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The City of Bloomington Plan Commission (PC) met on September 10, 2018 at 5:30 p.m. in the Council Chambers #115. Members present: Cate, Kopper, Hoffmann, Maritano, Sandberg, Kappas, Kinzie, Wisler, Enright-Randolph

ROLL CALL

MINUTES TO BE APPROVED: August 2018

Sandberg moved to approve the August 2018 minutes. Maritano seconded. Motion passed by voice vote.

REPORTS, RESOLUTIONS AND COMMUNICATIONS:

Jackie Scanlan reported that Clarion & Associates would be in town this week discussing Module II of the draft Transportation Plan. Module II covers dimensional and development standards. The two public meetings dedicated to public comment will be September 11th at 6PM in Council Chambers and 11AM September 12th in Council Chambers. They will be presenting the work they have done with Module II already and taking public comment. Dates for the next public meeting for the Transportation Plan are being worked on. Carol Stewart-Gulyas is no longer serving on the Plan Commission. She was a great member and moved out of the City, which is why she can no longer serve. We will be waiting for another mayoral appointment to fill that position. She was also a representative of the Board of Zoning Appeals. Andrew Cibor was the alternate. The Commission will need to think about who they would like to appoint. This may wait until Stewart-Gulyas's position is filled. To that end, we would like to welcome Neil Kopper, the interim Transportation and Traffic Engineer. He is filling the role on the Plan Commission until there is a full time replacement for that job. Cibor was also the Plan Commission's appointment to the Plat Committee. Wisler is the alternate. Staff will confirm this week whether Wisler will still be able to attend the Plat Committee meetings.

CONTINUED TO OCTOBER 8, 2018:

- PUD-12-18 **Fountain Residential Partners**
4500, 4518 E 3rd St, & 306 S SR 446
Preliminary Plan Amendment and expansion of an existing PUD & Preliminary Plat Amendment with a lot addition
Case Manager: Jackie Scanlan
- PUD-13-18 **Trinitas Development**
1550 N Arlington Park Dr.
Approval of Preliminary Plan Amendments & District Ordinance to rezone Business Park to PUD to PUD
Case Manager: Jackie Scanlan
- SP-14-18 **Waterstone Bloomington Land LLC**
320 W 11th St.
Site plan approval to allow a 51,720 sq. ft. mixed use building with 22 parking spaces
Case Manager: Eric Greulich

CONSENT AGENDA:

- DP-20-18 **Btown Cohousing LLC**
2005 Maxwell St, 1325 & 1280 Short St.
Preliminary plat approval for a 3.4 acre, 28 lot subdivision in a planned unit development
Case Manager: Amelia Lewis

Eve Loftmond-Cusack, teacher, parent, and alumina from the Montessori School, has concern about the development of Short St..

Scanlan said it sounds like what has already been approved by Council, which is the connection of Short St. What is going tonight is the 28 lot subdivision of private land and how those are to be divided. Short St.'s connection is not what is to be discussed tonight.

UV-22-18 **Monroe County Youth Services Bureau**
615 S Adams St.
Use Variance recommendation to allow for a 9,500 square foot addition to an existing non-conforming rehabilitation clinic.
Case Manager: Amelia Lewis

****Wisler moved to approve the consent agenda. Sandberg seconded. Motion passed by an 8-0 roll call vote.****

PETITIONS:

DP-09-18 **Bob & Kari Costello**
1924 E 2nd St.
Preliminary Plat for a 2 lot subdivision zoned Residential Single Family (RS)
Case Manager: Amelia Lewis

Amelia Lewis, case manager, presented the report. The property is located on the east side of town, on the south side of east 2nd St. between south Rose Ave. and south Clifton Ave. It is approximately half an acre zoned RS, Residential Single Family. The Comprehensive Plan designates it as Neighborhood Residential and the primary surrounding uses are also residential. The site has been developed with a single family home, an accessory structure, and a storage shed located at the south east corner of the property. The petition is to subdivide the lot into two RS lots. The existing single family home and accessory structure would stay on the proposed Lot I, which is north off of 2nd St. The southern portion of the existing lot would become Lot II. There are no plans for development on the proposed lot at this time. The petition was originally scheduled for a hearing in June. It was postponed after an unrecorded ordinance was found regarding a vacated alley at the south of the property. This was also on the agenda for last month and was continued so the petitioner could work with the neighbors on some of their existing concerns. For a preliminary plat review, these are the 11 considerations, primarily dealing with the different chapters of the UDO. The existing detached structure would meet setback standards with that line and this would become the new Lot II. There is an existing shed and shed foundation that would be demolished. There is a right-of-way dedication along Anita St. The petition is in line with the guidance provided within the Comprehensive Plan, including in-fill development in a centrally located neighborhood. The petition fits into the existing street pattern. It proposes two lot sizes that are not out of character for the surrounding neighborhood. The proposed lot size of 8925 sq. ft. is not out of context for the neighborhood. In the area bounded by east 2nd St. to the north, east Eastside Dr. to the west, south High St. to the east, and east 1st St. to the south. There are 29 out of 45 lots that range in size from 7500 sq. ft. to 10,000 sq. ft. The existing zoning is RS in both lots and this will be maintained. The proposed Lot I to the north would be 13,872 sq. ft. The lot to the south would be 8925. Both of these meet the minimum lot standards for the RS zoning district, which is 8400 sq. ft. Chapter 6 outlines the subdivision types with intent and development standards. The Department feels the petition meets the intent of the traditional subdivision. It is not proposing any new streets as infill to a short block. It is similar in size to the existing neighborhood. It provides additional housing to a neighborhood located near many amenities. Looking at Chapter 7, the petition meets the lot width standards. The lot does have frontage near Anita St., which is a requirement of the petition. With any subdivision, the site is required to have sidewalk improvements. The petitioner has requested a waiver from these requirements. This would mean sidewalk on both lots, so Lot I against E 2nd St. and Lot II along Anita St.. Looking at Chapter 7, the design standards state how much right-of-way they are required to set aside in the proposal. They are dedicating an approximately 100 sq. ft. portion. Another component of street and right-of-way standards is vehicular access. While the proposed Lot I continues to be accessed from the existing

driveway on E 2nd St., the proposed Lot II would be accessed off of Anita St. The northern portion of Anita St. ends approximately 38 ft. short of the ROW. The adjacent property owner at 620 S Anita St. derives access from the end of Anita St. as well. The preliminary plat shows a proposed entrance to Lot II off of this ROW. Looking at the standards for utilities, the existing home is serviced by water and sanitary sewer. The proposed lot has access to those lines as well. The petitioner contacted both the City of Bloomington Utilities Dept. as well as Duke Energy regarding concerns about the availability of services and impact to adjacent properties. Neither the Utilities Dept. nor Duke Energy would see a problem with additional access being given to Lot II. The petitioner is requesting a subdivision waiver for both sidewalks along E 2nd St. and Anita St. The department finds the variance is appropriate along Anita St. due to low traffic, lack of connectivity, and the physical surroundings. The sidewalk waiver would along E 2nd St. would negatively impact the public safety and health, as 2nd St. is used by motorists and pedestrians more frequently and would provide a portion of sidewalk that would ideally connect to future sidewalks. Staff supports the waiver along Anita St. but not the one along east 2nd St. The Department finds the petition meets all UDO requirements for subdivisions, including agreement with the Comprehensive Plan. Any future development on the proposed Lot II would be required to meet all zoning requirements, including setbacks, entrance of drive standards, and impervious surface requirements. The petition meets the standards set out in Chapters 6 & 7 regarding subdivisions with the exception of sidewalks. The Department recommends the Plan Commission adopt the proposed findings and approve the petition with two conditions of approval. The two conditions of approval are as follows: The right-of-way shall be shown for public use and the sidewalks installed along all frontages adjacent to existing and proposed right-of-ways, unless a waiver has been granted for a particular ROW.

Bob Costello, petitioner, said that they have met all of the objections of the neighborhood that they could meet. Some of the objections they could not meet, such as the view of the property from their homes. The property being proposed is within walking distance of Kroger, an elementary school, and the university. It meets some of the wishes of the City and the UDO. In regards to the waiver for the sidewalk, the petitioner has asked if the money for the sidewalk can be put in an escrow so that when the City has sidewalks on the other properties on 2nd St., that the sidewalk could be installed at that time. Unfortunately, the City does not have that vehicle set up to do this. Last meeting, the petitioner asked for a delay to work on the objections of the neighborhood. The petitioner asked the Commission to follow Staff's recommendation.

Cate asked Staff to speak to the concern about drainage and the impact of building on the site with respect to the surrounding residences.

Lewis responded that these are the conditions of the area. They are required to meet the same standards as any other lot in the City would in regards to impervious surfaces.

Scanlan said in Chapter 5 there are drainage issues. A subdivision on paper is not going to cause issues with drainage, it is when you go to build. Drainage is actually more specifically regulated by City of Bloomington Utilities. The drainage engineer for the City works under that umbrella. Planning does have regulations to require for any new development to provide for any collection and management of water drainage. When a new site plan comes in, if there is reason to believe there would be drainage issues on the site, Staff can work with the developer of that property to mitigate the negative impacts on the neighborhoods.

Cate takes the concerns of the neighbors to be that the natural outcome will be someone purchasing it and looking to build on it, so she is trying to get a feel for what will happen. Cate asked for confirmation that under current standards, development in this area should not result in any further impact on flooding than what they are experiencing currently.

Scanlan said that would be the goal of the development process.

Cate asked the petitioner about the character of the neighborhood, loss of trees, and what the petitioner has done with precaution in regards to do this.

B Costello asked for clarification about whether Cate was asking about Lot I or Lot II.

Cate responded both.

B Costello spoke to the concern about the removal of brush and trees to the east of the driveway. That was removed and discussed with a neighbor that there would be a fern replaced and possibly cost sharing on putting other trees or shrubs to allow for privacy. For the proposed lot, there are a lot of trees and foliage. A lot are around the perimeter of the property. Hypothetically, privacy will be important to anyone building and living on that lot. If trees were cleared, it would look into the back of people's homes. There is a tree that is beautiful and over 100 years old.

Cate asked about a request for first-refusal by the neighbors for when this lot is up for sale.

B Costello said this was offered up at the end of the meeting and got no response from the Neighborhood Association to discuss this until Friday last week. If the lot is approved and subdivided, it does allow the neighbors to buy the lot at a much more affordable price than if they bought the house with the lot. It also allows them to divide the land amongst themselves to protect the greenspace.

Kappas asked Staff how wide Anita St is.

Lewis answered it is approximately 20 ft. across.

Kappas said from pictures, it looks small. There is a lot directly west from the lot in question that is almost blocked in. Kappas asked how it is developable.

Scanlan said that lot has issues for development. It is an end lot and does not have immediate access to the right-of-way. It is landlocked.

Kappas asked if the police chief or the fire chief had any concerns about this new lot becoming a new house.

Lewis said this was taken to the DRC and there were no concerns from Fire or Police.

Enright-Randolph asked if Staff is going approval for the sidewalk waiver.

Lewis said only along Anita St., not on 2nd St.

Enright-Randolph emphasized the lot's proximity to a school .15 miles to the west.

Lewis clarified the portion of sidewalk they would be responsible for along Anita would be a corner, not the whole length of Anita. It would be the length of the property, along 2nd St.

Kinzie asked Staff about the legality of the property rights.

Lewis responded that before last hearing, an alley vacation was found that took the 40 ft. alley and divided it up amongst the adjacent property owners. All of this has since been cleared up. It hadn't been recorded, it has been recorded now.

Scanlan said when these lots were platted, there was a 40 foot roadway platted there. It was never built. At some time in the early 90s, the adjacent property owners to the north and south came to the City and said they had been building over this "roadway" and asked if it could be vacated because their houses were close to it and the road was unlikely to be built. That was never recorded at that time. Something happened in the title. The clerk of the City has since recorded that vacation to make it explicit that this was approved at that right-of-way was vacated. Although this issue came up, it does not affect whether this petition meets requirements. The City does not have right-of-way width requirements. Whether or not this was entirely platted as a road still or not is not a negative or a positive in regards to code requirements for this petition.

Kinzie asked whether there was any legal question of ownership of any contested land.

Scanlan responded no.

Kinzie asked what the recent surveying had revealed about land ownership here.

Scanlan said that the only survey Staff has seen, was the one submitted with the petition. This survey did change once the vacation was brought to light.

Wisler asked if there is any sidewalk on the south side of 2nd St. in this area.

Lewis responded that it is along the north, but not along the south.

Scanlan said sidewalk picks up only on the east of High St., which is a couple blocks away on the south side of 2nd. It is mostly sidewalk on the north,

Wisler asked if the right-of-way ends at the end of the older pavement on Anita St..

Lewis said no, the portion beyond that is still right-of-way.

Wisler asked if it just looks different because it was paved at a different time.

Lewis said yes. This is a city maintained street. The property owners are the ones who have been paving and creating access.

Wisler said it has been paved to serve as a driveway even though it is in the City ROW. Wisler asked if the City would take over maintenance of the remaining stretch there.

Scanlan said they would need to talk to Board of Public works about how this situation came to be, like why the City ROW ends 25 ft. short of the actual ROW. The survey submitted does reflect this difference, so Staff can talk to the Street Dept. about this discrepancy in paving. It is similar to a driveway off the end of a cul-de-sac. The paved part of the cul-de-sac doesn't always go to the edge of the ROW of the cul-de-sac and then everyone has their driveways off of it. In this case, it comes directly off the end of the stub and it is about 20-25 feet short of the right-of-way.

Hoffmann asked if the City does not decide to extend the City road any further north, does that require the property owners to figure out how to deal with the shared non-City access.

Scanlan said if the subdivision gets approved when someone applies to build a house back there, they would need to get a driveway right-of-way excavation permit. They would need to work with Sara Gomez in Planning & Transportation to meet the concrete apron requirements and what portion of this road they should connect to.

Hoffmann said they cannot connect directly to the current City road because it doesn't reach the property line. It will have to become a shared private driveway.

Scanlan said the options will be to talk to the Street Dept. to either widen it or connect to the neighbor to the west's driveway that was built in the ROW.

Hoffmann asked for clarification that this would be a private matter for them to work out.

Scanlan said that they built something in the right-of-way and everyone has access to the right-of-way. They would have to let someone attach to this because it is not private property, but Scanlan is unsure how that would work out exactly.

Anahit Behjou, Assistant City Attorney, said that the driveway is over the right-of-way. If they want to vacate that right away, there is a process for that.

Hoffmann said he wants to know whether the patch built over City property is fair game for anyone to use or if the parties would need to reach an agreement to use.

Behjou said because it is right-of-way, it is fair game.

Sandberg asked B Costello about his intention for Lot II and what buyers he envisions developing here.

B Costello said the house that they purchased was originally on the market at a foreclosure auction and was an eyesore. A gentleman who purchases and flips homes around Indiana is who they bought the property from to flip it. They did not design the house or renovate it to be a student rental. The house looks amazing compared to what it did look like. The intent of the proposed subdivision of the lot is a single family home. Regardless of who buys the lot, they must meet the requirements of the City. There has been interest from a retired school teacher from Martinsville who will speak tonight. There was never an intention to put student rentals in this area or to ruin the fabric of this neighborhood or community. By looking at the pictures, most lots have been subdivided in the past and many are smaller than what they used to be. It adds some options in the City that people are looking for.

Hoffmann asked Staff about two small lots on the west side of Anita St.,

Scanlan responded that the southern lot is where a pool is located for one of the surrounding lots. The northern lot also goes to the property to the north and is a parking pull off. They are separate lots but not separate homes.

Hoffmann said that there is a small, odd lot on the east side of Anita.

Scanlan said it looks like it is part of a vacated alley. It lists it as Taylor subdivision Lots 33, 34, and part of a vacated alley. When these lots were platted, they were smaller than what many of these houses are now.

Hoffmann asked if some lots were legally joined to make larger lots.

Scanlan said yes.

Hoffmann asked about the escrow proposal.

Scanlan said that the City does not do that.

Carwina Weng, lives at 1935 E 2nd St, is here on behalf of the East Side Neighborhood Association. Weng clarified that there is the vacated alleyway between Clifton St. and Anita St. It was vacated in 1992. That part of the alleyway was vacated and divided among 3 people. As for the neighbors who constructed the driveway that encroach the right-of-way for Anita, when they built their driveway with a permit, they were never told they were building onto the right-of-way. They got a driveway permit when building this driveway. As a result of their negligence, the City currently does not maintain any of that driveway. The trash pickup occurs at the end of the paved street. They felt that they should have been told they were building onto the right-of-way. This neighborhood is bounded on 3rd St., High St., Maxwell, and Mitchell. It is a very eclectic neighborhood. It is a mature neighborhood and a core neighborhood. There are a lot of trees. This neighborhood is seeing many changes. There has been turnover from neighbors aging out of their homes and also families still with children in school. We welcome what the Costellos have done to the house at 1924 E 2nd St. It is an improvement to the neighborhood and the neighborhood appreciates it. What concerns the neighborhood association is that the subdivision proposal would change the neighborhood that the neighbors who lived on Anita St. over the decades never intended and took steps to prevent. The people who lived in 703 were part of the impetus to vacate that lot and deliberately parceled out the land the way they did. They owned many lots, including some north of the Taylor Development. They wanted to preserve it as a quiet, dead end street. The concern the neighborhood has is the development of a house on this proposed back lot would rupture that quiet. There are families that live on that street with children who walk along the 2nd St. side to elementary school. It is a fairly

narrow street. If the proposed subdivision goes through, there will be 3 driveways hitting at the end of the paved section of Anita St. The reason there is no room for a sidewalk is because there is no room for two sidewalks to go there. This, the drainage concerns, the environmental concerns, and the character of the neighborhood are the primary concerns.

Michelle Powell, lives at 705 S. Clifton, read the letter for Betty and Harold Jones. "My name is Betty Jones. My husband Harold and I have lived at 614 S Clifton Ave since 1972 when we built our home. We are the longest term residents on the block. We live here because we love the quiet street, neighborly community, mature trees, and the convenience. As the years passed and our health and mobility concerns grow, we are grateful to live in an area where we can access so many amenities so quickly. Our plan has been to live here forever, but if the proposed zoning change is allowed at 1924 E 2nd St, we may be rethinking those plans. As long as we've lived here, we have relied on how our lot is sheltered by greenery and space. Our home on S Clifton Ave. backs up to the property of the new owners. 1924 E. 2nd St. has been a single lot, not further buildable, and for decades has protected us from noise and intrusion by the buffer it provides. One of the great benefits of our close knit neighborhood was knowing Mr. Hobart, who lived at 1924 E 2nd St. and taken care of not to allow any development on his land. For instance, he owned an adjoining lot protected by covenants which restrict construction. I'm sure he didn't think he had to file covenants on his larger property because it already had a home and we all agreed on the need for greenery around us. A couple years ago, Mr. Hobart began to suffer from health issues. He was unable to make payments on his home. I'm told his mortgage company mistakenly failed to pay the taxes on his house and it was lost to tax sale. He now resides at a nursing home. It is difficult for him to stay in contact with anyone in the neighborhood from that distance, but I do know he did not intend for his backyard to be developed. A new house along my backyard will diminish my quality of life. Construction, new traffic, and a structure of any size will disrupt our peace, change our light, and leave us with no privacy. It will change our natural surroundings and our daily routine. We are accustomed to development around us. That has been part of living in a convenient area. However, this block has always had thoughtful space between the homes and some attention to the larger environment. This rezoning proposal seems to work against the neighborhood and against our residents. Thank you for agreeing to hear our concerns and I'm hopeful that your influence will help preserve our community."

Judy Berkshire, lives at 509 S Rose Ave., is a member of the eastside neighborhood. Berkshire thanked the members on the commission and read a letter for Linda and Steve Gluff, who are on vacation and unable to attend. Berkshire read, "Please accept this open correspondence to constitute a formal opposition to Bob & Kari Costello's petition to subdivide their lot, build another house on their property, and obtain access to our driveway at 620 Anita St., which is present before this board. We respectfully request that any petition hereby be denied. The proposed subdivision does not adequately protect us from the unreasonable detriment to our home, our neighbors, and the good of our neighborhood. Our house is one of the low spots in the neighborhood and drainage has been a significant problem for us. We have spent many years building a dam. On one portion of our garden. At that point, we have successfully stopped the water damage. This new house and driveway will make our drainage problem worse than ever. Any drainage system will not protect us from immediate and significant drainage damage that will occur to the lot exterior and foundation of our home. By granting this request, there is no remedy to protect or mitigate the damage and harm it will cause. Additionally, the City's negligence has cost irreparable harm to us and the neighborhood in the handling of the vacancy of the abandoned alleyway between Clifton and Anita St. in the 1990s. In 1992, petitioners Ray Mules, Rollin Hobart, and Harold Jones from our neighborhood request that Bloomington vacate this abandoned alleyway. On October 7th, 1992, the City agreed to vacate the alley and the property was to be split between the three petitioners. However, the City neglected to record this vacancy, to which they have admitted, and the property was never attached to the three owners. Confusing, isn't it?" Berkshire emphasized that Anita and the access to Anita was a problem for Linda Joaquim/Gluff when she decided to purchase her lot. Her builder went to the City, gave them his site plan, and requested a driveway permit. The City gave her that driveway permit. She believed she had a driveway that would be hers and hers alone. She has maintained the driveway. The pavement is a different color than Anita. She has had it paved and maintained the paving of and snow removal of that driveway for 25 years. If she had known if this really was the City's responsibility and they would turn it over to her to have access to Anita, she may not have maintained that driveway. She may have asked the City to deal with the paving and snow removal rather than have done it herself. She believed the City gave her an authentic driveway

permit and that that driveway opened from her property onto Anita. This appears to Linda as a betrayal of the City.

Penelope Anderson, lives at 707 S Anita St. with her partner Sara Engel, has been in the eastside neighborhood for the last decade. Anderson read, "We chose this home to be our long term home. For its peace, its quiet, its greenspace, and its mature trees, all of which afford us, at the moment, safety and privacy and a walkable core neighborhood. These factors make it worth dealing of the complications of an older neighborhood, such as the problematic electrical service. We discovered the electrical issues in October of 2008, a few months after we moved in, when an ice storm that resulted in brief power outages elsewhere in Bloomington resulted in 5 days without power and light for 6 houses in our immediate vicinity. At that point, we learned that we were on a very small subsection of the grid and that the small number of houses effected meant that Duke could neither prioritize reconnecting service nor properly maintain the grid subsection. If each house were to pay each \$5,000, each house would be upgraded to the main grid. Duke charges us exactly the same rates as other properties on properly maintained sections of the grid. The proposed new plat lies immediately in the midst of the houses in the grid subsection and thus a new house would overburden an already strained system. After I informed Kari Costello and Amelia Lewis of these problems in June, they did go back to Duke about this but the smaller subsection was not addressed specifically. These ongoing electrical issues still have not been addressed in the petitioners report. The report to the Commission does not acknowledge other issues, like drainage of sewage, and the environmental threats to long established trees and greenspace. Simply put, new construction on this site has too many negative consequences to surrounding houses. It is irresponsible to defer any of those concerns about what new construction could cause until later. There simply won't be another point if we subdivide now to address those longer term issues that affect the surrounding houses. We have one very small plat and one larger plat a part of 703 S Anita. The house at 700 S Anita and the house that fronts on 2nd St. were actually all owned by one person and when they sold them, divided the lots to keep the lots larger so there wouldn't be a lot of small construction there. The trend in the neighborhood, although there are still existing small lots, is not to subdivide, but in fact to join smaller lots to preserve greenspace. Sara and I prioritize safety, quiet, and location when we chose our home. In part, because we hope to start a family here. We envisioned walking with our child down our quiet street to nearby Rogers and Binford schools. We pictured playing in our peaceful tree surrounded front yard. It has taken many years longer than hoped to have our family, but when we bring home our newborn baby in November, we want to come home to the house that we bought: safe, quiet, and surrounded by both well-established trees and caring neighbors. We want to know that the strain of new construction won't leave us without power and light for days on end while caring for a newborn. Please help us preserve the values in Bloomington's core plan and the safety, peace, and security of our family by rejecting this ill-considered proposal for plat division. Thank you."

Raye Rhiner, lives at 1946 E 2nd St. This is next door to Betty and Harold Jones. This house faces on the rehabilitated home formerly owned by Roland Hobart. This is one of the 6 houses on the unfortunate power grid. Duke may have failed to mention this when they said it would be easy to hook the new home up to the grid. When you find out that Duke is turning on lights in Brown County, but you still haven't had your lights turned on in the middle of town, you recognize being insignificant to Duke is actually pretty meaningful to those living in the neighborhood. There are significant concerns about that, regardless of what Duke may have promised. If bad faith is not the right phrase, there is something of a misinformation issue that has already been raised. The neighbors have understood certain of these legalities to be other than what has been told that they are. With respect to the driveway issue, with respect to the vacated alleyway, we have all been operating under the assumption that has been true for the past 25 years that the greenspace was protected by the property owners there. This is a very tight knit community. Clifton Avenue is one block long in this part of town and once closed it off to have a Clifton Avenue block party. There is quite a sense of community there. The greenery that was there when Mr. Hobart owned the home was a mix of well-established, healthy trees, and totally dead things and overgrowth. There is no question about that. When the Costellos cleared that out, they took everything out. Even a mature pine that was totally healthy. At the time, there was talk of new greenery being put in. There are real concerns about loss of greenway. The priority of the neighborhood had been to conserve greenspace. There is also concern about the long term residents being extremely close to the new construction.

Jeremy Shot, lives at 705 S Clifton Ave, said he is going to set aside the significant ethical and moral questions raised by corporate development in a residential neighborhood and the disregard for legitimate community

concerns by a development corporation, with emphasis on the fact that Bob & Kari LLC is a corporation. It has already shown disregard for the collective good by destroying neighborhood trees without communicating with the community. The corporation has pandered to genuine community concerns over affordable housing, greenspace, and the collective good. As an example, Mr. Costello sits on the board of the Sycamore Land Trust. Donating the proposed lot as greenspace has never been suggested. Though these issues are not germane to the legality of a proposed subdivision or necessarily for discussion before the board, these are the more important questions. Storm drainage is a critical issue in the neighborhood. Currently nearly all the run off from Clifton Ave. and adjacent properties, including the proposed lot, drains via a swale built to the personal expense of the residence of 615 S Clifton. During larger storms, the swale cannot handle the runoff due to the extreme amount of water and the eroding road debris. Clifton stays clear because residents of 705 and 615 keep the swale clear at personal expense. Building a new structure on will add to the drainage issues by creating more hardscape from which drainage will flow into an already overburdened drainage system. The greenspace that currently exists on the proposed lot does act as important mitigation for storm drainage. The trees and land allow some of the storm drainage to percolate through the ground, helping to stave off some of the erosion, which is noticeable on the street and between the yards. It also contributes to slowing down the water. Maintaining the greenspace moreover is in keeping with Bloomington's Comprehensive Plan, as per policy 3.2.1, which states that the City will "continue to limit the amount of impervious surface in new development or public improvement projects and increase green infrastructure to reduce urban runoff into storm drains, creeks, and other watersheds". In sum, the neighborhood hopes to see the City reject this proposed subdivision largely because of the negative impact it will have on storm drainage. At an absolute minimum, the neighborhood asks the proposal to be approved contingent on an independent runoff and impact survey at the cost of the development corporation with the corporation assuming any of the costs of alleviating the impact. The neighborhood also strongly encourages the City to look at the drainage problems on Clifton to see if some larger solutions can be found.

Diana Slatnik, lives next door to the previous speaker, said at the point between the properties, all of the runoff from 1st St and 2nd St. goes. There is also runoff from Weston St. It is a tremendous amount of water. Putting in a storm drain to mitigate this issue has been discussed with Phil Peden. It is impractical with the grade of the street. The only option would be to put it on 1st St, but then it becomes a budgetary issue. There is no storm drain along the street. It is a significant concern and any covering on the ground is going to have an impact.

Mark Hooker, lives at 704 S Eastside Dr, said the petition calls for splitting the current lot into 2 and what will happen is that Anita is a very narrow street. It measures 17 ft. from edge to edge. If cars park on the street, cars will extend 8 feet into the roadway. This reduces the roadway to 9 ft. The requirement for fire engines, snow plows, and garbage trucks is 12 ft. The City should not allow for parking on the side of the street here. It is going to impact upon what happens on the lot itself. The petitioners will say they can have 3, 4, 5 cars. If they block on the street, they deny access to fire engines, snow plows, and garbage trucks. If they say they will provide extra parking on the lot itself, there is a problem regarding the size of the driveway in comparison to the garage. If you expand and make it into a 2-3 car garage, the amount of permeable area is reduced. This lot is now a flood plain. It absorbs all the rain and the snow melt. It keeps it from running downhill. On the lot immediately to the west, there is a five degree slope down into the house below. If the non-impermeable area is increased, the water runoff will be increased and go into these people's crawlspaces and basements, ruining their houses.

Zak Szymanski, said he wrote letters addressing the issues of this petition from the perspective of real estate and neighborhood character. Time and time again, the people in favor of this subdivision have said they cannot predict or fully control what a future property owner or builder will do to this lot. This is true. One possibility was brought up for City departments to communicate effectively and make sure this history is communicated forward and concerns are addressed moving forward. Clifton and 2nd St. were closed this summer for drainage work that followed the frozen pipe incident from a few years ago. One of the most telling predictors of whether if these things will come together communication-wise was the bike lane on Clifton get painted, dug up, repainted, and dug up several times over weeks and months. If there is no through line on simple issues, it's hard to understand how these complex issues will be addressed later on. If there is a proposed buyer for that lot, then the existing house there is not enough for them. If the existing house there is not big enough or new enough for them, then the new house will be bigger than that. New construction will not be affordable. It will not go for less than \$400,000 that close to campus. The existing older house that is not even 1000 sq. ft. will probably sell for

the higher end of \$300,000. The homes predominantly effected by this subdivision are the modest and moderate income homes. If the City's plan is to preserve affordability and help economic diversity within the neighborhood, the petition tonight is threatening it. There has not been any real talk of concessions from the current owner. There has been this idea that the neighbors can purchase the lot. This requires more money from the neighbors to maintain the neighborhood and investment.

Allison Schnable, 500 S Clifton, said the Eastside Neighborhood steering committee got one letter in favor of this proposal. There are a lot of forces at play that make it so City government can only do so much. In this case, there a lot of things to inform the decision, like the language in the Comprehensive Plan. On page 63, it asks you to "take account of the preservation of residential and business areas through policies that create and sustain neighborhood character and greenspace, build a sense of community, civic involvement, and neighborhood pride". Policy 5.2.1 says that "all the developments should be evaluated in the light of their potential to positively or inversely impact the overall health and wellbeing of the people who live in the surrounding neighborhood. Schnable has never been in a meeting where a dozen people came out on a Monday night to speak to the overall health and wellbeing of their neighborhood. They were ready to come out in July. They were ready to come out in August. To this neighborhood, this is not an investment. The Costellos made a good investment in that front house and this is appreciated by the neighborhood. This proposed division adversely affects the wellbeing and health of the people in this neighborhood.

Dave Rollo, District IV, is concerned about the neighbors' concerns. This neighborhood has worked on the conservation of their neighborhood, their quality of life. They have been under a lot of pressure over the years due to student rentals, neglected properties, and infrastructure that was substandard. This has been a surprise to them. There was no reason to expect this lot to subdivide. The vacation was never recorded until a few months ago, when it was decided in 1992. The expectation was this would never be subdivided. Rollo asked the Commission to impose reasonable conditions on their decision. The neighborhood's suggestions are listed in the materials submitted.

Hoffmann asked Staff if there is the legal authority to require the drainage assessment referenced by one of the speakers.

Scanlan said if they choose to approve, they can include conditions.

Hoffmann asked if you have to only be careful to look at considerations that are listed in the subdivision control ordinance.

Scanlan said Chapter 5 is one of the review sections that you can look at. You can consider this and include conditions if you like.

Behjou said that while there is the option to approve with conditions, it needs to be specifically about drainage design.

****Wisler moved to approve DP-09-18 with the two conditions of approval recommended by Staff and with waiver of the requirement of sidewalk on Anita St. according to the standards. Kappas seconded****

Wisler said there are clearly some serious issues in this neighborhood. Wisler commended the neighborhood for coming to speak today. What is not clear is how those issues can be addressed tonight with this proposal. The drainage issue clearly needs to be addressed. The right-of-way issues are in the process of being addressed. Wisler said if he built a driveway and maintained it as such, he would be upset if he found out years later that it isn't his driveway. However, these things are not the fault of the petitioner and does not change what the law is. The Commission's job is to make a determination about whether this petition meets the letter of the law and it seems like it does. That does not mean this should be the end of the discussion. There needs to be a conversation with the Utilities Dept. and a solution to the drainage issue needs to be put into effect. It is unclear whether subdividing this property will exacerbate that problem. This petition seems to meet the standards.

Enright-Randolph suggested adding conditions regarding the drainage issues. Enright-Randolph asked why the City of Bloomington cannot mitigate some of the issues, like drainage.

Kinzie expressed her appreciation for the neighborhood association and neighborhood coming to speak about the issues. The challenge is that there are significant issues in the neighborhood. The drainage and electric are issues that deserve attention. This might include no parking signs on this street. The property meets all of the conditions. It is difficult for the commission to decline the petition as is because of this. The one area where there could be an additional condition is the drainage issues. Requiring some type of drainage design to mitigate problems on this site seems like a worthwhile condition for this petition.

Behjou said the five conditions are clear under Indiana law. One of them is design standard and usually it applies to larger subdivisions. A situation like this is hard to predict how it could be approached. Whatever condition is put has to only apply to this lot, not all the problems in the neighborhood.

Hoffmann said no land owner is responsible for fixing all neighborhood problems, but they are responsible for not making it worse. The Commission wants documentation, before the subdivision is approved, that what could be built on this site will not make the current situation worse.

Hoffmann read Kinzie's proposed amendment as follows: This approval is contingent on the petitioner providing an assessment to Staff satisfaction as to whether any legally permitted construction on the proposed new lot would have a negative impact on surrounding drainage problems.

****Kinzie motioned approval for the proposed amendment. Sandberg seconded****

Kappas asked if they were talking about 20.05.034 E Poorly Drained Sites and if what they're trying to do is achieve this ahead of the development.

Hoffmann said that is correct. The Commission is asking for an assessment by someone the Staff finds suitable of whether or not creating this would allow someone to make something that could negatively impact drainage in the surrounding area.

Kappas asked if they could make this amendment closer to the municipal code, which mentions a 100 year storm event.

Hoffmann asked Scanlan at the point of actual development on this lot, what the drainage requirement would be.

Scanlan said what Kappas referenced, 20.05.034 E, is for properties adjacent to flood plain areas, located in areas with converging drainage flows, or characterized by documented drainage problems or close depressed contours on the GIS map for a higher level of drainage review. It basically requires, subject to the submittal of a drainage plan, documenting that the finished floor elevations of a structure shall be at least two feet above areas that would be flooded during a 100 year storm event. That would be basically requiring anything built on this lot would need to be built to standards that houses built in flood planes would be built to. This lot is not actually in a flood plain.

Kappas said he is talking about the more general requirements. There has been a clear drainage issue identified on this side of town.

Hoffmann said this is more about how the property effects other drainage, not just drainage on its own site. Sections A and B are more relevant.

Scanlan said D of this section provides an exemption for single family homes. This lot is not exempt.

Kopper requested the amendment be read again.

Hoffmann read: This approval is contingent on the petitioner providing an assessment to staff satisfaction of whether any legally permitted construction on the proposed new lot would have a negative impact on the surrounding drainage according to the standards in Section 20.05.034 of the UDO.

Kopper asked what the assessment would entail.

Hoffmann said it would be an assessment of whether something could be built on the site that would meet these requirements of code. The petitioner would essentially have to show Staff that they've had someone look at this and that they can meet this requirement.

****Kinzie motioned approval for the proposed amendment. Sandberg seconded. Motion passed by 8:0 roll call vote.****

Sandberg applauded the neighbors from the eastside neighborhood coming out and raising all of these wonderful issues that have led to a good discussion and decision. Sandberg says she has been well aware of the issues since this was brought forward thanks to the letters, support, and also the district representative for this neighborhood. The Commission is looking at the UDO and must act in accordance. Many core neighborhoods are concerned with similar issues. Instead of looking this as a negative thing, the neighborhood should think about the potential of getting some great neighbors to add to the mix. The City of Bloomington needs owner occupied housing stock, which this lot is. Sandberg feels comfortable with the amendments made here.

Kopper thanked the neighborhood for coming out and expressing their concerns. The first house west of High has sidewalk on the south side of the street. Kopper supports having sidewalk there, as sidewalk requests are some of the highest volume requests the City receives. Anita is a very different character of street and does not require it. The configuration of the driveway on the end of Anita St. is unusual, but it is not unusual for a private driveway to extend into public right-of-way in order to meet the street. What is uncommon here is that two driveways would need to share that driveway apron.

Cate thanked the parties from the neighborhood association and the concerns they expressed. It sounds like there are considerable problems, some that need to be addressed with Duke Energy, which will exist regardless of this petition. Cate thanked the petitioner for the improvements made to the existing home.

Maritano thanked everyone for coming. Maritano said that in keeping in character with the Comprehensive and Master Plan, she will be voting no.

Hoffmann expressed that even though it cannot be done by this body, he wishes that there was a way to gang up on Duke Energy. Hoffmann lives on a small, dead end electric line with twelve houses and has had his electricity out for 5 days as well.

****Wisler moved to approve DP-09-18 with the two conditions of approval recommended by Staff and with waiver of the requirement of sidewalk on Anita St. according to the standards and fourth condition regarding the drainage assessment. Kappas seconded. Motion passes by 7:1 roll call vote.****

SP/UV-18-18 Crosstown Redevelopment Holdings LLC

1799-1811 E 10th St.

Site Plan review for two mixed-use buildings and use variance recommendation to the BZA for Retail, High Intensity in a CL zoning district

Case Manager: Jackie Scanlan

Jackie Scanlan, case manager, presented the report. The property is located at 1799 through 1811 E 10th St. and that is roughly at 10th and Union on the northeast side of town. The property currently contains four buildings, one small building and three multitenant buildings on 2.1 acres. The property is zoned Commercial Limited. The Comprehensive Plan designation is institutional civic in our Indiana University area. It is also designated as an Urban Village Center Area. This property has frontage on 10th St. to the south of the development. The western portion has Lenny's as the

existing building. The petitioner is proposing to redevelop the property by demolishing the existing buildings in two phases and building two 3-story mixed use buildings with retail space on the first floor and two floors of office space above. The phasing would be that they would remove the eastern buildings and build the new east building, the smaller of the two buildings. They would then relocate some of the tenants from the west building into this space. They would then demolish the existing western building and build a larger building here. The western building is 18,500 per floor. The eastern building is 10,500 sq. ft. There is parking behind the building. The commission is looking at two things tonight, the site plan and the use variance recommendation to the Board of Zoning Appeals. There will be permeable pavers in the parking spaces. They are also showing a landscape plan along the edge of the proposed parking lot. The petitioner has filed a use variance request with the Board of Zoning Appeals. The Commission's role in that is to make a recommendation based on the Comprehensive Plan. The request is to allow the use Retail High Intensity, which is a use that is in the code but now allowed in any of the City's zoning districts currently. It is something Staff is looking at in the UDO update that might need more leniency in regards to commercial space and where it is allowed. Right now the maximum total commercial space for a retail use on this site would be 2500 sq. ft. If a restaurant wanted to move in here, there is not a maximum square footage for a restaurant. Because this is Urban Village Center, the Department feels that allowing large commercial uses on this area does make sense in the new Comprehensive Plan and likely this area may be changed when the zoning code is updated accordingly to the new Comprehensive Plan. The Comprehensive Plan again calls for a mixed use node in this area to serve as Retail, Business, and Service Destination for Neighborhood Residents. In this area, that includes IU students and single family homes to the southeast. Staff feels that the request for a larger retail space is in line with those portions of the Comprehensive Plan. The petitioners have also filed a couple of development standards variances with the Board of Zoning Appeals. The Commission will not weigh in on these, but they are a part of the site plans. The developer and site designer felt that the maximum height of the flat roofs would meet the zoning code without a variance. It is the architectural interest that makes them higher than what is allowed. Staff does not want to discourage the architectural interest. The height of the middle portions of the building will be 60 ft. to the top of the architectural features and 52 ft. at the corners. They are quite a bit bigger than what Staff would normally allow, but because of the location of this site, the code will support these variance requests. The second item is the landscaping. While they have close to or exceeded the total for the landscaping that has been required based on the parking lot, the location of some of the landscaping do not meet code requirements. The mix required between evergreen and deciduous is a little bit less than what code supports. Staff will keep working with the developer on some of these things. Overall, the landscape plan meets the interests of this area and this type of development. Staff anticipates that these variances will receive approval recommendations from the department as well. Staff is recommending approval for both the recommendations to the BZA and the site plan. Staff has included how many bicycles and street trees are required. There is a portion of parking that Staff has been pointing out and working out with the petitioner in the northwest that does not quite meet code. This driveway straddles the property line. It is a platted alleyway. They will either need to get an approval from Board of Public Works if they do not already have it, move the entrance, or request vacation from Council. Staff felt the development is appropriate for the area and an improvement to what is there now. Staff is recommending approval of the site plan associated with SP/UV-18-18 with the following conditions, and recommends forwarding the use variance request to the Board of Zoning Appeals with a positive recommendation with five conditions.

Hoffmann stated for the record that he is employed by Indiana University, he will gain no financial benefit from this project and therefor does not need to recuse himself.

Cate stated for the record that she is employed by Indiana University, he will gain no financial benefit from this project and therefor does not need to recuse herself.

Sandberg stated for the record that she is employed by Indiana University, he will gain no financial benefit from this project and therefor does not need to recuse herself.

Kinzie stated for the record that she is employed by Indiana University, he will gain no financial benefit from this project and therefor does not need to recuse herself.

Tim Hanson, WS Property Group, said they have worked with the university for 3-5 years on the development of the location. The petitioner has worked on one of the sites where this project will be housed, Lenny's, in 1982. The petitioner has worked with the University to come up with a project and a timeline that fit with IU's needs and what the WS Property Group wants to accomplish. There is a two phase building process to take some of the current tenants, like Lenny's and Subway, and move them into the east building. Hanson discussed the construction plans for the site. The petitioner worked with the university for 18 months about how the buildings were going to look. It is for the

aesthetics to blend in with what is in the area. The upper floors will blend in with what is in the area. There is 16 ft. floor to floor on the main floor and 12 feet floor to floor on the office floors. This gives good flexibility with the retail tenants to do open, spiral duct and do open concept or go in with more standard 10-11 ft. ceiling structure and have the HVAC above that. Access on the driveway on the west side and the parking, the petitioner will work with Board of Public Works on that. As for landscaping, the requirement for street trees was met on the updated site plan. The bulk of the landscaping is per code, but some things like power lines have prohibited proper placement. A lot of that was moved around to the east side. The petitioner will work with Staff to do what will fit with them. One of the other items on the condition list is working with the BZA about impervious surfaces. The brick paver areas are areas that will be done in true brick paver, impermeable pavement substructure. The concrete areas shown around the perimeter are going to be concrete sidewalks and walkways. Those areas will be easy to clear with snow moving and not have those paver areas that can be problematic with snow removal. Keep the paver areas in parking areas themselves but not in drive aisles. On the north side of the lot, those are two 40 yard self-contained dumpster units. This way, it can be compacted and kept contained. The total site went from 2% permeable to 38% permeable. One of the few things the code is silent on is architecture and that is one of the things the University is not silent on. It is a 100% limestone building to mimic what is on the other side of the street.

Enright-Randolph asked Staff if there has been any discussion with the transit that runs up 10th St. about this. It would be nice to have areas for the bus to pull off of the road.

Scanlan responded no, but Lew May can be reached out to for discussion.

Enright-Randolph asked about the connectivity from the front parking lot to the back, as there will be foot traffic near these.

Hanson said that there is a connection the University worked out with the railroad at that crossing. There are stairs mid-lot in the parking lot that accesses Lenny's parking lot. Those connections exist. One thing the Railroad insisted on is making sure people aren't crossing wherever they want. One of the things IU Foundation has done is purchase a 25 ft. strip against the right-of-way. There was a condition that purchase was that a chain link fence go up along that to protect the right-of-way and make sure people don't go on the tracks.

Kinzie asked if the eastside entry will be the preferred entry.

Hanson said both are 24 ft wide with two lane traffic, so they are equivalent. The current way to get into the Lenny's parking lot is smaller than this. This will be a standard drive entry.

Kinzie asked what the parking would be here and if it would be dedicated university parking.

Hanson said these will be public parking spaces and that IU will use their adjacent lot for employee parking.

Kinzie asked about the bike parking situation, as it seems insufficient if it is so close to the campus.

Hanson said he agrees and that there can be more worked out in the back.

Wisler asked about the façade of the buildings and the two tones.

Hanson said the two tones are a smooth tone and a tumble stone. At the area across the street, there are areas towards the entries that are a smooth limestone and the areas above area a tumble stone issue. It is all limestone, but in different tones and surface texture.

Wisler asked if it is all limestone.

Hanson answered yes, correct.

Wisler asked the height of the retail space on the first floor.

Hanson said the floor heights will be between 16-18 ft floor to floor. The internal will not be that. The depth of the steel, slab, and HVAC need to be factored in. Ceiling heights internal to the space could be 12-14 ft.

Wisler asked what the anticipated signage would be for the retail area.

Hanson said they will be able to work within the permitting process that the City has. There are spaces above the awnings where there would be plenty of room for City standard signs.

Wisler asked if there would be signs hanging underneath the awnings or on the face of the buildings.

Hanson said that he does not see there being signs under awnings.

Kopper asked what the impacts to 10th St.'s traffic would be during the construction.

Hanson said they will be coordinating the time of year with the university and how they will be doing staging for the vehicles. The biggest thing will be dealing with the storm drain. There is one right now that picks up all of the water from Union St. to the top of the hill. That is going to need to be located on the north curb line and that will need to be all new storm sewer through there. This will be planned to be done when traffic is as minimal as possible. Pedestrian traffic will be interrupted, but signage and an alternate route will be available.

Kopper asked if the maintenance of the permeable pavers has been considered.

Hanson responded that dealing with them in the spaces that they are, the low impact pedestrian areas and having a program for them is one thing. The higher impact parking areas is a different procedure. They would rather not put them in a clay type surface and have to over dig that. Another reason is that it will be a constant maintenance issue and to mitigate that. The petitioner says they have talked about how to manage those and manage the drainage areas underneath them because there is quite a bit of drainage in the backside of this lot.

Kopper asked for confirmation that the petitioner intends to maintain pedestrian access to the west.

Hanson confirmed.

Kappas asked what the height comparison would be for the buildings across the street.

Hanson said the buildings across the street are four stories and the buildings in the site plan are three stories. As you get further to the east, they sit a little bit further below the road because the road is rising up. They are a full floor higher than the development will be.

Kappas asked how they will be creating the pedestrian feel with the giant concrete space.

Hanson said that there is a 4 ft. sidewalk right now and then there is an adjacent "sort of" sidewalk. The entrance into the building is a sloped walk. To the west, there is no sidewalk. It is asphalt paving that blends into 10th St. In the proposed site plan, there is a 6 and a half foot greenspace that will have the street trees in it. Then there will be a full five ft. sidewalk that will run straight across and variations between the building that will create little pocket. Some of the building faces are 13 ft. off that face. Even though the building is being brought closer to the road, the public realm that is there is getting separated from the traffic but also having its own space.

Kappas asked about the delivery situation for cars and trucks.

Hanson said that right now, it loads in behind the building. Some of the trucks can't make it behind the building so they load in front. Not everyone delivers at the same time and they typically deliver prior to service. There will be two lane traffic, so if you need to get around someone, you can. This is different than how it is right now. The parking lot will maneuver quite more openly than it currently does.

Kappas asked what the plans are for the electrical wiring in the back of the building.

Hanson said there are currently two sets of wiring. There is Duke's main powerline. They redid that infrastructure in the past 5-6 years. They put new poles in. The poles that existed there didn't want to get on the new poles. Behind the existing buildings, there is about 15 feet between where the poles sit. The goal is to remove all of the unnecessary poles. It is too large and ominous to bury.

Hoffmann asked Staff if the City is preparing for students crossing from the dorm side to the retail space mid-block.

Scanlan said it can be addressed here. Streets under Public Works is who would create a cross walk like that. It can be mentioned as a condition here that they work with Staff to try to gain some kind of crossing like this. Staff is requiring them to update sidewalks, so they are required to improve.

Hoffmann asked Stolberg if there will be other tenants in this building beyond the ones currently on these lots.

Eric Stolberg said that everyone in the existing Crosstown II, the Lenny's building, want to move over into that first east building. Once that happens, the building will be full. The top two floors are IU. The building to the west has the opportunity for new retail. The petitioner believes it will be a mix of local, regional, and national businesses. Marketing for this center will begin soon. It is time for this Crosstown area. WS Properties has developed many properties and proud of every one of them, except for this location which was built in 1982. It is very dated.

****Wisler moved approval of SP-18-18 with the five conditions of approval as recommended by Staff as well as a 6th condition to secure pedestrian access across 10th St. Maritano seconded.****

Kopper said he supports the addition of the crosswalk requirements. Beyond the flashing lights, it could be a raised cross walk to make pedestrians more visible. It would make sense to do the storm drains at the same time. Kopper expressed his appreciation of the thought that has gone into the impacts of construction. Pedestrian walk arounds are encourages all of the City, especially high pedestrian areas. Other developments have done covered walkways. Depending on the time of year this is done, it may be very beneficial here.

Kappas said that he agrees 100% it is time. Being a student at IU and now a permanent resident, there was not a sense of place there. Looking at this plan, there is a sense of place, not only for staff but also students. Four classic bike parking spaces is insufficient. Kappas commended the petitioner for going from 2% impermeable surface to 38%. In Bloomington, we're always trying to be the best.

Enright-Randolph said he wants to echo the comments about potential green infrastructure, especially for storm water purposes. It looks like there will be a lot of roof space up there, maybe there can be a green roof put in. In talks about a feasible crosswalk, a possible bus pull off spot should be kept in mind. A bus shelter would also be nice to see there.

Kinzie acknowledged that the height variance in this site plan is a good use of a variance. Kinzie appreciates Staff for figuring out how to allow Retail High Intensity, as it adds a nice degree of flexibility for the needs of this community. It is clearly improving the safety of this area and enhancing a rather neglected space on 10th St.

Wisler said the crosswalk is important and by its nature, it will improve traffic and pedestrian safety by reducing 4 curb cuts down to 2. There will be a whole lot less stop and go. It is a great improvement

Sandberg said she has to drive 10th St. every day and it is an interesting thoroughfare. The crosswalk between the Wells Library and the SPEA building is quite effective, especially during rush hour times when classes are letting out. This is a really good looking building.

****Wisler moved approval of SP-18-18 with the five conditions of approval as recommended by Staff as well as a 6th condition to secure pedestrian access across 10th St. Maritano seconded. Motion passed 8:0 by a roll call vote****