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The City of Bloomington Plan Commission (PC) met on June 14, 2021 at 5:30 p.m. via a virtual (Zoom) meeting due to COVID-19. Members present: Flavia Burrell, Andrew Cibor, Chris Cockerham, Israel Herrera, Jillian Kinzie, Susan Sandberg, Karin St. John, and Brad Wisler.

ROLL CALL

APPROVAL OF MINUTES: May 2021

****Kinzie moved to approve the May 2021 minutes. Sandberg seconded. Motion carried by roll call vote 8:0.**

REPORTS, RESOLUTIONS AND COMMUNICATIONS:

Resolution 20-01: Electronic Meetings Policy – Mike Rouker, from the Legal Department, explained a few of highlights of the new Electronic Meetings Policy, looking for a vote and approval to adopt the resolution. During a hybrid meeting at least 50% of the participants must be physically present, a hybrid meeting does not look exactly like the full remote meetings. During a calendar year you can only attend 50% of the meetings remotely, as well as limits on the number of consecutive meetings a Commissioner may attend remotely, you can only attend two in a row remotely. The policy further requires Commissioners to notify both the Commission President and staff at least three days prior to their remote participation to allow adequate time for arrangements to be made by staff for remote participation. And finally, if a meeting is a hybrid meeting, where some Commissions will participate remotely and others in person, then both staff and members of the public will also be given the option to participate remotely. He would encourage everyone to let the staff know as early as possible so we can make sure we stay legal and so that we can get everything correct logistically.

Kinzie asked for clarification of the percentage of people required to physically present, policy states 50%, but we have 9 board members. Rouker said it is required at least 50% must be physically present, so there would have to be 5 board members in person. As long as you have at least 50% in person and enough Commissioners for quorum, via remotely and in person, you will be in compliant.

Sandberg was interested in what the policy might be regarding participants being vaccinated and is there protocols in place for people attending the meetings to be masked at least, will there still be social distancing the room. Rouker said the currently policies regarding social distancing and mask will apply.

Wisler asked about the audiovisual setup in the Council Chambers, interested in knowing if everyone remotely, Commissioners and public, be able to see and participate in the meeting. Rouker said the answer would be yes, all of those things will be possible, as required by the Statute. Electronic participation has to be identical to in person participation.

Wisler asked if all the Commissioners are participating in person, will the remote option still be available to the public and how will the public know if the remote option is available. Rouker said that if the remote option is available notification will be the same as has been done during the pandemic, with the notice of the meeting itself would also include a zoom link. Wisler noted that a public notice goes out in advance of the meeting than Commissioners are required to notify whether they are going to be participating remotely. If we send out a link a week in advance we may not know if remote participation

will be available. Rouker said if you would prefer to say the Commissioners have to let the President and staff know a week in advance, they could make that amendment to the policy. Wisler's preference would be one or the other, either we just say we're always going to allow remote participation or, at least the notice from Commissioners should auto line up with a notice to the public.

St. John pointed out the resolution actually says that the public can participate remotely, whereas it says the public to simultaneously attend and observe the meeting, but that doesn't necessarily mean remotely to her. Rouker pointed out that his reference was from Section Seven of the Electronic Meetings Policy. St. John acknowledged that Section Seven does cover electronic meetings, she just missed that when she first read it.

Sandberg's question was about petitioners, because they are a very important part of the Plan Commission meetings, she assumes that anyone coming before the Plan Commission with the project would need to be in person or would they also have the option to participate remotely. Rouker intended for the phrase "members of the public" to capture petitioners as well.

Rouker offered to tweak the policy or move forward with this version for a month to see if you would want to make changes, he could bring another resolution to the Plan Commission for next month. To make changes you could amend it right now.

Kinzie believes the one thing we've learned over this time that we've been conducting our meetings via Zoom is it does afford the public more opportunities to participate. She asked about retaining that as a permanent option moving forward, she doesn't really see the downside of having an electronic option. She thinks there is value in keeping the electronic meetings available to the public, possibly have a dedicate Zoom link for the Plan Commission for the public to use that way the public could connect at any time.

Burrell wanted to support Commissioners Kinzie's statement. Zoom meetings have created an opportunity for everyone to join the meeting, even if those with mobility issues. She agrees with Kinzie that the Zoom option should be made permanent.

Wisler suggested the best course of action is to go ahead with what's before us now and anticipate that we will likely want to tweak this going forward.

St. John wanted clarification on how everyone was going to be able to see what was going on in the chambers as well how those in the chambers can see those remotely. She also wants clarification on Section Seven, she reads it say if there are no Commissioners attending remotely then the public will not be allowed to attend remotely. Wisler said it does say we allow participation from the public if we have remote participation from the Commission, it doesn't mean we can't allow it. St. John is wondering if we can just go ahead and do our own thing, she gets more liberal than she believes Section Seven states. Rouker agrees with Wisler's comment, just because all Commissioners are participating in person doesn't preclude remote participation by the public.

Rouker encourages the Commission to adopt this policy tonight, the next month would allow him and staff to have a few more conversations, to give more details and tweak some things about the policy if those are warranted.

****St. John moved to adopt Resolution 20-01, Sandberg seconded motion, passed by roll call vote 8:0.**

PETITIONS:

ZO-09-21 City of Bloomington

Jackie Scanlan reported the City Council returned text amendments related to permitted use, conditional use, use specific standards, for duplex, triplex, and fourplex uses in the R1, R2, R3 and R4 District Zones.

The first amendment is to change dwelling duplex use to conditional, from permitted in R1, R2 and R3 zoning districts. It also added requirements so the use in those districts would be required to have a pre-submittal neighborhood meeting. And those petitions would be seen by the Board of Zoning Appeals instead of the Hearing Officer. We would require administratively through Director Robinson's ability to do that, but Council is more comfortable codifying so those went into the ordinance. The second amendment reinstated the proposed 150 foot buffer around dwelling duplexes in R1, R2 and R3 zoning districts that were in the original proposal. And they also added an annual cap of 15 approvals in those three zoning districts. The amendments were sent back to the Plan Commission for approval and to adopt the amendments into the ordinance, the Planning & Transportation Department is supportive of these changes.

Wisler asked for clarification the duplexes, the Council amendment means that duplexes are now conditional. Scanlan said yes, in district zones R1, R2 and R3. This body changed the administrative staff proposal from conditional to permit for duplex dwellings and Council is reverting those back to conditional. Wisler thought there was another amendment that had failed in Council, Scanlan said the amendment that failed was to remove duplexes all together.

Kinzie believes there could be some interesting opportunities to study, for example, what the effect is of these amendments and the process overall. There are ways to follow the development of some of these amendments, namely the process of having a pre-submittal neighborhood meeting and how the petitions are being reviewed, what kind of issues come up and what concerns are exposed during that process. The approvals process sets up a natural reporting mechanism, then that would allow us to examine and see if there is really more demand than what we can process and approve. She wonders about the process and how we can ensure when we hit the 15 approval mark we've set up some record of what we are learning from these processes. Scanlan reported that a clause was added to the ordinance staff would report to this body, the administration and Council every six months on the types of data you're asking about. Also, to be clear it is 15 permits per year and if approved it will go into effect as soon as the Mayor signs it, which will be shortly.

St. John wants clarification on if the 15 total was for each district, Scanlan clarified that is a total for all districts.

Wisler noted his disappointment in how this all worked out. In order for duplexes to be something that really makes an impact in the affordable housing crises there needs to be something that will be encouraged, not just permitted under limited circumstances and I'm afraid we will end up with the worst case scenario where very few get built and upon review will look at this and say this didn't do much to help with affordable housing and that will be used as a reason to abandon the strategy and believes it is unfortunate. From a procedural standpoint there's no point in sending this back to Council again or not adopting it, so he will vote yes, just to bring some closure to the issue for now. But he does hope that he is wrong and hopes that will be seen.

Public Comments:

There were no public comments.

Adopt as Amended by City Council:

****Kinzie moved to adopt the two amendments that were approved by City Council. Sandberg seconded. Motion carried by roll call vote 6:2.**

SP-14-21 Aspen TOPCI II Acquisitions, LLC

703 W Gourley Pike

Request: Primary plat approval for a 12.34 acre 3 lot Traditional Subdivision and Major Site Plan approval for two “Student Housing and Dormitory” and one “Dwelling, Multifamily” in the (RH) Residential High Density District

Case Manager: Jackie Scanlan

The property is located at 703 W. Gourley Pike and is currently zoned Mixed-Use Student Housing (MS) and was zoned Residential High Density (RH) at the time that the petition was filed. The property is currently developed with a dwelling, multifamily use and is home to the Arch apartments. Surrounding properties to the east are zoned Mixed-Use Student Housing (MS), the properties to the south are zoned RH, the properties to the north are Mixed-Use Commercial (MC), and the properties to the west are zoned Manufactured/Mobile Home Park (RMH) and Residential Multifamily (RM). The property was recently rezoned, during the 2021 Official Zoning Map Update, to Mixed-Use Student Housing (MS), but this petition was filed prior to the effective date so is being reviewed under RH.

The petitioner is requesting site plan review approval to allow for the construction of two “student housing or dormitory” (building 1 and 3) and one “dwelling, multifamily” (building 2) buildings. Buildings 1 and 3 are proposed to be 4-story buildings which contain a mixture of 4 one, 23 four, and 16 five bedroom units. The inclusion of four and five bedroom units bring the use of these buildings under the definition of “student housing or dormitory.” Building 1 and 3 are proposed to contain a total of 43 units and 176 beds. The proposed floorplate of both building 1 and 3 is 19,822 square feet. Building 2 is proposed to be a 5-story building which contains a mixture of 2 studio, 31 one, 84 two, and 24 three bedroom units. 23% of building 2’s units are 3 bedroom and therefore it does not meet the definition of “student housing or dormitory” which states that multifamily dwellings with 33% or more of units that are 3 bedroom units meet the definition.

The petitioner is also request a primary plat approval to create a 3 lot subdivision. The proposed subdivision is being reviewed under the Traditional Subdivision (TD). The primary plat will create 3 lots which will each be developed with one of the 3 proposed buildings. Lot 1 will be 2.254 acres and will be developed with building 1, lot 2 will be 3.096 acres and will be developed with building 2, and lot 3 will be 3.510 acres and will be developed with building 3. The proposed subdivision will also dedicate 2 new rights-of-way. A new road is proposed run north-south directly east of the proposed buildings. A stubbed extension running east-west is also being proposed. This stubbed extension will be in line with W. Arlington Valley Dr. to the west of the property, and in the future will allow for a connection to the newly proposed right-of-way to the east of the property. A pedestrian easement will be included running east-west between lot 1 and 2 which will allow residents from Arlington Valley Mobile Home Park to

walk to the proposed right-of-way to the east of the property. Traditional subdivisions require 67% of lots be served by alleys. The proposed subdivision will not meet the required minimum percentage of lots served by alleys. The petitioner is asking for a waiver from this requirement.

The Planning and Transportation Department recommends that the Plan Commission adopt the proposed findings and approve SP/DP-14-21 with the following conditions:

1. A plan indicating how the parking lot will be constructed without disturbing the riparian buffer will be submitted and approved before a grading permit will be issued.
2. All doorway openings must meet Uniform Architecture requirements.
3. At least 20 percent of the dwelling units shall incorporate at least one entrance at grade level, not requiring any steps up or down or a ramp for entry. This will be confirmed before issuance of a building permit for any building.
4. A landscape plan that meets all UDO requirements, including delineation of the tree and forest preservation area, must be submitted and approved prior to issuance of a grading permit.
5. A photometric plan that meets all UDO requirements must be submitted and approved prior to issuance of a grading permit.

Project Representative Comments:

Some of the design team present are Kendall Knoke with Smith Design Group, David Helfrich of Aspen Heights and Andrea Garland, Architect.

David Helfrich briefly described Aspen Heights as a national company firm based out Austin, TX. They are involved in the throughout the project, development to construction and property management, marketing and leasing process. They have 1.6 billion dollars in project developed.

Knoke summarized the project, with Garland noting the mechanical system will be on the rooftop and out of view. Knoke also noted they have been coordinating with Bloomington Transit to provide a pull off for transit and consolidate stops. It was noted with this project the private utilities are going away and public sanitary sewer and public water will be going in, and parking will be behind the buildings and with the landscaping will be shielded from the public right of way.

Commissioner Comments:

Cockerham wanted clarification on the public street that is in between buildings. Scanlan said one street runs along the side of the buildings from the north of the development and then curves east, shaped like and "L". Then the second street runs between buildings two and three and it runs to the end of the property. If the development to the west is redeveloped in the future then a connection could immediately be made. In between buildings one and two is actually just a pedestrian easement over a portion of the parking lot, and another access the public could use to access the public road. Cockerham noted that the thoroughfare has been a private street, asked if the general public would be able to utilize. Scanlan said that the street would be platted and owned by the city, it will be completed to city standards. It will then be turned over to the city and become a public road.

Kinzie asked about the demolition of the current structures and the recycle/reuse of those materials. Helfrich said a demo contractor will look to salvage as much as possible in the building, he noted it is cheaper to salvage than to dispose of material. Kinzie asked Scanlan if the city had any other concerns about how the demo materials should be disposed. Scanlan said it is always the preference of the staff

and Environmental Commission to recycle and reuse as much as possible, but in this scenario the city doesn't think there is much that can be done to compel that. Helfrich would like to add they would most likely donate appliances and fixtures to Habitat for Humanity.

Kinzie also had a question about some the materials being used, asking for a little more detail about variation. Garland said they were using primarily fiber cement materials throughout the buildings, dividing the appearance by having a variety of horizontal lap siding board and batten siding, they also have a vertical siding element at the corners. They are also changing up the colors across the building, so that they can divide the façade since they are longer buildings. There is also stone masonry at certain aspects of the building that accentuate certain areas of the building.

Kinzie's final question was about the need for a subdivision and what was the logic to have a subdivision. Knoke said the site is now zoned MS but under the RH zoning and any unit that is student housing has be separated from the next student housing unit by 300 feet, and it is from the edge of the lot to the edge of the lot. So in this case they basically had to have one lot and then create another lot, like a buffer, and then create the third lot, and that is the reasoning for the subdivision. Kinzie felt that was a reasonable solution around the RH zoning policy. Scanlan said yes, that was part of why that was written, with the separation requirement is similar to the building floor plat maximum items that can be altered through the incentive process, but they chose not to do that here, so what we get out of it is a project that has more two bedrooms than we would have gotten had they been able to do student housing in all the buildings. The middle building is a multifamily dwelling standards which means they cannot have three, four or five bedroom units at all.

Cibor asked about the maintenance for the city on the retaining walls that are on public right of way, Konke said there is one retaining wall that is in the public right of way and the development will be responsible for the maintenance of that wall. Cibor then had a question for staff about the requirement of the transit needs for the project and what is required, and if they are not technically required then can they be conditions to make sure they are included in the project. Scanlan believes the stops are technically required. Cibor wondered how the street parking factors into parking calculations and minimums and maximums. Scanlan said street parking is not factored into the maximum or minimum. Cibor noted that the renderings are different than the site plans and asked if street lighting will be provided by the petitioner. Knoke said street lighting in public right of ways will be provided by the petitioner, will be added to site plan.

Kinzie asked if the project will be developed all at once, or in phases, concerned about student housing being completed before multifamily portion. Knoke replied that the project will be completed all at once. Kinzie asked about proposed timeline of the project. Knoke said the plan is for opening in fall of 2024.

Public Comments:

Greg Alexander was concerned about sidewalks being dead ends, like on Gourley Pike, there is no access to get to the bypass bridge to get to Kroger, and trying to cross the bypass can be dangerous. People living in the trailer park just west of this new development, who can't afford cars, won't have access or limited access to sidewalks. He suggest that there be sidewalk connections when new development is going in.

Additional Commissioners Comments:

St. John would like for someone to address Mr. Alexander's question, what are the thoughts about a sidewalk connection. Scanlan noted the properties owners to the west were approached and was not interested in the connection. The planning staff try to look for those things, and when we have willing

participants who have the money to help us get those things done we will certainly do that, but we can't compel private property owners to do things that aren't part of code. We do hope that projects in the future will utilize incentives more related, not only green building, but also providing more affordable housing options.

Sandberg is concerned about relocation of current residents living in Colonial Crest, what are the plans for relocation of the residents. Who is responsible for doing some relocation work with the current tenants of Colonial Crest? Helfrich noted that they have done this before and will do their best to get notifications to residents in advance so they can make arrangements. Sandberg wasn't expecting petitioner to answer that question, it was more of a staff question. Noted the critical need for affordability within our housing structure and wanted to remind everyone there is ARPA funding. Going to have to make some tough decisions about where that goes for one time spending and affordability needs to be the priority throughout the city.

Burrell asked Scanlan to confirm that petitioners are not exercising any of the incentives for affordable housing or any environmental incentives, Scanlan's confirmed this was correct.

****Kinzie motioned to approve, including the five bullet points outlined in the staff report and add the sixth condition to call out the public facilities for transit shall be installed prior to occupancy and waive the alley requirement. Cockerham seconded. Motion carried by roll call vote 8:0—Approved.**

PUD-16-21 Curry Urban Properties

105 S Pete Ellis Drive

Request: Request to amend the District Ordinance and Preliminary Plan for a 3.2 acre Planned Unit Development (PUD). And a request for waiver of second hearing.

Case Manager: Jackie Scanlan

The property is located at the northwest corner of E. Longview Avenue and S. Pete Ellis Drive and is zoned Planned Unit Development (PUD). The property was rezoned to PUD in 2020. The 3.2 acre property is currently undeveloped. Surrounding zoning includes Residential High-Density Multifamily (RH) to the north, Mixed-Use Corridor (MC) and Mixed-Use Neighborhood Scale (MN) to the south, and Mixed-Use Neighborhood Scale (MN) to the east and west. The surrounding properties have been developed with a mix of high density multi-family residences and commercial tenant spaces with the St. Mark United Methodist Church just to the west of the site. This property has frontage on 3 public streets: E. 7th Street to the west; E. Longview Drive to the south; and S. Pete Ellis Drive to the east. There are no environmental constraints on this property.

The petitioner is requesting to amend the existing PUD in order to incorporate a series of changes.

- Addition of 3-bedroom units
- Redesign of building
 - The redesign requires that Reasonable Condition #3 from Common Council can no longer be met.
 - The height maximum increases by roughly 2.5 feet.
 - Building setback along northern façade decreased to 10 feet and 14 feet in places.

The Unified Development Ordinance (UDO) Transition from Prior Regulations, 20.01.040(8), require that this petition be reviewed under the old UDO which was in place when the PUD was approved.

The PUD is still designed as a 4-story, mixed-use building. The proposal includes 14,000 square feet of commercial space, which was previously 12,000-19,000, with apartments on the upper floors and a portion of the ground floor. The commercial use is still expected to be medical office related to the new hospital campus, and will be initially marketed as such, though an addition has been added that other uses will be marketed, as well. The multifamily portion of the proposal includes a mix of studio units, one-bedroom units, two-bedroom units, and three-bedroom units for a total of 233 units and 341 beds, a decrease from the approved maximum of 264 units and 344 bedrooms. The overall density is still proposed at a maximum of 30 units/acre. The building will also contain a structured parking garage accessed from Longview Drive, now with 254 parking spaces, as compared to the previously approved 306 parking spaces. The proposed maximum parking ratio for residential parking is still 0.90 spaces per unit and no more than 0.70 spaces per bed, with additional spaces to be used to support the commercial use. The petitioner also proposes 14 back-in, angled, on-street spaces on Pete Ellis Drive.

The Planning and Transportation Department recommends that the Plan Commission waive the second hearing and forward this petition to the Common Council with a positive recommendation with the following conditions:

1. PUD Final Plan approval is delegated to the Planning and Transportation Department staff.
2. Prior to the issuance of a grading permit, all items in the right-of-way shall receive an encroachment agreement from the Board of Public Works.
3. The petitioner will record the proposed workforce housing zoning commitment before any occupancy is issued for the site.
4. All public improvements, including but not limited to bike racks, sidewalks, and side paths must be located in either right-of-way or a recorded pedestrian easement. Board of Public Works approval for those items in the right-of-way must be obtained before any occupancy permits will be issued.
5. A Zoning Commitment indicating that these public improvements, as well as the rain gardens, will be maintained by the property owner in perpetuity must be recorded before any occupancy will be issued.
6. The petitioner will submit a traffic study for review with the application for Final Plan approval.
7. The petitioner shall describe the LEED-compliant practices planned, as well as provide plans for the green or live wall elements being planned along with a maintenance plan for their future viability with the application for Final Plan approval.
8. The property owner shall assure that no sound amplification device used in the amphitheater or in conjunction with any potential community viewing screen within the project produces sound in violation of BMC 14.09 (Noise Control).
9. The property owner shall assure that no light emanating from the amphitheater or from the potential community viewing screen adversely affects neighboring properties and shall adhere to the Outdoor Lighting standards set forth in the current UDO 20.04.090, approved by the City of Bloomington Plan Commission in January 2020.
10. The developer shall record a written zoning commitment to install an art facade feature or green wall feature along the wall on the Longview Ave. façade that is immediately west of the vehicular entrance.
11. The developer shall record a written zoning commitment to install a Cool or Vegetated Roof covering at least 70 percent of the area over the parking structure, as specified in the Unified Development Ordinance (UDO) Section 20.04.110(d)(2)(A)(iv) (Sustainable Development –

- Cool or Vegetated Roof). However, if the installation of rooftop solar photovoltaic panels occupies a large enough space to require a reduction in the percent of roof dedicated to a cool or vegetated surface, this reduction will be permitted.
12. The developer shall record a written zoning commitment to offer on-site parking only a la carte, and not include parking spaces in rent.
 13. The developer shall record a written zoning commitment to:
 - (a) Installing solar photovoltaic panels with a minimum power capacity of 15 kilowatts;
 - (b) Installing at least ten electric vehicle charging stations in an area of priority parking and designing a parking garage with features, such as conduit throughout the facility, that allow for the garage to be retrofitted for more charging stations, if demand for the stations grows; and
 - (c) Having P&T staff review and approve the design elements at Final Plan stage and installation prior to issuance of Occupancy Permit.
 14. The rooftop mechanicals shall be subject to BMC 20.04.080 (m) - Screening - of the UDO approved by the Bloomington Plan Commission in January 2020, such they will not be visible from the ground-level.

Project Representative Comments:

Tyler Curry thanked the staff and commissioners for hearing this for a second time. They have a few changes to this project that is going to make it better. They are asking for additional three bedroom units, which they believe will attract certain clientele and covering the exposed façade of the garage. Tom Jasin, development manager for Scanel Properties said they have partnered with Tyler Curry with Curry Urban Properties, also present is Craig Miller who is VP of Project Management for Scanel, Jeff Fanyo and Al Lupton and Christina Kroger of SpringPoint their landscape architect. Jasin said with additional research and due diligence has led to these very intentional revisions, the proposed plan is a result of much deliberation between the members of the petitioner, our consultants, conversations with planning staff and all the while keeping in mind what went into the 2020 district ordinance, the sum of their changes proposed amendment generally stem from two items that we've covered. The first is shifting the garage east to be adjacent to the commercial space and this creates a single interior courtyard, and completely and architecturally concealing what was an exposed garage on two sides of the project. The other major change is we determine was the need for three bedroom units, keeping the studios and one bedrooms roughly the same at 68% and all the while they have not changed the primary thesis of the project, provide a single living environment around the IU Regional Halifax Academic Center, they feel they have increased the variety of quality living options for a large spectrum of individuals. Jasin wanted to note a couple of things in Scanlan's report as it relates to the height increase. It is not a result of adding mass or bulk it is a result of better and actual site data they have been able to gather as we further the design of the building. The added height in selected areas do not impose on the neighboring properties, but rather add architectural features and interests. They kept in mind the added heights and kept it reasonably low and what is structurally feasible. Jasin noted that Scanlan had mentioned putting the green wall façade immediately west of the garage entrance, would like to work with the staff to look at alternate locations for that green wall façade.

Commissioners Comments:

Kinzie would like clarification on the height increase that Mr. Jasin was describing, what effect of the height increase will have. Jasin said the added height increase is limited to about two feet two inches are actually decreases in several other area, not including the stairwell necessary for the garage. One of the

height increases occurs on the west elevation at the secondary entrance lobby on the first floor and from the preliminary plan of the first petition this had a prominent architectural feature they wanted to keep so they added height to do so. The other increase is in the northwest corner. Lupton said on the west elevation the grade starts to drop off and that is really where they get affected mostly by the increase, the average height of the building is around, plus or minus, 50 feet. Kinzie asked about the cistern that was in the original plans, she is disappointed to see that they have removed it, would like to know why it is no longer necessary. Jasin said they investigated for a solution and found there wasn't reasonable way to accomplish it, it would have been an architectural feature in lieu of a system would have collected water. They are still collecting rain water in the courtyard and using that to irrigate the Community Gardens. Kinzie asked if the landscape architect has anything to weigh in on, interesting with amount of roof space that is available, perhaps it's balanced with the vegetative roof. Kroger stated her goal is take as much from the downspouts as possible into some cisterns for the gardens and then also to fill in the rain gardens. There is a new courtyard plan, may not have been seen by commissioners yet, storm water is important on this project, so the idea was to really celebrate it, so she centralized the storm water collection into a central kind of Bioswale. Kinzie then asked about the SRI requirement, clarify what that means. Scanlan said the code requires that a certain number of parking spaces be covered, the parking in the garage counts toward that requirement, so this project more than meets the number of spaces that need to be covered. Kinzie was worried about the amount of concrete, the surface of the parking garage that is reflected back up to the atmosphere and what harm that could possibly be doing. Jasin has a couple items to add as it relates to the SRI rating and why we're requesting that it be amended, it mostly relates to the applicability of the previous reasonable condition in the previous plan, on top of the garage the reasonable condition was reflective of that in requesting 70% of the coverage meet the requirements of a cooler vegetated roof, since we are not including units on the top, which was a decision based on the economic viability of doing so, we are trying our best to meet that original intent by meeting the SRI rating underneath the SEC, the section of the new code, we felt it was more applicable to this material or a parking structure.

Cibor asked about transportation and traffic. One of the conditions is they do a traffic study, what does that mean? What if the traffic study finds some significant issues like a signal is needed, what does that really mean. Scanlan said the previous engineer did not feel that a traffic light would be needed, but the petitioner was asked to do that study to confirm the information. Cibor wanted clarification that if a traffic light was needed it would be the petitioner who would be paying for the light. Cibor next question was about the access point of the parking garage, is concerned about visibility of drivers being able to see cyclist. Jasin said their goal is make this as safe as possible, they feel this is the most appropriate location for the garage entrance and it is in the petition to include some form of warning sign, they have done both audio and visual elements. Cibor wanted clarification on parking spaces for delivery vehicles. Jasin said they were investigating and would hope to come up with a resolution as the project moves forward.

Cockerham asked about the commercial square footage and what type of tenants they hoping to attract. Jasin said there is 14,000 sq. ft. of commercial space in the project, and they are primarily marketing to medical office users.

Wisler said on the original renderings on the east elevation there appears to be a double setback, a setback after the second story and then another setback after the third story, in the new design it almost appears that maybe there's only a single set back in that location. Jasin said there are two setbacks, the southeast

corner, looking at the building and the second one is on the southwest corner, and the setbacks are still in place on both the third and fourth level. Wisler asked about the balconies that were in the original renderings along the south elevation, those now appear to be faux balconies. Lupton said around the garage entrance those are faux balconies with sliding doors that open. Wisler asked about the plant life on those balconies and along the streetscape, are there really going to planter boxes be maintained by the property owners or is an anticipation that the residents might put in their own plants on the balconies. Jasin said that it would be a little of both, the petitioner will implement planter boxes in certain areas and they will maintain those as the property owner and other landscape items, especially those in the public right of way. But they will offer ample opportunity for residents to utilize that outdoor space, almost all the units have balconies, with the exception to those on the north side of the project.

Public Comments:

Jim Shelton of the Chamber of Commerce, would urge the Plan Commission to consider this and all projects in the context of our strong need for more housing and strong need for more different kinds of housing.

Steve Akers encourages the petitioner to do the traffic study because he feels there will be a need for a light, also to do the study during the academic year so that it is true data. Also curious about the additional 3 bedrooms units being added to the project. He is concerned about the issue of delivery trucks and traffic flow. Would like for the design team to look at the architectural elements, believes the change in the garage took away some of the uniqueness that was in the original drawings. Also asked about the pool, wasn't in the original drawings but it has been added to the latest renderings. Hopes that they will be marketing to the medical community, rather than the student population.

Final Commissioner Comments:

Sandberg would like petitioners to respond to Mr. Akers questions. Jasin said for the three bedroom units it was noted since the pandemic more people are working from home and want space for an office. For the target market they are continuing to target the hospital market. The pool was added as an amenity that they provide in this class of projects. Regarding the uniqueness of the architecture, they feel the opposite, they have actually enhanced the aesthetic of the building having completely hidden the large concrete structure, garage, from view.

St. John asked when the traffic study was done, questions whether it was done when students were in town. Jasin said the study was done last year, while the students were gone. Miller said they may be doing an update to the study in the fall once the students are back.

Cibor would ask the petitioners to look closely at the loading issue and how it can fit within the street, how it might impact you're landscaping, it is a really important detail. It can be worked out later once through the grading permit, but he thinks it warrants a little more thought before it goes to City Council. He would like to revisit the recommendation as it relates to the traffic study. Scanlan proposed revising number six to add "clarification that if the traffic study indicates that improvements are warranted, such improvements will be installed before final occupancy is issued and is the financial, design, and installation responsibility of the petitioner or future owner, unless otherwise determined with the City of Bloomington".

Wisler asked for clarification on the language about the traffic light, is it typical to require the petitioner to install the traffic light. Scanlan says it is typical when a development generates enough traffic that a traffic light is required then the development has to put in the traffic light. Case in point, when Patterson Point went in the developer had to install the light. They will work with the City Engineer for design, but completion of the work is the responsibility of the petitioner.

St. John questioned the timing of the new regional academic health center opening soon and this new development. It may be that the light will be required because of the increase traffic due to the health center opening. If you know the hospital is going to happen and traffic will be, by definition, already be a lot more and so adding the development will make it worse, but on the other hand, we also need the development and the traffic study didn't really mention the hospital. Scanlan said the traffic study is not going to be taking into account the additional hospital traffic since it has not opened, but with the caveat at the end of the amendment that leaves the door open, so if the numbers show the need for a light, leaving that option open for negotiation. Cibor would encourage that traffic counts be done before the hospital site opens, then the health data traffic study can be done, so it would be easy for them to factor what traffic could be attributed to what use.

****Kinzie motioned to forward the petition to the Common Council with a positive recommendation, including the fourteen bullet points outlined in the staff report with the added amendment to item six. Sandberg seconded the motion. Motion carried by roll call vote 8:0—Approved.**

Meeting adjourned at 8:21 p.m.