



City of Bloomington
Common Council

Legislative Packet

Regular Session

20 September 2006

Office of the Common Council
P.O. Box 100
401 North Morton Street
Bloomington, Indiana 47402

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Packet Related Material

Memo

Agenda

Calendar

Notices and Agendas:

None

Legislation for Final Action:

Res 06-09 Approving the Purchase of Land Near Lower Cascades Park

(Please see the 6 September 2006 Council Legislative Packet for the Legislation, Summary, and Background Materials)

Contact: Mick Renneisen at 349-3711 or renneism@bloomington.in.gov

App Ord 06-06 To Specially Appropriate from the Park Land Acquisition Fund

Expenditures Not Otherwise Appropriated (To Purchase Land Adjacent to Cascades Park)

(Please see the 6 September 2006 Council Legislative Packet for the Legislation, Summary, and Background Materials)

Contact: Mick Renneisen at 349-3711 or renneism@bloomington.in.gov

Legislation and Background Material for First Reading:

Ord 06-17 To Amend the Preliminary Plan for the Kingston Planned Unit Development to Allow Office and Retail Land Uses - Re: 123 S. Kingston Dr (Bryan Rental, Petitioner)

- Certification (9-0); Map of Surrounding Zoning; Zoning Map of the Surrounding Area; Aerial Map; Memo to Council from Eric Greulich, Zoning Planner; Revised Plan Statement from Petitioner; Revised Site Plan; Revised Elevations with New Architectural Rendering; Cover Letter for Initial Plan Statement; Initial Outline Plan; Initial Site Plan; Cross Sections of Landscaped Berm; Architectural Drawing; Photos; August 14, 2006 Report to the Plan Commission; July 10, 2006 Report to the Plan Commission; Report from the Bicycle and Pedestrian Safety Commission; List of Permitted CG Uses

Contact: Eric Greulich at 349-3526 or greulice@bloomington.in.gov

Ord 06-22 To Vacate A Public Parcel - Re: An Alley Running East/West Between 320 and 326 South Dunn which is Approximately 10 Feet Wide and 178 Feet Long (John S., Myra, John P., Mark, and Christopher S. Burnham, Petitioners)

- Map of Alley; Aerial Photo; Memo to Council from Lynne Darland, Zoning and Enforcement Manager; Petition; June 1, 2006 Letter from Petitioner; Exh. A (Minutes from 1893 Council Meeting); Exh. B (1920's Plat Map); June 8, 2006 Letter from Petitioner; Site Drawing; Photographs of Site; Transmittal Letter to Utilities; Insert Indicating Utility Responses; GPP Narrative on Core Residential Areas

Contact: Lynne Darland at 349-3529 or darlandl@bloomington.in.gov

Minutes from Regular Session:

None

Memo

Reminder: The Plan Commission Begins Its First Week of Deliberation on the Unified Development Ordinance with Meetings on Monday and Thursday Night – 5:30 p.m. Council Chambers

Two Items Ready for Final Action and Two Items Ready to be Introduced at the Regular Session on Wednesday, September 20th

There are two items ready for final action (which can be found in the 6 September 2006 Council Legislative Packet) and two items ready for introduction next Wednesday (which can be found in this packet).

First Readings

Item One - Ord 06-17 Amending the Kingston Planned Unit Development to Allow Office and Retail Uses to the North and East of the Marsh Grocery Store on Kingston Drive

Ord 06-17 would amend the Preliminary Plan for the Kingston Planned Unit Development (PUD) to allow Office and Retail uses to the north and east of the March Grocery Store on Kingston Drive. The following summary was derived from the memo prepared by Eric Greulich, Zoning Planner, as well as the reports and petitioner materials submitted to the Plan Commission and forwarded to the Council.

Site, Surroundings, and History The site is a 4.3 acre parcel with open meadow, some trees, and a detention pond that was zoned for 22 paired patio homes when the PUD was

approved in 1992. About seven years later (1999), the PUD was amended to allow the Marsh grocery store to replace the former Service Merchandise building and make numerous site improvements that added sidewalks and landscaping and changed the parking lot. The site is surrounded by the Continental Apartments along Longview on the north, Park Ridge on the east, March grocery store and the Royal car dealership on the south and west, and commercial and multi-family uses on the west.

Summary of the Project The project calls for three one-story buildings to be placed on the north, northeast and east of the grocery store and accessed off an enlarged entrance unto Kingston as well as through the Marsh parking lot. All of buildings will have a shape and façade similar to the Southern Indiana Pediatrics facility on Clarizz Boulevard which was also done by the same engineering firm (Smith Neubecker).

The largest of the three is a 14,000 s.f. retail/ commercial building that will be constructed first and located directly east of the grocery store and west of Park Ridge. A 40' wide and 4'-8' tall landscaped berm with an additional 10' no-disturbance area on the east will buffer the project from that neighborhood. The second and third buildings include one 7,500 s.f. building on the northeast and another 5,000 s.f. building at the entrance just north of the grocery store. Neither of these buildings will have dormers that face east and the landscaped berm or additional landscaping will help shield these structures from the apartments on the north of Longview. The permitted uses include those in the CG district but without car washes, drive-thru's and gas stations.

GPP The GPP recommends a Community Activity Center (CAC) at this site which is a mixed use development intended to serve pedestrians, bicyclists, and motorists. The reports and memo highlight how the project matches the characteristics of the CAC which include:

- Medium scaled retail and commercial service uses;
- Located within or near existing neighborhoods and at an intersection of Collector or Arterial streets;
- With transit as a major component of the project;
- Designed with sensitivity to surrounding context; and
- Without additional street cuts.

Neighborhood Compromises The developer worked with the Park Ridge neighborhood and changed the proposal in concert with City staff. Those changes included eliminating second-floor residential use encouraged by staff in accordance with the CAC designation, creating the landscaped berm noted above, and using light fixtures that direct the light downward. Changes were also made in the landscaping to help buffer the project from the apartments on the north.

Parking. The plan proposes 126 parking spaces for the 26,500 s.f. of gross floor area. That number of spaces results in 4.75 spaces per 1,000 s.f. of commercial office area, which is slightly higher than the 4.5 ratio generally required for these uses.

Pedestrian ways and Street Trees The Bicycle and Pedestrian Safety Commission submitted a report that recommended connecting the internal sidewalks to Longview and Kingston, installing covered stalls for bicycles, and exploring the relocation of the largest building to Kingston with parking placed in the rear. The proposal connects the internal sidewalks to Longview, Kingston, and the ones on the Marsh property, but does not include the other recommendations. The proposal also requires street trees that should have been planted adjacent to Longview to be installed at 40' intervals when this project goes forward.

Future Expansion to the South – Option #1. The petitioner wanted permission to use an alternative plan (Option #1) for the parking that would involve acquiring property to the south which is outside of the PUD. The Commission authorized the alternative to the extent it affects the property within the PUD and as long as it does not increase overall parking beyond 126 spaces.

Plan Commission Action. After hearings on July 10th and August 14th the Plan Commission recommended approval by a vote of 9 – 0 with the following conditions which:

- Delegate approval of site plan to staff;
- Require additional landscaping along the north building to help buffer it from the apartment building across the street;
- Limit uses to those in the CG district without car washes, gas stations, and drive-thru's;
- Allow the petitioner to develop the site with additional land on the south in accordance with Option #1 as long as:
 - there are no more than 126 parking spaces;
 - the staff and Legal department approve; and
 - it is understood that the “condition does not affect any of the legalities on the adjacent property that would be subject to easement.”

Item Two - Ord 06-22 – Vacating Alleyway Between 320 and 326 South Dunn at Request of the Burnham Family to Make Way for Future Development

Ord 06-22 would vacate the east/west alley between 320 and 326 South Dunn at the request of the Burnham family to make way for future development.

General Vacation Procedures

Vacations of right-of-ways are governed by specific statutory procedures. Those procedures are found at I.C. 36-7-3-12 et seq. and start with the petitioner filing an application with the Council. The Clerk must assure that owners of property abutting the right-of-way are notified by certified mail of the proposed action and must also advertise the hearing where the public can offer its comments and objections against the ordinance to the Council (October 4, 2006). According to statute, the grounds for remonstrance are limited to questions of access and the orderly development of the area. In the event the ordinance is adopted by the Council, then the Clerk must file a copy with the County Recorder and the County Auditor.

In Bloomington, we begin with a pre-petition application submitted to the Planning Department. Staff reviews the request and notifies all the utility services, safety services, and the Board of Public Works of the proposed action. After receiving the responses and evaluating the proposal in terms of local criteria, they prepare a report and an ordinance for the Council Office. The City Clerk then assures that an ad is placed in the paper and that abutting property owners have been notified by certified mail.

Please note that the Council's action to vacate a right-of-way or an easement must be done in the public interest. It extinguishes the City's interest in the property and has the effect of splitting the right-of-way between the adjacent owners.

The following paragraphs summarize the application of the local criteria to this request as presented in reports and background material provided by Lynne Darland, Zoning and Enforcement Manager.

Petition

The petitioners own the two abutting parcels, have demolished the buildings, and would like to develop the properties "in a uniform way which necessitates" this vacation. Their submissions to the City provide some historical records regarding this strip of land and indicate a desire to clear away any doubt regarding their right to use the land. One of those records is the minutes from 1893 when the Council voted to open the alleyway. Another is a plat map from the 1920s with the alley. However, the alley does not appear on the current GIS maps. The petitioner notes that the alley served as a driveway to one of the demolished buildings and has remained unimproved. It is my understanding that they are reluctant to invest in site and architectural plans until the outcome of the request for vacation is known, but have scheduled a meeting with the Plan Department on September 20th to discuss their plans.

Concerns of Surrounding Property Owners. The petitioners own the abutting property and Lynne does not mention concerns of owners of other surrounding property.

Description of Vacated Property. This ordinance would vacate an alley running east/west between 320 and 326 South Dunn which is approximately 10 feet wide and 178 feet long. Please note that the legal description of this right-of-way was provided by the petitioners' attorneys and is set forth in the ordinance and a map is enclosed with the materials.

Current Status - Access to Property. The staff report indicates that this block is situated within an urban grid of public streets and alleys where "there is ample access to this and surrounding parcels." The alleyway is unimproved and will extend the length of the two adjoining parcels and, thereby, leave passage along South Dunn on the east and the alley known as Kirby Place on the west unimpeded.

Necessity for Growth

Future Status (Utilities and Safety Services) – I.C. 36-7-3-16 protects utilities who occupy or use all or part of the public way from losing their rights upon the vacation of the alley way unless they choose to waive those rights. Lynne has contacted all the utilities who report no lines in this right-of-way and has contacted the fire and police department who find no problem with the vacation.

Private Utilization – As noted above, the petitioners want to develop these parcels in the future and are meeting with the Plan staff on September 20th to discuss their plans, but are reluctant to invest in the design of the site without clearing away issues regarding use of the alley way.

Compliance with regulations – Although the Memo to the Council correctly states that the action to vacate the alley complies with all City regulations, it does not address what the Council usually sees at this point – namely the proposal for development.

With that in mind, the next few paragraphs briefly discuss the block face, zoning designations under the current and proposed ordinances, and what the Growth Policies Plan recommends for the area.

Relation to City Plans –

Block-Face. The alley is in a block-face owned by the Burnhams which, the memo notes, presents a multi-family development pattern. From north to south the block includes a new multistory apartment complex, three vacant parcels, two houses, and two fairly new apartment buildings.

Zoning. Currently the block is within the Downtown Development Opportunity Overlay (DDOO) zone and split into two districts - with the northern two parcels in a CG district and the remainder in a RM15/PRO20 district. Under the proposed Unified Development Ordinance this block would be in a new RH district that would allow 15 units per acre. Please note that the two houses immediately south the alley are on the Inventory of Historic Sites and Structures in what is known as the South Dunn district.

GPP. The Growth Policies Plan puts this block at the edge of the Core Residential (CR) area which surrounds the campus and downtown. Excerpts from the GPP narrative indicate that the CR area:

- “is characterized by a grid-like street system, alley access to garages, small street set backs and a mixture of owner occupants and rental tenants;”
- allows “multi-family redevelopment in transition areas between the downtown and existing single-family residential areas, and when appropriately integrated with adjacent uses peer adopted form district requirements;” and
- recommends that redevelopment projects should:
 - “emphasize building and site compatibility with existing densities, intensities, building types, landscaping and other site planning features,”
 - bury utility lines and do so as to preserve landscaping, and
 - put parking in the rear of the property and accessible by alleys.

Approvals and Recommendation

The memo notes that the Board of Public Works voted in favor of the vacation on July 11th and recommends this vacation.

**NOTICE AND AGENDA
BLOOMINGTON COMMON COUNCIL REGULAR SESSION
7:30 P.M., WEDNESDAY, SEPTEMBER 20, 2006
COUNCIL CHAMBERS
SHOWERS BUILDING, 401 N. MORTON ST.**

I. ROLL CALL

II. AGENDA SUMMATION

III. APPROVAL OF MINUTES FOR: None

IV. REPORTS FROM:

- 1. Councilmembers**
- 2. The Mayor and City Offices**
- 3. Council Committees**
- 4. Public**

V. APPOINTMENTS TO BOARDS AND COMMISSIONS

VI. LEGISLATION FOR SECOND READING AND RESOLUTIONS

1. Resolution O6-09 Approving the Purchase of Land near Lower Cascades Park

Committee Recommendation: Do Pass 8- 0 -0

2. Appropriations Ordinance 06-06 To Specially Appropriate from the Park Land Acquisition Fund Expenditures Not Otherwise Appropriated (To Purchase Land Adjacent to Cascades Park)

Committee Recommendation: Do Pass 9 - 0 -0

VII. LEGISLATION FOR FIRST READING

1. Ordinance 06-17 To Amend the Preliminary Plan for the Kingston Planned Unit Development to Allow Office and Retail Land Uses Re - 123 S. Kingston Dr (Bryan Rental, Petitioner)

2. Ordinance 06-22 To Vacate a Public Parcel - Re: An Alley Running East/West Between 320 and 326 South Dunn which is Approximately 10 Feet Wide and 178 Feet Long (John S., Myra, John P., Mark, and Christopher S. Burnham, Petitioners)

VIII. PRIVILEGE OF THE FLOOR (This section of the agenda will be limited to 25 minutes maximum, with each speaker limited to 5 minutes)

IX. ADJOURNMENT

ORDINANCE 06-17

TO AMEND THE PRELIMINARY PLAN FOR THE KINGSTON PLANNED UNIT DEVELOPMENT TO ALLOW OFFICE AND RETAIL LAND USES -

**Re: 123 S. Kingston Dr
(Bryan Rental, Petitioner)**

WHEREAS, on May 1, 1995 the Common Council adopted Ordinance 95-21, which repealed and replaced Title 20 of the Bloomington Municipal Code entitled "Zoning", including the incorporated zoning maps, and Title 21, entitled "Land Use and Development;" and

WHEREAS, the Plan Commission has considered this case, PUD-12-06, and recommended that the petitioners, Bryan Rental, be granted an amendment to preliminary plan for the Kingston PUD to allow office and retail land uses on the requested petition site. The Plan Commission thereby requests that the Common Council consider this petition;

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT:

SECTION I. Through the authority of IC 36-7-4 and pursuant to Chapter 20.05.09 of the Bloomington Municipal Code, the preliminary plan and the list of permitted uses shall be amended for a portion of the Kingston PUD located at 123 S. Kingston Dr. The property is further described as follows:

A part of the southwest quarter of Section 35, Township 9 North, Range 1 West, Monroe County, Indiana being more particularly described as follows: COMMENCING at a point on the south line of said southwest quarter that is 422.20 feet NORTH 89 degrees 27 minutes 27 seconds West (assumed bearing) of the southeast corner of the said southwest quarter, said point being in the centerline of East Third Street; thence NORTH 00 degrees 34 minutes EAST, parallel to and 222.00 feet east of the east right-of-way of Kingston Place for a distance of 190.00 feet; thence northwesterly over and along a curve to the left having a radius of 12.00 feet and a deflection angle of 53 degrees 07 minutes 48 seconds for a distance of 11.13 feet; thence NORTH 52 degrees 33 minutes 48 seconds WEST for a distance of 100.66 feet; thence NORTH 89 degrees 27 minutes 27 seconds WEST parallel to the south line of said southwest quarter for a distance of 76.97 feet to the east right-of-way of Kingston Place; thence northeasterly over and along the east right-of-way of Kingston Place and over and along a curve to the left having a radius of 121.13 feet for an arc distance of 50.71 feet, the chord of said curve bearing NORTH 12 degrees 19 minutes 08 seconds EAST for a distance of 50.34 feet; thence NORTH 00 degrees 19 minutes East continuing over and along the east right-of-way of Kingston Place for a distance of 538.21 feet to the Point of Beginning; thence along the east right-of-way of Kingston Place NORTH 00 degrees 19 minutes East 100.00 feet; thence SOUTH 89 degrees 25 minutes 30 seconds East over and along the south right-of-way of Longview Avenue for a distance of 150.69 feet; thence continuing over and along the said last named right-of-way over and along a curve to the left having a radius of 223.15 feet and a deflection angle of 40 degrees 22 minutes for a distance of 157.22 feet; thence NORTH 50 degrees 12 minutes 30 seconds East continuing over and along the said right-of-way for a distance of 265.88 feet; thence continuing over and along the said right-of-way over and along a curve to the right having a radius of 181.15 feet and a deflection angle of 24 degrees 19 minutes 02 seconds for a distance of 76.88 feet to a stone monument and to the east line of the southwest quarter of the Section 35, also being the west line of Park Ridge and Park Ridge North; thence south over and along the said east line for a distance of 712.30 feet; thence NORTH 89 degrees 27 minutes 27 seconds West, parallel to the south line of the said southwest quarter for a distance of 223.63 feet; thence NORTH 01 degrees 05 minutes 46 seconds East 159.71 feet; thence NORTH 20 degrees 01 minutes 34 seconds East 77.82 feet; thence NORTH 00 degrees 21 minutes 32 seconds East 47.49 feet; thence NORTH 56 degrees 59 minutes 01 seconds West 50.00 feet; thence NORTH 89 degrees 25 minutes 30 seconds West 92.00 feet; thence NORTH 70 degrees 46 minutes 58 seconds West 136.38 feet; thence NORTH 89 degrees 25 minutes 30 seconds West 111.87 feet to the Point of Beginning. Said tract containing 4.294 acres, more or less.

SECTION II. The Preliminary Plan shall be attached hereto and made a part thereof.

SECTION III. This ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2006.

CHRIS STURBAUM, President
Bloomington Common Council

ATTEST:

REGINA MOORE, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2006.

REGINA MOORE, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this _____ day of _____, 2006.

MARK KRUZAN, Mayor
City of Bloomington

SYNOPSIS

This ordinance amends the preliminary plan for the Kingston Planned Unit Development located at 123 S. Kingston to allow office and retail uses.

****ORDINANCE CERTIFICATION****

In accordance with IC 36-7-4-605 I hereby certify that the attached Ordinance Number 06-17 is a true and complete copy of Plan Commission Case Number PUD-12-06 which was given a recommendation of approval by a vote of 9 Ayes, 0 Nays, and 0 Abstention by the Bloomington City Plan Commission at a public hearing held on August 14, 2006.

Date: August 23, 2006



Thomas B. Micuda, Secretary
Plan Commission

Received by the Common Council Office this 23rd day of August, 2006.



Regina Moore, City Clerk

Appropriation Ordinance # _____ Fiscal Impact Statement Ordinance # _____ Resolution # _____

Type of Legislation:

Appropriation _____ End of Program _____ Penal Ordinance _____
Budget Transfer _____ New Program _____ Grant Approval _____
Salary Change _____ Bonding _____ Administrative Change _____
Zoning Change _____ Investments _____ Short-Term Borrowing _____
New Fees _____ Annexation _____ Other _____

If the legislation directly affects City funds, the following must be completed by the City Controller:

Cause of Request:

Planned Expenditure _____ Emergency _____
Unforeseen Need _____ Other _____

Funds Affected by Request:

Fund(s) Affected	_____	_____
Fund Balance as of January 1	\$ _____	\$ _____
Revenue to Date	\$ _____	\$ _____
Revenue Expected for Rest of year	\$ _____	\$ _____
Appropriations to Date	\$ _____	\$ _____
Unappropriated Balance	\$ _____	\$ _____
Effect of Proposed Legislation (+/-)	\$ _____	\$ _____
Projected Balance	\$ _____	\$ _____

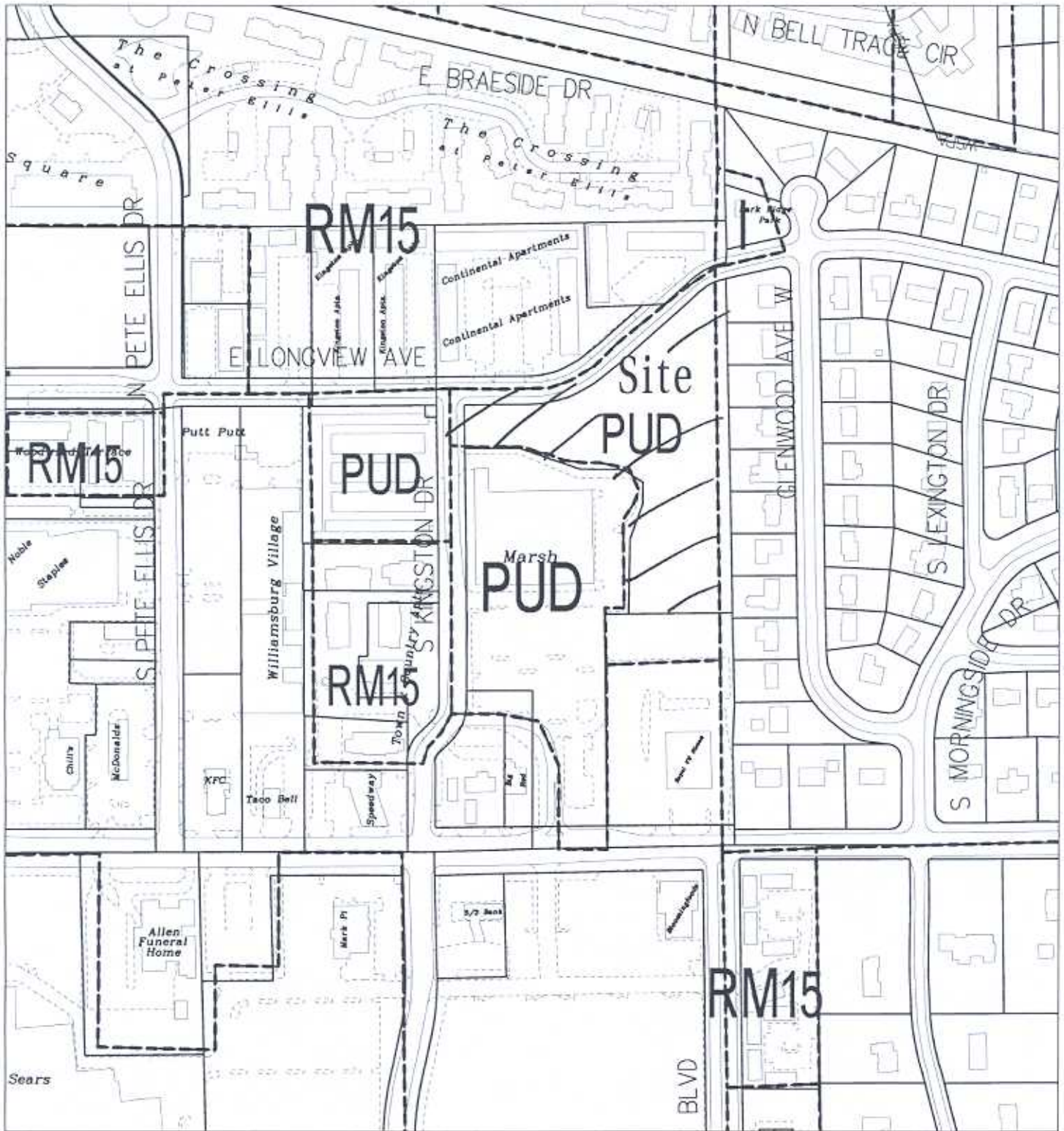
Signature of Controller

Will the legislation have a major impact on existing City appropriations, fiscal liability or revenues?

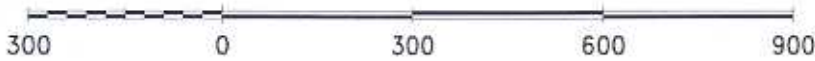
Yes _____ No _____

If the legislation will not have a major fiscal impact, explain briefly the reason for your conclusion.

If the legislation will have a major fiscal impact, explain briefly what the effect on City costs and revenues will be and include factors which could lead to significant additional expenditures in the future. Be as specific as possible. (Continue on second sheet if necessary.)



By: lillardc
20 Jun 06

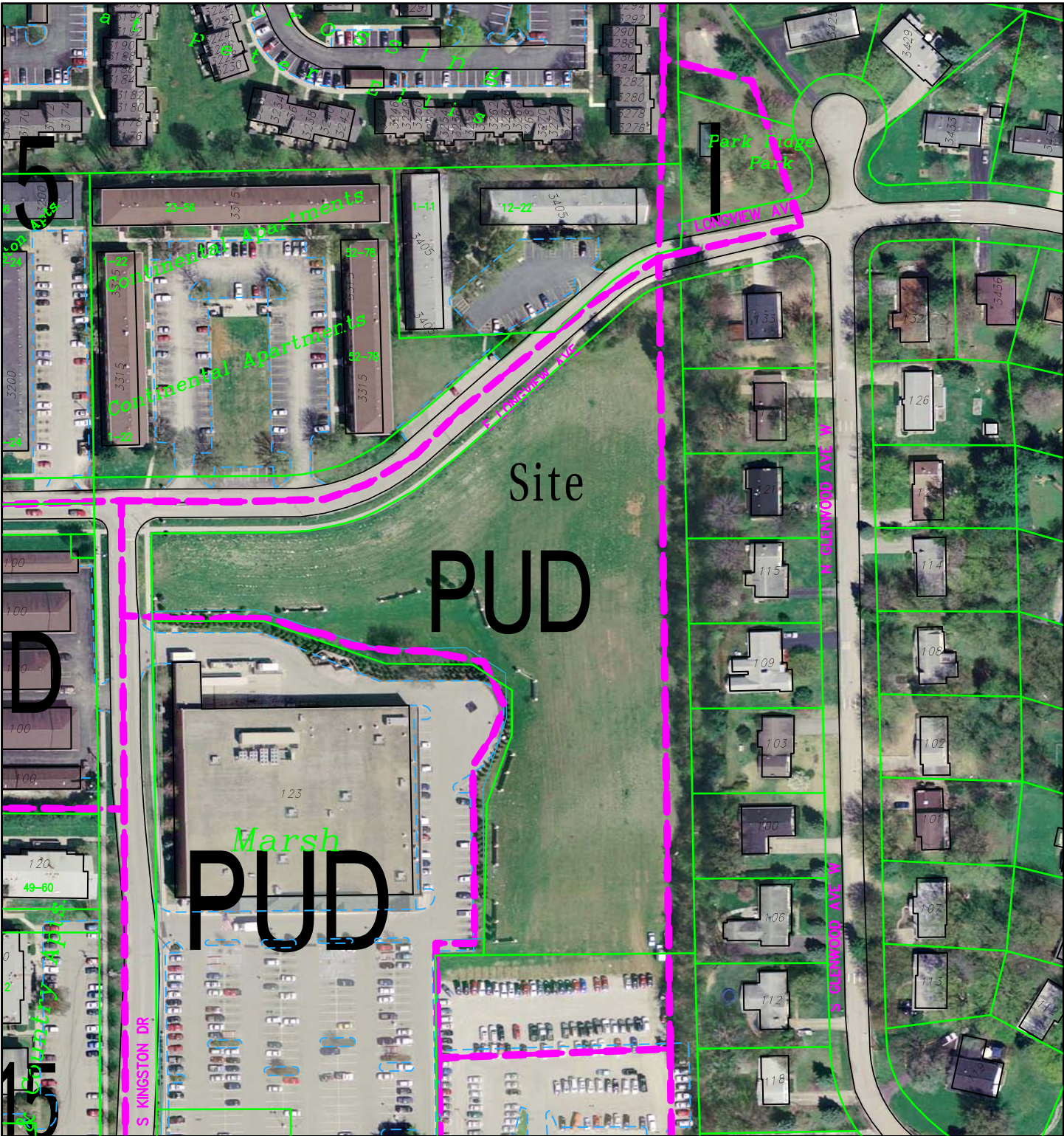


City of Bloomington
Planning



Scale: 1" = 300'

For reference only; map information NOT warranted.



Site
PUD

Marsh
PUD

Continental Apartments

Park Ridge Park

LONGVIEW AVE

N GLENWOOD AVE W

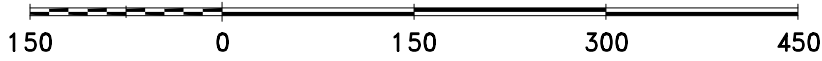
S GLENWOOD AVE W

S KINGSTON DR

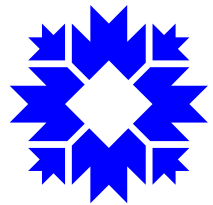
S GLENWOOD AVE W

D

By: greulice
12 Sep 06



City of Bloomington
Planning



Scale: 1" = 150'

For reference only; map information NOT warranted.

Interdepartmental Memo

To: Members of the Common Council
From: Eric Greulich, Zoning Planner
Subject: Case # PUD-12-06
Date: September 11, 2006

Attached are the staff reports, petitioner's statements, and map exhibits which pertain to Plan Commission Case # PUD-12-06. The Plan Commission voted 9-0 to send this petition to the Common Council with a favorable recommendation.

REQUEST: The petitioner is requesting a preliminary plan amendment to the Kingston Planned Unit Development (PUD) that would add office and retail services to the list of approved uses for a vacant parcel that was originally part of the Service Merchandise PUD created in 1992. The petitioner has also requested delegation of future final plans to be reviewed at staff level.

SITE INFORMATION:

Lot Area: 4.3 acres
Current Zoning: Planned Unit Development (Kingston PUD)
GPP Designation: Community Activity Center
Existing Land Use: Vacant lot
Proposed Land Use: Commercial (retail and office)
Surrounding Uses: North - Multi-Family Residences (Continental Apartments)
South - Commercial (Marsh grocery)
East - Single Family Residences (Park Ridge)
West - Commercial/Multi-Family Residences (Town & Country Apartments)

EXECUTIVE SUMMARY:

Background: The site is located at the southeast corner of S. Kingston Drive and W. Longview Avenue and is within the Kingston PUD rezoned in 1992. The property is mostly open meadow with a few scattered trees and a detention pond. This parcel was originally approved for 22 paired-patio homes, but has not been developed. The PUD was amended in 1999 (PUD-55-99) to allow Marsh grocery store to re-use the former Service Merchandise building on the southern parcel. At that time, there were various site improvements done including parking lot landscaping, additional sidewalk connections, and site landscaping.

After meeting with the petitioner, the adjacent neighborhood (Park Ridge) expressed their support for an amendment to the PUD that would remove multi-family as a permitted land use and add non-residential uses. The neighborhood no longer found multi-family uses to be a desired transitional use on this property and preferred non-residential uses on this site. The petitioner has since received favorable Plan Commission consideration for an amendment to the list of

permitted land uses to allow a commercial development consisting of one 14,000 sq. ft. retail building and two office buildings totaling 12,300 sq. ft.

Growth Policies Plan Review: The 2002 Growth Policies Plan identifies this area as *Community Activity Center (CAC)*. The GPP states that these areas should be developed as mixed-use developments to serve not only pedestrians, but also vehicular traffic. Parking should be kept to reasonable levels to avoid large open areas of asphalt. The GPP states-

- *“The primary land use in the CAC should be medium scaled commercial retail and service uses.”* – This petition incorporates 3 buildings that have the potential for a wide range of possible retail and/or office uses. The size and height of each building is moderate in scale and compatible with surrounding buildings in the area.
- *“CAC should be located within or very near to existing developed neighborhoods.”* – This site has an established single family neighborhood (Park Ridge) to the east and several multi-family developments to the north and west. There are existing sidewalks along Kingston Dr. and Longview Ave., and there will be internal sidewalks to provide pedestrian connectivity to this site and to other surrounding commercial properties.
- *“Public transit access should be a major component “*– This site is located along a Bloomington Transit bus line with a bus stop at several locations along Kingston Dr. and at the corner of Kingston Dr. and Longview Ave. The Bloomington Transit line only travels southbound on Kingston Dr., so a bus shelter on the east side of Kingston Dr. has not been requested by Bloomington Transit.
- *“A CAC should be located at an intersection which is made up of designated Collector or Arterial streets.”* – Both Longview Ave. and Kingston Dr. are classified as Primary Collector streets. There is a signalized intersection at Kingston Dr. and E. 3rd Street. No additional vehicular traffic will be directed through the surrounding neighborhoods as a result of this petition.
- *“CAC design should be sensitive to the surrounding context”* – The proposed development will feature one-story buildings along the residential neighborhood and a landscape berm to provide a visual and sound buffer between the development and the neighborhood. The buildings will be constructed of brick, EIFS, and glass with pitched roofs and dormers to provide a residential appearance that will be compatible with surrounding commercial and residential buildings. No dormers will be facing east toward the Park Ridge neighborhood. The site plan has been designed to place the buildings between the neighborhood and the parking areas to limit noise and car headlight concerns associated with the parking areas.
- *“Street cuts should be limited as much as possible to reduce interruptions of the streetscape.”* – There will be no additional street cuts as part of this petition. Access will come from both an existing street cut on Kingston Dr. as well as through the Marsh parking lot.

Pedestrian Facilities/Street Trees: A sidewalk was installed along Kingston Dr and Longview Ave. in 1999 with the conversion of Service Merchandise to Marsh. A sidewalk connection between Marsh and 3rd Street was also installed. Internal sidewalk connections between this development and the surrounding sidewalks on Kingston Dr. and Longview Ave. have been shown, as well as connections to existing sidewalks by Marsh. Street trees were not installed and will be required along Kingston Dr. and Longview Ave. not more than 40' from center.

Architecture: As noted previously, the Plan Commission approved specific architecture and elevations for the new buildings which are included in the packet. The office buildings are proposed to be very similar to the Smith Neubecker and Southern Indiana Pediatrics buildings located on Clarizz Blvd. south of East 3rd Street.

Parking: The office and retail buildings require 4.5 parking spaces per 1,000 sq. ft. of gross floor area. The petitioner has provided 126 parking spaces, which equates to 4.75 parking spaces per 1,000 sq. ft. of commercial/office area. At the first Plan Commission hearing on this petition, staff requested Commission input on whether the number of spaces should be lowered. The Plan Commission opted to leave the petitioner's proposal in place.

Neighborhood Issues: This property is adjacent to the Park Ridge single family neighborhood to the east, and the petitioner has met with the neighborhood association numerous times to address any concerns regarding this petition. The neighborhood has indicated that their most important issue is to ensure proper visual and sound buffering from the project. To that end, a 50' wide buffer area was approved along the east property line between this development and the Park Ridge neighborhood. As result of the petitioner's willingness to incorporate input, the neighborhood is in support of the proposed PUD amendment.

This buffer area will consist of an approximately 4-8' tall by 40' wide landscaped earthen mound that starts at the south property line and extends north to Longview Ave. In addition, there will be a 10' no disturbance buffer between the property line and the landscape mound to preserve existing fence row vegetation. Lighting on the buildings will be downlit, and 36" tall bollard lights will also be used internally.

To address concerns of the adjacent property owner of Continental Apartments to the north, the Plan Commission required either additional landscaping to be planted or the mound wrapped further to the west to provide visual screening between this development and this property to the north. Any additional landscaping to be provided as a visual buffer will be required to be shown with the grading permit.

Permitted Uses: The Plan Commission approved the General Commercial list of permitted land uses with the exception of car washes, drive-thrus, and gasoline service stations. Other development standards have been given and are included in the packet.

Future Expansion: The petitioner has expressed a desire to utilize a portion of the property to the south, Royal on the Eastside, to expand their parking area. This area is not a part of this amendment request, but the Plan Commission added a condition of approval that would allow for two different site planning scenarios on this property. The condition would allow an alternative site plan (noted as option #1 in the packet) to be used if control of the adjacent property was gained by the petitioner. This amendment would not grant any separate approval for development of the adjacent lot; it would only allow for the two alternative site plans to be permitted for the PUD area. The Plan Commission was only supportive of an alternative plan if the amount of total parking was not being increased as a result.

RECOMMENDATION: The Plan Commission voted 9-0 to send this petition to the Common Council with a favorable recommendation with the following conditions:

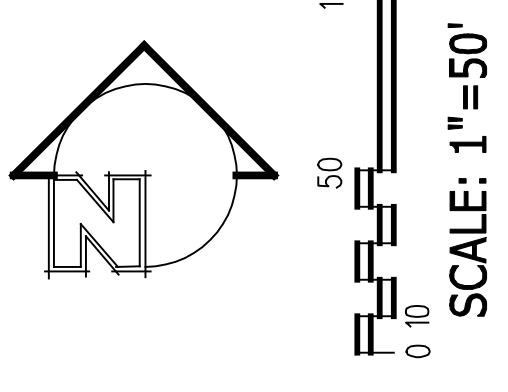
1. Final site plans to be approved at staff level.
2. Additional landscaping is required along the north building to provide a visual buffer to the north.
3. The list of approved uses shall be the General Commercial list of permitted uses excepting car washes, gasoline service stations, and drive-thrus.
4. At petitioner's discretion, the petitioner may also choose to develop the subject property as outlined in Option #1 presented to the Plan Commission [on August 14, 2006] subject to a maximum of a total of 126 parking spaces and also subject to staff and legal approval. This condition does not affect any of the legalities on the adjacent property that would be subject to the easement.

REVISIONS	BY	DATE

DESIGNED	CHECKED	DATE

JOB NUMBER	SHEET
4061	1 OF 2

DATE	SITE PLAN
07/20/06	



GENERAL NOTES

- SEE SMITH NEUBECKER STANDARD SPECIFICATIONS FOR CONSTRUCTION REQUIREMENTS. ARE GIVEN IN THE FOLLOWING LOCATIONS: A) MANHOLES: RIM ELEVATION B) INLETS: SEE DETAIL PACKAGE VERIFIED IN THE FIELD BY THE CONTRACTOR. PLEASE NOTIFY ENGINEER IF FIELD ADJUSTMENTS ARE NECESSARY.

SITE PLAN NOTES

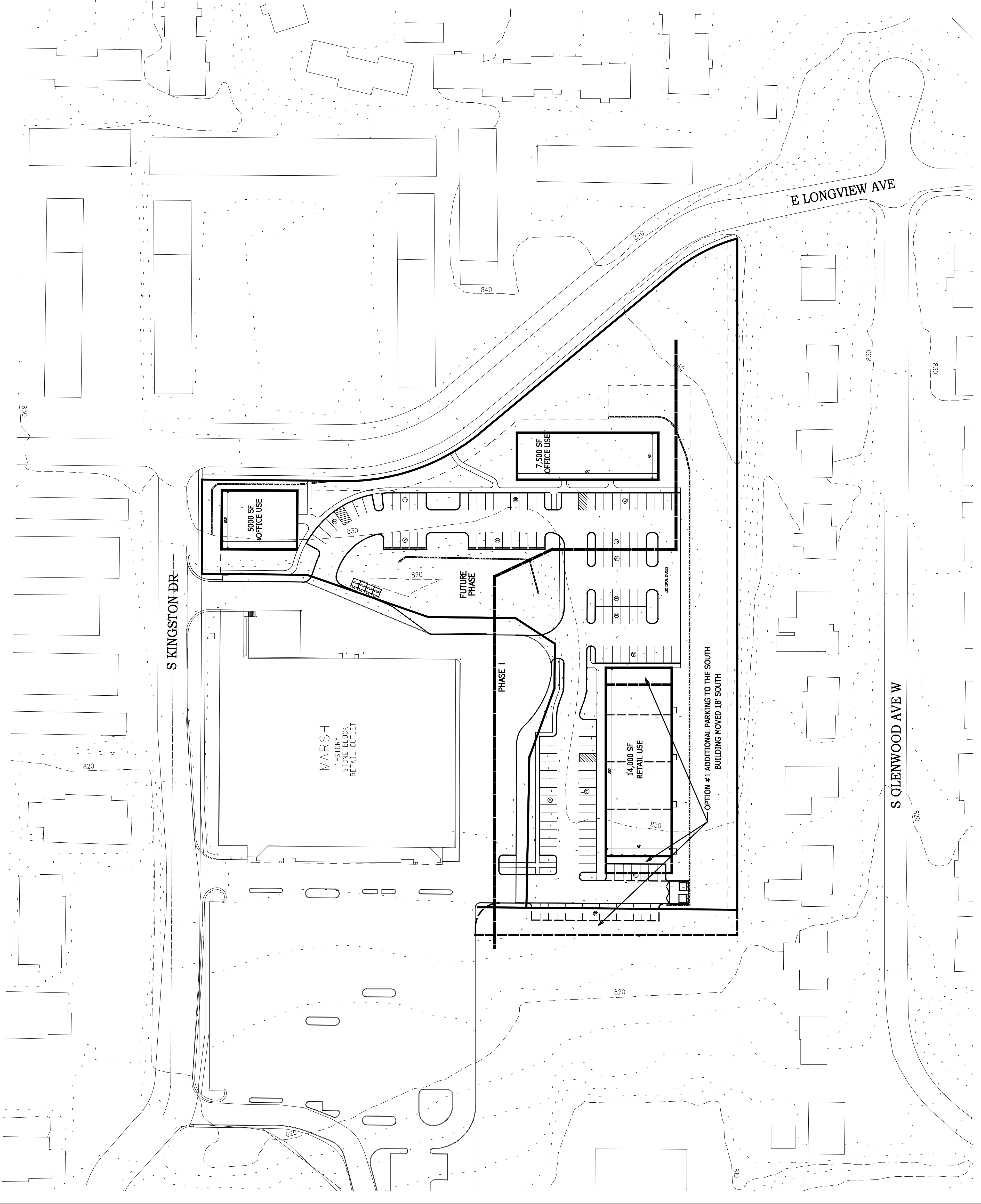
- PARKING SUMMARY
 12 SPACES
 26,300 SF @ 4.5/1000 = 118 SPACES
 100% COVERED 130 SPACES
- PROJECT MAY BE DEVELOPED IN 2-3 PHASES.

CONSTRUCTION LEGEND

EXISTING 1' CONTOUR - - - -	EXIST-DECIDUOUS TREE
EXISTING 5' CONTOUR - - - -	EXIST-DECIDUOUS SHRUB
PROPOSED 1' CONTOUR - - - -	EXIST-CONIFEROUS TREE
PROPOSED 5' CONTOUR - - - -	EXIST-CONIFEROUS SHRUB
PROPOSED SPOT ELEV. - - - -	PROPOSED STREET TREE
SOIL BORING	WATER MAIN
DRAINAGE EASEMENT 10' @E	WATER VALVE
UTILITY EASEMENT 10' @E	WATER METER SINGLE
DRAINAGE EASEMENT 10' @E	WATER METER TRIPLE
SOIL EASEMENT 10' @E	CONCRETE AIR RELEASE VALVE
WATER EASEMENT 10' @E	WATER AIR RELEASE VALVE
P.S.-1, EASEMENT 10' @E	FIRE HYDRANT
G.S. EASEMENT 10' @E	WATER SERVICE LINE
HANDICAPPED PARKING	SANITARY LATERAL
HANDICAPPED RAILING	SANITARY CLEANOUT
CONCRETE WALL	SANITARY MANHOLE
STONE WALL	SANITARY LIFT STATION
WOOD WALL	FORCE MAIN
RIP-RAP	F.M. AIR RELEASE VALVE
SILT TRAP	STORM SEWER LINE
INLET PROTECTION	YARD INLET
TEMPORARY DIVERSION	YARD INLET
PERMANENT DIVERSION	END SECTION
TREE PROTECT. FENCE	END SECTION
GRADING LIMITS	LIGHT POLE
100 YR. FLOOD LINE	2' ROLL CURB
GUARD RAIL	2' CURB AND GUTTER
4' CONCRETE SIDEWALK	6" STANDING CURB
5' CONCRETE SIDEWALK	BENCHMARK

TOPOGRAPHIC LEGEND

1' CONTOUR INTERVAL	SANITARY SEWER LINE
5' CONTOUR INTERVAL	FORCE MAIN LINE
SPOT ELEVATION	SANITARY MANHOLE
DECIDUOUS TREE LINE	SANITARY CLEANOUT
CONIFEROUS TREE	SANITARY LIFT STATION
SINGLE DECID. SHRUB	REINFORCED CONC-STORM
SINGLE CONIF. SHRUB	CORRUG. METAL STORM
DECIDUOUS HEDGE	STORM MANHOLE
CONIFEROUS HEDGE	BEEHIVE INLET
TREE STUMP	YARD INLET
PROPERTY LINE	CURB INLET
ROAD CENTERLINE	END SECTION
ROAD EDGE LINE	UNDERGROUND ELECTRIC
GUARD RAIL	OVERHEAD ELECTRIC
HANDICAPPED RAMP	POWER POLE
MAILBOX	ELECTRIC MANHOLE
SIGN	ELECTRIC PAD
BILLBOARD	ELECTRIC HAND HOLE
FLAGPOLE	ELECTRIC RISER
POSTING	UNDERGROUND TELEPHONE
METAL SIGN	OVERHEAD TELEPHONE
STONE WALL	TELEPHONE MANHOLE
WOOD TIE WALL	TELEPHONE RISER
CONCRETE WALL	TELEPHONE POLE
CHAIN LINK FENCE	UNDERGROUND CABLE TV
WOOD SLAT FENCE	OVERHEAD CABLE TV
POST & RAIL FENCE	UNDERGROUND CABLE TV
BARBED WIRE FENCE	UNDERGROUND CABLE TV
WATER MAIN	GAS LINE
WATER METER	GAS MARKER
WATER VALVE	TRAFFIC MANHOLE
CHILLED WATER LINE	UTILITY POLE
FIRE HYDRANT	GUY WIRE
PANEL POINT	UNDERGROUND FIBER OPTIC
	UNDERGROUND END LINE





Stephen L. Smith P.E., L.S.
Daniel Neubecker L.A.
Steven A. Brehob, B.S.Cn.T.

July 24, 2006

City of Bloomington Plan Commission
C/o Eric Greulic, Planner
P. O. Box 100
Bloomington, IN 47402

Re: PUD amendment Petition
Kinston PUD
Supplemental Submission #1

Dear Eric and Plan Commissioners,

We are making several changes to our PUD request based on feedback from the neighbors, Plan Commissioners and ongoing negotiations with the adjacent owner to the south.

Architecture. The building elevations for the commercial building have been enhanced. The large dormers on each end of the building have been made more pronounced building features to reduce the visual length of the building.

Apartments. We are eliminating the second floor apartments and the associated 12 parking spaces from our request.

Option #1. Negotiations are underway (but not complete) to acquire parking easement to the south of the commercial building. If those negotiations are successful we would like the option to move the parking and building south in that area. This option would provide parking closer to the expected demand and make the building a little more visible from the Marsh parking lot. One possible layout for this option has been added to the Outline Plan Drawing.

Very Truly Yours,

A handwritten signature in blue ink that reads 'Steve'.

Stephen L. Smith
Smith Neubecker & Associates, Inc.

Cc file 4061
Dave Kamen
Steve Akers

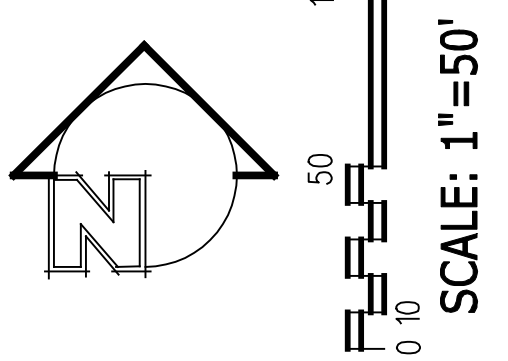
Encl; Revised PUD Outline Plan Drawing

PUD-12-06
Revised Changes

SOLD CREST

REVISIONS	BY	DATE

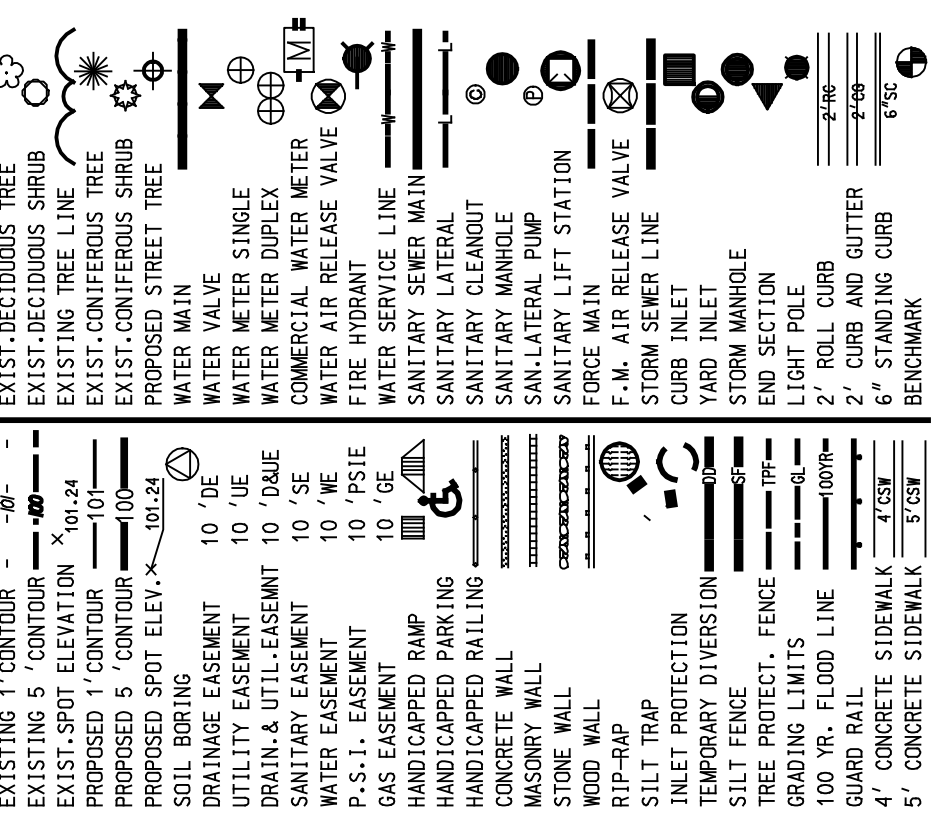
DESIGNED	DRAWN	CHECKED	DATE



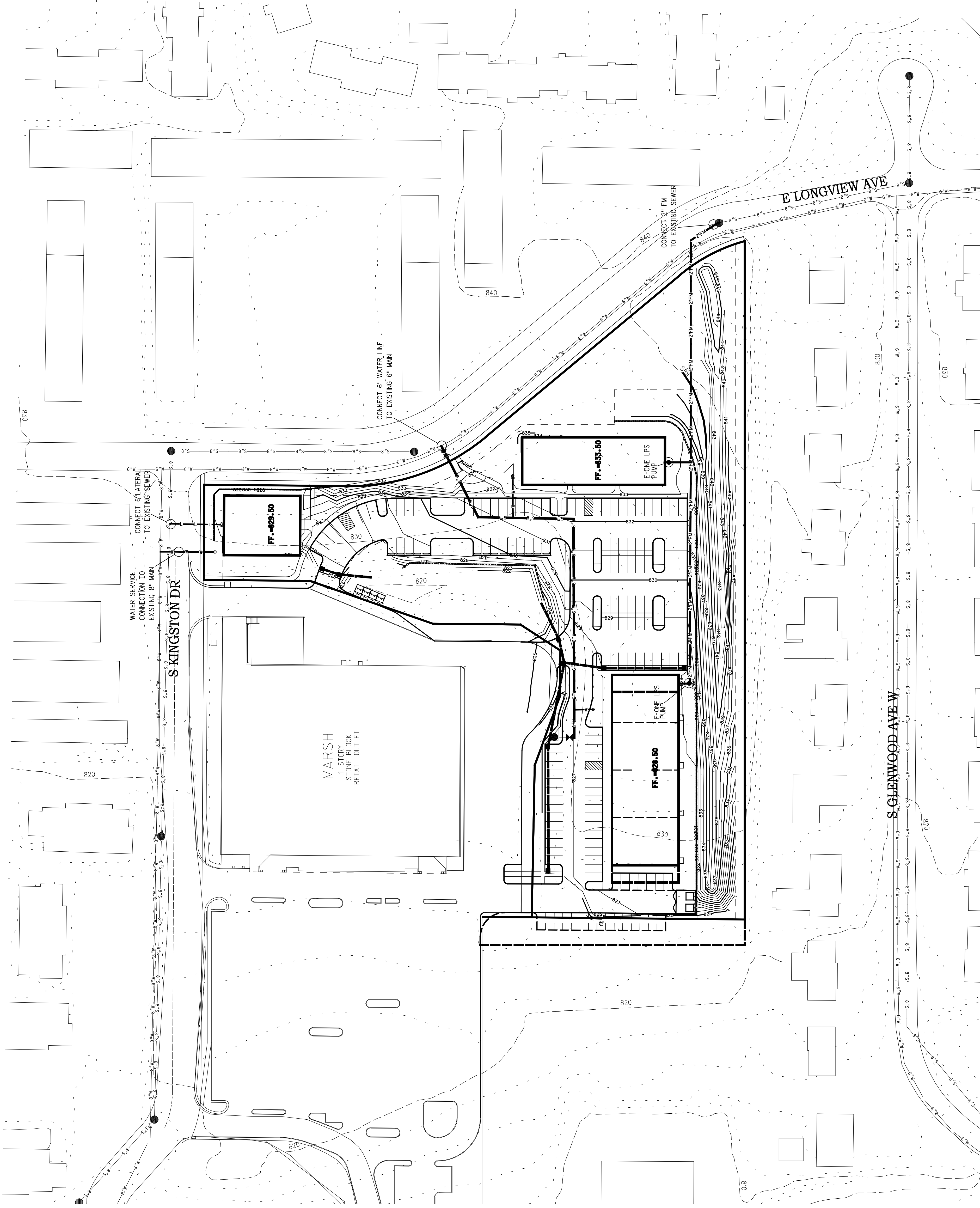
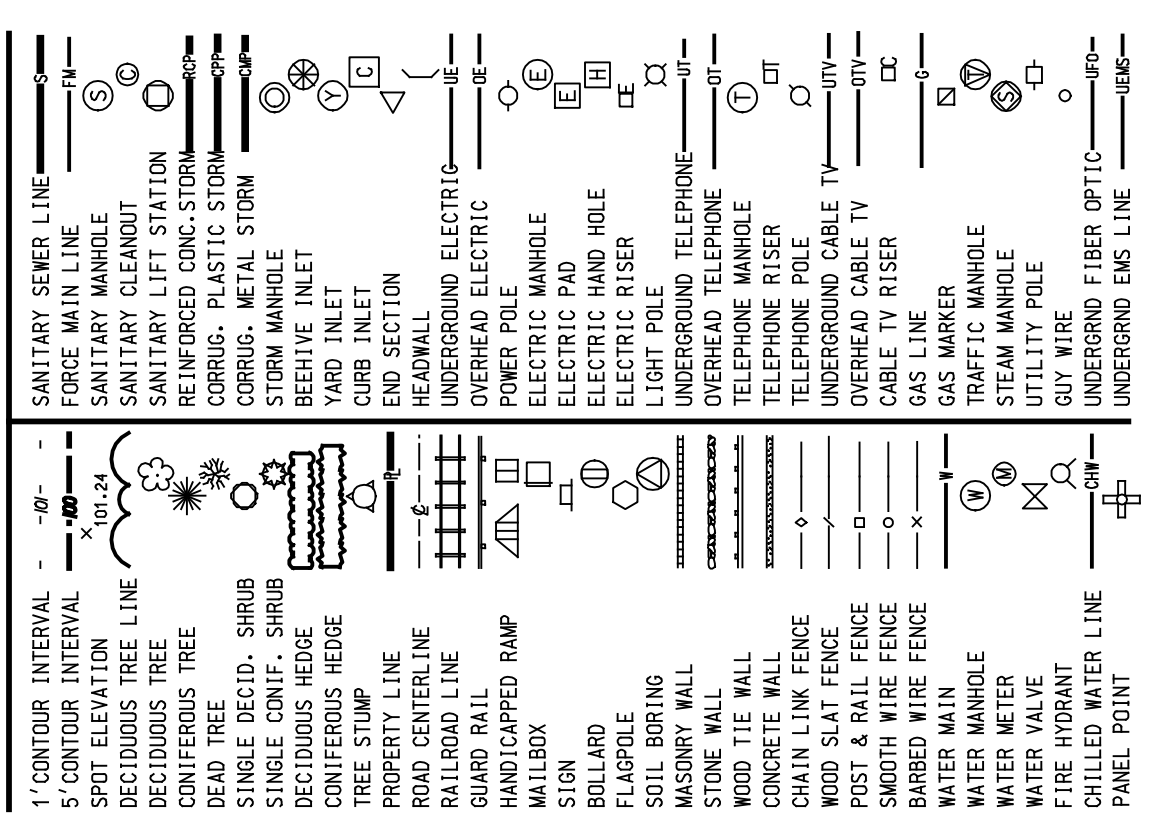
GENERAL NOTES

- SEE SMITH NEUBECKER STANDARD SPECIFICATIONS FOR CONSTRUCTION REQUIREMENTS.
 - TOP OF CURB AND FINISH GRADES ARE GIVEN IN THE FOLLOWING LOCATIONS: A) INTERSECTIONS; B) INLETS; SEE DETAIL PACKET INDICATED BY FAST CONSTRUCTION PILES; C) 10' FT. ELEVATION IF FIELD ADJUSTMENTS ARE NECESSARY.
- GRADING NOTES**
- FF = IF SHOWN ON THE PLANS, = RECOMMENDED FINISH FLOOR ELEVATION.
 - GF = IF SHOWN ON THE PLANS, = RECOMMENDED BASEMENT FLOOR ELEVATION.
 - GE = IF SHOWN ON THE PLANS, = RECOMMENDED GARAGE FLOOR ELEVATION.
 - PP = IF SHOWN ON THE PLANS, = RECOMMENDED PERMANENT POND ELEVATION.
 - 100YR-FLOOD = IF SHOWN ON THE PLANS, = 100YR. FLOOD ELEVATION.
 - MINIMUM FLOOD = IF SHOWN ON THE PLANS, = MINIMUM FLOOD ELEVATION. SEE UTILITY NOTES AND SPECIFICATIONS FOR MORE DETAIL.
 - MF = IF SHOWN ON THE PLANS, = MINIMUM FLOOD ELEVATION. THIS INDICATES THE LOWEST FLOOR ELEVATION THAT MAINTAINS A MINIMUM 2 FT. CLEARANCE ABOVE THE 100 YR FLOOD ELEVATION.
 - GRADING LIMITS: IF SHOWN ON THE PLANS, INDICATE THE LINE BEYOND WHICH GRADING SHALL BE THE EXISTING GRADE AND THE EDGE OF THE AREA THAT SHOULD BE DISTURBED DURING THE CONSTRUCTION PROCESS. IF SHOWN, ARE AT FINISH GRADE UNLESS NOTED OTHERWISE ON THE PLANS.

CONSTRUCTION LEGEND



TOPOGRAPHIC LEGEND



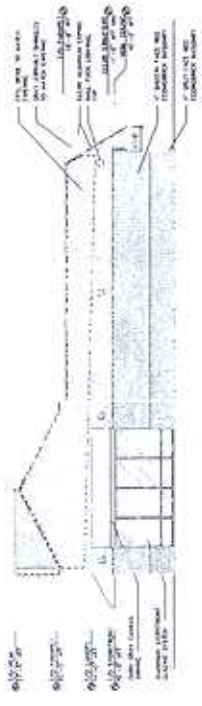
Sheet No.	100
Project No.	07-20
Revision	
Drawn By	AK
Checked By	
Scale	1/8" = 1'-0"

MARSH CENTER

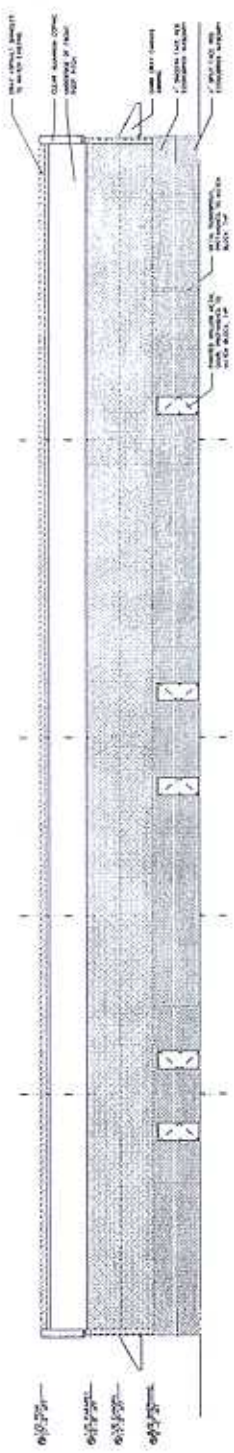
RETAIL BUILDING
KINGSTON, INDIANA



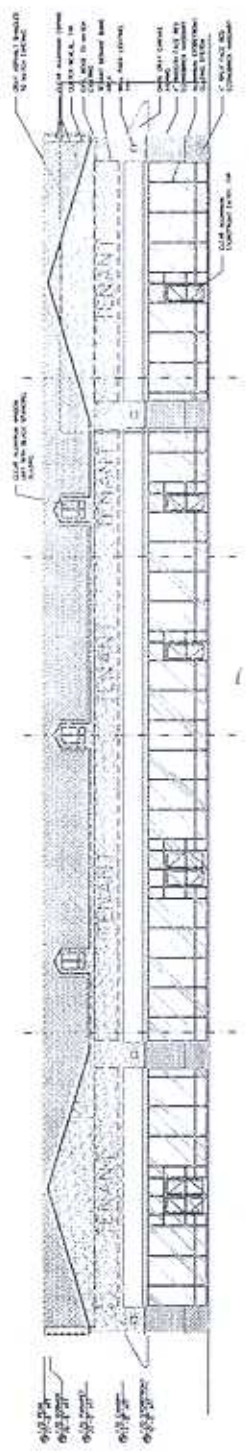
ELEV



3. WEST (SIDE) ELEVATION
1/8" = 1'-0"



2. SOUTH (REAR) ELEVATION
1/8" = 1'-0"



1. NORTH (FRONT) ELEVATION
1/8" = 1'-0"

PURVIS

PUD-12-06
Revised
Architecture



June 13, 2006

City of Bloomington Plan Commission
C/o Eric Greulic, Planner
P. O. Box 100
Bloomington, IN 47402

Stephen L. Smith P.E., L.S.
Daniel Neubecker L.A.
Steven A. Brehob, B.S.Cn.T.

Re: PUD amendment Petition
Kinston PUD

Dear Eric and Plan Commissioners,

We are petitioning the Plan Commission and Council for amendment of the Planned Unit Development along the east side of Kingston Drive.

This parcel was originally zoned as RL/PUD allowing residential duplexes with access from Longview Avenue. Our request is for commercial retail, offices and some second floor apartments with access through the existing Marsh drives in the adjoining PUD. The plan has been carefully crafted with Planning Staff and Neighborhood input to provide effective buffering and to minimize impacts to Longview Avenue and the adjacent Park Ridge residences. Building placement provides both building forward on Kingston at Longview and serves as part of the buffer to the east.

Given the significant staff and neighborhood coordination that has taken place, we ask that the Plan Commission consider waiving the second hearing. Also given the detail provided in the petition we ask that final development plan approval be delegated to the Planning Staff.

The attached outline plan statements, drawings, building elevations and photographs explain our proposal in detail. We look forward to working with you over the next several weeks as we move through the PUD amendment process.

Very Truly Yours,

A handwritten signature in black ink, appearing to read 'S. L. Smith', written over a vertical line.

Stephen L. Smith
Smith Neubecker & Associates, Inc.

Cc file 4061
Dave Kamen
Steve Akers

Petitioner's Statement

Kingston PUD Amendment

Outline Plan Statement

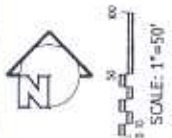
June 13, 2006

This amendment changes the allowed use of the land that is currently designated as residential duplexes to a mix of commercial, office and second floor apartments and adds very specific controls on the development proposal. One of the primary purposes of the controls is to insure an appropriate buffer and transition from the Marsh supermarket to the single family residential homes to the east. The plan also provides a building forward design on Kingston and commercial that compliments the Marsh store. The site shall be developed substantially as shown on the Outline Plan Drawing and in accordance with the following development standards and controls;

- Setback and buffer mound.
 - 50' setback from east property line to a small retaining wall that will be used to transition grade as required. No utilities or other appurtenances shall be placed within the 50' setback.
 - The setback shall be mounded as shown on the grading plan. This includes extending a 3' high mound to within 10' of the sidewalk on Longview.
 - The mound shall be landscaped with juniper fitzer shrubs and with evergreen trees (Norway spruce) similar to what was done behind the Smith Neubecker and Associates office building.
- Lighting.
 - Site lighting shall be limited to 36" pedestrian scale bollard lighting in the parking lot and down lighting from the building. The down lighting can be under the roof overhang and/or canopy.
 - Any existing lighting on the Marsh site is not affected by this condition.
- Site plan, access and parking.
 - Access to the site will be via the existing Marsh drives. The access to Kingston Drive will be widened to about 26'.
 - No drive access may be made to Longview.
 - Parking will be substantially as shown on the Outline Plan drawing.
 - An internal sidewalk connection shall be made to Longview sidewalk in a fashion similar to that shown on the Outline Plan drawing.
 - The existing detention basin shall be retained and enlarged as necessary.
 - The mature trees adjacent to the detention basin shall be retained.
 - No drive through facilities shall be allowed.
 - The site shall have between 4.5 and 5 parking spaces per 1000 sf of commercial and office building area and 1 parking space per residential bedroom.
 - The plan is intended to be developed in a comprehensive fashion yet may be subdivided into individual lots. No setbacks shall be required along internal lot lines.

- Buildings and Land Use
 - The site shall be limited to one 14,000 sf retail commercial building as illustrated on the Outline Plan drawing.
 - The finish floor elevation will be approximately 828.5 with the top of the adjacent mound being 838 to 839 along the rear of the building. The exact building and mound elevations for the entire site shall be determined at outline plan stage after a detailed topographic survey and detailed designs are completed.
 - Access to the building on the east side shall be for fire exit and occasional employee access only. No customer and no delivery access shall be allowed on the east side of the building. Concrete stoops shall be provided at the exits but they will not be connected with sidewalk.
 - Allowed uses will include those permitted in the CA zone that can fit into the other parameters of this PUD.
 - Architectural concept drawings are being submitted for the commercial building. The front is designed to fit with the architecture of the existing Marsh building. The rear is designed with a pitched shingled roof that is low in elevation at the rear near the buffer mound and then raises in elevation on the west to accommodate the building façade to compliment the Marsh Building.
 - The site will allow two office buildings as shown on the Outline Plan Drawing.
 - The eastern building shall be limited to 7,500 sf footprint. The building can have second story utilization within the roof line of a single story structure. Dormers are not allowed on the east end of the building. This building will have a pitched shingled roof.
 - The western building shall be limited to 5,000 sf footprint. This building will be allowed to have a full second floor. The second floor is allowed to be used as residential units.
 - Allowed uses include all types of offices including professional, medical etc.
 - Architecture of the office buildings will be similar to those in the Clarizz Office Park PUD on Clarizz Avenue. Key features include shingled pitched roof with brick, dry-vit or some combination thereof. Illustrative photographs are included with this statement.
- Project Phasing
 - The project will be developed in up to three phases. The first Phase will be the 14,000 sf commercial building, the site mass grading and landscaping the buffer mound.
 - The office buildings and associated parking and other site improvements will be the next two Phases; each building being one phase in no particular order.

- Other Development Standards.
 - Deliveries to the buildings on this site shall be limited to between 6 AM and 10 PM.



GENERAL NOTES
 1. SEE ALL NOTES ON ALL SHEETS FOR THIS PROJECT.
 2. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF PORTLAND PLANNING AND ZONING ORDINANCES AND THE KINGSTON PUD DESIGN STANDARDS.
 3. ALL UTILITIES SHALL BE DEPTH MARKED AND SHOWN AS SHOWN ON THE ATTACHED UTILITY MAP.
 4. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF PORTLAND PLANNING AND ZONING ORDINANCES AND THE KINGSTON PUD DESIGN STANDARDS.
 5. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF PORTLAND PLANNING AND ZONING ORDINANCES AND THE KINGSTON PUD DESIGN STANDARDS.

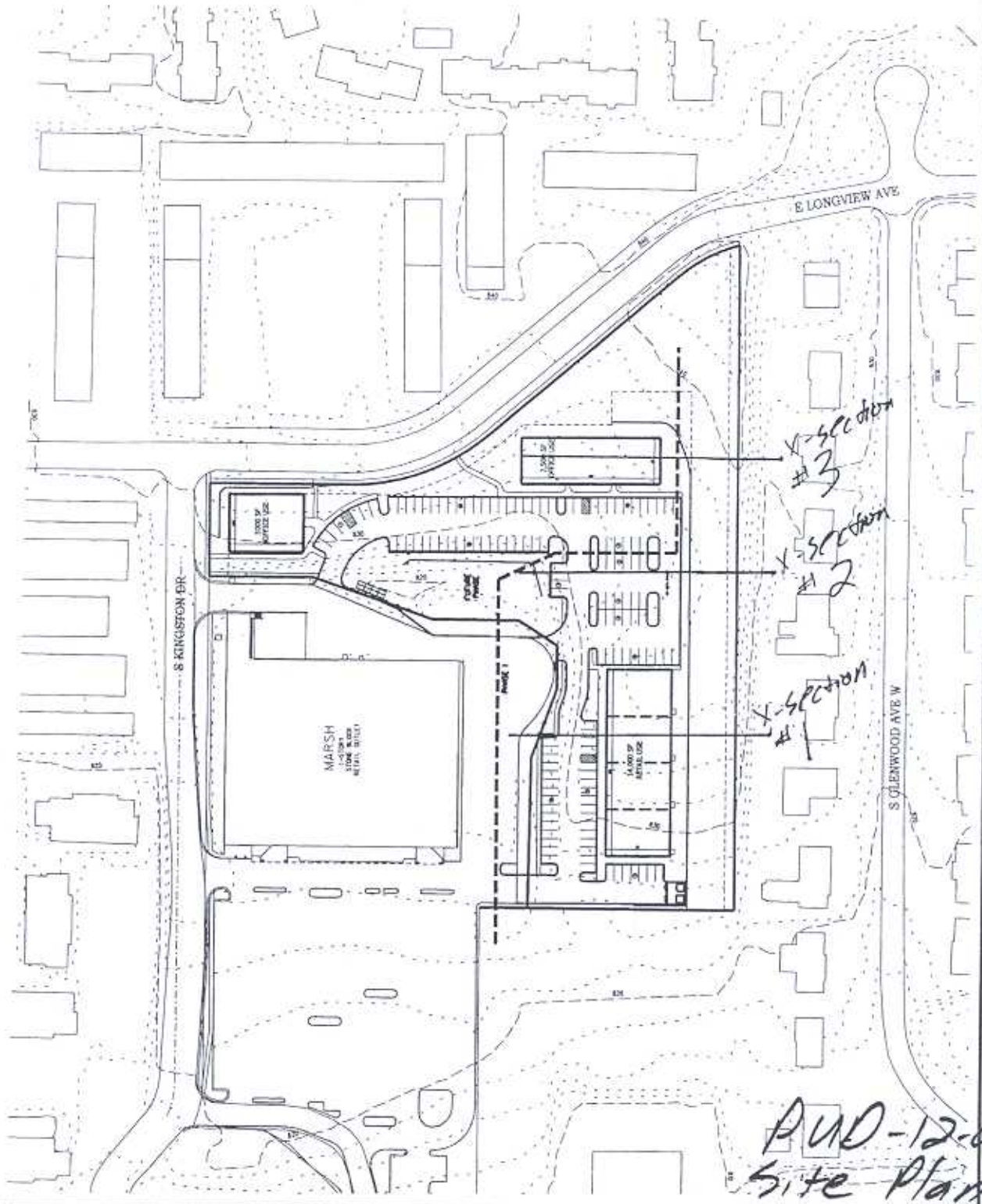
SITE PLAN NOTES
 1. MARSH SHALL BE MAINTAINED AS SUCH.
 2. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF PORTLAND PLANNING AND ZONING ORDINANCES AND THE KINGSTON PUD DESIGN STANDARDS.
 3. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF PORTLAND PLANNING AND ZONING ORDINANCES AND THE KINGSTON PUD DESIGN STANDARDS.

CONSTRUCTION LEGEND

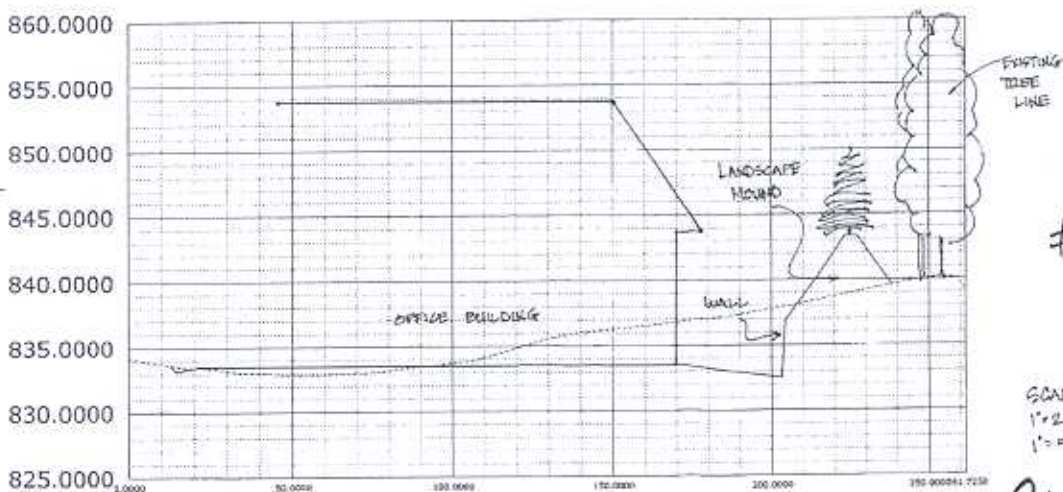
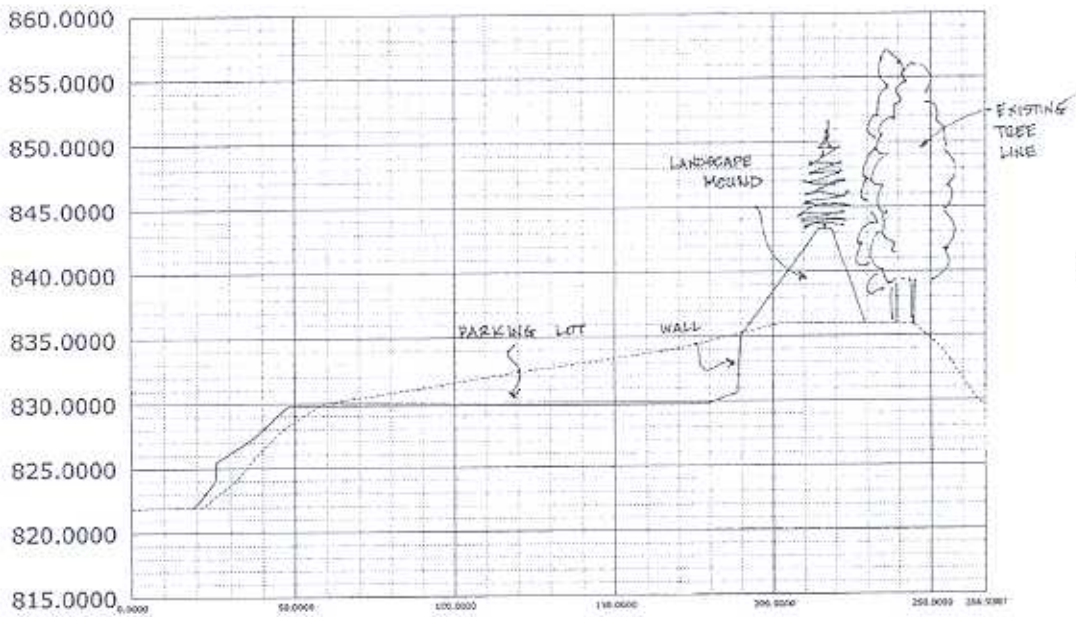
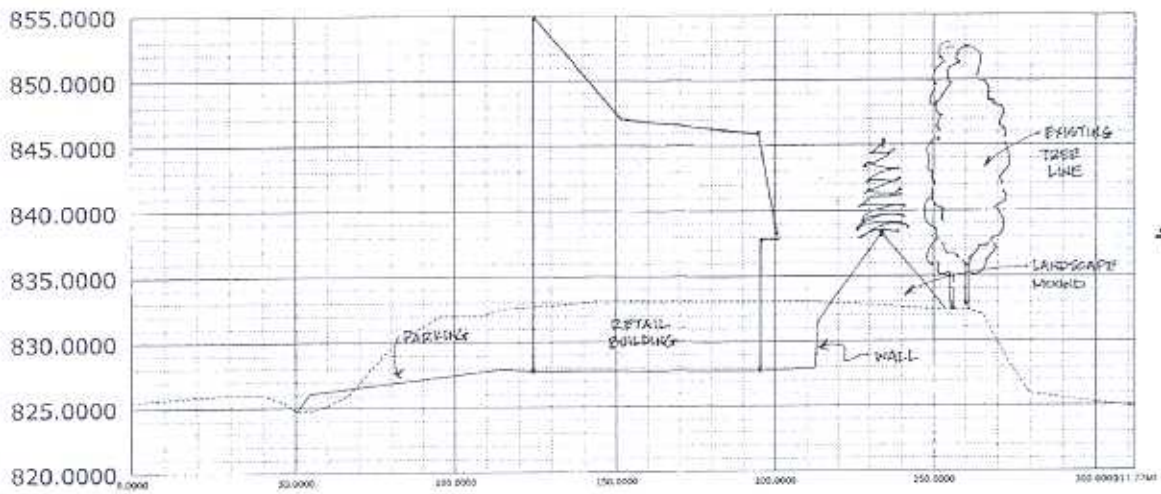
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2. 1/2" CONC. DRIVE	12. 1/2" CONC. DRIVE
3. 1/2" CONC. DRIVE	13. 1/2" CONC. DRIVE
4. 1/2" CONC. DRIVE	14. 1/2" CONC. DRIVE
5. 1/2" CONC. DRIVE	15. 1/2" CONC. DRIVE
6. 1/2" CONC. DRIVE	16. 1/2" CONC. DRIVE
7. 1/2" CONC. DRIVE	17. 1/2" CONC. DRIVE
8. 1/2" CONC. DRIVE	18. 1/2" CONC. DRIVE
9. 1/2" CONC. DRIVE	19. 1/2" CONC. DRIVE
10. 1/2" CONC. DRIVE	20. 1/2" CONC. DRIVE

TOPOGRAPHIC LEGEND

1. 1/2" CONC. DRIVE	11. 1/2" CONC. DRIVE
2. 1/2" CONC. DRIVE	12. 1/2" CONC. DRIVE
3. 1/2" CONC. DRIVE	13. 1/2" CONC. DRIVE
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5. 1/2" CONC. DRIVE	15. 1/2" CONC. DRIVE
6. 1/2" CONC. DRIVE	16. 1/2" CONC. DRIVE
7. 1/2" CONC. DRIVE	17. 1/2" CONC. DRIVE
8. 1/2" CONC. DRIVE	18. 1/2" CONC. DRIVE
9. 1/2" CONC. DRIVE	19. 1/2" CONC. DRIVE
10. 1/2" CONC. DRIVE	20. 1/2" CONC. DRIVE



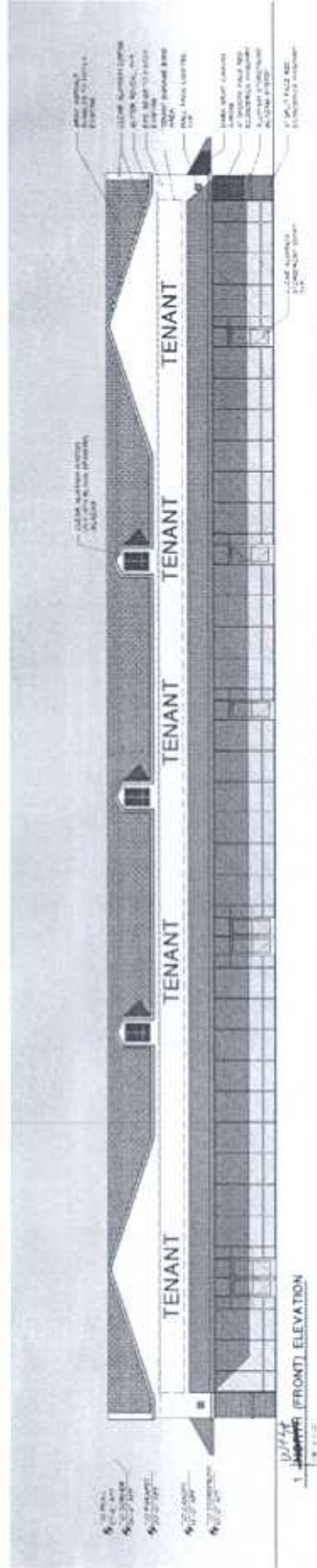
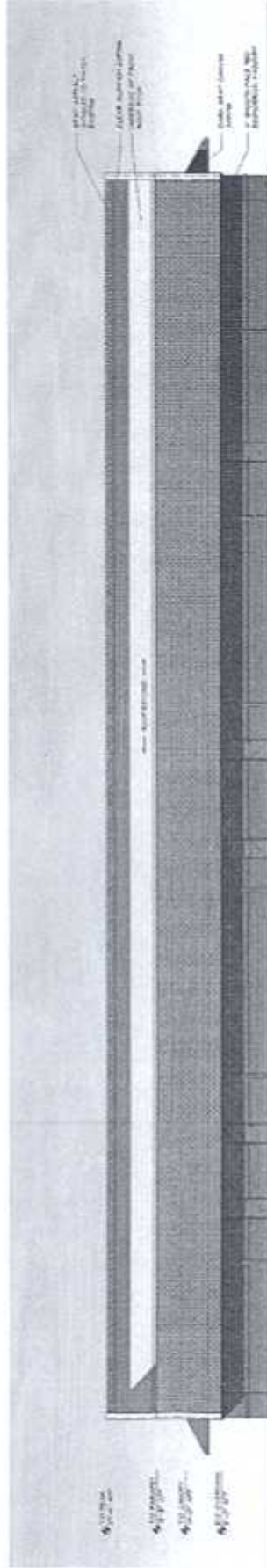
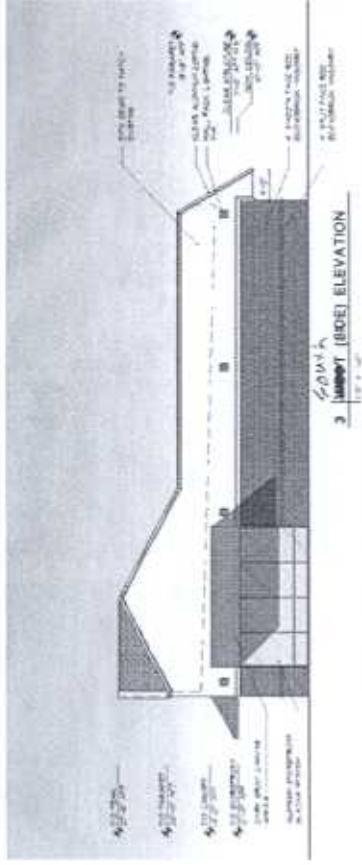
PUD-12-06
 Site Plan 41



SCALE:
 1"=20' HORIZ.
 1"=5' VERT.

PUD-12-06-4
 Berm Cross Sections

PUD-12.06
Retail building
Elevations



MARSH CENTER

BLOOMINGTON, INDIANA



HERSCHMAN ARCHITECTS
25001 Emory Road, Suite 400
Bloomington, IN 47403
317.323.3333
216.272.3110 fax
www.herschmanarchitects.com

Drawn by: BJA
Project No: 1207
Date: 12/11/11

G-1

KINGSTON PUD
Office Building
Illustrative Photos
6/13/06

45
PUD-12-06
Example Photos
Similar Architecture



PETITIONER: Bryan Rental
1440 S. Liberty Dr, Bloomington

COUNSEL: Smith Neubecker & Associates
453 S. Clarizz Blvd, Bloomington

REQUEST: The petitioner is requesting a preliminary plan amendment to the Kingston Planned Unit Development (PUD) that would add office, second-story residential, and retail services to the list of approved uses for a vacant parcel that was originally part of the Service Merchandise PUD created in the early 90s. The petitioner has also requested a waiver of the required second Plan Commission hearing and delegation of future final plans to be reviewed at staff level.

SITE INFORMATION:

Lot Area: 4.3 acres
Current Zoning: Planned Unit Development (Kingston PUD)
GPP Designation: Community Activity Center
Existing Land Use: Vacant lot
Proposed Land Use: Mixed Use (retail, office, and residential)
Surrounding Uses: North - Multi-Family Residences (Continental Apartments)
South - Commercial (Marsh grocery)
East - Single Family Residences (Park Ridge)
West - Commercial/Multi-Family Residences (Town & Country Apartments)

REPORT: The site is located at the southeast corner of S. Kingston Dr. and W. Longview Ave. and is within the Kingston PUD rezoned in 1992. The property is mostly open meadow with a few scattered trees and a detention pond. This parcel was originally approved for 22 paired-patio homes, but has not been developed. The PUD was amended in 1999 (PUD-55-99) to allow Marsh grocery store to re-use the former Service Merchandise building on the southern parcel. At that time, there were various site improvements done including parking lot landscaping, additional sidewalk connections, and site landscaping.

The petitioner is requesting an amendment to the list of permitted land uses for the vacant parcel to allow a mixed-use development consisting of one 14,000 sq. ft. retail building, two office buildings totaling 12,300 sq. ft, and upstairs residential apartments in one of the office buildings. Two of the buildings would be one-story while the proposed office building at the corner of Kingston Dr. and Longview Ave. is proposed as two stories to allow up to six residential apartments upstairs.

This property is adjacent to the Park Ridge single family neighborhood. The petitioner has met with the neighborhood association several times to address issues regarding this petition. The neighborhood was most concerned with visual buffering between their neighborhood and this development. To that end, the petitioner is proposing a 50' wide buffer area along the east property line between this development and the Park Ridge neighborhood. This buffer area will consist of an approximately 4-8' tall by 40' wide landscaped earthen berm that starts at the south property line and extends north to Longview.

PRELIMINARY PLAN ISSUES:

Growth Policies Plan: The 2002 Growth Policies Plan identifies this area as *Community Activity Center (CAC)*. The GPP states that these areas should be developed as mixed-use developments to serve not only pedestrians, but also vehicular traffic. Parking should be kept to reasonable levels to avoid large open areas of asphalt. The GPP states-

- *"The primary land use in the CAC should be medium scaled commercial retail and service uses."* – This petition incorporates 3 buildings that have the potential for a wide range of possible retail and/or office uses. The size and height of each building is moderate in scale and compatible with surrounding buildings in the area.
- *"CAC should be located within or very near to existing developed neighborhoods."* – This site has an established single family neighborhood (Park Ridge) to the east and several multi-family developments to the north and west. There are existing sidewalks along Kingston Dr. and Longview Ave., and there will be internal sidewalks to provide pedestrian connectivity to this site and other surrounding commercial properties.
- *"Public transit access should be a major component"* – This site is located along the Bloomington Transit bus line with a bus stop at several locations along Kingston Dr. and at the corner of Kingston Dr. and Longview Ave. The Bloomington Transit line only travels southbound on Kingston Dr., so a bus shelter on the east side of Kingston Dr. has not been requested.
- *"A CAC should be located at an intersection which is made up of designated Collector or Arterial streets."* – Both Longview Ave. and Kingston Dr. are classified as Primary Collector streets. There is a signalized intersection at Kingston Dr. and E. 3rd Street. No additional vehicular traffic will be directed through the surrounding neighborhoods as a result of this petition.
- *"CAC design should be sensitive to the surrounding context"* – The proposed development will feature one-story buildings along the residential neighborhood and a landscape berm to provide a visual and sound buffer between the development and the neighborhood. The combination of one-story buildings and a landscape berm will mitigate impacts to the neighborhood. The buildings will be constructed of brick, EIFS, and glass with pitched roofs and dormers to provide a residential appearance that will be compatible to surrounding commercial and residential buildings. No dormers will be facing east toward the Park Ridge neighborhood. The site plan has been designed to place the buildings

between the neighborhood and the parking areas to limit noise concerns associated with the parking areas.

- *"Street cuts should be limited as much as possible to reduce interruptions of the streetscape."* – There will be no additional street cuts as part of this petition. Access will come from both an existing street cut on Kingston Dr. as well as through the Marsh parking lot.

Residential Use: The upper floor of the mixed-use building at the corner of Kingston Dr. and Longview Ave. will contain up to 6 two-bedroom residential units. The incorporation of upper floor residential units over nonresidential space is encouraged by the GPP and is compatible with other residential uses in the area. Some of the surrounding neighborhood residents have expressed concerns with the proposed residential component of the petition.

Pedestrian Facilities/Street Trees: A sidewalk was installed along Kingston Dr and Longview Ave. in 1999 with the conversion of Service Merchandise to Marsh. A sidewalk connection between Marsh and 3rd Street was also installed. Internal sidewalk connections between this development and the surrounding sidewalks on Kingston Dr. and Longview Ave. have been shown, as well as connections to existing sidewalks by Marsh. Street trees were not installed and would be required along Kingston Dr. and Longview Ave. not more than 40' from center.

Architecture: The petitioner has submitted proposed architecture and elevations for the new buildings which are included in the packet. The buildings are proposed to be constructed of brick, EIFS, and glass with pitched roofs and dormers to provide a residential appearance that will be compatible with surrounding commercial and residential buildings. No dormers will be facing east toward the Park Ridge neighborhood. The office buildings are proposed to be very similar to the Smith Neubecker and Southern Indiana Pediatrics buildings located on Clarizz Blvd.

In its review of the proposed architecture, staff notes that the proposed architectural elevation for the retail building proposed along the east property line has very little variation in roofline or roof pitch. While the proposed building does have some compatibility with the nearby Marsh grocery store and should be kept low to limit visual impacts, staff requests guidance from the Plan Commission on whether there should be more variation in the proposed architectural design. Second, staff would recommend that the Plan Commission retain final plan review authority over building architecture unless the petitioner includes greater architectural commitments for all the proposed buildings.

Parking: The 6 two-bedroom residential units would require a total of 12 parking spaces. The office and retail buildings would require 4.5 parking spaces per 1,000 sq. ft. of gross floor area. Based on the 26,300 sq. ft. of area proposed for office and retail, there would need to be 119 parking spaces for a total of 131 required on-site parking spaces. The petitioner is proposing 132 parking spaces which exceeds code requirements by one parking space. Because this proposal incorporates both mixed use development and is proximate to nearby parking

areas, staff requests guidance from the Plan Commission concerning whether parking counts should be lowered further.

Neighborhood Issues: This property is adjacent to the Park Ridge single family neighborhood to the east, and the petitioner has met with the neighborhood association several times to address any concerns regarding this petition. The neighborhood has indicated that their most important issue is to ensure proper visual and sound buffering from the project. To that end, the petitioner is proposing a 50' wide buffer area along the east property line between this development and the Park Ridge neighborhood.

This buffer area will consist of an approximately 4-8' tall by 40' wide landscaped earthen mound that starts at the south property line and extends north to Longview. In addition, there will be a 10' no disturbance buffer between the property line and the landscape mound to preserve the existing vegetated fence row. Staff would also recommend that the berm be irrigated to increase the survivability rate of the required vegetation. Lighting on the buildings will be downlit, and 36" tall bollard lights will also be used internally.

The neighborhood has expressed concern regarding the proposed second-story residential units. It should be noted that this aspect of the proposal was originated by the Planning Department in order to increase the mixed use component of the PUD. To this end, an additional neighborhood meeting will be held in an attempt to address the concerns of some of the neighbors. More information regarding this meeting should be available by the Plan Commission meeting.

Staff has also heard from the adjacent property owner of Continental Apartments to the north who has expressed a desire to have either additional landscaping planted or wrap the mound further to the west to provide visual screening between this development and his property to the north.

Development Standards: The requested list of approved uses for this parcel would be the Arterial Commercial (CA) district list of uses, with the exception of drive-thru restaurants. Other development standards have been given and are included in the packet (exhibit #1). After reviewing the submitted material, staff recommends that General Commercial (CG) rather than CA uses be permitted for this PUD. Additionally, staff would exclude certain CG uses such as car washes and gasoline service stations which are not appropriate to be located within this development.

RECOMMENDATION: Staff recommends forwarding this petition to the August Plan Commission hearing.

**BLOOMINGTON PLAN COMMISSION
SECOND HEARING REPORT
LOCATION: 123 S. Kingston Dr.**

**CASE #: PUD-12-06
DATE: August 14, 2006**

PETITIONER: Bryan Rental
1440 S. Liberty Dr, Bloomington

COUNSEL: Smith Neubecker & Associates
453 S. Clarizz Blvd, Bloomington

REQUEST: The petitioner is requesting a preliminary plan amendment to the Kingston Planned Unit Development (PUD) that would add office and retail services to the list of approved uses for a vacant parcel that was originally part of the Service Merchandise PUD created in the early 90s. The petitioner has also requested delegation of future final plans to be reviewed at staff level.

SITE INFORMATION:

Lot Area: 4.3 acres
Current Zoning: Planned Unit Development (Kingston PUD)
GPP Designation: Community Activity Center
Existing Land Use: Vacant lot
Proposed Land Use: Commercial (retail and office)
Surrounding Uses: North - Multi-Family Residences (Continental Apartments)
South – Commercial (Marsh grocery)
East - Single Family Residences (Park Ridge)
West – Commercial/Multi-Family Residences (Town & Country Apartments)

REPORT: The site is located at the southeast corner of S. Kingston Drive and W. Longview Avenue and is within the Kingston PUD rezoned in 1992. The property is mostly open meadow with a few scattered trees and a detention pond. This parcel was originally approved for 22 paired-patio homes, but has not been developed. The PUD was amended in 1999 (PUD-55-99) to allow Marsh grocery store to re-use the former Service Merchandise building on the southern parcel. At that time, there were various site improvements done including parking lot landscaping, additional sidewalk connections, and site landscaping.

The petitioner is requesting an amendment to the list of permitted land uses for the vacant parcel to allow a commercial development consisting of one 14,000 sq. ft. retail building and two office buildings totaling 12,300 sq. ft.

This property is adjacent to the Park Ridge single family neighborhood. The petitioner has met with the neighborhood association several times to address issues regarding this petition. The neighborhood was most concerned with visual buffering between their neighborhood and this development. To that end, the petitioner is proposing a 50' wide buffer area along the east property line between this development and the Park Ridge neighborhood. This buffer area

will consist of an approximately 4-8' tall by 40' wide landscaped earthen berm that starts at the south property line and extends north to Longview.

CHANGES SINCE FIRST HEARING:

Architecture: The petitioner has submitted revised renderings for the retail building that incorporates more block pillars along the front to break up the façade.

Land Use: To address the concerns of the neighborhood the petitioner has removed the previously proposed six residential units from the second floor of the office building.

Sidewalk Connections: The site plan has been revised to show the desired internal sidewalk connections throughout the site and to the existing sidewalk on Longview.

Parking: With the removal of the residential units the petitioner has also removed the associated 12 parking spaces. There would be 126 parking spaces remaining for 12,500 sq. ft. of office and 14,000 sq. ft. of retail. Overall the petitioners are providing 4.75 parking spaces per 1,000 sq. ft. of commercial area.

PRELIMINARY PLAN ISSUES:

Growth Policies Plan: The 2002 Growth Policies Plan identifies this area as *Community Activity Center (CAC)*. The GPP states that these areas should be developed as mixed-use developments to serve not only pedestrians, but also vehicular traffic. Parking should be kept to reasonable levels to avoid large open areas of asphalt. The GPP states-

- *“The primary land use in the CAC should be medium scaled commercial retail and service uses.”* – This petition incorporates 3 buildings that have the potential for a wide range of possible retail and/or office uses. The size and height of each building is moderate in scale and compatible with surrounding buildings in the area.
- *“CAC should be located within or very near to existing developed neighborhoods.”* – This site has an established single family neighborhood (Park Ridge) to the east and several multi-family developments to the north and west. There are existing sidewalks along Kingston Dr. and Longview Ave., and there will be internal sidewalks to provide pedestrian connectivity to this site and other surrounding commercial properties.
- *“Public transit access should be a major component “*– This site is located along the Bloomington Transit bus line with a bus stop at several locations along Kingston Dr. and at the corner of Kingston Dr. and Longview Ave. The Bloomington Transit line only travels southbound on Kingston Dr., so a bus shelter on the east side of Kingston Dr. has not been requested.
- *“A CAC should be located at an intersection which is made up of designated Collector or Arterial streets.”* – Both Longview Ave. and Kingston Dr. are classified as Primary Collector streets. There is a

signalized intersection at Kingston Dr. and E. 3rd Street. No additional vehicular traffic will be directed through the surrounding neighborhoods as a result of this petition.

- *“CAC design should be sensitive to the surrounding context”* – The proposed development will feature one-story buildings along the residential neighborhood and a landscape berm to provide a visual and sound buffer between the development and the neighborhood. The combination of one-story buildings and a landscape berm will mitigate impacts to the neighborhood. The buildings will be constructed of brick, EIFS, and glass with pitched roofs and dormers to provide a residential appearance that will be compatible to surrounding commercial and residential buildings. No dormers will be facing east toward the Park Ridge neighborhood. The site plan has been designed to place the buildings between the neighborhood and the parking areas to limit noise concerns associated with the parking areas.
- *“Street cuts should be limited as much as possible to reduce interruptions of the streetscape.”* – There will be no additional street cuts as part of this petition. Access will come from both an existing street cut on Kingston Dr. as well as through the Marsh parking lot.

Pedestrian Facilities/Street Trees: A sidewalk was installed along Kingston Dr and Longview Ave. in 1999 with the conversion of Service Merchandise to Marsh. A sidewalk connection between Marsh and 3rd Street was also installed. Internal sidewalk connections between this development and the surrounding sidewalks on Kingston Dr. and Longview Ave. have been shown, as well as connections to existing sidewalks by Marsh. Street trees were not installed and would be required along Kingston Dr. and Longview Ave. not more than 40' from center.

Architecture: The petitioner has submitted proposed architecture and elevations for the new buildings which are included in the packet. The buildings are proposed to be constructed of brick, EIFS, and glass with pitched roofs and dormers to provide a residential appearance that will be compatible with surrounding commercial and residential buildings. No dormers will be facing east toward the Park Ridge neighborhood. The office buildings are proposed to be very similar to the Smith Neubecker and Southern Indiana Pediatrics buildings located on Clarizz Blvd.

Parking: The office and retail buildings would require 4.5 parking spaces per 1,000 sq. ft. of gross floor area. There would be 126 parking spaces provided for 12,500 sq. ft. of office and 14,000 sq. ft. of retail. The petitioners are providing 4.75 parking spaces per 1,000 sq. ft. of commercial area.

Neighborhood Issues: This property is adjacent to the Park Ridge single family neighborhood to the east, and the petitioner has met with the neighborhood association several times to address any concerns regarding this petition. The neighborhood has indicated that their most important issue is to ensure proper visual and sound buffering from the project. To that end, the petitioner is

proposing a 50' wide buffer area along the east property line between this development and the Park Ridge neighborhood.

This buffer area will consist of an approximately 4-8' tall by 40' wide landscaped earthen mound that starts at the south property line and extends north to Longview Ave. In addition, there will be a 10' no disturbance buffer between the property line and the landscape mound to preserve the existing vegetated fence row. Staff would also recommend that the berm be irrigated to increase the survivability rate of the required vegetation. Lighting on the buildings will be downlit, and 36" tall bollard lights will also be used internally.

Staff has also heard from the adjacent property owner of Continental Apartments to the north who has expressed a desire to have either additional landscaping planted or wrap the mound further to the west to provide visual screening between this development and his property to the north. Additional landscaping to provide a visual buffer will be required with the grading permit.

Development Standards: The petitioner originally requested to utilize the Arterial Commercial (CA) district list of uses, with the exception of drive-thru restaurants. Other development standards have been given and are included in the packet (exhibit #1). After reviewing the submitted material, staff recommends that General Commercial (CG) rather than CA uses be permitted for this PUD. Additionally, staff would exclude certain CG uses such as car washes, drive-thrus, and gasoline service stations which are not appropriate to be located within this development.

BBPSC Summary: The Bloomington Bicycle and Pedestrian Safety Committee (BBPSC) reviewed this petition and made three recommendations. One has been incorporated into changes made since the first hearing. Staff has not recommended that covered bike parking be required with this petition. Staff finds that requiring such facilities would not be appropriate at this time and that this issue is better addressed with the adoption of the upcoming Unified Development Ordinance. The last recommendation of moving the 14,000 square foot retail structure to the Marsh site is not feasible. Marsh has a lease for that property which is not part of this petition.

Staff Level Plans: Staff is comfortable approving final site plans at staff level.

Option #1: The petitioner has requested approval for a possible option to add more parking to the south and move the proposed retail building to the south as well. This would involve securing a parking easement on the adjacent Volkswagen dealership property to the south. Staff is not in support of this option since it would add more parking to this development, which already exceeds code requirements for on-site parking. This easement and additional property are not formally part of this petition site, therefore Staff finds this request to be premature.


Developer Track Record: The petitioner owns several commercial properties but has no recent development history or known violations.

RECOMMENDATION: Staff recommends forwarding this petition to the Common Council with a positive recommendation and the following conditions of approval:

1. Final site plans to be approved at staff level.
2. Additional landscaping is required along the north building to provide a visual buffer to the north.
3. The list of approved uses shall be the General Commercial list of permitted uses excepting car washes, gasoline service stations, and drive-thrus.



To: Plan Commission Members

From: Raymond Hess, Transportation Planner 
Staff support to the Bloomington Bicycle and Pedestrian Safety Committee

Date: July 5, 2006

Re: Kingston PUD (case #PUD-08-06)

The Bloomington Bicycle and Pedestrian Safety Committee (BBPSC) reviewed the Kingston PUD site plan at their workshop held on July 3, 2006 and made the following comments and recommendations:

Sidewalk Connection

The BBPSC supported staff recommendations to connect the missing section of sidewalk between the 5,000 sf office use and the 7,500 sf office use (just S of Longview Ave.).

Covered Bike Parking

The entire PUD, including the Marsh supermarket, would benefit if covered bike parking were provided at this project site. This recommendation is consistent with the proposed standards in the draft Unified Development Ordinance.

New Urbanism Concepts

The location of some of the buildings tucked behind Marsh is isolated from the sidewalks and bikelanes on Kingston Dr. A more pedestrian-friendly environment could be created along this road if the *14,000 sf retail use* building was shifted from its proposed location to a location just south of Marsh where it would have frontage along S. Kingston Dr.

RECOMMENDATIONS

- Connect the missing link of sidewalk between the two buildings on the north side of the project.
- Install covered bike parking.
- Explore utilizing the parking in front of Marsh as the location of the *14,000 sf retail use* building so that it would have frontage along S. Kingston Dr.

LIST OF PERMITTED USES

sible to the larger Bloomington community without creating detrimental impacts on surrounding land uses. This district provides a location for commercial uses of a significant scale that attract customers from throughout the area. The specific intent of this district is to:

- (a) Establish areas of compatible commercial uses;
- (b) Improve the visual quality of commercial areas;
- (c) Create an environment of well planned and coordinated commercial development.

20.07.08.02 Permitted Uses.

The following uses are permitted in the CG district subject to site plan requirements, all necessary permits and approvals, and other applicable requirements. Some uses are permitted only under specific conditions or with certain limitations. For such uses a number or numbers will appear in parentheses. Refer to said number(s) in Table 7-2 found in Section 20.07.16.01 of this zoning ordinance, to ascertain what conditions or limitations may apply to that use in this zoning district.

- Amusement arcade
- Animal hospitals and veterinarians' offices
- Appliance and furniture repair
- Auditoriums
- Automotive repair (9)
- Bars and taverns
- Bed and breakfast (14)
- Brewpub
- Business services in enclosed buildings
- ~~Car washes~~
- Churches
- Community centers
- Convalescent, nursing and rest homes
- Cultural facilities
- Day care centers
- ~~Drive-through facilities serving another permitted use (10)~~
- Financial institutions
- Fire stations
- ~~Gasoline service stations (11)~~
- Home occupations (16)

- Hotels and motels
- Lodge halls
- Mortuaries
- Multi-family dwellings
- Offices
- Parking garages (15)
- Personal services
- Police stations
- Recreation centers
- Residential care homes for developmentally disabled individuals (2)
- Residential care homes for mentally ill individuals (3)
- Residential care homes for up to five individuals other than those described above (4)
- Restaurants
- Retail sales in enclosed buildings, provided no individual enterprise shall exceed sixty thousand square feet
- Rooming/lodging houses
- Schools, elementary, middle, and high
- Schools, trade and business
- Single-family detached dwellings
- Social service uses
- Theaters, indoor
- Utility substations and transmission facilities (5)
- Wholesale sales in enclosed buildings, provided no individual enterprise shall exceed twenty thousand square feet

20.07.08.03 Conditional Uses.

The following uses may be permitted in the CG district subject to the issuance of a conditional use permit pursuant to Section 20.05.04.00 of this zoning ordinance. Conditional uses are also subject to site plan requirements, all necessary permits and approvals, and other applicable requirements. Unless otherwise specified, all conditional uses must meet the general standards found in Section 20.05.04.05, as well as any specific standards which may be applicable to that particular use. If a use is subject to specific standards, a reference will appear to the subsection of Section 20.05.04.06 where those standards are set forth.

- Downtown development opportunity (x)

ORDINANCE 06-22

TO VACATE A PUBLIC PARCEL -

**Re: An Alley Running East/West Between 320 and 326 South Dunn which is Approximately 10 Feet Wide and 178 Feet Long
(John S., Myra, John P., Mark, and Christopher S. Burnham, Petitioners)**

WHEREAS, I.C. 36-7-3-12 authorizes the Common Council to vacate public ways and places upon petition of persons who own or are interested in lots contiguous to those public ways and places; and

WHEREAS, the petitioners, members of the Burnham family, have filed a petition to vacate an alley right-of-way more particularly described below;

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT:

SECTION I. Through the authority of I.C. 36-7-3-12, a portion of City owned property shall be vacated.

The property, commonly known as an alley running east/west between 320 and 326 South Dunn which is approximately 10 feet wide and 178 feet long, is more particularly described as follows:

Five feet off the north side of the following described real estate:

A part of Seminary Lot 74 in the City of Bloomington, Indiana, described as follows, to-wit: Commencing at a point on the West line of Dunn Street; 295 feet, South of the center of Third Street in said city; running thence West 83 feet; thence South 50 feet; thence East 83 feet; thence North 50 feet along the West line of Dunn Street to the place of beginning.

AND

Five feet off the north side of the following described real estate:

Also a part of Seminary Lot 74 in said City of Bloomington, bounded as follows, to-wit: Commencing at the Northwest corner of a lot conveyed by Margaret B. Kirby and husband Joseph H. Kirby, and James Karsell, Trustee of Joseph H. Kirby to Joseph S. Woodward, January 14, 1898, and recorded in Deed Record 34, page 497, of the Recorder's office of Monroe County, Indiana, running thence North for the Northwest corner of said lot 45 feet; thence East 93 feet; thence South 45 feet; thence West 93 feet to the place of beginning.

AND:

Five feet off the south side of the following described real estate:

Part of Seminary Lot Number Seventy-four (74) in the City of Bloomington, bounded as follows, to wit: Commencing at a point on the West line of Dunn Street, in said City 250 feet South of the South line of Third Street in said City, said beginning point being the intersection of the West line of said Dunn Street and the North line of an alley, thence running West from said beginning point to the East line of an alley running North and South between Third Street and Smith Avenue in said City, thence North 45 feet; thence East to the West line of said Dunn Street, thence South 45 feet to the place of beginning.

SECTION II. Pursuant to I.C. 36-7-3-16, the following Utilities have submitted letters to the Common Council indicating that they are not occupying or using any part of this public way and have no interest to preserve as a part of this action: City of Bloomington Utilities, SBC, Duke Energy, Insight Communications, and Vectren.

SECTION III. This ordinance shall be in full force and effect from and after its passage by the Common Council of the City of Bloomington and approval of the Mayor.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2006.

CHRIS STURBAUM, President
Bloomington Common Council

ATTEST:

REGINA MOORE, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2006.

REGINA MOORE, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this _____ day of _____, 2006.

MARK KRUZAN, Mayor
City of Bloomington

SYNOPSIS

The petitioners, members of the Burnham family, request vacation of an alley located between 320 and 326 South Dunn.

City of
Bloomington
Indiana

City Hall
401 N. Morton St.
Post Office Box 100
Bloomington, Indiana 47402



Office of the Common Council
(812) 349-3409
Fax: (812) 349-3570
council@bloomington.in.gov
www.bloomington.in.gov/council

To: Council Members
From: Council Office
Re: Calendar for the Week of September 18-23, 2006
Date: September 15, 2006

Monday, September 18, 2006

11:00 am Bloomington Multicultural Fest, Hooker Room
4:00 pm Council for Community Accessibility, McCloskey
5:00 pm Farmers' Market Advisory Council, Showers Building, Room 250
5:00 pm Utilities Service Board, IU Research Park, 501 N. Morton, Room 100B
5:30 pm Bicycle and Pedestrian Safety Commission, Hooker Room
5:30 pm Unified Development Ordinance (UDO) Public Hearing, Council Chambers

Tuesday, September 19, 2006

9:30 am Safe Routes to School, McCloskey
3:00 pm Board of Public Safety, McCloskey
3:30 pm Community and Family Resources Commission, Hooker Room
5:30 pm Animal Control Commission, McCloskey
5:30 pm Bloomington Public Transportation Corporation, Transit Center, 130 W. Grimes Lane
5:30 pm Board of Public Works, Council Chambers

Wednesday, September 20, 2006

9:30 am Tree Commission, Rosehill Cemetery, 930 W. Fourth Street
12:00 pm Emergency Shelter Group, McCloskey
4:00 pm Martin Luther King Jr. Commission, McCloskey
7:00 pm Council of Neighborhood Associations, Hooker Room
7:30 pm Common Council Regular Session, Council Chambers

Thursday, September 21, 2006

8:00 am Bloomington Housing Authority, Housing Authority, 1007 N. Summit
5:30 pm Unified Development Ordinance (UDO) Public Hearing, Council Chambers
7:00 pm Environmental Commission, McCloskey

Friday, September 22, 2006

There are no scheduled meetings for this date.

Saturday, September 23, 2006

7:00 am Farmers' Market, Showers Common



By: friedmel
26 Apr 06



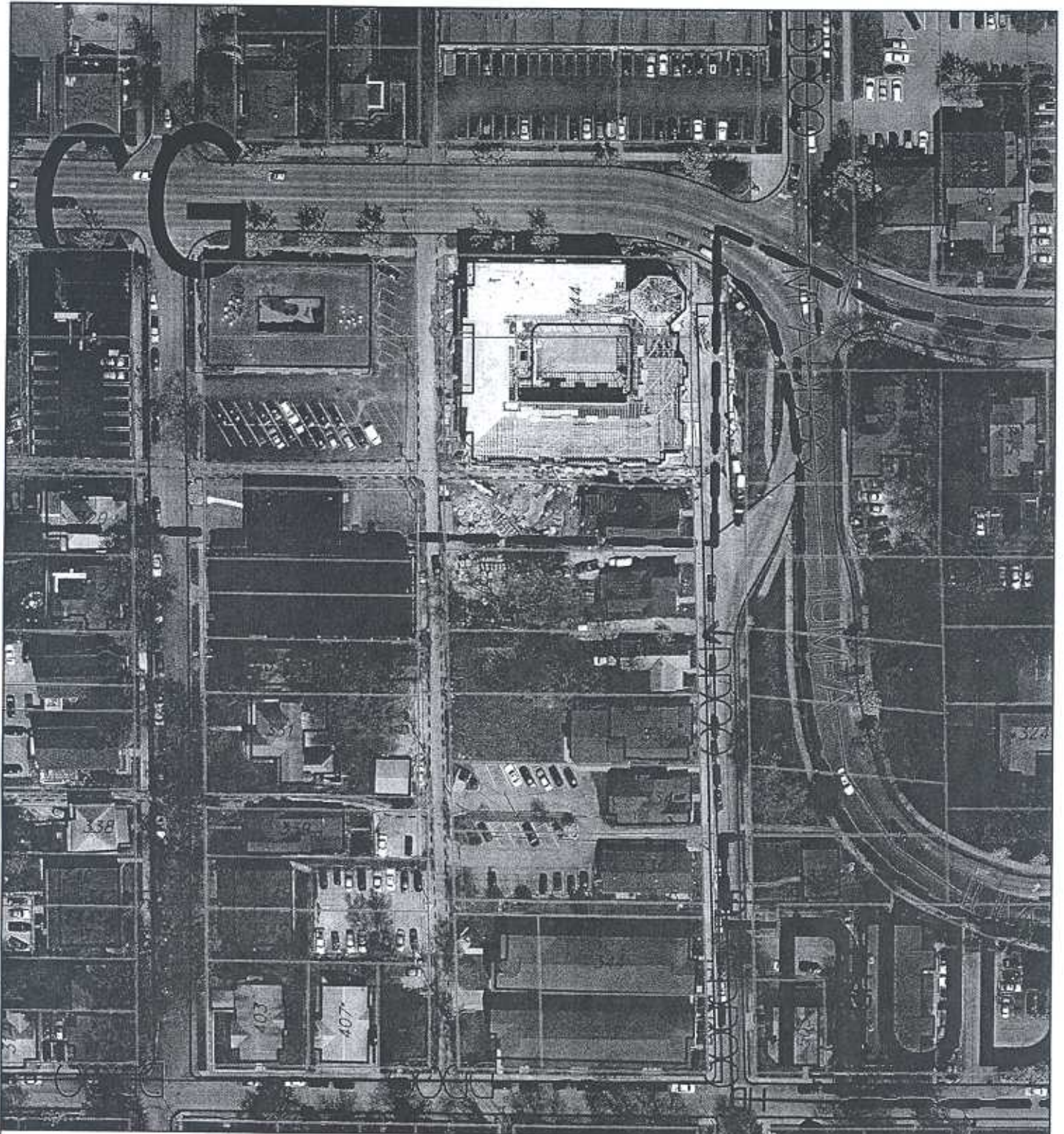
For reference only; map information NOT warranted.



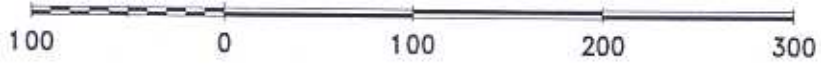
City of Bloomington
Planning



Scale: 1" = 100'



By: darlandl
18 Aug 06



For reference only; map information NOT warranted.



City of Bloomington
Planning



Scale: 1" = 100'



CITY OF BLOOMINGTON
PLANNING DEPARTMENT
MEMORANDUM

DATE: August 25, 2006
TO: City of Bloomington Common Council Members
FROM: Lynne Darland, Zoning & Enforcement Manager
SUBJECT: Request for vacation of an alley right-of-way
PETITIONERS: John S., Myra, John P., Mark & Christopher Burnham

LOCATION: The subject alley right-of-way that the petitioner is proposing to be vacated runs east/west and is located between 320 & 326 S. Dunn Street.

BACKGROUND: The petition site is an alley that has not been improved. A search of historical records for the City of Bloomington revealed that on February 7, 1893 the adjacent property owners to this right-of-way petitioned the Bloomington City Council to open an alley for the use of the public and dedicated their own land for this purpose. This petition request was granted, but the alley was not improved. At some point in time the City maps were updated showing the newly created alley right-of-way. The old city plats dated 1964 show an alley in this location. More recently, however, this alley right-of-way is not shown on the City GIS maps. With many questions concerning whether the right-of-way was recorded or still exists, the petitioners are requesting that the alley right-of-way now be officially vacated.

The petitioners own the apartment building to the north and the apartment buildings to the south. The two homes between the apartments, addressed 320 and 326 N. Dunn Street, have been demolished. The petitioners would like to develop the vacant parcels in a uniform way which necessitates the vacation of this right-of-way. The vacant property on both sides of the subject right-of-way, 320 and 326 S. Dunn Street, is zoned multi-family residential (RM15/PRO20).

UTILITY INTRESTS: The following utility and city service organizations have responded to this request with no objections for the vacation of the existing right-of-way:

- The City of Bloomington Public Works Department
- The City of Bloomington Utilities Department
- SBC Ameritech
- PSI Cinergy
- Insight Communications
- City of Bloomington Police Department
- City of Bloomington Fire Department
- Vectren

The request for vacation was heard by the Board of Public Works (BPW) on July 11th of this year. The BPW voted to recommend vacation of the right-of-way. None of the utilities has active lines in this

right-of-way segment. Nor do they have any future plans to utilize this right-of-way. City police and fire had no objections to vacating this right-of-way.

CRITERIA: The criteria utilized to review a public ROW or easement vacation request are as follows:

1. Current Status - Access to Property.

This site is located within an area that has been constructed with a grid pattern of public streets and alleys. There is ample access to this and all surrounding properties. The alley right-of-way in question is only the length of the adjacent properties and has not been improved as an alley, although the curb cut is established along South Dunn Street. The property is bounded by S. Kirby Alley on the west and South Dunn Street on the east. As previously stated, both the Fire and Police Departments find that they can adequately serve the area without accessing the right-of-way in question.

2. Necessity for Growth of the City:

Future Status: No public utilization of this right-of-way is anticipated by the City. All public services can adequately be served through the remaining rights-of-way in the immediate area.

Proposed Private Ownership Utilization: The vacation of these alleys will allow the petitioner to move forward with a development project. No project has been filed with the Planning Department. The petitioner would prefer to design a project after this request has been granted.

Compliance with Regulations: The vacation of this alley will not create any issues regarding compliance with local regulations.

Relation to Plans: The proposal is consistent with City Plans. Although the petitioners have not brought forth a plan for developing this property, the development pattern is one of multi-family dwellings. Multi-family dwellings are an allowed use in this area under the current zoning ordinance, and also in the proposed Unified Development Ordinance that is under consideration at this time.

The GPP calls for development in the city to embrace compact urban form. The three homes now demolished on the adjacent lots represent underdevelopment. However, the anticipated future use of multi-family dwelling units near campus is in closer alignment with the principles outlined in the GPP.

Depending on the plan submitted by the developer in the future, the new construction should work to preserve community character, and to improve downtown vitality.

RECOMMENDATION: Both staff and the Board of Public Works have recommended that the City vacate the alley right-of-way in question.

PETITION FOR VACATION OF PUBLIC RIGHT-OF-WAY

CITY OF BLOOMINGTON
COMMON COUNCIL

Ordinance 06-22
1st READING September 20, 2006
COMMITTEE September 27, 2006
FINAL HEARING October 4, 2006

Office of the Common Council
P.O. Box 100
401 North Morton Street
Bloomington, IN 47402
(812) 349-3409

Circumstances: The petitioners request the following public parcel be vacated in order to make way for private development.

Description and Address of Property: An alley located between 320 and 326 South Dunn Street which is 10-feet wide and approximately 178 feet in length.

Applicant's Name: John S., Myra, John P., Mark, and Christopher S. Burnham

Address: (See Counsel Below) Phone # (See Counsel Below)

Counsel or Consultant: William J. Beggs of Bunger and Robertson

Address: 226 South College Square Phone # 332-9295
Bloomington, IN 47402-0910

Name and Address of Owners of Land Abutting Parcel to be Vacated: None

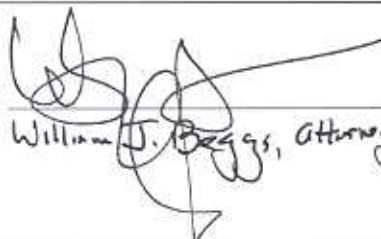
This application must be accompanied by all required submittals as stated in the information packet for vacation of public right-of-way. Staff reserves the right to schedule hearing dates for petitions subject to complete submittals. Notices to adjacent property owners should not be mailed until hearing dates have been confirmed.

I (we) agree that the applicant will notify or arrange with the Clerk of the City to notify all owners of adjacent property by certified mail at the applicant's expense.

I (we) further agree that the applicant will cause a legal notice of this application to be published in a paper having general circulation in Bloomington at the applicant's expense.

I (we) certify that all foregoing information is correct and that I (we) are the owners (legal agents for owners) of property adjacent to the proposed vacation of public right-of-way which is the subject of this application.

Signature:


William J. Beggs, Attorney for Petitioners

Date: September 13, 2006

Len E. Bunger
(1921-1993)

Don M Robertson
(1938-2005)

Thomas Bunger
Joseph D. O'Connor
James L. Whitlatch
Samuel R. Ardery
Margaret M. Frisbie
John W. Richards
William J. Beggs
Steven K. Emery
Kevin A. Halloran
Holly M. Harvey
Suzette V. Sims
Maryanne Pelic
Lara K. Cutshall

Bunger & Robertson

A T T O R N E Y S A T L A W

JUN - 5 2006

226 South College Square
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Facsimile
(812) 331-8808

E-mail
br@lawbr.com

Website
www.lawbr.com

June 1, 2006

Lynne Friedmeyer
City of Bloomington Planning Department
401 N. Morton St.
Bloomington, IN 47404

Re: Petition for Vacation of Alley
300 Block South Dunn Street, Bloomington, Indiana
Petitioners: John S., Myra, John P., Mark, and Christopher S. Burnham

Dear Ms. Friedmeyer:

Please accept the enclosed Petition for Vacation of Public Right-of-Way on behalf of your Petitioners, John S. Burnham, Myra Burnham, John P. Burnham, Mark Burnham and Christopher S. Burnham.

General Statement. As used throughout this letter, the term "Alley" refers to a purported alley that petitioner does not believe has ever existed. Our research has disclosed no evidence on which to conclude that a public use has ever been made of the subject property. Therefore, this petition should not be considered as an acknowledgement or agreement by the petitioners that the Alley exists or that the vacation process is necessarily required under these unique circumstances.

Location. The purported Alley to be vacated is located between 326 S. Dunn Street and 320 S. Dunn Street in Bloomington. The Alley is 10-feet in width and extends east-west from Dunn Street to another alley known as "Kirby Place."

There is no visible evidence that the Alley exists, or has ever existed. The property at 326 S. Dunn Street contained two (2) run-down houses that were demolished in 2005. The purported alley was the driveway for the house at 326 S. Dunn Street and there was no continuation of the driveway to the second house, which faced Kirby Place.

Legal Description. To be supplied.

History and Title Search. Besides a lack of any visual evidence of the presence of this Alley, and the lack of any use of this Alley for at least forty (40) years, there is no evidence of the presence of this Alley in title searches performed at the request of the Petitioners. However, it appears that on February 7, 1893 the City of Bloomington Common Council received a petition from Ren C. Smith, James H. Kirby and Lawson Faris for this alley to be opened. Minutes from the February 7, 1893 Common Council meeting are attached hereto and made a part hereof as Exhibit "A."

Maps of the City of Bloomington from approximately the 1920's appear to reflect the existence of an alley in the subject location. A copy of one such map is attached hereto and made a part hereof as Exhibit "B."

Recent GIS records and maps do not reflect the existence of an alley in the subject location.

Present Utilities and Use. At present, the Petitioners believe that there are no utility companies utilizing any portion of the Alley. This information is believed to be accurate based upon the Petitioners' somewhat recent construction in the same block that required their investigation of various utility issues.

Proposed Utilization. At present, the Petitioners have no specific site plan for the location of this Alley. However, vacation of the Alley is requested for the ultimate purpose of constructing housing on the lot(s) on which the Alley resides. The presence of this Alley in the public records, no matter how slight or casual the 1893 reference may be, causes the property to be impossible to utilize without clarification.

The criteria the Council may consider are addressed as follows:

1. **Current Status – Access to Property.** The property is fully accessible via South Dunn Street and Kirby Place. The subject Alley appears to have been a matter of convenience to the property owner in 1893 and does not serve any necessary or useful pedestrian or vehicular access purpose. In addition, there is no relationship to public utility or drainage purposes being served by the subject Alley.
2. **Necessity for Growth of the City.**
 - A. **Future Status.** There is no future potential for public utilization of the subject Alley. This particular block of South Dunn Street already contains two east-west alleys that make the subject Alley unnecessary.
 - B. **Proposed Private Ownership Utilization:** The proposed utilization of the area(s) affected by the subject Alley are described above. The

Lynn Friedmeyer @ City Planning Dept.
6/1/2006
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benefits to the City by granting this petition include permitting a more complete use of the subject property that is adjacent to the subject Alley.

C. Compliance with Regulations: There would be no violation of non-compliance with any known regulation if the subject Alley were to be vacated.

3. Relation to Plans. In light of the fact that this Alley is not even shown on current City maps, there would be no effect upon the master plan, thoroughfare plan, or any neighborhood plan by granting the relief requested.

Conclusion. In light of the foregoing, the Petitioners respectfully request that the subject Alley be vacated.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'William J. Beggs', with a long horizontal line extending to the right.

William J. Beggs

WJB:sef
Enclosure

The following is a transcription of proceedings of the City of Bloomington Common Council from February 7, 1893. It was taken from City Record: Common Council, #8 Pages 167-171. This record is held at the office of the Bloomington City Clerk. Spaces between the last motion and the motion to adjourn covered appropriations for bills submitted to the Council. All attempts were made to preserve the original formatting, spelling, and punctuation.

←
Bloomington, Indiana
February 7th 1893.

Council met in regular session and called to order by the Mayor.

Officers Present

L.V. Buskirk, Mayor

Ira C. Batman, Attorney

George M. Owen, Marshal

Robert C. Greeves, Clerk

Councilmen

H.J. Branock

Ira M. Graves

Robert C. Foster

James M. Campbell

Fred Fess

Minutes of regular, and, adjourned meetings read, and on motion approved.

Mayor was excused for remainder of evening, and H.J. Branock called to the chair.

The following petition was read to the Hon. Mayor and Common Council
City of Bloomington Indiana

We the undersigned, voters and residents of the following additions, viz. Ira C. Batman and Prospect Park First and Second Additions, to said City, pray you to erect an electric street lamp at the junction of Maple and Third Streets- Signed. James Ransom. G.H. Torrence. J.J. Riddle. T.H. Seaney. G.W. Dupree. Ira C. Batman. C.A. Cosner. Fred Ransom. N.P. Brown. Elmer Nevens. E.T. Finch. S.W. Briscoe. Ira E. Ransom. Chris Brumett. John Heckman. William J. Collier.

On motion petition received, and request granted.

(END PAGE 167)

The following petition was read.

We the undersigned petition your honorable body to place a light at the crossing of Fourth and Washington Streets- (signed) M. Helen Orchard. J.T. Smith. C.M. Carpenter. Mrs. H.P. Tourner. J.W. Clevenger. Mrs. J.R. Carmichael. Moses Field. Mrs. McNissick. Amelia Gilmon. G.W. Smith. Agnes I. Cherry. Annie Burgeon. Mrs. B.A. Rogers. G.W. Comsters. E.C. Patten. E.M. Faris.

On motion petition was received and referred to Committee of the whole council.

The following petition was read to the City Council of Bloomington.

The undersigned property owners would most respectfully ask that an alley be opened for the use of the public. Described as follows. Running from the West side of South Dunn Street between the

FROM : Panasonic PPF

Faris / Deftic

properties of Lawson Faris, and Ren C. Smith, and through the property of J.H. Kirby. Said alley would run from Dunn Street to the alley now opened running from 3rd Street to Smiths Av. Taking property of Faris and Smith and Kirby as follows. Five feet off Lawson Faris, on North side of his property and Five feet off Ren C. Smith's lot South side. also Ten feet off J.H. Kirby's lots. Said alley to be Ten feet wide.

Signed, Ren C. Smith, James H. Kirby, and Lawson Faris.

On motion petition was received, and request granted.
(END OF PAGE 168)

The following Resolution was read.

Resolved that the Clerk advertise for the bids for the loan recently ordered by this Board. Said bids to be recieved March 20th 1893, at 1. o'clock P.M. in the Mayors Office. Advertize in Indianapolis Journal and one Chicago paper.

On motion foregoing Resolution was recieved and concurred in.

The following Resolution was read.

Resolved that there be a Committee of three appointed by the Mayor, to investigate the needs of the Fire Department so as to make it more efficient.

On motion foregoing Resolution was recieved, concurred in, and Committee appointed consisting of Chief of Fire Department, Robert C. Foster, and Ira M. Graves, and James M. Campbell.

The matter of disposing of water in rear of Jesse A. Easts property also at corner of Elm and Kirkwood Avenue, was on motion referred to Chairman of Street Committee, City Engineer, and Street Commissioner, with power to act.

On motion City Attorney was instructed to draft an ordinance for protecting fire hose, when the same is in use for throwing water.

On motion Clerk was instructed to advertise for bids for the following work. Walk South Walnut, Walk West 6th, and Grading, Guttering, McAdmizing and Walk, West Kirkwood Av.

(END PAGE 169)

The matter of removing Balcony across the alley, on South Side of Kirkwood Avenue, between College Avenue, and Walnut Street, was on motion referred to Committee of Entire Council, with power to act.

On motion it was ordered to dispense with one Electric Light on Court House- also one on Public School Building.

On motion Street Commissioner was instructed to notify John S. Rogers, to place danger light at bridge across West Kirkwood Avenue.

On motion adjourned-

Robert C. Greeves Clerk

L.V. Buskirk Mayor



STREET

STREET

KILROY ALLEY

ST

AVE

SMITH

LOUDE

Road patterned for vacation

8

1

1

2

3

2

1

8

13

14

15

22

23

24

4

10

9

8

7

6

5

4

3

2

40

122'

16

17

122'

41

223'

19

75

132'

15

16

17

416

50'

132'

14

13

12

11

82.5'

132'

132'

105.5'

66'

60'

63.16'

49.5'

76.33'

76.33'

64'

63'

49'

150'

150'

49'

152.66'

78.5'

173'

50'

50'

174'

45'

45'

50'

50'

93'

83'

45'

93'

49'

49'

74.5'

74.5'

110'

40'

16'

132'

12

18

190'

134'

129'

66'

90'

48'

156.5'

156.5'

48'

155'

50.7'

74.5'

15'

49'

49'

49'

49'

50.5'

11'

50.5'

12'

66'

40'

16'

12

11



Len E. Bunger
(1921-1993)

Don M. Robertson
(1938-2005)

Thomas Bunger
Joseph D. O'Connor
James L. Whittlatch
Samuel R. Ardery
Margaret M. Frisbie
John W. Richards
William J. Beggs
Steven K. Emery
Kevin A. Halloran
Holly M. Harvey
Suzette V. Sims
Maryanne Pelic
Lara K. Cutshall



A T T O R N E Y S A T L A W

226 South College Square
Post Office Box 910
Bloomington, Indiana
47402-0910

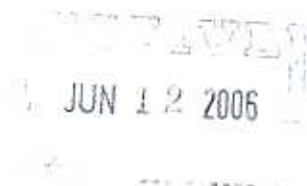
Telephone
(812) 332-9295

Facsimile
(812) 331-8808

E-mail
br@lawbr.com

Website
www.lawbr.com

June 8, 2006



Lynne Darland
City of Bloomington Planning Department
401 N. Morton St.
Bloomington, IN 47404

Re: Petition for Vacation of Alley
300 Block South Dunn Street, Bloomington, Indiana
Petitioners: John S., Myra, John P., Mark, and Christopher S. Burnham

Dear Ms. Darland:

Please accept the following information as a supplement to my letter to you dated June 1, 2006 in the above-captioned matter.

1. **Site Drawing.** Enclosed with this letter is a drawing of the purported alley as it would relate to the lots located immediately north and south. I have highlighted in yellow the specific area that would be vacated if an alley existed in this location.
2. **Abutting Property Owners.** The list of names and addresses of owners of property abutting the proposed vacation are as follows:
 - A) Burnham Place Apartments, LLC c/o John Burnham, 316 S. Dunn Street, Bloomington, Indiana 47401.
 - B) Barbara S. Hoffman, 601 N. Walnut Street, Bloomington, Indiana 47401.
 - C) Heath E. Hoover Trust, 55 Broad Street, Groton, Connecticut 06340.
 - D) Julieanne Smith, 321 S. Grant Street, Bloomington, Indiana 47401.
 - E) Trustees of Indiana University, Attention Lynn H. Coyne, Assistant Vice-President for Real Estate and Economic Development, Associate Counsel, Carmichael Center, Suite 204, 530 E. Kirkwood Avenue, Bloomington, Indiana 47408-4003.

Lynn Friedmeyer @ City Planning Dept.

6/8/2006

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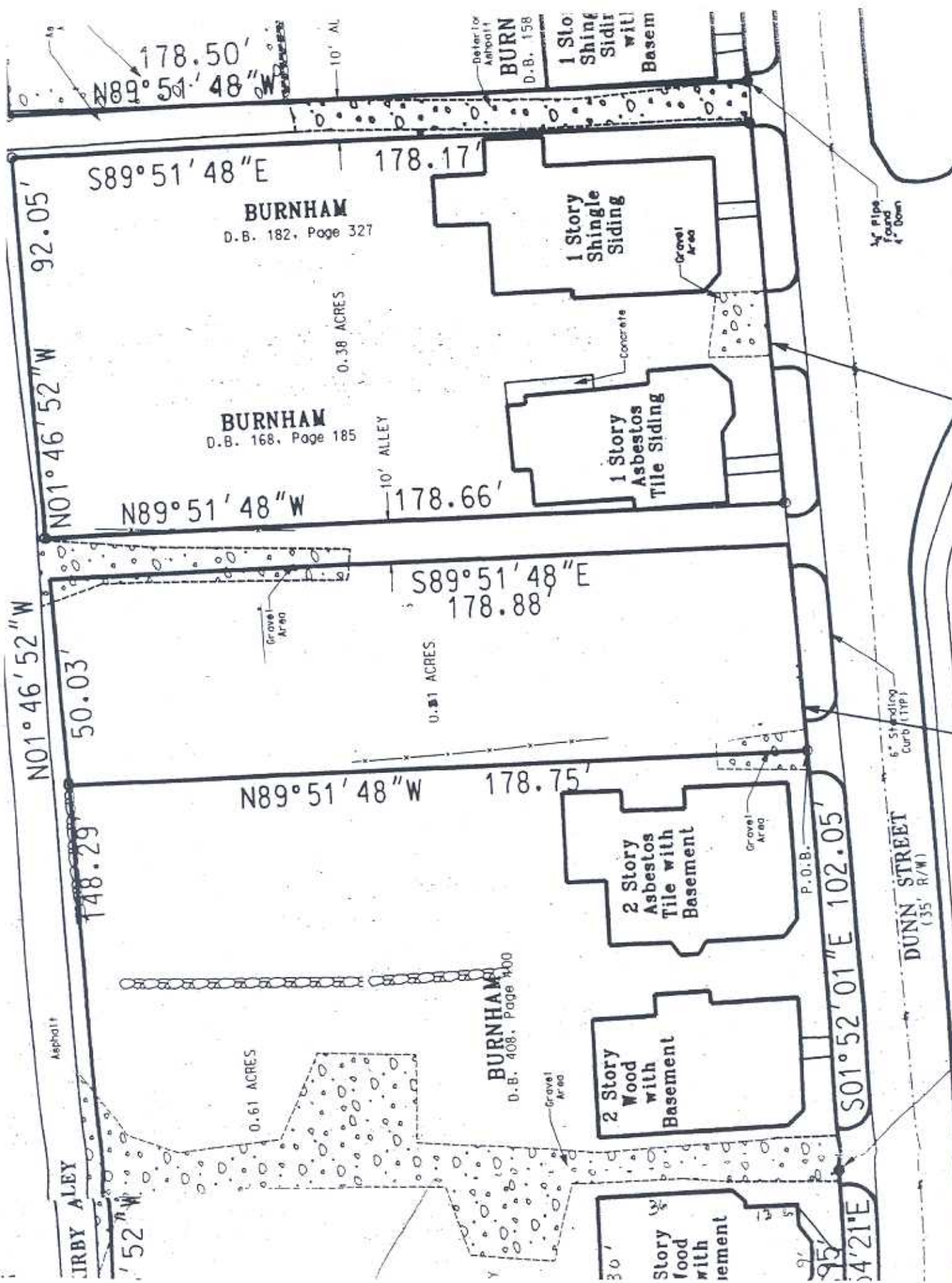
3. **Petition Form**. Also enclosed, please find fully executed and completed Form for a Petition for Vacation of Public Right-of-Way. I was not clear previously whether your office preferred to have received this Form now or later in the process.

Please contact me if you have further questions or concerns.

Respectfully submitted,


William J. Beggs

WJB:sef
Enclosures



178.50'
N89°51'48"W

Deteriorated Asphalt
BURNHAM
D.B. 158
1 Story Shingle Siding with Basement

S89°51'48"E 178.17'

BURNHAM
D.B. 182, Page 327

1 Story Shingle Siding
Gravel Area

4" pipe found 4' down

N01°46'52"W 92.05'

0.38 ACRES

BURNHAM
D.B. 168, Page 185

10' ALLEY

1 Story Asbestos Tile Siding
Concrete

N89°51'48"W 178.66'

S89°51'48"E 178.88'

0.51 ACRES

N01°46'52"W 50.03'

Gravel Area

N89°51'48"W 178.75'

2 Story Asbestos Tile with Basement
Gravel Area

6" Standing Curb (Type)

P.O.B.

S01°52'01"E 102.05'

DUNN STREET
(35' R/W)

Asphalt

BIRBY ALLEY
148.29'
152' W

0.61 ACRES

BURNHAM
D.B. 408, Page 400

Gravel Area

2 Story Wood with Basement

30'
1 Story food with basement

95'
34'21"E



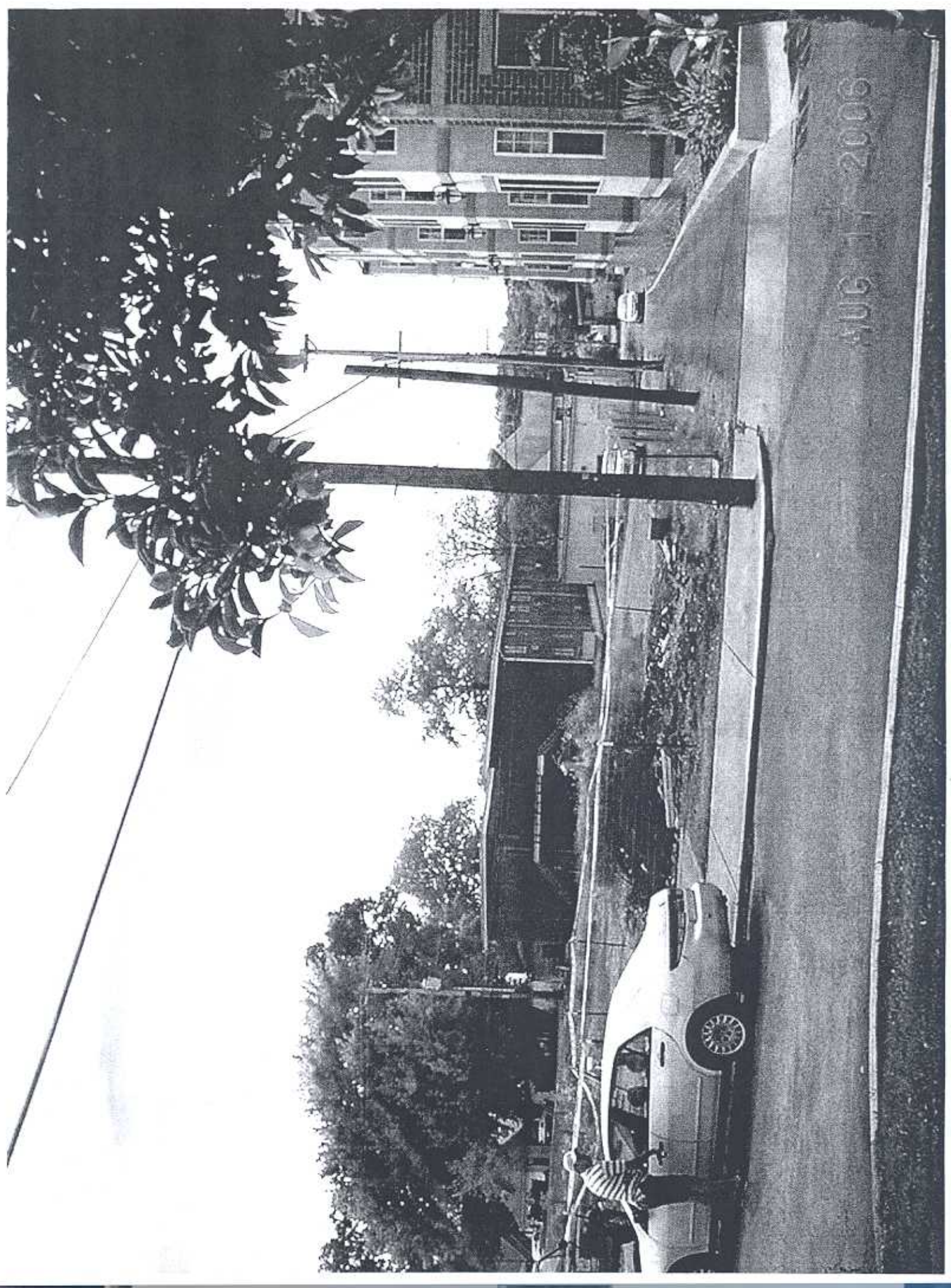
AUG 17 2008



JUL 17 2006

AUG 17 2006





AUG 17 2006



City of Bloomington Planning Department

DEVELOPMENT REVIEW TRANSMITTAL

Date: June 29, 2006

Type of Request: right-of-way vacation

Project Name: 326 South Dunn Street

Owner: John S., Myra, John P., Mark, and Christopher Burnham

Location: The subject of this right-of-way vacation petition is a 10 foot east/west running swath of land located directly north of the property located at 326 S. Dunn St. The area in question is partly graveled.

Proposed Use: The purpose of this vacation request is to allow the owners to use this property for their private development purposes.

Required Approval: Common Council approval

TENTATIVE SCHEDULE

We need your comments by: July 14, 2006

First Common Council hearing: as scheduled

Second Common Council hearing: as scheduled

Final Common Council hearing: as scheduled

SIGNIFICANT ISSUES AND QUESTIONS

The petitioner is seeking right-of-way vacation of a 178.66 ft. long by 10 ft. wide strip of right-of-way along the north side of 326 S. Dunn Street. In 1893 this land was created or opened as an alley by the Common Council. Although minutes were found of the meeting, the alley was never improved. The right-of-way shows up on the old plat maps and then disappears on more current maps. The petitioner would like to have a clean record of owning the land;

Refer to the enclosed site plans, legal description, and petitioner's letter.

Please respond in writing concerning the effect this vacation would have upon your provision of service to this area.

Please reply to:
Lynne Darland
Planning Department
City of Bloomington
P.O. Box 100
Bloomington, IN 47402

ORDINANCE 06-22

**TO VACATE A PUBLIC PARCEL -
Re: An Alley Running East/West Between 320
and 326 South Dunn which is Approximately 10
Feet Wide and 178 Feet Long
(John S., Myra, John P., Mark, and Christopher
S. Burnham, Petitioners)**

Additional Materials in the Council Office

**Responses from the Utility Companies and Safety
Services including:**

SBC,
Duke Energy,
Insight Communications, and
Vectren

(Note: City of Bloomington Utilities responded by phone)



Core Residential

Intent

This category encompasses those neighborhoods surrounding Bloomington's downtown and Indiana University. These areas are neighborhoods of cottages and bungalows (some architecturally and historically distinctive) built at higher densities than more recent residential development. Core Residential areas are characterized by a grid-like street system, alley access to garages, small street setbacks, and a mixture of owner occupants and rental tenants. The unique character, urban form and land use pattern of the near-downtown residential areas must be protected and enhanced.

Land Use

The predominant land use for this category is single family residential; however, redevelopment has introduced several uncharacteristic uses such as surface automobile parking, apartments, offices, retail space and institutional activities. This district is designed primarily for higher density single family residential use. The existing single family housing stock and development pattern should be maintained with an emphasis on limiting the conversion of dwellings to multi-family or commercial uses, and on encouraging ongoing maintenance and rehabilitation of single family structures. Multi-family (medium and high-density) residential and neighborhood-serving commercial uses may be appropriate for this district when compatibly designed and properly located to respect and compliment single family dwellings. Neighborhood-serving commercial uses, and possibly even office uses, may be most appropriate at the edge of Core Residential areas that front arterial street locations. More specific land use policies include:

- Allow multi-family redevelopment along designated major streets, in transition areas between the downtown and existing single family residential areas, and when appropriately integrated with adjacent uses per adopted form district requirements.
- Explore opportunities to introduce nodes of appropriately designed, neighborhood-scaled commercial uses within the core neighborhoods.
- Discourage the conversion of single family homes to apartments.
- Utilize targeted tax abatements and grant programs in specific neighborhoods to provide incentives for increased owner occupancy and affordable housing construction.

Urban Services

Core Residential Areas have full accessibility to necessary urban services. Therefore, the main objective for these areas is to maintain adequate levels of urban service and where possible to improve the capacity and aesthetics of all urban services. In some core neighborhood areas, existing utilities infrastructure is outdated and deficient, and must be upgraded, with assistance from the City, as a component of infill development.

- Promote neighborhood enhancements of public improvements such as sidewalks, streetlights, street trees and landscaping, and playgrounds and play areas.
- Opportunities to repair and upgrade underground utilities must be pursued in order to preserve the capacity of aging utilities in the urban core.
- When major utilities projects are required, other urban amenities (sidewalks, landscaping, etc.) should be upgraded simultaneously to reduce the need for multiple construction processes.
- In new development or redevelopment projects, utilities should be placed underground and located so as to minimize potential conflicts with trees and other landscaping features.
- The City should reduce cost barriers for affordable housing providers by upgrading deficient utilities in core neighborhoods.

Site Design

The majority of core neighborhoods have been built out, so major changes will occur with redevelopment and property turnover. Redevelopment and rehabilitation of existing structures should respect the unique character and development pattern of the Core Residential areas. Core Residential development should emphasize building and site compatibility with existing densities, intensities, building types, landscaping and other site planning features.

- The Zoning Ordinance should include new site planning standards that reflect existing patterns of development in core neighborhoods (Form Districts).
- Residential parking should be encouraged to utilize garages accessed by alleys to the rear of properties, while front yard parking shall be prohibited.