to add to the exterior of the building. Greulich noted that the UDO does not regulate color and he is hesitant about getting to specific on color tones. A condition of approval might say something to the effect of petitioner will continue to work with staff to have a different color scheme for the south half of the building. Greulich will work up the wording on a condition to add to the staff report.

Wisler said this is an area that has seen a lot of flooding in the past and there is a lot of substantial loss of green space and an increase in the amount of impervious surface that will be on the site, how much impervious surface is being introduced on the site. Ms. Stein said they have been working with CBU regarding the storm water requirements. There will be a substantial detention pond that can hold quite a bit of volume on the south side, so it will be improving this area. Wisler wanted to clarify what Ms. Stein is saying, the parking surface will create run off, but it will be retained on site and will not contribute to the overall runoff in the area. Ms. Stein said that is correct.

Cockerham wanted to confirm with the developer that they are okay with modifying the colors. He is

cautious about dictating colors outside of the code. Mike Johnson said they are willing to explore the use of different/additional colors, but they have met the code. Cockerham appreciated the developer's willingness to work with them on color. Wisler asked if it was the intent during the design process to make that feel like a separate building at that break point. Mr. Johnson said that was the thought. Hiran Patel added, the purpose was not to get two different buildings but to play with elevation. Mr. Johnson agreed, not to make two different buildings but to make the scale feel less ominous along Arlington. Bill Beggs, with Bunger Robertson, noted that the problem with what Cockerham brings up is this is so subjective, to require something that is not required under the UDO is a very difficult thing for this petitioner to achieve. While they are willing to explore the use of different colors they ask that this not be made a condition of approval, because it is just so vague and does not lend itself to precision at a standard they can meet. Cibor wanted to follow up on Mr. Beggs comments, he is hearing a willingness to explore options to make the building façade look and feel a little different, but does the petitioner have concerns with continuing this project with something more concrete. Mr. Beggs spoke on behalf of the petitioner and said they are willing to consider color changes, but asked the Commission to just consider what is in the ordinance and to be approved based on the ordinance. Ballard does not believe it is his role to comment on the visual appeal of something that is meeting code. St. John noted that the drawing the Commissioners has been looking at is different in color than what has been on the screen. St. John asked if that is simulated wood soffit panel, Mr. Johnson confirmed it does. Simulated wood panels are used on soffits, balconies and some the rims of the eaves. St. John as if the eaves going over the front of the building or on the sides. Mr. Johnson said there is a slight projection from the front. St. John is not inclined to ask the petitioner to go back and come up with something else in colors.

Scanlan pointed out this is a good conversation to have, the Plan Commission should talk about this during the next code update, and address how to visually break up a building. Wisler believes there is a fine line and we do have anti-monotony standards in the code that developers have to adhere to. The line between personal preference on aesthetics and what is regulated in our anti-monotony standards is a fine line and he would suggest that if there are projects like this, that meet code, that do not satisfy the Commissions desire or the Councils desires for what is monotonous, then we probably need to update the code and make sure that we have a standard that is going to please those bodies. Regarding the issue at hand, Wisler suggests that they look at what Greulich has suggested for the additional condition, someone can make a motion and we can decide whether we like to include in the additional standard or not, and then we can proceed. Greulich read the added condition, the petitioner will work with staff to incorporate a separate color palette for the south half of the building to help visually distinguish the building modules. This based on the comments that he has heard, it still leaves open what the petitioner would like to incorporate. Wisler asked Smith if this was what he was looking for, he acknowledged it was.

PUBLIC COMMENTS:

Dave Askins, with B Square Bulletin, stated he understands there is no legal requirement that the questions asked from the public get answered. Moved on to talk about the dog park, from a legal point of view can the City enforce the existence of a dog park just because it is labeled a dog park on the site plan, but the City notices there are never any dogs in this alleged dog park, can the City then say you have to put some dogs in here or is that basically a placeholder for open space to be used however the petitioner wants. For example, if the residents want a community garden and petitions the building management, can they do that without coming back to the Plan Commission. He asked the petitioner if this was something they noticed about Bloomington and thought it would be a good way to help fill the units, or have they tried this in other places and found this amenity helps in getting leases signed.

William Goodhew, 1135 North Hancock Drive, the site is already elevated from the street and the four story building looks like a five story building and there is nothing else in the neighborhood that will be that height, so this is a concern for him and his neighbors. They met with Patel in January to express their concern. The structure is going to stick up above anything else in the neighborhood. Regarding the dog park, believes it should be moved to the south end. Moving the dog park might help mitigate some of the runoff the impervious surface is going to create. Traffic is a situation of concern as well, Arlington right out of the round about going north is posted as 40 mph, you have two driveways that are going to be dumping on there, so this apartment complex is going to be a lot of cars coming and going. There is a direct lot line neighbor to the east and apartment complex that dumps all of their traffic into the roundabout. It seems to him that a way to make traffic a bit safer is to remove one of the driveways from Arlington, retaining the north driveway and having the other driveway exiting to the roundabout. The bus stop is of some concern, there will be a lot of people trying to cross the street to get to the bus stop, he is aware the bus only runs north to south at this time, but would it be possible to have the bus run south to north and place the bus stop on the proposed property to keep people from having to cross the street. In his meeting with Patel he suggested three story buildings and multiple buildings that would present more solar south faces and might be able to accept, in place of the current sidings proposed, solar thermal collectors that would dump heat into the building's not electricity. Having multiple buildings could create multiple levels of entrance from each of these buildings. A reduction in height would allow them to have the option of not including elevators, which is a large expense and maintenance. There is a 26% credit available for anything that is done with solar on properties this year, next years that reduces to 22%. It is something that would add value for the tenants, from now and forward by keeping the space heating requirements down on those south side units.

ADDITIONAL COMMISSIONER COMMENTS:

Enright-Randolph believes the character of the area is going to start to shift, on the cusp of shifting to more of a dense multistory rental type on the northwest side of the city, and when the character of these areas changes then you have a lot of people's thoughts and intentions start to shift and it becomes a more desirable area to build these types of structures. Regarding his comment about connection since the City intends to build a trail it will only be a benefit to this site, so we don't need to ask the petitioner to for a trail connection.

Burrell asked for a response to Mr. Goodhew's comment regarding the bus stop, will tenants need to cross Arlington to get to the bus stop. Greulich said since the bus only goes south then the bus stop is on the west side of Arlington which means they do have to cross the street. They have worked with Bloomington Transit, as well as the Engineering Department to try and figure out the best location. Getting as close to the roundabout, and the existing crosswalks, helps discourage any mid blocks crossings and forces pedestrians in that area to utilize the crosswalks that we installed to safely get across to where the bus stop will be. The location was very specifically chosen, within the roundabout immediately adjacent to the crosswalks. Also, comments regarding the dog park, that is just open space, we cannot require them to actually set that aside as a dog park, they can certainly choose to use that as open space, in whatever manner they would like.

Cockerham wanted to say that he sees Smith's point, regarding colors, but if we wanted to put that into our purview we might want to add it to the UDO, the developer followed the guidelines in the UDO and our code, he is struggling with adding a fifth condition to the staff recommendation. St. John concurs with Cockerham's comments regarding updating the UDO, but this developer meets current UDO.

Smith noted there are a lot apartment complexes being built and these are great conversations to have to either make them look better, thinks the apartments on 17th Street look atrocious, just trying to bring this kind of information forward, appreciates the Commissioners, respects all their opinions and they all have valid points.

Cibor appreciates the conversation, more interest or concern about some of the size of the buildings and certainly hope that the applicant, even though it's not a requirement, may be looking at what is best after hearing some of this discussion. Also, appreciate the public comment, especially about the bus stop locations. Wants to make sure through the City's review process we will continue to look at where is best for safe crossings.

Wisler says our standards on anti-monotony have evolved over the years, remembers a time when the only thing we had in the code about anti-monotonous design was a requirement for solid walls vs. windows. So you could build the perfect square box as long as it has windows. Then we added requirements for modulation, which required the building to move in and out, then we added some requirements for building materials to vary and now we have some requirement of undulations roofline has to vary. This has evolved and will continue to evolve and that is part of our job is to make sure that it does evolve to meet the needs of the community. But he believes the best way forward tonight is what has been proposed. In the future if staff could provide a zoom section of large structures so the Commissioners can see more detail that might be very helpful. Also, to any developers out there listening, we don't have connectivity to the nearest grocery store on 17th Street, somebody please come build a grocery store because the people moving into these new homes are going to need groceries.

****Cockerham motioned to approve petition SP-05-22, including the four conditions outlined in the staff report. St. John seconded the motion. Motion carried by roll call vote 7:1—Approved.**

Meeting adjourned at 7:05 p.m.