

CITY OF BLOOMINGTON



PLAN COMMISSION

October 9, 2023 5:30 p.m.
Council Chambers, Room #115
Hybrid Zoom Link:

<https://bloomington.zoom.us/j/82362340978?pwd=ZnExeVNaSUNGVGdZQTJHNjBBb3M0UT09>

Meeting ID: 823 6234 0978 Passcode: 622209

CITY OF BLOOMINGTON**PLAN COMMISSION (Hybrid Meeting)****❖City Council Chambers, 401 N Morton Street Bloomington – Room #115****October 9, 2023 at 5:30 p.m.****❖Virtual Link:**

<https://bloomington.zoom.us/j/82362340978?pwd=ZnExeVNaSUNGVGdZQTJHNjBBb3M0UT09>

Meeting ID: 823 6234 0978 Passcode: 622209**Petition Map: <https://arcg.is/1eX4v00>**

ROLL CALL**MINUTES TO BE APPROVED:** September 11, 2023**REPORTS, RESOLUTIONS AND COMMUNICATIONS:****PETITIONS TABLED:**

SP-24-22 Cutters Kirkwood 123 LLC
115 E Kirkwood Ave
Parcel: 53-05-33-310-062.000-005
Request: Major site plan approval to construct a 4-story building with 3 floors of residential units over a ground floor parking garage and retail space in the MD-CS zoning district. The upper floors will consist of 15 dwelling units for a total of 38 beds. Case Manager: Karina Pazos

CONSENT AGENDA:

SP-38-22 Strauser Construction Co., Inc.
420 E. 19th Street
Request: Petitioner is requesting a one-year extension of the major site plan granted under SP-38-22 on September 23, 2022.
Case Manager: Gabriel Holbrow

****Next Meeting November 6, 2023****Last Updated: 10/6/2023**

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Please call [812-349-3429](tel:812-349-3429) or e-mail human.rights@bloomington.in.gov.

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PETITIONS:**ZO-34-23****City of Bloomington Planning and Transportation – Continued from September Text Amendment**Request: Text amendment related to Sign Standards and request for waiver of second hearing. Case Manager: Jackie Scanlan***Next Meeting November 6, 2023***Last Updated: 10/6/2023**

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**BLOOMINGTON PLAN COMMISSION
STAFF REPORT
Location: 420 East 19th Street**

**CASE #: SP-38-22
DATE: October 9, 2023**

PETITIONER: Strauser Construction Co., Inc
453 South Clarizz Boulevard
Bloomington, IN

CONSULTANT: Smith Design Group
1505 West Arlington Road
Bloomington, IN

REQUEST: The petitioner is requesting an extension of the site plan approval granted under case #SP-38-22 on September 12, 2022.

BACKGROUND:

Area:	0.88 acres
Current Zoning: Comprehensive Plan Designation:	Mixed-Use Student Housing (MS) Neighborhood Residential
Existing Land Use:	Multifamily dwelling and Single-family dwelling
Proposed Land Use:	Student housing or dormitory, Office, and Small retail sales
Surrounding Uses:	North – Student housing or dormitory and Small retail sales South – Multifamily dwelling and Student housing or dormitory East – Stadium West – Student housing or dormitory

REPORT: The site comprises four parcels on the south side of East 19th Street from North Grant Street on the west to North Dunn Street on the east. The site is currently zoned Mixed-Use Student Housing (MS). Properties to the north, south, and west are also zoned MS. The property to the east across Dunn Street is zoned Mixed-Use Institutional (MI). The four existing parcels which compose the site most recently had two multifamily dwelling structures with thirty bedrooms combined and two single-family dwellings. The existing structures were demolished in 2023.

The Plan Commission approved this site plan on September 12, 2022 to redevelop the site with a six-story, 24,138-square-foot mixed-use building, including 2,380 square feet of retail space, 2,465 square feet of office space, and 75 dwelling units with a total of 135 bedrooms.

The petitioner is requesting an extension of the original site plan approval given. The petitioner has stated that there has been unforeseen delay in the stormwater review process.

There have been changes to the UDO since the site plan approval which would increase the number of street trees required on adjacent streets. The approved landscape plan remains compliant with the UDO in effect at the time of the original site plan approval. There have been no other changes to the UDO which create any new nonconformities in the proposed plan.

The UDO states that the approval of a major site plan shall be effective for a maximum period of one year unless, upon petition by the developer, the Plan Commission grants an extension pursuant to Section 20.06.040(h)(1). That section allows for the decision-making body to grant an extension

of up to one year, following a written request that explains reasonable cause for such extension, prior to the expiration date. The final approval authority shall determine whether or not there is reasonable cause for the requested extension.

CONCLUSION: The extension of the site plan approval is reasonable.

RECOMMENDATION: The Department recommends the Plan Commission approve the request for extension of the site plan approval with the following condition:

1. The approval granted on September 12, 2022 shall be effective continuously from the original approval date through September 11, 2024.



September 7, 2023

City of Bloomington Plan Commission
City of Bloomington Planning & Transportation Department
 Showers Building Suite 130
 401 N. Morton Street
 Bloomington, IN 47404

Project: **420 E. 19th - Touchdown Terrace South**
 420 E. 19th Street
 Bloomington, Indiana

CASE #: **SP-38-22**

Applicant: **Ryan M. Strauser**
 Strauser Construction Co., Inc.
 Strauser Design + Build, LLC
 453 S. Clarizz Blvd.
 Bloomington, IN 47401

Owner: **University Properties**
 2015 N. Dunn Street
 Bloomington, IN 47408

Dear Members of the Plan Commission and City Planning & Transportation Department,

Strauser Design + Build, LLC on behalf of the property Owner is submitting this petition for an extension of time for the previously approved site plan approval for the mixed-use project located at 420 E. 19th Street. The project consists of a multi-level building with retail and parking on Levels 1 & 2, with apartment units on Levels 3-6.

Our project team is requesting this extension of time due to delays in the development process over the last several months since the September 2022 approval. During the time period following approval the design team and Owner have worked to complete all required detailed design and submitted application for the required grading permit. The team then coordinated over the last 10 months with City of Bloomington Planning staff, City of Bloomington Engineering and City of Bloomington Utilities to provide a design that meets all the objectives of the City UDO and CBU requirements.

Over the last few months, there have been numerous revisions to utility plans for the project, along with an unforeseen delay in the stormwater review process. At this point the project has moved to a point of just requiring CBU approval to release permits as the design team currently believes all other project requested revisions have been cleared.

Based upon this continuous work towards a project design that meets City requirements and initial application months ago, we would like to request an extension of time of 1 year for this previously granted approval. Thank you for your consideration.

Sincerely,

Ryan M. Strauser

Ryan M. Strauser
 RA, AIA, LEED AP

Case # ZO-34-23 Memo

To: Bloomington Plan Commission

From: Jackie Scanlan, AICP Development Services Manager

Date: October 6, 2023

RE: Text Amendments to the Unified Development Ordinance Amendments Related to Sign Standards

UPDATE SINCE SEPTEMBER HEARING: The Plan Commission continued the petition from the September hearing so that targeted outreach to interested parties could be undertaken by the Planning and Transportation Department. The Department reached out to Downtown Bloomington, Inc., Bloomington Chamber of Commerce, Bloomington Economic Development Corporation, and the Monroe County Apartment Association. Information was also shared directly with the legal representative for Lamar Advertising.

SEPTEMBER REPORT:

The Planning and Transportation Department is proposing a text amendment to the Unified Development Ordinance (UDO), Title 20 of the Bloomington Municipal Code (BMC), related to eliminating certain existing signs and affirmatively requiring their removal no later than January 1, 2031.

The Planning and Transportation Department has prepared a proposed text amendment to the UDO to effectuate the change through the addition of a new subsection to the UDO's sign regulations, which are codified at BMC § 20.04.100.

The Petition is as follows:

1. ZO-34-23 | UDO Chapter 4, Development Standards & Incentives 20.04.100(g)

ZO-34-23 UDO Chapter 4, Development Standards & Incentives: 20.04.100(g)

The Department, in conjunction with the Legal Department, has prepared a text amendment that will require the removal of certain off-site and on-site freestanding signs over a three year period beginning in five years. The Planning and Transportation Department previously did annual surveys of all existing 'billboards' in Bloomington. The last survey was completed in 2014 and documented 47 billboard locations, with many containing more than one sign face. Some of those billboards have since been removed, but the majority remain.

The Department has been tracking these lawful nonconforming signs since at least 1987, and the proposed amendment sets a path for the removal of lawful nonconforming signs in order to further

meet the intent of the sign standards in the UDO. Those standards include avoidance of the unnecessary proliferation of signs; providing developments with appropriate identification; creating a consistent streetscape; maintaining and enhancing the aesthetic environment of the city; eliminating potential hazards to motorists and pedestrians resulting from sign clutter; and generally promoting the health, safety, and welfare of the residents of the City of Bloomington.

No change to wall signage allowance is proposed. No change to lawful conforming freestanding signage allowance is proposed.

The proposed amendment appears below. Additional necessary directives for the codifier are indicated in parentheses below the proposed amendment.

(g) Amortization of Certain Freestanding and Certain Off-premise Signs

(1) Applicability.

This subsection 20.04.100(g) shall not apply to public signs or multi-tenant signs.

(2) Freestanding Signs

All freestanding signs exceeding 100 square feet per side, including any such signs which have heretofore been authorized by a variance or similar special exception, shall be removed or brought into compliance per the following schedule:

(A) January 1, 2029: Those located within the R1, R2, R3, R4, RM, RMH, and MD zoning districts;

(B) January 1, 2030: Those located within the RH, MS, MN, MM, MH, MI, EM, and PO zoning districts;

(C) January 1, 2031: Those located within the MC, ME, and PUD zoning districts.

(3) Off-premise Signs

All off-premise signs exceeding 35 square feet per side, including any such signs which have heretofore been authorized by a variance or similar special exception, shall be removed or brought into compliance per the following schedule:

(A) January 1, 2029: Those located within the R1, R2, R3, R4, RM, RMH, and MD zoning districts;

(B) January 1, 2030: Those located within the RH, MS, MN, MM, MH, MI, EM, and PO zoning districts;

(C) January 1, 2031: Those located within the MC, ME, and PUD zoning districts.

(The codifier is directed as follows: (1) existing subsections of 20.04.100 (g), (h), (i), (j), (k), and (l), shall be modified so that they appear one sequential letter further in the alphabet (e.g. (g) becomes (h), (h) becomes (i), and so on), and (2) the table of contents shall be modified so as to correspond with the new titles in subsections 20.04.100(g) through 20.04.100(m). In all other respects existing subsections 20.04.100(g) through 20.04.100(l) shall remain unmodified.)



LORI TODD
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October 6, 2023

Dear City Officials,

Unfortunately, I am out of town during the meeting and unable to attend in person to speak, but I wanted to share my thoughts on the agenda item for removing billboards from the City. I find this topic puzzling as to why it is even on the agenda. I am born and raised in Bloomington. Having lived here my entire life, I'm pretty sure that billboards have existed around the City my entire life. I completely understand preventing new billboards from being installed, but I do not understand or agree with the reasoning of removing legally installed and approved existing billboards.

There has been no recent studies of benefits for removing the billboards. Businesses, and especially non-profit organizations, rely on billboards for promoting business, products, and even charitable events. There are existing leases in place between the advertising companies and the property land owners so this also would question private property rights and could end up with several lawsuits, costing taxpayers unnecessary expenses.

If the City decides to remove these billboards, legally installed and approved signage, I would have to question the boundaries of other agenda items. I appreciate and embrace change. However, I believe 'grandfathered' ordinances and approvals are critical for the transparency and certainty of our community. We cannot allow changes that would remove previous approvals. Where would we draw the line? We no longer like duplexes so we require property owners to renovate or tear down their buildings? We no longer like signage on exterior buildings, so we require all businesses to remove their signs? We no longer like brick on buildings, so we require owners to change the materials? It is absolutely no different than saying we allowed these billboards to exist but now we don't want them.

I believe this topic deserves current research from the community before any action is taken. I am an advertiser on billboards so I believe billboards are important to business owners and property owners who receive ancillary income from billboard leases. I ask that you vote against the removal of billboards. Thank you for your time and consideration.

Respectfully,

A handwritten signature in cursive script that reads "Lori A. Todd".

Lori A. Todd, Broker/Owner