

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

September 12, 2022 - 5:30 pm

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The City of Bloomington Plan Commission (PC) met on September 12, 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, Jillian Kinzie (arrived shortly after roll call), Karin St. John and Brad Wisler, the following members were present via Zoom, Ron Smith and Israel Herrera.

ROLL CALL

APPROVAL OF MINUTES: July 11, 2022

****Burrell moved to approve the July 11, 2022 minutes. Cibor seconded the motion. Motion carried by roll call vote 9:0 - Approved.**

REPORTS, RESOLUTIONS AND COMMUNICATIONS:

Jackie Scanlan, Development Services Manager with Planning & Transportation, noted that SP-30-22 Bailey 8 LLC is not being heard because the UDO allows for petitions using incentives with less than fifty units to be heard as minor subdivisions by the Department, the petition would not have to be heard by the Plan Commission. The UDO allows the Director to send any minor site plans that are complicated or he feels Plan Commission should be seeing, you have seen some site plans with incentives that are smaller. This particular location has appeared numerous times at the Historic Preservation Commission and also appeared last month at the Board of Zoning Appeals and we have not received anything but support for the petition. They recently changed what type of incentives they were going to use. The Director, Scott Robinson decided we could go ahead and pull it off the agenda and process it as a minor site plan, petitioner will still have a review this week, but at the staff level. You can call the department if you have questions, ask for Karina Pazos, otherwise it will keep moving through our pipeline. Wanted to note the agenda said this it was filed as a major site plan but if they use incentives then it can be processed a minor site plan.

Wisler asked if this was a practice going forward, when there is a petition like this it will be put on the agenda under Reports, Resolution and Communications Scanlan said this was uncommon, typically the Commission would know beforehand, this petition became a bit more detailed at the Preservation Commission than they sometimes are and received a lot of public input, that is why it was taken off the agenda. Typically we won't be doing this at the eleventh hour but in this instance it was deemed okay to remove from the agenda.

Scanlan noted another item to address is re-approval of March minutes, the question is were there enough members in Chambers. So the minutes will be sent out again for approval.

Scanlan gave an update on plexes. Ordinance 21-23 changed the UDO and how it relates to duplexes and triplexes in May of 2021, in that ordinance language the Department is to track the requests and approvals for those petitions. A report was given in February 2022, there were thirteen possible duplexes in the R1 & R3 districts, and there were no filings at that time. Since February the Department has talked to an additional fourteen people interested in doing duplexes, ranging from basic development questions to very specific questions. The Department has one approval granted,

that was last month at the Board of Zoning Appeals. The first conditional use duplex in the R3 district was approved a couple of weeks ago, the site is in Green Acres and that petitioner has already filed for their building permit and is moving through the process to get the building built. So that is one of the fourteen, then one other located on a neighboring street that is within the buffer zone which requires the two-year wait. If those individuals want to move forward with the duplex, they will have to wait the two years. There is one other that has already done a neighborhood association meeting. Also, there have been four approved ADU's since our February report, at that time there had been twenty-six, for a total of thirty.

Kinzie thanked Scanlan for the report and she is interested in continuing to know how this develops, will there be a more formal report and how will the public be made aware of these reports. Scanlan said they will draft a memo to give to Council with the report, Scanlan does not know if there are current plans about making the information available to the public other than putting the information on our website.

PETITIONS CONTINUED TO: October 10, 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

**SP-24-22 Cutters Kirkwood 123 LLC
115 E Kirkwood Ave**

Request: Major site plan approval to allow construct a 4-story building with 3 floors of residential units over a ground floor parking garage and retail space in the MC-CS zoning district. The upper floors will consist of 15 dwelling units for a total of 38 beds.
Case Manager: Karina Pazos

**ZO-40-22 Monroe County Government
Northeast Corner of I-69 and Fullerton Pike**

Request: Map amendment (rezone) of one roughly 87.12 acre parcel from Mixed-Use Employment (ME) to Mixed-Use Institutional (MI).
Case Manager: Jackie Scanlan

CONSENT AGENDA:

Wisler explained for those watching that Consent Agenda is projects that are largely in compliance with the law and don't really require a hearing or staff has otherwise deemed to be non-controversial. These are petitions we will approve without a full hearing. Before approving we would like to give Commissioners the opportunity to request a full hearing. No full hearing requested.

**DP-39-22 Summit Woods Phase I
2400 S Adams Street**

Request: Primary plat amendment to Phase I of Summit Woods plat to amend the approval cross sections.

Case Manager: Eric Greulich

****Cibor motioned to approve petition DP-39-22. Burrell seconded the motion. Motion carried by roll call vote 9:0 - Approved**

PETITION: September 12, 2022

**SP-38-22 University Properties
420 E 19th Street**

Request: Major site plan approval to allow construction of a six-story mixed-use building in the Mixed-Use Student Housing (MS) zoning district.

Case Manager: Gabriel Holbrow

This case is a major site approval for a new mixed-use building in the neighborhood just west of Memorial Stadium. The site comprises of four existing parcels on the south side of East 19th Street, going from Grant Street on the west to Dunn Street on the east. The current zoning is Mixed-Use Student Housing (MS), in the 2018 comprehensive plan this has been designated neighborhood residential. The existing land use is Multifamily dwelling structures with 30 bedrooms and there are also two single family dwellings. The proposed land use is one mixed-use building, including student housing or dormitory, office and small retail sales. The surrounding uses are, to the north is a mixed-use building under construction by the same developers, to the south and west are existing multi-family dwellings in the student housing and dormitory zoning district and to the east is Memorial Stadium and IU parking. The petitioner is requesting Major Site Plan approval to construct the mixed-use building with six stories and a basement with a building floor plate of just over 24,000 square feet. The proposed building will contain approximately 4,845 square feet of commercial space, including 2,380 square feet of retail space on the ground floor and 2,465 square feet of office space on the ground floor. The proposed building will contain 75 dwelling units, with a total of 135 bedrooms. Major Site Plan approval is required for developments that contain more than fifty dwelling units. The building footprint takes up most of the available space on the site. On the north side of the building (along 19th Street) there is a second floor covered outdoor terrace for residents at the northeast corner of the building. The proposed office space is on the second floor and on the ground floor there are three dwelling units with exterior doors. On the four upper floors are a mix of studios, one bedroom and three bedroom dwelling units.

The building is set back at least the minimum required fifteen feet from all property lines. For pedestrian and bicycle facilities, Dunn Street is classified as a general urban street typology per the transportation plan, so that means that a minimum 10' tree plot and a minimum of 10' sidewalk or multi-use path are required. The plan provides a 10' sidewalk and a tree plot that varies in width from 14' to 21' along Dunn Street. Nineteenth Street and Grant Street are classified as neighborhood residential street typology so they require a minimum 5' tree plot and minimum 6' sidewalk as shown on the drawings. Portions of the sidewalk provided outside the public right-of-way and on private property will need to be placed in a pedestrian access easement to be recorded before final occupancy.

The proposed site plan has two drive access points, one on 19th Street and a second on Grant Street. No drive access is proposed for Dunn Street, as required by the UDO since Dunn Street is assigned the higher functional classification. The driveway on 19th Street leads directly to a ramp that provides access to the first-floor level parking. This driveway also connects to a second ramp that intersects perpendicularly with the driveway and provides access down to the basement level parking. The petitioner has aligned the drive on 19th Street to be directly across from the drive on the north side of 19th in order to minimize potential turning conflicts. The driveway on Grant Street leads to a ramp that provides access to the second-floor level parking. The drive on Grant Street is 58.54 feet from the intersection with 19th Street to the north and 85.44 feet from the existing driveway for the property to the south. On local streets, including 19th and Grant, no drive is allowed within 100 feet of an intersecting street or within 50 feet of another driveway, unless approved by the City Engineer. At just over 85 feet from the intersection to the north, this drive location does not meet the normal distance standard, but this particular configuration has been approved by the City Engineer and is therefore compliant with the UDO. The petitioner has proposed a curb design incorporating two on-street parking spaces on Grant Street, just north of the drive entrance. Title 15 of Bloomington Municipal Code does not currently allow parking on either side of the street on this block of Grant. Staff is supportive of providing on-street parking at this location and intends to propose an update to Title 15 to allow parking on this block. Of course, as you know, on-street parking in the public right-of-way is outside the scope of site plan review. On-street parking does not count toward minimum vehicle parking requirements or against maximum vehicle parking allowances.

The total impervious surface coverage is at 70 percent of the lot, right at the maximum limit in the UDO, but still compliant.

The proposed building has a floor plate, essential how much ground the building covers, of approximately 24,138 square feet. The use-specific standards in the UDO for student housing or dormitory have a maximum building floor plate in the MS district of 10,000 square feet. However, there is no maximum building floor plate for petitions that earn both the affordable housing and sustainable development incentives, and the petition is utilizing both incentives.

For the affordable housing incentives, the petitioner is not proposing to provide any permanently income-restricted dwelling units on site. Instead, they will make a payment-in-lieu to the City of Bloomington Housing Development Fund, which is an option authorized by the UDO. The final payment amount is not yet determined, but it will be based on a per-bedroom cost estimate multiplied by 15 percent of the total number of bedrooms in the project. For the 135 bedrooms proposed for this project, the payment will be based on the cost estimate for 21 eligible bedrooms. The per-bedroom cost estimate is anticipated to be around \$20,000, for a total payment around \$420,000.

For the sustainable development incentives, the petitioner is pursuing Silver Certification from the National Green Building Standard (NGBS) Green Certified rating system. The petition executed a contract with SK Collaborative, LLC, an NGBS verifier, on August 22 to verify attainment of NGBS certification. The petitioner has submitted a preliminary score card, included in your packet for this case. The preliminary score card shows that the project is on track to achieve Silver Certification.

The petitioner is not utilizing any of the potential height bonuses from the incentives. The maximum allowed height in the MS district is six stories without incentives, and the proposed building is six stories tall.

For the building design, the proposed building exterior is a composition of distinct facade areas, distinguished from each other by materials, height and roof form, and outward projection or inward

recess, while sharing patterns that unite the areas across all sides of the building. The lower floors are characterized by exterior finish materials evoking masonry including stone veneer, two types of brick veneer, and split-face concrete blocks. The upper floors are characterized by exterior finish materials including five types of fiber cement siding and metal panels, and feature patterns of residential windows, balconies, and metal railings. The proposed building design complies with the UDO standards for materials, facade design, patterns, eaves and roofs, 360-degree architecture, windows and street addresses.

The UDO requires a primary pedestrian entry incorporating specified architectural details for the facade facing Dunn Street. The pedestrian entry on Dunn Street is prominently identified by a slightly projecting first-story facade module, a metal canopy, a large display of the building address number, an outdoor terrace above the entrance, and an overhanging canopy roof over the corner, among other architectural details.

Moving inside the building, parking is proposed for three levels of the building, 39 spaces in the basement accessed by a ramp from the drive on 19th Street, 36 spaces on the first floor accessed by another ramp directly aligned with the drive on 19th Street, and 38 spaces on the second floor, accessed by a ramp from the drive on Grant Street, for a total of 113 vehicle parking spaces. This includes five accessible parking spaces, as required by the Americans with Disabilities Act (ADA) and the UDO.

The maximum vehicle parking allowance for the student housing or dormitory use is three quarters of a space per bedroom. For the proposed 135 bedrooms, up to 101 parking spaces can be allowed. Based on the gross square footage of the nonresidential uses, up to eight parking spaces are allowed for the office space and up to nine parking spaces are allowed for the retail space. All three uses together have a maximum vehicle parking allowance of 118 parking spaces, more than the 113 spaces provided.

Five of the parking spaces on the second floor are outfitted with standard electric vehicle charging stations, as required by the UDO. These are marked in the southeast corner. The plans shows parking for 32 bicycles, including 11 hoops providing 22 long-term class I spaces in a bike room and five hoops providing ten short-term class II spaces outside near the corner of 19th and Dunn. The residential use requires at least 27 spaces, and the nonresidential use requires another six spaces, for a total requirement of 33 bicycle parking spaces. They are overall one space short. The 27 bicycle parking spaces for the residential use have to include at least seven long-term class I spaces and at least 14 covered short-term class II spaces. The 22 spaces in the bike room are more than enough for the long-term bicycle parking. The ten spaces outside are not quite enough to meet the requirement for 14 short-term class II spaces. Also, they are shown as partially covered by an overhanging canopy above the second floor, but only partially covered. So they do not qualify as covered spaces. For the nonresidential use, retail and office spaces, there need to be at least six spaces, all of which have to be covered short-term class II spaces. The ten outdoor spaces are not enough to meet the requirements for the residential and nonresidential uses, and are not covered. Staff has recommended a condition requiring fully compliant bicycle parking.

For landscaping, the proposed plan provides four new street trees on Dunn, eight new street trees on 19th, and three new street trees on Grant, as required. Interior trees are provided on the south side of the building including three large canopy trees, two evergreen trees, and two small canopy trees, exceeding the minimum requirements. At least eight shrubs are required, and the plan is providing twice that, 16 shrubs, distributed near the pedestrian entrances to the building.

In conclusion, the petition complies with all requirements of the Unified Development Ordinance, once the recommended conditions are met.

The proposed development will provide a net increase in housing in a location that fulfills the Comprehensive Plan's description of where student-oriented housing is most appropriate: specifically, areas away from downtown, within easy walking distance to the IU campus, already containing a relatively high percentage of student-oriented housing, and with direct access to university-provided parking and the university transit system.

The development will also provide space for small-scale neighborhood-serving retail consistent with the character of the neighborhood.

The development's commitment to sustainable design, as demonstrated by the NGBS Green Certified rating system, will assist Bloomington's efforts for climate change mitigation.

And the petition will support housing affordability both indirectly, by increasing the overall supply of housing in the community, and directly, by making a substantial payment into the City of Bloomington Housing Development Fund.

The Planning and Transportation Department recommends that the Plan Commission adopt the proposed findings and approve SP-38-22 with the following conditions:

1. The petitioner must obtain a grading permit before land disturbing activity.
2. Revised building plans and site plan complying with all UDO requirements for bicycle parking, including providing at least seven long-term class I spaces, at least 20 fully covered short-term class II spaces, and at least 33 spaces in total, must be submitted and approved prior to issuance of a grading permit.
3. A lighting and photometric plan that meets all UDO requirements must be submitted and approved prior to issuance of a grading permit.
4. Architectural and electrical plans that verify compliance with UDO requirements for solar ready building design must be submitted and approved prior to issuance of a certificate of zoning compliance for a building permit.
5. The petitioner must record a pedestrian access easement for all portions of public sidewalk on private property out of the public right-of-way prior to issuance of final occupancy.
6. The petition must make an agreement with the City establishing the amount of a payment in-lieu for affordable housing and must complete payment prior to issuance of final occupancy.
7. This site plan review does not approve signage. A sign permit will need to be applied for.

PETITION REPRESENTATIVE:

Ryan Strauser with Strauser Construction, is representing the petitioner University Properties, is available to answer any questions.

COMMISSION COMMENTS:

Kinzie asked staff if the level of national green building standards was an appropriate level of commitment to sustainability. Wants to know if we are striving for the best sustainability certification available. Scanlan said while updating the UDO they looked to the Environmental Commission for guidance about what makes most sense and how to utilize. At this point they are confident with what is being presented now. Kinzie asked for clarification regarding access, there is no access from Dunn Street and access is only from 19th Street, concerned about 420 on building facing Dunn Street rather

than 19th Street. Holbrow said that the address is 420 E 19th Street, so that placement of the numbers may not be the best placement. Kinzie would like for the numbers to be representative of where the entrance is, does not want people to think that drop-offs and pick-ups can be done on Dunn Street. Holbrow noted the UDO requires an entrance on Dunn Street, but the main point of entry for residents and visitors would be on 19th Street. Strauser noted there are two faces to this building, one on Dunn Street, for the retail entrance, and the other on 19th Street for the residence entrance. With further design they will integrate signage that will note these entrances properly. Kinzie wanted to voice concern about drop-off and pick-ups for these large buildings, which happen more frequently just by the nature of their density.

Cockerham asked how the height of this building compares to the height of the building just to the north. Strauser said both buildings have six levels so they are within a couple feet of each other in height. Cockerham asked Scanlan and Holbrow what the not to exceed code height is set at. Holbrow said the code height is six stores not to exceed 70'. Cockerham's next question was about payment-in-lieu of affordable housing, how is the formula figured. Scanlan said it was determined in conjunction with the HAND Department and Economic and Sustainability Development Department. The Administrative Manual says the calculations may use or be based upon one or more of the following methods: The Housing and Urban Development annual rents based on area medium income and then they usually do rental rates per unit or per bedroom and other items. Administrative Manual says rates will be reviewed every year but these rates have been effect since 2019. It has been the current rate of twenty thousand a bed since it was enacted. Cockerham asked if this was something the developer offered, or was it something that is required as part of the incentives. Scanlan said it is up to the developer which of the incentives they would like to do. Cockerham said the final payment is yet to be determine, asked how that is determined. Scanlan noted that the number is based on the current Administrative Manual, it was noted that way in case the manual was updated before this project begins. Cockerham asked the developer if the retail space was going to be out to lease. Strauser said they are planning to put the space out to lease, the office space will be used by University Properties as their leasing office.

Kinzie asked about sidewalks, she understands from the description that some of the sidewalk accommodations need to be made to connect private sidewalks or private property, so will the sidewalks be continuous on Dunn Street. Holbrow confirmed the sidewalk would be continuous.

Wisler said it looks like there is a portion of the sidewalk that bends into the property, is that where the entrance to the building is, the renderings on the northeast corner it looks as if there are separate sidewalks, one sidewalk and another paved path into the main entrance of the building, which is accurate. Holbrow noted that the submitted site plan does not match the renderings. Strauser said the renderings were done before the drawings had been completed and adjustments had to be made to make the connection from the north. Wisler asked if there is still outdoor seating space as depicted in the rendering. Strauser said there is still outdoor seating, but adjustments will have to be made to accommodate the sidewalk changes. Jason Barisano wanted to confirm when it comes to sidewalks and drives the site plan are the most accurate, the renderings are not representative of the final site plan. Strauser noted the intention is before filing for grading permit to have the outdoor space worked out on Dunn Street.

Cibor asked what the box next to the driveway on 19th Street is, it is above or below ground. Strauser said it is the top of the Fire Department vault, it is where the fire line comes in and a Fire Department connection and it should not be a box that is above ground. This would not be blocking the view of those entering the parking garage. Cibor also asked about the size of the parking spaces in the garage, doesn't think the parking spaces are dimensioned on the site plan. Curious what the size of

those spaces are and what the implications are of putting in EV (electrical vehicle) charger and how that will potentially make those spots even more constrained. Barisano said the drive width is 24' and the parking spaces are 9'x18'. Cibor wanted clarification on the space needed for the EV charger at the front of the stall. Strauser said the stalls are 2' longer than what is required by UDO which provide plenty of space. The other idea they are tossing around is looking at trying to align the EV charger in line with the column grid so could be mounted on the column and not necessarily at the front of the vehicle.

Smith asked about the width of the building, would like additional information about the egress. Strauser said the overall length of the building is 88' wide and the building has two stair cases and two elevators at opposite ends of the building, about 30' from each end of the building. Which is in line with the International building Code and FDA fire codes.

PUBLIC COMMENTS: None

ADDITIONAL COMMISSION COMMENTS:

Kinzie motioned to approved petition SP-38-22 with the seven conditions outlined in the staff report. Smith seconded the motion.

Kinzie had comments regarding the point she was making earlier about her concern of drop-offs and pick-ups and if there is any way in the signage and signaling for this to happen on 19th Street or Grant Street, not Dunn Street for safety reasons. She is pleased to see the continuous sidewalks, again for safety reasons.

Wisler would like to echo Kinzie sentiments. Feels that addressing the pedestrian entrance on Dunn Street, particularly at the retail space. It does create some confusion for major ride sharing and delivery services to designate drop-off and pick-up points within their apps would be helpful, would like to see a condition of approval in the future be that a designated point so the traffic flow can be more controlled. Would find it helpful if renderings are consistent with the site plan.

Cibor wanted to follow up on the discussion of pick-up and drop-offs. His perspective, the city has so many different boards and commissions with different responsibilities, and thinking specifically about transportation, this topic is something that ultimately is a Title 15 topic that City Council would weight in. Believes this would be best suited for discussion in our current Parking Commission, where there are tools to regulate how quickly spaces may turn over or potentially designate loading space for short-term parking for long-term resident permits. Thinks the Administration and staff and other Commissions should be looking at in more detail.

****Kinzie motioned to approve petition SP-38-22 with the seven conditions outlined in the staff report. Smith seconded the motion. Motion carried by roll call vote 9:0 - Approved.**

Meeting adjourned at 6:45 p.m.