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The City of Bloomington Plan Commission (PC) met on May 14th, 2018 at 5:30 p.m. in the Council Chambers #115. Members present: Cibor, Kappas, Sandberg, Kinzie, Wisler, Hoffmann, Stewart Gulyas.

APPROVAL OF MINUTES: April 2018

****Kinzie moved to approve the April 2018 minutes with spelling corrections. Stewart Gulyas seconded. Motion carried by a voice vote.**

REPORTS, RESOLUTIONS AND COMMUNICATIONS:

Jackie Scanlan, Development Manager, reported that Staff is withdrawing UV-04-18 petition. Per the code, Plan Commission is only required to comment on use variances that involve multi-family or nonresidential uses. Because this request is related to single family use, the Plan Commission is not required to make the recommendation. Staff is removing this case and it will go on to BZA later this month.

Hoffmann urged anyone from the public who wants to comment on ZO-05-18 to go to the BZA meeting later this month to do so.

PETITIONS WITHDRAWN:

SP-41-17 **Chi Group USA LLC**
408 E. Sixth St.
Site plan approval to allow the construction of a new mixed-use building with 4,700 sq. ft. of commercial space and 8 apartments.
Case Manager: Eric Greulich

SP-48-17 **Grant Properties (Doug McCoy)**
114 E. 7th St.
Site plan approval for a 4-story, mixed-use building with 22 condominium units in the Commercial Downtown (CD) zoning district.
Case Manager: Jackie Scanlan

PETITION CONTINUED TO: June 11, 2018

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

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

****Stewart Gulyas moved to move PUD-27-17 to the June 11 Plan Commission Meeting. Sandberg seconded. Motion carried by a voice vote.**

CONSENT AGENDA:

ZO-46-17 **City of Bloomington**
Amendments to the Unified Development Ordinance concerning fence standards for corner lots and through lots.
Case Manager: Amelia Lewis

****Kinzie moved to move PUD-27-17 to approve. Wisler seconded. Motion carried by a 6:0 roll call vote.**

PETITIONS:

PUD-02-18 **Loren Wood (Loren Wood Builders)**
2005 S. Maxwell St., and 1280 & 1325 E. Short St.
Preliminary plan amendment to a previously approved Planned Unit Development (PUD).
Case Manager: Amelia Lewis

Amelia Lewis, the case manager, presented the staff report. This petition was previously heard in April. The site is located in the south east area of town near the intersection of S Maxwell and Short St. With exception to the property to the far west, the properties are located within the Planned Unit Development (PUD) known as the "Cohousing PUD" that was approved in 2014. This petition would amend the existing boundaries of the PUD to include the lot to the west, which is currently zoned residential single family as well as to change the development plan on the site. The site is 3.41 acres, including right-of-way. The GPP designates it as urban residential. The petition was filed under the GPP prior to the adoption to the adoption of the 2018 Comprehensive plan, which has it designated as neighborhood residential. Surrounding land uses include single family residences to the north, a green area and conservancy easement to the east, the Bloomington Montessori playground to the west, and the YMCA property to the south. This PUD was previously approved in 2014 and this petition now includes an additional lot amending the area. There is a slight change in units from the approved plan, which had 22 attached single family units as well as a single family house, cabin, and common house. This site plan would have 25 new single family detached units, the potential for 5 ADUs, an existing single family house, and cabin. The existing single family house and cabin are already located on the site. The two densities are comparable to the approved plan from 2014 and the proposed plan today. The feedback was mostly positive, but there were some issues to be addressed. The staff report currently reads that ADUs will not be required to receive a conditional use approval. This will be changed to state that property owners who are wanting to have ADUs will be required to receive conditional use approval as long as that standard is required in the UDO with the acknowledgement that some existing standards will not be, including the proximity standards for ADUs being located nearby and the minimum setback standards. However, they will be required to meet other standards, such as maximum size. The proposed development would include 25 new single family detached structures. 3 existing structures will remain onsite, including the single family house in the northeast corner, a cabin at the southeast corner, and an existing barn north of the cabin. The total number of dwelling units would be 27. Each lot would be owned separately, similar to other single family subdivisions, with the exception of the common areas and common house. These will be maintained by the HOA of the development. There are a total of 52 parking spaces, including 28 spaces in the right-of-way along Short St. to the north, 7 surface spaces and 7 carports along the western edge. In addition, there are five detached two-car garages for some property owners. This is where potential ADUs could be located. There are two detention ponds on the east and southwest corner. The density is comparable to the approved plan from 2014. Compared to other single family developments, this development's is denser. This is the intention of co-housing PUD and the lifestyle it promotes. It has been designed to create smaller homes on smaller lots, focusing on common space and shared areas. The new development is similar to the existing single family neighborhood surrounding the site. However, there should be additional considerations when considering the increased density with this site. One of the unresolved issues from a previous meeting was the potential connection of Short St.. South Maxwell is currently the only street that leads to the project site, as Short St. does not connect between South Highland and South Maxwell. A condition of approval for the project is that the missing portion of Short St. to the west be connected to improve emergency access. This would relieve traffic pressure along Maxwell. This was an original condition of the 2014 approval but was eventually removed by City Council. The Department proposes the Short St. connection be a paved road matching the existing widths of 15 to 20 feet, with a five foot sidewalk separated from the pavement by a five foot tree plot on the south side of Short St. The petitioner is proposing a 12 ft. wide skinny street and alley with no curb, sidewalks, or multiway path. There would be a raised path, surface, or speed hump with signage for the Montessori school children crossing. This was an issue with the original proposal regarding the immediacy to the Montessori playground, which is why it was eventually removed at City Council. The Department finds the proposal to create a speed hump in a place for the school crossing to be a positive solution. However, the proposal to not include a sidewalk does not improve or provide connectivity for residences of the PUD and the existing neighborhood. The adopted 2008 Bicycle and Pedestrian Transportation & Greenways System Plan calls for a side path and connector path running west to east along Short St. and through the east property line leading to the property to the east. While the route identified in the plan is conceptual, it seeks to provide a valuable potential bicycle and pedestrian connection between the existing neighborhoods around Short St., Maxwell St., and

the existing surrounding neighborhood. This connection is not shown on the plan. The adopted plan outlines the vision and intent of the community to provide more and improved access throughout the city. The Department feels it is acceptable to offer alternatives to the plan, but only alternatives that still reflect the vision intent of the plan should be considered. A new addition to the site plan is the proposal for a connecting path at the southwest corner of the site that would lead to the YMCA property. A condition of approval is that the petitioner work with the YMCA to ensure this is a safe connection. The proposed architecture will be one and two story single family structures. Reviewing the standards of the Urban Residential district as outlined in the 2002 GPP plan. The proposed site plan is a single family residential area, which is consistent with the existing neighborhood while providing a range of home sizes. These range from ADUs to 3 bedroom housing. This project connects itself with the existing connections nearby with the proposed sidewalks along Short St. and Maxwell St., but does not make attempts to improve the overall connectivity of the neighborhood. However, with this street connection and the sidewalk, the vehicular and pedestrian connection could improve the connection for all modes of transit and provide valuable emergency service access to the site. While this project has a higher density than most single family developments, it provides ample green space and reflects innovative design. To conclude, the proposed PUD aligns with and takes into consideration many of the development goals of the city, including compact urban design, infill development, some green building practices, and ideally the provision of housing opportunities for a diverse set of home buyers. One of the intentions behind a Planned Unit Development is to provide a public benefit that would not occur without a deviation from the standards of the UDO. As proposed, this development provides substantial benefits to the future home owners with some benefit to the existing neighborhood and to the public. The main benefits to the City and surrounding neighborhoods are enhanced vehicular and pedestrian connections. The Department recommends the Plan Commission forward this project with a favorable recommendation to the Common Council with 14 conditions. The three most substantial conditions are as follows: 1. The Short Street connection shall be made as outlined by staff; a paved road matching the existing widths with a five ft. sidewalk separated from the pavement by a five ft. tree plot on the south side of Short St.. 2. The petitioner shall continue to work with the City in a good faith effort to provide permanent, affordable housing options in the development. 3. If there are no significant changes, the final plan review shall be conducted at staff level. If any significant changes are proposed, the final plan shall be reviewed by Plan Commission.

Hoffmann asked if the ADU provision mentioned beforehand was a condition of approval.

Lewis said she would revise it in the development standards of the proposed PUD.

Scanlan explained that after meeting with Anahit Behjou, Assistant City Attorney, Staff does not think they can exclude them from requiring the conditional use, even through the PUD process. Staff wants to clarify that they will still have to get conditional uses for the ADUS, just like anywhere else.

Hoffmann clarified that this was never a condition of approval in the first place and that they will still have to go to the Board of Zoning Appeals if they want ADUs.

Marc Cornett, architect for the Btown Cohousing project by Loren Wood Builders introduced his team from Loren Wood Builders and Bynum Fanyo. One of the issues to address from last meeting is the Short St. connection. Previously in the proposal of the PUD from 2014, the conversation was centered on a 12 ft. wide alley to connect Short St. It is important to build a slow, calm street that allows for the safety of the crossing of children from the Montessori school. It is also important that it looks and feels like the neighborhood. This neighborhood does not have curbs, storm water management, or sidewalks. The other component is the bike-way process. At the site now, there is an existing solution that accommodates the same goal. Highland Ave. is already signed and designated as part of the same plan as a greenway system, called the Highland-Hawthorne Greenway. It has sidewalks detached from the street. At the north YMCA entrance, the sidewalk changes to a multiway path. By finishing Short St., this system is opened and connected. In the previous hearing, it was asked what green features will be built. These have been changed from a list of things they can do to things they will do. They will strike the polycarbonate panels from the architectural list with no issue. There is an existing draining way that exists in the valley where Short St. will eventually connect. There is a ball field that has been maintained by Montessori in that area and want to make sure there is no harm done to the existing storm water solutions in place. The solution of the skinny street is also to make sure the storm water flow is not edited. This is not about piping solutions, but about a street that may have water running across it at times. They want to make sure to not concentrate the storm water flows and instead disperse them across the length of that road to let them run naturally as they do today. The picnic shelter and the common house would be the only structures to deviate from traditional architecture because of their heavy porch components. This architecture will look like B-Line Station and S. Dunn St. from a few years ago. These homes were well received by the community at large. They want to advocate for the skinny alley-type street because this would promote the sharing of that space.

Wisler asked if the ADUs were permitted use, whether they would still have to go to the BZA or not.

Lewis said that if they did not meet the standards, with the exception of lot size requirements, minimum width between other ADUs, and some setback standards. If there were something that it did not meet, excluding the previously listed requirements, it would need to go to the BZA.

Wisler asked if this implies to the neighboring properties that if these ADUs are approved, would they still count towards any other application within the proximity requirement.

Scanlan responded yes. To be clear, ADUs are not permitted outright anywhere in the City. They require conditional use approval everywhere. In this PUD, they will continue to be conditional use approval. There are conditions that go along with this, like meeting minimum lot size for the zoning district, certain number of setbacks from the property lines, etc. Amelia outlined a few of these standards they would not be able to meet based on the design, like the separation requirements. Those things that are called out would be exempted if taken to the BZA. If an ADU goes into this development, a 300 ft. buffer goes up, and it will affect the neighbors around.

Wisler asked the petitioner if completing the Short St. connection makes it a full route from the site that is just as good as the proposed route.

Cornett responded that they are trying to connect two places, one on the site and the other to the south. Looking at existing signed routes of the Highland Hawthorne greenway system, it is effectively in place. To do 2100 ft. of new terrain trail when there is already a system effectively in place seems redundant.

Wisler asked if this new trail being built by the petitioner was a condition of approval.

Cornett said the trail running east west is 200 ft and this is in anticipation for the future system coming online.

Wisler asked if the proposal was to instead of bringing a connector both ways, to simply connect going west on Short St..

Cornett said that the connection of Short St. activates the entire system for the neighborhood with Maxwell and Short St.. The dilemma is how to put the trail in the right-of-way. The petitioner wants to run this trail through the parking lot and Staff wants it to run in a separate area. It is very difficult to find a clean route of a separate trail through the site. Dollars spent start to matter towards development costs and to keep considering affordable housing.

Wisler asked Staff if any other portions of the connector in question are already planned to be constructed.

Scanlan answered that both of these options are currently in the community vetted plan. Currently none of the connection in question is built right now because the development is immediately adjacent to this potential connection, so they are required to complete this connection. This is the first part of that leg.

Wisler asked if the rest of that connector would require City funds to complete or would be required of the property owners in the area.

Scanlan said that either sources could fund the completion of both.

Wisler asked for clarification on whether there was a budget for the completion of this or any plans for completion soon.

Scanlan said that right now there is no budget or plans for actual completion of these.

Kinzie asked what makes a skinny street more valuable than a regular sized street and what the concern over using a skinny street is.

Lewis answered that the safety of pedestrians and bicyclists on the street would be a concern because they would share the small road with vehicles.

Scanlan said that the Fire Department initially that 20 ft street minimum is what they would ask for in order to access the site safely. It is not required by state code, but it is an addendum that they should be able to have two entrances, if possible, to sites. Currently this site is functionally at the end of a very long cul-de-sac, so without the connection of Short St., they come from the north only. They would like to be able to come from the west. 20 ft is the width the Fire Department said they'd feel most comfortable with. When Staff went out to the site to measure the existing width, the smallest width there is 17 ft.

Jeff Fanyo, engineer of Bynum Fanyo, said the concerns over a full-blown street are two-fold. Number one, what design standards are we designing to? Is it an urban street? Vertical curvature comes into play here. There are pretty steep slopes coming from the east going to the west and then again going through the sway of the valley up to the dumpster area. A pretty lengthy vertical curve will need to be put in to maintain site distance. Even though it is a sag vertical curve, there is still night time driving, during which people's headlights need to see far enough ahead that they have stopping sight distance. Fill will most likely be placed in the low area. This will obstruct the existing draining patterns. There is a defined sway near the existing crossing. The ball field is very flat in general. If you go beyond, further south towards the YMCA property, there is an eroded out area where the water drops out very rapidly and continues on through Y property. When this fill is put in, it will need to be piped to put it underneath the roadway. There is a house north east to the crossing that has a crawl space low to the elevation of the stream channel. When putting a culvert in, the energy that has to be developed to get the water through that culvert has to develop ahead. That head start rises and gets into the aforementioned house's crawl space and that is a concern. If they go further and go with an urban section with a concrete curb, a closed drainage structure would need to be put in. That would start concentrating the flow and be an erosion problem to the ball field owned by the Montessori. If the road is built as a skinny street, the alley would be constructed as a weir where the water could still dissipate over a large area, not concentrate, and not create an erosion problem in the playground. This is the benefit the petitioner sees for a skinny street. The wider the road is, the more vegetation will be removed.

Kinzie asked about the size of the homes and if any comparisons could be offered.

Cornett said that he has done two projects similar to this, one on South Dunn St. with larger houses. The lots for S. Dunn St. are 44 ft. or 40 ft. The B-line Station lots are all 28 ft, the house modules at 20 ft., and 4 ft. side yard setbacks on both sides. For this development, there are 30 ft. lots with 20 ft. module houses. The B-line houses ranged from 900 sq. ft. to 1600 sq. ft. This project has 880 sq. ft. for the small two-bedroom bungalow and up to about 1550-1600 sq. ft. for the two story and a half houses depending on how long they are. There are variations of house models that all have differing lengths depending on where they are on site. Some lots are longer and deeper than others.

Kinzie asked if there is any other information about affordable housing.

Lewis said that the petitioner will continue to work with the City as the proposal goes forward with City Council and eventually reach an agreement.

Cornett added that they have been in talks with HAND as well as the Mayor's Office and the Office of Sustainability and Economic Development. Different price points are built in because there are different sizes of houses. These numbers have not been finalized from the City's perspective of final costs. As the roads get more expensive, as connections are added on, and other things happen, affordable housing is less likely to happen.

Cibor asked if \$250,000-\$350,000 range was correct and if that is considered affordable.

Cornett answered that that is the range. The two bedroom bungalows will be in the \$250K range and then some of the larger houses being in the \$300K-\$350K range. The City has different programs where they gap the financing to make things come together, but that is the offer that the petitioner has made to the City and has yet to receive any negative feedback on that offer.

Cibor asked if the secondary path is still feasible.

Scanlan answered that the petitioner is asking to develop in City right-of-way for their own private use. They are proposing a trash dumpster area and parking in the Short St. right-of-way. That is where part of the side path/connector path was shown, so yes that is where it would be located and it would not require the petitioner to give any land. It would already be in that right-of-way portion.

Cibor asked if the connection to the YMCA would be within an easement or would it be a connection that legally would only serve the residents of the site.

Lewis answered that the portion of the site that runs back behind the houses and the garages is an existing travel easement. Depending on where exactly the connection was, it could go through that.

Cibor asked for clarification that it would be through some type of easement unavailable to the public to make that connection.

Scanlan said her understanding is that it would be a non-exclusive easement and anyone could use it.

Cornett said that there is already a foot path that exists that crosses the corner of the site. They would like to connect up to that. The details of how this connection will be made is still being worked out. The point is, they want to be able to get to that corner of the site because the trail to the Montessori and Y property.

Cibor asked if this is within an easement available to the public.

Cornett answered that it is already in the emergency access easement, so it is already a public easement. It will continue to be public use with signage.

Scanlan said that during the platting process, it could be clarified that it is a public pedestrian bike easement.

Cibor asked how the ADA plays a part in the amount of parking spaces for this development.

Scanlan said that Staff can look into this at the site-plan stage.

Cibor asked at what point the petitioner thinks a sidewalk is beneficial to the public.

Cornett detailed a few examples in the City of Bloomington where sidewalks were not present and worked well. While the evidence of engineering a street and separating functions is always a fallback position, the petitioner wants to preserve the rural nature of this neighborhood. This neighborhood does not have curbs and gutters or have defined streets. Its rural lanes. When people walk and bike in a street, people figure out that they cannot speed in that street. The petitioner is concerned about anything that would increase speed on this street and separating the pedestrians from the street would be a step backwards from controlling that speed. Montessori has hundreds of students crossing this street a day.

Cibor asked if there are going to be curbs or sidewalks in the development.

Cornett answered that there is a section of Maxwell St. sidewalk. There have been conversations on how to continue that. There are some right-of-way issues with continuing it to the south. The petitioner has offered to take their sidewalk and put it on the other side of the street in order to connect up and continue this sidewalk.

Sandberg asked for clarification on the permanent affordable housing condition.

Scanlan answered that the petitioner has met with Staff, Office of Economic & Sustainable Development, HAND, and Office of the Mayor. They are willing to offer up to \$50,000 for four of the units to make them affordable at \$250,000 per unit. It is different because they are not rentals, they are owner occupied, so the formula to figure this out is different than the typical rental formula.

Sandberg asked if any amount of years have been discussed.

Scanlan said no, years have not been discussed.

Cornett explained that the affordability depends on which program the City feels fits this project best.

Hoffmann asked for clarification regarding the petitioner making the connection between Short St. and the site, even though it is partially off-site.

Scanlan said this is correct.

Hoffmann asked if the road width will be reduced from 16 ft. to 12 ft.

Cornett said this is correct.

Hoffmann asked how reducing the width of the road would be done.

Cornett said it would be tapered. The pavement ends abruptly and is not well defined.

Hoffmann asked how often the water goes across that road.

Cornett said that Jeff Fanyo could speak better to this point.

Hoffmann asked how much water would be going across the road.

Cornett said inches to feet. The petitioner said they cannot engineer their way out of this.

Hoffmann said that the plan Staff proposed engineered around this problem.

Cornett said the Montessori ball field becomes susceptible to being eroded.

Hoffmann asked for confirmation that their proposal does not include markings on the side of the road for when there is water on it, the road will end abruptly, and narrow from 16ft to 12 ft.

Cornett said that the petitioner can do any kind of signage the commission would like.

Fanyo answered that they have not engineered or surveyed it yet. There is a big channel at Highland and Miller Dr. that takes a lot of this water. Its not a big area, so there is not going to be a lot of drainage coming through here. There are two ways of doing this. One way is to do a ford, where they find out how much water is coming through there and design it to act as a weir. That way, there would be a few inches of flow periodically. Another way to do it is to provide small diameter pipes and a series of barrels. These would take the 1 to 10 stormy vents without getting a big head that could threaten that guy's house. Then anything over the stormy vents would go over the top. None of this engineering has been done yet.

Hoffmann asked if the Transportation Plan contemplates whether the neighborhood to the east of this site that they would be connected.

Scanlan answered that no, that is not in the plan. That is on the plat. The original plat for Mayfair shows a right-of-way connection there.

Fanyo said that from the plat of the Mayfair addition and on it they have a dedication of the discussed right-of-way that sees sometime in the future. The rest of this area is greenspace for the benefit of Mayfair Addition. There is no provision for a public easement going across there.

Hoffmann asked for clarification on the ADU standards in regards to this site.

Lewis responded that three standards would be changed for this PUD regarding ADUs.

Hoffmann said that these do not need to be conditions of approval, but instead just included in the staff report that these standards would be modified for approval.

Kappas asked for clarification on how this development includes accessibility and sustainability.

Cornett answered that one of the things the petitioner is working towards is identifying the buyers of the homes in this neighborhood, they will know more about the individual needs. The front porch spaces could potentially have wider doorways. Master suites on the main floor for people who can't go upstairs. Without identifying the buyers yet, it is unknown which houses will need which accommodations. When the environmental features list was first put together,

it was things they would only consider. Then, a few things were dropped from this list and it turned into a list of things that are definitely going to be done. Some examples are smaller footprints, better insulated homes that are more energy efficient, natural cross ventilation, low VLC and no VLC materials and paints, etc. Many of these decisions are furthered by whoever buys the homes, like adding solar energy grids.

Kappas asked if the 20 of the 24 building techniques listed were going to happen for sure or not.

Cornett said that these building techniques will be mandatory. Anything additional that a home owner wants, like solar hot water, can be added. He also noted the cohousing feature of this development will contribute to green practices in several ways, such as shared gardening spaces.

Hoffmann opened the forum to the public. He read Enright-Randolph's comment, "I have one comment to express about Short St. Petition. It is critical that area has enhanced connectivity of all modes of travel and I encourage my colleagues to get behind this initiative of connectivity".

Beth Rosenbarger, City Bicycle and Pedestrian Coordinator, introduced herself and thanked the members of the Bicycle and Pedestrian Safety Commission for being here. They have come to advocate on behalf of the Adopted City Plan and for these elements to be incorporated into this petition. They are overall in favor of this development. The three main areas that there are issues with are the Short St. Connection, missing connector path, and the YMCA connection on the southeast corner. In terms of the Short St. connection, if this development were a subdivision, all the houses would have to front on a public street, have tree plots, and five ft. sidewalk. Similar to the South Dunn St. development, all of the houses front to a public street. Short St. is the only public street that the development is having to make any investment that will serve the public. They support Staff's recommendation of a street, tree plot, and sidewalk. When streets are built without sidewalks, sidewalk requests come in later. Space for street trees helps with storm water with their canopies collecting 30% of rainwater before it hits the ground. They also help reduce the urban heat island effect and make it more pleasant to walk outside when it is hot outside. In terms of the connector path, it is part of an adopted city plan. Currently, the petition calls for private parking and a dumpster in the right-of-way and the City not requiring this connector path to be built. It may be odd that this path would be stubbed, but this gives a path to the future and something to work towards incrementally. Subdivisions are required to build streets that stub that will come to fruition later. The Highland Ave Bicycle Blvd. is part of the adopted plan as well as this other path because they serve different connections and different users. There are four categories of bikers: the 1%, 6%, 60%, and the people who never bike, only on vacation. The current network in Bloomington captures the 1% and 6%. The 1% are very comfortable in traffic and the 6% is an enthused but confident rider who is better in bike lanes. The 60% are riders who would be comfortable on the B-line but not Highland Ave. When more paths like the connector path are built, they help capture these potential users. This helps connect two cul-de-sac neighborhoods. It rewards walking and biking by making this the shortest connection for people as opposed to driving a car. In terms of the connection to the YMCA, more detail about this connection is requested. To summarize, there are a lot of progressive city plans, including the newly adopted Comprehensive Plan and the Bicycle & Pedestrian plan. One of the goals of these plans is reducing single vehicle occupancy use, which reduces greenhouse gas emissions. When more facilities are built for high comfort for walking and biking, this is working towards this goal. This helps makes connections for existing neighborhoods and makes the footprint of the development smaller. Another goal is always increasing the City's percent share of walking and biking. For bicycling, the City is maxed out at 6%. Another goal is being an all age community. This includes building more paths that allow for the mobility of children. The Bicycle and Pedestrian Safety Commission would like to see the adopted plan respected and do not think it's fair for this petitioner to not build the facilities discussed. The more often these adopted plan requirements are waived, the further way the City moves from being a Platinum Bike City.

Marianne Sinclair one of the original people involved in co-housing in 2014. Short St. would not be heavily used in any case because Maxwell St. is a dead end. On Highland, the street is involved with the parking lots for Montessori school and the YMCA gymnastics facility. A minimal road there would be adequate and safer for the Montessori children crossing from the school to the Montessori playground. Short St. to the east ends in a dead end and probably would never connect to anything there. Since the project is being headed by Loren Wood, it will be a great community for Bloomington to have. Sinclair plans to be a resident and noted that this would be the first co-housing in Indiana.

Roger Meredith, head of the Montessori school, would like to keep it how it was when Council voted in 2014. They would be in support of a single path. Montessori School has a hundred elementary students who cross that road 233

days of the year, 6-8 times a day. If there was a wider street with sidewalks and culverts, the drainage down there would make the playground area muddy and unusable.

Mark Stasberg, from the Bicycle and Pedestrian Commission, said that they would like their bike facilities to work for the 60% of bike users. Any connection on Short St. would be a valuable connection. On Maxwell, there is not a lot of sidewalk now. With the connection through the woods, there is a minimum commitment that there is potential to do what needs to be done on the property so it can easily connect in the future. Blocking off the future potential with a dumpster doesn't seem appropriate.

Sara Khaling stated the poverty rate in Bloomington is 38%. The minimum wage in Bloomington is \$7.25, which means working minimum wage 40 hours a week provides a \$13,000 annual salary. Hearing affordable housing being discussed at \$250,000 feels wrong. \$250,000 is not affordable, especially for the 38% of the City who live in poverty.

Paul Ashe said there needs to be more connectivity, more multiuse paths like the B-Line.

Mallory Rickbale said she would like the City respect the fidelity of the walking and biking path established and see a continuation of a trail in this area.

Daniel Bingham said he supports the project and is excited to see it. He has been involved with Dandelion Eco Village, a similar cohousing project. As for affordability and sustainability, he urges Loren Wood Builders to do better.

Gene Defelice said he supports the 12 ft. skinny street. He says the character of the street is very nice and is shared by bikers, pedestrians, and vehicles.

Cornett used up his remaining time and explained that the green line on the map that is the only connection to the Mayfair neighborhood was a part of a previous plan. The conservancy easement of Mayfair was set aside previously. The petitioner said they are not disrespecting the Bike & Ped plan, but see a better solution. Cost is not sustainable in the solution Bike & Ped wants. There is a sidewalk along Highland now, 80% of it is detached from the street. In addressing affordability, it is important to remember that the lot price and profit are included in the cost as opposed to construction cost. Money goes the farthest in rehabbing buildings. This is not a project where affordability makes sense.

****Stewart Gulyas moved to move PUD-02-18 to approve. Sandberg seconded.**

Sandberg said she is inclined to support this petition as staff has made the recommendations. Many of the public comments were compelling. Connectivity is an important thing to consider. Cornett's comment about affordability was very valid about where to look for affordability.

Wisler expressed his frustration with how this came about procedurally. All of the questions about what to do about the multiuse path connection and Short St. are inextricably linked to the question of cost and affordability. Making decisions without the facts is frustrating. The skinny street is the better solution here and connecting to the planned trail is wise. The only way to get there is to deny the current motion and have a second motion to approve it with a different set of conditions. There is no way this can be navigated as a body right now. This is not the most ideal way for this petition to go forward, but it is better than it not going forward.

Kinzie said she is generally supportive of this project, but is conflicted with the solution that does not seem workable. She regrets the recommendations Bike & Ped Commission made will not be included in this moving forward.

Cibor said he agrees with most everything that other members have stated thus far. There are always going to be unresolved issues at this level in the process. These things will be flushed out during the design process. Both the skinny street and normal street would have their own engineering issues. There should be a sidewalk next to a school, by the YMCA, and a very dense development. The connection long-term would be a parking lot, but the City would still have the possibility to redesign and use that space.

Hoffmann said he is disappointed tonight and does not agree with the petitioner or staff's idea of what this road should look like. Staff has a very by the book proposal with a tree plot and a sidewalk. This is a very challenging link on Short St., topographically, environmentally, the water, and the people who walk around this location. He was looking for a more creative solution that would not compromise the topography of the site. The problem with the skinny street and

no pedestrian path is that it goes way too far in the other direction. Short St. is going to finish a loop. It is not like a street in Bryan Park where it is a grid of lots and lots of streets, where people choose where they want to drive and traffic gets dispersed. This is going to complete the loop of Maxwell, Miller, and Highland. People will use it. The skinny street does not do enough for the pedestrians. A solution to this cannot be engineered in this meeting, but it can be made clear what the commission wants moving forward: a less normal road configuration with a pedestrian/bike multi-use path that is done in the narrow area and is not dangerous for the children crossing it. He suggested putting together an amendment that would leave this to the Staff and petitioner with very clear directions that commission wants a road that is adequate for fire, police, and emergency access and a paved path that is adequate to serve local users and through traffic of pedestrians and bikers consistent with the 2008 Bike/Ped plan.

Hoffmann proposed an amendment to modify condition of approval #1 to read as follows: The Short St. connection shall include the following: a paved road adequate for fire, police, and emergency access, a paved path, adequate to serve both local users and east-west through traffic of pedestrians and bicyclists consistent with the 2008 Bike/Ped plan. This paved path shall be multiuse and clearly delineated, and shall be separated adequately from vehicular traffic on Short St. with the specific route and method of separation to be determined to staff satisfaction through continued negotiation between petitioner and Staff, and with Staff approval not to be unreasonably withheld.

****Hoffmann motioned for an amendment to PUD-01-18, Wisler seconded.**

Hoffmann asked Staff if this amendment is reasonable.

Scanlan answered that it would be more of a burden on Planning & Transportation's engineering staff, but she says Staff is open to this.

Hoffmann said he is open to the discussion of getting rid of the tree plot and having another way of separating vehicles and bicyclists. Once this loop is completed, bicyclists and pedestrians cannot be left out of the picture.

Scanlan said Staff is open to that as long as Cibor and his team reach the decision that what is used is safe and usable for everyone.

Cibor said the motion is within reason. To meet emergency services requirements, a 20 foot street is what they ask. Part of the amendment is to have a separate place for bikes and pedestrians. The staff recommendation has bent the plans already to narrow things. The one thing that could be reduced would be the tree plot. Bike & Ped would likely oppose this.

Hoffmann said that this plan might end up back where it started. If there is no other reasonable solution to this problem, it will end up being what Staff asked for today. The clear direction not given to the petitioner last meeting was the desire for a bike and pedestrian path.

Wisler commented that this is a step in the right direction. There could be a street in a delineated bike and pedestrian lane that is separated by bollards or something other than a curb that could create drainage issues. His biggest concern is creating a drainage problem that cannot be solved, especially considering the Montessori school. This gives an opportunity to create a more innovative solution.

****Hoffmann motioned for an amendment to condition #1 for PUD-01-18, Wisler seconded. Motion passed with a 5:1 vote.**

Scanlan put on record that the minimum lot size in regards to ADUs will not apply to this PUD.

****Stewart Gulyas moved to approve PUD-02-18 with the amendment and conditions of approval. Sandberg seconded. Motion carried by a 6:0 roll call vote.**

ZO-05-18 **JB's Salvage, Inc.**
1816 W. Fountain Dr.
Rezone from Residential Single Family (RS) to Industrial General (IG).
Case Manager: Jackie Scanlan

Jackie Scanlan, case manager, presented the staff report. The petition site is 1816 W Fountain Dr. on the north side of Fountain Dr. directly across from where JB's Salvage is currently located. This is on the northwest side of town. The petition site is two properties that totals 2.37 acres and is currently zoned RS (residential single family). The Comprehensive Plan designation is Employment Center. There was a single family house on the property with a garage. The single family house has been torn down, the garage is still onsite and is not being used. The petition request tonight is to rezone The Comprehensive Plan's Single Family Residential designation to Industrial General. This is established for basic employment needs of the surrounding region. In the Comprehensive Plan, this area along Fountain is designated as Employment. It seeks to provide locations for a mix of office and light/high-tech manufacturing uses. It also acknowledges that it needs to incorporate well with surrounding uses, especially when new uses may introduce noise, dust, or other disturbances. This area is immediately adjacent to neighborhood residential zoned areas. It does have some Employment west and east. This is the first time the commission will be seeing this petition but it will not be the last. This is more of an informative session, as a formal recommendation will be made next month. The petitioner is requesting this rezone for a recycling drop off center on the site. A recycling drop off center formally downtown is what they are envisioning this site taking the place of. The use in the UDO that best describes this is salvage/scrap yard, which is only allowed in Industrial General. The petitioner did submit a preliminary site plan, but the commission is not here to approve the site plan. The site plan did indicate most of the development would be along and immediately adjacent to Fountain Dr. Some of the issues Staff identified are that the rezone does not quite jive with the Comprehensive Plan's definition of Employment Center, which does not talk about industrial uses but instead more professional office settings. Staff is hesitant to make the connection that this use fits that designation. Additionally, Staff is concerned with the proximity to housing in the area. In a rezone, they would be strictly going to the new IG zoning district, which contains 27 different uses. If this were to be rezoned, it would still need to go to the Board of Zoning Appeals. The Department has been looking at this request since meeting with the petitioner to discuss the possible issues. The main issues are Industrial uses adjacent to Residential uses and the effects of the particular proposed use as well as the other approved uses in the IG zoning district being close to a residential area. Noise, traffic, dust, and additional nuisances and how they affect the surrounding areas is also a concern. Staff does not think the rezoning of this property matches the Comprehensive Plan designation and have concerns about locating more industrial land next to a single family neighborhood. Staff recommends continuance to next month.

Tom Densford, represents JB's Salvage, explained that they have been working with Staff in order to define the project. The proposed use is a single stream recycling collection center, primarily for residential use, for the collection of recycling. This is similar to the facility that was recently removed near City Hall. The proposal has two entrances into the facility, a turnaround section, and a drop off section with an attendant, and the facility will be fenced. The category villainizes the proposal. The challenge here is to come forward with a proposal that is consistent with the various land use regulations and the only way to accomplish that is have written restrictions on the 27 uses of Industrial General. If you were to drive down West Fountain from Adams St. to Vernal Pike, there is only one residence along the railroad tracks. Everything else out there is either industrial or commercial. The map is misleading because these areas are not being used as residential. The residential area of this area is around north Oolitic and 11th St. From Adams St. to Vernal Pike, it is commercial and industrial. The proposed use is very compatible with that area and is needed in the City as another mechanism of recycling. There is no incineration or separation of materials on the site. Everything will be loaded into a series of dumpsters and hauled off to a facility to sort them and sell them as recycled materials. They will not be burned or go to a landfill. In terms of business practices, Bethany Robinson is here to speak to those.

Wisler asked if Industrial General is an over zone for this proposed use, why not have a PUD.

Scanlan responded that PUDs are for developments with multi-use. PUDs are for innovative things on properties larger than 5 acres. A single use 2.5 acre lot for a PUD is not something Staff recommends.

Wisler asked how then the other uses can be restricted without using a PUD.

Scanlan responded that a zoning commitment could be created to limit which uses will be utilized on the lot.

Densford said that they would make conditions on the application for resale. It becomes a record, a part of the Change of Title for that property, and it is enforceable by the Plan Commission, city attorney, or neighbors.

Kinzie asked the petitioner about the noise that would be generated from this use/

Bethany Robinson explained that JB's Salvage recently started JB's Disposal, which is a trash and recycling waste removal company that serves Bloomington to offer a family owned option. More space is needed to store dumpsters. The land close to the street would be used to store dumpsters in order to grow the disposal business. There would not be much noise. Residents driving through to drop off recyclables and trucks coming through to pick up and drop off dumpsters during business hours is the only noise Robinson could think of.

Kappas asked Staff if traffic had been a consideration in this and how much of an increase there would be.

Scanlan responded that there has not been a traffic study conducted on this particular use. Staff anticipates it would generate traffic because of the nature of the business and people coming and going all day.

Kappas asked the petitioner how wide the roundabout be.

Scanlan said because this is a rezone, the site plan is not being approved by the commission. This site plan may not meet code right now.

Kappas rescinded the question.

Hoffmann opened the forum to the public.

Sarah Khaling, lives on Hopewell St., on the other side of JB's Salvage. It is the Waterman Neighborhood. It is currently the neighborhood closest to the site, which means there is not a lot of clean, safe land for use in the area. Fountain Dr. is not pedestrian friendly. There are no sidewalks. Despite being surrounded by two of the poorest residential areas of the entire city, the Industrial Zone around the neighborhood is not easy for people to walk, which is what many people have to do when living in poverty. The area is also one of the remaining neighborhoods where a person may find housing that is close to affordable. There are several options for Section 8 options in this area and several older Habitat for Humanity Homes. The US Census tracks the surrounding areas as having an average income of \$17,000. Khaling strongly urges the Commission to consider what they would be allowing to happen in what is potentially the poorest residential area of the city. This proposal would not be considered in Bryan Park or Elm Heights. Neighbors already face challenges living near JB's Salvage, such as odd liquids draining into yards when it rains heavily or metal pieces in drains. It is upsetting to learn that JB's Salvage has been grandfathered in and therefore does not need to comply to industrial standards that apply to others who are zoned Industrial General. It also means that they cannot do any changes to the property, like changing a building or adding additional buildings or else they would have to get their zoning changed. JB Salvage is taking advantage of this current zoning and is polluting the neighborhood. Khaling asked the Commission to please not allow the Waterman neighborhood to continue to be the recipients of the City's garbage and pollution. Khaling also urged the Commission to put the health and wellbeing first of a community that already does not have the luxury of open green spaces that are safe and accessible and doesn't have sidewalks in its neighborhood.

Tia Larson, lives on W. 8th St, in the Waterman Neighborhood, can see the current site of JB's Salvage from her backyard and can hear noise all day. The gentleman who spoke for this petitioner said that the residential nature of this area was not appropriate, but it is a neighborhood, a mile from downtown. Larson walks with her young nephew and niece in strollers to the B-line, which ends at Adams St. Fountain is the only access point for the neighborhood. There are many kids in the neighborhood. There is already a traffic issue here, especially since the 17th St. overpass has gone in. There are not sidewalks and it is hard to navigate to streets to get to bike lanes or the B-line. Increased car traffic and especially large truck traffic is concerning, especially with children around. This would not happen in Elm Heights and Bryan Park. These neighborhoods often get more people showing up and advocating for them. After speaking to neighbors of Waterman, there was a general consensus of inaccessibility to this meeting due to work, money, and childcare constraints. This is a residential neighborhood, it is a place where people live, and these people often do not have the time, energy, or access to advocate for themselves. It is important to not look around this room and think that it is empty because people do not care or will not be effected.

Gene Defelice, former resident of the Waterman neighborhood, bought a house there before the trash transfer station was placed near his backyard. Defelice is lucky enough to have the means to move to a different neighborhood once JB's Salvage moved in. Dandelion Village is also tucked back in this area. Twice it's been said that this use has been grandfathered in and Defelice does not understand why this is. In 1984, there was a scrap and auto yard here run by Green & Sons and in order to sell to JB's Salvage, they had to get a variance that legitimized the current use. This variance specifically stated that no expansion was to be done and now some of the operation is on residential land

that wasn't included in the 1984 variance. If JB's Salvage can get an IG designation here, even with restrictions, it will not matter. They will get a waste transfer permit and built a waste transfer station here, which is one of the original plans. Bethany Robinson even today added a few other things they would use this site for, such as dumpster storage, which is evidence that this recycling drop off is turning into something more than it is being presented as.

Jill Hudson, lives in Bloomington, explained that she is familiar with trash transfer proposals. Hudson was shocked when she heard about this, even though it was not proposed as a trash transfer and has a feeling that a trash transfer is not far off in the future. The petitioner made a few comments that were very vague, such as "1 or 2 dumpsters" and "doesn't think there will be any heavy machinery". This is a highly residential area with people walking around it all the time. The commercial trucks are a concern. There is going to be noise, dust, fumes, odor, etc. Trash trucks leach out grey water which is toxic. In the heat of the day, the sun cooking this toxin is comparable to a commercial poultry farm. This odor might affect the B-line, which is nearby. If they get the IG zoning, it will get bigger than anyone can imagine. Indiana Green was trying to a trash transfer on a comparable size of land.

Marc Napier said when he heard a recycling center was being proposed at this site by JB's Salvage, he said to himself, "I think we've seen this movie before". People who live near Angelina Lane just "saw the sequel" for the past few months and it was a "bad movie". Napier said he then saw in the paper that someone in Hollywood decided to do a remake of the movie Overboard. Napier said he saw that movie in 1987 and it was a bad movie. Napier said that they tell him it's going to be different this time because they have switched the gender roles. Napier says he is not running to the theaters. Napier said he hears recycling center at JB's Salvage this time. That's what people were told about the trash transfer that was proposed for Angelina Lane. From what Napier understands, that is what residents were told 5 years ago by JB's Salvage when they were making a similar proposal. Napier asked the Commission to go in with their eyes wide open. If this is rezoned IG and allow 27 permitted uses, it is expected that the worst of the 27 permitted uses will come up at some point.

Chris E., lives in the Waterman neighborhood, said he hears loud yelling from JB's Salvage every day. There is a huge mosquito infestation in the neighborhood and many awful smells. People walk down the roads all the time with no sidewalks. The idea of trucks coming in and out makes one wonder how they will turn around. The idea that roll off dumpster trucks are not going to have back up beeps sounds fake. There is Dandelion Village, Avalon Gardens, and people with chickens in the neighborhood, and the tool share. All of this growth and sharing in this neighborhood alongside JB's Salvage, which shouldn't even be there but is grandfathered in, it seems like the exact opposite momentum of the neighborhood. Waterman neighborhood is the poorest neighborhood in Bloomington. This would not happen in another Bloomington neighborhood and neither would police pull people over as much as they do.

Sarah Baghdadi, a homeowner in Maple Heights as well as a small business owner in Bloomington, expressed that the neighborhoods like these are some of the last neighborhoods where people like herself can own their first home in Bloomington and start their lives here. The way the petitioner characterized the area around JB's Salvage is not accurate. It is not only residential on paper, it is residential in real life. It is a densely populated neighborhood with tight single family houses with small green spaces. 11th St. is also housing projects, tight single family homes, and apartments. After working at a recycling center, Baghdadi can confirm that roll off dumpster trucks make a lot of sounds. There are beeps, air brakes, loading. What is good for this business will not be good for the community as a whole.

Daniel Bingham, a part of the Dandelion Eco Village, had the Phase I Environmental Site Assessment for the PUD for Dandelion Eco Village from 2011. This site assessment found that there is a culvert that runs under the railroad from JB's Salvage, which is upgrade from the Dandelion property, and Dandelion gets JB's Salvage's runoff through that culvert. This Site Assessment found significant amounts of lead contamination downstream of the culvert and also witnessed open burning. Bingham wants to be supportive of scrapping and supports recycling centers from a sustainability standpoint. JB's Salvage is not a good area and does not fit into a residential neighborhood. Public housing is also near this with the poorest people in Bloomington and deserve better. The mosquitos are intense because of the pockets of water at JB's Salvage. Trash washes out from JB's Salvage and goes through the neighborhood. There is no safe level of lead exposure for human beings. This has been one of the rising social justice environmental issue. By allowing industrial sites to locate near low income neighborhoods, low income populations have been exposed to contaminates like lead at increased levels from the general population. This has neurological and health effects. This intensifies the poverty people get stuck in. JB's Salvage is not handling their existing site now in a way that is respectful of their neighbors, so Bingham does not believe their recycling drop off center would be any better.

Hoffmann asked the Commission for a motion.

****Stewart-Gulyas motioned to forward ZO-05-18 to the June 11th meeting. Sanberg seconded.**

Sanberg said that as listening to this entire discussion, it may be useful to hear from Adam Wason of Public Works for a report on how the City's sanitation processes are working regarding recycling.

Kappas said he definitely wants to see a traffic report for the area because it is so residential.

Wisler said that there is a need and demand for additional recycling facilities. It is a shame that the one behind City Hall was lost and one is needed near downtown. All of the concerns brought up were legitimate concerns. The main difference between what's proposed here and the PUD is that the Commission does not get to approve a site plan. Plan Commission can approve conditions on use but cannot ensure that it will be a recycling center for sure. Wisler said a PUD is the only way to ensure this site is what it's saying it's going to be and asked the Commission to consider it.

Kinzie said she would like more information about recycling needs. She is also concerned that the Commission cannot condition their way to something good with this case.

Hoffmann said he will keep an open mind until the second hearing of this petition. Staff's gut instinct that IG zoning expansion in this area doesn't make sense sounds right. An Employment Center does not mean heavy industry. Hoffmann said he will be hard pressed to support something like this at the second hearing.

****Stewart-Gulyas motioned to forward ZO-05-18 to the June 11th meeting. Sanberg seconded. Motion carried with 6:0 roll call vote.**