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The City of Bloomington Plan Commission (PC) met on February 13, 2017 at 5:30 p.m. in the Council Chambers. Members present: Andrew Cibor, Les Coyne, Jillian Kinzie, Darryl Neher, Isabel Piedmont-Smith, Carol Stewart Gulyas, and Brad Wisler. Nicholas Kappas and Heather Maritano were present, but missed roll call. Joe Hoffmann was not in attendance.

REPORTS, RESOLUTIONS, AND COMMUNICATIONS:

Resolution 01-17 to appoint Frank Sabatine as interim director of Planning and Transportation

Resolution 02-17 to revise the Plan Commission Rules of Procedure

PETITIONS CONTINUED TO: March 6, 2017:

SP/UV-41-16 **Naples, LLC (Doug Duncan)** – 1610 N. Kinser Pike

James Roach stated that the department was starting interviews for the planning assistant position that has been vacant for a couple of months.

The next Plan Commission lunch work session will be Tuesday February 21, 2017.

RS-01-17 to appoint Frank Sabatine as interim director of Planning and Transportation had to be pushed to the March meeting because Sabatine was unable to attend the February meeting.

Plan Commission president is a member of the Policy Committee. Joe Hoffmann is the president of the Plan Commission but is unable to attend most of the Policy Committee meetings. Brad Wisler has agreed to be an alternate for Hoffmann at the meetings, but he must be approved by the Commission.

****Motion made to appoint Wisler as alternate for the MPO Policy Committee by Piedmont-Smith. Motion seconded by Kinzie. Motion carried unanimously by voice vote.**

Yearly Conflict of Interest Questionnaire was given to the commissioners to complete.

RS-02-17 to revise the Plan Commission Rules of Procedure, presented by James Roach, included minor changes to the Rules of Procedure. The Rules stated that the City Attorney must serve as counsel for the commission. The proposed change would state that an attorney from the City Legal Department could serve as counsel. The Rules also stated that an appeal to a Plat Committee decision could be made within 10 days of being notified that a plat would be subdivided. The change being proposed would be to notify neighbors of the meeting instead of the decision and allow a 5 day window for appeals.

Piedmont-Smith asked if the notice of a Plat Committee meeting goes out before the meeting.

Roach said notice does go out before the meeting. The department will continue to send out notices in advance, and the Rules have been updated to reflect that practice.

Piedmont-Smith asked where in the Rules the pre-meeting notice was spelled out.

Roach said that Rules page 4, item 6 spelled out the notice procedure for Plat Committee meetings. The Rules state that Plat Committee notices will be the same as Plan Commission notices, which occur in advance of the meetings.

****Kinzie moved to vote on the resolution. Wisler seconded. Motion carried by voice vote.
Resolution passed 7:0.**

RS-01-17 must be voted on to continue to the next meeting.

****Wisler moved to continue. Kinzie seconded. Motion carried by unanimous voice vote.**

PETITIONS:

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

Eric Greulich, Zoning Planner, presented the staff report. The petitioner's property is zoned for commercial use. The property is a part of the Woolery complex. To the east of the property is the Adams Village multi-family residences. To the north there are attached single family residences called Summit Ridge. To the northwest of the property is the old Woolery Mill. To the west is the Bloomington Urban Gymnastics Studio. To the south of the property there is quarry land. The site has been vacated for 25 years. The petitioner would like an amendment to the PUD to allow multi-family residences. The residences would be developed to be similar to Adams Village units. The site is empty except for some cedar trees and drainage. The Mill Creek PUD is nearby to the west, and it is zoned for commercial and industrial. The Mill Creek PUD has also sat empty, but the owner has recently started to pursue subdivision and development. The Sudbury PUD is to the north, and has been slow to develop because of some of the constraints placed on some of the parcels. The Sudbury PUD has some office and commercial uses. There is predicted interest in the portion of the city that the Woolery PUD lies in due to Highway 37 becoming I-69. There are a wide variety of uses listed in the PUDs issued in the 1990s. Many of the PUDs with a commercial designation have been the last to be developed. The commercial uses of many PUDs have not come to fruition. Petitioner is not requesting site plan yet, but rather, they are asking that the commercial designation of the PUD be changed to multi-family residential. Project would connect to Tapp Rd. to the south, Sunstone Dr. to the north, and the current Adams Village apartments to the east. The site was designed with a large open space in the middle that would include a clubhouse with a pool, playground, and a fire pit. All of the apartment buildings would surround the open middle section. This design would provide access to the open space for all residents as well as an aesthetically pleasing overall look. All units would be 1 or 2 bedroom units. The proposed project includes 57, 2-bedroom units and 54, 1-bedroom units. Most buildings would have garage spaces underneath for resident parking. There would be few surface parking spaces. The design includes 157 parking spaces to accommodate 111 units, which is 163 bedrooms. The parking ratio would be 0.93 parking spaces per bedroom. The maximum in the UDO is 1.0 parking space per bedroom. The exterior of the buildings would be finished with a cementitious board siding. 3 deviations from the UDO have been identified: a couple buildings would exceed height restrictions, buildings closest to the east property line would not be set back far enough, and the driveway on the south side would not meet the parking set back restrictions. Two buildings are proposed to be 63 feet tall. This would look appropriate due to the topography of the site and would not be noticeable as a height difference to passersby. The building closest to the east property line are proposed to be 10 feet from the line. On the other side of the property line is a development

owned by the same developer, and in the particular space of the development is an open field. Staff is not concerned about the driveway to the south because the drive is 80 feet from Tapp Rd. The petitioner would like to use this site for multi-family residential instead of commercial. The Growth Policies Plan (GPP) outlines this area as a Community Activity Center, so the GPP is not directed towards multi-family housing. The GPP does, however, call for development of underused parcels and the provision of affordable housing. The petitioners have been working on a workforce housing plan that would have fixed rents. The Plan Commission is being asked if this parcel needs to remain reserved for commercial use while keeping in mind the effect I-69 may have on the area. The I-69 corridor is expected to create a need for housing catered to commuters. Staff is seeking Plan Commission guidance on whether or not to re-categorize the parcel as multi-family residential and the appropriateness of exceeding height requirements. The petitioners have committed to on-site recycling, energy efficient appliances, and native species in landscaping. Staff asked the Commission if there are additional green building practices that they would like to see added to the petition. Staff also asked if the plan for affordable housing was sufficient. Staff recommended continuance of the petition pending comments from the Plan Commission.

Mike Carmin, attorney representing the petitioner, clarified that Regency Consolidated Residential is not the property owner. The property Owner is Westward Ho LLC. Regency was represented at the meeting by Jim McKinney. Chris Fortner was present to represent the design team. The Commission may have been wondering why Regency seeks to develop this particular parcel for multi-family use. Regency operates the adjacent Adams Village property. The proposed development would be like Adams Village, but different. The existing Adams Village does not have an overabundance of tenant amenities or green building practices. The units would not be tailored towards students but instead towards young professionals. The discussion of commercial use versus multi-family use would be addressed in the course of the meeting. The example of Elm Heights and Bloomingfoods was brought up as neighborhood shopping that failed. The belief that people want to drive to get groceries was shared as the reason that Bloomingfoods was unsuccessful in Elm Heights. There are potential commercial opportunities closer to the Tapp Rd/I-69 interchange.

Jim McKinney, president & CEO of Regency Consolidated Residential, stated that Regency has many complexes around the Bloomington community and is proud to be a part of the community. Adams Village houses very few students. The Adams Village extension would seek to continue the current trend of Adams Village of housing young professionals. The proposed project is viewed as an expansion of Adams Village that would benefit current residents by providing additional amenities, green spaces, and a clubhouse. McKinney spoke to his experience and preference for commercial shopping center development. The development team first solicited commercial entities for interest in the parcel, but none of them were interested. The expansion would be built with environmental standards in mind, including rain gardens, native plants, recycling, LEED-certified construction, and energy star appliances. The petitioner had met with Doris Sims, director of Housing and Neighborhood Development, about workforce housing. Sims had requested 10% of beds be reserved for workforce housing, and the petitioner has committed to the request. The petitioner recognized the importance of workforce housing.

Piedmont-Smith asked about the project being LEED-certified.

McKinney replied that the project would be LEED-certifiable, but not certified. He claimed that the certification would cost several hundred thousand dollars.

Piedmont-Smith stated that it is difficult to know if developers actually build to LEED standards when they do not pursue certification. Although the project is classified as redevelopment, she asked if the area has simply been green space in the past.

Greulich stated that redevelopment is a misnomer. Any development would be considered redevelopment. The site has sat vacant since the PUD was created in the early-1990s.

Piedmont-Smith stated that it was an important distinction to make because there is value in green space. Nearby PUDs have been approved, at least in some part, as commercial. She asked if any of these PUDs had come forward with requested amendments.

Greulich stated that Mill Creek is working on a subdivision for commercial lots. The Sudbury PUD has restrictions on which portions can be developed based on off-site road improvements. There may be prospective new owners for the Sudbury PUD that would pursue relaxing some of the restrictions. One parcel from Sudbury had been recently approved for single-family and multi-family units. The Southern Indiana Medical Park, which is some commercial space, but mostly offices, is to the southwest of the parcel.

Piedmont-Smith clarified that she was asking if any of the other PUDs had come forward seeking an amendment.

Greulich said that no one had asked for an amendment as far as he was aware.

Piedmont-Smith stated that the Environmental Commission recommended a Karst evaluation of the site, and asked if the petitioners planned to complete the task.

McKinney responded that Steve Brehob, Smith, Brehob, & Associates, was present and that Brehob would be doing the Karst evaluation.

Piedmont-Smith asked if the petitioner had considered adding solar panels. The two buildings on the north side would have south-facing, pitched roofs.

McKinney said that solar panels are a consideration for the clubhouse. There is a Regency project in Champagne, Illinois that uses subterranean geothermal heating and air conditioning. However, Regency has had push back from tenants who did not appreciate the added expense of the geothermal temperature control.

Piedmont-Smith confirmed her understanding that the petitioner is pursuing solar power for the clubhouse.

McKinney responded that her understanding was correct.

Cibor asked for expansion on the claim that the site is not conducive to commercial development.

McKinney said there are not enough rooftops in the area to support commercial use. There are many retail options nearby. 8 acres would not be enough for the synergy seen on Sare Rd. or College Mall Rd. There are not enough rooftops to create the demand necessary to support commercial development. Shopping centers are not being pursued aggressively because of competition with internet shopping.

Cibor asked for more information about the amenities of the units, besides their size, that would encourage the non-student population to live in them.

McKinney said the finishes would be much better than those in student-gear'd dwellings. He cited granite, open-concept design, thicker walls, and parking underneath the units. The ambiance of the courtyard would be more conducive to a higher-end lifestyle and help residents feel at home.

Cibor asked about the storage space difference between Regency-owned student developments and the proposed project.

McKinney said he was not in a position to answer the question. He posed that question to Kyle Lepore.

Lepore stated that it depends on the area and demographic. He also said that the proposed units should meet most needs.

Cibor asked if there would be a left turn lane on Tapp Rd.

McKinney said the only people turning into the site would be going to the property. There is not through access. The petitioner only expects 100-150 ins and outs per day.

Cibor stated that apartment buildings often mean people will make more than one trip in and out per day. Tapp Rd. has about 15,000 vehicles on it.

McKinney turned traffic questions over to Brehob.

Brehob said there is adequate right-of-way on Tapp Rd. to do a center dedicated left turn lane. He said they could look at peak counts on the roadway and analyze turn movements. Acceleration/deceleration lanes would not be helpful in this situation.

Cibor asked if the people living in Adams Village to the east would be able to cut through the new development to get onto Tapp Rd.

McKinney said that existing Adams Village tenants would be able to cut through the new development to Tapp Rd.

Cibor asked why there are circles at the southern and northern entrance drives.

McKinney said the circles are for an attractive entryway. Traffic circles also create a smoother flow of traffic without creating an intersection with stop signs.

Stewart Gulyas asked what LEED-certifiable means to the petitioner.

McKinney responded that mostly the petitioner is considering the R ratings for the roof to the walls of the structure. The petitioner would also be conscious of the materials used for construction and recycling of excess materials. The petitioner has committed to use energy star appliances. There would also be a heavy focus on tenant recycling. LEED-certifiable, to the petitioner, would mean being sensitive to energy needs and the over-use of energy.

Kinzie asked about the 10% of affordable housing being set aside and if that percentage is reflective of the petitioners meeting a minimum standard. Kinzie also asked if there was any affordable housing in the existing Adams Village location. Finally, Kinzie asked about the lack of public transportation for the entire Adams Village site.

McKinney stated that over half of Regency's units are currently listed, in terms of rent, below the standard for workforce housing. The number of beds being set aside for workforce housing came about after conversations with the mayor and Ms. Sims. He clarified that Regency will set aside 10% of the beds, not the units. Meetings are ongoing with Ms. Sims regarding reporting of compliance.

Kinzie asked if the closest bus service is at Walnut St.

Greulich responded that bus service is not on Tapp Rd. or Adams St. Bloomington Transit is operating at peak capacity. Once Adams St. is expanded, bus service may come through the proposed site area.

Kinzie asked about the 2 considerations for height of buildings.

McKinney responded that there are 3 considerations for height variance. First, the height is necessary to reduce the footprint needed for parking and create more green space unlike the sprawl seen in the old Adams Village. Second, in regard to workforce housing, being able to build higher would allow the petitioner the flexibility to include workforce housing. Third, the existing Adams Village sits on a hill overlooking the parcel. For the buildings to appear to be the same height, the new development, situated in the valley, would have to have taller buildings in some spaces.

Wisler asked staff about commercial development to the west.

Greulich stated that to the west there is a mix of industrial, commercial, and a bit of retail. There is interest in that area of subdividing and selling lots for commercial development.

Brehob expanded on Greulich's remarks saying that Mill Creek will begin development soon. The first phase will be 25 lots with listed uses of commercial, office, and industrial. There will be commercial lots that front onto Tapp Rd. with a new signalized intersection at Debra Dr. and Tapp Rd. As I-69 moves forward, the Mill Creek lots are being brought forward.

Coyne asked if the existing Adams Village development is a mix of condominiums and rentals.

McKinney responded that all of Adams Village is rentals. There are no condominiums.

Coyne asked if any of the units are part of the workforce housing program.

McKinney said he was not aware of the rental rates for the Adams Village units as compared to the workforce housing criteria. Close to 60% of Regency's units throughout Bloomington meet the workforce housing criteria.

Les Coyne, Parks Board Representative, asked about the 5-year occupancy rate for a development like Adams Village.

McKinney said that for the past 5 years, Adams Village has been close to 100% occupancy rate. McKinney expanded his statement by saying that almost the entire community has 100% occupancy rates.

Kappas asked if the individual soliciting commercial developments was in the consideration of the I-69 expansion.

McKinney stated that the solicitation was for a shopping center.

Kappas asked if when the businesses were asked for involvement with the PUD, was it framed with current rooftops and traffic flow or with the future effects of I-69 in mind.

McKinney responded that the value of being adjacent to the future I-69 was discussed with prospective commercial partners. However, there are many lots available for commercial use that are closer to I-69 than the petitioner's.

Kappas asked what the true public benefit of the petitioner would be. If the development served commuters, it is unclear how such a development would serve the community as a whole.

McKinney stated that the development would provide a different kind of housing for long-term residents. The housing would provide ambient areas for children and families. The project would add to the tax base and any construction project would add work for various trades.

Maritano asked when the Adams St. expansion should be completed.

Greulich said there is not a proposed date for the Adams St. expansion. The expansion is based on the development of parcels along that corridor. The Sudbury PUD's development caused Adams St. to extend a bit. As the Sudbury development continues, Adams St. will continue to extend to accommodate.

Maritano asked if there was a possibility that Bloomington Transit would add routes into the area of the proposed project.

Greulich responded that once Adams St. is extended, the Bloomington Transit system would expand service into the area. Currently, the transit system says it is operating at peak capacity and is unable to expand service.

Maritano asked if the site would be zoned into the Summit Elementary school district.

Greulich replied that it would be part of the Summit Elementary school district.

Neher asked about the difficulty, historically, of commercial development in the area of the proposed project.

McKinney stated that he was not personally knowledgeable about the topic.

John West, commercial broker and partner in Westward Ho LLC, stated that he has a good understanding of what was attempted with the site that could not be accomplished. Westward Ho (WH) purchased the entire 170 acre parcel in the mid-1990s except for 25 acres, which is the Woolery Mill. WH had hoped to have a mixed use project on the site, including single family, multi-family, churches, elementary schools, and assisted living all on the north side of Tapp Rd. On the south side of Tapp Rd, WH had hoped to put in a church, an office building, and a recreational parcel for a golf driving range. WH held out on the commercial portion waiting to see if enough rooftops were ever generated to support a commercial project. There was very little interest in the property. Early in 2012, WH made a large push to get something to work on the commercial site. The basic problem, once the I-69 interchange became public knowledge, was that the site was only 8 acres. The PUD has size of user restrictions. There was interest from a convenience store/gas station developer. However, WH selling the land to the Regency for multi-family residential development was preferable.

Neher stated that he would like to see a drawing of the proposed height in context. A 26% increase over allowable height is large enough to warrant a rendering.

McKinney replied that there will be a rendering presented at the March 6th meeting showing context.

Brehob asked Greulich to bring up the rendering slide. The rendering did not show, but hinted at, a difference in elevation of 40 feet going west to east. The height waiver is needed for a building that is 4 stories on one side and 3 stories on the other. The building would be used to help transition the grade up the hill. If one was driving by on Tapp Rd. looking at the completed project, the building would appear to be a 3-story building. The building technique could be compared to that of a walk-out basement home. Only if someone was driving east on Tapp Rd. would they see the full 4 stories.

Neher repeated how important it would be for the Commission to see the renderings of the 63-foot buildings in context with the structures around it. Neher asked about the impact of the proposed project on Woolery Mill. Mr. Cassidy was in the audience and was asked to speak during the public comment portion of the meeting.

Neher opened the floor to public comment.

Randy Cassidy, current caretaker of the Woolery Mill, said that the Mill and surrounding area is a long-range situation. The Woolery Mill has 5 acres of commercial development in the Kegg Rd. area even if the petitioner is granted the use variance. The rooftops and the infill have filled incorrectly from a PUD standpoint. The way the area has developed since the 1990s has created a situation where the Woolery PUD does not lend itself to commercial development. The owners of the Woolery Mill feel that the proposed multi-family development would enhance the area and the Woolery Mill. The Mill owners feel that the residents who would be attracted to living in the Adams Village extension would enhance the area.

Neher asked Greulich to pull up the questions being considered today.

Greulich stated that the first and most important question staff is looking for guidance on is whether the site should remain a commercial parcel or be changed to the multi-family residential use as requested. There were also three other requests regarding increased building height, building set back, and parking set back. Staff also wanted to know if the proposed green building practices were appropriate. Lastly, staff requested guidance on whether the proposed affordable housing initiative was adequate or not.

Piedmont-Smith asked if the Commission needed to make a decision on increased height, building set back, and parking set back at this meeting.

Greulich said that approving the amendment at this meeting would set forth the development standards that would govern the site. If the amendment would be approved, the petitioner's statement and outlined plan would govern the property.

Piedmont-Smith asked if anyone were opposed to any portion of what was presented they need to speak up at this meeting.

Greulich said that yes, anyone opposed would need to say so at the present meeting.

Coyne said the petitioners have an attractive development plan and addressed questions as best they can. Mr. West was convincing that the property would not get developed if it was left a commercial site. The building height seemed to be an agreeable request. Staff should have more input on the green building practices. The affordable housing seemed reasonable. As the Park Board representative, Mr. Coyne was very impressed with the green space design.

Maritano stated that it is hard to visualize the 63-foot height and found it difficult to embrace the idea of it without assurance that the taller buildings would look good. There was also concern, since the proposed site was in a low-lying area, about how the storm water would flow and leave the area. There was further concern about the timeline of Bloomington Transit being able to get to Adams Village. Maritano felt comfortable changing the parcel from commercial to multi family. There was a question about 10% of beds versus 10% of units being set aside for workforce housing and how many people that would house.

Kappas stated that he was still leaning toward keeping the site commercial because of GPP language and the move of the City towards 20 minute neighborhoods. The building height was acceptable. The green building practices were appreciated as well as the mention of the karst study. The affordable housing was sufficient. 10% of beds worked out to be 7% of units, but that was appreciated as well.

Wisler said that perhaps 20 years ago the Commission would have required commercial or retail use somewhere in the space. However, as everything around it has built up, the context of the area suggests that commercial space may not work. Between Walnut St. and Winslow Rd. nearby there is a lot of retail activity. It seems perfectly reasonable to make the change to multi-family. There are many parcels nearby that are for commercial use; the hope is that the additional rooftops the petitioner wants would help boost

the nearby commercial enterprises. Wisler had no concerns about building height or set back, and was pleased with the thought put into green building and affordable housing.

Kinzie agreed with other Commissions that the site made sense as a multi-family residential space especially since sites closer to the I-69 corridor would have an easier time attracting commercial development. If the height of the buildings would preserve more green space, it is a favorable trade off, but the Commission would still like to see a rendering. The set backs requested by the petitioner seemed appropriate. The green building initiative was good, but Kinzie wanted to see more consideration for solar panels on buildings besides the clubhouse. There was more affordable housing being offered by the petitioner than by other developers.

Stewart Gulyas did not appreciate discussion of the development as LEED-certifiable. She stated that the developer could either pursue LEED certification or not. Using LEED terms if the developer is not pursuing LEED is confusing to some of the Commissioners. More detail regarding green building practices was requested.

Cibor stated that he was surprised there was not more discussion about buildings between Tapp Rd. and the internal circulation roads. Generally the Commission argues to build forward. The benefit of a left turn lane on Tapp Rd. was brought up.

Piedmont-Smith said that the community feel of Adams Village was nice, but that it was rather pod-like because it does not connect to the streets. Multi-family was not a problem, but there was hesitance to accept the 63 foot height. The concern was for the neighbors already living in Adams Village and what their view might look like. The building and parking set back were not an issue. More green building was requested, specifically, adding solar panels to the buildings with the south-sloping roofs. Piedmont-Smith also wanted to know more about the storm water plan and how green it could be with natural plants and filtration. There was also a request for the Commission to see the karst study. The affordable housing commitment was received well.

Neher was still concerned about the height issue. A commitment to a traffic study and a karst study was requested. The request to make the site multi-family was reasonable. The Commission needs to think not just about how many units would be made available to affordable housing, but how many are available throughout the community.

Piedmont-Smith asked what the affordability period would be. A previous petition agreed to a 99-year commitment to affordable housing. Piedmont-Smith wanted to see a similar commitment from the petitioner.

****Wisler moved to continue PUD-30-16 to the March 6th meeting. Piedmont-Smith seconded.
Motion carried by voice vote. Motion passed 9:0.**