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The City of Bloomington Plan Commission (PC) met on January 9, 2017 at 5:30 p.m. in the Council Chambers #115. Members present: Andrew Cibor, Joe Hoffmann, Jillian Kinzie, Darryl Neher, Isabel Piedmont-Smith, Carol Stewart-Gulyas, and Brad Wisler.

APPROVAL OF MINUTES: 12/5/16 and 12/13/16

****Joe Hoffmann moved to approve the 12/5/16 and 12/13/16 minutes. Brad Wisler seconded. Motion was approved by unanimous voice vote.**

REPORTS, RESOLUTIONS AND COMMUNICATIONS:

Election of officers: ****Neher moved to nominate Hoffmann as President of the Plan Commission. Piedmont-Smith seconded. Hoffmann accepted nomination. Motion carried unanimously by voice vote. Motion passed 7:0 (Hoffmann abstained from voting).**

James Roach, Development Services Manager, explained that the Plan Commission President serves on the Metropolitan Planning Organization Policy Committee, which meets ten times a year, every month except July and December. The next meeting would be the following Friday at 1:30. The rules state that the Plan Commission can appoint a substitute for attendance at the MPO Policy Committee meeting.

Hoffmann said he was not prepared to sit in on MPO meetings (1:30 pm on Friday afternoons). However, he would attend the next meeting and appoint a substitute to attend other meetings.

Election of Vice President: ****Hoffmann moved to nominate Neher as Vice President. Wisler seconded. Motion carried unanimously by voice vote. Motion passed 7:0 with abstention of Neher.**

Appointment of PC representative to the Board of Zoning Appeals (BZA): ****Hoffmann nominated Neher. Piedmont-Smith seconded. Motion carried unanimously by voice vote. Motion passed 7:0 with abstention of Neher.**

Appointment of Alternate PC representative to BZA: ****Hoffmann moved to nominate Carol Stewart-Gulyas. Kinzie seconded. Motion carried unanimously by voice vote. Motion passed 8:0.**

Appointment to Plat Committee: Staff currently serving are Andrew Cibor, Mike Carter and Rick Alexander. Roach confirmed that these members were willing to continue serving on the Plat Committee. ****Hoffmann moved to reappoint all three committee members. Neher seconded. Motion carried unanimously by voice vote.**

Appointment of alternates to the Plat Committee. Members currently serving as alternates are Wisler, Phil Peden from City Utilities. Staff has proposed Roy Aten from Planning and Transportation to fill the vacant third slot. ****Hoffmann moved to appoint Wisler, Peden and Aten as alternates. Kinzie seconded. Motion carried unanimously by voice vote. Motion passed 8:0.**

Appointment of Hearing Officer for 2017: ****Hoffmann moved to nominate Beth Rosenbarger as Hearing Officer. Piedmont-Smith seconded. Motion carried unanimously by voice vote. Motion passed 8:0.**

Alternate Hearing Officer: ****Hoffmann moved to appoint Scott Robinson. Piedmont-Smith seconded.**

Motion carried unanimously by voice vote. Motion passed 8:0.

Isabel Piedmont-Smith said the minutes have always been excellent since her appointment. She said that Emily has been very good at taking the minutes.

PETITIONS CONTINUED TO: February 13, 2017

PUD-30-16 Regency Consolidated Residential LLC

2182 W. Tapp Rd.

PUD amendment to allow multifamily residences on Parcel I of the Woolery PUD.

Case Manager: Eric Greulich

SP/UV-41-16 Naples LLC (Doug Duncan)

1610 N. Kinser Pike and W. Gourley Pike

Site plan approval for a 3-story 39 unit multifamily building. Also requested is a use variance to allow first floor residential use.

Case Manager: Amelia Lewis

CONSENT AGENDA:

- ZO-40-16 **GMS-Pavilion Properties**

4023 W. 3rd St.

Rezone 1.98 acres from Planned Unit Development (PUD) to Commercial General

(CG).

Case Manager: Eric Greulich

****Darryl Neher moved for approval of the Consent Agenda. Isabel Piedmont-Smith seconded. Motion passed 7:0.**

PETITIONS:

- PUD-31-16 **Patterson Point, LLC**

323 and 455 S. Westplex Ave.

PUD final plan approval for four mixed use buildings and one multi-family building.

Case Manager: James Roach

James Roach, Development Services Manager, presented the staff report. The property is located at the southwest corner of 3rd and Patterson. This is the third hearing to review this petition. This is a Planned Unit Development (PUD) final plan. This is a detailed plan to build out the remainder of this PUD; all but one lot would be complete if this is approved. The property is located at 323 and 455 S. Westplex Ave., a little over 7.5 acres. It is zoned Planned Unit Development. The PUD was created in 2010. The Growth Policies Plan, the city's long term Comprehensive Plan for growth and development calls for Community Activity Center-type uses and has some very specific policies for this area called the Adam's Street/Patterson Drive sub-area. The property is currently vacant. There is recent earth work activity going on; the petitioner has recently approved a grading permit to do initial clearing of old foundations and old parts of the property to get it out of the way in advance of this approval. This was nothing they were approved for, no building construction, just moving dirt and moving old foundations. Again the PUD was approved in 2010 and the PUD is slowly built out. There is the re-use of the old office building that became the magnet school and there was also the Dillard multi-family housing on the south end of the property and then the Patterson Point senior apartments on the west side. There are two areas that have not been built. One area is called Parcel B Lot 2 on the south side of an east/west road and the remainder of all of Parcel A and this proposal is for those areas. There are 4 mixed-use buildings proposed: one strictly multi-family building about 33,000 square foot of commercial space; 188 apartments with a total of 477 bedrooms. Again, this is the third time we've heard this petition. We heard it in

Approved by PC: June 12, 2017

November and December, and there have been a few changes since the December meeting. The first is they have completed a traffic study that is included in your packet. They looked at the impacts of the developments and what could best be done to alleviate traffic concerns especially concerning the unusual parking boulevard plan that was put together in 2010. As a result of that plan, they have opted to continue with the parking boulevard to not change the plans to the street parking arrangement. Staff did present these ideas to both the Bicycle and Pedestrian Safety Commission and the Traffic Commission over the last month since the last meeting. The Traffic Commission was very much not in favor of street parking. The Bicycle and Pedestrian Safety Commission was split in support of street parking versus the desire to do something different to keep conflicts with the existing bike lane at a minimum. Another change is building number 2. This is the building right along Patterson Drive. Back in December, the commercial level on that building was an even level. It was all one elevation and because of that and because of the slope of the street and the slope of the property, there was an elevated walkway, and an elevated sidewalk area. One of the comments they heard was that it was not desirable and it doesn't look good from the street. It's not good for pedestrians. So they have changed that; they have split that first floor grade up into four different grades, removing the platform and the elevated sidewalk. A couple of other comments they heard from the Bike and Pedestrian Commission as well as the Plan Commission dealt with the pedestrian realm on the original PUD that did not require the petitioners to rebuild the sidewalk on 3rd and Patterson. The logic there was that pedestrians would enter the sites through the parking boulevard, exiting the street realm, and would continue on and would exit again to the south or exit at the corner. Some of the comments they heard from the Bike and Pedestrian Commission as well as the Plan Commission was that not everyone wants to do that. There will be people that want to walk through and move to other locations. People will walk on the edge of the street. Let's make it as safe as possible for them. So they have included sidewalks in these areas. Six foot sidewalks at the edge of the curb, which is what the arrangement is today. In addition, the plaza area, the private sidewalk and pedestrian realm in front of the buildings, the PUD originally called for a 20-foot wide area, a 5-foot tree zone, a 5-foot walking zone and 10 feet for a display area or seating area. One of the comments they heard from the Plan Commission was that you all wanted the building as close as possible to the street and you're afraid that the 10-foot café zone was too wide especially if there wasn't seating there and it wasn't going to be display areas. So they have reduced that from 20 feet to 15 feet. This is the final plan. Building number one is purely multi-family. Building number two, this is the building where the grade change took place, this is the first floor commercial space and upper floor apartments, four stories. Buildings three and four have three stories in the front, four in the back, lower level parking. The second level which is street grade on 3rd Street would be a commercial space on both of these and then two additional floors of apartments. Building number five, first floor site serving office uses and then three floors of apartments above. Building number one wraps a structured parking garage. There are a couple of streets to be built. There's a new public street being built to the east of building number one. This is an extension of Westplex Ave. that would connect 3rd Street down to the existing intersection of Isaac and Westplex, crossing the creek and creating the southern half of the intersection of 3rd and Westplex. There is a stream that runs east and west of the property that had been a storm (inaudible) pipe with the earlier phases of this development and that pipe was broken open and it was day lighted (that's what we call it) and with this project they would take that day lighted creek and restore it, turning it into a working creek. Roach summarized changes and showed visual representations. Area A is 4 buildings, the parking boulevard, parking in the rear, and creek restoration. It has 33,000 sq. ft. of retail, 5,400 sq. ft. of the site serving office space, 169 parking spaces, and 72 apartments with a mix of 1-, 2-, 3- and 4-bedroom units. Between Units 2 and 3, there is a plaza area, accessible route from parking area to street grade. Bird's eye view is shown, as well as other aerial perspectives. Building #2 is what has changed the most since the previous meeting. 4 stories along the street, with no basement, fronts on the parking boulevard. The raised walkway/sidewalk has been removed. The commercial space is now at 4 elevations. It steps down with the grade, presenting a dramatic improvement since last month. There are additional views from Buildings #3 and #4. There are no changes on Building #5. Turning now to the parking boulevard. We had a lot of discussion last month about the nature of the parking boulevard, the desirability of the parking boulevard as opposed to street parking. There are several different options and issues. Since last month, the petitioner has decided to stick with the parking boulevard plan; they are not proposing street parking. The parking boulevard was a potential option or alternative that was reviewed in 2010. This was designed in 2010 to provide an opportunity for easy retail parking along the streets without it actually being street parking. Again, it was designed with a single entry on 3rd S. and a single exit on Patterson.

There's a median between the parking lane and the through traffic. In that median there would be a 6-foot wide sidewalk. There's existing overhead power lines and some large power poles as well as landscaping. The 15-foot-wide sidewalk in front of buildings 2, 3 and 4 to provide that pedestrian realm to interact between the parking and the stores. The space between the edge of pavement and the front of the buildings is about 65 feet. This is a new image that did not exist last month. This gives you a cross section, showing how this all fits together and the proportions. The building in this area, 15-foot-wide pedestrian realm here, street trees, parking zone, through travel zone, and the median, the sidewalk and those existing power poles before you get out to the bike lane and the travel lane. We do believe the parking boulevard is consistent with the PUD. They have proposed a median which would restrict left turns into the parking boulevard. It would be a raised concrete median in this area. It would keep people from traveling westbound on 3rd and they would not be able to take a left into the parking boulevard. They would need to come all the way down to the intersection and either do a U-turn or turn into the project and then park in the back. The eastbound traffic would be able to pull into the parking boulevard. This median still allows for access to the Red Cross to the north. It was something that was studied through the traffic study when they looked at the design and the necessity of that. We do believe that it's necessary in order to ensure safety as well as to ensure no left turns into the parking boulevard. They also found that the traffic signal was not warranted at Westplex given anticipated traffic from this development, the sidewalk on 3rd and Patterson and the reduction of the plaza space from 20 feet to 15 feet. With all of this taken into consideration staff believes this is an appropriate design. We believe that the plan that has been designed is consistent with the PUD as well as being as safe as it can be and we recommend approval. Moving now to the back of the project, what's called Lot 2 of Area B. This is the larger building, a townhouse style building. The original plan showed multiple structures but this is proposed for one structure. There is structured parking in the middle and individual entries from the building onto street grade. Since the very first meeting, they have made some considerable changes to this building. There's less retaining walls and more entries at street level. Some of those entries are up a flight of stairs like a brownstone-type design. I think it's a dramatic change and an improvement since the November meeting; 106 units with 272 beds, 310 parking spaces. I just want to point out that this is more than .9 spaces per bedroom which is the maximum, but Area A is under-parked; it's much less than .9 spaces per bedroom. These properties will be used and managed in tandem and parking in Area B would be available for tenants in Area A. There is a crossing of Isaac's Dr. and then there would be a pedestrian bridge across the creek getting up into the heart of Area B. Roach directed the board to look at images in their packet. The red line shows roughly the street grade. There are a few areas where the front of the units is slightly recessed below street grade. There would still be some retaining walls, but it's greatly been reduced since the first meeting. This is the western elevation that would face the Patterson Point senior housing. There are a couple of units below grade. The eastern elevation, these units are actually above grade, not below grade. As you move around the corner, there are some service doors. These aren't units; they are service doors. This is the south side, facing the Dillon to the south. The rest of the units are either at grade or just slightly below grade. Moving around to the north elevation facing the creek, nearly everything is very close to street grade. This is looking to the southwest. This is the main entry in the middle of the building. This is the break between the two different building styles. There are two different styles, the building to the eastern side and the western side. The western side has the pitched roofs, the eastern side has the flat roofs. This is the same angle, but from a further distance, so this is looking to the southwest with the flat roof style and you can see the pitch roof style further in the distance. This is a long view. We saw this image before looking from the parking boulevard looking down towards building number 1. This is an image you saw before looking to the southeast. That's the primary entry here, the vehicle entry is a little further to the east and the two different building styles. In conclusion, we do believe that the PUD final plan is consistent with the PUD preliminary plan and the district ordinance. There were four minor exceptions to that. We do believe that it's still in keeping with city policies even though we may not meet the letter of some of those commitments. Building number 5 was not shown on the preliminary plan, but we do believe it's still consistent. That sidewalk reduction along the parking boulevard from 20 to 15 again, to push those buildings closer to the street and reduce that distance between the street and the building face. There's a pedestrian way that was originally thought would go through the middle of Lot 2, but that's been moved to the outskirts, moved to the street zone. Some of the parking for Area A being provided in the parking garage of Lot 2 of Area B. We believe that the parking boulevard design is consistent with the alternatives presented at the Plan Commission of the City Council and we believe that the design that's been prepared is going to be safe and functional and we believe that the building designs meet the specific architectural

requirements of the PUD and are in keeping with the illustrative examples presented to the Plan Commission in 2010. Staff recommends approval of the PUD final plan with the six conditions as listed in the staff report.

Jeff Fanyo, Civil Engineer with Bynum Fanyo & Associates, said the petitioner has continually worked with staff and the Plan Commission on making these updates. He agreed with the conditions outlined in the staff report and had no further input.

Isabel Piedmont-Smith asked about the very short median shown on 3rd Street. Was the only function of that median to prevent left turns into the parking access lane?

Fanyo: Correct. When we went back to the parking boulevard, the median that is between the south eastbound lane and the parking boulevard acts as a barrier from any left turns into that parking boulevard. So the only access that gets into that boulevard into the parking spots is the access point on 3rd St. that we blocked with the island median. It still maintains adequate queuing for westbound left turn lanes into Westplex as well as eastbound left turn lanes going into where the Red Cross building is.

Piedmont-Smith asked if the petitioner had considered extending the median to Patterson.

Fanyo: We did. Because of the boulevard median that separates the parking from 3rd St., we felt like it would be an inconvenience to the land owners to the north where the Red Cross building is and there are a few other businesses back in there. We didn't see any benefit to the management of the traffic by putting that median in there and inconveniencing those property owners.

Piedmont-Smith said from what she's read, having a center planted median, especially one with trees tends to slow traffic. Slower traffic is often safer traffic. Is that your experience as well?

Fanyo said it was.

Piedmont-Smith: So that would be the reason to extend that median?

Fanyo explained that when they added the 4-foot bike lane to the north side, south side east/west bound lanes, they narrowed the existing travel lanes. The center lane is close to 10 feet now. The two eastbound and westbound lanes are at 10 feet. They had already narrowed up the lanes when they added the 4-foot bike lanes going eastbound and westbound. So we've already narrowed up the lanes. Narrowing lanes will also act as a traffic calming device without having an additional median. If we take out another space, anything they put plantings in, you're going to need a minimum of probably 5 feet, preferably 10. You have to take that footage out of some place and since we added those bike lanes in the past, we really don't have that lane width to take any additional out. So we've narrowed the lanes. That is a traffic calming device in itself. 50% of the time, that light is going to be red. You're going to have stop conditions, you're going to have queuing and during peak hours when you have a lot of traffic in there, there's going to be a natural traffic calming in the fact that we have a traffic light that is red 40-50% of the time. So I think with the narrow lanes that we have and a light, it will stop traffic and allow queues and platooning of traffic to go through that intersection while also delaying people from behind coming from previous lights. I believe we have achieved traffic calming while not inconveniencing properties to the north and also being able to maintain those bike lanes that we have in place now.

Piedmont-Smith: You mentioned a few times the Red Cross and the other properties to the north. Wouldn't it be possible to provide a gap in the median for them?

Fanyo: The gap would have to be where it's at. We could create a gap just as we have there. Pick up the median back to Patterson, but we have to pull that footage out from some place and right now we have narrowed the lanes, I believe, as much as what's reasonable for that location.

Piedmont-Smith: But isn't there a center turn lane that could be eliminated?

Fanyo: That center turn lane does have a road that goes up to the Illinois Central Springs, there's a waste water plant up there. There is developable ground at that intersection. But I believe that's why that left turn lane is there is to be able to access the property north of 3rd Street sometime in the future as well as for the waste water plant that's there now.

Piedmont-Smith: Didn't your traffic study show that there was exactly one car that turned that way?

Fanyo: That's correct, the way the use is right now.

Piedmont-Smith: And that one car could have just as easily been in the straight through lane and made the turn from there.

Fanyo: That's true. If nothing else happens on the north side of the intersection.

Piedmont-Smith: Well maybe I can turn to staff then. I had exchanged an email with you, James, about this very matter and you also felt that even though there was only one car that made that left turn that we need to keep that turn lane. Can you explain that a little further?

Roach: I may defer to Andrew too. Simply, like Jeff mentioned, there's a large piece of developable property there so there's a piece of land just south and southwest of Hinkle's Hamburgers. Maybe four or five acres that could have heavy commercial multi-family uses. That's the reason why the turn lane was put there plus there's probably some trucks that may go back to Illinois Central Springs, but I'm not positive on that. Going back to some of the questions you asked Mr. Fanyo, yes, there's certainly a potential for a median east of the Red Cross entry. It could be as wide as 7-8 feet and still fit within that center turn lane. It isn't strictly necessary to ensure safety here on this project, but it would certainly benefit the area and benefit the streets. The question of how far east it might go, it's one that we'd have to discuss a little more. We certainly see the future needs of that turn lane even if there are no present needs. Is that safe to say, Andrew?

Piedmont-Smith: James, if I feel strongly about this median, is that something I could pursue with the city to put on their radar to do with city funds?

Roach: You certainly could. In my opinion it's certainly within the realm of this PUD. The versions of the parking plan that were presented to the Council showed medians exactly the way you're describing. I don't have them right in front of me, I can pull them up, but it could certainly be part of this development. We do not feel as a staff that we would push this issue just simply because we didn't feel that a median east of 3rd Street we didn't feel that it was strictly necessary to ensure safety of the parking, but it's certainly within the spirit of the PUD and the illustrative plan shown. That's certainly possible or yes, you could certainly work with Andrew and other city staff to see if there's public funding available.

Piedmont-Smith: so you're saying that it is reasonable if we as a body were to decide that we wanted to include it in this PUD?

Roach: I believe so, yes.

Kinzie: My question was also related to the median, but Isabel hit on quite a few of the same issues. The one thing I wondered about was, can you just specify the length? I'm having trouble kind of figuring out where Isabel was going with the actual scope of it with length of the median itself. Can you specify that at all?

Fanyo: the traffic study completed by NF Engineering said that we needed a 54-foot left turn lane for westbound/left turn and we provided that there. We provided the concrete median that's also about 50 plus or minus feet there and then there's a 52- or 54-foot left turn stacking going into the Red Cross building.

Kinzie: Standard curbs on all sides?

Fanyo: There's a 6-inch curb around that median. We do provide a taper on either end of it so there's not a blunt edge to hit.

Roach: Jeff, correct me if I'm wrong, there's not going to be a curb separating the through lane from the turn lane?

Fanyo: That's correct, that's going to be striped, but the only place that you could actually, physically make a turn into that boulevard is we put the concrete curb there, again the lane widths there, we don't have the room there to create a safe place to put a concrete curb without potentially flipping a vehicle over.

Cibor: A question for staff. In the staff report talking about the traffic signal requirements with the PUD, mentioning that there's no new traffic signals; I think, that will be coming. My question was more about the 3rd and Patterson intersection. Are there some plans with this to address pedestrian enhancements that were a part of the PUD and that are still being looked at and incorporated?

Roach: There are two intersections of 3rd and Patterson so I just want to make sure we're talking about the same one. Are you talking about the current signalized intersection?

Cibor: Yes.

Roach: Petitioner has been working really closely with Neil Kopper in our office to make improvements in the pedestrian realm for that intersection that was a commitment in the PUD. They are looking at decreasing pedestrian crossing distances, looking at changing the angle of some of those crosswalks. They are also looking at tightening up this curb line. Again, in an effort to reduce speeds, and in an effort to make the shortest distance for the pedestrians to cross and also what we call ped heads (the blinking, 10 seconds to cross, cross now, don't cross) that are missing on a couple of these legs and those are being added as well as the actuators. I can't guarantee that all the details are completely nailed down, but they are working very closely and have already made considerable changes from their original plan.

Cibor: Just for clarity in the recommendations. The first recommendation, "prior to any issuance of permits, they will work with staff on unresolved items regarding landscaping and right of way changes," would that kind of detail fit within that?

Fanyo: Yes it's our intent to meet your expectations for the pedestrians there as well as the landscaping.

Cibor: There is one question that I had going through the traffic study. One of the comments was about the intersection of 3rd and Westplex and safety. The statement that "it's not anticipated that safety will be significantly compromised at the intersection of 3rd and Westplex Ave. when the new leg is added." I was just trying to wrap my head around what it means to say there's no anticipated significant safety compromises.

Fanyo: I may have to defer to Matt Brown, but my understanding is that he studied one, if not two, other unsignalized intersections further west that operate in the same way this will operate and there's no significant traffic accident history. Matt am I correct?

Matt Brown: Yeah.

Fanyo: If you'd like, you can have Matt address that specifically but that's my recollection of that statement.

Cibor: I hope that there are never any crash problems that develop there. I recognize that a traffic signal based on the analysis clearly isn't warranted so I appreciate that recommendation to not signalize that intersection, but just hypothetically hopefully it doesn't happen. If a crash problem did develop there, I'm trying to think what

options might exist and I tend to think it would be something along the lines of putting in a median, but I just want to make sure I'm not missing anything or if the development team has any thoughts or initial reactions.

Fanyo: As an indicator of how this intersection will react, we looked at other intersections west of here and did not find there to be an issue. A very minor number of accidents over the past several years it's been in place, it's been a very small number. We're not anticipating that. We also anticipate that there are going to be times at Westplex when it isn't going to be the best place for people to exit. It's going to be better to go over to Patterson where the signal is. That would be another way for people to get out. There are four ways for people to get out of this site. During peak times, this might not be the most attractive exit from this site but there are many other options.

Cibor: I agree there are a lot of options. Just thinking a little bit about the access points on Patterson and recognizing one of the reasons to not install a traffic signal at the Isaac Dr. intersection with the proximity to the other new intersections, sometimes it's possible that queues could spill back past those. I'm just curious if the development team or the petitioner has any concerns with the ability to get in and out of those access points on Patterson. I know there's the traffic signal at Adams, but the way that all the roads tie into each other is a little awkward at that point and just wanted make sure the petitioners are comfortable with their ability to get in and out of the site safely and sufficiently.

Fanyo: I was part of the design team that did Patterson Park on the other side, 5-6 years ago, we studied the Patterson and 3rd intersection. There's queuing going well past Isaac. That was why the decision was made to go down to Adams to put the signal so we don't disrupt that queue. We think it works much better. We narrowed the lane at Adams, we put an island in there to protect pedestrians. I think we've done a good job at managing the traffic and we deliberately placed that signal where it wouldn't interrupt that queuing at 3rd and Patterson. If we had a signal there, it would just be all jammed up and would not function properly because of the queuing that's existing.

Piedmont-Smith: So the intersection of Isaac and Patterson is very close to the exit point from the parking access lane. Can you speak to that at all? Are there typically cars backed up to the point of the access lane exit?

Fanyo: There very well could be and that's why we're angling that access point heading south so that if it is queued up, they're not going to make that left turn northbound maneuver because of the stacking on Patterson.

Piedmont-Smith: Right, but I'm concerned that they won't be able to get out at all because cars are frequently stacked.

Fanyo: After the signal clears, the queue reduces and then they can get out. It's a 60 second cycle.

Piedmont-Smith: I had another question about the median, the one that you actually propose to block the left turns onto the access lane from cars going west on 3rd St. So it's concrete. Is it big enough to put plantings in instead?

Fanyo said I believe so.

Piedmont-Smith: I think that would be a lot better. The end of buildings 2 and 3 that face the plaza, are there windows on those ends?

Fanyo: Yes we have the other windows from what you saw in November. I never intended not to have windows there, but we do have windows there and it was intended to have windows there.

Roach said those can be seen on pages 27 and 29 in the packet.

Wisler: I was hoping you could clarify for me on the 3rd St. cross section. The image here shows a 5-foot walk between 3rd St. and where the poles are. Is that in fact a multi-use path or just a sidewalk?

Fanyo: That's going to be a sidewalk and about 6 feet in width.

Roach: It will need to be 6 feet in width. There's an existing bike lane on the street.

Wisler: So what we're seeing here isn't entirely accurate. That bike should probably be in the bike lane on the road and there's a bigger gap between that curb and where the traffic is, is that correct?

Roach: Yeah, I think you're correct. This is just meant to give you a proportional representation of distances, but yes you're correct.

Wisler: So you'll have vehicle traffic and then a 4-foot bike lane and then a 6-foot sidewalk?

Fanyo: That's correct.

Neher: It's a 54-foot turn lane to enter into Westplex?

Fanyo: Yes it was actually 58 feet but the calculations showed 54.

Wisler: So roughly three vehicles plus a portion probably? My biggest fear is the queuing that will back into taking away that second lane.

Neher: Could the median be shortened on that west end to give it any additional length to accommodate another vehicle without compromising the blocking to turn into the boulevard?

Fanyo: You could eliminate that median and add stacking of maybe another two vehicles. You wouldn't preclude the left turn movement directly into the boulevard. I don't know if that's the worst thing in the world. Further down the road, they say you can make U-turns, but you have to yield to oncoming traffic so it already exists on that street. I don't think there are any problems with those intersections that have that ability so you could take the median out and you'd have a few U-turns and maybe that's not the worst thing in the world.

Wisler: You're proposing this median to eliminate these left turns into the boulevard, but we're encouraging left turns immediately after that. Is the justification just that you're concerned about traffic backing up within the boulevard and therefore it's not safe to turn left into the boulevard while it is safe to turn left just a few feet later?

Fanyo: I think we were trying to address other people's fears about how that's going to function; versus our fears. By putting this median in there and landscaping it, it's going to look nice and it will probably have some traffic calming effect. It will prohibit U-turns from happening along the whole distance. Now we're going to be forcing it to the intersection where we think people will be turning into Westplex, but people around the courthouse square make U-turn left turns to park on the opposite drive all the way around the square. So you're not going to preclude it all.

Hoffmann noted that there are no members of the public who would like to speak to the commission.

****Neher moved to approve PUD-31-16 with the aforementioned conditions. And based on Miss Piedmont-Smith's issues, he moved to add a 7th to the list. The 6 conditions are stated in the staff report and the 7th condition would be for the petitioner to work with staff to explore the option of designing the median to include plantings. Kappas seconded motion.**

Piedmont-Smith made a friendly amendment. She was confused as to the procedure here because I would like to make an amendment that's just an amendment. I would also like to make a smaller friendly amendment. The

small one is to require plantings on the median rather than just the language about exploring the possibility.

Neher (who motioned) agreed to change “explore” to “implement.”

Kappas (who seconded) agreed.

****Piedmont-Smith moved to make an amendment as an 8th condition of approval, requiring extension of an additional median on W. 3rd St. from just east of the entrance to the Red Cross all the way to the intersection with Patterson Dr. This would be a planted median.**

Hoffmann: We have an amendment to extend a raised median east from the entrance to the Red Cross all the way to the intersection of Patterson and it would be a planted extended median. Do we have a second for that amendment?

Cibor: Can I ask a question about the proposed amendment? What if that median didn't extend all the way to Patterson but essentially still provided space for the left turn lane that goes into that north leg so it would mirror something like have what they're showing but maybe it could be a little bit larger, while still providing the left turn lane at the traffic signal.

Hoffmann: So you're saying to go as far as you can kind of see an angled dash line representing the beginning of that eastbound turn lane.

Cibor: Correct.

Hoffmann: And you're saying fill that in with the median? I think he's proposing it as a friendly amendment to your amendment.

Piedmont-Smith: I take it as a friendly amendment, yes.

Hoffmann: So the amendment as now proposed would be to extend the median from whatever point it needs to start east of the entrance to the Red Cross to the beginning of the turn lane and it would be planted. That is the proposed amendment. We still need a second for that amendment.

****Cibor seconded.**

Hoffmann: We now have a second. So discussion and vote will now take place only on that amendment. This is not time for discussion of the original motion, but only to discuss and vote on that amendment, on the proposed condition 8. Are there any comments to my right?

Neher: My concern with moving forward with that portion of a median is that I still worry about impact of that first portion and if it proves that we have queuing issues, what is the further impact not only on the existing median in the proposal, but also the potential longer one. I would rather see us go as a city to that direction later than include it within part of this project.

Wisler: I'm somewhat sympathetic to this because I agree that the real issue with traffic calming needs to be closer to the intersection of Patterson and so I would like to see the median further down. My preference would be to do that instead of the median that we see on the screen here. I'm not in love with the idea of putting a concrete median out there just to block turns. When we do that we inevitably see that people drive over those things and they end up cracked and looking terrible. My preference would be to see a median closer to Patterson that was landscaped but I don't know that I'm comfortable saying that that needs to be the responsibility of the developer in this case. I think generally that's what the city should be doing to make this entire street feel more calm. So while I certainly think I see what Commissioner Piedmont-Smith is getting at and I'm sympathetic to it, I'm not sure making this a condition of approval is the right way to get what we want here.

Kappas: I agree with Brad's statement. That's what I was going to say.

Piedmont-Smith: This is unusual for me because usually in City Council meetings, when somebody makes an amendment they get a chance to talk about it before anybody even tries to second it. My goal with this is twofold. First of all, safety. Studies have shown that a planted median does slow down traffic which I think would be good for the development so that people will see that there's something over there rather than whizzing by. Also, good for bicyclists and pedestrians because slower speeds are always increasing the safety of people who share the roads and cross the roads. Secondly, I think this a good idea for aesthetic reasons. I think if you go further on West 3rd St, you have a planted center median. It defies logic in my mind that we have closer to downtown an expanse of five lanes, no median. And further towards the highway, we have a median. It seems like we need to continue that urban feeling closer into our downtown where we have a real boulevard. Meaning a median in the center of the street. You may have noticed that tonight I'm not referring to the parking access lane next to buildings as a parking boulevard, I think that's a misnomer. A boulevard is a beautiful tree-lined street with a median in the middle. There are two reasons I think this would be an improvement to the site. I think that it will benefit the developers. I think as the owners of a large parcel that has had nothing on it for 10 years, I think it is appropriate and the staff has agreed that this be part of the PUD. So those are my reasons and I do hope to get sufficient support for this condition of approval.

Cibor: I agree with Commissioner Piedmont-Smith, I second it. I think that it has some aesthetic value adding that additional median that has potential to help with some traffic calming which is something that we hear a lot about on this stretch of road. Regarding potential concerns about queue storage, I don't think this piece, I have any concerns with. We mentioned there's only been one counted vehicle in a typical day during a 2-3 hour period that would potentially impact and there's sufficient queuing for that. I think if there's concern about queuing, the focus should be on the other median that's already proposed. I personally don't have any concerns with this creating spillback into a through lane. So I'll be supporting it.

****ROLL CALL: Hoffmann said that roll call vote of yes would be to add the 8th condition of approval to add an extended, planted median from the east side of the Red Cross entrance to the beginning of the turn lane at Patterson. Motion failed 3:5.**

Hoffmann: Amendment did not pass, which means we are now back to any final comments on a vote on the full proposal as made by Commissioner Neher. Any comments about the proposal which is the 6th conditions of approval in the staff report, plus the 7th condition as modified by council member Piedmont-Smith's friendly amendment.

Cibor: I appreciate the petitioner's work on all of the changes that have occurred over three meetings and previous meetings through the PUD process. I look forward to someday seeing something besides a bunch of boulders in this area so it's very exciting. Big picture reminders to staff as things are approved and things get built, there are follow-up amendments that will be needed for Title 15. We're creating new intersections and parking and things like that. Making sure the petitioners are aware too that all the various right-of-way excavation permits and things that need to go through the Board of Public Works to make sure it's clear that the parking aisle, even if it's partially in the right-of-way get an encroachment agreement and that's known that it's the developer's responsibility to maintain and regulate that parking that's outside of the right-of-way. Regarding the other median that does exist, I think that traffic studies suggested queues up to 54 feet and recommended 75 feet because you can only have a whole vehicle parked in a spot. If you have 2.3 yards you have to have room for 3. So I think that's where that 75-foot recommendation came from. I think there is enough room for 3 cars and that the first car could pull slightly into the intersection. I don't think U-turns are going to be able to happen at Westplex. I think it will pretty much be right turns into that parking aisle. As mentioned earlier, I think there are 10-foot travel lanes with a 4- or 5-foot bike lane on this street. Basically to do a left turn here you have almost 10 feet less than you do at the Landmark traffic signal. We get complaints about it being difficult to make U-turns there and so here it's going to be 9 or 10 feet more narrow so I don't think you're going to get any left turns or too many U-turns at the Westplex intersection. I don't think it's a deal breaker.

Wisler: I'm still not in love with the parking boulevard, but I think this is a dramatic improvement and including the sidewalk in the median is an important and critical improvement. I want to make a note that what we're approving here tonight is a deviation from what the code calls for and we've had a lot of discussions about parking and on-street parking versus this boulevard and about safety and ultimately, a lot of the time we were discussing this it seemed like the on-street parking seemed to be the crazy proposal when in reality, parking in front of the building is what is an exception to the rule. Building forward is still what our code calls for and there seems to be consensus now that this is the best and safest thing to do. We've managed to move the building closer to the street and I'm hopeful that this work and still create some viable retail. But ultimately I don't want us to be sending a message that this is what is expected in future developments. This is a unique situation, a unique parcel, a unique intersection that has a lot of safety issues. My hope is that this won't lead to more developments that propose this type of off-street parking between buildings and the street because ultimately what we're trying to do is to have a more urban feel, a more urban environment, a more pedestrian-friendly integrated complete street type of environment. The UDO calls for building forward. So I'm hopeful that everyone will understand that this is a really complicated situation and a compromise I think on a lot of issues. Secondly I'm extremely impressed with the changes to building 2 and the architecture. I didn't see how it was going to be possible to get everything to be at grade there and that is a major improvement and a very impressive piece of work. Finally, I still think there's work to do here even though the amendment, the 8th condition was not added as an amendment, I still think that is the right thing to do. I'm happy to work with any of my colleagues to find another way to get that done and get the city to work on putting an additional median there. Having landscaping in the median is really critical not just to the safety, but to the aesthetic and creating the type of urban environment that we're hoping for here. I don't want this to be the end of that issue even though it wasn't made a condition of approval this evening.

Neher: I appreciate what this proposal can and will do for that corridor and it really is important that we get this right. I think we're close. I agree with Brad. I would have loved to be able to see the on-street component come together but it just wasn't going to happen. Moving forward, this is the will of this group, the Plan Commission as well as the public to talk about what that corridor is going to be. Again, I appreciate your contribution to re-envisioning that corridor.

****ROLL CALL: Motion passed 8:0.**

- SP-39-16 **Sheree Demming**
424 & 426 E 6th St
Site plan approval for a 3-story 2 unit multi-family building in the Commercial Downtown (CD) zoning district.
Case Manager: Jackie Scanlan

Jackie Scanlan, Senior Zoning Planner, presented the staff report. The petition site is located at 424 and 426 E 6th St. It's at the southwest corner of 6th St. and Dunn St. The property is 0.23 acres. It's currently zoned Commercial Downtown (CD) in the University Village Overlay. The GPP designation is downtown. Currently on the site there are two single family residences on two lots. The petition proposes to add one additional building on the rear of 424 containing two townhouses. Surrounding uses include multi-family to the west, commercial along Kirkwood, and multi-family to the south. The recently improved multi-family and new BBC to the east with a parking garage to the north and then a parking lot across Dunn St. to the east. The reason the Plan Commission is seeing this petition is because the UDO requires in the University Village Overlay (UVO) that the Plan Commission reviews site plans that are adjacent to residential use (which this is) and those that require waivers. This submitted design requires two waivers. The proposed plan includes one new building and five parking spaces. Site improvements included with this plan are street trees on Dunn and 6th. a street light likely to be located near the corner, landscaping on the property, and closing an existing driveway on Dunn St. Two gravel areas that currently exist will be removed. The larger one on the left is where the new development will be taking place and the smaller circle on the right is a gravel area that is currently used by the tenants of 426 use and they access it through a driveway on Dunn St. If this plan is approved that driveway will be closed off

and the gravel will be removed. Outside images from all four cardinal direction were shown by staff, as well as floor plans for the proposed development. Outside image schematics were shown. The waivers that are before the commission tonight – one is a ground floor non-residential use waiver. The existing house on Dunn St. requires first floor non-residential for new development because it is technically on Dunn St. The UDO identifies certain streets in the overlay where we want non-residential uses on the first floor. In this petition, the development is only here on the rear 424, there's no actual development, but because this is one large planning lot for this petition, technically they need a waiver for not including non-residential here. The existing house at 426 is not changing. The other waivers that we listed in the packet – both had to do with the upper floor window ratio. The first was that the window frame height ratio of 1:1^{1/2} that needed a waiver from that. That was my error. It does meet that requirement. That is just a minimum. It is designed so windows will fit in with historic windows of the houses that are throughout the UVO. These windows exceed that so they do not need that waiver, but the waiver that they do need is that the UDO requires that the windows shall incorporate sills and lintels on the second and third floor windows and this building has been designed in a modern style which provides continuity with the recently approved building and does not therefore meet the sill and lintel requirement. Staff recommends approval of site plan SP-39-16 and the two required waiver requests with four conditions. One is that the petitioner receives staff level ROW encroachment approval for the required street light and their bike racks if they choose to put them in the right of way. Two, that they shall amend the site plan to add those bicycle parking spaces. Three, they need to submit a landscape plan. There won't be much landscaping required, but there are five street trees required and there will be some minimal landscaping because they do have some open space. Four is we would like to continue to work with the petitioner so that a sidewalk can be added to the site plan to either connect the new building to 6th St. or Dunn St., whichever makes the most sense. We heard some feedback from Emergency Services that finding this building might be difficult in an emergency so we would like for a sidewalk to be included here and then the building would be addressed off of Dunn and the address would be displayed so Emergency Services could see that and know where to go.

Doug Bruce, owner of Tabor/Bruce Architects: This is related to the building that we just got approved for Sue Aquila and the Bloomington Bagel Company directly to the east of this lot. In that building we had quite a few discussions with Bethany of the HPC and went before the HPC. One of the things that came out of it, and one of the things I felt pretty strongly about, is not historicizing new architecture and really differentiating ourselves from the existing historic architecture so we don't dilute it. We also get to create something that will be looked at as historic based on this time and the materials from which it came. The other thing about this project is, this is one of the few projects that is as minimal as you can get in terms of waivers. I always say the big five waivers are height, density, parking, setbacks and impervious surface. This meets all of those. As staff mentioned, the ground floor commercial required along Dunn is really something we don't want to see happen to that house that's there now. There's no way we're going to get commercial in this alley on this space and it's really not required for this structure. This is effectively another form of housing for downtown because this is a town home. It has quite a few more amenities than just an apartment. We're going to get rid of the curb cut on Dunn St. When the BBC goes in and we have a lot more pedestrian traffic here, we don't have cars backing out and it just completes that curb through there. We will run a sidewalk there back to this building. We will go with either address (on 6th St. or Dunn St.) depending on what Emergency Services says we need. We discussed this quite a bit with the BBC and Sue spoke at length about people being passed out, and needles, trash, and graffiti. In conjunction with the BBC we created a door to the stairs and the entry for the one apartment off of this alley. My hope is that we have parking spaces here and another access point. Of course the BBC is gone now, but building wise I think this is really going to start to become a pedestrian gateway through here. Hopefully we get buildings that treat the alley better. I mean most of us when we do a building, the alley has utilities; it has concrete block and garbage. Hopefully this is another step towards making this a pedestrian way and perhaps in the future we will see a neat surface in this alley like brick, limestone, or stone pattern.

Neher: A question to staff. There is a letter within the packet concerning a legal issue between the petitioner and a living trust. I was wondering if you could speak to the applicability and relevance to what we're considering here this evening.

Scanlan: My understanding is that it's not entirely relevant. There has been more than one legal action, but

they're not involved with this lot. It involves another parcel on this street. We got it last-minute and we weren't sure what it meant, but we had time to talk about it today with the Legal Department and it doesn't seem to have a bearing on this petition.

Neher: Mr. Bruce, in terms of building this out and the timing as it relates to what's going on with the BBC there are a lot of questions and concerns about impacts. How does this play out?

Bruce: This has been a good process because the Bagel Company's west side, (shown near the green bar in the image) is the west edge of the property. So the Bagel Company is built directly on the property line. Both projects taken together will allow for better coordination. They want to avoid finishing one project and finish disrupting city sidewalk and utilities, then have to begin construction again. Since Aquila is doing her project, there was a great deal of coordination with Demming on how to have access to the site. So both Aquila and Demming will work together to avoid disrupting each other. An initial worry was that things from Aquila's building could drop on the cars parked in the lot. At the same time, everyone will avoid disrupting Aquila's building during construction.

Kappas asked about architecture and materials. The plan states the look-alike cement board siding. He wanted to confirm that it's not the same type of material found in the overlays. What is the siding material?

Bruce answered that it was a cement board siding. It will be used in a wider pattern and without much of the pattern/grain found in common cement board siding. It will look more modular, linear and not such a wood-like pattern. That is one of the reasons they worked with the design, and wanted to match the Bagel Company's modern design.

Cibor asked for clarification regarding the five parking spaces required. Some of the images shown during this presentation show five parking spaces, while the one in the packet shows 4 (one being an ADA space). He wanted to ensure that the correct number and type of parking spaces was included.

Bruce was unaware that the particular image was still in the packet. Early on, the civil engineer put in an ADA space, leaving only 4 other regular spaces. But because this is classified as a townhome, it's under the 1-2 family building code, not the commercial code. It is not a sprinklered apartment building. And since there is not a ground floor bedroom, townhomes are not required to be accessible. Residents living here would not have a place to sleep unless there was a pullout couch. Again for visitation, as with surrounding businesses, one would have to find an ADA parking spot. The location needed 4.6 spaces, so architects rounded up to 5.

Cibor asked about window restrictions because of the adjacent building and alley. The renderings of this project seemed to show the nicest, largest windows and patios seemed to be facing the adjacent property. What is the spacing?

Bruce answered that the façade with an entrance facing the Bagel Company is the east side, which was the intended side for the entry. Petitioner did not want living room-type windows coming down facing the alley. Instead, there are four higher windows, as shown on the south edge facing the alley to allow light coming in. Another side with more windows will face the Bagel Company but the façade was set back 10 feet to create a type of walkway. The back side of the building (west side) is just 5 feet off the property line. At the ground floor there are no ground windows for that very reason. Utilities will be placed there. It was stepped back from the east side to provide more room. When building a commercial building or of any type, other than a home, the structure needs to be at least 5 feet away from the property line in order to put in windows. The code dictates what percentage of the wall can have windows based on the distance from property line. A greater distance allows for a greater percentage of windows. The building code is met for this project.

Piedmont-Smith asked about the current use of the gravel lot just behind 424 to the south.

Bruce said that it's used for parking. It's a curb cut and may have always been used for parking. He was unsure

whether the garage there was an accessible garage. The one on 424 may have had a drive from the house, but there is now no striping, only a gravel lot. Petitioner hoped to eliminate this space as it's currently used now, and wanted to avoid having cars parked in the grass. The city wanted to eliminate the curb cut.

Piedmont-Smith asked who would be losing parking by eliminating that space.

Bruce said it was never used as required parking; it was extra parking for friends.

Piedmont-Smith asked staff why the packet memo stated that there was no parking required for the existing two homes.

Scanlan answered that according to the UDO, up to 10 bedrooms does not require parking. Structures of 11 rooms and beyond require parking. The new building adds bedrooms, which creates the requirement for the 5 parking spaces.

Piedmont-Smith asked about the other gravel area south of 426. What would be put in place of the gravel currently there?

Bruce: Grass. There is some required landscaping to put in. There will be a sidewalk there and other landscaping, eliminating the gravel.

Kinzie asked about the same area. It was unclear from the illustrations what would be the back of the building that would replace the Bloomington Bagel Company. What would be facing that structure? Would there be a 10-foot setback?

Bruce answered that the face of the building is 10 feet back from the rear of the BBC. Right now, the back of the BBC will be concrete block. When Aquila's building was done, there was an issue with graffiti. Since the side of the building is on the property line, the back wall cannot have any openings in it. Just as the north side of her building has no openings at the first floor and the other openings are more like pseudo-openings since there is wall behind them. Her lot is so small that a few of the walls are right on the property line, which is a different issue in the building code because openings are not allowed and there must be a fire-rated wall. It's not the most desirable in terms of aesthetics but it faces the alley. It was stepped back 10 feet and the site plan shows that the C2 area is the walkway. This walkway and another area nearby will be adorned with landscaping to better designate the entry since there is a concrete block on the other side.

Hoffmann opened the floor to the public. No members of the public were present for comments.

****Neher moved to approve project SP-39-16 with four conditions as outlined in the staff report .
Piedmont-Smith seconded.**

Kappas appreciates historic aspects of Bloomington. He has a hard time with modern concepts in this area. When the BBC project was considered, the commission discussed Dunn Street being a transition corridor between Kirkwood and 6th St. He worried that this would set a precedent for change that may not be in the right area, yet it does conform to what is desired for compact urban form. Many more students will easily want to fill this residence. He hoped the petitioner would take the Environmental Commission's recommendations on putting in recycling. The city is always moving forward toward greener practices so the petitioner should consider that.

Cibor mentioned coordination with the adjacent development underway on the construction side. If there are alley closures or utility connections, all such cases must be coordinated through the Public Works department. He reiterated that the illumination of the curb on Dunn St. is great, especially in this area with so much pedestrian activity.

****ROLL CALL: Motion passed 8:0.**

Meeting adjourned.