

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

The City of Bloomington Plan Commission (PC) met on March 5, 2018 at 5:30 p.m. in the Council Chambers #115. Members present: Carol Stewart Gulyas, Beth Cate, Andrew Cibor, Heather Maritano, Les Coyne, Brad Wisler, Jillian Kinzie, Nicolas Kappas,

**APPROVAL OF MINUTES:** None at this time.

**REPORTS, RESOLUTIONS AND COMMUNICATIONS:**

Nicolas Kappas, the representative from Plan Commission on County Plan Commission, went through some highlights from February's County Plan Commission meeting. Both the City and the County are going through CDO (Consolidated Development Ordinance) and Transportation Plan updates. They are using different consultants (MKSK Consultants) than the City. Currently in the County, there are 42 different zoning districts being pared down to 16 total zoning districts. There will be 13 zoning districts plus 3 additional "rural character" districts. They are looking at employment zones, gateway zones, urban end fill, neighborhood, conservation, rural, open space, quarry, and civic. Their CDO looks a lot like an instruction manual with plain language, diagrams, and pictures. The timeline states the County's CDO will be completed the first of June. Feedback and engagement from the County is expected in mid-June. Codifying the plan will happen between June and August. In September, they will look for more feedback and then in the following months, have two more rounds of revisions. Final adoption of the CDO is expected in January or February 2019. Another aspect that will impact the city is the revamping of the GE plant. Because Cook Medical bought the plot, they are looking to extend Profile Parkway to behind Lowe's and possibly have a connector to Vernal Pike. Two subdivision plats and a rezoning of a light industrial area to utilize high-intensity uses are coming up in the next month.

Enright-Randolph spoke about the Monroe County CDO website and expressed his excitement for the collaboration between the City and the County. He also clarified that the City is doing a Unified Development Ordinance (UDO) while the County is doing a Consolidated Development Ordinance (CDO).

Jillian Kinzie asked Staff about the collaboration on the CDO and UDO.

Terri Porter, Director of Planning & Transportation, answered that the process is just beginning. The consultants in both projects are talking, collaboration is planned, but no steps have been solidified. Porter introduced the new Administrative Assistant for the Planning & Transportation Department, Hannah Duncan. Porter announced the Special Hearing on March 19<sup>th</sup> at 5:30 where the UDO will be adopted and public feedback will be welcomed.

**PETITIONS CONTINUED TO:** April 9, 2018

PUD-27-17    **Public Investment Corporation**  
2700 W. Tapp Rd.  
PUD Final Plan approval and preliminary and final plat approval of a 24-lot subdivision.  
Case Manager: Eric Greulich

This continuance was approved at the February meeting.

SP-41-17      **Chi Group USA, LLC**

408 E. 6<sup>th</sup> St.

Site plan approval to allow the construction of a new mixed-use building with 4,700 sq. ft. of commercial space and 8 apartments.

Case Manager: Eric Greulich

*\*Per PC Rules, a vote is needed to continue.*

Staff is recommending a continuance.

**\*\*Kinzie moved to continue SP-41-17 to the April 9th, 2018 hearing. Stewart Gulyas seconded. Motion carried by a unanimous voice vote.**

SP-48-17      **Grant Properties (Doug McCoy)**

114 E. 7<sup>th</sup> St.

Site plan approval for 4-story, mixed-use building with 22 condominium units in the Commercial Downtown (CD) zoning district.

Case Manager: Jackie Scanlan

**PETITIONS:**

- SP-34-17      **TMC Bloomington LLC**  
121 E. Kirkwood Ave.  
Site Plan approval for a 4-story, multi-use building with 16 condominium units.  
Case Manager: Jackie Scanlan

Jackie Scanlan, acting Development Manager, detailed the petition at 121 E. Kirkwood Ave. The property is .18 and is zoned Commercial Downtown. It is in the courthouse square overlay and currently exists as a surface parking lot. Immediately adjacent to this property is the CVS that was put in a few years ago. The GPP designation is downtown. Surrounding uses include mixed-use, church, and the Buskirk-Chumley Theatre across the street. The petition previously was a story taller and had six additional units. The petition now has four stories and a fourth story setback. It includes 2200 square feet of leasable commercial space on the first floor and 19 parking spaces. There are 16 condominiums for sale with DUE's totaling 15.32. Each unit has self-imposed limit of 2 unrelated adults in each unit. They have also offered a number of green development packages. The building has a modern design and this has changed to have more brick and less glass. The changes from the last petition the Plan Commission and the one being proposed have mostly to do with the interaction between the first floor and pedestrians. Improvements in landscaping were submitted by the petitioner. The compliance issues include the height being 16 feet over the height limit. It is 1.2 dwelling units equivalence over the maximum density allowed. It is also 2 feet above the maximum height above a historic structure. There is an existing vehicular entrance that will be closed off. Access to garage will be in the rear of the building. The pedestrian space along Kirkwood is improved by this. Some of the green infrastructure proposed are white membrane roofs, low VOC content materials inside the building, electric car charging stations, commitment to recycling pick-up, and high-performance window glazing. The Bloomington Environmental Commission wrote a memo in support of this petition, including that this building "could be one of the greenest in downtown Bloomington". Staff believes that the petitioners made great strides and although they do not meet height requirements, they have made improvements since last meeting and provide a type of housing in

demand in the downtown area that is both owner occupied and green. Staff recommends Plan Commission adopt the findings of fact in the report and approve this site plan with five conditions. The five conditions are as follows: 1. The petitioner submitted commitment limiting occupancy of each unit to two unrelated adults shall be recorded as a Zoning Commitment at the Monroe County Recorder's Office before final occupancy is issued. 2. This approval is for a maximum of 15.32 DUEs, as determined under the Unified Development Ordinance in place when the petition was filed. 3. This approval is for the particular design submitted by petitioner and approved by Plan Commission. 4. Petitioner shall secure encroachment agreements for items in the right-of-way prior to the release of a CZC for a building on the site. 5. Any closure or use of the right-of-way for staging or construction must be approved by the Board of Public Works.

Wisler asked the petitioner to speak.

Randy Lloyd, the petitioner, said he appreciates all the positive comments and interaction they've had with Staff and the Plan Commission. He explained that owner-occupied housing is something necessary for downtown and expressed his excitement for the project. He said that he had been connected with Gabe Coleman in regards to the restoration of a mural on the Book Corner's building, which would be facing this project's building. He said that he would be happy to help give some financial aid to help restore the mural.

Beth Cate asked a question regarding the limestone joints and why the pattern did not repeat.

Ryan Strausser, from Strausser Construction, said the overly patterned limestone as well as other details like glazing would have taken away from the strong divider in the middle of the building. They explored repeating the pattern, decided to leave it as it was, and Staff supported this decision.

Cate asked for clarification that it would have been too busy.

Strausser directed her to a picture of the building on the screen and confirmed that yes, repeating the pattern would have made the building look too busy.

Andrew Cibor asked for clarification on the definition of a short-term rental and if it should be a condition of approval.

Lloyd answered that this would be outlined in the condominium documentation. The petitioner has no interest of having Airbnb at this site. He thinks that handling it through the condominium documentation will make things simpler.

Cibor asked if the documentation is specific that the condominium be owner-occupied or would it allow for long-term rentals.

Lloyd replied that any rental would be no less than two years, which would align with the clientele the petitioner is seeking.

Scanlan explained that in petition, the language is clear about owner-occupied and no short-term rentals.

Cibor asked if there had been any progress in the talks with Duke Energy regarding powerlines in the alleys.

Jeff Fanyo, a local engineer working with the petitioner, said that Duke Energy sent someone from Cincinnati to discuss with their engineers local to Bloomington to discuss the possibilities regarding these powerlines. The issue has not been resolved yet, but they are still working on it.

Heather Maritano asked if a traffic impact study had been done for this project.

Scanlan said that Staff did not ask for one for this project.

Jillian Kinzie asked what a pedestrian on Kirkwood would see on the first floor.

Lloyd explained that there will be two retail spaces with a small entry way to the lobby for the condominiums in the middle. He hopes that it will be an active and welcoming space to pedestrians.

Strausser added that the central pylon element breaks down the façade and allows the lobby area to be set back, while the retail spaces are at the forefront.

Jillian Kinzie asked about the specific additions of landscape.

Strausser said that in the last meeting, they did not show any of the greenery that is directly against the building. Based on the UDO a setback is required within the façade and they used this to incorporate planters and greenery right next to the building. They added street tree where the curb cut is currently. They plan to put in more mature trees rather than smaller ones.

Jillian Kinzie asked what the backside of the building would look like.

Strausser said the backside is the west facing side along the alley that comes off of Kirkwood. They didn't want the building to have subpar material on the third and fourth side of the building. Maintaining brick, limestone, and attention to detail was important in the design process. There are also patios or outdoor rooms, which also break up the façade and bring life into the alley.

Jillian Kinzie asked for clarification on what is on the lot behind the north side of the alley.

Strausser said it is split between the Sullivans building and a vacant parking lot.

Nicolas Kappas noted that this building will not be LEAD certified and asked what the petitioner is going to do to ensure that this will be the greenest building in the city.

Lloyd said that ultimately the Commission will have to trust him. He explained he has built a number of projects in the community and is transparent about details of the project, such as sourcing of materials and environmental reports.

Kappas asked Staff if the fourth and fifth conditions are standard requirements.

Scanlan responded yes, they are standard requirements.

Kappas asked why they are conditions of approval.

Scanlan explained these items should not be afterthoughts. This is the best way to record that they knew about the conditions from Plan Commission when trying to pull a permit. She added that the Plan Commission can just "trust" Lloyd or they can make green commitments conditions of approval.

Sara Sandberg asked about what marketing strategies, with diversity in mind, they plan to employ with these condominiums.

Matthew Cole, Realtor for Remax, said he has done work with downtown condominiums in the past. These condos appeal to young professionals from IU. Retirees moving back to Bloomington for walkability and one floor living are also potential buyers. There has been a large shift in people wanting to live in downtown in a more urban way.

Sandberg asked about who would be reached out to regarding the retail spaces.

Lloyd responded that because of the small footprint of the retail spaces, they would be best suited to a gallery or a boutique. He hopes that whatever business moves in diversifies the Bloomington retail landscape.

Trohn Enright-Randolph commented on green infrastructure, specifically on the roof, recommending the petitioner look into green ways to deal with storm water.

Kinzie asked the petitioner to comment on how close the project is to any level of certification. She asked Staff which buildings in town are LEAD certified.

Lloyd answered that LEAD certification is not cost effective during development.

Strausser said that they are pursuing a lot of LEAD features. They did look into green roof and they are looking further into green features as design and costs are more concrete. Strausser Construction does have experience in LEAD certified buildings as well as Evergreen Village for the City.

Scanlan commented that this is not an uncommon complaint regarding LEAD certifications and is often brought up to Staff.

Wisler asked the public if there were any questions.

Michael Cassidy, the owner of Uptown Café, expressed his support for this building. He has been in business downtown for 41 years. He said owner occupied buildings and the people it will attract will diversify downtown. He thinks that having people older than the student population will help “keep a lid” on downtown. He spoke to Randy Lloyd’s character and said he was a man of integrity.

Wisler asked for final comments from the Commission.

Kappas thanked the petitioner for coming forward with this project. He said this is a great project for the location proposed and that the petitioner has done a great job taking the Commission’s constructive criticism and molding the project accordingly. The fourth story step back in particular will be helpful in relation to the bookstore on the left of the project. He emphasized that at the end of the day, they will have to trust the petitioner and the community is built on trust.

Kinzie said she is ready to see the parking lot that has been there for 60 years go. The parking lot has been a dark cave on Kirkwood and adding this building will increase pedestrian traffic. She thanked the petitioner for collaborating with the City and the Staff on this project and making it fit better in the downtown area. She is interested in the petitioner providing a report to the Environmental Commission about the adherence to green standards. She is concerned about the lack of use of

LEAD certification. She thinks that it is an issue the City should look into and possibly think about another way to record environmental advances of the community in a less costly way.

Les Coyne said this is a great example of a petitioner working with the Plan Commission to make a product that works for everyone.

Heather Maritano commented that owner occupied housing is needed in the downtown area. The setback made a big difference to the building's presence on Kirkwood. She acknowledged it is a controversial project to pass during the Comprehensive Plan and UDO process because some of its dimensions do not follow the City's standards.

Beth Cate thanked the petitioner for being responsive to the issues that have been raised. Cate thinks this is an exciting project because of downtown business as well as adding to the mix of housing downtown.

**\*\*Kinzie moved to approve SP-34-17 with five conditions of approval. Stewart Gulyas seconded. Motion carried by a 9:0 roll call vote.**

Meeting adjourned.