
Plan Commission minutes are transcribed in a summarized manner. Recordings are available in the Planning and Transportation Department for reference. DVDs are also available for viewing in the Audio-visual (CATS) Department (phone (812) 349-3111 or E-mail address: moneill@monroe.lib.in.us) of the Monroe County Public Library, 303 E Kirkwood Ave.

The City of Bloomington Plan Commission (PLAN COMMISSION) met on December 14, 2020 at 5:30 p.m. via a virtual (Zoom) meeting due to COVID-19. Members present: Flavia Burrell, Beth Cate, Chris Cockerham, Israel Herrera, Jillian Kinzie, Neil Kopper, Susan Sandberg, Karin St. John, and Brad Wisler.

APPROVAL OF MINUTES: October 2020

****Sandberg motioned to approve October 2020 minutes. Kinzie seconded motion. Motion carried by voice vote 8:0. Cate was absent for vote.****

REPORTS, RESOLUTIONS AND COMMUNICATIONS:

- Appoint Hearing Officer – Karina Pazos has volunteered to serve as Hearing Office Alternate

****Sandberg motioned to nominate Karina Pazos. Kinzie seconded motion. Motion carried by roll call vote 8:0. Cate was absent for vote.****

- Sign Fee Amendment – Mike Rouker, spoke about extending the sign fee waiver through August 6, 2021.

****St. John motioned to extend sign fee waiver through August 6, 2021. Sandberg seconded the motion. Motion carried by roll call vote 8:0. Cate absent for vote.**

PETITIONS:

PUD-17-20 McDoel Business Center, LLC
300 W. Hillside Drive
Request: Amendment to the preliminary plan and district ordinance for the Thompson PUD to allow 88 multi-family dwelling units and 21 single-family lots on Parcel E.
Case Manager: Eric Greulich

Cockerham has recused himself from the discussion on PUD-17-20.

CHANGES SINCE FIRST HEARING: At the first hearing the petitioner proposed a site plan that featured a mix of multi-family residences with 88 dwelling units and 21 single family lots. The Plan Commission expressed a desire for more dwelling units on the property and urged the petitioner to pursue a site plan with more units and less single family residences. The petitioner revised the proposed site plan to remove the single family residences and is instead proposing 4 townhome buildings with a total of 19 units in the townhome buildings. In addition, the petitioner did not have full renderings for any of the proposed buildings at the first hearing. These renderings have now been prepared and submitted.

REPORT: The site is located at 300 E. Hillside Drive and is zoned Planned Unit Development (Thomson PUD). The petition site is at the east end of the Hillside Drive stub and includes a 2.85 acre property on the north side of Hillside Drive and a 0.85 acre property on the south side of Hillside Drive. Surrounding

zoning includes the Thomson PUD to the north and south, Residential Small Lot (R3) to the west, and Mixed Use Institutional (MI) to the east. The surrounding properties have been developed with a mix of single family residences to the west, a storage warehouse to the north, Crosley Warehouse (community center) to the south, and the Switchyard Park to the east. This site has been developed with a 150,000 square foot warehouse that has a property line about 2/3 through the warehouse and a surface parking lot. The northern 1/3 of the warehouse, which is owned separately and contains Storage Express, is not part of this petition.

The petitioner is proposing to remove the southern 2/3 of the warehouse and redevelop the property north of Hillside Drive with several buildings, including a four-story, mixed-use building with 5,000 square feet of commercial space, 18 internal parking spaces, and 30 units; a five-story, mixed-use building with 2,000 square feet of commercial space, 16 internal parking spaces, and 32 units; and 4, three-story owner-occupied townhome buildings with a total of 19 units. A surface parking lot behind the units with 60 parking spaces would span all of the development north of Hillside Drive to be used by the residents. The property to the south of Hillside Drive would feature a five-story, multi-family building with 42 units and 90 internal parking spaces. The bottom two floors of the building south of Hillside Drive would be entirely parking. A 5' wide tree plot and 5' wide sidewalk from this site to Rogers Street has been shown along the north side of Hillside Drive. No sidewalk or tree plot on the south side of Rogers Street has been shown yet. The petitioner has committed that the mixed-use and multi-family buildings will be LEED silver certified. The townhome buildings will also be built to a comparable requirement. Each building will have a minimum of 15% of the units set aside for affordable housing as required by the UDO.

One of the main continuing areas for discussion with this petition has been the desired housing type, density, and building design along the Switchyard Park. Last year, at the request of the Administration, a conceptual design for the redevelopment of two large areas adjacent to Switchyard Park was envisioned by the design consultant of Switchyard Park. One of the two areas in the study was this location. The other location in that study is the area where Night Moves was located and Meineke currently exists on S. Walnut Street. The desire of the Administration was to explore redevelopment opportunities of these important properties. The study aimed to provide a guide for appropriate development that would place as many eyes as possible on the trail for security, provide optimal utilization of a public open space and park, add housing stock to the community, and provide high quality development along a major open space and trail system reflective of the City's substantial investment in the Park. The Consultant's design showed four story buildings along the entire frontage of the park with the 4th floors stepped back. The design also showed buildings directly facing the trail. A commercial component along the ground floor of the buildings is also desired to provide services to the residents, neighborhood, and trail users. The plan scaled back to two stories closer to the neighborhood to the west with a parking area along the back for further separation from the neighborhood. Although that study and conceptual design was an internal request and not a publicly approved document, it showed a design that complimented the Switchyard Park and its purpose was to envision a development that placed an appropriate design and density along the Park.

The petitioner's redesigned site plan more closely matches that document and desire to place more units along the Switchyard Park. The location of this property directly on the Switchyard Park creates an important need for architecture and interaction along the facades facing the Park and the Department feels that possible additional improvements can be made to the townhome buildings to improve the look of them along the Park façade.

CONCLUSION: The Department has concerns regarding the current design of the petition, specifically the sections of the townhomes facing the Switchyard Park and the ground floor of the building on the south side of Hillside Drive. The Department has reiterated multiple times the need for improvement to

the rules for the interface of buildings at this location, adjacent to the B-Line. The facades facing the trail should look like front entrances, not after thoughts, as we have seen done successfully in other development along the B-Line. While there have been substantial improvements made to the petition since the previous hearing, some additional work is needed to improve the buildings as noted before making a recommendation to the Council. In addition, design standards must be included in the district ordinance to govern setbacks, building materials, and building design.

RECOMMENDATION: The Planning and Transportation Department recommends that the Plan Commission forward this petition to the January 11, 2021 hearing.

PETITION REPRESENTATIVE COMMENTS: Doug Bruce, petition representative, wants to make an amendment to PUD for land use for residential and commercial. Mr. Bruce reviewed how this project has evolved since 2015. After the August 2020 Plan Commission meeting petitioner tried to make a bigger buffer yard, listened to City Fire and Planning about not going under the building so changed plan to go around the building. Since the city wanted to see more density in this area they have replaced single family homes with townhomes. Willing to work with Plan Commission to tweak the project so the townhome doors are facing the B-Line. Jeff Fanyo, Bynum Fanyo and Associates, what they are trying to achieve on this lot is to get the land use approval during tonight's meeting.

COMMISSIONERS COMMENTS:

Kinzie asked for staff to elaborate on what the process will be for reviewing the site plan, should they do what the petitioner is asking, seeking the amendment of the land use. Scanlan said this is a request for rezone and for that alone at this time, but when given the extra details that were given by the petitioner we will look at detailing some of the basic development standards, this is not marrying them to a design at this time.

Cate has a question for the petitioner, how do they plan to proceed at this point? Doug Bruce, narrative in packet is how to make this site work. If there is an issue with townhomes not facing the B-Line then petitioner feels they can meet the request of Planning to have townhomes facing the B-Line. Wisler asked if petitioner was suggesting the Thompson PUD amendment zoning rules would be sufficient as stand in as the development standards, Mr. Bruce said yes, those described on the drawings and the narrative describes the materials to be used. Wisler asked staff to follow up on what would be sufficient to add to the development standards. Greulich replied the petitioner has outlined zoning district standards for some of the parcels, but our concern is can they meet those standards. Wants to make sure the standards are nailed down and it is going to translate to a site plan that can actually work.

Sandberg has procedural question, after this request has made it through this commission then the next step is to go to the Council and then Land Use Committee. Eric said yes, if this request makes it to Council then they will most likely send it to the Land Use Committee for review. Sandberg, is it possible for changes to be made at the Land Use Committee level, Greulich said that yes that could happen but tries to get away from that, Planning staff likes to see a final review before it goes to Council. Wants to make sure that the Planning staff and Council have the same information to review. Sandberg asked about Land Use Committee and do they require to hearings, Greulich said it depends on the project, not all require two hearings. Scanlan said the code requires that the development standards are clear, this project is not at this time.

Burrell asked can the amendment move forward with conditions, instead of waiting for new drawings. Greulich said yes, conditions can be added to the amendment but he is hesitate to give recommendations until all standards have been "nailed" down. Burrell asked if Planning could make it very clear what the areas of concern are for the front of the townhouses. Greulich said their concern is

what is facing the B-Line is the side of the building, no defined entrance facing the B-Line. Scanlan noted Planning asked for front doors along the B-Line, not what they have with these drawings.

St. John asked Planning staff if they are looking for renderings rather than just the narrative in the packet. Greulich replied if the district standards were very clear then they would be fine with just the narrative. But they would prefer to have a rendering to supplement the narrative to make it clear that the standards are being clearly met. New renderings and standards should be submitted by the petitioner to ensure they have what Planning wants to accomplish with this design, with a new narrative that reflects the changes. St. John ask Mr. Bruce if they were willing to make changes. Greulich said Planning would like to see changes to the garage, looking for better entry. Mr. Bruce said that there couldn't be a better entry from the garage to the B-Line, but they could better define the entry on Hillside.

Sandberg asked do the standards that are being asked of the petitioners have to be balconies or doorways, or could it be detailed landscaping. Greulich said he is looking for features that are facing the B-Line trail, patio would be fine, looking for design that has more eyes on the trail.

Cate is asking about next step, if petitioner is going to be making changes, she is looking for more specific information from the petitioner. Scanlan would send them the standard form with the requested changes that have been identified, if the petitioners work with Greulich on these changes this process should move along fairly quickly. Cate asked about any security issues with having fronts of townhomes right on the trail. Greulich felt the petitioners should address this question. Bruce said larger apartment building would have keyed access, the townhomes original design was to face each other, offers a little more security than if they were facing the B-Line. There needs to be a balance between security and aesthetics.

Kinzie wanted to clarify the development standards, where there is no conflict or they want to see renderings that better illustrate what the design expectations are for this project, is it either/or for the petitioner or do we want both. Scanlan said from the beginning it has been either/or, but since they have already given us the detailed renders, which has been helpful, and we want to ensure that the project is built under the rules.

Herrera asked before this reaches the Council the expectation is to have the new standards and renderings. Scanlan said they would like to have the new standards and renderings/drawings for the January Plan Commission meeting for review before it goes to Council.

PUBLIC COMMENTS: No public comments.

FINAL COMMISSIONERS COMMENTS:

Herrera said he agrees with Cate's request to add what is expected before the January 11, 2021 meeting.

St. John suggested the petitioner supply new renderings and clarify what the petitioners called the Thompson planned unit development (PUD) amendments zoning rules and we would get back both of these.

Burrell wants to make sure, as a group, we understand when petitioner comes back it is not a final planning decision, what we are deciding here is just the land use. The reason we are in this predicament is because they went way beyond what was expected and provided the renderings. What we need to know is what standard these buildings are going to provide. The final approval for the preliminary plans will be done at a different meeting. Wanted to remind the commissioners that we are doing an

amendment to a PUD, it is just a land use that we are amending. It is clear what the intent of the buildings are, Eric and the petitioners can work that out, this is all we need, correct. Scanlan, yes and no, yes it is a rezone 100%, but since it is a PUD and we can work with them on goals for the PUD, one being a positive interface with the B-Line, the development standards submitted don't meet those goals. And need to see the change to meet those goals.

Kinzie because of the location we need to be clear on what is needed for this property, wanting to be as clear as possible.

Sandberg, it is unfortunate that there have been miscommunications from the beginning. This is going to provide good housing options on along the B-Line trail.

Cate, to clarify the motion, the two things are for them to come back with are the entrances to the townhomes and parking at south building. Are there any other things that needs future attention before the next Plan Commission meeting? Greulich replied besides these two major issues there are a few minor issues that need to be addressed. Pedestrian entrances and anti-monotonous standards, materials, just some various holes that need fixed and renderings that match those.

Wisler feels it is disappointing that this goes to the next meeting, but we have to be able to describe what will be provided in words. If this is not clarified before it goes to Council, these it could become design by committee, which is not what we want.

****Kinzie motions to forward petition to January 11, 2021 for a second hearing, Cate seconded the motion. Motion approved by roll call 8:0.****

ZO-23-20 Bill C. Brown Revocable Trust

3100 W Fullerton Pike

Request: Rezone 87 acres from Planned Unit Development (PUD) to Mixed-Use Corridor (MC). Also requested is a waiver from the required second hearing.

Case Manager: Eric Greulich

CHANGES SINCE FIRST HEARING: This petition was heard at the November 9th Plan Commission meeting. At that time the Plan Commission discussed the proposal and expressed concern regarding preserving land for Employment uses. The petitioner mentioned the possibility of restricting possible uses, however no proposal for restricting uses was given to the Department. The petition remains as previously presented with no changes.

REPORT: This 87 acre property is located at the northeast corner of State Road 37 and W. Fullerton Pike. The site is currently undeveloped. This property was zoned Planned Unit Development (PUD) in 1988 (PCD-36-88) largely for industrial uses. The property received a final plan approval for an assisted care living facility in 1997 (PUD-6-97) and a PUD amendment in 1999 (PUD-15-99) to include a nine-hole, Par 3 golf course to the list of approved uses. This site was also evaluated in 2003 and 2004 in association with rezoning requests for the large vacant property to the north (Southern Indiana Medical Park II). No formal approvals for this parcel were sought at that time. A site plan approval (PUD-10-15) was approved in 2015 to allow for some of the topsoil from this site to be removed for the construction of I-69. The portions of the site that contain tree canopy coverage and riparian buffers were set aside in the required easements with the 2015 site plan approval.

The petitioner is requesting to rezone this property from a Planned Unit Development to Mixed-Use Corridor (MC). No development plan is being requested at this time and no conceptual site plan has

been submitted. For reference, on the draft zoning map that has been proposed, this area is proposed to be rezoned to Mixed-Use Employment. While there are some uses within the Mixed-Use Corridor that are also allowed in the Mixed-Use Employment district, there are some specific uses that may or may not be appropriate for this area including big box retail, vehicle fuel station (e.g. truck stop), car washes, vehicle sales, and vehicle repair. Through the map update and text amendment process, the Department is evaluating possible changes to the use list for the Mixed-Use Employment district, however it is unlikely that the uses listed above would be proposed additions.

CONCLUSION: The Department believes that the rezoning of this site to Mixed Use Corridor would not match the Comprehensive Plan designation of the site as Employment. While some of the uses in MC are conducive to employment, many more uses are not and the EM or ME zoning districts are more appropriate for this prominent intersection, and in line with the Comprehensive Plan. In addition, the Department has already proposed to rezone this Planned Unit Development to Mixed Use Employment in the proposed draft zoning map.

RECOMMENDATION: The Department recommends forwarding this petition to the Common Council with a denial recommendation.

PETITION REPRESENTATIVE COMMENTS: Michael Carmin represents the petitioner, petition itself has not changed. Mentioned the idea of mixed zoning (MC and ME), staff is opposed to this idea. Asked why this is not a TIF district. Mentioned it will cost 2.6 million dollars to put in a road in going north/south on the property and there is no developer willing to spend that kind of money on property that has limited use. Pointed out to the board that this land hasn't been developed for 35 years because there is no one willing to develop this site as zoned. Feels only way to change this is to change zoning from ME to MC.

COMMISSIONERS COMMENTS:

Cate asked Mr. Greulich about differences between MC and ME zoning and would road funding make a difference in attracting developers to this site. Greulich said in the ME zoning hotels are listed as a conditional use, and must go through the conditional use process. Restaurants is listed as a permitted use, with limitations. Scanlan explained that it was not the Planning Department who is opposed to the zoning change it is what the comprehensive plan says this site should be used for, wanted to clarify the statement made by Mr. Carmin. Cate asked Mr. Carmin about the uses mentioned as being inconsistent with the destination. Mr. Carmin said it could be nothing, but it could be something, really looking to remove the limitations that are spelled out in ME zoning.

St. John asked Greulich about splitting the site into two zones. Greulich said the comprehensive plan says that this site will be used for ME and by splitting the site then it is no longer following the comprehensive plan. With the split of zoning you don't have a definitive line splitting the zones. Scanlan noted that the plan for this site does not match the comprehensive plan and what the petitioner should have done was petition to amend the comprehensive plan.

Burrell asked if the 87 acres can be subdivided into different parcels with different zones. Greulich said it could be subdivided but the entire property would still be only one zoning district no matter how it is divided. Rezoning to something that doesn't match the comprehensive plan and is the basic problem.

Cate asked if there was any flexibility in the restaurant limitation issues. Greulich replied that these limitations are for each restaurant, there could be more than one restaurant on site.

Cockerham asked for clarification about the TIF district, the history of this not becoming a TIF district. Scanlan said that is a consolidated TIF district with funds being used elsewhere. Cockerham mentioned that the comprehensive plan was developed a couple of years ago during the height of the market, but now the market is different, would like clarification how to address changing a comprehensive plan if the market has changed. Scanlan said a comprehensive plan window is 30 years, the long range planning is tracked by the Planning Department, tracking the bench marks that are set out in the plan to see if it is successful and then they also track real life and how the expectations in the comprehensive plan may need to change, and they could recommend changes to address those issues.

Kinzie noted there was some interest for Economic Development Council (EDC) to weigh in on this, was there any discussion with them. Greulich said the Planning Department didn't get any specific input from EDC between the first hearing and this hearing, but prior to the first hearing they did express their concern about preserving employment uses in locations within the community, they noted the amount land available for employment use is not great and should be preserved for those uses. Mr. Carmin has said he has spoken to EDC, will get back to that after public comment.

Wisler would like to understand what the end game is, why does it make sense to forward to Council with a negative recommendation rather than making changes and then forwarding to Council. Greulich said the petitioner filed the request to rezone the property so Plan Commission has six criteria to evaluate the petition on and submit the proposed findings, petitioner may withdraw the petition and file a new petition for amending the comprehensive plan, or they could include a subdivision request. However the Plan Commission is evaluating this petition that is before them and it is based on the six criteria as specified by the UDO. Scanlan added Planning is in the process of updating the zoning map that will come out in the 1st quarter of 2021 and this property has been recommended for rezoning to ME. Wisler asked Mr. Carmin if he was hoping for the Plan Commission to override the Planning staff's recommendation and send this petition to the Council with a positive recommendation. Mr. Carmin acknowledged that yes his hope is that he can get the Plan Commission to send this case to Council with a positive recommendation. Even without a positive recommendation Mr. Carmin will try and get the Council to approve the request.

Herrera asked why the petitioner did not provide additional information on use restrictions since the last meeting. Mr. Carmin because of the negative staff reaction to restrictions, the petitioner did not provide any additional information to the commission. Scanlan said that such restrictions are hard to administer and believes that some areas need to be set aside for employment uses. Wisler asked could the Council add reasonable conditions at their level, Scanlan says yes based on state law they could add at that level.

PUBLIC COMMENTS:

Clarke Reiner, Business Development Director for Bloomington Economic Development Corporation (BEDC), BEDC supports development flexibility, supports the rezoning that preserves the employment base uses, but adds mixed use flexibility with other uses would be compatible, as part of the overall mixed-use development and which development may be helpful in funding the completion of Fullerton Pike. Leaving this property as ME could leave it dormant for future development.

Dave Askins is looking for clarification if the petition is sent to the Council with a recommendation of denial. If the Council does not act within 90 days then the petition dies, denied based on Plan Commission recommendation. But if the Council decided to take up the petition they could decide differently than the Plan Commission by approving the petition. Scanlan said yes, that is accurate. Askins asked if the Council decided to approve the petition going against the Plan Commissioners recommendations and if Council did approve would the petition then go back to the Plan Commissioners

or would that end things. Mike Rouker clarified if the Council approves the petition it does not come back to the Plan Commission, basically the petition ends with the Council.

FINAL COMMISSIONERS COMMENTS:

Cate wants to understand the choices the Commissioners have regarding this petition. The choices are to forward it on to the Council with a recommendation of denial, forward it on with recommendation to approve with conditions, forward with no recommendation, or forward with a positive recommendation. Scanlon said if the Commissioners decide to forward with a positive recommendation then they need to add some findings since the Planning Department had recommended denial.

Sandberg is in an awkward position since she is also on the Council, asking if have more flexibility would be beneficial since this land has sat vacant for the last 35 years. Hopeful City Council will not just dismiss this petition.

Cockerham asked about the process to create a package with restrictions to present to the Council. Scanlon said that it would be Mr. Carmin and the Planning Department coming to an agreement about what uses they want to restrict and then they would propose a zoning commitment with those restrictions. Cockerham clarified the Planning Department recommendation is to have those discussions before the petition goes to Council. Wisler clarified if the majority of commission wanted to take that route, approval with restrictions, then the best option would be continue this petition to clarify those restrictions with the petitioner. Mr. Carmin would prefer to have the petition sent to Council. Wisler questions Mr. Carmin, you would rather the petition go to the Council with a negative recommendation. Mr. Carmin said no, he would rather work with the Planning staff to identify the acceptable conditions without going back to the Plan Commission for approval.

Sandberg said given what Mr. Carmin said when this goes to the Council, with it going to the Land Use Committee first, those conditions would already be in place for the Council's consideration. Scanlan said that is correct.

Herrera understands if the Plan Commission would forward the petition with a positive recommendation then who would be in charge of writing those recommendations. Planning staff will assist Plan Commission in writing the conditions.

Cate asked for clarification if Mr. Carmin were asked to clarify list with Planning staff, it would not have to come back to the Plan Commission, it could directly go to the Council. Scanlan said for rezone it has to come back to Plan Commission.

Wisler went over the options, petition can be sent on to Council with a negative recommendation, continue to January with a list of exclusions that can be added to the petition or forward on with a positive recommendation.

Kinzie wanted to note there are conditions in the MC and ME of the comprehensive plan that would allow for the development of this property. Concerned about the of use restrictions, wonders why there are conditional uses if we are going to use restrictions as a policy. She has great pause to start to enact new policy when there is the comprehensive plan that has affordances for conditional use and are not trying the conditional uses.

Cate is torn between desired development and what we have and the flexibility to make this work. Cate motions to continue the petition. Wisler clarified that only option is to continue the petition, doesn't

believed the Council will approve a petition with a negative recommendation. St. John seconded the motion.

Herrera asked if the recommendation was to continue petition until the January meeting. Wisler affirmed that is the recommendation to gather information on the restrictions that Mr. Carmin is willing to accept. Mr. Carmin is willing to work with staff to come up restrictions.

Sandberg is willing to work with Mr. Carmin, supporting the motion.

St. John supports the motion, encourages Mr. Carmin to work with the staff to come up with the restriction needed to move this petition forward.

Kopper has concerns and will be voting no on the motion.

Cockerham supports looking at additional uses for this property.

Kinzie respects that the world has changed, really feels that adding restrictions is not the way to go as a policy. Would like to see some real employment consideration given. It concerns her to move forward with a continuation but is willing to give it a try.

Cate encourages discussion with Mr. Carmin and staff to see if the petition can be approved with the use of conditions rather using restrictions.

Wisler will support the continuation of the petition, but it is not the end of the issue. The world has changed and we need to take a really good look at these zones and comprehensive plan. We will probably never get another company like Cook and we need to adjust our policy to reflect those changes. Big companies with lots of employees is in the past and we need change our policy to reflect those changes.

****Cate motions to forward petition to January 11, 2021 for a third hearing, St. John seconded the motion. Motion approved by roll call _____.****

Lost CATS connection during vote

ZO-25-20 Bill C Brown – Trustee
300 S State Road 446
Request: Rezone
Cast Manager: Ryan Robling

REPORT: The 10.0097 acre property is located at the southwest corner of E. 3rd St. and State Road 446. The properties are currently zoned (PUD) Planned Unit Development; a majority of the site is within PUD 70 (Century Village) which was originally approved in 1975 as PCD-10-75. The remainder of the site is within PUD 21 (Baker/Stephens). The developed portions of the PUDs (Lots 1, 2, 3, and 5, as well as Century Suites Phase I-A, and Phase I-B) are not included in this petition. The excluded portions will remain within PUD 70 and PUD 21. The properties to the north across E. 3rd Street are zoned MC and are currently developed with mixture of commercial and multifamily dwelling units and are home to Summerhouse. The properties to the south are zoned RM and PUD and have both been developed with multifamily dwelling units. The properties to the west are zoned PUD and have been developed with a multitenant center and restaurant. The adjacent properties to the east are zoned within PUD 70 and have

been developed with a communication tower, hotel, and offices. The property fronts along E. 3rd St and S. SR 446.

The petitioner is requesting to rezone the property from PUD to (MC) Mixed-Use Corridor. No development plan is being requested at this time. The properties being proposed to be rezoned are largely undeveloped with the exception of two surface level parking areas. Roughly 5 acres of the current Century Village PUD have been excluded from the proposed rezone and will remain a PUD. The proposed rezone would allow for all uses allowed in the MC district to be used on the site.

A conceptual site plan has been submitted with the petition, but is representative and seeks to show what a potential development would look like once the area is rezoned. While the petitioner has a conceptual site plan, any uses allowed in the MC district would be allowed on the site. Any future developments that met the threshold for a major site plan review would be required to undergo further Plan Commission review. The current conceptual site plan shows a potential development which features four multifamily buildings with a mixture of 1 and 2 bedroom units proposed, for a total of 164 units. Ground floor non-residential units are shown along E. 3rd St. the conceptual site plan also shows a planned 32,000 square foot self-storage building at the southern end of the site. All of the uses shown in the conceptual plan are allowed in the MC district.

CONCLUSION: The Department promotes rezoning properties which have been largely undeveloped since 1975. The Comprehensive Plan gives guidance which supports a mixture of uses along major corridors in the city. The Mixed-Use Corridor (MC) district allows for a variety of commercial and residential uses. The petition site fronts along two major corridors (E. 3rd St. and S. SR 446), allowing excellent access possibilities for future development. Allowing additional uses, particularly multifamily residential, would allow a site along a heavily traveled portion of the city to be developed in line with the Comprehensive Plan's long term goals of the City.

RECOMMENDATION: Based on the findings the Department recommends forwarding this petition to the Common Council with a positive recommendation, and waiving the required second hearing, with the following condition:

1. A Tree Preservation Easement shall be confirmed by survey and recorded in the Monroe County Recorder's Office as a recordable commitment, and the easement will be in compliance with Unified Development Ordinance easement standards, including but not limited to signage.

PETITIONER REPRESENTATIVE COMMENTS:

Mr. Carmin wanted to clarify that they are looking to rezone the entire PUD with a couple of carve outs. This PUD is one of the PUD's that is on the staff's list for rezoning. The radio tower and lot for the radio transmissions is the carve out as noted, is problematic if zoned MC.

COMMISSIONERS COMMENTS:

Kinzie asked staff if they have any concerns about the radio tower being left out. Ryan Robling says staff has no issues with this being left out.

Cate wanted to follow up for clarification, because the lots were not included in this petition the radio tower status will not change. Robling says those two lots will not change, they are excluded from the petition.

PUBLIC COMMENTS: No public comments

****Sandberg motions to approve petition with, one condition included in staff packet, St John seconded the motion. Motion approved by roll call 9:0.****