

Hoffmann: 00:00:01 James we have a quorum. Should we begin? Let's do it. Well they should be on when and I assume our recording. Thank you. I assume the recording machinery is going. So we do have a quorum so we are going to go ahead and begin. I think we may still be joined by one additional member if I understand correctly. But we will go ahead and begin with the roll call vote.

New Speaker: 00:00:01 **Roll was called. Members present were: Andrew Cibor, Jillian Kinzie, Nicholas Kappas, Joe Hoffmann, Heather Maritano, Isabel Piedmont-Smith, Carol Stewart Gulyas, and Trohn Enright-Randolph.

Hoffmann: 00:00:47 We have some minutes to be approved: the minutes for the August 14th meeting. They have been sent to us for our review.

New Speaker: 00:00:47 **Cibor moved for approval of the August 14th minutes. Stewart Gulyas seconded the motion. The motion passed 6:0 by voice vote. Kappas had not yet come to the meeting.

Hoffmann: 00:01:19 Apparently we have an appointment to make.

Roach: 00:01:23 I do want to acknowledge the presence of Plan Commissioner Trohn Enright-Randolph. We apologize for not calling your name in roll call but if the record show that you are here. Thank you. So many of you may know long-time city staff person and Planning & Transportation Department employee Rick Alexander. Rick retired earlier in September, September, I believe. That seems like a long time ago. But, Rick was the staff representative to the Plat Committee, and, in Rick's absence, we do need a new appointment to the committee. Currently, Roy Aten, one of our other staff persons, is the alternate. The staff's, the department's, proposal will be to make Mr. Aten the permanent staff appointment to the Plat Committee and then Dan Backler, who was recently promoted into Mr. Alexander's former position, for him to be the alternate staff person to the Plat Committee.

Hoffmann: 00:02:34 All right. So this is essentially filling that one staff position with another staff person. OK.

Roach: 00:02:34 ** Kinzie moved to approve the appointments. Maritano seconded. The motion passed 6:0:1 with Kappas abstaining.

Hoffmann: 00:03:30 That proposed new appointment to the Plat Committee is approved. Are there any other reports resolutions or communications from the staff.

Roach: 00:03:39 The only other thing that we would like to request of the Plan Commission is the change of an agenda order. We would like to hear SP-27-17, H. M. Mac petition on S. Walnut, we would like to hear that first. Then slots SP-06-17, Mara Jade, to the second position.

Hoffmann: 00:03:39 My report calls that SP-26-17. Is that right?

Roach: 00:03:39 Yes. Sorry.

Hoffmann: 00:04:10 All right so you're basically asking to reverse the order of the first two petitions. All right. That does require a suspension of the rules to change the agenda. Would someone make a motion to that effect.

New Speaker: 00:04:25 **Maritano made a motion to suspend the rules to change the order of the proposals. Kinzie seconded.

Piedmont-Smith: 00:04:37 Can I just ask why, what the reasoning is for changing the order.

Roach: 00:04:49 Yes, we are going to, pretty soon, discuss SP-26-17 in a manner that is different than typical. We are not making recommendations tonight. And we would like to have a very focused conversation on that and get it out of the way early so we can move on with the more meatier parts of the agenda.

Piedmont-Smith: 00:05:02 OK. The only hesitation I have is that it is to the advantage of H. M. Mac to go first and it is to the disadvantage of Mara Jade to not go first, but it is slight in either case so I am OK with that.

Hoffmann: 00:05:17 I think they will both be heard, but yes. All right. So we will need a voice vote on whether or not to reverse those two cases on the agenda. If there are no further comments, then all those in favor say aye.

New Speaker: 00:05:17 **The motion to suspend the rules passed 7:0 by voice vote.

Hoffmann: 00:05:36 All right, so that is that is approved. So James, nothing else from staff? OK. Are there any reports resolutions or communications from members of the Plan Commission? OK. Then we are on to our agenda. There is one petition that has been marked as continued. That is PUD-27-17, Public Investment Corporation. It is a 24 lot subdivision at 2700 West Tapp Road. That case will not be heard tonight. It has been continued to our November 13th meeting so anyone who is here for that case at 2700 West Tapp Road, that case will not be heard as part of tonight's agenda. We have an item on the consent agenda. The consent agenda are items that the staff has placed on the consent agenda because it is viewed as relatively non-controversial. But any member of the commission can ask for the case to be removed from the consent agenda and placed on the regular agenda. Tonight, the case that is on the consent agenda is ZO-11-17. This is the UDO Amendment for Pocket Neighborhoods. As the commissioners will recall, we sent two amendments to the City Council, sets of amendments, one about Pocket Neighborhoods, one about Accessory Dwelling Units. The Pocket Neighborhoods amendment has come back to us, but is listed on the consent agenda. Does staff have anything you want to add or explain about that?

Roach: 00:07:23 Just very briefly, there was one amendment made by the council, and it clarified when a structure could substitute for greenspace in the common areas.

Hoffmann: 00:07:34 And that is the only change made to that particular set of amendments about Pocket Neighborhoods. So, it has been identified as part of the consent agenda. Any members of the commission, well let me ask about the public first. Is there anyone here from the public who would like to speak to, specifically, the UDO Amendment about Pocket Neighborhoods? Seeing none, we are back to the commission. Is there any member of the commission who would like to have that case placed on the regular agenda for hearing tonight? If not then I would entertain a motion to approve the consent agenda motion.

New Speaker:	00:08:12	**Kinzie made a motion to approve the consent agenda. Kappas seconded.
Hoffmann:	00:08:16	All right we have a motion and a second. Any final comments?
New Speaker:	00:08:16	**The consent agenda was approved 7:0 by voice vote.
Hoffmann:	00:08:29	That brings us to our now first hearing, which is going to be SP-26-17, H. M. Mac Development LLC at 335, 325, and 337 South Walnut Street, 4-story mixed use building.
Porter:	00:08:56	I am Terri Porter, Director of the Planning and Transportation Department. I will be giving the staff report for Urban Station II this evening. In our report to you, which you received Friday, staff recommends continuance of this project until November. However, I wanted to say a little more about our position on the project. If we had to either recommend or deny the project this evening, we would recommend denial. First and foremost, we are very thankful and grateful to Mr. Hoffman and to H. M. Mac's commitment to Rhinos. We strongly appreciate their commitment to the community. However, the project in its current state generates many concerns from staff. One is the 25% density bonus in terms of the UDO. We are not convinced that the project merits the green development bonus. The Environmental Commission report states that the intentions of receiving the bonus have not been met. However, our architectural firm believes that they probably have met it, but just marginally. There is a lot more that the project could, could happen to the project, to make it much greener. Second, with relation to the UDO, the project does not meet the the step back requirement of a building of that height. The developer has created an inset center module. There are also the narrow pockets in the building, the narrow slots, which that causes concern particularly for the units that are placed very close together. We think that those units would, there is a high likelihood that they would receive very little ambient light because they would be putting blinds up so they do not see what is happening in their neighbor's unit. But our main concern, which we just wanted to have more clarification on from staff or for staff, is that we are very concerned with the

design of the project and its fit and compatibility with the downtown. We understand that, technically, we are still operating under the 2002 Growth Policies Plan and the UDO. But as we have observed and considered the recent approvals and denials of the Plan Commission and the council, as we hear the extensive comments on the new Comprehensive Plan as the council continues its review, there is clearly a transition toward the intentions of the new Comprehensive Plan and pending UDO. These intentions do not appear to favor a project like Urban Station II. It is difficult for staff to see this project as anything but another large, boxy student housing project in the downtown. We are concerned about the composition of the units which include twelve 5-bedroom units and six 4-bedroom units. And we want to be fair to Mr. Hoffman and give him honest.

- Hoffmann: 00:08:56 Sorry, not me.
- Porter: 00:08:56 Not Mr. Joe Hoffmann.
- Hoffmann: 00:08:56 You should be fair to me too.
- Porter: 00:12:56 Mr. Steve Hoffman and H. M. Mac. We want to be fair to him and his firm, to give them honest feedback, very honest feedback, rather than have him continue to tweak the project and modify a project that has no chance of success. In short, we do not want another situation like an Annex. So we are asking, staff is asking, for your guidance. We still recommend continuance unless, in during your feedback this evening, you identify deal breaker issues. We can continue to work with with Mr. Steve Hoffman on this project, and I appreciate your time this evening. Thank you.
- Hoffmann: 00:13:56 All right. Thank you. It is the petitioner going to be making a statement as part of this unusual procedure tonight? OK, please step up to the podium.
- McCormick: 00:14:12 My name is Craig McCormick with Blackline Studio in Indianapolis, Indiana. We are the architect and interior design firm charged with this project. When Mr. Hoffman came to us, what he asked for was a type of apartment building, a mixed use building, that is more like some of the new modern developments that we are doing in other cities:

Indianapolis, Cincinnati, Louisville, and quite a few other cities within maybe a few hours of Indianapolis and where we are today. Those buildings, I think, are a more modern, have a more modern, spirit to them. We certainly appreciate the development guidelines from Bloomington and some of the requirements with use of limestone and brick and the different materialities of it. But what we were asked to do was to kind of bring something new and different and more contemporary, as a design, to this project. So when we started, I think that we read through kind of the understanding of some of the developing guidelines with step backs, and we tried to take a more creative approach to how those would manifest into a project. We also believed and were asked to kind of create more of an urban scale project, a dense project, something that felt like it belonged in a city and did not have a real suburban component to it, based on its location. So as we did that, what we did from a design perspective was treat the ground level, and I do not know, we did not bring a formal presentation. I did bring a computer model, but I think that in the essence of time, and knowing that we are continued, I just wanted to really introduce you to the ideas behind the design. On the ground level, we have a masonry limestone and glass facade that faces Walnut Street. One of the things that we are asking for is to keep an existing curb cut that would become an entrance into a lower-level parking garage. There would be a second entrance around on the north side, which is the bus station side of the project, that would serve the retail area. By the ordinance, we are required to have zero parking spaces right here. We do have 103 spaces, part of which will serve the residents and part of which may serve the businesses in the building. But we do have them, to the greatest extent we can, concealed in the project. We agree that the garage entry on the corner, the corner that you're approaching from with your automobile on Walnut Street, may not be ideal in that location but it works for us because it allows us to split that parking into two separate levels without having to do anything like ramps.

McCormick:

00:17:07

So, we believe that with that lower level parking being primarily for the residents, comparing it to traffic studies that we have done at similar sized buildings in Indianapolis, there just would not be a

lot of traffic coming in and out of that entrance, and most of the time we do not think that would be a problem on Walnut Street. The building does have more of a European massing to it. And one of the things that we are asking for is to not comply with a step back at 45 feet height. So, at the south into the building where the overhead door is the height of that is just under 50 feet and there is about four feet of grade. So, on the north end of the building we're actually right at about 45 or 46 feet at that part. So to us, from a design perspective, having to step back at 45 feet did not really make any sense. If we did step back, we would step that entire upper level back down at a height of more like 30, 34, or 35 feet. If we were to have to meet that requirement. So our approach, while unusual, and I appreciate the comments from staff on the concerns about the light wells, is really a strategy that we have seen in a more European-style of housing that breaks up the masses on the front and on the higher levels by allowing those light wells to come within the building. What we did was we clad kind of the majority of the exterior in different types of metal panel systems and broke those up to give it some visual interest. And then, on some of the interior light wells, we do have a fiber cement panel system that is in a variety of yellow colors that helps to sort of brighten those areas up. We do have an amenity space that is facing Walnut Street. It is kind of a courtyard with a small deck in a little pool area that would be a gathering space. The upper space is above the first floor between the buildings are actually walk out spaces that the residents can use, and they are sort of semi-private by the way that they are designed. So while we understand that this is sort of a departure from maybe some of the more traditional architecture that has that we have seen in Bloomington, we really think we are trying to take a sensitive approach to the massing while still creating a very urban building that is correct for the context. I think maybe that is all I will say. I think Stephen might say a few things and I am happy to answer any questions about the design or about what we are asking for.

Hoffman:

00:19:58

Hello, Stephen Hoffman, H. M. Mac. I am a little caught off guard here because we thought that staff was going to present the project first and then we would have comment. But that is OK. So just a

couple of quick things. We are a little surprised by the way that this is. First off, we did not ask to go first. I just want, I think that is important to know out there because we did not, there is no perceived benefit to us to go first or second. We were not asked to go first. We were fine with our agenda position as second no matter what. But, you know, I believe that this one has been in the queue for what two and a half months is when we filed the pre-application. What we received 10 minutes ago is the first feedback we have received. I will let that set in for a second. You know, green building practices that we are trying to bring, you know, I have worked with a number of you, of the members of this Planning Commission, for a number of years. We have always worked in good faith to bring really great things to our town. My understanding is there has been very few, I think we can count them on one hand, of projects that have come under the UDO to try to utilize the green building practices. That is pretty significant to say that we only marginally met it compared to all the other projects that have been built under the UDO that you can count on one hand that have even tried. To even marginally meet it is significant, not marginal. That is something new. That is something interesting. That is something we are showing other developers that it can happen. Green building practices can happen in Bloomington on a for-profit model. That is key. That is key for our town. Right. I am a lifelong resident here; to see other commercial developers go to green building practices and prove to them that it works. That is something that only local people do. Multinational corporation from wherever is not going to do it, because our investment is in Bloomington, not just in ourselves. We were tasked with, from numerous other projects that we have done, and in speaking with the administration, about the goal to bring interesting architecture to Bloomington. That is why we reached out to Blackline. They are doing such cool stuff. Do we want another red brick and limestone building in our downtown with green caps? This is interesting architecture. The whole concept of the narrow light wells was to break up the street front to make it pedestrian friendly so it was not another Smallwood with a long block. I think we achieved a lot with this design.

Hoffman: 00:23:15 You know if we are worried about what different unit makes is this and that. I do not think that there is really an argument to be made that a four bedroom or a five bedroom apartment leads to more partying than a one bedroom or a two bedroom. We do not have any significant data that leads us to believe that; it is only perception. And I get it, you know, with all the cliches that perception is reality, but then we are just dealing in cliches and not fact. You know, this project was meant to do a lot of good for our community. You know, working with Rhino's to make sure that they have a secure place until long past any of us are ever here was key. Just like we worked to secure a place in our downtown for Chocolate Moose in the first Urban Station. We do not want to be the evil developers that just shut down local businesses and local community goods just for a profit. There is so much good about this project, and I understand that if the design is not perfect, but what we have always worked with staff, Planning Commission. There is a give and take and we are prepared to continue that path is what we always have to work with City Council members like we did last time to come up with workforce housing. We threw in a couple on a voluntary commitment on this project. Why? To show after Planning Commission, just like last time, if we can we have a chance to add more units to work with the City Council, to do the right thing for our town, that is what this project is about. Yes, we are not going to shy away from that we are here to make a profit. But I do not think we should be demonized for it. We are here to answer your questions. We are here to listen to your direction on what you like what you do not like, continue that partnership of where we work together to come up with something that everyone can be happy with. You know, development is not about one person's view, it's not about two people's view, or seven. It is about the whole town coming together in saying we are all proud of it. That is what we are here to do. That is what we are here to continue to do. We hope that you are willing to work with us to get there. Thank you.

Hoffmann: 00:25:41 Thank you very much. We are now back to the Commission again in this somewhat unusual posture, so let me just try to state what I think we are being asked to do, and staff can tell me if I got this right. The staff is recommending a continuance

and has said that the staff, if asked, for a merits recommendation on this proposal tonight would be recommending a denial, but does not want to do that and is therefore recommending a continuance because of concerns about the fact that we are in a transitional period between the old GPP and the new GPP that the plan commissions decisions as recently as last month might have left the staff confused about where the commission stands on this transition. And that is why we are being asked to hear this case at all tonight in this context. That is my understanding. Am I right about that? Did I get that right James? OK. So it is my understanding that we are not actually going to be debating the specific merits of this particular proposal tonight in the way that we often talk about a lot of details. But that we are being asked to give the staff some sense of a bigger picture view of how the Commission is feeling about student apartment complexes et cetera, et cetera in the downtown or near downtown. This is not technically in the downtown. Again, did I get that right? OK. So I just want to say to my fellow Plan Commission members that it is very clear that nothing we say tonight can in any way be viewed as binding us to vote for anything that may come forward in the future. That would not be appropriate and would not be correct. So, you know, whatever people say tonight is not a pre-vote on anything, but my understanding is that the issues that the staff is putting before us to talk about tonight are not the details but large questions like the use of another student-oriented project in or near downtown, the density, the overall massing and size of the project, and fundamentally questions about the basic appearance. You know, we have heard the petitioners say that this is meant to be a modern, innovative design. We heard much the same thing a month ago on a project that seemed to turn out to be viewed as another big box. So that is the kind of question I take it the staff is looking for some kind of feedback about. And then once we have done that, then this case presumably, since it will be continued, and then people will know what they need to do in the future. Is that about right?

Roach: 00:28:59 I believe you got it.

Hoffmann: 00:29:00 OK. So now I will turn to my Commissioners for questions and or comments. We will go to the public as well. Sorry. Go ahead.

Piedmont-Smith: 00:29:11 I have a question about this process. I mean, for the benefit of the public, if no one else, it would be great to have a run through of the project itself from the staff like we usually do. I do not really understand why we are not doing that tonight. Is it just to save time because we have a big agenda? And then secondly, we are undergoing the process of a new comprehensive plan. The UDO is our rules, so I do not understand. We have the rules to follow. We have the GPP. So I do not feel like we can say to the developer, "We are thinking about changing into this, so we do not like what you are doing." So I am a little confused.

Porter: 00:30:08 If I can respond, staff felt that since we had recommended continuance to November. Because we are in this transition, and because of the situation with Annex where we viewed various versions of Annex, and I do not believe that we ever came out and said until a lot of process and meetings and input had happened that we are just not happy with this. This just does not belong here. So, granted, it is a little bit of an unusual situation where the staff would like feedback from you all just on a higher level. Not because we have already asked that this be continued to November. This may not look anything like this in November. I don't know. So to go through it like a regular presentation didn't seem to make sense. So, granted, this is a little unorthodox, but we are hoping that staff can get some broader views from you all of your impressions. Is this project something that hits the mark to where we will continue to work with Mr. Hoffman with this current project and the other issues with the UDO that it's not meeting? Or, just lay it on the line. Is this just not what you have in mind for the direction that we're moving? And does this design need to be reconsidered? And that's what we're asking.

Hoffmann: 00:32:20 Questions from Commissioners. All right. If there are no further questions, then I will go to the public and ask if the public has anything to say. Anyone like to speak to this petition tonight? Is there a member of the public to speak? Yes. Please identify yourself and then go ahead.

Morrow: 00:32:37 My name is Debra Morrow, and I'm here from Middleway House and there are concerns that I have with this project in regard to the back side of the building. I have some pictures. We own 318, 320, and 338 South Washington Street. And, on that building, we have an outside balcony that our clients have access to. And for some of our clients who come in to shelter, that outside balcony is the only place that they feel safe. By building a building that tall, the residents from that building will be able to look out windows and see right onto the balcony and I have some pictures printed up of that area. We are also worried about, during the building process of the building, due to the congestion in that area during the building of the other Urban Station. There were issues with the alley being blocked at times at one end and South Washington Street and there were times where people had very difficult times leaving work or getting to work. I have concerns with this being built right on the other side of the alley behind our building. That alley is used by clients who are coming to seek shelter, the staff parking is behind the building, and also ambulances and emergency vehicles pull up in that area, and we can never have that area totally blocked. I also have concerns about such a large number of college students living in that area. I know that from clients at the rise, that is across the street at 401 South Washington Street.

Morrow: 00:34:50 I have heard where children who aren't used to that type of environment in the middle of the night, when college students are walking down south Washington Street after being out late, are woken up and kind of afraid of all the noise and all the yelling that the students do, and these are children who have experienced trauma. And so to hear yelling and cussing and stuff can have a negative effect. And we understand were located there and it is what it is and we try to help them. But I do worry about putting a larger group of students in that area. I will say on behalf of the company who built Urban Station, we did have a lot of problems with tires that had nails in them during the building process from coming back and forth to work. And they were good about reimbursing our staff for that. We don't know whether clients had that issue that they didn't bring to us, clients who may have not had money to repair. So I you know I

think that when this building is built we need to really keep things like that in mind. Thank you.

Hoffmann: 00:36:00 Thank you very much. Is there anyone else from the public who would like to speak to this petition. Yes sir please come up and identify yourself.

Bonchek: 00:36:34 Good evening. My name's Steve Bonchek. I'm the director of Harmony School Corporation, and we own that property right now and we operate Rhino's. I just wanted to speak on behalf of the work we've been doing so far with James and Terry and Steve. Just thinking about this project over the last several months and just speak to why we're excited about the possibilities. I mean, Rhino's when the kids from Harmony School started Rhino's 25 years ago we wanted it to be downtown. We wanted to be part of the vibrancy of downtown and not have 13 to 20 year olds, at that time 18, 19, 20 year olds weren't living much downtown. But we always wanted to include 13 or 20 year olds and there wasn't even the art district at that time, but what became the art district. We wanted the kids to feel, young people to feel, part of the downtown art scene, and it's worked out very well over the 25 years we've served.

Bonchek: 00:37:31 You know probably there's been, I don't have the exact figures, but probably like 30,000 people have come to shows and activities and at Rhino's over the last 25 years. Just since last September we've served almost 3,000 young people between the ages of 13 and 20, and some are older and some are younger. We call ourselves and all-ages venue. But I have felt that this project, and just observing what's been going on downtown, surrounding us and just involving the whole community. It's, you know, potentially a lot of it is adding to the vibrancy of downtown which is why we wanted to be there initially. We've had conversations with the IU Arts and Humanities Assistant Provost Ed Comentale, and they've talked about really wanting to do a lot more cultural and entertainment activities downtown for the IU population, which we were used to serving over these last 25 years. I said they were at the 18, 19, and 20 year olds were within our target audience from the beginning to have a non-alcoholic venue downtown. Non-smoking and non-alcohol venue, and, as I said, it's worked out very well for 25 years or so.

Bonchek: 00:38:48 So I think there's the potential that this project can add to the vibrancy of downtown, and our interest, you know to a large extent, is also - although we have a permanent home for Rhino's now. I mean, we own the property. Rhino's is a touch and go financial situation oftentimes. So we're trying to really establish a permanent home for Rhino's that, like Steve said, could outlast all of us in this room.

Bonchek: 00:39:17 It's been around for 25 years already. But 25 years goes by pretty quick, so we want to establish it to be there another 25, 50 years. And what we need, with the help of H. M. Mac, is their generosity of committing to a permanent rent-free, lease-free, I mean cost-free lease is very meaningful to us. We've also talked a lot about other ways they can help contribute to Rhino's. We've talked about working together on golf tournaments and this kind of stuff. So we're looking for, you know, the three reasons I'm excited about the project: continuing to be part of the vibrancy and hopefully adding to the vibrancy of downtown, having a permanent place for Rhino's, and having a more stable funding stream, which is what we're looking for, and I think having good corporate partners helps us do that.

Bonchek: 00:40:15 The potential with IU, like I said, I'm really excited about, and I think that they're serious about it, IU. And I mean we have to flesh that out, what it actually means. But they've been continuing to talk to us about wanting to use rhinos from more cultural and entertainment activities for the IU students living downtown. So I'm glad to ask any questions. I'll certainly be here for the meeting in November. But thanks for your time.

Hoffmann: 00:40:43 Thanks very much. Anyone else from the public would like to speak to this petition. OK, seeing no more public commenters we are back to the Commission, and once again, what the staff is asking us to do is to not try to discuss the details which we haven't even heard tonight. But to give the staff some feedback they're asking for our help. Feedback that isn't binding or doesn't commit any votes but that at least gives the staff a sense of what they should do next. With that said we are back to the commission for a motion and then final comments. The recommendation is for a continuance.

New Speaker: 00:40:43 **Piedmont-Smith moved to continue the petition to the November hearing. Kinzie seconded.

Hoffmann: 00:41:32 All right final comments please. To my left.

Maritano: 00:41:44 I guess we're just making comments, I would like to know more about the partnerships with IU and arts and apartments. Student living, in general, I would say that the four and five bedrooms without parking, I would like to know about the traffic study with the bus station being right there - that seems to be essential and important. I actually have concerns about Rhino's, and at the bottom level and a lot of college student-oriented. So I would want to hear more about what those partnerships in terms of arts and vibrancy and programming because, right now, I haven't done a lot of research. I'm just hearing about that part, but it it doesn't feel like an easy match to me based on what I've seen in terms of some of the activities of other student-marketed buildings in the downtown area. And what I know about Rhino's in terms of its programming, so I would want to hear more about that.

Maritano: 00:43:08 My ears perked up a little bit in terms of the big-city feel and comparisons to Indianapolis and Cincinnati. This is at the edge of downtown Bloomington core. And we are not Indianapolis, and we are not Cincinnati. So that comparison also doesn't excite me. It seems actually in the opposite direction of where I think we're going with the new plans, and it is an awkward and transitional time. I feel awkward being the first person to speak in this awkward format. So, those are some of my general thoughts in this format.

Hoffmann: 00:43:48 Yes I'll continue with the awkwardness.

Kinzie: 00:43:50 So I guess I want to address some broader concerns, or express some broader comments, about what I think the staff is seeking from us. And I guess my comments are both about the trend that we've been seeing with large buildings and massing of these block-style buildings. I mean that's the critique here I think we're addressing is just an over-reliance on a common design and a common size. I mean these are massive structures. I think if I have this right 168 beds. This seems like a big space again, so I think this is this is the

concern that I think we're trying to address - what's the right balance to keep moving you know to four story buildings I think is a concern. So I guess I want to understand a little bit more about is that always going to be the answer now? That we're going to move to four stories and it's going to have a lot of beds or bedrooms.

Kinzie: 00:44:54 So I guess I have that concern, and I would like to suggest the staff look into suggesting how much we really need of the same design and style and type. So I have those questions too. I also think that this project in particular needs to attend more to what surrounds it. The Project School, Middle Way House behind it. I think I need to see more context. I need to see more east side views into this space. I'm also interested in the Rhino's and I like the combination of space ideas with a commitment to a valued community enterprise. I like that partnership and that commitment, and I think that's an interesting arrangement but I too share some concerns about what that might do to Rhino's population and who it serves currently.

Kinzie: 00:45:56 And in some ways it could get overrun by college students in 168 beds. So that's a little concerning but I, at the same time, see some benefit to perhaps offsetting current concerns about another local establishment that was designed to provide a downtown arts and entertainment venue for underage students. That was right downtown and unfortunately in the same site as a bar with alcohol. So I guess Rhino's has a proven concept for providing entertainment to underage students or underage people in our community and I think that's a great commitment. And I would like to see that partnership so that is interesting to me. I also would like to see a little bit more. I think we are definitely moving to more green building commitments. That trade-off is absolutely essential and I would have liked to have heard the whole proposal and to better understand the commitment to green building practices.

Kinzie: 00:47:07 It wasn't all that apparent to me in the existing materials exactly how much commitment this would entail in terms of sustainability and green building practices. So I definitely want to see more of that, and I think the expectation for green building practices is heightened. I think that's been

our commitment as a Plan Commission and I would expect that of all projects coming forward - that there would be a much clearer commitment to green building practices. And finally, this whole issue that I think we are talking about, ore talking around, perhaps is about the quality of life in Bloomington. And what we're seeing in terms of trying to address quality of life, both in terms of who occupies, who are our primary occupants of downtown Bloomington, and are we willing to basically make it overrun by large massive structures that are primarily designed to accommodate student housing.

- Kinzie: 00:48:14 And while I like the idea of what new building practices and modern designs might connote for our space and for our community, I have concerns, a lot of concerns, about the proximity of the windows in this space as well. So I think we're trying to jam a lot into very small spaces and I too share that concern and I don't think that's the way to go with our work moving forward. Thanks.
- Hoffmann: 00:48:54 Okay. Isabel. Oh sorry, sorry. You were hiding behind Isabel. OK, no comment. OK.
- Piedmont-Smith: 00:49:02 Well , as usual, I have a lot to say. I think for us as far as the massing goes, and I think this was a big concern with the Annex property as well, and it's a concern in this property. I know that they've put kind of a larger courtyard in the middle starting on the second floor and then these very narrow courtyards on both the east and west sides. I think when we're talking about Annex, Marc Cornett, a member of the public, spoke and I think what he said really applies here as well in that what makes Bloomington special and what so many people love about Bloomington is shown on the courthouse square where we don't have big blocks of buildings. We have smaller buildings. I mean they may be three or four stories high, but they're not that wide. So there's that variety of building styles and pedestrian interest when you walk on the square that makes it enjoyable to walk there. And this is obviously not that. This is a very wide building. It's the same throughout it's width. It does have some courtyard space. I think that the larger courtyard is, yeah, it's only starting on the second floor, so for a pedestrian it's really not broken up much at all. So I would love to see something, you know, I mean

they obviously want to make the most use of the space, but you know they could make it look like different buildings that kind of seek to replicate what's downtown maybe part of it would be more old fashion and part of it would be more modern.

Piedmont-Smith: 00:50:59 I mean we see these kind of row house designs in places like Amsterdam where there's a building from 1647 right next to a building from 1962, which is very modern, but it's that variety that really keeps people's interest and makes it an interesting place to visit and a great place to live. So that's my view on that the massing. As far as green building, they're not even committing to recycling. I mean, I just don't understand them espousing, "Oh, we're doing all these things that nobody else does." I don't buy it. I don't buy it. The green building portion of the UDO is very clear. You have to have two items from Goal One and one each from Goals Two, Three, and Four. And I looked at the UDO and I could see maybe they have one from Goal One although it's not spelled out through the reuse of salvage construction materials - it has to be at least 50 percent.

Piedmont-Smith: 00:52:11 They said they would reuse some. I don't know what percentage. I didn't see any second implementation measure under Goal One. Goal Two is not met at all so far as I could tell - that's the landscaping and site design. Now, granted, they don't have much landscaping and there's not much required because of the location. Goal Three and Goal Four are just kind of a given because it's mixed use. OK. Well, of course it's mixed use, it has to be mixed use, and it's right near the transit station. So that's just their luck. So I really don't see that they're going out of their way to make this a sustainable project.

Piedmont-Smith: 00:52:57 And they haven't met the minimum to get that 25 percent increased density. So, I'm just not buying that at all. There's too much parking. This is right next to the transit station. This is just a few blocks away from campus. They don't need this much parking. At minimum, I would expect them to separate the lease for a parking space from the lease for a living space. Because that's just more fair for people who are really trying to lessen their environmental impact and not have a car. I recognize that there's some commercial space, and

for that, I recognize that they would probably want parking. That seems reasonable. But even the 55 parking spaces for the number of bedrooms - we need to be motivating people to to do car share or you know to use the bus, to use bicycles

Piedmont-Smith: 00:54:09 All that kind of thing would be great in this location because it's so close to everything. And you could have some designated car share parking spaces and even, you know, negotiate with the with Zipcar or some other company. This would be an ideal place to try that out and show other developers, hey, this is what we can do. So the final point I wanted to talk about is the the affordable housing component. I understand this is still in the early stages of negotiation. Three units of workforce housing are proposed. This is really very, very minimal. Even compared with what with what they've done before, which I greatly appreciate and I worked on, at the Chocolate Moose site. I recognize the other public benefit here is Rhino's, and I do appreciate that. I think it's great that they are agreed to give Rhino's a space for no rent and that's tremendous.

Piedmont-Smith: 00:55:16 But still I would like to see some more workforce housing. I know we can't, by any means, require that, but since they are asking for several variances, I think I'd like to see more of that. What Ms. Morrow said about the balcony, or the patio area, at the Middle Way House. That's a big concern for me. I'm glad she came in and made us aware of that. So we do need to consider the neighbors, all of the neighbors, and what the impact will be. So maybe these are things we can work out, maybe not. Well we shall see. Thank you.

Hoffmann: 00:56:02 Thank you. Comments from my right.

Kappas: 00:56:09 I think part of this exercise is really for us, as a commission, as well to understand how we all want to function together in this awkward transition as it was said. And in that, you know, how can I help staff? And that's to go through the Comprehensive Master Plan and one of that is identity. You know one of our chapters is Identity and Culture, and rhinos, as long as I've been here, has been part of the scene - identity and culture for under-age citizens of this community. And I definitely want to see them have a permanent location in the

community and a for-profit partnership to establish something like that is something that I believe, as a Plan Commission, we do take into consideration moving forward, because at the end of the day, we are here as representatives of our community to ensure that we are maintaining our community values.

Kappas: 00:57:16 And part of that, too, is in that identity, is also a land use and being so close to the core of downtown that we hold so dear and sacred is that we understand that change is inevitable. We evolve over time, however, how we evolve and how we progress has to be under strict scrutiny. And that's why we are changing what we are changing in the Comprehensive Master Plan because we want to keep, for the most part, our identity - not become Indianapolis or some big city understanding that we are growing rapidly. We want to maintain who we are. And so I think part of especially my considerations in petitions is that massing, is that architectural style conducive to the area of the neighbors? Each area is different, and we ran into that with Annex.

Kappas: 00:58:17 It's right next to Fourth Street. We did not want that kind of massing right next to Fourth Street. That's why we said it was not compatible. This area being right next to Harmony School and literally two doors down from first Urban Station, we have intense amount of massing and we're forgetting about the other side of Walnut. I think part of it, too, is we don't always get the full picture. For instance, for staff, you know when we are doing presentations here we're not getting the full picture. I think that the petitioners would really benefit from having, and I heard Council Member Steve Volan say it in a different commission meeting once, about a 360 model or better model to understand how it fits into that surrounding area, one block on all sides - at least one block on all sides - so that we have a better understanding of how this will fit in. I would not have known anything about the balcony with Middle Way House and really thinking about the traffic and how things are built.

Kappas: 00:59:28 Commissioner Cibor, I think, every meeting has to ask just about every petitioner, "How are you going to build this? How is it going to be constructed

because of where it's at? How closely is the density in this?" And I think that that needs to be a consideration up front as well. If we only ask for something, at some point, you'd think that someone would do one step ahead and say "This is how we plan on building our development." That will once again help us make a better determination in a timely manner instead of having us go two, three months down the line, waste your money, waste your time, when we're not getting to the end result of working together as a community.

- Kappas: 01:00:16 So, overall, I think you know they've already hit on all the green aspects that was my other main point. So I'm not going to go into that. But for those are those are my statements concerning this at this point.
- Hoffmann: 01:00:27 Thank you. Any comments. Okay. Andrew.
- Cibor: 01:00:37 Just a few comments, few perspectives I guess. We are somewhat in an awkward stage. We've got our existing Comprehensive Plan, we have got our existing UDO, in the background of all that an updated Comprehensive Plan is in the works. I emphasize that's in the background at this point we have the GPP and we have the UDO, and it's my perspective that we need to continue to evaluate these cases following those standards but keeping in mind everything else that's going on and keeping that as a part of our perspective. So as I look at this and why we're reviewing this case you know it's adjacent to residential use, more than 100 bedrooms, and then some of the primary issues that it doesn't comply with code. Those are the things that I would focus on. Height isn't actually one of them. Maximum residential density - I think that maybe gets to the green development incentives and if maybe some additional tweaking would be done to that, maybe that isn't as much of an issue.
- Cibor: 01:01:36 The building height step back, that's something maybe that should be looked at a little closer. The ground floor, nonresidential uses, they're close to the percentage. You know, I think we talked about traffic. I think the architect mentioned there won't be a lot of traffic using the driveway on Walnut. And he also said most of the time the driveway won't be a problem. What about the times it is a problem?

So when I think about that driveway and the other driveway and that there isn't a parking minimum, I'm thinking what if we got rid of that driveway? There's also some safety concerns about visibility in the sidewalk right next to it. You might lose some parking, but you could still gain some with this ramping but you kind of addressed some of the issues that would maybe go to the BZA.

Cibor: 01:02:27 There just might be an opportunity there to address ground floor, nonresidential use - one less thing to go to a BZA and address something that most of the time won't be a problem but might be a problem some of the time. And then my question always is how is this thing going to get built? I appreciate that everybody's starting to learn, but especially this one, it's you know right next to Urban Station Phase One. So I think we're well aware of things and so I just want to encourage people to be thinking about that - how it impacts adjacent businesses, residents, schools, allies, how do deliveries work. So just maybe some additional information going forward, but I guess I'm at that point where you know the GPP is what it is, the UDO is what it is, keeping in mind what the Comprehensive Plan in the works is and just would also encourage our City Council to continue working with that so we are not in this awkward phase for too much longer. I know they're working hard at it. So that's all I've got right now.

Hoffmann: 01:03:36 OK. Thank you. I'll make just a very, very brief comment. As Andrew just said, you know, we do have to make our decisions in light of the code and the GPP that we have while having one eye on the future of the Comprehensive Master Plan, and if a proposal came forward, and it was completely within all of our specs and didn't need any waivers, then our course is clear. Then no matter what we think might be coming, we would be, in my view, obligated to go forward and address such a petition under the code that we have. The problem, of course, is that almost no proposals come to us that way, and this one doesn't either because it does require several waivers which means that it's not as simple as simply approving it under the existing code because we have some judgment calls to make about those waivers.

Hoffmann: 01:04:37 To me the really the big issue here, with this particular proposal, for me, and I'm only speaking personally, is not actually the appearance of the building or the design. Yes, there would be tweaks I would make. But that's not what we're here for tonight. Speaking only for myself, this is far enough away from most of the central part of downtown and from most of the areas that we think of as part of that sort of historic look at Bloomington. And given what the building is that's there now, I I would not be insisting that this building have a more traditional or historic appearance. For me, a modern looking building that's nicely done could be perfectly appropriate here. I do think about another student-oriented complex. Of course, there's nothing in our code right now that would prevent that in this location. But I do think about that because what I know we're doing with the new Comprehensive Master Plan. On the other hand, this is only five blocks walk from the corner of the campus.

Hoffmann: 01:05:48 So again, it may not be my first choice for a location for another student housing project, but it's not bad given how close it is to the campus especially if the students can be encouraged to walk or take the bus instead of drive to the campus. That would be even better still. So, for me, it's not a deal breaker that the building is more modern rather than traditional in appearance and therefore I would be willing to see further negotiation on this. But that's just my own personal view. All right. Unless there's anything else that needs to be said. Yes, please.

Piedmont-Smith: 01:06:26 I did want to add that this is a great location for more density than what is there currently. I mean ,I think we do need to start recognizing that one story buildings have no place in our downtown, and we need we need more housing. I mean, that's one way the cost can come down, if we have more supply. So hopefully something can be worked out here. Thank you.

Hoffmann: 01:06:55 All right. If there are no further comments then the motion is for a continuance and it's time for a roll call.

New Speaker: 01:06:55 **The motion to continue passed 7:0 by roll call vote.

Hoffmann: 01:07:19 All right. Motion passes and the case is continued to our November meeting. At this point, we are back to what was the original first case on the agenda, and it's time for the staff report.

Greulich: 01:07:37 Thank you very much. Next case is SP-06-17. This is a request from Mara Jade Holdings for a property at 318 East 3rd Street. This is at the southwest corner of 3rd and Grant. The site is approximately 0.26 acres in size and a zone Downtown Edges Overlay. So it's important to note about this specific location that it's sandwiched in between two different zoning districts with a complete different set of standards. To the north of this site is the University Village Overlay as well as the the Annex site which has been discussed just previously. And then to the south of this site is residential high-density multifamily zoning. To the west of this is also zoned property within the Commercial Downtown and the Downtown Edges Overlay as well as the properties to the east are also within the Downtown Edges Overlay. So to the north and south of the site you have two different zoning districts.

Greulich: 01:08:39 So the petitioner owns this property that currently has a one story office building, which you can see here in this site photo. And just to the east of this a little bit, you've got the Burnham buildings that were constructed about 15 years ago or so that are about three or four stories in height. The petitioner would like to remove the existing one story building with portions of the existing building being reused as part of their green building commitment. But they would like to remove the existing building to construct a new four story building with the site plan that is shown on the screen here. The building would contain exclusively studio units. There are 35 studio units that are associated with this, and the building would have parking underneath it on the ground floor.

Greulich: 01:09:26 Most of the parking would be underneath the building, but there is a portion of the building that they have been very carefully able to design to be open to the sky above it. So there would be 18 parking spaces located beneath the building as well as the petitioner also owns property just a few properties to the south of this that has some extra parking spaces that they would be combining with the 18 on this site to provide 22 parking spaces.

There's also some on-street spaces on Grant Street as well. So the petitioner has been working very diligently over the past several months as the Plan Commission has noticed that this case has been on the agenda for many months. They have been continually tweaking lots of aspects of this site and the building design both architecture, green building features, their diverse housing component.

Greulich: 01:10:19 They've been modifying lots of parts of it so that they can try to put together the best petition possible. And the building that you see on the screen in front of you. So the building has a large glass corner that you can see on the bottom left of the screen. This is the corner that is fronting on Third and Grant. The rest of the majority of the building has a CMU bottom with brick veneer top and fiber cement panels along the top, as well as a metal railing or metal metal coping around the top of the building. So you can see the large glass corners. Those are some of the apartment units. There is a ground floor commercial space, as you can see right at the bottom corner of the building.

Greulich: 01:11:00 And then to the right of that are two ground floor, ADA accessible dwelling units. The majority of the building on the south side along Grant Street is the parking garage. They have designed that to still function and fit in with the rest of the design of the building using similar window designs and sills to help that blend in. So the petition is coming for you tonight because it is adjacent to residential uses as well as there are a few of the standards that it does not meet. Those are those are outlined in your staff report. The petitioner has also been working very diligently on the green building features with this petition.

Greulich: 01:11:46 They have gone through the green development incentives and they are able to put together what they feel meets not just the intent but also what is laid out in the UDO for those green development incentives. What makes this a little bit different than the Urban Station II project, where one of those conditions is that you have to construct parking out of permeable pavers, because a portion of this building is open to the sky above it. They are able to utilize 50% of their parking utilizing those permeable pavers. That does help us stand out a little bit in terms of uniqueness. As I mentioned,

this particular site is sandwiched in between two different zoning districts. The zoning district to the north, the University Village Overlay, has a height limit of 40 feet. The zoning to the south of this, the RH, the residential high density multi-family development, has a height limit of 50 feet.

Greulich: 01:12:45 The petition has kind of put together a massing model just kind of showing how this building fits in with some of the other buildings around here. On the left side of the screen, you can see the Burnham building. As I mentioned, those are four story buildings, and then just south of this you have several residential buildings as well that are not 40 feet, they're about three stories with high pitched roofs. The height of this building is very in keeping with what you do find to the south of this and does kind of serve as a transition between the downtown and the higher density buildings that you would find just on the sides of this. The petitioner are also did put together one exhibit in the packets called a potential elevation.

Greulich: 01:13:30 This just kind of shows how adjacent properties could be built up meeting all of the standards of the current code. There are several one story properties that are surrounding this that could certainly be redeveloped in the very near future. The Plan Commission could be seeing other projects coming forward on some of the adjacent properties that would be very much compatible with the height and the density and the massing of this building. As I mentioned, this building, this property as well, is a very small property. The Plan Commission has noted oftentimes that it just works to solve the problem of massing and building scale by virtue of the small size of the property and the amount of street frontage that they have. As I mentioned also, the petitioner has put together a very in-depth list of green building and sustainable design features they have put forward that are meeting the Level One incentives of the Unified Development Ordinance.

Greulich: 01:14:27 There will be solar panels on the roof of this building to provide solar electricity for the common lighting within the building as well. They have committed to the onsite recycling. They are providing bike parking above and beyond what the code requires, including covered bike parking and

bike locker storage within the building as well. They've committed to exclusively native species for landscaping. They do have green space around the property that they will be landscaping as well. They will be able to incorporate all of those things as well. As I mentioned previously, they will be recycling at least 50% of the nonhazardous construction and demolition debris from the current building that's there. The petitioner has also committed to using 10% of the building materials within the 500 miles surrounding this site.

- Greulich: 01:15:20 Based on what is in the Plan Commission packet, staff is recommending approval. But I do want to briefly talk about two of the conditions that were originally listed in the staff report. Condition #2, which addresses the windows along the parking garage. The petitioner did submit a revised elevation after the packet had gone out showing how they met that. So they have met that, but we can include that condition on there although we're not expecting any changes from what you see or what I have shown on the screen tonight. Also, the second modification to that condition was a slight mistyping in the language for Condition #6. Condition #6 addresses the voluntary financial contribution to the Housing Fund, and that condition should have actually read that that "is required upon issuance of an occupancy permit for the apartments" not "prior to issuance of a building permit." It's just that one modification to Condition #6 that should read it in its entirety, "The voluntary financial contribution to the Housing Fund must be received upon issuance of an occupancy permit for the apartments." So that is the modification to condition #6. With that, staff is recommending approval with the nine conditions as I've amended here, and I'm happy to answer any questions.
- Hoffmann: 01:16:44 OK. Thank you. You were recommending that the #2 remain?
- Greulich: 01:16:51 It can remain in that they had...
- Hoffmann: 01:16:55 It's already satisfied.
- Greulich: 01:16:56 They have already satisfied it. What we were looking for were the limestone sills along the top and the bottom to just compliment the windows

that were above there. So they have submitted an elevation showing compliance with that.

Hoffmann: 01:17:07

All right. Thank you. May we hear from the petitioner? Who is speaking on behalf of the petitioner?

Krapinski: 01:17:26

Mary Krapinski, with Kirkwood Design Studio, on behalf of Mara Jade. We just wanted to point out that this location, I think, is what is most advantageous about this project, and that it is located within walking distance of the park, community center, transit, downtown, the list goes on. Its within two blocks of IU, so most likely it will serve the student market. However, it certainly is open beyond that. The owner has worked with the city, in their affordable housing commitment, in making a contribution to that.

Krapinski: 01:18:04

I think the other thing that's particular about this site is that it is bounded by two different districts, or excuse me, zoning overlays and the district that it's in is 35 feet in height while the one across the street I believe is 40 and then the one behind it is actually 55. In the future, know that you have that to be tending to. We are capped, at this point, at 48 feet. The site does drop off about two and a half feet from east to west. We have put a focus on the corner because that is what's special about the site as well as leading into the neighborhood.

Krapinski: 01:18:57

One change that we've made in response to the city, and some of the requests, are the two units that are on the first floor are ADA units. We do have ADA access from the corner, but because of the way the site drops off, there's a stair to the right. We are very close to the sidewalk. We're actually within one foot of the sidewalk. We've backed our building off just so we don't have to jog the sidewalk in its current position. We would continue it on its straight path right now, and then we only have about a four and a half foot sidewalk between the building face and the retaining wall that you see there. A couple of things I would like to clarify is at one point we thought we would reuse some of the structure from the existing building. Because we're building right over that footprint, that did not prove feasible with the structural system that we'll be using. We do have within our green incentives to

be recycling the waste components from the construction.

- Krapinski: 01:20:24 I just want to make sure that that was clear on the recycling issue. In addition to the green incentives, we also are doing recycling. We've planned for that within our trash area. I also want to make clear that the solar panels that we would be incorporating into the project on the roof would be serving common areas. They don't serve individual units, and that's a very complicated issue because then you have to get into agreements with each and every unit. The agreement would be with the owner, and therefore the common spaces - night lighting, corridor lighting, that sort of thing is what the solar energy would be used for. That will go towards keeping the common expenses down for the tenants in general. We are providing the four additional parking spaces offsite, which are within a hundred sixty feet of the back stairway. Our stair that we have shown here on the right, we are moving that over. We still have about 8 feet plus to the adjacent property line, and we'll be moving that stair over so that at least the full face of the building has the same sidewalk area in front. I think those are most of the issues that we'd like to bring up this point. Questions?
- Hoffmann: 01:22:12 We'll get there. OK. Thank you. All right. We are back to the Commission then for questions of either the staff or the petitioner. And I'll start on my right.
- Cibor: 01:22:30 A question on the green development incentives. I don't know. Were those in the packet? Or maybe I just missed them.
- Greulich: 01:22:39 There should have been a green development worksheet that the petitioners submitted that was in the packet.
- Cibor: 01:22:39 OK.
- Greulich: 01:22:48 Let me know if you don't find it, and we can we can certainly make that available.
- Cibor: 01:22:53 OK. And then I'm just assuming that the free bus passes, that's a part of that. Or, did you guys see that? I don't think it was in the packet.

Greulich: 01:23:08 The green building worksheet was not. OK. It didn't really look like a worksheet. It just says "green building worksheet" at the top. And it's kind of just typed out. Could be at the very end of the packet.

Cibor: 01:23:39 I don't see it, but if somebody finds it and tells me what page it's on, I'll pull it up. I guess my one question would just be on that and making sure that the free bus pass - I'm curious to see everything that was included within that. A question just about the Environmental Commission recommendations was about pervious paver maintenance and the staff response was a maintenance plan must be submitted prior to issuance of a grading permit. And I just wasn't sure how that process works.

Greulich: 01:24:13 Well, we don't really have a definitive process right now for that. You know, the Environmental Commission just wanted to make sure, certainly, that the pavers were going to be maintained so that they can be use in their designed manner. Whether that's annual maintenance or just visual inspection, but certainly, as part of their green development incentives, they're required to maintain those. It's just kind of a reassurance that there is a plan, and that the owner, or future owners, is aware that they have to be there and be used and maintained.

Cibor: 01:24:43 OK. And a question - I guess I'm not sure if this is for the petitioner or for staff - but just on the stairs and walls and railing, I wasn't sure if that's within the right of way at all or if that's entirely on the property.

Greulich: 01:24:58 Everything should be on public property. They've made the effort to be on private property, sorry.

Cibor: 01:25:10 OK. OK. I guess my last question is to what I always, I guess, go to and I'm famous for. Just construction, and just curious if there's been any thought on when this would be built, how long it would be built, how it might impact the public and the public right of way.

Krapinski: 01:25:37 The intent of the owner is to work towards a 2018 opening, but possibly a 2019 opening. We're kind of right on that cusp of doing it in a reasonable time frame. Even though this is a smaller project, this

really is only one lot in the typical downtown pattern, we do anticipate that the parking spaces along Grant Street would be needed during construction, almost full time, just for staging and moving materials. The lane adjacent to the building along Third Street would be needed some of the time. I think until we engage a contractor and we exactly know their plan how long that would be. I think no matter what, even if you are a two story building, you probably still need that kind of space at times mostly for lifting trusses into place and that sort of thing. Certainly there would have to be some sidewalk closure along Grant Street and Third Street probably throughout the process.

- Cibor: 01:26:37 Thank you.
- Hoffmann: 01:26:43 OK. Just FYI, I don't have the worksheet in my packet either, but I do have the list - there's kind of list on page 28, a summary list, that includes the bus pass and some other things. That might be sufficient. Ok, down to my left. Any questions for staff or for the petitioner?
- Maritano: 01:27:05 This corner that faces out onto Third Street, those three floors, we can't quite figure out what those are.
- Krapinski: 01:27:13 So the corner, historically, is a nod to the corner element on most commercial streets. It really would be a storefront or a curtain wall system. So, it's predominantly metal and glass. So what you're seeing there is anodized aluminum and metal panels at the floor line because of the structure behind there. The top of the building is capped with a metal.
- Krapinski: 01:27:43 The top other register of the building is cement board siding. Then we have masonry below that. One thing that you might wonder why things end up looking a certain way, we are actually using the pattern of the double window not only on the punched openings that you see. But if you look at the store front, that double window is actually the same proportion in that first floor storefront. Then we carry that on up. So it's a.
- Maritano: 01:28:18 But so those are going to be the units?

Krapinski: 01:28:18 Those are apartments.

Maritano: 01:28:18 All glass units on the corner?

Krapinski: 01:28:18 The whole project is studio apartments.

Maritano: 01:28:30 OK. That was our question. And then, what is the square footage of the lower level storefront?

Krapinski: 01:28:47 The storefront, I believe, is at 757, roughly That's right on the corner, and the other thing to mention is that the management company for the project will be in that storefront location. In the area to the right are the ADA units.

Maritano: 01:28:47 OK. Thank you.

Hoffmann: 01:29:03 OK. Further questions on my left?

Kinzie: 01:29:07 I had a question about the entry to the parking spaces. Is there a way to see that in the designs?

Greulich: 01:29:17 That's here on the south side of the building. There's an alley just on the south side that the door will be accessed to.

Kinzie: 01:29:27 So the primary entry, where will people come in? Where are residents likely to enter this space?

Greulich: 01:29:36 So there is a residential entry right here on the east side to the apartments. I'll go back to it. Here, in the center and that door that I was showing you'll go in, there's a staircase that takes you up to the second floor, third floor, and then fourth floor, respectively. That gives you access to a kind of a central hallway that the access of the units is from.

Kinzie: 01:30:09 I think that's it.

Hoffmann: 01:30:09 OK. Any other questions on my left?

Piedmont-Smith: 01:30:23 It wasn't clear to me, and upon looking further, I don't have that worksheet either. It must have not been in the packet.

Greulich: 01:30:25 I apologize it didn't make it in there for some reason. I apologize about that. We can certainly send that to the Plan Commission members.

Piedmont-Smith: 01:30:33 Is the roofing material reflective? I mean, I recognize there are solar panels planned on the roof, but is the the skin of the roof a reflective material?

Krapinski: 01:30:45 The roof would be a membrane roof, and I'll be honest with you, whether it's white or black is probably still up in the air. I've been to conferences where we're in a zone where they actually still recommend black roofs as opposed to white. Contrary to what we have commonly been told to hold as white for reflective, we're still in a zone that has more dominant heating than it does cooling. So, I think we're looking into further investigation as to which it should be - whichever is to the benefit of energy is the direction we'll go.

Piedmont-Smith: 01:31:29 Wow, that's the first I heard of that. It's interesting. Staff, can you review for me the first floor nonresidential percentage proposed?

Speaker 55: 01:31:50 The petitioners are required to have 50% of the ground floor will be nonresidential with the 750 square feet they're at about 10% - 15%. That number was a little bit larger, initially, earlier on several months ago. That's kind of been whittled down as different negotiations have taken place. So those additional units were added in order to help offset some of the other things that were being committed to with this project. But it has been located right at the corner, does provide that commercial storefront although it's being used by the onsite leasing, it could be used for any commercial business as well. Oftentimes these smaller square footages lease out a little bit easier than larger spaces, so it's nice sometimes to have a mix of different commercial spaces available.

Piedmont-Smith: 01:32:41 Have there been any conversations with the neighbors directly to the south, because those houses are two story houses.

Greulich: 01:32:50 I haven't received any calls or inquiries from anybody

Piedmont-Smith: 01:32:50 But they are notified?

Greulich: 01:32:58 Yes. Everybody two properties deep within the 300 foot radius was notified.

Piedmont-Smith: 01:32:58 OK.

Greulich: 01:33:05 It's all rentals in this neighborhood. There were no owner-occupied housing that I could see for a while.

Piedmont-Smith: 01:33:13 What what will a pedestrian see on Grant Street? Can you show us the close up?

Greulich: 01:33:22 Here is kind of looking directly at Grant Street. So you've got the lower windows here, which is one of the reasons that we had made some comments on kind of improving the look of those windows just to help them compliment the windows above there. Those will have I think some grill work or something in there. But it does diversify that and give it the void-to-solid that it needs to meet and give us some diversity as well.

Piedmont-Smith: 01:33:52 So those are windows into the parking garage.

Greulich: 01:33:52 Yes.

Piedmont-Smith: 01:33:57 All right. Thank you.

Hoffmann: 01:34:01 If there are no further questions, then it's time to go to the public for any comments or questions about this proposal. Does anyone from the public wish to speak to this proposal? Yes sir. Please come to the podium

Reynolds: 01:34:01 Yes, I'm Brian Reynolds. Do I need to sign this sheet?

Hoffmann: 01:34:01 I didn't even know that there was a sheet there, but yes.

Reynolds: 01:34:36 Anyway I'm looking at this. I've been up here for one other meeting for a property that the project went through, regardless of my disagreement with it. I'm looking at this particular building, and it's being listed as a multi-use but it hardly looks like that lower level is any kind of retail space. I'm simply looking at it right here. Looks like another apartment building with an entryway. We're talking about this grill work on the side for the parking garage. Personally, I think that's going to be an eyesore on the side of this building. I mean if you're thinking of putting something down there for ventilation for a garage it should be something

other than grill work because obviously being on a lower level like that it's it's going to get beat up, it's going to wind up looking poorly. It'll get road salt, sand, everything else all over this building in the wintertime. More so than anything, I'm wondering when all this is going to stop - all these buildings downtown.

Reynolds: 01:35:47 Every street corner in Bloomington that doesn't have a building on it now gets a four story monster apartment building. I've spoken with one of your former members who, it's my understanding that Bloomington is going to have a anticipating an apartment shortage in the future and that this Commission is trying to basically build its way out of that problem. And, therefore, you know you're putting whatever you can wherever you can, but if the intent is to satisfy IU, and you're looking toward an uncertain future for IU. We're talking about a political climate that is not favorable to the students going to school. The cost of tuition and so on and so forth, and other things that are going on, I don't think it's sustainable. You're going to wind up with a lot of other empty apartment buildings within Bloomington. Plus you're making the downtown unsightly.

Reynolds: 01:37:01 I mean, there was a time when I used to like going downtown and walking around, have dinner, so on and so forth. I hardly go down there anymore because of this kind of thing that's going on on every street corner. I think it's going too far. You know you need to find some other solution to what your problems are. This is an FYI for this group. You approved a project on the corner of Henderson and Hillside a while back which is started which I'd come up and opposed. I just can't help but wonder if anybody ever went out there and looked at this intersection and said, "OK, what's this project going to do this intersection? What're we going to give up for this four, five, six story monster on this corner lot?"

Reynolds: 01:37:49 And I drive through there often. The other day I witnessed, I had witnessed many times, school buses trying to go south on Henderson. They barely fit through there. This building took up so much of that intersection that a school bus trying to get southbound on Henderson can hardly do it. They're squeezing through that lane. Any car at any given

time that parks too far out in the road, they're going to choke off the intersection because the school bus can't get through or any other large truck for that matter. It's all going in the wrong direction and there needs to be another plan. You come up with something. One more thing about this, just to touch on this project as well as many of the others, they're saying, "OK we have this any parking spots for this unit" and, you know, trying to make it sound good, but being realistic, there's not enough parking spaces in this unit - 18 whatever it was for however many units.

- Reynolds: 01:38:59 My hearing is poor so I didn't quite get that but I'm sure it's not adequate. I mean I don't know where you're going to put all these additional cars and traffic in that tight spot downtown. I'll say again I oppose this project. I oppose the other three projects that are going in the downtown area, and I think it's going in the wrong direction. I'm sure I'm not alone. I don't understand why there are so few people here tonight. I don't get it. I just don't understand some of this. I thank you for your time. I hope you consider what I've said and what's going on in this community that I care about and enjoy. Hopefully this will take a closer look at it. Thank you.
- Hoffmann: 01:39:52 Thank you sir. Is there any one else from the public who would like to speak to this petition tonight?
- Hoffmann: 01:40:05 OK, seeing none, the petitioner, I think, has some time left from their original allotment if they have anything they need to add.
- Hoffmann: 01:40:13 Ok then we are back to the Commission and... yes, you may.
- Piedmont-Smith: 01:40:21 Sorry, I thought of another question. So, Ms. Krapinski said that you were going to extend the ramp part in front of the Third Street elevation to the end of the building. Why?
- Piedmont-Smith: 01:40:42 Can you please come to the microphone so it's on the tape? Thank you.
- Krapinski: 01:40:52 I think just to give a little more privacy to those, as units. Those are first floor units, residential units. The two windows that you see either side of that

door, and just not to have the noise of anyone walking up and down those stairs right under that window. We thought that it created a better plinth to have that completed all the way to the end of the building.

Piedmont-Smith: 01:41:24 So, that's, yeah. Is that negotiable? I mean, I personally don't like that plinth at all, and I had asked the staff earlier today if it would be possible to have the steps directly out, perpendicular to the building. They said that there wasn't enough room for that. Then to have that whole plinth continue, it's just, it's not friendly for pedestrians to walk by a two foot concrete barrier rather than right next to a building.

Krapinski: 01:41:58 Well two feet is about down here. (Indicating) Plus we have a railing. I actually think, for the residents of the building that are in those two units, it gives them a little privacy from a busy street. It also provides accessibility. If we were to have stairs right in front of there we could probably work stairs coming straight out of that door because there's a five foot recess there, but we would negate those two being accessible units. It's really..

Piedmont-Smith: 01:42:32 But the entrance to both those units is that central doorway, right?

Krapinski: 01:42:35 Right. And that central door way has a five by five recess beyond what the dark area that you see as the doorway.

Piedmont-Smith: 01:42:35 Yes.

Krapinski: 01:42:47 But the sidewalk just outside that is only about four foot seven, not more than five feet wide. So to get the number of steps, to go up 30 inches, we're going to have six stairs most likely. We don't have the run distance unless we eliminate the ramp to those units.

Piedmont-Smith: 01:43:15 Right. Right. Yeah, and I understood that from communicating with the staff earlier today. To extend that pathway even more, I just think, makes it even less friendly as far as open to the street, welcoming to the street. It makes it, kind of like, not interacting with the street at all.

Krapinski: 01:43:44 Well I guess it depends on if you're the resident in the unit or the pedestrian passing by. The building face is still going to be the building face, whether that were greenspace or not. The railing is there because of the 30 inch fall. So it's kind of the gymnastics of the site itself.

Piedmont-Smith: 01:44:12 Would you consider ending it where it is now, in the site plan, ending that plinth and putting maybe a couple of bushes there next to it?

Krapinski: 01:44:12 Located where?

Piedmont-Smith: 01:44:18 Located on the west end of that Third Street facade.

Krapinski: 01:44:29 I certainly think that we can provide vegetation at the bottom of those stairs.

Krapinski: 01:44:34 The light green is indicating permeable pavers across there. We really don't have space in front of the upper walkway without leading the ADA accessibility.

Piedmont-Smith: 01:44:53 I'm sorry to take so much time with this, but these little things matter, I think. So, what I'm seeing there on the screen is the new position of the stairs right?

Krapinski: 01:44:53 Yes.

Piedmont-Smith: 01:45:06 OK. But see, what we had in our packet, it was the stairs were a little further to the east.

Krapinski: 01:45:10 They were in front of the window that you see there.

Piedmont-Smith: 01:45:19 OK. So, what I'm wondering, well I guess there wouldn't be room. So if you kept them further to the east, would there be room for a bush there or some kind of vegetation? Against the wall.

Greulich: 01:45:38 Isabel, if I'm understanding you correctly, what you're kind of asking is for the staircase, rather than to terminate at the west end of the building to be moved east a little bit more, so that there's a little bit more green space in front of that window.

Piedmont-Smith: 01:45:47 Yes. So that there's more interplay with the street.

Krapinski: 01:45:59 I'm trying to get at the issue, and I think perhaps that you want to see some type of vegetation between the street and the building.

Piedmont-Smith: 01:46:07 Well, no, I just added that because you were concerned about the resident having privacy, not having somebody right directly next to their window, so I thought if we put a buffer. I mean, my main concern is having some interaction with the public domain and not having, you know, you're walking and you have this barrier and this railing and there's nothing of interest whatsoever for a pedestrian walking down there. That's what I don't like.

Krapinski: 01:46:39 I see your point to a certain extent. There's a physical condition we're trying to meet. The only thing I can suggest is to provide some, we have one foot to play with, that perhaps we have a built-in planter at the sidewalk level that might give both parties something green to engage with at that two foot level.

Piedmont-Smith: 01:46:39 That might help.

Krapinski: 01:47:43 I think whether this stair is in this location or further down, we're fine with either. We have landscaping that goes in the green space at the bottom of the stairs. We can certainly augment that.

Piedmont-Smith: 01:47:57 All right, well, I mean, maybe I'm the only one who cares about this, so I don't spend too much more time.

Hoffmann: 01:47:59 Well can I just suggest that what we might do with this is just add a condition of approval that the petitioner will work with the staff to try to facilitate some additional landscaping

Krapinski: 01:48:10 Actually, I actually see a nice little, we probably have enough for about an 18 inch planting section there without violating ADA requirements or impeding on the existing sidewalk. I could see putting a little 18 inch planter strip through there, pretty much where the railing would be. We'd still have the railing.

Piedmont-Smith: 01:48:36 As long as the planters are maintained, I think that would be a nice addition.

Hoffmann: 01:48:43 OK. So we are looking for a motion and then a discussion, final comments, and a vote.

Cibor: 01:48:55 If its OK, I had one question then another question. I'll try to make them really quick. But just building off of that discussion that just happened, a question that I have is that those accessible units and getting access to them, the question pops up in my mind: why can't that door be at the sidewalk elevation? Could those two apartment units be at a lower elevation, ground elevation, than the rest of the first floor commercial space thus negating a need for a wall and railing and stairs? Is that an option? So I I guess that's probably to the petitioners.

Hoffmann: 01:49:45 Right, it's not our normal practice, but since we've already started down this road, would the petitioner like to return to the podium? Please.

Krapinski: 01:50:00 OK. We're just thinking on our feet and trying to get consensus here. The difficulty with that is the access that we are also hoping to achieve on the backside of this through a vestibule to the parking garage for the ADA parties so that there they could access the ADA parking space right beyond in the parking structure portion of the building itself.

Cibor: 01:50:35 Sure. No, I appreciate that. I look forward to the answer. I'm sorry for putting it at the end, but also just from an ADA perspective, if I'm coming in the front door, the way it's currently designed, they have to go out a direction, say if they're going to the west. My other question maybe while they're chewing it is more for staff. The public comment that we had, you know, we're calling this a multi-use building. My general question is: would most apartment buildings be considered multi-use because they all have some sort of commercial space where the leasing office or can you help me understand what makes this multi-use versus a residential building?

Greulich: 01:51:14 Yeah absolutely. The mixed use building - in the downtown you're required to have a certain amount of your ground floor as non-residential space. In multifamily zoning districts, you have an apartment building. You might have an onsite leasing office might occupy one bedroom size, and its just consider an ancillary use. You know, it's not a

commercial space. In the downtown this is different, and you're required to have a non-residential space. In this case here, it just happens to be the leasing office this week. Two years from now they might decide to move that to a different location, and now this is a coffee shop or whatever. Whereas, you know, in the multi-family district that wouldn't be allowed at all. It is still a mixed use because you have nonresidential and residential users on the property.

Cibor:	01:51:14	Thank you.
Hoffmann:	01:51:14	Okay, can we get a motion?
New Speaker:	01:51:14	**Stewart Gulyas moved to approve SP-06-17 with the conditions set forth by staff including the rephrasing of Condition #6 to refer to occupancy permit rather than building permit.
Hoffmann:	01:52:38	Yes. All right. We have a motion for approval. Do we have a second?
New Speaker:	01:52:38	**Kinzie seconded the motion.
Hoffmann:	01:52:45	All right, we have a motion and the second. Any final comments before we vote?
Kappas:	01:53:08	So based on the comments heard earlier working with community and really gunning for the 25% increase in density green incentive, I thought that this was a great effort shown. I think based on the public input that we did get, it made me start questioning how much of a mixed-use building this really is on such a well-traveled corridor of our town. Having one portion of it be 785 square feet and the rest of it units to live in, it very much seems just like a studio apartment building. On those grounds, that's really my only hesitation because it was such a good faith effort. And we have 9 conditions of approval. It just seems like it's being thrown at us, in a way, because there's been a lot of work behind the scenes. A lot of good is in this, and I really commend the petitioners on what they've done. I'm kind of waffling between that yes or no at this point because of how good it looks upfront, but then as you dig in, it is almost like there's a facade there. So I'm not quite sure yet.

Cibor: 01:54:43 I'm curious if there was any thought to the question about the wall and the front.

Hoffmann: 01:54:57 At this point we are supposed to address their questions to the staff. If the staff feels a need to bring the petitioner into it that's been our practice. So was this question to staff?

Cibor: 01:55:09 I guess my question to staff is if the retaining wall and the railing along the front edge of Third Street is necessary. And maybe the petitioner could help answer that because I think they were chewing on the question.

Greulich: 01:55:23 I believe it is necessary due to the height of the porch along there and meeting building code requirements for the railing. It's not as zoning requirement.

Cibor: 01:55:37 I guess that the elevation of the floor of those accessible units, if that could be lowered, I guess is what I'm asking about.

Greulich: 01:55:48 The UDO simply says you will have units and a pedestrian entrance. You're not required to have ground floor units. Having them be along the street, facing the street, interacting with the street that's where it becomes kind of a fuzzy, gray area of how you best accomplish that. You know, when you do have ground floor residential units, they could certainly put a step directly from the door to the sidewalk and have direct access and have to figure out some alternative route through the parking garage to get ADA access. It wasn't something, I guess, that we had looked at very intently. Oftentimes if there's a large retaining wall that you know is four or five or six feet tall that certainly is very imposing. In this case here it kind of slopes from a few inches to two feet or two and a half feet. That's not even waist height. So it didn't really seem to be that much of a negative experience, although it could certainly be better.

Roach: 01:56:58 If I could add briefly, the fact that you're able to catch all that grade out of the right of way is certainly a positive. And one of the things that we were certainly working on is to try to make that residential space the best residential space possible, so it feels residential. If this was being presented to you as some sort of convertible space,

or it was all commercial, then having that at the sidewalk grade would be much more important, in our opinion.

- Cibor: 01:57:42 OK, thank you. I apologize for the questions later on than normal. Stepping back, big picture, I like a lot of this development, and I recognize there are nine conditions of approval. And, generally, I think I'm going to be voting in favor of this. I do encourage the petitioner and the team, emphasizing bullet number four and others within those conditions, that additional approvals are still needed. This is just one step and it does not guarantee anything else. Those other boards have their authority as well. So I just encourage you to start that process and engage with them sooner rather than later.
- Hoffmann: 01:58:14 OK. Final comments to my left.
- Maritano: 01:58:21 Yeah, I would just like say it's really nice to have a local architect presenting. So, thank you. I think there are a lot of really interesting aspects to this in terms of the bus passes, the green, the studio apartments. I was doing the average of the heights, and this is a very complicated corner in terms of the height variance that you're asking for is five feet over the average of the three zones in that area. It is significantly higher over the zones of two of those areas combined. This building, on this corner, it brings the east, the Burnham feel, down to the west, but it doesn't transition, in my opinion, very well from the north to the south to the west in terms of keeping with the character of those two things to the north and the south of 3rd Street and then also to the west of 3rd Street. So again, it's just a really complicated, pivotal corner, and there's a whole lot that I really like about this. I'm just really happy to have a local architect presenting to us. So thank you for that.
- Kinzie: 01:59:48 I appreciate what's developing on that side of Third Street. I think this is in keeping with the Burnham project, and I think one of the things we were asked to respond to in this proposal was does the building fit in context. I think, of the more recent decisions, to me this one fits more with that whole Third Street space. I think it is positioned interestingly. As a different downtown edges overlay, I think it's a really interesting kind of place for this. So I think this is probably - I don't want to

make this sound like an underwhelming statement - but the best we can do in this space. So I think that's good, but what I particularly appreciate about this project is the attention to sustainable practices. I really like the solar array on the roof and wish we could make that a requirement for all roofs of this type and ilk.

Kinzie: 02:00:56 So I appreciate that commitment, and I also appreciate the commitment to affordable housing and to the workforce housing commitment. But I think for me, this one really demonstrates the kind of commitment I think we want to see for sustainable practices.

Piedmont-Smith: 02:01:20 I'm sort of in the same position as my colleague Mr. Kappas in that I am torn on this. I love to see the sustainable building features that are here, as opposed to the H. M. Mac project. This does earn the 25 percent extra density, and I don't have an issue with the height or the density. I do have an issue with the fact that this building does not seem to really interact with the public realm.

Piedmont-Smith: 02:01:49 I mean on one side, on Grant Street, you've got these windows that aren't really windows that have grill work that have a garage parking on the other side of them. So that's not very friendly for pedestrians or neighbors. Then on Third Street you have this, albeit low, but it is a retaining wall with a fence, with a railing, that I think here would be an opportunity. If you're going to have first floor residential, which this has more than it's actually allowed to have, then it needs to be kind of a brownstone feel, like a stoop, like a neighborhood feel. That would be welcome to me.

Piedmont-Smith: 02:02:40 But the way it is now, it seems like this is just a building that's self-contained, and just kind of plopped down, and doesn't really interact with its surroundings. I also really hesitate to approve something with only 10 - 15% non-residential space, and it's an office for the building. It's not anything that's going to engage with the public, once again. It's I think it's a slippery slope if we say well this is OK because of the green building, et cetera. We're going to lose some of that interaction, and this is right downtown, this is on a busy street.

Piedmont-Smith: 02:03:22 I think this could be a successful commercial property, but if we give way on this one, then the people who then develop the property next door are going to say, "Well my commercial won't work because there's no commercial right near here." You know there is commercial there. There's commercial in the Rachel's cafe building. Sorry, it's a Chinese restaurant now, but that's how I see it. And then there's the dry cleaner, and then you get to the non commercial. So really, as we develop and get more dense downtown, I think that mixed-use is really essential. And just kind of giving it away saying "12 percent is OK", it's not really enough. So it kind of pains me to say this because I love all the sustainability features, but I think I'm going to be voting no.

Hoffmann: 02:04:12 OK. Yes I'm sorry. Go ahead.

Maritano: 02:04:15 I just want to go on record, even though the gentleman left, appreciating the public comment and the comments that he makes are comments that I hear frequently from members of our community that this style of building, this style of development, that they have have reached their limit with it. So I just think it's important for us, as a commission, to acknowledge that we are public servants and to appreciate that sentiment in the community.

Hoffmann: 02:04:57 OK. So, I will vote in favor of the petition even though I understand the reasons why some will not.

Hoffmann: 02:05:07 I think, from my perspective, where we are in this in this sort of downtown and near downtown environment is we're in a situation where we have so many things that we want to have in each of these developments that to some extent I'm worried that we will let the perfect be the enemy of the good in the sense that there's so much good in this proposal. So many of the things that we typically say that we want in downtown and near downtown developments. Is it every single thing that we would want? No. And I think some of that is because it's almost impossible to achieve everything that we want on a site of this size. The petitioner didn't ask to be a site of this size but it is what it is. Would it be great if we had 50 percent commercial?

Hoffmann: 02:06:07 Yes, but if we did, that would put a significant part of the commercial down south Grant Street, south of Third. And I don't think we want to go there. I don't think we really want to encourage commercial development to run down Grant. Could we have all the commercial we could possibly get along the 3rd Street frontage? Yes, but if we did we would lose two accessible housing units and we would probably lose the commitment to affordability that is being funded by those two units. You know there's so much happening on such a small site that every time you nudge it one way to get something else that we might want as a public policy, we're going to lose something else. I did hear petitioners say, and I take it to be a good faith commitment on their part, that they will try to find a way to provide more pedestrian interest near the northwest corner of the building.

Hoffmann: 02:07:03 I heard them say that tonight, and I take that as a given that they will be working to do that. And I can envision lots of ways in which that could be done and could be made very nice for the benefit of pedestrians.

Hoffmann: 02:07:19 But the bottom line is, this is adding to our stock of housing. It's helping with our stock of affordable housing, indirectly, but nevertheless. It's two blocks from campus. Even if this was being built exclusively to house undergraduates, I would say it's a good location for that. And you all know that I was the author of the amendment to the Comprehensive Plan that said we need to move more student apartments away from where they've been going lately. But this is literally two blocks from campus. And yet it's all studio apartments, which would be kind of an odd move if the petition were really trying to make this into an undergraduate complex, not to mention the 88 units and so forth and the green development and everything else. I just think in a world of constraints that this property has, I doubt, I strongly doubt that we would ever get a proposal any better than this, as much as that would be nice. If there are no further comments then it's time for a vote. The motion is for approval on conditions.

New Speaker: 02:07:19 **The motion for approval with conditions was approved 5:2 with Maritano and Piedmont-Smith voting against.

Hoffmann: 02:09:12 I'd like to get us back on track here, get moving. We still have three more cases to here tonight. Yes we do. So if we could begin with our next case that would be great. Please everybody come to order. If I had a gavel, yes, I would pound it. All right. Let's go.

Scanlan: 02:09:36 The petition in front of you tonight is SP-28-1 7. The property is located at 217 West 6th street. The current location of Yellow Cab Inc. in downtown Bloomington. The site is 0.29 acres, zoned Commercial Downtown (CD) in the courthouse square overlay. The GPP designation is Downtown. There's an existing building on the site that will remain, and a two story addition will be added above, and a four story addition will be added on the existing surface parking lot. You can see here in the picture. The request before you tonight is for site plan approval of one 4 story building. The proposal contains five live/work units on the first floor, 4 studios, 18 one bedroom units, 4 two bedroom units, and 1 two bedroom condo, and 1 three bedroom condo. The condominiums are to be located on the fourth floor. The proposal also contains 4,320 square feet of commercial space on the ground floor with a 2,158 square foot restaurant space on the fourth floor that has an adjoining 2,350 square foot patio space. Four garage parking spaces are included on the first floor, and those are to be paired with the units on the fourth floor, the condominium units.

Scanlan: 02:10:57 So here is the rendering of the building as it would face 6th Street. The building is designed to visually read as two separate buildings. On the existing building, on the right there, it uses split face CMU, and that will be carried up to the new third floor. Insulated metal paneling will also be added. New windows will be introduced on the second and third floors, and Juliet balconies, which you can see there as well. The new eastern portion of the building would utilize smooth-faced limestone with some stained wood accents, and storefront windows along the facade there on the first floor with modern windows on the upper floors. The building is designed to incorporate the existing building into a modern design. So several traditional, more traditional, aspects of the Courthouse Square Overlay. Design requirements are not met.

- Scanlan: 02:11:48 And so here is the building from the alley side, and you can see they've incorporated some color there. And this would be where you would have access to the live/work units here, and you would also be able to derive access from the inside of the building as well.
- Scanlan: 02:12:11 That color is composite paneling and is used in the recessed balcony entrance areas. All sides of the building utilize the continuation of the existing CMU, some metal paneling, and smooth-faced limestone. Each side of the building utilizes balconies for the units as well, and the Western facade here incorporates alternating colors of material for faux windows to improve the appearance of an otherwise blank wall. And then this is the facade that would face the south side or the east/west alley with the entrances there for the proposed parking spaces. So, first floor floor plan here. Commercial areas are highlighted in red, and you can see 6th Street there on your right. Highlighted here in purple are the five live/work units that we saw before on the facade. They would have pedestrian access from inside the building and directly from the alley. And then this is where the four parking spaces would be located on the first floor.
- Scanlan: 02:13:12 Again, they would derive access from the east/west alley behind the building. So the second and third floors contain four studio units, 18 one beds, and 4 two bed units. Then the fourth floor contains commercial space for a restaurant, there in red, residential space in yellow, and the kind of shaded-out areas here are actually outdoor space - patios. Red again for the commercial, and yellow for the condominiums. The proposal also includes a green roof system on top of the residential portion of the fourth floor so you can see that in this area here. And then there are the renderings that were submitted. Here's a view of the proposal on 6th Street facing southwest and facing southeast with Janko's there on the right and the vacant former Bakehouse building on the left.
- Scanlan: 02:14:04 Then here is a view facing east from Morton Street with Janko's in the foreground and the proposal immediately behind. And again, a view facing northeast with Janko's there on the left. A bird's eye view here, and a second bird's eye view, to

give you context of the size of the building compared with some of the surrounding buildings. A view from Sixth and College, again with the Bakehouse building in the foreground. And then this was something that was requested at the Plan Commission lunch session. This is a view to scale from Kirkwood. And so you can see the development back here in the corner behind the buildings along Kirkwood.

Scanlan: 02:14:45 So here some of the details from the alley view of the live/work units. This is facing north, and this one is facing south. You can see there that each unit is recessed and has lighting and planters to highlight each separate entrance. So the live work units are to be programmed as they sound - live/work. They are basically one bedroom apartments. They have studio space in the front that can be used by a small scale artist, someone getting a business off the ground where they have obviously access from from the alley for customers to come in. And then there's living space in the back: a small bedroom and kitchen and bathroom area. So the maximum allowable density on the site is 9.6. DUEs. The petitioner is proposing 10.85.

Scanlan: 02:15:39 So they are proposing over their allowed density. The density that they are over is the 5 live/work units on the first floor, which are also operating are going to be operated as the workforce housing for this development. Staff was able to review this petition and work with the city-contracted architect and the petitioner to make some changes to the building. And though the building doesn't meet all of the Courthouse Square Overlay zoning district requirements, it does provide a number of unique development details like the 5 live/work units off the alley or the two owner condominiums on the roof or on the fourth floor the rooftop restaurant space and the green roof installation. It also includes various positive aspects related to larger city goals such as including preserving an existing structure, addition of owner-occupied units downtown, workforce housing stock, and different housing stock sizes, and then also additional and unique commercial space in the downtown.

Scanlan: 02:17:02 So staff is recommending approval of SP-22-17 based on the written findings in the report and with six conditions. So, just briefly, the conditions are

that: staff still needs to approve the green roof design, a specific proposal that street trees and general street lighting and landscaping plan needs to be still approved by staff, and that the petitioner will submit a commitment based on what they have proposed to be recorded as a zoning commitment for the workforce housing and also for the green initiatives proposed including the green roof and onsite recycling. And then our typical right of way encroachments that need approval from the Board of Public Works. This petition was also seen at the Historic Preservation Commission because it is immediately adjacent to a historic district, and most of the comments there were favorable.

- Scanlan: 02:17:58 The one kind of comment by Commissioner Sturbaum there was you know that he would rather see it be a more traditional building, which you know, a lot of people might prefer that. Staff thinks that the scale and size fits in with the traditional scaling that is called for in the CSO. And so I can answer any questions that you have. The petitioner's here as well.
- Hoffmann: 02:18:27 All right. May we hear from the petitioner?
- Ellenwood: 02:18:45 Matt Ellenwood with Matte Black Architecture. Thanks for hearing this petition tonight. Some of you may remember David Howard and his proposal for the Sullivan building a couple of years ago on Washington Street. That was one of his first developments in downtown Bloomington. I think it's been successful, and he's done a great job of that. I'm kind of continuing with that same theme; he's purchased this property and wants to do this, I think, exciting development that you see here tonight. There are a number of things that could be highlighted, but I just wanted to briefly review the the context and sort of how we got to where you see what you see tonight. Just quickly, basic site plan highlighting the scale and use of the surrounding properties. See two, mostly three, some four story mixed use apartment commercial over retail restaurant.
- Ellenwood: 02:19:49 One seven story building to the north but same use. So obviously a vibrant part of downtown, a lot going on. We wanted to continue that, we wanted to push that even further beyond what it is today. So next slide is just some street views highlighting

materials that we wanted to pick up and highlight in our development. Existing building, as you can see, is this two story split face block was some smaller window openings, kind of an odd three door front entrance with this walkway that provides ADA accessibility, which are going to maintain in our development just primarily for function so we can get to both the east and west doors for any potential flexibility with commercial use. Other than that, we're going to redo the windows, a new awning, obviously the roof is coming off.

Ellenwood: 02:20:58 What we wanted to use that as a base, and part of the development is using the existing structure. It's got 12 inch wide concrete masonry walls in the first floor. So it's a sturdy structure. You know, it's got enough to it that we could add on a couple of stories to it. So I wanted to take advantage of that. The Janko's building, as you know, has limestone and horizontal wood siding. It's got this bay window as a feature, and then obviously the the red and white awning is pretty traditional. Continue on to the former Bakehouse building. Again, pretty standard, traditional architecture - brick with vertical windows up above the storefront and the first floor awning. The thing to highlight there was you notice a variation of pattern or scale of windows on the second floor, various weights and heights.

Ellenwood: 02:22:06 We kind of played off of that with our design of the eastern part of the development. Again, another image of Janko's, again those bay windows horizontal wood. And then a view, kind of looking down the alley, in the middle there you can see there's a four story light blue structure which is the back of the building on the square. And that's just kind of to highlight that there's a significantly tall structure across the alley from this property, and that there's sort of a variety of color, material, texture already that exists here. The building on the right there, brick building that has been developed and added apartments up above with vertical metal siding, kind of more contemporary treatment. Then to the north, the seven story apartment development where Relish is.

Ellenwood: 02:23:18 And they're using a mix of brick, limestone, some metal awnings. I would say it's a traditional meets modern/industrial look. The rougher rusticated

limestone on the First Bank building. So a lot of materials a lot of things going on in the immediate context that we could sort of pick from. And I think we try to reflect some of that in the design but yet wanted to kind of move things forward as well with our proposal. Lastly, this is just a little quick overview of live/works. They're sort of a unique new thing to development in Bloomington.

Ellenwood: 02:24:05 I was in Seattle Washington for five years, and we did a lot of live/work units on ground floors and side streets or alleys or areas that just weren't prime, busy retail space. We thought with this development and the existing alley space that's there that's not very active right now, in fact I don't think it gets a lot of, we determined there's not a lot of trash trucks moving through that portion of the alley. It's probably more for smaller services to the back of this building to the immediate east. But we thought that that was a prime location to do something like a live/work unit that would activate the alley, provide some kind of eyes on the alley, and also be utilized for cultural events, first Friday art walks, and bring a unique housing product that meets some demand that's not met right now.

Ellenwood: 02:25:06 It's hard for artists and young entrepreneurs to start a business, rent space for that, and live somewhere else. So this, I think, would be a great location and place for that to happen. Just basically live/work, as defined, it's primarily a dwelling space with business or work space included into it. So as flexible as possible, you see in our plans for our unit, our live/work units, we have a large front living workspace. We kept the kitchen and bathroom to the back of the unit so it could be flexible. They're ideally located in urban settings like this. They encourage entrepreneurship, economic development, they reduce carbon footprint. You don't have to commute. You can use your space to work and live. Potential uses we see here would be arts and music, maybe boutique retail, yoga, dance, personal training, professional office.

Ellenwood: 02:26:06 I'm an architect. I worked out of my home for a long time, so I would be a prime candidate, consulting work. So we think that this is an exciting thing to see here and have happen in Bloomington, but certainly if you have any questions, I'd like to

answer those and consider that. I think that's mainly it. If you have any questions, I'd be happy to take them. Thank you.

- Hoffmann: 02:26:37 OK. Questions from the commission to either the petitioner or the staff? Starting on my left.
- Maritano: 02:26:45 To get to the parking, you're going to come from the alley in the back off of Morton, which is one way. How do you anticipate people getting to those parking spots?
- Ellenwood: 02:27:02 Yes, so you would enter, you'd have to come into the alley off of Morton and then turn and pull in. And then to go back out, you'd have to go out and then continue one-way on Morton to exit. I should add that these four parking spaces will be dedicated to the condominium use, I believe.
- Maritano: 02:27:02 You plan on burying all the utilities, right?
- Ellenwood: 02:27:02 Sorry, what was that?
- Maritano: 02:27:02 Did I hear that...
- Scanlan: 02:27:37 She said, "Do you plan on burying the utilities?"
- Ellenwood: 02:27:40 We're still negotiating with Duke because, Bynum Fanyo is here and could speak maybe a little more to the utilities, but as it currently is there, there are, I think, four power poles along this side of the alley, the south side of the alley. Some of them handle electricity for the surrounding properties, not this immediate property. And so David, the owner, has been negotiating with Duke. We've dedicated some space, it's the bottom left hand corner, for a transformer. That's, as it sits right now, that's for a transformer for just our property, but they have to negotiate something to handle the transformers that are going to the other adjacent properties. I don't know, David, do you want to speak to that?
- Howard: 02:28:36 I'm David Howard. And, yeah, for the power requirements for the building, that bottom left corner there accommodates all the needs we need a three phase transformer and a single phase. Duke right now, it's a little tricky, because they have a main power controller that comes through that alleyway. So they're trying to work out a

direction of where to put those. We do have options to move the poles, but they want to try and get everything underground and allocate land for transformers. There is maybe a possible option of purchasing the easement. We still want to possibly, potentially approach Little Zagreb's to have them purchase an easement from them to put the pads there. But that's still something in process, but Duke has kind of been a slow process that we've been going on for the last six months trying to get that worked out, but we're still chugging through it.

- Maritano: 02:29:36 What is the distance between the front door to the alley space? That actually is a very well-trafficked alley with service, with trash. It's actually quite a busy alleyway. So I was wondering, what's the buffer?
- Howard: 02:29:36 The east/west where the area accessing...
- Maritano: 02:30:03 Oh, I'm talking north/south, sorry. Right behind the old Bakehouse building, and where there is currently the parking.
- Howard: 02:30:04 So currently there, the trash is pretty minimal, but we do want to try and clean that up to where it's, we don't want to make it pedestrian only. I would like to, but I'm not sure if that's feasible. But we wanted to get the building approved first before I start approaching neighbors and saying, "hey we want to try and brick this alleyway." It's still going to be well-lit. I've got budgets in there to resurface the alleyway, but I would like to do brick pavers to follow that other alley that turns up and goes towards Walnut, or College Street. Sorry.
- Howard: 02:30:38 And I would like to try and connect all that alleyway.
- Maritano: 02:30:40 So you'd like to make it fully pedestrian. And if you couldn't do fully pedestrian, what is that space between what would be drivable versus up to your doorstep? Because a lot of people use that alley for deliveries to that building that is directly to your east.
- Howard: 02:30:40 Yeah, I believe it's just five feet.
- Ellenwood: 02:30:40 To clarify, do you mean to the entrances of the live/work apartments?

Maritano: 02:30:40 I'm just trying to get a sense of the people driving and walking.

Ellenwood: 02:31:09 It's more than six feet to the actual door. If you can see, there's four feet of a sort of a stoop and then there's two to three, I think it actually maybe close to three, feet to the actual property line from there, because we need to accommodate some steps in some of those units because of the grade. So six to seven feet - property line to door.

Scanlan: 02:31:34 Each of the units also have access from an interior hallway, which is different than what we first saw. But there's an interior hallway in the building, so they all have doors on the back side as well.

Maritano: 02:31:42 But if you had someone coming to your business, just, ok. Thank you.

Kinzie: 02:31:58 What's the view from those live/work units in terms of seeing the back of the Bakehouse building? I don't know what that looks like, and I was trying to just flip through images. Do we have an image of that?

Ellenwood: 02:32:25 Yeah, that's somewhat helpful. So, just in terms of scale here, you get a sense of, obviously, the three stories of the apartments along the alley would more or less look across the alley to the back side of those other buildings. And from the photo that I showed earlier, there's some variation in height and color. In terms of that back side alley buildings, except for the Bakehouse building I guess, but the other ones do have some windows and some material that's somewhat interesting. Now, the upper floor, or the fourth floor, of the condominiums would have views across the rooftop of the Bakehouse building, potentially to the courthouse. There you can see that they would be up enough, just depending on parapets, and it could just get some views. Maybe that northern condominium would have views to the courthouse square. The one on the south might not have as much because of the taller structure there to the east.

Kinzie: 02:33:34 Is there lighting planned for that alley space? And how much?

Ellenwood: 02:33:38 There's a couple alley renderings. Here you go. So, the plan was to have individual lighting at the entryways to the units, so we've got some down-lights here. We're not really showing anything but thought maybe to have some signage for businesses that could have lighting. This is kind of a placeholder to show these studios, different studio A, B, but I could envision those having some lighting as well for a potential small business there. The subsequent apartments up above would have balconies with similar lighting.

Kinzie: 02:34:25 I know there's some comment in the Environmental Commission report about some of the commitments to green practices, and I wonder if the question was specifically about that these are proposed. I wonder why the only recommendation that is recommended for this proposal is about the green roof getting approval. Are there other things that you're committed to? Or can you solidify that commitment a little more?

Ellenwood: 02:35:02 In terms of green and sustainable features? Well obviously you know that by the nature of using the existing structure, reuse of the property. Also, it should be noted that this current, soon to be former, business has a gasoline tank for the taxicabs that would require some significant cleanup on the property.

Ellenwood: 02:35:30 So, brown-field clean up redevelopment. LED lighting will pretty much be all that's used, I would imagine, in the property. Where we don't have a green roof, it'll be low reflectivity paving surfaces. The rooftop for the restaurant and the condominiums will have some kind of, probably, a decking surface that would be light. David has a business installing roofing materials that are high-quality, 50 year roofs. It'll be done well.

Kinzie: 02:36:11 And then last question is about any sort of plantings surrounding. Is it only those planters in the alley?

Ellenwood: 02:36:18 Yeah we wanted to kind of soften up that edge in the alleyway for the tenants there. So we dedicated some space for planters. Now obviously there will be a challenge to get plants to grow there. So we're thinking some hardy grasses that would live without a lot of light or a lot of water. Hopefully the

tenants there, if they do have a business, they would enhance that. Put out their own, the idea of somebody living here along the alley, that they really would make it habitable and a nice place for people to be.

- Kinzie: 02:36:18 Thank you.
- Scanlan: 02:36:58 Can I make a comment as well? Sorry. In this overlay 100% impervious is allowed. So there's really no landscaping requirement. So then that's why the street trees basically become the only landscaping requirement in this area. They also had said in the letter I believe that they're planning to do onsite recycling. So that is one of the conditions that that is committed to as well with the green roof.
- Enright-Randolp: 02:37:28 I just want to commend you on your commitment with doing the green roof. I think as the city continues to develop, we'll need to put these measures in to try to do our best with mitigating storm water and things of that nature. And I'll be sure to kind of echo my compliments every time I see it come up.
- Hoffmann: 02:37:49 Any further questions to my left?
- Enright-Randolp: 02:37:51 I wouldn't mind. Maybe just a little explanation of what that commitment is with the green roof. I saw just the overlay real quick. But how does that functionality work?
- Speaker 107: 02:38:05 So we plan to do an actual true green roof system where we will have 4 to 6 inches of a media bed. So you can have full grass growing up there. It entails a membrane system on top of a PVC roof membrane. You pretty much create a bathtub. And then a, it's like a dimple, product that lays down and that's what holds the moisture and doesn't just let it run through the drains. You'll actually get a full media bed up there, not just like trays or planters and things like that. It's a true green roof.
- Piedmont-Smith: 02:38:53 I guess I'll start with an issue that I've harped upon in the previous petition. It looks like there is a small retaining wall because of the slope that rises from west to east. There's maybe just one or two steps. I

can't really tell. So how tall is that? How far off the sidewalk is that?

- Ellenwood: 02:39:17 Sorry. Do you mean where the railing is on the base of the building? Well, so that's essentially what's there now on the property, which is a five foot wide walkway, probably including railing, that is tight against the building that allows ADA access to those, what will be, two entrances. Yeah there you can see. So I think it's about 18 inches on the high side, the west side. In order to provide future flexibility we thought we would leave this so that if someone did want to divide the commercial space, if we ended up with two tenants on the base of this part of the building, it'd still have ADA access to both sides. Because if we eliminated this, then we'd have to have an entrance on the east side, and you wouldn't have the flexibility in the future. So we'll do a new railing. It's got some spalling and work that needs to be touched up.
- Piedmont-Smith: 02:40:25 I think in one of the drawings we saw in our packet, there was some sidewalk seating on the east side of the frontage.
- Ellenwood: 02:40:42 Yeah, on the eastern portion. I don't know the exact dimensions, but I think we're at least 10 feet from building to what would be tree plots. Is that right, Daniel? No, along the street, sorry. From the facade of the building on the, well to the tree plot, tree grates. So we're 10 feet currently. So we'd have about 5 feet that we could use for sidewalk seating, which is shown shown here in the rendering. It would still leave 5 feet for a pathway.
- Piedmont-Smith: 02:41:19 Is that an awning or is that an overhang? Is the building recessed there, or is that just an awning?
- Ellenwood: 02:41:24 It's an awning that projects 5 feet from the building, I think. There are two awnings, one on each, both about five feet.
- Piedmont-Smith: 02:41:36 OK. Where's yellow cab going? You don't know?
- Ellenwood: 02:41:36 Have you heard of Uber?
- Piedmont-Smith: 02:41:36 Pardon me.
- Hoffmann: 02:41:36 He said, "Have you heard of Uber?"

Piedmont-Smith: 02:41:55 OK, they're just moving, and they're selling you the property.

Hoffmann: 02:42:01 Yeah sorry. We need to get you on tape if you want to answer.

Howard: 02:42:05 He is planning on moving, but I'm not sure where. He's supposed to be out of there by the end of November.

Piedmont-Smith: 02:42:12 Oh, wow, it's coming up. So how do we know that there will actually be commercial space or studio space for the people who live in those live/work spaces? Is there going to be any requirement that these have interaction with the public or could they just end up being one bedroom apartments?

Howard: 02:42:46 Well, we're working with Alex Crowley on, it'll be, I believe, deeded as live/work units as affordable housing and they'll have set rent levels that we have to maintain, and we have a 25 year commitment. And then Alex, I think, was going to cover a couple points on that aspect of what that's going to require and entail for the building to be actually written into the deed for it.

Piedmont-Smith: 02:43:09 OK. I understand, and I appreciate, the workforce housing component, but is there going to be a requirement that they be individuals that have some sort of business or arts intention for their residence?

Howard: 02:43:23 We're still working on what that requirement is going to be and who's going to actually filter that, or control that, aspect of it, whether that's going to be HAND or whether it be up to the building owner. We're still trying to work through those details because this is also just kind of a new aspect of the low income, workforce housing.

Piedmont-Smith: 02:43:43 OK. Well while you're up there, I would like to segue into the memo in which you stated the commitment to workforce housing. It says that in 25 years you expect to get a tax abatement to fund the refurbishment of these units.

Howard: 02:44:01 We've had a few revisions as we're still working through this process. So that has changed, and we're going to have a new commitment letter, but

it'll have a 25 year and then without a tax abatement for the next 25 years. But Alex, I think, will cover that a little better, in a more clear detail of how that's laid out.

Piedmont-Smith: 02:44:21 OK. Mr. Crowley, did you want to speak to that?

Crowley: 02:44:34 Alex Crowley, Director of Economic and Sustainable Development. So, as David was saying, we had originally thought, the objective that we have is to extend the affordability period as long as possible. And we really like the novel concept here, which is of, hopefully, an artist workforce. We really tried to get creative in how we could accomplish that goal given some of the limitations of the property and some of the challenges with getting substantial workforce unit counts in there. Where we're netting out right now, which we think might be an interesting model as an alternative and a potential model moving forward in some cases, is a scenario whereby the first 25 years of affordability are committed to, period. The challenge with a property that takes a unit and turns it into workforce is that it is essentially lowering the cash flow that comes from the rent that would otherwise be a market rate.

Crowley: 02:45:27 So you now have what should have been market rate coming in at something less than that. So what we're trying out here, and what we think might be viable, is a scenario whereby at the end of 25 years, the city unilaterally has the option to extend that period another 25 years. So the first 25 years are already in place from the start of the property. At year 25 to year 50, that future administration has the option to renew the affordability. In order to do that, the city would need to contribute to the refurbishment of the property. So it would be looking at a calculation that is essentially proportionate to the under-run of the affordable unit rent versus what it should have been and making an investment at that future time depending on what the needs of the city are and the needs of that particular building.

Crowley: 02:46:24 So we think it's kind of an interesting way to really push out affordability to the maximum level that we can for this property, while leaving it in the hands of the future administration to make that

assessment at the time that that first period runs out. Does that make sense?

Piedmont-Smith: 02:46:43 Yes, thank you. And I assume that the same kind of criteria that we've been discussing for workforce housing in previous projects will apply here.

Crowley: 02:46:55 That's right, from a rent-level perspective. That's what we are asking from a rent level perspective.

Piedmont-Smith: 02:47:06 And the no more than 20%, I mean that the subsidy will not apply if somebody is spending 20% or less of their income on the housing.

Crowley: 02:47:15 Yeah, we would apply the same standards that we would apply in a typical workforce unit. And again, our hope and belief is that there is a untapped market out there for artists who, as you know, have a struggle from an income perspective. To be able to not only give them give them a living space at workforce levels, but also potentially a commercial space as part of that, especially in a building that's so centrally located, could be a really interesting play for us. Our research has suggested that these types of units get consumed very quickly and wait lists are very long, so we think there's a market for that.

Hoffmann: 02:47:55 OK, questions to my right question?

Kappas: 02:48:07 This is a question for the petitioner. Looking at the Sixth Street side of the building, are there any plans for signage, potentially, for the alleyway for someone driving by or walking by instead of just having to look down? Here, it's great, yeah, you look down and there's the signage off of the front of the studio/workforce housing area. But, if you're just driving down and you're looking for it, you're not going to know.

Ellenwood: 02:48:37 Yeah, that's a good question. You see in the rendering there's a vertical blade sign, and we've come up with this, at least for now, that the title of the building is Alleyworks. We wanted to sort of direct people that it's going to combine live/work and alley, and kind of make that part of the branding of the building. In terms of your point of signage in the alley or directing you to the alley, that's a good question. I'd thought about, in fact I

looked at, doing the blade sign closer to the alley, but it just didn't seem to work well with the main entrance and where the apartments were. But I could see doing something there on that northwest or northeast corner that might lead people, and maybe it's just for events or something that could be used for events, you know, first Friday art walk or something. So there is potential there, definitely. That's a good point.

Kappas: 02:49:44 OK. Staff, would there be a signage issue if they were to put, say, like a sandwich board out front or signage on the wall?

Scanlan: 02:49:56 Well, OK, so the blade sign that's shown is not permitted in this overlay, so we will have to work on that, which is typically what happens. Everyone wants blade signs and they are not really permitted in that many places. It's kind of a unique situation, having those live/works down the alley, but we could probably work on some sort of directional signage or having a directory. I drew one here. A directory sign, this way to these units there. We think we can probably work on something along those lines so that it would be on Sixth Street, and you know that you could go down the alley to get there. Yeah, we could definitely figure something out.

Kappas: 02:50:36 OK.

Ellenwood: 02:50:41 There is a challenge. That part of the building is pretty close to the alley on the north end because we're going to maximize the commercial space. So we'd have to probably do it against the building so as not to project into the right of way or have to be up high, maybe, not interfering with trucks or. But, I mean, we'd certainly look at doing that.

Hoffmann: 02:51:10 OK, I only have one question and I guess it's for petitioner, but I'm guessing, you might not know. I think there are some intercity buses that use the Yellow Taxi building for pickups. I think some intercity bus companies make pickups and drop-offs there. At least that's my understanding, but I'm guessing you might not know whether those companies are also going to find another place to do that. Staff's looking at me like they don't know what I'm talking about.

Scanlan: 02:51:44 Yes, I'm agreeing that buses do pick up at that location, but we have not been contacted by anyone about "hey, what are we going to do now?" kind of thing. I don't know if that's happening behind the scenes with the Yellow Cab people, or if they've already found other locations. We don't know.

Hoffmann: 02:52:00 Right, because obviously there are alternatives to taxi, but there may not be alternatives for some of these buses that I know currently use that site for the pickup and drop-off of passengers.

Roach: 02:52:10 I do remember that when the downtown bus depot was designed, there was discussion about it being available for those sorts of services also. I don't know if it's used that way today. I don't know of any deals that ever been arranged for leases, but I do know it was discussed.

Hoffmann: 02:52:30 OK. Well, I would certainly like staff to at least see if you can find an answer to that, and hopefully whatever we're doing here won't eliminate a bus service that people use. OK. Yes go ahead please.

Piedmont-Smith: 02:52:30 Sorry, I have another question. Do you have tenants lined up for either the restaurant on the fourth floor or the first floor space? Just always nice to know what's coming.

Howard: 02:52:56 So I actually own La Poblana food truck as well, and we plan on making the rooftop restaurant our brick and mortar location where we plan to have a dueling piano bar, high end food service that will have a pretty wide variety, new menu, not your typical Mexican restaurant. Very traditional food that'll be available. And then on the first floor commercial space, that's roughly 800 square feet, we plan on putting in a print and art studio that will be free to the public.

Howard: 02:53:32 We actually were very lucky to take over a college out of Ohio, all of their old printing presses and lithographs machines and a few other very unique old vintage printing equipment. We'd like to just create a studio for artists to use and have a space to actually display some items as well. We work with a Daniel Antes Distinctive Hardwood Flooring, and he wants to also have a location to display a lot of his flooring and some of his unique designs that

he's able to put out. So this will be a good location for anybody to kind of come in and potentially use printing presses and things like that, and just have the unique aspect to the building.

- Piedmont-Smith: 02:54:15 That's for part of the ground floor, right?
- Howard: 02:54:20 Yes, the space there on the left, on the east of the front of the building there.
- Piedmont-Smith: 02:54:20 Okay, great. Thank you.
- Roach: 02:54:25 Joe, I have an answer for your bus question. According to Greyhound.com, Greyhound buses currently use the Bloomington Transit Center.
- Hoffmann: 02:54:34 OK.
- Roach: 02:54:34 So, for at least that one service.
- Hoffmann: 02:54:39 At least that one. Right, right, right. I think there may be more than one, but nevertheless they'll find a way I suppose.
- Maritano: 02:54:46 So I think it's the Midwest.
- Hoffmann: 02:54:50 Midwest that's been using it? Yeah. All right. If there are no further questions from the commission then it's time for us to go to the public to see if anyone would like to comment on this petition. Yes please.
- Conlin: 02:55:06 Hi, I'm Julia Conlin from Janko's. So I did not get this packet until I borrowed it a few minutes ago, even though the Irish Lion and Crazy Horse did. So I've been cramming. Haven't done that since the 70s at college here. So on 108, I guess we are the respected adjacent historic structure, and we'd really like to work with them with all aspects.
- Conlin: 02:55:28 Our main concern, besides the height requirement that's going to probably be waived and the UDO requirements related to density, but we're really concerned about the disruption of our business during construction. Next door at the Foundry, no problem. The big cranes are there, it's so secluded, but we're so close together. We just worry about the noise, the dust getting in our air conditioning system and the filters, and especially I hope you all really study the garbage issue. That one alley

behind - us everybody uses it. We actually are the only business there lucky enough to have parking, so a private area. We've even let other businesses use our dumpsters. But it's a real issue, and it is going to be an issue with your place if you don't have appropriate disposal methods. So, our real concern is that you're going to block that alley at some point. That's where deliveries take place for all those businesses and garbage takes place.

- Conlin: 02:56:34 Just blocking off things makes it inconvenient for customers, so we're real concerned about that. I hope you don't do things that make it cheaper for use, but that make other businesses suffer. I hope that that's going to be communicated well with all the businesses. As far as the electrical stuff in the back, I mean you're talking about underground burial, it looks like a third world country back there already. If we're going to be required to do certain things, who's going to pay for that? So, in that alley behind us, it's not going to go through correct? There's cobblestone up there towards the square. You're talking about alleys, and I don't know if you mean the one between the Scholars Inn or the one that goes east/west. That doesn't go all the way through.
- Conlin: 02:57:21 A lot of people do use that alley. In fact at the cobblestone part, that's where a lot of people have their trash cans for their businesses. Just curious, so have all these things have been waived, the requirements that are met? They are just accepted as far as the height that's too high the building...
- Hoffmann: 02:57:40 That's what's being proposed and being considered tonight.
- Conlin: 02:57:46 OK. The parking, where all these people going to park? I mean they've got four spaces, but there's going to be a lot more people in there and parking so limited anyway. Are they going to be allowed to park where our customers park? I mean that will be expensive for them, but from what I've been told today, the parking garages are already full and there's a waiting list.
- Conlin: 02:58:03 So where are people going to park? Has that been addressed? It would be nice if a study could be done for that. And I read the conclusion, I'm not an architect or an artist, but it doesn't seem quite

accurate. This doesn't respect the rich historic fabric in the neighborhood.

- Conlin: 02:58:28 This is a completely different building. We've worked with the city many times to make our building more historic and the codes and the requirements are so specific. We had to go, you know, your architects worked with us, and it's just amazing that this whole square looks historic and now, boom, it looks like the rest of the city. Indiana University puts up a building that looks like it's been there for 100 years and it matches everything else.
- Conlin: 02:58:54 I wish the city could do that, require that too. It just doesn't fit what the conclusion says. Can we get any assurances about construction and disruption of businesses?
- Hoffmann: 02:59:14 Well, I'm not in position to answer that. This is for you to raise your comments. We'll try to get answers for you.
- Conlin: 02:59:20 Yeah, I mean, I'm sure. Are there legalities involved? Do we have any recourse as far as protecting our business? So that's our main concern. And again, I would address the trash issue too, because unless you have a business there you don't understand how intricate that gets. So, and again, can't block the alley. That's where we park. That's it.
- Hoffmann: 02:59:45 Thank you very much. And we will try to get answers on some of these things for you. Is there anyone else from the public who would like to speak to this petition tonight? OK. Seeing none, before we come back to the commission, James I'm going to give you a chance to address at least what I think I heard were the three questions that were asked of you. One of which is about construction and protection for adjacent businesses during construction. I'm kind of surprised Andrew didn't ask that question. But on the one case in a million when he didn't, a person for the public did. So, James do you want? So, the first I guess is a construction issue. The second is the trash issue, and the third is the alley access issue.
- Roach: 03:00:42 Actually I think all those roll together, all those are public and neighborhood use of those public rights

of way. I would encourage the petitioner to work very closely with those neighboring business owners through construction. And I do know that any closures of the alley for more than two weeks, any closures of any right of way for more than two weeks, requires public approval. It requires review and approval by the Board of Public Works. And I do know the Board Public Works is very interested in disruption to businesses. They require, now, that neighboring businesses and property owners be notified for requests like that. For a building like this, there will be some disruption, and they will need to work very closely with those business owners to try to find a solution that will serve their needs for construction as well as the continuing needs for the business.

Hoffmann: 03:01:41 James, what happens if a disruption is not going to be two weeks in length, but would cut off access to, say, parking for the adjacent business? Which is what I'm hearing.

Roach: 03:01:51 I'll have to defer to Andrew on that. He deals with that on a more daily basis than I do.

Cibor: 03:01:58 For a project like this, if anything over two weeks requires Board of Public Works approval, which has a very engaged public process where adjacent properties and businesses would be notified. That's something the Board of Public Works is very interested in. It's the first question they always ask anybody about any closure. For a project like this, if it's less than two weeks, I think it would still go to the Board of Public Works just because of the overall scale and duration of the project. That's something that would be requested. There's typically a Memorandum of Understanding that either it's the developer or the contractor working for the developer that would enter into within the board and those details would be specified.

Hoffmann: 03:02:39 So you're saying even a temporary closure that would affect the adjacent business or their parking or their trash pickup or any of that, even if it was temporary in nature - less than two weeks, that would be something that would have to come through the Board of Public Works and would have a plan and a Memo of Understanding it would have to be reached.

Cibor: 03:02:58 It wouldn't have to, but for a project like this, that's undergoing major construction in downtown, I would expect it to. There will be right of way impacts for more than two weeks. We would require the contractor, or the developer, to provide the board details of all of the anticipated impacts and right of way needs.

Hoffmann: 03:03:22 Right. It sounds like the problem here isn't just the scale of the project, but it's the adjacency of the parking and trash and so forth. It's the alley that seems to be a big part of the concern.

Cibor: 03:03:38 Correct, yeah. It's the duration, it's the impacts to the right of way.

Hoffmann: 03:03:39 OK. So all of that would have to be worked out in advance and a plan be put in place for that.

Cibor: 03:03:39 Correct.

Hoffmann: 03:03:46 OK. And then longer term, the issue of alley and trash. James did you want to address beyond the construction period those two issues?

Roach: 03:03:57 I'm going to defer to the the petitioner to see if they've looked into those issues. I'm not sure if we've looked into other property owners' trash needs. Have you guys looked at what your construction might do to the way trash is handled?

Hoffmann: 03:04:13 Not just construction, I mean, the question was broader than just during the construction period.

Howard: 03:04:16 We do have a site plan that shows the staging plan of where we're going to have to utilize the alleyway. We don't plan on cutting off more than half of it at any one point in time. To use a project for an example, the Sullivan building, the alleyway along that building is a very heavily trafficked alleyway used for deliveries for the CVS and all the businesses along Walnut Street as well.

Howard: 03:04:45 With that 30 minute, we actually had a 30 minute time period that we could block the alleyway at any point in time. Being that we're a remodel company, and we're very used to tricky situations and having to get very creative on methods of getting a project done, we can easily work with neighbors and come

up with ideas and solutions to minimally impact our neighboring environment.

- Hoffmann: 03:05:09 All right. So I'm hearing a commitment on your part to deal with this.
- Howard: 03:05:15 Oh yeah. I don't want to upset the neighbors in any any way, shape, or form. If anything, we'll try and help them as best as we can.
- Hoffmann: 03:05:21 All right. Thank you very much. All right. And there were no other members of the public who wished to speak? The petitioner, I believe, did have at least a little bit of time left. James?
- Roach: 03:05:33 I count about 12 minutes.
- Hoffmann: 03:05:34 If there's any need to say anything during that time, you have that opportunity. Don't feel compelled to use it. It's up to you. If you would like to say something, please come to the podium.
- Ellenwood: 03:05:56 Just briefly, this is the staging plan that we submitted to Planning that David referred to. This hasn't been approved, obviously, it hasn't been submitted. But it was created to address the issue of construction - closing down both the sidewalk and part of the alley during construction. So it kind of outlines where fencing would be, how much would be used, etc.
- Hoffmann: 03:05:56 That hasn't been approved yet?
- Speaker 57: 03:06:25 No, it hasn't been approved. I guess this is just a kind of initial plan.
- Hoffmann: 03:06:29 All right. Thank you.
- Maritano: 03:06:35 Do we know what season that would be built, because I was thinking football season is when Janko's, you know.
- Howard: 03:06:43 We're still working on a time frame of when to start. Obviously, it's a very difficult process to get through. Even just the planning stuff, so it's hard to tell when we can start. We were hoping to start earlier, but it looks like we'll probably be starting early spring. It just kind of depends on how things

work out, timing-wise, and when we can start the project.

- Maritano: 03:07:05 And how long do you anticipate it would take if you started in the spring?
- Howard: 03:07:08 It's easily going to be an 8 to 12 month process. And with that site plan, that fencing wouldn't be up 100% of the time. It's only going to be utilized when needed to make sure we can ensure safety between pedestrians and things like that. There will be movable fencing that we can move out of the way and only really need to put in place when we need to work in that space. So we'll be able to move out of the way if, let's say, a delivery truck needs to come by. We can easily maneuver that out of the way so that they can still continue to use the trash service and deliveries and things like that.
- Hoffmann: 03:07:46 All right. We are, at this point, back to the commission and looking for a motion and final discussion before a vote.
- New Speaker: 03:07:46 **Piedmont-Smith moved approval of SP-28-17 with the conditions outlined by staff. Cibor seconded the motion.
- Hoffmann: 03:07:46 We have a motion in a second. Any final comments? To my right?
- Cibor: 03:08:15 I'll just comment that based on the discussion about construction impacts, I feel bad it's the one I didn't ask the question I always ask, but I definitely encourage the petitioner or the developer to work with staff in advance of going to the Board of Public Works for any sort of right of way construction impacts and making sure that you do coordinate with adjacent property owners, anybody that would be impacted by an alley closure, whether it's temporary or long term. As a Plan Commission, we're reviewing how things look upon completion. It's really the Board of Public Works authority to think about how it is built and what the impacts are. When we're building these types of buildings and developments in an urban setting, fulfilling parts of our Comprehensive Plan, they do have impacts and it's something that typically developers and their contractors need to coordinate very closely with property owners.

Cibor: 03:09:18 If you're building a 3-story or 4-story building next to, right up to, the property line of an alley, and the alley's 12 foot wide, odds are there's going to be some impacts and closures to that alley. So there's just negotiations: how is trash going to be picked up? So it's something that maybe the contractor helps out. Those are the discussions that I would anticipate to happen and wish the developer luck in coordination with Duke. But overall, I think this is an excellent proposal. I'm very excited about a lot of the aspects of it.

Hoffmann: 03:09:48 OK. I will point out also it is condition of approval #5, which is probably why you didn't ask about it. To my left, any final comments?

Maritano: 03:10:07 I would just like to say that while it's not historic, I do think this building, and while it's, again very subjective, innovative design and some creativity, and it brings in a new population to the downtown area when we've been talking about wanting diverse housing for people downtown. So I'm pretty excited about it.

Hoffmann: 03:10:07 Any other final comments?

Kinzie: 03:10:26 I also think the use of the live/work space is quite innovative and interesting, and it reminds me of old neighborhoods where the shopkeeper lived right in the store. My old neighborhood was very much like that as a kid, and I think the whole idea of having a shoe repair place where there's someone doing that trade in that space is potentially viable for that live/work setting. So I think that's a really interesting use of the space. And I also appreciate the attention that the architect gave to pulling in aspects of other neighboring buildings. I think that's an interesting approach to addressing that issue of compatibility with surrounding space. So I'm in favor of this project.

Hoffmann: 03:10:26 Alright. Anybody else?

Piedmont-Smith: 03:11:20 This is really an exciting project. I think having those live/work spaces is a great addition to our community, since we have a lot of artists and artisans. We have kind of an entrepreneurial spirit here, and I think those will be very sought after. This is a truly mixed-use development. We have a fourth floor restaurant, we have a first floor that,

along the street, is all nonresidential, and along the alley is both residential and commercial. As a contrast with the previous petition, I really like the mixture of uses. I expect we will have a mixture of incomes since we have the condos, which I assume will be owner-occupied, and then the different lease levels: a market rate and the the workforce rate. I like to see that as well in our downtown, different people from different walks of life coming together.

- Piedmont-Smith: 03:12:23 The sustainability piece is also impressive. The green roof and what's not green is a reflective, which I still think is best. I'll have to talk to Mary Krupinski about that. And the recycling pick up, of course, which I think should be a given in any development. So I'm really excited about this. I'm happy to approve it. Thank you.
- New Speaker: 03:12:23 **The petition was approved 7:0 by roll call vote.
- Hoffmann: 03:13:06 All right. Petition is approved. That moves us to SP/UV-30-17, which is a Use Variance request.
- Scanlan: 03:13:21 Property is located just west of downtown at 1105 and 1107 West 3rd Street. This site is 1.25 acres, zoned Commercial General (CG) with a GPP designation of Employment Center. There is a historic church on the site which will remain, and there is a single family residence on the western part of the site which will be demolished and replaced with a new 3-story apartment building with parking in between in the proposed petition. The request is for site plan approval and a use variance recommendation to the Board of Zoning Appeals. The new building would contain 6 micro units, 24 one-bedroom units, 7 two-bedroom units, and 1 three-bedroom unit. The petitioner is proposing 41 parking spaces on the site as well as some additional parking spaces in the right of way. The church would be rehabbed to contain 2 micro apartment units and a community and workout space.
- Scanlan: 03:14:23 So the site plan's a little confusing because I just wanted to highlight this is where the existing church is located, and then the new development area is what's here in the more bold shades on the left. The Bloomington Historic Preservation Commission (HPC) did a courtesy review on this project because of the new buildings adjacency to

the historic district. The church is located in the Prospect Hill, or I'm sorry, the Greater Prospect Hill local historic district, and the historic district line runs kind of down the middle of the property here. So they did a courtesy review and gave some comments which were translated to the architect including comments such as wanting more limestone incorporated, more visual modulation, and more horizontal articulation. Some additions and adjustments were made to the site plan based on their comments.

Scanlan: 03:15:22 So this development would be partnered with LifeDesigns, and they've done other projects here in the city. It would be reserved for residents making at or below 60% of area median income. 8 of the proposed units would be for persons with disabilities, and 8 units would be permanent supportive housing for persons experiencing homelessness. This is the landscape plan that's required and was submitted with the proposal.

Scanlan: 03:15:48 Here's the eastern facade as was submitted to us at filing. The materials shown are stone veneer, brick veneer, and fiber cement veneer. Northern facade, after consultation with the city-hired architect group as well as planners and other members of the community, the pedestrian entrance on this facade was increased as well as numbers and placement of windows to make it a little bit more pedestrian-friendly along Third Street. Here is the Western elevation and the Southern elevation. So in the CG district, there are not architectural standards on neighborhood streets. This portion of Third Street is a neighborhood street. So this petition actually has no architectural standards by which we can review it. The petitioner has been very open about working with comments given from the architectural firm, from the HPC. members of the community, and staff to enhance the building. They may still be in the process of making changes, as I know they were meeting with community members even as the packet was going out.

Scanlan: 03:17:04 This is the general idea of what the architecture will look like in the building. Here are the floor plans again. The entirety of the new building would be residential units - first, second, and third floor. Then the inside of the church would be rehabilitated with

2 micro units in the back and shared community space in the front. So second and third floors there. The Plan Commission also, seeing this as a site plan, needs to make a recommendation to the Board of Zoning Appeals (BZA) regarding the ground floor residential units. Ground floor residential units are not allowed in the CG zone in multi-family buildings.

Scanlan: 03:17:49 The petitioner does need to request the use variance from the BZA to be able to utilize those units in this building. Ground floor units are prohibited on the first floor in the CG district in order to ensure that significant amounts of commercial property along major roadways are not consumed by solely residential uses. The department believes that because of how the location of this portion of Third Street is restricted, access-wise, and also that it is a neighborhood road. Obviously, being directly across from the cemetery location and immediately adjacent to a single family neighborhood, the first floor residential is appropriate in this transitional area of the city. The GPP designation for the site is Employment Center, and the GPP provides guidance that housing opportunities should be in or near the employment center areas. In the adjacent designation, Core Residential specifically mentions the need for inclusion of affordable housing.

Scanlan: 03:18:52 This petition meets many of the UDO requirements of the CG zoning district. It also includes various other positive aspects related to larger city goals, including the reuse and preservation of an existing source historic structure and the addition of housing stock to serve multiple, vulnerable populations in our community.

Scanlan: 03:19:13 Each of the units separately will be designed to Silver LEED standards, and as I mentioned before, the petitioner has worked with staff to improve the aesthetics of the building to make it useful for them, and also a good addition to the community and immediate neighborhood. So the department recommends that the Plan Commission forward a positive recommendation to the BZA for the use variance, and also approval of the site plan requests based on the written findings in the report with two conditions: that the approval of the site plan is subject to the use and development

standards variance approval of the BZA. The development standards variance they will be seeking is for parking, because the UDO requires one parking space per bedroom, and with the specific population served and the characteristics of the site the petitioner prefers a ratio closer to one parking space per unit, which they have found successful in other locations. The second condition that the petitioner shall work with staff to finalize the approved landscaping plan before the grading permit is issued. I can answer any other questions.

Hoffmann: 03:20:21 Okay, thank you. May we hear from the petitioner?

Fanyo: 03:20:30 My name is Jeff Fanyo of Bynum Fanyo and Associates. Tonight with me is Daniel Butler of my office. We have Chuck Heintzelman with Milestone Ventures and Susan Rinne from LifeDesigns. We've been working with the staff to get this project before you. We have some deadlines we have to meet to be able to make this project possible. It's a fully low-income housing project with both disability units as well as people experiencing homelessness. They have done 2 other projects in Bloomington: Crawford House I and Crawford House II, that's located on South Henderson Street. Crawford house II is now going up, and Crawford House I has been in operation for a few years now. We've been working on the architecture, we've reviewed the recommendations, and we've made the changes that they requested. We are going for a LEED Silver designation on this site. There was mention that we're not having recycling, but we are having recycling for the site. So I wanted to correct that for the record. I really don't have anything else to add to what Jackie's presented. I will answer any questions you might have. Thank you.

Hoffmann: 03:21:53 Thank you Jeff. All right. We are back to the commission for questions. I just want one quick question right at the start for staff. So are there any waivers being requested in this petition? I know there's a use variance and a development variance, but are there any waivers so waivers?

Scanlan: 03:21:53 Waivers are only applicable in the Commercial Downtown, this is Commercial General. So none.

Hoffmann: 03:22:18 OK. Thank you. All right. Any questions on my left?

Kinzie: 03:22:25 I just had one question about accessibility to this space. If there's a van that's used, or small buses, what's the route into this space for residents who might need accessible?

Fanyo: 03:22:41 If you look on the north/south building there, you'll see we have an ADA space right in front of the center of that building that's been graded to be accessible at 2% slopes so that we have access to the building at that location. So it's a van-accessible space at that spot.

Hoffmann: 03:23:04 OK. Any further questions on my left?

Piedmont-Smith: 03:23:10 My question is about the architecture, and I do understand that there are no requirements. I'm puzzled why that third floor has that, there's nice breaking up of the mass of the building on the first two stories, but when you get to the third story, it's like all this cementitious paneling. Is that right? Is that cement board up there? And so I'm wondering why that wasn't broken up, because it just looks terrible. I'm sorry.

Fanyo: 03:23:44 Unfortunately the architect was not able to be here to night, and I am not an architect. I can't answer that question.

Scanlan: 03:23:51 I'm not an architect either, thank goodness. But what we were told by the city-hired architect was that he thinks it's because of the way that the micro units are laid out on that third floor. Because that was one of their comments as well, kind of that they would rather that the third floor mirrored the window placement of the first and second floors. But he understood that that might be fairly difficult because of the way the units are laid out, because of the sizing of the units on the third floor are so different from the size of the units on the second and first. And that's kind of why it's a little awkwardly laid out. So that's just me trying to translate that.

Piedmont-Smith: 03:24:36 I understand. Is there any way we could get some kind of, even like in that center space, maybe have some kind of different color or something? If you can go back to the previous slide, there was that kind of center opening.

Fanyo: 03:24:57 I believe that the owners would work with the staff to work on something to break that up.

Piedmont-Smith: 03:25:00 OK. Yeah that'd be great. Can you remind me of the traffic flow here? Is Third Street two-way up until Walker, or is it one-way?

Roach: 03:25:14 Yes. So two-way right out in front of this building and then one-way west when you get east of Walker.

Piedmont-Smith: 03:25:27 Are there any alleys here or is the ingress and egress to the parking basically on Third Street?

Fanyo: 03:25:32 It is on Third Street and on Walker. There is a 16 foot alley, actually its a utility easement along our west property line. But that's not an alley.

Piedmont-Smith: 03:25:32 OK. Thank you.

Hoffmann: 03:25:46 OK. Questions on my right?

Kappas: 03:25:50 Sorry if I've missed this, but is there a bus stop that runs directly to the site?

Fanyo: 03:26:01 Yes, it does have bus service, and I can't remember the lines or anything. I know just further to the west of here, there's two bus lines that goes in both directions, but I'm not sure about this one.

Scanlan: 03:26:14 Sorry. Oh sorry, Nick. There's a bus stop about a quarter mile, within a quarter mile to the west.

Kappas: 03:26:20 So that's the one over...

Scanlan: 03:26:22 It's like right kind of near right, it's the bus that runs along Kirkwood and Adams. Like the Kirkwood/Adams area. I believe there's a bus stop right there. It's the closest one we identified, and there's another one like northeast, but it's a little bit more of a jog to get there.

Roach: 03:26:41 The Patterson Pointe project that's being built right now, they're going to put in a much larger true shelter right at the southwest corner of Patterson and Third, which would be the best place for people to get to. So there would have to be a short walk down Third to Patterson, and then they're basically right there.

Kappas: 03:27:06 OK. So then my question is: if this is for those with disabilities as well, and we're making them jog within a quarter mile to Third and Patterson, are the sidewalks going to be built up to accommodate them? I'm just worried about accessibility here, farther out than a bus coming to pick them up, because that's not always going to be an option.

Roach: 03:27:35 I can address that somewhat. There is a good sidewalk system. There is one small gap in front of the former Weddle Brothers warehouse and facility just to the west. There's a gap; it's still paved. It's still accessible, you can still walk on it, but there's not a dedicated sidewalk. Then there's a bus line on Second Street also, and there is a complete sidewalk system on the east side of Walker. You cross the street on Walker, you can walk down to Second Street.

Kappas: 03:27:35 Those are all my questions, thank you.

Cibor: 03:28:25 I guess a question I have, maybe I need to be cut off, but thinking about the onsite parking and needing to go to the BZA but also, let me start over. The site plan has two access points: one on Third, one on Walker. I'm wondering if both those access points are needed, and if one of them isn't, if you could achieve more onsite parking. I think there was also maybe not sufficient landscaping within the parking areas, if some of that space could be freed up to provide more parking and minimize some of those requests that would go to the BZA. There might be other impacts that that would have as it relates to parking setbacks, but it was just an idea and I wasn't sure if it had been explored at all by either staff or the petitioner.

Fanyo: 03:29:14 The parking restriction is based on the 20 foot setback from the face of the building. Since we're on a corner lot, we have a set-back not only from Third, but also from Walker. So you can see that we've set-back 20 feet back from the face of the church, of the east face of the church, and have parking at that location and 20 feet back from the face of the north face of that building on Third. So that's really the limitation on the parking count.

Cibor: 03:29:46 OK. I guess when we get to the motion, I might have a couple additional conditions to add. One of them might be just to coordinate on the

streetscape design as it relates to sight distance, as it relates to - I know there's some curb ramps and stuff that's going to be going on with the sidewalk adjacent to there. If there was one less driveway that would also provides a significant amount of additional space for on-street parking, if that was pursued. But then also my usual comment about right of way impacts. This is not as constrained as many of our urban area,s but there will be work within the right of way. I don't know if, at this point, you have any ideas what sort of impacts during construction there would be to the public.

- Fanyo: 03:30:33 Well, we can build the parallel parking spaces on Third Street and on Walker Street working off the edge of pavement. So that road be. Minor impact they're getting the paving machine in and out and the asphalt trucks in are out for a short period of time. So I don't anticipate much there. It's not like we're going to be building on the sidewalk. So we're going to be having a pathway for pedestrians. I see very little impact on on either of those public streets.
- Speaker 75: 03:31:00 Thank you. All right. Or if there are no further questions at this time then I'd like to go to the public and ask for anyone who would like to speak to this petition please come up and state your name and say Would you like to see.
- Speaker 130: 03:31:19 Commie cancer. I'd like to say I've lived in prospect Hills my house for 39 years. And many of my neighbors that lived there longer than I have and it's a beautiful neighborhood and we're surrounded by Rose Hill Cemetery beautiful landmark. And these pictures be very sad. I don't think this is a place for an apartment building. It takes away from the character of our neighborhood. And as a love live in there always have. I'd like to stay. It's a very unique neighborhood.
- Speaker 109: 03:32:06 I have neighbors who are 89 years old.
- Speaker 130: 03:32:08 They still come over to borrow sugar. I'm very sad to see something like this happen.
- Hoffmann: 03:32:17 Thank you. Is there anyone else who would like to speak to this petition please step up.

Speaker 131: 03:32:30 Hi I'm Betsy Paige I am the manager of the Hoosier athletic club and we are actually directly next to where they're building so we're three for South Walker Street. So we are at the most recent construction sort live in that area. And we definitely have a couple of concerns. And we knew that the property has been purchased but we weren't sure what was going in which I'm sure the neighbor's home and we purchased our property as well in and built up. I am concerned for we have about 200 members and they're not the sidewalks that they're telling you there are we run all the time. We talk to our members frequently about you know car safety and everything. There is only one sidewalk on the eastern side of Walker Street. And we're not allowed to build one on the west side like we were told that we asked because we wanted to build the safety and for our members when we were building our our property.

Speaker 131: 03:33:27 And secondly when you go down 3rd Street is not sidewalk the whole way down that's one of our running routes to you there are past there but it's not this like easily accessible thing. And I as a citizen would be concerned for people Low-Income with disabilities wheelchairs that kind of thing. It's not it's not easy the bus stops are not close. That's one of our biggest sort of struggles. They're each about a quarter to half a mile away. And again people are having disabilities I would be concerned for their safety especially because it is a hill on 3rd Street. That's the other thing. If it's the winter and someone is you know again with the disability trying to walk up that hill and it's icy it's not safe.

Speaker 131: 03:34:10 So that is a concern as a citizen not just like the business. And then I of course am concerned with the construction and that kind of thing. Both Walker and 3rd Street are very narrow and we are fortunate that we kind of had a big lot so we kind of kept all of our construction in our lots and I'm not sure I know how that has been using the construction a lot that it is purchased. It's overblow parkings. I'm not sure if that would kind of end at that point and they would have space but I would definitely be concerned with you know people coming in with the trucks and you know building that much space is a lot bigger of a project than what we have done in the last year or so.

Speaker 131: 03:34:50 So I definitely have some concerns with that. But again I'm concerned for our member safety. You know we run a lot you know CrossFit is everything. But you know we are very very cautious with our member safety and we always you know single file lines you know you run against traffic like we go over this every single day that we run in I definitely with construction traffic but also with you know what see 38 about 70 80 people living there. That's going to increase traffic and it's very narrow. There aren't a lot of places for cars to go and it's coming into you know when it gets dark early we're there at 5:30 a.m. to 8 p.m. I'm just worried about people getting hit or people not being aware or not really caring and I understand that but that those would be my probably biggest concerns with with that that are slowly being addressed so that's all.

Speaker 127: 03:35:40 Things. OK.

Hoffmann: 03:35:42 Thank you. Anyone else would like to speak to the petition tonight. OK. Seeing none. It is time for the commission to put a motion on the table and have any final discussion.

Speaker 111: 03:35:59 Could I ask a follow up based on the public comment. Yes of course. Staff the staff. So about the sidewalks so that they're putting in that missing part of sidewalk on third street. Right. It looks to me you know just from Google Maps that there is a sidewalk that starts. Just to the west of the property.

Speaker 115: 03:36:22 Yes. So there is a sidewalk in front of the office building there's a sidewalk in front of the brother's administrative building. There's a sidewalk associated with the Pettersson point development. This will just be one gap in front of the former WINTLE brothers. Staging building. And then this is being built to last. So this would actually.

Speaker 111: 03:36:46 Fill in part of the deal in parts of the missing sidewalk. OK. And then there's a stop sign at Walker.

Speaker 115: 03:36:52 Right. I believe so. Yes.

Speaker 111: 03:36:56 So that that would be the appropriate place to cross over and use that sidewalk on the east side of

WALKER. Yes. And as far as the neighbor from Prospect Hill have you heard from others in that neighborhood that have concerns. No

- Speaker 126: 03:37:13 staff has not. I know a representative for the petitioner went to one of the neighborhood association meetings and architecture was the main thing that was discussed I believe and I don't know if or Denio could speak more to that. When I spoke with the petitioner packet on Thursday or Friday they were meeting with another neighbor to talk more about architecture. That was basically the main take away from that meeting as we were told. So there was outreach to the next. Thank you.
- Hoffmann: 03:37:47 OK it is it would be appropriate for anyone to make a motion and then to have final discussion I'll make a motion of a cruel consistent with recommendations stated in our report by staff.
- Speaker 84: 03:38:05 And then I would propose two additional conditions one being that the details of the streetscape design are to be coordinated with planning and transportation staff prior to issuance of roadway permit. And the second one being that the use of the right of way for permanent encroachments and or temporary construction impacts require appropriate Board of Public Works approvals OK.
- Hoffmann: 03:38:36 That is a motion. I need a second.
- Hoffmann: 03:38:40 Second. All right. We now have a motion and a second and it's time for a final discussion. I will start on my left this time. Anyone like to say anything.
- Speaker 85: 03:38:52 OK. Go ahead. I
- Speaker 103: 03:38:55 like the idea of this project and it's designed to serve. I have I share the community members concern from Prospect Hill about the design. I think we're in a tough spot here because there aren't. Any design or architectural standards for this space. But boy if there's any way to improve the design so that it looks less massive particularly on that third floor space it would be welcomed. But other than that I really appreciate the intended occupants of this project and think we need more projects like this. Thanks

- Speaker 132: 03:39:41 . Anybody else on my left. I also think the architecture needs some work so I trust that the developer will work with staff to try to break up that.
- Speaker 41: 03:39:57 Third floor in particular which certainly will be seen from the neighborhoods and the neighborhoods that one or two story houses.
- Speaker 133: 03:40:07 I think this is a much needed project and I'm excited to see eight more units of sort of the housing first model the supported housing for people who've experienced homelessness. When you add all the units we can get and Life Design says this proven leader in the community for working with people with disabilities so I'm glad that they will also have dedicated units. And this is all affordable housing. So it just really hits a lot of points in terms of community benefits. So I think that this really. Shouldn't be designated the employment center I'm not sure why it is. I was actually looking at the the new draft of the comp plan and it's still listed as employment center so. And he went on. I'll talk to staff and see see how crucial that is of course the studio is the actual zoning document.
- Speaker 133: 03:41:05 So as far as the the use waiver I have I have no issue with it. And what was the other one we were looking at. It's a side plan and of the parking. Well obviously I have no issue with having less parking as you all know I'm not a big fan of using space for parking when it can be used for actual humans. So I'm in favor of the proposal. And I do hope that you know we can work a little bit with the architecture. So I'm glad to see this come forward. OK. Any final comments to read right.
- Speaker 112: 03:41:43 From site and so. I don't have any issues. I think that having the proven background of the petitioner I hope that the local community around here has an open heart and open mind to the possibility of this building being put in.
- Speaker 134: 03:42:09 I do have concerns as cross-fit noted with accessibility and the lack of public access based on sidewalks.
- Speaker 135: 03:42:24 Having been on one side of the street very little infrastructure for that and having to walk uphill and

seemingly uphill both ways to get to a bus stop that is a major concern of mine especially with the clientele that will be staying at this. This new structure. I do agree with everyone's sentiment that this is.

- Speaker 129: 03:42:54 Very much needed and I do think it's a great spot.
- Speaker 136: 03:42:56 Infrastructurally I think I wish I could see more and hopefully as a city we can provide that at some point down the line sooner rather than later.
- Speaker 84: 03:43:11 I think I hit on most of my comments earlier but I just want to reiterate I think sidewalks in this area are critical they're critical in a lot of places. If approved this development would be constructing some additional sidewalk that isn't currently present to help complete a part of that system recognizing there still would be some missing links and I would just encourage whether it's Hoosier CrossFit or just potential future residents or for anybody in the area to work with actually the city council office works with are planning a transportation department and others to try to prioritize sidewalk needs and future sidewalk projects throughout the city. There's a lot of places that could use them but just making sure that this is on their radar and on our radar especially for these units that are supposed to be serving folks potentially with some disability. So
- Speaker 6: 03:44:09 it's extremely important for them. But I will be voting in favor. Thank you.
- Hoffmann: 03:44:15 All right. If there are no further comments then it is time for Roll Call.
- Speaker 9: 03:44:24 Yes marathon. Yes. HOFFMAN Yes. Campus Yes. Kenzie Yes.
- Speaker 137: 03:44:31 Yes. All right. Motion is passed. Recommendation will be made to the board of zoning appeals. And we now have one more case on our agenda but it is past the point at which we need to have a suspension of the rules to continue and to hear the final case the final case is the zoning Amendment returned to us from the city council. Hopefully it's not going to take too long. So I will need a motion to suspend the rules motions suspend the rules.

Hoffmann: 03:45:01 Second we have a second the vote needs to be in. Yes the vote needs to be unanimous. So if you would be inclined to vote no and if there's only one of you you can just get up and leave then the rest of us can hear it. But we do need a unanimous vote. So all those in favor of suspending the rules to hear the final case please say aye. I oppose nay.

Hoffmann: 03:45:27 Motion passes. We may begin the final case. Give me 30 seconds here.

Hoffmann: 03:45:36 While you're setting that up I will just point out this is the other zoning ordinance amendment that the commission passed to the City Council recently. This is the one involving accessory dwelling units or Adey use. And as with the earlier case of of the pocket neighborhoods this one two comes back to us with amendments from the city council. I assume the staff did not place this on the consent agenda because there were more amendments and more substantive amendments than in the previous case. But it still comes back to us in the same posture which is to say it's been amended by the city council. We can either accept the amendments. We cannot act at all in which case the amendments go into effect without our action at a certain point in time or we can oppose or reject the amendments in which case it would go back to the city council and they could pass them again and then they would go into effect anyway thank you Joe.

Speaker 138: 03:46:39 You pretty much gave my presentation I very much appreciate it and trying to keep us on track here. We did not put this on the consent agenda. We really didn't not put his own agenda one because of the substantive quality of the amendments as well as the potential for public interest. But again play commission for today a positive recommendation to change the Junio to permit access redrawing units as you would call to use our small apartments builds in war in conjunction with a primary dwelling units. They are typically affordable. They'll facilitate aging in place they facilitate additional income for residents. They've then they've silty housing options for the community frighting an additional opportunities for housing within neighborhoods and a gradual slow compatible way. It was a 6 2 vote for the plank mission. This became ordinance number 16 29 and the council made several changes the ordinance.

Speaker 138: 03:47:42 The primary one of those being changing from a permitted use a use that could be build's as long as the standards were Metts to a conditional use of the conditional use process requires a public hearing by in front of you that the board has only appeals with a hearing officer notice to neighbors and a discussion about the whether or not the A.D. will meet the criteria. Another change was to restrict the use to a single bedroom. The puzzle that came out of the commission was two bedrooms in negotiation with the council members in negotiation with the interested members of the citizens of Bloomington. The change was made to a single bedroom. Another major change was. By removing the pilot project nature of ordinance change the version that came out the plane commission again wasn't permitted to use but a there was a 30 unit maximum camp across the city to provide an opportunity for the the staff and the ministratation of the council and the playing commission.

Speaker 138: 03:48:55 As we started to approach that 30 unit cap to evaluate the types of projects were being proved the types that were being denied are the ones that weren't even being brought forward. The council decided that the conditional use nature would provide that opportunity provide good opportunities to track the approvals track to the aisles and then also requested that a year after adoption of that ordinance that the staff bring forward or reports of them to describe how the projects were working. How that ordinance is working how it wasn't working. A couple of others. There was a change to rear setbacks. Ford detached 80 use that were not next to alies. So if you're an extra detached to you.

Speaker 138: 03:49:38 Next you malé be five feet. You're not next to the alley and alley be 10 feet and the final restriction which in my personal opinion will probably be the most restrictive of these changes is to change the way that we look at family. So the version that came out of the planning commission allowed for a family in the main house and a family in the 80 you and within the edu that family could be a group of adults related by blood marriage or adoption and their dependent children and it could include no more than two unrelated adults. The change that the council approved instead of looking at a family in one family or another decided to look at both

those units together on the lots and within both of those units could be occupied by a family. So even though there are two units the two units together could be occupied by a family that family could include adults related by blood marriage or adoption of their dependent children or no more than three unrelated adults. So.

- Speaker 139: 03:50:49 That will limits the number of people that could potentially live in at 82.
- Speaker 138: 03:50:56 If everyone is not related and those are the changes and we think that even with these changes is a very solid and workable ordinance and we've been facilitating a lot of phone calls with people that are interested in bringing forward petitions. If the play Commission adopted tonight the mayor signs it soon afterwards we anticipate seeing petitions as early as December.
- Hoffmann: 03:51:21 All right thank you James. You are the petitioner so we heard both the staff report and the petitioners report. Are there any questions from the permission for either the staff or the petitioner.
- Speaker 81: 03:51:36 My question is purely a clarification. So James sorry it's got a question here.
- Speaker 135: 03:51:46 So a single family meeting. It's.
- Speaker 136: 03:51:51 Hypothetical my family is 80 and the main dwelling unit are all under my family not two separate families correct but a family can be up to three unrelated adults but that covers both units together now.
- Speaker 138: 03:52:07 So for for example if the main house was or was of course it must be owner occupied and houses owner occupied by a single person then they could rent the U2 to us if the main house is occupied by let's say a married couple and they have family members that would want to live with them. That's all one family. It doesn't matter how many people there are or what would live it would the primary challenge I see would be if the main house is occupied by a married couple and then they want to rent the view when they rent that 80 you really can just be occupied by one adults because the couple in the main house plus the one adult in the

house to you is the reason really adults and they can.

- Speaker 53: 03:53:06 So the unrelated illness has it takes into it. It's whether they're all related to each other than they're related. If any one of them is not related to the others then they all become unrelated. For
- Hoffmann: 03:53:20 purposes of the ordinance is that right. Yes exactly correct. Which
- Hoffmann: 03:53:25 means that in addition if the main house was occupied by say three members of a family adult members then they couldn't even rent to one person in the Adey you who was not related to that. That is correct also. And Dole.
- Speaker 140: 03:53:42 For purposes of are you to know is what 18 and above the UDR does not define an adult but I would assume it means 18 or more.
- Speaker 132: 03:53:53 OK.
- Speaker 53: 03:53:55 So as soon as you've got three adults living as one family right away related to each other right then they can't do an to you for an unrelated person.
- Speaker 136: 03:54:04 Right. So if you had high school as a teen right then right. That's the effect.
- Hoffmann: 03:54:13 Just asking other questions to my right questions to my left OK.
- Hoffmann: 03:54:24 Seeing as there are no further questions are there any members of the public who would like to speak to this petition tonight. Kurt
- Hoffmann: 03:54:31 . No. OK.
- Hoffmann: 03:54:34 All right then we are back to the commission for a motion and final comments quite a while.
- Hoffmann: 03:54:45 What's going to happen either way.
- Speaker 128: 03:54:47 Do you have a question for you President Hoffman. It's either one. Both you are really good at this. Is it because this is a moment coming back to us. Does it have to be unanimous or is it really already. Sorry. So.

Hoffmann: 03:55:10 That's a good question. We have six members voting at this point. Do we still need five to make any recommendations. James positive negative or otherwise. Yes I believe so. OK. So our options are five of us or more vote to approve this. In which case it immediately goes to the mayor or five of us to vote to reject this in which case it goes right back to city council and they have to vote one more time to make this happen. But once they do it's all over. Or we don't get five votes either way in which case it's no action. And then the time clock is what makes it become effective. In other words if we can't if we don't take any action. I'm sorry what our legal counsel remind me of what the time limit is if we if we don't take action in either direction. How many days this is wait before it becomes effective 45 days. So conceivably we'd have one more meeting to try to make a decision.

Speaker 57: 03:56:07 But if we make no decision and 45 days elapses then it goes into effect without our vote UGL Amendment.

Hoffmann: 03:56:19 All right we have a motion and a second.

Speaker 75: 03:56:24 Final comments to my left.

Speaker 106: 03:56:28 I do have a comment and I'm just going kind of what you were saying about the definition of a dull. I think that should be clarified because in certain circumstances there will be high school kids that turn 18. And I mean if they're still considered a dependent then I think that's a good avenue to go down. I would hate to see you guys start trying to be like hey you reached your three adults and now you can't live in this accessory dwelling or something of that nature.

Speaker 139: 03:57:02 My my definition would certainly be that a 18 year old high school or college student that is the child of other adults in the house still falls under the category of a dependent child.

Hoffmann: 03:57:15 OK. So you're saying it wouldn't apply to an 18 year old child of of a couple but it would still apply to a couple their brother. And you know then we're back in that situation. But at least this scenario you would say would not be under the purview that would kick out the accessory dwelling in it. I believe that's correct yes. OK. All right. I will just say I don't

like some of this. I don't like that this goes to the BCA for one thing. Not solely because I'm on the BCA but but that is a part of it. So

- Hoffmann: 03:57:53 I'm very much hopeful that the staff will decide that this hearing officer stuff since it's not policy based but rather more sort of just individual case based. And maybe this could be handled by a hearing officer most of the time James you hear me. Yes. But but having said all of that I I. And let me read the only question that needs asking is Isabel is there any chance this would change if it went back to council. That's the only question really worth asking. OK then I'm fine with this. Let's just do it if there are no further comments then let's call her all motion is for approval.
- Speaker 9: 03:58:36 Yes CPR. Yes. Piedmont Smith. Merritt's HANO Hofman. Yes. And Kinsey. Yes.
- Hoffmann: 03:58:50 All right. Motion passes the amendments are accepted and we are adjourned.